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Policing, crime and public health:

Lessons for Australia from the 'New York miracle'

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Abstract

This article examines the influence on policing in Sydney, Australia of the crime control strategies developed in New York City in the 1990s, which are popularly credited with having significantly reduced crime rates. The 'New York miracle' is considered as an 'enthusiasm', a positive relation of the moral panic. Claims that the NYPD reduced crime with a strategy based on 'zero tolerance' or 'broken windows' are critically examined. The second half of the article presents a case study of how international developments in policing impacted on a heroin market in Cabramatta, a suburb of Sydney which, in the 1990s, became known as Australia's 'heroin capital'. The study shows how transferred policies are implemented, how elements of them may conflict, and how the crucial transfer may be not so much of particular policies, but rather of less specific perceptions and attitudes, in this case a confidence in the ability of police to reduce crime. It concludes by focusing on the collateral damage (particularly to public health) caused by police crackdowns on drug markets. Research is reported which found an alarming increase in the incidence of hepatitis C among intravenous drug users as a result of policing activity in Cabramatta.

Key Words

comparative criminal justice • drug policing • moral panics • public health • zero tolerance

Introduction

Criminal justice is a significant site of interaction between Australia and the United States of America: concepts, policies and rhetoric are transmitted, shared and exchanged. This article examines a specific example of this interaction—the influence of New York City on policing in Australia, with particular reference to Sydney.

The article is in three parts. The first places criminological relations between Australia and the United States (and specifically New York City) in historical context. The second provides an assessment of some lessons that can be (and, in some places, are being) learnt by Australian policing from New York. The third tightens the focus, in a case study of American influences on the policing of an Australian heroin market.

According to William Bratton, 'If you can make it in New York, you can make it anywhere' (1997: 42). In this characteristically brash assertion about the transferability¹ of policing strategies, he referred to (and claimed that his police department was responsible for) a truly extraordinary contemporary phenomenon—the reduction in crime in New York City during the 1990s. In the seven major categories (murder, robbery, forcible rape, felony assault, burglary, larceny and grand larceny auto), crime declined by 68 per cent between 1993 and 2003. In 1990, there were 2245 murders: in 2003, there were 572, a fall of no less than 75 per cent (NYPD, 2005). New York City, it seems, has become the crime control capital of the world.

New York: moral panics and enthusiasms

*New York: a lesson for the world*²

There is unmistakable irony in New York being held out as an exemplar of crime control. Not long ago, New York was identified with crime, not with crime control, and was widely regarded as the *crime capital* of the world, a symbolic location redolent of danger and street crime. When the *Sunday Times* held out New York in 1973 as 'a lesson for the world', no compliment was intended: it referred to a headline from New York's *Daily News* 'Thugs, Mugs, Drugs: City in Terror' (Hall et al., 1978: 24). New York's street crime was presented as expressing a general social crisis—in race, welfare, drugs, education, policing, urban change and the breakdown of 'law and order' (Hall et al., 1978: 27).

In Australia, England and elsewhere, New York's crime was taken as 'a benchmark for future local developments and as a menacing harbinger of the future' (Hogg and Brown, 1998: 28). This fitted with the more general 'structure of attention' (Hall et al., 1978: 21) in which people look to the USA in order to predict the future of their country and in which events are presented as 'incipiently "American" in character' (Hall et al., 1978: 26).

(T)he United States is taken as a sort of paradigm case for future trends in the Western world . . . In the 1950s the US stood, and was reported, as the symbol of affluent success; in the 1960s it became the symbol of a modern industrial capitalist society 'in crisis'.

(Hall et al., 1978: 21)

There is a long history of ambivalence towards the USA. New York City, in particular, has been the subject of nightmares and dreams alike. It has been described for example as 'the cancer capital, a laboratory where all the splendours and miseries of the new age are being tried out in experimental form' (Alan Brien, quoted in Hall et al., 1978: 18).

Concern about American influence is longstanding:

caricatures of 'Americanization' have come to carry enormous authority within postwar deliberations on the decline of the old 'way of life'. These caricatures have offered a convenient metaphor of social change, carrying with them dire warnings of what social change might bring in its wake, with the ability to compress into a single image the ravages of modern trends such as high-speed living, urban anonymity, television violence, endangered streets, weakening affluence and shallow emotional content.

(Pearson, 1983: 20)

Such fears were not monopolized by conservatives of the right: they have been expressed across the political spectrum, including for example complaints about the subversion of 'authentic' working class culture, notably in Hoggart's *The Uses of Literacy* (1957). Such fears of the corrupting effects of Americanization can be traced at least back to Matthew Arnold's *Culture and Anarchy* (1869; see also Pearson, 1983: 124).

Moral panics and 'enthusiasms'

As now classic criminological studies showed, moral panics occur when an activity or condition—such as juvenile delinquency or 'mugging'—comes to represent a broader set of concerns and fears about social change (Cohen, 1972; Hall et al., 1978). In the moral panics about crime that recurred repeatedly in England and Australia between the 1960s and 1990s, the USA (and New York in particular) was a constant point of reference. In England, there was a 'continual search for parallels and prophecies: will what is happening in the US happen here. In the words of one famous headline, "Will Harlem come to Handsworth?"' (Hall et al., 1978: 25). Australian headline writers followed suit: the warning that parts of Sydney were becoming 'like the Bronx' became a cliché (Hogg and Brown, 1998: 24). Indeed, one deprived public housing estate in Sydney's south-west was nicknamed the Bronx.

As in the English tradition of 'explaining' street crime as the product of Afro-Caribbean immigration, Australian commentators classify participants and activities as 'unAustralian'. New reports of violence involving young people of Arabic or South-Eastern Asian background are routinely

accompanied by critical comment about the 'unAustralian' character of what happened.

Australia and England have consistently looked to the USA for strategies and tactics of crime control. As Hall et al. commented about the definitive example of 'mugging', 'If the career of the label made a certain kind of social knowledge widely available in Britain, it also made a certain kind of response thoroughly predictable' (1978: 28).³ From one perspective, looking to the USA makes some sense: both the operational and the research budgets available to law enforcement make those in Australia look pitiful. Criminal justice is a significant academic and policy field in the United States: graduates, doctorates, books, journals, Web-based material and research studies proliferate. For those committed to the current fashion of 'evidence-based policy', the USA provides an accumulation of evidence unmatched elsewhere (Sherman and Eck, 2002). Unfortunately, quantity does not ensure quality. Moreover, there is an unmistakable, peculiar irony about seeking guidance from a country which 'routinely executes offenders and incarcerates its citizens at a rate 6 to 10 times higher than comparable nations' (Garland, 2001: ix) and which maintains a criminal justice system in which racial minorities are grossly over-represented.

In accounting for developments in contemporary criminal justice, we would propose a new concept, the 'enthusiasm', which is a positive relation of the moral panic.

