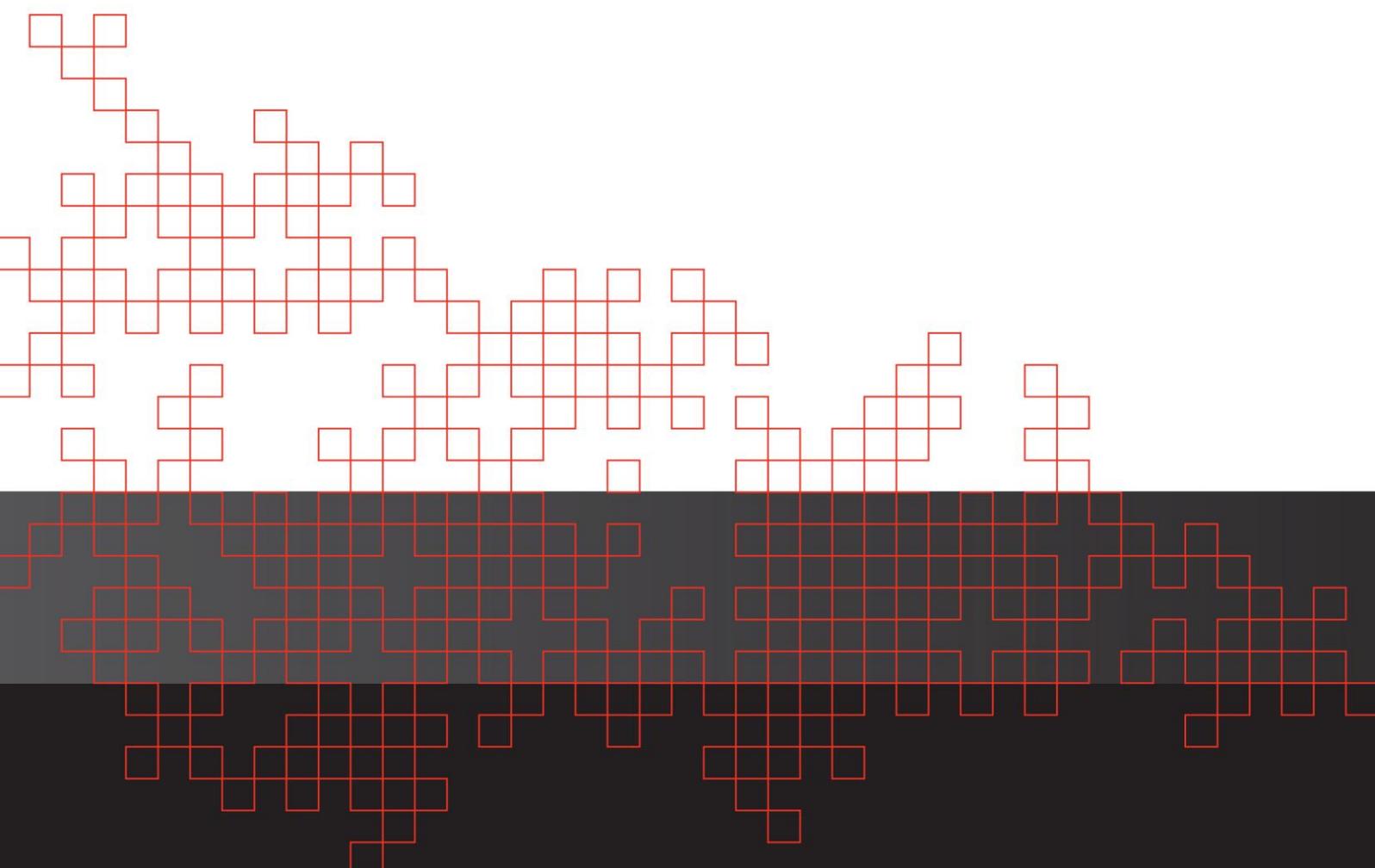


Developing a new measure of harm arising from crime victimisation

Discussion paper



December 2019



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Contents

1. Introduction	1
1.1 Why is a new measure of harm needed?	1
1.2 Practical application of the measure	1
1.3 Conceptual challenges	2
1.4 Limitations	3
1.5 Methodology used to generate the draft measure	3
2. A new measure of harm arising from crime victimisation	4
2.1 Defining the final categories within the measure of harm	4
3. Next steps	7
What we will do with your feedback	7
When will the new measure be available?	7
What if I have any questions about the new measure?	7

1. Introduction

The Victorian Government requested a way of representing harm in a new statistical measure that would provide a more nuanced view of crime in Victoria as part of the Community Safety Statement agenda. The Crime Statistics Agency (CSA) was tasked with developing this new measure of harm and integrating it into the suite of publicly disseminated Victorian recorded crime statistics. The new measure is to reflect community perceptions of the harm caused to people who are victims of crime in Victoria.

