
C Justice sector overview

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Attachment tables

Attachment tables are identified in references throughout this sector overview by a 'CA' prefix (for example, table CA.1) and are available from the website www.pc.gov.au/rogs/2017.

C.1 Introduction

This sector overview provides an introduction to justice services, comprising police services (chapter 6), civil and criminal courts' administration (chapter 7) and adult corrective services (chapter 8). It provides an overview of the justice sector, presenting both contextual information and high-level performance information.

Profile of the Justice sector

Sector outline

The Justice sector services covered in this Report comprise:

- Police reporting on the operations of police agencies of each State and Territory government.
- Courts reporting on service delivery in the State and Territory supreme, district/county and magistrates' courts (including children's courts, coroner's courts and probate registries). The Federal Court of Australia, Family Court of Australia, Family Court of WA and the Federal Circuit Court of Australia are included.

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- Corrective services reporting on adult custodial facilities and community corrections, including prison services provided through contractual arrangements with private providers.

The justice sector services comprise both criminal and civil jurisdictions. Services in the criminal jurisdiction are delivered by police, courts and corrective services. In the civil jurisdiction, police deliver services for infringements, and courts deal with civil law matters.

Other government services that contribute to criminal and civil justice outcomes but are not covered in this Report are:

- legal aid services
- public prosecutions
- alternative dispute resolution services, such as conciliation and mediation
- offices of fair trading or consumer affairs, which operate to minimise incidences of unlawful trade practices
- victim support services, which assist victims' recovery from crime (except processing of applications for compensation which is included in the civil courts information)
- various social services and community organisations that help people released from prison to re-integrate into society, support families of people who are in prison, and assist people who have contact with the criminal justice system
- Australian Crime Commission and federal functions of the Australian Federal Police
- the operations of tribunals and registries (except for probate and court registries) and judicial outcomes
- operations of the High Court of Australia and specialist jurisdiction courts (except for family courts, children's courts and coroners' courts)
- law enforcement functions delivered by national agencies such as the Australian Transaction Reports and Analysis Centre (AUSTRAC) or Department of Immigration (in relation to illegal immigrants).

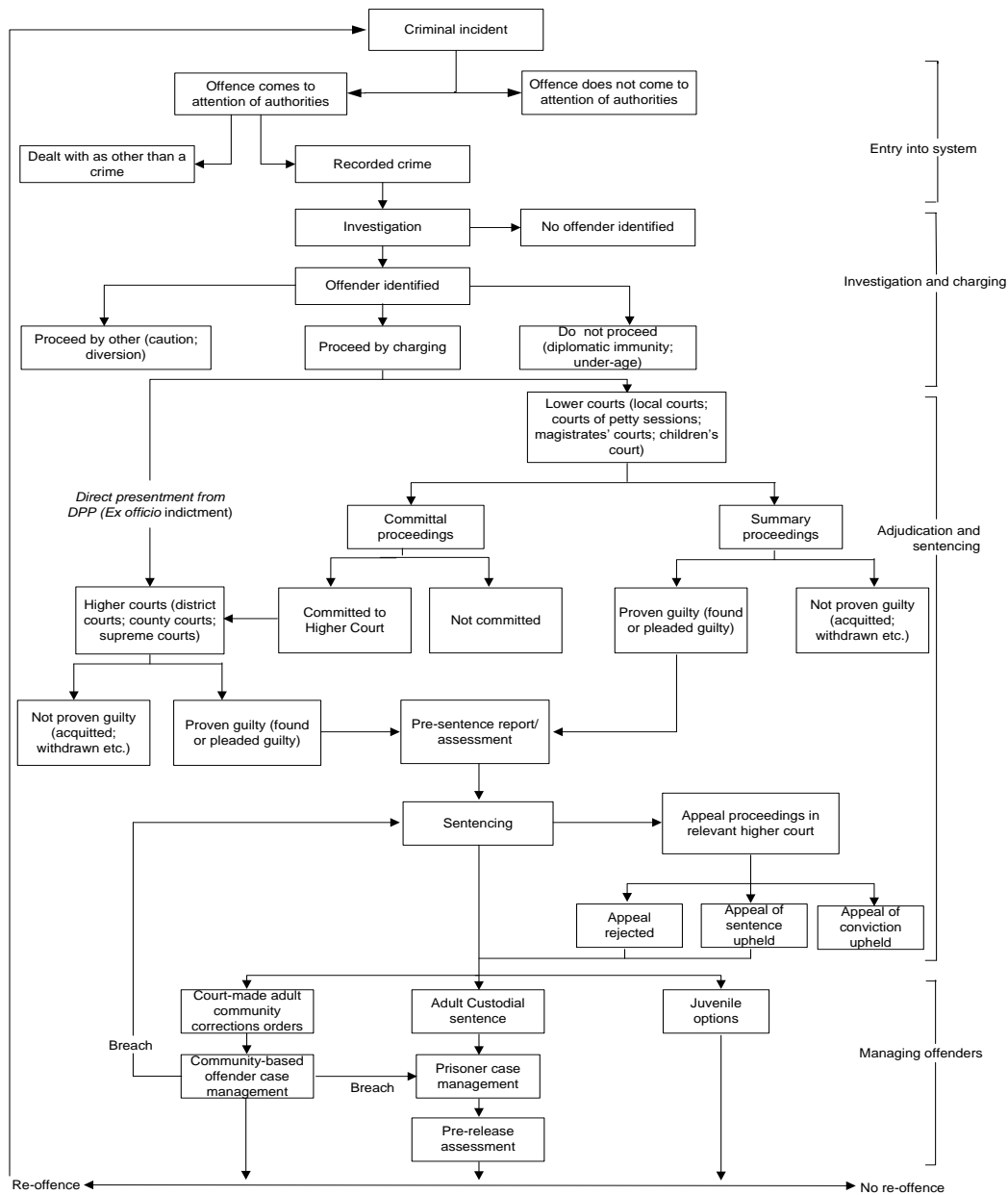
Justice services for children and young offenders are covered under youth justice in chapter 17 of the Report.

Roles and responsibilities

Criminal justice system

Figure C.1 shows the typical flow of events in the criminal justice system. The roles of police, courts and corrective services, and the sequencing of their involvement, are shown.

