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Australian Institute of Criminology

# Deaths in custody in Australia: National Deaths in Custody Program annual report 2006

Jacqueline Joudo  
Jane Curnow

Research and Public Policy Series

**No. 85**



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Jane Curnow

**Research and Public Policy Series**

**No. 85**

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## Director's introduction

The National Deaths in Custody Program (NDICP) is responsible for monitoring the extent and nature of deaths that have occurred in police, prison and juvenile custody since 1980. The Australian Institute of Criminology (AIC) has coordinated the NDICP since its establishment in 1992, the result of a recommendation made by the Royal Commission into Aboriginal Deaths in Custody the previous year. The program is unique. No other country has consistently collected similar data over such a long period of time.

The overall number of recorded deaths (and the rates per relevant population) has declined significantly in prisons since 1997. However, there has been no statistically significant change in the overall number of police custody deaths since 1990. The overall trend masks the long-term decline in Category 1 police custody deaths, while Category 2 deaths (which include pursuits and police shootings) increased until 2002 and then began to decline.

This report finds that in 2006:

- 54 deaths occurred in prison, police and juvenile custody across Australia
- 31 deaths occurred in prison custody (four Indigenous)
- 22 deaths occurred in police and police custody-related operations (six Indigenous)
- one Indigenous person died in juvenile detention
- seven deaths occurred in prison due to hanging (two Indigenous); no hanging deaths occurred in police custody
- 10 deaths occurred during police motor vehicle pursuits
- two deaths resulted from police shootings.

In terms of Indigenous status, rates of death for both Indigenous and non-Indigenous prisoners have declined significantly since the mid-1990s. Unfortunately we cannot calculate comparable rates for police custody as there are no national annual data on the number of persons who come into contact with the police or who are detained in custody by police. The number of Indigenous deaths in police custody and custody-related operations is lower than for non-Indigenous persons, however, the relative proportion of Indigenous to non-Indigenous deaths has been increasing since 2002. This change is a result of a decline in the number of non-Indigenous deaths but with no comparable decrease in Indigenous deaths.

Although the overall findings of this report are generally positive, with decreases in the overall number of deaths in custody and in overall Indigenous deaths, the period following release is discussed as a critical factor in a prisoner's risk of death. Recent Australian research has identified the first few weeks following release to be a period of heightened vulnerability, particularly to suicide. The NDICP uses the Royal Commission into Aboriginal Deaths in

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Custody 1991 definition of what constitutes a death in custody, which covers all deaths that occur in police, prison and juvenile detention facilities, including transfers and medical facilities. Recommendations to expand the definition of a 'death in custody' to include deaths of persons on parole and day/weekend release would allow for national-level analysis of the circumstances surrounding the deaths of these prisoners and would provide a more complete picture of deaths in custody across Australia.

Investments in basic research infrastructure such as the NDICP cannot be underestimated. It provides policy-makers with a unique empirical evidence base on which to develop and monitor the performance of key criminal justice agencies in relation to trends in deaths in custody. Such data also enable research in this area, as well as provide trusted information that can be disseminated to the wider community. The NDICP draws on data sources from all state and territory police services, and juvenile justice and correctional departments. The AIC is grateful for the support and cooperation that we receive from these key agencies.

**Toni Makkai**  
**Director**  
**Australian Institute of Criminology**

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## Acronyms

<b>AIC</b>	Australian Institute of Criminology
<b>ABS</b>	Australian Bureau of Statistics
<b>NDICP</b>	National Deaths in Custody Program



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## Executive summary

### 2006 results

This report presents information on deaths in custody in Australian states and territories for the 2006 calendar year. It provides comparisons by jurisdiction and Indigenous status. Key findings are that:

- 54 deaths occurred in custody in 2006 (31 in prison custody, 22 in police custody and custody-related operations, and one in juvenile detention)
- 11 deaths were of Indigenous persons (four in prison custody, six in police custody and custody-related operations, and one in juvenile detention). Information regarding the Indigenous status of two people who died in New South Wales was unavailable at the time of compiling this report
- 48 males and five females died in prison or police custody and custody-related operations (30 males and one female in prison custody, and 18 males and four females in police custody and custody-related operations). One male died in juvenile detention
- the average age of persons who died in prison custody was 50 years with most deaths involving persons aged 55 years or older. For deaths in police custody and custody-related operations, the average age was 31 years and most were aged between 25 and 39 years
- there were seven hanging deaths (two Indigenous) in prison and no hanging deaths in police custody and custody-related operations
- 10 deaths occurred during motor vehicle pursuits (four Indigenous) and two deaths resulted from police shootings (both non-Indigenous)
- violent offences were commonly the most serious offence committed immediately prior to the final period of custody in prison deaths, and violent and theft-related offences were most common in police custody and custody-related operations.

### Long-term trends

This report also presents information on deaths in custody in Australian states and territories between 1980 and 2006 for prison custody, and between 1990 and 2006 for police custody and custody-related operations.

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### *Prison deaths: 1980–2006*

- A total of 1,161 deaths have been recorded in prison custody since 1980.
- Non-Indigenous deaths have consistently outnumbered Indigenous deaths each year.
- Despite some fluctuations in rates of both Indigenous and non-Indigenous deaths since 1982, the rates of death for both have become more similar since 1999 and both have been trending downward since 1999.
- Deaths of males have consistently outnumbered deaths of females each year.
- Rates of death have been consistently higher for those aged 55 and over than for other age groups since 1982.
- Hanging and natural causes have generally been the most common causes of death over this period.

### *Police deaths: 1990–2006*

- The number of deaths in police custody and custody-related operations has remained relatively constant between 1990 and 2004. The number of deaths in 2005 and 2006 has declined from previous years, although this number may be revised upward pending coronial outcomes.
- Although the number of non-Indigenous deaths has been consistently greater than the number of Indigenous deaths each year, the number of Indigenous deaths in police custody has been significantly increasing while the number of non-Indigenous deaths has been declining.
- Deaths of males have consistently outnumbered deaths of females each year.
- Most deaths in police custody and custody-related operations have involved persons aged between 25 and 39 (n=212), followed by persons aged less than 25 years (n=157).
- The number of deaths each year from hanging has fluctuated between zero and six. There were no deaths due to hanging in 2006.
- Since 2000, deaths have most frequently resulted from external/multiple trauma.
- Accidents have generally been the most common manner of death each year.
- There have been 146 deaths during motor vehicle pursuits recorded between 1990 and 2006.
- A total of 142 shooting deaths have been recorded since 1990. Of these, 82 have involved persons shot by police and 58 have involved persons who shot themselves in the presence of police.



## Introduction and context

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## **Royal Commission into Aboriginal Deaths in Custody: Indigenous over-representation in the criminal justice system**

The disproportionately high rates at which Indigenous persons are over-represented in the criminal justice system have long been recognised as a concern in Australian justice. The Royal Commission into Aboriginal Deaths in Custody highlighted Indigenous over-representation in custody as ‘a major reason for Aboriginal deaths in custody’ (RCIADIC 1991: 6). The Royal Commission was established in 1987 in response to concern over the number of deaths of Aboriginal people in custody and examined the circumstances surrounding the deaths of 99 Indigenous people that occurred between 1 January 1980 and 31 May 1989. Although the Commissioners were unable to ‘point to a common thread of abuse, neglect or racism’ (s1.1.1) among the deaths, they did find that their Aboriginality played a significant role in their presence in custody as well as their subsequent deaths.

The Royal Commission found that the rate of death in custody was not higher among Indigenous people in custody than among non-Indigenous people in custody. It was established that the rate of death among Indigenous people in custody was relative to their proportion of the entire population, not because they are more likely to die in custody, but rather that Indigenous people are significantly over-represented in custody. The problem was simply that ‘too many Aboriginal people are in custody too often’ (s1.3.3).

As was the case during the years of the Royal Commission, Indigenous people continue to be over-represented in custody in all Australian states and territories (Table 1). Indigenous people comprise almost three percent of the total Australian population but account for over half (54%) of youths in juvenile detention, just over one-quarter (26%) of people involved in police custody incidents and almost one-quarter (24%) of the prison population.

Recent statistics show that Indigenous juveniles are 23 times more likely than non-Indigenous juveniles to be detained (Taylor 2006). The rates of detention for both Indigenous and non-Indigenous juveniles have decreased since 1994, although the decrease for non-Indigenous juveniles is almost twice that of Indigenous juveniles (44% versus 25%; Taylor 2006). Similarly, Indigenous persons were 17 times more likely than non-Indigenous persons to be arrested or detained by police and accounted for 26 percent of all police custody incidents across Australia in 2002 (Taylor & Bareja 2005). In the most recent prison census data, the rate of imprisonment of Indigenous persons was 13 times higher than the rate of imprisonment of non-Indigenous persons (ABS 2006a). The Indigenous rate of imprisonment was consistently higher than the non-Indigenous imprisonment rate across all jurisdictions (Figure 1).

**Table 1: Indigenous over-representation in custody (percent)**

	Indigenous of total population <sup>a</sup>	Indigenous of total police custody incidents <sup>b</sup>	Indigenous of total juvenile detention population <sup>c</sup>	Indigenous of total prison population <sup>d</sup>
New South Wales	2.4	16.3	55.6	19.9
Victoria	0.7	8.2	19.4	5.5
Queensland	3.7	24.4	60.4	27.1
Western Australia	3.8	45.9	77.1	39.7
South Australia	1.9	27.6	41.2	19.1
Tasmania	3.9	11.6	22.2	10.4
Northern Territory	29.9	81.6	80.0	82.4
Australian Capital Territory	1.6	19.3	31.3	11.9
<b>Australia</b>	<b>2.6</b>	<b>26.3</b>	<b>54.3</b>	<b>23.6</b>

Sources: a ABS 2004; b Taylor & Bajera 2005; c Taylor 2006; d ABS 2006a

**Figure 1: Ratio of Indigenous to non-Indigenous age standardised rates of imprisonment (per 100,000 adult population)**

a: Data for New South Wales exclude ACT prisoners held in NSW prisons

b: Data for the Australian Capital Territory include ACT prisoners held in New South Wales, as well as ACT prisoners held in the Australian Capital Territory

Source: ABS 2006a

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Studies also indicate that Indigenous people have high rates of contact with the courts. One study examining levels of contact with the court and prison systems among persons aged 10 years or older found very high rates in New South Wales had appeared in court between 1997 and 2001, and almost seven percent received a custodial sentence. The rate of contact with the court system was almost four-and-a-half times higher for Indigenous persons than for the entire NSW population, and Indigenous persons were 16 times more likely to be imprisoned than the wider population (Weatherburn, Lind & Hua 2003). In 2003–04 almost one-third of youths under juvenile justice supervision were Indigenous and one-quarter of Indigenous youths had completed two or more supervision periods (AIHW 2006).

The fundamental goal of the Royal Commission into Aboriginal Deaths in Custody recommendations was directed at ‘the elimination of disadvantage and the growth of empowerment and self-determination of Aboriginal society’ (s1.10.10). Among the Royal Commission’s numerous recommendations was the need for imprisonment to be seen as a sanction of last resort (92) and for police to use cautioning rather than arrest where possible (239). These recommendations are important in light of findings regarding the likelihood of offenders continuing through the criminal justice system once they have come into contact with it (Payne 2007). Several studies have found that Indigenous offenders are more likely than their non-Indigenous counterparts to have higher rates of ongoing contact with the criminal justice system (Chen et al. 2005; Ferrante, Maller & Loh 2004).

## National Deaths in Custody Program

Among the concerns expressed by the Royal Commission was the dearth of reliable statistics on Indigenous contact with the criminal justice system. The National Police Custody Survey, administered by the Australian Institute of Criminology (AIC), was established as an intermittent collection of statistics relating to the extent to which people are detained by police across Australia. The final report of the Royal Commission into Aboriginal Deaths in Custody (1991) also recommended that an ongoing program be established to monitor Indigenous and non-Indigenous deaths in prison, police custody and juvenile detention to gauge the impact of the recommendations regarding the rates of death in custody.

The program was to perform the following functions:

- maintain a statistical database relating to deaths in custody of Aboriginal and non-Aboriginal persons
- report annually to the Commonwealth Parliament
- negotiate with all custodial agencies with a view to formulating a nationally agreed standard form of statistical input and a standard definition of deaths in custody.

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In response, the National Deaths in Custody Program (NDICP) was established at the AIC in 1992 and continues to provide comprehensive and authoritative data on all deaths that occur in custody and custody-related police operations. Although the NDICP began recording information in 1992, data on all custodial deaths between 1980 and 1992 were collected retrospectively, placing the NDICP in the unique position of holding detailed information on custodial deaths in Australia over 26 years.

The NDICP examines the circumstances of deaths in prison, police custody and juvenile detention across Australia. The purpose of monitoring deaths in custody is to provide accurate, up-to-date information that will contribute to public policy discussion, and to increase public understanding of the issues. It also allows for the monitoring of long-term trends and patterns in police custody and custody-related operations.

The final report of the Royal Commission into Aboriginal Deaths in Custody outlined the types of deaths that would require notification to the NDICP (41). They are:

- a death, wherever occurring, of a person who is in prison custody, police custody or detention as a juvenile
- a death, wherever occurring, of a person whose death is caused or contributed to by traumatic injuries sustained, or by lack of proper care, while in such custody or detention
- a death, wherever occurring, of a person who dies, or is fatally injured, in the process of police or prison officers attempting to detain that person
- a death, wherever occurring, of a person attempting to escape from prison, police custody or juvenile detention.

## **Compiling the National Deaths in Custody Program**

The information held in the NDICP database is based on three main data sources:

- NDICP data collection forms completed by all state and territory police services and correctional departments and sent to the AIC directly whenever a death occurs (including additional information such as offence records and police narratives)
- coronial records, such as transcripts of proceedings and findings, as well as toxicology and post-mortem reports
- information gleaned from press clippings.

NDICP data collection forms allow information to be recorded on approximately 60 variables relating to the circumstances and characteristics of each death. Australian state and territory police and correction authorities provide completed data collection reports, and all relevant information is then extracted and entered into the NDICP database.

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Coronial data used in the NDICP data collection process (including coronial rulings and findings, and toxicology and pathology reports) are accessed through the National Coroners Information System for most jurisdictions. The National Coroners Information System was formerly managed by the Monash University National Centre for Coronial Information and is currently based at, and managed by, the Victorian Institute of Forensic Medicine. After submitting an ethics application to the Monash University National Centre for Coronial Information in order to obtain access to the National Coroners Information System for the NDICP, the AIC was granted access in July 2001 on a fee-for-service basis.

## **Indigenous status**

When reporting statistics on Indigenous persons it is important to note that, as with the criminal justice system more generally, Indigenous status is not always collected and when it is, the recording is not always consistent. Further, the manner in which Indigenous status is determined varies. The recording of Indigenous status may be based on a subjective judgement of physical appearance or may rely on self-reporting. These issues should be borne in mind when interpreting the data in this report.

## **Definitions**

The definitions used to determine whether a case can be deemed a 'death in custody' are derived from the recommendations of the Royal Commission into Aboriginal Deaths in Custody and are presented in Box 1. The definition of a death occurring in police custody is based on a resolution of the Australasian Police Ministers' Council in 1994. Previously, only deaths occurring in police institutional settings (Category 1a) were reported to the NDICP and included in the dataset. The resolution of the Australasian Police Ministers' Council allowed the definition to be expanded such that deaths occurring during police operations (Category 1b and Category 2) could be included and distinguished from those in institutional settings. Category 1a deaths have been included in the NDICP since 1980, and police operational deaths (Category 1b and Category 2) have been collected by the NDICP since 1990.

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## Box 1: Defining deaths in custody

### Death in prison custody

Deaths in prison custody include those deaths that occur in prison or juvenile detention facilities. This also includes the deaths that occur during transfer to or from prison or juvenile detention centres, or in medical facilities following transfer from adult and juvenile detention centres (RCIADIC 1991: 189–190).

### Death in police custody

Deaths in police custody are divided into two main categories:

#### *Category 1*

- (a) Deaths in institutional settings (for example, police stations or lock-ups, police vehicles, hospitals, during transfer to or from such institutions, or following transfer from an institution)
- (b) Other deaths in police operations where officers were in close contact with the deceased. This would include most raids and shootings by police. However, it would not include most sieges where a perimeter was established around a premise but officers did not have such close contact with the person to be able to significantly influence or control the person's behaviour.

#### *Category 2*

Other deaths during custody-related police operations. This would cover situations where officers did not have such close contact with the person to be able to significantly influence or control the person's behaviour. It would include most sieges and cases where officers were attempting to detain a person, for example, during a pursuit.

## Borderline cases

The NDICP uses the definition of a death in custody as recommended by the Royal Commission into Aboriginal Deaths in Custody as a guide to which cases should be included in the NDICP database. While most of the cases are straightforward and fall within the definition, every year there are some cases where it is unclear whether the death should be classified as a death in custody. For the purposes of the NDICP, a person is considered to be in custody when they are not free to leave the detention or arrest of police or corrections officials. As outlined in Box 1, this includes deaths that occur in hospitals if the injuries or illness suffered while in custody caused or contributed to that death. In cases where police were clearly in the process of detaining or attempting to detain a person

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immediately prior to death, such as shootings, sieges, raids and pursuits, the person is considered to have been in custody at the time of death. In all of these cases, the question centres on whether the deceased was in custody at the time of death. Some brief examples of situations where borderline cases may arise and therefore be excluded pending the outcome of a coronial inquiry are provided in Box 2.

### **Box 2: Examples of borderline cases**

Police engage in a pursuit after observing a car that has been reported stolen. The police attempt to make the driver pull over, but the driver speeds away from them. When speeds reach dangerous levels police call off the pursuit. They still follow the stolen vehicle and it is still in sight when the driver loses control and is fatally injured in the resulting car accident.

Police pull over a vehicle for a traffic infringement. As the car stops, the driver opens the door and flees the vehicle. Police pursue the offender on foot, but lose sight of them. Police continue to search and a short time later discover the individual has collapsed on the ground and died.

During 2001, the NDICP Review Committee was formed as an internal review body to examine cases where such uncertainty exists. During 2003, a decision was made by the Committee to exclude all borderline cases from analysis pending their coronial outcome. This exclusion may result in a delay of up to several years regarding those particular borderline cases, as they may not be heard in their jurisdiction's Coroner's Court for months or years. Despite this drawback, the integrity and reliability of the NDICP is improved over the longer term as the coronial decision is an experienced legal determination based on all evidence available. It is important to note that this may mean that the total number of deaths for 2006 may be revised upward in future reports as borderline cases go to a coronial inquiry. Where appropriate, cases will be retrospectively included in the database, with adjustments made in subsequent annual reports.

Six cases were considered to be borderline in 2006. All of the borderline deaths occurred in police custody and custody-related operations. All six borderline cases are excluded from the information presented in this report as a decision regarding their inclusion or exclusion from the NDICP database has been deferred pending future determinations by a coroner in each case.



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## Cases added to the National Deaths in Custody Program since the last annual report

One case has been added retrospectively to the NDICP since the 2005 report. It involved a police shooting of a non-Indigenous person, which occurred in Victoria in 1988.

## Future directions

The following variables are being added to the database:

- prevalence and type of mental illness
- hanging points
- materials used for hanging.

Information (where available) for these variables will be collated for all cases since 1990. Additionally, a new variable recording the time at which the incident occurred has been introduced for all motor vehicle pursuit and police shooting deaths since 1990. Further information regarding the type of drug detected in a person's body is being compiled from toxicology results and will be added for all cases from 1990 onwards.

## Report format

This report presents data on deaths in custody collated from all jurisdictions for the 2006 calendar year and reports on trends since 1980. The variables presented in this report are:

- Indigenous status
- age at time of death
- sex
- custodial authority held by at time of death
- time of incident for motor vehicle pursuit and shooting deaths
- cause of death, including hanging points and materials used for deaths caused by hanging
- manner of death
- location of death
- most serious offence.

Information on each of these variables is presented for all deaths in both prison custody and police custody (including custody-related operations) in 'Overview of deaths in custody'. Additional information on the legal status of persons who died in prison custody is also reported, as is information regarding the reasons why persons were in the custody of police prior to their deaths.

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There was one death of an Indigenous youth in juvenile detention in 2006, bringing the total number of deaths in juvenile detention to 17 since 1980. Due to the small numbers this report contains no further information on deaths in juvenile detention.

'Motor vehicle pursuit and shooting deaths' focuses on two types of deaths in custody that tend to attract a great deal of media and public interest: those occurring during motor vehicle pursuits and police shootings. The demographics of persons who are involved in these types of incidents are examined, as are the circumstances surrounding the events.

## **Methodological note**

Where rates of prison death are presented in this report, they have been calculated using the results of the annual national prisoner census (ABS 2006a). The census counts all prisoners who were in legal custody in each jurisdiction as at midnight on 30 June. Where trends in rates of death are presented, the rates are only calculated back to 1982 as prison census data are not available prior to 1982. Rates of police custody death are not presented in this report because there is no reliable data source for:

- the number of people who are placed into police custody each year
- the number of people who come into contact with police in custody-related operations.

Some variables have missing data and as a result, there are differences in the number of cases that contribute to the various analyses. Analyses have been conducted for the total number of cases for which the relevant information is available.

Some column and row percentages may not sum to 100 due to rounding.

## Overview of deaths in custody

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## Overview of all deaths

The current dataset of the NDICP covers a 26-year period from 1980 to 2006. The dataset contains details relating to 1,879 individual custodial deaths (Table 2) that include:

- 701 deaths in police custody and custody-related operations
- 1,161 deaths in prison custody
- 17 deaths in the custody of juvenile justice agencies.

**Table 2: Custodial deaths by custodial authority, 1980–2006 (number)**

	Police	Prison	Juvenile detention	Total
1980	12	30	1	43
1981	15	28	1	44
1982	19	25	0	44
1983	16	31	1	48
1984	15	31	0	46
1985	22	26	0	48
1986	21	17	1	39
1987	41	53	1	95
1988	22	42	1	65
1989	21	40	1	62
1990	31	33	1	65
1991	31	39	0	70
1992	31	36	0	67
1993	33	49	1	83
1994	28	53	1	82
1995	26	59	2	87
1996	29	52	1	82
1997	29	76	0	105
1998	27	69	1	97
1999	27	59	0	86
2000	26	62	2	90
2001	35	57	0	92
2002	37	50	0	87
2003	36	40	0	76
2004	29	39	0	68
2005	20	34	0	54
2006	22	31	1	54
<b>Total</b>	<b>701</b>	<b>1,161</b>	<b>17</b>	<b>1,879</b>

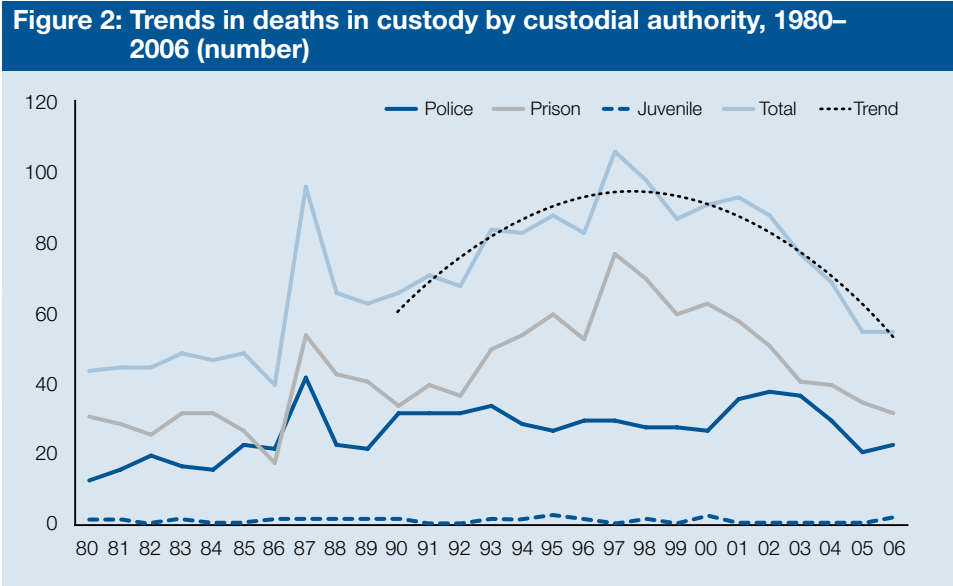
Source: AIC NDICP 1980–2006 [computer file]

The majority of deaths recorded by the NDICP are of non-Indigenous persons (80%), with Indigenous persons accounting for approximately 20 percent of all custodial deaths (n=371). Raw numbers reported in this section are presented in the Appendix.