Societies appear to be subject, every now and then, to periods of enthusiasm. A policy, program, person, or group of persons emerge to become defined as a potential solution of social problems; its nature is presented in a stylized and stereotypical fashion by the mass media; policy debates are manned by editors, bishops, politicians and other right-thinking people; socially accredited think-tanks and experts pronounce their analyses and contributions; ways of coping are evolved or (more often) resorted to; the enthusiasm then disappears, submerges or expands and becomes more visible. Sometimes the object of the enthusiasm is quite novel and at other times it is something which has been in existence long enough, but suddenly appears in the limelight. Sometimes the enthusiasm is passed over and is forgotten, except in folklore and collective memory; at other times it has more serious and longstanding repercussions and might produce such changes as those in legal and social policy or even in the way society conceives itself.

Anyone who has a passing familiarity with criminology will recognize the passage above as a heavy-handed adaptation (or inversion) of Cohen's classic definition of 'moral panics' (1972).

If, less than a generation ago, New York was a constant point of reference in moral panics about crime, it now takes a similar role in enthusiasms about crime control. The 'New York miracle' has been a political and commercial goldmine, producing consultancies, jobs, publishing deals and careers.⁴ Neo-conservative think-tanks (the Manhattan Institute and the Institute of Economic Affairs) assiduously spread the word

(Jones and Newburn, 2002: 187). William Bratton, who was commissioner briefly in 1994–6, claimed modestly that it was he, ‘America’s top cop’, who ‘reversed the crime epidemic’ (Bratton, 1998). Rudolph Giuliani (Mayor, 1993–2001) saw the victory as his (Giuliani, 2002). George Kelling claimed that it was due to the implementation of his ‘broken windows’ theory (Kelling and Sousa, 2001; see further in section 2 on this theory), although this was almost contemptuously dismissed by Jack Maple, a key member of Bratton’s inner circle (Maple, 1999: 153–6).

The newspapers that once warned that Sydney was becoming like the Bronx now insist that New York should be used as our model for crime control. Like many moral panics, enthusiasms have slogans around which accounts are ordered. In this case, it is ‘zero tolerance’. Again and again, Australian journalists and commentators have played an important role in refracting international influence. Comparing Sydney with New York and calling for ‘zero tolerance’ has become as much a feature of journalistic stock as, not long ago, claiming that New York exemplified the fate into which uncontrolled crime would lead us. Repeatedly, journalists have asked ‘Is it time for zero tolerance?’ (*Daily Telegraph*, 24 April 2002), hailed zero tolerance as ‘The only policy’ (*Daily Telegraph*, 16 March 1997) or insisted ‘Crackdown works’ (*Sunday Telegraph*, 29 March 1998). The reductions in crime in New York are explained as the product of ‘a system of intolerance to crime. Zero tolerance in fact’ (*Sunday Telegraph*, 29 March 1998). Indeed, Bratton was proposed as an adviser to the NSW Police Commissioner: he was said to be the ‘man to fix Sydney’ (*Daily Telegraph*, 12 April 2002).

These are a representative selection from a large pile of similar material:

When attacking the street crime problems of George St (Sydney), police need only consider one policy—that of ‘zero tolerance’.

(*Daily Telegraph*, 16 March 1997)

We have become a society plagued by violence . . . Governments and police commissioners have struggled to come up with solutions . . . Perhaps they could take a lesson from a new regime of crime control exercised in what was one of the world’s most dangerous cities, New York . . . Zero tolerance policy has been a remarkable success . . . Now our politicians have proof that such a crackdown works.

(*Sunday Telegraph*, 29 March 1998)

The shining example of New York mayor Rudolph Giuliani and commissioner Bill Bratton’s ‘Zero Tolerance’ policies is hailed by law and order advocates as a universal panacea to all policing problems. The prospects for similar successes here should be evaluated.

(*Daily Telegraph*, 12 April 2002)

Soi-disant ‘experts’ weighed in: ‘zero tolerance policing has changed New York from one of the most dangerous to one of the safest cities in the

world' (T. Priest, letter, *Sydney Morning Herald*, 29 January 2003). This chorus of approval shared a common theme: New York had been changed by zero tolerance, and Australia should follow suit.

Politicians found zero tolerance (and trips to New York to study it) irresistible. The NSW Police Minister publicly endorsed zero tolerance policing: 'Many of the strategies used in New York are appropriate for NSW . . . Public streets belong to the people, not to marauding gangs' (Paul Whelan, quoted *Sun Herald*, 26 January 1997, although he privately agreed with criticisms of it). Notably, the Prime Minister invoked zero tolerance in comments that seemed deliberately to confuse general policy on drug control and the policing of street offences (Dixon and Coffin, 1999). Echoing Bratton's claim quoted in this article's introduction, Shane Stone (a leading conservative politician, then Chief Minister of the Northern Territory) announced on his return from New York that 'whether you're talking about New York, Darwin, Melbourne, the lessons are the same' (ABC Lateline, 4 June 1998).

Politicians were not the only ones to make 'study tours' to New York City. Flocks of police, journalists and film crews (and academics) accompanied them. The 'study tour' and 'policy tourism' plays an important role in dissemination of ideas, strategies and policies. In the classic moral panic, the term 'mugging' crossed the Atlantic from the USA to England with a police officer returning from a study visit (Hall et al., 1978: 6). The transfer of policy from New York to Sydney has certainly been facilitated by the attractiveness of the former as a destination for 'study tours'. In 1998, the NYPD Police Commissioner was reported to be 'hosting four delegations a week of American and foreign police chiefs wanting tips on reducing crime in their cities' (*Sunday Telegraph*, 29 March 1998). These policy tourists were well catered for by the publicity machines of both City Hall and the NYPD. It is no coincidence that there has not been the same rush of 'study tours' to Hartlepool. While it is England's primary zero tolerance experimental site and Anglo-Australian similarities in legal and policing systems make it a more valid source of comparison, a small town in England's blighted post-industrial north-east hardly competes with New York as a tourist destination. Conversely, the attractions of Sydney have encouraged academic and police visitors from the USA, including J.Q. Wilson, the Director of the FBI and the Commissioners of the NYPD and the LAPD.

If a moral panic represents a broader set of concerns and fears about social change, so an enthusiasm expresses something much broader than the specific policies associated with it. First, explicit or implicit in much advocacy of zero tolerance is the insistence that it is a new label for the hard-line law and order policies that this lobby had been demanding for years, but which had been spurned by liberal elites. The 'success' of zero tolerance has been greeted triumphantly because it is taken as proving that aggressive and intensive policing works, and that the civil libertarianism and welfarism of the social democratic era were fundamental mistakes. The liberal consensus that 'nothing works' (including the beliefs that social

problems like crime could not be addressed without fundamental social and economic reform, and that drug problems were inevitable consequences of drug prohibition) was apparently discredited.

More generally, the willingness to look to the USA for leadership was strengthened by the collapse of Soviet communism, which left the USA unchallenged as the 'leader of the world'. Since 9/11, new threats and enemies have come forward: their currently relevant effect has been to promote security high above concerns for rights and thereby greatly to strengthen the political position of criminal justice agencies. Giuliani's popularity was declining as complaints about the NYPD's activities multiplied (McArdle and Erzen, 2001). As his reputation was restored in tragic fashion by the events of 9/11, criticism of the NYPD appeared almost indecent for a period.

