

# The Palgrave Handbook of Australian and New Zealand Criminology, Crime and Justice

“The *Australian and New Zealand Handbook of Criminology, Crime and Justice* is an ambitious project and a monumental accomplishment. Its 56 chapters showcase the diversity and depth of scholarship the two countries have achieved in 50 years of criminal justice research. Covering a wide range of topics including patterns of crime, state and non-state responses, theories of criminality and crime prevention policies, the *Handbook* features both established and emerging researchers, with a unique section written exclusively by Indigenous scholars. This *Handbook* is both a valuable resource and a testament to the vibrant state of Australian and New Zealand criminology.”

—Professor Janet Chan, *University of New South Wales, Law School, Australia*

“This Handbook provides a timely—and indeed long overdue—overview of academic criminology in Australia and New Zealand from both an historical and contemporary perspective. The 56 chapters demonstrate the great depth of criminological research in our region and the contribution it has made to our understanding of crime and criminal justice policy. It will be not only an indispensable reference point for scholars and policy makers nationally but also of interest to international scholars in the field.”

—Dr. Warren Young, *Former Deputy Secretary for Justice and Deputy President of the New Zealand Law Commission*

Antje Deckert · Rick Sarre  
Editors

**The Palgrave  
Handbook  
of Australian and New  
Zealand Criminology,  
Crime and Justice**

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## Preface

The *Australian and New Zealand Handbook of Criminology, Crime and Justice* covers key debates in academic criminology since the formal establishment of the Australian and New Zealand Society of Criminology (ANZSOC) in Melbourne, Australia in 1967. In six parts, containing 56 original chapters, leading researchers and practitioners outline the crime and justice landscapes of Australia and New Zealand, explore patterns of crime, discuss how state and non-state agencies have sought to address criminal offending within and outside the criminal justice system, examine crime and criminality through different theoretical and policy lenses, contemplate emerging and developing research areas, and critically discuss how and why Australia and New Zealand continue to excessively arrest, convict, and incarcerate Indigenous men and women of all ages. In 2014, the UN Human Rights Panel urged that the governments of Australia and New Zealand address this social crisis (UN Human Rights Panel 2014a, 2014b). Trans-Tasman criminologists have been conscious of the problem for many decades and have repeatedly highlighted its importance for research and policy. A little dig into the digitised archives of the *Australian and New Zealand Journal of Criminology*—the academic journal published by ANZSOC—unearths that David Biles pointed out in 1969 that “it is well known that aborigines are grossly over-represented in the prison populations of all [Australian] States” (Biles 1969, 225), and, two years later, New Zealander John L. Robson similarly argued that “Maori offenders constituted the heart of our penal problem ... [and that] there was a call for social action on a national scale” (Robson 1971, 198). This topic has remained current ever since, which is indicated by the fact that the terms overrepresentation, (de)colonisation, and bias feature frequently throughout this volume.

A unique feature of this edited collection is Part V, which contains *Indigenous Perspectives on Crime and Criminal Justice* that are underrepresented in many mainstream academic publications (Deckert 2014, 2016). Linda Tuhiwai Smith, one of New Zealand's most cited Māori scholars, has repeatedly problematised research “as a significant site of struggle between the interest and knowing of the West and the interest and knowing of [Indigenous peoples]” (Smith 1999, 2). She and many other Indigenous and non-Indigenous scholars have noted a “counterproductive tendency in intellectual and scholarly circles to denigrate, dismiss, and attempt to quash alternative theories, perspectives, and methodologies” (Chilisa 2012, 55; see also Agozino, 2010; Cunneen and Tauri 2016; Tauri 2012). The editors have sought to ensure that such criticisms do not extend to this Handbook by championing a content design that includes an Indigenous *perspectives* part—as compared to a more generic Indigenous *issues* part—in which all of its eight chapters are either sole- or co-authored by Indigenous scholars.<sup>1</sup>

