

Chapter six

Safety and justice

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Photo courtesy of NSW Police



Safety and justice

This chapter looks at the experiences of women in NSW in relation to their personal safety and the justice system. An overview of their experiences of safety in different contexts is presented: in families and households, in the community and in workplaces. The latest available data is used. Data sources include statistics collected by the NSW Bureau of Crime Statistics and Research (BOCSAR), the NSW Ministry of Health, State Coroner's Court of NSW, Transport for NSW, and the Australian Bureau of Statistics (ABS).

Key findings

Domestic and family violence is one of the most prevalent forms of violence women experience in Australia. In the 12 months to March 2014, 69 percent of victims of domestic violence (DV)-related assaults in NSW were women. The proportion of female victims has remained relatively stable from April 2005 to March 2014. Over the same period, the rates for DV-related assaults have been consistently higher for Aboriginal women than non-Aboriginal women although both showed a declining trend.

This year's report reveals there has been a recent increase in DV-related assault rates. Overall rates grew by 2 percent over the last two years (to March 2014) to their highest recorded rate in the past 12 years. While the rise can be attributed to increases in both female and male DV-related assault rates, the rates for women remain consistently higher than for men.

DV-related assaults were mostly perpetrated by males only (70 percent), regardless of the gender of the victim, while 19 percent involved female offenders only. When the victim was a female, the offender was generally a male only (78 percent).

In NSW in the 12 months to March 2014, 81 percent (21 out of 26) of female homicide victims were killed by someone with whom they were in a domestic relationship. Of the 128 women who were killed in a domestic violence context between July 2000 and June 2009, 12 percent (or 15) of the deceased were Aboriginal.

It is widely acknowledged that there is underreporting of DV assault. As mentioned in last year's *Women in NSW* report, the NSW Bureau of Crime Statistics and Research (BOCSAR) found that the most commonly cited reasons for not reporting domestic and family violence were fear of further violence from the offender, feelings of shame or embarrassment, or a belief that the incident was too inconsequential.

The incidence of sexual assault on women remains high. In the 12 months to March 2014, 82 percent of reported sexual assault victims were women (4,010 women victims compared to 900 male victims). The largest group of alleged offenders were people known to the victims but with whom they had no familial relationship.

Women were victims in 30 percent of cases of non-DV-related assault in the 12 months to March 2014. The downwards trend in recorded incidents of non-DV assault continues for women and men. Both the number of female victims and the number of male victims have fallen by an average of 3 percent per annum since 2005.

In terms of women's experiences with the state's criminal justice system, apprehended domestic violence orders (ADVOs) were mostly granted to women in the period from April 2013 to March 2014 (70 percent of victims). Women were granted ADVOs at a rate of 728 per 100,000 population compared to men who were granted at a rate of 317 per 100,000 population. In 2013, the regions in NSW with the highest rate of ADVOs granted per 100,000 population were the Far West & Orana, Riverina, and New England & North West regions.

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The proportion of women offenders remained the same since 2011 at 21 percent. Women's offender rates were also lower than men's, although both increased slightly over the last year to 751 per 100,000 population for women and 2,890 per 100,000 for men.

Similar to last year's report, we also examined the data on women in prison. As at 30 June 2013 women accounted for 7 percent (681) of all prisoners (9,216) in NSW correctional centres. The imprisonment rate for women in NSW was 14 times lower than for men: 23 per 100,000 of the population for women compared to 328 per 100,000 of the population for men.

Since 2011–12 there has been a decline in the number and proportion of sex-discrimination complaints lodged by NSW women with both the NSW Anti-Discrimination Board and the Australian Human Rights Commission.

Gender indicators: Safety and justice

In this chapter, women's experiences are reported against five safety and justice topics of importance for women. Many align with state, national and international goals and benchmarks and some comparisons are given in the conclusion. The topics covered in this chapter relate to the State Plan Goals 16, 17 and 18.

NSW 2021 A PLAN TO MAKE NSW NUMBER ONE

Goal 16: Prevent and reduce the level of crime

Goal 17: Prevent and reduce the level of reoffending

Goal 18: Improve community confidence in the justice system

The NSW Government is committed to significantly reducing domestic and sexual violence against women and their children, reducing alcohol-related assaults and other personal crime, increasing confidence in police, preventing and reducing reoffending, and increasing community confidence in the court system. The topics covered in this chapter relate to State Plan Goals 16, 17 and 18.

This year we have had the chance to report findings from the ABS 2012 *Personal Safety Survey* (PSS). This survey, undertaken every six years and recently published by the ABS, collects information about the nature and extent of violence experienced by men and women since the age of 15. Although data from the survey is collected too infrequently to use regularly in the *Women in NSW* reports, it provides important information about facets of women's experience of violence.

The indicators used in this year's report are shown below. Note that data for some indicators used in previous years are not available this year. A full list of indicators from all years is in the Introduction. The most recent available data is used throughout.

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Safety and justice indicators

Topic	Indicator
Topic 1 Safety in families and households	1.1 Recorded domestic violence-related assaults 1.2 Self-reported domestic violence 1.3 Domestic violence homicide
Topic 2 Safety in the community	2.1 Sexual assault 2.2 Victims of violence-recorded incidents 2.3 Assault victimisation 2.4 Safety while waiting for or using public transport
Topic 3 The criminal justice system	3.1 Reporting rates among victims of assault 3.2 Apprehended Domestic Violence Orders granted 3.3. Sexual offences proven in court
Topic 4 Offending	4.1 Offenders 4.2 Women in prison
Topic 5 Workplace safety	5.1 Sex discrimination in employment 5.2 Sexual harassment in employment

Topic 1 Safety in families and households

In this section Indicator 1.1 presents information on domestic violence (DV)-related assaults recorded by the NSW Police, while Indicator 1.2 relates to women's self-reporting of domestic violence through a NSW screening program undertaken by NSW Health. The ABS 2012 *Personal Safety Survey* (PSS) is also used in this section to draw comparisons between NSW and Australia.

It is important to note that not all domestic and family violence incidents are reported by victims. Consequently, the real prevalence rate is higher than the rate reported to the police. In a study reported in *Women in NSW 2013* by the NSW Bureau of Crime Statistics and Research (BOCSAR), less than half of domestic and family violence victims reported their most recent incident to the police (see www.bocsar.nsw.gov.au). A higher rate of reported DV-related assaults can be a reflection of greater awareness by female victims. It can also be a reflection of their greater confidence in the police.

1.1 Recorded domestic violence (DV)-related assaults

DV-related assaults recorded by NSW Police

Women's status compared to men	<p>In NSW females comprised 69 percent of victims of DV-related assaults in the 12 months to March 2014. There were 21,664 female victims compared to 9,925 male victims.</p> <p>This equates to a rate per 100,000 population of 594 for females and 277 for males.</p> <p>Gender gap</p> <ul style="list-style-type: none">In NSW, females are more than twice as likely to be victims of domestic and family violence as males.
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<p>The direction of change over time</p>	<p>The proportion of female victims of DV-related assault has remained relatively stable from April 2005 to March 2014, ranging between 69 percent and 71 percent.</p> <p>The rate of DV-related assaults remained stable in the 10 years from April 2002 to March 2012. However, in the past two years to March 2014, overall DV-related assault rates have increased by 2 percent from 429 to 437 per 100,000. This is the highest rate registered in the past 12 years. The rise in DV-related assault rates in the past two years can be attributed to a rise in the rates of DV-related assault for both male and female victims. Female DV-related assault rates remain consistently higher than male DV-related assault rates (see Figure 6.1).</p> <p>The NSW Bureau of Crime Statistics and Research (BOCSAR) reports the recent increase in DV-related assault is significant at a state-wide level. While the increase may be partly due to an increased willingness to report, as the rise is present for domestic assaults resulting in grievous bodily harm, the growth in recorded domestic assaults is also likely to partly reflect a real increase in domestic assault.</p>
<p>How does NSW compare?</p>	<p>Crime data is difficult to compare nationally as the way incidents are reported varies.</p> <p>Self-reported data from the ABS 2012 <i>Personal Safety Survey</i> shows that across Australia in the last 12 months prior to the survey, an estimated 184,300 individuals experienced violence either from a current or previous partner. Of these, women accounted for 72 percent (132,500).</p>
<p>Tracking subgroups of women</p>	<p>Figure 6.2 shows the rates of recorded DV-related assault per 100,000 population in NSW, tracking the rates among non-Aboriginal and Aboriginal women. Data for non-Aboriginal and Aboriginal men is also provided for comparison purposes.</p> <p>Non-Aboriginal females</p> <p>The rate of DV-related assault for non-Aboriginal women has remained relatively stable over the last decade, slightly declining over the five years since March 2009. In the 12 months ending March 2014, the rate of DV-related assault for non-Aboriginal women was down to 492 per 100,000 from a rate of 511 per 100,000 in the 12 months ending March 2003.</p> <p>Aboriginal females</p> <p>The rates of DV-related assault for Aboriginal women have been consistently higher than those for non-Aboriginal women. Over the 12-year period ending March 2014, a declining trend was exhibited despite the slight increases that were registered in the 12 months ending March 2012 and 2013. In the 12 months ending March 2014, the rate of DV-related assault for Aboriginal women was 3,010 per 100,000 population, down from a rate of 3,638 per 100,000 population in the 12 months ending March 2003.</p>

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Tracking subgroups of women	<p>Non-Aboriginal males</p> <p>Although there were a few years throughout the 12-year period ending March 2014 that showed a decline in the rate of DV-related assault when compared to a previous year, the trend was generally increasing. The rate of DV-related assault among non-Aboriginal males increased from the 2003 rate of 207 per 100,000 population to 235 per 100,000 population in 2012 and to 241 per 100,000 population in 2014.</p> <p>Aboriginal males</p> <p>Similar to their non-Aboriginal counterparts, the rate of DV-related assault among Aboriginal males fell in some years. However, the general trend in the decade ending March 2014 was increasing and was markedly higher than the rate for non-Aboriginal males and non-Aboriginal females. In 2003, the rate of DV-related assault among Aboriginal males was 928 per 100,000 population. By 2014, this rate stood at 992.</p> <p>Age of victim and sex of offender</p> <p>In the 12 months ending March 2014, the highest incidence (41 percent) of DV-related assault recorded by NSW Police involved victims aged 30–49 years: 43 percent of female victims and 38 percent of male victims were in this age group. Boys aged 0 to 17 years made up 18 percent of male DV victims while girls aged 0 to 17 years made up 11 percent of female DV victims.</p> <p>Overall, 70 percent of DV incidents involved male offenders only, with 19 percent of incidents involving female offenders only. Male and female offenders were involved in 3 percent of incidents, while in the remainder the gender of at least one offender was unknown or there was no recorded offender.</p> <p>Where there was a female DV victim, the offender was generally a male only (78 percent) with female only offenders making up 13 percent. Where there was a male victim, 51 percent of offenders were male only, while 33 percent were female only.</p>
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A domestic violence offence, defined under the *Crimes (Domestic and Personal Violence) Act 2007*, encompasses acts of personal violence against someone with whom the perpetrator has, or has had, a domestic relationship. This includes spouses, people in de facto relationships, people who live or have lived in the same household, carers, children, stepchildren, and other relatives. Domestic violence assaults reported here include physical violence and threats of violence, but not sexual offences or other forms of domestic violence (such as emotional or social abuse, preventing contact with friends and family or withholding money).

