

CPTED or Security? - Financial and legal liabilities, and ethics for Local Government, Police, Planners, Architects and CPTED practitioners, and the ICA.

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Abstract

As for any professions, legal and financial liability are significant aspects of CPTED professional practice and outcomes. Avoiding such liabilities depends on CPTED decisions that are ethical, just, equitable and legal.

A key issue is the crucial difference between CPTED undertaken equitably for the public good, and CPTED used to benefit of a specific group, individual or organisation, ignoring costs to others. There is an intrinsic ethical and legal tension between the two.

In the case of public-facing agencies implementing CPTED, providing CPTED to benefit a specific group, individual or organisation without similar benefit to all others exposes CPTED practitioners and agencies to legal and financial liabilities, especially if others are paying the cost of those CPTED benefits.

The latter use of CPTED to benefit specific groups, individuals or organizations in the protection of, or control of access to, their assets (human or physical) is more widely known as 'security'.

Understanding this difference between CPTED in the public realm, and security for specific individual targets challenges many taken-for-granted CPTED assumptions and uncritically considered CPTED professional practices.

The existence of these challenges and the subsequent suite of liability problems for CPTED professionals and client agencies is hinted at within ISO 22341:2021.

This paper develops that understanding, and outlines multiple practical examples of conventional CPTED practices that result in financial and legal liability, when ‘security’ CPTED approaches are implemented for specific groups, individuals or organizations by agencies acting for the public good.

An additional key finding of the analyses is that considering equity and non-discrimination in crime prevention, along with ISO 22341, clearly ontologically defines CPTED theory and practice as completely different activity from Security theories and practice.

The paper concludes with guidance on changing CPTED professional practices to help avoid such financial and legal liabilities for CPTED practitioners and their clients and to reduce the liabilities for the International CPTED Association in the institutional support of such practices in their certification of professional CPTED training.

Keywords

CPTED, professional practice, legal and financial liabilities, ethics, security.

Introduction

The recent ISO 22341 international CPTED standard defining best practice in CPTED clarified many issues and defined several issues that had previously been either overlooked, ignored or not well addressed in the previous CPTED literature.

This paper focuses on the implications of one of the core issues defined in ISO22341 that CPTED must be delivered equitably regardless of race, status etc.

“The use of CPTED should be applied universally in an equal manner and should not be applied with any prejudice (whether cultural, racial, religious or any other bias).”

(Introduction, ISO 22341 (E), ISO, 2021)

This aligns with the global reality that justice and the law in general demands equity: that all are equal before the law (articles 2.1, 14, 24, 25 and 26 of United Nations, 1976a), (Articles 1, 2, 4 and 5 of United Nations, 1976b).

All persons are equal before the law and are entitled without any discrimination to the equal protection of the law.

In this respect, the law shall prohibit any discrimination and guarantee to all persons equal and effective protection against discrimination on any ground such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

(Article 26, United Nations, 1976a)

There are very few exceptions: gendered toilets, changing rooms and medical facilities being one of the few examples.

From observation, since the availability of ISO22341, these principles of equity and non-discrimination have been noted by some CPTED professionals and practitioners. However, this is not fully adopted by the field.

More importantly, there is negligible evidence that the non-conforming practices of CPTED have been changed to respond to them.

The analyses in this paper suggest that fulfilling these requirements of ISO 22341 require many significant changes to CPTED practices and intervention designs. The analyses also indicate the need for avoidance of many well established CPTED practices along with a need to carefully think out the equity and discrimination implications in every CPTED project and training.

Self-evidently, in earlier days of CPTED, decisions about which CPTED interventions were undertaken was primarily shaped by self-interested pressure groups, by agencies with an interest in reducing crime rates, and by politicians using ‘fear of crime’ and crime as a platform for obtaining and maintaining power.