Of the total 56 chapters, 22 were co-authored, and although only four chapters are cross-Tasman collaborations (Chaps. 2, 8, 11, and 41), most chapters condense existing research from both Australia and New Zealand and position trans-Tasman developments in an international context. While the crime and justice landscapes of Australia and New Zealand demonstrate many commonalities, their distinct histories and geographies have had—and continue to have—a significant impact on how these landscapes are shaped, leading to some unique features and divergent policy outcomes. Hence, some of the 12 chapters that solely concentrate on crime and justice in New Zealand feature topics that have less relevance in Australia. For example, Samoan youth crime (Chap. 12) is more relevant to New Zealand, where the world's second largest Samoan diaspora resides.<sup>2</sup> Also, Rangatahi courts (Chap. 47) have only been established in New Zealand because they are youth sentencing courts that practise and function on the basis of kaupapa Māori. On the other hand, some topics are exclusively Australian—such as Koori courts (Chap. 25) and Australian gun laws (Chap. 52)—or are more pertinent to Australia than New Zealand, for example, border policing (Chap. 20), because of a much higher number of irregular boat arrivals along Australian coasts than New Zealand coasts. Also, rural crime (Chap. 19) and responses to it are of greater concern for Australia with its vast outback, compared to New Zealand with its relative geographic density. Nevertheless, urban-centric responses to crime continue to prevail in both countries (Barclay 2007; Hogg and Carrington 2006).

Six parts structure this volume. Part I, *The Crime and Justice Landscape*, introduces the historical formation of criminology in Australia and New Zealand. It provides an overview of the different legal frameworks and key

institutions in the two countries (Chaps. 1–4), outlines available sources of data on crime and criminal justice (Chap. 5), analyses mainstream media representations of crime (Chap. 6), and highlights some of the key law reforms that have impacted the criminological research agenda in Australia (Chap. 7). From this part, we see the first significant difference between Australian and New Zealand criminology, that is, in the entities dedicated to criminological research. The Australian government has established specialised agencies such as the Criminology Research Council (CRC)—which provides “funding for criminological research which is relevant to public policy” (CRC 2016)—and the Australian Institute of Criminology (AIC) and the Australian Criminal Intelligence Commission (ACIC), which undertake criminological research and provide and intelligence resource for the criminal justice sector. Moreover, NSW and South Australia have established their own research agencies, respectively, the Bureau of Crime Statistics and Research (BOCSAR) and the Office of Crime Statistics and Research (OCSAR). Parallel to criminologists in these governmental bodies, university-based academics undertake independent criminological research, but can also compete for funding provided by the aforementioned agencies. Hence, it can be said that a proportion of Australian research funding is ring-fenced for criminologists. New Zealand, on the other hand, has not established such specialised research and research funding agencies (yet), despite the fact that it continues to pursue highly punitive penal policies with a continuously growing prison-industrial complex (see Chap. 23 and our conclusion). Hence, New Zealand criminologists tend to compete with researchers from other social sciences for the small pots of designated—and by and large government-funded—broader social sciences research funds.

Part II, *Patterns of Crime*, considers traditional and developing types of offending and victimisation and explores how Australian and New Zealand criminology has contributed to comprehending their nature, extent, and impact. The first chapter in this part (Chap. 8) attempts to map common crimes, and in doing so, we learn that although New Zealand’s official criminal statistics often portray property, dishonesty, and drug offences as the most common types of crime, results from the New Zealand Crime and Safety Survey indicate that, in fact, violent interpersonal offences seems to be the most common offence type. In line with this reasoning, the following two chapters explore violent crime (Chap. 9) and commercial armed robbery (Chap. 10). This provides a segue into two chapters that, *inter alia*, discuss violent offending by outlaw motorcycle gangs (Chap. 11) and violence perpetrated by Samoan youth in New Zealand (Chap. 12). We learn that the latter can be gang-related, but is often learned in the home. This notion paves the way for chapters on domestic violence, violence in close relationships, and

violence against women (Chap. 13), and on sexual violence and harassment in the digital era (Chap. 14). Through the latter, we enter the virtual world and are thus prepared for a more in-depth examination of cybercrime (Chap. 15). We come to know that, contrary to persistent, media-generated images of the enigmatic ‘hacker’ as the archetypical cybercriminal (Wall 2008), cybercrime is, in fact, no longer a rare, high-value crime committed by a few specialists but has developed into a high-volume, low-value crime industry that assembles computer viruses and ransomware on its virtual conveyer belts. Chapter 15 reminds us to be aware of how the rapidly developing cyberworld affects other areas of criminological research. Indeed, the immediately following chapters on patterns of white collar crime, corruption, and fraud (Chaps. 16–18) demonstrate the increasing influence of the cyberworld in enabling money transfers to offshore accounts in so-called tax havens as well as phishing and romance scams. Part IV concludes with two chapters that focus on real, as opposed to virtual, spaces. Chapter 19 examines rural crime in Australia. It covers not only changes in farm-related offending over the past two decades, but it also explains how geographic remoteness adversely affects criminal justice responses by the police, judiciary, and correctional services and thus disproportionately impacts members of Indigenous communities. Chapter 20 examines transnational organised crime and border policing. Demonstrating the continuing relevance of this research topic, Australian Prime Minister Malcolm Turnbull recently announced that his government proposes a law that bans boat asylum-seekers from Australia permanently, regardless of future visa type (News Corp Australia 2016) only shortly after the relevant chapter was submitted by its author.

