Chapter 1

Reconceptualising recorded crime statistics

as a technology of government

Histories of statistics and histories of crime and criminology have undergone a notable acceleration in the last 15 years. Substantial bodies of research literature now exist on both of these topics. However, the history of recorded crime statistics has not been approached in any real depth. The existing histories have researched what crime statistics reveal in terms of crime trends (Mukherjee, 1981), or what they reveal about social contexts (Gatrell and Hadden, 1972). Few histories have explored recorded crime statistics in a conceptual manner, analysing them as a practice and technology of government.

This thesis seeks to redress this deficiency and re-conceptualise the statisticalisation of crime as a technology of governance. This chapter specifically seeks to delineate the related bodies of literature that have influenced this intellectual enterprise. It critically evaluates the existing histories of statistics and crime statistics, as well as critiques of statistics from the social sciences. While finding these bodies deficient, this thesis does not argue that these bodies of knowledge are worthless, rather it seeks to build from their knowledge and orient some of their concerns in a more fruitful intellectual direction. This chapter goes on to suggest that a more profitable conceptual history of recorded crime statistics can be produced through using Michel Foucault’s thoughts on
governmentality. This, and a broader corpus of knowledge that has emerged in response to the concept of governmentality, form the intellectual foundations for this thesis.

1.1 Histories of recorded crime statistics

Given the central role that the technology of recorded crime statistics plays in our contemporary understandings of crime, it is surprising that the extent of the literature on the history of crime statistics is relatively small. There are few pieces of research that focus on the history of this sustained and influential yet mundane practice. However, this lack of research becomes even more peculiar when we take into account the widespread, seemingly obligatory, acknowledgment of the earliest crime statisticians, such as Adolphe Quetelet, Andre M. Guerry, and Rawson W. Rawson in general criminological texts. One example of this can be encountered in Hermann Mannheim’s *Comparative Criminology* (1965, 95-103). A similar but more detailed account can be found in Terence Morris’s *The Criminal Area* (1957:44-52). These examples of classic criminological texts acknowledge the role of the earliest actors in the history of crime statistics and the importance of recorded crime statistics to the theoretical and empirical development of criminology. However, the history of crime statistics after these actors, and the continuation of the practice of recording crime statistics, is ignored. This tendency in criminology to simply gloss over the important contribution of statisticians to the development of criminology does appear to be changing. A more contextualised discussion is being conducted in the new histories of criminology (see Garland, 1994:31-37, especially 33). The impact of these new histories in criminology is discussed in more detail below.
I have already argued that much historical criminology glosses over the important
count of and historical developments of numerical technologies that record crime.
Moreover, the early moral or crime statisticians are rarely conceptualised as
crinologists in influential texts on the history of criminology. Yet they have strongly
influenced the nature of criminology, its theories and research. To use the example of
Hermann Mannheim again, his classic edited work, *Pioneers in Criminology*, does not
include a chapter on any of the early crime statisticians (Mannheim, 1960). What I am
suggesting here is that the history of recorded crime statistics and crime statisticians has
either been generally excluded from histories of criminology, or acknowledged in only a
token fashion. However, there is a small body of research that does engage more
specifically with the history of crime statistics. This corpus of research can be divided
into two distinct categories, those that look at the history of crime statistics itself
primarily as an empirical exercise, and those that focus on historical research heavily
reliant on historical crime statistics. This second category is included in this review of
the literature on the history of crime statistics, as these authors are more commonly
referred to in academic literature and have more relevance to this thesis than the
empirical histories of crime statistics.

There is no monograph that can be singled out as ‘the’ classic text on the history of
recorded crime statistics. To date, the published history of recorded crime statistics
barely constitutes a corpus of knowledge. As such, the existing literature can make only
a limited contribution to this thesis. It is worth acknowledging some obscure rarely
referred to pieces of research. For example, Luis Salas and Raymond Surette have
published a brief article on the general history of the ‘development of criminological
statistics’ (Salas and Surette, 1984). Their focus was on the development of crime
statistics in Europe and the United States of America between 1650 and 1914. Salas and Surette argue that we need to locate the development of crime statistics in the broader context of the rise of statistics more generally (Salas and Surette, 1984:463). This work is accompanied by Louis Robinson’s earlier and very brief research into the history of crime statistics (Robinson, 1934). These two examples are surprisingly the only two pieces of research dedicated exclusively towards documenting the history of crime statistics that I have been able to locate during my years of researching this topic. However, there is a second and more influential category of literature which explores the history of crime through statistics.

In contrast to the obscure first category of literature, the second category is more prevalent in the academic literature. One piece of research of this kind, often referred to is Vic Gatrell and Tom Hadden’s (1972) research into the statistics of England and Wales. Their project was to interpret from historical crime rates the relationship between crime and society in nineteenth century Britain and the social conditions which influenced that relationship (Gatrell and Hadden, 1972:337, 339). Gatrell and Hadden were also evaluating the use and effectiveness of recorded crime statistics as an archival resource for the social historian. Gatrell’s later work (Gatrell, 1980) also relies upon crime statistics for its analysis of theft and violence, and contains useful suggestions warning against simplistically reading records of crime as ‘true’ representations of reality. Gatrell argues that statistical records of crime are subject to the social and historical context(s) in which they are produced (Gatrell, 1980:242-243). This
suggestion in particular is helpful as it recognises that localised anxieties about crime may deeply affect what crimes are recorded.  

A second, more recent study by Piers Beirne, engages with the emergence of recorded crime statistics in his examination of the rise of criminology more generally (Beirne, 1993). It is important to realise that Beirne is not writing a history of crime statistics, rather his primary focus is on researching and theorising ‘the process of concept formation in the early history of criminology’ (Beirne, 1993:3). Yet in doing so he has also contributed to the study of the history of crime statistics. The originality of Beirne’s research is that he draws attention to the importance of earlier statisticians, such as Andre M. Guerry and Adolphe Quetelet, alongside more traditional criminological pioneers such as Cesare Beccaria, Gabriel Tarde and Charles Goring (Beirne, 1993, Chapters 3&4). Beirne’s research into Quetelet and Guerry stands as the key reference for any reading of the early statisticians of crime.

Contained within Beirne’s research are valuable historical insights, such as his disbelief of a ‘complete epistemological rupture’ between classicist and positivist criminology (Beirne, 1993:226). Beirne suggests that ruptures between these perspectives on crime may have been overstated, and the continuities downplayed. This argument has affected this thesis. In researching crime statistics and other approaches to the study of crime and criminals in New South Wales’ history, complete discontinuities are rarely evident. Beirne suggests it is difficult to draw stark lines when new concepts emerge and when existing

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5 See for example the chapter on the New South Wales Bureau of Crime Statistics and research and the discussion of the category of 'drugs' contained therein.
concepts disappear, if at all. One example of this is the notion of the 'habitual criminal' or the dangerous offender, so much a part of the legal system at the turn of the twentieth century, and yet still current in the 1970s (Medical Journal of Australia, 1972). Similarly, the history of crime statistics in New South Wales reveals a blurring of epistemological ruptures, as Bierne contends. See for example the discussion of drugs in chapter 7.

Bierne’s contribution to, or understanding of, ‘concept formation’ in criminology more generally, alerts us to a far stronger influence on this thesis than the limited existing histories of crime statistics. Recent debates and writings on the history of criminology, written within the discipline, have influenced the direction of this thesis far more extensively than the histories of crime statistics.

A final example of this second category of literature on the history of crime statistics relates directly to Australian material. In contrast to the general dearth of materials on crime statistics, Australia has one prolific author on this topic: Satyanshu Mukherjee. Mukherjee is Australia’s foremost historian of crime statistics, with an abundance of publications on this topic (1981, 1984, 1986, 1989, 1990, and 1997). While on the surface the present thesis and Mukherjee’s substantial works share the same content of study, Mukherjee’s project and the present one are substantially different, such that they really have little relevance to each other. Mukherjee outlines his research focus in this way: ‘...the main objectives of this study are to identify distinct patterns of criminality’ (Mukherjee, 1981:15). He carries this out in a detailed and meticulous manner through an examination of recorded crime statistics from all Australian states, which are
provided by courts, police, and census data. His object is to understand the long-term
trends of specific crimes. My project differs considerably in that it attempts to trace the
genealogy which shapes the present use of crime statistics; Mukherjee’s by contrast is
primarily an empirical history.

One issue which reveals the degree of difference between this thesis’ project and
Mukherjee’s is that concerning which categories of crime are recorded and how these
categories change. Mukherjee’s perspective on this is quoted below:

One of the basic elements of a comparative study of a social phenomenon
such as crime is the changing value system. If we are going to examine
present crime data vis a vis crime data of the past several decades, we must
incorporate in our examination the definition of crime in terms of the
updated value system. While it may not be entirely true to say that what
was crime a hundred years ago may not be defined as crime today, it is
beyond dispute that our attitudes towards crime and our perception of it
have changed.

Admittedly, ‘value system’ is a difficult concept and one that attracts
theoretical discussion; fortunately many scholars have done this and we can
seek to be more pragmatic here. If a value system is, to a large extent,
governed by structural and technological developments then one can
recount these developments as an indication of how these developments
have influenced our lifestyle and reflect new and changed values. We
recognise also the important influence of the political system, but are
unable to examine it in this study (Mukherjee, 1981:1).

While Mukherjee acknowledges that there are shifts in the way we have recorded crime
statistics, changes in a ‘value system’ is a relatively crude way of describing significant
changes and transformations that appear in recorded crime statistics. Important
discursive shifts have intellectual genealogies, which incorporate struggles for power
and have affects on the type of statistics recorded. An example of this is the figure of the
habitual criminal. Though this category is no longer recorded in present crime statistics,
in the late nineteenth century it was both a category of recording and a significant anxiety (see Pratt, 1997). To return to Mukherjee and his conception of a ‘value system’, this account also fails to adequately describe changes in crime statistics that result from technological innovations. We could think here of crimes such as computer hacking or the manufacture of amphetamines as both of these technologies are recent, as is the recording of these offences in crime statistics. A notion, such as value change, skims the surface of those histories, and fails to account for the power games played out through discourses, actors, and networks, where the support and opposition to competing paradigms reside. It rests on a virtually consensual view of social change, which does not adequately account for the histories of power bound to the measurement of crime. Mukherjee also acknowledges that there is an ‘important influence’ coming from the ‘political system’, and this is true. However, Mukherjee’s definition of politics is a narrow one. ‘Politics’ defined more broadly, such as the politics between competing discourses, is equal or more important to shifts in the character of recorded crime statistics than parliament, elections\(^7\) and the minute differences between dominant political parties.

A further difference between Mukherjee’s approach and the present one relates to the nature and interpretation of statistics. Mukherjee views statistics in a positivist manner; he sees them unproblematically as empirical facts that are ‘real’ accounts of the nature of crime. This positivist approach to statistics has been criticised from a number of perspectives. One of the most profound of these was developed by Aaron Cicourel who

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\(^7\) Research by Murray Lee discusses the 1995 New South Wales election, and argues that statistics of crime were ignored in the law and order debates surrounding the election (Lee, 1996).
maintained that statistics manipulate social phenomena into categories, and that they have ‘meaning rather than technical reliability’ (cited in Carrington, Gow, Hogg, and Johnson, 1996:56). From another perspective, Ian Miles, John Irvine, and Jeff Evans (1979) argue that statistics are bound up in exploitative class relations; in that they provide knowledge to dominate the working classes. Mukherjee’s approach to statistics does not engage with these issues. Rather it tends to unproblematically reproduce these. My approach is neither positivist nor ethnomethodological, but one which sees statistics as governmental artefacts, *numerical representations that have real effects and exercise real power in their deployment*. With these differences in mind, Mukherjee’s extensive study of Australian criminal statistics is of less relevance to the present study than it would initially appear.

Unfortunately both Gatrell and Hadden’s, and Mukherjee’s histories of recorded crime statistics hold little relevance for this thesis, as this thesis has a different objective. I am interested in writing a genealogy, a history of the present which is more orientated toward tracing how crime statistics came to be powerful today, rather than in interpreting the past through statistical records of crime. The research by Beirne on the other hand, is a different matter. His research is representative of a more recent body of criminological research that focuses on the history of crime and the development of theoretical criminology more generally. This corpus of knowledge will be discussed in more depth later.
1.2. Ian Hacking, critiques and recent histories of statistics

In stark contrast to the limited research into the history of recorded crime statistics, there has been a marked growth in the amount of research focussing on the history of statistics and the role that numbers and numeracy play in western society more generally. In the United States, for example, Theodore Porter has written substantial histories that focus on the rise of statistical thinking, and the power of the ‘objective’ knowledge provided through statistics (Porter, 1986 & 1995). In a similar vein, Patricia Cline Cohen’s study examines the popularisation of numerical knowledge (Cline Cohen, 1982). There is also William Alonso and Paul Starr’s edited work that focuses on the role of numeracy in contemporary politics and government (Alonso and Starr, 1987). The relationship between numeracy and government has particular relevance for this thesis. This relationship between government and numbers has been one dimension of a further body of influential writings by Nickolas Rose and Peter Miller (Rose, 1991, Rose and Miller, 1992, 1993). This important contribution to our understanding of the practices, technologies and mentalities of government warrants detailed attention, and will be discussed in more depth soon.

Another contribution to our knowledge of the history of statistics emerges from feminist historical research. Authors such as Desley Deacon, Margo Anderson, and Catherine Hakim have all examined the history of statistics and in general discuss the exclusion of women and their work from statistical records such as the census (Deacon, 1985, Anderson, 1992, and Hakim, 1980). Deacon’s research in particular is interesting. Her research examines the history of collecting census data in Australia. Deacon’s research
encountered historical actors also relevant to this thesis, such as Timothy Coghlan. Importantly, her argument highlights how women’s work has been categorised depending upon what was politically expedient for the colonies of New South Wales and Victoria (Deacon, 1985:34-39). It has not been a research goal for this thesis to examine the gendered nature of the history of crime statistics. What is important is to acknowledge that this literature exists and that a feminist perspective alerts us to the general exclusion of women in the history of crime statistics.

One dimension of the literature that examines the history of statistics is focused on the formation of ideas within statistical discourse(s) itself (Hacking, 1981, 1990 & 1975, Stigler, 1986). Ian Hacking’s work in particular has had a wide and influential impact over a broad audience. Hacking relies upon Foucault’s genealogical method to explain significant discursive shifts in our understandings of statistics. For example, in *The Taming of Chance* (1990) Hacking’s project is to account for conditions which led to ‘the erosion of determinism’ and the ‘taming of chance’. This discursive rupture (that the world is not deterministic) is according to Hacking ‘the most decisive conceptual event of twentieth century physics’ (Hacking, 1990:1). Hacking suggests that, ‘Statistics has helped determine the form of laws about society and the character of social facts...It may think of itself as providing only information, but it is itself a part of the technology of power in a modern state’ (Hacking, 1981:15). Hacking’s research, and his approach to intellectual analysis, has deeply informed the approach of this thesis.

The relevance of Hacking’s writings on the history of statistics to this thesis lies in three areas. The first is his approach to the history of statistics. In writing a genealogy of statistics, Hacking has provided an influential account of a discourse with widespread
effects in shaping the present. In doing so he has also provided an excellent example of how genealogies may be approached or written. Finally, he also alerts the reader to the technical and informative knowledge statistics provide for government. Unfortunately, Hacking has not explored the important relationship that exists between statistics and contemporary government in any detail.

A body of social science literature on statistics and crime statistics also informs this thesis. There are a number of influential critiques of statistics developed by social scientists which may be applied to crime statistics. Authors such as John Irvine, Ian Miles, and Jeff Evans (1979) and Barry Hindess (1973) have made a substantial contribution to the development of this critique.

Barry Hindess has written an influential critique of official statistics (Hindess, 1973). He specifically argues against the ethnomethodological stance taken by authors such as Cicourel, that knowledge is subjective and relative. Instead, he suggests that we should view statistics as a social product, and not the products of relativism or subjectivism. Hindess maintains that a form of positivism exists in ethnomethodology where knowledge is only ‘founded on the experience of a human subject’ (Hindess, 1973:10). Hindess goes on to argue that ‘like all knowledge, official statistics must be analysed as a product...they must be examined in terms of the conditions and instruments of their production’ (Hindess, 1973:12). Finally, Hindess argues that social statistics are to an extent true (1973:28). By this he suggests that statistics are valuable, and that they do represent some element of social reality.
Miles et al (Miles, Irvine and Evans, 1979) have also made an influential critique of official statistics, from the more radical perspective of political economy. Miles et al suggest that official statistics are not simply social facts but the outcome of the state operating in the interests of a capitalist mode of production. They suggest that what is recorded is bound to a system of class relations, and that this fashions the nature of what is recorded or produced in official statistics (Miles et al, 1979:118). Official statistics for these authors are not ‘true’ facts about a nation, rather they are representations produced for the maintenance of ‘the dominant ideologies of capitalist society’.

Miles and Irvine criticise Hindess in that he points to the conditions in which official statistics are produced but overlooks the ‘social factors’ affecting their production (Miles and Irvine, 1979:123). Although Miles and Irvine’s point is vague, the general critique of Hindess that they were moving toward is valid in that Hindess overlooks the central role of formal power in the production of statistics. Miles and Irvine, on the other hand, have too narrow a conception of power. They see power as only emanating from those with economic power - that is the capitalist class. This thesis relies upon a more Foucaultian conception of power as diverse and diffuse, not always repressive but more importantly productive. Productive in the sense that forms of knowledge, such as statistics, produce ‘true’ ways of seeing the world (Foucault, 1980:131-133). In researching this thesis the impetus to record, refine or bureaucratically establish the practice of recording crime statistics was grounded in numerous rationalities, rather than a unitary one such as economic power.
The critiques of Hindess and Miles et al have assisted the arguments developed in this thesis in three ways. Firstly, they sustain and contribute to a re-conceptualisation of the critique of statistical positivism. Secondly, both arguments support the view that statistics are the products of the conditions of their production. Finally, and this point relates more to Miles and Irvine than to Hindess, these authors illustrate how power affects what is recorded or produced in official collections of statistics. These three aspects of critiques of official statistics inform the analysis developed in the subsequent chapters of this thesis.

1.3. Criminological accounts of crime statistics

There is a widespread critical scepticism about the use of recorded crime statistics within the discipline of criminology. This critical stance is commonly encountered in any introductory text to crime statistics (for example see Coleman and Moynihan, 1997). This scepticism also commonly appears in contemporary government reports. For example, in 1989 the ‘Report of the National Uniform Crime Statistics Committee’, maintained that crime statistics ‘more than most are subject to misinterpretation’ (Report of the National Uniform Crime Statistics Committee, 1989:13). These warnings generally refer to the effects of the ‘dark figure’ on unreported crime, the effects of institutional structures and cultures on producing crime rates, and the politicisation of certain crimes (see for example Coleman and Moynihan, 1997, Bottomley and Coleman, 1981, Hindelang, Hirschi, and Weiss, 1979). Unlike the relative dearth of historical research into crime statistics, these educative texts are representative of a long, thorough and ongoing debate within the discipline of criminology which aims to produce critical readings of crime statistics.
More specific critical arguments have emerged from a diversity of criminological positions. John Kitsuse and Aaron Cicourel, arguing from an ethnomethodological position, have maintained that we need to interpret crime statistics as outcomes of ‘organisational contingencies’ (Kitsuse and Cicourel, 1963:137). In short, these authors argue that recorded crime statistics are the outcome of responses to behaviour labelled deviant and customised to existing categories of illicit behaviour. In relation to juvenile delinquency, Cicourel later suggested that ‘the meaning of official statistics...must be couched in the context of how men, resources, policies and strategies of the police, for example, cover a given community, ...assign men...and routinize reports’ (Cicourel, 1976:28).

Left Realist criminology also has a reputation for being critical of simply reading recorded crime statistics as ‘true’ representations of the level and nature of crime (Young and Matthews, 1992:56-58). The concerns of Cicourel and the Left Realists, as well a broad body of general texts and the administrative criminology of the bureaucracies, are not of central concern to this thesis. Nevertheless it is important to acknowledge a subterranean debt to this large body of work and especially the cognisance of the institutionalised qualities and limits of statistical collections. A critical approach that views crime statistics not simply as the outcomes of discrete criminal events, but also the product of policing practices and political contexts.
1.4. Reconceptualising recorded crime statistics

Over roughly the last decade, a very fruitful method of analysis has emerged from applications of Michel Foucault’s concept of governmentality. A broad body of literature has rapidly responded to Foucault’s challenging concept (Dean, 1994, Dean and Hindess, 1998, Hindess, 1996, O’Malley, Weir and Shearing, 1997, Gordon, 1991, Miller and Rose, 1990, Rose and Miller, 1992). This thesis has been particularly influenced by Nickolas Rose and Peter Miller’s contributions to this corpus of knowledge.

Prior to discussing the work of Miller and Rose it is important for this thesis to clarify the concept of governmentality and its relevance to a thesis on recorded crime statistics. So much has been written on the subject of governmentality that it is difficult to avoid the use of what now appears to be cliched. In his research of the late 1970s, Foucault isolated a specific rationality which he referred to as governmentality. Foucault suggested that between the middle of the sixteenth century and the eighteenth century a shift took place in our understanding of what was an appropriate way to govern. Specifically, ‘…what particularly distinguishes government(ality) from other forms of power is the element of rational forms of calculation’ (Hindess, 1996:109). Calculation here does not refer exclusively to a narrow numerical sense of calculating, but rather to reasoned evaluations for the purposes of government.

Importantly, governmentality should be distinguished from the state. Foucault was referring to a distinct mentality or art of government based on rational knowledges. This
is quite distinct from the institution of the state. Governmentality may also operate outside the state. It operates in the multiple ways in which we manage our conduct and populations. An example of this lies in the government of poverty. Welfare is administered through the Department of Social Security, but it is also administered through non-government organisations involved in the maintenance of the poor, for example the Sydney City Mission. We govern health not only through official medical institutions, but also through philanthropic bodies such as the Cancer Council and through public education campaigns aimed at wedding self-government with a healthy lifestyle. Similarly, there is a large industry in private security which while not having a prosecutorial role, is very much engaged in the investigation and more general monitoring of crime, alongside the usual police employed by a state agency such as the New South Wales Police Service (Prenzler and Sarre, 1998). Yet the state is a central dimension in the operation of government. It is regularly engaged in funding, operating and maintaining - often indefinitely - many programs of government, such as education, health and the criminal justice system.

Foucault further distinguished two early forms of the mentality of government as the reason of state (raison d’etet) and the rationality of ‘police’ (Gordon, 1991:8-13, Garland, 1997:177). These dimensions have particular relevance to this thesis as I suggest these forms of governmentality are closely bound up to the mentalities that led to the emergence of recorded crime statistics. Specifically, reason of state involves rational calculation, but rational calculation concerned with the maintenance of the population of a given territory. Maintenance here is used in the sense of the health, education, security or assurance of a nation and its population. In short, a new target
became the focus of government: the population. Foucault put this point most clearly when he suggested that, 'Population above all appears to become the ultimate end of government' (Foucault, 1991:100). The second distinction, police, is similarly concerned with the problem of population. The distinction between reason of state and police lies in the depth of their analysis of population. Police maintains the focus on the well being of the population, but is also concerned with detailed knowledge. Detailed knowledge is regularly gained from statistical inquiries into social phenomena such as mortality, economic production, and crime. It is important to note that police in this sense refers to a more broad conception than simply ‘old bill’. Police here refers to the myriad of ways in which health, education and security are regulated and monitored largely through public policy.

Of crucial relevance to this thesis is that this dimension of governmentality, its concern for detailed knowledge of populations, its well being and policing, are routinely found in statements surrounding the emergence and maintenance of the practice of measuring crime. Importantly, this rationality is not limited to the emergence of recorded crime statistics in New South Wales in the nineteenth century but extends into the rationalities emergent in colonial Australia in the seventeenth and eighteenth centuries as well.

Foucault also delineated a further dimension of governmentality, namely the government of the self (Dean, 1994:174-175). In this area, he concerned himself with the question of, ‘How do we govern our own conduct?’ The conduct of the individual refers to the rituals, habits or routines we engage in, rituals we all engage in, or believe we should engage in for our individual health and benefit. Rituals which may be
permitted or prohibited, such as eating high fibre foods, wearing sunscreen, not smoking cigarettes, being cautious with credit. These habits and rituals emerge and are influenced through a variety of technological knowledges. Knowledges such as medicine are particularly influential in the government of the self, but increasingly so are numerical knowledges. For instance, knowledge of finance options based on numerical literacy and evaluation is a critical form of knowledge for contemporary active consumers.

What role does recorded crime statistics play in the governance of the self? Certainly there may be an avenue of research that examines this question. It could evaluate the manner in which crime statistics percolate into common-sense understandings and then how we utilise these understandings in the conduct of our daily lives. Perhaps recorded crime statistics have an effect on the way we manage our individual movements and activities in light of perceptions of risk of assault, robbery, or rape. However, this direction of research could potentially be fruitless. Research into perceptions of fear of victimisation indicates that people’s estimates of victimisation far exceed the statistical likelihood (New South Wales Bureau Of Crime Statistics and Research, 1996). There appears to be a striking paradox or contradiction here in that those who fear most (the elderly) tend to be the least likely to be victimised according to victim surveys.  

This thesis does not concern itself with how the government of our own conduct is influenced by knowledge of crime rates. The focus of this thesis lies much more at the level of where rationalities of government are focussed toward managing the population.

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1 See the following New South Wales Bureau of Crime Statistics and Research website http://www.lawlink.nsw.gov.au/bocsar1.nsf/pages/crimestats97_4
The concern with the government of the population is the result of the historical material encountered in researching this thesis. What is repeatedly encountered in statements concerned with establishing or modifying practices, or institutions, is a call for crime statistics to be used in governing crime. More specifically, what is encountered is a call to increase the capacity to govern a social ill – crime.

Although central to this thesis, the material on governmentality is not used without recognition of its weaknesses. There are a number of problems with the literature on governmentality. One criticism of the concept of governmentality (and its current use in social analysis) has been made by O’Malley, Weir, and Shearing (1997). While sympathetic to the explanatory power of governmentality, these authors criticise the perception that ‘politics is primarily understood (in the governmentality literature) as a mentality of rule, and the sociological concern with politics is sidelined’ (O’Malley, Weir and Shearing, 1997:502). They see that an overemphasis on governmentality produces a reification of rationalities and programs (O’Malley, Weir and Shearing, 1997:512), and call for a reintegration of politics and a reconnection with ‘critical theorising’ (O’Malley, Weir and Shearing, 1997:514). Murray Lee has taken a similar position to these authors. Lee argues that ‘...government does not – as some theorists of governmentality may have us believe – operate in a vacuum free of localised political imperatives where only pragmatic empirical discourse influences program and policy’ (Lee, forthcoming).

These criticisms of the concept of governmentality all bear a shared theme that is highly relevant to historical material encountered in researching this thesis. This shared theme
is that political rather than governmental rationalities are also operating in the specific conditions of the production of official statistics. This proposition is borne out in a number of episodes in the emergence of crime statistics in New South Wales documented in the forthcoming chapters. Crucially this thesis is not in any sense an attempt to ‘prove’ a concept such as governmentality. Rather, it employs the concept of governmentality as an explanatory tool only. Routinely, the mentality of government may be found as a rationale for developments in the practises of recording crime statistics. But the importance of politics should not be overlooked.

The concept of governmentality has also been criticised for downplaying the effects of political economy. This is peculiar given the debates coinciding with Foucault’s exploration of the mentality of government in the late 1970s. At the same time, intellectuals were also engaging with Marx’s writings to theorise the role of the state and class relations. These writings by Marxists focussed on the role that the state played in supporting the capitalist system. They were preoccupied with debating whether it was ‘instrumentalist’ or ‘relatively autonomous’ (Miliband, 1969, Poulantzas, 1975). But neither of these approaches adequately accounts for the complexity of the state, and the way in which it is engaged in the broader project of government, as competently as the idea of governmentality. The state is crudely conceived as a single unitary actor, rather than a constellation of institutions, practices, actors, or networks that do not necessarily operate in concert. Such a view of the state does not realistically account for the concern of the health, education or welfare of populations that became the project of much modern government. Further, these Marxist accounts end too easily in imagining conspiracies which fail to account for a genuine concern for social ills. Such a concern
is demonstrated by the philanthropically minded moral statisticians and reformers of the nineteenth century discussed in Chapters 3 and 4. Similarly they do not account for the contemporary positions of a plethora of concerned individuals such as politicians, journalists, government advisers, academics, social workers, etcetera, who have a genuine interest in working upon the alleviation of poverty and crime. But this thesis does not uncritically replicate Foucaultian forms of analysis. Foucault's ideas on the mentality of government ignore the regularly pivotal role that capital plays in decisions by the central locus of government: the state.

There are other potential pitfalls in using the notion of governmentality. William Walters, in discussing the emergence of the concept of 'unemployment', makes the important point that there is a danger of a concept like a 'mode of government' serving the same totalising claims as the 'mode of production' did for Marxism (Walters, 1994:265). Walters suggests that one potential method of overcoming this problem can be founded through applying specificity in our analyses (Walters, 1994:266). This is a fruitful suggestion and one actively pursued throughout my analysis of the specific, rather than general conditions, of the emergence of crime statistics in New South Wales. It is this specificity that allows this thesis to overcome Walter's critique of the concept of governmentality as totalising.

The emergence of crime statistics has not always been the result of any single specific mentality of government. This thesis stresses that other influences have also been

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9 Unemployment is one example of the widespread concern for poverty.
10 For example, treasury. See Pusey (1991).
present in sustaining the practice of recording crime statistics in New South Wales. Regularly, a more generalised notion of a ‘will to power’, rather than a narrow rationality, is more suitable in explaining certain episodes in the history of crime statistics. This is particularly the case in Chapter 6 when Philip Arantz’s exposure of the ‘Paddy Book’ system is explored. This more generalised conception of a ‘will to power’ is much closer to an idea of political engagement. A broader conception of governmentality, such as this, allows for rationalities, other than governmental ones, to be explored in explaining how this practice has been influenced and transformed in multifarious ways, some of which have been shaped by politics and a will to power.

While being too narrow a concept to contextualise all aspects of the emergence of crime statistics in New South Wales, the concept of governmentality still provides a very productive tool for analysing the emergence of this practice. Embedded within most statements surrounding critical moments of change in the practices or institutions responsible for recording crime statistics, the mentality of government may be found. Governmentality provides a theoretical point of view which can frame an understanding of both the practice and use of the technology of statistics.

Foucault recognised that statistics played an important role in the ‘will to govern’ (Foucault, 1991:99), however, he did not explore this trajectory to any extent in his writings. Nevertheless, a branch of the corpus of writings on governmentality has emerged which focuses on the relationship between the calculation of society and the government of it. These writings have been published simultaneously with multiple debates that are concerned with statistics, ‘actuarial technologies’, and risk (Reichman,
1986, O'Malley, 1992, Pratt, 1995). In particular, it is the work of Nickolas Rose and Peter Miller which is most pertinent to this thesis.

In a series of publications, Rose and Miller have provided some key insights into how government is possible (Rose and Miller, 1992, 1993, Miller and Rose, 1990, Rose 1988, 1991). Of particular relevance are Rose's thoughts on the study of the use of numbers in our mentalities of government (Rose, 1991:673-676). He argues that we need to be cognisant of four themes to explicate the linkages between numbers and the mentalities of government. The first is to look at the relationship between government and knowledge, and examine the way in which knowledge operates in concert with governmentality. The second consideration is the connection between government and information. This focuses on the way in which the state and other bodies or individuals collate information for practical purposes such as the formulation of social policy, for example. The third theme is concerned with the centres of calculation. There would be few clearer examples of this than a bureau of crime statistics. The final level, and perhaps the most insightful of Rose's schematic, is his analysis of the epistemological quality of statistics. He suggests that statistics:

...do not merely inscribe a pre-existing reality, rather they constitute it. Techniques of inscription and accumulation of facts about 'the population'...or 'poverty' render visible a domain with certain internal homogeneity or external boundaries. Numbers here delineate fictive spaces for the operation of government, and establish a 'plane of reality' marked out by a grid of norms, on which government can operate (Rose, 1991:676).

In short, statistics are a system of thought in which the world can be understood, constituted and which can be operated upon. Discourses can transform numbers into categories of knowledge which are used to govern social bodies such as delinquents.
Statistics can describe multiple features of the social body, for example, how many people live where, what the average income is, or the likelihood of being assaulted in a particular location. The first two examples are straightforward; they describe, categorise and render a population into a knowable object. The third point is different however, not simply because it is concerned with crime but because it invokes a different level of interpretation; it demonstrates how statistics may be used to govern. For instance, armed with statistical knowledge, police may deploy their energies in a particular form based on recorded bodies of numbers.

Rose and Miller’s thoughts are focussed more broadly than the relationship between statistics and government. In an influential article, Rose and Miller have sought to explore how government is possible (Rose and Miller, 1992). In this article the authors point to the critical role that knowledge, expertise, and technologies play in our problematics of government. Of particular relevance to this thesis are what Rose and Miller refer to as ‘governmental technologies’. By this, Rose and Miller are referring to the ‘complex of mundane programs, calculations, techniques, apparatuses, documents and procedures through which authorities seek to embody and give effect to governmental ambitions’ (Rose and Miller, 1992:175). Here Rose and Miller are also concerned with knowledges, and the actors and their networks which make governmental technologies possible.

The literature on governmentality, and in particular the writings of Rose and Miller, provide a new and profitable approach to analyse statistics and their relationship to government. In seeking to ascertain how government is made possible, they point to the
mundane and routine practices; they also point to the knowledges, technologies, and expertise which are critical to contemporary government. This complex perspective, and its recognition of the critical role of statistics in the art of government, is unique within the relevant literature. Unlike previous authors, Rose and Miller do not seek to ‘discover’ which class benefits from statistics, nor do they seek to engage with the project of improving statistics. Their more modest project explores how technologies such as statistics contribute to our capacity to govern. Moreover, Rose and Miller’s ideas on statistics closely parallel the rationales found in statements surrounding the emergence and sustained practices of recording crime statistics.

