



Australian Government

Australian Institute of Criminology

Australian crime: Facts & figures

2010



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2010

www.aic.gov.au

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

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Published by the Australian Institute of Criminology
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Acknowledgements

Extraction of data and preparation of text:
Georgina Fuller

Notes

Minor revisions are occasionally made to publications after release. The online version available on the AIC website will include any revisions made since printing:
<http://www.aic.gov.au/publications/current%20series/facts/1-20/2010.aspx>

Edited and typeset by the Australian Institute of Criminology

Foreword

Australian Crime: Facts & Figures is an up-to-date snapshot of crime patterns and trends in Australia. It contains information on specific crimes, victims, offenders, the location of criminal acts and the operation of criminal justice systems—focusing on the work of police, courts and prisons.

This publication utilises data from both administrative and survey-based collections. In this 2010 edition, a section on cybercrime trialled in previous editions has been reintroduced to provide information relating to computer security. Further, this edition includes new and updated information derived from Australian Bureau of Statistics (ABS) data on federal defendants and crime victimisation. The reporting of monthly trend data from 1995 to the present for some specific crimes has ceased as a result of changes to the quality assurance process of the ABS.

For more specific information on crime and justice issues, the Australian Institute of Criminology (AIC) disseminates a number of publications—from fact sheets to detailed reports. These publications can be obtained for free from the AIC website at www.aic.gov.au or by contacting the AIC directly.

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

Highlights

Some of the noteworthy findings contained in the 2010 *Australian Crime: Facts & Figures* include:

- Violent crimes occurred most commonly in residential dwellings; while retail and residential locations were almost equally the most common settings for property crime.

- Juvenile offenders (those aged 10 to 17 years) continue to offend at a higher rate than adults (over 18 years). Juvenile offending was most prevalent in two sub-categories of property crime—‘other’ theft and unlawful entry with intent (UEWI)—although juveniles also committed a high proportion of assaults in 2008–09.
- Fraud and communications offences were the most commonly heard federal offences in Magistrates’, children’s and higher courts. Specifically, 24,705 fraud cases and 2,874 federal communications cases were adjudicated in Australian courts in 2009.
- Individuals aged over 45 years and children aged less than 10 years were the least likely age groups to be victims of crime. Most victims were aged between 15 and 25 years; the same age group with the highest offending rates.
- A total of \$11.6b was spent on the criminal justice system in Australia in 2009, which included \$1.5b spent on the criminal justice courts (including the Magistrates’ and children’s courts and the higher courts) and \$8.1b spent on state, territory and federal police services.

Adam Tomison
Director
Australian Institute of Criminology

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Acronyms

ABS	Australian Bureau of Statistics
ACC	Australian Crime Commission
ACCC	Australian Competition and Consumer Commission
AFP	Australian Federal Police
AIC	Australian Institute of Criminology
AICI	acts intended to cause injury
APCA	Australian Payments Clearing Association
CARS	Comprehensive Auto-theft Research System
CDPP	Commonwealth Director of Public Prosecutions
DUMA	Drug Use Monitoring in Australia
JGSO	offences against justice procedure, government security and operations
MSO	most serious offence
MVT	motor vehicle theft
NHMP	National Homicide Monitoring Program
SCRGSP	Steering Committee for the Review of Government Service Provision
UEWI	unlawful entry with intent
WBP	withdrawn by the prosecution

Crime and justice statistics

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

Administrative collections

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

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

- The collections are not all based on the same unit of measurement. For example, the police record details about offences, courts record data at an individual case level and corrections agencies record information about individual offenders.
- Although much has improved, national collections are hampered by jurisdictional differences in legislation and definitions, and data collection methods that are often not uniform. Data recording quality may also be an issue.
- It can take time to reach agreement at a national level on key issues, including definitions of new and emerging offences. As a result, more detail about crime and justice is often available at a jurisdictional level, even when it is not possible to produce national statistics.

- Although most collections are grouped by year, the specific time period may vary between agencies. For instance, some follow the calendar year (January to December), while others are based on the financial year (July 1 to June 30 of the following year). Therefore, care should be taken when attempting to interpret information from incompatible time periods.

It is also worth noting that the datasets can only encapsulate reported crimes, yet not all crimes are reported to police. For example, it is estimated that only 20 percent of all sexual assaults are reported to police, compared with a reporting rate of nearly 100 percent for motor vehicle thefts (*Reference 28*). This is the primary reason that the other type of data collection—crime surveys—are undertaken.

Surveys

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

However, it is not always valid to extrapolate from a sample to the general population and all sample surveys contain a certain amount of error. As surveys are also expensive, they generally tend to be undertaken on an infrequent or 'one off' basis. The surveys used in preparing this year's edition of *Australian Crime: Facts & Figures* include the *Drug Use Monitoring in Australia* survey conducted by the AIC and *Crime Victimisation* survey conducted by the ABS.

Notes on using these statistics

It should be noted that police information on victims and offenders has not been tested in court. For example, an offence recorded by police as 'murder' may later be re-classified as 'manslaughter', or there may be insufficient evidence to convict an alleged offender of any criminal offence. The category of *homicide* includes both *murder* and *manslaughter*. Where *murder* is used as a category, it excludes *manslaughter*.

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

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

Population projections for Indigenous adults are based on data provided by the ABS. The ABS uses two methods to estimate Indigenous populations—the low series and the high series. Both contain certain assumptions about births, deaths and migration. Figures in this publication are based on high-series population data. This method accounts for the effects of the increasing propensity for people to identify as Indigenous from the 1991 to the 2001 censuses. In 2004, the ABS released revised Indigenous population figures in the high series for 2001–03, based on the 2001 census. Rate calculations for these years therefore differ from those in some previous publications.

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

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



Chapter 1

Recorded crime

Data on recorded crime as published by the ABS for the period 1996 to 2009 are presented in this first section. The information is based on police records of crimes from 1 January to 31 December each year. A victim of crime can be a person, premises or a motor vehicle.

The ABS has been collecting and publishing data since 1996 on the following eight major categories of offences:

- homicide (murder and manslaughter);
- assault;
- sexual assault;
- robbery;
- kidnapping;
- UEWI;
- motor vehicle theft (MVT); and
- other theft.

It is estimated that these crimes account for approximately 60 percent of all crimes recorded by police.

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

Caution must be exercised when comparing the number of robbery victims from different years, due to an under-counting of victims in New South Wales prior to 2005.

Similarly affected are data on the number of victims of UEWI prior to 2006, because of an overstatement of victims in New South Wales. General trends, however, appear not to be affected.

Source: Reference 1

Number of recorded crimes

Violent crime

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

Table 1 Victims of selected violent crimes, 1996–2009 (n)					
	Homicide	Assault	Sexual assault	Robbery	Kidnapping/abduction
1996	354	114,156	14,542	16,372	478
1997	364	124,500	14,353	21,305	564
1998	334	130,903	14,689	23,801	707
1999	385	134,271	14,699	22,606	766
2000	362	138,708	16,406	23,336	695
2001	347	152,283	17,577	26,591	767
2002	366	160,118	18,718	20,989	706
2003	341	157,280	18,025	19,709	696
2004	302	156,849	19,171	16,513	768
2005	301	166,507	18,695	17,176	729
2006	321	172,441	19,555	17,375	726
2007	283	176,077	19,954	17,996	733
2008	293	170,720	19,992	16,513	788
2009	293	175,277	18,807	15,238	564

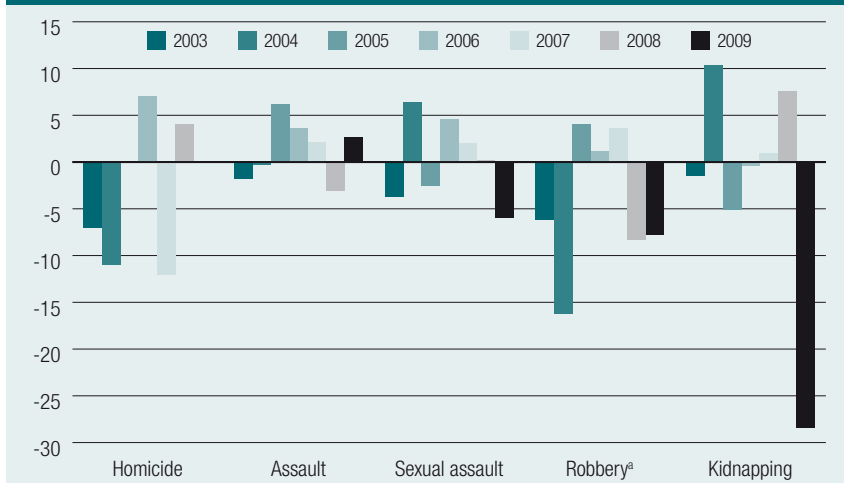
Note: Number of victims presented here represents revised estimates on numbers published in earlier editions of *Australian Crime: Facts & Figures*

- Although susceptible to fluctuations, the number of kidnapping/abductions decreased by 28 percent between 2008 and 2009, while there has been an overall increase of 18 percent in the number of kidnappings since 1996.

- Assaults have been increasing at an average rate of four percent per year since 1996. There were 175,227 cases of assault in 2009, a 2.6 percent rise from 2008.
- With 293 recorded cases in 2009, homicide figures continue to be the lowest of all violent crime categories in Australia.
- Sexual assaults have fluctuated since 2003, with a six percent decrease in the number of recorded sexual assaults between 2008 and 2009. Overall, the number of sexual assaults has increased by one-third since 1996.
- Robberies have continued to decrease since 2007, reducing to 15,238 in 2009 (an 8% decrease since 2008).

Source: Reference 1

Figure 1 Annual change in number of victims of selected violent crimes, 2002–09 (%)



a: Robbery is classified as a violent crime, as the use or threat of violence is more serious than a property offence

- In 2009, assault was the only crime to experience an increase, rising by three percent from 2008.
- Although sexual assault has decreased since 2008, in the past 10 years it has increased by 28 percent.
- Kidnapping decreased by 28 percent—the largest variation of any violent crime category.
- There has been a 33 percent decrease in robberies since 1999.

Source: Reference 1

Property crime

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

Table 2 Victims of property crime, 1996–2009 (n)

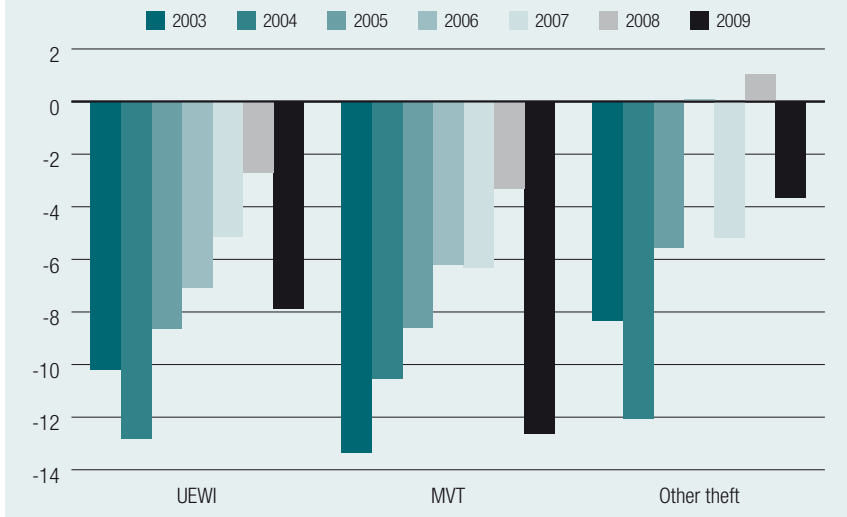
	UEWI	MVT	'Other' theft
1996	402,079	122,914	521,762
1997	421,569	130,138	530,881
1998	434,376	131,587	563,482
1999	415,735	129,552	612,559
2000	436,968	138,912	681,268
2001	435,754	139,894	700,137
2002	394,323	113,460	680,799
2003	354,020	98,298	624,036
2004	308,675	87,939	548,778
2005	281,994	80,365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

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

- Since 2001, the number of recorded victims of MVT has decreased by 57 percent to a low of 59,649 in 2009.
- 'Other' theft remains the most commonly recorded property crime, accounting for 63 percent of all recorded property crime. Although the incidence of 'other' theft has been variable since 1996, from 2001 onwards there has been a 32 percent decrease in 'other' theft.
- In 2009, there were 222,664 recorded victims of UEWI, a decline of eight percent from the previous year.

Source: Reference 1

Figure 2 Annual change in number of victims of property crime, 2002–09 (%)



- The recorded victims of property crime continued to decrease in 2009, in line with the trend for the past five years.
- Assessing changes in reported crime since data was first collected in 1996, UEWI has declined by 45 percent, MVT by 51 percent and 'other' theft by eight percent.

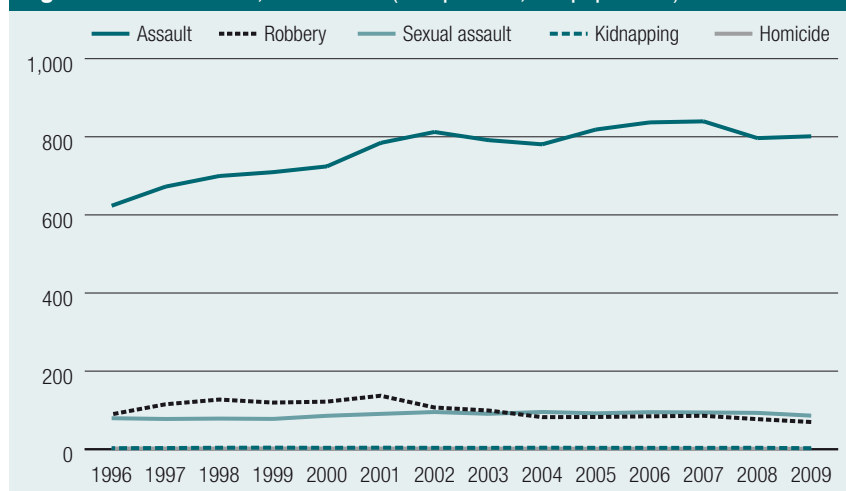
Source: Reference 1

Recorded crime rates

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

Violent crime rate

Figure 3 Violent crimes, 1996–2009 (rate per 100,000 population)



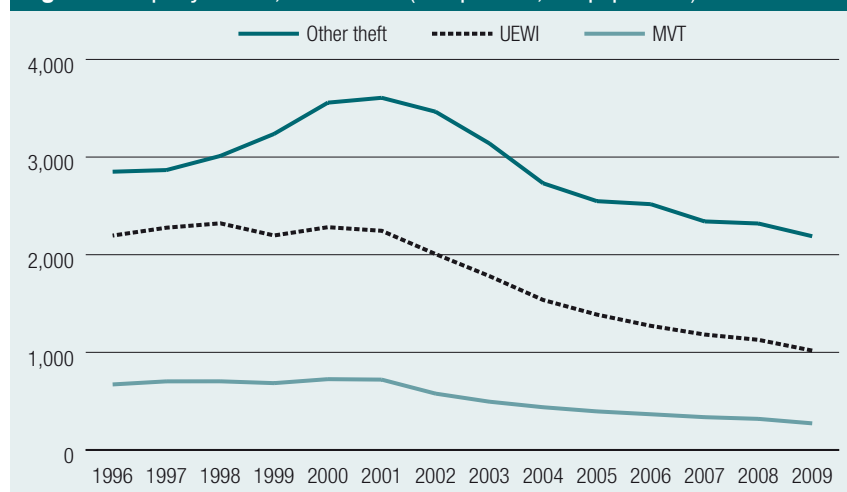
Note: Homicide and kidnapping each occur at rates of fewer than 5 per 100,000 population per year and are difficult to distinguish on this chart

- Since 1996, the rate of assault per 100,000 population has continued to rise, increasing on average by two percent each year.
- While overall rates of robbery have declined since 2001, a dramatic decrease in robbery rates occurred between 2007 and 2009, falling by an average of 19 percent each year.
- Since 1996, the rate of kidnapping has remained at between two and four per 100,000 population per year.
- The homicide rate was 1.9 per 100,000 population in 1996 (including the 35 victims of the Port Arthur massacre) and was at its highest in 1999, at two per 100,000 population. In 2009, the rate was 1.3 per 100,000 population.
- Sexual assault continued to fall between 2008 and 2009, decreasing from 93 to 86 persons per 100,000 population.

Source: References 1 and 2

Property crime rates

Figure 4 Property crimes, 1996–2009 (rate per 100,000 population)



- Property crime rates in 2009 were the lowest recorded in the 14 year period since 1996.
- The rate of ‘other’ theft peaked in 2001 and has been in decline since then, falling to 2,189 persons per 100,000 population in 2009.
- The rate of UEWI remained relatively stable from 1996 to 2001 but has since declined to a rate of 1,018 per 100,000 population.
- In 2000, the rate of MVT was 725 per 100,000 and has since decreased by 62 percent to 273 per 100,000 population in 2009.

Source: References 1 and 2

Location of crime

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

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

In previous editions of *Australian Crime: Facts & Figures*, the location of sexual assaults was not included as the data was not available. This information is included in the current edition and all figures have been updated accordingly.

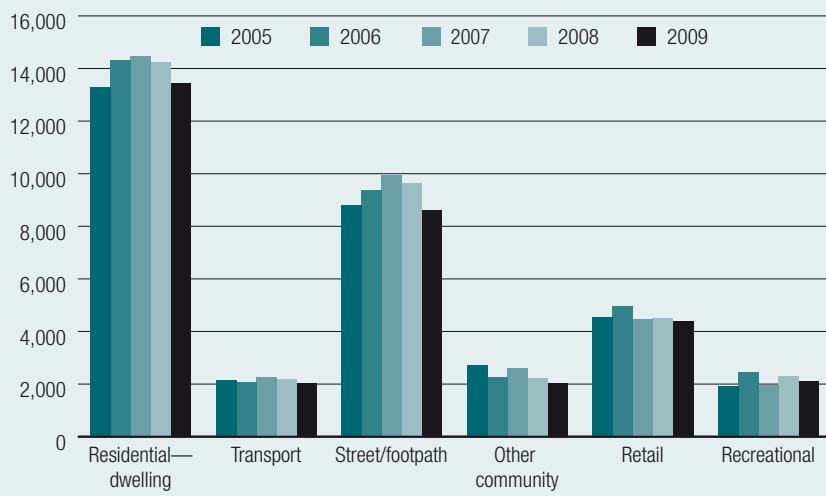
Table 3 shows the numbers of various violent offences that occurred at each type of location.

Table 3 Location type of violent crimes, 2009				
	Murder	Sexual assault	Kidnapping/ abduction	Robbery
Residential				
Dwelling	152	12,168	158	945
Outbuilding/residential land	12	286	8	134
Residential location not specified	6	211	0	10
Total residential	170	12,665	166	1,089
Community				
Transport	3	649	16	1,373
Street/footpath	38	1,236	255	7,073
Other community location	13	1,488	51	472
Community location not specified	3	81	0	57
Total community	57	3,454	322	8,975
Other				
Retail	12	729	32	3,604
Recreational	9	953	24	1,115
Other location	7	301	14	232
Unspecified	9	654	8	154
Total	264	18,756	566	15,169

- Of all murders, 64 percent occurred in a residential location; of all robberies, only eight percent occurred inside a residential location.
- Streets and footpaths were the most common location for both robberies (46% of 15,169) and kidnappings (45% of 569) in 2009.
- Sixty-seven percent of all sexual assaults occurred in a residential setting.

Source: Reference 1

Figure 5 Selected violent crimes^a by type of location, 2005–09 (n)



a: Excludes assault

- With the inclusion of national data on sexual assault, residential settings were the most common location for violent crime between 2005 and 2009, followed by the street/footpath.
- Two locations for violent crimes saw increases between 2005 and 2009. Residential locations have increased by one percent since 2005, while violent crimes committed in recreational settings have increased by eight percent.
- Since 2008, violent crimes committed on transport have fallen by six percent, from 2,184 in 2008 to 2,041 in 2009.
- Of all categories of location, 'other community' experienced the largest decrease over the five year period, declining on average by five percent per year from 2,729 cases in 2005 to 2,024 cases in 2009.

Source: Reference 1

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

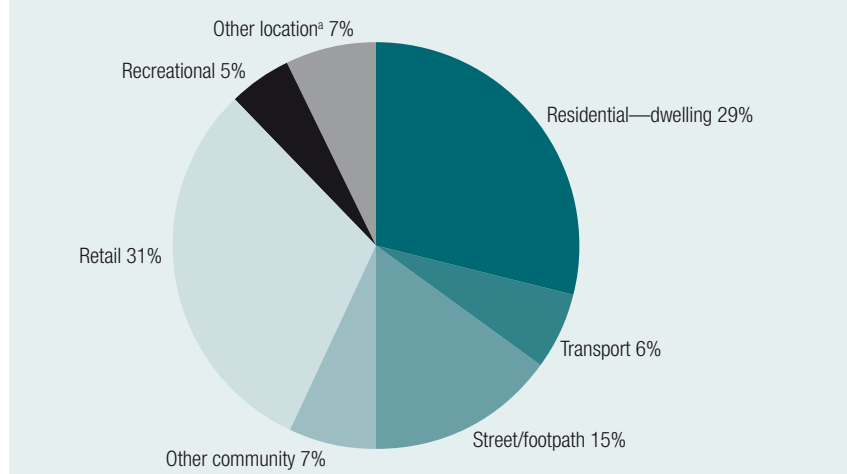
Table 4 Location type of property crimes, 2009

	UEWI	MVT	'Other' theft
Residential			
Dwelling	133,889	0	39,646
Outbuilding/residential land	15,592	19,779	87,132
Residential location not specified	1,781	3,913	7,040
Total residential	151,262	23,692	133,818
Community			
Transport	455	4,289	34,108
Street/footpath	5	20,589	68,836
Other community location	14,482	852	25,575
Community location not specified	18	83	786
Total community	14,960	25,813	129,305
Other			
Retail	27,617	4,486	156,138
Recreational	6,679	814	19,928
Other location	18,671	2,189	22,983
Unspecified	1,737	1,779	11,381
Total	220,926	58,773	473,553

- The two most common locations of UEWI were residential (68% of all UEWI offences) and retail (12%) settings.
- Of all MVT offences, most (53%) occurred in a public location.
- For all 'other' theft crimes, retail was the most prevalent theft location (33%).

Source: Reference 1

Figure 6 Property crime by location, 2009



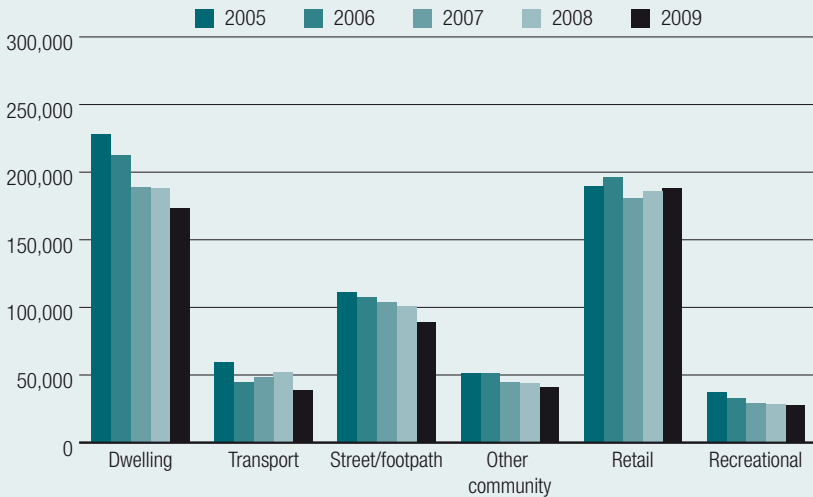
a: Includes unspecified location

n=724,734. Excludes residential locations that could not be classified as a dwelling or outbuilding/residential land and locations not further defined

- The most common locations for property crimes were retail (31%), residential (29%) and on the street/footpath (15%).
- Property offences were least likely to occur on transport (6%) or at recreational locations (5%).

Source: Reference 1

Figure 7 Property crime by location, 2005–09



- In 2009, three of the location categories where property crime could occur (street/footpath, other community and retail) saw decreases in offence numbers from 2008. Twelve percent of property crimes occurred in ‘other community location’ settings.
- Property crimes occurring in dwellings have declined consistently since 2005, decreasing on average by five percent per year.
- In 2009, the number of property crimes that occurred in recreational locations fell by five percent from the 2008 figure.
- Property crimes on transport declined by 26 percent, falling from 52,342 in 2008 to 38,852 in 2009.

Source: Reference 1



Chapter 2

Selected crime profiles

Previous editions of the *Australian Crime: Facts & Figures* have reported monthly trends in selected crimes dating back to 1995. However, as the ABS no longer supply this information, these figures have been removed from this chapter.

Homicide

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

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

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

Homicide does not include:

- *attempted murder*—the attempt to unlawfully kill another person by any means, act or omission; and

- *driving causing death*—the unlawful killing of a person without intent to kill, caused through culpable, dangerous or negligent driving.

The data collected by the AIC through the National Homicide Monitoring Program (NHMP) is supplemented with greater detail than that collected by the ABS. The ABS reports on calendar years and the AIC on financial years.

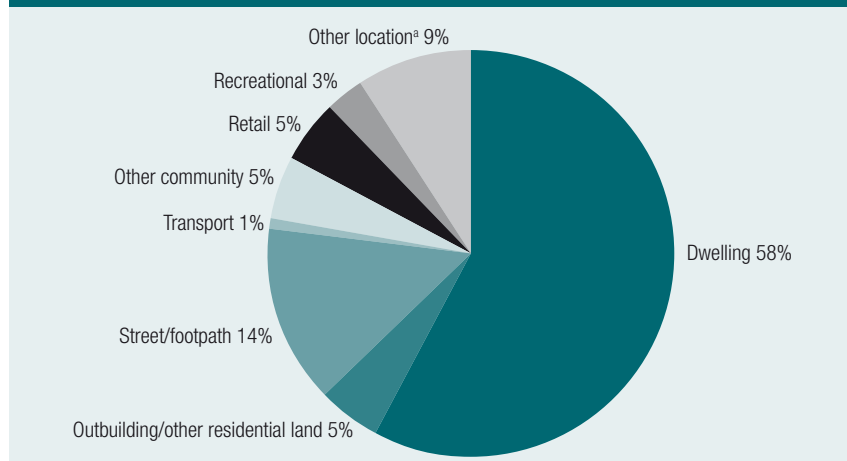
Data on the use of firearms in homicide are derived from victim data collected in the NHMP. Previous editions of *Australian Crime: Facts & Figures* used ABS data on causes of death, but coding procedures used since 2004 (related to an increase in the number of open coroners' cases) have resulted in an under-counting of firearm deaths due to assault (ie firearm homicide).

In 2009, there were 293 homicides in Australia, with 1.12 victims per 100,000 population. In 2009, murder accounted for 263, or 90 percent, of recorded homicide victims. The remaining 30 victims, or 10 percent, were victims of manslaughter.

Source: References 1 and 3

Location of murders

Figure 8 Murder location type, 2009 (%)



a: Includes unspecified location

n=263

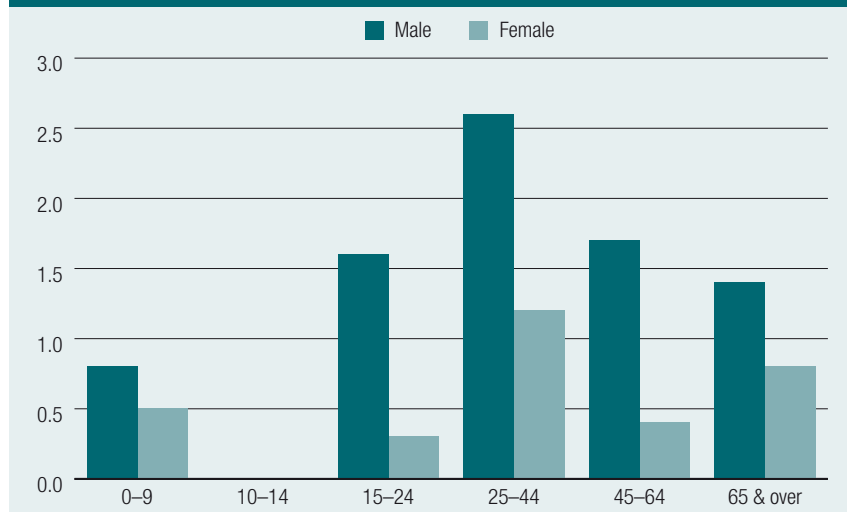
Note: National data on the location of manslaughter victims (30 victims) cannot be presented here as it was in previous years, due to incompleteness of ABS published data, particularly regarding the breakdown of manslaughter by residential and community locations

- Fifty-eight percent of murders occurred in a residential dwelling.
- The street/footpath was the second most common location where murders occurred (14%), while transport locations were the least common (1%).

