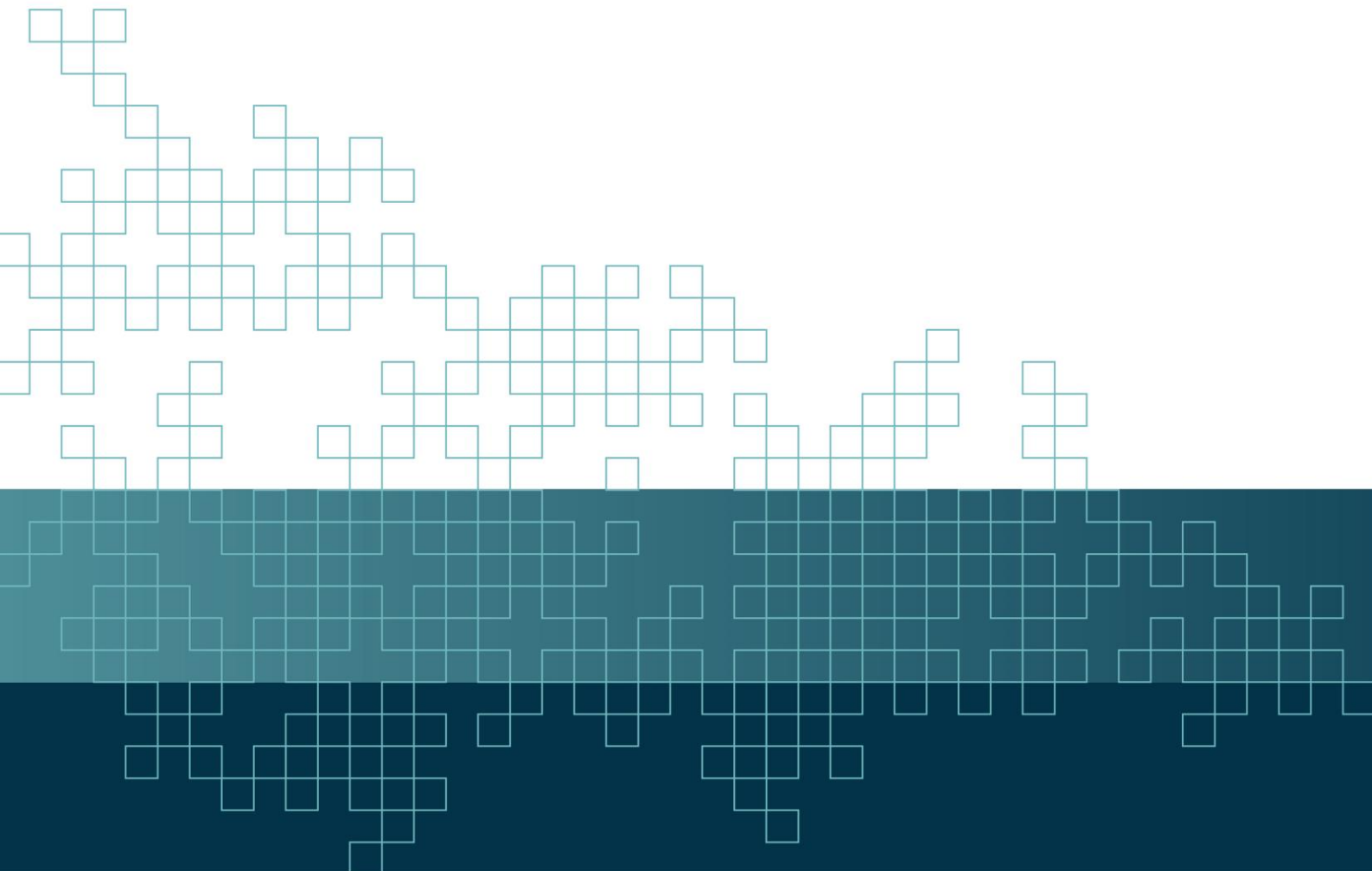




12-year trends in Aboriginal or Torres Strait Islander offending in Victoria

Year ending 31 December 2016





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1. Introduction

This publication presents data on Aboriginal or Torres Strait Islander alleged offenders recorded by Victoria Police from January 2005 to December 2016. The focus of this publication is to describe trends in Aboriginal or Torres Strait Islander offending rates over the past 12 years.

Methodology

The following article is based on data extracted from Victoria Police's Law Enforcement Assistance Program (LEAP) database on the 18th of April 2017.

The unit of measurement featured in this article is the rate per 100,000 population of Aboriginal or Torres Strait Islander alleged offender incidents. An alleged offender incident is an incident involving one or more offences to which an individual has been linked as an alleged offender. An alleged offender incident represents one alleged offender but may involve multiple victims and offences. One incident may involve offences that occur over a period of time but if processed by Victoria Police as one incident, it will have a count of one in the data presented in this section. There may be multiple incidents within the reference period that involve the same individual. If there are multiple alleged offenders related to a criminal event, each will have their alleged offender incident counted once in the figures.

Where there were multiple offences recorded within the one incident, the incident is assigned an offence category of the most serious offence in the incident, known as the principal offence. Offender incidents presented in the data tables are grouped according to the principal offence committed. For more information about the types of offences included in each principal offence category, refer to the classification on the Crime Statistics Agency website.

The 'most frequent' identification counting rule is used to derive information about a person's Aboriginal or Torres Strait Islander status for their alleged offender incident. Further details about this rule can be found in Appendix 1.

