



**Australian Government**  
**Australian Institute of Criminology**

# Australian crime: Facts & figures

# 2011





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Facts & figures

2011

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ISSN 1832-228X (Print)  
1836-2249 (Online)

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Published by the Australian Institute of Criminology  
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### **Acknowledgements**

Extraction of data and preparation of text:  
Georgina Fuller

### **Notes**

Because of rounding, some percentages may not sum to 100.  
Minor revisions are occasionally made to publications after release.  
The online version available on the AIC website will include any revisions made since printing: <http://www.aic.gov.au/publications/facts/2011/>

Edited and typeset by the Australian Institute of Criminology

# Foreword

Every year, *Australian crime: Facts & figures* compiles information from a broad range of sources and presents a current profile of crime and criminal offending in Australia. Contained within this volume is trend information and statistics regarding specific crimes, victims, offenders, the location of criminal acts and the operation of criminal justice systems—the latter focusing on the work of police, courts and prisons. The presentation of this information in a single, centralised publication provides easy dissemination of accurate crime statistics and data to government and justice agencies, the media and the Australian public.

The 2011 edition sees the introduction of a new chapter. The purpose of this chapter is to provide one-off information about a particular offence or crime-related issue that is not otherwise featured in this publication. This year, the focus is on crimes committed against children and analysis is presented on the child victims of specific criminal offences, such as homicide, assault and sexual assault, robbery and kidnapping. Information is also presented on child abuse and neglect matters dealt with by statutory child protection services across Australia, the greater part of which are not dealt with as criminal offences.

The majority of information contained in this *Australian crime: Facts & figures* report can also be accessed via an interactive online data tool, *Australian crime: Facts & figures online*, available through the Australian Institute of Criminology (AIC) website ([www.aic.gov.au](http://www.aic.gov.au)). For more information on specific crime and justice issues, the AIC disseminates a number of publications—from fact sheets through to detailed reports. These publications are available for free download from the AIC website in a variety of formats, or by contacting the AIC directly.

This publication  
utilises data  
from both  
administrative  
and survey-based  
collections.

## Highlights

Some important trends of note contained in *Australian crime: Facts & figures* (2011) are:

- The overall number of recorded violent crimes decreased in 2010, except for the offence kidnapping and abduction. Assault continued to occur at a rate that far exceeded any other violent offence (766 per 100,000 population).
- Property crime decreased again in 2010; consistent with the general decrease evident over the previous 10 years.
- Males were most commonly the victims and the perpetrators of crime. The only violent crime where females were victimised at a greater rate than males was sexual assault. There were also gender differences evident in the location of where the crime occurred. For both males and females, physical assault most commonly occurred in the victim's own home. However, while females were most commonly threatened with assault in their own home, males were more likely to be threatened with assault at work, or a place of study.
- The recidivism rate of offenders returning to prison after previous incarceration has remained fairly stable over the past five years. Of prisoners released in 2007–08, 38 percent had returned to prison under sentence, while a total of 44 percent had returned to corrective services (prison and community corrections) by 30 June 2010.
- Persons aged 15–19 years had the highest rate of offending of any age group in 2010. Juveniles offended at rates that exceeded that of adults, a trend consistent with the past 13 years.
- With regard to financial crime, fraud is a crime that is often not reported to authorities (Reference 43). Advanced fee/upfront payment scams were the most common type of scam reported to the Australian Competition and Consumer Commission in 2010. The extent of financial loss varied by type of scam; overall, 54 percent of victims of scams in 2010 reported losing less than \$1,000, while less than one percent reported losses greater than \$500,000.

**Adam Tomison**  
**Director**

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# Acronyms

|                   |   |
|-------------------|---|
| <b>ABS</b>        | Australian Bureau of Statistics                                     |
| <b>ACCC</b>       | Australian Competition and Consumer Commission                      |
| <b>AFP</b>        | Australian Federal Police   |
| <b>AIC</b>        | Australian Institute of Criminology                                 |
| <b>AIHW</b>       | Australian Institute of Health and Welfare                          |
| <b>AusCERT</b>    | Australian Computer Emergency Response Team                         |
| <b>CDPP</b>       | Commonwealth Director of Public Prosecutions                        |
| <b>DUMA</b>       | Drug Use Monitoring in Australia                                    |
| <b>FCPV</b>       | forward control passenger vehicles                                  |
| <b>Indigenous</b> | Australian Aboriginal or Torres Strait Islander person or community |
| <b>MSO</b>        | most serious offence  |
| <b>MVT</b>        | motor vehicle theft   |
| <b>NHMP</b>       | National Homicide Monitoring Program                                |
| <b>UEWI</b>       | unlawful entry with intent  |

# Crime and justice statistics

The statistics used in *Australian crime: Facts & figures* are derived from a variety of administrative datasets and surveys; using both types of information enables a better understanding of the incidence and effects of crime in the community. The sources used to compile this edition are listed in the *References* section.

*Administrative collections*—Criminal justice agencies keep records of their workflow at different stages of the criminal justice process. For example, police keep incident records, courts record the details of cases and their disposition, and corrections agencies have details of offenders in their charge. Most basic information comes from these administrative collections, which have the advantage of covering the whole population that comes into contact with the criminal justice system and of remaining relatively stable in their collection and production over time.

There are limitations to these data however, including issues of comparability among agencies and jurisdictions, and it is only recently that most of the data have been collated at a national level, if at all. Specifically, national collections of recorded crime from police records have been collated since 1996, prisoner data from corrections agencies has been collated since 1983, data for all criminal courts has been collated since 2001 and offender data has been collated since 2009. However:

- The collections are not all based on the same unit of measurement. For example, police services record details about offences, the courts record data at an individual case level and corrections agencies record information about individual offenders.
- Although substantial work has been undertaken to improve the national collections, the collections continue to be hampered by jurisdictional differences in legislation, definitions and data collection methods that are often not uniform. Data recording quality may also be an issue for some elements of the collection.
- Further, it can take time to reach agreement at a national level on key issues, including definitions of new and emerging offences. As a result, greater detail about crime and justice is often available at a jurisdictional level, even when it is not possible to produce national statistics.
- Although most collections are grouped by year, the specific time period may vary between agencies. For instance, some follow the calendar year (January to December), while others are based on the financial year (July 1 to June 30 of the following year). Therefore, care should be taken when attempting to interpret information from incompatible time periods.

It is also worth noting that the datasets only contain reported crimes, yet not all crimes are reported to police. For example, it is estimated that only 20 percent of all sexual assaults are reported to police, compared with a reporting rate of nearly 100 percent for motor vehicle thefts (Reference 43). This is a primary reason that the other main types of data collection—crime surveys—are undertaken.

*Surveys*—Crime victimisation surveys are believed to provide a more accurate picture of actual crime rates in society as they attempt to measure all crime—including crime that has not been reported to police. They have the advantage of asking the same questions in the same way to the whole of a sampled population. These answers are then recorded in a similarly uniform way so that the information they provide is reliable and comparable.

However, it is not always valid to extrapolate from a sample to the whole population and all sample surveys contain a certain amount of error. As surveys are also expensive, they generally tend to be undertaken on a ‘one-off’ basis or infrequently. Surveys used in preparing this year’s edition of *Australian crime: Facts & figures* include the *Drug Use Monitoring in Australia* survey conducted by the AIC and *Crime Victimisation* survey conducted by the Australian Bureau of Statistics (ABS).

## Notes on using these statistics

It should be noted that police information on victims and offenders has not been tested in court. For example, an offence recorded by police as ‘murder’ may later be re-classified as ‘manslaughter’, or there may be insufficient evidence to proceed to trial, or to convict an alleged offender of any criminal offence.

The apparent marked fluctuation in some crime rates may be due to the small number of cases involved. For example, if only four homicides have occurred in one year, the addition or removal of one homicide per year will appear as a 25 percent increase or decrease.

Rates are determined against one of two different types of base population—either the total population, or total relevant population. The property crime victimisation rate, for example, divides the number of property victims by the total population. In this publication, data in relation to the total population are presented as *per 100,000*. Rates in relation to a relevant population (eg juveniles, males, females, or Indigenous persons) refer to the number of persons as a *proportion of that population*.

Population projections for Indigenous (Aboriginal and/or Torres Strait Islander) adults are based on data provided by the ABS. The ABS uses two methods to estimate Indigenous populations—the low series and the high series. Both contain certain

assumptions about births, deaths and migration. Figures in this publication are based on high-series population data. This method accounts for the effects of people's increasing propensity to identify as being of Indigenous background, as seen in the 1991 to the 2001 censuses. In 2004, the ABS released revised Indigenous population figures in the high series for 2001–03, based on the 2001 census. Rate calculations for these years therefore differ from those in some previous publications.

Data on juveniles refer to persons aged 10 to 17 years, while data on adults refers to persons aged 18 years and over. Prior reports of *Australian crime: Facts & figures* up to 2004 defined adults as persons aged 17 years and over, affecting calculations such as rates of imprisonment. From the 2005 issue onward, imprisonment rates were recalculated based on the revised adult age and will therefore differ from those used in older issues.

Because of rounding, some percentages may not sum to 100. Further, when percentages are being compared, the differences are reported as *percentage points*. When counts (eg number of incidents) are being compared, the difference is reported as a *percentage*.



## Chapter 1

# Recorded crime

Data on recorded crime as published by the ABS for the period 1996 to 2010 are presented in this first chapter. The information is based on police records of crimes from 1 January to 31 December each year. A victim of crime can be a person, premises or a motor vehicle.

The ABS has been collecting and publishing data since 1996 on the following eight major categories of offences—homicide (murder and manslaughter), assault, sexual assault, robbery, kidnapping and abduction, unlawful entry with intent (UEWI), motor vehicle theft (MVT) and 'other' theft. It is estimated that these crimes account for approximately 60 percent of all crimes recorded by police.

Due to inconsistencies among jurisdictions in recording, the ABS has not released aggregated data on assault since 2003. As trends within jurisdictions appear to be consistent, however, the data for each jurisdiction have been released. The Australian Institute of Criminology (AIC) used these data to compile the Australian totals for assault included in this chapter.

Caution must also be exercised when comparing the number of robbery victims from different years, due to an undercounting of victims in New South Wales prior to 2005. Similarly affected are data on the number of victims of UEWI prior to 2006, because of an overstatement of victims in New South Wales. General trends, however, appear not to be affected.

*Source: Reference 1*

## Number of recorded crimes

### *Violent crime*

Violent crime includes homicide, assault, sexual assault, robbery and kidnapping (sometimes referred to as abduction). Although robbery may include an element of property crime, it is included as a violent crime, as the use or threat of violence is considered a more serious offence than the theft.

**Table 1** Victims of selected violent crimes, 1996–2010 (n)

|      | Homicide <sup>a</sup> | Assault | Sexual assault | Robbery <sup>b</sup> | Kidnapping/abduction |
|------|-----------------------|---------|----------------|----------------------|----------------------|
| 1996 | 354                   | 114,156 | 14,542         | 16,372               | 478                  |
| 1997 | 364                   | 124,500 | 14,353         | 21,305               | 564                  |
| 1998 | 334                   | 130,903 | 14,689         | 23,801               | 707                  |
| 1999 | 385                   | 134,271 | 14,699         | 22,606               | 766                  |
| 2000 | 362                   | 138,708 | 16,406         | 23,336               | 695                  |
| 2001 | 347                   | 152,283 | 17,577         | 26,591               | 767                  |
| 2002 | 366                   | 160,118 | 18,718         | 20,989               | 706                  |
| 2003 | 341                   | 157,280 | 18,025         | 19,709               | 696                  |
| 2004 | 302                   | 156,849 | 19,171         | 16,513               | 768                  |
| 2005 | 301                   | 166,507 | 18,695         | 17,176               | 729                  |
| 2006 | 321                   | 172,441 | 19,555         | 17,375               | 726                  |
| 2007 | 283                   | 176,077 | 19,954         | 17,996               | 733                  |
| 2008 | 293                   | 170,720 | 19,992         | 16,513               | 788                  |
| 2009 | 293                   | 175,277 | 18,807         | 15,238               | 564                  |
| 2010 | 260                   | 171,083 | 17,757         | 14,582               | 603                  |

a: Comprises the offences of murder and manslaughter

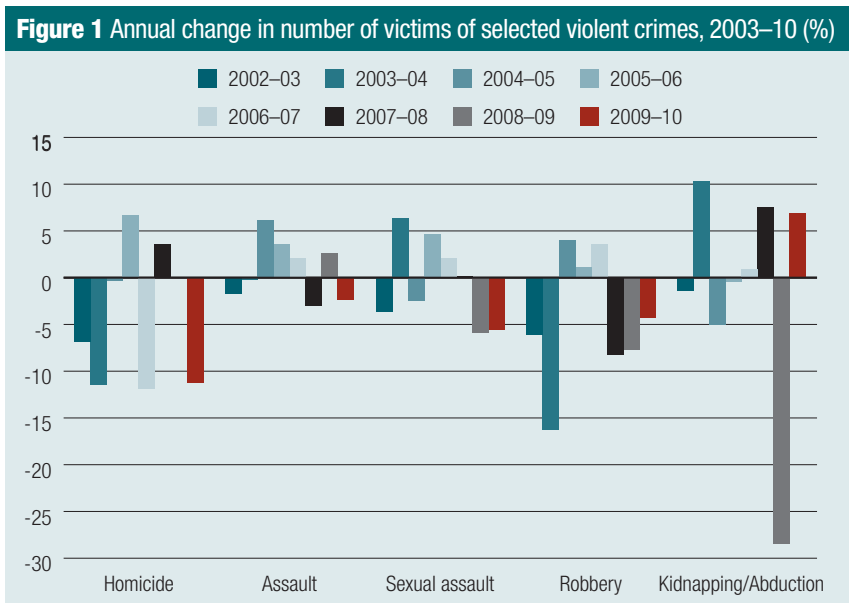
b: Comprises the offences of armed and unarmed robbery. Robbery is classified as a violent crime, as the use or threat of violence is considered more serious than the property offence

Note: Number of victims presented here represents revised estimates on numbers published in earlier editions of *Australian crime: Facts & figures*

- Of the five categories of violent crime, four recorded a drop in the number of victims between 2009 and 2010. These were homicide, assault, sexual assault and robbery.

- The number of victims of kidnappings/abductions increased between 2009 and 2010 by 39 people. However, the number of kidnappings/abductions in 2010 represents a 23 percent decrease since a peak in 2008, when 788 kidnapping/abductions were recorded.
- Overall, the number of victims of homicide has been in decline since 1996. In 1996, there were 354 victims of homicide in Australia compared with 260 in 2010. This is a decrease of 27 percent.
- Since 1996, assault has been the category of violent crime with the greatest number of victims annually. In 2010, 171,083 people were the victim of assault in Australia.
- The number of victims of robbery in 2010 is the lowest on record since 1996, with 14,582 victims. Robbery victim numbers peaked in 2001 with 26,591 victims.
- Sexual assault victim numbers have been decreasing since 2008, by approximately four percent per year.

Source: Reference 1



- Over the seven year period 2003 to 2010, the number of victims across all violent crimes has fluctuated, with no consistent pattern of increase or decrease being evident.
- Between 2009 and 2010, the number of victims of homicide in Australia decreased by 11 percent.

- In 2008, the number of kidnapping/abduction victims decreased by 28 percent; the largest percentage decrease of any violent crime over the seven year period. However, in 2010 the numbers of victims rose by seven percent, although continue to remain lower than those recorded in 2007.
- In 2010, sexual assault and robbery experienced a decline in the number of victims compared with 2009. Sexual assault victim numbers decreased by six percent, while robbery numbers fell by four percent.

Source: Reference 1

## Property crime

Property crime comprises UEWI (also referred to as break and enter or burglary), MVT and 'other' theft, which includes offences such as pickpocketing, bag snatching, shoplifting and bicycle theft.

|      | Unlawful entry with intent | Motor vehicle theft | Other theft |
|------|----------------------------|---------------------|-------------|
| 1996 | 402,079                    | 122,914             | 521,762     |
| 1997 | 421,569                    | 130,138             | 530,881     |
| 1998 | 434,376                    | 131,587             | 563,482     |
| 1999 | 415,735                    | 129,552             | 612,559     |
| 2000 | 436,968                    | 138,912             | 681,268     |
| 2001 | 435,754                    | 139,894             | 700,137     |
| 2002 | 394,323                    | 113,460             | 680,799     |
| 2003 | 354,020                    | 98,298              | 624,036     |
| 2004 | 308,675                    | 87,939              | 548,778     |
| 2005 | 281,994                    | 80,365              | 518,335     |
| 2006 | 262,005                    | 75,377              | 518,734     |
| 2007 | 248,475                    | 70,614              | 491,935     |
| 2008 | 241,760                    | 68,265              | 497,053     |
| 2009 | 222,664                    | 59,649              | 478,807     |
| 2010 | 216,886                    | 54,736              | 461,169     |

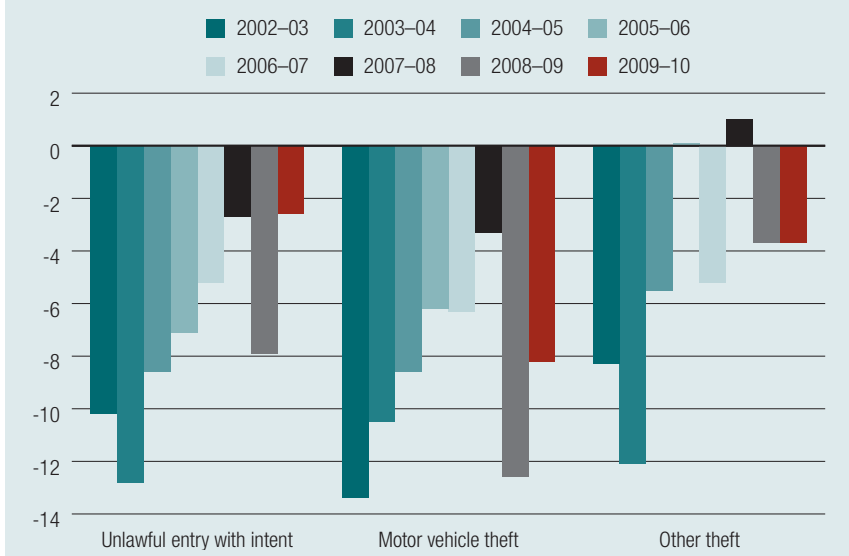
Note: Number of victims presented here represents revised estimates on numbers published in earlier editions of *Australian crime: Facts & figures*



- Despite the number of victims decreasing since 2009 across all three categories, Australia still experienced high levels of property crime in 2010.
- There were 17,638 fewer victims of ‘other’ theft in 2010 than were recorded in 2009; a four percent decrease.
- The number of victims of MVT has been in a state of decline since 2001, when there were 139,984 recorded victims compared with 54,736 victims in 2010. This is a total decrease of 61 percent.
- The 185,193 difference between the numbers of recorded victims of UEWI in 1996 and those in 2010 represented a 46 percent decline over the 15 year period.

Source: Reference 1

**Figure 2 Annual change in number of victims of property crime, 2003–10 (%)**



- In 2010, MVT experienced the largest percentage decrease in victims compared with the other two categories of property crime; decreasing by eight percent from the previous year.
- UEWI recorded the smallest percentage decrease in victims in the past two years, with the number of victims only decreasing by three percent between 2009 and 2010.
- Overall, the category of ‘other’ theft has decreased by 26 percent since 2003.

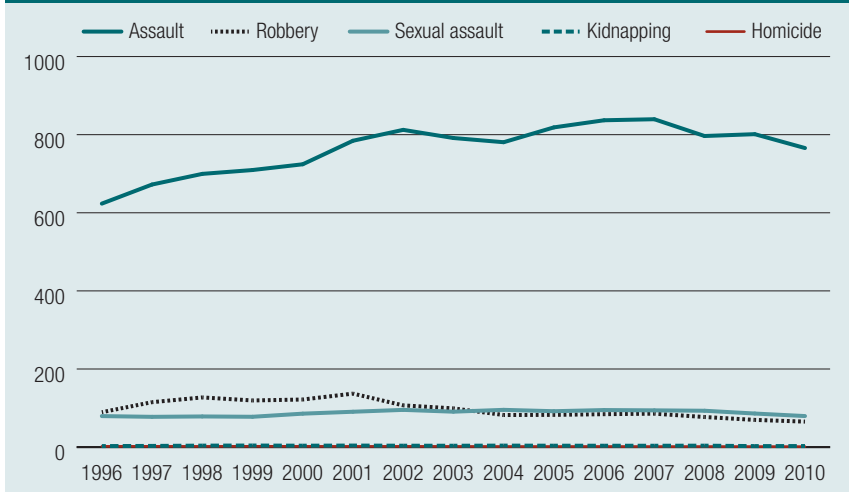
Source: Reference 1

## Recorded crime rates

Trends in the number of recorded crime victims do not take into account increases in the population over time. As a result, an increase may reflect an increase in the general population in that period rather than an increase in the actual likelihood of a person becoming a victim of crime. Crime rates adjust for changes in population size. In this section, they are calculated per 100,000 persons in the population per year.

### Violent crime rate

**Figure 3** Violent crimes, 1996–2010 (rate per 100,000 persons)



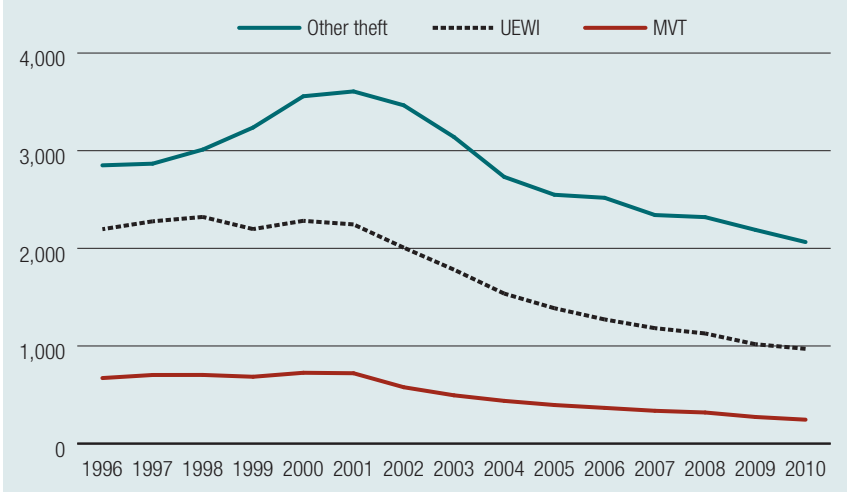
Note: Homicide and kidnapping each occur at rates of fewer than 5 per 100,000 population per year and are difficult to distinguish on this graph

- Since 1996, the rate of assault in Australia has been far higher than any other type of violent crime. At its peak in 2007, the assault rate was 840 per 100,000 population. In 2010, the rate fell to 766 victims per 100,000 population.
- Homicide and kidnapping/abduction are low volume crimes; in 2009 and 2010 the rates continued to be very low. The homicide rate was 1.2 per 100,000 population, while the kidnapping/abduction rate was 2.7 per 100,000 population.
- The rate of sexual assault has been declining by an average of three percent per year since 2006. Since 2004, robbery has been occurring at a lower rate than sexual assault; declining on average by two percent per year.

Source: References 1 and 2

## Property crime rate

**Figure 4** Property crimes, 1996–2010 (rate per 100,000 persons)



- In 2010, the rate of MVT was 245 per 100,000. This represents a 10 percent decrease from the previous year. However, the most rapid decline occurred between 2001 and 2004, when MVT fell, on average, by eight percent per year.
- The rate of 'other' theft increased rapidly between 1996 and 2000 rising from 2,850 to 3,557 per 100,000, before starting to decline. Between 2004 and 2010, the rate of 'other' theft declined by 24 percent or, on average, three percent per year.
- In 2010, the rate of UEWI was 971 per 100,000, an overall decline of 56 percent since 1996.

Source: References 1 and 2

## Location of crime

The ABS classifies crime locations according to the function of the site of the crime. There are three broad location types:

- *residential*—including houses, garages/carports, motels and hostels;
- *community*—including car parks, transport facilities, streets and footpaths, and schools; and
- *other*—including retail premises, recreational facilities, government offices and warehousing/storage.

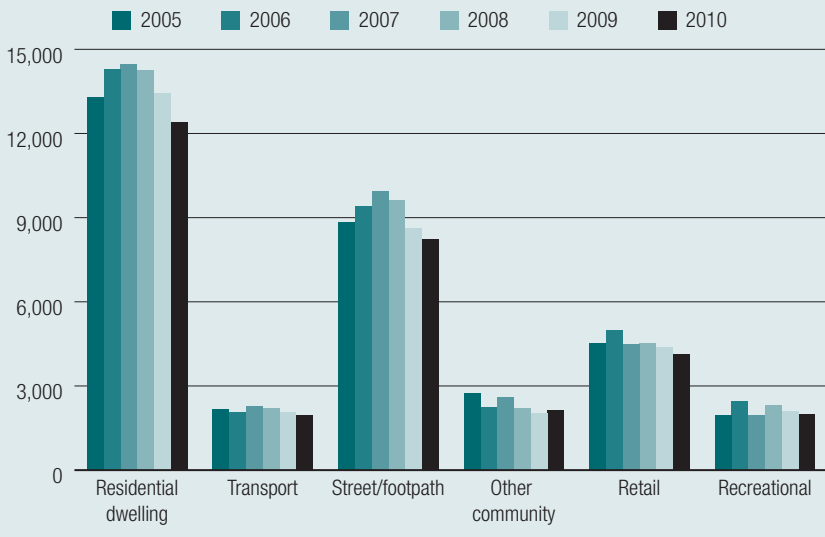
Table 3 shows a select number of violent offences that occurred within each type of location.

| <b>Table 3</b> Location type of violent crimes, 2010 (n) |               |                       |                                  |                |
|--|---------------|-----------------------|----------------------------------|----------------|
|  | <b>Murder</b> | <b>Sexual assault</b> | <b>Kidnapping/<br/>abduction</b> | <b>Robbery</b> |
| <b>Residential</b>                                       |               |                       |                                  |                |
| Residential dwelling                                     | 138           | 11,183                | 170                              | 913            |
| Outbuilding/residential land                             | 7             | 300                   | 9                                | 160            |
| Other residential  | 9             | 250                   | 0                                | 21             |
| <b>Total residential</b>                                 | <b>154</b>    | <b>11,733</b>         | <b>179</b>                       | <b>1,094</b>   |
| <b>Community</b>   |               |                       |                                  |                |
| Transport  | 0             | 599                   | 29                               | 1,325          |
| Street/footpath  | 30            | 1,213                 | 276                              | 6,704          |
| Other community location                                 | 14            | 1,466                 | 25                               | 513            |
| <b>Total community</b>                                   | <b>44</b>     | <b>3,278</b>          | <b>330</b>                       | <b>8,542</b>   |
| <b>Other location</b>                                    |               |                       |                                  |                |
| Retail   | 7             | 745                   | 36                               | 3,355          |
| Recreational   | 11            | 814                   | 38                               | 1,107          |
| Other  | 6             | 322                   | 11                               | 309            |
| Unspecified  | 3             | 865                   | 6                                | 175            |
| <b>Total other</b>                                       | <b>27</b>     | <b>2,746</b>          | <b>91</b>                        | <b>4,946</b>   |
| <b>Overall total</b>                                     | <b>225</b>    | <b>17,757</b>         | <b>600</b>                       | <b>14,582</b>  |

- Murder and sexual assault occurred most frequently within residential settings. Specifically, of the 225 murders that occurred in 2010, 61 percent occurred in a residential dwelling. Of the 17,757 sexual assaults in 2010, 63 percent occurred in a residential dwelling.
- Greater numbers of robberies and kidnapping/abductions occurred in community locations; specifically on the street/footpath. In 2010, 46 percent of robberies and 46 percent of kidnapping/abductions occurred on the street/footpath.

Source: Reference 1

**Figure 5** Selected violent crimes by type of location, 2005–10 (n)<sup>a</sup>



a: Excludes assault

- In line with the decrease in the overall number of violent crimes, the number of violent crime by location also generally decreased in 2010. While the number of violent crimes has decreased in some locations (eg dwellings, street/footpath), others have remained relatively stable since 2005 (eg transport and recreational locations).
- The number of crimes committed in recreational settings has increased, rising by two percent since 2005. However, between 2009 and 2010, the number of violent crimes occurring in recreational settings decreased by six percent.
- The number of violent crimes that occurred on the street/footpath peaked in 2007. Since then, the number of violent crimes that occurred on the street/footpath has decreased by approximately four percent per year, with the greatest decrease between 2008 and 2009 (11%).

Source: Reference 1

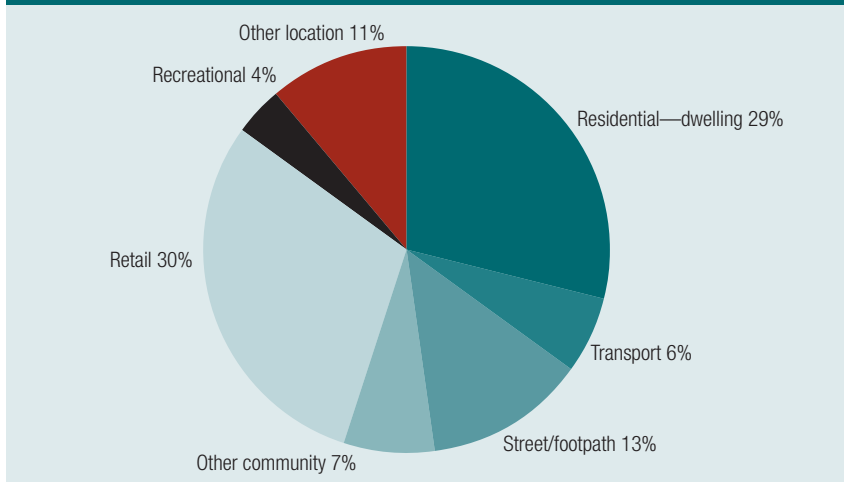
Table 4 shows the number of property offences (UEWI, MVT and 'other' theft) that occurred within each type of location.

| <b>Table 4</b> Location type of property crimes, 2010 (n) |                            |                     |                |
|---|----------------------------|---------------------|----------------|
|   | Unlawful entry with intent | Motor vehicle theft | Other theft    |
| <b>Residential</b>  |                            |                     |                |
| Residential dwelling                                      | 131,759                    | 0                   | 45,185         |
| Outbuilding/residential land                              | 15,856                     | 23,127              | 85,325         |
| Other residential   | 3,694                      | 0                   | 3,072          |
| <b>Total residential</b>                                  | <b>151,309</b>             | <b>23,127</b>       | <b>133,582</b> |
| <b>Community</b>  |                            |                     |                |
| Transport   | 426                        | 3,554               | 30,426         |
| Street/footpath   | 0                          | 18,814              | 62,718         |
| Other community location                                  | 13,291                     | 819                 | 25,266         |
| <b>Total community</b>                                    | <b>13,717</b>              | <b>23,187</b>       | <b>118,410</b> |
| <b>Other location</b>                                     |                            |                     |                |
| Retail  | 24,888                     | 3,527               | 151,238        |
| Recreational  | 5,788                      | 739                 | 18,555         |
| Other   | 19,596                     | 3,201               | 27,622         |
| Unspecified   | 1,588                      | 955                 | 11,762         |
| <b>Total other</b>  | <b>51,860</b>              | <b>8,422</b>        | <b>209,177</b> |
| <b>Overall total</b>                                      | <b>216,886</b>             | <b>54,736</b>       | <b>461,169</b> |

- Due to the nature of the crime, no MVTs occurred in a residential dwelling or in a location classed as other residential. Similarly, no UEWI offences occurred on the street/footpath.
- There was little difference between the total numbers of MVTs that occurred in either residential or community locations. In 2010, 23,127 MVTs occurred in outbuilding/residential land (under the overall category of *Residential*), while 18,814 occurred on the street/footpath.
- The greatest number of 'other thefts' occurred in retail settings in 2010 (n=151,238).
- Apart from residential dwellings, where the most number of UEWI occurred (n=131,759), the next most common location for UEWI in 2010 was retail locations, where 24,888 offences occurred.

Source: Reference 1

**Figure 6** Property crime by location, 2010 (%)

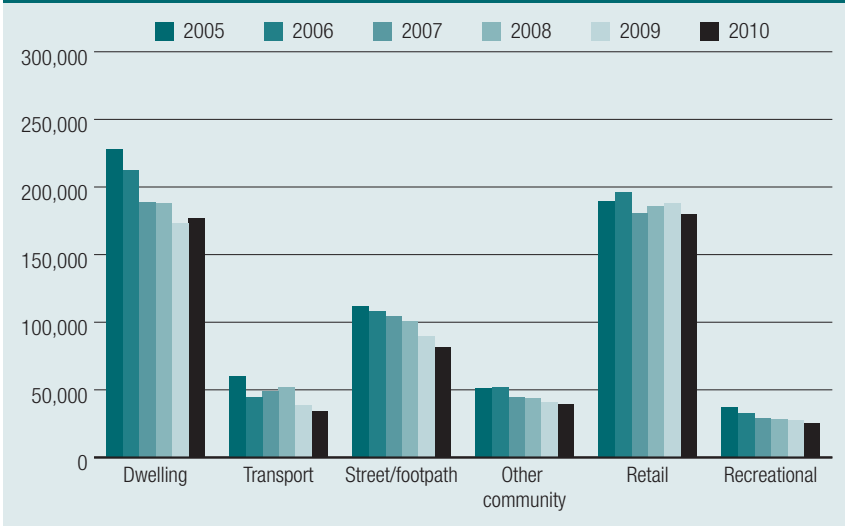


n=601,717. Excludes residential locations that could not be classified as a dwelling, outbuilding/residential land and locations not further defined

- In 2010, property crimes most commonly occurred in retail (31%) residential (29%) and street/footpath (13%) locations.
- Property offences were least likely to occur in recreational (4%), transport (6%) and other (11%) settings.

Source: Reference 1


**Figure 7 Property crime by location, 2005–10 (n)**



- Overall, the number of property crimes has decreased across all locations since 2005. The location with the largest percentage decrease in the occurrence of property crimes is transport. In 2005, 59,875 property crimes occurred in transport locations compared with 34,406 in 2010—a decrease of 43 percent.
- Over the past six years, there has been a shift from residential dwellings to retail settings as the most common location for property crime. For the first time in 2009, a larger number of property crimes occurred in retail locations than residential settings.
- The number of property crimes occurring on the street/footpath and in recreational settings has decreased steadily over the six years. Specifically, the number of property crimes occurring on the street/footpath has decreased by approximately four percent per year, while those occurring in recreational settings have decreased by approximately five percent per year.

Source: Reference 1





## Chapter 2

# Selected crime profiles

## Homicide

The definition of *homicide* used by the ABS is *the unlawful killing of another person*. Homicide statistics discussed here include the following categories of offences:

- *murder*—the wilful killing of a person either intentionally or with reckless indifference to life; and
- *manslaughter*—the unlawful killing of a person:
  - without intent to kill, usually as a result of a careless, reckless, or negligent act; or
  - intentionally, but due to extreme provocation; or
  - when in a state of mind that impairs the capacity to understand or control one's actions.

This reflects categories recorded by police at the time of the homicide and does not necessarily take into account the final outcome of the court case.

Homicide does not include:

- *attempted murder*—the attempt to unlawfully kill another person by any means, act or omission; and
- *driving causing death*—the unlawful killing of a person without intent to kill, caused through culpable, dangerous or negligent driving.

The data collected by the AIC through the National Homicide Monitoring Program (NHMP) incorporates a range of materials that provide greater detail for each homicide than that collected by the ABS. It should also be noted that the ABS reports by calendar year and the AIC by financial year.

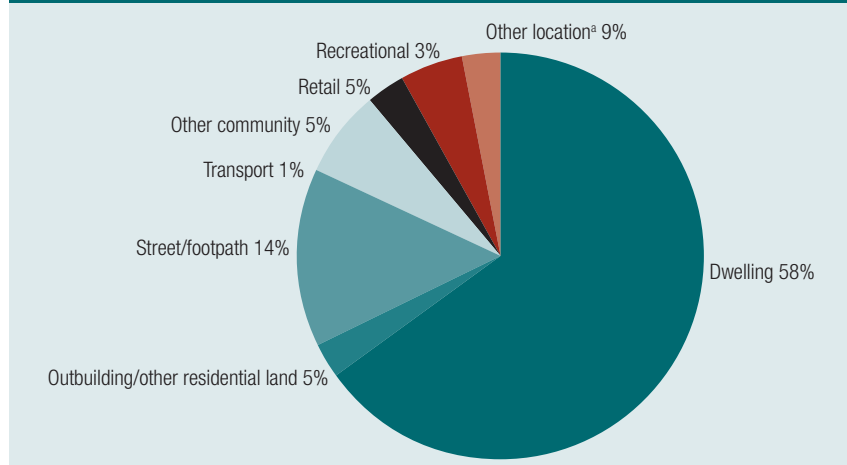
Data on the use of firearms in homicide are derived from victim data collected in the NHMP. Previous editions of *Australian crime: Facts & figures* used ABS data on causes of death, but coding procedures used since 2004 (related to an increase in the number of open coroner's cases) have resulted in an undercounting of firearm deaths due to assault; that is, firearm homicide.

According to the ABS, there were 260 homicides in Australia in 2010; that is, 1.2 victims per 100,000 population. In 2010, murder accounted for 229 (88%) of the homicide victims recorded. The remaining 31 victims (12%) were victims of manslaughter.

Source: References 1 and 3

### Location of murders

**Figure 8** Murder location type, 2010 (%)



a: Includes unspecified location

n=213

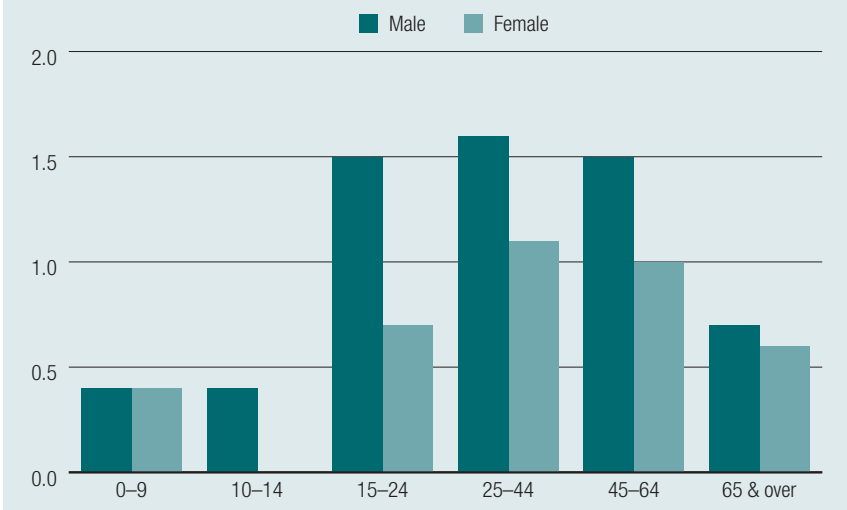
Note: National data on the location of manslaughter victims (31 victims) cannot be presented here as it was in previous years, due to incompleteness of ABS published data, particularly regarding the breakdown of manslaughter by residential and community locations

- By far the most common location for murder in 2010 was dwellings (65%), followed by the street/footpath (14%).
- Conversely, only three percent of murders occurred in each of the following locations—outbuilding/other residential land, retail and ‘other’.

Source: Reference 1

Victims of murders

**Figure 9** Murder victimisation rates, by age group and sex, 2010 (per 100,000 population of that age group and sex)

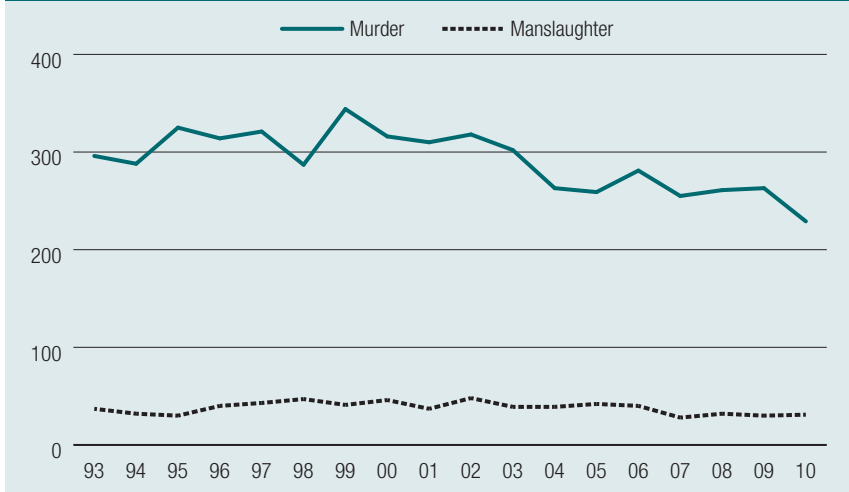


- From the age of 10 years, the rate of murder victimisation was greater for males than for females. This difference was greatest in the 15–24 year age group, where males were victimised at a rate of 1.5 per 100,000 males, compared with 0.7 per 100,000 females.
- In 2010, there were no female murder victims aged 10–14 years. By comparison, there were only three male murder victims of equivalent age, resulting in a victimisation rate of 0.4 per 100,000 males.
- Victimization rates were closest between sexes in the 0–9 years and 65 years and over age groups. Regardless of gender, 0–9 year olds were victimised at a rate of 0.4 per 100,000. For victims aged greater than 65 years, males were victimised at a rate of 0.7 per 100,000, while females were victimised at a rate of 0.6 per 100,000 females.