Figure C.1 Flows through the criminal justice system^{a, b}

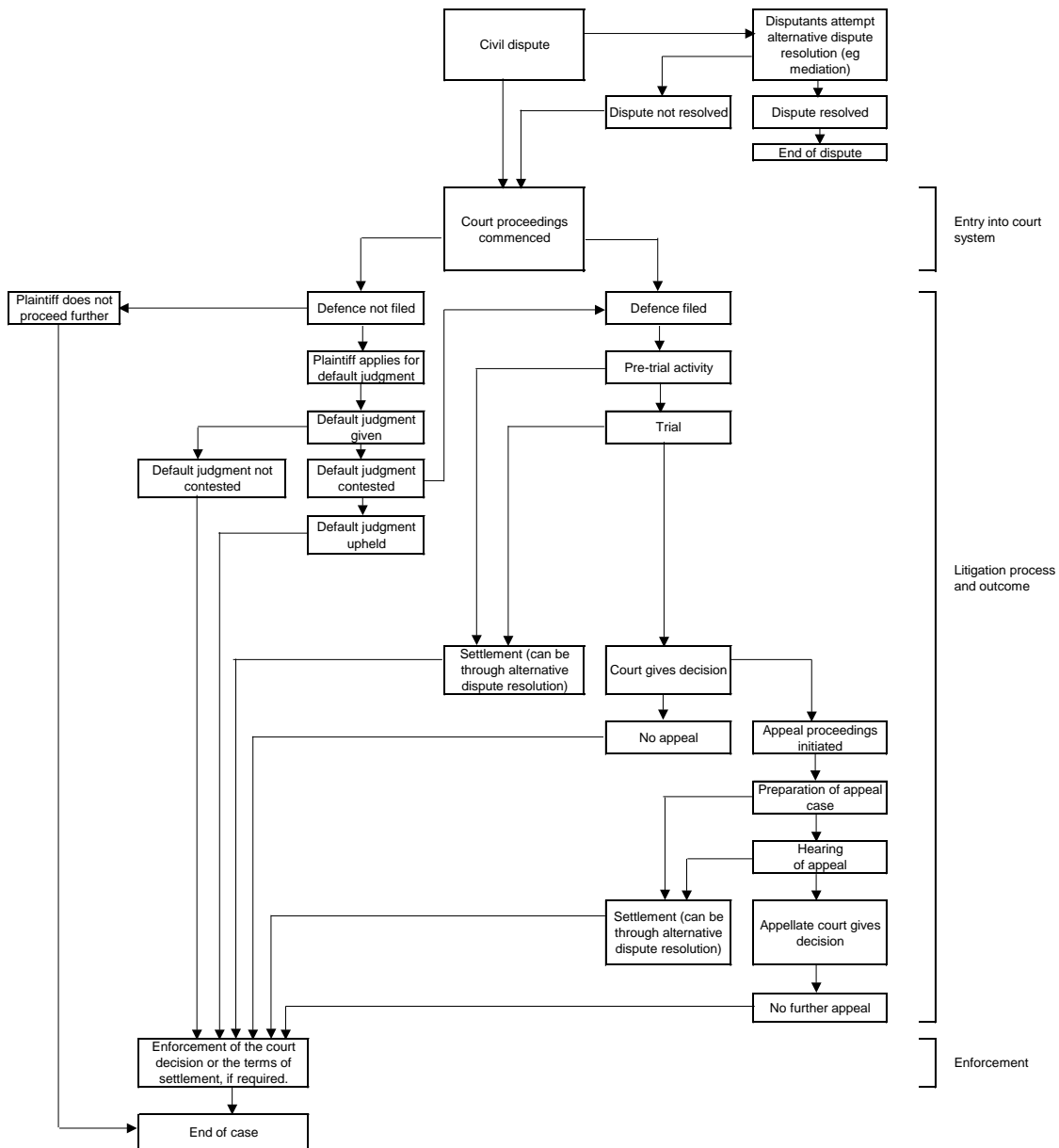


^a Does not account for all variations across Australian, State and Territory governments' criminal justice systems. ^b The flow diagram is indicative and does not include all complexities of the criminal justice system.

Civil justice system

Figure C.2 is an indicative model of the flows through the civil justice system. While the emphasis is on the flow of disputes which proceed to court, the role of alternative dispute resolution processes is considerable in civil justice.

Figure C.2 Flows through the civil justice system^{a, b}



^a Does not account for all variations across Australian, State and Territory governments' civil justice systems. ^b The flow diagram is indicative and does not include all complexities of the civil justice system.

Real recurrent expenditure on justice services in this Report

Total real recurrent expenditure (less revenue from own sources) for those parts of the justice system covered in this Report was about \$16.2 billion in 2015-16 (table C.1).

Table C.1 Real recurrent expenditure (less revenue from own sources) on justice services by Australian, State and Territory governments (2015-16 dollars)^{a, b, c, d}

	<i>Unit</i>	<i>2011-12</i>	<i>2012-13</i>	<i>2013-14</i>	<i>2014-15</i>	<i>2015-16</i>	<i>Average annual growth rate (%)</i>
Police services	\$m	10 073	9 987	10 536	10 793	10 982	2.2
Courts — criminal	\$m	827	807	793	821	825	-0.1
Courts — civil	\$m	690	645	630	636	611	-3.0
Corrective services	\$m	3 200	3 207	3 370	3 635	3 738	4.0
Total justice system	\$m	14 791	14 647	15 330	15 885	16 156	2.2
		%	%	%	%	%	
Police services	%	68.1	68.2	68.7	67.9	68.0	..
Courts — criminal	%	5.6	5.5	5.2	5.2	5.1	..
Courts — civil	%	4.7	4.4	4.1	4.0	3.8	..
Corrective services	%	21.6	21.9	22.0	22.9	23.1	..
Total justice system	%	100.0	100.0	100.0	100.0	100.0	..

^a Totals may not sum as a result of rounding. ^b Expenditure data include depreciation, but exclude payroll tax and user cost of capital. This treatment has been adopted to aid comparability in the above table and may differ from the treatment used in tables within individual chapters. ^c Excludes real net recurrent expenditure on probate matters. ^d See tables 6A.10, 7A.14-15 and 8A.2 for detailed footnotes and caveats.

.. Not applicable.

Source: Australian, State and Territory governments (unpublished); tables 6A.10, 7A.14-15 and 8A.2.

Efficiency — real recurrent expenditure (less revenue from own sources) per person

Unit cost indicators for individual justice services in the Report are presented in the related chapters, but some outcomes result from interactions among the individual services. One indicator of sector efficiency is annual government recurrent expenditure per person on justice services (table C.2).

Nationally in 2015-16, real expenditure (less revenue from own sources) per person on the areas of justice reported on was \$719 (table C.2).

Table C.2 Real recurrent expenditure (less revenue from own sources) per person on justice services, 2015-16^{a, b}

	<i>Unit</i>	<i>NSW</i>	<i>Vic</i>	<i>Qld</i>	<i>WA</i>	<i>SA</i>	<i>Tas</i>	<i>ACT</i>	<i>NT</i>	<i>Aust</i>
Police services	\$	451	433	445	521	431	415	427	1257	459
Courts — criminal	\$	27	35	32	46	42	32	48	115	34
Courts — civil	\$	12	20	10	30	13	13	27	45	26
Corrective services	\$	164	184	187	320	196	181	209	861	201
Total justice system	\$	655	672	674	918	682	642	711	2278	719
Police services	%	68.9	64.4	66.0	56.8	63.2	64.7	60.0	55.2	63.8
Courts — criminal	%	4.2	5.2	4.7	5.0	6.2	5.0	6.7	5.0	4.8
Courts — civil	%	1.9	3.0	1.5	3.3	1.9	2.1	3.9	2.0	3.5
Corrective services	%	25.1	27.4	27.7	34.8	28.7	28.2	29.4	37.8	27.9
Total justice system	%	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

^a Totals may not sum as a result of rounding. ^b See tables 6A.10, 7A.14-15 and 8A.2 for detailed footnotes and caveats.

Source: Australian, State and Territory governments (unpublished); tables 6A.10, 7A.14-15 and 8A.2.

Social and economic factors affecting demand for services

Criminal jurisdiction

Links have been drawn between criminal activity and social and economic factors such as poverty, levels of substance abuse, unemployment, and levels of social and community cohesion (Weatherburn 2001). Mental illness and early experiences of abuse may also have an interactive influence (Forsythe and Adams 2009) although the nature of these relationships with criminal activity can be complex. Levels of demand on justice services can be further driven by changes in legislative and policy environments introduced in response to social concerns such as levels of crime and fear of crime.

It was estimated that in 2011 the cost of crime in Australia was approximately \$23.1 billion (Smith et al 2014). When combined with the costs of criminal justice, victim assistance, security, insurance and household precautions the total estimated cost of crime to the community rose to \$47.6 billion. Expenditure by governments on criminal justice in 2011 was estimated at \$16.3 billion, accounting for about one-third of the estimated overall costs. This is an increase from 2005, where expenditure on criminal justice accounted for about one-quarter of total costs (Rollings 2008).

While some estimates for criminal costs relating to fraud and drugs were included in the report by Smith et al (2014), the emphasis was more on crimes against the person and likely underestimated costs associated with organised crime. There is a financial cost to governments in identifying, investigating, prosecuting and preventing organised crime, and it can harm the Australian economy by pushing out legitimate business or eroding public confidence in the banking, finance or investment sectors (ACC 2015). The Australian

Crime Commission has conservatively estimated that the costs to Australia of serious and organised crime amount to around \$15 billion annually (ACC 2013).