Rate calculation

The rates per 100,000 population presented in this spotlight were calculated through the following formula:

$$\frac{\text{Annual number of alleged offender incidents}}{\text{Annual estimated residential population}} * 100,000$$

The annual number of alleged offender incidents are taken for the calendar years ending 31st December, from the years 2005 through to 2016. The annual estimated residential population is taken from ABS estimates of the annual Victorian population of Aboriginal or Torres Strait Islander populations¹. As the LEAP database only includes data on alleged offenders aged 10 years and above, we accordingly used populations of Aboriginal or Torres Strait Islander Victorians aged 10 years and above in calculating the alleged offender incident rates.

Age standardisation

The age distribution for Aboriginal or Torres Strait Islander persons varies to non-Indigenous populations in Australia. On average, Aboriginal or Torres Strait Islander persons tend to be younger than the non-Indigenous population. For the calculation of rates, the Crime Statistics Agency has not standardised to control for differing age populations.

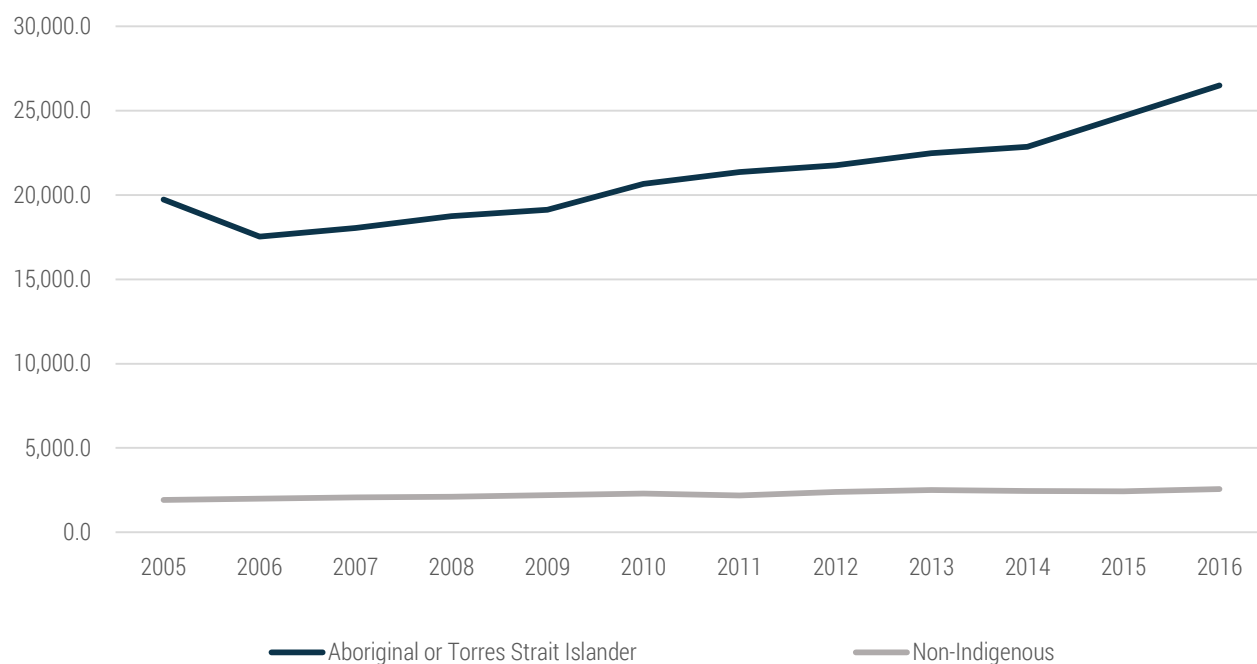
¹ Australian Bureau of Statistics 2014, *Estimates and Projections, Aboriginal or Torres Strait Islander Australians, 2001 to 2026*, cat. no. 3238.0, ABS, Canberra

2. Rates of Aboriginal or Torres Strait Islander alleged offender incidents

2.1 Overall trends

2.1.1 Overall rates of alleged offender incidents

Figure 1: Overall alleged offender incident rates by indigenous status – January 2005 to December 2016



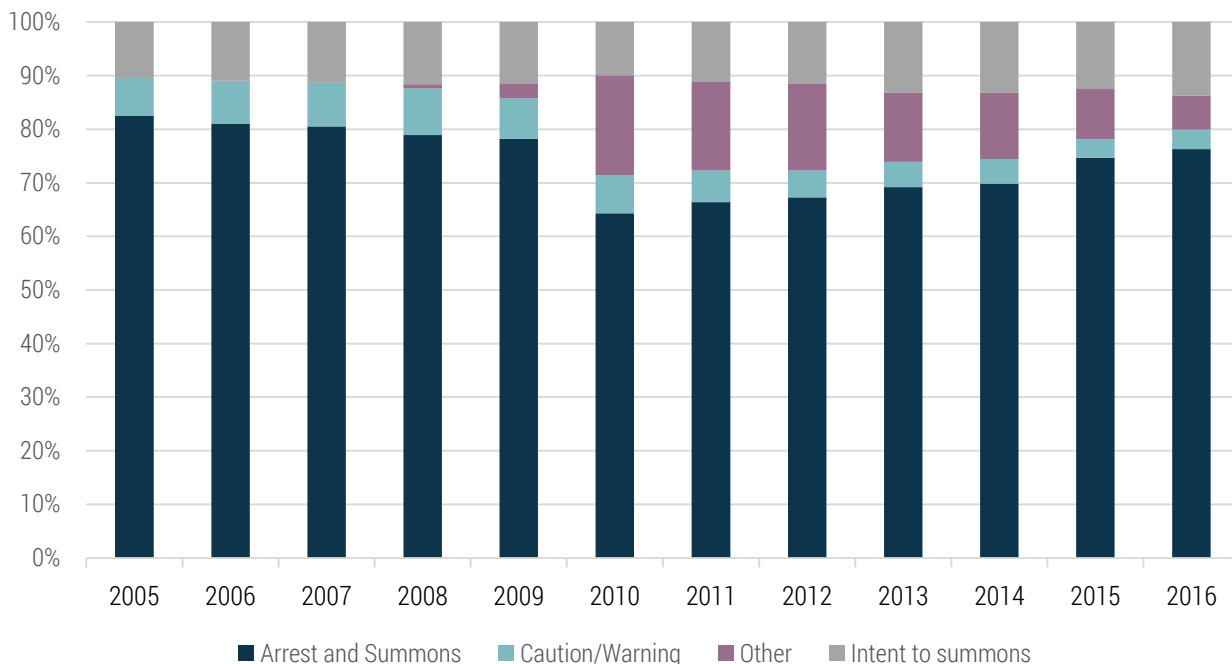
From January 2005 through to December 2016, the overall offender incident rate for the Aboriginal or Torres Strait Islander population has been substantially higher than the rate for the non-Indigenous population of Victoria. In the year ending December 2016, the Aboriginal or Torres Strait Islander rate was 26,500.9 offender incidents per 100,000 population. The rate has increased by an average of 2.8% per year in the 12-year period since the year ending December 2005, totalling an increase of 34.3% for the entire period. The offender incident rate for Aboriginal or Torres Strait Islander populations in the year ending December 2016 was also more than ten times the rate of the non-Indigenous population with 2,565.8 offender incidents per 100,000 population.

