



**Australian Government**

**Australian Institute of Criminology**

# Australian crime: Facts & figures

# 2012





# Australian crime: Facts & figures

## 2012

[www.aic.gov.au](http://www.aic.gov.au)

© Australian Institute of Criminology 2013

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

Apart from any fair dealing for the purpose of private study, research, criticism or review, as permitted under the *Copyright Act 1968* (Cth), no part of this publication may in any form or by any means (electronic, mechanical, microcopying, photocopying, recording or otherwise) be reproduced, stored in a retrieval system or transmitted without prior written permission. Inquiries should be addressed to the publisher.

Published by the Australian Institute of Criminology  
GPO Box 2944  
Canberra ACT 2601  
Tel: (02) 6260 9200  
Fax: (02) 6260 9299  
Email: [front.desk@aic.gov.au](mailto:front.desk@aic.gov.au)  
Website: <http://www.aic.gov.au>

### **Acknowledgements**

Extraction of data and preparation of text:  
Georgina Fuller

### **Notes**

Because of rounding, some percentages may not sum to 100.  
Minor revisions are occasionally made to publications after release.  
The online version available on the AIC website will include any revisions made since printing: [http://www.aic.gov.au/publications/current series/facts/1-20/2012.html](http://www.aic.gov.au/publications/current%20series/facts/1-20/2012.html)

Edited and typeset by the Australian Institute of Criminology

# Foreword

While the volume and rate of individual crime types has fluctuated over the past few years, overall, crime in Australia has been decreasing. *Australian Crime: Facts & Figures* uses information compiled from a broad range of sources to create an accurate and holistic picture of crime and criminal justice issues in Australia. Within this volume are the patterns and trends relating to specific crimes, victims, offenders, the location of criminal acts, and the operation and cost of the criminal justice system (including the police, courts and prisons). The purpose of this publication is to provide government and justice agencies, the media and the Australian public with accurate, easy to access crime statistics in a single, centralised location.

In the previous edition of *Australian Crime: Facts & Figures*, a new chapter was introduced with an aim to provide data around a crime and justice issue of importance for that year. This year, that chapter focuses on the relationship between alcohol and other drugs, and offending (see Chapter 8). While information on the involvement of alcohol and other drugs in physical assaults is presented, the statistics also highlight the serious drug and alcohol problem affecting prisoners in Australia.

An online version of *Australian Crime: Facts & Figures* is also available at the Australian Institute of Criminology's (AIC) website ([www.aic.gov.au](http://www.aic.gov.au)). This online tool allows users to generate their own graphs and tables and more fully engage with the data. For more information on specific crime and justice issues, the AIC disseminates a number of publications, from fact sheets through to detailed reports. These publications are available for free downloaded from the AIC website in a variety of formats, or by contacting the AIC directly.

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

## Highlights

- The number of recorded victims of sexual assault and robbery has decreased. Robbery decreased by seven percent from 14,582 in 2009–10 to 13,617 in 2010–11, while there was a three percent decrease in victims of sexual assault with 17,238 victims, 519 fewer victims than the previous year. However, in 2010–11, there were 67 more recorded victims of kidnapping and abduction. There were 14 more recorded victims of homicide than in 2009–10 however the rate remained at historically low levels at 1.2 per 100,000.
- In line with previous years, there were significantly more victims of property crime compared with violent crime in 2010–11. Further, the number of victims of property crime increased across all categories. Specifically, unlawful entry with intent and motor vehicle theft both increased by one percent, while other theft increased by seven percent.
- In 2010–11, \$78,840 was spent on prisons in Australia compared with \$7,300 for community-based corrections. In terms of ratios of dollars spent, for every \$1 spent per offender per day in community corrections, \$11 was spent on offenders in prison.
- Offending rates were highest for both males and females aged 15–19 years. Within this age category, most violent offending peaked around 17 years of age. However, the rate of sexual assault offending by 15 year olds (64 per 100,000) was greater than that of 17 year olds (56 per 100,000).
- Detainees (ie alleged offenders) who tested positive to heroin, alcohol and methamphetamine were more likely to attribute their violent criminal offending to their use of the drug than detainees who tested positive to cannabis, cocaine or ecstasy.
- Until recently, property crime occurred most frequently in domestic settings. However, since 2009, the most common location for property crime has been retail locations.
- External fraud was the most common category of fraud committed against the Commonwealth in 2009–10. Specifically, there were 702,941 incidents of external fraud, costing an average \$705 per incident.
- Non-custodial monetary orders were the most common sentences handed down in Magistrates' courts in 2010–11. Conversely, the proportion of defendants found guilty in the higher courts who received a custodial sentence was far greater than those who received a non-custodial sentence.

**Adam Tomison**  
**Director**

# Contents

<b>iii</b>	<b>Foreword</b>
<b>v</b>	<b>Contents</b>
<b>vii</b>	<b>Acronyms</b>
<b>viii</b>	<b>Crime and justice statistics</b>
<b>1</b>	<b>Recorded crime</b>
2	Number of recorded victims of crime
5	Recorded crime victimisation rates
7	Location of crime
<b>13</b>	<b>Selected crime profiles</b>
13	Homicide
17	Assault
21	Sexual assault
25	Robbery
28	Unlawful entry with intent
29	Motor vehicle theft
33	Other theft
34	Fraud and deception-related crime
40	Drug arrests
<b>45</b>	<b>Crime victimisation</b>
45	Household and personal victimisation
57	Fear and perception of crime
58	Scams
<b>62</b>	<b>Selected offender profiles</b>
63	Offenders
76	Drug use by offenders
84	Characteristics of police detainees
89	Most serious offence
<b>90</b>	<b>Criminal courts</b>

91	The criminal court process
95	Court decisions
99	Sentencing
<b>117</b>	<b>Corrections</b>
118	Prisons
126	Community corrections
131	Juvenile detention centres
<b>134</b>	<b>Criminal justice resources</b>
134	Justice expenditure
135	Police
139	Court administration
141	Adult corrective services
<b>144</b>	<b>Spotlight on alcohol and other drugs and crime</b>
144	The relationship between alcohol and other drugs and crime
150	Attribution of alcohol and other drug use to criminal offending
154	Alcohol and other drug use in the prison population
162	Rehabilitation
<b>164</b>	<b>References</b>



# Acronyms

<b>ABS</b>	Australian Bureau of Statistics
<b>ACC</b>	Australian Crime Commission
<b>ACCC</b>	Australian Competition and Consumer Commission
<b>AFP</b>	Australian Federal Police
<b>AIC</b>	Australian Institute of Criminology
<b>AICI</b>	acts intended to cause injury
<b>AIHW</b>	Australian Institute of Health and Welfare
<b>AOD</b>	alcohol and other drugs
<b>APCA</b>	Australian Payments Clearing Association
<b>CARS</b>	Comprehensive Auto-theft Research System
<b>CDPP</b>	Commonwealth Director of Public Prosecutions
<b>CSO</b>	Commonwealth sexual offences
<b>DUMA</b>	Drug Use Monitoring in Australia
<b>MPS</b>	migration and people smuggling
<b>MSO</b>	most serious offence
<b>MVT</b>	motor vehicle theft
<b>SCRGSP</b>	Steering Committee for the Review of Government Service Provision
<b>UEWI</b>	unlawful entry with intent

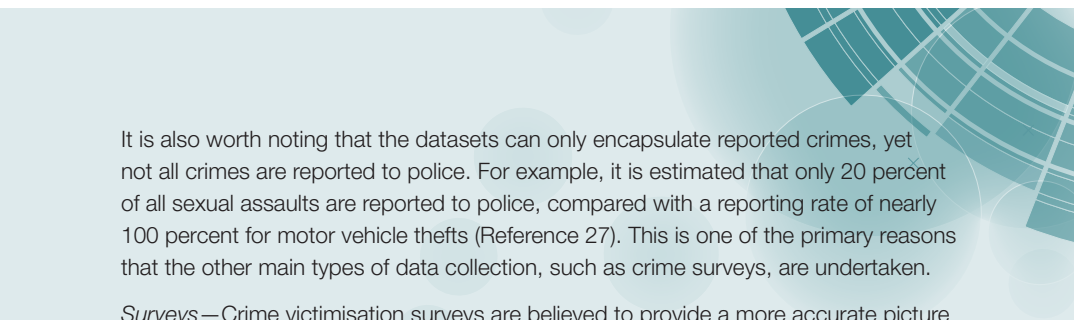
# Crime and justice statistics

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

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

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

- The collections are not all based on the same unit of measurement. For example, police services record details about offences, the courts record data at an individual case level and corrections agencies record information about individual offenders.
- Although substantial work has been undertaken to improve the national collections, the collections continue to be hampered by jurisdictional differences in legislation, definitions and data collection methods that are often not uniform. Data recording quality may also be an issue for some elements of the collection.
- Further, it can take time to reach agreement at a national level on key issues, including definitions of new and emerging offences. As a result, greater detail about crime and justice is often available at a jurisdictional level, even when it is not possible to produce national statistics.
- While 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 (1 July to 30 June 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 27). This is one of the primary reasons that the other main types of data collection, such as crime surveys, are undertaken.

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

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

## Notes on using these statistics

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

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

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

Population projections for Indigenous (Aboriginal and/or Torres Strait Islander) adults are based on data provided by the ABS. The ABS uses two methods to estimate

Indigenous populations—the low series and the high series. Both contain certain assumptions about births, deaths and migration. Figures in this publication are based on high-series population data. This method accounts for the effects of an increasing propensity for people to identify as being of Indigenous background 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. Prior reports of *Australian Crime: Facts & Figures* up to 2004 defined adults as persons aged 17 years and over, affecting calculations such as rates of imprisonment. From the 2005 issue onward, imprisonment rates were recalculated based on the revised adult age and will therefore differ from those quoted in older issues.

Because of rounding, some percentages may not sum to 100. Furthermore, 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 2011 are presented in this first chapter. The information is based on police records of crimes from 1 January to 31 December each year. A victim of crime can be a person, premises or a motor vehicle.

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

Due to inconsistencies among jurisdictions in recording, the ABS has not released aggregated data on assault since 2003. As trends within jurisdictions appear to be consistent, however, the data for each jurisdiction have been released. The AIC used these data to compile the Australian totals for assault included in this chapter. It is important to note that due to changes in the way the ABS have collected the data, the 2011 assault figure does not include information from Victoria, Queensland or Tasmania and is significantly lower than the expected national figure. Therefore, the 2011 assault figure should not be compared with previous years.

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

*Source: Reference 1*

# Number of recorded victims of crime

## 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 the theft.

**Table 1** Victims of selected violent crimes, 1996–2011 (n)

	Homicide <sup>a</sup>	Assault <sup>b</sup>	Sexual assault	Robbery <sup>c</sup>	Kidnapping/ abduction
1996	354	114,156	14,542	16,372	478
1997	364	124,500	14,353	21,305	564
1998	334	130,903	14,689	23,801	707
1999	385	134,271	14,699	22,606	766
2000	362	138,708	16,406	23,336	695
2001	347	152,283	17,577	26,591	767
2002	366	160,118	18,718	20,989	706
2003	341	157,280	18,025	19,709	696
2004	302	156,849	19,171	16,513	768
2005	301	166,507	18,695	17,176	729
2006	321	172,441	19,555	17,375	726
2007	283	176,077	19,954	17,996	733
2008	293	170,720	19,992	16,513	788
2009	293	175,277	18,807	15,238	564
2010	260	171,083	17,757	14,582	603
2011	274	117,873	17,238	13,617	670

a: Comprises the offences of murder and manslaughter

b: 2011 figure does not include information from Victoria, Queensland and Tasmania. Therefore, the assault figure cannot be compared with those prior to 2011

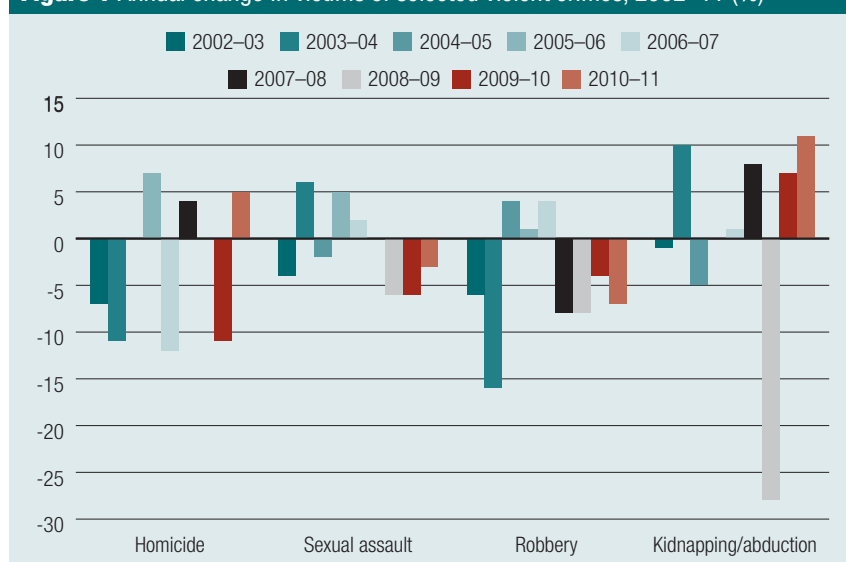
c: Comprises the offences of armed and unarmed robbery. Robbery is classified as a violent crime as the use or threat of violence is more serious than a property offence

Note: Number of victims presented here represents revised estimates on numbers published in earlier editions of *Australian Crime: Facts & Figures*. It is advised that caution be exercised when comparing the number of robbery victims due to an undercounting of victims in New South Wales prior to 2005

- In 2011, the number of victims of robbery and sexual assault decreased. Specifically, there were 965 fewer victims of robbery compared with the figure recorded in 2010 and 519 fewer victims of sexual assault.
- Both homicide and kidnapping victimisation increased in 2011. There were 14 more victims of homicide in 2011 and 67 more victims of kidnapping/abduction.
- There were 117,873 victims of assault recorded in 2011. However, this figure does not include data from Victoria, Queensland and Tasmania and is therefore not comparable with prior years.

Source: Reference 1

**Figure 1** Annual change in victims of selected violent crimes, 2002–11 (%)



- The violent crime with the greatest percentage increase in recorded victims in 2010–11 was kidnapping/abduction, which increased by 11 percent. This is five percentage points greater than the increase recorded in 2009–10.
- Due to the small numbers of victims per year, homicide has fluctuated over the nine year period. The greatest percentage decrease was recorded in 2006–07 at 12 percent. In 2010–11, the number of homicide victims increased by five percent.
- Between 2010 and 2011, sexual assault victimisation decreased by three percent, while robbery decreased by seven percent.

Source: Reference 1

## Property crime

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

	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
2010	216,886	54,736	461,169
2011	218,193	55,382	487,573

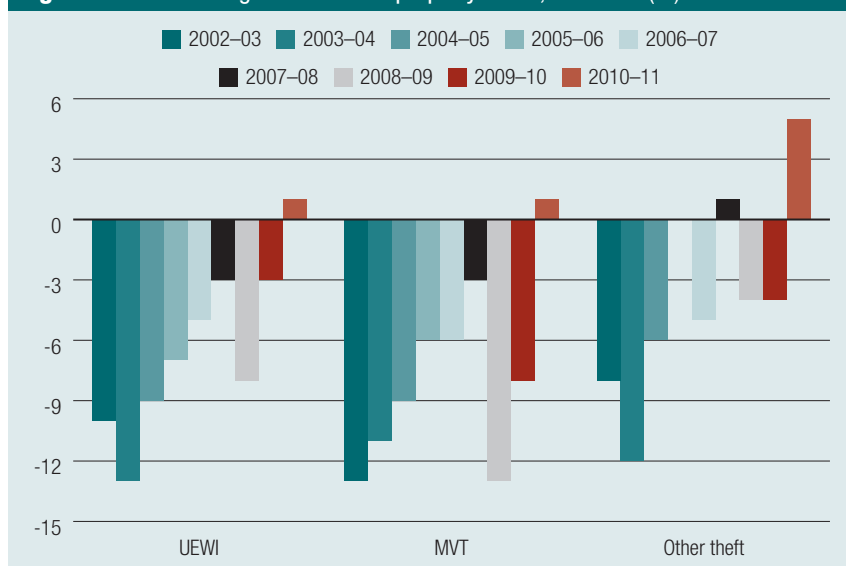
Note: Number of victims presented here represents revised estimates on numbers published in earlier editions of *Australian Crime: Facts & Figures*

- Property crime victimisation continued to occur at much higher rates than violent crime. In 2011, all categories of property crime increased. This was especially noticeable in the category of *other theft*, which increased by 26,404 victims—an increase of five percent.
- Despite increasing by 1,307 victims, the number of victims of UEWI in 2011 remained lower than that recorded in 1996. This pattern was similar for MVT, where victimisation was 55 percent lower in 2011 than it was in 1996.

Source: Reference 1



**Figure 2 Annual change in victims of property crime, 2002–11 (%)**



- The overall trend in property crime victimisation saw a continual decline until 2011, when it increased across all categories. However, the increases were relatively small, with both UEWI and MVT victimisation increasing by approximately one percent.
- Between 2010 and 2011, the number of victims of 'other theft' increased by five percent. This was the greatest percentage increase on record for the last nine years.
- The increases in victimisation recorded in the categories of UEWI and MVT were the first identified since the year 2000.

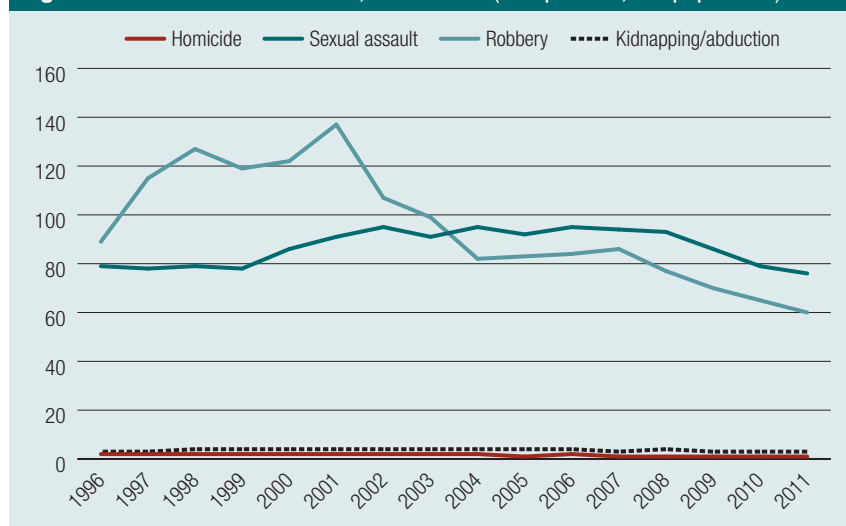
Source: Reference 1

## Recorded crime victimisation 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 victimisation rate

**Figure 3** Victims of violent crimes, 1996–2011 (rate per 100,000 population)



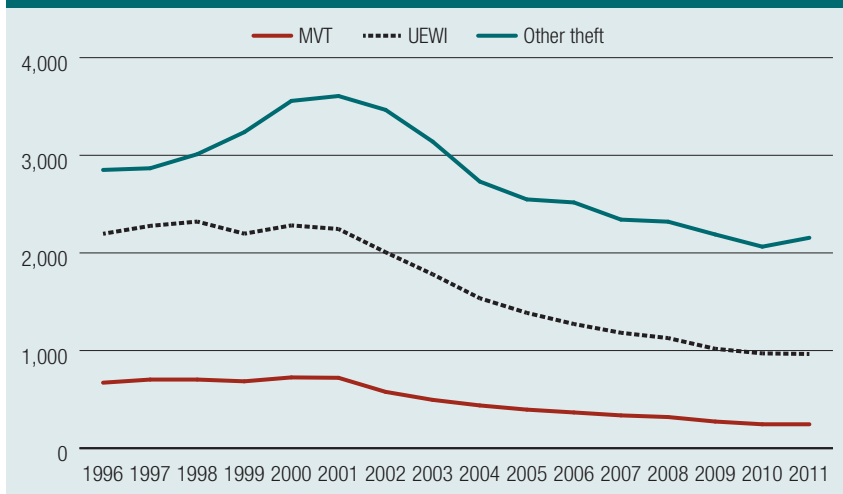
Note: Homicide and kidnapping each occur at rates of fewer than 5 per 100,000 population per year and are difficult to distinguish on this chart

- In 1996, the rate of robbery victimisation was greater than that of sexual assault (89 as opposed to 79 per 100,000 population). In 2004, this changed when the rate of sexual assault victimisation increased to 95 per 100,000 while robbery dropped to 82 per 100,000. Since then, the rate of robbery victimisation has remained below the rate of sexual assault victimisation and in 2011, there were 60 victims of robbery per 100,000 population compared with 76 victims of sexual assault per 100,000 population.
- In 2011, the rate of homicide victimisation was one per 100,000 population.
- The rate of kidnapping/abduction victimisation has never been higher than four per 100,000 population in the 16 years for which data is available. Victimisation peaked in 1999 at four per 100,000 before decreasing to three per 100,000 in 2011.

Source: References 1 and 2

## Property crime victimisation rate

**Figure 4** Victims of property crimes, 1996–2011 (rate per 100,000 population)



- Despite increasing in number in 2011, the victimisation rates of UEWI and MVT decreased. Specifically, UEWI victimisation occurred at a rate of 965 per 100,000 population; an overall decrease of 58 percent since 2000. Similarly, the victimisation rate of MVT has decreased by 66 percent since 2000 to 245 per 100,000 population in 2011.
- Between 2010 and 2011, the rate of other theft victimisation increased by four percent; from 2,064 to 2,155 per 100,000 population.

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.

The number of victims of selected violent offences that occurred within each type of location is presented in Table 3.

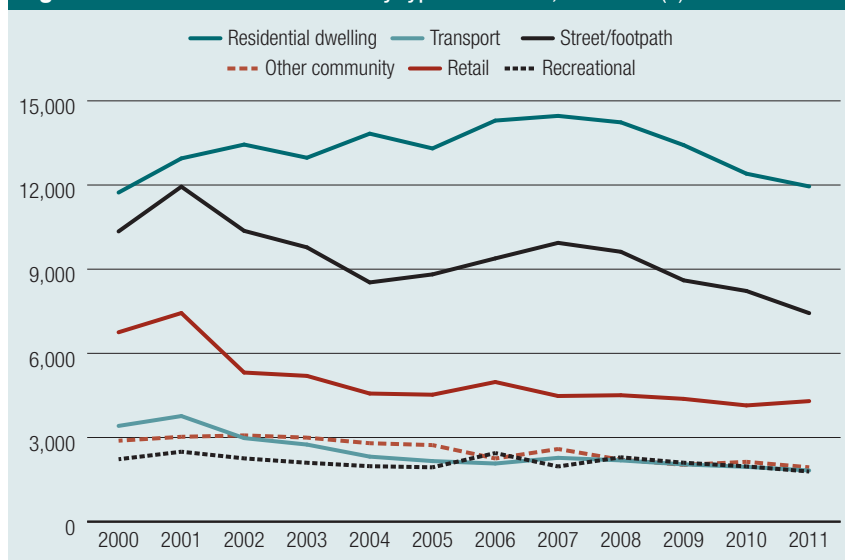
<b>Table 3 Location type of violent crimes, 2011</b>				
	<b>Murder</b>	<b>Sexual assault</b>	<b>Robbery</b>	<b>Kidnapping/ abduction</b>
<b>Residential</b>				
Residential—dwelling	164	10,654	908	223
Outbuilding/residential land	14	299	168	10
Other residential	6	206	21	3
Total residential	184	11,159	1,097	236
<b>Community</b>				
Transport	3	619	1,179	23
Street/footpath	22	1,217	5,886	307
Other community location	14	1,431	457	35
Total community	39	3,267	7,522	365
<b>Other location</b>				
Retail	14	734	3,519	30
Recreational	0	787	979	21
Other	3	260	240	11
Total other	17	1,781	4,738	62
Unspecified	3	970	177	4
<b>Total</b>	<b>243</b>	<b>17,177</b>	<b>13,534</b>	<b>667</b>

a: Total includes locations not elsewhere classified

- Murder and sexual assault victimisation most commonly occurred in the home, while robbery most commonly occurred on the street/footpath. Specifically, 164 victims were murdered (67% of all murder victims) and 10,654 victims were sexually assaulted (62% of all victims of sexual assault) in a residential dwelling.
- In 2011, 3,519 victims were robbed in a retail setting, accounting for 26 percent of all robbery victims that year.
- As with robberies, kidnapping/abduction victims were most commonly kidnapped or abducted on the street/footpath, with 46 percent (n= 307) recorded in this location in 2011.

Source: Reference 1

**Figure 5** Victims of violent crimes<sup>a</sup> by type of location, 2000–11 (n)



a: Excludes assault

- Over the past 12 years, residential settings have been the most common location for violent crime victimisation, with the number of victims increasing, on average, by three percent per year until 2007. Since then, the number of people victimised in residences has decreased by 17 percent to 11,949 in 2011.
- The number of victims of violent crimes in retail settings increased by four percent between 2010 and 2011, from 4,143 to 4,297 victims. Conversely, violent crime victimisation on the street/footpath decreased by 10 percent from 8,223 to 7,432 in the same period.
- In 2010, the number of victims of violent crimes occurring in recreational settings decreased below 2,000, specifically, there were 1,970 victims in 2010 and 1,787 victims in 2011.

Source: Reference 1

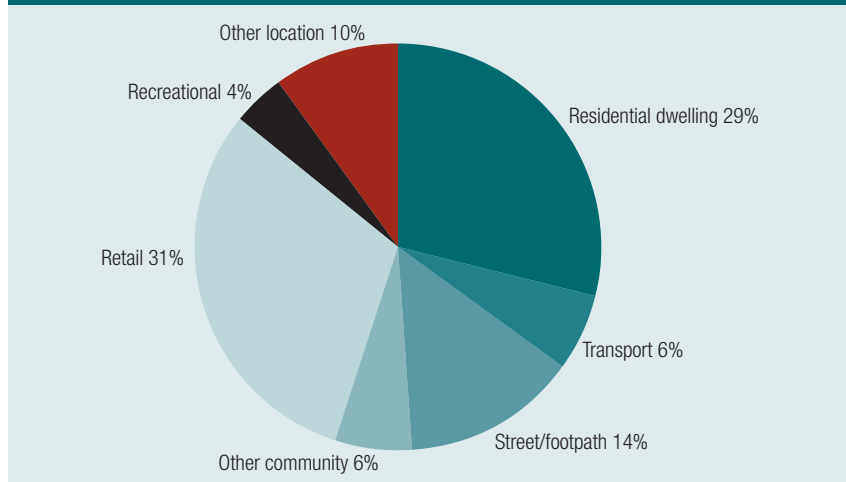
The number of property offences (UEWI, MVT and 'other theft') that occurred at each type of location is presented in Table 4.

<b>Table 4</b> Location type of property crimes, 2011			
	UEWI	MVT	Other theft
<b>Residential</b>			
Residential—dwelling	134,269	6	43,476
Outbuilding/residential land	16,876	24,009	97,756
Other residential	3,581	23	3,141
Total residential	154,726	24,038	144,373
<b>Community</b>			
Transport	408	3,311	31,645
Street/footpath	0	18,810	65,985
Other community location	12,116	813	25,050
Total community	12,524	22,934	122,680
<b>Other location</b>			
Retail	24,340	3,543	160,532
Recreational	5,643	601	19,365
Other	19,411	3,459	28,693
Total other location	50,943	8,414	220,520
Unspecified	1,549	811	11,930
Total	218,193	55,386	487,573

- UEWI and MVT victimisation most commonly occurred in residential settings. Sixty-two percent (n=134,269) of victims of UEWI were victimised in dwellings and 43 percent (n=24,009) of MVTs occurred on outbuilding/residential lands.
- A further 34 percent of victims had their motor vehicles stolen from the street/footpath, with 18,810 recorded in 2011.
- 'Other theft' victimisation was least likely to occur in other residential settings (n= 3,141) or recreational (n=19,365) settings. However, 33 percent (n=160,532) of victimisations occurred in retail locations, making this the most common location for 'other theft'.

Source: Reference 1

**Figure 6** Property crime by location, 2011 (%)

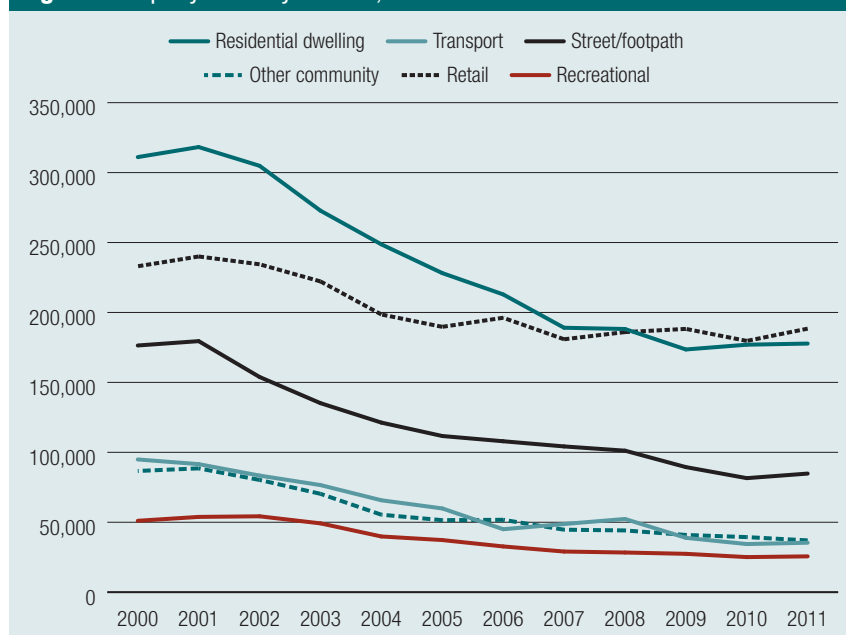


Note: n=607,360. Excludes residential locations that could not be classified as a dwelling, outbuilding/residential land and locations not further defined

- Thirty-one percent of all property crime victimisation occurred in a retail setting, making it the most common location for property crime in 2011. This was followed by residential dwelling (29%) and on the street/footpath (14%).
- Property crime victimisation was least likely to occur in recreational (4%), transport (6%) and other community (6%) locations.

Source: Reference 1

**Figure 7 Property crime by location, 2000–11**



- Residential dwelling locations were the most common setting for property crime victimisation until 2009, when the number of people victimised in retail locations increased to 185,961 compared with 173,535 victimised in dwellings. In 2011, 177,751 victims of property offences were victimised in dwellings and 188,415 in retail settings.
- The numbers of victims of property offences who were victimised in transport and other community locations has fluctuated over the past seven years. However, overall, both have decreased since 2000—transport by 63 percent and other community by 57 percent.
- In 2000, 176,380 victims of property offences were victimised on the street/footpath. Since then, the number of victims in this location has decreased on average, by four percent per year. In 2011, 84,795 victims of property offences were recorded as being victimised on the street/footpath.

Source: Reference 1





## Chapter 2

# Selected crime profiles

### Homicide

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

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

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

Homicide does not include:

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

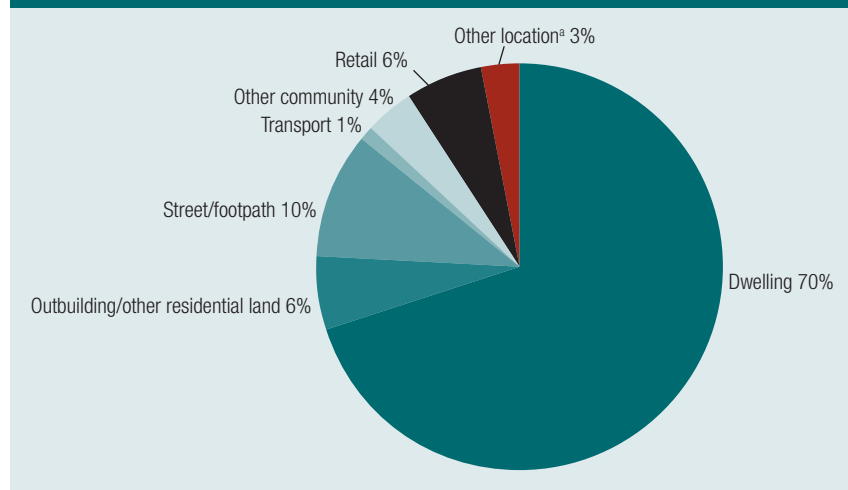
In 2011, the AIC changed the format of the National Homicide Monitoring Program so that it reports biennially rather than annually. As a result, *Australian Crime: Facts & Figures* no longer reports information regarding the relationship between offender and victim or long-term trends in firearm-related homicides.

According to the ABS, there were 274 victims of homicide in Australia in 2011, with 1.2 victims per 100,000 population. In 2011, murder accounted for 244, or 89 percent, of the homicide victims recorded. The remaining 30 victims, or 11 percent, were victims of manslaughter.

Source: Reference 1

### Location of murders

**Figure 8** Murder location by type, 2011 (%)



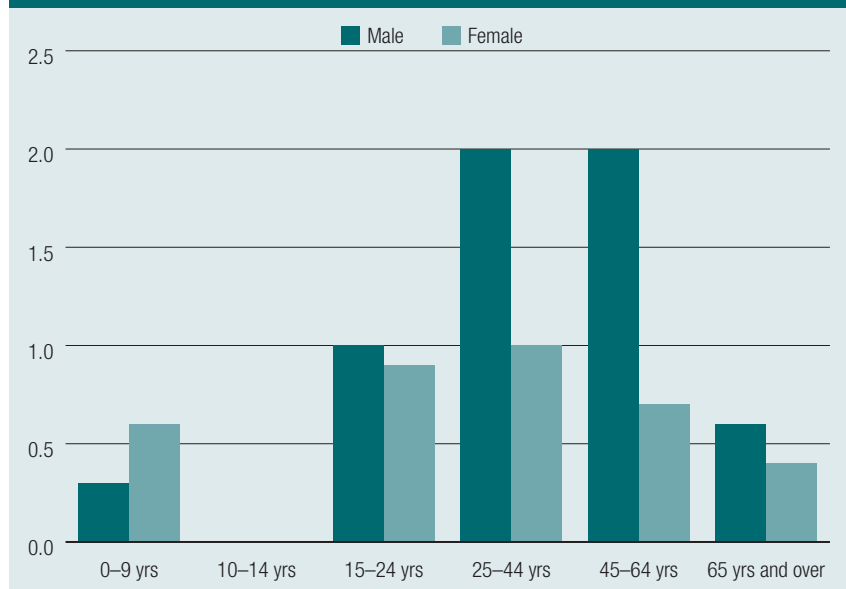
a: Includes unspecified location

Note: n=233. 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

- In 2011, just under three-quarters of all victims were murdered in a dwelling. The next most common location was the street or footpath, where 10 percent of victims were murdered.
- Victims were least likely to be murdered on transport (1%) or in other locations (3%). In 2011, no one was murdered in a recreational setting.

Source: Reference 1

**Figure 9** Murder victimisation rates by age group and sex, 2011 (per 100,000 population of that age group and sex)

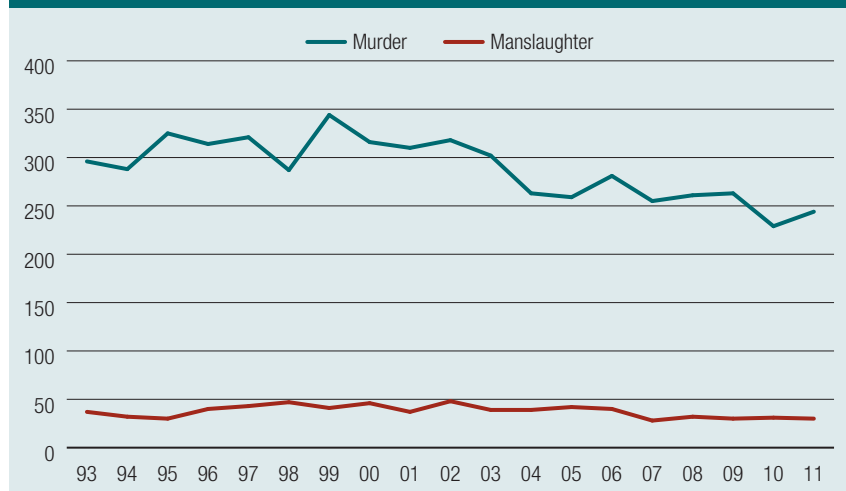


Note: National data on the age and sex of manslaughter victims (30 victims) cannot be presented here as it was in previous years due to incompleteness of published data, particularly regarding the breakdown of manslaughter by age categories

- Due to the relatively small numbers of murders each year, victimisation rates for murder are uniformly small across the age groups. However, both males and females experienced the highest rate of victimisation in the 25–44 year age group; two and one per 100,000 respectively.
- For females, the rate of murder victimisation was less than one per 100,000 population in all age categories, except for the 25–44 year age group.
- For males, the rate of victimisation was less than one per 100,000 for those aged 0–9 years, 10–14 years and 65 years and over. The rate of victimisation was two per 100,000 for males aged 45–64 years and one per 100,000 population for males aged 15–24 years.

Source: References 1 and 2

**Figure 10** Homicide victims, 1993–2011 (n per year)

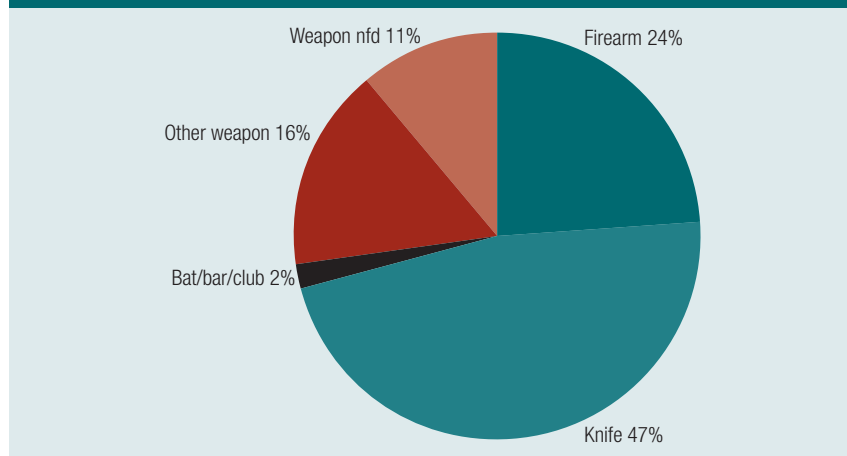


- Since 1999, when there was a peak of 344 victims, the number of murder victims has been in decline. The 2011 figure of 244 victims represents a 29 percent decrease in the number of victims of murder compared with 1999.
- The number of manslaughter victims in Australia has never been more than 50 per year. The greatest number was recorded in 2002, when there were 48 victims of manslaughter. However, in 2011, this number had decreased by 38 percent to 30 victims.

Source: Reference 1

## Weapon use

**Figure 11** Type of weapon used in murder, 2011 (%)



Note: n=172. nfd=not further defined. Does not include information from Tasmania or the Australian Capital Territory. Does not include instances where no weapon was used. Data presented in Figure 11 is derived from ABS information regarding use of weapon in the commission of the offence of murder

- In 2011, almost half of all victims of murder were killed by an offender armed with a knife (47%). The second most common weapon used in the commission of a murder was a firearm (24%)
- Victims were least likely to have been killed by an offender who used a bat/bar/club (2%).

Source: Reference 1

## Assault

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

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. In 2011, the ABS updated the way assault information is collected from each of the states and territories. This has resulted in incomplete information being received and data was not available for Queensland, Victoria or Tasmania. This has important ramifications for the number of assaults reported in the current edition of *Australian Crime: Facts & Figures*. Therefore, any decrease in assault figures should be interpreted with consideration to this change in recording practice.

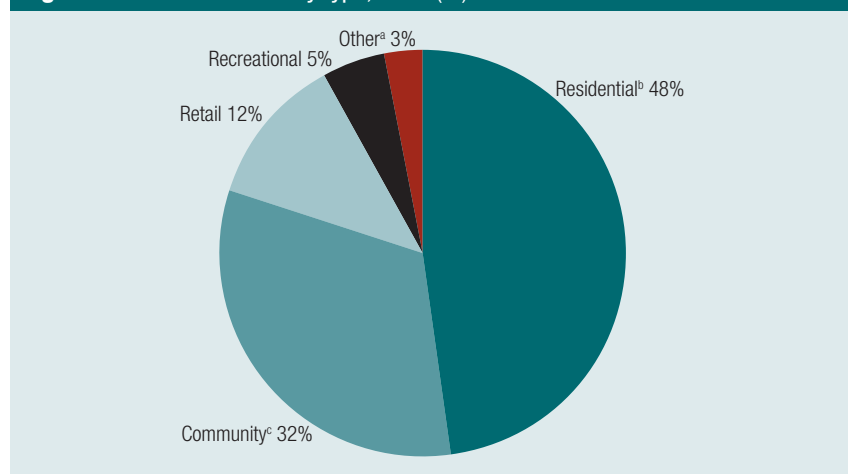
In 2011, there were 117,877 victims of assault, constituting 990 victims per 100,000 population. This is based on data from New South Wales, South Australia, Western Australia, the Northern Territory and the Australian Capital Territory only.

