



AUSTRALIAN INSTITUTE OF CRIMINOLOGY



ETHNICITY AND CRIME: An Australian Research Study

**A report prepared for the Department of Immigration and
Multicultural Affairs**

Satyanshu Mukherjee

Australian Institute of Criminology

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Executive Summary

The main objective of this report was to examine the literature on the relationship between ethnicity and crime and to describe currently available statistical information in Australia on the subject. It was hoped that the above tasks would be completed in a few months and would result in a report of no more than 20-25 pages. As the work began it soon became apparent that in order for this paper to be a useful document a lot more work was needed. It was also discovered that ethnicity and crime was not only a contemporary issue in Australia but also in most Western Europe and North America. Politicisation of the issue, wide media coverage of 'crimes' by migrants, violence against migrant groups, and hate crimes has caused heightened concerns in many parts of the World. This report attempts to summarise the relevant material and examines Australian statistics on the issue.

General

- Most research and official statistics and documents on the issue of ethnicity and crime have rarely examined/described the concept 'ethnicity'. The relationships described under the heading 'ethnicity and crime' pertained generally to migrants (including illegal migrants), foreigners (resident and non-resident), overseas-born, etc. Often these groups are labelled by country/region of their birth.
- The sources or research literature generally examine statistics on arrests and imprisonment to establish relationships. These findings are gleaned from literature published since the early part of the Twentieth century.

Migrant characteristics

- The Australian five-yearly Census shows significant differences in the characteristics of migrant groups. These differences may assist in explaining levels of involvement of migrant groups in crime.
- The Australian Census does not provide information on reasons for migrating to Australia. Experiences in country of origin that resulted in migration may influence one's assimilation in the Australian society. Together with these, the quality of support services for migrants on arrival in Australia and those for their long-term needs may play an important role in becoming a useful participant in the Australian Society.

Findings of overseas research

- A brief review of the literature from Europe and North America reveal the following:

Race/ethnicity/country of origin has less to do with crime than the environment and the disorganised communities of alleged foreign-born offenders.

Particularly in Europe, lack of knowledge of local language is considered to be a major disadvantage faced by migrant groups.

Migrants generally have lower levels of education, and a very low rate of participation in higher education, which limits their life chances.

Migrants generally concentrate around poorer and disadvantaged city neighbourhoods.

Migrants' unemployment rate is significantly higher than that of the native-born.

The European research suggests that migrant/foreigner groups who display high suspect/arrest rate also tend to show high imprisonment rate.

Migrants tend to receive longer sentences on imprisonment.

There is evidence of some bias against minority groups in their contacts with criminal justice system. For example, in decisions such as caution or prosecution, social background factors, particularly family stability, play a very important role. Suspects from minority groups often come from "unstable" families, making a caution decision difficult. This situation can influence decisions at subsequent stages of the criminal justice system.

Australian Evidence

- Arrest/offenders processed statistics from Victoria for the five year period 1993-94 to 1997-98 display the following patterns:

The overall arrest rate of alleged offenders from no migrant group display a consistently rising trend over the five year period. However, alleged offenders born in the Russian Federation, Romania, Vietnam, Former Yugoslavia, New Zealand, Turkey, and Lebanon were processed at a higher rate than the Australian-born in each of the five years. The 1997-98 statistics produce high alleged offender rates for those born in Somalia, Uruguay, and Thailand.

Generally, the largest proportion of alleged offenders born in Australia and overseas, with the exception of those born in Cambodia, was processed for property offences. In 1997-98 this proportion ranged between a low of 34.1

per cent for the Cambodian-born and a high of 88.3 per cent for the Uruguayan-born alleged offenders.

Among all the groups listed in the Victorian statistics, the highest proportion of alleged offenders processed for violent offences were the Fijian-born.

More than a third of alleged offenders born in Cambodia and Vietnam was processed for drug offences in 1997-98, about a quarter of the alleged offenders born in Indonesia and Thailand was also processed for drug offences.

Since 1994-95 alleged and distinct offenders born in Vietnam were the largest overseas-born group processed by Victoria Police.

Generally young people in the age group 15-24 displayed the highest distinct offender rate and arrest rate declined systematically following this age.

Migrant groups that had relatively high proportion of young people in their population did not display either the highest over all arrest rate or the highest arrest rate for young offenders.

Arrest rate of females did not display significant differences between migrant groups. However, female distinct offenders born in Lebanon and Turkey showed the lowest arrest rate compared to those from all other groups.

- The results of National Prison Census of Australia for the years 1982 to 1998 show the following patterns and trends in imprisonment:

The number of inmates in Australian prisons has increased from 10,195 in 1983 to 19,906 in 1998. The number of inmates born in Vietnam has increased from 18 to 474 during the same period.

Imprisonment rate of inmates born in Turkey, Lebanon and New Zealand has always been substantially higher than that of those born in Australia; since 1989 the rate of those born in Vietnam has been increasing and currently their rate is the highest. The same pattern is obtained when the rate based on most serious offences of violence, property and drugs is examined separately.

The number of inmates whose most serious offence was a violent offence has increased from 4,167 in 1983 to 9,742 in 1998, an increase of 134 per cent. For the Vietnamese-born inmates the numbers increased from 12 to 113, an increase of over 800 per cent. The imprisonment rate for the New

Zealand-born, whose most serious offence was a violent offence, increased from 102 to 261, an increase of about 156 per cent, over the same period.

Among prisoners whose most serious offence was a drug offence, the number of Vietnamese-born, particularly since 1993, has increased very substantially.

Hate Crime

- There is some evidence of incidents of hate crime against migrant/race group. Careful examination is needed before some statements can be made.

General

- Crime statistics from Victoria, the National Prison Census, and the Australian Census of Population and Housing appear to show that migrant groups who suffer disadvantages such as poor knowledge of English, no or low level of formal education, low status occupation, and high unemployment rate tend to display high arrest and imprisonment rate.

ACKNOWLEDGEMENTS

The Commonwealth Department of Immigration and Multicultural Affairs (DIMA) initiated the conduct of this research and also provided funding for the research originally planned. The Australian Institute of Criminology thanks DIMA for this support.

In May 1998, the Institute organised a roundtable to discuss the issue of ethnicity and crime. (A list of participants at the roundtable is provided in Appendix B.) A draft of the material ready at that time was distributed for discussion. A number of ideas emerged out of the roundtable and attempt has been made to take those in account. We thank the participants for their contribution.

A number of individuals assisted in the project. John Duck and Jane Young, both from DIMA, assisted in providing valuable comments, material and statistics. At the Institute a number of my colleagues assisted in a number of ways. They are Simon Leverett, Bree Cook, Heike Platen, Rowena Conroy, and Diana Nelson. The staff of the Institute's Library, as always, were more than helpful in searching and acquiring the latest literature on the subject. The research would not have been possible without the generous support, encouragement and substantive comments from Dr Adam Graycar, the Director of the Institute. I gratefully acknowledge their support and help.

Chapter 1 Introduction: Issues and Hurdles

An inquiry into the links between ethnicity and crime requires the examination of the incidence of crime in all its forms, the processes of the criminal justice system, and the causes and conditions affecting the ethnic community adversely. Thus, the inquiry needs to cover a large field, and the facts necessary for a conclusive statement are, in many instances, unobtainable. The state of official statistics on crime, both national and State/Territory levels, their accuracy and consistency, and their comparability over time and between jurisdictions will be discussed in an appropriate place in this report. It is important, however, to point out that even though statistical information essential for a rational debate on the subject is in many cases lacking, public opinion appears to have built up assumptions. It is often easier to develop adverse assumptions with regard to ethnic groups, particularly some nationality groups. Because members of certain ethnic groups can be easily differentiated on the basis of appearance, religion, language, and habits, such differentiation is impulsively extended when some of their members are found guilty of criminality. Indeed, the majority population may assume that criminality is a weakness that is characteristic of those ethnic groups. Yet, scholars have asserted for decades that no one ethnic, race, minority group is innately more criminal than any other.

Usually a discussion on the links between ethnicity and crime has concentrated on the involvement of migrants in criminal activities in their country of adoption. With very few exceptions, this has been the style adopted by administrators and scholars in North America and Western Europe. Specially since the second World War, when large scale movement of population from poorer countries to Western Europe began, the analysis of such a link focussed on the foreign /guest workers from certain regions. The interesting part of this type of analysis is that each country has its requirements for migrants, rules, and procedures for arrival and settlement. Naturally, each country attracts main group of migrants from different regions of the world. Therefore, an analysis of the link between ethnicity and crime in each country will involve different ethnic/foreign-born groups. More on this later.

Definition

Before embarking on a discussion of the involvement of members of ethnic groups in criminal activity, it is important to clarify the meaning of the term 'ethnicity' as used in this report. While it is important to define 'ethnicity' in sociological and anthropological terms, it is equally important not to lose sight of the purpose of our exercise and practicalities of collecting data on ethnicity in relation to crime. Edgar, Earle and Fopp (1993) describe ethnicity as a term to represent a group with "*shared cultural heritage...This involves factors such as language, religion and ancestry.*"¹ Graetz and McAllister define ethnicity

¹ Edgar, D., Earle, L. and Fopp, R. (1993). Introduction to Australian Society. Sydney: Prentice Hall, p. 257.

generally and often use immigrants and ethnics interchangeably.² Of the two descriptions the first falls in the area of science and is a valid description for intellectual satisfaction. Because scientific knowledge may not always be useful for social action one requires knowledge and descriptions that is accepted for such action. Criminal law is one example of social action that intends to prevent unlawful acts yet it may not produce the desired effect except for the satisfaction of the members of the community.

The use of sociological and anthropological definitions of ethnicity in measuring behavioural patterns of ethnic groups with the help of administrative data and data restrictions is highly problematic but not insurmountable. Although the Australian census of population and housing collect some data with a view to identify ethnicity, there had been very little use made of these because of difficulties. Although the subject of this paper is ethnicity and crime, it will not use the sociological or anthropological definition of the term 'ethnicity'. Indeed there have been precedents for using definitions according to the purpose of a project. For example, the Inquiry into Access and Equity³ concerned with members in the community who are of non-English speaking background. However, the Committee was not satisfied with using NESB (Non-English Speaking Background) as an identifier for certain members in the community and recommended that, "for the purpose of planning programs, the Australian Bureau of Statistics should seek objective data through an alternative identifier to 'NESB'".⁴ The Bureau is examining the matter and has issued a discussion paper.⁵

Ethnicity, in this paper, will refer to people born outside of Australia and resident in Australia. Currently over 23 per cent of the Australian population were born overseas. The term 'foreigner' or 'foreign resident' is deliberately avoided because a large part of the foreign-born population has already taken up Australian citizenship. Even this simple and narrow definition presents problems when one wishes to interpret the data. While population data by country of birth can be obtained from the five-yearly censuses, data on criminality of a particular ethnic group presents a different set of problems. The availability and limitations of data will be discussed in an appropriate place.

² Graetz, B. and McAllister, I. (1994). *Dimensions of Australian Society*, Second Edition. Melbourne: Macmillan Education Australia Pty Ltd, p.79.

³ House of Representatives Standing Committee on Community Affairs (1996). *A Fair Go For All: Report on Migrant Access and Equity*. Canberra: Australian Government Publishing Service Service.

⁴ *Ibid.* p. 112

⁵ Australian Bureau of Statistics 1997. *Developing improved Statistical Measures of Cultural Diversity in Australian Society*. Canberra: ABS (unpublished).

Terms of reference

This paper aims at providing the following:

1. a statement on the issues involved in understanding the relationship between ethnicity and criminality, noting where possible differences between traditional crimes such as homicide, assaults, property crimes on the one hand and organised crime on the other;
2. a brief summary of the type, quality and content of research and statistics on the subject in Australia and overseas;
3. a discussion of the specific statistical information currently available in Australia and an analysis of the same to understand the value of such statistics and their inadequacies; and
4. a statement on what needs to be done and what can be done in the near future to advance our knowledge on the subject.

Even though the term 'ethnicity' has been defined for the purposes of this paper, there still remains some issues that need to be clarified. These issues relate to conceptual clarity as well as measurement methodology. While the relationship of culture and religion to crime has been used by scholars to explain criminality of certain groups, the data used as surrogates for culture and religion have primarily been details of immigrant groups or people born overseas. To consider people born in a country as belonging to one cultural group, specially in today's world, is an oversimplification. This type of treatment appears to place undue importance to country of birth. As will be seen in the Chapter 3 arrest rates of migrant groups change, newer or recent settlers, irrespective of country of birth, tend to show higher arrest rates than earlier settlers. Current rate of migration around the world and the extent of travelling would result in large number of children being born in countries other than their parents country of origin. It is their socialisation, the environment in which they live in their formative years, the formal and informal social controls that they are taught to develop, may ultimately determine their later behaviour.

Data on the levels of criminality also present serious problems. While these will be dealt with later, it is important to point out at least some of the basic facts. The individual characteristics of an offender are known only when an offence is cleared and a suspect is arrested or identified. It is now common knowledge that a large majority of offences that occur in a community remains unsolved and nothing is known about the perpetrators. The country of birth or nationality details that the police record in their arrest/persons of interest reports are based on the perceptions of individual police officers making the arrest. In many jurisdictions the police are not allowed to ask such personal details of an alleged offender. But even this information is available only for Victoria. Victoria Police also produces a Table containing arrests by racial appearance (including Aboriginal, Asian, Caucasian, and other); similar

information is also produced by the police in Western Australia. In early 1997, the National Police Ethnic Advisory Bureau issued national guidelines for 'Descriptions of Persons' and recommended "the police use the following categories when releasing descriptions to the media:

- ABORIGINAL APPEARANCE - describes people who have the physical features of Aborigines.
- CAUCASIAN APPEARANCE describes the physical features of people previously classified as "white or "European".
- ASIAN APPEARANCE describes the physical features of Chinese, Japanese, Korean, Vietnamese, Cambodian, Laotian, Indonesian, Thai, Malaysian, Filipino, or Singapore people.
- OTHER APPEARANCE (Specify)

There is virtually no ethnicity data available for those going through the court process. The National Prison Census provides data for prisoners by country of birth. Until 1993 the Census also produced data for each major offence category. No ethnicity data for prisoners can be obtained beyond 1998.

The data on the involvement of the members of various nationality/ethnic groups in criminal activity are very sensitive specially when they are released to the media. But the details that are released to the media relate to very few, albeit serious, crimes. The nationality of arrestees that the Victoria police publish in their annual Crime Statistics relate to all types of crimes from homicide to petty thefts. Rarely, if ever, such annual statistics cause outrage in the ethnic communities. It is the odd bank robber or service station thief, specially armed with a firearm, who escapes from the crime scene before the police arrives, who attracts attention. The police have to release details of the alleged offender (often details given by eye witnesses) not only to facilitate apprehension of the suspect but more importantly to alert the community of the dangers of an armed person on the run. While recognising the sensitivities of the ethnic communities and the difficult task the police encounter, the National Police Ethnic Advisory Bureau agreed that the photokit images, with the help of modern technology, provide the public with sufficient information about the suspect, including his/her ethnic/racial background.

Often ethnicity is linked with organised crime. Because of on-going investigations by law enforcement agencies and their possible links with international criminal organisations, very little factual details of the involvement of the members of the particular ethnic communities in these crimes are ever made public. While this is so, the media do not appear to exercise proper controls while writing about organised crime and ethnic

involvement. This paper will attempt to present some data on this subject from Australia and the European Union.

Organisation of the paper

Chapter two describes the structure of Australian population and selected characteristics of both Australian-born and overseas-born population. Data on age structure, proficiency in English, formal qualification, labour force and unemployment, employment and occupation, are presented to provide a context for the discussion on ethnicity and crime. Chapter three deals with theoretical and other approaches to explaining the link between ethnicity and crime. Chapter four examines levels of crime and the proportion of population foreign-born, arrest rates by country of birth, imprisonment rates by country of birth, and ethnicity and organised crime. Chapter five deals with immigrants as victims of crime and hate crime. Chapter six discusses the value of the present effort and how the debate on ethnicity and crime and our understanding of the issue is improved. The chapter also discusses the need for and limitations of statistics on ethnicity and crime. Appendix A deals with the quality and reliability of statistics currently available in Australia.

The Data

A large part of the data used in this report are available in the public arena, either in hard copy or in electronic form. The population data are from the Australian censuses and some special tabulations have been obtained from the Department of Immigration and Multicultural Affairs. Data on crime and suspects have been extracted from the United Nations Surveys, International Criminal Statistics published by the INTERPOL, International Victimization Surveys, the British Crime Survey, the Victoria Police Crime Statistics, the Queensland Crime Victims Survey, the National Prison Census, Annual reports of selected law enforcement agencies, reports from the European Union, and some unofficial sources.

Chapter 2 Profile of the Population by Country of Origin

Population Structure

The 1996 Census of Population and Housing lists nationals of over 250 countries and Territories who have made Australia their home. According to the Census people born overseas constitute about a quarter of the Australian population. In the period 1981 to 1996, covering four censuses, the composition of the overseas-born population has changed considerably. Although those born in the United Kingdom still remain the largest overseas-born community, as a proportion of all overseas-born their number has declined from over 45 per cent in 1981 to under 36 per cent in 1996. During the same period the proportion of Asian-born population has increased from over seven per cent to over 19 per cent of the overseas-born population. While our definition of ethnicity is confined to overseas-born a sizeable proportion of the population are children of persons born overseas. In many cases they have strong ethnic and cultural attachments to their heritage. They will not be part of the analysis in this report as available crime data specifies only country of birth and not heritage.

Table 2.1 presents breakdown of Australian population by country of birth for the four censuses between 1981 and 1996.

The structure of the Australian population clearly shows its multicultural nature, but it is not unique. "Of the 132 major states with more than one million inhabitants, only 12 can be described as ethnically homogeneous. Of the remainder, a single ethnic group constituting 90% of the population occurs in 25 states, between 75 and 89% of the population in another 25 states, and between 50 and 74% of the population in a further 31 states. There are 39 major states where no single ethnic group accounts for half of the population. In other words, the homogeneous nation-state is an exception."⁶ Whereas countries recognise the benefits of a vibrant multicultural population, it is the problems that are said to be associated with ethnicity that concern citizens most. Such concerns are not unique to a particular country. Countries like Australia, Canada and the United States have experienced such concerns over the last at least two hundred years.

People migrate from one country to another for various reasons and usually the receiving countries determine the number and type of migrants they want. Also these requirements change over time so that they attract people with different

⁶ Union of International Associations 1996. Encyclopedia of World Problems and Human Potential. 1st CD-Rom edition. Brussels.

Table 2.1: Australian Population by Country of Birth for Census years 1981 to 1996, including Percent Change

Country Of Birth	1981	% Change 1981-86	1986	% Change 1986-91	1991	% Change 1991-96	1996	Average Annual % Change 1981-96
Australia	11 393 661	6.29	12 110 456	5.02	12 717 917	4.01	13 227 963	1.07
Cambodia	3 589	268.82	13 237	32.62	17 555	22.68	21 537	33.34
Chile	13 977	34.06	18 737	29.08	24 186	-1.34	23 862	4.71
China	25 883	44.76	37 469	107.64	77 799	42.80	111 095	21.95
Fiji	9 360	57.52	14 744	104.15	30 100	22.97	37 013	19.70
Germany	110 758	3.64	114 790	-2.45	111 975	-1.39	110 417	-0.02
Greece	146 625	-6.15	137 611	-1.15	136 028	-7.04	126 448	-0.92
Hungary	27 987	-2.80	27 204	0.00	27 203	-7.29	25 221	-0.66
India	41 657	14.79	47 816	27.48	60 958	27.21	77 543	5.74
Ireland	45 784	-3.48	44 193	16.86	51 642	-0.47	51 401	0.82
Italy	275 883	-5.07	261 883	-3.27	253 332	-5.93	238 311	-0.91
Lebanon	49 624	13.52	56 332	22.11	68 787	2.24	70 325	2.78
Malaysia	31 598	51.29	47 805	51.89	72 611	4.96	76 209	9.41
Malta	57 001	-1.35	56 232	-4.22	53 858	-5.48	50 905	-0.71
Netherlands	96 044	-0.98	95 099	-0.43	94 692	-7.16	87 915	-0.56
New Zealand	176 713	19.78	211 670	24.77	264 094	10.33	291 380	4.33
Philippines	15 432	118.53	33 724	116.89	73 144	27.06	92 940	33.48
Poland	59 442	13.88	67 691	1.19	68 496	-5.02	65 056	0.63
Romania	5 861	38.49	8 117	-	na	-	12 279	7.30
Russian Federation	na	-	na	-	na	-	14 018	-
Sri Lanka	16 966	32.71	22 516	65.50	37 263	26.02	46 958	11.79
Turkey	24 314	0.83	24 515	13.28	27 770	4.02	28 885	1.25
United Kingdom	1 086 625	-0.32	1 083 150	2.21	1 107 119	-3.21	1 071 532	-0.09
United States Of America	32 620	14.58	37 376	17.14	43 783	13.21	49 567	3.46
Vietnam	41 096	102.03	83 028	46.71	121 813	23.88	150 896	17.81
Former Yugoslavia NFD	na	-	na	-	na	-	57 052	-
Remainder	787 830	20.17	946 761	38.20	1 308 415	17.39	1 535 909	6.33
Total	14 576 330	7.04	15 602 156	8.00	16 850 540	5.35	17 752 637	1.45

Note: Numbers for Remainder will be inconsistent due to absence of some data.

Source: Bureau of Immigration and Population Research, Community Profiles; Census 1996, Matrix File CS068; Summary of Characteristics of Persons and Dwellings, Australia. Census 1986 - Cat No. 2487.0; Census Characteristics of Australia. Census 1991 - Cat No. 2710.0

skills and professional background. Occasionally, countries like Australia, accept a substantial number of migrants on humanitarian grounds, mainly refugees; in such instances it is often difficult to use appropriate selection criteria. Thus, until the Second World War migrants from the United Kingdom and Ireland constituted the overwhelming majority of new settlers in Australia. After the War, between 1947 and 1954, migrants from the rest of Europe more than quadrupled (from 109586 to 494898) and by 1971 their number more than doubled again.⁷ Since the late 1970s people from a different continent, Asia, have been migrating to Australia in large numbers, although their numbers are no where near as large as post-war migrants from Europe. This change also

⁷ W.Vamplew (ed) 1987. *Australians: Historical Statistics*. Sydney: Fairfax, Syme & Weldon Associates.

brings with it the change in the age structure of the population. This fact is of particular importance to crime.

Table 2.2 presents data on the proportion of population in selected age groups for immigrant groups, as revealed by the 1996 Census of Population and Housing. It is clear that a majority, for some groups a significant majority, of the population of European migrants who arrived in Australia after the Second World War is 45 year old or over, whereas a majority of those who migrated since the mid-1970s is under the age of 45. Crime data from North America, Europe and Australia tend to show that youths, particularly male youths, in the age group 15 - 24 have a disproportionately high arrest rate for all types of crimes. Ethnic groups who arrived in Australia in relatively large numbers since the late 1970 generally have a higher proportion than national average of youths in the age group 15 - 24 years.

Tables 2.3 and 2.4 present the distribution of Australian and overseas-born population respectively in major Australian cities. A little over 64 per cent of the Australian-born as against over 83 per cent of the foreign-born population lived in the major cities of Australia at the time of Census 1996. The share of the Australian-born population increased in every major city except Newcastle, between 1991 and 1996, indeed the increase in Perth was almost 70 per cent. The overseas-born population declined in Newcastle, Gold-Coast Tweed, Perth and Darwin between the two censuses; the decline in Perth was more than a third. Well over a third of the population of Sydney and Perth was born overseas, as against only 13 per cent in Newcastle. As will be seen in a later chapter, the major cities of Australia are ethnically diverse. That is to say that although about 35 per cent of Sydney's population is foreign-born these settlers come literally from more than hundred countries.

English Proficiency and Qualifications

According to 1996 Census over 81 per cent of the population aged 15 and over use English as the only language at home; this response also assumes that over 81 per cent of the population was proficient in English language. Only slightly over three per cent of the population was not sufficiently proficient in English. As can be expected English language skills are linked with the language used in the source countries. As the data in Table 2.5 show close to half the population born in Cambodia, China and Vietnam was poorly skilled in English language. On the other hand settlers from some of the European countries and those from former British colonies appear to be sufficiently skilled in English language.

Table 2.2: Australian Population by Country of Birth - Selected Age Groups for Census year, 1996 - Percent

Country Of Birth	Age				All Ages
	15 - 24	25 - 44	45 - 64	65+	
Australia	16	30	18	11	100
Cambodia	20	49	18	5	100
Chile	15	42	31	5	100
China	6	48	24	15	100
Fiji	18	48	19	4	100
Germany	4	21	51	23	100
Greece	2	21	57	19	100
Hungary	3	16	43	36	100
India	9	42	28	13	100
Ireland	8	34	34	19	100
Italy	1	18	49	31	100
Lebanon	11	50	27	7	100
Malaysia	26	39	23	4	100
Malta	2	25	55	17	100
Netherlands	3	20	50	26	100
New Zealand	16	46	22	6	100
Philippines	15	48	19	4	100
Poland	8	25	25	39	100
Romania	12	38	23	19	100
Russian Federation	8	25	22	36	100
Sri Lanka	11	43	26	10	100
Turkey	11	53	25	6	100
United Kingdom	5	34	37	21	100
United States Of America	12	40	25	7	100
Vietnam	22	52	16	5	100
Former Yugoslavia NFD	5	35	40	16	100
Remainder	15	33	23	14	100
Total	14	31	21	12	100

Note: Numbers for Remainder will be inconsistent due to absence of some data.

Source: Census 1996, Matrix File CS068

Table 2.3: Australian-Born Population in Major Cities

Major Cities/Location	1996 Census	1991 Census	% Change 1991-1996	% of Total	% of Total	% of Total
				Population in Location	Population in State	Population in Australia
Sydney	2 431 920	2 376 485	2.3	65.4	56.0	18.4
Newcastle	243 133	381 182	-36.2	86.9	5.6	1.8
Wollongong	181 944	174 030	4.5	73.3	4.2	1.4
Melbourne	2 129 108	2 083 968	2.2	67.4	66.2	16.1
Geelong	116 549	116 054	0.4	78.9	3.6	0.9
Brisbane	1 123 621	1 031 280	9.0	76.2	42.9	8.5
Gold Coast -Tweed	246 147	199 898	23.1	72.4		1.9
Adelaide	758 362	744 561	1.9	72.2	69.7	5.7
Perth	800 796	471 388	69.9	64.5	68.3	6.1
Hobart	161 194	156 253	3.2	84.3	40.3	1.2
Darwin	56 724	52 025	9.0	72.4	41.1	0.4
Canberra -Queanbeyan	250 989	228 065	10.1	75.1		1.9
Other Locations	4 727 476	4 432 428	6.66	86.09		35.74
Total	13 227 963	12 717 617	4.0	74.5		100.0

Source: Bureau of Immigration, Multicultural and Population Research, Community Profiles - 1991 Census; Census 1996, Matrix File CS068

Table 2.4: Overseas-Born Population in Major Cities

Major Cities/Location	1996 Census	1991 Census	% Change 1991-1996	% of Total Population in Location	% of Total Population in State	% of Total Population in Australia
Sydney	1 285 650	1 162 264	10.6	34.6	81.0	28.4
Newcastle	36 668	46 642	-21.4	13.1	2.3	0.8
Wollongong	66 246	61 936	7.0	26.7	4.2	1.5
Melbourne	1 029 086	938 471	9.7	32.6	85.9	22.7
Geelong	31 198	29 271	6.6	21.1	2.6	0.7
Brisbane	350 534	302 737	15.8	23.8	52.4	7.7
Gold Coast -Tweed	93 652	101 640	-7.9	27.6		2.1
Adelaide	291 841	279 036	4.6	27.8	83.7	6.4
Perth	440 937	671 861	-34.4	35.5	82.5	9.7
Hobart	29 963	25 579	17.1	15.7	46.2	0.7
Darwin	21 658	26 375	-17.9	27.6	58.3	0.5
Canberra -Queanbeyan	83 379	75 781	10.0	24.9		1.8
Other Locations	763 862	681 330	12.1	13.9		16.9
Total	4 524 674	4 132 923	9.5	25.5		100.0

Source: Bureau of Immigration, Multicultural and Population Research, Community Profiles - 1991 Census; Census Counts for Small Areas, 1991. Cat No's. 2730.1 - 2730.8; Census 1996, Matrix File CS068

In terms of formal qualifications over ten per cent of the Australian population held a bachelor's or higher degree and over 58 per cent did not acquire any formal qualification. A higher proportion of migrants than Australian-born population hold bachelor's or higher degrees. About one-third of the migrants from countries such as the Philippines, the United States, Malaysia and India, hold a bachelor's or higher degree, this is three times the rate for all Australians; they also include a much lower proportion of people without formal qualification than the total Australian population.

Labour Force and Employment

Participation in the labour force depends upon many factors and formal qualification is just one of these. According to the 1996 Census the labour force participation rate for all Australians aged 15 years and over was 60.43 per cent. However, the participation rate varied across population groups by country of origin. It is difficult to identify a set pattern but by and large it appears that post second world war migrants with source countries from Europe, eg Germany, Greece, Hungary, Italy, Malta, The Netherlands, Poland, displayed a substantially lower labour force participation rate than that of all Australians. Migrants from New Zealand and the United States have the highest participation rate.

Table 2.5: English Proficiency of the Population Aged 15 years and over by Country of Birth, Census 1996 - Percent

Country Of Birth	English Only	Good English Proficiency	Poor English Proficiency	Not Stated Proficiency	Not Stated Language and Proficiency	Total
Australia	94.40	4.50	0.17	0.11	0.81	100.00
Cambodia	2.98	47.55	47.62	1.42	0.44	100.00
Chile	9.93	68.79	19.57	1.41	0.30	100.00
China	4.86	48.79	45.22	0.68	0.45	100.00
Fiji	26.39	68.92	3.05	1.12	0.51	100.00
Germany	48.57	48.98	1.72	0.31	0.42	100.00
Greece	6.35	60.69	31.74	0.90	0.32	100.00
Hungary	31.96	58.27	8.43	0.79	0.54	100.00
India	57.97	38.47	2.79	0.40	0.37	100.00
Ireland	95.19	3.53	0.11	0.11	1.06	100.00
Italy	14.69	60.51	23.44	0.92	0.44	100.00
Lebanon	5.66	69.47	23.46	0.87	0.53	100.00
Malaysia	32.32	60.94	6.01	0.48	0.24	100.00
Malta	36.45	55.13	7.30	0.68	0.44	100.00
Netherlands	62.08	36.07	1.04	0.30	0.51	100.00
New Zealand	95.21	3.78	0.19	0.11	0.70	100.00
Philippines	22.81	72.85	3.07	0.93	0.33	100.00
Poland	20.05	64.89	13.80	0.79	0.48	100.00
Romania	15.89	67.25	14.47	1.52	0.86	100.00
Russian Federation	31.58	55.78	11.55	0.71	0.38	100.00
Sri Lanka	46.14	47.62	5.41	0.55	0.28	100.00
Turkey	5.91	58.63	33.52	1.54	0.40	100.00
United Kingdom	97.71	1.34	0.06	0.08	0.80	100.00
United States Of America	94.35	4.82	0.32	0.06	0.44	100.00
Vietnam	2.71	50.93	44.44	1.33	0.59	100.00
Former Yugoslavia NFD	20.21	59.84	18.42	0.99	0.54	100.00
Remainder	30.03	35.41	9.79	0.61	24.17	100.00
Total Australia	81.23	12.64	3.11	0.23	2.79	100.00

Source: Census 1996, Matrix File CS084

Data in Table 2.7 also show the absence of any pattern in unemployment rate except that generally migrants from Europe, and the United States have lower unemployment rate than those from most other source countries. An interesting feature of the unemployment data is that although the overall unemployment rate of overseas-born population is no different from aggregate Australian unemployment rate, migrants who arrived Australia during the period 1991 - 1996 have twice the rate than their pre 1991 counterparts. Within the group of migrants who arrived during 1991-1996 Cambodian and Vietnamese workforce have the highest unemployment rate, followed closely by those from Lebanon and Turkey. Migrants from Ireland, the United States and the United Kingdom have the lowest unemployment rate irrespective of time of their arrival in Australia (see Table 2.8).

Table 2.6: Qualification of Population Aged 15 years and over by Country of Birth, Census 1996 - Percent

Country Of Birth	Post									Total
	Higher Degree	Graduate Diploma	Bachelor Degree	Undergraduate Diploma	Associate Diploma	Skilled Vocational	Basic Vocational	Other	No Qualification	
Australia	1.03	1.44	7.51	3.49	2.69	11.05	3.09	9.29	60.41	100.00
Cambodia	0.20	0.19	3.76	1.00	2.41	1.56	1.27	9.72	79.88	100.00
Chile	0.80	0.75	6.78	3.01	4.08	13.18	4.12	16.55	50.74	100.00
China	4.65	1.12	15.30	5.12	5.47	3.78	1.25	11.27	52.04	100.00
Fiji	1.32	1.32	8.47	5.29	3.88	7.11	4.00	12.99	55.63	100.00
Germany	2.17	1.20	6.30	4.48	2.40	22.22	2.98	16.36	41.89	100.00
Greece	0.37	0.45	2.30	0.89	0.71	6.33	0.96	8.40	79.60	100.00
Hungary	3.00	1.10	6.42	3.59	2.33	18.00	2.07	18.78	44.72	100.00
India	11.54	1.92	21.56	5.12	2.59	6.80	2.46	12.57	35.45	100.00
Ireland	1.98	1.41	8.60	6.74	2.33	13.54	3.19	12.91	49.29	100.00
Italy	0.40	0.40	1.99	1.18	0.76	10.05	1.17	10.08	73.98	100.00
Lebanon	0.61	0.31	3.55	1.37	1.50	6.51	1.36	11.48	73.30	100.00
Malaysia	4.23	2.36	22.49	7.99	3.35	3.21	3.08	8.54	44.76	100.00
Malta	0.33	0.37	1.55	1.13	1.02	9.38	1.52	10.29	74.41	100.00
Netherlands	1.47	1.09	5.32	4.87	2.65	15.79	3.05	14.44	51.32	100.00
New Zealand	1.72	1.08	6.88	4.65	2.32	12.68	3.34	9.51	57.82	100.00
Philippines	2.12	0.46	31.07	2.15	2.28	5.12	1.98	13.84	40.98	100.00
Poland	4.96	0.65	6.91	3.30	2.86	10.54	1.55	18.24	51.00	100.00
Romania	3.27	0.66	9.03	3.10	2.48	15.84	1.75	20.61	43.26	100.00
Russian Federation	3.41	0.89	9.64	4.61	2.85	15.35	2.50	17.29	43.45	100.00
Sri Lanka	5.79	2.00	14.90	7.13	4.05	5.96	2.67	13.63	43.87	100.00
Turkey	1.27	0.45	4.42	1.53	1.80	5.62	1.58	10.43	72.88	100.00
United Kingdom	1.96	1.39	7.61	4.63	2.88	13.92	3.32	10.48	53.81	100.00
United States Of America	13.47	2.29	26.96	2.59	2.53	4.70	1.85	8.65	36.95	100.00
Vietnam	0.72	0.45	7.25	1.14	2.59	2.25	1.17	9.43	75.00	100.00
Former Yugoslavia NFD	0.72	0.43	4.75	2.09	1.89	15.14	1.70	15.56	57.73	100.00
Remainder	1.92	0.83	7.79	2.83	1.93	6.06	1.81	34.15	42.69	100.00
Total Australia	1.37	1.31	7.74	3.50	2.59	10.66	2.87	11.90	58.06	100.00

Source:

Census 1996, Matrix File CS084

Table 2.7: Labour Force Participation and Unemployment Rate of Population Aged 15 years and over by Country of Birth, Census 1996

Country Of Birth	Participation Rate	Unemployment Rate
Australia	63.70	8.60
Cambodia	55.90	28.91
Chile	65.85	13.02
China	54.82	13.55
Fiji	66.87	11.67
Germany	54.99	8.98
Greece	46.01	9.85
Hungary	43.25	10.88
India	66.20	9.69
Ireland	62.29	6.69
Italy	41.71	7.15
Lebanon	46.88	23.54
Malaysia	60.38	7.61
Malta	49.44	8.81
Netherlands	52.32	7.27
New Zealand	73.96	9.67
Philippines	63.57	9.18
Poland	41.92	12.31
Romania	52.02	21.09
Russian Federation	51.49	12.51
Sri Lanka	66.70	11.37
Turkey	51.85	23.81
United Kingdom	59.00	7.78
United States Of America	69.95	7.59
Vietnam	57.50	25.20
Former Yugoslavia NFD	50.82	14.50
Remainder	42.28	12.60
Total Australia	60.43	9.18

Note. Unemployment and participation rates calculated as a percentage of people in labour force (ie excluding 'Not in Labour Force' and 'Not Stated')

Source: Census 1996, Matrix File CS084

The situation remained the same when unemployment rates among the three age categories, 15 - 24, 25 - 44, and 45 - 64 are examined. The very high unemployment among youths (15 to 24 year) of most migrant groups is a problem area, most offenders are recruited from youngsters of this age. The situation concerning unemployment is slightly better for those in 25 to 44 year age bracket. However, as the data in Table 2.9 show, for certain migrant groups particularly those arriving since 1991 finding employment remains a problem even in this age category.

Table 2.8: Unemployment Rates of Population Aged 15 years and over and Period of Arrival by Country of Birth

Country Of Birth	Arrival Period	
	Pre 1991	1991-96
Australia	N/A	N/A
Cambodia	24.36	54.47
Chile	12.65	20.32
China	10.23	22.72
Fiji	9.28	19.76
Germany	8.80	13.32
Greece	9.76	16.71
Hungary	10.56	19.12
India	6.46	17.64
Ireland	6.59	6.75
Italy	7.01	17.16
Lebanon	21.66	39.75
Malaysia	6.01	20.62
Malta	8.76	17.65
Netherlands	7.12	10.99
New Zealand	8.87	13.17
Philippines	7.61	13.92
Poland	11.16	22.74
Romania	19.48	27.92
Russian Federation	9.97	25.12
Sri Lanka	6.82	25.28
Turkey	21.61	38.65
United Kingdom	7.65	8.89
United States Of America	7.13	7.97
Vietnam	20.72	47.42
Former Yugoslavia NFD	11.27	32.79
Remainder	9.71	25.44
Total	9.31	20.70

Note. Unemployment rates calculated as a percentage of people in labour force (ie excluding 'Not in Labour Force' and 'Not Stated')

Source: Census 1996, Matrix File CS084

The rate of unemployment appears to be closely associated with the level of formal qualifications, at least for the total Australian population. As the data in Table 2.10 show the unemployment rate of those with basic vocational training and higher qualification is lower than the overall unemployment rate, this is true for each of the four age categories. For the main working age population, 15 to 64, those with no formal qualification have the highest unemployment rate. While this general pattern emerges in every migrant group the differences, as shown above, lie in the levels of unemployment. Migrants from some countries with qualification below the bachelor's degree level, and not below the 'Basic Vocational' level, have unusually high unemployment rate in every age group.

Table 2.9: Unemployment Rates by Age Group, Period of Arrival and Country of Birth, Census 1996

Country Of Birth	15-24		25-44		45-64		65+	
	Pre '91	1991-96	Pre '91	1991-96	Pre '91	1991-96	Pre '91	1991-96
Australia	na	na	na	na	na	na	na	na
Cambodia	27.35	53.35	20.29	48.90	35.15	78.05	66.67	52.63
Chile	24.56	20.59	11.47	19.88	9.97	24.36	0.00	0.00
China	21.06	28.86	9.84	20.28	10.23	30.18	10.19	22.22
Fiji	20.72	26.40	7.28	15.96	8.59	29.95	2.46	0.00
Germany	16.00	30.24	9.07	12.21	8.51	9.28	2.37	0.00
Greece	17.61	21.64	9.39	14.71	9.90	18.10	5.15	100.00
Hungary	23.82	16.07	13.11	17.24	9.82	27.27	2.05	0.00
India	13.94	31.96	5.69	14.86	6.50	22.21	3.37	13.04
Ireland	12.84	10.40	5.20	5.11	7.25	10.00	2.86	25.00
Italy	15.06	23.08	7.35	16.65	6.92	16.11	2.80	20.00
Lebanon	27.83	44.57	20.82	36.09	21.78	59.44	4.92	0.00
Malaysia	13.34	35.07	4.83	12.04	5.38	17.75	10.42	25.00
Malta	9.84	0.00	7.46	15.31	9.58	27.78	6.15	0.00
Netherlands	13.76	20.27	6.47	8.48	7.18	15.91	4.59	20.00
New Zealand	18.03	18.45	7.69	10.19	6.80	14.92	2.99	18.29
Philippines	16.36	23.19	5.72	11.36	7.40	22.77	15.79	17.65
Poland	18.67	29.73	10.75	20.67	10.52	29.29	4.98	50.00
Romania	30.86	61.34	19.04	20.87	17.09	44.17	6.04	20.00
Russian Federation	16.11	30.19	9.28	21.37	10.13	38.15	4.29	35.29
Sri Lanka	16.84	33.29	5.74	23.37	6.57	28.10	3.24	40.00
Turkey	27.56	52.20	20.34	32.86	23.81	56.67	13.33	0.00
United Kingdom	13.71	15.88	7.11	6.83	7.58	13.97	4.11	7.50
United States Of America	15.03	22.59	6.52	6.59	6.05	6.22	1.54	0.00
Vietnam	29.09	47.03	17.71	43.49	24.89	66.75	35.16	62.32
Former Yugoslavia NFD	21.95	34.23	10.84	31.02	11.32	42.14	2.64	0.00
Remainder	17.57	34.28	8.57	22.28	9.08	30.60	6.68	29.08
Total	17.79	28.59	8.73	17.66	8.58	26.51	4.81	26.31

Note. Unemployment rates calculated as a percentage of people in labour force (ie excluding 'Not in Labour Force' and 'Not Stated')

Source: Census 1996, Matrix File CS084

Table 2.10: Unemployment Rates by Qualification and Age Group, Census 1996

Qualification	Age Group				
	15-24	25-44	45-64	65+	All Ages
Higher Degree	9.09	4.43	2.93	3.00	3.82
Post Graduate Diploma	4.54	2.78	2.87	1.87	2.86
Bachelor Degree	6.59	3.89	3.80	2.35	4.21
Undergraduate Diploma	10.49	4.13	3.86	2.96	4.40
Associate Diploma	9.63	5.14	4.95	3.92	5.92
Skilled Vocational	8.88	5.96	7.36	3.50	6.68
Basic Vocational	14.85	7.14	5.77	2.84	8.26
Other	15.46	10.12	7.69	4.22	10.11
No Qualification	18.04	10.65	8.50	3.64	11.82
Total	15.73	8.00	7.13	3.51	9.18

Note. Unemployment rates calculated as a percentage of people in labour force (ie excluding 'Not in Labour Force' and 'Not Stated')

Source: Census 1996, Matrix File CS084

Employment, occupation and industry

Census 1996 data on the occupation of those employed by country of birth reveals some very interesting stories. Of all Australians over nine per cent of those employed were managers and administrators. A higher proportion of migrants from the United States and Europe than from other parts of the world pursued this occupation. While the proportion of all Australians employed in professional occupations was over 17 per cent, about two out of five employed migrants from Malaysia and the United States were in this occupation; indeed a substantially high proportion of migrants from India and Sri Lanka were also engaged in professional occupations. Close to 65 per cent of the employed migrants from the United States and 60 per cent of the employed Malaysian-born migrants were engaged in the three occupations of Managers and Administrators, Professionals, and Associate Professionals (see Table 2.11).