Part III, *State and Non-State Responses*, examines the institutional and theoretical context of criminology by exploring how responses to crime and their consequences have developed in Australia and New Zealand. Beginning on the international stage, Australian peacekeeping (Chap. 21) and anti-terrorism laws (Chap. 22) are critically discussed. Thereafter, scholars examine penal policies in New Zealand (Chap. 23), sentencing trends including mandatory minimum and three strikes laws (Chap. 24), Indigenous sentencing courts in Australia (Chap. 25), restorative justice and the particular difficulties youth offenders experience within restorative justice (Chaps. 26 and 27), child witnesses in criminal courts (Chap. 28), children of prisoners (Chap. 29), and redress for historical institutional abuse of children (Chap. 30). Chapters 28 and 29 show us that crime and criminal justice issues not only affect victims and offenders, but can also have significant adverse effects on ‘innocent bystanders’, causing them to suffer from anxiety, insecurity, and anger. For children of incarcerated parents, this can lead to

poor mental health outcomes, educational underachievement, and a significant increase in the likelihood of future offending (Burgess-Proctor et al. 2016). With a combined total of 30,000–40,000 children experiencing parental incarceration in Australia and New Zealand every year, one cannot help but wonder to what extent the criminal justice system has become a perpetual motion machine that rejuvenates its population of imprisoned bodies by causing arguably unintended, yet inevitable ‘collateral damage’. Government responsibility comes under further scrutiny in Chaps. 31–33, wherein their authors discuss neoliberal tendencies to outsource criminal justice functions—that have traditionally fallen under state authority—to the private or third sector. After Chap. 33 reveals that New Zealand policing relies heavily on the private security industry and a nationwide network of volunteer community patrols, we turn our attention to the public police in the final chapters of this part. While Chap. 34 asks how much influence police organisations exert over the development of crime policy, Chap. 35 critically discusses what makes police oversight authorities truly independent.

Part IV, *Crime and Justice through Different Theoretical Lenses*, demonstrates how problems in crime and criminal justice shift in their definition and meaning depending on the theoretical lenses that scholars and practitioners (figuratively) wear. Contributors cover well-established strands of criminology such as Green Criminology (Chap. 41) and Feminist Criminology (Chap. 39) and explore recent frontiers within the discipline such as Convict Criminology (Chap. 40) and Narrative Criminology (Chap. 42).

Part V, *Indigenous Perspectives on Crime and Criminal Justice*, demonstrates how the excessive contact between criminal justice and Indigenous peoples continues to confront trans-Tasman criminologists with the legacies and new forms of European colonisation. In this part, Indigenous scholars—some jointly with non-Indigenous colleagues—critically discuss how Indigenous experiences of colonisation have shaped the interactions between Eurocentric criminal justice and Indigenous peoples, and how colonial law (see Chap. 46 in particular) and settler-dominated discourses have affected current police, court, and correctional practices, which have resulted in the “mass incarceration” (Chaps. 45 and 48) of Indigenous peoples in Australia and New Zealand. The part concludes with reflections on the role of criminology and criminologists in maintaining the status quo and contemplates the possibility of an Indigenous criminology.

The final part, *Crime Prevention Policies*, examines the relationship between criminological research and policy. The authors discuss evidenced-based, prevention-focussed crime policies relating to gun licensing (Chap. 52),



restrictions on alcohol availability and alcohol consumption (Chap. 53), and prison-based rehabilitation programmes (Chap. 55), as well as advances in developmental prevention programmes (Chap. 54) and criminal profiling (Chap. 56). We learn that, in some instances, governments seem to have considered the research findings of those who have examined the respective topic thoroughly, and acted accordingly.

