

# **Occasional Paper**

# **Law and Justice Issues, Indigenous Australians**

**1994**



New  
Issue

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**1994**

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This Occasional Paper is intended to make the results of current research available to other interested parties. The aim is to encourage discussion and comment.

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AUSTRALIAN INSTITUTE OF CRIMINOLOGY  
AUSTRALIAN BUREAU OF STATISTICS

EMBARGO: 11.30 AM (CANBERRA TIME) WED 27 MAY 1998

ABS Catalogue no. 4189.0  
ISBN 0 642 23142 7

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#### **INQUIRIES**

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## LIST OF ABBREVIATIONS AND OTHER USAGES

### ABBREVIATIONS

ABS Australian Bureau of Statistics

ATSIC Australian and Torres Strait Islander Commission

CDEP Commonwealth Development Employment Project

### OTHER USAGES

\*\* relative standard errors greater than 50%

#  $p < 0.05$

##  $p < 0.01$

###  $p < 0.001$

– nil or rounded to zero

## SUMMARY

### INTRODUCTION

The Australian Bureau of Statistics' 1994 National Aboriginal and Torres Strait Islander Survey included a number of questions relating to law and justice. A major goal was to fill some of the gaps in information, as it is only in recent years that information on the involvement of Aboriginal and Torres Strait Islander people in the criminal justice system, as revealed from the State and Territory Governments' administrative data sets (rather than from one-off research studies) has started to become available.

### EXPERIENCES WITH THE LAW

Of the 197,500 Aboriginal and Torres Strait Islander people aged 13 years and over in 1994, over 20% reported having been arrested (including being detained by police for public drunkenness) in the five years prior to the survey (i.e. 1989–94). Of particular significance was the relatively high proportion of young men in the age group 18–24 years arrested (46%), with 32% of them having been arrested more than once over the five years.

Some 37% of unemployed Aboriginal and Torres Strait Islander people had been arrested in the five years prior to the survey, compared with 18% of employed people and 14% of those not in the labour force.

The most frequently reported reason for arrest was 'disorderly conduct/drinking in public' at 32% of those arrested, followed by drink driving offences at 23%.

Almost 10% of the population surveyed claimed that they had been 'hassled' by the police in the 12 months prior to interview. In addition, 4% of males, stated that they had been physically assaulted by police during the previous year.

### PERCEPTIONS OF POLICE PERFORMANCE

Approximately 37% of Aboriginal and Torres Strait Islander people aged 13 years and over considered that police do a good job in dealing with crime in their area. A similar proportion thought that they do a good job in dealing with violence generally, and 30% felt that they do a good job in dealing with family violence. Substantial proportions felt that police were *not* doing a good job in dealing with crime (27%), violence (22%) or family violence (21%). Around 13–16% thought that they sometimes did a good job in these areas while the remainder (19–36%) did not know or did not state an opinion.

Higher proportions of the younger adults aged 18–44 years felt that police did not do a good job in dealing with these problems than people in the oldest and youngest age groups.

PERCEPTIONS OF POLICE  
PERFORMANCE *continued*

Nationally, the reason most frequently given for police not doing a good job in dealing with crime generally and with violence was that police were 'too slow to respond', followed by the perception that police officers 'don't understand Aboriginal/Torres Strait Islander people/culture' and 'don't fully investigate'. Failure to understand the people and culture was the most frequently cited reason in the area of family violence, followed by 'too slow to respond'.

While the majority of respondents thought that Aboriginal and Torres Strait Islander people's relationships with the police were better or about the same compared with five years earlier, 19% thought that this relationship had worsened.

Some 56% of adults stated that they were treated fairly by police, whereas 8% expressed the view that they were not treated fairly. Of the remainder, 10% said that they were sometimes treated fairly while 27% did not state an opinion or had no contact with police.

ACCESS TO, NEED FOR  
AND USE OF LEGAL  
SERVICES

Overall, 15% of Aboriginal and Torres Strait Islander people aged 13 years and over used legal services in the 12 months prior to the survey; 19% of males and 12% of females. Of these, 67% used a specialist Aboriginal Legal Service rather than a State or Territory Legal Aid Commission, private legal practitioner or other form of legal service.

Over 80% of the Aboriginal and Torres Strait Islander people who lived in rural Australia were more than 50 kilometres from the nearest legal service, as were 57% of those living in non-capital city urban areas.

Of those who needed legal services, similar proportions were employed, unemployed and not in the labour force.

PERCEPTIONS OF FAMILY  
VIOLENCE

Some 45% of Aboriginal and Torres Strait Islander people aged 13 years and over felt that family violence was a common problem in their area. Of respondents who felt they knew whether or not it was a common problem locally (31% of respondents), 68% of females and 63% of males expressed this view.

Lower proportions of capital city residents than those of other urban or rural areas perceived family violence to be a common problem in their area.

Only 12% of Tasmanian Aboriginal and Torres Strait Islander people felt that family violence was a common problem locally, compared with 45% nationally and 55% in Western Australia.

EXPERIENCE OF CRIMINAL  
VICTIMISATION

More than 1 out of 10 (13%) Aboriginal and Torres Strait Islander people aged 13 years and over reported that they were physically attacked or verbally threatened in the 12 months prior to the survey. A marginally higher proportion of males than females was a victim of an attack or threat.

EXPERIENCE OF CRIMINAL  
VICTIMISATION *continued*

Among Aboriginal and Torres Strait Islander males living in Victoria, 29% reported that they had been attacked or verbally threatened in the 12 months prior to the survey in 1994.

Some 15% of people surveyed had been attacked or verbally threatened 10 or more times over the year.

Around one in three (37%) of last incidents of attack or verbal threat to Aboriginal and Torres Strait Islander people had been reported to the police. The reason for failing to report the incident given most frequently was that people solved the problem themselves and/or the perpetrator was known to the victim.

In the 12 months prior to the survey, 11% of Aboriginal and Torres Strait Islander households in Australia were broken into and something stolen. Of these incidents, 53% had been reported to the police. Less than one-third (30%) were reported in the Northern Territory.

PREDICTING PROBABILITIES  
OF ARREST

A number of characteristics were significantly associated with the probability of arrest over the previous five years, after adjusting for other relevant characteristics. The strongest association was with labour force status (being unemployed). This was followed by perceiving that relations with the police had worsened over the previous five years, having been taken away from family as a child, age group and State of residence.

DISCUSSION

Law and justice are issues of considerable importance to Australia's Aboriginal and Torres Strait Islander people. The nature of the criminal law of the Commonwealth, the States and the Territories, patterns of policing and the operation of other parts of the criminal justice system impact heavily on some sectors of the Aboriginal and Torres Strait Islander population. An additional, and important, dimension is customary law which often sits uncomfortably with the statute law which applies to all Australians.

## CHAPTER 1

### INTRODUCTION

The operation of the criminal justice system, including law enforcement, the courts and incarceration, are matters of public policy which impact particularly heavily on some sectors of the Aboriginal and Torres Strait Islander population. This was highlighted through the work of the Royal Commission into Aboriginal Deaths in Custody which presented its *National Report* in 1991.

The Royal Commission found that, generally speaking, the disproportionate level of custodial deaths of Aboriginal and Torres Strait Islander people that occurred nationally in the 1980s was a result of their disproportionate levels of incarceration, rather than systematic patterns of foul play, deliberate violence or brutality on the part of police or prison officers. It argued that the causes of the disproportionate involvement of Aboriginal and Torres Strait Islander people in the criminal justice system are to be found in the different levels and patterns of offending of Aboriginal and Torres Strait Islander people compared with those of other backgrounds; in the different patterns of policing and the operation of the courts; and in lifestyle differences, with Aboriginal and Torres Strait Islander people being disadvantaged in various domains including schooling, employment, health and housing, and experiencing discrimination, dispossession from land and the former policies of the forced removal of children from their families (Royal Commission into Aboriginal Deaths in Custody 1991).

Owing to the absence of high quality information in many of these areas, the Royal Commission recommended, and all Australian Governments agreed, that the National Aboriginal and Torres Strait Islander Survey be conducted by the Australian Bureau of Statistics (ABS). Law and justice was one of its components, reflecting the Royal Commission's findings about the link between lifestyles, incarceration and deaths in custody. The continuing high levels of incarceration and prison deaths throughout Australia (Dalton et al. 1997) highlight the importance of having available information in this area for development of preventive interventions (Cunneen & McDonald 1997).

The National Aboriginal and Torres Strait Islander Survey was conducted by the ABS in 1994. It used a multistage stratified sample design with stratification on Aboriginal and Torres Strait Islander Commission (ATSIC) Regions. Over 15,700 Aboriginal and Torres Strait Islander people were interviewed; these made up some 6.6% of their total population. Further details on the survey methodology are available elsewhere (ABS 1995, 1996).

This report covers the major areas of law and justice addressed in the survey, namely experiences of being arrested; perceptions of police performance in dealing with crime generally, violence generally and family violence particularly; access to and use of legal services; perceptions of family violence; and experiences of criminal victimisation.

The penultimate chapter explores the patterns of arrest in greater detail, using logistic regression modelling.

Data relating to Aboriginal and Torres Strait Islander respondents aged 13 years and above are found in this report. Respondents aged less than 13 years are excluded as the law and justice questions are not applicable to them. Because some of the questions asked of the community sample were not appropriate for people in prison (for example, perceptions about family violence in the locality in which the person was living), the responses of persons in prison are excluded from some of the analyses. Data for the Australian Capital Territory are not shown separately owing to the small number of people surveyed there, reflecting its relatively small Aboriginal and Torres Strait Islander population. The Australian Capital Territory responses are included, however, in national totals.

Figures with relative standard errors greater than 50% are indicated in the tables with two asterisks: \*\*; these data should be used with caution. For more information on this and other technical aspects of the survey, see the technical appendixes ABS (1995).

The ABS has, in relation to the National Aboriginal and Torres Strait Islander Survey, released the following publications and occasional papers. Note, additional data are also available.

*Torres Strait Islanders, Queensland* (Cat. no. 4179.3)

*The Health and Welfare of Australia's Aboriginal and Torres Strait Islander Peoples 1997* (Cat. no. 4704.0)

*Social Atlas* (Cat. no. 4155.0)

*Detailed Findings* (Cat. no. 4190.0)

State and Northern Territory publications (Cat. no. 4190.1–7)

*Australia's Indigenous Youth* (Cat. no. 4197.0)

*Health of Indigenous Australians* (Cat. no. 4395.0)

*Housing Characteristics and Conditions* (Cat. no. 4187.0)

ATSIC Regional Statistics (Cat. no. 4196.0.00.001–36)

*Employment Outcomes for Indigenous Australians* (Cat. no. 4199.0)

*Occasional Paper: Cigarette Smoking Among Indigenous Australians*  
(Cat. no. 4701.0)

*Occasional Paper: Self-Assessed Health Status, Indigenous Australians*  
(Cat. no. 4707.0)

## CHAPTER 2

## EXPERIENCES WITH THE LAW

This chapter examines Aboriginal and Torres Strait Islander people's experiences with the law, focusing on frequency and patterns of arrest, reasons for arrest, and people's experiences of violence and perceptions of harassment by police officers. These variables provide insights into Aboriginal and Torres Strait Islander people's contacts with the criminal justice system not previously available from other sources. The annual National Prison Census provides data on people in prison (ABS 1997a) and the National Police Custody Survey program provides data on people detained in police lockups (Carcach and McDonald 1997) but neither covers arrests and the quality of police/community interactions. National data in the areas covered by this chapter are not available for the non-Indigenous population of Australia.

Chapter 8 examines arrest data in greater detail, applying a logistic regression analysis to obtain a deeper understanding of the factors which help explain the observed levels of arrest.

### EXPERIENCES OF ARREST AND REASONS FOR ARREST

#### Frequency of arrest

Nationally, over 20% (40,400) of the Aboriginal and Torres Strait Islander people aged 13 years and over reported having been arrested at least once during the five years prior to the survey. This includes people arrested for having committed (or allegedly committed) an offence and also people detained and taken into protective custody owing to public drunkenness in the States and Territories where such behaviour has been decriminalised (New South Wales, South Australia, Western Australia, the Northern Territory and the Australian Capital Territory).

The proportion reporting having been arrested over the previous five years varied between the jurisdictions. While New South Wales, Victoria and the Northern Territory had proportions arrested which were similar to the national figure, in South Australia and Western Australia the proportions were higher and in Queensland and Tasmania lower. South Australia experienced the highest level of arrests (28%) and Queensland the lowest (15%).

For Australia as a whole more than three times as many males were arrested as females: 32% compared with 9%. The male to female ratio was broadly similar between the various jurisdictions, although the proportion of females arrested was relatively high in Tasmania, the Northern Territory and Queensland, and relatively low in South Australia and Western Australia.