Participation in industry reveals some notable differences. Cambodian and Vietnamese-born displayed a very high rate of participation in manufacturing industry (43.7 and 40.6 per cent respectively), this rate is more than three times the rate of all employed Australians (12.6 per cent). Australians-born in Turkey and former Yugoslavia also participated in manufacturing industry at a rate more than twice that of all Australians.

A high proportion of population born in Italy (14.2%), Ireland (11.7%), and former Yugoslavia (10.7%) compared with all employed Australians (6.3%) participated in the construction industry. Similarly, the Lebanese-born population participate in wholesale & retail trade in much higher proportion (31.3%) than all Australians (19.2%).

The purpose of this brief review of the 1996 Census is to provide a context in which to examine crime data. Compared with other countries Australia has a higher proportion of its population born overseas. Table 2.13 provides this information for a few countries for which data were readily available.

Table 2.11: Employed Persons by Occupation and Country of Birth, 1996 - Percent

Country	Managers & Administrators	Professionals	Associate Professionals	Tradepersons & Related Workers	Advanced Clerical & Service Workers	Intermediate Clerical, Sales, Service Workers	Intermediate Production & Transport Workers	Elementary Clerical, Sales, Service Workers	Labourers & Related Workers	Not Stated or Inadequate	Total
Australia	9.62	16.86	11.23	13.00	4.47	16.51	8.23	9.38	8.21	2.48	100.00
Cambodia	4.32	6.77	6.87	11.46	1.06	8.98	24.85	7.77	23.19	4.73	100.00
Chile	2.97	12.89	7.76	17.12	2.51	16.18	12.43	6.73	18.51	2.92	100.00
China	6.39	15.02	12.99	15.04	1.78	10.30	13.97	5.82	14.65	4.05	100.00
Fiji	4.45	17.06	8.74	11.11	3.60	19.02	12.85	7.62	12.47	3.09	100.00
Germany	10.59	18.66	12.68	16.39	4.69	13.54	7.69	6.18	6.83	2.77	100.00
Greece	6.52	6.96	15.62	14.63	2.14	7.74	15.42	7.97	18.76	4.23	100.00
Hungary	10.36	19.74	12.02	17.20	3.85	10.47	9.10	6.22	7.21	3.83	100.00
India	7.61	27.34	11.28	7.70	5.13	18.13	7.01	6.94	6.34	2.54	100.00
Ireland	8.52	21.74	10.89	14.71	4.57	15.63	7.32	6.54	7.67	2.40	100.00
Italy	11.59	7.63	11.18	20.25	3.54	9.59	11.52	6.77	13.72	4.21	100.00
Lebanon	5.64	8.31	16.43	16.84	2.52	9.72	13.88	9.81	11.78	5.06	100.00
Malaysia	7.57	39.34	11.94	5.23	3.96	14.77	4.12	5.73	5.39	1.93	100.00
Malta	8.36	6.79	7.34	14.41	3.22	12.96	17.93	6.42	18.75	3.84	100.00
Netherlands	12.76	16.97	13.07	15.26	4.05	13.10	7.86	6.52	7.45	2.95	100.00
New Zealand	8.48	15.60	11.43	13.83	4.18	16.02	10.80	7.94	9.53	2.20	100.00
Philippines	2.55	14.45	7.23	7.73	3.51	21.41	11.08	10.58	19.23	2.24	100.00
Poland	6.22	21.49	10.80	15.77	2.63	11.30	11.44	6.56	10.38	3.40	100.00
Romania	6.30	18.51	8.29	16.96	1.84	10.46	15.84	4.92	12.89	3.98	100.00
Russian Federation	9.19	20.30	11.50	16.62	3.74	11.98	8.32	6.27	8.94	3.15	100.00
Sri Lanka	6.22	25.74	11.02	6.33	4.68	20.54	7.72	6.69	8.72	2.34	100.00
Turkey	4.85	11.13	9.60	12.95	1.90	9.56	22.47	7.69	15.29	4.56	100.00
United Kingdom	9.86	20.21	12.48	13.11	4.66	16.45	7.44	7.11	6.50	2.19	100.00
United States of America	14.16	38.49	12.09	5.85	3.75	11.50	3.40	5.74	3.32	1.70	100.00
Vietnam	3.90	11.37	7.56	12.93	1.32	9.17	21.98	9.27	17.46	5.04	100.00
Former Yugoslavia	6.15	9.93	7.78	19.05	2.73	10.23	15.58	5.64	19.02	3.88	100.00
Remainder	7.21	18.10	10.60	12.13	3.72	14.75	9.80	7.92	12.00	3.75	100.00
Total	9.29	17.15	11.28	13.06	4.32	16.01	8.66	8.87	8.74	2.62	100.00

Source: Census 1996, Matrix File CS085

Table 2.12: Employed Persons by Industry and Country of Birth, 1996 - Percent

Country	Agriculture, Forestry & Fishing	Mining	Manufacturing	Electricity, Gas & Water Supply	Construction	Wholesale & Retail Trade	Transport & Storage	Communicatio n Services	Finance, Property & Business	Government Admin & Defence	Health & Community Services	Other Industries	Total
Australia	5.00	1.19	11.13	0.83	6.26	20.04	4.33	1.95	13.45	5.18	9.36	21.30	100.00
Cambodia	4.47	0.19	43.71	0.11	2.40	19.38	2.27	1.58	5.95	1.47	3.64	14.81	100.00
Chile	0.33	0.41	23.60	0.27	5.74	12.86	4.82	2.33	16.38	3.79	12.91	16.56	100.00
China	1.32	0.16	24.79	0.16	3.35	18.59	2.94	0.92	11.31	1.32	5.98	29.15	100.00
Fiji	1.00	0.39	20.99	0.51	2.45	18.09	5.43	2.24	15.23	3.69	13.93	16.05	100.00
Germany	2.49	1.22	16.97	0.83	7.67	16.70	4.37	1.66	13.19	4.43	9.15	21.31	100.00
Greece	1.85	0.16	21.69	0.51	7.55	25.47	5.75	1.65	11.10	2.24	5.59	16.42	100.00
Hungary	1.17	0.66	19.76	0.51	6.96	16.66	4.29	1.29	15.79	2.77	9.58	20.56	100.00
India	1.69	0.61	16.05	0.72	1.89	13.19	5.48	3.24	18.69	6.99	12.62	18.82	100.00
Ireland	1.17	1.23	11.45	0.58	11.71	14.81	3.75	1.96	15.14	3.62	15.08	19.50	100.00
Italy	5.61	0.38	17.79	0.82	14.21	20.51	4.01	1.59	9.30	2.84	5.45	17.47	100.00
Lebanon	0.84	0.10	15.31	0.19	9.31	31.32	8.44	1.89	9.66	1.74	5.08	16.12	100.00
Malaysia	0.58	0.75	9.98	0.70	1.85	14.66	2.99	2.29	19.99	5.57	19.39	21.23	100.00
Malta	4.30	0.53	25.00	1.04	6.70	16.60	6.47	2.17	11.86	3.59	6.88	14.86	100.00
Netherlands	4.75	0.97	13.79	0.78	9.83	17.56	4.44	1.59	12.11	4.03	9.96	20.19	100.00
New Zealand	2.63	2.23	13.17	0.37	8.49	18.99	5.03	1.74	14.86	3.07	9.36	20.05	100.00
Philippines	1.34	0.37	23.34	0.44	1.55	14.41	3.41	4.36	15.47	4.44	12.83	18.05	100.00
Poland	0.86	0.81	23.38	0.53	6.62	15.33	4.05	1.73	14.16	3.36	11.16	18.01	100.00
Romania	0.96	0.88	29.96	0.53	7.94	14.66	5.01	1.47	12.28	1.86	8.18	16.28	100.00
Russian Federation	2.02	1.04	17.62	0.51	8.99	16.66	4.40	1.40	14.24	3.14	9.54	20.45	100.00
Sri Lanka	0.38	0.30	16.22	1.17	1.78	13.56	4.55	3.00	19.28	9.47	13.18	17.10	100.00
Turkey	1.33	0.33	32.53	0.22	3.09	21.22	6.67	1.77	11.20	2.11	4.63	14.87	100.00
United Kingdom	1.76	1.25	13.88	0.74	6.80	16.77	4.13	2.05	15.52	5.13	11.52	20.45	100.00
United States of America	2.21	1.26	8.75	0.39	3.01	13.66	3.07	1.93	20.11	5.20	9.10	31.31	100.00
Vietnam	1.57	0.09	40.59	0.19	1.48	16.97	2.03	4.11	8.56	2.44	4.36	17.61	100.00
Former Yugoslavia	1.94	0.76	26.90	0.57	10.68	14.72	4.44	1.48	12.81	2.49	7.42	15.79	100.00
Remainder	1.76	0.75	16.51	0.48	5.71	18.13	4.83	1.91	14.97	3.72	9.43	21.79	100.00
Total	4.25	1.13	12.64	0.77	6.34	19.42	4.35	1.97	13.71	4.89	9.50	21.04	100.00

Source: Census 1996, Matrix File CS085

Table 2.13 Foreign-born as proportion of total population

Country	Proportion	Year of estimate
Australia	24.0	1996
Austria	6.6	1991
Belgium	9.0	1996
Canada	15.9	1991
Denmark	5.5	1991
France	3.2	1992
Germany	8.8	1995
Greece	1.6	1991
Japan	1.1	1994
New Zealand	15.8	1991
Spain	1.3	1995
Sweden	5.0	1995
Switzerland	19.0	1994
United Kingdom	6.9	1991

Source: Statesman's Yearbook, 1997-98. 1997. London: Macmillan Reference Ltd.

Data in the above Table must be used with caution. Whereas the Australian data refer to proportion of total Australian population born overseas, the data from other countries may not reflect the same. Particularly, criminological literature from overseas tends to use terminologies such resident foreigner, non-resident foreigner, guest worker, migrant worker, etc. There is increasing evidence, particularly from Europe, which tend to show that these groups also referred to as minority groups face variety of disadvantage in such areas as education, employment, housing, etc. and, as will be seen later, some sections of these groups are overrepresented in prison population.

A number of countries appear to include second generation migrants as 'resident foreigners' in discussions on ethnicity and crime in particular and 'ethnicity' in general. In any analysis of ethnicity inclusion of second generation migrants is of fundamental importance. But unless appropriate measurement techniques and recording procedures are developed such inclusion in the criminal justice area will prove difficult.

Chapter 3 Explaining Ethnicity-Crime link and Research

Research in Australia

Any discussion on crime almost always contains caveats and cautions concerning the quality and validity of statistics. Depending upon the purpose of the discussion the caveats take different forms. For example it is generally agreed that the quality of statistics on prisoners in many ways is better than crime or arrest data but there are serious questions as to whether imprisonment statistics can be used to estimate the level of crime. Similarly, questions are also raised when attempts are made to estimate crime rate from arrest data. Given the fact that many crimes remain unreported, of those reported many remain unsolved, and of those solved not all result in arrest of perpetrators, it is inappropriate to express 'crime' rate of specific segments of the population from arrest data.

Estimates of an ethnic, immigrant, or nationality group's participation in criminal activity also suffers from similar limitations. Aside from usual limitations of criminal statistics there is the additional problem created by the 'undefined' variable of ethnicity. Historically though, various inquiries in Australia and overseas have recognised these difficulties while interpreting the statistics. In Australia there have been very few investigations of the links between ethnicity and crime. The most that is available in Australia relates to migrants and crime and they too could not fully explain the relationship. However, a few investigations in Australia needs to be mentioned.

The first such investigation commenced when the Minister for Immigration established the Committee to Investigate Conduct of Migrants.⁸ In its first report the Committee was "satisfied that in proportion to numbers the incidence of serious crime is appreciably lower amongst migrants than in the Australian population generally."⁹ The Committee, amongst other, also made comments on the attitude of the Australian public and the press, the type of comments that have been made by investigations elsewhere. The Committee stated that -

The effect of the attitude of suspicion adopted by many Australians unfortunately tends to be cumulative in its effect where conscious effort is not made to arrest it. A "community attitude" is adopted which is very difficult for individuals to break through. This "community attitude" tends unfortunately to be fostered, albeit unconsciously, by the Press. If an Australian commits a misdemeanour, responsibility for it is attributed to him individually. If a migrant commits a similar misdemeanour it is usually reported in such a way that the fact that he is a migrant, rather than the crime itself, is featured and responsibility for the offence is thus shared by the whole migrant population.¹⁰

⁸ Commonwealth Immigration Advisory Council 1952. Report of Committee Established to Investigate Conduct of Migrants.

⁹ Ibid. p. 2

¹⁰ Ibid. p. 14

In terms of data, the Committee presented a fair amount of details on migrant types and the nature of problems they encountered. On the involvement of migrants in criminal activity, the Committee relied on court data concerning convictions. It is important to point out that this data set lacked uniformity across court systems. For example, the Superior courts recorded details of 'offenders' convicted whereas the magistrate courts reported number of 'convictions', meaning that if an 'offender' was convicted of two or more charges the number of convictions will be two or more. The Committee labeled these as 'incidence of crime'. However, it appears that limited amount of data were available. Table 3.1 provides details of convictions in the Superior courts of Australia.

Table 3.1: Convictions in Superior Courts and rate per 1,000 adults over 16 years of age, 1951

Crimes	Alien adults		All adults	
	Number	Rate	Number	Rate
Offences against the person	27	.12	860	.15
Offences against property	40	.18	1835	.31
Forgery and other serious offences	1	--	77	.01
Total	68	.31	2772	.47

Source: Extracted from the Report of the Committee, p.8.

In its second report in 1955 the Committee found that while the conviction rate of aliens remained virtually unchanged, that for the whole population increased by about 20 per cent between 1951 and 1954. The Committee attributed this low incidence of crime amongst aliens to the high standard of selection of migrants and to successful integration of migrants into the community.¹¹ Compared to the first report, this report contained substantially more data. Table 3.2 presents convictions by type of courts in 1954. It is apparent that migrant adults were convicted less often than all adults. Particularly in magistrates' courts, where a large majority of cases are decided, the conviction rate of migrants is about half that of all Australian adults.

Table 3.2: Convictions by type of courts and rate per 1,000 adults over 16, 1954

Type of courts		Aliens	All adults
Superior courts:	Offenders	131	3704
	Rate	.39	.59
Magistrates' courts:	Convictions	1002	34552
	Rate	3.00	5.57

Source: Extracted from the Second Report, p. 8

Currently, a vast majority of offenders processed in the courts are males, the situation was no different in the 1950s. About 96 per cent of the offenders

¹¹ Commonwealth Immigration Advisory Council 1955. Second Report of the Committee Established to Investigate Conducts of Migrants. Canberra: Commonwealth Government Printers, p.18

convicted in the Superior courts were males and about 92 per cent of all convictions in the magistrates' courts were against males in 1954.

The Second report of the Committee presented data for migrants from different regions of Europe and their rate of conviction. As the data in Table 3.3 show, although the male migrants' conviction rates in both the court systems were lower than those of all adult males in Australia, there were substantial differences between migrants from different regions of Europe. Male migrants from Eastern Europe displayed high conviction rates compared with their counterparts from other regions, indeed they were convicted in the Superior courts at a rate close to that of all adult males. Southern European males were convicted least frequently.

Table 3.3: Convictions of adult males over 16 years of age by nationality groups and rate per 1,000 relevant population, 1954

Nationality	Superior Courts		Magistrates' Courts	
	Number	Rate	Number	Rate
All adults	3563	1.14	31728	10.10
All adult migrants	127	.61	938	4.49
Northern Europeans	17	.39	198	4.49
Eastern Europeans	92	1.04	586	6.61
Southern Europeans	15	.24	139	2.18
Other	3	.23	15	1.17

Source: The Second Report of the Committee, p. 11

In its third report in 1957 the Committee recorded findings similar to the earlier two reports. Thus, the conviction rates of aliens in 1955 in both Superior and magistrates' courts were about half that of all adults. Also, the preponderance of males appearing before both the court systems was evident. There was, however, an exception; in Queensland alien rate in magistrates' courts was much higher than that of male Australians.

Decades of research and statistical collections have shown that young males are disproportionately represented among offenders. The third report of the Committee presents data that confirms this pattern. In the years 1953 to 1955 between two-third and three-fourth of alien males convicted in courts were in the age group 20-34, whereas males of this age group constituted only less than 25 per cent of alien male population.

While the conviction rates of aliens were generally found to be lower than that of all Australians, the third report presents data on convictions by type of crime that do not appear to support fully this view. The data in Table 3.4 show that in 1954 conviction rates of alien males in both superior and magistrates' courts for violent offences were quite similar to those of Australian males but for property offences they were about one third that of Australian males.

Table 3.4 Convictions by type of offence for males, 1954

Category	Offences against the person		Offences against property	
	Number	Rate	Number	Rate
Superior Courts				
Alien males	73	.35	54	.26
Australian males	1117	.35	2349	.74
Magistrates' Court				
Alien males	292	1.39	646	3.08
Australian males	5246	1.65	27135	8.56

Source: Third report p. 22

In this report the Committee also noted the views expressed by Dr Norval Morris, which among other, states that -

The crime rate amongst recent immigrants to this country is likely to be lower than the crime rates in the countries from which each particular national group came. The crime and juvenile delinquency problem arising from our immigration policy, if the American experience is a guide, is to be anticipated from children born in Australia to recent immigrants, who may face the tension of culture conflict between their parent's values and moral standards and the possibly different (and by no means necessarily preferable) values and standards in the schools and amongst their peers....This aspect of your excellent immigration programme is the only one which causes me any unease at all, and with foresight in the schools and gentle community education, it is unlikely to be of great consequence.¹²

The Committee raised another important issue in its third report concerning immigrants as victims. The Committee noted -

A not unimportant matter that was mentioned by a number of Police Officers in each of the States was that, whilst undue publicity was given to the offences alleged to have been committed by migrants, little or nothing was said of the many instances when European migrants had been assaulted or robbed or otherwise ill treated by the undesirable sections of our own native-born population.¹³

Francis¹⁴, on the basis of an analysis of police, court and prison data arrived at the general conclusion that migrants' involvement in criminal activity is lower than their proportion in the population. However, he found certain nativity groups to have higher arrest rates, higher court appearance rates, and higher imprisonment rates than others. Francis presented Higher Court statistics on distinct persons convicted for New South Wales, Victoria, and South Australia for 1977.

The convictions in Table 3.5 relate to distinct persons and it is essential to bear in mind that the number of offenders convicted in some cells were indeed small. Apart from the issue of small numbers, data in the Table appear to reinforce the notion that no ethnic group is more criminal than others. The

¹² Commonwealth Immigration Advisory Council 1957. Third Report of the Committee Established to investigate Conduct of Migrants. Canberra: Commonwealth Government Printer, p. 24.

¹³ Ibid. p. 7.

¹⁴ R.D. Francis 1981. Migrant Crime in Australia. St Lucia: University of Queensland Press.

Table 3.5 Conviction rates per 100,000 population by country of birth of offender, Higher Courts, 1977

Country of birth	New South Wales	Victoria	South Australia
Australia	52.15	48.76	82.92
New Zealand	122.63	n.a.	146.41
UK/Eire	37.77	55.57	72.90
Italy	31.89	35.13	59.48
Germany	58.72	99.24	76.96
Netherlands	29.13	74.79	65.17
Greece	42.00	56.47	55.02
Malta	21.76	73.90	46.40
Yugoslavia	94.04	88.18	155.52
Hungary	50.29	67.74	149.20
Africa	8.72	n.a.	119.72
America	29.14	n.a.	108.72
Asia	61.60	n.a.	86.46

Source: Extracted from Tables 16, 17, and 18, Appendix 2.¹⁵

Australian-born have different conviction rates in different States. Persons born in Africa and America have much higher conviction rate in South Australia than in New South Wales. Differences that appear in the Table, perhaps reflect differences in the nature of offence and the judicial systems and procedures rather than differences in offenders' place of birth.

Hazlehurst¹⁶ carefully examined available prison and court statistics and the data used by Francis. Her general conclusion was similar to that reached by Francis.

The lack of valid statistics is a serious limitation that hampers proper research in this area. The data are even more difficult to obtain when one attempts to examine the link between ethnicity and organised crime. None of the works cited above has ventured into this aspect of crime. Yet, often printed and electronic media engage in debates that appear to project involvement of members of certain ethnic groups in such criminal activities.

Research Overseas: Historical

Overseas, a number of American and European scholars, particularly in the first half of this century, have attempted to explain the relationship between immigration and crime. In the United States in the early part of this century scholars examined both immigration and race, in later years race has become the main variable. Two approaches to explaining crime by the immigrants in the early part of this century in the United States are culture conflict and social disorganisation theories. Among the proponents of the former are Sutherland and Sellin. According to Sutherland

¹⁵ Ibid., pp 183 – 184.

¹⁶ K.M.Hazlehurst, 1987. *Migration, Ethnicity and Crime in Australian Society*. Canberra: Australian Institute of Criminology.

mobility generally changes a group in the direction of the crime rate of the area to which it moves. Joly has shown this trend in movement within France. Immigrants to America probably have higher rates of serious crimes than their brothers at home have.¹⁷

Sutherland acknowledges that immigrant groups vary widely in their arrest and imprisonment rates and cites abundant statistics to substantiate his approach. The important factor in these differences, he argues, “is the strength and consistency of traditions which they assimilated in their home countries. These traditions, also, explain the differences in the sex ratios among the criminals in the several immigrant groups.”¹⁸

Sellin contends that “Conflicts of cultures are inevitable when the norms of one cultural or subcultural area migrate to or come in contact with those of another.”¹⁹ Sellin considered ‘foreign-born’ as determined by political boundaries and appear to claim that his theory applies to ethnic differences within nativity groups and argues that “population statistics on the foreign-born hide completely the existence of different cultural groups and cut across culture areas, which are more important to the sociologist than are political divisions.”²⁰

Sellin accepts wide variation in the arrest rates of foreign-born groups and suggests that -

further studies aiming to establish the incidence of law violations by the foreign-born must (1) not only give more attention to the determination of the accuracy and the representative character of the data but (2) must be based more and more upon police statistics (3) must be confined to specific nativity groups (4) must be in local areas, since only then can the researcher secure the best control over his material and know its weak as well as its strong points.²¹

Clifford R. Shaw in 1929²², and later with Henry McKay²³, explained variation in the rates of crime and delinquency with the help of the approach known as social disorganisation. They observed similarities in the rates not only among the foreign-born but also between the foreign-born and the groups among the blacks. Their analysis of data from Chicago -

indicate that the white as well as the Negro, the native as well as the foreign-born, and the older immigrant nationalities as well as the recent arrivals range in their rates of delinquents from the very highest to the lowest. While each population group at a given moment shows

¹⁷ E.H.Sutherland, 1947. Principles of Criminology. 4th ed. Chicago: J.B.Lippincott Co., p. 123.

¹⁸ Ibid. p. 125

¹⁹ T. Sellin, 1938. Culture Conflict and Crime. New York: Social Science Research Council, p. 63.

²⁰ Ibid. p. 72.

²¹ Ibid. p. 78

²² C.R. Shaw, 1929. Delinquency Areas. Chicago: University of Chicago Press.

²³ C.R. Shaw and H.D.McKay, 1942. Juvenile Delinquency and Urban Areas: A study of rates of delinquency in relation to differential characteristics of local communities in American cities. Chicago: The University of Chicago Press.

concentration in certain types of social areas, and hence a characteristic magnitude in rate of delinquent, adequate samples of each may be found also in areas which, for them, are at the time atypical....No racial, national, or nativity group exhibits a uniform, characteristic rate of delinquents in all parts of Chicago.... within the same type of social area, the foreign-born and the natives, recent immigrant nationalities, and other immigrants produce very similar rates of delinquents.²⁴

Shaw and McKay also show that at the end of the last century, Germans, English, Irish, and Scandinavians constituted over three quarters of foreign-born population of 8 inner-city areas of Chicago, boys whose fathers were born in these countries accounted for 44 per cent of delinquent boys. Italians, Poles, and Slavs made up only 15 per cent of foreign-born population, boys whose fathers were born in these countries accounted for 25 per cent of delinquent boys. By 1930 this pattern had totally reversed. 12.1 per cent of the foreign-born population in the same areas came from Germany, England, Ireland and Scandinavia; only 6.3 per cent of delinquent boys' fathers were born in these countries. Italians, Poles, and Slavs accounted for over three quarters of the foreign-born population, 41 per cent of delinquent boys' fathers were born in these countries.²⁵

Shaw and McKay conclude that –

Following the shift out of the areas of first settlement on the part of each older immigrant nationality, the proportion of their children among the boys of foreign parentage appearing in the Juvenile Court underwent a notable decline. Just as they were being replaced in their old areas of residence by more recent immigrants, so their sons were replaced in the dockets of the court by the sons of new arrivals. Further, no evidence exists which would indicate that the children of nationalities disappearing from the court records are reappearing as children of the native-born children of the native-born descendants of these newcomers. The rates of delinquents in areas populated by these descendants remain low.²⁶

The National Commission²⁷ in its report on the foreign-born produced substantial amount of data that demonstrate that in most of the cities with population of 200,000 or more the foreign-born had substantially lower arrest rates than the native-born (see Table 3.6).²⁸ On the basis of arrest statistics the report concludes that -

²⁴ Ibid. pp. 158 - 160.

²⁵ Ibid. see pages 156 – 158.

²⁶ Ibid. pp. 157-158

²⁷ National Commission on Law Observance and Enforcement, 1931. Report on Crime and the Foreign Born, No. 10. Washington, D.C.:United States Government Printing Office.

²⁸ Ibid. pp. 100-101

Table 3.6: Number of Persons Arrested by Police, or Arraigned in City Magistrates' Courts, per 10 000 of same Population Class, by Nativity and Colour, and by Country of Birth, for 20 Cities having more than 200 000 Inhabitants in 1930

Nativity and Country of Birth	Number of Persons per 10 000 of Same Population Class Arrested by Police									
	Arraigned Magistrates Courts New York (1929)	Chicago (1929)	Philadelphia (1930)	Detroit (1930)	Los Angeles (1929-30)	St. Louis (1930)	Baltimore (1930)	Boston (1930)	San Francisco (1929-30)	Milwaukee (1930)
Total	659	642	826	130	410	1315	687	1198	992	725
Native White	616	555	952	95	388	973	734	1322	945	776
Negro		3975		923		5259				
Foreign Born	454	385	377	97	488	631	330	937	1098	565
Austria	474	166	280	129	674	1045	324	847	737	899
Canada	195	42	108	64	216	895	137	778	755	630
Czechoslovakia	N.D	141	N.D	9	N.D	114	108	-----	N.D	114
England, Scotland & Wales	188	67	158	81	210	359	204	503	616	410
France	185	232	106	98	210	206	241	768	498	183
Germany	203	152	212	41	198	253	101	447	380	327
Greece	3152	1532	1512	358	664	1235	1359	1660	1239	1456
Hungary	N.D	129	⁽³⁾	66	N.D	282	20	N.D	N.D	⁽²⁾
Ireland	194	200	360	196	620	722	259	1129	848	1382
Italy	542	801	425	93	338	1452	626	893	728	704
Yugoslavia	N.D	467	102	55	N.D	792	148	N.D	N.D	544
Lithuania	N.D	1157	842	115	N.D	N.D	248	1164	N.D	1225
Poland	309	513	961	112	237	1172	512	1247	226	431
Russia	590	174	309	72	368	678	216	775	953	992
Scandinavian Countries	307	305	678	131	431	739	1517	1170	1280	1170
China	2036	983	1143	29	555	1101	2618	5013	6306	625
Japan	552	N.D	584	191	210	612	1250	769	191	⁽³⁾
Mexico ⁴										
All Other	464	940	402	154	635	683	1346	1233	1113	1247

¹ Rates computed from figures appearing in annual reports or special tabulations for year designated, and population estimates based on 1930 census, or on 1920-1930 increase for interim years, applying 1920 percentages to total estimate nativity and nationality groups. N.D is used to indicate that no data were available.

² Included with Austria in police reports.

³ Estimated number in population so small as to make rate calculation of doubtful value.

⁴ All estimates of Mexican population, based on 1920 census percentages are open to such serious question, that Mexican rates were not inserted, although the figures are included in total foreign-born rate.

Source: National Commission on Law Observance and Enforcement, 1931. Report on Crime and the Foreign Born, No. 10. Washington, D.C.:United States Government Printing Office.

Table 3.6: Number of Persons Arrested by Police, or Arraigned in City Magistrates' Courts, per 10 000 of same Population Class, by Nativity and Colour, and by Country of Birth, for 20 Cities having more than 200 000 Inhabitants in 1930

Number of Persons per 10 000 of Same Population Class Arrested by Police										
Nativity and Country of Birth	Cincinnati, Ohio (1930)	Newark, N.J (1930)	Kansas City, Mo.(1930)	Seattle, Wash. (1930)	Rochester, N.Y (1929)	Jersey City, N.J (1930)	Denver, Colo. (1929)	St. Paul, Minn. (1930)	Akron, Ohio, (1930)	Providence, R.I (1930)
Total	580	429	480	502	324	439	720	479	602	610
Native White	637	335	451	548	295	483	636	590	631	753
Negro		2877	911	1465			2305	462		982
Foreign Born	110	294	268	342	237	313	567	96	468	244
Austria	99	174	N.D	310	350	287	1218	108	32	39
Canada	11	223	N.D	69	123	118	38	56	29	78
Czechoslovakia	N.D	61	N.D	520	-----	71	210	15	3057	-----
England, Scotland & Wales	4	117	N.D	64	143	102	30	43	49	48
France	7	86	N.D	354	144	156	-----	240	188	1542
Germany	29	146	N.D	129	115	126	-----	58	305	94
Greece	1278	667	N.D	618	199	1579	-----	198	974	674
Hungary	74	149	N.D	-----	184	187	-----	49	343	-----
Ireland	53	322	N.D	215	403	145	109	166	218	43
Italy	334	303	702	308	363	489	920	166	1366	272
Yugoslavia	N.D	208	N.D	134	-----	137	491	-----	988	N.D
Lithuania	N.D	200	N.D	N.D	202	173	N.D	-----	1210	342
Poland	189	387	N.D	159	315	388	332	117	812	899
Russia	174	222	184	196	151	488	95	91	104	127
Scandinavian Countries	N.D	318	N.D	608	354	190	141	117	214	332
China	N.D	(3)	N.D	486	(3)	(3)	1695	(3)	(3)	(3)
Japan	N.D	(3)	N.D	183	(3)	(3)	311	(3)	(3)	(3)
Mexico ⁴										
All Other	268	765	156	1079	248	551	1394	140	766	831

¹ Rates computed from figures appearing in annual reports or special tabulations for year designated, and population estimates based on 1930 census, or on 1920-1930 increase for interim years, applying 1920 percentages to total estimate nativity and nationality groups. N.D is used to indicate that no data were available.

² Included with Austria in police reports.

³ Estimated number in population so small as to make rate calculation of doubtful value.

⁴ All estimates of Mexican population, based on 1920 census percentages are open to such serious question, that Mexican rates were not inserted, although the figures are included in total foreign-born rate.

Source: National Commission on Law Observance and Enforcement, 1931. Report on Crime and the Foreign Born, No. 10. Washington, D.C.:United States Government Printing Office.

In cities of diverse characteristics and varying size, scattered throughout the country, the police find good reason to accuse the native-born white and the Negro of crime very much more frequently than the foreign-born.

The foreign-born arrest rate, in proportion to their numbers of the same population class and of similar sex and age characteristics, approaches that of the native white most nearly in crimes involving personal violence and drops below it most decisively in crimes committed for gain.²⁹

In any serious discussion on crime and justice in the United States the reports of this Commission on various aspects of the administration and enforcement of criminal justice receive careful scrutiny. In the case of crime and the foreign-born some of the conclusions drawn by this Commission more than 65 years ago find resonance in current attitudes. A few such conclusions are reproduced below:

Foreign-born immigrants in any country are in a constant state of experiment and adjustment. They lack that spontaneous adaptation to the institutions of the country which is natural to the native-born. The native-born have never known any other institutions, are sensible of no conflicts, aware of no strangeness or differences; while to the immigrant, at first, all is strange.....minority groups, feeling the handicap of their position, are under a strong temptation....to settle as colonies of nationals, living in segregated quarters in great cities....This disposition is further heightened, in times of economic distress, when the last comer into the competition for employment is regarded as an intruder. At such times there is grave danger of the growth of antiforeign feeling, generating real and drastic discriminations, which in turn breed defensive and retaliatory disorder.

There was always present a temptation to rally public opinion around the cry of "America for Americans." At various points in our history this impulse has become specially acute and had important political and economic consequences. But in the historical perspective of this impulse, it is interesting to note that each time the outcry is raised, the "Americans," for whom "America" is to be reserved, include the descendants of a former generation of immigrants against whom the same outcry was earlier raised as a basis of discrimination or exclusion. Each generation of immigrants has had to be freshmen in the college of American citizenship. As they have advanced to the dignity of juniors and seniors, they, in their turn, have had the common disposition to regard the freshmen of their day as peculiarly unpromising, if not dangerous, college material.³⁰

In Europe, Bonger's *Race and Crime*³¹, written in the early 1940s, was not an investigation to examine the involvement of foreign-born in crime. The research was a response to the claim that the Nordic race was superior to others. Although he did present statistics from various regions of the world, he did not take a stand on the issue of race and crime. He defined criminality as "the ascendancy of the antisocial inclinations (generally vital) over the restraints.....Regarded from this angle, it is certainly great nonsense to speak of criminal and non-criminal races....crime occurs in all races, and, by the nature of things, is only committed by a number (generally very limited) of individuals in each race. In principle the races do not differ."³²

Since the early 1970s a number of scholars in North America and Europe have researched on the issue of race, ethnicity and crime.³³ The 1960s saw a

²⁹ Ibid. p. 121.

³⁰ Ibid. pp. 2 - 5.

³¹ W.A. Bonger, 1969. *Race and Crime*. Montclair, N.J.: Patterson Smith.

³² Ibid. p. 28

³³ M.E. Wolfgang and B.Cohen, 1970. *Crime and Race: Conceptions and Misconceptions*. New York: Institute of Human Relations Press; J.Q. Wilson and R.J. Herrnstein, 1985. *Crime and Human Nature*. New York: Simon and Schuster; D.F. Hawkins (ed), 1995. *Ethnicity, Race, and Crime: Perspectives across time and place*. Albany: State

resurgence of crime in the United States. The decade also experienced race riots, violence, and violent protests particularly by young people against the Vietnam war. The period also witnessed at least three major enquiries on civil disorder, administration of justice, and causes of violence. Crimes by the Afro-Americans routinely made headlines in the media. Wolfgang and Cohen's work was prepared following these turbulent years. The book did not examine crimes by migrants/foreigners or ethnic groups, it primarily dealt with the issue of race and crime. However, Wolfgang and Cohen subscribe to Shaw and McKay's findings that crime and delinquency are associated with urban disorganisation. In this respect the experience of the urban black was different from migrants of early years. Whereas the migrants from Germany, Ireland, and Italy moved outward to better areas as they improved their life style, blacks who moved into the inner city area could not move outward even when they improved their life style.³⁴ Wilson and Herrnstein describe differences in crime rates across cultures but their discussion in the main deals with black and white crime rates in the United States.³⁵

Research and Statistics Overseas: Recent

The United States

The mid-1990s have produced a few significant volumes on crimes by immigrants/foreigners in a number of countries. Hawkins' volume on *Ethnicity, Race, and Crime*, although in the main deals with race and crime, includes a few chapters that provide information on Hispanics or Latinos and the situation in Germany with regard to the criminality of foreigners. Gary LaFree, on the basis of data on race and crime trends in the United States, concludes that, "While criminologists have largely ignored connections between race and crime during the past three decades, the involvement of African Americans in the legal system has reached crisis proportions."³⁶ He suggests that only through objective analysis and open discussion the race crime issue can be settled.

Crutchfield examined the influence of labour market disadvantages on the criminality of racial groups. Based on a careful analysis of the National Longitudinal Survey of Youth data he supports earlier findings that blacks in America are left out of economic good times. Crutchfield concludes that "The continuing labor market marginalization of African-Americans disadvantages this group economically and appears to differentially lead to crime by its

University of New York Press; M. Tonry (ed) *Ethnicity, Crime, and Immigration*, 1997. Chicago: The University of Chicago Press; I.H. Marshall (ed), 1997. *Minorities, Migrants, and Crime: Diversity and similarity across Europe and the United States*. Thousand Oaks: Sage Publications; D.J. Smith, 1997. "Ethnic origin, crime, and criminal justice," in M. Maguire, R. Morgan, and R. Reiner (eds) *The Oxford Handbook of Criminology*, Second Edition. Oxford: Clarendon Press; International Scientific and Professional Advisory Council (ed) 1998. *Migration and Crime: Proceedings of the International Conference on 'Migration and Crime. Global and Regional Problems and Responses'*. Milano: ISPAC.

³⁴ Wolfgang and Cohen, op cit pp 62-64.

³⁵ Wilson and Herrnstein, op. cit.

³⁶ G. LaFree, "Race and Crime Trends in the United States 1946-1990" in Hawkins (ed) op. cit. P. 186

members. Since we know that crime by blacks is most often visited upon other blacks, we must recognize that the African-American community is victimized first in the work place, again when victimization leads to increases in crime, and yet again when that resulting crime ravages their communities.”³⁷

Mann concurs with Crutchfield and claims that “At every level of contemporary human existence – education, housing, politics, health, law, welfare, economics, religion, and the family – racism and racial discrimination in American Institutions have contributed to and continue to perpetuate the minority status and the current condition of African-Americans, Native Americans, Hispanic Americans, and Asian-Americans. I would argue that criminal activity, as defined by those in power, may be one of the adaptive responses of racial minorities to institutionalized racism.”³⁸

Arrest statistics, however, continue to show the dominance of African Americans. As shown in Table 3.7, African-Americans accounted for about 31 per cent of all arrests in 1995 yet constituted only 13 per cent of the population, and American Indian or Alaskan Natives comprised 1.1 per cent of total arrests and less than one per cent of the total population. Asian Americans, who make up about 3 per cent of total US population, accounted for 1.1 per cent of all arrests.

Statistics in Table 3.7 suggest that race is related to offending but the relationship is not the same for all offence categories. African-Americans are over-represented in arrests for all but one offence type, and that is ‘driving under the influence’. Whites are marginally over-represented in driving under the influence, American Indians are over-represented in offences related to liquor laws and drunkenness, and Asian Americans are over-represented in illegal gambling. While these figures clearly show gross over-representation of Afro-Americans in arrests, in most violent offences the incidents are intra racial. That is to say, in a large majority of incidents whites kill white and blacks kill blacks. Only in robbery this pattern does not prevail.

