

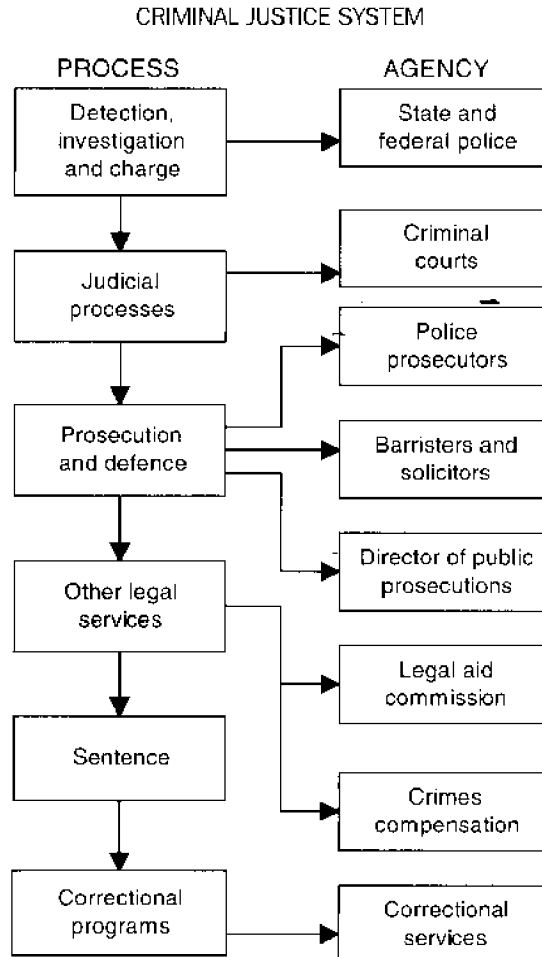


8 Crime and Justice

OVERVIEW

The criminal justice system consists of the State and Commonwealth institutions, agencies, departments and personnel who are responsible for dealing with persons accused or convicted of committing a crime. The justice system also has a responsibility for providing some assistance to the victims of crime.

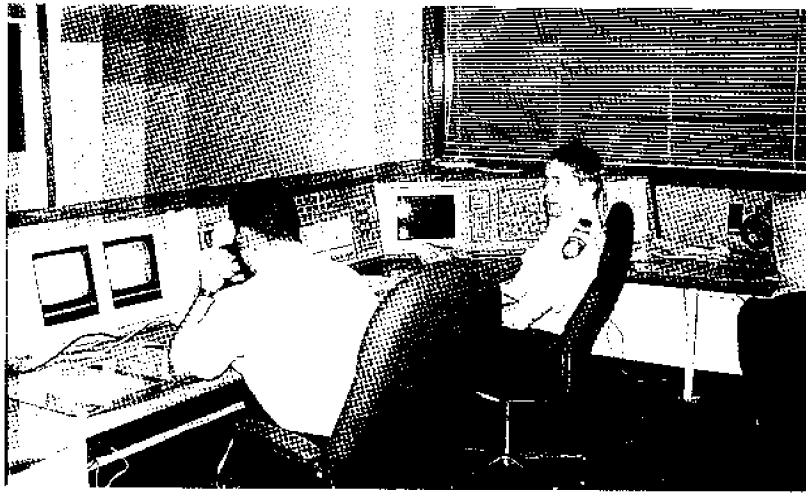
The various agencies that comprise the criminal justice system can be seen as acting within a broader process in which criminal incidents and offenders move through a number of stages. The diagram below indicates these broad stages and the points at which the different justice agencies make their contribution.



Source: Department of Justice, Victoria

Crime statistics

In Victoria, as in other states, there exist two systems of criminal justice: the federal criminal justice system, based on offences against Commonwealth laws, and the state system, based on offences against State laws. As a result, detailed national statistics on the level and nature of crime and criminal justice agency activity have not been available. To address this need, the National Centre for Crime and Justice Statistics was established within the ABS to enable the provision of comparable data across jurisdictions.



Within the scope of the national collection, the most frequently reported single offence categories in Australia in 1995 were those of unlawful entry with intent (equivalent to burglary, break and enter), with 384,897 occurrences recorded, and motor vehicle theft, with 126,919 cases recorded.