Source: References 1 and 2

Trend in homicide

**Figure 10** Homicide victims, 1993–2010 (n per year)



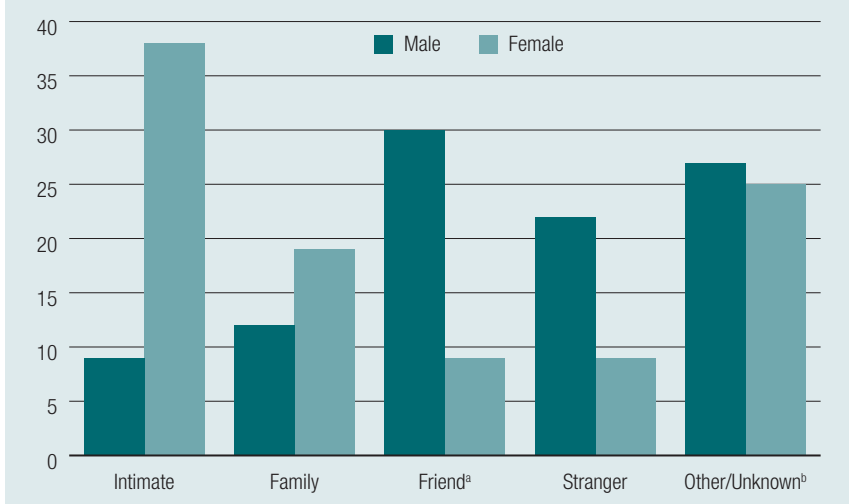
- The number of offences involving manslaughter has remained at less than 50 per year since 1993—from a low of 28 offences recorded in 2007 compared with 48 offences (the highest number on record), which occurred in 2002.
- In 2010, 88 percent of homicide victims were victims of murder. The 229 recorded victims represents a 19 percent decrease in the number recorded since 2006 (n=281 murders) and a 33 percent decrease since the highest recorded number of victims in 1999 (n=344).
- Since 1999, the number of murders has generally decreased by around three percent per year.

Source: Reference 1

The following figures are derived from NHMP. According to the NHMP, 363 homicides were committed in Australia in 2010.

Victim–offender relationship

**Figure 11** Homicide victim’s relationship to offender, 2009–10 (%)



a: Includes acquaintances

b: Includes business associates, employee/employer, colleagues and other relationships. Includes cases where relationship was unknown

n=363. These data reflect information available at the time of reporting

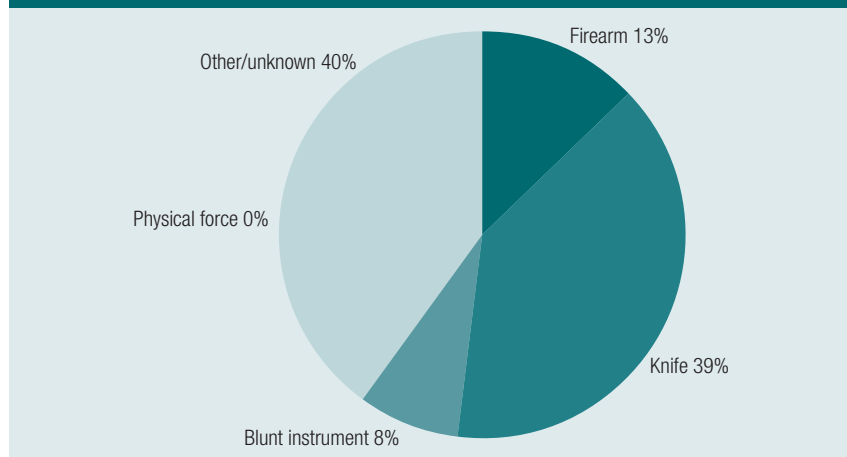
Note: Relationships are counted once for each distinct victim/offender pair

- In 2009–10, 54 percent of all victims knew their offender either intimately, or as a family member or friend.
- Thirty-eight percent of females were the victim of a homicide perpetrated by an intimate partner. This was the most common victim/offender relationship for females, followed by other offender (25%) and family relationships (19%).
- Males were most commonly murdered by friends—accounting for 30 percent of all male homicide victim/offender relationships in 2009–10. This was followed by other relationships (27%) and stranger relationships (22%).

Source: Reference 3

## Weapon use

**Figure 12** Type of weapon used in homicide, 2009–10 (%)



a: Includes other types of weapons used in homicide such as ropes, ligatures, vehicles. Also includes cases where the weapon used was unknown

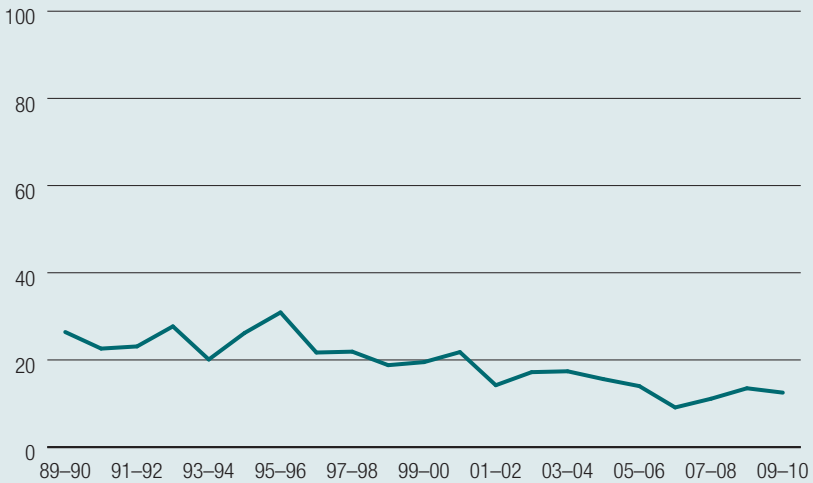
n=280

- The most common weapon used in homicide in 2009–10 was a knife. Knives were involved in 39 percent of all homicides.
- Firearms were used in 13 percent of homicides in 2009–10, while blunt instruments were used in eight percent. Only one victim was killed through the use of physical force, accounting for less than one percent of the total number of homicides.
- In 40 percent of homicides cases, the weapon used was either classed as ‘other’ or was unknown.

Source: Reference 3

## Trend in firearm homicides

**Figure 13** Victims killed by firearms, 1989–90 to 2009–10 (% homicide victims)



- Over the past two decades, an average of 19 people per year have been killed by offenders using firearms.
- The number of homicide victims killed by offenders using firearms decreased from 14 percent in 2008–09 to 13 percent of total homicides in 2009–10.
- The proportion of homicide victims killed by offenders using firearms in 2009–10 represented a decrease of 18 percentage points from the peak of 31 percent in 1995–96 (the year in which the Port Arthur massacre occurred with the death of 35 people, which subsequently led to the introduction of stringent firearms legislation).

Source: Reference 3

## Assault

The ABS defines *assault* as *the direct infliction of force, injury or violence upon a person, including attempts or threats*. It excludes sexual assault.

In 2010, in Australia, there were 171,083 recorded assaults, constituting 766 victims per 100,000 population.

The data for the following charts on the location of incidents and the age and gender of victims of assaults are presented here as an aggregation of ABS data for all Australian states and territories.

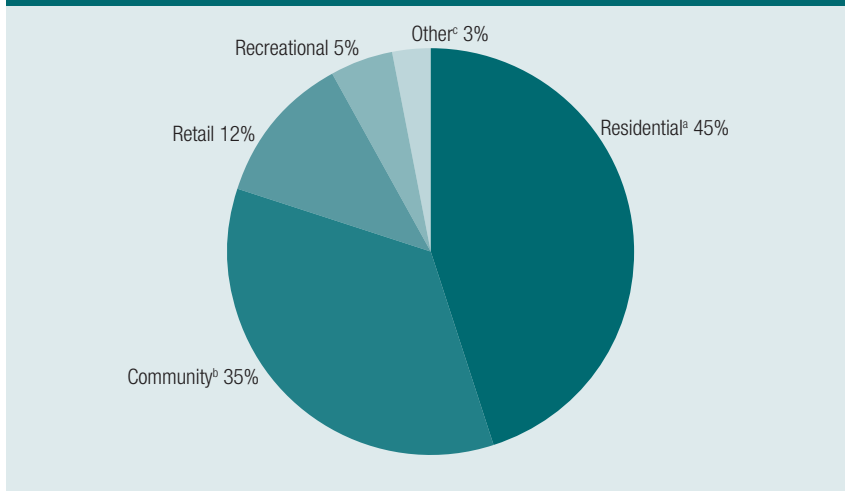
By contrast, the data in Figure 16 on the relationship between victims and offenders for assault are an aggregate of New South Wales, Victoria, Queensland, South Australia, Tasmania, Northern Territory and Australian Capital Territory data; these data were not available for Western Australia in 2010.

The ABS does not provide national data on victims of assault due to differences in business rules, procedures, systems, policies and recording practices between states and territories. The AIC compiled the national aggregates reported in this section from ABS jurisdictional data.

Source: Reference 1

### Location of assault

**Figure 14** Assault location type, 2010 (%)



a: Outbuilding or other residential land

b: Includes educational, health and religious community locations, as well as community locations not specified

c: Administrative/professional, banking, wholesale, warehousing/storage, manufacturing, agricultural and other locations not specified

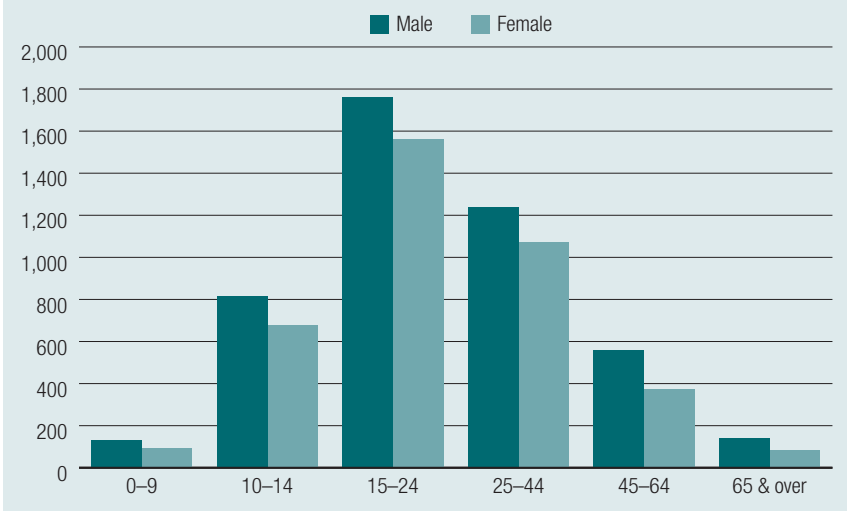
n=171,083

- The two most common locations for assault were residential (45%) and community (35%) settings. Retail locations such as chemists, service stations and supermarkets were the location of 12 percent of assaults in 2010.

Source: Reference 1



**Figure 15** Assault victims, by age group and sex, 2010 (per 100,000 of that age group and sex)

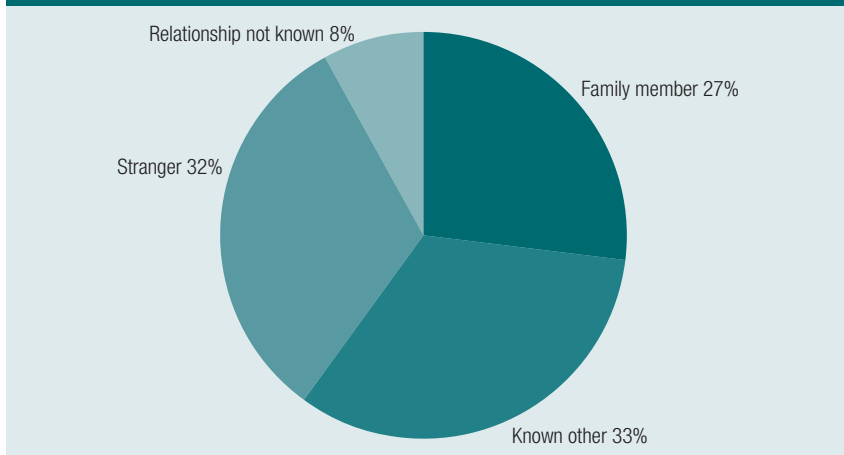


- The rate of male assault victimisation was greater than the rate of female assault victimisation across all age groups.
- Assault victimisation was highest for both sexes in the 15–24 year age group. The rate of victimisation for males was 1,760 per 100,000 males while the female victimisation rate was slightly lower at 1,559 per 100,000 females in this age bracket.
- The decline in victimisation was sharper for females than it was for males. Between the age groups of 25–44 and 45–64 years, the rate of assault victimisation decreased by 65 percent for females, compared with a decline of 55 percent for males. Specifically, the victimisation rate for females aged 25–44 years was 1,073 per 100,000 females compared with 373 per 100,000 females aged 45–64 years.
- In total, persons (males and females) aged 0–9 years were the victims of assault at a rate of 112 per 100,000. For those aged 65 years and over, the rate of assault victimisation was 110 per 100,000 persons aged 65 years and over.

Source: References 1 and 2

## Assault victim-offender relationship

**Figure 16** Assault victims, relationship to offender, 2010 (%)



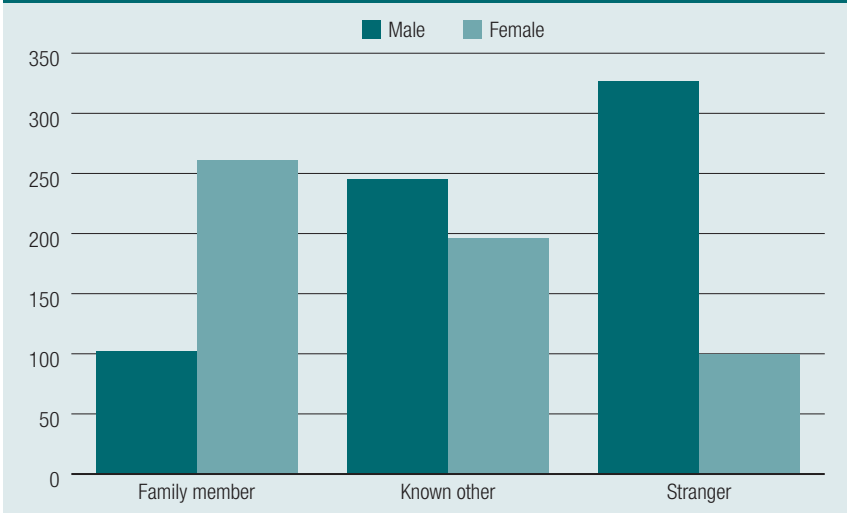
a: Includes known non-family member and known but not further defined, which may include some family members  
n=150,171

Note: Excludes Western Australia (data not available)

- There was little difference in the proportion of victims of assault in 2010 who knew their offender in a capacity other than family and those to whom the offender was a stranger.
- Twenty-eight percent of assault victims reported being victimised by a family member.

Source: Reference 1

**Figure 17** Assault victims relationship to offender, by sex, 2010 (per 100,000)



Note: Excludes Western Australia (data not available)

- In 2010, for females, victims were most commonly assaulted by a family member, at a rate of 261 per 100,000 female population. By contrast, females were victimised by strangers at a rate of 99 per 100,000 female population.
- The opposite pattern was observed for male assault victims. Males were assaulted by a stranger at a rate of 327 per 100,000 male population compared with a rate of 102 per 100,000 male population when the offender was a family member.

Source: Reference 1

## Sexual assault

The ABS defines *sexual assault* as a *physical assault of a sexual nature, directed toward another person who:*

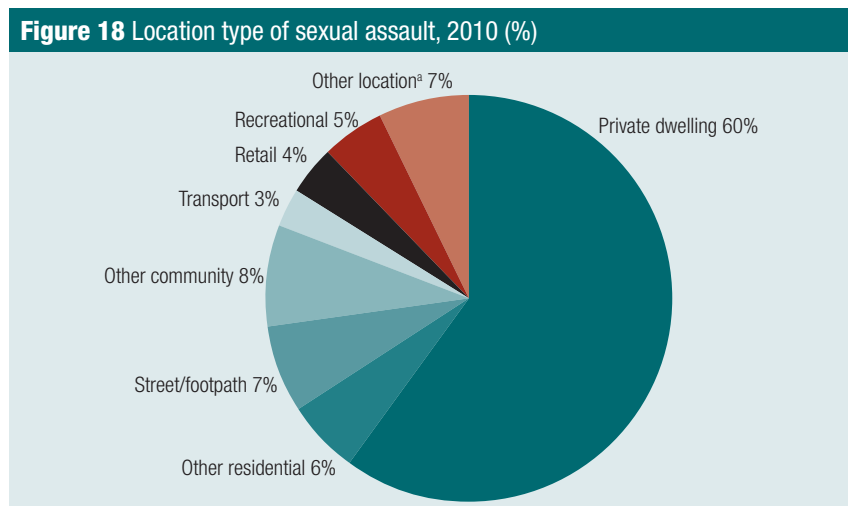
- *does not give consent, or*
- *gives consent as a result of intimidation or fraud; or*
- *is legally deemed incapable of giving consent because of youth or incapacity.*

Due to differences in definition and recording practices between each jurisdiction, the ABS does not supply national figures for victim and offender relationship. The information presented in Figures 19 and 20 has been aggregated by the AIC from all jurisdictions except Western Australia, whose data was unavailable.

In Australia, in 2010, there were 17,757 recorded sexual assaults, with 79 victims per 100,000 population.

Source: Reference 1

### Location of sexual assaults



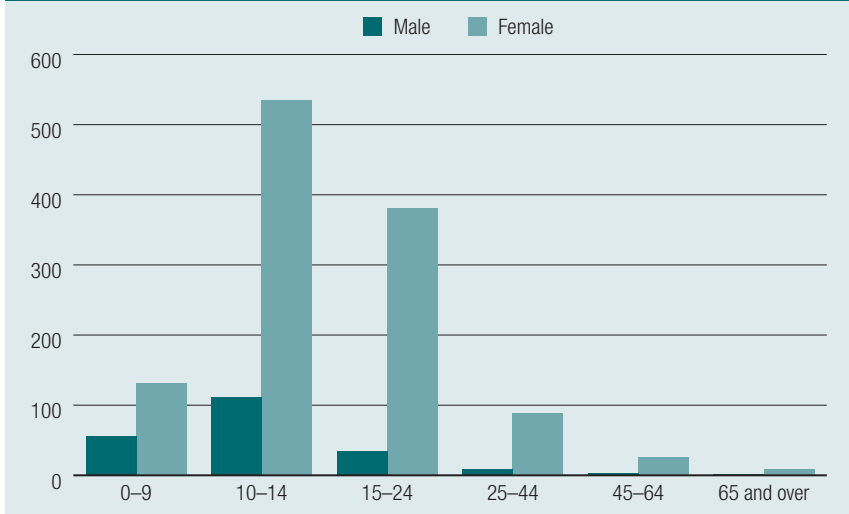
a: Includes unspecified location

n=17,757

- The majority (60%) of sexual assaults occurred in private dwellings.
- By comparison, five percent of sexual assaults occurred in recreational settings, four percent in retail locations and three percent in transport locations.

Source: Reference 1

**Figure 19** Age and gender of sexual assault victims, 2010 (rate per 100,000)

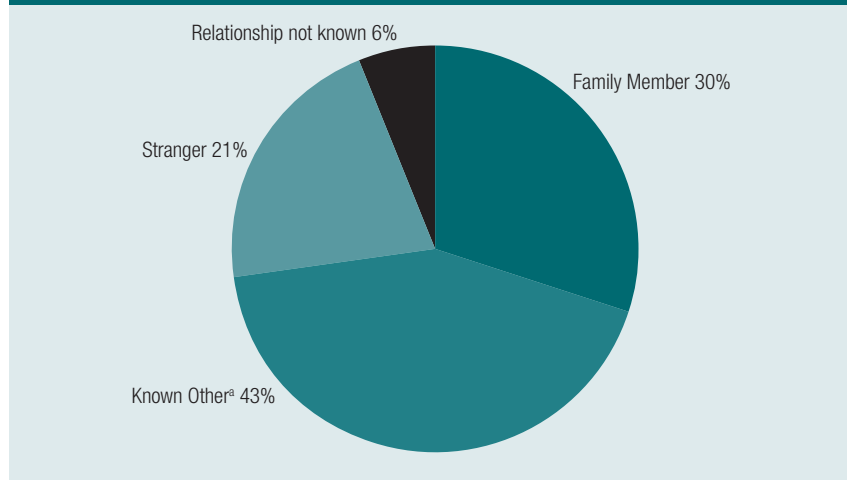


- In 2010, females were sexually assaulted at a higher rate than males across all age groups. The rate of female sexual assault victimisation dropped significantly in the older age groups. Specifically, the rate of victimisation for females aged 25–44 years (88 per 100,000 females) was 77 percent lower than for females aged 15–24 years (380 per 100,000 females).
- Ten to 14 years olds had the highest rate of sexual assault victimisation regardless of sex. Males were victimised at a rate of 112 per 100,000 males, while for females, the rate was 534 per 100,000 females.

Source: References 1 and 2

## Sexual assault victim–offender relationship

**Figure 20** Sexual assault victims by relationship to offender, 2010 (%)



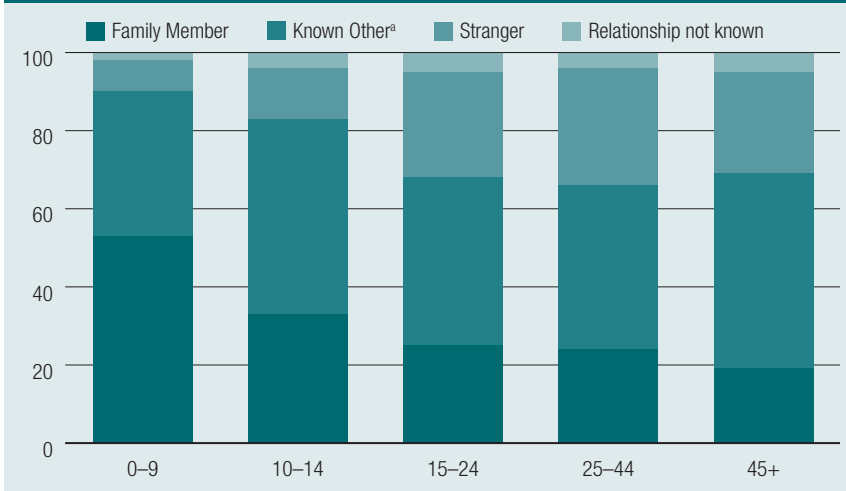
a: Includes known non-family members and known but not further defined, which may include some family members  
n=16,111

Note: Excludes Western Australia

- In 2010, 43 percent of sexual assault victims knew their offender but were not related to them; 30 percent of victims were sexually assaulted by a family member, while 21 percent had no prior relationship with their offender (ie victim and offenders were strangers).

Source: Reference 1

**Figure 21** Sexual assault victims relationship to offender, by age of victim, 2010 (%)



a: Includes known non-family members and known but not further defined, which may include some family members

Note: Excludes Western Australia

- The proportion of victims who were sexually assaulted by a family member declined as the age of the victim increased. In 2010, over half (53%) of victims aged 0–9 were sexually assaulted by a family member, compared with only 33 percent of 10–14 year olds. Victims aged 45 years or over were the least likely to have been sexually assaulted by a family member (19%).
- Excluding the 0–9 year age group, the most common relationship between sexual assault victim and offender was ‘known other’. This ranged from 50 percent in age groups 10–14 years and 45 years and older to 42 percent in the 25–44 year age group.
- Only eight percent of children aged 0–9 years reported being victimised by a stranger, compared with 30 percent of victims aged 24–44 years.

Source: Reference 1

## Robbery

*Robbery* is defined by the ABS as *the unlawful taking of property, without consent, accompanied by force or threat of force*. Robbery victims can be persons or organisations.

## Types of robbery

Robbery is divided into two categories:

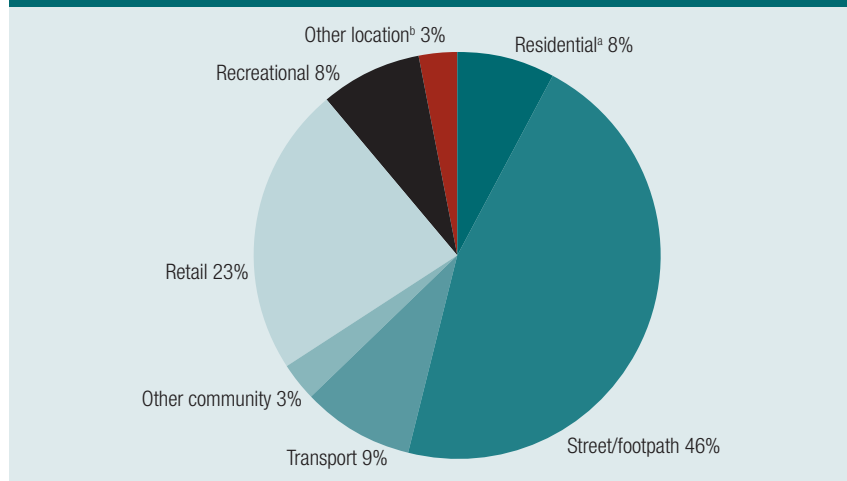
- *armed robbery*—robbery conducted with the use of a weapon. A weapon is any object used to cause fear or injury and includes imitation weapons and implied weapons (eg where a weapon is not seen by the victim but the offender claims to possess one).
- *unarmed robbery*—robbery conducted without the use of a weapon.

Of the 14,582 robberies recorded during 2010, 61 percent were unarmed, while 39 percent were committed with some type of weapon.

Source: Reference 1

## Location of robberies

**Figure 22** Robbery location type, 2010 (%)



a: Includes dwellings and other residential locations

b: Includes unspecified locations

n=14,582

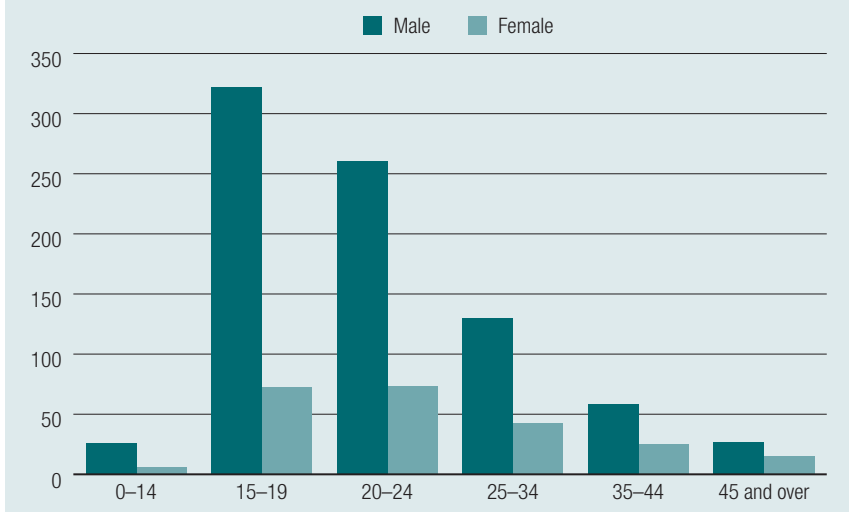
- In 2010, robberies most commonly took place on the street/footpath (46%), followed by retail locations (23%) and on transport (9%).

Source: Reference 1



Victims of robberies

**Figure 23** Robbery victims, by age group and sex, 2010 (per 100,000 population of that age group and sex)

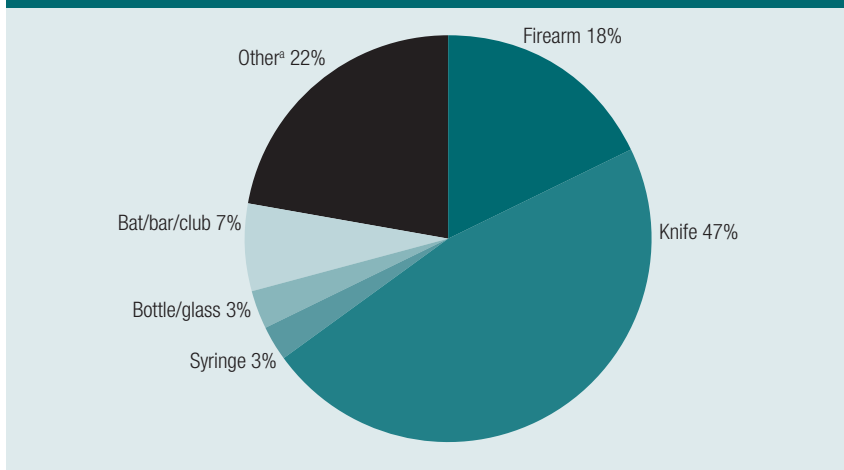


- Males were consistently more likely to be the victim of robbery across all ages. In 2010, male victimisation rates increased dramatically between childhood and late adolescence, with males aged 0–14 years victimised at a rate of 26 per 100,000 males, compared with 322 per 100,000 males for those aged 15–19 years.
- There was little difference between the victimisation rates for females aged 15–19 years and 20–24 years, with both age groups victimised at a rate of 73 per 100,000 females.
- Robbery victimisation rates were most similar between the two sexes at the higher end of the age spectrum. Males aged 45 years and over were victimised at a rate of 27 per 100,000 males, while females of an equivalent age were victimised at a rate of 15 per 100,000 females.

Source: References 1 and 2

## Armed robbery

**Figure 24** Types of weapon used in armed robbery, 2010 (%)



a: Includes 'chemical' weapon and unspecified type of weapon

n=5,651

- The most common type of weapon used in armed robbery in 2010 was a knife (47%), followed by 'other' weapons (22%) and firearms (18%).
- Collectively, bats/bars/clubs, bottles/glasses and syringes were used in 13 percent of all armed robberies.

Source: Reference 1

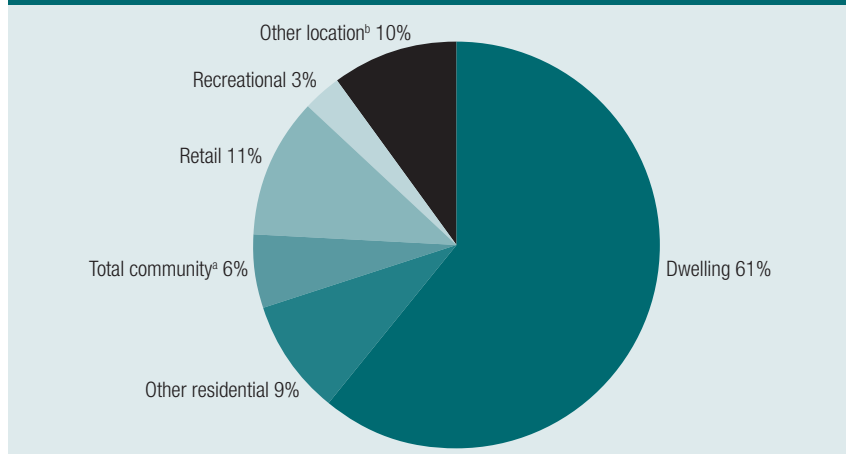
## Unlawful entry with intent

UEWI is defined by the ABS as *the unlawful entry of a structure with the intent to commit an offence*. UEWI offences include burglary, break and enter, and some theft.

In 2010, there were 216,886 recorded victims of UEWI offences, equalling a rate of 971 per 100,000 population.

## Location of unlawful entry with intent

**Figure 25** Location type of unlawful entry with intent, 2010 (%)



a: Includes transport, the street and footpath, and other community locations

b: Includes unspecified location

n=216,886

- The majority of UEWIs (61%) occurred in dwellings.

Source: Reference 1

## Motor vehicle theft

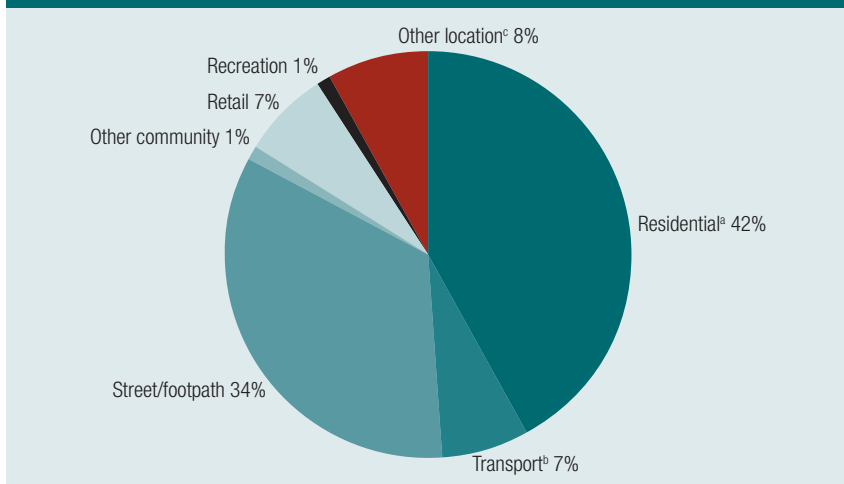
MVT involves the taking of a motor vehicle unlawfully or without permission. It excludes damaging, tampering with or interfering with motor vehicles. The theft of motor vehicle parts or contents is included under the offence category of 'other' theft. *Motor vehicle* is defined as cars, motorcycles, campervans, trucks, buses and plant/equipment vehicles.

In 2010, there were 54,736 motor vehicles reported stolen to police, with 341 vehicles stolen per 100,000 registered vehicles. This represents an eight percent decrease from the number of thefts recorded in 2009.

Source: References 1 and 4

## Location of motor vehicle theft

**Figure 26** Location type of motor vehicle thefts, 2010 (%)



a: Includes dwellings and other residential locations

b: Includes public car parks

c: Includes unspecified location

n=54,736

- In 2010, residential and street/footpath were the most common locations for MVT, accounting for 42 and 34 percent of MVTs respectively.

Source: Reference 1

## Recovery rates

In this section, information regarding the recovery rates of stolen vehicles is presented, based on data from the National Comprehensive Auto-theft Research System Project.

- In 2009–10, the national recovery rate for stolen vehicles was 68 percent, with 39,676 stolen vehicles recovered in that period.
- Forty-nine percent of stolen vehicles were recovered within 24 hours of theft, while 86 percent of stolen vehicles were recovered within a fortnight.

Source: Reference 4

**Figure 27** Stolen motor vehicles recovered, 2004–05 to 2009–10 (%)

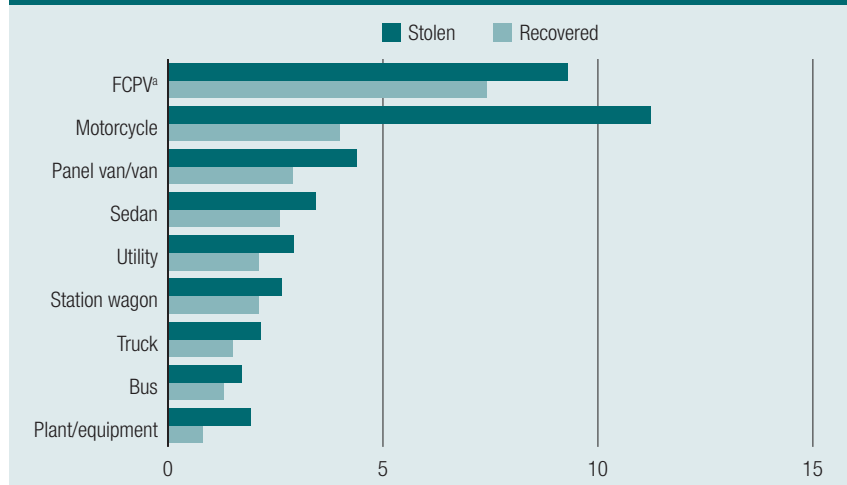


- The proportion of stolen motor vehicles recovered has been declining by an average of two percent per year since 2004–05.
- In 2009–10, 70 percent of stolen vehicles were recovered.

Source: Reference 5

## Theft and recovery by vehicle type

**Figure 28** Theft and recovery, by type of vehicle, 2009–10 (per 1,000 registrations of that type)



a: Forward control passenger vehicle—a passenger vehicle, other than an off-road vehicle that has up to 9 seating positions; colloquially known as a ‘people mover’

- While more vehicles were stolen than recovered in 2010, this disparity was greatest for motorcycles. Motorcycles were stolen at a rate of 11 per 1,000 registered motorcycles but were only recovered at a rate of four per 1,000 registered motorcycles.
- By contrast, this disparity was smallest for buses, which were stolen at a rate of two per 1,000 and recovered at a rate of one per 1,000 registered buses.
- The second most commonly stolen type of vehicle in 2010 was forward control passenger vehicles (FCPV) or ‘people movers’. They were stolen at a rate of nine per 1,000 registered FCPVs and recovered at a rate of seven per 1,000 registered FCPVs.

Source: Reference 5

## Other theft

The ABS defines *other theft* as *the taking of another person’s property with the intention of permanently depriving the owner of the property illegally and without permission, but without force, threat of force, use of coercive measures, deceit or having gained unlawful entry to any structure even if the intent was to commit theft.*

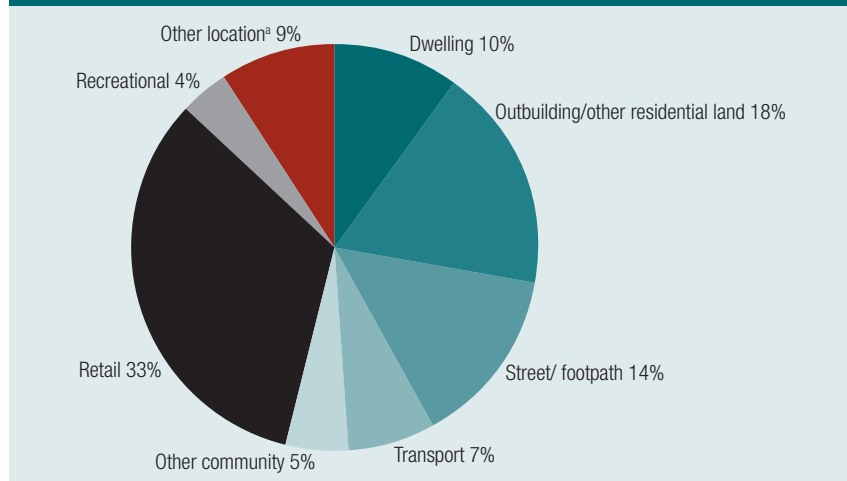
This offence includes crimes such as pick pocketing, bag snatching, stealing (including shoplifting), theft from a motor vehicle, theft of motor vehicle parts/accessories or petrol, theft of stock/domestic animals and theft of non-motorised vehicles/boats/aircraft/bicycles. It is the largest of all the crime categories included in the national statistics.

There were 461,169 victims of 'other' theft in 2010, a rate of 2,064 per 100,000 population.

Source: Reference 1

### Location of other theft

**Figure 29** Location type of other thefts, 2010 (%)



a: Includes unspecified location

n=461,169

- Contrary to most other crimes, dwellings were the location for only 10 percent of 'other' thefts committed in 2010. Retail locations were the most common (33%), followed by outbuildings/other residential land (18%) and street/footpaths (14%).
- Recreational locations were the setting for only four percent of 'other' thefts in 2010.

Source: Reference 1

## Fraud and deception-related crime

In this section, data extracted from information published by state and territory police agencies as well as the Australian Payments Clearing Association, is presented. Police agencies' classifications of fraud and deception-related offences include cheque and credit card fraud, fraudulent trade practices, social security fraud, forgery, counterfeiting, bribery and other deception offences. Precise definitions may vary by state/territory.

Police record fraud offences by financial year. Fraud is believed to be one of the most under-reported offences, with fewer than 50 percent of incidents being reported to police or other authorities (Reference 43).

**Table 5** Reported fraud offences, 1995–96 to 2009–10 (rate per 100,000)

|         |     |
|---------|-----|
| 1995–96 | 500 |
| 1996–97 | 547 |
| 1997–98 | 585 |
| 1998–99 | 593 |
| 1999–00 | 586 |
| 2000–01 | 547 |
| 2001–02 | 555 |
| 2002–03 | 485 |
| 2003–04 | 512 |
| 2004–05 | 539 |
| 2005–06 | 491 |
| 2006–07 | 455 |
| 2007–08 | 438 |
| 2008–09 | 432 |
| 2009–10 | 383 |

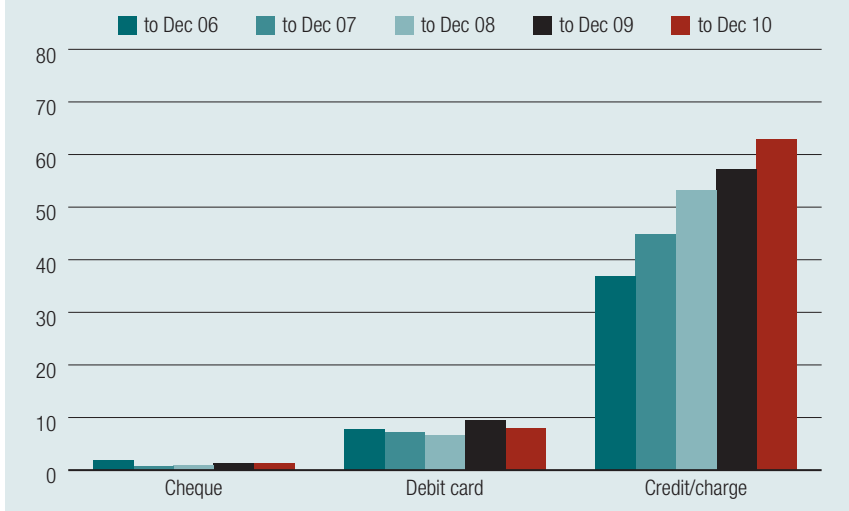
- In 2009–09, the rate of fraud victimisation was 383 per 100,000 population. This represents an 11 percent decrease in the fraud victimisation rate compared to 2008–09. Further since peaking in 1998–99 at 593 per 100,000 population, the rate of fraud victimisation has fallen by 35 percent; equating to a decrease of approximately 3 percent per year.

Source: References 6–13



The Australian Payments Clearing Association also coordinates and manages payments clearing systems in Australia including cheques, direct debit and credit payments, EFTPOS and ATM, high value and bulk cash.

**Figure 30** Fraud by payment type, 2006–10 (per \$1,000 transacted)



- It was reported that fraud on credit and charge cards has increased by 70 percent since 2006, increasing from 36.93 cents per \$1,000 transacted in 2006 to 62.81 cents per \$1,000 transacted in 2010.
- The rate of cheque fraud in 2010 remained consistent with the 2009 figure, at 1.25 cents per \$1,000 transacted.
- The prevalence of credit and charge card fraud in the years reviewed was substantially greater than cheque and debit card fraud.