This was paralleled by the relatively unsuccessful and problematic broad-brush approach to CPTED in which it was attempted to unthinkingly apply all CPTED principles to all and every

situation and every aspect of the built environment (P. Cozens, 2015, 2016; P. Cozens & Love, 2017; P. M. Cozens & Love, 2015). It is the evidence from such broad-brush CPTED approaches that appear to have led to the US government crime prevention assessment institution, 'Office of Justice Programs Crime Solutions to classify most CPTED practices in the US, UK and other countries as merely 'Promising' or 'No Effects', rather than 'Effective' (details available in National Insitutute of Justice, 2023). Cozens and Love's research echoed this finding also a 'Dark Side' of CPTED in which broad brush untargeted CPTED resulted in adverse outcomes across many aspects of public realm including where CPTED resulted in increased crime (P. Cozens & Love, 2017).

Given that best practice in CPTED has changed and is now focused and targeted as per the recommendations of ISO 22341, this brings into critical focus the equity and anti-discriminatory bounds on the CPTED best practices, principles and processes prescribed in ISO22341.

In critically analyzing the CPTED practices and processes of ISO 22341, multiple different dimensions of such a critique are evident, including:

- Identifying crime prevention strategies that are problematic in terms of equity and non-discrimination
- Identifying well established CPTED practices not permitted as a result of the equity and non-discrimination prescriptions of ISO 22341 and national laws
- implications of the equity and non-discrimination aspects of the ISO 22341 standard for changing standard conventional CPTED practices
- Implications for elements of the three ISO 22341 CPTED processes
- How these ethical constraints result in define differences between the differing bodies of practice of CPTED, Security and Policing
- Different implications for different agencies resulting from the duties and roles of differing classes of organizations (e.g., public service, commercial entities, NGOs and charities) along with associated entities that utilise CPTED such as planners, architects,

Neighbourhood Watch and related community originating organizations such as organizations in favelas reported in, e.g., Rio on Watch

- Identifying related legal and financial liabilities which individuals and organizations are exposed from ignoring or breaching the ISO 22341 standards relating to equity and discrimination.

Some of these issues have already been addressed, pre-ISO 22341 by Cozens and Love and others. Taken together, however, reviewing and analyzing all of the above is a significant commitment and cannot be addressed in a relatively short journal paper, such as this.

To demonstrate the key issues raised in the above, this paper will focus on two practical crime prevention factors that together reveal most of the above key aspects of the problematique of fulfilling the requirements of equity and non-discrimination in CPTED and the law. The two factors are: crime displacement and repeat victimization.

These two aspects of crime prevention, will be used in the following to illustrate the breadth of implications. They provide strong evidence of the need for significant changes in CPTED practices, public consultation, decision-making, ROI and cost of crime calculation, crime statistics, intervention design, funding and resource allocation, policy-making, evaluation and record keeping – and all different in different institutional settings.

The paper will additionally include some limited practical guidance on how to avoid the above problems of failing to satisfy the ISO 22341 CPTED standard, breaking the law and exposing the individuals and organizations involved in CPTED to financial and legal liability risks associated with equity and discrimination as defined both in ISO 22341 and in national and international legal codes.

In addition to the above, the paper will draw attention to how equity and non-discrimination considerations provide epistemological clarity in defining CPTED-focused activities as ontologically and practically distinct from and different to Security-focused activities.

This is because CPTED, defined via the requirements of ISO 22341 and national laws, requires all its activities and outcomes to be equitable and non-discriminatory. In contrast, the essential nature of security activities is to act to support the control of access to a client's assets, which is in essence an inequitable and discriminatory process that intentionally results in inequitable and discriminatory outcomes. Taken together this means CPTED and Security are completely different activities, and that the formal or informal control of assets in CPTED is of a different nature to that undertaken in the security realm.

The paper will first outline the different forms of crime displacement and how they cause inequity and discrimination.. This is followed by a discussion section exploring and describing the implications for CPTED practices within different institutional entities. This includes offering some guidance as to changes in CPTED-related practices needed to address the prescribed equity and non-discrimination considerations. The paper then briefly describes Repeat Victimization and how it presents similar, but different, equity and discrimination challenges to crime displacement and requires different changes to CPTED practices. The paper concludes with a summary of the findings.

