

# **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 in any professions, legal and financial liability are significant aspects of CPTED professional practice. Avoiding such liabilities depends on CPTED decisions that are ethical, equitable and legal. A key issue is the 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 others exposes CPTED practitioners to legal and financial liabilities. The use of CPTED to benefit specific groups, individuals or organizations in the protection of their assets (human or physical) is widely known as ‘security’. Understanding this difference between CPTED in the public realm,

and security in the private realm, challenges many CPTED assumptions and professional practices. The existence of these challenges, and the subsequent suite of liability problems for CPTED professionals and client agencies, is suggested within the relatively new International Standards Organization CPTED standard – ISO 22341:2021.<sup>1</sup>

This paper 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 addition finding of this analyses is that ISO 22341 clearly defines CPTED theory and practice as completely different activity from Security theories and practice. The paper concludes with guidance 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

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<sup>1</sup> See <https://www.iso.org/obp/ui/#iso:std:iso:22341:ed-1:v1:en>

## **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 ISO 22341 that CPTED must be delivered equitably regardless of race, and status.

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 some of the few examples.

Since the availability of ISO 22341, 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 to avoid 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 a variety of factors. In some cases, field research based on the problem at hand guided CPTED responses. In other cases, the choice of CPTED interventions was primarily 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 some practitioners attempted to 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).

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 described in the recommendations of ISO 22341, this highlights the equity and anti-

discriminatory bounds on the CPTED best practices, principles and processes prescribed in ISO 22341.

Many key points arise when critically analyzing the CPTED practices and processes of ISO 22341, 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, such as public service, commercial entities, non-governmental organizations and charities. It also includes associated entities that utilise CPTED such as planners, architects, Neighbourhood Watch programmers and related community originating organizations.
- 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.

Prior to the development of ISO 22341, some of these issues were addressed by Cozens and Love, and others. Taken together, however, reviewing and analyzing all of the above cannot be addressed in a relatively short journal article. Instead, this paper will focus on two practical crime prevention factors that together reveal most of the above key problem 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 crime prevention factors provide strong evidence of the need for changes in CPTED practices, public consultation, decision-making, return on investment, the cost of crime calculations, crime statistics, intervention design, funding and resource allocation, policy-making, evaluation and record keeping – and all different in different institutional settings.

This article will include some 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.

Finally, this article 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 protect and control access to a client's assets, which in some cases can be an inequitable and discriminatory process that 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.

This article will first outline the different forms of crime displacement and how they cause inequity and discrimination followed by a discussion exploring 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 discussion then turns briefly to repeat victimization and how it presents similar, but different, equity and discrimination challenges to crime displacement requiring different changes to CPTED practices.

### **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; Hesseling, 2006; T. Hodgkinson, G. Saville, & M. A. Andresen, 2020; S. D. Johnson, Guerette, & Bowers, 2014; Shane D. Johnson, Guerette, & Bowers, 2012; Phillips, 2011; Zengli Wang, Liu, Zhou, & Lan, 2019).

At a superficial level, the problem of equitability of crime displacement is echoed in the following indigenous proverb: *“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’.”*

Research findings on crime displacement at a micro scale have been problematically contradictory, such as with crime hotspots, especially relating to burglary. However, many 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 three ways:

1. Location (the displacement happens outside the area of interest of the project)
2. Crime type (the crime is displaced to crimes not assessed by the project)
3. 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 items with the result that other items are stolen.

How do 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 (such as 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. An example is research showing significant malign locational displacement following a mixed-methods research study combining qualitative ethnographic research with more sophisticated geographic statistical analyses called trajectory analysis (T. Hodgkinson, G. Saville, & M. Andresen, 2020).

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 (see, for example, Cheng, Li, Li, & Chen, 2024). Wang *et al.* (2019) use 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). Large data sets are also applied to the development of crime displacement analyses to improve the quality of crime prediction and predictive policing tools (Z. Wang, Lin, Zhou, & Lan, 2019).

### **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 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 demonstrating crime displacement in crime types is the way that crime trajectories changed since the start of the COVID epidemic. 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 (AIHW, 2021; Boxall, Morgan, & Brown, 2020; Hohl & Johnson, 2021).

A classic example of crime displacement in crime type follows car theft becoming more difficult due to anti-theft engine 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 (Carden, 2012).

Twenty years ago, one of the authors coined the term cyber-CPTED and created the online Cyber-CPTED Academy to provide training, for the realm of cyber-physical crime. This is one in which difficulties in access to assets in the cyber realm result in facilitating displacement of crime type to the physical realm (and vice versa) to create a crime dynamic that incorporates both physical and cyber elements suitably adopted and adapted. These are new forms of crime not addressed well by the methods of CPTED, security or cyber-security. More recently, others have used the terms digitally-enabled crimes and physically-enabled cybercrime. This shift into the cyber-CPTED crime realm can be seen in relation to the use of electronic devices to steal (physical) vehicles and the use of false digital identities to steal cars by 'buying' them from a dealership (see, for example, Cahill, 2025; VICPOL, 2025).

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 over time, or economic value of crime, remaining relatively constant. Where a setback is realized due to crime prevention methods or otherwise, criminals consciously or unconsciously (or perhaps by a complex group dynamic process), divert their criminal intent to different location, time or crime types to maintain the income stream.