Civil jurisdiction

Demand for civil justice services is influenced by the types of legal issues people experience, which in turn are influenced by social and economic factors. Demand also varies with the way in which people respond to legal issues — do nothing, deal with the issue independently or seek advice or legal assistance (Australian Government Attorney-General's Department 2009). A survey of legal needs undertaken across Australia in 2008 by the Law and Justice Foundation of NSW found that disability, age, Indigenous status, disadvantaged housing and unemployment were associated with higher levels of legal problems. These characteristics were differentially associated with both the types of legal problems experienced and the strategies which people used in response to those problems (Coumarelos, Macourt, People, McDonald, Wei, Iriana and Ramsey 2012). Legal needs can also change over time, as a result of changes in the legislative, economic and social environments (Productivity Commission 2014).

Service-sector objectives

The objectives of the criminal and civil justice system are provided in box C.1. Specific objectives for each of the three justice services can be found in chapters 6 (police services), 7 (courts) and 8 (corrective services).

Box C.1 Objectives of the criminal and civil justice system

The objectives of the criminal justice system are to:

- prevent, detect and investigate crime
- administer criminal justice that determines guilt and applies appropriate, consistent and fair sanctions to offenders
- provide a safe, secure and humane custodial system and an effective community corrections system.

The objectives of the civil justice system are to:

- resolve civil disputes and enforce a system of legal rights and obligations
- respect, restore and protect private and personal rights
- resolve and address the issues resulting from family conflicts and ensure that children's and spousal rights are respected and enforced.

C.2 Sector performance indicator framework

This sector overview is based on a sector performance indicator framework (figure C.3), made up of the following elements:

- Sector objectives — two sector objectives, safe communities and a fair, equitable and accessible system of justice, are based on the key objectives of the Justice sector
- Sector-wide indicators — three sector-wide indicators relate to the first sector objective and two indicators relate to the second sector objective.

Figure C.3 **Criminal and civil justice sector performance indicator framework**

Sector objectives

Safe communities

A fair, equitable and accessible system of justice

Sector-wide indicators

Community perceptions of safety

Justice staff

Crime victimisation

Higher court defendants resulting in a guilty plea or finding

Re-offending rates – (police and corrections data)

Community perceptions of safety

‘Community perceptions of safety’ is an indicator of governments’ objective to maintain safe communities (box C.2).

Box C.2 Community perceptions of safety

'Community perceptions of safety' is defined by two separate measures:

- the proportion of people who felt 'safe' or 'very safe' at home alone at night
- the proportion of people who felt 'safe' or 'very safe' in public places at night.

High or increasing proportions of people who felt 'safe' or 'very safe' is desirable.

Perceptions of safety may not reflect reported crime, as reported crime might understate actual crime, and many factors (including media reporting and hearsay) might affect public perceptions of crime levels and safety.

Data reported for this indicator are:

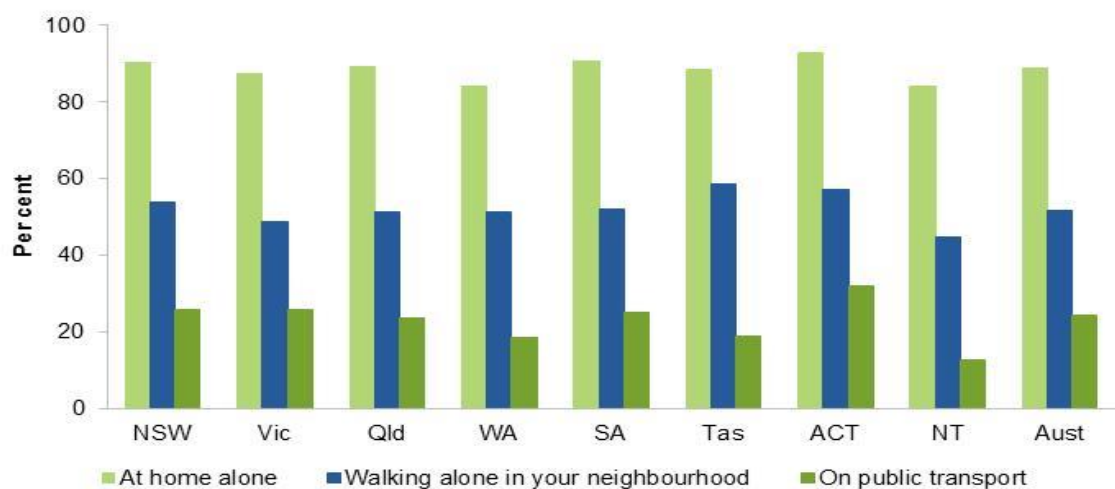
- comparable (subject to caveats) across jurisdictions and over time
- complete for the current reporting period (subject to caveats). All required 2015-16 data are available for all jurisdictions.

Source: Chapter 6.

Data for this indicator are derived from the National Survey of Community Satisfaction with Policing (NSCSP) – see chapter 6 for further details on this survey.

Nationally in 2015-16, 88.5 per cent of people felt 'safe' or 'very safe' at home alone during the night (figure C.4). The proportions were lower for those walking alone locally during the night (51.7 per cent nationally) and lower again for those on public transport during the night (24.3 per cent nationally) (figure C.4).

Figure C.4 Proportion of people who felt 'safe' or 'very safe' in public places during the night, 2015-16^a



^a See tables CA.1-2 and 6A.19-21 for detailed footnotes and caveats.

Source: Australia New Zealand Policing Advisory Agency (ANZPAA) (unpublished) NSCSP; tables CA.1-2 and 6A.19-21.

Crime victimisation

‘Crime victimisation’ is an indicator of governments’ objective to maintain safe communities (box C.3).

Box C.3 Crimes against the person and against property

‘Crime victimisation’ is defined by six measures:

- estimated victimisation rate for physical assault per 100 000 people aged 15 years or over
- estimated victimisation rate for threatened assault per 100 000 people aged 15 years or over
- estimated victimisation rate for sexual assault per 100 000 people aged 18 years or over
- estimated household victims of break-in per 100 000 households
- estimated household victims of attempted break-in per 100 000 households
- estimated victims of motor vehicle theft per 100 000 households

Low or decreasing proportions of crime victimisation is desirable.

Data reported for this indicator are:

- comparable (subject to caveats) across jurisdictions and over time
- complete for the current reporting period (subject to caveats). All required 2014-15 data are available for all jurisdictions.

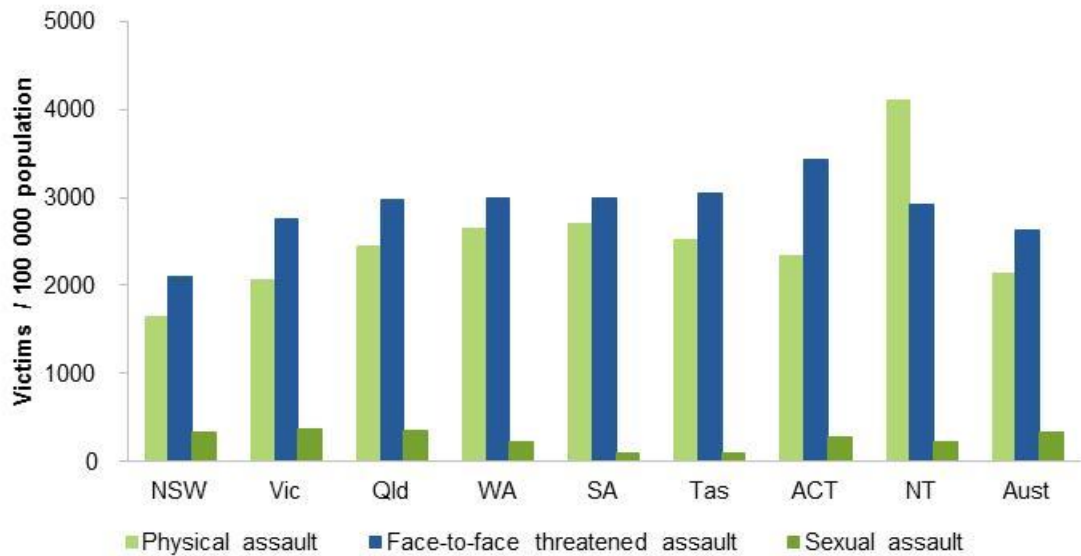
Source: Chapter 6.

