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# SEXUAL ASSAULT IN AUSTRALIA: A STATISTICAL OVERVIEW

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## CONTENTS

page

### KEY CONTENTS

CHAPTER 1 - Introduction . . . . .	5
CHAPTER 2 - Prevalence and incidence . . . . .	15
CHAPTER 3 - Characteristics of incidents, victims and perpetrators . . . . .	25
CHAPTER 4 - Responses, impacts and outcomes . . . . .	53
CHAPTER 5 - Improving the information base - Data issues and gaps, current developments . . . . .	85
Explanatory notes . . . . .	89
APPENDIX 1 - State and territory tables . . . . .	95
APPENDIX 2 - Comparison of measures of prevalence and incidence of sexual assault . . . . .	102

## INQUIRIES

- For further information about these and related statistics, contact the National Information and Referral Service on 1300 135 070 or Lyn Tucker on Melbourne (03) 9615 7883.

## NOTES

### ABOUT THIS PUBLICATION

This publication presents statistics which provide a broad overview of sexual assault in Australia. It includes data from selected ABS and other sources, as well as commentary to describe the prevalence and incidence of sexual assault, individual experiences, responses provided and resultant outcomes. It also highlights the potential of data currently available, through their compilation in this form, and draws attention to the gaps in data and issues relating to the data currently available.

Dennis Trewin  
Australian Statistician

## PREFACE .....

This publication provides a statistical overview of sexual assault in Australia. Sexual assault is a problem that can affect a wide range of individuals, families and communities, and is an issue of concern to many Australians. Increased community awareness of the issues surrounding sexual assault has led to growing concern and debate. Understanding current data on sexual assault and identifying gaps in the knowledge is vital in order to inform public debate and policy initiatives. To this end, this publication provides an analysis of currently available information across the whole field of sexual assault. It will form part of an information base to assist policy makers in planning service delivery, planning and targeting other program delivery, and for evaluation of programs. Data have principally been drawn from ABS sources, with the inclusion of some data from other sources.

This statistical overview follows the publication in August 2003 of an ABS Information paper, *Sexual Assault Information Development Framework* (cat. no. 4518.0). The Information Development Framework (IDF) outlined the priority needs of users for statistical information about sexual assault and identified the current supply of information that might satisfy that demand. The concepts and data sources identified in that framework have been adopted in this statistical overview where appropriate.

Funding for these projects was provided through the *National Initiative to Combat Sexual Assault*, an initiative administered by the Australian Government Office of the Status of Women. Staff from the Office of the Status of Women have provided valuable assistance to the project.

The ABS welcomes comments from users on the usefulness of this publication. Comments should be sent to the Director, National Centre for Crime and Justice Statistics at the address below.

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## ABBREVIATIONS .....

ABS	Australian Bureau of Statistics
ACT	Australian Capital Territory
AIC	Australian Institute of Criminology
AIHW	Australian Institute of Health and Welfare
ASOC	Australian Standard Offence Classification
CASA	Centre(s) Against Sexual Assault
CSS	Crime and Safety Survey
IDF	Information Development Framework
n.e.c.	not elsewhere classified
NASASV	National Association of Services Against Sexual Violence
NCCJS	National Centre for Crime and Justice Statistics
NCSS	National Crime and Safety Survey
NSW	New South Wales
NT	Northern Territory
OSW	Australian Government Office of the Status of Women
PSS	Personal Safety Survey
Qld	Queensland
RCS	Recorded Crime Statistics collection
SA	South Australia
Tas.	Tasmania
Vic.	Victoria
WA	Western Australia
WSS	Women's Safety Survey

CHAPTER **1**

**INTRODUCTION** .....

**CONTENTS**

	<i>page</i>
INTRODUCTION .....	6
THE CONCEPTUAL FRAMEWORK FOR SEXUAL ASSAULT IN AUSTRALIA .....	6
DEFINITIONS .....	8
Sexual assault (Experience-based definition; Offence-based definition) .....	8
Victims and perpetrators .....	9
Measures of the extent of sexual assault .....	9
DATA SOURCES USED IN THIS PUBLICATION .....	11
CONTEXT .....	12
OVERVIEW OF SEXUAL ASSAULT STATISTICS .....	13
Prevalence .....	13
Reporting to police .....	13
Responses and impacts .....	14
Changes over time .....	14

INTRODUCTION

This publication presents statistics which provide a broad, 'snapshot' view of sexual assault in Australia, including its prevalence, individual experiences, responses provided and resultant outcomes. It also draws attention to data quality issues and gaps in the data currently available.

THE CONCEPTUAL  
FRAMEWORK FOR SEXUAL  
ASSAULT IN AUSTRALIA

The conceptual framework for sexual assault in Australia was developed and published as part of the Sexual Assault Information Development Framework and was broadly endorsed through a consultation process with key users of sexual assault information. As a definitional map of the related areas of concern in the field of sexual assault, the framework broadly defines the scope of enquiry for this statistical overview.<sup>1</sup>

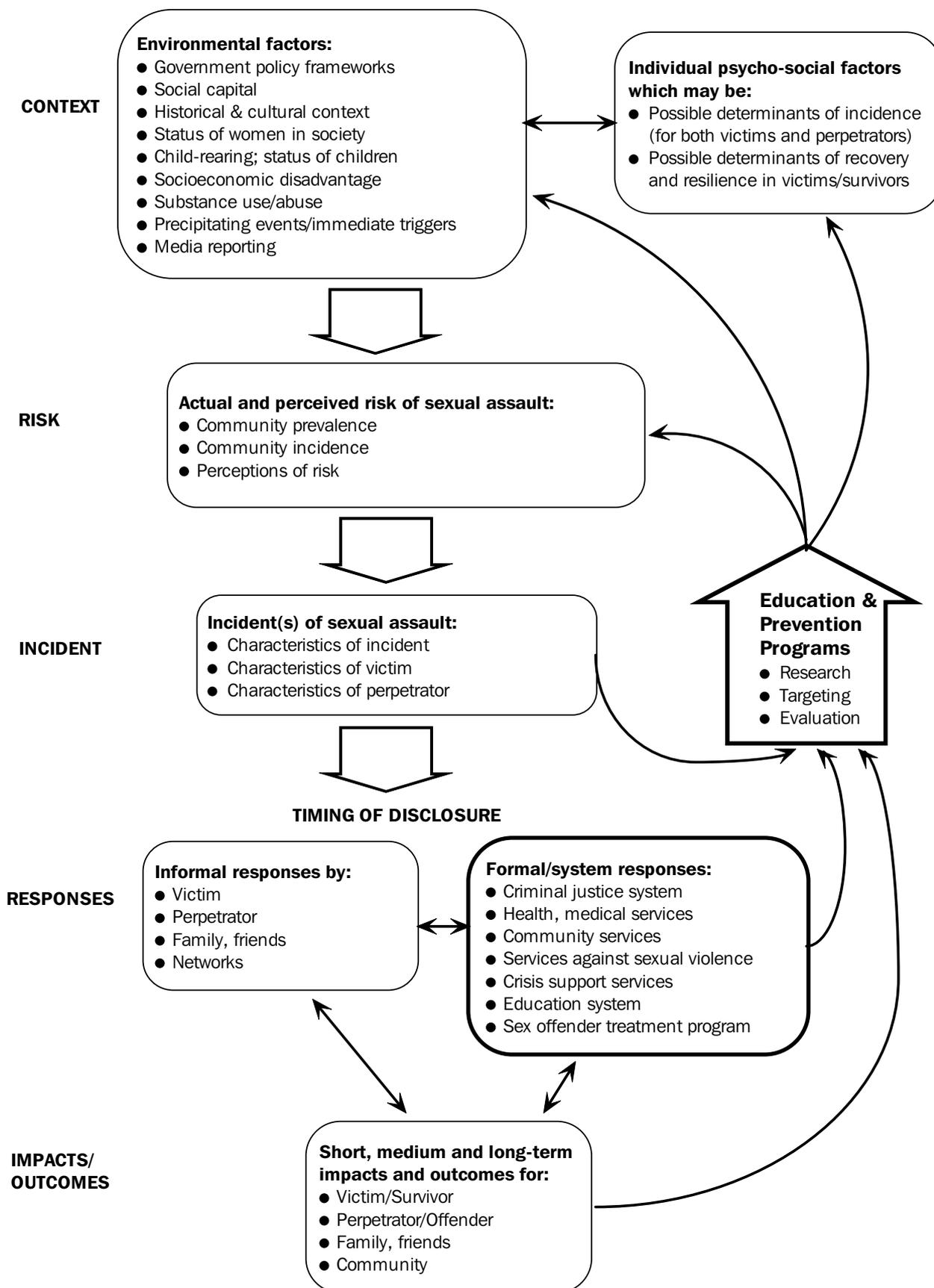
Key elements of the framework cover:

- the context in which sexual assault occurs (environmental and individual);
- the actual and perceived risk of sexual assault (measured by incidence and prevalence rates);
- incidents of sexual assault (including characteristics of incidents, characteristics of victims and characteristics of perpetrators);
- responses to sexual assault (both formal, through recognised systems, and informal);
- impacts and outcomes of sexual assault (for victims, for perpetrators and for the community); and
- education and prevention programs.

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<sup>1</sup> ABS, *Sexual Assault Information Development Framework*, 2003, cat. no. 4518.0. For a description of the conceptual framework for sexual assault, see Chapter 2.

**ILLUSTRATION OF THE CONCEPTUAL FRAMEWORK FOR SEXUAL ASSAULT**



THE CONCEPTUAL  
FRAMEWORK FOR SEXUAL  
ASSAULT IN AUSTRALIA  
*continued*

In general, each chapter may be mapped to the elements of the framework.

- This chapter provides an introduction to the relevant concepts and briefly discusses the Context element of the framework. Where information has been collected about the social or individual context for incidents of sexual assault, this is included in the discussion of those incidents from the perspective of the victim and the perpetrator. A brief summary of each chapter is also included.
- Chapter 2 includes information about the prevalence and incidence of sexual assault and about perceptions of safety.
- Chapter 3 includes information about incidents of sexual assault and about victims and perpetrators.
- Chapter 4 includes information about responses to sexual assault, the impacts and outcomes of sexual assault and about education and prevention programs.
- Chapter 5 includes an outline of issues and current developments relating to sexual assault data.
- Appendix 1 includes selected data for states and territories and Appendix 2 contains a comparison of measures of sexual assault from a number of different sources.

DEFINITIONS

*Sexual assault*

There is no single nationally or internationally agreed definition of what constitutes 'sexual assault' and definitions used in Australia vary between jurisdictions, agencies and surveys. Two levels of definition of sexual assault were adopted in the Information Development Framework. A broader, experience-based definition is suitable for some purposes such as the provision of appropriate services and support for people who have experienced sexual assault, while a narrower, offence-based definition is suitable in other settings, such as for criminal processes under specific legislation.<sup>2</sup>

EXPERIENCE-BASED DEFINITION

Sexual assault is unwanted behaviour of a sexual nature directed towards a person:

- which makes that person feel uncomfortable, distressed, frightened or threatened, or which results in harm or injury to that person;
- to which that person has not freely agreed or given consent, or to which that person is not capable of giving consent;
- in which another person uses physical, emotional, psychological or verbal force or (other) coercive behaviour against that person.

