

AUSTRALIAN CRIME



FACTS AND FIGURES *1998*



AUSTRALIAN
INSTITUTE OF
CRIMINOLOGY

Acknowledgments

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Note

Because of rounding, some percentages may not add up to 100.

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Foreword

This booklet presents the most up-to-date information available on crime throughout Australia. It covers the number of different types of recorded crimes, their place of occurrence, victim details, responses of criminal justice agencies, and the government resources directed to deal with crime.

While the Australian Institute of Criminology has been collecting data for the past 25 years, it is only since 1993 that Australia has had comparative recorded crime statistics for some major crimes, and only since 1996 that a limited set of relevant statistics from court cases has become available.

It must be noted that crimes recorded by the police do not reflect the true level of crime in Australia. It is clear from surveys undertaken in Australia and overseas that victims report only about 40% of crimes to the police.

Crime and the administration of justice are the responsibility of each state and territory government, and their agencies publish state or territory based reports. The Australian Bureau of Statistics attempts to provide a national picture and in recent years has produced a number of reports on crime related issues. The Australian Institute of Criminology draws on these and other sources in developing its data, which it then publishes for a wide range of readers.

The data here comprise national figures only. Readers wishing to consult state based data or other material on crime and justice issues published by the Institute should visit the Institute's website or contact the Institute (see back cover).

Adam Graycar
Director

November 1998

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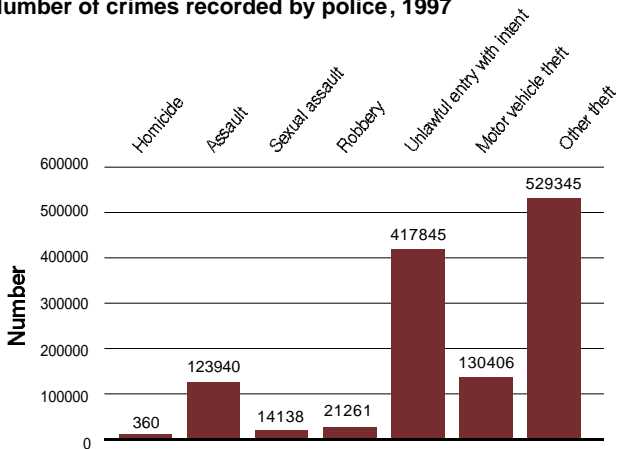
Crimes known to police

Figure 1 shows the number of criminal incidents recorded by police in 1997 for the following seven categories of major offences:

- homicide
- assault
- sexual assault
- robbery
- unlawful entry with intent
- motor vehicle theft
- other theft.

Figure 1

Number of crimes recorded by police, 1997



- Of these selected crime categories, 'other theft' (which includes offences such as pickpocketing, bagsnatching and stock stealing) was the most commonly recorded crime, accounting for 43% of the total.
- The next most common offence was unlawful entry with intent, accounting for 34%, followed by motor vehicle theft at 11%.
- Together, these property theft offences accounted for approximately 88% of the seven major crimes.
- Assault was the most commonly recorded violent crime.

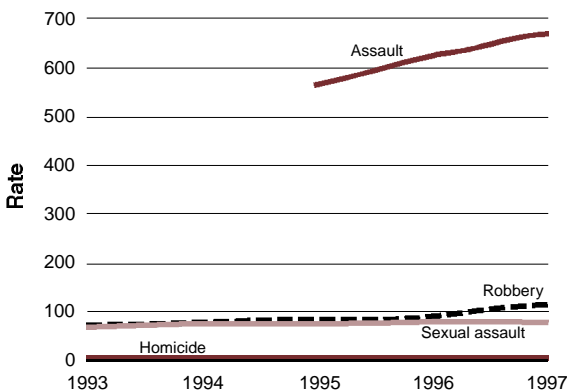
Violent crime

‘Violent crime’ comprises homicide, assault, sexual assault and robbery. Figure 2 displays the trend in the rate of violent offences from 1993 to 1997.

Figure 2

Violent crimes recorded by police, 1993–97

Rate per 100 000 population



- The rate of assaults has been increasing steadily from 1995, while the rate of robbery has been increasing only slightly since 1993.
- The rate of both homicide and sexual assault has remained relatively stable over the five years.

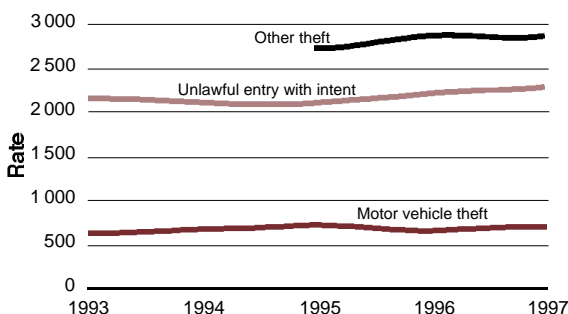
Property crime

The trend in the rate of property crime is shown in Figure 3. ‘Property crime’ comprises unlawful entry with intent, motor vehicle theft, and other theft.

- The rate of both unlawful entry with intent and other theft has been increasing slightly since 1995.
- The rate of motor vehicle theft has remained relatively stable over the five years shown in Figure 3.

Figure 3

Property crimes recorded by police, 1993–97
Rate per 100 000 population



Location of crime

Table 1 lists the number of offences, by location, in each of the seven selected crime categories. ‘Location’ refers to the initial site where the crime occurred, classified on the basis of the location’s function as follows:

- *residential location* (e.g. houses, garages/carports, motels, and hostels)
- *community location* (e.g. car parks, transport facilities, street/footpaths, and schools)
- *other location* (e.g. retail premises, recreational facilities, government offices, and warehousing/storage).

- **The highest proportion of offences occurred in a residential location (40%). The crimes most likely to be committed in this location were homicide (64%), sexual assault (68%), assault (39%) and unlawful entry with intent (69%).**
- **The next most common place for a crime to occur was in a community location (31%), with robbery (51%) and other theft (39%) being the most prevalent there.**

Table 1
Number of crimes recorded by police, by location* where incident occurred, 1997

Crime	Location of crime		
	Residential	Community	Other
	Number		
Homicide	228	79	48
Assault	48 561	47 319	25 846
Sexual assault	9 217	2 938	1 314
Robbery	1 561	10 580	8 599
Unlawful entry with intent	284 974	30 117	96 356
Motor vehicle theft	22 670	81 081	20 164
Other theft	114 054	197 432	188 637
Total	481 265	369 546	340 964

**This table excludes cases where the location was unspecified (n=45 520)*

Figures 4 and 5 show the distribution of offences by location for violent crimes and property crimes respectively.

- **Violent offences most commonly occurred in community (39%) and residential (37%) locations.**
- **The highest percentage of property offences were committed in residential locations (39%).**

Figure 4
Violent crimes,
by location
where incident
occurred,1997

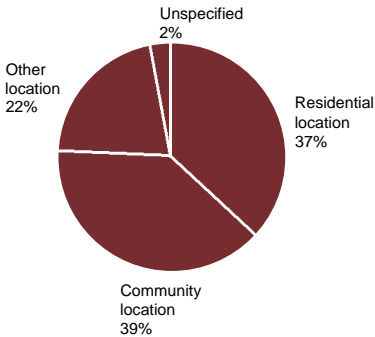
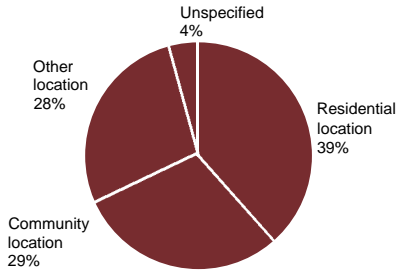


Figure 5
**Property crimes,
by location
where incident
occurred, 1997**



Source:Reference 1

Homicide

The definition of homicide used by the Australian Bureau of Statistics (ABS) is the unlawful killing of another person. Homicide statistics discussed here include the following categories of offences:

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

■ **There were 360 homicide incidents recorded by the police in Australia in 1997, with about two victims per 100000 population. Of these, 322 (89%) were victims of murder, and the rest were victims of manslaughter.**

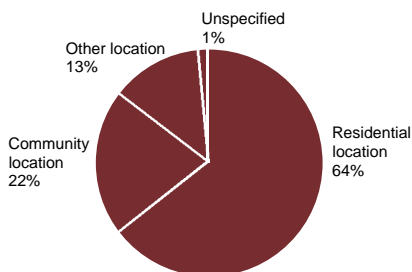
■ **Recorded homicides averaged approximately one per day.**

Location of homicides

Figure 6 shows the percentages of homicides that occurred in the various location categories in 1997.