8.1 VICTIMS OF CRIME REPORTED TO POLICE

	Victoria			Australia		
	Rate (a)		Number	Rate	Number	
	1993	1994				1995
Homicide -						
Murder	1.23	1.25	1.38	62	1.78	321
Attempted murder etc.	1.46	1.30	1.02	46	1.67	301
Manslaughter	0.09	0.11	0.11	5	0.17	30
Driving causing death	0.81	0.36	0.49	22	1.74	314
Assault (b)	n.a.	n.a.	351.11	15 807	560.26	101 149
Sexual assault	71.64	63.30	62.17	2 799	70.95	12 809
Kidnapping/abduction	1.50	2.17	2.11	95	2.60	469
Robbery -						
Armed robbery	22.15	17.27	16.81	757	36.73	6 631
Unarmed robbery	20.45	18.95	21.06	948	54.48	9 835
Blackmail/extortion	1.28	1.63	1.24	56	0.84	152
Unlawful entry with intent	1 804.13	1 600.11	1 575.37	70 923	2 131.92	384 897
Motor vehicle theft	616.21	612.45	649.91	29 259	703.00	126 919
Other theft	n.a.	n.a.	2 480.88	111 689	2 712.89	489 785

(a) Reported incidents per 100,000 population.

Source: *National Crime Statistics, 1995 (4510.0)*

The most-recorded personal crime was assault, with 15,807 cases recorded in 1995 in Victoria, a rate of 351.11 per 100,000 population. Most victims of assault were male, with the highest rate of assault for victims aged between 20-34 years. For assault, over half of the offenders were known to their victims. The most frequent locations of assault offences were private dwellings, streets and footpaths and recreational facilities. Approximately 10% of assaults involved a weapon.

There were 67 recorded cases of murder/manslaughter, a rate of 1.49 victims per 100,000. The most likely murder victims in 1995 were males aged 20-44 years. Most murders were committed with some type of weapon, with a firearm used in about 20% of cases. The majority of murders were committed by someone known to the victim and the most common site for the murder was a private dwelling.

8.2 VICTIMS OF CRIME REPORTED TO POLICE, BY SEX, VICTORIA, 1995

	Number			Total(a)	Percentage			
	Males	Females	Not stated		Males	Females	Not stated	Total(a)
Homicide -								
Murder	38	23	1	62	61.3	37.1	1.6	100.0
Attempted murder etc.	27	19	—	46	58.7	41.3	—	100.0
Manslaughter	5	—	—	5	100.0	—	—	100.0
Driving causing death	15	6	1	22	68.2	27.3	4.5	100.0
Assault	10 135	5 045	627	15 807	64.1	31.9	4.0	100.0
Sexual assault	493	2 223	83	2 799	17.6	79.4	3.0	100.0
Kidnapping/abduction	34	61	—	95	35.8	64.2	—	100.0
Robbery								
Armed robbery	418	173	166	757	55.2	22.9	21.9	100.0
Unarmed robbery	614	283	51	948	64.8	29.9	5.4	100.0

(a) Includes not stated/inadequately described and not applicable. Not applicable refers to those offences where the sex of the victim is not applicable, such as blackmail/extortion, armed robbery and unarmed robbery where the victim can be an organisation.

Source: National Crime Statistics, 1995 (4510.0)