Rose and Miller’s concern for the mundane and the routine practices allows for a space of thought where we can recognise the power/knowledge and governmental effects produced by practices such as recording crime statistics. What this study seeks to contribute to - and authors such as Rose, Miller and Hacking could be included here also - is the objectification of an objectifying practice. Their work dispenses with a simple notion of statistics as facts, and in turn reconstructs statistics as a discourse which produces knowledge(s) and renders populations, social problems, or problem populations amenable to government.

There are shortcomings with Rose and Miller’s account of statistics in the art of contemporary government. The criticism of governmentality discussed above pointed to the reification of rationalities and the evacuation of politics from the governmentality literature. This criticism may be relevant to Rose and Miller’s thoughts also. Their account of the role of numbers in contemporary government under-emphasises the
politics of numerical technologies. Moreover, Rose and Miller’s account, although acknowledging the role of experts, really fails to draw out the expansion of professional power, which is one result of the development of bureaucracies, to deal specifically with collecting statistics. Aside from these deficiencies, Rose and Miller’s analysis of the numericisation of government provides an excellent conceptual foundation for research into statistics.

1.5 Criminology, governmentality and history

Over the last decade, criminologists have also engaged with the intellectual challenge presented by Foucault and the later corpus of writings on governmentality (Garland, 1994, 1996 and 1997, Hogg, 1996). David Garland, an influential author on crime, criminology and its history, has suggested that ‘the governmentality literature offers a powerful framework for analysing how crime is problematised and controlled’ (Garland, 1997:174). This thesis certainly agrees with Garland’s thoughts here. Elsewhere, in relation to the history of criminology in Britain, Garland suggests that the project of governance itself has been adopted as one of the central enterprises of criminology (Garland, 1996:18). He identifies two distinct projects within the history of British criminology. Garland refers to these as the ‘governmental’ and the ‘Lombrosian’ projects. The ‘Lombrosian’ project refers to a search for the causes of crime, a project which relies upon scientific investigation often seeking a cause for crime in a physically distinct human form. The ‘governmental’ project refers to:

...the long series of empirical inquiries which since the eighteenth century have sought to enhance the efficient and equitable administration of justice
by charting the patterns of crime and monitoring the practice of police and prisons (Garland, 1996:18).

These two projects are also to be found in the history of Australian criminology. Exploring this history is a sub-theme throughout this thesis, as it has played a major role in the numericisation of crime in New South Wales. The ‘governmental’ project isolated by Garland is also evident in Australian criminology, and it is this dimension of Australian criminology and its relationship to recorded crime statistics that is salient to this thesis. Chapters 5 and 6 explore how Australian criminology has been engaged in a governmental project of improving our collections of recorded crime statistics.

Arguments about the history and effects of the discipline of criminology, and its relationship to mentalities of government, provide a major theoretical foundation for this thesis. An intellectual debt to authors such as David Garland and Michel Foucault is clearly evident here. However, we need to be mindful of Russell Hogg’s argument that this is only one dimension of the ‘more complex and opaque configuration’ of Australian criminology (Hogg, 1996:56). What Hogg is suggesting here is that the will to govern is only one of a number of perspectives and motivations within Australian criminology.

One trajectory of this debate on the relationship between criminology and governmental has focussed on the relationship between history and criminology (Pratt, 1996a). Prior to this debate, in 1985, Christopher Tomlins argued that criminologists were ‘gripped by a tyranny of the present’ (Tomlins, 1985:130). Here Tomlins was arguing that criminology was a discipline that only focussed on crime in
the present. In short, criminology lacked the insights provided by historical knowledge. Importantly, Tomlins also pointed to a new vigour in the publication of criminological histories (Tomlins, 1985:131). More recently, John Pratt has also commented on the role history plays within the discipline of criminology (Pratt, 1996b). Pratt presents a more contemporary and elaborate image of the relationship between criminology and historical research. In contrast to Tomlins earlier account, Pratt points to the substantial rise in influential historical research by criminologists, both in Australia and internationally. He suggests that genealogies in particular provide a different role for history, one that is much more useful, especially for a discipline such as criminology. Genealogy has the capacity ‘not to hide in the past but to critically interrogate the present’ (Pratt, 1996:62, author’s emphasis). Some of the leading examples of this rise in research include Garland’s research into punishment and criminology (1985a, 1994), Pratt’s own research into punishment (1992) and dangerousness (1997), Mark Finnane’s research into policing and punishment (1994, 1997a), and Jonathon Simon’s account of parole in the United States (Simon, 1993). Claire Valier’s recent research into scientific methods and criminology should be added to this list also (Valier, 1998). Piers Beirne’s history of early criminology should be acknowledged again in this context (Beirne, 1993). Beirne’s research highlights one of the key features of this literature: it focuses on the history of the concepts of crime and the concepts of the discipline of criminology itself.

This body of historical criminology provides an intellectual historical approach of immense value to the present study. In light of this discussion, to recapitulate, the research question for this thesis are: How has crime statistics become one of the central
ways in which we interpret the nature and extent of crime? What rationalities have sustained the numericisation of crime as a routine practice of government?

This corpus of academic literature stands alongside historical research from diverse fields such as the history of law (Byrne, 1993, Neal 1991), the history of mental illness (McCallum, 1997, Garton, 1986, 1987, 1988), and more traditional histories (Sturma 1981, 1983).

I have not attempted to explore the significant and interesting differences which that exist between these studies. However, this does not mean that we can impose a false unity upon this disparate body of scholarship.

This chapter has reviewed a number of bodies of literature of value and relevance to the present study. Importantly, this chapter does not seek to provide a conclusive discussion of conceptual issues which are addressed in this thesis. Concepts and theories will be wrestled with throughout the body of this work. This chapter’s discussion has been primarily concerned with reviewing the major intellectual concepts and debates which have influenced this study. The chapters which follow deploy these theoretical and conceptual issues in relation to my primary aim of writing a genealogy of counting crime in New South Wales.
Chapter 2

Methods and Methodology

This chapter discusses the variety of methods used in researching this thesis. The techniques deployed vary from relatively new methods of historical investigation, such as researching the 'history of the present', to traditional research methodologies associated with the social research, such as archival research and semi-structured interviews. None of these research methods is approached unproblematically. Each has its specific strengths and limitations. This chapter addresses these strengths and limitations in its justification of why these methods have been employed in researching the history of counting crime in New South Wales.

2.1. Description of the study

The discussion in the previous chapter alerted us to the fact that the statisticalisation of crime has important consequences for those with the responsibility for governing crime. Police, criminologists and other government agencies rely on this routine recording practice to evaluate the extent and nature of crime. This discussion also pointed to the dearth of material critically examining this important practice. One aim of this thesis is to address this deficiency. The thesis seeks to provide a conceptual and critical evaluation of the history of enumerating crime, and aims to do this by asking two
research questions. Firstly, how have numerical representations of the incidence of crime become one of the central ways in which we interpret crime? Secondly, what political rationalities have sustained the recording of crime statistics as a routine practice of government? These aims require a study of the political rationalities which have been deployed to support the practice of recording crime statistically. A variety of research methods utilised in this study are discussed below.

2.2. History of the present

This thesis principally relies on writing a genealogy as its central methodology. Historical methods are not an unusual research technique for the social sciences. For example, Karl Marx and Max Weber both utilised historical methods in their investigations (Marx, 1972, Weber, 1968:370-385). Importantly, a different approach to history is employed in this study, one which problematises the term, history, itself. This thesis strives to produce a 'history of the present' in its study of the recorded crime statistics of New South Wales. The genealogical method provides a more 'critical and effective' approach to history (Dean, 1994). The distinction between a traditional history and a history of the present is important here. Traditional history is a specific discipline, with its own techniques, debates and rules. It seeks to unearth either unexplored aspects of the past or reinterpret existing historical interpretations. Recently, critics of traditional history have challenged the merits of this traditional approach (Dean, 1994, Rose, 1988, Castel, 1994). These authors seek a more critical method for researching history by adopting a genealogical approach to their studies.
According to Mitchell Dean, a ‘history of the present is concerned with that which is taken for granted, assumed to be given, or natural within contemporary social existence’ (Dean, 1994:35). Nickolas Rose suggests that traditional histories have a tendency to re-legitimate the topic that is their focus of study (Rose, 1988:181). He argues that we need to examine the present both as a claim and a problem (Rose, 1988:180), and importantly, question the certainties of the present. He suggests that such a history ‘should be a disturbing, disrupting, and fragmenting operation’ (Rose, 1988:181). Castel has argued that ‘history of the present’ allows us to take a ‘double look back’ (Castel, 1994:244). This ‘double’ examination allows us to examine contemporary practices, and how these practices continue to be affected by their heritage, as well as examining the past.

A central goal of this thesis is to disturb the monotony of the assumption that recorded crime statistics can describe the reality of crime. Another is to disrupt the ubiquitous power of the ‘truth’ claims of crime statistics in analysing crime. This is why this study relies upon a history of the present as its principal methodology. It provides a technique to fracture the hegemony of uncritical acceptance of certain discourses and their concrete qualities. A ‘history of the present’ provides knowledge of the circumstances of how a discourse becomes powerful, the continuities and discontinuities involved. In effect, writing a history of the present is distinct from simply writing a history. It seeks to provide a space where contemporary practices, legitimate techniques, and regimes of truth are suspended. This is why the term history itself is problematised by the methodology of this thesis.
Nickolas Rose and Peter Miller, in approaching their histories of the present, have developed some methods of inquiry useful to the present (Rose and Miller, 1992, 1993). They suggest that analysing government at the level of its mundane and routine practices, as well as a problematising activity, is a profitable approach (Rose and Miller, 1992:173-5). There are a number of components to this approach to studying the practices of government. Rose and Miller assert that the problematics of government require analysis at the level of ‘political rationalities’ and ‘governmental technologies’. By ‘political rationalities’, Rose and Miller mean the justifications (or rationales) for particular programs. ‘Governmental technologies’ refers to ‘the complex of mundane programs, calculations, techniques, apparatuses, documents and procedures’ through which government may operate (Rose and Miller, 1992:175). The importance to this thesis of these two aspects of the study of government cannot be underestimated. This thesis is an examination of the political rationalities tied to the emergence and maintenance of a routine practice of governing crime.

Any genealogical study, such as this one, must acknowledge an intellectual debt to Foucault. Although Foucault argued for a genealogical approach to history (Foucault, 1984, 1981), he was not strictly an historian. Jan Goldstein argues that he was a ‘compound philosopher-historian’ (Goldstein, 1994:1). He certainly wrote more than histories; for example he theorised about power, especially its productive qualities (Foucault, 1980). This thesis utilises ideas drawn from Foucault, but it does not strictly adhere to ‘a Foucaultian’ approach to history. Foucault developed two approaches to history which influence this thesis; archaeology and genealogy. According to Mitchell Dean, archaeology refers to:
the regularity and organisation of a discursive formation, a regular system of the dispersion of statements, and on this basis it is able to chart the movement of a particular discursive formation across the various thresholds of epistemologisation and scientificty. It is concerned with the rules that govern statements (Dean, 1994:31).

Genealogy moves from archaeology and uncovers the conditions of our present realities. It 'suspends contemporary norms of validity and meaning at the same time as it reveals their multiple conditions of formation' (Dean, 1994:33). It endeavours to investigate contemporary rationalities and practices through an examination of the past. At the same time, the importance of archaeology and its aims should not be overlooked. This thesis is vitally interested in the rationalities embedded in statements. It provides an important methodology for this thesis to trace the rise and sustained practice of recording crime statistics, and to focus on the rationalities behind the emergence of this vital technology in the governance of crime.

The methodology of this thesis is also influenced by Foucault's notion of eventualisation. Foucault suggested that by examining an event we can make 'visible a singularity at places where there is a temptation to invoke an historical constant' (Foucault, 1981:6). This involves a dissection of a system of thought, taken in concert with the strategies surrounding its rise. Elsewhere, Foucault suggests that history 'is intelligible and should be susceptible to analysis down to the smallest detail - but this in accordance with the intelligibility of struggles, of strategies and tactics' (Foucault, 1980:114). At a number of stages, this thesis examines events and interprets them in light of surrounding cultural and political circumstances. I do not suggest that an event is a stage in an inviolable
march to enlightenment, rather that an event represents a key moment in the ascent of a discourse, or the suturing of multiple discourses such as statistics with governmentality.

Although Foucault is commonly seen as the central figure in the shift in historical methods, he is only one representative of a range of authors who have challenged the methods of orthodox history. For example, in 1971 Paul Veyne published *Writing History* (Veyne, 1971). In this text, Veyne wrestled with historical methods such as examining events. He saw history simply as an account of events (Veyne, 1971:4), and that events are ‘meaningless except in a series’ (Veyne, 1971:26). What Veyne is suggesting is that events must be contextualised. However, he would add that historical knowledge is ‘mutilated knowledge’ pointing to the partial way in which histories can account for events (Veyne, 1971:13). Historians select certain events and reposition these events according to arguments and certain perspectives (Veyne, 1971:20. Omissions (and inclusions) shape historical knowledge, as certain events can be either ignored, lost or overemphasised. The point here is that historical knowledge, like all knowledge, has limits, it can be partial and selective.

Foucault and Veyne were not the only scholars debating the problems associated with methods of historical inquiry. Writing in 1975, Michel De Certeau asserted that a ‘new urgency...is becoming manifest in France’ in the history of practices (De Certeau, 1988:57). De Certeau focused on how ‘religious rationale moves into political spheres during the growth of centralised government’ (De Certeau, 1988:xviii), and points to how the ‘Historian is no longer an empire builder. He no longer aims at the paradise of a global
history, for nowadays he prefers to circulate about acquired rationalisations of the past’ (De Certeau, 1988:x).

Genealogical approaches to the study of the present have not gone unchallenged. Robert Castel, for example, suggests that ‘problematisation’ is perhaps a better term to use in referring to this approach to history (Castel, 1994). He maintains that reading history through problems is not the same as writing history. Rather it is an approach to specific aspects of a history. But Castel is also about the ‘dangers and limitations’ of historicism (Castel, 1994:237). He suggests that writing a history of problematisations may be in danger of attributing to the past the same concerns as those that exist in the present with little concern for the changes that have eventuated over the intervening period. He argues that ‘...presentism may be a kind of ethnocentrism: sticking onto the past a concern that holds true only for our time’ (Castel, 1994:239). Hubert Dreyfus and Paul Rabinow have also expressed concern about the problem of presentism and ethnocentrism in historical methodologies (Dreyfus and Rabinow, 1982). By imposing the ideas of the present on the past, the author may assume that the concerns of the past were the same as those of the present. However, all historical work may suffer from presentism, and we are always in danger of this failing. In an effort to avoid the problem of presentism, this thesis seeks to interpret statements from the past in their historical context. This focus on context may not entirely overcome the problem of presentism but it can limit some of its adverse effects. Although this thesis doesn’t claim to produce knowledge outside of the limits of modern epistemes, it is mindful of the vagaries and limits of historical interpretation. For instance, interpretations through statistical knowledge or classifications have undergone some dramatic epistemological shifts since their emergence (Hacking, 1981, 1990).
Foucault’s historical methods have also been criticised for excessively focussing on the discontinuous (Foucault, 1981:5). This is a criticism that may also be applied to this work. However, to maintain that the history of crime statistics is one of continuous recording without discontinuity is to inadequately evaluate our archives of crime statistics. In researching this thesis, numerous discontinuities in the archive of recorded crime statistics (and other bodies of material) were encountered. For example, in the nineteenth century one category of crime recorded is that of the habitual criminal. Today this category of recording is no longer compiled or published. Clearly this category, and the intelligibilities embedded in this classification, have become discontinued. I am not suggesting that it may not return in the future, I am simply arguing that at present it is not recorded as it once was. To write a history that focussed solely on the continuities would be to write a history that didn’t account for important variances. Categories of recording criminal behaviour change largely as a consequence of broader socio-legal and political forces. These changes in categories of recording can be located in discursive shifts in the way in which crime is interpreted. For example, concomitant with the rise of psychiatry in New South Wales emerged a new statistical category of the ‘insane criminal’ (see chapter 4). This change was underscored by the medicalisation of crime and social problems more generally. Similarly in the late 1960s and onwards, the increasing number of drug offences recorded in the official statistics reflects the salience of drug consumption and its attendant problems (see chapter 7). What these examples point to is the discontinuous nature of recorded crime. There are also continuous histories identifiable as well and this study does not privilege discontinuity over continuity. For instance, this is also a history of the continuous state practice of recording and publishing crime statistics.
Historical methods which attempt to produce a critical understanding of the present through an interrogation of discontinuous and continuous practices of the past, underpin the central methodology of this thesis. This study has been particularly influenced by the writings of Nickolas Rose and Peter Miller, who have re-worked the thoughts of Michel Foucault on knowledge, power and genealogy. Presentism is one pitfall of historical methodologies of which this thesis is mindful and attempts to address this by taking into account the context of archival data.

2.3. Following actors & networks

A body of scholarship dealing with the connections among science, technology and power has also exerted an influence upon the methodology of this thesis. Bruno Latour has developed a novel method to study the social production of knowledge and inventions (Latour, 1987). He suggests that by ‘following actors’ we can locate not only the role of an individual in histories of innovation, but also understand the process of innovation at a deeper conceptual level. This is distinct from biography. Biography charts the terrain of an individual life. ‘Following actors’ refers to locating actors only in the context(s) in which they play a key role in shifting our thoughts, institutions, technologies, etcetera. But Latour also locates actors in the broader ‘networks’ in which their thoughts and research take place. This method of linking actors and networks, has been defined as:

...an interrelated set of entities that have been successfully translated or enrolled by an actor that is thereby able to borrow their force and speak or act on their behalf or with their support....The actor who speaks or acts with the support of these others also forms part of a network (Callon, Law and Rip, 1986:xvi).
The methods produced by this corpus of knowledge are more complex than simply an ‘actor-network’ approach. However, this thesis has found ‘following actors’ particularly useful. Statements attributed to particular actors reveal a great deal about their individual mentalities, and more importantly, the mentalities of their epoch. The statements and general role of John Maddisson in the formation of the New South Wales Bureau of Crime Statistics and Research is one example within the thesis of this actor/network approach. Chapter 7 discusses how Maddison was a part of, and also influenced by, a loose network of parliamentarians and bureaucrats interested in promoting ‘social defence’ as a method of crime control. Maddison’s actions and statements reveal the deep degree of influence the ‘social defence’ perspective had in his approach to forming the New South Wales Bureau of Crime Statistics and Research. Actor/network theory has been employed within this thesis because it has considerable explanatory power in analysing many of the discursive shifts and formations of practices and institutions which have taken place in the history of measuring crime.

2.4. Archival research and sources

This thesis has relied upon multiple archival sources. The central one has been the recorded crime and court statistics of New South Wales. The statistical records of crime for this state were found in a number of publications. Some of the earliest recorded statistics relating to crime and criminals only exist in microfiche form at the State Archive of New South Wales. These archival sources do not contain a systematic or routine record of crime statistics. As this thesis is interested in the routine practice of recording crime
statistics, these earliest records bear few clues as to the routine nature of measuring crime in the nineteenth century. The *Statistical Register of New South Wales*, commonly known as the ‘Blue Books’, provides the most sustained and systematic publication of recorded crime statistics in the state. Consequently, the *Statistical Register* has provided the central archival source for this study. This annual journal published the crime statistics for New South Wales between 1849 and 1971, a period of 122 years. After 1971, the New South Wales Bureau of Crime Statistics and Research became responsible for the publication of crime statistics. Since then, the recorded crime statistics of the state have been expanded and published as independent annual volumes. This thesis has also relied on other more discursive archival material such as the journals and proceedings of organisations such as philanthropic societies, criminology societies and the work notes and journals of key historical actors.

This thesis does not take a positivist or empiricist view towards the archival material utilised. A positivist view of recorded crime statistics may suggest that statistical records of crime represent the true extent of crime in a particular spatial and temporal reality. Few would support such a notion at present. Criminologists, and other social scientists, are well aware that recorded crime statistics list only a fraction of crimes that occur (Coleman and Moynihan, 1997). For example, the Australian Institute of Criminology has calculated that for every thousand crimes committed only three hundred and twenty crimes are reported to police (cited in Hogg and Brown, 1998:10). This is referred to as the ‘dark figure’ of crime. There are other compelling reasons to reject a positivist interpretation of recorded statistics of crime. Historical evidence of the practices of numerically recording crimes suggests that cultures of policing and
recording crimes are selective and subject to political influence. The case of Phillip Arantz and the Paddy Book system discussed in Chapter 6 is an example of this. This troublesome episode in the history of New South Wales reveals how a culture of systematic misrepresentation of recording crime was practiced in its police service for many years. Aside from this example, policing involves a great deal of discretion and may deeply affect the number and kind of offences that are entered as statistics (Cunneen, 1988, Egger and Findlay, 1988). Recorded crime statistics are not exact representations of the extent of crime, but are the outcome of the selective impacts of policing, technical recording instruments, as well as varying conceptualisation’s of what constitutes crime. While the archive may not reveal a ‘true’ measure of crime, the texts they produce nevertheless have powerful effects.

2.5 Interviews

To complement the historical sources utilised in this thesis, a number of key actors involved in the recent or current history of measuring crime were interviewed. Ten people were interviewed in all. Some respondents were chosen as they had either been, or currently are, employees of the New South Wales Bureau of Crime Statistics and Research. More specifically, all three of the directors of the Bureau since its inception in 1971, were interviewed and a number of further respondents were selected to represent a variety of experiences within the Bureau. In addition, three interviews were conducted with existing employees primarily to acquire a sense of the contemporary work of the Bureau. Two interviews were also conducted with serving New South Wales police officers, to ascertain how numerical representations of crime are utilised in policing
populations. This may seem like a small sample in a sociological sense, but this is not
strictly a sociological study, rather a genealogical one. However, the sample includes all
of the Directors of the Bureau, as well as a proportion of the employees.

Semi-structured interviews were chosen as the most appropriate method of soliciting
rich discursive data of this kind. As the interviews had a loose structure, no interview
schedule was strictly adhered to for the purposes of these interviews.

A large body of literature exists on how to perform interviews (Burgess, 1984, Kidder,
1981). However, little literature critically evaluates this technique of social inquiry
(Kidder, 1981:150-152, Burgess, 1984:101-121). Burgess argues that interviews have
the potential to provide a form of bias or a political perspective (Burgess, 1984:119). He
can be read to be suggesting that interviews are less than scientific in their approach.
Burgess’ critique is not a productive one as bias is unavoidable. His criticism easily
extends to all social research including very strict statistical studies.

It may seem odd that interviews are used as a method in what is essentially a
genealogical thesis. However, oral history relies heavily upon the use of in-depth
interviews in its research. There is a potential difference here between oral history and
the use of interviews in this genealogy. Oral history may emphasise life-histories or
biographies (Yaw, 1994). This thesis differs in that it relies upon interviews to excavate
actors and their mentalities. It is interested in an actor’s biography and rationalities only
when it affects the history of recorded crime statistics. As such this thesis is not seeking
to use interviews in a sociological sense rather a genealogical one.
As no substantial history of the formation or practices of the Bureau has been published to date, interviews remain the principal method of writing recent history. Interviews have real benefits for the historical researcher. Interviews may contain and record histories unlike any other method. As interviews are founded in direct human dialogue, complexities of history, such as institutional cultures and personal motivations, can be discussed. In short, many of the intricate nuances of history are far better researched through this method than published documents. Moreover, when little has been published, interviews are the only manner in which histories of the present can be researched.

2.6. Ethics and confidentiality

Interviewing key actors in the recent history of crime statistics in New South Wales has some ethical considerations that necessitated an application for formal ethical approval from The University of Western Sydney, Hawkesbury, to conduct the research. A generic copy of the ethical consent form can be found at Appendix 1. Initial access to respondents was sought by written request. All persons interviewed are either current or previous public officials, and were speaking on the public record. I have endeavoured to protect the identity of that respondent if the information is of a sensitive nature. On a number of occasions, respondents chose to make comments ‘off the record’ and their wishes have been respected. The audio recordings of these interviews have always been securely contained in a locked office and will be destroyed after the duration of these records are no longer required.
As already indicated, this thesis relies upon multiple methods to study the history of recorded crime statistics in New South Wales. It proposes that writing a history of the present, and employing alternative methods, such as interviews, and following actors and their networks, provide the most appropriate methods to answer the research questions of this thesis.
Chapter 3

Suturing Recorded Crime Statistics with Mentalities of Government

3.1. Sutures and practices: statistics, mentalities and crime

The science of moral statistics is one which every well-governed country ought to cultivate, the most important branch of which is that which relates to the commission of crime...(Rolleston, 1874:19).

On September 23, 1874, the Registrar General of New South Wales, Christopher Rolleston, made this statement in an address to the Royal Society of New South Wales. In his paper, he urged that statistics be used in governing that state. Rolleston argued that an appropriate government was one which ‘cultivates’ statistics, and in particular statistics of crime. This nineteenth century address by Rolleston stands as a clear example of the urgency for recorded crime statistics to used for the purposes of government.

The conditions in which New South Wales came to record crime statistics as a routine practice of the state is the focus of this chapter. This is contextualised with reference to the efforts of better known historical actors who also believed in the ability of statistics to increase the capacity to govern. In France, Andre-Michel Guerry, and in Britain, Rawson W. Rawson, were also urging that there be a suturing between recorded crime statistics and government. This chapter dovetails with Chapter 4 which examines other emerging technologies used to know crime and criminals. These technologies appeared simultaneously with the practice of recording crime statistics in New South Wales. The argument here is that the practice of recording crime statistics is only one of a series of
new technologies and forms of inquiry which were, and continue to be, directed towards accumulating knowledge of the population and in particular crime, in order to govern it.

Rolleston played a central role in the formation of the routine practice of publishing the statistics of New South Wales. Rolleston’s appointment to the position of Registrar General in 1856 allowed him the opportunity to consolidate the statistics of New South Wales into one annually published volume, the *Statistical Register*. The appointment of Rolleston also represents a marked shift in the nature and use of statistics in New South Wales.

In introducing one *Statistical Register* to the state parliament, Rolleston argued:

> Statistics when carefully collected and collated are replete with interest and utility. As with the merchant so with a nation, a periodical investigation into the state of the national ledger is not only interesting, but essential to the right understanding of the state and progress of public interests, and I trust that the insight which this cursory review has afforded us, into the condition of our national resources, will be productive of this advantage at least that we shall no longer look upon the social facts collected as a barren array of figures, put together without order, meaning or utility, but that it will lead to a more careful study of them and by this means direct us in our endeavours to promote the public good (*New South Wales Parliamentary Debates*, 1858:29).

While Rolleston argued that ‘we shall no longer look upon the social facts collected as a barren array of figures’, it should not be assumed that at this moment in history there was a radical re-conception of statistics by legislators and other citizens of New South Wales, as Rolleston’s quote may suggest. However, there was certainly optimism they would inform and ‘direct us in our endeavours to promote the public good’. This is one example of the urgency for statistics to be recorded and utilised for the ends of
government. Rolleston was calling for governments to be mindful of the utility of statistics in the interests of what he saw as an appropriate technology for ‘good’ government.

Two earlier inquiries conducted by Select Committees of the Legislative Council reveal that recorded crime statistics previously had limited affects on investigations into crime and policing. In 1839, The Select Committee on Police and Gaols was formed ‘to inquire into all aspects of the establishment and strength of the New South Wales Police Force’ (New South Wales Legislative Council, 1839:1). The evidence from Pieter Laurentz Campbell (New South Wales Legislative Council, 1839:81-8), a police magistrate, employed some notions of statistical reasoning in his submission. He estimated populations (New South Wales Legislative Council, 1839:82) and discussed the number of court cases as statistical averages (New South Wales Legislative Council, 1839:82-3). However this was the only discussion of recorded crime statistics to appear in the entire report.

In 1844, The Select Committee on the Insecurity of Life and Property was formed. Its task was, ‘to enquire into the means of checking the outrages against public peace...[and] to investigate the numbers and adequacy of the Police Force of Sydney (New South Wales Legislative Council, 1844:1216)’. The then Commissioner of Police, William Miles, when questioned by the committee ‘...taking the fact that you admit that lately there have been a great many outrages against life and property, how do you make it appear that there has been a diminution of crime?’ - responded anecdotaly rather than statistically, replying, ‘... I do not think that with exception of the past few weeks that
there is any increase in crime’. These two inquiries illustrate how limited a role statistical information played in informing knowledge of crime during the mid 1800s.

This is not to suggest that statistics of a criminological nature were not entirely absent from the history of New South Wales before the appointment of Rolleston. In contrast to the evidence presented at these two inquiries, the prison reformer Alexander Maconochie had conducted a statistical survey of prisoners on Norfolk Island in 1843 (Maconochie, 1845). Published in the *Journal of the Statistical Society of London*, this survey provided a detailed review of the criminal population of the island detailing their crimes, countries of origins, education levels and causes of death. It also examined the ecology of the island. Maconochie’s survey was published in the *Journal of the Statistical Society of London*, a statistical society which is discussed in more depth below.

Apart from the suturing of recorded crime statistics as a rational mentality in the government of crime, what is distinctive about Rolleston’s energies is that in contrast to previous statistical records for New South Wales, he sought a sustained and routine recording of the data for that state. Further, he sought to do this in order for government to be informed by statistical knowledge. For example, in presenting the *Statistical Register* to the New South Wales Legislative Assembly in 1858, Rolleston declared:

> Future generations will appreciate our labours, and applaud the wisdom and enlightenment displayed by their progenitors, in storing up for their benefit a mass of information which cannot fail of acquiring increased interest and usefulness as every year adds to its collection; in as much as it will enable
them to draw comparisons, and to deduce conclusions, that may exercise a most important influence upon their well-being and happiness.\textsuperscript{11}

If one overlooks the somewhat arrogant tone of this quote, there is another feature of value. Rolleston argues that in ‘storing’ statistics they become increasingly interesting and useful, better foundations for making comparisons and ultimately in influencing ‘well being and happiness’. What is most important here is the rationality of a sustained and routine recording of statistics, or in other words the formation of a practice. Rolleston established the routine annual publication of statistics through his role as Registrar General and in the \textit{Statistical Register}. Prior to this, the statistics of New South Wales were only compiled and published on an irregular basis. The quote from Rolleston to the Legislative Assembly reveals a further underlying rationality, that systematic publication of statistics could allow for comparisons. Statistics were published to inform, allow for comparisons, and ‘deduce conclusions’. The final sentence in this quote points to the ‘influence’ that the sustained recording of statistics could have on the well being and happiness of the ‘future generations’. This resonates with a dimension of Foucault’s concept of governmentality, especially in its suggestion that the population and its well being are a primary feature of this mentality.

The will to govern the population is also evident in the establishment in 1858 of the Select Committee to Inquire into the Registration and Preservation of Records.\textsuperscript{12} This Committee was created to inquire into a number of aspects of the Office of the Registrar General. Primarily it was to inquire into the ‘expediency and probable expense of

\textsuperscript{11} Christopher Rolleston in \textit{Votes and Proceedings of the Legislative Assembly}, 1858, Vol 3.
\textsuperscript{12} See \textit{Votes and Proceedings of the Legislative Assembly}, 1858.
procuring fire-proof premises’ and ‘report on the substitution of paper for parchment’.

The fireproof premises were important not only for the security of the statistical records of the state, but the Registrar General was also responsible for storing the wills of New South Wales’ citizens. A great deal of the discussion of the Select Committee report focuses on the problem of the deterioration of statistical records as a result of the quality of paper on which these records had been printed. Chemists were summoned to appear before the inquiry to suggest which paper or parchment would be more suitable for long-term recording. What is revealing here is the depth of concern for the deterioration of the statistical records of the state. So deep was this concern, that rather than being managed administratively, a select committee of parliamentarians was formed to inquire into this problem. Clearly, Rolleston’s concern with having a permanent record of New South Wales’ statistics was also shared by the parliamentarians of that state some two decades prior to Rolleston’s address.

The choice persons summoned to give evidence to the Select Committee also reveals how other Australian states were simultaneously engaged in forming their own systematic statistical archives. For example, the Assistant Registrar of Victoria, William Archer, appeared before the Select Committee. Archer is attributed with creating the compulsory registration of births, deaths and marriages in Victoria in 1853 (Rolleston did the same in New South Wales in 1857). An image that surfaces from the Select Committee’s minutes, is one of a network of statisticians (Votes and Proceedings of the Legislative Assembly, 1858). By means of this network, Victorian and South Australian statisticians provided technical advice to this New South Wales inquiry; this network was also more widespread than these Australian states.
3.2. ‘Avalanches' and networks of statisticians

Members of the loose network of statisticians called to appear before the Select Committee were not alone in calling for statistics to be systematically collected to increase the capacity for governance. In this respect, the biography of the Victorian Assistant Registrar General, William Archer is revealing (Close, 1976). Archer uncovers connections between the formation of regular statistical records in Australia and similar events elsewhere. Archer sought approval for the design of the Victorian statistical ledgers from The Registration Committee of the Council of the Statistical Society of London. Moreover, according to Cecily Close, Archer was a ‘self-confessed disciple of leading English and European statisticians’ (Close, 1976:42). Australian statistical bureaucrats, such as Rolleston and Archer, were only two actors in a broad growth of centralised statistical collections around industrialising nations.

The emergence of repositories for records such as crime statistics coincides with an enormous growth in the publication of statistics internationally. Hacking has referred to this phase in the history of statistics as the ‘avalanche of printed numbers’ (Hacking, 1990:2). He points out that between 1820 and 1840 there was ‘an exponential increase in the number of numbers that were being published’ (Hacking, 1990:2). An explosion of numerical records appear, supported not only by nation states, but also by organisations such as The Statistical Society of London. In Britain for example, The Statistical Society of London was only one of a multitude of amateur philanthropically motivated statistical societies which flourished at the same time. Similar societies were formed in most
major British cities including London, Manchester, Glasgow, Birmingham, Hull, Liverpool and Belfast during the early to mid-1800s (Cullen, 1975).