■ **Of all homicides occurring in Australia in 1997, 64% took place in residential locations, 22% in community locations and 13% in other locations.**

Figure 6
**Homicide,
by location
where incident
occurred,
1997**

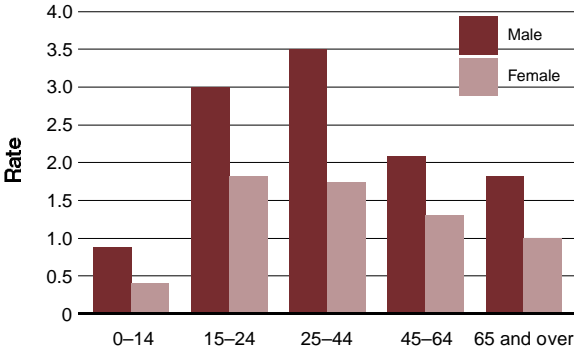


Source: Reference 1

Victims of homicide

Figure 7 shows the number of male and female homicide victims per 100 000 persons, by discrete age categories.

Figure 7
Age and gender of homicide victims, 1997
Rate per 100000 relevant population



- In all age categories, the probability of being a victim of homicide was greater for males than for females.
- Males in the 25 to 44 age group were most at risk of being a homicide victim, while females were most at risk when aged between 15 to 24.

Sources: References 1 and 2

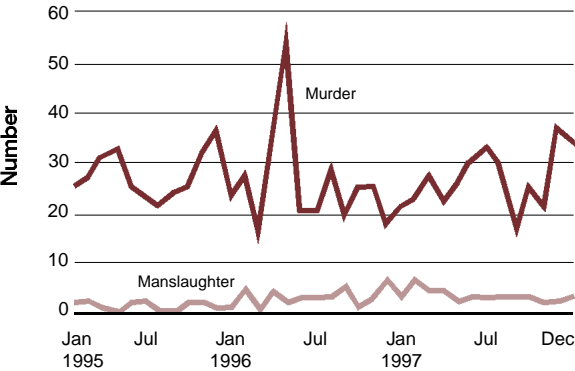
Trend in homicide

Figure 8 displays the trend in the number of recorded victims for the two components of homicide (murder and manslaughter) for each month between January 1995 and December 1997.

- The number of murder and manslaughter victims remained relatively constant over the three-year period. The exception is the spike in the murder figures in early 1996: this is due principally to the massacre at Port Arthur in April 1996.

- The number of manslaughter victims for the period never exceeded six in any one month.

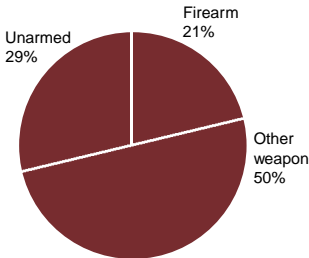
Figure 8
Monthly numbers of homicide victims, 1995-97



Weapons used in homicides

Figure 9 shows the percentage of homicides committed with various types of weapons. The category 'other weapon' includes knives/sharp instruments, blunt instruments, and rope. Also included in this category were eight cases in which the weapon used was not positively identified.

Figure 9
Weapons used in commission of homicides, 1997



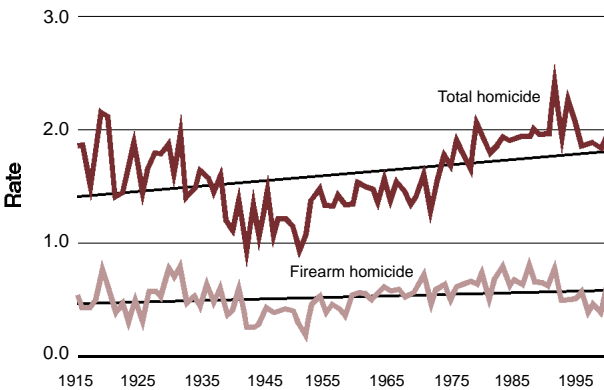
- 50% of homicides recorded in 1997 were committed with a weapon other than a firearm.
- A firearm was used in 21% of homicide cases.

Source: Reference 1

Historical trend in total homicides and firearm homicides

Figure 10 shows the trend in total homicides and homicide by firearm from 1915 to 1996.

Figure 10
Homicides from 1915 to 1996
Rate per 100000 population



- The average total homicide rate per year for the period was 1.6 per 100000 total population, with the average rate for homicide by firearm being 0.5 per 100000 total population.
- The trendline indicates a slightly increasing rate of total homicide over this 82-year period.
- The lowest homicide rate this century was recorded in 1941.

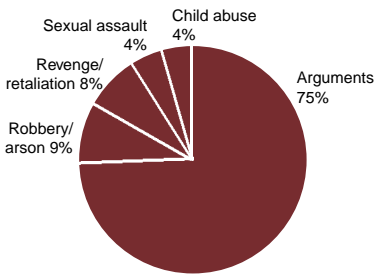
Source: Reference 3

Homicide Monitoring Program, Australian Institute of Criminology

Research at the Australian Institute of Criminology, based on its National Homicide Monitoring Program, throws some light on the dynamics of homicide incidents. Detailed information gathered on each incident of homicide between 1 July 1989 and 30 June 1996 reveals the following:

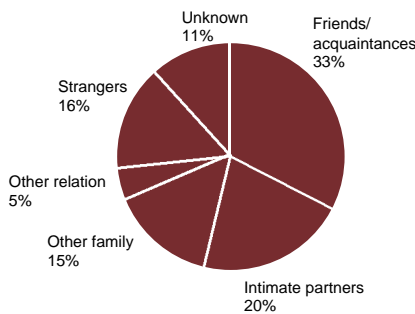
- Of those homicide incidents for which there was information available on the surrounding circumstances, 75% were found to have occurred in the context of arguments.
- Robbery or arson accounted for only 9% of the incidents (see Figure 11).

Figure 11
Main circumstances surrounding homicide incidents, 1989–1996



- Nine out of ten offenders were males, whereas only a little over six out of ten victims were males.
- Persons in the age group 21–26 years were at the highest risk of becoming an offender as well as a victim.
- 17% of the offenders and 13% of the victims were Aboriginal persons.
- One in three victims was killed by friends or acquaintances, and one in five by intimate partners (see Figure 12).

Figure 12
Relationship between victims of homicide and offenders, 1989–1996



Source:Reference 4

Assault (excluding sexual assault)

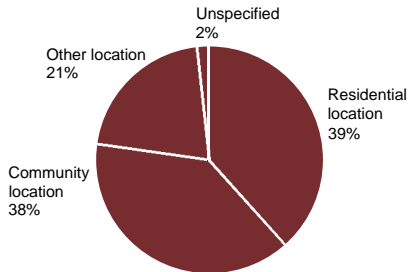
The ABS defines 'assault' as the direct infliction of force, injury or violence upon a person, including attempts or threats.

- In 1997, there were 123940 incidents of assault in Australia recorded by the police: 669 victims per 100000 population.
- Recorded assaults averaged about fourteen per hour across Australia.