Sexual assault may be located on a continuum of behaviours from sexual harassment to life-threatening rape. These behaviours may include lewdness, stalking, indecent assault, date rape, drug-assisted sexual assault, child sexual abuse, incest, exposure of a person to pornography, use of a person in pornography, and threats or attempts to sexually assault.

<sup>2</sup> *Ibid*; comments on definitions and terminology may be found at pages 7-10. The publication also includes a summary and comparison of sexual assault legislation in each Australian state and territory; see pages 127-129.

*Sexual assault*  
*continued*

## OFFENCE-BASED DEFINITION

Sexual assault is a physical assault of a sexual nature directed towards another person without their consent. The assault may range from unwanted touching to sexual penetration without consent, including attempts.

Sexual penetration involves:

- the introduction, to any extent, of a person's penis into the vagina, anus or mouth of another person; or
- the introduction, to any extent, of another part of a person's body or an object into the vagina or anus of another person.

Consent requires 'free agreement' and a person cannot be said to freely agree where the person:

- is fearful for themselves or for someone else;
- has been threatened;
- is mistaken about the identity of the person or the nature of the sexual act;
- wrongly believes that the act is for medical purposes;
- is incapable of consenting because of the influence of alcohol or other drug(s); or
- is legally deemed incapable of giving consent because of youth, temporary or permanent incapacity, or where there is a familial relationship or other relationship of trust.

Data used in this publication generally relate to the offence-based definition of sexual assault. ABS Recorded Crime Statistics, which are derived from police records, are based on the offence-based definition. ABS population-based surveys also use the offence-based definition, but data from some surveys can be constructed to measure the experience-based definition. In cases where the experience-based definition is used, this is made explicit.

*Victims and perpetrators*

Although the terms 'victim' and 'perpetrator' are used in the main in this publication, other terms are used as appropriate to the context.

- Victim - Depending on context, a 'person who has experienced sexual assault' may be referred to as a victim, a victim/survivor, a survivor, a complainant, a patient or a client.
- Perpetrator - Similarly, depending on the context, a perpetrator of sexual assault may be referred to as an assailant, a suspect, an alleged offender, a defendant, a proven offender or a prisoner.

*Measures of the extent of sexual assault*

Population-based surveys are used to obtain estimates of incidence rates and prevalence rates of sexual assault; expressed as percentages, or rates per 100,000 of the relevant population.

- The incidence rate is based on the number of incidents of sexual assault in the relevant population in a specified reference period. As some victims experience more than one episode of sexual assault, incidence measures are greater than prevalence measures for the same period.

*Measures of the extent of sexual assault continued*

- The prevalence rate is based on the number of people in the relevant population who have experienced sexual assault at least once in a specified reference period. This may refer to experiences in a given period, since a certain age or over a lifetime.

The Recorded Crime Statistics collection reports victimisation rates, based on the numbers of victims for each offence category, rather than the number of breaches of the criminal law. Victimisation rates are expressed as a number of victims per 100,000 of the relevant population for the reference calendar year.

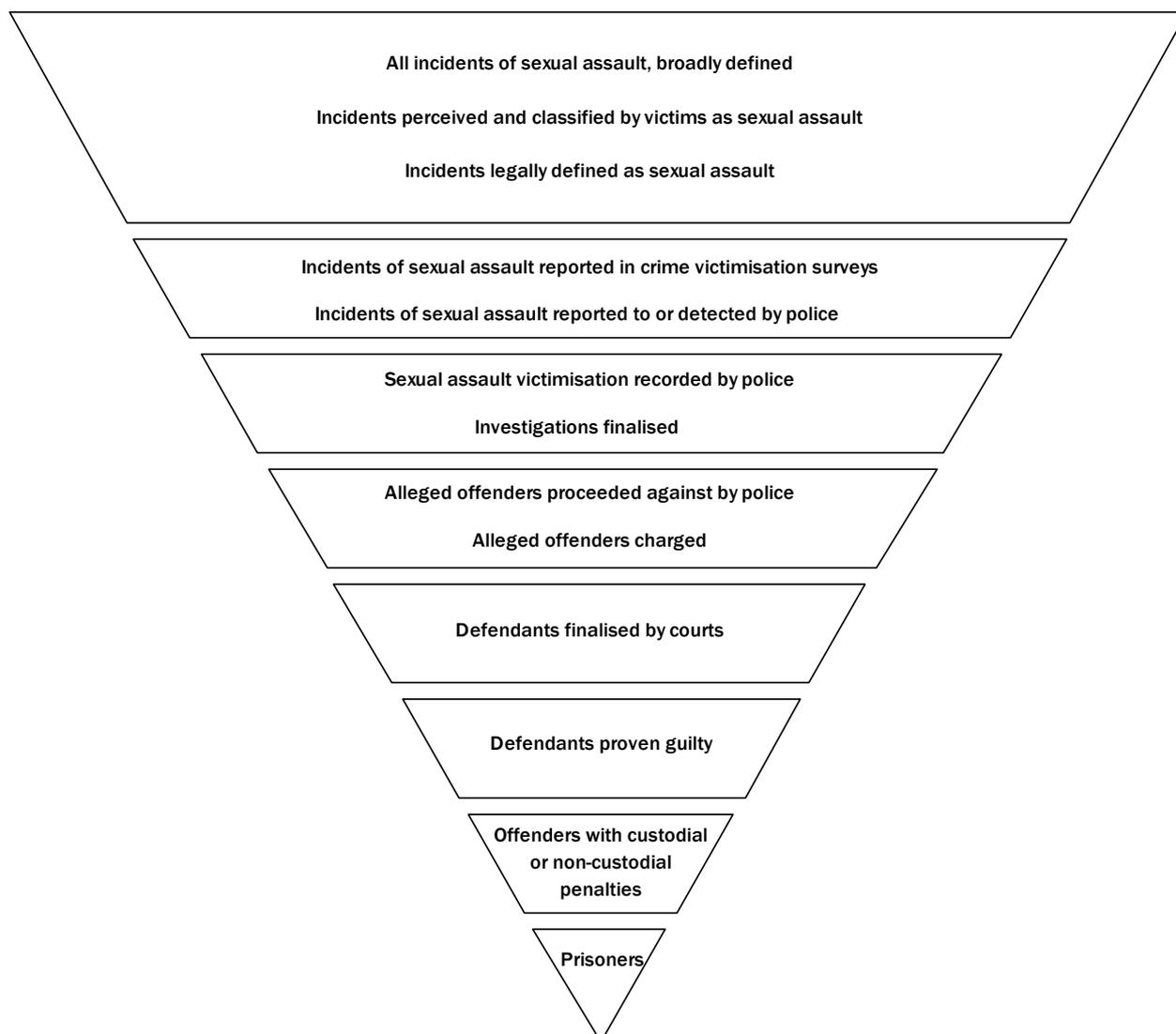
The collection and compilation of information about the extent and nature of sexual assault is complicated by a number of factors. The two definitions of sexual assault highlight the potential difficulties in measuring it. The use of different counting units (e.g. people or incidents) can make it difficult to compare data from different sources.

As well, there are a number of personal and institutional barriers to reporting sexual assault and these barriers function to reduce the incidents that may be counted. In addition, inconsistencies in legislation, definitions, recording practices and administrative systems mean that data comparability is often compromised.<sup>3</sup>

The diagram below illustrates some of the issues encountered in collecting data and the stages at which measurement may be attempted. It represents the different counting units which can apply from when an incident of sexual assault occurs through to the conviction and sentencing of an offender. At various stages, data collected about sexual assault count victims, incidents, alleged offenders, adjudicated defendants, defendants proven guilty, or sentenced, unsentenced and total prisoners.<sup>4</sup>

<sup>3</sup> *Ibid*; page 10.

<sup>4</sup> *Ibid*; see pages 75ff for a discussion of issues associated with measuring sexual assault.

**MEASUREMENT TRIANGLE FOR SEXUAL ASSAULT IN THE CRIMINAL JUSTICE SYSTEM****DATA SOURCES USED IN THIS PUBLICATION**

Various sources of data were identified and categorised in the Information Development Framework. This overview extracts published data from a selection of those sources and presents them in a structure consistent with the conceptual framework. The table below highlights the key features of the main data sources used and more detailed information is provided in the Explanatory Notes.

Where possible, data are presented about all victims and all perpetrators of sexual assault. However, most survey data relate to adult female victims. Less information about male victims and child victims is currently available.

**DATA SOURCES**

Data used in this publication are drawn from the following types of sources.

**Population based surveys**

Population based surveys mainly collect data to estimate the number of people who have been victims of sexual assault. They may refer to incidents of sexual assault which occurred in a defined period, since a certain age, or in their lifetime. Some surveys extend beyond the offence-based approach to cover as well a broader definition of sexual assault that includes unwanted sexual touching, sexual harassment and stalking. In addition to collecting information about the victims, information about the incidents of sexual assault and actions taken in response to them is often included.

- ABS, Women's Safety Survey (WSS) - 1996
- ABS, National Crime and Safety Survey (NCSS) - three-yearly; most recent 2002
- Department of Human Services (S.A.), South Australian Interpersonal Violence and Abuse Survey - single data collection in South Australia in 1999.

**Criminal justice system data collections**

Criminal justice system data collections collect data on victims of sexual assault reported to and recorded by police; defendants adjudicated by criminal courts; and prisoners.

- ABS, Recorded Crime Statistics (RCS) collection - annual; calendar year
- ABS, Criminal Courts - annual; financial year
- ABS, National Prisoner Census - annual; at 30 June each year.

**Service data collections**

Service data collections collect data mainly on the experiences of sexual assault which may have occurred at any point in a person's lifetime.

- National Association of Services Against Sexual Violence (NASASV), National Data Collection Project - a single 'snapshot' data collection conducted in 2000
- NSW Health, NSW Sexual Assault Services Data Collection - annual; financial year (most recently published for 1997-98)
- Australian Institute of Health and Welfare (AIHW), Child Protection - annual; financial year.

**CONTEXT**

In the conceptual framework for sexual assault, the Context element comprises macro-environmental factors at the level of society and community and psycho-social factors at the individual level. These factors relate to both potential victims and potential perpetrators of sexual assault (and other offences). Information about environmental factors informs the development of policies which are designed to influence those factors where opportunities exist. Relevant areas of government policy include education, employment, health, crime and justice, youth, physical environment and the economy. Other areas of interest within the Context element of the framework include social capital, historical and cultural context, socioeconomic disadvantage, and particular population groups such as women and children.