Over the years some changes have taken place in arrest patterns. Sampson and Lauritsen suggest that “Following the federal government’s initiation of the “war on drugs,” black arrest rates skyrocketed, while white arrest rates increased only slightly. By the end of the 1980s, blacks were more than five

³⁷ R.D. Crutchfield 1995. “Ethnicity, Labor markets, and Crime” in Hawkins (ed). Op. Cit. p. 208

³⁸ C.R. Mann, 1995. “The Contribution of Institutionalized Racism to Minority Crime”, in Hawkins (ed) op. Cit. p. 259

Table 3.7: Arrests by Offence Charged, Age Group and Race, United States, 1995

Offence Charged	Total Percent ^a				Arrests under 18 Percent ^a				Arrests 18 and older Percent ^a			
	White	Black	American Indian or Alaskan Native	Asian or Pacific Islander	White	Black	American Indian or Alaskan Native	Asian or Pacific Islander	White	Black	American Indian or Alaskan Native	Asian or Pacific Islander
<i>Total</i>	66.8	30.9	1.1	1.1	69.2	27.9	1.2	1.8	66.3	31.6	1.1	1.0
Murder and non-negligent manslaughter	43.4	54.4	0.8	1.4	39.4	57.7	0.9	1.9	44.1	53.8	0.8	1.3
Forcible rape	55.6	42.4	1.0	1.1	53.8	44.6	0.7	0.9	55.9	41.0	1.0	1.1
Robbery	38.7	59.5	0.5	1.3	37.6	60.2	0.5	1.7	39.3	59.1	0.5	1.1
Aggravated assault	59.6	38.4	0.9	1.1	56.0	41.7	1.0	1.3	60.2	37.8	0.9	1.1
Burglary	67.0	31.0	0.9	1.1	72.8	24.4	1.2	1.5	63.8	34.5	0.8	0.9
Larceny-theft	64.8	32.4	1.1	1.6	69.9	26.5	1.3	2.3	62.3	35.4	1.0	1.3
Motor vehicle theft	58.5	38.3	1.2	2.0	58.0	38.2	1.6	2.2	58.9	38.4	0.9	1.8
Arson	74.2	23.7	1.0	1.0	79.5	18.3	1.1	1.2	68.5	29.7	0.9	0.9
Violent crime^b	54.3	43.7	0.8	1.2	48.5	49.3	0.8	1.5	55.7	42.4	0.9	1.1
Property crime^c	64.7	32.6	1.1	1.6	69.3	27.3	1.3	2.1	62.3	35.5	0.9	1.3
Total Crime Index^d	61.9	35.7	1.0	1.4	65.7	31.1	1.2	2.0	60.2	37.7	0.9	1.2
Other assaults	63.0	34.7	1.2	1.1	62.0	35.3	1.2	1.5	63.2	34.6	1.2	1.0
Forgery and counterfeiting	65.0	33.1	0.6	1.4	78.6	18.9	1.0	1.6	63.9	34.2	0.5	1.4
Fraud	64.0	34.7	0.5	0.8	55.2	41.5	0.6	2.7	64.6	34.3	0.5	0.7
Embezzlement	64.9	33.1	0.6	1.4	64.5	32.5	1.0	2.0	64.9	33.2	0.6	1.3
Stolen property; buying, receiving, possessing	58.6	39.4	0.7	1.2	60.0	37.2	1.0	1.9	58.2	40.2	0.6	1.0
Vandalism	73.4	23.9	1.4	1.3	79.8	17.3	1.3	1.6	68.2	29.3	1.4	1.0
Weapons; carrying, possessing, etc.	59.4	38.8	0.7	1.2	63.4	34.1	0.9	1.6	58.2	40.1	0.6	1.0
Prostitution and commercialized vice	60.9	36.8	0.5	1.7	63.7	33.5	1.0	1.9	60.8	36.9	0.5	1.7
Sex offences (except forcible rape and prostitution)	75.0	22.6	1.1	1.3	69.9	28.0	0.8	1.2	76.1	21.5	1.1	1.3
Drug abuse violations	62.1	36.9	0.5	0.6	63.8	34.7	0.6	0.9	61.8	37.2	0.4	0.6
Gambling	53.3	41.3	0.5	4.9	21.1	77.1	0.2	0.6	56.3	38.0	0.5	5.2
Offences against family and children	65.2	32.2	1.0	1.7	70.8	25.9	0.8	2.5	64.9	32.5	1.0	1.6
Driving under the influence	86.4	10.9	1.5	1.2	90.9	6.2	2.0	0.9	86.4	10.9	1.5	1.2
Liquor laws	79.6	17.3	2.4	0.7	90.6	5.5	3.1	0.9	76.8	20.3	2.2	0.7
Drunkenness	80.8	16.4	2.4	0.4	87.3	10.1	2.1	0.6	80.6	16.6	2.4	0.3
Disorderly conduct	62.9	35.1	1.3	0.6	63.6	34.6	1.0	0.8	62.7	35.3	1.4	0.6
Vagrancy	52.4	45.0	2.3	0.4	64.3	34.5	0.5	0.6	50.5	46.6	2.5	0.3
All other offences (except traffic)	63.1	34.7	1.0	1.1	69.5	27.6	1.1	1.9	62.4	35.6	1.0	1.0
Suspicion	51.9	47.5	0.4	0.2	79.8	19.4	0.4	0.5	46.2	53.2	0.4	0.2
Curfew and loitering law violations	75.8	21.3	1.3	1.6	75.8	21.3	1.3	1.6	-	-	-	-
Runaways	76.9	19.0	0.9	3.2	76.9	19.0	0.9	3.2	-	-	-	-

Note: Estimates by the U.S. Bureau of the Census indicate that on July 1, 1995 whites comprised 83%, blacks 12.6% and other racial categories 4.4% of the total U.S. resident population (U.S. Department of Commerce, Bureau of the Census, "U.S. Population Estimates by Age, Sex, Race and Hispanic Origin: 1990 to 1996", Table 1).

^aBecause of rounding, percents may not add to total.

^bViolent crimes are offences of murder and nonnegligent manslaughter, forcible rape, robbery and aggravated assault.

^cProperty crimes are offences of burglary, larceny-theft, motor vehicle theft, and arson.

^dIncludes arson.

Source: Maguire, K., & Pastore, A.L. (1996) Bureau of Justice Statistics Sourcebook of Criminal Justice Statistics - 1996 Table 4.10 p382-384.

times more likely than whites to be arrested for drug-related offences.”³⁹ The authors believe these differences are due to increased enforcement of and targeting of offences.

Official crime statistics of the United States stopped publishing separate arrest data for Hispanics/Latinos in 1987. They are usually categorised as whites. Statistics in Table 3.7 also show some age-race differences as well.

Marshall appears to dispute the fact that Asian Americans have lower arrest rates than whites, blacks and Native Americans. Her reasoning does not appear convincing. Only while discussing Asian Americans does she raise the issue that “arrest statistics do not fully capture the involvement of Asian groups in organized crime; both Chinese and Japanese organized criminals have been active in drug trafficking, gambling, and prostitution in the United States from the early beginnings of immigration.”⁴⁰ Yet, in a subsequent section she lists new ethnic groups involved in organised crime as “Blacks (American and Caribbean), Hispanics (Cuban, Mexicans, Puerto Rican, Colombian, Venezuelan), and Asian (Chinese, Japanese, Vietnamese, Filipino, and Korean), Soviet Jews, Nigerians, Ghanians.”⁴¹ It is difficult to estimate the numbers from each ethnic group that will be involved in organised crime. Blacks comprise over 30 million people in the US, Hispanics about 25 million, and Asians about 7 million.

Marshall’s second reasoning also lacks credibility. She claims, “national statistics do not reflect the fact that Asian Americans are concentrated in a few states (California, Washington, New York, Nevada). State level statistics indeed do provide a less favorable picture than national data.”⁴² She presents California Youth Authority data to support her reservations (Statistics from prisons and juvenile institutions will be discussed later). Statistics from California and New York do not at all support Marshall. Table 3.8 shows that whites comprised only 37 per cent of total arrests in California in 1994, yet they accounted for 57 per cent of the total population in the state. There was no statistics for Asian Americans but the ‘other’ category includes Asian Americans. This group constituted about 10 per cent of California’s population but only 4.8 per cent of arrestees. Members of this ‘other’ category were over-represented only in arrests for bookmaking.

Statistics from New York State, Table 3.9, show that Asian Americans comprised only 1.2 per cent of total arrests in 1996, yet they, according to Marshall, constituted much more than the national average of 3 per cent of the

³⁹ R.J. Sampson and J.L. Lauritsen, 1997. “Racial and Ethnic Disparities in Crime and Criminal Justice in the United States,” in Tonry (ed) op. Cit. p. 327.

⁴⁰ I.H. Marshall, 1997. “Minorities, Crime, and Criminal Justice in the United States,” in I.H. Marshall (ed) *Minorities, Migrants, and Crime: Diversity and Similarity across Europe and the United States*. Thousand Oaks, CA.: Sage Publications, p. 17

⁴¹ Ibid p. 23

⁴² Ibid p. 17

Table 3.8: Arrests by Offence Charged and Race/ethnicity, California, 1994

Category and Offence	Percent			
	White	Hispanic	Black	Other
Total	37.0	34.8	23.4	4.8
Violent Offences	31.1	38.1	25.3	5.4
Homicide	22.8	39.7	28.7	8.9
Forcible rape	25.0	37.8	32.4	4.8
Robbery	16.3	36.9	41.7	5.0
Assault	35.0	38.4	21.2	5.4
Kidnapping	30.5	40.3	24.2	5.0
Property Offences	35.6	34.8	23.3	6.2
Burglary	35.0	36.9	21.5	6.5
Theft	38.4	31.6	24.3	5.6
Motor vehicle theft	29.1	41.6	23.0	6.3
Forgery, checks, access cards	41.5	22.3	29.3	6.9
Arson	52.0	26.5	16.3	5.3
Drug Offences	42.4	33.0	22.2	2.4
Narcotics	17.7	41.2	39.0	2.0
Marijuana	38.2	37.5	21.7	2.6
Dangerous drugs	69.9	23.2	4.1	2.8
Other	61.4	24.3	11.5	2.8
Sex offences	38.4	40.3	16.2	5.0
Lewd or lascivious	39.3	43.1	13.5	4.2
Other	37.0	36.0	20.6	6.4
Driving Offences	39.3	47.3	8.0	5.3
Driving under the influence	41.2	46.3	7.8	4.8
Hit-and-run	31.0	52.1	9.0	7.8
All Other	41.7	28.6	25.1	4.6
Weapons	37.4	37.0	20.2	5.5
Escape	50.8	32.4	12.8	4.0
Bookmaking	57.8	4.8	23.5	13.9
Other	43.9	24.0	28.0	4.1

Note: Percents may not add to 100 because of independent rounding.

Source: California Department of Justice, Division of Law Enforcement - Crime and Delinquency in California, 1994, Table 32 p139.

Table 3.9: Arrests by Offence Charged and Race, New York State, 1996

Offence Charged	Percent			
	White	Black	Indian	Asian
Total	56.3	42.2	0.3	1.2
Murder	39.3	57.6	0.2	2.9
Non-negligent manslaughter	65.1	33.7	0.0	1.2
Negligent manslaughter	74.6	22.4	0.0	3.0
Forcible rape	43.9	53.1	0.3	2.8
Robbery	35.0	62.6	0.2	2.1
Aggravated assault	49.5	47.3	0.6	2.6
Burglary-Breaking/entering	62.4	36.1	0.3	1.2
Larceny-theft	59.6	38.2	0.4	1.8
Motor vehicle theft	49.1	49.0	0.5	1.5
Arson	70.3	28.9	0.1	0.7
Kidnapping	50.0	31.7	0.0	18.3
Drugs Total	49.4	50.1	0.1	0.4
Sale/Manufacture	44.8	54.9	0.1	0.3
Opium etc.	47.4	52.4	0.1	0.2
Marijuana	30.5	68.8	0.2	0.6
Synthetic	47.3	52.7	0.0	0.0
Other	51.1	48.6	0.1	0.2
Drugs use/possess	51.8	47.6	0.1	0.5
Opium etc.	45.0	54.4	0.1	0.5
Marijuana	57.9	41.4	0.1	0.6
Synthetic	62.3	37.5	0.0	0.2
Other	51.1	48.4	0.2	0.3
Dangerous weapons	47.7	50.1	0.2	1.9
Bribery	53.5	38.1	0.4	8.0
Sex offences	68.5	29.6	0.5	1.4
Extortion	38.6	27.0	0.7	33.7
Forgery and counterfeiting	59.9	36.0	0.2	3.8
Promoting prostitution	71.4	17.7	0.1	10.8
Prostitution	55.8	37.6	0.1	6.4
Patronizing prostitutes	66.8	26.7	1.1	5.4
Stolen property	59.0	39.4	0.3	1.3
Coercion	50.0	45.5	0.8	3.8
Criminal mischief	70.2	28.0	0.5	1.3
Fraud	48.6	49.6	0.2	1.6
Gambling-bookmaking	79.6	17.9	0.1	2.4
Gambling-numbers & lottery	82.6	17.2	0.0	0.2
Gambling-other	60.9	35.8	0.3	2.9
Offense against public order	76.1	23.1	0.1	0.8
Embezzlement	68.0	28.8	0.4	2.8
Simple assault	57.6	40.4	0.5	1.5
Offences against family	88.2	11.0	0.3	0.5
DWI-alcohol	89.6	8.4	0.5	1.5
DWI-drugs	85.5	13.3	0.1	1.0
Unauthorized use of vehicle	69.7	29.6	0.5	0.3
Burglar's tools	47.8	51.3	0.1	0.8
Other F/P offences	66.6	31.2	0.4	1.8
Liquor law violation	51.8	47.4	0.1	0.6
Disorderly conduct	57.0	42.2	0.2	0.6
Public narcotic intoxication	85.1	13.4	0.0	1.5
Loitering	51.7	47.2	0.2	0.9
All other offences	54.4	44.6	0.2	0.8

Source: Division of Criminal Justice Services New York State 1996 Crime and Justice Annual Report, p143, 1998

state's population. In offences like kidnapping, extortion, and prostitution the proportion of arrestees who are Asian-American is relatively high.

The purpose of presenting research material from the United States was not to criticise the cited works. The issue is this: appropriate statistics on the involvement of members of ethnic groups in criminal activity are simply not available. If knowledgeable people make inconsistent statements it adds to the distortions that already exist and this is not helpful in any debate. In recent decades race-crime research in the United States has become a growth industry. Several theories have been used to explain the differences in the levels of criminality of race and ethnic groups. In a detailed exposition, Sampson and Lauritsen contend that most research on the racial and ethnic disparities in crime in the United States has relied on consensus and conflict perspectives of society. In contrast, recent efforts have turned to "the symbolic and contextual aspects of minority group threat. In this viewpoint, "the poor," "the underclass," and "the rabble" (i.e., poor minorities) are perceived as threatening not only to political elites, but to "mainstream America" – middle class and working class citizens who represent the dominant majority in American society. This perspective suggests that we need to take into account the joint effects of race and poverty."⁴³

In a recent research Sampson and others take this issue one step further. They developed the concept of 'collective efficacy' of neighbourhoods to explain the association between composition of neighbourhoods and the level of crime. Collective efficacy was defined as "mutual trust among neighbors combined with willingness to intervene on behalf of the common good, specifically to supervise children and maintain public order."⁴⁴ Their main finding was that when disadvantage and "other factors are taken into account, the effects of race and poverty on crime are much smaller. Collective efficacy, not race or poverty, was the largest predictor of the overall violent crime rate."⁴⁵

Jail census statistics from the United States show that arrest is very widely distributed among young adults. Annually about six million new admissions to jails are recorded. In other words, millions of adults acquire criminal records each year. Scholars agree that measuring racial and ethnic disparities in crime require contextual analysis of the type suggested by Sampson and Lauritsen. There are others who believe that arrests need not reflect criminal behaviour in a community but rather the activities of the criminal justice system. Miller contends that "most of the frenetic law enforcement in the black community had nothing to do with violent crime. When the justice juggernaut is wheeled into the streets, it tends to crush those more easily identifiable by race and socioeconomic status than by their violent or serious criminal behavior.

⁴³ Sampson and Lauritsen, *op. cit.* p.358

⁴⁴ R.J. Sampson, S.W. Raudenbush, and F. Earls, 1998. Neighborhood Collective Efficacy- Does it help reduce violence," Research Preview, National Institute of Justice, Washington, D.C. p. 1

⁴⁵ *Ibid.* p.2

Sustained and increasingly technologically sophisticated law enforcement intrusion into the homes and lives of urban African-American families for mostly minor reasons has left the inner cities with a classic situation of social iatrogenesis-.... It suggests that the criminal justice system itself has been a major contributor to breakdown in the inner cities."⁴⁶

Canada

In Canada, debate on ethnicity and crime in recent years has increased substantially and the arguments remain unresolved. There has also been some robust debate on whether criminal justice statistics should record the race/ethnicity details of suspects/accused and this debate also remain unresolved. Roberts and Doob note that "Statistics Canada does not collect data on the racial or ethnic origin of suspects, accuseds, or convicted persons, though it does publish correctional statistics on Aboriginal people."⁴⁷

Europe

In Europe interest in understanding the links between ethnicity and crime has increased coincidentally when signs of nationalistic and anti-foreigner feelings in political debate is also re-emerging. Specially after the dismantling of totalitarian regimes in Eastern Europe, xenophobic sentiments have received certain amount of respectability in some countries. "The range and extent of the types of discrimination, mistrust and rejection that have come with the changes sweeping the European continent, raise a very large question as to how all of these evidently interconnected problems might now be approached by the social sciences....anti-foreigner parties and ideologists have shifted their main line of argument from biological concepts to the constation of 'cultural diversity'. According to them it is not *against foreigners* , but in favour of nationals, that their politics are directed."⁴⁸ In a number of European countries, particularly since the late 1980s, foreigners and in particular asylum seekers, have been the targets of violence. (A discussion of racially motivated and hate crime, and immigrants as victims of crimes will be included in Chapter five.)

Recent European literature on ethnicity and crime tends to record findings similar to those obtained in the American literature concerning race and crime. Although some scholars may criticize American literature as parochial and obsessed with race relations⁴⁹ not much more hard evidence is available in European literature either. Consider the findings of some recent research in Europe.

⁴⁶ J.G. Miller, 1997. *Search and Destroy: African-American Males in the Criminal Justice System*. New York: Cambridge University Press, p. 9.

⁴⁷ J.V. Roberts and A.N. Doob, 1997. "Race, Ethnicity, and Criminal Justice in Canada," in Tonry (ed) op. cit. p. 483

⁴⁸ B. Baumgartl and A. Favell, 1995. "Europe: National Visions, International Perspectives and Comparative Analysis" in B. Baumgartl and A. Favell (eds) *New Xenophobia in Europe*. London: Kluwer Law International, p. 379.

⁴⁹ Ibid p. 378

In an attempt to quantify the association between migration and crime, Savona, di Nicola, and da Col conducted a study in a number of countries in the European Union.⁵⁰ The study is based on offender data produced by the INTERPOL and prison statistics produced by the Council of Europe. Table 3.10 has been reconstructed from the above study to offer offender rate per 100,000 population. The data clearly show that in all the countries except Greece the

Table 3.10 Offender rates of Nationals and Foreigners per 100,000 relevant population in selected European Countries, 1993

Country	Foreigners as % of Population	National Offenders	Foreign Offenders	Total Offenders
Austria	8.6	2106.5	5986.9	2440.2
Germany	8.5	1840.0	10023.0	2535.6
Greece	1.9	3216.8	2818.8	3209.1
Luxemburg	31.1	1752.0	7371.1	3089.7
Norway	3.6	543.1	1264.3	509.1
Spain	1.1	368.2	19068.8	571.7

Source: Reconstructed from Table 1, p. 64, Savona et al, op. cit.

foreign offender rate is considerably higher than that of the national offenders, in Spain the ratio is more than 50 : 1. It is not useful to speculate because the data content varies markedly across countries. There is no uniform definition of a foreigner and this could include, immigrants, illegal immigrants, asylum seekers, tourists, guest workers, etc. Similarly, the counting rules for crimes and offenders are not uniform across countries. The same study also found that foreign offenders are over-represented in almost all types of offences and they are arrested most frequently for counterfeit currency offences.

Germany

In Germany data on the involvement of ethnic minorities in crime can be obtained from police and justice information system. Although German national crime statistics published by the Bundeskriminalamt provide information on suspects for Germans and non-Germans, Albrecht has been able to present a large amount of disaggregated crime data by country of birth for North Rhine – Westphalia.⁵¹ But first the German data. Table 3.11 presents the number of suspects by offence in 1996. About 9 per cent of the population of Germany in 1995 were overseas-born. But as can be seen in the table the non-German population is over-represented among suspects in every offence category listed. Indeed, their over-representation is greater in serious offences like homicide, rape, robbery, and grievous bodily harm than in others. Of the 625,585 non-German arrests in all of

⁵⁰ E.U. Savona, A. di Nicola, and G. da Col, 1998. "Dynamics of Migration and Crime in Europe: New Patterns of an Old Nexus," in International Scientific and Professional Advisory Council, op. Cit. pp 61-91.

⁵¹ Hans-Jorg Albrecht, 1997. "Ethnic Minorities, Crime, and Criminal Justice in Germany," in Tonry (ed) op. cit. pp 31-99.

Table 3.11 Suspects by offence by status, Germany 1996

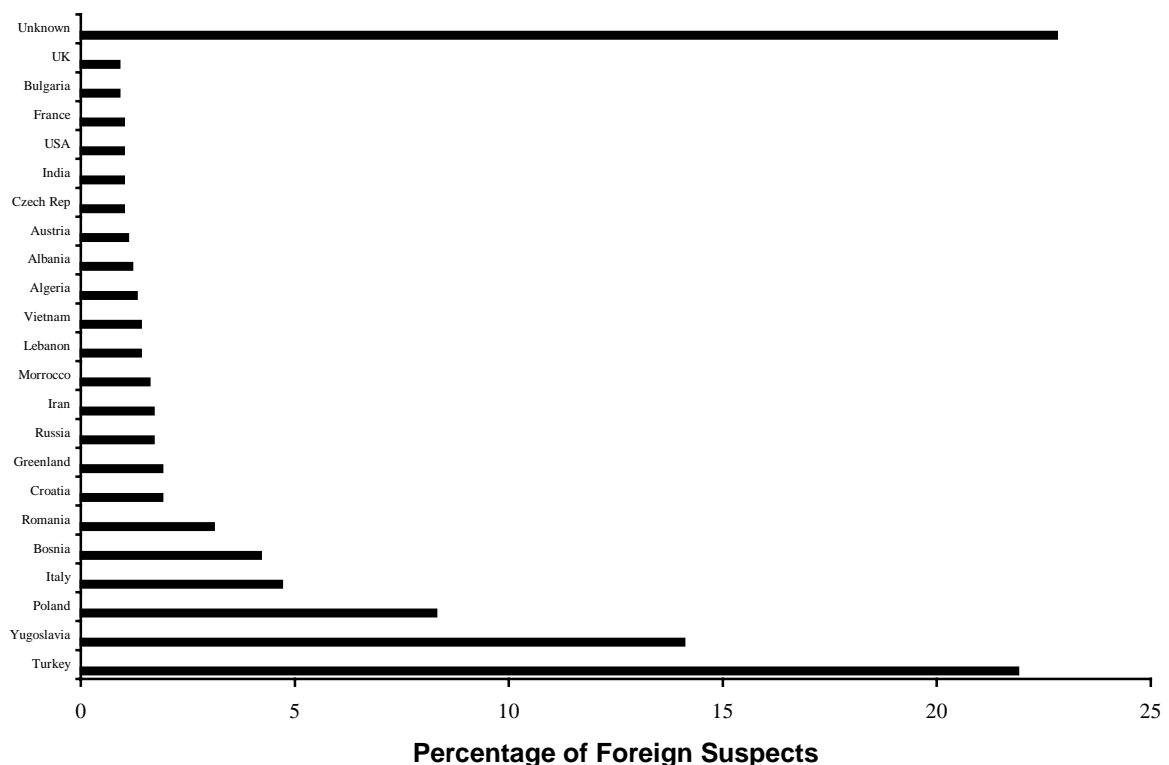
Offence	All suspects	Non-German	% non-German
Homicide	4,029	1,339	33.2
Rape	4,695	1,580	33.7
Robbery	41,283	13,442	32.6
Grievous injury	110,518	32,134	29.1
Minor injury	187,627	36,660	19.5
Theft aggravating	702,233	163,394	23.3
Theft non-aggro	171,083	39,637	23.2
Fraud, Forgery etc	459,887	124,281	27.0
Damage property	155,439	19,165	12.3
Total*	2,213,293	625,585	28.3

*Includes all other offences

Source: Bundeskriminalamt, 1997. Polizeiliche Kriminalstatistik 1996. Bundesrepublik Deutschland. Wiesbaden: Bundeskriminalamt.

Germany 540,680 were arrested as suspects within the old boundaries of the Federal Republic of Germany and for which country of origin of suspects were available. Figure 3a presents proportion of suspects by country of birth in 1996. A ten year trend of these proportions provided in the Polizeiliche Kriminalstatistik 1996 shows that the origin of more than one in three suspects arrested by the German police each year was Turkey and Yugoslavia. The trend data also reveal that the proportion of suspects whose country of birth was Italy has declined from eight to under 5 percent over this period.

Figure 3a Non-German suspects by country of origin, FRG 1996



The German data also show that the involvement of foreigners in crime vary from region to region. Data from North-Rhine Westphalia for 1993 show that the suspect rate of Romanians was 73,961 per 100,000 population.⁵² This appears to suggest that about 3 in four Romanians engaged in crime, this requires careful scrutiny. Based on his research and extensive knowledge Albrecht concludes that “Ethnic and foreign minorities do not create exceptional crime problems or pose special dangers for safety in society. Crime among ethnic minorities reflects social and economic marginalization and structural problem in societies.”⁵³ Albrecht also observed that offender rate of second or third generation-born or raised in Germany was considerably higher than the first generation immigrants.

In another article Albrecht suggests that the explanation for minority crime should extend beyond theories of deprivation and crime. “Immigrants have slipped into the role that the German Working class occupied during the 1960s and 1970s (in terms of overrepresentation in police, court, and prison statistics). ...The research questions, which in the 1960s and 1970s highlighted social class, will in the decades to come be replaced by ethnicity.”⁵⁴

Sweden

In Sweden crime statistics are produced by citizenship, i.e., persons born overseas but have obtained Swedish citizenship (including first generation immigrants) are registered as Swedes. Also, statistics differentiate between foreign nationals residing in Sweden and those not residing in Sweden. Foreign nationals resident in Sweden constituted about 15 per cent of resident suspects in 1994. Within this group of suspects, those from other Nordic and European countries make up over 60 per cent of the total, and the remainder comes from Africa, Latin America and Asia. The participation of foreign nationals not resident in Sweden increased sharply in the early 1990s, coinciding with the political changes in Europe. During this period the number of asylum seekers increased considerably. On an average about 80 per cent of non-resident suspects come from other Nordic and European countries.⁵⁵ Statistics on convictions reflect very similar patterns.⁵⁶

Martens suggests that the suspect rate in each nationality group “can also be seen as a measure of a yearly rate of crime participation.”⁵⁷ Many may find this suggestion problematic. Crime statistics from a large number of countries unambiguously show that a majority of crimes reported or becoming known to the police are never cleared by the arrest or identification of an offender and as

⁵² Ibid. p. 51

⁵³ Ibid. p. 87

⁵⁴ H. Albrecht, 1997. “Minorities, Crime, and Criminal Justice in the Federal Republic of Germany,” in Marshall (ed) op. Cit. pp 102-103

⁵⁵ P.L. Martens, 1997. “Immigrants, Crime, and Criminal Justice in Sweden,” in Tonry (ed) op. Cit. pp. 183-255.

⁵⁶ H. von Hofer, J. Sarnecki, and H. Tham, 1997. “Minorities, Crime, and Criminal Justice in Sweden,” in Marshall (ed) op. Cit. pp. 62-85.

⁵⁷ Ibid. p. 209

such it is not known who commits these crimes. In Italy in 1993, for example, "83.3 per cent of total crimes were committed by unidentified offenders."⁵⁸ Also, research literature generally reveal results that tend to suggest that the over-representation of indigenous people, members of minority and ethnic groups, and foreigners in the offender populations reflects criminal justice bias against these groups rather than their higher crime participation rate. Be that as it may, Martens found that Australians, as a nationality group resident in Sweden, had the lowest crime participation rate, followed by the Swedes and the North Americans. Latin American nationals presented the highest participation rate, followed by African and Asian nationals.⁵⁹ Martens' research reveals one important and interesting finding concerning peak age of crime participation. Whereas the 15-20 year old Swede, North American, Australian, other Nordic, and other European nationals, resident in Sweden, displayed the highest crime participation rate, nationals of the other three continents showed highest participation rate at an older age. Thus, the highest crime participation rate for Latin American and Asian nationals resident in Sweden was at age 21-24 years, and for the African nationals it was 25-29. Martens also observed these differences by type of crime.⁶⁰

Another finding from Martens' research that is of importance is the one concerning differential crime participation rates of first and second generation immigrants. Unlike results of other research in Europe and elsewhere, Martens presented data that show that second generation immigrants have a lower crime participation rate than their first generation counterparts. Martens concludes that this finding is not only contrary to research findings in other European countries, "It is also contrary to the conventional wisdom in the general debate in Sweden."⁶¹

The Netherlands

The Netherlands, in recent years has seen an upsurge of crime and significant increase in prison population. Ethnic groups figure prominently in criminal justice statistics. Immigrants to the Netherlands since World War II came from Southern Europe as migrant workers, from former colonies of Indonesia, Surinam, and Antilles, and refugees and asylum seekers from Eastern Europe. Ethnic minorities constitute between 6 and 7 per cent of the total population. The level of education of minority ethnic groups is low and their participation in higher education is very low. Their unemployment rate is more than twice the national average, public attitude towards ethnic group is somewhat negative, and it appears that intolerance toward these groups has increased in recent years.⁶²

⁵⁸ Savona, di Nicola, and da Col, op. cit. p. 65

⁵⁹ Martens, op. cit. pp 209-210.

⁶⁰ Ibid pp 210-218.

⁶¹ Ibid p. 226

⁶² J. Junger-Tas, 1997. "Ethnic Minorities and Criminal Justice in the Netherlands," in Tonry (ed) op. cit. Pp 257-273.

Police statistics show that not all minority groups have a high crime rate and those who do also show a high serious crime rate. While social marginalisation of minority groups may explain high involvement in crime, Dutch research appears to show that these groups suffer direct and indirect discrimination. de Haan claims that “Research on ethnic differences in criminality is being done mostly for political purpose”⁶³ and there is little understanding that ethnic crime is a social construct.

Switzerland

Switzerland has a long tradition of immigration and proportionate to its population has the largest number of foreign residents compared to most European countries. Police statistics from some of the European countries show that, in general, Switzerland also records a higher proportion of foreign citizens among suspects than do other countries. Table 3.12 presents these statistics for four countries.

Table 3.12 Percentage of aliens among suspected offenders in 1995

Offence	Austria	France	Germany	Greece	Norway	Sweden	Switzerland
Intentional homicide*	22	16	32	16	13	27	59
Assault	18	16	22	1	8	18	52
Rape	26	13	32	13	17	32	47
Robbery	34	17	32	19	14	20	54
Theft	27	14	23	22	8	22	50
Motor vehicle theft	20	10	19	27	3	11	--
Burglary	23	11	20	22	5	13	49
Drug offences	15	15	28	7	13	16	33
Drug Trafficking	--	31	--	--	18	23	48

*Includes attempts.

Source: Council of Europe, 1999. *European Sourcebook of Crime and Criminal Justice Statistics*: Strasbourg: European Committee on Crime Problems, (prepared by the Enlarged Group of Specialists on trends in crime and criminal justice) Table 1.B.2.2.3, pp 76-77.

Data in Table 3.12 clearly show that of the seven countries Switzerland records the highest proportion of suspects who are foreign citizens in each offence category. It should, however, be noted that foreign citizens constitute a much higher proportion of the general population in Switzerland than in any of the other countries; indeed this proportion is at least twice that of Germany and Sweden and four times that of France. Therefore, pro-rata suspect rate of foreign citizens need not be higher in Switzerland. It is, however, difficult to calculate suspect rate of foreigners in Europe, and in particular in Switzerland, where a large number of tourist, students, officials, and business people visit annually. According to Killias the total resident population of Switzerland in 1993 was about 7 million and an estimated 234 million people crossed its borders in the same year.⁶⁴ Data in the Table show that foreign suspects were

⁶³ W. de Haan, 1997. “Minorities, Crime, and Criminal Justice in the Netherlands,” in Marshall (ed) op. cit. p. 220

⁶⁴ M. Killias, 1997. “Immigrants, Crime, and Criminal Justice in Switzerland,” in Tonry (ed) op. cit. p. 380.

more frequent in violent and drug trafficking offences than in property offences.

More recent data from Switzerland for suspects show a pattern similar to that presented in Table 3.12. In 1994, about half the suspects arrested for serious offences like intentional homicide, bodily injury, robbery, rape, burglary, and drug offences were either foreigners resident in Switzerland or nonresident foreigners.

Similar representation of foreign citizens is observed in court data as well (see Table 3.13).

Table 3.13 Percentage of aliens among convicted persons in 1995

Offence	Austria	France	Germany	Italy	Norway	Sweden	Switzerland
Int. Homicide*	18	16	34	10	26	32	46
Assault	21	14	28	9	--	17	56
Rape	24	9	33	--	25	29	56
Robbery	32	15	39	15	4	23	51
Theft	28	14	30	18	5	20	50
M V Theft	--	--	--	--	2	11	--
Burglary	25	--	27	--	4	--	--
Drug Offences	20	21	31	25	13	18	43

*Intentional homicides including attempts

Source: Council of Europe 1999, Table 3.B.2.3, pp 133-134

Foreign citizens in each of the countries are over-represented in conviction statistics. However, some unusual features of the data need highlighting. In Italy there is no over-representation of foreign citizens in convictions for violent offences, but for theft and drug offences almost three out of four convictions involved foreign citizens.

Killias draws conclusions from his research in Switzerland that are quite similar to those obtained by other European scholars. He indicates that disproportionate representation of foreign citizens in arrest, conviction, and imprisonment reflect deprivation, lack of integration, low school achievement and higher education, which together affect foreigners' life chances.⁶⁵

The United Kingdom

In the United Kingdom no national statistics are available for ethnicity of persons arrested. There are, however, surveys and special studies that offer some information on the involvement of members of ethnic groups in crime. Early data from Metropolitan Police District, London show that in 1987 blacks (mainly Afro-Caribbeans) accounted for 16 per cent of those arrested; they

⁶⁵ See Killias, *Ibid*, pp. 375-405

comprised only about 5 per cent of the population of the area.⁶⁶ In a study in Leeds in 1987, Jefferson and Walker found 6 per cent of the arrestees to be black whereas they accounted for only three per cent of the population of the city. Arrest rate per head of population was 8.5 per cent for blacks, 3.9 for Asians, and 4.7 for whites. The study examined the arrest data in terms of areas of the city with less than 10% non-white (lighter) and 10% or more non-white (darker). In the lighter area blacks in both 11-21 and 22-35 age groups displayed more than twice the arrest rate of whites. In the darker area whites in the age group 11-21 showed significantly higher arrest rate than the blacks and Asians. Further examination of the data indicated that more than a quarter of the whites residing in the darker areas lived in rented housing (as such transient) and were unemployed.⁶⁷

In a survey of ethnic origin and crime in the United Kingdom, Smith observed that the proportion of black people in the suspect population showed an increasing trend and that South Asians are not over represented among arrested persons. Smith also suggests that membership of an ethnic group is not the predominant characteristic influencing offending rates.⁶⁸

France

Official crime statistics record all notifiable offences. The level of crimes vary from region to region. Regions that have high proportion of foreigners appear to have high level of crime. Foreigners account for approximately 6 per cent of the population. In the 20 year period from 1973 to 1993 there has been some notable shifts in the unlawful activities of the foreign suspects. In 1973 foreigners accounted for slightly over 11 per cent of the suspect population, in 1993 this proportion increased to over 20 per cent. However, only 7 per cent of the foreign suspects were accused of violation of immigration law in 1973, in 1993 almost one-third (32 per cent) of foreign suspects were caught for this violation. Once the immigration law violation is taken out, foreigners as proportion of total suspects increased from under 11 per cent in 1973 to over 14 per cent in 1993. As indicated earlier, foreign suspects dominate in offences like forgery, pickpocketing, and trafficking in narcotics.⁶⁹

Other

⁶⁶ Cited in T. Jefferson and M.A. Walker, 1992. "Ethnic Minorities in the Criminal Justice System.," *The Criminal Law Review*, February, pp 83-95

⁶⁷ *Ibid.* p. 87

⁶⁸ See D.J. Smith, 1997. "Ethnic Origins, Crime, and Criminal Justice," in M. Maguire, R. Morgan, and R. Reiner (eds), *The Oxford Handbook of Criminology*, Second Edition. Oxford: Clarendon Press, pp. 703-759, see also D.J. Smith, 1997. "Ethnic Origins, Crime, and Criminal Justice in England and Wales," in Tonry (ed) *op. cit.* pp. 101-182.

⁶⁹ Information derived from P. Tournier, 1997. "Nationality, Crime, And Criminal justice in France," in Tonry (ed) *op. cit.* pp. 523-551; and P.I. Jackson, 1997. "Minorities, Crime, and Criminal Justice in France," in Marshall (ed) *op. cit.* pp 130-150.

Sketchy arrest statistics from Italy and Spain also indicate that foreigners are over-represented. In Italy, foreigners comprised less than two per cent of the population but 5.7 per cent of the charged persons in 1993. A growing number of foreigners face problems of food, housing, unemployment, and language.⁷⁰ In Spain, 14.8 per cent of legal resident foreigners were arrested for a crime in 1995; they account for a little over one per cent of the population.⁷¹ However, the statistics do not differentiate between tourists, illegal immigrants, legal immigrants, or second-generation immigrants.

Statistics on arrests/suspects provide the first impression of the population involved in criminal activity. Although crime victim surveys in many countries collect details of perpetrators as described by victims, these relate to only a few violent crimes. For a large majority of crimes these surveys cannot offer any details. Hence arrest statistics offer the best estimates currently possible. As has been shown, even at this stage most countries collect very little information on the ethnicity of arrestees. Records of contacts with the police and how suspects are processed are important because such encounters could influence decisions at subsequent stages of the criminal justice system. While national level data for courts are difficult to obtain, imprisonment statistics show that in general higher suspect rates among foreigners are reflected in higher imprisonment rate. Killias suggests that foreigners, on average, receive longer prison terms than the locals.⁷² Table 3.14 presents information on foreigners as proportion of all prisoners in selected European countries.

As can be seen there exists wide variation in the proportion of prisoners who are foreigners. In Switzerland and Luxembourg foreigners constitute almost half the prison population, while in Belgium four out of ten prisoners are foreigners. European scholars agree that in calculating rates for foreigners, the denominator does not take into account the large number of foreigners who pass through each country. As a consequence foreigners' rates could be overstated. Many of the foreigners in prison may not be resident or non-resident, but tourists or asylum seekers. Greece and Spain have relatively few foreigners in the population, yet over 22 and 16 per cent of the prisoners respectively were foreigners.

⁷⁰ U. Gatti, D. Malfatti, and A. Verde, 1997. "Minorities, Crime, and Criminal Justice in Italy," in Marshall (ed) op. cit. pp. 110-129.

⁷¹ R. Barberet and E. Garcia-Espana, 1997. "Minorities, Crime, and Criminal Justice in Spain," in Marshall (ed) op. cit. pp 175-197.

⁷² Killias, op. Cit. p. 396

Table 3.14 Foreigners as proportion of all prisoners, 1 September 1996.

Country	% of all prisoners
Austria	26.5
Belgium	40.3
Czech Republic	17.6
Cyprus	52.3
Denmark	12.6
England and Wales	7.6
Finland	3.0
France	28.3
Germany*	29.4
Greece	35.6
Hungary	4.0
Iceland*	0.1
Ireland	8.4
Italy	18.6
Lithuania	0.6
Luxembourg	53.1
Norway	16.3
Netherlands	31.7
Poland	6.1
Portugal	11.7
Slovak Republic	1.8
Spain*	15.5
Sweden	26.5
Switzerland	54.1
Turkey	0.9

*as at 1 September 1995

Source: Council of Europe, 1996-1998. Penological Information Bulletin, Nos. 19, 20, and 21, December 1994-1996. Strasbourg: Council of Europe.

Summary

This brief survey of the literature and statistics from Europe and North America reveal a number of findings that have relevance to Australian.

1. There is no clear-cut definition of ethnicity used by various countries. There is no uniformity in counting foreigners. In Sweden, for example, once an immigrant obtains citizenship he/she is counted as a Swede. In the U.S., unlike in the early part of this century when statistics by country of origin was recorded, the variable of race is the common way of producing ethnicity data. A limited amount of data are available for Hispanics and Asian and Pacific Islanders.
2. The proportion of population foreign-born varies from country to country.
3. The ethnic differences among migrant groups are considerable. Germany, Sweden, and Switzerland receive migrants from other European countries including from former Eastern European countries. France, the

Netherlands, and the United Kingdom have received, apart from European migrants, a large number of migrants from their ex-colonies.

4. The foreign-born, and the blacks in the U.S., have higher suspect/arrest and imprisonment rates than native-born, and whites.
5. Particularly in Europe, the lack of knowledge of local language is considered to be a major disadvantage to migrant groups.
6. Migrants generally have lower levels of education and very low rates of participation in higher education, which limits their life chances.
7. Migrants' unemployment rate is significantly higher than that of the native-born.
8. Migrants generally concentrate around poorer and disadvantaged city neighbourhoods.
9. Second generation migrants, with the exception of those in Sweden, have higher crime rates than their predecessors.
10. Some European research indicates that certain ethnic groups suffer from culture conflict.
11. Scholars and researchers generally point out that race, ethnicity, and country of origin have less to do with crime than the environment and disorganised communities.
12. The Research literature highlights some bias against the minority groups in their contacts with the criminal justice system. The application of neutral criteria or equality principles often place minority group members at disadvantage. Specially in decisions such as caution or prosecution social background factors, particularly family stability, play a very important role. Suspects from minority groups often come from 'unstable' families and as such make a 'caution' decision difficult. This situation may influence decisions at subsequent stages of the criminal justice system.

Chapter 4 The Foreign Born Population and Crime in Australia

Migrant groups in Australia vary in terms of demographic, social and economic characteristics. As data and research from overseas demonstrate, such differences could influence not only a group's wellbeing but also their involvement in deviant behaviour. According to 1996 Census of Population and Housing for example (highlights from which were presented in Chapter 2), the structure of population of groups may vary markedly. Migrant groups who came to Australia after the Second World War, eg from Germany, Greece, Hungary, Italy, Malta, and the Netherlands currently have a much higher proportion of population aged 45 years and over than groups who began arriving since the late 1970s, eg from Cambodia, Fiji, Malaysia, and Vietnam. Also some migrant groups have in their population a higher proportion of 15 to 24 year olds than others, an age group that appears prominently in crime statistics.

Migrants come under different circumstances, with different personal experiences and bring with them varied levels of knowledge, education, language proficiency, and work experience. These experiences and personal traits play an important role in becoming a responsible resident of a new country. Research literature, particularly from Europe, reviewed in Chapter 3, claim that lack of knowledge of local language, low level of formal education, and outdated work experience place some migrant group at disadvantage and this is reflected in their over-representation in statistics on unemployment and arrests. Such a disadvantage could be permanent because many in this situation do not have resources to pursue higher education and skills training to get out of this disadvantage. The North American and European research also indicates that the distribution of crime by migrants follows the physical structure and the lack of organised community to deal with these incidents in cities.

Viviani (1996) paints a rather pessimistic picture while analysing the situation of the Indochinese in Australia. She suggests that the "explanation of Vietnamese unemployment is a dismal one that holds out little hope for improvement in the short and medium term. In short, while changing economic conditions have been a major factor in the inability of some Vietnamese to find work, their attributes as a group with skills inappropriate to the Australian labour market and relatively poor English make it difficult for them to compete in Australian labour markets."⁷³ In a recent work Tisdell (1998) echos the same sentiments and says migrants who cannot speak English "are at a decided economic disadvantage."⁷⁴

⁷³ N. Viviani, 1996. *The Indochinese in Australia 1975 – 1995: from burnt boats to barbecues*. Melbourne: Oxford University Press, p 85.