Source: Reference 14

## Federal charges

The Commonwealth Director of Public Prosecutions (CDPP) publishes annual statistics on summary and indictable offences against Commonwealth law that were dealt with in the preceding year. Federal offences are those with a national or international focus, such as crimes involving the Australian postal or telecommunications services, terrorism, people trafficking and smuggling and crimes committed internationally. Prior years have presented the statistics as charges dealt with against Commonwealth Acts and

Regulations, specifically the *Criminal Code Act 1995* and the *Crimes Act 1914*. In 2007–08, the CDPP presented data relating to defendants dealt with in 2007–08, categorised by referring agency.

In 2008–09, the CDPP reviewed the way in which it calculated the number of charges and defendants dealt with. As a result, figures reported in the current edition are not directly comparable to those published in preceding years.

Source: Reference 14

**Table 6** Defendants dealt with by CDPP, by most common referring Commonwealth agency, 2009–10

|   | Defendants (n) | % of total |
|---|----------------|------------|
| Summary offence                           |                |            |
| Centrelink                                | 4,616          | 77         |
| Australian Federal Police                 | 338            | 6          |
| Insolvency and Trustee Service, Australia | 281            | 5          |
| Other Commonwealth agencies               | 733            | 12         |
| Total                                     | 5,968          | 100        |
| Indictable offence                        |                |            |
| Australian Federal Police                 | 361            | 50         |
| State or territory police                 | 117            | 16         |
| Centrelink                                | 68             | 9          |
| Other Commonwealth agencies               | 178            | 25         |
| Total                                     | 724            | 100        |

The majority of defendants charged with a summary offence in 2009–10 were referred by Centrelink (77%), followed by the Australian Federal Police (AFP) (6%) and the Insolvency and Trustee Service, Australia (5%).

- The most common indictable charges were referred by the AFP (50%) and state or territory police (16%).

Source: Reference 15

## Drug arrests

This section provides an overview of drug arrest patterns for offenders from 1996–97 to 2009–10 as collated by the Australian Crime Commission in its *Illicit Drug Data Report* series. Drug offences usually come to the attention of police, either through specific activity conducted by drug law enforcement or coincidentally through an investigation into another matter, often related to property offences.

Arrest information is provided for the following types of drugs:

- cannabis;
- heroin (and other opioids);
- amphetamines (including methamphetamine and phenethylamines);
- cocaine; and
- other drugs (hallucinogens, steroids and drugs not defined elsewhere).

Cannabis arrests include expiation notices, drug infringement notices and simple cannabis offence notices.

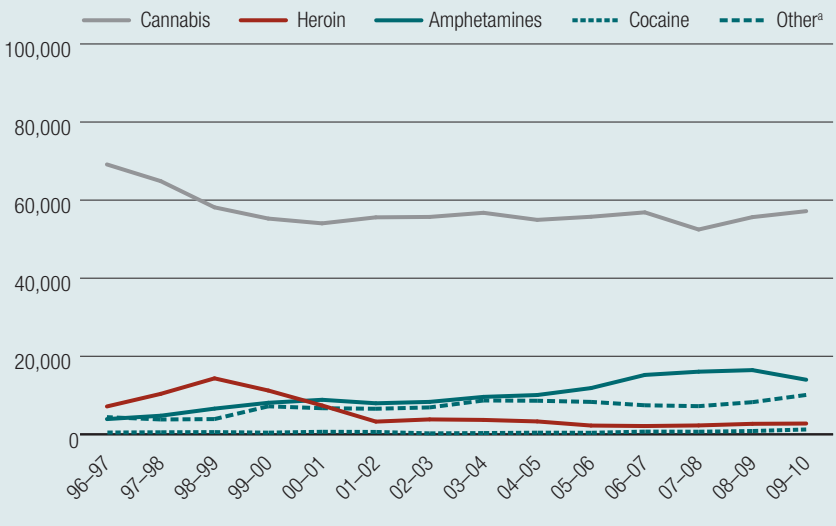
Offenders involved in drug arrests are divided into two categories:

- *consumers*—persons charged with user offences (eg possessing or administering drugs for own personal use); and
- *providers*—persons charged with supply offences (eg importation, trafficking, selling, cultivation, manufacture).

In the case of a person being charged with consumer and provider offences, the provider charge takes precedence and the person is counted only as a provider of that drug. A person charged with multiple drug offences is counted as a consumer or provider of each drug type.

Source: Reference 16

**Figure 31** Drug arrests, by type of drug, 1996–97 to 2009–10 (n per year)

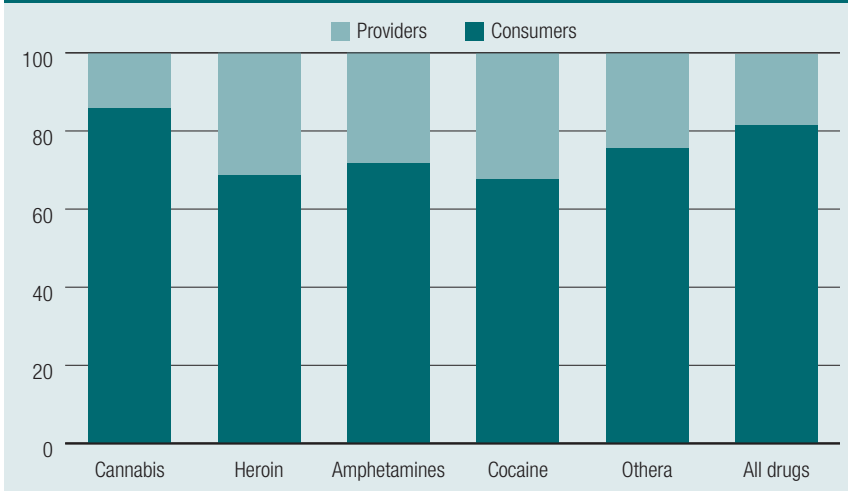


a: Includes hallucinogens, steroids and other drugs (not defined elsewhere)

- In 2009–10, cannabis accounted for the highest number of drug-related arrests. There were 57,170 arrests involving cannabis in 2009–10, an increase of three percent from 2008–09, but an overall decrease of 17 percent from the number of arrests recorded in 1996–97.
- The number of arrests for heroin peaked in 1998–99 with 14,341 arrests. This number fell considerably between 1999–2000 and 2001–02 before declining fairly consistently over the next 10 year period. In 2009–10, 2,767 arrests were made that involved heroin—an 81 percent decrease in arrests over that time.
- In 1996–97, the number of arrests involving amphetamines was slightly below that of arrests involving ‘other’ drugs. Since then, however, arrests involving amphetamines have generally increased more than those involving other drugs, although this difference diminished in 2010, with only 3,893 more amphetamine arrests than arrests for other drugs. Overall, however, there has been a 258 percent increase in the number of amphetamine-related arrests since 1996–97.
- In 2009–10, the number of cocaine arrests increased by 47 percent, rising from 848 in 2008–09 to 1,244. Despite this, the overall number of cocaine arrests remained lower than for any other drug type throughout the period.

Source: Reference 16

**Figure 32** Consumer/provider status of drug arrestees, by type of drug, 2009–10 (%)

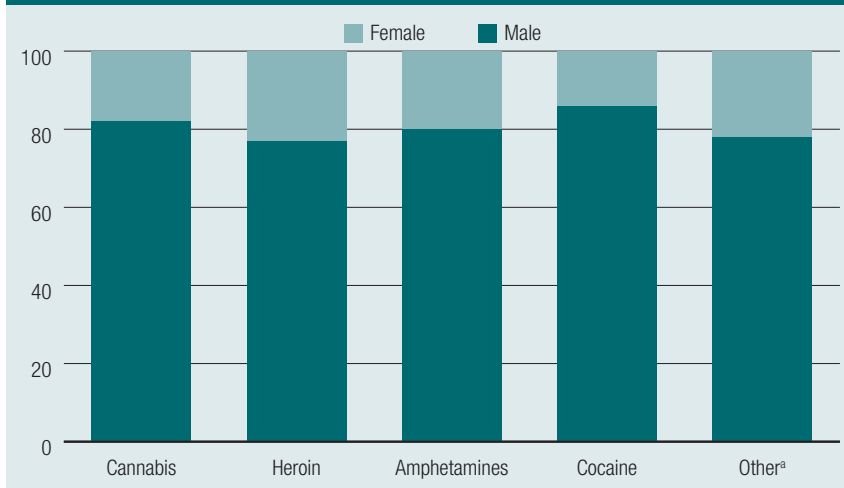


a: Includes hallucinogens, steroids and other drugs (not defined elsewhere)

- Drug arrests involving a consumer were far more common across all drug types than those involving a provider. The highest proportion of those arrested (both consumers and providers) were for crimes involving cannabis (86%).
- Providers accounted for 32 percent of cocaine-related arrests, 31 percent of heroin-related arrests and 28 and 24 percent of amphetamine and other drug-related offences, respectively.

Source: Reference 16

**Figure 33** Drug consumers, by gender and type of drug, 2009–10 (%)

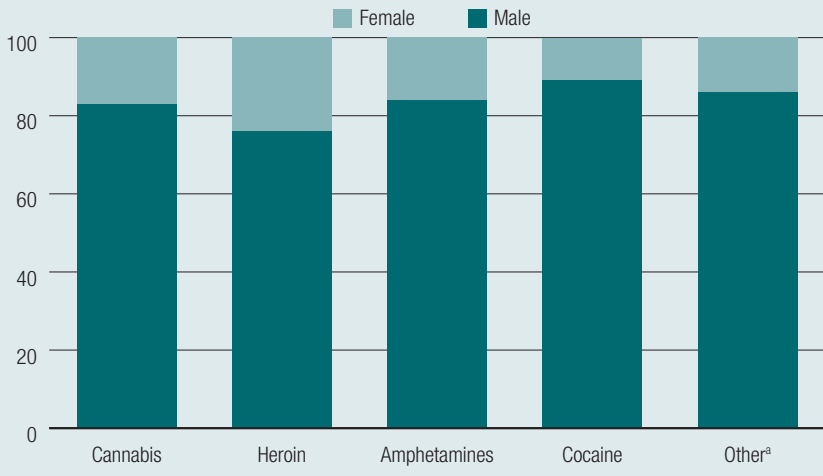


a: Includes hallucinogens, steroids, and other drugs (not defined elsewhere)

- Males were more prevalent as identified drug consumers than females, across all drug categories.
- The representation of females as drug consumers ranged from 23 percent arrested for heroin-related offences to 14 percent for cocaine.

Source: Reference 16

**Figure 34** Sex of arrested drug providers, by type of drug, 2009–10 (%)



a: Includes hallucinogens, steroids, and other drugs (not defined elsewhere)

- A smaller proportion of females than males were arrested across all categories of drugs. Females were more likely to be arrested for heroin-related crimes than any other drug, with 24 percent of providers arrested on heroin charges being female.
- The proportion of males arrested for providing ranged from 76 percent for heroin, to 83 percent for cannabis and 89 percent for cocaine-related offences.

Source: Reference 16

## Chapter 3

# Crime victimisation

Prior to 2009, information relating to the experience of crime victimisation in Australia was obtained through the ABS publication *Crime and Safety Survey*. Data presented in this chapter are derived from the newer ABS publication *Crime Victimization, Australia*, first published in 2010. As such, data contained in earlier editions of *Australian crime: Facts & figures* (prior to the 2010 edition) are not comparable with those reported below.

The majority of industrialised countries conduct crime victimisation surveys to estimate the frequency of certain crimes and the proportion reported to the police. These data are used to supplement police statistics and are particularly useful for examining crimes that have low rates of reporting to police, such as sexual assault. *Crime Victimization, Australia* provides annual information that pertains to personal and household experiences of crime including repeat victimisation, reporting of incidents to police and perceived neighbourhood problems. Information on Australians' feelings of safety in their neighbourhood was not available in 2009–10.

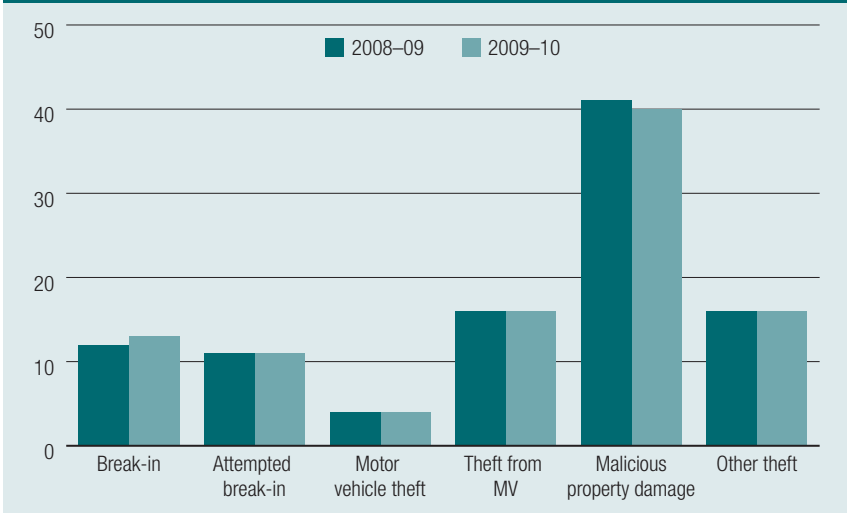
## Household and personal victimisation

*Crime Victimization, Australia* distinguishes between household and personal crime. Household crimes include those crimes in which the household (a group of persons resident in a private dwelling and sharing common facilities) is considered the victim of the crime. These include home break-in, attempted break-ins and MVTs. For personal crimes, it is the individual who is considered the victim of the crime. Personal crimes include robbery, assault and sexual assault.

Source: Reference 17



**Figure 35** Reported experiences of household crime, 2008–09 and 2009–10 (%)



N<sub>2009–10</sub> = 8,425,400

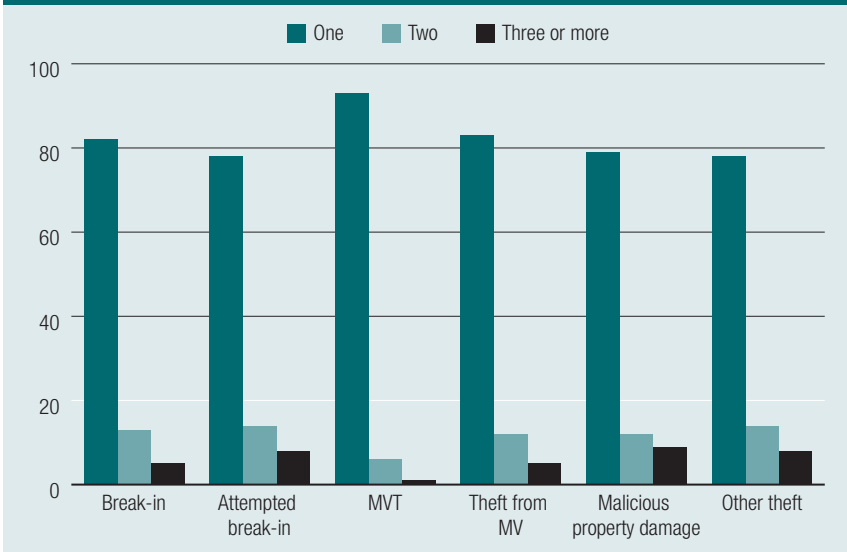
N<sub>2008–09</sub> = 8,189,500

Note: The figures reported in the previous edition of *Australian crime: Facts & figures* were incorrect. Figure 35 reflects the amended figures

- The proportion of households that reported experiencing the crimes of MVT, theft from a motor vehicle, attempted break-ins and ‘other’ theft did not change between 2008–09 and 2009–10.
- The proportion of households surveyed that reported being the victim of a break-in increased by one percentage point over the preceding 12 months. Conversely, the proportion that reported experiences of malicious property damage decreased by one percentage point over the same time period.

Source: Reference 17

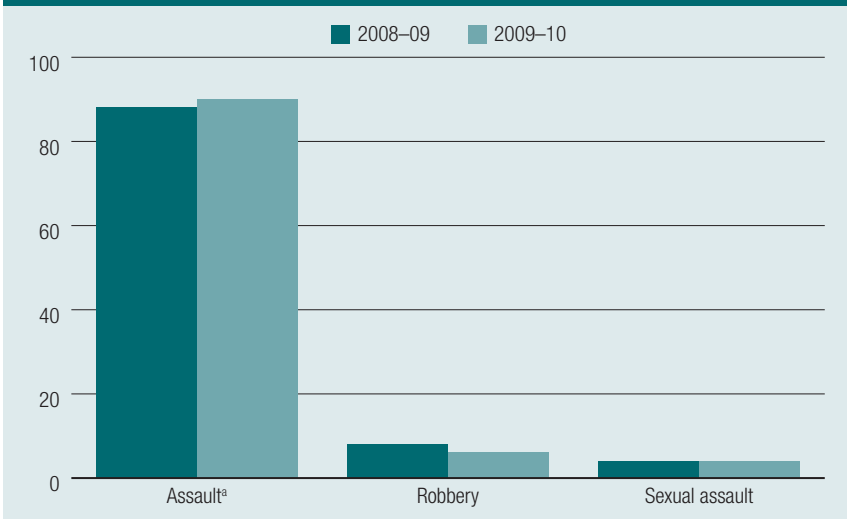
**Figure 36** Experiences of repeat victimisation for household crimes, 2009–10 (%)



- The proportion of households that reported experiencing repeat victimisations followed similar patterns across all categories of household crimes. In all cases, the majority reported experiencing only a single incident of household crime, ranging from 93 percent for MVT, to 82 percent for break-ins, to 78 percent for attempted break-in and 'other' theft.
- Three or more incidents of household crime were most common for offences including malicious property damage (9%), attempted break-in (8%) and 'other' theft (8%).

Source: Reference 17

**Figure 37** Persons over the age of 15 years experiencing personal crime, 2008–09 and 2009–10 (%)



a: includes physical and threatened assault

N<sub>2009–10</sub> = 1,110,200

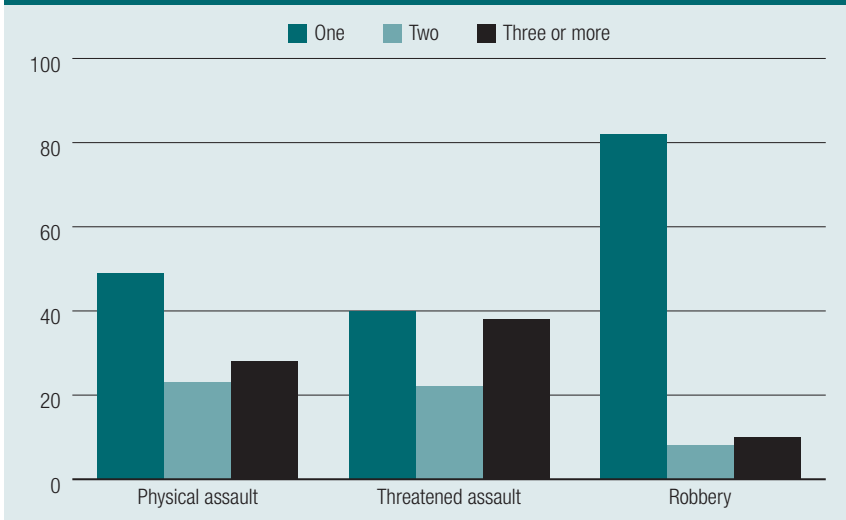
N<sub>2008–09</sub> = 1,214,400

Note: The figures reported in the previous edition of *Australian crime: Facts & figures* were incorrect. Figure 37 reflects the amended figures

- Of all respondents surveyed in both 2008–09 and 2009–10 with regard to personal crime, the highest proportion reported experiencing assault. Compared with the previous year, there was a two percentage point increase in the proportion of people who reported being the victim of assault in 2009–10.
- There was a two percentage point decrease in the proportion of respondents who reported experiencing robbery in 2009–10, down from the eight percent who experienced robbery in 2008–09. The proportion who experienced sexual assault remained at four percent in 2009–10.

Source: Reference 17

**Figure 38** Experience of repeat victimisation for person crimes, 2009–10 (%)

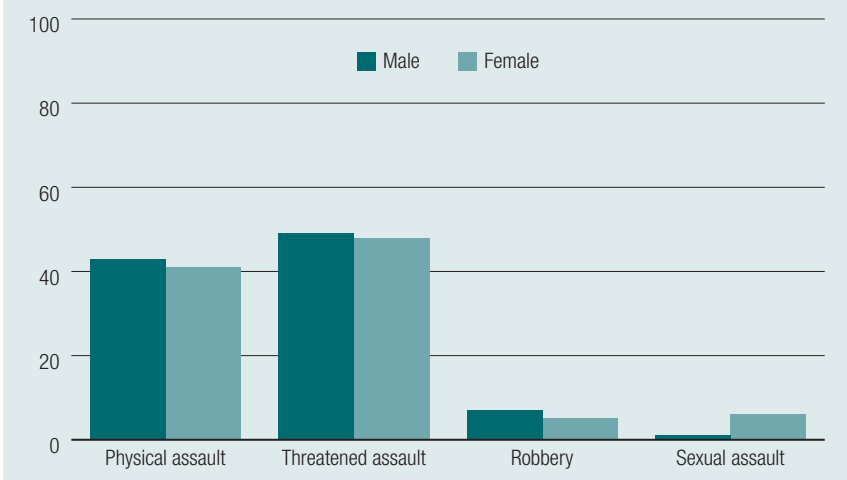


Note: Excludes incidents of personal crime that could not be categorised

- Across all categories of personal crime, the largest proportion reported experiencing only one incident of victimisation. These proportions ranged from 82 percent for robbery and 49 percent for physical assault to 40 percent for threatened assault.
- Larger proportions of respondents reported experiencing three or more repeat victimisations than two repeat victimisations across all categories of personal crimes. This difference was most noticeable in the assault categories where 28 percent of respondents reported experiencing three or more incidents of physical assault compared with only 23 percent who reported experiencing two incidents. Similarly, 38 percent of respondents reported experiencing three or more incidents of threatened assault compared with 22 percent who experienced only two incidents.

Source: Reference 17

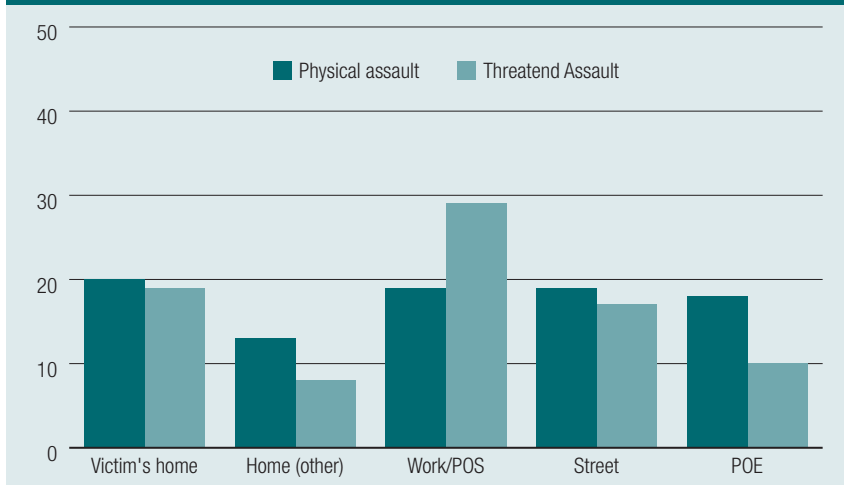
**Figure 39** Victim of personal crime, by gender, 2009–10 (%)



- There was very little difference between the proportion of males and females who reported being the victim of physical assault, threatened assault and robbery. However, a higher proportion of male respondents were victimised compared with females across each offence type, with the exception of sexual assault where a larger proportion of females reported being a victim.
- Six percent of female respondents reported experiencing sexual assault in 2009–10 compared with one percent of male respondents.

Source: Reference 17

**Figure 40** Male victims of assault, by location, 2009–10 (%)



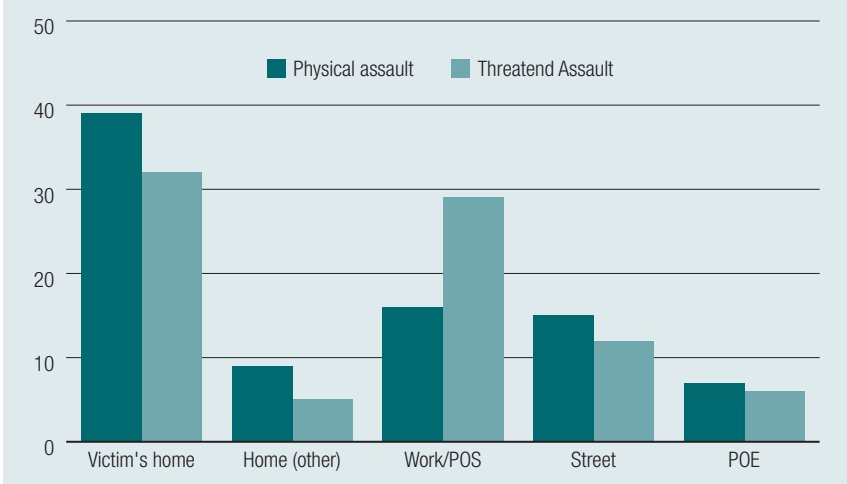
POS=Place of study

POE=Place of entertainment

- Although the greatest proportion of males experienced physical assault in their own home (20%) compared with any other location, males were almost as likely to be assaulted at work or at a place of study, on the street or at a place of entertainment (19% of assaults each). Nine percent of male respondents reported experiencing physical assault in a home other than their own.
- In 2009–10, work or place of study was the only category where a higher proportion of males were threatened with assault (29%), compared with 19 percent who were victims of actual physical assault.

Source: Reference 17

**Figure 41** Female victims of assault, by location, 2009–10 (%)



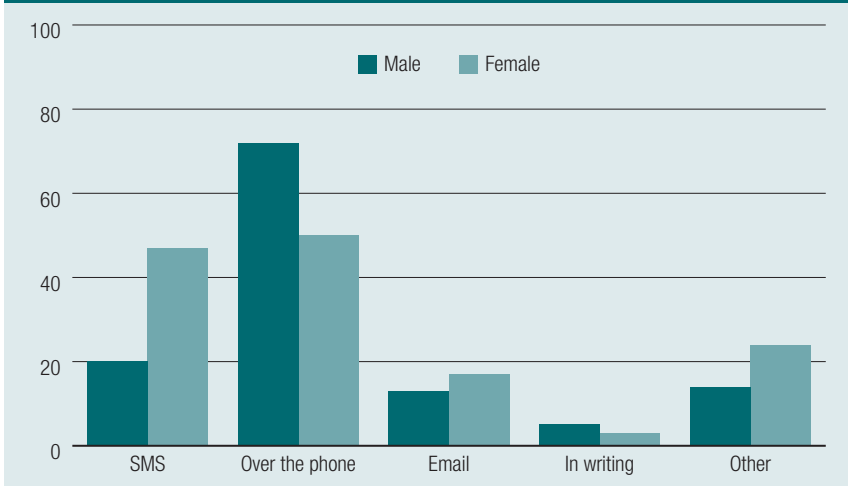
POS=Place of study

POE=Place of entertainment

- The majority of female assault victims reported experiencing assault in their own home; 39 percent reported incidents of physical assault, while 32 percent reported being threatened with assault.
- The smallest proportion of female respondents reported experiencing physical assault at a place of entertainment (7%), while the smallest proportion reported being threatened with assault at a home other than their own (5%).
- Outside the home, work or places of study were the locations where female respondents were most likely to be assaulted or threatened with assault. Twenty-nine percent of female respondents reported being threatened with assault in the workplace or place of study, compared with 16 percent who experienced actual physical assault.

Source: Reference 17

**Figure 42** Non-face to face threatened assault, method and victim sex, 2009–10 (%)



- A high proportion of both male and female respondents reported receiving threats of assault over the phone (72% and 50% respectively). However, more female respondents (47%) reported receiving a threat by SMS compared with male respondents (20%).
- Only five percent of male respondents and three percent of female respondents reported receiving a threat of assault in writing, although 13 percent of male and 17 percent of female respondents did report receiving threats via email.

Source: Reference 17

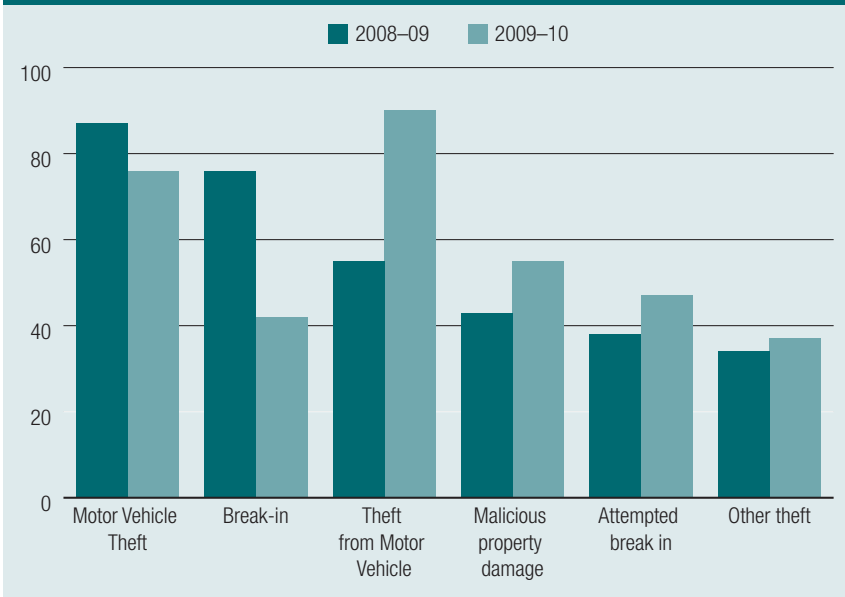
### Reporting crime to the police

Victimisation surveys are useful for assessing the extent of crime that is not reported to the police. Surveys find a wide variation in reporting, depending on the type of crime. The estimated extent of reporting for selected household offence categories is presented in Figure 43, while the reasons for not reporting are illustrated in Figure 44. Similar analysis is then provided for personal crime reporting (Figures 45 and 46).

Source: Reference 17



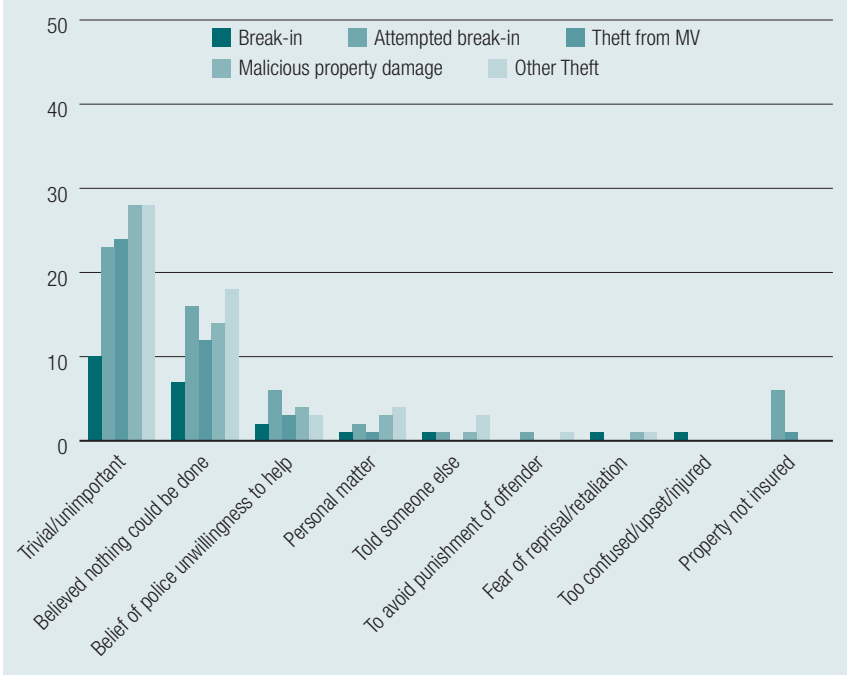
**Figure 43** Incidents of household crime reported to police, 2008–09 and 2009–10 (%)



- The proportion of respondents who reported incidents of household crime to police increased in 2009–10, most noticeably for theft from a motor vehicle, where reporting rose from 55 to 90 percent. Other crimes where the proportion of incidents reported to the police increased in 2009–10 were malicious property damage, attempted break-in and ‘other’ theft.
- The two categories of offence where the proportion of incidents reported to police declined in 2009–10 were MVT and break-ins. In 2008–09, 87 percent of respondents reported notifying police of an incident of MVT, compared with 76 percent in 2009–10. Similarly, 76 percent of respondents in 2008–09 reported incidents of break-in to police, compared with 42 percent in 2009–10; a total decrease of 34 percentage points.

Source: Reference 17

**Figure 44** Reasons for not reporting selected household crimes to police, 2009–10 (%)



- The highest proportion of respondents reported failing to notify police because of the belief that the incident was trivial or unimportant. This ranged from 10 percent for break-ins to 28 percent for both malicious property damage and ‘other’ theft.
- The belief that there was nothing the police could do was most prevalent for other theft, attempted break-in and malicious property damage. Specifically, 18 percent of respondents believed nothing could be done in relation to an incident of ‘other’ theft compared with 16 percent for attempted break-ins and 14 percent for malicious property damage.
- Only two percent of respondents failed to notify police of a break-in because they felt that the police would be unwilling to help them.
- The proportion who failed to report to police an attempted break-in because they felt police would be unwilling to help them was slightly higher at six percent. A further six percent of respondents who experienced an attempted break-in failed to report it to police because the property was not insured.

Source: Reference 17

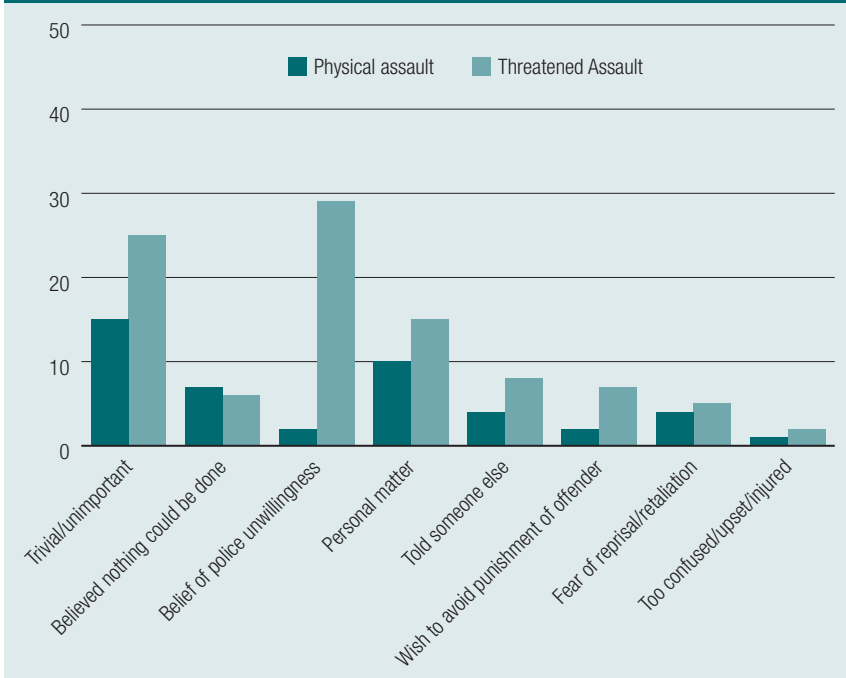
**Figure 45** Incidents of selected personal crimes reported to police, 2008–09 and 2009–10 (%)



- Across all categories of personal crimes, the proportion of incidents reported to police increased in 2009–10 compared with 2008–09. This was most noticeable for the offence of robbery where there was an increase of 22 percentage points, from 39 percent of respondents reporting robberies in 2008–09 compared with 61 percent in 2009–10.
- The proportion of sexual assault incidents reported to police in 2009–10 was 37 percent, compared with 31 percent in 2008–09. Similarly, 51 percent of physical assault incidents were reported to police (2 percentage point increase) and 32 percent of threatened assault (2 percentage point increase).

Source: Reference 17

**Figure 46** Reasons for not reporting incidents of assault<sup>a</sup> to police, 2009–10 (%)



a: reasons for non-reporting for other personal crimes not available

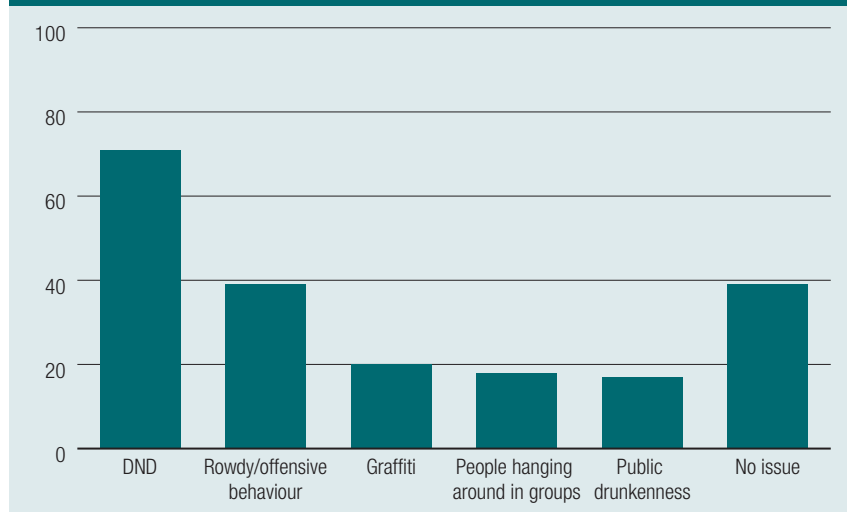
- In cases of threatened assault, 29 percent of respondents reported not notifying police because they believed the police would be unwilling to help, 25 percent because they felt the incident was too trivial or unimportant and 15 percent because they believed it to be a personal matter.
- Fifteen percent of respondents did not notify police of incidents of physical assault because they felt it was trivial or unimportant, 10 percent because it was a personal matter and four percent told someone other than the police. In only two percent of cases was a report not made of an incident of physical assault because of the belief the police would be unwilling to do anything.
- In 2009–10, four percent of respondents did not report an incident of physical assault, nor did five percent of victims of threatened assault, because of a fear of reprisal or retaliation.

Source: Reference 17

## Fear and perception of crime

Concerns about crime are generally more widespread than recent direct experiences of victimisation (Reference 18). In *Crime Victimization, Australia*, the ABS reported the degree to which respondents perceive certain antisocial behaviours as neighbourhood problems.

**Figure 47** Perceived problems in the neighbourhood, 2009–10 (%)



n=16,577,900

DND=Dangerous/noisy driving

- Seventy-one percent of respondents reported that they perceived dangerous/noisy driving to be a neighbourhood problem. Rowdy/offensive behaviour was a problem for 39 percent of respondents, graffiti for 20 percent, while people loitering in groups and public drunkenness were a problem for 18 and 17 percent of respondents, respectively.
- In 2009–10, 39 percent of respondents perceived there to be no problems in their neighbourhood.

Source: Reference 17

## Cybercrime

Cybercrime is an umbrella term that describes offences committed online or through the medium of a computer. Each year, a growing number of Australians are victims of cybercrimes ranging from virus and Trojan attacks, identity theft and internet-based scams, to harassment and stalking via the online environment.

Currently, there is no national database reflecting the precise level of cybercrime in Australia. The Australian Computer Emergency Response Team (AusCERT) monitors security incidents that occur within Australian computer networks. The information presented below reflects the number of notifications AusCERT received, specifically in relation to malicious software (malware).

### *Malware*

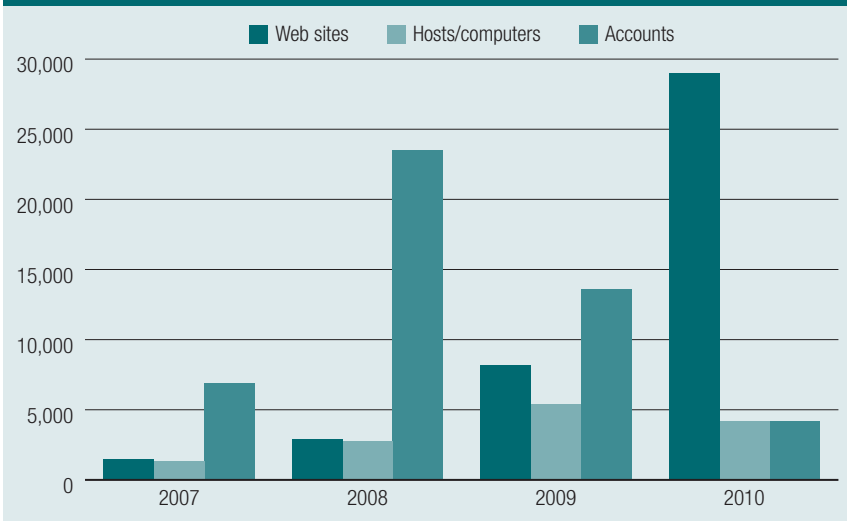
A common form of cybercrime involves the installation of unwanted and/or malicious software (malware) on the user's computer without their consent. Malware can infiltrate and be detected at varying levels in a computer network. Malware can compromise:

- a computer (referred to as the host);
- a website; and/or,
- an account (such as a user account).

*Source: Reference 44*

Malware has the ability to severely damage a computer's functioning and can also lead to unauthorised access by external users. Malware can be used to gain access to a victim's bank account, obtain passwords and aid in the perpetration of online identity theft. Common examples include viruses and worms, downloaders/droppers, adware and spyware, Trojan horses and backdoors (Reference 44).