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

Source: Reference 1 and 2

### Location of assault

**Figure 12** Assault location by type, 2011 (%)



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

b: Outbuilding or other residential land

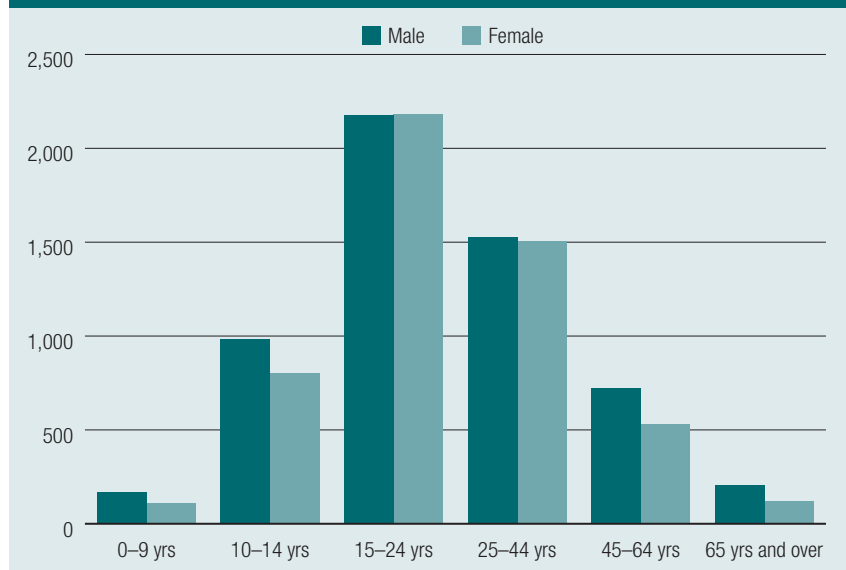
c: Includes educational, health and religious community locations, as well as community locations not specified

Note: n=117,877. Due to changes in ABS recording practice, the data reported do not include Queensland, Victoria or Tasmania

- In 2011, 48 percent of victims were assaulted in residential locations, followed by 32 percent who were assaulted in community locations.
- The smallest proportion of victims were assaulted in other (3%) and recreational (5%) locations.

Source: Reference 1

**Figure 13** Assault victims by age group and sex, 2011 (per 100,000 of that age group and sex)



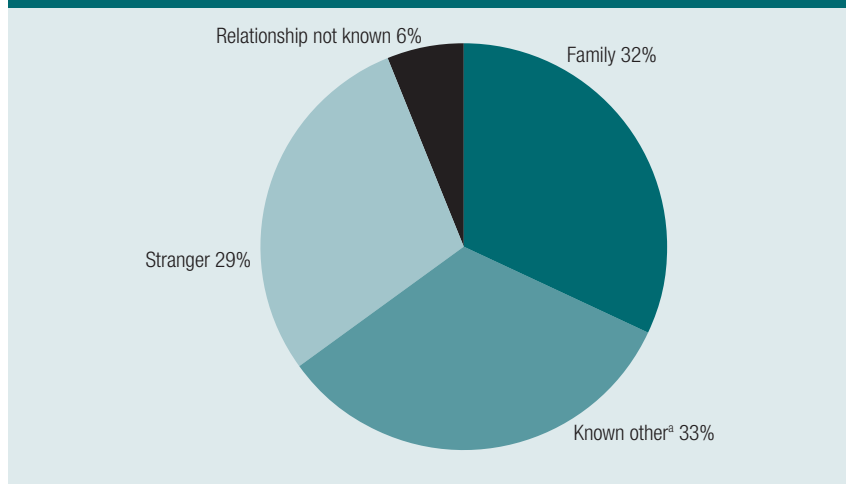
Note: Due to changes in ABS recording practice, the data reported does not include Queensland, Victoria or Tasmania

- In 2011, the victimisation rate for assault was highest in the 15–24 year age group for both sexes. The rate was higher for females, who were victimised at a rate of 2,181 per 100,000 population compared with 2,174 per 100,000 for males.
- Very young children and the elderly had the lowest rate of assault victimisation in 2011. People aged 0–9 years were assaulted at a rate of 140 per 100,000 population, while those aged 65 years and over were victimised at a rate of 159 per 100,000.
- Males were victimised at a higher rate than females in all age categories except the 15–24 year group. The rate of assault victimisation experienced by males aged 10–14 years was 982 per 100,000 population, compared with 800 per 100,000 for females. Similarly, for males aged 45–64 the victimisation rate was 722 per 100,000 population, compared with 528 per 100,000 for females.

Source: References 1 and 2

## Assault victim–offender relationship

**Figure 14** Assault victims by relationship to offender, 2011 (%)



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

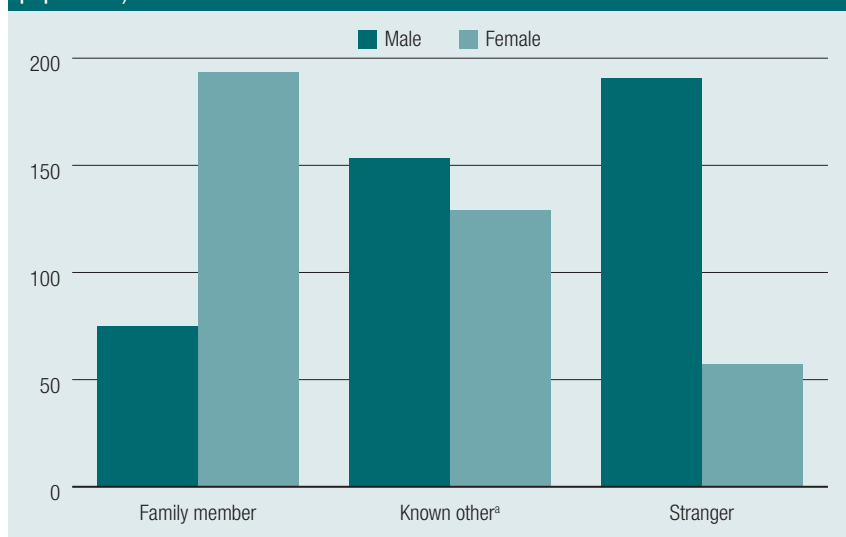
Note: n=96,337. Due to changes in ABS recording practice, the data reported do not include Queensland, Victoria or Tasmania. Further, information regarding relationship to victim was not available for Western Australia

- Similar proportions of victims were assaulted by 'known other' (33%) and family (32%). Twenty-nine percent of victims were assaulted by a stranger.

Source: Reference 1



**Figure 15** Assault victims by relationship to offender and sex, 2011 (per 100,000 population)



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

Note: Due to changes in ABS recording practice, the data reported does not include Queensland, Victoria or Tasmania. Further information regarding relationship to victim was not available for Western Australia

- Females were victimised by family members at a much higher rate than males (193 per 100,000 population, compared with 75 per 100,000). Conversely, males were assaulted by strangers at a much higher rate than females (190 per 100,000 population, compared with 57 per 100,000).
- Both sexes were next most commonly victimised by a 'known other'. For males, the rate was 153 per 100,000 population and for females 129 per 100,000.

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 2011, there were 17,238 victims of sexual assaults, or 76 victims per 100,000 population.

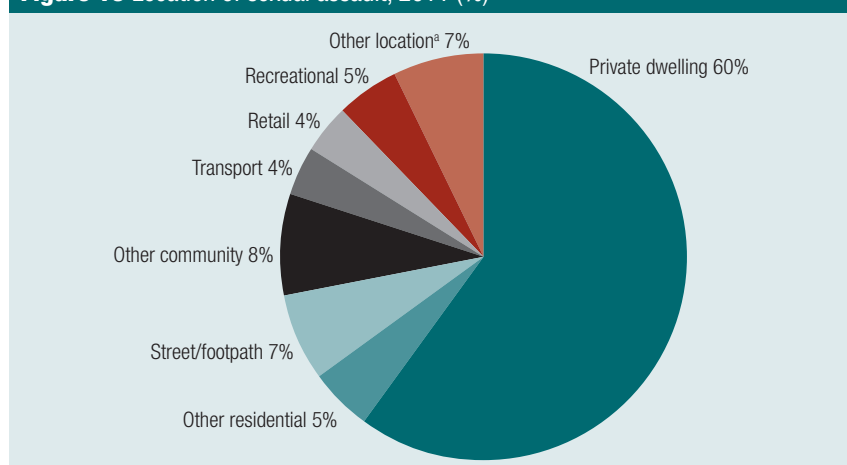
Information pertaining to the relationship between offender and victim of sexual assault (see Figure 18) is an aggregate of ABS data from available Australian states and territories.

National data on the age and sex of victims of sexual assault cannot be presented here due to incompleteness of 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

**Figure 16** Location of sexual assault, 2011 (%)



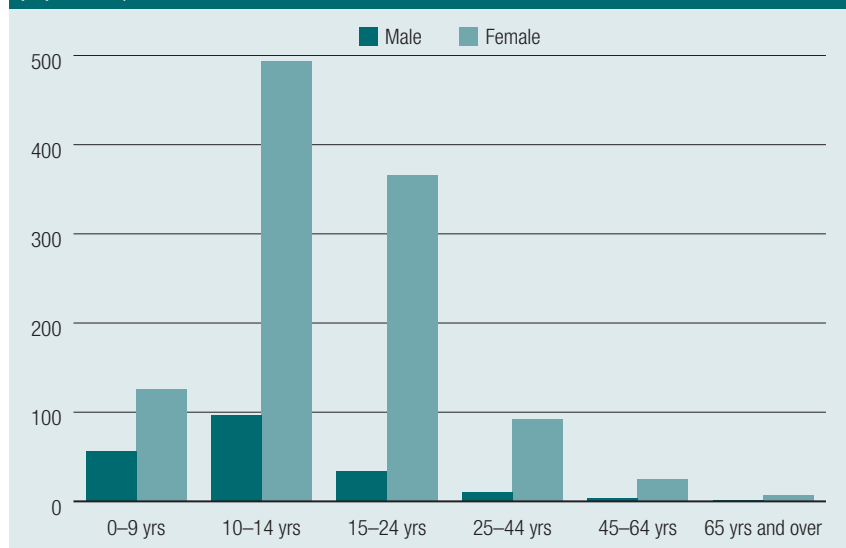
a: Includes unspecified location

Note: n=17,238. Does not include Queensland, Victorian or Tasmanian data

- By far the most common location of sexual assault victimisation in 2011 was private dwellings (60%).
- Similar proportions of victims were sexual assaulted in other locations and on the street and footpath (7% each), and in recreational and other residential locations (5% each).

Source: Reference 1

**Figure 17** Age and sex of sexual assault victims, 2011 (rate per 100,000 population)

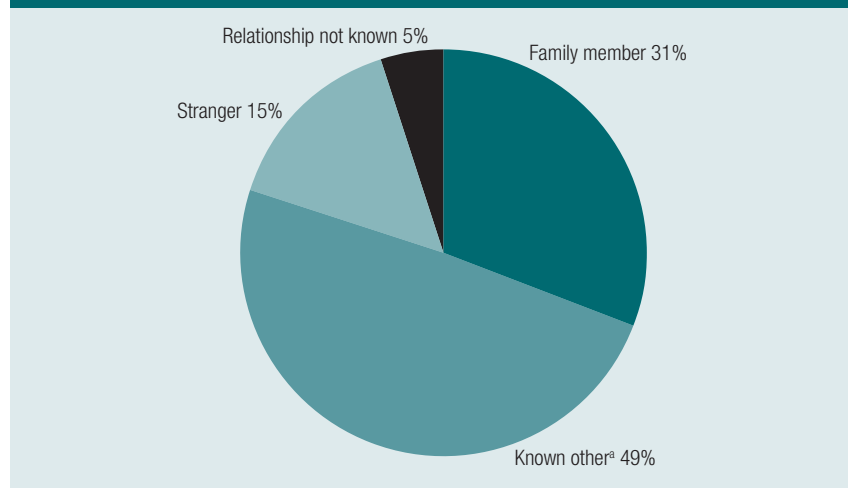


Note: Does not include Queensland, Victorian or Tasmanian data

- While the pattern in sexual assault victimisation was similar for both sexes (peaking in the 10–14 year age group and then declining), females were consistently victimised at a higher rate than males.
- For females aged 10–14 years, the rate of sexual assault victimisation was 494 per 100,000 population, compared with 96 per 100,000 for males. The rate of victimisation was 26 percent lower for females aged 15–24 years at 366 per 100,000 population. The rate was even lower in the 25–44 year age group, at 92 per 100,000 population.
- For males, children under the age of 15 years experienced the highest rate of victimisation. The rate was highest in the 10–14 year age group followed by those aged 0–9 years (56 per 100,000 population).

Source: References 1 and 2

**Figure 18** Sexual assault victims by relationship to offender, 2011 (%)



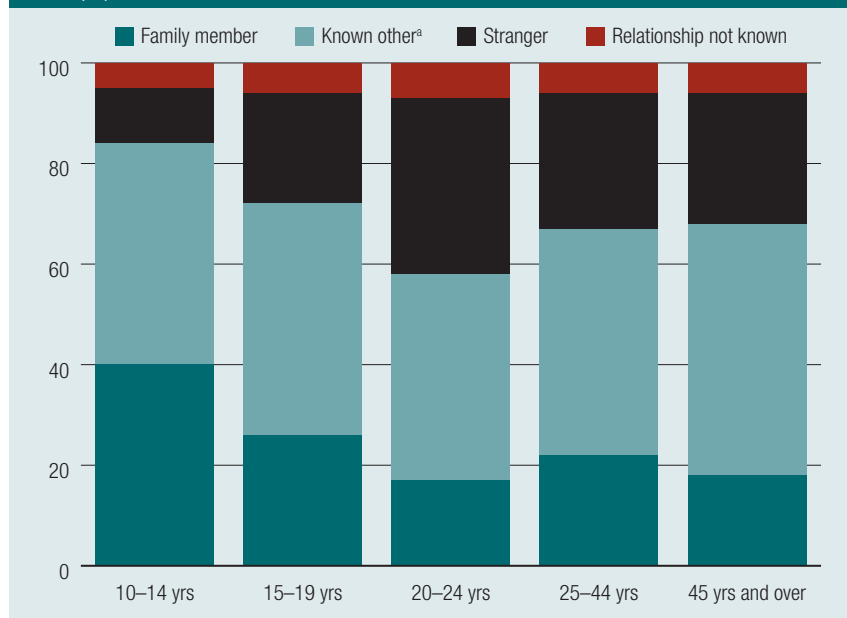
a: Includes known non-family members and known but not further defined, which may include some family members

Note: n=2,331. Excludes Western Australia (information not available). Also excludes cases where the relationship was not known or stated

- Sexual assault victims were most commonly victimised by ‘known others’ or family members. Specifically in 2011, almost half of all victims were sexually assaulted by a ‘known other’ and 31 percent by a family member.
- Strangers accounted for only 15 percent of sexual assaults in 2011.

Source: Reference 1

**Figure 19** The relationship of sexual assault victims to offenders by age of victim, 2011 (%)



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)

- Across all age groups, 'known other' was the most common relationship between sexual assault victims and offenders. This ranged from 41 percent of victims aged 20-24 years to 51 percent of victims aged 45 years and over.
- The proportion of victims who were sexually assaulted by a stranger was highest in the 20-24 year age group at 35 percent. Children aged 10-14 years were least likely to be victimised by a stranger (11%).
- In 2011, 47 percent of victims aged 15-19 years were sexually assaulted by a 'known other', 26 percent by a family member and 22 percent by a stranger.

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:

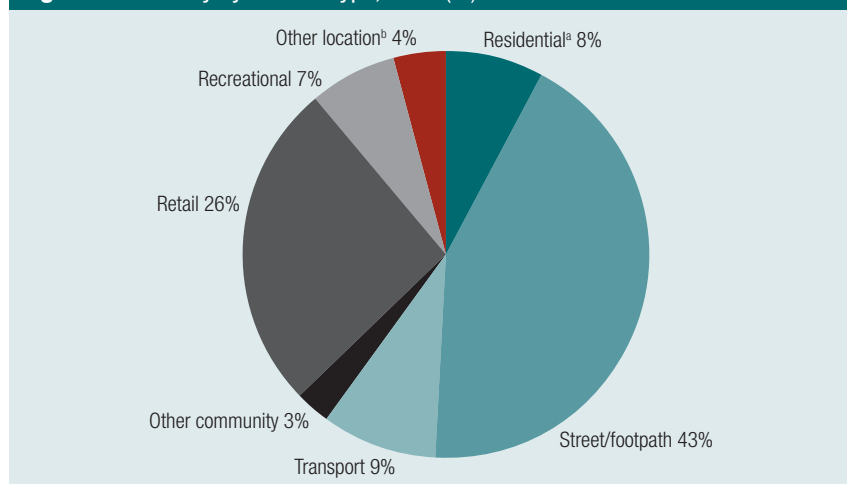
- *armed robbery*—robbery conducted with the use of a weapon. A weapon is any object used to cause fear or injury and includes imitation weapons and implied weapons; for example, where a weapon is not seen by the victim but the offender claims to possess one.
- *unarmed robbery*—robbery conducted without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

Of the 13,617 victims of robberies in 2011, 56 percent involved an unarmed offender, while 44 percent were committed with some type of weapon.

Source: Reference 1

## Location of robberies

**Figure 20** Robbery by location type, 2011 (%)



a: Includes dwellings and other residential locations

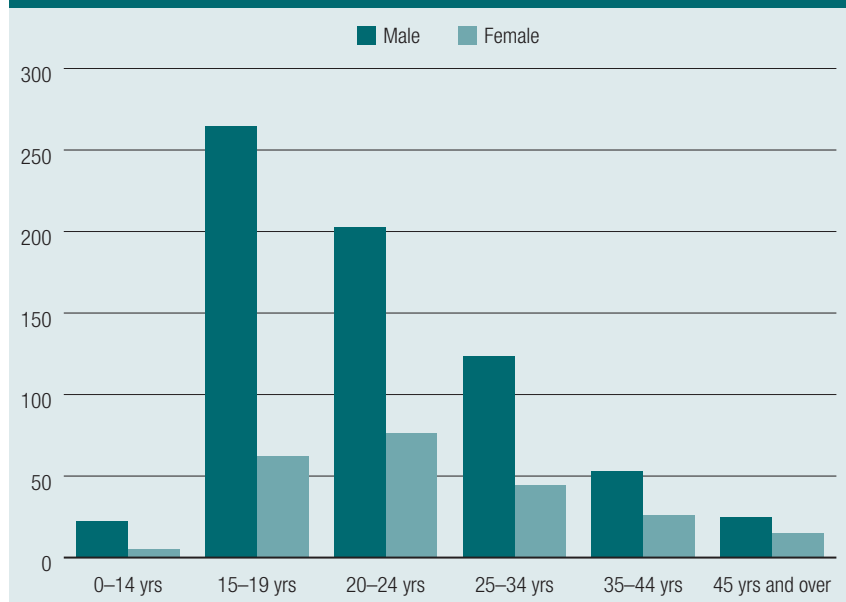
b: Includes unspecified locations

Note: n=13,617

- Victims were most commonly robbed on the street/footpath (43%) in 2011, followed by retail locations (26%). Only three percent were robbed in other community locations and four percent in other locations.

Source: Reference 1

**Figure 21** Robbery victims by age group and sex, 2011 (per 100,000 population of that age group and sex)

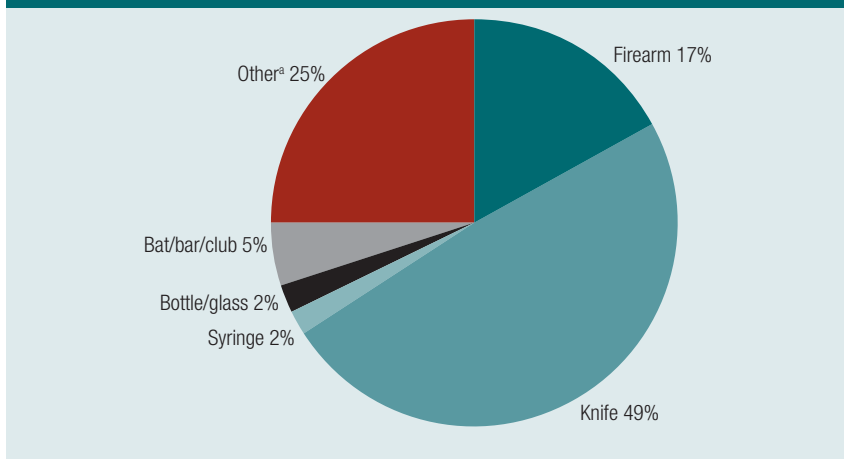


- Males experienced a higher rate of robbery victimisation compared with females across the age spectrum. This was particularly noticeable in the age groups 15–19 years and 20–24 years, where male victimisation was 265 and 203 per 100,000 population respectively.
- The rate of female victimisation peaked in the 20–24 year age group, slightly later than that of male victims. The rate of victimisation of females increased from 62 per 100,000 population in the 15–19 years age group to 76 per 100,000 for 20–24 year olds, before decreasing to 44 per 100,000 population for 25–34 year olds.
- Victimisation was lowest at either end of the age spectrum. For instance, males and females aged 0–14 years were robbed at a rate of 22 and five per 100,000 population respectively. Similarly, males and females aged 45 years and over were victimised at a rate of 25 and 15 per 100,000 population respectively.

Source: References 1 and 2

## Armed robbery

**Figure 22** Types of weapons used in armed robbery, 2011 (%)



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

Note: n=5,958

- Knives and other weapons were the most commonly used weapons in armed robbery. In 2011, almost half (49%) of victims were robbed by an offender(s) using a knife, while 25 percent of robberies involved another type of weapon.
- In 2011, only 17 percent of victims were robbed by an offender armed with a firearm.
- Weapons least likely to be used during an armed robbery included a bottle/glass (2%) or a syringe (2%).

Source: Reference 1

## Unlawful entry with intent

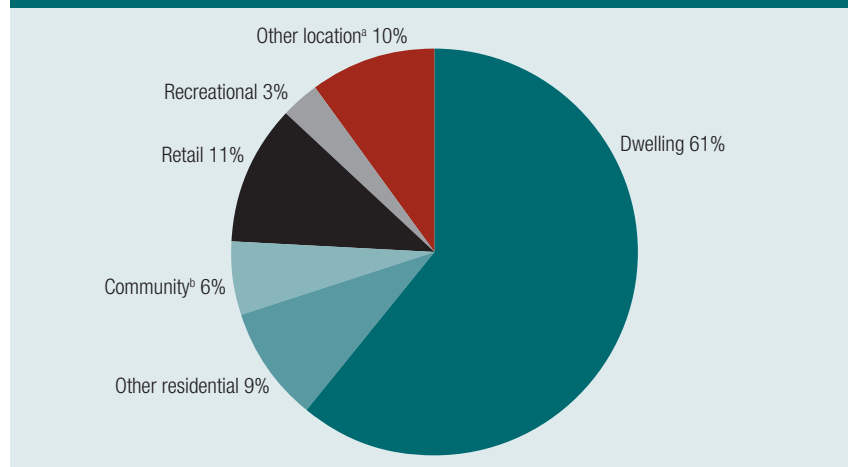
UEWI is defined by the ABS as *the unlawful entry of a structure with the intent to commit an offence*. UEWI offences include burglary, break and enter, and some theft.

In 2011, there were 218,193 recorded victims of UEWI offences, equating to a rate of 965 per 100,000 population.



## Location of unlawful entry with intent

**Figure 23** Location of unlawful entry with intent, 2011 (%)



a: Includes unspecified location

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

Note: n=218,193

- The greatest proportion of victims of UEWI in 2011 were victimised in dwellings (61%). Eleven percent were victimised in a retail location, while 10 percent in other locations.
- UEWI victimisation was least likely to occur in recreational locations (3%).

Source: Reference 1

## Motor vehicle theft

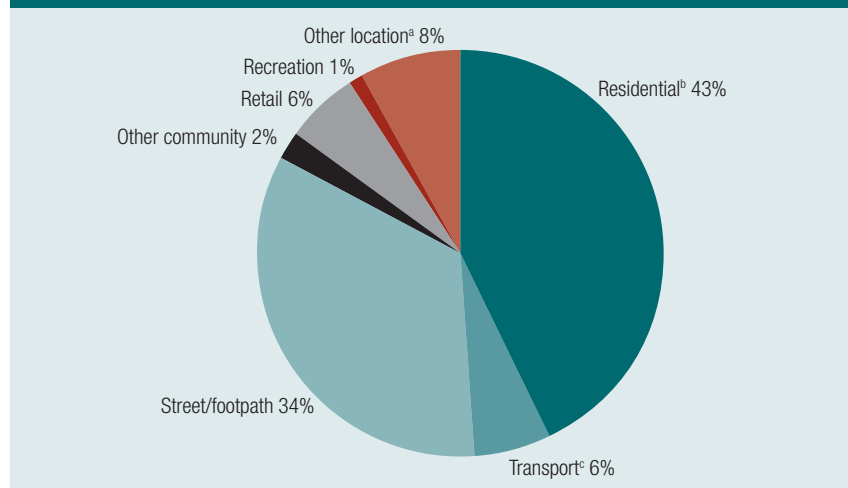
MVT involves the taking of a motor vehicle unlawfully or without permission. It excludes damaging, tampering with or interfering with motor vehicles. The theft of motor vehicle parts or contents is included under the offence category of 'other theft'. *Motor vehicle* is defined as cars, motorcycles,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

In 2010–11, according to the ABS, there were 55,386 motor vehicles reported stolen to police, with 338 vehicles stolen per 100,000 registered vehicles.

Source: References 1 and 3

## Location of motor vehicle theft

**Figure 24** Location of motor vehicle thefts, 2011 (%)



a: Includes unspecified location

b: Includes dwellings and other residential locations

c: Includes public car parks

Note: n=55,386

- Forty-three percent of MVTs occurred at a residential location, followed by 34 percent that occurred on the street/footpath.
- In 2011, recreation (1%) and other community (2%) locations were less likely to have been the location for MVT.

Source: Reference 1

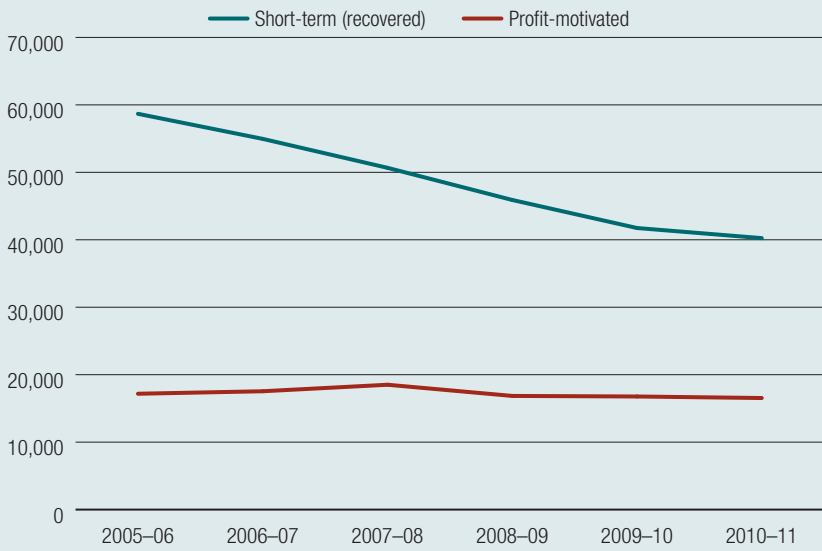
## Recovery rates

This section presents data on recovery rates of stolen vehicles from the National Comprehensive Auto-theft Research System (CARS) Project. CARS classify motor vehicle thefts in two ways. Vehicles that are recovered are classified as *short-term thefts* and are primarily used for opportunistic purposes. Vehicles that are not recovered are classified as *profit-motivated thefts*. In these instances, offenders on-sell the car, either as a whole vehicle or in separated parts (Reference 3).

In 2011, 40,244 thefts were classified as short term. This equates to a national recovery rate for stolen vehicles of 71 percent.

Source: Reference 4

**Figure 25** Short-term and profit-motivated motor vehicles thefts, 2005–06 to 2010–11 (n)

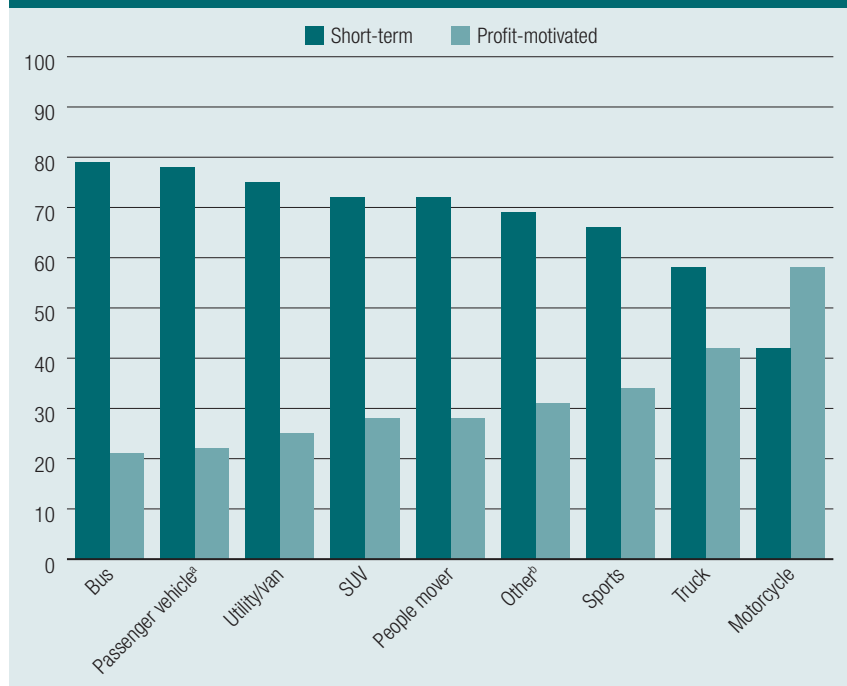


- For the past six years, a significant number of stolen motor vehicles have been recovered.
- The number of short-term MVTs has been declining since 2005–06. In 2005–06, there were 58,676 short-term MVTs compared with 40,244 in 2010–11; a total decrease of 31 percent.
- By comparison, the number of profit-motivated thefts (those not recovered) peaked in 2007–08 at 18,509. However, in 2008–09, the number decreased to 16,851 and has remained fairly consistent ever since, averaging 17,720 per year.

Source: Reference 4

## Theft and recovery by vehicle type

**Figure 26** Short-term and profit-motivated motor vehicle thefts by type of vehicle, 2010–11 (%)



a: Includes small, medium, large and unknown passenger vehicles

b: Includes motor homes

- In 2010–11, the category of vehicle with the most number of cars stolen was passenger vehicles. Specifically, 31,053 were stolen, while 24,352 (78%) were recovered. Only 22 percent of passenger vehicle thefts were considered profit motivated.
- The greatest proportion of profit-motivated thefts involved a motorcycle. Specifically, of the 7,701 motorcycles stolen in 2010–11, only 3,258 were recovered (42%). Motorcycles were the only category of vehicle where a greater proportion of thefts were not recovered compared with those that were.
- Only 116 buses were stolen in 2010–11, of which the majority (79%) were considered short-term thefts.

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.*

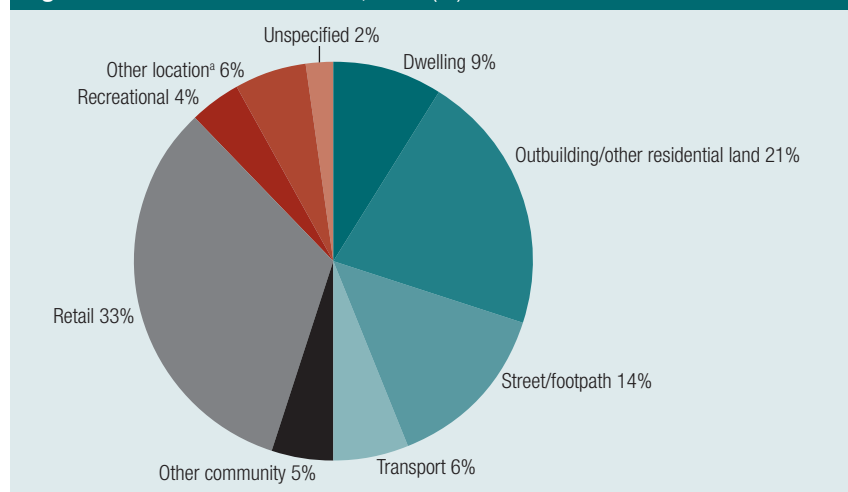
This offence includes such crimes as pick pocketing, bag snatching, stealing (including shoplifting), theft from a motor vehicle, theft of motor vehicle parts/accessories or petrol, theft of stock/domestic animals and theft of non-motorised vehicles/boats/aircraft/bicycles. It is the largest of all the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

There were 487,573 victims of other theft in 2011—a rate of 2,155 per 100,000 population.

Source: Reference 1

### Location of other theft

**Figure 27** Location of other thefts, 2011 (%)



a: Includes unspecified location

Note: 487,573

- Of the 487,573 victims of other thefts in 2011, 33 percent were victimised in retail locations. A further 21 percent were victimised in outbuilding/other residential lands.

- Only four percent of victims were victimised in recreational settings, while five percent were victimised in other community locations.

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 fewer than 50 percent of incidents being reported to police or other authorities (Reference 29).

**Table 5** Reported fraud offences, 1995–96 to 2010–11 (rate per 100,000 population)

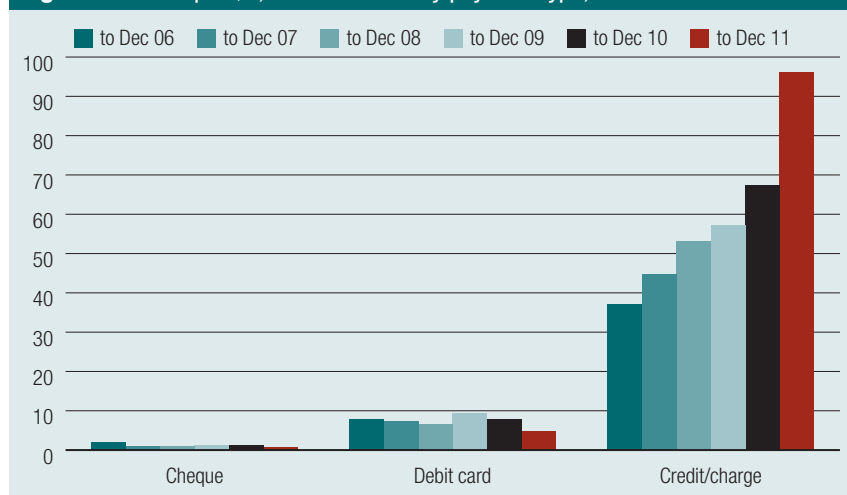
Year	Rate
1995–96	500
1996–97	547
1997–98	585
1998–99	593
1999–00	586
2000–01	547
2001–02	555
2002–03	485
2003–04	512
2004–05	539
2005–06	491
2006–07	455
2007–08	438
2008–09	432
2009–10	391
2010–11	374

- The rate of reported fraud offences has declined markedly since 1995–96. Specifically, reported fraud offences peaked in 1998–99 at 593 per 100,000 population, compared with 374 per 100,000 in 2010–11; a decrease of 37 percent.
- In the last five years, fraud has declined by 18 percent, decreasing from 455 per 100,000 population recorded in 2006–07.

Source: References 2 and 5–12

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

**Figure 28** Fraud per \$1,000 transacted by payment type, 2006–11



- Fraud committed on credit and charge cards has continued to increase—a trend evident over the past six years. In particular, between 2010 and 2011, fraud per \$1,000 transacted increased from 67.24 cents to 96.04 cents per \$1,000—a total increase of 43 percent.
- By contrast, fraud committed through the use of cheques has decreased. Since 2006, fraud per \$1,000 transacted has decreased by 64 percent. Specifically, fraud via cheques has decreased from 1.92 cents per \$1,000 to 0.69 cents.
- Since peaking in 2009 (at 9.43 cents per \$1,000), fraud on debit cards has decreased to 4.87 cents per \$1,000 transacted. This equals a decrease of approximately 16 percent per year.

Source: Reference 13

## *Fraud against the Commonwealth*

Fraud against the Commonwealth refers to incidents of fraud where the victim is an Australian government agency. Fraud costs the Australian Government hundreds of millions of dollars each year, resulting in less money being available for the provision of services. The Australian Institute of Criminology gathers information annually regarding the nature and scope of fraud incidents against the Commonwealth through a comprehensive survey of Australian federal government agencies.

There are a number of different types of fraud that can be perpetrated against the Commonwealth. Three main types of fraud against the Commonwealth include:

- *Corruption*—any incident of fraud committed by an employee or contractor of the agency in collaboration or association with a person external to the agency;
- *Internal fraud*—any incident of fraud committed by an employee or contractor of the agency; and
- *External fraud*—any incident of fraud committed against an agency by a person other than an employee (including contracted employees) of the agency.

The type of fraud committed against the Commonwealth (hereafter referred to as the focus of the incident) can vary between incidents. Commonly, fraud against the Commonwealth involves the following:

- *Equipment*—any equipment or property belonging to a government agency. An example of equipment fraud is the theft of a government computer;
- *Entitlements*—a benefit or privilege that is assigned to an individual through an agreement. An example of this type of fraud is claiming unrelated costs as travel expenses;
- *Information*—any information belonging to, or stored by, the agency including intellectual property, or personal information either of employees or members of the public that is held by the agency. An example of information-based fraud is providing false or misleading information or obtaining or using information without authorisation; and
- *Financial benefits*—any monetary or financial gain obtained through association with the agency. An example of financial benefit fraud is obtaining cash/currency without permission such as through the theft of petty cash.

Source: Reference 13

The extent of fraud against the Commonwealth in 2009–10 is outlined in Table 6 below. These data include confirmed incidents of fraud against the Commonwealth as well as incidents where the fraud was suspected or alleged.



**Table 6** Incidents of fraud against the Commonwealth, 2009–10

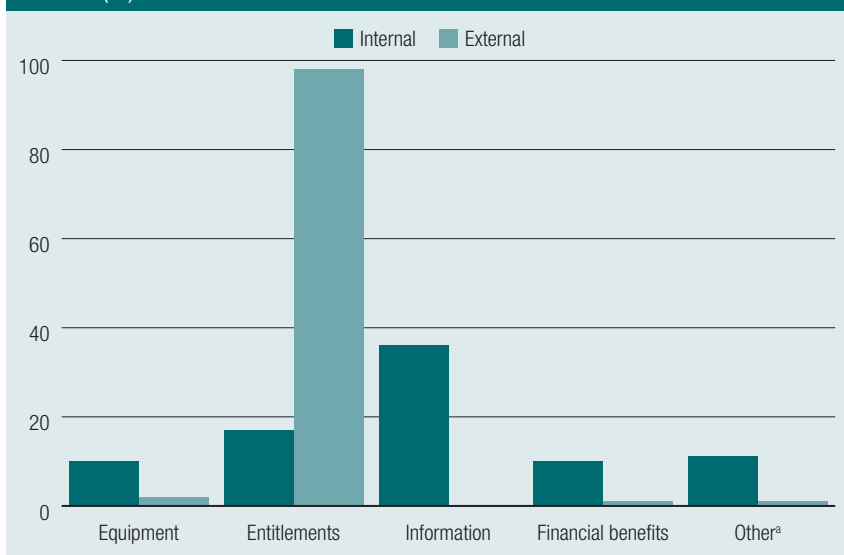
Type of fraud	Incidents (n)	Agencies (n)	Average incidents per agency <sup>a</sup> (n)	Amount of money lost (\$)	Average money lost per incident <sup>b</sup> (\$)
Internal fraud	3,001	47	64	2,039,162	680
External fraud	702,941	51	13,783	495,534,658	705
Total	705,942			497,573,820	

a: Rounded to the nearest whole number

b: Rounded to the nearest whole dollar

- External fraud was the most common type of fraud against the Commonwealth reported by agencies in 2009–10. Specifically, 51 agencies reported losing a total of \$495,534,658 to external fraud; an average of \$705 per incident.
- \$680 was lost per incident of internal fraud against the Commonwealth in 2009–10.

Source: Reference 13

**Figure 29** Incidents of internal and external fraud, 2009–10, by focus of the incident (%)

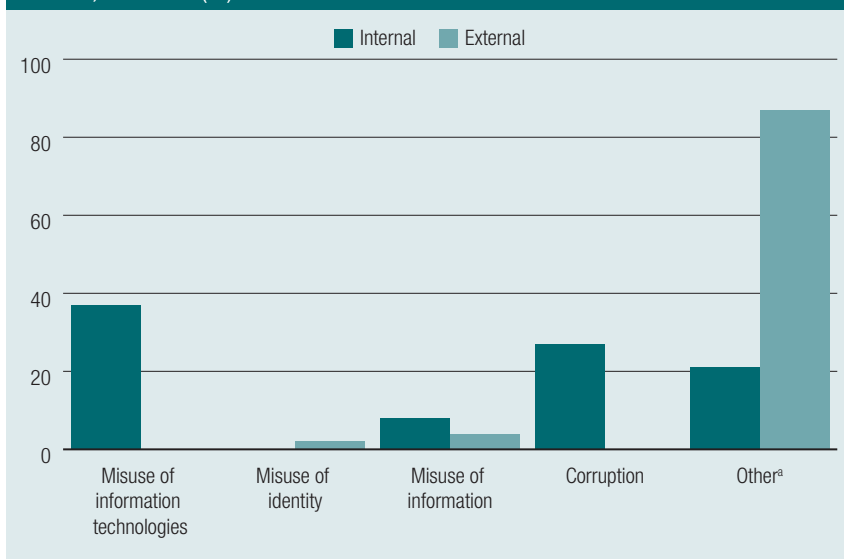
a: Other types of methods includes where the focus of incident was unknown or could not be classified

Note: An incident of fraud could have more than one focus of incident, therefore total may not equal to 100

- Information was the focus of 36 percent of internal fraud incidents. Internal frauds were least likely to focus on financial benefits and equipment (10%, respectively).
- Conversely, entitlements were the most common focus of external fraud, constituting 98 percent of external fraud incidents in 2009–10. Less than one percent of external fraud incidents focused on information.

