

# 5 Victim support/counselling

Administrative data from victim support services provide information on what assistance is offered to the victims of violence, who receives the assistance, how often and the length of their support. Support services include: accommodation assistance, counselling, helplines, housing assistance and child protection services. Data from these services will underestimate the true level of violence, as not all victims of violence access all or any of these services and on some occasions victims are turned away because the support required is not available. Often victims may seek accommodation or counselling from friends and relatives.

## 5.1 National data collections

There are national data collections for the Supported Accommodation Assistance Program (SAAP) and for child protection.

### SAAP National Data Collection

The SAAP National Data Collection is managed by the AIHW. It collects information from agencies funded under the SAAP which is Australia's major program to provide temporary accommodation and support services to homeless people or people at risk of homelessness. The collection reports on people who seek homeless services for many reasons. Family violence is one of them. The collection is currently made up of three components:

- client collection
- demand for accommodation collection
- administrative data collection.

The client collection is the main component, and contains information on all clients seeking assistance throughout the year. The Demand for Accommodation Collection only collects data for a two-week period in each year and measures levels of met and unmet demand for SAAP accommodation by collecting information from both clients who received assistance and also those who were turned away. The administrative data collection contains information on the SAAP agencies.

The client collection is the most useful source of data on Indigenous people escaping violence. The standard ABS question on Indigenous status is asked:

Does the client identify as being of Aboriginal or Torres Strait Islander origin?

1. no
2. yes, Aboriginal
3. yes, Torres Strait Islander
4. yes, both.

The most recent Collectors Manual, which provides information on data collection for SAAP employees, states that this question must always be asked regardless of the worker's perception, based on appearance or other factors (AIHW 2005f:5-15). This statement was not included in the previous Collectors Manual (AIHW 2001) which was used for the collection of the 2003-04 data presented in this report.

There is no single data item which identifies people escaping family violence, but information can be obtained from a number of data items. Information is collected on the reasons for seeking assistance. While multiple responses can be given for this question, another question asks: what is the main presenting reason for seeking assistance? Answers which specifically relate to violence include: physical/emotional abuse; domestic violence; and sexual abuse. The category 'physical/emotional abuse' refers only to abuse by a non-relative, whereas 'domestic violence'<sup>1</sup> refers to abuse by a family member and therefore for the purposes of this report the SAAP term 'domestic violence' is considered to be family violence. The category 'sexual abuse' includes sexual abuse by either a family member or a non-relative and no distinction can be made between the two.

The support provided to clients is also recorded. There are two categories which relate to violence: incest/sexual assault counselling and support; and domestic violence counselling and support. Some SAAP agencies are specifically for women escaping domestic violence. To fully capture the number of clients escaping violence or family violence, the following definitions were used in this report.

Clients escaping violence include males and females:

- who stated either 'physical/emotional abuse', 'domestic violence' or 'sexual abuse' as a reason for seeking assistance; and/or
- who needed, were provided with, or were referred on for 'domestic violence counselling or support' or 'incest/sexual assault counselling and support'; and/or
- who approached a SAAP agency for women escaping domestic violence.

Clients escaping family violence include males and females:

- who stated 'domestic violence' as a reason for seeking assistance; and/or
- who needed, were provided with, or were referred on for domestic violence counselling or support; and/or
- who approached a SAAP agency targeted at women escaping domestic violence.

Under the Client Collection protocols, agencies must inform clients about how their data will be used and clients must give consent for their personal details to be included in the data collection; however, details about the type of support received do not require informed consent. Therefore, data quality is affected by the levels of consent to the data collection as well as by errors and omissions. The AIHW has, however, developed a weighting system to adjust for agency non-participation and client non-consent but no adjustments are possible for unknown errors and omissions. In 2003–04, 93% of agencies in Australia provided data to the SAAP National Data Collection. The proportion of SAAP clients who consented to the provision of their personal data to the National Data Collection agency rose from 88% in 2002–03 to 90% for the 2003–04 collection (AIHW 2005c). Both the question on Indigenous status and reason for seeking assistance are subject to informed consent. Therefore the information collected in this data set is subject to client willingness to disclose such information. This is a noted issue in relation to family violence victims who may face several barriers to disclosure, although the service providers who collect the data are generally extremely adept at collecting information from clients. In 2003–04 agencies for single women

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<sup>1</sup> Data are presented for 2003–04 in this report. The term 'domestic violence' was used in the Collectors Manual for 2003–04 data; however, in the 2004–05 manual the term 'domestic/family violence' is used.

and agencies for women escaping domestic violence had consent rates of 88% and 85% respectively (AIHW 2005c).

## Estimate of number of clients escaping violence

To present an overall estimate of the number of clients seeking SAAP assistance, numbers have been weighted to adjust for agency non-participation and client non-consent, and indirectly age-standardised where appropriate.

### Prevalence

Indirectly age-standardised data on the number of Aboriginal and Torres Strait Islander clients escaping violence and family violence are shown for males and females in Table 5.1.

**Table 5.1: Number of Indigenous clients escaping violence or family violence compared with non-Indigenous clients, by sex, 2003–04**

	Observed	Expected	Ratio <sup>(a)</sup>	Excess <sup>(b)</sup>
<b>Males</b>				
Escaping violence	550	100	5.3	450
Escaping family violence	350	50	6.6	300
<b>Females</b>				
Escaping violence	8,400	700	11.9	7,650
Escaping family violence	7,950	600	13.0	7,300

(a) Ratio is the observed number of clients divided by the expected number of clients. Expected numbers of clients are based on the age- and sex-specific rates for non-Indigenous Australians.

(b) Excess clients are the observed number of clients minus the expected number of clients.

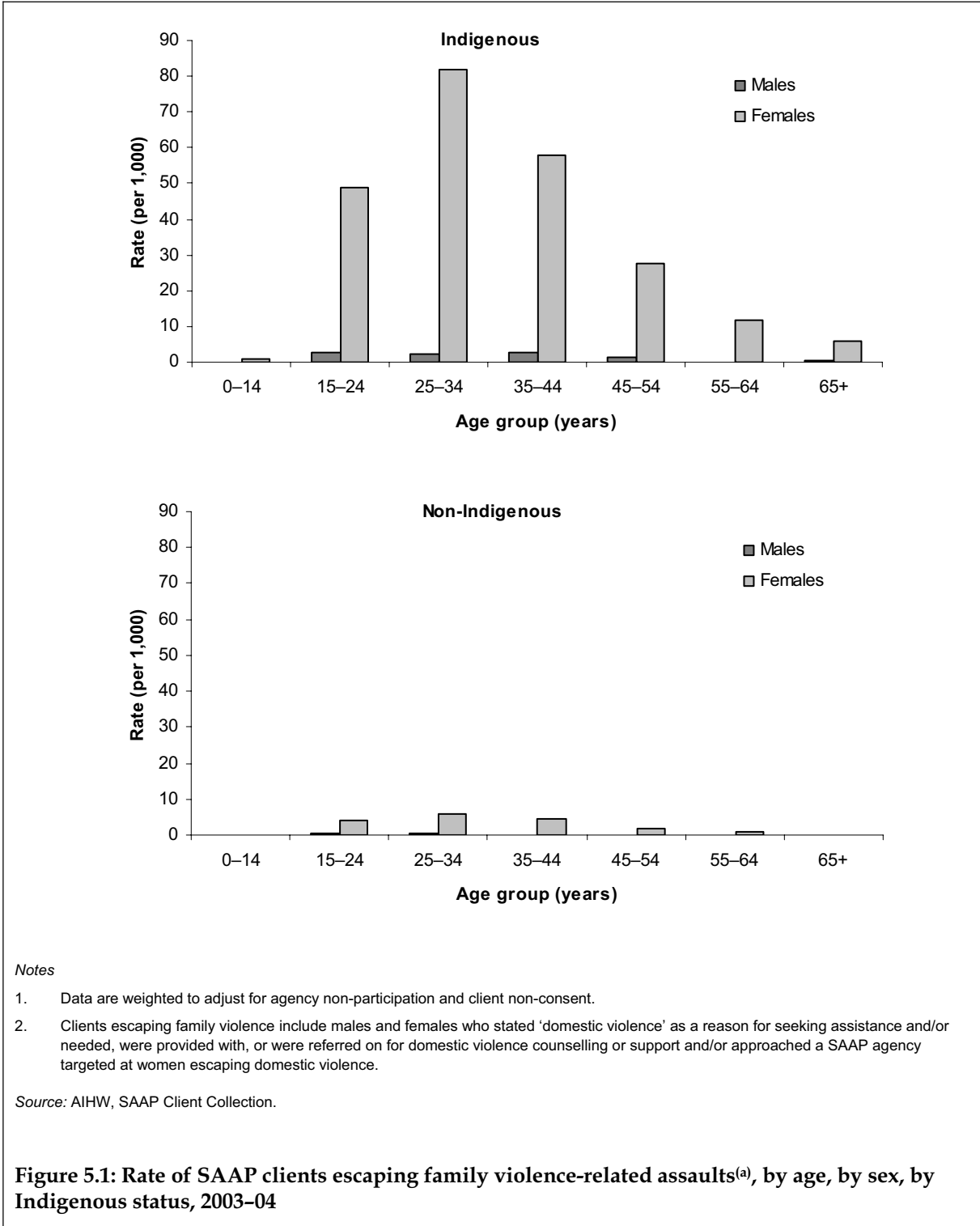
#### Notes

- Figures have been weighted to adjust for agency non-participation and client non-consent, and numbers have been rounded to the nearest 50. Excess may not equal observed minus expected due to rounding.
- Clients escaping violence include males and females who stated either 'physical/emotional abuse', 'domestic violence' or 'sexual abuse' as a reason for seeking assistance and/or needed, were provided with, or were referred on for 'domestic violence counselling or support' or 'incest/sexual assault counselling and support' and/or approached a SAAP agency targeted at women escaping domestic violence.  
Clients escaping family violence include males and females who stated 'domestic violence' as a reason for seeking assistance and/or needed, were provided with, or were referred on for domestic violence counselling or support and/or approached a SAAP agency targeted at women escaping domestic violence.
- The rate ratios for males and females cannot be directly compared because male and female standard populations were used for indirect standardisation, respectively.

Source: AIHW, SAAP Client Collection.

- In 2003–04, 8,400 Indigenous females and 550 Indigenous males sought SAAP assistance to escape violence. The rates for Indigenous females and males were 12 and five times the rates for non-Indigenous females and males, respectively.
- Of those who sought SAAP assistance to escape violence in 2003–04, a majority of Indigenous females (95%) and males (64%) were escaping family violence.
- Indigenous female and male SAAP clients were escaping family violence at 13 and 7 times the rates of non-Indigenous females and males, respectively.

The variation by age and sex in the rate of clients escaping family violence is shown by Indigenous status in Figure 5.1.



- In 2003-04, the overall rate of Indigenous females escaping family violence was 35 per 1,000 population, while for Indigenous males it was 2 per 1,000.

- For all age groups, the rate of Indigenous males escaping family violence was less than 3 per 1,000 of the population, while for females, the rate was highest for those aged 25–34 years (82 per 1,000) and decreased to 6 per 1,000 for those aged over 65 years.
- The age-specific rates for clients escaping family violence were higher for Indigenous Australians than for non-Indigenous Australians.

Weighted data on the number of Indigenous SAAP clients escaping family violence are shown by remoteness in Table 5.2.

**Table 5.2: Number and rate of Indigenous clients escaping family violence, by ASGC remoteness, by sex, 2003–04**

	Major cities	Inner regional	Outer regional	Remote	Very remote	Aust
<b>Number</b>						
Males	100	100	100	100	—	400
Females	1,800	1,400	2,100	1,700	1,500	8,000
<b>Total</b>	<b>1,900</b>	<b>1,400</b>	<b>2,200</b>	<b>1,700</b>	<b>1,600</b>	<b>8,300</b>
<b>Rate (per 1,000)<sup>(a)</sup></b>						
Males	1.6	1.2	2.1	3.4	0.2	1.5
Females	25.9	29.1	38.5	78.7	39.4	34.5
<b>Total</b>	<b>13.9</b>	<b>15.2</b>	<b>20.5</b>	<b>40.7</b>	<b>19.7</b>	<b>18.1</b>

(a) The rate is based on the 2001 Indigenous Australian population by ASGC remoteness.

*Notes*

1. Figures have been weighted to adjust for agency non-participation and client non-consent, and numbers have been rounded to the nearest 100. Numbers may not add to totals due to rounding.
2. Clients escaping family violence include males and females who stated 'domestic violence' as a reason for seeking assistance and/or needed, were provided with, or were referred on for domestic violence counselling or support and/or approached a SAAP agency targeted at women escaping domestic violence.
3. Numbers may not add to totals because a client can receive assistance in more than one ASGC remoteness region.

Source: AIHW, SAAP Client Collection.

- The rate of Indigenous females escaping family violence was highest (79 per 1,000) in remote areas, followed by very remote areas (39 per 1,000).
- For Indigenous males, the rate of SAAP clients escaping family violence was highest in remote areas (3 per 1,000), followed by outer regional areas (2 per 1,000).

Clients may access SAAP services more than once. Weighted data are also presented on the number of support periods for Indigenous clients, by remoteness (Table 5.3). This gives an indication of the total use of SAAP services by Indigenous people.

**Table 5.3: Number of support periods and average support periods per client for Indigenous clients escaping family violence, by ASGC remoteness, by sex, 2003–04**

	Major cities	Inner regional	Outer regional	Remote	Very remote	Aust
<b>Number of support periods</b>						
Males	100	100	200	200	—	600
Females	2,600	1,800	3,000	3,000	3,200	13,600
<b>Total</b>	<b>2,700</b>	<b>1,900</b>	<b>3,200</b>	<b>3,200</b>	<b>3,200</b>	<b>14,200</b>
<b>Average number of support periods per client</b>						
Males	1.2	1.1	1.8	2.2	1.2	1.6
Females	1.4	1.3	1.4	1.8	2.1	1.7
<b>Total</b>	<b>1.4</b>	<b>1.3</b>	<b>1.4</b>	<b>1.8</b>	<b>2.1</b>	<b>1.7</b>

*Notes*

1. Figures have been weighted to adjust for agency non-participation and client non-consent, and numbers have been rounded to the nearest 100. Numbers may not add to totals due to rounding.
2. Clients escaping family violence include males and females who stated 'domestic violence' as a reason for seeking assistance and/or needed, were provided with, or were referred on for domestic violence counselling or support and/or approached a SAAP agency targeted at women escaping domestic violence.