Source: Reference 1

Victims of murders

Figure 9 Murder victimisation rates by age group and sex, 2009 (per 100,000 population of that age group and sex)

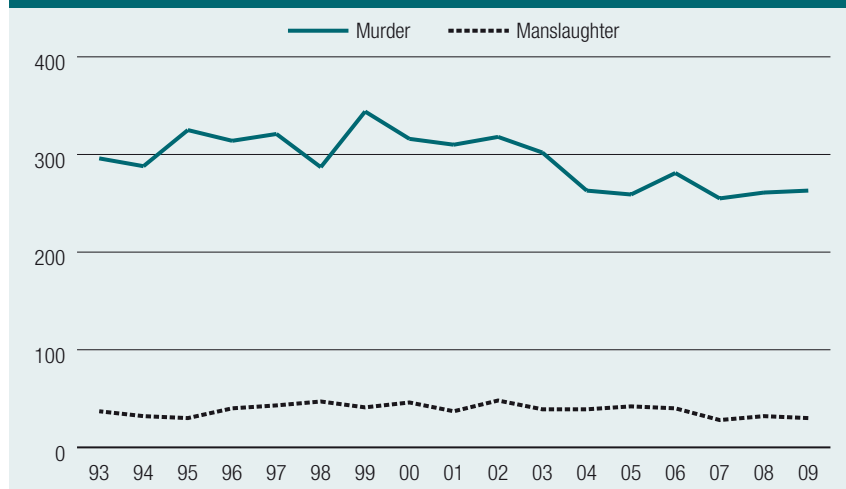


Note: National data on the age and sex of manslaughter victims (30 victims) cannot be presented here as it was in previous years, due to incompleteness of published data, particularly regarding the breakdown of manslaughter by age categories

- In 2009, there were no victims of murder aged between 10 and 14 years.
- The rate of murder victimisation was highest for males aged between 25 and 44 years, equating to 2.5 per 100,000 population of that age group. For women, the highest rate was one per 100,000 population of the 25-44 year age group.

Source: References 1 and 2

Figure 10 Homicide victims, 1993–2009 (n)



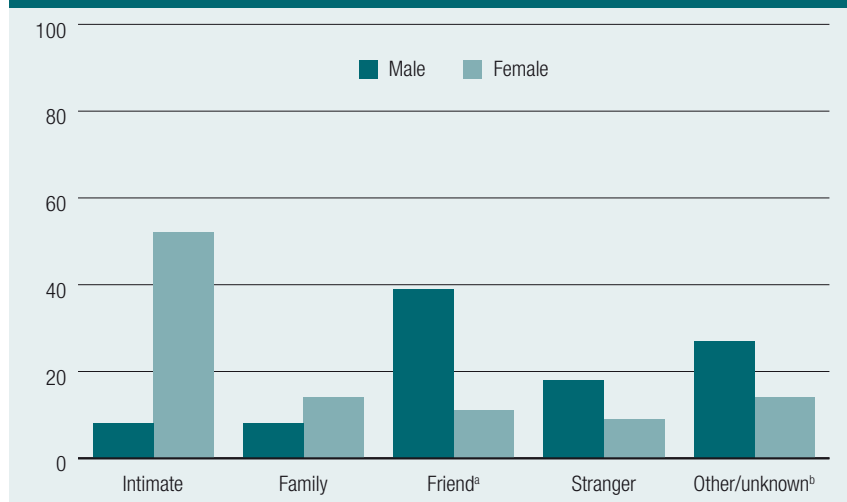
- Murder has occurred in consistently greater numbers than manslaughter over the 17 year data collection period.
- Between 2006 and 2007, the number of murders declined by 26 to a total of 255. Since then, the number of murders each year has increased slightly from 261 in 2008 to 264 in 2009. By contrast, manslaughter has been increasing by only two offences each year since 2007.

Source: Reference 1

The following figures are based on information from the AIC's NHMP. According to the NHMP, 321 homicides occurred in Australia in 2009.

Victim–offender relationship

Figure 11 Homicide victim's relationship to offender, 2008–09 (%)



a: Includes acquaintances

b: Includes business associates, employee/employer, colleagues and other relationships

n=321

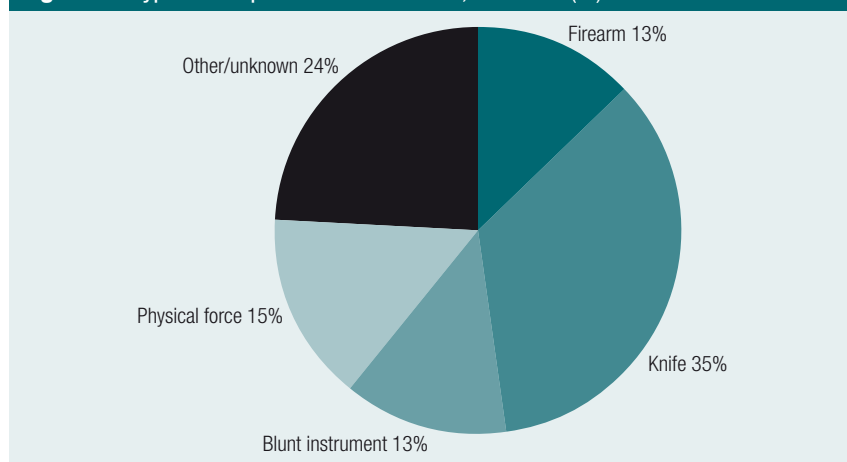
Note: Relationships are counted once for each distinct victim/offender pair. These data reflect information available at the time of reporting

- Ninety-one male homicide victims were related to their offender through friendship compared with only 10 female victims who were killed by a friend. The 91 male victims accounted for 28 percent of all homicide victims (n=321) in 2008–09.
- Males were more likely than females to be killed by friends (39%), other unknown offenders (27%) or strangers (18%).
- Females were more likely to be killed by an individual with whom they shared an intimate relationship (52%) than any other category of victim/offender relationship.

Source: Reference 3

Weapon use

Figure 12 Type of weapon used in homicide, 2008–09 (%)



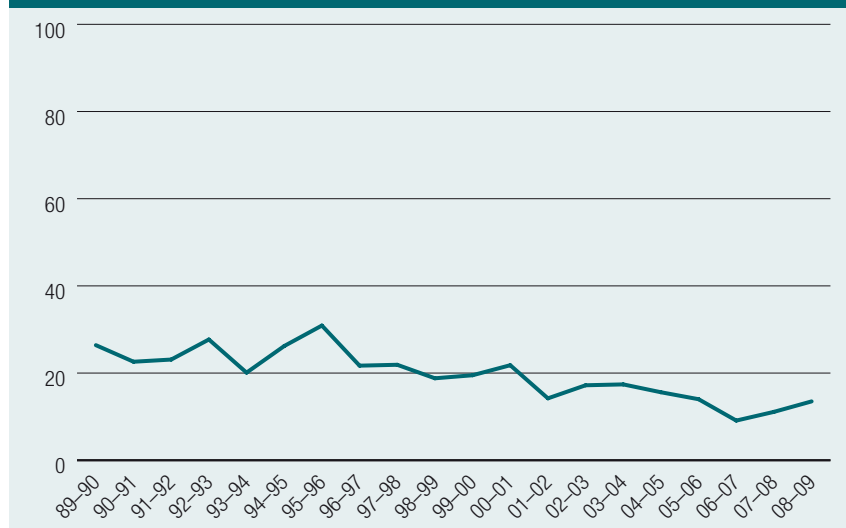
n=266

- The most common weapon used during homicides in 2008–09 was a knife. Knives were involved in 35 percent (n=94) of all homicides.
- Firearms and blunt instruments each accounted for 13 percent of weapons (n=36) while physical force was used in 15 percent of homicides (n=39).

Source: Reference 3

Trends in firearm homicides

Figure 13 Victims killed by firearms, 1989–90 to 2008–09 (% homicide victims)



- Over the past two decades, an average of 20 people per year have been killed by offenders using firearms.
- The proportion of homicide victims killed by offenders using firearms rose from 11 percent in 2007–08 to 13.5 percent of total homicides in 2008–09.
- The proportion of homicide victims killed by offenders using firearms in 2008–09 represents a decrease of 18 percentage points from the peak of 31 percent in 1995–96 (the year in which the Port Arthur massacre occurred with the death of 35 people, which subsequently led to the introduction of stringent firearms legislation).

Source: Reference 3

Assault

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

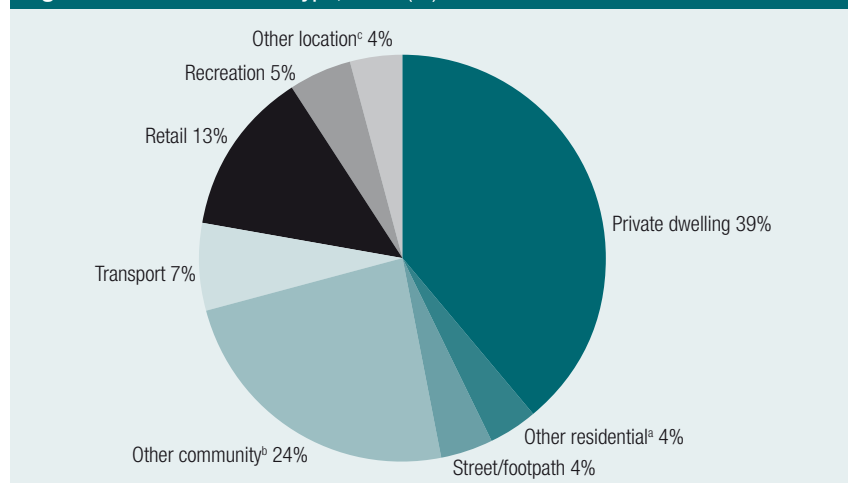
In 2009 in Australia, there were 175,277 recorded assaults, constituting 801 victims per 100,000 population.

The following data for the location of incidents and the age and gender of victims of assaults is presented here as an aggregate of ABS data for all Australian states and territories. By contrast, the data on the relationship between victims and offenders for assault, reported in Figure 14, is an aggregate of NSW, Qld, SA, Tasmanian, NT and ACT data. The data for Western Australia and Victoria were not available.

The ABS does not provide national data on victims of assault due to differences in business rules, procedures, systems, policies and recording practices between states and territories.

Location of assault

Figure 14 Assault location type, 2009 (%)



a: outbuilding or other residential land

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

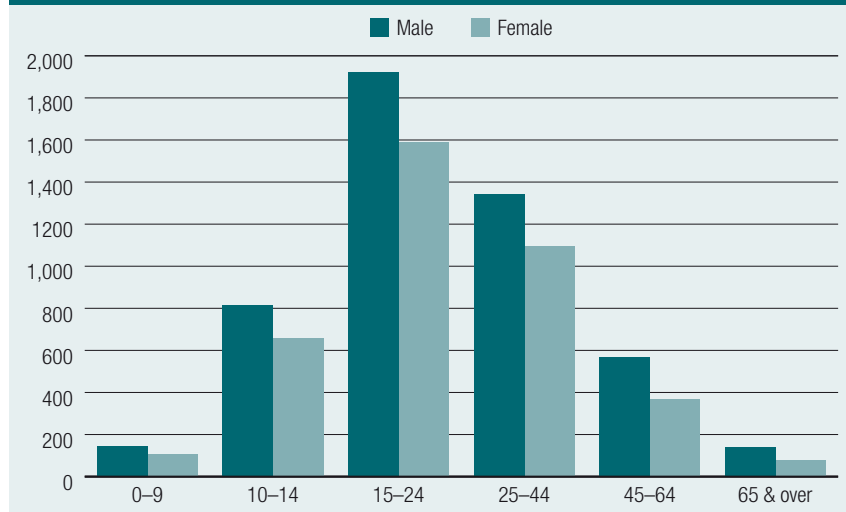
c: administrative/professional, banking, wholesale, warehousing/storage, manufacturing, agricultural and other locations not specified

n=171,250

- Assaults that occurred on transport accounted for only seven percent of all assaults in 2009, while four percent of victims were assaulted on a street/footpath and 13 percent in retail settings.
- Assaults most commonly occurred within a private dwelling (39%). Assaults were least likely to occur in 'other' locations (4%).

Source: Reference 1

Figure 15 Assault victims by age group and sex, 2009 (per 100,000 of that age group and sex)

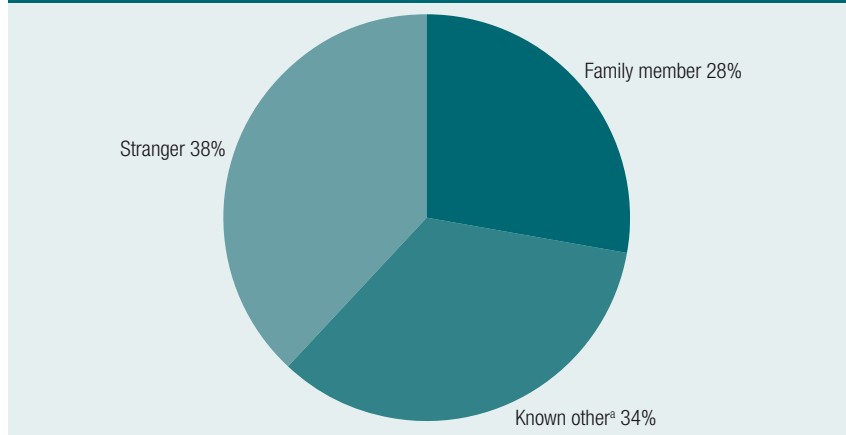


- The age group with the highest rate of assault victimisation was the 15–24 year group for both males and females. In 2009, the 15–24 year age group had an assault rate of 1,764 per 100,000 population for males and females combined. The rate for 15–24 year old males was 1,922 per 100,000 population; for females it was 1,588 per 100,000 population.
- The oldest and youngest age groups had the lowest rate of assault victimisation in 2009. This equated to 127 per 100,000 population of zero to nine year olds and 106 per 100,000 population aged 65 years and over. Within both groups, the rate of assault victimisation was higher for males than for females.
- The rate of victimisation differed for males and females in the 25–44 year age group, at 1,341 and 1,097 per 100,000 of that population group respectively.

Source: References 1 and 2

Assault victim–offender relationship

Figure 16 Assault victims, relationship to offender (%), 2008



a: Includes known non-family members and known but not further defined, which may include some family members
n=121,830

Note: Excludes Western Australia and Victoria (information not available). Cases were also excluded if the relationship was not known or not stated

- In 2009, strangers comprised 38 percent of victim–offender relationships for assaults. Thus, almost two-thirds of assault victims knew their offender.

Source: Reference 1

Sexual assault

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

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

In 2009 in Australia, there were 18,807 recorded sexual assaults, with 67 victims per 100,000 population.

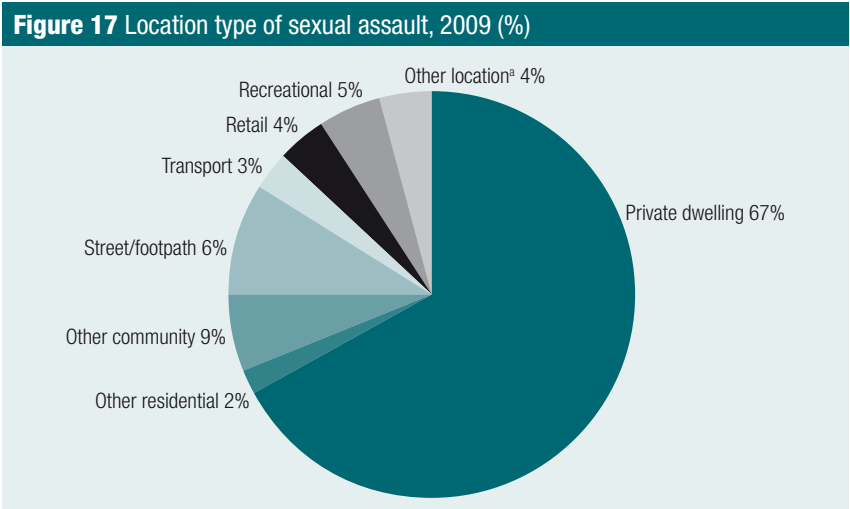
The following figures (Figures 17–18) on location of sexual assaults and age and gender of sexual assault victims have been aggregated from ABS data from New South Wales, Queensland, South Australia and Western Australia. Information for the remaining states and territories was not available for 2009.

Information pertaining to the relationship between offenders and victims of sexual assault (Figure 19) is an aggregate of ABS data from New South Wales, Victoria, Queensland, South Australia, Tasmania, the Northern Territory and the Australian Capital Territory; information for Western Australia was not available for 2009.

National data on the age and gender of victims of sexual assault cannot be presented here due to gaps in published state and territory age data, differences in business rules, procedures, systems, policies and recording practices between states and territories.

Source: Reference 1

Location of sexual assaults



a: Includes 'unspecified location'

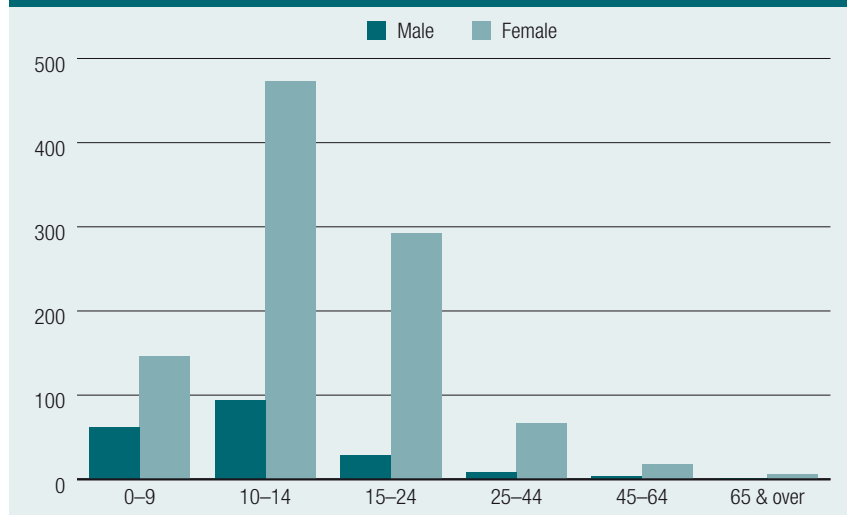
n=14,753

Note: Excludes 4 states where the complete breakdown of sexual assault locations was not available

- In 2009, sexual assaults were least likely to occur in 'other residential' locations, while 67 percent occurred within private dwellings.
- Six percent of sexual assaults occurred on the street or footpath, while four percent occurred in retail locations and three percent on transport.

Source: Reference 1

Figure 18 Age and gender of sexual assault victims, 2009 (rate per 100,000)

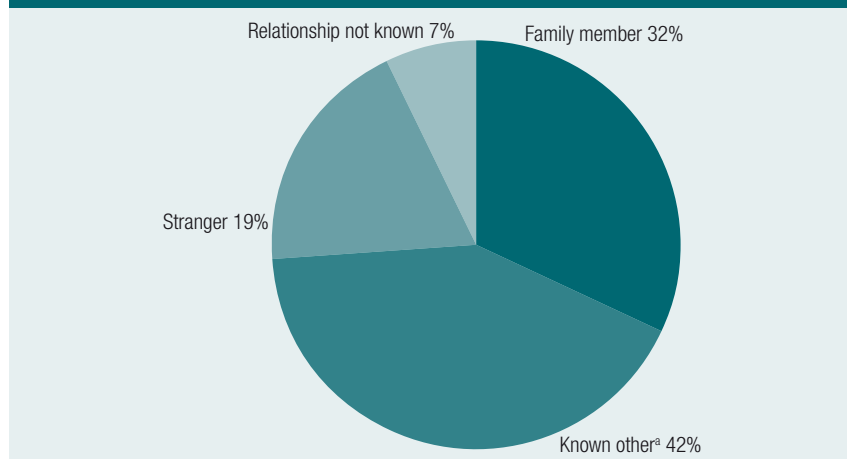


- In 2009, females experienced a consistently higher rate of sexual assault victimisation than males. This rate ranged from six per 100,000 population aged 65 years and over to 473 per 100,000 population aged 10 to 14 years.
- The male victimisation rate for sexual assault was highest at the lower end of the age spectrum. Ninety-four males were victimised per 100,000 population aged 10 to 14 years. The rate was lower for males aged zero to nine years, at 62 per 100,000 population.

Source: References 1 and 2

Sexual assault victim–offender relationship

Figure 19 Sexual assault victims by relationship to offender, 2009 (%)



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

Note: Excludes Western Australia (information not available). Also excludes cases where the relationship was not known or stated

- In 2009, the largest proportion of sexual offences involved an offender who was known to the victim. Specifically, one-third of sexual assaults occurred at the hands of a family member, which is to be expected given the high rates of sexual assault of children; while 42 percent of offenders were known to their victim in a capacity other than family.

Source: Reference 1

Robbery

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

Types of robbery

Robbery is divided into two categories:

- *armed robbery*—robbery conducted with the use of a weapon. A weapon is any object used to cause fear or injury and includes imitation weapons and implied weapons; for example, where a weapon is not seen by the victim but the offender claims to possess one.

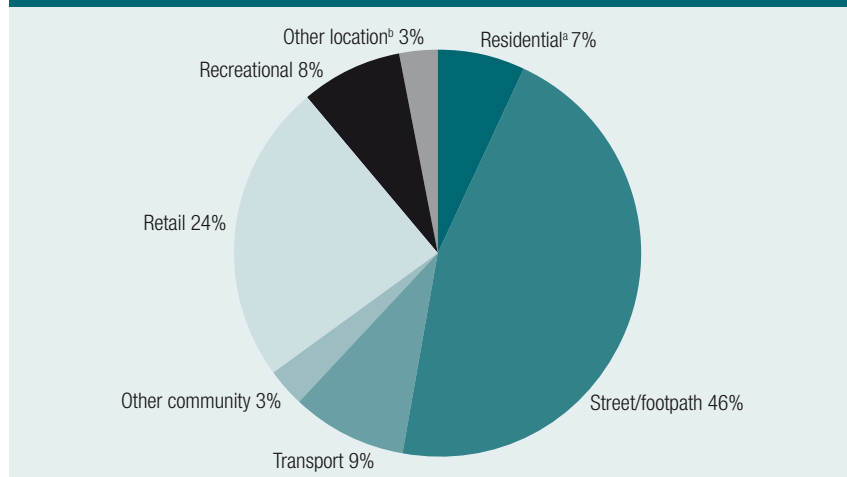
- *unarmed robbery*—robbery conducted without the use of a weapon.

Of the 15,238 robberies recorded during 2009, 57 percent were committed unarmed, while 43 percent were committed with some type of weapon.

Source: Reference 1

Location of robberies

Figure 20 Robbery location type, 2009 (%)



a: Includes dwellings and other residential locations

b: Includes unspecified locations

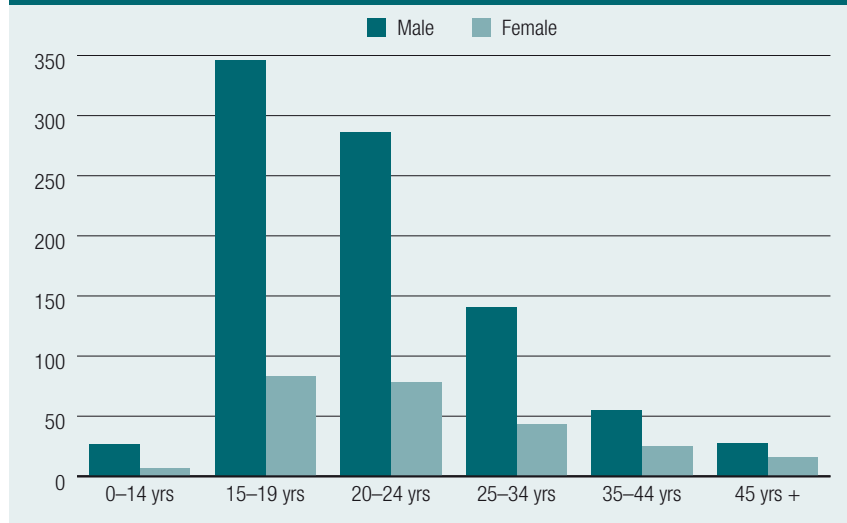
n=14,656

Note: Excludes three states where the complete breakdown of robbery locations was not available

- In 2009, robberies occurred predominantly on streets/footpaths (46%) or in retail locations (24%).
- Robberies were less likely to occur on transport (9%), or in recreational (8%) or residential (7%) locations.

Source: Reference 1

Figure 21 Robbery victims by age group and sex, 2009 (per 100,000 population of that age group and sex)

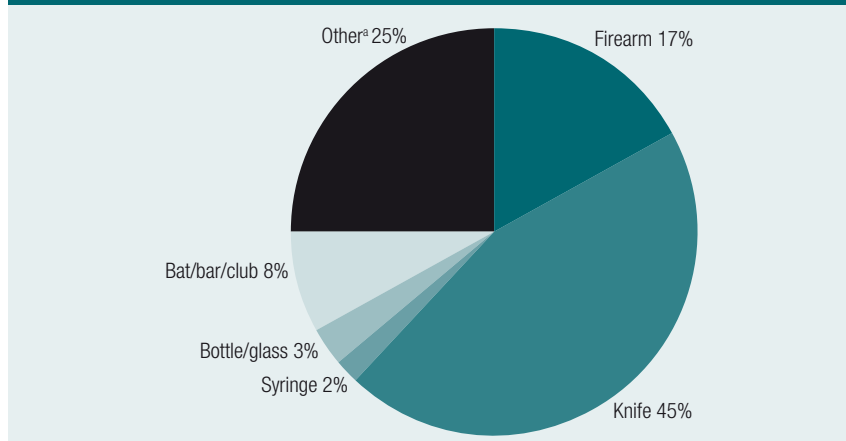


- The rate of robbery victimisation was generally higher for males than for females across all age groups.
- Rates ranged from 27 per 100,000 males aged zero to 14 years, to 346 per 100,000 males aged 15 to 19 years. For females, the rates of robbery victimisation remained under 100 per 100,000 population, peaking at 84 per 100,000 for females aged 15 to 19 years.
- The gender difference in the rates of robbery victimisation was greatest in the 15 to 19 year age group, where males were more likely to be victims than females.

Source: References 1 and 2

Armed robbery

Figure 22 Types of weapon used in armed robbery, 2009 (%)



a: Includes chemical weapons and unspecified types of weapon

n=6,510

- In 2009, knives were used in 45 percent of armed robberies.
- Armed robberies involving firearms comprised 17 percent of all armed robberies in 2009.

Source: Reference 1

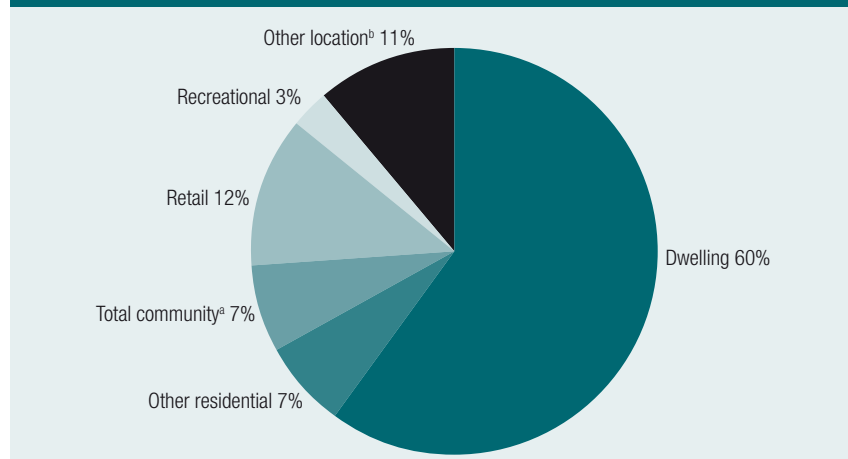
Unlawful entry with intent

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

In 2009, there were 222,664 recorded victims of UEWI offences, equating to a rate of 1,018 per 100,000.

Location of unlawful entry with intent

Figure 23 Location type of unlawful entry with intent, 2008 (%)



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

b: Includes unspecified location

n=222,664

- In 2009, the two most common locations for an UWEI were residential dwellings (60%) and retail locations (12%).

Source: Reference 1

Motor vehicle theft

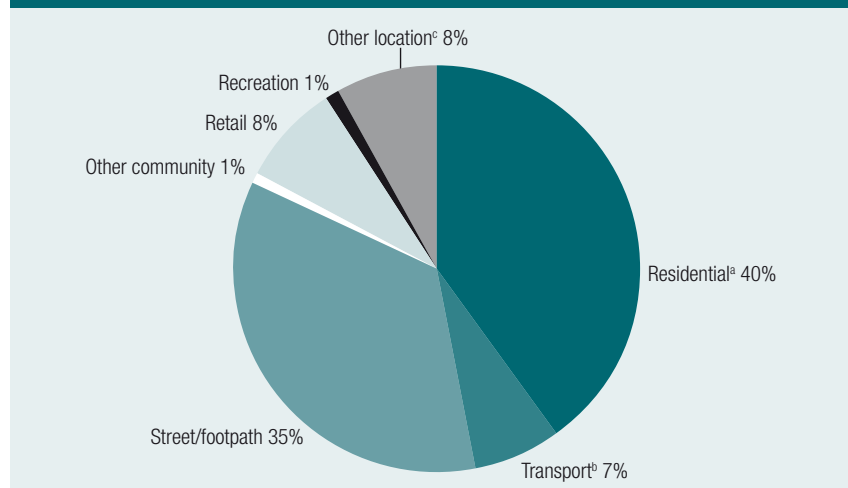
MVT involves the taking of a motor vehicle unlawfully or without permission. It excludes damaging, tampering with or interfering with motor vehicles. The theft of motor vehicle parts or contents is included under the offence category of 'other' theft. *Motor vehicle* is defined as cars, motorcycles,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

In 2009, there were 59,649 motor vehicles reported stolen to police, with 273 vehicles stolen per 100,000 registered vehicles. This represents a 13 percent decrease in the number of thefts recorded in 2008.

Source: References 1 and 4

Location of motor vehicle theft

Figure 24 Location type of motor vehicle thefts, 2009 (%)



a: Includes residential dwellings and other residential locations

b: Includes public car parks

c: Includes unspecified location (n=1,862)

n=59,649

- In 2009, residential locations and street/footpath were the most common locations for MVT, accounting for 40 and 35 percent respectively.