2.1.2 Aboriginal or Torres Strait Islander alleged offender incident rates by outcome

When comparing Aboriginal or Torres Strait Islander offender incidents by outcome as at 18 April 2017, more than three quarters of (76.3%) of alleged offender incidents had an outcome of either *Arrest* or *Summons* in the year ending December 2016. This proportion has fallen since the year ending December 2005 when it comprised 82.6%, but has increased since the year ending December 2010 when it comprised 64.3%. In the year ending December 2016, offender incidents with an outcome of *Caution/Warning*, *Other*, and *Intent to Summons* comprised 3.6%, 6.3% and 13.8% of all offender incidents respectively.

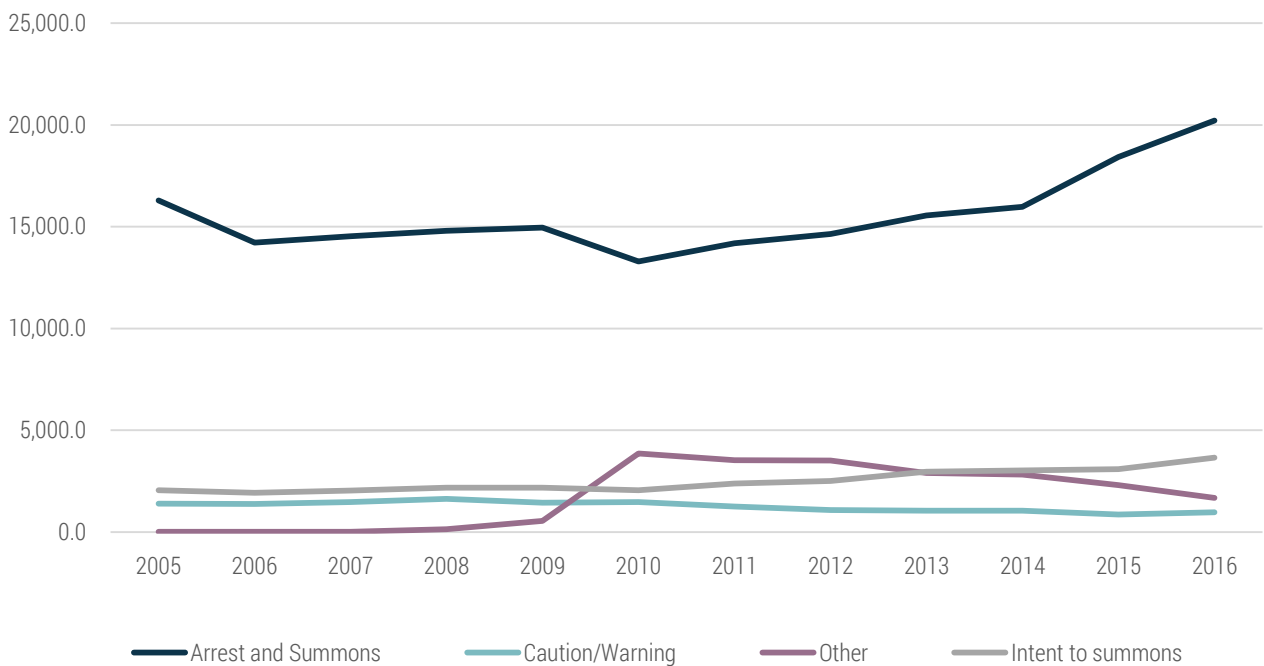
There was an increase in the number of alleged offender incidents with *Other outcomes* in the year ending December 2010 (1,343 offender incidents), comprising 18.7% of all Aboriginal or Torres Strait Islander offender incidents that year. Other outcomes in the year ending December 2010 was primarily driven by Penalty Infringement Notices for the principal offence of Disorderly and offensive conduct, which comprised 92.6% of the offender incidents of this outcome type that year. The number of Aboriginal or Torres Strait Islander offender incidents with *Other outcomes* has decreased by 48.8% since December 2010, and was 688 offender incidents in the year ending December 2016.