Based on ABS crime victimisation survey data, nationally in 2014-15, it was estimated there were:

- 2137 victims of physical assault per 100 000 people (figure C.5)
- 2626 victims of face-to-face threatened assault per 100 000 people (figure C.5)
- 329 victims of sexual assault per 100 000 people (figure C.5)
- 2715 victims of break-in per 100 000 households (figure C.6)
- 2022 victims of attempted break-in per 100 000 households (figure C.6)
- 598 victims of motor vehicle theft per 100 000 households (figure C.6).

Nationally, rates of physical and face-to-face threatened assault (table 6A.27) have been decreasing since 2011-12.

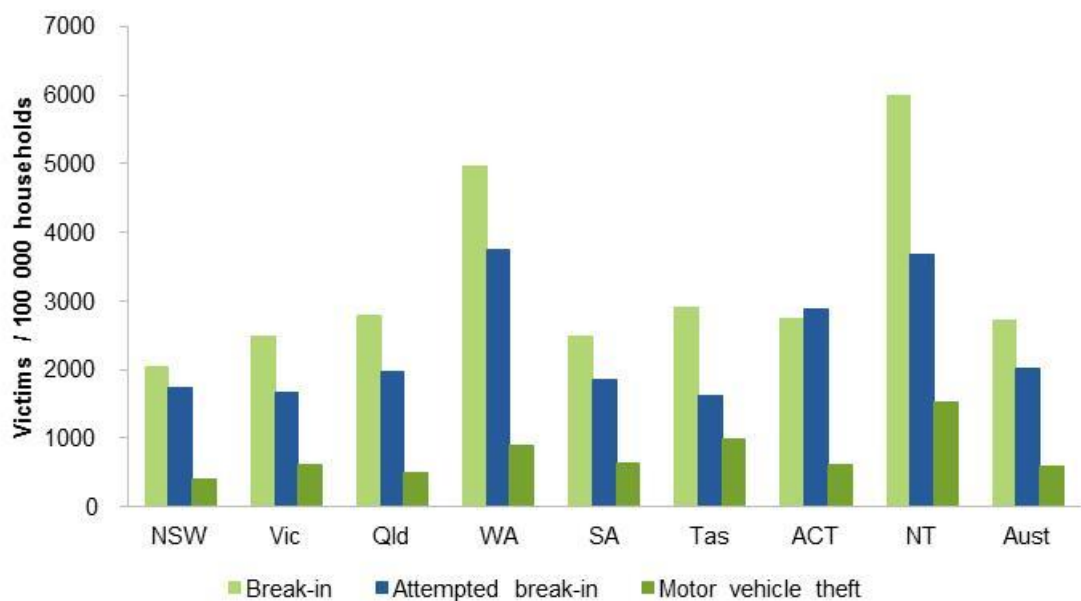
Figure C.5 Estimated victims of assault and sexual assault, 2014-15^a



^a See tables CA.3 and 6A.27 for detailed footnotes and caveats.

Source: ABS (2016) *Crime Victimization, Australia 2014-15*, Cat. no. 4530.0; tables CA.3 and 6A.27.

Figure C.6 Estimated victims of break-in, attempted break-in and motor vehicle theft, 2014-15^a



^a See tables CA.4 and 6A.28 for detailed footnotes and caveats.

Source: ABS (2016) *Crime Victimization, Australia 2014-15*, Cat. no. 4530.0; tables CA.4 and 6A.28.

Re-offending rates

The extent to which people who have had contact with the criminal justice system are re-arrested, re-convicted or receive further sentences can be viewed as a partial indicator of governments' objective to maintain safe communities (box C.4).

Box C.4 Re-offending rates

'Re-offending rates' are defined as the extent to which people who have had contact with the criminal justice system are re-arrested, re-convicted, or return to corrective services (either prison or community corrections), and is measured by:

- the proportion of offenders who were proceeded against more than once by police during 2014-15
- the proportion of adults released from prison during 2013-14 who returned to corrective services (either prison or community corrections) within two years
- the proportion of adults who were discharged from community corrections orders during 2013-14 who returned with a new correctional sanction within two years.

Repeat offender data are difficult to interpret. A low proportion of repeat offenders may indicate an effective justice system discouraging repeat offending. However, a high proportion of repeat offenders may indicate more effective policing.

Repeat offending rates are not weighted to account for the nature of the re-offence. For example, a return to prison for a traffic offence is counted in the same manner as a return for a more serious offence such as armed robbery. Rates of return to corrective services also do not take into account any further:

- arrests
- re-offending that leads to outcomes that are not administered by corrective services, for example, fines
- correctional sanctions for a repeat offender who has previously been sentenced to only non-correctional sanctions, for example, fines.

Data reported for this indicator are:

- comparable (subject to caveats) across jurisdictions and over time, but there are jurisdictional differences in how alleged offenders are dealt with and the range of court and non-court actions available to police
- incomplete for the current reporting period. All required 2014-15 and 2015-16 data were not available for WA.

Source: ABS (2016) Recorded Crime – Offenders, 2014-15, Cat. no. 4519.0; State and Territory governments (unpublished).

Offenders proceeded against more than once by police

Table C.3 provides data on the number of times offenders, aged 10 years and over, were proceeded against by police in 2014-15. The data represent each separate occasion that police initiated a legal action against an offender. Depending on the type of offence

committed, police will either initiate a court or non-court action. Court actions involve the laying of charges against an offender that must be answered in court. Non-court actions can include informal or formal warnings, conferencing, counselling, drug diversionary schemes or the issuing of penalty notices which do not require an appearance in court. In each State and Territory (except WA for whom data were not available), the majority of offenders (around three-quarters) were proceeded against only once during 2014-15.

Table C.3 Number of times offenders were proceeded against during 2014-15 (per cent)^a

	<i>NSW</i>	<i>Vic</i>	<i>Qld</i>	<i>WA</i>	<i>SA</i>	<i>Tas</i>	<i>ACT</i>	<i>NT</i>
1	72.4	76.1	68.6	na	83.7	77.8	85.0	66.4
2	14.0	13.0	16.4	na	9.9	12.7	9.8	17.5
3	5.6	5.0	6.7	na	3.2	4.5	3.4	6.8
4	2.8	2.5	3.3	na	1.5	2.0	1.0	3.6
≥ 5	5.2	3.4	5.0	na	1.6	2.9	0.7	5.6
Total	100.0	100.0	100.0	na	100.0	100.0	100.0	100.0
Total repeat offenders	27.6	23.9	31.4	na	16.2	22.1	14.9	33.5

^a See box C.4 and table CA.5 for detailed definitions, footnotes and caveats.

na Not available.

Source: ABS (2016), *Recorded Crime – Offenders, selected states and territories, 2014-15*, Cat. no. 4519.0; table CA.5.

Adult offenders released from prison

The most recent data for adult offenders released from prison who returned to corrective services within two years relate to prisoners released during 2013-14 who returned to corrective services by 2015-16 (table C.4). Nationally, 44.6 per cent of released prisoners had returned to prison within two years, while 52.6 per cent had returned to corrective services.

Table C.4 Prisoners released during 2013-14 who returned to corrective services with a new correctional sanction within two years (per cent)^a

	<i>NSW</i>	<i>Vic</i>	<i>Qld</i>	<i>WA</i>	<i>SA</i>	<i>Tas</i>	<i>ACT</i>	<i>NT</i>	<i>Aust</i>
Prisoners returning to:									
— prison	50.7	42.8	39.7	38.1	36.9	39.8	41.0	58.3	44.6
— corrective services ^b	55.1	55.6	49.8	45.7	46.1	49.8	61.3	61.0	52.6

^a Refers to all prisoners released following a term of sentenced imprisonment including prisoners subject to correctional supervision following release, that is, offenders released on parole or other community corrections orders. Data include returns to prison resulting from the cancellation of a parole order.