Source: Reference 1

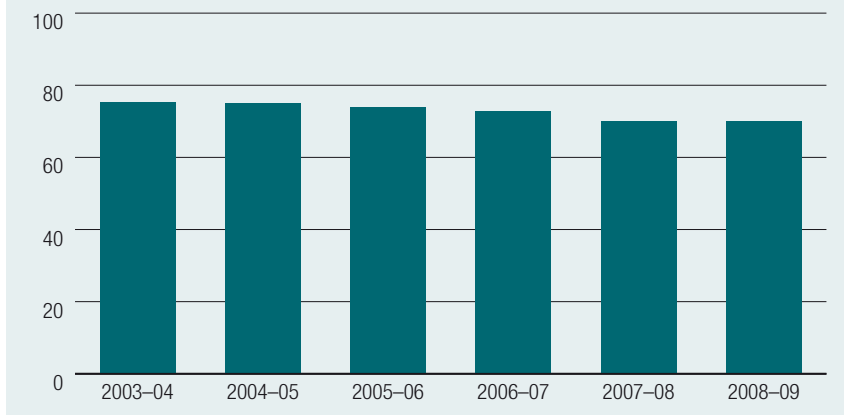
Recovery rates

This section presents data on recovery rates of stolen vehicles from the National Comprehensive Auto-theft Research System (CARS) Project.

- In 2008–09, the national recovery rate for stolen vehicles was 70 percent, with 43,570 stolen vehicles recovered in that period.
- Forty-eight percent of stolen vehicles were recovered within 24 hours of theft, with 85 percent of recoveries occurring within a fortnight.

Source: Reference 4

Figure 25 Stolen motor vehicles recovered, 2003–04 to 2008–09 (%)



- The percentage of stolen vehicles that have been recovered has decreased over the past six years, falling from 75 percent in 2004–05 to 70 percent in 2008–09.

Source: Reference 4

Theft and recovery by vehicle type

Figure 26 Theft and recovery by type of vehicle, 2008–09 (per 1,000 registrations of that type)



a: Forward Control Passenger Vehicle is defined as a passenger vehicle, other than an off-road vehicle that has up to 9 seating positions; colloquially known as a 'people mover'

- Forward Control Passenger Vehicles were the most commonly reported stolen vehicle in 2008–09 (14%). Seventy-seven percent of those vehicles stolen were recovered.
- Although motorcycles were the second most likely motor vehicle to be stolen; only 35 percent were recovered.
- The vehicles least likely to be stolen were plant/equipment or buses, each having a theft rate of two per 1,000 registrations.

Source: Reference 4

Other theft

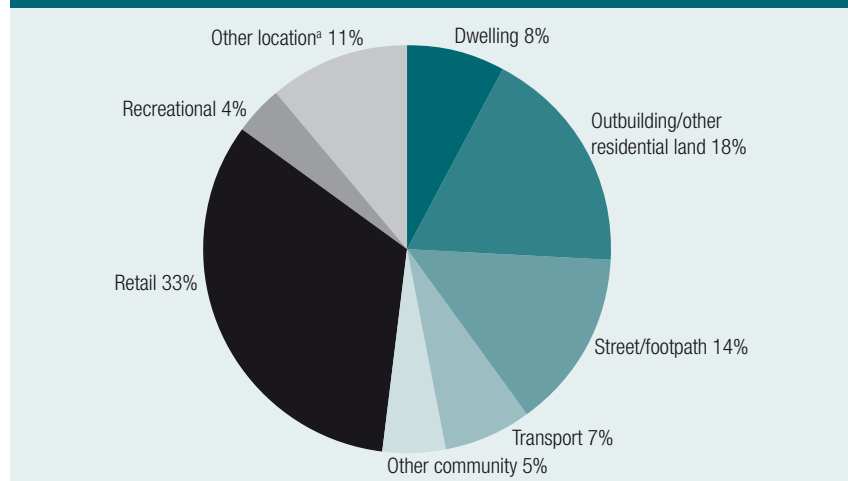
The ABS defines *other theft* as *the taking of another person's property with the intention of permanently depriving the owner of the property illegally and without permission, but without force, threat of force, use of coercive measures, deceit or having gained unlawful entry to any structure even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

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

There were 478,807 victims of 'other' theft in 2008, a rate of 2,023 per 100,000 population.

Source: Reference 1

Figure 27 Location type of other thefts, 2009 (%)



a: Includes unspecified location

n=478,807

- 'Other' theft was most likely to occur at retail locations (33%), followed by other residential land (18%), on streets and footpaths (14%), and dwellings (8%).

Source: Reference 1

Fraud and deception-related crime

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

Police record fraud offences by financial year. Fraud is believed to be one of the most under-reported offences, with less than 50 percent of incidents being reported to police or other authorities (*Reference 28*).

Table 5 Reported fraud offences, 1995–96 to 2008–09 (n)

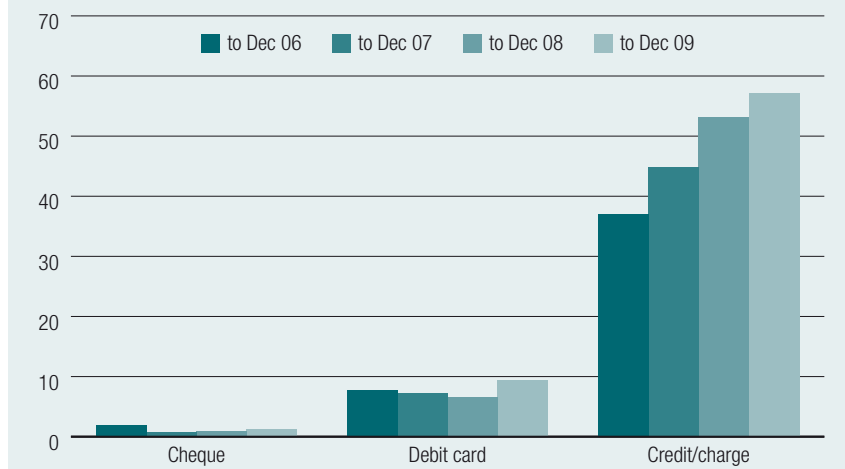
Year	n
1995–96	91,495
1996–97	101,256
1997–98	109,404
1998–99	112,209
1999–00	112,264
2000–01	106,141
2001–02	109,080
2002–03	108,940
2003–04	102,863
2004–05	89,198
2005–06	101,222
2006–07	95,605
2007–08	93,894
2008–09	95,032

The number of fraud offences reported to, and recorded by, police annually over the 14 year period has fluctuated. The number of fraud offences in 2008–09 represents a one percent increase from 2007–08.

Source: References 5–12

This section presents data from the APCA on rates of fraud on transactions. The APCA coordinates and manages payment clearing systems in Australia including cheques, direct debit and credit payments, EFTPOS and ATM transactions, high-value and bulk cash transactions.

Figure 28 Fraud per \$1,000 transacted by payment type, 2006–09



- Fraud using credit and charge cards has increased by 55 percent since 2006, increasing from 36.93 cents per \$1,000 transacted in 2006 to 57.15 cents per \$1,000 transacted in 2009.
- In 2009, cheque fraud had declined by 35 percent from 2006, to 1.24 cents per \$1,000 cheques transacted from 1.92 cents per \$1,000 cheques transacted in 2006.
- The prevalence of credit and charge card fraud in the years reviewed was substantially greater than cheque and debit card fraud.

Source: Reference 13

Federal charges

The Commonwealth Director of Public Prosecutions (CDPP) publishes annual statistics on summary and indictable offences against Commonwealth law that were dealt with in the preceding year. Prior years have presented the statistics as charges dealt with against Commonwealth Acts and Regulations, specifically the *Criminal Code Act 1995* and the *Crimes Act 1914*. In 2007–08, the CDPP presented data relating to defendants dealt with in 2007–08, categorised by referring agency.

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

Source: Reference 14

Table 6 Defendants dealt with by Commonwealth Director of Public Prosecutions by most common referring Australian Government agency, 2008–09

	Defendants (n)	Total (%) ^a
Summary		
Centrelink	4,416	75
Australian Federal Police	365	6
Insolvency and trustee service, Australia	283	5
Other Commonwealth agencies	801	14
Total	5,865	100
Indictable		
Australian Federal Police	310	48
Centrelink	78	12
State or territory police	76	12
Other Commonwealth agencies	185	28
Total	649	100

a: percentages may not total 100 due to rounding

- The majority of defendants charged with a summary offence in 2008–09 were referred by Centrelink (75%), followed by the Australian Federal Police (AFP) (6%) and the Insolvency and Trustee Service, Australia (5%).
- The most common indictable charges were referred by the AFP (48%), Centrelink (12%) and the state or territory police (12%).

Source: Reference 14

Drug arrests

This section provides an overview of drug arrest patterns for offenders from 1996–97 to 2008–09 as collated by the Australian Crime Commission (ACC) in its *Illicit Drug Data Report* series. Drug offences usually come to the attention of police through specific activity in drug law enforcement or coincidentally through an investigation into another matter, often related to property offences.

Arrest information is provided for the following types of drugs:

- cannabis;
- heroin (and other opioids);
- amphetamines (including methamphetamine and phenethylamines);

- cocaine; and
- other drugs (hallucinogens, steroids and drugs not defined elsewhere).

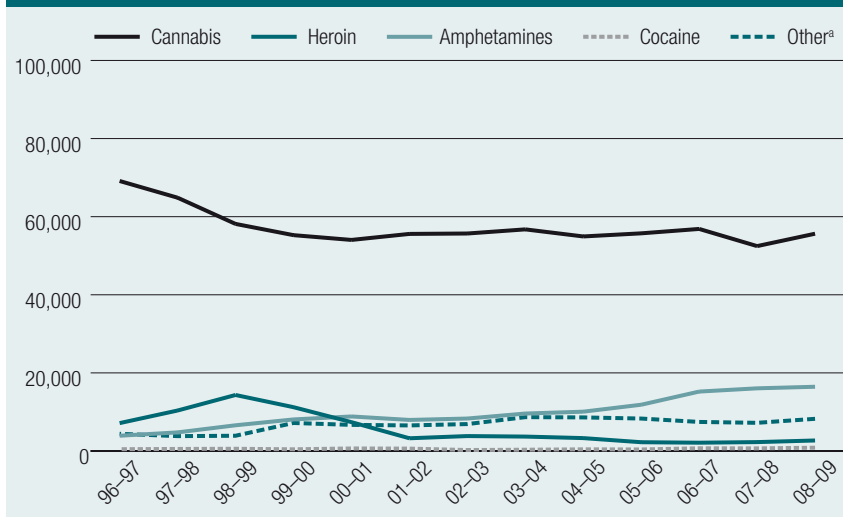
Cannabis arrests include expiation notices, drug infringement notices and simple cannabis offence notices.

Offenders involved in drug arrests are divided into two categories:

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

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

Figure 29 Drug arrests by type of drug, 1996–97 to 2008–09 (n per year)



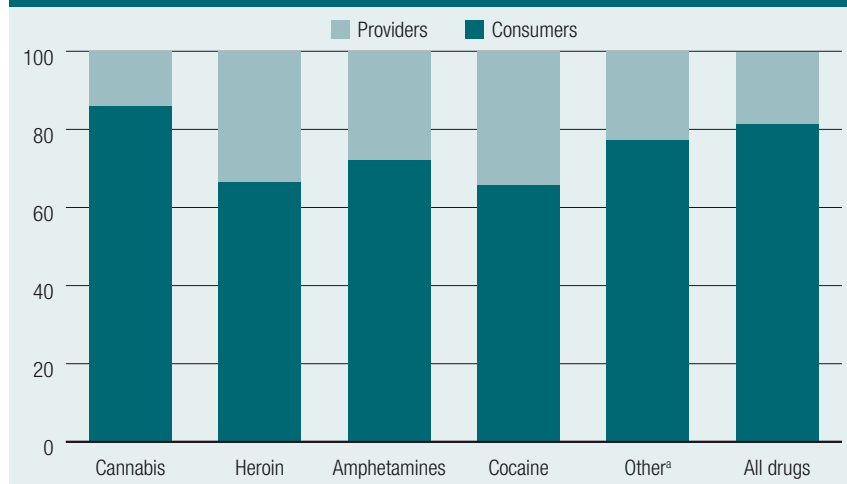
a: Includes hallucinogens, steroids and other drugs (not defined elsewhere)

- From 78,675 in 2007–08, the number of drug arrests increased by seven percent to 83,873 in 2008–09.
- In 1996–97, there were 3,907 drug arrests related to amphetamines. In 2008–09, this number increased to 16,425 (an increase of 320%).

- In line with previous years, cannabis was the drug category with the highest number of offences; in 2008–09, 66 percent of all arrests involved cannabis.

Source: Reference 15

Figure 30 Consumer/provider status of drug arrestees by type of drug, 2008–09 (%)

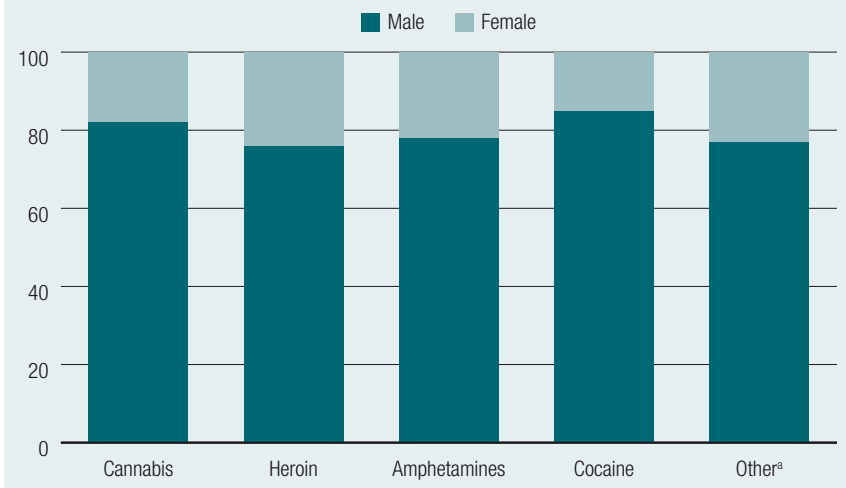


a: Includes hallucinogens, steroids and other drugs (not defined elsewhere)

- In 2008–09, the majority of arrests involved drug consumers; drug providers accounted for 18 percent of total drug-related arrests.
- Consumers accounted for 86 percent of drug arrests involving cannabis, 77 percent involving other drugs and 72 percent involving amphetamines.

Source: Reference 15

Figure 31 Drug consumers by gender and type of drug, 2008–09 (%)

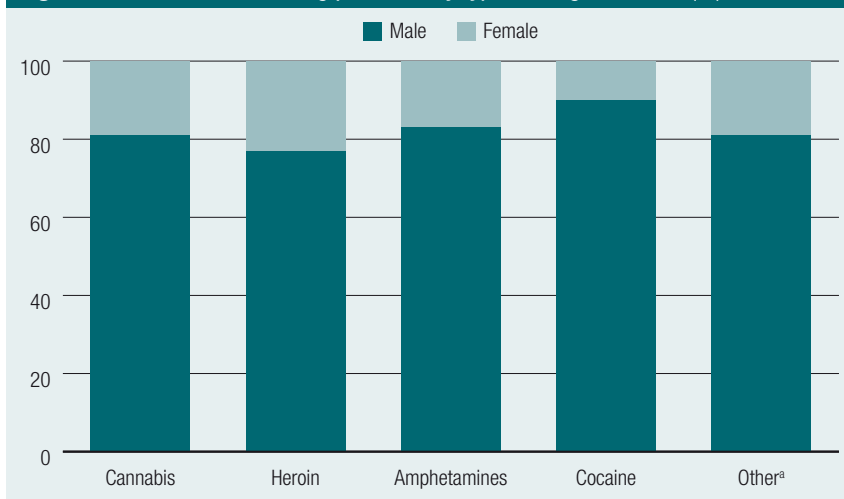


a: Includes hallucinogens, steroids and other drugs (not defined elsewhere)

- Males were more prevalent as identified drug consumers than females, across all drug categories.
- Eighty-five percent of identified male drug consumers used cocaine and 82 percent used cannabis; 75 percent used heroin.
- Heroin and amphetamines had the largest proportion of female drug consumers, with females constituting 24 percent and 21 percent of consumers, respectively.

Source: Reference 15

Figure 32 Sex of arrested drug providers by type of drug, 2008–09 (%)



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

- Females accounted for less than 25 percent of drug providers across all drug categories.

Source: Reference 15



Chapter 3

Crime victimisation

The majority of industrialised countries conduct crime victimisation surveys to estimate the frequency of certain crimes and the proportion of total offences reported to the police. These data are used to supplement police statistics and are particularly useful for examining crimes that have low percentages of reporting to police, such as sexual assault. In previous editions of *Australian Crime: Facts & Figures*, information has been reported from the ABS *Crime Safety Survey* (2005). However, with the 2010 release of the ABS' *Crime Victimisation, Australia*, these data has been revised and updated. Changes in the way victims and incidents have been counted means that current figures are not comparable to those previously reported.

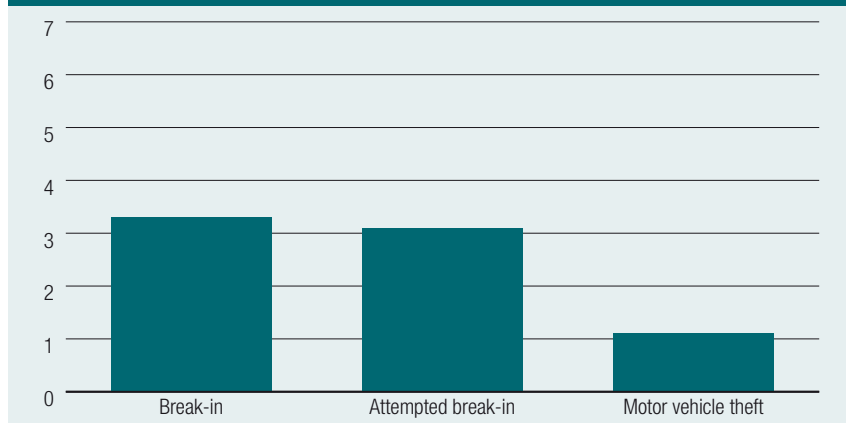
Source: *References 16*

Household and personal victimisation

Crime Victimisation, Australia distinguishes between household and personal crime. Household crimes include those crimes in which the household (a group of persons residing in a private dwelling and sharing common facilities) is considered the victim of the crime. This includes home break-in, attempted break-in and MVT. For personal crimes, it is the individual who is considered the victim of the crime. Personal crimes include robbery, assault and sexual assault.

Source: *Reference 16*

Figure 33 Households experiencing household crime in the previous 12 months, 2008–2009 (%)



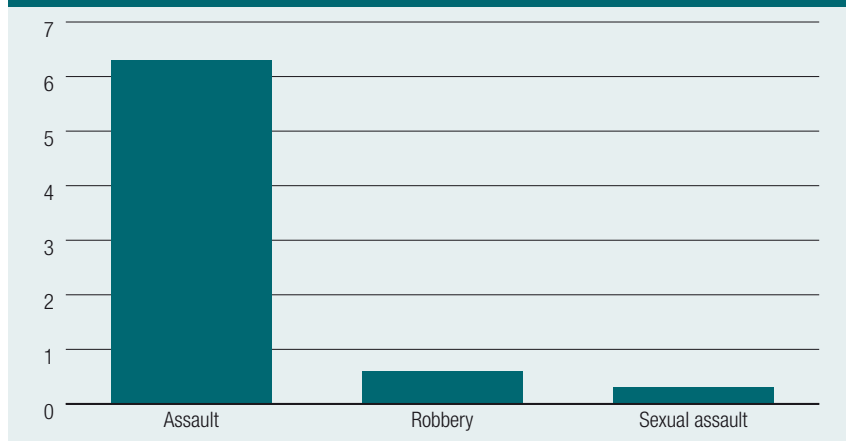
n=8,189,500

Note: As 1 household may have experienced more than 1 crime type, an aggregate total was not possible

- Both break-ins and attempted break-ins were experienced by around three percent of households surveyed in 2009. By contrast, one percent of households reported being the victim of an MVT.

Source: Reference 16

Figure 34 Persons over the age of 15 years experiencing personal crime, 2008–09

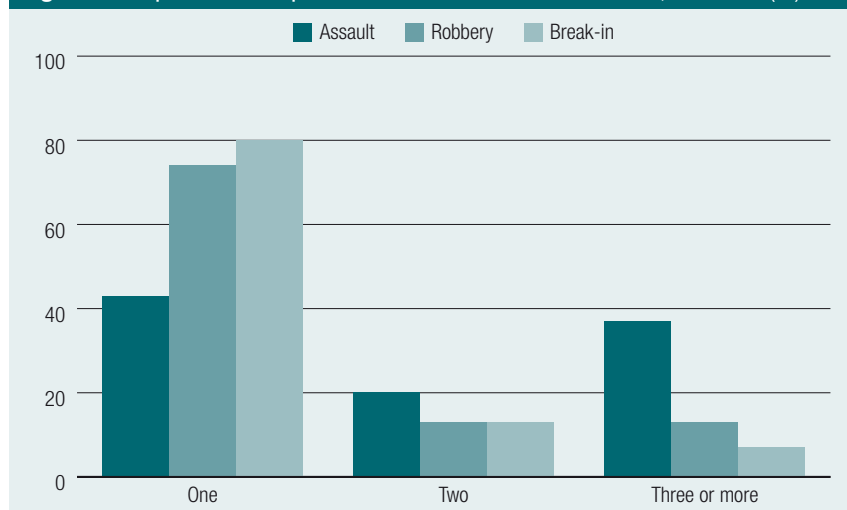


n=16,937,800

- In 2009, the percentage of individuals surveyed who experienced a personal crime was small. The highest percentage (6%) reported being the victim of assault, while robbery and sexual assault affected less than one percent each.

Source: Reference 16

Figure 35 Experience of repeat victimisation for selected crimes, 2008–09 (%)

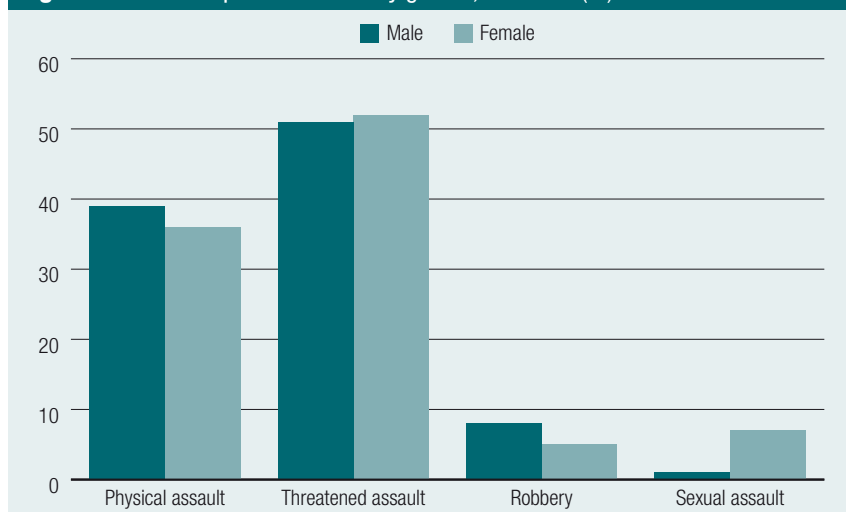


Note: Excludes incidents of personal crime that could not be categorised. Victims were only counted in the category representing their maximum number of victimisations. For example, if a victim experienced 2 victimisations, they were only included in the 2 victimisations category to avoid multiple counting

- Forty-three percent of surveyed victims of assault experienced one incident of assault, 20 percent two incidents and 37 percent three or more incidents.
- For persons reporting only one incident of crime in 2008–09, break-ins were the most common. By contrast, for cases of repeat victimisation, more people reported experiencing assault than robbery or break-in.

Source: Reference 16

Figure 36 Victim of personal crime by gender, 2008–09 (%)

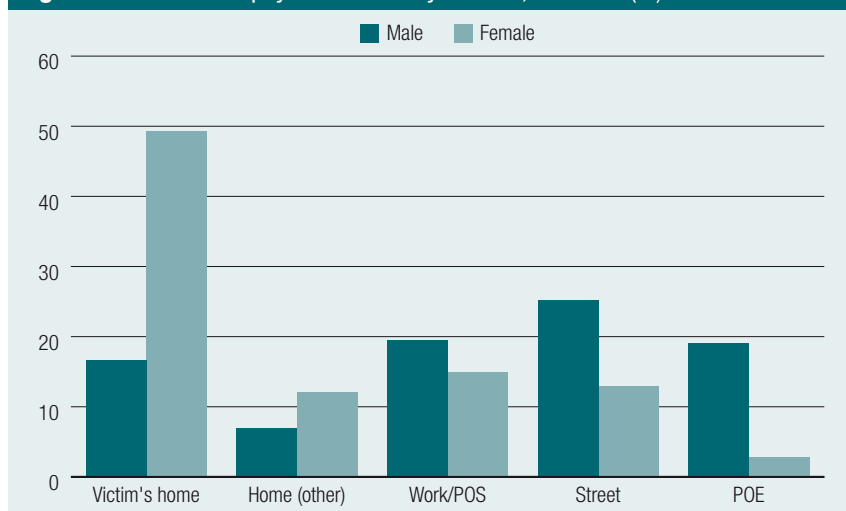


Note: Victims were only counted in the category representing their maximum number of victimisations

- In 2008–09, 817,000 males and 578,200 females reported being the victim of personal crime.
- Threatened assault was the most common personal crime, experienced by 51 percent of males and 52 percent of females.
- Sexual assault was the least common personal crime, experienced by only one percent of males and seven percent of females.
- More males than females were victims of robbery and physical assault. Eight percent of males compared with five percent of females experienced robbery, while 39 percent of males compared with 36 percent of females experienced physical assault.

Source: Reference 16

Figure 37 Incidents of physical assault by location, 2008–09 (%)



POS: Place of study

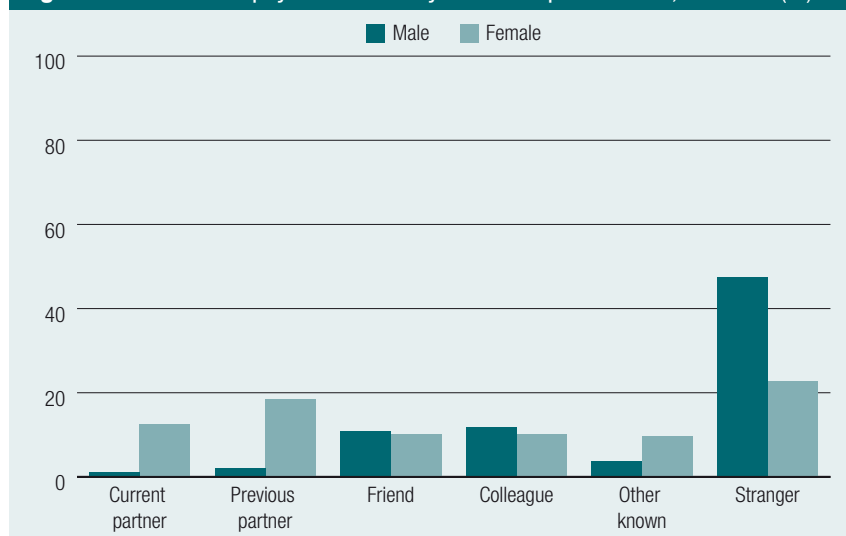
POE: Place of entertainment

Note: Totals may not equal 100 due to rounding

- The victim's home was the location in the majority (49%) of physical assault incidents against females in the survey. By comparison, 25 percent of males reported experiencing physical assault on the street.
- Physical assault against females occurred in a home other than their own 12 percent of the time and at their workplace/place of study 15 percent of the time.
- In 2008–09, 19 percent of males reported experiencing physical assault in places of entertainment compared with three percent of females.

Source: Reference 16

Figure 38 Incidents of physical assault by relationship to offender, 2008–09 (%)



Note: Totals may not equal 100 due to rounding

- A high proportion of the males and females surveyed experienced physical assault from strangers. Specifically, 47 percent of males and 23 percent of females were physically assaulted by someone not known to them previously.
- Apart from strangers, the next most common offender–victim relationships for male victims were colleagues (12%) and friends (11%).
- Thirty-one percent of females were physically assaulted by persons they were currently in, or have previously been in, a relationship with.

Source: Reference 16

Reporting crime to the police

Victimisation surveys are useful for assessing the extent and nature of crime that is not reported to the police. Surveys find a wide variation in reporting, depending on the type of crime. Figure 39 shows the estimated proportion of reported crimes for selected offence categories reported in the 2008–09 *Crime Victimisation Survey*.