Crime Displacement

Crime displacement to different locations, different times, different crime types or different crime targets has been an interest of criminologists since the 1970s at least (Bertoni & Aziani, 2021; Choo & Rebovich, 2014; Grossrieder, Chopin, Jendly, Genessay, & Baechler, 2017; Guerette, 2009; Hesselning, 2006; Hodgkinson, Saville, & Andresen, 2020; S. D. Johnson, Guerette, & Bowers, 2014; Shane D. Johnson, Guerette, & Bowers, 2012; Phillips, 2011; Wang, Liu, Zhou, & Lan, 2019).]

At a superficial level, the problem of equitability of crime displacement is echoed in the following:

“Two people are being chased by a bear. One asks the other ‘Can you outrun the bear?’ The other answers, ‘I only have to outrun you’.”

Findings have been problematically contradictory in research projects exploring crime displacement at a micro scale (e.g., crime hot spots) and especially relating to burglary.

However, many of such micro-scale crime displacement research projects are challenged by weak or self-limiting protocols, including that the displacement occurs outside the remit of the research project: in location (the displacement happens outside the area of interest of the project), in crime type (the crime is displaced to crimes not assessed by the project), or time (the crime is displaced to a time beyond the data collection period of the project).

Recent research on crime displacement that focuses on larger geographical areas and longer time periods is also leading to contradiction of other previously taken for granted CPTED assumptions. For example the recent crime displacement studies of Tompson et al (2022) show both that theft from cars is significantly reduced when street lighting is turned off or reduced and that those crimes are displaced to nearby areas with street lighting and theft from vehicles at all times of the day increased.

Overall, the argument that crime prevention primarily results in crime being displaced remains strongly supported. An obvious evidential support for this understanding is that wide area average crime rates remain substantially constant.

The three main dimensions of crime displacement as they relate to equity and non-discrimination issues in CPTED discussed below are:

- Displacement in location (including in type of object)
- Displacement in time
- Displacement in crime type

Crime displacement in location

Crime displacement in location is the most commonly understood of the three phenomena. It occurs, for example, where target hardening or other CPTED method at one location results in the same crime occurring at a different location.

An example is where one house is made impervious to burglary, so the criminal burgles a house that is less well secured. Another example, from a retail context, is the securing of particular CRAVED items with the result that other items are stolen.

How we know that crime displacement in location occurs and is common? The simplest evidence is the combination in any one area of:

- Evidence of effectiveness of a security or CPTED intervention for the crime types (e.g., burglary) for those properties or items that have been treated
- Negligible changes in the overall police crime incident records for those crime types over the same or following periods.

Stronger evidence of crime displacement by location is more recently becoming available through the application of better statistical methods and the use of larger datasets spanning larger geographical scales. Such recent larger geographical scale crime displacement research projects involving more sophisticated statistical analyses and big data are mostly occurring outside the traditional European/US criminological context, for example, using data from large cities in South America and China. An example is the work of Wang et al (2019) using large datasets that confirm crime displacement happens for burglary in the larger city-wide geographical scales – a much larger research scenario than the micro-context typical of crime displacement research projects that form the basis of reviews such as the widely quoted crime displacement review of Hesseling (2006).

Crime displacement in time

Crime displacement by time occurs when:

- Crime incidents per day (or other measure) reduce for a time, typically due to an external factor such as weather, holidays, disease control lockdowns, disaster and festivals.
- Crime incidents per day (or other measure) then increase to a higher level than average for a time, following the removal or change of the external disturbance
- The average crime incidents per day (or other measure) measured across the disturbance and the period after are the same as the longer-term average for the relevant crime types.

Classic examples of crime displacement in time are the disturbances in crime incidents/time due to holidays, weekends, adverse weather, crime prevention drives and targeted policing policies.

For example, during adverse weather events, crime incidents/time such as burglary fall temporarily. After the adverse weather event occurs, the rate of burglaries over time increases temporarily to compensate such that the average matches the long term. In effect, the crimes during the adverse weather are displaced in time to after the adverse weather incident (Jacob, Lefgren, & Moretti, 2004; Love, 2020; Tompson & Bowers, 2015).