8.3 VICTIMS OF CRIME REPORTED TO POLICE, BY AGE, VICTORIA, 1995

	Age									Total (a)
	0-9	10-19	20-24	25-34	35-44	45-64	55-64	65 and over	Not stated	
	No.									
Homicide -										
Murder	4	4	5	17	13	8	5	5	1	62
Attempted murder etc.	2	2	3	12	9	9	3	2	4	46
Manslaughter	—	1	1	1	1	—	—	1	—	5
Driving causing death	1	9	5	3	2	1	1	—	—	22
Assault	337	2 946	2 817	4 189	2 043	983	336	157	1 999	15 807
Sexual assault	351	1 027	420	461	226	77	13	16	208	2 799
Kidnapping/abduction	18	40	14	16	4	1	—	—	2	95
Robbery -										
Armed robbery	—	105	113	136	97	64	26	21	195	757
Unarmed robbery	2	301	124	156	120	73	36	59	77	948
Blackmail/extortion	—	2	5	11	13	8	4	3	10	56
Total	715	4 437	3 507	5 002	2 528	1 224	424	264	2 496	20 597
	%									
Homicide -										
Murder	6.5	6.5	8.1	27.4	21.0	12.9	8.1	8.1	1.6	100.0
Attempted murder etc.	4.3	4.3	6.5	26.1	19.6	19.6	6.5	4.3	8.7	100.0
Manslaughter	—	20.0	20.0	20.0	20.0	—	—	20.0	—	100.0
Driving causing death	4.5	40.9	22.7	13.6	9.1	4.5	4.5	—	—	100.0
Assault	2.1	18.6	17.8	26.5	12.9	6.2	2.1	1.0	12.6	100.0
Sexual assault	12.5	36.7	15.0	16.5	8.1	2.8	0.5	0.6	7.4	100.0
Kidnapping/abduction	18.9	42.1	14.7	16.8	4.2	1.1	—	—	2.1	100.0
Robbery -										
Armed robbery	—	13.9	14.9	18.0	12.8	8.5	3.4	2.8	25.8	100.0
Unarmed robbery	0.2	31.8	13.1	16.5	12.7	7.7	3.8	6.2	8.1	100.0
Blackmail/extortion	—	3.6	8.9	19.6	23.2	14.3	7.1	5.4	17.9	100.0
Total	3.5	21.5	17.0	24.3	12.3	5.9	2.1	1.3	12.1	100.0

(a) Includes not stated and not applicable. Not applicable refers to those offences where the sex of the victim is not applicable, such as blackmail/extortion, armed robbery and unarmed robbery where the victim can be an organisation.

Source: National Crime Statistics, 1995 (4510.0)

There were 2,799 cases of sexual assault recorded by police in Victoria, a rate of 62.17 victims per 100,000 population. In 1995, almost 80% of victims of sexual assault were female and almost half of all victims were aged under 20 years (30% aged under 15 years). The most common locations for sexual assault were private dwellings. Most offenders were known to their victims.

There were 1,705 reported cases of robbery in 1995. Armed robbery accounted for 757 of these and 948 were unarmed with respective rates of 16.81 and 21.06 victims per 100,000. Organisations were the victims in about a quarter of the cases of armed robbery in 1995, and males were more than twice as likely to be victims than women. Organisations were much less likely to be victims of unarmed robberies, but again males were twice as likely as females to be victims.

A weapon was used in 44% of robberies, 60% of murders and 52% of attempted murders. Table 8.4 also provides the breakdown on the use of firearms, which were used in 8% of robberies, 21% of murders and 15% of attempted murders.

8.4 VICTIMS BY OFFENCE BY WEAPON USED, VICTORIA, 1995

	Weapons used			Total %	No weapons used %	Total %
	Firearm %	Other weapon %	Weapon n.f.d. %			
Homicide -						
Murder	21.0	38.7	—	59.7	40.3	100.0
Attempted murder	15.2	37.0	—	52.2	47.8	100.0
Manslaughter	—	20.0	—	20.0	80.0	100.0
Assault	0.5	6.1	—	6.6	93.4	100.0
Sexual assault	0.1	1.6	0.0	1.8	98.2	100.0
Kidnapping/abduction	1.1	4.2	—	5.3	94.7	100.0
Robbery (a)	8.0	18.2	18.2	44.4	55.6	100.0

(a) Victims of robbery refers to individual persons or organisations. All other offence categories used in this table refer to individual persons.

Source: National Crime Statistics, 1995 (4510.0)

Firearm reform

In response to the Port Arthur massacre in April 1996, centre-fire and rim-fire rifles, semi-automatic shotguns and pump-action shotguns are being banned (with some exemptions) Australia-wide and a nationally funded compensation program implemented.

In Victoria the gun buy-back scheme is administered by the Firearm Reform and Compensation Project, a joint Department of Justice and Victoria Police initiative. Compensation payouts began in Victoria in August 1996 and as at 11 January 1997 a total of 134,085 firearms had been surrendered in Victoria for a total value of \$66,950,447. The average price paid per firearm was \$499.00. It is estimated that there are 213,000 registered firearms in Victoria which are now prohibited. Of those surrendered, approximately 10% have been unregistered.

A new firearms act, the *Firearms Act 1996*, was passed by Parliament in December 1996. The act will become effective in Victoria on a date to be finalised in 1997. The act implements in Victoria the provisions of the National Firearms agreement made by Police Ministers from all states and territories on 10 May 1996.

Drug offences

A total of 12,938 arrests were made for drug related offences in Victoria during 1994. The largest category of drug arrests were for cannabis with 10,303 arrests (80% of the Victorian total).