### Custodial authority

There are three distinct trends in the total number of deaths that occurred between 1980 and 2006 (Figure 2). The first from 1980 to 1986 is a relatively stable trend with no obvious increase or decrease. The second trend shows a steady increase in the number of deaths between 1989 and 1997, while the third trend reveals a distinct decline in total deaths from 1997 onwards. A first order polynomial regression model confirmed this curvilinear pattern in deaths since 1990 to be significant (the dotted line in Figure 2 highlights the curvilinear trend). The overall trend in the number of deaths in custody is strongly affected by the trend in the number of deaths in prison (Figure 2 shows prison deaths reflect the same trend as overall deaths) because prison deaths account for the majority of deaths each year. The curvilinear trend for deaths in prison is also significant.

The trend for deaths in police custody and custody-related operations, however, is quite different from prison deaths. Overall there is no statistically significant change over time in police custody deaths.



\* Significant to  $p < .01$

Note: 'Police' includes deaths in both police custody (Category 1) and during custody-related operations (Category 2). Category 2 deaths have been included since 1990

Source: AIC NDICP 1980–2006 [computer file]

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## Deaths in police custody and custody-related operations

### 2006

A total of 22 deaths were recorded in police custody and custody-related operations in Australia in 2006. Across the jurisdictions there were:

- eight in New South Wales
- four in Victoria
- four in Western Australia
- two in Queensland
- two in South Australia
- one in the Northern Territory
- one in the Australian Capital Territory
- none in Tasmania.

### Trends

Trends in police custody deaths are best interpreted from 1990 onwards. This is because only Category 1a deaths (police institutional settings) were included prior to 1990 and are not directly comparable with the number recorded after 1990. However, for the purposes of completeness, Table 3 provides the number of deaths that have occurred in police custody each year since 1980. Figure 3 shows these numbers graphically. The concerns expressed by the Royal Commission into Aboriginal Deaths in Custody are reflected in the upward trend in deaths between 1980 and 1987.

An examination of total deaths since 1990 (Categories 1a, 1b and 2) shows that the number of deaths occurring each year remained stable between 1990 and 2000, peaked in 2002 and have since been declining, although the overall trend is not statistically significant. However this hides the different trends that have emerged since 1990 between Category 1 and Category 2 deaths. Figure 3 highlights that Category 1 deaths (institutional settings, raids, shootings) have declined significantly since 1990, while Category 2 deaths (sieges, police pursuits) show a statistically significant increase between 1990 and 2001, and a significant decrease since then. Furthermore since 1999, Category 2 deaths have consistently been more prevalent than Category 1 deaths each year.

**Table 3: Deaths in police custody and custody-related operations, 1980–2006 (number)**

	Category 1	Category 2	Categories 1 and 2
1980	12	0	12
1981	15	0	15
1982	19	0	19
1983	16	0	16
1984	15	0	15
1985	22	0	22
1986	21	0	21
1987	40	0	40
1988	22	0	22
1989	21	0	21
1990	25	6	31
1991	25	6	31
1992	20	11	31
1993	16	17	33
1994	21	7	28
1995	10	16	26
1996	12	17	29
1997	13	16	29
1998	21	6	27
1999	11	16	27
2000	8	18	26
2001	7	28	35
2002	10	27	37
2003	11	25	36
2004	9	20	29
2005	5	15	20
2006	6	16	22
<b>Total</b>	<b>433</b>	<b>267</b>	<b>700</b>

Source: AIC NDICP 1990–2006 [computer file]

**Figure 3: Deaths in police custody and custody-related operations, 1980–2006 (number)**



Source: AIC NDICP 1990–2006 [computer file]

## Demographic characteristics

### Indigenous status

2006

Out of 22 deaths that occurred in police custody and custody-related operations in 2006, Indigenous status was known in 20 cases. Six deaths were recorded of Indigenous persons (Table 4).

**Table 4: Deaths in police custody and custody-related operations by Indigenous status, 2006**

	Indigenous		Non-Indigenous		Persons
	n	%	n	%	Total n
New South Wales <sup>a</sup>	0	0	6	100	6
Victoria	1	25	3	75	4
Queensland	1	50	1	50	2
Western Australia	2	50	2	50	4
South Australia	1	50	1	50	2
Northern Territory	1	100	0	0	1
Australian Capital Territory	0	0	1	100	1
<b>Australia</b>	<b>6</b>	<b>30</b>	<b>14</b>	<b>70</b>	<b>20</b>

a: Two cases have been excluded due to missing data

Source: AIC NDICP 1980–2006 [computer file]



## TRENDS

While the number of non-Indigenous deaths has outweighed the number of Indigenous deaths each year (Table 5), the relative proportion of Indigenous to non-Indigenous deaths each year has increased since 2002. Figure 4 shows this graphically. Up to 2001, between one and two deaths in every 10 each year were of Indigenous persons. In 2002, this rose to three in 10, and to four in 10 in 2005 before falling to three in 10 in 2006. This change is a result of a significant decline in the number of non-Indigenous deaths and a significant increase in Indigenous deaths over the past 17 years.

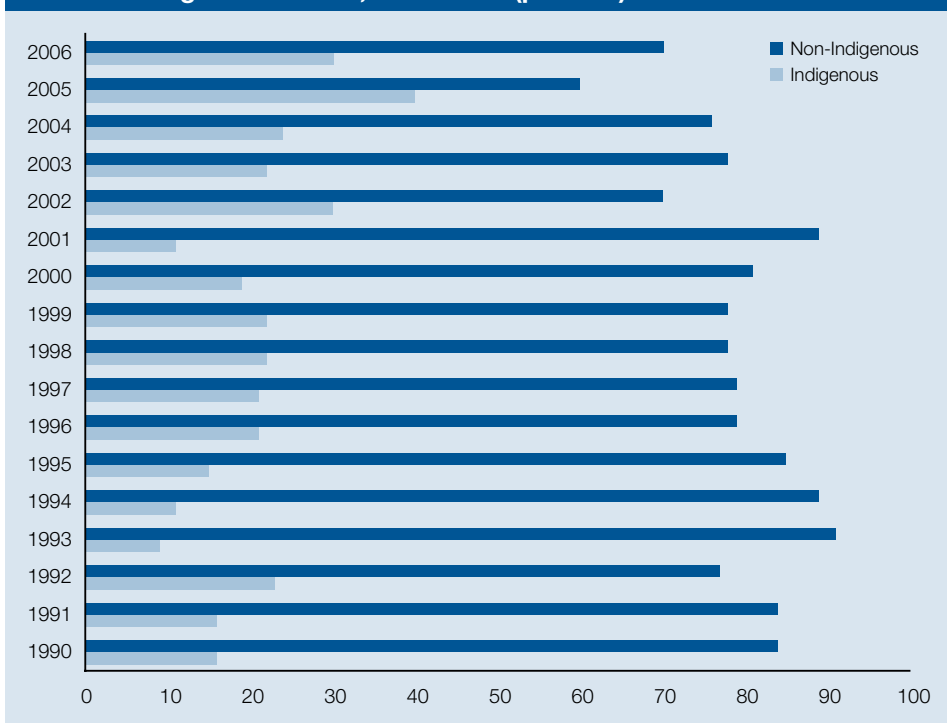
**Table 5: Deaths in police custody and custody-related operations by Indigenous status, 1990–2006 (number)**

	Indigenous	Non-Indigenous	Total
1990	5	26	31
1991	5	26	31
1992	7	24	31
1993	3	30	33
1994	3	25	28
1995	4	22	26
1996	6	23	29
1997	6	23	29
1998	6	21	27
1999	6	21	27
2000	5	21	26
2001	4	31	35
2002	11	26	37
2003	8	28	36
2004	7	22	29
2005	8	12	20
2006	6	14	20
<b>Total<sup>a</sup></b>	<b>100</b>	<b>395</b>	<b>495</b>

a: Two cases have been excluded due to missing data

Source: AIC NDICP 1980–2006 [computer file]

**Figure 4: Deaths in police custody and custody-related operations by Indigenous status, 1990–2006 (percent)<sup>a</sup>**



a: Two cases have been excluded due to missing data

Source: AIC NDICP 1990–2006 [computer file]

## Sex

### 2006

Eighteen of the 22 deaths that occurred in police custody and custody-related operations in 2006 were of males. Of the six deaths of Indigenous persons (where Indigenous status was known) four were of males and two were of females. Of the 14 deaths of non-Indigenous persons (where Indigenous status was known) 13 were of males, and one was of a female.

### TRENDS

Males represent 83 percent (n=22,549) of people involved in police custody incidents (Taylor & Bareja 2005). Deaths of males have far outnumbered those of females each year since 1990 (Table 6). In most years recorded, only about one in every 10 deaths in police custody and custody-related operations since 1990 has been of a female. The only exceptions were in 1992 and 2005 when females accounted for two out of every 10 deaths.

**Table 6: Deaths in police custody and custody-related operations by sex, 1990–2006 (number)**

	Male	Female	Total
1990	30	1	31
1991	27	4	31
1992	25	6	31
1993	30	3	33
1994	24	4	28
1995	25	1	26
1996	29	0	29
1997	26	3	29
1998	27	0	27
1999	24	3	27
2000	25	1	26
2001	34	1	35
2002	34	3	37
2003	33	3	36
2004	28	1	29
2005	16	4	20
2006	18	4	22
<b>Total</b>	<b>455</b>	<b>42</b>	<b>497</b>

Source: AIC NDICP 1990–2006 [computer file]

## Age

### 2006

During 2006 the average age of all persons who died in police custody and custody-related operations was 32 years. The average age was lower for Indigenous (26.5 years) than for non-Indigenous (33.5 years) persons. Eleven (half) of the 22 deaths in 2006 were of persons aged between 25 and 39 years, followed by six deaths of persons aged under 25 years (Table 7).

**Table 7: Deaths in police custody and custody-related operations by age category, 2006 (number)**

	Less than 25	25–39	40–54	55+	Total
New South Wales	0	4	3	1	8
Victoria	2	1	1	0	4
Queensland	1	1	0	0	2
Western Australia	1	3	0	0	4
South Australia	1	1	0	0	2
Northern Territory	0	1	0	0	1
Australian Capital Territory	1	0	0	0	1
<b>Totals</b>					
<b>Indigenous</b>	<b>2</b>	<b>4</b>	<b>0</b>	<b>0</b>	<b>6</b>
<b>Non-Indigenous</b>	<b>4</b>	<b>7</b>	<b>2</b>	<b>1</b>	<b>14</b>
<b>All persons<sup>a</sup></b>	<b>6</b>	<b>11</b>	<b>4</b>	<b>1</b>	<b>22</b>

a: The Indigenous status of two cases is as yet unknown and these cases have been excluded from the Indigenous and non-Indigenous breakdowns

Source: AIC NDICP 1980–2006 [computer file]

## TRENDS

Since 1990, deaths of persons aged between 25 and 39 years have generally exceeded deaths of persons in other age groups each year (Table 8). The proportion of deaths of persons aged 55 years and over each year has remained low since 1990.

Of all deaths of Indigenous persons since 1990:

- 44 percent were aged less than 25 years
- 37 percent were aged between 25 and 39 years
- 15 percent were aged between 40 and 54 years
- four percent were 55 or older.

Of all deaths of non-Indigenous persons since 1990:

- 29 percent were aged less than 25 years
- 44 percent were aged between 25 and 39 years
- 20 percent were aged between 40 and 54 years
- seven percent were 55 or older.

**Table 8: Deaths in police custody and custody-related operations by age category, 1990–2006 (number)**

	Less than 25	25–39	40–54	55+	Total
1990	8	15	5	3	31
1991	11	14	4	2	31
1992	8	6	12	5	31
1993	12	11	9	1	33
1994	7	15	5	1	28
1995	9	10	4	3	26
1996	11	9	7	2	29
1997	9	15	3	2	29
1998	6	15	5	1	27
1999	6	14	5	2	27
2000	9	13	4	0	26
2001	19	9	3	4	35
2002	13	15	6	3	37
2003	8	17	10	1	36
2004	8	15	6	0	29
2005	7	8	3	2	20
2006	6	11	4	1	22
<b>Total</b>	<b>157</b>	<b>212</b>	<b>95</b>	<b>33</b>	<b>497</b>

Source: AIC NDICP 1990–2006 [computer file]

The relative youth of Indigenous persons who die in custody compared with non-Indigenous persons may in part be explained by their higher levels of offending and consequently, higher levels of contact with the criminal justice system. Studies have shown that Indigenous males are on average younger than non-Indigenous males when they first commit a property or violent offence, or when they are first arrested by police (Putt, Payne & Milner 2005), and are more likely to begin *regularly* offending at younger ages (Makkai & Payne 2003). The 2002 National Police Custody Survey found that Indigenous persons were 17 times more likely than non-Indigenous persons to be involved in custody incidents (Taylor & Bareja 2005). Indigenous youth (aged less than 17 years) were 15 times more likely to be detained than non-Indigenous youth in the same age group, and those aged less than 35 years were 32 times more likely to be detained than non-Indigenous persons in the same age group. Research findings have consistently found that offending from a young age enhances the likelihood of ongoing contact with the criminal justice system. The fact that a greater proportion of Indigenous deaths in police custody or custody-related operations are of persons aged less than 25 when compared with non-Indigenous persons in the same age group reflects the greater levels of offending at a young age and as a result increased contact with police.

## Circumstances surrounding the deaths

The NDICP collects information on both the cause and manner of each death. Cause of death information relates to the direct cause of death as reported by the coroner or by police and prison authorities. Manner of death is a related variable, but refers to the accountability or responsibility for the death as reported by the coroner or by police and prison authorities. Therefore in some cases, cause and manner will correspond, for example, where a person dies as a result of natural causes their death will be recorded as natural causes for both cause and manner of death. In other cases, cause and manner of death will differ, for example, where a person dies after hanging themselves cause of death will be recorded as hanging and manner of death will be recorded as either self-inflicted or accidental hanging.

### *Cause of death*

2006

Where cause of death was known in 2006 (20 deaths), most deaths in police custody and custody-related operations were due to external/multiple trauma (n=11). This was followed by four gunshot deaths, three deaths due to natural causes and two fire-related deaths (Table 9). No hanging deaths occurred during 2006. Three of the five deaths of Indigenous persons for which information regarding cause of death was available were due to external and/or multiple trauma. One death was due to natural causes, and one of a person caught in a fire during a siege.

**Table 9: Deaths in police custody and custody-related operations by cause of death, 2006 (number)**

	Hanging	Natural causes	Gunshot	External/ multiple trauma	Other	Total
New South Wales	0	1	1	5	0	7
Victoria	0	0	0	3	1	4
Queensland	0	0	1	0	0	1
Western Australia	0	2	1	1	0	4
South Australia	0	0	0	1	1	2
Northern Territory	0	0	0	1	0	1
Australian Capital Territory	0	0	1	0	0	1
<b>Totals</b>						
<b>Indigenous</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>3</b>	<b>1</b>	<b>5</b>
<b>Non-Indigenous</b>	<b>0</b>	<b>2</b>	<b>4</b>	<b>7</b>	<b>1</b>	<b>14</b>
<b>All persons<sup>a</sup></b>	<b>0</b>	<b>3</b>	<b>4</b>	<b>11</b>	<b>2</b>	<b>20</b>

a: Two cases have been excluded due to missing information regarding cause of death. A third case for which Indigenous status is unknown has been included in the cause of death totals but omitted from the Indigenous breakdowns

Source: AIC NDICP 1980–2006 [computer file]

## TRENDS

The trend since 1990 indicates that the majority of deaths each year in police custody and custody-related operations have been caused primarily by external/multiple trauma and gunshot wounds (Table 10). Deaths due to drug or acute alcohol toxicity fluctuated between one and seven each year in the period up to 1998 but since then have been extremely low to non-existent. The trend in the number of deaths due to hanging, which were identified as a serious concern by the Royal Commission into Aboriginal Deaths in Custody, has changed dramatically since the Royal Commission. In the 10-year period between 1980 and 1989, 86 hanging deaths occurred in police custody, while only 43 have been recorded in the 17 years that followed. This is a decline from an average of 8.6 deaths per year in the earlier period to an average of 2.5 deaths per year in the later period.

**Table 10: Deaths in police custody and custody-related operations by cause of death, 1990–2006 (number)**

	Hanging	Natural causes	Head injury	Gunshot	External/ multiple trauma	Drugs/ alcohol toxicity	Other/ multiple	Total
1990	6	1	4	4	7	5	4	31
1991	6	7	4	9	2	3	0	31
1992	4	1	3	9	6	7	1	31
1993	4	3	4	9	6	3	4	33
1994	1	1	0	17	3	5	1	28
1995	1	2	2	10	9	1	1	26
1996	3	3	1	8	10	3	1	29
1997	1	2	2	11	10	3	0	29
1998	3	6	0	7	7	2	1	26
1999	3	3	1	9	9	1	1	27
2000	0	3	0	7	14	1	1	26
2001	0	1	3	5	21	1	3	34
2002	1	3	9	10	13	0	1	37
2003	6	4	3	7	12	0	3	35
2004	1	1	0	11	15	1	0	29
2005	3	2	1	5	8	0	1	20
2006	0	3	0	4	11	0	2	20
<b>Total<sup>a</sup></b>	<b>43</b>	<b>46</b>	<b>37</b>	<b>142</b>	<b>163</b>	<b>36</b>	<b>25</b>	<b>492</b>

a: Six cases have been excluded due to missing data

Source: AIC NDICP 1990–2006 [computer file]

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Since 1990, external/multiple trauma has been the most commonly ascribed cause of death in police custody and custody-related operations among Indigenous persons. For the purposes of collection, external and/or multiple trauma is defined as an injury caused by external force even though the resultant injury may be internal. Stabbing deaths would fall under this category, which does not include head injuries caused by external trauma as these are recorded separately. Of all Indigenous deaths (where known n=99):

- 44 percent were due to external/multiple trauma
- 18 percent were due to natural causes
- 11 percent were due to hanging
- nine percent were due to gunshot
- eight percent were due to head injuries
- three percent were due to drug or acute alcohol toxicity
- six percent were due to other or multiple causes.

#### **HANGING DEATHS: POINTS AND MATERIALS**

Data on hanging points and materials used in hanging have been collected for all deaths between 1990 and 2006 (data for three deaths were missing). Of the 43 hanging deaths between 1990 and 2006 (none were recorded for 2006):

- 16 involved cell bars
- eight involved other fittings in cells (such as vents)
- six involved fittings outside the cell (such as tree in yard)
- five involved shower fixtures
- three occurred in a police van
- two – other
- three – missing information.

Materials used in hangings included:

- 13 with clothing (other than shoelaces or belts)
- 10 with sheets
- six with shoelaces
- six with rope/cord
- four with belts
- one – other
- three – missing information.



### *Manner of death*

As noted previously, manner of death is closely related to cause of death, and as a result the findings may be similar. Manner of death may be classed as self-inflicted, due to natural causes, justifiable homicide, unlawful homicide, accidental or other. Self-inflicted cases include all deaths where the manner or responsibility of death is considered self-inflicted rather than accidental. For example, most hangings and self-inflicted gunshot wounds would be classified as self-inflicted. Justifiable homicide refers to homicides that occur under circumstances authorised by law, for example, a prison officer acting in self-defence. When the manner of death is classified as an accident, this includes deaths that result from toxicity of drugs and/or alcohol, head injuries, burn injuries, drowning, and fatal injuries following a motor vehicle accident. It also includes hangings where the coroner has found the incident to be accidental. It is important to note that some alcohol and drug-related deaths are classified as accidental unless the coroner has clearly stated that the death was intentional and therefore self-inflicted.

2006

Where information about manner of death was known (n=20), 11 of the 22 deaths in 2006 were due to accidents (Table 11). This was followed by four deaths considered to be self-inflicted, three due to natural causes and two that were considered justifiable homicides. Information on manner of death in two cases was unclear at the time of data collection and is pending confirmation from coroners' findings. Six of the eight deaths of Indigenous persons were considered accidental. One death was self-inflicted and another was due to natural causes.

**Table 11: Deaths in police custody and custody-related operations by manner of death, 2006 (number)**

	<b>Self-inflicted</b>	<b>Natural causes</b>	<b>Justifiable homicide</b>	<b>Accident</b>	<b>Total</b>
New South Wales	3	1	0	3	7
Victoria	1	0	0	3	4
Queensland	0	0	1	1	2
Western Australia	0	2	1	1	4
South Australia	0	0	0	2	2
Northern Territory	0	0	0	1	1
<b>Totals</b>					
<b>Indigenous</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>5</b>	<b>6</b>
<b>Non-Indigenous</b>	<b>3</b>	<b>2</b>	<b>2</b>	<b>6</b>	<b>13</b>
<b>All persons<sup>a</sup></b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>11</b>	<b>20</b>

a: Two cases have been excluded due to missing information regarding manner of death. Of these two, Indigenous status is unknown for one case. A third case for which manner of death is recorded is also missing information regarding Indigenous status

Source: AIC NDICP 1980–2006 [computer file]

## TRENDS

Where information about manner of death was known, since 1990 40 percent (n=211) of all deaths were accidental, while 29 percent (n=144) were self-inflicted (Table 12). Each year accidental deaths have generally been the most common manner of death, followed by self-inflicted deaths. Deaths ruled as justifiable homicide peaked at 13 in 1994 and have since fluctuated between two and six deaths per year. With the exception of 1992 and 2000, in which one incident of unlawful homicide occurred, no unlawful homicides have been recorded since 1990.

Among Indigenous deaths since 1990:

- 55 percent were due to accidents
- 18 percent were self-inflicted
- 18 percent were due to natural causes
- five percent were considered justifiable homicides.