Another example of crime displacement of time is the research by Tompson et al (2022) that found both that theft from cars is significantly reduced when street lighting is turned off or reduced and displaced to other all times of the day (as well as to nearby well-lit streets at night).

Crime displacement over time also occurs at the micro scale in activities often overlooked by crime displacement researchers. An example, is where retail thieves stop thieving temporarily when there is a store detective nearby and then continue as soon as the detective is no longer of influence. On a longer time scale, during COVID, many crimes were displaced in time due to the enforcing of lockdowns, with burglary rates falling temporarily due to people being home.

Crime displacement in crime type

Crime displacement in crime type occurs when the rate of one or more types of crime changes due, usually due to external factors, in such a way that although the dynamics of crime in each crime type changes, the overall crime incident rate and/or the economic crime rate remains constant over the longer term.

One example is the way that crime trajectories since the start of the COVID epidemic demonstrate such crime displacement in crime types. The lockdowns resulted in more people staying at home and thus burglary rates fell. At the same time, commercial premises containing valuable tools and stock closed due to COVID and as they were unprotected commercial break-in rates increased. Similarly, with no-one in public spaces, pubs, restaurants and hotels, non-family assaults in public spaces fell. At the same time, the incident rates of family-related assaults rose.

A classic example of crime displacement in crime type follows car theft becoming more difficult due to immobilizers. The result has been an increase in burglary and home invasions (with sometimes consequent assaults, robberies and burglary) to steal the car keys in order to steal the car.

The realm of cyber-physical crime and what I have called cyber-CPTED is one in which difficulties in access to assets in (say) the cyber realm result in a facilitating displacement of crime type to the physical realm and vice versa to produce a crime dynamic that incorporates both physical and cyber elements adopted and adapted in the moment.

Viewed overall, it can be argued that many aspects of crimes that exhibit displacement are driven by economics. This is indicated by the economic revenue rate, or economic value of crime, over time remaining relatively constant. That is, where a set back is realized due to crime prevention methods or otherwise, criminals consciously or unconsciously, and perhaps by a complex group dynamic process, divert their criminal intent to different location, time or crime types to maintain the income stream.

Discussion

In this paper, the primary interest in crime displacement is that **in crime displacement, the crime now occurs to someone else or to some other location or entity.**

A key condition of ISO 22341:2021, United Nations Article 26 and national laws referred to earlier, is that CPTED should be delivered in an **equitable and non-discriminatory manner.**

In the case of crime displacement, CPTED advice or support given to one person, group, building, organization or other form of entity reduces crime for them and then inequitably displaces it to some other person, group, building, organization or other form of entity.

Put bluntly, in crime displacement situations, crime prevention reduces the crime exposure of one party inequitably at the expense of another party. This is regardless of whether it is intentional or not.

Where CPTED is the crime prevention approach that results in crime displacement, it fails the fundamental principle of ISO 22341 that CPTED should be used equitably and without discrimination.

This situation of crime displacement is just one of several that gives rise to the above problems. Situations of repeat victimization are another obvious example that will be touched on later in the paper.

The above points to challenges for CPTED practices, policies, principles, theories and management. Current CPTED practices, policies, theories principles and management commonly result in inequitable and or discriminatory interactions and outcomes from crime displacement.

In parallel, CPTED practices typically fail to address the equitable resource allocation and CPTED intervention design issues relative to equitably reducing crime risks and costs relating to repeat victimization scenarios.

All the above results in an additional potentially serious practical problem for those involved in CPTED because it also carries with it implications of financial and legal liability. Those treated inequitably or having adverse consequences from inequitable treatment due to CPTED have

potential in civil and criminal law for restitution and redress from those directly or indirectly causing inequity, discrimination and their consequences. Additionally, insurance companies also have an interest in charging those involved with a share of liabilities, especially when the blame and costs can be redirected to those involved in CPTED implicated in causing the adverse outcomes.