Source: Reference 13

**Figure 30** Incidents of internal and external fraud against the Commonwealth by method, 2009–10 (%)



a: Other types of methods include incidents where the method was unknown or could not be classified

Note: An incident of fraud could have more than one focus of incident, therefore total may not equal to 100

- Internal fraud was most commonly perpetrated through the misuse of information technologies (37%) followed by corruption (27%). Less than one percent of internal fraud incidents involved the misuse of identity.
- Eighty-seven percent of methods of external fraud incidents could not be classified by the reporting agencies. However, four percent involved the misuse of information. Less than one percent of external fraud incidents involved the misuse of information technologies or corruption.

Source: Reference 13

## Federal charges

The Commonwealth Director of Public Prosecutions (CDPP) publishes annual statistics on summary and indictable fraud 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 2008–09, the CDPP reviewed the way 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 15

**Table 7** Defendants dealt with by CDPP by most common referring Commonwealth agency, 2010–11

	Defendants (n)	% of total
Summary		
Centrelink	2,953	70
Australian Federal Police	334	8
Insolvency and Trustee Service, Australia	316	7
Other Commonwealth agencies <sup>a</sup>	629	15
Total	4,232	100
Indictable		
Australian Federal Police	416	57
Non-Commonwealth agencies <sup>b</sup>	101	14
Centrelink	67	9
Other Commonwealth agencies <sup>a</sup>	141	20
Total	725	100

a: Includes the 35 other agencies that referred matters of fraud to the CDPP in 2010–11

b: Includes state or territory police

- Centrelink was the most common referring agency for summary offences in 2010–11, referring a total of 2,953 defendants. This accounted for 70 percent of all summary defendants referred.

- Conversely, the Australian Federal Police (AFP) referred just over half of all indictable defendants—416 in total. Non-Commonwealth agencies were the next most common referring agency for indictable defendants, referring 14 percent of defendants in 2010–11.

Source: Reference 15

## Drug arrests

This section provides an overview of drug arrest patterns for offenders from 1996–97 to 2009–11 as collated by the Australian Crime Commission (ACC) in its *Illicit Drug Data Report* series. Drug offences usually come to the attention of police either 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).

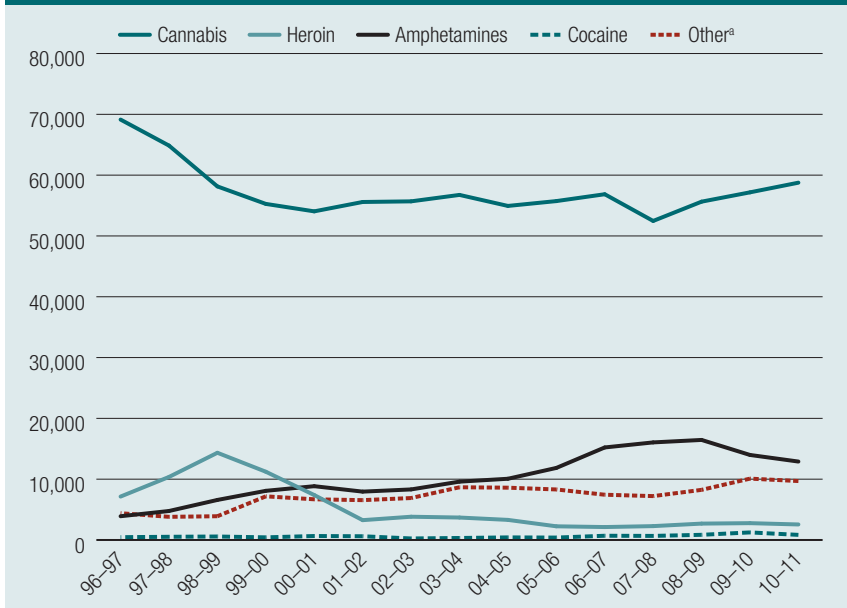
Cannabis arrests include expiation notices (an on-the-spot fine), drug infringement notices and simple cannabis offence notices.

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 31** Drug arrests by type of drug, 1996–97 to 2010–11 (n per year)

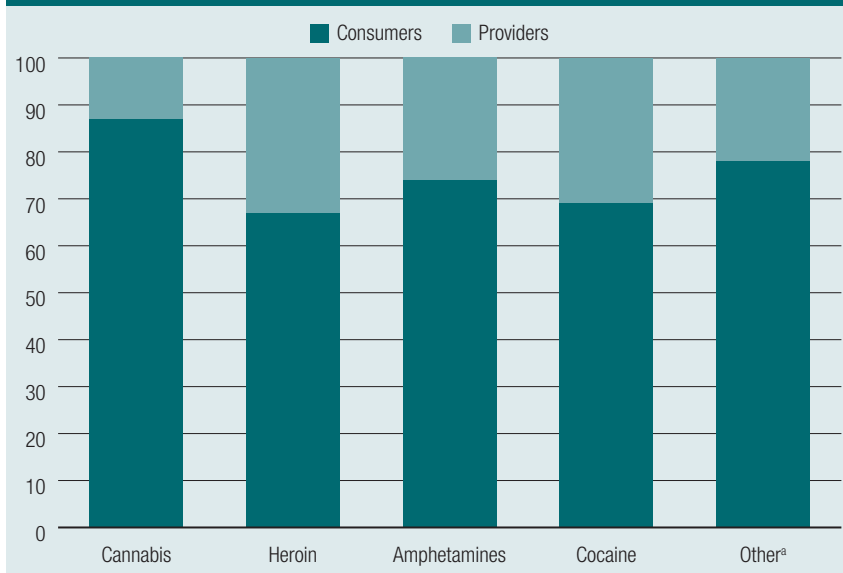


a: Includes hallucinogens, steroids and other drugs (not defined elsewhere)

- Cannabis has accounted for the highest volume of drug arrests since 1996–97. In 2010–11, there were 58,760 drug arrests involving cannabis. This figure was a 15 percent decrease on that recorded in 1996–97. However, since 2007–08, the number of cannabis-related arrests has been increasing by approximately three percent per year.
- The number of cocaine arrests peaked in 2009–10 at 1,244. The 2010–11 figure (n= 839) represented a 33 percent decrease on the previous year.
- Since 2008–09, the number of amphetamine arrests has been decreasing, while the number of arrests related to other drugs has been increasing. In 2010–11, the number of drug-related arrests for these two categories was 12,897 and 9,691 respectively.
- Between 1998–99 and 2001–02, the number of heroin-related drug arrests decreased from 14,341 to 3,259—a total percentage decrease of 77 percent. In 2010–11, there were 2,551 heroin-related arrests.

Source: Reference 16

**Figure 32** Consumer/provider status of drug arrestees by type of drug, 2010–11 (%)



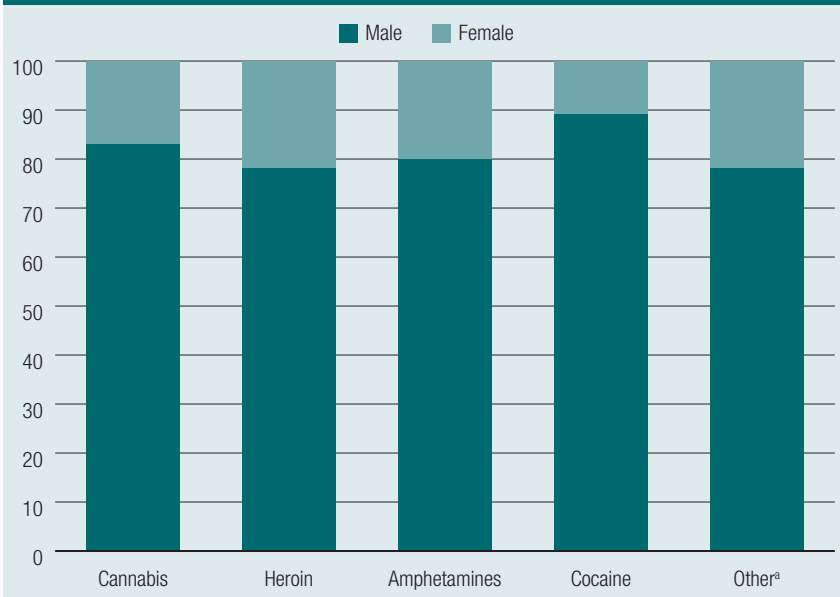
a: Includes hallucinogens, steroids and other drugs (not defined elsewhere)

Note: Does not include cases where consumer or provider status was unknown

- The proportion of drug arrestees who were consumers was greater than the proportions who were providers across all drug types. This ranged from 67 percent for heroin to 87 percent for cannabis.

Source: Reference 16

**Figure 33** Drug consumers by sex and type of drug, 2010–11 (%)

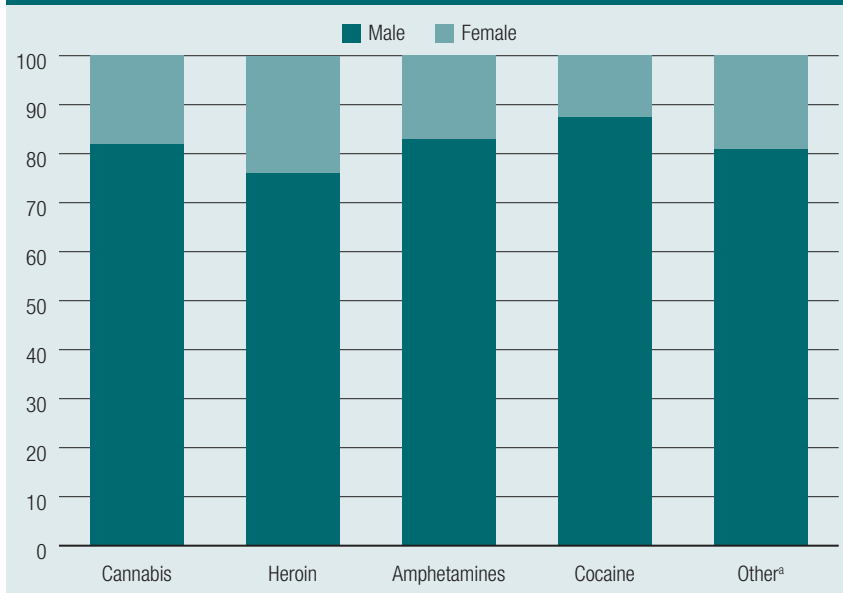


a: Includes hallucinogens, steroids and other drugs (not defined elsewhere)

- Males were more prevalent as identified drug consumers than females, across all drug categories.
- The representation of females as drug consumers ranged from 22 percent arrested for heroin and other drug-related offences to 11 percent for cocaine.

Source: Reference 16

**Figure 34** Sex of arrested drug providers by type of drug, 2010–11 (%)



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

- Males were more commonly arrested for the provision of drugs than females across all drug categories. The proportion was greatest for cocaine (88%), followed by amphetamines (83%) and cannabis (82%).
- Conversely, compared with other types of drug, females were more commonly arrested for the provision of heroin (24%) and other drugs (19%) in 2010–11.

Source: Reference 16





## Chapter 3

# Crime victimisation

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

The majority of industrialised countries conduct crime victimisation surveys to estimate the frequency of certain crimes and the proportion reported to the police. These data are used to supplement police statistics and are particularly useful for examining crimes that have low percentages of reporting to police, such as sexual assault.

*Crime Victimisation, Australia* provides annual information that pertains to personal and household experiences of crime including repeat victimisation, reporting of incidents to police and perceived neighbourhood problems. The ABS surveys people and then uses this information to estimate the level of victimisation in the wider population. A key benefit of this methodology is its ability to estimate the level of crime that is both reported and not reported to police. One drawback is that is impossible to survey everyone, so all totals are weighted estimations drawn from a single sample.

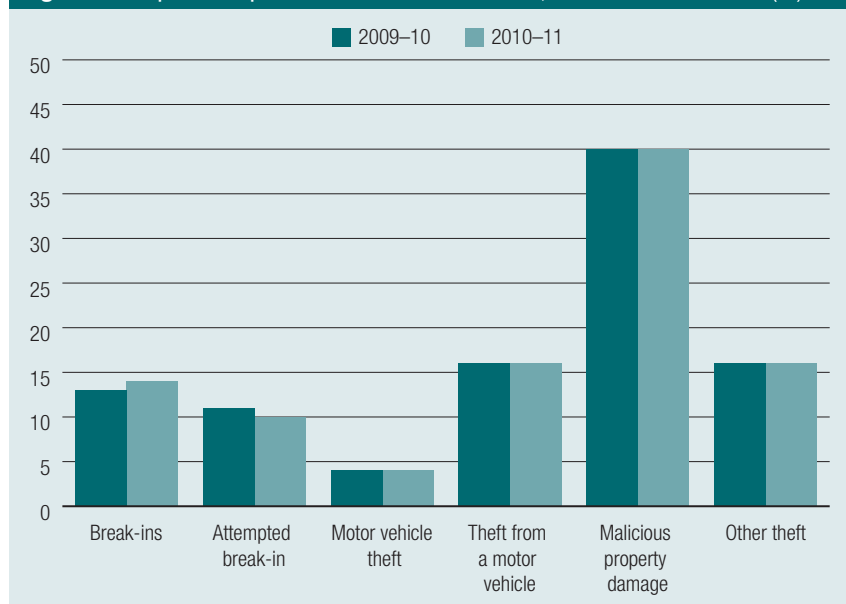
### Household and personal victimisation

*Crime Victimisation, Australia* distinguishes between household and personal crime. Household crimes include those crimes in which the household (a group of persons resident 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 17

**Figure 35** Reported experiences of household crime, 2009–10 to 2010–11 (%)



Note: Population totals excluded households that did not report any incident of household crime in 2009–10 or 2010–11

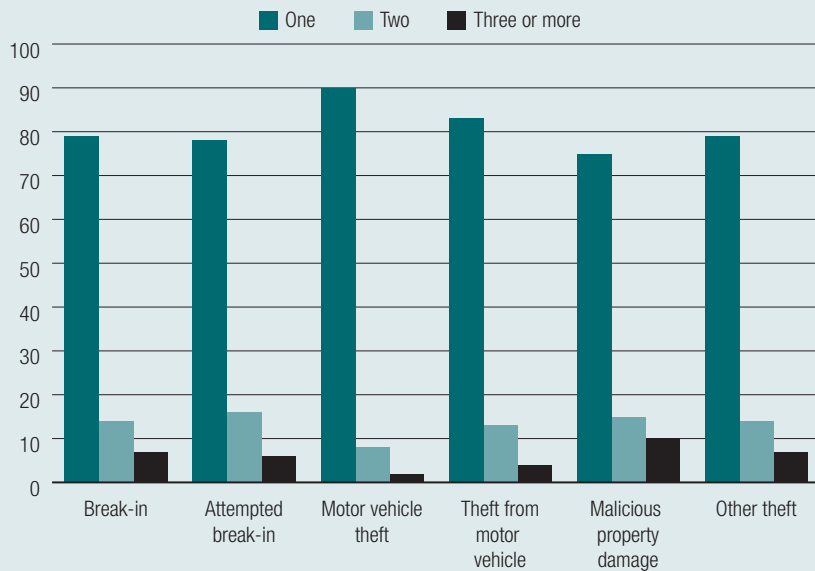
2009–10: n=1,910,100

2010–11: n=1,798,000

- An estimated 1,910,100 households experienced at least one incident of household crime in 2010–11. Compared with the number estimated in 2009–10, there was no significant variation in proportion for four of the six categories of crime. Specifically, 40 percent experienced malicious property damage, 16 percent experienced theft from a motor vehicle, 16 percent experienced other theft and four percent experienced MVT.
- While break-ins increased by one percentage point from 2009–10 (rising to 14%), attempted break-ins decreased from 11 to 10 percent in 2010–11.

Source: Reference 17

**Figure 36** Experiences of repeat victimisation for household crimes, 2010–11 (%)

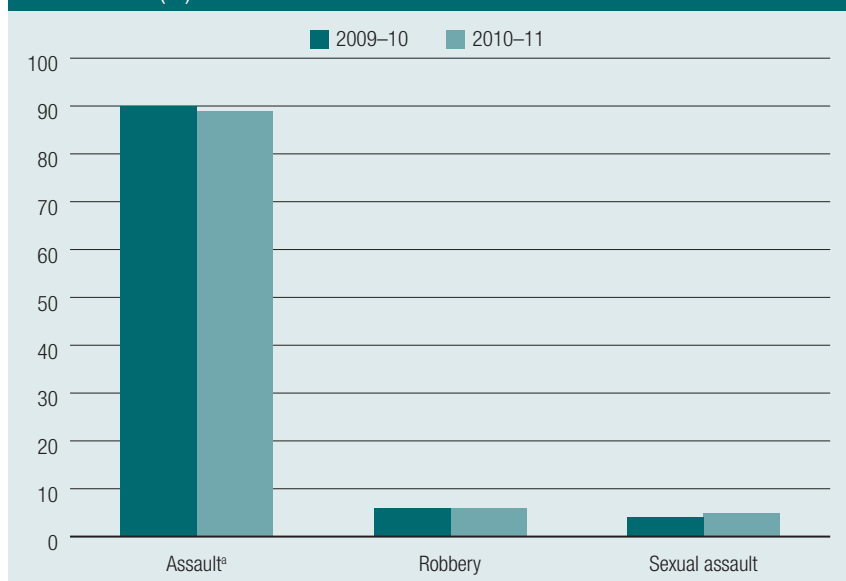


Note: Population totals excluded households that did not report any incident of household crime in 2009–10 or 2010–11

- It is estimated that the majority of households that experienced crime in 2010–11 were involved in only a single incident. These proportions ranged from 90 percent that experienced MVT to 75 percent that experienced malicious property damage.
- Repeated victimisation was greater for attempted break-ins, malicious property damage, break-ins and other theft. Specifically, it is estimated that 16 percent experienced two attempted break-ins in 2010–11, while 14 percent experienced two incidents of other theft. Further, 10 percent of households were the victim of three or more incidents of malicious property damage and seven percent of three or more break-ins.

Source: Reference 17

**Figure 37** Persons over the age of 15 years experiencing personal crime, 2009–10 and 2010–11 (%)



a: Includes physical and threatened assault

Note: Population totals excluded individuals who did not report any incident of personal crime in 2009–10 or 2010–11

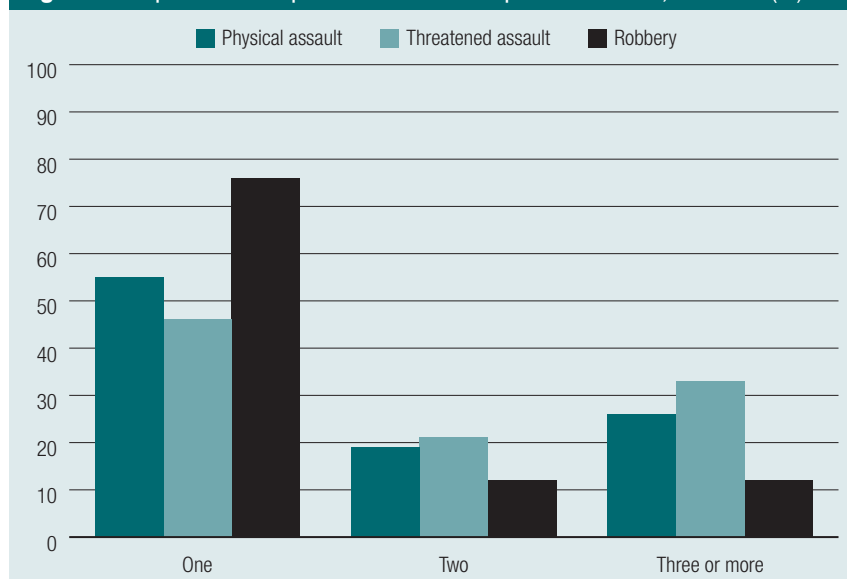
2009–10: n=1,110,200

2010–11: n=1,213,100

- Assault remained the most commonly experienced personal crime in 2010–11. There was a minimal decrease in reported victimisation, with assault decreasing by one percent compared with the previous 12 months.
- In 2010–11, it is estimated that six percent of people over the age of 15 years experienced a robbery, while five percent were the victim of sexual assault. The proportion reporting sexual assault victimisation increased by one percent from 2009–10.

Source: Reference 17

**Figure 38** Experience of repeat victimisation for personal crimes, 2010–11 (%)



Note: Population totals excludes individuals who did not report any incident of personal crime in 2009–10 or 2010–11. Excludes incidents of personal crime that could not be categorised

- The majority of people over the age of 15 years experienced just one incident of personal crime in 2010–11. For example, it is estimated that of those people who experienced personal crime, 55 percent experienced one incident of physical assault and only 19 percent experienced two. Similarly, 46 percent were threatened with assault on one occasion compared with 21 percent who reported two incidents of victimisation.
- For assault, greater proportions of people aged 15 years and over experienced three or more incidents rather than just two. In 2010–11, it is estimated that 26 percent were physically assaulted on three or more occasions, while 33 percent were threatened.
- Approximately, 76 percent of people who were the victim of a personal crime were the victim of a single robbery in 2010–11, compared with 12 percent who were the victim of two robberies and a further 12 percent who were robbed in three or more incidents.

Source: Reference 17

**Figure 39** Victim of personal crime by sex, 2010–11 (%)

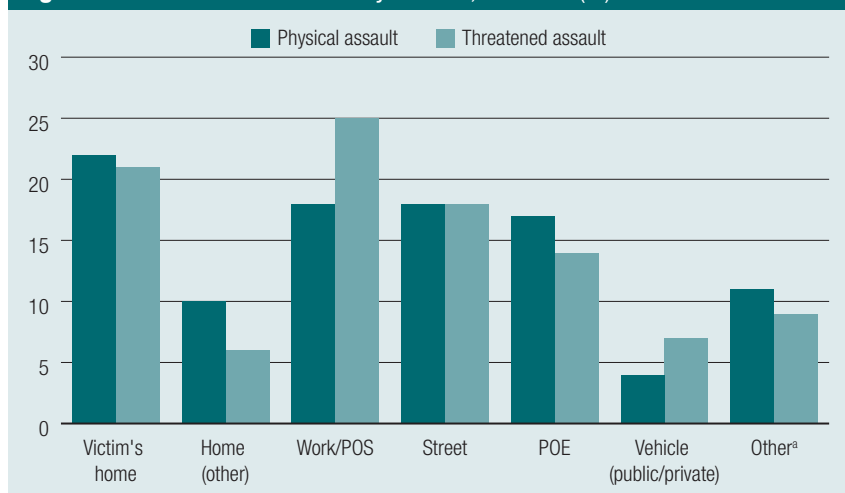


Note: Population totals excluded individuals who did not report any incident of personal crime in 2009–10 or 2010–11

- Of all males who experienced personal crime in 2010–11, 44 percent were physically assaulted, compared with only 39 percent of females. Forty-five percent of females were threatened with assault compared with 48 percent of males.
- It is estimated that only one percent of males were sexually assaulted in 2010–11 compared with 10 percent of females.

Source: Reference 17

**Figure 40** Male victims of assault by location, 2010–11 (%)



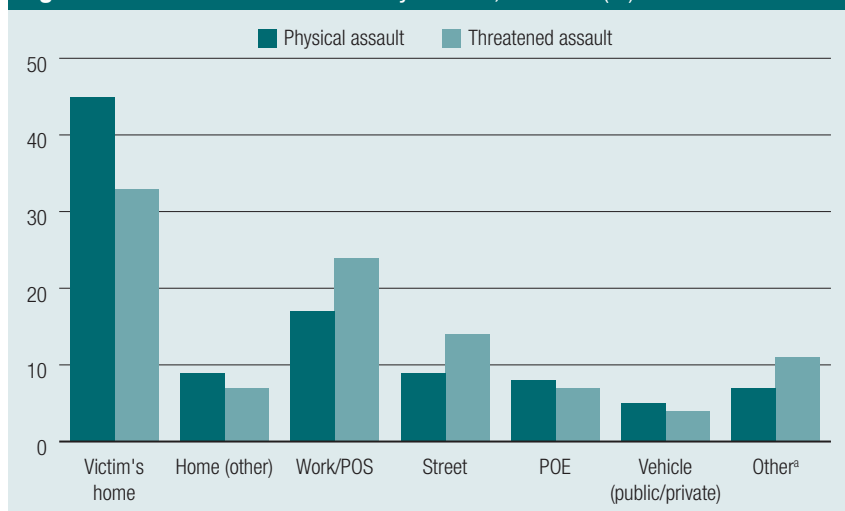
a: Includes locations such as train stations, bus stops or interchanges and shopping centres

Note: POS=place of study. POE=place of entertainment

- In 2010–11, males were most likely (22%) to have been physically assaulted in their own home, followed by their place of work or study (18%), the street (18%) and a place of entertainment (17%).
- Conversely, males were more likely to have been threatened with assault at their place of work or study (25%), followed by their home (21%) and the street (18%).
- Only an estimated four percent of physical assaults and seven percent of threatened assaults of males occurred in a public or private vehicle.

Source: Reference 17

**Figure 41** Female victims of assault by location, 2010–11 (%)



a: Includes locations such as train stations, bus stops or interchanges and shopping centres

Note: POS=place of study. POE=place of entertainment.

- It is estimated that 45 percent of females who were physically assaulted in 2010–11 were assaulted in their own homes. A further 17 percent were assaulted at their work or place of study, while nine percent were assaulted in another person's home or on the street, respectively.
- Females were also more likely to be threatened with assault in their own home (33%) than at their place of work or study (24%).
- The smallest proportions of females experienced assault in a vehicle—five percent were physically assaulted and four percent were threatened.

Source: Reference 17

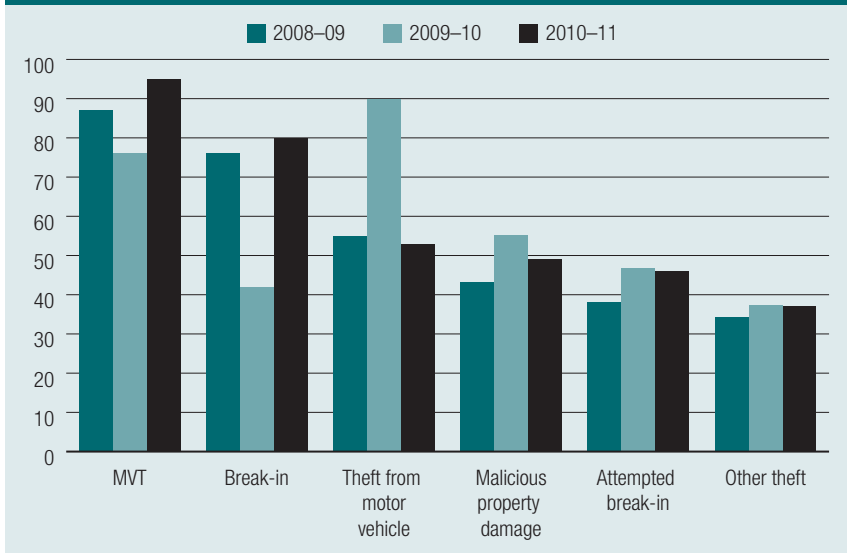
### Reporting crime to the police

Victimisation surveys are useful for assessing the extent of crime that is not reported to the police. Surveys find a wide variation in reporting, depending on the type of crime. The estimated proportions of reports to police for selected offence categories in the 2010–11 *Crime Victimisation Survey* are shown in Figure 44.

Source: Reference 18



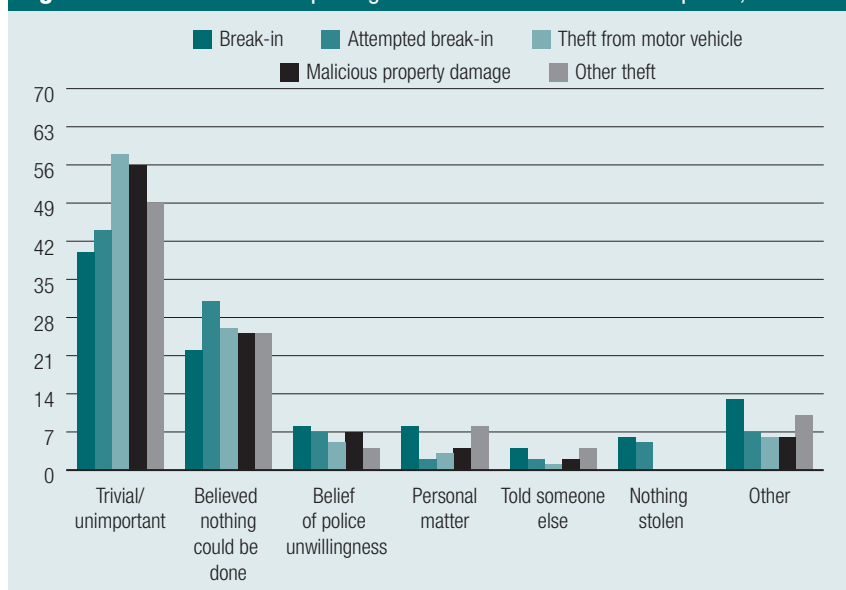
**Figure 42** Incidents of household crime reported to police, 2008–09 to 2010–11 (%)



- The proportion of victims who reported household crime to police varied depending on the type of crime. For instance, in 2010–11, it is estimated that 95 percent who experienced MVT and 80 percent who experienced a break-in informed police—the highest in the last three years. However, only an estimated 37 percent who experienced ‘other theft’ reported the crime to the police.
- Reporting decreased in 2010–11 for a number of crime types. The most noticeable was the 37 percentage point decrease in reporting of theft from a motor vehicle. Similarly, the reporting of malicious property damage declined by six percentage points.

Source: Reference 17

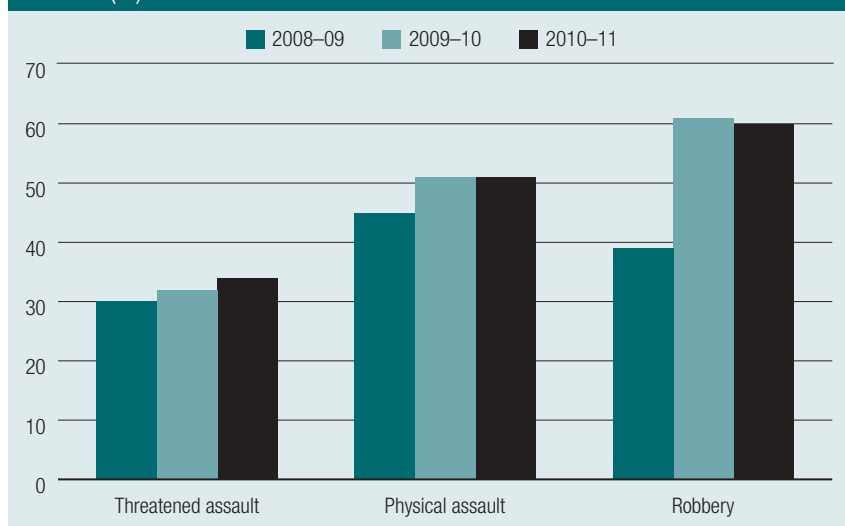
**Figure 43** Reasons for not reporting selected household crimes to police, 2010–11



- Victims who did not report household crime to police did so predominantly because they considered it to be trivial or unimportant. This was the case for an estimated 58 percent of victims who experienced theft from a motor vehicle and 56 percent who experienced malicious property damage.
- The second most common reason was that the victim felt that there was nothing that could be done by the police. It is estimated that this was the reason for not reporting for 31 percent of victims who experienced an attempted break-in in 2010–11.
- An estimated eight percent of break-ins and eight percent of other thefts were not reported because it was a personal matter.

Source: Reference 17

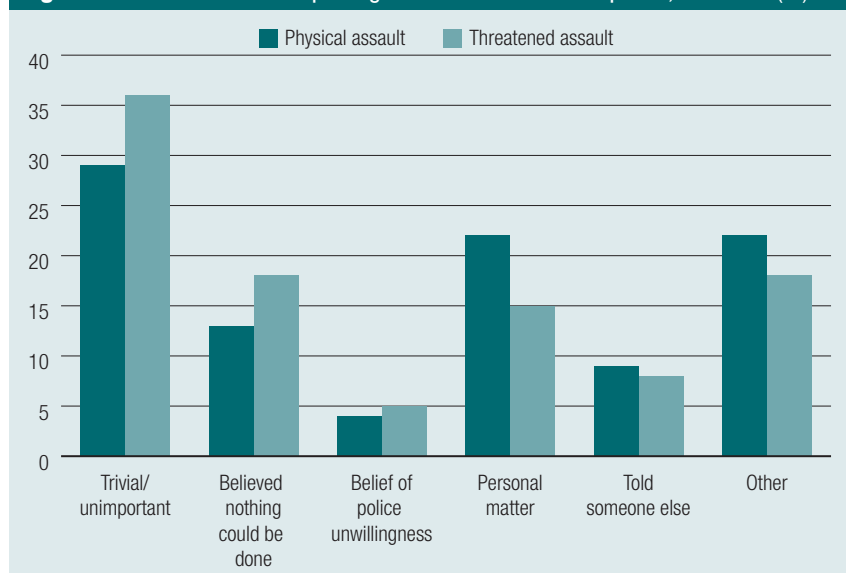
**Figure 44** Incidents of selected personal crimes reported to police, 2008–09 to 2010–11(%)



- It is estimated that the proportion of victims who report personal crime to police has been increasing over the past three years. For example, in 2008–09, only an estimated 30 percent of victims threatened with assault reported the incident to police; in 2010–11, the proportion moderately increased to 34 percent.
- In 2008–09, only an estimated 39 percent of victims reported robbery to police. Despite decreasing by one percentage point from 2009–10, in 2010–11, 60 percent had reported the robbery to police.
- In 2010–11, it is estimated that over half of victims (51%) reported incidents of physical assault to police.

Source: Reference 17

**Figure 45** Reasons for not reporting incidents of assault to police, 2010–11 (%)

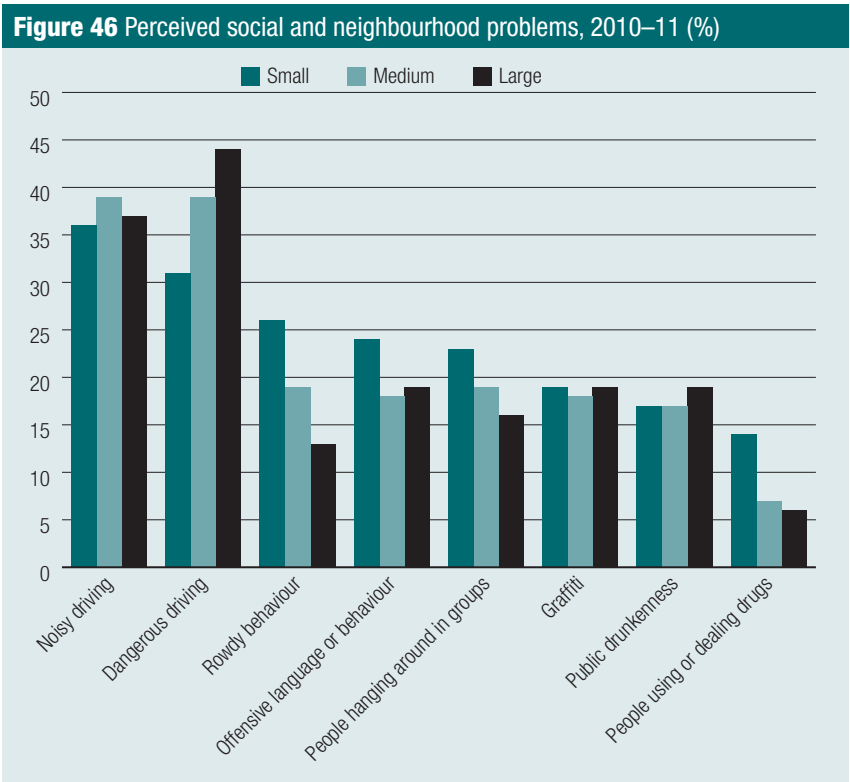


- The belief that the incident was too trivial or unimportant was the most common reason for not reporting. This proportion was higher for threatened assault than for physical assault (36% as opposed to 29%).
- The second most common reason for not reporting an incident of physical assault was that the respondent believed it was a personal matter. Specifically, this was the case for an estimated 22 percent of physical assault victims compared with 15 percent of threatened assault victims.
- Conversely, it is estimated that 18 percent of victims who experienced threatened assault did not tell police because they believed that nothing could be done about the crime.

Source: Reference 17

## Fear and perception of crime

Concerns about crime are generally more widespread than recent direct experiences of victimisation (Reference 28). In the *Crime Victimisation Survey*, the ABS measured the degree to which respondents perceive certain antisocial behaviours as neighbourhood problems.



Note: n=16,861,100

- Driving-related problems were the most commonly cited neighbourhood and social problem in 2010–11. For example, it is estimated that 44 percent of people believed that dangerous driving was a large social problem while 37 percent thought the same about noisy driving.

- Views were mixed in the perceived magnitude of the problem posed by graffiti, public drunkenness and the use or selling of drugs. An estimated 19 percent of people felt that graffiti was a small problem, while a further 19 percent thought the problem was large. Similarly, while 19 percent of people felt public drunkenness was a large problem, a further 17 percent felt that it was only a small problem.
- It was estimated that of those people who felt that using or selling drugs was a problem in 2010–11, the majority (14%) believed it to be only a small issue.

Source: Reference 17

## Scams

Scams aim to defraud an individual through deception. The Australian Competition and Consumer Commission (ACCC) monitors the level of scam activity in Australia and publishes the findings in *Target Scams: Report of the ACCC on Scam Activity*.

The top 10 scams reported to the ACCC in 2011 involved:

- advance fee/upfront payment;
- computer hacking;
- lottery and sweepstakes;
- banking and online accounts (including phishing);
- online auction and shopping;
- unexpected prizes;
- false billing;
- job and employment (includes business opportunity);
- dating and romance (includes adult services); and
- computer prediction software (includes betting).

Source: Reference 18

**Figure 47** Proportion of scams reported to ACCC, 2010 and 2011 (%)



a: Includes phishing

b: Includes business opportunity

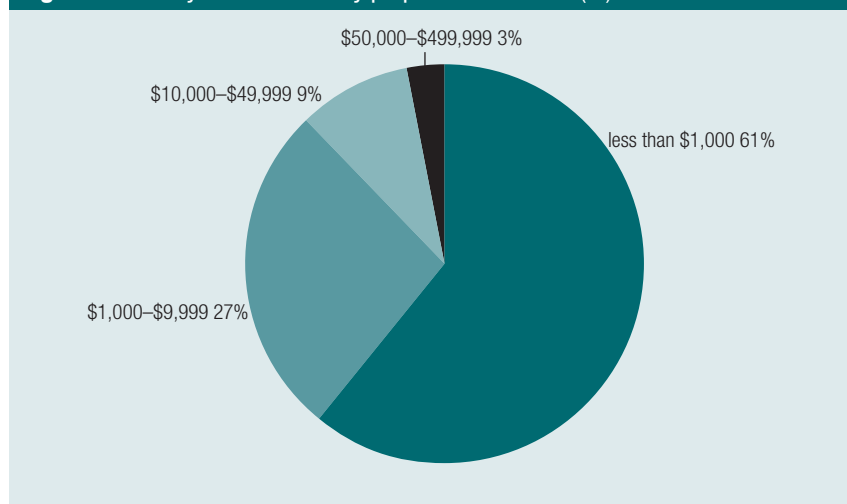
c: Includes adult services

d: Includes betting

- The proportion of scams involving advance fee/upfront payment, computer hacking, and lottery and sweepstakes increased between 2010 and 2011. This increase was most noticeable for computer hacking scams, which increased from 12 percent of all reported scams to 23 percent—a total increase of 11 percentage points.
- Conversely, the proportion of reported scams involving online auctions and shopping, unexpected prizes and false billing all decreased between 2010 and 2011. For example, reports of online auction and shopping scams decreased by seven percentage points and false billing by four percentage points.

Source: Reference 18

**Figure 48** Money lost to scams by proportion of victims (%)



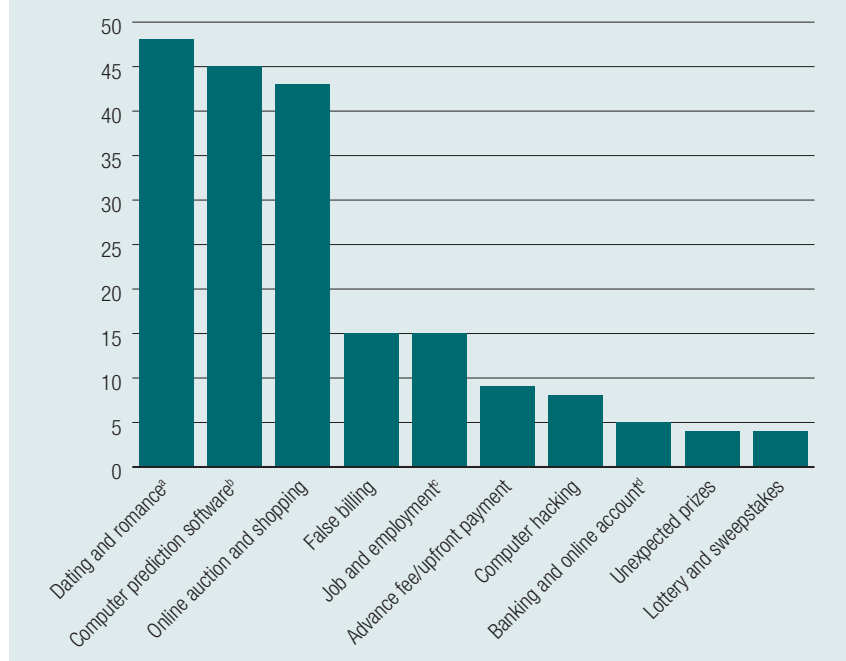
Note: n=10,028

- In 2011, 10,028 people reported losing money to a scam.
- Less than one percent of victims reported losing between \$500,000 and \$999,999 or \$1 million or greater in 2011. The greatest proportion of victims who reported losing money to scams lost less than \$1,000.