Source: AIHW, SAAP Client Collection.

- Across Australia there were 14,200 support periods for the 8,300 Aboriginal and Torres Strait Islander clients escaping family violence. This is an average of 1.7 support periods per client. The average length of support for Indigenous females escaping family violence was 26 days.
- The highest number of support periods for Indigenous clients escaping family violence was in outer regional, remote and very remote areas, all with approximately 3,200 support periods.
- For Indigenous women escaping family violence, the average number of support periods per client increased with remoteness, from 1.4 support periods per client in major cities to 2.1 in very remote areas.

## Family violence and socioeconomic status

Weighted data on the number of closed support periods for Indigenous SAAP clients escaping family violence by employment status are shown in Table 5.4.

**Table 5.4: Number and proportion of closed support periods for Indigenous SAAP clients escaping family violence, by employment status before support, by sex, 2003–04**

	Males	Females	Persons
<b>Number</b>			
Employed full-time	—	300	300
Employed part-time	—	400	400
Employed casual	—	200	200
Unemployed (looking for work)	200	2,500	2,700
Not in labour force	200	8,000	8,200
<b>Total</b>	<b>500</b>	<b>11,300</b>	<b>11,800</b>
<b>Per cent</b>			
Employed full-time	4.5	2.7	2.8
Employed part-time	3.2	3.6	3.6
Employed casual	3.2	1.6	1.7
Unemployed (looking for work)	39.2	21.8	22.5
Not in labour force	49.9	70.2	69.4
<b>Total</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>

### Notes

1. Figures have been weighted to adjust for agency non-participation and client non-consent, and numbers have been rounded to the nearest 100. Numbers may not add to totals due to rounding.
2. Clients escaping family violence include males and females who stated 'domestic violence' as a reason for seeking assistance and/or needed, were provided with, or were referred on for domestic violence counselling or support and/or approached a SAAP agency targeted at women escaping domestic violence.
3. Excludes high-volume records because not all items were included on the high-volume form.
4. Number excluded due to errors and omissions: 1,111.

Source: AIHW, SAAP Client Collection.

- For 69% of the 11,800 closed support periods for Indigenous Australians escaping family violence, the client was not in the labour force, for 23% the client was unemployed but looking for work, and for 8% the client was in some form of employment.
- For approximately 22% of support periods for Indigenous females escaping family violence, the client was unemployed. In comparison, the proportion of support periods for Australian-born non-Indigenous females escaping family violence for which the client was unemployed was 15% (AIHW 2005b).

A critical factor in women being able to leave a violent partner or family situation is that they have their own source of income. The source of income before support, for closed support periods for Indigenous clients escaping family violence is shown in Table 5.5.

**Table 5.5: Number and proportion of closed support periods for Indigenous SAAP clients escaping family violence, by source of income before support, by sex, 2003–04**

	Males	Females	Persons
	<b>Number</b>		
Parenting payment (single)—formerly sole parent pension	—	5,400	5,400
Newstart allowance	200	2,000	2,300
Parenting payment (partnered)	—	1,200	1,300
Disability support pension	100	900	900
Community Development Employment Program (CDEP)	—	600	700
Youth allowance	100	300	400
Wages/salary/own business	—	300	400
No income	—	300	300
Other government pension/benefit	—	600	600
Other	—	100	200
<b>Total</b>	<b>500</b>	<b>11,900</b>	<b>12,400</b>
	<b>Per cent</b>		
Parenting payment (single)—formerly sole parent pension	4.8	45.5	43.9
Newstart allowance	41.7	17.2	18.2
Parenting payment (partnered)	2.2	10.5	10.2
Disability support pension	11.1	7.2	7.4
Community Development Employment Program (CDEP)	6.7	5.4	5.5
Youth allowance	10.1	2.9	3.2
Wages/salary/own business	3.9	2.9	2.9
No income	8.5	2.2	2.5
Other government pension/benefit	7.6	4.9	5.2
Other	3.4	1.1	1.2
<b>Total</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>

*Notes*

1. Figures have been weighted to adjust for agency non-participation and client non-consent, and numbers have been rounded to the nearest 100. Numbers may not add to totals due to rounding.
2. Clients escaping family violence include males and females who stated 'domestic violence' as a reason for seeking assistance and/or needed, were provided with, or were referred on for domestic violence counselling or support and/or approached a SAAP agency targeted at women escaping domestic violence.
3. Number excluded due to errors and omissions: 1,054.

Source: AIHW, SAAP Client Collection.

- The most common source of income before SAAP support was a parenting payment for single parents (44%), followed by Newstart allowance (18%) and a parenting payment for couples (10%).



### **Indigenous women and other female clients**

The AIHW report *Female SAAP clients and children escaping domestic and family violence 2003–04* compared Indigenous women escaping family violence with Australian-born non-Indigenous women escaping family violence and overseas-born Australian women escaping family violence (AIHW 2005b). The length of support provided to Indigenous women was much shorter than for women from other cultural groups. Sixty-nine per cent of support periods for Indigenous women were for seven days or less, compared to 44% or less for the other cultural groups. The average length of support was significantly lower for Indigenous women than for women in the other cultural groups (26 days compared to between 58 days and 79 days). Female Indigenous clients had an average of 1.8 support periods each, compared to an average of 1.5 support periods for other cultural groups. Indigenous women tended to have shorter and more frequent support periods than women from other cultural groups. Previous consultations held in Indigenous communities revealed that Indigenous women use SAAP services to escape family violence when it actually erupts, as well as to escape anticipated violence (Keys Young 1998). Other factors could include strong ties and commitments to their families and communities and the lack of alternative accommodation available.

Indigenous women escaping family violence in remote and other rural areas were more likely to have shorter periods of support than Indigenous women in capital cities, metropolitan and large rural centres. Indigenous women in capital cities were most likely to have periods of support greater than six months, whereas Indigenous women in remote areas were most likely to have periods of support of between two and seven days.

Indigenous women escaping family violence were more likely than other cultural groups to be living with relatives or friends either short-term or long-term, both before and after support, although across all groups, women escaping family violence were most commonly living with a spouse or partner and children before seeking support from a SAAP agency (AIHW 2005b). After receiving support, the proportion of women in all groups living with a spouse or partner with children approximately halved. This trend was also apparent for Indigenous women. The proportion of Indigenous females living with a spouse or partner with children fell significantly from 26% to 15% after receiving support. This corresponds to an increase in the proportion of Indigenous women who reported that they were living alone with children (from 14% to 25%) after receiving support. These data suggest that SAAP services are able to assist these women, and their accompanying children, in leaving a violent partner or other family member. However, it is not possible to determine from the data whether these women were still subjected to violence after exiting SAAP services.

### **Accompanying children**

Family violence affects a large proportion of children in SAAP and is of particular concern. Children who witness or experience domestic violence may suffer severe psychological trauma and have very specific needs. They typically display high levels of distress, low self-esteem and, in many cases, behavioural problems such as depression (Rogers 2003; Stone 2003).

In 2003–04, 2% of Australian children aged four years and under had used the SAAP system (AIHW 2005c). In addition, 66% (34,700) of the 52,700 accompanying children in SAAP were children who accompanied a female parent or guardian escaping family violence (AIHW 2005b). For all female clients escaping family violence, the majority of accompanying children were aged 12 years and under (89%), with 45% aged four years and under.

In 2003–04, there were 6,400 support periods for Indigenous women escaping family violence with accompanying children (AIHW 2005b). Fifteen per cent of Indigenous women escaping family violence had four or more accompanying children compared with nine to fourteen per cent of women from other cultural groups.

### **Quality of Indigenous identification**

In order to examine the quality of information about Indigenous people, unweighted data have been presented for the categories: Indigenous, non-Indigenous and missing/not stated. A linkage key is created that allows data collected on separate occasions from the same client to be combined without identifying the client. This allows enumeration of actual clients in addition to occasions of support.

Analysis of the linkage key data suggests several potential scenarios:

- The client reported their Indigenous status consistently.
- The client reported varied responses to the Indigenous status question across multiple support periods (this may be unintentional, the client may consent on one occasion but not the next, or the client may consciously choose to report varying responses).
- The client may have given consent to record their alpha code but may not have given consent to the question on Indigenous status.
- The agency worker may not have asked the question of the client and therefore left the question blank, or they may have responded to the question by making an assumption about the Indigenous status of the client without asking.

It is also worth noting that recent analysis shows that as the client population increases so too does the rate of code duplication. Based on 1999–00 data the total number of clients is underestimated by approximately 3% because about 3% of clients have the same code as another client. A new linkage key has been introduced for 2005–06 which also includes date of birth. This will significantly decrease the rate of duplication of linkage keys.

The variation of reported Indigenous status in 2003–04 is shown in Table 5.6.

**Table 5.6: Number and proportion of recorded Indigenous status for SAAP clients escaping family violence, by number of support periods, 2003–04**

Support periods	Consistent (valid)	Consistent (missing/not stated)	Indigenous & missing/ not stated	Non-Indigenous & missing/ not stated	Indigenous & non-Indigenous	Indigenous, non-Indigenous & missing/ not stated	Total (%)	Total (no.)
One	97.3	2.7	—	—	—	—	100.0	23,600
Two	90.6	2.4	0.7	1.9	4.4	—	100.0	4,000
Three	87.7	2.5	1.2	2.9	5.6	0.2	100.0	1,400
Four or more	80.7	2.6	1.6	4.9	9.2	0.9	100.0	1,200
<b>Total (%)</b>	<b>95.3</b>	<b>2.7</b>	<b>0.2</b>	<b>0.6</b>	<b>1.2</b>	<b>—</b>	<b>100.0</b>	<b>..</b>
<b>Total (no.)</b>	<b>28,800</b>	<b>800</b>	<b>100</b>	<b>200</b>	<b>400</b>	<b>—</b>	<b>..</b>	<b>30,200</b>

*Notes*

1. Data are unweighted.
2. Clients escaping family violence include males and females who stated 'domestic violence' as a reason for seeking assistance and/or needed, were provided with, or were referred on for domestic violence counselling or support and/or approached a SAAP agency targeted at women escaping domestic violence.
3. Numbers have been rounded to the nearest 100. Numbers may not add to totals due to rounding.

Source: AIHW, SAAP Client Collection.

- The overall rate of consistent and valid Indigenous identification was 95%.
- The rate of consistent and valid reporting for clients declined as the number of support periods increased; from 97% of clients with one support period to 81% of those with four or more support periods.
- Of clients who had four or more support periods, 9% were recorded as being Indigenous and non-Indigenous on different occasions. Some of these may be valid, as they may have been for two different people (one Indigenous and one non-Indigenous) with the same linkage key.

Unweighted data on the number of clients escaping violence and family violence are shown in Table 5.7 to examine the proportion of clients for whom Indigenous status was not stated.

**Table 5.7: Number and proportion of clients escaping violence and family violence, by Indigenous status, 2003–04**

	Indigenous	Non-Indigenous	Not stated	Total
<b>Number</b>				
Escaping violence	7,500	26,400	900	34,800
Escaping family violence	7,000	22,400	800	30,200
<b>Per cent</b>				
Escaping violence	21.6	75.7	2.6	100.0
Escaping family violence	23.2	74.0	2.8	100.0

*Notes*

1. Data are unweighted.
2. Clients escaping violence include males and females who stated either 'physical/emotional abuse', 'domestic violence' or 'sexual abuse' as a reason for seeking assistance and/or needed, were provided with, or were referred on for 'domestic violence counselling or support' or 'incest/sexual assault counselling and support' and/or approached a SAAP agency targeted at women escaping domestic violence.  
Clients escaping family violence include males and females who stated 'domestic violence' as a reason for seeking assistance and/or needed, were provided with, or were referred on for domestic violence counselling or support and/or approached a SAAP agency targeted at women escaping domestic violence.
3. Numbers have been rounded to the nearest 100. Numbers may not add to totals due to rounding.

Source: AIHW, SAAP Client Collection.

- Of the 34,800 clients escaping violence, 2.6% had not stated Indigenous status.
- Among the 30,200 clients escaping family violence, Indigenous status was not stated for 2.8%.

The variation in Indigenous identification, by remoteness, in the SAAP database is shown for unweighted data in Table 5.8.

**Table 5.8: Number and proportion of clients escaping family violence, by Indigenous status, by ASGC remoteness, 2003–04**

	Major cities	Inner regional	Outer regional	Remote	Very remote	Aust
<b>Number</b>						
Indigenous	1,600	1,200	1,900	1,500	1,300	7,000
Non-Indigenous	13,700	6,200	2,900	500	100	22,400
Not stated	500	200	100	—	—	800
<b>Total</b>	<b>15,800</b>	<b>7,600</b>	<b>4,900</b>	<b>2,000</b>	<b>1,400</b>	<b>30,200</b>
<b>Per cent</b>						
Indigenous	10.3	15.5	38.2	75.3	93.1	23.2
Non-Indigenous	86.5	81.3	60.2	23.4	5.7	74.0
Not stated	3.2	3.2	1.7	1.3	1.2	2.8
<b>Total</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>

*Notes*

1. Data are unweighted.
2. Clients escaping family violence include males and females who stated 'domestic violence' as a reason for seeking assistance and/or needed, were provided with, or were referred on for domestic violence counselling or support and/or approached a SAAP agency targeted at women escaping domestic violence.
3. Numbers have been rounded to the nearest 100. Numbers may not add to totals due to rounding.
4. Numbers may not add to totals because a client can receive assistance in more than one ASGC remoteness region.

