

THE CRIME PARADOX PODCAST TRANSCRIPT

UNSW Centre for Ideas: Welcome to the UNSW Centre for Ideas podcast – a place to hear ideas from the world's leading thinkers and UNSW Sydney's brightest minds. The conversation you are about to hear, *The Crime Paradox*, features UNSW Sydney Professor Don Weatherburn, investigative journalist Kate McClymont, TV and film critic Wenlei Ma, and was hosted by the Artistic Director of the Sydney Writers' Festival, Ann Mossop, and was recorded live. We hope you enjoy the conversation.

Ann Mossop: Good afternoon, everyone. Thanks so much for joining us for this discussion about the Crime Paradox. I'm Ann Mossop. I'm the Artistic Director of Sydney Writers' Festival and one of the curators of the Festival of Dangerous Ideas. And I'm delighted to see you all here this afternoon, and to welcome our distinguished panel. We're here to have a conversation about the intersection between real crime and all of the different varieties of stories about crime that we make as a culture – from so-called true crime to crime fiction to noir, film and television. And the crime paradox that we're talking about, is the fact that the less crime there is in real life, the more people we send to prison, and the more we want to talk about crime, and read about it. If we think about the most serious crime of homicide, there are some statistics in Don's book, *The Vanishing Criminal*, about the drop in crime in the 30 years between 1988 and 2018. So, the crime of homicide has dropped by 67%. In a way that is incredibly interesting, and something that we'll be talking about.

So, we have three speakers here who are experts in their fields, and who can each talk about different parts of this puzzle. Don Weatherburn, for many years, the Director of Crime Statistics and Research in New South Wales – the person that you would hear on the radio telling you what was happening with crime. He's now a Professor at UNSW Sydney, and the author of a wonderful book called *The Vanishing Criminal*. So, those of you who are infatuated with the crime-drop part of this conversation might want to take that up. Wenlei Ma writes about film and television for news.com.au – she's a top-rated critic on *Rotten Tomatoes*. And she's somebody who is going to guide us through the incredible story about the blossoming of crime in the world of film and television. Legendary investigative reporter, Kate McClymont, from the *Sydney Morning Herald* – somebody who has been telling us about what's going wrong in Sydney and in New South Wales for many years, author of *He Who Must Be Obeyed*, and *Dead Man Walking: the murky world of Michael McGurk and Ron Medich*. So, to open

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up the conversation, just as a warm up, I want to ask each of you what you're reading or watching at the moment in the crime fiction TV/film space. What have you enjoyed or been fascinated by?

Don Weatherburn: Well, I'm watching *The Wall* and it's not my favourite show – the killing, and the bridge – and *Montalbano*. Anybody watch *Montalbano*?

Ann Mossop: An oldie but a goodie – SBS people!

Don Weatherburn: But *The Wall's*, *The Wall's* not bad. It's set in Quebec. And the lead character's had a fling already with the main detective there. But his attention has now shifted to... Shall I go on? But the real problem is that the lead detective keeps speculating about the mind of the murderer. It's just not working for her, I think she should just get on with investigating.

Ann Mossop: Good to know. Wenlei?

Wenlei Ma: Probably like many people in this room, I'm watching *Only Murders in the Building*. I love a cozy, detective fiction. And I love it when it's meta – when it's people thinking they can solve their own crime because they're ordinary citizens like you and I. I think maybe a lot of people who did have to make podcasts – maybe there's a few people in here during the pandemic, knows all about getting under a blanket to try and muffle the audio. And watching sort of Steve Martin, Martin Short and Selena Gomez do it in a closet is triggering, but also resonant. And I also really enjoyed this series called *The After Party*, which was on Apple TV, and it was about a school reunion and the very famous person among them is killed. And then you've got this very limited pool of suspects – who did it. It's very Agatha Christie-esque.

Kate McClymont: I'm also watching the second series of *Only Murders in the Building* – which I love. And I've gone back to watch *Broadchurch* again, which I really loved. And I think when you get to a certain age, you find that you really can't quite remember what happened – it's great! You can watch it all over again. I love it. So, I'm doing that and I'm also – I'm up to series three of *Better Call Saul*. And I never watched it at the time – I loved *Breaking Bad*. So, that's been really good as well, whether I was very disappointed that Bob Odenkirk missed out on an Emmy. Was this the 39th time *Better Call Saul* has been nominated for zero?

Wenlei Ma: The 46th time!

Kate McClymont: Sorry, underestimated.

Wenlei Ma: They have one more year of eligibility. So, possibly one Emmy to come.

Ann Mossop: So, we're going to start by talking to Don a little bit about that drop in crime rates and the increase in incarceration. Tell us the story of what has happened with crime since the 1980s and 1990s in Australia, and a little bit about the context in the world in which it's happening – because it's a really extraordinary story.

