

## 22 Legal and justice issues

There are interrelationships between the health and wellbeing of young people and crime. Being the victim of crime – whether as the direct impact on the victim, an observer, or even feeling threatened – can have negative impacts on health and wellbeing. Also, the level of youth criminal activity can be seen as an indication of lack of support by society for young people (Federal Interagency Forum on Child and Family Statistics 1998). There are currently a number of strategies being used by governments to respond to perceived increases in the level of crime in the community, particularly among juveniles (National Crime Prevention 1999). These strategies include increased expenditure on the criminal justice system, including harsher penalties for offenders (National Crime Prevention 1999). There is also increasing emphasis being placed on interventions aimed at preventing crime, as well as the introduction of aspects of restorative justice (for example, conferencing), and alternatives to incarceration for juveniles.

This chapter contains information both on young people as victims of crime, and on young people as offenders. There remain limitations in the information available for the section on young offenders, with no national data on juveniles involved in crime currently available. Development of a national juvenile justice data collection is currently being initiated by the National Community Services Information Management Group and the Australasian Juvenile Justice Administrators. Background information is also included in a recently conducted scoping study (AIHW 1998). Also scarce is information on young people who are not imprisoned for committing a crime. As a result, information included in this chapter on offenders is limited to 17/18–24 year olds in prison.

## Young people as victims of crime

This section includes information on young people as victims of crime, collected by the ABS from police records. These data do not include victims for which the crime was not reported to police, the number of which may be substantial. It also excludes witnesses of crimes if they are not the direct victim of the offence.

**Table 22.1: Number of victims of crime for selected offences recorded by police, 1996**

Offence	Age (years)		
	15–19	20–24	All ages
Murder	22	34	311
Attempted murder	39	34	331
Manslaughter	1	2	37
Driving causing death	16	24	339
Assault	16,420	18,797	113,535
Sexual assault	2,859	1,615	14,394
Kidnapping/abduction	73	68	479
Armed robbery <sup>(a)</sup>	510	564	3,646
Unarmed robbery <sup>(a)</sup>	1,694	1,342	9,192
Blackmail/extortion <sup>(a)</sup>	26	20	214

(a) Victims refers to individual persons.

Source: ABS 1997a.

- The most common offence experienced by victims of crime is assault, accounting for more than three-quarters of offences included in Table 22.1. For 15–19 year olds, the 16,420 assaults accounted for 76% of offences, and for 20–24 year olds the 18,797 assaults made up 84% of the offences.
- Sexual assault was the next most common offence experienced in all age groups: 13% of offences for 15–19 year olds, 7% for 20–24 year olds, and 10% for the whole population.
- Unarmed robbery and armed robbery were the next most frequent offences experienced. Other offences experienced by victims of crime were relatively uncommon.

Table 22.2: Victimisation rate, 1996 (rate per 100,000)

	Males			Females		
	15–19 years	20–24 years	All ages	15–19 years	20–24 years	All ages
Murder	2	4	2	1	1	1
Attempted murder	4	3	3	2	2	1
Driving causing death	1	3	1	1	0	1
Assault	1,465	1,498	702	1,082	1,172	488
Sexual assault	61	30	30	392	203	125
Kidnapping/abduction	2	2	2	10	8	4
Armed robbery <sup>(a)</sup>	61	57	27	18	23	12
Unarmed robbery <sup>(a)</sup>	207	129	60	53	62	38
Blackmail/extortion <sup>(a)</sup>	4	1	2	1	2	0

(a) Victims refers to individual persons.

Source: ABS 1997a.

- Table 22.2 translates the number of victims (shown in Table 22.1) into a victimisation rate – the number of victims per 100,000 population.
- A higher proportion of young people were victims of assault than for the whole population in 1996. For young males, the rate was a little under 1,500 per 100,000, compared with 700 per 100,000 for all males. For young females, the rate was around 1,100 per 100,000 compared with a little under 500 per 100,000 for all females.
- The recorded victimisation rate for sexual assault among young women was nearly 400 per 100,000 for 15–19 year olds, and just over 200 per 100,000 for 20–24 year olds. This compares with 125 per 100,000 for all females, and 30 per 100,000 for all males.
- Young people also have higher victimisation rates for robbery compared with all ages. For young males, the victimisation rate for armed robbery is around twice that for all males, and the rate for unarmed robbery is 2–3 times higher. For young females, the victimisation rates for armed and unarmed robbery were around 2 and 1.5 times higher than the rate for all females respectively.

## Young offenders

This section includes information about young adults in prison – those aged 17/18 (depending on the jurisdiction) to 24 years. It does not cover juvenile offenders (those aged under 17/18 years), nor does it include any information about offences not resulting in imprisonment (for example those not reported, no arrest as a result, police cautioning used, conferencing, youth detention, home detention).

Table 22.3: Prisoners in Australia, June 1995

Age (years)	Males			Females		
	Number	Per cent	Imprisonment rate <sup>(a)</sup>	Number	Per cent	Imprisonment rate <sup>(a)</sup>
Under 18 <sup>(b)</sup>	58	0.4	44.8	—	—	—
18–19	903	5.4	341.0	32	3.8	12.7
20–24	3,875	23.4	526.4	156	18.7	22.0
Total youth	7,836	29.1	427.8	188	22.5	17.4
25 and over	11,757	70.9	209.3	647	77.5	11.1
<b>All prisoners</b>	<b>16,593</b>	<b>100.0</b>	<b>245.9</b>	<b>835</b>	<b>100.0</b>	<b>12.0</b>

(a) Rate per 100,000 population.

(b) The minimum age for imprisonment varies between States and Territories from 17 to 18 years.

Source: ABS 1996.

- In June 1995 there were 7,836 young males and 188 young females in Australian prisons. This corresponds to 29% of the male prisoner population, and 23% of the female prison population. In 1998, males aged 18–24 years accounted for 14% of the Australian adult population; the corresponding figure for females was 13% (AIHW Population Database).
- Young people have higher imprisonment rates than persons aged 25 years or more. For males, the youth rate was 428 per 100,000 compared with 209 per 100,000 for males aged 25 or more. For young females the rate was 17 per 100,000 compared with 11 per 100,000 for older women.

The type of offence for which people are imprisoned varies by age, grouped here by most serious offence for each prisoner (ABS 1997b). For prisoners under 25 years of age, 'break and enter' was the most common offence, followed by 'robbery' and 'assault' in 1995. For prisoners aged 25 years or more, 'sex offences' was the most common offence, followed by 'robbery' and 'assault'. Less than 5% of prisoners under 25 years had 'deal/traffic drugs' as their most serious offence, compared with just over 10% of prisoners aged 25 years or more.

## References

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