Source: AIHW, SAAP Client Collection.

- The proportion of clients with Indigenous status recorded as 'not stated' decreased with increasing remoteness from 3.2% in major cities and inner regional areas to 1.2% in very remote areas.
- This is consistent with data from the *Data quality of Aboriginal and Torres Strait Islander identification* report which indicated that it is more likely that a disproportionate number of non-Indigenous people are not reporting Indigenous status (AIHW 2004).

## National Child Protection Data Collection

The National Child Protection Data Collection includes three collections:

- child protection notifications, investigations and substantiations
- children on care and protection orders
- children in out-of-home care.

Although child protection notifications, investigations and substantiations cannot by themselves be described as 'victim support', they often lead to support for the parents and the child, and for that reason the data from this collection are included in this chapter. This support may occur through the provision of family support services aimed at improving families' ability to care for children and to strengthen family relationships or, in more serious cases, through care and protection orders and out-of-home care (AIHW 2006).

The child protection data are collected each year by the AIHW from the community services departments in each state and territory. Data on children under care and protection orders have been collected by the AIHW since 1991–1992 and national data on children in out-of-home care have been collected since 1995–96. Children who come into contact with these departments for protective reasons include those:

- who are suspected of being, have been or are being abused, neglected or otherwise harmed
- whose parents cannot or are unable to provide adequate care or protection.

Information on the Indigenous status of the child is collected. Caution should be taken when interpreting these data, as a significant proportion of Indigenous children were the subject of a substantiation of neglect, as opposed to abuse. Many of these children should not be counted as being victims of family violence, but it should be noted that it is not possible to tell from the data how many of them have been exposed to violence as well.

### **Estimate of number of children in child protection**

As each state and territory has its own legislation, policies and practices in relation to child protection, the data provided by the jurisdictions are not strictly comparable. This is particularly the case with the data on substantiations, where jurisdictions use different definitions, policies and practices.

The practices used to identify and record the Indigenous status of children also vary across states and territories, with some jurisdictions recording large numbers of children for whom Indigenous status is not recorded. No state or territory can validate the data on Aboriginal or Torres Strait Islander children by other means; therefore the quality of the data is unknown. The data on Aboriginal and Torres Strait Islander children should therefore be interpreted with care.

Children whose Indigenous status is recorded as ‘unknown’ are usually included in the category ‘other children’ in the annual national publication on child protection. The counts for Indigenous children are therefore likely to be an underestimate of the actual number of Indigenous children in the child protection system.

The number of children who were the subjects of a substantiation in 2003–04 is shown by Indigenous status in Table 5.9. A substantiation is a child protection notification made to relevant authorities which was investigated and it was concluded that there was reasonable cause to believe that the child had been, was being or was likely to be abused or neglected or otherwise harmed. It should be noted that these data only report on matters brought to the attention of child welfare services and do not reflect the full extent of harm that is experienced by children.

**Table 5.9: Number and rate of children aged 0–16 years who were the subjects of substantiations, by Indigenous status, by state and territory, 2003–04**

	Number of children			Rate (per 1,000 children)		
	Indigenous	Other	Total	Indigenous	Other	Total
New South Wales	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.
Victoria	700	6,323	7,023	57.7	5.9	6.4
Queensland	1,192	11,481	12,673	20.8	13.6	14.0
Western Australia	322	599	921	11.2	1.4	2.0
South Australia	441	1,499	1,940	39.9	4.7	5.9
Tasmania	12	317	329	1.6	3.1	3.0
Australian Capital Territory	44	441	485	25.3	6.2	6.7
Northern Territory	375	116	491	16.2	3.5	8.7

*Notes*

1. Children aged 17 years were not included in this table. Substantiation rate for 17 year olds is, compared to the rate for younger children, very low. Including 17 year olds would decrease the average substantiation rate for all age groups in an unrepresentative way.
2. New South Wales was unable to provide these data due to the ongoing implementation of the data system, therefore national totals are not provided.
3. Data from Tasmania should be interpreted carefully due to the low incidence of workers recording Indigenous status at the time of the substantiation.

Source: AIHW Child Protection Data Collection (AIHW 2005a).

- The highest rate of Indigenous children in substantiations was in Victoria (58 per 1,000), followed by South Australia (40 per 1,000) and the Australian Capital Territory (25 per 1,000).

The age of Indigenous children in substantiations is shown in Table 5.10.

**Table 5.10: Number and proportion of Indigenous children aged 0–17 years in substantiations, by age, by state and territory, 2003–04**

	<1	1–4	5–9	10–14	15–17	Unknown	Total <sup>(a)</sup>
<b>Number of children</b>							
New South Wales <sup>(b)</sup>	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.
Victoria	125	226	162	156	31	—	700
Queensland	84	214	397	425	75	—	1,195
Western Australia	61	83	94	76	11	—	325
South Australia	43	132	145	110	10	2	442
Tasmania	—	3	5	3	1	—	12
Australian Capital Territory	5	14	9	12	4	—	44
Northern Territory	75	154	76	61	8	2	376
<b>Per cent</b>							
New South Wales <sup>(b)</sup>	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.
Victoria	17.9	32.3	23.1	22.3	4.4	—	100.0
Queensland	7.0	17.9	33.2	35.6	6.3	—	100.0
Western Australia	18.8	25.5	28.9	23.4	3.4	—	100.0
South Australia	9.7	29.9	32.8	24.9	2.3	0.5	100.0
Tasmania	—	25.0	41.7	25.0	8.3	—	100.0
Australian Capital Territory	11.4	31.8	20.5	27.3	9.1	—	100.0
Northern Territory	19.9	41.0	20.2	16.2	2.1	0.5	100.0

(a) Totals differ slightly from those provided in table 5.9, because 17 year olds are included. In contrast to table 5.9, inclusion of this age group does not skew results, because no average substantiation rate for all children (in relation to all children in the state) is calculated.

(b) New South Wales was unable to provide these data due to the ongoing implementation of the data system, therefore national totals are not provided.

*Note:* Where the child was the subject of more than one substantiation in the year, the age of the child was counted at the time of the first substantiation.

*Source:* AIHW Child Protection Data Collection (AIHW 2005a).

- In Victoria (32%), the Australian Capital Territory (32%) and the Northern Territory (41%), the highest proportions of children in substantiations were aged 1–4 years.
- In Western Australia (29%), South Australia (33%) and Tasmania (42%), the highest proportions of children in substantiations were aged 5–9 years.
- In Queensland 36% of children in substantiations were aged 10–14 years.



Substantiations are classified into four categories: physical abuse, sexual abuse, emotional abuse and neglect. Where more than one type of abuse or neglect has occurred, the substantiation is classified to the type most likely to be the most severe in the short term or most likely to place the child at risk in the short term, or if such an assessment is not possible, to the most obvious form of abuse or neglect. Therefore the data presented on the type of abuse suffered by Indigenous children who were the subject of substantiations can not be considered to be the total number of cases for each type of abuse (Table 5.11).

**Table 5.11: Number and proportion of Indigenous children aged 0–17 years who were the subject of substantiations, by type of abuse or neglect, by state and territory, 2003–04**

	Physical	Sexual	Emotional	Neglect	Total
<b>Number of children</b>					
New South Wales <sup>(a)</sup>	n.a.	n.a.	n.a.	n.a.	n.a.
Victoria	169	38	321	172	700
Queensland	308	47	315	525	1,195
Western Australia	104	55	25	141	325
South Australia	75	21	149	197	442
Tasmania	5	—	1	6	12
Australian Capital Territory	7	4	22	11	44
Northern Territory	136	39	50	151	376
<b>Per cent</b>					
New South Wales <sup>(a)</sup>	n.a.	n.a.	n.a.	n.a.	n.a.
Victoria	24.1	5.4	45.9	24.6	100.0
Queensland	25.8	3.9	26.4	43.9	100.0
Western Australia	32.0	16.9	7.7	43.4	100.0
South Australia	17.0	4.8	33.7	44.6	100.0
Tasmania	41.7	—	8.3	50.0	100.0
Australian Capital Territory	15.9	9.1	50.0	25.0	100.0
Northern Territory	35.2	10.4	13.3	40.2	100.0

(a) Totals differ slightly from those provided in table 5.9, because 17 year olds are included. In contrast to table 5.9, inclusion of this age group does not skew results, because no average substantiation rate for all children (in relation to all children in the state) is calculated.

(b) New South Wales was unable to provide these data due to the ongoing implementation of the data system, therefore national totals are not provided.

*Note:* If a child was the subject of a substantiation for more than one type of abuse or neglect, then type of abuse and /or neglect is assigned to the most serious form of abuse/neglect/harm that occurred to the child.

*Source:* AIHW Child Protection Data Collection (AIHW 2005a).

- In Victoria and the Australian Capital Territory, 46% and 50% of Indigenous children in substantiations were the subject of a substantiation of emotional abuse, respectively.
- Of the Indigenous children in substantiations in Queensland, 44% were the subject of a substantiation of neglect. The corresponding percentages were 43% in Western Australia, 45% in South Australia, 50% in Tasmania and 40% in the Northern Territory.

At any point in the substantiation process, the community services department has the authority to apply to the relevant court to place the child on a care and protection order. Recourse to the court is usually a last resort and is used in situations where supervision and counselling are resisted by the family, where other avenues for the resolution of the situation have been exhausted, or where removal of a child from home into out-of-home care requires legal authorisation. In some jurisdictions, for example, all children who are placed in out-of-home care must be on an order of some kind.

Children can also be placed on a care and protection order and/or in out-of-home care for reasons other than child abuse and neglect; for example, in situations where family conflict is such that 'time out' is needed, or a child is a danger to himself or herself, or where the parents are deceased, ill or otherwise unable to care for the child.

A comparison of the number of Indigenous and other children on care and protection orders in 2004 is shown in Table 5.12.

**Table 5.12: Number and rate of children aged 0–17 years on care and protection orders, by Indigenous status, by state and territory, at 30 June 2004**

	Number of children			Rate (per 1,000 children)		
	Indigenous	Other	Total	Indigenous	Other	Total
New South Wales	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.
Victoria	574	4,677	5,251	44.7	4.1	4.5
Queensland	1,146	3,804	4,950	18.9	4.2	5.2
Western Australia	583	1,056	1,639	19.2	2.3	3.4
South Australia	275	1,180	1,455	23.5	3.5	4.2
Tasmania	83	551	634	10.2	5.0	5.4
Australian Capital Territory	53	300	353	28.7	4.0	4.6
Northern Territory	230	115	345	9.4	2.2	5.8

*Note:* New South Wales was unable to provide these data due to the ongoing implementation of the data system, therefore national totals are not provided.

*Source:* AIHW Child Protection Data Collection (AIHW 2005a).

- In Victoria, 45 Indigenous children per 1,000 children were on care and protection orders, followed by the Australian Capital Territory (29 per 1,000) and South Australia (24 per 1,000).

### Quality of Indigenous identification

While only some states and territories currently use the standard ABS Indigenous status question, other jurisdictions are in the process of introducing the ABS standard into their data collections. In Western Australia and South Australia, if the Indigenous status of the child is not known, a 'pop-up' message on the substantiation screen automatically reminds the case workers to review the Indigenous status. In New South Wales and the Australian Capital Territory, workers are also asked to review the cultural status of clients at the substantiation stage. Victoria requires Indigenous status to be reviewed at case closure. Other jurisdictions are in the process of introducing a reminder system.

The nature of child protection services, which are fairly intrusive interventions into family life and in which many families are not involved voluntarily, means that there are particular issues in relation to establishing the Indigenous status of children and young people. In some

situations workers may not feel that it is appropriate to ask about a child or young person's Indigenous status. This could include situations where parents are not happy about their involvement with the child protection system. Parents may also be reluctant to identify as Indigenous in certain situations, particularly given the long and fraught relationship between Indigenous people and child welfare services. These factors are likely to impact on both the validity and the reliability of the data on Indigenous status.

An additional complication is that child protection often deals with very young children. It is not clear at what age a child is considered old enough to be asked to self-identify. It is also not clear how to record the status when the views of the parents conflict – one parent identifies the child as Indigenous while the other does not.

Data are presented on substantiations, including those for which Indigenous status was unknown/not stated, for the most recent year available, 2004–05 (Table 5.13).

**Table 5.13: Number and proportion of substantiations, by Indigenous status of child, by state and territory, 2004–05**

	Number of substantiations				Per cent			
	Indigenous	Non-Indigenous	Unknown/not stated	Total	Indigenous	Non-Indigenous	Unknown/not stated	Total <sup>(a)</sup>
New South Wales	3,140	11,713	640	15,493	20.3	75.6	4.1	100.0
Victoria <sup>(b)</sup>	816	6,577	—	7,393	11.0	88.9	—	100.0
Queensland	1,707	14,048	1,552	17,307	9.9	81.2	9.0	100.0
Western Australia	385	677	42	1,104	34.9	61.3	3.8	100.0
South Australia	736	1,581	67	2,384	30.9	66.3	2.8	100.0
Tasmania	43	201	538	782	5.5	25.7	68.8	100.0
Australian Capital Territory	136	610	467	1,213	11.2	50.3	38.5	100.0
Northern Territory	337	131	5	473	71.2	27.7	1.1	100.0
<b>Australia</b>	<b>7,300</b>	<b>35,538</b>	<b>3,311</b>	<b>46,149</b>	<b>15.8</b>	<b>77.0</b>	<b>7.2</b>	<b>100.0</b>

(a) Totals may not add to sum of components due to rounding.

(b) Excludes 5 cases without Indigenous status due to a data system error.

Source: AIHW Child Protection Data Collection (unpublished).

- In 2004–05, the overall proportion of substantiations with an unknown/not stated Indigenous status was 7.2%.
- The proportion of substantiations with an unknown/not stated Indigenous status was highest in Tasmania (69%), followed by the Australian Capital Territory (39%).
- In the remaining jurisdictions, the proportion of substantiations where Indigenous status was an unknown/not stated was less than 10%.