Figure 2: Proportions of Aboriginal or Torres Strait Islander alleged offender incidents by outcome – January 2005 to December 2016



The Aboriginal or Torres Strait Islander alleged offender incident rate for *Arrest and Summons* was 20,212.7 offender incidents per 100,000 population in the year ending December 2016. This represents a 24.1% increase in the 12 year period since the year ending December 2005, when the rate was 16,287.9. The next highest offender incident rate in the year ending December 2016 was associated with the outcome of *Intent to summons*, at 3,650.3 offender incidents per 100,000 population (a 78.2% increase since 2005). The offender incident rate associated with *Other outcomes* and *Caution/Warning* were 1,674.3 and 963.7 offender incidents per 100,000 population respectively.

Figure 3: Aboriginal or Torres Strait Islander alleged offender incident rates by outcome – January 2005 to December 2016



An alleged offender who receives an outcome of Arrest or Summons is likely to be charged and therefore progress further through the justice system. Given that the offender incident rate associated with Arrest/Summons on average represents more than three quarters (76.3%) of the overall Aboriginal or Torres Strait Islander offender incident rate for the year ending December 2016, a greater focus on this outcome group is presented in the following sections of this report.

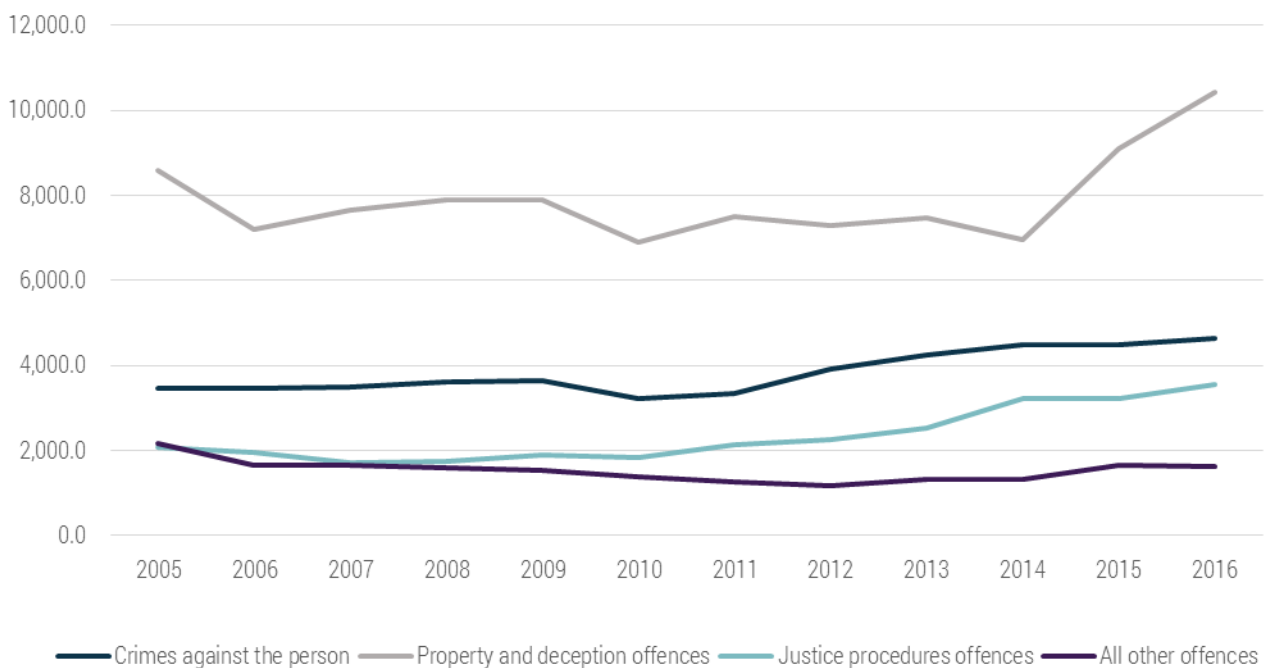
The following sections present data on the rates per 100,000 population of alleged offender incidents, where the offender is of Aboriginal or Torres Strait Islander status and has an outcome of arrest or summons. Where analyses by specific offence groups are provided, these refer to the principal occurring offence type linked to the offender incident.

2.2 Aboriginal or Torres Strait Islander alleged offender incident rates with an outcome of arrest or summons

2.2.1 Aboriginal or Torres Strait Islander alleged offender incident rates by principal offence

The overall trend in the Aboriginal or Torres Strait Islander offender rate was driven primarily by *Property and deception*, which comprises approximately half of all offender incidents in each year, and which has increased by 21.5% in the 12 years since 2005. *Crimes against the person* and *Justice procedures* offences comprised the next largest proportions (22.9% and 17.5% respectively) of the offender incident rate in the year ending December 2016, and these rates have increased in the past 12 years since 2005 (by 34.0% and 69.4% respectively). In the 12 years ending December 2016, the offender incident rate for *Drug offences* has increased by 34.1%, whilst *Public order and security* and *Other offences* decreased by 39.9% and 91.0% respectively. These three offence groups collectively comprised only 8.0% of the overall Aboriginal and Torres Strait Islander offender incident rate in the year ending December 2016.

Figure 4: Aboriginal or Torres Strait Islander offender incident rates by principal offence division – January 2005 to December 2016



Note: Includes offender incidents with an outcome of Arrest or Summons

For *Property and deception* offences, the Aboriginal or Torres Strait Islander offender incident rate was driven by Theft, followed by Burglary/Break and enter. The Theft offender incident rate has fluctuated at similar levels from 2005 through to 2014, after which there was an increase in 2015 and 2016 (a 33.3% increase over the 12 year period). In contrast, the Burglary/Break and enter offender incident rate has decreased 18.8% in the past 12 years. Steady increases were also seen in Property damage (54.6%), and Deception (91.0%) since 2005.