Don Weatherburn: Well, I think... Is anybody here as old as I am? C'mon! Admit it! Anybody who's lived through the 80s anyway, will remember it was a time of rampant crime. We had armed robberies galore, we had people walking into banks so often with helmets – motorcycle helmets – to rob the bank, that they at one stage banned wearing motorcycle helmets in banks. When it became harder to rob a bank, some of you may remember this all started when the screen shot up and the robber got caught between the ceiling and the and the shutter and died there. After that, there was a big drop in bank robberies. So, they switched to 7-Eleven stores and service stations. But there were people, kids running around with syringes threatening people with the possibility of AIDS while they were robbing 7-Eleven stores. So, the 80s were a terrible time. And to make matters worse, police were doing as much crime as all the other criminals. They were involved – deeply involved as it later turned out, thanks to Kate – deeply involved in the drug trade, and prostitution and other forms of vice. That continued to such an extent that everybody thought it was normal. And then suddenly, around about 2000 – Christmas 2000 – the heroin shortage hit, the price of heroin went up dramatically, the purity of heroin dropped dramatically. And straight after that, we started to get big drops in motor vehicle theft, in robbery, in burglary. And all the general theft categories, they started to fall.

So, then by 2017–18, we had a situation where robbery, breaking into motor vehicle theft had dropped by 80%. Where homicide, as you've pointed out, had dropped by between – depending on your start point – between 40 and 60%. The only crimes left rising around that point – around about 2008 – were assault, sexual assault, fraud, and drugs. Then around about 2008, we started to get a drop in assault, young kids stopped drinking as much alcohol and switched to ecstasy. Well, I don't actually know that but I'm guessing that.

Kate McClymont: He's probably theorised a bit more information than most of us...

Don Weatherburn: ... or someone really challenged me. Anyway, they stopped drinking, I know that for sure. And the assault rate started dropping as well, which left us or leaves us now, with really three big problems. One of them is a growth in methamphetamine use, which has gone up dramatically. One of them is a growth in fraud, which is mainly related to the internet. One of them is related to acts – circled acts – intended to cause injury. But in fact, the primary driver there is stalking. The police have discovered that they can get onto the web and find people threatening one another over the over the internet, and they can charge them with stalking and most of them will go to jail, because the threats are quite genuine. And that's basically where it stands at the moment. Homicide is still falling, breaking and enters still falling, robberies still falling. It's got to level out at some point, we can't have a world where there's no robbery or no assault. I'll be completely out of work. But that's the short story – do you want me to go on?

Ann Mossop: Well, I think it's really interesting to talk about one – well, potentially two – of those exceptions to this decline. One of which is sexual assault, and the other which is the fraud/scam side of things. Can we just talk – can you tell us a little bit about, about what we know about what the situation with sexual assault?

Don Weatherburn: Sure. Well, in terms of what's driving... The recorded rate is going up. The primary driver of the increase at the moment is two things. First of all, the growth in the number of people arrested for child pornography. And the second one is a growth, especially after the royal commission, in the number of people picked up for child sexual assault. If you take those two categories out, it's not at all clear that sexual assault is rising. But there's certainly been a growth in those two subcategories.

Ann Mossop: And also obviously, what we know about sexual assault is that the kind of statistical information that we're relying on here – which is people reporting it to the police and things being, you know, treading the law – is potentially only a fraction of the sexual assault that's occurring, so the whole issue about reporting is also potentially...

Don Weatherburn: That's right. I mean, even when the ABS – The Australian Bureau of Statistics – does its annual survey, you only get, you know, around about two percent reporting it, but you know that the vast majority of victims of sexual assault are not reporting it to the police. And so, the capacity for that to increase – especially when I think women are becoming more confident about it, reporting those sorts of offenses and domestic violence – there's bound to be a growth in the police

figures associated with those. Where there's been a real growth in the incidence is another matter and it's pretty hard to say.

Ann Mossop: But before we move on, there's one really interesting thing about all of this, is what we know and don't know about *why*. Now, there are some really fascinating things when, when you start looking at, you know, reading the kind of thing that Don's written about this, the whole thing about the opportunity to commit crime, things that prevent it – there are some really interesting things like the fact that, you know, motor vehicle theft is prevented by the technology that immobilises car engines. But the most, perhaps the most interesting unresolved one of these is the question about why the homicide rate has dropped. What do we know about that? And what don't we know about that?

Don Weatherburn: I don't know why the homicide rates – I'll be straight out about that. I mean, I think it's a real puzzle. And I haven't seen anyone come up with a credible explanation for it. I know there's a lot of talk about the gun buyback contributing to it, and perhaps it did. But homicide was coming down well before the gun buyback occurred. If you split homicide into its various subcategories, you don't find one particular sub-category dropping faster than the rest of them. One possible explanation I put forward in the book, and I'm not sure it's true, but it's an intriguing one, is that people are being attacked as often as they have been previously, but they're less likely to die because the emergency medical procedures are much better now saving people. So, what was once, or what would have been once, a homicide turns into a very serious assault. I mean, that's speculation. It's plausible speculation, but no one's done the work yet to actually confirm whether that's the case.

Ann Mossop: Before we move into a broader conversation about this, there's one other piece of information that I think it's really useful for us to understand as a basis for this conversation. So, we're in a situation where we can see all of these things, in fact, perhaps two other pieces of information. One of which is the fact that this is what's happening in Australia. But this is a pattern, broadly speaking, you know, at different levels, you know, for example, Japan – country with lower crime, United States – country with higher crime, but broadly speaking, this is a pattern that's common throughout the world.