1.1 Why is a new measure of harm needed?

As government's priority for Victoria Police is keeping people safe from harm, a more sophisticated measure than the existing crime statistics is required that indicates the potential harm caused to a victim who experiences a crime. Current CSA recorded crime statistics present all crimes with an equal count. The statistics do not make any adjustments to represent relative harm to a victim of different crimes, other than selecting the principal (most serious) offence if there is more than one crime type that has allegedly occurred within a single incident or victim report.

There are four principal uses for a new measure of harm arising to victims from their experience of crime in our official recorded crime statistics. These relate to:

- reporting to the community and supporting a more nuanced conversation about crime.
- focusing law enforcement activities.
- informing policy on crime prevention and victim support.
- supporting additional approaches to analysis and research.

1.2 Practical application of the measure

The new measure of harm has been developed to integrate with the existing law enforcement datasets available to the Crime Statistics Agency and suite of recorded crime statistics. The new measure:

- is based on community perceptions of harm to individual victims.
- uses victim report data only¹.
- uses crime types taken directly from the Crime Statistics Agency Offence Classification.
- includes crimes that are experienced by a person rather than a business or the state as the measure focuses on harm to the individual victim.
- represents a 'standard' experience based on analysis of the crime data for Victoria 2018-2019 (for example, a standard experience does not necessarily mean it is the most serious possible example of an offence within a crime type but represents the most common manifestation).
- brings different crime types together into categories based on the perceived level of harm.

¹ Victim report data can be found on the 'Latest crime data' webpage of the Crime Statistics Agency website at: <https://www.crimestatistics.vic.gov.au/crime-statistics/latest-crime-data>

1.3 Conceptual challenges

Developing a new measure that focuses on the harm arising from crime victimisation has its challenges, particularly as there are a range of conceptual and methodological issues that cannot be removed or fully incorporated for a range of reasons. These issues include:

- the impact of a crime on a victim is multidimensional and direct harm is only one facet.
- not all crimes impact on an individual victim (they may be crimes against the state or a business) and therefore the measure of harm does not include all crime types used by the CSA. Thirty-five crime types were identified as crimes with a possible or likely individual victim and these formed the foundation of the measure.
- it is difficult to quantify or define all harms that may affect a victim of crime.
- whilst it is undeniable that crime can have an impact on a range of individuals, including family and friends of a victim and the broader community, there are limits to what can be practically measured. Therefore, the measure focuses solely on the direct victim and not their families, friends or the wider community.
- criminological literature discusses that victims who experience multiple or repeated offences are more likely to find lower harm crimes become high harm because of this repeated victimisation. However, in developing the measure, multiple victimisation has not been incorporated as a part of the design. This can be looked at through other analysis using the final measure of harm.
- different crime types can have very different harm profiles, and it can be difficult to determine how these should compare.
- measures developed in one time and place cannot be transplanted into another context and provide valid indicators. To this end, the measure is Victorian-centric and based on contemporary views and experiences. This may not necessarily be the view in five to ten years' time, for example.
- every person has their own subjective opinion, which is often determined by their experiences and demographic factors such as education, age, socioeconomic status and cultural background. It is not possible to account for all possible subjective and moral views.

Based on these issues, it is acknowledged that measuring harm to a victim is difficult. It is not possible to measure all potential impacts on all potential people, nor to measure all possible effects on all potential victims. Therefore, the final methodological approach taken has been pragmatic, given the challenges.

1.4 Limitations

All victim experiences are individual and subjective but there is general agreement by academics, law enforcement officials, professionals, and victims, that some crimes are inevitably more harmful than others due to the nature of the crime.

While it is acknowledged that for the measure of harm, crimes are categorised into different levels of harm to the victim, it is also acknowledged that on a personal level, the harm to a victim is individualised. The measure does not aim to trivialise any crime as all criminal victimisation can have a negative effect on a person who experiences it, but it does aim to provide a meaningful overlay to the binary crime statistics that are currently used to describe crime patterns across Victoria.

1.5 Methodology used to generate the draft measure

Two focus groups were held in June 2019 with experts from stakeholder organisations including Victoria Police, Victoria Legal Aid and the Department of Justice and Community Safety (DJCS). These groups were convened to explore expert's views and experiences of harm to victims of crime and the perceptions of the public when considering the harm crimes can cause to victims. These groups were also an opportunity to trial and refine the methodological approach to the public perceptions' component that followed.

In October and November 2019, ten focus groups were conducted with members of the public at six sites across Victoria. A total of 73 members of the public participated (39 men and 34 women). Full reporting of this research will be included in a final research and technical paper to be published in early 2020.

2. A new measure of harm arising from crime victimisation

The Crime Statistics Agency will apply the new measure to individual victim report data to produce statistics based on the perceived level of direct victim harm.² Victim report data involves only one victim but can involve multiple offences and alleged offenders. Where there are multiple offences recorded within a single victim report, the report is represented by the offence that is deemed to be the most serious according to the Crime Statistics Agency Crime Classification.³ This is referred to as the principal offence. The intent is that the measure of harm can be analysed in conjunction with demographic data and other variables about criminal events to gain a more sophisticated understanding of crime in Victoria.