It would be naïve to suggest that attitudes to the USA are unproblematically positive. A problem in clearly identifying the influence of policy developed elsewhere is that, understandably, local officials are often ambivalent about acknowledging that their policy is unoriginal. While applying the lessons of New York is attractive at one level, it is less so if it means just doing what others have done. Kudos and promotion come from having your own ideas, which are implemented successfully. So, for example, the officer responsible for co-ordinating some much-publicized intensive policing operations in Sydney admits that 'NSW police have readily adopted some elements of zero tolerance, such as tactical deployment of police using the latest crime mapping technology, high profile saturation style activities and increased levels of accountability of supervisors and managers', but goes on to insist that 'many of its elements . . . have been abandoned because they are not useful in the Australian policing context' (Darcy, 1999: 290). Unfortunately, these 'abandoned elements' are not specified. This uncertainty allows the officer to insist that zero tolerance is 'not quite the influence on NSW policing some would have you believe' (1999: 290) and, implicitly, to stake his claim for a share in the responsibility for a successful home-grown strategy.⁵

More specifically, there is a characteristic Australian ambivalence about following the lead of the USA or the UK. On one hand, there is a deference or 'cultural cringe', which overvalues anything from overseas. On the other, there is a resistance to following the lead of either old or new imperial master. Such ambivalence in attitudes towards the USA is characteristic of the subordination and dependency of colonized people. A solution is often to insist that one's policy is simple, 'common sense' or (the police version thereof) 'going back to basics'. Some police regard the New York model as little more than an opportunity to return to 'traditional policing'.

Finally, significant differences between Australia and the USA must be acknowledged. First, there are major differences in crime patterns, especially homicides associated with gun ownership (and gun culture). Second, the legal context of policing is very different. An inadequately recognized aspect of the New York experience is the legal debate about police powers

and public order offences (Kelling and Coles, 1996; Dixon, 2005). Australian police have not experienced the legal restrictions that have been such a source of complaint in New York. 'Zero tolerance'—if by that is meant aggressive policing of public order and quality of life offences—is nothing new to Aboriginal people. Third, zero tolerance implies use of criminal justice as a frontline weapon to use against social and economic problems: by contrast, despite long periods of neo-Conservative government, Australia retains significant elements of a welfare state, in which for example, gaol is not considered to be an approved method (however often it may be used in practice) to deal with mental health problems (Dixon, 2005).

A note on 'policy transfer' and moral panics is called for here. Our analysis does not imply endorsement of the idea that moral panics about crime and enthusiasms for crime control spread like some contagion from the USA to the rest of the world. Rather, we prefer to see these panics and enthusiasms as expressions of deeper forces that have affected western societies. As Garland argues, 'the pattern of risks, insecurities and control problems' (2001: 7) associated with law and order panics and enthusiasms are generated by "'late modernity"—the distinctive pattern of social, economic and cultural relations that emerged in America, Britain and elsewhere in the developed world in the last third of the twentieth century' (2001: viii). However, such structural forces do not have direct effects: they are mediated through the filter of specific contexts and the agency of individuals, groups and institutions (Jones and Newburn, 2002). From this perspective, political imitation and policy transfer certainly occur but are the modes by which deeper forces find expression. Our case study in section 3 is a condensed version of an attempt to trace such links (see Dixon and Maher, 2004).

What worked in NYC

In the face of the relentless promotion of the 'New York miracle', it is necessary to step back in an attempt to assess what really happened in New York City.

The initial response to the New York experience by academics was overwhelmingly critical. Starting from the assumption of police inefficacy in crime control (see later—'Nothing works: denial and containment'), they looked for other explanations of the crime drop. At the same time, they emphasized the police misconduct which they saw as an inevitable part of zero tolerance policing (e.g. Greene, 1999).

The story has suffered from exaggeration and over-simplification on both sides. It is now time for a more measured assessment. Explaining 'the crime drop' has become a key question in contemporary criminology (and public policy more generally). A substantial body of sophisticated empirical analyses of US crime trends in the 1990s has now been produced by

respected and respectable criminologists (see, most significantly, Blumstein and Wallman, 2000; Karmen, 2000). So who or what was responsible for the 'crime drop'?

We should start by considering a couple of loudly touted contenders. First, the quality of the debate would be greatly enhanced if the phrase 'zero tolerance' was dropped. In fact, very few police use it (even in the UK, where it has been taken up by New Labour). The NYPD's strategy in the 1990s was not *based* on zero tolerance, if by that is meant aggressive, gloves-off law enforcement (although a good deal of that was done). In reality, the US police force more appropriately associated with zero tolerance is the Los Angeles Police Department, with results that are all too well known (Domanick, 1994; Cannon, 1999). It is no coincidence that the recently installed commissioner of the LAPD is William Bratton. Zero tolerance is not on his agenda.

One of many ironies in policing is that the NYPD became known for the wrong thing, indeed not just the wrong thing but for something that belittled and distracted attention from the reality. (This is not to deny nor minimize the abuses and counterproductive effects of the NYPD's strategy.) The real achievement of the NYPD is undervalued by the focus on zero tolerance.

The second contender is 'broken windows'. This idea originated in a famous article in the *Atlantic Monthly* in which J.Q. Wilson and George Kelling hypothesized, without empirical basis, that serious crime could be reduced by clamping down on minor incivilities and disorder. The argument was based on the metaphor of 'broken windows'. Wilson and Kelling claimed that if a broken window in a building is not repaired, others will be broken. The rest of the building, then the street, then the neighbourhood, will deteriorate. The human equivalent of a broken window is 'the ill-smelling drunk, the rowdy teenager, or the importuning beggar . . . The unchecked panhandler is, in effect, the first broken window' (Wilson and Kelling, 1982: 34). If human 'broken windows' are not fixed, disorder will turn into serious crime because 'serious street crime flourishes in areas in which disorderly behavior goes unchecked' (Wilson and Kelling, 1982: 34).

As noted earlier, Kelling makes much of the claim that the New York miracle was due to 'broken windows' policing. It is certainly true that Bratton and Giuliani genuflect to the *Atlantic Monthly* article. However, they also make clear that broken windows policing was only one tactic in a much broader strategy. We would suggest that it was as significant symbolically as instrumentally: police attempts to fix 'broken windows' signalled commitments both to New Yorkers that their concerns about 'quality of life' were being addressed and to police officers that they could crack down on people whose disorderly behaviour they had previously been told, for various reasons, to leave alone.

There are deeper problems with the 'broken windows' hypothesis. In a withering critique, Bernard Harcourt has shown that the study that is

routinely cited as empirically proving it, Skogan's *Disorder and Decline*, (1990) does nothing of the sort, and is fundamentally flawed. Further, Harcourt shows that the hypothesis about the nature of the supposedly causal links between disorder and crime is ambivalent and obscure (Harcourt, 2001; for further critique of 'broken windows', see Dixon, 2005).

