

CAN POLICE PREVENT CRIME?

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For most of this century it has been hard to find social scientists who have much confidence in the crime prevention properties of the criminal justice system. One important reason for this has been the theoretical, particularly positivistic, bias of most social scientists, which has generated a strong backlash against the classical model of crime control. The classical model, which despite a century of sociology and psychology remains the cornerstone of all modern criminal justice policies (Vold & Bernard, 1986), emphasised "rational" decision making processes and the deterrent potential of law and law enforcement for amoral individuals with hedonistic tendencies and risk-taking proclivities. By contrast, most modern schools of thought reject legal punishments or the threat of legal punishments as meaningful influences on crime, preferring explanations rooted in psychopathology, human developmental processes, or societal structures (Grasmick & Bursik, 1990). It is argued that in comparison with these fundamental forces shaping human behaviour, anything the police, courts or prisons can do will be of strictly marginal significance.

Given this theoretical tradition, it is not surprising to find a considerable volume of literature expressing scepticism about the crime prevention value of traditional police methods centred on the "professional law enforcement" principles of random and directed patrol, rapid response to calls for service, and retrospective investigation of crimes (Moore, 1992). Many articles or standard texts in criminology or the sociology of deviance, particularly from the 1960s and 1970s, will serve as examples (e.g. Sutherland & Cressey, 1966; Wertheimer, 1975), although police and other critics can easily respond that ideas such as deterrence were dismissed in these texts in a somewhat cavalier and arbitrary fashion (see Homel, 1988 for a summary of the debate). In fact in some of the standard texts one cannot even find "deterrence" in the index (e.g., Haskell & Yablonsky, 1974), while in others a straw man - the standard econometric model of "rational" behaviour - is set up and dismissed (Vold & Bernard, 1986).

The literature critical of traditional police methods which rely on maximising detection and arrest rates is, however, increasingly based on empirical research as well as on perhaps arbitrary theoretical presuppositions. The disappointing results of the Kansas City Preventive Patrol Experiment are well known (Kelling, Pate, Dieckman & Brown, 1974), and the results of the Minneapolis Domestic Violence Experiment (Sherman & Berk, 1984) which suggested a marginal specific deterrent effect of arrest in comparison with counselling or sending the suspect away have been complicated by replications of the experiment in other cities which suggest that arresting suspects is in many cases criminogenic (Sherman, 1992). An experimental study in Britain of the effects of increasing the level of foot patrol showed no reductions in crime (Weatheritt, 1991), while evaluation studies of rapid response, police patrols and follow-up investigations by detectives have not produced positive results (Clarke & Heal, 1979; Greenwood, Chaiken & Petersilia, 1977; Kansas City Police Department 1977-79; Moore, 1992). Increasing police numbers seems not to decrease crime but simply to increase reported crime (Koenig, 1991); as Felson (1993: 11) puts it, given the size of modern cities, "Doubling the number of police in a U.S. metropolis is like doubling a drop in a bucket". Greene and Taylor (1991) summarise the position of most scholars in the field:

These studies suggest that the deterrent capacity of the police has been largely overestimated and the traditional police response exaggerated. Collectively, these findings call into question the effectiveness of traditional policing in dealing with crime, disorder, or citizen fear of victimisation. (p. 196).

I argue in this chapter that although this position has much to commend it, it is in fact based on some theoretical confusion and on incomplete empirical research. Not all studies have documented the complete failure of deterrence (e.g. Blumstein, Cohen & Nagin, 1978; Ross, 1982; Sherman, 1990), and there is evidence that incapacitation policies based on arrest and imprisonment do have some crime prevention benefits,

even if these are more limited than their proponents would like (Blumstein, Cohen, Roth & Visher, 1986; Cohen & Canelo-Cacho, 1993). At the theoretical level, arguments about deterrence (such as that quoted above) often fail to distinguish absolute and marginal deterrent effects (Gibbs, 1975; Zimring & Hawkins, 1973). It is quite possible that a certain size police service and a certain level of police activity achieve a measure of crime control, in the sense that if police were removed completely there would be a sudden and substantial increase in crime, but that increases in police numbers or intensification of traditional police activities will have no additional *marginal* general deterrent or crime reduction effect. To say that a doubling in police numbers will produce no decrease in crime is not the same as saying that the abolition of all police will produce no increase in crime - the literature referred to below on the effects of police strikes suggests otherwise. The distinction is not just academic; clarification of this point would help social scientists explain to police and law and order lobbyists why *some* traditional law enforcement is essential but more of the same may be positively harmful.

Using as case studies three Australian research projects with which I have been associated, as well as a review of some recent literature on crime prevention, I will present evidence that police enforcement can achieve crime prevention objectives, but *only* if traditional reactive approaches focused on arrest and conviction are supplemented by (and in most cases made subordinate to) policies which make general deterrence or general prevention the primary goal. The first of the research projects, a study of high speed police pursuits and of new legislation aimed at selectively incapacitating serious and repeat offenders in Western Australia, is a case study in policies police and government should *not* pursue if they are genuinely interested in prevention. The second study, of random breath testing in New South Wales, illustrates the kinds of changes in police culture and practices which are required if law enforcement is to have a major impact on alcohol-related traffic crashes. The challenge is to abstract general prevention principles from the specifics of drink-driving law

enforcement. The final case study relates to research on violence in and around drinking establishments. The key question is how police can work cooperatively with such groups as liquor licensing inspectors, community workers, local government, and with the licensees themselves to effect critical changes in management practices so that criminogenic aspects of the drinking environments are reduced or eliminated.

There are several important lessons to be learned from these case studies and from the wider literature on policing. It is clear that in most cases police can't do the crime prevention job on their own, but need to cooperate with or be supported by other government and community agencies; that the most powerful crime prevention strategies actually depend on informal rather than formal control processes; and that a major aim of formal preventive policing should be to strengthen informal controls - provided these informal controls are consistent with civil liberties and human rights - to the point where the formal controls are less necessary or can be dispensed with altogether. We know very little about how these goals can be achieved, so I conclude by considering briefly the nature of the research which must be done if police are to become more effective in preventing crime while protecting fundamental human rights.

Diminishing Returns

It is not hard to understand why people put a great deal of faith in the abilities of police to control crime. There is a natural logic to the whole process of detection, arrest and punishment. An efficient police force is supposed to catch most of the serious offenders, who are fined sufficiently severely or put behind bars for long enough to serve as a warning to others who may contemplate committing similar crimes (*general deterrence*). In addition, imprisonment *incapacitates* offenders for a period, preventing them from committing further crimes while they are in gaol. In the extreme case, capital punishment incapacitates permanently (leaving aside the substantial minority of cases where the wrong person is despatched). If we are very lucky, the offender may even be *rehabilitated* while in prison or on some other program, or at the very least may through the experience of punishment be deterred from committing further offences

(*specific deterrence*). There is also strong commonsense appeal in the notion that as well as preventing serious crime through retrospective investigation and arrest, police through routine patrol activities keep public disorder and petty crime under control, chiefly through the mechanism of general deterrence.

Despite the scepticism of social scientists and the negative research literature cited above, there is evidence that lay perceptions of police effectiveness have some basis in reality. A famous police strike in Melbourne in November 1923 resulted, in the words of the *Evening Sun*, in "anarchy, naked, unashamed - and drunken ..." (quoted in *Two Hundred Years, Issue 5*, 1986: 105) Mobs roamed city streets, overwhelming the few police not on strike, smashing shop windows and looting stores, and committing acts of random vandalism and violence. Two men were killed and hundreds were injured (Haldane, 1982). Property damage was estimated at 30,000 pounds, with jewellery and other merchandise worth many thousands of pounds stolen.

Police strikes in other countries at around the same time appear in most cases to have had similar outcomes. Although wartime conditions may have prevented marked increases in disorder and crime during the strikes in England in 1918, during the 1919 strike in Liverpool public order collapsed to such an extent that armed troops with fixed bayonets were required to separate battling mobs and deter looters. A battleship and support destroyers were also ordered from Scapa Flow to the Mersey (Bowden, 1978), although no doubt fears of Bolshevik agitation loomed as large in government thinking as fears of crime and disorder. Similarly, a strike in Boston in 1919 resulted in a night of broken windows and store looting before state troops were called in and a voluntary police force formed (Bopp & Wiatrowski, 1982).