2.1 Defining the final categories within the measure of harm

Three distinct categories of harm emerged as a result of the research project; high harm, medium harm and low harm. The categories have been described using keywords and phrases gathered during discussions with members of the public and experts (Table 1). Most of the crime types that sit within the high harm category are crimes that are classes as 'crimes against the person' within the CSA Offence Classification. Equally, most of the crime types that fall within the low harm category are property-based crimes.

² Victim report data can be found on the 'Latest crime data' webpage of the Crime Statistics Agency website at: <https://www.crimestatistics.vic.gov.au/crime-statistics/latest-crime-data>

³ The Crime Statistics Agency Offence Classification 2015 can be found at: https://www.crimestatistics.vic.gov.au/sites/default/files/embridge_cache/emshare/original/public/2016/05/9f/6ab941fc4/csaoffenceclassification.pdf

Table 1 A measure of crime harm

Category	Key elements as described by focus groups	Crime types to be included
High harm	<p>Loss of life as the ultimate high harm.</p> <p>Life-long/severe physical, mental and/or emotional harms experienced simultaneously after offence.</p> <p>Specific crimes against children, for example, incest and non-contact sexual offences against children.</p> <p>Keywords or phrases: Life-changing, long-term, high severity</p>	<p>Murder</p> <p>Attempted murder</p> <p>Manslaughter</p> <p>Driving causing death</p> <p>Rape</p> <p>Incest</p> <p>Abduction</p> <p>Slavery and sexual servitude</p> <p>Accessory or conspiracy to murder</p> <p>Extortion</p> <p>Non-contact sexual offences against children</p> <p>Indecent assault</p> <p>Serious assault</p> <p>Assault police, emergency services or other authorised officer</p> <p>Aggravated burglary</p> <p>Aggravated robbery*</p>

*Consultation through focus groups suggested that the classification ‘aggravated robbery’ was a medium harm crime. Triangulation of expert advice, criminological literature, and the potential violence or force involved means that ‘aggravated robbery’ has been elevated from medium harm (as per focus group inputs) to high harm.

CATEGORY	Key elements as described by focus groups	Crime types to be included
Medium harm	<p>Crime types that are malicious, intentional or are threats against another person.</p> <p>Physical, mental and/or emotional harms that are more likely to be long-term but may be more easily overcome than those in the high harm category.</p>	<p>Other sexual offences</p> <p>False imprisonment</p> <p>Stalking</p> <p>Dangerous driving</p> <p>Non-aggravated robbery</p> <p>Blackmail</p> <p>Neglect or ill treatment of people</p> <p>Throw or discharge object endangering people</p> <p>Threatening behaviour</p> <p>Cause damage by fire</p> <p>Motor vehicle theft</p> <p>Common assault**</p>

** Consultation through focus groups suggested that the crime type 'common assault' should be allocated to the 'low harm' category. However, given that this is a crime type that involves direct and confrontational infliction of force, injury or violence upon a person, as well as advice from experts and criminological literature, 'common assault' has been elevated from low harm (as per focus group inputs) to high harm.

Category	Key elements as described by focus groups	Crime types to be included
Low harm	<p>Financial harm and some mental/emotional harm may be experienced. No physical harm. Typically, not long-lasting harms.</p> <p>Keywords or phrases: Inconvenience, frustration, replaceable, insurance, property-based crimes.</p>	<p>Graffiti</p> <p>Criminal damage</p> <p>Theft of a bicycle</p> <p>Steal from a motor vehicle</p> <p>Harassment and private nuisance</p> <p>Non-aggravated burglary</p> <p>Other dangerous or negligent acts</p>

3. Next steps

Now that you have read the discussion paper detailing our draft new measure of harm arising from crime victimisation, please provide us with your thoughts and opinions on section 2 of this paper. You may have alternative suggestions for the category names for the measure or feel that one of the crime types should be moved to a different category, for example.

Feedback on the Engage Victoria website is completely anonymous. We do not require any of your details for you to make a submission. We ask that you avoid putting any personal details in your responses but do make your response as full as you feel comfortable with.

You can write your response in the free text box on the Engage Victoria webpage or alternatively, you can prepare a Word document and upload that on the Engage Victoria webpage.

Alternatively, you can address your feedback to the Chief Statistician and send via email to research@crimestatistics.vic.gov.au or mail to

Crime Statistics Agency
GPO Box 4356
MELBOURNE Vic 3001

What we will do with your feedback

Your feedback will be analysed, along with other responses, and used to finalise the new measure of harm arising from crime victimisation.

When will the new measure be available?

We aim to release the new measure in early 2020. A research and technical paper with full findings from the research underpinning this draft measure and specification for the final measure will also be published in early 2020. Please check for updates on the CSA website: <https://www.crimestatistics.vic.gov.au/>

What if I have any questions about the new measure?

You can contact the CSA at research@crimestatistics.vic.gov.au

Thank you for your interest - we look forward to receiving your feedback.