Source: Reference 16

Figure 39 Incidents of selected personal crimes reported to police, 2008–09 (%)

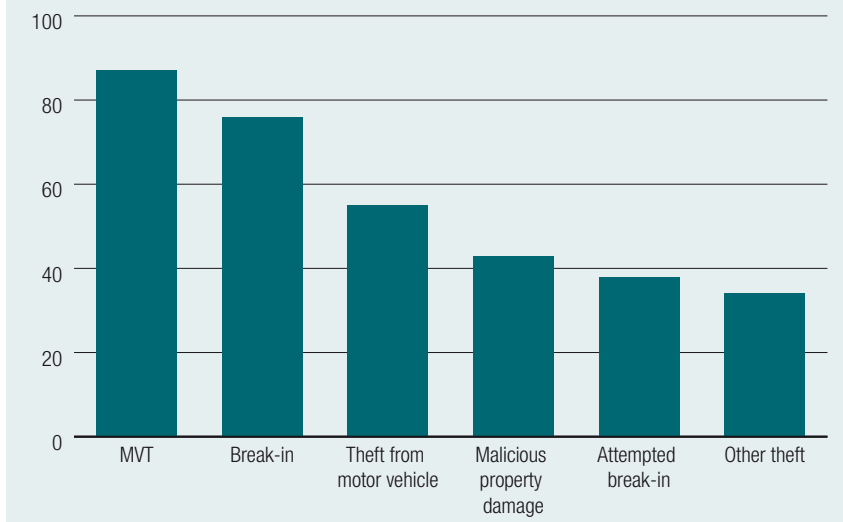


Note: Totals may not equal 100 due to rounding

- In the category of assault, incidents of physical assault were the most commonly reported incidents to police by respondents (45%). By contrast, only 31 percent of sexual assault and 30 percent of threatened assault were made known to police by respondents.
- During the period of 2008–09, 39 percent of robberies were reported to police, the second most commonly reported personal crime.

Source: Reference 16

Figure 40 Incidents of household crime reported to police, 2008–09 (%)



Note: Totals may not equal 100 due to rounding

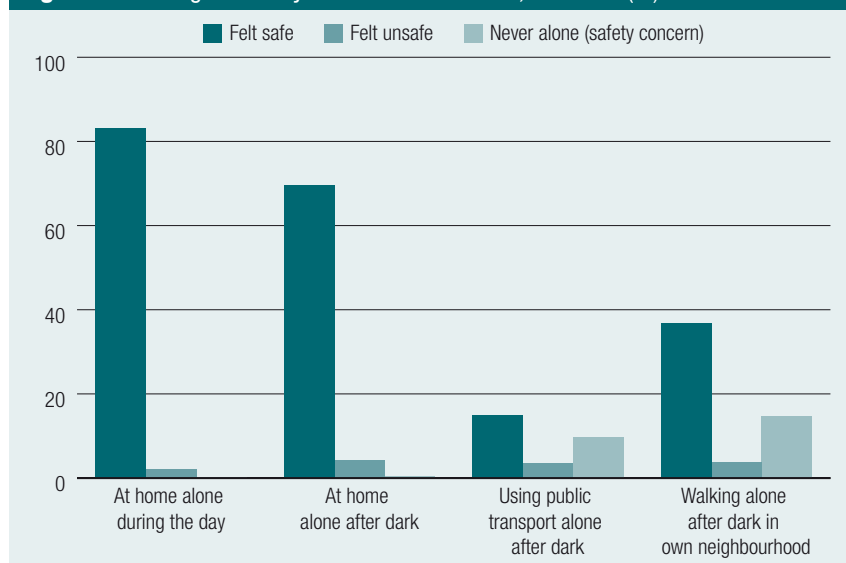
- MVT was the household crime most commonly reported to police, with an estimated 87 percent of incidents being reported.
- 'Other' theft and attempted break-in were least likely to be made known to the police, with only 34 and 38 percent reported to police, respectively.
- In 2008–09, 76 percent of break-ins, 55 percent of theft from a motor vehicle and 43 percent of malicious property damage were reported to police.

Source: Reference 16

Fear and perception of crime

Concerns about crime are generally more widespread than recent direct experiences of victimisation (Reference 29). The ABS measured a number of dimensions that assessed Australians' perceptions of personal safety. These dimensions included feelings of safety at home, on public transport or walking after dark, as well as perceived problems in the neighbourhood.

Figure 41 Feelings of safety in selected situations, 2008–09 (%)



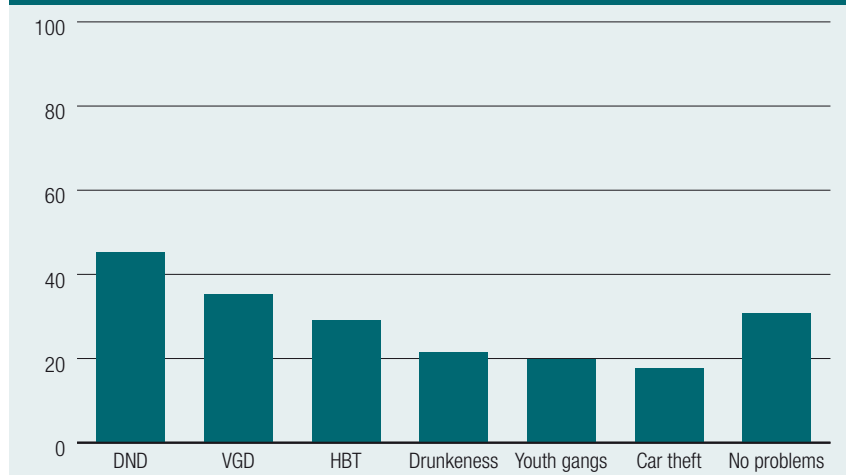
Note: category 'never alone due to other reason' excluded

Note: Totals may not equal 100 due to rounding

- In all four scenarios, the majority of Australians surveyed reported feeling safe. This perception was highest when at home alone during the day, where 83 percent reported feeling safe, while only three percent reported feeling unsafe.
- Being at home alone after dark had the highest percentage of respondents who reported feeling unsafe (4%), while three percent reported feeling unsafe using public transport alone after dark.
- Fifteen percent of respondents stated that they were never alone when walking through their neighbourhood after dark due to safety concerns.
- Seventy percent of Australians felt safe at home alone after dark, while one percent reported never being alone in their home at night due to safety concerns. By comparison, 37 percent of Australians reported feeling safe walking alone after dark in their neighbourhood compared with 15 percent who were never alone due to safety concerns.

Source: Reference 16

Figure 42 Perceived problems in the neighbourhood, 2008–09 (%)



DND: Dangerous/noisy driving

VGD: Vandalism/graffiti/damage to property

HBT: Housebreaking/burglaries/theft from home

- In 2008–09, 45 percent of Australians surveyed perceived dangerous and noisy driving to be the most problematic issue in their neighbourhood.
- By comparison, vandalism/graffiti and damage to property were perceived as a problem for 35 percent of Australians, home break-ins or theft were a problem for 29 percent and youth gangs a problem for 20 percent of those surveyed.
- Thirty-one percent of respondents perceived there to be no crime problems in their neighbourhood.

Source: Reference 16

Cybercrime

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

As few police agencies identify cybercrimes separately, this section presents the results of Australian surveys of computer crime and security by AusCERT, Microsoft and the Australian Competition and Consumer Commission (ACCC). These organisations

surveyed Australian computer users in 2008–09 to generate an understanding of cybercrime in Australia.

These data are not representative of the Australian population and therefore caution should be used when generalising from the findings. Furthermore, despite being published in 2009, the *Home Users Computer Security Survey* conducted by AusCERT reports data from 2008.

Malware

A common form of cybercrime involves the installation of unwanted and/or malicious software (malware) on the user's computer without their consent. Malware has the ability to severely damage a computer's functioning and can also allow external users unauthorised access. Malware can be used to gain access to a victim's bank accounts, steal passwords and aid in the perpetration of online identity theft. Common examples are:

Viruses and worms—once installed, viruses and worms replicate themselves and infect other computers, through devices such as email or instant messaging. Viruses and worms harm the computer by executing damaging commands. Unlike viruses, worms can infect computers without the aid of a host program.

Trojan horses (Trojans)—harm the user's computer system but do not self-replicate. Trojans can be used to bypass security systems and allow external users access to the computer. Often Trojans mask themselves as useful pieces of software.

Backdoors—a subcategory of Trojan horses, backdoors allow external users unauthorised, remote access to the computer.

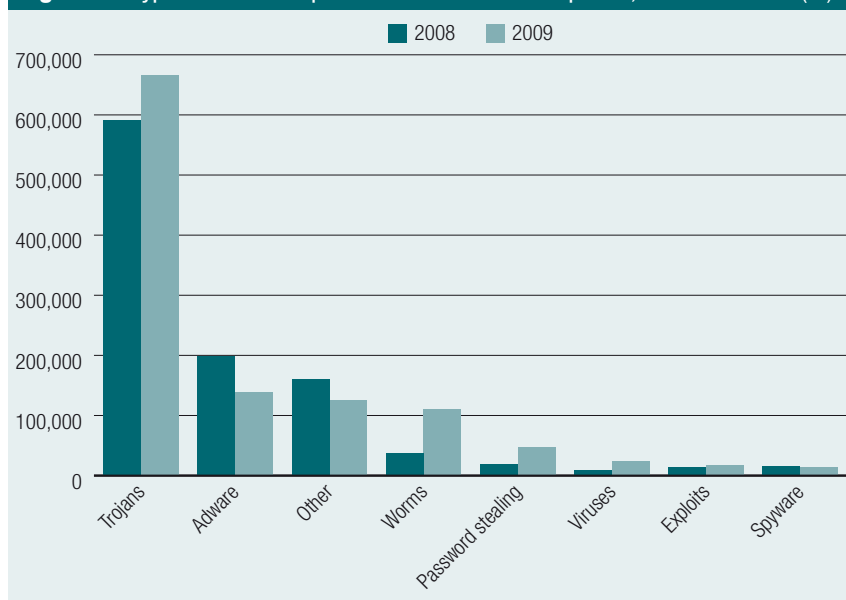
Downloaders/droppers—another form of Trojan horse that, once present on the computer, installs other malware on the host computer.

Adware—displays advertising materials, often in the form of pop-ups, on the host computer.

Spyware—records information relating to the users online habits without their consent.

Source: Reference 17

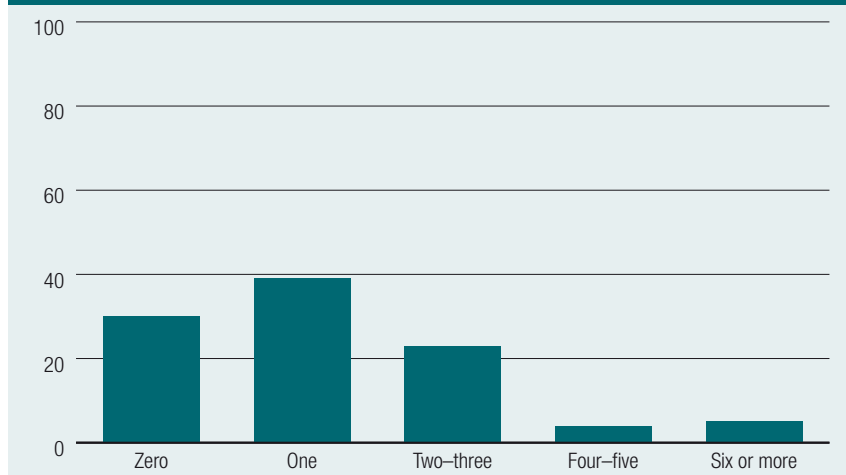
Figure 43 Types of malware present on Australian computers, 2008 and 2009 (%)



- In both years, Trojans were the most common type of malware present on computers, while spyware was the least common.
- In 2009, the reported number of adware, spyware and other unwanted software decreased by 30, 22 and 15 percent respectively. By comparison, worms increased by 197 percent, while password stealing software increased by 154 percent.

Source: Reference 17

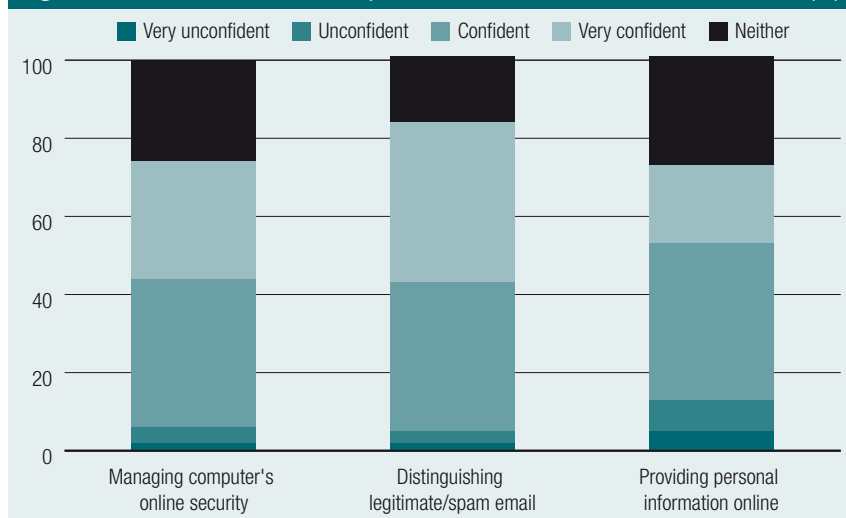
Figure 44 Number of reported malware infections on Australian computers, 2008 (%)



- Of the 233 people surveyed, 30 percent reported no malware infections of any kind in 2008, however, 62 percent experienced one to three malware infections, with five percent experiencing six or more incidents.

Source: Reference 18

Figure 45 Confidence of home computer users in selected online activities, 2008 (%)



Note: Totals may not equal 100 due to rounding

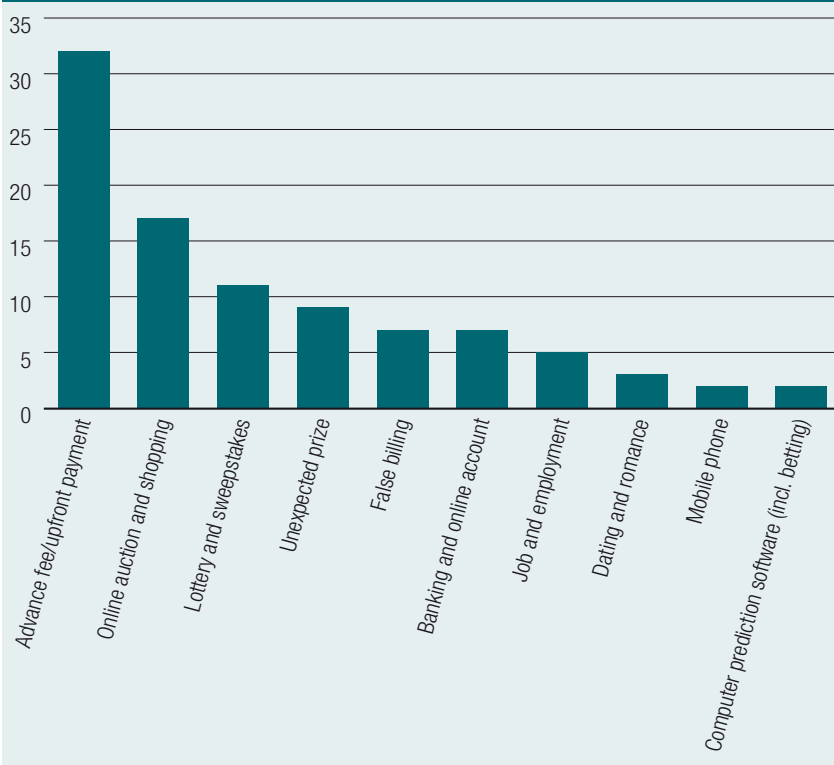
- Across all three categories, over half of the 233 surveyed users reported feeling confident or very confident when managing their online security.
- Thirteen percent of respondents reported feeling either unconfident or very unconfident when providing personal information online. By comparison, only six percent reported a similar lack of confidence when distinguishing a spam email from a legitimate one.

Source: Reference 18

Scams

Scams aim to defraud an individual via deceptive deals and offers, many of which are perpetrated online. In 2009, the ACCC released a report that detailed the extent of scams in Australia.

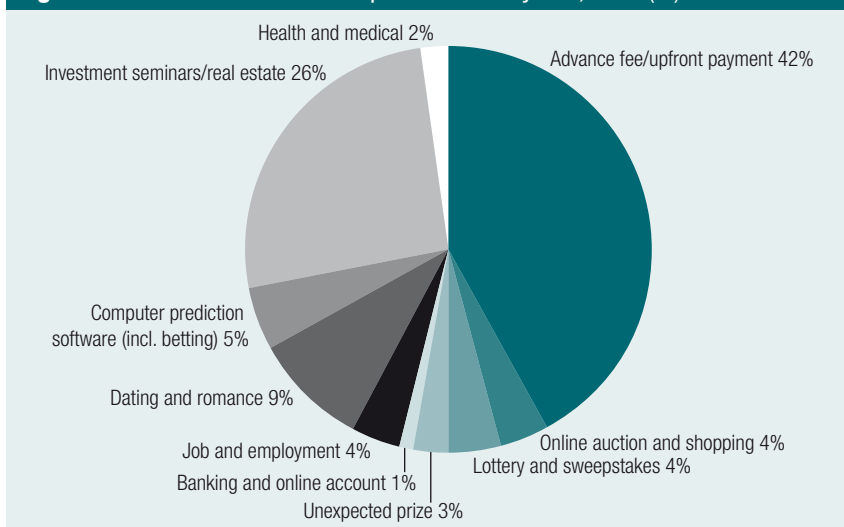
Figure 46 Top 10 most commonly reported scams, 2009 (%)



- Scams that involved competitions and prizes (lotteries and unexpected prizes) accounted for 20 percent of scams reported to the ACCC.
- Mobile phone and computer prediction scams (such as betting) were the least reported, accounting for two percent each.
- More people reported experiencing advanced fee scams (32%) than dating and romance scams (3%) and employment scams (5%). Advanced fee scams involve the victim paying a nominated sum of money under the (false) pretence they will receive a larger sum in return. Common examples are ‘Nigerian’ email scams.

Source: Reference 19

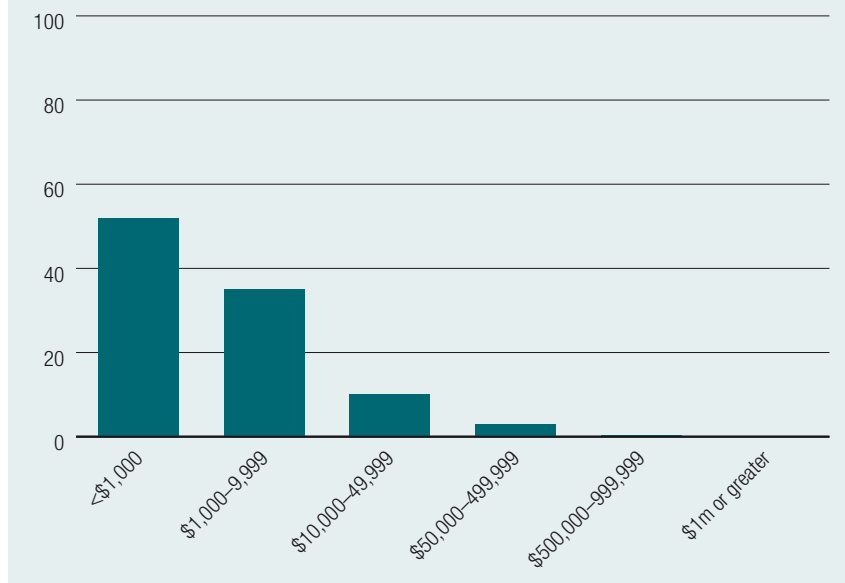
Figure 47 Victims of scams who reported monetary loss, 2009 (%)



- Only one percent of respondents reported losing money to banking and online scams, while only three percent lost money to unexpected prize scams.
- Individuals who reported losing money to scams were most likely to have been a victim of advanced fee scams.

Source: Reference 19

Figure 48 Monetary amounts lost to scams, 2009 (%)



- Over half (52%) the respondents who lost money to scams reported losing less than \$1,000.
- Conversely, less than one percent of people reported losing between \$500,000 and \$1,000,000.

Source: Reference 19



Chapter 4

Selected offender profiles

This chapter brings together information on offenders from three sources:

- police annual reports from the three jurisdictions that release offender statistics;
- the AIC's Drug Use Monitoring in Australia (DUMA) program; and
- the ABS' *Recorded Crime—Offenders, Selected States and Territories, 2008–09*.

Recorded Crime—Offenders, Selected States and Territories, 2008–09 includes national data on offender age and gender for four key offence categories:

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

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

Alleged offenders

An *alleged* offender is a person who is suspected of committing a crime and has been processed for that offence by arrest, caution or warrant of apprehension, however, they have not been convicted of the offence in a court of law. Throughout this chapter, the terms *offender* and *offender rate* refer to alleged offenders and the offender rate.

Official data on sex and age of offenders are published by the police services of Victoria, Queensland and South Australia. Police statistics on offenders are not available from the remaining states and territories.

This chapter presents data on offenders classified according to sex and age. These data should be interpreted with caution, as they only reflect police processing of offenders in three states and may not be representative of national trends. Further, as stated above, they do not reflect findings of guilt. The purpose here is to describe major issues relating to offenders, particularly the following:

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

The number of offenders does not equal the number of *distinct* offenders during a year, because police may take action against the same individual for several offences, or the individual may be processed on more than one occasion for the same offence type. Neither does it equate to the total number of crimes cleared during a given period, as one crime may involve more than one offender.

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

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

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

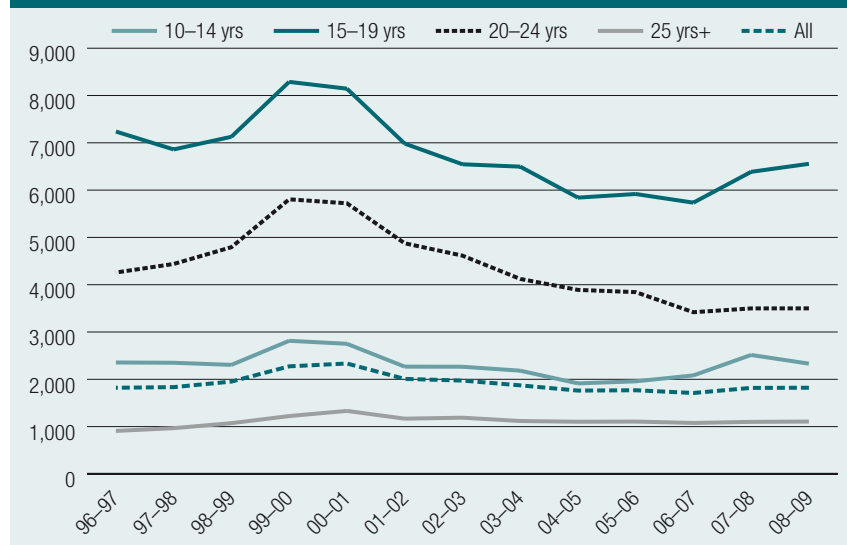
- homicide and related offences (murder, attempted murder, manslaughter, infanticide and driving causing death);
- assault;
- sexual assault;
- robbery;
- UEWI;
- MVT;
- other theft; and
- fraud and deception-related crime.

Source: *References 5–12*

Age

Persons aged 15 to 19 years are more likely to be processed by police for the commission of a crime than are members of any other population cohort. In 2008–09, the offending rate for persons aged 15 to 19 years (6,550 per 100,000 population) was almost four times the rate for offenders of all ages (1,822 per 100,000 population).

Figure 49 Offenders by age group, 1996–97 to 2008–09 (rate per 100,000 relevant persons)

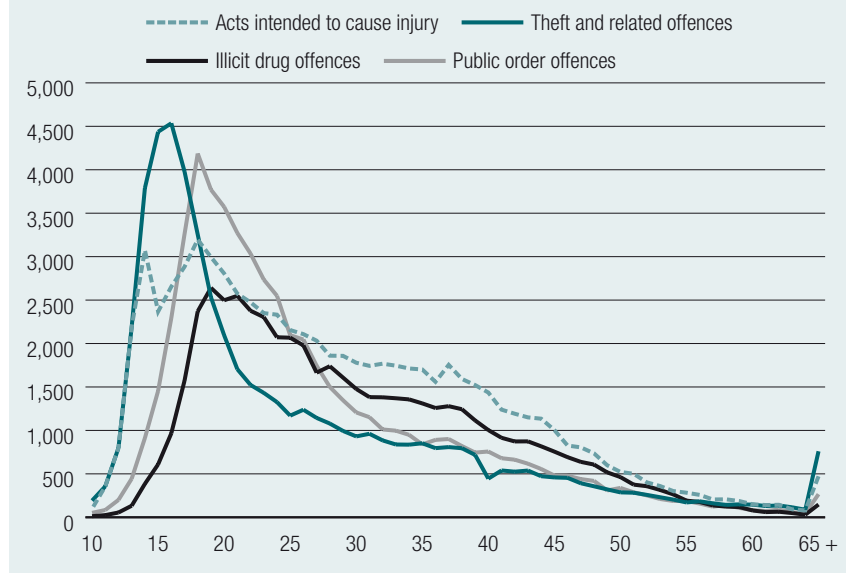


Note: 'All' refers to all offenders aged 10 years and over

- The offender rates for all ages groups have declined since 1997, except for the over 25 year olds, where the rate has increased from 909 per 100,000 population to 1,107 per 100,000 population; a total increase of 22 percent.
- Overall, there was little change in the rate of offenders from 2007–08 to 2008–09, increasing from 1,818 to 1,822 per 100,000 population (0.2% change).
- The number of offenders aged 10–14 years decreased in 2008–09 by seven percent. By comparison, offender rates in the 15–19 year old age group rose by three percent.

Source: References 2 and 6–8

Figure 50 Offenders by selected principal offence and age in years, 2008–09



Note: In the Australian Capital Territory, only 4 categories of selected principal offences have been reported by ABS. Therefore, when calculating a national figure, only these 4 categories across states and territories could be aggregated

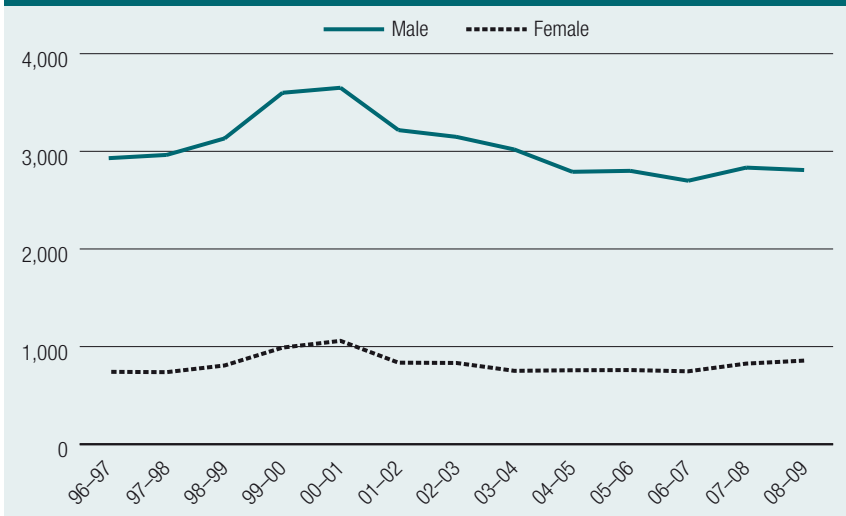
- Although offending for all the selected offences peaks between the ages of 16 and 19 years, these peaks are not consistent. For instance, offenders who engaged in theft and related offences had the earliest peak in offending at around 16 years, while the age of those who committed public order offences and acts intended to cause injury peaked at 18 years. The peak rates of offending for illicit drug offences occur later, at around 19 years.

Source: Reference 20

Sex

In 2008–09, Victoria, Queensland and South Australia processed a total of 182,206 offenders, of whom 138,994 were male and 43,289 were female. Females constituted 24 percent of all offenders in 2008–09, a proportion similar to that of previous years.

Figure 51 Offenders by gender and sex, 1996–97 to 2008–09 (per 100,000 of that sex per year)

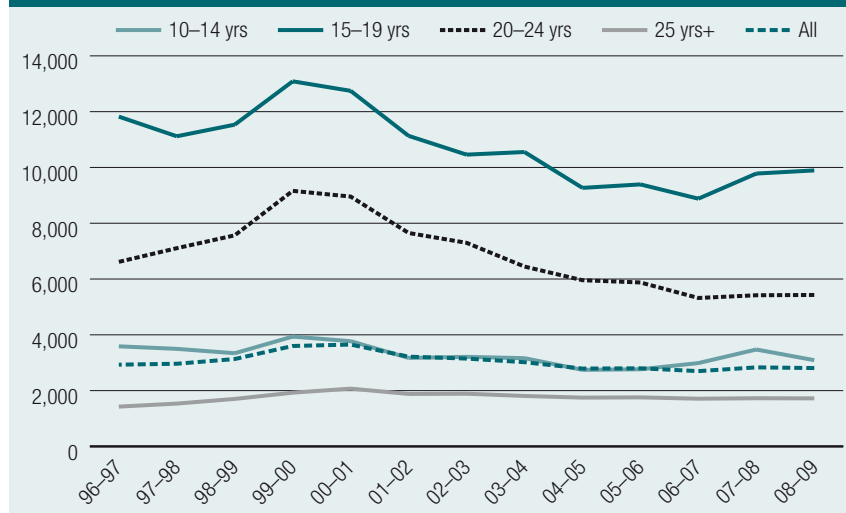


- In 2008–09, the rate of male offenders per 100,000 population was 2,808 compared with 857 per 100,000 population for female offenders; a ratio of three males to every one female.
- Although both male and female rates have generally declined since peaking in 2000–01, in 2008–09 the rate for female offenders increased by four percent, from 826 per 100,000 population in 2007–08 to 857 per 100,000 population in 2008–09.