Location of assaults

Figure 13 shows the percentage of assaults that occurred in various locations in 1997.

Figure 13
Assault, by location where incident occurred, 1997



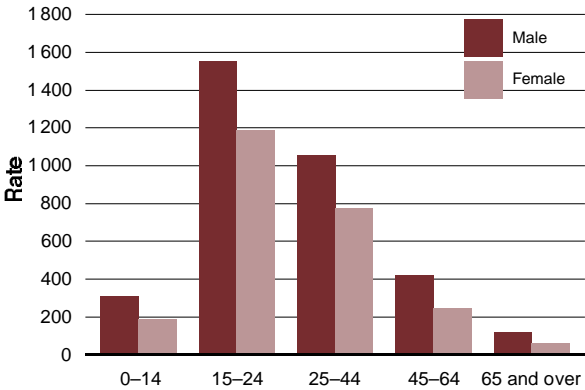
- Assaults most commonly occurred in a residential location (39%).
- 38% of assaults occurred in community locations, with assaults on street/footpaths accounting for 23% of all recorded assaults.
- 21% of recorded assaults took place in other locations, including recreational facilities (10%).

Source: Reference 1

Victims of assault

Figure 14 shows the number of male and female victims of assault per 100000 persons, by discrete age categories.

Figure 14
Age and gender of assault victims, 1997
Rate per 100 000 relevant population



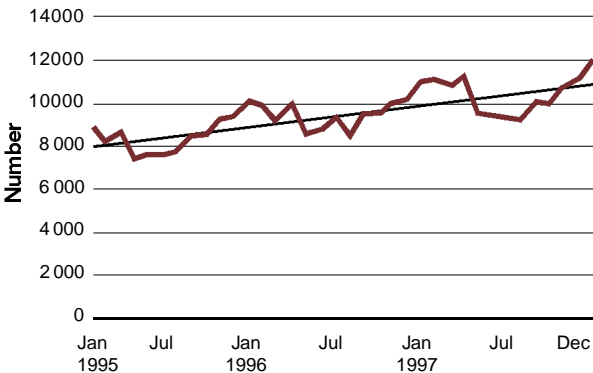
- Males exhibited higher victimisation rates than females for all age categories.
- Both males and females were most at risk of being a victim of assault while aged between 15 and 24.

Sources: References 1 and 2

Trend in assaults

The trend in the number of recorded assaults for each month over the years 1995 to 1997 is illustrated in Figure 15.

Figure 15
Monthly numbers of assault victims, 1995-97



- The number of victims of assault was 8845 in January 1995, reaching a high of 11982 in December 1997.
- The data suggest that the number of recorded assault victims increased in the summer months.
- There appears to be an underlying upward trend in the number of assaults.

Sexual assault

The ABS definition of 'sexual assault' is a physical assault of a sexual nature, directed toward another person where that person:

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

This offence includes rape, sexual assault, sodomy, buggery, oral sex, incest, carnal knowledge, unlawful sexual intercourse, indecent assault, and assault with intent to rape.

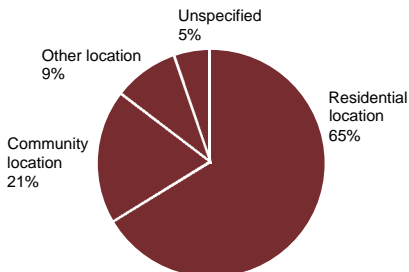
- There were 14138 incidents of sexual assault recorded by the police in Australia in 1997: 76 victims per 100000 population.
- This figure amounts to approximately 1.6 recorded sexual assaults per hour across Australia.

Source: Reference 1

Location of sexual assaults

Figure 16 shows the percentage of sexual assaults occurring in various locations in 1997.

Figure 16
Sexual assault,
by location
where incident
occurred,
1997



- Of all recorded sexual assaults in Australia in 1997, 65% occurred in residential locations, with most of these being in private dwellings.
- 21% of sexual assaults occurred in community locations. Sexual assaults on street/footpaths accounted for 8% of all recorded sexual assaults.
- Only 9% of recorded sexual assaults took place in other locations, including recreational facilities (5%).

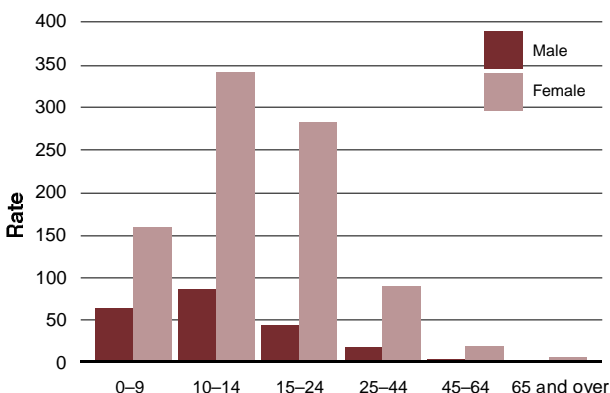
Victims of sexual assault

Figure 17 shows the number of male and female victims of sexual assault per 100000 persons, by discrete age categories.

Figure 17

Age and gender of sexual assault victims, 1997

Rate per 100000 relevant population



- For all age categories, females were more likely to be victims of sexual assault than males.
- Both males and females in the 10-14 age range were most at risk of being victims of sexual assault.
- The ABS Women's Safety Survey revealed that only 15% of women who had experienced sexual violence in the last twelve months reported the

incident to police. This indicates that the information in Figure 17 may reflect gross under-reporting of sexual assault incidents.

Sources: References 1, 2 and 5

Relationship between victim of sexual assault and offender

Table 2 shows the relationship between the victims of sexual assault and the offenders.

Table 2
Victims of sexual assault, by sex and victim–offender relationship, 1997

	Male	Female	Total
	Number		
Family member	397	1 969	2 366
Known: non-family member	811	3 292	4 103
Stranger	377	1 928	2 305
Not stated	1 008	3 968	4 976
Total	2 593	11 157	13 750*
	Percentage		
Family member	15.3	17.6	17.2
Known: non-family member	31.3	29.5	29.8
Stranger	14.5	17.3	16.8
Not stated	38.9	35.6	36.2
Total	100.0	100.0	100.0

* Excludes 388 cases where sex of victim was unknown.

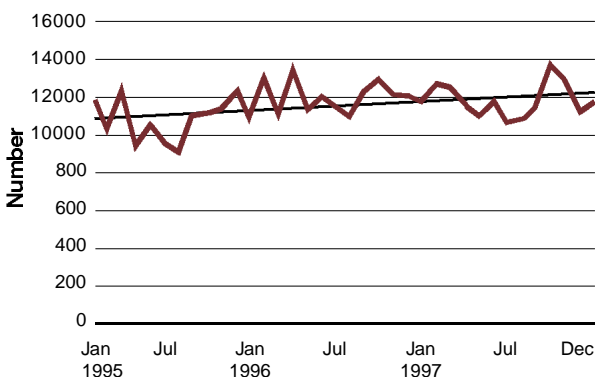
- In more than one-third of the incidents, the relationship between the victim and offender was either not stated or inadequately described.
- The victim–offender relationship was similar for males and females. Almost half the victims, both males and females, were sexually assaulted by offenders known to them. Where known, the offender was most likely to be a non-family member.

Trend in sexual assault

Figure 18 shows the trend in recorded sexual assaults for each month for the years 1995 to 1997.

Figure 18

Monthly numbers of sexual assault victims, 1995–97



- It appears there has been a slight increase in the underlying trend of monthly incidents over the time period.
- The average number of sexual assault victims per month for the period was approximately 1150.