## 2.1

### ARRESTED AT LEAST ONCE IN THE PREVIOUS FIVE YEARS(a)

<i>State and Territory</i>	<i>Males</i>		<i>Females</i>		<i>Persons</i>	
	<i>%</i>	<i>'000</i>	<i>%</i>	<i>'000</i>	<i>%</i>	<i>'000</i>
New South Wales	35.3	9.0	10.0	2.7	22.5	11.7
Victoria	36.0	2.2	9.4	0.6	22.6	2.8
Queensland	24.1	6.2	6.0	1.6	14.9	7.8
South Australia	38.3	2.3	19.0	1.1	28.5	3.4
Western Australia	36.9	5.6	14.0	2.1	25.4	7.7
Tasmania	20.2	0.7	**4.5	**0.1	12.6	0.8
Northern Territory	32.3	5.0	7.1	1.1	19.6	6.0
<b>Australia</b>	<b>31.6</b>	<b>31.0</b>	<b>9.4</b>	<b>9.4</b>	<b>20.4</b>	<b>40.4</b>

(a) Indigenous persons aged 13 years and above arrested during the five years prior to interview. Percentages refer to proportions of Indigenous population in each State/Territory or in Australia as a whole.

A higher proportion of males were arrested more than once in the previous five years (19%) than were arrested just once (12%), as shown in table 2.2. This pattern was seen in all States and the Northern Territory, as well as nationally. The increased likelihood of multiple arrests was especially marked in Victoria, where 10% of Aboriginal and Torres Strait Islander males reported having been arrested just once in the previous five years, compared with 26% having been arrested more than once over that period.

Table 2.2 provides additional arrest data for males in the age groups 18–24 and 25–44 years, as the likelihood of arrest in these age groups is far higher than among both younger and older people. Both the likelihood of arrest and the frequency of arrest were particularly elevated among males in the age group 18–24 years compared with people in the other age groups. Almost 47% of 18–24 year old males reported being arrested one or more times over the previous five years with the proportion arrested more than once being over twice the level for single arrests. In Victoria only 3% of males in the age group 18–24 years reported being arrested just once, compared to the national average of 14.5%. Some 44% of Aboriginal and Torres Strait Islander males in this age group in Victoria, however, reported having been arrested more than once compared with the national average of 32%. The proportion of those arrested more than once in the age group 18–24 years ranged from a low of 12% in Tasmania to a high of 46% in Western Australia.

Table 2.2 also shows the arrest percentages of 25–44 year old Aboriginal and Torres Strait Islander males. The levels of arrest for this age group were generally slightly lower than for the age group 18–24 years (38% compared with 46%).

## 2.2

### MALES, NUMBER OF TIMES ARRESTED IN THE LAST FIVE YEARS(a)

State and Territory	18–24 years		25–44 years		All males	
	Arrested once	Arrested more than once	Arrested once	Arrested more than once	Arrested once	Arrested more than once
	%	%	%	%	%	%
New South Wales	18.1	33.1	13.4	26.9	14.3	20.4
Victoria	3.0	44.0	**13.3	29.9	9.5	26.5
Queensland	11.0	28.4	13.6	15.7	9.6	14.0
South Australia	**21.4	**33.2	**15.5	32.2	13.5	24.3
Western Australia	**9.8	46.0	14.1	28.9	11.1	24.7
Tasmania	**9.3	11.5	18.2	13.6	11.3	**9.0
Northern Territory	**23.1	25.0	13.7	27.2	12.1	19.7
<b>Australia</b>	<b>14.5</b>	<b>32.0</b>	<b>13.7</b>	<b>24.3</b>	<b>11.6</b>	<b>19.4</b>

(a) Indigenous males aged 13 years and above.

Compared with Aboriginal and Torres Strait Islander males, females had both lower level of arrests and a higher proportion having been arrested once, rather than more than once, over the five-year period. Females in South Australia had the highest level of arrests (19% compared with national average of 9.3%) and almost 12% of South Australian Aboriginal and Torres Strait Islander women were arrested more than once.

As with males, the females aged 18–24 years had a relatively level of arrests. As table 2.3 shows, 8.4% were arrested once over the five years and 7.7% more than once. In the Northern Territory some 22% had been arrested once and 24% more than once, percentages three times the national level.

## 2.3

### FEMALES, NUMBER OF TIMES ARRESTED IN THE LAST FIVE YEARS(a)

State and Territory	18–24 years		25–44 years		All females	
	Arrested once	Arrested more than once	Arrested once	Arrested more than once	Arrested once	Arrested more than once
	%	%	%	%	%	%
New South Wales	13.4	9.1	5.8	**3.8	6.3	3.7
Victoria	**6.1	**21.9	**5.6	**1.7	**4.4	**5.0
Queensland	**7.8	**1.8	5.9	**2.8	4.3	**1.6
South Australia	**8.6	**23.4	**7.6	**13.4	**7.5	11.5
Western Australia	**12.3	*15.4	8.0	**7.0	6.6	7.0
Tasmania	**9.3	**11.5	**18.2	**13.6	**3.0	**1.5
Northern territory	21.7	23.5	13.3	26.5	4.0	**2.9
<b>Australia</b>	<b>8.4</b>	<b>7.7</b>	<b>6.5</b>	<b>4.8</b>	<b>5.3</b>	<b>4.0</b>

(a) Indigenous females aged 13 years and above.

## Urban/rural differences

The proportions of the Aboriginal and Torres Strait Islander population arrested in capital cities, other urban areas and rural areas varied only marginally. As shown in table 2.4, 22% of capital city and other urban residents were arrested once or more over the five years prior to interview, as were 18% of people living in the rural areas. This homogeneity reflects, to some degree, the mobility of many Aboriginal and Torres Strait Islander people.

There was, however, a somewhat different pattern between Aboriginal and Torres Strait Islander males and females, with higher proportions of males being arrested in non-capital city urban areas, whereas higher proportions of females were arrested on average in the capital cities.

The discrepancies between place of residence and arrest was more marked in the age group 18–24 years than in the all-ages figures. Some 36% of 18–24 year olds in capital cities reported being arrested in the past five years compared with 34% in other urban and 26% in rural areas. The category with the highest experience of arrest was young males aged 18–24 years living in the non-capital city urban areas: 54% of them reported being arrested at least once in the previous five years.

## 2.4

### ARRESTED, BY PART OF STATE(a)

	18–24 years			25–44 years			Persons		
	Capital city	Other urban	Rural	Capital city	Other urban	Rural	Capital city	Other urban	Rural
Sex	%	%	%	%	%	%	%	%	%
Male	45.4	53.9	39.5	37.6	40.3	37.8	31.8	33.7	28.8
Female	26.3	14.8	10.1	12.4	12.7	8.4	12.2	9.5	6.7
<b>Persons</b>	<b>35.9</b>	<b>34.1</b>	<b>25.8</b>	<b>24.7</b>	<b>26.2</b>	<b>23.4</b>	<b>21.9</b>	<b>21.5</b>	<b>18.2</b>

(a) Indigenous persons aged 13 years and above.

## Reasons for arrest

The respondents who had been arrested were asked to identify the reason for their last arrest, that is, the offence or alleged offence. Some gave more than one reason. The reason most frequently reported was 'disorderly conduct/drinking in public' at 32%, followed by drink driving offences at 23%.

Among Aboriginal and Torres Strait Islander males, disorderly conduct/drinking in public was the most common reason for the most recent arrest (30%) closely followed by drink-driving (26%). Among females disorderly conduct/drinking in public was also the most common reason (38% of the respondents), followed by assault (19%).

Property crime (theft/burglary) was reported as the most recent reason for arrest by 15% of the respondents who had been arrested, 16% of males and 12% of females. The pattern was reversed with assault, however, with 17% of the total having been arrested for this offence, 16% of the males and 19% of the females.

Reasons for arrest  
*continued*

The age group with the highest levels of arrest, the 18–24 year olds, reflected the all-ages pattern, with 34% being arrested for disorderly conduct/public drinking and 19% for drink driving.

## 2.5

REASON(a) FOR LAST ARREST, AMONG THOSE ARRESTED(b)

	Males			Females			Persons		
	18–24 years	25–44 years	All ages(b)	18–24 years	25–44 years	All ages(b)	18–24 years	25–44 years	All ages
	%	%	%	%	%	%	%	%	%
Drink driving	20.3	34.5	26.3	**14.4	13.8	14.1	18.8	29.7	23.4
Disorderly conduct/public drinking	32.9	31.0	30.5	36.7	37.0	37.8	33.8	32.3	32.2
Outstanding warrants/breach of order	17.2	19.3	17.9	**8.9	15.0	11.7	15.1	8.3	16.5
Assault	16.6	17.6	16.2	19.7	21.7	19.3	17.4	18.6	16.9
Theft or burglary	20.5	10.8	15.9	**12.8	11.2	12.5	18.5	10.9	15.1
Other reasons	1.7	16.4	18.6	20.1	17.1	17.8	19.8	16.5	18.4
Did not want to answer	**3.9	4.5	4.0	**5.0	**6.5	5.4	4.2	5.0	4.3

(a) Persons may have given more than one reason for arrest.

(b) Indigenous persons 13 years and above.

Labour force status

Table 2.6 shows the proportions of Aboriginal and Torres Strait Islander people aged 15 years and above who reported being arrested in the five years prior to the survey, by labour force status and State or Territory of residence. Nationally almost 37% of unemployed respondents had been arrested, whereas only 18% of those employed, and 14% of those not in the labour force, reported being arrested in the last five years.

A higher percentage of Aboriginal and Torres Strait Islander people in South Australia who were unemployed and not in the labour force reported being arrested (50% and 21% respectively), compared with the other jurisdictions. In Western Australian, 22% of employed Aboriginal and Torres Strait Islander people had been arrested, which was higher than for the other States and the Northern Territory. In Victoria, 62% of unemployed males, and 27% of unemployed females, had been arrested in the five years prior to the survey, and 41% of males and 3% of females not in the labour force also reported being arrested in that State.

## 2.6

### ARRESTED(a), BY LABOUR FORCE STATUS(b)(b)

State and Territory	Employed(d)			Unemployed			Not in labour force		
	Males	Females	Persons	Males	Females	Persons	Males	Females	Persons
	%	%	%	%	%	%	%	%	%
New South Wales	26.1	**5.1	18.3	53.8	16.0	38.0	25.9	10.2	14.9
Victoria	**21.1	**6.1	15.9	61.5	**27.3	44.0	41.1	**3.4	14.5
Queensland	20.3	**4.8	14.5	37.2	16.8	29.5	15.9	4.8	8.0
South Australia	**27.8	**10.0	**21.6	58.6	**34.6	49.6	**28.1	18.7	21.4
Western Australia	31.3	**10.6	22.5	52.9	24.7	41.2	29.8	13.1	19.0
Tasmania	**18.7	**1.1	**11.5	**35.3	**12.1	**27.4	**13.9	**5.6	**8.4
Northern Territory	32.6	**6.8	21.5	45.0	**11.6	33.3	27.5	7.3	14.0
<b>Australia</b>	<b>25.2</b>	<b>6.3</b>	<b>17.8</b>	<b>48.4</b>	<b>19.1</b>	<b>36.6</b>	<b>25.0</b>	<b>8.8</b>	<b>14.0</b>

(a) Arrested during the five years prior to the survey.

(b) Labour force status at the time of interview.

(c) Indigenous persons aged 15 years and above.

(d) 'Employed' includes both people on the Community Development Employment Project (CDEP) and in other forms of employment.

### VICTIMS OF ALLEGED ASSAULT BY POLICE

Survey respondents were asked if they had been physically assaulted by the police in the year prior to the survey. Almost 3% of the Aboriginal and Torres Strait Islander population aged 13 years and above said they had been assaulted. Some 4% of Aboriginal and Torres Strait Islander males reported being assaulted in the previous year, a level more than three times that of females. Approximately 6% of males aged between 15–19 and 20–24 years reported being the victims of assault by police, with much smaller proportions of the younger and older people experiencing this problem. Because the numbers are relatively small, other patterns cannot be analysed with certainty.

## 2.7

### WHETHER PHYSICALLY ASSAULTED BY POLICE IN THE LAST 12 MONTHS(a)

	Assaulted by the police	Not assaulted by the police	Not stated	Total
	%	%	%	%
13–14 years				
Males	**1.0	95.2	**3.7	100.0
Females	**0.2	96.8	**3.0	100.0
15–19 years				
Males	6.1	93.5	**0.4	100.0
Females	**1.3	98.6	**0.1	100.0
20–24 years				
Males	5.9	94.0	**0.1	100.0
Females	**2.1	97.9	**0.0	100.0
25 years and over				
Males	3.2	96.4	**0.4	100.0
Females	1.1	98.5	**0.4	100.0
Total				
Males	4.0	95.4	0.6	100.0
Females	1.2	98.3	**0.4	100.0
Persons	2.6	96.9	0.5	100.0

(a) Indigenous persons aged 13 years and above.