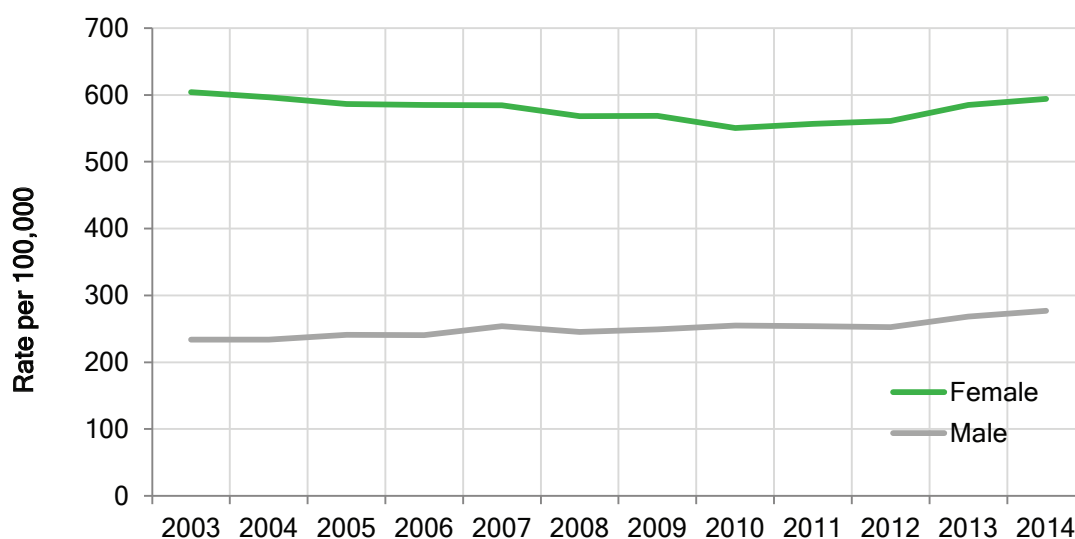
The ABS 2012 *Personal Safety Survey* is the second of the ABS Personal Safety Surveys. It was last run by the ABS in 2005. The survey collects information about the nature and extent of violence experienced by men and women since the age of 15, including their experience of violence in the 12 months prior to the survey. The survey defines partner violence to include sexual assault, not just physical assault or threat. Year collected: March 2014 and previous years.

Data source: BOCSAR, *NSW Recorded Crime Statistics*, unpublished (BOCSAR ref: sr14-12141 and dg1412157); BOCSAR (2014) *NSW Recorded Crime Statistics, March 2014 Quarterly Report*; ABS (2013) *Personal Safety Australia, 2012*. Cat no. 4906.0.

More information is available: www.bocsar.nsw.gov.au; www.abs.gov.au

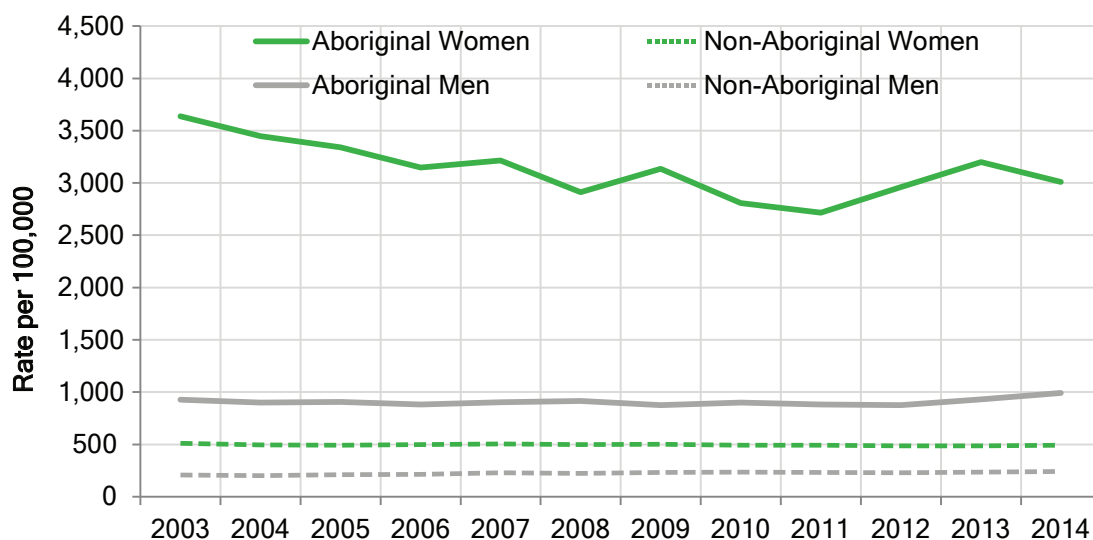
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Figure 6.1 DV-related assault victims recorded by NSW Police by sex 2002–14



Note: Data relate to 12-month periods beginning April 2002 and finishing March 2014.
 Population: Victims of domestic violence-related assaults (all ages) recorded by NSW Police.
 Data source: NSW Bureau of Crime Statistics and Research, *NSW Recorded Crime Statistics*, unpublished data (BOCSAR ref: sr14-12141).

Figure 6.2 DV-related assault victims by sex and Aboriginal status, NSW 2002–14



Note: Data relate to 12-month periods beginning April 2002 and finishing March 2014.
 Aboriginal and non-Aboriginal population estimates were obtained from ABS (2009) *Projected Experimental Estimated Resident Australian Indigenous Population by RCMG region, age groups, 1991–2021*.
 Population: Victims of domestic violence-related assaults (all ages) recorded by NSW Police.
 Data source: NSW Bureau of Crime Statistics and Research, *NSW Recorded Crime Statistics*, unpublished data (BOCSAR ref: sr14-12141).

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1.2 Self-reported domestic violence

Self-reported incidents of domestic violence by women attending NSW Health Services

Women's status	In NSW in 2012, 14,908 women attending NSW Health services were screened under the Domestic Violence Routine Screening Program. Of these, 5.5 percent (813 women) had experienced domestic violence in the previous 12 months.
The direction of change over time	Since the program started in 2003, the proportion of women who signified having experienced domestic violence in the 12 months prior to screening has remained relatively stable (between 5 and 7 percent) (see Table 6.1).
How does NSW compare?	No comparable screening is undertaken in Australia on women aged 16 years and over accessing antenatal and early childhood services. In Indicator 1.1 data from the ABS <i>2012 Personal Safety Survey</i> is presented comparing self-reported domestic violence for a broader female population.
Tracking subgroups of women	Of the 813 women who signified having experienced domestic violence in 2012, 28 percent (229) accepted assistance from NSW Health. The assistance came in the form of a) discussion of options b) notification to the police c) reporting to community services d) referrals to other services. Aboriginal women NSW Health is currently supporting research on the suitability of the NSW Health screening process for domestic violence for Aboriginal women.

The NSW Health Domestic Violence Routine Screening Program is implemented in antenatal services and early childhood services, and for women aged 16 years and over who attend mental health and alcohol and other drug programs. Women who attend these services are asked standardised questions about any incident of violence from a partner or ex-partner in the last year.

Year collected: 2012 and previous years.

Data source: NSW Ministry of Health, *Domestic Violence Routine Screening Program: Snapshot Report 10, November 2012*, unpublished.

More information is available: www.health.nsw.gov.au

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Table 6.1 Women screened under the NSW Health Domestic Violence Routine Screening Program, 2003–12

	Number of eligible women screened	Screened women who experienced DV %	Women unsafe to go home %	Women who accepted assistance %
2003	4,036	7.0	n/a	40.6
2004	7,774	7.3	18.7	71.0
2005	10,090	7.3	29.5	22.6
2006	11,581	6.0	32.9	25.9
2007	11,702	5.6	55.7	31.4
2008	12,536	5.9	52.2	24.0
2009	14,471	5.8	55.8	32.7
2010	14,301	5.3	44.2	26.7
2011	15,078	6.1	43.0	19.7
2012	14,908	5.5	103.2*	28.2

*Anomalous result.

Note: Screening for DV is implemented in NSW Health antenatal services, early childhood services, and for women aged 16 and over who attended mental health and alcohol and other drug programs. Population: Women screened under the NSW Health Domestic Violence Routine Screening Program. Data source: NSW Health, *Domestic Violence Routine Screening Program: Snapshot Report 10*, November 2012, unpublished.

1.3 Domestic violence homicide

Female victims of domestic homicide

Women's status compared to men	<p>In NSW in the 12 months to March 2014, 81 percent of female homicide victims (21 out of 26) were killed by someone with whom they were in a domestic relationship. This compares to 22 percent of male homicide victims (11 out of 51) (see Figure 6.3).</p> <p>Overall, the majority of homicide victims (including non-DV) are males (66 percent).</p> <p>Of those homicides that happened in a domestic context, women were the victim in 64 percent of cases (21 out of 33), compared to 33 percent (11) for men and 3 percent (1) unknown.</p> <p>Gender gap</p> <ul style="list-style-type: none"> • In 2013, female homicide victims were nearly four times more likely than male victims to be killed by someone with whom they were in a domestic relationship. • Women are the victims in nearly twice as many domestic homicides as men.
The direction of change over time	<p>The number and proportion of female homicide victims who are killed by someone with whom they are in a domestic relationship has fluctuated in recent years. In the 12 months to March 2013, 16 out of 23 female homicides occurred in a domestic context, compared to 32 out of 36 in 2012 and 20 out of 27 in the 12 months to March 2011 (see Figure 6.3).</p>