The data on Indigenous status for children on care and protection orders may be more reliable than data for children in substantiations as there is a higher level of involvement with the families of children on care and protection orders through the provision of support services. The number and percentage of an unknown/not stated responses for the care and protection data at 30 June 2005 are shown in Table 5.14.

**Table 5.14: Number and proportion of children on care and protection orders, by Indigenous status, by state and territory, at 30 June 2005**

	Number of children				Per cent			Total <sup>(a)</sup>
	Indigenous	Other	Unknown/ not stated	Total	Indigenous	Other	Unknown/ not stated	
New South Wales	2,113	6,455	52	8,620	24.5	74.9	0.6	100.0
Victoria	682	4,973	—	5,655	12.1	87.9	—	100.0
Queensland	1342	4,515	—	5,857	22.9	77.1	—	100.0
Western Australia	660	1,122	1	1,783	37.0	62.9	0.1	100.0
South Australia	322	1,147	84	1,553	20.7	73.9	5.4	100.0
Tasmania	94	536	86	716	13.1	74.9	12.0	100.0
Australian Capital Territory	70	314	80	464	15.1	67.7	17.2	100.0
Northern Territory	281	130	3	414	67.9	31.4	0.7	100.0
<b>Australia</b>	<b>5,564</b>	<b>19,192</b>	<b>306</b>	<b>25,062</b>	<b>22.2</b>	<b>76.6</b>	<b>1.2</b>	<b>100.0</b>

(a) Totals may not add to sum of components due to rounding.

(b) Excludes 3 cases without Indigenous status due to a data system error.

Source: AIHW Child Protection Data Collection (unpublished).

- Across Australia in 2005, there were 25,062 children on care and protection orders. Of these, 22% were Indigenous, and Indigenous status was not recorded for a further 1.2% of children.
- The Australian Capital Territory reported the highest proportion of children on care and protection orders for whom Indigenous status was unknown/not stated (17%), followed by Tasmania (12%) and South Australia (5%).

## 5.2 State and territory data collections

Most states and territories did not collect data from family violence support services. However, data are collected from some family violence prevention and support services in Queensland. In New South Wales, data are collected from sexual assault services. Also, the New South Wales Department of Community Services collects information from its domestic violence helpline. These collections are discussed.

### Queensland Centre for Domestic and Family Violence Research Database

The Queensland Centre for Domestic and Family Violence Research collects information from domestic and family violence prevention and support services. It is a joint initiative of

the Queensland Department of Communities and Central Queensland University, Mackay Campus. The data collection was established to contribute to an impact evaluation of changes to legislation in 2003. Before March 2003, legislation covered protection for 'spousal' relationships (whether the couple were of the same or opposite sex and including de facto relationships and biological parents of a child). In 2003, the legislation was broadened to cover other family relationships, informal care and intimate personal relationships (couples engaged to be married; couples promised or betrothed under customary law or cultural practice; and people in enmeshed dating relationships). Data are only collected from agencies which receive funding from the Department of Communities to provide services under the new legislation, and are required to collect data to contribute to the impact evaluation of the changed legislation. Therefore, there are other agencies in Queensland which provide domestic violence services, but are not included in the data collection. Also some services in the data collection provide more than just domestic violence support.

Data are collected for new client matters. If a client approaches an agency and has not done so before, they are counted as a new client. A client may have a number of visits for the same matter and then the case may be closed if the matter is considered to be resolved. If a client does not visit for six months, the matter is considered to be closed. If the client has been before and their case is closed, they will be counted as a new client. Also clients may be counted more than once if they return for different matters (e.g. once for spousal abuse and then for sibling abuse). The support services are available for victims and offenders, as well as men and women, therefore the collection includes all these groups. Some services provide support to men and women; some to men only; and some to women only. Indigenous services tend to support women only less often than mainstream services.

Data are submitted electronically to the Queensland Centre for Domestic and Family Violence Research and are stored in unit record form.

A range of information is collected, including Indigenous status and the relationship of the victim to the offender. The question on Indigenous status is based on self-identification. It asks:

What cultural or ethnic group does the client usually identify with? (Tick one only)

- a. Australian
- b. Australian Aboriginal
- c. Australian Torres Strait Islander
- d. Australian South Sea Islander
- e. Combination of b and c
- f. Combination of b, c and /or d
- g. Unknown
- f. Other (please specify).

The number and proportion of new client matters for domestic and family violence support services are shown in Table 5.15.

**Table 5.15: Number and proportion of new client matters for Queensland domestic and family violence support services, by Indigenous status, 2004–05**

	Indigenous	Non-Indigenous	Unknown	Total
Number	1,457	20,051	415	21,923
Per cent	6.6	91.5	1.9	100.0

*Notes*

1. Does not include all domestic and family violence support services in Queensland.
2. Includes both victims and perpetrators.
3. Victims and perpetrators include males and females.

*Source:* Queensland Centre for Domestic and Family Violence Research 2006.

- Aboriginal and Torres Strait Islander people were over-represented in the domestic and family violence support services, with 1,457 or 7% of the 21,923 new client matters being for Indigenous people. In comparison, it was estimated that in 2005, 3.4% of the Queensland population was Indigenous (ABS 2004a).
- Indigenous status was unknown for 415 or 2% of new client matters.

A comparison of the relationship between the victim and the perpetrator for Indigenous and non-Indigenous Australians is shown for new client matters at Queensland domestic and family violence support services (Table 5.16).

**Table 5.16: Number and proportion of new client matters for Queensland domestic and family violence support services, by relationship between victim and perpetrator, by Indigenous status, 2004–05**

	Indigenous	Non-Indigenous
	<b>Number</b>	
Spouse	1,078	15,279
Intimate personal <sup>(a)</sup>	156	1,795
Family parent/step-parent/child	87	1,882
Family sibling	71	445
Family grandparent/grandchild	n.p.	65
Family other	71	445
Informal care	n.p.	71
<b>Total new client matters</b>	<b>1,457</b>	<b>20,051</b>
	<b>Per cent</b>	
Spouse	74.0	76.2
Intimate personal <sup>(a)</sup>	10.7	9.0
Family parent/step-parent/child	6.0	9.4
Family sibling	4.9	2.2
Family grandparent/grandchild	n.p.	0.3
Family other	4.9	2.2
Informal care	n.p.	0.4

n.p. Not published for confidentiality reasons, but included in total.

(a) 'Intimate personal' relationships include couples who are engaged to be married, promised or betrothed under customary law or cultural practice, and people in enmeshed dating relationships.

*Notes*

1. Does not include all domestic and family violence support services in Queensland.
2. Includes both victims and perpetrators.
3. Victims and perpetrators include males and females.
4. Excludes new client matters for which relationship between victim and perpetrator was not stated.
5. Numbers and proportions may not add to total as clients could give multiple responses to the relationship between victim and perpetrator.

Source: Queensland Centre for Domestic and Family Violence Research (unpublished).

- Among Indigenous clients, almost three-quarters (74%) of new client matters were for spousal abuse, a further 11% involved intimate personal abuse.
- Six per cent of new client matters for Indigenous clients were for abuse with a parent/step-parent/child relationship. This figure was 9% for new client matters in which the client was non-Indigenous.
- The proportion of new client matters related to sibling abuse was 5% for Indigenous Australians and 2% for non-Indigenous Australians.

- One in twenty (5%) new client matters for Indigenous clients were for abuse between other family members, compared with one in 50 (2%) new client matters in which the client was non-Indigenous.

## NSW Health Sexual Assault Services Data Collection

NSW Health Sexual Assault Services Data Collection contains information on people who use sexual assault services in New South Wales. These services provide crisis counselling, medical care, information, court reports, court preparation, and support to victims of sexual assault. Data are collected at initial presentation to the service, but not on subsequent visits. There are currently 50 sexual assault services across New South Wales, of which 38 are in rural areas. All services participate in data collection. This is an ongoing collection which began collecting data on child victims in 1985 and on adult victims in 1989.

Along with a number of other data items, both Aboriginal status and the relationship of the perpetrator to the victim are collected. Therefore the extent of Aboriginal family violence can be determined, but it is not reported in published data. The question on Aboriginal status does not explicitly include Torres Strait Islanders.

Any information that is not provided by a client in initial contact is not sought later. Therefore there are a large number of not stated responses for some data items. The most recent published data are for 1994–95 to 1997–98. Table 5.17 shows the total number of adults seeking assistance at a sexual assault service in New South Wales. The data do not relate specifically to sexual assault within the family.

**Table 5.17: Number and proportion of adults seeking assistance at a sexual assault service, by Aboriginal status<sup>(a)</sup>, by year, New South Wales, 1994–95 to 1997–98**

	1994–95	1995–96	1996–97	1997–98
	<b>Number</b>			
Aboriginal	89	112	107	114
Non-Aboriginal	1,489	1,640	1,754	1,739
Not stated	200	221	224	191
<b>Total</b>	<b>1,778</b>	<b>1,973</b>	<b>2,085</b>	<b>2,044</b>
	<b>Per cent</b>			
Aboriginal	5.0	5.7	5.1	5.6
Non-Aboriginal	83.7	83.1	84.1	85.1
Not stated	11.2	11.2	10.7	9.3
<b>Total</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>

(a) The question on Aboriginal status did not include Torres Strait Islanders.

Source: NSW Health Sexual Assault Services Data Collection (NSW Health 1999).

- Between 1994–95 and 1997–98 the number of adults seeking assistance from sexual assault services increased from 1,778 to 2,044.
- Over this time the proportion of Aboriginal people seeking assistance ranged from 5% to 6%.



- For a relatively large proportion of sexual assault services clients, Aboriginal status was not stated; however, this proportion decreased from 11% in 1994–95 to 9% in 1997–98.

The number of children aged under 16 years who sought assistance at sexual assault services in New South Wales in 1997–98 is shown in Table 5.18.

**Table 5.18: Number and proportion of children<sup>(a)</sup> seeking assistance at a sexual assault service, by Aboriginal status<sup>(b)</sup>, New South Wales, 1997–98**

	Males	Females	Unknown	Total
<b>Number</b>				
Aboriginal	32	117	1	150
Non-Aboriginal	293	981	29	1,303
<b>Total</b>	<b>325</b>	<b>1,098</b>	<b>30</b>	<b>1,453</b>
<b>Per cent</b>				
Aboriginal	21.3	78.0	0.7	100.0
Non-Aboriginal	22.5	75.3	2.2	100.0
<b>Total</b>	<b>22.4</b>	<b>75.6</b>	<b>2.1</b>	<b>100.0</b>

(a) Aged under 16 years.

(b) The question on Aboriginal status did not include Torres Strait Islanders.

Note: Excludes 228 presentations where the Aboriginality of the victim was unknown.

Source: NSW Health Sexual Assault Services Data Collection (NSW Health 1999).

- In 1997–98, 1,453 children in New South Wales used sexual assault services. Of these, 150 were Aboriginal.
- Approximately four out of every five (78%) Aboriginal children who sought assistance at sexual assault services were female.

## 5.3 Summary

A number of different administrative data collections exist in the area of victim support and counselling; however, at present the only national collections are the SAAP data collection and the National Child Protection Data Collection.

The SAAP data collection provides information on the number of SAAP clients escaping violence. It is possible to report on the number of clients escaping family violence, as defined within the collection, but it is not possible to differentiate between partner and family violence. The variable 'relationship of offender to victim' is not collected. The collection contains relatively good quality data on Indigenous status, with Indigenous status not stated for only 2.8% of clients escaping violence. This makes it possible to report on the number and proportion of Aboriginal and Torres Strait Islander clients escaping family violence.

The National Child Protection Data Collection provides information on child protection notifications, investigations and substantiations, children on care and protection orders and children in out-of-home care. A number of issues affect the quality of the data on Indigenous status. Data on Indigenous status for children on care and protection orders are likely to be more reliable than those in substantiated notification. In terms of distinguishing family violence from other violence, there are issues around collecting information on the

relationship of the person believed responsible for violence to the child, and it is currently not possible to distinguish between abuse by family members and others.

### **Summary of results**

Indigenous females were 13 times, and Indigenous males 7 times, more likely to seek assistance from a SAAP agency to escape family violence than non-Indigenous females and males, respectively.

Across the states and territories, Aboriginal and Torres Strait Islander children were between 1.5 (Queensland) and 10 (Victoria) times as likely to be the subject of a substantiated notification as other Australian children, and between 2 (Tasmania) and 11 (Victoria) times as likely to be on care and protection orders as other Australian children.

# 6 Criminal justice data

Criminal justice data indicate how frequently the police or courts are involved with cases of violence and what the outcomes are for the perpetrator. Data are potentially available on violent incidents recorded by police, charges in courts, applications for domestic violence orders and sentenced prisoners. As with other administrative data collections, these data will underestimate the extent of violence, as a large number of incidents are not reported to the police and therefore do not proceed through the justice system. In addition, the level of under-reporting by Indigenous Australians is thought to be greater than for non-Indigenous Australians because of past experiences with the criminal justice system. It is acknowledged that there are cultural barriers to Indigenous people accessing assistance from the police and criminal justice system (Australian Law Reform Commission 1994; Braaf & Ganguly 2002). Also, the lack of access to services in remote areas can lead to an under-reporting of violence, as some remote communities may not have police or legal aid services nearby.

## 6.1 National data collections

Police, courts and correctional services data are collected by all states and territories. Data from these areas are collated into national collections by the ABS. Below is a discussion of the national data sets in relation to the data items collected, including Indigenous status and the quality of the data.

### Recorded Crime—Victims

The ABS Recorded Crime – Victims collection is a national administrative data collection. Information is provided to the ABS from each state and territory police agency on a range of recorded crimes, including homicide, robbery, blackmail/extortion and unlawful entry. Information is also collected on assaults and sexual assaults; however, national data are not published. Data are published for individual jurisdictions but the data cannot be compared because each jurisdiction has its own recording system and different procedures for when an incident is recorded on the system. For example, some jurisdictions always record an incident, whereas in other jurisdictions an incident is only recorded if the victim wishes to proceed against the offender or is dependent on the seriousness of the incident. The National Crime Statistics Unit (NCSU) Board of Management has agreed for a National Crime Recording Standard to be developed to address this issue. Information on the relationship of the offender to the victim is collected; however, due to quality concerns it is not made available. Indigenous status is not currently collected in this data set.