8.5 TOTAL ARRESTS BY DRUG TYPE, EXCLUDING STEROIDS AND OTHER DRUGS, 1994

Type of drug	Number		Percentage	
	Victoria	Australia	Victoria	Australia
Cannabis	10 303	46 391	79.6	84.6
Cocaine	49	299	0.4	0.5
Heroin etc.	843	2 992	6.5	5.5
Amphetamine	1 677	4 593	13.0	8.4
LSD	66	540	0.5	1.0
Total	12 938	54 815	100.0	100.0

Source: Australian Illicit Drug Report, 1994 – Australian Bureau of Criminal Intelligence

Victims of crime

In recent years, there has been increased focus on the situation of the victims of crime and their families within the justice system. Some steps have been taken to enable increased involvement of victims within the legal system. One example is the introduction of the option for victims of crime to submit a victim impact statement to the court, outlining the effect the crime has had on them.

In addition to the data collected on offences reported to or detected by police, information collected from crime victim surveys allows us to develop a more comprehensive picture of the nature and extent of crime. Crime victim surveys are usually conducted on a household basis and are not suitable for all types of crime.

8.6 VICTIMS OF CRIME, WHETHER TOLD POLICE ABOUT THE LAST INCIDENT BY TYPE OF OFFENCE, VICTORIA (a)

Type of offence	Offences reported to police			Total victims '000
	1993 %	1994 %	1995 %	
Households –				
Break and enter	82.9	83.8	76.5	52.7
Attempted break and enter	39.6	37.0	37.4	39.6
Motor vehicle theft	94.2	93.7	96.5	94.2
Persons –				
Robbery	52.2	67.8	56.7	52.2
Assault	35.3	35.0	33.2	35.3
Sexual assault (b)	33.1	12.0	14.9	**33.1

(a) As at April. Refers to households or persons who were victims of any of the types of offence specified.

(b) Sexual assault questions were asked only of females aged 18 years and over.

Source: Crime and Safety Victoria, April 1995 (1509.2)

Data from Victoria's 1995 Crime and Safety survey showed that whilst some crimes are generally reported to police, some are not readily reported. In 1995, 77% of break and enter offences were reported, compared with 37% of attempted break and enter offences. Whilst 97% of all motor vehicle thefts were reported, the figures for personal crime were much lower – with 33% of assaults and 15% of sexual assaults reported.

Only 12% of people reported sexual assaults to police in 1994. This was a significant decrease on the previous year when 33% of these crimes were reported.

8.7 RELATIONSHIP OF OFFENDER TO VICTIM, VICTORIA (a), 1995

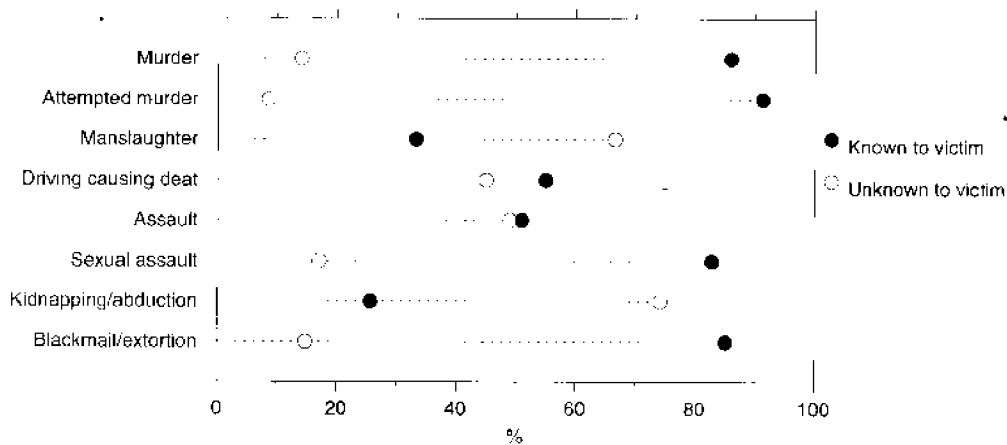
	Offender known to victim		Offender unknown to victim No.	Total (b) No.
	Family member No.	Non-family member No.		
Homicide				
Murder	24	19	7	50
Attempted murder etc.	18	14	3	35
Manslaughter	1		2	3
Driving causing death	2	9	9	20
Assault	529	938	1 409	2 876
Sexual assault	409	583	205	1 197
Kidnapping/abduction	3	16	55	74
Blackmail/extortion	2	21	4	27
Total	988	1 600	1 694	4 282

(a) The proportion of Victim to known offender and unknown to offender have been calculated as a percentage of those offences where the relationship variable was recorded by Police.