The above implications are different for different institutional contexts. Examples include:

- Local, State and Federal government and their agencies
- Planning authorities
- Police
- Neighbourhood Watch and similar volunteer crime prevention organizations
- Security businesses
- CPTED professionals and practitioners

Local, State and National governments

Governments are in a unique position in that it is required of them to be equitable. This can be seen perhaps most clearly at the local government level where deliberately providing benefits to one individual or entity at the expense of another or others is contrary to their establishment.

Practical examples of problematic equity issues resulting from intentional or unconscious crime displacement abound in this space. Examples include:

- Advising a household to buy a dog to reduce burglary risk. In effect, the institutional advice from the government agency is for the household they are dealing with to buy a dog to benefit themselves and inequitably displace their crime risks and costs to someone nearby.
- Advising an individual property owner to increase their security (or their CPTED crime resistant profile) to

Local government agencies can fulfil their equity and non-discrimination responsibilities in crime prevention and CPTED terms by:

- Focusing on reducing crime rates across the geographic region (in whatever way they are measured) over time. Currently, crime is falling, typically by 0-3% per year, and local governments can equitably endeavor to ensure crime falls faster.
- Ensuring that when advice is given out, it is provided equitably across all constituencies
- Ensuring crime prevention resources and strategies are distributed equitably across all constituencies
- Paying particular attention to support those otherwise inequitably disadvantaged in criminological terms.
- Avoiding discrimination and if necessary, making positive contribution to crime prevention to offset prior discrimination.

Planning authorities

Planning authorities are charged with policymaking and development approval processes to equitably manage development and land use. This includes ensuring land uses and the design of developments contribute to reducing crime, and avoiding facilitating crime as part of general improvement of quality of life.

As part of this, many, perhaps most, planning authorities require new developments to conform with best practices in CPTED. Typically, this is done by requiring compliance with ISO 22341 or earlier in-house locally created non-standard 'CPTED guide-books'. At the time of writing, planning authorities are making the transition to ISO 22341 from those earlier non-standard locally created 'CPTED guidebooks. Planning authorities undertake CPTED assessment and review of proposed new developments either in -house or externally via by a qualified CPTED professional consultant.

The equity issues described earlier, and the example of crime displacement, present a suite of different problems for local, state and national planning authorities to those of local government. In part this is because Planning Authorities are working in the realms of the Planning and Design CPTED processes of ISO 22341 rather than the Site Management and Maintenance CPTED process of the already built environment that is the primary focus of crime management of local government and police.

The equity and discrimination challenges are different.

For Planning Authorities, there are at least three separate CPTED challenges of equity and discrimination:

- That the **overall planning of land uses** does not inequitably result in some parties having increased protection against crime at the expense of other parties' increased risk of crime
- That **new developments** do not inequitably result in some parties having increased protection against crime at the expense of other parties increased risk of crime
- That the planning of land use is equitable in nature and does not support discrimination.

A practical example that demonstrates equity and discrimination problems in planning policy is New Urbanism. Issues include:

- Mixed use developments combining commercial and residential result in lower crime risks for the commercial properties and their owners. However, this is inequitably at the expense of increased crime risks for residents in that residents would have lower crime risks and costs living in a similar but resident only precinct. In effect, the reduced crime risk of commercial businesses is being inequitably paid for by increases to residents' crime risks and costs.
- New Urbanist precincts involving walkability, permeability, increased 'eyes on the street, mixed use planning typically have **higher crime rates** than conventionally designed precincts. In effect this means New Urbanist planned developments are inequitably

consuming a larger proportion of a local government and police crime prevention resources compared to a traditionally designed precinct.

- New Urbanist planned areas typically present issues of equity and discrimination via their limited heterogeneity.