⁷⁴ C.A. Tisdell, 1998. "Migration to Australia with particular reference to Asian migration," Economic Issues, No. 1, Department of Economics, University of Queensland.

Australia maintains very good statistics relating to people who migrate from overseas. The Department of Immigration and Multicultural Affairs produces numerous publications on the social, cultural, economic and demographic characteristics of all who enter Australia. Australia's immigration program generally has received praise from different quarters and the fact that systematic information on criminal behaviour of immigrants is lacking is not a major concern. As the review in the previous chapter has shown the arrest/suspect rate of the foreign-born population rises in certain situations and the arrest rate of recent arrivals is usually higher than that of those who arrived earlier. Indeed, many research studies have found the crime rate of the second generation of migrants to be not only higher than that of their parents but that it also approaches the level of all native-born people.

There is no way of knowing the background, including the country of birth, of every one who commits a crime in Australia. A comparatively large number of offences, as research and surveys over the last 25 years have revealed, is never reported to the authorities and as such generate no records of their occurrence. This number is close to 60 per cent of all offences that occur in a community.⁷⁵ Even those that are reported to the police not all are recorded. Investigations of offences are only able to solve by apprehension a relatively small proportion of recorded offences. As an example consider the data for Victoria (Victoria is the only jurisdiction in Australia which publishes place of birth information of persons processed by the State police). The 1996 Victorian Crime Victimization Survey⁷⁶ reveals that there were 342,100 victimisations (the offences included in the survey were break and enter, attempted break and enter, motor vehicle theft, assault, sexual assault, and robbery) in Victoria of which 154,400 were reported to the police. The police recorded in 1996-97 a total of 139,629 offences, falling in the above categories. Only 38,380 of these recorded offences were solved by the Victoria police, that is equal to 11.2 per cent of all victimisations or 27.5 per cent of recorded offences. The point is, the background of who committed these offences is known of perpetrators of solved offences only. Therefore, all those arrested and processed by the Victoria police in that year represent a small proportion offenders who commit crime.

Victoria police processed a total 139,852 alleged offenders (not distinct offenders) in 1996-97 and the country of birth details were available for 88.5 per cent of these offenders. Until 1995 the Office of Crime Statistics, South Australia used to publish country of birth details of alleged offenders tried at the Magistrates and Supreme Courts. But birth place details could be identified for only about 50 per cent of the alleged offenders. The above office, in 1996, decided not to publish the ethnicity details because they were 'misused'. Western Australia Police have begun publishing ethnicity or ethnic appearance

⁷⁵ Australian and overseas crime victimisation surveys.

⁷⁶ Criminal Justice Statistics and Research Unit, 1998. 1996 Victorian Crime Victimization Survey Findings. Melbourne: Department of Justice Victoria.

of alleged offenders. Such detail is based on observation or description of an alleged offender. The WA Police have identified 10 ethnic groups: Aboriginal, Asian, Caucasian, Indian, Latin, Negroid, Polynesian, Middle Eastern, Southern European, and South and Central American.

The previous chapters have revealed the following in respect of the relationship between foreign-born and crime in Australia:

1. The crime rate of foreign-born population is lower than that of the native-born (Dr Morris, in his written comments to the Committee added an interesting qualification - crime rate amongst recent immigrants was lower than the “Old Australians” in similar financial and living conditions)
2. The arrest rate of immigrant groups varies widely and also differs from arrest rate in their country of origin
3. The crime rate of second generation of migrants is higher than that of their parents’ generation and this rate approximates the crime rates of the native-born population
4. Members of the foreign-born population are victims of crime more often than members of the native-born population, and
5. Some foreign-born groups are involved in organised crime.

United Nations Survey and Cross-National Comparison

Because of data deficiencies none of these matters could be examined precisely and accurately and for Australia as a whole. As noted above, data on persons processed by country of birth were available only from Victoria. The countries included in this analysis are those listed in the Victoria police statistics. Before the Victorian Statistics are examined in detail, it is useful to look at the situation outside Australia. Every five years the United Nations conducts surveys of crime trends in the World. Among other information the surveys collect statistics on crimes reported to the police, number of arrests made, number of prisoners, etc. The Victorian Police Statistics provide country of birth details for persons processed and list 26 countries, including Australia. We attempted to extract some crime statistics for these 26 countries from the United Nations survey. The result of our attempt is produced in Table 4.1. This Table provides the following details:

Offence rate for all offences in country of birth
Arrest/suspect rate for all offences in country of birth, and
Arrest/suspect rate for all offences in Victoria

Table 4.1: Offence and Suspect Rates in Country of Birth and Alleged Offender Rates in Victoria by Country of Birth - per 100 000 Population

TOTAL CRIME				
Country of Birth	Offence Rate in Country of Birth	Suspect Rate in Country of Birth	Victorian Alleged Offenders by Country of Birth	Victorian Alleged Offender Rate by Country of Birth
Romania			444	9226.9
Yugoslavia #			1 383	6986.6
Soviet Rep.			339	5989.4
Vietnam			3 176	5758.1
* Lebanon	656.7	896.6	738	5274.8
Turkey			674	4554.1
* Fiji	2518.4		265	4414.5
* New Zealand	13853.6	5352.5	1 686	3940.6
Cambodia			287	3475.4
Australia	8000.0		107 321	3337.4
Hungary	3795.4	1164.5	190	2478.5
Chile	8784.5	5011.4	144	<u>2117.0</u>
* Poland	2351.0	1008.9	478	2070.7
Phillipines	139.2		361	1791.6
Greece	2909.2	2626.5	949	<u>1535.4</u>
* Ireland	2867.0	166.0	153	1263.9
USA	5367.1	5620.0	122	<u>1168.8</u>
Malaysia	389.8		253	1094.3
# China	127.7		298	1058.7
India	600.1	668.1	255	1047.8
* Germany	8037.7	2505.3	313	<u>1031.0</u>
Sri Lanka			240	1017.8
Netherlands			263	1003.8
Malta	21142.9	3903.8	238	<u>979.2</u>
UK	10041.4		2 118	966.3
Italy	3800.2	1302.4	873	<u>880.3</u>
Total			139 852	3168.2

Note: The offence rate in country of birth for Australia is only an approximation based on the ABS Recorded Crime Statistics, 1996.

Numbers in bold indicate that the Alleged Offender rate for Total Crime in Victoria for that population is greater than the Alleged Offender rate for Total Crime for the total Victorian Population.

Numbers which are underlined indicate that the Alleged Offender rate for Total Crime in Victoria for that population is lower than the Alleged Offender rate for Total Crime in their own country of birth.

Source:

Indicates value for Offence and Suspect Rates in Country of Birth obtained from 1994 Interpol data.

* Indicates value for Offence and suspect Rates in Country of Birth obtained from 5th United Nations World Crime Survey, 1990-1994; data relate to 1994.

All other values for Offence and Suspect Rates in Country of Birth obtained from 1995 Interpol data.

Numbers for Victorian Alleged Offender Rates obtained from Victoria Police Crime Statistics, 1996-97. Rates calculated using 1996 Census data.

Before making any comments on the data it is necessary to state that there exists enormous differences in the way crimes are reported, recorded, and classified for statistical purposes in each of the countries. Moreover, total crime in all the countries may not include the same crimes. Irrespective of these differences the United Nations Survey data are used extensively by national and international bodies and scholars and researchers. Looking at the offence rate column the data show that Australia's offence rate is similar to those exhibited by highly developed countries like New Zealand, the United Kingdom, Germany, the Netherlands and the United States. Asian countries in general have low offence rate and Mediterranean and East European countries display offence rates that fall in between the rates of highly developed and Asian countries. It is important to point out that 'low offence rate' does not necessarily mean that the level of reported crimes is low. One very important difference in counting crimes must be stated. Highly developed countries of the West record most crimes that are reported/becoming known to police, whereas other countries tend to record crimes that are cleared by the arrest or identification of a suspect. In the latter countries, therefore, crimes that are not cleared are not recorded and included in official crime statistics.

Data for suspect (arrest) rates were not available for a number of countries. Arrest rates in the United States, New Zealand, Germany, and the Netherlands (and also Greece) are higher than the rest. Thus countries with high crime rates also produce high arrest rates. Data on suspect rate in country of birth also show that in some countries suspect rate is higher than offence rate. This could mean several things but a principal reason appears to be that in these countries crimes are recorded only after a suspect has been arrested or identified. Thus, in cases where no suspect could be arrested/identified no offence will be recorded. And the reason why suspect rate is higher than offence rate is that often more than one suspect is arrested/identified for one offence. In case of data from the United States another type of complication emerges. Whereas the recorded crime data relate to only the eight index crimes, arrest data refer to all arrests, including for non-index crimes.

Arrest Statistics of Victoria - Alleged Offenders

Suspect/arrest rates in Victoria reveal some interesting differences. Of the 26 countries listed, offenders born in nine of these countries had an arrest rate higher than the total arrest rate and the arrest rate of the Australians born in Victoria. Arrest rates of those born in Romania, Former Yugoslavia, Soviet Republic, Lebanon, Turkey, and Fiji are high, indeed these arrest rates were higher than rates in their countries of birth; it is highly likely that suspect rates of those born in Vietnam and Cambodia falls in this category. Arrest rate of those born in New Zealand was higher than that of Australian-born but lower than that in New Zealand. Also Victorian arrest rates of those born in Germany, Greece, Italy, the Netherlands, and the United States were lower than arrest rates in those countries. At this stage these data are illustrative only. In a

few years time if the data reveal certain patterns and trends it will be necessary to investigate these differences in detail. The issues that need to be investigated are whether migrants from certain countries display a higher proclivity to crime while in Australia than those from other countries. This remains a difficult task. Crime statistics, currently available, show only whether members of some migrant groups have higher arrest rate than others; they do not reveal whether they commit crime at a higher rate than others. However, if members of some migrant groups continue to display a consistently high arrest rate over several years, this fact must be examined carefully.

Statistics on offenders processed, available since 1993-94 from Victoria, clearly show that persons born in Romania, Former Yugoslavia, the Russian Federation, Lebanon, Turkey, Vietnam, and New Zealand were arrested at a higher rate than other migrant groups and the Australian-born during the five year period. As will be shown later in this section, these arrest rates were high both as alleged offenders and as distinct alleged offenders (see Table 4.8 and 4.14). Whether this pattern reflects high involvement in crime or social distress encountered by some migrant groups, or criminal justice system biases against certain groups, warrants further research.

Similar data for specific offences will be presented soon, for the time being consider Dr Morris' qualification - "in similar financial and living condition". Of course a social survey will be an ideal way to examine financial and living conditions. However, five-yearly censuses of population and housing collect a substantial amount of data on these variables. Some of the factors that could elaborate on the financial and living conditions of migrants would be level of educational qualification, English proficiency, employment, occupation, income, and housing. Data for the last two variables for the 1996 census have not yet been obtained. Data in Table 4.2 show some interesting patterns. Details in the Table have been organised in descending order of arrest rate in Victoria.

A general pattern that emerges is that immigrant groups with low levels of or no qualification, poor English proficiency, and relatively high level of unemployment also have higher arrest rate than the rest. This is particularly relevant for recent migrant groups. Thus, among the foreign-born, those-born in Cambodia, Lebanon, Romania, Russian Federation, Turkey, and Vietnam have a high unemployment rate (very high unemployment rate among those with poor English proficiency), have low English proficiency, and relatively low qualifications. There are exceptions, for example a group may display two of the three deficiencies and not have high arrest rate. Examples in this category are migrants from Greece and Italy. More than three quarters of migrants from Greece and Italy have no formal qualification, and more than a quarter of the population has poor English proficiency but their unemployment rate is very low; their arrest rate is also very low. These two migrant groups came to Australia in large numbers in the 1950s and the data probably reflect well-established community and the resultant age structure. This type of analysis could be effectively carried out when data are available for the past several years.

Table 4.2: Victoria – Alleged Offender Rates, Proportion of Population with No Qualification and Poor English Proficiency and Unemployment Rates of Population Aged 15 years and over by Country of Birth

Country Of Birth	Victorian Alleged Offender Rate by Country of Birth, 1996/97	Proportion with No Qualification	Proportion of Population With Poor English Proficiency	Unemployment Rate of Persons With Poor English Proficiency
Romania	9.2	44.2	16.0	31.7
Russian Federation	6.0	44.8	15.5	42.2
Vietnam	5.8	76.0	46.0	37.1
Lebanon	5.3	76.5	23.3	49.3
Turkey	4.5	75.8	35.7	40.2
Fiji	4.4	55.8	3.1	38.2
New Zealand	4.0	55.3	0.3	42.9
Cambodia	3.5	80.5	47.3	38.2
Australia	3.4	59.5	0.1	16.1
Hungary	2.5	46.9	10.1	16.2
Poland	2.2	52.2	14.3	22.4
Chile	2.1	52.4	22.0	17.6
Former Yugoslavia NFD	7.0	60.5	19.1	31.2
Philippines	1.8	40.4	3.1	35.1
Greece	1.5	80.9	34.1	15.0
Ireland	1.3	53.7	0.1	0.0
United States Of America	1.2	33.6	0.4	0.0
Malaysia	1.1	42.7	5.5	28.5
China	1.1	49.3	45.0	21.8
India	1.1	36.3	2.5	26.5
Germany	1.1	43.8	1.9	31.2
Netherlands	1.0	54.0	1.1	0.0
Sri Lanka	1.0	49.0	7.8	22.7
Malta	1.0	75.6	8.5	24.0
United Kingdom	1.0	54.5	0.1	25.0
Italy	0.9	76.1	26.2	14.8
Remainder		45.2	11.3	30.3
Total Victoria	3.2	58.3	4.4	28.7

Note: Unemployment rates calculated as a percentage of people in labour force (ie excluding 'Not in Labour Force' and 'Not Stated')

Source: Census 1996, Matrix File CS084

Numbers for Victorian Alleged Offender Rates obtained from Victoria Police Crime Statistics, 1996-97.

Rates calculated using 1996 Census data.

Tables 4.3 to 4.7 display crime data for drugs offences, serious assault, rape, robbery, and homicide. For drug offences suspects born in eight countries (Romania, Former Yugoslavia, Vietnam, Lebanon, Turkey, Fiji, New Zealand and Cambodia) had higher arrest rate than those born in Australia (see Table 4.3). Migrants from these eight countries also had higher alleged offender rates for total crime (see Table 4.1). Another interesting observation is that with very few exceptions, drugs arrest rates of those born overseas and live in Victoria are higher than those in their country of origin, in some cases the rates were several times higher.

Suspects born in the same nine countries show higher arrest rates for the offence of major assault than those born in Australia. Together, arrests for drug offences and major assaults account for about 15 per cent of all arrests. For the remaining three serious violent offences of robbery, rape, homicide the arrest pattern by country of birth was not so clear (see Tables 4.4 to 4.7). The number of arrests for these specific offences for most migrant groups is very small and caution must be taken to interpret the data.

Table 4.3: Offence and Suspect Rates in Country of Birth and Alleged Offender Rates in Victoria by Country of Birth - per 100 000 Population

DRUGS				
Country of Birth	Offence Rate in Country of Birth	Suspect Rate in Country of Birth	Victorian Alleged Offenders by Country of Birth	Victorian Alleged Offender Rate by Country of Birth
Romania			61	1267.7
Yugoslavia #			123	621.4
Soviet Rep.			10	176.7
Vietnam			1 035	1876.5
* Lebanon	12.0		62	443.1
Turkey			76	513.5
* Fiji	50.5		20	333.2
* New Zealand	717.0		166	388.0
Cambodia			78	944.5
Australia			10 253	318.8
Hungary	2.5	146.2	22	287.0
Chile	48.8		15	220.5
* Poland	10.4		29	125.6
Phillippines			53	263.0
Greece	17.6	45.7	112	181.2
* Ireland	2.7		18	148.7
USA		152.0	23	220.3
Malaysia	53.1	14.1	22	95.2
# China	2.9		17	60.4
India		8.9	5	20.5
* Germany	162.8		25	82.3
Sri Lanka			15	63.6
Netherlands			18	68.7
Malta	675.8	291.2	21	<u>86.4</u>
UK	67.1		257	117.2
Italy	66.9		75	75.6
Total			13 941	315.8

Note: Numbers in bold indicate that the Alleged Offender rate for Drug Offences in Victoria for that population is greater than the suspect rate for Drug Offences for the total Victorian Population. Numbers which are underlined indicate that the Alleged Offender rate for Drug Offences in Victoria for that population is lower than the suspect rate for Drug Offences in their own country of birth.

Source:

Indicates value for Offence and Suspect Rates in Country of Birth obtained from 1994 Interpol data.

* Indicates value for Offence and suspect Rates in Country of Birth obtained from 5th United Nations World Crime Survey, 1990-1994; data relate to 1994.

All other values for Offence and Suspect Rates in Country of Birth obtained from 1995 Interpol data.

Numbers for Victorian Alleged Offender Rates obtained from Victoria Police Crime Statistics, 1996-97. Rates calculated using 1996 Census data.

Table 4.4: Offence and Suspect Rates in Country of Birth and Alleged Offender Rates in Victoria by Country of Birth - per 100 000 Population

MAJOR ASSAULT				
Country of Birth	Offence Rate in Country of Birth	Suspect Rate in Country of Birth	Victorian Alleged Offenders by Country of Birth	Victorian Alleged Offender Rate by Country of Birth
Romania			17	353.3
Yugoslavia #			101	510.2
Soviet Rep.			13	229.7
Vietnam			98	177.7
* Lebanon	28.4	58.7	42	300.2
Turkey			52	351.4
* Fiji	51.3	30.4	33	549.7
* New Zealand	546.3	399.8	113	<u>264.1</u>
Cambodia			14	169.5
Australia			4 959	154.2
Hungary	79.4	63.6	11	143.5
Chile	96.3	9.3	6	88.2
* Poland	71.8	69.4	7	<u>30.3</u>
Phillipines			10	49.6
Greece	72.6	80.2	58	93.8
* Ireland	12.3	1.4	12	99.1
USA	429.7	210.2	7	<u>67.1</u>
Malaysia	14.6	9.4	4	17.3
# China	5.2		16	56.8
India			13	53.4
* Germany	108.2	115.7	9	<u>29.6</u>
Sri Lanka			13	55.1
Netherlands			11	42.0
Malta	357.1	140.1	18	<u>74.1</u>
UK			117	53.4
Italy	36.5	37.3	64	64.5
Total			6724	152.3

Note: Numbers in bold indicate that the Alleged Offender rate for Major Assault in Victoria for that population is greater than the Alleged Offender rate for Major Assault for the total Victorian Population.

Numbers which are underlined indicate that the Alleged Offender rate for Major Assault in Victoria for that population is lower than the suspect rate for Major Assault in their own country of birth.

Source:

Indicates value for Offence and Suspect Rates in Country of Birth obtained from 1994 Interpol data.

* Indicates value for Offence and suspect Rates in Country of Birth obtained from 5th United Nations World Crime Survey, 1990-1994; data relate to 1994.

All other values for Offence and Suspect Rates in Country of Birth obtained from 1995 Interpol data.

Numbers for Victorian Alleged Offender Rates obtained from Victoria Police Crime Statistics, 1996-97. Rates calculated using 1996 Census data.

Table 4.5: Offence and Suspect Rates in Country of Birth and Alleged Offender Rates in Victoria by Country of Birth - per 100 000 Population

RAPE				
Country of Birth	Offence Rate in Country of Birth	Suspect Rate in Country of Birth	Victorian Alleged Offenders by Country of Birth	Victorian Alleged Offender Rate by Country of Birth
Romania			1	20.8
Yugoslavia #			3	15.2
Soviet Rep.			0	0.0
Vietnam			2	3.6
* Lebanon	0.7	1.1	4	28.6
Turkey			2	13.5
* Fiji	10.0	10.8	8	133.3
* New Zealand	34.7	13.8	3	<u>7.0</u>
Cambodia			2	24.2
Australia	78.2		345	10.7
Hungary	8.1	5.6	1	13.0
Chile	6.9	4.9	1	14.7
* Poland	5.3	4.2	0	<u>0.0</u>
Phillipines	3.7		0	0.0
Greece	2.5	1.8	2	3.2
* Ireland	5.2	4.9	0	<u>0.0</u>
USA	39.2	14.0	1	<u>9.6</u>
Malaysia	5.0	3.8	1	4.3
# China	3.4		1	3.6
India	1.4	2.0	3	12.3
* Germany	7.5	5.7	1	<u>3.3</u>
Sri Lanka			2	8.5
Netherlands			1	3.8
Malta	27.5	13.7	0	<u>0.0</u>
UK	10.0		7	3.2
Italy	1.5	1.5	3	3.0
Total			495	11.2

Note: Numbers in bold indicate that the Alleged Offender rate for Rape in Victoria for that population is greater than the suspect rate for Rape for the total Victorian Population. Numbers which are underlined indicate that the Alleged Offender rate for Rape in Victoria for that population is lower than the suspect rate for Rape in their own country of birth.

Source:

Indicates value for Offence and Suspect Rates in Country of Birth obtained from 1994 Interpol data.

* Indicates value for Offence and suspect Rates in Country of Birth obtained from 5th United Nations World Crime Survey, 1990-1994; data relate to 1994.

All other values for Offence and Suspect Rates in Country of Birth obtained from 1995 Interpol data.

Numbers for Victorian Alleged Offender Rates obtained from Victoria Police Crime Statistics, 1996-97. Rates calculated using 1996 Census data.

Table 4.6: Offence and Suspect Rates in Country of Birth and Alleged Offender Rates in Victoria by Country of Birth - per 100 000 Population

ROBBERY				
Country of Birth	Offence Rate in Country of Birth	Suspect Rate in Country of Birth	Victorian Alleged Offenders by Country of Birth	Victorian Alleged Offenders Rate by Country of Birth
Romania			7	145.5
Yugoslavia #			8	40.4
Soviet Rep.			1	17.7
Vietnam			12	21.8
* Lebanon	5.9	47.7	9	64.3
Turkey			12	81.1
* Fiji	129.7	42.5	12	199.9
* New Zealand	48.8	24.6	24	56.1
Cambodia			1	12.1
Australia	80.1		966	30.0
Hungary	25.0	20.7	2	26.1
Chile	514.9	117.6	2	29.4
* Poland	61.2	35.8	30	130.0
Phillipines	13.7		2	9.9
Greece	7.8	4.4	10	16.2
* Ireland	65.5	1.3	2	16.5
USA	237.5	66.1	1	<u>9.6</u>
Malaysia	31.2	6.1	1	<u>4.3</u>
# China			16	56.8
India	2.6	3.2	0	<u>0.0</u>
* Germany	71.0	40.1	3	<u>9.9</u>
Sri Lanka			1	4.2
Netherlands			0	0.0
Malta	90.7	5.5	0	<u>0.0</u>
UK	114.5		12	5.5
Italy	52.4	15.8	20	20.2
Total			1259	28.5

Note: Numbers in bold indicate that the Alleged Offender rate for Robbery in Victoria for that population is greater than the Alleged Offender rate for Robbery for the total Victorian Population. Numbers which are underlined indicate that the Alleged Offender rate for Robbery in Victoria for that population is lower than the Alleged Offender rate for Robbery in their own country of birth. Source:

Indicates value for Offence and Suspect Rates in Country of Birth obtained from 1994 Interpol data.

* Indicates value for Offence and suspect Rates in Country of Birth obtained from 5th United Nations World Crime Survey, 1990-1994; data relate to 1994.

All other values for Offence and Suspect Rates in Country of Birth obtained from 1995 Interpol data.

Numbers for Victorian Alleged Offender Rates obtained from Victoria Police Crime Statistics, 1996-97. Rates calculated using 1996 Census data.

Table 4.7: Offence and Suspect Rates in Country of Birth and Alleged Offender Rates in Victoria by Country of Birth - per 100 000 Population

HOMICIDE				
Country of Birth	Offence Rate in Country of Birth	Suspect Rate in Country of Birth	Victorian Alleged Offenders by Country of Birth	Victorian Alleged Offenders Rate by Country of Birth
Romania	6.4	6.8	0	<u>0.0</u>
Yugoslavia #			2	10.1
Soviet Rep.	21.4	16.5	0	<u>0.0</u>
Vietnam			7	12.7
* Lebanon	4.1	7.8	1	<u>7.1</u>
Turkey	3.0	3.4	0	<u>0.0</u>
* Fiji	10.0	18.1	1	<u>16.7</u>
* New Zealand	3.1	2.3	2	4.7
Cambodia			0	0.0
Australia			109	3.4
Hungary	4.0	4.0	2	26.1
Chile	3.9	4.5	1	14.7
* Poland	3.1	2.8	0	<u>0.0</u>
Phillipines	9.2		2	9.9
Greece	2.8	2.6	1	<u>1.6</u>
* Ireland	1.7	0.1	1	8.3
USA	8.2	8.1	0	<u>0.0</u>
Malaysia	2.0	1.5	0	<u>0.0</u>
# China	2.2		1	3.6
India	7.9	10.3	1	4.1
* Germany	4.9	5.3	0	<u>0.0</u>
Sri Lanka	8.9		0	0.0
Netherlands	17.6	17.0	0	<u>0.0</u>
Malta	3.0	6.3	1	4.1
UK	1.4		2	0.9
Italy	4.9	3.8	2	<u>2.0</u>
Total			169	3.8

Note: Numbers in bold indicate that the Alleged Offender rate for Homicide in Victoria for that population is greater than the Alleged Offender rate for Homicide for the total Victorian Population. Numbers which are underlined indicate that the Alleged Offender rate for Homicide in Victoria for that population is lower than the Alleged Offender rate for Homicide in their own country of birth.

Source:

* Indicates value for Offence and suspect Rates in Country of Birth obtained from 5th United Nations World Crime Survey, 1990-1994; data relate to 1994.

All other values for Offence and Suspect Rates in Country of Birth obtained from 1995 Interpol data.

Numbers for Victorian Alleged Offender Rates obtained from Victoria Police Crime Statistics, 1996-97. Rates calculated using 1996 Census data.

Tables 4.3 to 4.7 show that the number of arrests (suspects) in Victoria for the specific offences of drugs, serious assault, rape, robbery, and homicide, is indeed small. Furthermore, data for only one year do not reveal much that enables one to describe, explain, or interpret the data. Victoria police have been publishing alleged offenders by country of birth statistics since 1993-94. In this section, therefore, these statistics for the last five years have been examined. Table 4.8 provides alleged offender rates per 100,000 relevant population for all offences by country of birth for the years 1993-94 to 1997-98. The statistics do not show many uniformly rising or declining trends in alleged offender rates over the last five years. But the data do show that alleged offender rates for some migrant groups are substantially higher than that of the Australian-born in most of the five years. Those born in Cambodia, Fiji,

Lebanon, New Zealand, Romania, the Russian Federation, Turkey, Vietnam, and former Yugoslavia displayed higher involvement as alleged offenders in 1996-97 than those born in Australia. Statistics for 1997-98 display a decline in arrest rates for migrant groups from a number of countries. The alleged offender rates for those born in Cambodia and Fiji were lower than that of the Australian-born and the rates for those born in Lebanon, Romania, Turkey and former Yugoslavia are lower than those of 1996-97. There was a substantial increase in the alleged offender rate for New Zealanders in 1997-98 compared to the previous year. Thus, migrant groups who demonstrate higher involvement as alleged offenders than the Australian-born are not from a particular region of the world, indeed they are from the, Middle-east, Europe, and Indo-China.

The 1997-98 crime statistics from Victoria did not provide alleged offenders statistics for those born in China, Hungary, Ireland, Malta, the Netherlands and the United States. The report, on the other hand, included alleged offender details of those born in Indonesia, Somalia, Thailand and Uruguay. Alleged offender rates of those born in the last three of these four countries are very high. Indeed, the rates for those born in Somalia and Uruguay are the highest among the groups listed in the Table. Statistics for atleast a few more years need to be examined before any firm conclusions can be drawn. Offender statistics from Victoria reveal one important trend and that is that no migrant group demonstrate a sharply rising trend in overall arrest rate. Indeed, in 1997-98 some groups recorded a mild decline in arrest rates.

The Victorian Police Statistics also provide details of offences for which the alleged offenders were processed. Tables 4.9 to 4.12 present these details by country of birth for the years 1993-94 to 1997-98. Offences have been grouped into four major categories: violent offences, offences against property, drug offences, and other offences. Along with numbers of alleged offenders for each offence category, percentage figures are also shown. There are very few consistent patterns that emerge from the data. A higher proportion of alleged offenders born in Fiji were processed for violent offences than those born in Australia in all the five years. A very small proportion of those born in Uruguay, the Russian Federation, Somalia and Vietnam were arrested for violent offences. Almost four out of five arrests of those born in the Russian Federation were processed for property offences. Statistics for 1997-98 show that over 88 per cent of alleged offenders born in Uruguay were processed for property offences.

In each of the five years a marginally higher proportion of alleged offenders born in Romania were processed for Drugs offences than those born in Australia. However, a feature that is noteworthy in these four Tables is the involvement of those born in Vietnam, and Cambodia, and those born in Indonesia and Thailand in 1997-98, in drug offences. For the last four years that is since 1994-95, among the overseas-born, alleged offenders born in Vietnam constitute the single largest group. The proportion of Vietnamese-born alleged offenders processed for drug offences has increased from 10.0 per

cent in 1993-94 to 36.8 in 1997-98. In 1997-98, Victoria Police processed a total of 3,405 alleged offenders who were born in Vietnam; 1,253 of these were processed for drug offences. Alleged offenders born in Cambodia show a similar pattern. In 1993-94, only 4.5 per cent of Cambodian-born alleged offenders were processed for drug offences; this proportion increased to 38.4 per cent in 1997-98. No other migrant groups display such a consistent trend. Of the Australian-born alleged offenders on an average about 10 per cent were processed for drugs offences. As a result of their increased involvement in drug offences, the proportion of Vietnamese and Cambodian-born alleged offenders processed for the other three major categories of offences has declined significantly to a level far below that of those born in Australia. The 1997-98 statistics show that close to 28 per cent of alleged offenders born in Indonesia and 24 per cent of those born in Thailand were processed for drug offences. Statistics for the last five years clearly show that members of these Asian-born migrant groups are over-represented in arrests for drug offences in Victoria.

Table 4.8: Number and rate per 100 000 population[#] of alleged offenders processed by country of birth, Victoria 1993/94 – 1997/98.

	1993/94		1994/95		1995/96		1996/97		1997/98	
	Number	Rate	Number	Rate	Number	Rate	Number	Rate	Number	Rate
Australia	99 511	3 127.8	108 735	3 399.4	110 475	3 435.4	107 321	3 337.4	114 879	3 572.4
Cambodia	266	3 480.6	271	3 408.7	381	4 613.7	287	3 475.4	255	3 087.9
Chile	149	2 161.6	157	2 292.8	130	1 911.2	144	2 117.0	n/a	n/a
China	241	964.9	301	1 133.2	296	1 051.5	298	1 058.7	331	1 175.9
Fiji	173	3 061.6	188	3 226.5	170	2 831.9	265	4 414.5	196	3 265.0
Germany	340	1 102.0	411	1 342.9	330	1 087.0	313	1 031.0	335	1 103.4
Greece	1 016	1 589.1	1 069	1 700.3	1 223	1 978.7	949	1 535.4	772	1 249.0
Hungary	123	1 556.7	229	2 942.1	164	2 139.3	190	2 478.5	n/a	n/a
India	257	1 145.0	248	1 060.3	246	1 010.8	255	1 047.8	228	936.9
Ireland	238	1 913.5	317	2 583.2	210	1 734.8	153	1 263.9	n/a	n/a
Italy	1 151	1 130.9	1 181	1 175.4	1 109	1 118.3	873	880.3	811	817.8
Lebanon	664	4 787.7	729	5 233.3	724	5 174.8	738	5 274.8	606	4 331.4
Malaysia	214	927.4	243	1 052.1	215	929.9	253	1 094.3	179	774.2
Malta	277	1 113.1	348	1 414.9	237	975.1	238	979.2	n/a	n/a
Netherlands	210	775.0	250	938.1	293	1 118.3	263	1 003.8	n/a	n/a
New Zealand	2 297	5 355.9	2 498	5 831.5	2 361	5 518.3	1 686	3 940.6	2 336	5 459.9
Phillipines	293	1 563.6	350	1 800.0	369	1 831.3	361	1 791.6	532	2 640.2
Poland	337	1 435.8	347	1 490.7	651	2 820.1	478	2 070.7	292	1 264.9
Romania	346	n/c	356	n/c	385	8 000.8	444	9 226.9	383	7 959.3
Russian Federation	271	n/c	247	n/c	342	6 042.4	339	5 989.4	455	8 038.9
Sri Lanka	355	1 628.8	250	1 101.9	300	1 272.2	240	1 017.8	383	1 624.2
Turkey	570	3 886.6	665	4 513.7	783	5 290.5	674	4 554.1	667	4 506.8
United Kingdom	2 968	1 319.8	2 896	1 304.3	2 727	1 244.1	2 118	966.3	2 648	1 208.1
USA	163	1 579.9	156	1 503.3	321	3 075.3	122	1 168.8	n/a	n/a
Vietnam	2 220	4 365.7	3 048	5 750.5	2 876	5 214.2	3 176	5 758.1	3 405	6 173.3
Yugoslavia	1 380	n/c	1 532	n/c	1 452	7 335.2	1 383	6 986.6	1 178	5 951.0
Indonesia	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	239	1 965.6
Somalia	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	190	13 456.1
Thailand	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	349	7 989.9
Uruguay	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	223	12 451.1
Other	2 449	669.8	2 570	683.1	3 186	823.6	3 223	833.2	1 600	4 136.7
Total*	133 356	3 068.3	143 244	3 270.2	145 630	3 299.0	139 852	3 168.2	148 259	3 358.6

n/c Not calculable due to lack of population data

Rates for 1993/94 and 1994/95 calculated using simple population estimates for relevant years.

* Total also includes *unspecified*.

Sources:

Victoria Police 1994, *Crime Statistics 1993/94*, Victoria Police, Melbourne

Victoria Police 1995, *Crime Statistics 1994/95*, Victoria Police, Melbourne

Victoria Police 1996, *Crime Statistics 1995/96*, Victoria Police, Melbourne

Victoria Police 1997, *Crime Statistics 1996/97*, Victoria Police, Melbourne

Victoria Police 1999; *Crime Statistics 1997/98*; Victoria Police; Melbourne

Australian Bureau of Statistics 1991, *Census Data 1991*, ABS, Canberra

Australian Bureau of Statistics 1996, *Census Data 1996*, ABS, Canberra

Table 4.9: Alleged offenders processed by offence and country of birth, Victoria, 1993/94 to 1997/98 for VIOLENT OFFENCES - Number of offences and percentage of total offences

	1993/94		1994/95		1995/96		1996/97		1997/98	
	number	percent	number	percent	number	percent	number	percent	number	percent
Australia	12593	12.7	14954	13.8	14738	13.3	14945	13.9	16388	14.3
Cambodia	26	9.8	36	13.3	31	8.1	25	8.7	32	12.5
Chile	18	12.1	37	23.6	21	16.2	23	16.0	n/a	n/a
China	40	16.6	68	22.6	56	18.9	53	17.8	33	10.0
Fiji	31	17.9	61	32.4	41	24.1	89	33.6	53	27.0
Germany	29	8.5	96	23.4	42	12.7	37	11.8	45	13.4
Greece	141	13.9	122	11.4	165	13.5	191	20.1	150	19.4
Hungary	20	16.3	11	4.8	14	8.5	25	13.2	n/a	n/a
India	34	13.2	40	16.1	52	21.1	59	23.1	56	24.6
Ireland	56	23.5	47	14.8	50	23.8	38	24.8	n/a	n/a
Italy	161	14.0	179	15.2	212	19.1	186	21.3	176	21.7
Lebanon	132	19.9	125	17.1	88	12.2	116	15.7	93	15.3
Malaysia	12	5.6	21	8.6	13	6.0	11	4.3	23	12.8
Malta	65	23.5	71	20.4	49	20.7	43	18.1	n/a	n/a
Netherlands	40	19.0	36	14.4	64	21.8	53	20.2	n/a	n/a
New Zealand	332	14.5	442	17.7	362	15.3	303	18.0	350	15.0
Phillipines	56	19.1	53	15.1	45	12.2	38	10.5	78	14.7
Poland	55	16.3	47	13.5	33	5.1	65	13.6	40	13.7
Romania	25	7.2	21	5.9	42	10.9	40	9.0	47	12.3
Russian Federation	23	8.5	25	10.1	26	7.6	26	7.7	21	4.6
Sri Lanka	24	6.8	50	20.0	54	18.0	39	16.3	84	21.9
Turkey	97	17.0	96	14.4	146	18.6	112	16.6	140	21.0
United Kingdom	342	11.5	376	13.0	465	17.1	337	15.9	573	21.6
USA	17	10.4	38	24.4	19	5.9	20	16.4	n/a	n/a
Vietnam	396	17.8	356	11.7	260	9.0	215	6.8	256	7.5
Yugoslavia	224	16.2	196	12.8	235	16.2	206	14.9	201	17.1
Indonesia	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	34	14.2
Somalia	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	37	19.5
Thailand	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	25	7.2
Uruguay	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	4	1.8
Other	395	16.1	468	18.2	478	15.0	588	18.2	2965	18.5
Total	17954		20482		20272		20358		148259	

Sources:

Victoria Police 1994, Crime Statistics 1993/94, Victoria Police, Melbourne
 Victoria Police 1995, Crime Statistics 1994/95, Victoria Police, Melbourne
 Victoria Police 1996, Crime Statistics 1995/96, Victoria Police, Melbourne
 Victoria Police 1997, Crime Statistics 1996/97, Victoria Police, Melbourne
 Victoria Police 1999; Crime Statistics 1997/98; Victoria Police; Melbourne

Table 4.10: Alleged offenders processed by offence and country of birth, Victoria, 1993/94 to 1997/98 for PROPERTY OFFENCES - Number of offences and percentage of total offences

	1993/94		1994/95		1995/96		1996/97		1997/98	
	number	percent	number	percent	number	percent	number	percent	number	percent
Australia	59320	59.6	60913	56.0	63877	57.8	65453	61.0	67285	58.6
Cambodia	198	74.4	163	60.1	260	68.2	148	51.6	87	34.1
Chile	96	64.4	84	53.5	74	56.9	91	63.2	n/a	n/a
China	154	63.9	162	53.8	187	63.2	174	58.4	191	57.7
Fiji	118	68.2	83	44.1	76	44.7	120	45.3	89	45.4
Germany	231	67.9	222	54.0	197	59.7	212	67.7	221	66.0
Greece	602	59.3	612	57.2	716	58.5	481	50.7	422	54.7
Hungary	81	65.9	174	76.0	116	70.7	115	60.5	n/a	n/a
India	188	73.2	159	64.1	152	61.8	166	65.1	115	50.4
Ireland	123	51.7	211	66.6	101	48.1	71	46.4	n/a	n/a
Italy	652	56.6	596	50.5	606	54.6	466	53.4	402	49.6
Lebanon	347	52.3	428	58.7	432	59.7	454	61.5	386	63.7
Malaysia	176	82.2	196	80.7	148	68.8	212	83.8	117	65.4
Malta	136	49.1	192	55.2	125	52.7	117	49.2	n/a	n/a
Netherlands	121	57.6	157	62.8	158	53.9	160	60.8	n/a	n/a
New Zealand	1460	63.6	1482	59.3	1412	59.8	936	55.5	1371	58.7
Phillipines	213	72.7	246	70.3	234	63.4	219	60.7	253	47.6
Poland	219	65.0	229	66.0	527	81.0	307	64.2	158	54.1
Romania	255	73.7	258	72.5	235	61.0	296	66.7	228	59.5
Russian Federation	202	74.5	192	77.7	251	73.4	274	80.8	368	80.9
Sri Lanka	291	82.0	141	56.4	190	63.3	160	66.7	238	62.1
Turkey	257	45.1	333	50.1	386	49.3	372	55.2	353	52.9
United Kingdom	1980	66.7	1785	61.6	1503	55.1	1240	58.5	1479	55.9
USA	102	62.6	61	39.1	239	74.5	53	43.4	n/a	n/a
Vietnam	1333	60.0	1672	54.9	1417	49.3	1631	51.4	1435	42.1
Yugoslavia	824	59.7	943	61.6	814	56.1	847	61.2	628	53.3
Indonesia	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	104	43.5
Somalia	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	127	66.8
Thailand	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	210	60.2
Uruguay	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	197	88.3
Other	1541	62.9	1481	57.6	1963	61.6	1914	59.4	8156	51.0
Total	78832		79255		82606		83087		84782	

Sources:

Victoria Police 1994, Crime Statistics 1993/94, Victoria Police, Melbourne
 Victoria Police 1995, Crime Statistics 1994/95, Victoria Police, Melbourne
 Victoria Police 1996, Crime Statistics 1995/96, Victoria Police, Melbourne
 Victoria Police 1997, Crime Statistics 1996/97, Victoria Police, Melbourne
 Victoria Police 1999; Crime Statistics 1997/98; Victoria Police; Melbourne

Table 4.11: Alleged offenders processed by offence and country of birth, Victoria, 1993/94 to 1997/98 for DRUG OFFENCES - Number of offences and percentage of total offences

	1993/94		1994/95		1995/96		1996/97		1997/98	
	number	percent	number	percent	number	percent	number	percent	number	percent
Australia	10698	10.8	11020	10.1	11321	10.2	10253	9.6	11870	10.3
Cambodia	12	4.5	40	14.8	57	15.0	78	27.2	98	38.4
Chile	17	11.4	16	10.2	21	16.2	15	10.4	n/a	n/a
China	3	1.2	12	4.0	16	5.4	17	5.7	47	14.2
Fiji	7	4.0	6	3.2	22	12.9	20	7.5	19	9.7
Germany	34	10.0	30	7.3	39	11.8	25	8.0	31	9.3
Greece	116	11.4	118	11.0	134	11.0	112	11.8	79	10.2
Hungary	7	5.7	6	2.6	8	4.9	22	11.6	n/a	n/a
India	12	4.7	10	4.0	6	2.4	5	2.0	15	6.6
Ireland	17	7.1	23	7.3	21	10.0	18	11.8	n/a	n/a
Italy	166	14.4	169	14.3	76	6.9	75	8.6	98	12.1
Lebanon	86	13.0	64	8.8	62	8.6	62	8.4	67	11.1
Malaysia	6	2.8	7	2.9	15	7.0	22	8.7	23	12.8
Malta	35	12.6	45	12.9	21	8.9	21	8.8	n/a	n/a
Netherlands	20	9.5	26	10.4	22	7.5	18	6.8	n/a	n/a
New Zealand	197	8.6	186	7.4	219	9.3	166	9.8	241	10.3
Phillipines	3	1.0	8	2.3	29	7.9	53	14.7	93	17.5
Poland	13	3.9	23	6.6	15	2.3	29	6.1	31	10.6
Romania	39	11.3	43	12.1	62	16.1	61	13.7	63	16.4
Russian Federation	11	4.1	8	3.2	12	3.5	10	2.9	11	2.4
Sri Lanka	9	2.5	8	3.2	20	6.7	15	6.3	8	2.1
Turkey	109	19.1	86	12.9	119	15.2	76	11.3	60	9.0
United Kingdom	329	11.1	330	11.4	295	10.8	257	12.1	277	10.5
USA	16	9.8	27	17.3	22	6.9	23	18.9	n/a	n/a
Vietnam	222	10.0	537	17.6	851	29.6	1035	32.6	1253	36.8
Yugoslavia	121	8.8	137	8.9	136	9.4	123	8.9	149	12.6
Indonesia	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	66	27.6
Somalia	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	12	6.3
Thailand	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	84	24.1
Uruguay	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	14	6.3
Other	188	7.7	211	8.2	294	9.2	300	9.3	1553	9.7
Total	13966		14503		15114		13941		16317	

Sources:

Victoria Police 1994, Crime Statistics 1993/94, Victoria Police, Melbourne
 Victoria Police 1995, Crime Statistics 1994/95, Victoria Police, Melbourne
 Victoria Police 1996, Crime Statistics 1995/96, Victoria Police, Melbourne
 Victoria Police 1997, Crime Statistics 1996/97, Victoria Police, Melbourne
 Victoria Police 1999; Crime Statistics 1997/98; Victoria Police; Melbourne

Table 4.12: Alleged offenders processed by offence and country of birth, Victoria, 1993/94 to 1997/98 for OTHER OFFENCES - Number of offences and percentage of total offences

	1993/94		1994/95		1995/96		1996/97		1997/98	
	number	percent	number	percent	number	percent	number	percent	number	percent
Australia	16900	17.0	21848	20.1	20539	18.6	16670	15.5	19336	16.8
Cambodia	30	11.3	32	11.8	33	8.7	36	12.5	38	14.9
Chile	18	12.1	20	12.7	14	10.8	15	10.4	n/a	n/a
China	44	18.3	59	19.6	37	12.5	54	18.1	60	18.1
Fiji	17	9.8	38	20.2	31	18.2	36	13.6	35	17.9
Germany	46	13.5	63	15.3	52	15.8	39	12.5	38	11.3
Greece	157	15.5	217	20.3	208	17.0	165	17.4	121	15.7
Hungary	15	12.2	38	16.6	26	15.9	28	14.7	n/a	n/a
India	23	8.9	39	15.7	36	14.6	25	9.8	42	18.4
Ireland	42	17.6	36	11.4	38	18.1	26	17.0	n/a	n/a
Italy	172	14.9	237	20.1	215	19.4	146	16.7	135	16.6
Lebanon	99	14.9	112	15.4	142	19.6	106	14.4	60	9.9
Malaysia	20	9.3	19	7.8	39	18.1	8	3.2	16	8.9
Malta	41	14.8	40	11.5	42	17.7	57	23.9	n/a	n/a
Netherlands	29	13.8	31	12.4	49	16.7	32	12.2	n/a	n/a
New Zealand	308	13.4	388	15.5	368	15.6	281	16.7	374	16.0
Phillipines	21	7.2	43	12.3	61	16.5	51	14.1	108	20.3
Poland	50	14.8	48	13.8	76	11.7	77	16.1	63	21.6
Romania	27	7.8	34	9.6	46	11.9	47	10.6	45	11.7
Russian Federation	35	12.9	22	8.9	53	15.5	29	8.6	55	12.1
Sri Lanka	31	8.7	51	20.4	36	12.0	26	10.8	53	13.8
Turkey	107	18.8	150	22.6	132	16.9	114	16.9	114	17.1
United Kingdom	317	10.7	405	14.0	464	17.0	284	13.4	319	12.0
USA	28	17.2	30	19.2	41	12.8	26	21.3	n/a	n/a
Vietnam	269	12.1	483	15.8	348	12.1	295	9.3	461	13.5
Yugoslavia	211	15.3	256	16.7	267	18.4	207	15.0	200	17.0
Indonesia	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	35	14.6
Somalia	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	14	7.4
Thailand	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	30	8.6
Uruguay	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	8	3.6
Other	325	13.3	410	16.0	451	14.2	421	13.1	3328	20.8
Total	22604		29004		27638		22466		25145	

Sources:

Victoria Police 1994, Crime Statistics 1993/94, Victoria Police, Melbourne
 Victoria Police 1995, Crime Statistics 1994/95, Victoria Police, Melbourne
 Victoria Police 1996, Crime Statistics 1995/96, Victoria Police, Melbourne
 Victoria Police 1997, Crime Statistics 1996/97, Victoria Police, Melbourne
 Victoria Police 1999; Crime Statistics 1997/98; Victoria Police; Melbourne

Alleged Distinct Offenders

Crime and Age

The literature on crimes by migrants in Australia and overseas consistently refers to the demographics of the migrant population. The Australian population census shows that there exists significant variation in the age and gender structure of migrant groups. About three-quarters of the population of some migrant groups are under the age of 45, whereas more than three-quarters of some other migrant groups are 45 year old or over. It is a well-established fact that an overwhelming majority of crimes are committed by young males, and crime rates of those 35 years old and over drop to very low levels.