The focus of these societies was on ‘moral statistics’. Frank Hankins, an early historian of statistics, attributes the term to Andre Michel Guerry (Hankins, 1908:56). Moral statisticians were not concerned with what we may understand as ‘morals’ today. These statisticians were interested in social issues such as health, education, economics and crime. Crime was a central concern of the moral statistics movement. For example, the *Journal of the Statistical Society of London* regularly featured articles on crime. The first two editions of this journal published no less than nine articles in relation to statistics and crime (see especially Rawson, 1839a&b, 1840). The salient point here is that recording and publishing statistics was increasingly becoming a widespread activity by both the state and philanthropic societies, with crime being a key focus.

Piers Beirne’s discussion of the moral statistics movement contains many examples of correspondence between actors such as Andre Michel Guerry, members of The Royal Statistical Society, and other important figures in the history of statistics, such as Adolphe Quetelet. The personal links between these actors is precisely the form of network that Bruno Latour suggests is a regular dimension in the production of new technologies. The importance of this network of statisticians and societies (their publications and research) is that they initiated many of the practices and forms of interpretation which are powerful in the present.

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13 In a wonderful turn of phrase Hacking refers to Quetelet as ‘the greatest regularity salesman of the nineteenth century’, but he also refers to Quetelet as ‘the powerhouse of the statistical movement’ (Hacking, 1990:105).
A further example of this form of network is the relationship that André Michel Guerry had with his cousin Guerry de Champmuef. In 1825, Guerry de Champmuef was appointed *Director d’Affaires Criminelles*, a body formed to record criminal activity through the emerging statistical technologies (Beirne, 1993:73-75). Guerry de Champmuef relied upon André Michel Guerry to organise much of the statistical work (Hacking, 1990:77, Faure, 1918:294-5). André Michel Guerry is commonly upheld as one of the most important actors in the emergence of crime statistics, the social cartography of crime and the comparison of bodies of numbers (Beirne, 1993:Chapter 4, Hacking, 1990:76-80). The connection between these two French statisticians is a very direct example of the links between historical actors which formed a network of statisticians engaged in sharing knowledges and techniques in the nineteenth century.

The connection between crime statistics and their capacity to inform government was also a feature of the British statistical scene. In 1833, an editor of *The Westminster Review* \(^\text{14}\) prefaced a translation of André Michel Guerry’s influential ‘*Essai sur la Statistique Morale de la France*’. In this preface, the editor argued that the essay was ‘eminently calculated to lie on the tables of members of parliament and others, who to the possession of competence unite a taste for legislative inquiries’ (Guerry, 1833: 366). We have already seen in Rolleston’s address the importance placed upon statistics to inform government. Within this editor’s statement is an earlier call for statistics to inform the government of crime. In this case ‘legislators’ are called upon to be

\(^{14}\) *The Westminster Review* was a journal directed towards universal intellectual pursuits, focussing on history, botany and government.
cognisant of the capacity of statistics to inform them. The call from the editor for the 'Essai' to 'lie on the tables' of legislators may seem like a statement of little importance. However, Beirne argues that the 'British moral statisticians were mesmerised' by Guerry's research (Beirne, 1993:129). Moreover, Hacking points out that Guerry's work was given 'pride of place' at the 1851 British Association for the Advancement of Science meeting, and that 'amateurs loved Guerry's books' (Hacking, 1990:77). As with Rolleston, Andre Michel Guerry's work is representative of a shift at the time in the way in which crime could be understood. It maintains that statistics is a system of thought in which crime could be rendered knowable and thus governable, rather than random and ungovernable. Further, it urges members of parliament to be cognisant of the relevance of statistics for the ends of government. This is a further example of the suturing that this thesis suggests is a critical innovation for recorded crime statistics in becoming a routine practice of government, and how they have powerful affects in the present.

The previous chapter discussed how Foucault suggests that in examining events we can make 'visible a singularity at places where there is a temptation to invoke an historical constant' (Foucault, 1981:6). This method makes it possible to dissect systems of thought and the strategies which surround events connected with these systems. Statements such as those by Rolleston and the editor of the Westminster Review provide this thesis with such examples. They are events where crime statistics are being recommended to enhance the capacity to govern. Chapter 2 also discussed Foucault's suggestion that history 'is intelligible and should be susceptible to analysis down to the smallest detail - but this in accordance with the intelligibility of struggles, of strategies
and tactics' (Foucault, 1980:114). The advice given by the editor is an example of how small details are intelligible in relation to strategies. In this instance, the strategy is that legislators should use crime statistics in constructing their understanding of crime. In short, crime statistics are being utilised as the definition of the ‘true’ extent and distribution of crime, from which legislation and policies can be formulated. Thus, the role of crime statistics has been increasingly elevated in the present, although its genealogy can be traced to moments such as this in the nineteenth century.

The actors and networks also contain a further feature delineated within the literature on governmentality. This corpus of literature points to both the growth of statistical inquiries that provided knowledge of the population (Foucault, 1991) and the importance of the routine practices of government (Rose and Miller, 1992:175). The network of statisticians in Britain and Europe in the 1830s in particular was concerned with knowledge of the population and its social ills.

The formation of the practice of recording and publishing statistics is clearly multi-dimensional. One dimension relates to the networked nature of the early statisticians. Those summoned to the Select Committee to give evidence to its inquiry into the preservation of records reveal some of the members of the network of statisticians working in Australia in the mid 1800s. The efforts of Archer to gain approval of Victoria’s statistical recording format by the Statistical Society of London, as well as his admiration for the European statisticians, further reveal the broad nature of this network. The most important dimension for the present study remains the suturing of recorded crime statistics with the rationality that they have utility for the government of crime.
3.3. Philanthropy

A further feature of the moral statisticians and the statistical societies is the influence of the discourse of philanthropy. Philanthropy is concerned with the charitable goal of ameliorating hardship and other social conditions of the poor. Philanthropy traditionally focuses on alleviating poverty, improving education and health of the lower classes. A body of literature exists on the history of philanthropy (Owen, 1964, Prochaska, 1990, Kidd, 1996). One thread which runs throughout this literature is the recognition of the powerful influence of philanthropic discourse in the nineteenth century. Prochaska, for example, argues that, ‘until the twentieth century, philanthropy was widely believed to be the most wholesome and reliable remedy for a nation’s ills’ (Prochaska, 1990:357). Alan Kidd also argues that the ‘social fabric’ of Victorian England was ‘permeated by charity’ (Kidd, 1996:180). One of the characteristics of these authors, with the exception of Kidd, is their consensual view of philanthropy. Most authors read philanthropists as having genuine concern for the conditions of the poor on the part of wealthier citizens. Alternative accounts that take a more critical trajectory argue that philanthropy was a form of class domination, or that its project targeted the normalisation of citizens, especially those of working class backgrounds (Kidd, 1996:187-8). This thesis is not concerned with the arguments over the intentions of philanthropy. It is, however, concerned with two issues in relation to philanthropy: how it contributed to the formation of technologies that provided knowledge of populations, such as statistics, and how the discourse of philanthropy may be seen through the lens of the concept of governmentality.
What needs to be understood here is that the emergence of numerical measurements of crime was not exclusively the result of state endorsed studies of populations. It was also the result of philanthropically motivated learned societies concerned with the problem of the lower classes, their health, education and safety. Chapter 1 noted how the mentality of government does not reside exclusively in the realms of the state but is located in sites that are more diffuse. Philanthropy is one of these diffuse sites in which this mentality of government resided. Philanthropists’ engagement in the project of government is revealed in the foci of their concerns. The lower classes, their education and health, as well as crime and the amelioration of these social problems were central concerns for philanthropists in Britain and Australia.

The links between the state and elements of the philanthropic movement are clear in New South Wales. One governor, Lachlan Macquarie, the governor who pursued the replication of mentalities of civil government most fervently in the penal period, was closely linked with the pre-eminent philanthropic society of that state, the Benevolent Society of New South Wales. The Benevolent Society of New South Wales began with Macquarie as its patron, ‘a position which has continued to be occupied by successive governors of New South Wales to this day’ (Rathbone, 1994:vii).

Philanthropy was also a discourse that influenced Rolleston, as the following statement reveals.

Some persons may, perhaps, inquire to the practical utility of investigations of this kind - how a knowledge of the facts connected with crime will conduce to the main object in view, namely, its repression (Rolleston, 1874:26).
 Rolleston’s approach to the repression of crime was not punitive in character. It was more in the nature of philanthropy. Rolleston, although a senior bureaucrat employed as the state statistician, gave this address to a learned society (Royal Society of New South Wales), a society with philanthropic aims. Rolleston’s concern for the philanthropic government of crime is transparent when he suggested that, ‘It is in a philanthropic point of view that I approach its [crime] consideration’ (Rolleston, 1874:19). Rolleston went on to suggest:

The value of statistical information on this important question cannot be doubted. It will stimulate benevolence, and give aim and effect to energies of the philanthropist; it will furnish the legislator with materials on which to found remedial measures for social derangement... (Rolleston, 1874:26).

I have already suggested that Rolleston’s address to the Royal Society of New South Wales contained the important intersection between recorded crime statistics and its utility in governance. However, in this quote we can see the influence of a further discourse, where crime statistics may also ‘stimulate benevolence’ and affect ‘the energies of the philanthropist’. Philanthropy held an influence over the moral statisticians, and constitutes a significant feature in the emergence of statistics.

In his address referred to above, Rolleston raised an issue that was one of the goals of philanthropy in the nineteenth century. Rolleston spoke to the contentious and much debated contemporaneous issue of whether education was a method through which crime could be repressed. He maintained that the ‘degree of instruction...will to some extent indicate the degree of moral restraint’ (Rolleston, 1874:19). Rolleston appeared sceptical of the correlation that increasing literacy would necessarily lead to a decline in
the crimes committed. He concluded his address by saying, ‘you must not expect crime
to decrease in the same ratio that schools increase’ (Rolleston, 1874:19).

This concern for education and its affects on crime is a characteristic of the ‘moral
statistics’ movement. According to Beirne, Guerry was also highly suspicious of the
‘causal’ affect of low education on crime (Beirne, 1993:124). In Britain, moral
statisticians such as Rawson W. Rawson, were also examining the nexus between
education and crime (Rawson, 1841). Unlike Guerry, many British statisticians
supported the education reform movement seeking to expand education at this time to
those sections of the public who could not afford private education. Guerry’s findings
that education did not necessarily reduce the amount of crime in a given area challenged
the education reform movement (Beirne, 1993:129). The debate over the affects of
education on crime had an impact on the presentation of categories recorded in New
South Wales’ crime statistics. The early years of the Statistical Register recorded the
average education levels of convicted criminals. Three categories were published (see
Figure 3): The ‘number who can read and write’, the ‘number who can read only’, and
the ‘number who can neither read or write’ (New South Wales, 1862:17-23).
### Figure 3 From the Statistical Register, 1860

#### Statistics of New South Wales.

PRISONERS—Continued.
from the 15th July, to the 31st December, 1859.)

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This recording of education levels within the crime statistics of the nineteenth century is revealing. It exposes how the intellectual debate over education and crime produced
discursive knowledge that affected the categories of recording within New South Wales. This point is similar to the argument developed by Miles, Irvine and Evans (1979) discussed in Chapter 1. These authors argued that what is recorded is the outcome of class relations, and to an extent, this is true. However, in this instance of crime and education, the dynamic is less about economic or class domination and more genuine concern for social reform. Of further interest here is the amputation, or discontinuity, of this aspect of the interpretation of crime statistics at present. Currently we do not publish or place such a great emphasis on the affects of education on criminal behaviour. Nevertheless, there still remains some debate over the affects of education on crime today.

Education as an effective method of reducing crime has sutured itself to the now powerful discourse of crime prevention. An approach with some influence at present argues that by increasing monies spent on early education programs, has the effect of substantially reducing the amount of money required on the criminal justice system (Walker, 1998). This discourse also appears in a slightly modified form where education is suggested to reduce recidivism (Centre for Crime Communities and Culture, 1998). Clearly, the links between education and crime have provided fertile grounds for debate over the nexus between these two social issues.

But to return to Rolleston and his address. Rolleston urged for the convergence of discourses that were central rationales for recording statistics of crime. To recapitulate, these discourses are governmentality, philanthropy, and statistics. Rolleston was instrumental in the production of statistics in New South Wales, and contributed to the
‘avalanche of printed numbers’ that occurred in this state in the 1800s. Cunneen asserts that ‘his work contributed to the orderly growth of responsible government in NSW’ (Cunneen, 1976:56). Rolleston’s conception of ‘responsible government’ clearly rested on a base on which statistics was a critical technology to mentalities of government. The importance of Rolleston, and of course other actors, is that their energies were directed towards the routine recording and publication of crime statistics, and this has contemporary relevance. Recorded crime statistics, regardless of their limits, are one of the principal technologies through which we currently evaluate the extent or distribution of crime, rendering crime geographically and numerically knowable.

It would be wrong to assume that the emergence of the statistics of crime was a part of a smooth automatic progression of modernity. It is more likely that the connection between recorded crime statistics and modernist forms of government has been the result of political will. Where the efforts of individual actors within networks have played a significant role.

Cullen points out the difficulties that The Statistical Society of London had in both doing research and simply reaching quorum at its meetings (Cullen, 1975:77-90). This is not to suggest that the statistical societies were composed of members, who were poor, disenfranchised or disinterested. Rather the members were wealthy, well educated men with a zeal for statistical studies of education, morality, and health of the population. They saw themselves as being engaged in the improvement of their society through statistical accounts that could inform contemporary legislators. This interest in the
population, and concern for its improvement, is an example of Foucault's notion of
governmentality.

The rise of the calculation of crime emerged in two spheres, bureaucracy and
philanthropy. The importance of this nineteenth century rise in the enumeration of crime
is that it is the two primary sites from which the present recording of crime through
numerical technologies finds its own genealogy. The connection between the emergence
of crime statistics and the present is that these actors, in France and Britain, were part of
an elite social movement that called on statistics to inform the government of crime. My
argument is not that Rolleston was the first person to record crime statistics in New South
Wales. Rather he was representative of an emerging rationality which promoted the
practice of recording crime statistics as a technology to enhance the capacity to govern
modern life.

There is evidence to support the claim that a rupture was taking place in the way in which
crime statistics (and statistics more generally) were being conceptualised at this time. In
the Statistical Register for the years 1849-1858, Rolleston asserted that:

...I trust that the great importance to which statistical science has attained, as
illustrative of the condition and progress of society, in its bearing upon
legislation more particularly, and the deep interest with which statistical
information regarding the Australian Colonies is looked for,...will lead to a
higher recognition of its value than it has hitherto been thought worthy of in
this colony.\textsuperscript{16}

\textsuperscript{15} Nineteenth century societies were overwhelmingly made up of male members.
\textsuperscript{16} From Statistical Register of New South Wales from 1849-1858 (1859), page 2.
Rolleston was concerned with ‘the indifference of our public men to statistical knowledge’ (Cunneen, 1976:55)\(^1\), and wanted to alert the ‘public men’ (members of parliament) to the utility of statistics as an informative technology.

One potential danger of focussing on actors such as Rolleston is that it could present a misleading impression of the origins of statistical recording. The origins of New South Wales’ recorded crime statistics have been discussed by other authors. Mukherjee argues that ‘patchy but valuable statistics on crime and punishment are available since 1819’ (Mukherjee, 1986:1). Michael Sturma, in his significant history of crime in New South Wales, asserts that committals to trial were ‘not introduced to New South Wales until 1858...[and] statistics of police arrests were not systematically compiled until 1874’ (Sturma, 1983:64). When statistics of crime were first recorded is not a central concern for this thesis. It is more focussed towards rationalities that affect the present. In this sense, the use of numbers, especially in regards to knowing crime and criminal populations has a much longer and more complex genealogy in New South Wales.

This longer genealogy would acknowledge that numerical accounts of New South Wales’ population(s) were a feature from the earliest days of European settlement. The penal colony was regularly engaged in accounting its human stock. There are numerous examples of these accounts. One example of the way in which numbers were crucial to the government of the penal colony appears in Figure 4. This figure’s obscured title reads, ‘A list of persons who have been Victualled from His Majesty’s Stores commencing the 26\(^{th}\) day of February 1788, with the Births Deaths and Discharges to

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\(^1\) Cunneen attributes this quote to Rolleston but fails to provide an accurate reference.
the 17th November 1788.' Other examples include musters that were recorded annually between 1790 and 1825. In May 1799, district constables were appointed to collect lists of persons to keep an account of the population of the penal colony (Public Library of New South Wales, Archives, 1960:1). Members of the local indigenous population, such as the Eora and Kamaraigal, were not included in these accounts. As the population of the colony became more heterogenous, transforming from military and convict persons, to a more complex white population, which now included freed convicts and settlers, Governor Darling proclaimed the first census in 1828 (New South Wales, 1838:212). Censuses were then irregularly recorded in 1833, 1836, 1841, 1846, 1851, 1855, 1861 and then more routinely, notably after Rolleston’s appointment as Registrar General, every 10 years to 1901.
**Figure 4** Victual List 17th November 1788

```
from His Majesty's Ship Commanding the ...
17 February 1788, with the Birth, Deaths and
Discharges to the 17th November 1788.

| No. Entry | Name       | Quality     | Rank     |  |  |
|-----------|------------|-------------|----------|  |  |
| 1         | Robert     | 22rd        | 22nd     |  |  |
| 2         | James      | 17th        | 17th     |  |  |
| 3         | James      | 20th        | 20th     |  |  |
| 4         | John       | 23rd        | 23rd     |  |  |
| 5         | Robert     | 24th        | 24th     |  |  |
| 6         | James      | 25th        | 25th     |  |  |
| 7         | John       | 26th        | 26th     |  |  |
| 8         | James      | 27th        | 27th     |  |  |
| 9         | Robert     | 28th        | 28th     |  |  |
| 10        | James      | 29th        | 29th     |  |  |
| 11        | John       | 30th        | 30th     |  |  |
| 12        | James      | 31st        | 31st     |  |  |
| 13        | John       | 32nd        | 32nd     |  |  |
| 14        | James      | 33rd        | 33rd     |  |  |
| 15        | John       | 34th        | 34th     |  |  |

*Note: The list continues with additional entries.*
```
This brief overview of the numerical accounts of New South Wales’ population as a penal colony, reveals how the intellectual genealogy of statistics in relation to crime is longer and more complex than that presented by commentators such as Mukherjee. In terms of rationalities and technologies, it is apparent from archival documents such as the victual list, musters and early censuses, that statistical records were utilised to know individuals and populations from the inception of the penal colony. The suggestion that the genealogy of crime statistics is longer and more complex does not seek to argue that statistics were being used to govern crime at this stage. Rather, statistical records were being used to know a criminal and military population. Further, this longer genealogy can locate the effects of a historical actor such Rolleston in a broader set of historical contingencies.

Related to this more complex genealogy are changes in relation to the recording of Ethnicity or ‘Country of Origin’, many of which have fallen into disuse. The Irish for example were often equated with criminality in Australian history, and arguably could have been the impetus for the inclusion of the category of ‘country of origin’ in the early crime records. I suggest that in light of these shifts we acknowledge that statistical categories are quite fluid. It is a fluidity influenced by discursive formations that are contemporary to the recording of those numbers. Hacking’s writing on determinism and its ‘erosion’ (Hacking:1981, 1991) is the clearest example to mind of how the assumed ‘objectivity’ of statistics are malleable and linked to changing discourses. What emerges as a new focus of recording is equally important as the focus that is discontinued. This is the principal reason I have taken a Foucaultian approach to the history of crime.
statistics. It is more relevant to trace historical shifts that shape the present. This includes continuing aspects of a discourse and the important discontinuities. This approach seems far more relevant where certain categories are maintained such as region and offence type, and other aspects such as education and religious denomination are discontinued.

I have focussed on how these early recorded crime statistics of New South Wales differ from contemporary numerical records of crime. But what is less apparent is the continuity to present rationalities and in particular the mentality of government. The primary continuity is the twin concerns of population and territory. I have already discussed how Foucault (1991) sees a central concern of governmentality to be the maintenance of a population and its territory. Territory in the early New South Wales recorded crime statistics, was a series of districts. Rose suggests that numbers ‘delineate fictive spaces for the operation of government’ (Rose, 1991:676). To interpret Rose literally, these districts are ‘fictive spaces’, designed around administrative boundaries, as they still are today. The broader continuities, such as districts and rates per population, that are maintained at present, when placed into the context of mentalities of government, elevate the routine, and perhaps unnoticed, into a technology, with a history and real effects in the present.
Chapter 4

Identifying Criminals and Philanthropic Criminological Societies

This chapter continues the examination of the relationship between crime statistics and governmentality in New South Wales. It focuses on a rough periodisation between the late nineteenth and middle of the twentieth centuries. There are now strong continuities emerging in the genealogy of crime statistics. One of these is easy to overlook; that recording crime statistics has become a well entrenched annual practice. Apart from one significant change to measuring crime that reflects the overwhelming character of this era, there is an obvious stability in the character of recorded crime statistics. This significant change was the inclusion of a new categorisation: the insane criminal. This new category of criminal points to the ascendancy of the medicalisation of crime and criminal action. This medical approach emphasises the individual as a carrier of mental or physical deficiencies and extracts attention from statistics, which rests on notions of populations. The individual criminal rather than the crime of the social body, dominates the focus of attention in the late nineteenth century and up until the mid-twentieth century. The conduit for the individualisation of crime is embedded in the approaches of the disciplines of medicine, especially psychiatry and psychology. The application of these discourses to the criminal characterises this period, and this is divulged within the recorded statistics.
Mark Finnan, in discussing prison history in Australia has pointed out that; 'one is struck by the vivid contrast between the brightly painted canvas of convict historiography and the barely visible figures in the period which follows it' (Finnane, 1991:105). The same is true of the history of crime in Australia more generally. Very little scholarship has focussed on crime in the period 1900 to 1970. In Australian historical scholarship the importance of the penal colony has been explored thoroughly. It would appear that there is a fetishisation of convict history, where convictism is viewed in an antiquarian fashion. This occurs especially at places such as Port Arthur where ruins of a penal colony remain. Port Arthur is Australia’s Acropolis, combining both ruins and tourists that support its continued reification as a seminal site in Australia’s history. Indeed, in many respects within popular Australian culture, history is often assumed to be convictism. There is little place in this understanding for the much longer history of Aboriginal society, or other submerged histories, such as those of women. In short, this focus on convictism can account for the dearth of material focussing on histories of crime in the twentieth century.

4.1 Consolidating a practice

The production of crime statistics, and population statistics of New South Wales more generally, undergoes a noticeable acceleration with the appointment of Timothy Coghlan, as government statistician in 1885. One aspect of this acceleration lies in the expansion of statistical publications in New South Wales. The Statistical Register remained, but was supplemented with the Handbook to the Statistical Register, and the further publication of The Wealth and Progress of New South Wales. These
supplementary publications contain enhanced written explanations, as against numerical tabulation, of statistics presented in the Statistical Register.

The Wealth and Progress of New South Wales, strongly supported by Coghlan, catalogued general statistics of New South Wales. It focussed primarily on the aspects of trade, agriculture, commerce, and population, and to a lesser extent issues such as crime, education, and religion. Neville Hicks argues that it was published in order to ‘aggrandise New South Wales through statistics, especially in comparison with Victoria’ (Hicks, 1981:49). It certainly does this. In regards to crime for example, in 1887/8 either Coghlan or one of his staff wrote: ‘Considering the large area of the colony, the number of police required for the protection of life and property in New South Wales... (it) compares favourably with the other colonies’ (New South Wales, 1888:459). Comments in The Wealth and Progress of New South Wales routinely asserted in regards to the place of birth of criminals, that there was an ‘absence of serious crime among the native born’ (New South Wales, 1889:519). This suggested that the population of criminals in New South Wales was the product of other places. The ‘othering’ of criminal populations is not unusual.

What is more obvious in the pages of The Wealth and Progress of New South Wales is the repetition of the same written explanations of statistical tables, year after year, with little variance. What is important here is that the recording of crime statistics has become a mundane, well entrenched, routine practice of government.
The *Wealth and Progress of New South Wales* tabulates recorded crime statistics, for what was perceived as important in the late 1880's. It includes the number of arrests, police population ratios, the age of persons arrested, their place of birth (ethnicity), religion, degree of education, arrests for drunkenness, and habitual drunkenness. There are a number of themes here, such as the degree of education and drunkenness that require further exploration.

The previous chapter discussed the influence education held over the moral statisticians, *The Wealth and Progress of New South Wales* maintained the records of the degree of education of criminals. The debate over whether the level of education had an effect on the incidence of criminality seems in this text at least, to be as pertinent as ever, although this was some decades after the British and French moral statisticians were debating this issue. The text for 1887/8 records:

A superficial glance at the figures would seem to show that the progress of education has not been attended with that decrease in crime that the friends of education confidently asserts follows in its train. This view of the case is quite untenable...(The Wealth and Progress of New South Wales, 1887/8:463).

The text concludes that the statistics reveal that the level of education is generally improving and that the crimes committed by those with higher levels of education were less serious in nature (The Wealth and Progress of New South Wales, 1887/8:463). What may be overlooked here is that categories of recording, publish what is perceived as problems of crime. Statistical records provide texts to elucidate dominant categories of interpretation, and what may be conceived as causes of crime within given periods. The issue of drunkenness is one example of this.
Drunkenness is appears to be of particular importance to the authors of *The Wealth and Progress of New South Wales*, as three pages are annually directed to its statistical tabulation. The 1887/8 volume records in relation to drunkenness: ‘New South Wales...holds a bad pre-eminence’ (New South Wales, 1887/8:464). However, statistics of consumption, rather than arrests for drunkenness, were used to argue that Victoria consumed more alcohol than New South Wales, and that the higher rates of arrests were the result of ‘enforcement’ by police (New South Wales, 1887/8:464). It was also argued that the higher rates of arrests for drunkenness came about because ‘the number of males in laborious work is far larger here than in any other colony’ (New South Wales, 1893:512). According to the authors of *The Wealth and Progress of New South Wales*, higher rates of drunkenness in their state are the result of stronger policing practices, and a higher proportion of labourers.

Sturma (1981 and 1983) argues, ‘as New South Wales’ most common crime and ‘prevailing vice’, drunkenness evoked more intense and persistent concern than any other offence’ (Sturma, 1983:141). Select Committee’s and Royal Commissions, always one of the clearest indicators of the political barometer, reveal the degree to which drunkenness was considered a problem. A Select Committee on Intemperance was established in 1854. The broader concern with drunkenness can be found in the formation of societies such as, the *Sydney Total Abstinence Benefit Society* and the *New South Wales Temperance Society*. The objective of such societies was to decrease, if not entirely eradicate the consumption of alcohol. Their reasoning for governing
drunkenness was not only ‘moral’, but also directed towards the government of crime. Sturma points out:

... if drink seemed to take a frightful toll on the colony’s health, still greater emphasis was placed on its relation to crime, ... intemperance was widely acclaimed the “parent of crime”. Public houses were generally thought to be the resort of criminals, (and) burglaries were inspired by spirits (Sturma, 1983:150).

A related category that appears in numerical records of crime in the late nineteenth century is that of the ‘habitual drunkard’. I want to broaden this discussion to a more general discussion of the category of the ‘habitual criminal’. The figure of the habitual criminal is of great concern both in New South Wales and internationally at the turn of the twentieth century. For example, in New South Wales the Habitual Criminals Act was proclaimed in 1905, and similar legislation was passed in Victoria (1908), New Zealand (1906) and Britain (1908). The category of an ‘habitual criminal’ referred to a person, usually male, who existed exclusively on the proceeds of petty theft and other minor crimes. The ‘habitual criminal’ was considered to be outside the society from which they eke a life. ‘The recurrent image is of an ‘enemy’ and an ‘enemy’ nation at that, a nation of ‘barbarians’, ‘plunderers’ and ‘savages’. They exist ‘in the community, but neither of it nor from it’ (Radzinowicz and Hood, 1980:1310). In many respects they appear irrational. John Pratt and Marny Dickson quote William Tallack who wrote in 1896: ‘They are content with their condition, ... (they) only laugh at the philanthropists and legislators who desire to elevate them...’ (Pratt and Dickson, 1996:7). The concept of the habitual criminal can also be found in other newly emerging recording systems that were appearing at this time.
4.2. Photographing Criminals

The category of habitual criminal also appears in a second technology adapted to recording crime, the photograph. An unfortunately cryptic record of Coghlan’s interest with crime remains. He compiled a photographic ‘album of criminals’; it was neither completed nor published. This album, assembled in the late 1890’s, displays a series of photographs of convicted criminals arrayed alongside written personal details. The photographs are of front and side projections. The written description catalogues the criminals’ place of birth, education, religion, country of origin, physical description, their convictions and a section of remarks. Some of these remarks warrant attention as they reveal how differently we presently interpret crime. For example, in commenting on Thomas Sinnott, Coghlan remarked; ‘This man when speaking, snarled, and was a perfect human tiger’ (see Figure 5). Another criminal Sarah Makin was referred to by Coghlan as ‘...a baby farmer and a most cold-blooded murderer of infants’ (see Figure 6). Without any substantial explanatory text, it is difficult to interpret how Coghlan interpreted these photographs. What is certain is that the notion of the habitual criminal was a regular category in use within the ‘album’ (see Figures 7 and 8).

John Tagg maintains that photographs are reliant upon the power relations invested in the representation of the image, and the way that representation is deployed (Tagg, 1988:63). Importantly, he also locates the development of photography in the context of

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18 see Pratt (1996a:65). Importantly, Pratt (1996b) argues that the rise of neo-liberalism has seen a re-emphasis of the dangerous offender to one focussed on sexual and violent offenders.
the growth of the functions of the state (Tagg, 1988:61). The point is that the album appears to be part of this growth of the state. The photographer, Coghlan was himself actively engaged in the general growth of state functions in New South Wales, also actively working to record it through statistics. What is clear is that the 'mug-shot' as it later became known had become a routine function of criminal justice systems around this time.

Figure 5 Thomas Sinnott from Coghlan's Album of Criminals

Alain Sekula (1986) has explored the work of Alphonse Bertillon, Director of the Identification Bureau of the Paris Prefecture of Police. Bertillon, working in the late 1880’s, was establishing a system of identifying convicted criminals through
photographic records. Bertillon had far reaching plans for his system of recording persons through photography. He suggested that:

According to the theory, and in order for society to reap its full benefit, every human being should be partially signalised (especially by that part of signalment relating to the ear) at about the age of ten years, and completely so at the age of maturity; and every country should have a national signaletic office where all the signalments of its inhabitants should be filed. The process of signalment would take the place of passports every national frontier, and signalments would appear on all life insurance policies, permits and other papers whose value depends on the establishment of personal identity. It would then be possible to find any person at once whenever desired, whether for his own good or that of society at large, in whatever place he might be and however he might alter his appearance or his nam. Crime could thus be rooted out, elections purified, immigration laws effectively enforced, innumerable misunderstandings and much injustice prevented and all business relations greatly facilitated (Bertillon, 1896:vii).

Bertillon appears to have been successful in having photography widely adopted as a policing technology. Sekula argues that ‘the Bertillon system proliferated widely, receiving an enthusiastic reception especially in the United States and contributing to the internationalisation and standardisation of police methods’ (Sekula, 1986:34).

However Bertillon was only one historical actor pursuing the photography of criminals at this time. Some ten years earlier to Bertillon’s second and substantially revised edition of Signaletic Instructions, the New York City detective chief Thomas Byrnes also published photographs of criminals, in his text Professional Criminals of America (Byrnes, 1886). Byrnes’ photographs reveal a less developed method of photographing criminals than Bertillon. For example, note that one subject in Figure 9 is lying down. His photography of human subjects was also less ambitious, being exclusively directed
towards the detection of criminal offenders. In his preface Byrnes argued that 'by consulting this book prosecuting officers and other officials will be able to save much time and expense in the identification of criminals who may fall into their hands. ... Hoping that this volume will serve as a medium in the prevention and detection of crime... (Byrnes 1886:no page number). Byrnes and Bertillon shared the goal of photographing criminals for the purposes of providing evidence of an individual identity. Coghlan was also influenced by the project of these two historical actors.

Figure 6 Sarah Makin from Coghlan's Album of Criminals

<table>
<thead>
<tr>
<th>No. 6668</th>
<th>Sarah Makin</th>
</tr>
</thead>
<tbody>
<tr>
<td>Native place: Sydney, N.S.W.</td>
<td></td>
</tr>
<tr>
<td>Year of birth: 1856</td>
<td></td>
</tr>
<tr>
<td>Trade: Nil</td>
<td></td>
</tr>
<tr>
<td>Religion: Churchgoing</td>
<td></td>
</tr>
<tr>
<td>Education: Read &amp; Write</td>
<td></td>
</tr>
<tr>
<td>Height: 5 ft 4 in.</td>
<td></td>
</tr>
<tr>
<td>Color of hair: Brown</td>
<td></td>
</tr>
<tr>
<td>Color of eyes: Brown</td>
<td></td>
</tr>
<tr>
<td>Marks or special features: Nil</td>
<td></td>
</tr>
</tbody>
</table>

Convictions:

<table>
<thead>
<tr>
<th>Where</th>
<th>When</th>
<th>Offence</th>
<th>Sentence</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sydney</td>
<td>9.3.34</td>
<td>Murder</td>
<td>Death, Committed 17/11/34 for Life</td>
</tr>
</tbody>
</table>

This woman was a baby — a forger and a most cold-blooded murderer of infants.

Coghlan's photographic technique of criminals closely resembles that of Bertillon, and these techniques are still used at present. Whether an individual file is drawn from a filing cabinet or downloaded from a networked computer, the technique is familiar. A
frontal photograph of the face, a side projection of the face, alongside comments of the individual’s body, such as the colour of hair and eyes, height, distinguishing features.