**Table 12: Deaths in police custody and custody-related operations by manner of death, 1990–2006 (number)**

	Self-inflicted	Natural causes	Unlawful homicide	Justifiable homicide	Accident	Other	Total
1990	9	1	0	2	15	4	31
1991	9	7	0	1	10	4	31
1992	12	1	1	4	13	0	31
1993	12	4	0	3	11	3	33
1994	6	1	0	13	8	0	28
1995	8	2	0	5	11	0	26
1996	11	3	0	2	13	0	29
1997	8	2	0	6	13	0	29
1998	5	6	0	6	9	0	26
1999	7	3	0	6	10	1	27
2000	4	3	1	5	12	1	26
2001	8	1	0	3	22	0	34
2002	12	3	0	4	18	0	37
2003	14	4	0	3	14	0	35
2004	10	1	0	6	12	0	29
2005	5	2	0	4	9	0	20
2006	4	3	0	2	11	0	20
<b>Total<sup>a</sup></b>	<b>144</b>	<b>47</b>	<b>2</b>	<b>75</b>	<b>211</b>	<b>13</b>	<b>492</b>

a: Five cases have been excluded due to missing data

Source: AIC NDICP 1990–2006 [computer file]

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## Most serious offence

The NDICP collects information on the most serious offence leading to custody. The offences are grouped into six categories: violent, theft related, drug related, traffic, good order and other/unknown. Where information on more than one offence is provided, only the most serious of those is assigned to the case. The hierarchy from most to least serious is: violent, theft related, drug related, traffic, good order and other. Thus, if a person had been charged with a violent offence and a property offence, the violent offence would take precedence. For the purposes of the NDICP, these groups are defined as:

- violent offence – includes homicide, assault, sex offences, other offences against the person and robbery
- theft-related offence – includes break and enter, other theft, property damage and fraud
- drug-related offence – includes possessing, using, dealing, trafficking and manufacturing/growing drugs
- traffic offence – includes road traffic, driving and license offences
- good order offence – includes public drunkenness, protective custody for intoxication in jurisdictions where public drunkenness is not an offence, justice procedure offences, breaches of sentences (including fine default), and other offences against good order (for example, prostitution, betting and gambling, disorderly conduct, vagrancy and offensive behaviour)
- other/unknown – includes other offences not elsewhere classified or where the most serious offence is unknown.

### 2006

Eleven deaths out of 22 in 2006 did not have the most serious offence recorded. Where information was available, three deaths were associated with a violent offence and three were theft related (Table 13).

**Table 13: Deaths in police custody and custody-related operations by most serious offence, 2006 (number)**

	Violent	Theft related	Drug related	Traffic	Good order	Other	Total
New South Wales	0	0	0	0	0	0	0
Victoria	0	1	0	0	0	0	1
Queensland	1	0	0	0	0	0	1
Western Australia	1	2	0	0	0	1	4
South Australia	1	0	0	1	0	0	2
Northern Territory	0	0	0	0	1	0	1
Australian Capital Territory	0	0	0	0	1	0	1
<b>Totals</b>							
<b>Indigenous</b>	<b>2</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>5</b>
<b>Non-Indigenous</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>5</b>
<b>All persons<sup>a</sup></b>	<b>3</b>	<b>3</b>	<b>0</b>	<b>1</b>	<b>2</b>	<b>1</b>	<b>10</b>

a: 12 cases have been excluded due to missing data on most serious offence

Source: AIC NDICP 1980–2006 [computer file]

### *Trends*

Of those who died in police custody or during custody-related operations since 1990, most had committed violent offences (32%; n=155) or theft-related offences (27%; n=130). Table 14 shows that drug-related offences were very rare for deaths in each year. Apart from 2002, in which deaths reached double figures, traffic-related offences have also been uncommon as the most serious offence prior to death.

Research has shown that Indigenous offenders are more likely to be charged with property, violent, good order and other offences than their non-Indigenous counterparts (Loh & Ferrante 2003; Putt, Payne & Milner 2005; Weatherburn, Lind & Hua 2003). Of deaths involving Indigenous persons since 1990:

- 37 percent involved the commission of a theft-related offence prior to death
- 24 percent had committed violent offences
- 24 percent had committed good order offences
- eight percent had committed traffic offences
- one percent involved drug-related offences
- four percent – other.

**Table 14: Deaths in police custody and custody-related operations by most serious offence, 1990–2006 (number)**

	Violent	Theft related	Drug related	Traffic	Good order	Other	Total
1990	6	7	0	2	15	1	31
1991	9	5	0	1	13	3	31
1992	6	10	2	4	7	2	31
1993	9	10	1	4	5	4	33
1994	16	7	0	2	2	1	28
1995	10	9	0	4	2	1	26
1996	10	9	1	3	6	0	29
1997	9	10	0	1	7	2	29
1998	9	6	0	3	6	3	27
1999	12	8	2	2	2	1	27
2000	11	9	0	2	3	0	25
2001	5	11	0	8	4	6	34
2002	6	8	0	10	4	8	36
2003	12	6	1	8	4	3	34
2004	14	6	0	4	2	3	29
2005	8	6	1	4	0	0	19
2006	3	3	0	1	2	1	10
<b>Total<sup>a</sup></b>	<b>155</b>	<b>130</b>	<b>8</b>	<b>63</b>	<b>84</b>	<b>39</b>	<b>479</b>

a: 18 cases have been excluded due to missing data

Source: AIC NDICP 1990–2006 [computer file]

## Location of death

Location of death refers to the specific environment at the time of death, that is, the actual place where the death occurred. The different locations include:

- public hospitals, which include cases where a person was transferred to a hospital from other locations and died there
- prison hospitals, which include deaths in prison clinics and secure wards in public hospitals
- cells, which include all types of cells – single, shared or observation
- custodial settings, which include locations within the correctional facility but outside the cell, for example, exercise yards, interview rooms and police vans
- private properties, which generally consists of private residences

- public places, such as streets, ovals and other outdoor general-use areas
- psychiatric hospitals
- other locations, which may include ambulances.

## 2006

Eleven of the 22 police custody deaths in 2006 occurred in public places (Table 15). Eight occurred in public hospitals, two on private property and one in an other custodial setting (that is, not within a cell or prison hospital). No deaths occurred in a cell in 2006. Three of the six Indigenous people who died in police custody or custody-related operations died in public places, one died in a public hospital, one in a custodial setting and one on private property.

**Table 15: Deaths in police custody and custody-related operations by location of death, 2006 (number)**

	Cell	Other custodial setting	Public hospital	Private property	Public place	Total
New South Wales	0	0	5	0	3	8
Victoria	0	0	1	0	3	4
Queensland	0	0	0	1	1	2
Western Australia	0	1	1	0	2	4
South Australia	0	0	0	1	1	2
Northern Territory	0	0	1	0	0	1
Australian Capital Territory	0	0	0	0	1	1
<b>Totals</b>						
<b>Indigenous</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>3</b>	<b>6</b>
<b>Non-Indigenous</b>	<b>0</b>	<b>0</b>	<b>6</b>	<b>1</b>	<b>7</b>	<b>14</b>
<b>All persons<sup>a</sup></b>	<b>0</b>	<b>1</b>	<b>8</b>	<b>2</b>	<b>11</b>	<b>22</b>

a: Indigenous status for two persons is unknown

Source: AIC NDICP 1980–2006 [computer file]

## Trends

Since 1990, 41 percent (n=198) of deaths for which information on location of death is available occurred in public places (Table 16). This was followed by 28 percent (n=132) that have occurred in public hospitals. Prior to 1990, only one death occurring in a public place had been recorded, however, since the definition expanded to allow the inclusion of deaths occurring during custody-related operations, public places have frequently been one of the more common locations for deaths in police custody, and have exceeded deaths in all other locations each year since 1999. While cell deaths peaked in 1991 with 10 deaths, there have been relatively few recorded since then.

**Table 16: Deaths in police custody and custody-related operations by location of death, 1990–2006 (number)**

	Public hospital	Cell	Custodial setting	Private property	Public place	Other	Total
1990	9	5	2	1	5	0	22
1991	10	10	1	2	2	0	25
1992	10	3	3	3	11	1	31
1993	13	2	2	3	12	1	33
1994	5	3	2	7	10	1	28
1995	9	1	1	5	9	1	26
1996	7	4	2	4	11	1	29
1997	10	5	0	4	8	2	29
1998	11	4	2	3	5	2	27
1999	6	1	2	6	12	0	27
2000	7	2	0	4	13	0	26
2001	8	2	0	3	22	0	35
2002	11	0	1	6	19	0	37
2003	3	6	3	3	21	0	36
2004	5	1	0	7	16	0	29
2005	0	1	3	5	11	0	20
2006	8	0	1	2	11	0	22
<b>Total<sup>a</sup></b>	<b>132</b>	<b>50</b>	<b>25</b>	<b>68</b>	<b>198</b>	<b>9</b>	<b>482</b>

a: 15 cases have been excluded due to missing data

Source: AIC NDICP 1990–2006 [computer file]

## Circumstances of custodial period for deaths in police custody

The NDICP examines the circumstances of the custodial period, that is, why the deceased was in custody at the time of death. The four categories into which deaths are classified are:

- institution – death occurred in a police lock-up, prison, juvenile detention centre, or during transfer to or following transfer from one of these places to a hospital or other detention facility, or during transfer to a facility, for example, in van, etc.
- escaping – death occurred during the process of the person escaping or attempting to escape from police or prison custody or juvenile detention
- detaining – death occurred during the process of police or prison officers attempting to detain the person, regardless of whether or not the person was under arrest or the officers intended to arrest the person

- other/marginal cases – for example, the death of a person detained under a state mental health act in the process of being conveyed via ambulance from a public hospital to a psychiatric institution under ‘police escort’.

## 2006

Overall, 21 of the 22 deaths that occurred in police custody and custody-related operations in 2006 occurred while police were in the process of detaining, or attempting to detain, the individual. Of these, 14 involved non-Indigenous persons and five involved Indigenous persons. Of the 21 deaths that resulted from police detaining or attempting to detain an individual, 10 occurred during motor vehicle pursuits (Table 17). Nine deaths were the result of a shooting or other situation (including self-inflicted stab wounds and suicides in the presence of police) and two resulted from a siege.

**Table 17: Deaths in police custody and custody-related operations by method of detainment, 2006 (number)**

	Motor vehicle pursuit	Other pursuit	Siege	Raid	Shooting/ other	Total
New South Wales	3	0	0	0	5	8
Victoria	3	0	0	0	1	4
Queensland	1	0	1	0	0	2
Western Australia	1	0	0	0	2	3
South Australia	1	0	1	0	0	2
Northern Territory	1	0	0	0	0	1
Australian Capital Territory	0	0	0	0	1	1
<b>Total<sup>a</sup></b>	<b>10</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>9</b>	<b>21</b>

a: One case for which detaining was not the type of custody has been excluded

Source: AIC NDICP 1980–2006 [computer file]

## Trends

There was a decrease in the number of institutional deaths between 1990 and 1993, and since then the number of institutional deaths has remained in single figures except 1998 where 11 deaths were recorded (Table 18). Since 1992, deaths occurring while police were in the process of detaining, or attempting to detain, an individual have been more frequent than any other type of custody each year. Only two deaths have occurred since 1990, one in each of 1997 and 2002, where an individual was trying to escape police.



**Table 18: Deaths in police custody and custody-related operations by type of custody, 1990–2006 (number)**

	Institution	Escaping	Detaining	Other/ marginal	Total
1990	18	0	13	0	31
1991	17	0	13	1	31
1992	13	0	18	0	31
1993	10	0	20	3	33
1994	7	0	21	0	28
1995	4	0	22	0	26
1996	9	0	20	0	29
1997	6	1	22	0	29
1998	11	0	14	2	27
1999	6	0	21	0	27
2000	2	0	24	0	26
2001	3	0	30	2	35
2002	5	1	30	1	37
2003	9	0	27	0	36
2004	3	0	26	0	29
2005	6	0	13	1	20
2006	1	0	21	0	22
<b>Total</b>	<b>130</b>	<b>2</b>	<b>355</b>	<b>10</b>	<b>497</b>

Source: AIC NDICP 1990–2006 [computer file]

Table 19 shows that since 1990:

- the number of motor vehicle pursuit deaths peaked between 2000 and 2002
- apart from seven deaths in 2000, deaths resulting from raids have been low to non-existent in all other years
- deaths resulting from sieges and non-motor vehicle pursuits have fluctuated since 1990 but generally remained low, between zero and seven deaths per year.

**Table 19: Deaths in police custody and custody-related operations by method of detainment, 1990–2006 (number)**

	Motor vehicle pursuit	Other pursuit	Siege	Raid	Other	Total
1990	5	1	0	0	4	10
1991	2	2	2	0	6	12
1992	5	2	1	0	8	16
1993	9	1	4	1	5	20
1994	4	1	3	0	13	21
1995	7	2	2	1	10	22
1996	11	0	1	1	7	20
1997	8	1	7	1	5	22
1998	5	1	2	0	6	14
1999	8	1	2	0	10	21
2000	13	2	1	7	1	24
2001	17	7	3	1	2	30
2002	16	2	4	0	8	30
2003	10	4	6	1	6	27
2004	8	5	4	0	9	26
2005	8	1	0	1	3	13
2006	10	0	2	0	9	21
<b>Total<sup>a</sup></b>	<b>146</b>	<b>33</b>	<b>44</b>	<b>14</b>	<b>112</b>	<b>349</b>

a: Six cases have been excluded due to missing data

Source: AIC NDICP 1990–2006 [computer file]

## Summary

While the overall number of deaths in police custody and custody-related operations was relatively stable between 1990 and 2000, deaths have fallen since 2002. The increase in deaths between 2000 and 2002 was primarily due to an increase in police operational deaths which, since 2000 have outnumbered deaths in institutional settings. Deaths in institutional settings have been declining since 1990. Deaths of males consistently and strongly outnumber those of females, and most persons who die in police custody are aged below 39 years. Indigenous persons who die in police custody tend to be younger than non-Indigenous persons. These findings reflect the broader literature that shows young males are more likely than other groups to engage in offending and as a result, are more likely to come into contact with police.

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Over time (and particularly since 1990) there has been a shift in the number and nature of deaths occurring in institutional settings. Where most deaths in police custody used to be due to hangings they are now primarily due to external/multiple trauma, most often the result of a motor vehicle pursuit, and to gunshots. This change in cause of death reflects two things. Firstly, there has been a decrease in the number of deaths occurring in police cells. When hanging points in police cells and lock-ups were identified as an issue by the Royal Commission into Aboriginal Deaths in Custody, efforts were made to reduce those (Sallybanks 2005), which may explain in part the drop in hanging deaths. Secondly, the expansion of the term 'police custody' to include custody-related operations since 1990 has meant that the opportunity for deaths to be recorded that occur as a result of vehicle pursuits, shootings and sieges has increased greatly. Most of the deaths recorded are now occurring during custody-related operations, typically involving motor vehicle pursuits and shootings. Motor vehicle pursuit and police shooting deaths are examined in detail in 'Motor vehicle pursuit and shooting deaths'.

## Deaths in prison custody

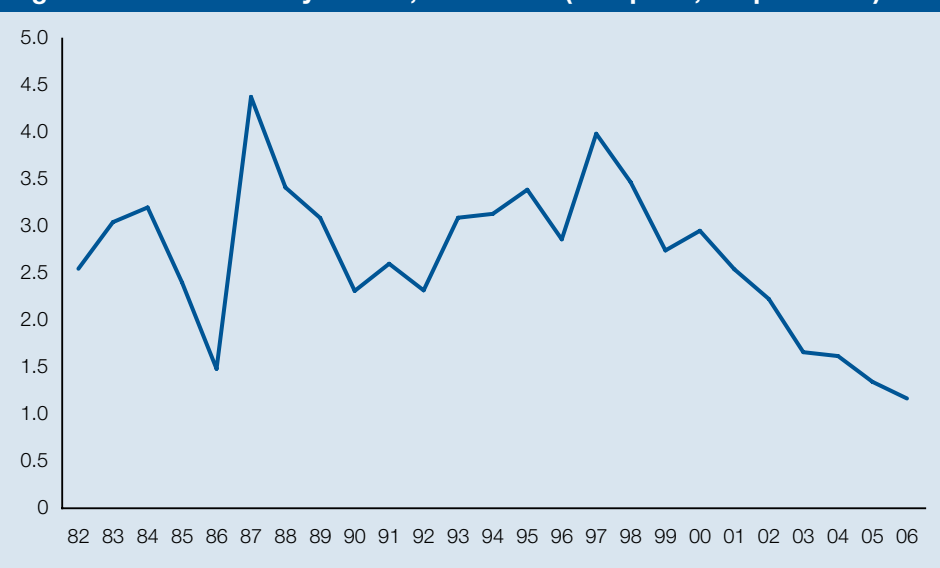
A total of 31 deaths occurred in prison custody in Australia in 2006. Across the jurisdictions:

- New South Wales recorded 14 deaths
- Victoria recorded four deaths
- Queensland recorded four deaths
- Western Australia recorded five deaths
- South Australia recorded two deaths
- Tasmania recorded one death
- Northern Territory recorded one death
- no deaths were recorded in the Australian Capital Territory.

Prison populations differ greatly across the states and territories, which has an impact on the number of deaths recorded. Table 20 presents the rates of death in prison relative to each jurisdiction's prison population.

A total of 1,161 deaths have been recorded in prison custody across Australia since 1980. Despite some fluctuation in rates of death between 1982 and 1996, no overall trend emerged during this period (Figure 5). There has been, however, a statistically significant decline in rates of prison death since 1997, with the rate of death in 2006 reaching its lowest point since data have been collected.

**Figure 5: Prison custody deaths, 1982–2006 (rate per 1,000 prisoners)**



Source: AIC NDICP 1982–2006 [computer file]

## Demographic characteristics

### *Indigenous status*

#### 2006

There were 25,790 prisoners in Australia as at 30 June 2006 and, of these, 24 percent (n=6,091) were Indigenous (ABS 2006a). Four of the 31 prison deaths in 2006 were of Indigenous persons (Table 20), equating to 13 percent of prison deaths. This is a lower proportion than would be expected based on the proportion of Indigenous people imprisoned. The rates of death for both Indigenous and non-Indigenous prisoners in 2006 was the lowest since data collection began. Based on ABS prison population data, the rates of death in prison custody across Australia were:

- 0.7 per 1,000 Indigenous prisoners
- 1.4 per 1,000 non-Indigenous prisoners.

**Table 20: Prison custody deaths by Indigenous status, 2006**  
(rate per 1,000 prisoners)

	Indigenous		Non-Indigenous		Persons	
	n	Rate	n	Rate	Total n	Rate
New South Wales	2	1.0	12	1.6	14	1.4
Victoria	0	0.0	4	0.8	4	1.1
Queensland	0	0.0	4	1.0	4	0.7
Western Australia	1	0.7	4	1.9	5	1.4
South Australia	0	0.0	2	1.6	2	1.3
Tasmania	0	0.0	1	2.2	1	2.0
Northern Territory	1	1.5	0	0.0	1	1.3
<b>Australia</b>	<b>4</b>	<b>0.7</b>	<b>27</b>	<b>1.4</b>	<b>31</b>	<b>1.2</b>

Source: AIC NDICP 1980–2006 [computer file]

## TRENDS

Between 1980 and 1986, the total number of deaths occurring in prison each year was below 40 (Table 21). Between 1994 and 2001, the total number of yearly deaths in prison custody was above 50. Since 2004, the yearly number of deaths has again been below 40.

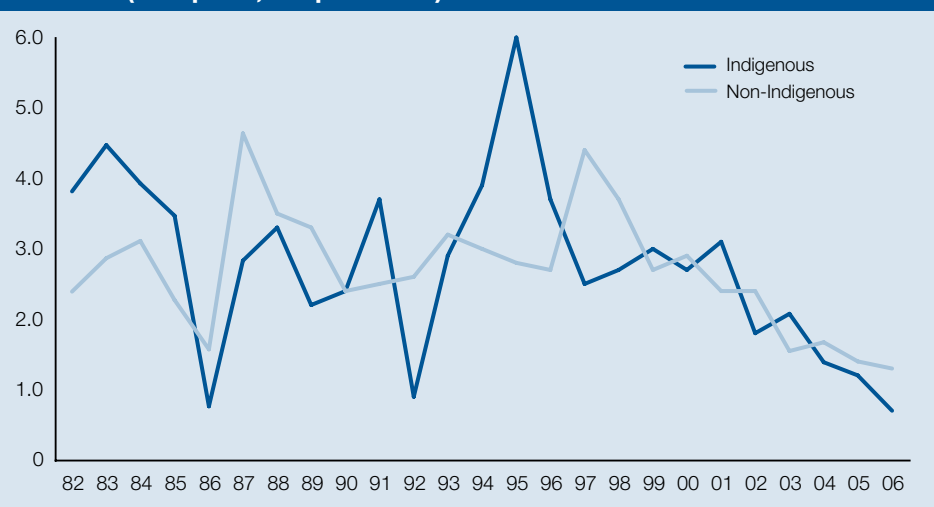
Since 1980, Indigenous persons have accounted for 17 percent (n=195) of all deaths of prisoners. This hides individual yearly differences, varying from between four percent of all deaths being of Indigenous prisoners in 1981 to 31 percent in 1995. The rates of death for Indigenous and non-Indigenous prisoners have generally fluctuated between one and six deaths per 1,000 prisoners since 1982. Fluctuations in rates have reduced since 1999, with both Indigenous and non-Indigenous rates of death converging since 1999 (Figure 6). Rates of death have declined significantly for Indigenous prisoners since 1995, and for non-Indigenous prisoners since 1997.

**Table 21: Prison custody deaths by Indigenous status, 1980–2006 (number)**

	Indigenous	Non-Indigenous	Total
1980	5	25	30
1981	1	27	28
1982	4	21	25
1983	5	26	31
1984	4	27	31
1985	4	22	26
1986	1	16	17
1987	5	48	53
1988	6	36	42
1989	4	36	40
1990	5	28	33
1991	8	31	39
1992	2	34	36
1993	7	42	49
1994	11	42	53
1995	18	41	59
1996	12	40	52
1997	9	67	76
1998	10	59	69
1999	13	46	59
2000	11	51	62
2001	14	43	57
2002	8	42	50
2003	10	30	40
2004	7	32	39
2005	7	27	34
2006	4	27	31
<b>Total</b>	<b>195</b>	<b>966</b>	<b>1,161</b>

Source: AIC NDICP 1980–2006 [computer file]

**Figure 6: Prison custody deaths by Indigenous status, 1982–2006**  
(rate per 1,000 prisoners)



Source: AIC NDICP 1982–2006 [computer file]

## Sex

### 2006

Thirty of the 31 prison deaths in 2006 were of males (Table 22). One death of a female was recorded in Victoria. The rate of death of female prisoners in 2006 (0.5 per 1,000 prisoners) was the lowest since 1992, while for males it was the lowest recorded since 1982 (1.3 per 1,000 prisoners).

