

Dissenting Report from the Australian Greens

1.1 The *Australian Crime Commission Amendment (Criminology Research) Bill 2015* seeks to merge the functions of the Australian Institute of Criminology (AIC) into the Australian Crime Commission (ACC).

1.2 The Government has stated that it sees great opportunity in combining the resources of the AIC and ACC to provide Australian law enforcement agencies with central access to a consolidated and comprehensive criminal research and intelligence resource.¹

1.3 The majority of submissions received and evidence heard by the committee on this Bill raised significant concerns about the proposed merger. The President of the Australian and New Zealand Society of Criminologists, Professor Rick Sarre, stated in evidence to the Committee that 'there is no doubt at all that the membership of our organisation would be with the maintenance of the status quo. I am very happy to say that'.²

1.4 Concerns were expressed to the committee that merging the research function of the AIC with the law enforcement function of the ACC would compromise the perception of the independence of the AIC.

1.5 The Acting Director of the Griffith Criminology Institute, Professor Janet Ransley, stated in evidence to the committee that 'I think that once you put this research function in a law enforcement agency there is a capacity for it to be perceived as co-opted by law enforcement. It will lose that aura of independence. That would be a great shame for Australia'.³

1.6 Concerns were expressed to the committee that combining the research function of the AIC with the law enforcement function of the ACC, while maintaining the current board structure of the ACC, would diminish the research program currently undertaken by the AIC.

1.7 Professor Ransley stated in evidence to the committee that:

The ACC board, as it is currently constituted—by my understanding—comprises largely law enforcement-related personnel from the states and territories and federal agencies. I think that is an inappropriate body to be setting research directions as we would understand criminological research. I think it does show a lack of understanding about the distinction between law enforcement-related intelligence gathering—which is a legitimate and important function—and criminological research, which is about

1 The Hon Kelly O'Dwyer MP, Assistant Treasurer and Minister for Small Business, *House of Representatives Hansard*, 15 October 2015, p. 11312.

2 Professor Rick Sarre, President, Australian and New Zealand Society of Criminologists (ANZSOC), *Committee Hansard*, 19 November 2015, p. 4.

3 Professor Janet Ransley, Acting Director, Griffith Criminology Institute (GCI), *Committee Hansard*, 19 November 2015, p. 10.

understanding the underlying factors that contribute to and worsen or reduce crime. I think that is not a great solution, to have the board—as currently constituted—directing research. I think it would result in a diminution of the research function, and it would be a disaster, actually.⁴

1.8 The Crime Prevention Council submitted that the AIC has been highly respected and valued as a source of sound research and advice. The Council further submitted that the diminution of its research, publications, overseas assistance and conference organizing functions would have an adverse effect on Australia's criminal justice influence and role in the region.⁵

1.9 The Bill provides no guarantees that when the AIC becomes a research branch of the ACC—the Australian Crime and Justice Research Centre—the depth and breadth of research currently undertaken by the AIC will continue. Civil Liberties Australia in their submission believe that 'domestic' crime issues may be neglected given the national priorities of the ACC.⁶

1.10 Professor Sarre, in evidence stated:

If you are looking at crime prevention and bringing safety and security to our communities, anti-terrorism is one arm, and the sort of intelligence gathering that the ACC has done so well for so many years is another arm. But, if you are talking about community development and you are talking about education, health, housing, welfare—all those sorts of things—and the things that the sociologists and psychologists are telling us are the grave risks to our community development, an intelligence-gathering body is not likely to engage in that sort of behaviour.⁷

Conclusion

1.11 Should this Bill pass there is a significant risk that broad ranging criminological research that focusses on understanding the causes of crime, and recommending crime prevention strategies, will take second place to the law enforcement needs of the ACC.

4 Professor Ransley, GCI, *Committee Hansard*, 19 November 2015, p. 10.

5 Australian Crime Prevention Council (ACPC), *Submission 1*, p. 3.

6 Civil Liberties Australia (CLA), *Submission 2*, p. 2.

7 Professor Sarre, ANZSOC, *Committee Hansard*, 19 November 2015, p. 3.

1.12 The government's stated aim of providing Australian law enforcement agencies with central access to criminological research could have been achieved by administrative changes which would not require merging the AIC into the ACC.

Recommendation 1

1.13 The Australian Greens recommend that the Bill be rejected by the Senate.

**Senator Nick McKim
Australian Greens**