However, it is important to note that in the Melbourne case and other incidents only a small minority of the populace seems to have run amuck. In Melbourne order was quickly restored by the appointment of "special constables" - volunteers armed with pick handles and special armbands who were sent into the streets to patrol and keep the

crowds moving. The great majority of the population did not immediately turn to crime, but rather created a public nuisance by pouring into the city in huge numbers to witness the dramatic events.

This suggests three important conclusions: (a) most people are not restrained from criminal activities by the existence of the police, but comply with the law because that is what they have been brought up to do or because informal, non-legal sanctions (such as the opinions of significant others) provide sufficient pressures for conformity; (b) at any time a small minority of the population is ready to take advantage of opportunities for a quick illegal profit or for a bit of "fun", but are generally restrained by police presence and activity; and (c) in a situation where "law and order" breaks down or is perceived to break down the functions of the police will be very quickly recreated by volunteers (citizen police) or by the private sector (private security) (Cook, 1980). In the United States, the multiplicity of police departments seems to be one reason why police strikes appear on the whole not to have resulted in marked increases in crime and disorder; the work of one city department can be quickly covered by out of town police or by the National Guard (see for example the analysis of the New Orleans strikes in 1979 by Bopp, 1981).

Scientific Analyses

The hypothesis that police by their very existence and through their routine activities restrain a lawless and opportunistic minority from acts of theft, vandalism and violence is supported by the historical records and attested by common experience, but is very difficult to prove in a scientifically rigorous manner, since police services are rarely withdrawn completely and when they are it is seldom possible to carry out a scientific evaluation. Nevertheless, there is some indirect quantitative evidence that may be adduced in its support.

In a rigorous evaluation of the effects of a two week police strike in Finland in February 1976 on the behaviour of drivers, Summala, Näätänen and Roine (1980) showed that most drivers in city and country areas did not increase their speeds, although they ceased to slow down when passing a car parked by the side of the road (they resumed this practice after the strike). However, three experiments which controlled for weather conditions pointed to radical effects on a minority of motorists, who greatly increased their speeds, resulting in a 50-100 percent increase in gross speed violations (which probably contributed to an increase in the crash rate). The authors are sceptical that the lower speeds of the majority were due to respect for the law, pointing to the restraining effects of weather conditions, but do concede that there were no effects on drinking and driving, probably because of the well-developed behavioural norms in this area.

Another line of evidence, which examines the crime prevention impact of routine police work leading to the imprisonment of offenders, can be derived from the extensive quantitative research in the United States on incapacitation through imprisonment. The tripling in the U.S. prison population between 1975 and 1989 has been carefully analysed for its crime reduction effects, with the general conclusion that only 10 or 15 percent of the violent crimes that potentially would have been committed otherwise have been prevented through the incapacitative effect of the tripling in the average time served per violent crime (Riess & Roth, 1993). However, interesting as these estimates are, the small crime reduction achieved relative to the enormous economic and social costs of the increased use of incarceration is not the main point of my argument here.

In order to arrive at the crime reduction estimates, it is necessary to construct complex mathematical models which build on what is known about arrest and incarceration rates for specific offence categories, as well as on empirical data on criminal careers - particularly the rates at which different offenders commit offences and the durations of their offending careers. More precisely, the models estimate the amount of time that an offender is expected to be both active and imprisoned, which is the only time

incapacitation can apply, as a function of four parameters: arrest and imprisonment probabilities following the commission of a crime, period of incarceration, the frequency of offending, and the duration of careers (Cohen & Canelo-Cacho, 1993). Thus the models allow an evaluation of the crime reduction effects of that part of police work that leads to the successful prosecution, imprisonment and incapacitation of offenders, but they do not allow us to estimate the *deterrent* effects of such activities or the possibly *criminogenic* effects through such processes as the labelling and stigmatising of offenders.

Early models (e.g. Avi-Itshak & Shinnar, 1973) assumed that the frequency of offending over a year was constant for all offenders. These models predicted modest reductions in crime of 5 to 10 percent due to arrest and imprisonment, but more recent research has revealed the fallacy of assuming that all offenders offend at the same rate. The recent models take into account evidence of very great offender heterogeneity, epitomised by the finding that a small subset of offenders accounts for a disproportionately large share of offending (Cohen & Canelo-Cacho, 1993). For example, in the classic study by Wolfgang, Figlio and Sellin (1972) in Philadelphia, 6 percent of the males accounted for 52 percent of "police contacts". When these kinds of variations are modelled and applied to specific offences, the crime prevention estimates are considerably higher than for the homogeneous model. Thus for robbery, the percentage reductions from the potential level of robberies resulting from incapacitation following a robbery conviction were estimated at 30.1 percent for California, 41.3 percent for Michigan, and 27.8 percent for Texas (Cohen & Canelo-Cacho, 1993: Table 9). The reason for these higher estimates is the phenomenon of *stochastic selectivity*: high frequency offenders run a higher risk in the long run of arrest and imprisonment, and when imprisoned are likely to receive longer sentences because of their record.

The point of this excursion into a complex area of criminology is to illustrate further the argument that routine police activity, in this case through the arrest and incapacitation of chronic offenders, has considerable crime prevention effects. Whether arresting more offenders across the board, or blitzing more intensively the chronic offenders, or imprisoning more of them for longer would achieve *additional* crime reduction is quite another question, which is addressed in more detail the next section. The evidence from the literature already cited suggests that the return on the extra investment in law enforcement is likely in most cases to be limited. Blitzing speeding drivers achieves at best a temporary reduction in accidents (Homel & Wilson, 1987), and as we have seen tripling periods of imprisonment does not deliver the promised increases in public safety.

The argument of this section can be illustrated diagrammatically. Figure 1 is a graph showing a hypothetical relationship between the intensity of the police "presence" in a community (police numbers, visibility, level of activity, enforcement style) and the level of crime or lawbreaking. Based on experience with police strikes or societies in times of war or natural disasters in which normal formal controls have broken down, we can predict that low or zero police presence will correspond to high crime rates and unrestrained law breaking by a minority of the population. Under these circumstances, the introduction of even small levels of formal policing will probably have fairly significant crime reduction payoffs, illustrated in the graph by a steep downward gradient. However, after a certain threshold of expenditure on police has been reached, the crime reduction benefits become much more limited. I have suggested a "zone of anxiety" in the diagram, which refers to a level of crime which is perceived to be too high by the community but which coincides with a level of expenditure on police which is definitely in the region of "diminishing returns".

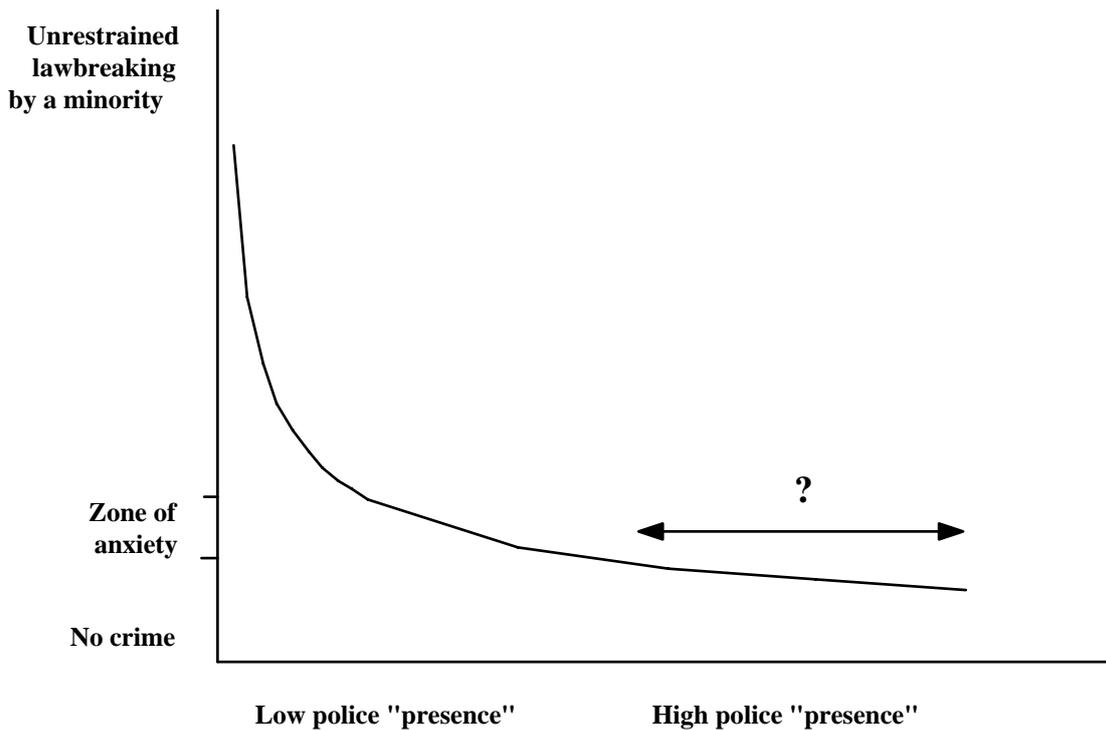


Figure 1. Hypothesised relationship between level of police "presence" and crimes committed by a minority