Don Weatherburn: Yeah, there are some... Those of us who fuss about detail concede some detail. No, there has been a reduction. The United States and the UK got their reduction in crime much earlier than did Australia, by about 10 years. And there have been some differences in what's fallen – for example, assault fell in the United States in the early 1990s. It didn't start falling in Australia until

2008. And that makes it rather difficult to argue that it's all exactly the same factors that are operating here.

Ann Mossop: And the other question, of course, is about the trends in the rates of incarceration. So, we've got all crime dropping, what happens to our rates of incarceration over a similar period?

Don Weatherburn: Well, they've skyrocketed, particularly since 2010. They sort of bumped up a little bit between 2001–2009. Then in 2010, they really started going up dramatically. And there were several things that contributed to that. One was an enormous growth in the number of people turning up in court for so-called 'acts intended to cause injury'. And big drivers there were sexual assault, including child sexual assault, domestic assault. There was also an increase in the proportion of those convicted who went to jail. The other big increase was methamphetamine, people picked up for dealing and trafficking in amphetamine, that skyrocketed. And they've also been, there was another category, I can't remember... This is the aging process getting... Does anybody out there know what the other one is? Parking fines! I don't think, it wasn't parking fines. I mean, they're getting trigger-happier...

Ann Mossop: We can see what kind of criminals we have in the audience here!

Don Weatherburn: People talk about remand and it's certainly true that remand has gone up. But remand will always go up when the number of people going to jail, sentence prison, goes up. Because if they think they're going to send them to jail, they'll remand them in custody first. But, I mean, the *Bail Act* has made some contribution to that. I don't think it's been the primary reason for the increase, but others may differ. And I'm sure they'll tell me shortly after this session ends, maybe.

Kate McClymont: Can I just interrupt? One thing that fascinates me about the incarceration rate is that our Aboriginal and Torres Strait population is 3.3% of our population. And yet, that group represents 30% of all people in our prisons, which I just, every time I think about it just absolutely stuns me,

Don Weatherburn: Or 50% for the kids.

Kate McClymont: 50% for the kids.

Don Weatherburn: It is, it is stunning and depressing to do with it, but I mean, one of the things that's exacerbated the rate of Aboriginal imprisonment has been the police focus on repeat offenders. So,

police decided with the *Suspect Target Management Plan* – anybody familiar? Read that report? Basically, the police adopted a plan of instead of having an ‘armed robbery squad’ and a ‘break and enter squad’ and a ‘motor vehicle theft squad’, they started drawing up lists in every local area command of the people they thought were prolific offenders, and then they went after them for anything they could get them for. I know I’m going to be accused of making it a bit simple. But basically, the idea was to find repeat offenders on the argument that if you take repeat offenders out of the system, you’ll get a disproportionate drop in crime. Well, you know, who’s got the longest criminal records – it’s Aboriginal kids and Aboriginal adults. So, they were disproportionately, ended up being disproportionately the focus of this *Suspect Target Management Plan*, and that accelerated the rate of growth of Aboriginal people in prison. But it’s not the only factor. I mean, this, they were applying this across the board. So basically...

Kate McClymont: But also, I think that the more money you have, the better quality of justice you can buy.

Don Weatherburn: Sure.

Kate McClymont: And, you know, I’ve just seen that time and time again, with wealthy criminals who can, you know, hire a whole team of lawyers – challenge everything. And also, they have in the court system, they’re given a presumption of, you know, a better class of person. Whereas I think a lot of, you know, low socio-economic classes – one, don’t have access to good legal representation. And two, they’re just automatically put away, whereas other people are not.

Don Weatherburn: Well, that’s why we’ve got you, Kate! To bring the big end down.

Kate McClymont: No, we don’t! We don’t look at those kinds of things. But I can remember somebody who had been to jail several times saying to me, “Yes, the quality of justice is what you get when your money runs out”. And I thought, ‘Right, okay, yep. Fair enough’. So, you know, when you *finally* get to jail, that’s what happens to you.

Don Weatherburn: Well, and the problem starts quite young. We’ve just done a study, or I’ve just done a study, with Brendan Thomas, which I shouldn’t talk about, because it hasn’t gone through peer review yet. But suffice to say, it’s pretty clear right at the get-go. So, where police are making a choice between caution and prosecution, that Aboriginal people are more likely to be prosecuted – that Aboriginal kids are more likely to be prosecuted. And of course, once you’ve got a criminal conviction,

the chances of next time around – or the next, or third time around – of getting a custodial sentence, go up. And once you've got a custodial sentence, the chance of avoiding a custodial sentence goes down the next time you're before the court. So, it's a process of accumulating disadvantage from the very beginning.

Kate McClymont: Well, there was a case recently where a Sydney Grammar boy was – a former Sydney Grammar boy – was caught with, you know, quite a lot of, I think it was methamphetamine. And he'd previously had a conviction for drug possession of a commercial quantity. He'd got a good behaviour, first time around, because he came from a well-to-do family and got, you know, a smaller custodial sentence the second time around. And I just thought, what if he'd been from Coonabarabran? What would have happened there?

Don Weatherburn: Well, it's not hard to guess what would've happened.

Kate McClymont: No, it's not.