Where possible, information about the context for sexual assault is defined and collected in relevant surveys, or as supplementary information in administrative collections. As well, broad information about the Australian social context is provided in compendium publications, such as:

CONTEXT *continued*

- Measures of Australia's Progress, 2004 (ABS cat. no. 1370.0), which considers some of the key aspects of 'progress', including economic, social and environmental, and discusses how they are linked with one another. It was first released in 2002 as Measuring Australia's Progress, 2002, and the second issue was released in April 2004.
- Australian Social Trends (ABS cat. no. 4102.0), an annual publication that presents information on contemporary social issues and areas of public policy concern. Drawing on a wide range of ABS and other official statistics, it describes aspects of Australian society and how these are changing over time.
- General Social Survey, Summary Results, 2002 (ABS cat. no. 4159.0), the key publication reporting results of the a new multi-topic General Social Survey (GSS). Topics covered range across aspects of life such as health, social attachment, educational opportunities and outcomes, employment and other work, financial resources, a place to live, personal safety and security, and access to transport.

A number of other useful references and data sources relating to the Context element of the framework are listed in the Sexual Assault Information Development Framework (see pages 27-28).

OVERVIEW OF SEXUAL  
ASSAULT STATISTICS

In the data presented and discussed in this publication, a picture of sexual assault in Australia emerges where some population groups are more affected than others, most incidents are not reported to police, and many victims do not utilise available services which provide responses to sexual assault. Information about impacts and outcomes, for victims and for perpetrators, is limited.

*Prevalence*

The National Crime and Safety Survey (NCSS) of 2002 estimated that 33,000 adults in Australia were victims of sexual assault in the 12 months prior to the survey. This represented a prevalence rate of 0.2% (or 200 victims per 100,000 adult persons), which was the lowest rate for personal crimes reported in that survey. The prevalence rate for robbery was 0.6% and for assault was 4.7%. In Recorded Crime Statistics for 2003, 18,237 reports of sexual assault victimisation were made to police in Australia. This represented a victimisation prevalence rate of 0.09% (or 91.7 victims per 100,000 persons of all ages), which was higher than the rate for robbery (0.08% or 84.2 victims per 100,000 persons), but lower than the rate for assault (0.8% or 798.0 victims per 100,000 persons). (See Chapter 2).

*Reporting to police*

Available data indicate that, for incidents of sexual assault reported to police, victims include proportionately more females, particularly young women, while perpetrators for whom information is available include proportionately more males, particularly young to mid-aged men. (See Chapter 3.)

For most victims of sexual assault reported to the police, the perpetrator is likely to be known to them. The most commonly reported location where the offence occurs is a residential setting. (See Chapter 3.)

*Reporting to police  
continued*

There is evidence that most victims of sexual assault do not report the crime to police, and that many do not access the services available to provide support. Factors affecting the decision to report sexual assault include the closeness of the victim-offender relationship and the victim's perception of the seriousness of the crime.<sup>5</sup>

Victims are more likely to report sexual assault to police if: the perpetrator was a stranger; the victim was physically injured; or the victim was born in Australia. (See Chapter 4.)

*Responses and impacts*

A number of agencies provide responses to sexual assault. However the information which is available is often not structured to provide information on interventions relating to sexual assault or to link interventions to outcomes. For example, data are not collected in the criminal justice system that measure and track sexual assault through each of the separate administrative systems - police, courts and corrections. (See Chapter 4.)

The experience of sexual assault has impacts for victims in their short and long-term physical and mental health, their economic wellbeing, changes to their day-to-day activities and their feelings of safety. Longer-term outcomes show evidence of resilience in many victims and the ability to recover and move on; however lingering severe negative effects remain for some. (See Chapter 4.)

Alleged offenders are charged in relation to sexual offences committed against a relatively small proportion of reported victims. For those alleged perpetrators who are identified and proceeded against, they are less likely than other defendants to plead guilty, more likely to go to trial and more likely to have an acquittal outcome. Durations of court processes are longer for most outcomes. Once proven guilty, sex offenders are more likely to receive a custodial sentence and are likely to spend longer in prison than offenders for all offences. (See Chapter 4.)

A range of general crime prevention programs operate in Australia, as well as a number of specific sexual assault prevention programs. Other, broader, educational and awareness programs operate in relation to sexual assault. Rehabilitation programs are provided to (some) sexual assault offenders and their effectiveness may be measured in terms of recidivism rates. However, there is little information or structure currently available to answer the broad question of, 'What works and what doesn't work?'

*Changes over time*

Movements over time in the prevalence rate for sexual assault, as reported for female adults, have been observed in successive National Crime and Safety surveys. In 1998, the prevalence of sexual assault victimisation was lower than in 1993. The rate measured in 2002 was similar to 1998. However, measures from Recorded Crime Statistics, covering males and females of all ages, indicate increasing numbers of sexual assault incidents recorded over a similar period. Given the efforts of police to encourage more reporting of sexual assault offences, it appears that an increasing proportion of incidents is being reported to and recorded by police. (See Chapter 2.)

<sup>5</sup> Lievore, D. *Non-reporting and Hidden Recording of Sexual Assault: An International Literature Review*, Report prepared by the Australian Institute of Criminology for the Australian Government Office of the Status of Women, Canberra, 2002, page 8. This report provides a detailed understanding of the issues associated with the non-reporting and hidden recording.

CHAPTER **2**

**PREVALENCE AND INCIDENCE** .....

**CONTENTS**

	<i>page</i>
KEY POINTS .....	16
INTRODUCTION .....	16
MEASURING THE LEVEL OF SEXUAL ASSAULT IN AUSTRALIA .....	16
National Crime and Safety Survey 2002 .....	16
Women's Safety Survey 1996 .....	18
Recorded Crime Statistics 2003 .....	19
An experience-based measure of sexual assault - Stalking and sexual harassment .....	20
CHANGES OVER TIME .....	22
National Crime and Safety Survey .....	22
Recorded Crime Statistics .....	23
PERCEPTIONS OF SAFETY AND SEXUAL ASSAULT .....	24
Sexual assault problems in neighbourhood .....	24
Fear of sexual assault victimisation .....	24

**KEY POINTS**

National Crime and Safety Survey 2002 sexual assault data indicate that:

- the prevalence rate for persons aged 18 years and over, for the 12 months prior to interview, was 0.2% (33,000 victims)
- the prevalence rate for females was 0.4% (28,300 victims) and for males 0.1% (4,800 victims)
- the prevalence rate for females aged 18 years and over was much the same as when the survey was last conducted in 1998 (0.4%), but was lower than the rate estimated in the 1993 survey (0.6%)
- the incidence rate for persons aged 18 years and over was 0.6% (81,500 incidents)
- the average number of incidents was 2.5 per victim.

In Women's Safety Survey 1996 data :

- the sexual assault prevalence rate for women aged 18 years and over, for the 12 months prior to interview, was 1.5% (100,000 victims)
- approximately one in six Australian women (16%) reported that they had experienced sexual assault at some time since the age of 15
- one in six Australian women (15%) reported that they had been stalked during their lifetime
- one in four Australian women (27%) reported that they had experienced sexual harassment in the previous 12 months.

Annual Recorded Crime Statistics indicate an increase in reports of sexual assault to police over the last decade, from 12,186 victims in 1993 to 18,237 victims in 2003.

**INTRODUCTION**

This chapter considers the level of sexual assault (i.e. the number of victims and the number of incidents), and people's perceptions of the risk of experiencing sexual assault. Changes over time are also discussed. Estimates of the number of perpetrators of sexual assault are not included, as information about perpetrators is limited. (Available information about perpetrators is covered in Chapter 3, Characteristics of incidents, victims and perpetrators.)

**MEASURING THE LEVEL OF SEXUAL ASSAULT IN AUSTRALIA**

Levels of sexual assault vary according to the statistical collection used. In general, the number of offences reported to police will be smaller than the number of incidents reported by respondents in survey collections.

Population based surveys provide estimates of victimisation prevalence and incidence rates, but these may still vary between different surveys. (See Appendix 2, 'Comparison of measures of prevalence and incidence of sexual assault'.) Differences across collections may be attributed to the time of the collection, the collection methodology, or sampling and non-sampling error (see Explanatory Notes).

*National Crime and Safety Survey 2002*

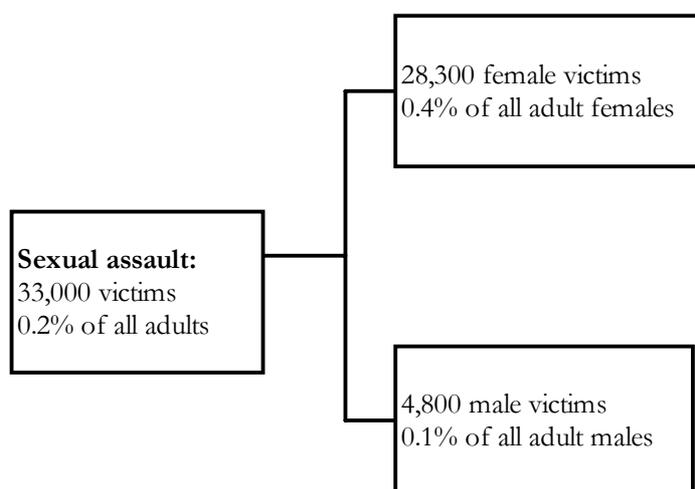
The National Crime and Safety Survey (NCSS) of 2002 provides the most recent national data on sexual assault. The results of this survey show that, in the 12 months to April 2002, there were 81,500 incidents of sexual assault on persons aged 18 years and over in Australia. These incidents were reported in the survey by 33,000 victims. The estimated 28,300 female victims reported that they had experienced at total of 62,700 incidents and

*National Crime and Safety Survey 2002 continued*

the estimated 4,800 male victims reported that they had experienced a total of 18,800 incidents.

### VICTIMS OF SEXUAL ASSAULT, Australia, During the 12 months prior to April 2002.

*Source: ABS, National Crime and Safety Survey, 2002.*



The sexual assault victimisation prevalence rate for the adult population in Australia, reported in NCSS 2002, was 0.2% (or approximately 200 people per 100,000 adults over 18 years). The victimisation prevalence rate for females (0.4%, or approximately 400 per 100,000 adult women) was higher than that for males (0.1%, or approximately 100 per 100,000 adult males).

The sexual assault victimisation incidence rate for the adult population in Australia was 0.6%, indicating that in the 12 month reference period there were approximately 600 incidents of sexual assault per 100,000 adults. The average number of incidents for all victims of sexual assault was 2.5 per person. (See Table 2.1 below.)