Source: Reference 1

Robbery

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

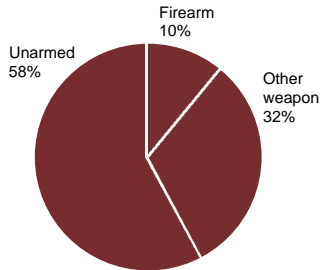
Types of robbery

Robbery is divided into the following two categories of offences:

- *Armed robbery* : This is robbery conducted with the use of a weapon. (A weapon is any object used to cause fear or injury. It also includes imitation weapons and implied weapons: e.g. where a weapon is not seen by the victim but the offender claims to possess one.)
- *Unarmed robbery* : This is robbery conducted without the use of a weapon.

The percentages of armed and unarmed robberies in 1997 are given in Figure 19.

Figure 19
Types of robbery,
1997

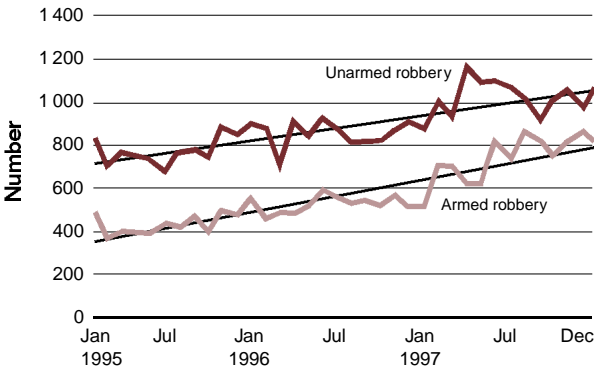


- There were 21261 robbery incidents in Australia recorded by the police in 1997, with 115 victims per 100000 population. Of these incidents, 58% were unarmed robberies, 32% were committed with a weapon other than a firearm, and 10% were committed with a firearm.
- In 4% of robberies the type of weapon was not further defined, and these cases were therefore included in the category 'other weapon'. However it is possible that the weapons used in some of these robberies were firearms.
- The average rate of total recorded robberies was about 2.5 per hour across Australia.

Trend in robbery

Figure 20 displays the trend in armed and unarmed robberies for each month over the years 1995 to 1997.

Figure 20
Monthly numbers of robbery victims, 1995–97

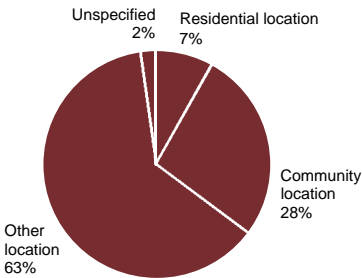


- The trendlines appear to exhibit a constant upward trend over the three years.
- The number of armed robberies was consistently lower than the number of unarmed robberies.
- The number of armed robberies was 493 in January 1995 and 801 in December 1997, while the number of unarmed robberies was 832 in January 1995 and 1053 in December 1997.

Armed robbery

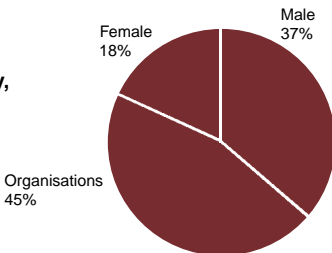
Figure 21 shows the percentage of armed robberies occurring in various locations in 1997, while Figure 22 shows the categories of victims (whether male, female or an organisation).

Figure 21
**Armed robbery,
by location
where incident
occurred,
1997**



- There were 9015 armed robberies in Australia in 1997, of which 63% occurred in ‘other locations’ including retail premises (49%).
- 28% of armed robberies took place in community locations, a large proportion being committed on street/footpaths (19%).

Figure 22
**Victims of
armed robbery,
1997**



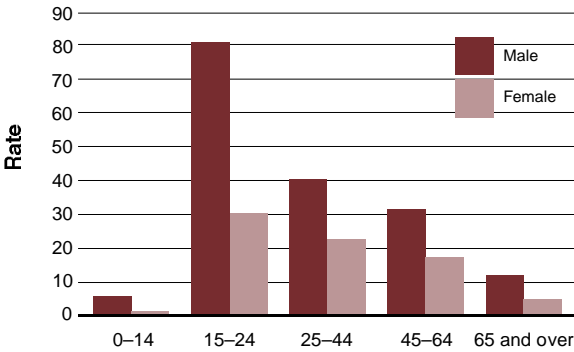
- **45% of armed robberies were directed against organisations.**
- **Of the persons who were victims, the majority were male.**

Source: Reference 1

The numbers of male and female victims of armed robbery per 100000 population are given in Figure 23, grouped into discrete age categories.

Figure 23

Age and gender of armed robbery victims, 1997
Rate per 100 000 relevant population



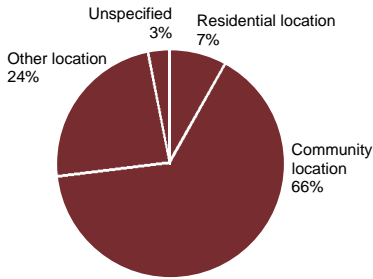
- **In all age categories, males were more at risk of being a victim of armed robbery than were females.**
- **Males aged between 15 and 24 were at least twice as likely to become a victim of armed robbery than persons in any other age category.**

Sources: References 1 and 2

Unarmed robbery

Figure 24 shows the percentage of unarmed robberies that occurred in various locations in 1997.

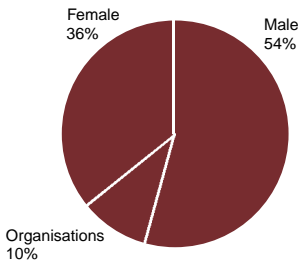
Figure 24
Unarmed robbery, by location where incident occurred, 1997



- There were 12246 incidents of unarmed robbery in Australia in 1997. Two-thirds of these occurred in community locations, including 46% on street/footpaths.
- 24% of unarmed robberies were committed in other locations, such as retail premises (15%).

Figure 25 groups the victims of unarmed robbery into the categories of male, female, and organisations.

Figure 25
Victims of unarmed robbery, 1997



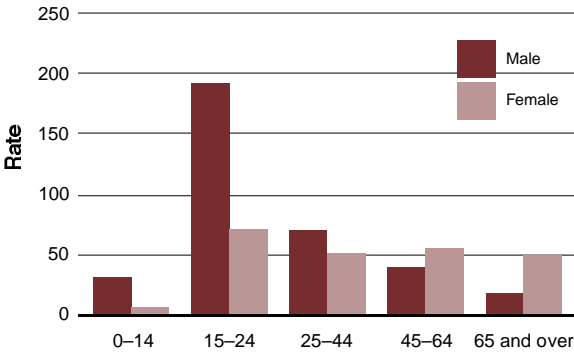
- 90% of the victims of unarmed robbery were individuals, compared to 55% for armed robbery incidents.
- The majority of the victims of unarmed robbery were male (54%).

Source:Reference 1

Figure 26 shows the number of male and female victims of unarmed robbery per 100000 persons for discrete age categories.

Figure 26

Age and gender of unarmed robbery victims, 1997
Rate per 100 000 relevant population



- People in the 15–24 age group were most likely to be victims of unarmed robbery.
- In the younger age groups (44 and under), males were more at risk of becoming victims of unarmed robbery than females. However, females in the older age groups (45 and over) were more at risk than males.

Sources: References 1 and 2

Unlawful entry with intent (UEWI)

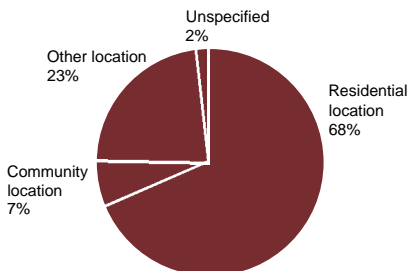
‘Unlawful entry with intent’ is defined by the ABS as the unlawful entry of a structure with the intent to commit an offence. UEWI offences include burglary, break and enter, and some stealing.