REPORTED BEING HASSLED  
BY POLICE

Respondents were asked whether in the year prior to the survey they had been 'hassled by the police'. The meaning of the word 'hassled' included being harassed, picked on, bullied, caused worry or embarrassment. Almost 10% of the Aboriginal and Torres Strait Islander population reported being hassled in the year prior to the survey, including 14% of males and 5% of females. Although the proportion of those hassled in most States and the Northern Territory were broadly similar to the national figure, Victoria (21%) and South Australia (18%) were considerably higher. In Victoria the proportion of Aboriginal and Torres Strait Islander males reporting being hassled was twice that of Australia as a whole (28% compared to 14%), and the proportion of females was almost three times the national level (14% compared to 5%). South Australia also had relatively high levels, whereas the proportions in Queensland and the Northern Territory were somewhat below the national level.

## 2.8 HASSLED BY POLICE IN LAST YEAR, BY SEX AND STATE(a)(b)

State and Territory	Males		Females		Persons	
	%	'000	%	'000	%	'000
New South Wales	15.6	4.0	4.5	1.2	10.0	5.2
Victoria	28.4	1.8	14.1	0.9	21.2	2.7
Queensland	9.3	2.4	3.1	0.8	6.2	3.2
South Australia	23.8	1.4	11.2	0.7	17.5	2.1
Western Australia	14.3	2.2	6.1	0.9	10.2	3.1
Tasmania	**13.4	**0.5	**4.0	**0.1	8.9	0.6
Northern territory	10.9	1.7	**2.6	**0.4	6.7	2.1
<b>Australia</b>	<b>14.2</b>	<b>13.9</b>	<b>5.1</b>	<b>5.1</b>	<b>9.6</b>	<b>19.0</b>

(a) Hassled during the year prior to interview.

(b) Indigenous persons aged 13 years and above

A higher proportion of Aboriginal and Torres Strait Islander people in the age group 18–24 years reported being hassled (15%) than respondents in other age groups. This was the case for both males (22%) and females (8%).

## 2.9 HASSLED BY POLICE IN LAST YEAR, BY AGE GROUP(a)(b)

Age group (years)	Males		Females		Persons	
	%	'000	%	'000	%	'000
13–17	15.1	5.2	10.3	3.4	15.2	6.3
18–24	22.2	7.9	15.2	6.3	19.2	7.9
25–44	13.3	5.1	9.2	3.7	13.7	5.1
45 and above	5.6	**2.1	3.7	1.4	5.6	2.1
<b>All ages</b>	<b>14.2</b>	<b>13.9</b>	<b>5.1</b>	<b>5.1</b>	<b>9.6</b>	<b>19.0</b>

(a) Hassled during the year prior to interview.

(b) Indigenous persons aged 13 years and above.

REPORTED BEING HASSLED  
BY POLICE *continued*

As noted above, Victoria and South Australia had particularly high proportions of their Aboriginal and Torres Strait Islander populations reporting being hassled. In the age group 18–24 years, a remarkably high 43% of Victorian males stated that they had been hassled, and in the age group 25–44 years the proportion was 26%. In South Australia the situation was similar, with 41% of males in the age group 18–24 years, and 19% in the age group 25–44 years, reporting being hassled by the police.

SUMMARY FINDINGS

Nationally over 20% (40,400) of Aboriginal and Torres Strait Islander people reported having been arrested (including being detained by police for public drunkenness) in the five years prior to the survey. Of particular significance is the relatively high proportion of young men in the age group 18–24 years arrested (46%), with 32% of them having been arrested more than once over the five years.

Some 37% of unemployed Aboriginal and Torres Strait Islander people had been arrested in the five years prior to the survey, compared with 18% of employed people and 14% of those not in the labour force.

The most frequently reported reason for arrest was ‘disorderly conduct/drinking in public’ at 32% of those arrested, followed by drink driving offences at 23%.

Almost 10% (19,000) of the population surveyed claimed that they had been ‘hassled’ by the police in the twelve months prior to interview, with 43% of Victorian males aged 18 to 24 years stating that they had been hassled. In addition, 4% (8,000) of males, nationally, stated that they had been physically assaulted by police during the previous year.

## CHAPTER 3

### PERCEPTIONS OF POLICE PERFORMANCE

The 1994 National Aboriginal and Torres Strait Islanders Survey asked for people's perceptions of police in dealing with crime, violence generally, and family violence during the five years prior to interview. This chapter also deals with the perceived reasons why police did not do a good job in these areas (where that was reported as the case), and relationships with police at the time of interview compared with five years previously. The purpose of this collecting this information was to assist police managers and other criminal justice system policy makers to better understand Aboriginal and Torres Strait Islander people's perceptions of police performance and to take remedial action where warranted. Corresponding national data are not currently available for non-Indigenous people.

#### PERCEPTION OF POLICE PERFORMANCE IN DEALING WITH CRIME

The survey asked Aboriginal and Torres Strait Islander people other than those in prison 'Do you think the police in this area do a good job in dealing with crime'. 'Crime' was defined as including offences relating to drugs, thefts, vandalism, etc. as well as violence. A small majority (53%) expressed the view that the police do (37%), or sometimes do (16%), a good job in dealing with crime in their area. Of those who expressed an opinion on police performance, 66% responded in this positive manner. Approximately 19% responded to this question with 'do not know'.

Over 27% of the respondents (53,000 people, or 34% of those who felt they knew) stated, however, that the police were *not* doing a good job in dealing with crime in their local area. The proportions of males and females expressing this view were similar. As shown in table 3.1, the perceptions of Aboriginal and Torres Strait Islander people who lived in the capital cities differed from those of people living in rural areas, with 31% of capital city residents stating that the police were not doing a good job in dealing with crime in the area, compared with 23% of rural residents. This difference was particularly marked among males, though the same pattern was observed among females.

Aboriginal and Torres Strait Islander people's perceptions of police performance did not vary markedly by age group. People in the age group 18–24 years in each State and part of State, however, were consistently more negative than people in other age groups. In capital cities and in other urban areas more than one-third of young adults (18–24 years) thought that the police were not doing a good job in dealing with crime.

### 3.1

#### POLICE DO NOT DO A GOOD JOB DEALING WITH CRIME(a)(b)

Part of State							Persons	
	13-17 years	18-24 years	25-44 years	45 years and over	Males	Females	%	'000
	%	%	%	%	%	%	%	'000
Capital city	29.7	37.3	29.7	29.2	33.0	29.5	31.2	16.3
Other urban	21.3	37.1	30.5	20.1	27.6	28.8	28.2	22.9
Rural	15.4	24.2	26.8	18.9	23.3	22.1	22.7	13.8
<b>Total</b>	<b>21.8</b>	<b>33.0</b>	<b>29.2</b>	<b>21.9</b>	<b>27.6</b>	<b>27.0</b>	<b>27.3</b>	<b>53.1</b>

(a) Indigenous persons aged 13 years and above.

(b) Indigenous persons in prison were not asked this question.

Analysis of the data from the six States and the Northern Territory separately (table 3.2) shows some variation in responses. In each jurisdiction substantial proportions expressed the view that the police do or sometimes do a good job in dealing with crime. As noted above, nationally 27% of both males and females perceived that the police were *not* doing a good job. The dissatisfaction level ranged from a low of 16% in the Northern Territory to a high of 38% in Tasmania. Among males the proportions expressing dissatisfaction ranged from 14% in the Northern Territory to a high of 39% in Tasmania. The situation differed slightly among females, ranging from 17% in the Northern Territory to 38% in South Australia.

### 3.2

#### POLICE DO NOT DO A GOOD JOB DEALING WITH CRIME, BY STATE/TERRITORY(a)(b)

State and Territory	Males		Females		Persons	
	%	'000	%	'000	%	'000
New South Wales	26.4	6.5	27.6	7.3	27.0	13.8
Victoria	35.2	2.1	30.3	1.9	32.7	4.1
Queensland	31.9	8.0	28.9	7.6	30.3	15.6
South Australia	28.3	1.6	38.5	2.3	33.5	3.9
Western Australia	31.0	4.5	25.3	3.8	28.1	8.3
Tasmania	39.2	1.3	35.9	1.2	37.6	2.5
Northern Territory	13.9	2.1	17.2	2.7	15.6	4.7
<b>Australia</b>	<b>27.6</b>	<b>26.2</b>	<b>27.0</b>	<b>26.8</b>	<b>27.3</b>	<b>53.1</b>

(a) Indigenous persons aged 13 years and above.

(b) Indigenous persons in prison were not asked this question.

#### PERCEPTIONS OF POLICE PERFORMANCE IN DEALING WITH VIOLENCE GENERALLY

Aboriginal and Torres Strait Islander people other than those in prison were asked if they thought police 'in this area' did a good job when dealing with violence. 'Violence' referred to violence in the community (that is streets, hotels, schools, etc.), such as fights, bashing, rape, murder or any act which involved violence. Overall, the perceptions of Aboriginal and Torres Strait Islander people of police in dealing with violence were similar to those expressed in regard to crime. A little over 52% stated that, in their view, police do a good job (37%), or sometimes do a good job (16%), in dealing with violence. One-quarter (25%) of the people surveyed gave a 'do not know' response to this question.

PERCEPTIONS OF POLICE  
PERFORMANCE IN DEALING  
WITH VIOLENCE GENERALLY  
*continued*

Approximately 22% of respondents (30% of those who felt they knew) stated that police were *not* doing a good job when dealing with violence in the local area. Similar proportions of males and females held this view. Aboriginal and Torres Strait Islander people, both male and female, living in the non-capital city urban areas were a little more likely than those living elsewhere to feel police were not dealing well with violence.

The age of respondents was associated with their perceptions in this domain. As table 3.3 shows, substantially higher proportions of the younger adults, in the age groups 18–24 years and 25–44 years, felt that police were not dealing well with violence locally, compared with the youngest and oldest age groups. This pattern applied in the capital cities, other urban areas and rural areas. Nearly one-third (30%) of 18–24 years olds living in the non-capital city urban areas held this view.

### 3.3 POLICE DO NOT DO A GOOD JOB DEALING WITH VIOLENCE(a)(b)

Parts of State								Persons	
	13–17 years	18–24 years	25–44 years	45 years and over	Males	Females			
	%	%	%	%	%	%	%	'000	
Capital city	23.4	23.9	25.1	14.8	22.4	23.2	22.8	11.9	
Other urban	18.2	30.0	27.0	15.9	23.7	24.2	24.0	19.5	
Rural	14.6	21.8	22.8	15.8	19.6	20.0	19.8	12.0	
<b>Total</b>	<b>18.5</b>	<b>25.8</b>	<b>25.2</b>	<b>15.6</b>	<b>22.0</b>	<b>22.7</b>	<b>22.3</b>	<b>43.4</b>	

(a) Indigenous persons aged 13 years and above.

(b) Indigenous persons in prison were not asked this question.

PERCEPTIONS OF POLICE  
PERFORMANCE IN DEALING  
WITH FAMILY VIOLENCE

In the third question in this series on Aboriginal and Torres Strait Islander people's perceptions of police performance, interviewees were asked 'Do you think the police in this area do a good job in dealing with family violence?'. 'Family violence' included verbal threats, intimidation, fear of physical attacks and actual physical attacks, occurring between family members within a household. As above, people could respond with 'yes', 'no', 'sometimes' or 'don't know'.

Overall, 43% expressed the view that police were doing a good job in this area (30%) or sometimes doing a good job (13%). This positive response was lower than those observed for responses to crime generally (53%) or violence generally (52%). Of people who felt they knew about the quality of police responses to family violence, 68% felt that police were, or sometimes were, doing a good job in the local area. Some 36% of interviewees replied 'don't know' in response to this question, a higher proportion than for crime or violence generally, perhaps reflecting, at least in part, the sensitivity of the topic.

PERCEPTIONS OF POLICE PERFORMANCE IN DEALING WITH FAMILY VIOLENCE  
*continued*

Again, a substantial percentage of Aboriginal and Torres Strait Islander people, 21% overall, felt that police were *not* doing a good job locally in dealing with family violence. A slightly higher proportion of females (22%) than males (19%) felt this way. As with violence generally, the level of dissatisfaction was higher in the non-capital city urban areas than in the capitals or the rural areas, although, as shown in table 3.4, the difference was not great. Among both males and females, the proportions expressing dissatisfaction with police performance in this area were highest in the non-capital city urban areas and lowest in the capital cities.