### National Criminal Courts Collection

The ABS National Criminal Courts Collection is an administrative data collection which contains information from the Higher (Supreme and Intermediate) and Magistrates' Courts in each jurisdiction. Information is collected on the characteristics of the defendants, the offences committed and sentences received. Offences are classified according to the Australian Standard Offence Classification, which includes categories of homicide and related offences; acts intended to cause injury; and sexual assault and related offences.

Information is also collected on breaches of domestic violence and restraining orders. However, no information is collected on the relationship of the offender to the victim or on Indigenous status.

## National Corrective Services Collection

The ABS collects administrative data from the corrective services agencies in each jurisdiction and from the Australian Government Attorney-General's Department for details on federal prisoners. Information is collected on the number of people in custody, the type of custody, legal status and Indigenous status. However, there is no detail on the type of offence committed and therefore the information cannot be used to examine levels of violence or family violence.

## National Prisoner Census

The ABS National Prisoner Census collects data annually from administrative records held by the corrective services agencies in each jurisdiction. It includes all prisoners in adult corrective services, but not persons in juvenile institutions, psychiatric custody or police custody. Information is collected on the demographic details, legal status and sentence details of prisoners. Data are collected on Indigenous status and the most serious offence committed, but not on the relationship of offender to victim.

The number and proportion of prisoners for homicide, assaults and sexual assaults for 2005 by Indigenous status are shown in Table 6.1.

**Table 6.1: Number and proportion of prisoners sentenced for violent crimes, by most serious offence<sup>(a)</sup>, by Indigenous status, 30 June 2005**

	Homicide and related offences	Acts intended to cause injury	Sexual assault and related offences	Total <sup>(b)</sup>
	<b>Number</b>			
Indigenous	371	1,809	551	2,731
Non-Indigenous	2,108	2,449	2,111	6,668
Not stated	86	76	54	216
<b>Total</b>	<b>2,565</b>	<b>4,334</b>	<b>2,716</b>	<b>9,615</b>
	<b>Per cent</b>			
Indigenous	14.5	41.7	20.3	28.4
Non-Indigenous	82.2	56.5	77.7	69.3
Not stated	3.4	1.8	2.0	2.2
<b>Total</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>

(a) Refers to most serious offence.

(b) Total for homicide and related offences; acts intended to cause injury; and sexual assault and related offences.

Source: ABS, National Prisoner Census 2005 (ABS 2005c).

- Across Australia, there were 9,615 Aboriginal and Torres Strait Islander adults in prison for violent crimes in 2005.
- There were 1,809 Indigenous people in prison for assault, 551 for sexual assault and 371 for homicide.

- In 2005, Aboriginal and Torres Strait Islander prisoners comprised 42% of those sentenced for acts intended to cause injury, 20% of those sentenced for sexual assault and 15% of those sentenced for homicide.
- The proportions of prisoners for whom Indigenous status was not stated were 3.4% for homicide, 2.0% for sexual assault and 1.8% for acts intended to cause injury.

## 6.2 State and territory data collections

Some states and territories have research centres which collate police and courts data for their own jurisdiction. These collections may contain more information than is supplied to the ABS for the national collections discussed previously in Section 6.1. The following section presents state and territory police and courts data by Indigenous status which have been published or were easily available by request. Data to assess the extent of violence and the quality of Indigenous identification are presented together.

### NSW Bureau of Crime Statistics and Research

The NSW Bureau of Crime Statistics and Research was established in 1969 within the Attorney General's Department. It collects data on crimes reported to the police and on criminal court appearances in New South Wales.

The police data contain information on the Indigenous status of the victim and the offender, as well as the relationship of the offender to the victim. The police ask whether the person identifies as Aboriginal or Torres Strait Islander.

The courts data contain information on the Indigenous status of the offender, but not the victim nor any details of the relationship between victim and offender, so family violence cannot be distinguished from other violence. However, there are also data on personal and domestic apprehended violence orders which include information on Indigenous status. The courts ask the question on Indigenous status and they distinguish between Aboriginal and Torres Strait Islander people. The courts data from 1999 onwards have new counting rules regarding Indigenous status. A person is considered to be Indigenous if they have ever identified as Indigenous at a previous court appearance (since 1994).

The number and proportion of victims of violent crime recorded by New South Wales Police are shown in Table 6.2.

**Table 6.2: Number and proportion of victims recorded by New South Wales Police, by offence type, by Indigenous status, 2004**

	Indigenous	Non-Indigenous	Unknown	Total
	<b>Number</b>			
Murder	n.p.	61	n.p.	68
Assault	5,281	61,932	3,671	70,884
Domestic violence assault <sup>(a)</sup>	2,981	22,433	1,466	26,880
Sexual assault	230	3,310	534	4,074
	<b>Per cent</b>			
Murder	n.p.	89.7	n.p.	100.0
Assault	7.5	87.4	5.2	100.0
Domestic violence assault <sup>(a)</sup>	11.1	83.5	5.5	100.0
Sexual assault	5.6	81.2	13.1	100.0

(a) The category 'domestic violence assault' is a subcategory of 'assault'.

Source: AIHW analysis of New South Wales Bureau of Crime Statistics and Research data.

- Of the 70,884 victims of assault recorded by New South Wales Police in 2004, Indigenous status was unknown for 5%.
- Among the 4,074 recorded victims of sexual assault, Indigenous status was unknown for 534 (13%).

In 2004 there were 3,435 Indigenous female victims of assault recorded by New South Wales Police. Of these, 68% were victims of domestic violence-related assault. Indigenous females were victims of domestic violence assault and sexual assault at seven and two times the rate of non-Indigenous females, respectively.

Of the 1,795 Indigenous male victims of assault recorded by New South Wales Police, 614 (34%) were victims of domestic violence-related assault. This was four times the rate expected based on the non-Indigenous population. New South Wales Police also recorded 28 Indigenous male victims of sexual assault in 2004.

Data are also collected on the victims protected by domestic apprehended violence orders granted by New South Wales Local Criminal Courts (Table 6.3).

**Table 6.3: Number and proportion of victims protected by domestic apprehended violence orders granted by New South Wales Local Criminal Courts, by Indigenous status, 2004**

	Indigenous	Non-Indigenous	Unknown	Total
Number	1,368	8,037	16,876	26,281
Per cent	5.2	30.6	64.2	100.0

Source: AIHW analysis of New South Wales Bureau of Crime Statistics and Research data.

- Of the 26,281 victims protected by domestic apprehension orders, 5% were recorded as Indigenous and Indigenous status was unknown for 64%.

The number and proportion of charges in New South Wales higher and lower courts by Indigenous status of offender are shown in Table 6.4.

**Table 6.4: Number and proportion of charges for violent crimes in New South Wales higher and lower courts, by offence type, by Indigenous status of offender, 2004**

	Indigenous	Non-Indigenous	Unknown	Total
<b>Number of charges</b>				
Assault	7,363	22,254	1,168	30,785
Sexual assault	243	1,498	142	1,883
<b>Per cent</b>				
Assault	23.9	72.3	3.8	100.0
Sexual assault	12.9	79.6	7.5	100.0

Source: AIHW analysis of New South Wales Bureau of Crime Statistics and Research data.

- Of the 30,785 charges for assault, the Indigenous status of the defendant was unknown for 4%.
- Indigenous status of the defendant was unknown for 8% of the 1,883 charges for sexual assault.

In New South Wales in 2004, there were 5,860 assault charges brought against Indigenous males. Charges for assault were brought against Indigenous males at 15 times the rate for non-Indigenous males. There were 237 charges for sexual assault brought against Indigenous males. This was 10 times the rate for non-Indigenous males.

There were 1,503 charges for assault brought against Indigenous females in New South Wales. Charges for assault were brought against Indigenous females at 24 times the rate of non-Indigenous females.

## Victoria Police

Information from Victoria Police is published on homicides, assaults, domestic violence assaults and sexual assaults by Indigenous status (SCRGSP 2005). Information is also collected on the relationship of the offender to the victim for all victim-based crimes. However, these data are not published by Indigenous status. In 2004, Victoria Police introduced the system of asking both the offender and the victim the standard ABS question on Indigenous status. Prior to this, Indigenous status was derived from the subjective assessment of the police officer based on physical appearance. More information is collected on the offender than the victim, as this is the focus of police investigations.

Data from Victoria Police were reported in the *Overcoming Indigenous disadvantage* (SCRGSP 2005) report (Table 6.5). These data were collected before the changes were made to the collection of data on Indigenous status.

**Table 6.5: Number and proportion of victims of violent crime recorded by Victoria Police, by offence type, by Indigenous status<sup>(a)</sup>, 2003–04<sup>(b)</sup>**

	Indigenous	Non-Indigenous	Not stated	Total
	<b>Number</b>			
Homicide	1	151	28	180
Assault	279	18,739	3,491	22,509
Domestic violence assault <sup>(c)</sup>	101	3,027	460	3,588
Sexual assault <sup>(d)</sup>	43	3,279	1,026	4,348
	<b>Per cent</b>			
Homicide	0.6	83.9	15.6	100.0
Assault	1.2	83.3	15.5	100.0
Domestic violence assault <sup>(c)</sup>	2.8	84.4	12.8	100.0
Sexual assault <sup>(d)</sup>	1.0	75.4	23.6	100.0

(a) Indigenous status is derived from the physical appearance of the victim, which is a subjective assessment of the police officer.

(b) These data include only those incidents where the police officer has made sufficient inquiries to satisfy themselves that a crime has been committed.

(c) Defined as a family violence report and an assault occurring in the same incident. A family violence incident may involve any family members.

(d) Combination of Victoria Police offences 'rape' and 'sex (non-rape)'.

Source: Victoria Police (SCRGSP 2005).

- The proportions of Indigenous victims of domestic violence assault (2.8%), assault (1.2%), sexual assault (1.0%) and homicide (0.6%) were all equal to or higher than the proportion of Indigenous people in the Victorian population (0.6%).
- There were relatively high proportions of victims of violent crimes in Victoria for whom Indigenous status was not stated. This ranged from 13% for domestic violence assaults to 24% for sexual assaults.



## Queensland Police

In 2005 the Crime and Misconduct Commission (CMC) in Queensland published the report, *Policing domestic violence in Queensland: meeting the challenges*. In this report domestic violence is defined as physical, emotional or psychological abuse that occurs between people who are in a spousal, family, intimate or informal care relationship (CMC 2005). Data from this report are presented below. Queensland Police collect information on callouts to domestic violence incidents. This is shown by Indigenous status of the victim and offender (Table 6.6).

**Table 6.6: Number and proportion of domestic violence incidents attended by police involving Indigenous people, by victim or offender, Queensland, April–September 2003**

	Indigenous victim	Indigenous offender
Number	3,805	3,888
Per cent	22.7	23.2

*Note:* Incidents for which both the offender and the victim were Indigenous are included in both the 'Indigenous victim' and 'Indigenous offender' groups.

*Source:* Queensland Police Service DV Index data (CMC 2005).

- During the six-month period, Queensland Police attended 3,805 domestic violence incidents in which the victim was Indigenous (23%).
- The offender was Indigenous in 3,888 (23%) of domestic violence incidents attended by police.

## University of Western Australia Crime Research Centre

The Crime Research Centre was established in 1989 to collect and analyse statistical data on crime in Western Australia. Data are collected from police; higher, lower and children's courts; and prisons. The Crime Research Centre has developed the integrated Numerical Offender Identification System (INOIS) which links data from the various agencies to enable tracking of offenders through the criminal justice system. This type of data linkage can decrease the proportion of records with unknown Indigenous status, because the Indigenous status of an offender with missing Indigenous status in one data source may be determined from another data source.

The Centre annually publishes data on a range of crime and justice statistics in Western Australia. Data are published according to the Australian National Classification of Offences which does not distinguish family violence from all violence.

Table 6.7 shows the number and proportion of persons arrested by Western Australia Police for violent crimes, by Indigenous status of the offender.

**Table 6.7: Number and proportion of distinct persons<sup>(a)</sup> arrested by Western Australia Police for violent crimes, by Indigenous status, 2004**

	Indigenous	Non-Indigenous	Not stated	Total
	<b>Number</b>			
Homicide	20	66	2	88
Assault	2,351	3,164	34	5,549
Sexual offences	151	429	10	590
	<b>Per cent</b>			
Homicide	22.7	75.0	2.3	100.0
Assault	42.4	57.0	0.6	100.0
Sexual offences	25.6	72.7	1.7	100.0

(a) Individuals are counted only once within the period.

Source: Ferrante et al. 2005.

- Aboriginal and Torres Strait Islander people were over-represented among those arrested for violent crimes in Western Australia in 2004; comprising 42% of those arrested for assault, 26% of those arrested for sexual offences and 23% of those arrested for homicide.
- The proportions of people arrested for homicide, sexual offences or assault for whom Indigenous status was not stated were 2.3%, 1.7% and 0.6% respectively.

The number and proportion of final court appearances for violent crimes in the Western Australian higher courts are shown by Indigenous status in Table 6.8.

**Table 6.8: Number and proportion of final appearances for violent crimes in the Western Australian higher courts, by offence type, by Indigenous status of offender, 2004<sup>(a)</sup>**

	Indigenous	Non-Indigenous	Unknown	Total
	<b>Number of final appearances</b>			
Homicide	16	40	2	58
Assault	81	205	12	298
Sexual offences	90	310	9	409
	<b>Per cent</b>			
Homicide	27.6	69.0	3.4	100.0
Assault	27.2	68.8	4.0	100.0
Sexual offences	22.0	75.8	2.2	100.0

(a) A final appearance is where a group of related offence counts per defendant are finalised at an appearance. Includes acquittals, convictions and sentences.

Source: Ferrante et al. 2005.