Source: Reference 18



**Figure 49** Reported monetary losses by selected scams, 2011 (%)



a: Includes adult services

b: Includes betting

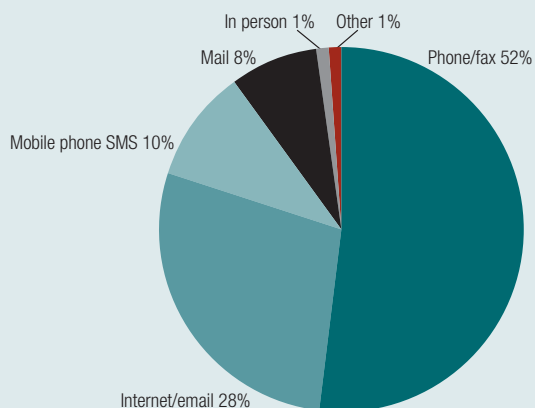
c: Includes business opportunities

d: Includes phishing

- The greatest proportion of scam victims who reported monetary losses were victims of dating and romance scams (48%). The next highest proportion were victims of computer prediction software (45%).
- Despite being the most commonly reported scam in 2011, only nine percent of victims of advance fee/upfront payment scams reported any monetary loss. Similarly, small proportions reported losing money to scams involving computer hacking (8%), banking and online accounts (5%), unexpected prizes (4%), and lottery and sweepstakes (4%).

Source: Reference 18

**Figure 50** Method of scam delivery, 2011 (%)



Note: n=83,150

- Only 28 percent of scams were delivered by internet or email in 2011. Over half (52%) were delivered by phone or fax machine.
- Scams were less likely to be delivered in person (1%) or by mail (8%).

Source: Reference 18



## Chapter 4

# Selected offender profiles

The offender information reported in previous editions of *Australian Crime: Facts & Figures*, Chapter Four has been drawn from Victorian, Queensland and South Australian police data. The ABS now supplies offender information that encompasses more jurisdictions and is therefore more reflective of national patterns and trends. As a result, offender information reported in Chapter Four is no longer comparable with information contained in editions prior to 2012.

This chapter brings together information on offenders from two sources:

- the AIC's *Drug Use Monitoring in Australia* (DUMA) program; and
- the ABS' *Recorded Crime—Offenders, Selected States and Territories, 2010–11*.

*Recorded Crime—Offenders, Selected States and Territories, 2010–11* includes national data on offender age and sex 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.

## Offenders

This chapter presents data on offenders classified according to sex and age. The main purpose here is to give an indicative view of major issues relating to offenders, particularly the following:

- At what age do offending rates peak?
- How does the age/offending 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* alleged 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.

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

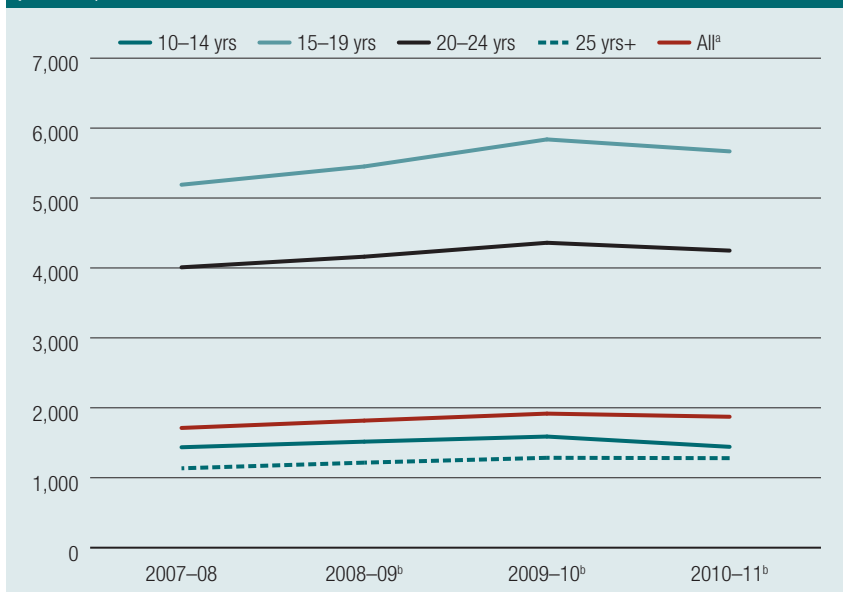
- homicide and related offences (murder, attempted murder, manslaughter, infanticide and driving causing death);
- assault;
- sexual assault;
- robbery;
- unlawful entry with intent;
- MVT;
- other theft; and
- fraud and deception-related crime.

Source: Reference 19

## 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. In 2010–11, the offending rate for persons aged 15 to 19 years was almost three times the rate for all other offenders (5,667 per 100,000 compared with 1,872 per 100,000 respectively).

**Figure 51** Offenders by age, 2007–08 to 2010–11 (rate per 100,000 relevant persons)



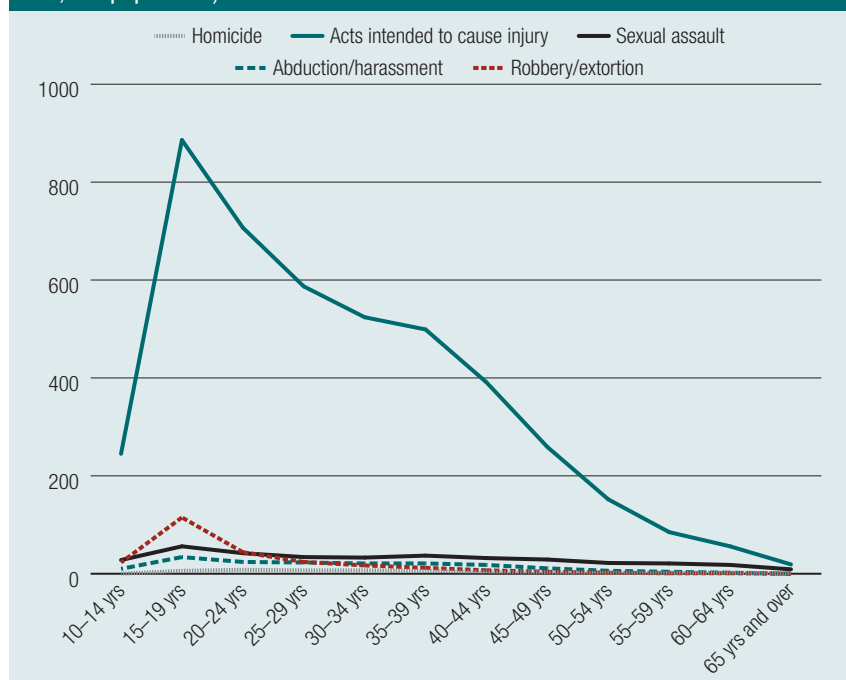
a: 'All' refers to all offenders aged 10 years and over

b: Includes incidents where the offender's crime was unknown

- For the past four years, the rate of offending has consistently been highest in the 15 to 19 year age group. In 2010–11, the rate of offending within this age group was 5,667 per 100,000 compared with a rate of offending of 4,248 per 100,000 population for persons aged 20 to 24 years.
- Between 2009–10 and 2010–11, there was an overall decrease in the offending rate of two percent, decreasing from 1,917 to 1,872 per 100,000 population. However, the group that showed the greatest decline was in the 10–14 year age group, where offending decreased from 1,589 per 100,000 to 1,442—a total decrease of 10 percent.
- Between 2007 and 2008, the rate of offending in the 25 years and over age group has been increasing gradually. Offending increased by seven percent between 2007–08 and 2008–09 and then again by six percent in 2009–10 to 1,285 per 100,000 population. In 2010–11, however, the rate did not change significantly and was recorded at 1,280 per 100,000 population.

Source: Reference 19

**Figure 52** Offenders by selected violent offences and age, 2010–11 (rate per 100,000 population)

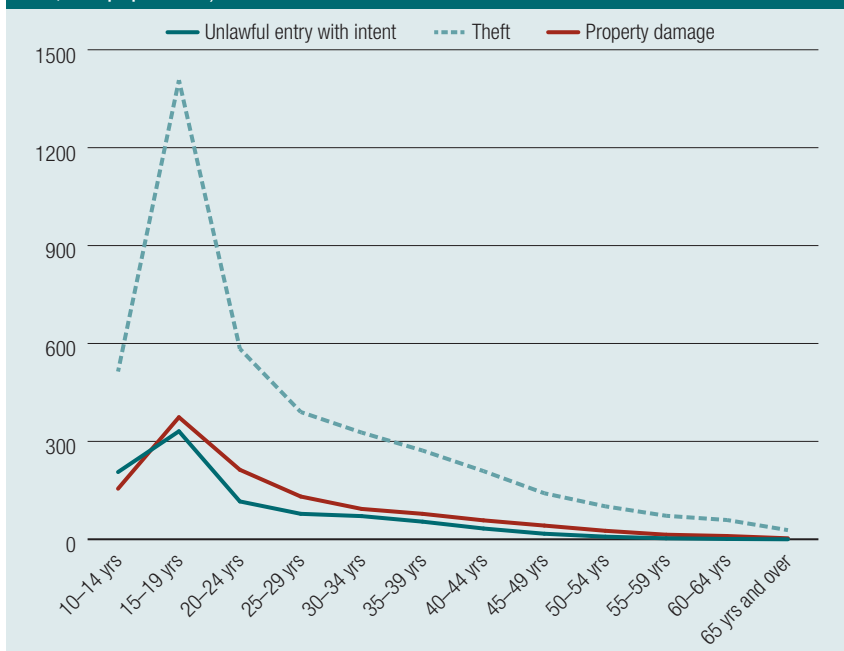


- The pattern across most crimes showed that offending rates were highest in the 15–19 year age group. For example, the rate of robbery/extortion offending was 23 per 100,000 population of 10 to 14 year olds compared with 115 per 100,000 population of 15–19 year olds and 44 per 100,000 population of 20 to 24 year olds.
- In 2011, the rate of offending for acts intended to cause injury in the 15 to 19 year age group was 886 per 100,000 population. However, the rate of offending was lower in each of the subsequent age groups, with offenders aged 55–59 years committing acts intended to cause injury at a rate of 85 per 100,000.
- While the rate of sexual assault offending was highest in the 15 to 19 year age group, the rate of offending by 10 to 14 year olds was higher than the rate of offending among individuals aged 50 years or over. Specifically, 10 to 14 year olds committed sexual assault at a rate of 27 per 100,000 population compared with a rate of 22 per 100,000 population in the 50–54 year age group and 18 per 100,000 in the 60 to 64 year age group.

- Homicide was the only crime where the offending rate was not highest in the 15–19 year age group. Though never greater than 10 per 100,000 population in any age group, homicide offending was highest among offenders aged 20–24 years (8 per 100,000).

Source: Reference 19

**Figure 53** Offenders by selected property offences and age, 2010–11 (rate per 100,000 population)



- In 2011, the rate of theft was 1,407 per 100,000 population in the 15 to 19 year age group. This was significantly higher than the rates of offending in either the 10 to 14 year age group (514 per 100,000 population) or the 20 to 24 age group (584 per 100,000 population). However, after 45 years of age, the rates of offending remained low; for instance, 27 per 100,000 population in the 65 years and over age group.
- The rate of offending in the 10–14 year age group was higher for UEWI than for property damage. Specifically, the rate of offending was 206 per 100,000 for UEWI compared with 155 per 100,000 population for property damage. However, the offending rates for property damage remained higher for subsequent age groups compared with that of UEWI.

Source: Reference 19

## Sex

In 2010–11, the total number of offenders was 371,040 nationally. Of these, 287,632 were male and 82,502 were female (note—906 offenders did not have their sex recorded). The ratio of males to female offenders in 2010–11 was approximately three to one.

**Figure 54** Offenders by sex, 2007–08 to 2010–11 (per 100,000 of that sex per year)



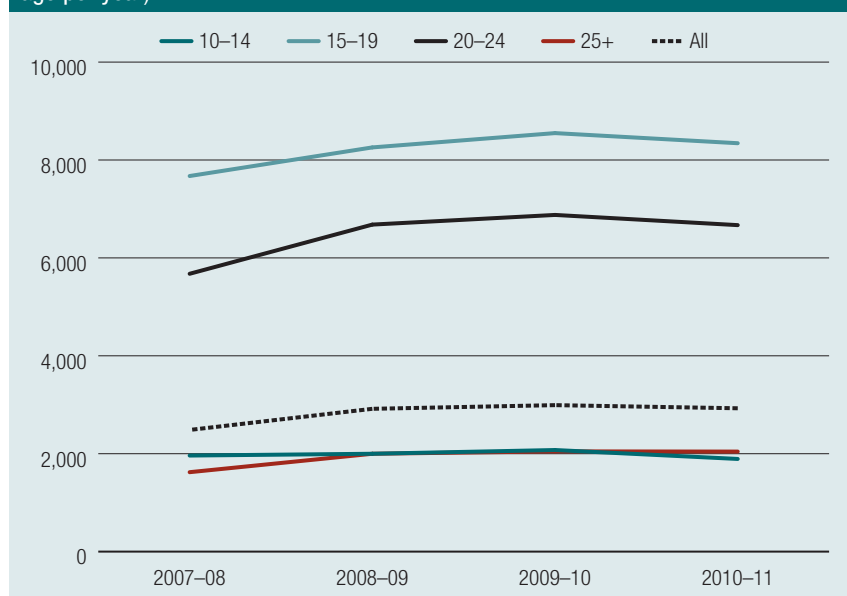
- Over the four year period from 2007–08 to 2010–11, males have consistently offended at higher rates than females. In 2010–11, the rate of offending for males was 2,936 per 100,000 population compared with 827 per 100,000 for females.
- The rate of offending for both sexes increased between 2007–08 and 2009–10, with male offending rising by 10 percent (from 2,719 to 3,001 per 100,000 population) and female offending rising by 12 percent (from 761 to 854 per 100,000 population). However, between 2009–10 and 2010–11 both offending rates decreased—by two percent for males and by three percent for females.

Source: References 2 and 19



## Males

**Figure 55** Male offenders by age, 2007–08 to 2010–11 (per 100,000 males of that age per year)

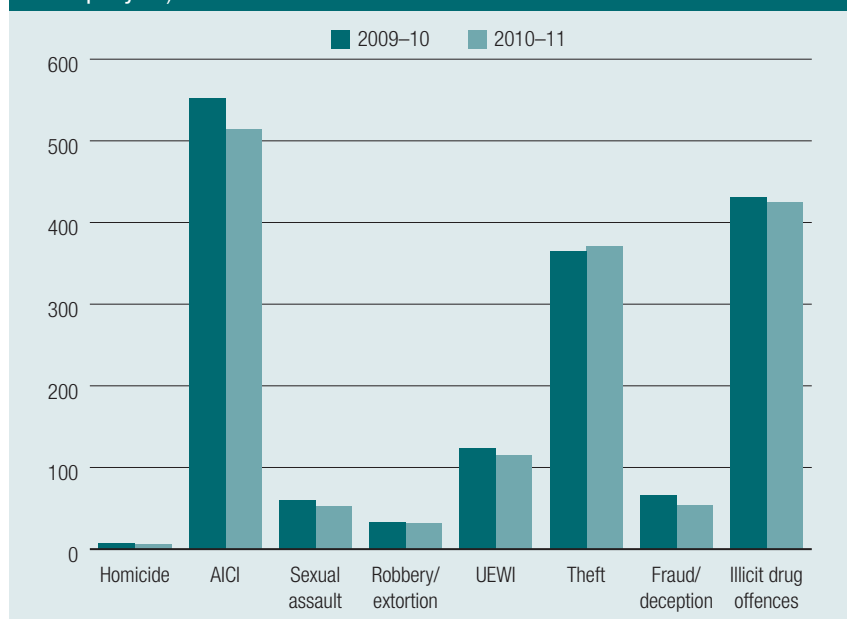


Note: 'All' refers to all male offenders aged 10 years and over

- The rates of offending for males in the 15–19 and 20–24 year age groups has consistently been higher than that of the overall rate of offending. In 2010–11, the overall rate of offending for males was 2,928 per 100,000 population, while offending in the 15–19 year age group was 8,343 per 100,000 and 6,669 per 100,000 in the 20–24 year age group.
- In the last three years, the rate of offending in the 25 years and over age group has increased and in 2010–11 was greater than that in the 10–14 year age group. In 2008–09, the rate of offending in both these groups was relatively similar—around 1,999 per 100,000 in each group. However, in 2010–11, the rate of offending for males aged 10–14 years decreased by nine percent from the previous year (1,893 down from 2,075 per 100,000 population in 2009–10) causing it to drop below that of males aged 25 years and over (2,043 per 100,000 population).

Source: References 2 and 19

**Figure 56** Male offenders by offence type, 2009–10 and 2010–11 (per 100,000 males per year)

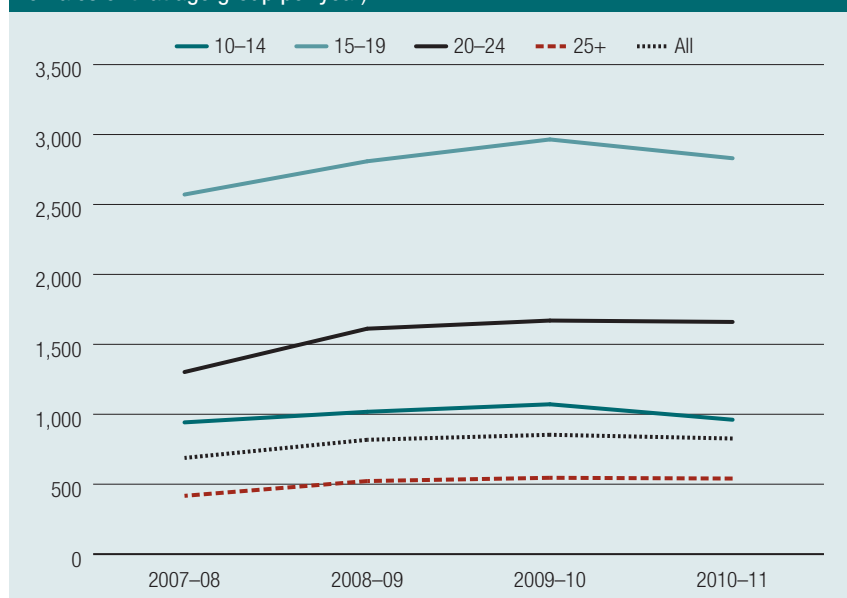


- Acts intended to cause injury (AICI) and illicit drug offences remained the categories of crime with the highest rate of male offending. However, both declined between 2009–10 and 2010–11, with AICI decreasing by seven percent (552 to 514 per 100,000 population) and illicit drug offences by two percent (431 to 424 per 100,000 population).
- Theft was the only category of crime where the male offending rate increased between 2009–10 and 2010–11. Specifically, in 2009–10, the rate of male theft offending was 365 per 100,000 population, compared with 370 per 100,000 in 2010–11—an increase of two percent.
- Fraud and sexual assault both declined in 2010–11. Male fraud offending decreased by 22 percent to 54 per 100,000 population, while the rate of sexual assault offending was 52 per 100,000—a decrease of 15 percent on the previous year.
- Homicide and robbery/extortion were the two categories of crime with the lowest rate of male offending. In 2010–11, males committed robbery/extortion at a rate of 31 per 100,000 and homicide at a rate of six per 100,000.

Source: References 2 and 19

## Females

**Figure 57** Female offenders by age group, 2007–08 to 2010–11 (per 100,000 females of that age group per year)

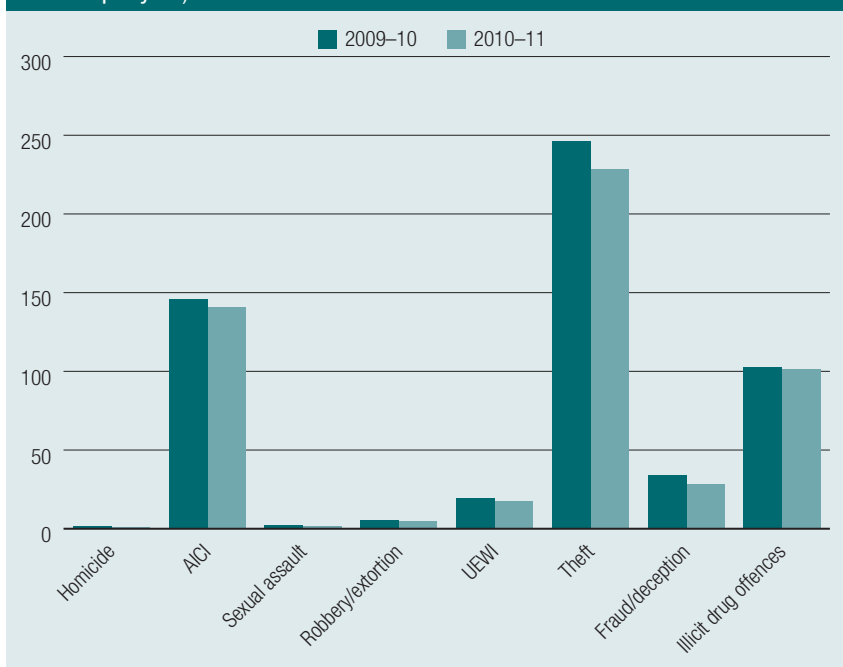


Note: 'All' refers to all female offenders aged 10 years and over

- In 2010–11, the female offending rates in the age groups of 15 to 19 years (2,830 per 100,000 population) and 20 to 24 years (1,660 per 100,000 population) were higher than the general offending rate for all females (827 per 100,000 population).
- Between 2007–08 and 2009–10, female offending increased across all age groups. The offending rate for females aged 25 years and over increased by 31 percent from 417 to 546 per 100,000 population. The offending rate for females aged 10 to 14 years also increased by 14 percent, from 942 to 1,071 per 100,000.
- Compared with the 2009–10 rates, however, female offending decreased across all age groups in 2010–11. For instance, the rate of offending for females aged 10 to 14 years decreased by 10 percent, while there was a five percent decrease for females aged 15 to 19 years and a one percent decrease for females in the 20 to 24 year age group and for those aged over 25 years.

Source: References 2 and 19

**Figure 58** Female offenders by offence type, 2009–10 and 2010–11 (per 100,000 females per year)



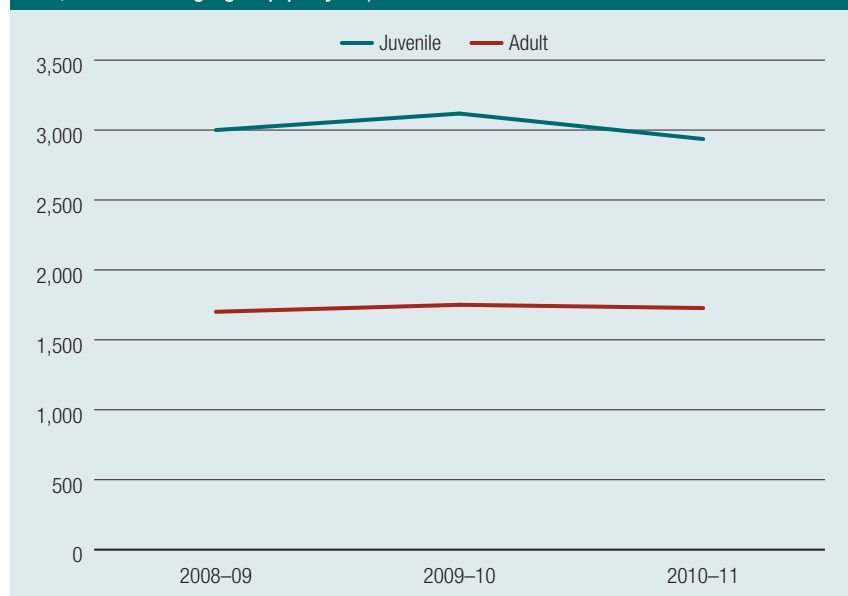
- The rate of offending decreased across all categories of criminal offences between 2009–10 and 2010–11. However, it was most noticeable for fraud/deception, which decreased by 19 percent (34 to 28 per 100,000 population) and UEWI, which decreased by 13 percent (20 to 17 per 100,000 population).
- Female offending in the categories of homicide and sexual assault occurred at rates less than three per 100,000 population in both 2009–10 and 2010–11. Specifically, in 2010–11, the rate of sexual assault offending by females was two per 100,000 population, while for homicide the rate was one per 100,000.
- Theft remained the offence category with the highest rate of offending. However, the rate declined by eight percent; decreasing from 246 to 228 per 100,000 population.
- In 2010–11, the rate of illicit drug offending by females was 101 per 100,000 population.

Source: References 2 and 19

## Juveniles

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

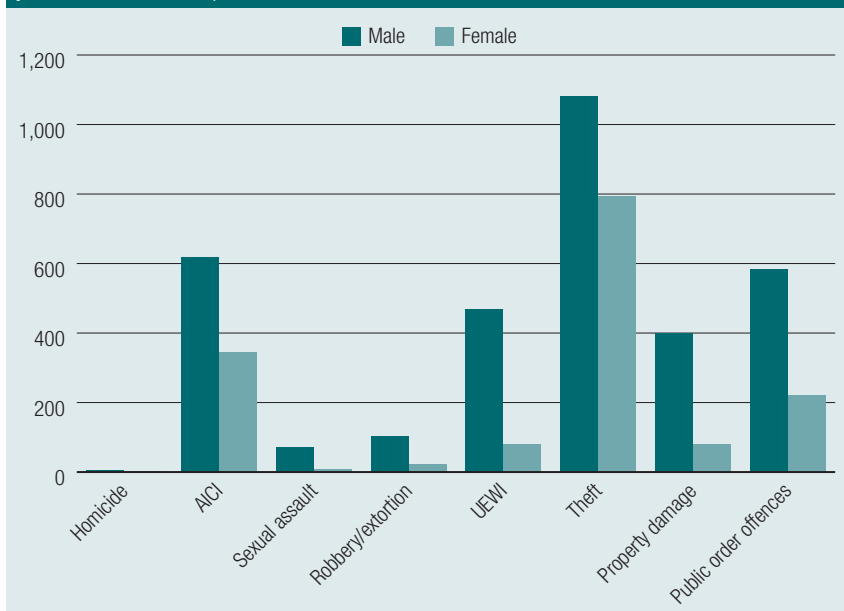
**Figure 59** Juvenile and adult offenders by age group, 2008–09 to 2010–11 (per 100,000 of that age group per year)



- The rate of juvenile offending has been consistently higher than that of adult offending over the three year period. Specifically, in 2010–11, adults offended at a rate of 1,727 per 100,000 population, compared with juveniles who offended at a rate of 2,936 per 100,000 population.
- While adult offending has remained relatively consistent, averaging approximately 1,726 per 100,000 population per year, juvenile offending decreased between 2009–10 and 2010–11. In 2010–11, the juvenile offending rate was six percent lower than that recorded in 2009–10 (3,118 per 100,000 population).

Source: References 2 and 19

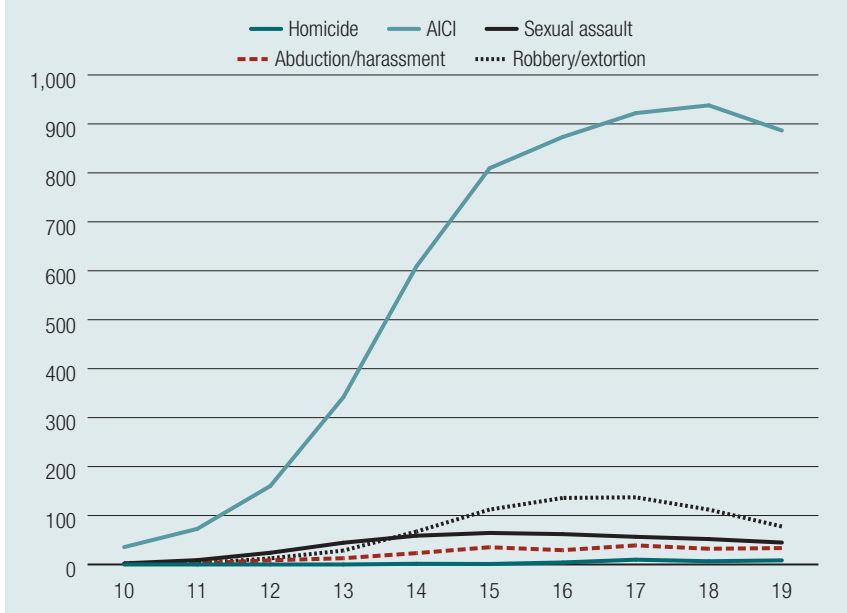
**Figure 60** Juvenile offenders by sex and selected offence, 2010–11 (per 100,000 juveniles of that sex)



- In 2010–11, there were only four homicides committed by female juvenile offenders compared with 44 by male juvenile offenders. This equates to a rate of offending of four per 100,000 population for males and less than one per 100,000 for female juveniles.
- Male and female juveniles had the highest rates of offending for the categories of theft, AICI and public order offences. In 2010–11, the offending rate for theft was 1,082 per 100,000 for males and 792 per 100,000 population for females. For AICI, it was 617 per 100,000 for males and 345 per 100,000 population for females. Finally for public order offences, males offended at a rate of 583 per 100,000 and females at a rate of 221 per 100,000 population.
- In no category of criminal offence did the rate of juvenile female offending exceed that of male juvenile offending. This was especially noticeable in the categories of UEWI and property damage. In both instances, male offending was almost five times that of female offending, with females offending at a rate of only 90 per 100,000 for UEWI and 78 per 100,000 population for property damage.

Source: References 2 and 19

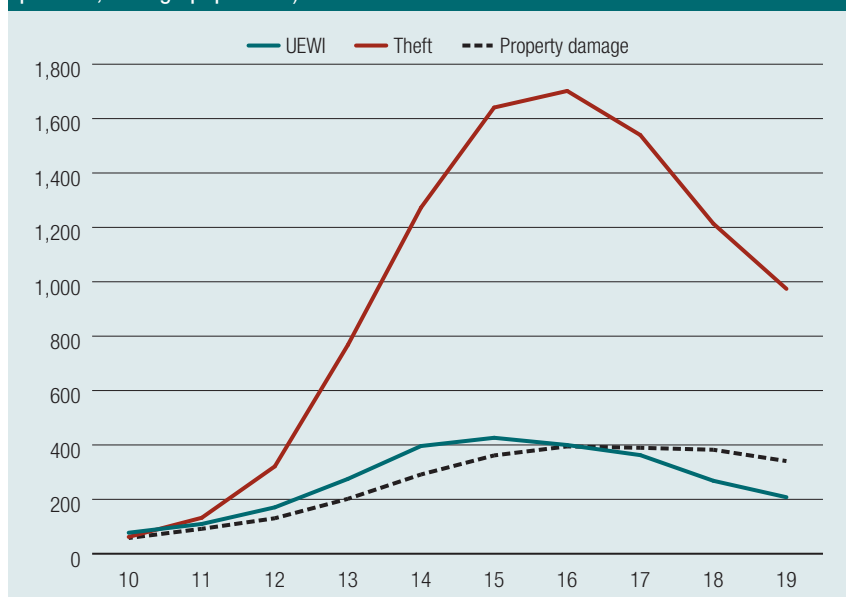
**Figure 61** Young offenders by age and selected violent offence, 2010–11 (rate per 100,000 age)



- For homicide, AICI, abduction/harassment and robbery/extortion, rates of offending were highest among 17 year olds. Specifically, in 2010–11, 17 year olds offended at a rate of 10 per 100,000 population for homicide, 39 per 100,000 for abduction/harassment, 137 per 100,000 for robbery/extortion and 922 per 100,000 for AICI.
- Compared with any other juveniles in the 10 to 19 year old age group, 15 year olds had the highest rate of sexual assault offending. In 2010–11, 15 year olds committed sexual assault at a rate of 64 per 100,000 population, compared with 59 per 100,000 for 14 year olds and 62 per 100,000 for 16 year olds.
- Overall, young people committed AICI at a greater rate than any other type of violent crime. This included at the very bottom end of the age spectrum, where 10 year olds committed AICI at a rate of 35 per 100,000 population. This is almost five times lower than the rate of AICI committed by 19 year old offenders, which was 886 per 100,000 population in 2010–11.

Source: References 2 and 19

**Figure 62** Young offenders, by age and selected property offence, 2010–11 (rate per 100,000 age population)



- For property crimes, offenders were slightly younger than offenders of violent crimes (where offending most commonly peaked around 17 years of age). In 2010–11, theft and property damage was highest among offenders who were 16 years of age, while UEWI was highest among 15 year olds.
- Theft was committed at a rate of 321 per 100,000 population among 12 year old offenders. This was substantially lower than the rate of theft offending among 16 year olds (1,641 per 100,000 population). Despite the rate of offending being lower among offenders older than 16 years, theft remained the most commonly committed property offence. For example, theft occurred at a rate of 974 per 100,000 for 19 year olds, compared with a rate of 208 per 100,000 for UEWI and 341 per 100,000 population for property damage.
- Unlike theft and UEWI, the rates of property damage were not lower among offenders aged greater than 16 years. While offending was highest among 16 year olds at 395 per 100,000, on average, property damage occurred at a rate of 386 per 100,000 population for offenders aged 17 and 18 years.

Source: References 2 and 19



## Drug use by offenders

### *Police detainees*

Established in 1999 and operating at selected watchhouses and police stations across Australia, the AIC's DUMA program is Australia's largest national survey of the illicit drug use patterns of police detainees. Detainees are interviewed within 48 hours of arrest and asked a series of questions relating to their drug and alcohol use, treatment history, prior contact with the criminal justice system and a range of socio-demographic factors (eg age, Indigenous status and employment status; Reference 39). Detainees are also requested to provide a urine sample for urinalysis to confirm drug use.

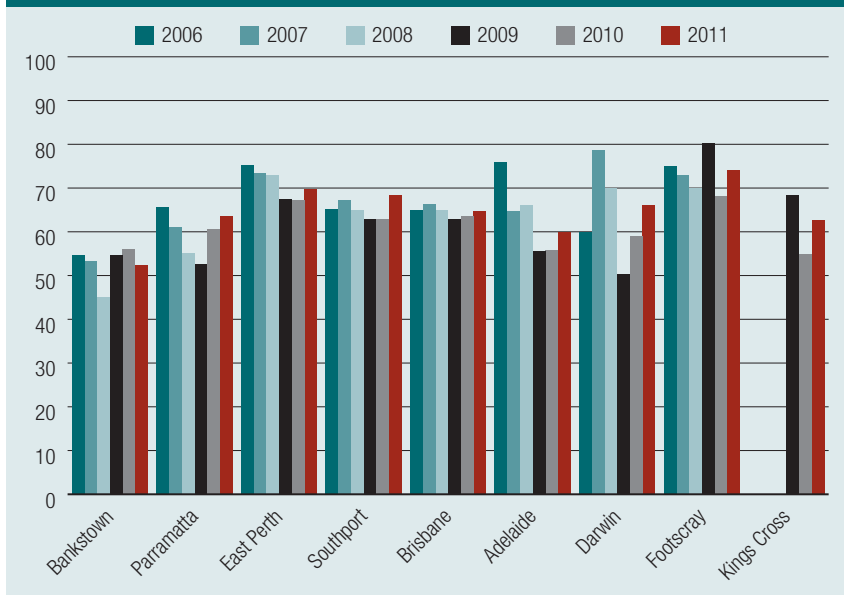
DUMA provides a reasonable and independent indicator of drug-related crime at the selected locations. By 2010, nine sites were being monitored—East Perth in Western Australia, Southport and Brisbane City in Queensland, Bankstown, Parramatta and Kings Cross in New South Wales, Adelaide City in South Australia, Darwin in the Northern Territory and Footscray in Victoria. Brisbane City and Adelaide City began participating in 2002, Darwin and Footscray in 2006 and King Cross in 2009.

Data collection at the Elizabeth site in South Australia ceased in Quarter Four in 2007, while the Alice Springs site was discontinued in 2008. Therefore, there are no data for either Elizabeth or Alice Springs in 2011. Data are collected quarterly and presented in the following figures as annual averages.

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

*Source: Reference 20*

**Figure 63** Police detainees testing positive to any drug<sup>a</sup> by DUMA site, 2006–11 (%)

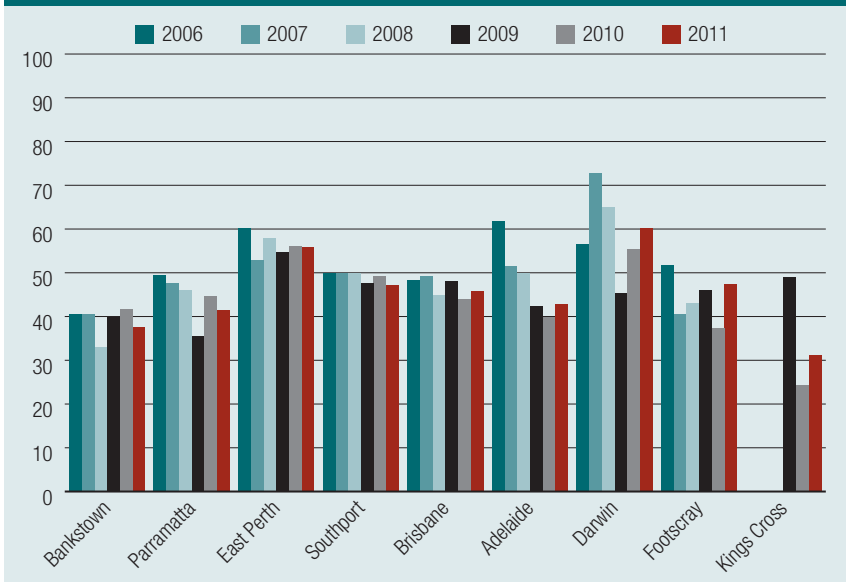


a: A drug is defined as cannabis, heroin, methamphetamine, cocaine, or benzodiazepines

- In 2009, 80 percent of detainees tested positive to a drug at the Footscray testing site—the highest of any testing site in the six year period. Conversely, the lowest recorded proportion was 50 percent of adult male police detainees at the Darwin site in 2009.
- In 2006, 66 percent of police detainees at the Parramatta site tested positive to any drug. By 2009, this proportion had decreased by 13 percentage points to 53 percent. However, in 2011, the proportion had increased again to 64 percent.
- The Brisbane site has remained fairly consistent over the last six years. On average, 65 percent of detainees tested positive to any drug.

Source: Reference 20

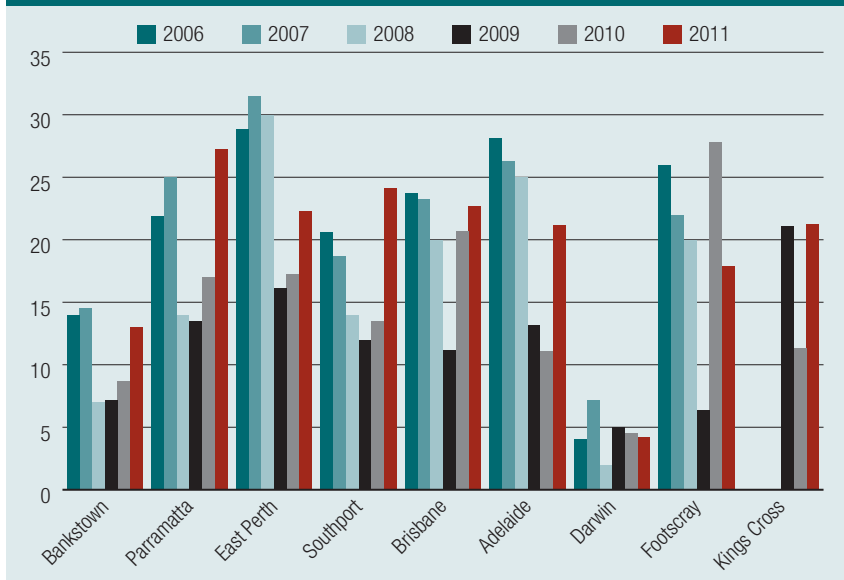
**Figure 64** Police detainees testing positive to cannabis by DUMA location, 2006–11 (%)



- In most of the testing sites, there was an overall decrease in police detainees testing positive to cannabis. At the Bankstown, Parramatta, East Perth, Southport, Adelaide and Footscray sites, the proportion of detainees who tested positive was lower in 2011 than it was in 2006.
- In 2011, 60 percent of detainees at the Darwin site tested positive to cannabis. This is a five percentage point increase on the 55 percent recorded in 2010.
- Since 2006, an average of 39 percent of detainees have tested positive at the Bankstown testing site—the lowest of any long-term site.

