



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.

Safety and justice

The majority of violence against women and girls occurs in their homes, at the hands of men they know.

It is widely acknowledged, most recently by the NSW Legislative Council Standing Committee on Social Issues¹ that domestic and family violence (DV) is a gendered crime. Data in the chapter clearly shows that females comprise a significant majority of victims (69 percent) and males a significant majority of perpetrators.

The situation is starker in the case of sexual offences (including sexual assault), where females comprise 83 percent of victims and males are 97 percent of offenders.

The consequences of violence are complex and far-reaching. In the case of domestic and family violence and sexual assault, there is evidence that the psychological, emotional and physical health of victims are seriously affected, with increased risk of depression, anxiety, and attempted suicide, infections, fractures, and other wounds. Victims are more likely to engage in risky behaviours such as increased drug and alcohol use, smoking, and unhealthy eating habits. The effects on children of witnessing or experiencing violence are also considerable.

The economic costs of violence against women are significant. In addition to the impact of violence on victims' capacity to participate in employment, economic costs are felt by government, where law enforcement, justice, health, social welfare and education services

must be targeted at victims and offenders. In 2008-09, the total cost of all violence against women and their children (including non-domestic violence) was estimated to have cost \$4.5 billion annually in NSW.²

The data presented in this chapter provides an overview of women's experiences of safety in NSW in different contexts: in families and households, in the community and in workplaces. The chapter also presents data about the criminal justice system, women offenders, and women in prison. A focus topic on new research by the NSW Bureau of Crime Statistics and Research (BOCSAR) on under-reporting of domestic violence assault is also included.

Key findings

Data in this year's Report shows that, in the 12 months to September 2012, females accounted for 69 percent of DV victims and males 31 percent.

For male DV victims, like female victims, the perpetrator is most likely to be another male. It is important to remember that domestic-related violence includes a broad range of people – those with whom the victim has or has had a domestic relationship (see further below). Some 51 percent of male victims are assaulted by another male only, compared to 32 percent of male victims who are assaulted by another female only.

79 percent of female victims are assaulted by males only and only

12 percent of female victims are assaulted by a female only.

Overall, 70 percent of DV incidents involved male offenders only, while 18 percent involved female offenders only.

Data for the 12 months to September 2012 also shows that boys aged 0 to 17 make up a higher percentage of male DV victims (18 percent) than girls aged 0 to 17 years do of female DV victims (11 percent).

DV homicide data shows that female homicide victims are more likely to be killed by someone with whom they are in a domestic relationship than male homicide victims. In NSW in the 12 months to September 2012, 27 out of 35 females were killed in a domestic context, compared to 11 out of 57 males. This is also the case with attempted murder, where 8 out of 9 attempted murders of females occurred in a domestic context, compared to 6 out of 38 attempted murders of males.

Our focus topic on the underreporting of DV assault highlights findings from a recent BOCSAR study with 300 female DV victims. BOCSAR found that the most common reasons for not reporting DV were fear of further violence from the perpetrator, feelings of shame or embarrassment, or a belief that the incident was too unimportant.

The great majority of sexual assault victims are women – 84 percent in the 12 months to September 2012. For both female and male victims, the highest proportion of alleged offenders were people they knew but with no familial relationship (39 percent for females and for males).

¹ New South Wales Parliament Legislative Council Standing Committee on Social Issues (2012) *Domestic violence trends and issues in NSW*.

² Audit Office of NSW (2011) *NSW Auditor-General's Report, Performance Audit: Responding to Domestic and Family Violence*.

Safety and justice

Interesting data on feelings of safety at home alone after dark and walking alone in the local area after dark confirm the perception that women feel less safe than men do on these indicators. Women living outside Sydney are more likely to feel safe than women in Sydney. The same is true for women born in Australia compared to women born in other countries who are not proficient in English. Women's sense of safety on both indicators tends to increase as their household income increases.

Turning to the criminal justice system, we report that in NSW in 2011 females were granted Apprehended Domestic Violence Orders (ADVOs) by NSW courts at twice the rate of males: 767 per 100,000 for women, compared to 358 per 100,000 for men. The regions in NSW with the highest rate of ADVOs granted per 100,000 in 2011 remain the same as in 2010: the Far West, North Western, and Northern Regions of NSW.

Data on female offenders shows that women make up a larger proportion of Aboriginal offenders (27 percent) than they do of non-Aboriginal offenders (18 percent). Looking at female assault offenders in the period September 2005 to September 2012, there was a rise in the proportion of females proceeded against by police, both for DV (from 13 to 17 percent) and non DV-related assault (from 21 to 26 percent). In both cases, the rise was highest amongst women offenders aged 50 and over.

We have also included data on women in prison in this year's report. Women accounted for 7 percent of prisoners (668) in NSW correctional centres as at 30 June

2012. Female and male prisoner numbers have risen by an identical amount (10 percent) over the last ten years in NSW. This contrasts with the situation nationally, where the number of female prisoners grew by 48 percent over the last ten years, compared to 29 percent for men.

Sex-disaggregated data on sex discrimination and sexual harassment complaints are also presented in this year's report, sourced from the Anti-Discrimination Board (ADB) and Australian Human Rights Commission (AHRC). Women account for more than 90 percent of sex discrimination complainants, and for the great majority of sexual harassment complainants. Overall, sexual harassment accounted for the highest proportion of employment-related complaints to the AHRC, and the second highest proportion to the ADB (after disability discrimination).

Gender indicators: Safety and justice

In this chapter, women's experiences with safety and justice are reported against five topics of importance for women. Many indicators align with state, national and international frameworks. These linkages are shown in the table opposite headed *Safety and justice topics and indicators*.

This year, we have included some new indicators that did not appear in *Women in NSW 2012*. These have been included either because of the availability of new data, for example on public confidence with the criminal justice system (Topic 3) and sex discrimination and sexual harassment in employment (Topic 5), or to fill a gap in information, for example women offenders and women in prison (Topic 4).



NSW 2021

A PLAN TO MAKE NSW NUMBER ONE

State Plan NSW 2021

Goal 16: Prevent and reduce the level of crime

State Plan NSW 2021

Goal 17: Prevent and reduce the level of reoffending

State Plan NSW 2021

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.

Safety and justice

Safety and justice topics and indicators

Topic	Indicators	Linkages
Topic 1: Safety in families and households Focus topic	1.1 Domestic violence-related assaults 1.2 Self-reported domestic violence 1.3 Domestic violence homicide Under-reporting of domestic violence assaults	State Plan NSW 2021 (Goals 16, 17 and 18) National Plan to Reduce Violence Against Women and their Children ABS Gender Indicators The NSW Domestic Violence Justice Strategy: Improving the NSW Criminal Justice System's Response to Domestic Violence 2013-17 Australian Human Rights Commission, Gender Equality Blueprint 2010
Topic 2: Safety in the community	2.1 Sexual assault 2.2 Victims of violence – recorded incidents 2.3 Self-reported incidents of assault victimisation 2.4 Safety at home alone after dark 2.5 Safety walking alone in local area after dark 2.6 Safety while waiting for or using public transport	State Plan NSW 2021 (Goals 16, 17 and 18) National Plan to Reduce Violence Against Women and their Children ABS Gender Indicators Australian Human Rights Commission, Gender Equality Blueprint 2010
Topic 3: The criminal justice system	3.1 Reporting rates amongst victims of assault 3.2 Apprehended domestic violence orders granted 3.3 Sexual offences proven in court 3.4 Public confidence with the criminal justice system	State Plan NSW 2021 (Goals 16, 17, 18) The NSW Domestic Violence Justice Strategy: Improving the NSW Criminal Justice System's Response to Domestic Violence 2013-17
Topic 4: Offending	4.1 Offenders 4.2 Women in prison	State Plan NSW 2021 (Goals 16, 17, 18) ABS Gender Indicators
Topic 5: Workplace safety	5.1 Sex discrimination in employment 5.2 Sexual harassment in employment	Australian Human Rights Commission, Gender Equality Blueprint 2010

Safety and justice

Current levels and trends

This section outlines the current status of NSW women in the topic areas listed above and the direction of change over time, where time-series information is available. The latest available data is used in each case.

Topic 1 Safety in families and households

Indicator 1.1 presents data on domestic violence (DV) assaults recorded by NSW Police between October 2011 and September 2012, while Indicator 1.2 relates to women's self-reporting of domestic

violence through a NSW Health screening program.

It is difficult to collect reliable data on the prevalence of domestic violence, as many incidents go unreported. The NSW Bureau of Crime Statistics and Research (BOCSAR) estimates that less than half of respondents in 2008-09 who had experienced domestic assault in the previous 12 months reported the incident to the police.¹ More recent BOCSAR research on reasons for under-reporting

¹ Grech, K. and Burgess, M. (2011) *Trends and Patterns in Domestic Violence Assaults: 2001 to 2010*, NSW Bureau of Crime Statistics and Research, Bureau Brief, Issue Paper no. 61, p.11.

of domestic violence assaults is presented in the focus topic on page 169.

The actual incidence of domestic violence amongst women in NSW is therefore likely to be greater than the figures reported in this section.

This year, in Indicator 1.3, we also examine sex disaggregated data on another aspect of family-related violence: domestic violence-related homicide and attempted murder.

1.1 Recorded domestic violence-related assaults

Domestic violence-related assaults recorded by NSW Police

Current position	<p>In NSW in the 12 months to September 2012, women and girls made up 69 percent of victims of DV-related assaults. There were 20,709 female victims compared to 9,199 male victims.</p> <p>Gender gap</p> <ul style="list-style-type: none">• In 2012 in NSW, females were more than twice as likely as males to experience domestic violence.
The direction of change over time	<p>The numbers and proportion of female victims of domestic violence-related assault have remained stable over the period from October 2005 to September 2012.</p> <p>Females made up 70 percent of DV victims annually between October 2005 and September 2008, and 69 percent of victims annually between October 2008 and September 2012.</p>

Safety and justice

Discussion

The rates of DV-related assault per 100,000 of the population in NSW from October 2002 to September 2012 are shown in Figure 6.1.

Non-Aboriginal females

The rate of DV-related assault recorded by police has declined slightly amongst non-Aboriginal women victims in the decade ending September 2012, from 515 per 100,000 in 2002-03 to 483.

Aboriginal females

The rate of DV-related assault recorded by police has declined more markedly amongst Aboriginal women victims, from 3,738 to 3,110 per 100,000 in the decade ending September 2012.

Aboriginal males

Amongst Aboriginal male victims there was also a slight decline in the rate of assault recorded by police, from 946 to 849 per 100,000 in the decade ending September 2012.

Non-Aboriginal males

Amongst non-Aboriginal men there was a rise in the rate of DV assault from 206 per 100,000 to 229 per 100,000 in the decade ending September 2012. The rate has been declining steadily since 2008-09, however, when it was at its peak of 236 per 100,000.

These rates only reflect DV incidents recorded by police. While the rate of DV assault for Aboriginal females appears to be falling, this may in fact be due to lower levels of reporting to police. Similarly, the apparent rise in the DV assault rate for non-Aboriginal males may reflect an increased tendency to report DV to police, rather than a rise in actual incidents.

Age of victim and sex of offender

People in the 30 to 49 year age group are the most likely to experience DV assault: 43 percent of female victims and 38 percent of male victims were in this age group in the 12 months to September 2012.

Boys aged 0 to 17 make up a higher percentage of male DV victims (18 percent) than girls aged 0 to 17 years do of female DV victims (11 percent).

For male DV victims, 51 percent of offenders were male only, while 35 percent of offenders were female only. For female DV victims, 79 percent of offenders were male while 12 percent were female. Overall, 70 percent of DV incidents involved male offenders only, while 18 percent involved female offenders only.

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, children, step-children, 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).