#### **2.1** VICTIMS OF SEXUAL ASSAULT(a), Australia—2002

	Number of victims	Number of incidents	Population aged 18 years and over	Victimisation prevalence rate	Victimisation incidence rate	Average number of incidents per victim
	'000	'000	'000	%	%	no.
Males	*4.8	18.8	7 108.3	*0.1	0.3	*3.9
Females	28.3	62.7	7 309.2	0.4	0.9	2.2
<b>Persons</b>	<b>33.0</b>	<b>81.5</b>	<b>14 417.5</b>	<b>0.2</b>	<b>0.6</b>	<b>2.5</b>

\* estimate has a relative standard error of 25% to 50% and should be used with caution

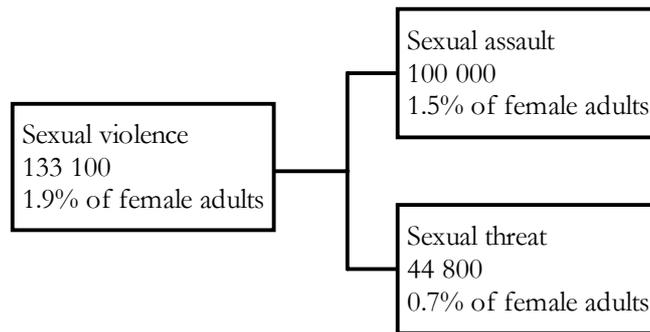
(a) Person aged 18 years and over.

Source: ABS *Crime and Safety, Australia, 2002* (cat. no. 4509.0); data from Tables 5, 14 and 16, and data available on request.

Women's Safety Survey  
1996

The Women's Safety Survey of 1996 (WSS) estimated that 100,000 women in Australia aged 18 years and over were the victims of sexual assault in the 12 months to April 1996 and 44,800 women aged 18 years and over experienced the threat of sexual assault in that period. Altogether, an estimated 133,100 women experienced some form of sexual violence (i.e. sexual assault and/or sexual threat).

**WOMEN WHO EXPERIENCED VIOLENCE<sup>(a)</sup>,  
During the previous 12 months, April 1996**  
*Source: ABS, Women's Safety Survey, 1996.*



(a) A woman could have experienced both sexual assault and sexual threat. Therefore, the components when added are larger than the total.

WSS 1996 estimated that the sexual assault victimisation prevalence rate for females aged 18 years and over was 1.5%. This equates to 1,500 per 100,000 adult Australian women being the victims of sexual assault in the previous 12 months.

In comparison, NCSS 1998 estimated a victimisation prevalence rate of 0.4% for female adults. The difference between these two estimates is a result of differences in survey methodology and focus. For further discussion of these differences, see paragraph 2 and paragraphs 6-12 of the Explanatory Notes.

When asked about their experience of sexual violence since the age of 15 years, an estimated 1,064,900 women reported in WSS 1996 that they had experienced some form of sexual assault, and 338,600 women reported that they had experienced sexual threat. Altogether, an estimated 1,228,400 women reported some form of sexual violence since the age of 15 years. The sexual assault prevalence rate was 15.5%, indicating that approximately 15,500 per 100,000 (or 1 in 6) Australian adult women had experienced sexual assault at some time since that age. (See Table 2.2 below.)

Women's Safety Survey  
1996 *continued*

## 2.2 WOMEN'S EXPERIENCE OF SEXUAL VIOLENCE—1996

	MALE PERPETRATOR		FEMALE PERPETRATOR		TOTAL(a)	
	'000	%(b)	'000	%(b)	'000	%(b)
<b>DURING THE LAST 12 MONTHS</b>						
<b>Sexual violence</b>						
Sexual assault	98.4	1.4	—	—	100.0	1.5
Sexual threat	44.8	0.7	—	—	44.8	0.7
<i>Total(c)</i>	132.3	1.9	—	—	133.1	1.9
<b>SINCE THE AGE OF 15</b>						
<b>Sexual violence</b>						
Sexual assault	1 046.6	15.2	36.1	0.5	1 064.9	15.5
Sexual threat	334.2	4.9	6.1	0.1	338.6	4.9
<i>Total(c)</i>	1 209.2	17.6	41.4	0.6	1 228.4	17.9

— nil or rounded to zero (including null cells)

(a) If a woman experienced violence by both male and female perpetrator she was counted only once in the total.

(b) % of total females aged 18 years and over (6.9 million)

(c) If a woman experienced more than one type of violence she was counted only once in the total.

Source: ABS, *Women's Safety, Australia, 1996 (cat.no. 4128.0), Table 3.7.*

Recorded Crime Statistics  
2003

Recorded Crime Statistics (RCS) for 2003 reported police records of sexual assault victimisation involving a total of 18,237 victims. The overall sexual assault victimisation prevalence rate for Australia in RCS 2003, for incidents reported to police, was 0.09%, or 91.7 victims per 100,000 persons. (See Table 2.3 below.)

These victims were both male and female and across all age groups. There were 14,892 female victims and 3,255 male victims. Females experienced a higher victimisation rate than males, with a recorded rate of 0.15% (149.8 victims per 100,000 females) for all females in Australia. The comparable rate for males was 0.03% (33.0 victims per 100,000 males).

## 2.3 VICTIMS OF SEXUAL ASSAULT, By sex, Australia, 2003

VICTIMS	VICTIMISATION PREVALENCE RATES		
	Number	Rate per 100,000 population	%
Males	3 255	33.0	0.03
Females	14 892	148.8	0.15
<b>Persons(a)</b>	<b>18 237</b>	<b>91.7</b>	<b>0.09</b>

(a) Includes victims for whom sex was not specified.

Source: ABS, *Recorded Crime - Victims, Australia, 2003 (cat. no. 4510.0), Table 3.*

*An experience-based measure of sexual assault*

The previous discussion in this chapter has focussed on data referring to the offence-based definition of sexual assault. The broader, experience-based definition of sexual assault brings in a wider range of events, such as stalking and various types of sexual harassment (see definitions in Chapter 1). This can be considered using data from the Women's Safety Survey of 1996. Information on sexual violence (including sexual assault and sexual threat), stalking and sexual harassment is presented below. Data on experiences reported in the previous 12 months are examined. In addition, information on experiences of stalking is presented in relation to the woman's lifetime.

The combined data items from WSS 1996, in Table 2.4 below, show that 1,935,400 (28%) women reported that they had experienced sexual harassment, sexual violence and/or stalking in the 12 months prior to April 1996. The broader measure is dominated by one item, sexual harassment, which 27% of women reported.

**2.4** WOMEN WHO EXPERIENCED SEXUAL HARASSMENT, STALKING OR SEXUAL VIOLENCE, During the last 12 months—1996

<i>Type of experience</i>	<i>Number</i>	<i>Proportion</i>
	'000	%
Experienced sexual harassment	1 861.1	27.0
Experienced sexual violence	133.1	1.9
Experienced stalking	213.3	3.1
Total(a)	1 935.4	28.1
Did not experience sexual harassment, sexual violence or stalking in the last 12 months	4 945.1	71.9
<b>All women</b>	<b>6 880.5</b>	<b>100.0</b>

(a) Women who experienced more than one form were counted only once in the total.  
 Source: ABS, Women's Safety Survey, 1996, data available on request.

STALKING AND SEXUAL HARASSMENT

Types of stalking reported in WSS 1996 are listed in Table 2.5 below. An estimated 213,300 women (3.1%) reported experiencing stalking by a man during the 12-month reference period. An estimated total of 1 million women reported experiencing stalking by a man during their lifetime. For women who experienced stalking by a man, in the previous 12 months or in their lifetime, the most frequently reported types of stalking were: watched, telephoned, sent mail or contacted electronically, followed and loitered outside home.

## 2.5 WOMEN WHO EXPERIENCED STALKING BY A MAN, Type of stalking—1996

Type of stalking	DURING THE LAST 12 MONTHS		DURING THEIR LIFETIME	
	'000	%(a)	'000	%(a)
Watched	109.8	1.6	639.3	9.3
Telephoned, sent mail or contacted electronically	139.8	2.0	534.0	7.8
Followed	86.4	1.3	523.4	7.6
Loitered outside home	95.1	1.4	523.7	7.6
Loitered outside workplace	45.4	0.7	271.3	3.9
Loitered outside place of leisure/social activities	47.8	0.7	215.5	3.1
Interfered with or damaged property	32.3	0.5	191.3	2.8
Gave or left offensive/disturbing material where it could be found	30.4	0.4	138.3	2.0
<b>Total women(b)</b>	<b>213.3</b>	<b>3.1</b>	<b>1 038.1</b>	<b>15.1</b>
All women	6 880.5	100.0	6 880.5	100.0

(a) % of total females aged 18 years and over.

(b) If a woman reported more than one type of stalking activity she was counted only once in the total.

Source: ABS, *Women's Safety, Australia, 1996 (cat.no. 4128.0)*.

*An experience-based  
measure of sexual assault  
continued*

### STALKING AND SEXUAL HARASSMENT *continued*

Types of harassment reported in WSS 1996 are listed in Table 2.6 below. Around one million women (15%) had received an obscene phone call, and a similar number had received inappropriate comments by a man about their body/sex life.

## 2.6 WOMEN'S EXPERIENCE OF SELECTED TYPES OF HARASSMENT, During the last 12 months—1996

Selected types of harassment	NOT EXPERIENCED		EXPERIENCED		TOTAL WOMEN	
	'000	%	'000	%	'000	%
Obscene phone call	5 845.4	85.0	1 035.1	15.0	6 880.5	100.0
Indecent exposure by a man	6 771.1	98.4	109.4	1.6	6 880.5	100.0
Inappropriate comments about body/sex life	5 854.8	85.1	1 025.7	14.9	6 880.5	100.0
Unwanted sexual touching	6 541.8	95.1	338.7	4.9	6 880.5	100.0
<b>Experienced any sexual harassment(a)</b>	<b>5 019.4</b>	<b>73.0</b>	<b>1 861.1</b>	<b>27.0</b>	<b>6 880.5</b>	<b>100.0</b>

(a) If a woman reported more than one type of harassment she was only counted once in the total.

Source: ABS, *Women's Safety, Australia, 1996 (cat.no. 4128.0)*, Table 7.14 and additional data available on request.

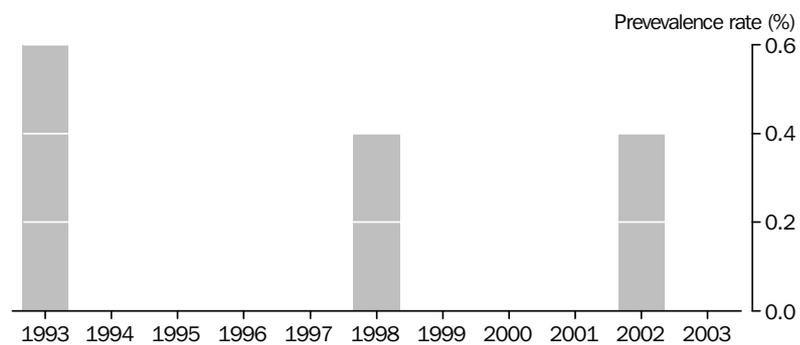
CHANGES OVER TIME

Different changes in sexual assault rates are observed over time in different data sources.

*National Crime and Safety Survey*

Data from the NCSS conducted in 1993 and 1998 indicate a drop in the sexual assault victimisation prevalence rate for females aged 18 and over, from 0.6% to 0.4% between those two years. The rate for 2002 was unchanged from the rate reported for 1998, possibly indicating that the victimisation prevalence rate for Australia may have stabilised over this period. (See Graph 2.7 below.)