Source: Reference 20

**Figure 65** Police detainees testing positive to methamphetamine by DUMA location, 2006–11 (%)

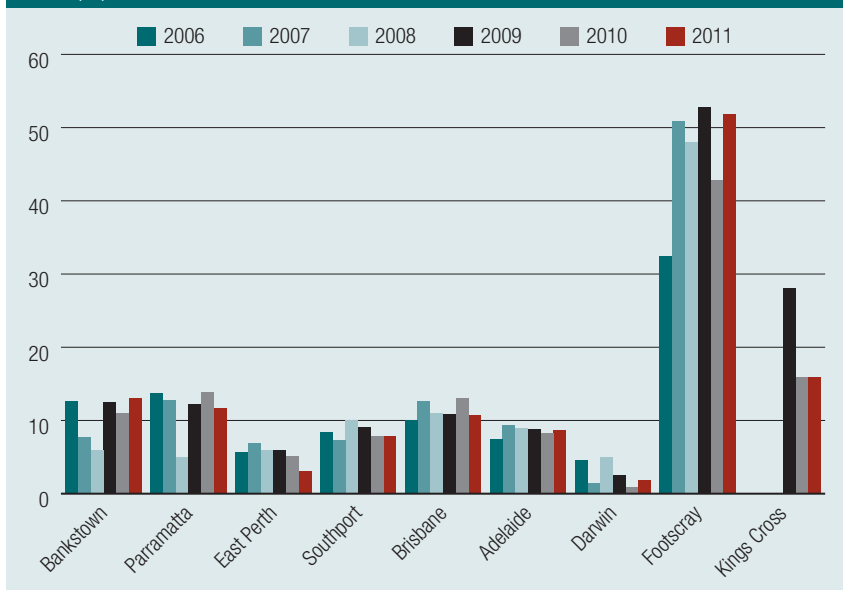


Note: The scale for this chart is different from that of other charts as the percentages involved are relatively small

- In 2011, the proportion of detainees who tested positive to methamphetamines in Bankstown increased by four percentage points from the previous year, rising to 13 percent.
- In 2007, the East Perth site recorded the highest proportions of detainees testing positive to methamphetamines (31%). Since then, the proportions testing positive at the East Perth testing site have decreased to 16 percent in 2009 and 22 percent in 2011.
- Over the six year period, the Darwin testing site has consistently recorded the smallest proportion of police detainees testing positive to methamphetamine of any testing site. Specifically, proportions have remained less than eight percent each year and in 2011, only four percent tested positive.
- All sites recorded an increase in the proportion of detainees testing positive to methamphetamine between 2010 and 2011 except Darwin and Footscray. In Footscray, the proportion testing positive decreased by 10 percentage points from 28 percent recorded in 2010 to 18 percent in 2011.

Source: Reference 20

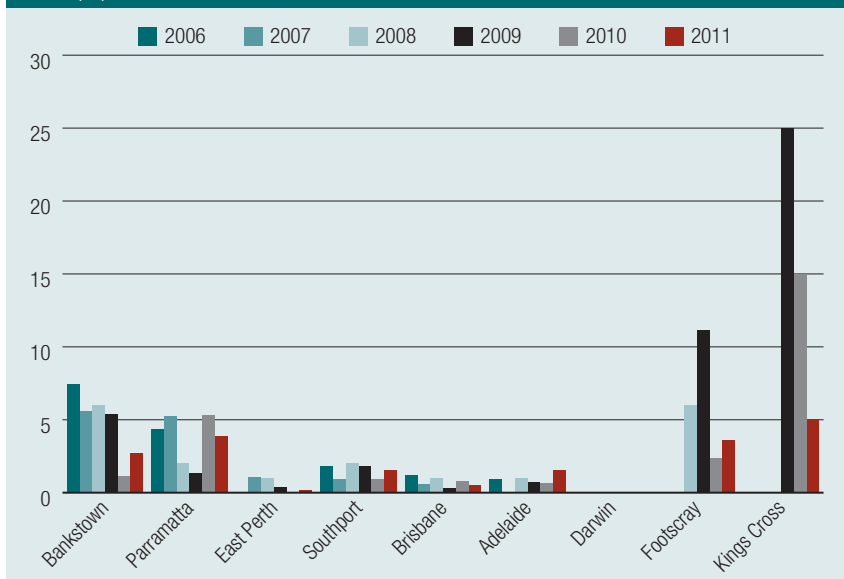
**Figure 66** Police detainees testing positive to heroin by DUMA location, 2006 to 2011 (%)



- The highest proportion of detainees who tested positive to heroin was 53 percent. The proportion was recorded in Footscray in 2009. In 2011, the proportion was 52 percent.
- For the last two years, the proportions testing positive to heroin at Kings Cross have remained consistent at 16 percent.
- The proportions of detainees testing positive to heroin at the East Perth, Adelaide and Darwin testing sites have consistently remained below 10 percent for the six year period.

Source: Reference 20

**Figure 67** Police detainees testing positive to cocaine by DUMA location, 2006–2011 (%)

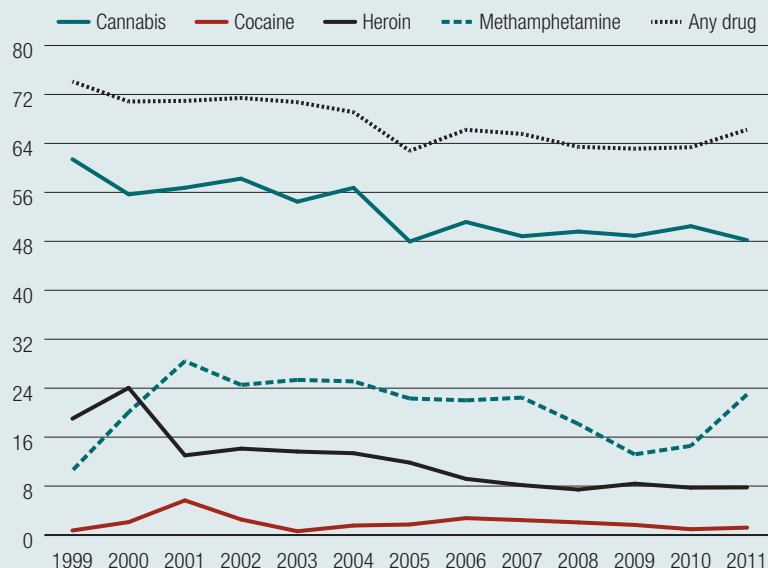


Note: The scale for this chart is different from that of other charts as the percentages involved are relatively small

- The proportions of detainees testing positive to cocaine at Kings Cross have been decreasing since testing began at the site in 2009. Initially, 25 percent of detainees were found to have cocaine in their system at the time of arrest, compared with 15 percent in 2010. In 2011, only five percent tested positive.
- Similarly, the proportions have been declining at the Footscray site since 2009 (11%) and in 2011, only four percent tested positive to cocaine.
- Since 2006, no detainees have tested positive to cocaine at the Darwin testing site, while both the Brisbane and East Perth sites have remained at around one percent or below.
- Three percent of detainees tested positive to cocaine at the Bankstown site in 2011. This is four percentage points lower than that recorded in 2006 (7%); the highest recorded at any testing site in 2006.

Source: Reference 20

**Figure 68** Police detainees testing positive to selected drugs at four long-term sites<sup>a</sup>, 1999 to 2011 (%)

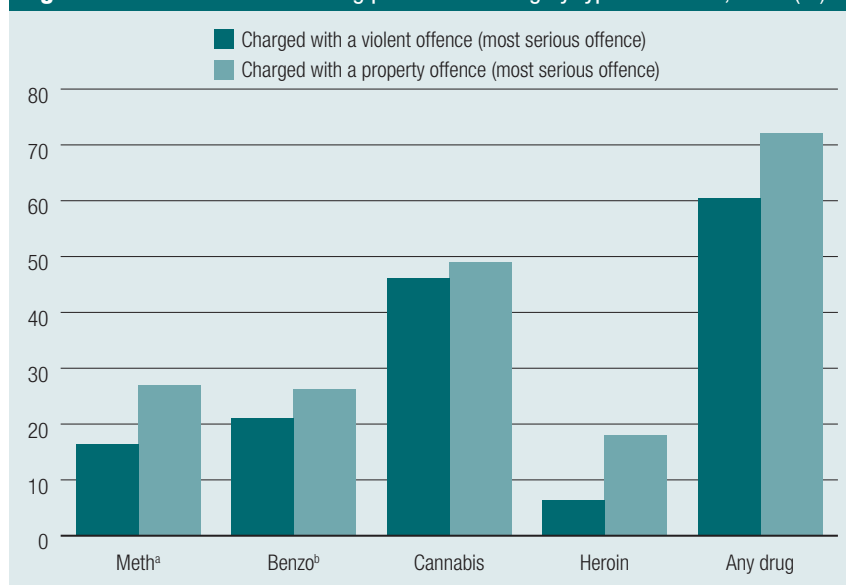


a: Bankstown, Parramatta, East Perth, Southport

- Police detainees tested positive to cannabis (48%) more frequently than any other type of drug. In 2011, 66 percent of detainees tested positive to a drug.
- Despite over half of the population of police detainees testing positive to a drug, the proportions are lower than those recorded in 1999. For example, in 1999, 74 percent of detainees tested positive to a drug compared with 66 percent in 2011. In 2005, 63 percent of detainees tested positive to any drug—the lowest on record. This proportion was also recorded in 2008, 2009 and 2010.
- Since 2005, the proportion of police detainees testing positive to cocaine or heroin has remained less than 10 percent. Specifically, the average proportion of detainees testing positive to cocaine or heroin per year is approximately two and eight percent respectively.
- Methamphetamine use increased between 2010 and 2011 by eight percentage points.

Source: Reference 20

**Figure 69** Police detainees testing positive to a drug by type of offence, 2011 (%)



a: Methamphetamine

b: Benzodiazepines

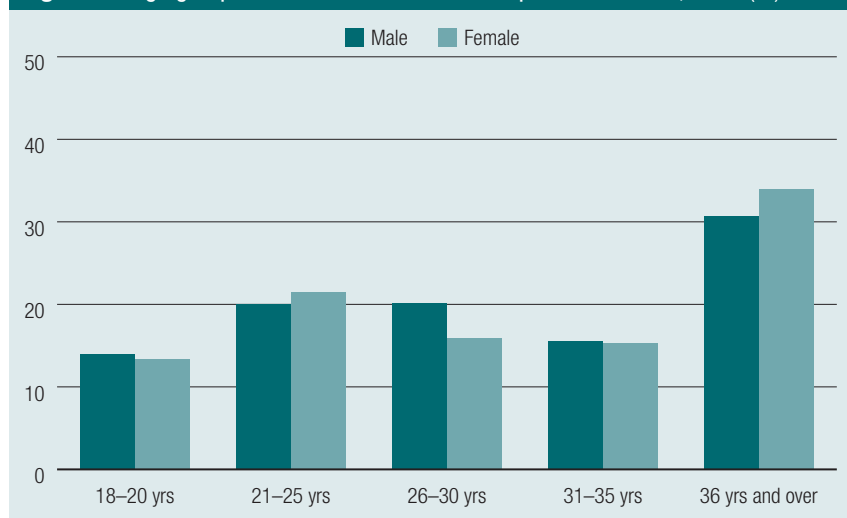
- In 2011, a greater proportion of detainees charged with a property offence (72%) were found to have any drug in their system compared with the proportion charged with a violent offence (60%).
- The most common drug type was cannabis (46% for violent and 49% for property offenders) and the least common was heroin (6% for violent and 18% for property).
- However, 27 percent of offenders charged with a property offence tested positive to methamphetamine, compared with 26 percent testing positive to benzodiazepines. This pattern was reversed for violent offenders, where 21 percent tested positive to benzodiazepines and 16 percent to methamphetamine.

Source: Reference 20



## Characteristics of police detainees

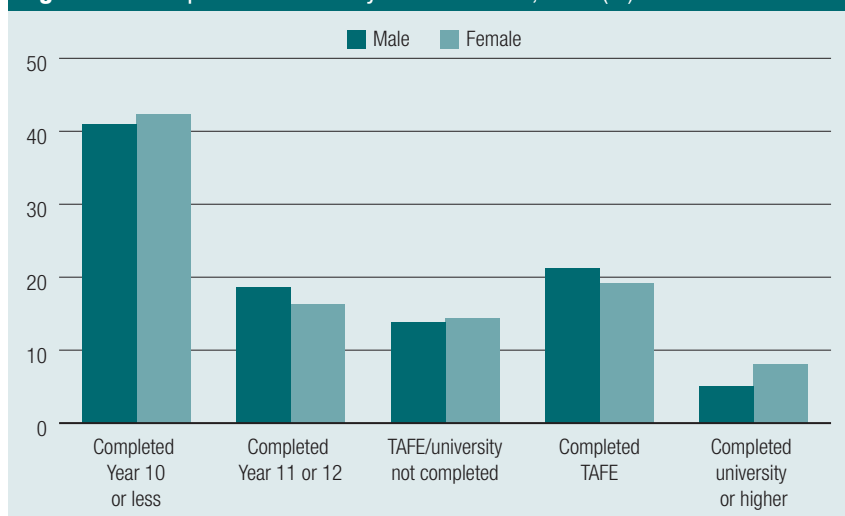
**Figure 70** Age group and sex distribution of adult police detainees, 2011 (%)



- The greatest proportion of police detainees were aged 36 years and over.
- Equal proportions of male detainees were aged between 21 and 25 years and 26 to 30 years (20%). By comparison, 21 percent of females were aged between 21 and 25 years, while 16 percent were aged between 26 and 30 years.
- The smallest proportions of detainees for both sexes were aged between 18 and 20 years.

Source: Reference 20

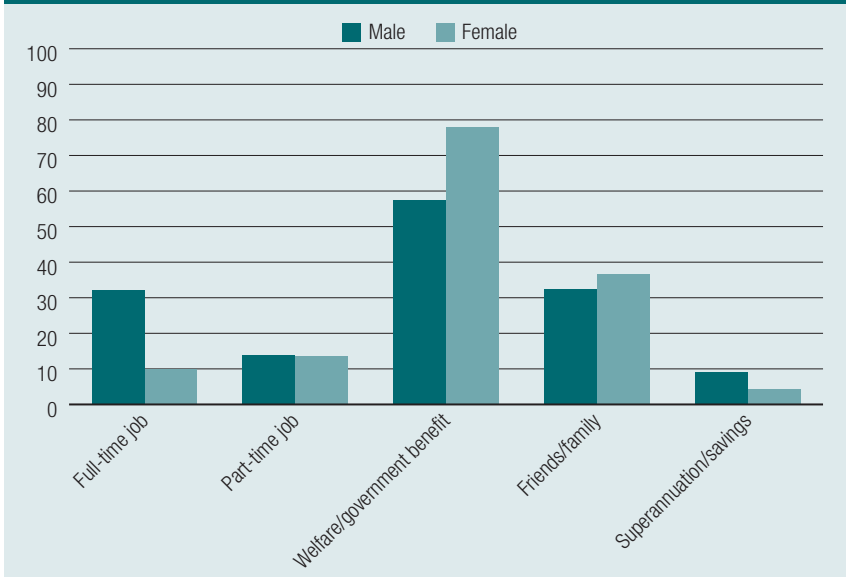
**Figure 71** Adult police detainees by education level, 2011 (%)



- Very few police detainees possessed a qualification at university level or higher. However, the proportion of females who had completed university level education or higher was three percentage points higher than that recorded for males (8% compared with 5%).
- Greater proportions of male detainees had only completed Year 11 or 12 (19% compared with 16%) or had completed TAFE (21% compared with 19%).
- The majority of detainees, regardless of sex, had only completed education to the Year 10 or below level; specifically, 41 percent of male detainees and 42 percent of females.

Source: Reference 20

**Figure 72** Adult police detainees by source of income (non-crime generated) in the past 30 days, 2011 (%)

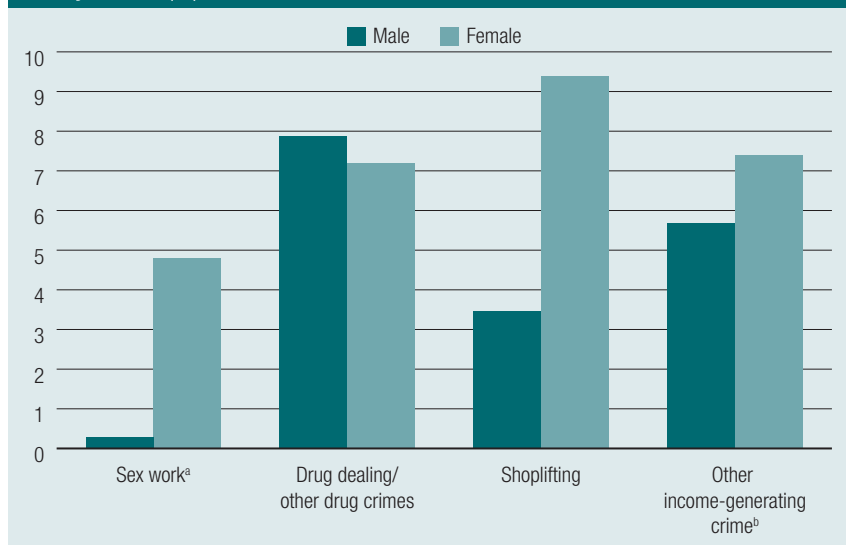


Note: Survey respondents could select more than 1 source of income. Therefore, the percentage for each sex may not total 100

- Both males and female detainees most commonly reported welfare/government benefits as their main source of non-crime generated income. In 2011, 78 percent of females and 57 percent of male police detainees received income from this source.
- Equal numbers of male and female detainees were found to receive income from a part-time job (14%).
- Thirty-two percent of male police detainees reported that they held a full-time job, which was 22 percentage points higher than the proportion of female police detainees. Further, 37 percent of female police detainees compared with 32 percent of male detainees reported receiving non-crime generated financial support from friends/family.

Source: Reference 20

**Figure 73** Adult police detainees by source of income (crime generated) in past 30 days, 2011 (%)



a: Sex work is decriminalised in some states and territories

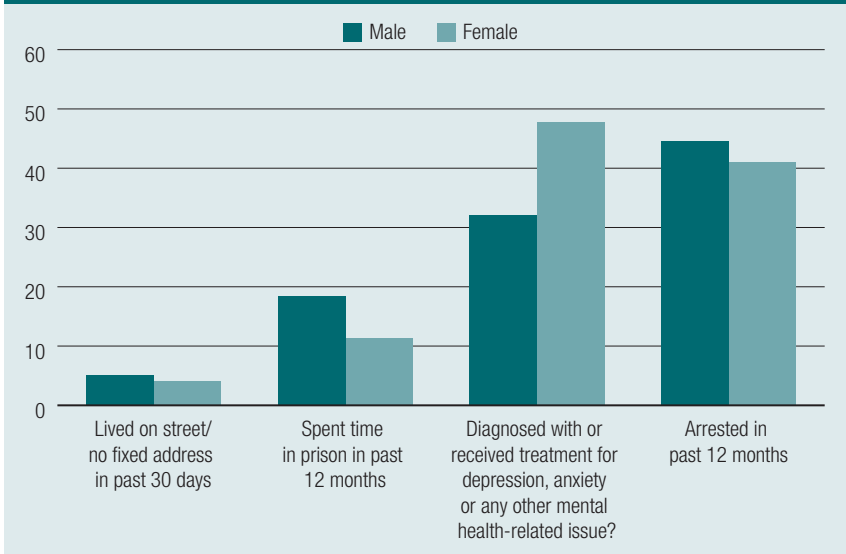
b: Includes theft, fraud, burglary and robbery

Note: Survey respondents could select more than 1 source of income. As such, the percentage for each sex may not total 100

- Sex work was the least common source of crime-generated income for both sexes. However, less than one percent of male detainees reported receiving an income through sex work, compared with five percent for females.
- Drug dealing/other drug crimes were the most common source of crime-generated income for males, reported by eight percent of detainees. Nine percent of females received crime-generated income through shoplifting.

Source: Reference 20

**Figure 74** Adult police detainees by previous experience of homelessness, arrest and imprisonment and mental illness, 2011 (%)



- Recidivism was quite common for male and female police detainees. Over 40 percent of both male and female detainees reported having been arrested on a previous occasion in the last 12 months.
- Nearly half of female detainees (48%) reported having been diagnosed or treated for a mental health issue. Thirty-two percent of male detainees reported similar issues.
- Only five percent of male and four percent of female detainees reported living on the street or not having a fixed address in the 30 days prior to arrest.

Source: Reference 20

## Most serious offence

**Table 7** Most serious offence of adult male police detainees, 2004–11 (%)

	2004	2005	2006	2007	2008	2009	2010	2011
Violent offences	26	25	28	27	28	27	29	29
Property offences	28	24	23	21	20	19	19	17
Drug offences	7	7	7	7	8	8	8	8
Drink-driving offences	6	4	5	6	6	5	5	5
Traffic offences	9	12	9	9	8	7	7	5
Disorder offences	6	6	7	6	7	8	8	11
Breaches	15	18	17	19	20	16	23	22
Other offences	4	4	5	5	4	9	2	3

**Table 8** Most serious offence of adult female police detainees, 2004–11 (%)

	2004	2005	2006	2007	2008	2009	2010	2011
Violent offences	17	18	20	20	18	18	23	23
Property offences	41	37	37	35	36	31	29	28
Drug offences	7	7	7	9	9	10	10	8
Drink-driving offences	3	3	2	4	5	5	5	4
Traffic offences	8	10	10	6	8	5	5	5
Disorder offences	6	7	5	7	5	9	8	8
Breaches	13	13	13	16	15	12	18	21
Other offences	6	5	5	3	4	9	3	3

- On average, from 2004 to 2011, the most serious offence (MSO) committed by male police detainees most frequently was a violent offence. Conversely, for females it has been property offences.
- The proportion of males charged with disorder offences has increased overall, from six percent in 2004 to 11 percent in 2011.
- The top three most serious offences for males and females have been violent and property offences, followed by breaches of court orders. In 2011, 21 percent of female detainees were charged with a breach as their most serious offence compared with 22 percent of males.
- Since 2004, the proportion of female detainees whose most serious offence was a property offence has decreased from 41 percent to 28 percent.

Source: Reference 20



## 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 under 17 years in Queensland).

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, Koori 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 21 and 22*

## 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 21 and 22*

### *Lodgements*

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



In 2010–11, 802,009 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.

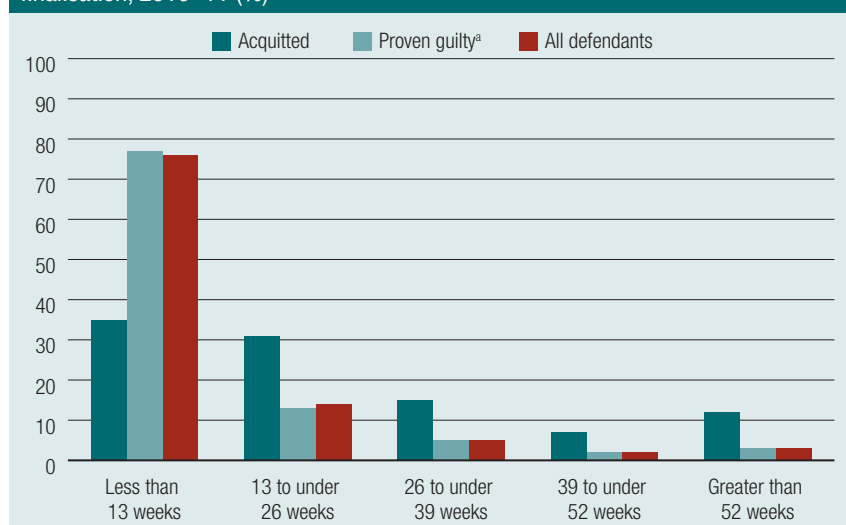
Source: Reference 21

## Timeliness

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

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

**Figure 75** Timeliness of matters finalised in Magistrates' court by method of finalisation, 2010–11 (%)

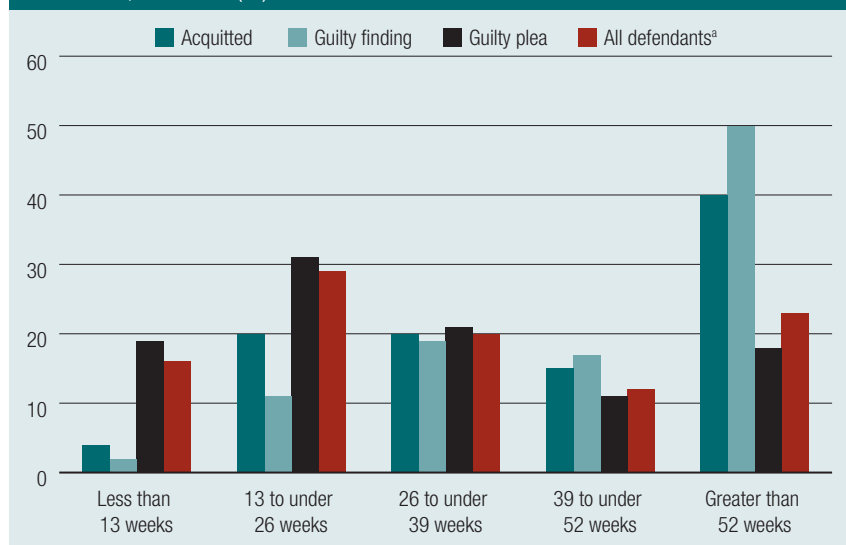


a: Includes guilty plea and guilty verdict

- The majority of matters in the Magistrates' courts in 2010–11 were finalised in less than 13 weeks. This varied depending on the method of finalisation. For example, 77 percent of matters proven guilty took less than 13 weeks to finalise, compared with 35 percent of those resulting in acquittal and 76 percent of matters overall.
- In 2010–11, only three percent of all defendants were involved in matters that took greater than 52 weeks to finalise. However, this proportion was nine percentage points higher for matters ending in acquittal. Specifically, 12 percent of defendants whose matters ended with acquittal took longer than 52 weeks to finalise.
- Overall, 14 percent of defendants were finalised within 13 to 26 weeks, followed by five percent that were finalised between 26 and 39 weeks.

Source: Reference 22

**Figure 76** Timeliness of matters finalised in higher courts by method of finalisation, 2010–11 (%)



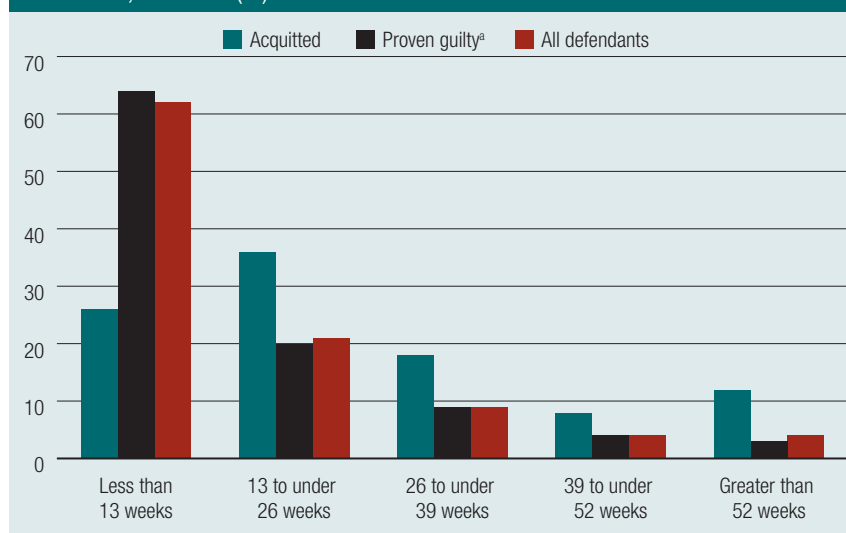
a: All defendants includes cases where finalisation method was unknown or defendants whose cases were finalised by other means (eg transferred to other court methods, withdrawn by prosecution)

- Overall, in 2010–11, the greatest proportion of defendants before the higher courts were finalised between 13 and 26 weeks (29%).
- However, a large proportion of all defendants' matters took longer than 52 weeks to finalise. In 2010–11, 23 percent of all defendants were finalised in a time period of greater than 52 weeks.

- With regards to specific methods of finalisation, half of all defendants whose matter resulted in a guilty finding took greater than 52 weeks to finalise. Similarly, a large proportion of matters ending in acquittal took longer than 52 weeks to finalise (40%).
- For defendants who entered a guilty plea, only 18 percent took greater than 52 weeks to finalise. Instead, 31 percent were finalised between 13 and 26 weeks and 21 percent between 26 and 39 weeks.
- A greater proportion of defendants who entered a guilty plea were finalised in less than 13 weeks than any other method of finalisation. Specifically, 19 percent of defendants with a guilty plea were finalised in this time period, compared with four percent of those who were acquitted and two percent who were found guilty. In 2010–11, 16 percent of all defendants before the higher courts were finalised in less than 13 weeks.

Source: Reference 22

**Figure 77** Timeliness of matters finalised in the children's courts by method of finalisation, 2010–11 (%)



a: Includes guilty plea and guilty verdict

- The majority (62%) of defendants in the children's courts were finalised in less than 13 weeks. This trend was driven mainly by the 64 percent of defendants who were proven guilty in 2010–11.

- A greater proportion of defendants with matters before the children's courts who were ultimately acquitted took between 13 and 26 weeks, compared with less than 13 weeks. Specifically, 36 percent of acquittals were finalised between 13 and 26 weeks, while only 26 percent were finalised in less than 13 weeks.
- In 2010–11, 12 percent of acquittals and three percent of defendants proven guilty in the children's courts took greater than 52 weeks. Overall, only three percent of all defendants took greater than 52 weeks to finalise.

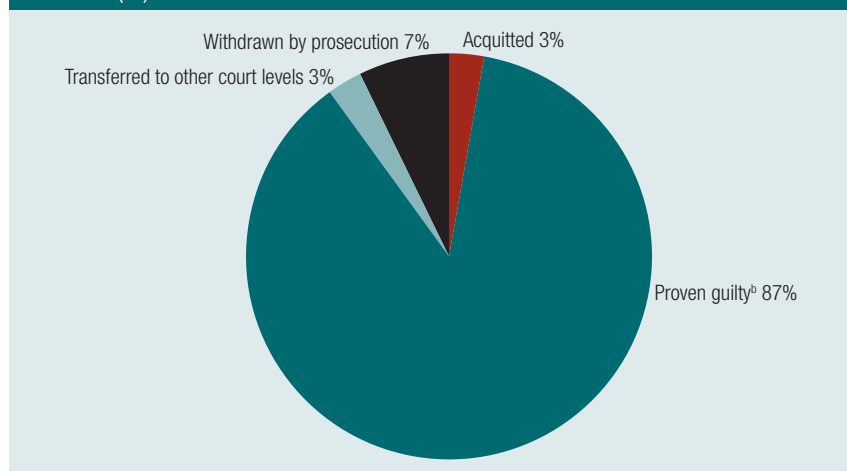
Source: Reference 22

## Court decisions

Cases are finalised in the courts in the following ways:

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

**Figure 78** Criminal cases finalised in Magistrates' court by method of finalisation<sup>a</sup>, 2010–11 (%)



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

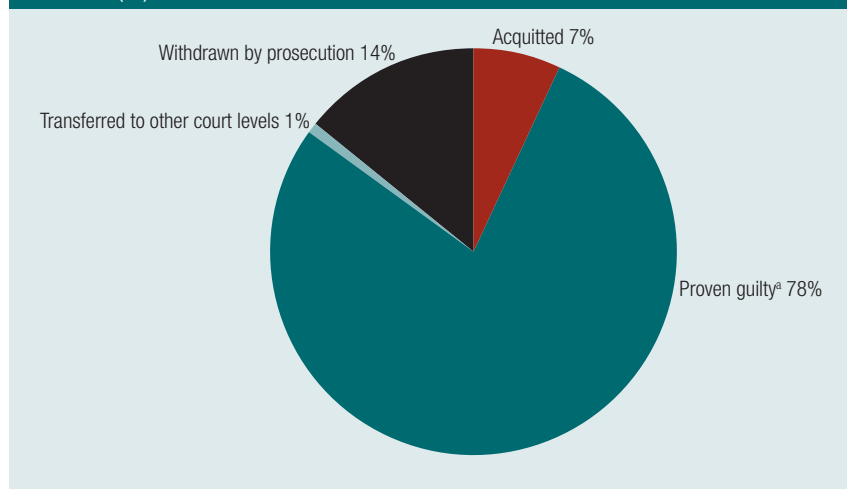
b: Includes guilty plea and guilty verdict

Note: n=533,857

- The majority of criminal cases finalised in the Magistrates' court in 2010–11 ended with a proven guilty finding (87%). While seven percent were withdrawn by the prosecution, only three percent were acquitted or transferred to other court levels, respectively.

Source: Reference 22

**Figure 79** Criminal cases finalised in higher courts by method of finalisation, 2010–11 (%)



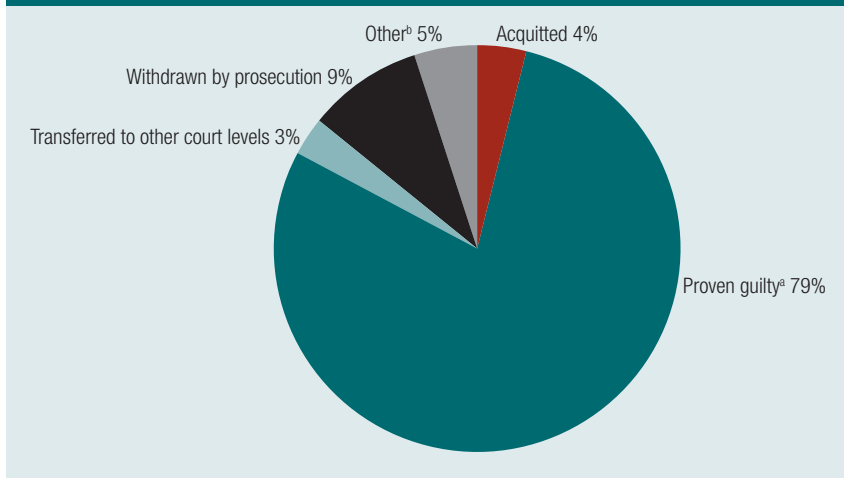
a: Includes guilty plea and guilty verdict

Note: n=16,295

- While 78 percent of criminal cases finalised in the higher courts resulted in a proven guilty finding, 14 percent were withdrawn by the prosecution in 2010–11. Seven percent were acquitted and one percent were transferred to other court levels.

Source: Reference 22

**Figure 80** Criminal cases finalised in children's courts by method of finalisation, 2010–11



a: Includes guilty plea and guilty verdict

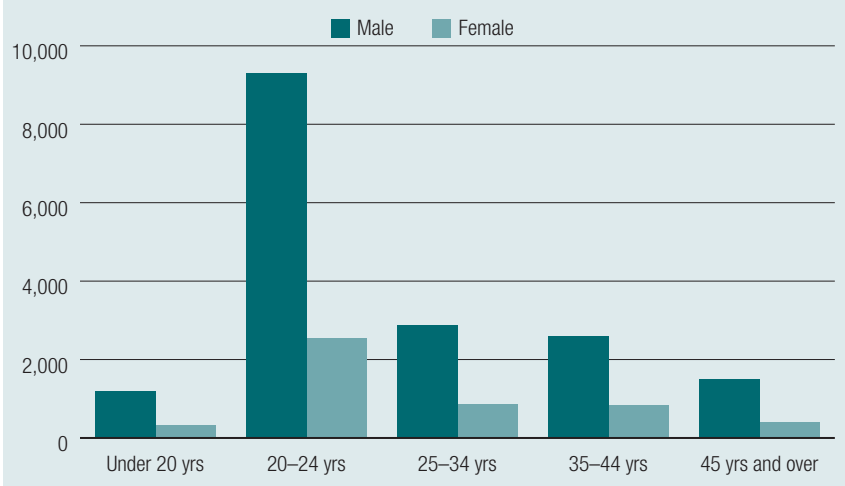
b: Includes defendants unfit to plead, defendants deceased and other non-adjudicated finalisations

Note: n=36,236

- In 2010–11, 79 percent of defendants in the children's courts were proven guilty, while four percent were acquitted.
- Only nine percent of matters were withdrawn by prosecution, while three percent were transferred to other court levels.

Source: Reference 22

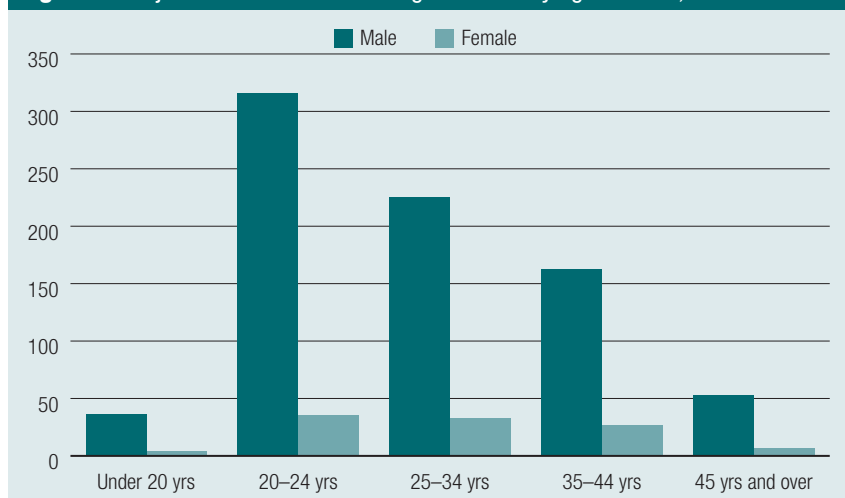
**Figure 81** Adjudicated defendants in Magistrates' court by age and sex, 2010–11  
(rate per 100,000 relevant persons)



- Males aged 20–24 years were the group most commonly adjudicated in the Magistrates' court in 2010–11. Females aged 20–24 years were adjudicated at a rate of 2,528 per 100,000 females compared with 9,294 per 100,000 males.
- The rate of male adjudication in the Magistrates' court declined by 84 percent between the ages of 20–24 and 45 years and over. In 2010–11, males aged 45 years and over were adjudicated at a rate of 1,504 per 100,000 population.
- The rate of adjudication in the Magistrates' court was lowest for both sexes for defendants aged under 20 years. Females were adjudicated at a rate of 307 per 100,000 and males were adjudicated at a rate of 1,196 per 100,000 population.

Source: References 2 and 22

**Figure 82** Adjudicated defendants in higher courts by age and sex, 2010–11



- Although adjudication of male defendants in the higher courts is significantly greater than that of female defendants, both sexes follow similar patterns across the age groups. The rate of adjudication peaks in the 20–24 year age group before declining over the subsequent age groups.
- For defendants aged under 20 years, males were adjudicated at a rate of 36 per 100,000 population and females at a rate of three per 100,000.
- The rate of female adjudication was lower for those aged 25–34 years than for those aged 20–24 years. For those aged 20–24 years, the rate was 35 per 100,000 population, compared with 32 per 100,000 females aged 25–34 years.
- Similarly, for males, the rate of adjudication was greater for those aged 20–24 years compared with 25–34 years (316 compared with 225 per 100,000 population). The adjudication rate was lower still for those aged 35–44 years at 162 per 100,000 population.

Source: References 2 and 22

## Sentencing

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

- fine;
- good behaviour bond;



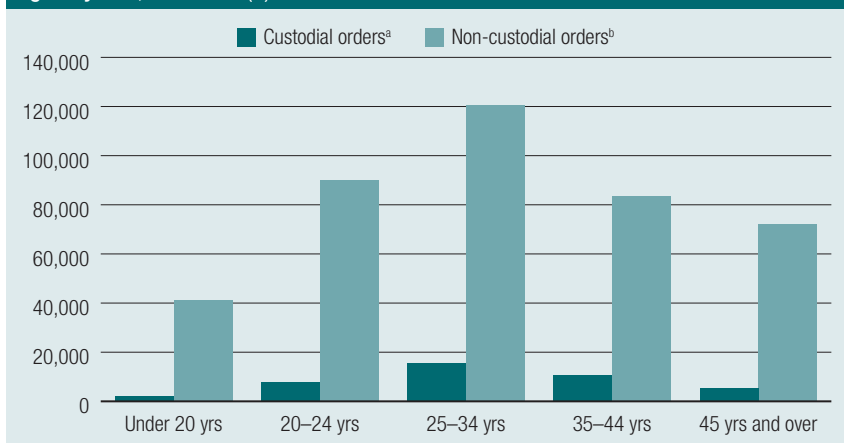
- probation order;
- suspended sentence;
- community service order;
- community custody (including home detention and periodic detention); and
- imprisonment.

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 is continuing to work towards a more detailed and regular sentencing collection for higher courts, Magistrates' courts and children's courts.

**Figure 83** Principal sentence of defendants found guilty in Magistrates' courts by age in years, 2010–11 (n)



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

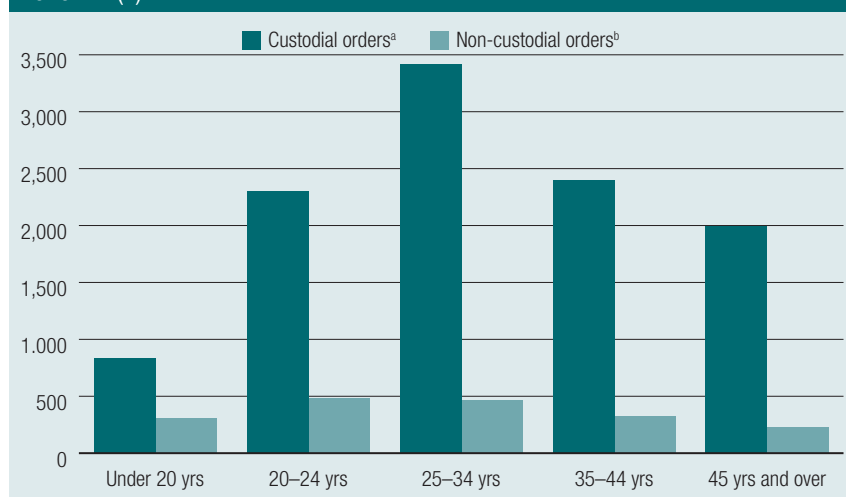
b: Includes community supervision or work orders, monetary orders and other non-custodial orders

- Non-custodial orders were the most common sentence handed down in the Magistrates' courts in 2010–11. In total, 407,566 non-custodial orders were handed down in 2010–11, constituting 91 percent of all sentences in Magistrates' courts.

- Defendants aged 25–34 years received the greatest number of sentences in 2010–11. Specifically, 37 percent of non-custodial and 30 percent of custodial sentences were handed down to defendants aged 25–34 years.
- Defendants under 20 years of age were the least likely to receive a custodial sentence in 2010–11. Only five percent of defendants aged under 20 years received a custodial sentence compared with 12 percent of defendants aged 20–24 years and 11 percent aged 25–43 years.