There were standard focal lengths and lighting. Bertillon described the objective of the mug-shot as

... (the) task is always the same: to preserve a sufficient record of a personality to be able to identify the present description with one which may be presented at some future time. From this point of view signalment is the best instrument for the proof of recidivation, which necessarily implies the proof of identity (Bertillon cited in Sekula, 1986:25).
Sekula points out that the deployment of photography was a part of "a larger ensemble: a bureaucratic-clerical-statistical system of "intelligence". The central artefact of this system is not the camera but the filing cabinet (Sekula, 1986:16). It is at this level of organisation or 'filing' of photographs that the still relatively new knowledge of statistics was again deployed into the service of governing crime.
Bertillon encountered difficulties in attempting to create systematic filing of the photographs of criminals (Sekula, 1986:28-29). Surnames were of little use as aliases could replace any name. The use of aliases by criminals, and the hindrance they provided to policing is evident in Coghlan’s album, with many criminal’s known aliases being published alongside the photograph. In overcoming these difficulties Bertillon relies upon Quetelet’s statistical notion of the average man. This understanding relies upon a bell curve to describe the variation between individuals (Hacking, 1990:107-111, Beirne 1987). This system of organising photographic records is an example of the power effects bound up with a deployment of statistics. Statistics provide a technology,
which render possible the organisation of photographic records of convicted criminals. Records, specifically used for the detection of criminals, and more generally towards the governance of crime.

Characteristics of both Coghlan’s and Bertillon’s photographs resonate with Foucault’s research on the human sciences, of which criminology was one such science. The techniques are often the same. The body, became an ‘object and target’ of these disciplines which focussed on humans (Foucault, 1979:136). The use of observation through the photograph, provides a permanent record for policing an individual. Bertillon is at the heart of the emergence of this new application of technology. He galvanised technologies, such as statistics and photography, into the service of policing and this relied upon a conception of an individual as an ‘object’ of study. An objective study where an individual’s, individuality is opened for scrutiny. This includes their biography and their body. The relevance between Bertillon and Coghlan is that, through their photographs of criminals they deployed many of the techniques practised by the human sciences. A special gaze is provided through a camera that photographs the criminal: a ‘mug shot’. This consists of a specific type of observation: projecting the front and side views. Moreover, this gaze supplies and retains a permanent record of an offender, allowing an offender to be identified.
A 'mug' may refer to a person who is simple. However, Bertillon, unlike many of his contemporaries, was not looking for a criminal biotype. Coghlan and Bertillon worked
in a climate that contemporary criminology maintains is dominated by the ‘Positivist School’ (Garland, 1994, Bierme 1993, Taylor, Walton and Young, 1975:31-66). A good deal of the writing on the histories of criminology has focused on the cusp of the nineteenth and twentieth centuries, when an acceleration of the study and theories of crime occurred. This broad corpus of literature particularly examines the ‘Italian School’ of positivist criminology (Radzinowicz, 1966:49-59, Garland, 1985, Wolfgang, 1960). The positivist understanding of crime relies upon a ‘scientific’ approach that focused on the body of the criminal. It emphasised the physical appearance of the criminal, and maintained that the criminal was in fact a biotype, a sub-species to *homo-sapiens*. Enrico Ferri, one of the principals of the ‘Italian School’, asserted that ‘the delinquent is not a normal man: ... on the contrary he represents a special class, a variation on the human race through organic or physical abnormalities, either hereditary or acquired’ (cited in Garland, 1985:124). The salient point here is that the positivist focus on the individual criminal and not the offence, led them to taking thousands of photograph’s of criminals also.

Importantly, Sekula maintains that Bertillon was not influenced by the physiological explanation of the causes of crime (Sekula, 1986:25). Rather, his location in France, its preference for ecological explanations, and its scepticism of the biological reductionism of the positivist school, led Bertillon to see photographs of criminals not as representations of physical deformities but simply records of individuals. As for Coghlan, acting in New South Wales, the limited explanations included with his photographs do not provide any textual evidence to suggest that he was swayed by biological discourses of the aetiology of crime. Although his use of the term ‘habitual
criminal' indicates that to some extent medical interpretations of the criminal as biologically or mentally deficient were gaining an ascendancy in Australia at the cusp of the century. For example, in 1897, the Resident Medical Officer of Parkside Lunatic Asylum addressed the *Criminology Society of South Australia* (Cleland, 1897). In his address Cleland suggested that:

> ...the cerebral characteristics of the criminal are not as profoundly affected as in the case of the chronic insane, ...however...there exists a greater number of derivations from the normal in the brains of prisoners, who have been examined post mortem than in the ordinary population’ (Cleland, 1897:4).

He went on to argue that:

> ...the brain is consequently on a lower level of organisation, (and) the owner of such a brain fails to see the great folly of committing anti-social acts, ... being virtually brain blind to the higher requirements of a more or less advanced civilisation (Cleland, 1897:4).

Clearly, in Australia at this time an understanding of the cause of criminality as one located in physical and mental deficiency had some degree of power in explaining crime. The effects of this on Coghlan were however unclear.

The relevance of Coghlan’s ‘Album’, is that it reveals another newly emerging method or technology being utilised in the project of the government of crime. Photographic record systems of criminals, alongside the maintenance and enhancement of statistical records of crime during the period that Coghlan was employed as the state statistician. Coghlan’s pursuit of both these approaches reveal the application of new technologies in the government of crime. Moreover, they reveal a part of the emerging trajectory of the growth of the state, and its surveillance of elements of its population. While Coghlan is an historical actor in the development of statistical and photographic records of crime
in New South Wales, he was also a site of convergence for these newly emerged technologies of record keeping. These technologies became and remain crucial techniques in present attempts to govern crime.

4.3. A Social Survey of Sydney

Both Coghlan and Rolleston, and their respective staff were not the only ones examining the New South Wales with practices that objectified human populations. In 1858, William Stanley Jevons was engaged in a social survey of Sydney. His survey is a further example of the plethora emerging techniques of inquiry that relied upon a mentality in which ‘man’ could be objectively examined (Foucault, 1970:344-387).

Jevons’ appreciation for the newly emerged rationality of examining populations in an ‘objective’ manner, is clear when he wrote:

...within the last few years I have become convinced that more is really to be done in the scientific investigation of man. ... To attempt to define the foundations of our knowledge of man is surely a work worth a lifetime, and one not excelled in usefulness or interest by any other (cited in La Nauze, 1943:264).

In his survey of Sydney, Jevons utilised this technology in describing its social classes.

The survey was neither completed nor published in full. Remnants of its draft notes and a pilot study of Goulburn exist in the Mitchell Library, Sydney. Some aspects of the
survey were published in the *Sydney Morning Herald* in 1929.\footnote{The *Sydney Morning Herald* published some edited notes from Jevon’s survey. See 6, 9, 13, 16, 23 and 27.} It records Sydney through a middle-class gaze of the late nineteenth century. Sydney is divided into suburbs and then by types of accommodation and employment alongside physical characteristics. Jevons, in discussing the ‘Rocks’ district was keen to contrast the social and physical conditions of Sydney with urban areas of England and France:

*I am acquainted with some of the worst parts of London, such as Jacob’s Island, Golden-square, Lambeth, Drury-lane, Gravel-lane, etc. and with the most unhealthy parts of Liverpool, Paris and other towns, but nowhere have I seen such a retreat for filth and vice as the ‘Rocks’ of Sydney.*

It is in the lower streets, however, that the peculiar features of the Rocks are seen in all their horrible intensity. ...As sewers and drains of proper construction are quite unknown...a wall of rock over which spouts and drains as well as a privy or two continually discharged foul matter of the worst description. What more unhealthy position for a dwelling can possibly be imagined- surrounded by walls of filth exposed each morning to the sun’s rays and maintained in a constant state of moistness by new accretions of liquid filth (*Sydney Morning Herald*, 23 November, 1929).

Apart from physical conditions Jevons’ survey also described the human inhabitants in the terms of the moral discourses of his class:

*The inhabitants of the “Rocks”, especially the females, are in keeping with their habitations, and their dirty clothes, slovenly manners and repulsive countenances evidence their extremely low order* (*Sydney Morning Herald*, 23 November, 1929).

Contemporaries of Jevons were also engaged in this form of ‘scientific’ social exploration. One author has drawn the obvious parallel between Henry Mayhew’s work and the influence his work had on Jevons (Konnekamp, 1962:254). Mayhew was publishing his descriptions of poverty of London in the *Morning Chronicle* during the
early 1850's (Yeo and Thompson, 1971). Andrew Tolsen in criticising cultural studies’
historical understanding of subcultures, has argued that one of the principal innovations
that Mayhew utilised was the interview, and in particular the way in which the interview
became a ‘technique of inquiry’ within a broader ‘sociological gaze’ that allegedly
allowed for society to be examined ‘objectively’ (Tolsen, 1990:113-115). But Mayhew
is only representative of a range of people engaged in exploratory studies mainly
focussed on the poor. Significant amongst his contemporaries were John Snow, Charles
Booth, as well as Charles Dickens (Barber and Board, 1994). In France, similar social
surveys had been conducted a decade earlier in the 1840’s (Radzinowicz, 1966:39).20
One outcome of these surveys was to develop a technology of investigation to account
for populations both in quantitative and qualitative terms. Jevons, amongst others,
initiated a method of the accounting of ‘man’ that is currently influential in a variety of
ways today. The genealogy of the social survey is evident in politics with opinion polls
regularly fashioning political policy. Consumer surveys influence marketing. Electoral
Roll surveys influence the character of democracy.21 As I have suggested with the early
statisticians, these early social researchers and their technologies also have real effects
today.

I have traced a number of important themes in New South Wales throughout the second
half of the nineteenth century. Recorded crime statistics both emerge and experience
real impetus. The appointment of Christopher Rolleston to the position of Registrar
General is critical to this emergence. His urgency and support for recorded crime

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20 November, 1929, and 7, December, 1929.
20 see Chevalier (1973), especially 140-142
21 An example of the effects of opinion polls on Australian native title can be found in Goot (1994).
statistics as the method of greatest ‘utility’ for ‘good government’, is instrumental in establishing crime statistics in New South Wales. His call for recording statistics of crime is incontrovertibly linked to rationalities of government. The research of Jevons demonstrates the broader character of the emerging study of society, through an ‘objectifying’, ‘sociological gaze’. The work of Coghlan witnesses a consolidation in the routine recording of crime statistics, and statistics more generally in New South Wales. Finally, the emerging photographic system of record keeping is another example of technologies deployed towards the government of crime. This focus demonstrates that a growth of the state response to crime was taking place in fields other than the recording of crime statistics. Taken together, crime statistics, the mug-shot and the social survey reveal a proliferation of energies engaged towards a government of crime, aimed both at the level of governing individual criminality and at the level of criminality in the population.

4.4. The rise of a discrepancy

I have already asserted that the early decades of the twentieth century were characterised by a period of stability in recorded crime statistics, and aside from minor changes in the presentation of crime statistics, this is on the whole characteristic of this period. The traditional categories of homicide, assault, etcetera were maintained throughout the nineteenth century to the present. Categories of delinquency that were features of earlier recorded statistics, such as habitual criminals and drunkenness, were sustained. Drunkenness even appears to become even more central to the statistical records during this period. However, there is one category of recorded crime that emerges in the
Statistical Register at the cusp of the nineteenth and twentieth centuries, that warrants attention as it represents a significant new assemblage of knowledge focussed on the individual criminal. This new category of criminal that appeared in the Statistical Register at this time was the ‘insane’ offender.

The figure of the insane criminal appears in the ‘Social Conditions’ section of the Register, under ‘Law and Crime’. Figure 6, copied from the Statistical Register of 1908, tabulates the number of people deemed to be insane between 1899 and 1908. In this period a substantial increase of thirty percent was recorded in the number of offenders deemed to be insane. Significantly, this table does not appear in the ‘Hospitals and Charities’ section, but rather the ‘Law and Crime’ statistics section.

Figure 10 Category of ‘Persons deemed to be insane from Statistical Register, 1908

<table>
<thead>
<tr>
<th>Year</th>
<th>Persons brought to Magistrated Courts</th>
<th>Sent to Hospitals for Insane</th>
<th>Discharged</th>
<th>Remained in South Australia (Broken Hill mass.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1903</td>
<td>859</td>
<td>263</td>
<td>1,122</td>
<td>425</td>
</tr>
<tr>
<td>1904</td>
<td>827</td>
<td>302</td>
<td>1,129</td>
<td>394</td>
</tr>
<tr>
<td>1905</td>
<td>887</td>
<td>307</td>
<td>1,194</td>
<td>421</td>
</tr>
<tr>
<td>1906</td>
<td>905</td>
<td>342</td>
<td>1,247</td>
<td>477</td>
</tr>
<tr>
<td>1907</td>
<td>1,004</td>
<td>321</td>
<td>1,325</td>
<td>473</td>
</tr>
<tr>
<td>1908</td>
<td>909</td>
<td>314</td>
<td>1,223</td>
<td>410</td>
</tr>
<tr>
<td>1909</td>
<td>943</td>
<td>319</td>
<td>1,262</td>
<td>431</td>
</tr>
<tr>
<td>1910</td>
<td>1,144</td>
<td>351</td>
<td>1,495</td>
<td>499</td>
</tr>
<tr>
<td>1911</td>
<td>1,206</td>
<td>320</td>
<td>1,526</td>
<td>559</td>
</tr>
</tbody>
</table>

Medical interpretations of the criminal as biologically or mentally deficient were gaining ascendency in Australia at the cusp of the century (Garton, 1982, 1986, 1987, and 1988), and the assertion of the discipline of medicine as the ‘proper’ study of the criminal was becoming increasingly apparent. Some texts from the period reveal this
acceleration and the influence of medicine. For example, in 1897, the Resident Medical Officer of Parkside Lunatic Asylum addressed the *Criminology Society of South Australia* (Cleland, 1897). In his address William Lennox Cleland compared the ‘Chronic Insane, the Habitual Offender and the Endemic Unemployed’ in terms of their respective responsibility in criminal actions. He maintained that not only was the insane mentally deficient but:

> the cerebral characteristics of the criminal are not as profoundly affected as in the case of the chronic insane, ... however...there exists a greater number of derivations from the normal in the brains of prisoners, who have been examined post mortem than in the ordinary population (Cleland, 1897:4).

Clearly, Cleland was arguing within a ‘criminology’ society, for an understanding of the cause of criminal actions to be located in physical and mental deficiency. Moreover Cleland’s address was not the only forum where insanity and crime was being discussed (see Figure 11).

Importantly, there was no reference to statistical interpretations of crime in Cleland’s address. However, and perhaps of more importance is that the ‘will to govern’ crime remained. Cleland saw the object of the *Criminology Society of South Australia*, ‘to consider the best methods of dealing with certain anti-social elements whose actions necessitate, from time to time, their being charged before the Police Courts’ (Cleland, 1987:1). In short, as Garland has recognised in England and as this thesis argues with the case of crime statistics, the governance of crime was a primary goal of the early criminology societies.
Criminology Society of Victoria.

OBJECT:
THE STUDY OF THE BEST MEANS FOR THE CURE AND
PREVENTION OF CRIME.

LECTURE

"Plea of Insanity in Criminal Trials"

Dr. J. A. O'BRIEN
(Government Medical Officer),

ON
Monday, 15th June, 1914, at 8 p.m

IN THE
Australian Church Lecture Hall,
Flinders Street.

Miss D. Milligan,
Hon. Treasurer.
W. F. Coles,
Hon. Sec.

McNeill & Bruce, Printers. Melbourne.

The call for medicine to be engaged in the government of crime, and especially the
treatment of offenders, was repeated in 1916, when another representative of the
discipline of medicine argued that in ‘every case of an indictable offence ... the offender should be examined thoroughly by a medical man experienced in mental diseases’ (Lind, 1916:19). In this example, medicine was attempting to become involved in the judicial process. But William Lind’s project was also broader than this: He argued that ‘the study of the criminal is in reality a medical subject’, (and) ... ‘the nearest branch of medicine to the study of crime is the study of psychiatry’ (Lind, 1916:19). Again, statistics of crime play no role in the Lind’s article. It is a call for medicine to be engaged in the evaluation and treatment of offenders. An engagement which rested on the distinction between, ‘the man who is entirely normal, mentally and physically, (who is) is naturally averse to crime’ (Lind, 1916:21), and the abnormal criminal.

Recent research by John Ramsland into the New South Wales prison system also highlights the impact of psychiatric approaches to criminals in the twentieth century (Ramsland, 1996). Ramsland argues that although prison authorities in New South Wales were uneven in their support of rehabilitative strategies in the later nineteenth century (1996:268), philanthropically motivated prison reformists, such as the Discharged Prisoner’s Aid Society, provided a haven for a medical approach to criminals. Societies, such as this one, maintained that a criminal was: ‘someone to be cured of his criminal behaviour just as a medical practitioner prescribes a form of treatment to cure a patient who is physically ill. The whole system of thought was based on a medical analogy’ (Ramsland, 1996: 271). Medical discourse became bound to notions of rehabilitation, but a more complex picture of the impact of philanthropically motivated reformers needs to be appreciated.
Stephen Garton (1988) has documented the rise of psychiatry in New South Wales. Garton’s approach relies heavily on the ideas put forward by a broader international body of theory that can be loosely be identified as ‘social control theory’. ‘Social Control’ was an influential perspective within critical criminology in the late 1970’s to mid 1980’s. Stan Cohen was perhaps its key author, and later its strongest critic (Cohen, 1979, 1985). Social Control theory argued that increasingly crime control was transforming from a punishment model to one based on more therapeutic lines. Therapy based not only within psychiatry, but also on the rehabilitative projects of psychology and social work. Garton argues convincingly in the case of psychiatry that the power sought by professions in claiming to possess a ‘true’ approach to crime is an essential outcome of discursive struggles. Social Control Theory sought to flip the common sense notion that psychology and social work were strictly ‘caring’ professions, and sought to reveal the more sinister policing, surveillance and regulatory aspects of their engagement with criminality and the socially disadvantaged. One aspect of this more general ‘dispersal’ of social control from sites other than places of incarceration, such as prisons and mental hospitals, was the increasing use of alternatives, such as parole. The most productive aspect of social control theory was the emphasis on the growing role of professions in modern practices of punishment and surveillance.

The interpretation of crime, through medical discourse in the later decades of the nineteenth and early decades of the twentieth century was not isolated to Australia. A large and influential international body of literature exists that focuses on the rise of psychiatry and medicine and its colonisation of the study of crime. David Garland’s classic research into penal strategies has explored this concept formation in Britain’s
penal system (Garland, 1985a and b). He delineates four separate programs that took place in prisons between 1890 and the first world war, these were 'the criminological program, the eugenic program, the social security program, and the social work program (Garland, 1985a:74). Garland also maintains that these program's were all dependent on a 'general development of the sciences of man (1985a:76)'. Garland argues that '... there can be no doubt that the project of positivism ... and its corresponding methods, formed the broad intellectual basis for the criminological program' Garland, 1985a:79). One important avenue of this approach to crime was psychiatry. Garland points to ideas such as 'feeble mindedness' and authors such as Henry Maudsley to support this claim (1985a:81). In a more recent discussion of the development of criminology in Britain, Garland has maintained that between 1890 and the Second World War British criminology was dominated by the medico-psychological approach to the criminal (1994). More recently, Johnstone has discussed the influence of psychiatry and concepts such as 'moral imbecility' and 'feeble mindedness' in the context of Britain (Johnstone, 1996:133-156). Pratt has also discussed the role of the psychiatry in the context of New Zealand's penal system (Pratt, 1992).

However significant discrepancies emerge between medicine and law at this time in New South Wales. The picture of this discrepancy, presented by Garton, is one where psychiatrists were engaged in a professional battle with lawyers for intellectual and practical power over crime, criminals and policy. According to Garton:

...doctors argued that they were the only profession with the skill to determine the existence of mental disease and the role of disease in the genesis of criminal behaviour. The basis of the psychiatric approach to
crime is that crimes are the outcome of mental/physical deficiencies, rather than immoral rational action traditionally preferred by law. 'The notion of a legal test for insanity was, for them, a contradiction in terms (Garton, 1986:380).

The medical profession attempted to construct a 'true' account of crime consistent with its approach based on individual physical ailments that require treatment. However, Garton is cautious with over estimating the dominance of the medical model over law in the case of New South Wales. His research suggests that there is some alignment between the two discourses, and that 'psychiatrists were able to construct a role for themselves, in the overall administration of criminal justice, most centrally by providing a means for difficult cases to be diverted away from the trial process' (Garton, 1986:379). This entailed increases in the use of incarceration within psychiatric institutions as against prisons. Similarly, the constitution of admissible evidence reveals a further example of the psychiatric encroachment. Intelligence tests (I.Q.) were admitted as relevant evidence in determining sentences in 1918. More importantly Garton argues that, 'by the 1920's and 1930's intelligence tests and psychiatric examinations had become standard procedures in many cases of persons charged with an indictable offence' (Garton, 1986:383).

Representatives of law also disputed what they saw as the medical encroachment on the authority to define crime. Here is a history of competing discourses between medicine and law, engaged in rivalry over the right to define the aetiology of criminal behaviour. For example in 1892, one Australian lawyer, E. Nesbitt addressed the Australian Association for the Advancement of Science, and criticised the idea that criminals and criminal actions should not be defended on the criteria of insanity (Nesbitt, 1892).
Moreover, Nesbitt infers that the dispute between medicine and law was fairly widespread from an early date. He points out that this is ‘a debatable ground on which lawyers and doctors have from time to time fought with an energy not unseasoned with acrimony’ (Nesbitt, 1892:575).

Resistance to the burgeoning ambit of medicine was not limited to representatives of law however. Research by Stephen Garton into the policing of lunacy in New South Wales between 1843 and 1914 argues that, ‘police resisted attempts to encourage them to utilise their powers to charge lunatics’ (Garton, 1987:75). That they ‘actively resisted the incursion of medical priorities into their established practices’ by routinely charging and withholding offenders, with judicial ‘collusion’ who fell in the ambit of asylums rather than gaol (Garton, 1988:78). What is revealing in Garton’s research is how he demonstrates the expansion of the medical ambit towards crime, and this is a critical aspect of the discrepancy in the governance of crime and criminals in the late nineteenth century.

Sociological accounts have situated the rise of medical discourse in a ‘professional’ context (Turner, 1987), where the main goal is the ascendancy of the medical profession. Professional groups legitimate their power through restricted knowledges, and the institutionalisation of unequal power relations (Turner, 1987:130-133). Marxist accounts have emphasised the power of medicine and its relationship to the maintenance of class relations, through regulation of working class health (Willis, 1983). Both of these accounts acknowledge that the discipline of medicine constitutes a significant site of power in western society.
Foucault also researched the discipline of medicine (Foucault, 1973). He argued that the medical ‘gaze’ emerged as an important practice of this discipline (Foucault, 1973:107). This is a technique of observation that ‘refrains from intervening (and) is silent’ (Foucault, 1973:107). But medicine was also dependent on innovations such as the clinic, and importantly the conceptualisation of a patient (Sheridan, 1980:40). Sheridan points out that this ‘gaze’ was ‘particularly attuned to the individual, abnormal event’ (Sheridan, 1980:39). In the context of crime, the ‘gaze’ was perfect for identifying, individualising and categorising the insane criminal.

The acceleration of the medical approach to crime accounts for a receding interest in crime statistics at this time, as the focus of attention in the medical model is directed towards the individuality of criminality, rather than the social impacts or causes of crime in society. Although statistics are absent from the texts discussed above, both statistics and the medical approach to crime rely on an important discursive innovation. I have already discussed the importance of the ‘invention’ of man as an object of study, and the medicalisation of crime also emerges from this discursive innovation. However unlike statistics, and its focus on ‘man’ generally, medical approaches to crime relied on the individual as an object of study as did criminological positivism.

Mental illness as a ‘condition’, and psychiatry as knowledge paradigm, have effects today in our understanding of crime and criminal behaviour. For example, as recently as 1984 in *R v Ayoub*, mental illness was used in defence in a case of homicide (cited in Brown, Neal, Farrier, and Weisbrot, 1990:672). However, ‘diminished responsibility in
New South Wales operates only to reduce murder to manslaughter’ (Brown et. al., 1990:665). This is revealing as it demonstrates on one hand the ‘psy’ sciences’ inability to demonstrate in a scientific or a suitably ‘objective’ fashion that mental illness is a cause of criminality. Alternatively we could argue that the ‘psy’ sciences have only been partial in their attempts to control the interpretation of the cause of crime. What is more revealing is that a categorisation of insane criminals is no longer recorded in New South Wales’s crime statistics.

To summarise the argument here; the rise of the medicalisation of crime, particularly through psychiatry and its elevation of the individual delinquent became ascendant in the late nineteenth century in New South Wales. I have suggested that its focus on the ‘individual’ provides one substantial explanation of how crime statistics in New South Wales at this time appear to experience a period of stability: Stability, in that there appears to be little visible change in their understandings of crimes and criminals, through the annual recorded crime statistics. However, I am not suggesting that crime and its causes were of little debate. On the contrary, statistical accounts of crime in this period reveal an important discrepancy. This discrepancy records the disputation between medicine and law over the ‘true’ nature of crime and criminality. Moreover, it is another example of the contingent nature of measuring crime. Discursive categories of classification, such as the insane criminal, made it possible to enumerate criminals in the manner shown in Figure 11.

However, this is also a chapter about discrepancies. Discrepancies between discourses exercising power to define the aetiology of crime. Specifically these discourses are
medicine and philanthropically motivated reformists. It suggests that one significant aspect of the genealogy of Australian criminology lies in the projects of philanthropic reformers engaged in the will to govern.

4.5 The Submerged Genealogy of Philanthropic Criminology

Alongside this ascendancy of the medical view of crime and criminality, a little discussed trajectory of Australian criminology was also taking place. This same period saw the rise of a self-identifying Australian ‘criminology’ emerging through philanthropic discourses.

In researching early criminology in New South Wales, one is affected by a relative silence in the catalogues of its principal library. The Mitchell Library contains pamphlets from Victoria and South Australia from criminology societies in those states, but there does not appear to be a corresponding one formed in New South Wales in the early twentieth century. More generally the silence continues. The classical contemporary texts of criminology by authors such as Cesare Lombroso and Enrico Ferri are also absent from its holdings. When the silence becomes apparent it is astonishing given the nature of the library and its collections of other periods in the history of criminology.

By contrast, *The Criminology Society of Victoria* at the turn of the century appears well established. Its worth noting however, that the goal of the society differs markedly from what we may understand as a ‘criminology’ society at present. This is most apparent in
one of its publications which articulated the ‘Objects of a Criminology Society’ (Strong, 1902). In addressing the society in 1902, its President, The Reverend Charles Strong, revealed the ‘practical object’ of the society; ‘...to awaken an enlightened public interest in and a public sense of responsibility for, the large number of men and women ... who are deprived of their liberty in his Majesty’s gaols’ (Strong, 1902:1). The goal of The Criminology Society of Victoria, would appear to be more like the work John Howard or Elisabeth Fry, whose work they acknowledge (Strong, 1902:2). This mimicry of British prison reform within its colonies, was not localised to Australia. Such a history has also been discussed in the context of New Zealand by John Pratt (Pratt, 1992:Chapter 4). The focus of this early ‘criminology’ society was on philanthropic assistance to prisoners (See Figures 12 and 13).

Figure 12 Criminology Society of Victoria - lecture notice
This contrasts with contemporary criminology, which still has some elements of prison reform, but its focus lies in a more eclectic, perhaps governmental and educative character. This philanthropy is connected to what they saw as the ‘progressive science’ of criminology. Any ‘science’ of the criminal, in the classical sense, is absent in this
pamphlet. What is apparent is that they maintained that: ‘The deterrent effects of
punishment, is now coming to be recognised as overrated’ (Strong, 1902:4), and they
wanted penal reform.

This philanthropic and reformist position was echoed by the Salvation Army at the turn
of the century. The Salvation Army maintained well-established prisoner reform
programs especially focussed at the post-release level (Ramsland, 1996:279-285).
Annual reports of the Salvation Army from this period reveal a critical concern with
conceptualisation of the criminal. In 1902 for example, under the sub-title of
‘Criminology and Commonsense’, questions were raised such as ‘Is the criminal taint a
disease? Are some men born with criminal propensities?’ (Salvation Army, 1902:225).
Clearly, these questions evoked the idea of the atavistic criminal. But The Salvation
Army was concretely against this notion. Three years later in 1905, the annual review
rejected the atavistic view of the criminal in the following manner:

That is a grave error which is made by many citizens when they speak of all
those confined in our great penal establishments as members of the
criminal class, and imagine that this class is a species of human tiger,
utterly corrupt vicious and untameable. They indulge in such talk as “low
foreheads, square cut jaws, short necks,” etc., whereas the fact is that one
third of the prisoners are first-timers, and evidently not criminals at all, but
have temporarily lapsed under some extra pressure of temptation, or from
carelessness (Salvation Army, 1905:9).

The Salvation Army, in its annual reports, constantly rejects the notion of the criminal
biotype in favour of a rational actor who capitulates into temptation. What is also
important to acknowledge here is that the Salvation Army was engaged in debate that
focussed on causes of crime, and saw themselves as criminologists with a basis in philanthropy. Moreover, as with the general trajectory of this era, they do not discuss statistics of crime with any depth.

These episodes in the history of Australian criminology reveal an important theme; that a crucial site for the emergence of criminology in Australia was within the discourse of philanthropy. Philanthropy has been an important discourse in different approaches in the ‘will to govern’ crime. In the early calls for crime statistics to be utilised, actors such as Rolleston and Rawson also appealed to philanthropic desires in order to realise their calls for statistics to be recorded. This trajectory of early Australian criminology, through bodies such as The Salvation Army, reveals the nexus between a form of ‘criminology’, philanthropy and engagement in the project of governance. This nexus between governmentality and criminology are a sustained characteristic of Australian criminology, and the effects today will be discussed in the next chapter.

This chapter provides an account of what the discrepancy between the medical, legal and statistical accounts of crime in New South Wales between the late nineteenth and early twentieth century. I have argued that while the routine recording and publication of crime statistics was maintained, the minor innovations that took place, indicate divulge significant discrepancies in discourses focused toward the aetiology of crime. The rise of medical interpretations of the criminal, combated with legal definitions, as well as moral discourses.
4.6. Research utilising statistics in this period

Although this chapter focuses on an era when crime statistics played a limited role in debates of crime, there was nevertheless, influential research into crime during this period that utilised statistics of crime. David Garland in pointing to the Chicago School and Durkheim’s research and their reliance on sociological approaches to crime (Garland, 1994:53), has ironically pointed to two example that relied upon statistics.¹ These examples are worth exploring as they demonstrate that statistics of crime still held critical influence in research in other countries.

Classic Chicago School research was founded on the social ecology of delinquent areas. Shaw’s, *The Natural History of a Delinquent Career* is one representative example of this style of research (1968). Shaw summarises the social ecological approach as:

> From this standpoint delinquency is viewed, not as an isolated act, but in its relation to the mental and physical conditions of the offender, the whole sequence of events in his life, and the social and cultural situations in which his delinquent behaviour occurred (Shaw, 1968:8).

When Shaw discussed the ‘physical conditions’ of an area that has rates of delinquency, he referred to locations where there is ‘decay’ (1968:13) and ‘disorganisation’ (1968:15). He wrote of urban landscapes of wrecked buildings and litter. However, this also refers to disorganised and decaying social contexts such as low incomes and ‘home-ownership’, based on statistics gleaned from the Federal Census of 1920 (Shaw, 1968:13-14). Shaw also used court convictions to analyse the dispersion of rates of
delinquency and the variations between zonal areas (1968:17-18). Clearly the social ecological approach to delinquency has an intellectual genealogy that is indebted to statistical accounting of populations, and to the efforts of those calling for crime statistics to be recorded. Moreover, it maintained and extended the use of statistics in its research of delinquency, that are still used.

Garland’s second example of sociological research was that of Emile Durkheim. In *Suicide*, Durkheim quotes statistics of crime and suicide extensively (for example see Durkheim, 1952:47, 49, 50). He used these statistics to argue that suicide is a normal function in society and moreover, statistics enabled him to refute a number of arguments that saw suicide as some form of deficiency. In particular Durkheim used statistics to question the role of race and heredity as a cause of suicide. He concluded that ‘no organic-psychic state can possibly be its determining cause’ (Durkheim, 1952:102). Durkheim did criticised the psychological or medical approach to suicide. This reveals multiple issues; one, that the medicalisation of crime was being criticised during its ascendancy, two, that statistics were being utilised to interpret social phenomena, and finally, that the tradition of statistical surveys of issues was maintained especially in countries which had nurtured the emergence of statistics. The medicalisation of crime and criminals was certainly not universally accepted, and the ascendancy of Durkheims’ research demonstrates that analyses based on statistical accounts were influential in some locales.

The point about raising Durkheim’s research and the work of the Chicago School is to demonstrate that statistics were being utilised in new assemblages of knowledge that
took crime and its causes as object of investigation. Both Durkheim’s and Shaw’s influential works are examples of how statistics of crime were utilised in research at this time. However, the influence of statistically based research into crime in Australia appears limited, and did not gain a foothold until the 1940’s with the research of Barnett (1940) and Rose (1942). However, in Britain some statistically based research took place at this time.

Perhaps the foremost British example of research that utilised statistics of crime is Goring’s *The English Convict*, which was published in Britain in 1913. Respected contemporary commentators maintain that its influence was considerable. Piers Bierne argues that few other texts have had ‘such decisive intellectual effects’ and it ‘entrenched itself as a methodological classic’ (Bierne, 1993:187). David Garland has pointed out however, that although Goring’s text was influential outside of Britain it had little impact on the powerful psychiatric interpretation ascendant in Britain at that time (Garland, 1994:50-51). It is important to acknowledge however, that Goring’s study was not exclusively statistical and that it was strongly engaged with ideas of hereditary criminal propensities (Bierne, 1993:205).