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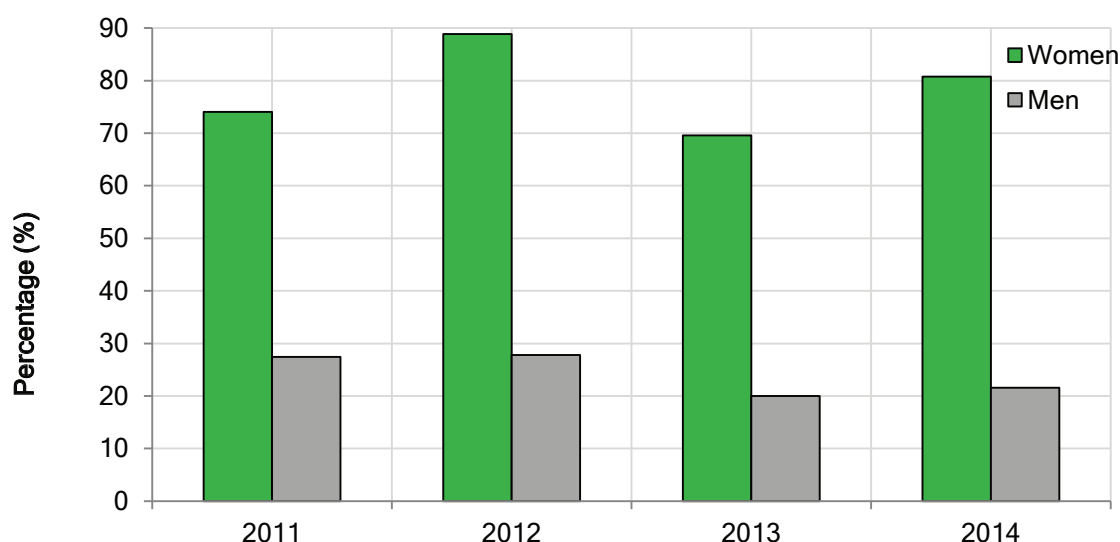
How does NSW compare?	As with DV-related assaults, it is difficult to compare data on DV homicide due to different methods of recording across jurisdictions.
Tracking subgroups of women	<p>There were 221 DV homicide cases between 1 July 2000 and 30 June 2009 as recorded by the NSW Coroner's Court and reported in the <i>2012 Domestic Violence Death Review Team Annual Report</i>. Women comprised 58 percent (128) of these deaths, of which 15 (12 percent) were Aboriginal women.</p> <p>Of the 221 DV-related deaths in the same period, 4 percent (9) of the perpetrators were Aboriginal women compared to 8 percent (17) who were Aboriginal men.</p>

For the purpose of this indicator, homicide refers to murder and manslaughter. Domestic violence homicide as defined in this indicator relates to victims of murder or manslaughter where the relationship of the offender to the victim is spouse/partner, ex-spouse/partner, parent/guardian (including step/foster parent), child (including step/foster child), sibling, member of family – other, or boy/girlfriend (including ex-boy/girlfriend). The data also includes incidents that have been flagged as DV-related by NSW Police. Data on DV related attempted murder showed that in the period April 2013 to March 2014, there were 8 female victims of attempted murder that occurred in domestic context compared to 4 male victims. The NSW Coroner's Court defines DV homicide as external cause death that occurred in the context of domestic violence. External cause death is defined as death of a person through the application of assaultive force or by criminal negligence excluding vehicle manslaughter. Year collected: April 2010 to March 2014.

Data source: BOCSAR, *NSW Recorded Crime Statistics*, unpublished (BOCSAR Reference: dg1412157); NSW Coroner's Court (2012) *Domestic Violence Death Review Team Annual Report 2011–2012*.

More information is available: www.bocsar.nsw.gov.au; www.coroners.lawlink.nsw.gov.au

Figure 6.3 Homicides that were DV-related, by sex of victim, NSW



Note: 'Homicide' refers to murder and manslaughter. Data relate to 12-month periods beginning April 2002 and finishing March 2014.

Population: Victims of homicide where the offender and victim are in a domestic relationship, as defined at Indicator 1.3.

Data source: NSW Bureau of Crime Statistics and Research, *NSW Recorded Crime Statistics*, unpublished data (BOCSAR ref: dg1412157).

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Topic 2 Safety in the community

Indicator 2.1 examines data on incidents of recorded sexual assault. As noted in previous editions of *Women in NSW*, sexual assault, like domestic and family violence, is under-reported. The main reasons cited are fear of the offender, feeling a sense of shame and embarrassment and concerns about how the criminal justice system would treat the victims.

Indicator 2.2 shows recorded incidents of violence while Indicator 2.3 examines data from a major ABS household survey on self-reported incidents of assault victimisation. Indicator 2.4 presents data on feelings of safety in a community setting, particularly relating to the use of public transport.

To examine different aspects of safety in the community, three data sources are used. These are: crime data recorded by NSW Police (Indicators 2.1 and 2.2); data self-reported by respondents from the ABS *2012 Personal Safety Survey* and results from the ABS *Crime Victimisation Survey 2012–13*.

2.1 Sexual assault

Sexual assault incidents recorded by NSW Police

Women's status compared to men	<p>In NSW in the 12 months to March 2014, 82 percent of sexual assault victims were women or girls (4,010 female victims compared to 900 males).</p> <p>For both female and male sexual assault victims in NSW in the 12 months to March 2014, the highest proportion of alleged offenders were people known to the victims but with whom they had no familial relationship (41 percent for females and 39 percent for males).</p> <p>For female victims, the next highest category of alleged offenders was parents or children (including step/foster) (12 percent of offenders). For male victims of sexual assaults, the second highest category of alleged offenders was parents or children (14 percent) and family members described as 'other' (14 percent) (see Table 6.2).</p> <p>Gender gap</p> <ul style="list-style-type: none">• Females are nearly 4.5 times as likely as males to be victims of sexual assault.
The direction of change over time	<p>The number of female sexual assault victims rose by 18 percent between April 2005 and March 2014 (from 3,392 to 4,010). While there were fewer male than female sexual assault victims, the annual number of male victims increased at a faster rate, growing by 36 percent (from 663 to 900) in the same period.</p>
How does NSW compare?	<p>As with DV-related assaults and DV homicides, it is difficult to compare data on sexual assaults as the methods of recording incidents across jurisdictions differ.</p> <p>Self-reported ABS statistics on crime victimisation report that in Australia in 2012–13, 65 percent of victims of sexual assault were women.</p> <p>In the ABS <i>2012 Personal Safety Survey</i>, women made up 70 percent of respondents across Australia who experienced sexual assault in the 12 months prior to the survey. The perpetrator was known by the majority of the victims.</p>

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'Sexual assault' covers offences where a person has sexual intercourse with another person without the consent of the other person, and knows that the other person does not consent. 'Partner' includes boyfriends/girlfriends and ex-boyfriends/ex-girlfriends.

Data for men's experience of sexual assault by state/territory is not available in the ABS 2012 *Personal Safety Survey*.

The ABS Crime Victimization statistics were taken from the data collected in the ABS 2012–13 *Multipurpose Household Survey* (MPHS). The survey is undertaken each financial year throughout Australia as a supplement to the ABS *Monthly Labour Force Survey* (LFS). The LFS is restricted to people aged 15 years and over.

Year collected: March 2014 and previous years.

Data source: BOCSAR, *NSW Recorded Crime Statistics*, unpublished (BOCSAR Reference: sr14-12141); ABS (2014) *Crime Victimization Australia, 2012–2013*. Cat no. 4530.0; ABS (2013), *Personal Safety Australia, 2012*. Cat no. 4906.0.

More information is available at www.bocsar.nsw.gov.au; www.abs.gov.au

Table 6.2 Sexual assault victims by sex and relationship to alleged offender, NSW

Relationship of person of interest to victim	Gender of victim					
	Female	%	Male	%	Total	%
Parent/guardian/child (incl. step/foster)	433	12	122	14	556	12
Sibling	110	3	53	6	163	4
Member of family – other	349	9	127	14	476	10
Carer	27	1	10	1	37	1
Spouse/partner/boy/girlfriend (incl. ex)	202	5	5	1	207	5
Household member (incl. former household)	47	1	21	2	68	1
Person in authority	32	1	56	6	89	2
Other known person – no relationship	1,517	41	348	39	1,868	41
Not known to victim	331	9	28	3	359	8
Missing/unknown/not stated	653	18	115	13	770	17
Total	3,701	100	885	100	4,593	100

Note: Relationship of offender to victim is subject to high error rates and should be used with caution.

'Total' column includes those victims for whom gender was not recorded.

Population: Victims of sexual assault between April 2013 and March 2014, recorded by NSW Police.

Data source: NSW Bureau of Crime Statistics and Research, *NSW Recorded Crime Statistics*, unpublished data (BOCSAR ref: sr14-12141).

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2.2 Victims of violence-recorded incidents

Personal violence incidents recorded by NSW Police

Women's status compared to men	<p>Women were the victim in the majority of personal violence offence incidents in NSW in the 12 months to March 2014.</p> <p>Women were mostly the victims of indecent assault (80 percent), sexual offences (79 percent) and harassment, threatening behaviour and private nuisance (61 percent). Total numbers of personal violence offence incidents and the proportion of victims who are female are set out in Table 6.3.</p> <p>Note that the offences of domestic violence-related assault and sexual assault are discussed in detail in Indicators 1.1 and 2.1 respectively and are therefore no longer discussed in this indicator.</p> <p>Gender gap</p> <ul style="list-style-type: none"> Females account for the majority of victims of indecent assault, other sexual offences, and harassment, threatening behaviour and private nuisance. Females also comprise the majority of victims of domestic violence-related assault and sexual assault. See Indicators 1.1 and 2.1 for further information. Males make up the majority of victims of murder, non-domestic violence-related assault and robbery.
The direction of change over time	<p>There has been a decline in recorded incidence of non-DV assault from April 2005 to March 2014. Both the number of female victims and the number of male victims have fallen by an average of 3 percent per annum since 2005.</p> <p>The total number of reported victims of harassment, threatening behaviour and private nuisance increased from 25,095 in the 12 months ending March 2006 to 31,397 in the 12 months ending March 2014. This primarily was due to the increase in the number of female victims which rose annually by 4 percent.</p> <p>The number of reported victims of robbery offences dropped from 11,187 to 5,374 in the same period (from April 2005 to March 2014). The proportion of female victims was 24 percent on average.</p>
How does NSW compare?	<p>Self-reported ABS statistics from the <i>2012 Personal Safety Survey</i> show that an estimated 467,300 women experienced personal violence (non-DV and DV) in the 12 months prior to the survey. Of these, 28 percent (129,500) were women in NSW.</p>
Tracking subgroups of women	<p>Of the women in NSW who were estimated to have experienced personal violence in the 12 months prior to the ABS <i>Personal Safety Survey</i> in 2012, 43 percent were estimated to have a disability or a long-term health condition. This is 7 percentage points higher than the national figure of 36 percent.</p>

Other sexual offences include incest, carnal knowledge, wilful and obscene exposure, indecent communication, peep or pry, bestiality, grooming/procuring.

Indecent assault includes acts of indecency and indecent assault.

Assault covers offences involving the direct infliction of force, injury or violence upon a person or the direct face-to-face threat of force, where there is an apprehension that the threat could be acted on. Domestic violence-related assault occurs in a family or domestic context.