Source: Reference 22

**Figure 84** Defendants found guilty in higher courts by age and principal sentence, 2010–11 (n)



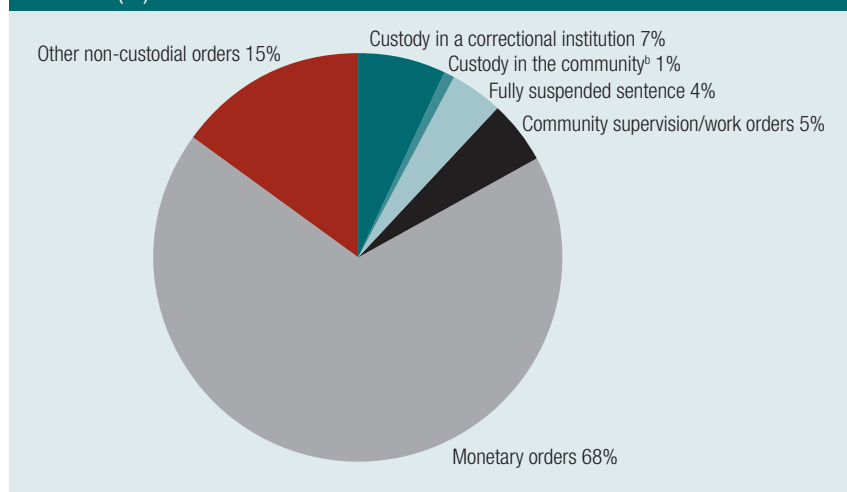
a: Includes custody in a correctional institution, custody in the community and suspended sentence

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

- Defendants found guilty in a higher court in 2010–11 were more commonly awarded a custodial than a non-custodial sentence. Of the 12,753 sentences handed down in the higher courts in 2010–11, 10,946 (86%) were custodial.
- In 2010–11, the greatest proportion of custodial sentences were handed down to defendants aged 25–34 years (31%). Conversely, defendants aged 20–24 years received the largest proportion of non-custodial orders of any other age group (27%).

Source: Reference 22

**Figure 85** Principal sentence of adult male defendants found guilty in any court<sup>a</sup>, 2010–11 (%)



a: Includes Magistrates' and higher courts

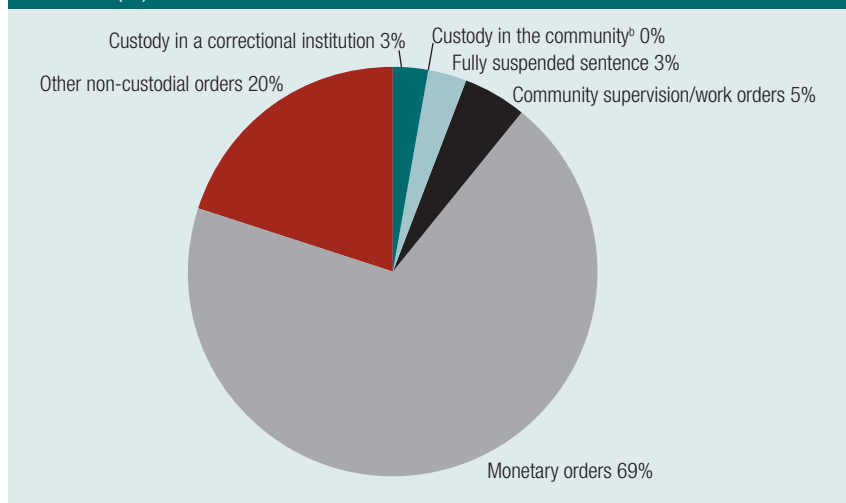
b: Includes intensive corrections orders, home detention and other orders restricting liberty, although allowing living in the community

Note: n=368,120 (excludes male defendants whose type of custodial order handed down was unknown)

- Sixty-eight percent of males found guilty in any court in 2010–11 received a monetary order. Fifteen percent received other non-custodial orders, while five percent were sentenced to community supervision/work orders.
- Twelve percent of male defendants received a custodial sentence in 2010–11. Specifically, seven percent were sentenced to custody in a correction institution, four percent received a fully suspended sentence and one percent served custody in the community.

Source: Reference 22

**Figure 86** Principal sentence of adult female defendants found guilty in any court<sup>a</sup>, 2010–11 (%)



a: Includes Magistrates' and higher courts

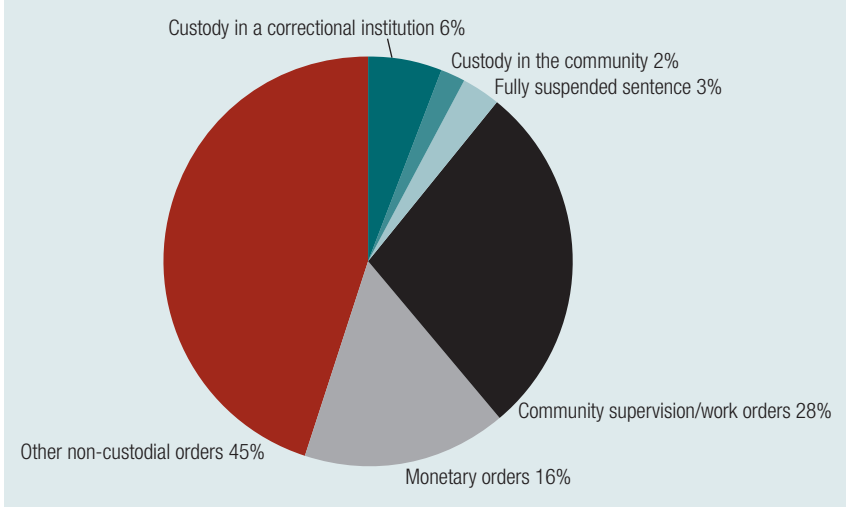
b: Includes intensive corrections orders, home detention and other orders restricting liberty, although living in the community

Note: n=103,888

- Of the 103,888 female defendants sentenced in Australian courts in 2010–11, 69 percent received a monetary order, followed by 20 percent who received other non-custodial orders.
- Three percent of female defendants were sentenced to custody in a correctional facility and three percent received a fully suspended sentence.

Source: Reference 22

**Figure 87** Principal sentence of defendants found guilty in a children's court, 2010–11 (%)

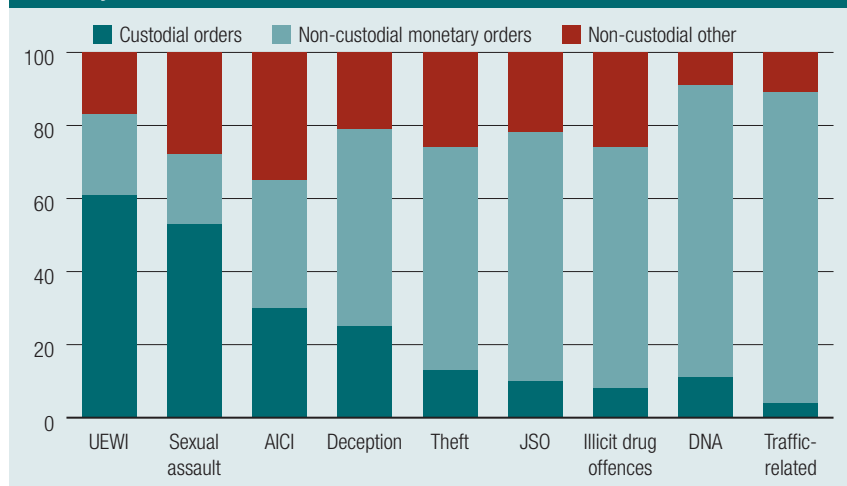


Note: n=28,476

- Other non-custodial orders and community supervision or work orders were the most common sentences handed down in the children's court in 2010–11. Specifically, 28 percent of defendants received a community supervision or work order, while 16 percent received a monetary order.
- In 2010–11, only six percent of defendants in the children's courts were sentenced to custody in a correctional institution.

Source: Reference 22

**Figure 88** Principal sentence of adult defendants found guilty in Magistrates' courts by most serious offence, 2010–11

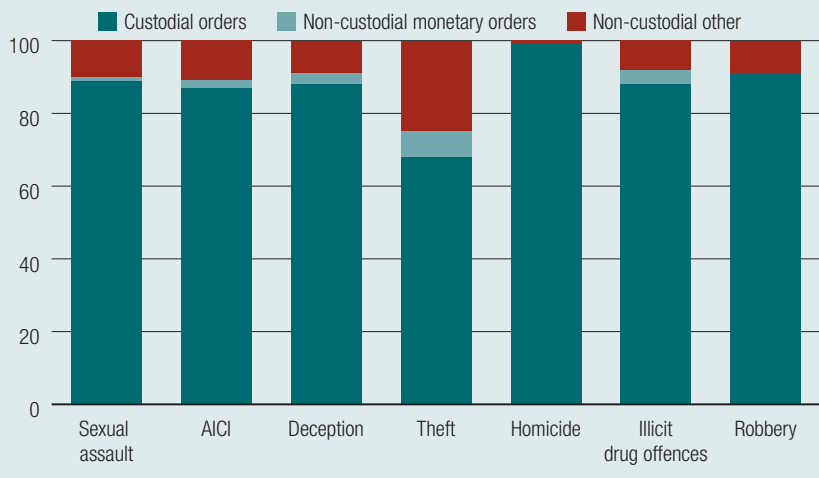


Note: JSO=offences against justice procedures, government security, or government operations. DNA=dangerous or negligent acts endangering persons

- Greater proportions of custodial orders were handed down in the Magistrates' courts for UEWI and sexual assault. In 2010–11, 61 percent of defendants found guilty of UEWI received a custodial sentence, while the same was true for 53 percent of defendants found guilty of sexual assault.
- Monetary orders were the most common sentence awarded to defendants found guilty of traffic-related crimes (85%) or dangerous or negligent acts endangering persons (80%).
- For defendants charged with AICI in 2010–11, 30 percent received a custodial order, 35 percent received a monetary order and a further 35 percent received another type of non-custodial order.

Source: Reference 22

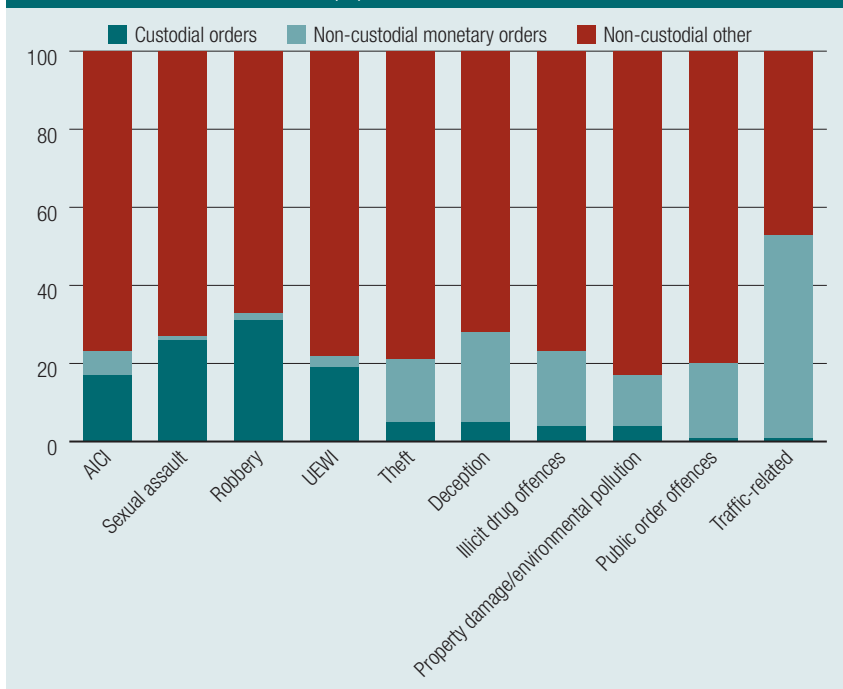
**Figure 89** Principal sentence of defendants found guilty in higher courts by most serious offence, 2010–11



- Custodial orders were the most common sentence handed down in the higher courts in 2010–11. Only one percent of defendants found guilty of homicide received a non-custodial sentence.
- Similarly, high proportions of defendants received custodial sentences for robbery (91%), sexual assault (89%) and deception offences (88%).
- For defendants found guilty of theft in the higher courts, 68 percent received a custodial order, seven percent a monetary order and 25 percent another type of non-custodial order.

Source: Reference 22

**Figure 90** Principal sentence of defendants found guilty in a children's court by most serious offence, 2010–11 (%)



- Compared with non-custodial orders, custodial sentences were very rare in the children's courts in 2010–11. The proportion of defendants who received a custodial order in the children's courts ranged from 31 percent of those found guilty of robbery, to one percent of those found guilty of either a public order offence or a traffic-related offence.
- Defendants found guilty of a traffic-related offence were most likely to receive a monetary order in 2010–11 (52%).
- Eighty-three percent of defendants found guilty of property damage/environmental pollution in 2010–11 received an other non-custodial sentence, followed by 13 percent who received a monetary order.

Source: Reference 22



## Federal courts

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

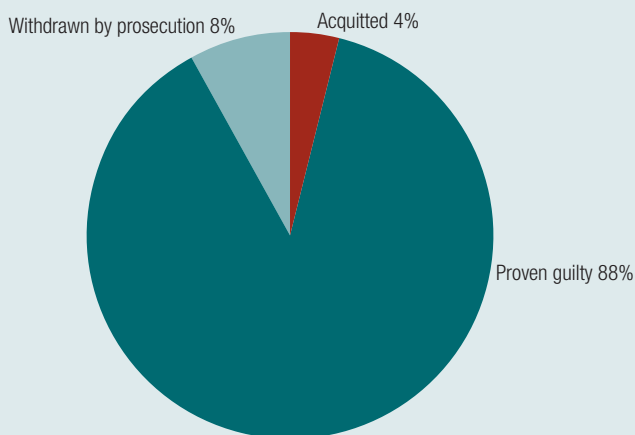
There is not one specific court that prosecutes federal defendants. The Australian Government through the *Crimes Act 1914* invests the Supreme, district (county), Magistrates' and children's courts with federal jurisdiction, allowing them to pass judgement in these matters. Federal prisoners are held in state 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 federal law.

In 2010–11, a total of 10,828 federal cases were lodged in Australian courts; 92 percent were initiated in the Magistrates' Court, seven percent in the higher courts and one percent in the children's courts.

Source: Reference 23

**Figure 91** Federal criminal cases finalised in higher courts by method of finalisation, 2010–11 (%)

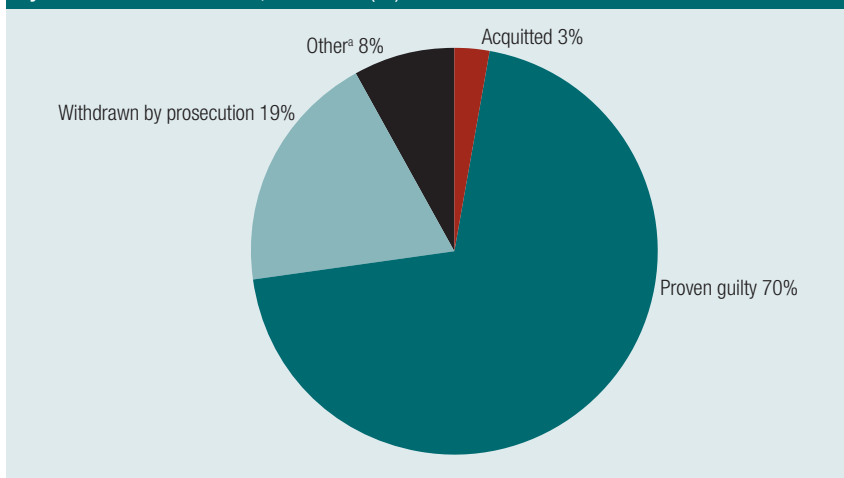


Note: n=758

- In 2010–11, the majority of federal defendants (88%) were proven guilty in the higher courts.
- Only four percent of federal defendants were acquitted in 2010–11, while eight percent of matters were withdrawn by the prosecution.

Source: Reference 23

**Figure 92** Federal criminal cases finalised in the Magistrates' and children's courts by method of finalisation, 2010–11 (%)



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

Note: n=10,071

- In 2010–11, 19 percent of federal criminal cases in the Magistrates' and children's courts were withdrawn by the prosecution. Despite this, 70 percent of federal criminal defendants were found guilty and three percent were acquitted.

Source: Reference 23

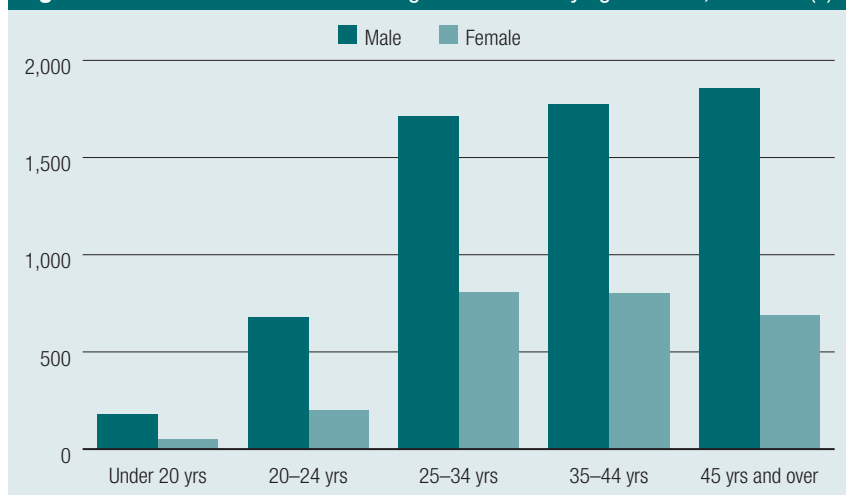
**Figure 93** Federal defendants in higher courts by age and sex, 2010–11 (n)



- There were no female federal defendants aged under 20 years in the higher courts in 2010–11. Further, there were only 19 male federal defendants under the age of 20 years.
- The greatest number of federal defendants in the higher courts were aged 45 years and over. In 2010–11, there were 281 federal defendants aged 45 years and over, of which 19 percent were female.
- There were similar numbers of male federal defendants aged 25–34 years (n=157) and 35–44 years (n=155) in the higher courts in 2010–11.

Source: Reference 23

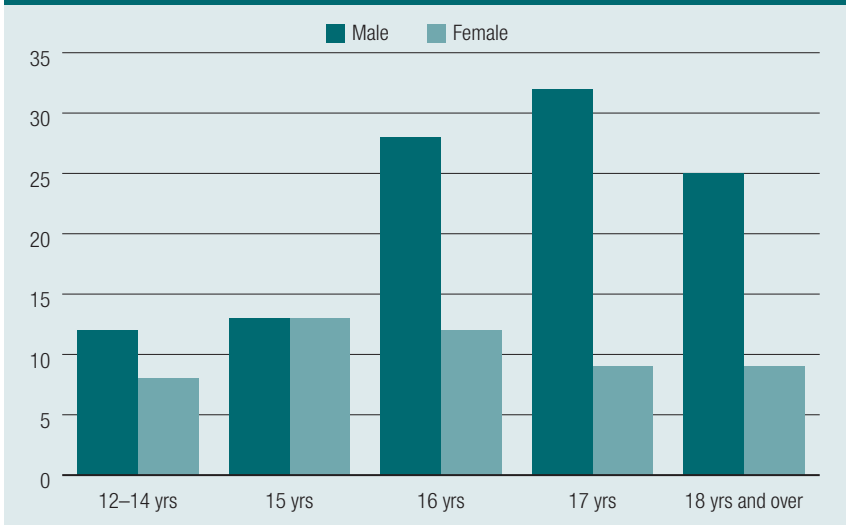
**Figure 94** Federal defendants in the Magistrates' court by age and sex, 2010–11 (n)



- In 2010–11, there were 2,548 female federal defendants in the Magistrates' court. Thirty-two percent of these were aged 25–34 years, while 31 percent were aged 35–44 years.
- By comparison, of the 6,194 male federal defendants, 30 percent were aged 45 years and over and 28 percent were 25–34 years. A further 28 percent were aged 35–44 years.

Source: Reference 23

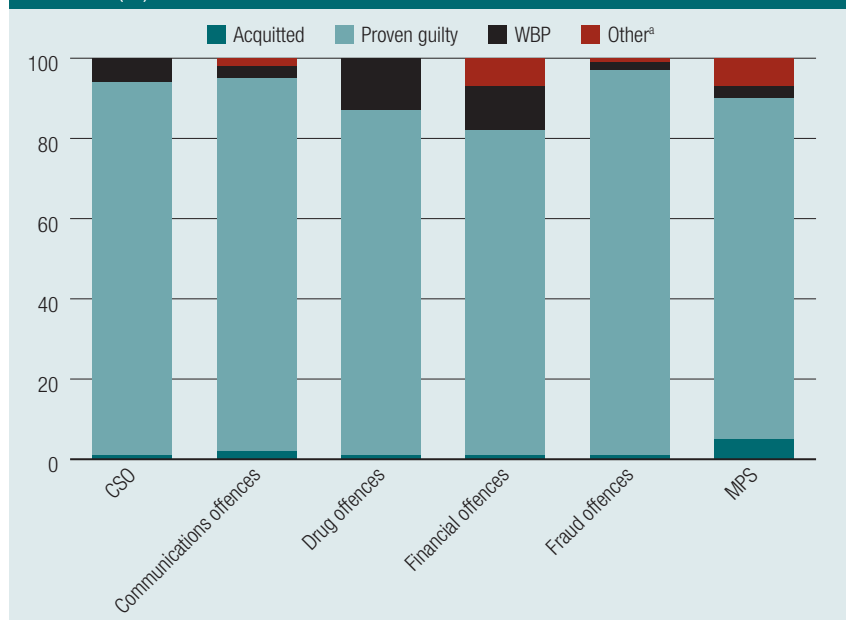
**Figure 95** Federal defendants in the children's court by age and sex, 2010–11 (n)



- Very small numbers of federal defendants were prosecuted in the children's courts in 2010–11. Approximately 40 percent of federal defendants in the children's court were charged with either harassment and private nuisance or threatening behaviour.
- The greatest number of male federal defendants in the children's court were 17 years of age (n=32). By comparison, the largest number of female federal defendants were aged 15 years (n=13).

Source: Reference 23

**Figure 96** Selected federal offences in the higher courts by method of finalisation, 2010–11 (%)



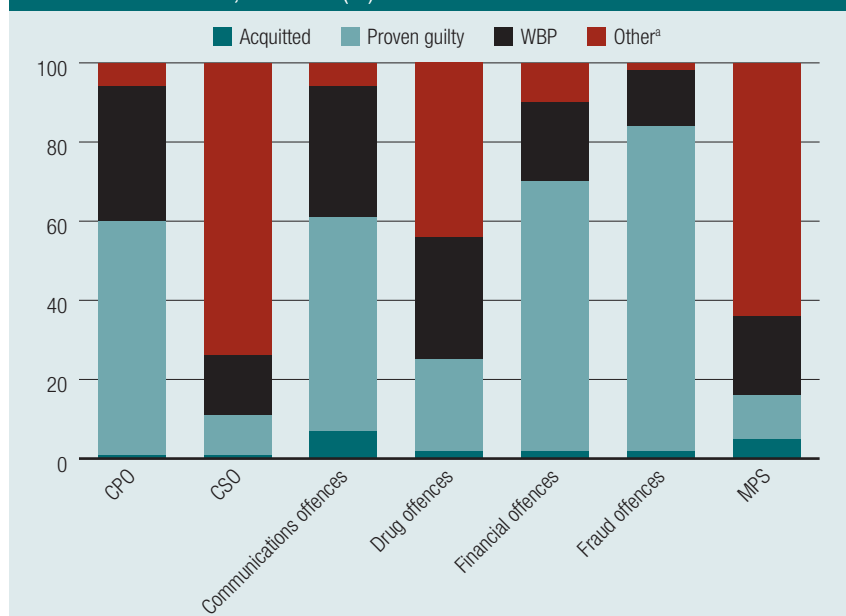
a: Includes transfers to other courts, defendants deceased, unfit to plead, transfers to non-court agencies and other non-adjudicated finalisations not elsewhere classified

Note: WBP=withdrawn by prosecution. CSO=Commonwealth sexual offences. MPS=migration and people smuggling offences

- Very few federal defendants were acquitted in the higher courts in 2010–11. The greatest proportion was for migration and people smuggling (MPS) offences (5%).
- For defendants charged with federal fraud offences, 96 percent were proven guilty, while two percent of cases were withdrawn by the prosecution.
- The proportion of federal cases that were withdrawn by the prosecution varied between crimes. For instance, the proportions ranged from 13 percent of drug offences to two percent of fraud offences.

Source: Reference 23

**Figure 97** Selected federal offences in the Magistrates' and children's courts by method of finalisation, 2010–11 (%)



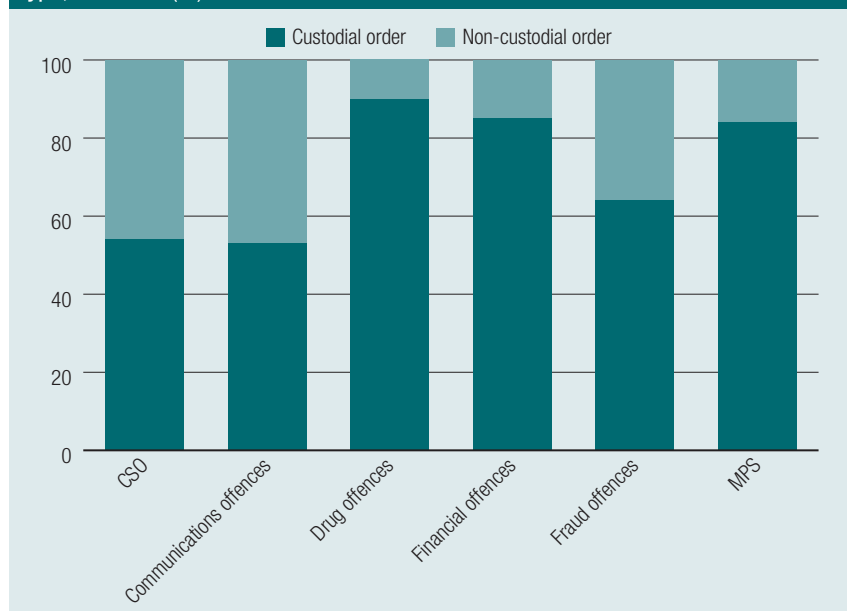
a: Includes transfers to other courts, defendants deceased, unfit to plead, transfers to non-court agencies and other non-adjudicated finalisations not elsewhere classified

Note: WBP=withdrawn by prosecution. CPO=Commonwealth property offences. CSO=Commonwealth sexual offences. MPS=migration and people smuggling

- The way federal offences were finalised in the Magistrates' and children's courts differed between offences. For example, a proven guilty finding was more common for fraud (82%), financial (68%), Commonwealth property offences (59%) and communications offences (54%).
- Seventy-four percent of Commonwealth sexual offences (CSO) and 64 percent of MPS offences were finalised through other means. This was the case for only two percent of fraud offences.
- For federal defendants charged with drug offences, 44 percent were finalised through other means, 31 percent were withdrawn by prosecution and 23 percent were proven guilty. Only two percent were acquitted in 2010–11.

Source: Reference 23

**Figure 98** Selected federal offences proven guilty in the higher courts by sentence type, 2010–11 (%)



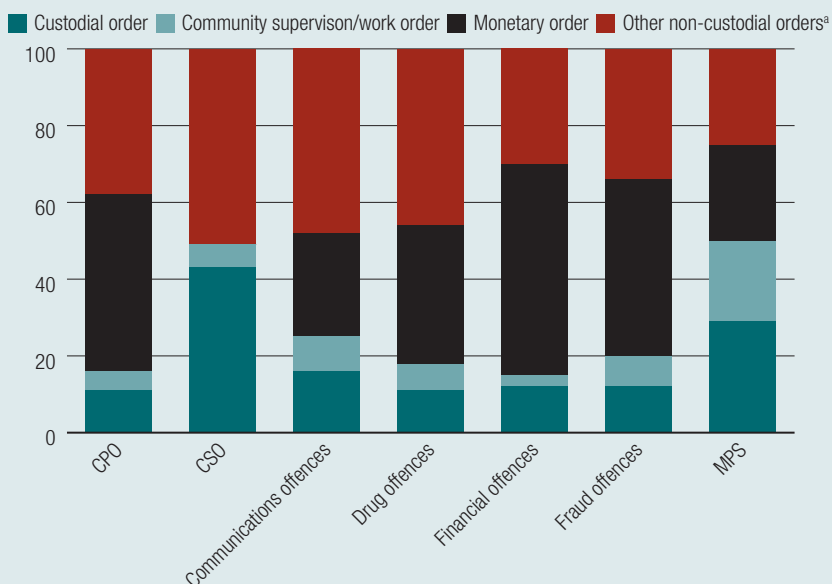
Note: CPO=Commonwealth property offences. CSO=Commonwealth sexual offences. MPS=migration and people smuggling offences

- Custodial orders were the most common sentence handed down in higher courts in response to selected federal offences. For example, 90 percent of defendants found guilty of a federal drug offence received a custodial order, while the same was true for 85 percent of financial offences.
- The proportion of defendants who received a non-custodial order ranged from 10 percent of those found guilty of a drug offence to 47 percent of defendants found guilty of a communications offence.

Source: Reference 23



**Figure 99** Selected federal offences proven guilty in the Magistrates' and children's courts by sentence type, 2010–11 (%)



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

Note: CPO=Commonwealth property offences. CSO=Commonwealth sexual offences. MPS=migration and people smuggling offences

- For federal defendants found guilty of CSOs, 51 percent received an 'other non-custodial' sentence, while 43 percent received a custodial sentence. No defendants received a monetary order as a result of being found guilty of a CSO in 2010–11.
- The proportion of federal defendants who received a monetary order ranged from 25 percent of defendants guilty of MPS offences to over half (55%) of those guilty of a federal financial offence.
- Less than 10 percent of federal defendants received community supervision or a work order for any offence except MPS offences. In 2010–11, 21 percent of defendants guilty of MPS offences were sentenced to community supervision or work orders.

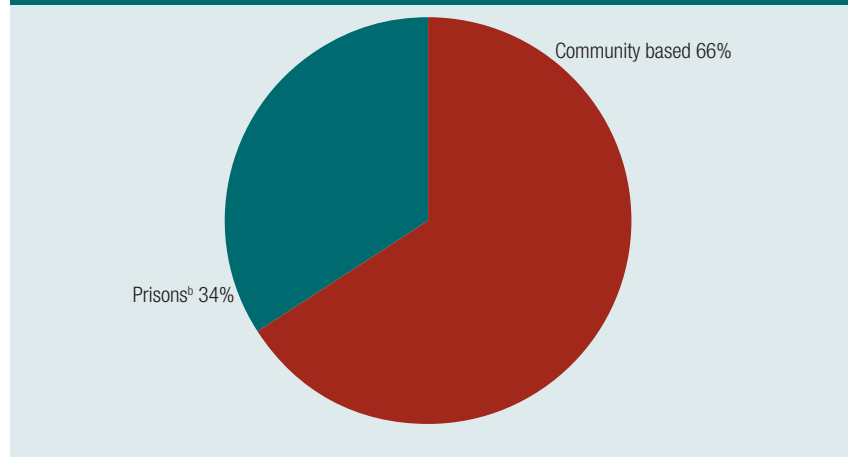
Source: Reference 23

## Chapter 6

# Corrections

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

**Figure 100** Offenders by type of corrective program, 2010–11<sup>a</sup>



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

b: Includes periodic detention (available only in the Australian Capital Territory)

Note: n=85,223

- In 2010–11, there were 56,056 offenders in community-based corrective programs, which accounted for 66 percent of all offenders in any corrective program. Conversely, 34 percent of offenders were in prison (n=29,167)

*Source: Reference 21*

## 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.

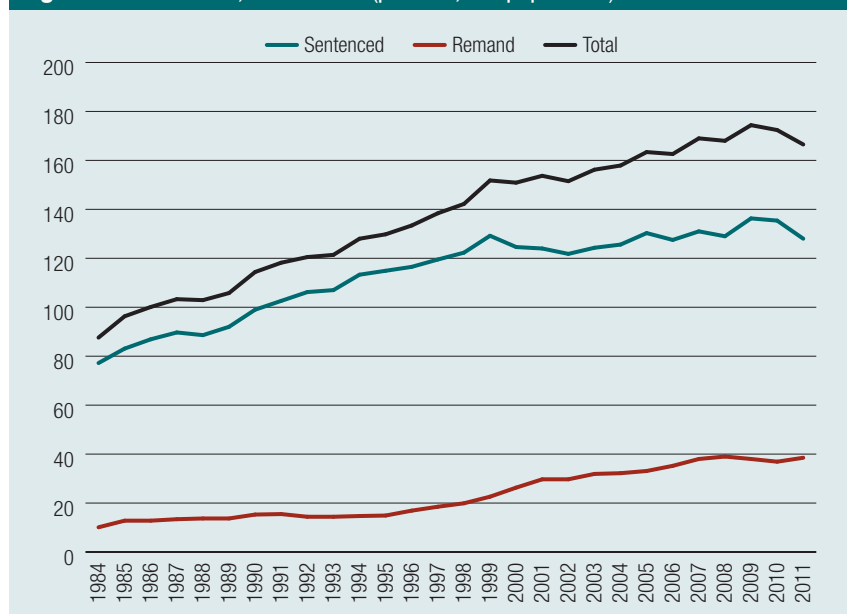
A total of 29,106 persons were in custody in Australian prisons on 30 June 2011—a two percent increase on the number recorded in 2010. This corresponds to a rate of 167 per 100,000 of the adult population, which is three percent lower than the 2010 rate. Of these prisoners, 22,383 were serving sentences, while 6,723 were on remand awaiting trial.

*Source: Reference 24*

From 1 October, 2010, periodic detention was discontinued in New South Wales and replaced with Intensive Correction Orders. These are an alternative to custodial sentences where the offender serves their time (a maximum of 2 years) within the community, performing community services (Reference 26). Previously, individuals serving time in periodic detention would have been recorded as part of the number of offenders serving time in prison. This change is likely to affect the long-term trend and therefore should be considered when accounting for any decrease.

## Trend in prison population

**Figure 101** Prisoners, 1984–2011 (per 100,000 population)



- In the past 10 years, the rate of prisoners has increased overall by eight percent, rising from 154 per 100,000 population in 2001 to 167 in 2011. This trend was most noticeable in terms of the rate of prisoners on remand, which has increased by 30 percent during the same time period.
- The rate of sentenced prisoners decreased by five percent between 2010 and 2011. Specifically, the rate of sentenced prisoners was 135 per 100,000 population (a 1% decrease on the rate in 2010). In 2011, this rate had declined to 128 per 100,000.

Source: References 2 and 24

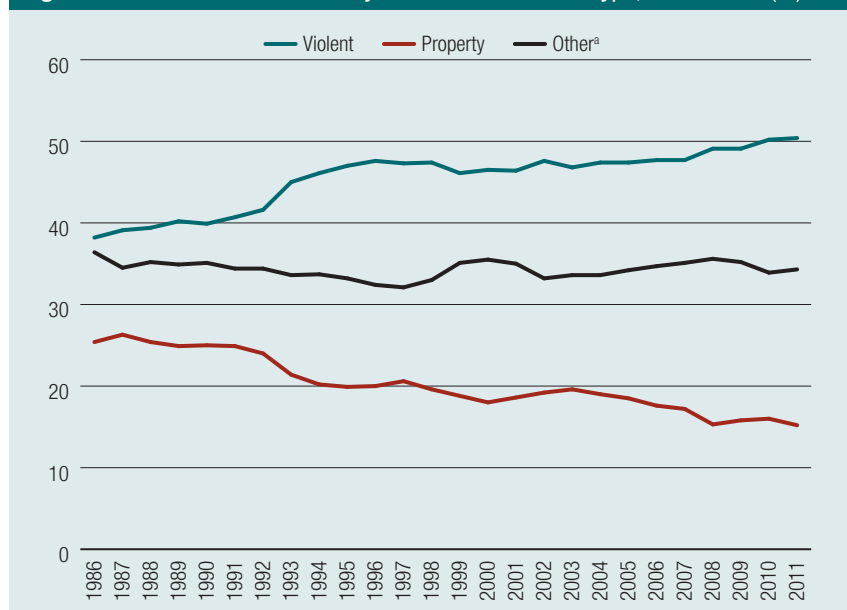
## Most serious offence

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, sexual 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 2011, the MSO for which 11,287 prisoners were sentenced was a violent offence. There were 3,413 prisoners whose MSO was a property offence and 7,683 prisoners who were sentenced for other MSOs.

**Figure 102 Prisoners sentenced by most serious offence type, 1986–2011 (%)**



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

- Violent offences were committed by 51 percent of prisoners sentenced in 2011. Compared with the proportion recorded in 2001, this represents an increase of four percentage points.
- The proportion of prisoners sentenced for a MSO involving property crime decreased by one percentage point between 2010 and 2011, while other offences increased by less than one percentage point.

Source: Reference 24

**Table 9** Most serious offence of prisoners sentenced in 2011 by sex

	Male		Female	
	n	%	n	%
Violent				
Homicide	2,146	10	187	12
Assault	3,432	17	220	14
Sexual offences	3,075	15	42	3
Robbery	2,082	10	103	7
Property				
Break and enter	2,452	12	105	7
Other theft <sup>a</sup>	735	4	121	8
Other				
GSJ <sup>b</sup>	2,165	10	155	10
Drug offences	2,140	10	260	17
Fraud	469	2	172	11
Other <sup>c</sup>	2,160	10	162	11
Total	20,856	100	1,527	100

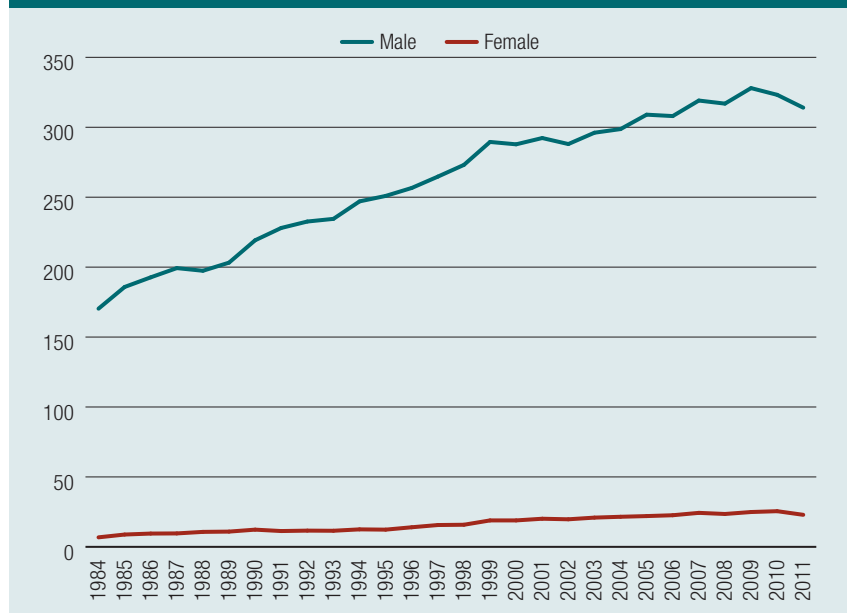
a: Includes motor vehicle theft

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

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

- The ratio of males to females sentenced in 2011 was approximately 14 to one.
- A greater proportion of females were sentenced for homicide (12%) compared with males (10%).
- In terms of property and other offences, males were more often sentenced for break and enter (12%) compared with female offenders.
- A greater proportion of males were sentenced for assault (17%) and sexual offences (15%) than any other most serious offence. Females were sentenced more often for drug offences (17%) than any other crime.

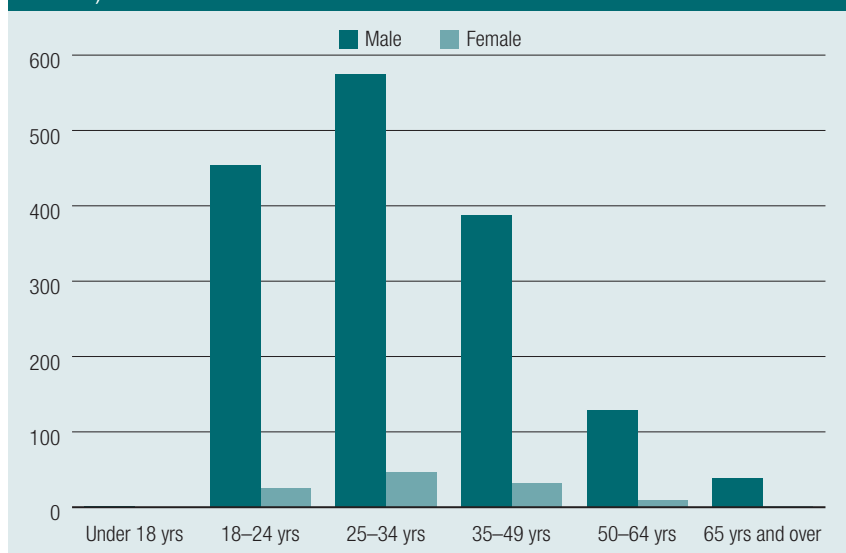
Source: Reference 24

**Figure 103** Prisoners by sex, 1984–2011 (per 100,000 of that sex)

- Between 2009 and 2011, the rate of male imprisonment decreased. Between 2009 and 2010, the rate declined by two percent from 328 per 100,000 population to 323. In 2011, the rate decreased a further three percent to 314 per 100,000 population. However, in total, the 2011 rate represents an increase of 84 percent on the imprisonment rate recorded in 1984 (170 per 100,000 population).
- The rate of female imprisonment has also increased, particularly over the last 10 years. In 2001, the rate was 20 per 100,000 population. The rate increased by approximately three percent per year between 2001 and 2010, rising to 26 per 100,000 population in 2010. In 2011, however, the rate of female imprisonment decreased by 10 percent to 23 per 100,000 population.