Source: References 2 and 6–8

Males

Figure 52 Male offenders by age group, 1996–97 to 2008–09 (per 100,000 males of that age per year)

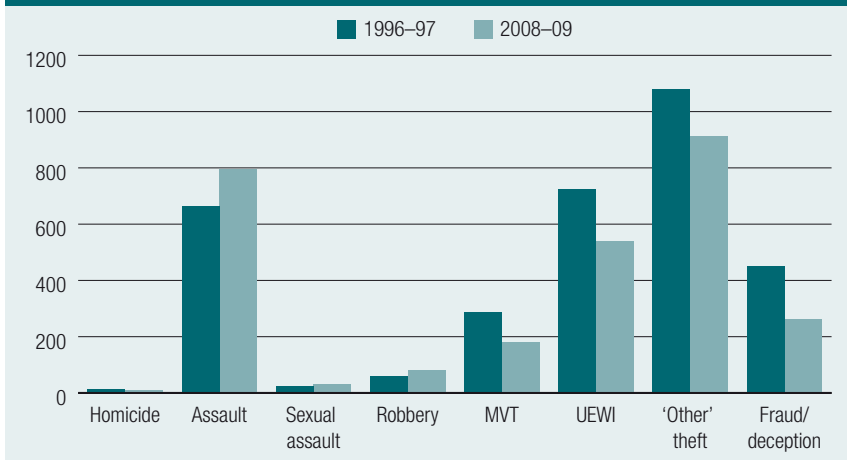


Note: 'All' refers to all male offenders aged 10 years and over

- In 2008–09, the largest proportion of male offenders were aged between 15 to 19 years. This equates to a rate of 9,881 per 100,000 population in this age group.
- The largest change rate from 2007–08 to 2008–09 occurred in the 10 to 14 year age group, where the number of offenders decreased by 11 percent.
- Since 2000–01, offending by males has decreased overall by 23 percent. Offending by males in the 20 to 24 year age group decreased by 39 percent and by 17 percent for males aged 25 years and over.

Source: References 2 and 6–8

Figure 53 Male offenders by offence type, 1996–97 and 2008–09 (per 100,000 males per year)

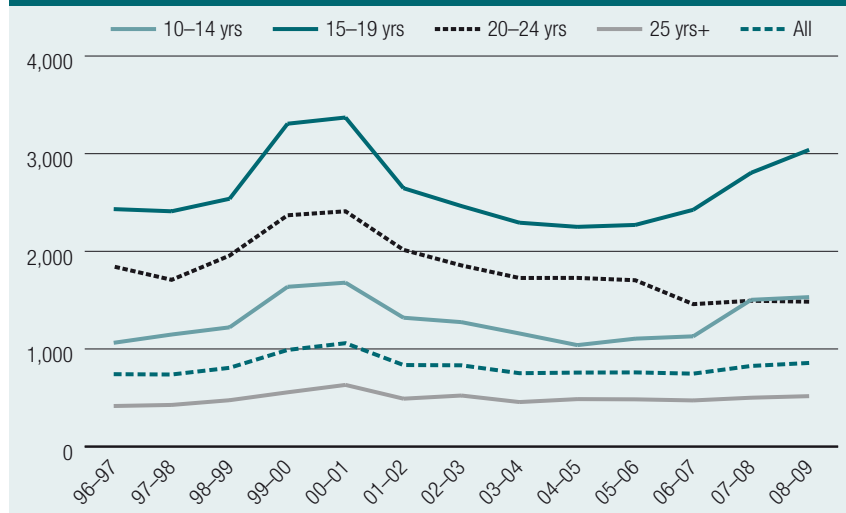


- Compared with 1996–97, rates of offending by males have decreased in 2008–09 for all categories except assault, sexual assault and robbery. In the category of robbery, the rate has increased from 58 per year to 80 per year per 100,000 males, a 38 percent difference. Assault has increased by 20 percent from 664 to 795 per year per 100,000 males, while sexual assault has increased by 38 percent from 23 to 32 per 100,000 males per year.
- The category of fraud and deception has experienced the largest percentage change compared with other crimes since 1996–97, decreasing in 2008–09 by 42 percent. Other crimes to experience decreases included MVT (37%), homicide (28%) and UEWI (25%).

Source: References 2 and 6–8

Females

Figure 54 Female offenders by age group, 1996–97 to 2008–09 (per 100,000 females of that age group per year)

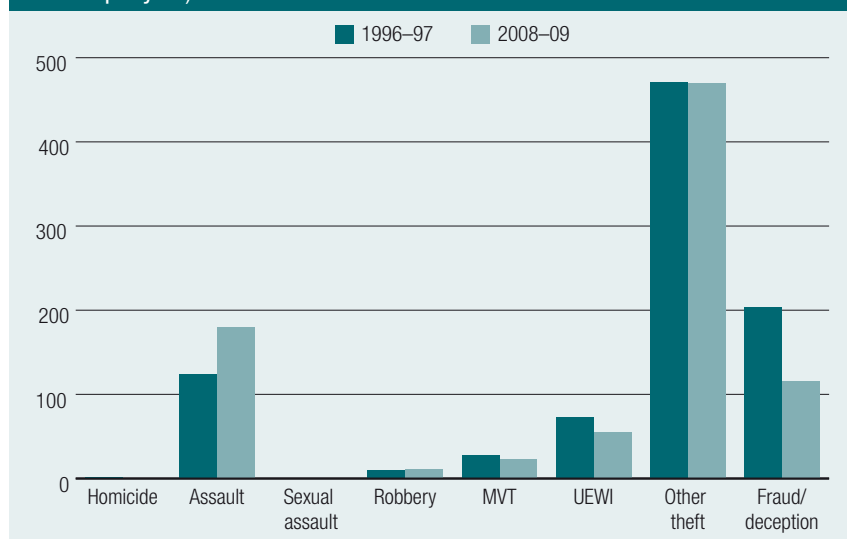


Note: 'All' refers to all female offenders aged 10 years and over

- Overall, the rate of female offending increased by four percent in 2008–09 from the previous year.
- Female offending rates were the highest for 15–19 year olds with 3,040 offenders per 100,000 relevant population. Since 2000–01, this rate has decreased by 10 percent.
- It should be noted, however, that since 2006–07 the rates of female offending for those aged 10–14 years and 15–19 years increased by 35 percent and 25 percent respectively.

Source: References 2 and 6–8

Figure 55 Female offenders by offence type, 1996–97 and 2008–09 (per 100,000 females per year)



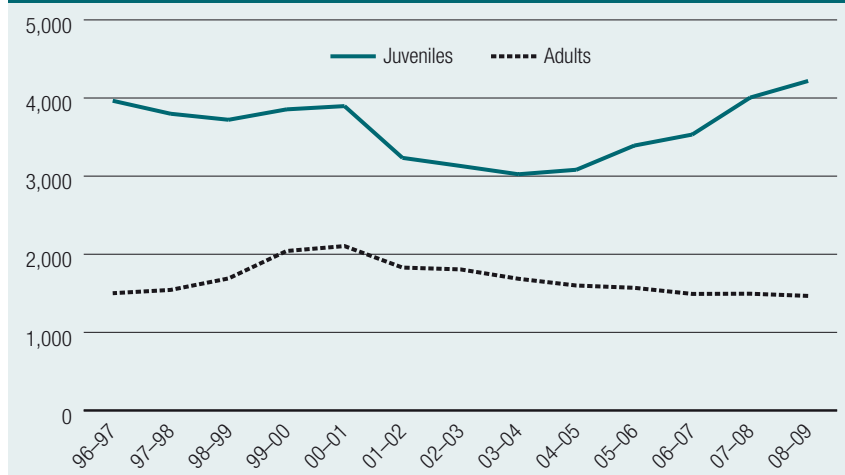
- Crime categories that saw the highest rate of female offending in 2008–09 were ‘other’ theft (470 per 100,000 per relevant population) and assault (180 per 100,000 per relevant population).
- There is minimal difference between the female offending rates involving ‘other’ theft between 1996–97 and 2008–09 (a decrease of only 0.2 percent in 2008–09). By contrast, the female offending rate for assault has increased by 44 percent, while female offending involving fraud and deception has decreased by 43 percent.

Source: References 2 and 6–8

Juveniles

The definition of what constitutes a juvenile differs among jurisdictions. In all states and territories, except Queensland, a juvenile is a person under the age of 18 years. In Queensland, a juvenile is a person less than 17 years of age. Data in this section include offenders aged between 10 and 17 years.

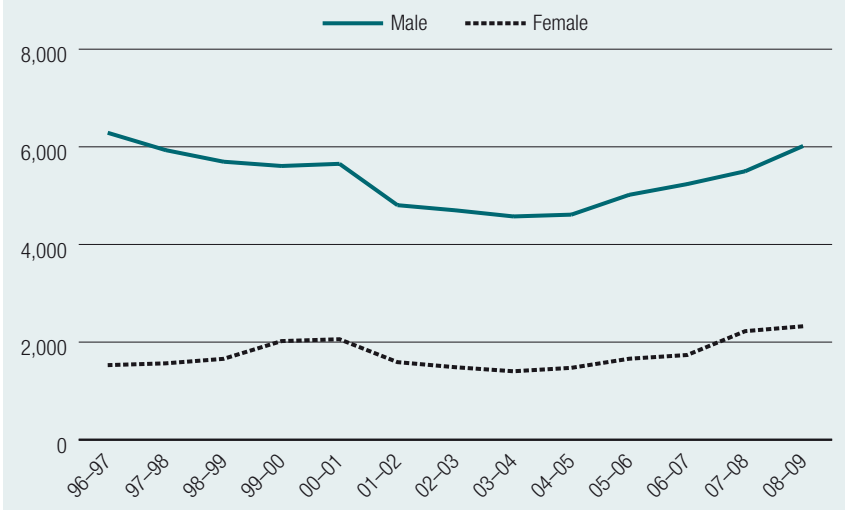
Figure 56 Juvenile and adult offenders by year, 1996–97 to 2008–09 (per 100,000 relevant population)



- Currently, juveniles are offending at the highest rate since 1996–97; 4,218 per 100,000 juvenile population. After peaking in 2001–02, the number of juvenile offenders per 100,000 population decreased to 2004–05 before again increasing each year. Throughout the period where data has been available, the rate of juvenile offenders has always exceeded that of adults.
- The increase in juvenile offending is different to the offending pattern for adults, which is in decline. Since peaking in 2000–01, adult offending has decreased, on average, by three percent per year.

Source: References 2 and 6–8

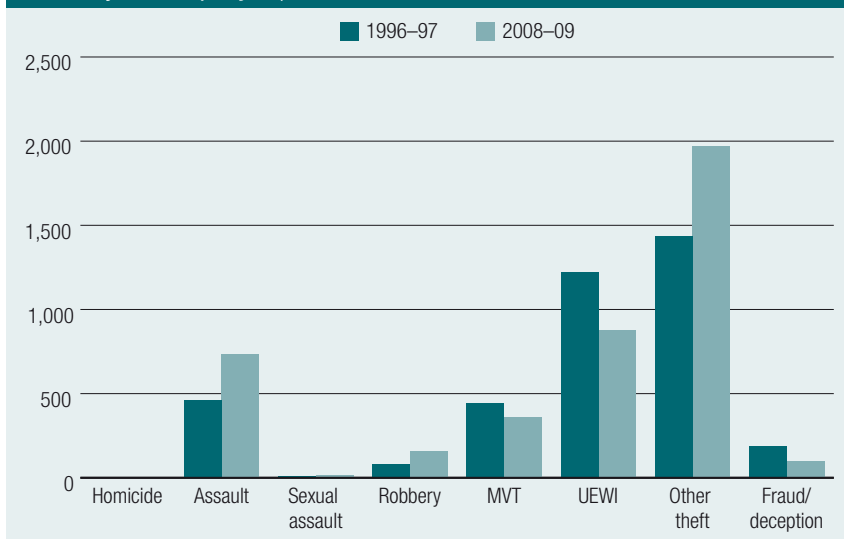
Figure 57 Juvenile offenders by sex, 1996–97 to 2008–09 (per 100,000 juveniles of that sex per year)



- The rate of offending was almost three times greater for juvenile males than for juvenile females, although both rates have increased since 2007–08; continuing a trend evident since 2006–07. The offending rates of female juveniles has increased by 11 percent per year and for males, rates have increased by five percent per year.

Source: References 2 and 6–8

Figure 58 Juvenile offenders by offence type, 1996–97 and 2008–09 (per 100,000 juveniles per year)



- Juvenile offending was highest for other theft (1,971 per 100,000 population), UEWI (875 per 100,000 population) and assault (732 per 100,000 population).
- Fraud and deception, and MVT are two crimes that have decreased between 1996–97 and 2008–09 by 46 percent and 18 percent, respectively.

Source: References 2 and 6–8

Drug use by offenders

Police detainees

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

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

Data collection at the Elizabeth (South Australia) site ceased at the end of Quarter Four in 2007, while the Alice Springs site was discontinued in 2008. Therefore, there is no data for either Elizabeth or Alice Springs in 2009.

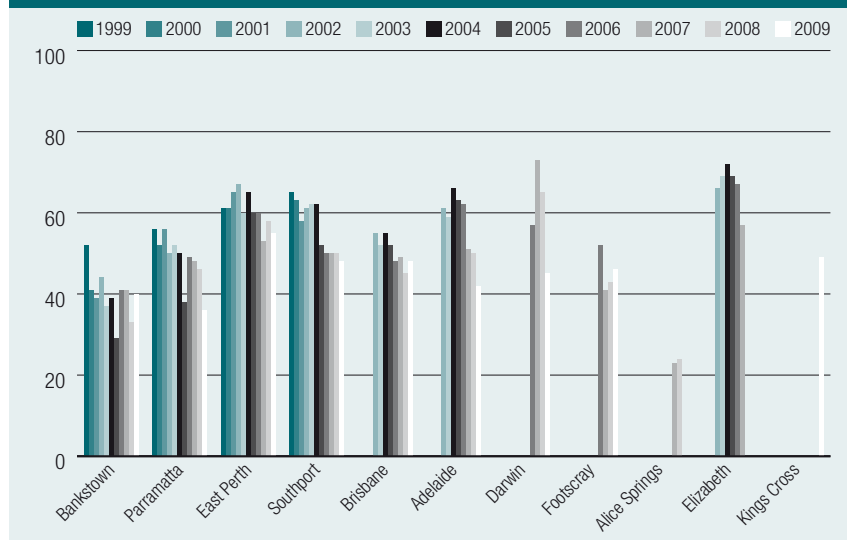
Data are collected quarterly and presented in the following figures as annual averages. Data is presented here for males only, as they represent the majority (more than 80%) of police detainees in the DUMA collection.

As the DUMA data deals with percentage of drug use, as opposed to the numerical count (frequency), changes and comparisons between years are reported in percentage points.

The nine sites differed in the percentage of police detainees testing positive to each of methamphetamine, cocaine, cannabis and heroin.

Source: Reference 21

Figure 59 Adult male police detainees testing positive to cannabis by DUMA location, 1999 to 2009 (%)

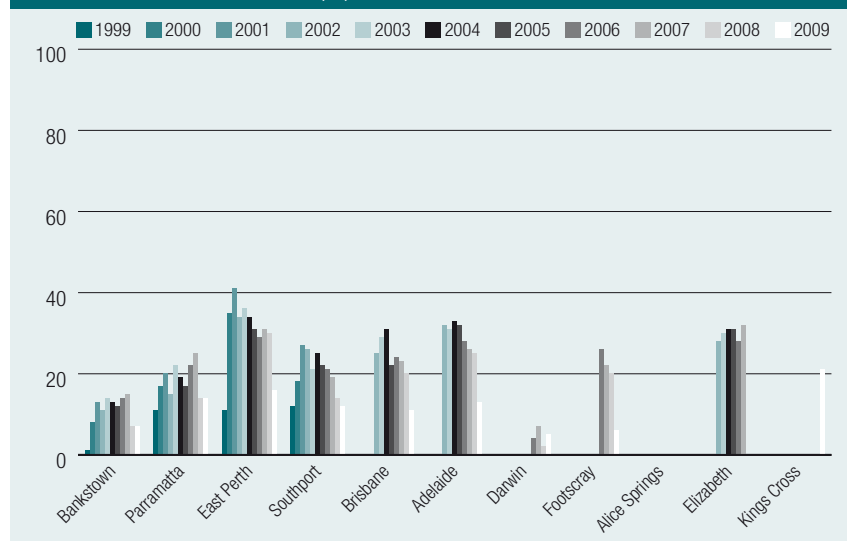


- The number of males testing positive to cannabis in 2009 was highest at the East Perth site (55%) and lowest at the Parramatta site (36%).
- Across the nine DUMA sites, an average of 45 percent of male detainees tested positive for cannabis.
- Most sites recorded a decrease in the number of male detainees testing positive

for cannabis. The greatest decrease between 2008 and 2009 was recorded at the Darwin site (20 percentage points).

Source: Reference 21

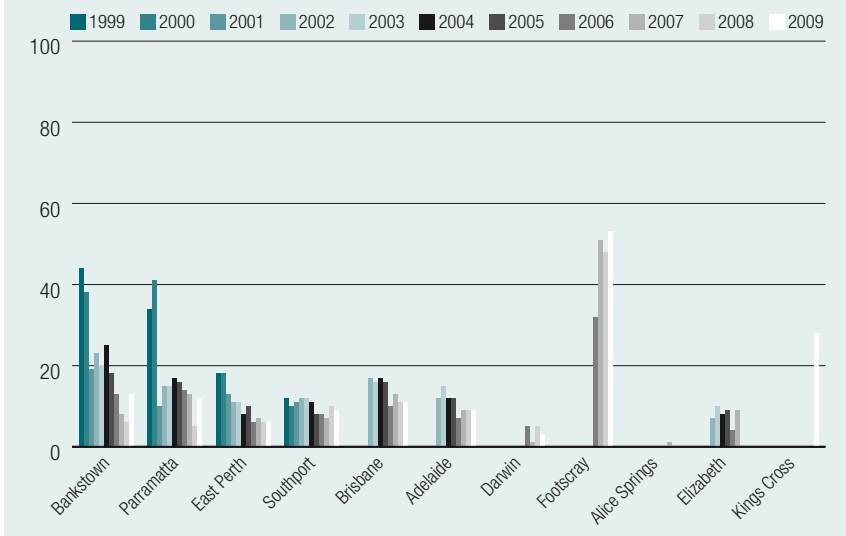
Figure 60 Adult male police detainees testing positive to methamphetamine by DUMA location, 1999 to 2009 (%)



- The Kings Cross site recorded the highest percentage of adult male detainees testing positive to methamphetamine in 2009 (21%). Darwin, Footscray and Bankstown had the lowest recordings with five, six and seven percent respectively.
- In 2009, an average of 11 percent of male detainees tested positive for methamphetamine across all DUMA sites. This represents a four percentage point decrease from 2008 where the average was 15 percent.

Source: Reference 21

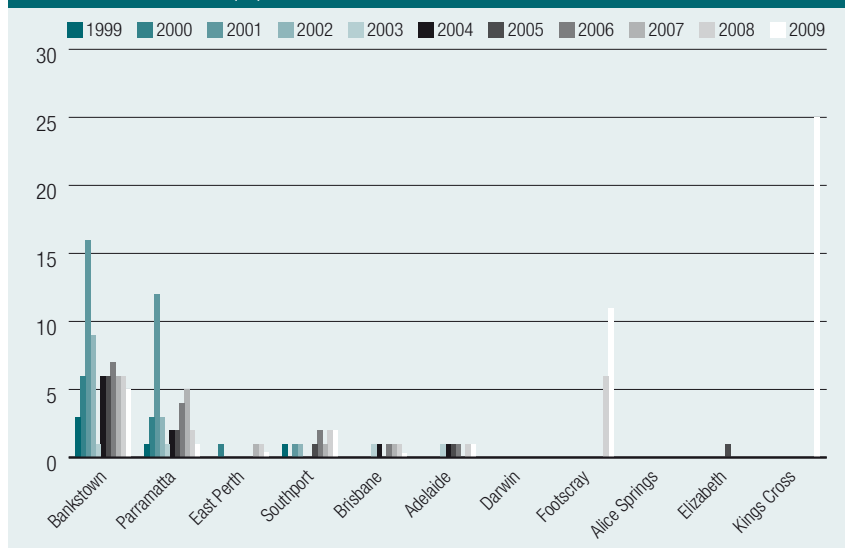
Figure 61 Adult male police detainees testing positive to heroin by DUMA location, 1999 to 2009 (%)



- Two of the sites did not record a change in heroin use by adult male police detainees. At the East Perth site, six percent tested positive (the same as for 2008), while in Brisbane, the figure held at 11 percent. At the Adelaide site, nine percent of adult male police detainees tested positive for heroin (the same as for 2008).
- Twenty-eight percent of detainees tested positive to heroin use at the Kings Cross site.
- Footscray recorded the largest percentage of heroin users among its detainees, with just over half testing positive in 2009 (53%).

Source: Reference 21

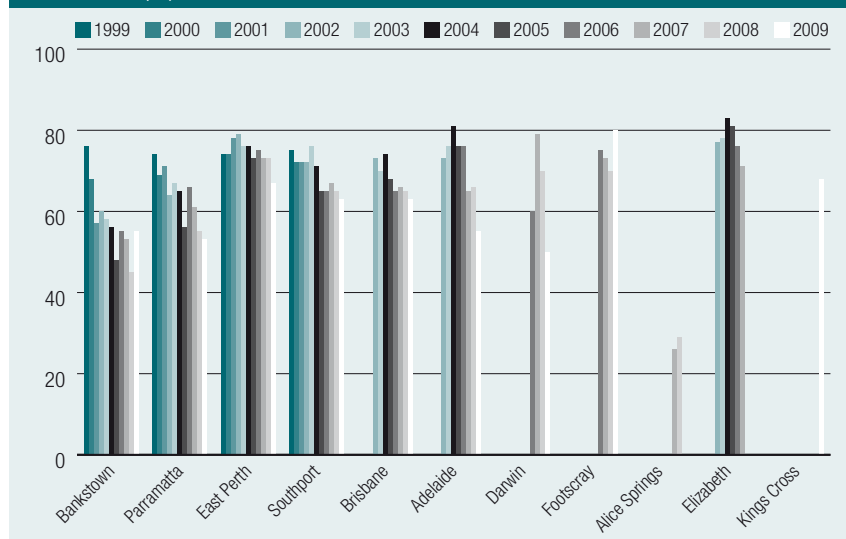
Figure 62 Adult males police detainees testing positive to cocaine by DUMA location, 1999–2009 (%)



- Cocaine use among adult male detainees has remained relatively low across the DUMA sites over the past 10 years. However, 25 percent of detainees at the Kings Cross site tested positive to cocaine.
- No male detainees have tested positive to cocaine at the Darwin site over the five years represented. Over the past 10 years at the East Perth, Brisbane and Adelaide sites, less than two percent of detainees at each site have tested positive to cocaine.

Source: Reference 21

Figure 63 Adult male police detainees testing positive to any drug^a by DUMA site, 1999–2009 (%)

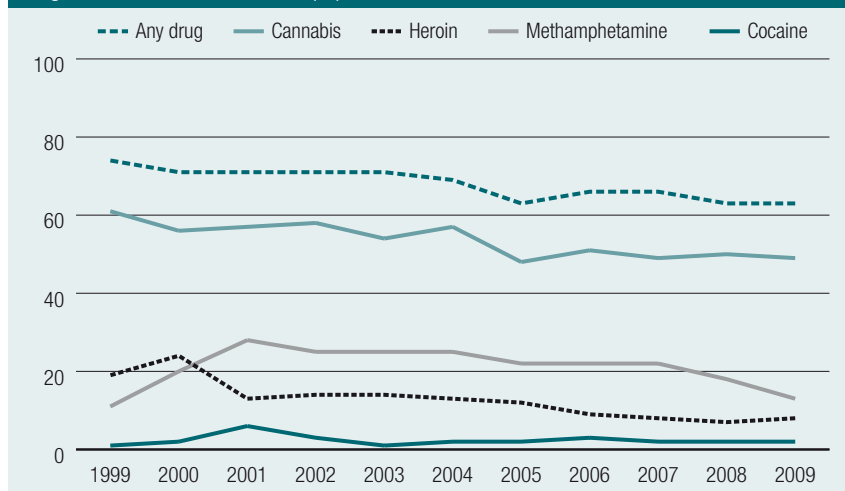


a: A drug is defined as cannabis, heroin, methamphetamine, cocaine, or benzodiazepines

- In 2009 across all DUMA sites, over half of adult male detainees tested positive to some form of illicit drug. This figure fluctuated between 50 percent at the Darwin site and 80 percent at the Footscray site, averaging 62 percent over all sites.
- Sixty-eight percent of the male detainees at the Kings Cross site tested positive to a drug in 2009, the second largest proportion of any DUMA site.

Source: Reference 21

Figure 64 Adult male police detainees testing positive to selected drugs at four long-term sites^a, 1999–2009 (%)

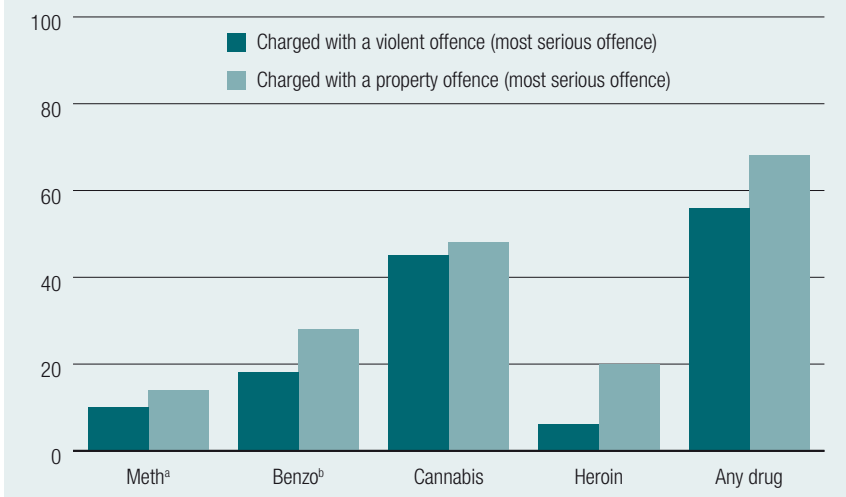


a: Bankstown, Parramatta, East Perth and Southport

- Since 2007, the percentage of adult male detainees testing positive to cocaine has remained steady at two percent.
- Heroin was the only category of drug that experienced a percentage increase from 2008 to 2009 (7–8%). Both cannabis and methamphetamine declined by one and five percentage points respectively.

Source: Reference 21

Figure 65 Adult male police detainees testing positive to a drug by type of offence, 2009 (%)



a: Methamphetamine

b: Benzodiazepines

- Fifty-six percent of adult male detainees charged with a violent offence as their most serious offence (MSO) tested positive to some form of drug compared with 68 percent of those charged with property offences.
- Almost half of adult male detainees tested positive to cannabis—45 percent of those detained for violent offences and 48 percent for property offences tested positive.
- A greater percentage of adult male detainees tested positive to heroin (20%) when their MSO was a property crime compared with those whose MSO was a violent crime (6%).

Source: Reference 21

Characteristics of police detainees

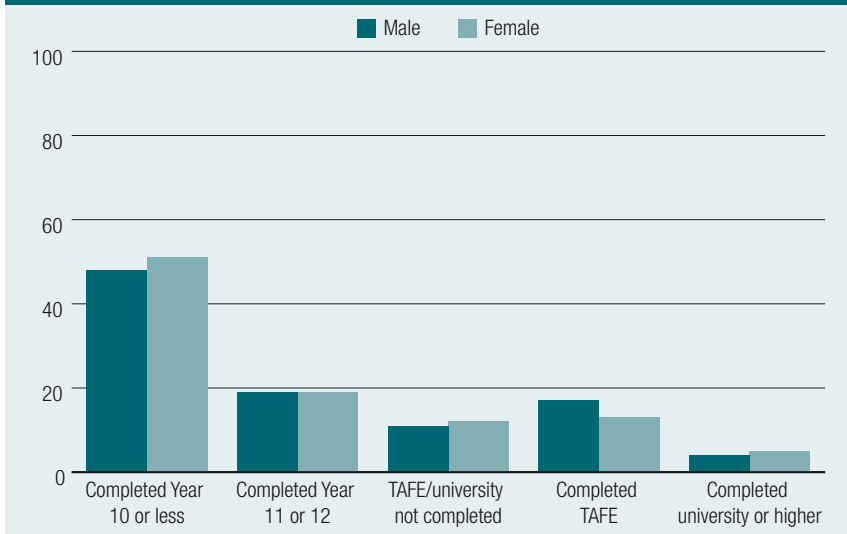
Figure 66 Age group and sex distribution of adult police detainees, 2009 (%)



- In 2009, the majority of adult police detainees were aged over 26 years. Furthermore, 25 percent of female and 22 percent of male detainees were aged between 21 and 25 years.