Don Weatherburn: The irony about this, of course, is that – some lawyer will correct me – but in a sense, what the court is doing is re-punishing you for your past offending, when you've already been punished for your past offending. Theoretically, what's supposed to happen as you accumulate a criminal record, is that you lose mitigation. In other words, you don't get the benefit of having a clean sheet. But if you look at the sentences, it's the difference between, say someone getting a 12-year sentence, and someone getting a bond – well, you can't say that's just loss of mitigation. It's clear that every time you offend, they're whacking you again, and the consequence is a growth in the rate of entry into prison.

Ann Mossop: And just the background to that discussion – the rate of incarceration – is that it's doubled over that period. And what is interesting about the question about Aboriginal and Torres Strait Islander rates of incarceration, is it's extraordinarily different by state – 10 times as many people incarcerated in the Northern Territory, you know, per head of population, as in virtually crime-free Australian Capital Territory and Victoria. So, it's really marked those incredible differences. Let's talk about crime, and how we read about it and write about it in the news. And, Kate, I just want to ask you, what have you seen? Provided we've got this context that we're sitting in where crime is dropping, it does not seem to be dropping from the front pages of our papers or from our websites.

Kate McClymont: Look, the media still has a general policy of: *if it bleeds, it leads*. Like, it always has been, and always will be. And you might think at the moment that we are in the middle of a terrible gangland warfare between the Alameddines and the Hamzy family. That is sort of an aberration – it doesn't reflect what's actually going on. But I was, I don't know who watched *Four Corners* on Monday night, and also there was an accompanying *Background Briefing* that went to air yesterday. And this is one of the things that I found really interesting because they were looking at the change in organised crime and how gangs like, you know, the Alameddines and the Hamzys are recruiting 'foot soldiers' – you know, like, poor people growing up in the Western Suburbs, you know, with not many prospects. So, they were asking one of the people, "Okay, you know, what are the what are the going rates?" Okay. "For kidnapping, you're looking at \$50,000. If you do a drive by shooting, that's \$20 to \$25,000. Now murder that depends on the celebrity of the person you're killing – a big player, minimum of \$250,000. For a lesser player, someone climbing through the ranks, maybe about \$100,000". Now, I just think the fact that there are 'going rates' for those kinds of things, who would have thought?

Ann Mossop: And aren't we all glad that we know what they are?

Don Weatherburn: I don't know whether it's that smart telling everybody out there! Some people are leaving by the back door.

Kate McClymont: You know, when I look at that, it just makes me think of the idiot criminals that I've come across in my time. And particularly, I look at the hitmen who were involved in the murder of Sydney businessman, Michael McGurk. I mean, they were such idiots that one, one, the two people that did it – one was the General Manager of an accountancy firm at Pymble, and the other was 19-years-old. So, they get to Cremorne to stake out the murder, but they get so bored that one sends the 19-year-old down to the bottle shop, and he doesn't have ID and he looks too young. So, he's not allowed to buy a bottle of Jim Beam. So, he goes back and says to the older criminal, "Awh they won't serve me!" So, he goes down. So, both of the hitmen are in the scene in the bottle shop. And one of the hitmen – the thing that he was most concerned about when he was finally arrested was the *extortionate* prices that Cremorne charges for the alcohol. That was one thing that completely played on his mind! Anyway, so then they almost prang the getaway car at the first roundabout. They don't have an E-Tag, so they're photographed going across the Harbour Bridge. And then, when they get home, the – you know, one of them has still got the downpayment for the murder in his back pocket. And having watched too many films, they decide they have to burn their clothing. And he forgets the money's in there. So, then, he burns his hands, getting – trying to get – and I just think, you know, no wonder people get caught. They're idiots! But it took a year.

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Ann Mossop: I think you've just given us an object lesson in why, and in time of declining crime, we still want to read about it, because we're reading about it in this case as comedy!

Wenlei Ma: I mean, I'm glad they're idiots because I do want them to get caught. It's the ones that don't get caught that makes me scared.

Ann Mossop: Yeah, exactly. Wenlei, you work in a newsroom. But in the space of talking about culture, what are your observations about the context in which you work – about the fact that we've got this declining crime – but this, you know, the coverage of it is, is at record levels.

Wenlei Ma: I think like any business – media is a business, of course – there's always a commercial imperative behind the choices that are made, the decisions that are made by editors. And we all know crime sells or crime clicks. The grizzly-er it is, the gory-er it is, the better the headline, the better the image – or better yet, the better the *five* images you can put together in a collage, the more people are going to read it. So, the justification for that is always its audience driven. But what we all know is that the audience driven mentality then goes to, you know, what kind of advertising you're gonna be able to sell the next day based on how successful the publication was. And it is audience driven. The people out there – readers, viewers, listeners – want to read about crime and we see time and time again, that the top stories of the day the top stories of the week are these really often quite sensationalist crimes – they're about bikies, they're about murders, they're about drive-by shootings. They're about the things...

Kate McClymont: Women with one foot!

Wenlei Ma: Women with one foot. Murderers that are 40-years-old – they're about the things that we don't encounter in our day-to-day lives. It's a little slice into something a little, you know, extraordinary.

Don Weatherburn: Maybe it's because the crime rate dropped, you know, there's just not enough blood on TV. Everybody's got to start reading and making films about it!