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Robbery refers to acts intended to unlawfully gain money, property or other items of value from, or to cause detriment to, another person by using the threat of force or any other coercive measure.

Harassment, threatening behaviour and private nuisance includes intimidation (such as stalking), threats to murder or injure that are not face-to-face and where there is no belief that these threats could be enacted, threats against police, telecommunications offences (includes nuisance phone calls), violent disorder, riot and affray, and unlawful assembly.

In the ABS 2012 *Personal Safety Survey*, a person was defined as having a disability or long-term health condition if they had one or more conditions which had lasted, or were likely to last, for six months or more, and that restricted everyday activities. People were identified as having a profound or severe core-activity limitation if they required help or supervision for one or more core activities, such as self-care, mobility or communication.

Year collected: March 2014 and previous years.

Data source: BOCSAR, *NSW Recorded Crime Statistics*, unpublished (BOCSAR ref: sr14-12141); ABS (2013) *Personal Safety Australia, 2012*. Cat no. 4906.0 for national data and comparative data for NSW and data for tracking subgroups.

More information at www.bocsar.nsw.gov.au; www.abs.gov.au

Table 6.3 Victims of violence, NSW

	Total	Women %
Sexual assault* (see Indicator 2.1 for detailed data)	4,917	82
Other sexual offences	1,847	79
Indecent assault	4,655	80
Domestic violence-related assault (see Indicators 1.1 and 1.2 for detailed data)	31,621	69
Harassment, threatening behaviour and private nuisance	31,397	61
Murder	77	32
Non-domestic violence-related assault	37,184	30
Robbery	5,374	26

Note: See explanatory data relating to Indicator 2.2 for definitions of offence categories.

Population: Victims of offences recorded by NSW Police between April 2013 and March 2014.

Data source: NSW Bureau of Crime Statistics and Research, *NSW Recorded Crime Statistics*, unpublished (BOCSAR ref: sr14-12141).

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2.3 Assault victimisation

Self-reported incidents of physical and threatened assault by men and women

Women's status compared to men	<p>In NSW in 2012–13, women's self-reporting of physical and threatened assault was lower than men's.</p> <p>An estimated 133,500 people were physically assaulted in NSW in 2012–13, of which 53,200 were women (40 percent).</p> <p>In the same period, it is estimated that 160,100 people were victims of threatened assaults (both face-to-face and non-face-to-face). Thirty-seven percent (59,237) of these victims were women.</p> <p>Gender gap</p> <ul style="list-style-type: none"> • Women's victimisation rate for physical assault was 1 percentage point lower than men's at 1.8 percent compared to 2.8 percent. • Women's victimisation rate for threatened assault was 1.6 percent, while men's victimisation rate was 3.3 percent.
The direction of change over time	<p>Physical assault</p> <p>Women's victimisation rate for physical assault fell slightly from 2.1 percent in 2011–12. Men's victimisation rate for physical assault also slightly decreased from the 2011–12 rate of 3.4 percent.</p> <p>Threatened assault</p> <p>Women's and men's victimisation rate for threatened assault have both declined. The victimisation rate declined slightly for men (by 0.5 percent) in 2012–13 from the previous year, while women's threatened assault victimisation rate fell by 1.1 percent.</p>
How does NSW compare?	<p>Physical assault</p> <p>In Australia in 2012–13, there were an estimated 498,000 physical assaults of which 41 percent (203,900) involved women victims. The victimisation rate for women was 2.2 percent and for men, 3.2 percent.</p> <p>Threatened assault</p> <p>In Australia in 2012–13, there were an estimated 576,800 threatened assaults of which 42 percent (244,900) involved women victims. The victimisation rate for women was 2.6 percent and for men, 3.7 percent.</p> <p>Overall, NSW victimisation rates for physical assault and threatened assault are much lower than the national victimisation rates, for both women and men.</p>

The victimisation rate is the total number of victims of a crime in a given population expressed as a percentage of that population. This data was collected in the ABS *2012–13 Multipurpose Household Survey* (July to June each year). The data relate to survey respondents who report having experienced at least one incident of a selected type of personal crime within 12 months prior to the survey interview. The types of personal crime included in the survey are physical assault, threatened assault (including face-to-face and non-face-to-face threatened assault), robbery (not reported at this indicator) and sexual assault (not reported at this indicator). In this indicator, 'women' refers to females aged 15 years and over and 'men' applies to males aged 15 years and over.

Year collected: 2012–2013, and previous years.

Data source: ABS (2014) *Crime Victimisation Australia, 2012–2013*. Cat no. 4530.0; ABS (2013), *Personal Safety Australia, 2012*. Cat no. 4906.0.

More information at www.abs.gov.au

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2.4 Safety while waiting for or using public transport

Self-reported satisfaction with safety while waiting for or using bus, train or ferry services

Women's status compared to men	<p>In NSW in 2013, 89 percent of women felt satisfied regarding safety while waiting at a bus stop compared to 87 percent of men. Women and men in NSW felt equally safe while waiting at a train station (81 percent) or wharf (96 percent).</p> <p>However, women felt less safe than men during evening hours while waiting at a bus stop, train station or wharf (see Table 6.4).</p> <p>In 2013, 93 percent of women in NSW felt satisfied regarding safety while using bus services compared to 90 percent of men. Men and women felt equally safe while using a train (83 percent) or ferry (97 percent).</p> <p>Women were less likely than men to feel safe when using bus, train and ferry services in the evening hours (see Table 6.5).</p> <p>Gender gap</p> <ul style="list-style-type: none">• On average (disregarding the time of day), women and men report similar levels of satisfaction with safety while waiting for and while using public transport.• In the evening, women are 5 percentage points less likely than men to feel safe while waiting for a bus or ferry, and 1 percentage point less likely to feel safe while waiting for a train.• In the evening, women are 8 percentage points less likely to feel safe while using a train, 6 percentage points less likely to feel safe while using a bus, and 3 percentage points less likely to feel safe while using a ferry.
The direction of change over time	<p>It is not possible to examine trends over time because the definition of 'satisfaction' or 'satisfied' has evolved for NSW Transport. In the 2013 survey, 'satisfaction' included 'partly satisfied'. This was excluded in the previous survey.</p>

The *NSW Transport Customer Survey* was conducted most recently in June 2013 and collects information about public transport customers' satisfaction with train, bus and ferry services. The survey covers the City Rail network, metropolitan bus contract areas and the Sydney Ferries network. It is conducted onboard public transport services where field staff distribute forms to customers for self-completion. A total of 17,576 public transport customers participated in the 2013 survey. Women made up 55 percent (9,628) of the respondents.

In this discussion, 'satisfied' and 'satisfaction' are defined as a survey response of 'partly satisfied', 'satisfied' or 'very satisfied'. In last year's *Women in NSW 2013* report, 'partly satisfied' was excluded. In last year's *Women in NSW 2013* report, the 'time of day' was cited as from '6:31 am to 6:30 pm' and '6:01 pm to 6:30 am'. Subsequent correspondence with NSW Transport noted that the survey period was confined to only up to 8:30 pm due to the practical considerations for the hours that the survey teams collect the data.

Year collected: 2013 and previous year.

Data source: Transport for NSW, *Transport Customer Survey 2013*, unpublished.

More information at www.bts.nsw.gov.au

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Table 6.4 Satisfaction with safety while waiting for public transport by sex and time of day, NSW

Time of day	Train		Bus		Ferry	
	Female (%)	Male (%)	Female (%)	Male (%)	Female (%)	Male (%)
Peak	72	82	92	91	97	96
Inter-peak	84	79	88	86	96	93
PM peak	83	82	88	85	94	99
Evening	78	79	80	85	92	97
Weekend	83	83	90	86	97	96
Average	81	81	89	87	96	96

Note: In the 2013 survey, satisfaction refers to respondents who felt 'partly satisfied', 'satisfied' or 'very satisfied' in relation to safety.

Survey periods: Peak: 6:00 am to 9:30 am; Inter-peak: 9:30 am to 3:00 pm; PM peak: 3:00 pm to 6:30 pm; Evening: 6:30 pm to 8:30 pm.

Population: Users of public transport in NSW aged 15 years and over.

Source: Transport for NSW, *Transport Customer Survey 2013*, unpublished.

Table 6.5 Satisfaction with safety while on train, bus or ferry by sex and time of day, NSW

Time of day	Train		Bus		Ferry	
	Female (%)	Male (%)	Female (%)	Male (%)	Female (%)	Male (%)
Peak	84	84	96	92	97	97
Inter-peak	87	82	91	89	97	95
PM Peak	79	82	91	88	96	99
Evening	76	84	86	92	94	97
Weekend	85	85	94	91	98	97
Average	83	83	93	90	97	97

Note: In 2013, satisfaction refers to respondents who felt 'partly satisfied', 'satisfied' or 'very satisfied' in relation to safety.

Survey periods: Peak: 6:00 am to 9:30 am; Inter-peak: 9:30 am to 3:00 pm; PM peak: 3:00 pm to 6:30 pm; Evening: 6:30 pm to 8:30 pm.

Population: Users of public transport in NSW aged 15 years and over.

Source: Transport for NSW, *Transport Customer Survey 2013*, unpublished.

Topic 3 The criminal justice system

In Indicator 3.1 we examine the reporting rates for victims of physical or face-to-face threatened assault. This data is included as it indicates victims' willingness to engage with the criminal justice process. While Indicator 1.1 reports on victims of domestic violence-related assault as recorded by NSW Police, Indicator 3.2 discusses Apprehended Domestic Violence Orders (ADVOs) granted by NSW Courts to a person requiring protection from domestic and family violence. It also considers the geographic spread of ADVOs based on the residence of the alleged offender. Indicator 3.3 emphasises the progress of sexual offences through the criminal justice system up to 2012.