Source: Reference 21

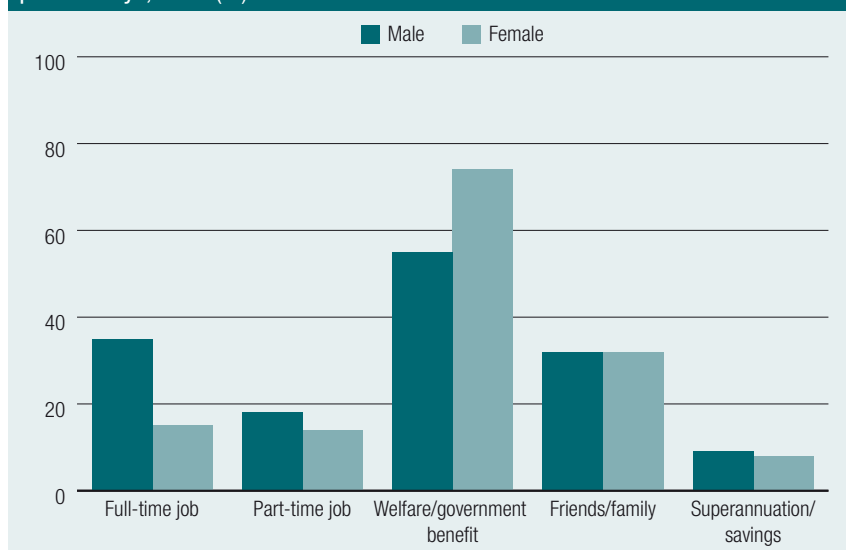
Figure 67 Adult police detainees by education level, 2009 (%)



- A large proportion of adult police detainees had only attained the lowest level of education. Forty-eight percent of males and 51 percent of females had completed Year 10 or less.
- Only four percent of male adult police detainees and five percent of female detainees had completed a university degree or higher.
- There was no difference in the proportion of males and female adult police detainees whose highest level of education was the completion of Year 11 or 12 (19% for both).

Source: Reference 21

Figure 68 Adult police detainees by source of income (non-crime generated) in the past 30 days, 2009 (%)



Note: Previous publications of *Australian Crime: Facts & Figures* required respondents to identify their 'main source of income'. While in the 2008 survey, respondents could select more than 1 source of income. Therefore, Figures 66 and 67 may not total 100 percent for each sex

- For both male and female police detainees, the most common source of income was welfare or government benefit (55% and 74% respectively).
- 'Friends and family' was the second most common source of non-crime generated income for males and female adult police detainees (32%).
- By comparison, nine percent of male police detainees and eight percent of female police detainees collected income from superannuation or savings.

Source: Reference 21

Figure 69 Adult police detainees by source of income (crime generated) in past 30 days, 2009 (%)



a: Sex work is decriminalised in some states and territories

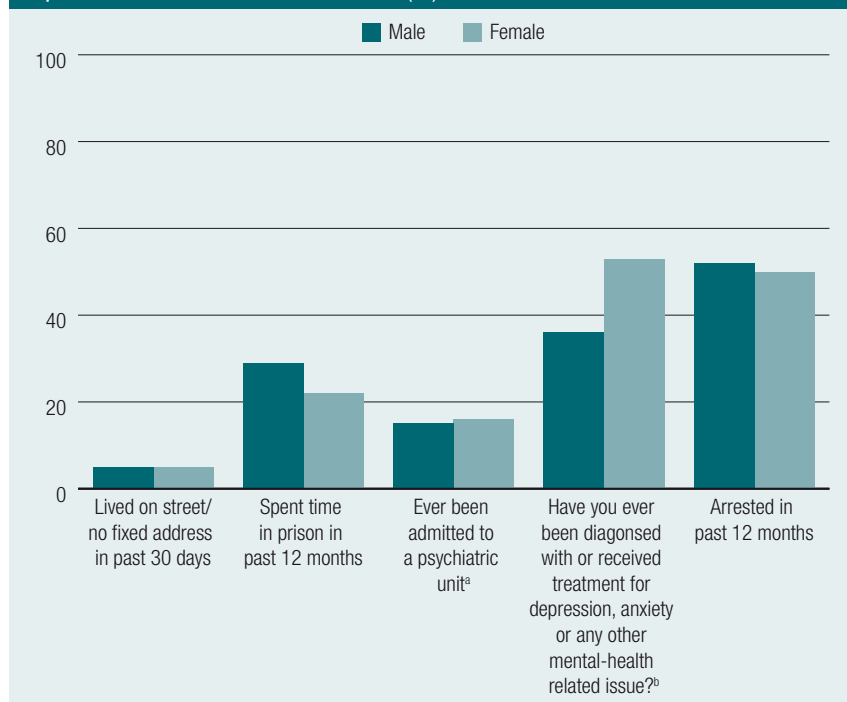
b: Includes theft, fraud, burglary and robbery

Note: Previous publications of *Australian Crime: Facts & Figures* required respondents to identify their 'main source of income'. From 2008 survey, respondents could select more than 1 source of income. Therefore, Figures 66 and 67 may not total 100 percent for each sex. Twenty-one percent of adult male detainees and 24 percent of adult female detainees obtained a portion of their income from criminal activity

- The most common sources of crime-generated income for males were drug dealing or 'other drug crime' (7%) and 'other income-generating crime' (7%).
- For females, more than 10 percent received income from shoplifting; over five percent received income from illegal sex work.

Source: Reference 21

Figure 70 Adult police detainees by previous experience of homelessness, arrest, imprisonment and mental illness 2009 (%)



a: Discontinued at the end of the Third Quarter of 2009

b: Introduced Third Quarter 2009

- Over half of males and females reported being previously arrested in the past 12 months.
- A greater proportion of females (53%) compared with males (36%) reported being diagnosed with, or receiving treatment for, a mental illness.
- Five percent of males and five percent of females reported experiencing homelessness in the past 30 days.

Source: Reference 21

Most serious offence

- Since 2006, there has been a decline in the number of property offences listed as the MSO for adult male police detainees. In 2009, 588 (19%) of adult male police detainees had a property crime as their MSO, a 29 percent decrease since 2006.
- Property crime remained the most common MSO for adult female police detainees. However, it accounted for only 31 percent in 2009 compared with 41 percent in 2004.
- For adult male detainees, violent offences were the most common MSO at 27 percent.
- The proportion of females whose MSO was a drug offence (10%) was greater than that of males (8%), however, this pattern was reversed for breaches, with 12 and 16 percent for females and males, respectively.

Source: Reference 21



Chapter 5

Criminal courts

There is a hierarchy of criminal courts at the federal and state/territory levels.

The state and territory court systems comprise:

- *Magistrates' courts*—lower courts that deal with relatively minor or summary criminal offences. Under some circumstances, these courts may also deal with less serious indictable offences. They are also responsible for conducting preliminary (committal) hearings for indictable offences.
- *Intermediate (district/county) courts*—courts that deal with crimes of greater seriousness. Intermediate courts hear the majority of cases involving indictable crimes.
- *Supreme courts*—the highest level of court within a state or territory. Supreme courts deal with the most serious crimes.

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

Magistrates' courts are called lower courts.

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

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

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

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

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

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

Both the ABS and the SCRGSP report on criminal court data for financial, rather than calendar, years.

Source: References 22 and 23

The criminal court process

Case flows

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

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

Source: References 22 and 23

Lodgements

Most lodgements are processed by the Magistrates' court in the relevant criminal jurisdiction.

In 2008–09, 867,700 cases were lodged in criminal courts in Australia—96 percent were initiated in Magistrates' courts, three percent were initiated in district/county courts and the remaining one percent initiated in the Supreme courts.

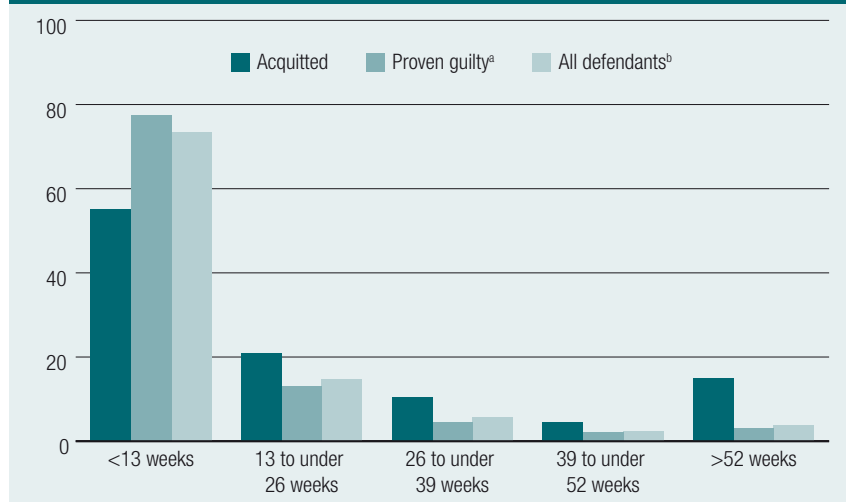
Source: Reference 22

Timeliness

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

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

Figure 71 Duration of matters finalised in Magistrates' court by method of finalisation, 2008–09 (%)



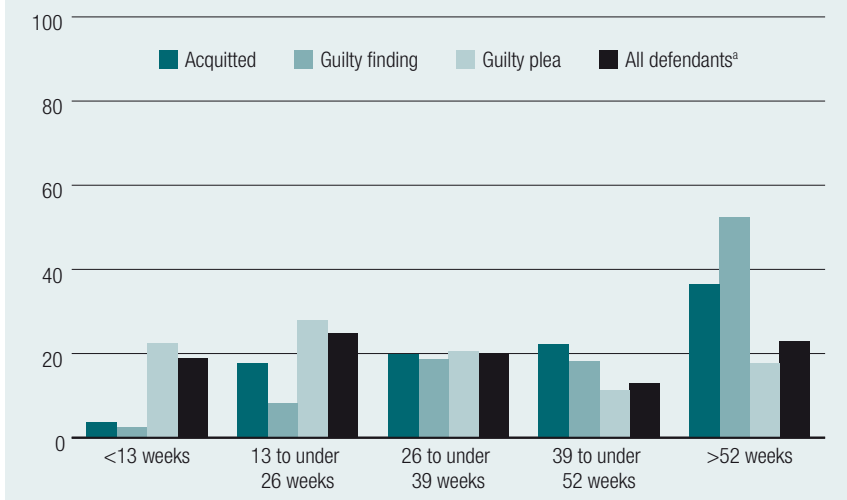
a: Includes guilty plea and guilty verdict

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

- On average, 73 percent of matters heard in the Magistrates' court were finalised within 13 weeks of the initial hearing of the matter. A further 15 percent were finalised in the subsequent three months; only four percent lasted longer than a year.
- Acquittals were more common in cases where resolution took longer than 13 weeks.

Source: Reference 23

Figure 72 Duration of matters finalised in higher courts by method of finalisation, 2008–09 (%)

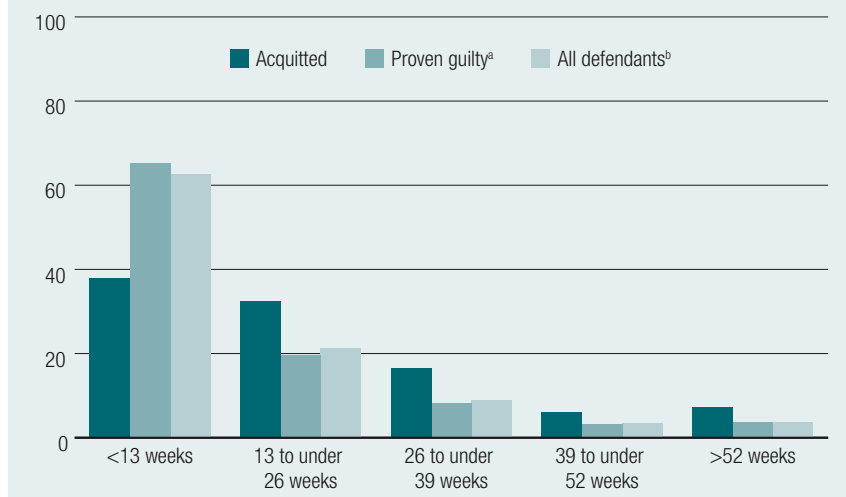


a: Includes defendants who were found guilty but whose method of finalisation was unknown (ie guilty verdict or guilty plea), cases that were transferred to other court levels or whose finalisation was achieved by some other method

- In 2008–09, 23 percent of matters finalised in higher courts lasted more than 52 weeks; although 19 percent took less than 13 weeks to finalise.
- Cases where the defendant pleaded guilty generally took the least time to finalise—23 percent of cases with a guilty plea were resolved in less than 13 weeks compared with four percent of cases ending in acquittal and two percent where the defendant was found guilty.
- Cases where the defendant was found guilty by the court generally took longer to finalise than cases involving either an acquittal or a guilty plea—52 percent of cases resulting in a finding of guilt took 52 weeks or more to finalise, compared with 36 percent of acquittals and 18 percent of cases where the defendant pleaded guilty.

Source: Reference 23

Figure 73 Duration of matters finalised in the children's courts by method of finalisation, 2008–09 (%)



a: Includes guilty plea and guilty verdict

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

- In 2008–09, 63 percent of matters in children's courts were finalised within 13 weeks from the initial hearing.
- Sixty-five percent of matters resulting in the defendant being proven guilty were finalised in fewer than 13 weeks. By comparison, 62 percent of cases ending in an acquittal took 13 weeks or longer to finalise.

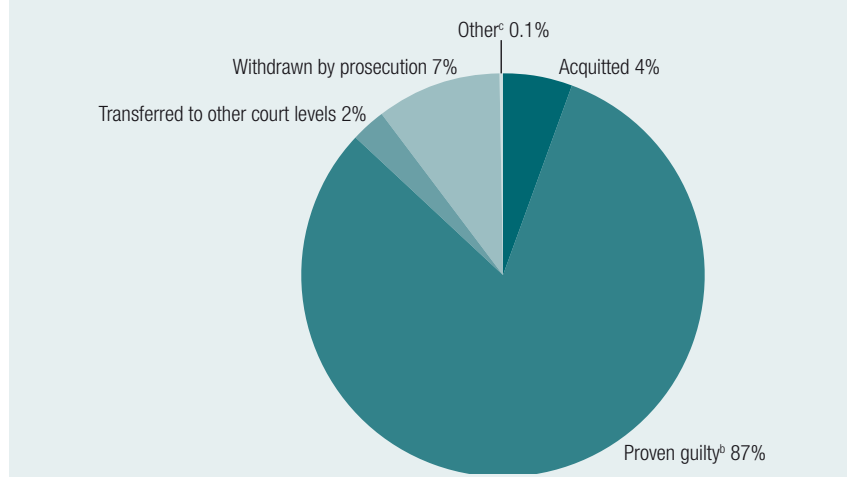
Source: Reference 23

Court decisions

Cases are finalised in the courts in the following ways:

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

Figure 74 Criminal cases finalised in Magistrates' court by method of finalisation, 2008–09 (%)^a



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

b: Includes guilty plea and guilty verdict

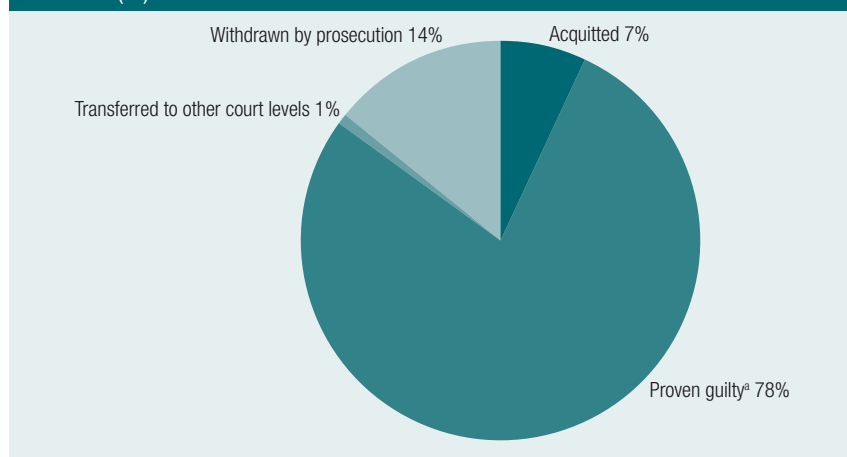
c: Includes defendants unfit to plead, defendants' deceased, other non-adjudicated finalisations and cases finalised by unknown method

n=635,930

- The number of cases finalised in the Magistrates' court increased by three percent in 2008–09. In 2007–08, 619,542 cases were finalised in the Magistrates' court compared with 635,930 in 2008–09.
- In 2008–09, four percent of cases finalised in the Magistrates' courts resulted in acquittal of the defendant.
- Overall, 87 percent of defendants were found guilty in cases brought before the Magistrates' court; seven percent were non-adjudicated, while two percent were transferred to other court levels.

Source: Reference 23

Figure 75 Criminal cases finalised in higher courts by method of finalisation, 2008–09 (%)



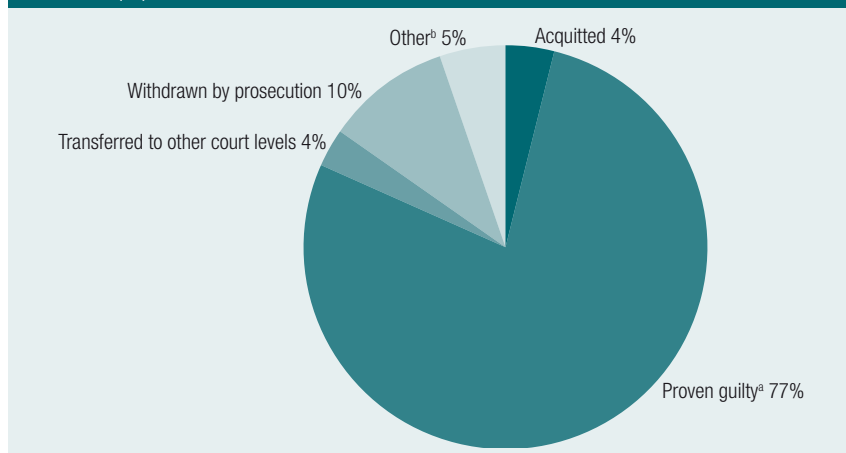
a: Includes guilty plea and guilty verdict

n=16,933

- Of the cases finalised in the higher courts, 78 percent resulted in the defendant being found guilty, while in seven percent the defendant was acquitted.
- The number of cases finalised by higher courts increased marginally by one percent in 2008–09. In 2007–08, 16,815 cases were finalised in the higher courts compared with 16,933 in 2008–09.

Source: Reference 23

Figure 76 Criminal cases, finalised in children's courts by method of finalisation, 2008–09 (%)



a: Includes guilty plea and guilty verdict

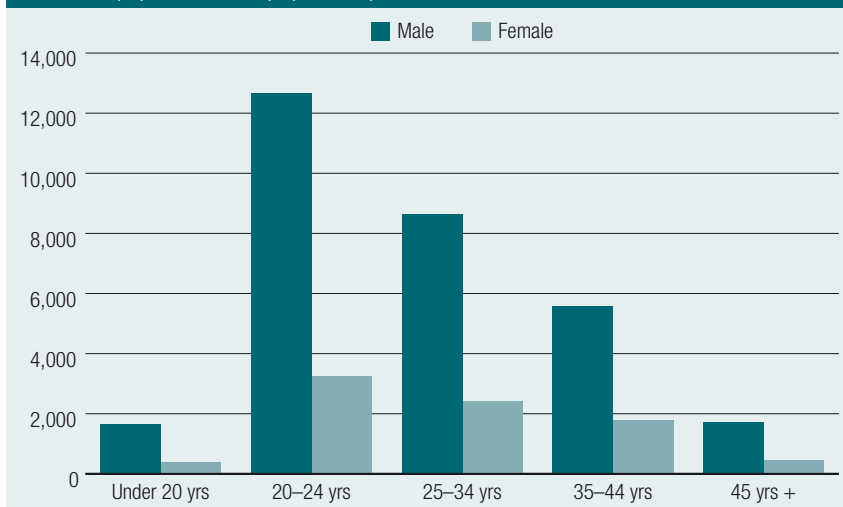
b: Includes defendants unfit to plead, defendants deceased, and other non-adjudicated finalisations

n=42,193

- The most common method of finalisation in the children's court involved a guilty verdict (77%). By comparison, four percent of defendants were acquitted, while three percent of cases were transferred to other court levels.
- The number of cases finalised by the children's courts increased by seven percent in 2008–09. In 2007–08, 39,412 cases were finalised in the children's courts compared with 42,193 in 2008–09.

Source: Reference 23

Figure 77 Adjudicated defendants in Magistrates' court by age and gender, 2008–09 (n per 100,000 population)



- In 2008–09, females accounted for 21 percent of all defendants in Magistrates' courts.
- Compared with defendants in the other age groups, adult males and females aged 20 to 24 years were more likely to appear as defendants before the Magistrates' court. Males aged 20 to 24 years accounted for 23 percent of all defendants in the Magistrates' court—a rate of 12,674 per 100,000 population aged 20–24 years.
- Individuals aged over 45 years appeared before the Magistrates' court at a rate of 1,505 per 100,000 population aged 45 years and older.

Source: References 2 and 23

Figure 78 Adjudicated defendants in higher courts by age group and gender, 2008–09 (n per 100,000 population)



- Defendants appearing in the higher courts were most commonly aged between 20 and 24 years, followed by persons aged 25 to 34 years. The rate of appearance for these two age groups were 400 per 100,000 males aged 20–24 years and 50 per 100,000 females and 292 per 100,000 for males aged 25–34 years and 47 per 100,000 for females.
- Females were the defendants in 12 percent of cases heard before higher courts in 2008–09.

Source: References 2 and 23

Sentencing

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

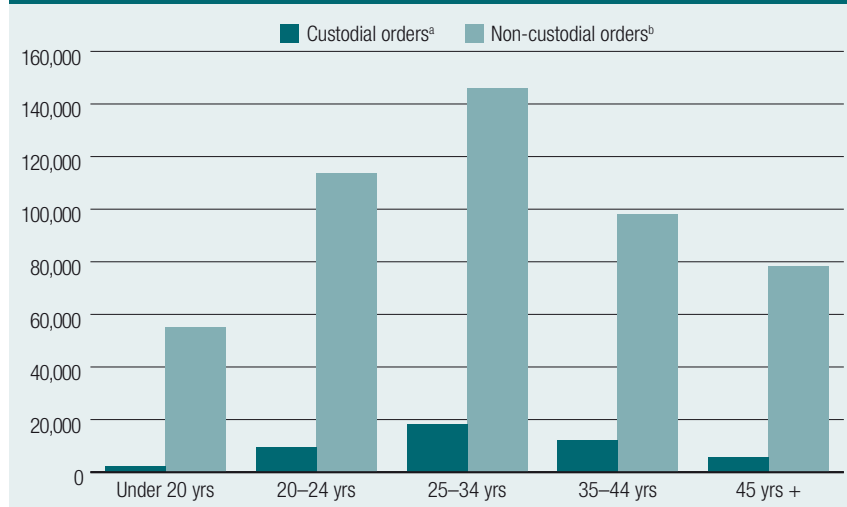
- fine;
- good-behaviour bond;
- probation order;
- suspended sentence;
- community service order;
- community custody (including home detention and periodic detention); and
- imprisonment.

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

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

Sentencing data for adult offenders have been available since 2002–03 from all states and territories. The ABS continues to work towards a more detailed and regular sentencing collection for higher courts, Magistrates' courts and children's courts.

Figure 79 Principal sentence of defendants found guilty in Magistrates' courts by age group, 2008–09 (n)



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

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

- By far the most common sentences handed down in 2008–09 in the Magistrates' court were non-custodial orders (91%).
- In 2008–09, 2,294 custodial orders were given to persons under the age of 20 years, the least of any age group.
- Defendants aged 25–34 and 35–44 years were more likely to receive a custodial sentence than were defendants in any other age groups (both at 11%).

Source: Reference 23

Figure 80 Defendants found guilty in higher courts by age group and principal sentence, 2008–09 (n)



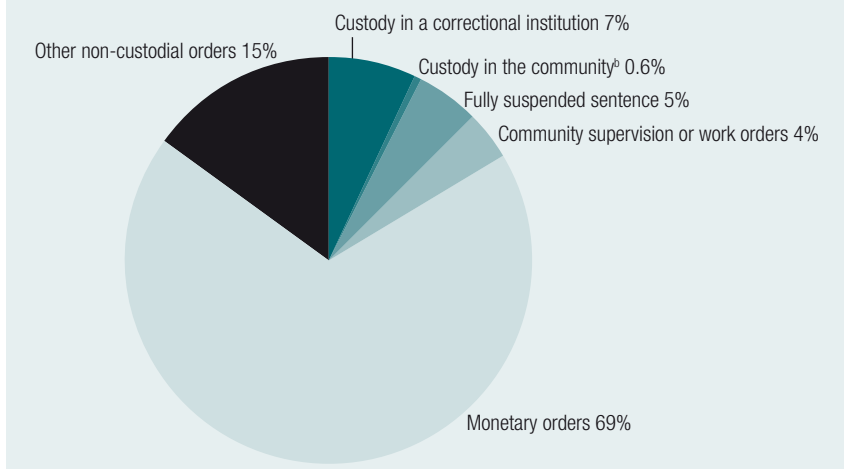
a: Includes custody in a correctional institution, custody in the community and suspended sentence

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

- In 2008–09, a total of 11,436 custodial orders and 2,087 non-custodial orders were handed down to defendants found guilty in the higher courts. Of all sentences handed down in the higher courts, 85 percent were custodial.
- Defendants under the age of 24 years received a higher proportion of non-custodial sentences compared with defendants in the older age groups. Of defendants receiving a custodial order, 72 percent were over 25 years of age.

Source: Reference 23

Figure 81 Principal sentence of adult male defendants found guilty in any court, 2008–09 (%)^a



a: Includes Magistrates' and higher courts

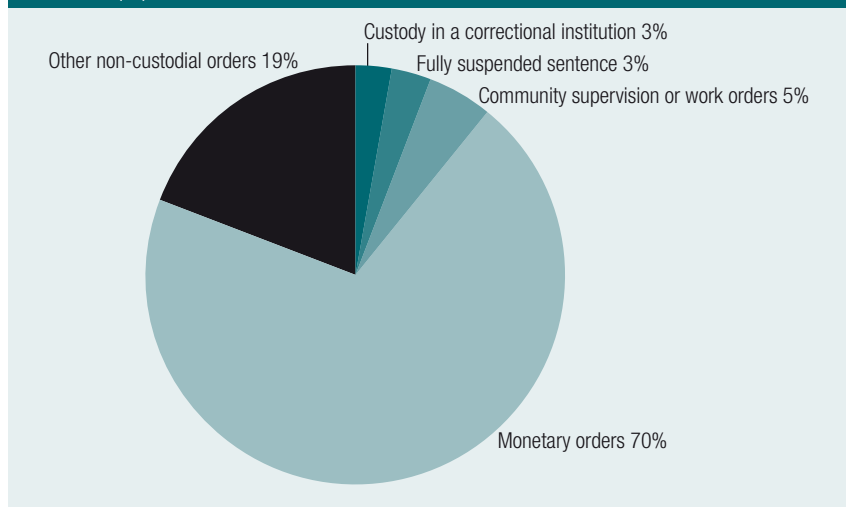
b: Includes intensive corrections orders, home detention and other orders restricting liberty although allowing living within the community

n=437,906 (excludes male defendants whose type of custodial order handed down was unknown)

- Monetary orders accounted for 69 percent of sentences handed down to adult male defendants.
- The rates of custody in a correctional institution did not vary dramatically between 2007–08 and 2008–09, increasing by seven percent in 2008–09.
- Five percent of defendants found guilty received fully suspended sentences.

Source: Reference 23

Figure 82 Principal sentence of adult female defendants found guilty in any court, 2008–09 (%)^a



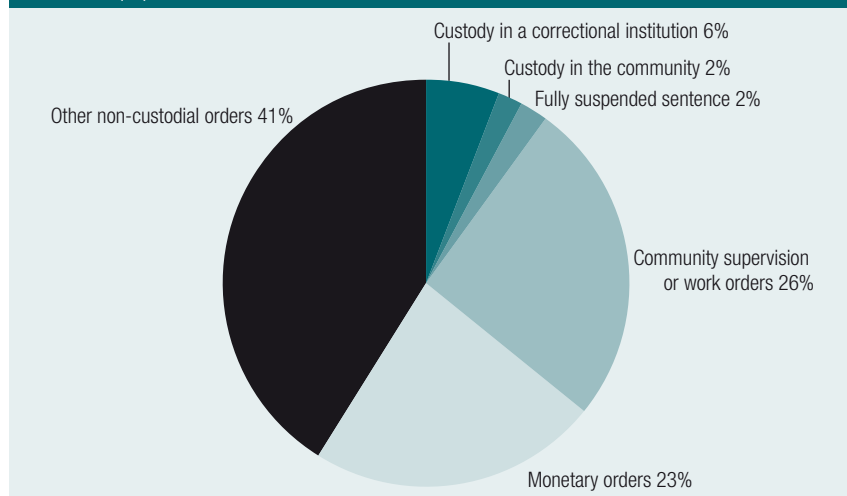
a: Include Magistrates' and higher courts

n=119,377

- In line with previous years, monetary orders remained the most common sentence handed down to adult female defendants (70%).
- Custody in a correctional institution accounted for only three percent of all adult female sentences.