If this model is even approximately correct, then once the point of diminishing returns on traditional police enforcement is reached, the challenge becomes one of devising new approaches which rely not on "more of the same" but on creative variations in the nature of the police presence which achieve reductions in crime without threatening basic liberties (Moore, 1992). But it is possible that the graph is wrong, and that the downward slope could be made to be steeper within the "zone of anxiety". Therefore, before exploring some creative variations on traditional practices, the possibility of crime reduction through a more concentrated attack on persistent offenders by police and the judiciary using traditional enforcement techniques is worth exploring. The analysis of criminal careers which we touched on above, and particularly the heterogeneity in offending, suggests on the face of it that if the chronic offenders could be identified and incapacitated, or simply deterred, crime rates would be considerably reduced. Even if lengthening prison sentences fails as a general policy, as the American research suggests, maybe a more targeted approach would be effective.

Disposing of this hypothesis is a necessary precursor to the exploration of strategies which have a sounder theoretical and empirical basis.

High Speed Police Pursuits and the Punishment of Chronic Offenders

Perth, Western Australia, is the most geographically isolated city in the world. It is perhaps not surprising, therefore, that criminal justice policies can develop there which are in some cases more progressive and in other cases more regressive, but in each case more extreme, than in other jurisdictions. A noticeable feature of the law enforcement scene in that city is a heavy use by police of high speed pursuits to deal with car thieves. Many pursuits involve a group of perhaps 100 young offenders, many of whom are aborigines, who are blamed for a high percentage of all car thefts (Broadhurst & Loh, 1993; Homel, 1990a). Public concern, partly orchestrated by some sections of the media, led the government in February 1992 to introduce new legislation, the *Crime (Serious and Repeat Offenders) Sentencing Act*, which was hailed as the toughest law in Australia for dealing with hard-core juvenile criminals. The primary objective of the new Act is to provide police with the support which the juvenile justice system was seen to be not providing (allegedly by being soft on offenders and releasing them to offend again), by identifying "serious repeat offenders" and incapacitating them through imprisonment for indefinite periods.

The interest of this Act, and police practices in relation to pursuits, is that they represent an explicit and contemporary attempt to implement deterrent and selective incapacitation policies by intensifying one traditional method of reactive policing, supported by more severe and inflexible punishments. The appeal of this approach to the police is obvious. I vividly recall meeting with a senior police officer in Perth who unfolded in front of me a computer printout containing the criminal record of a single juvenile car thief who had been pursued by police many times. The 20 page printout spilled off the table and flowed onto the floor. Nearly all police I talked to expressed extreme frustration with a juvenile justice system which released such offenders after a

short period to offend again, and called for long prison sentences in adult prisons and stronger support for police who regularly risked their own lives in the pursuit of habitual offenders. Fortunately, both the enforcement practices and initial effects of the new Act have been subjected to close analysis and evaluation, and we therefore have a research base which we can use to assess the validity of the police argument (Broadhurst & Loh, 1993; Homel, 1990a).

It should be emphasised at the outset that whatever their ultimate crime prevention properties, police pursuits highlight vividly the ways in which policies based on detection and then arrest at all costs may conflict with broader considerations of public safety enshrined in police mission statements. Catching law breakers is a police imperative, with arrest statistics traditionally being the major performance indicator. As we have seen, these practices may up to a point have significant crime prevention value. However, another goal which is always an integral part of any police mission statement is the preservation of public safety, including traffic safety.

Thus on the one hand, the police constable has a duty to apprehend offenders - the rule of law requires as a fundamental principle that those who break the law be brought to justice, and traditional models of policing emphasise the deterrent value of such practices. On the other hand, high speed pursuits pose, by their very nature, a grave threat to the safety of motorists - police, offenders, and uninvolved third parties. This is dramatically illustrated by the fact that 16 people (but no police) died in police car chases in Perth in an 18 month period from April 1990. As Australian philosopher John Kleinig has put it: "It is the danger they pose to life and limb which gives hot pursuits their morally problematic character. What is therefore needed to justify them will be some proportionate good." (Kleinig, 1990: 1).

What is the proportionate good? Are pursuits justified on the grounds of crime prevention? Based on my research (Homel, 1990a) and that of others (e.g. Shuman & Kennedy, 1989), I will summarise the main features of pursuits and their outcomes.

(1) *It is very rare to apprehend the perpetrator of a serious crime such as homicide or armed robbery through a pursuit.* Typically, offenders are caught in about half of all pursuits. In Perth, 30 percent of apprehended offenders commit offences no more serious than driving without a license or driving an unregistered vehicle. Nearly all remaining offenders are charged with motor vehicle theft. This tends to undermine arguments about the "proportionate good".

(2) *Offenders are young, male, and from racial minorities, and are often alcohol or drug affected.* In Perth, 92 percent of offenders were male, the average age was 20, and 38 percent were aborigines. Offenders often report using alcohol, marijuana, "speed", or glue to get high. These people are, effectively, the main target of the new Sentencing Act.

(3) *Accidents are common.* In Perth 34 percent of the 700 pursuits each year involved a crash, with police vehicles being damaged in 15 percent of cases. Injuries or deaths occurred in between 4 and 10 percent of cases. These figures are comparable with those from overseas jurisdictions (e.g., Fyfe, 1990).

(4) *Accidents are predictable.* In Perth, crashes (whether or not deliberately caused by offenders) were more common in wet weather, when stolen vehicles were involved, when offenders were aborigines, when other motorists had to take evasive action, and when offenders attempted to ram or damage police vehicles. Police engaged in pursuits typically ignore these warnings, and even interpret them as an incitement to escalate the pursuit. For example, aggressive actions on the part of offenders usually make the police more determined to apprehend the culprits.

(5) *Police advanced driver training may increase the accident rate.* In Perth, pursuit training seemed to have counterproductive effects, since pursuit trained drivers pushed the pursuit further and took more risks than non-pursuit trained drivers. A higher

apprehension rate is bought at the price of more damage. This result is consistent with some road safety research, where for example racing car drivers have been shown to have worse accident records than non-racing drivers matched on age, sex, race, and number of miles driven (Williams & O'Neill, 1974). Technical *skills* are no substitute for correct *attitudes* to safety.

(6) *Very few stolen vehicles are recovered through pursuits.* In WA the figure is less than 2 percent. Pursuits are the worst possible way of recovering a stolen vehicle undamaged.

(7) *The deterrent value of pursuits is extremely problematic.* The fact that many offenders are recidivists, deliberately steal powerful vehicles to escape police, and are frequently drug or alcohol affected, suggests that the specific deterrent value of pursuits is extremely limited. To illustrate how problematic specific deterrent effects are, consider the following comments from one of the recidivist juvenile car thieves I interviewed:

How did the chase happen? What were you doing at the time?

There was me and my friend and a few other kids. We'd been on a few drugs - Serepax, and we weren't really to it and we went out looking for cars and we ended up getting a car in Cannington (Commodore with full tank). We did not know what to do - our minds were pretty, you know, we weren't all there. Serepax makes you go real violent sort of thing - smash things up ... Sleep, dizzy spells ... Just went driving around and that.

How did the police spot you?

The paddy wagon came behind - we all panicked because, you know, the drugs - we weren't all there - you know - type of thing - panicked. Driver took off straight away on wrong side of road - fair bit of traffic. Saw TX5 Turbo at intersection - only five of them in Perth. Went through red light, then they chased us (the turbo).

Not all offenders confessed to this degree of impairment, but drug and alcohol use was a fairly consistent feature of the chase scenario and also of the offenders' lives

generally. Under these circumstances, pursuits seem calculated to exacerbate rather than deter offending.