So what *did* work in New York City? There are two issues here. One is an understanding of the NYPD programme that looks beyond both zero tolerance and broken windows. The second is placing this programme in the context of other influences.

What worked in New York was revitalization by managerial reform, deployment based on strategic analysis of criminal intelligence and statistics and the introduction of a new way of operating. The NYPD's mantra is not 'zero tolerance', but 'accurate and timely intelligence; rapid deployment; effective tactics; relentless follow-up and assessment' (Bratton, 1998: 224). At the heart of the NYPD's reform strategy is the Compstat process, in which computerized statistics of crime and criminal justice trends are used as a tool of accountability, problem-solving and managerial control in twice-weekly meetings at headquarters (Henry, 2002; McDonald, 2002). It is Compstat that has been taken up by police (and other public service) departments around the world, as for example in NSW Police's Operations and Crime Reviews. This was a managerial revolution: Bratton says that his team transformed 'a reactive, risk-averse organization, that for most of its history had been organized around avoiding risk and failure, to one that is organized and managed for results while rewarding risk-taking and initiative' (Bratton, in Henry, 2002: iii). Other changes, many of them interrelated, included encouraging better morale, hiring more officers, providing more discretion and responsibility and cracking down on 'quality of life' offences.

It is necessary to connect up the elements of the NYPD strategy in a way that is usually overlooked. The claim of novelty must be qualified. In form, the strategy had little that would be unfamiliar to any student of new public management (Henry, 2002: 4). Indeed, it was not even new in police rhetoric: similar programmes have been found for example in the Metropolitan Police 'Plus Programme' in London and the NSW Police under Commissioners Avery and Lauer (Wood, 1997; Dixon, 2001). What is different is that the programmes mentioned were not made attractive to serving officers. By contrast, Bratton sold his reforms as a way of achieving what operational police want to do—'win back the streets', crack down and 'put the bad guys out of business' (Maple, 1999). The NYPD leadership expressed 'an unwavering belief in the capacity of police officers to make a difference and to reduce crime' (Henry, 2002: 27). Crucially, the reform went with, rather than against, the flow of police culture. Consequently, what was new was that reform was *implemented* in policing practice, and not just enshrined in strategic documents, operational plans and the like.

The second part of the argument is that, without underestimating the

NYPD's achievement (which is real if specifically incalculable), it has to be put in context of other concurrent factors. Karmen's definitive empirical study concludes that the crime reduction happened because:

a number of positive developments all kicked in and pulled together in the same direction—downward. The best way to describe the City's situation in the 1990s was that a 'fortuitous confluence' of underlying factors materialized . . . (E)very one of the causal factors known to affect crime rates moved in the desired direction.

(2000: 257)

Economic improvement, lower unemployment, reduced alcohol consumption and fewer young men all contributed. Karmen identifies two very interesting specific factors in New York: immigration of 'greater numbers of generally hard-working, law-abiding people from around the world' (2000: 257) and more young people staying in school and enrolling in college. Both had significant influence in reducing crime. However, for Karmen, the indispensable factor was the decline of the crack epidemic, which had been so intimately connected to property and violent crime in New York. Karmen gives full credit to the NYPD's contribution generally and specifically in hastening the decline of crack (2000: 258). But policing was just one factor among many.

Bratton, Kelling and others⁶ dismiss the argument that the NYPD was not solely or principally responsible. However despite Bratton's protestations that socio-economic factors were irrelevant, we know that they were not, for one simple reason. The crime drop did not just happen in New York City. It happened in 17 of the 25 largest US cities. Indeed, it happened to varying extents elsewhere: 12 of the 17 advanced industrial countries recorded crime drops (Travis, 1998; Young, 1999). In most of these places, the police were not applying the NYPD strategy. They were either doing what they had always done or they were reforming in other directions. Unless you are prepared to make the unlikely claim that similar results were achieved by completely different inputs, then you have to accept that the New York miracle was not just the product of the NYPD, and that we have to look beyond policing for explanation. (Again, this is not to belittle the NYPD's performance, which may account for why the decline in crime was sharper and more durable in New York than in many other places.)

So explanation of the crime drop must be found in a coincidence of various factors. Police activity is certainly one of these: but it is one among several. This conclusion should not really be a surprise. On one hand, it is unlikely that cracking down on squeegee men would reduce a city's homicide rate by 75 per cent. Equally, it is hard to believe that effective reform of a police department would have no impact on its performance in crime control. The reality lies, predictably, somewhere in between: the NYPD contributed to the decline in crime, but was not solely responsible for it. Despite Bratton's and Giuliani's relentless self-promotion, they should claim only partial responsibility for the 'New York miracle'. Set in

this understanding, claims that zero tolerance would solve Sydney's ills seem lightweight, indeed irresponsible.

Influences on the policing of a heroin market

We draw here on a detailed case study published elsewhere (Dixon and Maher, 2004) of how international developments in policing policy and practice (particularly in New York City) impacted on the policing of a heroin market in Cabramatta, an outlying suburb of Sydney which, in the 1990s, became known as Australia's 'heroin capital'. Through this example, we show how developments in US policing impacted upon policing in Australia. The study shows how transferred policies are implemented, how elements of them may conflict and how the crucial transfer may be not so much of particular policies, but rather of less specific perceptions and attitudes, in this case a confidence in the ability of police to reduce crime.

This section of the article draws on our research which, since 1995, has employed ethnographic and other methodologies to study drug markets, public health, homelessness, crime and policing in Cabramatta (Maher et al., 1997, 1998, 2001, 2002; Maher and Dixon, 1999, 2001; Coupland et al., 2001; Sargent et al., 2001; Dixon and Maher, 2002; Maher, 2002; Maher and Sargent, 2002). Specifically, we draw on a study of policing policy in which officers at every level from constable to Deputy Commissioner were interviewed. Otherwise unattributed quotations below are from officers interviewed in this project.⁷

The USA influenced policing policy in three stages: a period of denial and containment in the late 1980s and early 1990s, a period when displacement of the drug market was attempted in the mid- and later 1990s in an attempt to improve quality of life in Cabramatta's central business district (CBD) and a concerted crackdown since the turn of the century which was designed to root out the drug market. In each case, we locate policing policy in the context of broader changes in policing strategy and analysis.

Nothing works: denial and containment

Up to the mid-1990s, policing in Cabramatta was influenced by a distinctly modest and pragmatic approach. This was an expression of the broader approach to policing which had emerged from empirical studies of policing in the USA and which was still prevalent in the early 1990s. It included scepticism about the potential impact of police on crime, concern for counterproductive effects of aggressive crime-fighting and emphasis on the need to tackle social problems through interagency strategies (Bayley, 1994). Its routes of influence on Australian policing included the US and UK research literature on the limits of police effectiveness in crime control.