^b Includes a prison sentence or a community corrections order.

Source: State and Territory governments (unpublished).

Table C.5 provides a time series on the proportion of adult offenders released from prison who returned to prison under sentence within two years. The proportion has been increasing each year since 2011-12.

Table C.5 Prisoners released who returned to prison under sentence within two years (per cent)

	<i>NSW</i>	<i>Vic</i>	<i>Qld</i>	<i>WA</i>	<i>SA^a</i>	<i>Tas</i>	<i>ACT</i>	<i>NT^b</i>	<i>Aust</i>
2011-12	42.5	35.1	36.1	36.1	29.1	36.4	40.8	60.7	39.5
2012-13	42.7	36.8	38.3	36.3	29.0	39.1	46.6	62.4	40.7
2013-14	45.8	39.5	39.8	39.0	38.4	39.3	41.9	59.1	42.7
2014-15	48.1	44.1	40.9	36.2	38.1	39.9	38.7	59.5	44.5
2015-16	50.7	42.8	39.7	38.1	36.9	39.8	41.0	58.3	44.6

^a Rates for SA from 2013-14 onwards reflect legislative changes introduced in August 2012 that provides opportunity for parole to be cancelled for a breach of any condition, resulting in return to prison to serve the remaining sentence(s). Previously, breaches of only certain types of conditions would result in cancellation of parole. ^b NT figures for 2011-12 to 2014-15 have been revised and Australian averages adjusted accordingly.

Source: State and Territory governments (unpublished).

Adult offenders discharged from community corrections orders

Table C.6 provides data on offenders who were discharged after serving orders administered by community corrections, including post-prison orders such as parole or licence, and then returned with a new correctional sanction within two years. Nationally, of those offenders who were released during 2013-14, 14.8 per cent had returned with a new correctional sanction to community corrections, and 23.5 per cent had returned to corrective services by 2015-16.

Table C.6 Offenders discharged from community corrections orders during 2013-14 who returned with a new correctional sanction within two years (per cent)

	<i>NSW</i>	<i>Vic</i>	<i>Qld</i>	<i>WA</i>	<i>SA</i>	<i>Tas</i>	<i>ACT</i>	<i>NT</i>	<i>Aust</i>
Offenders returning to:									
— community corrections	12.1	21.1	15.8	10.6	12.1	19.2	15.4	11.1	14.8
— corrective services ^a	23.4	28.9	21.7	16.5	21.0	24.1	15.8	32.1	23.5

^a Includes a prison sentence or a community corrections order.

Source: State and Territory governments (unpublished).

Justice staff

‘Justice staff’ employed relative to the population is an indicator of governments’ objective to provide justice services in an equitable and accessible manner (box C.5).

Box C.5 Justice staff

Data on justice staff are currently available for police and courts, and are defined by two measures:

- FTE Police staff per 100 000 population. Police staff are categorised according to operational status. An operational police staff member is any member whose primary duty is the delivery of police or police-related services to an external client (primarily members of the public but may also include other government departments). Specialised activities may be outsourced or undertaken by administrative (unsworn) staff.
- FTE judicial officers per 100 000 population. A judicial officer is defined as an officer who can make enforceable orders of the court. The number of judicial officers is expressed in full time equivalent units and where judicial officers have both judicial and non-judicial work, it refers to the proportion of time allocated to judicial work.

A higher proportion of judicial staff per population indicates potentially greater access to the judicial system.

Data reported for this indicator are:

- comparable (subject to caveats) across jurisdictions and over time
- complete for the current reporting period (subject to caveats). All required 2015-16 data are available for all jurisdictions.

Source: Chapters 6 and 7.

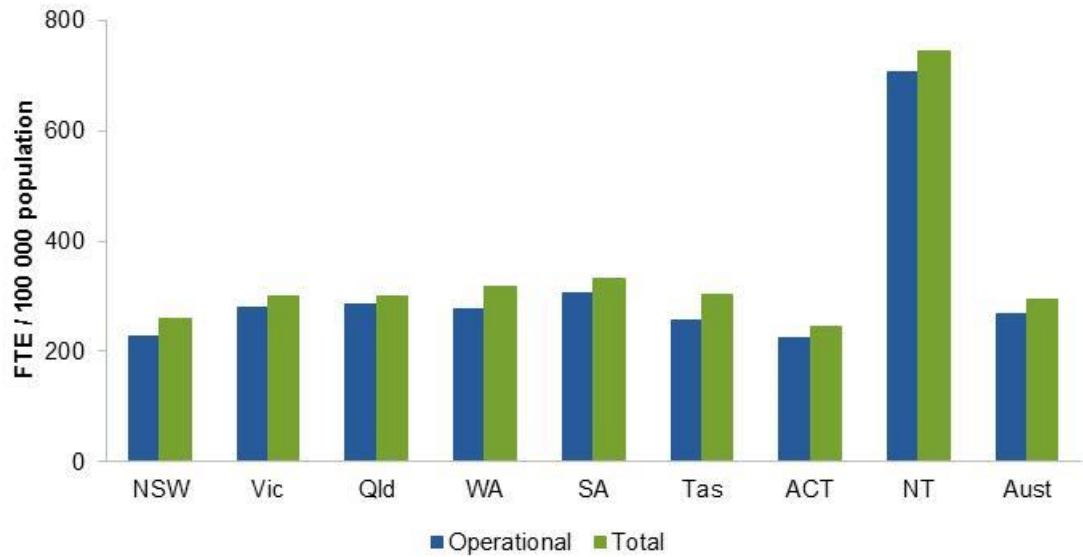
Police staff

Nationally, there was a total of 64 324 operational and 6327 non-operational staff in 2015-16 — approximately 91 per cent of police staff were operational — with 269 FTE operational police staff per 100 000 people (figure C.7). The number of staff per 100 000 people varies across jurisdictions, in part, due to differing operating environments.

Judicial officers

Nationally, there were 4.5 FTE judicial officers per 100 000 population in 2015-16 (figure C.8). Factors such as geographical dispersion, judicial workload and population density should be considered when comparing data on judicial officers.

Figure C.7 Police staff per 100 000 population, 2015-16^a



^a See box C.5 and tables CA.6 and 6A.1-8 for detailed definitions, footnotes and caveats.
 Source: State and Territory governments (unpublished); table CA.6 and 6A.1-8.

Figure C.8 Judicial officers per 100 000 population, 2015-16^a



^a See box C.5 and tables CA.7 and 7A.27 for detailed definitions, footnotes and caveats.
 Source: State and Territory governments (unpublished); table CA.7 and 7A.27.

Higher court defendants resulting in a guilty plea or finding

‘Higher court defendants resulting in a guilty plea or finding’ is an indicator of governments’ objective to provide justice services in an equitable and accessible manner (box C.6).

Box C.6 Higher court defendants resulting in a guilty plea or finding

‘Higher court defendants resulting in a guilty plea or finding’ is defined as the number of higher courts’ finalised adjudicated defendants who either submitted a guilty plea or were found guilty, as a proportion of the total number of higher courts adjudicated defendants.

A high or increasing proportion of higher courts’ adjudicated defendants submitting a guilty plea or being the subject of a guilty finding is desirable.

This indicator does not provide information on the number of defendants where police have identified a likely offender, but chose not to bring the likely offender to trial due to a variety of factors, nor to cases that have been finalised by a non-adjudicated method.

Data reported for this indicator are:

- comparable (subject to caveats) across jurisdictions and over time
- complete for the current reporting period (subject to caveats). All required 2014-15 data are available for all jurisdictions.

Nationally in 2014-15, the proportion of higher court finalised adjudicated defendants who either submitted a guilty plea or were found guilty was 92.8 per cent (figure C.9).