The general deterrent impact - the number of potential car thieves who are discouraged from stealing through fear of being pursued - is hard to estimate. The analysis by Broadhurst and Loh (1993) of the combined effects of the new legislation and associated police enforcement practices suggests that although deterrence may have been achieved on a very temporary basis, the overall impact was at best nugatory. This is clearly demonstrated by the data in Figure 2, reproduced from their paper. It is apparent that motor vehicle thefts were declining for most of the year prior to the new law, and equally apparent that they increased in the following year. One might have predicted the opposite pattern if deterrence had really been operating, especially since arrests and pursuits increased during 1992. Correlational analysis casts further doubt on any deterrent or incapacitation interpretation of the data. In the words of the authors:

On the basis of these correlations it seems unlikely that intensified policing explains the decline in motor vehicle theft prior to the new law or immediately after its introduction. The fact that both the number of vehicle thefts and the number of arrests are positively related while the number of pursuits and multiple offenders are positively but not significantly related to vehicle thefts tends to rule out any deterrent or special incapacitation effects (i.e. the removal of 'hard core' car thieves) contributing to the reduction in motor vehicle theft observed. (p. 29).

Pursuits and the Sentencing Act: An Overview

High speed police pursuits of chronic offenders are a logical application of traditional police enforcement practices, but carried to an illogical extreme. They have to be understood not as a crime prevention measure, nor as a means of protecting the public, nor even as an effective law enforcement strategy, but rather as an irrational and

primarily symbolic way of asserting police authority. A common theme in the literature is that *the motorist's act of fleeing from police* is the real reason for a pursuit getting started, and his behaviour during the pursuit is the reason for the pursuit continuing (Auten, 1988; Fyfe, 1990; Hogg, 1988). As Fyfe observes, motorists who refuse to stop give officers what are, in effect, “unexpected slaps in the face” (p. 117).

When this happens, the motorist's flight becomes a personal challenge, and officers may risk themselves, those they pursue, and uninvolved motorists and pedestrians during reckless pursuits of people who turn out to be nothing more than panic stricken young traffic violators. (Fyfe, 1990: 119).

Figure 2. Stolen motor vehicles, all arrests for stolen vehicles, and police pursuits of offenders in stolen vehicles in Perth, WA, January 1991-December 1992. (Reprinted from Broadhurst & Loh, 1993, by permission of the authors.)

Although the *Crime (Serious and Repeat Offenders) Sentencing Act 1992* undoubtedly had crime control objectives when it was first formulated, analysis suggests that it too should be seen primarily as symbolic. Legislation designed to target chronic offenders without devising any effective strategy for increasing the perceived risk of arrest must on theoretical grounds fail to achieve deterrent effects (Homel, 1988), a prediction confirmed by the analysis of Broadhurst and Loh (1993).

Even more central to the intent of the legislation, it must fail also as a means of selectively incapacitating habitual offenders. As Cohen and Canela-Cacho (1993) convincingly demonstrate, uniformly applied imprisonment policies which make no explicit attempt to distinguish among offenders will result in disproportionately large portions of high frequency offenders in prison anyway, through the previously discussed phenomenon of stochastic selectivity (even if such imprisonment is somewhat delayed until the offenders reach legal adulthood). Even more important, it is extremely difficult to predict accurately *in advance* who the worst offenders are, and equally as hard to predict when their criminal careers will end, seriously limiting the feasibility of deliberate selective incarceration policies of the type embodied in the WA Sentencing Act (Blumstein, Cohen, Roth & Visher, 1986; Gottfredson & Tonry, 1987). Felson (1993: 15) summarises very well the fallacies underlying incapacitation theory:

It exaggerates the criminal efficacy of a few people (the ingenuity fallacy) and forgets that these people will be locked up relatively late in their "criminal careers," after most of their damage has already been done (age fallacy). It relies too much on a criminal justice system (constabulary fallacy), is part of a right-wing political agenda, and depends too heavily on condemnation of a few (agenda and morality fallacies).

When the comparative uselessness of pursuit policies and selective incarceration laws for crime prevention is viewed in the context of the extreme dangers to the public and the violations of human rights entailed in such practices (Broadhurst & Loh, 1993), the

full magnitude of the human and social disaster resulting from the blind intensification of traditional enforcement practices and the introduction of tougher legislative measures can be clearly seen. The ultimate cheat is that in the end rigid police "crime control" policies and tougher laws don't even deliver the increased levels of public safety which they promise (Figure 2 is not atypical), and by distracting police and politicians from approaches which have more chance of success they undoubtedly make the situation worse. Surely the textbooks of the 1960s and 70s got it right at this point.

What then should be done about car theft, the main cause of police pursuits in WA and other parts of Australia? Do police have any useful role to play in preventing the offence? A thorough review of the field by Clarke and Harris (1992) suggests, in effect, that the answer is "no". Contrary to commonsense notions that increasing the risks of detection or introducing harsher penalties will deter offenders, careful analysis of the research evidence demonstrates that even innovative methods of increasing detection rates are unlikely to be effective. Traditional approaches have clearly failed everywhere, since the chances of police observing an offence are very small (given that most cars can be entered in a matter of seconds), and even if they had any crime prevention value the great dangers to the public involved in high speed pursuits have led to their prohibition in a number of jurisdictions (e.g., Newark and Jersey City). As Clarke and Harris observe, "some other measures, such as 'gotcha' cars, sting operations, and automatic number plate readers, seem little more than gimmicks" (p. 28). Australian readers familiar with recent bungled undercover sting operations in which police set up "shop" as dealers in stolen property will not be surprised at Klockars' (1988) conclusion that these methods neither prevent property crime nor have high rates of successful prosecutions.

More disappointing is the authors' negative conclusions concerning technological innovations such as LOJACK vehicle tracking devices which are designed to catch

offenders and increase the recovery rate of stolen vehicles. Transmission devices are offered for sale to the public in some parts of the United States at around \$800, and when police are notified of a vehicle's theft they can activate the transmitter and track the vehicle by means of LOJACK devices installed in police cruisers. However, the problems are obvious: thefts have to be quickly discovered and reported, professional thieves could be expected to learn rapidly how to locate and disable the transmitters, there would be a problem of displacement to unprotected vehicles, and police resources could be increasingly diverted towards thefts committed against wealthier people (Clarke & Harris, 1992: 30-31).

The basic thrust of Clarke and Harris' review is that the most promising way of preventing vehicle theft is *to make them harder to steal in the first place*. However, vehicle manufacturers are loathe to increase security since it adds to the sale price, and there is good evidence that historically they have only installed security measures such as steering column locks when federal regulations have been introduced or when changes have been cost-efficient to the industry.

My own conclusion from Clarke and Harris' work is that the problem of car theft is fundamentally economic, political and social, and it is at those levels that preventive measures must be pursued. Instead of trying to deter or incapacitate socially marginalised children by means of dangerous and irrational police practices, we should (for example) be providing economic incentives to persuade vehicle manufacturers to improve security while waving the big stick through the enforcement of rigorous vehicle design standards. As a second example, since parking one's car in the street is a prime risk factor, inner city residents may have to find ways of pooling resources to develop secure off-street parking areas at night, or simply accept that car theft is part of the price of living in such areas. As a society we should stop expecting police to solve the problem of car theft, and encourage them instead to concentrate resources on

offences and problems with which they can reasonably be expected to have some success. It is to these kinds of questions that we now turn.

Reconceptualising Police Enforcement Strategies

My proposal that police manage motor vehicle theft in a routine way, perhaps simply by registering reported offences for insurance purposes and recovering abandoned vehicles, is not as radical as it may sound. As Sherman (1990) points out, for years police have been operating on the "triage principle" anyway. Paralleling the practices of French military medics during World War I in which the wounded who would die or live regardless of intervention were ignored, thus directing scarce resources to those for whom treatment would make some difference, police have long ignored or paid little attention to a wide range of "hard to enforce" or trivial offences, freeing resources to concentrate on what they perceive as priority problems and offences. Of course, while doctors can make relatively independent and professional judgements about seriousness, police have often been far from professional and have certainly been subject to sporadic but intense political pressures to crack down on specified illegal activities.