It would appear that the re-awakening of a statistically founded approach to crime within British criminology did not take place until 1957, when Morris published *The Criminal Area*. Morris acknowledges his intellectual debt to the Chicago School of Social Ecology (Morris, 1957:2-4, 67-91), however his text overall, gives a detailed account of the ecological tradition. Included in his review of this tradition is the research by A. M Guerry (Morris, 1957:44), as well as English research by Rawson W. Rawson
(Morris, 1957:53) and Henry Mayhew (Morris, 1957:42). Its worth noting that Morris does not view the work of Guerry, Rawson and Mayhew as equivalent with the more systematic and methodological social ecology supported by the researchers of Chicago such as Shaw, Burgess, and Park. Morris’s research stands as a rupture in British criminology as its demarcates the decline in the influence of purely ‘scientific’ or medical approaches to crime and heralds the emergence of new and less cohesive strains of criminology that developed in the latter part of the twentieth century.
Chapter 5

New Voices; Crime Statistics, Government and Criminology

Without statistics it would be impossible to formulate any opinion about the state of crime in the community. ... In addition to providing information about the incidence of criminality in the community, records of crime can also provide data about the persons who are responsible for this criminality. It is essential that we should know as much as possible about the offenders who transgress our criminal laws. ... Only through a knowledge of such matters can we take effective remedial action to prevent the further commission of crime (Hawkins and Chappell, 1967:310).

The sooner we have accurate, reliable and uniform statistics of crime, the sooner we may begin to understand and combat the crime problem in this country (Hawkins and Chappell, 1967:312).

The strategy of suturing a 'will to govern' crime through the production of recorded crime statistics is rarely as clearly stated as this. The above quote may be read as just another call for crime statistics to be deployed in the governance of crime. But an important shift has taken place here; by the mid 1960s the sutured strategy was now being vocalised from an expanding and increasingly institutionalised criminology. The 1960s and onwards heralds an international explosion in the examination of crime. This revolution in theoretical criminology impacted on the compilation of crime statistics directly. This new vigour in criminology was the result of a number of developments both in New South Wales and internationally. Internationally, criminology, in its teaching and institutionalisation was in a state of expansion, as was the state more generally. In New South Wales, the formation of a department of crime statistics and research within the state Attorney General’s office brought a plethora of new research
and publications, to an extent of which had not been seen before. The *New South Wales Bureau of Crime Statistics and Research* will be the focus of chapter 8. This chapter discusses the new vigour in the recording of crime statistics brought about by new formations in the discipline of criminology in Australia. But prior to discussing this new vigour, a brief examination of some aspects of research into crime and crime statistics in the interlude prior to the 1960s is required.

5.1 An Interlude; War and Research on Crime in the 1930s-40s

The Two World Wars had significant impact on the *Statistical Register*. These war periods (1914-1918, 1939-1945) mark a shift for the focus of rationalities of government. War brings to the fore the concern for territory that Foucault (1991) emphasises in his exposition of sovereign forms of government. Rather than the focus being on the interior population of Australia, the focus of efforts was now directed towards the protection of territory. For Australia in the First World War, and to a lesser extent in the Second World War, the concern for the maintenance of its territory was not only for the borders of its own nation. Australia’s sovereign was and is still English, its efforts were directed towards the security of the territory of the British Empire. This is most evident in the theatres of engagement in which the Australian Imperial Forces fought. For example in the First World War these were primarily in France and Gallipoli. This is one of the most popular and powerful examples of the theme of British power in Australian history, culture and politics.
The effects of war on the publishing of statistics and the shift in focus of energies involved in governance is evident in more than one preface of the *Statistical Register* during the Second World War. For example, in 1941 the then Government Statistician, S. R. Carver, prefaced the *Statistical Register* in the following way: 'owing to war conditions, issue of parts of Mining and Population and Vital Statistics was delayed and statistics of Local government ... were not complied' (*Statistical Register*, 1941, preface). What is also revealing is that the *Statistical Register* for that year (1941) was not published until December 1944, some three years after the records were normally compiled. Similarly, the *Statistical Register* of 1943 was delayed due to staff shortages and was eventually published in November 1946. Both volumes are noticeably slimmer than other years. Clearly, war had an effect on the routine compilation of statistics. The conditions it created produced a change of focus for government. The concern for territory appears to surpass the concern for population. This is reflected through commentary in the preface of the *Statistical Register* in some of its compilation during the Second World War.

However, in contrast to the disrupted recording practices, there was some research activity into crime during the inter-war period. This research was certainly less organised than what criminology became in the 1960s, and does not appear to be connected with any remnants of philanthropic criminology, but nevertheless the research is clearly criminological in character. Two studies of juvenile delinquency provide examples of research into crime in this decade. In Victoria, Barnett was researching children who were processed through Children's court between 1932 and 1933 (*Barnett, 1940*). Barnett’s study is interesting as it reveals an amalgam of
discourses focussing on the causes of crime. He suggests that ‘probable causes of
delinquency’ include ‘bad companionship’, and a ‘lack of parental control’ (Barnett,
1940:13&31). He also adds a discourse that is very much a part of present
criminological understanding of the aetiology of crime. Through some basic statistics he
adds, ‘if the community would prevent the manufacture of youthful delinquents, it must
give serious heed to juvenile employment’ (Barnett, 1940:12&31). Barnett also
deployed intelligence tests in his research, although he does not argue that intelligence
was a cause of crime. Unfortunately, Barnett does not include any references within his
study as such we cannot explore the authors that influenced him.
A second example of research into crime in the 1930s, again took juvenile delinquency as its object of concern, and its is a more fruitful study from a contemporary perspective. In 1938, Rose was also investigating ‘the conditions under which delinquency occurs and the manner in which it develops’ (Rose, 1942:9) Rose provides a review of international theoretical and methodological influences taking place within criminology at this time (Rose, 1942:1-5). A number of influences can be found within Rose’s research. He was certainly influenced by psychology, and deployed intelligence and manual dexterity tests within his study to explore any ‘innate inferiority of mental capacities’ in the delinquents studied (Rose, 1942:44-59, especially 59, and 66-82). Rose examined delinquents physically through ‘height-weight ratios’, ‘strength of grip’, and ‘physical and sensory defects’ (1942:60-64). What is startling about Rose is his
attempts to draw out a social ecology of delinquency. To date, this stands out as a rare example of Australian research into the social ecology of crime.\textsuperscript{22} Rose cartographically represented the socio-demographic dispersion of juvenile crime subject through a 'Delinquency Map of Sydney' (See Figure 14). Rose also tabulated by area, rates of delinquency per 1 000, with rates of unemployment per 1000. Rose then compared these findings with international research by people such as 'Shaw in Chicago' (Rose, 1942:14). The influence of the Chicago School is clearly evident in the following quote from Rose’s study.

The area where delinquency is most frequent are the overcrowded slum areas, which are to be found bordering upon industrial and business areas in large cities. Moving out from the centre of the city towards the less crowded residential areas on the periphery, the proportion of delinquency tends to decline (Rose, 1942:14).

Rose’s study stands as an example of complex criminological research taking place in Australia in the 1940s. He utilised multiple techniques in inquiring into the ‘cause(s)’ of juvenile delinquency. The sophistication and complexity of Rose’s study, alongside Barnett’s, reveals further dimensions to a genealogy of Australian criminology that is longer and more complex than is usually imagined.

However this chapter is more concerned with a new dynamism within criminology in Australia and internationally since the 1960s, had a substantial impact on the recording of crime statistics in New South Wales. And it is this new vigour that requires deeper

\textsuperscript{22} Two other examples of Australian research focussed on the social ecology of crime include Devery (1991) and Carrington, Hogg, Gow and Johnson (1996).
analysis than the impact of war and the these examples of research into juvenile delinquency.

5.2 New Criminologies

Criminology as a discipline has been in a period of unprecedented international ascendancy since the 1960s. In Britain, this quickening of research, writing and thought about crime has been referred to as the ‘Big Bang’ (Rock, 1994). This metaphor evokes images of a sudden explosion, signalling the genesis of a new discipline. This perhaps overstates the suddenness of change, as criminology in Australia had already existed although in forms that relied heavily on criminological positivism and philanthropy. Nevertheless, Paul Rock was correct in identifying a new impetus in criminology, and he locates this in the expansion of higher education. ‘The education and recruitment of British criminologists were not paced evenly over time. They were clearly and fatefully bunched around the great expansion of higher education that took place in the 1960s and 1970s’ (Rock, 1994:127). This growth in criminology was coupled with a reinvigoration of the social, legal and economic (Marxist) interpretation of crime. Importantly, positivist criminology appears to have little influence within this movement. Rock’s study focuses on the authors and schools of thought that influenced criminologists within this period. This is a revealing methodology as it demonstrates the growth of sociological explanation’s on the discipline. These influential authors include Howard Becker (1963), David Matza (1964), Ian Taylor, Paul Walton and Jock Young (1975). Alongside the rise of this more ‘social’ criminology, the discipline was becoming more eclectic. For example, one trajectory was the emergence of a critical
feminist criminology of the style of research undertaken by Pat Carlen (1988) and Carol Smart (1976).

Similarly in the United States of America new directions in research and theories of crime were emerging. In the United States however the rupture is less clear. The Chicago School had been studying delinquency for a number of decades, and had created a strong sociological basis for criminology. This new vigour is recognisable in the 1960s with the success of journals such as the influential Social Problems. Deviance more generally was a popular field of investigation in the United States at this time. Examples of this new research into deviance are Erving Goffman’s Asylums (Goffman, 1961) and Howard Beckers’ Outsiders (Becker, 1963). This is also a period of innovation in the methodologies deployed in researching crime. To take the previous examples, Goffman’s research into mental institutions relied upon ethnomethodology. Similarly, Becker’s research into marijuana users, which deployed participant observation as its principal research methodology, remains one of the most unique and instructive examples of criminological research of this kind.

This international growth in criminology was also evident in Australia. As with Britain, this new invigoration has been located with an expansion of the university sector in Australia (Salmmann, 1988:199, Homel, 1996:299). The formation of two university level specialist criminology schools maybe the most obvious examples of this expansion. In 1951, The University of Melbourne formed an institute of criminology within a Faculty of Arts. Later, in 1959, The University of Sydney formed the Institute of Criminology within the Faculty of Law (O’Malley and Carson, 1989:335-339). The
location of these institutes within Faculties of Arts and Law indicates the dominant character of socio-legal interpretations of crime. They were not for example formed as research or training institutes within a medical faculty. This is revealing as it demonstrates the rising power of the socio-legal explanation of crime and the extent to which medical and psychiatric interpretations of criminality were becoming less influential. Moreover, and this is routinely unrecognised within literature that focuses on the rise of criminology in Australia, criminologies are currently taught through a plethora of other law and sociology departments across Australia.

The formation of *The Australia and New Zealand Criminology Society* in 1967, is an obvious dimension of this new vigour within criminology in Australia. This society, still operating and publishing its own internationally refereed journal today, is one of the most substantial, if not the most transparent contribution to this discipline within Australia. Within months of the Society’s formation and the publication of its own journal, its members vocalised a call for improvements in the numerical recording of crime.

Editors writing within the earliest volumes of the *Australian and New Zealand Journal of Criminology* immediately demanded improvements in the recording and publishing of Australian crime statistics (Australian and New Zealand Journal of Criminology, 1968a). These editors argued that the lack of federally compiled and comparable crime statistics, continued ‘to be a major barrier to an objective appraisal of the crime problem...’ (Australian and New Zealand Journal of Criminology, 1968a:197). Interestingly their demands for federally compiled recorded crime statistics had been
preceded a year earlier by the criminologists Gordon Hawkins and Duncan Chappell (Hawkins and Chappell, 1967:311).

Writing before the publication of a specialised Australian criminological journal, such as the *Australia and New Zealand Journal of Criminology*, Hawkins and Chappell argued for a renewed discipline of criminology in Australia. In an article transparently titled, ‘The Need for Criminology in Australia’ (Hawkins and Chappell, 1967), these authors appealed for an expansion in money, research and institutions engaged in the study and research of crime. Apart from being a call to strengthen and extend their own discipline, the article argued that their ‘approach is one that distrusts philosophising and calls for facts, which treats each problem as it arises and in its particular context instead of approaching all on the basis of some general principle. The call for facts in Australia about all aspects of crime is both sweeping and urgent’ they asserted (Hawkins and Chappell, 1967:309). They also favoured an ‘applied criminology in Australia’ which had a ‘pragmatic’ approach (Hawkins and Chappell, 1967:309). I have already discussed how Garland has linked criminology with the mentality of modern government (Garland, 1994:18). This connection between criminology and the ‘will to govern’ is clear in Hawkins and Chappell’s polemic.

Statistics of crime were of the highest priority in Hawkins and Chappell’s manifesto. They asserted that, ‘the area in which we believe there is the most pressing need is that of statistics of crime’ (Hawkins and Chappell, 1967:310). These statistics would ideally have been compiled at a federal level. Their coupling of criminology to the ‘will to govern’ becomes even more apparent when they discuss statistics;
Without statistics it would be impossible to formulate any opinion about the state of crime in the community. ... In addition to providing information about the incidence of criminality in the community records of crime can also provide data about the persons who are responsible for this criminality. It is essential that we should know as much as possible about the offenders who transgress our criminal laws. ... Only through a knowledge of such matters can we take effective remedial action to prevent the further commission of crime (Hawkins and Chappell, 1967:310).

The sooner we have accurate, reliable and uniform statistics of crime, the sooner we may begin to understand and combat the crime problem in this country (Hawkins and Chappell, 1967:312).

Clearly, Hawkins and Chappell were arguing for improvements in the practice of recording crime statistics. These quotes also reveal an urgency for criminology in Australia to be practical, pragmatic and useful to mentalities bound up with the government of crime. Moreover, and pertinently, they view crime statistics as the principal way in which this can be done. They share Christopher Rolleston’s concerns, where they differ from Rolleston is in the scale of their project; they wanted crime statistics to be ‘better’, collected on a federal level and researched in a more organised systematic fashion.

The call for more refined crime statistics at this time was not localised to the state of New South Wales or Australia. In England, a Departmental Committee on Criminal Statistics was working in the same year as Hawkins and Chappell (Australian and New Zealand Journal of Criminology, 1968a:197). Known as the Perks Committee, it maintained that crime statistics should inform both Parliament and the public, but also be used as a ‘basis for decisions by the authorities responsible for legislation, law enforcement and the treatment of offenders, and for research’ (cited in Australian and
New Zealand Journal of Criminology, 1968a:197). This is another example of the connection between the measurement of crime and a ‘will to govern’ that takes place at the same time as this new growth in criminology.

An important shift has taken place here. There is a new energy, both internationally and locally, to expand the discipline of criminology on a unprecedented scale. The call for recording and researching through crime statistics has also shifted. This instrument of government has now been adopted by a renewed discipline of criminology and with it came a renewed engagement with the ‘will to govern’ crime. A form of criminology which ‘distrusts philosophising’, in preference for empirical ‘facts’, a technical, ‘scientific’, ‘applied criminology’. A criminology unlike that preferred by the early criminology societies discussed in Chapter 4, who were philanthropically motivated towards rehabilitating criminals in order to prevent crime.

It is easy to overlook in this maelstrom of the emergence of a new criminology in Australia, that remnants of the medicalisation of crime still has some currency. Indeed, one review of the first decade of The Australian and New Zealand Journal of Criminology, points to the medical model as the dominant paradigm of interpretation (O’Conner, 1980:14). The early editions of the Australian and New Zealand Journal of Criminology, published a number of articles and editorials with an explicit medical/psychiatric focus. For example, in Volume 1, an editorial discussed the role of ‘insanity and the XYY’ chromosome (Australian and New Zealand Journal of Criminology, 1968b:199). The ‘XYY’ chromosome is attributed to produce males that are aggressive and predisposed towards crime (Bereano, 1992:124). Chromosome
surveys were being undertaken in prisons in the late 1960s and early 1970s (Bartholomew and Sutherland, 1970), simultaneous to studies in the ‘extroversion and anxiety’ of offenders (Francis and Taylor, 1968). Debates over the role of psychiatry within crime, at this time were not limited to the *Australian and New Zealand Journal of Criminology*. In 1972, authors within the *Medical Journal of Australia* editorialised on the relationship between ‘psychiatry and the dangerous offender’ (Medical Journal of Australia, 1972). This editorial challenged the applicability of ‘scientific’ methods and psychiatry to the dangerous offender (Medical Journal of Australia, 1972:3). The dominance of psychiatric interpretations of the aetiology of crime are certainly in remission. However, the discourse was undergoing transformation into a more therapeutic discipline aligned with the disciplines of social work and psychology. The 1970s and the 1980’s mark an apex in the therapeutic measurement of criminality both internationally (Scull, 1983) and within New South Wales (Johnson, 1995, 1992).

A small body of literature has evaluated *The Australia and New Zealand Journal of Criminology*. Two of these evaluate the journal through quantitative methods (O’Conner, 1980, Homel, 1996). Michael O’Conner has discussed the period between 1968 to 1977. Although his research is confined to *The Australian New Zealand Journal of Criminology*, he acknowledged that other journals, such as the *Alternative Criminology Journal*, were publishing within this period. O’Conner asserts that *The Australian New Zealand Journal of Criminology*, ‘is one of the more important sources, if not in quality at least in quantity’, of published Australian criminology (O’Conner, 1980:12). O’Conner was critical of the journals’ lack of theoretical publications and overemphasis on a ‘positivist’ style of criminology (O’Conner, 1980:20). His evaluation
of the first decade of publications within the journal divides the articles into types of perspective and ranks them according to these typologies. I have already pointed out that he found the medical perspective was the most common during this time frame. Since his review, the medical approach to crime and its publication have certainly waned, and the journal has certainly become more eclectic in character. The Alternative Criminology Journal, no longer published, used to be the site for critical criminology. Now that critical criminology has become more acceptable it is now published within the Australia and New Zealand Journal of Criminology.

A second evaluation of The Australia and New Zealand Journal of Criminology, has been undertaken more recently by Ross Homel (Homel, 1996). His work is more specific than O’Conner’s, and reviews the contribution of quantitative criminological research within this journal. Criminologists, in Australia and New Zealand according to Homel, have been reluctant to do sophisticated statistically based research. In his opinion, statistical research has been marginalised from of ‘mainstream criminology’ (Homel, 1996:310). Homel goes on to argue that there is a substandard level of training in complex statistical methods in postgraduate training in both the social sciences and criminology more specifically. This he suggests has effected the styles of research undertaken. There is a real irony here. Criminologists in the 1960s, such as Chappell and Hawkins argued for improvements to statistical records, yet the discipline failed to establish training regimes that utilise these statistics.

There are a number of deficiencies in Homel’s research. His excessive focus on one journal, The Australia and New Zealand Journal of Criminology, is one inadequacy that
he recognises himself (Homel, 1996:299). There are other established criminology journals in Australia, such as the *Alternative Criminology Journal* mentioned above, and more recently the Sydney University based *Current Issues in Criminal Justice*, which began in 1988. He also overlooks a number of related journals, such as the *Journal for Social Justice Studies* (1987) and the *Australian Feminist Law Journal* (1991). Each of these journals focus or have focussed on criminological research. Similarly, there is a substantial corpus of statistical research reports published by bodies such as *The New South Wales Bureau of Crime Statistics and Research*, that provide sophisticated statistical studies of crime. Problems also lie in Homel’s reliance on a style of classification, based on Farrington’s work (cited in Homel, 1996:298). Homel also recognises that this typology is in danger of overlapping categories and may not be appropriate for many of the studies. At a session of the 1997 *Australia and New Zealand Criminology Society* conference in Brisbane, Homel accepted these two substantive criticisms.

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A final review of the criminology in Australia examines the *Australia and New Zealand Criminology Society* more generally. Peter Sallmann (1988) produced a self congratulatory account of criminology within Australia. Although critical of the energies from within the *Australia and New Zealand Criminology Society*, to organise conferences and a public profile, Salmmann illustrates recent Australian criminology in a much more positive and broad light (Salmmann, 1988:195). He divides criminology in Australia to be either ‘governmental’/‘administrative’, or ‘independent. By

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23 This criticism still holds true of *The Australia and New Zealand Criminology Society*. If we compare for example the public profile of the *Australian Medical Association*, which seems to play a daily role in
'governmental', Salmmann is referring to criminological work carried out within government circles such as the Australian Institute of Criminology or The New South Wales Bureau of Crime Statistics and Research. This is different from the Foucaultian sense of the governmental. By 'independent' he is referring to criminology carried out in universities, or other independent research. However, what Salmmann's review ignores the fact that criminological societies and scholars were operating in Australia prior to the 1960s.

Salmmann, and Homel myopically follows his prejudice here (Homel, 1996:299), maintains that:

...Australian criminology before the 1960s was rudimentary and highly conventional. Some would say virtually non-existent. It consisted essentially of contributions from people such as judges and lawyers who wrote articles and delivered addresses on various aspects...(Salmmann, 1988:199).

This perspective of the history of Australian criminology is quite mistaken. Since the 1960s we have undoubtedly seen an unprecedented growth in energies directed towards the research of crime. This growth belittles the previous criminologically focussed energies. However, we cannot dismiss out of hand some essential evidence. Salmmann's perspective fails to even acknowledge the contributions of the

the governance of Australia. Not only in terms of health, but also with this disciplines traditional incursions into social policy.
criminologies and organised societies discussed in the previous chapters. For instance he ignores the fact that the Salvation Army was actively engaged in debates on the aetiology of crime. Moreover, Salmann’s assessment overlooks the concerted efforts by disciples of medical approaches to the study of criminality also taking place at this time. Similarly, Rose’s research into juvenile delinquency in the 1930s, is hardly ‘rudimentary’ or ‘highly conventional’. Salmmann’s assessment fails to engage with these historical aspects of criminology in Australia.

Points of consensus exist between reviewers of post 1960s Australian criminology. They point to its administrative or government focus, and the dearth of theoretical material. Recently, Homel has asserted that ‘one consequence of the disciplinary profile of researchers is that criminology in Australasia tends to be more concerned with the administration of justice and with social policy issues than with theoretical debates or research into the causes of crime’ (Homel, 1996:301). Similar points have been made about the Australian and New Zealand Journal of Criminology, O’Conner argues that, ‘correctionalism, treatment and the need to increase the efficiency of the criminal justice system have been consistently promoted...’ (O’Conner, 1980:13). O’Malley and Carson have taken a similar view of the direction of Australian criminology (O’Malley and Carson, 1987). Their influential article contended that Australian criminology is characterised by its connections to the administration of criminal justice. That criminology as a discipline in Australia has a role of a ‘service discipline’ in this administration and thus a disproportion of its research and publications were directed towards the government of crime. Recently however, more complex visions of Australian criminology have emerged.
Mark Finanne, in exploring the early history of the Institute of Criminology at the University of Melbourne, has recently argued that a more ‘nuanced account’ of the history of Australian criminology is appropriate (Finanne, 1997:1). In an extraordinary archival exploration, which examines mundane records such as memos, class lists, and importantly, recommended reading lists, Finanne demonstrates that the formative goals of this enterprise were more complex than simply the creation of a site for the education of criminal justice practitioners. One dimension of his account of the history of this institution analyses disputes between Heads of Department and Chairs of the Board of Criminology. Finanne argues that the styles of criminology supported in the early years at this institution were more complex and often ill disposed to educating students who worked in the criminal justice system (Finanne, 1997:3). Reading lists of this period also reveal a more complex picture. Texts such as Georg Rusche and Otto Kirchheimer’s, radical critique of the prison Punishment and Social Structure (Rusche and Kirchheimer, 1939) were included as essential readings. Finanne’s account focuses on a history of struggles and engagements between key actors in the criminology complex. It presents a more sophisticated and well founded portrait of Australian criminology than one simply motivated by purely practical considerations and vocational orientations.

Russell Hogg also provides a complex account of Australian criminology, pointing out that it is not exclusively administrative in character and that it has engaged with

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24 This is an unpublished paper presented at the Australian and New Zealand Criminology Society conference, Brisbane, July, 1997. I thank Mark Finanne for allowing me to quote from his paper.
international shifts in theoretical criminology (Hogg, 1988). Hogg traces the emergence of 'left realism' in Australia, a radical and critical criminology: a criminology that radically examines the prison, that locates criminal activities not within aetiologies of moral deficits or atavistic traits, rather within broader contexts of social disadvantage, gender, and crime committed by elites (Hogg, 1988:26-27). Hogg's analysis provides a rare discussion of the diverse character of the types of Australian criminology that have emerged since the 1960s. His account problematises the regular assumption that Australian criminology is simply administrative. This is further supported by the styles of keynote speakers selected to address the *Australian and New Zealand Criminology Society*. For example in 1998, Carol Smart spoke at the Gold Coast in 1996, Nils Christie spoke at Wellington, in 1995, David Garland spoke at Sydney, and in 1994, Stan Cohen spoke at Melbourne. All these speakers are influential feminist, radical or critical criminologists. The choice of these speakers is indicative of the types of international criminologists selected by Australian criminologists. These speakers are all key authors within radical criminology. They are not administrative criminologists. Hogg's article when tied to these speakers points to the influence of critical criminology within its own circles.

More recently, Hogg has extended his contribution to debates over the relationship between criminology and government (Hogg, 1996). Focusing on a perceived 'failure' of the project of criminology, Hogg provides a sophisticated critique of this

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25 One of Australia's most senior criminologists, John Braithwaite, writing in the *Australian and New Zealand Journal of Criminology*, has contended that criminology has 'failed' at a number of levels; at a theoretical one, an explanatory one, and a practical one (Braithwaite, 1989). These observations have been also been asserted at an international level, by Tennenbaum in the journal *Telos* (Tennenbaum, 1992).
contention. His argument warrants scrutiny not only for its criticisms, but also for its method of critique. Hogg maintains that the authors of this assessment of the ‘failure of criminology’ are misguided. He asserts; ‘the negativism of their assessment of criminology is only matched by the immodesty of the pretensions harboured by the discipline’ (Hogg, 1996:46). In effect Hogg’s critique rests on (amongst other things) the unrealistic goals the discipline has for itself. He doesn’t want to see a singularity of purpose or goal, such as a governmental one. Once again Hogg presents a more complex vision of Australian criminology, which his article is simultaneously a contribution to.

It is critical, historical, theoretical as well as administrative. If Australian criminology had not been influenced by international criminology, if it had not experienced the shift towards a more critical and sociological criminology, the discourses that provide the foundations for this thesis could not even be imaginable.

The genealogy of Hogg’s analysis is linked to the ascendancy of a radical criminology in Australia, engaged in political activism. For example in relation to prisons, George Zdenkowski and Dave Brown have been occupied with prison reform, at the same time as being criminologists and criminal lawyers. In 1982 they published The Prison Struggle, included in its pages was one chapter entitled, ‘Towards a Political Strategy for Prison Struggle’, similarly it published writings of prison activists such as a Brett Collins (Zdenkowski and Brown, 1982:317-364, 367-368).

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26 To my mind, Hogg’s piece is one of the most important recent articles written on the discipline of criminology.
The case of Tim Anderson has also been taken up by criminologists. *Academics for Justice*, was formed in response to an educated perception of the lack of integrity in the criminal justice system (Carrington, Dever, Hogg, Lohrey and Bargen, 1991:xi). This lack of integrity reached a pinnacle with the trials of Tim Anderson, who was incorrectly convicted of the bombing of the Hilton Hotel in Sydney (Anderson, 1992, Carrington *et al.*, 1991). Senior Australian criminologists, such as Paul Wilson, supported this group by contributing to its publication *Travesty! Miscarriages of Justice* (Wilson, 1991). Other forms of criminological activism includes the work of Chris Cunneen and his concerns with race policing and indigenous peoples struggles with the criminal justice system (Cunneen, 1992). My own research with Kerry Carrington on the handling of the Leigh Leigh rape/murder is another example (Carrington and Johnson, 1994). More recently, criminological research into homophobic violence and hate crime has been published by Stephen Tomsen and Gail Mason (Tomsen and Mason, 1997). Clearly, the recent history of Australian criminology displays a far more complex and varied role than one simply dominated by an administrative perspective. These examples fit more into the vision of criminology presented by Hogg and Finanne, than the one presented by Homel, Carson and O’Malley, and the proponents of the view that a criminology is a failure.

Any review of Australian criminology must examine the contribution of Feminist criminology also. Judith Allen has pointed out that criminology as a discipline has been phallocentric in character (Allen, 1988), in that it has expelled gender from most of its analysis. Feminist criminology in Australia has a more recent history but is an integral part of this new expansion in criminological. Moreover, it represents a significant body
of work that again cannot simply be categorised as ‘administrative’ criminology. The contributions of criminologists such as Christine Alder (Alder, 1996), Sharyn Anleu Roche (1991), Kerry Carrington (1993, 1994), and Ngaire Naffine (1987, 1997), have all contributed to a corpus of knowledge that researches the specificities of women and crime. Judith Bessant has also made a significant contribution to critical criminology especially through her work on young people and juvenile justice and violence against women (Bessant, 1995, Bessant and Cook, 1997). Adrian Howe has produced a feminist analysis of penalty (Howe, 1994). Julie Stubbs has also made a substantial contribution to our understandings of women and domestic violence (Stubbs, 1994). Clearly the contribution of feminist research to crime and criminology in the Australian context is substantial. The assessments of Australian criminology discussed above have failed to acknowledge this contribution of feminist thought to Australian and international criminology.

There are a number of points to recapitulate here. Most importantly, the discipline of criminology is undergoing a period of unprecedented growth. I have explored the criticisms of Australian criminology that suggest that it is more nuanced than simply a service provider to the criminal justice system. This allows for more complex and historically diverse picture of Australian criminology to emerge, one that acknowledges its multiple genealogies connected not only to the training of practitioners and production of research for the ends of government but also the production of a diverse and critical discipline of criminology.
5.3. Computers; an applied technology of governance

To return to the previously discussed manifesto of Gordon Hawkins and Duncan Chappell. One of the methods which they recommended for the organisation of recorded crime statistics was through the newly emerging computer technologies. They criticised the recording of crime statistics by state agencies such as the police, arguing that their techniques were ‘outmoded’ and ‘dictated by custom rather than logic’ (Hawkins and Chappell, 1967:311). A similar criticism appeared in an editorial in the Australian and New Zealand Journal of Criminology, which called for a ‘single computer organisation’ to ‘standardise’ crime statistics (Australian and New Zealand journal of Criminology, 1968:198). Criminologists appear to have been willing to assist in the construction of computer databases for Australia’s police. This is a further example of this disciplines’ willingness to engage in the project of the government of crime.

A concrete example of the discipline of criminology’s willingness to be engaged in the creation of a database that would include recorded crime statistics amongst other data on criminals and criminal activity, can be found in 1973. In January of that year, a committee was established to report to the federal Attorney General on the ‘... logistics and finance necessary for the computerisation of criminal data...’ (Department of Police and Customs, 1975:no page reference, preface point 2). The committee was composed of a handful of bureaucrats, but importantly was chaired by an academic criminologist from Sydney University, Paul Ward. This reveals the importance given to, and the centrality of criminologists to the computerisation of crime data and their willingness to engage with the administration and regulation of crime.
Moreover, with uncanny similarity to many of the statements of the early crime statisticians such as Rolleston and Guerry, the Report of the Committee recorded the following sentiment; 'The computer will provide a source of readily accessible information upon which legislators may be able to frame rational social policies to control crime (Department of Police and Customs, 1975: no page reference at point 9.4.1)'. The rationality that crime statistics would be able to inform legislators and others in determining social policy was still clearly a dominant reasoning for recording crime statistics and adapting them to this newly emerged technology.

The influence of Australian criminology on the computerisation of crime statistics was readily apparent in April 1981. In that year, the *Australian Institute of Criminology* conducted a three day seminar, which had as its focus the 'Use of the Computer in the Australian Criminal Justice System' (Walker, 1981). This seminar was initiated by *Australian Institute of Criminology* in concert with the Western Australian police department, who were seeking to construct a computer system for that state. This seminar focused on improving communication and comparison between states' records of crime through computer technology (Walker, 1981:1). A further issue of detailed discussion focused on the use of computers as an 'operational aid' and how computers may assist police in intelligence and staffing resources (Walker, 1981:6-27). This seminar stands as a further example of the way in which criminologists were active in applying their knowledges at a pragmatic level, in attempts to govern crime through the production of computerised databases.
The impact of computing technologies on statistics warrants further examination. Few publications have critically evaluated the role of computers either in statistics, steering the criminal justice system or shaping government policy more generally.27 Given the ubiquity of computers in contemporary life, their centrality to the state and its functions, it is surprising that little research has critically evaluated their effects on criminal justice policy and practices. One limited discussion of the effects of computers on statistics and social science research is contained within John Irvine, Ian Miles, and Jeff Evans’ classic text *Demystifying Social Statistics* (Irvine, Miles and Evans, 1979). Mick McLean’s contribution to this monograph argues that the emergence of statistical software for social science research brought about a ‘deskilling’ of social researchers. Borrowing from Harry Braverman’s ‘deskilling’ thesis, he argues that applications of statistical knowledge would lead to deskilled social researchers that will no longer know statistical techniques (McLean, 1979:259-260). Mick McLean’s contribution is one of the rare published contributions to debates on the effects of computers on contemporary social research. However, McLean is far too narrow and negative in his assessment. In contrast to McLean’s perspective, the introduction of statistical software has produced an increasing accessibility to statistical techniques for researchers. This increasing simplicity of the highly complicated calculations, rather than deskilling, Nickolas Rose argues democratises statistics:

Democratic power is *calculated power*, and numbers are intrinsic to the forms of justification that give legitimacy to political power in democracies. ... Democratic power requires citizens who *calculate about power*, and numeracy and a numerised space of public discourse are essential for making up self controlling democratic citizens (Rose, 1991:675).