**Table 22: Prison custody deaths by sex, 2006<sup>a</sup>**

	Male		Female		Persons	
	n	Rate	n	Rate	Total n	Rate
New South Wales	14	1.5	0	0.0	14	1.4
Victoria	3	0.8	1	4.1	4	1.0
Queensland	4	0.8	0	0.0	4	0.7
Western Australia	5	1.5	0	0.0	5	1.4
South Australia	2	1.4	0	0.0	2	1.3
Tasmania	1	2.1	0	0.0	1	2.0
Northern Territory	1	1.3	0	0.0	1	1.3
<b>Australia</b>	<b>30</b>	<b>1.3</b>	<b>1</b>	<b>0.5</b>	<b>31</b>	<b>1.2</b>

a: Rate per 1,000 prisoners (ABS 2006a)

Source: AIC NDICP 1980–2006 [computer file]

## TRENDS

Deaths of males have consistently outnumbered deaths of females each year since 1980 (Table 23). Since 1980, 96 percent of deaths have been male. This reflects the fact that the vast majority of prisoners in Australia (93%) are male. With the exception of 1982, 1983 and 1994, the trend in rates of death for males and females has been relatively low and stable (Figure 7). Greater fluctuation has occurred for female deaths due to the small number of females who died in prison custody.

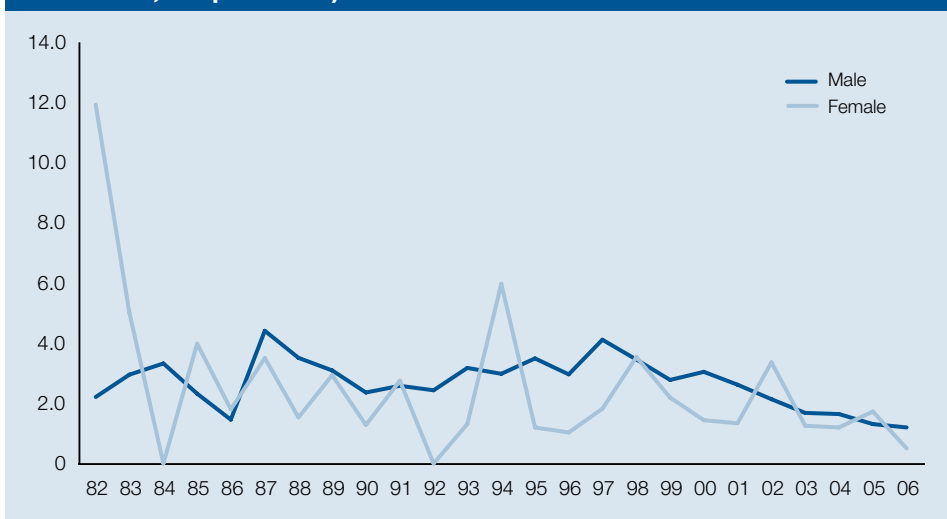
**Table 23: Prison custody deaths by sex, 1980–2006 (number)**

	Male	Female	Total
1980	30	0	30
1981	28	0	28
1982	21	4	25
1983	29	2	31
1984	31	0	31
1985	24	2	26
1986	16	1	17
1987	51	2	53
1988	41	1	42
1989	38	2	40
1990	32	1	33
1991	37	2	39
1992	36	0	36
1993	48	1	49
1994	48	5	53
1995	58	1	59
1996	51	1	52
1997	74	2	76
1998	65	4	69
1999	56	3	59
2000	60	2	62
2001	55	2	57
2002	45	5	50
2003	38	2	40
2004	37	2	39
2005	31	3	34
2006	30	1	31
<b>Total</b>	<b>1,110</b>	<b>51</b>	<b>1,161</b>

Source: AIC NDICP 1980–2006 [computer file]



**Figure 7: Prison custody deaths by sex, 1982–2006 (rate per 1,000 prisoners)**



Source: AIC NDICP 1982–2006 [computer file]

## Age

### 2006

In the general population in 2006, the median age at death was 77 years for males and 83 years for females (ABS 2006d). This is considerably older than the median age at time of death for males (33 years) and females (28 years) in prison custody. These younger median ages reflect the profile of offenders more generally, which is primarily young and male. The median age at time of death in 2006 was lower for Indigenous (30 years) than non-Indigenous (57 years) prisoners. Just under half of all deaths in prison custody in 2006 were of non-Indigenous persons aged 55 or over (Table 24).

### TRENDS

Since 1980 just under one-quarter (22%) of deaths have been of persons aged less than 25 years, 41 percent have been of persons aged 25 to 39 years, 21 percent have been of persons aged 40 to 54, and 15 percent have been of persons aged 55 or over (Table 25). While deaths of persons aged less than 25 years were generally more numerous each year than those aged 55 and over between 1980 and 2000, this pattern has reversed since 2001.

**Table 24: Prison custody deaths by age category, 2006 (number)**

	Less than 25	25–39	40–54	55+	Total	Median age
New South Wales	3	4	3	4	14	41
Victoria	0	1	1	2	4	54
Queensland	0	1	1	2	4	54
Western Australia	1	1	0	3	5	59
South Australia	0	0	0	2	2	69
Tasmania	0	0	0	1	1	89
Northern Territory	0	0	1	0	1	49
<b>Totals</b>						
<b>Indigenous</b>	<b>2</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>4</b>	<b>30</b>
<b>Non-Indigenous</b>	<b>2</b>	<b>6</b>	<b>5</b>	<b>14</b>	<b>27</b>	<b>57</b>
<b>All persons</b>	<b>4</b>	<b>7</b>	<b>6</b>	<b>14</b>	<b>31</b>	<b>49</b>

Source: AIC NDICP 1980–2006 [computer file]

Figure 8 shows that between 1982 and 2006:

- the rates of death for those aged 55 and over have had greater fluctuation and been consistently higher than for other age groups
- the rates of death for those aged under 55 have been relatively low and constant over this period.

Since 1980, Indigenous prisoners who died in prison were aged:

- less than 25 years (29%; n=57)
- 25–39 years (48%; n=93)
- 40–54 years (20%; n=39)
- 55 and older (3%; n=6).

Non-Indigenous prisoners who died in prison during this time were aged:

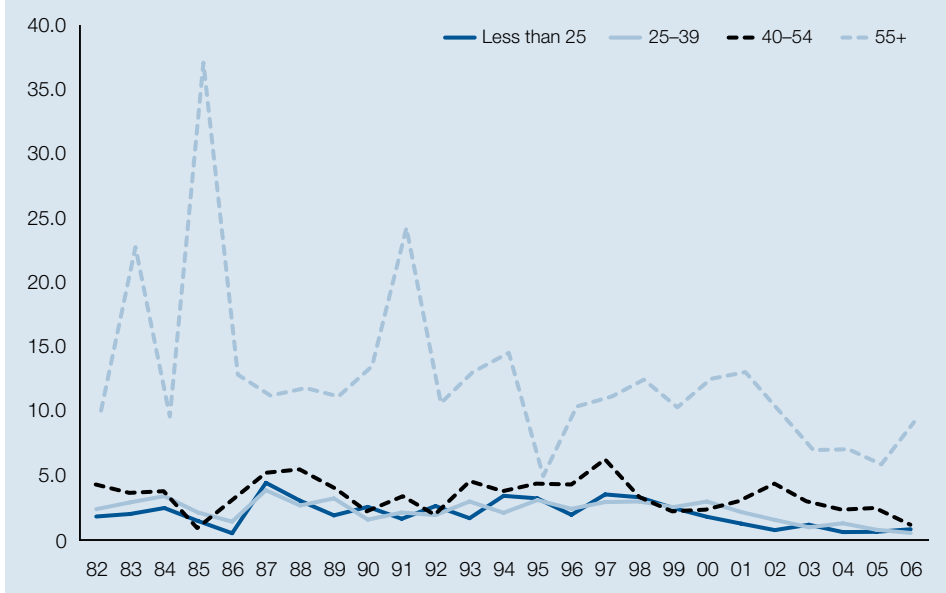
- less than 25 years (21%; n=201)
- 25–39 years (40%; n=388)
- 40–54 years (21%; n=204)
- 55 and older (18%; n=173).

**Table 25: Prison custody deaths by age category, 1980–2006 (number)**

	Less than 25	25–39	40–54	55+	Total
1980	8	11	8	3	30
1981	6	11	9	2	28
1982	7	11	5	2	25
1983	8	14	4	5	31
1984	9	16	4	2	31
1985	6	11	1	8	26
1986	2	8	4	3	17
1987	19	23	8	3	53
1988	13	16	9	4	42
1989	8	21	7	4	40
1990	12	11	4	6	33
1991	8	16	7	8	39
1992	13	15	4	4	36
1993	8	24	11	6	49
1994	17	18	10	8	53
1995	16	27	13	3	59
1996	10	22	13	7	52
1997	19	28	21	8	76
1998	18	30	11	10	69
1999	14	28	8	9	59
2000	10	32	8	12	62
2001	7	25	12	13	57
2002	4	18	18	10	50
2003	6	12	14	8	40
2004	3	16	11	9	39
2005	3	10	13	8	34
2006	4	7	6	14	31
<b>Total</b>	<b>258</b>	<b>481</b>	<b>243</b>	<b>179</b>	<b>1,161</b>

Source: AIC NDICP 1980–2006 [computer file]

**Figure 8: Prison custody deaths by age category, 1982–2006 (rate per 1,000 prisoners)**



Source: AIC NDICP 1982–2006 [computer file]

A greater proportion of Indigenous prisoners died in the younger age groups compared with non-Indigenous prisoners. The relative youth of Indigenous persons who die in prison custody compared with non-Indigenous persons may in part be explained by the average poorer levels of health for Indigenous than non-Indigenous people (SCRGSP 2005a). Indigenous people have a life expectancy at birth that is 17 years less than that for the wider Australian population and more long-term health conditions such as asthma, diabetes and kidney failure (ABS 2006b). When cause of death is examined by age for Indigenous prisoners, the impact of poor health is evident. Natural causes were the most common cause of death for Indigenous prisoners aged between 25 and 39 (48%; n=45), between 40 and 54 (87%; n=34) and for all six prisoners who were 55 or older. Hanging was the most common cause of death among those aged less than 25 (72%; n=41). Comparatively, for non-Indigenous prisoners hanging was the most common cause of death for those aged less than 25 (75%; n=149) and between 25 and 39 (47%; n=178). Natural causes were the most common cause of death for those aged 40 to 54 (57%; n=115), and 55 and older (83%; n=143). The overall disadvantage evident among Indigenous persons is reflected in a higher proportion of deaths in the younger age groups compared with their non-Indigenous counterparts.

## Circumstances surrounding the deaths

### *Cause of death*

2006

In 2006, most deaths in prison custody were due to natural causes (n=21; Table 26). Seven prisoners died from hanging and three from external/multiple trauma. Of the four Indigenous deaths in prison custody in 2006, two were due to hanging and two to natural causes.

Of the seven hanging deaths in prison custody in 2006:

- bedding materials were used in four deaths
- clothing other than belts or shoelaces was used in three deaths.

The most common hanging points in 2006 were shower fixtures (n=3), followed by fittings in the cell other than the bars, such as light fittings, ventilation grilles, door handles or beds (n=2). Cell bars and a bed frame were used in the remaining two cases.

**Table 26: Prison custody deaths by cause of death, 2006 (number)**

	<b>Hanging</b>	<b>Natural causes</b>	<b>Head injury</b>	<b>External/multiple trauma</b>	<b>Drugs/alcohol</b>	<b>Total</b>
New South Wales	5	9	0	0	0	14
Victoria	0	3	0	1	0	4
Queensland	1	2	0	1	0	4
Western Australia	1	3	0	1	0	5
South Australia	0	2	0	0	0	2
Tasmania	0	1	0	0	0	1
Northern Territory	0	1	0	0	0	1
<b>Totals</b>						
<b>Indigenous</b>	<b>2</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>4</b>
<b>Non-Indigenous</b>	<b>5</b>	<b>19</b>	<b>0</b>	<b>3</b>	<b>0</b>	<b>27</b>
<b>All persons</b>	<b>7</b>	<b>21</b>	<b>0</b>	<b>3</b>	<b>0</b>	<b>31</b>

Source: AIC NDICP 1980–2006 [computer file]

### TRENDS

Since 1980, deaths due to hanging and natural causes have consistently been the most common causes of death in prison each year (Table 27). Over this period, deaths due to drug or acute alcohol toxicity have been consistently low, while deaths due to head injury or gunshot have been consistently very low and in several years, non-existent. Figure 9 demonstrates that the proportion of deaths in each category has remained fairly constant each year. Forty-two percent (n=476) of prison deaths since 1980 have been due to hanging, followed by 37 percent (n=419) that were due to natural causes.

Since 1980, deaths of Indigenous prisoners were due to:

- natural causes (47%; n=92)
- hanging (40%; n=77)
- external and/or multiple trauma (6%; n=11)
- drug and/or alcohol toxicity (5%; n=10).

The proportion of non-Indigenous prisoners who died due to natural causes was lower than for Indigenous prisoners (34%).

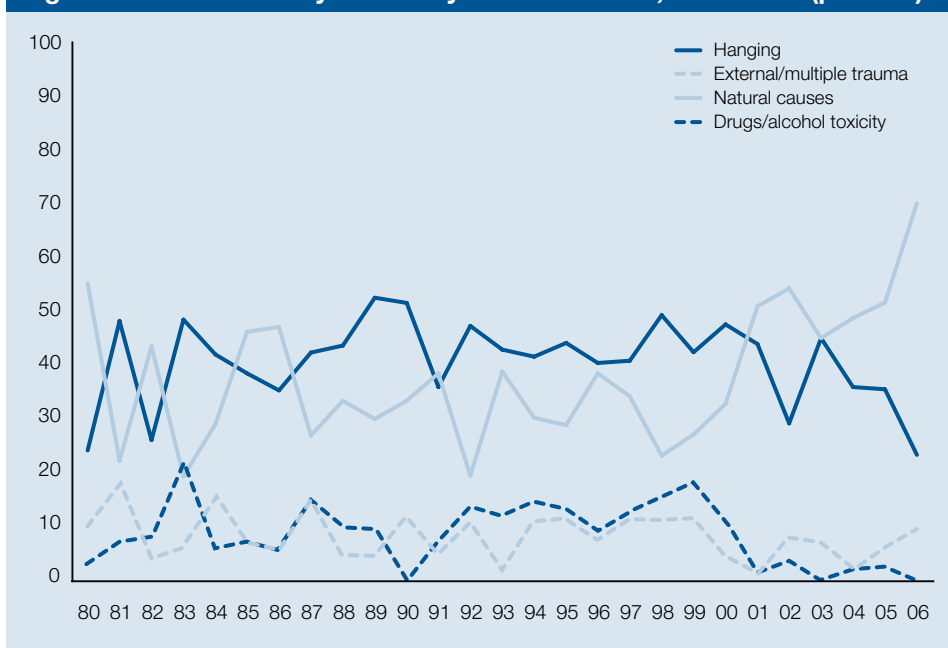
**Table 27: Prison custody deaths by cause of death, 1980–2006 (number)**

	Hanging	Natural causes	Head injury	Gunshot	External/ multiple trauma	Drugs/ alcohol	Other	Total
1980	7	16	2	0	3	1	0	29
1981	13	6	0	1	5	2	0	27
1982	6	10	0	1	1	2	3	23
1983	15	6	0	0	2	7	1	31
1984	13	9	0	1	5	2	1	31
1985	10	12	0	0	2	2	0	26
1986	6	8	1	0	1	1	0	17
1987	22	14	0	0	8	8	0	52
1988	17	13	1	0	2	4	2	39
1989	21	12	0	1	2	4	0	40
1990	17	11	0	0	4	0	1	33
1991	14	15	3	0	2	3	2	39
1992	17	7	0	2	4	5	1	36
1993	21	19	1	0	1	6	1	49
1994	22	16	0	0	6	8	1	53
1995	26	17	0	0	7	8	1	59
1996	21	20	2	0	4	5	0	52
1997	31	26	0	0	9	10	0	76
1998	34	16	0	0	8	11	0	69
1999	25	16	0	0	7	11	0	59
2000	29	20	2	0	3	7	0	61
2001	25	29	0	0	1	1	1	57
2002	15	25	0	1	4	2	2	49
2003	18	18	0	0	3	0	1	40
2004	14	19	1	0	1	1	0	36
2005	10	18	1	0	2	1	0	32
2006	7	21	0	0	3	0	0	31
<b>Total<sup>a</sup></b>	<b>476</b>	<b>419</b>	<b>14</b>	<b>7</b>	<b>100</b>	<b>112</b>	<b>18</b>	<b>1,146</b>

a: 15 cases have been excluded due to missing data

Source: AIC NDICP 1980–2006 [computer file]

**Figure 9: Prison custody deaths by cause of death, 1980–2006 (percent)**



Source: AIC NDICP 1980–2006 [computer file]

Data have been collected on hanging points and materials used to hang with since 1990. Of the 346 hanging deaths in prison custody between 1990 and 2006, cell bars accounted for 37 percent of hanging points, other fittings inside cells comprised 34 percent and shower fixtures comprised 12 percent (Table 28). Seven percent of cases were missing this information. Sheets have consistently been the most common object used each year in hanging deaths (57%; Table 29).

**Table 28: Prison custody hanging deaths by hanging point used, 1990–2006 (number)**

	Cell bars	Shower fixture	Other cell fitting	Fitting outside cell	Bed bunk	Other	Total
1990	10	0	4	0	0	0	14
1991	6	0	7	0	0	0	13
1992	7	2	6	0	0	0	15
1993	9	3	7	0	2	0	21
1994	8	2	9	1	2	0	22
1995	10	4	10	0	1	0	25
1996	5	0	8	3	1	0	17
1997	8	6	13	0	3	1	31
1998	7	5	15	0	3	0	30
1999	12	1	8	1	2	0	24
2000	8	2	8	0	6	0	24
2001	9	6	3	2	3	1	24
2002	8	7	0	0	0	0	15
2003	8	1	9	0	0	0	18
2004	7	0	3	0	3	0	13
2005	4	1	4	0	1	0	10
2006	1	3	2	0	1	0	7
<b>Total<sup>a</sup></b>	<b>127</b>	<b>43</b>	<b>116</b>	<b>7</b>	<b>28</b>	<b>2</b>	<b>323</b>

a: 23 cases have been excluded due to missing data

Source: AIC NDICP 1990–2006 [computer file]



**Table 29: Prison custody hanging deaths by material used, 1990–2006 (number)**

	<b>Sheets</b>	<b>Shoelaces</b>	<b>Belt</b>	<b>Other clothing</b>	<b>Rope/cord</b>	<b>Other</b>	<b>Total</b>
1990	8	0	1	1	1	4	15
1991	7	0	1	0	4	2	14
1992	12	0	1	2	1	1	17
1993	11	1	1	2	3	3	21
1994	17	0	1	3	1	0	22
1995	16	0	2	2	1	4	25
1996	10	3	1	2	2	0	18
1997	16	5	0	2	6	1	30
1998	22	1	1	1	2	1	28
1999	9	7	0	2	3	2	23
2000	17	3	0	3	4	0	27
2001	14	1	0	2	1	4	22
2002	12	0	0	1	0	1	14
2003	9	5	0	2	0	2	18
2004	8	1	0	1	1	1	12
2005	6	0	0	1	1	1	9
2006	4	0	0	3	0	0	7
<b>Total<sup>a</sup></b>	<b>198</b>	<b>27</b>	<b>9</b>	<b>30</b>	<b>31</b>	<b>27</b>	<b>322</b>

a: 24 cases have been excluded due to missing data

Source: AIC NDICP 1980–2006 [computer file]

## Manner of death

### 2006

Twenty-one of the 31 prison deaths in 2006 were due to natural causes (Table 30). A further eight deaths were considered to have been self-inflicted and two due to unlawful homicide. Of the four Indigenous deaths in prison custody in 2006, two were self-inflicted and two were due to natural causes.

**Table 30: Prison custody deaths by manner of death, 2006 (number)**

	Self-inflicted	Natural causes	Unlawful homicide	Total
New South Wales	5	9	0	14
Victoria	0	3	1	4
Queensland	1	2	1	4
Western Australia	2	3	0	5
South Australia	0	2	0	2
Tasmania	0	1	0	1
Northern Territory	0	1	0	1
<b>Totals</b>				
<b>Indigenous</b>	<b>2</b>	<b>2</b>	<b>0</b>	<b>4</b>
<b>Non-Indigenous</b>	<b>6</b>	<b>19</b>	<b>2</b>	<b>27</b>
<b>All persons</b>	<b>8</b>	<b>21</b>	<b>2</b>	<b>31</b>

Source: AIC NDICP 1980–2006 [computer file]

### *Trends*

Since 1980, 46 percent of deaths have been self-inflicted and 37 percent have been due to natural causes (Table 31). During this period:

- self-inflicted deaths and deaths due to natural causes have consistently been the two most frequent manners of death each year
- no deaths were recorded as being due to justifiable or unlawful homicide between 1980 and 1991
- deaths due to unlawful homicide became more frequent between 1992 and 1999, and have since dropped off.

Figure 10 shows that, as a proportion of all deaths, those due to natural causes have been increasing since 1998, while accidental deaths and those due to unlawful homicide have decreased since 1999. For all Indigenous prisoners who died in custody since 1980, manner of death was attributable to:

- natural causes (48%)
- self-inflicted deaths (42%)
- accidental deaths (5%)
- unlawful homicides (3%).

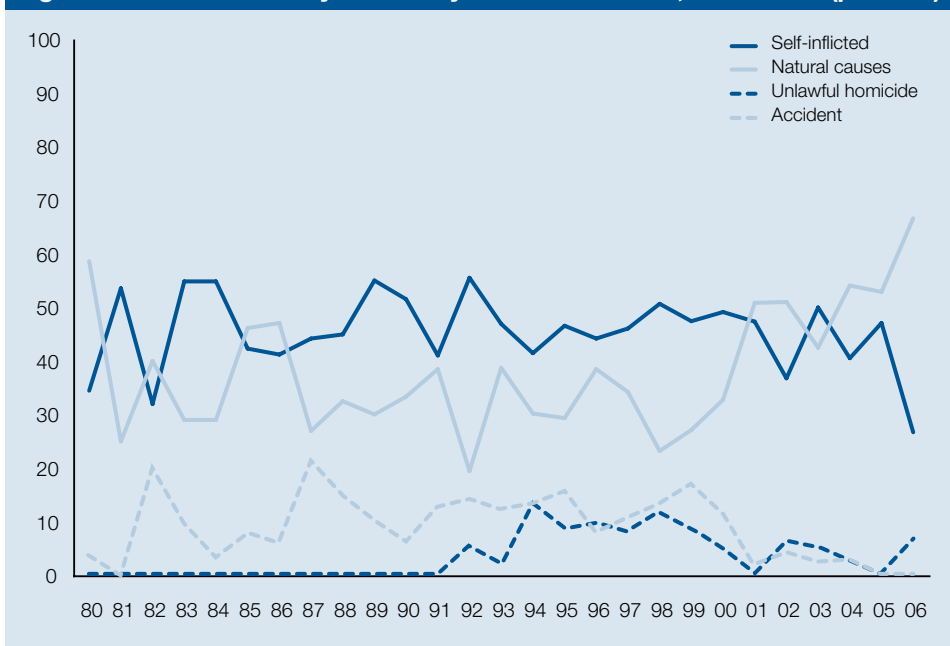
**Table 31: Prison custody deaths by manner of death, 1980–2006 (number)**

	Self-inflicted	Natural causes	Justifiable homicide	Unlawful homicide	Accident	Other/unknown	Total
1980	10	17	0	0	1	1	29
1981	15	7	0	0	0	6	28
1982	8	10	0	0	5	2	25
1983	17	9	0	0	3	2	31
1984	17	9	0	0	1	4	31
1985	11	12	0	0	2	1	26
1986	7	8	0	0	1	1	17
1987	23	14	0	0	11	4	52
1988	18	13	0	0	6	3	40
1989	22	12	0	0	4	2	40
1990	17	11	0	0	2	3	33
1991	16	15	0	0	5	3	39
1992	20	7	2	2	5	0	36
1993	23	19	0	1	6	0	49
1994	22	16	0	7	7	1	53
1995	27	17	0	5	9	0	58
1996	23	20	0	5	4	0	52
1997	35	26	0	6	8	1	76
1998	35	16	0	8	9	1	69
1999	28	16	0	5	10	0	59
2000	30	20	1	3	7	0	61
2001	27	29	0	0	1	0	57
2002	18	25	1	3	2	0	49
2003	20	17	0	2	1	0	40
2004	15	20	0	1	1	0	37
2005	15	19	0	0	0	0	34
2006	8	21	0	2	0	0	31
<b>Total<sup>a</sup></b>	<b>527</b>	<b>425</b>	<b>4</b>	<b>50</b>	<b>111</b>	<b>35</b>	<b>1,152</b>

a: Nine cases have been excluded due to missing data

Source: AIC NDICP 1980–2006 [computer file]

**Figure 10: Prison custody deaths by manner of death, 1980–2006 (percent)**



Source: AIC NDICP 1980–2006 [computer file]

## Most serious offence

### 2006

Twenty-two of the 31 prison deaths in 2006 were of persons whose most serious offence was violent in nature (Table 32). This was followed by six deaths of persons with theft-related most serious offences, two persons with good order offences, and one person with a drug-related offence as their most serious. Of the four Indigenous deaths, three involved violence as the most serious offence prior to custody and one involved theft.