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3.1 Reporting rates among victims of assault

Rates of reporting to police by victims of physical assault and face-to-face threatened assault

Women's status compared to men	<p>Physical assault</p> <p>In 2012–13, the reporting rate in NSW for people who experienced physical assault was 48 percent. The reporting rate among women was 56.3 percent and for men it was 42.4 percent.</p> <p>Face-to-face threatened assault</p> <p>In 2012–13, the reporting rate for people who experienced face-to-face threatened assault in NSW was 35.4 percent. The reporting rate for women was 48.9 percent, compared to 28.6 percent for men.</p> <p>Gender gap</p> <ul style="list-style-type: none"> Women are 14 percentage points more likely than men to report physical assault to police and 20 percentage points more likely than men to report face-to-face threatened assault.
The direction of change over time	<p>The reporting rate for physical assault for women in NSW in 2010–11 was 56 percent. This increased in 2011–12 by 9 percentage points (65 percent) and then fell back to 56 percent in 2012–13.</p> <p>The reporting rate for face-to-face threatened assault for women in NSW has remained relatively stable over the last 3 years (47 percent in 2011–12 and 49 percent in 2010–11). However, men's reporting rates have changed significantly, resulting in a widening of the gender gap by 16 percentage points in 2012–13. In 2010–11, men's reporting rate was 28 percent, rising to 43 percent in 2011–12 and then falling back to 29 percent in 2012–13.</p>
How does NSW compare?	<p>Physical assault</p> <p>In 2012–13, the reporting rate for physical assault in Australia was 49.7 percent. For Australian women, the reporting rate for physical assault was 51.5 percent while for men it was 48.5 percent.</p> <p>Nationally in 2012–13 the major reasons why women victims of physical assault did not report the incident to the police were: 'personal matter' (10 percent); 'too trivial or unimportant' (9 percent) and, 'police could not do anything' (7 percent).</p> <p>Face-to-face threatened assault</p> <p>For face-to-face threatened assault in Australia, the overall reporting rate in 2012–13 was 37.2 percent. For Australian women the reporting rate was 41.9 percent and for men it was 34.1 percent.</p>

The data was collected as part of the ABS 2012–13 *Multipurpose Household Survey*. The sample was accumulated over a 12-month period from July 2012 to June 2013. The respondents were aged 15 years and over.

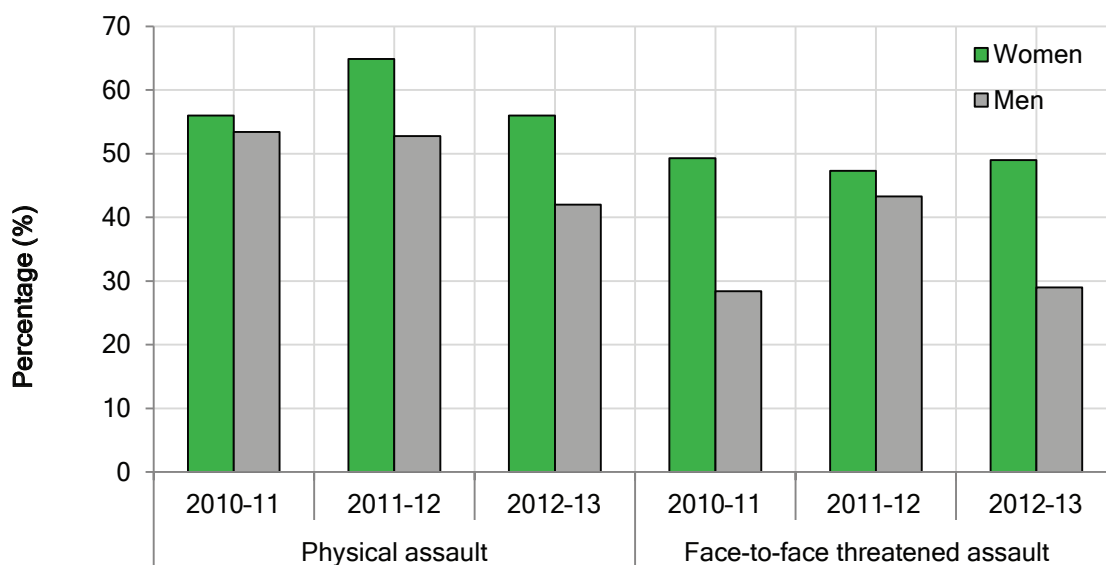
Year collected: 2013 and previous years.

Data source: ABS (2014) *Crime Victimisation, Australia, 2012–2013*. Cat no. 4530.0 (some data unpublished).

More information: www.abs.gov.au

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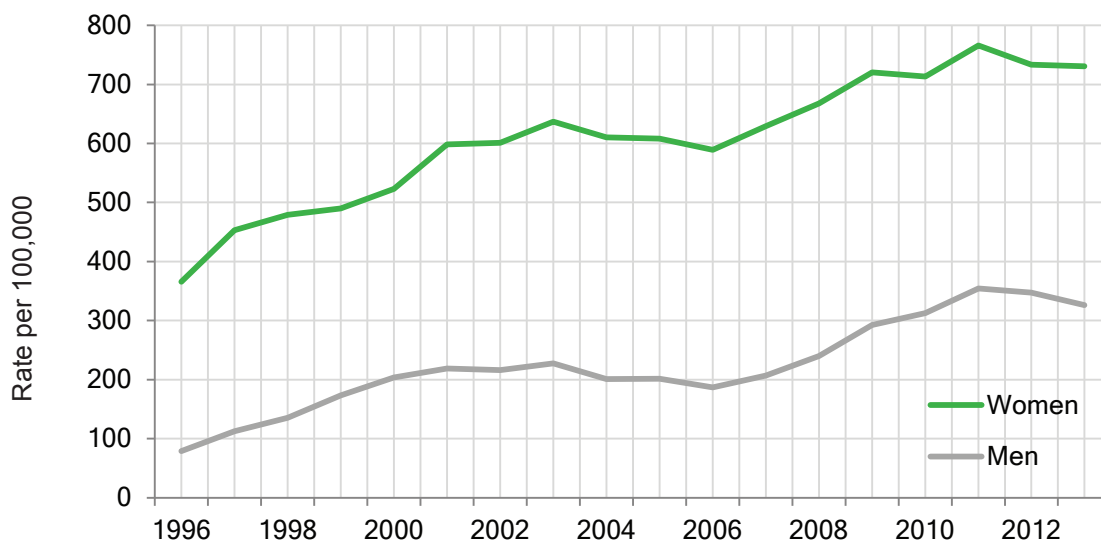
Figure 6.4 Reporting rates for victims of assault, by sex, NSW



Population: People in NSW aged 15 years and over.

Source: ABS (2014) *Crime Victimisation Australia, 2012–2013*. Cat no. 4530.0 (some data unpublished).

Figure 6.5 Apprehended Domestic Violence Orders granted by sex, NSW, 1995–2014



Note: Data relate to 12-month periods beginning April 1995 and finishing March 2014.

Population: The NSW population.

Data source: NSW Bureau of Crime Statistics and Research, *NSW Recorded Crime Statistics*, unpublished (BOCSAR Reference: sr14-12141).

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3.2 Apprehended Domestic Violence Orders granted

Apprehended Domestic Violence Orders (ADVOs) granted to victims of DV by NSW courts

Women's status compared to men	<p>In NSW between April 2013 and March 2014, 70 percent of victims protected by ADVOs were female.</p> <p>Females were granted ADVOs at a rate of 728 per 100,000 population. Male victims were granted ADVOs at a rate of 317 per 100,000 population.</p> <p>Gender gap</p> <ul style="list-style-type: none">Female victims are protected by ADVOs at twice the rate of males.
The direction of change over time	<p>Between April 1995 and March 2014, there was an average annual increase of 5 percent in the number of females protected by ADVOs, compared to an average annual increase of 9 percent for males. There has been a small drop in the rates per 100,000 of women and men protected by ADVOs over the last year (see Figure 6.5).</p> <p>Note that procedural changes, such as mandatory recording of an ADVO of the children of the person protected by the ADVO, have affected the rise in the number and rate of ADVOs granted over this period.</p> <p>Based on the place of residence of the person of interest (alleged offender), the areas in NSW in 2013 with the highest rate of ADVOs granted per 100,000 population were generally similar to previous years. These areas were the Far West & Orana, Riverina and New England & North West regions (see Figure 6.6). Note that the boundaries for NSW regions substantially changed between 2012 and 2013 so accurate year-on-year comparisons are not possible.</p> <p>In Sydney, the areas with the highest rate of ADVOs granted per 100,000 were also generally similar to previous years. These areas included the Outer South West and Blacktown (see Figure 6.6).</p> <p>Note that data based on the residence of the offender is not sex-disaggregated.</p>

An Apprehended Domestic Violence Order (ADVO) is a court order which prohibits a person from behaviour that harasses or intimidates another person. ADVOs apply when a domestic relationship exists between the victim and the abuser, such as spouses or separated spouses. The purpose of the ADVO is to protect the victim from acts of violence such as physical assault, harassment or intimidation, stalking, or damage or threatened damage to property.

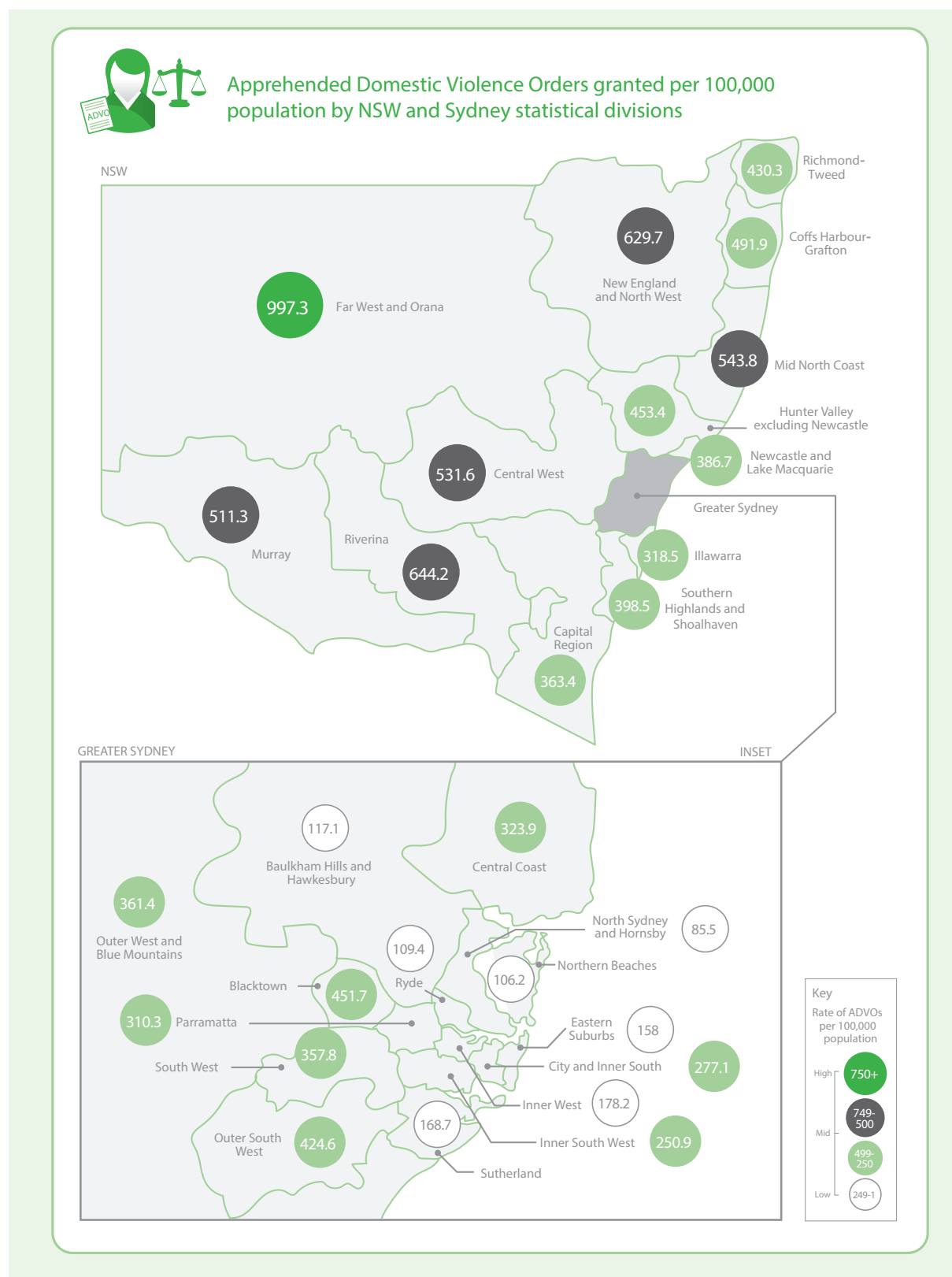
Year collected: 2014 and previous years.