- In Western Australia, 28%, 27% and 22% of the final higher court appearances for homicide, assault and sexual offences, respectively, involved Indigenous offenders.
- The proportion of final higher court appearances where the Indigenous status of the offender was unknown varied from 2% for sexual offences to 4% for assaults.

The number and proportion of people entering prisons for violent crimes in Western Australia in 2004 are shown by Indigenous status in Table 6.9.

**Table 6.9: Number and proportion of distinct prisoners<sup>(a)</sup> received in Western Australia for violent crimes, by offence type, by Indigenous status of the offender, 2004**

	Indigenous	Non-Indigenous	Total
		<b>Number</b>	
Homicide	13	15	28
Assault	360	120	480
Sexual offences	37	79	116
		<b>Per cent</b>	
Homicide	46.4	53.6	100.0
Assault	75.0	25.0	100.0
Sexual offences	31.9	68.1	100.0

(a) Individuals are counted only once within the period.

Source: Ferrante et al. 2005.

- Indigenous adults were over-represented in Western Australian prisons, accounting for 75% of prisoners received for assault, 46% of those received for homicide, and 32% of prisoners received for sexual offences.

## South Australia Office of Crime Statistics and Research

The Office of Crime Statistics and Research collects data from police, courts and correctional services in South Australia. It regularly publishes a variety of crime statistics which includes police incident reports, offences recorded by police, victims of offences recorded by police and offences cleared by way of an apprehension. The information on offences cleared by way of apprehension is presented by the Aboriginal status of the offender.

Information on Indigenous family violence is not routinely published. Nevertheless, data could be obtained on this topic, subject to approval by the agency which owns the data. Obtaining police data on family violence would involve combining information from the police incident report and the apprehension report (if the perpetrator was apprehended). The incident report has details of the age, sex and relationship of the offender to the victim, but not Aboriginal status. The apprehension report has Aboriginal status of the offender, but no information on the relationship of the offender to the victim.

The Aboriginal status in the police data is not based on self-identification, but on the arresting officer's assessment of the physical appearance of the offender. The category 'unknown Aboriginal status' is recorded.

The courts administrative data contain limited information on Aboriginal status, but this is generally derived from data provided by South Australia Police to courts. Courts data include details on the offence; however, there is no information on the relationship of the perpetrator to the victim.

The number of alleged offences for violent crimes in South Australia is shown by Aboriginal status (Table 6.10).

**Table 6.10: Number and proportion of violent offences cleared by way of an apprehension order, by offence type, by Aboriginal status of alleged offender<sup>(a)</sup>, South Australia, 2004**

	Aboriginal	Non-Aboriginal	Not stated	Total
<b>Number of offences</b>				
Murder	5	26	—	31
Attempted murder	10	31	—	41
Assault occasioning				
grievous bodily harm	31	99	2	132
actual bodily harm	208	663	24	895
<i>Total assault occasioning</i>	239	762	26	1,027
Other assault	1,093	3,905	187	5,185
Sexual offences	57	810	74	941
<b>Per cent</b>				
Murder	16.1	83.9	—	100.0
Attempted murder	24.4	75.6	—	100.0
Assault occasioning				
grievous bodily harm	23.5	75.0	1.5	100.0
actual bodily harm	23.2	74.1	2.7	100.0
<i>Total assault occasioning</i>	23.3	74.2	2.5	100.0
Other assault	21.1	75.3	3.6	100.0
Sexual offences	6.1	86.1	7.9	100.0

(a) Aboriginal status is derived from the apprehending police officer's opinion as to the racial appearance of the offender.

Note: Multiple counts of the same offence have been omitted.

Source: Office of Crime Statistics and Research 2005.

- The Aboriginal status of the offender was 'Aboriginal' in 24% of the 41 alleged attempted murders.
- In 21% of the 5,185 alleged other assaults, the Aboriginal status of the offender was 'Aboriginal'.
- For 3% of alleged assaults occasioning grievous/actual bodily harm, the Aboriginal status of the offender was not stated. Aboriginal status was not stated for 4% and 8% of alleged other assaults and alleged sexual offences, respectively.

## Legal aid

### Family Violence Prevention Legal Services

The Australian Government Attorney-General's Department funds Family Violence Prevention Legal Services targeted to Indigenous victims of family violence. These services were previously funded by Aboriginal and Torres Strait Islander Services (ATSIS) and in

2003–04 at least 7,100 people were assisted by the 13 services (ATSIS 2004). The number of funded services has now been increased to 26.

### **Legal Aid for Indigenous People**

The Australian Government Attorney-General's Department funds a national program of Legal Aid for Indigenous People. The services provide high quality, culturally appropriate legal aid services for Indigenous Australians. One of the priority areas for assistance is 'where there is a real risk to the person's physical safety'. Under the heading of violence protection, Indigenous Legal Aid Services handled 2,666 matters in 2003–04.

### **Legal aid through legal aid commissions**

Legal aid for both Commonwealth and state matters is primarily delivered through state and territory legal aid commissions (LACs), which are independent statutory agencies established under state and territory legislation. The Australian Government funds the provision of legal aid for Commonwealth family, civil and criminal law matters. State and territory governments fund matters arising under their own laws, including domestic violence matters.

The Australian Government Attorney-General's Department collected national statistical data in relation to legal aid services in the Legal Aid Statistical System Information Exchange (LASSIE) until 2002–03. LASSIE data show that 6,169 applications for grants of assistance for domestic violence orders were received by legal aid commissions in 2002–03. Of these applications, 4,952 were approved. LASSIE has been replaced by the Legal Aid Reporting Initiative, which collects information relating to the provision of legal aid services for matters arising under Commonwealth laws.

### **Community Legal Centres Program**

The Australian Government Attorney-General's Department funds 127 community legal centres under the Community Legal Services Program (CLSP). Community legal centres are independent and community managed non-profit organisations which provide a range of assistance on legal and related matters to disadvantaged and marginalised people and communities.

The CLSP funds seven organisations across Australia to operate Indigenous Women's Projects (IWPs) that provide legal services for Indigenous women. IWPs provide assistance to Indigenous women to address their particular legal needs on issues including: domestic violence and family law, child support, child abuse, discrimination and harassment, financial matters, housing and tenancy, property and consumer credit. In 2004–05, 6,523 Indigenous clients were assisted.

## **6.3 Summary**

Many gaps exist in criminal justice information on family violence and other violence among Aboriginal and Torres Strait Islander people.

While administrative data are collected by police and courts in each jurisdiction, only some jurisdictions have centres devoted to analysing and publishing these data. Some data are collated by the ABS; however, because of differences in practices for recording assaults and sexual assaults, data cannot be compared across the jurisdictions. In addition, Indigenous

status is not collected in the ABS Recorded Crime – Victims collection or the ABS Criminal Courts collection. Although police do have an Indigenous variable in their data systems, there is anecdotal evidence that Indigenous status is often not recorded or it may have been derived from the appearance of the person, which is a subjective assessment of the police officer. Both these issues leave a major gap in the data available on Indigenous family and general violence.

While Indigenous status is collected by the ABS for the Corrective Services Data Collection, there is no information on the offence and therefore the data cannot be used to measure violence or family violence.

The National Prisoner Census collects information on Indigenous status and on the most serious offence committed, making it possible to report on Indigenous violence where assault or sexual assault was the most serious offence. The relationship of offender to victim is not collected so family violence cannot be distinguished from general violence.

### **Summary of results**

Across Australia, 42% of people imprisoned for acts intended to cause injury, 20% for sexual assault, and 15% for homicide were Indigenous.

As no national information on police and court activity in relation to family or other violence is available, some state-based information is presented below.

In New South Wales, Indigenous females were seven times as likely to be recorded by police as a victim of domestic violence compared to non-Indigenous females, while Indigenous males were four times as likely to be recorded by police as a victim of domestic violence compared to non-Indigenous males. Indigenous females were charged for assault at 24 times the rate of non-Indigenous females. Indigenous males were charged for assault at 15 times the rate of non-Indigenous males, and for sexual assault at 10 times the rate of non-Indigenous males.

In Queensland, approximately one in four (23%) domestic violence incidents attended by police involved an Indigenous victim; similarly, about one in four (23%) domestic violence incidents attended by police involved an Indigenous offender.

In Western Australia, 28% of final court appearances for homicide involved Indigenous offenders; for assault the percentage was 27%, and for sexual offences it was 22%.

# 7 Multi-service data collections

Many states and territories recognise the need to collect data related to family and partner violence in order to evaluate programs and to plan future service provision. Several states and territories have implemented or are at various stages of developing systems to collate state-level data on family violence. These databases have been categorised as either 'case management systems', where data are linked, or 'other data collections', where data from different sources are presented separately. This chapter gives an overview of the different approaches that each jurisdiction is taking and the stage they are at in developing their systems.

## 7.1 Case management systems

In Tasmania, there are plans to develop a system which links unit record data from different sources to better manage individual cases.

### Tasmanian Safe at Home Data Collection

Safe at Home is the criminal justice framework for responding to family violence in Tasmania. As part of this, an integrated family violence management system is being developed. This will involve linking information systems across relevant government agencies. Four key agencies are involved: Tasmania Police; the Department of Justice; the Department of Health and Human Services; and the Department of Education.

Data will initially be entered into the database when police are called to a domestic violence incident. The incident report will be used to initiate a new case record or to be added to an existing case record depending on whether the victim and offender have previous case records. Other agencies, such as courts, counselling and support services, will input relevant data into the system. These agencies will also have their own systems for detailed record keeping, but will enter summary information into the shared database. Information in the database will be used for regular case management meetings to discuss the next course of action for individual cases.

Currently, basic data are extracted from the police incident reporting system and spreadsheets are used to distribute case and incident information for case coordination while the electronic system is being established. Because of the sensitive information held in the database, maintaining database security is being addressed.

It is expected that Indigenous people will be identified in the new system. The identification of the Indigenous status of the offender is likely to be less reliable than that of the victim. This is because the victim is eligible for Indigenous-specific services, so identification of the victim's Indigenous status may be recorded as a result of accessing these services. Indigenous status is recorded for prisoners. Therefore, this information will be captured if a prison sentence eventuates for the offender.

The database will be used to report on the demand for services to plan future funding allocation.

## 7.2 Other data collections

The majority of the state-wide data collections obtain information from sources which have been described in previous chapters and present the data separately to give an overall picture of family violence.

### Victorian Family Violence Database

The Victorian Family Violence Database was established in 2000. It involves collaboration between the Victorian Community Council Against Violence, Victoria Police, the Magistrates' and Children's Courts, the family violence sector, the Department of Justice, the Department of Human Services and the National Data Collection Agency. Currently, data are collected from:

- Law Enforcement Assistance Program database (Victorian Police family violence incident reports)
- Courtlink database (official register of the Victorian courts. Includes finalised original intervention order applications registered by the Victorian Magistrates' and Children's Courts)
- SAAP National Data Collection.

The data are not linked, but provide information on family violence in Victoria from a range of sources. Data for 1999–2001 were published in the report, *Victorian family violence database: first report* (Victorian Community Council Against Violence 2002). Based on police, courts and SAAP data where available, the report showed the number of victims of violence; the age and gender of victims; the relationship between the offender and the victim; and details of the region where the violence occurred. The five-year comparative report of data from 1999–2004 is expected to be released in 2006.

Data on Indigenous status are collected from SAAP agencies and Victoria Police; however, the data from Victoria Police contain a high number of not stated responses. Data are not published on Indigenous status. There are plans to include additional data sources, such as acute health hospital admissions, in the future.

### Queensland Department of Communities Database

The Queensland Department of Communities currently collects information from the Department of Justice and Attorney General on applications for domestic violence orders from all courts in Queensland and publishes these data on their website. Data are collected on the nature of the domestic violence order (protection order/temporary protection order), the outcome of the application (refused/withdrawn/revoked/varied) and the court processing the application. However, information on Indigenous status is not currently collected. The department is currently investigating ways of improving its data collection with respect to family violence.

### Western Australia Across Government Data Collection Project

As part of the *Western Australian Family and Domestic Violence State Strategic Plan*, the Family and Domestic Violence Unit and the Office of Crime Prevention are currently working on an Across Government Data Collection Project. The project has three phases:



1. To identify and assess data sources from state government agencies
2. To develop a methodology to work with the identified data
3. To implement the methodology and collect baseline data.

The report on phase 1 reviewed the available data collections, giving details of the data collection methods, data items and definitions, quality and accessibility of the data. Data collections from Western Australia Police Service, Department of Health, Department for Community Development, Department of Housing and Works, Department of Justice and Legal Aid were examined. A list of 13 main indicators with 36 subcategories was developed to report on the level of family and partner violence. A number of these report on Indigenous family and partner violence. The main areas covered by the indicators are:

- family and partner violence incidents attended by police
- restraining orders
- perpetrators
- family and domestic violence homicides
- hospital admissions as a result of family and partner violence
- people seeking assistance for reasons to do with family and partner violence.

The main gaps identified in current data collections were the high level of incidents of family violence which are unreported and the lack of information on ethnic background, including Indigenous status.

The report recommended that agencies use definitions of domestic and family violence which are consistent with the *Acts Amendment (Family and Domestic Violence) Act 2004* and if possible distinguish between intimate partner and family violence. It also recommended that legislation be developed to enable agencies to share data, with the possibility of linking unit record level data.

## **Northern Territory**

One of the priority actions of the Northern Territory Government's Domestic Violence Strategy is to strengthen and extend domestic violence statistical information collections. The Northern Territory Domestic Violence Data Collection Project has highlighted the gaps and data quality issues surrounding domestic violence data. These include difficulty in evaluating programs, as the data available do not describe the levels of violence before and after the program was implemented. Difficulties have arisen because of the relatively large proportion of the population who live in remote communities where the coordination of data collection is difficult.

The following data are currently collected: courts, police, screening in hospitals, sexual violence and child abuse data. Surveys have been used to collect the information, but were not effective because of the difficulties of comparing metropolitan areas with remote Indigenous communities. Also, there may still be considerable under-reporting of sexual violence and child abuse in surveys because of the associated shame.