The *Handbook* shows that the Australian and New Zealand crime and justice landscape has experienced a number of significant changes at the institutional, theoretical, and policy level since its formal establishment 50 years ago. Some of these changes may give the observer cause for celebration, such as the significant drop in gun-related deaths in Australia, and the advances that have been made in the conception and implementation of restorative justice and Indigenous sentencing courts on both sides of the Tasman. However, other changes may give rise to contemplation, even consternation, and conceptual reconsideration, such as the fact that, despite 50 years of criminological research, the imprisonment rates keep increasing in both countries, which continues to disproportionately affect the lives of Indigenous men and women of all ages.

As the overall scope and thematic diversity of this *Handbook* evidences, Australian and New Zealand criminology is thriving and it is bound to gain even more ground on the international stage as globalisation processes lead the way through the twenty-first century. Thus, the *Australian and New Zealand Handbook of Criminology, Crime and Justice* provides an extensive resource for academics and public policy analysts in Australia and New Zealand, and for students undertaking undergraduate and postgraduate studies in criminology and related disciplines. The volume should be of interest to international academics and postgraduate students as well as government researchers who wish to include Australia and New Zealand in their comparative studies, because contributors not only address key theoretical and practical debates and explain implications of past developments and recent trends in official data collection, policy development, and academic investigation, but they also identify under-researched and emerging problem areas for future research.

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## Notes

1. Only exception is Harry Blagg's chapter "Doing Research with the Indigenous Domain as a Non-Indigenous Criminologist" (Chap. 50), who clearly writes from a non-Indigenous perspective. This chapter was peer-reviewed by an Indigenous scholar.
2. The largest Samoan diaspora resides in the US with around 185,000 people. New Zealand's population encompasses around 131,000 Samoans, while the Australian-based Samoan diaspora only counts around 56,000. These numbers compare to around 194,000 Samoans residing in Samoa.

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# Acronyms

a.k.a.	Also known as
ABC	Australian Broadcasting Corporation
ABS	Australian Bureau of Statistics
ACC	Australian Crime Commission
ACCC	Australian Competition and Consumer Commission
ACT	The Australian Capital Territory
AFP	Australian Federal Police
AIC	Australian Institute of Criminology
AIHW	Australian Institute of Health and Welfare
ALP	Australian Labor Party
ALRC	Australian Law Reform Commission
ANU	Australian National University
ANZSOC	Australian and New Zealand Society of Criminology
ARC	Australian Research Council
ASC	American Society of Criminology
AUT	Auckland University of Technology
BA	Bachelor of Arts
BJS	US Bureau of Justice Statistics
BOCSAR	Bureau of Crime Statistics and Research
BS	Bachelor of Science
BSC	British Society of Criminology
CDPP	Commonwealth Director of Public Prosecutions
Cth	Meaning ‘Commonwealth’, cited after laws that are binding all Australian jurisdictions
DECRA	Discovery Early Career Research Award
EU	European Union
Europol	European Union’s law enforcement agency
flax-roots	In New Zealand often used instead of the term grass-roots

HCA	High Court Australia
ILO	International Labour Organisation
INTERPOL	International Criminal Police Organisation
LCA	Law Council of Australia
LGBTQI	Lesbian, gay, bisexual, transgender, queer, intersexed
LLB	Bachelor of Laws
NCCJS	Australian National Centre for Crime and Justice Statistics
NDARC	National Drug & Alcohol Research Centre, Australia
NSW	New South Wales
NT	The Northern Territory (used in conjunction with agency names)
NZ	New Zealand (used in conjunction with agency names)
OBE	Officer of the Most Excellent Order of the British Pacific Islanders
OC spray	Oleoresin capsicum spray, also known as pepper spray
QC	Queen's Council
QLD	Queensland (used in conjunction with agency names)
QUT	Queensland University of Technology
RCIADC	Royal Commission into Aboriginal Deaths in Custody
SA	South Australia (used in conjunction with agency names)
UC	University of California
UK	United Kingdom of Great Britain
UN	United Nations
UNSW	University of New South Wales
USA	United States of America
VUW	Victoria University of Wellington
WA	Western Australia (used in conjunction with agency names)
WHO	World Health Organisation
WWI	First World War
WWII	Second World War



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