**Table 32: Prison custody deaths by most serious offence, 2006 (number)**

	<b>Violent</b>	<b>Theft related</b>	<b>Drug related</b>	<b>Traffic</b>	<b>Good order</b>	<b>Total</b>
New South Wales	9	4	0	0	1	14
Victoria	2	1	0	0	1	4
Queensland	3	1	0	0	0	4
Western Australia	5	0	0	0	0	5
South Australia	1	0	1	0	0	2
Tasmania	1	0	0	0	0	1
Northern Territory	1	0	0	0	0	1
<b>Totals</b>						
<b>Indigenous</b>	<b>3</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>4</b>
<b>Non-Indigenous</b>	<b>19</b>	<b>5</b>	<b>1</b>	<b>0</b>	<b>2</b>	<b>27</b>
<b>All persons</b>	<b>22</b>	<b>6</b>	<b>1</b>	<b>0</b>	<b>2</b>	<b>31</b>

Source: AIC NDICP 1980–2006 [computer file]

### *Trends*

In 2006, most offenders were imprisoned for violent offences (approximately 52%; ABS 2006a). The most recent prisoner census data reveal that almost 60 percent of the Indigenous prisoner population had a violent offence as their most serious offence, compared with almost half of non-Indigenous prisoners. There is a range of offences under the violent offence category, including acts intended to cause injury, sexual assault, homicide and robbery. Among these specific offences, acts intended to cause injury (28%) were the most common offence for which Indigenous prisoners were sentenced to a term of imprisonment (ABS 2006a). Since 1980, 51 percent of prisoners who died in custody had been imprisoned for violent offences, followed by theft-related offences (30%; Table 33). Each year since 1993, violent offences have been the most frequent most serious offence prior to custody. Traffic and good order offences as the most serious offence have been low each year.

Since 1980, the most serious offence relating to deaths of Indigenous prisoners has been:

- violent offences (58%; n=114)
- theft-related offences (24%; n=47)
- good order offences (7%; n=14)
- drug-related offences (2%; n=4)
- traffic offences (4%; n=8)
- other (4%; n=7).

The most serious offence relating to deaths of non-Indigenous prisoners has been:

- violent offences (49%; n=467)
- theft-related offences (31%; n=297)
- good order offences (6%; n=60)
- drug-related offences (8%, n=77)
- traffic offences (3%; n=25)
- other (3%; n=25).

**Table 33: Prison custody deaths by most serious offence, 1980–2006 (number)**

	<b>Violent</b>	<b>Theft related</b>	<b>Drug related</b>	<b>Traffic</b>	<b>Good order</b>	<b>Other</b>	<b>Total</b>
1980	10	6	4	2	5	2	29
1981	15	9	1	1	2	0	28
1982	7	9	3	1	3	1	24
1983	13	9	0	1	7	0	30
1984	15	10	2	2	1	0	30
1985	11	11	1	0	1	0	24
1986	10	2	1	1	2	0	16
1987	17	22	2	1	5	1	48
1988	24	12	1	1	2	1	41
1989	22	12	3	0	0	1	38
1990	15	10	1	0	3	4	33
1991	23	9	3	0	3	1	39
1992	13	16	3	0	2	2	36
1993	22	18	3	2	4	0	49
1994	25	22	1	1	3	2	54
1995	31	17	8	2	1	0	59
1996	22	20	4	2	1	3	52
1997	34	20	10	2	8	1	75
1998	29	28	5	1	6	0	69
1999	26	25	5	1	1	1	59
2000	37	15	5	2	1	2	62
2001	30	11	6	2	3	5	57
2002	31	9	2	2	4	2	50
2003	28	3	3	2	3	0	39
2004	29	2	2	3	0	3	39
2005	20	11	1	1	1	0	34
2006	22	6	1	0	2	0	31
<b>Total<sup>a</sup></b>	<b>581</b>	<b>344</b>	<b>81</b>	<b>33</b>	<b>74</b>	<b>32</b>	<b>1,145</b>

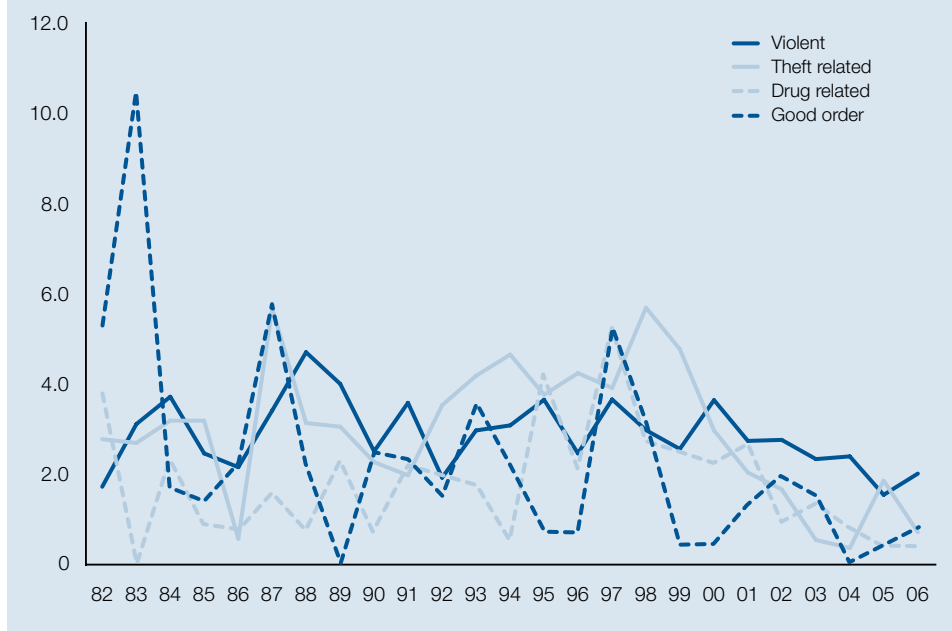
a: 16 cases have been excluded due to missing data

Source: AIC NDICP 1980–2006 [computer file]

Figure 11 shows the trends in rates of death since 1982 according to the most serious offence committed immediately prior to the final period of custody. The rates of death have generally fluctuated between one and five deaths per 1,000 prisoners (with the exception of 1983) for the four more common types of offence category: violent, theft-related, drug-related and good order offences. The trends for specific offences show that:

- rates of violent offence deaths have been relatively constant over the years
- rates of theft-related offence deaths fluctuated up to 1998 but have since declined
- rates of drug-related offence deaths showed some fluctuation up until 1997 but have trended downward since then.

**Figure 11: Prison custody deaths by most serious offence, 1982–2006  
(rate per 1,000 prisoners)<sup>a</sup>**



a: Cases for which traffic and other offences were recorded as most serious offence have been excluded due to small numbers

Source: AIC NDICP 1982–2006 [computer file]

## Location of death

### 2006

In 2006, 12 prison deaths occurred in public hospitals, 11 in cells, six in prison hospitals, and two in other custodial settings (Table 34). Two Indigenous deaths in 2006 occurred in prison hospitals and a further two occurred in cells.

**Table 34: Prison custody deaths by location, 2006 (number)**

	Public hospital	Prison hospital	Cell	Other custodial setting	Total
New South Wales	4	2	7	1	14
Victoria	1	3	0	0	4
Queensland	3	0	1	0	4
Western Australia	2	0	3	0	5
South Australia	1	0	0	1	2
Tasmania	1	0	0	0	1
Northern Territory	0	1	0	0	1
<b>Totals</b>					
<b>Indigenous</b>	<b>0</b>	<b>2</b>	<b>2</b>	<b>0</b>	<b>4</b>
<b>Non-Indigenous</b>	<b>12</b>	<b>4</b>	<b>9</b>	<b>2</b>	<b>27</b>
<b>All persons</b>	<b>12</b>	<b>6</b>	<b>11</b>	<b>2</b>	<b>31</b>

Source: AIC NDICP 1980–2006 [computer file]

### Trends

Since 1980, over half of all prison deaths (60%) have occurred in cells (Table 35). The proportions of all deaths occurring in cells have been similar for both Indigenous (57%) and non-Indigenous (55%) persons.



**Table 35: Prison custody deaths by location, 1980–2006 (number)**

	Public hospital	Prison hospital	Cell	Custodial setting	Public place	Other custodial setting	Total
1980	12	0	11	0	0	0	23
1981	5	0	13	0	0	0	18
1982	8	0	6	0	0	0	14
1983	9	0	19	0	0	0	28
1984	9	0	16	0	0	0	25
1985	7	0	12	0	0	0	19
1986	8	0	6	0	0	0	14
1987	12	0	31	0	0	0	43
1988	12	0	19	0	0	0	31
1989	8	0	21	0	0	0	29
1990	5	0	26	0	0	0	31
1991	14	0	24	0	0	0	38
1992	11	3	19	2	1	0	36
1993	13	5	29	2	0	0	49
1994	7	8	36	2	0	0	53
1995	17	6	33	2	0	1	59
1996	15	2	25	8	1	1	52
1997	15	10	49	1	0	1	76
1998	9	6	45	9	0	0	69
1999	11	5	38	5	0	0	59
2000	19	2	39	2	0	0	62
2001	18	0	31	6	2	0	57
2002	19	4	22	5	0	0	50
2003	8	4	25	3	0	0	40
2004	17	5	17	0	0	0	39
2005	7	3	21	3	0	0	34
2006	12	6	11	2	0	0	31
<b>Total<sup>a</sup></b>	<b>307</b>	<b>69</b>	<b>644</b>	<b>52</b>	<b>4</b>	<b>3</b>	<b>1,079</b>

a: 82 cases have been excluded due to missing data

Source: AIC NDICP 1980–2006 [computer file]

## Legal status of prisoners who died in custody

### 2006

At 30 June 2006, almost 78 percent of all prisoners across Australia were serving a sentence (n=20,209), while the remaining 22 percent were unsentenced prisoners on remand (ABS 2006a). Of the 31 deaths that occurred in 2006, 25 (81%) were of sentenced prisoners and six were of remanded prisoners (Table 36). All four Indigenous prisoners in 2006, and 22 of the 27 non-Indigenous prisoners, had been sentenced at the time of death.

**Table 36: Prison custody deaths by legal status, 2006<sup>a</sup>**

	Sentenced		Unsentenced		Persons	
	n	Rate	n	Rate	Total n	Rate
New South Wales	11	1.4	3	1.4	14	1.4
Victoria	3	0.9	1	1.4	4	1.1
Queensland	2	0.5	2	1.6	4	0.7
Western Australia	5	1.7	0	0.0	5	1.4
South Australia	2	2.0	0	0.0	2	1.3
Tasmania	1	2.6	0	0.0	1	2.0
Northern Territory	1	1.6	0	0.0	1	1.3
<b>Australia</b>	<b>25</b>	<b>1.2</b>	<b>6</b>	<b>1.1</b>	<b>31</b>	<b>1.2</b>

a: Rate per 1,000 prisoners (ABS 2006a)

Source: AIC NDICP 1980–2006 [computer file]

### Trends

Seventy percent of Indigenous prisoners and 68 percent of non-Indigenous prisoners who have died in custody since 1980 were sentenced at the time of their death. The proportion of prisoners who died each year and were sentenced fluctuated between 60 and 80 percent (Table 37).

Table 37: Prison custody deaths by legal status, 1980–2006 (number)			
	Sentenced	Unsentenced	Total
1980	22	7	29
1981	21	7	28
1982	16	8	24
1983	21	10	31
1984	21	9	30
1985	17	6	23
1986	9	6	15
1987	37	14	51
1988	30	10	40
1989	25	13	38
1990	23	9	32
1991	25	14	39
1992	26	10	36
1993	32	17	49
1994	34	19	53
1995	42	17	59
1996	40	12	52
1997	48	28	76
1998	45	24	69
1999	38	21	59
2000	43	19	62
2001	37	20	57
2002	33	17	50
2003	26	14	40
2004	24	15	39
2005	20	14	34
2006	25	6	31
<b>Total<sup>a</sup></b>	<b>780</b>	<b>366</b>	<b>1,146</b>

a: 15 cases have been excluded due to missing data

Source: AIC NDICP 1980–2006 [computer file]

## Type of prison in which deaths occurred: government versus private

The first private prison in Australia was made operational in 1990 (Harding 1992) and since this time, deaths in private prisons have accounted for almost 10 percent (n=84) of all deaths in prison custody. In 2006, 23 of the 31 deaths in prison custody occurred in the custody of government-run prisons (Table 38), which is not surprising given that the majority of prisoners are housed in government-run prisons (80%; n=20,690). The rates of death in both private and government-run prisons were similar, with 1.2 deaths per 1,000 prisoners in privately run prisons and 1.1 deaths per 1,000 prisoners in government-run prisons. Since 1990, 11 percent (n=10) of deaths in private prisons and 19 percent (n=147) of deaths in government-run prisons were of Indigenous prisoners.

**Table 38: Prison custody deaths by type of prison, 2006 (rate per 1,000 relevant prisoners)**

	Private		Government		All prisons	
	n	Rate	n	Rate	Total n	Rate
New South Wales	1	1.4	12	1.4	13	1.4
Victoria	2	0.8	1	0.7	3	0.8
Queensland	2	1.5	2	0.5	4	0.7
Western Australia	0	0.0	5	1.8	5	1.4
South Australia	1	9.1	1	0.7	2	1.3
Tasmania	0	0.0	1	2.0	1	2.0
Northern Territory	0	0.0	1	1.3	1	1.3
<b>Total<sup>a</sup></b>	<b>6</b>	<b>1.2</b>	<b>23</b>	<b>1.1</b>	<b>29</b>	<b>1.2</b>

a: One case has been excluded as the offender was in the custody of corrective services but had not been admitted into prison at the time of death

Note: There are no private prisons in operation in Tasmania and the Northern Territory

Source: AIC NDICP 1980–2006 [computer file]

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## Summary

There were 31 deaths in prison custody across Australia in 2006, four of which were of Indigenous persons. Seven hanging deaths occurred, two of which involved Indigenous persons. One female died in prison custody.

There has been a statistically significant decline in rates of prison death since 1997, with the rate of death in 2006 reaching its lowest point since data collection began. Despite some fluctuation in rates of death for Indigenous and non-Indigenous prisoners between 1982 and 1998, fluctuations in rates have reduced since 1999, with both Indigenous and non-Indigenous rates of death becoming much more similar since 1999. Rates of death have declined significantly for Indigenous prisoners since 1995 and for non-Indigenous prisoners since 1997.

Of all deaths that have occurred since 1980, 96 percent have been of males. This reflects the fact that the vast majority of prisoners in Australia (93%) are male. Hanging and natural causes have consistently been the most common causes of death in prison since 1980. About half of prisoners who died in prison custody since 1980 had their most serious offence prior to imprisonment recorded as a violent offence, and violent offences have been the most frequently recorded most serious offence each year since 1993. Since 1980, violence as the most serious offence was proportionately higher for deaths of Indigenous prisoners (59%) who died in prison custody than for non-Indigenous prisoners (49%). These numbers reflect almost exactly the proportion of the prisoner population with a violent offence as their most serious offence.

Prisoners are most likely to die from natural causes or to self-inflict death, primarily by hanging. In the case of Indigenous prisoners, a greater proportion dies of natural causes at a younger age than non-Indigenous prisoners. Both young Indigenous and non-Indigenous prisoners are more likely to hang themselves than older prisoners.

## Motor vehicle pursuit and shooting deaths

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## Deaths resulting from motor vehicle pursuits and police shootings in the National Deaths in Custody Program dataset

Deaths occurring during motor vehicle pursuits or as a result of police shootings are cases that attract a great deal of media and public attention. They often take place in public areas, which means they can impact on other members of the community who are not directly involved (for example, where a person being pursued by police in a vehicle may lose control of the car and collide with another car or bystanders). This section presents information on the characteristics and circumstances of deaths that result from motor vehicle pursuits and police shootings.

### Limitations of the data sources

Police and coronial records (the two main data sources for this section) do not always contain complete data on each incident of pursuit or shooting. In particular, there is a great deal of missing information for three variables: time of incident, duration of pursuit, and speeds reached during the pursuit. The NDICP collection forms that are sent to police departments do not currently ask for information on these variables, which means that information on them can only be gleaned (where available) from coronial records. Coronial findings are relied on to confirm information from police reports and to complete missing information, however not all information is reported consistently in coronial records across cases. This means that by necessity some variables will have only limited information available.

The length of time taken for some coronial findings to become available also means that NDICP cases are often updated retrospectively. For 2006 and recent years, information on cases involving pursuits and shootings may not yet be available. It is for this reason that Tables 43, 44, 47 and 54 are incomplete and exclude many cases due to missing data. Table 39 lists the key variables missing for the 18 motor vehicle pursuit deaths in 2005 and 2006.

**Table 39: Key variables missing for motor vehicle pursuit deaths, 2005 and 2006**

Case number	Most serious offence	Top speed	Length of pursuit	Time of incident
200508	✓	✗	✗	✗
200510	✓	✗	✗	✗
200536	✓	✗	✗	✓
200537	✓	✗	✗	✗
200549	✗	✗	✗	✗
200551	✓	✗	✗	✗
200552	✓	✗	✗	✗
200554	✓	✓	✗	✓
200601	✓	✗	✗	✗
200618	✓	✓	✓	✓
200622	✗	✓	✗	✗
200628	✗	✓	✓	✗
200642	✗	✗	✗	✗
200644	✓	✗	✗	✗
200645	✓	✗	✗	✗
200650	✗	✗	✗	✗
200651	✗	✓	✓	✗
200653	✗	✗	✗	✗

Source: AIC NDICP 2005–2006 [computer file]

## Motor vehicle pursuit deaths

### 2006

Ten motor vehicle pursuit deaths occurred in 2006. Across the jurisdictions, the number of deaths recorded was:

- three in New South Wales
- three in Victoria
- one in each of Queensland, Western Australia, South Australia and the Northern Territory.



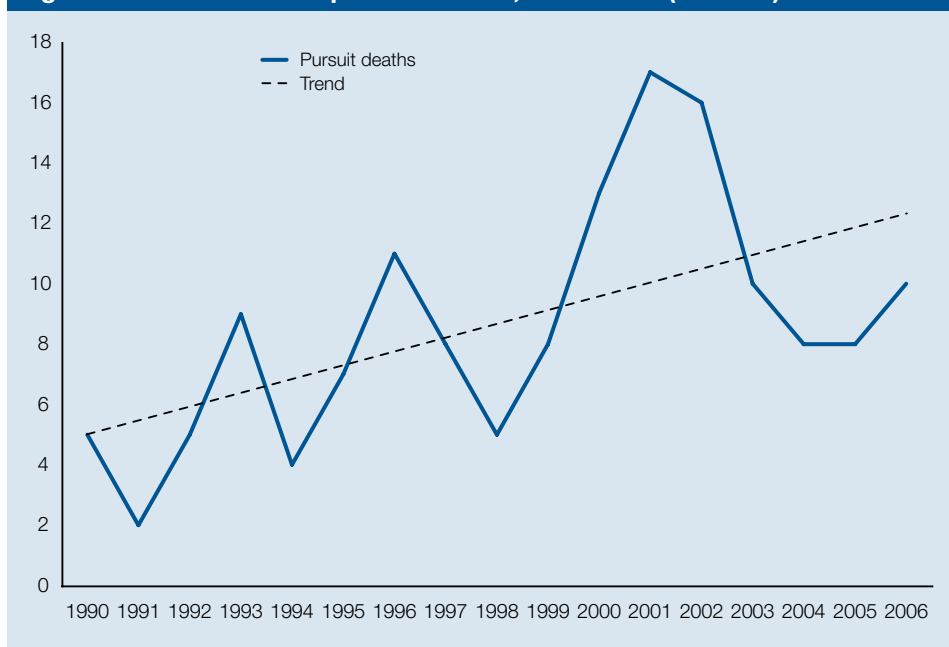
## Trends

Since 1990, there have been 146 deaths resulting from motor vehicle pursuits (Table 40). The number of pursuit deaths increased between 1998 and 2001, then decreased between 2001 and 2004 (Figure 12; Table 40). Overall there has been a slight but statistically significant increase in the number of motor vehicle pursuit deaths since 1990.

Since 1990, the number of deaths for each jurisdiction has been:

- 58 in New South Wales
- 26 in Victoria
- 16 in Queensland
- 25 in Western Australia
- 12 in South Australia
- six in the Northern Territory
- two in the Australian Capital Territory
- one in Tasmania.

**Figure 12: Motor vehicle pursuit deaths, 1990–2006 (number)**



\* Significant to  $p < .05$

Source: AIC NDICP 1990–2006 [computer file]

## Demographic characteristics

### *Indigenous status*

Of the 10 motor vehicle pursuit deaths in 2006, four involved Indigenous persons (Table 40). Over one-quarter (26%) of all deaths due to motor vehicle pursuits recorded since 1990 have involved Indigenous persons. Table 40 lists the raw numbers of deaths from 1990 to 2006.