**2.7** FEMALE(a) SEXUAL ASSAULT VICTIMISATION, Australia, 1993–2002

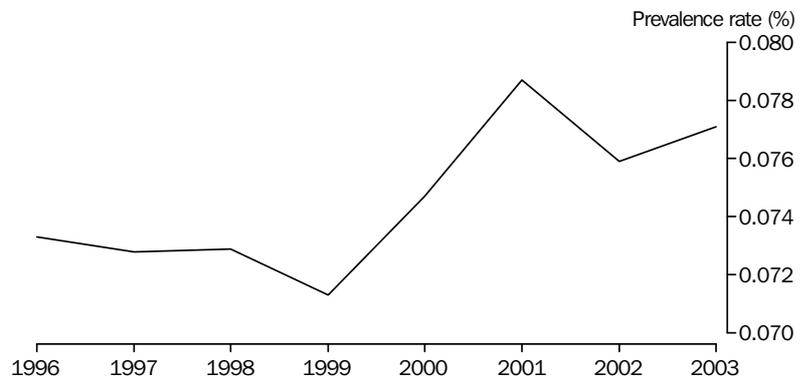


(a) Female victims aged 18 years and over.

Source: ABS, *Crime and Safety, Australia, April 2002 (cat.no. 4509.0), Table 15.*

For comparison, the sexual assault prevalence rates in Recorded Crime Statistics for females aged 18 years and over are presented in Graph 2.8 below for the period 1996 to 2003. Detailed age data by single years were not available for all jurisdictions prior to 1996 so it is not possible to compile national data for earlier years.

**2.8** FEMALE VICTIMS OF SEXUAL ASSAULT AGED 18 AND OVER, Australia, 1996 - 2003(a)



(a) Age breakdown not available prior to 1996.

Source: ABS, *Recorded Crime - Victims, Australia (cat. no. 4510.0), data available on request.*

*Recorded Crime Statistics*

Both numbers and victimisation rates of sexual assault in recorded crime statistics in Australia have increased in recent years. The overall recorded victimisation prevalence rates have risen by about one-third in ten years, from 0.07% (69.0 per 100,000 persons) in 1993 to 0.09% (91.7 per 100,000) in 2003. (See Graph 2.9 below.)

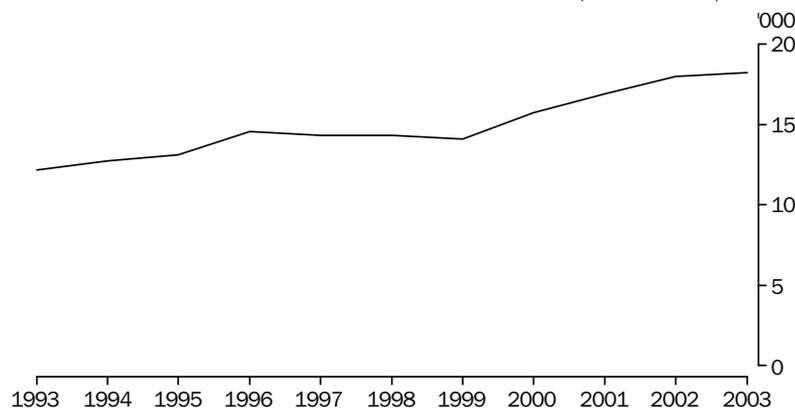
**2.9** SEXUAL ASSAULT RECORDED PREVALENCE RATE, Australia, 1993–2003



Source: ABS, *Recorded Crime - Victims, Australia* (cat.no. 4510.0).

There has been a corresponding increase of 50% in recorded victim numbers for Australia, from 12,186 in 1993 to 18,237 in 2003. (See Graph 2.10 below.)

**2.10** SEXUAL ASSAULT RECORDED VICTIMS, Australia, 1993–2003



Source: ABS, *Recorded Crime - Victims, Australia*, (cat.no. 4510.0).

These changes in recorded crime statistics need to be read with caution. The changes could be attributed to a number of factors, such as changes in the propensity of victims to identify their experiences as crimes, changes in the propensity to report sexual assault to police, changes in police recording practices, or a combination of these factors. Changes in the data therefore may not necessarily reflect actual changes in the underlying numbers or rates of incidents.

PERCEPTIONS OF SAFETY  
AND SEXUAL ASSAULT*Sexual assault problems in  
neighbourhood*

A number of perceived 'problems in neighbourhood', including sexual assault, were reported in NCSS 2002. An estimated 291,600 people identified sexual assault as being a problem in their neighbourhood. This represented 1.9% of all persons in Australia over the age of 15 years, a decrease from the estimate of 2.4% (344,200 persons) in 1998.

*Fear of sexual assault  
victimisation*

A 1998 ABS Tasmanian survey on community safety collected data that related the issues of fear of crime and perception of risk of becoming a victim of selected crimes, including sexual assault.

- *Fear of crime* referred to how much respondents feared that they might become the victim of selected crimes and was indicated by the level of worry each of the selected crimes caused them (rated as very worried, worried or not worried).
- Respondents were also asked to rate their *perceptions of the likelihood / risk* that they might become a victim of selected crimes, as indicated by what chance they really thought there was of them becoming a victim (rated as high chance, some chance, or low chance).<sup>6</sup>

In looking at fear of being sexually assaulted, an estimated one quarter of female adults (27%) were either worried or very worried about being sexually assaulted by a person they knew, compared to almost two-thirds of female adults (64%) who were either worried or very worried about being sexually assaulted by a stranger. A similar trend was reported with regard to perception of risk. Almost half (46%) of female adults thought they had either a chance or a high chance of being sexually assaulted by a person they knew, and three-quarters (78%) thought that they had either a chance or a high chance of being sexually assaulted by a stranger. Compared to the overall proportions for adult females, higher proportions of females aged 18-24 years reported fear of being sexually assaulted or perceptions that there was a chance of being sexually assaulted.<sup>7</sup>

This Tasmanian survey provides the only measure of perceived risk of sexual assault and the results indicate that women's perception of the risk of sexual assault is much higher than actual prevalence measures.

<sup>6</sup> ABS, *Community Safety, Tasmania, October 1998*, cat. no. 4515.6.

<sup>7</sup> *Ibid*; Table 19.

## CHAPTER 3

# CHARACTERISTICS OF INCIDENTS, VICTIMS AND PERPETRATORS

### CONTENTS

	<i>page</i>
KEY POINTS .....	26
INTRODUCTION .....	26
CHARACTERISTICS OF INCIDENTS .....	27
Type of location .....	28
Region .....	31
Time of day / Day of week .....	31
Substance use .....	31
CHARACTERISTICS OF VICTIMS .....	32
Socio-demographic characteristics of victims - Gender; Age; Marital status; People with disabilities; Ethnicity (Birthplace, Language); Educational attainment; Labour Force status .....	32
Other information about victims - Nature of sexual assault; Prior victimisation (Repeat sexual assault victimisation, Experience of child abuse); Whether physically injured; Whether incident perceived as a crime .....	40
CHARACTERISTICS OF PERPETRATORS .....	43
Socio-demographic characteristics of perpetrators - Gender; Age; Indigenous Status; Birthplace .....	43
Other information about perpetrators - Relationship of perpetrator to victim (Partner sexual violence, Child sexual assault); Number of perpetrators; Weapon use; Repeat offending .....	45

**KEY POINTS****Incidents**

- All available data sources indicate that over half of perpetrators of sexual assault are known to their victims. NCSS 2002 estimated that 52% of all adult victims knew the offenders in the most recent incident in the previous 12 months; 58% of female victims and 19% of male victims knew the offenders.
- The most commonly reported location of sexual assault is residential, often the victim's own home.

**Victims**

- All available data sources indicate that most victims of reported sexual assault are female. Females comprised 86% of victims in NCSS 2002.
- Proportionately more victims of sexual assault are children and young people. In RCS for 2003, 41% of all recorded sexual assault victims were between the ages of 0-14 years and 31% were aged 15-24 years.
- NCSS 2002 estimated that almost one-third (30%) of adult victims had been physically injured in the most recent incident of sexual assault; 28% of female victims and 43% of male victims reported being physically injured in the most recent incident.
- In NCSS 2002, over one-third (36%) of adult victims reported that they had experienced two or more incidents in the previous 12 months; 34% of female victims and 48% of male victims reported experiencing two or more incidents.

**Perpetrators**

- All available data sources indicate that most perpetrators of reported sexual assault are male. NCSS 2002 estimated that 86% of adult victims reported that the offenders were male in the most recent incident in the previous 12 months. Male offenders in the most recent incident were reported by 93% of female victims and 47% of male victims.
- Sexual assault adjudicated defendants appear to be older than defendants for all offences. The highest proportion of male defendants adjudicated for sexual assault and related offences were aged 45 years and over (36%).
- NCSS 2002 estimated that three-quarters (75%) of adult victims of sexual assault reported that there had been one offender in the most recent incident. A quarter (23%) of victims reported that there had been two or more offenders.

**INTRODUCTION**

A range of information about the characteristics of incidents of sexual assault can assist in understanding what happens and in what circumstances. This information can indicate what support a victim is likely to need, inform the development and targeting of education and prevention programs and establish a baseline for future monitoring of what is changing over time and in what way.

Available data indicate that a large proportion of perpetrators are known to their victims, that high proportions of sexual assault occur in residential locations and that particular population groups are over-represented as either perpetrators or victims.

For comparability, this chapter focuses on data with a 12-month reference period, unless otherwise stated. Where possible, information is included about changes over time.

INTRODUCTION *continued*

Where data relating specifically to sexual assault are not available, some data are used which relate to 'sexual violence' - i.e. sexual assault and/or sexual threat.

Two sources of data from services against sexual violence are used in this chapter. However, survey data indicate that relatively small proportions of victims of sexual assault use such services (see Chapter 4), so data from these collections may not be representative of all victims of sexual assault and should be considered in that context.

- Some published national data are presented from the National Data Collection Project, a 'snapshot' data collection conducted in May-June 2000 by the National Association of Services Against Sexual Violence (NASASV 2000). This survey collected information about users of services against sexual violence, including victims of sexual assault. For further information about this collection, see paragraph 22 of the Explanatory Notes.
- Some published NSW data are presented from the NSW Health Sexual Assault Data Collection. Administrative data from NSW Sexual Assault Services have been published in relation to child victims of sexual assault, adult victims of (recent) sexual assault and adult survivors of child sexual assault. For further information about this collection, see paragraph 21 of the Explanatory Notes.

Data from services against sexual violence relate to the broader, experience based definition of sexual assault.

## CHARACTERISTICS OF INCIDENTS

Characteristics of incidents discussed in this section are: location of the incident; region (state / territory); time of day / day of week when the incident occurred; and whether substance use was associated with the incident.

The following table (Table 3.1) presents information from the NCSS 2002 relating to selected characteristics of incidents of sexual assault. The detailed characteristics of male sexual assault victims have high relative standard errors and should be used with caution. This is due to the overall low prevalence of male sexual assault, as reported in the survey.

