November 2019

Aboriginal and Torres Strait Islander Crime Data Needs - Community Consultation

Crime Statistics Agency

## Introduction

Over-representation of Aboriginal and Torres Strait Islander people in the criminal justice system has long been a concern to communities and Australian governments. When designing policy and conducting research into the economic and social conditions of Victorians, understanding the impacts upon Aboriginal[[1]](#footnote-1) people is a key consideration. Successive Victorian Governments have affirmed their commitment to ‘close the gap’ between Aboriginal and non-Aboriginal Victorians. Through the [Aboriginal Justice Agreement Phase 4](https://www.aboriginaljustice.vic.gov.au/the-agreement/the-aboriginal-justice-agreement-phase-4) - *4.1.2 outcome ‘Increased Aboriginal community ownership of and access to data’* and the [Dhelk Dja: Safe Our Way](https://www.vic.gov.au/sites/default/files/2019-07/Dhelk%20Dja%20-%20Safe%20Our%20Way%20-%20Strong%20Culture%2C%20Strong%20Peoples%2C%20Strong%20Families%20Agreement.pdf) Priority 5 *‘Aboriginal-led and informed innovation, data and research’* the government has demonstrated a commitment to ensuring that Aboriginal people have access to a sound evidence base.

### Crime Statistics Agency – Aboriginal and Torres Strait Islander data

The Crime Statistics Agency (CSA) produces the official aggregate Victorian crime statistics. These statistics are derived from the administrative information recorded by Victoria Police and extracted from the Law Enforcement Assistance Program (LEAP) database. The CSA derives Aboriginal status from the Standard Indigenous Question (SIQ) that is asked by Victoria Police. The data released by CSA are dependent upon the SIQ being asked by Victoria Police and recorded on each occasion.

Aboriginal recorded crime statistics collected by Victoria Police contain a significant proportion of unknown or missing values. The use of datasets with many unknown or missing values pose significant challenges and are often deemed unfit for general use. Use of data with many unknown values can lead to misleading conclusions – through either understating the true numbers of Aboriginal people identification within the dataset – and potentially ill-informed policy and decision making.

To improve the Aboriginal data quality the CSA conducted community consultation, in 2016, about a strategy to improve the outputs for Aboriginal and Torres Strait Islander data. This consultation resulted in the CSA implementing a ‘most frequent’ counting rule. For more information about this process please read the [*Consultation paper: Improving recorded crime statistics for Victoria’s Aboriginal community*](https://www.crimestatistics.vic.gov.au/about-the-data/consultation-paper-improving-recorded-crime-statistics-for-victorias-aboriginal). A most frequent response may be less susceptible to data entry error, as a person with several appearances in the data would require multiple incorrect responses in the dataset to be incorrectly assigned. 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 data improvement strategy was implemented in the year ending 30 June 2016 data release for the Alleged Offender population, the data quality has been subject to ongoing monitoring.

### Crime Statistics Agency – Current data quality

Despite the implementation of the ‘most frequent’ counting rule the Aboriginal Family Incident data was of insufficient data quality for inclusion in the CSA public reporting datasets, data are only available as a data consultancy. The CSA have also monitored and assessed the quality of the Aboriginal Victim report data over time and do not release this data publicly or through the data consultancy service.

The quality of Aboriginal data has continued to decline over time and the CSA withdrew the Aboriginal Alleged Offender data from its public datasets from March 2019.

### Future opportunities to improve Aboriginal and Torres Strait Islander Police data

Victoria Police have advised that an issue with the extraction of SIQ responses from LEAP may be contributing to the declining Aboriginal data quality. This issue is scheduled to be resolved by Victoria Police in 2020 and it is expected that this will result in data that will be substantially different from the current figures. While Victoria Police is fixing the issues with the source data the CSA is focussing on understanding the Aboriginal crime data requirements to ensure that any future data releases meet the needs of our stakeholders.

### CSA Community Consultation

The scope of this community consultation is ‘Aboriginal crime data needs’ with a focus on Victoria Police contact data. Information needs not within this scope have been captured as part of this process (see Appendix A) and will be referred on to the appropriate forums for action. The information included in the Appendix A do not form part of this consultation process.

The expected benefits of this consultation are that:

* there is a clear and shared understanding of Aboriginal and Torres Strait Islander crime data needs
* the Aboriginal crime data requirements inform future CSA recorded crime data releases.

## Draft findings - Aboriginal Crime Data Needs

The CSA has engaged with key stakeholders about Aboriginal crime data requirements and would now like to engage with community about these draft findings, see below.

We give our gratitude to the many Aboriginal people who generously contributed their wisdom, experience, expertise and cultural insights during the development of the draft findings.