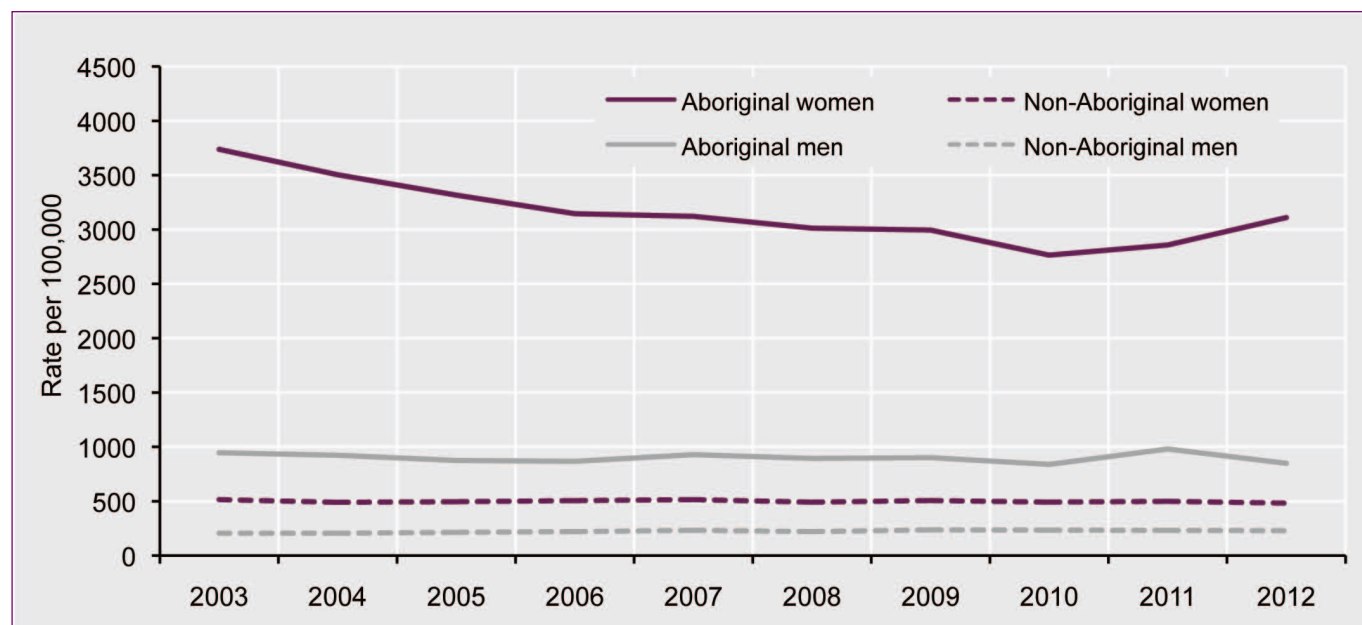
Year collected: October 2011 to September 2012 and previous years.

Data source: BOCSAR, unpublished (BOCSAR ref: kg12-10963, jh13-11085; nm1311179).

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

Safety and justice

Figure 6.1 DV-related assault victims by sex and Aboriginal status, NSW, 2002-12



Note: Data relates to 12-month periods beginning October 2002 and finishing September 2012. Aboriginal and non-Aboriginal population estimates come from ABS, *Projected Experimental Estimated Resident Australian Indigenous Population by RCMG region, age groups, 2001 – 2011*. Population: Victims of domestic violence-related assaults (all ages) recorded by NSW Police. Source: BOCSAR, unpublished (BOCSAR ref: jh13-11085).

1.2 Self-reported domestic violence

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

Current position	In NSW in 2011, just over 6 percent of women who were screened under the Domestic Violence Routine Screening Program identified themselves as having experienced domestic violence in the previous 12 months.
The direction of change over time	The proportion of eligible women screened who identified having experienced domestic violence in the previous 12 months has remained relatively stable since the inception of the program in 2003, at between 5 and 7 percent.
Discussion	In 2011, 20 percent of women who disclosed domestic violence accepted an offer of assistance from a health worker, and 43 percent felt unsafe to go home. See Table 6.1. It is notable that, while the percentage of women who felt unsafe to go home more than doubled between 2004 and 2011 (from 19 to 43 percent), the percentage of women who accepted an offer of assistance from a health worker was lower in 2011 than in any other year.

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

Year collected: 2011 and previous years.

Data source: NSW Ministry of Health (2012) *Domestic Violence Routine Screening Program: Snapshot Report 9*, November 2011, p.7.

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

Safety and justice

Table 6.1 Women screened under the NSW Health DV screening program, 2003-11

	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

Note: Screening for DV is implemented in NSW Health antenatal services, early childhood services, and for women aged 16 and over who attend mental health and alcohol and other drug programs.

Population: Women screened under the NSW Health Domestic Violence Routine Screening Program.

Source: NSW Ministry of Health (2012) *Domestic Violence Routine Screening Program: Snapshot Report 9*, November 2011.

1.3 Domestic violence homicide*

Current position	<p>In NSW in the 12 months to September 2012, around three-quarters of female homicide victims (27 out of 35) were killed by someone with whom they were in a domestic relationship. This compares to one-fifth of male homicide victims (11 out of 57).</p> <p>The majority of homicide victims overall are male (61 percent). See Figure 6.2.</p> <p>Gender gap</p> <ul style="list-style-type: none"> Female homicide victims are 2.5 times more likely than male victims to be killed by someone with whom they are in a domestic relationship.
The direction of change over time	<p>In NSW in the 12 months to September 2012, 27 out of 35 female homicides occurred in a domestic context. This compares to 23 out of 27 the 12 months to September 2011, and 17 out of 28 in the 12 months to September 2010. See Figure 6.2.</p>

Safety and justice

Discussion

Family relationships in domestic violence homicides

Of females who were killed in a domestic violence context between 2000 and 2009, 79 percent were killed by their intimate partner and 21 percent were killed by a relative/kin. For males, comparative figures were 32 percent and 49 percent respectively.

For deaths perpetrated by a relative/kin (not intimate partner) in a context of domestic violence, the highest number of deaths were perpetrated by the father of the deceased (26 deaths), followed by the mother of the deceased (18 deaths), and the highest number of victims were between 0 and 4 years of age.

Domestic violence-related attempted murder

During the period from October 2009 to September 2012, attempted murder of females was more likely to occur in a domestic violence context than for males. In this period, almost three-quarters of incidents of attempted murder of women occurred in a DV context (28 out of 38 incidents), compared to almost one-fifth for men (19 out of 108 incidents).

Figure 6.3 shows the proportion of attempted murders that occurred in a DV context, by the victim's sex, for each year from October 2009 to September 2012. Domestic violence-related attempted murder refers to victims of attempted murder where the relationship of the offender to the victim falls into the same categories as outlined in the notes below.

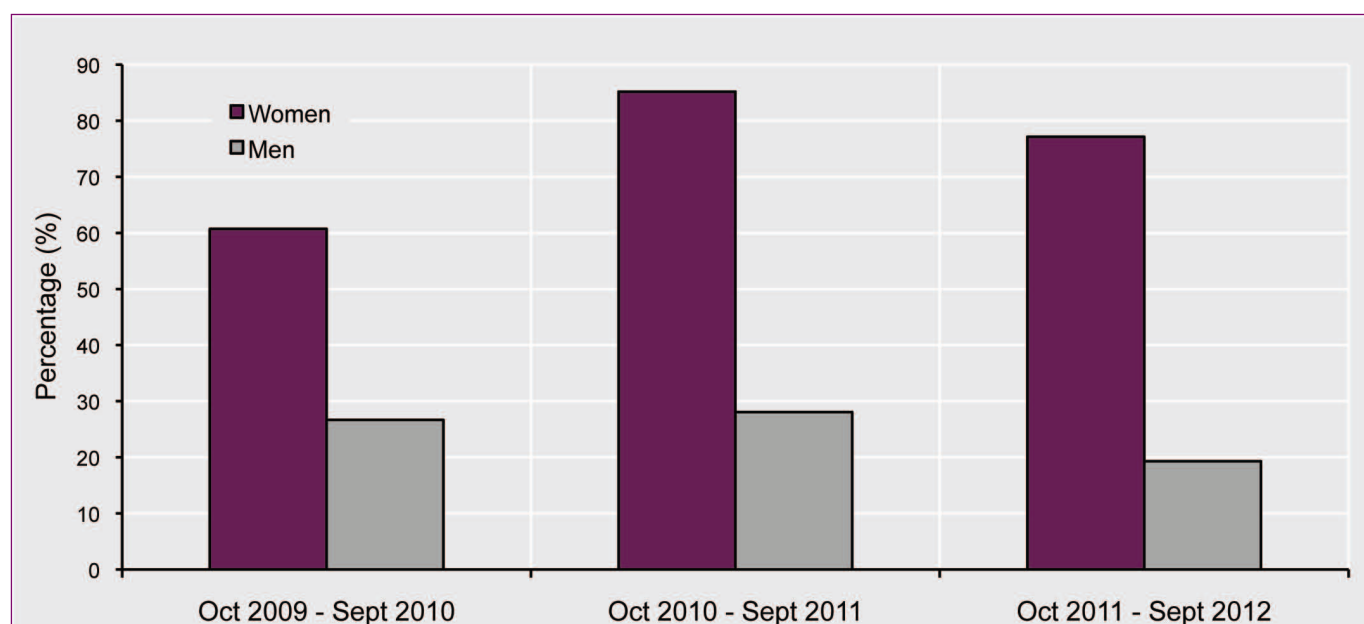
* For the purpose of this indicator, homicide refers to murder and manslaughter. Domestic violence homicide as defined in this indicator relates to victims of murder or manslaughter where the relationship of the offender to the victim is either spouse/partner, ex-spouse/partner, parent/guardian (including 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.

Year collected: October 2009 to September 2012.

Data source: BOCSAR, *NSW Recorded Crime Statistics*, unpublished (BOCSAR ref: Dg12/10965, nm1311039); NSW Domestic Violence Death Review Team (2013) *Annual Report 2011-12* for information on family relationships in DV homicide.

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

Figure 6.2 Proportion of homicides that were DV-related, by sex of victim, NSW, Oct 2009 to Sept 2012



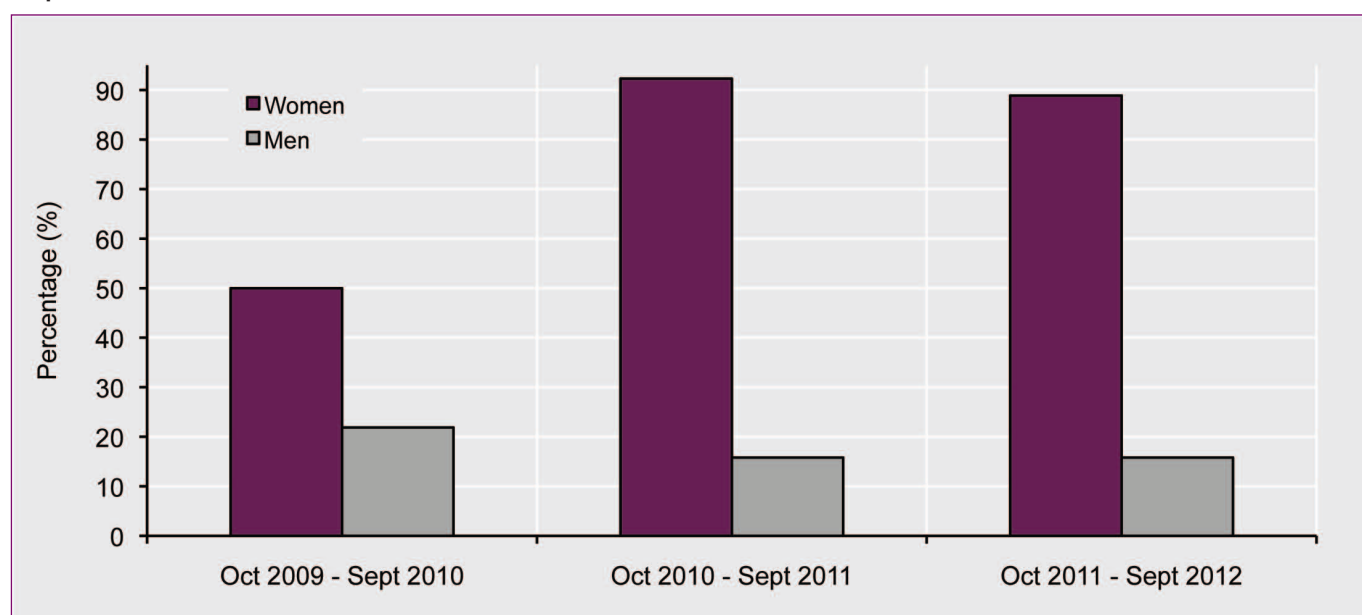
Note: 'Homicide' refers to murder and manslaughter.

