Leisure and Crime in the Time of COVID-19

Catherine Palmer

Abstract

Across the globe, COVID-19 has fundamentally changed many aspects of how we live, work and play. This briefing paper provides an overview of how the pandemic has impacted leisure, specifically the intersections between leisure and criminality. The intention of the paper is to stimulate thinking about some of the unanticipated consequences of the criminalising of leisure as a response to COVID-19. The focus of the paper is Tasmania, but it draws on research and discussions in Australia and internationally.

Leisure, Crime and COVID-19

There is a long history of criminological interest in leisure. Howard Becker’s (1963) early work in the United States on marijuana users, research – predominantly in the United Kingdom – on football hooligans (Armstrong, 1998) and work from South Africa and the United States on wildlife ‘trophy’ poaching (Eliason, 2008) are among the topics of interest to criminologists. From sport to drinking to wildlife poaching, leisure offers a range of settings through which to engage with broader issues and debates about constructions of – and responses to – crime and criminal activity. Indeed, studies of deviance are very often studies of leisure. Coming at the relationship between leisure and crime from a different angle, leisure, and more particularly sport, has also been used as an intervention in crime prevention, reduction and rehabilitation programs (Blackshaw & Crabbe, 2004).

As the world grappled with the COVID-19 pandemic, leisure took on a new significance. Major sporting events were cancelled, rescheduled or reimagined for a new ‘COVID normal’. Almost all
places outside our homes – restaurants, pubs, bars and nightclubs, swimming pools, gyms, arts venues, theatres, cinemas, museums and galleries – were shut down. Playground equipment was taped off and even outdoor spaces, such as parks and beaches, were closed.

For members of the public, these closures not only restricted access to sport, leisure and recreation, but breaching the restrictions became criminal acts, attracting monetary fines and the threat of prison sentences (Houston & Webb, 2021). For adults, on the spot fines of $1,652 could be – and were – issued for refusing or failing to comply with emergency directions or public health risk power directives (Tasmania Legal Aid, 2021). In practice, this meant fines were issued for public gatherings in outdoor spaces. In a country like Australia which celebrates sport (and the weekend) so unquestioningly, it is almost unthinkable that someone could be jailed for kicking a football with friends at the park or for meeting mates to throw a frisbee at the beach.

Leisure, like almost everything else, pivoted in the pandemic. Many things we did previously for relaxation became potential criminal acts. More than this, the pandemic highlighted cultural, economic and political inequities that often drive and socially determine the criminal trajectories and outcomes of individuals and groups. In other words, through leisure, we saw many of the effects of inequities that the pandemic brought to bear on lives and interactions elsewhere.

Issues

There are four key issues to consider when thinking about some of the unanticipated effects of the criminalising of leisure as a response to COVID-19.

1. Shifting definitions of deviant leisure in lockdown

Pre-pandemic, the range of activities that we might consider deviant were fairly, and intuitively, obvious. The introduction of a range of public health directives across Australia, however, blurred the lines between deviant and acceptable leisure practices. The owner of a fitness centre who wished to open their premises beyond the government mandated trading hours to cater for shift workers was fined $1,652 for refusing to comply with public health risk power directions. A swimmer who ducked under a roped-off area for an early morning swim at a public beach was similarly fined. In other words, much of what we did for enjoyment (or employment) became criminal or illegal leisure, where lockdown directives criminalised previously lawful everyday activities. In this respect, lockdown joins a long history of regulatory strategies that are part of the ‘net-widening’ effects of criminalisation (Cohen, 1985).
2. Role of surveillance in lockdown leisure

The shifting definitions of deviant or illegal leisure through COVID-19 both increased the work of law enforcement (discussed below) and led to the rise of a surveillance culture. Neighbours notified police of illegal house parties or similar gatherings and were actively encouraged to report COVID-19 breaches (Department of Police, Fire and Emergency Management, 2021). These government-initiated means of control have had notable impacts on people’s lives and everyday activities. This informal system of neighbourhood watch, for example, has created fissures within neighbourhoods, where ‘dobbing’ is regarded as a different kind of antisocial behaviour, with the potential to exacerbate existing local tensions (Lub, 2018). The public health imperatives of the pandemic accelerated many of the micro-tensions already at work in neighbourhoods. At the same time, acts such as placing a soft toy such as a child’s teddy bear in a window helped connect the inhabitants of the house with people passing by.