## 2.1 Contact with Victoria Police

Information is required about Aboriginal alleged offenders contact with police:

* The number of first-time offenders processed by Victoria police each year
* The number of alleged offenders processed by Victoria police each year
* Rates of recidivism
* Aboriginal peoples, compared to non-Aboriginal peoples, contact with police

## 2.2 Offences

Information is required about the types of offences being recorded by police for Aboriginal alleged offenders:

* Types of offences being committed, specifically the number and type of:
  + breaches of order offences (family violence and intervention orders)
  + sexual offences
  + weapons offences
  + offences relating to ‘elder financial abuse’
* Offences that occur at the same time as other offences
* Types of offence that occur at family violence incidents
* Types of offences where children were present during a family violence incident

## 2.3 Demographics

Information is required about the demographics (age, sex, etc.) of Aboriginal people coming in to contact with police:

* The age and sex of alleged offenders, first-time alleged offenders, victims of crime, people affected by family violence, perpetrators of family violence and people who are incarcerated
* The age and sex of alleged offenders by offence type
* The rate of elder abuse in Aboriginal communities

## 2.4 Locality

Information is required about the number of police attendance by geographic location for:

* Aboriginal alleged offenders by local government area (LGA) and Police Division
* Family incidents involving Aboriginal people by LGA

## 2.5 Outcome

Information is required about the outcome of offences recorded for Aboriginal alleged offenders, including:

* The number and proportion of cautions given to those aged 10-17 and 18-24 years old
* The number of alleged offenders who received a warning, pre-charge diversion or other proactive response prior to cautioning
* The types of offences that result in a penalty infringement notice
* The length of time Aboriginal people are being held in police custody
* Outcomes from family incident reports

## 2.6 State of mind/wellbeing of the offender

Information is required about the number of Aboriginal alleged offenders who:

* Were identified as being drunk/under the influence of illicit drugs
* Have a mental health condition
* Have lived in out-of-home care

## 2.7 Remand/Corrections

Information is required about the Aboriginal people who have proceeded through the justice system, including:

* The offence types that are resulting in imprisonment of Aboriginal alleged offenders
* The length of time men and women are being held in remand
* The incarceration rate for young people
* The number of offenders who have been to prison for violence

## 2.8 Victims of Crime

Information is required about Aboriginal victims of crime:

* The number of offences committed against members of the Aboriginal community
* The number of victims and what offences are being committed against them

## 2.9 Family Violence

Information is required about family incidents involving Aboriginal people, including:

* The number of family incidents where both people are Aboriginal
* The number of family incidents where an Aboriginal person is not involved
* The number of family incidents where the person affected is Aboriginal where the perpetrator is Aboriginal or non-Aboriginal
* The time of day which has the highest number of family incidents
* The number of incidents that occur between different Aboriginal families
* The number of notifications/referrals sent to the Department of Health and Human Services
* The number of Aboriginal children present at family incidents and the number present at family incidents where no Aboriginal person was involved in the incident
* The number of Aboriginal perpetrators of family violence that have more than one incident in a 12-month period
* The number of Aboriginal perpetrators of family violence that have been involved in a previous incident
* The number of times a person affected by family violence was involved in more than one family incident in a 12-month period
* The pattern of family violence over time, i.e. where a family member affected by family violence has previously been a perpetrator or vice versa
* The number of intervention orders issued for those affected by family violence and against the perpetrator
* The number of Aboriginal elders who are victims of family violence

## Feedback sought on this community consultation

In this paper we have presented a prioritised list of Aboriginal crime data needs, as identified by the Dhelk Dja and RAJAC stakeholders. The CSA welcomes feedback on these crime data questions from the Victorian Aboriginal community and any other interested stakeholders. The CSA will consider all feedback in designing future recorded crime statistics for release on the CSA website and all non-CSA data needs will be referred to relevant forums/data custodians.

The public consultation will close at 5pm on 9 December 2019. We look forward to hearing your views.

**Instructions for providing feedback**

1. Read through the questions included in section 2 above.
2. Please provide comments about these questions (example; is anything missing, is the question unclear etc).
3. Send your responses to the CSA via the methods below.

**Written submission**

The CSA can be reached by post at:

Chief Statistician  
Crime Statistics Agency  
GPO Box 4356  
Melbourne Vic 3001

**By e-mail**

The CSA can be reached via email at [info@crimestatistics.vic.gov.au](mailto:info@crimestatistics.vic.gov.au)

## Appendix A – Non-crime related information

The scope of this community consultation is ‘Aboriginal crime data needs’ with a focus on Victoria Police contact data. Information needs not within this scope have been captured as part of this process, see below, do not form part of this community consultation. These information needs will be referred on to the appropriate forums for action.

Information needs that do not relate to crime data are required for the following:

* The age at which Aboriginal offenders start to use violence
* Aboriginal offenders’ patterns of behaviour leading to contact with police over time
* The rate at which Aboriginal children are being removed
* The housing status for Aboriginal people in Victoria
* Retention rates for Aboriginal children in primary and secondary school
* The reason provided for Aboriginal children who are expelled from school
* The impact of cultural healing on victims of family violence
* The difference in gender attitudes toward family violence
* Aboriginal people who experience racist attitudes from non-Aboriginal partners
* The housing status for family violence victims
* Housing status for Aboriginal offenders
* The access of crime funding from Aboriginal victims of family violence
* The number of Aboriginal victims and their children access supported accommodation in their local area
* The number of children who remain with the victim after a family violence incident
* The number of Aboriginal young people who are living in out-of-home care
* The number of Aboriginal children who have been removed as a result of family violence
* The number of offenders who are from the Stolen Generation
* The homelessness rate of offenders
* The number of offenders who have experienced trauma through forced removal
* The number of young people who have attempted suicide
* The number of Aboriginal children being removed due to a family violence incident where the perpetrator is not Aboriginal
* The percentage of Aboriginal offenders who moved from interstate

1. For the purposes of this document the term Aboriginal refers to the response a person has provided to Victoria Police when the Standard Indigenous Question was asked (Aboriginal or Torres Strait Islander status). [↑](#footnote-ref-1)