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

Source: NSW Bureau of Crime Statistics and Research, *NSW Recorded Crime Statistics*, unpublished (BOCSAR ref: Dg12/10965, nm1311039).

Safety and justice

Figure 6.3 Proportion of attempted murders that were DV-related, by sex of victim, NSW, Oct 2009 to Sept 2012



Population: Victims of attempted murder where the offender and victim are in a domestic relationship, as defined at Indicator 1.3. The total number of female victims of attempted murder for each year in this graph was: 16, 13 and 9 respectively. For male victims, the total number of incidents for each year in this graph was: 7, 6 and 6 respectively.

Source: NSW Bureau of Crime Statistics and Research, *NSW Recorded Crime Statistics*, unpublished (BOCSAR ref: Dg12/10965, nm1311039).

Focus topic Under-reporting of domestic violence assaults

Domestic violence prevalence

Domestic violence (DV) is one of the most common forms of violence against women in Australia. Estimates from crime victimisation surveys suggest that over 240,000 Australian adult women are physically assaulted each year and nearly one-third of these assault victims have been physically assaulted by a current or previous partner (ABS 2006, social trends report). If a broader definition of violence is used (ie one which includes not only physical violence but also threats of violence, as well as sexual and psychological violence) victim surveys estimate that over one-third of women in Australia, who have a current or former intimate partner, have

experienced at least one form of domestic violence in their lifetime (Mouzos & Makkai 2004).

DV under-reporting

Many of these violent incidents go unreported. BOCSAR found that less than half of all people who have been a victim of domestic violence report the incident to police. Older victims, those who are married and victims of assaults that did not involve weapons or serious injury are less likely to report (Grech & Burgess 2011). While we know the characteristics of victims who do report assaults to the police, we don't know much about the reasons why a large proportion of victims do not report the abusive behaviour.

2012 study

Recently, BOCSAR undertook a study funded by Women NSW to examine this issue in more depth. This study involved a telephone interview of 300 women who had been a victim of domestic violence at some stage during their life. The participants were recruited through a variety of NSW Domestic Violence services had helped promote the survey (including counseling services, refuges and advocacy services). Of those interviewed, 22 percent were of Aboriginal or Torres Strait Islander descent, 91 percent spoke English in their home, 35 per cent lived in the Sydney metropolitan area, 56 percent lived in an urban area of NSW, and 61 percent were aged between 25 and 44 years.

Safety and justice

Findings

Consistent with other victimisation surveys, this research found that only half of the domestic violence victims interviewed had reported their most recent incident of violence to the police. Only a slightly higher percentage (59 percent) had reported at least one of their previous victimisation episodes to the police.

The most common reasons for not reporting domestic violence to the police were fear of revenge or further violence from the perpetrator (14 percent) feelings of shame or embarrassment (12 percent) or a belief that the incident was too trivial or unimportant (12 percent).

One in 10 victims stated that they had not reported the most recent incident because they had previously had a bad or disappointing experience with

the police, while 8 percent had not reported the matter because they thought the police would be unwilling to do anything about the violence.

When victims who had not gone to the police were asked what, if anything, would have made it easier to have gone to the police, 17 percent said that the police being more understanding and proactive in their handling of all kind of domestic violence would have made it easier.

Although many victims had not reported their most recent incident of violence to the police, nearly two-thirds of these respondents stated that they were satisfied that they had not reported the violence. The three main reasons given by these victims for being satisfied with their decision not to report the violence were (1) it had meant no further violence from the

perpetrator had been provoked (25 percent), (2) they had been able to handle the situation themselves and did not have to deal with the embarrassment of police invading their privacy (24 percent), and (3) they had avoided the additional stress associated with reporting to police (24 percent).

Even though some victims appeared satisfied with not reporting the incident to police, nearly one in three victims said, in hindsight, they wished they had sought help from the police or another professional service sooner than they did and 14 percent said they wished they had left the relationship earlier.

The final report detailing the results of this research will be available on BOCSAR's and Women NSW's websites at the end of June 2013; see www.bocsar.nsw.gov.au and www.women.nsw.gov.au.

Topic 2 Safety in the community

In this topic, we use both NSW Police recorded crime data (Indicators 2.1 and 2.2) and data self-reported by respondents in major surveys (Indicators 2.3 to 2.6) to examine different aspects of safety in the community.

Indicator 2.1 presents data on incidents of sexual assault recorded by NSW Police. As with domestic violence-related assault, sexual assault is under-reported by victims. Reasons why victims of

sexual assault may not report the incident to police include fear of the offender, a sense of shame and embarrassment and concerns about how they will be treated by the criminal justice system.¹

Indicator 2.2 examines NSW Police-recorded data on other personal crimes, while Indicator 2.3

presents data from a major ABS household survey on self-reported incidents of assault victimisation.

Indicators 2.4 to 2.6 present data on feelings of safety in different community settings: at home alone at night, walking alone in the local area at night, and waiting for or using public transport.

¹ Australian Law Reform Commission (2010) *Family Violence - A National Legal Response*, ALRC Report 114.

Safety and justice

2.1 Sexual assault

Sexual assault incidents recorded by NSW Police

Current position	<p>In NSW in the 12 months to September 2012, 84 percent of sexual assault victims were women or girls: there were 3,959 recorded sexual assaults against females, compared to 743 against males.</p> <p>Gender gap</p> <ul style="list-style-type: none"> Females are more than five times as likely as males to experience sexual assault.
The direction of change over time	<p>While the proportion of sexual assault victims who are female has remained stable between October 2005 and September 2012, at an average of 84 percent, the number of female victims of sexual assault in NSW has risen at a faster rate than the number of male victims.</p> <p>The number of female sexual assault victims rose 22 percent in the seven years between October 2005 and September 2012 (from 3,242 to 3,959), while the number of male victims rose by 11 percent (from 669 to 743) in the same period.</p>
Discussion	<p>For both female and male sexual assault victims in NSW in the 12 months to September 2012, the highest proportion of alleged offenders were people they knew, but with no familial relationship (39 percent for both females and males).</p> <p>For female victims, the next highest category of alleged offenders was partners (including ex-partners), who accounted for 13 percent of offenders. For male victims, the second highest category of alleged offenders was parents or children, who made up 14 percent of cases.</p> <p>Male victims were twice as likely to be sexually assaulted by a sibling as female victims (45 out of 743 males, compared to 101 out of 3,959 females).</p> <p>Female victims were twice as likely as males to be sexually assaulted by a stranger: 9.2 percent (females) compared to 4.8 percent (males).</p> <p>See Table 6.2.</p>

'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.

Year collected: October 2011 to September 2012 and previous years.

Data source: BOCSAR, *NSW Recorded Crime Statistics* October 2005 to September 2012, unpublished (BOCSAR ref: kg12-10963; kg12-10964; BOCSAR, *NSW Criminal Court Statistics 2007 to 2011* (unpublished).

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

Safety and justice

Table 6.2 Sexual assault victims by sex and relationship of alleged offender to victim, NSW, Oct 2011 to Sep 2012

	Women	%	Men	%	Total
Parent/Guardian/Child (including step or foster)	378	9.5	104	14.0	482
Sibling	101	2.6	45	6.1	146
Member of family – other	275	6.9	98	13.2	374
Carer	24	0.6	7	0.9	31
Spouse/Partner (including ex-partner)	514	13.0	24	3.2	538
Household member (including former member)	46	1.2	13	1.7	59
Person in authority	30	0.8	39	5.2	70
Other known person – no relationship	1,563	39.5	287	38.6	1,850
Not known to victim	366	9.2	36	4.8	402
Missing/Unknown/Not stated	662	16.7	90	12.1	753
TOTAL	3,959	100	743	100	4,705

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 October 2011 and September 2012, recorded by NSW Police.

Source: BOCSAR, *NSW Recorded Crime Statistics* October 2005 to September 2012, (BOCSAR ref: kg12-10964).

Safety and justice

2.2 Victims of violence – recorded incidents

Personal violence incidents recorded by NSW Police

Current position	<p>Total numbers of personal violence offence incidents in NSW in the 12 months to September 2012, and the proportion of victims who are female, are set out at Table 6.3.</p> <p>Note that the personal violence offences of domestic violence-related assault and sexual assault are covered in detail in Indicators 1.1 and 2.1 respectively and are therefore not discussed in this Indicator.</p> <p>Gender gap</p> <ul style="list-style-type: none"> Females account for the majority of victims of other sexual offences, indecent assault, and harassment and threatening behaviour. Males account for the majority of victims of murder, non-domestic violence-related assault, and robbery. Females also account for the majority of victims of domestic violence-related assault and sexual assault. See Indicators 1.1 and 2.1 for further information.
The direction of change over time	<p>There has been a drop in recorded incidents of non-DV assault in the seven years from October 2005 to September 2012. The number of incidents dropped from over 13,000 to under 12,000 for female victims (a drop of 10 percent), and from nearly 34,000 to just over 27,800 for male victims (a drop of 18 percent). See Indicator 1.1 for data on DV assaults.</p> <p>The number of reported victims of harassment and intimidating behaviour rose between October 2005 to September 2012; from around 25,300 to 31,400. The proportion of victims who were female did not change.</p> <p>During the same period, the number of robbery offences dropped from around 10,900 to 6,400, while the proportion of female victims did not change.</p>
Discussion	<p>In NSW in the 12 months to September 2012, non DV-related assault victims accounted for 57 percent of all physical assault victims (DV and non-DV related).</p> <p>When we combine incidents of DV and non-DV assault, to look at all physical assault, women make up nearly half of all victims (47 percent).</p> <p>In NSW in 2011, assault was the personal violence offence for which the largest number of offenders were proceeded against and found guilty. See the discussion at Indicator 4.1 for further information on assault offenders.</p>

Other sexual offences include incest, carnal knowledge, willful 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.

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.

Year collected: October 2005 to September 2012.

Data source: BOCSAR, *NSW Recorded Crime Statistics*, unpublished (BOCSAR ref: kg12-10963).

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

Safety and justice

Table 6.3 Victims of violence, NSW, October 2011 to September 2012

	Total	Women %
Indecent assault	3,769	79
Other sexual offences	1,714	79
Harassment, threatening behaviour	31,409	60
All physical assault (DV and non-DV)	69,691	47
Murder	82	40
Non-domestic violence-related assault	39,743	30
Robbery	6,403	25
Discussed elsewhere in depth:		
Domestic violence-related assault (see Indicators 1.1 and 1.2)	29,948	69
Sexual assault (see Indicator 2.1)	4,705	84

Note: The offence categories are defined in the notes at Indicator 2.2 (above).

Population: Victims of selected personal violence offences recorded by NSW Police between October 2011 and September 2012.

Source: BOCSAR, *NSW Recorded Crime Statistics*, unpublished (BOCSAR ref: kg12-10963).