**Figure 48** Notifications received by AusCERT regarding compromised computer activity, 2007–10 (n)

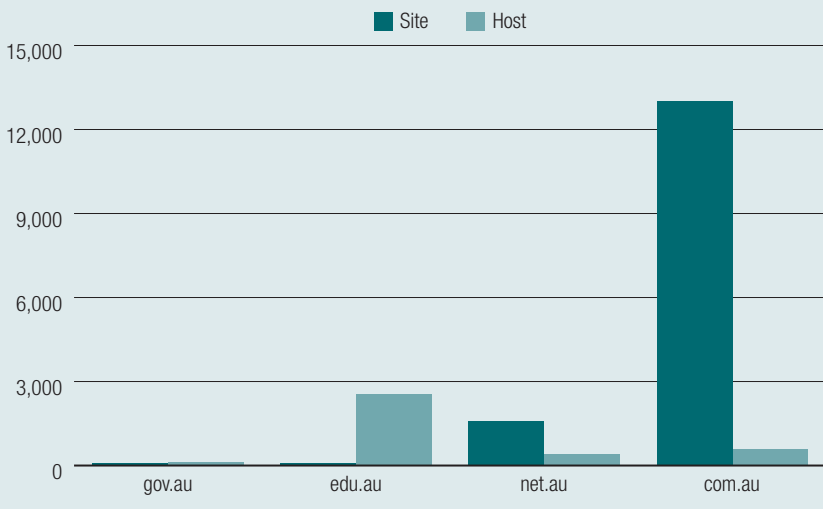


Note: The numbers reported are reflective of the volume of notifications received by AusCERT regarding compromised computer activity. These data should not be perceived as indicative of the likelihood that a website, host or account will be compromised

- In 2010, there was a substantial increase in the number of notifications of a compromised website. In 2009, AusCERT received 8,166 notifications of compromised website activity; in 2010, that number rose to 28,989 notifications, an increase of 255 percent.
- Over the 2007–10 four year period, AusCERT received far fewer notifications regarding compromised hosts/computers, although there was a 296 percent increase in these notifications (from 1,353 notifications in 2007 to 5,369 notifications in 2009).
- By contrast, since 2008, the number of notifications related to compromised accounts has been in decline, falling below 5,000 notifications in 2010.

Source: Reference 19

**Figure 49** Notifications of compromised web hosts and web sites, by domain address, 2010 (n)

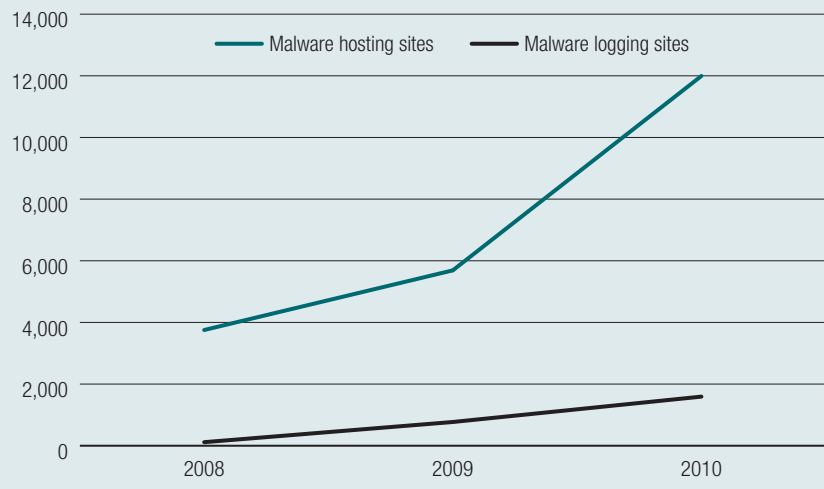


- The majority of notifications for websites received by AusCERT in 2010 were for commercial com.au domains. AusCERT received 13,592 notifications relating to com.au sites, of which 96 percent related to compromised website activity.
- Conversely, notifications from compromised hosts regarding education edu.au addresses were received in far greater numbers (n=2,541) than from websites (n=76).
- In 2010, the least number of notifications received by AusCERT related to government gov.au domains than any other Australian domain address (n=213).
- Twenty-one percent of the notifications for net.au domains pertained to compromised websites.

Source: Reference 19



**Figure 50** Notifications of malware hosting and logging sites, 2008–10 (n)



- Between 2009 and 2010, the number of notifications regarding malware hosting sites increased sharply. Specifically, they rose by 111 percent from 5,689 to 11,996 notifications.
- Notifications of malware logging sites also increased, although more modestly than for hosting sites. In 2008, AusCERT received less than 120 notifications of malware logging sites compared with 1,539 notifications received in 2010.

Source: Reference 19

## Scams

Scams aim to defraud an individual via deceptive deals and offers, many of which are now perpetrated online. The Australian Competition and Consumer Commission (ACCC) monitor the level of scam activity in Australia and publish the findings in *Targeting Scams: Report of the ACCC on scam activity*.

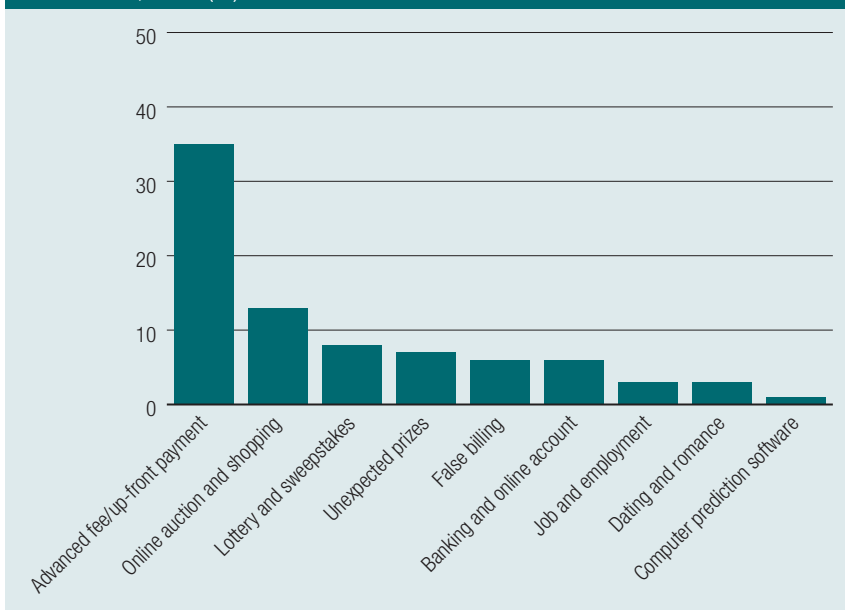
The top 10 scams reported to the ACCC in 2010 involved:

- advance fee/upfront payment (sometimes referred to as Nigerian Advanced Fee Fraud this type of scam asks the victim to pay a specified amount (eg to unlock a bank account) in order to receive a greater sum in return);
- online auction and shopping;
- computer hacking;
- lottery and sweepstake;

- unexpected prize;
- false billing;
- banking and online accounts (includes phishing);
- job and employment (includes business opportunity);
- dating and romance (includes adult services); and
- computer prediction software (includes betting).

Source: Reference 20

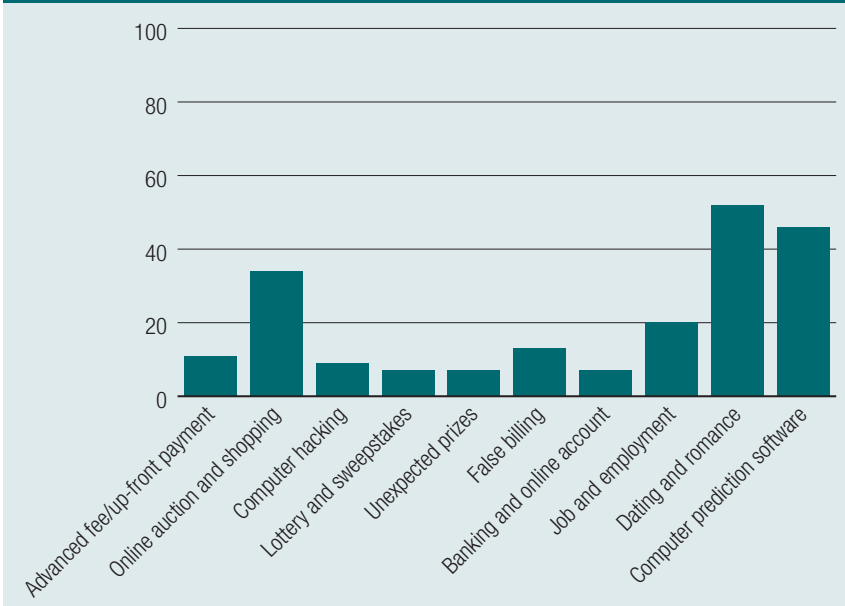
**Figure 51** Proportion of scams reported to Australian Competition and Consumer Commission, 2010 (%)



- Of the 42,385 scam notifications received by the ACCC in 2010, 35 percent were in relation to advanced fee/up-front scams, making these scams the most commonly reported in 2010. The second most commonly reported scam involved online auction or shopping (13%).
- Other, less common, categories of scams were banking and online account scams (6%), dating and romance scams (3%), job and employment scams (3%), and false billing (6%). Only one percent of scams involved computer prediction software.

Source: Reference 20

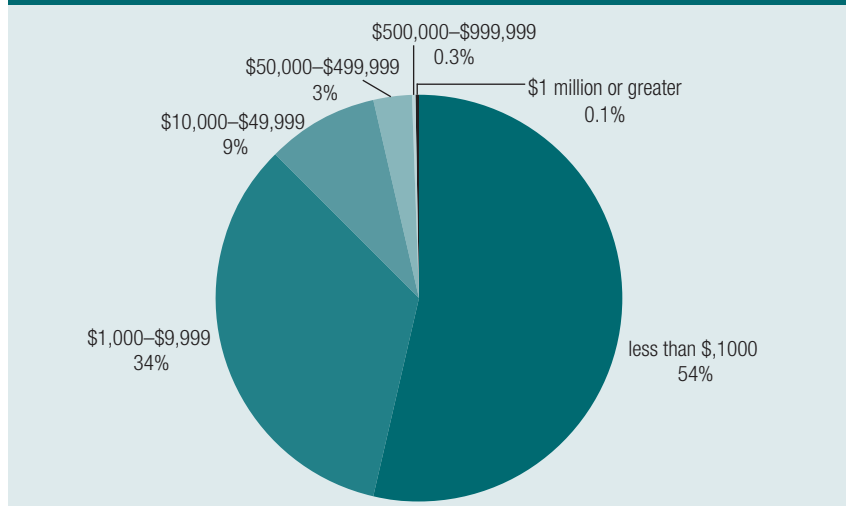
**Figure 52** Reported monetary losses, by selected scams, 2010 (%)



- In 2010, victims most commonly reported losing money in dating and romance scams (52%) and scams involving computer prediction software (46%). Thirty-four percent of people reported losing money to online auction or shopping scams.
- Despite being the most commonly reported scam in 2010, only 11 percent of people who reported advanced fee/up-front payment scams lost money.

Source: Reference 20

**Figure 53** Percentage of scam victims who reported monetary loss, 2010 (%)



n=6568

- Of those who reported their losses to the ACCC, the highest proportion of victims (54%) lost less than \$1,000 to scam activity in 2010; 34 percent lost between \$1,000 and \$9,999.
- Less than one percent (specifically, 0.3% and 0.1%) of reported incidents of scam victimisation involved the monetary loss of either \$500,000 to \$999,999 or over \$1m.

Source: Reference 20



## Chapter 4

# Selected offender profiles

This chapter brings together information on offenders from three sources:

- police annual reports from the three jurisdictions (Victoria, Queensland and South Australia) that release offender statistics;
- the AIC's Drug Use Monitoring in Australia (DUMA) program; and
- the ABS' *Recorded crime—Offenders, selected states and territories, 2009–10*.

The ABS' *Recorded crime—Offenders, selected states and territories, 2009–10* includes national data on offender age and gender for four key offence categories:

- acts intended to cause injury;
- theft and related offences;
- illicit drug offences; and
- public order offences.

It also contains information on offender characteristics for other offences on a state-by-state basis.

*Source: Reference 21*

## Alleged offenders

An alleged offender is a person who is said to have committed a crime and has been processed by police for that offence by arrest, caution or warrant of apprehension. Throughout this chapter, the terms *offender* and *offender rate* refer to alleged offenders and the alleged offender rate.

Official data on sex and age of alleged offenders are published by the police services of Victoria, Queensland and South Australia. Police statistics on alleged offenders are unavailable for the remaining states and territories.

This chapter presents data on alleged offenders classified according to sex and age. These data should be interpreted with caution, as they only reflect police processing of offenders in three states and therefore may not be representative of national trends. They also do not reflect findings of guilt. The main purpose here is to give an indicative view of major issues relating to offenders, particularly the following:

- At what age do offender rates peak?
- How does the age pattern of male offenders compare with that of female offenders?
- Are female offender rates increasing?

The number of alleged offenders does not equal the number of *distinct* alleged offenders per year, because police may take action against the same individual for several offences, or the individual may be processed on more than one occasion for the same offence type. It also does not equate to the total number of crimes cleared during a given period, as one crime may involve more than one offender.

Throughout this chapter, the term *total offender population* refers to the total number of (not necessarily distinct) individuals aged 10 years and over in Victoria, Queensland and South Australia who have been processed by police for any of the offences listed below. The rates of total offenders included in the Tables and Figures in this chapter are calculated relative to the total population aged 10 years and over in these jurisdictions (see Reference 2). These data are presented by financial year.

In 2007–08, the classification of ‘other’ theft was broadened. This caused an increase in the number of offenders in 2007–08, which is partially explained by the reclassification of ‘other’ theft to include theft from motor vehicle, theft (shopsteal), theft of bicycle and theft (other). Prior editions of *Australian crime: Facts & figures* have only included ‘theft (other)’ for Victoria. This edition’s inclusion of theft from motor vehicle, theft (shopsteal) and theft of bicycle for Victoria aligns with South Australia and Queensland’s classification of ‘other theft’.

The offender data are for the following major types of crime:

- homicide and related offences (murder, attempted murder, manslaughter, infanticide and driving causing death);
- assault;
- sexual assault;
- robbery;
- unlawful entry with intent;
- MVT;

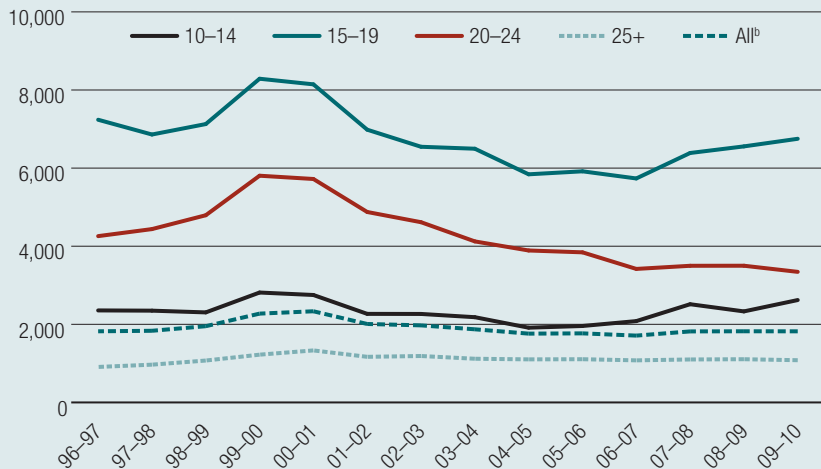
- other theft; and
- fraud and deception-related crime.

Source: References 8–10

## Age

People aged 15 to 19 years are more likely to be processed by police for the commission of a crime than are members of any other age group. In 2009–10, the offending rate for people aged 15 to 19 years was almost four times the rate for all other offenders (6,751 compared with 1,821 offenders per 100,000).

**Figure 54** Offenders, by age, 1996–97 to 2009–10 (rate per 100,000 relevant persons)<sup>a</sup>



a: Aggregated from Victorian, South Australia and Queensland

b: 'All' refers to all offenders aged 10 years and over

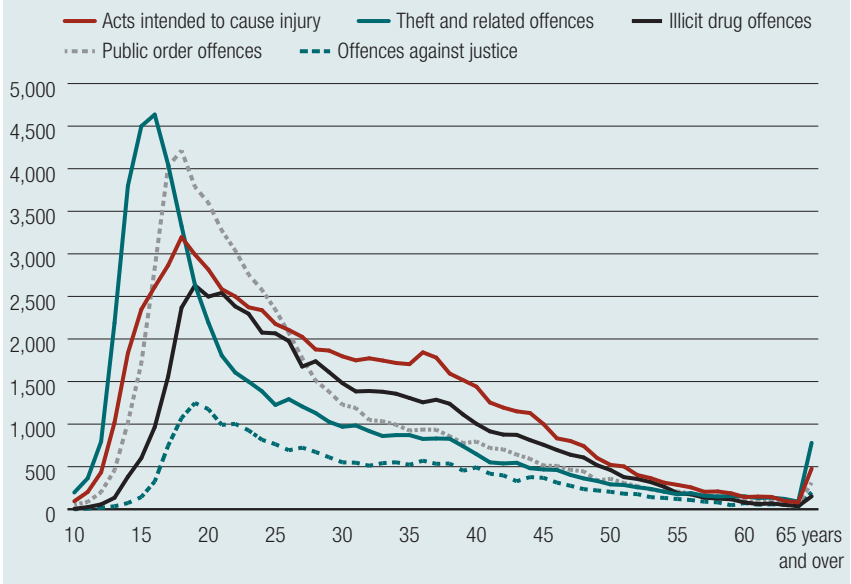
Note: The increase in offenders in 2007–08 is partially explained by the reclassification of 'other' theft to include theft from motor vehicle, theft (shopsteal), theft of bicycle and theft (other). Prior editions of *Australian crime: Facts & figures* have only included 'theft (other)' for Victoria. From 2007–08, the inclusion of theft from motor vehicle, theft (shopsteal) and theft of bicycle for Victoria has aligned the information with South Australia and Queensland classification of 'other' theft

- The rate of offending increased in two of the four age groups in 2009–10. The rate of offending by persons aged 10–14 years rose by 12 percent from 2,331 in 2008–09 to 2,622 per 100,000 population in 2009–10. Similarly, offending by people aged 15–19 years rose from 6,556 to 6,751 per 100,000 population in 2009–10; a total increase of three percent.

- As for most age groups, offending rates for individuals aged 20–24 years peaked during the period between 1999–2000 and 2000–01. Since then, the rate of offending among this group has fallen by approximately five percent per year over the nine year period. In 2009–10, the offending rate for persons aged 20–24 years was 3,343 per 100,000 population.
- In 2009–10, persons aged over 25 years offended at a rate of 1,081 per 100,000 population. This was slightly lower than the overall rate of offending for all age groups (1,821 per 100,000 population).

Source: References 2 and 8–10

**Figure 55** Offenders, by selected principle offence and age in years for Australia, 2009–10 (n)



Note: In the Australian Capital Territory, only 5 categories of selected principal offences have been reported by ABS. Therefore, to generate a national figure, only these 5 categories across states and territories could be aggregated into a national figure

- For most crimes, the greatest volumes of offenders were aged 18 and 19 years old. For example, the majority of offenders charged with acts intended to cause injury were aged 18 years old (n=3,196) while 4,214 persons charged with public order offences were aged 19. However, the peak offending age was slightly lower for theft and related offences, with the majority of offenders aged 16 years old.



- The numbers of offenders in each age category declined most sharply in the offence categories of theft and related offences and public order offences. By contrast, the decline in numbers was more gradual for the offence categories of acts intended to cause injury and illicit drug offences. This gradual decline was also evident for offences against justice, where the number decreased by an average of three percent per year of age for those aged of 23 to 45 years.

Source: Reference 21

## Sex

In 2009–10, Victoria, Queensland and South Australia processed a total of 186,244 alleged offenders of whom 140,152 (75%) were male and 46,092 were female. Females constituted 25 percent of all offenders in 2009–10, a one percent increase on previous years.

**Figure 56** Offenders, by gender, 1996–97 to 2009–10 (per 100,000 of that sex per year)<sup>a</sup>



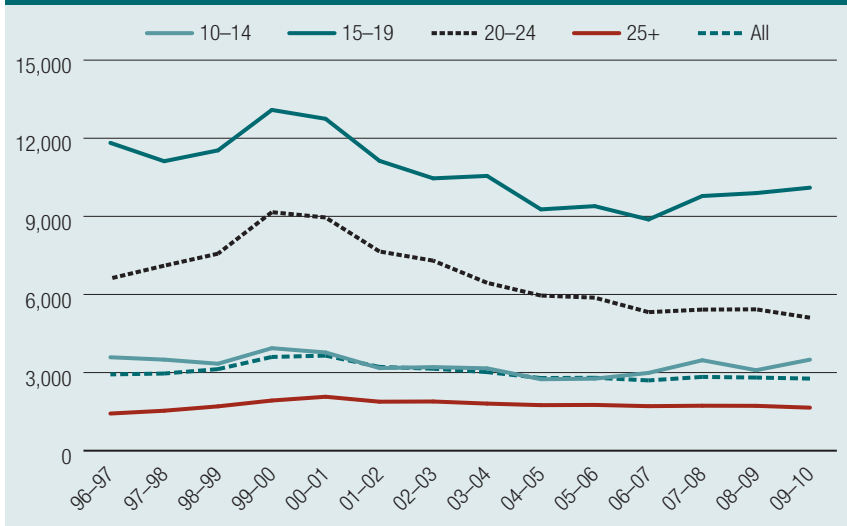
a: Aggregated from Victorian, South Australia and Queensland

- Despite males offending at a much higher rate, trends in overall offending for both genders follow similar patterns. Both show a peak in 2000–01 (3,651 per 100,000 male population and 1,059 per 100,000 female population), followed by a decline in offending in 2001–02. More recently, male offending rates fell (from 2,833 to 2,768 per 100,000 male population between 2007–08 and 2009–10), however female offending rates rose from 747 per 100,000 female population in 2007–08 to 892 per 100,000 female population in 2009–10.

Source: References 2 and 8–10

## Males

**Figure 57** Male offenders, by age, 1996–97 to 2009–10 (per 100,000 males of that age per year)<sup>a</sup>



a: Aggregated from Victorian, South Australia and Queensland

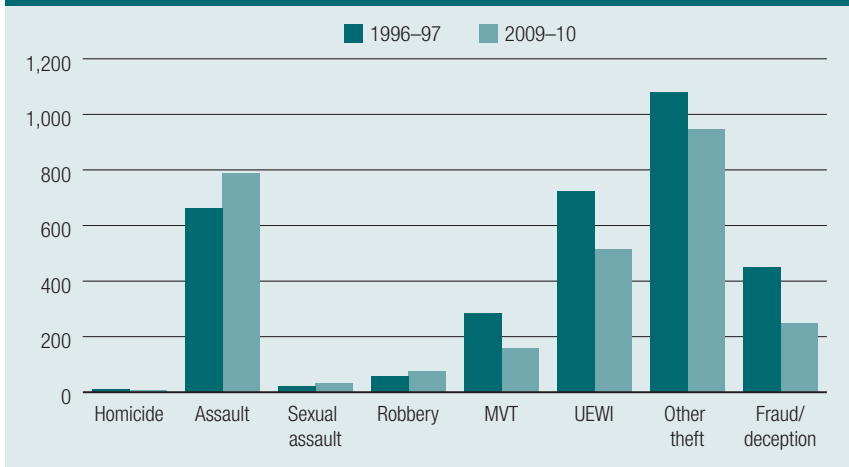
Note: 'All' refers to all male offenders aged 10 years and over. The increase in offenders in 2007–08 is partially explained by the reclassification of 'other' theft to include theft from motor vehicle, theft (shopsteal), theft of bicycle and theft (other). Prior editions of *Australian crime: Facts & figures* have only included 'theft (other)' for Victoria. From 2007–08, the inclusion of theft from motor vehicle, theft (shopsteal) and theft of bicycle for Victoria has brought the information in line with South Australia and Queensland classification of 'other' theft

- Overall, the 2009–10 rates of offending across all age groups are lower than they were in the early 2000s. The rate of male offending is at an all-time low at 2,769 per 100,000 male population in 2009–10.

- Males aged 15–19 years had the highest rate of offending in 2009–10 (10,101 per 100,000 male population). This rate represents an increase of two percent from 2008–09.
- The offending rate of males aged 10–14 years saw the greatest percentage increase (13%) of any age group from 2008–09 to 2009–10, rising from 3,091 to 3,496 per 100,000 male population.

Source: References 2 and 8–10

**Figure 58** Male offenders, by offence type, 1996–97 and 2009–10 (per 100,000 males per year)



- The rate of offending among males was lower in 2009–10 for all property crimes than in 1996–97. Conversely, with the exception of homicide, the rate of violent offending by males increased during the same time period.
- Between 1996–97 and 2009–10, the male offending rate for assault increased by 18 percent from 664 to 786 per 100,000 male population, sexual assault increased by 35 percent from 23 to 31 per 100,000 male population and robbery increased by 28 percent from 58 to 74 per 100,000 male population. Homicide was the only violent crime where the rate of offending decreased between 1996–97 and 2009–10, falling by 27 percent from 11 to eight per 100,000 male population.
- In relation to property crime, the percentage decrease in the rate of male offending between 1996–97 and 2009–10 was greatest for MVT and fraud offences. Specifically, both declined by 45 percent, with MVT decreasing to 157 per 100,000 male population in 2009–10, while fraud decreased from 449 per 100,000 male population in 1996–97 to 249 per 100,000 male population in 2009–10.

Source: References 2 and 8–10

## Females

**Figure 59** Female offenders, by age group, 1996–97 to 2009–10 (per 100,000 females of that age group per year)<sup>a</sup>



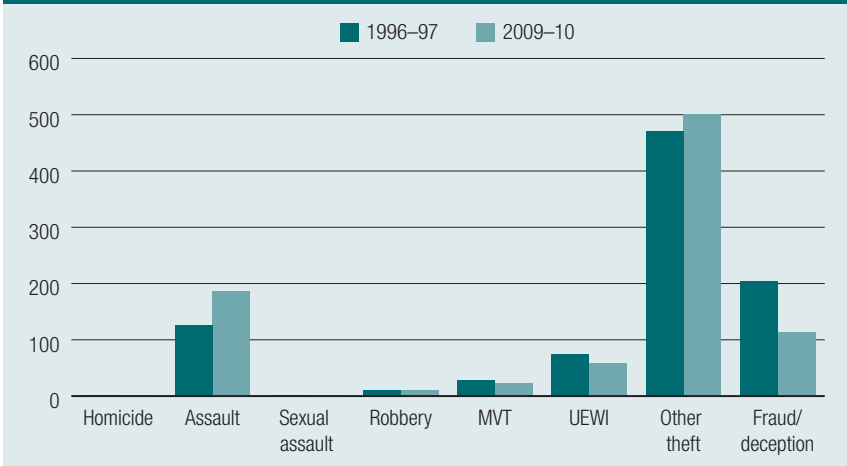
a: Aggregated from Victorian, South Australia and Queensland

Note: 'All' refers to all female offenders aged 10 years and over. The increase in offenders in 2007–08 is partially explained by the reclassification of 'other' theft to include theft from motor vehicle, theft (shopsteal), theft of bicycle and theft (other). Prior editions of *Australian crime: Facts & figures* have only included 'theft (other)' for Victoria. From 2007–08, the inclusion of theft from motor vehicle, theft (shopsteal) and theft of bicycle for Victoria has brought the information in line with South Australia and Queensland classification of 'other' theft

- Across all age groups, the rate of female offending was 892 per 100,000 female population in 2009–10.
- In 2007–08, the rate of female offending in the 10–14 year age group overtook the rate of offending by females aged 20–25 years. Since then, offending by 10–14 year olds has risen by approximately four percent per year.
- Since 2006–07, the offending rate for females aged 15–19 years has increased by 33 percent; from 2,425 to 3,225 per 100,000 female population.
- The offending rate of females aged between 20 and 24 years old is the lowest it has been in 14 years. In 1996–97, females aged 20–24 years were offending at a rate of 1,844 per 100,000, compared with 1,480 per 100,000 female population in 2009–10.

Source: References 2 and 8–10

**Figure 60** Female offenders, by offence type, 1996–97 and 2009–10 (per 100,000 females per year)



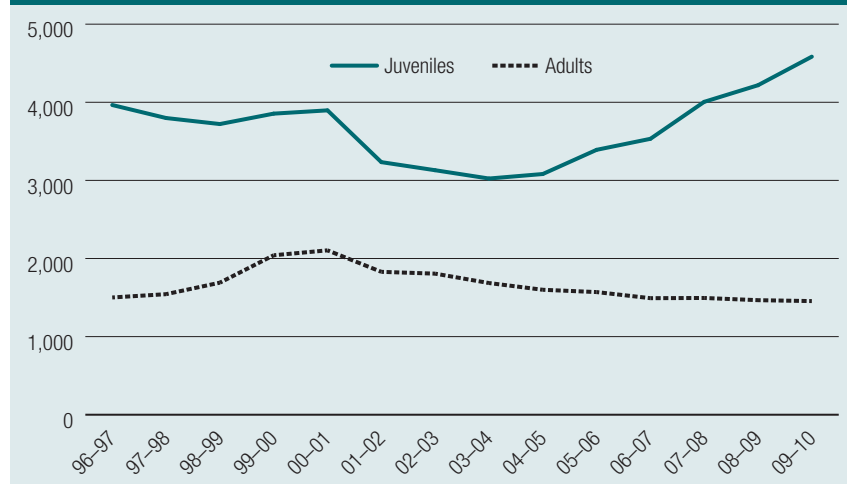
- With regard to female offending by offence type, there was no significant change in the rates of female homicide and sexual assault offending—both of which were very low. The homicide offending rate for females in 2009–10 was one per 100,000 female population, while for sexual assault it was 0.4 per 100,000 female population.
- Rates of female offending remained highest in the offence category of ‘other’ theft in both 1996–97 and 2009–10. In 1996–97, the offending rate for females committing ‘other’ theft was 471 per 100,000 females, compared with 501 per 100,000 females in 2009–10; an increase of six percent.
- The rate of female assault offending increased by 49 percent over the 14 year period, while female fraud and deception offending decreased by 44 percent.

Source: References 2 and 8–10

## Juveniles

There are differences among the states in the definition of a juvenile. Data in this section include alleged offenders aged between 10 and 17 years.

**Figure 61** Juvenile and adult offenders, by age group, 1996–97 to 2009–10 (per 100,000 of that age group per year)

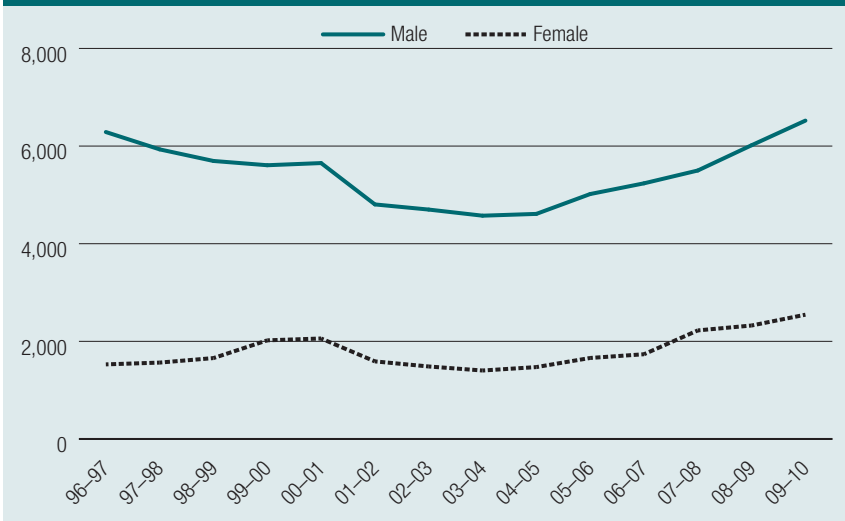


Note: The increase in offenders in 2007–08 is partially explained by the reclassification of ‘other’ theft to include theft from motor vehicle, theft (shopsteal), theft of bicycle and theft (other). Prior editions of *Australian crime: Facts & figures* have only included ‘theft (other)’ for Victoria. From 2007–08, the inclusion of theft from motor vehicle, theft (shopsteal) and theft of bicycle for Victoria has brought the information in line with South Australia and Queensland classification of ‘other’ theft

- Currently, recorded juvenile offending is at its highest rate since 1996–97 at 4,584 per 100,000 of the juvenile population.
- By contrast with juvenile offending, adult offending is in decline. In 1996–97, adults were offending at a rate of 1,501 per 100,000 adult population. Adult offending peaked in 2000–01 with a rate of 2,104 per 100,000 adult population, before falling to 1,455 per 100,000 adult population in 2009–10.

Source: *References 2 and 8–10*

**Figure 62** Juvenile offenders, by sex, 1996–97 to 2009–10 (per 100,000 juveniles of that sex per year)

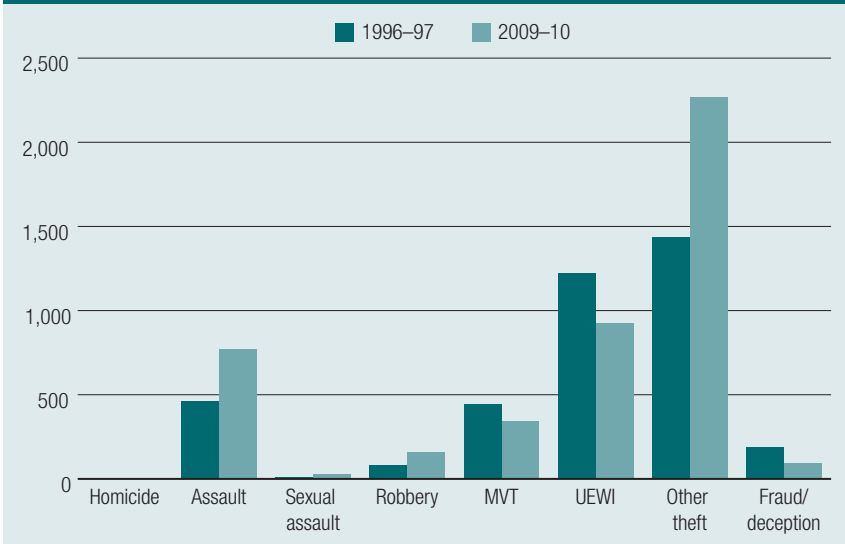


Note: The increase in offenders in 2007–08 is partially explained by the reclassification of ‘other’ theft to include theft from motor vehicle, theft (shopsteal), theft of bicycle and theft (other). Prior editions of *Australian crime: Facts & figures* have only included ‘theft (other)’ for Victoria. This edition’s inclusion of theft from motor vehicle, theft (shopsteal) and theft of bicycle for Victoria brings it in line with South Australia and Queensland classification of ‘other’ theft

- Compared with 1996–97 rates, juvenile offending for both males and females has increased. Male offending has increased by four percent from 6,288 per 100,000 juvenile male population in 1996–97 to 6,521 per 100,000 in 2009–10. Significantly, while they remain less likely to offend, the rate of offending for female juvenile offenders increased by 67 percent from 1,528 to 2,546 per 100,000 juvenile female population from 1996–97 to 2009–10.

Source: References 2 and 8–10

**Figure 63** Juvenile offenders, by offence type, 1996–97 and 2009–10 (per 100,000 juveniles per year)



- UEWI and ‘other’ theft remained the two crimes with the highest rates of juvenile offending. However, while the rate of juvenile UEWI offending decreased by 24 percent between 1996–97 and 2009–10, the rate of juvenile offending in relation to ‘other’ theft increased by 58 percent from 1,433 to 2,269 per 100,000 juvenile population in 2009–10.
- The rate of juveniles committing assaults has risen by 67 percent since 1996–97 — from a rate of 459 per 100,000 juvenile population to the current rate of 768 per 100,000 juvenile population in 2009–10.

Source: References 2 and 8–10

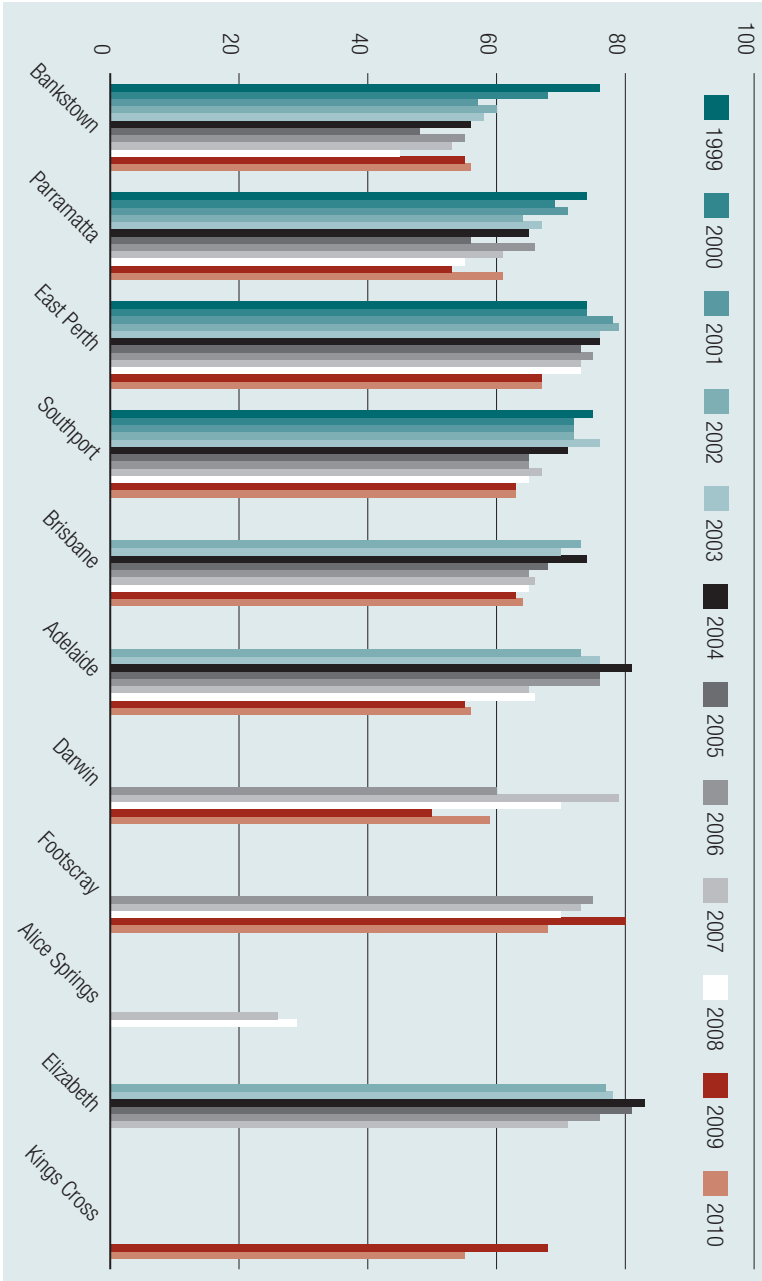
## Drug use by offenders

### *Police detainees*

The AIC’s DUMA program monitors illicit drug use by police detainees at a number of sites around Australia on a quarterly basis. DUMA provides a reasonable and independent indicator of drug-related crime at these locations. Two methods are used to obtain information—a questionnaire and a urine sample.



**Figure 64** Adult male police detainees testing positive to any drug<sup>a</sup>, by DUMA site, 1999–2010 (%)



a. Any drug is defined as cannabis, heroin, methamphetamine, cocaine or benzodiazepines

By 2010, nine sites were being monitored—East Perth in Western Australia; Southport and Brisbane City in Queensland; Bankstown, Parramatta and Kings Cross in New South Wales; Adelaide City in South Australia; Darwin in the Northern Territory; and Footscray in Victoria. Brisbane City and Adelaide City began participating in 2002, Darwin and Footscray in 2006 and King Cross in 2009.

Data collection at the Elizabeth site in South Australia ceased in Quarter Four in 2007, while the Alice Springs site was discontinued in 2008. Therefore, there are no data for either Elizabeth or Alice Springs in 2010. Data are collected quarterly and presented in the following figures as annual averages. Data are presented here for males only, as they represent the majority (more than 80%) of police detainees in the DUMA collection (for a more detailed analysis of the DUMA data see Reference 22).

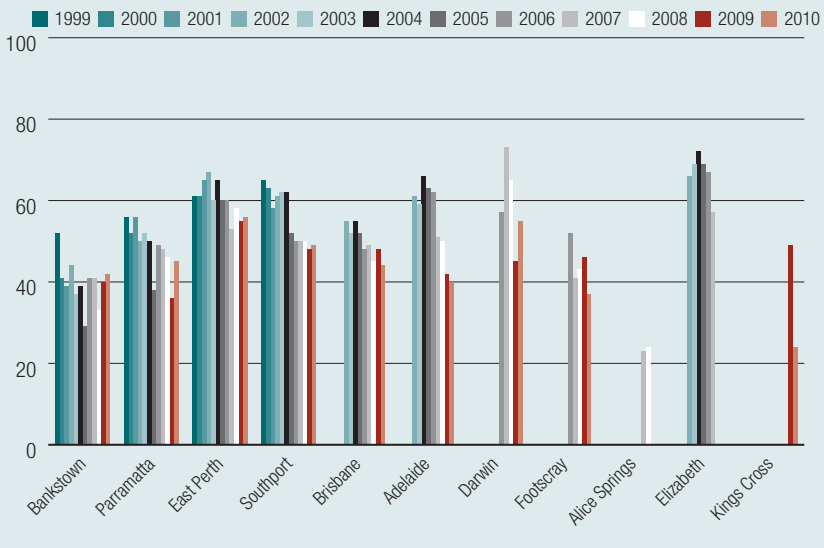
As the DUMA data are expressed as proportions of drug use (as opposed to the count), changes and comparisons between years are reported in percentage points. The nine sites differed in the percentage of police detainees testing positive to each of methamphetamine, cocaine, cannabis and heroin.