The data on arrest rates presented so far relate to alleged offenders or the number of arrests. That is to say that if a suspect is processed for two or more offences at different times during the reporting period he/she will be counted two or more times. In this section distinct/individual alleged offenders are examined. A distinct offender is one who is counted only once irrespective of the number of times processed during a year. The distinct alleged offender data also enables us to examine the contribution of age to crime. But the major limitation of this data set is that the individual offenders cannot be examined in relation to type of offence. But before we discuss the age of individual offenders, consider the individual offenders by country of birth for the last five years. Table 4.13 presents the number and rate per 100,000 relevant population of distinct offenders for the period 1993-94 to 1997-98, by country of birth. For those born in Australia, the distinct offender rate during the last five years has ranged between a low of 1212 and a high of 1309 per 100,000 population. The distinct alleged offender rates for those born in Lebanon, New Zealand, Turkey and Vietnam have been higher than the rate of Australian-born during these five years. Although population data for Romanian, Russian Federation, and former Yugoslav-born migrants were not available for the first two years, the numbers of distinct offenders in Table 4.13 indicate that the rates for migrants from these countries would be much higher than that of the Australian-born. Thus, distinct offenders born in these seven countries have been processed at a higher rate than those born in Australia during the entire five-year period. The rates of those born in Cambodia and Fiji have moved ahead of the rate for the Australian-born some of the years. Offender rates for those born in the remaining countries continue to be lower than that of the Australian-born. It should be noted however, that individual offender rate of those born in Somalia and Thailand in 1997-98 is unusually high, indeed these are higher than those of any migrant groups in any of the five years. It is pertinent to note that none of the groups in the Table displays a consistently rising arrest trend.

Table 4.13: Number and rate per 100 000 population[#] of distinct alleged offenders processed by country of birth, Victoria 1993/94 – 1997/98.

	1993/94		1994/95		1995/96		1996/97		1997/98	
	Number	Rate	Number	Rate	Number	Rate	Number	Rate	Number	Rate
Australia	38 567	1 212.2	41 451	1 295.9	42 092	1 308.9	40 046	1 245.3	41 193	1 281.0
Cambodia	76	994.5	101	1 270.4	107	1 295.7	106	1 283.6	91	1 102.0
Chile	79	1 146.1	78	1 139.1	69	1 014.4	69	1 014.4	n/a	n/a
China	168	672.6	165	621.2	205	728.3	195	692.7	200	710.5
Fiji	65	1 150.3	74	1 270.0	89	1 482.6	93	1 549.2	74	1 232.7
Germany	161	521.8	178	581.6	156	513.8	145	477.6	143	471.0
Greece	558	872.8	550	874.8	580	938.4	472	763.7	388	627.8
Hungary	66	835.3	79	1 015.0	74	965.3	64	834.9	n/a	n/a
India	142	632.7	122	521.6	134	550.6	146	599.9	133	546.5
Ireland	103	828.1	105	855.6	108	892.2	81	669.1	n/a	n/a
Italy	617	606.2	620	617.1	606	611.1	477	481.0	430	433.6
Lebanon	243	1 752.1	264	1 895.2	273	1 951.3	244	1 744.0	214	1 529.6
Malaysia	104	450.7	113	489.2	111	480.1	80	346.0	85	367.6
Malta	154	618.8	191	776.5	140	576.0	124	510.2	n/a	n/a
Netherlands	98	361.7	109	409.0	125	477.1	105	400.7	n/a	n/a
New Zealand	734	1 711.5	784	1 830.2	778	1 818.4	698	1 631.4	782	1 827.7
Phillipines	171	912.6	171	879.4	178	883.4	143	709.7	175	868.5
Poland	214	911.8	193	829.1	215	931.4	185	801.4	148	641.1
Romania	132	n/c	129	n/c	138	2 867.8	146	3 034.1	134	2 784.7
Russian Federation	148	n/c	146	n/c	146	2 579.5	139	2 455.8	135	2 385.2
Sri Lanka	131	601.0	109	480.4	157	665.8	120	508.9	100	424.1
Turkey	260	1 772.9	278	1 886.9	338	2 283.8	258	1 743.2	278	1 878.4
United Kingdom	1 047	465.6	1 059	476.9	1 030	469.9	857	391.0	967	441.2
USA	55	533.1	75	722.7	75	718.5	63	603.6	n/a	n/a
Vietnam	913	1 795.4	1 126	2 124.4	1 112	2 016.1	1 114	2 019.7	1 220	2 211.9
Yugoslavia	667	n/c	655	n/c	682	3 445.3	615	3 106.8	548	2 768.4
Indonesia	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	110	904.7
Somalia	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	52	3 682.7
Thailand	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	160	3 663.0
Uruguay	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	19	1 060.9
Other	1 229	336.2	1 263	335.7	1 452	375.4	1 485	383.9	8 560	2 212.9
Total*	55 888	1 285.9	58 710	1 340.3	59 231	1 341.8	55 692	1 261.6	56 546	1 281.0

n/c Not calculable due to lack of population data

Rates for 1993/94 and 1994/95 calculated using simple population estimates for relevant years.

* Total also includes *unspecified*. Rates for 1996/97 and 1997/98 were calculated using 1996 Census data.

Sources:

Victoria Police 1994, *Crime Statistics 1993/94*, Victoria Police, Melbourne

Victoria Police 1995, *Crime Statistics 1994/95*, Victoria Police, Melbourne

Victoria Police 1996, *Crime Statistics 1995/96*, Victoria Police, Melbourne

Victoria Police 1997, *Crime Statistics 1996/97*, Victoria Police, Melbourne

Victoria Police 1999; *Crime Statistics 1997/98*; Victoria Police; Melbourne

Australian Bureau of Statistics 1991, *Census Data 1991*, ABS, Canberra

Australian Bureau of Statistics 1996, *Census Data 1996*, ABS, Canberra

Table 4.14 Average number of arrests per Distinct Offender, Victoria, 1993/94 and 1997/98

Country	Number of alleged offenders per distinct offender	
	1993/94	1997/98
Australia	2.58	2.79
Cambodia	3.50	2.80
Chile	1.89	n/a
China	1.43	1.66
Fiji	2.66	2.65
Germany	2.11	2.34
Greece	1.82	1.99
Hungary	1.86	n/a
India	1.81	1.71
Ireland	2.31	n/a
Italy	1.87	1.89
Lebanon	2.73	2.83
Malaysia	2.06	2.11
Malta	1.80	n/a
Netherlands	2.14	n/a
New Zealand	3.13	2.99
Phillipines	1.71	3.04
Poland	1.57	1.97
Romania	2.62	2.86
Russian Federation	1.83	3.37
Sri Lanka	2.71	3.83
Turkey	2.19	2.40
United Kingdom	2.83	2.74
USA	2.96	n/a
Vietnam	2.43	2.79
Yugoslavia	2.07	2.15
Indonesia	n/a	2.17
Somalia	n/a	3.65
Thailand	n/a	2.18
Uruguay	n/a	11.74
Other	1.99	1.87

Before we move to examine the age-crime relationship a brief reference to the alleged offender and distinct offender relationship appears in order. Alleged offenders denote number of arrests and distinct offenders denote the number of individuals arrested. Hence it is possible to estimate the average number of arrests per distinct/individual offender. Data in Table 4.14 show that the average number of arrests per offender for the Australian-born has increased from 2.6 in 1993-94 to 2.8 in 1997-98. The average number of arrests per individual offender for most overseas-born groups changed very little. However, this average has increased substantially for only three overseas-born groups, those born in the Phillipines, the Russian Federation and Sri Lanka. In 1997-98, each distinct offender born in Uruguay was arrested almost 12 times.

The data on distinct offenders by age is examined in two ways. First, the distinct offender rate of all migrants (all overseas-born) is compared with that

of the Australian-born and total population of Victoria, and second, rates of migrants from each country are compared with the rates of other two population groups. Table 4.15 and Figure 4.1 present the first of these comparisons. The data show that the overall distinct offender rate for migrants is substantially lower than that of the Australian-born and the total population; the migrant offender rate is about two-third that of the other two population groups. The offender rate for the age group 15-19 is the highest of all the age groups, and the offender rate for subsequent age groups declines monotonically. This is true for all the three population categories. An interesting feature of the Table is that age specific offender rates (for 1997-98) of the overseas-born are lower than that of the Australian-born up to age group 50-54 except for 15-19; from age group 55-59 the offender rates for migrants are higher than those of the Australian-born and total population.

Some of the well established migrant communities, especially those who arrived in large numbers after the second World War, have a very high proportion of elderly people in their population. For example, whereas only 11 per cent of the Australian-born population in Victoria is 65-year-old and above, those born in Germany, Greece, Ireland, Italy, and the United Kingdom have 24, 17, 23, 30, and 23 per cent of their population respectively in this age group. Less than one per cent of the Australian-born distinct offenders were 65 years old and above; a much higher proportion of distinct offenders born in Germany, Greece, Ireland, Italy, and the United Kingdom, 16, 8, 7, 15, and 6 per cent respectively, were of the older age group (Table 4.16). Overseas-born distinct offenders aged 50 and over displayed a substantially higher rate than their Australian-born counterparts. Here again whereas only over three per cent of all Australian-born distinct offenders were 50 year old or over, 37, 42, 25, 45, and 17 per cent of all German, Greek, Irish, Italian, and British-born distinct offenders respectively were in the 50 and over age group. These are the migrant groups which are supposed to have developed well established roots in Australia. At present not much more can be said about this pattern because details of their criminal activity, previous history, and background information are lacking. It is clear

Table 4.15: Victoria – Distinct offender rate per 100 000 population by place of birth and age category.

	10 to 14			15 to 19			20 to 24			25 to 29			30 to 34		
Country	1995-96	1996-97	1997-98	1995-96	1996-97	1997-98	1995-96	1996-97	1997-98	1995-96	1996-97	1997-98	1995-96	1996-97	1997-98
Australia	1819.4	1752.1	1628.5	4770.6	4459.9	4531.0	3281.1	2972.4	3064.8	2102.4	2100.5	2255.1	1514.2	1498.9	1607.8
Overseas-born	1868.4	1428.8	1261.3	4616.7	4135.7	4575.1	2554.6	2436.4	2768.4	1812.5	1698.4	1588.5	1283.3	1162.8	1138.1
Total	1985.5	1879.5	1699.9	5017.9	4706.7	4763.0	3411.9	3103.1	3201.3	2223.2	2196.1	2299.1	1604.9	1541.0	1623.9
	35 to 39			40 to 44			45 to 49			50 to 54			55 to 59		
Country	1995-96	1996-97	1997-98	1995-96	1996-97	1997-98	1995-96	1996-97	1997-98	1995-96	1996-97	1997-98	1995-96	1996-97	1997-98
Australia	1067.5	1060.5	1078.7	727.7	731.4	799.5	553.0	528.3	573.9	398.6	373.6	428.5	281.8	282.7	305.7
Overseas-born	997.6	879.4	952.2	827.4	723.2	625.2	585.7	495.3	400.6	487.9	461.3	392.2	511.6	386.6	318.2
Total	1176.3	1122.9	1161.2	856.3	823.7	852.0	648.3	609.8	601.8	501.3	476.6	511.6	416.7	371.0	370.5
	60 to 64			65 to 69			70 and over			Total					
Country	1995-96	1996-97	1997-98	1995-96	1996-97	1997-98	1995-96	1996-97	1997-98	1995-96	1996-97	1997-98	1995-96	1996-97	1997-98
Australia	214.2	193.8	176.5	187.9	159.0	137.8	120.2	92.1	88.4	1308.9	1245.3	1281.0			
Overseas-born	425.9	313.9	298.6	361.6	292.0	222.4	214.9	177.5	159.9	931.7	830.2	811.4			
Total	362.8	277.4	277.4	287.7	249.4	212.2	168.0	135.6	131.2	1330.2	1261.6	1281.0			

Figure 4.1: Age and place of birth of alleged distinct offenders, Victoria 1997/98. Rate per 100 000 population.

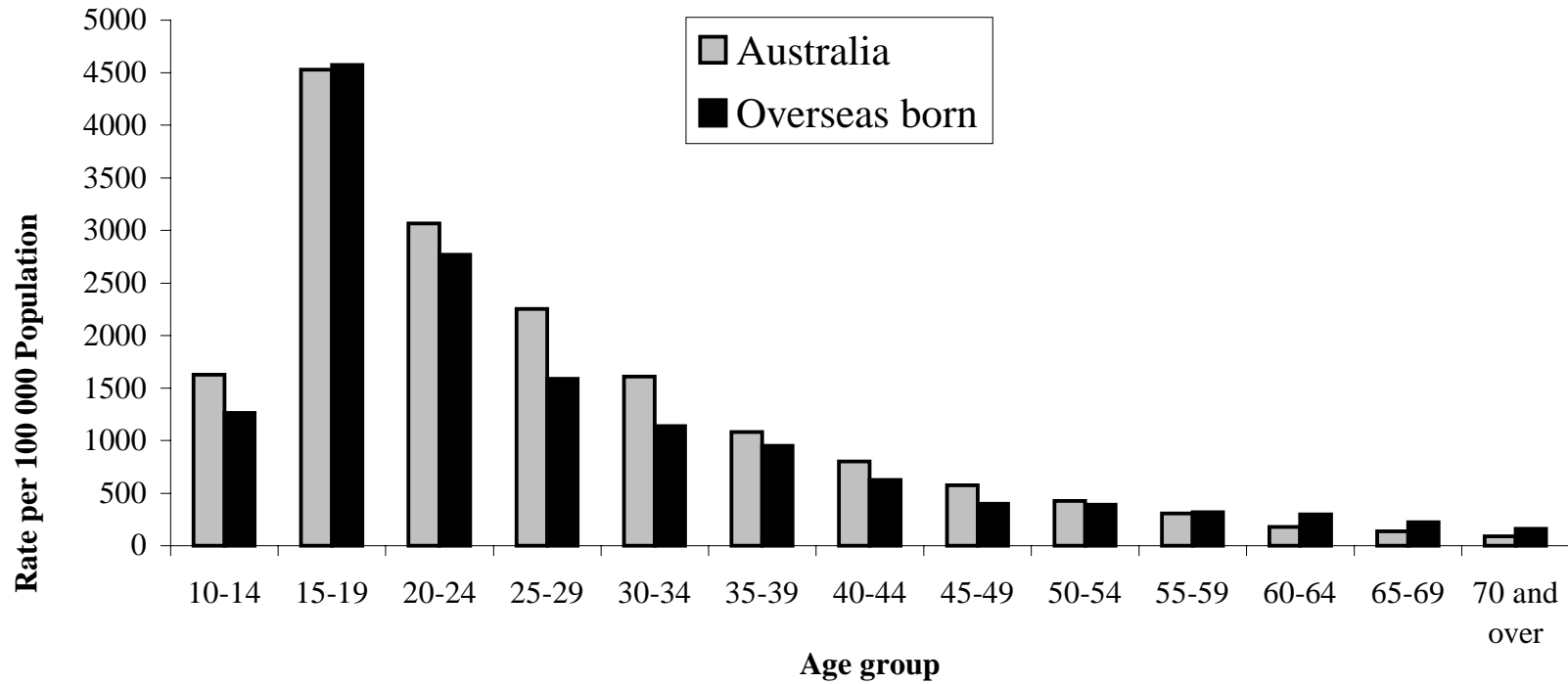


Table 4.16: Victoria - Distinct offender numbers by country of birth and age category – all offences

Country	10 to 14			15 to 19			20 to 24			25 to 29			30 to 34		
	1995-96	1996-97	1997-98	1995-96	1996-97	1997-98	1995-96	1996-97	1997-98	1995-96	1996-97	1997-98	1995-96	1996-97	1997-98
Australia	4871	4691	4360	12144	11353	11534	8665	7850	8094	5603	5598	6010	3755	3717	3987
Cambodia	28	15	4	39	38	34	22	21	26	6	11	10	2	8	8
Chile	7	4	n/a	10	17	n/a	23	15	n/a	7	10	n/a	6	6	n/a
China	13	8	13	25	20	15	17	23	22	25	14	17	42	38	30
Fiji	9	5	3	24	30	22	8	11	15	17	17	6	9	7	5
Germany	1	2	0	7	6	10	10	9	5	12	12	11	15	8	13
Greece	5	2	1	17	8	10	28	21	19	56	49	30	64	49	48
Hungary	1	2	n/a	4	3	n/a	1	10	n/a	3	2	n/a	7	5	n/a
India	3	11	1	18	28	22	18	22	22	19	16	24	15	19	17
Ireland	2	3	n/a	14	4	n/a	13	5	n/a	13	8	n/a	16	21	n/a
Italy	4	0	2	15	8	8	20	9	11	31	18	26	53	52	51
Lebanon	8	5	4	41	29	25	39	35	44	39	55	39	37	45	29
Malaysia	12	5	10	25	20	19	18	16	20	7	9	5	6	5	6
Malta	1	3	n/a	6	5	n/a	5	8	n/a	11	5	n/a	13	8	n/a
Netherlands	1	0	n/a	10	11	n/a	10	5	n/a	2	7	n/a	7	7	n/a
New Zealand	64	58	64	196	170	218	126	143	145	121	112	114	100	86	87
Philippines	31	26	16	60	59	65	17	18	39	15	10	12	9	7	16
Poland	8	4	2	32	37	29	22	13	17	4	9	6	13	3	3
Romania	4	6	2	20	21	16	18	15	17	16	18	15	20	17	28
Sri Lanka	11	4	2	31	14	26	16	17	25	21	14	21	18	20	19
Turkey	8	4	3	26	27	35	44	35	34	76	52	53	65	53	59
United Kingdom	34	20	16	101	78	104	110	83	94	155	123	97	158	138	162
USA	1	3	n/a	15	16	n/a	14	9	n/a	13	6	n/a	13	10	n/a
Soviet Rep.	3	6	7	17	14	17	14	17	17	14	11	15	14	6	9
Vietnam	81	66	45	422	379	374	252	267	312	115	150	178	87	95	96
Yugoslavia #	17	11	14	44	50	40	43	39	43	76	81	60	95	88	84
Indonesia	n/a	n/a	6	n/a	n/a	37	n/a	n/a	32	n/a	n/a	7	n/a	n/a	5
Somalia	n/a	n/a	9	n/a	n/a	20	n/a	n/a	8	n/a	n/a	9	n/a	n/a	3
Thailand	n/a	n/a	16	n/a	n/a	60	n/a	n/a	15	n/a	n/a	6	n/a	n/a	3
Uruguay	n/a	n/a	1	n/a	n/a	2	n/a	n/a	2	n/a	n/a	5	n/a	n/a	3
Other	118	117	639	312	350	1869	189	231	1429	160	150	1106	159	144	844
Unspecified	774	714	4	1726	1650	18	1460	1255	27	997	973	19	772	687	29
Total	6125	5798	5244	15412	14456	14629	11227	10211	10534	7640	7547	7901	5578	5356	5644

Table 4.16: Victoria - Distinct offender numbers by country of birth and age category – all offences

Country	35 to 39			40 to 44			45 to 49			50 to 54			55 to 59		
	1995-96	1996-97	1997-98	1995-96	1996-97	1997-98	1995-96	1996-97	1997-98	1995-96	1996-97	1997-98	1995-96	1996-97	1997-98
Australia	2576	2559	2603	1561	1569	1715	1031	985	1070	573	537	616	318	319	345
Cambodia	3	3	3	5	6	3	1	1	1	0	2	0	0	0	1
Chile	4	2	n/a	5	5	n/a	3	5	n/a	4	1	n/a	0	1	n/a
China	28	31	44	22	26	29	15	13	17	7	7	4	3	4	4
Fiji	6	10	6	6	6	11	4	3	3	4	3	0	1	1	1
Germany	10	15	11	11	14	12	32	24	21	8	13	20	17	12	11
Greece	63	50	45	55	44	34	66	43	37	64	54	55	63	58	32
Hungary	9	6	n/a	11	8	n/a	8	3	n/a	7	7	n/a	9	8	n/a
India	14	17	15	22	10	9	7	9	5	9	4	3	4	1	4
Ireland	12	5	n/a	17	6	n/a	5	9	n/a	5	7	n/a	3	3	n/a
Italy	53	49	57	67	56	34	64	63	50	51	52	42	64	46	43
Lebanon	39	23	26	19	19	18	20	11	13	11	7	6	9	4	3
Malaysia	9	7	6	13	8	6	7	4	4	5	3	3	4	1	2
Malta	15	12	n/a	16	13	n/a	24	20	n/a	20	18	n/a	14	14	n/a
Netherlands	15	8	n/a	24	23	n/a	16	16	n/a	11	11	n/a	10	6	n/a
New Zealand	66	61	71	48	36	40	27	18	14	10	4	9	6	1	2
Philippines	17	9	7	8	6	6	8	4	6	5	3	3	4	0	0
Poland	15	16	11	16	17	12	18	17	12	10	15	10	10	14	12
Romania	18	20	27	26	24	16	8	11	4	4	5	2	0	4	4
Sri Lanka	25	9	22	12	17	14	6	12	12	7	3	9	4	4	2
Turkey	36	23	41	29	25	23	18	11	9	17	14	8	8	5	6
United Kingdom	138	119	138	87	79	105	82	66	80	48	53	60	43	32	33
USA	6	8	n/a	3	5	n/a	3	4	n/a	4	2	n/a	1	0	n/a
Soviet Rep.	8	15	14	12	9	7	10	7	5	10	13	8	8	10	9
Vietnam	74	72	106	47	48	62	16	22	22	7	5	13	2	1	2
Yugoslavia #	85	87	73	78	66	46	70	59	47	39	41	40	57	30	40
Indonesia	n/a	n/a	3	n/a	n/a	7	n/a	n/a	6	n/a	n/a	0	n/a	n/a	1
Somalia	n/a	n/a	2	n/a	n/a	0	n/a	n/a	0	n/a	n/a	0	n/a	n/a	1
Thailand	n/a	n/a	2	n/a	n/a	1	n/a	n/a	0	n/a	n/a	0	n/a	n/a	1
Uruguay	n/a	n/a	3	n/a	n/a	3	n/a	n/a	0	n/a	n/a	0	n/a	n/a	0
Other	133	117	697	101	97	544	77	70	410	47	56	312	26	23	183
Unspecified	630	566	30	463	433	18	353	373	12	227	216	18	149	143	3
Total	4116	3929	4063	2789	2683	2775	2004	1885	1860	1216	1156	1241	838	746	745

Table 4.16: Victoria - Distinct offender numbers by country of birth and age category – all offences

Country	60 to 64			65 to 69			70 and over			Total		
	1995-96	1996-97	1997-98	1995-96	1996-97	1997-98	1995-96	1996-97	1997-98	1995-96	1996-97	1997-98
Australia	210	190	173	195	165	143	295	226	217	42092	40046	41193
Cambodia	0	1	0	0	0	0	0	0	0	107	106	91
Chile	0	0	n/a	0	2	n/a	0	0	0	69	69	n/a
China	1	3	7	2	1	2	3	5	2	205	195	200
Fiji	0	0	1	0	0	0	0	0	0	89	93	74
Germany	10	5	5	6	10	11	16	13	10	156	145	143
Greece	50	50	39	28	21	20	17	16	14	580	472	388
Hungary	4	5	n/a	4	3	n/a	6	2	0	74	64	n/a
India	4	2	7	0	5	1	0	1	2	134	146	133
Ireland	4	4	n/a	2	4	n/a	2	2	0	108	81	n/a
Italy	67	44	34	62	38	32	48	35	30	606	477	430
Lebanon	4	4	2	5	1	0	0	0	2	273	244	214
Malaysia	4	0	0	0	1	1	0	0	2	111	80	85
Malta	6	6	n/a	5	5	n/a	4	5	0	140	124	n/a
Netherlands	6	3	n/a	4	4	n/a	7	4	0	125	105	n/a
New Zealand	1	2	7	4	2	2	0	0	2	778	698	782
Philippines	0	0	0	1	0	0	0	0	3	178	143	175
Poland	11	3	5	14	10	8	40	25	19	215	185	148
Romania	0	2	1	2	0	0	1	1	1	138	146	134
Sri Lanka	2	1	2	0	1	2	1	2	1	157	120	100
Turkey	3	2	3	1	1	2	1	0	0	338	258	278
United Kingdom	25	12	21	20	19	17	26	29	32	1030	857	967
USA	0	0	n/a	1	0	n/a	0	0	0	75	63	n/a
Soviet Rep.	7	4	4	14	8	3	14	17	17	146	139	135
Vietnam	0	3	2	2	0	3	1	0	2	1112	1114	1220
Yugoslavia #	42	29	34	10	15	10	20	14	14	682	615	548
Indonesia	n/a	n/a	2	n/a	n/a	1	n/a	n/a	1	n/a	n/a	110
Somalia	n/a	n/a	0	n/a	n/a	0	n/a	n/a	0	n/a	n/a	52
Thailand	n/a	n/a	0	n/a	n/a	0	n/a	n/a	0	n/a	n/a	160
Uruguay	n/a	n/a	0	n/a	n/a	0	n/a	n/a	0	n/a	n/a	19
Other	20	15	134	20	22	101	19	20	124	1395	1423	8560
Unspecified	156	96	4	93	89	6	122	102	7	8061	7422	195
Total	637	487	487	495	429	365	643	519	502	59231	55692	56546

though that the age structure of the population has some important bearing on the arrest rates. These issues require further exploration.

While the decline in arrest rate as age of offender increases is obvious, there are substantial differences in the arrest rates amongst different ethnic groups. Data in Table 4.17 for three years, 1995-96 to 1997-98 show that those aged 15 to 19 displayed the highest arrest rates. Suspect rates in Victoria present a consistent decline in arrest rates in each age group after age 15-19. This pattern is obtained for almost every migrant group. This confirms the prevailing wisdom that young people are disproportionately represented in a majority of crimes. There are a few interesting patterns in the Table that needs to be highlighted. First, the difference between the arrest rates of the Australian and the overseas-born become minimal following the age of 15-19. Secondly, the arrest rates of those born in New Zealand, Romania, the Russian Federation, Turkey and former Yugoslavia, remain significantly higher than those born in Australia in every age group. Thirdly, among the earlier migrant groups, those born in Greece have relatively higher arrest rates than those born in Australia in most age group from 20-24. And finally, older (those 65 and above) members of the majority of ethnic groups showed higher arrest rates than their Australian-born counterparts.

Earlier it has been shown that arrest rates of certain migrant groups in Victoria are substantially higher than that of those born in Australia. Data in Tables 4.15 and 4.17 show that arrest rates decline as individuals mature. The issue of importance here is whether there are differences in the arrest rates of young people, most crime prone age groups, between different migrant groups. This can be effectively measured by relating the arrest rate of members of each migrant group to the arrest rate of the Australian-born. Such a ratio will inform us how much higher or lower the arrest rate of each ethnic group compared to the arrest rate of those born in Australia.

The rate-ratio comparison can be obtained from data in Table 4.17. Rates for the Australian-born for each age group are provided at the top of the Table. Before some highlights of the rate-ratio comparison are presented it is important to reiterate that the rates for most age groups of most migrant groups are based on small numbers (see Table 4.16) and the numbers are even smaller for older age groups. For the four age groups 15 to 19 to 30 to 34 numbers were reasonably adequate for migrant groups born in Lebanon, New Zealand, Turkey, the United Kingdom, Vietnam and Former Yugoslavia. Of these, those born in the U K displayed much lower arrest rate in each group than their Australian-born counterparts, and those born in Former Yugoslavia displayed arrest rates well over twice that of the Australian-born. For rest of the migrant groups the rate-ratio difference was maximum for 15-19 age group and thereafter the difference between the arrest rates of these migrant groups and the Australian-born were small, and sometimes in favour of the migrant groups. Arrest rates of those born in Romania and the Russian Federation were

Table 4.17: Victoria - Distinct Offender Rate per 100 000 Population by Country of Birth and Age Category - All Offences

Country	10 to 14			15 to 19			20 to 24			25 to 29			30 to 34		
	1995-96	1996-97	1997-98	1995-96	1996-97	1997-98	1995-96	1996-97	1997-98	1995-96	1996-97	1997-98	1995-96	1996-97	1997-98
Australia	1819.4	1752.1	1628.5	4770.6	4459.9	4531.0	3281.1	2972.4	3064.8	2102.4	2100.5	2255.1	1514.2	1498.9	1607.8
Cambodia	6496.5	3480.3	928.1	5200.0	5066.7	4533.3	2256.4	2153.8	2666.7	514.1	942.6	856.9	196.7	786.6	786.6
Chile	1763.2	1007.6	n/a	2604.2	4427.1	n/a	3181.2	2074.7	n/a	854.7	1221.0	n/a	817.4	817.4	n/a
China	963.0	592.6	963.0	3315.6	2652.5	1989.4	1853.9	2508.2	2399.1	1248.8	699.3	849.2	922.9	835.0	659.2
Fiji	2142.9	1190.5	714.3	4838.7	6048.4	4435.5	1523.8	2095.2	2857.1	2335.2	2335.2	824.2	1137.8	885.0	632.1
Germany	411.5	823.0	0.0	1559.0	1336.3	2227.2	1865.7	1679.1	932.8	1415.1	1415.1	1297.2	1209.7	645.2	1048.4
Greece	1976.3	790.5	395.3	4207.9	1980.2	2475.2	5000.0	3750.0	3392.9	3280.6	2870.5	1757.5	2145.5	1642.6	1609.1
Hungary	1333.3	2666.7	n/a	3539.8	2654.9	n/a	877.2	8771.9	n/a	2381.0	1587.3	n/a	3664.9	2617.8	n/a
India	305.8	1121.3	101.9	2038.5	3171.0	2491.5	1323.5	1617.6	1617.6	847.1	713.3	1070.0	520.3	659.0	589.7
Ireland	645.2	967.7	n/a	3899.7	1114.2	n/a	3504.0	1347.7	n/a	1978.7	1217.7	n/a	1465.2	1923.1	n/a
Italy	2564.1	0.0	1282.1	4807.7	2564.1	2564.1	3552.4	1598.6	1953.8	2262.8	1313.9	1897.8	1449.7	1422.3	1395.0
Lebanon	2010.1	1256.3	1005.0	8686.4	6144.1	5296.6	3212.5	2883.0	3624.4	2120.7	2990.8	2120.7	1843.5	2242.2	1444.9
Malaysia	999.2	416.3	832.6	1014.2	811.4	770.8	437.4	388.8	486.0	431.6	554.9	308.3	316.1	263.4	316.1
Malta	1087.0	3260.9	n/a	2765.0	2304.1	n/a	1661.1	2657.8	n/a	2505.7	1139.0	n/a	1408.5	866.7	n/a
Netherlands	934.6	0.0	n/a	3703.7	4074.1	n/a	2985.1	1492.5	n/a	407.3	1425.7	n/a	1178.5	1178.5	n/a
New Zealand	2983.7	2704.0	2983.7	7495.2	6501.0	8336.5	3511.7	3985.5	4041.2	2644.2	2447.6	2491.3	1756.5	1510.6	1528.2
Philippines	1890.2	1585.4	975.6	3612.3	3552.1	3913.3	1250.0	1323.5	2867.6	962.2	641.4	769.7	373.3	290.3	663.6
Poland	1622.7	811.4	405.7	3512.6	4061.5	3183.3	2977.0	1759.1	2300.4	649.4	1461.0	974.0	1420.8	327.9	327.9
Romania	1315.8	1973.7	657.9	5571.0	5849.6	4456.8	6844.1	5703.4	6463.9	3921.6	4411.8	3676.5	5050.5	4292.9	7070.7
Russian Federation	1060.1	2120.1	2473.5	6995.9	5761.3	6995.9	5036.0	6115.1	6115.1	4388.7	3448.3	4702.2	3406.3	1459.9	2189.8
Sri Lanka	945.0	343.6	171.8	2986.5	1348.7	2504.8	1185.2	1259.3	1851.9	1177.1	784.8	1177.1	645.6	717.4	681.5
Turkey	2067.2	1033.6	775.2	5029.0	5222.4	6769.8	3873.2	3081.0	2993.0	3135.3	2145.2	2186.5	2612.5	2130.2	2371.4
United Kingdom	1213.4	713.8	571.0	2166.5	1673.1	2230.8	1826.9	1378.5	1561.2	1409.9	1118.8	882.3	841.1	734.6	862.3
USA	145.1	435.4	n/a	2483.4	2649.0	n/a	2124.4	1365.7	n/a	1394.8	643.8	n/a	1181.8	909.1	n/a
Vietnam	3370.8	2746.6	1872.7	8353.1	7502.0	7403.0	3556.8	3768.5	4403.7	1589.5	2073.3	2460.3	1171.2	1278.9	1292.4
Yugoslavia #	4438.6	2872.1	3655.4	10628.0	12077.3	9661.8	9429.8	8552.6	9429.8	5770.7	6150.3	4555.8	4971.2	4604.9	4395.6
Indonesia	n/a	n/a	1178.8	n/a	n/a	1968.1	n/a	n/a	1471.9	n/a	n/a	562.7	n/a	n/a	417.4
Somalia	n/a	n/a	4433.5	n/a	n/a	11834.3	n/a	n/a	4761.9	n/a	n/a	4945.1	n/a	n/a	1935.5
Thailand	n/a	n/a	2056.6	n/a	n/a	7490.6	n/a	n/a	2455.0	n/a	n/a	1085.0	n/a	n/a	819.7
Uruguay	n/a	n/a	2083.3	n/a	n/a	4761.9	n/a	n/a	1036.3	n/a	n/a	2272.7	n/a	n/a	1785.7
Total	1985.5	1879.5	1699.9	5017.9	4706.7	4763.0	3411.9	3103.1	3201.3	2223.2	2196.1	2299.1	1604.9	1541.0	1623.9

Table 4.17: Victoria - Distinct Offender Rate per 100 000 Population by Country of Birth and Age Category - All Offences

Country	35 to 39			40 to 44			45 to 49			50 to 54			55 to 59		
	1995-96	1996-97	1997-98	1995-96	1996-97	1997-98	1995-96	1996-97	1997-98	1995-96	1996-97	1997-98	1995-96	1996-97	1997-98
Australia	1067.5	1060.5	1078.7	727.7	731.4	799.5	553.0	528.3	573.9	398.6	373.6	428.5	281.8	282.7	305.7
Cambodia	304.9	304.9	304.9	558.7	670.4	335.2	163.4	163.4	163.4	0.0	518.1	0.0	0.0	0.0	387.6
Chile	599.7	299.9	n/a	736.4	736.4	n/a	389.6	649.4	n/a	594.4	148.6	n/a	0.0	307.7	n/a
China	674.7	747.0	1060.2	691.4	817.1	911.4	690.9	598.8	783.0	526.7	526.7	301.0	234.0	312.0	312.0
Fiji	750.0	1250.0	750.0	936.0	936.0	1716.1	970.9	728.2	728.2	1428.6	1071.4	0.0	401.6	401.6	401.6
Germany	717.4	1076.0	789.1	539.7	686.9	588.8	544.8	408.6	357.5	204.1	331.6	510.2	501.0	353.7	324.2
Greece	1563.7	1241.0	1116.9	1050.6	840.5	649.5	864.6	563.3	484.7	663.4	559.8	570.1	613.1	564.5	311.4
Hungary	4109.6	2739.7	n/a	1705.4	1240.3	n/a	1159.4	434.8	n/a	964.2	964.2	n/a	845.9	751.9	n/a
India	481.3	584.4	515.6	830.5	377.5	339.8	302.8	389.3	216.3	470.5	209.1	156.8	312.3	78.1	312.3
Ireland	1178.8	491.2	n/a	1507.1	531.9	n/a	393.4	708.1	n/a	466.4	653.0	n/a	322.6	322.6	n/a
Italy	963.3	890.6	1036.0	866.2	724.0	439.6	504.9	497.0	394.4	488.2	497.8	402.1	493.1	354.4	331.3
Lebanon	2095.6	1235.9	1397.1	1197.2	1197.2	1134.2	1426.5	784.6	927.2	1242.9	791.0	678.0	1327.4	590.0	442.5
Malaysia	342.7	266.6	228.5	443.4	272.9	204.6	300.4	171.7	171.7	420.9	252.5	252.5	509.6	127.4	254.8
Malta	800.0	640.0	n/a	502.7	408.4	n/a	536.2	446.8	n/a	537.1	483.4	n/a	508.9	508.9	n/a
Netherlands	1256.3	670.0	n/a	880.7	844.0	n/a	366.7	366.7	n/a	295.1	295.1	n/a	351.6	211.0	n/a
New Zealand	1163.0	1074.9	1251.1	1017.8	763.4	848.2	739.7	493.2	383.6	412.0	164.8	370.8	386.3	64.4	128.8
Philippines	587.4	311.0	241.9	298.2	223.6	223.6	397.0	198.5	297.8	520.3	312.2	312.2	792.1	0.0	0.0
Poland	891.8	951.2	654.0	714.6	759.3	536.0	824.9	779.1	550.0	808.4	1212.6	808.4	813.7	1139.1	976.4
Romania	2875.4	3194.9	4313.1	5019.3	4633.2	3088.8	2272.7	3125.0	1136.4	1476.0	1845.0	738.0	0.0	1724.1	1724.1
Russian Federation	1860.5	3488.4	3255.8	3000.0	2250.0	1750.0	2237.1	1566.0	1118.6	2666.7	3466.7	2133.3	1909.3	2386.6	2148.0
Sri Lanka	825.6	297.2	726.6	426.1	603.7	497.2	246.0	492.0	492.0	423.2	181.4	544.1	390.6	390.6	195.3
Turkey	1994.5	1274.2	2271.5	2223.9	1917.2	1763.8	1445.8	883.5	722.9	1416.7	1166.7	666.7	1055.4	659.6	791.6
United Kingdom	672.5	580.0	672.5	426.7	387.4	515.0	320.6	258.0	312.8	211.9	234.0	264.9	232.9	173.3	178.7
USA	558.7	744.9	n/a	273.2	455.4	n/a	238.5	318.0	n/a	563.4	281.7	n/a	287.4	0.0	n/a
Vietnam	931.3	906.1	1334.0	764.6	780.9	1008.6	451.6	620.9	620.9	363.3	259.5	674.6	135.1	67.6	135.1
Yugoslavia #	4094.4	4190.8	3516.4	3741.0	3165.5	2206.2	3248.3	2737.8	2181.0	2062.4	2168.2	2115.3	2667.3	1403.8	1871.8
Indonesia	n/a	n/a	304.9	n/a	n/a	799.1	n/a	n/a	752.8	n/a	n/a	0.0	n/a	n/a	243.9
Somalia	n/a	n/a	1550.4	n/a	n/a	0.0	n/a	n/a	0.0	n/a	n/a	0.0	n/a	n/a	3846.2
Thailand	n/a	n/a	583.1	n/a	n/a	421.9	n/a	n/a	0.0	n/a	n/a	0.0	n/a	n/a	1785.7
Uruguay	n/a	n/a	1986.8	n/a	n/a	1875.0	n/a	n/a	0.0	n/a	n/a	0.0	n/a	n/a	0.0
Total	1176.3	1122.9	1161.2	856.3	823.7	852.0	648.3	609.8	601.8	501.3	476.6	511.6	416.7	371.0	370.5

Table 4.17: Victoria - Distinct Offender Rate per 100 000 Population by Country of Birth and Age Category - All Offences

Country	65 to 69			70 and over			Total		
	1995-96	1996-97	1997-98	1995-96	1996-97	1997-98	1995-96	1996-97	1997-98
Australia	187.9	159.0	137.8	162.8	122.1	98.5	1308.9	1245.3	1281.0
Cambodia	0.0	0.0	0.0	0.0	0.0	0.0	1295.7	1283.6	1102.0
Chile	0.0	1886.8	n/a	0.0	0.0	n/a	1014.4	1014.4	n/a
China	142.7	71.3	142.7	180.5	180.5	180.5	728.3	692.7	710.5
Fiji	0.0	0.0	0.0	0.0	0.0	0.0	1482.6	1549.2	1232.7
Germany	198.4	330.7	363.8	430.4	334.8	286.9	513.8	477.6	471.0
Greece	519.4	389.5	371.0	522.5	442.1	361.7	938.4	763.7	627.8
Hungary	457.7	343.2	n/a	235.6	0.0	n/a	965.3	834.9	n/a
India	0.0	509.2	101.8	0.0	129.2	0.0	550.6	599.9	546.5
Ireland	212.3	424.6	n/a	120.9	120.9	n/a	892.2	669.1	n/a
Italy	499.4	306.1	257.8	319.3	285.1	205.2	611.1	481.0	433.6
Lebanon	1292.0	258.4	0.0	0.0	0.0	800.0	1951.3	1744.0	1529.6
Malaysia	0.0	332.2	332.2	0.0	0.0	921.7	480.1	346.0	367.6
Malta	303.6	303.6	n/a	181.7	181.7	n/a	576.0	510.2	n/a
Netherlands	157.0	157.0	n/a	162.3	162.3	n/a	477.1	400.7	n/a
New Zealand	493.2	246.6	246.6	0.0	0.0	165.8	1818.4	1631.4	1827.7
Philippines	281.7	0.0	0.0	0.0	0.0	0.0	883.4	709.7	868.5
Poland	757.6	541.1	432.9	718.2	386.7	221.0	931.4	801.4	641.1
Romania	790.5	0.0	0.0	367.6	0.0	367.6	2867.8	3034.1	2784.7
Russian Federation	4281.3	2446.5	917.4	2510.5	2719.7	2301.3	2579.5	2455.8	2385.2
Sri Lanka	0.0	118.1	236.1	0.0	144.5	144.5	665.8	508.9	424.1
Turkey	367.6	367.6	735.3	0.0	0.0	0.0	2283.8	1743.2	1878.4
United Kingdom	141.6	134.6	120.4	101.7	108.9	101.7	469.9	391.0	441.2
USA	518.1	0.0	n/a	0.0	0.0	n/a	718.5	603.6	n/a
Vietnam	163.9	0.0	245.9	138.9	0.0	277.8	2016.1	2019.7	2211.9
Yugoslavia #	809.1	1213.6	809.1	1581.5	851.6	973.2	3445.3	3106.8	2768.4
Indonesia	n/a	n/a	367.6	n/a	n/a	386.1	n/a	n/a	904.7
Somalia	n/a	n/a	0.0	n/a	n/a	0.0	n/a	n/a	3682.7
Thailand	n/a	n/a	0.0	n/a	n/a	0.0	n/a	n/a	3663.0
Uruguay	n/a	n/a	0.0	n/a	n/a	0.0	n/a	n/a	1060.9
Total	287.7	249.4	212.2	235.5	183.2	158.1	1341.8	1261.6	1281.0

substantially higher than those of the Australian-born in almost all age groups. And finally, rate ratio of a majority of migrant groups from age groups 50-54 was substantially higher than their Australian-born counterparts.