**Table 40: Motor vehicle pursuit deaths, 1990–2006 (number)**

	Indigenous	Non-Indigenous	Total
1990	3	2	5
1991	1	1	2
1992	2	3	5
1993	0	9	9
1994	0	4	4
1995	4	3	7
1996	4	7	11
1997	2	6	8
1998	0	5	5
1999	2	6	8
2000	2	11	13
2001	3	14	17
2002	3	13	16
2003	2	8	10
2004	2	6	8
2005	4	4	8
2006	4	6	10
<b>Total</b>	<b>38</b>	<b>108</b>	<b>146</b>

Source: AIC NDICP 1990–2006 [computer file]

### *Sex*

Three females died during police motor vehicle pursuits in 2006 (Table 41). Since 1990, males have accounted for the vast majority of motor vehicle pursuit deaths, outnumbering female deaths every year.

**Table 41: Motor vehicle pursuit deaths by sex, 1990–2006 (number)**

	Male	Female	Total
1990	4	1	5
1991	2	0	2
1992	4	1	5
1993	8	1	9
1994	4	0	4
1995	7	0	7
1996	11	0	11
1997	8	0	8
1998	5	0	5
1999	6	2	8
2000	13	0	13
2001	16	1	17
2002	13	3	16
2003	9	1	10
2004	8	0	8
2005	7	1	8
2006	7	3	10
<b>Total</b>	<b>132</b>	<b>14</b>	<b>146</b>

Source: AIC NDICP 1990–2006 [computer file]

## Age

The average age at time of death for persons involved in police pursuits in 2006 was 26 years (23 years for Indigenous persons and 29 years for non-Indigenous persons). Five of the 10 pursuit deaths in 2006 were of persons aged less than 25 years. Since 1990, just under two-thirds (64%) of deaths from motor vehicle pursuits were of persons aged under 25 years.

Since 1990, the average age of Indigenous persons who died during motor vehicle pursuits was 20 years, five years younger than for non-Indigenous persons in the same circumstances (25 years). Sixty-four percent of deaths were of persons aged less than 25 years (n=94; Table 42). Over three-quarters (75%) of Indigenous deaths were of persons aged less than 25 while the corresponding number for non-Indigenous persons was 59 percent.

Of those aged under 25 years, most who died were aged 17 or younger (46%; n=43). Since 1990, deaths of persons in this age group comprised:

- 15 deaths of 17-year-olds
- 11 deaths of 16-year-olds
- four deaths of 15-year-olds
- eight deaths of 14-year-olds
- three deaths of 13-year-olds
- two deaths of 12-year-olds.

The youth of a large proportion of persons who die during or following a motor vehicle pursuit is important given the legal age of obtaining a driver's licence (specifically, a learner's permit) is 16 in all jurisdictions (except the Australian Capital Territory where the legal driving age is 15 and nine months). Almost two in five deaths of youths aged 17 or less were of persons who were not of legal driving age.

**Table 42: Motor vehicle pursuit deaths by age at time of death, 1990–2006 (number)**

	Less than 15	15–19	20–24	25–29	30+	Total
1990	1	3	0	0	1	5
1991	0	1	0	0	1	2
1992	2	0	1	1	1	5
1993	0	4	3	2	0	9
1994	0	1	1	2	0	4
1995	0	4	2	1	0	7
1996	3	4	2	1	1	11
1997	0	4	1	1	2	8
1998	0	0	1	1	3	5
1999	1	3	1	0	3	8
2000	1	5	2	4	1	13
2001	3	9	3	1	1	17
2002	1	7	1	2	5	16
2003	1	2	0	1	6	10
2004	0	3	2	2	1	8
2005	0	5	1	2	0	8
2006	0	3	2	2	3	10
<b>Total</b>	<b>13</b>	<b>58</b>	<b>23</b>	<b>23</b>	<b>29</b>	<b>146</b>

Source: AIC NDICP 1990–2006 [computer file]

## Circumstances surrounding the deaths

### *Speed and length of time of pursuit*

Insufficient information was available at the time of compiling this report to provide details regarding length of pursuit and top speed for all 2006 cases. This information will be updated based on coronial outcomes and published in future reports. As a result, the findings remain largely unchanged from those in 2005 where it was reported that the speeds reached were generally high across most jurisdictions. The top speed was recorded at 220 kilometres per hour and pursuit times ranged from 10 seconds to 40 minutes (Table 43). The average length of pursuits for which the information was available ranged from four to 12 minutes.

The average top speed reached in pursuits each year has significantly declined since 1990 (Figure 13). The trend in average length of time taken for a pursuit also decreased over this period although this was not found to be statistically significant.

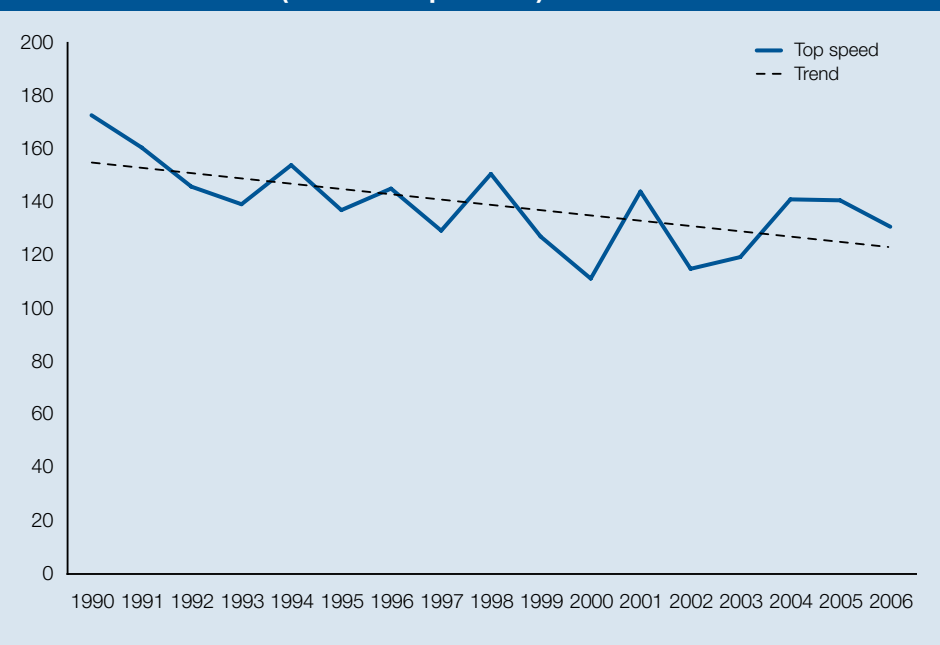
**Table 43: Speed and length of time of motor vehicle pursuits, 1990–2006<sup>a</sup>**

	Average top speed (km/hr)	Top speed (km/hr)	Average pursuit time (mins:secs)	Pursuit time (mins:secs)		Number of cases
				Min.	Max.	
New South Wales	115	190	6:12	0:10	40:00	43
Victoria	128	200	4:38	0:30	18:00	19
Queensland	135	180	7:48	1:30	22:00	10
Western Australia	152	220	7:54	1:00	15:00	15
South Australia	106	124	12:18	5:00	32:00	9
Tasmania	40	40	–	–	–	1
Northern Territory	94	130	5:30	4:00	7:00	4
Australian Capital Territory	174	180	–	–	–	2

a: Averages were calculated using the total number of cases for which top speed and length of pursuit data were available

Source: AIC NDICP 1990–2006 [computer file]

**Figure 13: Average top speed reached in motor vehicle pursuit deaths, 1990–2006 (kilometres per hour)**



\* Significant to  $p < .01$

Source: AIC NDICP 1990–2006 [computer file]

### *Time of incident*

Information on the time of incident for 2006 deaths is currently unavailable but will be updated retrospectively. The majority of motor vehicle pursuits resulting in a death since 1990 (where information was available) occurred between the hours of 8.00pm and midnight (34%), followed closely by the four-hour period from midnight to 4.00am (30%). Table 44 presents the raw numbers for each time period.

**Table 44: Motor vehicle pursuit deaths by time of incident, 1990–2005<sup>a</sup>**  
(number)

	12.00– 4.00am	4.01– 8.00am	8.01am– 12.00pm	12.01– 4.00pm	4.01– 8.00pm	8.01– 11.59pm	Total
1990	3	0	0	1	1	0	5
1991	2	0	0	0	0	0	2
1992	1	1	0	0	0	2	4
1993	0	1	0	0	0	1	2
1994	1	0	0	1	0	1	3
1995	0	1	0	0	0	0	1
1996	1	0	0	1	0	1	3
1997	3	0	2	1	0	1	7
1998	0	0	0	0	2	3	5
1999	1	0	0	0	1	4	6
2000	2	1	0	1	1	5	10
2001	4	0	1	4	0	5	14
2002	4	0	2	1	1	6	14
2003	1	3	2	0	0	0	6
2004	4	0	0	0	1	1	6
2005	0	0	0	1	0	1	2
<b>Total<sup>b</sup></b>	<b>27</b>	<b>7</b>	<b>7</b>	<b>11</b>	<b>7</b>	<b>31</b>	<b>90</b>

a: 2006 cases have been excluded as this information was unavailable at the time of writing this report

b: 56 cases have been excluded due to missing time of incident data

Source: AIC NDICP 1990–2006 [computer file]

## Cause and manner of death

Almost all (n=9) of the 2006 deaths following a motor vehicle pursuit were caused by external/multiple trauma sustained as a result of the pursuit (Table 45). Of the four Indigenous deaths in 2006, three were due to external/multiple trauma, and the cause of one death is as yet undetermined. Since 1990, external/multiple trauma has been the most common cause of motor vehicle pursuit deaths (79%; n=114), followed by head injuries (15%). Sometimes weapons are involved in the course of a pursuit. Motor vehicle pursuit deaths caused by gunshots are an example of this and generally begin with a pursuit but end with the person shooting themselves or being shot by police. Since 1990, the majority (92%) of motor vehicle pursuit deaths were considered accidental. Tables 45 and 46 present the raw numbers for each type of cause and manner of death.

**Table 45: Motor vehicle pursuit deaths by cause of death, 1990–2006 (number)**

	External/ multiple trauma	Head injury	Gunshot	Other	Total
1990	4	1	0	0	5
1991	1	1	0	0	2
1992	5	0	0	0	5
1993	5	3	0	1	9
1994	3	0	1	0	4
1995	6	1	0	0	7
1996	9	1	1	0	11
1997	6	1	1	0	8
1998	4	0	1	0	5
1999	7	0	0	1	8
2000	10	0	2	1	13
2001	14	3	0	0	17
2002	9	7	0	0	16
2003	7	3	0	0	10
2004	8	0	0	0	8
2005	7	1	0	0	8
2006	9	0	0	0	9
<b>Total<sup>a</sup></b>	<b>114</b>	<b>22</b>	<b>6</b>	<b>3</b>	<b>145</b>

a: One 2006 case has been excluded due to missing data

Source: AIC NDICP 1990–2006 [computer file]



**Table 46: Motor vehicle pursuit deaths by manner of death, 1990–2006 (number)**

	Accident	Self-inflicted	Unlawful homicide	Justifiable homicide	Other	Total
1990	4	0	0	0	1	5
1991	2	0	0	0	0	2
1992	4	1	0	0	0	5
1993	9	0	0	0	0	9
1994	3	1	0	0	0	4
1995	7	0	0	0	0	7
1996	10	1	0	0	0	11
1997	7	1	0	0	0	8
1998	4	0	0	1	0	5
1999	8	0	0	0	0	8
2000	11	0	1	1	0	13
2001	16	1	0	0	0	17
2002	15	1	0	0	0	16
2003	10	0	0	0	0	10
2004	7	1	0	0	0	8
2005	8	0	0	0	0	8
2006	10	0	0	0	0	10
<b>Total</b>	<b>135</b>	<b>7</b>	<b>1</b>	<b>2</b>	<b>1</b>	<b>146</b>

Source: AIC NDICP 1990–2006 [computer file]

## Most serious offence

### 2006

Information on most serious offence is only available for four of the 10 pursuit deaths that occurred in 2006. Two had most serious offences that were theft related, one had a traffic and one had a good order offence. Of the four Indigenous deaths in 2006, the most serious offence is known for three cases. Two involved theft-related offences and one was a good order offence.

### Trends

Deaths of persons who had a theft-related most serious offence immediately prior to their final period of custody have generally outnumbered all other offence types since 1990 (53%; Table 47). Of the total number of theft-related offences, 61 involved the theft of a motor vehicle. This means that 45 percent of all motor vehicle pursuit deaths were associated with a car (and most likely the car being pursued) being stolen. There has been

a decline recorded in the number of deaths related to motor vehicle theft since 2001, and during this same period there has been a decline in motor vehicle thefts across Australia (AIC 2007). It is possible that the reduction in motor vehicle thefts may have had an unintended but positive impact on deaths resulting from motor vehicle pursuits. The importance of targeting interventions towards young males is clear given the finding that of those pursuit deaths involving car theft, the vast majority (87%) involved persons aged less than 25 years and most cases (93%) involved males. Box 3 outlines key measures aimed at preventing motor vehicle theft.

The second most common offence type since 1990 was traffic offences (38%). Of the 52 cases where traffic offences were the most serious offence, 33 involved offences for dangerous driving (including exceeding the speed limit).

**Table 47: Motor vehicle pursuit deaths by most serious offence, 1990–2006 (number)**

	<b>Violent</b>	<b>Theft related</b>	<b>Drug related</b>	<b>Traffic</b>	<b>Good order</b>	<b>Total</b>
1990	1	3	0	1	0	5
1991	0	1	0	1	0	2
1992	0	3	0	2	0	5
1993	0	4	1	4	0	9
1994	1	1	0	2	0	4
1995	0	4	0	3	0	7
1996	1	7	0	3	0	11
1997	0	7	0	1	0	8
1998	2	1	0	2	0	5
1999	2	3	1	2	0	8
2000	0	9	0	2	1	12
2001	0	9	0	7	1	17
2002	0	6	0	9	0	15
2003	1	2	0	7	0	10
2004	0	5	0	3	0	8
2005	0	5	0	2	0	7
2006	0	2	0	1	1	4
<b>Total<sup>a</sup></b>	<b>8</b>	<b>72</b>	<b>2</b>	<b>52</b>	<b>3</b>	<b>137</b>

a: Nine cases have been excluded due to missing data

Source: AIC NDICP 1990–2006 [computer file]

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### Box 3: Preventing motor vehicle theft

Motor vehicle theft is often an opportunistic act committed by young men for the purpose of obtaining temporary transport, using the vehicle to aid in the commission of other offences, or for the purposes of joyriding (NMVTRC 2004).

The National Motor Vehicle Theft Reduction Council was established as a national taskforce to bring about reductions in vehicle theft in 1999. The Council reports three crucial elements are required to prevent opportunistic thieves:

- prevention programs for at-risk youths
- the use of immobilisers
- the protection of car keys.

The first element, providing prevention programs for at-risk youths, is important as these programs seek to break the cycle of offending by providing youths with skills and training in order to help them find employment. In providing this group of youths with the means of gaining employment and earning money, the need to commit crime due to any underlying socioeconomic disadvantage is lessened.

The second and third elements relating to the use of immobilisers and protection of car keys are also important and tackle the problem of vehicle theft from a different angle. The 'target hardening' of motor vehicles by fitting immobilisers to them is an effective way of deterring theft of those vehicles. In making the vehicles more difficult to obtain, the ability and opportunity an offender has to steal them is dramatically reduced and they become less attractive as targets. Immobilisers have now become a mandatory requirement for all cars sold from July 2001 – and most cars stolen in Australia are older vehicles, which are less likely to have immobilisers fitted. However, the fitting of immobilisers does become redundant if the car keys are not protected. In a report the Council stated that 70 percent of immobilised vehicle thefts were reportedly due to the offender obtaining access to the car keys, highlighting the importance of protecting these items (NMVTRC 2004).

### Location of death

As would be expected due to the nature of motor vehicle pursuits, seven of the 10 deaths occurred in public places and the remaining three in public hospitals following the accident. Three Indigenous deaths in 2006 occurred in public places and one in a public hospital. Since 1990, 77 percent of pursuit deaths have occurred in public places, that is, at the scene of the collision following a motor vehicle pursuit (Table 48).

**Table 48: Motor vehicle pursuit deaths by location, 1990–2006 (number)**

	Public hospital	Private property	Public place	Other	Total
1990	0	0	5	0	5
1991	0	0	2	0	2
1992	1	0	4	0	5
1993	2	0	7	0	9
1994	1	0	2	1	4
1995	4	0	3	0	7
1996	3	1	7	0	11
1997	3	0	5	0	8
1998	3	0	2	0	5
1999	2	0	6	0	8
2000	3	0	10	0	13
2001	2	0	15	0	17
2002	4	0	12	0	16
2003	1	0	9	0	10
2004	0	0	8	0	8
2005	0	0	8	0	8
2006	3	0	7	0	10
<b>Total<sup>a</sup></b>	<b>32</b>	<b>1</b>	<b>112</b>	<b>1</b>	<b>146</b>

Source: AIC NDICP 1990–2006 [computer file]

## Shooting deaths

Shooting deaths in police custody can be categorised into those where people are shot by police, and those where people shoot themselves in the presence of police. It is the former category that attracts media and public attention.

### 2006

In 2006, four deaths resulted from gunshots, one in each of New South Wales, Queensland, Western Australia and the Australian Capital Territory (Table 49). Two involved persons who shot themselves in the presence of police and two persons were shot by police.

**Table 49: Police shooting deaths, 2006<sup>a</sup>**

	Shot by police	Shot by self	Total
New South Wales	0	1	1
Queensland	1	0	1
Western Australia	1	0	1
Australian Capital Territory	0	1	1
<b>Total</b>	<b>2</b>	<b>2</b>	<b>4</b>

a: Jurisdictions for which no shooting deaths were recorded have been excluded

Source: AIC NDICP 1980–2006 [computer file]

## Trends

Since 1990, 142 shooting deaths have been recorded (Table 50). Most (57%) were of persons shot by police, while 41 percent involved persons shooting themselves in the presence of police. At a yearly level, the proportions of people shot by police or self have varied. Since 2003, no Indigenous persons in police custody have been killed by gunshot.

**Table 50: Police shooting deaths, 1990–2006 (number)**

	Shot by police		Shot by self		Shot by other official		Total		
	Indig-enous	Non-Indig.	Indig-enous	Non-Indig.	Indig-enous	Non-Indig.	Indig-enous	Non-Indig.	Total
1990	1	3	0	0	0	0	1	3	4
1991	0	5	0	4	0	0	0	9	9
1992	0	4	0	4	0	1	0	9	9
1993	1	2	0	5	0	0	1	7	8
1994	2	10	0	5	0	0	2	15	17
1995	0	5	0	5	0	0	0	10	10
1996	0	2	1	5	0	0	1	7	8
1997	0	6	0	5	0	0	0	11	11
1998	1	5	0	1	0	0	1	6	7
1999	0	6	0	3	0	0	0	9	9
2000	0	6	0	1	0	0	0	7	7
2001	1	2	0	2	0	0	1	4	5
2002	1	4	1	4	0	0	2	8	10
2003	0	3	0	4	0	0	0	7	7
2004	0	6	0	5	0	0	0	11	11
2005	0	4	0	1	0	0	0	5	5
2006	0	2	0	2	0	0	0	4	4
<b>Total<sup>a</sup></b>	<b>7</b>	<b>75</b>	<b>2</b>	<b>56</b>	<b>0</b>	<b>1</b>	<b>9</b>	<b>132</b>	<b>141</b>

a: One case has been excluded due to missing data

Source: AIC NDICP 1990–2006 [computer file]

The number of persons in custody who were shot by police peaked at 12 deaths in 1994 and has fluctuated between two and six deaths each year since (Figure 14).



Source: AIC NDICP 1990–2006 [computer file]

## Demographic characteristics

### *Indigenous status*

The two police shooting deaths in 2006 involved non-Indigenous persons. No Indigenous person died from being shot by police in 2006. Since 1990, 91 percent (n=75) of police shooting deaths have involved non-Indigenous persons (Table 51).

**Table 51: Police shooting deaths (number), as a percentage of total deaths in police custody, 1990–2006**

	Indigenous		Non-Indigenous		Total n
	n	%	n	%	
1990	1	20	3	12	4
1991	0	0	5	19	5
1992	0	0	4	17	4
1993	1	33	2	7	3
1994	2	67	10	40	12
1995	0	0	5	23	5
1996	0	0	2	9	2
1997	0	0	6	26	6
1998	1	17	5	24	6
1999	0	0	6	29	6
2000	0	0	6	29	6
2001	1	25	2	6	3
2002	1	9	4	15	5
2003	0	0	3	11	3
2004	0	0	6	27	6
2005	0	0	4	33	4
2006	0	0	2	17	2
<b>Total</b>	<b>7</b>	<b>7</b>	<b>75</b>	<b>19</b>	<b>82</b>

Source: AIC NDICP 1990–2006 [computer file]

## Sex

It is rare for a female to be shot by police (Table 52). Two females in 1994 and one female in 1995 were shot by police. In all other years, only males have died as a result of police shootings.

**Table 52: Police shooting deaths by sex, 1990–2006 (number)**

	Male	Female	Total
1990	4	0	4
1991	5	0	5
1992	4	0	4
1993	3	0	3
1994	10	2	12
1995	4	1	5
1996	2	0	2
1997	6	0	6
1998	6	0	6
1999	6	0	6
2000	6	0	6
2001	3	0	3
2002	5	0	5
2003	3	0	3
2004	6	0	6
2005	4	0	4
2006	2	0	2
<b>Total</b>	<b>79</b>	<b>3</b>	<b>82</b>

Source: AIC NDICP 1990–2006 [computer file]



## Age

The average age at time of death for persons shot by police in 2006 was 36 years, which is slightly higher than the average age for all persons shot by police since 1990 (32 years). The two police shooting deaths in 2006 involved persons aged between 25 and 39 years (Table 53). Since 1990, the average age of the seven Indigenous persons who were shot by police was 29 years, younger than the average 33 years for non-Indigenous persons.

**Table 53: Police shooting deaths by age category, 1990–2006 (number)**

	Less than 19	20–24	25–29	30–34	35–39	40–44	45+	Total
1990	0	0	2	1	0	1	0	4
1991	0	3	1	0	0	1	0	5
1992	0	1	0	0	0	1	2	4
1993	1	0	0	0	0	0	2	3
1994	1	2	1	2	2	3	1	12
1995	0	1	1	1	2	0	0	5
1996	0	0	1	0	1	0	0	2
1997	0	1	3	1	1	0	0	6
1998	1	1	0	3	1	0	0	6
1999	0	0	3	0	1	2	0	6
2000	0	1	5	0	0	0	0	6
2001	0	0	0	0	1	1	1	3
2002	1	2	0	1	0	0	1	5
2003	0	0	0	2	0	1	0	3
2004	0	0	2	2	1	0	1	6
2005	0	0	2	1	0	1	0	4
2006	0	0	0	1	1	0	0	2
<b>Total</b>	<b>4</b>	<b>12</b>	<b>21</b>	<b>15</b>	<b>11</b>	<b>11</b>	<b>8</b>	<b>82</b>

Source: AIC NDICP 1990–2006 [computer file]

## Circumstances surrounding the deaths

### *Time of incident*

Information on the time of incident for 2005 and 2006 deaths is currently unavailable. Most deaths from 1990 to 2004 resulting from a police shooting occurred between the late afternoon and early morning (Table 54). Of the 63 deaths where information was available, 30 percent occurred between 4.00pm and 8.00pm, 16 percent between 8.00pm and midnight, and 19 percent between midnight and 4.00am.