(b) Excludes not stated.

Source: National Crime Statistics, 1995 (4510.0)

RELATIONSHIP OF OFFENDER TO VICTIM, VICTORIA, 1995



Source: National Crime Statistics, 1995 (4510.0)

Table 8.7 provides data on the relationship between offenders and victims for Victoria. In total, for those offences enumerated, 61% were committed by someone known to the victim, and 23% were committed by a member of the victim's family.

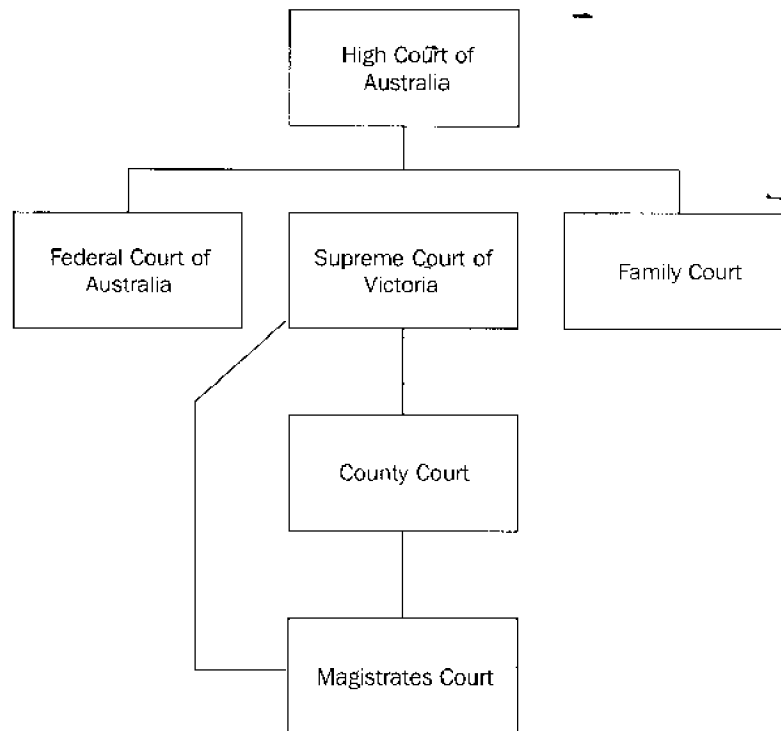
The figures for murder, attempted murder and sexual assault are particularly high in this regard. 86% of murders and 92% of attempted murders were committed by someone known to the victim, with 48% and 51% respectively committed by a member of the victim's family. 83% of sexual assaults were committed by someone known to the victim, with 34% committed by a member of the victim's family.

Court system

In all states, two systems of criminal justice exist: the federal criminal justice system, based on offences against Commonwealth laws, and the relevant State system, based on offences against State laws. It is the statute law and the common law of the States and Territories that primarily governs the day-to-day lives of most Australians.

With respect to the criminal law, the State and territories have powers to enact their own criminal law, while the Commonwealth has powers to enact laws including sanctions for criminal offences, in relation to its responsibilities under the constitution. Thus, in effect, there are nine different systems of criminal law in existence in Australia.

The diagram below illustrates the basic structure of the court system. Less serious offences are heard by the Magistrates' Courts, including less serious civil and family law, as well as criminal cases. More serious criminal cases are heard by the County Court, as are civil cases involving large claims. The County Court also hears cases on appeal from the Magistrates' Court. The Supreme Court of Victoria hears the most serious criminal cases and appeals from the County and Magistrates' Court. The Supreme Court of Victoria also hears cases on appeal from the Magistrates' Court. The Supreme Court of Victoria also hears cases on appeal from the County and Magistrates' Court. The Supreme Court of Victoria also hears cases on appeal from the County and Magistrates' Court.