In brief, this body of work showed that traditional policing tactics were ineffective in reducing crime. The professional policing model that became hegemonic in the mid-20th century was constructed around random or beat patrol by uniformed officers in cars, radio-directed quick response and reactive investigation by detectives. In a series of now classic studies, American researchers showed that this strategy could not be expected to reduce crime significantly: patrol was inevitably (at levels of resources and power which can currently be contemplated) too infrequent to be a significant deterrent, far less a way of catching criminals. (For a convenient summary, see Reiner, 2000.) English researchers confirmed this:

The chances of patrols catching offenders red-handed are . . . small . . . (A) patrolling policeman in London could expect to pass within 100 yards of a burglary in progress roughly once every eight years—but not necessarily to catch the burglar or even realize that the crime was taking place.

(Clarke and Hough, 1984: 6–7)

Reducing response times was found to be largely irrelevant: it was unlikely that a criminal would be caught on or near the scene because victims so often delayed reporting to the police. Finally, the detection and clear-up of most crime depends, not on what police do, but on the provision of information by victims and witnesses. The popular image of the detective bears little resemblance to the work that detectives actually do.

These empirical studies contributed to a wholesale reassessment of policing. Its specific context was concern about the counterproductive effects of police professionalism, particularly alienation from the community in the context of the urban disorders of the 1960s and 1970s. Its broader contexts were, first, a general disillusionment with the efficacy of state interventions in criminal justice (notably rehabilitative sentencing) which became known as the ‘nothing works’ approach, and, second, a belief that crime was the product of social and economic forces, notably poverty, marginalization and drug prohibition.

These factors combined to produce a distinct modesty within the NSW Police about their ability to change the Cabramatta heroin market. Officers saw their efforts as constrained by much more significant forces. As one commander commented:

I never imagined that at the end of my time . . . there would be no heroin available in Cabramatta, 'cause there are forces, economic forces, that are absolutely beyond my control, in fact beyond the control of governments influencing this process, so if that's what's in people's minds then—I'd guess I'd like that too, but in realistic terms, that's not going to happen.

It wasn't a winning situation . . . it was a matter of trying simply to limit it.

Police strategy towards the drug market was expressed through a series of metaphors: officers spoke of ‘stemming the tide’, ‘managing’ the problem and ‘trying to keep a lid on it. Stop the fires from spreading’. Police were

wary of launching crackdowns which could operate counterproductively: inevitably, they would become the focus of media attention and so could act 'like a marketing exercise', attracting people into the drug market.

From this perspective, specific deterrence did not work: 'it will always be a revolving door effect . . . (T)he users are going to go in and come straight out again and go straight on the street to buy again.' Nor did general deterrence. Indeed rather than deterring potential offenders, arresting street-level dealers simply created market opportunities for others, literally, to take their place: 'On a good day we were charging 20 suppliers . . . By the time we'd finished . . . we'd drive past the locations where we lifted them and there was people back there taking their spots selling again.' Implicit in the commitment to containment was an acceptance that, as the drug market could not be suppressed, it should be localized. From this perspective, geographical displacement as a result of vigorous enforcement would be undesirable.

The best that policing could achieve was to employ 'a policy of disruption' of the market by lengthening the 'search time' for drugs (Drug Programs Coordination Unit, 1996). But even this was seen as being of limited positive value: drug market participants 'may well be a little more cunning, they may be a little bit more desperate', but they would continue to sell and buy heroin.

There was some interest in using street-level drug law enforcement to gain information about higher-level participants and in the drug market and thereby to 'climb the pyramid'. An important influence here (mediated by the NSW Bureau of Crime Statistics and Research) was US research, notably Mark Moore's *Buy and Bust* (1977) and Johnson et al.'s *Taking Care of Business* (1985), and the general shift of emphasis in US drug law enforcement 'from wholesale to retail trafficking' (Uchida and Forst, 1994: 82; see also Kleiman, 1988). However, the lack of resources and political pressure for visible street-level enforcement meant that commitments to 'climbing the pyramid' were more rhetorical than substantial (Sutton and James, 1995).

Quality of life

Merely maintaining a situation that was acknowledged to be unacceptable was not satisfying for many police officers. In 1997, new regional and local commanders introduced a different strategy to the policing of Cabramatta that was heavily influenced by contemporary developments in New York City.

Police now sought not the limited, negative goal of containment, but rather the positive improvement of 'quality of life' in Cabramatta's central business district. The result was Operation Puccini, described by a senior officer as 'a high-profile, beat policing operation, saturation policing' which was designed to 'try and reclaim certain parts of Cabramatta to start with, disperse the dealers, discourage the itinerant travellers coming in and

buying'. Puccini was supplemented by CCTV: Cabramatta was one of the first sites in Australia to be selected for intensive surveillance of public space (Maher et al., 1997). Laws were enforced (notably against trespass and fare evasion), warrant checks were made, stop/searches were carried out, not just for their own sake, but to facilitate further police intervention and thereby, possibly, to lead to detection or clear-up of more serious offences. This, of course, was an attempt to apply Wilson and Kelling's 'broken windows' thesis (1982) transmitted via its implementation in New York City in the mid-1990s. A senior commander (who had visited the NYPD) made explicit the connection between policing in New York and Cabramatta:

[The NYPD's] philosophy is that people who commit felony crimes are not specialists. So they rob, they steal cars, they do all sorts of things, but they also commit the quality of life offences—urinating in the streets, swearing in the street, public street drinking. Their philosophy is that if we tackle people in the street, first off, if they commit a quality of life offence we have the opportunity of searching them and we'll probably find a weapon, probably find they're wanted on warrant and once we take them back to the police station . . . we'll probably find they're a felon and may well be wanted for a felony crime. That's their philosophy.

This influential officer suggested 'it's the same here' and described the NYPD's strategy as 'the answer'.

Restoring or improving 'quality of life' was regarded as an appropriate and significant aim of policing. It was argued that the public were more concerned about public disorder and incivilities than about more serious offences. Success was defined in specific and local terms: law enforcement was to be used in the interests of the local community. The priority was cleaning up the streets:

Our objective is to improve the quality of life for the business people, for the shoppers who use the CBD and for the people who use the railway station . . . We can't stop the drug industry . . . But we have to do something in Cabramatta to improve the quality of life.

It was recognized that 'quality of life' is a subjective concept:

The whole idea of Puccini was to make the CBD a safe place or make—let people believe that it was a safer place and that's actually been achieved.

It's really encouraging when you stand out in the street . . . and see a dear old lady walking up and down the street with two shopping bags and they'll say 'G'day' to you and they'll say 'Thanks very much . . . this is the first time I've been out in three months.' You know . . . you say well, even if we don't achieve anything else but to restore the confidence of those poor old ladies.

An officer suggested that if the drug market moved out of the CBD,

it will tend to go underground a bit which is really what the public wants, they just don't want to see it.

What the community wants is not drug law enforcement but cleaner streets . . . we can clean the streets and make it visually presentable. It's unrealistic to think we're going to get rid of junkies and dealers.

The resultant crackdown was not expected to reduce crime directly, but crime reduction was not its priority. The first priority was improvement of quality of life in the Cabramatta CBD. It was taken for granted that the drug market would not be suppressed: rather, in stark contrast to the previous approach, police set out to break up and displace the drug market.

While displacement had previously been regarded as a potentially problematic effect of intensive policing, the quality of life initiative regarded it as necessary and desirable.