*Source: Reference 22*

- High proportions of adult male police detainees tested positive to drugs across all sites in the DUMA program in 2010. These ranged from just over half of males at the Kings Cross site (55%) and 61 percent at the Parramatta site to 68 percent at the Footscray site.
- While there is variation within and across sites, overall, fewer male police detainees tested positive to any drug in 2010 than they did in early 2000s.
- The proportions of adult male police detainees testing positive to a drug at the Footscray and East Perth sites have decreased when compared to 2006. Despite being the two sites with the greatest proportion of positive results in 2010, the proportion of adult male police detainees testing positive to drugs at the Footscray site decreased by seven percentage points from 2006 to 2010, while the proportion at East Perth has dropped by eight percentage points in the same period.

*Source: Reference 22*

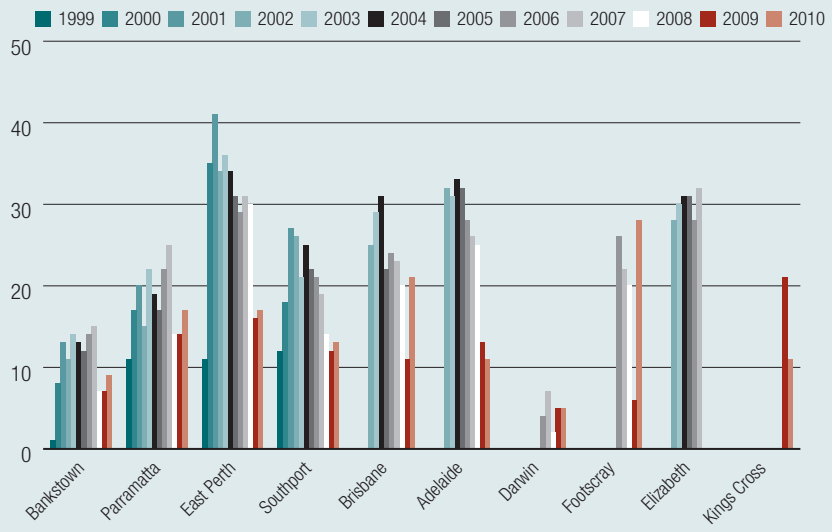
**Figure 65** Adult male police detainees testing positive to cannabis, by DUMA location, 1999 to 2010 (%)



- The proportion of adult male police detainees who tested positive to cannabis in 2010 ranged from 24 percent in Kings Cross to 56 percent in East Perth.
- Overall, the proportion of adult male detainees who tested positive to cannabis at the Southport site has declined since 1999. This follows a similar trend at other sites. In 2000, 63 percent of adult male detainees at Southport tested positive to cannabis compared with 49 percent in 2010, representing an overall decrease of 16 percentage points.

Source: Reference 22

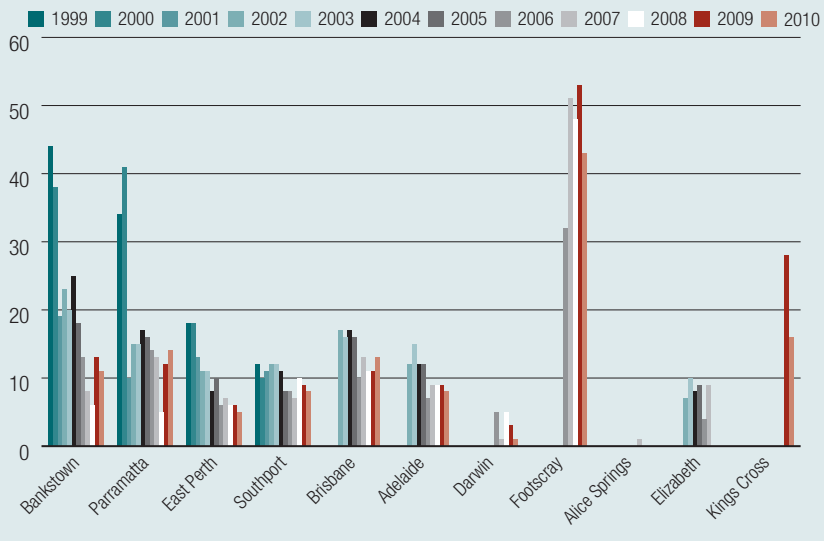
**Figure 66** Adult male police detainees testing positive to methamphetamine, by DUMA location, 1999 to 2010 (%)



- Consistently small proportions of adult male police detainees at the Darwin testing site have tested positive to methamphetamine—between two and five percent.
- The highest proportion of male adult police detainees who tested positive to methamphetamines at any testing site over the past 10 years was recorded at the East Perth testing site; where 41 percent of adult male detainees tested positive to methamphetamines.
- In 2010, the proportion of adult male police detainees who tested positive to methamphetamine varied from five percent in Darwin and 17 percent in Parramatta and East Perth, to 28 percent in Footscray.

Source: Reference 22

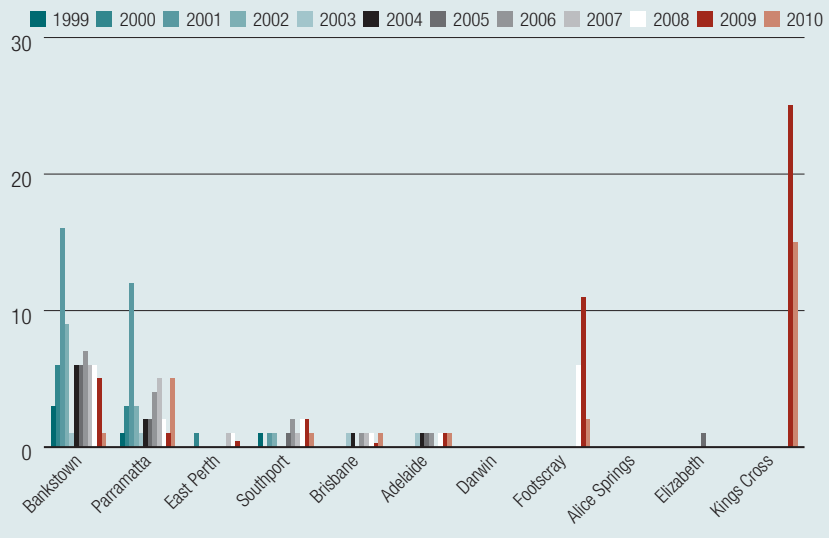
**Figure 67** Adult male police detainees testing positive to heroin, by DUMA location, 1999 to 2010 (%)



- A high proportion of adult police detainees at the Footscray test site consistently tested positive to heroin between 2006 and 2010—from 32 percent in 2006 and 53 percent in 2009, to 43 percent in 2010.
- A comparison of the years 1999 and 2010 showed that the proportion of adult male police detainees who tested positive to heroin at the Bankstown and Parramatta sites has declined significantly. In 1999, 44 percent tested positive to heroin at Bankstown compared with 11 percent in 2010—a drop of 33 percentage points. Similarly, in 1999, 34 percent of adult male police detainees tested positive to heroin at the Parramatta site, compared with 14 percent in 2010; a total decrease of 20 percentage points.

Source: Reference 22

**Figure 68** Adult males police detainees testing positive to cocaine, by DUMA location, 1999–2010 (%)

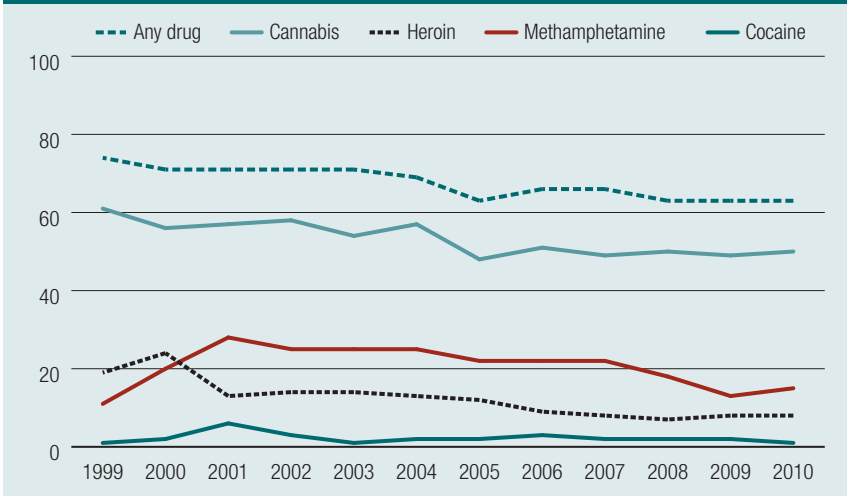


Note: The scale for this chart is different from that of other charts as the percentages involved are relatively small

- Cocaine use among adult male police detainees has declined to relatively low levels over the past five years. With the exception of the Kings Cross testing site, the proportion of males who tested positive to cocaine since 2005 has ranged, on average, from five percent at the Bankstown site to one percent at the Southport, Brisbane and Adelaide sites.
- The proportion of adult male police detainees testing positive to cocaine at the Kings Cross site declined by 10 percentage points between 2009 and 2010, falling from 25 to 15 percent.

Source: Reference 22

**Figure 69** Adult male police detainees testing positive to selected drugs, at four long-term sites<sup>a</sup>, 1999 to 2010 (%)

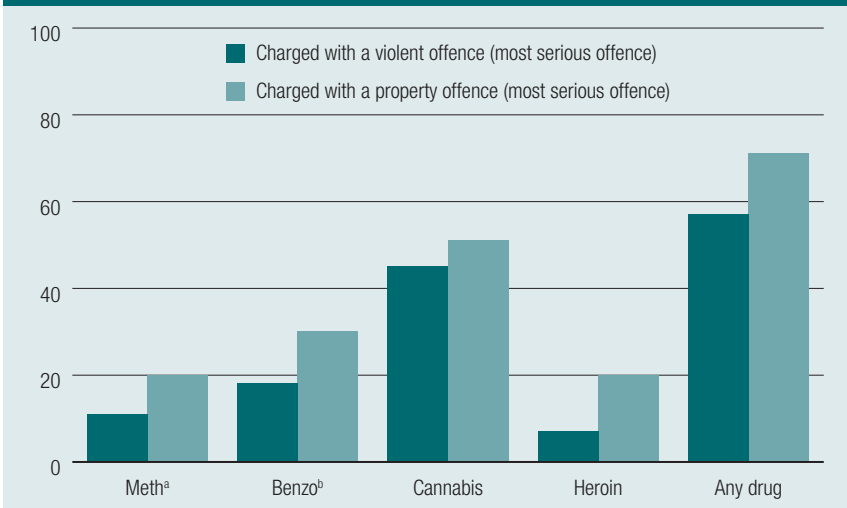


a: Bankstown, Parramatta, East Perth, Southport

- The pattern of any drug use among adult male police detainees has been fairly consistent over the past five years, remaining on average at around 64 percent of detainees using any drug since 2006.
- Between 2009 and 2010, the proportion of adult male police detainees testing positive to methamphetamine increased by two percentage points, from 13 to 15 percent. However, this is still a seven percentage point decrease from the 22 percent reported in 2007.
- Since 2002, the proportion of adult male police detainees who tested positive to cocaine has remained at below four percent.

Source: Reference 22

**Figure 70** Adult male police detainees testing positive to a drug, by type of offence, 2010 (%)



a: Methamphetamine

b: Benzodiazepines

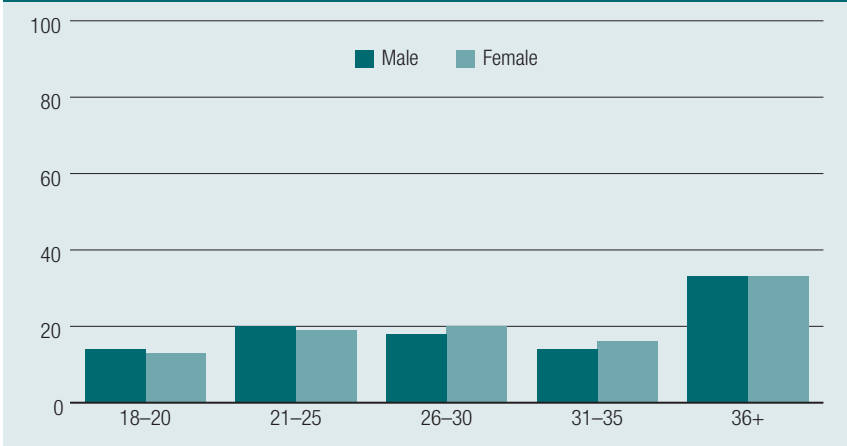
- In 2010, the presence of any drug was more common for adult male police detainees whose most serious offence (MSO) was a property offence. Specifically, there was a 14 percentage point difference between detainees whose MSO was a property offence (71%) compared with those whose MSO was a violent offence (57%).
- Twenty percent of adult male police detainees who were arrested for a property offence tested positive to heroin, compared with seven percent who were arrested for a violent offence.
- High proportions of adult male detainees arrested for property and violence offences tested positive to cannabis—45 percent whose MSO was a violent offence and 51 percent whose MSO was a property offence.

Source: Reference 22



## Characteristics of police detainees

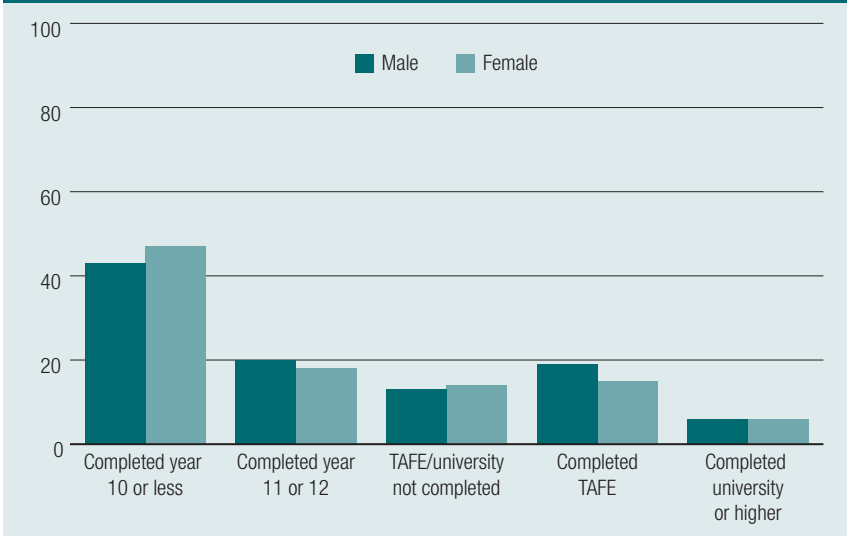
**Figure 71** Age group and sex distribution of adult police detainees, 2010 (%)



- In 2010, the majority of adult police detainees were aged over 36 years (around 33% for both males and females); 19 percent of females and 20 percent of males were aged between 21 and 25 years.

Source: Reference 22

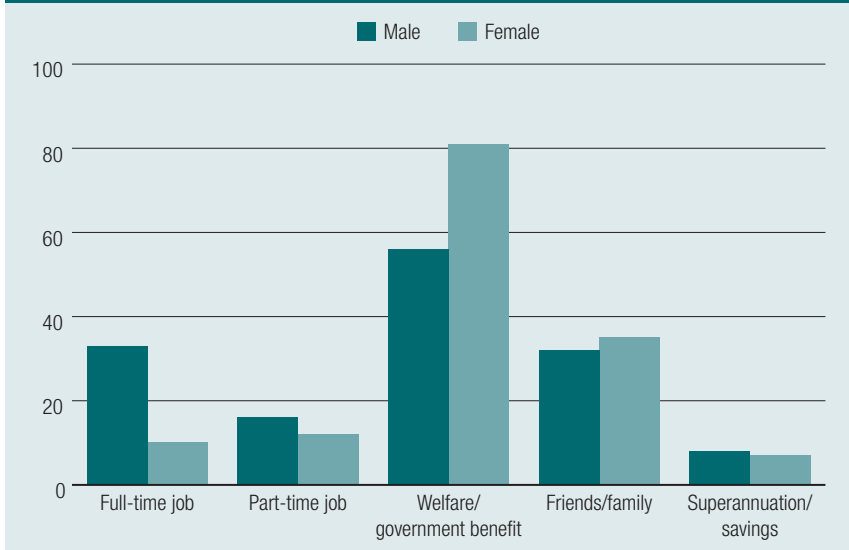
**Figure 72** Adult police detainees, by education level, 2010 (%)



- The largest proportion of adult police detainees had attained either a Year 10 level education or less. Conversely, the smallest proportion had completed university or higher.
- In 2010, more male (19%) than female (15%) adult detainees had completed TAFE, however, more females (14% compared with 13%) had a university or TAFE education that was not completed.
- Twenty percent of adult male detainees' and 18 percent of adult female detainees' highest level of education was Year 11 or 12.

Source: Reference 22

**Figure 73** Adult police detainees, by source of income (non-crime generated) in the past 30 days, 2010 (%)

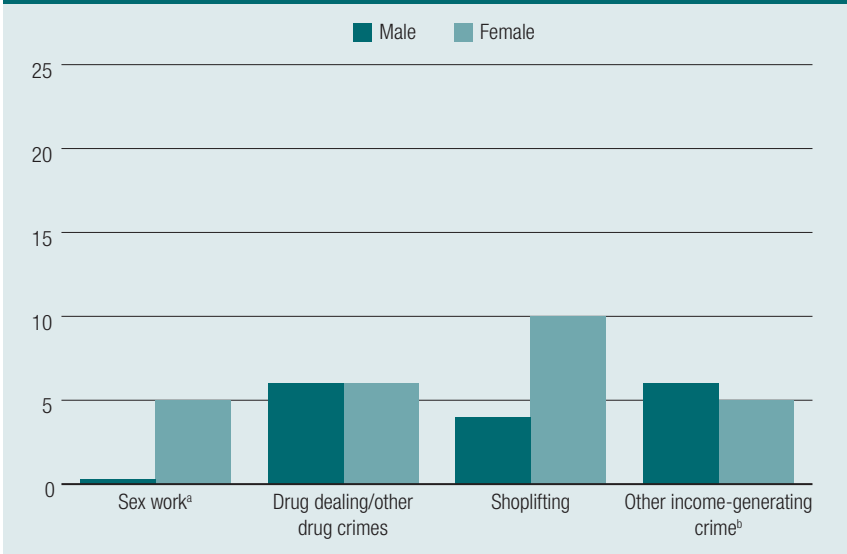


Note: Survey respondents could select more than one source of income. As such, percentages for each sex do not total 100

- Welfare and government benefits were the main source of non-crime generated income for both male and female adult detainees in 2010, nominated by 56 percent of males and 81 percent of females.
- More males than females reported having a non-crime generated source of income that involved a full-time job (33% compared with 10% respectively).
- In 2010, seven percent of female and eight percent of male adult detainees obtained income from superannuation and savings.

Source: Reference 22

**Figure 74** Adult police detainees, by source of income (crime generated) in past 30 days, 2010 (%)



a: Sex work is decriminalised in some states and territories

b: Includes theft, fraud, burglary and robbery

Note: Survey respondents could select more than one source of income. As such, percentages for each sex may not total 100

- In 2010, there were differences in the types of crime-generated income for male and female adult police detainees. Females were most likely to draw income from shoplifting (10%) and drug dealing/other drug crimes (6%). Conversely, the main source of crime-generated income among males was from drug dealing/other drug crimes (6%), and other types of income-generating crimes (5%).
- Five percent of females reported earning income from sex work in 2010, compared with less than one percent of males.

Source: Reference 22

## Chapter 5

# Criminal courts

There is a hierarchy of criminal courts at the federal and state/territory levels. The state and territory court systems comprise:

*Magistrates' courts*—lower courts that deal with relatively minor or summary criminal offences. Under some circumstances, these courts may also deal with less serious indictable offences. They are also responsible for conducting preliminary (committal) hearings for indictable offences.

- *Intermediate (district/county) courts*—courts that deal with crimes of greater seriousness. Intermediate courts hear the majority of cases involving indictable crimes.
- *Supreme courts*—the highest level of court within a state or territory. Supreme courts deal with the most serious crimes.

Higher courts comprise intermediate and Supreme courts, where defendants charged with serious or indictable offences are dealt with and where appeals are heard. Magistrates' courts are called lower courts.

Each state and territory also has a children's court, which sits within the Magistrates' court system. Children's courts deal solely with defendants who committed an offence when aged under 18 years (or in Queensland, under 17 years).

Minor criminal offences, called summary offences, are dealt with in the lower courts where penalties are less severe; major offences, dealt with by the higher courts, are called indictable offences. If a defendant pleads not guilty, indictable offences normally require a trial by judge and jury.

All state, territory and federal courts handle a number of matters that appear in the court system for the first time, although almost all criminal charges, including those for federal criminal offences, are lodged initially with a Magistrates' court.

In states with both Supreme and intermediate courts, the majority of charges are decided in intermediate courts. Tasmania, the Northern Territory and the Australian Capital Territory do not have intermediate courts; all relevant charges are dealt with by Supreme courts.

It should be noted that there is not one specific court that prosecutes federal defendants. The Australian Parliament 'invests' the Supreme, District (County), Magistrate and Children's courts with federal jurisdiction, allowing them to pass judgement in these matters. Federal prisoners are held in state prisons.

The ABS publishes statistics on criminal defendants whose cases were initiated or finalised in higher and Magistrates' courts and, recently, have begun reporting on cases heard in children's courts. ABS data do not include defendants finalised in electronic courts, family violence courts, Koori courts or drug courts.

In addition, in recent years, the Steering Committee for the Review of Government Service Provision has produced statistics on the number of lodgements at each court level.

Both the ABS and the Steering Committee for the Review of Government Service Provision report on criminal court data for financial, rather than calendar, years.

*Source: References 23 and 24*

## The criminal court process

### *Case flows*

Cases passing through the courts generally share the following common elements:

- *lodgement*—the initiation of the matter with the court;
- *pre-trial procedures*—committal hearing or discussion and mediation between the parties;
- *trial*; and
- *court decision*—judgment or verdict followed by sentencing.

*Source: References 23 and 24*

## Lodgements

Most lodgements are processed by the Magistrates' court in the relevant criminal jurisdiction. In 2009–10, 854,133 cases were lodged in criminal courts in Australia—96 percent were initiated in Magistrates' courts, three percent were initiated in district/county courts and the remaining one percent initiated in the Supreme courts.

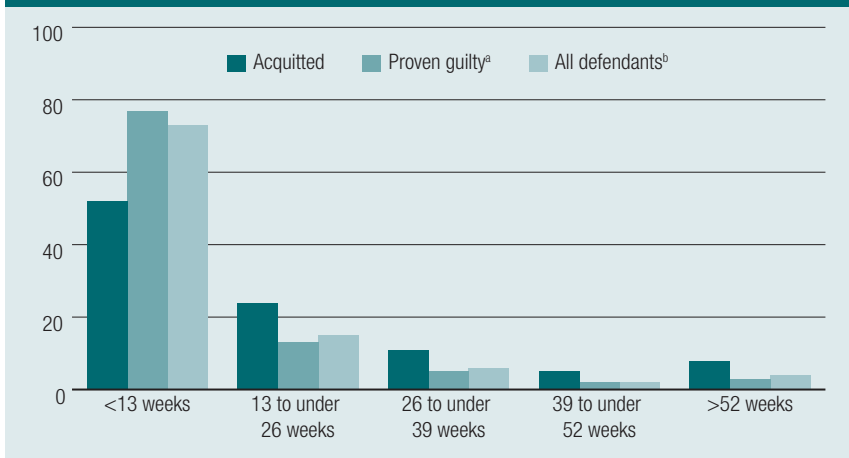
Source: Reference 24

## Timeliness

The duration between the lodgement of a matter with the court and its finalisation is referred to as timeliness. Generally, lower courts complete a similar proportion of their workload with greater timeliness than higher courts, because cases are of a more straightforward nature, the disputes and prosecutions heard are usually less complex and there is a greater proportion of guilty pleas.

Committal is the first stage of hearing an indictable offence in the criminal justice system. A magistrate assesses the sufficiency of evidence presented against the defendant and decides whether to commit the matter for trial in a higher court. Defendants are held in custody pending a committal hearing or trial, or released on bail. The conduct of the committal hearing is important for timely adjudication of the charges against the defendant.

**Figure 75** Duration of matters finalised in Magistrates' court, by method of finalisation, 2009–10 (%)



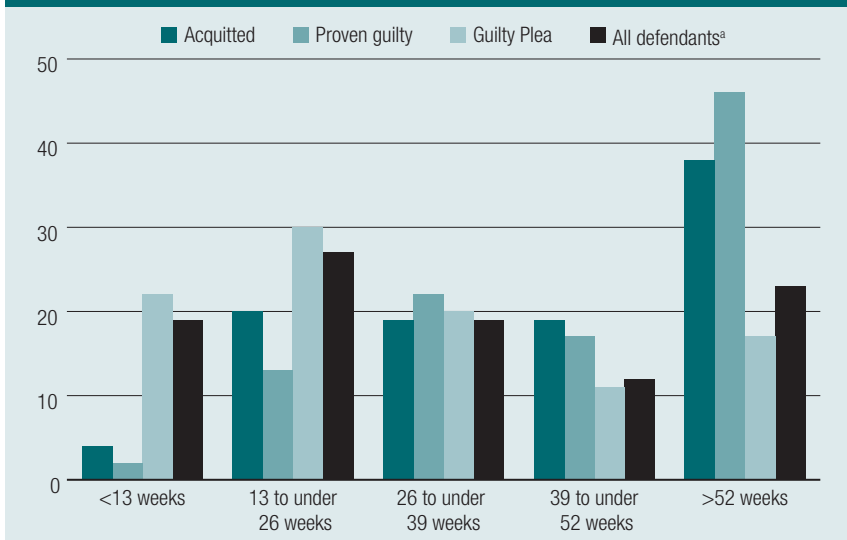
a: Includes guilty plea and guilty verdict

b: Includes those cases that were finalised by other means (eg transferred to other court levels, withdrawn by prosecution) or the finalisation method was unknown

- In 2009–10, 73 percent of all defendants were finalised in the Magistrates’ court in less than 13 weeks; guilty verdicts were most common in matters that took less than 13 weeks to finalise.
- A further 15 percent of matters were finalised in 13 to 26 weeks, with the highest proportion of defendants acquitted (24%).
- In the 11 percent of matters that took greater than 52 weeks to finalise, eight percent were acquitted, while three percent were found guilty.

Source: Reference 24

**Figure 76** Duration of matters finalised in higher courts, by method of finalisation, 2009–10 (%)



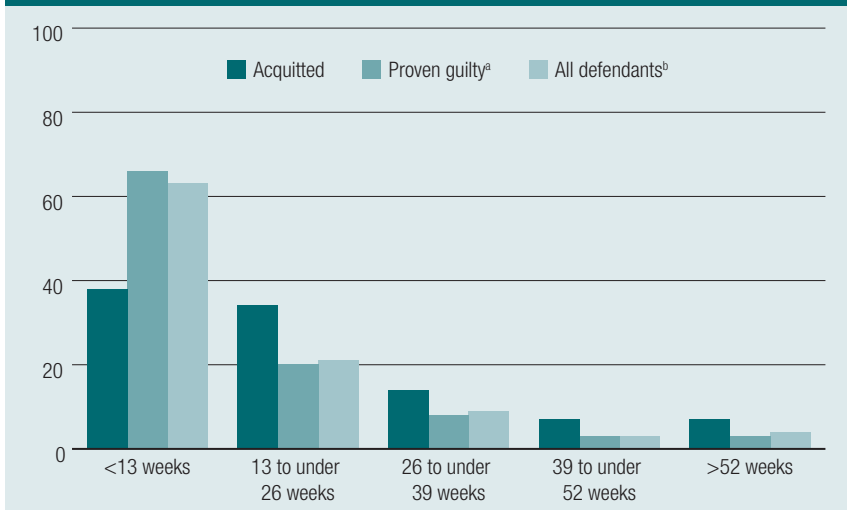
a: Includes defendants who were found guilty but whose method of finalisation (ie guilty verdict or guilty plea) was unknown, cases that were transferred to other court levels or whose finalisation was achieved by some other method

- Overall, the greatest proportion (27%) of all defendants’ cases in the higher courts took between 13 and 26 weeks to finalise; 23 percent took longer than 52 weeks.
- In cases that took less than 13 weeks to finalise, four percent resulted in acquittal, two percent in a guilty verdict, and 22 percent in a guilty plea.
- Guilty verdicts generally took longer to prove than other types of finalisation. Forty-six percent of cases that resulted in a guilty verdict took longer than 52 weeks, compared with only 38 percent of acquittals and 17 percent for guilty pleas.

- Acquittals were most common in cases that took longer than 52 weeks to finalise (38%) and least common in cases that took less than 13 weeks to finalise (4%). There was no difference in the proportion of acquittals for cases lasting between 26 to 39 and 39 to 52 weeks (19% respectively).

Source: Reference 24

**Figure 77** Duration of matters finalised in the children’s courts, by method of finalisation, 2009–10 (%)



a: Includes guilty plea and guilty verdict

b: Includes defendants whose cases were finalised by other means (eg transferred to other court levels, withdrawn by prosecution)

- Of the 41,272 defendants finalised in the children’s courts in 2009–10, 63 percent were finalised in less than 13 weeks.
- Guilty verdicts were more common in cases that took less time to process. Of defendants who were found guilty, 66 percent were processed in less than 13 weeks, 20 percent between 13 and 26 weeks and only three percent of cases lasted longer than 52 weeks.

Source: Reference 24

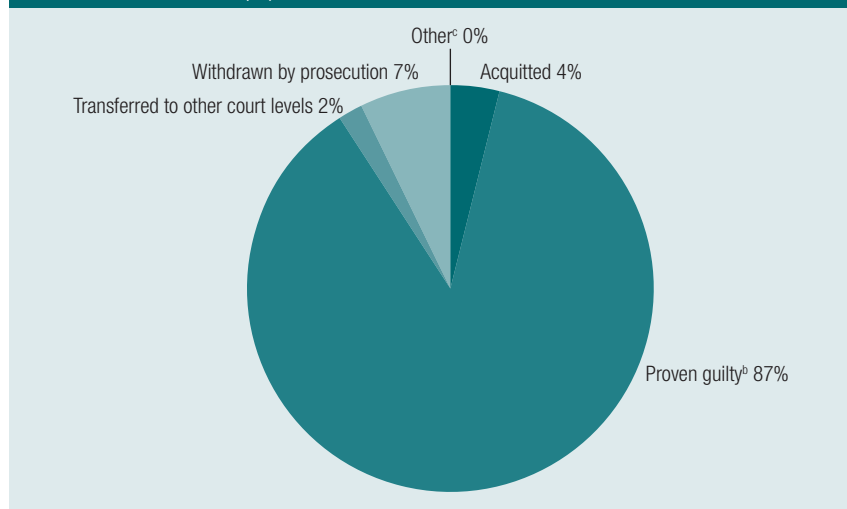


## Court decisions

Cases are finalised in the courts in the following ways:

- *adjudicated*—determined whether guilty of the charges, by court judgement or plea of guilty; and
- *non-adjudicated*—unresolved for a variety of reasons, including withdrawal by prosecution, unfitness to plead, death of the accused, diplomatic immunity and statute of limitations.

**Figure 78** Criminal cases finalised in the Magistrates' court, by method of finalisation<sup>a</sup>, 2009–10 (%)



a: New South Wales refers to finalised appearances rather than defendants, resulting in possible over counting. New South Wales excludes defendants finalised by committal to a higher court

b: Includes guilty plea and guilty verdict

c: Includes defendants unfit to plead, defendants deceased, and other non-adjudicated finalisations

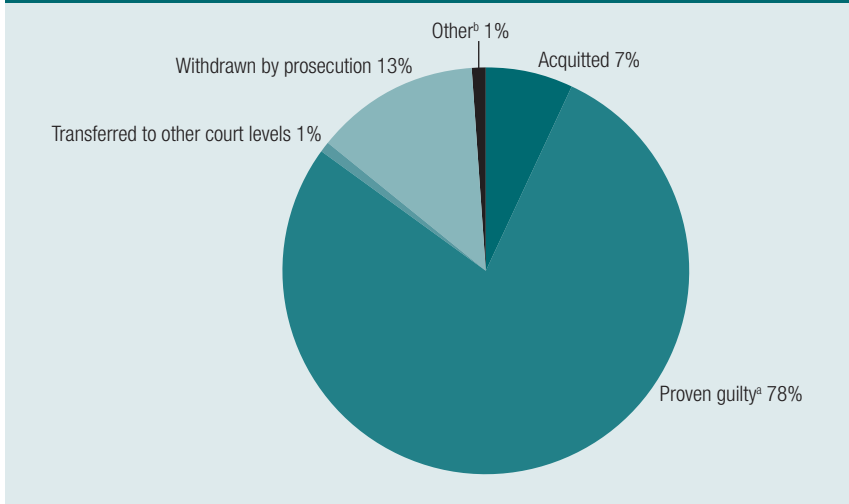
n=603,601

- The majority of cases finalised in the Magistrates' courts resulted in a guilty verdict (87%).
- A combined nine percent of cases did not result in a verdict; two percent of cases were transferred to another court level; seven percent were withdrawn by the prosecution.

- The number of cases finalised in the Magistrates' court fell by five percent from 2008–09 to 2009–10. In 2008–09, 635,930 cases were finalised in the Magistrates' court compared with 603,601 in 2009–10.

Source: Reference 24

**Figure 79** Criminal cases finalised in higher courts, by method of finalisation, 2009–10 (%)



a: Includes guilty plea and guilty verdict

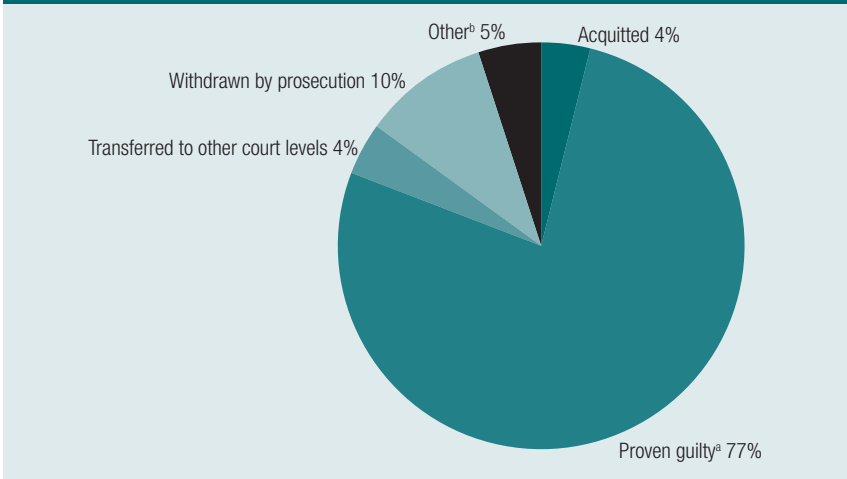
b: Includes defendants unfit to plead, defendants deceased, transfers to other court levels and other non-adjudicated finalisations

n=16,829

- The largest proportion of matters heard in the higher courts resulted in a guilty verdict. However, 13 percent of cases were withdrawn by the prosecution before a verdict could be reached.
- There was a marginal decrease (1%) in the number of cases finalised in the higher courts between 2008–09 and 2009–10—from 16,933 cases to 16,829 cases heard in 2009–10.

Source: Reference 24

**Figure 80** Criminal cases, finalised in children’s courts, by method of finalisation, 2009–10 (%)



a: Includes guilty plea and guilty verdict

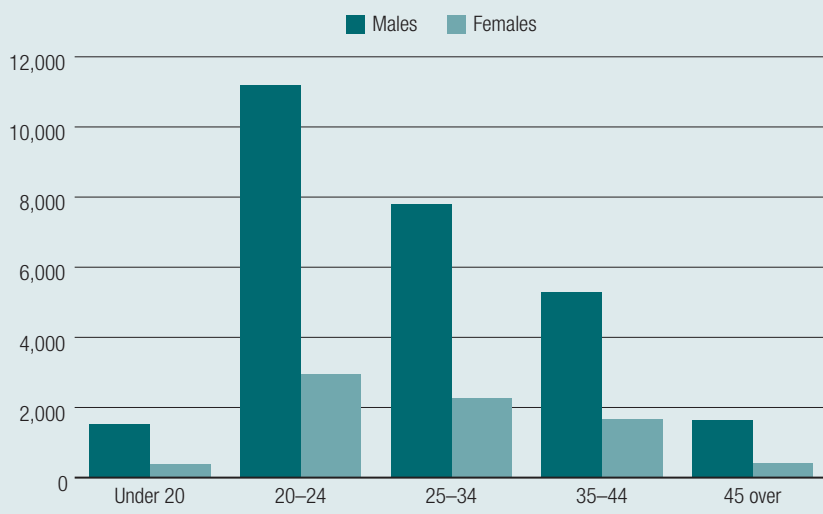
b: Includes defendants unfit to plead, defendants deceased, and other non-adjudicated finalisations

n=41,275

- The most common method of finalisation in the children’s court involved a guilty verdict (77%); a further four percent of defendants were acquitted; another four percent of cases were transferred to other courts.
- The number of cases finalised by the children’s courts decreased by two percent in 2009–10—from 42,193 cases finalised in the children’s courts in 2008–09 compared with 41,275 finalised cases in 2009–10.

Source: Reference 24

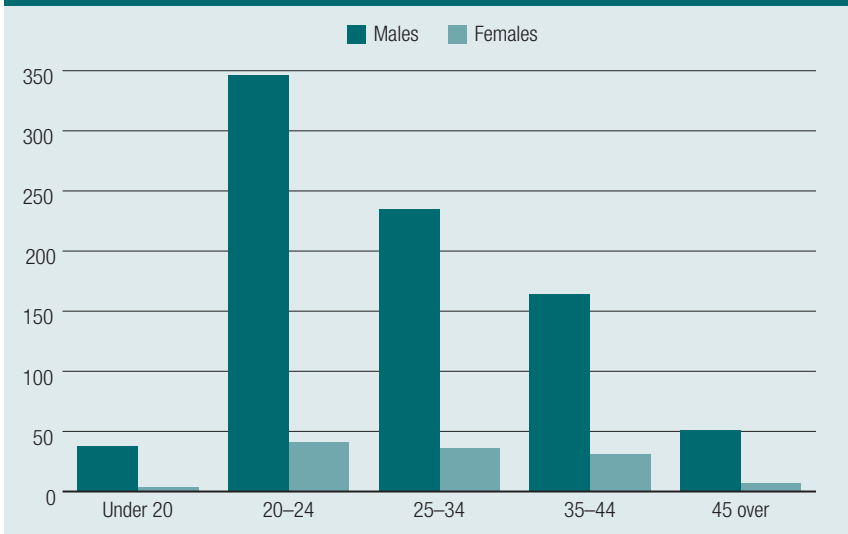
**Figure 81** Adjudicated defendants in Magistrates' court by age and gender, 2009-10 (rate per 100,000 relevant persons)



- The age group with the highest rate of adjudication in the Magistrates' court included individuals aged between 20–24 years. This pattern held regardless of gender, with males appearing before the courts at a rate of 11,204 per 100,000 male population and females appearing before the court at a rate of 2,947 per 100,000 female population.
- The rate of adjudication in the Magistrates' court was lowest at each end of the age spectrum. For individuals aged less than 20 years, males appeared at a rate of 1,512 per 100,000 male population, while for females the rate was 382 per 100,000 females.
- Conversely, for individuals aged 45 years and over, females appeared at a rate of 421 per 100,000 female population and males appeared at a rate of 1,642 per 100,000 male population.
- Collectively, females were the defendants in 22 percent of all cases heard in the Magistrates' courts in 2009–10.

Source: References 2 and 24

**Figure 82** Adjudicated defendants in higher courts, by age and gender, 2009–10 (rate per 100,000 relevant persons)



- Overall, males were the defendants in 87 percent of cases heard in the higher courts in 2009–10.
- The rate of female defendants was greatest in the 20–24 year age group, where they were adjudicated at a rate of 41 per 100,000.
- Male defendants in the 20–24 year age group were adjudicated at a rate of 347 per 100,000 male population.

Source: *References 2 and 24*

## Sentencing

Sentencing options available at each court level include, but are not limited to:

- fine;
- good-behaviour bond;
- probation order;
- suspended sentence;
- community service order;
- community custody (including home detention and periodic detention); and
- imprisonment.

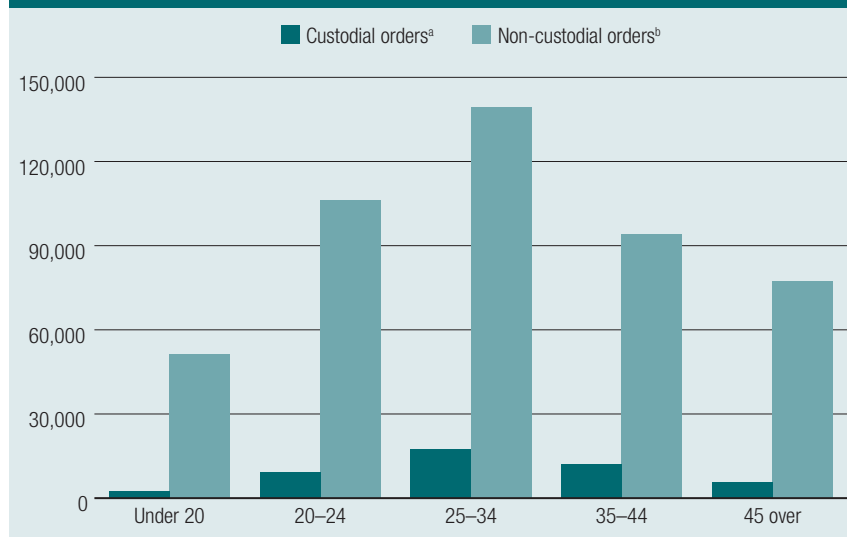
A custodial order restricts an offender’s liberty and may be served in a correctional facility or under supervision in the community. Suspended sentences are also classified as a form of custodial order.

Non-custodial orders are sentences that do not involve being held in custody. They may include supervision by a probation officer, community service orders or monetary penalties.

Sentencing data for adult offenders have been available since 2002–03 for all states and territories. The ABS is seeking to establish a more detailed and regular sentencing collection for higher, Magistrates’ courts and children’s courts.