STRUCTURE OF THE COURT SYSTEM

Source: Department of Justice, Victoria

The Federal Court of Australia hears cases involving Commonwealth (as opposed to state) law, such as cases involving trade practices and bankruptcy. There is also a federal Family Court which hears cases under the Family Law Act. Finally, the High Court of Australia acts as the final court of appeal for all criminal, civil and family law matters from lower courts within Australia.



Victoria's court system had a total of 738,500 cases of a criminal or civil nature presented to it in 1993-94. The vast bulk of these cases were brought before the Magistrates' Court - which generally hears approximately 99% of criminal cases and 91% of civil cases. During 1993-94, the County Court heard 4,300 criminal cases and 12,700 civil cases and the Supreme Court heard 800 criminal and 6,500 civil cases.

8.8 CRIMINAL AND CIVIL MATTERS FILED BY COURT TYPE, 1993-94

	Victoria '000	Australia '000	Victorian % of Australia
Criminal Matters -			
Supreme Court	0.8	4.7	17.0
County Court	4.3	25.2	16.9
Magistrates' Court	522.5	1 515.5	34.5
Total	527.6	1 545.4	34.1
Civil Matters			
Supreme Court	6.5	36.8	17.6
County Court	12.7	44.3	28.7
Magistrates' Court	191.7	623.9	30.7
Total	210.9	705.0	29.9

Source: Industry Commission - Report on Government Service Provision, Steering Committee for the Review of Commonwealth/State Service Provision, 1995

Police and law enforcement

The role of the police force is to be responsible for the prevention, detection and investigation of crimes. In 1994-95, there was a total of 12,222 people working for the Victoria Police, 9,997 of whom were police officers; the remainder being recruits, reservists and support and administrative staff. Since 1992-93 there has been a 3% increase in the number of police officers employed. Table 8.9 provides a breakdown for the Victoria Police by sex and rank.

In addition to its sworn officers, the Victoria Police runs various programmes within the community to prevent and detect crime and to build co-operation between the community and the police.

The most extensive of these is the Neighbourhood Watch scheme. The scheme aims to prevent crime by educating the community and through active community participation in crime detection and prevention. Victoria has over 25,000 active Neighbourhood Watch volunteers, and covers an area of over 822,000 households and 2,367,000 residents. Geographically, Neighbourhood Watch covers half of the State of Victoria.

Other programs include the START program which provides for small-scale funding of community recreational activities for children and teenagers. Funding is granted to police, sporting clubs, youth or other local groups for equipment and uniform purchase and minor capital works. In 1995-96, the Victoria Police funded 242 projects to the value of \$879,700.



8.9 NUMBER OF POLICE BY SEX AND RANK, VICTORIA, 1994-95

Rank	Male	Female	Total	%
Chief Commissioner	1	—	1	0.0
Deputy Commissioner	2	—	2	0.0
Assistant Commissioner	7	—	7	0.1
Commander	6	—	6	0.1
Chief Superintendent	25	—	25	0.3
Superintendent	57	—	57	0.6
Chief Inspector	85	2	87	0.9
Inspector	212	4	216	2.2
Senior Sergeant	513	14	527	5.3
Sergeant	1 642	75	1 717	17.2
Senior Constable	3 592	700	4 292	42.9
Constable	2 484	586	3 070	30.7
Total	8 616	1 381	9 997	100.0
Recruits in training	200	62	262	..
Total police and recruits	8 816	1 443	10 259	..
Reservists	39	21	60	..
Protective Service Officers	90	17	107	..
Unsworn staff	643	1 153	1 796	..
Total workforce	9 588	2 634	12 222	..

Source: Victoria Police Annual Report, 1994-95

Legal services.

In addition to the court itself, there are a number of other agencies involved in the court process. These include legal representatives for the prosecution and defence. Police Prosecutors are generally responsible for less serious matters heard before courts of summary jurisdiction, such as the Magistrates Court, whilst Crown Prosecutors normally handle prosecution of the more serious matters dealt with in the Supreme or County courts.

For the defendant, legal aid may be available to handle their defence. The objective of the Commonwealth's legal aid scheme is to maximise access to justice by all members of the community. Legal aid services and advice are provided directly by staff lawyers or by way of subsidies to the private legal profession. Assistance is directed to those persons who are most in need by way of merit and means tests.