Age is associated with perceptions of how well police deal with family violence, as with violence generally. The younger adults (aged 18–24 and 25–44 years) were more likely to express negative perceptions than people in the youngest age group (13–17 years) or the oldest (over 44 years). The level of dissatisfaction rose to 28% among 18–24 year olds living in urban areas other than capital cities, 31% among females in this age group and 22% among males.

### 3.4 POLICE DO NOT DO A GOOD JOB DEALING WITH FAMILY VIOLENCE(a)(b)

Part of State								Persons	
	13–17 years	18–24 years	25–44 years	45 years and over	Males	Females			
	%	%	%	%	%	%	%	'000	
Capital city	15.6	15.7	17.0	16.3	15.2	17.5	16.4	8.6	
Other urban	16.2	27.5	26.0	16.4	20.8	24.5	22.7	18.5	
Rural	15.6	23.1	24.8	17.2	19.9	22.9	21.4	13.0	
<b>Total</b>	<b>15.9</b>	<b>22.9</b>	<b>23.1</b>	<b>16.7</b>	<b>19.0</b>	<b>22.1</b>	<b>20.6</b>	<b>40.0</b>	

(a) Indigenous persons aged 13 years and above.  
(b) Indigenous persons in prison were not asked this question.

REASONS FOR NEGATIVE PERCEPTIONS OF POLICE PERFORMANCE IN DEALING WITH VIOLENCE

If the respondent thought that the police were not doing a good job in dealing with violence generally and/or family violence in particular, they were asked 'why do you think they are not doing a good job?' More than one reason could have been offered.

Violence generally

Aboriginal and Torres Strait Islander people's perceptions of the reasons police did not do a good job in dealing with violence are detailed in table 3.5. The reason most commonly cited (by 9.6% of interviewees) was that police were 'too slow to respond'. This reason was followed by the perception that police officers 'don't understand Aboriginal/Torres Strait Islander people/culture' (8.0%) and 'don't fully investigate' (7.0%). Failure to respond at all was cited by relatively few people (5.7%). While the responses of males and females were similar, for a higher proportion of females than males police failure to understand Aboriginal and Torres Strait Islander people and their culture was an important reason for dissatisfaction with police responses to violence locally.

Violence generally  
*continued*

Relatively high proportions of younger adults (18–44 years) cited ‘too slow to respond’ and ‘don’t understand people/culture’ as their reasons for dissatisfaction, compared with the youngest and oldest age groups.

### 3.5 PERCEPTIONS OF POLICE HANDLING OF VIOLENCE(a)(b)(c)

Reasons	13–17 years	18–24 years	25–44 years	45 years and over	Males	Females	Persons
	%	%	%	%	%	%	%
Too slow to respond	7.7	11.6	10.7	6.8	9.4	9.8	9.6
Don't respond at all	3.7	6.1	7.1	3.9	5.8	5.6	5.7
Don't fully investigate	5.6	8.6	7.9	4.5	6.8	7.2	7.0
Not enough police or patrol cars	1.5	3.1	3.2	1.8	2.4	2.8	2.6
Don't understand people/culture	6.5	9.1	9.6	4.7	7.6	8.4	8.0
Other reasons	4.3	6.0	6.8	4.4	4.7	5.1	4.9
Not stated	**0.0	**0.1	**0.0	**0.0	**0.0	**0.0	**0.0

(a) Indigenous persons aged 13 years and above.

(b) Persons in prison were not asked this question.

(c) Persons may have given more than one answer.

Family violence

The reasons given for police officers’ perceived failure to deal well with family violence in the local area differed a little from the reasons related to violence generally. As table 3.6 shows, ‘don’t understand people/culture’ was the reason most frequently cited (by 8.4% of all adults) closely followed by ‘too slow to respond’ (7.6%). A higher proportion of females (8.9%) than males (8.0%) cited failure to understand Aboriginal and Torres Strait Islander people and culture as the prime reason. Both males and females cited ‘too slow to respond’ as the second most common reason for dissatisfaction.

The view that police officers’ failure to understand Aboriginal and Torres Strait Islander people and culture, as a reason for dissatisfaction with their responses to family violence, was particularly prominent among the younger adults aged 18–44 years.

### 3.6 PERCEPTIONS OF POLICE HANDLING OF FAMILY VIOLENCE(a)(b)(c)

Reasons	13–17 years	18–24 years	25–44 years	45 years and over	Males	Females	Persons
	%	%	%	%	%	%	%
Too slow to respond	5.2	9.3	8.1	6.9	6.9	8.3	7.6
Don't respond at all	3.0	5.7	5.9	3.8	4.4	5.5	5.0
Don't fully investigate	5.5	5.9	8.1	4.9	6.2	8.2	7.2
Not enough police or patrol cars	0.7	1.9	2.0	1.8	1.6	1.8	1.7
Don't understand people/culture	5.8	9.4	10.0	6.2	8.0	8.9	8.4
Other reasons	3.3	5.0	5.6	4.7	4.5	5.3	4.9
Not stated	**0.0	**0.1	**0.1	**0.0	**0.0	**0.1	**0.1

(a) Indigenous persons aged 13 years and above.

(b) Persons in prison were not asked this question.

(c) Persons may have given more than one answer.

Data are provided in table 3.7 covering the State and Territory patterns of people's perceptions of the reasons for police failing to do a good job in dealing with family violence in the local area. As noted above, failure on the part of police to understand Aboriginal and Torres Strait Islander people and culture, being too slow to respond, and not fully investigating complaints of family violence were the leading causes of dissatisfaction nationally. Respondents in South Australia and Western Australia appeared to have a higher level of dissatisfaction regarding police dealing with family violence because of lack of understanding of the people and culture, than was the case in the other jurisdictions; this reason was given in almost 18% of the South Australian cases and 14% of the Western Australian cases. These two States also had the highest levels of reported arrests (table 2.1). Tasmania was the only jurisdiction where respondents perceived police not fully investigating family violence incidents as the main reason why they did not do a good job locally.

### 3.7

#### PERCEPTIONS OF POLICE HANDING OF FAMILY VIOLENCE, BY STATE/TERRITORY(a)(b)(c)

	NSW	Vic.	Qld	SA	WA	Tas.	NT	Australia
<i>Reasons</i>	%	%	%	%	%	%	%	%
Too slow to respond	7.6	4.1	8.0	11.8	12.7	5.3	2.8	7.6
Don't respond at all	4.3	4.7	6.3	5.1	6.2	4.2	2.8	5.0
Don't fully investigate	6.7	4.8	7.7	11.6	10.9	6.8	3.1	7.2
Not enough police or patrol cars	0.7	1.5	1.6	2.4	3.1	4.9	1.5	1.7
Don't understand people/culture	6.5	7.2	7.3	17.7	14.0	3.9	5.9	8.4
Other reasons	5.4	10.5	3.6	5.8	6.2	4.9	2.3	4.9
Not stated	**0.0	**0.0	**0.1	**0.0	**0.2	**0.1	**0.0	0.1

(a) Indigenous persons aged 13 years and above.

(b) Persons in prison were not asked this question.

(c) Persons may have given more than one answer.

#### RELATIONS WITH POLICE AND PERCEPTIONS OF POLICE TREATMENT

The survey asked about trends in the relationships between Aboriginal and Torres Strait Islander people and the police; the question was 'Compared to 5 years ago, do you think Aboriginal/Torres Strait Islander people get along with police better now? about the same now? or worse now?' Respondents were also asked if they were treated fairly by the police.

Nationally, approximately 60% of Aboriginal and Torres Strait Islander people thought that relationships with the police were better (22%) or about the same (39%) compared with five years earlier, whereas 19% thought the relationship had worsened. Males and females had similar perceptions. In the Northern Territory, the jurisdiction with the highest proportion of Aboriginal people in the total population, 31% thought their relations with the police had improved, compared with Tasmania where only 15% had seen an improvement.

With the exception of the Northern Territory, little variation was observed, on a State-by-State basis, in the proportion believing that relationships had worsened. Victoria had the highest proportion expressing this view (22%), compared with only 10% in the Northern Territory and 19% nationally.

### 3.8

#### RELATIONS BETWEEN INDIGENOUS PEOPLE AND POLICE, COMPARED WITH FIVE YEARS EARLIER(a)

<i>State and Territory</i>	<i>Better</i>	<i>About the same</i>	<i>Worse</i>	<i>Don't know or not stated</i>	<i>Total</i>
<i>%</i>	<i>%</i>	<i>%</i>	<i>%</i>	<i>%</i>	<i>%</i>
New South Wales	19.6	38.7	19.5	22.2	100.0
Victoria	21.1	38.6	22.2	18.1	100.0
Queensland	18.7	38.2	21.3	21.8	100.0
South Australia	24.1	41.6	19.8	14.5	100.0
Western Australia	20.6	36.3	21.9	21.2	100.0
Tasmania	15.4	36.3	16.5	31.8	100.0
Northern Territory	30.6	40.5	10.3	18.7	100.0
<b>Australia</b>	<b>21.5</b>	<b>38.6</b>	<b>19.0</b>	<b>20.9</b>	<b>100.0</b>

(a) Indigenous persons aged 13 years and above.

Aboriginal and Torres Strait Islander people, other than those in prison, were also asked if they were treated fairly by the police. Nationally 56% said that they were treated fairly, 10% said that they were sometimes treated fairly and 8% said that they were not treated fairly. Except in Victoria, perceptions of male respondents were marginally more positive than those of females in that higher proportions of males stated that they were, or sometimes were, treated fairly.

It is noteworthy that Victoria had the highest proportion of Aboriginal and Torres Strait Islander people who stated that they were treated fairly by the police (68%), compared with only 50% in Western Australia. It follows that Victoria had a particularly low proportion stating that they were not treated fairly (1.1%), whereas 10% of South Australian respondents and 9% of those in New South Wales felt this way.

### 3.9

#### WHETHER TREATED FAIRLY BY POLICE(a)(b)

<i>State and Territory</i>	<i>Treated fairly</i>	<i>Not treated fairly</i>	<i>Sometimes treated fairly</i>	<i>Other</i>	<i>Total</i>
<i>%</i>	<i>%</i>	<i>%</i>	<i>%</i>	<i>%</i>	<i>%</i>
New South Wales	56.5	8.7	13.0	21.8	100.0
Victoria	68.0	1.1	7.1	14.0	100.0
Queensland	58.2	5.0	7.2	29.5	100.0
South Australia	54.7	9.8	12.3	23.3	100.0
Western Australia	49.6	7.9	9.3	33.2	100.0
Tasmania	59.6	**5.8	**4.6	30.0	100.0
Northern territory	55.5	6.7	9.1	28.7	100.0
<b>Australia</b>	<b>56.4</b>	<b>7.5</b>	<b>9.6</b>	<b>26.6</b>	<b>100.0</b>

(a) Indigenous persons aged 13 years and above.

(b) Don't know, no contact with police and not stated.

## SUMMARY FINDINGS

Approximately 53% of Aboriginal and Torres Strait Islander people expressed the view that police do, or sometimes do, a good job in dealing with crime in their area. A similar proportion thought that they do, or sometimes do, a good job in dealing with violence generally, and 43% felt that they do, or sometimes do, a good job in dealing with family violence. Substantial proportions felt that police were *not* doing a good job in dealing with crime (27%), violence (22%) or family violence (21%).

Higher proportions of the younger adults aged 18–44 years felt that police did not do a good job in dealing with these problems than people in the oldest and youngest age groups.

Nationally, the reason most frequently given for perceptions that police were not doing a good job in dealing with crime generally and with violence was that police were ‘too slow to respond’, followed by the perception that police officers ‘don’t understand Aboriginal/Torres Strait Islander people/culture’ and ‘don’t fully investigate’. Failure to understand the people and culture was the most frequently cited reason in the area of family violence, followed by ‘too slow to respond’.

While the majority of respondents thought that Aboriginal and Torres Strait Islander people’s relationships with the police were better or about the same compared with five years earlier, 19% thought that this relationship had worsened.

Some 66% stated that they were, or sometimes were, treated fairly by police, whereas 8% expressed the view that they were not treated fairly.

## CHAPTER 4

## ACCESS TO, NEED FOR AND USE OF LEGAL SERVICES

The survey identified the distance from the respondent's community to the nearest legal service. Questions were also asked about people's need for legal services in the year prior to interview and their use of legal services. This reflected the fact that Aboriginal and Torres Strait Islander people have a relatively high involvement with the criminal justice system and that a range of legal aid services are provided to meet the needs that such involvement generates. The survey sought to fill gaps in information about both the need for legal services and the use of services so as to enable planners to better understand the extent of need and to identify those localities which are particularly underserved. Since policy on mainstreaming legal services for Aboriginal and Torres Strait Islander people versus the funding of specialist community-controlled Aboriginal Legal Services is under review in some quarters, it is useful to have available data on which services people actually use.