Some practical solutions for planning authorities to satisfy the equity and discrimination standards of the ISO22341 international CPTED standard include:

- Require a formal assessment of crime displacement including scale, crime types and identifying parties' crime is displaced from and parties subject to the inequitable costs of consequent increased crime risks
- Map crime risk in detailed manner along with demographic details into planning GIS databases and require adjustments on basis of planning policy changes and new developments
- Map existing forces, factors and effects of crime-related iniquitous or discriminatory situations in land use in order that subsequent development approval guidance can be used to help address historic inequities
- Provide guidance material on CPTED for equity and non-discrimination to CPTED professionals and practitioners.

Police

As for local government, the Police are charged with being equitable and non-discriminatory in their interactions with the public and public and private organizations.

Many equity and non-discrimination challenges for the Police stem from them adopting a crime prevention brief in addition to their primary role of enforcing the Criminal Justice System.

Equity and discrimination failures occur when police directly advise individual households, businesses or other organizations to reduce their crime risk in ways that displace their crime risks and cost to others.

Similar equity and discrimination failures occur when police undertake CPTED review of a project Development Approval and advise to reduce crime risk for that project. This will result in inequitable and potentially discriminatory displacement of crime risks and costs from the project to other locations.

A systemic challenge for equity and non-discrimination in relation to crime displacement in policing is that police responses are primarily incident-based. Hence, this provides a physical structure in which police directly interact with and advise victims. That advice almost always will result in inequity due to crime displacement.

One more equitable strategy would be to provide access for victims to a standard resource of best practice crime risk reduction information that is as easily available to all.

Security businesses

Security businesses act for their clients. In other words, their role is to provide benefits for their clients even if it is at the expense of other parties – and it typically increases other parties' crime risks and costs through displacement.

The primary purpose of security businesses, as the categorical name indicates, is tightly focused: to provide security of access to assets of clients. In other words, the primary role of any security business is to provide clients with systems to control access to the client's assets in the manner prescribed by the client. This is regardless of equity and discrimination considerations of other potential stakeholders, or the equity and discrimination considerations of outcomes, or even the equity and discrimination implications in law.

An example is the role of the security businesses acting for fossil fuel companies against Indigenous landowners in the US objecting to pipelines being put across their land in North Dakota (see, for example, Brown, Parrish, & Speri, 2017).

This means the nature of security businesses is inevitably, to the limit prescribed by law, free from the constraints of being equitable and non-discriminatory.

This has deep implications for identifying a significant difference between CPTED and Security

The need to be equitable and non-discriminatory as defined in ISO 22341 and international and national law, is a defining categorical difference between CPTED as a professional practice and the professional practice of Security.

Thus, the above and following analyses strongly support CPTED being regarded as ontologically and practically completely different to Security.

This is because CPTED defined via the requirements of ISO 22341 and national laws requires all its activities and outcomes to be equitable and non-discriminatory. In contrast, the essential nature of security activities is to act to implement their clients' instructions on control of access to the client's assets, which is in essence is an inequitable and discriminatory activity.

Taken together, the above means CPTED and Security are completely different activities, and that the formal or informal control of assets in CPTED is of a different nature to that undertaken in the security realm.

Neighbourhood Watch and similar volunteer crime prevention organizations

When Neighbourhood Watch uses CPTED it is subject to the ethical and non-discriminatory principles of ISO 22341 and international and national laws.

As described above, in terms of advice to individual householders, families, businesses and other entities, Neighbourhood Watch and similar organizations are constrained by the need to ensure that the advice does not result in iniquitous and or discriminatory crime displacement from one party to others – for example by advising an individual householder in ways that transfer their crime risks onto nearby households. This is echoed into ensuring Neighbourhood Watch behaves equitably across all in situations where repeat victimization is common.

The implications for Neighbourhood Watch differ dependent on whether Neighborhood Watch is regarded as a community agency drawing on CPTED to reduce crime across a community. In this case, the aims and practices of Neighbourhood Watch must be equitable and non-

discriminatory, and means, for example, offering the same advice to all, including the information that individual security improvements at any single location will transfer the crime costs to the other community members.

Alternatively, Neighbourhood Watch could be regarded as a semi-private security business whose members draw in its expertise to deliberately reduce their individual crime risk at the expense of their neighbors. In which case, the implications for Security organizations described earlier apply.