The deterrent effectiveness of police crackdowns is the main focus of Sherman's (1990) paper. He makes the valuable distinction between the *risk of apprehension* and the *certainty about what that risk is* for any given offence on any given day. He points out that instead of offering potential criminals high certainty of a high risk of getting caught, which would maximise general deterrence, what we actually offer them through fixed police enforcement priorities is a high certainty of a low risk of apprehension.

But for the same dollar cost, we could offer them low certainty about whether the risk of punishment is high or low at any given time and place - and perhaps reduce some kinds of crime substantially. (p. 7).

What he proposes is that, given a fixed level of resources, police can create more general deterrence through rotating crackdowns than through permanent priorities.

This could be accomplished through both *initial* and *residual* deterrence, the latter being defined as the crime reduction achieved through risk perceptions which decay only slowly from the high levels created as the result of a sudden (and usually short) crackdown. The question is:

... whether repeated doses of extra police effort can create enough residual and initial deterrence to lower crime more than a steady dose of the same total amount of police presence on average over the course of the year." (p. 39).

His review of the research evidence from 18 crackdowns suggests that initial deterrent effects can nearly always be achieved, that deterrence decay is mostly limited to longterm crackdowns, and that residual deterrent effects are often achievable, especially for drinking and driving. The major negative finding was that the market-driven nature of drug offences makes them less susceptible to the crackdown approach, with displacement and even crime increases being common outcomes. These results underpin his recommendation (which presumably does not apply with the same force to drug offences) that police engage in "intermittent, unpredictable, repetitive, and *brief* crackdowns on constantly shifting targets" (p. 37). Of course this presupposes that police have a strong measure of control over their enforcement priorities, and that political interference is limited.

Sherman's model requires scientific analysis and planning on the part of police, combined with the judicious application of intensified but mostly traditional enforcement methods within a crackdown framework. However, the key idea of manipulating the perceived uncertainty about actual risks of apprehension can be exploited in other ways (although with some serious threats to civil liberties), notably through the use of *highly publicised and visible random checking procedures applied indiscriminately to the whole population of potential offenders*. Sherman in his paper recognises this possibility in a discussion of a (hypothetical) scheme of random audits

on the entire population of taxpayers (p. 12), but the most spectacular example of the actual success of this approach can be found in the extensive research undertaken by myself and others on the deterrent impact of random breath testing on potential drinking drivers, especially in New South Wales (Homel, 1988; 1993).

On December 17, 1982, random breath testing (RBT) was introduced in New South Wales. Under RBT, large numbers of motorists are pulled over at random by police and required to take a preliminary breath test, even if they are in no way suspected of having committed an offence or been involved in an accident. Thus RBT should be sharply distinguished from the American practice of sobriety checkpoints, in which police must have evidence of alcohol consumption before they can require a test (Voas 1988). The RBT law was very extensively advertised and vigorously enforced, with about a million tests in the first year out of a licensed driving population of three million. In later years, police improved on this ratio of one to three. Indeed, RBT in New South Wales must rank as one of the best enforced and most widely publicised laws ever enacted (Homel 1990b).

RBT embodies a preventive, general deterrent philosophy, in contrast to the traditional approach emphasising the detection and punishment of offenders. In stark contrast to the principles underlying selective incapacitation, the problem of alcohol-related road crashes is laid not at the door of the alcoholic or the repeat offender, the "juvenile delinquent of traffic", but at the door of Everyman, "rational, socially responsible, given to occasional and human lapses of conduct but basically law-abiding, controllable and controlling, and responsive to norms of social cooperation and control." (Gusfield 1981: 99-100).

RBT is properly understood not as a police crackdown in the sense discussed by Sherman (1990), since this would imply a "backoff" after a period of intense police activity usually generating many arrests. On the contrary, it is an entirely new form of ongoing law enforcement which relies for its success both on permanently raising the

perceived probability of apprehension and on keeping potential offenders guessing about the times and places they could be tested. The media publicity and apparent ubiquity of RBT make the chances of apprehension *seem* higher, even if total arrests do not increase (which they didn't in New South Wales), and the unpredictable nature of its timing and location increase uncertainty in the sense discussed by Sherman. Potential offenders know that if they can avoid RBT they will have a very low probability of apprehension (Ross, 1982) but that if they do drive past an RBT operation they will have a very high chance of being pulled over and tested. However, they are always uncertain as to whether tonight will be such an occasion, so in Sherman's terms we have generated a situation of low certainty about whether the risk of punishment is high or low at any given time and place.

The results of the new approach were, on the face of it, dramatic. There was an instantaneous 22% decline in total fatal crashes, and a drop of about 36% in alcohol-related fatal crashes, relative to the previous 3 years (Homel, Carseldine and Kearns 1988). Although these are large declines in terms of what would be expected from experience with drink-driving laws around the world (Ross 1982), what really distinguishes RBT in New South Wales from new laws or police crackdowns elsewhere is that the effects appear to have been sustained for over 10 years, with only occasional signs of a diminution in effectiveness. Whereas before the law drivers with an illegal blood alcohol concentration comprised about 44% of all fatalities, in 1993 this figure had dropped to about 26%.

The marked impact of the law can be seen from Figure 3, which shows the "cumulative trend" in all fatal crashes in New South Wales for each day from July 1, 1975 to June 30, 1991. A CUSUM is a series of numbers which are the cumulative sum of the differences between an observed series and a corresponding expected series (in this case the mean number of daily fatal crashes for the 7.5 years prior to the law). Thus the key to interpreting Figure 3 is to regard the number below the zero (pre-RBT) line as

the "accumulated benefit" due to RBT at any time after its introduction. For example, by mid-1991 there were more than 2000 fatal crashes fewer than would have been expected if the pre-RBT trend had been maintained. If the CUSUM graph maintains a downward slope (which it does in the figure), a benefit is still being derived from RBT, in comparison with the average crash level that would have prevailed if RBT had not been introduced.

Figure 3. Cumulative sum graph of daily fatal crashes in New South Wales, July 1, 1975 - June 30, 1991.

Further evidence is required before one can accept the proposition that RBT actually *caused* all or some of the observed decline in crashes, despite the use of the term "benefit" in the interpretation of Figure 3. Time series and other statistical analyses of crash data (e.g., Barnes 1988; Homel in press; Homel, Carseldine & Kearns 1988; Kearns & Goldsmith 1984; Thomson & Mavroleftou 1984) do tend to confirm that RBT did indeed have a substantial causal impact, although the precise size of the effect

might be disputed. Given this causal impact, and given that RBT is based explicitly on the principles of general deterrence and has been vigorously implemented and publicised for more than 10 years, it is reasonable to assume that a large and sustained deterrent effect has been achieved, even if non-deterrent factors such as economic conditions are also important over time.

Generalising the Lessons of Random Breath Testing

As noted above, what makes RBT in New South Wales so important is that effects of the magnitude observed over such a long time period are unprecedented within Australia and internationally. It seems therefore that something very powerful has been captured by this new approach. If the essential ingredients could be isolated and applied to other kinds of offences, police may be able to achieve substantial reductions in crime with no increase in resources.

Undoubtedly the managed uncertainty concerning risks is one key element. Although extra police were appointed when RBT was introduced, on the whole RBT has been developed and enforced intensively at the expense of modes of enforcement which aim to catch drinking drivers. RBT succeeds not at the level of efficient enforcement of the law but as a *communications exercise*. By removing from the potential offender all control over the risks of apprehension, and by keeping him guessing as to what those risks are at any time, RBT changes in a strategic way the game of "breathalyser roulette" many drinkers engage in. The success of RBT in New South Wales is consistent with Sherman's (1990) model of deterrence, and it therefore follows that police should be seeking to "keep potential offenders guessing" for other offence classes, probably in general by the crackdown method rather than by random testing or checking, given the obvious civil liberties barriers to methods like RBT for all but a handful of offences (such as smuggling contraband through customs, evading tax, or using drugs in the workplace).

Secondly, and following the theme of RBT as a communications exercise, it is clear from a comparison of New South Wales with other Australian jurisdictions that extensive media publicity is essential to the success of RBT. For example, Tasmania introduced RBT at almost the same time as New South Wales and achieved even higher levels of testing, but analysis of accident records suggests a less marked and probably temporary impact¹. The major difference between the two states was the use in New South Wales of extensive and sophisticated television, radio and newspaper publicity, in contrast to the almost total lack of such publicity in Tasmania. The crucial importance of publicity was confirmed through survey research in New South Wales (Homel, 1988; Homel, Carseldine & Kearns, 1988). This suggests that the success of deterrent measures may depend at least in part on how well the legal threat is communicated to the target population.