## Discussion

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 that reduces crime for one person, group, building, or organization may inequitably displace it to some other person, group, building, organization or other form of entity. This means that, in crime displacement situations, crime prevention reduces the crime exposure of one party inequitably at the expense of another party, regardless of whether it is intentional or not. If CPTED is the crime prevention approach that results in crime displacement, it then fails the fundamental principle of ISO 22341 that CPTED should be used equitably and without discrimination.

The above points to challenges for CPTED practices, policies, principles, theories and management. Given the above examples, currently CPTED can result in inequitable and discriminatory outcomes from crime displacement. In addition, CPTED practices can also fail to address the unequal resource allocation and CPTED intervention design strategies relative to equitably reducing crime risks and costs to mitigate repeat victimization scenarios. This is touched on later in this article.

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 or discrimination. 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/Provincial 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 mandate.

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 reduce their risk at the chance of increasing the risk for others nearby.

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, our research using police recorded incident statistics and demographic data, shows that across urban jurisdictions crime rates are falling, typically overall by around 3-5% per year. For example, in the UK, last year the Police Data showed that headline crime (assault, burglary etc.) had reduced by 22% over the year (Office for National Statistics, 2024) and this echoes Crime Survey of England And Wales data (<https://www.crimesurvey.co.uk/en/index.html>) shows that crime rates have fallen by around 90% over the last 30 years. Local and national 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 planning authorities require new developments to conform with best practices in CPTED. This can be done by requiring compliance with ISO 22341 or by adopting in-house, locally created non-standard CPTED guidebooks. At the time of writing, from observation some planning authorities and local governments 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 through 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 currently built environment that is the primary focus of crime management of local government and police. The equity and discrimination challenges are different for planning before, or after, a building is in place.

For planning authorities, there are at least three separate CPTED challenges of equity and discrimination:

- 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.
- New developments do not inequitably result in some parties having increased protection against crime at the expense of other parties increased risk of crime.
- Land use planning is equitable in nature and does not support discrimination.

A practical example that demonstrates equity and discrimination problems in planning policy is the planning concept called 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 area. In effect, the reduced crime risk of commercial businesses is being inequitably paid for by increases to residents' crime risks and costs.
- New Urbanist areas involving walkability, permeability, increased eyes on the street, and mixed-use planning typically have higher crime rates than conventionally designed areas (P. Cozens, 2008; P Cozens, 2011). 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 ISO 22341 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 potential 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 their crime prevention mandate in addition to their primary role of enforcing law and supporting 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 may 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 may 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 and protection of client assets. 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.

One example in the American state of North Dakota is the role of the security businesses acting for fossil fuel companies against Indigenous landowners who object to pipelines being put across their land (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 reflects the deep and significant differences 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 difference between CPTED as a professional practice and the professional practice of security. The above analyses strongly suggests that CPTED practices are ontologically and practically different to security. This is because CPTED as defined in ISO 22341 requires that all its activities and outcomes must 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.

In conclusion, CPTED and security are completely different activities and that the formal or informal control of assets during CPTED activities comprises a different nature than that undertaken in the security realm.

### **Neighbourhood Watch and similar volunteer crime prevention organizations**

When the community crime prevention program, Neighbourhood Watch, uses CPTED it is subject to the ethical and non-discriminatory principles of ISO 22341 and international and national laws. In terms of advice to individual householders, families, businesses and other entities, Neighbourhood Watch practitioners are constrained by the need to ensure that their 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.

The implications for Neighbourhood Watch differ based on whether it is implemented by a community agency using CPTED to reduce crime. In that case, Neighbourhood Watch must be equitable and non-discriminatory. It 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 implemented by a private security business whose members draw in its expertise to deliberately reduce their individual crime risk at the expense of their neighbors. In that case, the implications for security organizations described earlier apply.

The difference in the cases above depend on the primary source of funding of Neighbourhood Watch entities. 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. 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 ISO 22341, 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 or in a discriminatory manner presents many challenges to CPTED because currently many CPTED interventions are designed to be inequitable in terms of the potential displacement of crime. The inequity occurs both in terms of the CPTED process (such as those suffering crime displacement not included in consultation) and in terms of inequitable outcomes.

This points to the need for a review of CPTED practices, principles, processes, training and management to identify new CPTED practices and principles that are 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.

### **CPTED trainers**

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. The goal should be to create outcomes that are equitable and non-discriminatory and that this means CPTED must satisfy the ISO 22341 standard. In many countries it means the CPTED professional who is not committed to equitable and non-discriminatory practices is 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 return on investment of CPTED interventions, undertaking CPTED reviews of development proposals, 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 and CPTED trainers, bear similar vicarious 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 because crime prevention is intended to change actions and outcomes. Crime prevention, and by implication the policies that direct such crime prevention, can fail to satisfy ISO 22341 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 theme 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).

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 (Farrell & Pease, 1993, 2017). The highest additional crime risk is in the week and month following the original burglary and after around one 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 yet 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 moves the crime risk from one group to another and hence the second group has even greater risk of repeat victimization.

Repeat victimization is a widespread phenomenon across all crime types and it provides an example illustrating why major changes are needed in all aspects of CPTED practices, training and policymaking. As mentioned earlier, the goal is to recommend that CPTED complies with the equity and non-discrimination requirements of ISO 22341, and avoid exposing CPTED professionals and practitioners and others to consequent financial and legal liabilities.

## **Summary**

To summarize, the analyses in this article 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/provincial, 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 many conceptual, theoretical, and practical 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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