- In 1997 there were 417 845 incidents of UEWI recorded by the police in Australia, with 2 255 victims per 100 000 population.
- The average rate of occurrence of a UEWI was 48 per hour across Australia.

Location of unlawful entry with intent

Figure 27 shows the percentage of UEWIs occurring in various locations in 1997.

Figure 27
Unlawful entry with intent, by location where incident occurred, 1997

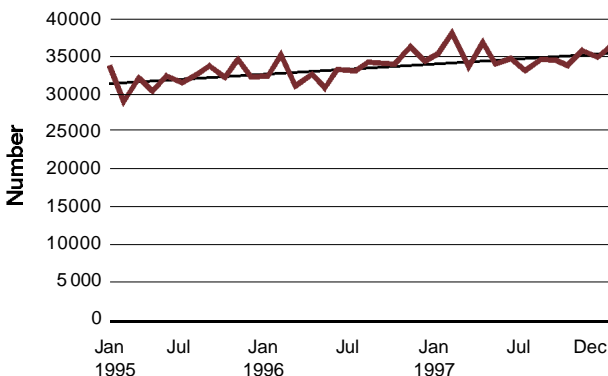


- 68% of UEWIs occurred in residential locations, a large majority of which were private dwellings.
- 23% of UEWI offences were committed in other locations, including retail premises (13%).
- 7% of recorded UEWIs took place in community locations, including educational facilities (5%).

Trend in unlawful entry with intent

Figure 28 shows the trend in recorded UEWIs for each month over the years 1995 to 1997.

Figure 28
Monthly numbers of unlawful entry with intent offences, 1995–97



- The trendline appears to exhibit a slight rise over the three-year period.
- The average number of incidents per month was 33449.

Source: Reference 1

Motor vehicle theft

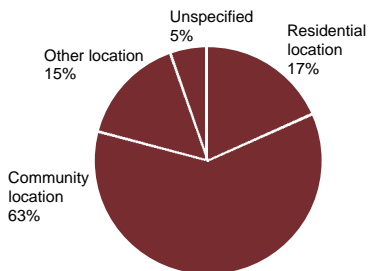
The ABS definition of motor vehicle theft is the taking of a motor vehicle unlawfully or without permission, but it excludes damaging and tampering or interfering with motor vehicles. Under this category are motor vehicles such as cars, motor cycles, campervans and trucks.

- In 1997, there were 130406 motor vehicles recorded by the police as stolen, with 704 victims per 100000 population.
- Recorded motor vehicle thefts averaged one every four minutes across Australia in 1997.
- For every 86 registered motor vehicles in Australia in 1997, one was stolen.

Location of motor vehicle theft

Figure 29 shows the percentage of motor vehicle thefts that took place in various locations in 1997.

Figure 29
Motor vehicle theft, by location where incident occurred, 1997



- Of all recorded motor vehicle thefts in Australia in 1997, 63% occurred in community locations; 41% of these were from a street/footpath and 13% from a car park.
- 17% of motor vehicle thefts were committed in residential locations.

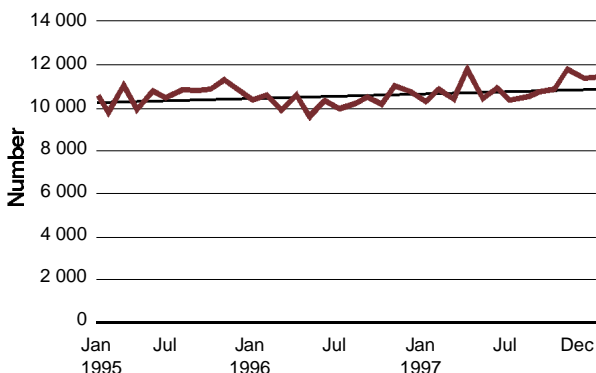
- 15% of motor vehicle thefts took place in other locations, such as retail premises (11%).

Trend in motor vehicle theft

Figure 30 displays the trend in motor vehicle theft for each month over the period 1995 to 1997.

Figure 30

Monthly numbers of motor vehicle thefts, 1995–97



- The number of motor vehicle thefts appears to be relatively stable, at a little over 10 000 per month for the years 1995 to 1997.
- Motor vehicle theft was at its lowest point in April 1996.

Source:Reference 1

Other theft

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

This offence includes such crimes as pickpocketing, bagsnatching, stealing, theft from a motor vehicle, theft of motor vehicle parts/accessories/petrol, stealing of

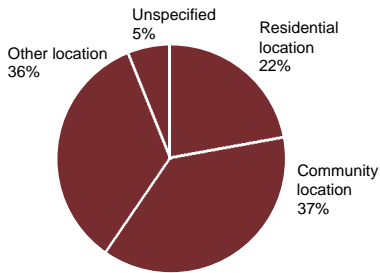
stock/domestic animals, and theft of non-motorised vehicles/boats/aircraft/bicycles. It is the largest category of all crime.

- **A total of 529345 victims of other theft was recorded by the police in 1997, with 2856 victims per 100000 population in Australia.**
- **A little over one other theft occurred every minute across Australia in 1997.**

Location of other theft

The percentages of other thefts that occurred in various locations in 1997 are depicted in Figure 31.

Figure 31
Other theft, by
location where
incident
occurred,
1997

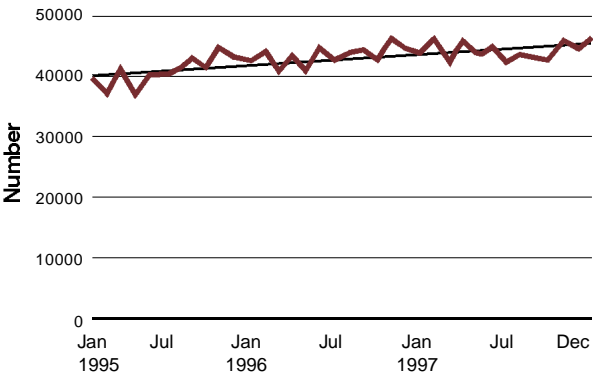


- **Stealing was fairly common in both community and 'other' locations.**
- **Of all recorded incidents of stealing, 37% took place in community locations. Of these, 17% were from a street/footpath and 12% from a transport location.**
- **36% of stealing incidents took place in other locations, such as retail premises (24%).**
- **In 22% of cases, other theft occurred in residential locations.**

Trend in other theft

The trend in other theft for each month over the three years 1995 to 1997 is illustrated in Figure 32.

Figure 32
Monthly numbers of other theft, 1995–97



- The trendline shows that there has been a slight rise over the period.
- The average number of stealing incidents recorded each month for the three-year period was 42784.

Source:Reference 1

Structure of the criminal courts in Australia

There is a hierarchy of criminal courts at both the commonwealth and the state or territory levels:

- *Magistrates' courts*: a lower court level that deals with relatively minor or summary criminal offences. Under some circumstances, this court may also deal with less serious indictable offences. In addition, they are responsible for conducting preliminary (committal) hearings for indictable offences.
- *Intermediate (district/county) courts* : a higher court level that, together with the supreme court, deals with the more serious crimes. These courts hear the majority of cases involving indictable crimes.
- *Supreme courts*: the highest level of court within a state or territory. They deal with the most serious crimes.

Tasmania, the Northern Territory, and the Australian Capital Territory do not have intermediate courts, and all relevant charges are dealt with at the supreme courts. In states with both supreme and intermediate courts, a large majority of charges are decided at the intermediate courts.

All state, territory and commonwealth courts handle a number of matters that appear in the court system for the first time. However, almost all criminal charges are lodged for the first time at the magistrates' court level.

National statistics on charges, trials and sentencing of suspects at all levels of courts are not yet available in Australia. For the first time, however, the ABS has released a limited amount of statistics on defendants whose cases were initiated and finalised at higher criminal courts. (Higher courts comprise those at the intermediate and supreme court levels, where defendants charged with serious or indictable offences are dealt with, and where appeals and civil cases are also heard.)