Thus, the general picture that emerges from this analysis is that people in older age groups (age 50 and above) from a majority of ethnic groups have much higher arrest rates than their Australian-born counterparts. It is important to reiterate that arrest rate of older age groups is only a fraction that of younger age groups. The finding stated above relates to arrest rate of older members of ethnic groups vis-à-vis older members of the Australian-born. But the major result of our analysis is that the arrest rates of teenagers and young adults, the most crime prone age group from most migrant groups are lower than that of the Australian-born. There are, however, substantial variations in the arrest rates of migrant groups. About 70 per cent all arrests involve persons under the age of 30. It is significant that the risk of arrest of persons of this age group is lower in most population groups examined.

These two findings, in a sense, suggest that the level of arrests may have something to do with the structure of the population of each ethnic group and the Australian-born. Scholars have often used demography to explain levels of crime. Criminological research literature tends to claim that the proportion of young people in the total population could influence the levels of crime. When this proportion increases the level of crime is expected to increase and vice-a-versa. However, it must be made clear that there is no suggestion that there exists a perfect relationship. This approach would suggest that ethnic groups with high proportion of youthful population would be at high risk of arrest of young people. In an earlier section, Table 2.2, we presented 1996 census data on the proportion of population in selected age groups by country of birth. The census data revealed that the population of some migrant groups consisted of relatively high proportion of youth while that of others consisted of high proportion of elderly people. The composition of Victoria's population is very similar (see Table 4.18). For example, only 16 per cent of the Australian-born population in Victoria were in the 15-24 age group, whereas 28 per cent of those born in Malaysia, 22 per cent of those born in Vietnam, and only one per cent of those born in Italy were in the same age group. Similarly, only 11 per cent of the Australian-born population in Victoria were in the 65 year and over age group, whereas 30 per cent of those born in Italy, five per cent of Vietnamese-born, and only three per cent of those born in Malaysia were in the same age group. In theory, therefore, the risk of arrest in the Malaysian and Vietnamese-born population would be higher than those born in Australia and Italy. As the data in Table 4.17 show this is not the case. Perhaps what the Victorian data indicate is what research has been revealing all along. And that is that with few exceptions, crime participation rate of first generation migrants is lower than that of the native-born. This also suggests that age is not the only contributor to crime. Most Malaysian-born youth are students and come from well to do families.

Table 4.18: Victorian Population by Country of Birth - Selected Age Groups for Census year, 1996 - Percent

Country Of Birth	Age				All Ages
	15 - 24	25 - 44	45 - 64	65+	
Australia	16	30	17	11	100
Cambodia	21	49	17	5	100
Chile	16	43	29	5	100
China	6	49	22	14	100
Fiji	17	49	18	3	100
Germany	3	18	53	24	100
Greece	2	23	58	17	100
Hungary	3	15	45	35	100
India	9	44	27	11	100
Ireland	6	32	35	23	100
Italy	1	18	50	30	100
Lebanon	12	52	25	6	100
Malaysia	28	39	21	3	100
Malta	2	26	55	16	100
Netherlands	2	19	52	26	100
New Zealand	14	48	20	6	100
Philippines	15	47	19	4	100
Poland	7	24	25	41	100
Romania	13	40	22	16	100
Russian Federation	9	28	27	27	100
Sri Lanka	10	44	26	11	100
Turkey	11	54	24	5	100
United Kingdom	5	32	37	23	100
United States Of America	12	40	24	7	100
Vietnam	22	52	15	5	100
Former Yugoslavia NFD	4	37	40	14	100
Remainder	14	32	24	15	100
Total	14	31	21	13	100

Note: Numbers for Remainder will be inconsistent due to absence of some data.

Percentages may not total 100 due to rounding error.

Source: Census 1996, Matrix File CS068

It is useful to pursue the discussion on age-crime relationship a bit further. If the age structure of the population has an influence on the levels of crime (arrest rate in this case), then it is necessary to standardise this age structure. In the example used above the proportion of young people (15-24 age group) in the population of those born in Malaysia was noted as 28 per cent. With such high proportion of young people in the population the arrest rate for this age group was only 547 per 100,000 relevant population. Compared to this, only 16 per cent of the Australian-born population were in this age group and their arrest rate was 3702 per 100,000 population. If the age structure of the population of each ethnic group were to mirror the age structure of the population of the Australian-born, according to prevailing wisdom, we would expect the arrest rates of those born in Malaysia and Australia to be similar.

The standardisation process used below is a generally accepted practice in demography. As stated above, the objective of this standardisation is to ascertain the excess or shortfall in arrest rates of migrant groups due to age differences in the population. The procedure used here will produce age-standardised overall arrest rates of migrant groups. The

Australian-born population is considered as standard for obvious reasons. Firstly, the main thrust of this report has been to examine the involvement of members of migrant groups in crime vis a vis the Australian-born. And second, the Australian-born population accounts for more than three-quarters of Victoria's total population and it will substantially influence the overall arrest rate of the State's population. Since the aim here is to examine impact on the overall arrest rates, proportion of population in all age groups and arrest rates of each age group have been used. Italian and Vietnamese migrant groups are used as examples in this exercise. The age-relative structures of these two groups and the Australian-born are:

Proportion of population in age groups

Group	0 to 9	10 to 14	15 to 24	25 to 44	45 to 64	65+	Total
Australia	0.18	0.08	0.16	0.30	0.17	0.11	1.00
Italy	0.00	0.00	0.01	0.18	0.50	0.30	1.00
Vietnam	0.02	0.04	0.22	0.52	0.15	0.05	1.00

The observed arrest rates of these groups are:

Australia	0.00	1775.7	3702.5	1385.4	375.4	111.9	1238.3
Italy	0.00	0.0	1942.9	958.2	412.1	243.8	473.9
Vietnam	0.00	2746.6	5322.6	1269.3	377.2	0.0	2008.8

Note that the total arrest rate is equal to the weighted sum of the age rates. For example the total arrest rate of the Vietnamese-born (2008.8) is equal to $.04 * 2746.6 + .22 * 5322.6 + .52 * 1269.3 + .15 * 377.2$. Since the total rate is based on the total population of the group it is necessary to add the age-related rates of 0 to 9 and 65+ age groups, which in this case is nil.

The age standardisation involves multiplying the Italian and Vietnamese age-related arrest rates by the age proportions of the Australian-born. The results of this procedure is presented in the following Table: Contribution of age rates to total arrest rate

Country of birth	Age groups						Total
	0 to 9	10 to 14	15 to 24	25 to 44	45 to 64	65 +	
Australia	0.0	147.8	597.2	418.0	63.2	12.2	1238.3
Italy	0.0	0.0	313.3	289.1	69.3	26.5	698.3
Vietnam	0.0	228.7	858.4	383.0	63.5	0.0	1533.6

Accordingly, the overall arrest rate of the Italian-born migrants in Victoria would increase but still remain lower than that of the Australian-born. For the Vietnamese-born the expected overall arrest rate would decline but still remain higher than that of the Australian-born. As expected, the 15 to 24 age group contributes maximum to the overall standardised arrest rate. In the case of Vietnamese-born this age group was responsible for almost 56 per cent of the overall arrest rate. For the Italian-born, this age group contributes about 49 per cent of the overall standardised arrest rate.

Age-standardised rates were estimated for all the migrant groups and the results for 1995-96 and 1996-97 are produced in Table 4.19. As can be expected, the age-standardisation

process inflates the overall arrest rates of migrant groups whose population consisted of very low proportion of young people. Substantial increases in overall arrest rates are estimated for migrant groups from Germany, Greece, Hungary, Italy, Malta, and the Netherlands. However, except for those born in Hungary, the overall arrest rates for these migrant groups remain much lower than that of the Australian-born.

Age standardisation is acceptable on the assumption that people across the age range are "the same" in some way – in this case, by country of birth. However, some caution is in order. When the proportions at some ages are very small, there is a risk that this age group unduly influences the overall rate.

Table 4.19: Distinct alleged offenders per 100 000 population. Rates adjusted to account for Victorian age distribution, 1995/96 and 1996/97.

	1995/96		1996/97	
	pre-adjustment	age-standardised	pre-adjustment	age-standardised
Australia	1302.1	1302.1	1238.3	1238.3
Cambodia	1283.6	1241.8	1283.6	1096.4
Chile	1014.4	917.2	999.7	920.4
China	721.2	822.8	685.6	789.6
Fiji	1465.9	1209.2	1549.2	1261.8
Germany	510.5	678.2	471.0	673.0
Greece	931.9	1592.8	752.3	1100.7
Hungary	965.3	1409.9	834.9	1814.9
India	546.5	543.0	595.8	692.5
Ireland	892.2	1182.5	669.1	703.9
Italy	604.0	1318.8	473.9	698.3
Lebanon	1937.0	1763.6	1701.1	1443.0
Malaysia	475.8	375.0	341.7	262.5
Malta	576.0	797.5	501.9	956.1
Netherlands	469.4	971.4	400.7	755.4
New Zealand	1797.4	1677.2	1619.7	1526.8
Philippines	868.5	810.9	709.7	680.3
Poland	922.7	1132.3	792.8	987.1
Romania	2847.0	2570.1	3013.3	2717.4
Russian Federation	2561.8	2557.6	2420.5	2478.3
Sri Lanka	653.1	673.3	500.4	480.2
Turkey	2243.2	1874.5	1702.7	1430.8
United Kingdom	469.0	702.7	388.2	542.2
USA	708.9	703.1	603.6	604.0
Vietnam	2005.2	1578.9	2008.8	1533.6
Yugoslavia #	3415.0	3903.3	3081.6	3653.1
Remainder	2422.3	2507.3	2273.6	2356.2
Total	1332.1	1394.5	1252.6	1311.1

That youthful population contributes substantially to levels of criminality is beyond dispute. Statistics presented so far clearly show that irrespective of country of origin young people in the age group 15 to 24 year are arrested at a much higher rate than persons in any other age group. This also is true whether the proportions of this age group in the total population are high or low. But even though the arrest rate of 15 to 24 year olds is the highest of all age groups, for many overseas-born groups this rate is lower than that of the Australian-born 15 to 24 year olds. The arrest rate drops markedly for the subsequent age groups.

Given the significance of the role of young people in crime it is useful to point out that although changes in the age structure of the overseas-born population in Victoria are likely to be considerable, the same may not be the scenario for the Australian-born population. And since the Australian-born youths, because of their number, will continue to influence the overall arrest rate, it is unlikely that we would see measurable changes in the arrest rate in the near future. Indeed, it is probable that the youth arrest rates of those born in Cambodia, Fiji, Vietnam, and to some extent New Zealand, will drop in the near future. The rationale for these expectations is persuasive. According to 1996 Census, about 16 per cent of the Australian-born population in Victoria were 15 to 24 year old, and about 26 per cent were under the age of 15 years. Leaving aside birth and death rates for the moment, it appears that annually the number of persons entering the most crime prone age group will match those exiting the 15 to 24 age group. Indeed, the number entering this age group could be slightly higher than those leaving. The situation is very different for most overseas-born groups. For those born in Cambodia and Vietnam, almost four times as many will leave the high crime prone age as will enter and this should influence the number of arrests. As the data in Table 4.18 show a number of migrant groups display similar pattern.

While the size of youthful population has an important bearing on the level of crime there appear to be countervailing factors that may negate this relationship. A case in point is the Malaysian-born population. About 28 per cent of this migrant group in Victoria are in 15 to 24 age category (the highest proportion compared with any other ethnic group examined in this report) yet their overall and youth arrest rates are the lowest. The reasons for this desirable condition are worth detailed study. The 1996 Census, selected details of which have been included in Chapter 2 of this report, shows that as a group the Malaysian-born population in Australia is characterised by high level of education (over 28 per cent with a bachelor's degree or above), high proficiency in English language, high proportion of employed in managerial, administrative and professional occupations, and lower than Australian unemployment rate.

The type of migration program under which they arrive in Australia may determine the composition and characteristics of a migrant group. This may also determine the types of services and settlement programs to assist new migrants. Immigrants arrive in Australia under two main programs: migration program and humanitarian program. Within migration program there are three categories: family migration, skill migration (including independents who pass a points test), and special eligibility; and under the humanitarian

program are included schemes such as refugee and special humanitarian program. It is difficult to predict exactly what will be the mix of immigrants in the near future. But given the conscious immigration policy, biased in favour of skill migrants, it is unlikely that the number of young (15 to 24 year old) overseas-born will increase measurably. Census and arrest data from Victoria suggest English language education and facilities to upgrade vocational skills of those who require such help would be a desirable step.

Gender and crime

Crime is a young male phenomenon. Statistics from most countries around the world show that one out of ten violent crimes that are solved involved females and between 20 and 30 per cent of all arrests for all offences involved women and girls. Table 4.20 shows the number of distinct offenders processed by gender, age and country of birth in 1996-97 in Victoria. Data in the Table confirm the pattern of female involvement in crime in most Western countries. It is difficult to comment on the data for each five year age group because of small numbers. But over all, more than 20 per cent of all distinct offenders born in Australia were females. Distinct offenders born in China and Malaysia show a substantially higher involvement of females than those born in other source countries. Some migrant groups tend to maintain traditions assimilated in their home countries long after they have emigrated. This is particularly relevant to the gender ratio displayed in crime data. It is interesting to note that distinct offenders born in Lebanon and Turkey include the lowest proportion of women and girls. Only 13 and 14 per cent of distinct offenders born in Turkey and Lebanon respectively were females.

The importance of gender in crime becomes obvious when we examine rates of distinct offenders. Earlier in this chapter it was shown that distinct offenders born in a few countries displayed higher arrest rates than those born in Australia. This pattern is set by males only. Male distinct offenders born in Former Yugoslavia, Romania, the Russian Federation, Vietnam, Turkey, Lebanon, Fiji, New Zealand and Cambodia display higher arrest rates than their Australian-born counterparts. Indeed the ranking of arrest rates of this group of males is almost exactly the same as the ranking shown in Table 4.1, the only change was the change of place between Lebanon and Turkey. Female distinct offenders who showed higher arrest rates than those born in Australia came from Romania, the Russian Federation, Former Yugoslavia, Vietnam, New Zealand, Cambodia, China, Poland and Chile. The female arrest rates of the first three migrant groups were significantly higher than the rest.

Table 4.20: Distinct Offender Numbers for Victoria, by Country of Birth, Age Category and Sex - All Offences, 1997-98

Country	10 to 19		20 to 29		30 to 39		40 to 49		50 to 59		60 to 74		Total	
	m	f	m	f	m	f	m	f	m	f	m	f	m	f
Australia	12165	3533	11274	2677	5029	1454	2080	651	733	206	291	101	31844	8761
Cambodia	28	10	32	4	8	2	3	1	1	0	0	0	72	18
China	21	7	20	18	40	33	24	22	2	6	6	5	115	91
Fiji	20	5	17	4	7	4	4	10	1	0	1	0	51	23
Germany	8	1	14	2	21	3	26	6	24	6	15	7	110	29
Greece	7	4	41	8	77	16	53	17	59	26	46	19	291	90
India	17	5	38	7	24	6	6	8	5	1	5	1	98	28
Indonesia	33	9	28	7	6	2	10	3	1	0	3	1	82	23
Italy	7	3	33	4	90	18	63	19	61	21	57	25	327	92
Lebanon	24	5	76	6	47	8	24	6	7	1	4	0	183	26
Malaysia	19	9	15	9	9	3	7	3	4	0	2	1	56	28
New Zealand	227	52	219	35	110	43	36	18	10	1	9	1	615	151
Phillppines	56	25	38	13	9	14	5	7	1	2	0	0	111	62
Poland	29	2	16	7	10	4	15	8	13	9	11	10	102	44
Romania	15	3	20	2	41	1	15	0	2	0	2	0	96	6
Russian Federation	16	2	23	10	19	14	8	5	9	4	12	0	89	35
Somalia	25	5	15	9	4	3	0	4	1	8	0	6	45	39
Sri Lanka	26	2	37	9	33	8	20	6	8	2	4	1	129	29
Thailand	61	15	18	3	1	4	0	1	1	0	0	0	81	23
Turkey	33	3	78	9	89	10	24	7	9	3	5	0	239	33
UK & Ireland	98	21	151	37	233	60	155	28	75	16	39	13	765	182
Uruguay	3	0	6	1	5	1	3	0	0	0	0	0	17	2
Vietnam	344	69	404	83	127	68	53	30	11	4	6	1	948	255
Yugoslavia	37	15	87	16	120	36	67	22	55	22	33	15	404	130
Other	1859	584	1947	514	1131	357	709	211	362	115	194	83	6336	1919
Unspecified	21	1	40	6	47	12	24	6	16	5	9	5	160	35
Total	15199	4390	14687	3500	7337	2184	3434	1099	1471	458	754	295	43366	12152

Table 4.21: Distinct Offender Rate per 100,000 Population for Victoria, by Country of Birth, Age Category and Sex - All Offences, 1997-98

Country	10 to 14		15 to 19		20 to 24		25 to 29		30 to 34	
	m	f	m	f	m	f	m	f	m	f
Australia	2295.2	888.2	6930.1	1906.1	4945.6	1109.0	3588.6	902.2	2509.1	694.5
Cambodia	896.9	961.5	896.9	961.5	5176.5	727.3	1766.8	0.0	1202.4	193.1
China	1295.0	610.7	1295.0	610.7	3241.9	1550.4	876.1	831.3	788.9	542.6
Fiji	485.4	934.6	485.4	934.6	5333.3	1000.0	1597.4	241.0	840.3	460.8
Germany	0.0	0.0	0.0	0.0	1544.4	361.0	2457.0	226.8	1700.7	460.1
Greece	0.0	800.0	0.0	800.0	4827.6	1851.9	2906.4	385.6	2388.2	666.7
India	209.6	0.0	209.6	0.0	2741.5	168.4	1504.4	539.1	851.1	203.7
Indonesia	1606.4	769.2	1606.4	769.2	2079.7	490.2	614.4	337.3	505.1	331.1
Italy	1162.8	1428.6	1162.8	1428.6	2686.6	877.2	3352.0	305.8	2196.1	471.1
Lebanon	2259.9	0.0	2259.9	0.0	7504.7	440.5	3943.0	324.0	2721.1	102.2
Malaysia	1130.9	515.5	1130.9	515.5	570.1	348.3	378.3	241.3	519.5	177.3
New Zealand	4078.0	1769.9	4078.0	1769.9	7227.5	1052.6	4449.5	626.0	2193.8	811.4
Phllippines	851.6	1100.2	851.6	1100.2	4991.9	1082.5	1367.2	477.6	1123.6	470.9
Poland	735.3	0.0	735.3	0.0	3149.6	1396.6	1526.7	565.0	719.4	0.0
Romania	1156.1	0.0	1156.1	0.0	7857.1	4065.0	5454.5	2057.6	11236.0	3669.7
Russian Federation	3571.4	1398.6	3571.4	1398.6	9302.3	3355.7	7333.3	2366.9	3940.9	480.8
Somalia	7894.7	0.0	7894.7	0.0	7777.8	1282.1	9523.8	1020.4	2222.2	1538.5
Sri Lanka	350.9	0.0	350.9	0.0	2785.1	671.1	1918.5	526.3	1068.4	289.0
Thailand	3521.1	284.1	3521.1	284.1	4887.2	579.7	2512.6	282.5	1098.9	727.3
Turkey	1036.3	0.0	1036.3	0.0	6779.7	301.2	3931.6	558.2	4104.5	261.3
UK & Ireland	964.9	148.0	964.9	148.0	2447.7	583.0	1365.4	363.6	1372.9	327.6
Uruguay	4166.7	0.0	4166.7	0.0	1923.1	0.0	4166.7	806.5	3896.1	0.0
Vietnam	2379.0	1266.9	2379.0	1266.9	7970.1	1151.3	4007.0	1048.2	1447.4	983.4
Yugoslavia	5188.7	1754.4	5188.7	1754.4	16289.6	2978.7	7657.7	1382.5	6702.7	2231.2
Total	2383.6	935.9	2383.6	935.9	5155.0	1151.7	3651.0	923.7	2513.8	708.9

Table 4.21: Distinct Offender Rate per 100,000 Population for Victoria, by Country of Birth, Age Category and Sex - All Offences, 1997-98

Country	35 to 39		40 to 44		45 to 49		50 to 54		55 to 59	
	m	f	m	f	m	f	m	f	m	f
Australia	1668.5	469.4	1214.1	368.7	869.9	263.3	670.1	175.7	467.6	135.3
Cambodia	466.2	180.2	639.7	0.0	0.0	339.0	0.0	0.0	787.4	0.0
China	1119.8	954.2	855.7	970.2	876.4	679.6	289.4	313.5	0.0	581.4
Fiji	1101.9	457.7	664.5	2647.1	1020.4	463.0	0.0	0.0	769.2	0.0
Germany	1567.0	0.0	999.0	192.9	548.7	135.2	769.2	217.4	404.7	141.2
Greece	1793.3	366.5	920.7	401.9	879.2	142.1	865.1	291.9	382.3	218.1
India	811.4	209.8	274.7	419.1	162.7	277.0	200.0	109.5	461.5	0.0
Indonesia	616.0	0.0	1154.7	451.5	1265.8	248.8	0.0	0.0	460.8	0.0
Italy	1649.1	377.1	637.8	209.7	577.9	180.3	572.0	199.0	460.8	170.0
Lebanon	2130.0	722.4	1884.4	379.3	1107.0	509.3	910.7	0.0	503.8	355.9
Malaysia	442.1	66.9	396.2	59.9	191.0	155.9	354.0	0.0	515.5	0.0
New Zealand	1781.3	662.5	1038.6	649.6	582.6	170.3	595.7	92.3	237.5	0.0
Philippines	121.2	290.0	235.8	218.0	497.5	212.5	326.8	305.3	0.0	0.0
Poland	897.4	443.5	746.3	342.8	648.7	362.6	805.2	811.7	1562.5	557.9
Romania	5865.9	2238.8	4013.4	1826.5	1587.3	613.5	0.0	1600.0	2061.9	1481.5
Russian Federation	5914.0	819.7	2259.9	1345.3	1980.2	408.2	3589.7	555.6	1092.9	2966.1
Somalia	2597.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0	10000.0	0.0
Sri Lanka	1177.2	266.8	816.3	148.6	611.6	353.7	748.7	139.1	194.6	196.1
Thailand	0.0	689.7	0.0	555.6	0.0	0.0	0.0	0.0	6250.0	0.0
Turkey	3462.3	850.5	2865.8	624.0	881.8	442.5	683.1	427.4	869.6	335.6
UK & Ireland	1029.1	281.1	826.9	178.0	537.5	79.6	406.8	101.4	283.0	56.0
Uruguay	2469.1	1428.6	5084.7	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Vietnam	1700.6	875.1	1263.7	764.3	852.3	336.5	892.0	435.7	278.9	0.0
Yugoslavia	5593.1	1347.4	3422.1	774.4	2930.1	1276.2	2912.6	929.2	2078.1	1498.9
Total	1775.0	521.7	1272.6	411.3	911.0	268.3	765.3	227.6	530.8	183.8

Table 4.21: Distinct Offender Rate per 100,000 Population for Victoria, by Country of Birth, Age Category and Sex - All Offences, 1997-98

Country	60 to 64		65 to 69		70 to 74		Total	
	m	f	m	f	m	f	m	f
Australia	278.1	72.1	218.3	59.2	137.4	58.9	2020.4	534.3
Cambodia	0.0	0.0	0.0	0.0	0.0	0.0	1812.7	420.0
China	288.6	603.9	296.7	0.0	409.0	0.0	854.3	619.6
Fiji	1408.5	0.0	0.0	0.0	0.0	0.0	1820.8	718.3
Germany	276.1	73.3	440.2	301.0	732.1	71.0	750.8	184.6
Greece	652.3	228.4	353.1	307.6	369.3	264.6	932.7	294.1
India	775.2	167.8	224.2	0.0	0.0	0.0	795.5	233.0
Indonesia	598.8	588.2	735.3	0.0	751.9	0.0	1326.4	384.8
Italy	292.4	201.0	315.1	165.7	301.9	72.6	634.6	193.1
Lebanon	719.4	0.0	0.0	0.0	1680.7	0.0	2556.2	380.6
Malaysia	0.0	0.0	763.4	0.0	990.1	862.1	514.8	228.7
New Zealand	1310.9	0.0	251.3	242.1	358.4	0.0	2888.5	702.5
Philippines	0.0	0.0	0.0	0.0	0.0	0.0	1525.4	481.6
Poland	798.4	146.6	432.9	432.9	237.5	206.6	921.9	366.1
Romania	1075.3	0.0	0.0	0.0	714.3	0.0	3852.3	1508.6
Russian Federation	1438.8	1290.3	1538.5	507.6	5517.2	900.9	3578.6	1229.1
Somalia	0.0	0.0	0.0	0.0	0.0	0.0	5660.4	972.4
Sri Lanka	438.6	0.0	276.2	206.2	353.4	0.0	1089.8	246.9
Thailand	0.0	0.0	0.0	0.0	0.0	0.0	4563.4	887.0
Turkey	1327.4	0.0	1526.7	0.0	0.0	0.0	3145.6	458.2
UK & Ireland	221.4	52.4	163.4	73.8	147.9	57.1	705.4	164.4
Uruguay	0.0	0.0	0.0	0.0	0.0	0.0	1995.3	213.0
Vietnam	378.8	0.0	532.9	0.0	322.6	243.9	3473.7	915.1
Yugoslavia	2441.6	1113.9	826.4	633.9	1237.6	478.5	3975.2	1349.7
Total	401.7	140.5	301.1	112.4	228.5	84.4	1998.2	541.5

The arrest data from Victoria, examined from various angles, do not produce conclusive evidence of the levels of criminality among ethnic groups. It raises more questions than offers answers. For example, the data show that arrest rates of some migrant groups from Europe were much higher than those from elsewhere. Also, within migrant groups who arrived in substantial number after the Second World War and those arrived since the late 1970s, arrest rates varied significantly. It does, however, confirm that irrespective of ethnicity young people commit crime at a much higher rate than those 25 year and above. The data showed that members of some recent migrant groups have an overall high arrest rate. These groups also suffer from disadvantages of poor proficiency in English, no formal qualification, and high unemployment rate. This group appears to be quite different from those who migrated to Australia after the Second World War. Some members of the later group also suffer from the disadvantage of poor proficiency in English and no formal qualification, but have relatively low unemployment rate. Arrest figures alone do not provide sufficient information to make a judgement about involvement in criminal activity. The disadvantages faced by migrant groups and their experiences in daily life, including encounters with official social and justice agencies, need proper understanding while assessing the criminal behaviour of particular groups.

Convictions and Imprisonment

Following arrest an accused is either charged to appear before a court or released with/without conditions. The task of recording the details of trials and outcomes rests with the court system. Some jurisdictions in Australia have a two tier and others three tier judicial system. The record keeping practices and procedures across jurisdictions and across court systems vary. The details of how an accused is processed in the courts are sketchy. All the Australian jurisdictions publish court outcomes by age, gender, and offence, but none offered any details of decisions and sentencing by ethnicity. Only the Office of Crime Statistics, South Australia, until 1995, published information on the birthplace of defendant (for a few selected countries and regions only) by major offence group in the Magistrates Courts, and State or country of birth of accused by major offence group in Supreme and District Courts. The Magistrates Courts data related to the number of appearances and not the number of defendants and for the higher courts the details were for individuals. As stated above, none of the Tables provided information on outcomes by birthplace of defendant or accused.

In 1995 there were 38,292 appearances before magistrates courts in South Australia. Of these birthplace was known for 22,392 or 58.5 per cent of the appearances. In cases where birthplace details were available, 89.5 per cent recorded Australia as the birthplace, 0.9 per cent New Zealand, 3.9 per cent the United Kingdom, 3.6 per cent other Europe, 1.7 per cent Asia, and the rest other. In relation to population, the rate of appearance per 1,000 by place of birth were 28 for Australia, 24 for New Zealand, 6 for the United Kingdom, and 13 for Asia. Thus, defendants born overseas displayed lower court appearance rate than their Australian-born counterparts. At the Supreme and

District Courts, almost 94 per cent of the accused were Australian-born. These details are no longer published.⁷⁷

In recent times, Gallagher and Poletti⁷⁸ conducted a careful and systematic research on the disparity in sentencing of juvenile offenders in New South Wales. They matched juveniles from indigenous and ethnic communities with those from Anglo-Australian background. Juveniles from ethnic communities were from non-English speaking background and they were placed in four groups – Pacific Islanders, Southern Europeans, Middle Eastern, and East Asian. The study found among other, that

Both the ATSI (Aboriginal and Torres Strait Islanders) and the Pacific groups received significantly harsher penalties. There were no statistically significant differences for the other ethnic groups, however, the direction of the difference was consistently in favour of Anglo-Australians.⁷⁹ The Pacific group received more than twice as many control orders (20 offenders) than their Anglo-Australian match (nine offenders).⁸⁰

Gallagher and Poletti did not investigate the details of appearances before courts of New South Wales. The sentencing disparity study concerned with those processed in the specialised children's courts and as such no information on how adults are processed is available.

A large part of the debate in Australia on the involvement of migrants in crime has revolved around prison data. The collection of this information on an annual basis commenced at the Australian Institute of Criminology in 1982 when the National Prison Census began. The data collection form for this census included an item on 'Country of Birth' of prisoners. Since 30 June 1994 the prison census work has been taken over by the National Centre for Criminal Justice Statistics, Australian Bureau of Statistics. The National Centre does not publish 'Country of Birth' information. Under an agreement, however, the National Centre provided the Institute with the unit record files of National Prison Census from 1994 to 1997. Table 4.22 presents the number of prisoners and imprisonment rate by country of birth in 1997 for Australia and Victoria.

Imprisonment rates across Australia vary a great deal. It is well known that Victoria sends fewer people to prison than other Australian States and Territories. Data in Table 4.22 show imprisonment rate for every ethnic group in Victoria except the Former Yugoslavia-born is measurably lower than that of Australia. For example, the overall rate of imprisonment in Victoria is just under 60 per 100,000 population, compared to 103 for Australia. Although the magnitude of rates in Victoria are generally lower than those for Australia as a whole, the pattern is the same. That is to say that ethnic groups that show high imprisonment rate in whole of Australia also show high rate in Victoria. In particular, imprisonment rates of those born in New Zealand, Vietnam, Lebanon, Turkey and Former Yugoslavia are substantially higher than that of the Australian-born. Members of these migrant groups also face higher

⁷⁷ Attorney-General's Department, SA 1996. Crime and Justice in South Australia 1995. Office of Crime Statistics.

⁷⁸ P. Gallagher and P. Poletti, 1998. Sentencing Disparity and the Ethnicity of Juvenile Offenders. Sydney: Judicial Commission of New South Wales.

⁷⁹ Ibid pp. 16-17.

⁸⁰ Ibid p. 18

Table 4.22 Number of prisoners and rate per 100,000 population by Country of Birth, Australia and Victoria 1997

Country of Birth	Australia 1997		Victoria 1997	
	Number	Rate	Number	Rate
Australia	14,677	103.3	1979	61.5
New Zealand	530	161.9	53	123.9
PNG & Oceania	175	186.7	8	
Vietnam	457	273.1	100	181.3
Rest of Asia	477	60.5	79	42.7
United Kingdom & Eire	758	61.5	121	52.3
Greece	78	54.9	28	45.3
Italy	159	62.5	52	52.4
Former Yugoslavia	154	77.7	40	202.1
Rest of Europe	401	66.5	88	41.1
USA	42	74.5	7	67.1
Canada	9	31.5	1	
Other America	97	117.2	5	27.1
Africa	64	51.8	13	23.6
Lebanon	152	199.6	21	150.1
Turkey	52	164.3	19	128.4
Unknown	740		29	
Total	19,082	103.0	2,643	59.9

Source: ABS: 1997 National Prison Census (unpublished data)

risk of arrest than the Australian-born in Victoria. We shall examine the arrest and imprisonment data for Victoria shortly.

Table 4.23 presents the number of prisoners and imprisonment rates of all prisoners on 30 June each year from 1983 to 1998. The Table shows that there has been a gradual increase in the number of prisoners and imprisonment rate in Australia since 1984. There are a number of features in the Table that deserve mention. Firstly, the imprisonment rates of those born in New Zealand, Lebanon and Turkey have always been and remain substantially higher than that of the Australian-born. In the last four years, however, the rates for the Lebanese and Turkish-born has declined measurably. Second, the imprisonment of those born in Former Yugoslavia and US/Canada were higher and currently have fallen below the rate of the Australian-born. Third, the imprisonment rate of those born in Vietnam was lower in the first few years of the National Prison Census but since 1989 the rate has not only been higher than that of the Australian-born, it has almost tripled. The rate escalated particularly since 1993. On Census day 30 June 1993 there were 197 prisoners in Australia whose place of birth was Vietnam, on Census day 1998 the number was 474. And finally, the imprisonment rate of those born in the UK/Ireland, Greece and Italy have been stable and currently stand at about half the rate of the Australian-born.

Number of Prisoners by Country of Birth, 1983 - 1998

Table 4.23: All Offences

Country of Birth	1983	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998
Australia	8213	7584	8634	9121	9606	9792	10289	11397	12033	12302	12650	13336	13634	14276	14677	15072
New Zealand	272	241	257	246	316	304	345	377	389	418	393	445	439	479	530	493
Vietnam	18	13	25	28	35	58	99	109	136	152	197	254	331	368	457	474
UK/Eire	612	629	648	618	707	689	656	665	644	691	754	743	780	790	758	760
Greece	48	66	73	83	82	71	80	75	74	65	62	78	75	70	78	69
Italy	136	101	139	143	146	132	129	143	131	144	118	155	153	143	159	135
Former Yugoslavia	144	135	162	145	154	159	146	178	193	177	172	185	176	171	154	175
US/Canada	47	49	49	46	49	58	61	52	49	48	56	46	47	51	51	63
Lebanon	0	82	109	131	131	137	136	156	176	183	193	202	189	166	152	136
Turkey	0	44	51	56	57	68	77	79	85	79	67	79	61	59	52	55
Total Australia	10195	9682	10828	11296	12113	12308	12957	14304	15018	15559	15866	16944	17428	18193	19082	19906

Prisoners by Country of Birth, Rate per 100,000 Relevant Population, 1983 - 1998

All Offences

Country of Birth	1983	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998
Australia	67.7	61.7	69.3	72.3	75.2	75.8	78.9	86.5	90.3	91.3	92.9	96.8	97.9	101.4	103.3	105.0
New Zealand	144.1	127.4	128.8	112.8	137.1	121.5	123.1	131.3	135.8	146.4	138.2	156.0	151.4	161.0	161.9	145.3
Vietnam	28.6	18.0	30.9	31.9	37.0	57.8	95.3	95.4	109.0	114.2	143.5	179.0	225.9	245.5	273.1	279.4
UK/Eire	51.0	52.9	54.9	52.4	59.6	57.5	53.5	53.7	51.8	55.9	61.6	61.1	64.4	65.4	61.5	61.8
Greece	31.7	44.0	49.1	56.5	55.5	47.7	54.0	50.7	50.2	44.4	42.6	53.7	51.9	48.4	54.9	48.7
Italy	48.4	36.3	50.4	52.4	53.8	48.9	47.3	52.6	48.2	53.5	44.3	58.7	58.6	55.3	62.5	53.7
Former Yugoslavia	91.4	85.6	102.2	91.3	95.8	97.4	87.9	106.4	114.9	104.5	100.2	105.8	97.9	91.9	77.7	86.6
US/Canada	92.9	87.7	84.3	76.5	76.0	83.2	87.6	70.6	65.2	61.7	70.4	55.8	54.4	55.4	60.0	69.0
Lebanon	na	148.6	189.6	220.2	207.6	202.1	188.1	207.2	224.2	230.5	240.9	249.7	230.5	199.0	199.6	175.8
Turkey	na	168.6	193.2	216.2	209.6	238.6	259.3	259.9	268.1	246.1	208.7	243.1	184.3	174.0	164.3	170.7
Total Australia	66.2	62.1	68.6	70.5	74.5	74.5	77.1	83.8	86.9	89.0	89.9	95.0	96.6	99.5	103.0	106.2

Source: National Prison Census, 1983 - 1998.