Thirdly, and perhaps most important, RBT in New South Wales only worked as well as it did because the community was ready to change its drinking and drink-driving practices. Analysis of survey data showed that the effect of RBT on group drinking pressures was at least as important as perceptions of legal sanctions as influences on behaviour. RBT essentially gave drinkers, especially many heavier drinkers, an acceptable excuse for limiting their consumption in a group situation. In fact, in terms of variance explained, this "indirect path" was more important than the direct path via the measure of arrest certainty. This is an extremely important result, since it suggests that even when law enforcement could be expected to have a major deterrent effect and when non-legal sanctions may not be as influential as for more clearly criminal offences, the direct deterrent effect is still not as important as the way the law impacts on non-legal sanctions.

Putting this in other terms, formal sanctions embodied in police enforcement may only have a long term impact when they build on and reinforce pre-existing informal social sanctions or controls. The imposition of new laws or intensified enforcement programs

on a hostile population who have no independent incentives to comply with the law may even be counterproductive, as police crackdowns leading to riots in inner city localities or at sporting events testify (Veno & Veno, 1993). Nearly as serious, formal controls which are expanded to fill a void in local communities may improve conditions but also may (as Moore [1992] argues) weaken informal controls and increase the dependency and vulnerability of these communities to state control. *What is needed in general are formal control systems (laws, enforcement strategies) which generate and strengthen informal control systems (such as family, community, and peer group processes) which in turn reduce the need for formal control systems*². Problem-oriented and community policing may be suitable conceptual vehicles for developing such systems, as Moore (1992) suggests, provided the long term goal is kept in mind: police should aim to work themselves out of a job.

A further interesting conclusion that one can draw from the success of RBT is that a focus on the entire population of potential offenders, not just a high risk minority, may yield rich dividends. A key finding of the evaluation (Homel, 1988) was that this approach disproportionately influenced the behaviours of the heaviest drinkers, even though they were not a specific target. This across-the-board policy is in marked contrast to selective arrest and incapacitation strategies, which by definition target persistent offenders - alcoholic drivers, the "juvenile delinquents of traffic" to borrow Gusfield's (1981) phrase, or more generally those criminals who commit a disproportionate number of offences. In other words, police enforcement should aim to avoid the "ingenuity fallacy" which attributes to an energetic minority a single minded determination to commit crime no matter what, and which also effectively assumes that that minority constitutes the whole of the problem.

A final major lesson from RBT in New South Wales is that to achieve success a major change in police culture is essential. RBT is boring and repetitive, and typically results in fewer than one driver in 200 being arrested. Most police take as a personal

performance indicator the number of arrests which they achieve, but RBT is by its very nature designed to deter rather than apprehend offenders. Although police vary in their ability to understand the deterrent principles underlying RBT, in general the police actually doing the enforcement are less committed to it than more senior officers (who don't have to do it). A major problem is communication within the organisation; it is astonishing how many constables in New South Wales are still not aware of the impact of RBT and their critical role in its ongoing success. The situation in most other states is far worse.

This ignorance is manifested in slavish adherence to test quotas, a lack of imagination in maximising the visibility of RBT operations, and a general attitude of "going through the motions". There is little understanding that the entire object of the exercise is to raise the perceived probabilities of apprehension for drinking and driving (or to manage the uncertainty concerning actual risks), and that all specific procedures, whatever their convenience to police, should be subordinate to this end. There is a constant drift in most police organisations toward apprehension based procedures at the expense of highly visible, stationary test sites. The most obvious example of this trend is the introduction of mobile RBT, which permits police in patrol cars to flag down and test any motorist they wish. Although mobile RBT may be a valuable backup to stationary operations (by blocking escape routes), if allowed to develop it will defeat the whole purpose of RBT, since it is far less visible, affects only a minute proportion of motorists, and typically results in more arrests than stationary testing. It is also a very real threat to basic civil liberties in ways which the highly visible and more accountable stationary operations are not.

What all this implies is that in order for general deterrent procedures to succeed we need educated police who understand that policing involves more than catching crooks. Better educated police are of course essential to the success of problem oriented and community policing initiatives as well. In addition, the whole organisation needs to

become oriented toward prevention and the encouragement of initiative at all levels. Detailed analysis of how Australian police departments fail to implement RBT properly demonstrates that clear understanding and strong leadership is required at senior levels, together with a culture which values and encourages accurate record keeping, scientific planning, and rigorous experimentation and evaluation of new procedures. These qualities are almost totally absent from most Australian police departments at the present time. It is difficult to see how police can build effectively on the small but growing body of scientific knowledge concerning crime prevention unless new, well educated and innovative managers take the helm.

Straws in the Wind

Apart from RBT, are there examples of police initiatives which have clear crime prevention payoffs? If there are, is it possible to abstract some general principles? I take as my primary data sources at this point portions of the emerging literature on situational crime prevention, particularly the recent edited volumes by Ron Clarke (Clarke, 1992; 1993), together with the small literature on the prevention of violence in and around licensed premises.

Situational prevention, as opposed to social or community prevention, focuses on the immediate crime event rather than the psychological and social processes which lead to criminal involvement or criminal motivation. The emphasis is on manipulating the immediate social and physical environment in order to increase the risks of detection or apprehension, increase the effort required to commit an offence, or reduce the rewards flowing from the commission of an offence. Most police strategies, including the traditional police role of educating the community about effective crime prevention techniques, fit clearly into this rubric, which is why a focus on situational rather than social prevention seems justified for present purposes.

The first observation that should be made about the situational crime prevention literature is that most of it does not concern the police at all. This is not surprising when one considers the nature of situational prevention, since formal surveillance is only one of twelve general techniques discussed by Clarke (1992). (Others include such approaches as target hardening, access control, natural surveillance, target removal, and rule setting.) Even within the formal surveillance category police by no means have a monopoly, since security guards and non-police enforcement personnel (such as tax officials or liquor licensing inspectors) are playing an increasingly prominent role. This observation helps to put the subject of the present discussion - police as crime prevention agents - into perspective. If the literature is any guide, crime prevention is possible but it would be a big mistake to see the police as central to the enterprise.

This point can be understood more clearly by reference to a recent comprehensive review of the crime prevention evaluation literature carried out by Poyner (1993). Poyner identified 122 evaluation studies from which it was possible to make a rating of the crime reduction success of the program or intervention. He divided prevention measures into seven general categories: campaigns and publicity (74 citations); policing and other surveillance (68 citations); environmental design or improvement (45 citations); social and community services (27 citations); security devices (26 citations); target removal or modification (5 citations); and "other" (4 citations). Four measures (out of 47) directly involved police: doorstep campaigns by police; neighbourhood or block watches; increased police patrols; and focused or saturation policing. Each measure was rated for effectiveness on a four point scale, from "good evidence of crime reduction" to "crime increased".

One of the most surprising outcomes of the review was that about half the 249 citations received were rated in the top category for effectiveness. As Poyner (1993: 14) observes, " ... there is plenty of evidence to show that crime prevention can work,

provided we understand what works and under what circumstances. Our troubled politicians and administrators should not lose heart." Some aspects of police activity were successful in many studies, particularly doorstep campaigns and focused or saturated policing. The success of the latter strategy is consistent with Sherman's (1990) review of crackdowns, while the success of the former suggests that police can play a major crime prevention role by communicating concerns about crime prevention to the community. A further feature of the review is that the success of different measures was very dependent on the crimes being targeted. For burglary, the only police strategy which worked was doorstep campaigns, while for car crime both doorstep campaigns and focused policing worked. For robbery the key approach was focused policing. In every case, increased police patrols - perhaps the most common police response to a crime problem - failed to make the grade.

Five studies in the two volumes edited by Clarke help to add flesh to the bones of Poyner's (1993) review, and also highlight some further features of police involvement in successful crime prevention measures which seem frequently to be of crucial importance: cooperation with other agencies, the systematic use of available data, and the strengthening of informal social controls.