### ACCESS TO LEGAL SERVICES

Overall, 56% of the people interviewed had some form of legal service available within 50 kilometres of their place of residence. The availability was not evenly spread across the States, however. As shown in table 4.1, 95% of the Aboriginal and Torres Strait Islander people living in a capital city had a legal service within 50 kilometres of their community, whereas a substantial proportion of those living in other urban areas (57%) and rural areas (83%) had to travel over 50 kilometres to obtain such services. Some 18% of those living within 50 kilometres of a legal service needed legal services during the year, compared with 13% of those living more than 50 kilometres from such services.

### 4.1 DISTANCE TO NEAREST LEGAL SERVICE(a)

<i>Part of State</i>	<i>DISTANCE TO NEAREST LEGAL SERVICE(a)</i>	
	<i>0-50 kilometres</i>	<i>Over 50 kilometres</i>
	<i>%</i>	<i>%</i>
Capital city	94.6	3.1
Other urban	39.8	56.6
Rural	15.6	82.6
<b>Total</b>	<b>55.7</b>	<b>42.4</b>

(a) Indigenous persons aged 13 years and above.

### NEED FOR AND USE OF LEGAL SERVICES

During the 12 months prior to interview, 17% of persons aged 13 years and above needed to use some kind of legal service. Of these, 67% used an Aboriginal Legal Service, 16% used the services of a State or Territory Legal Aid Commission and 13% used other legal services, including private legal practitioners. This meant that less than 5% of those who needed services did not obtain them. Of those who needed services, similar proportions of males (69%) and females (64%) used the specialist Aboriginal Legal Services rather than the alternatives.

NEED FOR AND USE OF  
LEGAL SERVICES *continued*

Over 15% of Aboriginal and Torres Strait Islander people aged 13 years and above reported that they both needed and had used legal services in the 12 months prior to the survey. Generally, higher proportions of males than females used these services, with 19% of males reporting use compared with 12% of females.

Some differences were observed in the use of legal services between the different jurisdictions. Queensland had the lowest proportion using these services (13%) while Victoria had the highest (21%). South Australian Aboriginal and Torres Strait Islander men had a particularly high level of use of legal services, with 27% having used them over the previous 12 months. In contrast, only 8% of Queensland females and 10% of Northern Territory females had used legal services over the year.

## 4.2 USED LEGAL SERVICES(a)

	<i>Males</i>	<i>Females</i>	<i>Persons</i>
<i>State and Territory</i>	<i>%</i>	<i>%</i>	<i>%</i>
New South Wales	18.1	13.0	15.6
Victoria	23.0	19.1	21.0
Queensland	18.0	7.5	12.7
South Australia	26.7	14.3	20.4
Western Australia	20.5	12.4	16.4
Tasmania	15.0	16.6	15.7
Northern Territory	19.2	9.8	14.5
<b>Australia</b>	<b>19.4</b>	<b>11.5</b>	<b>15.4</b>

(a) Indigenous persons aged 13 years and above who have used legal services in the overuse 12 months.

Approximately 40% of Aboriginal and Torres Strait Islander people aged 13 years and above who reported that they had been arrested in the five years prior to the survey had used legal services during the previous year. (Included in the total number of people arrested were many who were detained for public drunkenness, incidents for which legal assistance is rarely needed.) The State and Territory comparisons ranged from 47% in Queensland to 37% in New South Wales and the Northern Territory. In Tasmania, 90% of Aboriginal and Torres Strait Islander females who had been arrested reported that they had used legal services during the previous 12 months, this high compared with a low of 23% in Western Australia. The State and Territory differences among arrested males were not as dramatic: a high of 50% for Queensland and a low of 35% in Tasmania and the Northern Territory.

## 4.3 ARRESTED AND USED LEGAL SERVICES(a)

<i>State and Territory</i>	<i>Males</i>		<i>Females</i>		<i>Persons</i>	
	<i>%</i>	<i>'000</i>	<i>%</i>	<i>'000</i>	<i>%</i>	<i>'000</i>
New South Wales	36.2	3.3	39.1	1.0	36.8	4.3
Victoria	46.8	1.1	40.0	0.2	45.4	1.3
Queensland	49.7	3.1	36.1	0.6	46.9	3.6
South Australia	47.2	1.1	37.7	0.4	44.0	1.5
Western Australia	43.7	2.4	23.3	0.5	38.1	2.9
Tasmania	34.5	0.2	89.7	0.1	44.1	0.4
Northern Territory	34.7	1.7	47.6	0.5	37.1	2.2
<b>Australia</b>	<b>41.7</b>	<b>12.9</b>	<b>36.5</b>	<b>3.4</b>	<b>40.5</b>	<b>16.3</b>

(a) Indigenous persons aged 13 years and above who had been arrested in the previous five years and had used legal services in the previous 12 months.

## LABOUR FORCE STATUS

The data presented in table 4.3 covered Aboriginal and Torres Strait Islander people who felt they both needed legal services *and* used them. We now consider people who reported that they needed these services over the previous 12 months, regardless of whether or not they actually used the services. These data add to understanding about the characteristics of people who stated that they have needed legal services.

Labour force status, on its own, does not appear to be strongly related to needing legal services. Approximately 33% of people who reported needing legal services in the previous 12 months were employed at the time of the survey, compared with 30% unemployed and 29% not in the labour force. Males and females differed in terms of labour force status: 46% of the females who needed legal services were not in the labour force compared with only 19% of males. On the other hand, lower proportions of females than males who needed legal services were classified as employed or unemployed, rather than not in the labour force.

## 4.4 NEEDED LEGAL SERVICE, BY LABOUR FORCE STATUS AND AGE GROUP(a)(b)

<i>Labour force status</i>	<i>Males</i>		<i>Females</i>		<i>Persons</i>	
	<i>%</i>	<i>'000</i>	<i>%</i>	<i>'000</i>	<i>%</i>	<i>'000</i>
Employed(b)	35.1	28.5	32.7	10.7	32.7	10.7
Unemployed	33.9	24.3	30.4	9.9	30.4	9.9
Not in labour force	19.0	46.4	29.1	9.5	29.1	9.5
Total	100.0	100.0	100.0	33.4	100.0	33.4

(a) Indigenous persons aged 13 years and above who needed legal services in the previous 12 months.

(b) 'Employed' includes both people on the Commonwealth Development Employment Program (CDEP) and other forms of employment.

## SUMMARY FINDINGS

Overall, 15% of Aboriginal and Torres Strait Islander people used legal services in the 12 months prior to the survey, 19% of males and 12% of females. Of these, 67% used a specialist Aboriginal Legal Service rather than a State or Territory Legal Aid Commission, private legal practitioner or other form of legal service.

Over 80% of the Aboriginal and Torres Strait Islander people who lived in rural Australia were more than 50 kilometres from the nearest legal service, as were 57% of those living in non-capital city urban areas.

Of those who needed legal services, similar proportions were employed, unemployed and not in the labour force.

## CHAPTER 5

## PERCEPTIONS OF FAMILY VIOLENCE

The survey asked the question 'Do you feel family violence in Aboriginal/Torres Strait Islander households is a **common** problem in this area?' The respondents were invited to answer 'yes', 'no' or 'don't know'. Although family violence is a sensitive issue in any community (Aboriginal, Torres Strait Islander and others), it is accepted by many Aboriginal and Torres Strait Islander leaders as an important contemporary social issue which has been inadequately addressed in the past. Having available data on people's perceptions of the extent of the problem locally can facilitate the planning of preventive and remedial services.

### FAMILY VIOLENCE IS A COMMON PROBLEM

Male/female views and part of State patterns

Nationally, 45% of Aboriginal and Torres Strait Islander people felt that family violence was a common problem in their area, 24% felt it was not and 31% stated that they did not know. While similar proportions of males and females were unsure, a higher proportion of females (48%) than of males (42%) felt it to be a common problem in the local area. Of respondents who felt they knew whether or not it was a common problem, 68% of females and 63% of males felt that family violence was a common problem locally. As table 5.1 shows, higher proportions of females than males in each part of the State (capital cities, other urban areas, and rural areas) held this view.

Although substantial proportions of respondents from both the urban and rural areas saw family violence as a common problem locally, this perception was more widely held in the non-capital city urban areas (51%) and rural areas (49%) than in the capital cities (32%). Women in the non-capital urban areas were most likely to perceive family violence to be a problem (53%) whereas this was least likely among capital city males (28%).

It is notable that a high proportion of both males (32%) and females (30%) stated that they 'did not know' if family violence was a common problem locally. This could be their actual perceptions or could be a form of non-response to this sensitive question. In the capital city urban areas, more than one-third of both males (41%) and females (40%) provided a 'do not know' response to this question whereas, in the rural areas, only 28% of males and 23% of females were unsure.

## 5.1

### WHETHER FAMILY VIOLENCE IS COMMON PROBLEM IN LOCAL AREA, BY PART OF STATE(a)(b)

	<i>Capital city</i>		<i>Other urban</i>		<i>Rural</i>				<i>Total</i>	
	Males	Females	Males	Females	Males	Females	Males	Females	<i>Persons</i>	
	%	%	%	%	%	%	%	%	%	'000
Family violence a common problem	27.7	35.0	48.1	53.2	47.4	51.4	42.4	47.7	45.1	87.7
Family violence not a common problem	31.0	25.1	21.8	18.8	23.9	24.3	25.0	22.1	23.5	45.7
Don't know	40.7	39.5	29.3	27.6	28.0	23.1	31.9	29.5	30.7	60.0
Not stated	0.6	**0.4	0.8	0.4	0.7	1.2	0.7	0.6	0.7	1.1
<b>Total</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>194.5</b>

(a) Indigenous persons aged 13 years and above.

(b) Persons in prison were not asked this question.

#### Age group and sex differences

Although overall some 45% of Aboriginal and Torres Strait Islander people felt that family violence was a common problem in their area, the proportion raised to 50% among people aged 25–44 years of age. The teenagers 13–17 years old had the lowest level of perception of family violence, 31%. The different perceptions of males and females was particularly marked in the 18–24 years age group (as shown in table 5.2): while 50% of 18–24 year old females felt family violence to be a common problem in the area, only 39% of males felt this way. Similar proportions of males and females in the older (25–44 and 45+ years) age groups saw it to be a common problem.

## 5.2

### FAMILY VIOLENCE IS A COMMON PROBLEM IN THE LOCAL AREA, BY AGE GROUP(a)

	<i>13–17 years</i>	<i>18–24 years</i>	<i>25–44 years</i>	<i>45 years and over</i>	<i>Total(b)</i>
	%	%	%	%	%
Male	27.6	39.1	48.6	46.4	42.4
Female	35.2	50.1	51.7	47.1	47.7
<b>Persons</b>	<b>31.3</b>	<b>44.7</b>	<b>50.2</b>	<b>46.8</b>	<b>45.1</b>

(a) Persons in prison were not asked this question.

(b) Indigenous persons aged 13 years and above.

#### State and Territory patterns

Differences existed on a State-by-State basis in the proportions of Aboriginal and Torres Strait Islander people who felt that family violence was a common problem in their area. While nationally 45% felt this way, only 12% of Tasmanian respondents expressed this perception, compared with Western Australia, the State with the highest proportion, 55%. The other jurisdictions had levels closer to the national figure.

As noted above, overall lower proportions of respondents in the capital cities, compared with the other parts of the States, felt that family violence was common locally (32% compared with 51% in other urban areas and 36% in rural areas). This was the pattern in all jurisdictions except the Northern Territory, where a higher proportion of people in the capital than in other localities had this perception.

State and Territory  
patterns *continued*

Particularly high proportions of Western Australians and South Australians living in non-capital city urban areas perceived family violence to be a local problem: 66% and 62% respectively. The perception was low in metropolitan areas of New South Wales, Victoria, and Queensland (25–30%).

### 5.3 FAMILY VIOLENCE IS COMMON PROBLEM IN LOCAL AREA, BY STATE, TERRITORY AND PART OF STATE<sup>(a)(b)</sup>

	NSW	Vic.	Qld	SA	WA	Tas.	NT	Aust.
<i>Part of State</i>	%	%	%	%	%	%	%	%
Capital city	25.5	30.2	24.8	41.8	39.7	**9.5	54.9	31.5
Other urban	49.6	45.4	48.6	61.6	65.7	**17.0	47.7	50.8
Rural	47.2	50.0	56.5	47.9	53.9	**9.7	46.4	36.2
<b>Total</b>	<b>41.5</b>	<b>38.6</b>	<b>47.1</b>	<b>49.4</b>	<b>54.9</b>	<b>12.4</b>	<b>47.7</b>	<b>45.1</b>

(a) Indigenous persons aged 13 years and above.

(b) Persons in prison were not asked this question.