The offender incident rate for *Crimes against the person* was primarily driven by Assault and related offences, which comprised between 70.6% and 77.0% of the total rate in the past 12 years. The Assault offender incident rate has increased by 24.8% since 2005. There were also increases in the offender incident rates for Stalking, harassment and

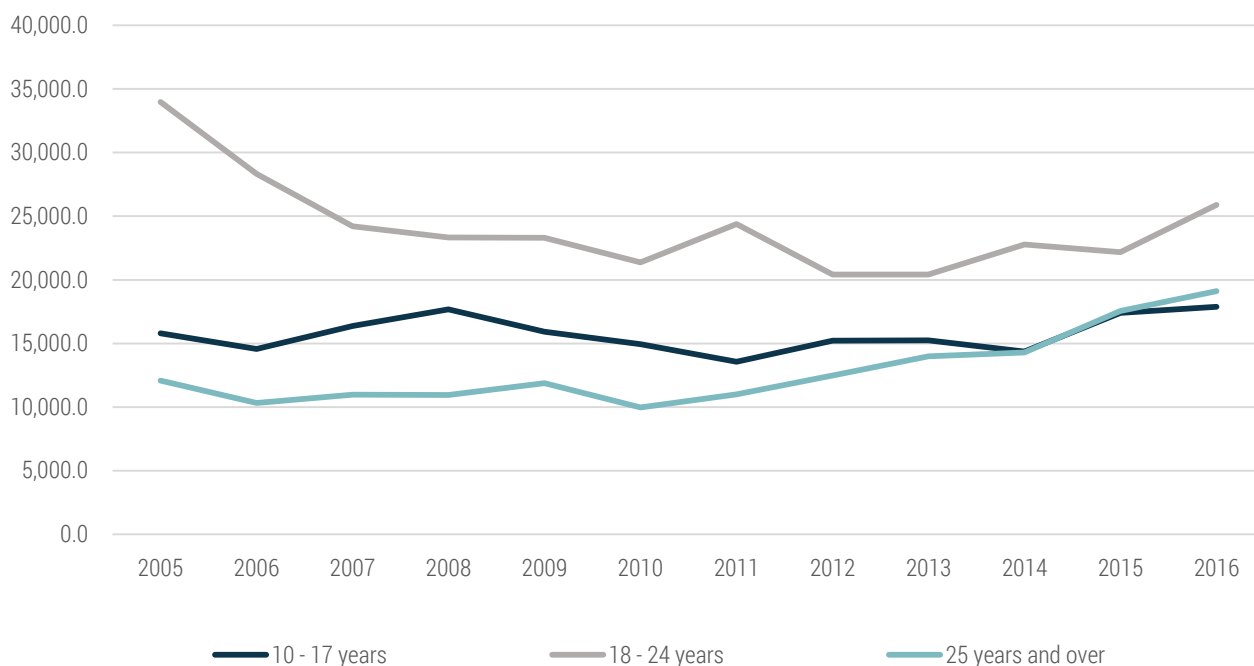
threatening behaviour (173.7%), and Dangerous and negligent acts endangering people (109.4%) in the 12 year period since 2005.

The offender incident rate for *Justice procedures* offences was primarily driven by Breaches of orders, which comprised between 86.7% to 93.9% of the offender incident rate in each of the years from 2005 to 2016. Breaches of orders has shown a steady increase since 2005, up 76.4% at the end of 2016.

2.2.2 Aboriginal or Torres Strait Islander alleged offender incident rates by age groups

The offender incident rate for Aboriginal or Torres Strait Islander offenders aged 18 to 24 years was higher than the rate for other age groups for each of the years from 2005 through to 2012 (Figure 2). For offenders aged 18 to 24 years, this rate has decreased (down 23.9%) from 33,992.0 offender incidents per 100,000 population in 2005, to 25,879.9 in the year ending December 2016. The rate for offenders aged 10 to 17 fluctuated during this period and in the year ending December 2016, was 17,879.2 offender incidents per 100,000 population, up 13.2% since 2005. For offenders aged 25 and over, the rate was 12,069.7 offender incidents per 100,000 population in the year ending December 2005, and this has increased by 58.3% to 19,104.4 in the year ending December 2016.