2.3 Self-reported incidents of assault victimisation

Self-reporting of physical and threatened assault in ABS crime victimisation survey

Current position	<p>In NSW in 2011-12, women's self-reporting of physical and threatened assault was lower than men's.</p> <p>For physical assault in NSW in 2011-12, 61,200 women and 97,000 men reported being victims.</p> <p>For threatened assault in NSW in 2011-12, 80,500 women and 107,800 men reported being victims.</p> <p>Gender gap</p> <ul style="list-style-type: none"> Women's victimisation rate* for physical assault was 2.1 percent, while men's victimisation rate was 3.4 percent. Women's victimisation rate* for threatened assault was 2.7 percent, while men's victimisation rate was 3.8 percent.
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Safety and justice

The direction of change over time	<p><i>Physical assault</i></p> <p>Women's victimisation rate for physical assault has decreased since 2010-11 when it was 2.7 percent, while the rate for men has increased since 2010-11 when it was 3.0 percent.</p> <p>The gap between female and male victimisation rates in 2011-12 was 1.3 percentage points, which is four times greater than the gap in 2010-11 (0.3 percentage points).</p> <p><i>Threatened assault</i></p> <p>Both women's and men's self-reported victimisation rates for threatened assault have increased since 2010-11, when the rate for women was 2.4 percent and the rate for men was 3.0 percent.</p>
Discussion	<p>Victimisation rates for both physical and threatened assault are highest amongst the younger age groups of 15-19 years and 20-24 years. The rates are also higher for people whose marital status is not married and for people who live outside Sydney.</p> <p>Women's lower victimisation rates for physical assault, compared to men, contrasts with data we reported on in Indicator 2.2 which shows that women account for almost half (47 percent) of all physical assaults (DV and non DV-related) recorded by NSW Police. Note that the victimisation rate is based on self-reporting of assault through a national ABS survey, rather than on actual incidents recorded by police.</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 2011-12 Multipurpose Household Survey (July to June each year). The data relates to survey respondents who report having experienced at least one incident of a selected type of crime within 12 months prior to the survey interview. In this indicator, 'women' refers to females aged 15 years and over and 'men' applies to males aged 15 years and over.

Year collected: July 2011 to June 2012.

Data source: ABS (2013) *Crime Victimisation, Australia, 2011-2012*, Cat no. 4530.0.

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

2.4 Safety at home alone after dark

Women's and men's sense of safety at home alone after dark

Current position	<p>In NSW in 2010, 79 percent of women felt safe or very safe at home alone after dark, compared to 91 percent of men.</p> <p>Gender gap</p> <ul style="list-style-type: none"> Women at home alone after dark are 12 percentage points less likely to feel safe than men.
The direction of change over time	<p>Data for NSW from previous years is not readily available.</p>

Safety and justice

Discussion

Place of residence

In 2010, NSW women living outside Sydney were more likely than Sydney women to feel safe or very safe at home alone after dark (83 percent compared to 77 percent). The gender gap was similar regardless of where people lived: 13 percentage points between women and men in Sydney, and 11 percentage points between women and men in the rest of NSW.

Household income

Women in the highest household income quintile (\$1,357+ per week) felt safer at home alone at night than women in lower household income quintiles: 86 percent of women in the highest income group felt safe at home alone at night, compared to 76 percent of women in the second highest income group (\$932 to \$1,356 per week), and 73 percent in the lowest income group (\$0 to \$403 per week).

The gender gap was smallest (8 percentage points) between women and men with the lowest household income, from \$0 to \$403 per week. See Figure 6.4.

Country of birth

Women born in Australia are significantly more likely to feel safe at home alone after dark than women born in other countries who are not proficient in English: 82 percent compared to 61 percent. The same is true of men.

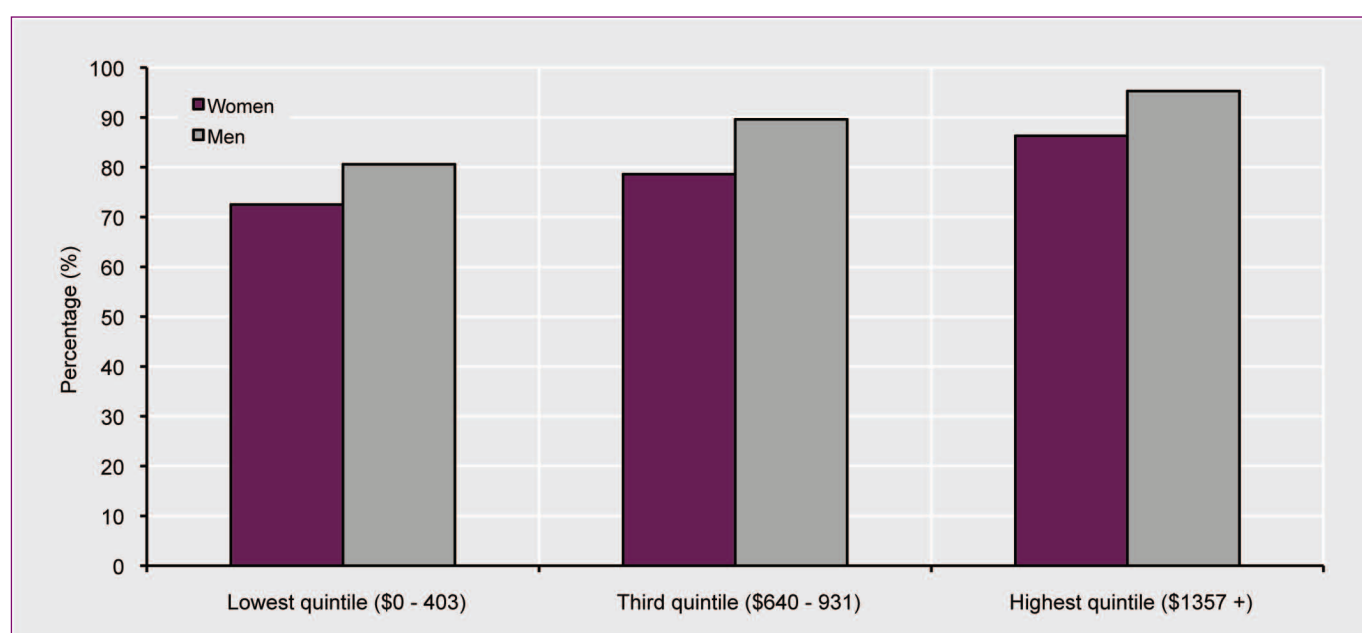
The ABS General Social Survey collected information about personal and household characteristics for people aged 18 years and over resident in private dwellings throughout Australia (except very remote areas), from August to November 2010.

Year collected: 2010.

Data source: ABS (2011) General Social Survey, Cat no. 4159.0 (unpublished data).

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

Figure 6.4 Safety at home alone after dark, by sex and selected household income quintiles, NSW, 2010



Note: Data refers to women and men who feel safe or very safe at home alone after dark. 'Household income' refers to equivalised gross household income, as per Appendix 2 of the ABS (2011) *General Social Survey 2010*. The three household income quintile groups selected for this graph are the lowest, the middle and the highest. The second lowest group (\$404 to \$639) and the second highest group (\$932 to \$1,356) are not represented. Population: People in NSW aged 18 years and over.

Source: ABS (2011) *General Social Survey*, Cat no. 4159.0 (unpublished data).

Safety and justice

2.5 Safety walking alone in local area after dark

Women's and men's sense of safety walking alone in local area after dark

Current position	<p>In NSW in 2010, 32 percent of women felt safe or very safe walking in their local area after dark, compared to 68 percent of men.</p> <p>25 percent of women in NSW felt unsafe or very unsafe walking in their local area after dark, compared to 10 percent of men.</p> <p>Gender gap</p> <ul style="list-style-type: none">Women are 36 percentage points less likely than men to feel safe walking in their local area after dark, and 15 percentage points more likely to feel unsafe than men.
The direction of change over time	Data for NSW from previous years is not readily available.
Discussion	<p><i>Place of residence</i></p> <p>Women who live in Sydney are much less likely to feel safe walking in their local area after dark than women in the rest of NSW (29 percent compared to 43 percent). By contrast, men's feeling of safety on this indicator barely changes between Sydney and the rest of NSW (68 and 69 percent respectively).</p> <p><i>Household income quintiles</i></p> <p>Women's feelings of safety walking in their local area after dark rises as their household income increases. Women in the highest income quintile are twice as likely to feel safe as women in the lowest income quintile (46 percent compared to 23 percent). This gap is not as marked for men, where those in the highest income group were 1.6 times more likely to feel safe than those in the lowest income group (83 percent compared to 52 percent).</p> <p><i>Country of birth</i></p> <p>Women born in Australia have a greater sense of safety walking alone in their local area after dark (35 percent) than women born elsewhere. The same is true for men. Women born in Australia are twice as likely to feel safe on this indicator as women born in other countries who are not proficient in English (35 percent compared to 17 percent). See Figure 6.5.</p>

The ABS *General Social Survey* collected information about personal and household characteristics for people aged 18 years and over resident in private dwellings throughout Australia (except very remote areas), from August to November 2010.

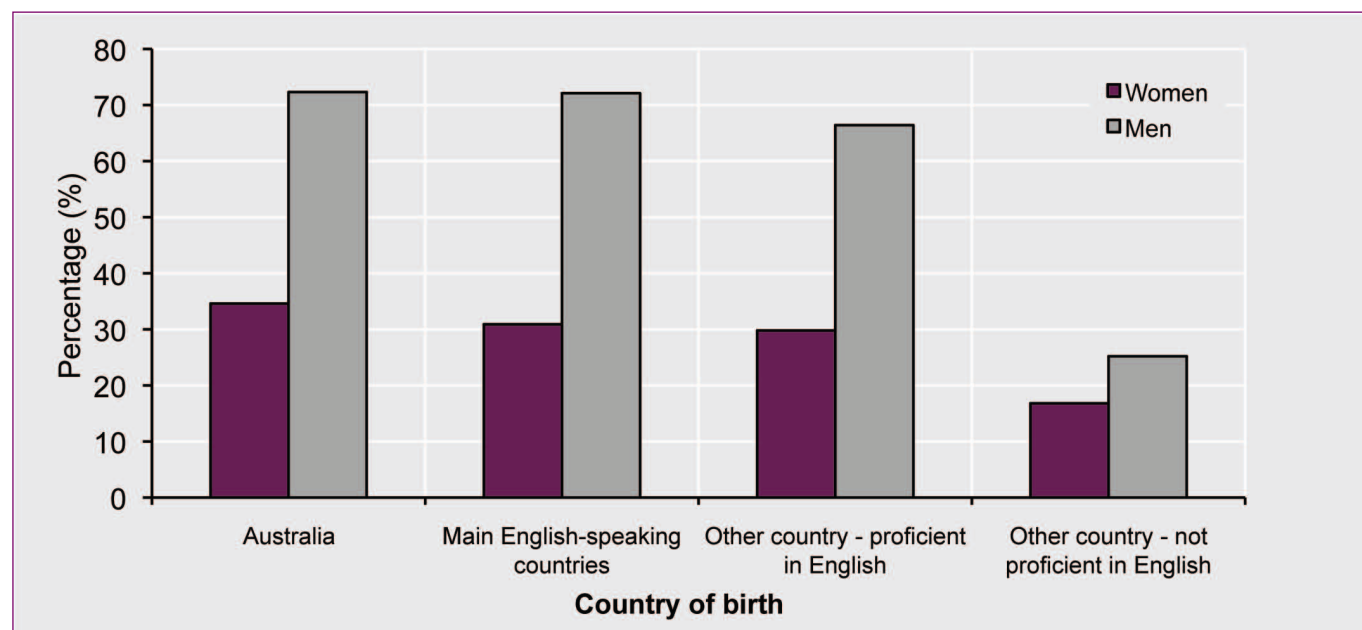
Year collected: 2010.

Data source: ABS (2011) *General Social Survey*, Cat no. 4159.0 (unpublished data).

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

Safety and justice

Figure 6.5 Safety walking alone after dark, by sex and country of birth, NSW, 2010



Note: Data refers to women and men who feel safe or very safe walking alone in their local area after dark. 'Main English-speaking countries' are United Kingdom, Republic of Ireland, United States of America, Canada, New Zealand and South Africa. Proficiency in English relates to spoken English only.