CHARACTERISTICS OF  
INCIDENTS *continued***3.1** VICTIMS OF SEXUAL ASSAULT(a), Selected characteristics of  
incident

	PERSONS	
	'000	%
Number of incidents experienced in the last 12 months		
One	21.1	63.9
Two or more	11.9	36.1
Total number of incidents	81.5	. .
Whether offender(s) were known to the victim in most recent incident		
Offender(s) all known	17.3	52.4
Offender(s) not known	13.7	41.6
How offender(s) in most recent incident known		
Family/friend/ex-partner	10.0	30.3
Colleague/neighbour/acquaintance	*6.3	*19.1
Location of most recent incident		
Own/other home	12.1	36.5
Public venue	13.8	41.7
Other	*7.2	*21.8
Number of offenders in most recent incident		
One	24.9	75.3
Two or more	*7.7	*23.3
Use of weapon in most recent incident		
Weapon used	*3.3	*10.1
No weapon used	29.0	87.8
Whether physically injured in most recent incident		
Physically injured	9.9	30.1
Not physically injured	23.1	69.9
<b>Total(b)</b>	<b>33.0</b>	<b>100.0</b>

\* estimate has a relative standard error of 25% to 50% and should be used with caution

. . not applicable

(a) Persons aged 18 years and over.

(b) Includes persons who did not give details of most recent incident.

Source: ABS, *Crime and Safety, Australia, 2002* (cat.no. 4509.0), data available on request.

*Type of location*

A high proportion of incidents of sexual assault occur in residential locations. Data from all sources cited here indicate that the most commonly reported location of sexual assault is residential, often the victim's own home.

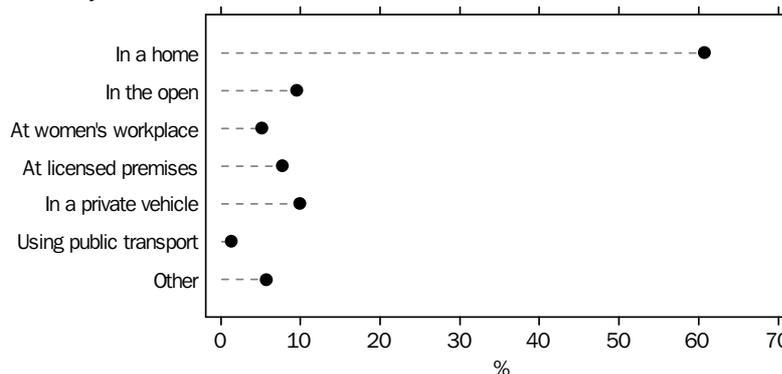
In 2002, according to NCSS, the victim's own or another home had been the location of the most recent incident for 37% of adult victims of sexual assault. The location was reported as a public venue by 42% of adult victims and other locations by 22%. (See Table 3.1.)

In 1996, data from WSS indicate that, of women who experienced sexual assault by a male perpetrator other than a partner during the last 12 months, 56% were assaulted in a home. Of women who experienced sexual assault by a male perpetrator other than a partner since the age of 15 years, 61% were assaulted in a home compared to 39% in all other locations. (See Graph 3.2.)

*Type of location continued*

Data on location were not collected in the WSS for sexual assault by a partner, so the actual incidence of sexual assault in a home would have been higher than indicated by these estimates.

**3.2** WOMEN WHO EXPERIENCED SEXUAL ASSAULT BY MALE PERPETRATOR OTHER THAN PARTNER(a), SINCE AGE 15 YEARS, By location of most recent incident



(a) Location was not collected for incidents by partners.

Source: ABS, *Women's Safety, Australia, 1996* (cat. no. 4128.0), Table 3.15.

Data from RCS present a similar picture to WSS results. In the RCS collection, the location where the offence occurred is reported as 'Residential', 'Community' or 'Other' settings. Two-thirds (67%) of all sexual assault victims recorded by police in 2003 reported that the offence(s) occurred in a residential setting; most of these victims (65%) reported that the offence(s) occurred in a dwelling. These data compare to a total of 33% of victims reporting other settings. Comparing the data for males and females, only minor differences in reported locations of offences are apparent. (See Table 3.3.)

Type of location continued

**3.3** VICTIMS OF SEXUAL ASSAULT, By location where offence occurred and sex of victim—2003

	MALES		FEMALES		PERSONS(a)	
	no.	%	no.	%	no.	%
<b>Residential</b>						
Dwelling	2 158	66.3	9 600	64.5	11 803	64.7
Outbuilding/residential land	66	2.0	245	1.7	311	1.7
<i>Total residential(b)</i>	<b>2 230</b>	<b>68.5</b>	<b>9 865</b>	<b>66.2</b>	<b>12 140</b>	<b>66.6</b>
<b>Community</b>						
Transport	69	2.1	537	3.6	607	3.3
Street/footpath	116	3.6	1 089	7.3	1 213	6.7
Other community location	418	12.8	1 263	8.5	1 692	9.3
<i>Total community(b)</i>	<b>613</b>	<b>18.8</b>	<b>2 998</b>	<b>20.1</b>	<b>3 631</b>	<b>19.9</b>
<b>Other</b>						
Retail	57	1.8	470	3.2	533	2.9
Recreational	145	4.5	745	5.0	896	4.9
Other location	63	1.9	220	1.5	290	1.6
<i>Total other(b)</i>	<b>271</b>	<b>8.3</b>	<b>1 472</b>	<b>9.9</b>	<b>1 762</b>	<b>9.7</b>
Unspecified	141	4.3	557	3.7	704	3.9
<b>Total</b>	<b>3 255</b>	<b>100.0</b>	<b>14 892</b>	<b>100.0</b>	<b>18 237</b>	<b>100.0</b>

(a) Includes victims for whom sex was not specified.

(b) Includes locations which were not further defined.

Source: ABS, Recorded Crime, Victims - Australia, 2003 (cat. no. 4510.0), Table 5 and data available on request.

Data from NASASV 2000 portray a similar picture. The place of main presenting assault was reported as 'people's homes' for 64% of contacts; 46% were in victim's homes and 18% in offenders' homes. (See Table 3.4.)

**3.4** NASASV CONTACTS, Place of main presenting assault—2000

	PERSONS	
	no.	%
<b>Place of main presenting assault</b>		
Victim's Home	1 139	45.8
Offender's Home	438	17.6
Other Public Place	181	7.3
Other Home	84	3.4
Vehicle	51	2.1
Place of Education	30	1.2
Place of Employment	29	1.2
Other Institution	21	0.8
Hospital	10	0.4
Prison	3	0.1
Other/Not recorded/Unknown	500	20.1
<b>Total</b>	<b>2 486</b>	<b>100.0</b>

Source: National Association of Services Against Sexual Violence, National Data Collection Project, 2000, Table 5.13.

*Region*

Information about the prevalence and incidence of sexual assault in different states and territories, and in different regions, may assist in identifying higher-risk areas and in planning the location of services and other targeted programs.

Data from NCSS 2002 comparing rates of sexual assault across states and territories are included in Appendix 1. However, care must be taken in using these data because of the small numbers and high relative standard errors.

National recorded crime statistics are compiled in order to maximise comparability of statistics across jurisdictions. Although jurisdictional differences have been mainly overcome through the introduction of national standards, some legislative, interpretative and processing differences inevitably remain. The ABS identifies data comparability issues and significant events relating to each reference year and is undertaking a project to investigate the differences in recorded crime statistics between state and territory police agencies. Time series data for sexual assault and other selected offences in each state and territory are included in *Recorded Crime - Victims, Australia, 2003* (ABS cat. no. 4510.0); see Tables 11 to 18.

Some states and territories publish police statistics for smaller areas within their jurisdictions. These data are not examined here.

*Time of day / Day of week*

Time of day and day of the week may be linked to other factors, such as location, and may establish whether there are patterns of behaviour linked to time and day. Limited data are available on the time of sexual assault incidents.

Data from NSW Health sexual assault services suggest that, of incidents for which the time of assault was recorded, slightly less than half occurred between 5pm and 9am on weekdays. The lowest frequency of sexual assaults occurred between 9am and 5pm on weekends. However, for approximately 40% of adult sexual assault victims who used NSW Health sexual assault services, the time of assault was not recorded.<sup>8</sup>

*Substance use*

Substance use or abuse has been linked to sexual assault and other crimes, both at the time of an incident and through patterns of use over time.<sup>9</sup> The use of some substances without a person's knowledge may, among other effects, render a person incapable of consenting to sexual activity.<sup>10</sup>

Data from WSS 1996 indicate that, although alcohol was involved in a considerable proportion of incidents of sexual assault, these incidents were not in the majority. Questions were not asked in the survey about the involvement of other drugs. Of women who had experienced sexual assault by a man during the last 12 months, 38% reported that alcohol was involved in the most recent incident. Of women who had experienced sexual assault by a man since the age of 15, 45% reported that alcohol was involved in the most recent incident. Data do not indicate whether the alcohol was consumed by victim, perpetrator or both. (See Table 3.5.)

8 NSW Health, *Initial Presentations to NSW Sexual Assault Services, 1994-95 to 1997-98*, Table 8, p. 52.

9 Sturman, Peter *Drug Assisted Sexual Assault*, Home Office/MPS, London, 2000; available on web site <<http://www.drugapetrust.org>>. Other references on this topic include: 'Alcohol and Crime' and 'Drugs and Crime' categories on NSW Bureau of Crime Statistics and Research web site, <<http://www.lawlink.nsw.gov.au/bocsar>>; and Williams, P. (ed.), *Alcohol, Young Persons and Violence*, Research and Public Police Series No. 35, Australian Institute of Criminology, Canberra, 2001 (see especially Chapter 5, 'Results from National Drug Strategy Household Survey').

10 Williams, P. (ed.) *op. cit.*

*Substance use continued*

**3.5** WOMEN WHO EXPERIENCED SEXUAL ASSAULT BY A MAN, Whether alcohol was involved in the most recent incident—1996

<i>Involvement of alcohol</i>	'000	%
<b>During the last 12 months</b>		
Alcohol was not involved	59.3	60.2
Alcohol was involved	37.5	38.1
<i>Total(a)</i>	98.4	100.0
<b>Since the age of 15 years(b)</b>		
Alcohol was not involved	385.8	49.8
Alcohol was involved	347.6	44.9
<i>Total(a)</i>	774.2	100.0

- (a) Included incidents where the woman did not know if alcohol was involved.
- (b) Excludes women whose last incident occurred more than 20 years ago.

Source: ABS, *Women's Safety, Australia, 1996 (cat.no. 4128.0)*, Table 3.16.

Illicit drugs are drugs that are illegal to possess (such as heroin or cocaine) or drugs that are not illegal to possess but whose inappropriate use is illicit, such as non-medical use of prescription drugs, or the use of volatile substances such as glue, solvent or petrol as inhalants. Although some research links consumption of illicit drugs to incidents of sexual assault, no published data are available.<sup>11</sup>

CHARACTERISTICS OF VICTIMS

Information about victims of sexual assault is used in planning and targeting education and prevention programs. It also informs the planning and delivery of appropriate services in response to sexual assault.