Source: Reference 23

Figure 83 Principal sentence of defendants found guilty in a children's court, 2008–09 (%)

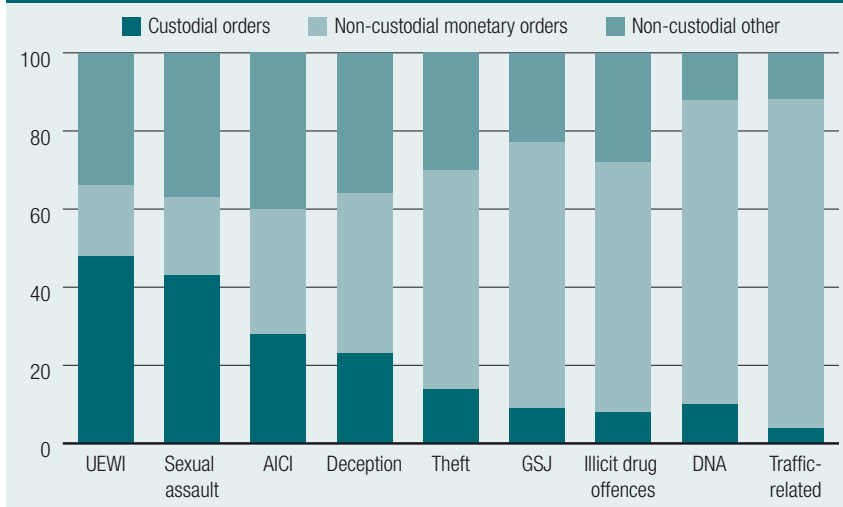


n=32,384

- There was a 15 percent increase in the number of sentences handed down in the children's court from 2007–08 to 2008–09.
- Community supervision or work orders were handed down to 26 percent of defendants found guilty in children's courts, while a further 23 percent received a monetary order as their principal sentence.
- Custodial sentences accounted for six percent of sentences handed down in children's courts in 2008–09.

Source: Reference 23

Figure 84 Principal sentence of adult defendants found guilty in Magistrates' courts by most serious offence, 2008–09 (%)



AICI: Acts intended to cause injury

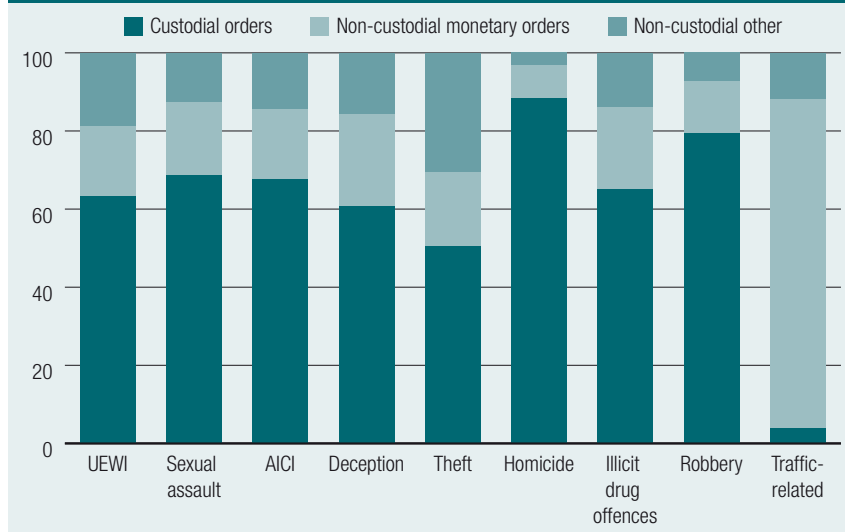
GSJ: Offences against justice procedures, government security, or government operations

DNA: Dangerous or negligent acts endangering persons

- In 2008–09, the three offences most commonly incurring custodial orders were UEWI (48%), sexual assault (43%) and acts intended to cause injury (AICI; 28%).
- By contrast, dangerous or negligent acts endangering persons (78%) and traffic-related offences (84%) most commonly incurred monetary orders.

Source: Reference 23

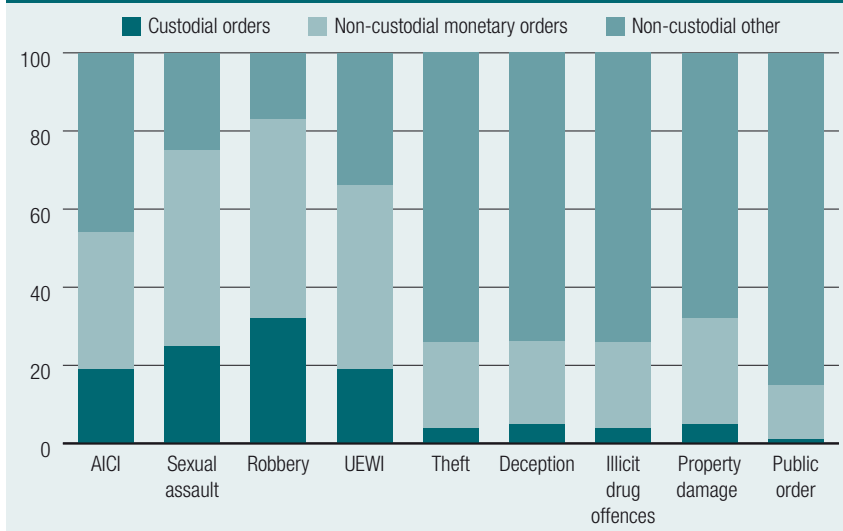
Figure 85 Principal sentence of defendants found guilty in higher courts by most serious offence, 2008–09 (%)



- The offences most likely to receive a custodial sentence in higher courts were homicide (88%), robbery (80%) and sexual assault (69%). The proportion of both homicide and sexual assault declined in 2008–09 compared with the previous year by two percent and five percent respectively.
- Theft (31%), UEWI (19%) and AICI (14%) were the proven offences most likely to receive a non-custodial sentence in higher courts.

Source: Reference 23

Figure 86 Principal sentence of defendants found guilty in a children's court by most serious offence, 2008–09 (%)



- Robbery (32%), sexual assault (25%), AICI (19%) and UEWI (19%) were the proven offences most likely to result in custodial sentences in children's courts.
- A community supervision order was the most likely sentencing outcome for defendants found guilty of robbery (51%), sexual assault (50%) and UEWI (47%).

Source: Reference 23

Federal courts

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

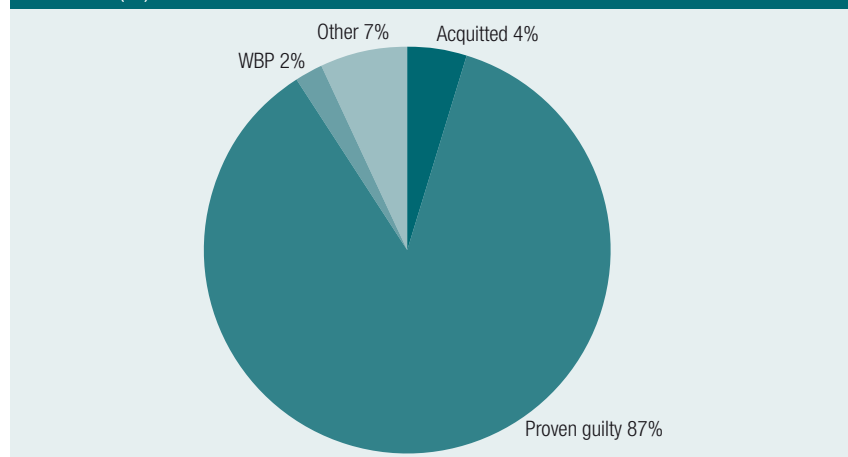
There is not one specific court that prosecutes federal defendants. The Federal Parliament 'invests' the Supreme, district (county), Magistrates' and children's courts with federal jurisdiction, allowing them to pass judgement in these matters. Federal prisoners are held in state/territory prisons.

In 2009, the ABS released the first edition of *Federal Defendants: Selected States and Territories*, which provides a snapshot of crimes committed in Australia that were tried under Commonwealth law.

A total of 14,002 federal cases were lodged in Australian courts in 2009—94 percent were initiated in the Magistrates' Court, five percent in the higher courts and one percent in the children's courts.

Source: Reference 24

Figure 87 Criminal cases finalised in higher courts by method of finalisation, 2008–09 (%)



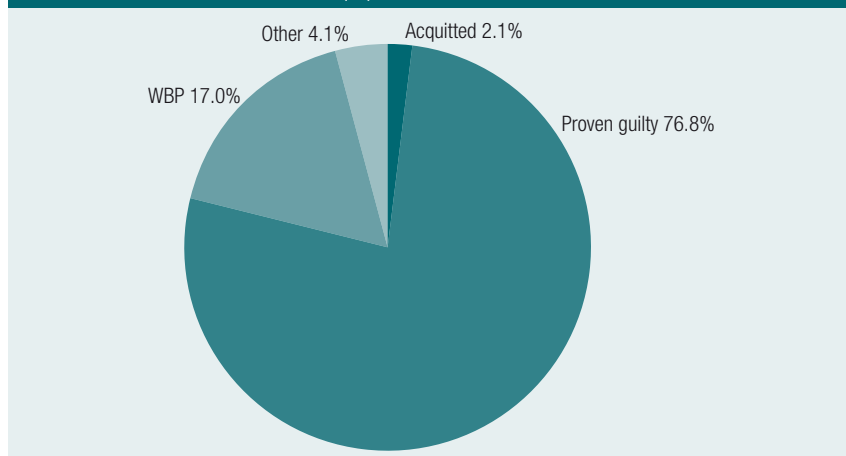
n=628

WBP: Withdrawn by prosecution

- Of the 628 federal cases finalised in the higher courts, the majority of defendants were proven guilty (87%). By contrast, Four percent were acquitted and two percent were withdrawn by the prosecution (WBP).

Source: Reference 24

Figure 88 Criminal cases finalised in the Magistrates' and children's courts by method of finalisation, 2008–09 (%)



n=13,371

- In 2008–09, 76.8 percent of federal cases heard in the Magistrates' and children's courts were proven guilty, while 2.1 percent were acquitted.
- Seventeen percent of cases lodged in the Magistrates' and children's courts were withdrawn by the prosecution before they could be finalised.

Source: Reference 24

Figure 89 Federal defendants in higher courts by age group and gender, 2008–09 (n)



- In 2008–09, the majority of federal defendants in the higher courts were males aged 45 years and over.
- There were only nine offenders who were under 20 years of age.
- The 115 female defendants comprised 19 percent of the total number of defendants adjudicated in the higher courts in 2008–09.

Source: Reference 24

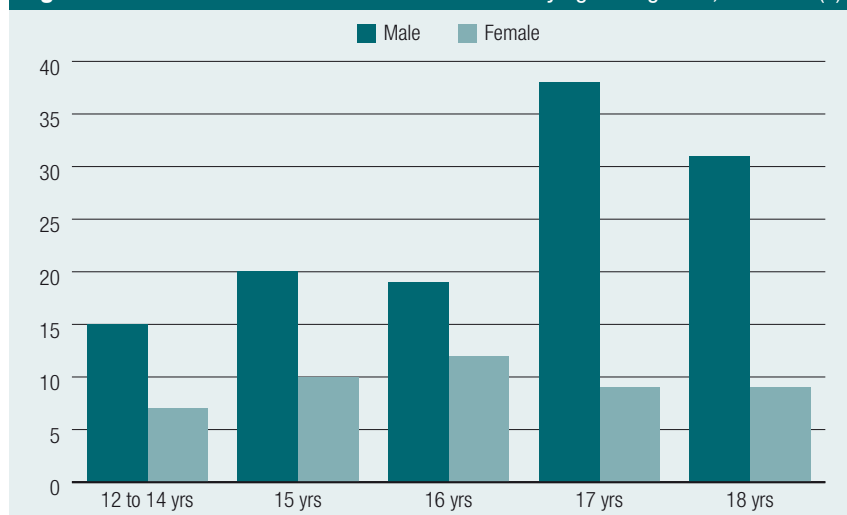
Figure 90 Federal defendants in the Magistrates' court by age group and gender, 2008–09 (n)



- Thirty percent of federal cases adjudicated in the Magistrates' court involved female defendants.
- More females aged between 35 and 44 years appeared as federal defendants (n=1,195) than females of any other age group. By comparison, more males aged over 45 years appeared as federal defendants (n=2,551) than males of any other age group.

Source: Reference 24

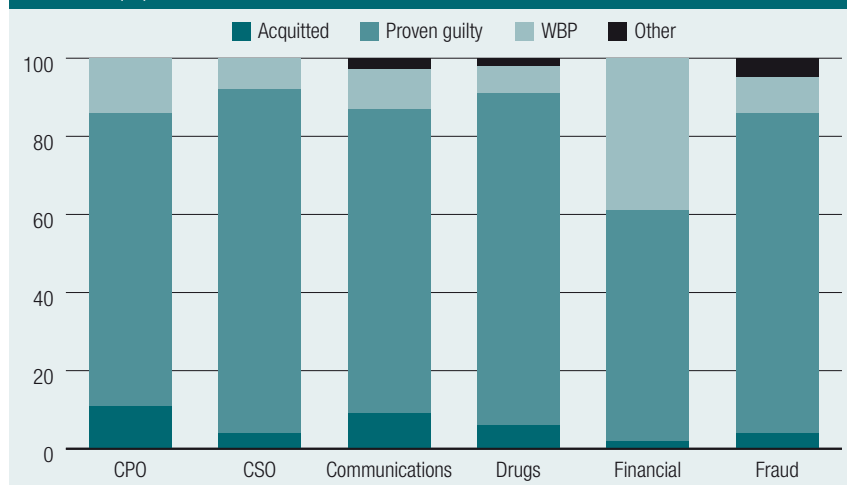
Figure 91 Federal defendants in the children's court by age and gender, 2008–09 (n)



- Of the 170 federal cases heard in the children's courts, 72 percent involved a male defendant.
- In 2008–09, 22 federal defendants were aged between 12 and 14 years. Of these, 15 were male and seven were female.
- The majority of male federal defendants (31%) were aged 17 years old, while for females the majority (26%) were 16 years of age.

Source: Reference 24

Figure 92 Selected offences in the higher courts by method of finalisation, 2008–09 (%)



CPO: Commonwealth property offences

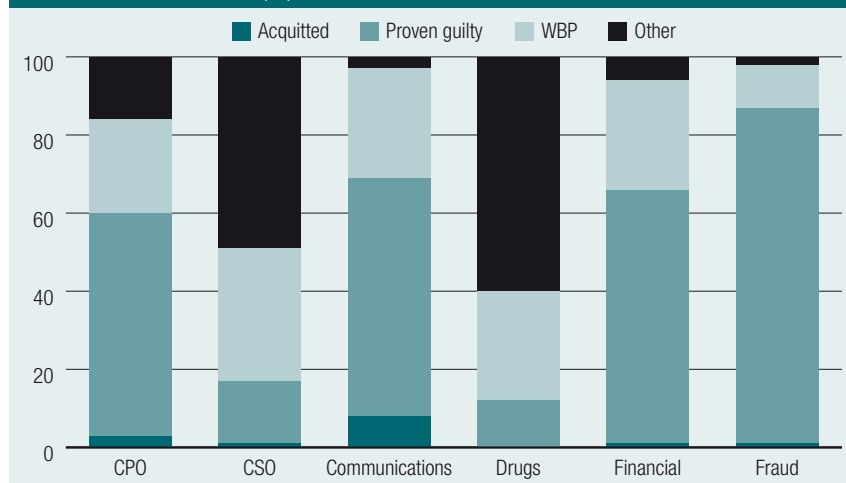
CSO: Commonwealth sex offences

WBP: Withdrawn by prosecution

- The most common method of finalisation across all crimes involved the defendant being found guilty.
- Of the 492 cases of financial crime, 39 percent were withdrawn by the prosecution before they were finalised.
- Eleven percent of Commonwealth property defendants were acquitted compared with four percent of Commonwealth sex offence cases, nine percent of communication crimes, six percent of drugs cases and four percent of defendants arrested for fraud.

Source: Reference 24

Figure 93 Selected offences in the Magistrates' and children's courts by method of finalisation, 2008–09 (%)



CPO: Commonwealth property offences

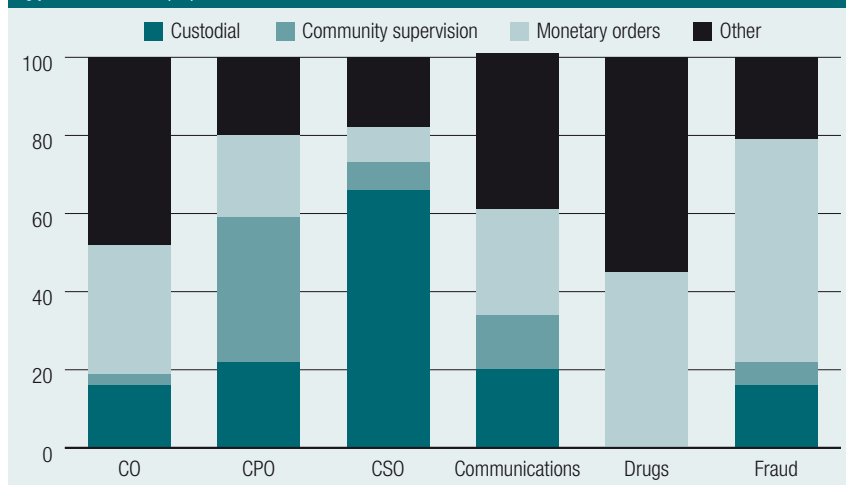
CSO: Commonwealth sex offences

WBP: Withdrawn by prosecution

- Sixteen percent of Commonwealth sex offence charges were proven guilty in the Magistrates' and children's courts. A similar finding was also recorded for federal drug offences, where 12 percent of cases ended with a guilty verdict.
- In 2008–09, one percent of defendants prosecuted for a federal financial crime were acquitted—65 percent were proven guilty, 28 percent were withdrawn by the prosecution, while six percent were finalised by other methods.
- Only three percent of Commonwealth property crime charges compared with eight percent of communication-based offences resulted in the defendant being acquitted.

Source: Reference 24

Figure 94 Selected federal offences proven guilty in the higher courts by sentence type 2008–09 (%)



CPO: Commonwealth property offences

CSO: Commonwealth sex offences

CO: Crimes against Commonwealth officials

- A defendant was more likely to receive a custodial sentence if they were convicted for a Commonwealth property crime, a Commonwealth sex offence and communications offences.
- In 2008–09, 81 percent of sentences handed down for communications-based offences and 84 percent of crimes against Commonwealth officials were non-custodial.

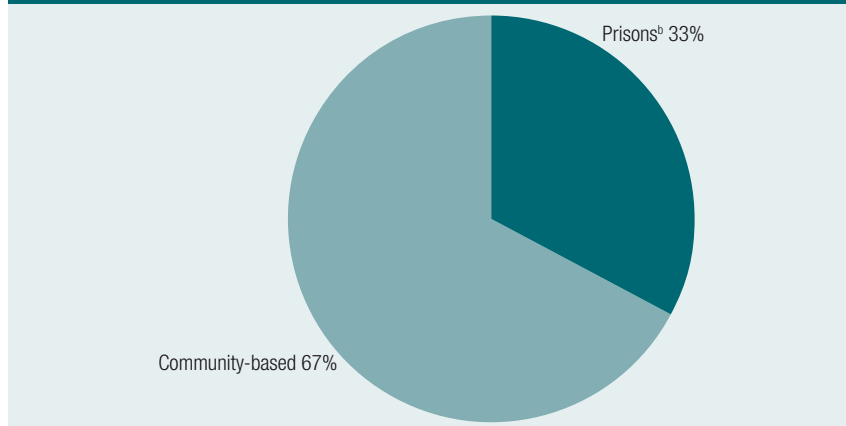
Source: Reference 24

Chapter 6

Corrections

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

Figure 95 Offenders by type of corrective program, 2008–09 (%)^a



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

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

n=85,389

- The number of offenders in correctional institutions around Australia increased from 82,290 in 2007–08 to 85,389 in 2008–09.

- In 2008–09, 33 percent of offenders managed by corrective services authorities were serving custodial sentences or were on remand.
- The remaining 67 percent were serving community-based orders.

Source: Reference 22

Prisons

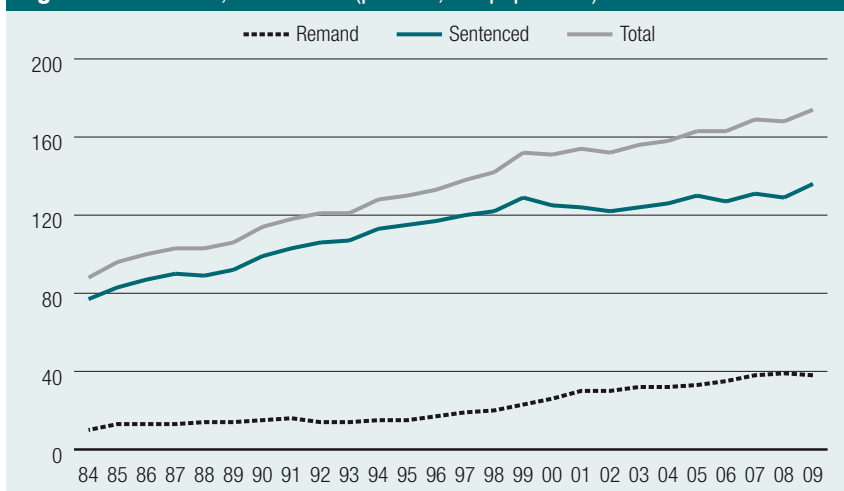
A national census of adult prisoners is taken on 30 June each year. Prisoner counts include both sentenced prisoners and those on remand (awaiting trial or sentence), unless otherwise specified.

A total of 29,317 persons were in custody in Australian prisons on 30 June 2009—a six percent increase on the number recorded for 2008. This corresponds to a rate of 174 per 100,000 adult population, which is four percent higher than the 2008 rate. Of these prisoners, 22,924 were serving sentences, while 6,393 (22%) were on remand awaiting trial.

Source: Reference 25

Trends in prison populations

Figure 96 Prisoners, 1984–2009 (per 100,000 population)



- Overall, the imprisonment rate per 100,000 adult population increased from 88 in 1984 to 174 in 2009. This equates to an average growth rate of three percent per year since 1984.
- On 30 June 2009, prisoners on remand accounted for 22 percent of all prisoners, while those sentenced accounted for 78 percent. The proportion of remand to sentenced prisoners has been increasing since the early 1990s.

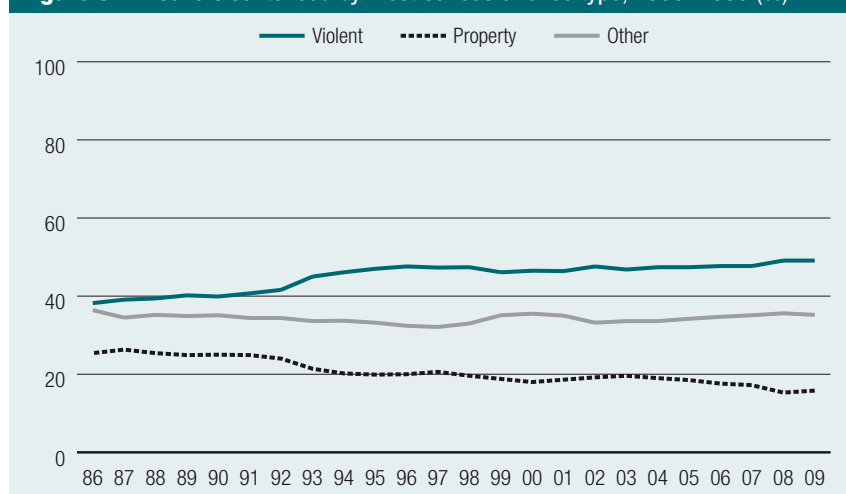
Source: References 2 and 25

Most serious offence

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

On 30 June 2009, the MSO for which 11,248 prisoners were sentenced was a violent offence. There were 3,615 prisoners whose MSO was a property offence and 8,061 prisoners who were sentenced for other MSOs.

Figure 97 Prisoners sentenced by most serious offence type, 1986–2009 (%)



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

- The proportion of prisoners sentenced for violent, property and other offences were similar to those of 2008. Specifically, in 2009, 49 percent of prisoners were sentenced for violent crimes, 16 percent for property offences and 35 percent for other offences.
- Since 2003, the number of prisoners sentenced for violent offences has increased by five percent or, on average, by 0.7 percent per year.
- In 2009, 16 percent of prisoners were sentenced for a property crime, increasing slightly from 15 percent in 2008.

Source: Reference 25

Table 9 Most serious offence of prisoners sentenced by sex, 2009

	Male		Female	
	n	%	n	%
Violent				
Homicide	2,053	10	166	10
Assault	3,629	17	211	13
Sex offences	3,035	14	29	2
Robbery	2,022	9	103	6
Property				
Break and enter	2,474	12	114	7
Other theft ^a	854	4	173	11
Other				
JGSO ^b	2,035	10	170	11
Drug offences	2,090	10	258	16
Fraud	490	2	205	13
Other ^c	2,648	12	165	10
Total	21,330	100	1,594	100

a: Includes MVT

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

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

Note: Percentages may not total 100 due to rounding

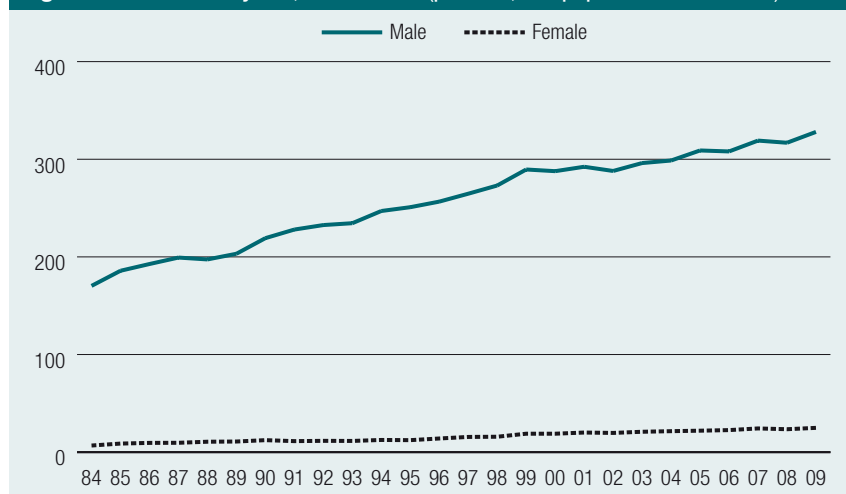
- In 2009, there were far more males sentenced for violent, property and other crimes (n=21,330) than females (n=1,594).

- Adult males imprisoned for the violent offences of homicide, assault, sex offences, or robbery as their MSO accounted for half of all sentenced adult male prisoners in 2008–09 (50%).
- The rates of female sentencing compared with male sentencing were higher for drug offences (16%), fraud (13%), ‘other’ theft (11%), JGSO (11%) and homicide (10%).

Source: Reference 25

Sex

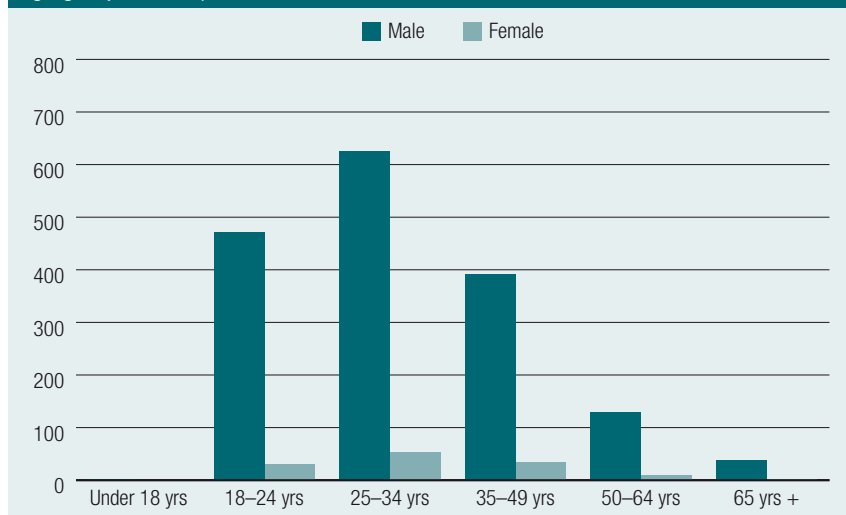
Figure 98 Prisoners by sex, 1984–2009 (per 100,000 population of that sex)



- In 2009, the overall imprisonment rate for males was 328 per 100,000 per adult male population. This is a four percent increase from the previous year.
- The ratio of male to female prisoners was 13:1 per 100,000 adult population.

Source: References 2 and 25

Figure 99 Prisoners by age group and sex, 2009 (per 100,000 population of that age group and sex)



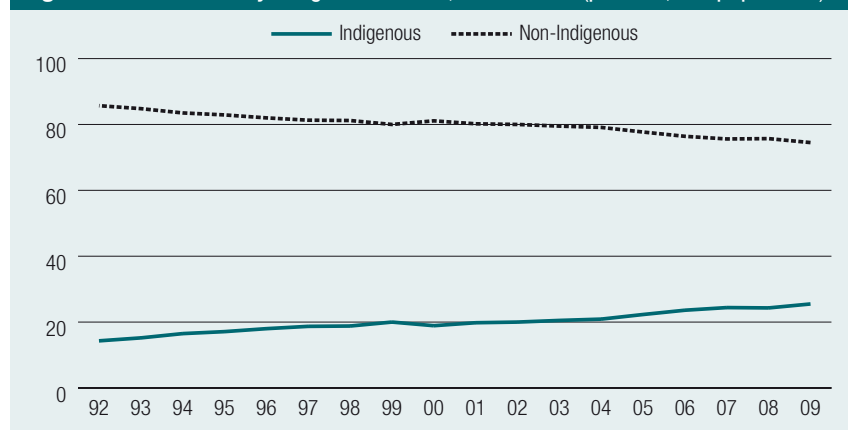
- Over half (55%) of all offenders were aged less than 35 years.
- In 2009, females accounted for seven percent of all prisoners.
- In 2009, males aged 25–34 years had the highest rate of imprisonment, with 625 per 100,000 adult male population imprisoned.