Laycock (1992) reports the results of a project in South Wales which ostensibly was about marking property but which actually was about publicity. The assumption underpinning the project was that while the marking of goods to deter theft might be important, the extent to which this was advertised was even more important. Following extensive publicity in local media, police made door-to-door visits in three villages to enlist participants and also provided equipment and window decals. All these strategies contributed to the very high resident take-up rate and the sustained reduction in burglary achieved (without displacement), but of even greater significance was the author's conclusion that through the thorough police visiting program many *burglars* as well as potential victims were made aware of the scheme. The knock on the door by

police heightened potential offenders' perceptions of the likelihood of being detected with stolen goods, and so greatly amplified the deterrent effect of police activity. Although these kinds of doorstep campaigns may not fit the traditional image of policing, clearly they should be taken more seriously as a crime prevention measure, particularly since there are obvious parallels with random breath testing.

A study by Matthews (1992) on curbing prostitution in a residential area of London illustrates both the pointlessness of traditional policing focused on arrests of prostitutes and the power of focused policing combined with changes in the physical environment. The successful strategy had two primary elements: firstly, intensive policing not only of the women but also of "curb-crawlers" - men in cars who drove into the area and frequently harassed and distressed female residents - as well as pimps and brothel keepers; and secondly, a road closure scheme which greatly reduced through traffic. The keys to the success of this project were a willingness by police to abandon traditional approaches based on "managing" and recycling the problem through arrests of prostitutes, and a willingness to work closely with residents and the local council in an organised and sustained way. Focused policing was crucial, but could not have achieved permanent effects apart from the coalition with the community and other agencies.

Two further studies in Clarke (1992) illustrate the importance of lateral thinking based on reliable data, combined with police cooperation with other agencies. Bell and Burke (1992) describe how after the failure of the enforcement of traditional city ordinances prohibiting cruising in automobiles by young men and women in a small U.S. city, a "cruising committee" comprising representatives of police, city council, local businesses, and parks and recreation and transport departments was able to greatly reduce the problem by leasing a downtown parking lot on Friday and Saturday nights, opening it to the cruisers, staffing it with police, equipping it with portable restrooms and cleaning it up next morning. Eck and Spelman (1992) show how police in a U.S.

city used problem-oriented policing techniques to effect a longterm reduction in thefts from vehicles parked in shipyard parking lots. A key strategy was better use of information, particularly information obtained from offenders through interviews concerning their motivations and techniques. As the authors point out, mostly traditional tactics were employed, such as interception patrols and plain clothes stakeouts, but these tactics were directed in nontraditional ways through the extensive and unconventional use of data. The need for strategies which involve non-criminal justice agencies, such as the shipyard union, is emphasised.

The study by Veno and Veno (1993) on the reduction of violence and public disorder at the Australian Motorcycle Grand Prix is a classic illustration of how confrontational and aggressive police tactics, amplified by sensational media reporting, exacerbated the problems they were designed to control, and ultimately destroyed the races at Bathurst, New South Wales. The paper also illustrates how police tactics based on consensus and prevention "saved" the races in a new locale (Phillip Island, Victoria), and contributed to an increase in attendance from a low of 4,300 in 1987 (Bathurst) to an amazing 241,000 in 1989 (Phillip Island). Under the old regime, police searched every traveller to the event (ostensibly looking for weapons), took a pedantic "letter-of-the-law" approach to traffic offences, engaged in "garrison", reactive policing on the camping grounds, and overreacted to minor games and horseplay. By contrast, Victoria police demonstrated a genuinely cooperative approach toward the motorcyclists, illustrated by the fact that when the 10,000 motorcycle riders assembled in Melbourne for the rally they were led by police motorcycles with lights flashing!

The key to the success of the Victorian approach was that it devolved a sense of ownership of the problem of public disorder to the motorcyclist community. Motorcyclists were made responsible for the orderly and safe operation of camping sites:

It was agreed that motorcyclist camp operators or their representatives should contact the command post daily and, if required, police would take action. The marshals were mature people who were properly briefed ... Camp operators and marshals developed common rules within the camping ground to govern antisocial behavior and alcohol usage. This tactic ... also helped a powerful faction of the motorcyclists to take significant responsibility for control of the problem. (Veno & Veno, p. 169).

In short, this study illustrates again the powerful role of *informal social controls*, and the ways in which intelligent and consensual policing can amplify and channel these informal processes so that the need for confrontational, reactive policing is reduced to a minimum.

The Prevention of Alcohol-Related Violence

The work by Veno and Veno (1993) is a vivid illustration of the success of non-traditional modes of policing in managing disorder and violence. It is especially interesting in an Australian context, since in this country alcohol-related violence is a particular and neglected problem (Homel & Tomsen, 1991; Homel, Tomsen & Thommeny, 1992). More than 40% of serious assaults are nominated by the police as involving alcohol, and it is a consistent finding in many jurisdictions that assaults are more likely to occur after midnight around pub and club closing times. At least 20% take place in or around licensed premises, which is about the same proportion that are recorded as domestic assaults (Ministry for Police and Emergency Services, Victoria Police, 1989; Robb, 1988).

Like domestic violence, violence in and around licensed premises is not new; it has been a feature of Australian life since the first day of European settlement. It is surprising, therefore, that until recently little attention has been paid to identifying and dealing with the causes of the problem. Police strategies have been almost entirely reactive, and have focused on street offences and the public disorder associated with

drunkenness rather than on the activities of managers and security staff who frequently exacerbate the problem by irresponsible drink promotions and by arbitrary acts of violence against selected patrons. It is paradoxical that although rowdy drinking is regulated with consideration to the 'public order' through legislation which, for example, sets out the responsibilities of licensees to manage the business in such a way that "the quiet and good order of the neighbourhood of the licensed premises" is maintained (Section 104 of the *NSW Liquor Act, 1982 (Amended 1989)*), instances of violence are perceived by politicians, bureaucrats, and police as individualised disputes between different patrons who effectively deserve their misfortune, particularly if they are young, drunk, male, and working class. Licensees can be prosecuted or have their licenses withdrawn if they serve underage patrons, trade outside legal opening hours, infringe regulations surrounding the provision of food, entertainment, or gambling facilities, or - worst of all - fail to pay their license fees, but the operation of premises which are regularly violent has rarely been a cause for concern (except in the state of Victoria: Homel & Tomsen, 1991).

There is no evidence that police concentration on street offences around licensed premises, or responses (usually delayed) to serious assaults occurring in or near pubs and clubs, are effective in preventing alcohol-related violence. However, there is evidence that more preventive strategies focused on *managers* may be effective in reducing disorder and violence.

In a British study reported by Jeffs and Saunders (1984), police visited all licensed premises considered to be a potential problem in a popular seaside town. Each licensee was told that for the forthcoming summer the police intended to pay regular and frequent visits in uniform to assist the licensee to discharge his responsibilities under licensing regulations. Visits were made at random times by two or three uniformed officers who very visibly and thoroughly checked for under-age drinking or intoxicated persons. Each visit was friendly and involved brief chats with staff. In comparison

with a control town, there was a drop of the order of 20% in arrests for alcohol-related disorder, although violent offences did not drop significantly.

A recent American study by McKnight and Streff (1992) evaluated the effects of training and publicity in combination with undercover police operations on the number of refusals of service to intoxicated patrons and on the number of drinking drivers coming from bars. The project was similar to that reported by Jeffs and Saunders in that considerable efforts were made to publicise the enforcement program: a workshop which announced, explained and discussed the initiative was conducted for all licensees in the county (105 out of 205 responded); after-visit reports were made available to those licensees visited by police but not cited; and extensive media coverage took place. Evaluation was based on direct observation of server reactions to "pseudopatrons" simulating intoxication, and on police statistics on the last place of drinking of arrested drinking drivers. Enforcement took place over a one year period. In the first three months, officers were only required to issue warnings, although this fact was not publicised.

Results were described by the authors as "promising". There was a three-fold increase in refusals of alcohol service to the intoxicated in the intervention county, although there was a rather puzzling but smaller increase in such refusals in a comparison county, suggesting the possible effects of influences other than the enforcement. There was also a one-fourth decline in arrested drinking drivers coming from the bars in which enforcement took place, with no significant change in three comparison counties. The authors conclude that the public health benefits of effective enforcement of laws prohibiting the serving of intoxicated persons are considerable, and should have a much higher priority than the enforcement of underage drinking laws.