Population: People in NSW aged 18 years and over.

Source: ABS (2011) *General Social Survey*, Cat no. 4159.0 (unpublished data).

2.6 Safety while waiting for or using public transport

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

Current position	<p>In NSW in 2012, 70 percent of women and 74 percent of men felt satisfied or very satisfied in relation to safety while <i>waiting for</i> public transport at a bus stop, ferry wharf or train station in the evening (between 6.01 pm and 6.30 am).</p> <p>When it came to safety while <i>using</i> public transport (bus, ferry or train) in the evening, 77 percent of women and 79 percent of men felt satisfied or very satisfied.</p> <p>Gender gap</p> <ul style="list-style-type: none"> In the evening, women are 4 percentage points less likely than men to feel safe waiting for public transport, and 2 percentage points less likely than men to feel safe while using public transport.
The direction of change over time	<p>Data from the 2012 Transport Customer Survey is not comparable with 2011 survey data, as the surveys used different categories of satisfaction. The 2012 survey included an additional category of 'partly satisfied' and 'partly dissatisfied', which was not used in 2011.</p>

Safety and justice

Discussion	<p>In 2012, women's satisfaction with safety while waiting at a bus stop, ferry wharf or train station dropped by 6 percentage points, from 76 to 70 percent, between day-time and night-time hours. By contrast, men's satisfaction with safety dropped by only 3 percentage points, from 77 to 74 percent (see Table 6.4).</p> <p>Similarly, women's satisfaction with safety while using public transport dropped by 2 percentage points between day-time and night-time hours (from 79 to 77 percent), while men's satisfaction with safety remained the same regardless of time of day (at 79 percent).</p>
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The Transport Customer Survey was conducted most recently in November 2012 and collects information about public transport customers' satisfaction with train, bus and ferry services. The Survey covers the CityRail network, metropolitan bus contract areas and the Sydney Ferries network. It is conducted on-board public transport services where field staff distribute forms to customers for self-completion. Around 18,000 public transport customers participated in the 2012 survey.

In this discussion, 'satisfied' and 'satisfaction' are defined as a survey response of 'satisfied' or 'very satisfied'. 'Partly satisfied' is not included. 'Day-time' refers to the hours between 6.31 am and 6.00 pm, while 'evening' or 'night-time' refers to the hours between 6.01 pm and 6.30 am.

Year collected: 2012.

Data source: Transport for NSW, *Transport Customer Survey 2012* (unpublished data).

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

Table 6.4 Satisfaction with safety of public transport by sex and time of day, NSW, 2012

	Women		Men	
	6.31 am to 6.00 pm	6.01 pm to 6.30 am	6.31 am to 6.00 pm	6.01 pm to 6.30 am
Satisfaction with safety while waiting for public transport	76	70	77	74
Satisfaction with safety while on the bus, train or ferry	79	77	79	79

Note: Satisfaction refers to respondents who felt 'Satisfied' or 'Very satisfied' in relation to safety. It excludes 'Partly satisfied'.

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

Source: Transport for NSW, *Transport Customer Survey 2012* (unpublished data).

Topic 3 The criminal justice system

In Indicator 3.1 we analyse sex-disaggregated data for NSW on reporting rates for victims of physical or face-to-face threatened assault. We have included this data here because it indicates victims' willingness to engage with the criminal justice process. We selected the offences of physical assault and face-to-face threatened assault because women and men make up roughly similar proportions

of victims (unlike sexual assault or robbery – see Table 6.3) and the larger number of incidents increases the reliability of the data.

While Indicator 1.1 reports on victims of domestic violence-related assault, data in this topic (Indicator 3.2) examines Apprehended Domestic Violence Orders (ADVOs) granted by NSW Courts to a person requiring protection from DV. It also presents the geographic spread of ADVOs, based on the residence of the offender.

The focus of Indicator 3.3 is sexual assault; specifically, the progress of sexual offences through the criminal justice system up to 2011. Indicator 3.4 presents sex-disaggregated data on public confidence with the main branches of the criminal justice system: police, courts and prisons.

Safety and justice

3.1 Reporting rates amongst victims of assault

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

Current position	<p><i>Physical assault</i></p> <p>In NSW in 2011-12, the reporting rate amongst women who experienced physical assault in the previous 12 months was 65 percent. The reporting rate for men was lower, at 53 percent.</p> <p><i>Face-to-face threatened assault</i></p> <p>The reporting rate for women who experienced face-to-face threatened assault was 47 percent, compared to 43 percent for men.</p> <p>Gender gap</p> <ul style="list-style-type: none">• Women are 12 percentage points more likely than men to report physical assault to police, and 4 percentage points more likely than men to report face-to-face threatened assault.
The direction of change over time	<p>Women's reporting rate for physical assault in NSW in 2011-12 was 9 percentage points higher than in 2010-11, when it was 56 percent. The reason for this rise is uncertain. Men's reporting rate was stable in both years, at 53 percent (Figure 6.6).</p> <p>Women's reporting rate for face-to-face threatened assault in NSW was almost the same in 2011-12 as it was in 2010-11 (47 percent compared to 49 percent, respectively). Men's reporting rate, however, showed a statistically significant increase from 28 percent in 2010-11 to 43 percent in 2011-12 (Figure 6.6).</p>
Discussion	<p>While women are more likely than men to report incidents of physical assault and face-to-face threatened assault to police, this data does not distinguish between DV and non-DV related assaults. It is therefore not possible to conclude from this data whether the context of the assault (DV or non-DV) influenced the victim's decision to report or not report the assault.</p> <p>Also see the focus topic on under-reporting of domestic violence-related assault on page 169.</p>

This data was collected as part of the ABS 2011-12 Multipurpose Household Survey. The sample was accumulated over a 12-month period from July 2011 to June 2012. Respondents were aged 15 years and over.

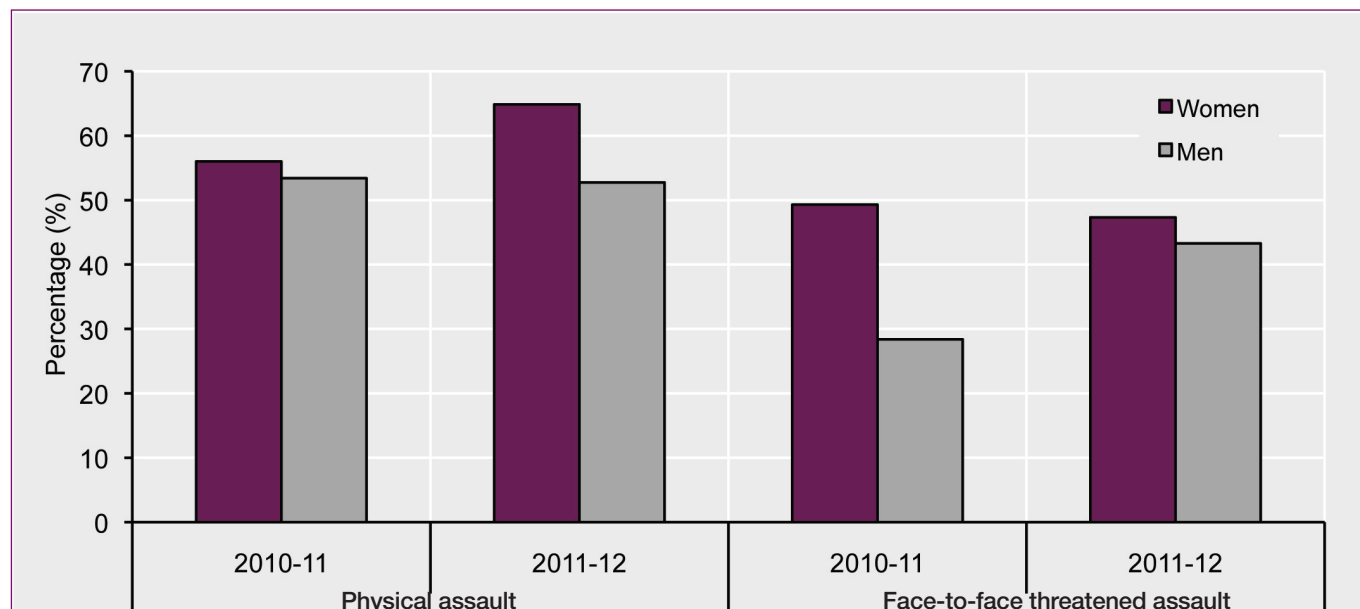
Year collected: 2011-12.

Data source: ABS (2013) *Crime Victimisation, Australia, 2011-12*, Cat no. 4530.0 (some data unpublished).

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

Safety and justice

Figure 6.6 Reporting rates for victims of assault, by sex, NSW, 2010-12



Population: People in NSW aged 15 years and over.

Source: ABS (2013) *Crime Victimisation, Australia, 2011-12*, Cat no. 4530.0 (some data unpublished).

3.2 Apprehended Domestic Violence Orders granted

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

Current position	<p>In NSW in 2011, 68 percent of victims protected by ADVOs were female.</p> <p>Females were granted ADVOs at a rate of 767 per 100,000 of the population, while males were granted ADVOs at a rate of 358 per 100,000 population.</p> <p>Gender gap</p> <ul style="list-style-type: none"> Females are protected by ADVOs at twice the rate of males.
The direction of change over time	<p>Between 2010 and 2011 there was a 5 percent increase in the rate of females protected by ADVOs, and an 11 percent increase in the rate of males protected by ADVOs.</p> <p>See Figure 6.7 for a graph of the rate of ADVOs granted by sex since 1996. Note that procedural changes, such as mandatory recording on 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>

Safety and justice

Discussion

Based on the place of residence of the person of interest (alleged offender), the areas in NSW in 2011 with the highest rate of ADVOs granted per 100,000 population have not changed since 2010. These are the Far West, North Western and Northern regions (Table 6.5).

In Sydney, the areas with the highest rate of ADVOs granted per 100,000 population are also the same as in 2010 – Outer South Western Sydney, Blacktown and Fairfield-Liverpool (Table 6.5).

Note that data based on the residence of the offender (Table 6.5) is not sex-disaggregated.

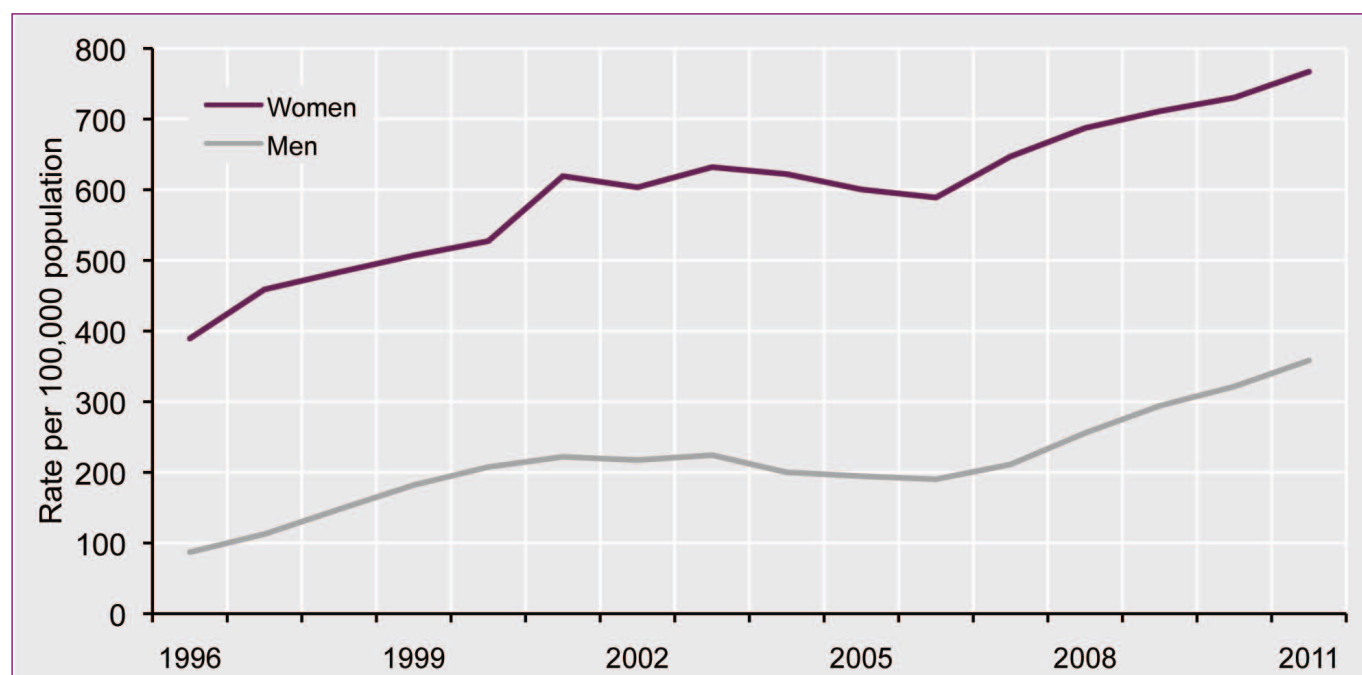
An Apprehended Domestic Violence Order (ADVO) is a court order which prohibits a person from behaviour that harasses or intimidates another person. ADVOs apply when a domestic relationship exists between the victim and the abuser, such as spouses or separated spouses. The purpose of the ADVO is to protect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

Year collected: 2011 and previous years.