*Socio-demographic characteristics of victims*

The following table (Table 3.6) presents summary information from NCSS 2002 relating to selected characteristics of victims of sexual assault.

<sup>11</sup> CASA House (2000), *The Right to Party Project*; details available on web site <<http://www.casahouse.casa.org.au>> under 'Campaigns and projects'.

Socio-demographic  
characteristics of victims  
continued

### 3.6 VICTIMS OF SEXUAL ASSAULT, Selected characteristics

	PERSONS(a)		ALL PERSONS(a)	VICTIMISATION PREVALENCE RATE(b)
	'000	%	'000	%
Age group (years)				
18–24	15.9	48.1	1 741.7	0.9
25–34	8.5	25.6	2 758.2	0.3
35 and over	8.7	26.3	9 917.6	0.1
Marital status				
Married	*6.6	*19.9	9 179.5	*0.1
Not married	26.5	80.1	5 237.9	0.5
Labour force status				
In the labour force	23.1	69.9	9 558.9	0.2
Not in the labour force	9.9	30.1	4 858.5	0.2
Country of birth				
Born in Australia	27.5	83.3	10 434.3	0.3
Born overseas	*5.5	*16.7	3 983.1	*0.1
Area of usual residence				
Capital city	19.5	59.0	9 181.2	0.2
Balance of state/territory	13.5	41.0	5 236.3	0.3
<b>Total</b>	<b>33.0</b>	<b>100.0</b>	<b>14 417.5</b>	<b>0.2</b>
PROPORTION (%)				
<b>Victimisation prevalence rate(b)</b>	<b>0.2</b>	..	..	..

\* estimate has a relative standard error of 25% to 50% and should be used with caution

.. not applicable

(a) Persons aged 18 years and over.

(b) Victimisation prevalence rate is expressed as a percentage of the total relevant population.

Source: ABS, *Crime and Safety, Australia, 2002 (cat.no. 4509.0), Table 14.*

#### GENDER

As noted in Chapter 2, more females than males are victims of sexual assault. All data sources indicate that a substantial majority of victims of reported and recorded sexual assault in Australia are female, but male victimisation is increasingly recognised and reported.

Also, as reported in Chapter 2, NCSS 2002 estimated the victimisation prevalence rate for females as 0.4%, compared to 0.1% for males. Females comprised 86% of the estimated number of victims of sexual assault in Australia.

In RCS 2003, females comprised 82% of total victims. (See Table 3.7 below.) This proportion of female victims to all victims is consistent with estimates from NCSS 2002.

Socio-demographic  
characteristics of victims  
continued

GENDER *continued*

### 3.7 VICTIMS OF SEXUAL ASSAULT, By sex and age group

Age groups	MALES		FEMALES		PERSONS	
	Number	Rate per 100,000 males	Number	Rate per 100,000 females	Number	Rate per 100,000 persons
0-9	1 200	90.0	2 480	195.9	3 686	141.7
10-14	621	87.9	3 189	474.7	3 816	276.9
15-19	457	64.9	3 496	519.6	3 960	287.7
20-24	173	24.7	1 445	213.7	1 622	117.8
25-34	267	18.6	1 771	122.7	2 050	71.2
35-44	198	13.3	1 111	73.9	1 312	43.9
45-54	105	7.8	421	30.9	527	19.5
55-64	23	2.3	108	10.8	131	6.5
65 and over	6	0.5	73	5.2	79	6.1
<b>Total(a)</b>	<b>3 255</b>	<b>33.0</b>	<b>17 892</b>	<b>148.8</b>	<b>18 237</b>	<b>91.7</b>

(a) Includes victims for whom age and/or sex was not specified.

Source: ABS, Recorded Crime - Victims, Australia, 2003 (cat.no. 4510.0); Table 3.

#### AGE

Children and young people are proportionally over-represented in sexual assault victimisation. Although different data sources report different age group classifications, the patterns of victimisation portrayed are similar. The level of detail available in information about sexual assault experienced by children and young people is variable because many collections do not seek information from juveniles due to the sensitivity of the issue.

The highest age group victimisation rates recorded in RCS for 2003 were in the 15-19 years age group (0.29%, or 287.7 per 100,000 persons), followed closely by the rates in the 10-14 years age group (0.28%, or 276.9 per 100,000 persons). The highest rate recorded for females was in the age group 15-19 years (0.52%, or 519.6 per 100,000 females) and the highest rate recorded for males was in the age group 0-9 years (0.09%, or 90.0 per 100,000 males). (See Table 3.7 above.)

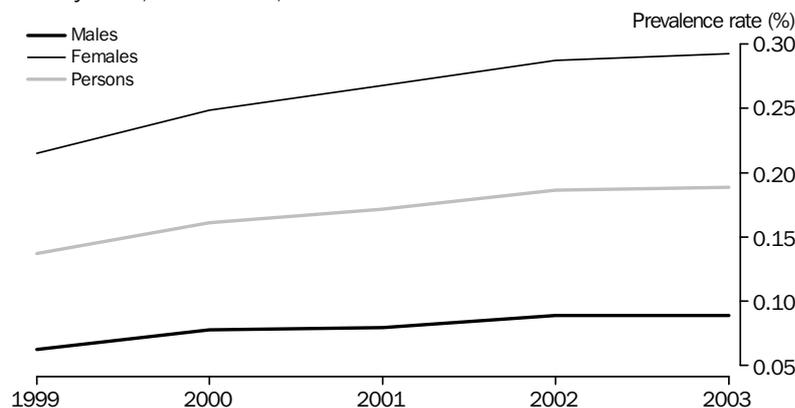
In RCS data for 2003, 41% of all recorded sexual assault victims were children under 15 years of age (38% of all female victims and 56% of all male victims). The recorded sexual assault prevalence rate for victims under 15 years of age has increased in recent years, from 0.14% in 1999 to 0.19% in 2003. (See Graph 3.8 below.)

The numbers of recorded sexual assault victims aged under 15 years have also increased in recent years, from 5,425 in 1999 to 7,502 in 2003. Of victims under 15 years of age recorded in 2003, 76% were female and 24% were male.

Socio-demographic  
characteristics of victims  
continued

AGE continued

**3.8** RECORDED CRIME - VICTIMS, AUSTRALIA, Children aged 0-14 years, Australia, 1999-2003



Source: ABS, *Recorded Crime - Victims, Australia* (cat. no. 4510.0), data available on request.

In RCS data for 2003, a further 31% of all victims were aged between 15 and 24 years (33% of all female victims and 19% of all male victims). Of victims in this age group, 89% were female and 11% were male.

In NCSS 2002, the sexual assault victimisation prevalence rate for persons aged 18-24 years was estimated as 0.9%; nearly half (48%) of all victims were in this age group. The age groups 25-34 years and 35 years and over each contained 26% of victims, with prevalence rates of 0.3% and 0.1% respectively. (See Table 3.6.) This age distribution is consistent with victimisation patterns for all personal crimes.

In WSS 1996, one in thirty women aged 18-24 years (3.6%) reported that they had experienced sexual assault in the previous 12 months. This proportion was high than the overall sexual assault prevalence rate of 1.5%, but was not significantly different from rates for age groups 25-34 years and 35-44 years (both 2.0%). The lowest proportion was for women aged over 45 years, of whom one in three hundred (0.3%) reported that they had experienced sexual assault in the previous 12 months. (See Table 3.12.)

Lower victimisation rates are also recorded in RCS for older people: 0.02% (19.5 per 100,000 persons) for 45-54 years; 0.01% (6.5 per 100,000 persons) for 55-64 years; and 0.01% (6.1 per 100,000 persons) for age 65 and over. The ratio of female to male victimisation recorded in the older age groups is consistent with other age groups.

#### MARITAL STATUS

NCSS 2002 estimated the victimisation prevalence rate for people who were not married as 0.5%, compared to 0.1% for married people. Approximately 80% of victims were not married. (See Table 3.6 above.)

Socio-demographic characteristics of victims continued

MARITAL STATUS *continued*

WSS 1996 also measured a higher sexual assault victimisation prevalence rate for women who were not married (3.0%), compared to women who were married (0.5%). (See Table 3.9 below.) Similar to NCSS 2002, approximately four in five victims (79%) were not married.

These data reflect the experience of people in younger age groups who are more often not married.

**3.9** WOMEN'S EXPERIENCE OF SEXUAL VIOLENCE BY A MAN DURING THE LAST 12 MONTHS, By Marital status—1996

Marital status	SEXUAL ASSAULT		SEXUAL THREAT		SEXUAL VIOLENCE	
	'000	Rate(a)	'000	Rate(a)	'000	Rate(a)
Married/De facto	*20.5	0.5	19.2	0.4	37.4	0.9
Not married	77.9	3.0	25.6	1.0	94.9	3.7
<b>Total women</b>	<b>98.4</b>	<b>1.4</b>	<b>44.8</b>	<b>0.7</b>	<b>132.3</b>	<b>1.9</b>

\* estimate has a relative standard error of 25% to 50% and should be used with caution  
 (a) Rate per 100 women in the relevant population.

Source: ABS, *Women's Safety, Australia, 1996* (cat. no. 4128.0), Table 3.13, and data available on request.

PEOPLE WITH DISABILITIES

Data on victims of sexual violence who have disabilities or special needs are available from the NASASV 2000 study and from the NSW Health publication *Initial Presentations to NSW Sexual Assault Services*. The NASASV 2000 study reported that around one in five victims had some form of disability. (See Graph 3.10 below.)

**3.10** USERS OF SERVICES AGAINST SEXUAL VIOLENCE, Type of disability of victim/survivor, 2000



Source: NASASV, *National Data Collection Project, 2000*, Table 5.8.

Socio-demographic  
characteristics of victims  
continued

PEOPLE WITH DISABILITIES *continued*

The NSW report indicated that adult victims of recent sexual assault had a higher proportion of persons with some form of special need (around 30% for the four years reported) than adult survivors of child sexual assault (around 20%). The most commonly reported types of disability for recent victims were psychiatric condition (8% in 1997-98) and intellectual disability (7% in 1997-98), although a higher proportion of people had unknown special needs (see Table 3.11).

**3.11** VICTIMS OF SEXUAL ASSAULT, Special needs: NSW—1994–95 to 1997–98

	1994-95	1995-96	1996-97	1997-98
	(%)	(%)	(%)	(%)
<b>Adult sexual assault</b>				
Special needs				
Intellectual disability	6.4	6.6	6.7	7.1
Physical disability	1.7	2.0	2.7	2.1
Psychiatric condition	5.6	6.7	7.5	8.1
Unknown	15.3	15.4	15.6	14.3
Total	29.0	30.7	32.5	31.6
No special needs	71.0	69.3	67.5	68.4
<b>Total (%)</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>
<b>Total (no.)</b>	<b>1 778</b>	<b>1 973</b>	<b>2 085</b>	<b>2 044</b>
<b>Adult survivors of child sexual assault</b>				
Special needs				
Intellectual disability	1.9	1.9	2.1	1.5
Physical disability	0.9	1.7	1.7	1.5
Psychiatric condition	4.4	4.9	6.4	5.8
Unknown	12.1	11.7	14.3	12.6
Total	19.3	20.2	24.5	21.4
No special needs	80.7	79.8	75.6	78.7
<b>Total (%)</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>
<b>Total (no.)</b>	<b>1 075</b>	<b>1 345</b>	<b>1 330</b>	<b>1 163</b>

Source: NSW Health, *Initial Presentations to NSW Sexual Assault Services 1994–95 to 1997–98*, Table 15, p 52 and Table 15, p 84.