**Table 54: Police shooting deaths by time of incident, 1990–2004 (number)<sup>a</sup>**

	12.00– 4.00am	4.01– 8.00am	8.01am– 12.00pm	12.01– 4.00pm	4.01– 8.00pm	8.01– 11.59pm	Total
1990	0	0	1	1	2	0	4
1991	2	1	0	0	0	0	3
1992	2	0	0	1	0	0	3
1993	0	0	0	1	1	1	3
1994	1	0	3	2	3	3	12
1995	1	1	0	0	1	0	3
1996	1	0	0	0	0	0	1
1997	3	2	0	0	0	1	6
1998	1	1	0	0	3	1	6
1999	0	0	2	1	1	1	5
2000	0	2	0	0	2	1	5
2001	0	0	0	0	2	1	3
2002	0	0	0	0	3	1	4
2003	0	1	0	1	0	0	2
2004	1	0	1	0	1	0	3
<b>Total</b>	<b>12</b>	<b>8</b>	<b>7</b>	<b>7</b>	<b>19</b>	<b>10</b>	<b>63</b>

a: 19 cases have been excluded due to missing time of incident data. These include the six cases in 2005 and 2006

Source: AIC NDICP 1990–2004 [computer file]

### *Manner of death*

The 2006 police shooting deaths were considered justifiable homicides, although these results are pending confirmation by relevant coroners. Since 1990, the majority (90%; n=74) were considered to be justifiable homicides (Table 55). Only one death has been classified as unlawful homicide in 2000, and one was classified as accidental in 2002.

**Table 55: Police shooting deaths by manner of death, 1990–2006 (number)**

	Unlawful homicide	Justifiable homicide	Accident	Other	Total
1990	0	2	0	2	4
1991	0	1	0	4	5
1992	0	4	0	0	4
1993	0	3	0	0	3
1994	0	12	0	0	12
1995	0	5	0	0	5
1996	0	2	0	0	2
1997	0	6	0	0	6
1998	0	6	0	0	6
1999	0	6	0	0	6
2000	1	5	0	0	6
2001	0	3	0	0	3
2002	0	4	1	0	5
2003	0	3	0	0	3
2004	0	6	0	0	6
2005	0	4	0	0	4
2006	0	2	0	0	2
<b>Total</b>	<b>1</b>	<b>74</b>	<b>1</b>	<b>6</b>	<b>82</b>

Source: AIC NDICP 1990–2006 [computer file]

## Most serious offence

Of the police shooting deaths in 2006, one involved an individual whose most serious offence immediately prior to the shooting was a violent offence, and for the other death the most serious offence was theft related. Deaths of persons who had a violent most serious offence immediately prior to the shooting have generally outnumbered all other offence types since 1990 (Table 56). Sixty-eight percent (n=55) of police shooting deaths have involved persons who had a violent offence immediately prior to the shooting and many of these involved weapons. The majority of these offences involved serious assaults and homicides. Of the seven Indigenous deaths since 1990, five involved violent offences as the most serious offence committed prior to death. One death involved a theft-related offence and another a good order offence.

**Table 56: Police shooting deaths by most serious offence, 1990–2006 (number)**

	<b>Violent</b>	<b>Theft related</b>	<b>Drug related</b>	<b>Traffic</b>	<b>Good order</b>	<b>Other</b>	<b>Total</b>
1990	3	1	0	0	0	0	4
1991	3	0	0	0	1	1	5
1992	1	3	0	0	0	0	4
1993	2	1	0	0	0	0	3
1994	10	2	0	0	0	0	12
1995	2	1	0	1	0	1	5
1996	1	0	1	0	0	0	2
1997	4	2	0	0	0	0	6
1998	4	1	0	0	0	1	6
1999	5	1	0	0	0	0	6
2000	4	2	0	0	0	0	6
2001	2	0	0	0	0	0	2
2002	1	1	0	0	2	1	5
2003	2	0	0	0	0	1	3
2004	6	0	0	0	0	0	6
2005	4	0	0	0	0	0	4
2006	1	1	0	0	0	0	2
<b>Total<sup>a</sup></b>	<b>55</b>	<b>16</b>	<b>1</b>	<b>1</b>	<b>3</b>	<b>5</b>	<b>81</b>

a: One case has been excluded due to missing data

Source: AIC NDICP 1990–2006 [computer file]

## Location of death

As would be expected due to the nature of police shootings, most occur in public places (45%; n=35) or on private property (36%; n=28). Of the 2006 deaths, one occurred in a public place and one on private property (Table 57). Of the seven Indigenous deaths since 1990, three occurred in public hospitals, two on private property and one in a public place. The location of the seventh case is unknown at present. Most non-Indigenous deaths occurred in public places (45%) or on private property (35%).

**Table 57: Police shooting deaths by location, 1990–2006 (number)**

	Public hospital	Private property	Public place	Other	Total
1990	1	1	0	0	2
1991	1	2	0	0	3
1992	0	0	4	0	4
1993	2	1	0	0	3
1994	2	4	6	0	12
1995	1	2	2	0	5
1996	0	1	1	0	2
1997	2	1	1	2	6
1998	1	2	2	1	6
1999	0	2	4	0	6
2000	1	2	3	0	6
2001	0	2	1	0	3
2002	1	2	2	0	5
2003	0	1	2	0	3
2004	0	1	5	0	6
2005	0	3	1	0	4
2006	0	1	1	0	2
<b>Total<sup>a</sup></b>	<b>12</b>	<b>28</b>	<b>35</b>	<b>3</b>	<b>78</b>

a: Four cases have been excluded due to missing data

Source: AIC NDICP 1990–2006 [computer file]

## Summary

Most deaths resulting from police pursuits are of young males whom the literature has shown to be at higher risk than older males of becoming involved in criminal activity. The vast majority of police pursuit deaths involve males. Five of the 10 pursuit deaths in 2006 were of persons aged less than 25 years. Since 1990, just under two-thirds of deaths from motor vehicle pursuits have been of persons aged less than 25 years. Indigenous persons who die as a result of police pursuits are younger than their non-Indigenous counterparts (one-quarter of all pursuit deaths involve Indigenous persons). Since 1990, three-quarters of Indigenous deaths that resulted from police pursuits were of persons aged less than 25 years while the corresponding number for non-Indigenous persons was 59 percent.

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Just under half of all motor vehicle pursuit deaths since 1990 were associated with car theft. It is likely that most, if not all, of these relate to theft of the vehicle that was being pursued. Of those pursuit deaths that involved car theft, 93 percent of young offenders were male and 87 percent were aged less than 25 years. These findings highlight the need to target intervention and education at younger males. The decline in number of deaths related to motor vehicle theft corresponds to a decline in motor vehicle thefts across Australia, and it is possible that this fall in motor vehicle thefts may be linked to the fall in motor vehicle pursuit deaths. This potential link further emphasises the need to reduce the capacity of young offenders to steal motor vehicles through devices such as immobilisers.

Deaths that occur as a result of being shot by police always attract media attention. The number of deaths in custody resulting from police shootings peaked in 1994 with 12 shootings, and has since fluctuated between two and six deaths per year. Males, again, comprise the vast majority of those shot and killed by police, however, the average age of those who die from police shootings is older than those who die from pursuits. Over half of those who died from police shootings since 1990 were aged between 25 and 39 years. This age difference may be indicative of a number of factors, including that offenders in this age group may be more likely than those aged below 25 to have progressed into more violent offending and to have access to weapons that require greater self-defence on behalf of police officers. Of the 82 deaths that have occurred as a result of police shootings, 75 were classified as justifiable homicide. At these ages, offenders may also have more pronounced mental health issues that manifest themselves in public acts of violence. These possible explanations give rise to policy issues around restricting access to weapons and training police in dealing with violent and mentally ill offenders. It is also important to note that 58 of 141 shooting deaths involved persons who shot themselves in the presence of police.

## Conclusion

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The overall number of deaths in custody has decreased during the period covered by the NDICP collection. Police custody and custody-related deaths have been declining since 2002 despite a change in definition in 1990 that expanded the remit of the program. This overall decrease in police custody and custody-related operations also takes into account a slight, but significant, increase in the number of deaths under one of these additional categories – motor vehicle pursuits. Prison deaths, which account for 60 percent of all deaths in custody since 1980, have also declined significantly since 1997. In 2006, the number of prisoner deaths reached its lowest point since 1986.

Given the NDICP's establishment was predicated on the need for reliable statistics regarding Indigenous people's contact with the criminal justice system, it is important to note the trend in deaths of Indigenous persons. The proportions of Indigenous deaths in custody reflect the general problem of Indigenous over-representation in the criminal justice system. Indigenous persons represented about one in five deaths in prison custody in 2006 (and since 1980). This is slightly less than the proportion of Indigenous prisoners in 2006 (one in four) and the proportion of Indigenous persons taken into police custody in 2002 (one in four). The number of non-Indigenous deaths in police custody and custody-related operations between 1990 and 2006 far outweighed those of Indigenous persons, although the relative proportion of Indigenous deaths has increased since 2002. In prison custody, the number of non-Indigenous deaths outweighed the number of Indigenous deaths every year since 1980. When rates of death are examined a different picture emerged, that is, rates of death for Indigenous and non-Indigenous prisoners are much more similar than the numbers alone indicate. The rates of death for Indigenous and non-Indigenous prisoners have generally fluctuated between one and six deaths per 1,000 prisoners since 1982, and have been converging since 1999. Rates of death for both Indigenous and non-Indigenous prisoners have declined significantly since the mid-1990s.

The picture that emerges from the NDICP is generally positive, with decreases in the overall number of deaths in custody and in overall Indigenous deaths. However the concern, for prisoners in particular, does not end with release from prison; in fact the period following release has been identified in recent research as a critical factor in a prisoner's risk of death. Among a sample of ex-prisoners in Western Australia, Hobbs et al. (2006) reported that ex-prisoners were substantially more at risk of death than the general Western Australian population and that this risk was highest within the first six months of release. The risk of death was also found to increase with age and each additional release from prison, and was greater for Indigenous ex-prisoners. Most deaths were due to injury or poisoning (47%) and of these, approximately one in six was due to suicide or self-inflicted injury.



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A recent study in New South Wales also reported high rates of death, specifically of suicide, among released prisoners (Kariminia et al. 2007). This study found an increased risk of suicide in the period immediately following release from prison, that is, one to two weeks after release. The risk of death from suicide was particularly high among men during this period but not for Indigenous persons who were at greater risk at nine to 26 weeks after release. Overall there was a lower rate of suicide among Indigenous released prisoners than for non-Indigenous released prisoners, which the authors suggested may be due to better community support for Indigenous prisoners on release. The study highlighted the lack of attention paid to the risk of suicide in the post-release period and the likelihood of high rates of suicide continuing without adequate measures being introduced to ensure support and continuity of care when moving from prison to the community.

The impact of recent contact with the criminal justice system was also raised in the Victorian Implementation Review of the Recommendations from the Royal Commission into Aboriginal Deaths in Custody (Department of Justice & Victorian Aboriginal Justice Forum 2005). As highlighted in the Review, deaths of persons on parole and day/weekend release are not currently classified as deaths in custody but raise similar issues to deaths that do occur in custody, and are also directly linked to many of the Royal Commission recommendations. Among the recommendations made in the Review was the expansion of the definition of a 'death in custody' to include community custodial orders, day/weekend release, parole and involuntary psychiatric patients in hospitals. The recording of these cases would allow for national-level analysis of the circumstances surrounding deaths of prisoners recently released from custody, albeit still on a custodial order. This is important because the act of physically leaving a custodial institution does not negate the impact of pre-existing physical and mental health conditions, or the effect of custody. There is a very real need to consider and establish appropriate transitional arrangements for released prisoners to assist in the move from prison to the community with a view to reducing the risks of death in the period after release (Borzycki 2005).

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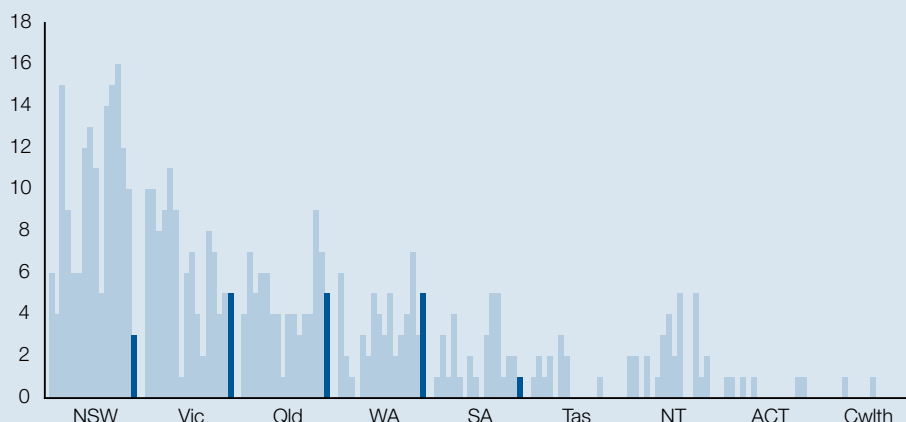
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## **Appendix**

### **Detailed findings from the National Deaths in Custody Program: number of deaths in police and prison custody**

## Deaths in police custody and custody-related operations

**Figure A1: Deaths in police custody and custody-related operations by jurisdiction, 1990–2006 (number)**



Source: AIC NDICP 1990–2006 [computer file]

**Table A1: Deaths in police custody and custody-related operations by jurisdiction, 1990–2006 (number)**

	NSW	Vic	Qld	WA	SA	Tas	NT	ACT	Cwlth	Total
1990	6	10	4	6	1	1	2	1	0	31
1991	4	10	7	2	3	2	2	1	0	31
1992	15	8	5	1	1	1	0	0	0	31
1993	9	9	6	0	4	2	2	1	0	33
1994	6	11	6	3	1	0	0	0	1	28
1995	6	9	4	2	0	3	1	1	0	26
1996	12	1	4	5	2	2	3	0	0	29
1997	13	6	1	4	1	0	4	0	0	29
1998	11	7	4	3	0	0	2	0	0	27
1999	5	4	4	5	3	0	5	0	1	27
2000	14	2	3	2	5	0	0	0	0	26
2001	15	8	4	3	5	0	0	0	0	35
2002	16	7	4	3	1	1	5	0	0	37
2003	12	4	9	7	2	0	1	1	0	36
2004	10	5	7	3	2	0	1	1	0	29
2005	3	5	5	6	1	0	0	0	0	20
2006	8	4	2	4	2	0	1	1	0	22
<b>Total</b>	<b>165</b>	<b>110</b>	<b>79</b>	<b>59</b>	<b>34</b>	<b>12</b>	<b>29</b>	<b>7</b>	<b>2</b>	<b>497</b>

Source: AIC NDICP 1990–2006 [computer file]



## Category 1 and Category 2 deaths

**Table A2: Deaths in police custody and custody-related operations by category, 1990–2006**

		%	Total n
New South Wales	Category 1	27.9	46
	Category 2	72.1	119
Victoria	Category 1	64.5	71
	Category 2	35.5	39
Queensland	Category 1	55.7	44
	Category 2	44.3	35
Western Australia	Category 1	45.8	27
	Category 2	54.2	32
South Australia	Category 1	41.2	14
	Category 2	58.8	20
Tasmania	Category 1	41.7	5
	Category 2	58.3	7
Northern Territory	Category 1	62.0	18
	Category 2	38.0	11
Australian Capital Territory	Category 1	42.9	3
	Category 2	57.1	4
Commonwealth	Category 1	100.0	2
	Category 2	0.0	0
<b>Australia</b>	<b>Category 1</b>	<b>46.3</b>	<b>230</b>
	<b>Category 2</b>	<b>53.7</b>	<b>267</b>
	<b>Total</b>	<b>100.0</b>	<b>497</b>

Source: AIC NDICP 1990–2006 [computer file]

## Indigenous status

**Table A3: Deaths in police custody and custody-related operations by Indigenous status, 1990–2006**

	Indigenous		Non-Indigenous		Persons
	n	%	n	%	Total n
New South Wales	21	12.9	142	87.1	163
Victoria	5	5.0	105	95.0	110
Queensland	16	20.3	63	79.7	79
Western Australia	33	55.9	26	44.1	59
South Australia	7	20.6	27	79.4	34
Tasmania	2	16.7	10	83.3	12
Northern Territory	16	55.2	13	44.8	29
Australian Capital Territory	0	0.0	7	100.0	7
Commonwealth	0	0.0	2	100.0	2
<b>Australia<sup>a</sup></b>	<b>100</b>	<b>20.2</b>	<b>395</b>	<b>79.8</b>	<b>495</b>

a: Two cases have been excluded due to missing data

Source: AIC NDICP 1990–2006 [computer file]

## Sex

**Table A4: Deaths in police custody and custody-related operations by sex, 1990–2006**

		%	Total n
New South Wales	Male	95.5	155
	Female	4.5	10
Victoria	Male	90.8	98
	Female	9.2	12
Queensland	Male	86.2	68
	Female	13.8	11
Western Australia	Male	93.8	55
	Female	6.2	4
South Australia	Male	90.6	32
	Female	9.4	2
Tasmania	Male	100.0	12
	Female	0.0	0
Northern Territory	Male	92.5	26
	Female	7.5	3
Australian Capital Territory	Male	100.0	7
	Female	0.0	0
Commonwealth	Male	100.0	2
	Female	0.0	0
<b>Totals</b>	<b>Male</b>	<b>92.2</b>	<b>455</b>
	<b>Female</b>	<b>7.8</b>	<b>42</b>

Source: AIC NDICP 1990–2006 [computer file]

## Age

**Table A5: Deaths in police custody and custody-related operations by mean age at time of death, 1990–2006 (number)**

	Indigenous		Non-Indigenous		Persons	
	n	Mean age	n	Mean age	Total n	Mean age
New South Wales	21	29.2	142	33.2	165	32.8
Victoria	5	33.6	105	31.6	110	31.7
Queensland	16	28.9	63	36.4	79	34.8
Western Australia	33	24.4	26	31.2	59	27.4
South Australia	7	32.6	27	28.5	34	29.4
Tasmania	2	21.5	9	40.6	11	37.1
Northern Territory	16	30.9	13	34.2	29	32.3
Australian Capital Territory	0	0.0	7	32.1	7	32.1
Commonwealth	0	0.0	2	44.5	2	44.5
<b>Australia<sup>a</sup></b>	<b>100</b>	<b>28.1</b>	<b>394</b>	<b>33.1</b>	<b>496</b>	<b>32.1</b>

a: One case has been excluded due to missing data; Indigenous status for two persons is unknown

Source: AIC NDCIP 1990–2006 [computer file]

**Table A6: Deaths in police custody and custody-related operations by age category, 1990–2006 (number)**

		Less than 25	25–39	40–54	55+	Total
NSW	Indigenous	9	7	4	1	21
	Non-Indigenous	40	65	24	13	142
Vic	Indigenous	0	4	1	0	7
	Non-Indigenous	35	46	19	5	103
Qld	Indigenous	8	5	2	1	16
	Non-Indigenous	10	29	18	6	63
WA	Indigenous	20	9	3	1	33
	Non-Indigenous	9	12	4	1	26
SA	Indigenous	2	4	0	1	7
	Non-Indigenous	12	10	4	1	27
Tas	Indigenous	1	1	0	0	2
	Non-Indigenous	2	3	4	1	10
NT	Indigenous	4	7	5	0	16
	Non-Indigenous	3	6	3	1	13
ACT	Indigenous	0	0	0	0	0
	Non-Indigenous	2	3	2	0	7
CwIth	Indigenous	0	0	0	0	0
	Non-Indigenous	0	1	0	1	2
<b>Totals</b>	<b>Indigenous</b>	<b>44</b>	<b>37</b>	<b>15</b>	<b>4</b>	<b>102</b>
	<b>Non-Indigenous</b>	<b>113</b>	<b>175</b>	<b>98</b>	<b>29</b>	<b>393</b>
	<b>All persons<sup>a</sup></b>	<b>157</b>	<b>212</b>	<b>95</b>	<b>33</b>	<b>497</b>

a: Indigenous status for two persons in New South Wales is unknown

Source: AIC NDICP 1990–2006 [computer file]

## Cause of death

**Table A7: Deaths in police custody and custody-related operations by cause of death, 1990–2006 (number)**

		Hang- ing	Natural causes	Head injury	Gun- shot	External/ multiple trauma	Drugs/ alcohol	Other	Total
NSW	Indigenous	2	1	1	2	13	1	2	21
	Non-Indigenous	11	7	5	44	64	7	4	142
Vic	Indigenous	1	0	0	1	2	1	0	5
	Non-Indigenous	11	7	15	39	17	9	6	104
Qld	Indigenous	1	5	2	0	5	0	2	16
	Non-Indigenous	2	7	5	21	11	10	5	61
WA	Indigenous	5	6	4	0	17	1	0	33
	Non-Indigenous	3	2	0	8	11	1	1	26
SA	Indigenous	0	1	0	2	3	0	1	7
	Non-Indigenous	2	2	2	7	10	4	0	27
Tas	Indigenous	0	0	0	2	0	0	0	2
	Non-Indigenous	0	1	1	6	1	0	1	10
NT	Indigenous	2	5	1	2	5	0	1	16
	Non-Indigenous	2	0	1	5	2	1	2	13
ACT	Indigenous	0	0	0	0	0	0	0	0
	Non-Indigenous	1	1	0	3	2	0	0	7
Cwth	Indigenous	0	0	0	0	0	0	0	0
	Non-Indigenous	0	1	0	0	0	1	0	2
<b>Totals</b>	<b>Indigenous</b>	<b>11</b>	<b>18</b>	<b>8</b>	<b>9</b>	<b>44</b>	<b>3</b>	<b>6</b>	<b>100</b>
	<b>Non-Indigenous</b>	<b>32</b>	<b>28</b>	<b>29</b>	<b>133</b>	<b>118</b>	<b>33</b>	<b>19</b>	<b>392</b>
	<b>All persons<sup>a</sup></b>	<b>43</b>	<b>46</b>	<b>37</b>	<b>142</b>	<b>163</b>	<b>36</b>	<b>25</b>	<b>492</b>

a: Five cases have been excluded due to missing data

Source: AIC NDICP 1990–2006 [computer file]