Source: References 2 and 24

**Figure 104** Prisoners by age group and sex, 2011 (per 100,000 of that age group and sex)



- Across all age groups, the rate of male imprisonment was significantly greater than that of females. However, both rates were greatest in the 25–34 year age group, where males were imprisoned at a rate of 575 per 100,000 population and females at a rate of 46 per 100,000.
- For males, the age group with the second highest rate of imprisonment was the 18–24 year age group who were imprisoned at a rate of 454 per 100,000 population. For females, however, the age group with the second highest rate of imprisonment was the 35–49 year olds. In this age group, females were imprisoned at a rate of 32 per 100,000 population.
- For both sexes, the rate of imprisonment for persons aged under 18 years was less than two per 100,000 population.

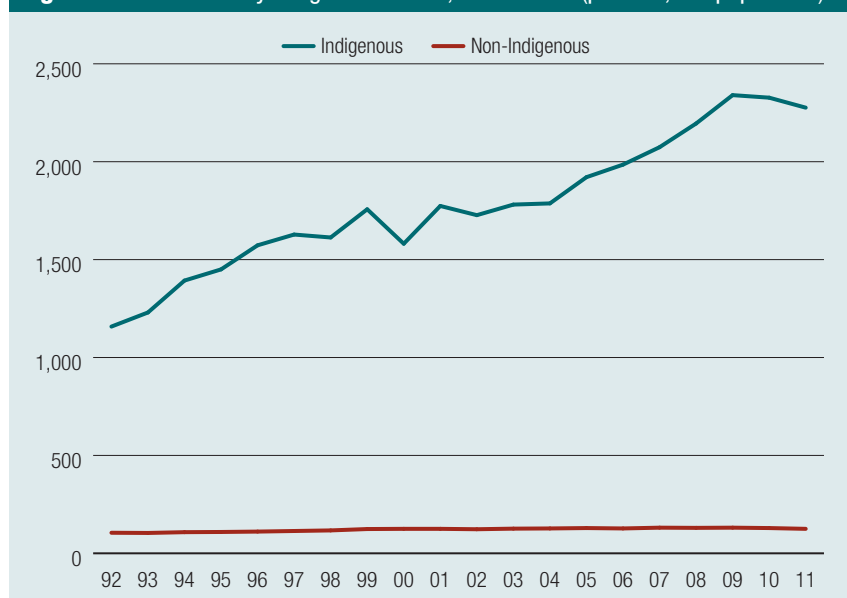
Source: References 2 and 24



## Indigenous status

Figure 107 shows the imprisonment rate of Indigenous (Aboriginal and Torres Strait Islander) and non-Indigenous persons.

**Figure 105 Prisoners by Indigenous status, 1992–2011 (per 100,000 population)**

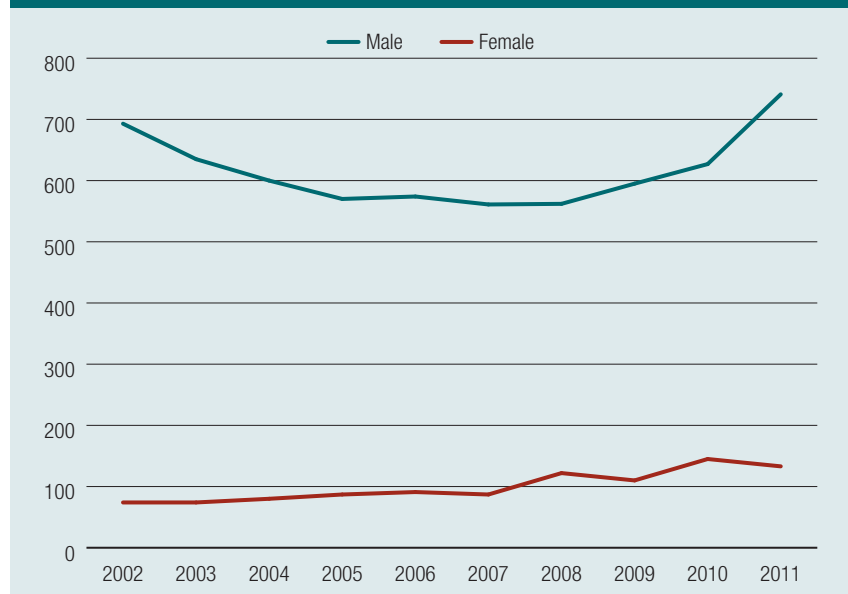


- In 2011, 74 percent of prisoners were of non-Indigenous backgrounds.
- However, Indigenous offenders are imprisoned at a much higher rate than non-Indigenous offenders. This trend has been evident over the 20 year recording period. In 2011, the rate of imprisonment of Indigenous offenders was 18 times higher at 2,276 per 100,000 population than the rate of 125 per 100,000 for non-Indigenous offenders.
- In the past three years, both the Indigenous and non-Indigenous imprisonment rates have been in decline. Between 2009 and 2010, the rate of Indigenous offender imprisonment decreased by three percent, while the rate of imprisonment for non-Indigenous offenders decreased by four percent.

Source: References 2 and 24

## Federal prisoners

**Figure 106** Federal prisoners by sex, 2002 to 2011 (n)



- In 2011, there were a total of 874 federal prisoners and 15 percent of these were female.
- The number of male federal prisoners has increased significantly over the past four years. In 2008, there were 562 male federal prisoners. In 2011, this number had increased by 32 percent to 741.

Source: Reference 25

## Recidivism

One measure of recidivism is the rate of return to prison, which has remained stable in Australia over the past five years of data collection. Of those prisoners released in 2008–09, 40 percent had returned to prison under sentence by 30 June 2011, while 46 percent were returned to corrective services.

Source: Reference 21

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

**Table 10** Detainees previously imprisoned by selected current offences and Indigenous status, at 30 June 2011

	Indigenous		Non-Indigenous	
	n	%	n	%
Homicide	486	58	2,346	32
AI/CI	2,480	76	3,108	51
Sexual assault	806	60	2,856	26
Robbery	706	68	2,088	57
UEWI	1,135	78	2,106	76
Theft	254	81	865	67
Illicit drug offences	106	68	3,184	34
Total <sup>a</sup>	7,656	74	21,425	48

a: Total also includes dangerous and negligent acts endangering persons, abduction, harassment and other offences against the person, fraud, deception and related offences, prohibited and regulated weapons and explosives offences, property damage and environmental pollution, public order offences, traffic and vehicle regulatory offences, offences against justice procedures, government security and operations, miscellaneous offences and cases where the offence was unknown

- Of the 486 Indigenous prisoners serving time for homicide in 2011, over half had a history of prior imprisonment. Conversely, only 32 percent of non-Indigenous prisoners serving time for the same offence had a history of prior imprisonment.
- Across all offence categories, the history of prior imprisonment was higher for Indigenous prisoners than non-Indigenous prisoners. However, the proportions were similar for prisoners serving time for UEWI.
- Aside from UEWI, the proportion of non-Indigenous prisoners with a history of prior imprisonment was greater for theft than any other offence (67%).

Source: Reference 24

## Community corrections

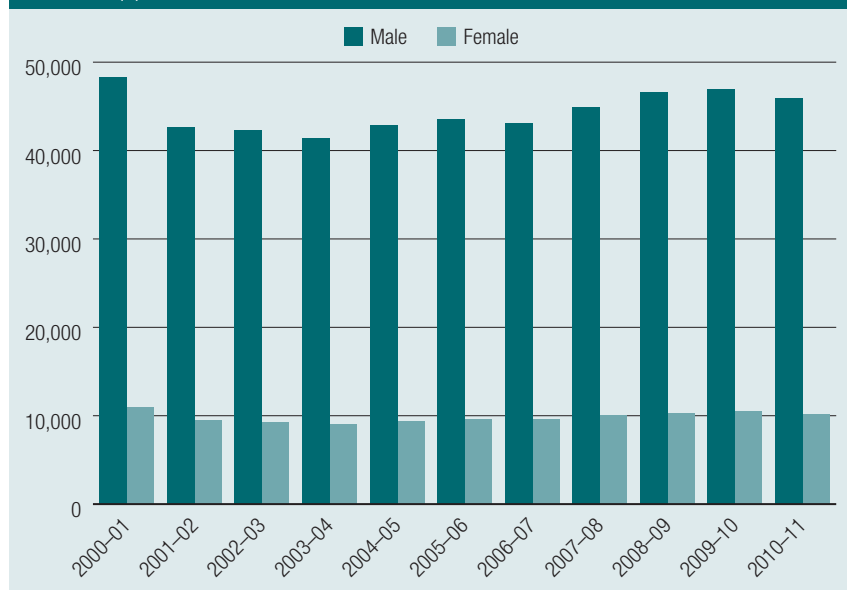
Community corrections comprise a variety of non-custodial programs, varying in the extent and nature of supervision, the conditions of the order and the restrictions on the person's freedom of movement in the community. They generally provide either a non-custodial sentencing alternative or a post-custodial 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 that chapter weekend detention and home detention are considered custodial sentences, this chapter includes them as community-based sentences.

In Australia during 2010–11, an average of 56,056 offenders were serving community corrections orders on any given day—a decrease of three percent from the number recorded in 2009–10. This corresponds to a rate of 321 per 100,000 adults, with 532 per 100,000 adult males and 114 per 100,000 adult females.

Source: References 2, 21 and 26

**Figure 107** Average daily community corrections population by sex, 2000–01 to 2010–11 (n)



- In 2010–11, the average daily community corrections population decreased by two percent, from 57,518 in 2009–10 to 56,056.
- Eighteen percent of the average community corrections population in 2010–11 were females. This equates to a ratio of males to females in community corrections of approximately five to one.

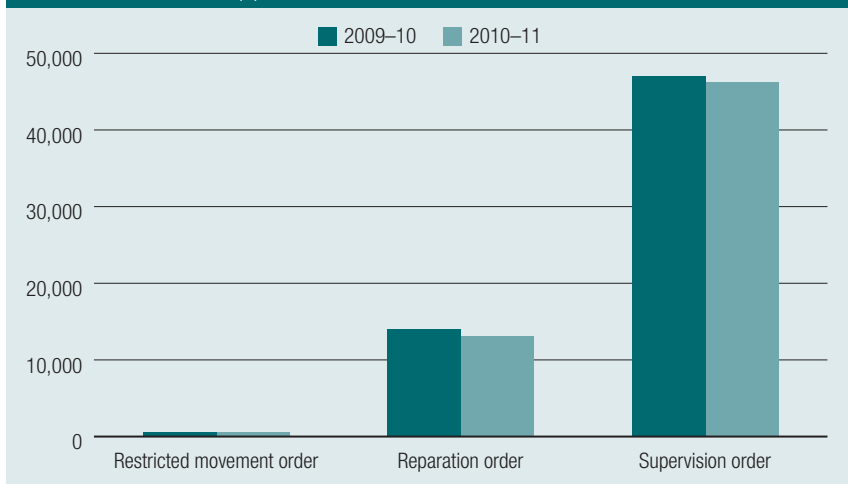
- Over the past 11 years, the average daily community corrections population has remained below the figure recorded in 2000–01 (n=59,733). However, between 2006–07 and 2009–10, there was an increase in the overall trend. Specifically, the population increased from 52,658 in 2006–07 to 57,518 in 2009–10, or 10 percent over four years.

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 108** Average daily community corrections population by type of order, 2009–10 to 2010–11 (n)



- In line with the decrease in the overall community corrections population, the number of prisoners serving each type of order also decreased. Most noticeably, the number of individuals serving reparation orders declined from 13,960 to 13,100—a total decrease of six percent.
- Despite there being significantly fewer of individuals serving time on restricted movement orders, this number also decreased by six percent in 2010–11. Specifically, in 2009–10, there were 608 people on restricted movement orders compared with 570 in 2010–11.

- Seventy-seven percent (n=59,881) of the average daily community corrections population were serving supervision orders in 2010–11.

Source: Reference 26

**Figure 109** Successful completion of community corrections orders by type of order, 2009–10 and 2010–11 (%)



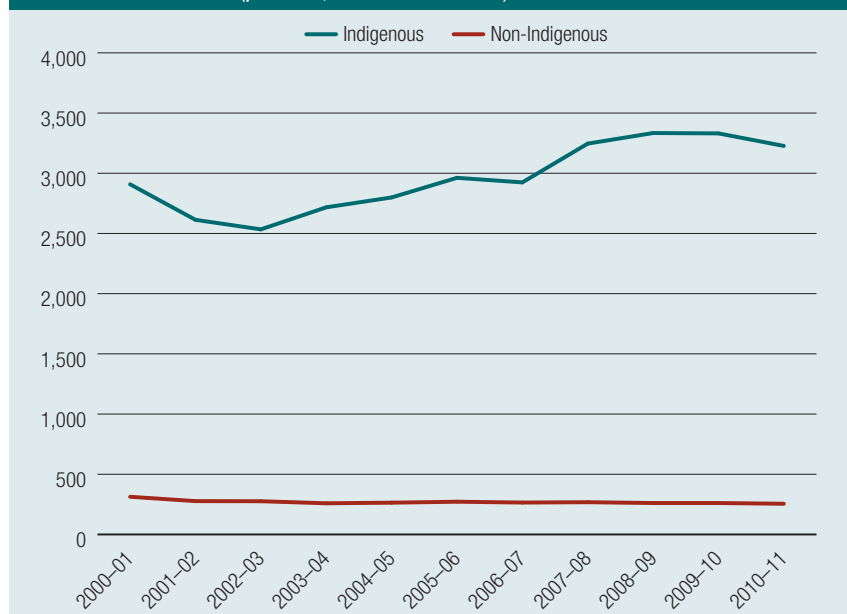
- In 2010–11, the proportion of individuals completing restricted movement orders increased by two percentage points from 79 percent to 81.
- Conversely, the proportion who completed reparation orders in 2010–11 declined by three percentage points from 67 percent to 64. The proportion who completed a supervision order decreased marginally by one percentage point from 72 percent to 71.

Source: Reference 26

## Indigenous status

In 2010–11, 43,790 non-Indigenous and 10,854 Indigenous offenders served community corrections orders.

**Figure 110** Average daily community corrections population by Indigenous status, 2002–03 to 2010–11 (per 100,000 of that status)



- Indigenous persons have been consistently overrepresented in the average daily community corrections population compared with non-Indigenous people.
- Between 2006–07 and 2009–10, the rate of Indigenous prisoners in community corrections increased from 2,924 per 100,000 population to 3,330; a total increase of 14 percent. By comparison, the rate of non-Indigenous prisoners in community corrections decreased by two percent, from 265 to 261 per 100,000 population.
- In 2010–11, Indigenous prisoners were serving time in community corrections at a rate of 3,227 per 100,000 population and were over 12 times more likely to be serving time in community corrections than non-Indigenous prisoners.

Source: References 2, 21 and 24

## Juvenile detention centres

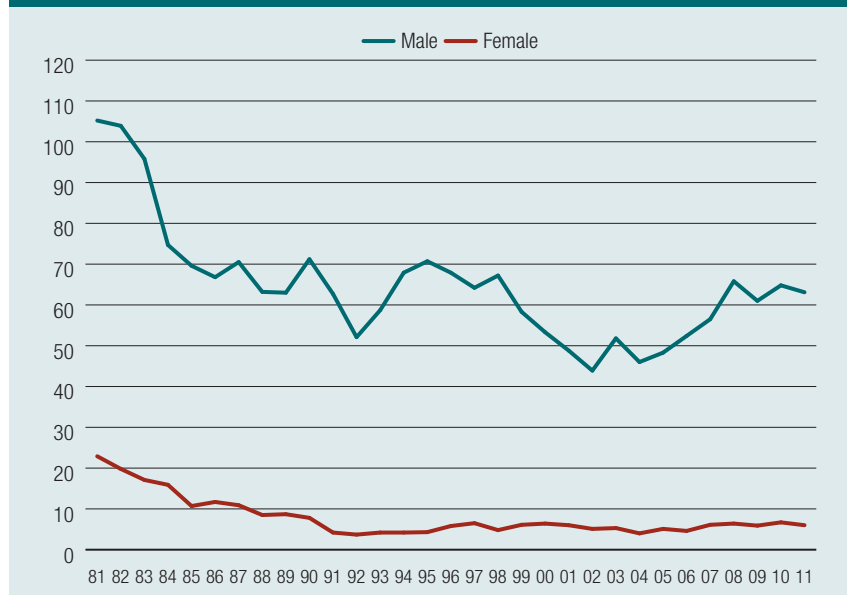
The AIC has maintained a data collection on the number of persons detained in juvenile detention centres since 1981, consisting of a count of persons detained in detention centres on the last day of each quarter of each year. Similar information is not available on the sentenced non-custodial juvenile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

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

### *Trend in juvenile detention centre population*

As there are differences between jurisdictions regarding the definition of a juvenile, statistics are shown for persons aged from 10 to 17 years. The detention rate of male and female juveniles from 1981 to 2011 is depicted in Figure 111, including those on remand and those sentenced.

**Figure 111** Persons in juvenile detention centres by sex<sup>a</sup>, 1981–2011 (per 100,000 of that sex per year)



a: Rates as at 30 June of each year



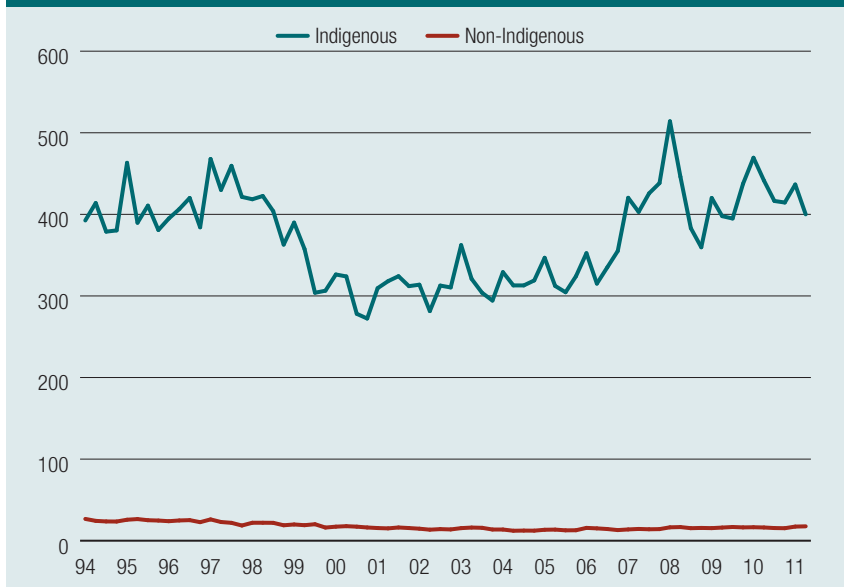
- Male juveniles have been incarcerated at a much higher rate than female juvenile offenders. The rate of juvenile male incarceration recorded in 2011 (63 per 100,000 population) is 40 percent lower than that recorded in 1981.
- In 2002, the juvenile male incarceration rate was the lowest on record, at 44 per 100,000 population.
- In 2011, eight percent of the juvenile prison population was female. Since 1988, the rate of female juvenile incarceration has remained below 10 per 100,000 population and in 2011, this rate was six per 100,000.

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 corrective institutions, from 31 March 1994 to 30 June 2011, for each quarter.

**Figure 112** Persons in juvenile detention centres by Indigenous status, 31 March 1994 to 30 June 2011<sup>a</sup> (per 100,000 of that status per year)



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

- On 30 June 2011, 52 percent of the juvenile prison population were of Indigenous background.
- The rate of incarceration of Indigenous juveniles is currently five percent higher than that recorded in 1994. Between these two years however, the rate has fluctuated. Specifically, the rate was lowest in the year 2000 at 272 per 100,000 population and peaked in 2008 at 514.
- In 2011, the rate of incarceration of Indigenous juveniles was 400 per 100,000 population. Therefore, Indigenous juveniles were 23 times more likely to be incarcerated than non-Indigenous juveniles.
- Conversely, the rate of non-Indigenous juvenile incarceration has remained below 20 per 100,000 population for the last 12 years. In 2011, there were 383 non-Indigenous juveniles in prisons; a rate of 18 per 100,000 population non-Indigenous juveniles.

*Source: References 2, 24 and 27*



## Chapter 7

# Criminal justice resources

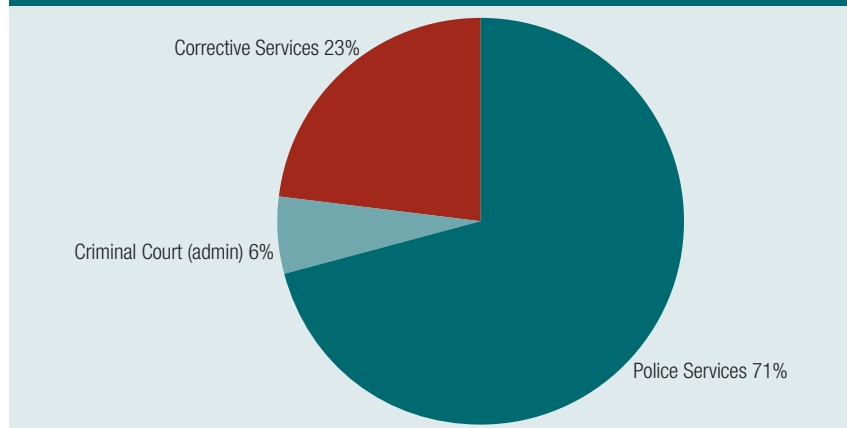
### Justice expenditure

According to the *Report on Government Services* in 2012 (Reference 22), the total real recurrent expenditure (less revenue from own sources) on justice in 2010–11 was \$13.1b. Of this, approximately \$12.5b was spent on criminal justice. The remaining \$635.5m was spent on the administration of civil courts. Since 2002–03, expenditure on criminal justice has increased by 46 percent overall and by an average of nine percent each year.

Police services represent the largest component of the criminal justice system, accounting for approximately 71 percent of total expenditure. Corrective services account for a further 23 percent, while criminal courts administration accounts for the remaining six percent (see Figure 113).

*Source: Reference 20*

**Figure 113** Composition of government expenditure on criminal justice, 2010–11 (%)



Note: total=\$13,148,094

Source: Reference 21

## 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

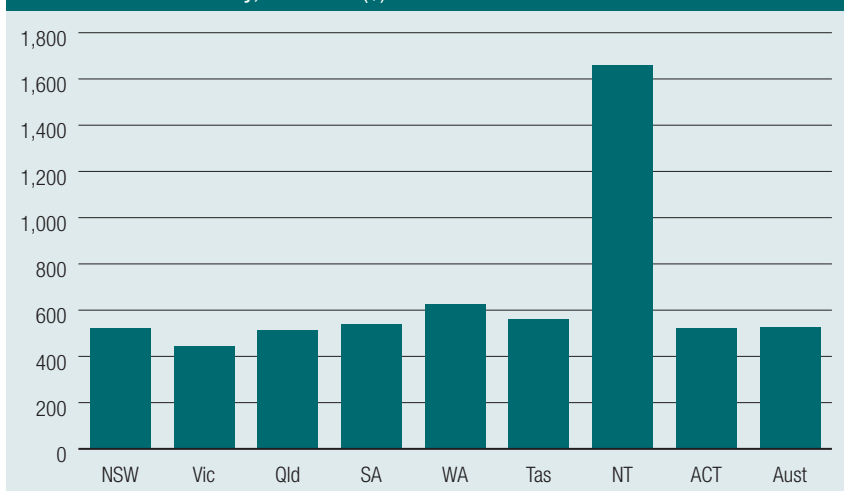
The total recurrent expenditure on police services around Australia in 2010–11 was approximately \$9.1b. This amounts to \$404 per person in Australia, or \$524 per adult. Salaries accounted for 70 percent (ie \$7b) of this expenditure.

Real total recurrent expenditure (less revenue from own sources and payroll tax) in 2010–11 was \$8.8b, or \$392 per person or \$507 per adult.

**Table 11** Expenditure on state and territory police services, 2010–11

Expenditure (including salaries)	\$'000
Total recurrent expenditure	9,152.2
Total capital expenditure	829.9
Staff salaries	
Average police staff salaries	119,011.15
Average police non-staff salaries	73,692.74

Source: Reference 21

**Figure 114** Recurrent expenditure on police services per head of adult population in each state or territory, 2010–11 (\$)

- Across Australia, \$524 per adult was spent on police services in 2010–11.
- Victoria spent \$443 per adult on police services in 2010–11; less than any other state or territory. Conversely, the Northern Territory spent the most (\$1,657 per adult).

Source: References 2 and 21

## Staffing

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

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

- On 30 June 2011, the total police services' staffing in Australia (excluding the AFP) was 64,460. This averages 285 per 100,000 persons (226 sworn police officers and 59 civilian employees).
- The Australian police services/forces comprised 51,045 sworn police officers and 13,415 civilian employees in 2011.

Source: References 2 and 21

**Table 12** Composition of state and territory police services by jurisdiction<sup>a</sup>, 2010–11 (n)

Jurisdiction	Sworn police officers	Civilian staff	Total	Police officers by 1,000km <sup>2</sup>
NSW	15,597	3,472	19,069	19
Vic	11,897	2,741	14,638	52
Qld	10,385	3,550	13,935	6
WA	4,389	1,027	5,416	2
SA	5,662	1,725	7,387	6
Tas	1,233	345	1,578	18
ACT	768	223	991	327
NT	1,114	332	1,446	1
Australia	51,045	13,415	64,460	7

a: Excludes AFP for non-ACT policing

- In 2010–11, the NSW Police Force comprised 19,069 sworn police officers and civilian staff. This was the largest police service of any state or territory. However, it equated to only 19 police officers per 1,000km<sup>2</sup>.
- By comparison, while the Australian Capital Territory had the smallest police service, it had approximately 327 police officers per 1,000km<sup>2</sup>.
- Twenty-five percent of the Queensland Police Service was civilian staff—the highest proportion of any police service in Australia.

Source: Reference 21

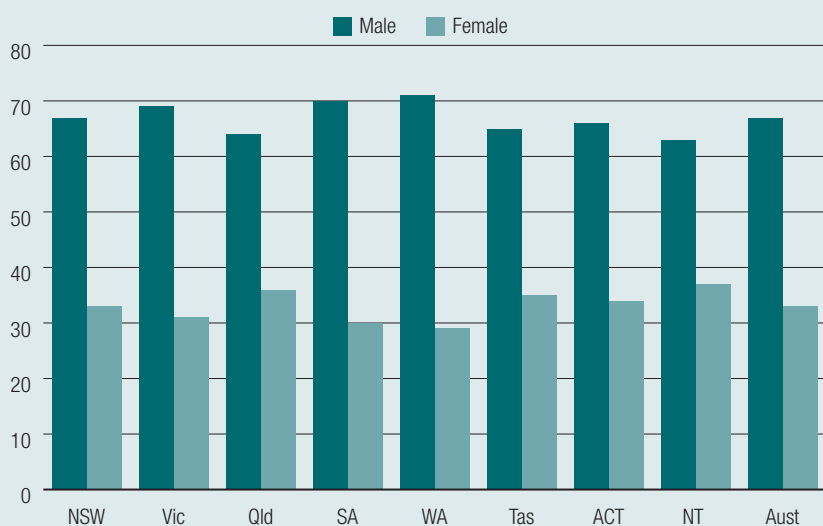
**Figure 115** Sworn police officers by jurisdiction, at 30 June 2010 and 30 June 2011 (per 100,000 persons in that jurisdiction)



- Compared with 30 June 2010, the proportion of sworn police officers had increased most noticeably in South Australia, rising from 238 to 265 per 100,000 population in 2011.
- The only jurisdiction where the rate of sworn police officers decreased in 2011 was Western Australia. In 2010, there were 266 sworn police officers per 100,000 people compared with 241 per 100,000 in 2011. This equates to a decrease of nine percent.
- The proportion of sworn police officers per 100,000 population increased by four percent in both Victoria and the Northern Territory. In 2011, there were 212 sworn police officers per 100,000 population in Victoria compared with 484 per 100,000 in the Northern Territory.

Source: References 2 and 21

**Figure 116** Composition of sworn and unsworn police staff by sex and jurisdiction, 2010–11 (%)



- The ratio of male to female police staff in Australia in 2010–11 was approximately 2:1.
- The Northern Territory had the highest proportion of female (37%) compared with male police staff (63%) of any state or territory. Conversely, Western Australia Police had the highest percentage of male police staff (71%).

Source: Reference 21

## Court administration

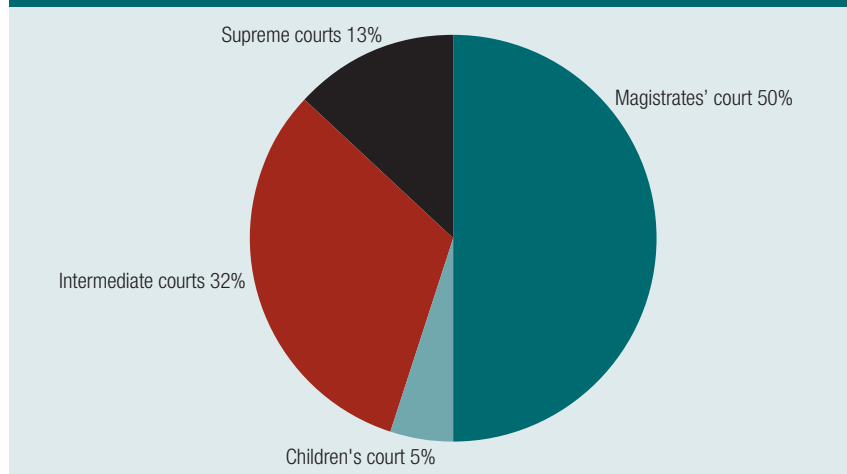
Total recurrent expenditure on court administration services around Australia (excluding the High Court and specialist jurisdiction courts) was \$1.3b in 2010–11; approximately \$234m less than in 2009–10. Expenditure on criminal courts' administration was about \$745m for 2010–11, an increase from \$704m in the previous year.

Total criminal court expenditure less income (excluding fines) was \$714m. This amounts to \$32 per person in Australia, or \$41 per adult.

Source: Reference 21



**Figure 117** Total expenditure (less income) on criminal courts in 2010–11 (%)



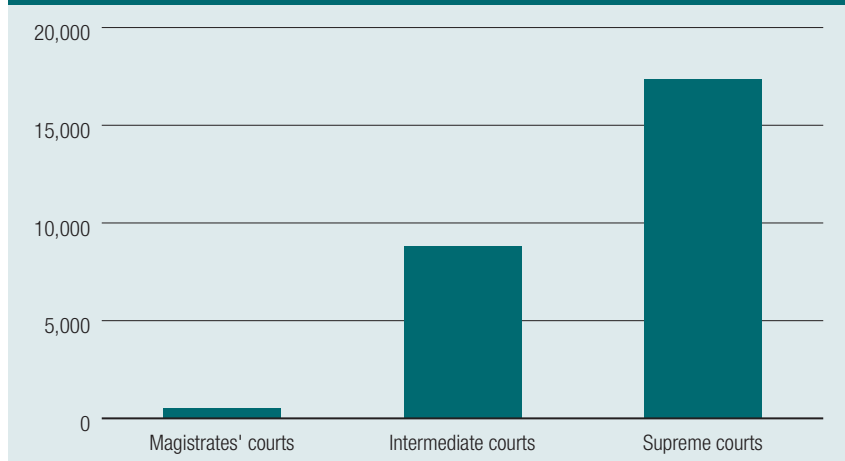
Note: Total=\$714,368,233

- Half of the total expenditure on criminal courts was spent on the Magistrates' Court in 2010–11. This equates to \$354m.
- The Supreme courts accounted for 13 percent of the total expenditure (\$92m), while the children's courts cost \$37m in 2010–11.

Source: Reference 21

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

**Figure 118** Average expenditure per criminal case lodgement by court, 2010–11 (\$)



- In 2010–11, there were a total of 705,134 lodgements in the Magistrates' Court. On average, \$501 was spent per lodgement.
- While there were only 5,340 lodgements in Supreme courts, each cost an average of \$17,349.

Source: Reference 21

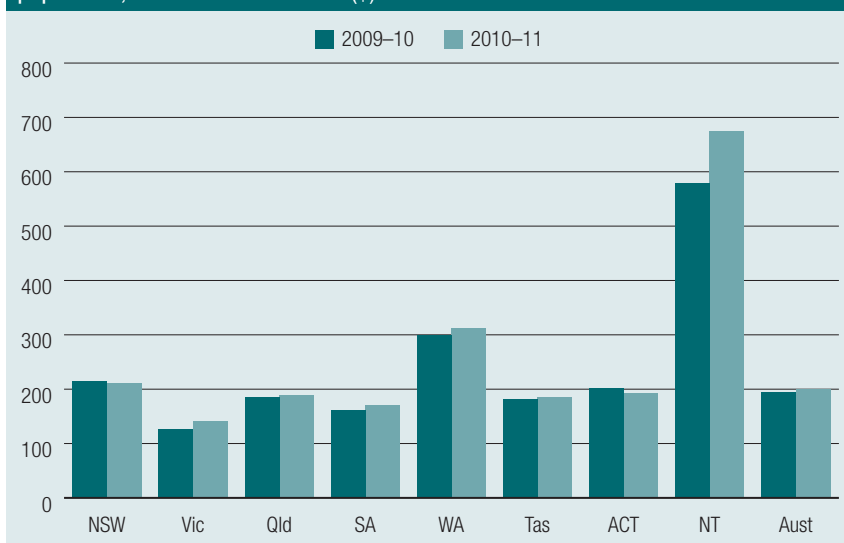
## Adult corrective services

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 \$3.6b in 2010–11; \$3b (85%) for prisons, \$442m (12%) for community corrections, and \$84m (3%) for transport and escort services. This corresponds to \$158 for every person in Australia, or \$204 for every adult.

Source: References 2 and 21

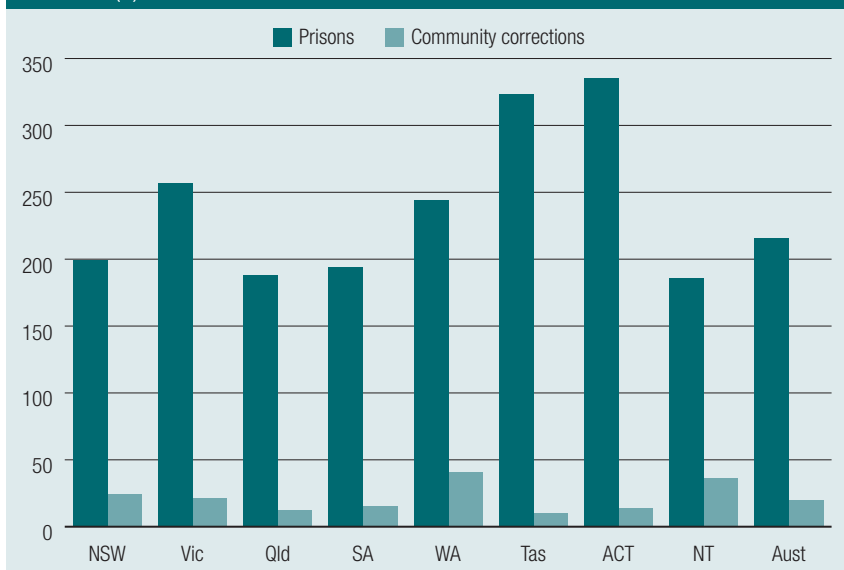
**Figure 119** Real recurrent expenditure on corrective services per head of adult population, 2009–10 to 2010–11 (\$)



- Overall, spending on corrective services per head of the adult population increased in 2010–11 compared with the previous 12 months. Specifically, in Australia in 2010–11, \$200 was spent per head of the adult population on corrective services compared with \$194 in 2009–10.
- Spending decreased in two of the eight states and territories. New South Wales spent two percent less on corrective services in 2010–11 (\$210 down from \$215 in 2009–10), while the Australian Capital Territory decreased spending by five percent (\$191 down from \$201).
- The most significant spending increase in 2010–11 was in the Northern Territory, which increased by 17 percent from \$578 per adult head in 2009–10 to \$675.

Source: References 2 and 21

**Figure 120** Corrective services expenditure per offender per day by jurisdiction, 2010–11 (\$)



- In Australia, in 2010–11, for every \$1 spent on community corrections per offender per day, approximately \$11 was spent on offenders in prisons. Over the year, approximately \$78,840 was spent per prisoner in Australia compared with \$7,300 per person in community corrections.
- Community corrections cost an average of \$10 per offender per day in Tasmania. This cost increased to \$41 per offender per day in Western Australia.
- The cost per prisoner per day in prison was highest in the Australian Capital Territory at \$335. Similarly, it cost \$323 per offender per day to keep an offender in prison in Tasmania.

Source: Reference 21

# Spotlight on alcohol and other drugs and crime

Minimising the risk posed by the involvement of alcohol and other drugs (AOD) in offending has been a primary concern of crime prevention practitioners for decades. Although it is impossible to conclusively determine how much crime can be attributed to the use of AOD, the correlation between the two has been extensively researched. One study, released in 2012, found that 50 percent of detainees (ie a person who has been arrested, but not convicted and is in the custody of police) attributed their most recent offence to their usage of AOD (Reference 29). Further, the use of AOD has been correlated with specific types of criminal offending. For example, AOD has been correlated with property crime (see References 30 & 31) and some types of violent offences (see References 32 & 33). In particular, the correlation between AOD and assault (see Reference 34) has commanded a significant amount of media and policy focus in the last few years.

This year, trends and statistics around AOD and criminal offending are presented as a specific focus of *Australian Crime: Facts & Figures 2012*. The information in this chapter is derived from three sources—the ABS' *Crime Victimisation, Australia* (2010–11) (Reference 16), the AIHW's *The Health of Australia's Prisoners* and the AIC's DUMA program.

## The relationship between alcohol and other drugs and crime

In 2004, the Australian Government Attorney-General's Department released *The Relationship between Drugs and Crime* report. This report provided a comprehensive overview of how drug use and criminal offending interact. While not specifically referenced, the theories behind drug use and offending can be applied to alcohol usage as well.

In the report, three theories were identified to explain how AOD and offending interact. These were:

- AOD leads to crime—for example, through the maintenance of a drug habit;
- crime can result in AOD—for example, through associations with deviant peers and/or risky behaviours; and
- that the use of AOD and engagement in criminal behaviour has the same cause—for example, inter and intrapersonal risk factors such as antisocial personality disorder and genetics have both been linked to the development of AOD problems and criminal offending (Reference 35).

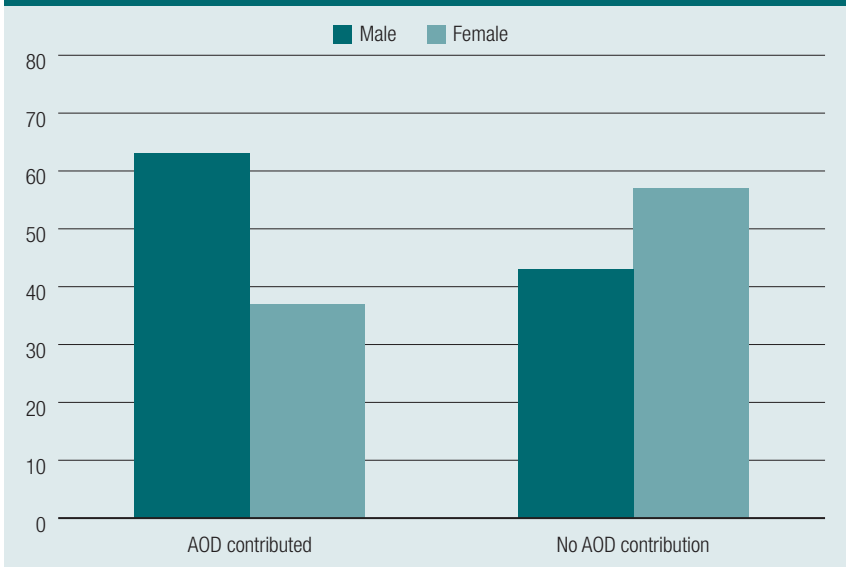
The research is still divided on the utility of these theories and it is noted that there is a specific lack of Australian-based theoretical research examining the link between crime and AOD (References 35 & 36). However, it is a widely held belief that all three theories, considered in collaboration, provide a reasonable picture of the relationship between AOD and crime (Reference 35).

In 2011, the ABS released the annual *Crime Victimisation, Australia* report (Reference 16). This report is based on an annual survey that looks at participant's experiences as victims of crime, as well as views on a number of other social disorders. The ABS interviewed a large sample of people and weighted these responses to make them representative of the wider population. One benefit of this method is its ability to estimate the amount of crime that is both reported and not reported to police. One drawback is that, due to the weighting, all data are estimations. As a result, totals reported in *Crime Victimisation, Australia* are not comparable to those in other ABS publications that are based on state and territory police statistics.

For the first time, the information collected included the involvement of AOD in experiences of physical and threatened assault. However, while increased aggression is one of the many side effects of AOD intoxication, not every individual who drinks or takes drugs will become aggressive (Reference 33). Rather, the relationship between alcohol and aggression is influenced by factors such as the pharmacological effects of the alcohol (ie liquid courage), the individual's own tendencies towards violence, their age and sex, environmental factors such as overcrowding and wider social attitudes towards drinking and violence (Reference 37).

To illustrate the nature of incidents of crime where AOD was a contributing factor compared with those that were not, the following figures focus on physical assault.