The difference between the above substantially depends on the primary source of **funding** of Neighbourhood Watch entities. Clearly, if the primary funding for Neighborhood Watch comes from the public purse, for example via the Police, then Neighbourhood Watch is subject to all the equity and non-discriminatory requirements in its actions as any government agency.

In contrast, if an individual Neighbourhood Watch is primarily funded by private donations, payment by individual clients, or payment from other private entities, then it has the choice of whether to operate using CPTED and ensuring its activities and outcome are equitable and non-discriminatory, or alternatively it can operate as a Security-based organization offering advice to clients that will transfer their crime risks onto other members of the public.

CPTED professionals and practitioners

ISO 22341 places a duty on CPTED professionals to act equitably and non-discriminatory. This includes:

- Ensuring that advice given to one party doesn't result in simply diverting the crime risks to another party.
- To satisfy ISO22341, Article 21 of UNHCR and national equity and non-discrimination laws requires the equity of equivalent crime risk for all.
- A primary aim must be overall reduction in crime risk for everyone

A practical example is avoiding advising individuals to ‘get a dog’ to reduce their burglary risk. In this case, in fact, the CPTED professional is inequitably advising how to transfer their crime risks and costs for the party they are supporting onto others. However, the responsibilities prescribed by ISO 22341 make the CPTED professional also responsible for reducing crime for those other parties bearing those additional crime risks and costs.

The prescriptions to avoid acting inequitably and or in a discriminatory manner presents many challenges to CPTED professional practice because currently almost all CPTED interventions are designed in such a way as to be inequitable in terms of their displacing of crime. The inequity occurs both in terms of the CPTED process (e.g., those suffering crime displacement not included in consultation) and in terms of inequitable outcomes.

The above indicates that the inequity and discrimination issues are structurally embodied in current CPTED professional practices.

This points to the need for a significant review of CPTED practices, principles, processes, training and management to identify new CPTED practices and principles that are structurally intrinsically equitable and non-discriminatory in action and outcomes. It will also involve processes to publicly guide established CPTED professionals in how to avoid using established CPTED approaches that are intrinsically inequitable and discriminatory.

Those training others in CPTED

In light of the topic of this paper, the implication for CPTED trainers and educators is to ensure that CPTED trainees are aware of the potential of CPTED to treat people in an inequitable and discriminatory manner and to create outcomes that are inequitable and or discriminatory and that this means such CPTED does not satisfy the ISO 22341 standard, and also in many countries it means the CPTED professional is committing a crime and or exposing themselves to liability through civil tort.

Legal and financial liability for those training others in CPTED occurs through vicarious responsibility in that through their teaching, the CPTED educators are in essence acting through the trainees.

Educationally, in CPTED training, this implies significant changes in curricula and content from the traditional content and modes of training of CPTED prior to and including ISO 22341.

The need for major changes implied by the above analyses of the implications of equity and non-discrimination are especially true for changes in training relating to: CPTED professional practices, providing CPTED advice, consultation with stakeholders, developing CPTED interventions, assessing crime risks, calculating ROI of CPTED interventions, undertaking CPTED reviews of development approvals and the like, recording CPTED projects and devising evaluations of CPTED projects.

Policymakers and Managers

The above equity and non-discrimination requirements of ISO 22341 and national laws sit as strongly on policymakers creating policies involving CPTED as any other institutional group. Policymakers, like CPTED trainers, similarly vicariously bear the same liability as those who conform to their policies and contradict the requirements of ISO 22341. They may break laws and expose themselves to civil tort when those others act according to malformed policies that have inequitable or discriminatory effects. Policymakers expose themselves to these financial and legal liabilities because they in effect act through and are directing those who must follow their policies.

The requirement on policymakers to avoid these financial and legal liabilities is to compose policies that result in equitable and non-discriminatory activities and outcomes. This has many dimensions in crime prevention because crime prevention is intended to change actions and outcomes. The above demonstrates how crime prevention, and by implication the policies that direct such crime prevention, can fail to satisfy ISO22341 and national laws relating to equity

and discrimination where such crime prevention involves the potential for crime displacement and repeat victimisation.