In addition, for the last two years the Industry Commission has produced statistics on the number of lodgments at each court level.

Not all offences or infringements result in court appearances. A large proportion of very minor infringements are settled by expiation notices or on-the-spot fines.

Sources: References 6, 7 and 8

The criminal court process

Case flows

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

- lodgment: the initiation of the matter with the court;
- pre-trial discussion and mediation between the parties;
- trial; and
- court decision: judgment or verdict followed by sentencing.

Lodgments

The largest number of lodgments is processed by magistrates' courts in their criminal jurisdictions.

- **Over 1.5 million cases were initiated in magistrates' courts in 1996/97. These cases accounted for 98% of all lodgments in the criminal courts.**
- **Only 1.7% of cases were initiated in the intermediate courts and 0.3% of cases in the supreme courts.**
- **60% of the criminal matters initiated were of a minor nature.**
- **There has been a 10% increase in the number of lodgments received by courts throughout Australia since 1994/95.**

Hearings

Hearings, particularly full court hearings and trials, are the primary cost driver for court administrations. Hearings encompass court trials in the criminal and civil jurisdictions, as well as inquests and inquiries in the coronial jurisdiction.

- **Nationally, there were approximately 272000 court hearings in 1996/97, 215223 of a criminal matter.**
- **The majority of criminal hearings (96%) took place in the magistrates' courts.**

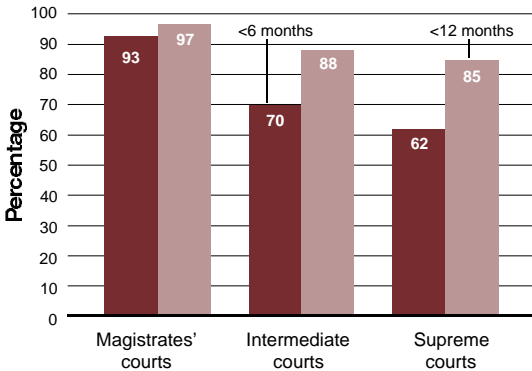
Timeliness

The time between lodgment of a matter with the court and its finalisation is generally longer in the higher courts. Lower courts complete a greater proportion of their workload more quickly because the disputes and prosecutions heard are less complex than those in higher courts.

Figure 33 shows the percentage of non-appeal criminal matters finalised within six and twelve months of lodgment in the magistrates', intermediate and supreme courts.

Figure 33

Non-appeal criminal matters finalised in less than 12 months, by type of court, 1996/97



- **The supreme courts had the lowest percentage of non-appeal criminal matters finalised within six months (62%), with a further 23% being finalised in the following six months.**

Source: Reference 6

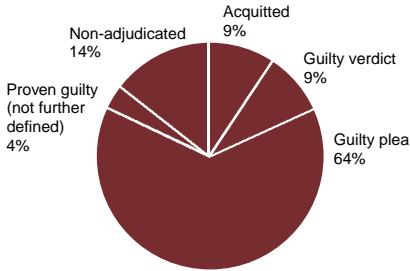
Court decision

In the main, defendants' cases are finalised at the higher courts in one of the following two ways:

- *Adjudicated:* determined whether or not guilty of the charges based on the judges' decision; and
- *Non-adjudicated:* a method of determining the completion of a case, thereby making it effectively inactive.

Figure 34 shows the percentage of defendants' cases finalised in the intermediate and supreme courts in 1996/97, by the method of finalisation.

Figure 34
Defendants' cases finalised in higher courts, by method of finalisation, 1996/97

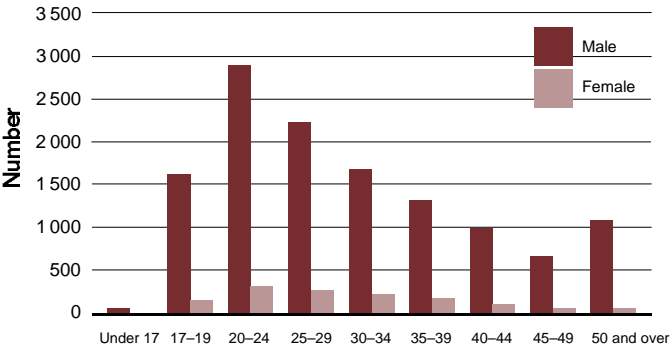


- Overall, 77% of the accused persons whose cases were heard by a higher court were found guilty of an offence.
- In 9% of cases, the defendant was acquitted of an offence.

Defendants

Figure 35 shows the number of male and female defendants in each age category whose cases were finalised in 1996/97.

Figure 35
Number of defendants finalised, by age and gender, 1996/97



- **There is a vast difference in the number of males and females appearing before the higher courts. In all age groups, males were more highly represented than females.**
- **The highest number of defendants, both male and female, was in the 20–24 age group.**

Source:Reference 7

Sentencing

There is a variety of sentencing options available at each court level:

- fine
- good behaviour bond
- probation order
- suspended sentence
- community supervision
- community custody
- home detention
- periodic detention
- imprisonment.

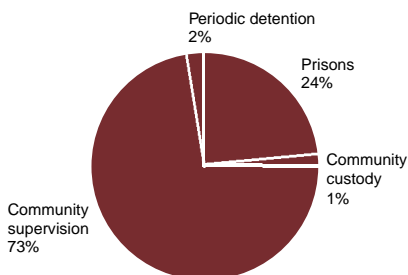
At present there are no national figures on the number of persons sentenced in each particular category.

Persons under corrective services

As mentioned in Section 3, there is a variety of sentencing options available to the courts. Corrective services authorities manage the offenders placed under these sentencing options, which include imprisonment, community custody, periodic detention, and community supervision.

Figure 36 shows the percentages of offenders sentenced to these forms of corrective options.

Figure 36
Offenders, by
type of
detention,
1996/97



- In the financial year 1996/97, a total of 71219 persons were serving a sentence under custodial or community based corrective programs.
- The largest percentage (73%) of offenders were serving their sentence under a community supervision order.
- Of the 24% of sentenced offenders who were in prison custody in Australia in 1996/97, 71% were being held in secure prisons, while the remaining 29% were in facilities with lower levels of security.
- 2% of offenders were serving periodic detention orders, which are only available to offenders in New South Wales and the Australian Capital Territory.

Source: Reference 6

Prisons

A national prison census for Australia was initiated in 1982 by the Australian Institute of Criminology, which conducted

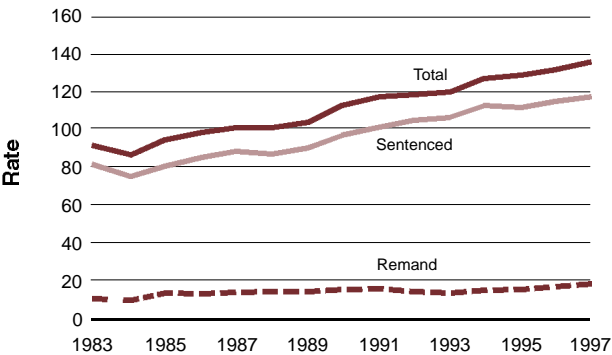
these censuses annually until 1993. This role was taken over by the Australian Bureau of Statistics in 1994. The census is conducted on 30 June each year.

Trends in prison population

As prison data have been collected by these two different organisations, it is possible that there may be slight inconsistencies in the data collection process. For this reason, the long-term trend data should be used with caution. Also, being the first year of the census, the 1982 data show some inconsistencies in definitions, and hence the long-term trend for imprisonment rates shown in Figure 37 begins in 1983.

It should be noted that prisons hold both sentenced prisoners and those on remand.