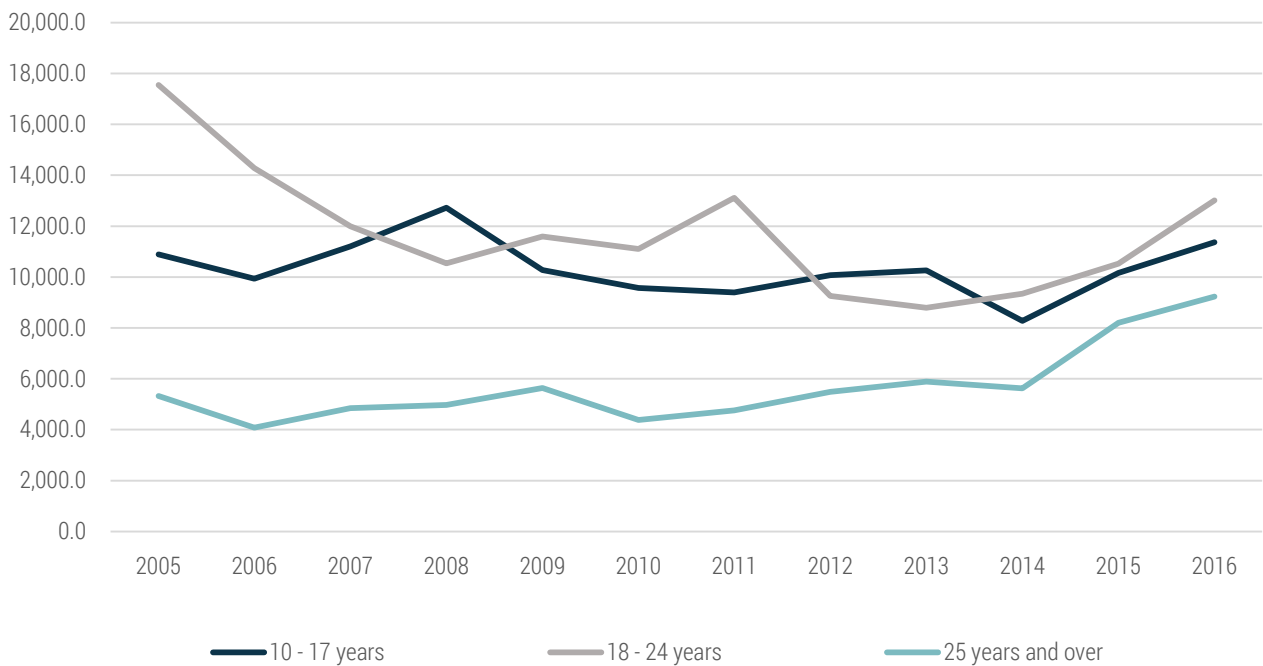
Figure 5: Aboriginal or Torres Strait Islander offender incident rates by selected age groups – January 2005 to December 2016



Note: Includes offender incidents with an outcome of Arrest or Summons

The age group trends in the Aboriginal or Torres Strait Islander offender incident rates was replicated in the *Crimes against the person* and *Justice procedures* rates. For *Property and deception*, the offender incident rate for 10 to 17 year old group was fairly stable throughout the 12 year period ending December 2016, only increasing by 4.4%. The rate for the 18 to 24 year old group has decreased in the same period (by 25.8%), and was lower than the rate for the 10 to 17 year old group in the years ending December 2008, 2012 and 2013. The offender incident rate for the 25 years and over group increased during the 12 year period ending December 2016, up 73.2% to 9,230.3 offender incidents per 100,000 population.

Figure 6: *Property and Deception* Aboriginal or Torres Strait Islander offender incident rates by selected age groups – January 2005 to December 2016



Note: Includes offender incidents with an outcome of Arrest or Summons

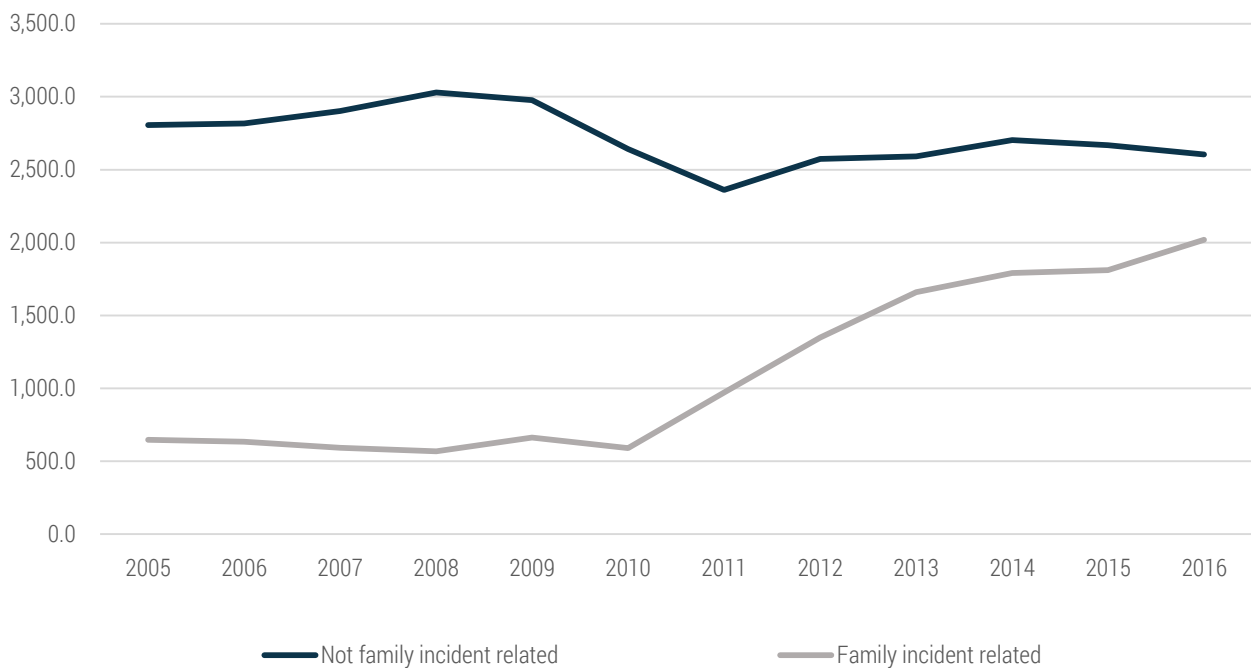
2.2.3 Aboriginal or Torres Strait Islander alleged offender incident rates by family incident groups

In the 12 year period from the year ending December 2005 to the year ending December 2016, the Aboriginal or Torres Strait Islander offender incident rate was primarily driven by non-family incidents. This non-family incident rate has remained stable, with a total percentage increase of 6.2% in the 12 year period. In contrast, the family incident related Aboriginal or Torres Strait Islander alleged offender incident rate has increased by 291.2% in the 12 year period from the year ending December 2005 to the year ending December 2016. In the year ending December 2005, the family incident related rate comprised 6.3% of the Aboriginal or Torres Strait Islander offender incident rate for that year. The proportion due to family incidents has increased and in the year ending December 2016, the family incident related rate comprised 19.8% of the overall Aboriginal or Torres Strait Islander offender incident rate.