Managers bear the same financial and legal liabilities as policy makers for the same reasons, where their management demands on those they manage either requires them to enact faulty policies or undertake crime prevention and or related activities that fail to ensure equity and non-discrimination in the activities themselves or the outcomes.

Repeat Victimisation

Repeat victimization helps demonstrate similar but different CPTED equity and discrimination issues to crime displacement discussed earlier.

Repeat victimisation occurs when the same (or similar) person, location, object or entity (the victim) is subjected to repeated crime incidents (AIC, 2003; Farrell & Pease, 1993, 2017; Grove & Farrell, 2015).

As an aside, it appears the term '*victim*' originates from the same root as '*vicarious*' meaning to take the place of another, indicating its equity-related essence.

Evidence demonstrates that even a single recent incidence of crime against a victim significantly increases the crime risk for that victim (Farrell & Pease, 1993, 2017; Pease, 1998).

An example is that burglary crime risk for a house that has experienced a burglary in the last 12 months is around 500% that of the average burglary risk for the same area. The highest additional crime risk is in the week and month following the original burglary and after around 1 year is returned to the average crime risk.

In other words:

- Those not subject to repeat victimisation are inequitably having much lower costs of crime and reduced crime risks compared to the average
- Those subject to repeat victimization are inequitably suffering a bigger proportion of the crime risk

Repeat victimization is another example of crime displacement with additional dimensions. In effect, rather than crime being seen as random with the risk of crime being distributed equally to all, repeat victimisation transfers, or displaces, crime risk from those not recently victimized and onto those recently victimized (Farrell & Pease, 1993; Pease, 1998; Thompson, Tseloni, Tilley, Farrell, & Pease, 2018).

However, other forms of crime displacement ADD to and cause increased levels of inequitable repeat victimisation. Crime displacement additionally moves the crime risk from one group to another and hence the second group has even greater risk of repeat victimization than otherwise. In short, repeat victimisation, which is a widespread phenomenon across all crime types, provides a similar example to crime displacement of why major changes are needed in all aspects of CPTED practices, training and policymaking to comply with the equity and non-discrimination requirements of ISO 22341 and national laws and avoid exposing CPTED professionals and practitioners and others to consequent financial and legal liabilities.

Summary

To summarize, the analyses in the paper identify:

- That both ISO 22341 and national and international laws prescribe that equity and non-discrimination are non-negotiable aspects of crime prevention and the law
- Failure to satisfy equity and non-discrimination requirements exposes the chain of parties involved in CPTED to legal and financial liabilities.
- Failure of equity and non-discrimination prescriptions occurs in CPTED when CPTED activities, outcomes, policies, procedures, principles and training transfer crime risk and costs from one party to another.
- CPTED professionals, trainers and policy makers have to date problematically regarded equity and non-discrimination as an 'add-on' to traditional established CPTED practices and theories: that is, without critical awareness of the consequent need to fundamentally

change CPTED practices, principles, processes, training and related activities and theories to satisfy equity and discrimination prescriptions.

- Crime displacement and repeat victimisation provide two practical examples of how crime risk and costs are transferred between parties as a result of CPTED processes and interventions and hence result in legal and financial liabilities to the chain of actors from CPTED practitioners, through trainers to policymakers and beyond.
- Fulfilling equity and non-discrimination requirements requires significant changes to many CPTED practices, processes, training, principles and policies.
- The necessary changes to CPTED practices, processes, policies, training and principles differ dependent on the institutional context, including: Local, State and Federal government and their agencies; Planning authorities; Police; Neighbourhood Watch and similar volunteer crime prevention organizations; Security businesses and CPTED professionals and practitioners
- Equity and non-discrimination considerations provide a clear ontological, epistemological and methodological difference in definition between the fields of CPTED and Security, and when access control is undertaken in CPTED it must be done in manner different from Security approaches in order to fulfil the equity and non-discrimination prescriptions.

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