The Northern Territory is developing a way for communities to describe themselves. The plan is to use the 'sticky wall' to describe 'where the community sits'. This involves some kind of indicator that can be stuck on the wall, with one end indicating high levels of violence in the community, and the other end indicating low levels of violence/a safe

community. The outcomes from this would then be combined with existing data to describe family violence.

To improve data on domestic violence, the Northern Territory's Department of the Chief Minister is in the early stages of creating a new system to collect and report data from a number of agencies. The key agencies are the Department of Health and Community Services (SAAP services) and the Department of Justice (Crime Prevention Unit). The issues of funding and comparability of the systems are currently being discussed. The priority data items for any new system are sex and Indigenous status.

## **7.3 Summary**

A number of jurisdictions are beginning to develop across-service data collections. This is a step towards making better use of available data including record linkage, although at present only Tasmania has plans to link its data.

While many jurisdictions are including Indigenous status in their data collections, some are not, leaving a major gap in the data. As many of the collections are still in the developmental stage, it is not yet possible to assess the quality of the Indigenous data which will be collected.

# 8 Assessment outcomes and recommendations

In Chapters 2 to 5, relevant national data collections were explored in terms of whether family or domestic violence can be distinguished from general violence, whether and how information on the Indigenous status of the victim and/or offender is collected, and which other variables are included in these collections. The first section of this chapter (8.1) summarises the results of this exploration. Section 8.2 outlines the main gaps and data quality issues affecting the ability to report on Indigenous family violence. Section 8.3 presents a number of recommendations and strategies to improve reporting in this area.

## 8.1 Assessment of data sources

### Family and other violence

Data sources differ in the ability to distinguish family violence, domestic violence and violence in general. In a number of data collections there is no information on the relationship of the victim to the perpetrator, and general assaults cannot be distinguished from assaults related to domestic and family violence. In some data sets, variables such as the 'reason for seeking help' or the 'type of assistance provided' give the information required to ascertain whether domestic violence was the reason for the person seeking help. Table 8.1 summarises the national data sources used in this report, classified by the type of violence that can be reported from each source.

No standard national definitions exist for some of the important concepts used here, in particular family violence and domestic violence. Each data source tends to have its own inclusions and exclusions. For example, some may include sexual and/or emotional violence and/or threatened violence, while others include physical violence only. In others it is not clear what is and is not included in the data, as may be the case when a client of a refuge presents as a victim of 'domestic violence'. There are also differences in the inclusions and exclusions in terms of what is counted as 'domestic' and 'family' violence. In some sources, domestic violence includes only partner violence, whereas in others, abuse from any family member is included. Sometimes abuse from a carer or flatmate is also included.

The national data sources were assessed according to whether family and/or partner violence can be distinguished from general violence based on definitions used and/or the inclusions and exclusions in the data source, irrespective of the term used (Table 8.1). In other words, if the term domestic violence is used, but the information covers violence perpetrated by any family member, it has been classified as family violence.

It is important to note that the term 'family' has different meaning in different cultural contexts. As mentioned earlier in Chapter 2, in the context of Indigenous communities, the term 'family violence' includes a broad range of marital and kin relationships in which violence may occur. Aboriginal people may view family violence as occurring between members of their larger family network including aunts, uncles, grandparents, cousins and others in the wider community, whereas non-Aboriginal people may view family violence as only that which occurs within the immediate family.

**Table 8.1: National data sources, by type of violence**

Data source	General violence	Family violence	Partner violence
<b>Incidence</b>			
ABS National Crime and Safety Survey	Y	Y	Y
ABS Women's Safety Survey and Personal Safety Survey	Y	Y	Y
International Violence Against Women Survey	Y	Y	Y
Australian Longitudinal Study on Women's Health	Y	N	Y
ABS National Aboriginal and Torres Strait Islander Social Survey (NATSISS)	Y	N <sup>(a)</sup>	N
General Social Survey (GSS)	Y	N	N
ABS National Aboriginal and Torres Strait Islander Health Survey (NATSIHS)	Y	N	N
National Drug Strategy Household Survey	Y	Y	Y
<b>Associated harm/outcomes</b>			
AIHW National Hospital Morbidity Database	Y	Y	Y
AIHW National Mortality Database	Y	N	N
AIC National Homicide Monitoring Program	Y	Y	Y
National Coroners Information System	Y	N	N
<b>Victim support/counselling</b>			
AIHW Supported Accommodation Assistance Program (SAAP) Database	Y	Y	N
AIHW National Child Protection Data Collection	Y	N	N
<b>Police and criminal justice system</b>			
ABS Recorded Crime—Victims	n.a. <sup>(b)</sup>	n.a. <sup>(b)</sup>	n.a. <sup>(b)</sup>
ABS National Criminal Courts Collection	Y	N	N <sup>(c)</sup>
ABS National Corrective Services Collection	N <sup>(d)</sup>	N <sup>(d)</sup>	N <sup>(d)</sup>
ABS National Prisoner Census	Y	N	N

(a) An exception is one question on whether family violence is a 'neighbourhood problem'.

(b) Data available by jurisdiction but not at the national level.

(c) An exception is the collection of data on the breach of domestic violence orders.

(d) No information available on the type of offence committed.

Y = yes, information collected.

N = no, information not collected.

For more detailed information about the violence-specific questions and variables included in the national data collections listed in Table 8.1, see Appendix B.

## Indigenous status

National data sources range from those that collect *Indigenous status* according to the national data standard, through to those that include *Indigenous status* but don't comply with the standard, to those that do not include Indigenous identification at all. Table 8.2 summarises the national data sources included in this report.

Of those data sources that include information on Indigenous status, some were not designed to obtain estimates for the Indigenous population, and consequently do not have

an appropriate Indigenous sample to estimate the level of violence or family violence. Some sources have data quality issues such as unreliable identification of Aboriginal and Torres Strait Islander people, or high levels of 'not stated' for the Indigenous status variable.

**Table 8.2: National data sources and their inclusion of the variable *Indigenous status***

<b>Data source</b>	<b>Victim or offender</b>	<b>Indigenous status</b>
<b>Incidence</b>		
ABS National Crime and Safety Survey	Victim	Not collected. Survey not designed to obtain estimates for the Indigenous population.
ABS Women's Safety Survey and Personal Safety Survey	Victim	Not collected. Survey not designed to obtain estimates for the Indigenous population.
International Violence Against Women Survey	Victim	Collected, but survey not designed to obtain estimates for the Indigenous population. Categories are Aboriginal or Torres Strait Islander: yes or no.
Australian Longitudinal Study on Women's Health	Victim	Collected, but survey not designed to obtain estimates for the Indigenous population. ABS standard question.
ABS National Aboriginal and Torres Strait Islander Social Survey (NATSISS)	Victim	Collected. ABS standard question.
General Social Survey (GSS)	Victim	Collected. ABS standard question.
ABS National Aboriginal and Torres Strait Islander Health Survey (NATSISHS)	Victim	Collected. ABS standard question.
National Drug Strategy Household Survey	Victim and offender	Collected, but survey not designed to obtain estimates for the Indigenous population. ABS standard question.
<b>Associated harm/outcomes</b>		
AIHW National Hospital Morbidity Database	Victim	Collected. ABS standard question. However, the data systems in some jurisdictions do not include the category not stated.
AIHW National Mortality Database	Victim	Collected. ABS standard question.
AIC National homicide monitoring program	Victim and offender	Collected. Categories are those of racial appearance: Caucasian, Aboriginal, Torres Strait Islander, Chinese, Indo-Chinese, Other Asian, Other. Categories may be based on the victim's or offender's racial appearance or, for the offender, may be determined by asking the person.
National Coroners Information System	Victim	Collected. ABS standard question.
<b>Victim support/counselling</b>		
AIHW Supported Accommodation Assistance Program (SAAP) Database	Victim	Collected. ABS standard question.
AIHW National Child Protection Data Collection	Victim	Collected. Some jurisdictions use the ABS standard question, some are in the process of introducing it.
<b>Police and criminal justice system</b>		
ABS Recorded Crime—Victims	Victim	Not collected.
ABS National Criminal Courts Collection	Offender	Not collected.
ABS National Corrective Services Collection	Offender	Collected for the offender, using the ABS standard question. Supplied to the ABS in aggregate format—detail not available.
ABS National Prisoner Census	Offender	Collected for the offender, using the ABS standard question.

## Other relevant variables

All the data sources explored in this report include some sociodemographic variables, and almost all include at least some indicators of social context and social participation (Table 8.3). Some of these variables are important when analysing data on violence. Section 1.4 in the introductory chapter explains how situational factors such as high unemployment and low socioeconomic status are likely to contribute to higher levels of conflict and violence for both Indigenous and non-Indigenous people.

More detailed information about the variables included in each data source can be found in Appendix A.

**Table 8.3: National data sources and their inclusion of other relevant information (sociodemographic information, and indicators of social context and social participation)**

Data source	Socio-demographic <sup>(a)</sup>	Social context <sup>(b)</sup>	Social participation <sup>(c)</sup>
<b>Incidence</b>			
ABS National Crime and Safety Survey	Y	Y	Y
ABS Women's Safety Survey & Personal Safety Survey	Y	Y	Y
International Violence Against Women Survey	Y	Y	Y
Australian Longitudinal Study on Women's Health	Y	Y	Y
ABS National Aboriginal and Torres Strait Islander Social Survey (NATSISS)	Y	Y	Y
General Social Survey (GSS)	Y	Y	Y
ABS National Aboriginal and Torres Strait Islander Health Survey (NATSIHS)	Y	Y	Y
National Drug Strategy Household Survey	Y	Y	Y
<b>Associated harm/outcomes</b>			
AIHW National Hospital Morbidity Database	Y	Y <sup>(d)</sup>	Y <sup>(d)</sup>
AIHW National Mortality Database	Y	Y	Y
AIC National homicide monitoring program	Y	Y	Y
National Coroners Information System	Y	Y	Y
<b>Victim support/counselling</b>			
AIHW Supported Accommodation Assistance Program (SAAP) Database	Y	Y	Y
AIHW National Child Protection Data Collection	Y	Y	N

*(continued)*

**Table 8.3 (continued): National data sources and their inclusion of other relevant information (sociodemographic information, and indicators of social context and social participation)**

Data source	Socio-demographic <sup>(a)</sup>	Social context <sup>(b)</sup>	Social participation <sup>(c)</sup>
<b>Police and criminal justice system</b>			
ABS Recorded Crime—Victims	Y	N	N
ABS National Criminal Courts Collection	Y	N	N
ABS National Corrective Services Collection	Y	N	N
ABS National Prisoner Census	Y	N	Y <sup>(e)</sup>

(a) Sociodemographic variables may include state or territory, postcode, SLA and remoteness.

(b) Social context variables may include living arrangements, residential setting, marital status, household composition and income source.

(c) Social participation variables may include labour force status, education status and recreation.

(d) Only for admitted patients receiving care in psychiatric hospitals or in designated psychiatric units in acute hospitals.

(e) Level of education only.

Y = yes, information collected.

N = no, information not collected.

## 8.2 Information gaps and data quality issues

To provide comprehensive and reliable information about family violence affecting Aboriginal and Torres Strait Islander people, data need to:

- provide information on whether violence occurred, or was reported as having occurred
- provide information on the relationship of the offender to the victim (for family violence)
- include reliable information on the Indigenous status of the victim and/or offender
- be based on a large enough sample that is representative of the Indigenous population (for surveys)
- be comparable and consistent with information collected through other data sources (e.g. by using national standards)
- preferably provide contextual information relevant to the issue of violence.

This section outlines the major gaps and data quality issues in national information in the area of Indigenous family violence using the analysis framework used in this report, and organised under four questions:

1. Prevalence—what is the extent of family violence and who is affected?
2. Associated harm—what is the extent of the resulting harm and who is affected?
3. Victim support/counselling—what assistance is offered to the victims of violence and who receives the assistance?
4. Crime and justice—what is the extent of contact with the criminal justice system?

## **Main gaps and data quality issues**

### **Definitions**

Another overall data quality issue is the variability in the information collected. Major differences exist in how information on family violence and domestic violence is collected in national data sources. There is a need for data collections to include consistently defined variables that allow users of the data to undertake their preferred forms of analysis. For example, the use of standard variables may allow the reporting of violence by relationship of the offender to the victim, by whether it was threatened or actual violence, or by the type of violence, for example physical, sexual, emotional or financial.

One issue that may warrant further exploration is that of the severity of violence, and whether a standard variable for this information should be developed and collected across data sources. Some surveys include direct questions about this, for example the International Violence Against Women Survey asks the respondent about the perceived seriousness of the violence, as well as the type of violence. The Australian Longitudinal Study on Women's Health asks whether the respondent has experienced severe physical violence in the last three years. Some questions in other surveys are less direct, but may give an indication of severity, such as whether the person was physically injured and the emotional impact (ABS National Crime and Safety Survey); the effect on the person's life and fear for personal safety as a result of the incident (ABS Women's Safety Survey); or details of the most serious injury sustained (National Drug Strategy Household Survey). Many administrative data collections include one or more variables that can provide an indication, such as crime type (ABS Recorded Crime – Victims Collection); principal offence (ABS National Criminal Courts Collection); most serious offence committed (National Prisoner Census). The 'length of stay' variable in the National Hospital Morbidity Database can provide some indication of the severity of the injury, though length of stay is also likely to be dependent on other factors.

### **Incidence and prevalence of violence**

A reasonable estimate of the incidence or prevalence of violence and family violence may be obtained through the use of surveys. While many of the national surveys described in this report are able to provide such estimates, some do not collect Indigenous status, and the majority do not sample a group of Aboriginal and Torres Strait Islander people that is sufficiently representative to accurately estimate the level of violence and family violence in the Indigenous population. The exceptions are the ABS NATSISS and the ABS NATSIHS, both of which use a sample that is representative of the Indigenous population and sufficiently large to provide robust estimates at national and state/territory level.