#### SUMMARY FINDINGS

Some 45% of Aboriginal and Torres Strait Islander people felt that family violence was a common problem in their local area. Slightly higher proportions of females than males held this view: of respondents who felt they knew whether or not it was a common problem, 68% of females and 63% of males felt that family violence was, a common problem locally.

Lower proportions of capital city residents than those of other urban or rural areas perceived family violence to be a common problem in the area.

Only 12% of Tasmanian Aboriginal and Torres Strait Islander people felt that family violence was a common problem locally, compared with 45% nationally and 55% in Western Australia.

## CHAPTER 6

## EXPERIENCE OF CRIMINAL VICTIMISATION

The Australian Bureau of Statistics has conducted three national surveys studying the extent and nature of criminal victimisation and safety issues, most recently in 1993. The surveys do not identify Aboriginal and Torres Strait Islander people separately owing to the sample sizes used. The 1993 survey, the Crime and Safety Survey (ABS 1994), revealed that 2.5% of the Australian population aged 15 years and over were victims of assault in the 12 months prior to the survey. The survey also found that 7% of Australian households were victims of break and enter and/or attempted break and enter in the 12 months prior to the survey.

The 1994 National Aboriginal and Torres Strait Islander Survey also asked about criminal victimisation in the areas of personal safety (being attacked or verbally threatened) and property crime (breaking, entering and stealing from people's homes). Because the two surveys used different methodologies, their results are not directly comparable.

The purpose of collecting data on the extent of criminal victimisation in these two domains was to assist Aboriginal and Torres Strait Islander community organisations and criminal justice system planners to develop preventive programs which are targeted to the localities with greatest need.

Individual respondents in the National Aboriginal and Torres Strait Islander Survey were asked 'In the last year has anyone attacked or verbally threatened you?' Table 6.1 shows that 13% of Aboriginal and Torres Strait Islander people aged 13 years and above reported being physically attacked or verbally threatened in the 12 months prior to the survey. Higher proportions of respondents in capital cities experienced this form of victimisation (17%) than people in other urban areas (12%) or rural areas (10%). Overall, a slightly higher proportion of Aboriginal and Torres Strait Islander males (14%) were attacked or verbally threatened compared with females (12%). Males living in the capital cities had the highest level, 19% or almost one in five.

ATTACK AND VERBAL  
THREAT

### 6.1 ATTACKED OR VERBALLY THREATENED IN LAST YEAR, BY PART OF STATE<sup>(a)</sup>

<i>Part of State</i>	<i>Males</i>		<i>Females</i>		<i>Persons</i>
	<i>%</i>	<i>%</i>	<i>%</i>	<i>'000</i>	
Capital city	18.7	15.8	17.2	9.2	9.2
Other urban	13.5	10.9	12.1	10.0	10.0
Rural	9.7	10.7	10.2	6.2	6.2
<b>Total</b>	<b>13.6</b>	<b>12.2</b>	<b>12.9</b>	<b>25.5</b>	<b>25.5</b>

(a) Indigenous persons aged 13 years and above who were attacked or verbally threatened in the 12 months prior to the survey.

ATTACK AND VERBAL  
THREAT *continued*

The level of such attacks or threats varied across jurisdictions. Queensland showed the lowest level at just under 9%, and Victoria the highest at 25%. Similar proportions of Aboriginal and Torres Strait Islander males and females were victims in Queensland, Tasmania and the Northern Territory and more males than females were victims in New South Wales, Victoria and Western Australia. The reverse was the case in South Australia where 18% of Aboriginal and Torres Strait Islander females compared to 13% of males were victims of attacks or verbal threats.

## 6.2 ATTACKED OR VERBALLY THREATENED IN LAST YEAR, STATE AND TERRITORY(a)

<i>State and Territory</i>	<i>Males</i>		<i>Females</i>		<i>Persons</i>	
	<i>%</i>	<i>'000</i>	<i>%</i>	<i>'000</i>	<i>%</i>	<i>'000</i>
New South Wales	16.5	4.2	12.7	3.3	14.6	7.6
Victoria	28.7	1.8	21.8	1.4	25.2	3.2
Queensland	8.8	2.3	8.9	2.3	8.8	4.6
South Australia	12.7	0.7	18.1	1.1	15.4	1.8
Western Australia	15.1	2.3	12.0	1.8	13.5	4.1
Tasmania	**13.9	**0.5	**12.9	**0.4	13.4	0.9
Northern Territory	10.0	1.5	10.4	1.6	10.2	3.1
<b>Australia</b>	<b>13.6</b>	<b>13.4</b>	<b>12.2</b>	<b>12.1</b>	<b>12.9</b>	<b>25.5</b>

(a) Indigenous persons aged 13 years and above who were attacked or verbally threatened in the 12 months prior to survey.

Physically attacked

Survey respondents were also asked whether they were physically attacked, rather than verbally threatened, in the last incident. Overall, 6.5% of the people aged 13 years and above were physically attacked in the last incident. A far higher proportion of Aboriginal and Torres Strait Islander people living in Victoria reported being physically attacked in the last incident (12%) than in the other jurisdictions, all of which had frequencies close to the national level. Queensland had the lowest level, 5%. Nationally, higher proportions of males (7.5%) than females (5.5%) were physically attacked; though in South Australia the opposite appeared to be the case.

As indicated above, the methodology and questions in the 1994 National Aboriginal and Torres Strait Islander Survey and the 1993 Crime and Safety Survey differed, with the result that the findings of the two surveys are not directly comparable. It is notable, however, that according to the 1993 Crime and Safety Survey only 2.5% of the total Australian population aged 15 years and above were victims of assault in the 12 months prior to the survey. The National Aboriginal and Torres Strait Islanders Survey's finding that 6.5% of Aboriginal and Torres Strait Islander people aged 13 years and above were physically attacked in the last incident is substantially higher than the findings of the Crime and Safety Survey.

### 6.3 PHYSICALLY ATTACKED IN THE LAST INCIDENT, BY STATE AND TERRITORY(a)

	Males	Females	Persons
<i>State and Territory</i>	%	%	%
New South Wales	9.0	5.0	7.0
Victoria	14.9	9.7	12.3
Queensland	6.1	4.2	5.1
South Australia	**4.5	**7.7	6.1
Western Australia	7.5	5.4	6.5
Tasmania	**7.1	**4.8	**5.9
Northern Territory	6.0	6.1	6.1
<b>Australia</b>	<b>7.5</b>	<b>5.5</b>	<b>6.5</b>

(a) Indigenous persons aged 13 years and above who were physically attacked after the last incident.

Higher proportions of young adults, both male and female, than other age groups reported being attacked, as shown in table 6.4. Males aged 18–24 years were the most likely to be physically assaulted in the last incident: this occurred to 9.4% of these respondents compared with 7.3% of females in the same age group. Only a small proportion (3.2%) of Aboriginal and Torres Strait Islander people aged 45 years and above reported being attacked.

### 6.4 PHYSICALLY ATTACKED IN THE LAST INCIDENT, BY SEX AND AGE GROUP(a)

	13–17 years	18–24 years	25–44 years	45 years and over	%	Total '000
Male	6.7	9.4	8.2	4.2	7.5	7.3
Female	5.1	7.3	6.4	2.3	5.5	5.5
<b>Persons</b>	<b>5.9</b>	<b>8.4</b>	<b>7.2</b>	<b>3.2</b>	<b>6.5</b>	<b>12.9</b>

(a) Indigenous persons aged 13 years and above who were physically attacked in the last incident.

Frequency of attack or verbal threat

Information is available from the National Aboriginal and Torres Strait Islander Survey on the number of times respondents were attacked or verbally threatened in the year prior to interview. Table 6.5, which presents these data, excludes data for which high relative standard errors make it difficult to draw valid conclusions. This is particularly the case where respondents reported five, six or seven occasions of attack or threat; very small numbers of respondents fell into these categories.

Of the Aboriginal and Torres Strait Islander people aged 13 years and above who were attacked or verbally threatened in the year prior to interview, 34% were attacked or threatened once, 22% twice, 10% three times, 7% four times and 15% ten or more times. While overall the frequencies were broadly similar for males and females, the proportion of females who had been victims 10 or more times (17% of those who had been attacked/threatened) was higher than the proportion of males (14%). These data indicate that, for a substantial number of Aboriginal and Torres Strait Islander people, both males and females, being assaulted or threatened with assault was a frequent experience.

## 6.5 ATTACKED OR VERBALLY THREATENED(a)

	<i>Males</i>	<i>Females</i>	<i>Persons</i>
<i>Number of attacks/threats</i>	<i>%</i>	<i>%</i>	<i>%</i>
Once	33.3	35.2	34.2
Twice	23.0	20.0	21.5
Three times	9.8	11.2	10.5
Four–nine times	6.6	6.6	6.6
Ten or more times	13.6	16.8	15.1

(a) Indigenous persons aged 13 years and above who had been attacked or verbally threatened in the previous 12 months.

### Reporting of attacks and threats

The survey asked whether the police were told about the last incident of attack or verbal threat. Overall, in a little more than one-third (37%) of the incidents the police were informed. The percentage reported to police was broadly similar to that observed for assault in the 1993 Crime and Safety Survey, where 32% of Australian persons (aged 15 years and over) reported the last incident of assault to the police.

Substantial differences existed between the reporting behaviours of Aboriginal and Torres Strait Islander males and females. Almost half (49%) of the female victims, as compared with 26% of the male victims, reported the last assault or threat to the police. South Australia had the highest reporting level (54%), including 62% of females and 43% of males. In Victoria and the Northern Territory only 29% had reported to police their last incident of attack or verbal threat.

## 6.6 POLICE TOLD OF LAST INCIDENT OF ATTACK OR VERBAL THREAT(a)(b)

	<i>Males</i>	<i>Females</i>	<i>Persons(b)</i>
<i>State and Territory</i>	<i>%</i>	<i>%</i>	<i>%</i>
New South Wales	29.1	54.1	40.1
Victoria	**26.8	**32.3	29.2
Queensland	23.7	56.0	41.6
South Australia	**43.4	61.8	54.3
Western Australia	**19.8	45.7	31.4
Tasmania	**29.9	**54.2	**41.3
Northern Territory	**18.7	39.7	29.5
<b>Australia</b>	<b>26.3</b>	<b>49.3</b>	<b>37.2</b>

(a) Indigenous persons aged 13 years and above.

(b) Persons in prison were not asked this question.

Reasons for not reporting to police

A little more than half (52%) of the people who had been physically attacked failed to report the incident to the police. A considerably higher proportion of male victims of assault (60%) failed to report, compared with female victims (43%). The most frequent reason for failing to report the last physical attack was that respondents considered that it was 'not serious enough' (52%), followed by 'solved it myself/perpetrator known to me' (24%) and 'fears/dislike of police/no involvement wanted with police' (12%). Among both males and females the category 'Solved it themselves/ perpetrators known to them' was most prominent, reflecting, in part, the relatively high levels of family violence reported above and the level of violence found within some communities.

## 6.7 REASONS NOT REPORTED LAST PHYSICAL ATTACK TO POLICE(a)(b)(c)

	Males	Females	Persons
	%	%	%
Physical attack not reported	60.0	42.6	52.5
Reason attack not reported			
Not serious enough	13.6	9.2	11.7
Solved it themselves/perpetrators known to them	26.7	19.7	23.7
Does not want to involve police/fears, dislikes police	14.4	**8.5	11.9
Other/not stated	12.6	**6.9	10.2
Physical attack reported	33.6	57.0	43.6
Not stated	**6.4	**0.4	**3.9

(a) Indigenous persons aged 13 years and above who were physically attacked in the previous 12 months.

(b) More than one reason could be given.

(c) Persons in prison were not asked this question.

BREAK, ENTER AND THEFT

The National Aboriginal and Torres Strait Islander Survey also asked householders about property crime. The question was 'In the last year has anyone broken into your house and stolen anything? This includes from your yard or garage.' Respondents who answered in the affirmative were asked if they had told the police about the last incident of break, enter and steal.

Nationally, 11% of Aboriginal and Torres Strait Islander households were broken into and had something stolen in the 12 months prior to interview. South Australia had the highest level of reported break, enter and steal (17% of households), while Queensland had the lowest (8%).

Only 53% of the last break-ins and thefts from Aboriginal and Torres Strait Islander households were reported to the police. This percentage was substantially lower than that found in the 1993 Crime and Safety Survey, where almost 79% of break and enter incidents were reported to the police. The difference could be accounted for, in part, by the lower rate of ownership of home contents insurance by Aboriginal and Torres Strait Islander people compared with others.

BREAK, ENTER AND THEFT  
continued

In the National Aboriginal and Torres Strait Islander Survey the jurisdictions with the highest proportion of households broken into and good stolen (South Australia and Western Australia) also had the highest proportions reporting the offence to police. The level of reporting was relatively high in South Australia (72% of incidents) and low in the Northern Territory (30% of incidents).