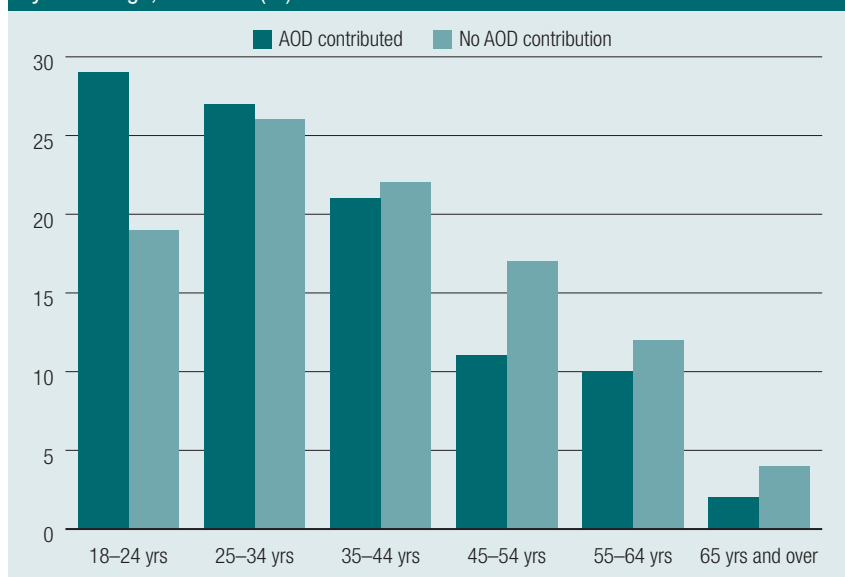
**Figure 121** Incidents of physical assault and victim reported contribution of AOD by victim sex, 2010–11 (%)



- In 2010–11, of the estimated 287,000 victims of physical assault where AOD was a contributory factor, 63 percent were male. Conversely, only 43 percent of victims of incidents where AOD was not a factor involved a male.
- An estimated 57 percent of victims of incidents of non AOD-related physical assaults were female.

Source: Reference 17

**Figure 122** Incidents of physical assault and victim reported contribution of AOD by victim age, 2010–11 (%)

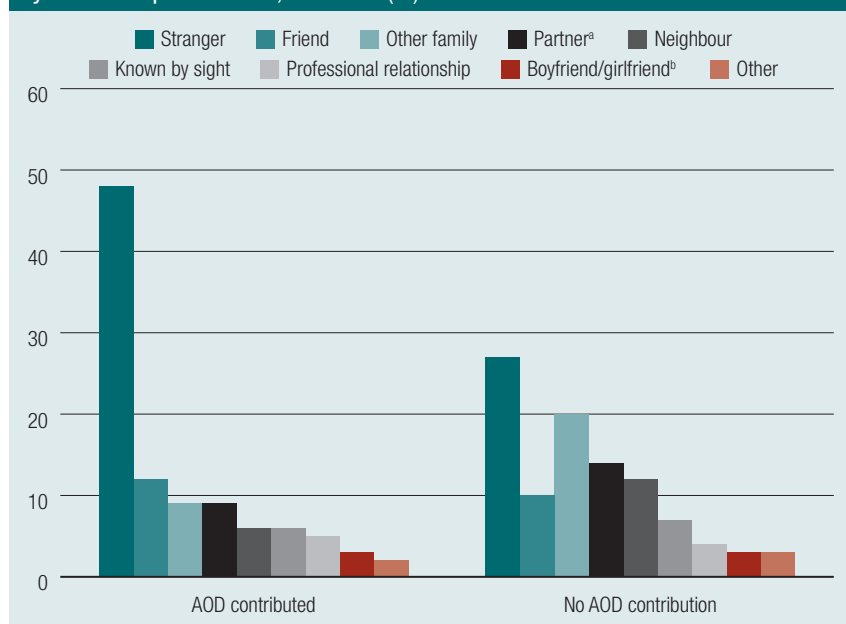


- There is a clear trend around the involvement of AOD in physical assault across the age categories. Specifically, the younger the victim's age, the higher the proportion who were victimised in a physical assault where AOD was a contributing factor. As victim age increased, the proportions involved in AOD-related physical assault decreased.
- Twenty-nine percent of victims of incidents where AOD contributed to the physical assault were aged between 18 and 24 years. This proportion decreased as the age of the victim increased, with only 27 percent of victims aged 25–34 years and 21 percent of victims aged 35–44 years assaulted where alcohol was identified as a contributory factor.
- Conversely, the proportion of victims of physical assault where AOD was not considered a contributing factor increased between the ages of 18–24 and 25–34 years. While 19 percent of victims were aged 18–24 years old, 26 percent involved victims aged 25–34 years old.

Source: Reference 17



**Figure 123** Incidents of physical assault and victim reported contribution of AOD by relationship to offender, 2010–11 (%)



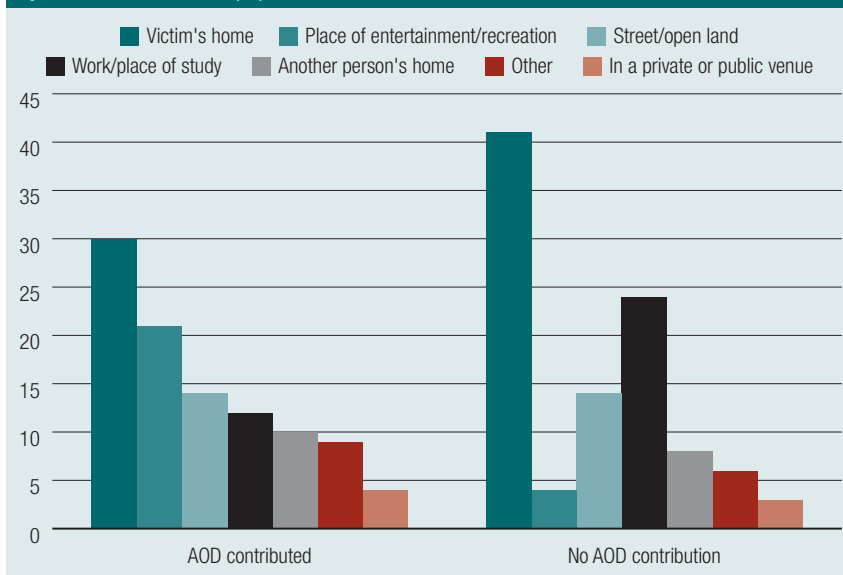
a: Includes ex-boyfriend/girlfriend

b: Includes previous partner

- It is estimated that almost half of all victims of physical assault where AOD was a contributory factor were strangers. Conversely, only 27 percent of victims where AOD did not contribute were strangers.
- Friends were the next most common victim/offender relationship when AOD contributed to the physical assault. It was estimated that in 2010–11, 12 percent of victims were friends with their offender.
- Large proportions of victims of assaults where AOD did not contribute involved an offender who was a family member or partner. It is estimated that, collectively, these two categories accounted for 34 percent of victims of physical assault that did not involve AOD. By comparison, other family members and partners each accounted for only nine percent of victims where AOD was involved.

Source: Reference 17

**Figure 124** Incidents of physical assault and victim reported contribution of AOD by location, 2010–11 (%)



- In line with statistics presented in Chapter 2, victims were most commonly assaulted in their own homes. This was evident regardless of the level of AOD contribution to the incident. It is estimated that 30 percent of victims of AOD-related assaults and 41 percent of victims where AOD was not involved were assaulted in their own home.
- Places of entertainment/recreation were the second most common location for AOD-related physical assault victimisation (21%). This is not surprising given that this category includes locations such as pubs, nightclubs and other licensed premises where large amounts of AOD are consumed. Only four percent of victims of assaults that did not involve AOD were victimised in the same location.
- An estimated 24 percent of victims of non AOD-related physical assaults were assaulted in a workplace or place of study, followed by 14 percent who were victimised on the street or footpath. The proportion assaulted on the street and footpath was the same for AOD-related assaults (14%).

Source: Reference 17

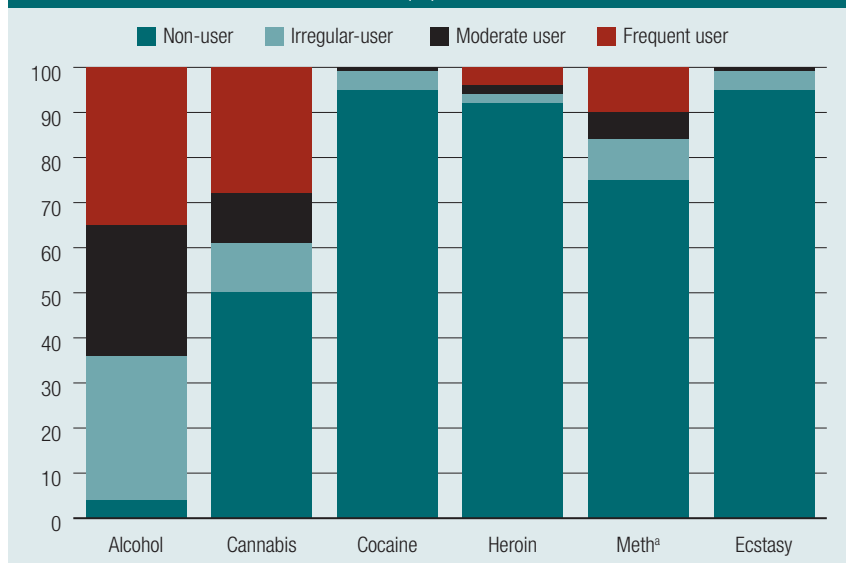
## Summary

These statistics indicate that physical assaults where AOD was a contributing factor have distinguishing characteristics. Of all physical assaults where AOD was considered a contributing factor, the victims were primarily male and generally aged less than 24 years old. While assaults primarily occurred between strangers regardless of the involvement of AOD, the proportion was higher for victims of incidents where AOD had contributed (48% compared with 27%). Finally, the victim's own home and places of entertainment or recreation were the most common location where individuals were victimised in incidents of AOD-related physical assaults.

## Attribution of alcohol and other drug use to criminal offending

As outlined previously, there are a number of ways that AOD can contribute to criminal offending. It is therefore important to understand not just the impact of AOD on the offence itself but also the extent and patterns of use by offenders. The figures below present information from the AIC's DUMA program. Importantly, in addition to collecting information on detainees' use of drugs, it also collects information regarding the detainees' self-reported frequency of AOD use and attribution of AOD involvement in their current MSO.

**Figure 125** Detainees self-reported frequency of alcohol and other drug use with violent most serious offence, 2010–11 (%)



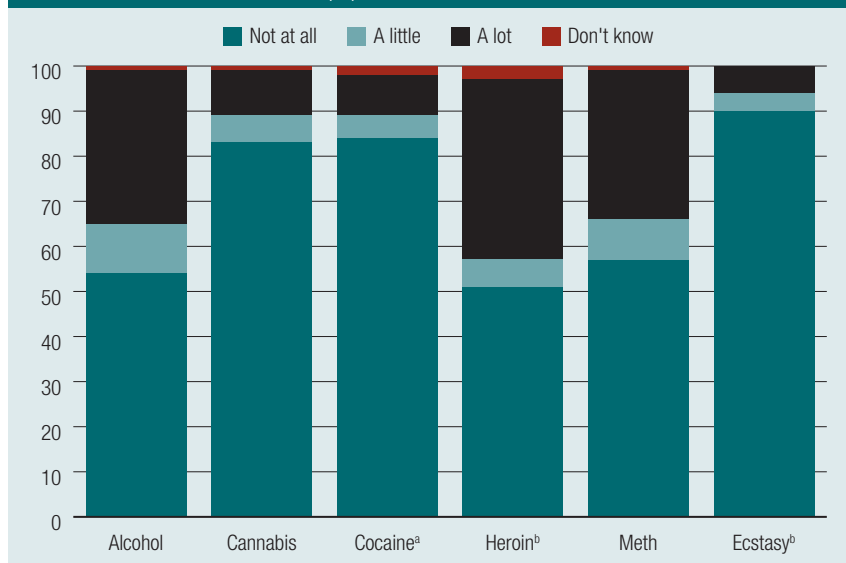
a: Methamphetamine

Note: An irregular user is a person who had used the drug 1 to 3 days in the past 30 days. A moderate user had used the drug 4 to 11 days in the past 30 days. A frequent user had used the drug 12 or more days in the past 30 days

- Alcohol and cannabis were the two categories of drugs to record the highest frequency of use among detainees in 2010–11. Specifically, 35 percent of detainees who self-reported the use of alcohol would consider themselves a frequent user compared with 28 percent of those testing positive to cannabis.
- Less than one percent of detainees who tested positive to either cocaine or ecstasy considered themselves a frequent user.

Source: Reference 20

**Figure 126** Detainees self-attributed alcohol and other drug involvement in violent most serious offence, 2010–11 (%)



a: Population less than 50

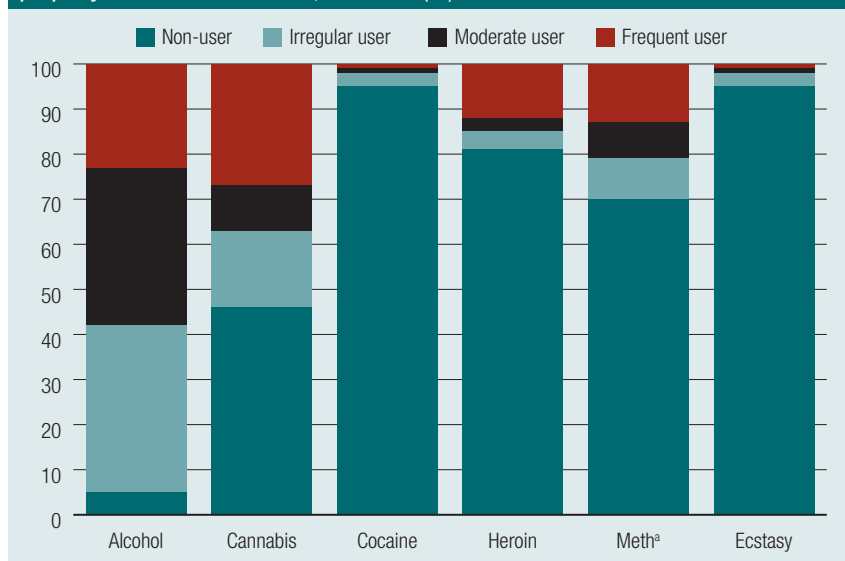
b: Population less than 100

Note: Population totals exclude detainees who have not used AOD in the last 30 days

- While 11 percent of detainees who self-reported the use of alcohol felt that it contributed 'a little' to their offence, a large proportion felt alcohol contributed 'a lot' (34%).
- The drug types for which the largest proportions of detainees reported their AOD use contributed 'a lot' to their current arrest for a violent MSO included heroin (40%), alcohol (34%) and methamphetamine (33%).

Source: Reference 20

**Figure 127** Detainees self-reported frequency of alcohol and other drug use with property most serious offence, 2010–11 (%)

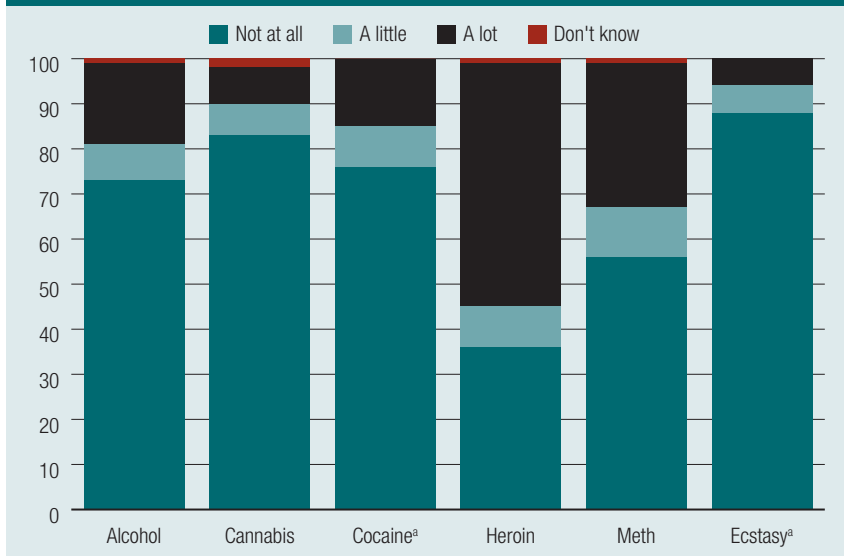


a: Methamphetamine

- Significant proportions of detainees who self-reported the use of alcohol and cannabis reported being frequent users. Specifically, 27 percent of detainees reported frequently using cannabis, while 23 percent frequently used alcohol.
- Four percent of detainees who self-reported the use of cocaine and were arrested for a property MSO were irregular users. The same was true for nine percent of detainees who self-reported the use of methamphetamine.

Source: Reference 20

**Figure 128** Detainees self-attributed alcohol and other drug involvement in property most serious offence, 2010–11 (%)



a: Population less than 50

- Detainees were most likely to attribute *a lot* of their property MSOs to their use of either heroin or methamphetamine. Specifically, over half of detainees (54%) who self-reported the use of heroin believed it contributed *a lot* to their crime, while the same was true for 32 percent of detainees who self-reported the use of methamphetamine.
- Twenty-six percent of detainees who self-reported the use of alcohol felt that the alcohol had either *a little* or *a lot* to do with property offending.

Source: Reference 20

## Alcohol and other drug use in the prison population

The findings of *The Relationship between Drugs and Crime* report (Reference 35) highlighted that AOD use among offending populations is a significant problem. In 2010–11, 66 percent of detainees tested positive to the presence of AOD within 48 hours of their arrest (Reference 39). Further, the AIHW reported that in 2010, 69 percent of prison entrants were found to be at risk of alcohol-related harm and 67 percent had used drugs in the past 12 months (Reference 38).

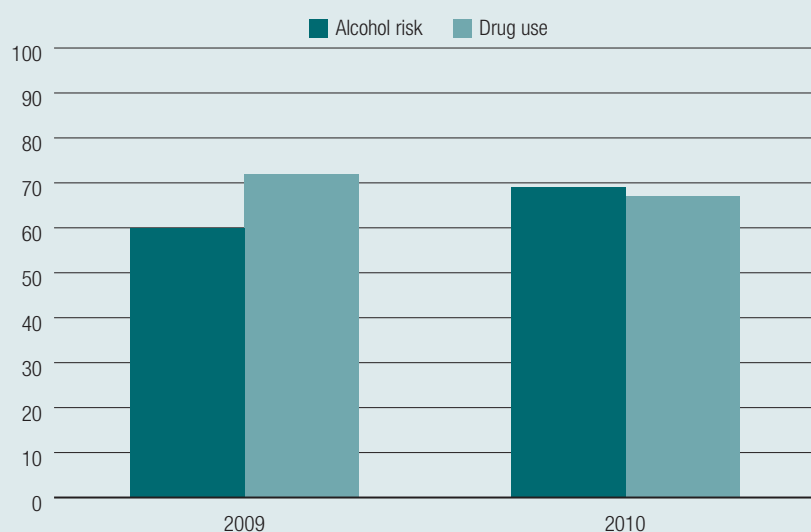
As stated in Chapter 6, 40 percent of prisoners released in 2008–09 had returned to prison by 2010–11. Offenders face a number of challenges upon release from prison that can influence their likelihood of reoffending (Reference 40). Research shows that an offender's age, sex and Indigenous status can affect their likelihood of reoffending (Reference 41). However, a key factor that has also been found to influence recidivism is the presence of an AOD abuse issue (Reference 41). For example in 2003, Putnins found that for juvenile offenders in South Australia, alcohol and inhalant use at the time of arrest was associated with an increased likelihood of reoffending (Reference 42).

The extent of AOD use by detainees and prisoners in Australia is presented in the following figures and is drawn from AIHW's *The Health of Australia's Prisoners* annual report (Reference 38).

Since 2009, the AIHW has released an annual report that details the health of prisoners in Australia. The report measures prisoner health using the National Prisoner Health Indicators that are aligned with the National Health Performance Framework (Reference 38). Examples of some of the indicators include the highest level of education, level of distress over current incarceration, the number of sexually transmissible infections, notifications received while in custody and medical consultation by prisoners while incarcerated (Reference 38). Further, the report provides information around the alcohol and drug usage patterns of prison entrants.



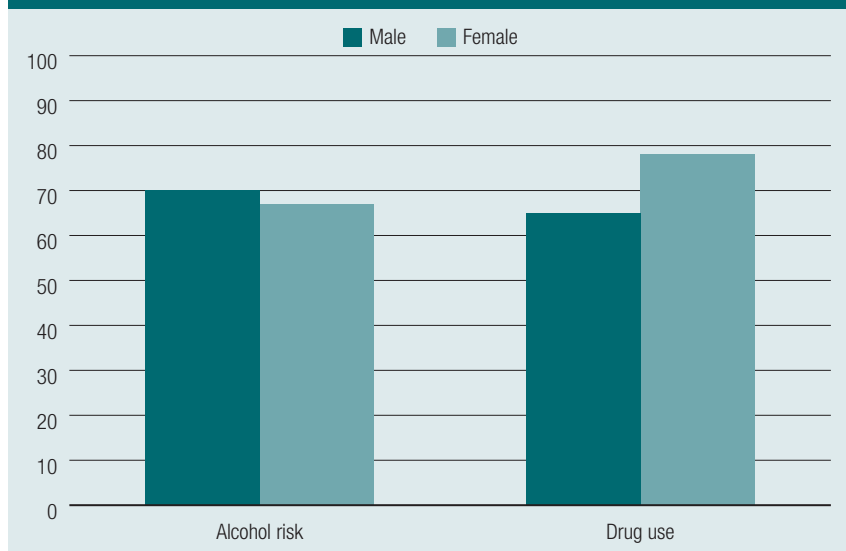
**Figure 129** Risk of alcohol-related harm and history of drug use for prison entrants, 2009 and 2010 (%)



- The proportion of prison entrants found to be at risk of alcohol-related harm increased by nine percentage points from 60 percent to 69 percent between 2009 and 2010.
- Conversely, the proportion of prison entrants who reported using drugs in the past 12 months; decreased by five percentage points—from 72 percent in 2009 to 67 percent in 2010.

Source: Reference 39

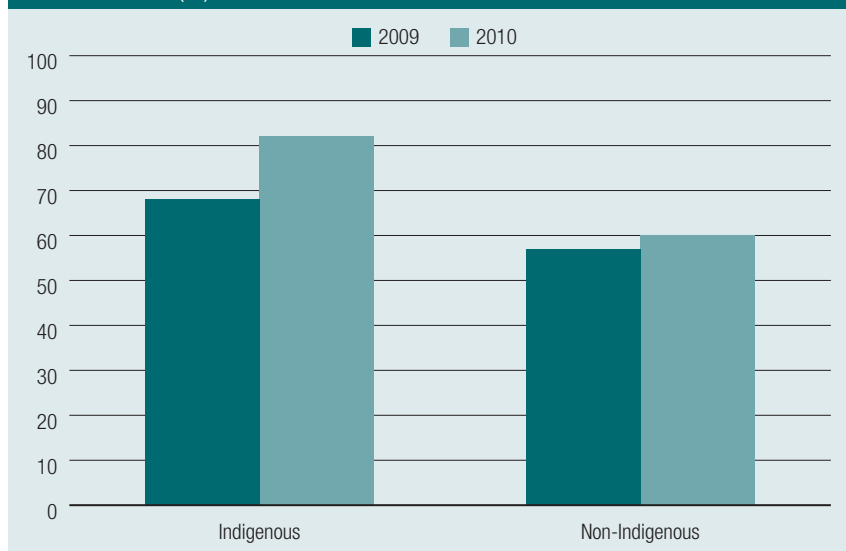
**Figure 130** Drug use and risk of alcohol-related harm for prison entrants by sex, 2010



- A slightly greater proportion of male prison entrants were found to be at risk of alcohol-related harm than females in 2010. Specifically, 70 percent of male prison entrants were at risk of alcohol-related harm compared with 67 percent of females.
- Conversely; while only 65 percent of male prison entrants reported using drugs in the past 12 months, 78 percent of females reported the same.

Source: Reference 39

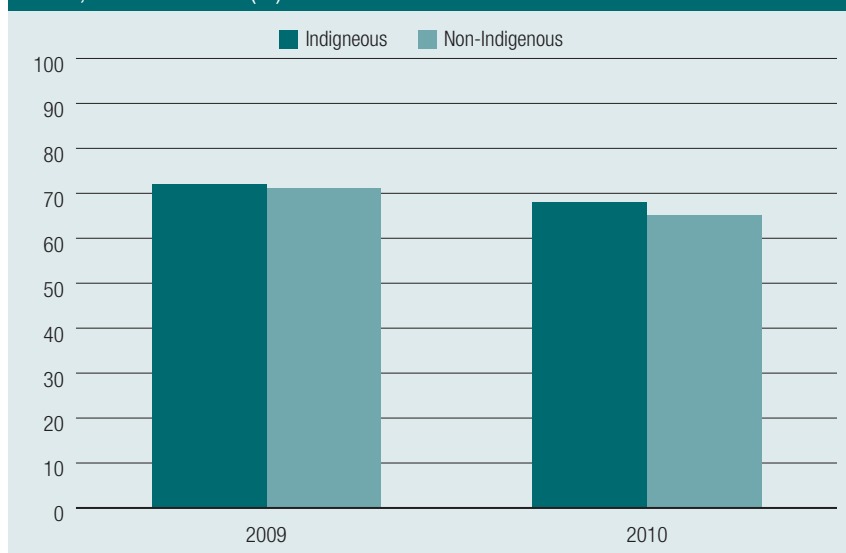
**Figure 131** Risk of alcohol-related harm for prison entrants by Indigenous status, 2009 and 2010 (%)



- In both 2009 and 2010, greater proportions of Indigenous prison entrants were found to be at risk of alcohol-related harm than non-Indigenous prisoners. Specifically, in 2010, 82 percent of Indigenous prisoners were found to be at risk of alcohol-related harm.
- In 2010, the proportions of at-risk non-Indigenous prison entrants were only slightly higher than that recorded in 2009. In 2009, 57 percent of non-Indigenous prisoners were judged to be at risk compared with 60 percent in 2010.

Source: Reference 39

**Figure 132** Drug use of prison entrants in the past 12 months by Indigenous status, 2009 and 2010 (%)



- The proportion of prison entrants who reported using drugs in the last 12 months declined, regardless of Indigenous status, between 2009 and 2010. However, the drug use remained greater among Indigenous prison entrants compared with non-Indigenous prison entrants.
- Drug use by Indigenous prison entrants decreased by four percentage points in 2010—from 72 percent in 2009 to 68 percent. Similarly, drug use by non-Indigenous prison entrants decreased from 71 percent in 2009 to 65 percent in 2010.

Source: Reference 39

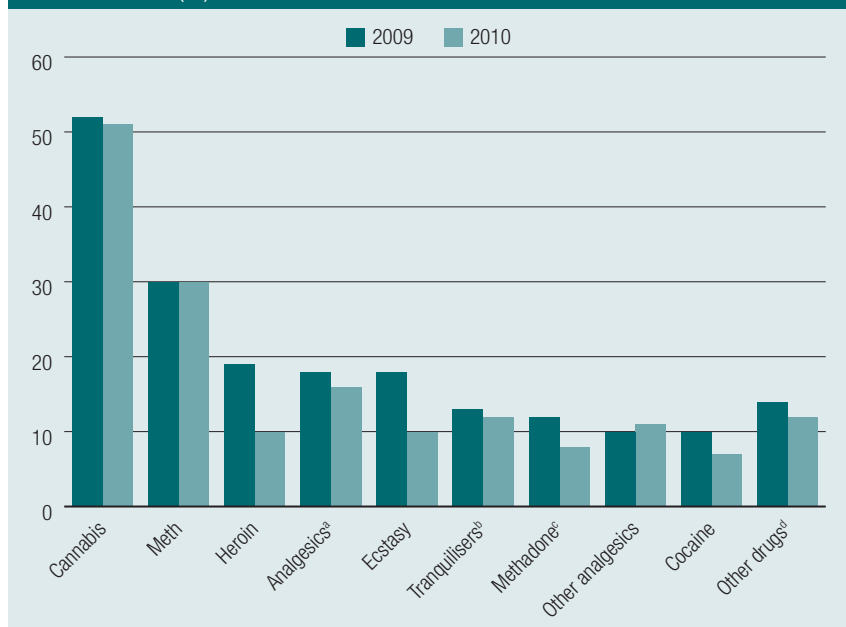
**Figure 133** Prison entrants who reported using drugs in the past 12 months by age, 2009 and 2010 (%)



- The proportion of prison entrants who used drugs in the past 12 months decreased across all age categories in 2010. This difference was greatest among entrants aged 35–44 years, which decreased by eight percentage points between 2009 and 2010 (from 71% to 63%).
- In 2010, 74 percent of prison entrants aged 25–34 years were found to have used drugs in the past 12 months. This was the greatest proportion of any age group in 2010.
- Averaged over the two years, 73 percent of prison entrants aged 18–24 years were found to have used drugs in the past 12 months.

Source: Reference 39

**Figure 134** Prison entrants use of drugs for non-medical purposes by type of drug, 2009 and 2010 (%)



a: Includes painkillers

b: Includes sleeping pills

c: Includes buprenorphine and suboxone

d: Includes hallucinogens, GHB, ketamine, barbiturates, steroids and inhalants

- Cannabis remained the most common drug used, with over half (51%) of prison entrants reporting using cannabis in the past 12 months.
- In 2010, prison entrants were least likely to have used cocaine, which decreased by three percentage points from 10 percent in 2009 to seven percent.
- The proportions of prison entrants who used drugs decreased most noticeably in relation to heroin and ecstasy. In 2009, 19 percent of prison entrants reported using heroin in the last 12 months, while 18 percent reported using ecstasy. In 2010, heroin and ecstasy was only used by 10 percent of prison entrants, respectively.

Source: Reference 39

## Summary

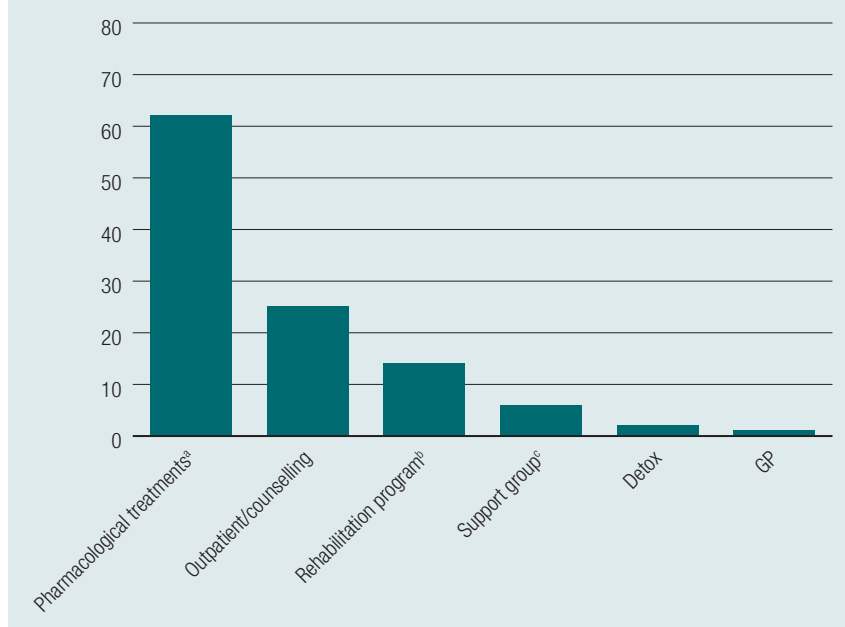
These statistics show that over half of prison entrants in 2010 were at risk of alcohol-related harm and/or had used drugs in the preceding 12 months. Importantly though, there were some differences based on the sex, age and Indigenous status of the prisoners. There was little difference between the proportions of male and female prison entrants with regards to alcohol abuse issues; however, greater proportions of females had problems with drug use compared with males. Compared with non-Indigenous prisoners, Indigenous prisoners had greater levels of AOD use. Finally, approximately 72 percent of prison entrants aged 18–34 years reported using drugs in the past 12 months. Taken together, these statistics attest to the serious problem of AOD abuse issues among Australian prisoners.

## Rehabilitation

Efforts are being made to address the problems of AOD use by offenders and prisoners. A recent Australian National Council on Drugs report detailed the efforts undertaken by state and territory governments and corrective services to combat AOD use within the prison population. These strategies include decreasing the supply of drugs in prisons through the use of drug detection dogs and drug-free prison units, as well as decreasing the demand for drugs (Reference 43). Demand has primarily been targeted through rehabilitation measures such as methadone programs, detoxification support and counselling services (Reference 43).

There is very little data that provides insight into the use of these programs by prisoners or whether they are successful. However, the AIC's DUMA program does provide some information with regards to offenders and their engagement in rehabilitative services prior to arrest.

**Figure 135** Police detainee engagement with rehabilitation programs by program type, 2010–11 (%)



a: Includes methadone, malfrexone, and buprenorphine

b: Includes therapeutic communities

c: Includes Alcoholics Anonymous, Narcotics Anonymous and church groups

- Sixty-two percent of detainees in 2010–11 reported engaging in pharmacological treatments as a form of rehabilitation. This was by far the most common type of rehabilitation service used, compared with only one percent who sought treatment through a general practitioner.
- In 2010–11, 25 percent of detainees reported using outpatient or counselling services, while 14 percent had been through rehabilitation programs that included in-patient therapeutic communities.

Source: Reference 20





# References

All URLs correct at November 2012

1. Australian Bureau of Statistics (ABS) 1997–2011. *Recorded crime, victims, Australia* (various issues, title varies). ABS cat. no. 4510.0 Canberra: ABS
2. Australian Bureau of Statistics (ABS) 2002–11. *Population by age and sex, Australian states and territories* (various issues). ABS cat. no. 3201.0 Canberra: ABS
3. National Motor Vehicle Theft Reduction Council (NMVTRC) 2012. *Comprehensive Auto Theft Research System (CARS) statistical report 2010/11*. Adelaide: CARS. <http://ncars.on.net/>
4. New South Wales Bureau of Crime Statistics and Research (BOCSAR) 1992–2011. *New South Wales recorded crime statistics* (various issues). Sydney: BOCSAR
5. Queensland Police Service (QPS) 1992–2011. *Annual statistical review* (various issues). Brisbane: QPS
6. Victoria Police 1992–2011. *Victoria police crime statistics* (various issues). Melbourne: Victoria Police
7. South Australia Police (SAPOL) 1996–2011. *Statistical review/annual report* (various issues). Adelaide: SAPOL
8. West Australia Police Service (WAPS) 1992–2011. *Western Australian police service annual crime statistics report* (various issues). Perth: WAPS
9. Tasmania Department of Police and Emergency Management (DPEM) 1992–2011. *Annual report of the Department of Police and Public safety* (various issues). Hobart: DPEM
10. Northern Territory Police, Fire and Emergency Services (NTPFES) 1992–2011. *Annual report of the police force of the Northern Territory, Northern Territory emergency services, fire service of the Northern Territory* (various issues). Darwin: NTPFES
11. Australian Federal Police (AFP) 2011. *Annual report 2009–2011*. Canberra: AFP

12. Australian Payments Clearing House (APCH) 2012. Payments fraud in Australia. *Media release* 12 July 2012. <http://www.apca.com.au/docs/2012-media-releases/payments-fraud-statistics-for-calendar-year-2011.pdf>
13. Lindley J, Jorna P & Smith R 2012. *Fraud against the Commonwealth 2009–10 annual report to government*. Monitoring report no. 18. Canberra: Australian Institute of Criminology. <http://aic.gov.au/publications/current%20series/mr/1-20/18.html>
14. Commonwealth Director of Public Prosecutions (CDPP) 2011. *Annual report 2009–2011*. Canberra: CDPP
15. Australian Crime Commission (ACC) 2002–2011. *Illicit drug data report* (various issues, title varies). Canberra: ACC. 2002 report released by the Australian Bureau of Crime Intelligence
16. Australian Bureau of Statistics (ABS) 2010–11. *Crime victimisation, Australia* (various issues). ABS cat. no. 4530.0
17. Australian Competition and Consumer Commission (ACCC) 2011. *Targeting scams: Report of the ACCC on scam activity 2011*. Canberra: ACCC
18. Australian Bureau of Statistics (ABS) 2009–2011. *Recorded crime—offenders, selected states and territories* (various issues). ABS cat. no. 4519.0. Canberra: ABS
19. Extract from unpublished data from AIC's Drug use monitoring in Australia Program
20. Steering Committee for the Review of Commonwealth/State Service Provision (SCRCSP) 2012. *Report on government services, volume 1: Education, justice emergency management*. Melbourne: Productivity Commission
21. Australian Bureau of Statistics (ABS) 2012. *Criminal courts, Australia 2010–11*. ABS cat. no. 4513.0. Canberra: ABS
22. Australian Bureau of Statistics (ABS) 2012. *Federal defendants, selected states and territories 2010–11*. ABS cat. no. 4515.0. Canberra: ABS
23. Australian Bureau of Statistics (ABS) 1982–2012. *Prisoners in Australia* (various issues, title varies). ABS cat. no. 4517.0. Canberra: ABS. 1982–1993 published by Australian Institute of Criminology
24. Corrective Services NSW nd. *Intensive corrections orders*. [http://www.correctiveservices.nsw.gov.au/\\_\\_data/assets/pdf\\_file/0020/220664/ico-brochure.pdf](http://www.correctiveservices.nsw.gov.au/__data/assets/pdf_file/0020/220664/ico-brochure.pdf)
25. Australian Bureau of Statistics (ABS) 2002–2012. *Corrective services, Australian* (various issues, title varies). ABS cat. no. 4512.0. Canberra: ABS
26. Australian Institute of Health and Welfare (AIHW) 2012. *Juvenile justice in Australia 2010–11*. Juvenile justice series no. 8. cat. no. JUV 8. Canberra: AIHW
27. Rollings K 2008. Counting the costs of crime in Australia: A 2005 update. *Research and Public Policy series* no. 91. Canberra: Australian Institute of Criminology. <http://www.aic.gov.au/publications/current%20series/rpp/81-99/rpp91.aspx>
28. Boorah V & Carrach C 1997. Crime and fear: Evidence from Australia. *British Journal of Criminology* 37(4): 635–657
29. Payne J & Gaffney A 2012. How much crime is drug or alcohol related? Self-reported attributions of police detainees. *Trends & Issues in Crime and Criminal Justice* no. 439. Canberra: Australian Institute of Criminology. <http://www.aic.gov.au/publications/current%20series/tandi/421-440/tandi439.aspx>

30. McRostie H & Marshall J 2011. Drug related property crime in South Australia in 2000. *Office of Crime Statistics Information Bulletin* no. 28. [http://www.ocsar.sa.gov.au/docs/information\\_bulletins/IB28.pdf](http://www.ocsar.sa.gov.au/docs/information_bulletins/IB28.pdf)
31. Johnson H 2004. Drugs and crime: A study of incarcerated female offenders. *Research and Public Policy* series no. 63. Canberra: Australian Institute of Criminology. <http://www.aic.gov.au/publications/current%20series/rpp/61-80/rpp63.aspx>
32. Kevin M 1999. *Violent crime, alcohol and other drugs: A survey of inmates imprisoned for assault in New South Wales*. Research publication no. 39. NSW: NSW Department of Corrective Services. [http://www.correctiveservices.nsw.gov.au/\\_media/dcs/information/research-and-statistics/research-publication/RP039.pdf](http://www.correctiveservices.nsw.gov.au/_media/dcs/information/research-and-statistics/research-publication/RP039.pdf)
33. Morgan A & McAtamney A 2009. Key issues in alcohol-related violence. *Research in Practice* no. 4. Canberra: Australian Institute of Criminology. <http://aic.gov.au/publications/current%20series/rip/1-10/04.aspx>
34. Sweeney J & Payne J 2011. Alcohol and assault on Friday and Saturday night: Findings from the DUMA program. *Research in Practice* no. 14. Canberra: Australian Institute of Criminology. <http://aic.gov.au/publications/current%20series/rip/1-10/14.aspx>
35. Urbis Keys Young 2004. *The relationship between drugs and crime*. Canberra: Attorney-General's Department
36. Makkai T 2001. Illicit drug and crime, in Graycar A & Grabosky P (eds), *The Cambridge Handbook of Australian Criminology*. Cambridge: Cambridge University Press
37. Graham K, Bernards S, Osgood D & Wells S 2006. Bad nights or bad bars? Multi-level analysis of environmental predictors of aggression in late-night large-capacity bars and clubs. *Addiction* 101(11): 1569–1580
38. Australian Institute of Health and Welfare (AIHW) 2010–11. *The health of Australia's prisoners* (various years). cat. no. PHE 123. Canberra: AIHW. <http://www.aihw.gov.au/publication-detail/?id=10737420111>
39. Sweeney J & Payne J 2012. Drugs use monitoring in Australia: 2009–10 report on drug use among police detainees. *Monitoring report* no. 17. <http://aic.gov.au/publications/current%20series/mr/1-20/17.aspx>
40. Borzycki M 2005. *Interventions for prisoners returning to the community*. Canberra: Attorney-General's Department
41. Payne J 2007. Recidivism in Australia: Findings and future research. *Research and Public Policy* series no. 80. Canberra: Australian Institute of Criminology. <http://aic.gov.au/publications/current%20series/rpp/61-80/rpp80.aspx>
42. Putins A 2003. Substance use and the prediction of young offenders recidivism. *Drug and Alcohol Review* 22(4): 401–408
43. Rodas A, Bode A & Dolan K 2012. *Supply, demand and harm reduction strategies in Australian prisons: An update*. Sydney: National Drug and Alcohol Research Centre



## **Australian crime: Facts & figures 2012**

### **Australian Institute of Criminology**

GPO Box 2944  
Canberra ACT 2601 Australia  
Tel: +61 2 6260 9200  
Fax: +61 2 6260 9201  
Email: [front.desk@aic.gov.au](mailto:front.desk@aic.gov.au)

Australia's national research and  
knowledge centre on crime and justice

**[www.aic.gov.au](http://www.aic.gov.au)**