Surveillance and policing also highlighted existing inequities (Sheptycki, 2020). The ‘hard lockdown’ in Melbourne of nine public housing towers for a period of several weeks meant that 3,000 residents, many of whom were migrants from culturally and linguistically diverse backgrounds, including some who had escaped conflict zones, were placed under police guard and not allowed to leave their apartments.

Increasing the surveillance and policing of already disadvantaged groups had the unintended but welcome consequence of informal local groups emerging who responded with kindness to the emergency directions. Neighbours shared phone numbers and started group chats on WhatsApp or Facebook where offers of assistance were shared and food, toys and the like were sorted and delivered by local residents to those in the nine public housing towers.

3. Challenges for law enforcement

The sheer volume of additional work that Tasmania Police and their interstate counterparts, as well as the Australian Defence Force, were required to undertake to ensure compliance with emergency and public health directives, coupled with a degree of ambiguity about the reach of their roles, undoubtedly created an unprecedented set of professional circumstances for police and defence. With duties now including moving people on from beach parties and breaking up a cycling peloton’s coffee meeting, the remit of enforcement extended from traditional conceptualisations of police work to include a whole range of unanticipated duties.

At the same time, many of routine police operations were diverted or suspended at the height of COVID-19 (roadside drink and drug testing are notable here) and there were very real fears
that the lockdown would exacerbate family violence and further isolate women trapped in such circumstances (Pfitzner, Fitz-Gibbon, & True, 2020).

4. Leisure and Crime prevention

Sport and leisure are often used in crime prevention, reduction and rehabilitation programs. Restrictions on public gatherings, physical distancing rules, greater demands on volunteers and hygiene restrictions have all introduced a new set of challenges for this important work. The closure of public swimming pools, football and netball clubs, gymnastic centres and with it, the mass standing down of coaches and the pausing of training, competition and club life, has led to fears that community sport will no longer be able to contribute, as it has done, to programs supporting wider social benefits and outcomes such as crime prevention and reduction.

For Policy Makers and Practitioners

The intersections between leisure and criminality span a number of policy and practice fields – criminal justice, sport and recreation, alcohol, gaming and licensing, local council, and health promotion as a start. Being across the issues considered in this paper can help inform knowledge, decision making and practice as we move towards a post-pandemic world for these and other sectors.

In particular, the shifting definitions of deviance – what counts as criminal in the time of COVID-19 – pose new questions for our courts and justice systems. The surveillance of lockdown leisure also provides a way of coming to know and understand how populations are governed.

An important part of the work of policy and practice, in terms of both development and implementation, is being able to foreshadow anticipated changes to social, political or economic life before they occur. No-one, of course, could have anticipated a pandemic. The opportunity, then, is to use the discussion points in this paper, which highlight the unanticipated consequences of particular policy decisions on practice, to consider the effects of COVID-19 for other policy settings and circumstances.

Conclusion

This briefing paper has outlined some of the ways in which COVID-19 has impacted leisure, specifically the intersections between leisure and criminality and the largely unexplored issues to emerge from the criminalising of leisure as a response to COVID-19. The key point made is
that the expansion of regulatory offences under public health and emergency directions created an increased criminalisation of leisure and everyday life.

At the time of writing, much of the globe is beginning to emerge from isolation. Still, many of the impacts of the pandemic are unknown. Emerging issues such as redefining deviance, the role of surveillance and the challenges for enforcing legal infringements on leisure do, however, raise questions about what we value and why, notably personal and public safety, while equally highlighting the ‘unknowns’ of the nature of crime and criminality as we move to a post-pandemic world.

About the Author

Catherine Palmer is Professor of Sociology at the University of Tasmania. Catherine’s research explores the intersections of sport and justice. Her work has appeared in *Qualitative Research in Sport, Exercise & Health, International Journal for the Sociology of Sport, Sport in Society, Journal of Gender Studies, Social & Cultural Geography, Sociology of Sport*, and she has received significant funding for her research from national and international funding bodies.

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