Data source: BOCSAR, *NSW Recorded Crime Statistics 1996 to 2011*, unpublished (BOCSAR ref: kg13-11173); BOCSAR (2012) *NSW Criminal Court Statistics 2011*.

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

Figure 6.7 Apprehended Domestic Violence Orders granted by sex, NSW, 1996 to 2011

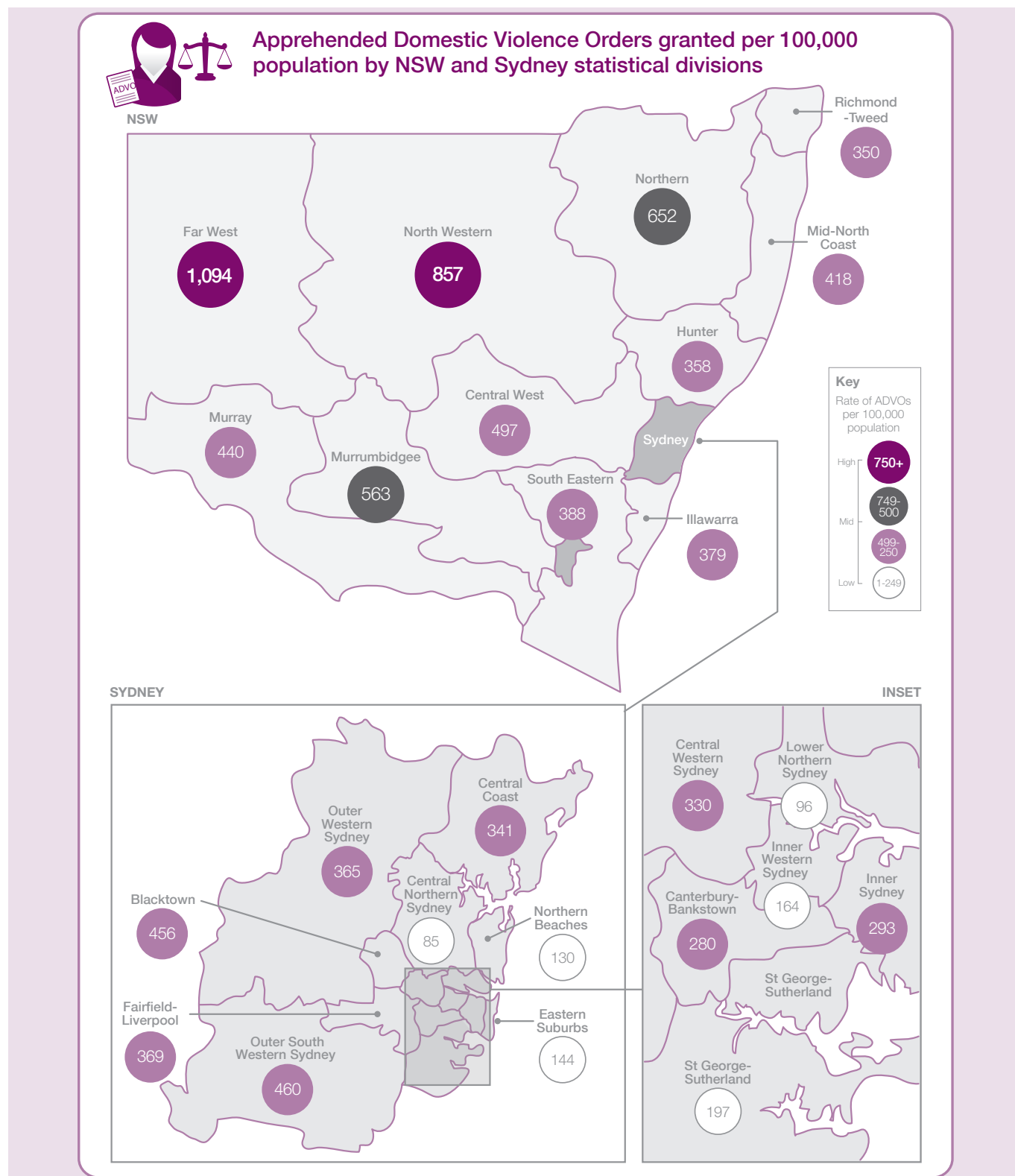


Note: Rate per 100,000 population of males and females protected by ADVOs in NSW. Note that procedural changes, such as mandatory recording on an ADVO of the children of the person protected by the ADVO, have affected the rise in the number and rate of ADVOs granted over this period. Population: The NSW population.

Source: BOCSAR, *NSW Recorded Crime Statistics 1996 to 2011*, unpublished (BOCSAR ref: kg13-11173).

Safety and justice

Table 6.5 ADVOs granted by residence of offender, NSW, 2011



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

Population: The NSW population.

Source: BOCSAR (2012) *NSW Criminal Court Statistics 2011*.

Safety and justice

3.3 Sexual offences proven in court

The progress of sexual offence cases through the criminal justice system

Current position	<p><i>Child victims</i></p> <p>In NSW in 2011, there were 5,573 sexual offence incidents involving child victims recorded by NSW Police. Offenders were convicted in 361 of these cases, which means that less than 7 percent of recorded incidents were proven in court.</p> <p><i>Adult victims</i></p> <p>For adult victims in 2011, there were 4,044 sexual offence incidents recorded by NSW Police. Offenders were convicted in 369, or 9 percent, of these cases.</p>
The direction of change over time	<p>Figure 6.8 shows that, since 2008, the percentage of sexual offence incidents involving a child victim that were proven in court slightly declined for the third year in a row.</p> <p>For cases involving an adult victim, the percentage proven in court has, since 2009, also slightly declined for the second year in a row.</p>
Discussion	<p>The major points of attrition for reported sexual offences are in the early stages of the criminal justice process. Data for 2010 shows that more than 80 percent of sexual offences (adult and child victims) recorded by police in that year did not result in the initiation of criminal proceedings. Note, however, that one offender may be charged for multiple incidents.</p> <p>In NSW in the 12 months to September 2012, 97 percent of people proceeded against by police for sexual offences were male¹. Of people found guilty of sexual assault, 98 percent were male.²</p>

The term attrition refers to the reduction in sexual offence case numbers as matters progress through the criminal justice system. Children are defined as 0 to 15 years of age.

Year collected: 2008 to 2011.

Data source: NSW Bureau of Crime Statistics and Research, *The Progress of Sexual Offences through the NSW Criminal Justice System 2006-10*.

BOCSAR unpublished data (BOCSAR ref: jh13-11027) for 2011 data.

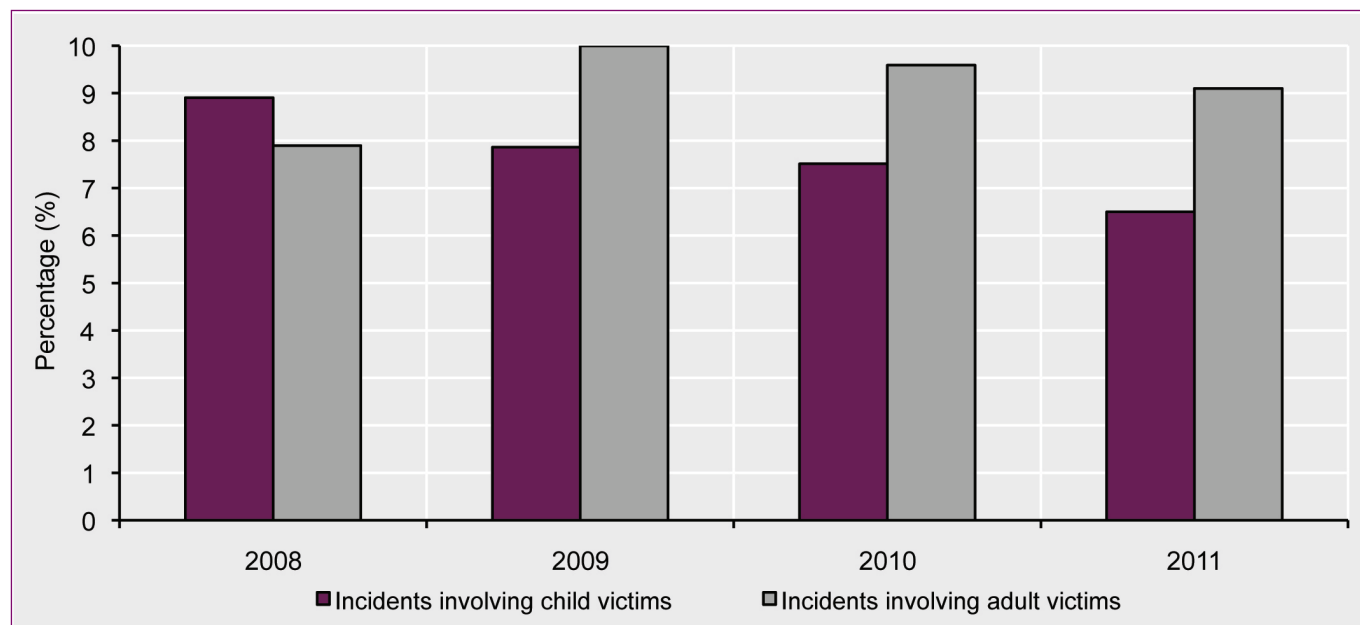
BOCSAR (2006) Crime and Justice Bulletin (no.92) *The attrition of sexual offences from the NSW criminal justice system for 2006 information on attrition in the early stages of the criminal justice process*. More information is available at www.bocsar.nsw.gov.au

¹ BOCSAR, *NSW Recorded Crime Statistics*, unpublished (BoCSAR ref: kg13-11070).

² BOCSAR (2012) *NSW Criminal Court Statistics 2011*. Note that this figure includes people found guilty in Local and Higher Courts. People found guilty in Children's courts (around 50 in total) are not included as sex-disaggregated data was not readily available.

Safety and justice

Figure 6.8 Guilty findings for sexual offences recorded by Police, NSW, 2008-11



Population: Sexual offence incidents recorded by NSW Police, 2008 to 2011.

Source: BOCSAR (2012) *The Progress of Sexual Offences through the NSW Criminal Justice System 2006-10* and unpublished data (BOCSAR ref: jh13-11027).