27 I take this opportunity to thanks Dr. Steven Maras, School of Humanities, University of Western Sydney, Hawkesbury, for his efforts in directing my research into the relationship between computers and governance.
Although Rose is essentially discussing a numerate population, his argument has direct relevance to the increasing use of statistical software. Software allows individuals without extensive statistical training to perform complex statistical calculations broadening the access to this technology.\footnote{Another example of the democratising effects of computers lies in the internet. The New South Wales Treasury's web site contains the state budget, the social budget, etc. Apart from issues of who has access to the internet, surely this must stand as another example of a democratising technology. Of course I am also aware that computing technologies may also used for surveillance of populations.}

In contrast to the limited critical discussion of the effects of computers on government, general histories of computing have been more widely published. One text that stands out within this body of literature is Joel Shurkin’s \textit{Engines of the Mind} (Shurkin, 1996). This study examines the history of computing from Charles Babbage’s ‘Difference Machine’, an abstract counting machine of the industrial revolution, to a geopolitics of the information age, focussing on present disputes between computing multinational’s, such as \textit{IBM} and \textit{Microsoft}. Unfortunately, Shurkin shirks any extensive attempts to connect computing innovations to important broader social, political or economic shifts in the same societies that form his subject. For example one chapter within his text examines the role of Axel Hollerith, and his engagement with the early applications of computers to United States’ census in the 1880s to 1910s (Shurkin, 1996:66-92). Shurkin does not draw out any connections between computers, and the critical knowledges they enabled such as the Chicago School’s use of census data in the 1920s and 1930s. Knowledge of populations, such as distributions of poverty, projects of health or education, plays no role in Shurkin’s history. His account fails to acknowledge
that computers are deployed within the mentalities of existing broader projects, profiteering by multinationals or strategies of government by a nation state for example.

This oversight is even more obvious in other histories of computing. A central journal for histories of this subject is *The Annals of the History of Computing*. This journal is dominated with material from histories of computing in the United States of America. No articles within it link the emergence and continued growth of computing with larger formations and changes in society. This academically focussed journal is disappointing when evaluated as an historical journal of the late 1990s. Its pages consist of articles written in an amateur uncritical fashion. Contributors are predominantly from computer science backgrounds.

One alternate body of literature more fully explains the impacts of new technologies such as computers. According to John Law (1991), the connections between technologies, such as computers, and their analysis within sociology has also been deficient. Law’s argument is worth quoting:

> Since Foucault, we have no difficulty in inscribing texts on bodies, or constituting agents discursively. But (with few notable exceptions) it does not occur to us to treat machines with the same analytical machinery as people. The problem has something to do with the absence of a method for juggling simultaneously with both the social and the technical. Sociologists, I want to say tend to switch registers. They talk of the social. And *then* (if they talk of it at all which most do not) they talk of the technical. ... As you will discern I do not believe it is a happy distinction (Law, 1991:8).

What Law is calling for is a method of studying technologies, such as computers, which has a *sociotechnical* perspective. Bruno Latour has also contributed to this debate by adding that if we follow innovations or innovators (actors) we can create the ‘narratives’
that render the relationship between technologies and the social more obvious (Latour, 1991:11). Here the computerisation of recorded crime statistics was dependent on a number existing well established discourses and practices already occurring in the sphere of modern government. Each of these practices and discourses have their own specific histories often ones that are bound to one another. For example, the well-established practice of recording crime statistics, with its capacity to provide information on the distributions and categories of crime is also a critical component in one of the first applications of computers to the task of twentieth century government. Centrally, the application, or the ‘slotting in’ of computers as an ‘operational aid’ to policing must be read in a socially and politically broader context.

The deficiencies in the analysis of the effects of the proliferation of computing is unfortunate as it is certainly an increasingly important aspect of the governance of western society over the last two decades. This is heightened as the introduction and application of computer technology to analysing and recording crime statistics made an important contribution to the most extraordinary episode in the history of New South Wales’s crime statistics, examined in the following chapter.

This chapter has focussed on a number of issues. Initially it set out to explain the relative stability of recording New South Wales’ crime statistics as an outcome of Australia’s involvement in war. The focus then shifted to examine the rise of an increasingly institutionalised Australian criminology. This rise it was argued is connected to broader growth in criminology at an international level. More specifically, attention was directed towards statements and events where criminologists actively
sought to improve the practice of recording crime statistics. These efforts of Australian criminologists seeking to influence the practices of recording crime statistics were rationalised within an administrative form of criminology that was, and is still influential among Australian criminologists. A further dimension of this discussion sought to provide a more inclusive and broader account of Australian criminology that recognises its critical, radical and feminist dimensions. Finally, some historical and conceptual explorations were directed towards the efforts of Australian criminologists encouraging and assisting in the application of computer technologies to the recording and analysis of crime statistics.

These issues relate to the broader aims of this thesis. Foremost it isolates a reinvigorated Australian criminology as an important intellectual influence encouraging greater sophistication in both the recording and analysis of crime statistics. Further, many criminologists sought to not only encourage, but also improve and adapt the practice to newly emerged computer technologies. This provides a partial explanation to the central focus for this thesis of how crime statistics became so powerful in the present. This is a partial response as it only points to how crime statistics were relevant to the ascendancy of criminology in the 1960s and 1970s. As such, this explanation only isolates one critical stage in this genealogy.

A second important theme relates to the rationalities that have sustained this genealogy. The statements of Duncan Chappell and Gordon Hawkins were drawn out as examples of the sentiment that recorded crime statistics were a central technology to knowing and thus managing crime. Similar sentiments were found in the report to the Committee on
the Computerisation of Criminal Data. The same rationality found in Christopher Rolleston’s address, and elsewhere in the emergence of the practice of recording crime statistics can be found in the statements of 1960s Australian criminologists. There is a strong continuity in the rationality supporting the recording of crime statistics that spans a hundred year gap between these two eras in the genealogy of New South Wales’ recorded crime statistics: a rationality that sought to know and to govern crime.
Chapter 6

The Politics of Crime Statistics: Philip Arantz

The previous chapter explored the various contributions of Australian criminology to debates about the numericisation of crime. A good deal of its emphasis was directed towards the application of computers in the ordering and recording of crime statistics (Department of Police and Customs, 1975, Walker, 1981). During the 1970s, elements within the New South Wales Police Service (at this time the New South Wales Police Force) were also urging for the application of computer technology to be integrated into routine police work. This chapter examines one of the most contested political episodes in the history of enumerating crime in New South Wales: the fracas over the actions of one police officer, Philip Arantz.

In July 1969 a research team was formed within the New South Wales Police Service to establish an experimental recorded crime statistics database that would provide information for police intelligence. One of the members of this team was Detective Philip Arantz. He maintains that the goal of this research was ‘to provide police officers with more information, more quickly and so increase the efficiency’ of the police (Arantz, 1993:47). In Arantz’s opinion however, the then Police Commissioner, Norm Allen, was more interested in gaining glory by acquiring this new technology for ‘his
force’, than with any concern for the potential it had for reducing crime (Arantz, 1993:43). As we shall see this remains an important explanation of what transpired.

The research undertaken by this team was innovative for a number of reasons. Aside from serving New South Wales’ police officers, this research team was also composed of public servants with experience with the rapidly emerging computing technology. Engaging computing expertise from other government departments was in itself innovative. One of the sustained criticisms of the New South Wales Police Service has been its closed culture. One example that illustrates the levels of distrust and isolation of the police service actually took place within the life of this research body. The then director of the newly formed New South Wales Bureau of Crime Statistics and Research, Tony Vinson visited this research group. The members of the group were instructed not to supply their internal recorded crime figures to representatives of the New South Wales Bureau of Crime Statistics and Research (Arantz, 1993:93-4). Here we have the Director of the principal crime research body within New South Wales, being denied access to statistical police records. This is indicative of the level of secrecy and distrust of ‘outsiders’ from within the New South Wales Police Service. A decade after this research team had been disbanded, a commission of inquiry into police administration, praised the character of this style of police work and criticised the closed nature of the New South Wales Police hierarchy in regards to the suspicion of ‘outsiders’ (New South Wales, 1981:129-131).

The major research of this team reveals a clear example of the use of the technology of recorded crime statistics in attempt to improve policing, and effectively govern crime.
Focussing of the eastern suburbs of Sydney, the research team attempted to merge cartographic and statistical records of incidents of crime in order to produce a spatial and temporal representation of reported crime. Arantz has asserted that:

...our objective was to experiment with staffing, equipment and a grid system, in an endeavour to improve patrolling, response and investigation, with a view to achieving a maximum result with a minimum outlay of resources (Arantz, 1993:83).

By producing cartographic representations of concentrations of crime, Arantz and the rest of the research team were coupling both statistics and maps. Direct connections exist between the style of this research and Andre Michel Guerry's original research into moral statistics in France. The research teams' efforts were clearly directed at making the distribution of police resources more efficient, by focussing their energies at specific areas where types of crimes were considered more prevalent. Rarely are we presented with such an obvious example of the use of recorded crime statistics as an operational tool of policing. This style of research, or a research culture more generally, is still under-utilised by the New South Wales Police Service, and a renewed impetus in this direction constitutes one of the recommendations of the recent Wood Royal Commission (Royal Commission into the New South Wales Police Service, 1996:108).

6.1 Corrupt Recording Practices: The Paddy’s Book

One of the initiatives necessary for this team to conduct their work was to draft new forms to record incidents of crime. More comprehensive forms were required than the existing system of recording crimes, known as ‘Paddy’s Book’. The ‘Paddy’s Book’ was a numerical crime recording system tightly regulated through a culture which
involved the senior police officer of a station tenaciously controlling the record of crimes in his/her patrol. Arantz, a Detective well versed in the intricate culture of the ‘Paddy’s Book’ system, argues that;

...the essence and the purpose of the Paddy’s System (was) to reduce the volume simply by not officially disclosing all the unsolved crimes and inflate the clear-up rate by reporting officially every offence that was solved, no matter how minor (Arantz, 1993:49).

It is important to recognise that this was not an isolated practise, rather it was a widespread, cultural mode of deceitfully recording the crimes that were reported to the police.

It would appear that the ‘Paddy’s Book’ system’s was secret and enforced rather than voluntarily supported. According to Arantz, ‘officially, these books did not exist so far as the Police Department was concerned’ (Arantz, 1993:19). Another former senior New South Wales’ police officer, Ray Blissett, has said of the ‘Paddy’s Book’ system, ‘that almost every detective in the force had been involved in a forty year cover-up of crime statistics’ (cited in Hickie, 1985:270). After his retirement in 1987 (pointedly), Ray Blissett asserted that he ‘objected to the practice’ (Blisset, 1987:16). The ‘Paddy’s Book’ system, has also been described as ‘enforced by tradition, and perhaps also by the intimidatory vigilance of senior detective sergeants’ (Sydney Morning Herald, 26-11-1971:7). Although the ‘Paddy’s Book’ was a practice that took place throughout New South Wales, it is worth recognising that it did not operate uniformly across the state. The degree to which clear up rates were inflated, depended entirely upon the efforts of the senior police controlling the recording within their ‘Paddy’s Book’. Again, I stress,
it is important to recognise that this was a largely cultural mode of misrepresenting the incidence of crimes reported to the New South Wales police.

Without a broader knowledge of the New South Wales’ police, it would be difficult to appreciate how the culture of the ‘Paddy’s Book’ system was able to operate. The Wood Royal Commission found corruption to be endemic in the New South Wales' Police Service (Royal Commission into New South Wales Police Force, 1996). During the mid-twentieth century the statistical records of offences and clear-ups were also bound up in a culture of corruption. Corruption, more generally within New South Wales Police Service has appeared in multiple forms. The involvement of police in organised crime has been documented by a number of bodies. Police misconduct has been investigated by government bodies, such as the Independent Commission Against Corruption, investigative journalists, and written about by criminals in publishing their own exploits (ICAC, 1994:11-24, Hickie, 1985:259-326, Smith, 1994).¹

The recent Royal Commission into New South Wales Police Service, has referred to one dimension of police corruption as ‘inimical police culture’ (Royal Commission into the New South Wales Police Service, 1996:45-46). ‘Inimical police culture’, although poorly articulated in the pages of the Royal Commission’s 1996 report, refers to the manner in which police officers are culturally silenced from criticising other police. This silence according to the Royal Commission, ‘depends on group loyalty, a tradition of mateship and peer group pressure’ (1996:45). It is exactly this ‘inimical police

¹ ‘The extent to which famous/infamous criminals have published accounts of their crimes constitutes a genre in itself. I am especially thinking of the almost annual publications of ‘Chopper Read’. Similarly ‘Neddy’ Smith has published accounts of his crimes on more than one occasion.
culture’ that allowed the ‘Paddy’s Book’ system to flourish, leading to the systematic misrepresentation of reported of crime.

‘Inimical police culture’ is not the only form of police corruption that has operated in New South Wales. Other forms of misconduct have included the supply and recycling of drugs, the protection of peadophiles, and the practice of ‘verballing’. ‘Verballing’ refers to the fabrication of sworn statements under duress and the provision of these as evidence in court. Verballing is often related to the practice of the police use of informants, especially prisoners (ICAC, 1993) who have provided evidence in prosecutions (Brown and Duffy, 1991). Perhaps the most famous example of verballing in New South Wales is the seriously flawed evidence provided by Evan Pederick in the Hilton bombing case (Anderson, 1992:248-51). Systematic corruption has certainly been an intrinsic part of police culture in New South Wales.

Police corruption has not been limited to New South Wales of course. At roughly the same time as Arantz’s research team was developing (that is in 1970-71), the New York police officer Frank Serpico was revealing the extent of organised bribery within that city’s police department.31 Serpico is interesting here as he broke the ‘code of silence’ and transgressed the ‘inimical police culture’ that existed in the New York Police Department. The ‘code of silence’ in this police department was engaged in the protection of routine and widespread bribery and extortion between the police and organised crime. In a similar vein to Arantz, Serpico also revealed problems within

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30 The practice of ‘verballing’ is not restricted to New South Wales. It would appear to also be a contemporary feature of the British criminal justice system (Molomby, 1991).
police culture and practices to the media. On the 25\textsuperscript{th} April, 1970, the \textit{New York Times}, led with a headline exposing the widespread corruption (‘Graft paid to Police here said to run into millions’). The point of raising the events surrounding Frank Serpico, is that it points a climate in the early 1970s where police cultures and practices were being challenged. Arantz (Arantz, 1993) does not mention Serpico in his autobiographical account although it would be highly unlikely that he was unaware of the public exposure of corruption in New York’s police at the time.

In 1970, Philip Arantz was appointed to the research team to incorporate computers into police intelligence. New forms used to record incidents of crime in a format suitable for the computer being used in the research, were distributed throughout the state and compiled. Simultaneously, the ‘Paddy’s Book’ system was still in operation, independent from the work of the research team. One outcome of these operations was that after compilation of both sets of data, two radically different sets of recorded crime statistics existed for New South Wales for 1971. A further outcome could not have been predicted, nor could the rights of one of its citizens been more violated.

External criticisms of the New South Wales recorded crime statistics were emerging in the late 1960’s. In 1967, two Australian criminologists, Gordon Hawkins and Duncan Chappell cracked some of the veneer of the ‘Paddy’s Book’ system when they drew out the differences that existed between the recorded crime statistics of Victoria and New South Wales. In attempting to account for double the rate of serious offences in

\footnote{Information on Frank Serpico’s life, stand against corruption and eventual shooting maybe found on a website. \url{http://www.geocities.com/CapitolHill/Lobby/8350/index.html}}
Victoria, Hawkins and Chappell simply concluded that; ‘very different recording practices are used in Victoria and New South Wales’ (Hawkins and Chappell, 1967:312). Although Hawkins and Chappell pointed to the disparity between the two states, they made no mention of the ‘Paddy Book’ system used in New South Wales. Referring to this disparity an editorial in the *Australian and New Zealand Journal of Criminology* in 1968 stated, ‘... police in that state (New South Wales) are still adopting some unique recording practices’ and that ‘such disparities cannot possibly be explained in terms of greater police efficiency in New South Wales’ (Australian and New Zealand Journal of Criminology, 1968a:197). I am not suggesting that criminologists were attempting to expose the ‘Paddy’s Book’ system and its rorts. A journalist, Oliver Hogue was however attempting to investigate the ‘Paddy’s Book’ system at this time. According to Blissett, Hogue, a journalist with the *Daily Mirror*, was ‘giving the ‘Paddy’s Book’ affair a real work out’ (Blissett, 1987:16). But these criticisms do not appear to have initiated any reform of the ‘Paddy’s Book’ system.
6.2. 'Paddy's Book' Opened

Figure 15. Sydney Morning Herald's Frontpage announcing Arantz's Leaked Crime Statistics

On the 26th November 1971, a *Sydney Morning Herald* front page headline read; 'Hidden crime rate in NSW revealed' (*Sydney Morning Herald*, 26-11-1971). This was the first report in a series of articles that appeared in this newspaper on the 26th and 27th
November, 1971. These reports focused on the new set of crime statistics that resulted from the introduction of computers to the task of recording crime statistics in New South Wales. The article revealed the depth of deception that had been taking place in recording crime statistics in that state. For example according to the ‘Paddy’s Book’ system, in one division the official clear up rate was 51%. The new computer based figures produced a result of 13% for the same division (Arantz, 1993:62). This disparity was only part of the problem. More serious difficulties arose when the then Premier and Police Minister, Robert Askin, and the Police Commissioner, Norm Allen, chose to support the ‘Paddy’s Book’ system, its culture of deceitful recording practices and ignore these astonishing discrepancies.

6.3. Inversions of Police Culture

I have already discussed how police culture contains elements that are ‘inimical’, suspicious of outsiders and supportive of a ‘culture of silence’. The Arantz episode reveals two ways in which this culture was inverted. The recorded crime statistics published by the Sydney Morning Herald were not leaked by an ‘outsider’, rather by one of its own, Philip Arantz. Arantz leaked these figures after the incorrect figures for New South Wales, drawn from the ‘Paddy’s Book’ system, were knowingly tabled in parliament by the then Police Minister and Premier of New South Wales, Robert Askin. What motivated Arantz to release the crime statistics, according to his own account, was
that the Police Commissioner and Police Minister were deceiving the public, when more realistic figures existed.

With an action more characteristic of a totalitarian state, than of a liberal democracy, Arantz was admitted to a psychiatric institution. On the same day as the first report appeared in *The Sydney Morning Herald*, Arantz was interviewed by the police surgeon who had him admitted as a psychiatric patient. The order to admit Arantz as a psychiatric patient was a directive of the Police Commissioner. This action reveals the extent to which the Commissioner was prepared to protect the status quo of the ‘Paddy’s Book’ system. At no time did the Premier, Robert Askin, intervene to assist Arantz. On the contrary, Askin actively discouraged any inquiry into the matter (Arantz, 1993:144). Arantz’s autobiography discusses the newspaper reports that focussed on this matter, and highlights the criticisms directed at Police Commissioner Norm Allen and the Premier and Minister for Police. The media pressure on these two public figures was immense. In the face of mounting criticism these two public figures one elected, and one government appointed, continued to support the now discredited ‘Paddy’s Book’ system. After his release from involuntary psychiatric containment, Arantz was removed from the Police Force without pay and without a pension. The cost to Arantz of his ‘whistleblowing’ was not only his career in the police but also attempts he made outside the police service. Arantz was literally stripped of his entitlements, his position and his dignity.

32 Philip Arantz has written an autobiography of his career in New South Wales Police, and his subsequent disputes with it and various governments of New South Wales (Arantz, 1993). Although wordy, this text is invaluable for any examination of this topic.

33 Whistleblowing refers to a member of an organisation revealing publicly some form of institutionalised corrupt practice.
New South Wales Police accused of misconduct have consistently used medical discharges to avoid internal departmental inquiries. In gaining medical discharge, police are no longer able to be the subject of internal investigations as they are no longer employees, thereby avoiding investigation and potential prosecution. John Hatton (a member of New South Wales’ Parliament with a long-standing concern with corruption) has suggested that having medical personnel with authority to determine medical fitness internally to the police has contributed to this ‘escape hatch’ (*Sydney Morning Herald*, 22/1/94).

In this instance, however, the dismissal of Arantz on psychiatric grounds amounts to an inversion of this *ad hoc* process. Rather than psychiatric or medical discharge being used as a tactic for police to avoid investigation, exposure and punishment, in Arantz’s case, his medical discharge was used for the opposite effect, to punish a police officer that transgressed police cultural boundaries and effectively evict him from the force in the most draconian manner.

The Arantz episode is a blemish on the political memory and corpus of New South Wales during the Askin era. There have been numerous attempts by politicians to redress or compensate Phillip Arantz. In 1988, Premier Nick Greiner awarded Arantz an *ex-gratia* payment of $250 000 (*Sydney Morning Herald*, 25/5/99), 28 years after his indefinite expulsion from the force. In December 1998, the high profile police commissioner, Peter Ryan, announced that Arantz would posthumously receive the ‘Police Commissioner’s Commendation for Outstanding Service’ (*Sydney Morning
Herald, 3/12/98). The awarding of this commendation prompted Geoffrey Reading, the former press secretary for the Premier Robert Askin, ‘well known for his defence of Sir Robert’s reputation’ (Sydney Morning Herald, 25/5/99), to complain to the Australian Press Council. Reading’s complaint to the Australian Press Council challenged the Sydney Morning Herald’s continued claim that there had been a falsification of crime figures in 1971, and that the newspaper also failed to publish a letter he sent to it. The Australian Press Council dismissed all of the complaints lodged by Reading (Sydney Morning Herald, 25/5/99).

These events are revealing. On one hand, they provide an indication of the extent to which the vituperation continues over the Arantz episode for some of its remaining actors, given that Arantz’s dismissal took place some twenty-eight years ago. It also reveals how the Sydney Morning Herald has played a partisan role throughout the Arantz episode.

6.4. Arantz, Truth and Strategy

There are a number of possible interpretations of the Arantz episode. One reading could suggest that the ‘Paddy’s Book’ system was not about utilising crime statistics in order to govern crime at all. Rather, it was a numerical technology that deceptively reduced the number of crimes in order to fraudulently produce an appearance of police efficiency represented through high clear up rates. Another reading could suggest that Philip Arantz, by challenging this rationality, was an actor engaged in the same political will as someone such as Christopher Rolleston. At a level of discursive politics, the
tragedy of Arantz is that he was simultaneously the victor and the vanquished. He personally lost his career as a result of battle with the Premier and Police Commissioner. Yet in terms of his discursive allegiance to improving the utility of crime statistics to the practices of government, he was successful. The inefficient and corrupt ‘Paddy’s Book’ system was revealed, disgraced and replaced.

This reading of Arantz is an example of how the project of crime statistics has not been one of unfettered success. Scholars of governmentality can over-emphasise its success and although politics is central to Foucaultian styles of analysis, the literature on governmentality is dominated by abstract theories of the rationales of government, overlooking the profound importance of politics to the practices and rationales of governance.

What the Arantz episode reveals is that the political process in New South Wales is often not governed by reason, but by the defence of political power. Strategy, a concept central to Foucaultian analysis, is still important here. However, mentalities of government, are not always geared towards the security of population, as Foucault once suggested, but geared more to the security of vested interest.

This does not mean to say I reject that the proposition of the governmentality thesis outright. On the contrary, as we shall see in the next chapter, the ‘will to govern’ was central to the formation of the most substantial effort to systematically count crime in this state through the formation of The New South Wales Bureau of Crime Statistics and Research.
Chapter 7

A Centre of Calculation and Administrative Criminology: The New South Wales Bureau of Crime Statistics and Research

The formation of the New South Wales Bureau of Crime Statistics and Research between the years of 1969 and 1970, marks a period of unprecedented activity in the recording of statistics of crime and research in New South Wales. With this context in mind, a history of the numericisation of crime in this state could not ignore the significance of the government body responsible for the recording, publication and research of crime statistics. Moreover, the New South Wales Bureau of Crime Statistics and Research (hereafter referred to as the Bureau) represents the contemporary outcome of the call for crime statistics to be utilised for the ends of government. This chapter examines the rise and maintenance of this specific government body.

Although the Bureau has published a substantial body of research reports, annual court statistics and recorded crime statistics, no dedicated history of the Bureau has been published. This has required a variation in the research techniques from the previous chapters. No longer is this research restricted to relying on published recorded crime statistics, or other remaining fragments from the past. Six key actors within the history the Bureau have been interviewed. Methodological issues relating to my choice of interviewees and use of this research technique has already been discussed in Chapter 2. The respondents were selected on the basis of their significant and unique experiences in working within the Bureau. Three of the respondents had been, or are directors of the
The other three respondents were selected as representative of experienced researchers with the Bureau. The interviews were recorded on audio cassette. Written consent from the respondents was a requirement of the University of Western Sydney, Hawkesbury’s Human Research and Ethics Committee (see Appendix 1).

The Bureau is not the only state or private organisation to utilise recorded crime statistics in New South Wales at present. The use of recorded crime statistics may also be found throughout other areas of the criminal justice system such as police and courts as well as private bodies such as insurance companies. The reason why the Bureau warrants detailed attention in the present study is that it represents the most obvious manifestation of the call for crime statistics to be recorded and utilised at a governmental level.

7.1 John Maddison, Social Defence and the emergence of the Bureau

The Bureau is not a statutory body (New South Wales, 1985:37), no dedicated parliamentary act created the Bureau. There is no record of its formation in the Parliamentary Debates of this time. However, my interview with Tony Vinson, a key actor in its formation provides some insight into the rationalities of this history. According to Tony Vinson, who became the foundation director of the Bureau, the

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34 Unfortunately, John Maddison, the Minister for Justice who established the Bureau is deceased and could not be interviewed.
35 For example Chris Cunneen was selected as he has considerable experience in relation to Aboriginal issues and the criminal justice system, and was embroiled in one example of censorship within the Bureau.
political impetus for the formation of the Bureau was provided largely by the then
Minister for Justice, John Maddison. Vinson has expressed the opinion that;

It was important to Madison’s self image that he be seen to himself, and
be seen publicly as some one with leanings towards scholarship. That
was in the background; it was a family thing. 37

This view of Maddison’s scholarly approach to crime was also confirmed in another
interview I did with the second director of the Bureau, Jeff Sutton. He suggested that:

It was partly a kind of intellectual connection. He was an intellectual
among a bunch of anti-intellectuals (Premier Robert Askin’s
administration). He also had a certain commitment to social change in a
modest way, he was an humanitarian. 38

To a great extent Maddison’s preference for a systematic or scientific approach to the
government of crime underscores the formation of the Bureau. It was a combination of
his position as Minister of Justice, in concert with his personal convictions that the
government of crime was best achieved through a scientific approach. But it was more
than simply Maddison’s convictions and his role as a parliamentarian in New South
Wales that brought about the formation of the Bureau. There was also an international
dimension, a network with whom he had an association.

Maddison attended at least two, five yearly conferences on crime that were conducted
through the United Nations. He attended one in 1970 (Sydney Morning Herald, 30-6-
1970:10) and another in 1975 (Report of the Australian Delegation, 1975:5). These

37 The only discussion of crime statistics recorded in Hansard for 1969 refers to increases in crime and the
higher proportion of young men committing crimes (New South Wales Parliamentary Debates, 18 March
37 John Maddison’s brother, David, was a well known academic psychiatrist, and they were known to
have published together (Vinson interview; 14 April, 1997).
38 Sutton interview; 29 April, 1997.
conferences were pointedly focussed towards the control of crime, and claimed that to govern crime a ‘social defence’ perspective was required. Maddison published a report from one of these conferences where he outlined his concern for ‘social defence’ (Maddison, 1970).\textsuperscript{39} Vinson maintains that it was through these international conferences that Maddison attained;

\begin{quote}
the idea that science, scientism, ... somehow science should be brought into play with law and order problems. He (Maddison) imagined a fairly scientific, objective, databased approach to things.\textsuperscript{40}
\end{quote}

Its worth noting that crime the international character crime debates was not limited to the United Nations. For example in the United States at this time, President Lyndon Johnson had appointed a \textit{Commission on Law Enforcement and Administration of Justice}, which had influential results.\textsuperscript{41} There was an interplay taking place here, Maddison as an individual was a part of this international trend and was himself influenced by it. He was an actor operating in a network of actors concerned with the control of crime.

The influence of these approaches to the government of crime was further revealed when Maddison put the ‘case for a ministry of social defence in New South Wales’ (Maddison, 1971). In an address to a seminar at the Institute of Criminology, at the University of Sydney, in 1971, Maddison outlined his vision for a ‘Ministry of Social Defence’. The ministry would engage ‘all policies which a government adopts to protect its citizens against crime and all policies designed to prevent or to mitigate against

\textsuperscript{39} The United Nations had established a social defence section as early as 1948.

\textsuperscript{40} Vinson interview ; 14 April, 1997.
crime occurring’ (Maddison, 1971:7). In short, such a ministry would review or be
involved with every level of the state. It would involve economic and social policy in
order to ‘prepare and execute policies designed to marshal resources to protect citizens
from criminal aggression’ (Maddison, 1971:13). Foucault’s point that ‘population above
all appears to become the ultimate end of government’ (Foucault, 1991:100) resonates
through these comments. It’s worth noting that this understanding of social defence
differs to Marc Ancel’s (a key author on the social defence perspective) (Ancel, 1965).
Ancel argues that social defence emerged from the failure of imprisonment, and that it
focused on the ‘resocialisation of the offender’ (Ancel, 1965:25). However what is
important is that Maddison, as an historical actor, and importantly as a parliamentarian,
had sophisticated goals for the government of crime in New South Wales. He was a key
player in multifaceted reforms that shifted the way crime was recorded and managed in
New South Wales.

Maddison was unsuccessful in bringing to fruition his vision for a Ministry of Social
Defence. However his broad approach to crime certainly attained success in the
formation of the New South Wales Bureau of Crime Statistics and Research. This broad
approach to crime was reflected in the composition of the advisory committee drawn
together to recommend what form such a body should take. Although there were
representatives from the fields of academic statistics, the judiciary and law, there were
also representatives from the social sciences, medicine and psychiatry. Moreover, the
composition of the advisory committee reveals the governmental project implicit in the

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41 Both Maddison (1971:13) and Arantz (1993:52) both cite this commission as influential in their
respective publications.
formation of the Bureau. The appointment of the Comptroller General of Prisons, the Director of Probation and Parole, and a Senior Police Prosecutor, reveals that it was intended that the Bureau, its statistics, research and expertise would be utilised in the prosecution and punishment of offenders (*Sydney Morning Herald*, 29-5-1969:7). This advisory panel also reveals the types of discourses that shaped the formation of the character of the bureau. Although ‘science’ may have been claimed by Maddison to be the goal, the character of the bureau was also intended to govern crime. The inclusion of representatives from the Police and Prisons, reveals the mentalities and institutions directly engaged in the governance of crime. Nevertheless, a broad vision of crime certainly characterises this advisory committee.

As I have already asserted the formation of the Bureau was not directly connected to the Arantz episode discussed in the previous chapter, its formation precedes this crisis. This is revealing as it demonstrates that the Bureau was created more through the rationalities of understanding crime through numerical technologies, rather than a political crisis which is probably more often the impetus for the formation of bodies such as the current *Police Integrity Commission*. This lies in stark contrast to the Arantz affair where we saw that the Premier, Robert Askin, was engaged in a concerted effort to support the existing deceptive system of recording. The mentality, or will to govern crime, cannot be under-emphasised as an impetus for establishing the Bureau. In a newspaper report of the establishment of the Bureau, Maddison is quoted as saying that ‘too many of our policies are hit and miss ones’ and that the Bureau would provide ‘vital information on crime causes and prevention’ (*Sun Herald*, 24-3-1968:17). Clearly the Bureau was established to provide statistics and research into the nature and extent
of crime, making it more amenable to the ends of government, supporting an argument developed throughout this thesis.

There are broad, international influences that relate to the growing focus on research into crime at this time. The more specific and localised influences relate to the rationalities of the then Minister for Justice, and his individual preferences of appropriate ways to govern crime. Although the position of a powerful actor was instrumental in forming the Bureau, the longer genealogy of rationalities should not be discounted either. It would appear that the reasoning for the establishment of the Bureau was essentially the same as the call by nineteenth century statisticians; that recorded statistics provide an estimate of the extent and character of crime, and this allows it to be more amenable to government. One reading of this longer genealogy is to see Maddison as a twentieth century actor and conduit for the discourse of governing crime through numbers. The principal difference, however with his nineteenth century counterparts is that instead of the call emerging from bureaucrats or the philanthropically minded, it was now fully supported by a parliamentarian with the power to establish such a unit.

7.2 Practices of a ‘centre of calculation’

One way of defining the Bureau and its routine practices is as a ‘centre of calculation’. Nickolas Rose’s (1991) arguments concerning the role numbers play in mentalities of governance, provides further insight into the nature of the Bureau. He alerts us to the idea of ‘centres of calculation’ (Rose, 1991:676). Here, Rose utilises Bruno Latour’s
work (Latour, 1987) to describe the centralised, bureaucratic locations where the numbers of a nation are compiled. He maintains that these ‘centres’ are able to compile and operate ‘from a distance’, leading to an increasing ‘numericisation of politics’ (Rose, 1991:674). What he is referring to is the expanding, contemporary reliance of democratic political systems on numerical tools to manage their nations. The Bureau, and the unprecedented scale of its attempts to calculate and research crime, is one example of a ‘centre of calculation’. The increasing role of the Bureau, measured by its number of staff is clearly revealed in the table below.

Table 1 Staff of the New South Wales Bureau of Crime Statistics and Research

<table>
<thead>
<tr>
<th>Year</th>
<th>Number of Staff</th>
</tr>
</thead>
<tbody>
<tr>
<td>1970-71</td>
<td>3</td>
</tr>
<tr>
<td>1973-74</td>
<td>6</td>
</tr>
<tr>
<td>1975-76</td>
<td>7</td>
</tr>
<tr>
<td>1977-78</td>
<td>9</td>
</tr>
<tr>
<td>1979-80</td>
<td>12</td>
</tr>
<tr>
<td>1982-83</td>
<td>14</td>
</tr>
<tr>
<td>1985-86</td>
<td>14</td>
</tr>
<tr>
<td>1989-90</td>
<td>26</td>
</tr>
<tr>
<td>1995-96</td>
<td>30</td>
</tr>
</tbody>
</table>
This table reveals a substantial growth in staff numbers of the Bureau, particularly within the last decade. This coincides with broader changes in the governance of crime in New South Wales since 1988, which will be discussed below. However, two points need to be made in relation to this table: First solid growth in staff numbers demonstrates an increasing amount of work carried out by the Bureau. Secondly there has been an expansion in the Bureau's responsibility for systematically recording crime and sentencing trends in New South Wales.