The displacement effect was anticipated, was hoped for. That was the whole aim of it, to move them out, to break them up and fragment them so that all the police could deal with the problem, not just Cabramatta police.

Reduction was a secondary aim to be achieved indirectly: once broken up and dispersed, the market would become vulnerable to policing efforts: '[Puccini] will of course move the problem but if you move it to other areas the problem becomes smaller more manageable problems rather than one massive big problem which . . . can't be managed.' Once dispersed, drug problems could be addressed by various local commands, which, in turn, could 'break things down into very manageable pieces'.

We've been given a massive problem to remove this boulder in the middle of the street. Now we probably need 200 people to carry it, but we just can't do it. So we've got to chip a little bit away and then carry bits of it away. So we're doing the same with the drug problem.

Displacement was regarded both as allowing more effective control and as equitable. A senior commander drew an analogy with a problem of great contemporary concern to Sydney's residents: 'It's a bit like aircraft noise, most people are prepared to accept their share provided it's equitable.' While evaluation of these initiatives is not our concern here, the problematic consequences of a displacement strategy should be noted. While Puccini had some effect in improving the 'quality of life' in the CBD, it had the opposite effect in surrounding residential areas to which drug users and user dealers resorted. Improving 'the quality of life' sounds like an indisputably desirable objective: the difficulty is that improving the quality of life of one section of the community may mean reducing that of another. There is also the danger that a displaced drug market will adapt in undesirable ways. Displacement may have social as well as geographical dimensions. Notably, crackdowns can induce target-hardening and encourage the emergence of more organized, hierarchically differentiated, sophisticated and violent drug markets (Maher and Dixon, 2001). Finally, displacing and dispersing activities associated with risk of infectious dis-

eases such as hepatitis C (HCV) and HIV runs counter to basic principles and priorities of public health.

From quality of life to crime reduction

For reasons which are explored in detail elsewhere (Dixon and Maher, 2004), the strategy adopted in 1997 ran into problems in 2000. What had been ‘an outstanding success’⁸ turned into a political disaster which led to the development of a new strategy.

Exactly what happened is a matter of controversy. The publicly accredited account given by a parliamentary committee (Legislative Council, 2001) and, subsequently, by the State Premier was that the police ‘took their eye off the ball’ of drug-related crime⁹ which, consequently, spiralled out of control with a spate of shootings in the area in early 2000.

Somewhat ironically, it was a policy modelled directly on the NYPD’s that was held to be responsible. This was the Operations and Crime Review (OCR), a process of managerial examination of local police commands’ performance which was introduced in 1998 as a direct local application of the NYPD’s Compstat. Three senior NSW officers had conducted the inevitable study tour of New York. The group included the regional commander for the Cabramatta area and the Police Service’s key reform strategist. Their report (Evans et al., 1998) commented favourably on the NYPD’s programme and was decisive in shaping the OCR programme, which was directed by the reform strategist.

In the OCR, local commanders appear at a meeting at the Sydney Police Centre where they are called to account for their officers’ performance (Davis, 2002). In a direct echo of Bratton’s mantra (see section 2), police are told that crime will be reduced by ‘Good information and intelligence; good tactics and strategies; rapid response; and relentless follow-up’ (NSW Police, 1999).

As in Compstat, much use is made of computerized performance indicators. This is said to be where the problem arose. The Police Service had developed a ‘crime index’ of five volume crimes (assault, burglary, robbery, stealing and motor vehicle theft), which would allow comparisons to be made across commands at OCRs. Drug offences and homicides were not included, the former because clear-ups are a product, rather than a measure, of police activity, the latter because of their comparative rarity and because they were primarily the responsibility of specialist task forces rather than local commands. According to the accredited account, the local commander became so concerned about being able to demonstrate success on crime index performance indicators that resources were diverted from drug policing into crime index offences (Legislative Council, 2001: 38–45). Between October 1998 and September 2000, narcotics possession charges declined by 40 per cent and dealing arrests declined by 52 per cent in Cabramatta (Legislative Council, 2001: 16).

In what was to become a notorious 'league table' of the most crime-affected areas, Cabramatta came in at 51 out of 80 local commands, prompting the Commissioner to claim that the police had had 'such a success at Cabramatta that it's no longer regarded as dangerous or as difficult a place as it used to be' (quoted in Legislative Council, 2001: 73). As critics quickly pointed out, the Index suggested that Cabramatta was less crime prone than the prosperous suburb where the Commissioner lived. Cabramatta was downgraded to a level 2 command, drawing a lower level of resources. Disagreements about this policy (and other disputes) produced a series of conflicts within Cabramatta Police Station, leading to a debate on a motion of no confidence in the local commander (who was soon transferred), a consequential slump in performance and morale and dissatisfaction from sections of the public. Reports of serious gang-related violence next to reports of police internal feuds were the catalyst for public complaints about policing in Cabramatta, which led to the investigation by the parliamentary committee.

This committee reported that 'the Crimes Index had a critical and damaging impact upon Cabramatta policing' (Legislative Council, 2001: 131). Resources were allocated to achieve success in reducing crime index offences, rather than drug offences. An authoritarian managerial style led to conflict and demoralization among Cabramatta officers. The public became cynical and vociferous as claims from police about declining crime jarred with everyday experience (Legislative Council, 2001). The end result was presented as a gross example of how managerialist nostrums—notably the reduction of every function to quantifiable performance indicators—can produce counterproductive results. The specific criticism of the OCR in relation to Cabramatta chimed with a damning critique of the process generally in a crucial report on the progress of reforming the Police Service in the wake of a highly critical Royal Commission into police corruption (Wood, 1997; Hay Group, 2000; Dixon, 1999, 2001).

Whether or not this account is accurate (for a sceptical assessment, see Dixon, 2001), it had substantial consequences. Like dominoes, the hierarchy of command fell: one after another, the local commander, the regional commander, the deputy commissioner and finally the commissioner were either transferred or (in the appropriately brutal jargon) 'terminated'.

More relevant for current purposes was the introduction of another new strategy for policing Cabramatta. Again, it was influenced by the New York example, but this time a different lesson was taken from the USA: its priority was not quality of life, but crime control, and its objective was not market displacement but substantial reduction. In the new Region Commander's 'Seven point action plan for 2001', it was announced that 'tackling the drug problem is our number one operational priority'.¹⁰ In 2002, the plan was amended to include the targeting of:

those risk factors that can be reasonably targeted by police and that

contribute disproportionately to our crime and disorder problems: drugs; the small group of people who account for most offences, gangs, truancy, alcohol and crime, domestic violence, crime hotspots, and organized crime.

The new command team set out directly to tackle drug retailing in Cabramatta with the clear expectation that it would not just be contained, but radically reduced. It was this confidence that police could be effective in fighting crime through law enforcement which, more than anything else, the NSW Police drew from international experience in the 1990s.