Number of Prisoners by Country of Birth 1983-1997

Table 4.24: Violent Offences

Country of Birth	1983	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997
Australia	3369	3101	3575	3760	4017	4129	4428	4875	5251	5520	6114	6593	6888	7313	7407
New Zealand	102	97	102	86	119	122	122	150	176	188	201	227	228	221	261
Vietnam	12	8	15	19	24	29	50	52	63	69	71	90	81	89	113
UK/Eire	265	272	277	252	306	277	286	308	305	310	367	383	423	424	408
Greece	16	24	29	30	27	22	24	24	21	25	19	26	27	29	28
Italy	62	50	56	40	49	45	44	45	44	43	36	51	51	50	58
Former Yugoslavia	75	69	80	69	78	79	74	68	75	61	64	78	81	74	69
US/Canada	14	19	16	17	13	11	17	16	13	14	16	18	20	22	21
Lebanon	0	20	34	31	26	29	41	33	39	38	47	63	72	57	62
Turkey	0	23	23	25	15	24	27	22	34	28	21	29	26	23	18
Total Australia	4167	4030	4448	4624	4955	5099	5470	5959	6398	6746	7373	8082	8492	8937	9286

Source: National Prison Census, 1983 - 1998

Prisoners by Country of Birth, Rate per 100,000 Relevant Population, 1983 - 1997

Violent Offences

Country of Birth	1983	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997
Australia	27.8	25.2	28.7	29.8	31.4	31.9	34.0	37.0	39.4	41.0	44.9	47.9	49.4	51.9	52.1
New Zealand	54.1	51.3	51.1	39.4	51.6	48.8	43.5	52.2	61.5	65.8	70.7	79.6	78.6	74.3	79.7
Vietnam	19.0	11.0	18.5	21.7	25.4	28.9	48.1	45.5	50.5	51.8	51.7	63.4	55.3	59.4	67.5
UK/Eire	22.1	22.9	23.5	21.4	25.8	23.1	23.3	24.9	24.5	25.1	30.0	31.5	34.9	35.1	33.1
Greece	10.6	16.0	19.5	20.4	18.3	14.8	16.2	16.2	14.2	17.1	13.0	17.9	18.7	20.1	19.7
Italy	22.0	18.0	20.3	14.7	18.0	16.7	16.1	16.6	16.2	16.0	13.5	19.3	19.5	19.3	22.8
Former Yugoslavia	47.6	43.8	50.5	43.5	48.5	48.4	44.6	40.6	44.6	36.0	37.3	44.6	45.1	39.8	34.8
US/Canada	27.7	34.0	27.5	28.3	20.2	15.8	24.4	21.7	17.3	18.0	20.1	21.8	23.1	23.9	24.7
Lebanon	na	36.2	59.1	52.1	41.2	42.8	56.7	43.8	49.7	47.9	58.7	77.9	87.8	68.3	81.4
Turkey	na	88.1	87.1	96.5	55.1	84.2	90.9	72.4	107.3	87.2	65.4	89.2	78.5	67.8	56.9
Total Australia	27.1	25.9	28.2	28.9	30.5	30.8	32.5	34.9	37.0	38.6	41.8	45.3	47.0	48.9	51.9

Source: National Prison Census, 1983 - 1997.

Number of Prisoners by Country of Birth, 1983 - 1997

Table 4.25: Property Offences

Country of Birth	1983	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997
Australia	2965	2731	3036	3097	3412	3401	3382	3939	4087	3982	3868	3983	4018	4143	4412
New Zealand	69	68	72	73	92	78	104	102	115	113	84	112	103	118	135
Vietnam	4	4	5	7	8	10	30	35	32	37	51	47	74	60	86
UK/Eire	190	209	227	207	232	220	215	181	191	206	193	189	180	178	173
Greece	12	18	19	22	23	19	26	19	23	11	19	23	17	14	19
Italy	24	22	30	30	30	24	38	33	32	39	24	34	33	30	24
Fmr Yugoslavia	41	41	48	42	44	44	50	50	51	44	51	42	46	53	33
US/Canada	16	10	13	5	12	9	16	7	7	5	9	6	4	10	8
Lebanon		15	22	22	28	22	46	37	43	47	35	31	27	33	37
Turkey		5	6	8	13	13	22	18	16	18	15	16	12	18	17
Total Australia	3510	3313	3649	3726	4082	4005	4181	4629	4826	4753	4531	4736	4791	4973	5388

Prisoners by Country of Birth, Rate per 100,000 Relevant Population, 1983 - 1997

Property Offences

Country of Birth	1983	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997
Australia	24.4	22.2	24.4	24.5	26.7	26.3	25.9	29.9	30.7	29.6	28.4	28.9	28.8	29.4	31.0
New Zealand	36.6	36.0	36.1	33.5	39.9	31.2	37.1	35.5	40.2	39.6	29.5	39.3	35.5	39.7	41.2
Vietnam	6.3	5.5	6.2	8.0	8.5	10.0	28.9	30.6	25.6	27.8	37.1	33.1	50.5	40.0	51.4
UK/Eire	15.8	17.6	19.2	17.6	19.5	18.4	17.5	14.6	15.3	16.7	15.8	15.5	14.9	14.7	14.0
Greece	7.9	12.0	12.8	15.0	15.6	12.8	17.5	12.8	15.6	7.5	13.0	15.8	11.8	9.7	13.4
Italy	8.5	7.9	10.9	11.0	11.0	8.9	13.9	12.1	11.8	14.5	9.0	12.9	12.6	11.6	9.4
Former Yugoslavia	26.0	26.0	30.3	26.4	27.4	26.9	30.1	29.9	30.4	26.0	29.7	24.0	25.6	28.5	16.7
US/Canada	31.6	17.9	22.4	8.3	18.6	12.9	23.0	9.5	9.3	6.4	11.3	7.3	4.6	10.9	9.4
Lebanon	na	27.2	38.3	37.0	44.4	32.4	63.6	49.1	54.8	59.2	43.7	38.3	32.9	39.6	48.6
Turkey	na	19.2	22.7	30.9	47.8	45.6	74.1	59.2	50.5	56.1	46.7	49.2	36.3	53.1	53.7
Total Australia	22.8	21.3	23.1	23.3	25.1	24.2	24.9	27.1	27.9	27.2	25.7	26.5	26.5	27.2	30.1

Source: National Prison Census, 1983 - 1997.

Number of Prisoners by Country of Birth 1983-1997

Table 4.26: Drug Offences

Country of Birth	1983	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997
Australia	460	500	652	714	682	731	844	762	763	846	931	941	914	864	819
New Zealand	59	42	44	54	57	64	62	57	55	57	52	56	54	63	49
Vietnam	1	1	2	1	0	9	11	13	25	27	64	99	151	196	222
UK/Eire	61	62	73	71	68	82	71	68	50	65	90	102	93	109	101
Greece	12	17	22	27	27	23	20	23	22	23	21	21	29	20	20
Italy	35	27	39	58	60	48	34	43	37	45	43	58	57	55	59
Former Yugoslavia	8	8	16	15	16	14	7	34	37	38	37	44	36	29	33
US/Canada	10	15	16	20	19	30	18	18	21	19	20	19	17	13	17
Lebanon		43	50	74	68	74	27	52	61	58	71	94	73	61	41
Turkey		12	21	20	23	22	19	32	26	26	21	24	13	12	9
Total Australia	808	855	1118	1296	1258	1351	1298	1347	1364	1518	1704	1923	1904	1895	1858

Source: National Prison Census, 1983 - 1997

Prisoners by Country of Birth, Rate per 100,000 Relevant Population, 1983 - 1997

Drug Offences

Country of Birth	1983	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997
Australia	3.8	4.1	5.2	5.7	5.3	5.7	6.5	5.8	5.7	6.3	6.8	6.8	6.6	6.1	5.8
New Zealand	31.3	22.2	22.1	24.8	24.7	25.6	22.1	19.8	19.2	20.0	18.3	19.6	18.6	21.2	15.0
Vietnam	1.6	1.4	2.5	1.1	0.0	9.0	10.6	11.4	20.0	20.3	46.6	69.8	103.1	130.8	132.7
UK/Eire	5.1	5.2	6.2	6.0	5.7	6.8	5.8	5.5	4.0	5.3	7.3	8.4	7.7	9.0	8.2
Greece	7.9	11.3	14.8	18.4	18.3	15.5	13.5	15.6	14.9	15.7	14.4	14.5	20.1	13.8	14.1
Italy	12.4	9.7	14.1	21.2	22.1	17.8	12.5	15.8	13.6	16.7	16.1	22.0	21.8	21.3	23.2
Former Yugoslavia	5.1	5.1	10.1	9.4	10.0	8.6	4.2	20.3	22.0	22.4	21.5	25.2	20.0	15.6	16.7
US/Canada	19.8	26.8	27.5	33.3	29.5	43.0	25.9	24.4	28.0	24.4	25.2	23.1	19.7	14.1	20.0
Lebanon	na	77.9	87.0	124.4	107.8	109.1	37.3	69.1	77.7	73.0	88.6	116.2	89.0	73.1	53.8
Turkey	na	46.0	79.5	77.2	84.6	77.2	64.0	105.3	82.0	81.0	65.4	73.8	39.3	35.4	28.4
Total Australia	5.2	5.5	7.1	8.1	7.7	8.2	7.7	7.9	7.9	8.7	9.7	10.8	10.5	10.4	10.4

Source: National Prison Census, 1983 - 1997.

Examination of reasons for imprisonment, that is the most serious offence for which an inmate was in prison, produces interesting patterns. In 1997 close to half of all prison inmates (48.7%) were in prison because of violent offences. This proportion has increased gradually since 1983 when it was about 40 per cent. Table 4.24 shows that the rate of prisoners convicted of violent offences of homicide, robbery, rape, and assault in Australian prisons increased by more than 90 per cent between 1983 and 1997. The rate of increase was fastest (more than 255%) for the prisoners with birthplace in Vietnam, from 19.0 to 67.5 per 100,000 population. Another interesting feature was that until 1989 about half of all Vietnam-born prisoners were in prison for violent offences, this proportion dropped to less than a quarter in 1997. The only other migrant group whose rate increased faster than that of the Australian-born were Lebanese-born prisoners for violent offences. It should be noted, however, that the imprisonment rate of New Zealand, Lebanon and Turkish-born prisoners, whose most serious offence was a violent offence, has been higher than that of the Australian during the entire 15 years.

Prisoners convicted of property offences constitute less than 30 per cent of all prisoners. As the data in Table 4.25 show, prisoners born in Lebanon, New Zealand, and Turkey have relatively higher representation in prisons than any other migrant groups. Vietnamese-born prisoners have joined this group since 1993. The growth in the number of prisoners whose most serious offence was a property crime has generally been modest. However, the imprisonment rate of those born in Vietnam has increased from 6.3 to 51.4 per 100,000 relevant population between 1983 and 1997.

Data in Table 4.26 show imprisonment rate for inmates convicted of drug offences, eg possession/use, drug trafficking, dealing, and manufacturing. Possession and use is the least serious charge and the general arrest data show that more than 90 per cent of those arrested for a drug offence are for possession and use. In prisons only about one in 10 drug offenders were convicted and sentenced for possession and use. Thus about 90 per cent of drug offenders are in prisons for more serious offence of dealing, trafficking, and manufacturing drugs. Per head of population, those born in the United Kingdom and Australia present the lowest rate. A special feature of this Table is that since 1993 all migrant groups listed display higher imprisonment rate than the Australian-born. Some unusual movement is observed in the case of prisoners born in Vietnam. In 1993 their imprisonment rate showed a sharp increase (see Table 4.26) and this escalation has continued. On 30 June 1997, of the 457 Vietnamese-born prisoners in Australia 222 were in prisons because their most serious offence was a drug offence. As the data in Table 4.26 show, neither the Australian-born nor any other migrant group present such a trend, indeed most groups show a declining trend in rate for drug offenders in recent years.

Prison Census data, particularly those concerning drug offenders, appear to indicate that arrest data from Victoria are consistent. The arrest data go back only five years but within these five years the increase in the number of arrests of Vietnamese-born suspects for drug offences is very substantial.

Data from National Prison Census reveal several trends. The number of inmates in Australian prisons has increased from 10,195 to 19,906 (95 per cent) between 1983 and 1998. In relation to population growth, the imprisonment rate per 100,000 population has increased by over 60 per cent during the same period. The number of Vietnamese-born inmates in prisons has shown the sharpest rise. Indeed, since 1984 when the number of prisoners from this migrant group was only 13, their number has shown a monotonic increasing trend and on 30 June 1998 this number reached 474. The imprisonment rate of those born in Turkey, Lebanon, and New Zealand has been greater than those born in Australia during the entire 15 year period.

The New South Wales inmate census data for 1997 only reinforce the findings from the National Prison Census. Imprisonment rate of Vietnamese-born prisoners in New South Wales prisons in 1997 was over 420 per 100,000 population. According to 1996 Census of Population and Housing, New South Wales had 61,140 migrants born in Vietnam; and Victoria had 55,229 Vietnamese-born migrants. Yet, New South Wales holds two and a half times as many Vietnamese-born prisoners as does Victoria. The New South Wales inmate census also shows that prisoners born in Lebanon, Turkey and New Zealand are imprisoned at a higher rate than those born in Australia.

Gender and imprisonment

The number of women prisoners in Australian prisons has been increasing, albeit at a very slow rate. In 1997 less than six per cent of all prisoners were women compared to under five per cent in 1994. While almost half the males were in prisons for violent offences like homicide, assault, rape, and robbery, only less than a third of all women inmates were imprisoned for these offences. Also, whereas 42 per cent of women inmates were in prisons for property offences, only over 27 per cent of the males were in prison for these offences. As Table 4.27 show, about 13 per cent of women prisoners compared to 9.5 per cent of male prisoners were in prisons for drug offences.

Table 4.27 Number of Prisoners by Country of Birth, Offence and Sex, 1994 - 1997

Country of Birth	All Offences								Violent Offences							
	Males				Females				Males				Females			
	1994	1995	1996	1997	1994	1995	1996	1997	1994	1995	1996	1997	1994	1995	1996	1997
Australia	12675	12996	13509	13872	661	638	767	805	6386	6675	7063	7122	207	213	250	285
New Zealand	423	416	450	495	22	23	29	35	220	222	213	253	7	6	8	8
Vietnam	248	317	346	438	6	14	22	19	89	81	89	112	1	0	0	1
UK/Eire	697	744	739	711	46	36	51	47	370	412	408	394	13	11	16	14
Greece	76	75	69	77	2	0	1	1	26	27	29	28	0	0	0	0
Italy	148	146	136	151	7	7	7	8	48	47	46	55	3	4	4	3
Former Yugoslavia	182	170	169	150	3	6	2	4	78	80	74	69	0	1	0	0
US/Canada	44	45	50	49	2	2	1	2	14	20	22	21	0	0	0	0
Lebanon	188	179	158	148	14	10	8	4	61	70	56	61	2	2	1	1
Turkey	79	61	59	50	0	0	0	2	29	26	23	18	0	0	0	0
Total Australia	16107	16593	17221	17987	837	835	972	1095	7839	8235	8643	8938	243	257	294	348

Country of Birth	Property Offences								Drug Offences							
	Males				Females				Males				Females			
	1994	1995	1996	1997	1994	1995	1996	1997	1994	1995	1996	1997	1994	1995	1996	1997
Australia	3683	3742	3824	4075	300	276	319	337	869	842	782	754	72	72	82	65
New Zealand	101	92	109	119	11	11	9	16	54	50	54	41	2	4	9	8
Vietnam	46	71	54	83	1	3	6	3	96	141	180	208	3	10	16	14
UK/Eire	166	164	160	150	23	16	18	23	96	88	98	92	6	5	11	9
Greece	21	17	13	18	2	0	1	1	21	29	20	20	0	0	0	0
Italy	32	31	28	21	2	2	2	3	56	56	55	59	2	1	0	0
Former Yugoslavia	41	44	52	31	1	2	1	2	43	33	28	31	1	3	1	2
US/Canada	6	4	10	8	0	0	0	0	18	15	12	16	1	2	1	1
Lebanon	31	26	33	37	0	1	0	0	83	66	55	38	11	7	6	3
Turkey	16	12	18	15	0	0	0	2	24	13	12	9	0	0	0	0
Total Australia	4379	4459	4593	4929	357	332	380	459	1795	1757	1732	1717	128	147	163	141

Source: National Prison Census, 1994 - 1997

Research from overseas, cited in an earlier chapter, also show that foreigners are over-represented in prisons, much more so than in arrest data. A number of scholars have suggested that once a foreigner is charged by the police to appear before courts their chances of receiving harsh penalty increases significantly. More than 15 years of National Prison Census show that offenders born in a handful of countries have a consistently high imprisonment rate, substantially higher than the Australian-born and most other overseas-born groups.

Immigrants and Organised Crime

Publicly available and precise information on the level and extent of organised crime in Australia is very limited. The most that one can obtain is from the annual reports of the major law enforcement and investigative agencies like the National Crime Authority, Australian Federal Police, Queensland Criminal Justice Commission, and the Independent Commission Against Corruption. Some details are also included in the reports of legislative bodies. Examples of the type of information presented in the annual reports are as follows:

Queensland Criminal Justice Commission

The 1993-94 annual report of the Queensland Criminal Justice Commission states that it engaged in investigations focussed on organised crime by the Japanese (Yakuza), Chinese (Triads), Italian, and Outlaw motorcycle gangs crime syndicates. The same report that “ 14 persons, most of whom are of similar ethnic background” were sentenced for a total of 119 years and 6 months.

The 1995-96 annual report of the CJC states that a Japanese businessman investigated for prostitution and trafficking offences was not charged but he was forced to withdraw his residency application, and subject subsequently left the country.

Operation Tethro investigated into Italian organised crime syndicate involved in drug cultivation and distribution.

The 1994-95 annual report states “ Overseas experience indicates that it takes a long time for law enforcement to develop the necessary expertise to tackle organised criminal groups especially those that are ethnically based”. (P. 43.

National Crime Authority

The annual reports of the National Crime Authority do not generally make mention of ethnic groups under investigation; it lists ethnic groups to be targets, and describes investigative objectives and results for each year.

The 1993-94 annual report refers to a 12-month project to provide “a clear understanding of the information currently available on the nature and extent to the threat from South-East Asian organised crime.”

In 1993, 12 Vietnamese heroin distributors were arrested. Investigations revealed a Sino-Vietnamese group which displayed considerable organisation across national boundaries.

Perhaps it is the nature of organised crime that makes it difficult to quantify how many individuals from which countries are involved in what types of organised crime.

In an effort to assess the nature and extent of organised crime the European Union has taken some initiatives that may already be known to agencies in Australia but could be useful. Since 1993 the member states of the European Union discussed and refined the mechanism for assessing organised crime in the Union.

Under this process the 1996 Situation Report on Organised Crime in the European Union provides some information on the characteristics of suspects, estimated number of criminal groups operating in the member countries, and the type of organised criminal activities.

Table 4.28 provides information on the origin of individuals involved in organised crime in the member states. Suspects were identified with the help of three characteristics: nationality, geographical origin, and the form of cooperation with other suspects. With regard to nationality and geographic origin the report found that generally criminal organisations are led by domestic individual. However, the ratio of domestic to foreign nationals vary greatly among countries. For example, one-third of all identified suspects in Belgium were of Belgian nationality; 38% in Germany; two-third in the Netherlands, etc. Eight EU member states (Denmark, Finland, France, Ireland, the Netherlands, Italy, Portugal, and the United Kingdom) indicated that most organised criminal groups are domestic.

The data in Table 4.28 reflects historic, cultural, and geographic factors that influence the distribution of foreign criminal groups. For example, historic and cultural links between Spain and Portugal and South American Countries are reflected in criminal groups. Geographic proximity of Germany, Austria and Greece to Eastern Europe have impacted on those involved in organised crime.

A number of European Union member countries report high number of groups, comprising of individuals of different nationality and geographic origin, operating in their countries.

Table 4.29 presents types of criminal activities in each of the member states. It appears that Drug Trafficking, money laundering, and motor vehicle theft are the three most common activities prevailing in all the 15 countries.

The work of the European Union has been recognised by the Council of Europe and in 1997 two-thirds of the members were able to provide information on organised criminal activity.

The British Home Office has developed a questionnaire on collecting organised crime data in the United Kingdom. This questionnaire is currently being considered for adoption by the United Nations.

Summary

In this chapter an effort has been made to present available statistics on the involvement of members of migrant groups in crime. Primary data presented in this chapter relate to arrests and imprisonment. Data have been presented as numbers, proportions, and rates. Some of the numbers, especially when disaggregated by age appear small and calculation of rates may not be appropriate. But the problem with comparing the absolute number of arrests is that it disregards the possible number of arrests in each country of birth group. If the total number of individuals in each migrant group is equal absolute numbers can be compared directly. When group sizes differ, the size differences must be taken into account. In our case we need a general measure that takes into account the total population of each migrant group, and that proportion, per 100, per 1000, per 10000, or per 100000. These are rates and they facilitate comparison.

There is no attempt in this chapter to explain the differences in arrest or imprisonment rates of migrant groups. But a conscious effort has been made to provide the source details of various data sets so that interested readers may be able to look for further details. Data in various Tables in this chapter show that arrest rates of migrant groups vary significantly, in a wide range of 367.6 to 3682.7 per 100 000 population. Other Tables show differences in arrest rates by age and gender. Similarly, prison data show differences in imprisonment rates. The point that has been emphasised throughout the chapter is that for most migrant groups their arrest and imprisonment rates are lower than that of their Australian-born counterparts. Over the five year period arrest rate of no migrant group show a consistently increasing trend. Data also show that migrant groups who display higher arrest and imprisonment rate than the Australian-born come from different regions of the world.

Table 4.28: Origin of Individuals who are Involved in Organised Crime in EU Member States

Origin	Location														
	Austria	Belgium	Denmark	Finland	France	Germany	Greece	Ireland	Italy	Luxembourg	Netherlands	Portugal	Spain	Sweden	United Kingdom
Austria	X					X						X	X		
Belgium		X			X	X				X		X	X	X	
Denmark			X			X									
Finland				X		X						X		X	
France		X			X					X			X	X	
Germany		X			X	X				X			X	X	
Greece						X	X						X		
Ireland								X				X			
Italy	X	X			X	X			X	X		X	X		X
Luxembourg						X									
Netherlands		X	X		X	X		X			X	X		X	
Portugal						X						X			
Spain					X	X		X				X	X		
Sweden				X		X								X	
United Kingdom			X		X	X		X				X	X		X
Former Yugoslavia	X	X	X		X	X	X		X	X	X	X	X	X	X
Albania	X		X		X	X			X					X	
Central & Eastern European Countries	X	X	X		X	X	X		X	X	X		X	X	
Former Soviet Union	X	X	X	X	X	X			X	X				X	X
Turkey	X	X	X		X	X	X		X		X	X	X	X	X
Middle East					X	X			X		X			X	
China		X	X		X			X	X	X	X				X
Africa		X	X		X	X		X	X	X	X	X	X	X	X
South Africa		X	X		X	X			X		X	X	X		X

Table 4.29: Organised Criminal Activity in EU Member State

Crime	Location															Total
	Austria	Belgium	Denmark	Finland	France	Germany	Greece	Ireland	Italy	Luxembourg	Netherlands	Portugal	Spain	Sweden	United Kingdom	
Narcotic Drugs	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	15
Money Laundering	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	15
Motor Vehicle Theft	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	15
Fraud	X	X	X	X	X	X		X	X		X	X	X	X	X	13
Forgery	X	X		X		X	X			X	X	X	X	X	X	12
Extortion	X	X	X		X	X		X	X	X	X	X	X	X	X	12
Trafficking in Human Beings	X	X	X		X	X			X	X	X	X	X	X	X	12
Armed Robbery		X	X	X	X	X		X	X		X	X	X		X	11
Theft	X	X		X	X	X		X	X		X	X	X	X		9
Illegal Firearms Trading	X	X			X	X		X	X		X	X	X			9
Prostitution	X	X	X		X	X			X	X			X			9
Environmental Crime		X	X		X	X			X		X					6
Kidnapping				X	X							X	X			4
Nuclear Crime		X														1

Chapter 5 Immigrants as Victims of Crime and Hate Crime

Research and statistics from Western Europe, North America, New Zealand, and Australia present one unequivocal finding and that is that currently members of minority, ethnic, indigenous, and foreign-born are over-represented in the criminal justice system. This finding emerges from examination of official statistics, crime/victim surveys, criminal justice system practices and procedures, and anecdotal information. There is no unanimity, however, on the causes of this over-representation.

Police Recorded Incidents and Hate Crime: Australia

Official statistics on offending by members of the ethnic community were presented in the previous chapters. Statistics on the officially police recorded incidents of crime or violence against ethnic groups are only beginning to emerge. In Australia, information on crimes against ethnic or minority groups is almost entirely anecdotal and generally gathered from news reports; none of the police services publish any information on the subject. But once the search is expanded to include hate crime and complaints of discrimination against members of these groups, the evidence becomes substantial. In the academic circles it appears to be a prevailing view that there has been an “upsurge in the incidence of hate crime”⁸¹ in Australia. Yet the evidence for this ‘upsurge’ comes only from news reports and daily newspapers. Surely, in the past two years the subject has received increased attention, this does not mean that the level of hate crime was low before the last couple of years. Not many agencies maintained careful records of such incidents. The ‘anti-racial’ comments and counter comments might have encouraged or stimulated people to report incidents that in the past might have been considered unintentional, light-hearted comment or joke. Often, such comments reflect the culture of the person making the comment or statement rather than being racist or anti-racial.

It is equally important that academics, researchers, and agencies charged with the responsibility to present objective facts on hate crime or racial vilification do not unnecessarily exaggerate the problem. Without proper evidence statements on the ‘upsurge’ in racial vilification can be counterproductive. Cunneen, Fraser, and Tomsen attribute a comment “that there had been an upsurge in the number of complaints to the Anti-Discrimination Board from people who had been assaulted, taunted, and intimidated because of their race since Pauline Hanson’s maiden speech”⁸² to Mr Chris Puplick, President of the Board. Yet, in its annual report the Board states that “The number of formal racial vilification complaints received in 1996-97 (62 complaints) *decreased by*

⁸¹ C. Cunneen, D. Fraser, and S. Tomsen, (eds) 1997. *Faces of Hate: Hate Crime in Australia*. Sydney: Hawkins Press, p.11.

⁸² *Ibid* p. 12

25% from the previous year.”⁸³ In 1998-99 only 219 enquiries and 26 formal complaints on racial vilification were received by the Boar.⁸⁴ The Annual Report shows that there were 348 enquiries concerning racial vilification issue during the year and only 62 formal complaints were lodged.

The Human Rights and Equal Opportunity Commission, on the other hand, notes that complaints under the Racial Discrimination Act have increased over the years. The number of complaints received by the central office of the Commission in 1994-95 was 154, increased to 197 in the year after and almost doubled to 375 in 1996-97.⁸⁵ Of the 375 complaints the ethnicity/country of birth could be ascertained for only 148 complainants. The distribution of complainants by regions is shown in Table 5.1.

Table 5.1 Complainants by country of birth, 1996-97

Country of Birth	Number of complainants
Australia	62
Asia (including India & China)	23
Europe	37
Africa	10
South/Central America	3
North America	2
New Zealand	2
Middle East	4
South Pacific Islands	2

Source: Human Rights and Equal Opportunity Commission, Annual Report 1996-97, p. 36. Three questionnaires were returned unanswered.

Since 13 October 1995 the subject of ‘racial hatred’ was made unlawful under the Racial Discrimination Act. During 1996-97, the first full year of its operation, the Human Rights and Equal Opportunity Commission received 186 complaints of racial hatred. The complaints covered wide range of areas such as the media, neighbourhood, employment, sport, entertainment, public debate, etc. It will take some time to assess whether there has been an ‘up surge’ in racial hatred.

All States and Territories in Australia have agencies, like the one in New South Wales, albeit with different names.⁸⁶

Police Recorded Incidents and Hate Crime Overseas

Research literature from Europe and North America, cited in this paper, suggests that in recent years police recorded incidents and hate crime against

⁸³ Anti-Discrimination Board of New South Wales, 1997. Annual Report 1996-1997, p.22, emphasis ours.

⁸⁴ Anti-Discrimination Board, NSW 1999. Annual Report 1998/99, pp 16-18

⁸⁵ Human Rights and Equal Opportunities Commission, 1997. Annual Report 1996-97. Sydney: Sterling Press, p. 33

⁸⁶ These agencies are: Anti-Discrimination Tribunal, Victoria; Anti-Discrimination Commission, Queensland; Equal Opportunity Commission, Western Australia; Equal Opportunity Commission, South Australia; (Tasmania is unclear at this time); Anti-Discrimination Commission, Northern Territory, Discrimination Tribunal, Australian Capital Territory.

ethnic minorities show an increasing trend. However, explanations for this increasing trend rarely use approaches other than xenophobia, discriminatory attitudes, and biased criminal justice practices and procedures. In Germany, Albrecht provides data that show that bias motivated violence increased sharply in the 1980s and peaked in 1992. This was followed by a decline in 1993.⁸⁷ Such violence is usually committed by male young offenders. It should be emphasised that bias-motivated violence constitutes only a small proportion of all violent crimes committed by young males.

Scholarly writings from other countries tend to suggest the existence of discrimination and violence against ethnic, foreign, or minority groups but provide almost no supporting evidence. The British Crime Survey, on the other hand, asks victims whether an incident was '*racially motivated*' or whether 'they thought they were victimised '*for reasons of race or colour*'. The responses to these questions reflect only the perceptions of victims, and it is possible that in many cases the victim may not be aware of the real motivations of the offender. The 1996 British Crime Survey (BCS) found that Pakistanis and Bangladeshis compared to Indians and blacks saw a higher proportion of vandalism, threats, and violence as racially motivated. 70 per cent of threats and 29 per cent of violence were perceived as racially motivated by the Pakistanis and Bangladeshis, the proportions for Indians and blacks were less than half as much. In terms of prevalence of racially motivated crime, about 8 per cent of Pakistanis and Bangladeshis, 5 per cent of Indians, and 4 per cent of blacks experienced one or more victimisations during 1995.⁸⁸ However, the Survey notes that

It is possible that the BCS measure of racist threats is more susceptible to changes in public perceptions than estimates of either racist violence or vandalism. In many incidents of threat, the racist element may be implicit and its perception more dependent on underlying attitudes of the victim. As a result, trends in public attitudes may have more effect on the number of racist threats recorded by the BCS than on either on racist violence or vandalism, where the racist element may be more explicit.⁸⁹

Following the passage of the Hate Crime Statistics Act of 1990, the Federal Bureau of Investigation's Uniform Crime Reporting Program designed a data collection system. The type of data captured by the collection system included "type of bias serving as the motivating factor, the nature of the offense, and the characteristics of victims and offenders."⁹⁰ In 1997 some 11,211 law enforcement agencies in 48 States and the District of Columbia, representing 223 million U.S. inhabitants, participated in Hate Crime Data Collection Program of the FBI. The statistics revealed 8,049 incidents, 9,861 offences, 10,255 victims, and 9,172 known offenders. Table 5.2 provides details of these statistics.

⁸⁷ Albrecht, op. Cit. p.43.

⁸⁸ For details see A. Percy, 1998. Ethnicity and Victimization: Findings from the 1996 British Crime Survey. Home Office Statistical Bulletin, Issue 6/98, London: Government Statistical Service.

⁸⁹ Ibid. p. 15

⁹⁰ U.S. Department of Justice 1998. Hate Crime Statistics 1996. Washington, D.C.: Federal Bureau of Investigation, p. 1.

Table 5.2 Bias motivated crimes, victims, and offenders by offence, U.S. 1997

	Number of		
	Offences	Victims ¹	Known Offenders ²
Total	9,861	10,255	9,172³
Crimes against Persons	6,873	6,873	7,388
Murder	8	8	24
Forcible Rape	9	9	14
Aggravated Assault	1,237	1,237	1,891
Simple Assault	1,800	1,800	2,349
Intimidation	3,814	3,814	3,100
Other ⁴	5	5	10
Crimes against Property	2,973	3,367	1,766
Robbery	144	160	374
Burglary	111	131	84
Larceny-theft	95	103	70
Motor Vehicle Theft	7	7	7
Arson	60	71	42
Destruction/damage/vandalism	2,549	2,888	1,179
Other ⁴	7	7	10
Crimes against Society²	15	15	18

1. The term "victim" may refer to a person, business, institution, or a society as a whole.

2. The term "known offender" does not imply that the identity of the suspect is known, but only that an attribute of the suspect is identified which distinguishes him/her from an unknown offender.

3. The actual number of known offenders is 8,474. (see Table 1.) Some offenders, however, committed more than one offence per incident and are, therefore, counted more than once in this table.

4. Includes offences other than those listed that are collected in NIBRS.

Source: This is a reproduction of Table 3, Hate Crime Statistics 1997, p.9.

As can be seen from Table 5.2 a large majority of the offences, about 7 out of ten, were violent offences and intimidation or threat was the most common incident. Among property offences, destruction/damage/vandalism of property was the most common offence.

Data in Table 5.3 makes interesting reading. Of all the reported violent hate crime offences in 1997, over 64 per cent were recorded as motivated by racial bias and 8 per cent were recorded as motivated by religious bias. Of all the racial bias motivated crimes (4,415), over 54 per cent were intimidation others included 8 murders, 9 rapes, and 826 aggravated assaults

Table 5.3 Number of offences by Bias Motivation and offence type, U.S., 1997

	Crimes Against Persons						
	Total Offences	Murder	Forcible Rape	Aggravated Assault	Simple Assault	Intimidation	Other
Total	6,873	8	9	1,237	1,800	3,814	5
Single Bias Incidents							
Race	4,415	5	4	826	1,179	2,398	3
Anti-White	1,042	2	2	238	400	399	1
Anti-Black	2,819	3	2	502	646	1,664	2
Anti-American Indian/Alaskan Native	35	0	0	7	16	12	0
Anti-Asian/Pacific Islander	294	0	0	42	78	174	0
Anti-Multi Racial Group	225	0	0	37	39	149	0
Ethnicity/National Origin	845	0	0	180	187	478	0
Anti-Hispanic	519	0	0	124	130	265	0
Anti-Other Ethnicity/National Origin	326	0	0	56	57	213	0
Religion	556	0	0	27	80	447	2
Anti-Jewish	453	0	0	20	46	387	0
Anti-Catholic	8	0	0	1	1	7	0
Anti-Protestant	14	0	0	2	2	11	1
Anti-Islamic	22	0	0	1	6	15	0
Anti-Other Religious Group	53	0	0	3	26	23	1
Anti-Multi Religious Group	6	0	0	2	0	4	0
Anti-Atheism/Agnosticism/etc.	0	0	0	0	0	0	0
Sexual Orientation	1,037	3	5	202	348	479	0
Anti-Male Homosexual	711	3	1	157	252	298	0
Anti-Female Homosexual	171	0	3	24	46	98	0
Anti-Homosexual	140	0	0	20	41	79	0
Anti-Heterosexual	10	0	1	0	5	4	0
Anti-Bisexual	5	0	0	1	4	0	0
Multiple Bias Incidents	8	0	0	1	1	6	0

Source: Extracted from Table 4, Hate Crime Statistics 1997, p. 10, there were 12 cases of bias against "disability" not shown in this Table

The most common location for hate crime incidents was residential property, almost one in three incidents occurred in/on these locations. The location for about one in five incidents was highways/roads/streets.

Immigrants as victims of crime

On the links between ethnicity and crime the primary interest has been in offending by members of ethnic groups. Racial vilification and hate crimes against ethnic and minority groups are only gradually being addressed following years' of perceived discrimination.. Laws have now been adopted in most Australian jurisdictions, and in a number of countries, and bodies have been established to deal with complaints; their effectiveness in controlling

racist behaviour is yet to be verified. From the perspective of ethnic groups this is a positive move. Apart from hate crime, there has been little concern in criminal victimization of immigrants. Measuring the extent of criminal victimization of immigrants is a difficult matter specially where particular ethnic group constitutes a small proportion of the population. However, methodologies to over-sample such populations exist and they are expensive. The British Crime Survey does deal with the matter and provides useful information. Details of this survey later, for the moment consider data from Australia.

Although the National Crime and Safety Survey 1993 did collect information on the birthplace of victims, this information was not processed for reasons of reliability. There was no attempt to over sample any groups and the numbers in the cells were often too small to derive reliable estimates. The 1998 Crime and Safety Survey⁹¹ provides victimisation prevalence rate for the Australian and Overseas-born groups. For all the three personal offences of Robbery, Assault and Sexual Assault the prevalence rate for the overseas-born was lower than that of the Australian-born. The overseas-born also suffered lower average number of victimisations than the Australian-born. Some further details may be forthcoming when this survey data is subjected to further analysis. Some information may, however, be extracted from the Queensland Crime Victim Survey conducted in 1991. Data in Table 5.4 summarise the information on victims of personal crimes by country of birth.

Table 5.4 Estimated number and percentage of victims of personal crime by birthplace

Country of birth	% pop.	Violent crime	Property crime	All personal crime
Australia	80.7	167,840 (83.6%)	193,578 (78.6%)	361,418 (80.9%)
UK & Ireland	6.2	14,144 (7.0%)	20,485 (8.3%)	34,629 (7.7%)
New Zealand	3.1	8,260 (4.1%)	12,926 (5.2%)	21,185 (4.7%)
Italy	0.6	569 (0.3%)	1,284 (0.5%)	1,853 (0.4%)
Germany	0.6	1,396 (0.7%)	2,470 (1.0%)	3,866 (0.9%)
The Netherlands	0.6	795 (0.4%)	1,427 (0.6%)	2,221 (0.5%)
Yugoslavia	0.3	159 (0.1%)	423 (0.2%)	582 (0.1%)
PNG	0.4	499 (0.2%)	1,181 (0.5%)	1,680 (0.4%)
Other	7.5	7,030 (3.5%)	12,512 (5.1%)	19,545 (4.4%)
Total		200,692 (100.0%)	246,286 (100.0%)	446,979 (100.0%)

Source: Unit Record Files, Queensland Crime Victim Survey, Brisbane: Queensland Government Statistician's Office, 1992.

The data presented in Table 5.4 is crude and requires caution; information for other ethnic groups could not be extracted because of small numbers. At a very general level the data suggest that the risk of becoming a victim of any personal crime was relatively higher for those born in the United Kingdom and Ireland, New Zealand, and Germany than for other groups in the Table. Those born in

⁹¹ ABS 1999 Crime and Safety Australia, Catalogue No. 4509.0, Canberra: ABS

New Zealand accounted for only 3.1 per cent of the population of Queensland in 1991 but an estimated 4.7 per cent were victims of a personal crime.

The 1996 British Crime Survey included a 'core' sample of 16,348 adults, but even with this increased sample size the survey failed to pick sufficient number of ethnic minority respondents. Additional booster sample of Afro-Caribbeans and Asians were selected and together with 'core' sample, the 1996 survey generated 1,609 Afro-Caribbeans (black) and 1,569 Asians. The Survey found, like the earlier surveys, that the risk of crime in England and Wales was unevenly distributed.

Table 5.5 Risks of crime: Percentage victimised once or more in 1995, by ethnicity

Crime	White	Black	Indian	Pakistani/ Bangladeshi
All household offences	32.1	32.3	38.5**	40.4**
All personal offences	9.8	12.0**	8.9	10.1
Total Survey	38.9	44.0**	43.6**	44.7**

** denotes a significant difference from whites at the 5% 2- tailed level.

Extracted from Table A2.1, Percy op. cit. p.35

The survey results show that all the ethnic groups suffered a significantly higher level of victimisation than whites for all offences combined. Members of ethnic groups were more likely to be victims of burglary than whites. For assault and threats there was no statistical difference in the risks of victimization. The reasons for the differences in the risks of victimization were claimed to be due to demographic and socio-economic factors. "Compared to the white population, ethnic minority populations tend, on average, to be younger, of lower socio-economic status, to have higher rates of unemployment, and are more likely to live in rented or Local Authority housing."⁹²

The Central Bureau of Statistics in the Netherlands conducts biannual victimization surveys. According to the 1992 survey foreigners were at a considerably greater risk of being victims of crime than Dutch citizens. The overall victimization rate was found to be 34.8 and 47.4 per 100 for Dutch and non-Dutch residents. This finding must be viewed with caution. First of all, 'Dutch' includes all who have Dutch citizenship. Most people from the former colonies of Surinam and Indonesia are Dutch citizens. Second, among the non-Dutch residents, an overwhelming majority consisted of citizens of the European Community.⁹³

The Swiss crime survey of 1987, a second survey is currently being planned, showed no measurable differences in victimisation rates for foreigners and the Swiss. Killias suggests that "One reason for the absence of significantly and

⁹² Percy, op. cit. p.6

⁹³ Junger-Tas, op. cit. pp 284-285

consistently higher victimization rates among foreign residents in Switzerland may be that, compared with immigrants in American and British cities, immigrants in Swiss cities are less concentrated in poor neighborhoods.⁹⁴

In the United States, blacks compared to whites and Hispanics compared to non-Hispanics, display consistently higher rates of victimization for most personal and household crimes. Although victimization rates fluctuate from year to year, the above relationships remain.⁹⁵

Table 5.6 Crime victimisation by race, Hispanic origin, and type of crime, U.S. 1995

Crime	Race			Origin	
	White	Black	Other	Hispanic	Non-Hispanic
Personal crime	Rate per 1,000 persons				
Total	44.6	58.4	43.8	56.1	45.0
Rape/sexual Assault	1.6	1.6	1.2	1.3	1.6
Robbery	4.2	12.5	6.3	10.6	4.8
Aggravated Assault	8.2	12.6	9.2	13.6	8.2
Simple Assault	29.1	28.7	24.2	27.9	28.8
Personal Theft	1.4	3.1	2.9	2.6	1.6
Household crime	Rate per 1,000 households				
Total	272.9	322.3	292.6	364.1	272.7
Burglary	45.4	61.6	46.4	59.0	46.3
Motor vehicle theft	14.0	30.4	21.9	27.8	15.3
Theft	213.6	230.3	224.3	277.3	211.1

Data in Table 5.6 reveal that blacks in the United States are almost three times as likely to be victims of robbery as whites, and Hispanics are twice as likely as non-Hispanics.. This is interesting because 79 per cent of all rapes/sexual assaults and 75 per cent of all assaults in 1994 were intra-racial, whereas only 57 per cent of robberies were intra-racial violent crime. Also while strangers committed only 31 per cent of rape/sexual assaults and 51 per cent of assaults, over 78 per cent of robberies were by strangers.⁹⁶

Bias in the Criminal Justice System

A last topic that remains to be described in this chapter deals with criminal justice system bias against members of ethnic and minority groups. A number of research publications cited in this document have suggested that the over-representation of ethnic/minority groups in the criminal justice system reflect discrimination at various levels of the justice system. A majority of evidence used to support such assertions comes from official data on stop and search, arrest, caution, bail, convictions, sentencing, and official surveys. There are others who do not find the evidence strong enough to reach such a conclusion.