Figure C.9 **Proportion of higher court finalised adjudicated defendants resulting in a guilty plea or finding, 2014-15^a**



^a See box C.6 and table CA.8 for detailed definitions, footnotes and caveats..

Source: ABS (2016) *Criminal Courts, Australia*. Cat. no. 4513.0; table CA.8.

C.3 Cross-cutting and interface issues

Although service areas are represented in separate chapters in this Report, performance results are to some extent interdependent. Changes to the functions and operations of each element of the justice system can affect the other parts of the system, for example, the effect of:

- police services on the courts through the implementation of initiatives such as police cautions and other diversionary strategies
- police and courts on corrective services, such as use of court diversion schemes, bail and the range of sentencing options available
- correctional systems' services on courts sentencing decisions through court advice services.

There is a trend toward the delivery of justice services through partnerships between agencies, in order to address complex issues and client needs. For example, bail or housing support programs, Neighbourhood Justice centres in Victoria, specialist courts such as Indigenous and drug courts, and adoption of restorative justice principles.

C.4 References

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CA Justice sector overview- attachment

Definitions for the indicators and descriptors in this attachment are in the Justice Sector Overview and chapters 6, 7 and 8. Data for past years have been revised for some jurisdictions, where this has occurred, totals and any derived data have been recalculated. For this reason data for past years presented in this Report may vary from figures published in earlier editions of this Report.

This file is available on the Review website at www.pc.gov.au/rogs/2017.

Attachment contents

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TABLE CA.1

Table CA.1 **Feelings of safety at home alone during the night ("safe" or "very safe") (a), (b)**

	<i>Unit</i>	<i>NSW</i>	<i>Vic</i>	<i>Qld</i>	<i>WA</i>	<i>SA</i>	<i>Tas</i>	<i>ACT</i>	<i>NT</i>	<i>Aust</i>
2015-16										
During the night	%	90.2	87.1	88.9	84.1	90.4	88.3	92.6	84.0	88.5
Sample size	<i>no.</i>	2 000	8 100	6 000	2 800	2 600	2 000	2 400	2 000	27 900
2014-15										
During the night	%	88.4	89.5	91.4	88.1	88.9	90.9	92.7	85.1	89.3
Sample size	<i>no.</i>	2 000	8 100	6 000	2 800	2 600	2 400	2 400	2 000	28 300
2013-14										
During the night	%	87.5	90.4	89.7	86.0	90.4	92.9	93.8	85.9	89.0
Sample size	<i>no.</i>	2 000	8 100	6 000	2 800	2 600	2 401	2 400	2 000	28 301
2012-13										
During the night	%	87.9	88.8	88.5	81.6	86.5	89.9	90.3	84.0	87.5
Sample size	<i>no.</i>	2 000	8 100	6 201	2 800	2 600	2 400	2 400	2 000	28 501
2011-12										
During the night	%	87.6	88.9	89.8	83.0	86.0	90.3	91.0	81.3	87.8
Sample size	<i>no.</i>	2 000	8 101	6 201	2 800	2 600	2 400	2 400	2 000	28 502
2010-11										
During the night	%	85.9	87.7	89.8	85.1	84.8	88.9	88.6	81.5	87.1
Sample size	<i>no.</i>	2 000	8 101	6 201	2 800	2 601	2 400	2 400	2 004	28 507
2009-10										
During the night	%	82.5	85.1	86.5	81.4	84.8	87.7	86.2	82.0	84.2
Sample size	<i>no.</i>	4 177	8 554	6 263	3 721	3 287	2 422	2 419	1 529	32 372

(a) For years prior to 2015-16, sample data have been weighted by factors such as age and gender to infer results for the total population aged 15 years or over in each State and Territory. In October 2015, the qualifying age to participate in the survey was changed to 18 years and over.

(b) Survey results are subject to sampling error.

Source: Australia New Zealand Policing Advisory Agency (ANZPAA) (various years), *National Survey of Community Satisfaction with Policing* (unpublished); Table 6A.19

Table CA.2 **Feelings of safety in public places during the night ("safe" or "very safe") (a), (b)**

	<i>Unit</i>	<i>NSW</i>	<i>Vic</i>	<i>Qld</i>	<i>WA</i>	<i>SA</i>	<i>Tas</i>	<i>ACT</i>	<i>NT</i>	<i>Aust</i>
2015-16										
Walking alone	%	53.9	48.6	51.3	51.0	52.0	58.5	57.1	44.7	51.7
On public transport	%	25.8	25.6	23.6	18.3	25.0	18.8	31.9	12.6	24.3
Sample size	<i>no.</i>	2 000	8 100	6 000	2 800	2 600	2 000	2 400	2 000	27 900
2014-15										
Walking alone	%	54.3	52.1	52.9	49.3	50.5	57.5	58.4	43.8	52.8
On public transport	%	30.3	28.5	29.6	20.7	23.1	24.3	32.9	12.0	27.9
Sample size	<i>no.</i>	2 000	8 100	6 000	2 800	2 600	2 400	2 400	2 000	28 300
2013-14										
Walking alone	%	53.0	50.2	49.5	47.6	48.6	58.9	54.4	43.7	50.8
On public transport	%	26.3	23.5	25.4	17.3	25.5	22.2	32.5	13.9	24.3
Sample size	<i>no.</i>	2 000	8 100	6 000	2 800	2 600	2 401	2 400	2 000	28 301
2012-13										
Walking alone	%	49.1	51.2	51.7	44.4	49.7	55.3	55.1	42.2	49.8
On public transport	%	26.6	24.2	30.5	22.5	24.0	21.6	33.0	18.1	26.0
Sample size	<i>no.</i>	2 000	8 100	6 201	2 800	2 600	2 400	2 400	2 000	28 501
2011-12										
Walking alone	%	51.1	53.5	53.5	45.5	49.0	56.0	55.1	40.7	51.6
On public transport	%	25.8	23.7	30.1	18.8	26.4	22.7	33.6	18.8	25.4
Sample size	<i>no.</i>	2 000	8 101	6 201	2 800	2 600	2 400	2 400	2 000	28 502
2010-11										
Walking alone	%	46.2	47.7	46.9	44.0	43.2	53.7	49.1	35.7	46.4
On public transport	%	25.9	21.7	30.0	20.0	22.8	24.0	34.2	16.9	24.8
Sample size	<i>no.</i>	2 000	8 101	6 201	2 800	2 601	2 400	2 400	2 004	28 507
2009-10										
Walking alone	%	58.5	59.4	62.7	58.4	59.7	65.1	60.5	54.6	59.8
On public transport	%	29.9	25.8	35.4	23.8	30.0	31.4	39.8	26.1	29.5
Sample size	<i>no.</i>	4 177	8 554	6 263	3 721	3 287	2 422	2 419	1 529	32 372

(a) For years prior to 2015-16, sample data have been weighted by factors such as age and gender to infer results for the total population aged 15 years or over in each State and Territory. In October 2015, the qualifying age to participate in the survey was changed to 18 years and over.

(b) Survey results are subject to sampling error.

Source: Australia New Zealand Policing Advisory Agency (various years) *National Survey of Community Satisfaction with Policing* (unpublished); Tables 6A.20 - 6A.21

Table CA.3 Estimated victims of selected personal crimes, reported and unreported (no. in '000 and no. per 100 000 people) 2014-15 (a), (b), (c), (d), (e)

	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust
<i>Number '000</i>									
Physical assault	99.0	97.8	91.1	53.5	36.8	10.4	7.0	5.9	400.4
Threatened assault	126.3	130.8	110.4	60.6	40.7	12.6	10.3	4.2	491.9
Robbery	12.7	14.8	10.8	9.4	6.6	2.1	1.1	np	55.9
Sexual assault	18.7	16.5	12.6	np	1.1	np	np	np	58.6
<i>No. per 100 000 people</i>									
Physical assault	1640.6	2064.9	2451.0	2639.8	2701.3	2520.0	2331.8	4105.8	2137.2
Threatened assault	2093.1	2761.6	2970.2	2990.1	2987.6	3053.1	3431.0	2922.8	2625.6
Robbery	210.5	312.5	290.6	463.8	484.5	508.8	np	np	298.4
Sexual assault	325.2	365.3	356.9	np	84.5	np	np	np	328.5

(a) A victim is defined as a person reporting at least one of the offences included in the Crime Victimization Survey. Persons who have been a victim of multiple offence types during the reference period were counted once for each offence type for which they were a victim of at least one incident. Individuals may be counted multiple times across offence types and consequently the estimated total number of victims cannot be calculated from this table.