8.10 LEGAL AID: APPLICATIONS AND THEIR OUTCOMES, VICTORIA

Year	Total applications received	Received per workday	% change	Number approved	Number refused	Total assessed (a)	Refusal rate %
1992-93	40 413	164	-6.3	30 028	10 025	40 053	25.0
1993-94	42 969	175	6.3	33 565	8 390	41 955	20.0
1994-95	48 669	196	13.3	39 094	7 904	46 998	16.8

(a) Total assessed is less than total applications received, as not all applications are processed.

Source: Legal Aid Commission of Victoria, Annual Report, 1994-95

In 1994-95, 48,669 applications for legal aid were received, an average of 196 per day, and an increase of 13% over the previous twelve months. Of these, 46,998 were assessed, with a refusal rate of 17%. Of the applications made, criminal cases accounted for 61%, family cases for 26% and civil cases for 14%.

8.11 LEGAL SERVICES, NUMBER OF BUSINESSES AND EMPLOYMENT, VICTORIA, 1992-93

Businesses at end June –	No.
Solicitors	1 663
Barristers	1 197
Other	24
Total	2 884
Employment at end June –	
Male	7 169
Female	9 762
Total	16 932

Source: *Legal and Accounting Services, Australia, 1992-93 (8678.0)*

Corrections and sentencing

In 1995, the Magistrates' Court handed down 81,083 sentences. Of these 73,419 or 91% were in the form of a non-custodial order, 2,987 or 4% were convicted and discharged, and 4,522 or 6% were custodial sentences. The most common non-custodial sentence handed down by the Magistrates' Court was a fine (accounting for 49% of non-custodial sentences) followed by suspension or cancellation of licence (22% of non-custodial sentences) and bonds (16%).

Generally, the percentage of custodial sentences delivered is greater in the Higher Courts, reflecting the more serious nature of cases heard before the County and Supreme Courts. In Victoria in 1995, 45% of sentences handed down in the Higher Courts were custodial. In comparison, 6% of sentences handed down in the Magistrates Court in 1995, were custodial. The most common form of non-custodial sentence was a suspended sentence of imprisonment.

8.12 SENTENCES IMPOSED BY CRIMINAL COURTS, VICTORIA, 1995

Penalties	Magistrates court No.	Higher courts No.
Custodial		
Imprisonment	4 207	486
Youth training centre	315	33
Non-custodial –		
Suspended sentence of imprisonment	4 324	387
Intensive correction order	723	17
Community based order	4 807	85
Licence cancelled or suspended	15 759	..
Fine	35 758	43
Adjourned undertakings/Commonwealth Bonds	11 923	76
S28 (a)	125	..
Other –		
Convicted and discharged	2 987	..
Drug and alcohol test	155	8
Other	..	29
Total	81 083	1 164

(a) Suspended sentences under S28 of the *Alcohol and Drug Dependiant Persons Act*.

Source: *Department of Justice, Caseload Analysis Section – Sentencing Statistics, Magistrates' Courts Victoria, 1995, and Department of Justice, Caseload Analysis Section – Sentencing Statistics, Higher Criminal Courts Victoria, 1994*

On 30 June 1994 there were 2,522 prisoners in Victoria's 15 gaols, a rate of 73.9 per 100,000 adult population. This represented an increase from the 2,272 prisoners and the rate of 67.0 per 100,000 adult population recorded at 30 June 1993.

Of the total number of prisoners at 30 June 1994, 333 were on remand, an increase from 290 the previous year and 2,189 were sentenced prisoners, an increase of 20% over the previous year.

Of the total number of sentenced prisoners by most serious offence, the largest single category was that of sex offences which accounted for 15%. Break and enter accounted for 12%, with other theft and robbery accounting for 11% and 10% respectively. Dealing and trafficking in drugs accounted for 9% of sentenced prisoners, with a further 9% imprisoned on the charge of murder.

Of the 2,522 prisoners in Victorian gaols, 141 were indigenous people, representing 6% of sentenced prisoners.