⁹⁴ Killias, op. cit. p 393

⁹⁵ B.M. Taylor, 1997. Changes in Criminal Victimization, 1994-95. U.S. Department of Justice, Bureau of Justice Statistics, Tables 2 and 3, pp 3-4.

⁹⁶ U.S. Department of Justice, 1997. Criminal Victimization in the United States, 1994: A National Crime Victimization Survey Report. Washington, D.C.: Bureau of Justice Statistics.

Research on the subject, based on rigorous methodology including sampling and controls, is not only rare but also often difficult to design. Usually, data reflecting disproportionately high rate of stop and search, arrest, and imprisonment of ethnic/minority groups have formed the basis of claims of discrimination.

In Australia, several scholars and agencies have expressed concerns about the attitude and behaviour of police officers in dealing with members of ethnic communities. In a submission to the New South Wales Ombudsman, the Ethnic Affairs Commission of New South Wales noted that police were slow to respond to reports of crime and instances of poor or unequal service was perceived by the ethnic communities as “racist or at least that members of ethnic communities are not treated in the same way as Anglo-Australians.”⁹⁷

The Ethnic Communities Council of NSW, while supporting the Police Service, also offered examples of situations where young people of non-English speaking background were said to have been unfairly treated. “It referred to allegations of racist verbal abuse, interviews without interpreters, physical attacks, public strip searches, surveillance at youth projects and situations where youth(s) had been handcuffed and paraded through the streets.”⁹⁸

The Australian Arabic Welfare Council Inc expressed the view that the police attitude towards members of the Arabic speaking community, particularly the youth, was not satisfactory. “Arabic youth are stereotyped and seen by the police as gangs and trouble makers.”⁹⁹

Maher et al conducted a survey of young Indo-Chinese people’s perceptions and experiences of policing. They interviewed 98 young Indo-Chinese heroin users in SouthWest Sydney. The authors found among other, “over policing of young Asian background people, a systemic pattern of harassment, intimidation and mistreatment, instances of apparent corruption involving the confiscation of drugs and money, and perhaps of most concern, the chronic lack of confidence which young Indo-Chinese people display in the juvenile justice.”¹⁰⁰

Research by Gallagher and Poletti, cited earlier, examined disparities in sentencing at juvenile courts and found that Aborigenes and Pacific Islanders received harsher sentences. No research in the adult courts was carried out. It is hoped that the recent move by the NSW Bureau of Crime Statistics and Research to record ethnicity of defendants would be helpful in identifying the existence or otherwise of bias against certain groups in court proceedings. Although National Prison Census data revealed over-representations of

⁹⁷ Quoted in NSW Ombudsman 1995. *Race Relations & Our Police: A Special report to Parliament under section 31 of the Ombudsman Act*. Sydney: Office of the Ombudsman, p. 41

⁹⁸ NSW Ombudsman 1995. *Ibid.* p. 77

⁹⁹ *Ibid.* p. 78

¹⁰⁰ L. Maher, D. Dixon, W. Swift, T. Nguyen 1997. *Anh hai: Young Asian Background People’s Perceptions and Experiences of Policing*. Sydney: UNSW Faculty of Law Research and Monograph Series, p.56

members of some migrant groups in prisons, no systematic research have been conducted to identify discrimination, if any, against those groups.

Literature from overseas also claims racial bias at different stages of the criminal justice system. The civil liberties group in the United Kingdom, Statewatch, recently reported that black people in England and Wales were nearly eight times more likely and Asians twice as likely to be subjected to stop and search than whites. The same report also noted arrest rate for blacks to be five times as high as that for whites.¹⁰¹ Another publication claimed that –

Nearly half of all the people stopped and searched by some police forces are black; 42% in London even though only 8% of Londoners are black. The police denied that this was an indication of harassment and intimidation.¹⁰²

Smith carefully examined the literature and data in England and Wales. His conclusion is that –

although some bias against black people has been demonstrated at several stages, and although some apparently neutral criteria have been shown to work to the disadvantage of black people, the magnitude of these effects seems small compared with the stark contrast in rates of arrest and imprisonment between black and white people.¹⁰³

Discrimination against ethnic/minority groups at various stages of the justice system is said to exist in most West European countries. The Commission on Systemic Racism in the Ontario Criminal Justice System examined the situation with help of a series of surveys. These surveys focussed on Metro Toronto and were conducted by an independent research body. Special instruments were designed to survey perception of Toronto residents, judges, justice professionals including lawyers, Crown Attorneys, and Defence Counsels. These surveys revealed the following:

- widespread perceptions among black, Chinese and white Torontonians that judges do not treat people equally.
- widespread perceptions among black, Chinese and white Torontonians that judges discriminate on the basis of race.
- much more widespread among black than among white or Chinese Torontonians that judges discriminate on a variety of grounds, and specifically, because of race.
- substantial variation among justice professionals in their perceptions of racial discrimination in Ontario's courts.
- strong resistance by some judges and lawyers to any suggestion of racial discrimination in Ontario's criminal courts.¹⁰⁴

In the United States allegations of criminal justice bias against blacks, and lately against the Hispanics, have never been stronger. In the 1990s a number of incidents in different parts of the country have led to special investigations

¹⁰¹ UK: Stop & search & arrest and racism, 1998. Statewatch monitoring the state and civil liberties in the UK and Europe, Vol. 8, No. 3 & 4, May – August 1998, pp. 16-19.

¹⁰² C. Donnellan (ed), 1997. Challenging Racism: Issues for the nineties, Vol 6. Cambridge: Independence educational publishers, p.20

¹⁰³ D.J. Smith, 1997. "Ethnic Origins, Crime, and Criminal Justice" in M. Maguire, R. Morgan and R. Reiner (eds) The Oxford Handbook of Criminology, Oxford: Clarendon Press, p. 750

¹⁰⁴ Report of the Commission on Systemic Racism in the Ontario Criminal Justice System, December 1995. Toronto: Queen's Printer for Ontario, p.12

and research into police-minority relations.¹⁰⁵ The study of police conduct and community relations nationwide, based on public forums in Houston, Indianapolis, Los Angeles, Miami, Norfolk, and St. Louis, found evidence of physical and verbal abuse, harassment and intimidation by police officers. The study also found citizens dissatisfaction with the police, fear of the police, and citizens' fear of filing complaints against the police.¹⁰⁶ While the findings of numerous investigations and research are highly credible, what impact these findings have on the approximately 17,000 law enforcement agencies and about three-quarters of a million police officers is difficult to assess.

Recently, a unique and complex piece of research on over-representation of and system bias against ethnic/minority groups in the criminal justice system was forwarded through internet. The research commenced as a result of concerns expressed by attorneys on disproportionate number of African Americans being stopped and arrested on a particular stretch of New Jersey Turnpike. A statistical study was designed which involved a census of traffic and traffic violators by race. The research found that the police stopped African Americans at a rate disproportionate to their numbers on the road and their propensity to violate traffic laws. In the research blacks accounted for 13.5 per cent of the turnpike's population and 15 per cent of the speeders; blacks were about 5 times as likely to be stopped as were others. An examination of the police records revealed that blacks were 16.5 times more likely to be arrested than others.¹⁰⁷ The research appeared to have significant impact on court cases in a number of jurisdictions in the United States.

Summary

This chapter has barely touched on three important issues that are receiving increasing attention in many countries. All the three issues of hate crime, victimisation of members of migrant groups, and system bias against members of these groups require evidence that is extremely difficult and costly to collect and difficult still to convince courts and tribunals of the veracity of the evidence. Incidents of hate and biases against migrant and minority groups have in the past surfaced in schools, play fields and sporting arenas, offices, business enterprises, and on T V and radio. They can and do occur in various interactions in the Australian society, as in many other societies. In many ways these are similar to incidents of discrimination in housing, occupation, employment and education. It would appear that criminal justice response to a few incidents of hate and bias is hardly the solution that will change a pervasive social enigma. Targeting members of migrant groups and hate and biases

¹⁰⁵ See for example: Report of the Independent Commission on the Los Angeles Police Department, 1991; The City in Crisis: A Report by the Special Advisor to the Board of Police Commissioners on the Civil Disorder in Los Angeles, 1992; C.J. Ogletree, M. Prosser, A. Smith, W. Talley, jr., 1995, Beyond the Rodney King Story: An Investigation of Police Conduct in Minority Communities; M. Baldassare, 1994, The Los Angeles Riots: Lessons for the Urban Future.

¹⁰⁶ Ogletree et al op. cit.

¹⁰⁷ J. Lamberth, 1998. Driving While Black: A Statistician Proves That Prejudice Still Rules the Road. Email forwarded message from John V. Wilmerding, General Secretary, Campaign for Equity-Restorative Justice.

against these groups are very much linked with how the Australian society values the presence of these groups amongst them. Elimination of these activities would require the acceptance of the members of the Australian community.

Chapter 6 CONCLUSIONS

The participation of migrants in crime appears to be an issue of considerable significance in many parts of Europe, North America, Australia and New Zealand. People with vested interest in these parts of the world express opinions and make statements irrespective of whether reliable facts to support such opinions and statements exist or not. The issue is also complicated by the fact that in many countries crimes/violations of immigration laws by illegal migrants are combined with crimes by legal migrants. Until recently, systematic collection of data on the involvement of migrants in crime was rare. In the 1990s this has changed somewhat. Although national level statistics on arrest, trial, and imprisonment of migrants are still not available in most countries, fragmentary data tend to show a higher level of arrest and imprisonment of migrants and foreigners. Most European evidence available as research papers does not offer desegregated statistics for different migrant groups or foreigner groups.

In this report we have presented statistics on the arrest and imprisonment of people born in Australia and some overseas-born groups who have made Australia their new home. The arrest data used in this report relate to the State of Victoria and the imprisonment data relate to the whole of Australia. The arrest data show that proportionate to their population, migrants from nine source countries were arrested, both as alleged offenders and distinct offenders, at a higher rate than those born in Australia. It must be stated, however, that arrest rate of two migrant groups was only marginally higher than that of the Australian-born, for others the rate was substantially higher. It is also useful to state that the arrest rate of eight of these migrant groups was higher than that of the Australian-born for all the five years for which data are available. There is a tendency on the part of some to ignore police statistics as 'biased'. Police statistics in most countries are found to have limitations, and statistics from Victoria are not immune to criticism. In this sense the quality of Victoria police statistics is as good as, if not better than, anywhere else. The point of importance is that the statistics show some patterns and it is to the benefit of all interest groups to examine these carefully before the situation becomes worse.

Members of migrant groups, like the Australian-born, are arrested predominantly for property offences. The arrest data for the last five years showed one pattern that requires mention. That is that members of two migrant groups are arrested for drug offences more often than members of other migrant groups and the Australian-born. Currently, about a third of all arrests from these two groups are for drug offences. The 1997-98 statistics from Victoria show that two other

migrant groups from the same region of the world also display high arrest rates for drug offences.

Most arrests of members of migrant groups, like that of the Australian-born, involve young males in the age group 15-24. Arrest rate of this group, with rare exceptions, was found to be higher than any other demographic group. One of the interesting pattern that emerged from the analysis of the arrest data was that the overseas-born as a group displayed lower arrest rate than the Australian-born until age 49. For those above the age of 49 the arrest rate of overseas-born was substantially higher than that of the Australian-born. Migrant groups that display higher arrest rate come from source countries in Asia, the Middle East, and Europe.

Some migrant groups have a higher proportion of youth, aged 15-24, in their population, but overall arrest rates of members of these migrant groups are not necessarily the highest. Older age arrest rate of members of two-third of the migrant groups examined in this report was higher than that of the Australian-born. These also include groups who migrated to Australia in the 1950s and 1960s and have established communities.

News about crimes by migrants creates concern, often unfounded, and tends to disadvantage groups that show higher than average involvement in crime. These concerns can often lead to some outlandish claims that some migrant groups are criminal by nature, or that criminals are entering Australia and our controls may not be working. There is no evidence to indicate that criminals are entering Australia by flouting immigration laws and controls. It is also not possible to say who among the overseas-born, i.e. immigrants, temporary residents, tourists, asylum seekers, or illegal immigrants are arrested for crimes. Indeed, there are many more questions and concerns that this report is unable to respond to. This situation is not unique to Australia, almost all the literature cited in this report highlight the fact that the level and quality of statistics on the issue currently available is not adequate for proper examination of the issue.

This report has not been able to examine the involvement of members of migrant groups in organised criminal activities. Those having access to data can adequately explore this topic. Recent literature from many parts of the world raise concerns about victimisation of members of migrant groups, hate crime and system biases against these groups. This is an area that require detail investigation.

A question that emerges often in any discussion of ethnicity and crime is the involvement of second and subsequent generations of migrants. It is a matter that no national crime statistics appear to respond to. Most that is known about the

participation of second generation migrants in crime is based on special studies conducted in some countries. There are legal as well as practical difficulties in collecting such details of each suspect.

These conclusions raise questions concerning collection of statistics on ethnicity and crime and research on the issue. As indicated elsewhere in this report, the 1990s have seen a renewed interest in examining the links between ethnicity and crime. Naturally, scholars have searched and examined available statistics. As a part of this process a number of researchers and scholars have questioned whether ethnicity and crime statistics should be collected within the criminal justice system. The issue needs serious consideration. We shall list arguments for and against collecting such statistics momentarily, but for now consider some comments made elsewhere.

At an International Conference on Migration, Culture Conflict and Crime held in Jerusalem in July 1999, a number of keynote speakers stressed the point that migration and crime will be a major issue in the 21st century. At the same conference, the Deputy Secretary-General of the United Nations highlighted the fact that currently an estimated 100 million people around the world are on the move. This will present enormous problems in many countries not only in relation to crimes by migrants but also illegal traffic in human beings and illegal immigrants.¹⁰⁸ It was vital that appropriate mechanisms be established so that this problem can be dealt with effectively.

At a Workshop organised by the Centre of Criminology, University of Toronto there was a general consensus that race, ethnicity and crime statistics should be collected within the criminal justice system. "Most participants felt that such statistics were not only useful but were *necessary* in order to determine whether people of varying backgrounds were being treated fairly by the system."¹⁰⁹ In Germany, "Mansel argues that fear of ethnic minorities and hate crimes committed against members of ethnic minorities are facilitated, even stimulated, by reporting on crimes committed by ethnic minorities."¹¹⁰

Sampson and Lauritsen make an interesting observation on the issue of race and crime:

The volume of research has not gone hand in hand with dispassionate scholarly debate. The topic of race and crime still rankles, fueling ideologically charged discussions over competing schools

¹⁰⁸ International Conference on Migration, Culture Conflict and Crime, Jerusalem 6-8 July 1999, organised by the Ministry of Science, State of Israel.

¹⁰⁹ A.N.Doob, *Report of the Workshop on Collecting Race and Ethnicity Statistics in the Criminal Justice System*. Toronto: Centre of Criminology, November 1991, p. 9.

¹¹⁰ Albrecht, op. cit p. 47.

of thought such as discrimination versus differential involvement, cultures of violence versus structural inequality, and empiricism versus critical theory. Some argue that bringing empirical data to bear on the race and crime question is itself evidence of racism (MacLean and Milovanovic 1990). It is thus not surprising that, despite the abundance of empirical data, many criminologists are loathe to speak openly on race and crime for fear of being misunderstood or labeled a racist.¹¹¹

In Australia, like elsewhere, the main concern about data on ethnicity and crime is not so much about collection but the possible misuse and misinterpretation of such data. This is a sensitive issue and must be treated with care. It would be useful, therefore, to establish a procedure whereby ethnic communities are consulted and informed about collection and release of such data.

Issues in collecting ethnicity and crime statistics

Debates on the involvement of members of ethnic/migrant groups in crime are not uncommon, but many are based on inadequate and anecdotal information, prejudice or hunches. Even if we do not collect appropriate statistics, the present level of debate and reliance on anecdotal and incomplete information will continue. Appropriate statistics can only help in identifying the links between ethnicity and crime, which in turn can assist in enhancing the well being of the community.

Why ethnicity and crime statistics should be collected?

1. Criminal justice agencies in most countries produce statistics on persons arrested or prosecuted or sentenced by age and gender. Some agencies also produce statistics on the background of suspects or prisoners. eg. employment status, education, family, etc. Statistics by country of birth can help in understanding the involvement of various migrant groups in crime. Statistics from industrialised countries show that young people are disproportionately involved in crime. Statistics can tell us if younger members of some ethnic groups are more vulnerable than others.
2. Statistics on the involvement of migrant groups in crime can assist in understanding whether the members of ethnic groups are treated equally or fairly by the criminal justice system. Such statistics may be of use in discovering discrimination, if any. Statistics can help in developing remedial measures, if required.

¹¹¹ Sampson and Lauritsen, op cit p. 312

3. Such statistics can be useful in debates on the involvement of migrant groups in crime. In the absence of such statistics, groups that are more vocal in a society often blame members of certain migrant groups for increases in crime; only anecdotal data are often used to support such claims. Systematic criminal justice statistics, along with statistics produced by periodical Censuses and by departments of immigration, may be able to place the ethnicity and crime issue in proper perspective.
4. Policy makers and researchers may use statistics on ethnicity and crime to carry out sociological analysis. Ethnicity or country of birth could be used as a proxy for culture. International organisations like the United Nations, the OECD, the European Union, etc., have been collecting demographic, social, and economic statistics from various countries for decades. In recent years these organisations have begun collecting a large amount of crime related statistics from countries. Ethnicity and crime statistics may be able to reveal whether migrant groups have higher crime rate in Australia than in their country of origin, and whether there is evidence of culture conflict.
5. Description of the involvement of migrant groups in crime and as victims, based on appropriate statistics, may be able to reduce fear of crime in Australia.
6. Such statistics may assist migrant groups to examine carefully the possible causes and approach governments and other bodies for help. Such statistics will be able to examine the veracity of anecdotal and media reports of the existence of gangs, drugs, and organised crime in certain communities.

Limitations of ethnicity crime statistics

7. One major concern is that ethnicity and crime statistics will be misused and misinterpreted. The current sources of such statistics are the annual reports produced by the police services. While definitional problems have been described earlier, it would be naive and misleading if these statistics are used to describe crimes committed by various demographic groups in Australia. The main reason being that a large number of crimes are not reported to the police and of those reported a large proportion is not solved by the arrest/identification of an accused. Indeed, Crime and Safety Surveys and police clearance rate reveal that only one in 10 crimes that occur is solved by arrest/identification of a suspect. In other words, offenders of nine out of 10 crimes remain undetected (they never become arrested/identified), and it would be a serious mistake to generalise the ethnicity of these offenders from those arrested/identified.

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8. There is a tendency, not only among those not knowledgeable on these statistics, but also among those who produce such statistics and other professionals, to generalise from those arrested/identified to all offenders (including those who never become suspects). Indeed, it is not uncommon to come across writings that describe the level of crime by particular groups from prisoner data. The concern is that the general public is not well informed on the limitations of these statistics and their uses.
 9. Ethnicity and crime statistics are produced by a number of agencies, besides the police and each agency may have different counting rules. Courts of different levels classify and tabulate data that are not compatible with each other. People not knowledgeable on the subject may misinterpret such statistics.
 10. The public and the interest groups must be explained the uses and usefulness of statistics on ethnicity and crime. There may be concerns among ethnic groups that somehow the already disadvantaged migrant groups may be more disadvantaged if the crime statistics reflect negatively. First of all this is not necessarily so. The latest NSW Bureau of Crime Statistics and Research study shows clearly that ethnic background does not influence the level of crime in any significant way. But even if the involvement in crime is found to be high among members of certain ethnic groups this fact may be helpful in examining the situation in that particular migrant group and develop strategies to address the issue.

What statistics should be collected and why

Ideally, ethnicity and crime statistics should be collected at every stage of the criminal justice system, ie. Police (for persons suspected of, cautioned or arrested for crime), prosecution (for persons prosecuted for crimes), courts (for persons charged, appeared, or tried at various levels of courts; persons found guilty/not guilty, persons convicted/acquitted, persons sentenced), corrections (for persons serving under different corrective orders, probation, community service orders, imprisonment, home detention, parole). **It would also be necessary to use the same or similar definition all the way through the system. However, because this ideal situation is difficult to achieve in the foreseeable future attempts to begin collection of ethnicity statistics should not be thwarted. It should not be all or nothing attitude.** In Australia the national prison census conducted by the Australian Institute of Criminology until June 1993 produced substantial details of prisoners by country of birth. Since 1994, when the Australian Bureau of Statistics took over the Census, such details are not published. The Bureau has begun publishing the details in 1998.

Any collection of data on ethnicity and crime should begin at the police level. Although police statistics of suspects or arrestees cannot describe the incidence of crime in a community, such statistic on alleged offenders is closest to the crime scene that can be collected. The statistic on alleged offenders collected by the police is preferable over offender data gleaned through victim or crime and safety surveys. The data collected through crime and safety surveys provide impressionistic information on the details of offenders of personal crime only, crimes in which the victim and the offender see each other. The information is impressionistic because the victim has no way of knowing the exact age and ethnic background of the offender. Other physiological features of the offenders given by victims may depend on the type of crime and the relationship between the offender and the victim. Nevertheless, personal crimes of the type included in the crime and safety surveys constitute only less than 15 per cent of all crimes and such surveys cannot offer any offender details for a vast majority of crimes, a majority of which again is minor in nature. Although the police solve a lower proportion of property crimes than violent crimes, they do arrest/identify suspects who have committed property and minor offences. Once the police contact a suspect the details of the suspect are relatively accurate. Efforts to collect statistics at other stages of the criminal justice system should continue.

The ethnicity and crime statistics will be useful if only other demographic, social, and economic statistics for migrant groups are also collected. These then can be used not only to understand the differences between migrant groups but also to explain relationships, if any, between ethnicity and crime. The five yearly census of population and housing collect a substantial amount of data and the Department of Immigration and Multicultural Affairs compile details of new arrivals. The data sources are integral to analysis of ethnicity and crime relationship.

The review of literature on the subject of ethnicity and crime revealed problems in defining ethnicity. A proper definition of ethnicity would have to include first generation migrants and also second and third generation migrants, parents, grandparents, language, religion, etc. To collect such information for each suspect, or for each offender of personal crimes as revealed by victims, will be an impossible task. This may not be necessary. Research from all over the world, except Sweden, shows that the involvement of second and subsequent generation of migrants in crime is very similar to that of the native-born. What this suggests is that there is no need to study ethnicity and crime relationship of second and subsequent generations of migrants but to research crimes by the overseas-born or first generation migrants. This seems rational also because at some point in time a migrant has to become an Australian. Labelling a group of people, even second or

third generation migrants, by their original ethnicity may itself be considered as prejudicial. The environmental factors and processes will probably have a much greater influence over the second and subsequent generations of migrants than the ethnic and cultural ties of their parents and grand parents. It is the first generation migrants who could find the settlement process in a new country less than smooth. Especially those coming from totally different cultural, political, and legal systems than in Australia may require not only personal strength but also support from a “strange” land. While such support may be necessary for some, as indicated elsewhere in this report, first generation migrants generally display lower crime rate than the local-born. It would appear therefore that an examination of ethnicity and crime should concentrate on the involvement of first generation migrants in crime. If some migrant groups show high involvement in crime that should prompt not only a study of their background but also their life since arrival in Australia.

Accordingly, it appears the Victoria police statistics on arrests by country of birth is an adequate classification to use. If a mechanism can be established to collect this information from all the suspects processed, this would provide a useful database. So that the links between ethnicity and crime can be explained adequately and reliably, a second data item that would be useful is the “date of arrival in Australia”. This data item would be able to provide not only the length of exposure to Australian way of life but also the nature of experience since arrival in Australia. Those who arrived in Australia in their early childhood will have a substantially different experience of growing up in Australia than those who migrated in their thirties. The 1996 census data presented in chapter two highlights some disturbing features of the population in some ethnic groups. Of particular concern are the weaknesses in the area of education, proficiency in English, and employment. If a group is found to be lacking in education and proficiency in English language, its chances of engaging in legitimate gainful employment will be diminished. While the links between unemployment and levels of crime remain uncertain, most research and annual criminal statistics show over-representation of unemployed people among those arrested for offences and those in prison. Also, the European experience indicates such disadvantages reduce one’s life chances and increase one’s vulnerability to negative influences.

Relevant and reliable data will be able to discover strengths and weaknesses of a community. The 1996 Census of Population and Housing reveals a substantial proportion of some migrant groups lack minimum level of education and training, and proficiency in English language. In order to ride over these disadvantages, these communities and the governments require relevant data so that needs of these communities can be assessed and resources provided for remedial action.

Suggestions for future research

The main purpose of this report was to describe available statistical information on the participation of members of ethnic groups in crime. The type and quality of statistical information currently available in Australia has been described in Appendix A. The Australian five yearly Censuses, National Prison Census, and the arrest statistics from Victoria used in this report may not answer many questions about the involvement of members of ethnic groups in criminal activity. They do, however, provide sufficient pointers for further research. The following is a list of topics on which research can enlighten our understanding of the relationship between ethnicity and crime:

1. General Survey

Ethnic Community in Australia is not a homogeneous group. The Australian Census demonstrates significant differences between migrant groups in terms of their demographic, social, economic and cultural characteristics. Some of these characteristics can be used to estimate the well being of each group.

The Census also shows that immigrants tend to settle in large cities and in particular some suburbs of these cities display concentration of particular migrant groups.

Migrants come to Australia under different conditions and with different experiences. The type of social and political settings they come from may have impacts on their perceptions and behaviour in their new home.

Current theory and research on crime tend to suggest that social disadvantage and disorganised communities contribute to increased level of crime and incivility.

A research that would help in identifying problems in specific communities is a survey of selected immigrant groups. Statistical data extracted from Census do not enable us to understand the day to day problems and difficulties that particular ethnic communities encounter. The survey should not only concentrate on the background of members of migrant groups and their experiences, but also should examine the adequacy or otherwise of various services, particularly for the newly arrived. This survey should also attempt to gather information on factors that are relevant to involvement in crime and the impact that crime has on the lives of the members of the ethnic communities.

2. Migrants and the Police

Arrest statistics for the last five years from Victoria show some consistent patterns. Members of some migrant groups were arrested more frequently than those of the Australian-born in each of the five years. Similarly, members of more than two-thirds of the groups examined in this report were arrested at a much lower rate than the Australian-born population. Arrests by major offence categories do not present any noteworthy patterns except for arrests for drug offences. Members of the Cambodian and Vietnamese groups demonstrate an increasingly high arrest for drug offences. Currently more than a third of all arrests from these two groups involve drug offences and this proportion is more than three times that of the Australian-born. Arrest data for 1997-98 also show that about a quarter of arrests of those born in Indonesia and Thailand was for drug offences.

Although research literature in Australia has been growing, very little is known about criminal justice processing of members of ethnic groups. Most that is available appear to deal with processing of Aborigines. There is simply not enough empirical evidence to draw conclusions about processing of members of various migrant groups.

There is an urgent need for research into styles and strategies of policing and policing ethnic communities.

A National Police Custody Survey, would show variations in detention of members of various ethnic groups.

A research examining the types of crimes in which members of migrant groups appear to participate and whether these crimes are inter-racial or intra-racial may provide useful knowledge.

Young people in general have high arrest rate, young members of some migrant groups display higher arrest rate than the Australian-born youth.

A research into conditions of young people in some migrant communities may be useful in discovering reasons for high arrest rates and whether young people of some migrant groups are more vulnerable than others.

A research into the existence or otherwise of “youth ethnic gangs” may help in verifying claims often made in the media.

The data presented in Chapter 4 show that the older members of overseas-born groups have higher arrest rate than their Australian-born counterparts. Findings of

research from overseas, albeit limited show older age foreigners' involvement in fraud and forgery offences.

Research could be able to identify if older members of some migrant groups suffer particular disadvantages or problems that would make them drift to particular type of crime.

Migrants and Court Processing

Currently no statistical information is available on the appearances and trials of members of migrant groups at various levels of courts. Research by the Judicial Commission of New South Wales displayed certain biases against children of Pacific Island migrants.

A sample survey of members of migrant groups processed at various levels of courts, not only to discover biases, but more importantly to understand the availability and quality of legal, and other support services (interpreters, victim support organisations, etc) to members of migrant groups, particularly those coming from non-English speaking background and from cultural and legal background different from Australia.

3. Migrants and punishment

According to the 1998 National Prison Census there were 4834 overseas-born inmates in Australian prisons, they accounted for 24.3 per cent of all prisoners. Prisoners born in certain countries appear to show an increasing trend over the last decade and a half. No details are available on how many overseas-born convicted offenders receive community-based treatment. The National Prison Census provide information on prisoners on 30 June of each year. The census, therefore, does not take into account short-term prisoners who were admitted and released between 1 July and 29 June. While the majority of overseas-born inmates are in prison for property related offences, almost half of the prisoners from one ethnic background are convicted of drug offences.

A research on sentencing and imprisonment may be useful in understanding the sentencing process, the use of non-custodial treatments, over-representation in prisons, post-release services, history of criminal behaviour, social and family support, etc. Such a research can also inform whether members of migrant groups are discriminated against. That is whether they receive longer prison terms for similar offences. A similar research should involve a study of inmates of juvenile corrective institutions.

Besides the above, a special research into services for the new immigrants provided by the governments, the Ethnic Communities' Councils, and other agencies would offer an understanding of the working of these services. Such a research may also be able to examine services for different migrant groups. If there exists strong interest and convincing reasons, a study of the participation in crime of the second generation migrants may be considered. The reason for not recommending such a research at this stage is that a continuing differentiation based on parents' country of birth could be considered prejudicial. Almost all second generation migrants would like to be considered as Australians. An examination of their involvement in crime because of their ethnic heritage would mean that they are non-Australians. This could be hurtful to many in the Australian community.

Appendix A

Statistical information on Ethnicity and Crime in Australia

Statistical information on the involvement of members of ethnic groups in criminal activity is very limited. The same situation prevails with regard to members of the ethnic groups becoming victims of crime. There are basically two sources of data on the issue and both suffer from limitations. These sources are Crime and Safety Surveys, and Official Crime Statistics maintained by various criminal justice agencies.

A. *Crime Victimization Surveys or Crime and Safety Surveys*, theoretically at least, can provide some information on the race/ethnicity of offenders and victims. These surveys, for example, ask victims of personal (violent) crimes some details of the offenders and about themselves. There are number of reasons why these surveys do not offer reliable and accurate data on ethnicity and crime:

1. The offender details from Crime and Safety Surveys are available only for crimes in which the victim and the offender encounter each other in the process of crime. These are mainly personal or violent crimes. The surveys in Australia include only three such offences: Assault, Sexual assault, and Robbery. These crimes account for less than 15 per cent of all crimes and these surveys cannot offer details of offenders who commit a large majority of offences such break enter and steal, motor vehicle theft, stealing, fraud, vandalism, drug offences etc.
2. The offender details for personal crimes are based on the perception of victims. The details currently recorded in the surveys are gender, age, whether known to victim, whether a relative, and whether a single or multiple offenders.
3. As most of these surveys do not collect details of victimisations suffered by commercial, business, government agencies, as well as crimes listed in 1 above, details of violent offenders are inadequate proxy for all offenders.
4. Crime and Safety surveys, however, collect details of respondents to the surveys and the victims. Among other details, the respondents are also asked to provide their place of birth, name of country if born overseas. Although the Australian Bureau of Statistics collects this information, the Bureau does not publish any data on this nor the Bureau includes this information on Unit Record Files that it sells.

B. *Official Crime Statistics*, This is the second source of data on ethnicity and crime and statistics are usually produced by agencies such as the police, court administration, and corrective services.

Police Statistics in Australia: The Crime and Safety Surveys in Australia and Crime Victimization Surveys overseas consistently show that there are more crimes in the community than the police statistics reveal and that a majority of victims do not report incidents of victimisation's to the police or other government agencies. Various reasons have been given for not reporting, eg too trivial, police could not/would not do anything about it, fear of reprisals from the offender, etc. Estimates from these surveys indicate that less than 40 per cent of crimes that occur in a community are reported to the police.

When a crime is reported, the police use some methods to verify it and on the basis of this effort may decide not to record this crime for statistical purpose. This happens only in cases of a small number of offences. For all the crimes that are recorded, the police may have details of the incidents and victims but not of an offender, unless it is a violent or personal offence. Offender's details are available only after the arrest or identification of an accused has cleared a crime. On an average police in Australia clear about 25 per cent of the offences recorded. In other words, only about 10 per cent of the crimes that occur each year in Australia are solved and only for this set of 'solved' crimes perpetrators are known. Although it can be assumed that there exists some relationship between arrest and crime, it is grossly inaccurate to assume that suspects arrested/identified for only 10 per cent of the cleared offences represent suspects of 90 per cent of the crimes that remain unsolved.

Once a suspect has been taken into custody or identified, their gender, age, occupation, employment status, marital status, Aboriginality, ethnicity/country of birth, etc. can be recorded. Often the police officer records some of these details on the basis of his/her perception. On the rest the officer must ask the suspect. At this point some legal issues may arise. While a person is only a suspect, do the police have the powers to ask questions of a personal nature? Is the suspect required to answer questions by the officer on these matters? (The present report has not examined these legal issues.) Except for gender, perception could be inaccurate on any or all of the variables listed above.

Currently only Victoria Police and Western Australia Police publish limited amount of statistics on ethnicity/country of birth of suspects, other States and Territories, it is claimed, do collect such information but do not publish any statistics. The following is a description of statistics produced by Victoria and Western Australia.

Victoria: Two sets of Tables included in Victoria Police Crime Statistics 1996-97 – one set under the heading “alleged offenders” and the other “individual/distinct alleged offenders”.

Alleged offenders: These are persons alleged to have committed a crime and have been processed by arrest, summons, caution or warrant of apprehension. Persons are counted on each occasion they are processed and for each offence (a person processed on three occasions are counted three times, and if on each occasion processed for two offences will be counted six times). Two Tables are published for alleged offenders:

Alleged offenders processed by offence and racial appearance, and
Alleged offenders processed by offence and country of birth

A large number of violent, property, and other offences for which offenders are processed are listed in the annual report.

Under “racial appearance” the following distinctions are made:

The term refers to the racial appearance of victims or offenders based on the subjective assessment of the attending police. The categories used are as follows:

Aboriginal: Describes people of Aboriginal and Torres Strait Islander appearance

Asian: Describes people of Chinese, Japanese, Korean, Vietnamese, Cambodian, Laotian, Indonesian, Thai, Malaysian, Filipino, Singaporean appearance.

Caucasian: Describes people who are white or light skinned.

Other: Describes people who are not of Aboriginal, Asian, or Caucasian appearance. This may include people of African/Middle Eastern [includes Arabic], Black African [includes African American, Afro-Caribbean (i.e. West Indian)], Indian [includes Pakistani, Sri Lankan, Bangladeshi], Latin American [includes Central and South American], Maori, Pacific Islander [includes Fijian, Tongan, Polynesian], and South European [includes Greek, Italian, Spanish, Portuguese, etc.] appearance.

Country of birth of offenders is based on information collected by the attending police. Among the countries listed are: Australia, Cambodia, Chile, China, Fiji, Germany, Greece, Hungary, India, Ireland, Italy, Lebanon, Malaysia, Mauritius, Malta, The Netherlands, New Zealand, Philippines, Romania, Sri Lanka, Turkey, United Kingdom, USA, Russia/Ex Soviet Republic, Vietnam, and Yugoslavia.

According to the statistics published in the Tables, racial appearance and country of birth of alleged offenders were known in over 90 per cent of those processed.

Individual/Distinct Alleged Offenders: Individual alleged offenders are only counted for the first offence for which they are processed in the fiscal year. Age and gender of these offenders are recorded. A person's age is based on their age as at the date they committed their first offence.

Two Tables are provided in the annual statistical reports one on racial appearance and the other for country of birth of offenders. The Tables also present age and gender details but no offence detail. The data in the Tables relate to distinct offenders processed for all offences.

Western Australia: The Annual Crime Statistics Report 1996/97 provides one Table on Processed Persons by Ethnicity.

Processed persons relate to the number of offences for which persons were processed. This is not a count of offenders actually responsible for committing those offences. (This is similar to "Alleged offenders" statistics of Victoria.)

Ethnicity data is based on observation or description of an alleged offender. The Report used ten identified classifications for ethnic appearance: Aboriginal, Asian, Caucasian, Latin, Negroid, Pacific Islander, Indian, Middle Eastern, Southern European and South & Central American. These categories are not defined any further. Statistics are provided for males and females and for all offence categories.

Although the explanatory notes to the Report lists ten classifications for ethnic appearance, the Table provides information on only seven. The Table does not provide information on alleged offenders for Middle Eastern, Southern Europe, and South and Central American. When inquired about the missing details, the Institute was told that they were excluded because numbers were insignificant. It is also stated that ethnic appearance is based on "observation and description" but is not clear as to whose observation and description. The Table on Processed Persons by Ethnicity does not state in what proportion of cases ethnic appearance of alleged offenders could not be ascertained.

Police Statistics in Australia – summary: The 'racial appearance' data in Victoria and the 'ethnicity' data in Western Australia are not very clearly defined. The 'Asian' category in both the States is confusing because it includes only some countries of Asia, and the remainder is placed in 'Other' category. Southern Europeans are not included in the category 'Caucasian' and in Western Australia there are Latins and Southern and Central Americans. It is even more problematic for the police officer to designate the country of birth of a suspect, without actually asking the suspect.

Court statistics in Australia: No State/Territory publishes any statistics on court appearances or trials by ethnic appearance or country of birth of suspects charged. The Office of Crime Statistics in South Australia used to publish statistics on persons charged by birthplace until 1995. The overseas birthplaces of defendants listed in the Tables for Magistrates and Higher courts were New Zealand, United Kingdom, Germany, Greece, Italy, Yugoslavia, Other Europe, Asia, and other. This was abandoned since 1996 because such information was available only for about half the cases appearing before courts, and danger of the published data being misused was real.

There is evidence to suggest that court document in some jurisdictions record ethnicity details of defendants but may not record this information routinely. The research by Gallagher and Poletti, cited earlier, is a case in point. Published court statistics from other jurisdictions do not provide any information on ethnicity or country of birth of defendants.

Corrections statistics in Australia: Records maintained by the prison systems in most countries contain fairly comprehensive history of prisoners. On arrival, each new prisoner has to fill in a number of forms and they contain a substantial amount of personal information and birthplace is one of these details. Such records have formed the basis of many books and research reports. These records also constitute the most common source of information on the participation of foreigners in criminal activity.

Australia maintains reasonably good records about prisoners since early last century. Early records provide information on the number of prisoners by locals, convicts, and settlers. The Australian Bureau of Statistics, as part of the five-yearly Census of Population and Housing, collects details of those in prisons on the Census date. The questionnaire for such census includes the items "birthplace of respondents" and the "birthplace of respondents' parents". Thus the Bureau can, through special analysis, obtain the birthplaces of prisoners. The National Prison Census, beginning in 1982, included the item on birthplace of prisoners.

Among the States and Territories, NSW Department of Corrective Services conducts annual census of inmates and publishes the place of birth of prisoners.

On a given day, there are more than three times as many offenders under community correction orders as under custodial orders in Australia. They may be sentenced to community service orders, probation, other measures. But none of the States/Territories publish ethnicity/birthplace of the offenders undergoing such sentences.

Summary: Information on the involvement of migrants in crime currently available in Australia is limited. A number of agencies in States and Territories do collect information on the birthplace of arrestees, or persons processed, or prisoners, etc. For example, Queensland and South Australia Police record country of birth and ethnic appearance respectively of persons of interest and arrestees. But because a suspect cannot be compelled to volunteer such information, this information is not available for all persons of interest or arrestees and as such this is not collated and published. Similarly, the Australian Bureau of Statistics continues to collect birthplace details of prisoners but because of its concerns about the quality of the information, this information was not published until 1997. Similar issues have been encountered by agencies overseas.

Appendix B
**Participants at 'Ethnicity and Crime', Australian Institute of Criminology
Roundtable, 5 May 1998, AIC, Canberra, 10 am - 4 pm**

Atkinson-MacEwen, Mr Leon	Strategic Intelligence Unit National Crime Authority	NSW
Castles, Professor Stephen	Centre for Multicultural Studies, Faculty of Arts University of Wollongong	NSW
Cook, Ms Bree	Research Analyst Australian Institute of Criminology	ACT
Duck, Mr John	Community Resource Development Section, Multicultural Affairs Branch, Department of Immigration & Multicultural Affairs	ACT
Grabosky, Dr Peter	Director of Research Australian Institute of Criminology	ACT
Graycar, Dr Adam	Director Australian Institute of Criminology	ACT
Hazel, Superintendent Geoff	Services Australian Federal Police	ACT
Jones, Professor Frank	Sociology Program, Research School of Social Sciences, Australian National University	ACT
Kolarik, Mr Ivan	Executive Director National Police Ethnic Advisory Bureau	VIC
Mukherjee, Dr Satyanshu	Principal Criminologist Australian Institute of Criminology	ACT
Myrtle, Mr John	Principal Librarian Australian Institute of Criminology	ACT
Nguyen-Hoan, Dr Thu	Assistant Secretary, Multicultural Affairs Branch Department of Immigration & Multicultural Affairs	ACT
Putt, Ms Judy	National Campaign Against Violence and Crime Attorney-General's Department	ACT
Syme, Mr David	National Campaign Against Violence and Crime Attorney-General's Department	ACT
White, Dr Rob	Associate Professor and Deputy Head Department of Criminology, University of Melbourne	VIC