Data source: BOCSAR, *NSW Recorded Crime Statistics*, unpublished (BOCSAR Reference: sr14-12141); BOCSAR (2014) *NSW Criminal Court Statistics 2013*.

More information: www.bocsar.nsw.gov.au

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Figure 6.6 ADVOs granted by residence of alleged offender, NSW, 2013



Note: The rates shown are per 100,000 of the population and apply to the alleged offender (the person against whom the ADVO is taken out) and the offender's place of residence.

(a) The population data used to calculate rates are from the Australian Bureau of Statistics publication *Regional Population Growth Australia 2012*, Catalogue no. 3218.0.

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(b) Total includes 480 people whose residence was recorded as interstate and 508 people whose residence was recorded as unknown.

(c) Total includes 87 people whose residence was recorded as interstate and 81 people whose residence was recorded as unknown.

Population: The NSW population.

Data source: BOCSAR (2014) *NSW Criminal Court Statistics 2013*.

3.3 Sexual offences proven in court

The progress of sexual offence cases through the criminal justice system

Current status	<p>This indicator is different to others as sexual offence cases are the unit of analysis. This is important because there are high rates of attrition in sexual assault matters. There is no separate gender indicator.</p> <p>Child victims (0–15 years old)</p> <p>In NSW in 2012, there were 5,734 sexual offence incidents involving child victims recorded by NSW Police, and a total of 410 offenders were convicted for child sexual offences. This means that for every 100 child sex offences recorded by NSW Police in 2012, 7 offenders were convicted of a child sex offence.</p> <p>Adult victims (16 years old and over)</p> <p>NSW Police recorded a total of 4,048 sexual offence incidents involving adults in 2012. In the same year, the number of offenders convicted for non-child sexual offences was 334. For every 100 sex offences with adult victims recorded by NSW Police in 2012, 8 offenders were convicted of a non-child sex offence.</p>
The direction of change over time	<p>The annual number of sexual offence incidents involving child victims that were proven in court, when compared with the annual number of recorded incidents, declined from 2008 to 2011, with an insignificant increase (less than 1 percent) in 2012.</p> <p>For adult victims of sexual offences, the percentage of cases proven in court has declined slightly each year from 2010 to 2012 (see Figure 6.7).</p>
How does NSW compare?	<p>Crime data, and progress through the court system, are difficult to compare nationally due to different methods of recording.</p> <p>National court statistics show that across Australia in 2011–12 there were 7,369 defendants whose principal offence was sexual assault and related offences. NSW had the highest number of defendants for these offences (1,886) followed by Queensland (1,848) and Victoria (1,363).</p>

The term 'attrition' refers to the reduction of sexual offence case numbers as matters progress through the criminal justice system. Children are defined as 0–15 years of age. Adult refers to persons aged 16 years and over. Note that one offender may be charged for multiple incidents.

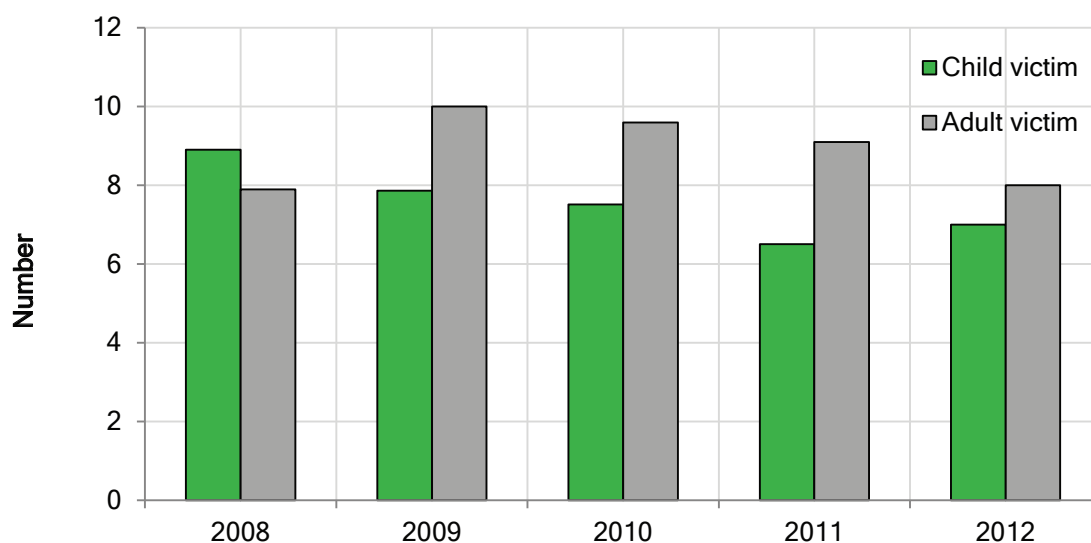
Years collected: 2012 and previous years.

Data source: BOCSAR (2012) *The Progress of Sexual Offences through the NSW Criminal Justice System 2006–2010* and BOCSAR unpublished data (BOCSAR ref: jh14-11719 and dg14-11755) for 2011 and 2012; ABS (2013) *Criminal Court, Australia 2012–2013*. Cat no. 45130.

More information: www.bocsar.nsw.gov.au; www.abs.gov.au

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Figure 6.7 Guilty findings for sexual offences recorded by police, NSW



Population: Sexual offence incidents recorded by NSW Police, 2008 to 2012.

Data source: BOCSAR (2012) *The Progress of Sexual Offences through the NSW Criminal Justice System 2006–10* and BOCSAR unpublished data (BOCSAR Reference: jh14-11719 and dg14-11755).

Topic 4 Offending

Topic 4 examines data on women's offending and women in prison. Indicator 4.1 presents crime data recorded by NSW Police on women offenders, including the principal offences for which they are charged. We also report on offender rates among age groups. Indicator 4.2 reports on women in prison, service lengths, most common offence, and prior imprisonment.

4.1 Offenders

Offenders proceeded against by NSW Police

Women's status compared to men	<p>In NSW in 2012–13, 21 percent of all offenders were women. The offender rate for women was 751 per 100,000 of the population, compared to 2,890 per 100,000 for men. The total number of offenders (women and men) was 107,708.</p> <p>See Table 6.6 for detailed information about the principal offences for which offenders in NSW are proceeded against, and the percentage of offenders in these offence categories who are women.</p> <p>Gender gap</p> <ul style="list-style-type: none"> Women are nearly four times less likely than men to be offenders.
The direction of change over time	<p>The proportion of women offenders in NSW remained stable between 2011–12 and 2012–13 at 21 percent. At the same time, the offender rates for both men and women have slightly increased over the last year, up from 610 per 100,000 of the population for women and 2,401 per 100,000 for men (see Figure 6.8).</p>

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How does NSW compare?	Offender rates at the national level are higher than for NSW. In Australia in 2012–13, the offender rate for women was 846.6 per 100,000 population. In the same period, the offender rate for men was 3,079.7 per 100,000.
Tracking subgroups of women	In NSW in 2012–13, across age groups, the highest offender rate for women was seen in those aged 15–19 years (1,695.8 per 100,000) and those aged 20–24 years (931.9 per 100,000). The lowest offender rate was seen in women aged 65 years and over at 15.8 per 100,000.

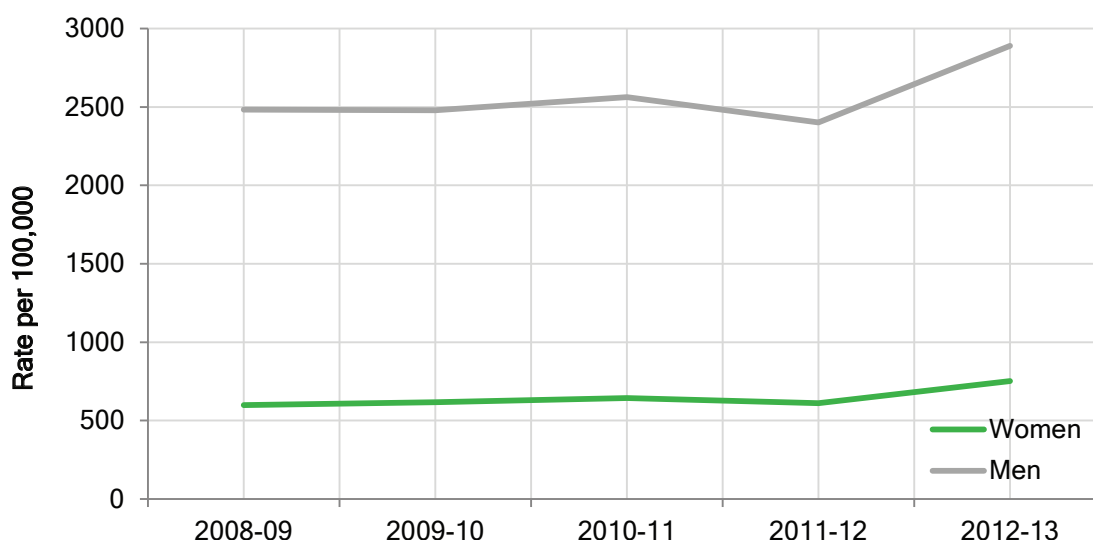
ABS Recorded Crime – Offenders data includes all alleged offenders aged 10 years and over who were proceeded against by NSW Police during the period July 2012 to July 2013. ABS data for NSW exclude offenders proceeded against under the *NSW Young Offenders Act 1997* and is therefore not comparable with other states and territories.