Figure 37
Prisoners in Australia, 1983–1997*
Rate per 100 000 population over age 16



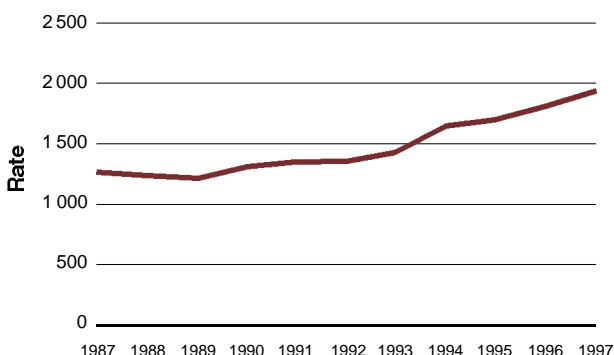
* For some years there were also prisoners classified as 'not defined'. Therefore, the number of sentenced prisoners and remandees may not always sum to total, although the discrepancies are minor.

- Between 1983 and 1997, the overall imprisonment rate has increased from 91.6 to 135.4 per 100 000 relevant population, an increase of 48%.
- During this fifteen year period, the imprisonment rate of sentenced prisoners has increased by 44% and that of remandees by 75%.

Sources: References 2, 9 and 10

Data on prisoners by Aboriginality have been made available only since the 1987 prison census: hence the time span shown in Figure 38, which depicts the imprisonment rate of Indigenous persons. These data include both sentenced prisoners and remandees.

Figure 38
Indigenous prisoners, 1987–1997
Rate per 100000 Indigenous population over age 16



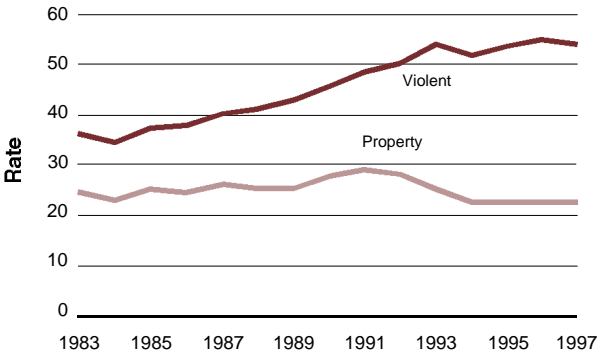
- **The rate of Indigenous prisoners per 100000 relevant population has increased by 53% since 1987.**
- **The total number of Indigenous people in prison on 30 June 1997 was 3580: a rate of 1909 per 100000 Indigenous population over age 16.**
- **This imprisonment rate for Indigenous offenders was more than seventeen times higher than the rate for non-Indigenous prisoners.**

Sources: References 2, 9, 10 and 11

Figure 39 depicts imprisonment rates of those convicted of violent and property offences. Violent prisoners are those convicted of homicide, assault, sex offences, and robbery. Prisoners convicted of property offences include those charged with break and enter and with other theft (including motor vehicle theft).

Figure 39

Sentenced prisoners, by type of crime, 1983–1997
Rate per 100 000 population over age 16



- The imprisonment rate of violent prisoners has increased by almost 50% since 1983.
- Since the early 1990s, the rate for property offenders has been declining.
- The increase in the overall imprisonment rate in Australia appears to be largely the result of the increase in prisoners being sentenced for violent offences.

Sources: References 2, 9 and 10

Prisoners in 1997

A total of 19082 persons were in custody in Australian prisons on the night of 30 June 1997; this corresponds to a rate of 135 per 100 000 persons over age 16. Of these, 16522 were sentenced prisoners and 2560 were remandees.

- Just under 6% of all prisoners were women.
- 18 to 24 year olds had the highest imprisonment rate, at 283 per 100 000 population.
- The imprisonment rate for 18 to 24 year old males was 526 per 100000 population.

Sources: References 2 and 10

Offenders can be sentenced to a prison term for one or a number of offences. The offence for which a prisoner is

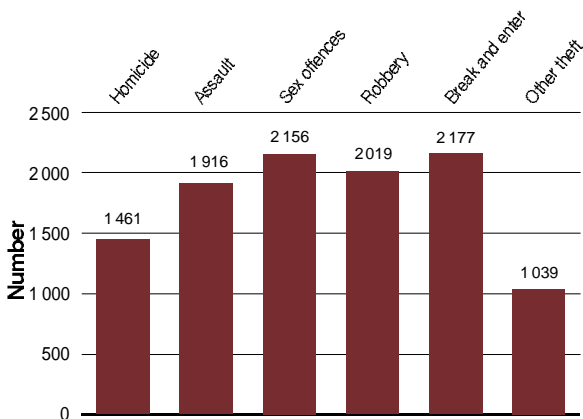
categorised as being incarcerated is the offence that is deemed ‘most serious’.

Figure 40 shows the number of prisoners, by their most serious offence, in six major offence categories.

The category of ‘other theft’ in Figure 40 also includes those found guilty of motor vehicle theft. Owing to the seriousness of motor vehicle theft, other theft can be considered a good proxy for prisoners sentenced for motor vehicle theft.

Figure 40

Sentenced prisoners, by most serious offence, 1997



- Prisoners sentenced for the violent offences of homicide, assault, sex offences and robbery account for a large proportion of sentenced prisoners.

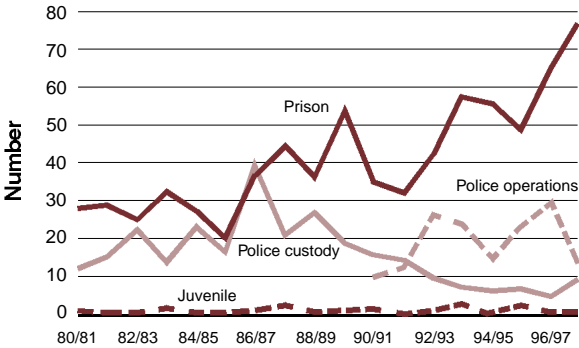
Source: Reference 10

Deaths in custody

Under the National Deaths in Custody Monitoring and Research Program, the Australian Institute of Criminology has been collecting data on deaths in prison and police custody, and in juvenile detention centres in Australia. Since 1980, 754 people have died in prison custody, 449 in police custody and 12 in juvenile detention centres.

Figure 41 displays the annual trend in custody-related deaths. Data on deaths in custody-related police operations have only been collected since 1990.

Figure 41
Australian deaths in custody, by custodial authority, 1980/81 to 1997/98



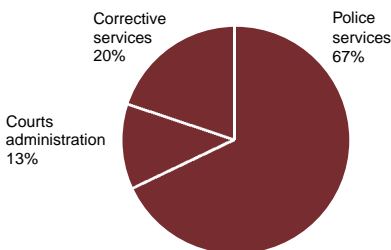
Source: References 12 and 13

Justice expenditure

According to the *Report on Government Services* (1998), the total government expenditure on justice in 1996/97 was approximately \$5.4 billion.

The largest component of the justice system was police services, which accounted for approximately 67% of the total justice-related expenditure covered by the report. Corrective services accounted for a further 20%, with court administration accounting for the remaining 13% (see Figure 42).

Figure 42
Composition of government expenditure on justice, 1996/97



Source: Reference 6

Police

Policing activities are predominantly the responsibility of the police agencies of state and territory governments. Funding for these services comes almost exclusively from state and territory government budgets, with some specific purpose grants being provided by the Commonwealth.

The Commonwealth Government operates the Australian Federal Police. The figures discussed below exclude resource data for the AFP.

Expenditure

Information on expenditure and staff resources for Australian police services in 1996/97 is presented in Table 3. The total recurrent expenditure on police services across Australia was a little over \$3.6 billion. This amounts to approximately \$200 for every person in Australia. Recurrent expenditure on staff salaries accounted for 78% of this total expenditure.