The NATSISS collects a range of information about violence. In addition to the victimisation module common to the NATSISS and GSS (also designed to align with the National Crime and Safety Survey), the 2002 NATSISS included information about a person's awareness of family violence, assault and sexual assault as a problem in their neighbourhood, and information on whether or not the person had witnessed violence. The current module on victimisation collects information on physical or threatened violence in general but does not specifically identify the sub-category of family violence.

The NATSIHS also provides an indication of the level of violence experienced by Aboriginal and Torres Strait Islander people through information on those who took a health-related action as a result of an attack. No information is collected on the relationship of the offender to a victim in this survey.



## Summary of gaps and data quality issues

### *In general*

1. Many national surveys relevant to violence are not designed to obtain estimates for the Indigenous population.
2. Two national surveys do not collect Indigenous status (*National Crime and Safety Survey* and the *Women's Safety Survey/Personal Safety Survey*).
3. It is not possible to distinguish between an individual's experience of family and general violence; the 'relationship of offender to victim' variable is not collected in some surveys (*Australian Longitudinal Study on Women's Health; National Aboriginal and Torres Strait Islander Social Survey; and National Aboriginal and Torres Strait Islander Health Survey*).

### *Where Indigenous populations can be reliably estimated*

1. While there are standard measures of victimisation due to assault, it is not possible to distinguish between an individual's experience of actual violence and threatened violence (*National Aboriginal and Torres Strait Islander Social Survey*).
2. While there are standard measures of victimisation due to assault, it is not possible to distinguish between an individual's experience of family and general violence (*National Aboriginal and Torres Strait Islander Social Survey*).
3. Information on the relationship between attacks and resulting health-related actions does not include those people who were attacked but who did not take action as a result of the violent incident, and does not distinguish between family and general violence (*National Aboriginal and Torres Strait Islander Health Survey*).

## Associated harm

Some violence, including family violence, results in serious physical injury, or death. This kind of associated harm may be measured through hospital, mortality and homicide data.

National information on hospitalisations due to family violence is available for the Australian population, because information on partner violence, family violence and general violence can be accurately captured and distinguished. However, the quality of the data provided for Indigenous status in the National Hospital Morbidity Database in 2003–04 is considered to be in need of improvement, being acceptable for only Queensland, Western Australia, South Australia, and the Northern Territory (AIHW 2005d). Also, no indicators of social context or social participation (such as social and registered marital status, employment status and type of accommodation) are collected for admitted patients, other than psychiatric patients.

National information on deaths due to violence is available for the Australian population. The National Mortality Database holds information on deaths due to assault, but no information on the relationship of the perpetrator to the victim is available, and therefore general assaults cannot be distinguished from partner or family violence-related assaults. Mortality data of Indigenous people are considered reliable only for Queensland, Western Australia, South Australia and the Northern Territory.

For the National Homicide Monitoring Program, information is collected on the relationship of the perpetrator to the victim and on the Indigenous status of the perpetrator. However, the identification of Aboriginal and Torres Strait Islander people is sourced from police records and may have been determined by asking the person (offender/victim), or may be based on physical appearance. This means that, while this data source gives a

comprehensive picture of deaths due to partner and family violence as well as general violence, the quality of information on violence by Indigenous status is of some concern.

### **Summary of gaps and data quality issues**

1. Identification of Aboriginal and Torres Strait Islander people in hospitals data is not reliable for New South Wales, Victoria, Tasmania and the Australian Capital Territory (*National Hospital Morbidity Database*).
2. No indicators of social context or social participation are collected for admitted patients other than psychiatric patients (*National Hospital Morbidity Database*).
3. Identification of Aboriginal and Torres Strait Islander people in mortality data is not reliable for New South Wales, Victoria, Tasmania and the Australian Capital Territory (*National Mortality Database*).
4. It is not possible to distinguish between family and general violence in mortality data (*National Mortality Database*).
5. Identification of Aboriginal and Torres Strait Islander people in homicide data is not reliable as it is based on police and mortality data (*National Homicide Monitoring Program*).

### **Victim support/counselling**

Only two collections relevant to this area exist at the national level. These are the SAAP National Data Collection and the National Child Protection Data Collection.

The SAAP data collection provides information that can be used to estimate the number of clients seeking support to escape general violence or family violence (including partner violence). Information on 'relationship of offender to victim' is not collected, but it is mostly possible to differentiate family violence from general violence for physical assault, but not for sexual assault.

The collection contains relatively good quality data on Indigenous status, making it possible to report on the number and proportion of Aboriginal and Torres Strait Islander clients escaping family violence.

In relation to national child protection data, there are issues around collecting information on the relationship of the person believed responsible for violence to the child, and it is currently not possible to distinguish between abuse by family members and others. In terms of the identification of Aboriginal and Torres Strait Islander children, a number of issues affect the quality of the data for substantiated notification of child abuse and neglect.

It is not possible to accurately estimate the number of children in the child protection system subject to each type of abuse. This is due to the fact that, where more than one type of abuse or neglect has occurred, the substantiation is classified to the type most likely to be the most severe in the short term or most likely to place the child at risk in the short term, or if such an assessment is not possible, to the most obvious form of abuse or neglect.

### **Summary of gaps and data quality issues**

1. Family violence and general violence can be determined from the SAAP collection, but it is not possible to distinguish family violence from partner violence. Detailed information on the relationship of offender to victim is not collected (*Supported Accommodation Assistance Program Database*).

2. Identification of Aboriginal and Torres Strait Islander children in substantiated notification of child abuse and neglect is not currently reliable (*National Child Protection Data Collection*). However, this situation is likely to change with the work currently being undertaken by National Child Protection and Support Services to improve the quality of Indigenous identification in this data set.
3. The categories of abuse/neglect are classified according to the most serious form of abuse or neglect. As only one type of abuse is recorded for each child, the number of children in the child protection system who are the subject of abuse (physical, sexual or emotional) cannot be estimated accurately (*National Child Protection Data Collection*).

## **Crime and justice**

There are major gaps in the national data available on family violence and general violence among Aboriginal and Torres Strait Islander people.

Although police include Indigenous identification in their data systems, there is evidence that Indigenous status is often not recorded or may be guessed from the physical appearance of the person, which is a subjective assessment by the police officer.

Administrative data are obtained from police in each jurisdiction by the ABS. Indigenous status is not currently collected in the ABS Recorded Crime Victims collection, and is collected for only some jurisdictions in the ABS Offender Based Statistics collection. All jurisdictions have committed to implementing the ABS standard Indigenous status question in their recording systems, and ABS plans in the longer term to include this information for all jurisdictions in both collections.

Whilst the ABS Recorded Crime – Victims collection collects information on assault and sexual assault, only matters that are reported to and consequently recorded by police are obtained. Differences in practices for recording assaults and sexual assaults mean that the assault and sexual assault data cannot currently be compared across the jurisdictions, but are available for use within jurisdictions. A project is underway to improve the national comparability of these data.

Indigenous status is not collected by the ABS Criminal Courts collections. Courts are recipients of information from police, and/or other enforcement agencies, and at this point Indigenous status information is not reliably available from courts systems. Additionally, the emergence of specialist courts which deal with family/domestic violence and Indigenous offenders are not included in the ABS courts collections.

While Indigenous status is collected by the ABS for the Corrective Services Data Collection, detail is not available nationally, and there is no information on the offence that caused the individual to be charged. As a result, these data cannot be used to measure violence or family violence.

The National Prisoner Census collects information on Indigenous status and on the most serious offence committed, so it is possible to report on Indigenous violence where the assault or sexual assault was the most serious offence. However, the relationship of the offender to the victim is not collected, hence family violence cannot be distinguished from general violence.

## **Summary of gaps and data quality issues**

1. Assault-related police data are not comparable across the states and territories; as a result, data are not available at the national level (*ABS Recorded Crime – Victims*).

2. Identification of Indigenous people in police and court data is not reliable (*state and territory police and court data*).
3. Information on the Indigenous status of offenders is not collected (*National Criminal Courts Collection*).
4. No information is available in corrective services data on the type of offence committed, hence general violence or family violence and the relationship of offender to victim can not be ascertained (*National Corrective Services Data Collection*).
5. Information on the Indigenous status of offenders is collected, but detail is not available at the national level as data are supplied in aggregate format (*Corrective Services Data Collection*).
6. No indicators of social context or social participation are collected for offenders (*ABS Recorded Crime – Victims; National Criminal Courts Collection; National Corrective Services Data Collection*).
7. It is not possible to distinguish whether offences committed by prisoners are related to family violence or general violence (*National Prisoner Census*).

## 8.3 Recommendations

Surveys are valuable tools that can provide estimates of the prevalence and incidence of family violence, and changes over time, but the collected information cannot be disaggregated at the small area level. Administrative data collections (consisting of administrative by-product data) are useful because they can provide valuable information about the demand for services, the services provided, the characteristics of the people receiving services, and the outcomes.

This section outlines possible ways of improving the availability and quality of national information about family violence through changes to currently operating national surveys and administrative data collections.

### Surveys

The previous section (8.2) suggested that the two data sources most suited to providing information on the prevalence of Indigenous family violence are the ABS NATSISS and the ABS NATSIHS. This is because both of them use a sample that is representative of the Indigenous population and are sufficiently large to provide robust national and state/territory estimates. These surveys have been specifically designed in consultation with Indigenous and other stakeholders to collect information about the Aboriginal and Torres Strait Islander population. As the NATSISS already contains a number of violence-related questions, it is probably the most appropriate source to consider here.

The most recent NATSISS (2002), in common with other ABS surveys such as the Crime and Safety Survey and the GSS, provides information about the respondent's individual experience of physical or threatened violence in the 12 months before the survey. These collections do not provide information on the relationship of the offender to the victim. One option for improving the availability of information about Indigenous family violence is to investigate the feasibility of modifying either the output or wording of the current victimisation module used in the NATSISS to provide estimates that specifically identify family violence and/or which separately measure actual and threatened violence. It is also

suggested that the need for, and feasibility of, collecting information on the severity of the violence be explored.

Because the GSS asks the same question as those included in the NATSISS, the changes/additions to this question recommended above are also suggested for inclusion in the GSS. This will enable consistent analysis of data on both Indigenous Australians and the Australian population in general.

The option outlined above would increase the amount of information available about Indigenous family violence and general violence through the NATSISS. However, it would refer to physical violence only. The Sexual Assault Information Development Framework states that sexual assault is one of the most under-reported crimes, and that both qualitative and quantitative data are required to inform decisions on where the focus of policy initiatives should be (ABS 2003b:3). The 2002 NATSISS and the 2002 GSS were not designed to collect information on an individual's experience of sexual assault and so this information cannot be obtained from these collections. However, information about a person's perception of sexual assault as a neighbourhood problem is available from the NATSISS.

There are considerable methodological challenges to be addressed in collecting reliable information on sexual assault from Indigenous-specific as well as general population household surveys. Nevertheless, the development phase for the 2008 NATSISS will provide an opportunity for these issues to be raised and considered.

Important information relevant to the issue of family violence is collected through the NDSHS. This data source allows for analyses of incidents of violence and alcohol or illicit drug use (see survey questions in Appendix B). However, the sample of Indigenous people may not be sufficiently representative of the total Indigenous population to accurately estimate the level of violence and family violence in the Indigenous population. If over-sampling of the Indigenous population were undertaken for that collection, it would provide information that is not captured in other existing national surveys.

## **Summary of recommendations**

### **NATSISS and GSS**

- Investigate the feasibility of modifying the current victimisation module to enable actual and threatened violence to be distinguished.
- Investigate the feasibility of collecting relationship of offender to victim.
- Investigate the feasibility of collecting information on an individual's experience of sexual assault.
- Investigate the need for, and feasibility of, collecting information on the severity of the violence.

### **NDSHS**

- Design the sample to allow accurate estimation for the Indigenous population.

The amendments and additions to existing surveys suggested above could do much to improve the availability of information on the prevalence of Indigenous family violence in Australia. If these options were to be explored but could not be implemented, the possibility of initiating a new Aboriginal and Torres Strait Islander specific survey should be considered.

## **Administrative data collections**

This report has outlined a number of administrative data collections that can potentially inform on Indigenous family violence, for example on the harm associated with family violence, the demand for services, the characteristics of the people receiving services, actions taken by the victim in response to violence, and the charges laid.

A number of improvements to data availability and quality that would support more comprehensive and consistent information on Indigenous family violence are suggested below. It should be noted that, for the majority of these data sources, work is already underway, particularly in terms of improving the collection and reporting of Indigenous status.

### **A minimum data set/module for family and domestic violence**

- Develop a framework that includes standard data items that allow users to aggregate data according to their desired definitions of domestic and family violence (definitions, relations of victim and offender and a minimum set of contextual information). This can also be included in relevant surveys.
- Implement elements of the framework in relevant administrative data collections such as police, courts and other recording systems including the SAAP data collection.

### **Data quality improvement—Indigenous identification**

- National Hospital Morbidity Database: improve the identification of Indigenous people in New South Wales, Victoria, Tasmania and the Australian Capital Territory (work already underway).
- National Mortality Database: improve the identification of Indigenous people in New South Wales, Victoria, Tasmania and the Australian Capital Territory (work already underway).
- National Child Protection Data Collection: improve the identification of Indigenous children (work already underway).
- Police and courts data: continue to work towards the improved identification of Indigenous people in police recording systems, and progress the transfer of this information through courts systems (work already underway).

### **Consistency and comparability of data**

- Police data: improve consistency and comparability between the states and territories (work already underway).

Ideally the information across the data sources should be integrated. This could be achieved through data linkage. This involves linking up the data of two or more collections (e.g. over time, across jurisdictions or across sectors) through either a common person identifier or through the use of a statistical linkage key. This approach—depending on the type of linkage undertaken—can provide valuable information, for example on the movement of clients between sectors, or repeat usage of services over time. Much benefit for the individuals could be obtained through linking data from different sources by identifying vulnerable population groups/individuals and reducing the burden of new data collections. With the understanding that privacy issues would need to be addressed, this issue should be

considered together with developing and implementing a standard module/minimum data set to capture family violence.