Ann Mossop: Quite possibly! Kate, I want to – before we start talking more about crime, the cultural world of crime and our stories about crime – I want to get you to talk a little bit about corruption. Because this is something that your work has followed over a long period of time. And just to talk about what you think about the kind of crimes – you've mentioned in our discussions that the kinds of crimes that affect people most, the kinds of crimes that are close to us, which are these, not the

sensational overdramatic stories, but these things that are going on, embedded in the world of government, embedded in the world of money, and which are, in fact, often quite, you know, when they're uncovered, are often quite procedural dull stories, but that are incredibly important.

Kate McClymont: Look, I think it's, it's interesting when you look at how many politicians have actually either been prosecuted or gone to jail for misconduct in public office. And I think the statistics have been boosted greatly by repeat offender, Eddie Obeid, who is just doing his second jail-term now. And he's also been recently charged, along with Tony Kelly and Joe Tripodi, over misconduct in public office – yet again. But the thing that intrigues me is, how many times you write about a local mayor or a local councillor, and then eight years, nine years later, up they pop again. And I think this is where the most pernicious crimes occur. They're not gory and bloody, but they are the ones that affect us the most – as in, you know, there's a beautiful park, you know, near your house. And suddenly, it's been sold to a developer. Or, you know, there's no parking anymore. There's no, you know, amenities – it's the things that affect your life the most, are the ones that they get away with so readily. And the thing is, it's really easy.

In councils, you tend to only – if you're going to bribe somebody, you only need to bribe two people. And that's the two factional leaders of either party. So, if they persuade their other colleagues what to do, and honestly, you only have to, you know, give their uncle Ted a discounted apartment or a second-hand Honda Civic for the wife, or the husband, it's not... But this is the thing, you know, for a small outlay of bribery, you can get another 30 floors. And it's interesting seeing just Con Hindi – from you know, one of the southern shire councils at the moment – has been before ICAC. You know, he was getting trips to China, and you know, getting paid with, I think the other – there was some photos anyway, of Chinese prostitutes. And you think that's just not expensive for... Like, it's cheap, for what you are getting. And I remember writing about exactly the same person a couple of years ago – just raising questions about: isn't it funny that Con Hindi's son, who is 18-years-old, has just paid \$3 million for a property – he's owned it for three weeks, and he sold it to a developer for twice the amount of money? How does an 18-year-old come up with that kind of money? And when you write these stories, you think, 'Oh I've got them now!' No! And look, I just think that, you know, these are not the sexy stories. Well, I find that they are, especially with the prostitution bits, but you know.

And it's, you know, one of my favourite ones was Ron Medich, who's now in jail for murder. So, there was this famous dinner at this restaurant – The Tuscany restaurant in Leichardt. And earlier that day, Ian Macdonald had been on the front page of our paper, being branded 'Sir Lunchalot' for, you know, charging the taxpayers and anyone else for all his lunches. So, he gets to lunch at Tuscany and

immediately orders a \$400 bottle of wine. He's only been called Sir Lunchalot that day, and here he is at dinner ordering a \$400 bottle of wine because he knows the other people are going to pay for it. And it turns out, he's having dinner with Lucky Gattellari, Ron Medich – and at a neighbouring table, there is a whole table of prostitutes for Ian Macdonald to pick one. And I remember you know, when it came up at ICAC, there was... The woman he chose, it was a woman called Tiffany, who was a Chinese person and I remember her giving evidence saying – because Ian Macdonald was trying to portray that he was, you know, he was sick and nothing ever happened – and Tiffany said, 'No, no, I didn't vomit. He's so ugly, he makes *me* want to vomit!' And I thought, 'Oh, how embarrassing that even the prostitute at the centre of a corruption inquiry, really doesn't want to go to bed with you! Poor Ian'. But anyway, you just sort of think there's so much repeat offending in this area by the same group of people – and I think if there's any underreporting, it's of corruption.

Ann Mossop: If we start to think a little bit about how we construct a view of crime in culture – what we talk about, what we read, what we write, what we watch on television, what kind of television is made – one of the things that, if you go back to discussions, you know, long before our current era of, you know, of streaming digital, everything. If you go back to the kind of discussions about detective fiction, from the golden era, and onwards, you know, people like P.D. James would talk about the pleasure of detective fiction as somehow a moral universe being created, and good triumphing over evil, order being restored, you know, chaos, the crime and order being restored. What do you think of that approach? What do you think of that, that kind of way of constructing what we get out of consuming crime fiction of different sorts?

Don Weatherburn: Well, it doesn't work for no country, but for the *No Country For Old Men* – which is a fabulous film – but nothing like P.D. James.

Ann Mossop: No, very different!

Don Weatherburn: So, I don't think that – certainly not good enough for me. I much prefer something with a bit more edge to it like that sort of film or a book with the same sort of weird side-effect to it. But you know, maybe you'd like it.

Kate McClymont: I don't know, I sort of wonder whether – one, it's that we like solving puzzles, we like mysteries, we like unravelling. And also, I think that there is a certain fascination into the lives that we don't lead. I always like trying to work out what makes people tick, like what is the psychological factors that have driven these people to do what they do? I always find that really interesting.

Don Weatherburn: Isn't fraud better for that reason? I mean, or the stupidity – I was just thinking while you were talking earlier about how stupid criminals are, the film *In Bruges*, for example. A classic example of that, but I think that sure, resolving a problem is part of it, or leaving a problem unresolved. In the 70s we had films like *Blow Up*, which were left unresolved and we're better for it.