8.13 SENTENCED PRISONERS BY MOST SERIOUS OFFENCE (a), VICTORIA AND AUSTRALIA, 1994

	Victoria		Australia	
	No.	%	No.	%
Homicide -				
Murder	193	8.8	881	5.9
Other homicide	74	3.4	453	3.0
Assault	158	7.2	1 625	10.8
Sex offences	323	14.8	1 977	13.2
Other against person	39	1.8	154	1.0
Robbery	220	10.1	1 965	13.1
Extortion	4	0.2	37	0.2
Break and enter	258	11.8	2 014	13.4
Fraud and misappropriation	98	4.5	709	4.7
Receiving	25	1.1	251	1.7
Other theft	237	10.8	1 016	6.8
Property damage (b)	31	1.4	189	1.3
Government security (c)	164	7.5	958	6.4
Possession of weapon	2	0.1	42	0.3
Other against good order	20	0.9	65	0.4
Possession/use of drugs	11	0.5	145	1.0
Deal/traffic drugs	199	9.1	1 211	8.1
Manufacture/grow drugs	10	0.5	213	1.4
Driving offences	24	1.1	579	3.9
Licence/registration offences	74	3.4	238	1.6
Other traffic offences	1	0.0	4	0.0
Other offences	24	1.1	269	1.8
Offences in custody	—	—	3	0.0
Total	2 189	100.0	14 998	100.0

(a) The most serious offence is the offence with the longest sentence a prisoner has received.

(b) Property damage also includes environmental offences.

(c) Government security also includes justice procedures.

Source: *Prisoners in Australia, 1994* Results of the 1994 National Prison Census



Private prisons

The New Prisons Project (NPP) is a major government infrastructure project involving the replacement of the State's ageing prisons with new facilities developed, owned and operated by the private sector.

In 1996, construction of the 125-bed Metropolitan Women's Correctional Centre at Deer Park was completed with the official opening being held in August. A further two private prisons, Fulham Correctional Centre and Laverton North Men's Prison, are scheduled for completion in 1997.

When all three new private prisons are commissioned, approximately 45% of Victoria's prisoners will be accommodated in the private prisons with the remainder in the ongoing public prison system.

8.14 PRISON POPULATION, VICTORIA, 1982-94

At 30 June	Prisoners		Sentenced		Remandees	
	No.	Rate (a)	No.	Rate (a)	No.	Rate (a)
1982	1 753	66.1	1 577	61.0	176	6.8
1983	1 996	73.4	1 826	73.5	170	6.8
1984	1 845	67.5	1 665	62.5	180	6.8
1985	1 879	69.6	1 654	61.2	225	8.3
1986	1 955	71.3	1 749	63.8	206	7.5
1987	1 956	62.5	1 705	54.5	251	8.0
1988	2 071	66.2	1 811	57.9	260	8.3
1989	2 256	69.4	1 956	60.2	300	9.2
1990	2 316	69.9	1 954	59.0	362	10.9
1991	2 310	69.8	1 925	58.1	385	11.6
1992	2 277	67.4	1 913	56.6	364	10.8
1993	2 272	67.0	1 982	58.4	290	8.6
1994	2 522	73.9	2 189	64.2	333	9.8

(a) Rate per 100,000 adult population. Rates are based on population aged 17-69 for Census 1982-1986.

Source: *Prisoners in Australia, 1994 - Results of the 1994 National Prison Census*

Non-criminal courts

Apart from the court structures outlined above, there are a number of other bodies and tribunals with specific functions within the justice system:

The Crimes Compensation Tribunal rules on claims for compensation from people injured by crime for crimes committed within Victoria and which have been reported to the police. In 1994-95, there were a total of 9,639 dispositions (as against 8,365 in 1993-94), whilst 6,344 total awards were

made (as against 6,131 the previous year). The average claim paid out for pain and suffering was \$5,640.79.

The Administrative Appeals Tribunal hears cases relating to the decisions of government departments and bodies at all levels. There are four divisions within the Tribunal dealing with: taxation, planning, land valuation and general cases.

The Domestic Building Tribunal commenced operation in April 1996 and deals with disputes between house owners, builders and insurance companies where alleged breaches of Domestic Building Contracts have occurred.

The Small Claims Tribunal hears and determines claims brought by consumers against traders, such as breach of contract or the sale of faulty merchandise. There is an upper limit of \$5,000 on claims.

The Residential Tenancies Tribunal deals with disputes between landlords and tenants, such as disputes over non-payment of rent or unsafe premises.

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Prisoners in Australia, 1994 - Results of the 1994 National Prison Census

Photographs

Lawyer and clients: Courtesy of the Dep't of Justice, Victoria

Police: Photographer Andrew Stiller, Public Affairs Branch, Dep't of Infrastructure

Magistrates court: Photographer Andrew Stiller, Public Affairs Branch, Dep't of Infrastructure

Police and children: Courtesy of Victoria Police

Police: Courtesy of Victoria Police