(b) No. per 100 000 were calculated using as denominators, the populations published in the relevant ABS data cubes for persons aged 15 years and over. For sexual assault questions, survey respondents were aged 18 years and over.

(c) Some robbery and sexual assault rates include data points with large standard errors so that comparisons between jurisdictions and between years should be interpreted with caution.

(d) Threatened assault includes face-to-face incidents only.

(e) For more information on data quality, including collection methodologies and data limitations, see *Crime Victimization, Australia* (Cat. No. 4530.0) on the ABS website.

np Not published.

Source: ABS (2016) *Crime Victimization, Australia*, 2014-15, Cat. no. 4530.0; Table 6A.27.

Table CA.4 Estimated victims of selected property crimes, reported and unreported (number in '000 and number per 100 000 households), 2014-15 (a), (b), (c), (d), (e)

	<i>NSW</i>	<i>Vic</i>	<i>Qld</i>	<i>WA</i>	<i>SA</i>	<i>Tas</i>	<i>ACT</i>	<i>NT</i>	<i>Aust</i>
<i>Number '000</i>									
Break-in	57.9	55.9	50.2	47.4	17.1	6.1	4.0	3.9	242.5
Attempted break-in	48.9	37.5	35.6	35.8	12.7	3.4	4.2	2.4	180.6
Motor vehicle theft	11.6	14.0	9.1	8.6	4.4	2.1	0.9	1.0	53.4
Theft from motor vehicle	57.5	74.6	37.9	53.1	19.5	3.8	6.3	2.6	254.7
Malicious property damage	137.5	142.2	76.2	86.0	40.4	13.2	9.8	4.7	511.4
Other theft	75.4	75.2	47.8	30.3	21.1	6.5	4.2	2.4	261.4
<i>No. per 100 000 households</i>									
Break-in	2 051	2 492	2 788	4 956	2 496	2 895	2 738	5 982	2 715
Attempted break-in	1 732	1 672	1 977	3 743	1 854	1 614	2 875	3 681	2 022
Motor vehicle theft	411	624	506	899	642	997	np	1 534	598
Theft from motor vehicle	2 037	3 325	2 105	5 552	2 846	1 804	4 312	3 988	2 852
Malicious property damage	4 871	6 339	4 233	8 991	5 896	6 265	6 708	7 209	5 726
Other theft	2 671	3 352	2 655	3 168	3 079	3 085	2 875	3 681	2 927

- (a) A victim is defined as a household reporting at least one of the offences included in the Crime Victimization Survey. Households that have been a victim of multiple offence types during the reference period were counted once for each offence type for which they were a victim of at least one incident.
- (b) NT data refer mainly to urban areas and exclude people living in discrete Aboriginal and Torres Strait Islander communities in remote and very remote areas.
- (c) A victim of break-in or attempted break-in is defined as a household experiencing at least one break-in or attempted break-in. Break-in is defined as an incident where the respondent's home including a garage or shed, had been broken into. Break-in offences relating to respondents' cars or gardens are excluded.
- (d) A victim of motor vehicle theft is defined as a household reporting at least one motor vehicle theft. Victims were counted once only, regardless of the number of incidents of motor vehicle theft. Motor vehicle theft is defined as an incident where a motor vehicle was stolen from any member of the respondent's household. It includes privately owned vehicles and excludes vehicles used mainly for commercial business/business purposes.
- (e) For more information on data quality, including collection methodologies and data limitations, see *Crime Victimization, Australia* (Cat. No. 4530.0) on the ABS website.

np Not published.

Sources: ABS (2016) *Crime Victimization, Australia*, 2014-15, Cat. no. 4530.0;
Data cube 4530DO003;
Table 6A.28.

TABLE CA.5

Table CA.5 **Number of times offenders proceeded against by police (per cent) (a), (b), (c), (d)**

	<i>Unit</i>	<i>NSW</i>	<i>Vic</i>	<i>Qld</i>	<i>WA</i>	<i>SA</i>	<i>Tas</i>	<i>ACT</i>	<i>NT</i>
2014-15									
1	%	72.4	76.1	68.6	na	83.7	77.8	85.0	66.4
2	%	14.0	13.0	16.4	na	9.9	12.7	9.8	17.5
3	%	5.6	5.0	6.7	na	3.2	4.5	3.4	6.8
4	%	2.8	2.5	3.3	na	1.5	2.0	1.0	3.6
5 or more	%	5.2	3.4	5.0	na	1.6	2.9	0.7	5.6
2013-14									
1	%	75.2	77.6	69.7	na	88.1	78.1	83.7	65.8
2	%	13.4	12.5	16.1	na	6.9	13.4	10.9	18.0
3	%	5.0	4.5	6.4	na	2.5	4.1	3.5	7.7
4	%	2.4	2.3	3.1	na	1.1	2.0	1.1	3.3
5 or more	%	4.0	3.0	4.7	na	1.3	2.5	0.7	5.1
2012-13									
1	%	76.4	78.9	70.7	na	85.7	77.2	84.8	69.7
2	%	13.1	12.1	16.0	na	8.3	13.6	10.3	17.0
3	%	4.8	4.3	6.0	na	3.0	4.4	2.9	6.7
4	%	2.2	2.0	3.0	na	1.4	2.1	1.2	3.1
5 or more	%	3.4	2.8	4.2	na	1.6	2.8	1.0	3.4
2011-12									
1	%	77.0	80.2	72.1	na	84.1	76.7	85.3	73.4
2	%	13.0	11.9	15.4	na	9.4	13.4	9.4	16.8
3	%	4.7	3.9	5.8	na	3.2	4.6	3.2	5.8
4	%	2.2	1.7	2.7	na	1.5	2.2	1.0	2.3
5 or more	%	3.2	2.3	4.0	na	1.7	3.1	1.0	1.8
2010-11									
1	%	77.3	81.0	72.9	na	85.6	75.8	83.1	76.5
2	%	13.1	11.5	15.4	na	8.8	13.7	11.0	14.7
3	%	4.6	3.8	5.6	na	2.9	4.9	3.7	5.0
4	%	2.1	1.6	2.5	na	1.4	2.4	1.3	2.2
5 or more	%	2.9	2.1	3.6	na	1.3	3.3	0.8	1.6
2009-10									
1	%	78.5	80.4	72.6	na	84.8	75.3	83.3	75.0
2	%	12.9	11.9	15.7	na	9.5	14.1	10.7	15.4
3	%	4.4	3.8	5.5	na	3.2	4.6	3.4	5.4
4	%	1.9	1.7	2.6	na	1.3	2.5	1.4	2.2
5 or more	%	2.2	2.2	3.6	na	1.2	3.4	1.3	1.9

(a) WA offender data are recorded on two different systems and police proceedings cannot be matched between these two systems. WA data are therefore not published, as police proceedings would be overstated.

**Table CA.5 Number of times offenders proceeded against by police
(per cent) (a), (b), (c), (d)**

	<i>Unit</i>	<i>NSW</i>	<i>Vic</i>	<i>Qld</i>	<i>WA</i>	<i>SA</i>	<i>Tas</i>	<i>ACT</i>	<i>NT</i>
(b)	In SA, General Expiation Notices (GENs) may be issued for public order offences and offences against justice and are stored on an infringement database that cannot be linked with other police databases. Offenders with a principal offence of public order offences or offences against justice may be counted twice if they have committed an offence in addition to receiving a General Expiation Notice (GEN). Therefore SA data may be overstated.								
(c)	Data for the ACT include criminal infringement notices (CINs). As CINs are recorded separately to other offences it is possible that an offender with an offence in addition to a CIN may be counted twice. Therefore ACT data may be overstated.								
(d)	For more information on data quality, including collection methodologies and data limitations, see <i>Recorded Crime - Offenders</i> (Cat. No. 4519.0) on the ABS website.								
na	Not available								
<i>Source</i> : ABS (2016) <i>Recorded Crime - Offenders</i> , Cat. no. 4519.0, Canberra.									