Wenlei Ma: I mean, I think it also depends on the mood you're in. I mean, there are definitely times when all you want to do is put on an episode of *Law and Order*, because you know, in 42 minutes, someone's gonna get arrested, someone's gonna go to prison. And as P.D. James said, order is restored, chaos is put back in its Pandora's box. And it's so comforting, you can go to bed, you can have your windows open. But then there are other times, you're feeling a bit, you're feeling a bit more like, 'Oh, I hate the world, the world sucks'. And so, you put on *No Country For Old Men*, and it reinforces this view that all of humanity is lost. So, there is, there is this different... Yeah, there's a different appetite for things.

But I think definitely the way that we kind of talk about crime and portray crime in pop culture does reflect that sort of moral universe – we want to try and understand the world we live in. And of course, storytelling, being the oldest human tradition, is a way for us to understand who we are – including at times of uncertainty. I mean, it's not crime fiction, but I remember when *Contagion* became the biggest movie of the first few weeks of the pandemic, and you would think: why would you want to watch something about a global pandemic right now? Kate Winslet and everyone dies. Spoiler alert. But there is this whole relationship we have as the audience that you know – the person you actually follow through that story is Matt Damon – and he survives to the end, he's a survivor, therefore, we're going to survive this pandemic. And I think a lot of that happens in crime fiction as well. You put yourself in the space of the detective or you know, the victim that triumphs. And so, it makes you feel better about where you are in the world because you also get to be the survivor. And also, we do love puzzles. We love to solve something.

Kate McClymont: But it's also interesting that there's a new genre at the moment of, you know, frauds like the *Tinder Swindler*, and is it *Inventing Anna*?

Wenlei Ma: *Inventing Anna*, yeah.

Kate McClymont: *Inventing Anna* – which I didn't think was great.

Wenlei Ma: It's terrible.

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Kate McClymont: It's terrible. You can say that!

Wenlei Ma: It's terrible.

Kate McClymont: Yes, but I am... You know, fraud was something that was never really on the radar. It's not very bloody or gory. But it's interesting that that's a genre that's very much at the moment.

Wenlei Ma: Those stories are also in sort of, you know, 'glamorous industries'. *Inventing Anna* is about a con woman who kind of took down New York's elite and took, got a lot of money out of them. So, there's a bit of schadenfreude in that as well. And same with the *Tinder Swindler*, it's dating, its apps. Or all the different mini-series we've had recently, you know, tech billionaires like *The Drop Out*, and *WeCrashed*. You just want to see, these are people that are in industries that are held up, and we love schadenfreude, and we love to see them brought down.

Kate McClymont: Yes. And the same with *The Drop Out* and the fact that all those very wealthy people had invested and hadn't done their due diligence.

Wenlei Ma: Exactly. And I feel a bit better about not having had \$5 billion to be swindled out of!

Don Weatherburn: The interest in fraud is not new, though. I mean, Thomas Mann wrote that fabulous book, *Confessions of Felix Krull*. And that was at a time where – classic situation – where huge inequality, and this guy makes it up from the poorest of the poor environment to the very top of social life in Europe. And it's this idea, like Melissa – can I talk about Melissa Caddick? I mean, just look at that situation. You're just gobsmacked! Did she really think she was gonna get away with that?

Kate McClymont: Yeah, well, she did.

Don Weatherburn: Up to a point!

Kate McClymont: Up to a point.

Ann Mossop: So, we find ourselves sitting at this very interesting point. Couple of weeks after the verdict in the Chris Dawson trial. *Teacher's Pet*, downloaded 60 million times – three times the population of Australia have downloaded that podcast. *Liar Liar*, the podcast that Kate was involved in about the Melissa Caddick case. Newspaper full of the story of Adnan Syed's conviction being

vacated – the person, one of the people in the, at the heart of *Serial*, the podcast that was one of the first podcasts that made this huge – True Crime – has made this huge impact. Weirdly, we're in a very interesting point in terms of the proliferation of these stories – their popularity, the number of them that are being produced, what is driving this?

Wenlei Ma: A lot of it is audience interest. I'm not going to diminish that. But a part of that story, a huge part of the story, is actually all of this coincides with a massive explosion in streaming services. Now, if news media is business, entertainment media is even bigger business. And we're talking about a lot, a lot of money at play. So, every single company in the world who produces any form of entertainment – whether it be podcasts, books, television, or film – looks at a success story, like *Making a Murderer*, and they go, 'where is my next *Making a Murderer*?'. Actually, where is my next seven *Making a Murderer*-s?' Because if Netflix has it, then Hulu has to have it. Foxtel has to have it, HBO has to have it and they've got to have a right now. And so, you've got all these TV and film executives doing it. And so therefore, you end up being inundated. It's an onslaught, an assault really, of all of this programming. And so, you go, 'well, this is what everyone else is watching. Because there's so much of it, I have to be in on it too'. It becomes a circular economy. But at the same time, you kind of have to wonder, is this the trend that's going to keep on forever? Or is it just because it's driven by a lot of people around boardrooms thinking, 'if I'm not on this trend, then we're going to fail, we're going to lose subscribers'? Because I think what's interesting is that the one sort of medium where that – in entertainment – that is sort of contracting a little bit, is cinema. And what you don't get is a lot of crime movies in the cinema. A lot, in many ways, streaming has taken over that space. They've come in and gone. You know, actually, think about something like *Knives Out* – which was hugely successful. It's not true crime, but you know, it's my favourite kind of crime.