It must be noted that the increase in the family incident related offender incident rate since the year ending December 2011 has in part been due to improved recording of family incidents. Since 2011, initiatives such as the Family Violence Code of Practice have been put in place by Victoria Police to improve the recording of family incidents, the individuals involved and the offences committed. As such, the non-family incident Aboriginal or Torres Strait Islander offender incident rates from the years ending December 2005 through to 2010 could include family incidents that have not been recorded as such.

The influence of family incidents on the *Crimes against the person* and *Justice procedures* Aboriginal or Torres Strait Islander offender incident rates was more pronounced over the 12 year period ending December 2016. In terms of *Crimes against the person*, the non-family incident related rate decreased by 7.2% from 2005 to 2016. However the family incident related Aboriginal or Torres Strait Islander offender incident rate has increased by 212.5% from 646.3 offender incidents per 100,000 population in the year ending December 2005 to 2,019.8 in 2016. The family incident related Aboriginal or Torres Strait Islander offender incident rate comprised 43.7% of the *Crimes against the person* rate in the year ending December 2016, which was an increase since 2005 when it comprised 18.7%.

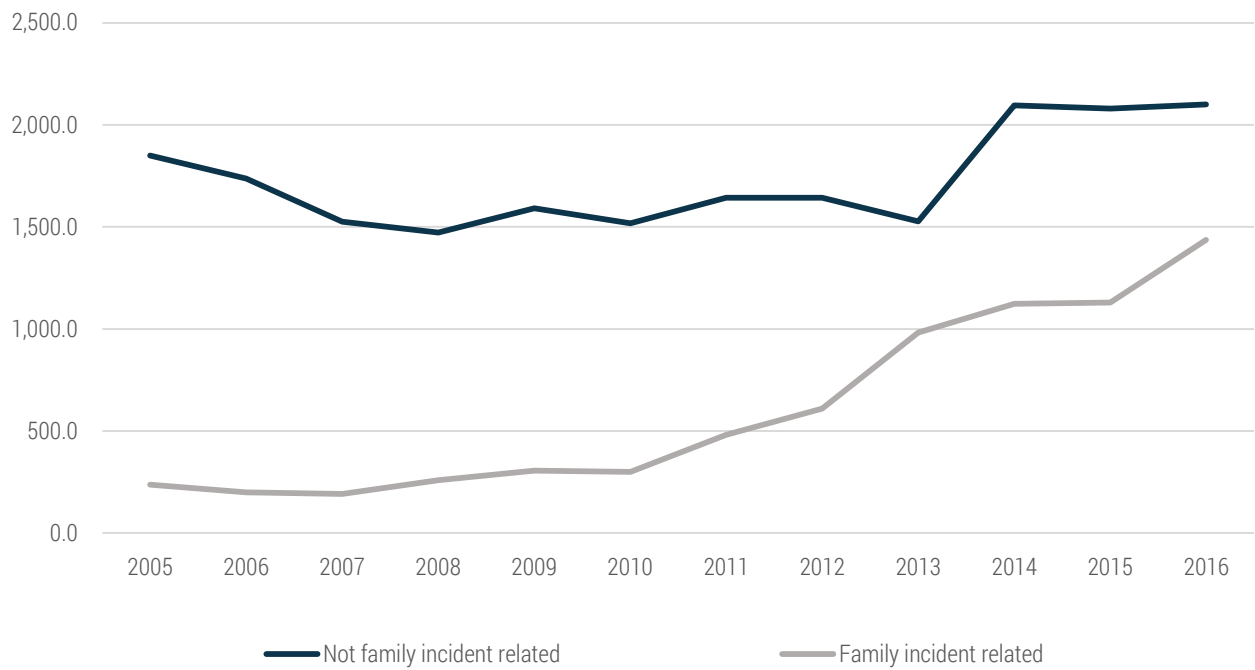
Figure 7: *Crimes against the person* Aboriginal or Torres Strait Islander offender incident rates by family incident groups – January 2005 to December 2016



Note: Includes offender incidents with an outcome of Arrest or Summons

For *Justice procedures*, the Aboriginal or Torres Strait Islander offender incident rate increased by 505.3% from 237.2 incidents per 100,000 population the year ending December 2005 to 1,435.8 in 2016. The non-family incident related rate was fairly stable throughout the same period, increasing by 13.6% from 1,849.5 offender incidents per 100,000 population in 2005, to 2,100.1 in 2016. In the year ending December 2016, the family incident rate comprised 40.6% of the *Justice procedures* offender incident rate, up from 11.4% in 2005.

Figure 8: *Justice procedures* Aboriginal or Torres Strait Islander offender incident rates by family incident groups – January 2005 to December 2016



Note: Includes offender incidents with an outcome of Arrest or Summons

Appendix 1. Technical notes

Collection of Aboriginal or Torres Strait Islander statistics within administrative data systems.

Standards for the collection and recording of Aboriginal or Torres Strait Islander status in statistical collections stem from the Commonwealth definition for the identification of a person as an Aboriginal and/or Torres Strait Islander.

There are three components:

- Aboriginal and/or Torres Strait Islander descent
- Self-identification as an Aboriginal and/or Torres Strait Islander person and
- Acceptance of the person as an Aboriginal and/or Torres Strait Islander by the community in which he or she lives.