## Manner of death

**Table A8: Deaths in police custody and custody-related operations by manner of death, 1990–2006 (number)**

		Self-inflicted	Natural causes	Unlawful homicide	Justifiable homicide	Accident	Other/unknown	Total
NSW	Indigenous	6	1	0	1	13	0	21
	Non-Indigenous	54	7	2	16	61	2	142
Vic	Indigenous	2	0	0	1	2	0	5
	Non-Indigenous	24	7	0	28	40	5	104
Qld	Indigenous	1	5	0	0	9	1	16
	Non-Indigenous	16	8	0	11	25	1	61
WA	Indigenous	5	6	0	0	22	0	33
	Non-Indigenous	9	2	0	5	9	1	26
SA	Indigenous	1	1	0	2	3	0	7
	Non-Indigenous	10	2	0	4	11	0	27
Tas	Indigenous	1	0	0	1	0	0	2
	Non-Indigenous	5	1	0	1	3	0	10
NT	Indigenous	2	5	0	0	8	1	16
	Non-Indigenous	6	0	0	4	1	2	13
ACT	Indigenous	0	0	0	0	0	0	0
	Non-Indigenous	1	1	0	1	3	0	6
Cwllth	Indigenous	0	0	0	0	0	0	0
	Non-Indigenous	0	1	0	0	1	0	2
<b>Totals</b>	<b>Indigenous</b>	<b>18</b>	<b>18</b>	<b>0</b>	<b>5</b>	<b>57</b>	<b>2</b>	<b>100</b>
	<b>Non-Indigenous</b>	<b>125</b>	<b>29</b>	<b>2</b>	<b>70</b>	<b>154</b>	<b>11</b>	<b>391</b>
	<b>All persons<sup>a</sup></b>	<b>143</b>	<b>47</b>	<b>2</b>	<b>75</b>	<b>211</b>	<b>13</b>	<b>491</b>

a: Six cases have been excluded due to missing data

Source: AIC NDCIP 1980–2006 [computer file]

## Most serious offence

**Table A9: Deaths in police custody and custody-related operations by most serious offence, 1990–2006 (number)**

		Violent	Theft related	Drug related	Traffic	Good order	Other	Total
NSW	Indigenous	5	8	1	1	4	2	21
	Non-Indigenous	45	34	3	26	7	17	132
Vic	Indigenous	2	1	0	0	1	1	5
	Non-Indigenous	32	35	2	11	18	4	102
Qld	Indigenous	5	4	0	0	6	0	15
	Non-Indigenous	22	8	2	7	19	4	62
WA	Indigenous	5	19	0	6	3	0	33
	Non-Indigenous	11	5	0	5	3	2	26
SA	Indigenous	4	3	0	0	0	0	7
	Non-Indigenous	8	7	0	4	4	4	27
Tas	Indigenous	1	0	0	0	1	0	2
	Non-Indigenous	4	0	0	1	3	2	10
NT	Indigenous	2	2	0	1	9	1	15
	Non-Indigenous	7	2	0	0	4	0	13
ACT	Indigenous	0	0	0	0	0	0	0
	Non-Indigenous	2	1	0	1	2	1	7
Cwllth	Indigenous	0	0	0	0	0	0	0
	Non-Indigenous	0	1	0	0	0	1	2
<b>Totals</b>	<b>Indigenous</b>	<b>24</b>	<b>37</b>	<b>1</b>	<b>8</b>	<b>24</b>	<b>4</b>	<b>98</b>
	<b>Non-Indigenous</b>	<b>131</b>	<b>93</b>	<b>7</b>	<b>55</b>	<b>60</b>	<b>35</b>	<b>381</b>
	<b>All persons<sup>a</sup></b>	<b>155</b>	<b>130</b>	<b>8</b>	<b>63</b>	<b>84</b>	<b>39</b>	<b>479</b>

a: 18 cases have been excluded due to missing data

Source: AIC NDICP 1990–2006 [computer file]



## Location

**Table A10: Deaths in police custody and custody-related operations by location of death, 1990–2006 (number)**

		Public hospital	Cell	Other custodial setting	Private property	Public place	Other	Total
NSW	Indigenous	8	1	1	3	8	0	21
	Non-Indigenous	37	7	4	23	69	2	142
Vic	Indigenous	1	1	1	1	1	0	5
	Non-Indigenous	23	12	7	16	39	2	99
Qld	Indigenous	7	3	1	0	4	1	16
	Non-Indigenous	13	14	3	9	19	2	60
WA	Indigenous	7	5	3	1	17	0	33
	Non-Indigenous	6	1	1	3	12	1	24
SA	Indigenous	3	0	0	2	2	0	7
	Non-Indigenous	10	1	0	4	11	0	26
Tas	Indigenous	1	0	0	0	1	0	2
	Non-Indigenous	4	1	1	4	0	0	10
NT	Indigenous	8	1	1	0	5	0	15
	Non-Indigenous	1	3	0	1	6	1	12
ACT	Indigenous	0	0	0	0	0	0	0
	Non-Indigenous	2	0	0	1	3	0	6
Cwllth	Indigenous	0	0	0	0	0	0	0
	Non-Indigenous	0	0	2	0	0	0	2
<b>Totals</b>	<b>Indigenous</b>	<b>35</b>	<b>11</b>	<b>7</b>	<b>7</b>	<b>38</b>	<b>1</b>	<b>99</b>
	<b>Non-Indigenous</b>	<b>96</b>	<b>39</b>	<b>18</b>	<b>61</b>	<b>159</b>	<b>8</b>	<b>381</b>
	<b>All persons<sup>a</sup></b>	<b>132</b>	<b>50</b>	<b>25</b>	<b>68</b>	<b>198</b>	<b>9</b>	<b>482</b>

a: 15 cases have been excluded due to missing data; Indigenous status for two persons in New South Wales is unknown

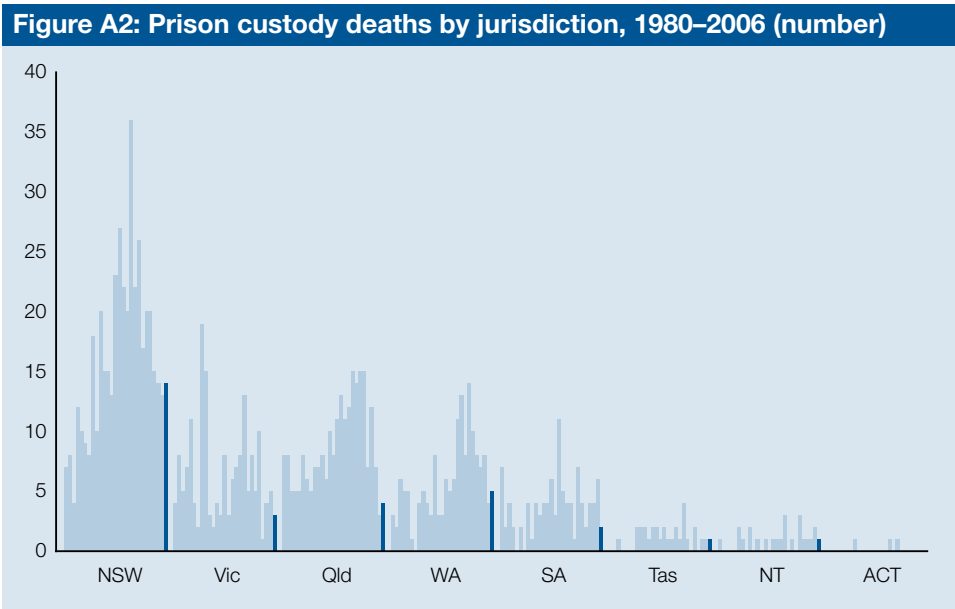
Source: AIC NDICP 1990–2006 [computer file]

# Type of police custody

Table A11: Deaths in police custody and custody-related operations by type of custody, 1990–2006									
	Institution		Escaping		Detaining		Other		Total n
	%	n	%	n	%	n	%	n	
NSW	14.0	23	0.6	1	85.5	141	0.0	0	165
Vic	30.9	34	0.0	0	66.3	73	2.7	3	110
Qld	40.5	32	1.3	1	54.4	43	3.8	3	79
WA	32.2	19	0.0	0	67.8	40	0.0	0	59
SA	11.8	4	0.0	0	79.4	27	8.8	3	34
Tas	25.0	3	0.0	0	75.0	9	0.0	0	12
NT	37.9	11	0.0	0	58.6	17	3.4	1	29
ACT	28.6	2	0.0	0	71.4	5	0.0	0	7
Australia	100.0	2	0.0	0	0.0	0	0.0	0	2
<b>Total</b>	<b>26.2</b>	<b>130</b>	<b>0.4</b>	<b>2</b>	<b>71.4</b>	<b>355</b>	<b>2</b>	<b>10</b>	<b>497</b>

Source: AIC NDICP 1990–2006 [computer file]

# Deaths in prison custody, 1980–2006



Source: AIC NDICP 1980–2006 [computer file]

Table A12: Prison custody deaths by jurisdiction, 1980–2006 (number)									
	NSW	Vic	Qld	WA	SA	Tas	NT	ACT	Total
1980	7	4	8	3	7	0	1	0	30
1981	8	8	8	2	2	0	0	0	28
1982	4	5	5	6	4	1	0	0	25
1983	12	7	5	5	2	0	0	0	31
1984	10	11	5	5	0	0	0	0	31
1985	9	4	8	1	2	0	2	0	26
1986	8	2	6	0	0	0	1	0	17
1987	18	19	5	4	4	2	0	1	53
1988	10	15	7	5	1	2	2	0	42
1989	20	3	7	4	4	2	0	0	40
1990	15	2	8	3	3	1	1	0	33
1991	15	4	6	8	4	2	0	0	39
1992	13	3	10	3	4	2	1	0	36
1993	23	8	8	3	6	1	0	0	49
1994	27	3	11	6	3	2	1	0	53
1995	22	6	13	5	11	1	1	0	59
1996	20	7	11	6	5	1	1	1	52
1997	36	8	12	11	4	2	3	0	76
1998	22	13	15	13	4	1	0	1	69
1999	26	5	14	8	1	4	1	0	59
2000	17	8	15	14	7	1	0	0	62
2001	20	5	15	10	4	0	3	0	57
2002	20	10	7	8	2	2	1	0	50
2003	15	1	12	7	4	0	1	0	40
2004	14	4	7	8	4	1	1	0	39
2005	13	5	3	4	6	1	2	0	34
2006	14	4	4	5	2	1	1	0	31
<b>Total</b>	<b>438</b>	<b>174</b>	<b>235</b>	<b>157</b>	<b>100</b>	<b>30</b>	<b>24</b>	<b>3</b>	<b>1,161</b>

Source: AIC NDCIP 1980–2006 [computer file]

## Indigenous status

**Table A13: Prison custody deaths by Indigenous status, 1980–2006**

	Indigenous		Non-Indigenous		Persons
	n	%	n	%	Total n
New South Wales	61	13.9	377	86.1	438
Victoria	5	2.9	169	97.1	174
Queensland	46	19.6	189	80.4	235
Western Australia	46	29.3	111	70.7	157
South Australia	18	18.0	82	82.0	100
Tasmania	1	3.3	29	96.7	30
Northern Territory	18	75.0	6	25.0	24
Australian Capital Territory	0	0.0	3	100.0	3
<b>Australia</b>	<b>195</b>	<b>16.8</b>	<b>966</b>	<b>83.2</b>	<b>1,161</b>

Source: AIC NDICP 1980–2006 [computer file]

## Legal status

**Table A14: Prison custody deaths by legal status, 1980–2006 (number)**

		Sentenced	Unsentenced	Total
New South Wales	Indigenous	40	21	61
	Non-Indigenous	255	121	376
Victoria	Indigenous	2	3	5
	Non-Indigenous	119	50	169
Queensland	Indigenous	35	10	45
	Non-Indigenous	129	48	177
Western Australia	Indigenous	31	15	46
	Non-Indigenous	75	36	111
South Australia	Indigenous	13	5	18
	Non-Indigenous	46	36	82
Tasmania	Indigenous	1	0	1
	Non-Indigenous	17	11	28
Northern Territory	Indigenous	14	4	18
	Non-Indigenous	3	3	6
Australian Capital Territory	Indigenous	0	0	0
	Non-Indigenous	0	3	3
<b>Totals</b>	<b>Indigenous</b>	<b>136</b>	<b>58</b>	<b>194</b>
	<b>Non-Indigenous</b>	<b>644</b>	<b>308</b>	<b>952</b>
	<b>All persons<sup>a</sup></b>	<b>780</b>	<b>366</b>	<b>1,146</b>

a: 15 cases have been excluded due to missing data

Source: AIC NDICP 1980–2006 [computer file]

## Sex

**Table A15: Prison custody deaths by sex 1980–2006**

		%	Total n
New South Wales	Male	95.9	420
	Female	4.1	18
Victoria	Male	90.8	158
	Female	9.2	16
Queensland	Male	96.6	227
	Female	3.4	8
Western Australia	Male	96.8	152
	Female	3.2	5
South Australia	Male	96.0	96
	Female	4.0	4
Tasmania	Male	100.0	30
	Female	0.0	0
Northern Territory	Male	100.0	24
	Female	0.0	0
Australian Capital Territory	Male	100.0	3
	Female	0.0	0
<b>Totals</b>	<b>Male</b>	<b>95.6</b>	<b>1,110</b>
	<b>Female</b>	<b>4.4</b>	<b>51</b>
	<b>All persons</b>	<b>100.0</b>	<b>1,161</b>

Source: AIC NDICP 1980–2006 [computer file]

## Age

**Table A16: Prison custody deaths by mean age at death, 1980–2006 (number)**

	Indigenous		Non-Indigenous		Persons	
	n	Mean age	n	Mean age	Total n	Mean age
New South Wales	61	31.9	377	37.7	438	36.9
Victoria	5	29.2	168	37.3	173	37.1
Queensland	46	33.1	189	40.0	235	38.6
Western Australia	46	33.0	111	40.0	157	38.0
South Australia	18	28.8	82	38.9	100	37.1
Tasmania	1	48.0	29	39.5	30	39.8
Northern Territory	18	33.8	6	33.0	24	33.6
Australian Capital Territory	0	0.0	3	19.7	3	19.7
<b>Australia</b>	<b>195</b>	<b>32.3</b>	<b>965</b>	<b>38.4</b>	<b>1,160</b>	<b>37.4</b>

Source: AIC NDICP 1980–2006 [computer file]

**Table A17: Prison custody deaths by age at time of death, 1980–2006 (number)**

		Less than 25	25–39	40–54	55+	Total
New South Wales	Indigenous	17	32	10	2	61
	Non-Indigenous	84	148	89	56	377
Victoria	Indigenous	3	1	1	0	5
	Non-Indigenous	31	78	32	28	169
Queensland	Indigenous	13	20	11	2	46
	Non-Indigenous	36	74	39	40	189
Western Australia	Indigenous	12	21	12	1	46
	Non-Indigenous	28	37	20	26	111
South Australia	Indigenous	8	9	1	0	18
	Non-Indigenous	10	40	18	14	82
Tasmania	Indigenous	0	0	1	0	1
	Non-Indigenous	8	8	5	8	29
Northern Territory	Indigenous	4	10	3	1	18
	Non-Indigenous	1	3	1	1	6
Australian Capital Territory	Indigenous	0	0	0	0	0
	Non-Indigenous	3	0	0	0	3
<b>Totals</b>	<b>Indigenous</b>	<b>57</b>	<b>93</b>	<b>39</b>	<b>6</b>	<b>195</b>
	<b>Non-Indigenous</b>	<b>201</b>	<b>388</b>	<b>204</b>	<b>173</b>	<b>966</b>
	<b>All persons</b>	<b>258</b>	<b>481</b>	<b>243</b>	<b>179</b>	<b>1,161</b>

Source: AIC NDICP 1980–2006 [computer file]

## Cause of death

**Table A18: Prison custody deaths by cause of death, 1980–2006 (number)**

		Hang- ing	Natural causes	Head injury	Gun- shot	External/ multiple trauma	Drugs/ alcohol	Other	Total
NSW	Indigenous	21	26	0	0	8	5	0	60
	Non-Indigenous	157	122	5	2	33	48	6	373
Vic	Indigenous	2	3	0	0	0	0	0	5
	Non-Indigenous	57	57	1	1	23	22	4	165
Qld	Indigenous	25	19	0	0	0	1	0	45
	Non-Indigenous	81	66	3	2	18	18	1	189
WA	Indigenous	16	25	0	1	2	1	0	45
	Non-Indigenous	52	37	1	0	6	8	5	109
SA	Indigenous	8	7	1	0	1	1	0	18
	Non-Indigenous	31	32	3	1	7	5	2	81
Tas	Indigenous	1	0	0	0	0	0	0	1
	Non-Indigenous	16	11	0	0	0	1	0	28
NT	Indigenous	4	12	0	0	0	2	0	18
	Non-Indigenous	3	1	0	0	2	0	0	6
ACT	Indigenous	0	0	0	0	0	0	0	0
	Non-Indigenous	2	1	0	0	0	0	0	3
<b>Totals</b>	<b>Indigenous</b>	<b>77</b>	<b>92</b>	<b>1</b>	<b>1</b>	<b>11</b>	<b>10</b>	<b>0</b>	<b>192</b>
	<b>Non-Indigenous</b>	<b>399</b>	<b>327</b>	<b>13</b>	<b>6</b>	<b>89</b>	<b>102</b>	<b>18</b>	<b>954</b>
	<b>All persons<sup>a</sup></b>	<b>476</b>	<b>419</b>	<b>14</b>	<b>7</b>	<b>100</b>	<b>112</b>	<b>18</b>	<b>1,146</b>

a: 15 cases have been excluded due to missing data

Source: AIC NDICP 1980–2006 [computer file]

## Manner of death

**Table A19: Prison custody deaths by manner of death, 1980–2006 (number)**

		Self-inflicted	Natural causes	Unlawful homicide	Justifiable homicide	Accident	Other/unknown	Total
NSW	Indigenous	24	26	5	0	6	0	61
	Non-Indigenous	168	123	23	1	44	14	373
Vic	Indigenous	2	3	0	0	0	0	5
	Non-Indigenous	69	57	5	1	29	8	169
Qld	Indigenous	25	20	0	0	0	0	45
	Non-Indigenous	85	70	13	1	14	6	189
WA	Indigenous	17	25	1	0	1	2	46
	Non-Indigenous	61	36	1	0	10	1	109
SA	Indigenous	9	7	0	0	1	1	18
	Non-Indigenous	38	32	2	1	5	3	81
Tas	Indigenous	1	0	0	0	0	0	1
	Non-Indigenous	17	11	0	0	0	0	28
NT	Indigenous	4	13	0	0	1	0	18
	Non-Indigenous	5	1	0	0	0	0	6
ACT	Indigenous	0	0	0	0	0	0	0
	Non-Indigenous	2	1	0	0	0	0	3
<b>Totals</b>	<b>Indigenous</b>	<b>82</b>	<b>94</b>	<b>6</b>	<b>0</b>	<b>9</b>	<b>3</b>	<b>194</b>
	<b>Non-Indigenous</b>	<b>445</b>	<b>331</b>	<b>44</b>	<b>4</b>	<b>102</b>	<b>32</b>	<b>958</b>
	<b>All persons<sup>a</sup></b>	<b>527</b>	<b>425</b>	<b>50</b>	<b>4</b>	<b>111</b>	<b>35</b>	<b>1,152</b>

a: Nine cases have been excluded due to missing data

Source: AIC NDICP 1980–2006



## Most serious offence

**Table A20: Prison custody deaths by most serious offence, 1980–2006 (number)**

		Violent	Theft related	Drug related	Traffic	Good order	Other	Total
NSW	Indigenous	36	15	3	2	3	2	61
	Non-Indigenous	156	132	42	6	24	10	370
Vic	Indigenous	2	2	0	0	1	0	5
	Non-Indigenous	84	53	16	1	12	3	169
Qld	Indigenous	28	10	1	2	3	1	45
	Non-Indigenous	93	49	10	14	8	7	181
WA	Indigenous	28	14	0	1	2	1	46
	Non-Indigenous	64	33	4	1	7	2	111
SA	Indigenous	9	3	0	1	4	1	18
	Non-Indigenous	47	20	5	2	7	1	82
Tas	Indigenous	1	0	0	0	0	0	1
	Non-Indigenous	18	7	0	1	1	2	29
NT	Indigenous	10	3	0	2	1	2	18
	Non-Indigenous	3	2	0	0	1	0	6
ACT	Indigenous	0	0	0	0	0	0	0
	Non-Indigenous	2	1	0	0	0	0	3
<b>Totals</b>	<b>Indigenous</b>	<b>114</b>	<b>47</b>	<b>4</b>	<b>8</b>	<b>14</b>	<b>7</b>	<b>194</b>
	<b>Non-Indigenous</b>	<b>467</b>	<b>297</b>	<b>77</b>	<b>25</b>	<b>60</b>	<b>25</b>	<b>951</b>
	<b>All persons<sup>a</sup></b>	<b>581</b>	<b>344</b>	<b>81</b>	<b>33</b>	<b>74</b>	<b>32</b>	<b>1,145</b>

a: 16 cases have been excluded due to missing data

Source: AIC NDICP 1980–2006 [computer file]

## Location of death

**Table A21: Prison custody deaths by location, 1980–2006 (number)**

		Public hospital	Prison hospital	Cell	Other custodial setting	Public place	Other	Total
NSW	Indigenous	21	3	32	4	0	1	61
	Non-Indigenous	80	24	233	17	0	1	355
Vic	Indigenous	0	0	5	0	0	0	5
	Non-Indigenous	33	14	106	5	0	0	158
Qld	Indigenous	7	1	30	4	0	0	42
	Non-Indigenous	68	9	68	11	1	0	157
WA	Indigenous	15	1	24	1	0	0	41
	Non-Indigenous	28	4	66	6	3	0	107
SA	Indigenous	4	1	12	0	0	0	17
	Non-Indigenous	29	3	43	4	0	1	80
Tas	Indigenous	0	0	1	0	0	0	1
	Non-Indigenous	10	8	11	0	0	0	29
NT	Indigenous	8	1	8	0	0	0	17
	Non-Indigenous	3	0	3	0	0	0	6
ACT	Indigenous	0	0	0	0	0	0	0
	Non-Indigenous	1	0	2	0	0	0	3
<b>Totals</b>	<b>Indigenous</b>	<b>55</b>	<b>7</b>	<b>112</b>	<b>9</b>	<b>0</b>	<b>1</b>	<b>184</b>
	<b>Non-Indigenous</b>	<b>252</b>	<b>62</b>	<b>532</b>	<b>43</b>	<b>4</b>	<b>2</b>	<b>895</b>
	<b>All persons<sup>a</sup></b>	<b>307</b>	<b>69</b>	<b>644</b>	<b>52</b>	<b>4</b>	<b>3</b>	<b>1,079</b>

a: 82 cases have been excluded due to missing data

Source: AIC NDICP 1980–2006 [computer file]



# Research and Public Policy Series

## No. 85

The National Deaths in Custody Program (NDICP) monitors on an ongoing basis the circumstances of all deaths in prison and police custody (and custody-related police operations), and deaths in juvenile detention in Australia. Since 1980, the NDICP, coordinated by the Australian Institute of Criminology, has provided accurate information and examined the extent and nature of deaths in police, prison and juvenile custody. The compilation of data sources from state and territory police services, and juvenile justice and correctional departments, has resulted in a unique repository of consistently collected data over a long time period.

This report presents information on deaths in custody in Australian states and territories for the 2006 calendar year. Statistics are presented on victims' Indigenous status, circumstances of death, related offences, and demographic information such as age and gender. The report also outlines long-term trends in both prison custody since 1980, and police custody and custody-related operations since 1990. The number and rates of deaths for Indigenous and non-Indigenous prisoners is complemented by details on victims' location and legal status. Recommendations include expanding the definition of a 'death in custody' to allow national-level analysis of factors surrounding deaths and to provide a more complete picture of deaths in custody.