Kate McClymont: Totally not true crime.

Wenlei Ma: Totally not true crime. I mean, did believe Daniel Craig's accent? No, but I loved it. But Netflix came along and said, 'That was a massive cinema success. We're gonna pay Ryan Johnson \$200 million to make sure we have that on our platform'. So, it ends up being driven a lot by commercial decisions. And they, it is this echo chamber of people who are looking at what their competitors are doing, so if Wondery has a podcast on *Dr Death*, then that's gonna get bought out by someone else and then someone's gonna go, 'where's my version of that?'

Don Weatherburn: That's the best explanation I have ever heard of that. That's fantastic.

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Ann Mossop: Well, I want you to tell. I want you to tell us – you mentioned a showrunner giving a name to that syndrome.

Wenlei Ma: Yeah, I was talking – sorry, name dropping – to Andy Siara. He's a showrunner whom, he actually –he's an up-and-comer showrunner. So, he's not like, you know, Steven Spielberg. But he wrote a movie a few years ago called *Palm Springs*. It's a rom com. It's hilarious. You should watch it. But he has a new series out called *The Resort*. It starts off as a bit of a crime fiction story. But it actually turns into this big sci-fi thing about, you know, the existence of life. But he called it the 'true crime industrial complex'. And once something is an industrial complex, then you know that it's all about money.

Ann Mossop: Well, I feel like there's a lot to discuss in there. And in particular, I want to make sure that we really think about what all of this means to us living in an environment, a cultural environment, saturated with crime. But I want to allow those of you – if you've got some questions, there's a couple of microphones here. So, do come and join the conversation. With that, just going back quickly to one look at that, that question about the true crime industrial complex. Does that mean the kind of the cycle that you've described, you know, a circular economy – not in a good way – is it something that as soon as there are two giant failures, it might stop? Or do you feel that it's got something that's got some kind of enduring interest there?

Wenlei Ma: I mean, there's always going to be an appetite for good stories told well. I do wonder whether or not we will continue to get a bunch of mediocre stories told kind of okay. Because what we'll see soon enough, and I'm sure there'll be to the relief to many people in the room, is that there will have to be consolidation of streaming services. We can't keep paying for 17 different streaming services. And once that sort of business thing happens, then they're going to get a lot tighter with money, there are fewer competitors, and they're going to go, 'actually, we only need to greenlight the four best shows and not the 17 okay shows'.

Ann Mossop: Yeah, so we've got a question. One on each microphone, I think. So, yeah. Go ahead. Over here.

Audience Member 1: No worries. So, I think I just wanted to ask, we're seeing this pretty big drop in actual actions of violent crime. Is that likely to be linked at all to the massive increase that we've seen in portrayals of violent crime – both in all sorts of visual media, be it news stories, entertainment, TV, movies, games?

Don Weatherburn: Look, I'd be guessing, but I'd guess no. Look, you know, there's any number of factors that could influence people's attitudes towards crime. But if you wanted to point the factors that have been shown to be strongly related with assault, it's the drop in alcohol consumption. That's been sufficient to offset the rise you might have otherwise expected from amphetamine, methamphetamine use. But I'm not suggesting for a moment that I know all the factors that were involved. Thanks for the question.

Kate McClymont: And can I just answer that as well? Just from some of the criminals that I've watched over a while, the actual economic cost of doing a heroin importation is a lot. You know, getting the boat, getting the captain, getting the goods. And quite a few of them turn to economic crimes, to mortgage frauds, identity theft, cybercrime – because the outlays are so much smaller, and the results can be just as big. So, there's a certain economic drive as well. And it's interesting that, you know, one of the major crimes in Africa and Southeast Asia, is counterfeiting pharmaceuticals. And almost half the pharmaceuticals in that region are fake. So, there's all you know, that there's always the manoeuvring into new areas, and ransomware is a really big thing at the moment.

Audience Member 2: My question's around, I guess, just thinking about the Australian context and thinking about the overrepresentation of Aboriginal and Torres Strait Islander people in incarceration. But I don't see that saturation of those stories in our crime, in our sort of cultural discussion, whether it's in podcasts. And I know, there are a few, but I'm just thinking about the popularity of the *Teacher's Pet*. And what, what got us into that story and what was so captivating, why we're not seeing that? And what that, I guess, says about us. I'm just wondering.

Don Weatherburn: I'm sure Kate's got the long answer, but I'll tell you very... I have tried numerous times to get stories up and running about Aboriginal imprisonment, and they just – the media I encounter – are just not interested unless someone dies in jail, or there's been a shooting, such as occurred up in the Northern Territory.

Audience Member 2: But even then it's split, right? It splits the cultural discussion.

Don Weatherburn: Yeah.

Audience Member 2: About... It's not we're all on, you know, we're all against Chris Dawson. We all know he, you know – it's sort of a unifying thing. But I find when it's an Aboriginal story...