The new strategy involved an intense police crackdown, first on what was left of the street market, then on 'drug houses' which had been established as dealing was pushed from the streets. In a series of operations, the centre of Cabramatta was flooded with police in uniform and undercover, with sniffer dogs, on horses and on bicycles. Police made extensive use of their existing and expanding legal resources. Move-on powers were deployed: backed by the offence of 'refusing direction', these were a potent means of excluding suspected drug market participants (and sometimes innocent residents) from the CBD (Coupland et al., 2001). The less intrusive interventions of issuing a summons, court attendance notice or on-the-spot fine were abandoned for 'drug offenders', all of whom were arrested and charged. Doing so greatly expanded police control: bail conditions were used to apply 'banning orders', requiring people to keep out of Cabramatta (or specific streets). Breach of bail made the person liable to be remanded in custody. This was widely used 'to disrupt the local drug markets, reduce visible drug using and dealing, improve the conditions for local residents and, for the drug dependent user, to try to coerce them into treatment'.¹¹ As in New York City, warrant checks were used extensively: intervention is notionally justified by, at best, the minimal suspicion required for stop and search, thereby opening the way to more serious matters (Maher et al., forthcoming).

The Government showered the police with an array of new powers and offences. These included: an offence (punishable by 20 years' imprisonment) of 'ongoing dealing', i.e. the supply of a prohibited drug in whatever quantity on three or more separate occasions; power to 'move on' suspected drug market participants; powers to enter 'drug houses'; a raft of offences associated with drug houses, in some of which elements of the burden of proof are shifted to defendants, requiring them to establish that they have a lawful reason for being in the house in order to avoid conviction; powers to impose non-association and place restriction orders; power to detain suspects in order to search for drugs within their bodies by means of medical imaging, such as X-ray or ultrasound; and increased penalties for illegal possession of firearms.

During 2000–1, there were significant declines in (often drug-related) offences such as car theft, stealing from vehicles and robbery. Other indicia of drug activity also fell: possession/use offences, distribution of needles

and syringes, drug-related deaths and ambulance call-outs to overdoses all reduced dramatically. It was claimed that this 'evidence indicates that increased policing and law enforcement activity in the Cabramatta area has reduced the availability and use of heroin' (NSW Government, 2002: 9).

The confounding factor—and great fortune for the senior officers involved—was that the new strategy coincided with a remarkable disruption of the supply of heroin from late 1999 to mid-2001 which came to be known as 'the drought'. Why this happened is the subject of controversy: there are as many explanations of why heroin almost dried up in Australia during this period as of why crime in the USA declined in the 1990s (Weatherburn et al., 2001; Dietze and Fitzgerald, 2002). As in the USA, explanation is usually tied to sectional interest: not surprisingly, state and commonwealth law enforcement officers claim that their activities were responsible (ABCI, 2002; NSW Government, 2002: 10–11). Whatever its origin, the significance of the drought is that it gave the police the chance to get a grip on the market. As the market was thinned out by limited availability and higher prices, so the police cracked down on what was left of the street-level dealers. The crackdown had a considerable incapacitative effect: many Cabramatta regulars (users and user dealers) were incarcerated (Maher et al., forthcoming).

Inspired by the apparent success of the NYPD and encouraged by the heroin drought, the NSW Police had shifted from the cautious pessimism of containment to an optimistic exploration of what might work in crime control. The sources of the new approach are indicated by its use of the language of risks, hotspots, repeat offenders, crime reduction and 'what works'. It is no coincidence that Lawrence Sherman (the leading US exponent of confident, evidence-based, crime-focused policing) has been a frequent visitor to Australia, for example appearing as plenary speaker at a NSW Police 'What Works in Crime Control?' conference for senior officers in 1999. The message is that crime can be reduced if police use intelligence sources and concentrate on risks—risky suspects, risky victims, risky places, risky times, risky property.

Drug policy and international influence

It is appropriate to conclude this section with a more general comment about the transfer of drug policy between the USA and Australia. Australia is often praised for its harm minimization stance and contrasted with the prohibitionism of the USA. There is some truth here. However, it is important to recognize the following factors.

Rhetoric and action need to be distinguished

Policies may be announced, but they may go no further than operational plans, strategy documents and glossy leaflets produced by headquarters. The lack of congruence between the NSW Police Service's harm minimization policy and its harm maximization practice provides an excellent

example (Maher and Dixon, 2001). Minimizing harm was seen by many police as, at best, a marginal concern:

There is a big push from our headquarters to deliver a more active harm minimization proposal. That's ok, there's nothing wrong with that, but what are you going to do about the fucking assaults and the murder and the people who still wish . . . to live there?

However, in the context of drug market crackdowns, harm minimization provided the intellectual and policy justification for law enforcement. This represents a significant example of US and especially UK policy: the work of researchers such as Dorn and South (1990), Moore (1990) and Pearson (1992) on drug law enforcement has been absorbed into NSW police policy via its popularization by the NSW Bureau of Crime Statistics and Research (BCSR) in a series of papers and reports arguing that law enforcement can be a tool of harm minimization when it is used to 'push' drug users into seeking treatment, particularly methadone maintenance.

Both the quality of life and crime control strategies were articulated with a rhetorical practice to using law enforcement as a tool of harm minimization. According to the then regional commander, the 2001 crackdown was intended 'to create a crisis in the life of the drug user. They will have to make the decision: seek treatment and we will give you every support, or go to gaol.'¹² Unfortunately, reality does not conform to such neat dichotomies of choice.

A fundamental problem with this approach is the assumption that drug treatment is effective and available. As regards the former, its linear model of progress from addiction to rehabilitation is, in our experience, of limited validity (Maher and Dixon, 2001). As regards the latter, police may use their powers to try to push drug users into methadone maintenance, but in the absence of sufficient treatment beds, their destination is more likely to be conventional punishment. Of particular concern is that ethnicity affects access to treatment. Several studies have found that Asian heroin users are less likely to have experience of treatment than respondents from other ethnic groups (Louie et al., 1998; Higgs et al., 2001; Maher et al., 2001, in press; Maher and Sargent, 2002). All too easily, 'pushing drug users into treatment' becomes a euphemism for pushing them into prison. In analysing such initiatives, there are real problems of disentangling rhetoric and commitment (not least because exponents may not be aware of where one stops and the other starts).

There has been significant 'negative policy transfer' between the USA and Australia

At federal level, official commitment to harm minimization has cooled, and instead the rhetoric is 'Tough on drugs'. While the rhetoric of treatment is maintained, as noted earlier, the presentation of law enforcement as a conduit for treatment owes much to wishful thinking. More specifically, US

policy on drug control has hampered Australian developments. Representatives and allies of the USA have lobbied strenuously against any perceived relaxation of drug policy. In 1996, the Director of the Bureau of International Narcotics Matters in the US State Department came to Australia to lobby against a heroin prescription trial. It is no coincidence that the Australian Prime Minister's adoption of zero tolerance rhetoric on drugs coincided with a visit by Louis Freeh, director of the FBI (Dixon and Coffin, 1999). Consequently, a defining characteristic of contemporary federal drug policy is the increasing marginalization of commitments to harm reduction, which were once the foundation of Australia's drug strategy. As in so much else, the Commonwealth government seems to be increasingly concerned to show its policy subjection to US government dictates, e.g. in opposition to cannabis decriminalization, and trials of safe injecting rooms or heroin prescribing. Not developing certain policies (or even allowing research which would provide a scientific basis for assessing their desirability) has been a significant result of influence from the USA. Like some bizarre replica of US foreign policy, Australia is urged to maintain prohibition in the fear that once breached, the floodgates to legalization will be open.