Table 3

Resources for Australian police services, 1996/97

Expenditure	(\$000)
Total recurrent expenditure	3 663 103
Total capital expenditure	218 334
Total expenditure	3 881 437
Staff salaries	(\$)
Average police staff salaries	59 523
Average non-police staff salaries	35 946
Staff*	(Number)
Total number of staff, by category	51 486
Sworn police officers	40 270
Civilian	9 459
Other	1 757

* Full-time equivalents.

Staffing

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

In recent years, there has been a trend towards 'civilianisation' of police services, with some non-core activities either being undertaken by non-sworn officers or being contracted to external providers.

- **The total police services staffing in Australia in 1996/97 was 51 486. This averages out at 277 per 100 000 persons (217 sworn police officers and 60 civilian employees).**
- **There were 40 270 sworn police officers, 9 459 civilian employees and 1 757 'other' employees making up Australian police services in 1996/97.**

Data for the various categories of police staff in each jurisdiction in 1996/97 are given in Table 4.

Table 4
Composition of police services, by jurisdiction,1996/97

Jurisdiction	Sworn police			Total
	officers	Civilian	Other	
NSW	13010	3 016	988	17014
VIC	10086	1 858	271	12215
QLD	6 549	2 063	270	8 882
WA	4 744	1 302	111	6 157
SA	3 385	558	78	4 021
TAS	1 031	369	38	1 438
NT	818	217	1	1 036
ACT	647	76	0	723

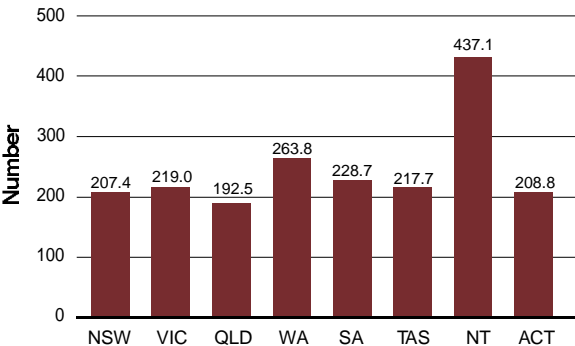
Note: These figures refer to full-time equivalent staff.

- New South Wales had the largest police service in Australia, while the Australian Capital Territory had the smallest.
- Tasmania employed the highest proportion of civilian staff (25.7%), while the Australian Capital Territory employed the lowest (10.5%).

Source:Reference 6

Figure 43 shows the number of sworn police officers per 100000 population for each jurisdiction for 1996/97.

Figure 43
Sworn police officers per 100 000 population, by jurisdiction, 1996/97



- **The Northern Territory had the largest number of police officers per 100000 population (437.1), while Queensland had the smallest (192.5).**

Sources: References 2 and 6

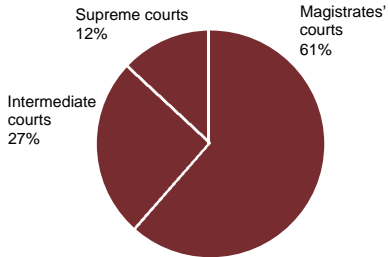
Court administration

Court administration agencies throughout Australia provide a range of services integral to the effective performance of the judicial system. These agencies work with the judiciary and the community to provide a court system that allows the prompt resolution of disputes and appropriate access to justice for the community.

- **The total recurrent expenditure by state, territory and commonwealth court authorities was a little over \$714 million in 1996/97, an increase of 4% since 1994/95.**
- **Expenditure for criminal court administration was \$326802000 for 1996/97.**

Figure 44 shows the division of expenditure between the three levels of criminal courts in 1996/97.

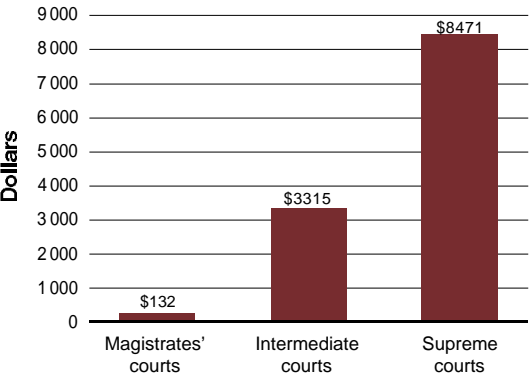
Figure 44
Total expenditure (less in-house revenue) for criminal courts, 1996/97



- **The magistrates' courts incurred 61% of total criminal court expenditure, followed by the intermediate courts (27%) and then the supreme courts (12%).**

Figure 45 shows the average expenditure per case lodgment in the criminal courts. The higher the level of court, the more expensive each criminal case lodgment becomes. This is because the more complex and lengthy cases are tried in the higher courts.

Figure 45
Average expenditure per criminal case lodgment, 1996/97



■ Average expenditure per criminal case lodgment ranged from \$132 in the magistrates' courts to \$8471 in the supreme courts.

Source:Reference 6

Corrective services

Resources allocated for corrective services in Australia are divided into three broad categories: prisons, community custody, and community supervision. Table 5 provides information on expenditure and staff resources for these services in 1996/97.

Table 5
Resources for corrective services,1996/97

Total recurrent expenditure	(\$000)
Prisons	945258
Community custody	13313
Community supervision	105233
Full-time staff	Number
Prisons	10046
Community custody	148
Community supervision	1 733

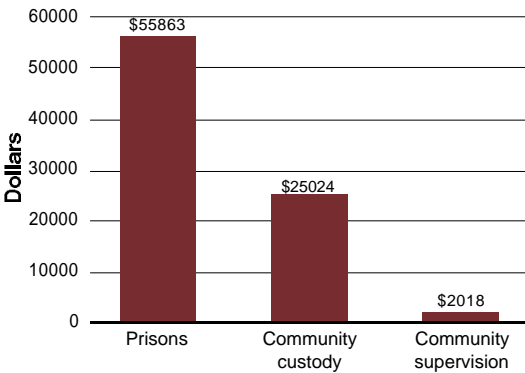
Expenditure

Total recurrent expenditure on corrective services in Australia was approximately \$1064 million in 1996/97. This corresponds to a figure of around \$75 for every adult in Australia. The highest percentage of recurrent expenditure was for prisons (89%).

Figure 46 shows the expenditure per offender by Australian corrective services programs in 1996/97.

Figure 46

Corrective services expenditure per offender, 1996/97



- **Expenditure per prisoner was approximately \$56,000 in 1996/97. This figure was more than double that spent on offenders under community custody.**
- **Expenditure was \$25,024 per person sentenced to community custody while it was just over \$2,000 for offenders sentenced to community supervision.**
- **The cost per sentenced offender per day was \$150 for imprisonment, \$68 for community custody and \$5.50 for community supervision.**

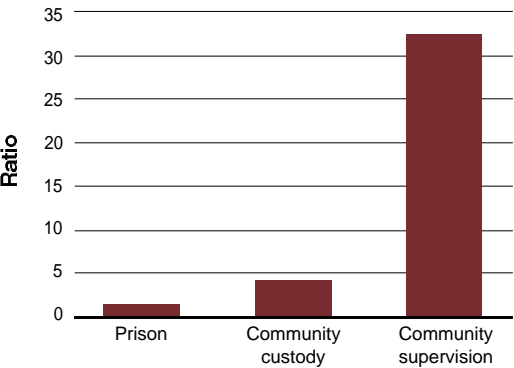
Staff

In 1996/97, 11,927 persons were employed in full-time positions by corrective services.

- The largest proportion (84%) of full-time employees was employed by the prison sector.
- Persons employed in carrying out community supervision orders constituted 15% of the corrective services workforce.

Figure 47 shows offender to staff ratios by type of corrective custody in Australia in 1996/97.

Figure 47
Offender to staff ratio, by type of custody, 1996/97



- There was approximately one staff member for every two offenders in prison, for every four offenders in community custody, and for every 33 offenders under community supervision.

Source:Reference 6

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