**6.8** HOUSE BROKEN INTO, SOMETHING STOLEN AND POLICE TOLD OF LAST BREAK-IN(a)(b)

<i>State and Territory</i>	<i>Break-in and theft(a)</i>	<i>Reported to police(b)</i>
	%	%
New South Wales	10.3	59.9
Victoria	13.3	**47.7
Queensland	8.5	37.6
South Australia	16.7	72.0
Western Australia	14.1	62.8
Tasmania	13.3	**55.8
Northern Territory	11.4	**30.3
<b>Australia</b>	<b>11.2</b>	<b>53.1</b>

(a) This question was asked in relation to Indigenous households, not individuals.

(b) Persons in prison were not asked this question.

SUMMARY FINDINGS

More than 1 in 10 (13% or 24,700) Aboriginal and Torres Strait Islander people aged 13 years and over were physically attacked or verbally threatened in the 12 months prior to the survey. A marginally higher proportion of males than females was a victim of an attack or threat.

Among Aboriginal and Torres Strait Islander males living in Victoria, 29% reported that they had been attacked or verbally threatened in the 12 months prior to the survey in 1994.

Some 15% of people surveyed had been attacked or verbally threatened 10 or more times over the year.

Slightly more than one third (37%) of last incidents of attack or verbal threat to Aboriginal and Torres Strait Islander people had been reported to the police. The reason for failing to report the incident given most frequently was that people solved the problem themselves and/or the perpetrator was known to the victim.

In the 12 months prior to the survey 11% of Aboriginal and Torres Strait Islander households in Australia were broken into and something stolen. Of these incidents, 53% had been reported to the police. Less than one-third (30%) were reported in the Northern Territory.

## CHAPTER 7

### PREDICTING PROBABILITIES OF ARREST

The results shown in chapter 2 (patterns of arrest) have demonstrated that arrest is associated with a variety of factors, including age and employment status. Many of the variables of interest are related to one another, however, and it is possible that the relationship of a particular variable to having been arrested could be explained by a third variable. For example, the relationship between having been arrested and employment status might be at least partly explained by differences in age or geography which are related to both having been arrested and to the chances of employment. A limitation of the analyses presented in earlier chapters is that these examine only one or two factors, in relation to arrest, at a time. A more complete analysis requires that account be taken of the simultaneous effects upon arrest of a number of factors. One way to perform such an analysis is by using the statistical technique known as logistic regression. This chapter summarises the results of a logistic regression analysis of the probabilities of arrest, based on data from the 1994 National Aboriginal and Torres Strait Islander Survey.

Effective crime prevention programs depend, in part, on having available data on the causes and extent of crime, and the characteristics of victims and offenders. Such data facilitate the targeting of preventive programs. This analysis of the characteristics of the people arrested, and the relative strengths of the individual characteristics in explaining the levels of arrests, provides new insights which can be used in the planning process.

#### LOGISTIC REGRESSION

In the survey respondents were asked whether or not they had been arrested by police in the previous five years. As the question had only two possible answers, yes or no, the outcome of interest — being arrested — is said to be dichotomous. Logistic regression is a technique for analysing dichotomous outcomes that allows us to examine the effect that a set of (explanatory) factors has on the probability of arrest at least once over the five-year period. Technical details about the analysis and tables of the relative odds of being arrested in the previous five years are presented in the Technical Note at the end of the publication. The variables used in the analysis were selected on the basis of the relationships documented in the previous chapters and in other research (e.g. Hirschi & Gottfredson 1995). These are listed in the Technical Note at tables T.1 and T.2.

## RESULTS

In the logistic regression analysis, for both males and females a number of variables are significantly associated with the likelihood of arrest over the previous five years, after controlling for the effects of other relevant variables. Particularly strong associations were found with age, State of residence, whether taken away from family as a child, labour force status and perceptions of relationships with the police. The adjustment to take account of a number of relevant factors (shown in tables T.1 and T.2 in the Technical Note) did not make any appreciable difference. The results following adjustment were in the same direction and generally of similar magnitude to those observed prior to adjustment. This means that, generally speaking, the associations between likelihood of arrest and the factors discussed are direct, rather than the result of confounding by other factors.

### Males

Among males, the strongest association was labour force status, followed by perceptions of relations with the police, having been taken away from family as a child, and age group.

Unemployed males were significantly more likely than those with all other labour force statuses combined to report having been arrested over the previous five years. For the standard unemployed reference male (25–24 years old, from New South Wales, resident in a rural area, not taken away from home, does not consider relations with police have got worse over five years, and has a place to meet) the probability of arrest was 46%. This is in contrast to males engaged in employment other than the Community Development Employment Program (CDEP); they were significantly less likely to have been arrested than males with other labour force statuses, having a probability of arrest of 37%.

As one might expect, males who perceived that relationships with the police had worsened over the five-year period were significantly more likely to report having been arrested in the previous five years than those not holding this perception, with a probability of arrest of 74% for the reference male compared with 33% for those not holding this view.

Males who had been taken from their families as children also had a significantly elevated level of arrest compared with those not taken away, with a 44% probability of arrest, compared with 24% for the reference person.

Age is also a significant factor. Young adult males in the age group 20–24 years were significantly more likely to have been arrested than those aged 25–44 years, while those in the other age groups (both older and younger) had lower risks of arrest than the reference group.

Finally, among males (after adjusting for the other factors) residence in Queensland and Tasmania was associated with a significantly lower risk of arrest than that observed for New South Wales, the reference category.

## Females

A broadly similar pattern was observed among females. After adjusting for the effects of the other factors, those most strongly associated with arrest over the previous five years were State of residence, followed by labour force status, a perception of worsening relationships with police, having been taken from family as a child, age group, living in an urban area and having a place to meet for cultural activities.

Aboriginal and Torres Strait Islander women, with reference group characteristics, living in South Australia had a significantly higher probability of arrest (7.3%) than for the reference State New South Wales (3.3%). On the other hand, residence in Queensland was associated with a relatively low likelihood of arrest compared with residence in New South Wales: the probability in Queensland for a reference female was 2.1%.

Labour force status was the second strongest associate of the likelihood of arrest among female respondents. For the reference female, unemployed females had a significantly higher risk of arrest than those in other labour force categories; unemployed women had a probability of arrest of 12.3%. In contrast, the probability of arrest among comparable women in non-CDEP employment (3.3%) was significantly higher than those in other labour force categories.

As with Aboriginal and Torres Strait Islander males, women who perceived that relations with the police had deteriorated over the previous five years had a significantly higher risk of arrest, compared with women who did not hold this view. The probability of arrest among the former group was 6.4%.

Women taken from their families as children experienced a significantly higher risk of arrest (5.8%) compared with women not taken away.

Among female respondents (as with the males), age was associated with arrest, with females aged 20–24 years having a significantly *higher* likelihood of arrest than females in the reference category 25–44 years. In contrast, the risk of arrest among women below 25 years of age and above 44 years was significantly *lower* than that experienced by the 25–44 year olds.

Finally, two variables were significantly associated with the risk of arrest among females but not among males: part of State in which respondents were living and having a place to meet for cultural activities. After adjusting for the other variables, Aboriginal and Torres Strait Islander women living in capital cities and other urban areas were marginally (but statistically significantly) more likely to report arrest over the previous five years than women living in the rural areas. The risk among women stating that they have a place to meet for cultural activities was also marginally higher than among women without this facility.

Male/female comparisons

As noted above, the factors which help explain the patterns of arrest of Aboriginal and Torres Strait Islander males and females, as seen through the logistic regression modelling, were broadly similar. After adjusting for the other variables, the likelihood of arrest over the previous five years was elevated (compared to the respective reference categories) among both male and female respondents who were aged 20–24 years, were taken from their families as children, were unemployed, and who perceived that relations with the police were worse than five years previously.

Some differences between the sexes did occur, however, as follows:

- After adjusting for other factors, South Australian females had a highly elevated risk of arrest compared with those from New South Wales, but this was not observed among South Australian males. Tasmanian males (but not Tasmanian females) had relatively low risks of arrest.
- Urban residence was significantly associated with the arrest of females but not of males.
- Males but not females who stated that they recognised a homeland had a slightly elevated risk of arrest.
- Females (but not males) stated that having a place to meet for cultural activities was significantly, but only weakly, associated with the risk of arrest.

## SUMMARY FINDINGS

A number of characteristics were significantly associated with the probability of arrest over the previous five years, after adjusting for other relevant characteristics. The strongest association was with labour force status (being unemployed). This was followed by perceiving that relations with the police had worsened over the previous five years, having been taken away from family as a child, age group and State of residence.

Among Aboriginal and Torres Strait Islander females, but not males, living in an urban area and having a place to meet for cultural activities were also weakly associated with an increased probability of arrest.

## CHAPTER 8

## DISCUSSION

Law and justice are issues of considerable importance to Australia's Aboriginal and Torres Strait Islander people. The nature of the criminal law of the Commonwealth, the States and the Territories, patterns of policing and the operation of other parts of the criminal justice system impact heavily on some sectors of the Aboriginal and Torres Strait Islander population. An additional, and important, dimension is customary law which often sits uncomfortably with the statute law which applies to all Australians (Australian Law Reform Commission 1986).

For many Aboriginal and Torres Strait Islander people, law and justice are not synonymous. The Royal Commission into Aboriginal Deaths in Custody (1991) gave numerous examples of how the criminal law was applied in a discriminatory manner to Indigenous Australians.

### INFORMATION SOURCES

It is only in recent years that information on Aboriginal and Torres Strait Islander people in the criminal justice system, as revealed from the State and Territory Governments' administrative data sets (rather than from one-off research studies) has started to become available. For example, 1987 was the first year in which national data became available on the number of Aboriginal and Torres Strait Islander people in Australian prisons (Debaecker & Chapman 1989). It was not until 1990 that the first national data became available on Aboriginal and Torres Strait Islander people in police custody (McDonald 1990). National data on Aboriginal and Torres Strait Islander people being arrested, charged and appearing before the courts, and the outcomes of court appearances, are still not available separately for Aboriginal people, Torres Strait Islanders and people of other backgrounds. No contemporary national data are available on Aboriginal and Torres Strait Islander people in non-custodial corrections (e.g. on probation, community service orders or parole). Indeed, it was not until the National Aboriginal and Torres Strait Islander Survey was conducted in 1994 that the nation had available information in most of the areas covered by this publication.

### ARRESTS

One of the key findings of the survey is that 20% of Aboriginal and Torres Strait Islander people reported that they had been arrested by the police at least once during the five years immediately prior to interview in the first half of 1994. (This could possibly be a low estimate as under-reporting can be expected for sensitive questions such as these.) Almost half (47%) of young Aboriginal and Torres Strait Islander men aged 18–24 years had been arrested, with two-thirds of these having experienced multiple arrests. (These data accord with information from Western Australia, showing that 16% of the State's Aboriginal population was arrested in one year, 1993, according to police figures. Western Australian researchers have concluded that 'in broad terms, [the Western Australian] figures and patterns are reconcilable with the self-reported figures of the NATSI Survey' (Harding et al. 1995, p. 39).).

Why such a high level of arrests? Criminological theory and research suggests some answers. One obvious possibility is that Aboriginal and Torres Strait Islander people engage in particularly high levels of criminal behaviour. Another is that the types of criminal behaviour they engage in are likely to result in arrest. A third possibility is that police enforce the law in ways that result in large numbers of Aboriginal people and Torres Strait Islanders being arrested. All three explanations (and others) in fact operate to varying degrees (Broadhurst 1997; Cunneen & McDonald 1997).

The information provided in chapter 7 sheds new light on this area. Earlier research has shown that the over-representation of Aboriginal and Torres Strait Islander people in prison (an imprisonment rate currently 19 times that of non-Indigenous people (ABS 1997b)) can be statistically explained, to a large extent, by the differences in the educational and employment statuses of the Aboriginal and Torres Strait Islander prisoners compared with non-Indigenous prisoners, (Cove 1992; Walker & McDonald 1995). The chapter 7 analysis went further, exploring not just education and employment but the relationship between a range of variables and the likelihood of arrest. Consistent with the earlier studies, however, it concluded that being unemployed was the factor most strongly associated with the likelihood of arrest, after controlling for many other possible influences. Another strong explanatory variable was having been removed from family in childhood, (see the Human Rights and Equal Opportunities Commission 1997 report, for further details).

The issue here is socioeconomic disadvantage; its causes and impacts. Research has demonstrated that levels of offending are correlated with socioeconomic disadvantage (e.g. Braithwaite 1989, p. 48–49). The survey has provided further evidence of the link between unemployment and arrest among Aboriginal and Torres Strait Islander people.