Anyone familiar with Australian jurisdictions will know that prosecutions of licensees for serving intoxicated persons are extremely rare. Similarly, even in jurisdictions such

as New South Wales where bouncers have been governed by legislation for some years, there have only been ad hoc and seemingly ineffective efforts on the part of police to enforce it (Homel & Tomsen, 1991). The evidence from the two studies just discussed is that public order offences and drinking and driving can be reduced by focusing enforcement on licensees, and by implication, given the strong evidence for the role of intoxication and strong arm tactics by bouncers in facilitating assaults (Homel, Tomsen & Thommeny, 1992), violence could also be considerably reduced by police action directed not at patrons but at management.

The major impediments to such policies appear to be cultural, political, and organisational. Most police appear to find it difficult to appreciate the potential of prevention strategies directed at licensees, preferring the "proven" tactic of sweeping the streets free of drunkenness and disorderly conduct. In addition, as the studies by Jeffs and Saunders (1984) and McKnight and Streff (1992) suggest, such approaches require a complex mix of education, publicity, negotiation and enforcement, and depend ultimately on cooperative efforts involving local councils, community groups, liquor licensing officials, licensees and police. Creating and sustaining such a coalition is hard work, and is frequently complicated by a lack of political support. Politicians are naturally reluctant to support policies which may well antagonise an industry from which governments derive a great deal of revenue, and this lack of political commitment can translate into complex and ill-defined lines of authority. In particular, there is frequently a confusing overlap of powers between police and liquor licensing authorities, combined with a surprising lack of communication between the two regulatory domains, so that even if police wished to adopt a more preventive approach and had the political support to do so, a very considerable amount of organisational reform would be required first. Given the size of the problem and the emerging evidence that police can have a considerable impact if they adopt new approaches, political and organisational reform of the regulatory processes surrounding liquor licensing may need to be the major initial goal of advocates of prevention policies.

Conclusion

I have attempted to argue in this chapter that the very presence of police probably has some deterrent or crime prevention benefits, but that "more of the same" is unlikely to reduce crime much. As Clarke and Heal (1979, p. 36) observe, "... the crime prevention value of a police force rests less on precisely what it does than on the symbolic effect of its presence and a public belief in its effectiveness". However, those words were written more than a decade ago, and we are more concerned these days with "value for money". On that score, there simply is no convincing evidence that the routine nostrums of the law-and-order lobby, such as increasing police numbers, putting more "back on the beat", beefing up the number of patrols, or intensifying the surveillance of chronic or repeat offenders, will yield the benefits in increased public safety which are claimed.

What does emerge from the review is that police *can* effect marked reductions in crime, but usually only in cooperation with other agencies and only if they adopt strategies which are in stark contrast to those dictated by the "professional law enforcement" model (Moore, 1992). Even such apparently mundane activities as doorstep campaigns by police appear to be successful, presumably because they mobilise communities and effectively communicate the "legal threat" to a large number of potential offenders. Indeed, deterrence as a "communication process" underlies a number of the examples of successful prevention programs discussed in this chapter, most notably random breath testing but also the crackdowns discussed by Sherman (1990) and the programs directed at hotel licensees.

It is also clear from the review that police effectiveness in preventing crime is greatly increased if their activities support or reinforce informal control processes. Moore (1992) has discussed this in the context of cooperative problem-oriented policing in distressed urban communities in the United States, but it applies equally to random

breath testing, where the new legislation gave many drinkers a socially acceptable excuse to limit their drinking despite pressure from friends, or to the prevention of violence in and around licensed premises, where the aim should be to support through focused enforcement voluntary "codes of practice" developed by licensees (Homel & Tomsen, 1991). And the whole point of working cooperatively with local communities and other agencies is surely to shift control away from the formal apparatus of the state to the communities themselves, while retaining the formal system of criminal justice as "the necessary back-up for the growing system of community crime control" (Tuck, 1988; p. 7).

Of course informal or community social controls are by no means an unqualified good. The lynch mob may be a very effective means of control, and may have its power greatly strengthened by a repressive or corrupt police force which turns a blind eye to rough justice imposed on despised minorities, but that is hardly a reason for espousing its use. Perhaps of more immediate practical concern, the powerful interactions between formal and informal sanctions lie at the heart of the policy dilemmas created by the replications of the Minneapolis Domestic Violence Experiment. As Sherman (1992, p. 185) observes, the effects of arresting domestic violence offenders depend on their "stake in conformity". Unemployed suspects and high school dropouts become more violent after arrest, while married suspects tend to be deterred. The practical implications of this are that police policies need to be very fine-tuned to the characteristics of specific communities:

Jurisdictions with large populations living in concentrated ghetto poverty areas should strongly consider repealing a mandatory arrest policy.

(Sherman, 1992, p. 187).

The complexities of crime prevention in modern societies, exemplified by the contradictory and unexpected results of the domestic violence experiments, make a research data base an essential tool for police and other agencies. Even where the

principles are in essence very simple, such as general deterrence through random breath testing, the actual implementation is usually very difficult (Homel, 1993). All commentators are agreed on the need for further research (e.g. Bayley, 1991; Green & Taylor, 1991; Moore, 1992; Sherman, 1992), with an emphasis on quasi-experimental or (preferably) strict experimental designs to investigate such issues as the deterrent potential of police crackdowns. As Sherman (1992, p. 267) puts it in discussing research priorities, "If crime is as complicated as cancer, we have a long way yet to go."

However, if experimental research is a clear priority, the creation within police services of a culture conducive to systematic data collection and the use of such data for the management and planning of innovative programs is an essential prerequisite. I have indicated the critical role of education, but Moore (1992) has also highlighted several other strategies for changing the culture of policing. These include opening police organisations to the outside community so that police are in touch both with grassroots needs and with outside resources that could help them solve problems, and moving to more decentralised, geographic structures within which volumes of arrests and speed of response can be replaced as performance indicators by measures which reflect crime victimisation and community satisfaction with the quality of police service.

I have not had space in this chapter to discuss in any depth the potentially sinister aspects of police involvement in crime prevention programs. The state, with its technically refined and optimally efficient modes of policing may be the ultimate enemy of human freedom (Ellul, 1964). More specifically, many social scientists (and police) are concerned that the adoption of innovative and effective crime prevention strategies, such as random breath testing, may undermine civil liberties and lead to a society in which surveillance is subtle, ubiquitous, and unavoidable (e.g. Bayley, 1991; Cohen, 1985; Ross, 1988). It could be argued that one virtue of the professional law enforcement model is that being reactive and based on hierarchy and formal legality it

intrudes less in the lives of "ordinary people" than proactive policing policies driven by the need to get crime down by the most scientifically efficient means possible.

Perhaps to answer this criticism it is sufficient to point to the blatant disregard for human rights inherent in the selective enforcement and incapacitation policies being pursued in Western Australia, or to the ways in which young, working class males are routinely selected for special attention by police in traffic law enforcement (Homel, 1983) or are routinely denied rights as legitimate victims of alcohol-related violence (Homel & Tomsen, 1991). In other words, the relative intrusiveness of traditional versus preventive modes of police enforcement may depend on the standpoint and the social power of the observer. By shifting attention from the most visible or chronic offenders to the general community and by linking in with informal control processes, preventive policing may involve a "democratisation" of law enforcement and a restoration of real power to ordinary people, including the victims whose voices have seldom been heard in the formal systems of criminal justice.

The pursuit of effective crime prevention policies does not seem to me to be inherently incompatible with considerations of human rights. Indeed, since predatory crime typically impacts more heavily on the poor than on the rich, crime prevention should be seen as an essential element of a program of social justice. All the signs are that crime prevention is an idea whose time has come, and if police want to continue to "own" the crime problem they will have to take seriously the principles upon which it is based. Their role will necessarily be limited, since police are not able to influence the incidence of most forms of crime even with innovative strategies. However, in an era when the public is increasingly demanding value for the taxpayer dollar, the police will not be able to afford to ignore the growing body of criminological research which indicates ways they can have a real as well as symbolic role in reducing crime.

Endnotes

1. These results and statements about the enforcement of RBT are based on work undertaken in an ongoing research project, *The optimisation of random breath testing*, funded by the Federal Office of Road Safety.

2. I should acknowledge my debt here to Uri Bronfenbrenner (1981), who in a lecture at Macquarie University in 1981 analysed the disastrous impact of the early years of the Reagan regime on children and families. He called for "encounters of the third kind", in which the underlying principle would be "to create formal support systems that generate and strengthen informal support systems, that in turn reduce the need for formal systems" (p. 23). It is perhaps a sad commentary on the times that I have adapted his pithy phrase to fit a discussion of social control rather than social support.

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