Years collected: 2013 and previous years.

Data source: ABS (2014) *Recorded Crime – Offenders, Australia 2012–2013*. Cat no. 4519.0.

More information is available at www.abs.gov.au

Figure 6.8 Offender rates by sex, NSW



Population: All alleged offenders aged 10 years and over who were proceeded against by NSW Police between 1 July and 30 June of the specified years.

Data source: ABS (2014) *Recorded Crime – Offenders, Australia 2012–2013*. Cat no. 4519.0.

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Table 6.6 Offenders, principal offence, by sex, NSW, 2012–13

	Women %	Total number (women and men)
Acts intended to cause injury	20	26,842
Theft	36	24,126
Public order offences	19	16,058
Illicit drug offences	16	14,466
Miscellaneous offences	25	11,000
Offences against justice	23	6,775
Property damage	16	5,776
Fraud/deception	34	3,367
Unlawful entry with intent	12	2,535
Sexual assault	2	1,495
Robbery/extortion	13	1,124
Prohibited/regulated weapons	9	1,259
Abduction/harassment	20	858
Homicide	13	257
Dangerous/negligent acts	33	118

Note: An offender is only counted once in the ABS survey. Data excludes offenders proceeded against under the *NSW Young Offenders Act 1997* and is therefore not comparable with other states and territories. The 'Women %' column refers to the proportion of offenders who were women for the specified offence. Population: Alleged offenders aged 10 years and over who were proceeded against by NSW Police during the period 1 July 2012 to 30 June 2013.
Data source: ABS (2014) *Recorded Crime – Offenders, Australia 2012–2013*. Cat no. 4519.0 and ABS unpublished data.

4.2 Women in prison

Sentenced and unsentenced prisoners in NSW correctional centres

Women's status compared to men	<p>As at 30 June 2013, 7 percent (681) of prisoners in NSW correctional centres were women, and 93 percent (9,216) were men.</p> <p>The imprisonment rate in 2013 for women in NSW was 23 per 100,000 of the population, compared to 328 per 100,000 of the population for men.</p> <p>Gender gap</p> <ul style="list-style-type: none"> The imprisonment rate in 2013 for women in NSW was 14 times lower than for men.
The direction of change over time	<p>The relative proportion of women and men in NSW prisons has not changed since 30 June 2012.</p> <p>The imprisonment rate for women is also unchanged since 30 June 2012 (still 23 per 100,000), while the imprisonment rate for men has increased slightly, from 325 per 100,000 in June 2012 to 328 per 100,000 in June 2013. The imprisonment rate for women in NSW has increased by 5 percent since 2003, compared to 2 percent for men. See Figure 6.9 for a time series since 2003.</p>

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<p>How does NSW compare?</p>	<p>Nationally, the number of female prisoners is growing at a faster rate than male prisoners: 58 percent growth between 2002 and 2013 for female prisoners, compared to 35 percent growth for male prisoners. By contrast, the number of female and male prisoners in NSW increased at an identical rate of 13 percent between 2002 and 2013.</p> <p>In 2013 the imprisonment rate for women in NSW (23 per 100,000) was three points lower than the national rate for women (26 per 100,000) (see Figures 6.9 and 6.10).</p> <p>Since 2003 women's rate of imprisonment has increased faster than men's in all jurisdictions except Victoria, South Australia and the Australian Capital Territory (see Figure 6.11).</p>
<p>Tracking subgroups of women</p>	<p>Of the 681 female prisoners in custody in NSW as at February 2014, 201 (30 percent) were Aboriginal women.</p> <p>Analysis of NSW Criminal Court Statistics* shows that, compared to convicted non-Aboriginal women, convicted Aboriginal women are:</p> <ul style="list-style-type: none"> • five times more likely to be imprisoned for assault (11 percent compared to 2 percent) • 28 times more likely to be imprisoned for possessing and/or using illicit drugs (2.8 percent compared to 0.1 percent) • six times more likely to be imprisoned for exceeding the prescribed content of alcohol or other substance (1.8 percent compared to 0.3 percent) • almost eight times as likely to be imprisoned for resisting or hindering police or justice officials.

The ABS *Prisoners in Australia, 2013* survey presents information from the National Prisoner Census, a census of all persons in the legal custody of adult corrective services in all states and territories as at midnight 30 June 2013.

Year collected: 30 June 2013 and previous years.

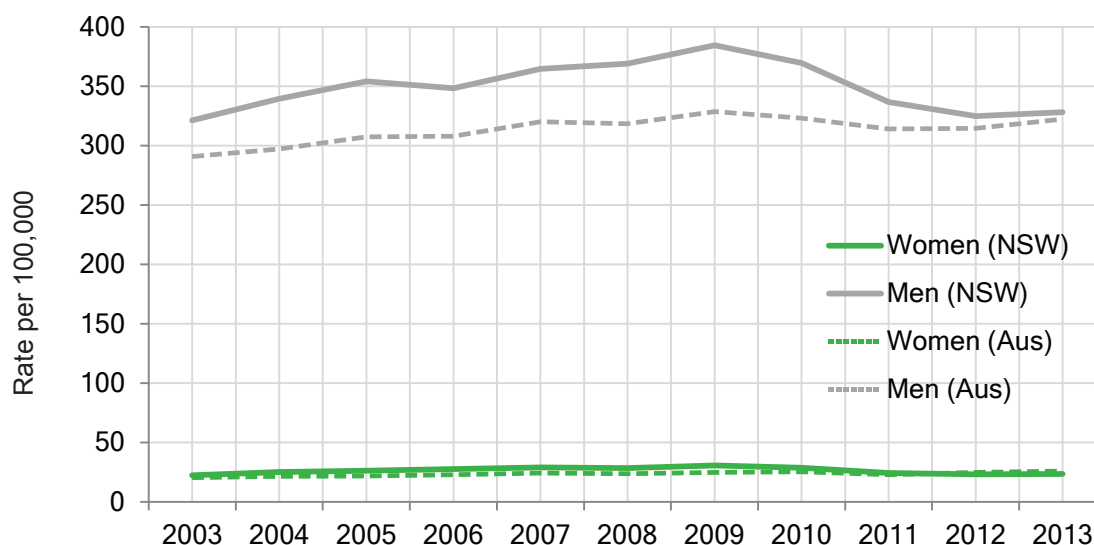
Data source: ABS (2013) *Prisoners in Australia, 2013*. Cat no. 4517.0; Corrective Services NSW, *Female Offenders: A Statistical Profile (Custodial Statistics)*, February 2014.

*Ruth McCausland (2013) *Report on the Availability of and Access to Diversionary Programs for Aboriginal Women in NSW*, Women's Advisory Council of Corrective Services NSW, unpublished.

More information is available at www.abs.gov.au

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Figure 6.9 Imprisonment rate by sex, NSW and Australia

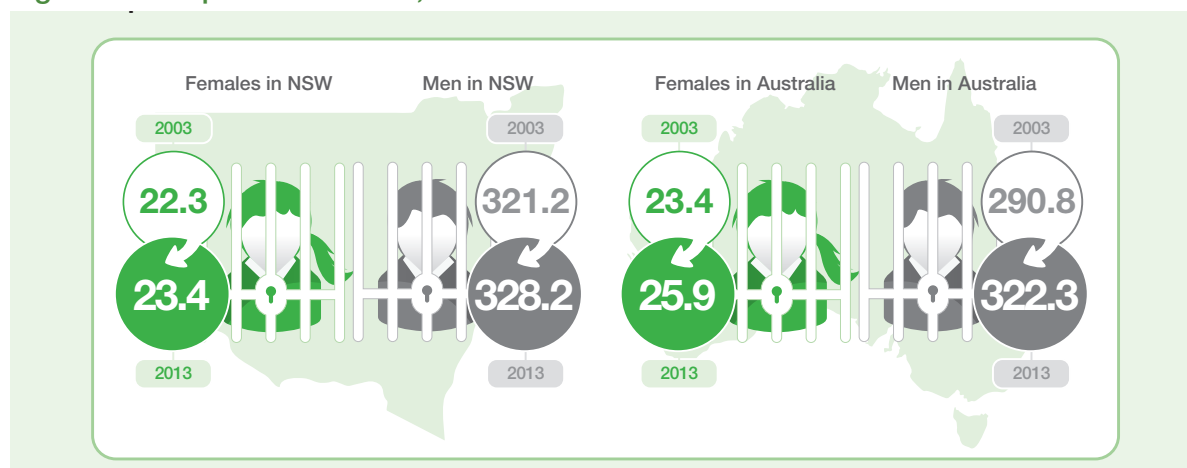


Note: Prisoner rates are expressed per 100,000 adult population, in accordance with international and state and territory practices. Rates for the adult prisoner population are calculated using the estimated resident population (ERP) for each of the states and territories, and total Australia (see Australian Demographic Statistics Cat no. 3101.0).

In June 2013, the ABS 'recast' the historical ERP data for the September 1991 to June 2011 period, as a response to a methodological improvement in the *Census Post Enumeration Survey*. As a result, the rates per 100,000 adult persons (excluding Aboriginal and Torres Strait Islander rates) in the Prisoner Census have been recast and all now use final ERP data based on the 2011 Census of Population and Housing. Population: Women and men in custody in NSW as at 30 June 2013, excluding prisoners at Kariiong Juvenile Correctional Centre.

Data source: ABS (2014) *Prisoners in Australia, 2013*. Cat no. 4517.0.

Figure 6.10 Imprisonment rate, NSW and Australia

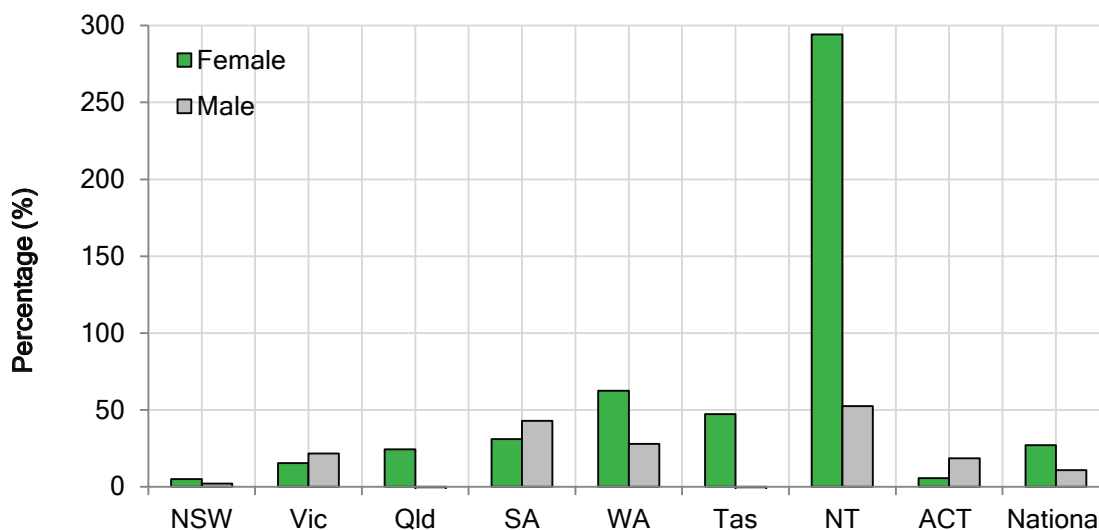


Population: Women and men in custody in NSW and Australia.