3.4 Public confidence with the criminal justice system

ABS survey respondents' perceptions of the criminal justice system

<p>Current position</p>	<p><i>Police</i></p> <p>In NSW in 2011-12, women and men had similar levels of confidence in police, with 79 percent of women agreeing or strongly agreeing that police treat people fairly, compared to 80 percent of men. Slightly more women than men felt that police could be relied upon (75 percent women and 73 percent men).</p> <p><i>Courts</i></p> <p>Women are slightly less likely than men to agree that the criminal courts deal with matters quickly (21 percent of women, 24 percent of men) or ensure a fair trial (52 percent of women and 59 percent of men).</p> <p><i>Prisons</i></p> <p>Women are slightly less likely than men to agree that prisons act as a form of punishment (60 percent for women compared to 64 percent for men) or rehabilitate prisoners (29 percent for women and 31 percent for men).</p> <p>Gender gap</p> <ul style="list-style-type: none"> Women have less positive perception of the criminal courts than men.
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Safety and justice

The direction of change over time	There is no comparable data from previous years, as 2011-12 was the first year that questions on perceptions of the criminal justice system were included in the ABS <i>Crime Victimisation, Australia</i> survey.
Discussion	<p>It is useful to understand women's perceptions of the justice system, as these can provide some indication of how willing women may be to engage with the criminal justice process when they are victims of crime, or where change may be required.</p> <p>Table 6.6 sets out women's and men's perceptions of the criminal justice system. Interestingly, women are more likely than men to have a neutral view, or no opinion, on all of the statements listed in this table.</p>

This data was collected as part of the ABS 2011-12 Multipurpose Household Survey, as a supplement to the monthly Labour Force Survey. The sample was accumulated over a 12-month period from July 2011 to June 2012. Nationally, 26,382 respondents participated in the survey. Of these 5,999 were from NSW.

Year collected: 2011-12.

Data source: ABS (2013) *Crime Victimisation, Australia*, 2011-12, Cat no. 4530.0 (unpublished data).

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

Table 6.6 Perceptions of the justice system by sex, NSW, 2011-12

	Women			Men		
	Agree and strongly agree	No opinion or neutral	Disagree and strongly disagree	Agree and strongly agree	No opinion or neutral	Disagree and strongly disagree
Police						
The police treat people fairly	79	14	8	80	10	10
The police are approachable and easy to talk to	80	13	6	82	10	9
The police can be relied upon	75	12	12	73	11	16
Criminal courts						
The criminal courts are effective in giving punishments which fit the crime	37	26	37	38	21	40
The criminal courts deal with matters quickly	21	35	44	24	31	45
The criminal courts ensure a fair trial	52	32	16	59	27	14
Prisons						
The prisons act as a form of punishment	60	23	17	64	17	18
The prisons rehabilitate prisoners	29	34	37	31	28	41

Population: People in NSW aged 15 years and over selected at random, based on a computer algorithm.

Source: ABS (2013) *Crime Victimisation, Australia*, 2011-12, Cat no. 4530.0 (unpublished data).

Safety and justice

Topic 4 Offending

New indicators in this section of the Report explore data on women’s offending and women in prison.

Indicator 4.1 presents crime data recorded by NSW Police on female offenders, including the principal offences for which female offenders are proceeded against. It also

presents data on assault offenders in particular, including age-related trends.

Indicator 4.2 examines women in prison, using data from the *NSW Inmate Census 2012* and other sources. Data shows that, unlike the national trend, the number of female prisoners in NSW has

risen at the same rate as that of male prisoners over the past 10 years, not faster. It also presents interesting comparisons between female and male prisoners in terms of sentence length, most common offence, prior imprisonment, who cares for the children of inmates, and other issues.

4.1 Offenders

Offenders proceeded against by NSW Police

Current position	<p>In NSW in 2011-12, 21 percent of all offenders were women. The offender rate for women in 2011-12 was 610 per 100,000 of the population, compared to 2,401 per 100,000 for men. The total number of offenders (women and men) in NSW in 2011-12 was nearly 95,000.</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 percentage of female offenders has remained stable between 2008-09 and 2011-12. Women accounted for 20 percent of offenders in 2008-09, 2009-10 and 2010-11, and 21 percent in 2011-12.</p> <p>During the period 2008-09 to 2011-12, the offender rate for women rose by 2 percent, from 598 to 610 per 100,000 of the population. The offender rate for men dropped by 3 percent in this period. See Figure 6.9.</p>

Safety and justice

Discussion

Principal offence – differences between women and men

The largest percentage of offenders in NSW (around 40 percent for both women and men) are proceeded against for acts intended to cause injury, including DV and non-DV related assault.

The next largest offence categories for women are theft (16 percent) and illicit drug offences (16 percent). For men, illicit drug offences constitute the second largest category of offenders (21 percent), while theft accounts for a much smaller proportion of offenders (7 percent). See Table 6.7.

The offence with the greatest gap between female and male offenders is sexual assault, where men made up 97 percent of offenders in 2011-12.

Aboriginal women offenders

Women make up a larger proportion of Aboriginal offenders than they do of non-Aboriginal offenders. In NSW in 2011-12, Aboriginal women accounted for 27 percent of all Aboriginal offenders, while non-Aboriginal women accounted for 18 percent of all non-Aboriginal offenders.

Women assault offenders

The proportion of female non-DV assault offenders rose from 21 to 26 percent between September 2005 and September 2012. The increase in assault offending was largest amongst women aged 50 and over (up by 57 percent) and women aged 40 to 49 (up by 15 percent). There was a smaller increase, of 12 percent, amongst girls aged 10 to 17. However, note that in the 12 months to September 2012, women aged 50 and over and women aged 40 to 49 constituted a far smaller number of offenders (141 and 301 respectively) than girls aged 10-17 (922).

During the same seven-year period there was also an increase in the proportion of women proceeded against for domestic violence-related assaults, from 13 to 17 percent. The increase in offending was high amongst girls aged 10-17 (a rise of 96 percent) and women aged 50 and over (also up 96 percent), although the number of offenders was much smaller for women in the older age group.

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 2011 to June 2012. ABS data for NSW excludes offenders proceeded against under the *NSW Young Offenders Act 1997* and is therefore not comparable with other states and territories.

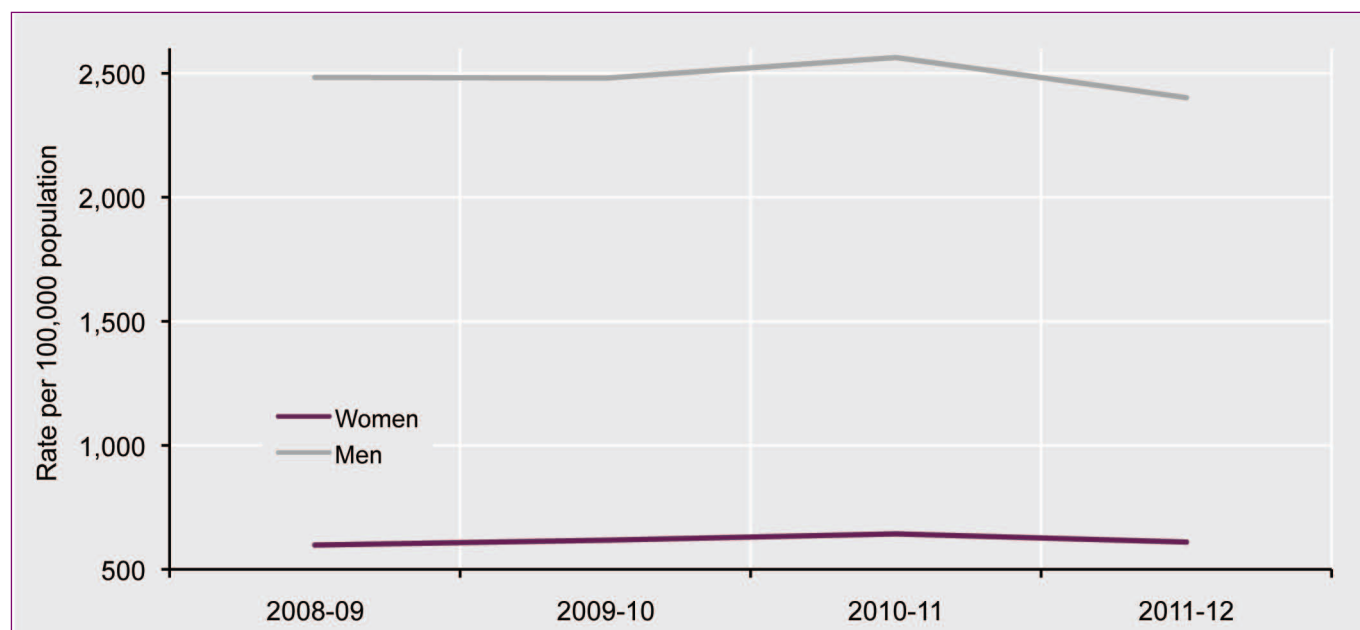
Year collected: 2011-12.

Data source: ABS (2013) *Recorded Crime – Offenders, Australia 2011-12*, Cat no.4519.0. (unpublished data); BOCSAR, *NSW Recorded Crime Statistics October 2005 to September 2012* (BOCSAR ref: kg13-11070) for data on 'Women assault offenders'.

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

Safety and justice

Figure 6.9 Offender rates by sex, NSW, 2008-12



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.

Source: ABS (2013) *Recorded Crime – Offenders, Australia 2011-12*, Cat no.4519.0.

Table 6.7 Offenders, principal offence by sex, NSW, 2011-12

	Women %	Total number (women and men)
Acts intended to cause injury	19	24,808
Illicit drug offences	16	12,075
Theft	34	5,426
Public order offences	19	3,413
Property damage	18	3,112
Offences against justice	24	2,428
Fraud/deception	35	2,356
Unlawful entry with intent	11	2,129
Sexual assault	3	1,439
Robbery/extortion	12	1,149
Prohibited/regulated weapons	9	946
Miscellaneous offences	21	882
Abduction/harassment	15	760
Homicide	15	262
Dangerous/negligent acts	48	54

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 2011 to 30 June 2012.
Source: ABS (2013) *Recorded Crime – Offenders, Australia 2011-12*, Cat no.4519.0.

Safety and justice

4.2 Women in prison

Sentenced and unsentenced prisoners in NSW correctional centres

Current position	<p>In NSW as at 30 June 2012, 7 percent of prisoners in NSW correctional centres were women (668), and 93 percent were men (8,998).</p> <p>The imprisonment rate in 2012 for women in NSW was 23 per 100,000 of the population, compared to 325 per 100,000 of the population for men.</p> <p>Gender gap</p> <ul style="list-style-type: none"> The imprisonment rate for women in NSW is 14 times lower than for men.
The direction of change over time	<p>In the 30 years between 1982 and 2012, the relative proportions of women and men in the prisoner population in NSW have remained relatively stable, ranging between 4 and 7 percent for women, and 93 and 96 percent for men. There has been a slight upward trend in the proportion of prisoners who are women, rising by 3 percentage points in this period.</p> <p>In the period 2002 to 2012, comparative imprisonment rates for women and men in NSW peaked in 2009 (31 per 100,000 for women and 384 per 100,000 for men), but have been trending down since then. See Figure 6.10.</p>
Discussion	<p><i>Growth in prisoner numbers – NSW compared to Australia</i></p> <p>Nationally, the number of female prisoners is growing at a faster rate than that of male prisoners, rising by 48 percent between 2002 and 2012, compared to 29 percent for men over the same period. This is not reflected in NSW, where female and male prisoner numbers have risen by an identical amount of 10 percent over this 10-year period.</p> <p><i>Over-representation of Aboriginal people</i></p> <p>Aboriginal people are significantly over-represented in NSW prisons. Aboriginal women account for 29 percent of female prisoners in full-time custody, while Aboriginal men account for 23 percent of male prisoners in full-time custody.</p> <p><i>Most serious offence</i></p> <p>In 2012, the highest proportion of women prisoners were imprisoned for illicit drug offences (23 percent) and the second highest for acts intended to cause injury (13 percent).</p> <p><i>Prior imprisonment</i></p> <p>Female prisoners are significantly less likely to have had a prior period of imprisonment than male prisoners. In June 2012, 35 percent of female adult prisoners had never been imprisoned before, compared to 26 percent of adult male prisoners.</p> <p><i>Sentence length</i></p> <p>Women are more likely than men to be imprisoned for shorter periods. 18 percent of women prisoners are sentenced for less than nine months, compared to 9 percent of male prisoners. More than one-quarter (28 percent) of female prisoners are sentenced to less than one year, compared to 15 percent of male prisoners.</p> <p><i>Who cares for the children of prisoners?</i></p> <p>While their father is in prison, the children of male prisoners are most likely to be cared for by their mother (84 percent). By contrast, only 28 percent of children of female prisoners are likely to be cared for by their father while their mother is in prison. A greater percentage is cared for by grandparents (34 percent), and 12 percent are cared for by other relatives.</p>

Safety and justice

The *NSW Inmate Census 2012* presents statistics on prisoners managed by the NSW Department of Corrective Services who were held in full-time custody in NSW as at midnight on 30 June 2012, and inmates with a 'live' order for periodic detention as at 30 June 2012. Prisoners held at Kariong Juvenile Correctional Centre are also included (21 prisoners as at 30 June 2012). Offenders (released) in non-custodial community residential facilities, such as Community Offender Support Program Centres, are excluded.