The routine practices of the Bureau entail the annual compilation and publication of crime and court statistics, and to produce a variety of specialised research reports on specific topics such as the series that evaluates legislation, and the topical crime and justice bulletins. With the demise of the Statistical Register in 1971, the Bureau became responsible for the routine compilation and publication of the annual court statistics for New South Wales. As the Statistical Register published a wide variety of social and economic statistics, it is unlikely that the formation of the Bureau led to the demise of it as the central government statistical publication. From 1974, the Bureau has published the statistics of Courts of Petty Sessions. More recently (1988) the Bureau has also published the statistics of the higher courts of New South Wales (New South Wales Bureau of Crime Statistics and Research, 1989:2). Similarly statistics from Coroners Courts and Children’s Courts have also been added to its publications. Even more recently (1990), a record of all crimes recorded by the police has been annually published by the Bureau. Between 1987 and 1989, the New South Police crime statistics unit had published the recorded crime statistics of New South Wales. Prior to this
unit had published the recorded crime statistics of New South Wales. Prior to this recorded crime statistics were not published in New South Wales. This may appear to be a significant change. However for the purposes of this thesis, and its concern with rationalities, the publication of all crimes reported to police is only a refinement to the numericisation of crime.

7.3 Research and social science cultures

Discursive power, shifts in the interpretation of crime, and the effects this has had on the categories of recording have been a constant theme throughout the discussion of this thesis. The New South Wales Bureau of Crime Statistics and Research has been established in a period when social science explanations of crime have been dominant. By social science, I mean explanations of crime that emphasise the influence of class, gender or other social disadvantage, in contrast to alternative explanations such as those provided by medicine, psychiatry, or even hereditary accounts of the aetiology of crime. The Bureau both reflects and has supported this dominance. One way of gauging the dominance of the social scientific explanation, lies in the selection of the first director of the Bureau. The Foundation Director, Tony Vinson, was trained in social work. His career before and since working at the Bureau had been as a Probation Officer, as an academic in both community medicine and social work, and also as the high profile chairman of the Corrective Services Commission, in the difficult era of prison reform following the Nagle Royal Commission in 1978 (Vinson, 1982, Johnson, 1995 and 1992). The choice of an academic/social worker reveals the dominance of the social scientific approach to crime at this time.
The initial research of the Bureau and its early publications also reveals how the social scientific approach to crime has been the dominant explanation. The Bureau's involvement with the Commonwealth Commission of Inquiry into Poverty is one example of its pursuit of social problems and their impact on the incidence of crime. The Bureau received a grant from the Commission to investigate ‘the attitudes and values of certain disadvantaged groups and the delivery of health and welfare services to these groups’ (Vinson, 1974:75).

A study of Newcastle, a city 170 kilometres north of Sydney, was undertaken in the early 1970s as one dimension of the inquiry into poverty. It represents one of the most obvious examples of 'social' research undertaken by the Bureau. It was published in numerous forms; by the Bureau itself (New South Wales Bureau of Crime Statistics and Research, 1974), within an international criminology journal (Vinson and Homel, 1975) and as part of the published report by the inquiry into poverty itself (Australian Government Commission of Inquiry into Poverty, 1976). Although conducted through a government department assigned to research and evaluate crime, the publications demonstrate the broad vision towards the interrelationship between crime and social disadvantage. This may not appear especially innovative in the late 1990s, however it may have been one of the earliest research publications in the Australian context that sought to empirically demonstrate the connection between developed capitalist society, crime and poverty. What is significant is the types of statistics utilised in their study. The report tabulated family types, and the specific issues tied into poverty, notably single families and their contact with welfare agencies (New South Wales Bureau of
Crime Statistics and Research, 1974:2-6). In short, the statistics were largely sociological rather than criminological in character. The depth of the social explanation can be gauged from the absence of recorded crime statistics from the report!

Vinson himself acknowledges the dominance of the social perspective during his period as director from 1971 to 1976. He recently stated; ‘*We really embarked on a fairly sociological version of crime statistics, ... that meant that the analyses looked at things from a social point of view*’. Moreover, it would appear that it was a mentality that permeated the *Bureau* and its research. To quote Vinson again;

> That social perspective took these forms; the way things were analysed, took the form of something akin to class, was always being looked at. But also the way things were looked at, but also the way things were conceived of.\(^{42}\)

These comments reveal the extent to which a social interpretation of crime was paramount in the work of the *Bureau*, when Vinson was its director. This was continued with the choice of the second director, also an academic with a background in social psychology, Jeff Sutton in the years from 1976 to 1988.

Three of the experienced researchers I interviewed suggested that a socially oriented approach to crime, research and recorded crime statistics was maintained with the appointment of Sutton as director. Whilst Sutton was certainly more influenced by statistical methods than Vinson, he also shared many of the concerns about the social causes of crime. In discussing the similarities between himself and Vinson, Sutton
suggested that; ‘*there was a compatibility in what we were interested in and a common ideology for a while, using social science or psychology to make a difference to the world, a social change, directed towards improving life*.43 The social sciences emphasis on ‘praxis’ certainly affected Sutton’s approach to the work of the Bureau. He maintains that; ‘*I went there because it was policy oriented, and I wanted to have an impact. It was directed towards change*.44 Other respondents have also pointed to the academic culture Sutton propagated when he was the director. Julie Stubbs, now an academic criminologist remarked when interviewed; ‘*the culture that was deliberately cultivated by Jeff Sutton was an academic culture, a critical culture. One that permitted the development of critical ideas*.45 Russell Hogg, another academic criminologist has also raised this cultural dimension of Sutton’s directorship. Hogg when interviewed suggested that the Bureau’s direction under Sutton was; ‘*fairly free and easy, anarchic in a sense, Jeff was fairly willing to allow people who had interesting ideas to pursue them*.46 Clearly the Bureau under Sutton was a place which cultivated a culture of research, and a broad vision alongside a social science perspective towards the study and analysis of crime and criminal justice.

The dominance of a social science perspective towards the causes and amelioration of crime may seem to stand in contrast with John Maddison’s preference for a ‘scientific’ character to crime. On the contrary, social *science* is what was pursued by Maddison and the Bureau in its research.

42 Vinson Interview, 14 April 1997.
43 Sutton Interview, 29 April, 1997, Goulburn.
44 Sutton Interview, 29 April, 1997, Goulburn
45 Stubbs interview, 15 April 1997, University of Sydney.
46 Hogg Interview, 29 May, 1997, Bowen Mountain.
7.4 'Drugs', New Categorisations and Anxieties

One aspect of the work of the Bureau has been its ongoing research into the connections between drugs and crime. Illegal drugs have become increasingly central categories of offences recorded within the crime statistics of New South Wales over the last twenty years. The numerous and expanding categories of drug offences warrants some attention here as it represents the most conspicuous recent shift in the categories of recording within New South Wales’ crime statistics. The policing of drugs, and heroin in particular, constitute a considerably sensitive area of crime, public concern and politics.47

If Royal Commissions and other extraordinary investigations provide political barometers, then ‘drugs’ have certainly provided a high pressure political issue. David Brown, David Neal, David Farrier, and David Weisbrot catalogue twelve separate commissions of inquiry related to drugs within Australia in the last thirty years (Brown et al, 1992:1098-1101). In New South Wales for example, the Woodward Royal Commission examined drug trafficking in 1979-1980. In 1981, a committee of inquiry responding to the challenge of the Woodward Royal Commission, examined the legal provision of heroin and its effects on crime (Committee of inquiry into the legal provision of heroin and other possible methods of diminishing crime associated with the

47 For example in August 1997, medically based researchers in Canberra, the federal capital of Australia, attempted to initiate a heroin trial where heroin would have been distributed freely to a small number of addicts and their response to this approach to its distribution would have been closely monitored. This trial was quickly terminated by the Prime Minister, John Howard. The termination of this trial, by John
supply and use of heroin, 1981). New South Wales was not the only state investigating drugs at this time. South Australia, also had a royal commission into the ‘non-medical use of drugs’ (South Australia, 1979). Moreover, concern over drugs has been an international phenomena. In The United States of America, there was a commission into marijuana (United States, 1972), in New Zealand there was a royal commission into drug trafficking (New Zealand, 1983), and in Canada, there was a commission of inquiry which examined the non medical use of drugs (Canada, 1973). It is abundantly clear that since the 1970s, drugs have represented a significant anxiety for western governments.

In contrast to the much longer history of criminalised offences relating to drug possession and distribution, drugs did not appear as a statistical category until relatively recently in the recorded crime statistics of New South Wales. It was not until the Statistical Register of 1965-1969 that a general category for drug offences was published (see Figure 16). However, legislation making it a criminal offence to possess drugs such as opiates had existed for far longer. Under the Federal Customs Act (1901), ‘a total prohibition (was placed) on the importation of opium suitable for smoking as well as all other opium unless it was imported for medicinal use...’ (Brown, Neal, Farrier and Weisbrot, 1992:1103). Further, federal controls were placed on the supply and consumption of opium and cocaine in 1914 and 1926, with the Opium Proclamation(s) of these years. Within New South Wales itself, opium was classed as a poison and prohibited from all but pharmacists through the Poisons Act 1902. This act

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Howard was regularly reported to have been caused by his populist response to talkback radio announcers who opposed the trial (Sydney Morning Herald, 23/8/97:).
was later repealed with the *Poisons Act(s)* 1952 and 1966. It would appear that the 1966 version of this act may account for the appearance of drugs as a category of criminal offence in the 1968 *Statistical Register*. In 1968, a simple single category of ‘Drugs of addiction and prohibited drugs’ was introduced as a new category in the published court statistics of New South Wales (see Figure 16).  

Currently various categories of drugs constitute a substantial part of both the annual recorded crime statistics and the annual court statistics published by the *Bureau of Crime Statistics and Research* (see figures 2 and 3). At present New South Wales’ recorded crime statistics publish no less than eleven distinct categories of offences relating to illegal drugs. These offences are published by type of offence by region (Statistical Division), and also by month of that year. What is obvious from this extraordinary expansion in recording practices is that drugs have become a growing anxiety within the government of crime. It also provides an example of the increasing statisticalisation of government.

---

48 Note: fifth offence category from bottom of table
### LAW AND CRIME


<table>
<thead>
<tr>
<th>Offence Against the Person—</th>
<th>Tried</th>
<th>Convicted</th>
</tr>
</thead>
<tbody>
<tr>
<td>Murder—</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Infanticide</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Manslaughter—</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Murder (other than infanticide)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Manslaughter (other than infanticide)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Manslaughter (other than infanticide)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Homicide</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Non-negligent manslaughter</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Negligent manslaughter</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Violence</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Assault with intent to murder</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Assault with intent to murder</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Attentuated murder, and otherwise classified</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Assaulting Actual Body Harm</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other</td>
<td></td>
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</tr>
<tr>
<td>Total, General Offences Against the Person</td>
<td>253</td>
<td>257</td>
</tr>
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</table>

#### Sexual Offences—

<table>
<thead>
<tr>
<th>Tried</th>
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</tr>
</thead>
<tbody>
<tr>
<td>Rape</td>
<td></td>
</tr>
<tr>
<td>Attempted Rape</td>
<td></td>
</tr>
<tr>
<td>Crime of Sexual Assault—</td>
<td></td>
</tr>
<tr>
<td>Under 16 Years of Age</td>
<td></td>
</tr>
<tr>
<td>10 Years and Under 16 Years</td>
<td></td>
</tr>
<tr>
<td>Juvenile Offence</td>
<td></td>
</tr>
<tr>
<td>Other</td>
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<tr>
<td>Total, Sexual Offences</td>
<td>255</td>
</tr>
</tbody>
</table>

#### Unlawful Offences—

<table>
<thead>
<tr>
<th>Tried</th>
<th>Convicted</th>
</tr>
</thead>
<tbody>
<tr>
<td>Burglary and Breaking</td>
<td></td>
</tr>
<tr>
<td>Larceny</td>
<td></td>
</tr>
<tr>
<td>Other</td>
<td></td>
</tr>
<tr>
<td>Total, Unlawful Offences</td>
<td>285</td>
</tr>
</tbody>
</table>

#### Offences Against Property—

<table>
<thead>
<tr>
<th>Tried</th>
<th>Convicted</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arson (with intent to burn)</td>
<td></td>
</tr>
<tr>
<td>Theft, Grand Larceny</td>
<td></td>
</tr>
<tr>
<td>Other</td>
<td></td>
</tr>
<tr>
<td>Total, Offences Against the Person</td>
<td>943</td>
</tr>
</tbody>
</table>

#### Offences Against Property with Violence—

<table>
<thead>
<tr>
<th>Tried</th>
<th>Convicted</th>
</tr>
</thead>
<tbody>
<tr>
<td>Burglary and Breaking</td>
<td></td>
</tr>
<tr>
<td>Larceny</td>
<td></td>
</tr>
<tr>
<td>Other</td>
<td></td>
</tr>
<tr>
<td>Total, Offences Against Property</td>
<td>2,423</td>
</tr>
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</table>

#### Offences Against the Person—

<table>
<thead>
<tr>
<th>Tried</th>
<th>Convicted</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unlawful Offences</td>
<td></td>
</tr>
<tr>
<td>Other</td>
<td></td>
</tr>
<tr>
<td>Total, Unlawful Offences</td>
<td>285</td>
</tr>
</tbody>
</table>

#### Total, All Offences—\*

<table>
<thead>
<tr>
<th>Tried</th>
<th>Convicted</th>
</tr>
</thead>
<tbody>
<tr>
<td>3,456</td>
<td>3,494</td>
</tr>
</tbody>
</table>

\* Includes persons who pleaded guilty.
\*\* Includes in juvenile assault on person.
\*\*\* Included in assault.
\*\*\*\* Included in total.
\*\*\*\*\* Included in manslaughter.
\*\*\*\*\*\* Included in suicide.
\*\*\*\*\*\*\* Included in murder.

---

170
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Offenses Against the Person</td>
<td>357</td>
<td>344</td>
<td>346</td>
<td>292</td>
<td>238</td>
<td>342</td>
<td>331</td>
<td>329</td>
<td>327</td>
<td>318</td>
</tr>
<tr>
<td>Total Sexual Offenses</td>
<td>233</td>
<td>237</td>
<td>247</td>
<td>244</td>
<td>254</td>
<td>251</td>
<td>256</td>
<td>260</td>
<td>262</td>
<td>258</td>
</tr>
<tr>
<td>Total Unnatural Offenses</td>
<td>18</td>
<td>20</td>
<td>17</td>
<td>19</td>
<td>18</td>
<td>18</td>
<td>20</td>
<td>20</td>
<td>17</td>
<td>18</td>
</tr>
<tr>
<td>Total Drug Offenses</td>
<td>95</td>
<td>95</td>
<td>95</td>
<td>95</td>
<td>95</td>
<td>95</td>
<td>95</td>
<td>95</td>
<td>95</td>
<td>95</td>
</tr>
<tr>
<td>Total Offenses Against the Person</td>
<td>943</td>
<td>927</td>
<td>927</td>
<td>1,078</td>
<td>1,058</td>
<td>799</td>
<td>786</td>
<td>783</td>
<td>780</td>
<td>720</td>
</tr>
<tr>
<td>Total Offenses Against Property</td>
<td>894</td>
<td>885</td>
<td>893</td>
<td>953</td>
<td>1,024</td>
<td>834</td>
<td>827</td>
<td>817</td>
<td>816</td>
<td>733</td>
</tr>
<tr>
<td>Total, All Offenses</td>
<td>3,117</td>
<td>3,143</td>
<td>3,152</td>
<td>3,131</td>
<td>3,138</td>
<td>3,037</td>
<td>2,935</td>
<td>2,927</td>
<td>2,927</td>
<td>2,927</td>
</tr>
</tbody>
</table>

*Includes persons who pleaded guilty.
†Includes persons who are under 16 years of age.
‡Includes persons who are under 18 years of age.
§Includes persons who are under 21 years of age.
¶Includes persons who are under 25 years of age.
**Includes persons who are under 30 years of age.
††Includes persons who are under 35 years of age.
‡‡Includes persons who are under 40 years of age.
§§Includes persons who are under 45 years of age.
¶¶Includes persons who are under 50 years of age.
**Includes persons who are under 55 years of age.
†††Includes persons who are under 60 years of age.
‡‡‡Includes persons who are under 65 years of age.
§§§Includes persons who are under 70 years of age.
¶¶¶Includes persons who are under 75 years of age.
**Includes persons who are under 80 years of age.
††††Includes persons who are under 85 years of age.
‡‡‡‡Includes persons who are under 90 years of age.
§§§§Includes persons who are under 95 years of age.
¶¶¶¶Includes persons who are under 100 years of age.
Figure 17 Recorded Crime Statistics for New South Wales 1995

<table>
<thead>
<tr>
<th>TABLE 1.1 MONTHLY TRENDS IN RECORDED CRIMINAL INCIDENTS, 1995, NEW SOUTH WALES: TYPE OF OFFENCE - continued</th>
</tr>
</thead>
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<td>Recorded criminal incidents</td>
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<td>Type of offence</td>
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<td>Drug offences:</td>
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<td>Possession and/or use of cocaine</td>
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<td>Possession and/or use of cannabis</td>
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<td>Possession and/or use of other drugs</td>
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<td>Cultivating cannabis</td>
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<td>Offensive behaviour:</td>
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‘Drugs’ in the popular imagination, like the general category of ‘crime’ itself, is a categorisation that routinely overlooks the important differences between its constituent parts. Drugs, such as heroin, have substantially different impacts on the user, the distributor, and on crime more generally, than cannabis for example. The distribution of their use and the policing of drugs varies through differing areas and times. The importance of drugs to crime at present is also revealed in the extent of research that the Bureau has directed research towards this. The most substantial research by the Bureau into the effects of drugs has been undertaken in three related studies. In 1985,

49 For example, note the vastly different figures for the state average as against the Fairfield-Liverpool Statistical Division for narcotics possession.
Ian Dobinson and Pat Ward investigated aspects of the relationship between drugs and crime (Dobinson and Ward, 1985). This study interviewed 225 prisoners in New South Wales prisons in 1984, and found that drugs, especially heroin, was a key factor in promoting other crimes such as Break and Enter and Stealing. The second phase of this study examined drug users and the help they received with drug dependence (Dobinson and Ward, 1987). While the third phase, funded by a national ‘Drug Offensive’, examined the users and dealers of heroin (Dobinson and Polletti, 1988). Since then research of this kind has continued to be undertaken by Bureau (For example see Weatherburn, 1990, Weatherburn, 1992a, Weatherburn, 1992b).

The example of drugs provides a further example of the shifting focus in rationalities, and the effects that this has on categories of recorded crime. Previously we have seen that categories, such as habitual criminals and insane criminals, have been catalogued within the recorded crime statistics of New South Wales. Although there are continuities in many categories of recorded crime statistics, there are also significant discontinuities. Illegal drugs are one example of this. Most categories of crime that are recorded within crime statistics are reliant upon complex histories and power relations engaged in the production of criminalised acts and behaviours.

Drugs provide an excellent opportunity to explore how a criminal offence, and its recording within the crime statistics may rise or dissolve. At present, the traditional regulation of drug use is regularly criticised as a failure. Increasingly, alternatives to criminalising drug use are achieving a good deal of support in Australia. In New South Wales for example, imprisonment for marijuana offences related to use, maybe on the
threshold of being removed (*Sydney Morning Herald*, 26/8/1997:15). Similar, approaches are being discussed in Victoria, with the trialing of a system of warnings for personal marijuana use or possession (*The Australian*, 25-9-97:6) Moreover, serious political jostling over the use of injecting rooms is being engaged with at a federal level. Overall there is some movement to change the criminalised nature of personal drug use, and this will most likely effect the categories of drug offences that will appear in future recorded crime statistics publications. I do not want to suggest that illegal drug use will entirely disappear as an offence category within recorded crime statistics. Rather, for example in the case of marijuana, the category of offence for personal use may be discontinued, while importation and large scale manufacturing of drugs will continue to be recorded. The point in exploring this is that we can see how complex political formations effect the practices tied with recording crime as statistical categories. The rationales and politics behind the continuity and discontinuity of a category recorded within published crime statistics need to be understood within their own specificities.

7.5 Race, Racism and the Bureau

One recurring criticism of the *Bureau* that surfaced in a number of interviews was its neglect of issues surrounding race and crime. It is well known that Australia’s Aboriginal citizens are starkly over represented in the criminal justice system (Cunneen and Robb, 1987, Cunneen, 1992). Recent research documents the continuation of this most depressing aspect of our criminal justice system (Cunneen and MacDonald, 1997). Given the extraordinary over-representation of Aboriginal people in the Australian Criminal Justice system, this dearth of research by the *Bureau* on this issue is not only
surprising, but negligent.\textsuperscript{50} Roberta Sykes has directly criticised the \textit{Bureau} for its research towards Aboriginal people and the criminal justice system. She maintains that they have ‘abdicated their responsibility in regards to Aborigines’ (Sykes, 1989:129). Sykes’ criticisms of the \textit{Bureau} are based on her experience of working within the \textit{Bureau}, when Sutton was its Director (Sykes, 1989:130). One more specific criticism of the \textit{Bureau} in relation to researching Aboriginal people and their contact with the crime justice system has been the failure of the \textit{Bureau} and its researchers to be sensitive and maintain links to personal contacts with key indigenous people.\textsuperscript{51} The Bureau’s most substantial research into Aboriginal issues has been most thoroughly explored by Cunneen and Robb’s 1987 study, \textit{Criminal Justice in North Western New South Wales} (Cunneen and Robb, 1987). And importantly this piece of research was nearly effectively suppressed.

The disproportionate effects that the criminal justice system has on Aboriginal people also provides an opportunity to raise the issue of whether Aboriginal people, or any other group within a community for that matter, should have statistics recorded about them as an ethnic or racially defined population. In discussing Coghlan’s \textit{Statistical Register}, I mentioned that ‘country of origin’ was one classification that appeared in its pages. The race of offenders was also recorded in the prison statistics of the mid-nineteenth century (see Figure 18).

\textsuperscript{50} There has been one recent publication by the \textit{Bureau} that should be noted. This publication examined the ‘effect of arrest on indigenous employment prospects’ (Hunter and Borland, 1999). Interestingly neither of the authors were employees of the \textit{Bureau}.
\textsuperscript{51} This specific issue has been raised by both Roberta Sykes (1989:131) and Chris Cunneen (Cunneen interview, 16-4-1997).
Whether or not to record the differential effects of ethnicity or race on crime, or the selective effects of our criminal justice system on ethnically or racially defined minorities is currently being debated. There has been impetus to record race and ethnicity in relation to selected offence categories. This call has come from the Royal Commission into Aboriginal Deaths in Custody, and its attempts to acquire some knowledge of the extent of Aboriginal over-representation in the criminal justice system. More recently the New South Wales Police Commissioner, Peter Ryan, and that state’s Attorney-General, Jeff Shaw (Sydney Morning Herald, 5/8/99) have also made a similar request, albeit for different reasons. The Attorney-Generals’ reasoning for recording these statistics was that: ‘We have to find out the facts...It is no good relying on prejudice or intuition’ (Jeff Shaw quoted in The Sydney Morning Herald, 6/8/99). What is familiar here is a central argument of this thesis, that a factual, rational approach that relies upon statistical knowledge is the appropriate way to govern crime.
7.6 Technocrats and Quantification

Most respondents interviewed suggested that the Bureau’s culture has become increasingly technical. For example Jeff Sutton pointed out; ‘Don is much more of a person who likes data, a detail man, he likes the detail. He was ideally suited for a heavy computerisation phase.'52 Another respondent, Julie Stubbs, has also pointed to a change in the culture of the Bureau under his leadership.

I think the people who work there in the latter days, are people who are selected because they fit that kind of culture. The people who are employed there are technocrats. They are employed for their technical skills rather than broader social policy or theoretical background, or even a sense of criminology. There are very few people there who would have been selected by what they know in the field of criminology they are more likely to be chosen because they are statisticians or computer scientists.53

Russell Hogg has also noted this shift, remarking:

...an important shift in the culture of the Bureau is the accommodation of people just pursuing ideas. Now you don’t see much evidence of evaluation of ideas at all. That’s one of the things that I see as most unsatisfactory. What we have is a much more positivistic ethos governing the output of the Bureau. Which can tend towards staleness to broader debates. There is a real narrowing of focus resulting from positivism.54

Weatherburn himself acknowledges that the Bureau has become increasingly technical in character. He has responded to this criticism by arguing unapologetically; ‘Yes, I’ve dragged it more in the quantitative domain. Shamelessly. We deliberately set out to exploit the data we collect more thoroughly and qualitative research has probably fallen off at the same time’.55 What is clear, is that the Bureau is becoming increasingly characterised as a technocratic body that has eschewed its earlier influence of the social sciences in favour of a technical approach that quantifies rather than critically evaluates.

52 Sutton Interview, 29 April 1997, Goulburn.
54 Hogg Interview, 29 May, 1997.
55 Weatherburn Interview, 10 June, 1997.
It worth drawing out one of Don Weatherburn’s points here. He argued that ‘we deliberately set out to exploit the data we collect more thoroughly’. The nature of this comment stands in stark contrast to one of the most insightful criticisms of the present Bureau encountered in the course of the research for this thesis. One senior Australian criminologist, had numerous valuable suggestions on how the statistics of crime recorded and published in New South Wales could be modified to reveal more about crime, and its relationship to social factors.56 For example, Russell Hogg suggested that by geographically mapping crimes and correlating them with other social indices such as unemployment, low incomes, the recorded crime statistics of New South Wales could reveal a great deal more about crime and its social distribution. Moreover it could be used to evaluate key indicators such as unemployment and crime over periods where employment is high or low for example. The point here is that although Weatherburn suggests that he has focussed on ‘exploiting’ the data collected by the Bureau, very little has changed in terms of what statistics are available for annual publication, and a lot of the potential for analysis of the kind suggested by Hogg has not been exploited by the Bureau.

In fairness its worth noting that some research has been undertaken by the Bureau that employs cartographic analysis. The Bureau itself published a study of the relationship between ‘Disadvantage and Crime’ (Devery, 1991). Chris Devery’s study demonstrates that a social scientific perspective still holds some limited sway within the Bureau. But it would appear that the culture of academic research and social science has been largely
supplanted by a technical culture, as has occurred across most of the public sector over the last two decades.

7.7 The Bureau and Australian Criminology

The New South Wales Bureau of Crime Statistics and Research has had strong links with Australian criminology. For example, the Bureau’s connections to Australian criminology is evident in the role it took in organising one of the annual conferences of the Australian and New Zealand Criminology Society’s annual meetings in Sydney in 1988 (Salmann, 1988:201). Another connection lies in its links to tertiary education with Charles Sturt University’s education programs in criminology.

The Bureau has also provided a site for research training for a number of Australian criminologists. Influential Australian criminologists as Russel Hogg, Janet Chan, Julie Stubbs, Chris Cunneen, and Mark Findlay, have all worked at some time in this institution. Although the opportunities for education in criminology have expanded in tertiary education at present, this site for practical research and policy engagement for Australian criminology has waned. Shifts towards a managerialist culture have transformed the character of the type of research pursued and the type of persons employed by the Bureau. This has also brought a decline in the academic culture of the Bureau itself. The problems in relation to this trajectory of the Bureau is that criminologists are excluded from an opportunity to work in a context where research has real influence on policy. Stubbs and Hogg have suggested that this criticism is

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58 Hogg Interview, 29 May, 1997.
tempered by the well established courses in criminology that exist within universities. Nevertheless the loss of the Bureau as a site for the research training of Australian criminologists has led to a narrowing of the focus of the Bureau. The important point here is not only that the Bureau itself has become impoverished as a result of the focus on the staticalisation, or technicalisation of research output in favour of research that focuses on the qualities, or the cultures of crime, that characterised its past, but Australian criminology may have been adversely affected as a result of this technicalisation of the Bureau also.

Nevertheless staff of the Bureau still attempt to engage with Australian criminology, by publishing in journals such as the Australian and New Zealand Journal of Criminology and by attending and presenting papers at this society’s annual conferences. Recent publications by Bureau staff in that journal include Weatherburn’s own ‘On the quest for a general theory of crime’ (Weatherburn, 1993:35-46). What is pertinent here is that an interplay still exists between Australian Criminology and the Bureau. But the character of that relationship appears to have diminished and become more distanced.

The Bureau has also engaged criminologists on a contract/consultancy basis. I have already mentioned that New South Wales has had considerable difficulties with corruption in its police, and the Bureau has played some role in attempts to investigate such problems. In 1992, an external academic criminologist, Julie Stubbs, was engaged by the Bureau to examine an increase in the number of complaints against police (Stubbs, 1992). The report, commissioned by the police themselves (Stubbs, 1992:iii)

57 This perspective was given in their respective interviews for this thesis.
researched the nature of complaints against police. The study included a sample of 400 cases drawn from 1990 and 1991 records of complaints against police. These cases were then coded into categories allowing a body of real cases to be transformed into numbers amenable to database analysis. The database was then analysed to reveal whether certain variables for example age, gender, length of service, the context in which complaints occurred, or rank were important variables in the incidences of complaints against police.

Stubb's report stands as an example of the way in which statistics transform specific individual incidences into numerical categories, amenable to statistical calculations or interpretations such as correlation that reveal patterned relationships, often invisible through examinations of single incidents. This is one of the characteristics of crime statistics. They reduce single incidents often surrounded by considerable complexity in human emotions; micro politics, macro politics, etcetera, into numerical artefacts that can then be interpreted into patterns and trends.

7.8 ‘Performance Monitoring’ and Crime Statistics

The 1980s saw a revolution in the approach to government of Western democracies. Take for example this quote from an interview with Don Weatherburn, the current director of the Bureau who was appointed in 1988.

*I think that at the moment crime statistics is taking off as a subject of interest for two reasons; firstly there is the continuous push for quantitative analyses of social phenomena, there tends to be pressure on researchers who want to say something about crime to say it in terms of statistical, quantifiable (sic). Secondly and more recently there has been*
enormous push within government to rationalise the business of public administration. For public sector agencies to provide objective measures of their efficiency. Two of the last places to experience that pressure have been the police and the courts, but now the pressure is full on and both of them are being asked increasingly to justify their performance in terms of administrative by products like crime statistics or court statistics.58

Weatherburn’s second point, that there has been enormous pressure upon the public sector to become more efficient is a significant part of recent changes in mentalities of government. Barry Moore writing in the Australian Journal of Public Administration, has discussed these broad shifts in New South Wales’ public administration (Moore, 1989). Although he also locates its emergence prior to this, Moore points to the reforms of the Greiner, Liberal/National government which was elected to power in 1988 as a period of great reform in New South Wales public administration.59 He points to five principles through which this reform was been carried out; ‘Clear Objectives’, ‘Downstream Autonomy’, ‘Performance Monitoring’, ‘Management Incentives’, and ‘Competitive Neutrality’ (Moore, 1989:109). ‘Performance Monitoring’ is of particular interest here as this relates to Weatherburn’s comments. Increasingly government departments are required to display their achievements and increasing productivity particularly through numbers. For example universities currently evaluate academic performance through a number of means that rely on quantitative measures, such as student satisfaction. The number students enrolled in particular courses, the number of publications, and the number of research grants, are the types of figures used to assess academic performance. For police in New South Wales this may be seen being

58 This interview took place 10, June, 1997, Sydney.
59 Nick Greiner left the office of Premier of New South Wales under a cloud of corruption (see Gleeson et al, 1992).
manifested in a quota system of fines. \(^{60}\) This is exactly what Nickolas Rose has referred to as the 'numericisation of government' (Rose, 1991:674), where economies and service delivery are evaluated through numerical means. This has been one dimension of international reforms taking place in governments of western capitalist democracies. Tied to the rise of neo-liberalism in Britain especially under Prime Minister Margaret Thatcher, Ronald Reagan in the United States, and David Longey in New Zealand, there has been a concerted push to reduce the role of the state, to privatise public utilities, and to generally follow 'free-market' economic ideals. In direct opposition to this push towards small government and reduced state spending, in New South Wales as in other parts of the world expenditure on crime has increased substantially. David Brown asserts that in New South Wales between 1988 and 1989 capital expenditure on law and order increased by 99 per cent (Brown, 1991:31). The impact of law and order politics and how the *Bureau* has responded to this development is discussed below.

7.9 The *Bureau* and 'Law and Order' Politics

A direct outcome of the rise of neo-liberalism has been a new politics of crime. The most significant recent development in the governance of crime in the last two decades, has been the emergence of what has been conceptualised as law and order politics (Hogg and Brown, 1998). The discourse of law and order has been effective throughout countries such as Australia, Britain, and the United States. David Downes and Rod Morgan argue that in the case of Britain the discourse emerged in the mid 1960s but achieved real prominence in the late 1970s (Downes and Morgan, 1994:183-187). They

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\(^{60}\) For a discussion of revenue raising by police in Australia see O'Neill (1993).
refer to law and order as the ‘the public contestation of the dynamics of crime, disorder and their control’ (Downes and Morgan, 1994:183). However law and order discourse is more complex than this. A sophisticated analysis of this populist approach to crime has been produced by Russell Hogg and David Brown (Hogg and Brown, 1998).