Data source: ABS (2014) *Prisoners in Australia, 2013*. Cat no. 4517.0.

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Figure 6.11 Percentage change in imprisonment rate, by sex, all jurisdictions, 2003–13



Note: Prisoner rates are expressed per 100,000 adult population in accordance with international and state and territory practices.

Population: Women and men in custody in each state and nationally.

Data source: ABS (2014) *Prisoners in Australia, 2013*. Cat. no 4517.0.

Topic 5 Workplace safety

Working in an environment that is free from discrimination and harassment is a right that everyone should enjoy. The reality, however, is that sex-based harassment and discrimination still exists. When these occur, it adversely impacts on one's ability to get a job, to get promoted, to receive fair and just remuneration, and to work in a safe, friendly and non-hostile environment.

Topic 5 on workplace safety reports on complaints lodged with the NSW Anti-Discrimination Board (ADB) and the Australian Human Rights Commission (AHRC) on alleged sex discrimination and sexual harassment in the workplace.

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5.1 Sex discrimination in employment

Employment-related sex discrimination complaints received by the NSW Anti-Discrimination Board and the Australian Human Rights Commission, in 2012–13

Women's status compared to men	<p>ADB</p> <p>From 1 July 2012 to 30 June 2013, of the total of 561 employment-related discrimination complaints* received by the NSW ADB, 11 percent (61 instances) related to discrimination on the grounds of sex. Women comprised 82 percent (50 out of 61) of sex discrimination complainants.</p> <p>AHRC</p> <p>From 1 July 2012 to 30 June 2013, 10 percent (51 instances) of all employment-related discrimination complaints (511) in NSW received by the AHRC, related to discrimination on the grounds of sex. Women accounted for 94 percent (48) of sex discrimination complainants.</p> <p>Gender gap</p> <ul style="list-style-type: none"> In NSW, women account for the majority of the complainants relating to employment related sex discrimination. Out of every 10 women who lodge an employment-related discrimination complaint, 8 to 9 of these are likely to lodge a complaint on the grounds of sex.
The direction of change over time	<p>ADB</p> <p>In NSW the proportion of employment-related discrimination complaints received by the NSW Anti-Discrimination Board fell by 3 percentage points between 2011–12 and 2012–13 from 14 to 11 percent. The proportion of women who lodged sex discrimination complaints also fell in 2012–13, by 10 percentage points from 92 percent in 2011–12.</p> <p>AHRC</p> <p>AHRC data shows a similar trend for NSW complainants at the national level. The proportion of sex discrimination complaints received by the AHRC declined by 10 percentage points in 2012–13 from 31 percent in 2011–12. The proportion of women who lodged a sex discrimination complaint also declined but by only 4 percentage points from 93 percent in 2011–12.</p> <p>Sex disaggregated data previous to 2011–12 are not available.</p>
How does NSW compare?	<p>In Australia in 2012–13, based on area of discrimination, there were a total of 429 sex discrimination complaints received by the AHRC, with 358 (83 percent) of these related to employment. Women accounted for 331 (79 percent) of the total number of sex discrimination complainants.*</p>
Tracking subgroups of women	<p>In NSW in 2012–13, the ADB received 16 employment-related complaints from Aboriginal people. Two were on the grounds of sex discrimination.</p>

*One complainant may allege multiple grounds of discrimination, numbers provided are not a count of unique complaints.

The ADB is a NSW statutory authority that investigates and conciliates complaints lodged under the *Anti-Discrimination Act 1977 (NSW)*. Grounds of unlawful discrimination over which the ADB has jurisdiction are: race, sex, carer responsibilities, marital status, disability, age, homosexuality, and transgender status. The AHRC is a Commonwealth statutory authority which has a range of functions, one of the core functions being to investigate and conciliate complaints lodged under the *Sex Discrimination Act 1984* and other Commonwealth human rights and anti-discrimination legislation. Grounds of unlawful discrimination over

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which the AHRC has jurisdiction are: race, racial hatred, sex, sexual harassment, pregnancy, breastfeeding, family responsibilities, marital status, disability, age and include discrimination in employment on the grounds of sexual preference, religion, political opinion, criminal record, and trade union activity. Sex discrimination data in this indicator includes pregnancy complaints, but excludes sexual harassment, which is reported at Indicator 5.2.

Year collected: 2013 and previous years.

Data source: NSW Anti-Discrimination Board (ADB), unpublished data; ADB, *Annual Report 2012–2013*;

Australian Human Rights Commission (AHRC), unpublished data; AHRC, *Annual Report 2012–13*.

More information is available at www.lawlink.nsw.gov.au/ADB; www.humanrights.gov.au

5.2 Sexual harassment in employment

Employment-related sexual harassment complaints received by the NSW Anti-Discrimination Board (ADB) and the Australian Human Rights Commission (AHRC) in 2012–13

<p>Women's status compared to men</p>	<p>ADB</p> <p>In NSW in 2012–13, there were 561 employment-related complaints of which 16 percent (87) were sexual harassment complaints. Women accounted for 74 percent (64 of 87) of these sexual harassment complainants.</p> <p>AHRC</p> <p>Of the 511 employment-related complaints received by the AHRC in 2012–13 from people in NSW, 21 percent (108 instances) were related to sexual harassment. Eighty-nine percent (96 of 108) of these complainants were women (see Table 6.7).</p> <p>Gender gap</p> <ul style="list-style-type: none"> In NSW, women account for the majority of the complainants relating to sexual harassment. Of every 10 sexual harassment complaints lodged in 2012–13, between 7 and 9 were lodged by women.
<p>The direction of change over time</p>	<p>ADB</p> <p>The proportion of sexual harassment complaints to total employment-related complaints remained stable from 2011–12 to 2012–13 (18 percent in 2011–12 and 16 percent in 2012–13). However, over the same time period the proportion of sexual harassment complainants who were women declined by 8 percentage points (82 percent in 2011–12 to 74 percent in 2012–13).</p> <p>AHRC</p> <p>As a proportion of employment-related discrimination complaints, sexual harassment complaints declined from 37 percent in 2011–12 to 21 percent in 2012–13.</p> <p>The proportion of women complainants fell slightly from 91 percent in 2011–12 to 89 percent in 2012–13.</p> <p>Sex disaggregated data previous to 2011–12 are not available.</p>

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How does NSW compare?	<p>Every five years, the AHRC undertakes a National Telephone Survey* on sexual harassment prevalence in Australian workplaces. The latest survey (done in 2012 and involving 2,002 people aged 15 years and over) noted the following:</p> <ul style="list-style-type: none"> • more than 1 in 5 people reported sexual harassment in their workplace in the past five years. The most common breaches were sexually suggestive comments, offensive jokes or intrusive questions and inappropriate leering • almost 1 in 6 respondents cited having received sexually explicit emails or text messages • the likely victims of sexual harassment in the workplace are women under 40 years of age. Thirty-three percent of women have been sexually harassed compared to 16 percent of men • consistent with AHRC's previous surveys, the perpetrators are most likely to be male co-workers (79 percent) • women are at least five times more likely than men to be sexually harassed by a boss or employer.
Tracking subgroups of women	<p>Overall, in 2012–13, the NSW Anti-Discrimination Board received 64 complaints of discrimination from Aboriginal people. None of these complaints were made on the grounds of sexual harassment.</p>

See Indicator 5.1 for further details about the ADB and AHRC.

A person sexually harasses another person if he or she engages in unwelcome conduct of a sexual nature to the other person, when it is reasonable to anticipate that the other person would be offended, humiliated or intimidated.

Legal definitions of sexual harassment can be found in the *Anti-Discrimination Act 1977 (NSW)* Part 2A, and the *Sex Discrimination Act 1984 (C'th)*, Division 3.

Year collected: 2013 and previous years.

Data source: NSW Anti-Discrimination Board (ADB), unpublished data; ADB, *Annual Report 2012–2013*; Australian Human Rights Commission (AHRC), unpublished data; AHRC (2012) *Working Without Fear: Results of the Sexual Harassment National Telephone Survey 2012*; *AHRC, *Annual Report 2012–13*.

More information: www.lawlink.nsw.gov.au/ADB; www.humanrights.gov.au

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Table 6.7 Employment-related discrimination complaints, NSW, 2012–13

Ground of discrimination	ADB		AHRC	
	Total number	Women complainants %	Total number	Women complainants %
Sexual harassment	87	74	108	89
Pregnancy	17	100	30	100
Sex discrimination – other	44	75	21	86
Family/carer responsibility	26	62	19	95
Marital status	5	40	6	100
Disability	124	44	118	60
Race	80	40	69	48
Age	35	37	42	50
Sexual preference – homosexuality	23	35	6	33
Criminal record	n/a	n/a	21	24
Religion	n/a	n/a	8	38
Victimisation	88	57	47	79
Other	32	38	16	69

Note: As one complaint may allege multiple grounds of discrimination, the ‘total number’ column is not a count of unique complaints.

AHRC data relates only to complaints lodged by complainants residing in NSW.

Population: Employment-related discrimination and harassment complaints, all grounds, received by the ADB and AHRC in 2012–13.

Data source: NSW Anti-Discrimination Board, unpublished data; Australian Human Rights Commission, unpublished data.

Conclusion

How does NSW compare in terms of safety and justice? Similarities and differences between the experiences of women in NSW and women across Australia can be identified, even though recording of incidents varies across jurisdictions.

In general, women in NSW and nationally continue to make up the majority of victims of sexual assault and domestic violence-related offences. In terms of physical assault and threatened assault victimisation rates, the statistics for NSW look better than the national data. Women’s victimisation rate for physical assault in NSW was lower at 2.2 percent compared to 6.8 percent for women across Australia. In the same manner, women’s threatened assault victimisation rate was lower in NSW at 2.6 percent of the female population compared to 6.9 percent for Australian women. Offender rates for women in NSW were higher than national figures, although imprisonment rates are lower and have been growing more slowly.

The chapter is limited by the lack of data relating to the experiences of a range of women in relation to safety and justice, including Aboriginal women, women from culturally and linguistically diverse backgrounds and women with disabilities and mental illness. There is a need for systematic collection of data on these women.