In practice, however, the second of these components (self-identification) is used within data collection exercises as a means of assessing a person's Aboriginal and/or Torres Strait Islander Status. The first and third components are not easily verifiable at the point of data collection. Self-identification is the element captured by the ABS Standard Indigenous Question.

ABS Standard Indigenous Question

The Australian Bureau of Statistics developed the ABS Standard Indigenous Question (SIQ) to support the collection of consistent and comparable statistics relating to Aboriginal or Torres Strait Islander people in ABS surveys and administrative data collections. It was introduced in 1996 and is used by ABS and many government and non-government agencies. The basic structure of the ABS SIQ is shown in Figure 1.

Figure 1. The ABS Standard Indigenous Question

<p>[Are you] [Is the person] [Is (name)] of Aboriginal or Torres Strait Islander origin?</p> <p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes, Aboriginal</p> <p><input type="checkbox"/> Yes, Torres Strait Islander</p> <p>For persons of both Aboriginal or Torres Strait Islander origin, mark both Yes boxes.</p>
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If the person being asked the question refuses to answer then that is also a valid response. There can be legitimate reasons for a person to not want to respond to the SIQ. The recent review undertaken by ABS highlighted that many Aboriginal or Torres Strait Islander people did not think there was a good understanding of why the question was being asked or what the response will be used for, which could lead to unwillingness to answer the question.

Collection of Aboriginal or Torres Strait Islander status in law enforcement crime recording systems

The counting rules for the national recorded crime statistical collections require that the SIQ be asked on each occasion of a victim report or recording as an alleged offender, wherever possible.

Over a decade ago, the ABS led implementation of the Indigenous identification strategy to improve the identification of Aboriginal or Torres Strait Islander people in police, criminal courts and corrective services data systems, which hinged upon the successful implementation of a standard question to allow people to self-identify as Aboriginal or Torres Strait Islander. The ABS does not currently publish Victorian recorded crime data relating to Aboriginal or Torres Strait Islander status of victims and offenders from the national statistical collections, noting that they are not of sufficient quality for inclusion.

Improving the quality of Indigenous status outputs

While the quality of the data input by Victoria Police members in relation to Aboriginal or Torres Strait Islander status remain at current levels, the Crime Statistics Agency identified three main options for calculating this information to try and improve the utility of the data. These were:

- an 'ever-identified' rule
- a 'most recent identification' rule
- a 'most frequent' rule.

These methods may artificially 'improve' the completeness of this data through various methods of imputation and derivation. These methods involve in some way using assumptions from available pieces of information to 'fill in the gaps' of the missing data.

With this in mind, in July 2016 the CSA consulted with government and non-government stakeholders to seek feedback on the preferred option of the three counting methods. Based upon this feedback the 'most frequent' rule was the preferred method for presenting Aboriginal or Torres Strait Islander data in CSA recorded crime statistics.

Application of the 'most frequent' Indigenous status rule

As a result of the outcomes of the CSA consultation process, the most frequent Indigenous status rule has been adopted as the primary counting rule for the Aboriginal or Torres Strait Islander status of offenders in CSA recorded crime statistics. Under this counting rule, a person has either a yes or no response to the SIQ on their record, then the most frequently appearing response is taken as correct. If the person only has one meaningful response ('yes' or 'no'), then that response stands across all records. If a person appears in the dataset two different times with a 'yes' and a 'no' in the records, a 'yes' response is taken over a 'no' response. Figures 2 and 3 illustrate how this counting rule operates in two different scenarios.

A most frequent response may be less susceptible to data entry error than the previous methods, as a person with a number of appearances would require multiple incorrect responses in the dataset for their records to be incorrectly assigned, and it is less likely to occur based upon a single incorrect entry. The more entries a person has in the dataset, the greater the likelihood that their data is correct. The only exception to this would be where a person wishes to change the way they identify and respond to the question over time. This would not be recognised until the majority of a person's entries in the database reflected their current status. This rule is also dependent upon the SIQ being asked and recorded on each occasion.

Figure 2. Illustrative example of the application of a 'most frequent' derivation rule to output from the Aboriginal and/or Torres Strait Islander status variable relating to a victim or an offender

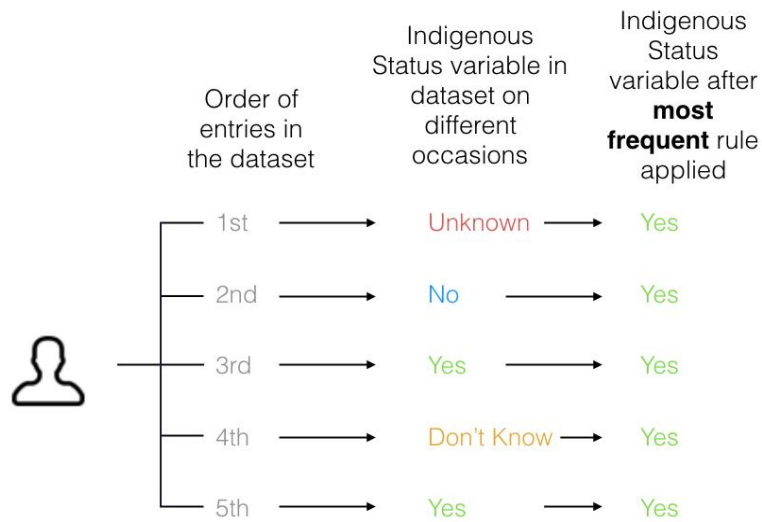


Figure 3. Illustrative example of the application of a 'most frequent' derivation rule to output from the Aboriginal and/or Torres Strait Islander status variable relating to a victim or an offender