Source: Reference 24

**Figure 83** Principal sentence of defendants found guilty in Magistrates’ courts, by age in years, 2009–10 (n)



a: Includes custody in a correctional institution, custody in the community and suspended sentence

b: Includes community supervision or work orders, monetary orders and other non-custodial orders

- In 2009–10, 91 percent (n=467,966) of sentences handed down in the Magistrates’ court were non-custodial.
- The number of custodial orders was greatest in the 25–34 year age group (n=17,302). Conversely, defendants aged less than 20 years received the least number of custodial sentences of any age group (n=2,305).

- Of the 105,944 defendants in the Magistrates' court aged between 35-44 years, 89 percent received a non-custodial order, while 11 percent received a custodial order.

Source: Reference 24

**Figure 84** Defendants found guilty in higher courts, by age and principal sentence, 2009–10 (n)



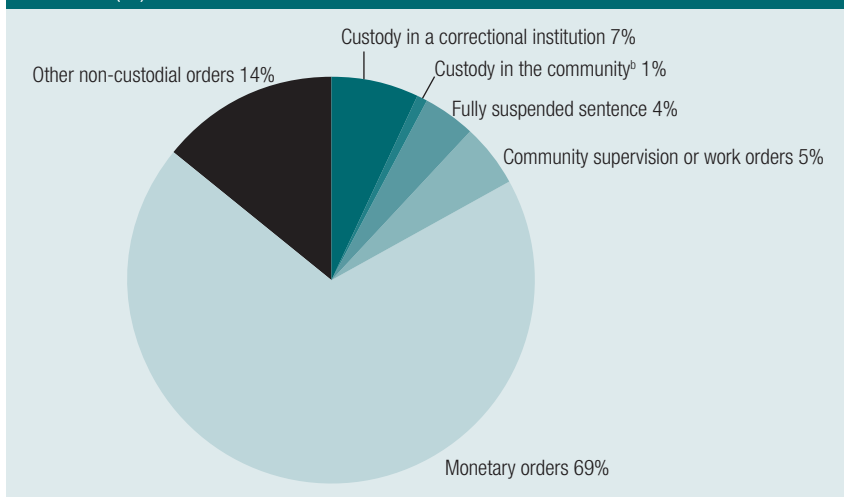
a: Includes custody in a correctional institution, custody in the community and suspended sentence

b: Includes community supervision or work orders, monetary orders and other non-custodial orders

- Of the 13,171 defendants adjudicated in the higher courts in 2009-10, 85 percent (n=11,182) received a custodial order.
- The number of non-custodial orders was fewer for those aged over 34 years. For instance, the number of non-custodial orders for the 20–24 year age group was 552, compared with 242 for those aged over 45 years.
- For those aged less than 20 years, 29 percent of defendants received a custodial sentence.

Source: Reference 24

**Figure 85** Principal sentence of adult male defendants found guilty in any court<sup>a</sup>, 2009–10 (%)



a: Includes Magistrates' and higher courts

b: Includes intensive corrections orders, home detention and other orders restricting liberty though allowing living within the community

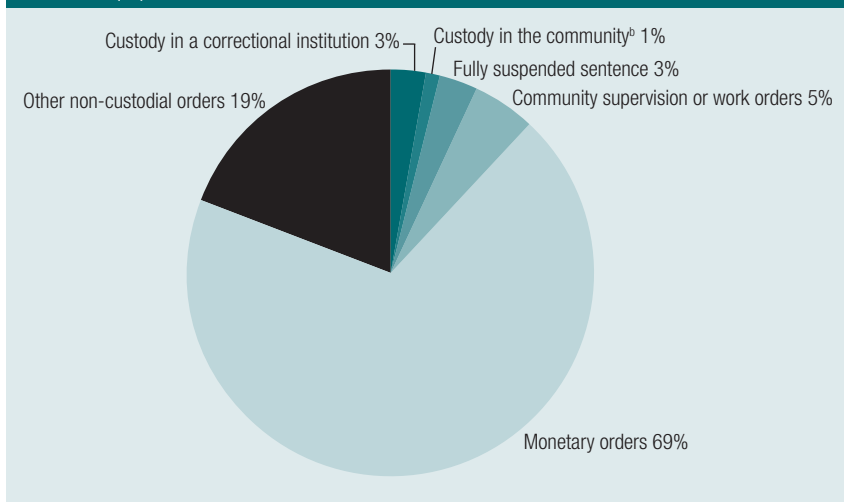
n=415,414 (excludes male defendants whose type of custodial order handed down was unknown)

- Across all courts, the majority of adult males received some type of non-custodial sentence. Sixty-nine percent received a monetary order, while 14 percent received other non-custodial orders.
- Only seven percent received a sentence that required serving custody in a correctional facility.

Source: Reference 24



**Figure 86** Principal sentence of adult female defendants found guilty in any court<sup>a</sup>, 2009–10 (%)



a: Include Magistrates' and higher courts

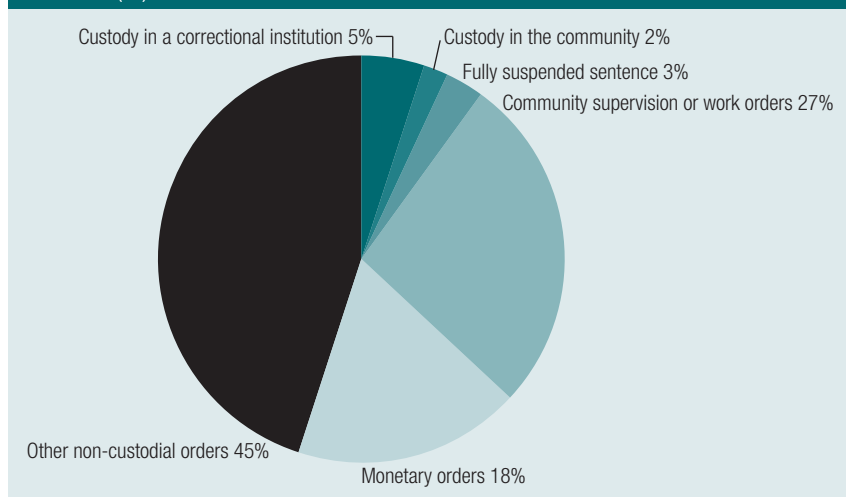
b: Includes intensive corrections orders, home detention and other orders by which liberty is restricted though living within the community

n=115,603

- In 2009–10, 69 percent of adult female defendants found guilty received a monetary order. Comparatively, only three percent received a sentence involving serving custody in a correctional institution.
- Of the 115,603 adult female defendants in 2009–10, five percent were sentenced to community supervision or work orders.

Source: Reference 24

**Figure 87** Principle sentence of defendants found guilty in a children's court, 2009–10 (%)

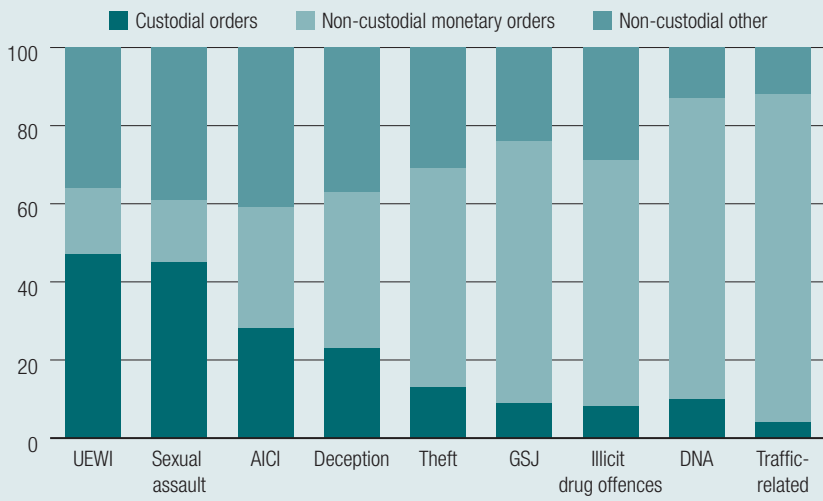


n=31,986

- The two most common sentences handed down in the children's courts in 2009–10 were other non-custodial orders (45%) and community supervision or work orders (27%). The least common was custody in the community, with only two percent of defendants receiving this sentence.
- Eighteen percent of defendants in the children's courts received monetary orders; five percent received a custodial sentence.

Source: Reference 24

**Figure 88** Principle sentence of adult defendants found guilty in Magistrates' courts, by most serious offence, 2009–10 (%)



AICI: Acts intended to cause injury

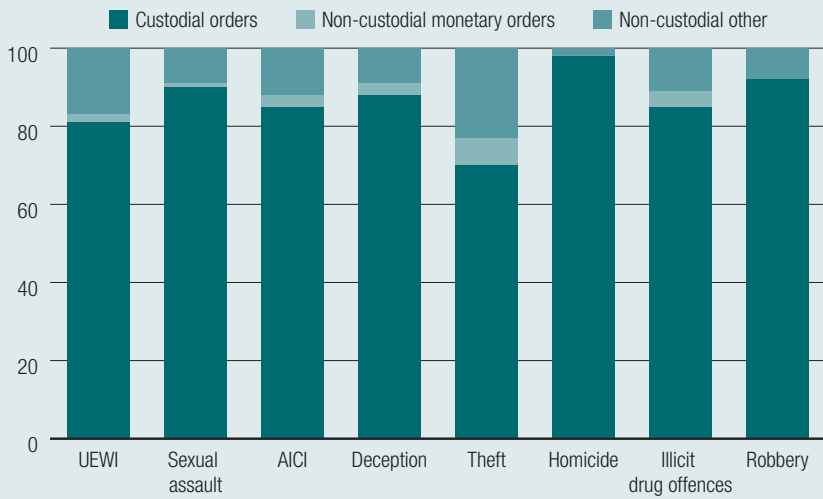
GSJ: Offences against justice procedures, government security, or government operations

DNA: Dangerous or negligent acts endangering persons

- Similar proportions of people charged with traffic-related offences and people charged with dangerous or negligent acts endangering persons received monetary orders. Specifically, 84 percent of people charged with traffic offences and 77 percent of people charged with dangerous or negligent acts endangering persons received monetary orders.
- Custodial orders were most common for defendants charged with UEWI and sexual assault (47% and 45%, respectively).
- For defendants charged with deception offences in 2009–10, 23 percent received a custodial sentence, 40 percent received a monetary order, while the remaining 37 percent received another form of non-custodial sentence.

Source: Reference 24

**Figure 89** Principle sentence of defendants found guilty in higher courts, by most serious offence, 2009–10 (%)

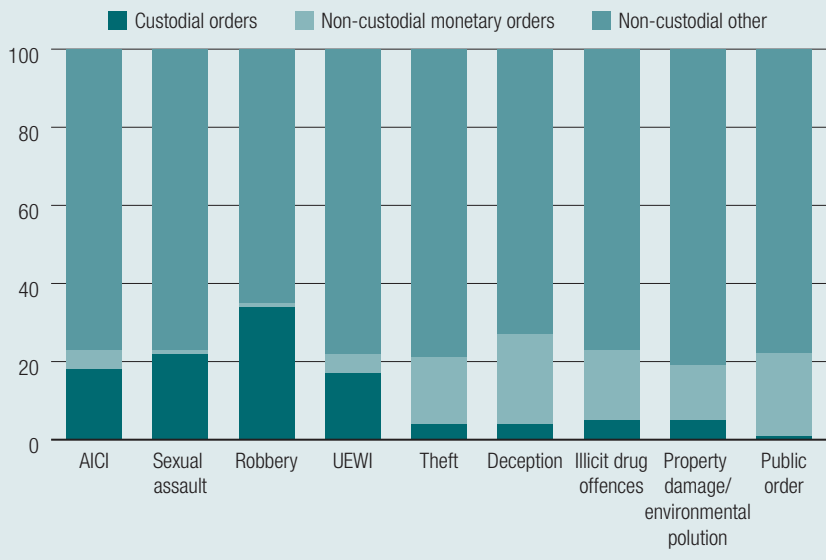


AICI: Acts intended to cause injury

- In 2009–10, of the 367 defendants charged with homicide, 98 percent received a custodial sentence. Similarly, high proportions of defendants received custodial sentences for robbery (92%) and sexual assault (90%)
- Persons convicted of theft offences were more likely to receive a non-custodial monetary order than persons convicted of any other offence in the higher courts.

Source: Reference 24

**Figure 90** Principle sentence of defendants found guilty in a children’s court, by most serious offence, 2009–10 (%)



AICI: Acts intended to cause injury

- Custodial sentences were most common for defendants charged with robbery (34%), sexual assault (22%), acts intended to cause injury (18%) and UEWI (17%).
- Other non-custodial sentences were most common for defendants found guilty of property damage/environmental pollution (81%), theft (79%), public order offences (79%) and UEWI (78%).

Source: Reference 24

### Federal courts

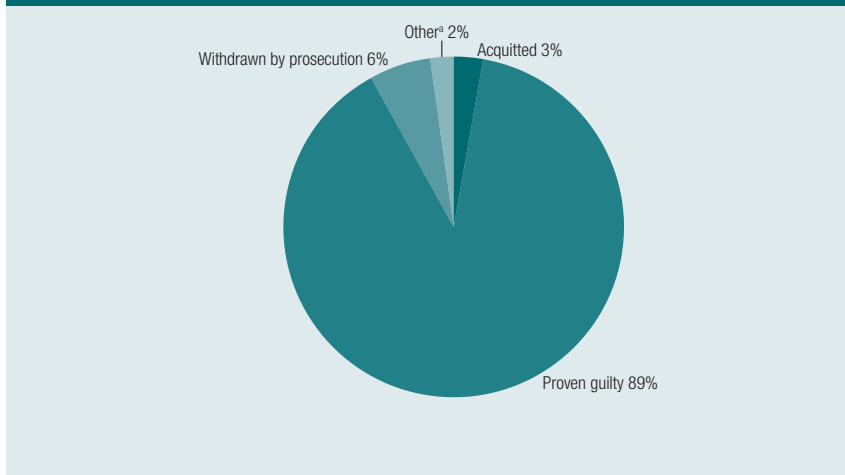
In Australia, most crimes are committed against state and territory laws. Commonwealth or federal law deals with crimes which have a national or international focus; for example, tax crimes, transnational and cybercrime, terrorism or child sex offences committed overseas.

The ABS provides a snapshot of crimes committed in Australia that were tried under federal law in their publications *Federal Defendants; Selected States and Territories*.

In 2009–10, a total of 14,007 federal cases were lodged in Australian courts—93 percent were initiated in the Magistrates' court, five percent in the higher courts and two percent in the children's courts.

Reference 25

**Figure 91** Federal criminal cases finalised in higher courts by method of finalisation, 2009–10 (%)



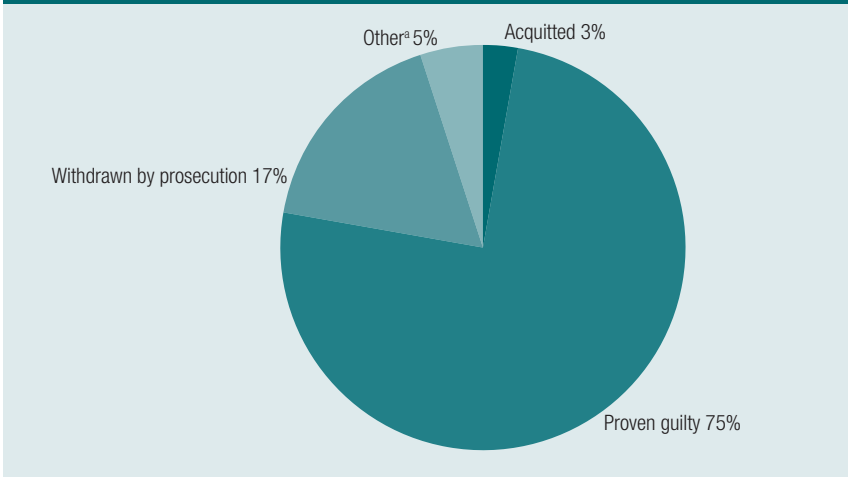
a: Includes transfers to other courts, defendants deceased, unfit to plead, transfers to non-court agencies and other non-adjudicated finalisations not elsewhere classified

n=762

- The majority of federal criminal cases heard in the higher courts in 2009–10 resulted in a guilty verdict (89%); three percent resulted in acquittal.
- Forty-nine federal criminal cases (6%) heard in the higher courts were withdrawn by the prosecution before a verdict could be reached.

Source: Reference 25

**Figure 92** Federal criminal cases finalised in the Magistrates' and children's courts by method of finalisation, 2009–10 (%)



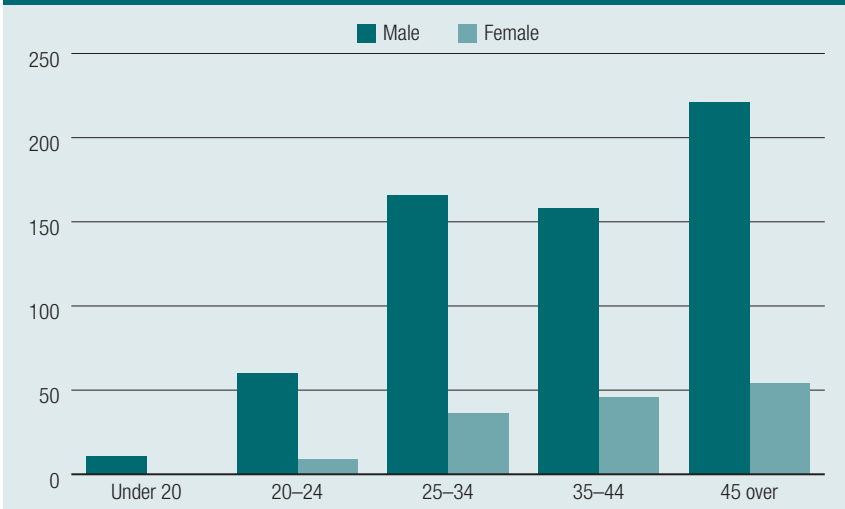
a: Includes transfers to other courts, defendants deceased, unfit to plead, transfers to non-court agencies and other non-adjudicated finalisations not elsewhere classified

n=13,244

- Although the majority of federal defendants finalised in the Magistrates' or children's courts in 2009–10 were proven guilty (75%), 17 percent of cases were withdrawn by the prosecution before a verdict could be reached.

Source: Reference 25

**Figure 93** Federal defendants in higher courts by age and gender, 2009–10 (n)

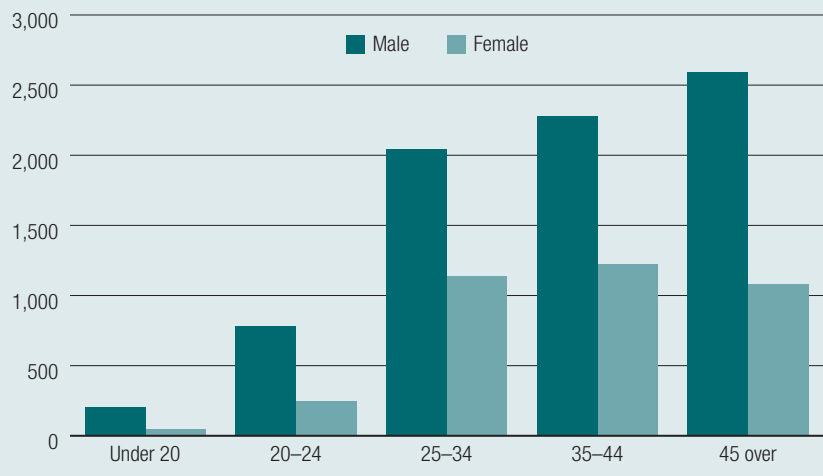


- There were no female federal defendants aged less than 20 years heard in the higher courts in 2009–10.
- The number of federal defendants was highest for both males and females in the 45 years and over age group. Specifically, there were 221 male and 54 female federal defendants aged 45 years and over in the higher courts in 2009–10.
- Overall, males accounted for 81 percent of all federal defendants in the higher courts. Of that 81 percent, 36 percent were aged over 45 years, 27 percent were aged between 25–34 years and 25 percent were aged between 35–44 years.

Source: Reference 25



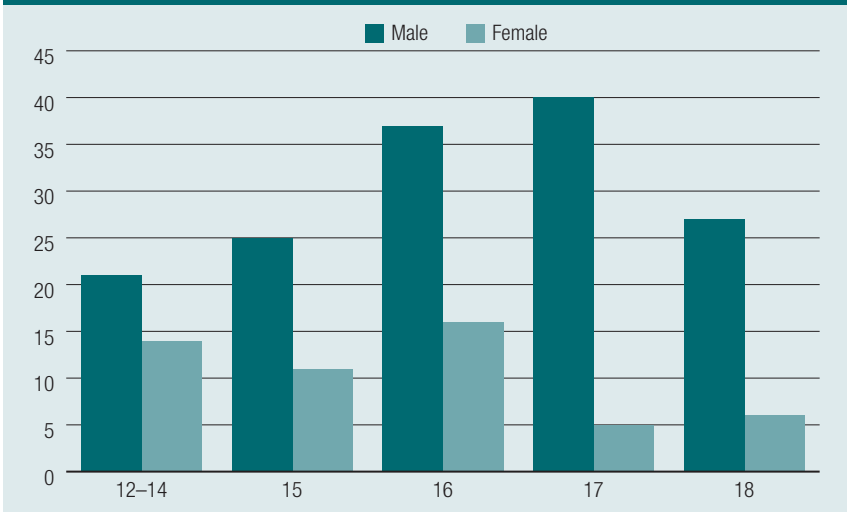
**Figure 94** Federal defendants in the Magistrates' court by age and gender, 2009–10 (n)



- In 2009–10, the number of male federal defendants increased with age. Specifically, there were 202 male federal defendants aged less than 20 years in 2009–10, compared with 2,590 aged 45 years and over. The number of female defendants, however, peaked in the 35–44 year age group with 1,220.
- Twenty-nine percent of federal defendants in the Magistrates' court were aged between 35–44 years old; 1,220 were female while 2,277 were male.

Source: Reference 25

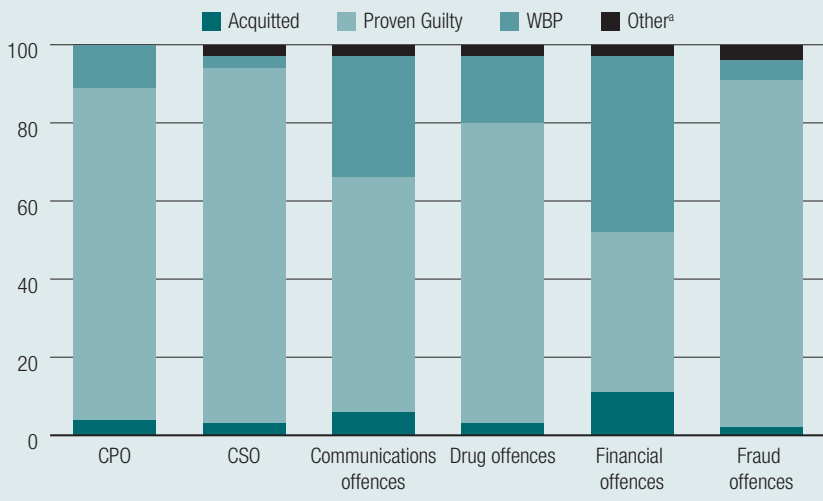
**Figure 95** Federal defendants in the children's court by age and gender, 2009–10 (n)



- Of the 213 federal cases heard in the children's court in 2009–10, 76 percent involved a male defendant.
- There were 16 female federal defendants aged 16 years in the children's courts, the most in any female age group. By contrast, the largest number of male federal defendants were 17 years old (n=40). There were 35 defendants who were aged between 12 and 14 years in 2009–10; 21 male and 14 female.

Source: Reference 25

**Figure 96** Selected offences in the higher courts by method of finalisation, 2009–10 (%)



a: Includes transfers to other courts, defendants deceased, unfit to plead, transfers to non-court agencies and other non-adjudicated finalisations not elsewhere classified

WBP: Withdrawn by prosecution

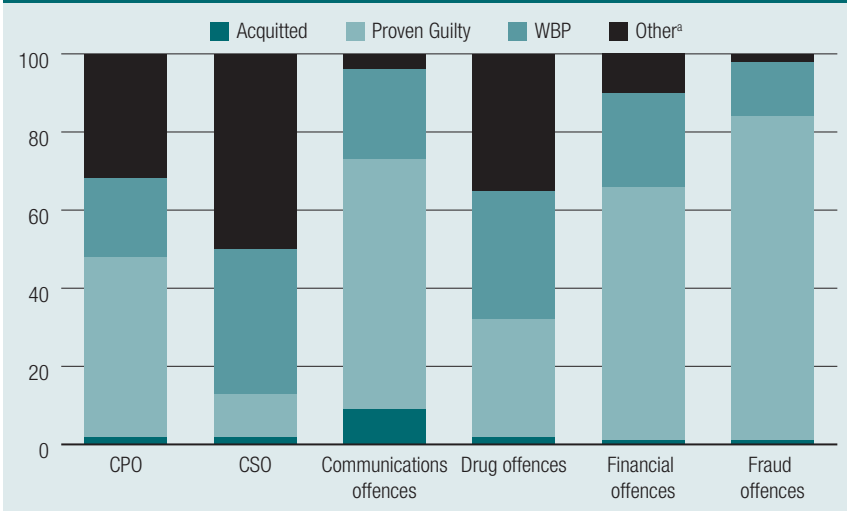
CPO: Commonwealth property offences

CSO: Commonwealth sexual offences

- The most common method of finalisation for fraud and Commonwealth sexual offences in the higher courts was a guilty verdict. Ninety-one percent of Commonwealth sexual offences and 89 percent of fraud offences resulted in a guilty verdict in 2009–10.
- Eleven percent of financial offences resulted in acquittal, 41 percent were proven guilty, while 45 percent were withdrawn by the prosecution.
- Of the 115 Commonwealth property offences heard in 2009–10, only four percent were acquitted.

Source: Reference 25

**Figure 97** Selected offences in the Magistrates' and children's courts by method of finalisation, 2009–10 (%)



a: Includes transfers to other courts, defendants deceased, unfit to plead, transfers to non-court agencies and other non-adjudicated finalisations not elsewhere classified

WBP: Withdrawn by prosecution

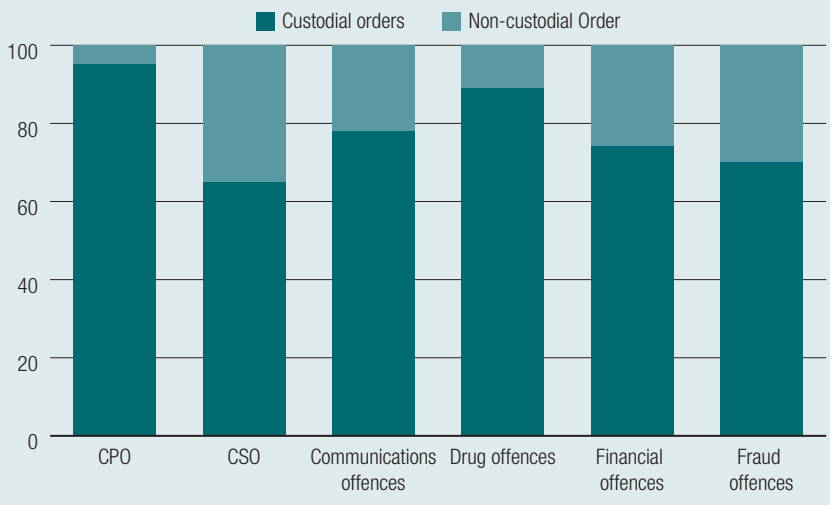
CPO: Commonwealth property offences

CSO: Commonwealth sexual offences

- A guilty finding was most common for federal defendants charged with Commonwealth property offences (46%), communications offences (64%), financial offences (65%) and fraud offences (83%).
- In 2009–10, 37 percent of Commonwealth sexual offences heard in the Magistrates' and children's courts were withdrawn by the prosecution before a verdict could be reached.
- Only one percent of fraud offences resulted in an acquittal, compared with nine percent of communications offences.

Source: Reference 25

**Figure 98** Selected federal offences proven guilty in the higher courts by sentence type, 2009–10 (%)



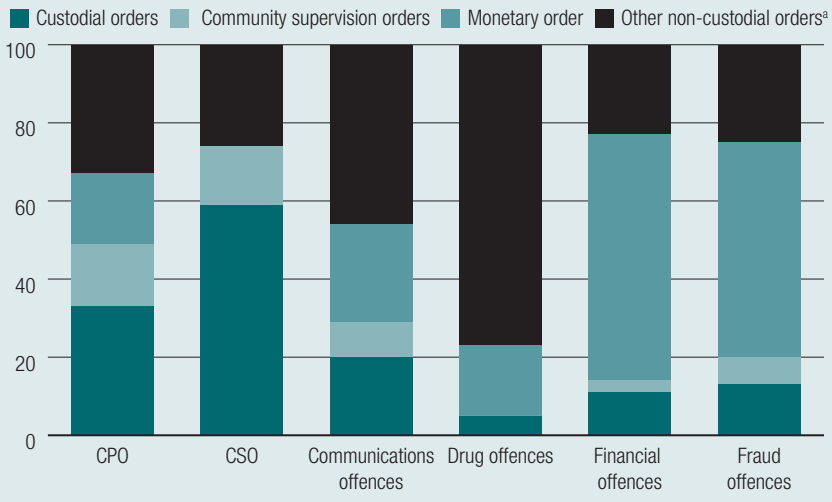
CPO: Commonwealth property offences

CSO: Commonwealth sexual offences

- A federal defendant proven guilty in the higher courts was most likely to receive a custodial order. Ninety-five percent of Commonwealth property offences and 89 percent of drug offences received a custodial order in 2009–10.
- Although 65 percent of federal defendants proven guilty for a Commonwealth sexual offence received a custodial order, 35 percent received a non-custodial order—the largest proportion of any federal offence proven guilty in the higher courts.

Source: Reference 25

**Figure 99** Selected federal offences proven guilty in the Magistrates' and children's courts by sentence type, 2009–10 (%)



a: Includes transfers to other courts, defendants deceased, unfit to plead, transfers to non-court agencies and other non-adjudicated finalisations not elsewhere classified

CPO: Commonwealth property offences

CSO: Commonwealth sexual offences

- Sixty-three percent of federal defendants found guilty of financial offences and 55 percent of defendants found guilty of fraud offences in the Magistrates' and children's courts received monetary order sentences in 2009–10.
- Of the 67 federal defendants charged with a Commonwealth property crime, 33 percent received a custodial order, 33 percent received an other non-custodial order, 18 percent received a monetary order while 16 percent received a community supervision order.
- In 2009–10, 77 percent of sentences handed down in federal drug matters and 46 percent of sentences handed down in communications offences involved some other type of non-custodial order.

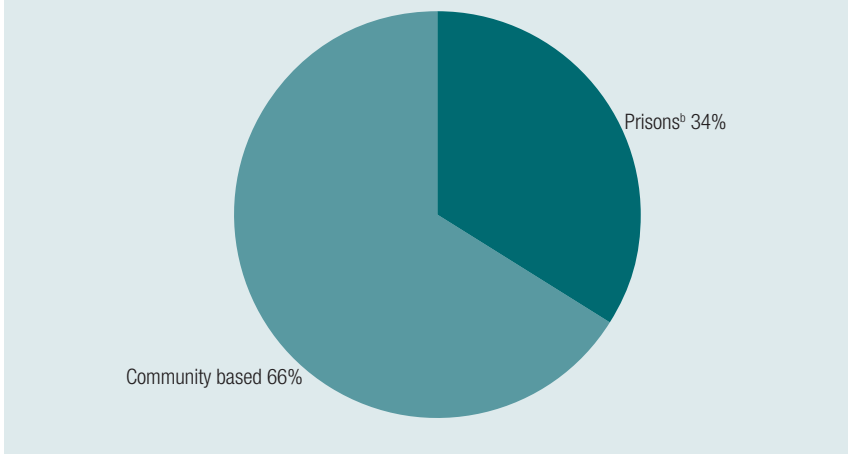
Source: Reference 25

## Chapter 6

# Corrections

Corrective services in this chapter include prison custody, community corrections and juvenile detention. Corrective services agencies manage offenders sentenced to prison, community corrections or periodic detention.

**Figure 100** Offenders by type of corrective program, 2009–10<sup>a</sup> (%)



a: Figures based on average daily population (prisons and community corrections)

b: Includes periodic detention (available only in New South Wales and the Australian Capital Territory)

n=87,356

- In 2008–09, there were a total of 85,389 offenders in corrective programs, compared with 87,356 offenders in 2009–10; an increase of two percent.
- In 2009–10, 66 percent of offenders were involved in community-based corrective programs, a one percent increase compared to 2008–09.

Source: Reference 23

## Prisons

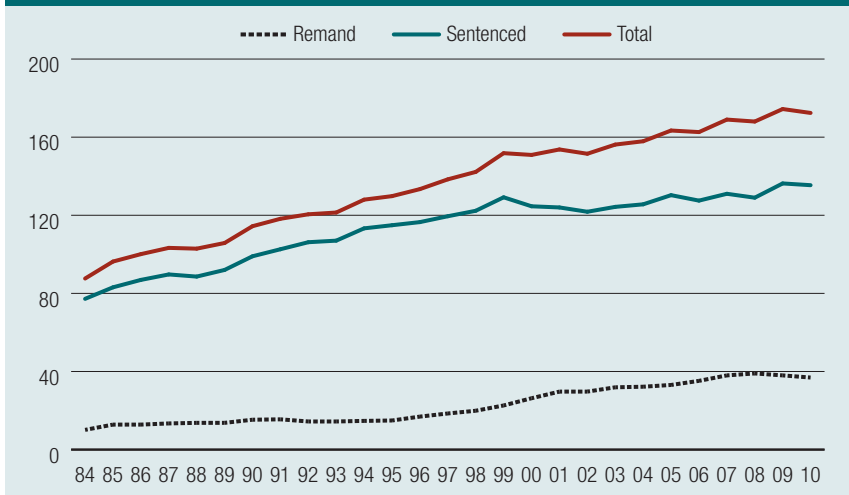
A national census of adult prisoners is taken on 30 June each year. Prisoner counts include sentenced prisoners and those on remand (awaiting trial or sentence), unless otherwise specified.

A total of 29,700 persons were in custody in Australian prisons on 30 June 2010—a one percent increase on the number recorded in 2009. This corresponds to a rate of 172 persons per 100,000 of the adult population, one percent lower than the 2009 rate. Of these prisoners, 23,333 were serving sentences, while 6,364 (21%) were on remand awaiting trial.

Source: Reference 26

### Trend in prison population

**Figure 101** Prisoners, 1984–2010 (per 100,000 persons)





- Since 1984, when imprisonment rates were at their lowest (88 per 100,000 population), the rate of imprisonment for both males and females has increased by 97 percent. In 2010, the total rate of imprisonment was 172 per 100,000 population.
- In 2008, the rate of offenders on remand was 39 per 100,000 population. Since then, it has fallen to 38 per 100,000 in 2009, followed by a further decline in 2010 to 37 per 100,000 population.
- Over the past 12 years, the rate of sentenced offenders has fluctuated. The 2009 rate was the highest on record, although in 2010 it fell to 135 per 100,000 population.

*Source: References 2 and 26*

### *Most serious offence*

Some offenders serve sentences for multiple offences concurrently. These offenders are categorised as being in prison for the offence with the longest sentence, usually the offence deemed most serious. Violent prisoners are those convicted of homicide, assault, sex offences or robbery. Prisoners convicted of property offences include those charged with breaking and entering or with 'other' theft (including MVT). 'Other' offenders are those who have been convicted of fraud, offences against justice procedures, government security and government operations, drug offences and others, such as public order and driving offences.

On 30 June 2010, the MSO for which 11,705 prisoners were sentenced was a violent offence. There were 3,724 prisoners whose MSO was a property offence and 7,902 prisoners who were sentenced for other MSOs. Therefore, 50 percent of prisoners at 30 June 2010 were serving time for a violent MSO, 16 percent for a property MSO and 34 percent for another type of MSO.

**Figure 102** Prisoners sentenced, by most serious offence type, 1986–2010 (%)



a: Includes fraud/deception, offences against the justice procedures, and drug offences

- In 1986, there was only a two percentage point difference between the proportion of prisoners sentenced for an MSO involving violence compared with other crimes (excluding property crimes). In 2010, this gap had widened to 16 percentage points, driven mainly by the increase in the proportion of prisoners sentenced for violent MSOs.
- The proportion of prisoners sentenced as a result of a property MSO has been in gradual decline since 1986. Since 1999, the proportion of prisoners sentenced with a property MSO has remained below 20 percent and in 2010 this proportion was 16 percent.

Source: Reference 26

**Table 7** Most serious offence of prisoners sentenced in 2010, by sex (n)

|                          | Male          |            | Female       |            |
|--------------------------|---------------|------------|--------------|------------|
|                          | n             | %          | n            | %          |
| <b>Violent</b>           |               |            |              |            |
| Homicide                 | 2,112         | 10         | 184          | 11         |
| Assault                  | 3,717         | 17         | 253          | 15         |
| Sexual offences          | 3,102         | 14         | 42           | 3          |
| Robbery                  | 2,188         | 10         | 107          | 6          |
| <b>Property</b>          |               |            |              |            |
| Break and enter          | 2,590         | 12         | 137          | 8          |
| Other theft <sup>a</sup> | 837           | 4          | 160          | 9          |
| <b>Other</b>             |               |            |              |            |
| GSJ <sup>b</sup>         | 2,078         | 10         | 178          | 10         |
| Drug offences            | 2,092         | 10         | 294          | 17         |
| Fraud                    | 489           | 2          | 211          | 12         |
| Other <sup>c</sup>       | 2,400         | 11         | 160          | 9          |
| <b>Total</b>             | <b>21,605</b> | <b>100</b> | <b>1,726</b> | <b>100</b> |

a: Includes MVT

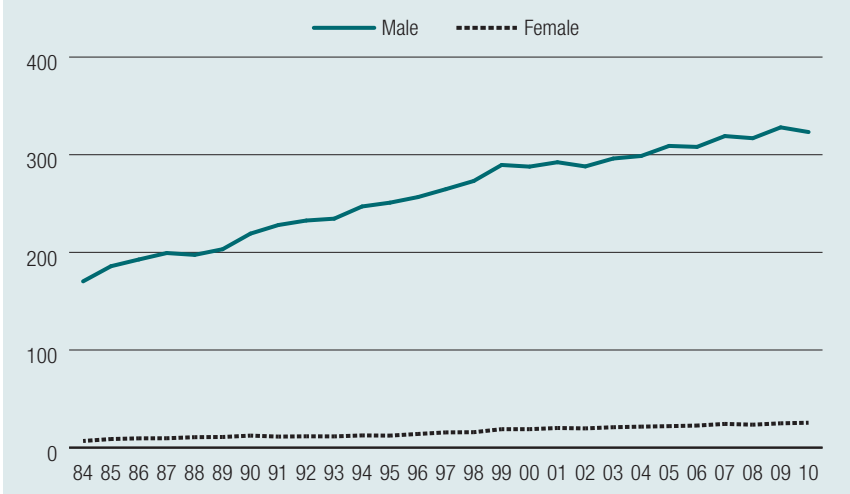
b: Includes offences such as breach of court order, breach of parole, escape from custody, offences against justice procedures, treason, sedition and resisting customs officials. Classified as offences against government security and operations, and justice procedures (GSJ)

c: Includes other offences against the person and property, public order offences and driving offence

- As with previous years, there were greater numbers of male offenders than females sentenced for violent, property and other MSOs.
- Males were sentenced at greater proportions than females for MSOs involving sexual offences (14% compared with 3%), robbery (10% compared with 6%) and break and enters (12% compared with 8%).
- Conversely, females were sentenced in greater proportions than males in cases where the MSO involved 'other' theft (9% compared with 4%), drug offences (17% compared with 10%) and fraud (12% compared with 2%).

Source: Reference 26

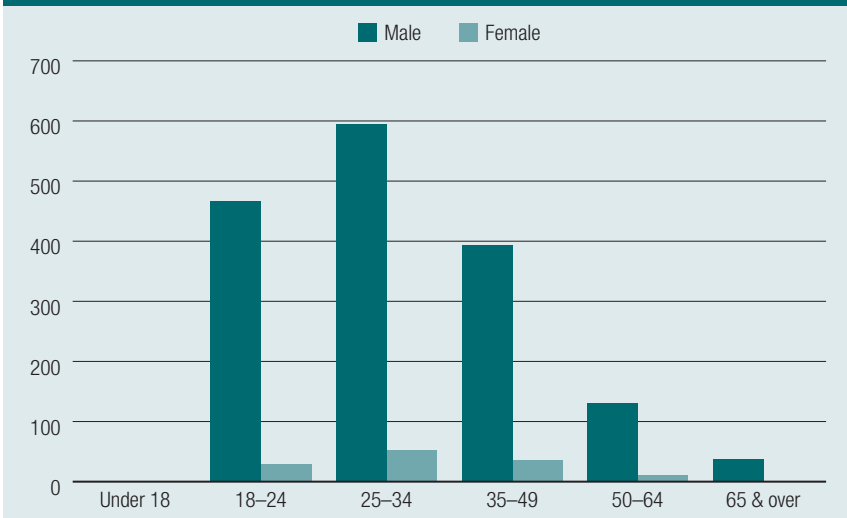
**Figure 103** Prisoners, by sex, 1984–2010 (per 100,000 of that sex)



- The rate of male imprisonment has increased substantially over the last 26 years, rising from 170 per 100,000 male population in 1984 to 323 per 100,000 male population in 2010 (90% increase). Similarly, female imprisonment has risen from seven to 25 per 100,000 female population; a total increase of 257 percent.