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Kate McClymont: Well, it was like when that, I think that three-year-old child, Cleo Smith, went missing in Western Australia. It was a huge media story. And at that time, there was a number of Aboriginal people who said, 'this is so upsetting because a child went missing and was found tortured and dead – kidnapped by a relative. And the lack of police interest, the lack of media interest could have saved that child'. And I just think it's, you know, white... You know, like Stephanie Scott, the school teacher that was murdered, you know, just before her wedding. It's those kinds of stories that the media gravitates to. Not, you know, shocking stories, equally horrifying stories, that happen in Aboriginal communities, and we just don't do it.

Wenlei Ma: It means part of a wider piece about media representation in general. And that's across all crimes, and not just you know, child kidnappings, and also just the stories that we tell about ourselves as well. And that includes in fiction. So, if you think of some of the most popular crime shows of the past 10 years – *True Detective*, you know, the rest of it. All those victims tend to be white – I think of a movie like *Wind River*, which was about a Native American woman who had gone missing on a reservation. But the entire focus of the film was the experiences of the two white detectives, because that is what people, or people who make the decisions, think is what audiences will turn up for, or what audiences will read or click.

Kate McClymont: One podcast that did it really well was *Bowraville*, about the disappearance of the three Aboriginal people – I think they were actually murdered. I think they found one of the bodies, but that was done really well by Dan Box from *The Australian*.

Ann Mossop: I think we probably have just got time for one more short question. And just because you've been waiting there for the longest, so apologies to other audience members. But a quick question from you

Audience Member 3: Hi, thank you all for being here today. I think I remember seeing something on the blurb talking about – the blurb about this segment – talking about the paradox between the fact that prison is quite ineffective on crime, but the fact that it's a widely used tool. We didn't mention that at all. So, I was just curious, it had piqued my interest, and I was curious if you guys had anything to say about it?

Ann Mossop: So, does incarceration work? Don...

Don Weatherburn: Right.

Ann Mossop: Putting you on the spot there.

Don Weatherburn: Yeah, no, that's all right. Look, the balance of evidence suggests that you do get a reduction in crime from an increase imprisonment, but the effect is weak. So, for example, the US studies indicate, and one we did in Australia, indicate that a 10% increase in the imprisonment rate generates somewhere between a half of a percent and a 1% drop in general crime – it's probably the least effective way you could get at reducing crime. Which isn't to say that some people, particularly the ones Kate talks about, shouldn't be locked up. But that's justice. That's not about crime control. So, yes.

Ann Mossop: But also, I think the longer you are in jail, the more likely you are to be a repeat offender, when you come out. The recidivism rates are quite high, I think the longer you're in there, isn't it?

Don Weatherburn: Well, it's partly because people who are likely to reoffend tend to end up in jail. So, it's a loop. It's also true though, that the older you get, the less likely you are to repeat offending. So, a lot of people are being locked up for far longer than is necessary, if your real concern is safety. But is that answering your question?

Ann Mossop: Partly. I think it's a, but I think it's a good answer to the question. But I feel like it's a very big piece of discussion that we perhaps don't have time to pursue further, because I really want us to think a little bit about this overall – I'm gonna get a final comment from each of you about the moment where we find ourselves. So, that, we've talked about, you know, the fact that crime is dropping, and let's see it go as low as it possibly can. But we are, have this obsessive, we live in this cultural moment where we are obsessively reading about these stories. And I just, you know, there are some effects that we can all see around us. You know, Wenlei and I were talking about some of those things that we all do – women, when you're walking around at night, you know, you've got your car keys in your hand in a particular way, it's probably be useless in a crisis if something actually happened. But all of this sense, the sense that we live with about, do we feel like crime is all around us? What is the effect of this? What does it mean about how we think about crime? About people who are defined as criminals? And so, I really just want to get a comment or view on, from each of you, about what does this picture mean? A small question!

Don Weatherburn: Which of us do you want to answer the question?

Ann Mossop: I'd just like a comment from all of you.

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Kate McClymont: Wenlei, you can go first!

Don Weatherburn: Oh!

Wenlei Ma: What does it all mean? I mean, I guess it's like any form of storytelling – fiction or non-fiction – in the way that we try and make sense of everything. I mean, do I still lock my windows at night sometimes? Most? Yeah, probably. And I do use my keys. And, you know, and I watched *Mr Robot* and went, 'oh, God, I need to tape up my web camera because that seems really easily hackable!'. So, it does become sort of this idea that it can be instructional in a way – I don't know how actually effective it is. But every time I do watch something to do with crime or read something to do with crime, I just go, 'yep, gotta do that'. So, on a very practical level, not philosophical.

Don Weatherburn: Look, I think we are missing a golden opportunity to take the foot off the prison accelerator, and start thinking a bit more constructively about crime. And it's a tragedy that so many people still think it's prevalent.

Kate McClymont: And I feel shocking that I think, 'oh, thank God. There are still criminals to write about!'. It's completely self-interest here, so... Not the really bad ones!

Ann Mossop: So, we've elucidated a terrible conflict of interest at the heart of our discussion. Those of us who are here as ordinary citizens, we're happy about the crime drop, Kate is unhappy. Wenlei is going to observe and keep us posted with what's going on in the world of fictional crime. Thank you so much to all of you for being part of this discussion. It's been wonderful to have it. I do feel like there's a whole lot more, a whole lot of other directions that we could go in. So, maybe that's for a future, a future date. Thanks so much.

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