It was suggested above that a second explanation for the high level of arrests is the types of offences involved, especially their visibility. This is supported by the data in chapter 2, 'reasons for arrest'. The offence most frequently reported by men was 'disorderly conduct/drinking in public', followed by drink driving offences. Among women the leading offence was also 'disorderly conduct/drinking in public', followed in frequency by assault. The behaviours which lead to police involvement and arrest, in these circumstances, are those that commonly take place in a highly public manner: public drinking and drunkenness, brawls, etc. This highlights the serious impact that alcohol has on some sectors of the Aboriginal and Torres Strait Islander population: although a lower proportion of Aboriginal and Torres Strait Islander people drink alcohol than does the total Australian population, those who do drink tend to do so at problematic levels (Alexander 1990; Department of Health & Family Services n.d.).

## ARRESTS *continued*

The third reason for the high level of arrests, discriminatory patterns of policing and (linked to that) over-policing, has been documented by the Royal Commission into Aboriginal Deaths in Custody (1991) and researchers (e.g. Cunneen 1992). The information provided in those sources accords with the perceptions of Aboriginal and Torres Strait Islander people, documented in chapter 2, of frequently being 'hassled' by police.

In examining the differences in levels and patterns of arrest between the six States and the Northern Territory, particular attention can be directed to the impact of public drunkenness. Data from police stations across the nation collected in the August 1995 National Police Custody Survey (Carcach & McDonald 1997) indicated that 31% of the Aboriginal and Torres Strait Islander people taken into custody by police were in custody for public drunkenness, either as an offence (in Victoria, Queensland and Tasmania) or under protective custody in the other jurisdictions. Although the legislative position differs between these two groups of jurisdictions, from the point of view of a National Aboriginal and Torres Strait Islander Survey (NATSIS) respondent the process was similar nationally. Intoxicated people were apprehended by police officers and taken either to the cells or a sobering up facility. In both cases, from the point of view of the detained person responding to the survey about frequency and reason for arrest, he or she was 'arrested' for public drunkenness.

## VICTIMS

The survey provides the first national data on Aboriginal and Torres Strait Islander people as victims of crime. An insight from criminological research internationally is that victims and offenders tend to share common characteristics: people who are the perpetrators of many types of crime have an increased risk of being the victim of crime as well (e.g. Reiss & Roth 1993, pp. 61–79, 129–147; Mukherjee & Carcach 1998). The mediating factors are shared disadvantaged socioeconomic statuses and marginalisation.

Chapter 6 showed, that 13% of Aboriginal people and Torres Strait Islanders aged 13 years and above were physically attacked or verbally threatened in the year prior to the survey and 11% of households were the victims of break, enter and steal. Although the figures cannot be directly compared, it was noted above that, in the 1993 national Crime and Safety Survey (ABS 1994), 2.5% of the Australian population aged 15 years and over reported being the victim of assault in the 12 months prior to the survey. It also found that 7% of Australian households were victims of break and enter and/or attempted break and enter in the 12 months prior to the survey. These figures are lower than for Aboriginal and Torres Strait Islander people.

## VICTIMS *continued*

It was noted in chapter 6 that little more than half of the people who had been physically attacked failed to report the incident to the police. The non-reporting level among male victims of assault was 60%. Among both males and females the category 'solved it themselves/ perpetrators known to them' was the most prominent reason for failing to report the offence perhaps reflecting, in part, the relatively high levels of family violence found within some communities.

## FAMILY VIOLENCE

While family violence is a sensitive topic in any community, Aboriginal people (particularly Aboriginal women) and others are increasingly speaking out about it (e.g. Bolger 1991; Lucashenko 1996). It was this type of concern that led the Aboriginal and Torres Strait Islander advisors to the Australian Bureau of Statistics on the survey's development to request the inclusion of questions on this topic.

Family violence was seen by survey respondents to be a common problem in their local areas. It will be recalled that, of the people who felt they knew about its prevalence, 68% of females and 63% of males felt it to be a common problem locally. While the survey did not assess people's understanding of 'common' (i.e. did not attempt to quantify the actual prevalence rather than people's broad perceptions), this perceived high prevalence reflected the severe stresses being experienced in many Aboriginal and Torres Strait Islander communities and families, particularly (from the survey data) in the non-capital city urban areas and rural areas of Australia. The survey findings corroborate, in quantitative terms, (Browne & Herbert 1997) perceptions of the extent of the problem from other studies and provide data which could be useful in targeting preventive efforts.

The quality of police responses to family violence were rated reasonably highly, with 68% of the people who felt they knew how well police dealt with the problem locally stating that police were, or sometimes were, doing a good job. Nonetheless, 21% of all respondents felt that the police were *not* doing a good job in dealing with family violence and the most common reason given for this was that police do not understand Aboriginal and Torres Strait Islander people and cultures.

## PERCEPTIONS OF POLICING

Most of Australia's eight State and Territory Police Services have in place techniques (such as market research) for monitoring the public's attitudes to police performance and can use these data to improve the services provided. This reflects modern perspectives in Australian policing: a greater emphasis on community service, crime prevention and problem solving than on law enforcement as such (Chappell & Wilson 1996). The survey provides additional data, not available from other sources, on Aboriginal and Torres Strait Islander people's views on the quality of policing in their local areas; 53% of respondents felt that police were, or sometimes were, doing a good job locally in dealing with crime, 52% with violence generally and 43% with family violence specifically. Over 20% felt that police were not doing a good job in these three domains.

## PERCEPTIONS OF POLICING

It will be recalled from chapter 3 that the reason most frequently given by those holding the view that police were not doing a good job in dealing with crime generally and with violence was that police were too slow to respond when called for assistance. Other common reasons were the perception that police officers do not understand Aboriginal and Torres Strait Islander people and culture, or do not fully investigate when a complaint is laid. Failure to understand the people and their culture was the most frequently cited reason in the area of family violence, followed by 'too slow to respond'.

Other insights into relations with police come from the questions about being assaulted by police or 'hassled' by them. It was observed that 6% of males 15–24 years of age stated (in the survey) that they were assaulted by police during the year prior to interview, and 10% of all those surveyed stated that they had been hassled by police over the same time period. Of 18–24 year old males, 22% alleged that they had been hassled.

## ACCESS TO LEGAL SERVICES

Australian Governments are currently considering, in a range of contexts, the issue of mainstreaming services versus the provision of specialist services for people with particular needs and for particular population groups. The survey provided new data on Aboriginal and Torres Strait Islander people's access to, need for and use of legal services. It is noteworthy that 67% of those who used some type of legal service in the year prior to interview used a specialist Aboriginal Legal Service, rather than one of the mainstream alternatives.

## TECHNICAL NOTE

### LOGISTIC REGRESSION MODEL

The dependent variable of interest in this analysis was reporting having been arrested at any time in the five years prior to interview. Because records without adequate information on arrest were excluded from consideration, all those included in the analysis could be assigned to one of two categories: arrested once or more, or not arrested. In cases such as this, when we are interested in the probability of falling into one of two categories, the logistic regression model is commonly used. Logistic regression overcomes the fact that probabilities are limited in range from 0 to 1. By using a logit transformation, the dependent variable attains a range from negative infinity to positive infinity, thus facilitating modelling.

In its simplest form, the logistic regression model can be described as follows:

$$\text{Logit } P_i = \log [P_i / (1-P_i)] = \alpha + b_j X_j + e_j$$

where  $P_i$  is the probability of the outcome occurring (e.g. being arrested in the past five years);  $\alpha$  is an intercept term; the  $b_j$ 's are coefficients;  $X_j$ 's are the independent variables of interest; and  $e_j$  is the error term.

Logit  $P_i$  is the natural logarithm of the 'odds ratio' which is commonly used as a measure of the magnitude of the relationship between two variables. Probabilities (or risks) of the observed associations are derived using the formula  $\text{ODDS} / (1 + \text{ODDS})$ . More information on logistic regression is available elsewhere (e.g. Hosmer & Lemeshow 1989).

### VARIABLES OF INTEREST

Several independent variables were of interest in this analysis. The relationship of any one of these variables to arrest may be affected by other factors. In some cases, relationships may be explained entirely by the action of a third factor. For example, the relationship between labour force status and having been arrested could be affected by differences in labour force status by age, since age may also be associated with the probability of arrest. Therefore, it is important to adjust for other variables when examining the relationship between a factor of interest and being arrested. In the current analysis, both unadjusted and adjusted models have been generated and compared.

In tables T.1 and T.2, odds ratios and 95% confidence intervals for the adjusted odds ratios are presented. Odds ratios have been estimated relative to the following set of reference characteristics:

- age 25–44 years
- resident of New South Wales
- lives in a non-urban area
- was not taken away from his or her natural family as a child
- does not recognise own homeland
- labour force status: non-Community Development Employment Projects (CDEP) employment
- perceives relations with police to be similar to/better than five years previously
- does not have a place to meet for cultural activities.

These reference categories are not shown in tables T.1 and T.2 for variables with only two levels (e.g. recognises own homeland). For variables with more than one level (e.g. age group) the reference category is shown in the tables to assist the reader. By definition, the odds ratios for the reference category (whether shown in the table or not) is always 1.0, and 95% confidence intervals are not applicable.

# T1

## RELATIVE ODDS OF ARREST IN THE LAST FIVE YEARS, MALES

<i>Variables</i>	<i>Crude odds ratio(a)</i>	<i>Adjusted odds ratio(b)</i>	<i>95% confidence interval</i>
Age 13–14 years	***0.08	***0.09	0.05, 0.15
Age 15–19 years	***0.57	***0.52	0.42, 0.64
Age 20–24 years	***1.41	***1.39	1.15, 1.69
Age 25–44 years(c)	1.00	1.00	—
Age 45 years and over	***0.26	***0.26	0.20, 0.33
New South Wales(c)	1.00	1.00	—
Victoria	1.05	1.17	0.87, 1.59
Queensland	***0.57	***0.53	0.43, 0.65
South Australia	1.16	1.07	0.79, 1.46
Western Australia	1.03	.94	0.75, 1.18
Tasmania	**0.50	*0.63	0.40, 0.99
Northern Territory	.9	.85	0.66, 1.08
Lives in an urban area	1.11	1.04	0.88, 1.24
Taken away from natural family	***1.83	***1.82	1.41, 2.35
Recognises own homeland	***1.32	*1.21	1.01, 1.45
Unemployed	***3.11	***2.39	2.97, 4.34
Non-CDEP employment	***0.51	***0.35	—
Not in labour force	***0.51	.97	1.62, 2.50
CDEP employment	***1.46	1.21	1.92, 4.04
Relations with police worse than 5 years ago	***2.01	***2.04	1.71, 2.43
Have a place to meet for cultural activities	1.14	1.08	0.96, 1.22

(a) Unadjusted for other factors.

(b) Adjusted for all factors listed in the table.

(c) The reference group. Odds ratio is equal to 1.0 by definition.

Note: Statistical significance is indicated as follows: \*p<0.05; \*\*p<0.01; \*\*\*p<0.001

# T2

## RELATIVE ODDS OF ARREST IN THE LAST FIVE YEARS, FEMALES

<i>Variables</i>	<i>Crude odds ratio(a)</i>	<i>Adjusted odds ratio(b)</i>	<i>95% confidence interval</i>
Age 13–14 years	***0.10	***0.12	0.04, 0.31
Age 15–19 years	***0.65	**0.62	0.45, 0.84
Age 20–24 years	***1.65	***1.63	1.28, 2.08
Age 25–44 years(c)	1.00	1.00	—
Age 45 years and over	***0.27	***0.30	0.20, 0.43
New South Wales(c)	1.00	1.00	—
Victoria	.95	.83	0.54, 1.27
Queensland	***0.58	**0.62	0.46, 0.84
South Australia	***2.14	***2.19	1.54, 3.12
Western Australia	**1.44	*1.46	1.09, 1.95
Tasmania	*0.43	.60	0.27, 1.30
Northern Territory	*0.70	.85	0.59, 1.21
Lives in an urban area	***1.46	*1.36	1.06, 1.75
Taken away from natural family	***2.06	***1.75	1.29, 2.36
Recognises own homeland	1.06	1.02	0.80, 1.30
Unemployed	***2.95	***2.11	2.71, 5.42
Non-CDEP employment	***0.43	***0.38	—
Not in labour force	***0.67	.91	1.53, 2.99
CDEP employment	1.36	1.31	1.73, 4.66
Relations with police worse than 5 years ago	***2.15	***1.92	1.54, 2.31
Have a place to meet for cultural activities	1.13	*1.31	1.06, 1.62

(a) Unadjusted for other factors. (b) Adjusted for all factors listed in the table.

(c) The reference group. Odds ratio is equal to 1.0 by definition.

Note: Statistical significance is indicated as follows: \*p<0.05; \*\*p<0.01; \*\*\*p<0.001

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RRP \$19.50