TABLE CA.6

Table CA.6 Police staff, FTE and per population (a)

	<i>Unit</i>	<i>NSW</i>	<i>Vic</i>	<i>Qld</i>	<i>WA</i>	<i>SA</i>	<i>Tas</i>	<i>ACT</i>	<i>NT</i>	<i>Aust</i>
2015-16										
Operational staff	no.	17 497	16 798	13 695	7 183	5 219	1 323	882	1 727	64 324
Total staff	no.	19 975	17 924	14 428	8 301	5 671	1 568	968	1 816	70 651
Operational per 100 000	no.	228	280	285	276	306	256	224	708	269
Total staff per 100 000	no.	260	299	300	319	333	303	246	744	295
2014-15										
Operational staff	no.	17 525	16 182	13 350	6 995	5 274	1 277	848	1 710	63 161
Total staff	no.	20 031	17 200	14 237	8 005	5 662	1 443	932	1 772	69 282
Operational per 100 000	no.	232	275	281	271	312	248	219	700	267
Total staff per 100 000	no.	265	292	300	310	335	280	240	725	294
2013-14										
Operational staff	no.	17 334	15 724	13 863	6 895	5 272	1 280	888	1 750	62 967
Total staff	no.	19 760	16 956	15 031	7 851	5 638	1 451	975	1 800	69 462
Operational per 100 000	no.	232	272	296	270	314	249	231	721	270
Total staff per 100 000	no.	265	293	320	308	336	282	254	742	298
2012-13										
Operational staff	no.	17 272	14 881	13 360	6 790	5 253	1 249	879	1 651	61 297
Total staff	no.	19 720	15 762	14 750	7 789	5 584	1 402	974	1 789	67 770
Operational per 100 000	no.	235	262	290	275	316	244	232	697	268
Total staff per 100 000	no.	268	278	320	315	336	274	257	755	296
2011-12										
Operational staff	no.	17 029	14 410	13 106	6 754	5 256	1 354	870	1 620	60 364
Total staff	no.	19 332	15 626	14 672	7 708	5 639	1 514	949	1 716	67 156
Operational per 100 000	no.	235	259	290	283	320	265	235	697	268
Total staff per 100 000	no.	267	280	325	323	343	296	256	738	299
2010-11										
Operational staff	no.	17 033	14 044	13 220	6 494	5 143	1 415	907	1 614	59 821
Total staff	no.	19 266	15 063	14 739	7 648	5 536	1 578	991	1 693	66 514
Operational per 100 000	no.	237	256	298	280	315	277	249	701	270
Total staff per 100 000	no.	268	274	332	330	339	309	272	735	300
2009-10										
Operational staff	no.	16 802	12 945	13 087	6 382	5 105	1 372	798	1 528	58 019
Total staff	no.	18 955	14 380	14 406	7 379	5 565	1 573	935	1 637	64 830
Operational per 100 000	no.	237	239	300	282	315	271	223	671	265
Total staff per 100 000	no.	267	265	330	326	344	311	261	719	296
2008-09										
Operational staff	no.	16 677	11 074	11 543	6 324	4 885	1 399	819	1 472	54 193
Total staff	no.	19 153	13 901	14 222	7 474	5 431	1 602	945	1 587	64 315
Operational per 100 000	no.	238	208	270	286	306	279	233	661	252
Total staff per 100 000	no.	274	262	333	338	340	319	269	713	299

Table CA.6 **Police staff, FTE and per population (a)**

<i>Unit</i>	<i>NSW</i>	<i>Vic</i>	<i>Qld</i>	<i>WA</i>	<i>SA</i>	<i>Tas</i>	<i>ACT</i>	<i>NT</i>	<i>Aust</i>
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(a) Data comprise all FTE staff except in the NT between 2007-08 and 2012-13, where data are based on a headcount at 30 June.

Source: State and territory governments (unpublished); Tables 6A.1 - 8

Table CA.7 **Judicial officers, FTE and per population (a)**

	<i>Unit</i>	<i>NSW</i>	<i>Vic</i>	<i>Qld</i>	<i>WA</i>	<i>SA</i>	<i>Tas</i>	<i>ACT</i>	<i>NT</i>	<i>Aust crts</i>	<i>Aust</i>
2015-16											
Total judicial officers	no.	263.3	250.8	152.6	120.1	72.8	21.6	14.4	25.6	150.8	1 072.0
Total per 100 000		3.4	4.2	3.2	4.6	4.3	4.2	3.7	10.5	0.6	4.5
2014-15											
Total judicial officers	no.	261.3	248.0	156.3	118.8	69.9	21.4	13.6	25.8	150.1	1 065.1
Total per 100 000		3.5	4.2	3.3	4.6	4.1	4.2	3.5	10.5	0.6	4.5
2013-14											
Total judicial officers	no.	264.2	245.3	153.2	117.1	72.0	20.8	13.0	24.4	159.2	1 069.2
Total per 100 000		3.5	4.2	3.3	4.6	4.3	4.0	3.4	10.1	0.7	4.6
2012-13											
Total judicial officers	no.	264.2	240.8	154.3	123.1	75.0	20.8	13.5	25.7	149.7	1 067.0
Total per 100 000		3.6	4.2	3.3	5.0	4.5	4.1	3.5	10.8	0.7	4.7
2011-12											
Total judicial officers	no.	270.3	241.4	152.8	124.5	76.5	20.8	12.5	25.7	150.4	1 074.9
Total per 100 000		3.7	4.3	3.4	5.2	4.7	4.1	3.4	11.0	0.7	4.8
2010-11											
Total judicial officers	no.	264.9	230.4	148.1	134.2	76.1	20.8	13.7	25.0	144.1	1 057.3
Total per 100 000		3.7	4.2	3.3	5.8	4.7	4.1	3.7	10.9	0.6	4.8

(a) Judicial officers are officers who can make enforceable orders of the court. They include judges, associate judges, magistrates, masters, coroners and judicial registrars.

Source: State and Territory and Australian governments (unpublished); Table 7A.27

Table CA.8 Proportion of higher courts finalised adjudicated defendants resulting in a guilty plea or finding (per cent) (a)

	<i>Unit</i>	<i>NSW</i>	<i>Vic</i>	<i>Qld</i>	<i>WA</i>	<i>SA</i>	<i>Tas</i>	<i>ACT</i>	<i>NT</i>	<i>Aust</i>
2014-15	%	92.6	90.6	94.0	93.5	92.8	93.1	87.1	95.1	92.8
2013-14	%	92.4	92.0	92.7	92.7	93.2	90.0	87.7	98.0	92.5
2012-13	%	91.7	91.2	93.0	92.8	90.1	91.0	94.6	95.8	92.1
2011-12	%	89.9	92.0	92.1	91.5	88.6	93.8	89.6	93.1	91.3
2010-11	%	92.2	90.9	93.1	90.8	90.5	90.9	90.5	89.9	91.8
2009-10	%	91.9	91.1	92.7	89.7	89.5	94.4	84.9	94.5	91.5
2008-09	%	92.2	91.5	94.6	89.6	89.2	95.1	84.0	89.9	92.2

(a) Higher courts comprise the Supreme Court and the District courts. A defendant can be either a person or organisation against whom one or more criminal charges have been laid.

(b) For more information on data quality, including collection methodologies and data limitations, see *Criminal Courts Australia* (Cat. No. 4513.0) on the ABS website.

Source: ABS (various years) *Criminal Courts Australia*, Cat. no. 4513.0, Canberra.