There is evidence that crackdowns on drug markets cause significant collateral damage

Ethnographic research has illustrated how certain environments promote furtive, risk-laden injecting episodes involving multi-person use of injecting equipment, needle-stick injury, blood spills and person-to-person blood contact (Maher et al., 1998). Our previous research has investigated the role of policing in creating and sustaining such risk environments (Maher and Dixon, 1999, 2001).

We have argued that crackdown policing strategies result in collateral damage to public health manifested in increased rates of overdose and blood-borne virus transmission (Maher et al., 1998; Maher and Dixon, 1999, 2001). Ethnographic studies and surveys of drug market participants have identified these risks, but were not designed to produce hard data on outcomes. However, this gap is being filled by results from a large prospective cohort study conducted by one of the authors (Maher et al., 2004). Preliminary results validate the findings of previous research, and provide grounds for considerable concern about the counterproductive effects of crackdown policing of drug markets.

The hepatitis C cohort study was designed to investigate HCV transmission among injecting drug users (IDUs) in three sites in NSW, including South Western Sydney (SWS), in which Cabramatta is situated. A total of 584 IDUs were recruited and screened and 368 HCV antibody negative IDUs were subsequently enrolled and followed up and re-interviewed and tested at three- to six-monthly intervals over four years. HCV incidence in South Western Sydney was an alarming 44.1 per 100 person-years (cf. 9.8

in the Northern Rivers and no seroconversions in the Illawarra site) (Maher et al., in press). This is more than double the HCV incidence observed in a retrospective clinical cohort of IDUs in King's Cross which hosts Sydney's other major drug market (MSIC Evaluation Committee, 2003). Almost all incident HCV cases (91%) in this study occurred in SWS, with Cabramatta accounting for almost three-quarters of seroconversions (72%).

Using baseline data from SWS ($n = 372$), independent predictors of HCV seropositivity were Hepatitis B (HBV) core antibody positive serostatus, incarceration in the past year, injecting in public, Asian ethnicity and duration of injecting. Participants reporting incarceration in the last year and injecting in public had an almost three-fold risk of HCV infection and Asian injectors were almost twice as likely to test HCV antibody positive.

Injecting in public was associated with HCV antibody positive serostatus in both the bivariate and multivariate models. Three-quarters of the sample (75%) had injected in public in the last month, with higher proportions of Indigenous and Asian respondents reporting injecting in public. More than one-third of this sample (36.3%) had been incarcerated in the previous year. Incarceration in the last year was associated with HCV positive antibody serostatus and non-English-speaking background (NESB) and Asian participants were more likely than other participants to report incarceration in the last year. This finding reflects high incarceration rates among Indigenous Australians and the differential policing of young people from NESB and, in particular, the impact of crackdown policing on young Asian males in Cabramatta (Maher et al., 2004).

Conclusion

From our perspective, political imitation and policy transfer between the USA and Australia certainly occur, but they are the modes by which deeper forces find expression. There is a considerable gap between political rhetoric and police practice: as Jones and Newburn (2002) point out, there has been much talk by politicians about 'zero tolerance' in the UK, but its implementation has been very limited. The impact of the NYPD's success there, as here, has been primarily indirect, in challenging established beliefs about crime control and building police confidence.

Our account has stressed the importance of cultural factors: we argued in section 2 that vital to the success of the NYPD reform programme was an engagement with the police culture of operational officers, which facilitated implementation of the programme. In section 3, we argued that the crucial influence of the USA on the policing of Australian drug markets (and, we suggest, on Australian policing more generally) was a confidence that police could have a significant impact on crime. The key lesson taken from the experience of New York in the 1990s is that, in contrast to the

previous decade's mantra, some things work: rightly or wrongly, it is believed that targeted, intensive, intelligence-led policing can improve quality of life and/or reduce crime. It was on the basis of this confidence in the ability of police to influence public order and effect crime control that the specific US policies and strategies which were borrowed and adapted since the mid-1990s found fertile soil in Australia.

Notes

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- 1 Bratton is equivocal about this matter. While he is quoted as saying 'A lot of what occurred here in New York is transferable and can be tailor-made for any situation' (*Daily Telegraph*, 13 April 2002) elsewhere he has 'warned of the problem of transposing too easily techniques which work from one context to another' (Young, 1999: 124). It seems that his answers are 'tailor-made for any situation'. When pressing his credentials as a consultant, he stressed transferability. When speaking to more critical academic and policy audiences, he stressed specificity. (NB here and below, references to the *Telegraph* are to the populist Sydney tabloid, not the English broadsheet.)
- 2 A *Sunday Times* headline in 1973 (Hall et al., 1978: 24).
- 3 In part 3, a specific example of policy transfer will be outlined.
- 4 It has also spawned a minor industry of academic analysis and critique, of which this article is part.
- 5 The broader problem is the indeterminacy of the term 'zero tolerance policing'. None the less, because there has been misunderstanding about this (Darcy, 1999; Chilvers and Weatherburn, 2001: 12, n. 1), we should make clear that Dixon's observation (1998) that NSW was influenced by the NYPD was not a claim that the NSW Police adopted zero tolerance policing. See section 2 for more detail.
- 6 See McDonald (2002; Kelling and Sousa, 2001). The latter describes Karmen's book as 'probably the most thorough study of the issue yet. It certainly raises all the relevant issues'. However, they dismiss it by commenting 'some of the interpretations and conclusions are questionable' (2001: 22), and plough ahead with their demonstration that 'broken windows' was the key factor.
- 7 This project was funded by the NSW Police Service: see Dixon and Maher (1998). Other research reported here stems from our ARC project, 'From Zero Tolerance to the "New Policing"'.⁸
- 8 See 'Police Win War in Drug Capital' (*Daily Telegraph*, 20 April 1998);

- 'Outstanding Success of Operation Puccini' (*Police Service Weekly*, 1 June 1998: 4–5).
- 9 'No Excuses: Carr Demands Senior Police Do a Better Job' (*Daily Telegraph*, 13 July 2001).
- 10 'Greater Hume: Keys to Success' (*Police Service Weekly*, January 2002).
- 11 Assistant Commissioner Clive Small quoted in 'Report of Proceedings before General Purpose Standing Committee No. 3: Police Resources in Cabramatta', NSW Parliament 18 December 2000, p. 22. Available at <http://www.parliament.nsw.gov.au/prod/parlment/committee.nsf/0/EB7AEB2954BAEB77CA256CF50013694C> (accessed 1 March 2005).
- 12 Quoted in 'War on Drugs the Top Priority, Vow Cabramatta Police' (*Sydney Morning Herald*, 9 February 2001).

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