Source: References 2 and 26

**Figure 104** Prisoners, by age group and sex, 2010 (per 100,000 of that age group and sex)



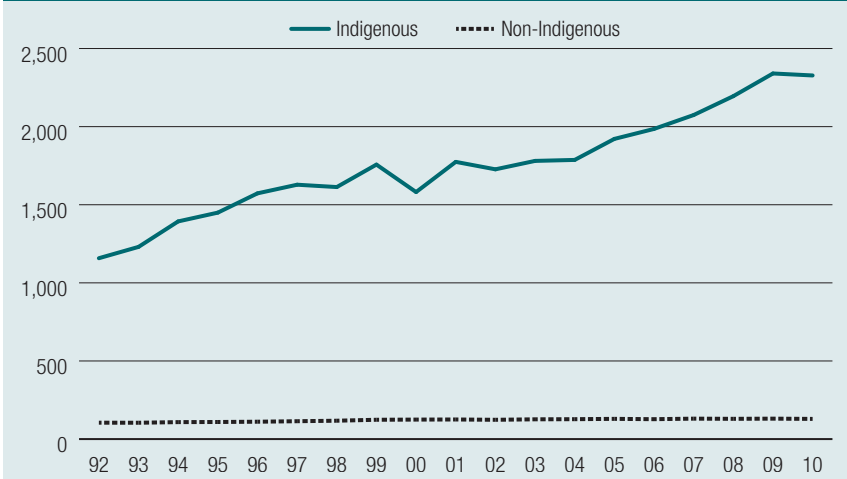
- Despite males being imprisoned at a higher rate than females across all age categories in 2010, the distribution for both sexes followed a similar pattern. For example, the imprisonment rates for both sexes were highest in the 25–34 year age group, where males were imprisoned at a rate of 595 per 100,000, compared with females who were imprisoned at a rate of 53 per 100,000.
- For females, the age group with the second highest rate of imprisonment was the 35–49 year olds (36 per 100,000). For males, the second highest rate of imprisonment was among persons aged 18–24 years (467 per 100,000).
- The rate of imprisonment for males aged less than 18 years was one per 100,000. For females, the equivalent rate was less than one per 100,000.

Source: *References 2 and 26*

### Indigenous status

In Figure 105, the imprisonment rate of Indigenous and non-Indigenous people is presented.

**Figure 105** Prisoners, by Indigenous status, 1992–2010 (per 100,000 population)

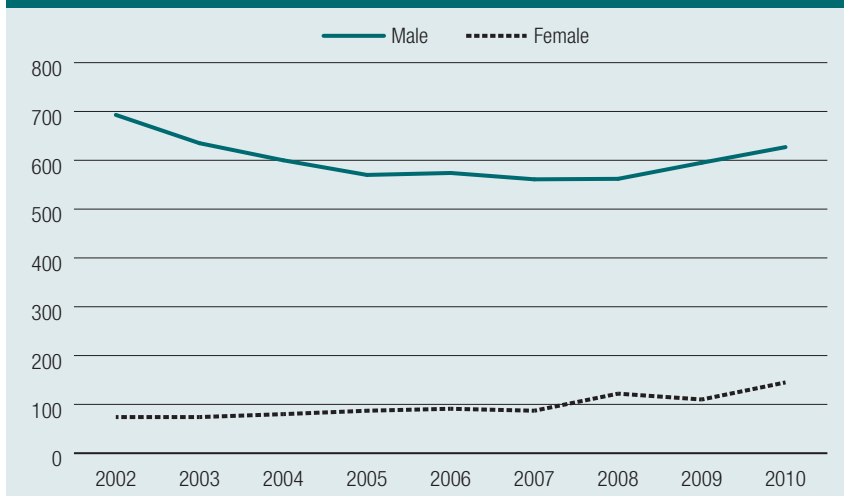


- At 30 June 2010, 26 percent of prisoners were Indigenous.
- Over the past four years, the rate of non-Indigenous imprisonment has remained, on average, at around 130 per 100,000 non-Indigenous population. Comparatively, the Indigenous imprisonment rate increased from 2,074 per 100,000 Indigenous population in 2007 to 2,327 per 100,000 Indigenous population in 2010; a total increase of 12 percent. A prisoner was 18 times more likely to be Indigenous than non-Indigenous.

Source: References 2 and 26

## Federal prisoners

**Figure 106** Federal prisoners, by sex, 2002–10 (n)



- At 30 June 2010, there were 627 male and 145 female federal prisoners in Australian prisons. This equates to a male to female ratio of 4:1.
- In 2002, there were only 74 female federal prisoners; therefore, the number of female federal prisoners in 2010 represented a 96 percent increase since 2002.
- Conversely, the number of male federal prisoners has decreased by 10 percent compared with numbers in 2002 (693 male federal prisoners in 2002 compared with 627 in 2010).

Source: Reference 27

## Recidivism

One measure of recidivism is rate of return to prison, which has remained stable in Australia over the past five years of data collection. Of those prisoners released in 2007–08, 38 percent had returned to prison under sentence by 30 June 2010, while 44 percent were returned to corrective services (ie prison or non-custodial service orders).

Source: Reference 23

Another measure, collected by the ABS, is previous imprisonment of inmates currently serving custodial sentences. Note that the prior imprisonment was not necessarily for the same type of offence.

**Table 8** Detainees at 30 June 2010 previously imprisoned, by current offence and Indigenous status

|                       | Indigenous |    | Non-Indigenous |    |
|-----------------------|------------|----|----------------|----|
|                       | n          | %  | n              | %  |
| Homicide              | 460        | 61 | 2,333          | 32 |
| AICI                  | 2,496      | 75 | 3,275          | 53 |
| Sexual assault        | 792        | 61 | 2,889          | 27 |
| Robbery               | 659        | 70 | 2,190          | 58 |
| UEWI                  | 1,125      | 78 | 2,237          | 75 |
| Theft                 | 274        | 79 | 987            | 68 |
| Illicit drug offences | 130        | 56 | 3,020          | 33 |

AICI: Acts intended to cause injury

- Differences exist between the proportion of non-Indigenous and Indigenous detainees who were previously imprisoned and the current offence they were serving. Particularly noticeable is that 61 percent of Indigenous prisoners currently serving time for sexual assault had previously been imprisoned, compared with 27 percent of non-Indigenous prisoners for the same offence.
- Similarly, the proportion of non-Indigenous prisoners who had previously been imprisoned was noticeably smaller when compared with Indigenous prisoners for homicide (32% compared with 61%) and illicit drug offences (33% compared with 56%).
- In no offence category were the proportions of non-Indigenous detainees who had been previously imprisoned greater than that of Indigenous detainees. However, the difference was only three percentage points between the two for UEWI.

Source: Reference 26

## Community corrections

Community corrections comprise a variety of non-custodial programs, varying in the extent and nature of supervision, the conditions of the order and the restrictions on the person's freedom of movement in the community. They generally provide either a non-custodial sentencing alternative or a post-custodial mechanism for reintegrating prisoners into the community under continuing supervision.

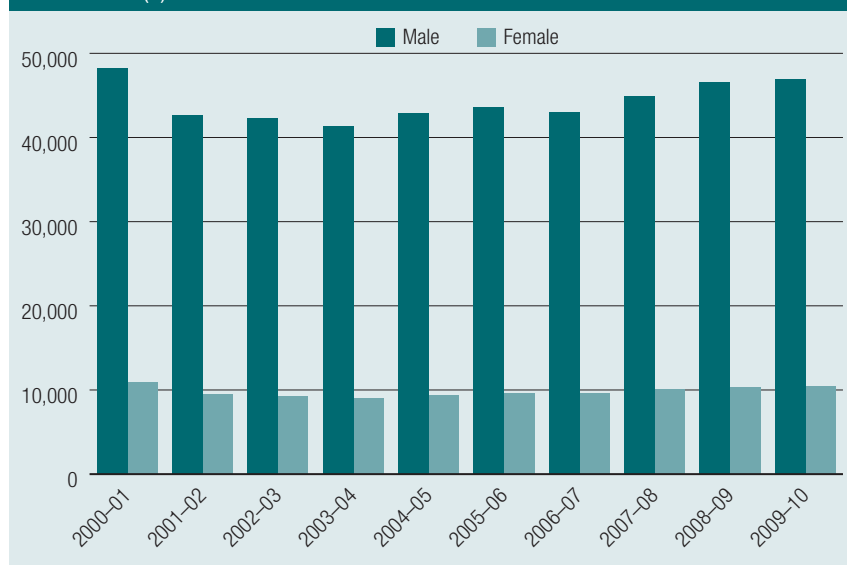


Due to different definitions in the source material, the definition of community corrections in this chapter is somewhat different from the definition of non-custodial sentences given in Chapter 5. Whereas weekend detention and home detention were considered custodial sentences in Chapter 5, in this chapter they are included as community-based sentences.

In Australia during 2009–10, an average of 57,518 offenders were serving community corrections orders on any given day—an increase of one percent from the number recorded in 2008–09. This corresponds to a rate of 334 per 100,000 adults (552 per 100,000 adult males and 120 per 100,000 adult females).

Source: References 2, 23 and 27

**Figure 107** Average daily community corrections population, by sex, 2000–01 to 2009–10 (n)



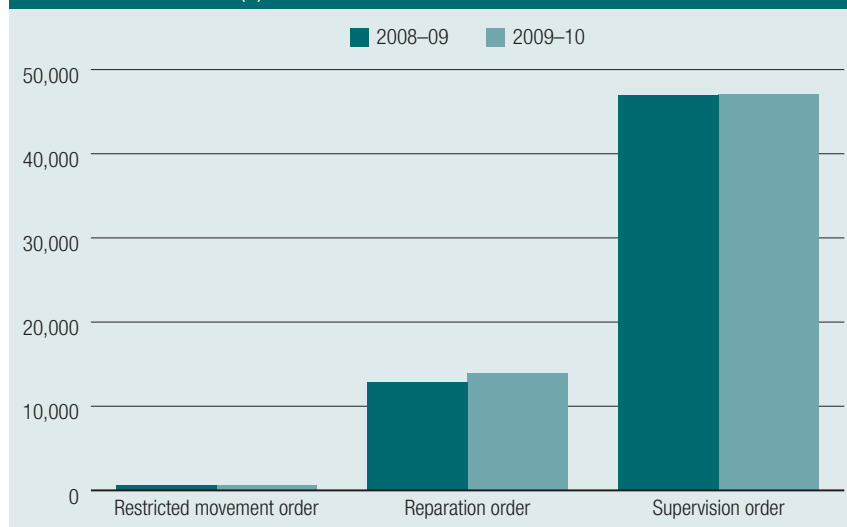
- The female community corrections population declined between 2001–02 and 2006–07, where the numbers remained below 10,000. Since 2006–07, however, female community corrections population numbers have been rising by approximately one percent per year.
- The largest population of male community corrections detainees was recorded in 2000–01 at 48,234. This figure had dropped in 2003–04 to 41,369 detainees, however in 2010 had risen again to 46,961 male detainees in community corrections.

Source: References 2 and 23

There are three main categories of community corrections orders:

- restricted-movement orders (eg home detention);
- reparation orders (eg fines, community service); and
- supervision (compliance) orders (eg parole, bail, sentenced probation).

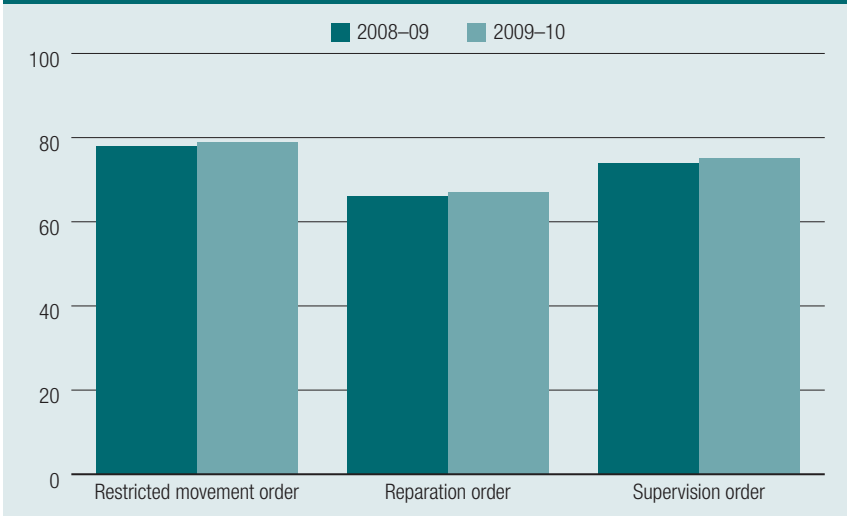
**Figure 108** Average daily community corrections population, by type of order, 2008–09 to 2009–10 (n)



- There was little change in the numbers of detainees on restricted movement and supervision orders between 2008–09 and 2009–10. In 2008–09, there were 665 detainees on restricted movement orders, compared with 608 in 2009–10. Similarly, there were 46,985 detainees on supervision orders in 2008–09, compared with 47,064 in 2009–10.
- The number of detainees who were on a reparation order increased in 2009–10 by eight percent, rising from 12,872 in 2008–09 to 13,960.

Source: Reference 23

**Figure 109** Successful completion of community corrections orders, by type of order, 2008–09 and 2009–10 (%)



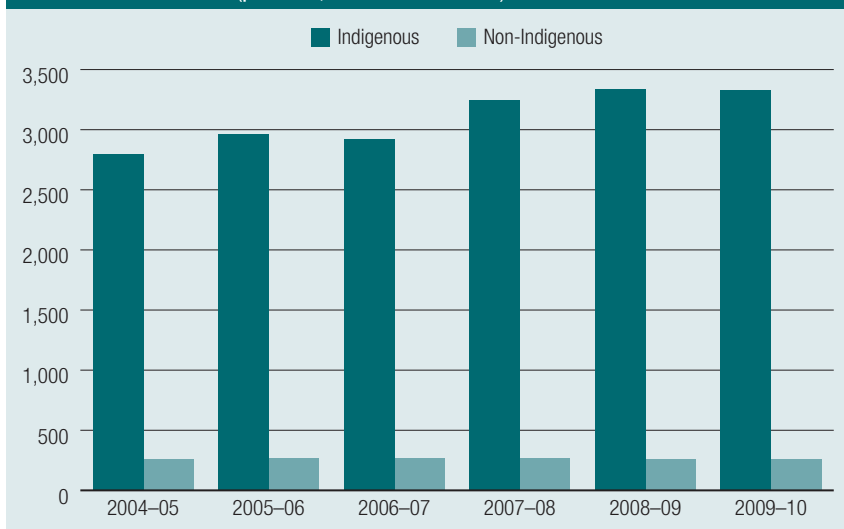
- The proportion of detainees who successfully completed community corrections orders increased across all types of orders in 2009–10. However, this increase was only one percentage point for each type of order, with restricted movement orders increasing from 78 to 79 percent in 2009–10, reparation orders increasing from 66 to 67 percent and supervision orders increasing from 74 percent in 2008–09 to 75 percent in 2009–10.

Source: Reference 23

### *Indigenous status*

In 2009–10, 44,035 non-Indigenous and 10,853 Indigenous offenders served community corrections orders.

**Figure 110** Average daily community corrections population, by Indigenous status, 2004–05 to 2009–10 (per 100,000 of that status)



- In 2009–10, the rate of Indigenous detainees in community corrections was 3,331 per 100,000 Indigenous population. This represented an increase of 14 percent on the 2007–08 rate, marking a deviation from the rates of preceding years, which until then had remained, on average, at around 2,895 per 100,000 Indigenous population.
- In 2009–10, the rate of Indigenous persons serving community corrections orders was 13 percent higher than that of non-Indigenous persons (260 per 100,000 non-Indigenous population).

Source: References 2, 23 and 26

## Juvenile detention centres

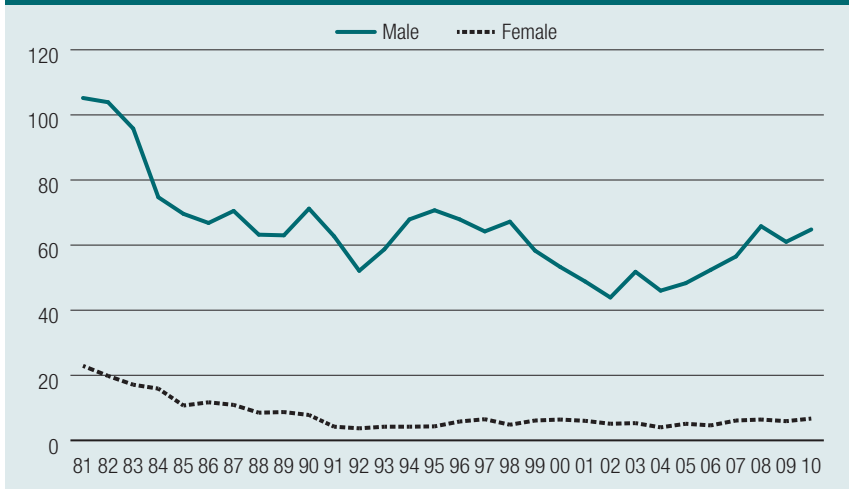
Until 2010, the AIC maintained a data collection on the number of persons detained in juvenile detention centres since 1981, consisting of a count of persons detained in detention centres on the last day of each quarter of each year. Similar information is not available on the sentenced non-custodial juvenile population. In 2010, responsibility for these data transferred to the Australian Institute of Health and Welfare (AIHW).

The long-term trend data shown in this section are based on the census of juvenile detention centres conducted on 30 June of each year.

### Trend in juvenile detention centre population

As there are differences between jurisdictions regarding the definition of a juvenile, statistics are shown for persons aged from 10 to 17 years. Figure 111 depicts the detention rate of male and female juveniles from 1981 to 2010, including those on remand and those sentenced.

**Figure 111** Persons in juvenile detention centres, by sex, 1981–2010<sup>a</sup>  
(per 100,000 of that sex per year)



a: Rates as at 30 June of each year

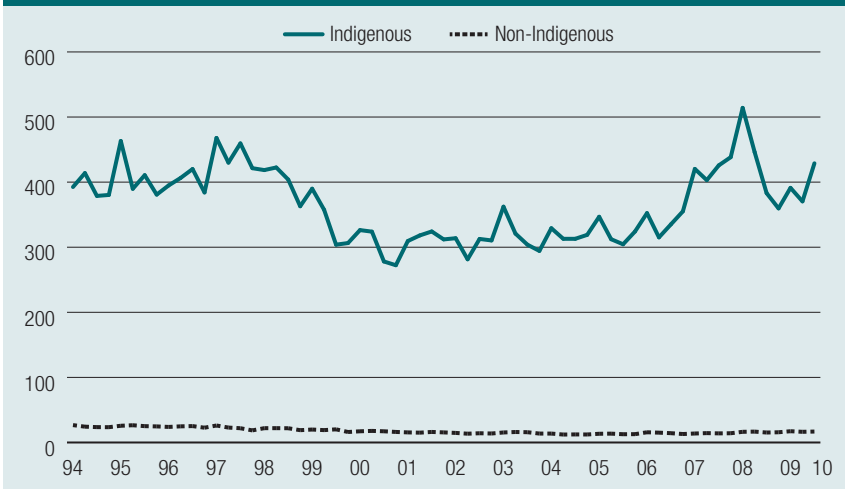
- At 30 June 2010, nine percent of the juvenile detention population were female.
- Despite fluctuating over the 20 year period and with a general increase in the number of male juveniles in detention since 2004, the rate of male juvenile detainees in detention is currently lower than that first recorded in 1981. In 1981, the rate of male juvenile imprisonment was 105 per 100,000, compared with 65 per 100,000 in 2010; this represents a 38 percent decrease between 1981 and 2010.

Source: Reference 28

### Indigenous status

Data on incarcerated juveniles by Indigenous status have been made available since 1994. This section shows the incarceration rate of Indigenous and non-Indigenous persons in juvenile correctional institutions, from 31 March 1994 to 30 June 2010, for each quarter.

**Figure 112** Persons in juvenile detention centres, by Indigenous status, 31 March 1994 to 30 June 2010<sup>a</sup> (per 100,000 of that status per year)



a: Rates from 30 September 1996 and 31 December 2002 have been calculated using detainee totals and population estimates and exclude Tasmania, because data on detainee Indigenous status in Tasmania are unavailable for this period

- Since 1994, the rate of juvenile imprisonment has remained significantly higher for Indigenous juveniles than for non-Indigenous juveniles. The rate of imprisonment for non-Indigenous juveniles has not exceeded 20 per 100,000 since 1999. In 2010, non-Indigenous juveniles were imprisoned at a rate of 17 per 100,000, a 13 percent increase on last year's rate.
- The rate of imprisonment for Indigenous juveniles was highest in 2008 at 514 per 100,000. In 2009, the rate had fallen to 371 per 100,000, however, it rose by 16 percent in 2010 to 429 per 100,000. The rate of imprisonment of Indigenous juveniles is currently higher than it was 15 years ago in 1994.

Source: References 2, 26 and 28

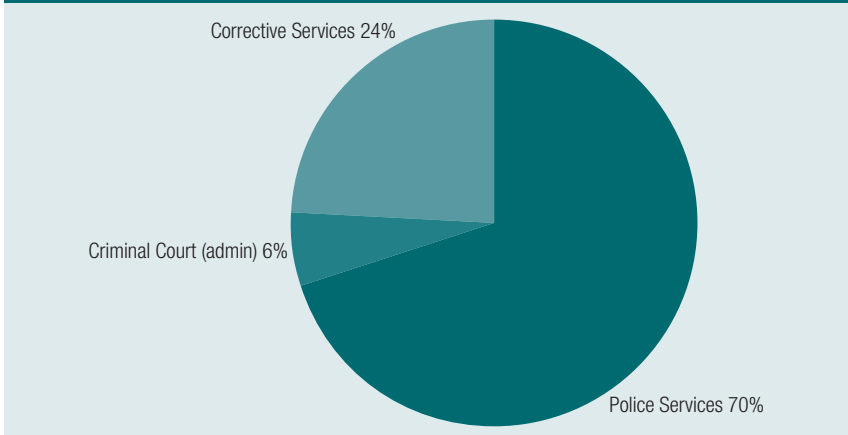
# Criminal justice resources

## Justice expenditure

According to the *Report on Government Services* in 2011 (Reference 23), the total real recurrent expenditure (less revenue from own sources) on justice in 2009–10 was \$12.3b. Of this, approximately \$11.7b was spent on criminal justice. The remaining \$618m was spent on the administration of civil courts. Since 2002–03, expenditure on criminal justice has increased by 42 percent overall and by an average of eight percent each year.

Police services represent the largest component of the criminal justice system, accounting for approximately 70 percent of total expenditure. Corrective services account for a further 24 percent, while criminal courts administration accounts for the remaining six percent (see Figure 113).

**Figure 113** Composition of government expenditure on criminal justice, 2009–10 (%)



Total=\$11,716,000,000

Source: Reference 23

## Police

Policing activities are predominantly the responsibility of the state and territory government policing agencies, with the AFP providing a community policing service in the Australian Capital Territory on behalf of the ACT Government. Funding for these services comes almost exclusively from state and territory government budgets, with some specific-purpose grants provided by the Australian Government. The figures below exclude resource data for the AFP for non-ACT policing functions.

### *Expenditure*

The total recurrent expenditure on police services around Australia in 2009–10 was approximately \$8.5b. This amounts to \$380 per person in Australia, or \$493 per adult. Salaries accounted for 76 percent (ie \$6.4b) of this expenditure.

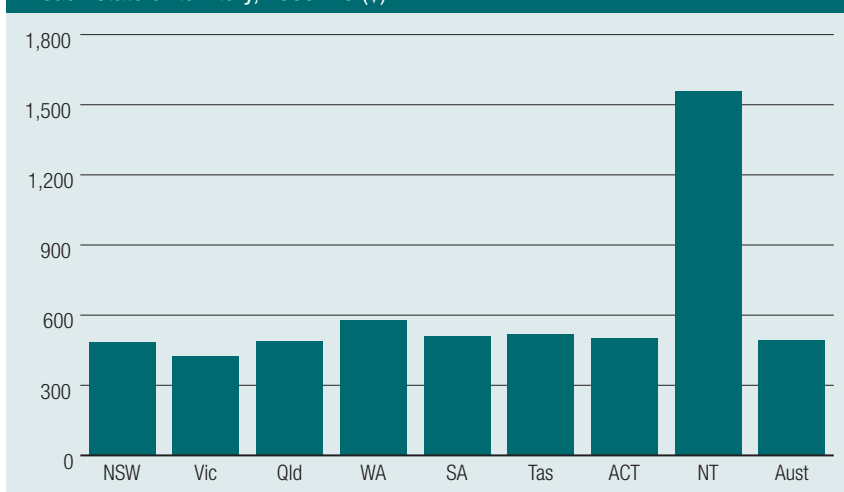
Real total recurrent expenditure (less revenue from own sources and payroll tax) in 2009–10 was \$8.2b, or \$368 per person or \$478 per adult.



**Table 9** Expenditure on state and territory police services, 2009–10 (\$)

| Expenditure (incl salaries)       | '000       |
|-----------------------------------|------------|
| Total recurrent expenditure       | 8502.5     |
| Total capital expenditure         | 643        |
| Staff salaries                    |            |
| Average police staff salaries     | 112,942.06 |
| Average non-police staff salaries | 73,293.42  |

Source: Reference 23

**Figure 114** Recurrent expenditure on police services per head of adult population in each state or territory, 2009–10 (\$)

- The Northern Territory spent the most money per head of its adult population (\$1,560) of any state in Australia, while Victoria spent the least (\$427 per head of Victorian adult population)
- An average of \$493 was spent nationally per adult head of the population.

Source: References 2 and 23

### Staffing

Most people involved directly in the delivery of police services are sworn police officers (employees recognised under each jurisdiction's policing legislation). Sworn officers exercise police powers such as arrest, summons, caution, detain, fingerprint and search.

In recent years, there has been a trend towards civilianisation of police services, with some peripheral activities undertaken by unsworn officers or contracted to external providers.

- On 30 June 2010, the total police services staffing in Australia (excluding the AFP) was 64,830. This averaged 290 per 100,000 persons (222 sworn police officers and 68 civilian employees).
- Across Australia, in 2010, police services were comprised of a total of 49,693 sworn police officers and 15,137 civilian employees.

Source: References 2 and 23

**Table 10** Composition of state and territory police services by jurisdiction<sup>a</sup>, 2009–10 (n)

| Jurisdiction | Sworn police officers | Civilian staff <sup>b</sup> | Total  | Police officers by 1,000 km <sup>2</sup> |
|--------------|-----------------------|-----------------------------|--------|--|
| NSW          | 15,287                | 3,668                       | 18,955 | 19                                       |
| Vic          | 11,293                | 3,087                       | 14,380 | 50                                       |
| Qld          | 10,293                | 4,113                       | 14,406 | 6  |
| WA           | 5,471                 | 1,908                       | 7,379  | 2  |
| SA           | 4,379                 | 1,186                       | 5,565  | 4  |
| Tas          | 1,195                 | 378                         | 1,573  | 18                                       |
| ACT          | 707                   | 228                         | 935    | 301                                      |
| NT           | 1,068                 | 569                         | 1,637  | 1  |
| Australia    | 49,693                | 15,137                      | 64,830 | 6  |

a: Excludes AFP for non-ACT policing

b: Includes 'other staff'

- In 2009–10, the 49,693 sworn police officers in Australia was the equivalent of six police officers per 1,000 square kilometre.
- Thirty-five percent (n=569) of the total police staff in the Northern Territory were civilian; the largest proportion of any state/territory in Australia. By comparison, in New South Wales, civilians comprised only 19 percent of total police staff.
- Despite having the smallest number of police staff given its small geographic size, the Australian Capital Territory had the largest number of sworn police officers per 1,000 square kilometre (n=301). Victoria had the second highest number of police officers per 1,000 square kilometre with 50.

Source: Reference 23

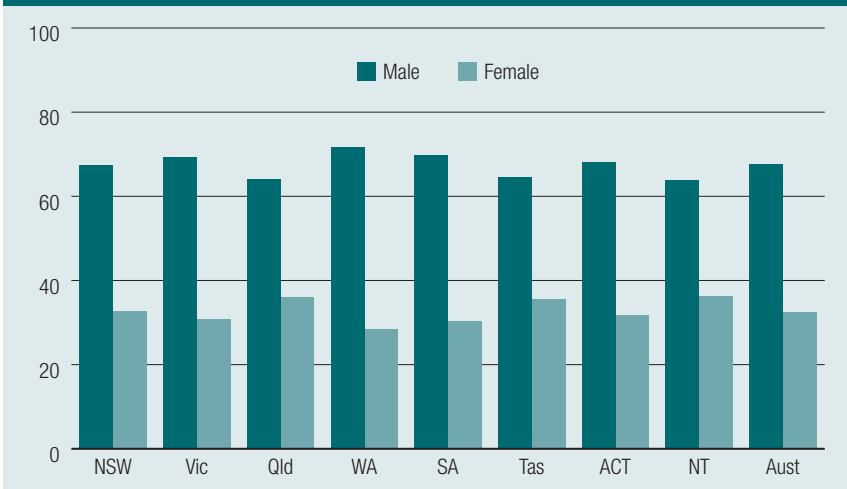
**Figure 115** Sworn police officers, by jurisdiction, at 30 June 2009 and 30 June 2010 (per 100,000 persons in that jurisdiction)



- The rate of sworn police officers fell between 2009 and 2010 in five states. In New South Wales, the rate of sworn police officers per 100,000 of the state’s population declined by three percent, it also declined by three percent in Western Australia, two percent in Tasmania and by five percent in the Australian Capital Territory.
- Victoria experienced the largest increase in the rate of sworn police; rising from 194 per 100,000 of the Victorian population in 2009 to 204 in 2010—an increase of five percent.
- At 30 June 2009, there were 455 sworn police officers per 100,000 of the Northern Territory population, rising to 465 per 100,000 in 2010.

Source: References 2 and 23

**Figure 116** Sex composition of sworn and unsworn police staff, by jurisdiction, 2009–10 (%)



- The Northern Territory employed the highest proportion of female police staff, with females comprising 36 percent of the total police staff. By comparison, in 2009–10, 28 percent of the West Australian police force and 30 percent of the South Australian police force was female.

Source: Reference 23

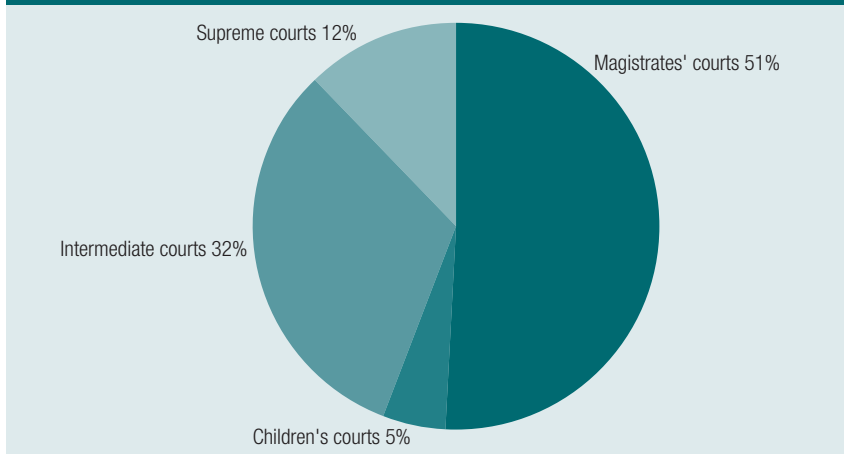
## Court administration

Total recurrent expenditure on court administration services around Australia (excluding the High Court and specialist jurisdiction courts) was \$1.5b in 2009–10, approximately \$42m more than in 2008–09. Expenditure on criminal courts' administration was approximately \$704m for 2009–10, an increase from \$674m in the previous year.

Total criminal court expenditure less income (excluding fines) was \$673m. This amounted to \$30 per person in Australia, or \$39 per adult.

Source: Reference 23

**Figure 117** Total expenditure (less income) on criminal courts, 2009–10 (%)



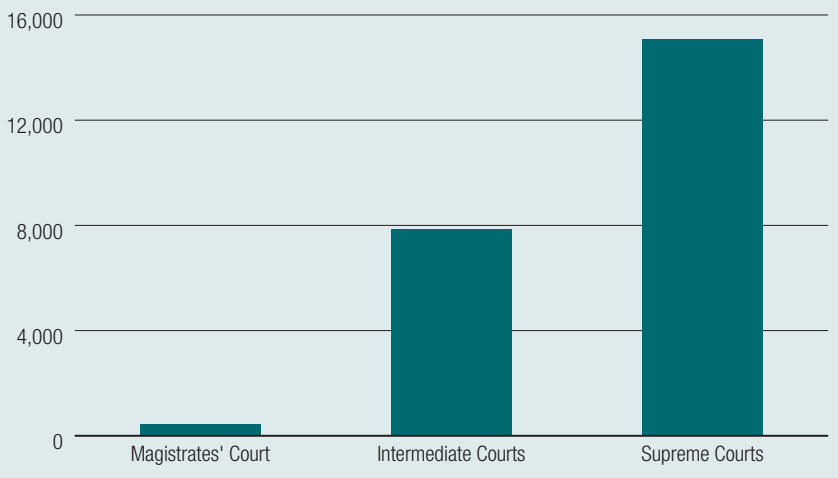
Total=\$673,249,779

- Just over half of the total expenditure (less income) on criminal courts was spent on the Magistrates' court (approximately \$339m). The Children's courts received the smallest share, taking \$34m (5% total expenditure less income).

Source: Reference 23

Figure 118 shows the average expenditure per case lodgement in the criminal courts. The higher the level of court, the higher the cost associated with each criminal case lodgement. This is because more complex and lengthy cases are generally heard in the higher courts.

**Figure 118** Average expenditure per criminal case lodgement, by court, 2009–10 (\$)



- The average expenditure in 2009–10 per criminal case ranged from \$454 in the Magistrates' court, \$7,861 in the intermediate courts and up to \$15,062 in the Supreme courts.
- Compared with equivalent figures in 2008–09, there was an eight percent increase in the average expenditure per criminal case in the Magistrates' court and a four percent increase in the intermediate courts. The average expenditure per criminal case in the Supreme courts declined by one percent in 2009–10, falling from \$15,218 in 2008–09 to \$15,062.

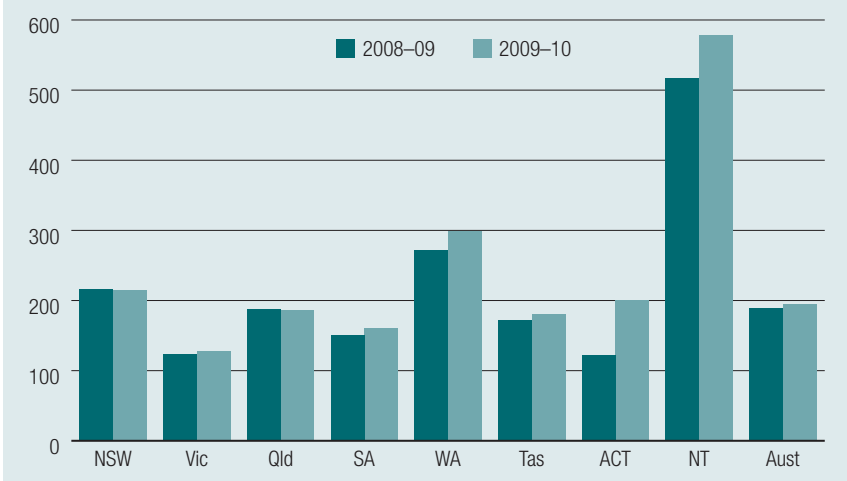
Source: Reference 23

## Adult corrective services

Resources allocated for corrective services in Australia are divided into two broad categories—prisons and community corrections. Total net expenditure on corrective services in Australia was approximately \$3.4b in 2009–10 with \$2.9b (85%) for prisons, \$409m (12%) for community corrections and \$96m (3%) for transport and escort services. This corresponded to \$154 for every person in Australia, or \$199 for every adult.

Source: References 2 and 23

**Figure 119** Real recurrent expenditure on corrective services per head of adult population, 2008–09 to 2009–10 (\$)



- All states, except Queensland and New South Wales, increased their real recurrent expenditure on corrective services in 2009–10. The increase was largest in the Australian Capital Territory, which increased spending by 65 percent (from \$122 per head of the state’s adult population in 2008–09 to \$201 in 2009–10).
- Similar to the previous year, the Northern Territory spent more on corrective services per head of the state’s adult population (\$578) than any other state.
- On average, Australia spent \$194 per head of the adult population on corrective services in 2009–10, a three percent increase from 2008–09.

Source: References 2 and 23

**Figure 120** Corrective services expenditure per offender per day, by jurisdiction, 2009–10 (\$)



- The national expenditure on each prisoner per day was \$207. This equated to \$75,611 per prisoner annually. By comparison, the annual national expenditure per prisoner in community corrections equalled \$6,661 in 2009–10.
- The Australian Capital Territory spent the most per prisoner per day (\$369) while Queensland and the Northern Territory spent the least (\$181).
- In 2009–10, Western Australia spent the most of any state per prisoner per day in community correction (\$35); Tasmania spent the least of any state (\$10).

Source: Reference 23



# Spotlight on child victims—crime and child maltreatment

This edition of *Australian crime: Facts & figures* introduces a new chapter, which aims to provide information on a specific topic of interest. Unlike other chapters, the information contained in this chapter will change from year to year.

While the focus this year is on children as victims of crime, statistics related to child maltreatment are also presented due to the close connection between these two issues. However, it is important to note that while police may be involved in the investigation of suspected child maltreatment, less than 10 percent of all child protection matters in Australia involve the prosecution of an offender through the criminal justice system (usually for sexual and physical assault, criminal neglect, manslaughter and/or homicide).

In most cases, child maltreatment and protection matters are dealt with by statutory child protection services in each state or territory (Reference 45) where the majority of cases are managed through health and other therapeutic interventions. Less than 10 percent of concerns reported to child protection services will subsequently involve statutory protective intervention to keep a child safe. An example of such an intervention is where a protection application is sought through the children's courts in order to seek legally mandated supervision of the family, or the temporary or permanent removal of the child from the family because of concerns for the child's safety and wellbeing.

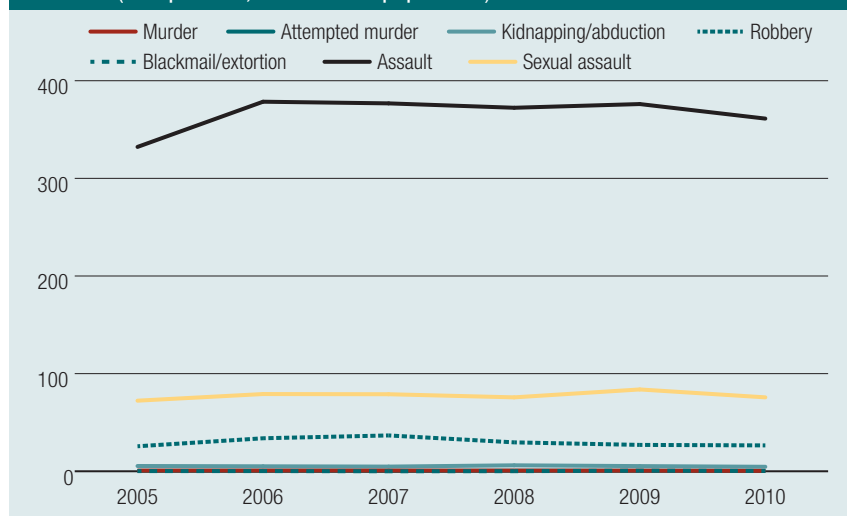
Therefore, a distinction must be made between children as the victims of crime (which will include those children whose experience of child abuse or neglect constitutes a criminal offence) and the broader population of victims of child maltreatment.

The information presented in this chapter is derived from the ABS' *Recorded Crime Victims, Australia* and *Child Protection, Australia* published by the Australian Institute of Health and Welfare. However, it is important to note that due availability, data from *Child Protection, Australia* includes the year 2010–11.

## Child victims of crime

That crime can have a severe and lasting impact on its victims is especially true in the case of children. Exposure to crime and violence has been shown to impact the child's subsequent development, influencing their physical, social and psychological functioning (Reference 29). The information in the following figures includes the incidents of crime victimisation that occurred over a period of six years to individuals aged from birth to 14 years of age.

**Figure 121** Male victims of violent crime aged 0–14 years, by selected crimes, 2005–10 (rate per 100,000 relevant population)



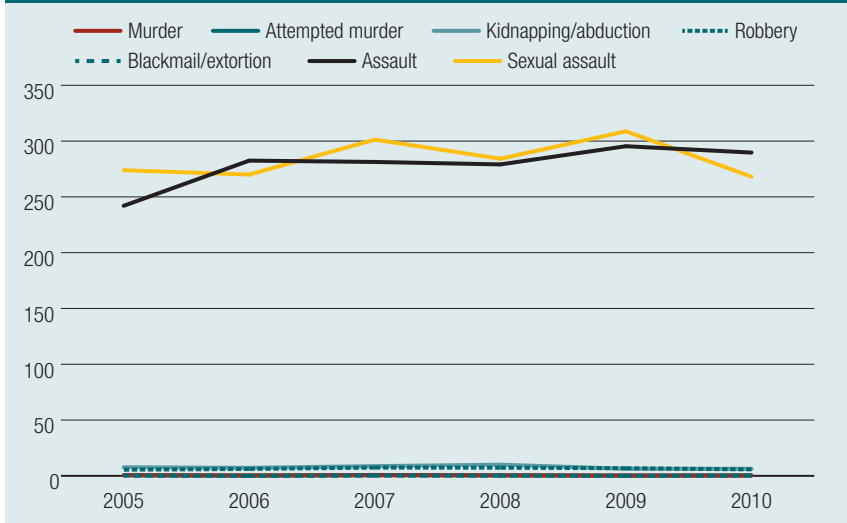
Note: Does not include information from Tasmania, Northern Territory or the Australian Capital Territory

- In line with victimisation patterns in the general population, males aged 0–14 years have consistently experienced assault at a higher rate than any other type of violent crime. Specifically, males aged 10–14 years were physically assaulted at a rate of 332 per 100,000 in 2005, compared with 361 per 100,000 in 2010. Over the past six years, the rate of assault victimisation for males aged 0–14 years has risen by nine percent.
- Sexual assaults against males aged 0–14 years occurred, on average, at a rate of 78 per 100,000 in 2010. There was a slight increase in the rate in 2009, when it rose from 76 per 100,000 in 2008 to 84 per 100,000.
- The rate of kidnapping/abduction was fairly stable over the seven year period, plateauing at an average of five per 100,000 each year.