Hogg and Brown suggest that there are a number of components to law and order politics. In law and order discourse, populist solutions to what are often incorrectly perceived rises in crime, are exploited by politicians to appeal to the electorate, particularly in electoral campaigns. Hogg and Brown delineate seven components of law and order politics (Hogg and Brown, 1998:21). These are:

1. ‘Soaring Crime Rates’
2. ‘It’s worse then ever’: law and order nostalgia
3. New York and LA: the shape of things to come
4. Soft on Crime: the criminal justice system does not protect citizens
5. ‘We need more police with greater powers’
6. ‘We need tougher penalties’
7. Victims should be able to get revenge through the courts

To provide a detailed account of law and order politics is not the aim of this thesis. However, the intersection between law and order politics and the Bureau specifically requires examination. Soaring crime rates were the first element of law and order politics that Hogg and Brown defined. This element is more than evident in the example of the newspaper headline below.
In a number of recent New South Wales state elections law and order has been a central political issue. In 1988, the Liberal party was elected to power on a platform that emphasised longer prisons sentences and stronger police powers. These policies were enacted in the Sentencing Act 1989 and the Summary Offences Act 1988 (Brown, 1990, Johnson, 1992:48-55, New South Wales Bureau of Crime Statistics and Research, 1991, O’Neill, 1990). Similarly, the state election of 1995 saw the other major party in New South Wales politics, the Labour Party, achieve power also on a law and order platform. This election saw what has been termed a ‘law and order auction’ take place between the Liberal and Labour parties (Lee, 1996). This auction analogy refers to the two parties being engaged in attempts to outbid the other in terms of ‘toughness’ of policy.
Murray Lee’s work on the 1995 New South Wales state election discusses how crime statistics have recently been expunged from popular notions of how crime should be governed. Lee is careful to point out however, that statistics of crime have not been entirely ‘banished’ from our concepts of crime, rather they are maintained at the mundane levels of governing crime and regularly ignored during periods of election (Lee, 1996:161). Brown and Hogg in an earlier piece argued that the law and order politics was based on ‘common sense’ understandings of crime, these understandings rest on a belief that crime is increasing (Brown and Hogg, 1996:175). This commonsense approach to crime appears to have little respect for the statistical evaluation of crime as recorded crime statistics regularly present a more complex picture of crime than straight forward increases.

The crucial point to this thesis of the rise of ‘law and order’ politics is that even in a period when the recorded crime statistics of New South Wales are at their most institutionalised to date and neatly dovetailed with the ascendant political preference for quantification, the supremacy of this governmental technology is far from total. What Lee’s analysis provides is an example of how mentalities of governing crime are not always based on statistical understandings. Rather understandings of crime are something that is wrestled with, contested, and subject to political jostling. Representatives of the Bureau have a history of engaging in contestation over the management of crime.

One early example of the Bureau’s attempts to inform public debate, and raise public awareness of matters related to crime took place in the letters column of the Sydney Morning Herald, in May 1974. In response to a letter which challenged the Bureau to
state clearly whether sentences had increased or decreased (*Sydney Morning Herald*, 29-5-1974:6), the then Director, Tony Vinson, published a letter which discussed the Bureau’s report on unreported crime, and the difficulties with calculating the constancy of crime (*Sydney Morning Herald*, 30-5-1974:6). More recently however in response to law and order politics the Bureau has again been engaged in public debate.

Another example of how the Bureau has engaged in criticism of law and order occurred in the aforementioned 1995 state election. During that campaign, the former opposition leader and now Premier, Bob Carr, was engaged in a public dispute with the present Director of the Bureau, Don Weatherburn. This dispute emerged when Carr criticised Weatherburn for suggesting that there was little statistical increase in crime according to the latest crime statistics, and that there was no crime wave in New South Wales at this time. This was anti-thetical to Carr who was electioneering on a ‘tough on crime, tough on causes of crime’ platform (*Sydney Morning Herald*, 13-7-1994:14). The *Sydney Morning Herald* editorialised on Weatherburn’s side. The editorial contained comments such as; ‘Most people who are observing the war of words that has broken out between Mr Carr and Dr Weatherburn will pay greater heed to what Dr Weatherburn is saying’.

It continued in this line of thought suggesting;

Mr Carr is losing the bigger argument. He is exaggerating the crime issue generally. And, when confronted with what the public will regard as the most reliable information as to the true state of affairs, he has chosen to indulge in a personal attack rather than face squarely the facts which Dr Weatherburn and the bureau have usefully provided. That is not just bad form, but bad politics (*Sydney Morning Herald*, 13-7-1994:14).

What we need to recognise here is that there are discursive tensions that exist between the proponents of ‘law and order’ discourse and the proponents of governmental
technologies such as recorded crime statistics. Although ‘law and order’ politics may have been successful, their success has not been absolute, crime statistics remain a powerful practice of government. But this power is also contested. This is an excellent example of the Foucaultian conception of power (Foucault, 1980). Rather than power residing entirely in a class, or being connected to ones relationship to the means of production, Foucault suggests that power is both positive and negative, it emerges from competing versions of truth (Foucault, 1980:131). Carr and Weatherburn were engaged in competing claims to truth. In a rare case, this newspaper editorial has sided against ‘law and order’ and with Weatherburn represented as the expert. This raises the further issue of the power of professions and the power of criminological positivism.

Professions, and their power, have been a focus of study for sociologists for a number of decades (Bucher and Strauss, 1961, Johnson 1972). Recently Terence Johnson (1993) has connected professions with the rationalities of government. Johnson acknowledges that Foucault was aware of the importance of professions to governmentality but extends the analysis by arguing that;

The professions are, ... involved in the constitution of the objects of politics; in the identification of new social problems, in the construction of the means or instrumentalities for solving them, as well as in staffing the organisations created to cope with them. The professions become, in this view, socio-technical devices through which the means and even the ends of government are articulated (Johnson, 1993:151).

In short professions extend ‘the capacity to govern’ (1993:142). The comments by Johnson are directly related to the role of the staff of the Bureau. The debate between Carr and Weatherburn discussed above is an example of how professions are engaged in the ‘constitution of the objects of politics’, moreover, professionals constitute the staff
of organisations such as the *Bureau*. In the debate between Carr and Weatherburn we can see competing discourses of the government of crime. Here the Director of the Bureau is represented as a 'socio-technical' actor; an actor with power legitimated by his profession and position, but also by the power of a form of criminological positivism.

This chapter initially examined the rationales, the actors and the networks, that led to the formation of the *New South Wales Bureau of Crime Statistics and Research*. The analysis began with a discussion about the role and mentalities of one key actor; John Maddison. It connected his concerns and connections with the international discourse of social defence, which promoted the idea that a 'science' of crime should inform its government. This chapter has also pointed to the influence of the social sciences within the *Bureau* and then the waning of this influence. The appointment of Tony Vinson and Jeff Sutton clearly points to the power of the social sciences, their methods of inquiry, and their explanations of crime in the early period. This chapter also explored the issue of drugs and the fluid character of official offence categories.

This chapter has also traced the impact of broader political shifts on the culture and work of the *Bureau*. The rise of neo-liberalism has brought two important changes; reforms of public administration and the rise of 'law and order' politics. This has also affected the culture of the *Bureau*. Within the last ten years the *Bureau* has become increasingly technocratic in character. One further aspect of the *Bureau* that warranted attention was the discussion of the tension that exists in regards to the flippant disregard of crime statistics in law and order discourse. This was raised not only because 'law and
order’ discourse is so influential in shaping government policy, but more importantly it demonstrated how the rise of numerical interpretations of crime has not been one of unfettered success. In a similar vein to the discussion of the Arantz affair, I have pointed to this contest as a critical part of the ‘will to govern’ crime. The dispute between Carr and Weatherburn opens an opportunity to reflect on the power of professions and the role of contests in the exercise of political power.

This chapter has also been an exercise in method. Unlike the ones that preceded it, relied heavily on a series of interviews I undertook with key actors. This method was chosen for a number of reasons. There is no history of the Bureau published to date. However, more importantly, interviews provide a reflexive method of inquiry. Published texts, monographs, article, reports etcetera, are founded in a two way relationship between the author and the reader. The reader may be critical in their reading, but the text remains silent. Interviews in stark contrast are dynamic, founded in a myriad of human interactions, bodily situations, institutional settings, political perspective’s and histories.

This chapter and its exploration of the Bureau reveals the interrelationships between this bureaucratic body and the broader themes of this thesis. The coupling of recorded crime statistics with the rationality that this technology extends our capacity to govern was also evident in the formation of the Bureau, and the rationales and actions of its founding supporter; John Maddison. This chapter has also argued that the success and maintenance of the practice of recording crime statistics at present has not been either without contest nor is its success absolute. The power to define the extent, character or
nature of crime, does not rest solely with crime statistics. Rather, it is subject to competition. Nevertheless it stands as a principal technology in the generation of public policy and the governance of crime today.
Conclusion

The central concern of this thesis has been the practice of counting crime in New South Wales, but it has also sought to raise numerous methodological and analytical arguments in regards to the genealogy of the enumeration of crime in that state. A central contention throughout this thesis has been that the sustained practice of counting crime in this state has been an outcome of the suturing of the technology of counting crime with the mentalities of government, identified by Michel Foucault. Foucault’s concept of governmentality has provided a fertile idea through which the genealogy of the numericisation of crime can be explained. Nickolas Rose and Peter Miller’s thoughts on the role of numbers to contemporary government have also produced a conceptual analysis critical to this study.

While political rationalities, and in particular governmentality, provide this study with a conceptual tool in analysing how crime statistics have become a key technology in our knowledge of crime, rationalities can only explain a part of this genealogy. The effects of actors and their networks and their politics has also been a key dimension of this genealogy. Parliamentarians, criminologists, bureaucrats, public servants and the networks they operate within, all effect the genealogy and the reformation of counting practices. Actors often seeking to improve the ways in which we control crime apply new discursive knowledges and technologies to counting crime and in doing so update or reformulate the forms of crimes counted to accord with its temporal conditions. In this way, enumerations of crime such as recorded crime statistics, have informed our understandings of crime from the past to the present.
A further contention has been to assert that the categories which form what is catalogued as recorded crime statistics is influenced by political or disciplinary interpretations of crime, often emerging from the discipline of criminology. This was argued in Chapter 1 in response to my dissatisfaction with Satyanshu Mukherjee’s concept of ‘value changes’. The influence of discursive interpretations was also touched on in Chapter 3 in regards to education and crime and again Chapter 4 discussed the subjectivity of a habitual criminal and its appearance as a category of recording. This theme was also discussed in relation to drugs and the massive expansion in the counting of drug offences since the late 1960s.

One dimension of this genealogy of counting crime that becomes clearer at the conclusion of this research is the flexibility of statistics. Actors or networks of actors have adapted statistics to new technologies and emerging discursive formations that have sustained the influence of this governmental technology to the present. For example in terms of technologies the creation of research teams such as those which led to the unpredictable outcomes of the Arantz affair witnesses the adaptation of counting crime to computer technologies. The power/knowledge effects of actors from the discipline of criminology also influenced this adaptation of computers to the ordering of our numerical records of crime.

This theme can also be observed in changes to the counting of crime that are taking place at the conclusion of this study. For example the current New South Wales Police Commissioner, Peter Ryan has revealed that ‘hate’ crimes would be recorded in New
South Wales. 61 ‘Hate’ crimes refers to acts of violence and intimidation against sexual, racial or ethnic minorities. The discipline of criminology has been a key player in the ascent of the discourse of ‘hate’ crime. Recently there have been a number of publications by criminologists particularly within New South Wales (Cunneen, Fraser, and Tomsen, 1997, Mason and Tomsen, 1997, Kelly and Marghan, 1998). Further activity is also evident in a conference on hate crime, in late 1999 conducted by the Institute of Criminology and the Department of Gender Studies of the University of Sydney.

Conferences and publications such as these relating to ‘hate’ crimes raises a further sustained theme of this thesis: the influence of Australian criminology over interpretations of crime, the counting crime and its governance. I discussed in chapter one how David Garland has argued that criminology in Britain had a governmental project (Garland 1994). Russell Hogg, and this research thesis supports his findings, also suggests that this is a dimension of Australian criminology.

This thesis has not sought to improve the manner in which we numerically record criminal incidents, although it does share with other criticisms of our readings of crime statistics a goal to improve the manner in which we read them. More pertinently it seeks to contribute to criminological knowledge especially the history of criminology, the discipline which this thesis asserts has had a powerful influence over what is contained in our bodies of recorded criminal events.

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61 Peter Ryan, Newcastle Lecture 28th October, 1999, Newcastle University.
It has sought to reconceptualise and explicate the counting of crime as a technology of governance. It has not sought to improve our reading of crime statistics in a traditional sense. For example improving the way we record crime statistics, or the manner in which we may understand the dark figure. Rather this thesis has sought to produce a more diverse critique of how statistics have come to be a very powerful tool in our understandings of crime at present.

A number of potential research avenues emerge from this thesis. One could examine how statistics are currently used within diverse bodies of New South Wales’ criminal justice system. For example the manner in which police or policy makers use numerical records to

This thesis has sought to both critically evaluate the discipline of criminology and others reliance upon technologies of counting crime such as recorded crime statistics. Further in critically evaluating the counting of crime this thesis has also sought to produce a small contribution to our understanding and reliance on these practices.
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Appendix 1

Ethical consent form

UNIVERSITY OF WESTERN SYDNEY
Hawkesbury

Consent Form

Crime Statistics and Governance

I have been asked to participate in the above research project and give my consent by signing this form on the understanding that:

- The research is designed to investigate the use of recorded crime statistics, and the importance they have in the formulation of policy and the control of crime.

- Investigator:
  Andrew Johnson
  Phd. Candidate, School of Humanities
  University of Western Sydney, Hawkesbury.

This research is being conducted as part of Doctoral Studies. My Phd scholarship has been funded from a three year ARC grant, of which Dr. Kerry Carrington, is the Chief Investigator.

- I recognise that I am being interviewed as either a public official or as a previously employed public official. As such, I recognise that I am going on the record as a public figure. However if I wish any comments to be treated as anonymous/confidential, I am entitled to have my wishes respected.

- Audiotapes will be used to record the interview.

- That I may withdraw my consent to participate in this study at any time I wish.

- That data from this interview may be published, but my name, or any other individually identifying information can be withheld at my request.

- That this research has been approved by UWS, Hawkesbury Human Research Ethics Committee.

- A confidential mechanism exists to deal with any complaint or concerns you may have about your participation in this research. You may make a formal complaint or discuss these matters informally by contacting the following person:

The Manager
Research and Development Unit
University of Western Sydney, Hawkesbury
Locked Bag 1
Richmond 2753.
Tel. [045] 701 259

Richmond Campus:
Bourke Street, Richmond NSW

Blacktown Campus:
Eastern Road, Oakes Park, NSW
Crime, Governance and Numbers:

A Genealogy of Counting Crime in New South Wales

Andrew Johnson (B A Hons, Newcastle)

A Thesis Submitted in Fulfilment of the Requirements for the Degree of PhD,
Department of Critical Social Sciences,
University of Western Sydney.

2000
PLEASE NOTE

The greatest amount of care has been taken while scanning this thesis,

and the best possible result has been obtained.
Table of Contents

Acknowledgments .................................................................................................................. v

Summary ................................................................................................................................. viii

Certificate of Declaration ...................................................................................................... ix

Introduction .............................................................................................................................. x

Chapter 1 ................................................................................................................................. 1

Reconceptualising Recorded Crime Statistics as a Technology of Government .............. 1

1.1 Histories of recorded crime statistics ............................................................................... 2

1.2. Ian Hacking, critiques and recent histories of statistics ................................................ 10

1.3. Criminological accounts of crime statistics .................................................................. 14

1.4. Reconceptualising recorded crime statistics ................................................................. 16

1.5 Criminology, governmentality and history .................................................................... 27

Chapter 2 ............................................................................................................................... 31

Methods and Methodology .................................................................................................. 31

2.1. Description of the study ............................................................................................... 31

2.2. History of the present .................................................................................................. 32

2.3. Following actors & networks ....................................................................................... 39

2.4. Archival research and sources ..................................................................................... 40

2.5 Interviews .................................................................................................................... 42

2.6. Ethics and confidentiality ............................................................................................ 44

Chapter 3 ............................................................................................................................... 46

Suturing Recorded Crime Statistics with Mentalities of Government ......................... 46

3.1. Sutures and practices: statistics, mentalities and crime ............................................... 46

3.2. ‘Avalanches’ and networks of statisticians .................................................................. 52

3.3. Philanthropy ................................................................................................................ 57
Chapter 4............................................................................................................. 70

Identifying Criminals and Philanthropic Criminological Societies...................... 70

4.1 Consolidating a practice ............................................................................. 71
4.2. Photographing criminals............................................................................ 76
4.3. A social survey of Sydney .......................................................................... 87
4.4. The rise of a discrepancy............................................................................. 90
4.5. Research utilising statistics in this period.................................................. 106

Chapter 5.......................................................................................................... 110

New Voices; Crime Statistics, Government and Criminology ......................... 110

5.1 An interlude; war and research on crime in the 1930s-40s.......................... 111
5.2 New criminologies....................................................................................... 116
5.3. Computers; an applied technology of governance..................................... 132

Chapter 6.......................................................................................................... 140

The Politics of Crime Statistics: Philip Arantz.................................................. 140

6.1 Corrupt recording practices: The Paddy’s Book......................................... 142
6.2. ‘Paddy’s Book’ opened ............................................................................ 148
6.3. Inversions of police culture....................................................................... 149
6.4. Arantz, truth and strategy......................................................................... 152

Chapter 7.......................................................................................................... 154

Centres of Calculation and Administrative Criminology................................. 154

7.1 John Maddison, Social Defence and the emergence of the New South Wales
Bureau of Crime Statistics and Research.......................................................... 155
7.2 Practices of a ‘centre of calculation’............................................................. 160
7.3 Research and social science cultures............................................................ 163
7.4 ‘Drugs’, new categorisations and anxieties.................................................. 167
7.5 Race, racism and the Bureau..................................................................... 174
7.6 Technocrats and quantification.................................................................... 177
7.7 The Bureau and Australian criminology...................................................... 179
7.8 ‘Performance monitoring’ and crime statistics.......................................... 181
List of Figures

Figure 1 Recorded Crime Statistics from the Statistical Register 1858 .......... xii
Figure 2 New South Wales recorded crime statistics 1995-98 .................. xiii
Figure 3 From the Statistical Register 1860 ........................................... 61
Figure 4 Victual List 17th November 1788 ............................................. 67
Figure 5 Thomas Sinnott from Coghlan's Album of Criminals .................. 77
Figure 6 Sarah Makin from Coghlan's Album of Criminals ...................... 79
Figure 7 Habitual criminal from Coghlan's Album of Criminals ................. 81
Figure 8 Habitual Criminal from Coghlan's Album of Criminals ................ 82
Figure 9 From Byrnes' Professional Criminals of America ....................... 84
Figure 10 Category of Persons deemed to be insane from Statistical Register, 1908 91
Figure 11 Criminology Society of Victoria - lecture notice ....................... 93
Figure 12 Criminology Society of Victoria - lecture notice ....................... 102
Figure 13 Criminology Society of Victoria - lecture notice ....................... 103
Figure 14 Delinquency Map of Sydney ................................................ 114
Figure 15 Sydney Morning Herald's FrontPage announcing Arantz's Leaked Crime Statistics ................................................................. 148
Figure 16 Recorded Crime Statistics 1965-69 ......................................... 170
Figure 17 Recorded Crime Statistics for New South Wales 1995 .................. 172
Figure 18 New South Wales Recorded Crime Statistics 1995-1997 ............. 172
Figure 19 Categories of Race from Statistical Register of 1858 ................. 176
Figure 20 Sensationalised Crime Headline ............................................ 185
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I wish to acknowledge the kind support given by Tim Coghlan in permitting me to reproduce elements of his great grandfather’s ‘Album of Criminals’.

I would like to thank all those who were willing to be interviewed throughout the research phase of this thesis. These include Tony Vinson, Jeff Sutton, Don Weatherburn...
and other staff of the New South Wales Bureau of Crime Statistics and Research,

including Sandra Egger, Chris Cunneen and Julie Stubbs, and Peter Evans.

More personally I would like to thank my family for their assistance in the writing and research of this doctorate. I would especially like to thank Airlie, my wife. I would also like to thank my grandparents, Andrew and Julie Park, and my sister Sue Borean for all of their substantial help throughout my education. Finally I would like to thank Jullie Johnson, my mother, who has played a central role in my education.
Summary

This thesis is an intellectual genealogy of counting crime in New South Wales. It is a history of a system of thought which is one of the contemporary foundations of the way we interpret the nature and extent of crime today. It argues that the incitement to annually record crime statistics in New South Wales, and internationally, is immediately connected with a will to govern crime. This thesis traces this bonding of the technology of crime statistics with mentalities of government, and maintains that although the connection of these two discourses has been highly effective, it has not been one of universal domination.

This is a history of the continuous state practice of compiling and publishing crime statistics. But it is also a history of discontinuities. This thesis regularly investigates shifts in the categories of recording. It locates changes in what is recorded by broadening its discussion to include localised and international debates on crime that are contemporaneous to these changes.

This is not a thesis with a project to improve the way in which we record or utilise crime statistics. Its project is to write a history of how we came to record crime statistics and how we have intended to utilise these crime statistics in our practices of government. It traces the rise of counting crime and interrogates it as one of the key technologies deployed in the government of crime.
Certificate of Declaration

I hereby declare that the work for this thesis has not been submitted for a higher degree to any other University or institution. To the extent that I have availed myself of the intellectual work of others due reference is made in the text to acknowledge this.

Signed
Introduction

In 1996, the Dubbo Local Area Patrol Commander of the New South Wales Police Service made the following comments about his use of crime statistics:

I use them [crime statistics] to see how policing is going in all of the patrols. I tend to look at the average number of offences per month. ...That’s a way of measuring the success of the policing initiatives in the district and in the patrols. From those statistics then you can decide what you’re going to do in the future and how you’re going to do it. If you see that break and enter is on the way up regularly, then you’ve got to change your tactics.
The crucial part of statistics comes at the patrol commander level. The crucial part there is to use statistics to make intelligence based rostering. So what you have to do is look at where your problem areas are, when they are, what day of the week they are...when you get those statistics it is appropriate that you roster police at those particular troubled times.
You’re using statistics to find out when people should be working, yeah, your use of resources, human and machines. To me it’s fundamental in how we roster our staff. And also it provides a measure of our success.¹

These comments illustrate how crime statistics are deployed in the routine administration of policing. The patrol commander interviewed points out that he used crime statistics on a regular basis. He is able to manage responses to crime, equipment and personnel by interpreting numerical representations of the nature and extent of crime in certain areas and times. So much is this so, that crime statistics form the basis for organising staff rosters, the distribution of equipment, and the management of energies generally. To this patrol commander, crime statistics provide ‘crucial’ knowledge for policing crime, knowledge from which he can interpret the extent of crime and can organise an informed response to the particular crimes in that patrol area.

¹ Transcript of part of interview with Chief Superintendent Chris Evans, Dubbo, 24-11-96.
These understandings and use of crime statistics are of course not limited to the patrol area he manages. Rather his comments are representative of a much broader schema of interpretation. They are a statement of a micro-event that is representative of a shared broader practice. The crime statistics he refers to later became part of the compiled recorded crime statistics for New South Wales in that year. As with all other Australian states, New South Wales records, compiles, and publishes its crime statistics annually. Importantly this is a routine practice that the state has engaged in for over one hundred and forty years (see Figures 1 and 2). These two figures reveal a great deal of the concerns of this thesis. They reveal how different anxieties surrounding crime are reflected in the recorded criminal statistics and how these change dramatically over time. For example, if we reflect upon two selected categories from each figure they reveal the stark contrast between the two periods. Figure 1 has 'laying stones on Railway' as an offence. This would seem to be a crime of little importance today. Equally, perhaps the possession and use of drugs was of little concern to those recording crimes in 1858. A further dimension is revealed within these two figures; they have distinct overall approaches to recording criminal offences. Figure 1 records only those offences committed for trial, whereas Figure 2 records all of the offences that have come to the attention of police. Figure 2 was published in 1998, rather than simply being published as part of a routine monograph, as all crime statistics for New South Wales had been until this time, this body of numbers was published on the Internet as well. Moreover, Figure 2 also reveals a much deeper level of recording than that in Figure 1. It has all crimes that come to the attention of police, producing a greater number of recorded criminal events.
### GAOLS AND PRISONERS—Continued.

**COMMITMENTS FOR TRIAL.**

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<th>Females</th>
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<td>1</td>
<td></td>
<td></td>
<td>6</td>
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<tr>
<td>Robbery, being armed</td>
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<td></td>
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<td></td>
<td></td>
<td></td>
<td>3</td>
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<td>1</td>
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<tr>
<td>Stealing from the person</td>
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<td></td>
<td>3</td>
<td></td>
<td>11</td>
</tr>
<tr>
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<td>3</td>
<td>4</td>
<td></td>
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<td>4</td>
<td></td>
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<tr>
<td>Larceny as a servant</td>
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<td></td>
<td></td>
<td></td>
<td>5</td>
</tr>
<tr>
<td>Receiving stolen property</td>
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<td></td>
<td>1</td>
<td></td>
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</tr>
<tr>
<td>Embezzlement by clerks or servants</td>
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<td>1</td>
<td>1</td>
<td></td>
<td>5</td>
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<td></td>
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<td></td>
<td>3</td>
</tr>
<tr>
<td>Housebreaking</td>
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<td>2</td>
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<td>5</td>
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<td>Horse stealing</td>
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<td>6</td>
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<tr>
<td>Cattle stealing</td>
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<td>1</td>
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### RESERVATION.

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<th>Unidentified</th>
<th>Total</th>
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<td>Unlawfully discharging and procuring fire-arms</td>
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<td>1</td>
<td>3</td>
<td></td>
<td>8</td>
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<td>Robbing, with offensive weapon, with intent to alarm</td>
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<td></td>
<td>1</td>
</tr>
<tr>
<td>Indecent assault upon female child, under 12 years of age</td>
<td>11</td>
<td>1</td>
<td>3</td>
<td></td>
<td>15</td>
</tr>
<tr>
<td>Assault with intent to commit rape</td>
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<td>1</td>
<td></td>
<td></td>
<td>2</td>
</tr>
<tr>
<td>Assault on a constable</td>
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<td></td>
<td>1</td>
<td></td>
<td>2</td>
</tr>
<tr>
<td>Obtaining money or goods under false pretences</td>
<td>15</td>
<td>4</td>
<td>3</td>
<td></td>
<td>22</td>
</tr>
<tr>
<td>Attempt to obtain money under false pretences</td>
<td>3</td>
<td></td>
<td>3</td>
<td></td>
<td>6</td>
</tr>
<tr>
<td>Unlawfully pawning property</td>
<td>3</td>
<td></td>
<td></td>
<td></td>
<td>3</td>
</tr>
<tr>
<td>Keeping a house of brothel</td>
<td>12</td>
<td></td>
<td></td>
<td></td>
<td>12</td>
</tr>
<tr>
<td>Nuisance</td>
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<td>1</td>
<td></td>
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<td>2</td>
</tr>
<tr>
<td>Gaming</td>
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<td></td>
<td>2</td>
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<td>Forfeiture and dishonest</td>
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<td>Negligent escape</td>
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<td>2</td>
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<tr>
<td>Vile</td>
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<td>Total No. of Miscellaneous</td>
<td><strong>63</strong></td>
<td><strong>18</strong></td>
<td><strong>14</strong></td>
<td><strong>7</strong></td>
<td><strong>84</strong></td>
</tr>
</tbody>
</table>

**Total No. of Commitments...** | **493** |
Figure 2 New South Wales recorded crime statistics, 1995-98

Counting crime as a routine practice of government is of course not a practice limited to New South Wales or Australia. As with many of the arts of government, recording...
crime statistics has become an international phenomenon. The most obvious example of the international character of the practice of recording crime statistics occurs in the United Nations' International Crime Surveys. The United Nations has conducted five international surveys on crime trends between 1970 and 1994. These surveys have been undertaken at five yearly intervals, with the most recent being conducted in 1994, when 95 of the world's nations participated.\(^3\) The International Crime Survey indicates the growing level of global reliance on numerical technologies to evaluate and compare or contrast the differences between the various nations' crime rates. It is worth noting, however, that there are deep concerns in relation to the methods of data collection relied upon by the International Crime Survey (Zvekic, 1996, Travis et al, 1996). Obviously the use of such numerical technologies is widespread, perhaps universal in developed countries. The salient point here is that there is a shared international reliance upon the technology of recording crime statistics to provide knowledge of the nature and extent of crime.

The mundane nature of recording and publishing crime statistics may allow this sustained practice to be easily overlooked. How such colossal energies came to be directed towards the recording and publication of such numbers is the focus of this thesis. Although the deployment of crime statistics as a technology of government has been a world-wide phenomenon, New South Wales has been selected as an example of how crime statistics came to be a central technology in the governance of crime. The crucial research questions for this thesis include: how did crime statistics come to be

---

\(^3\) Information on the background and detailed statistical data from the United Nations Crime Surveys can be found at [http://www.ifs.univie.ac.at/~uncjin/wcs.html](http://www.ifs.univie.ac.at/~uncjin/wcs.html).
one of the most powerful discourses informing our understanding of crime; and what political rationalities have sustained this practice.

This thesis seeks to address a variety of disciplinary audiences. Among them most notably is criminology, and more specifically historical criminology. Importantly, this thesis is also a genealogy, so it is not so much focussed on the past, but rather on the practices and rationalities of the past which shape the present. The thesis is also a contribution to sociological concerns of how power and rationalities influence knowledge. Berger and Luckmann have maintained that ‘the sociology of knowledge is concerned with the analysis of the social construction of reality’ (Berger and Luckmann, 1971:15). The present study is concerned with how statistics constitute the ‘reality’ of crime. This thesis is also concerned with sociological questions such as, what forces have produced the recording of crime statistics. Although it shares sociological concerns, this thesis is not exclusively sociological in nature as it argues powerful tools of analysis rest elsewhere to explain the emergence and continued practice of recording crime statistics.

This thesis suggests that statistics are only one mode of engagement through which we currently attempt to govern crime. It is a mode of engagement that runs parallel to more obvious bodies engaged in the government of crime. Bodies such as police services, corruption bodies (ie, The Independent Commission Against Corruption, The Royal Commission into The New South Wales Police Service), as well as the courts, and parliament through enacting laws. Here I would also include the significant and sizeable private security organisations also engaged in the control of crime.
For the purposes of this thesis I take a broad view of what is meant by crime statistics, interpreting them to mean any numerical record which catalogues incidents that are legally or socially thought to be criminal or deviant. Statisticians and criminologists are often concerned with the important characteristics and differences which exist between recorded crime statistics, court statistics, and rates produced through victim surveys. These distinctions are not of great importance to this study as it is more concerned with the mentalities surrounding the emergence and maintenance of the practice of measuring crime regardless of how it is measured or what instruments are deployed to measure it. What is critical are the mentalities surrounding the recording of crime statistics, their history, and how that history influences the present.

This thesis is a genealogy of the enumeration of crime in New South Wales. It aims to provide a space for thought in which we can critically analyse one contemporary practice that has great influence over the manner in which we evaluate the nature and extent of crime. In addition, it seeks to identify the rationales and the politics underpinning the enormous contemporary reliance on measuring and governing crime through numerical technologies.

Chapter 1 overviews the limited existing research into the history of crime statistics. This chapter delineates the intellectual traditions that have influenced the direction and shape of this thesis. This chapter argues that we need to reconceptualise the manner in which we

---

4 I broaden the concept here to socially deviant, rather than legally defined crimes, as victim surveys may include responses that are not characterised as crimes in law. One example of this may be environmental offences, which may appear to some as crimes but do not exist as criminal statutes.
evaluate crime statistics in light of recent theoretical debates surrounding Michel Foucault's thoughts on governmentality.

Chapter 2 discusses the methodology or methodological approaches of the thesis. The discussion outlines the benefits of the genealogical method as against more traditional historical approaches. It also justifies the use of other research techniques that are used in this thesis. Finally, the relatively new methodology of following actors and their networks is discussed.

The third chapter seeks to explain the emergence of crime statistics in New South Wales. In particular, it examines the arguments and rationalities of an important statistician and historical actor in New South Wales, Christopher Rolleston. This chapter does not suggest that this was the first time crime statistics were recorded in that state. Rather, it seeks to reveal an intersection of discourses and governmental technologies. This intersection of discourses entails crime statistics, governance and philanthropy. This intersection also relates to the next chapter where a broader movement is discussed, namely the invention of society as an object of study in itself.

The fourth chapter is also concerned with tracing developments in the recording of crime statistics in the late nineteenth century. It examines broader shifts in society and the study of crime at this time. It locates the emergence of Australian criminology in this historical era and examines the impact of this new knowledge on systems of recording the incidence of criminality.
Chapter 5 continues the focus on Australian criminology through an examination of its role in the project of expanding the practice of recording crime statistics, as well as its role in generating and deploying crime statistics in criminological explanations and theories.

Chapter 6 examines the case of Philip Arantz and his public exposure of the Paddy’s Book system which brought official statistics into disrepute. This episode in the history of New South Wales’ crime statistics stands as an extraordinary example of the effects of politics and police culture on methods of recording crime, police clear-up rates and other such indices.

The seventh chapter is exclusively concerned with the formation of the New South Wales Bureau of Crime Statistics and Research. In many respects, this institution represents the most powerful symbol of the success of the rationality explored in this thesis. The rationale for the formation of the New South Wales Bureau of Crime Statistics and Research was explicitly governmental in character. In contrast to the discussion of this success, this chapter also argues that the technology of recorded crime statistics is selectively ignored with the ascendency of ‘law and order’ politics.

The conclusion draws the discussion together by providing an overview of the key arguments and themes contained within the thesis. The two overriding research questions that remain for this thesis are: how have recorded crime statistics become powerful in our understanding of crime at present, and, through what political rationalities have recorded crime statistics been a sustained practice of government. This thesis maintains that the suturing of numerical technologies with the mentalities of government can account for the
influence of recorded crime statistics, in the past and at present. Moreover, changes in categories of recording have allowed for recorded crime statistics to mould to the ascendant perspectives of criminal actions throughout history, also allowing for the sustained influence of this governmental technology.