Source: References 2 and 25

Indigenous status

Figure 100 shows the imprisonment rate of Indigenous and non-Indigenous persons.

Figure 100 Prisoners by Indigenous status, 1992–2009 (per 100,000 population)

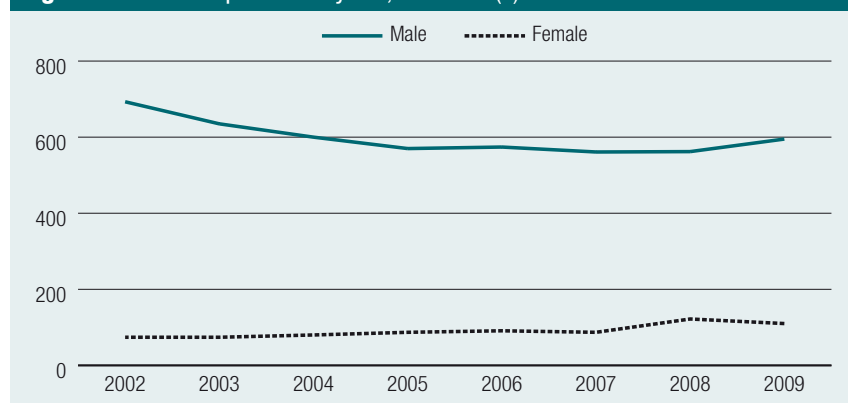


- At 30 June 2009, 26 percent of the prison population (n=7,386) were Indigenous.
- Since 1992, the proportion of Indigenous prisoners has risen by 79 percent. By comparison, the proportion of non-Indigenous prisoners has declined by 13 percent.

Source: References 2 and 25

Federal prisoners

Figure 101 Federal prisoners by sex, 2002–09 (n)



- The ratio of males to females on 30 June 2009 was 5:1.
- The number of female federal prisoners increased from 87 prisoners in 2007 to 110 prisoners in 2009; an increase of 26 percent.
- Overall, male prisoner numbers have decreased by 14 percent since 2002.

Source: Reference 26

Recidivism

One measure of recidivism is rate of return to prison, which has remained stable in Australia over the past five years of data collection. Of those prisoners released in 2006–07, 39 percent had returned to prison under sentence by 30 June 2009, while 45 percent were returned to corrective services.

Source: Reference 21

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

Table 10 Detainees at 30 June 2009 previously imprisoned by current offence and Indigenous status				
	Indigenous		Non-Indigenous	
	n	%	n	%
Homicide	441	62	2,256	35
AICI	2,365	76	3,203	52
Sexual assault	747	63	2,837	27
Robbery	650	69	2,104	60
UEWI	1,010	77	2,183	76
Theft	280	76	993	66
Illicit drug offences	138	59	2,987	34

- Indigenous prisoners were consistently more likely to have a history of prior imprisonment compared with non-Indigenous prisoners. In 2009, 74 percent of Indigenous prisoners had previously been incarcerated compared with 50 percent of non-Indigenous prisoners.
- Non-Indigenous offenders were more likely to have a history of imprisonment if they were arrested for UEWI (76%), theft (66%) or robbery (60%).

- Although high across all categories, in the case of Indigenous offenders, a history of prior imprisonment was least common for sexual assault (63%), homicide (62%) and illicit drug offences (59%).

Source: Reference 25

Community corrections

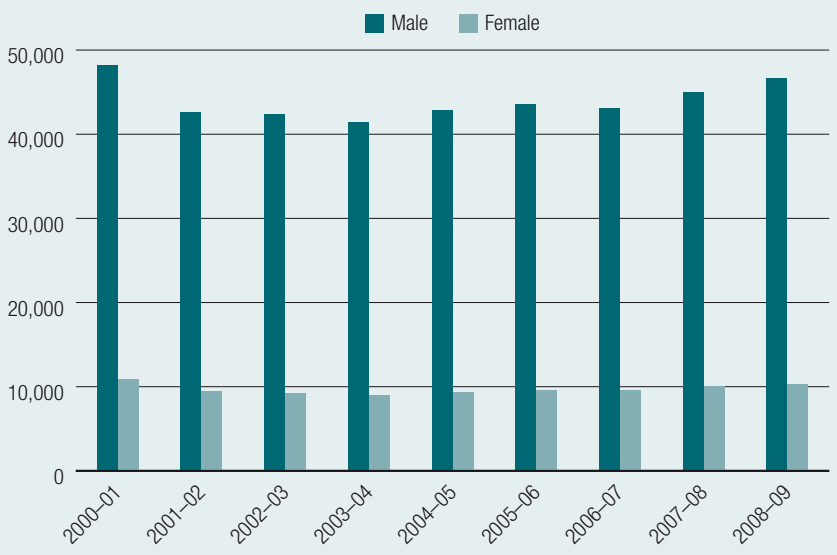
Community corrections comprise a variety of non-custodial programs, varying in the extent and nature of supervision, the conditions of the order and the restrictions on the person's freedom of movement in the community. They generally provide either a non-custodial sentencing alternative or a post-custodial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

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

In Australia during 2008–09, an average of 56,972 offenders were serving community corrections orders on any given day—an increase of three percent from the number recorded in 2007–08. This corresponds to a rate of 338 per 100,000 adults, with 562 per 100,000 adult males and 121 per 100,000 adult females.

Source: References 2, 22 and 26

Figure 102 Average daily community corrections population by sex, 2000–01 to 2008–09 (n)



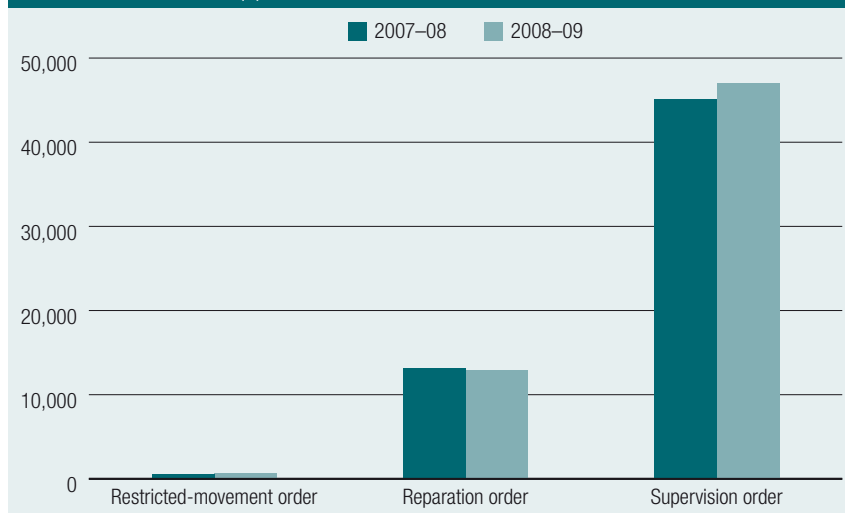
- In 2008–09, the average daily community corrections population increased for both sexes. Specifically, the male community corrections population rose by four percent and the female population by three percent.
- Between 2000–01 and 2007–08, the rate of offenders on community corrections orders per 100,000 population decreased by 18 percent for adult males and 19 percent for adult females.

Source: References 2 and 26

There are three main categories of community corrections orders:

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

Figure 103 Average daily community corrections population by type of order, 2007–08 to 2008–09 (n)



- Supervision orders accounted for 78 percent of total community corrections orders in 2008–09, while restricted movement orders accounted for one percent.
- Both restricted movement and supervision orders increased in 2008–09 compared with the numbers recorded for 2007–08. Specifically, restricted movement orders increased by 13 percent (586 in 2007–08 to 665 in 2008–09) and supervision orders increased by four percent (45,056 to 46,985).
- Reparation orders being served by prisoners in community corrections fell by two percent in 2008–09, from 13,147 in 2007–08 to 12,872.

Source: Reference 26

Figure 104 Successful completion of community corrections orders by type of order, 2007–08 and 2008–09 (%)



- Reparation orders were less likely to be successfully completed in 2008–09 (66%) compared with a 63 percent completion rate in 2007–08.
- Successful completion of supervision orders and restricted movement orders were similar to those reported in the previous years.

Source: Reference 26

Indigenous status

In 2008–09, 43,877 non-Indigenous and 10,522 Indigenous offenders served community corrections orders.

Figure 105 Average daily community corrections population by Indigenous status, 2002–03 to 2008–09 (per 100,000 population of that status)



- In 2008–09, Indigenous people were subject to community corrections orders at a rate of 3,334 per 100,000 Indigenous adult population compared with a rate of 261 per 100,000 non-Indigenous adult population.
- The community corrections rate for Indigenous people rose by three percent in 2008–09, after increasing by 12 percent between 2006–07 and 2007–08.

Source: References 2, 22 and 25

Juvenile detention centres

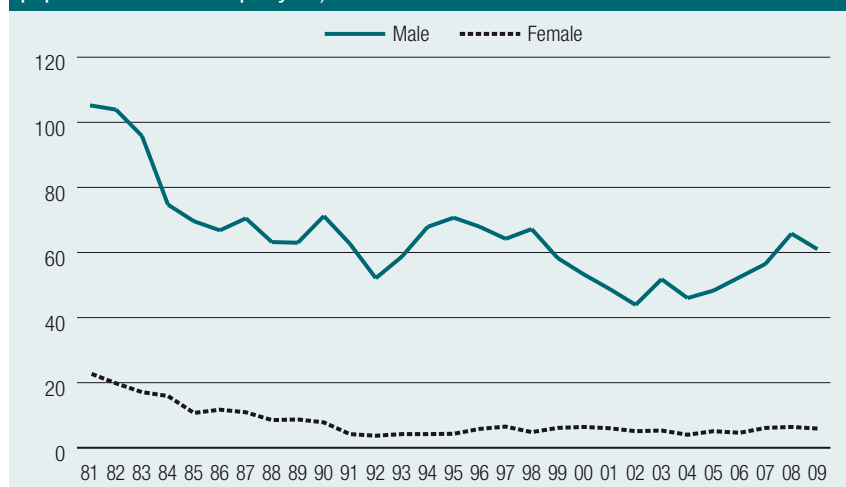
The AIC has maintained a data collection on the number of persons detained in juvenile detention centres since 1981, consisting of a count of persons detained in detention centres on the last day of each quarter of each year. Similar information is not available on the sentenced non-custodial juvenile population.

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

Trends in juvenile detention centre population

As there are differences between jurisdictions regarding the definition of a juvenile, statistics are shown for persons aged from 10 to 17 years. Figure 106 depicts the detention rate of male and female juveniles from 1981 to 2009, including those on remand and those sentenced.

Figure 106 Persons in juvenile detention centres by sex, 1981–2009 (per 100,000 population of that sex per year)^a



a: Rates as at 30 June of each year

- The rate of juvenile incarceration was 10 times higher for males than for females. At 30 June 2009, there were 715 juvenile males in correctional institutions and 66 juvenile females.
- In 2009, juvenile females were incarcerated at a rate of six per 100,000 population, compared with a rate of 23 per 100,000 population in 1981. This equates to a 75 percent decrease over a 29 year period.
- The incarceration rate for juvenile males has declined by 42 percent since 1981. In 1981, juvenile males were incarcerated at a rate of 105 per 100,000 population. In 2009, this figure has decreased to 61 per 100,000 population.

Source: Reference 27

Indigenous status

Data on incarcerated juveniles by Indigenous status have been made available since 1994. This section shows the incarceration rate of Indigenous and non-Indigenous persons in juvenile correctional institutions, from 31 March 1994 to 30 June 2009, for each quarter.

Figure 107 Persons in juvenile detention centres by Indigenous status, 31 March 1994 to 30 June 2009^a (per 100,000 population of that status per year)



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

- On 30 June 2008, 54 percent of juveniles in detention identified as Indigenous.
- Non-Indigenous juveniles offenders were detained in correctional institutions at a rate of 16 per 100,000 non-Indigenous juvenile population compared with 370 Indigenous juvenile offenders per 100,000 Indigenous juvenile population.
- The detention rate of Indigenous juveniles was 23 percent higher than that of non-Indigenous juveniles.
- During the first quarter of 2008, a high number of Indigenous juveniles were detained in correctional institutions (n=529). Since then, this number has fallen by 22 percent to 411 on 30 June 2009.

Source: References 2, 25 and 27



Chapter 7

Criminal justice resources

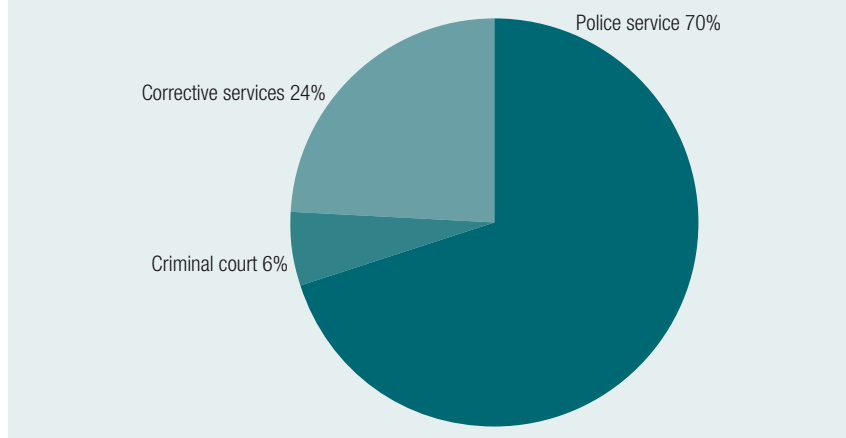
Justice expenditure

According to the *Report on Government Services* in 2010 (*Reference 22*), the total real recurrent expenditure (less revenue from own sources) on justice in 2008–09 was approximately \$11.6b. Of this, approximately \$11b was spent on criminal justice. The remaining \$598m was spent on the administration of civil courts. Since 2002–03, expenditure on criminal justice has increased by 36 percent overall and by an average of six percent each year.

Police services represent the largest component of the criminal justice system, accounting for approximately 70 percent of total expenditure. Corrective services accounted for a further 24 percent, while criminal courts administration accounted for the remaining six percent (see Figure 108).

Source: Reference 22

Figure 108 Composition of government expenditure on criminal justice, 2008–09 (%)



- Total=\$11,023,000,000

Source: Reference 22

Police

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

The figures below exclude resource data for the AFP for non-ACT policing functions.

Expenditure

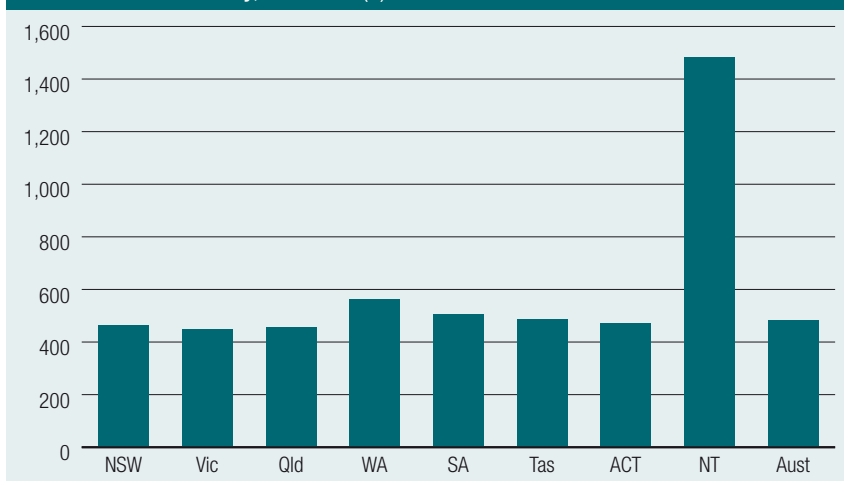
The total recurrent expenditure on police services around Australia in 2008–09 was approximately \$8.1b. This amounts to \$371 per person in Australia, or \$482 per adult. Salaries accounted for 75 percent (\$6.1b) of this expenditure.

Real total recurrent expenditure (less revenue from own sources and payroll tax) in 2008–09 was \$8b, or \$359 per person or \$467 per adult.

Table 11 Expenditure on state and territory police services, 2008–09

Expenditure, including salaries	(\$'000)
Total recurrent expenditure	8,104.10
Total capital expenditure	538.90
Staff salaries	(\$)
Average police staff salaries	107,738.40
Average non-police staff salaries	66,818.15

Source: Reference 22

Figure 109 Recurrent expenditure on police services per head of adult population in each state or territory, 2008–09 (\$)

- Recurrent expenditure on police services per head of adult population ranged from approximately \$447 in Victoria to \$1,484 in the Northern Territory.
- The national average was \$482 per head of adult population.

Source: References 2 and 22

Staffing

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

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

- Total police service staffing in Australia (excluding the AFP) on 30 June 2009 was 64,315. This averages 294 per 100,000 population (225 sworn police officers and 69 civilian employees).
- There were 49,242 sworn police officers and 15,073 civilian employees making up Australian police services in 2009.

Source: References 2 and 22

Table 12 Composition of state and territory police services by jurisdiction^a, 2008–09 (n)

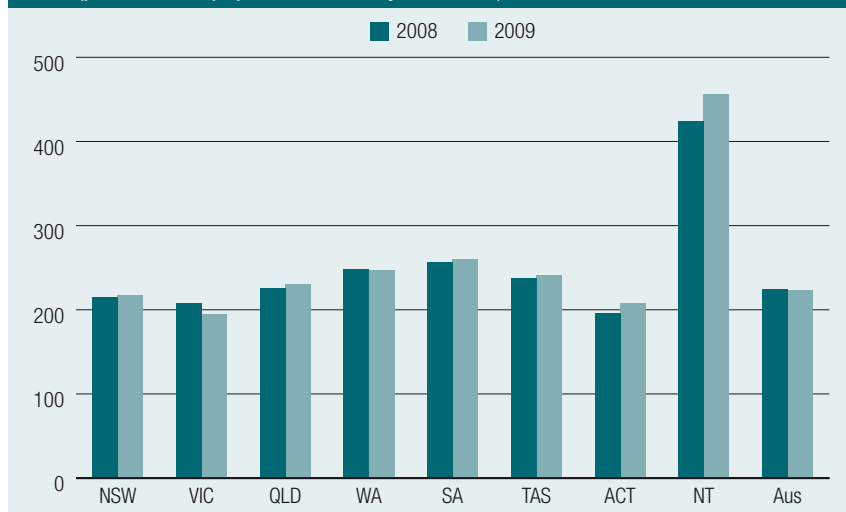
Jurisdiction	Sworn police officers	Civilian staff	Total	Police officers by 1,000 sq/km	Area sq/km
NSW	15,394	3,759	19,153	19	801,600
Vic	11,028	2,873	13,901	48	227,600
Qld	10,124	4,098	14,222	6	1,727,200
WA	5,522	1,952	7,474	2	2,525,500
SA	4,209	1,222	5,431	4	984,000
Tas	1,212	390	1,602	18	67,800
ACT	729	216	945	310	2,352
NT	1,024	563	1,587	1	1,346,200
Aust	49,242	15,073	64,315	6	7,682,252

a: Excludes Australian Federal Police not used for ACT policing

- New South Wales had the largest police service in Australia and the Australian Capital Territory had the smallest.
- The Northern Territory employed the largest percentage of civilian staff (35%), while New South Wales employed the smallest (20%).
- Per 1,000 square km, the Australian Capital Territory had 310 sworn police officers and the Northern Territory and Western Australia had one and two respectively.

Source: Reference 22

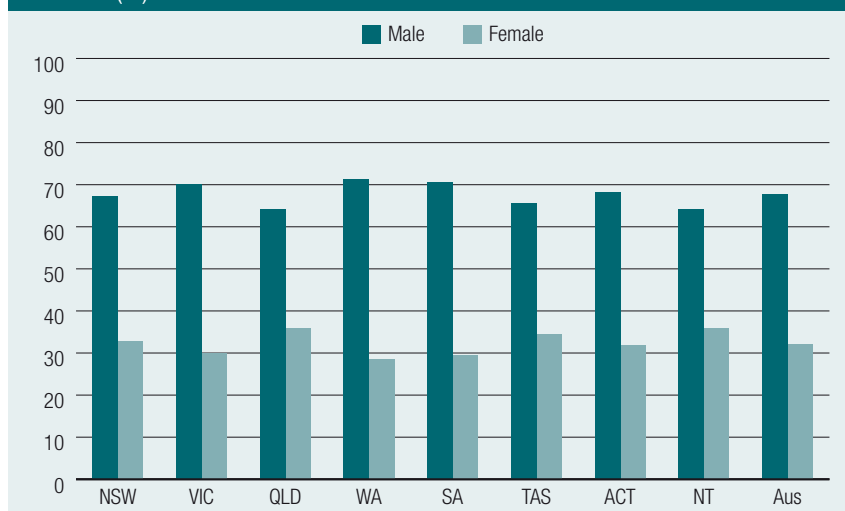
Figure 110 Sworn police officers by jurisdiction, at 30 June 2008 and 30 June 2009 (per 100,000 population in that jurisdiction)



- On 30 June 2009, the Northern Territory had the largest number of police officers (455 per 100,000 population in that jurisdiction); the Australian Capital Territory had the smallest (208 per 100,000 population).
- The national average was 223 sworn police officers per 100,000 population.

Source: References 2 and 22

Figure 111 Sex composition of sworn and unsworn police staff by jurisdiction, 2008–09 (%)



The highest proportion of male police staff was in Western Australia with 71 percent. Nationally, males made up at least 68 percent of all police staff in state and territory police services in 2008–09.

Source: Reference 22

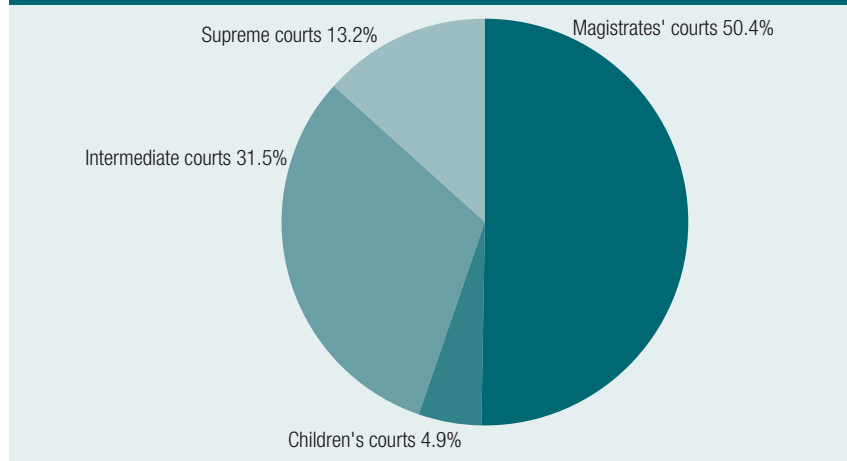
Court administration

In 2008–09, total recurrent expenditure on court administration services around Australia (excluding the High Court and specialist jurisdiction courts) was \$1.5b—approximately \$61m more than in 2007–08. Expenditure on criminal court administration was approximately \$674m for 2008–08, an increase from \$617m in the previous year.

Total criminal court expenditure less income (excluding fines) was \$648m. This amounts to \$30 per person in Australia, or \$39 per adult.

Source: Reference 22

Figure 112 Total expenditure (less income) on criminal courts in 2008–09 (%)



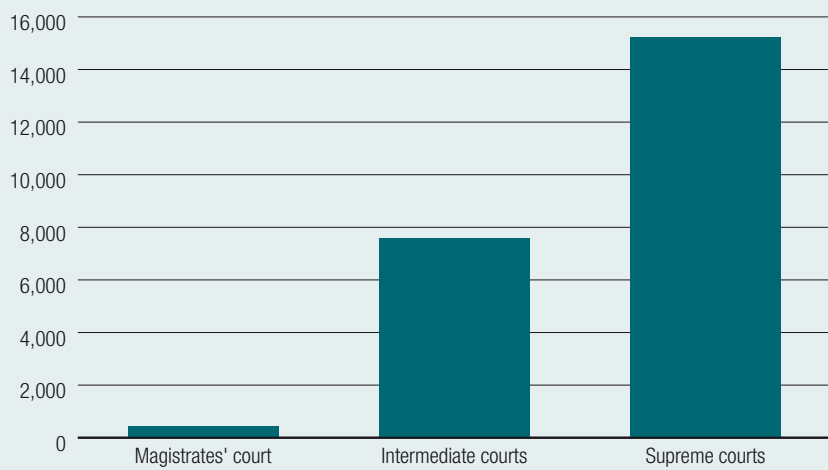
Total=\$648,115,961

- Fifty percent of all criminal court expenditure in 2008–09 was spent on the Magistrates' courts, a decrease of one percent from 2007–08. Children's courts received five percent, the same as for 2007–08.
- Intermediate courts received 32 percent of total expenditure, which is a one percent increase from the previous year, while the Supreme courts received 13 percent of total criminal court expenditure.

Source: Reference 22

Figure 112 shows the average expenditure per case lodgement in the criminal courts. The higher the level of court, the higher the cost associated with each criminal case lodgement. This is because more complex and lengthy cases are generally heard in the higher courts.

Figure 113 Average expenditure per criminal case lodgement by court in 2008–09 (\$)



In 2008–09, the average expenditure per criminal case lodgement was \$423 in Magistrates' courts, \$7,585 in intermediate courts and \$15,218 in Supreme courts. These figures represent an increase in expenditure per lodgement of seven, eight and nine percent respectively across all courts compared with expenditure for 2007–08.

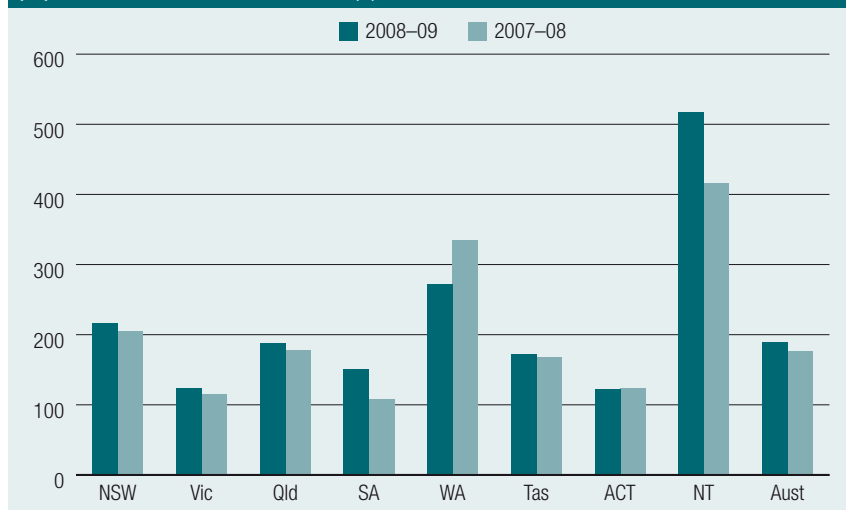
Source: Reference 22

Adult corrective services

Resources allocated for corrective services in Australia are divided into two broad categories—prisons and community corrections. Total net expenditure on corrective services in Australia was approximately \$3.2b in 2008–09; \$2.8b (86%) for prisons, \$375m (12%) for community corrections and \$71m (2%) for transport and escort services. This corresponds to \$148 for every person in Australia, or \$193 for every adult.

Source: References 2 and 22

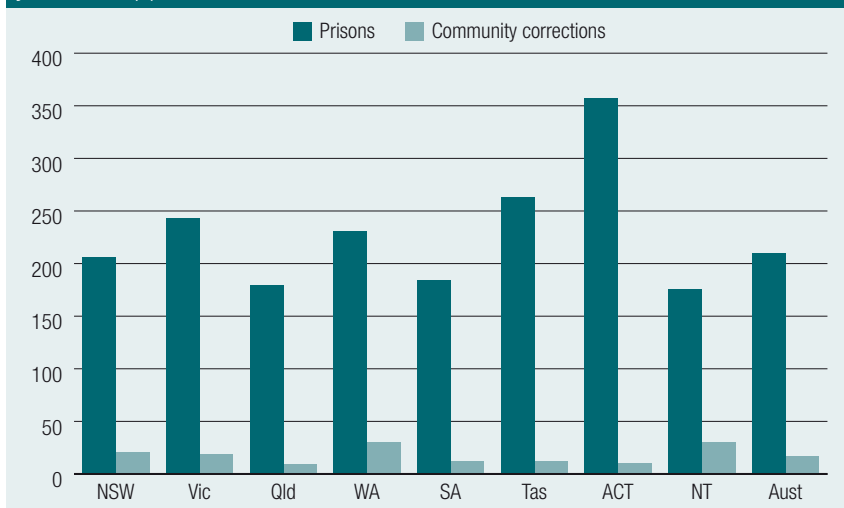
Figure 114 Real recurrent expenditure on corrective services per head of adult population, 2007–08 to 2008–09 (\$)



- Recurrent expenditure on corrective services per adult in the jurisdiction ranged from \$122 in the Australian Capital Territory to \$517 in the Northern Territory.
- In 2008–09, each state and territory, except the Australian Capital Territory, increased their recurrent expenditure on corrective services per head of the adult population.

Source: References 2 and 22

Figure 115 Corrective services expenditure per offender per day in 2008–09 by jurisdiction (\$)



- The Northern Territory spent \$175 per prisoner per day, the lowest figure nationally, while the Australian Capital Territory spent the most, averaging \$357 per day. Across Australia, the average expenditure per prisoner per day was \$210.
- By comparison, the national average expenditure per offender sentenced to community corrections programs per day was \$17.
- In 2008–09, \$76,548 was spent for every prisoner and \$6,198 for each offender sentenced to community corrections programs.

Source: Reference 22



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All URLs correct at February 2011

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