- The crimes of murder, attempted murder and blackmail/extortion all occurred at a rate of less than one per 100,000 males in 2010. This is consistent with the pattern evident in the previous years.

Source: Reference 1

**Figure 122** Female victims of crime aged 0–14 years, by selected crimes, 2005–10 (rate per 100,000 relevant population)

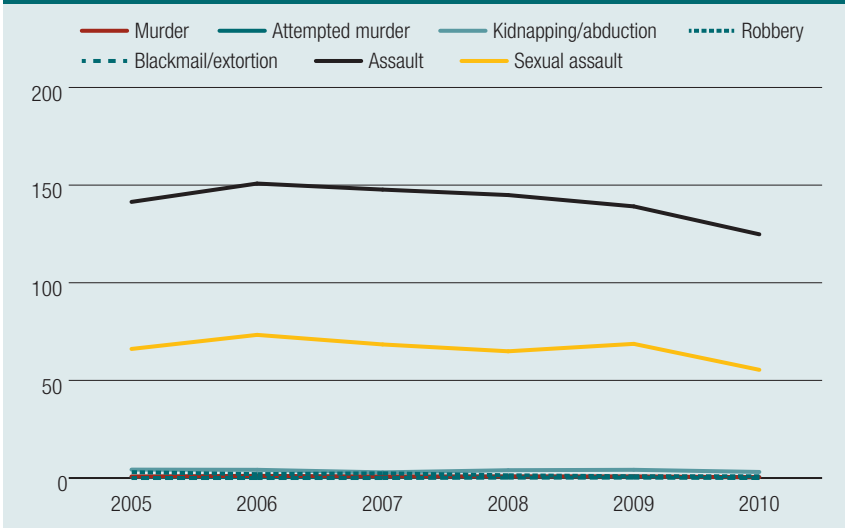


Note: Does not include information from Tasmania, Northern Territory or the Australian Capital Territory

- The rate of sexual assault for females aged 0–14 years was almost four times higher than for 0–14 year old males.
- There has been some fluctuation in the rate of assault and sexual assault victimisation experienced by females aged 0–14 years. The rate of sexual assault victimisation for females was higher than that for assault for the years 2005 (274 per 100,000), 2007 (301 per 100,000), 2008 (284 per 100,000) and 2009 (309 per 100,000).
- In 2009, the rate of assault victimisation against females was the highest it had been over the six year period at 295 per 100,000. It declined by two percent in 2010 to 290 per 100,000.
- Kidnapping/abduction was the next most common type of victimisation experienced by females aged 0–14 years. Kidnapping/abduction peaked at a rate of 10 per 100,000 in 2008, while in 2010 it was six per 100,000.
- For females, murder, attempted murder and blackmail and extortion all occurred at a rate of less than one per 100,000.

Source: Reference 1

**Figure 123** Male victims of crime aged 0–9 years, by selected crimes, 2005–10 (rate per 100,000 relevant population)

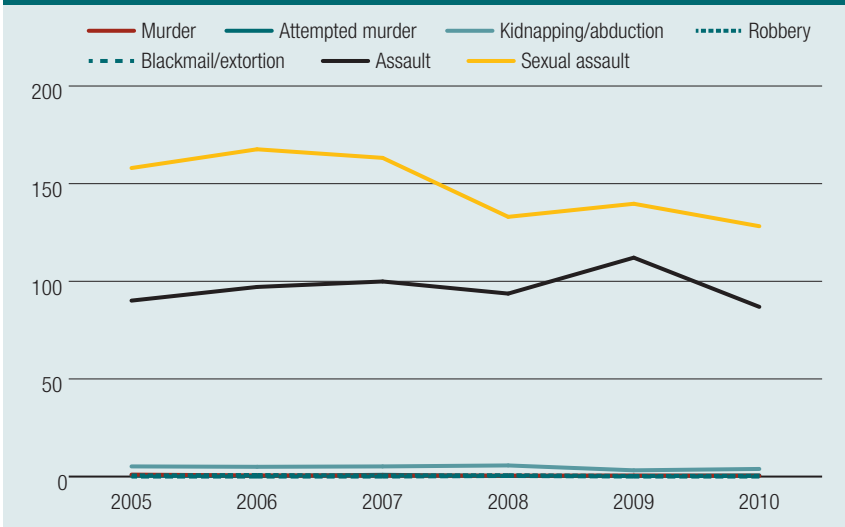


Note: Does not include information from Tasmania, Northern Territory or the Australian Capital Territory

- Male children aged between birth and nine years were assaulted and sexually assaulted at a higher rate compared with any other crime. Specifically, in 2010, birth to nine year olds were assaulted at a rate of 125 per 100,000 and sexually assaulted at a rate of 55 per 100,000.
- The rate of kidnapping and abduction of males aged from birth to nine years was highest in the years 2005, 2006, 2008 and 2009 at four per 100,000 children. In 2010, the rate had fallen by 26 percent to three per 100,000.
- Over the past two years, murder, attempted murder, robbery and blackmail and extortion of males aged birth to nine has remained less than one per 100,000.

Source: Reference 1

**Figure 124** Female victims of crime aged 0–9 years, by selected crimes, 2005–10 (rate per 100,000 relevant population)



Note: Does not include information from Tasmania, Northern Territory or the Australian Capital Territory

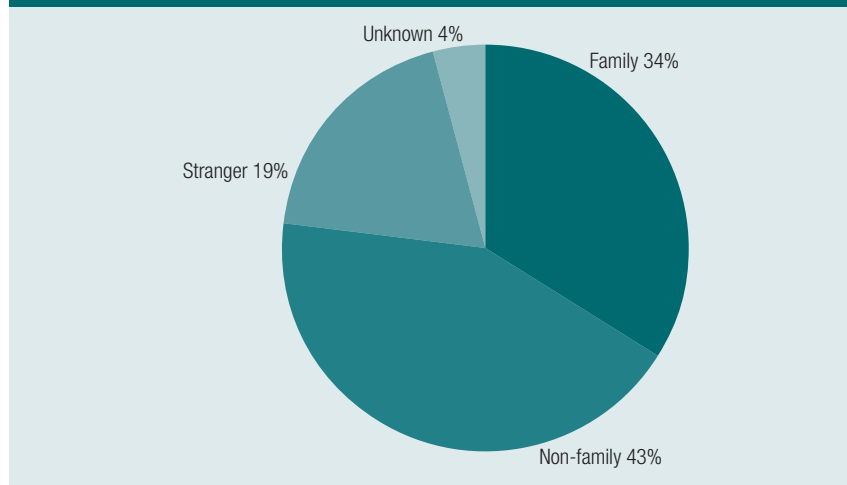
- The rate of sexual assault against females aged birth to nine years has fluctuated between 2005 and 2010. Specifically, the rate fell substantially between 2007 and 2008, decreasing from 162 to 133 per 100,000. It rose slightly in 2009 to 140 per 100,000 before falling by eight percent to 128 per 100,000 in 2010.
- The rate of assault was fairly consistent between 2005 and 2008; remaining on average at 95 per 100,000. However, an unexplained peak occurred in 2009 when the rate rose to 112 per 100,000. This appears to be a one-off increase, as in 2010 the rate had fallen again to 87 per 100,000.
- The rate of kidnapping and abduction has been in decline since 2008, when it decreased by 44 percent from six to three per 100,000 in 2009. The rates for murder, attempted murder, robbery and blackmail and extortion have remained at less than one per 100,000 over the past two years.

Source: Reference 1

## Relationship to offender

The ABS' *Recorded Crime Victims, Australia* collects information about the relationship between alleged offenders and victims for the recorded crimes of assault and sexual assault. The patterns of offender–victim relationships for both assault and sexual assault were discussed in Chapter 2. It was highlighted that in most cases, the offender is known in some way to the victim. The reliance that children have on others to meet their primary needs makes them particularly vulnerable to victimisation from people known or related to them (ie caregivers). There is likely to be significant underreporting given that children, particularly young children, will be unable or less likely to report such crimes, particularly those involving close family members as offenders. Therefore, physical evidence or someone witnessing the assault—often not possible with such assault matters—will be more likely to lead to a report of a crime to police, criminal investigation and the subsequent charging of an alleged offender.

**Figure 125** Offender/victim relationship for child victims aged 0–14 of assault, 2010 (%)

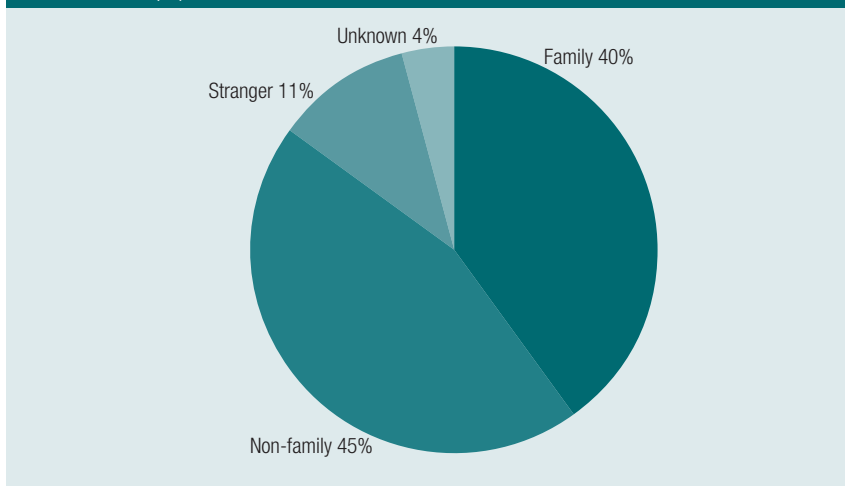


n=12,170. Does not include Western Australian data

- In 2010, the most common relationship between child victims of assault and their offenders was of known, non-family members (43%). Thirty-four percent were victimised by a family member, while only 19 percent were reportedly victimised by a stranger.

Source: Reference 1

**Figure 126** Offender/victim relationship for child victims aged 0–14 of sexual assault, 2010 (%)

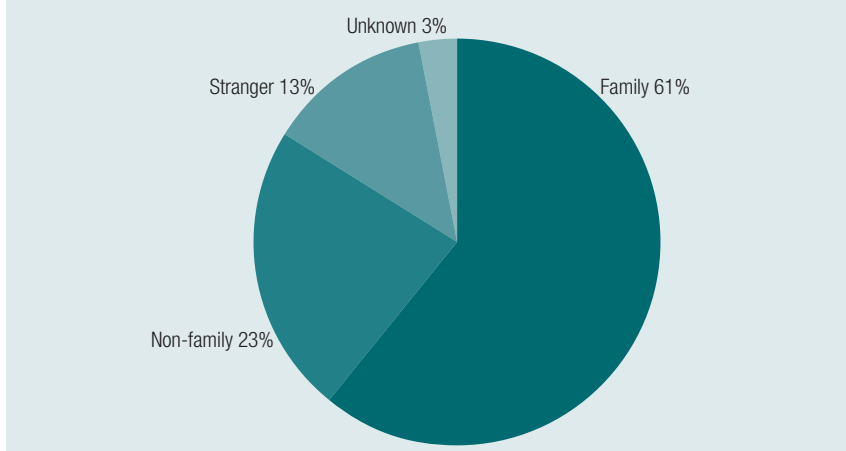


n=6,484. Does not include Western Australian data

- Eleven percent of child victims of sexual assault reported being assaulted by a stranger. However, the offender was reported as a known, non-family member for 45 percent of child victims of sexual assault, with a further 40 percent victimised by a family member.

Source: Reference 1

**Figure 127** Offender/victim relationship for child victims aged 0–9 of assault, 2010 (%)

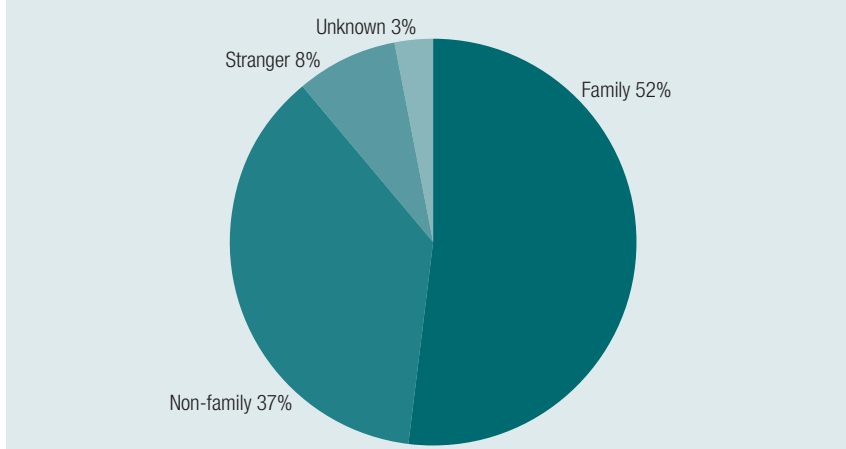


n=2,876. Does not include Western Australian data

- Children aged birth to nine who were assaulted were primarily victimised by family members (61%). This compares with 23 percent who were assaulted by a non-family member and 13 percent assaulted by strangers.

Source: Reference 1

**Figure 128** Offender/victim relationship for child victims aged 0–9 of sexual assault, 2010 (%)



n=2,397. Does not include Western Australian data



- In 2010, 52 percent of child victims of sexual assault aged birth to nine were victimised by a family member, 37 percent by a non-family member and eight percent by a stranger. In three percent of cases, the victim offender relationship was unknown.

Source: Reference 1

## Child maltreatment

It is generally agreed that modern professional (and subsequently societal-level) interest in child abuse and neglect (often known collectively as child maltreatment) was prompted by research conducted in the early 1960s in the United States by a group of medical professionals led by Dr Henry Kempe (Reference 37). After the publication of Kempe et al.'s work, child abuse was also 'discovered' in other countries, including Australia (Reference 38).

In the decades following Kempe et al.'s work, the definition of what constitutes child abuse and neglect has greatly expanded and it has become one of the primary social ills targeted for action by governments and communities across the western world. Since the 1960s, legislation and policy developments regarding child maltreatment in Australia have produced significant and lasting changes, particularly in relation to the development of statutory child protection services set up in each state/territory jurisdiction and an increased focus on the reporting of, and response to, incidents of child abuse and neglect (for more information see Reference 31).

The term *maltreatment* is an umbrella term that refers to the various forms of child abuse and neglect. The four main types of child abuse and neglect are defined by AIHW as:

- *Physical abuse*—any non-accidental physical act inflicted upon a child by a person having the care of a child.
- *Sexual abuse*—any act by a person having the care of the child which exposes a child to, or involves a child in, sexual processes beyond his or her understanding or contrary to accepted community standards.
- *Emotional abuse*—any act by a person having the care of a child that results in the child suffering any kind of significant emotional deprivation or trauma.
- *Neglect*—any serious omissions or commissions by a person having the care of a child which, within the bounds of cultural tradition, constitute a failure to provide conditions which are essential for the healthy physical and emotional development of the child.

Source: Reference 30

It has been argued that the exposure of children to domestic violence (also known as ‘witnessing’ domestic violence) should be classified as a fifth main form of child maltreatment (Reference 39) rather than being subsumed under the existing child maltreatment types.

Cases of suspected child maltreatment are generally dealt with outside the criminal justice sphere, primarily falling under the jurisdiction of each state and territory’s government child welfare or child welfare department (Reference 40; eg NSW Department of Family and Community Services and the Department for Child Protection in Western Australia). As noted above, although the two issues are related, it is important to distinguish between children who are the victims of abuse and neglect, and children who are the victims of crime. The majority of child maltreatment victims are not considered to be victims of crime, despite the physical, emotional and psychological harm they can suffer through the various forms of child maltreatment.

The AIHW’s *Child Protection Australia* reports (Reference 30) provide the latest available annual and trend data on children who come into contact with statutory child protection agencies. When brought to the attention of the relevant agency, a report of suspected child maltreatment progresses according to the following stages:

- *Notification*—initial contact is made to a relevant agency to report an incident of suspected child maltreatment. Multiple children can be the subject of one notification. All jurisdictions now have legislation that makes it mandatory for various professions (eg police, doctors)—and in the case of the Northern Territory, all persons—to report matters where they suspect a child is being subjected to specific forms of child abuse and neglect.
- *Investigation*—the notification may then be investigated by child protection services to determine the validity of the claim—many cases are not deemed to be serious enough to require a formal investigation and no further action is taken, or they are referred to therapeutic services for follow-up.
- *Substantiation*—refers to cases where, as a result of the investigation, the initial notification has been validated (confirmed) as a case of maltreatment. Once substantiated, appropriate action can be undertaken in relation to the child’s continuing protection. In cases where the child has been, or is, at risk of significant harm, the child protection agency may apply to legally supervise the family to ensure the child is kept safe from harm, or may apply to have the child removed temporarily or permanently from the family because the risk of the child being significantly harmed is high.

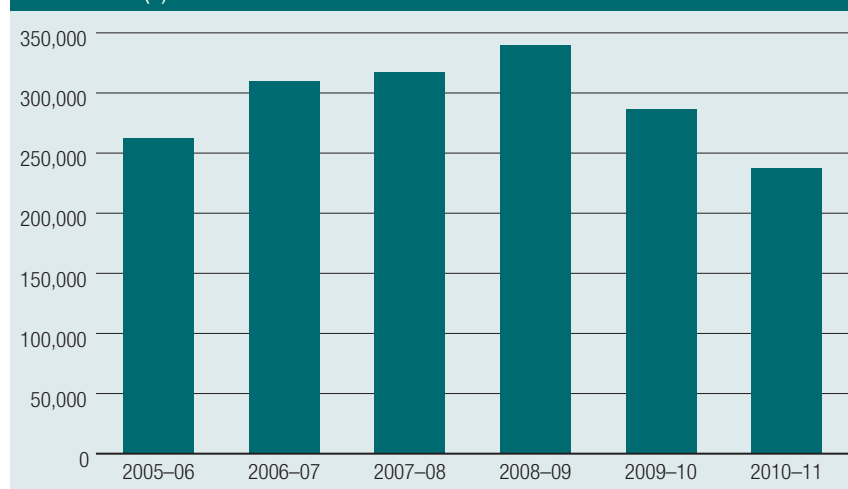
The criminal investigation of physical or sexual assault, or neglect allegations may be conducted separate to, or in conjunction with statutory child protection action.

Source: Reference 30

The AIHW's *Child Protection Australia* series has reported on child protection data since 1989–90. However, because of significant changes to legislation, policy and practices in statutory child protection services in each jurisdiction over time, the AIHW generally does not currently compare statistics gathered prior to 2003–04.

In 2010–11, 237,273 notifications of child maltreatment regarding 163,767 children were received by relevant agencies across Australia. This represents a decrease of 17 percent from the number of notifications received in 2009–10 (n=286,437).

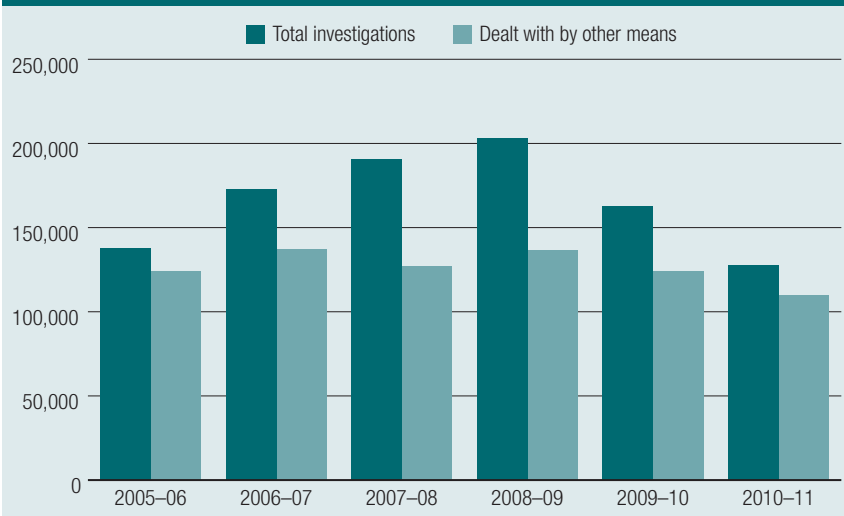
**Figure 129** Notifications received by Australian child protective agencies, 2005–06 to 2010–11 (n)



- Despite peaking in 2008–09, the trend in child abuse and neglect has been in decline for the past two years.
- Specifically, in 2005–06, 262,094 notifications of child maltreatment were received by child protection agencies in Australia compared with 339,454 in 2008–09. This equates to a total increase of 30 percent between 2005–06 and 2008–09, or approximately 7 percent per year.
- However in 2009–10, the number of notifications dropped by 16 percent and in 2010–11, fell again by a further 17 percent. It is unknown whether this decrease is a result of legislative, policy or practice changes in jurisdictions, or represents a genuine decrease in the number of suspected child maltreatment cases identified in Australia. While the former is more likely, more data is necessary to determine the cause of this change and to determine if it will continue over the long term.

Source: Reference 30

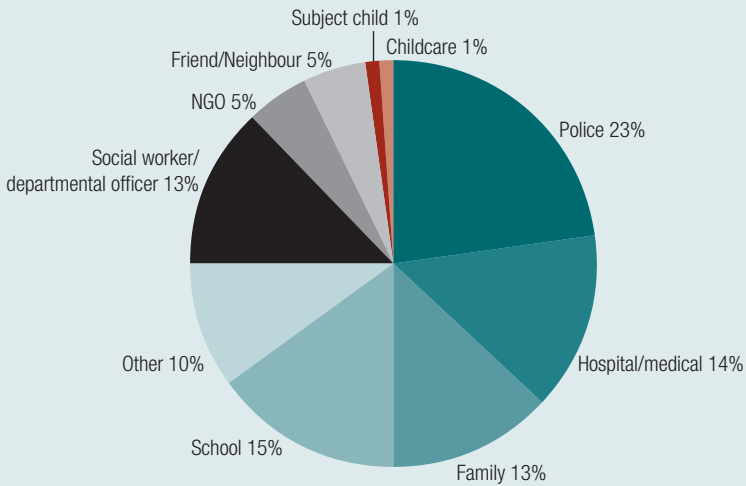
**Figure 130** Notifications received by Australian child protection agencies, by investigation action, 2005–06 to 2010–11 (n)



- In 2008–09, Australian child protection agencies undertook the greatest number of investigations into notifications of maltreatment compared with any other year. Specifically, in 2008–09, 203,225 investigations were conducted into allegations of child abuse—60 percent of all notifications received. In 2010–11, 54 percent of notifications resulted in formal investigation.
- The number of notifications that were dealt with by other means varied over the six year period, ranging from 124,265 in 2005–06 and 136,827 in 2006–07 to 109,514 in 2010–11.
- In 2010–11, of the 127,759 investigations instigated by Australian child protection agencies, 78 percent were finalised.

Source: Reference 30

**Figure 131** Source of notification, 2010–11 (%)

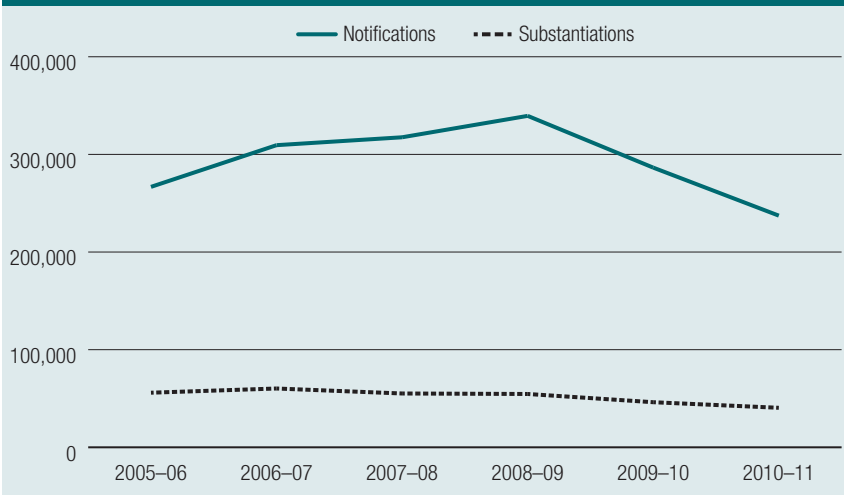


n=127,759. Total reflects the source of investigated notifications

- The greatest proportions of notifications reported to child protection services originated from police (23%), followed by schools (15%) and hospital/medical professionals (14%).
- The child who was the subject of the report was also the source of the notification (ie self-reports) in one percent of cases.
- Family members made a notification in 13% of cases.

Source: Reference 30

**Figure 132** Substantiated notifications of child maltreatment, 2005–06 to 2010–11 (n)

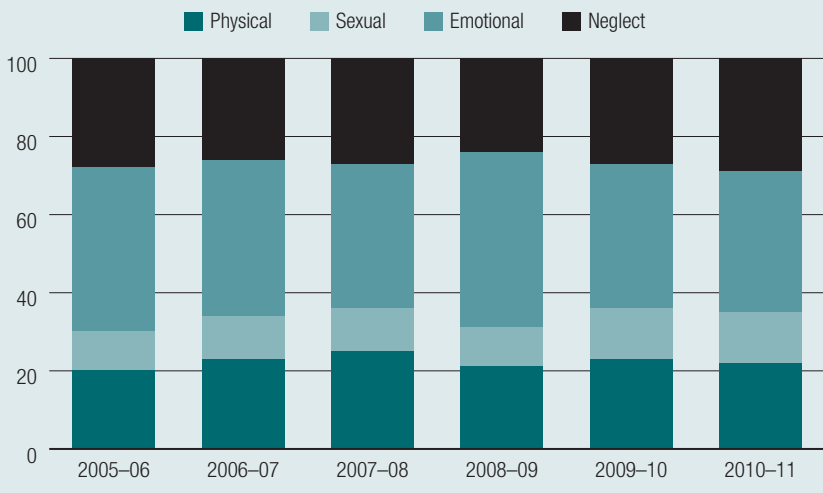


- Over the past six years, despite a considerable number of notifications of child maltreatment received each year, on average, only 18 percent of notifications were substantiated between 2005–06 and 2010–11.
- In 2008–09, there was an increase in the number of notifications of child maltreatment, rising from 317,526 in 2007–08 to 339,454; a total increase of seven percent.
- In 2010–11, 17 percent (n=40,466) of notifications of child abuse and neglect were substantiated. Therefore, despite a drop in the overall number of notifications in 2010–11, the proportion of substantiations increased by one percentage point on that recorded in 2008–09 and 2009–10.

Source: Reference 30

The *Child Protection Australia* report presents a breakdown of substantiated cases by type of maltreatment. While many cases of maltreatment involve children suffering more than one form of maltreatment, the AIHW report the primary form of maltreatment determined by each child protection department.

**Figure 133** Substantiated notifications, by type of abuse or neglect, 2005–06<sup>a</sup> to 2010–11 (%)



a: data from 2005–06 to 2008–09 aggregated from all jurisdictions

- Across all years, a large proportion of substantiated claims involved emotional abuse—many of these matters involve children who have been exposed to parental domestic violence. The proportion of emotional abuse cases ranged from 37 percent in 2007–08 and 2009–10 to 45 percent in 2008–09.
- The smallest proportion of substantiated claims involved sexual abuse, remaining between 10 and 11 percent for all years except 2009–10 and 2010–11. For the last two years 13 percent of substantiated claims involved sexual abuse.
- Neglect was identified in slightly more substantiated notifications than physical abuse, occurring in 28 percent of cases in 2005–06 compared with 20 percent of cases involving physical assault. In 2010–11, 29 percent of substantiated notifications involved neglect, compared with 22 percent involving physical abuse.

Source: Reference 30

## Types of orders

Once a notification has been substantiated, the appropriate course of action to protect the child from harm is determined. In the majority of cases, child protection services will refer the child and family to professional supports, such as health care providers, family support and child welfare services, drug and alcohol counselling, and financial counsellors. The families attend these services on a voluntary basis (Reference 41).

In cases where the child protection agency feels the risk of harm to the child is significant and not suitable for management through the parents or caregivers voluntarily attending services, a protection application can be lodged with the Children's court in each jurisdiction to seek a legal mandate to force family compliance to a range of actions designed to ensure a child's risk of harm is reduced (Reference 42). The following are the broad categories of care and protection orders that currently exist in Australian jurisdictions:

- *Guardianship or custody orders*—involves the relevant state or territory department or non-government agency assuming complete legal control over the child's welfare. A custody order often involves the child being placed in the care of the relevant state or territory department or non-government agency.
- *Supervisory orders*—involves the child's parent or guardian being required to meet conditions related to the welfare of the child, specified by the relevant state or territory department or non-government agency. The parent still exercises some level of control over the child's welfare and the child remains in the home.
- *Interim and temporary orders*—refer to instances where the care and protection order is not finalised. It may involve a finite period of supervision and/or external placement of the child by the relevant state or territory department or other agency.

Source: Reference 30



**Figure 134** Number of children subject to protective orders, by type of order, 2005–06 to 2010–11 (n)<sup>a</sup>

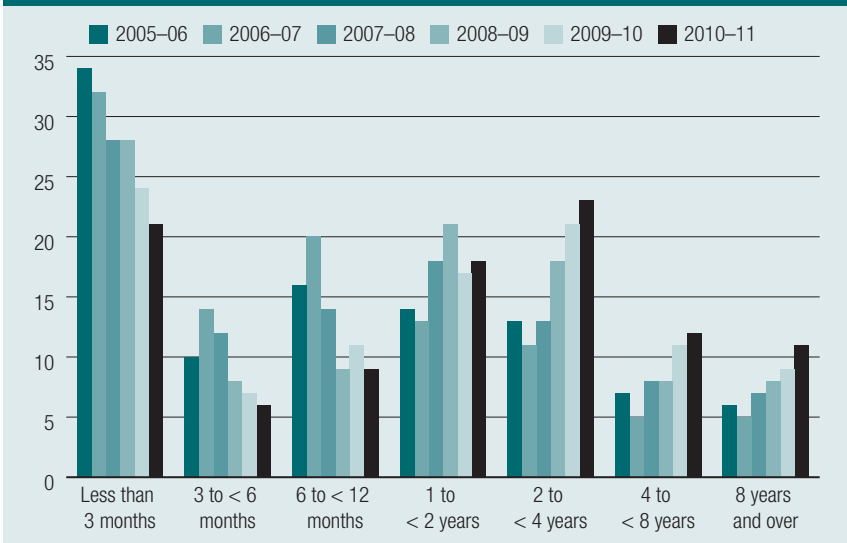


a: data presented does not include information related to third party parental responsibility orders and administrative arrangements.

- The most common type of protective order over the six year period was a guardianship or custody order. The number of children under guardianship or custody orders has risen by 51 percent since 2006–07 when 18,876 children were on this type of order, compared with 28,543 in 2010–11.
- Significantly fewer children have been placed on interim and temporary orders and supervisory orders. The number of children on both of these types of orders peaked in 2007–08. Specifically, the number of children on interim and temporary orders rose from 2,591 in 2006–07 to 4,106 in 2007–08. In 2010–11, there were 3,555 children on temporary and interim orders.
- Similarly, the number of children on supervisory orders rose from 1,783 in 2006–07 to 3,235 in 2007–08. In 2010–11, there were 2,239 children on supervisory orders, a decrease of 31 percent from 2007–08.

Source: Reference 30

**Figure 135** Children subject to protective orders, by length of time spent on order prior to discharge, 2005–06 to 2010–11 (%)



- On average between 2005–06 and 2010–11, 28 percent of children were subject to a protective order for less than three months before discharge.
- Since 2006–07, there has been a rise in the proportion of children who have spent between two and less than four years under a protective order—from 11 percent of children on orders in 2006–07 to 18 percent in 2008–09. In 2010–11, 23 percent of children on orders had been on an order for between two and four years.
- In 2005–06, the proportion of children who were subject to a protective order for eight years or more before being discharged was six percent. In 2010–11, the proportion had risen by five percentage points to 11 percent, the highest on record for the six year period. This information indicates that children are being placed on orders for significantly longer periods of time.

Source: Reference 30

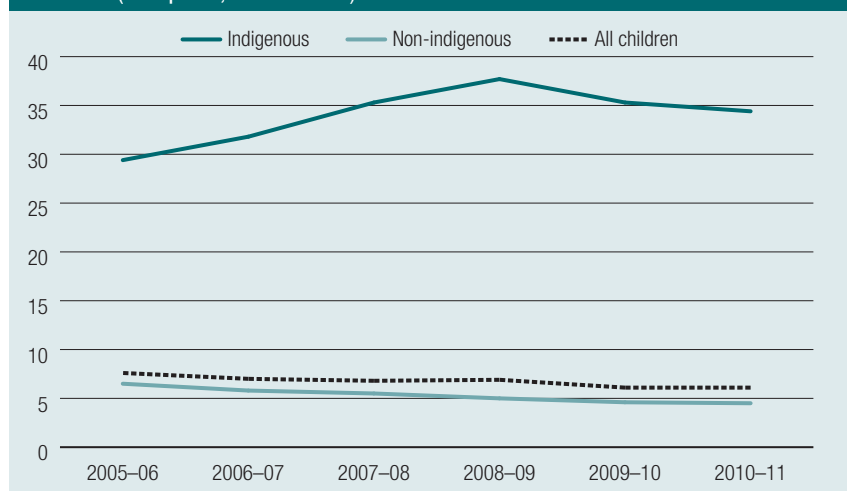
## Indigenous children

Compared with non-Indigenous children, Indigenous children are significantly overrepresented in recorded child abuse and neglect matters. A number of possible underlying causes for this high rate of maltreatment have been identified, including social issues related to the impact of colonisation, current states of socioeconomic disadvantage and substance abuse problems (for more information see References 32–34).

In 2010–11, of the 31,527 substantiated child maltreatment notifications where Indigenous status was recorded, 26 percent (n=8,231) involved an Indigenous child—yet Indigenous children comprise less than three percent of the Australian population. This equates to a notification rate of 35 per 1,000 Indigenous children compared with a rate for non-Indigenous children of five per 1,000 non-Indigenous children; the rate for Indigenous children is seven times higher than the non-Indigenous rate.

Source: Reference 30

**Figure 136** Notifications of child maltreatment, by Indigenous status, 2005–06 to 2010–11 (rate per 1,000 children)

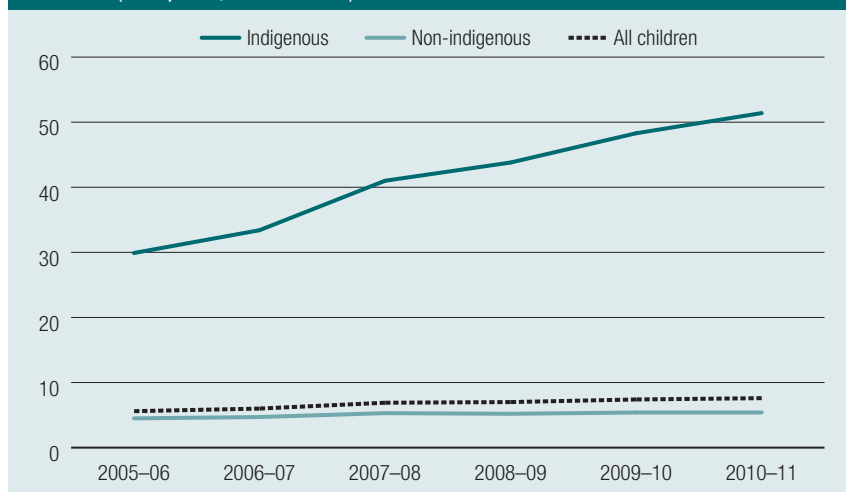


- The rate of child abuse and neglect notifications has been substantially higher for Indigenous children compared with that of non-Indigenous children. Over the past six years, the rate of Indigenous child maltreatment notifications has been, on average, 34 per 1,000 Indigenous children compared with five per 1,000 non-Indigenous children (6.8 times higher).

- However, the rate of notification for Indigenous children declined by nine percent between 2008–09 and 2010–11; from 38 to 34 notifications per 1,000 Indigenous children. It is unknown if this decrease is a fluctuation or the beginning of a decreasing trend in notifications of child abuse and neglect involving Indigenous children.

Source: Reference 30

**Figure 137** Care and protection orders, by Indigenous status, 2005–06 to 2010–11 (rate per 1,000 children)



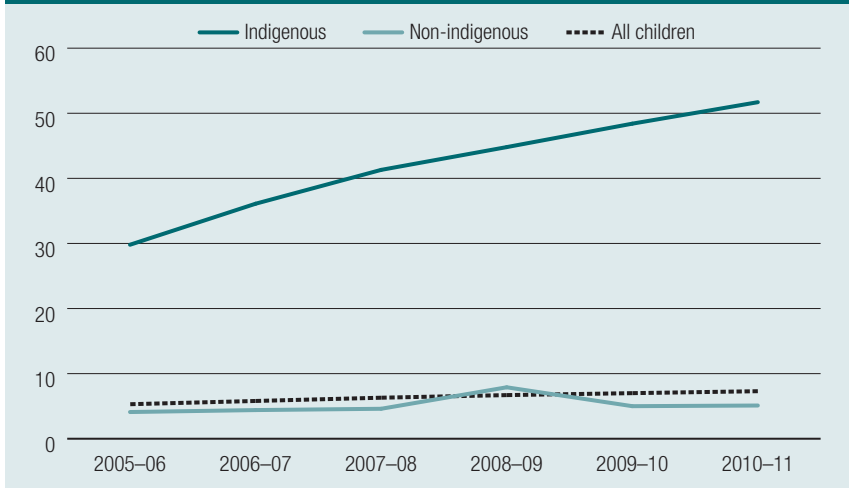
- Indigenous children were the subject of care and protection orders at a rate of 51 per 1,000 Indigenous children. This is especially significant given that the rate of care and protection orders for non-Indigenous children in 2010–11 was five per 1,000 non-Indigenous children (ie almost 10 times lower).
- The rate of care and protection orders being issued for all children (Indigenous and non-Indigenous) has increased by 36 percent; from six to eight per 1,000 over the six year period. The rate of Indigenous children who were the subject of a care and protection order has increased by 72 percent; rising from 30 to 51 per 1,000 compared with the rate for non-Indigenous children which has remained around five per 1,000 between 2005–06 and 2010–11.

Source: Reference 30

## Out-of-home care

Out-of-home care involves the placement of the child in either a residential or family group home or into a family-based placement (eg with a foster family).

**Figure 138** Out-of-home placement orders, by Indigenous status, 2005–06 to 2010–11 (rate per 1,000 children)



- The rate of placement in out-of-home care for Indigenous children has increased substantially over the last six years; rising from 30 in 2005–06 to 52 per 1,000 Indigenous children in 2009–10. This equates to an average annual increase of 15 percent per year.
- By comparison, the rate of non-Indigenous child placement in out-of-home care remained below the rate for all children at, until 2008–09 when it rose from five to eight per 1,000 non-Indigenous children. In 2010–11, it had returned to five per 1,000 non-Indigenous children, and may be an isolated fluctuation.

Source: Reference 30

## Aboriginal Child Placement Principle

The Aboriginal Child Placement Principle (the Principle) currently in place in Australian jurisdictions aims to ensure that Indigenous children are placed with Indigenous carers wherever possible, to avoid a repeat of the wholesale removal of Indigenous children and their placement with non-Indigenous carers which occurred as part of the 'stolen generation' in the twentieth century.

The Principle provides a hierarchy of placement options that are used by child protection services to place Indigenous children, in circumstances where they can no longer remain with their primary caregivers. The Principle is underpinned by a preference for the placement of Aboriginal and Torres Strait Islander children with other Aboriginal and Torres Strait Islander people when they are placed outside their family. According to the Principle, an Indigenous child should be placed according to the following hierarchy of options:

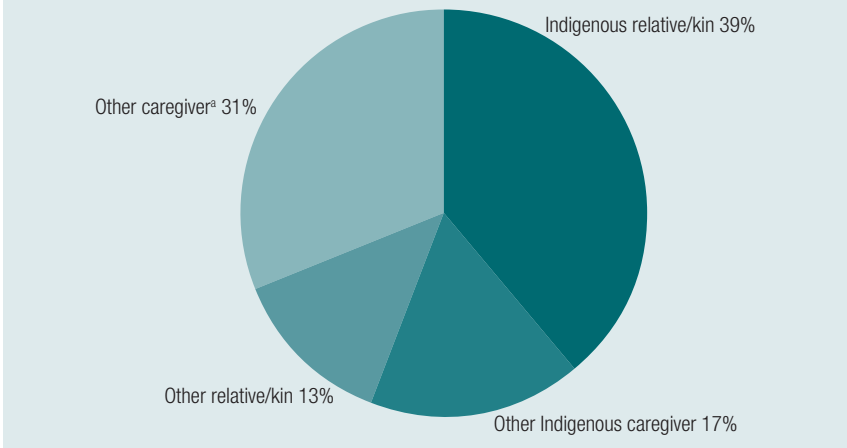
- with the child's extended family;
- within their Indigenous community; or
- with other Indigenous people.

*Source: Reference 30*

Where an Indigenous child cannot be placed in a suitable Indigenous placement, the child may be placed in an alternative, non-Indigenous care arrangement; however, this should be done only after consultation with Indigenous individuals and/or organisations (Reference 28).

In 2010–11, 69 percent of placements were made in accordance with the Principle (Source: Reference 30). Such placements maintain the familial connection and reduce the trauma of removal on the child (for further information see Reference 35–36).

**Figure 139** Placement of Indigenous children in out-of-home care, 2010–11 (%)



a: the category of other caregiver refers to instances where an Indigenous child was placed with caregivers who were not relative/kin or other Indigenous caregivers.

- In 2010–11, while 39 percent of Indigenous children in out-of-home care were placed with Indigenous relatives or kin, 31 percent were placed with other caregivers.

Source: Reference 30

## Chapter 9

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All URLs correct at November 2011

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