The ABS *Prisoners in Australia* survey, which is the source for data on imprisonment rate and growth in prisoner numbers (NSW compared to Australia), is almost identical in scope to the NSW Inmate Census, except that it excludes prisoners held at Kariong Juvenile Correctional Centre, regardless of age.

Year collected: 30 June 2012.

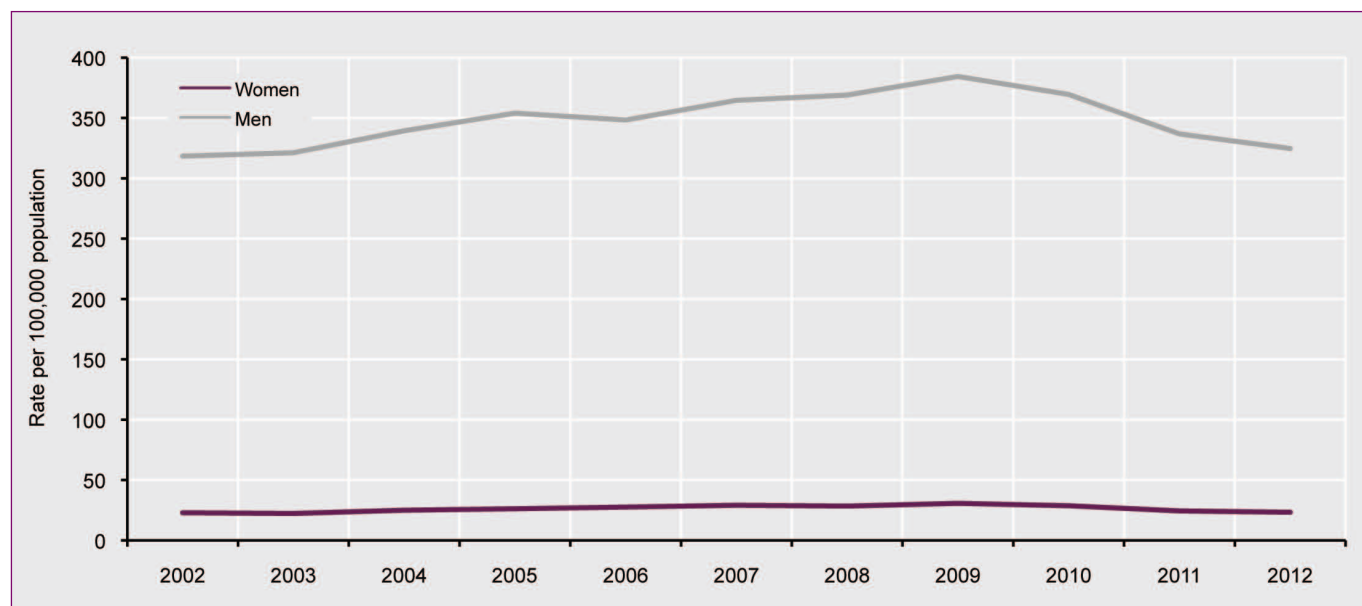
Data source: Corrective Services NSW (2013) *NSW Inmate Census 2012*.

ABS (2013) *Prisoners in Australia, 2012*, Cat no. 4517.0, for data on NSW imprisonment rate between 2002 and 2012 and growth in prisoner numbers nationally.

Corrective Services NSW (2011), *Children of Parents in Custody: Facts and Figures*, for data on who cares for the children of prisoners.

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

Figure 6.10 Imprisonment rate by sex, NSW, 2002-12



Note: Data relates to rate of imprisonment per 100,000 of the population. Imprisonment rates are calculated by the ABS using the estimated resident population for NSW based on the 2011 Census.

Population: Women and men in custody in NSW as at 30 June 2012, excluding prisoners at Kariong Juvenile Correctional Centre (21 prisoners). See above for details.

Source: ABS (2013) *Prisoners in Australia, 2012*, Cat no. 4517.0.

Safety and justice

Topic 5 Workplace safety

Working in an environment free from unlawful discrimination and harassment is something many of us take for granted. The reality for some, however, is that sex-based discrimination and harassment is still impacting on their ability to

secure a job, to win promotions, to receive fair remuneration, and to work in a safe, non-hostile environment.

There are three bodies in NSW that investigate and resolve complaints relating to sex discrimination and sexual harassment in employment. They are the Australian Human Rights Commission (AHRC),

the NSW Anti-Discrimination Board (ADB), and the Fair Work Ombudsman.

In this topic we examine, for the first time, data from complaints lodged with the ADB and the AHRC alleging sex discrimination and sexual harassment in employment. Data from the Fair Work Ombudsman was not available.

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 2011-12

Current position	<p><i>ADB</i></p> <p>Of all employment-related discrimination complaints received by the ADB in 2011-12, 14 percent (89 instances in total*) related to discrimination on the ground of sex. Women accounted for 92 percent of sex discrimination complainants.</p> <p><i>AHRC</i></p> <p>In 2011-12, of all employment-related discrimination complaints from people in NSW received by the AHRC, 31 percent (107 instances in total*) related to discrimination on the ground of sex. Women accounted for 93 percent of sex discrimination complainants.</p> <p>Gender gap</p> <ul style="list-style-type: none"> Women in NSW are around nine times more likely than men to lodge a complaint about sex discrimination in employment.
The direction of change over time	Sex disaggregated data for previous years was not readily available.
Discussion	<p><i>ADB complaints</i></p> <p>Women were less likely than men to complain about race or disability discrimination in employment: 36 percent of race discrimination complaints and 44 percent of disability discrimination complaints were lodged by women. Of complaints about carer responsibility discrimination in employment, women made up 66 percent of complainants. See Table 6.8.</p> <p><i>AHRC complaints</i></p> <p>Unlike the ADB complaints, all AHRC employment-related race and disability complaints in 2011-12 were lodged by women (although the numbers were very small: six in each category). Women were also significantly more likely than men to lodge a complaint about family responsibility discrimination in employment (93 percent of family responsibility complainants were women). See Table 6.8.</p> <p>AHRC complaints relating to sex discrimination in employment occurred most commonly in the financial and insurance services industries (18 percent), followed by the professional, scientific and technical services industry (17 percent) and the arts and recreation services industry (11 percent).</p>

Safety and justice

*Note that, as one complaint 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 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: 2011-12.

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

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 and the Australian Human Rights Commission in 2011-12

Current position	<p><i>ADB</i></p> <p>For the ADB, the second highest proportion of employment-related complaints in 2011-12 concerned sexual harassment (18 percent or 114 instances in total). 82 percent of these complainants were women.</p> <p><i>AHRC</i></p> <p>In 2011-12, the highest proportion of employment-related complaints received by the AHRC from people in NSW concerned sexual harassment (37 percent or 127 instances in total). 91 percent of these complainants were women.</p> <p>See Table 6.8.</p> <p>Gender gap</p> <ul style="list-style-type: none">• Women in NSW are between five (ADB) and nine (AHRC) times more likely than men to lodge a complaint about sexual harassment in employment.
The direction of change over time	Sex disaggregated data for previous years was not readily available.

Safety and justice

<p>Discussion</p>	<p><i>ADB</i></p> <p>The highest category of employment-related complaints (all grounds) for both women and men concerned harassment/hostile work environment (57 percent of total employment complaints).</p> <p><i>AHRC</i></p> <p>Harassment/hostile work environment complaints to the AHRC made up the great majority of employment complaints for women and men (74 percent of total).</p> <p>The industries with the highest proportion of complaints relating to sexual harassment in employment were financial and insurance services (15 percent), arts and recreation services (10 percent) and accommodation and food services (9 percent).</p> <p><i>AHRC sexual harassment national telephone survey 2012</i></p> <p>This survey found that, nationally, only 20 percent of people who were sexually harassed made a formal report or complaint. It also found that:</p> <ul style="list-style-type: none"> • 21 percent of people aged 15 years and older have experienced sexual harassment in the workplace in the past five years. • 33 percent of women have been sexually harassed since the age of 15, compared to 16 percent of men. • 79 percent of harassers were men.
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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.

A key objective of the AHRC's 2012 sexual harassment national telephone survey was to identify the prevalence, nature and reporting of sexual harassment in Australian workplaces over the past five years. Telephone interviews took place with 2,002 people aged 15 years and over around Australia.

Year collected: 2011-12.

Data source: NSW Anti-Discrimination Board 2011-12 complaints data (unpublished); Australian Human Rights Commission 2011-12 complaints data (unpublished); AHRC (2012) *Working without fear: Results of the sexual harassment national telephone survey 2012*.

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

Safety and justice

Table 6.8 Employment-related discrimination complaints, NSW, 2011-12

Ground of discrimination	ADB		AHRC	
	Total number	Women complainants %	Total number	Women complainants %
Sexual harassment	114	82	127	91
Pregnancy	23	100	46	98
Sex discrimination - other	66	89	61	90
Family/Carer responsibility	38	66	44	93
Marital status	3	67	5	100
Disability	136	44	6	100
Race	76	36	6	100
Age	30	53	3	100
Sexual preference/Homosexuality	23	22	2	0
Transgender	1	100	n/a	n/a
Victimisation	94	64	41	90
Other	45	49	2	100

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 2011-12.

Source: NSW Anti-Discrimination Board 2011-12 complaints data (unpublished); Australian Human Rights Commission 2011-12 complaints data (unpublished).

How does NSW compare?

The ABS publishes the *Gender Indicators, Australia* series every six months. It sets out a range of indicators against which it is possible to examine how women in NSW are faring compared with all women in Australia. Detailed information is contained in the Appendix.

Note that we have used the January 2013 edition of *Gender Indicators, Australia* for the purposes of this NSW/national comparison. In some cases, data used the ABS January 2013 *Gender Indicators, Australia* dates from an earlier period than the

data presented under the relevant indicator in *Women in NSW 2013*.

As we reported last year, there are some differences between the NSW and national experiences of safety and justice for women. Women in NSW are slightly less likely than women across Australia to have experienced violence in the last 12 months (4.5 percent in NSW, compared with 5.8 percent nationally). This includes physical and sexual violence.

In terms of victimisation rates, women in NSW in 2010-11 are less likely than women in Australia to be victims of physical assault (2.7 percent for NSW women, compared to 4.8 percent for women across Australia).

Last year's gender indicators showed that the imprisonment rate in NSW was slightly higher than in Australia as a whole. This year, however, based on 2012 data, the reverse is the case, and the imprisonment rate for NSW women is slightly lower than for women nationally (23.3 per 100,000 in NSW compared to 24.7 per 100,000 nationally).

In comparison to the national rate, the female offender rate in NSW is lower again for 2010-11 than it was when we reported last year, based on 2009-10 data (643.1 per 100,000 in NSW, compared to 833.8 per 100,000 nationally).