ETHNICITY

Information about culture and ethnicity may be useful for the ongoing assessment of the relevance and accessibility of services against sexual violence to diverse communities. Some data are available on birthplace, but they are generally highly aggregated. Limited data are available on languages spoken by users of services against sexual violence.

*Birthplace*

In NCSS 2002, a higher sexual assault victimisation prevalence rate (0.3%) was reported for adults who were born in Australia, compared to the rate for those born overseas (0.1%). Four in five victims (83%) were born in Australia. (See Table 3.6.)

WSS 1996 reported that one in fifty women born in Australia (1.7%) had experienced sexual assault during the previous 12 months. This was higher than the comparable prevalence rate for women born overseas (0.8%). Similar to NCSS 2002, 85% of victims were born in Australia.

*Socio-demographic characteristics of victims continued*

*Birthplace continued*

The NASASV 2000 study reported that 90% of victims who used services against sexual violence were born in Australia. Countries of birth outside Australia were recorded for 10% of service users and 51 countries were identified. Approximately 3% of victims were born in England and approximately 2% were born in New Zealand.<sup>12</sup>

*Language*

The NASASV 2000 study collected data on languages other than English specified as preferred languages. Preferred languages other than English were specified by approximately 2% of victims who used services against sexual violence and 20 languages were recorded.<sup>13</sup> For comparison, 2001 Census data indicate that 20% of all Australians speak a language other than English at home.

**EDUCATIONAL ATTAINMENT**

WSS 1996 estimated that a lower proportion of women without post-school qualifications (1.1%) reported that they had experienced sexual assault during the previous 12 months than women with post-school qualifications (1.9%).<sup>14</sup> Of women with post-school qualifications, similar prevalence rates of sexual assault were experienced by those with degree or higher qualifications (1.8%) and those with vocational qualifications (1.9%). (See Table 3.12 below.)

<sup>12</sup> NASASV (2000), *National Data Collection Project*; section 5.10 and Appendix 4.

<sup>13</sup> *Ibid.*

<sup>14</sup> This difference is statistically significant at 90% level of confidence but not at 95% level.

Socio-demographic  
characteristics of victims  
continued

EDUCATIONAL ATTAINMENT *continued*

**3.12** WOMEN WHO EXPERIENCED SEXUAL ASSAULT DURING THE  
LAST 12 MONTHS(a), Selected Socio-demographic  
Characteristics of Women—1996

<i>Selected characteristics</i>	<i>'000</i>	<i>Prevalence rate(b)</i>	<i>Total women in each group '000(c)</i>
<b>Age group (years)</b>			
18–24	33.9	3.6	945.2
25–34	28.6	2.0	1 440.2
35–44	27.6	2.0	1 376.3
45–54	*5.9	*0.5	1 166.6
55 and over	**4.0	**0.2	1 952.2
<b>All age groups</b>	<b>100.0</b>	<b>1.5</b>	<b>6 880.5</b>
<b>Birthplace</b>			
Born in Australia	84.9	1.7	5 083.1
Born outside Australia			
Main English speaking country	*6.4	*0.8	778.8
Other country	*8.6	*0.8	1 018.7
Total	*15.1	*0.8	1 797.4
<b>Total</b>	<b>100.0</b>	<b>1.5</b>	<b>6 880.5</b>
<b>Educational Attainment</b>			
Without post-school qualifications	45.8	1.1	4 076.6
With post-school qualifications			
Degree or higher	*14.1	*1.8	771.8
Diploma	*14.9	*2.3	649.1
Vocational qualification	25.2	1.9	1 320.5
Total(d)	54.3	1.9	2 803.9
<b>Total</b>	<b>100.0</b>	<b>1.5</b>	<b>6 880.5</b>
<b>Labour force status</b>			
Employed			
Working full-time	23.4	1.2	1 936.1
Working part-time	39.5	2.3	1 706.4
Total	62.9	1.7	3 642.5
Unemployed	*15.8	*5.8	272.5
Not in the labour force	*21.3	*0.7	2 965.6
<b>Total</b>	<b>100.0</b>	<b>1.5</b>	<b>6 880.5</b>

\* estimate has a relative standard error of 25% to 50% and should be used with caution

\*\* estimate has a relative standard error greater than 50% and is considered too unreliable for general use

(a) Includes sexual assault by a male and/or female perpetrator.

(b) Rate per 100 women in the relevant population. See last column for the numbers of women in each group.

(c) Includes women who did not experience sexual assault.

(d) Includes secondary qualifications.

Source: ABS, *Women's Safety, Australia, 1996 (cat.no. 4128.0)*, data available on request.

*Socio-demographic characteristics of victims continued*

**LABOUR FORCE STATUS**

In the 2002 NCSS, there was no statistically significant difference in sexual assault victimisation prevalence rates for persons in the labour force and persons not in the labour force; both were 0.2%. An estimated 70% of victims were in the labour force. (See Table 3.6)

In WSS 1996, an estimated 2.0% of women who were in the labour force reported that they had experienced sexual assault during the previous 12 months, compared to 0.7% of women who were not in the labour force. Looking at women who were in the labour force, a prevalence rate estimated at 5.8% was recorded for women who were unemployed, compared to 1.7% for women who were employed. An estimated 79% of victims were in the labour force. (See Table 3.12 above.)

*Other information about victims*

**NATURE OF SEXUAL ASSAULT**

Data on the nature of sexual assault are limited. Although details of incidents reported to police or to other services may be recorded in case notes, they are generally not published on a regular basis.

The NASASV 2000 study contains some information on the 'Main presenting assault' for people who used the services in the two-month collection period during May-June 2000. 'Main presenting assault' was the incident of sexual assault that was the main reason for accessing the services. Over 40% of the victims who contacted services against sexual violence during the collection period reported the main presenting assault as child sexual assault. Approximately half of the victims (51%) were aged in their 20s and 30s at the time of contact with the services. Most of these contacts appear to have been from adult survivors of child sexual assault. Of the adult sexual assaults, the main presenting assaults were rape (43%) and incest (26%). (See Table 3.13 below.)

**3.13** SERVICES AGAINST SEXUAL VIOLENCE, Main presenting sexual assault—May–June 2000

	Persons	Proportion of total assaults	Proportion of adult assaults
	no.	%	%
Child sexual assault	1 104	44.4	..
Adult sexual assault type			
Rape	592	23.8	42.8
Incest	356	14.3	25.8
Indecent Assault	87	3.5	6.3
Other	69	2.8	5.0
Organised Sadistic Abuse	51	2.1	3.7
Attempted Rape	48	1.9	3.5
Sexual harrassment	24	1.0	1.7
Unknown	155	6.2	11.2
Total	1 382	55.6	100.0
<b>Total</b>	<b>2 486</b>	<b>100.0</b>	<b>..</b>

.. not applicable

Source: National Association of Services Against Sexual Violence, National Data Collection Project, 2000, Table 5.11.

Other information about victims continued

NATURE OF SEXUAL ASSAULT *continued*

In NSW, detailed data on the type of sexual assault have been published for child sexual assault by NSW Health in *Initial Presentations to NSW Sexual Assault Services*. The published data cover four years from 1994-95 to 1997-98 and in that time there was little change in the patterns of types of child sexual assault. (See Table 3.14) The most common type of assault recorded was touching (approximately 22%), followed by vaginal penetration (approximately 16%). Other types of assault with relatively high recorded numbers included indecent assault (7 to 9%), digital stimulation (vaginal or anal) (8 to 10%) and anal penetration (5 to 6%).

**3.14** CHILD SEXUAL ASSAULT VICTIMS, Type of assault, 1994-95 to 1997-98

Type of assault	1994-95		1995-96		1996-97		1997-98	
	no.	%	no.	%	no.	%	no.	%
Touching	494	21.9	510	22.9	472	21.8	474	22.4
Vaginal penetration	367	16.3	364	16.3	354	16.3	336	15.9
Indecent assault	157	7.0	158	7.1	161	7.4	192	9.1
Digital stimulation (vaginal or anal)	191	8.5	226	10.1	184	8.5	170	8.0
Anal penetration	121	5.4	140	6.3	118	5.4	127	6.0
Attempted (any type)	146	6.5	128	5.7	131	6.0	104	4.9
Masturbation on victim	89	3.9	99	4.4	74	3.4	76	3.6
Fellatio on abuser	95	4.2	76	3.4	85	3.9	67	3.2
Masturbation on abuser	65	2.9	55	2.5	45	2.1	52	2.5
Fellatio on victim	53	2.3	44	2.0	38	1.8	42	2.0
Cunnilingus on victim	31	1.4	46	2.1	39	1.8	33	1.6
Pornography (exposed to)	43	1.9	26	1.2	34	1.6	32	1.5
Stimulation by object (vaginal or anal)	19	0.8	15	0.7	11	0.5	13	0.6
Pornography (used in)	13	0.6	5	0.2	8	0.4	7	0.3
Cunnilingus on abuser	4	0.2	5	0.2	4	0.2	7	0.3
Other, Not determined, Unknown	370	16.4	332	14.9	412	19.0	382	18.1
<b>Total</b>	<b>2 258</b>	<b>100.0</b>	<b>2 229</b>	<b>100.0</b>	<b>2 170</b>	<b>100.0</b>	<b>2 114</b>	<b>100.0</b>

Source: NSW Health, *Initial Presentations to NSW Sexual Assault Services, 1994-95 - 1997-98, Table 8, pp 23-26.*

PRIOR VICTIMISATION

Two aspects of prior victimisation are examined here - repeat victimisation and experience of child abuse.

*Repeat sexual assault victimisation*

There is limited information available which is directly relevant to repeat victimisation - i.e. where the same perpetrator(s) sexually assaulted the same victim on more than one occasion.

The NSW *Initial Presentations* publication reports that, in NSW between 1994-95 and 1997-98, between 26% and 29% of child sexual assault victims (under the age of 16 years) each year were recorded as having been previously assaulted by the same offender(s) responsible for the presenting assault. Of these children, almost one-third had been assaulted over a period of more than one year, one in four had been assaulted for up to one year, and one in ten for up to one month; however, the period of previous assault history was 'unknown' for between one quarter and one third of the children. (See Table 3.15 below.) These proportions showed some variation across the age groups covered

Other information about victims continued

*Repeat sexual assault victimisation continued*

by the published data, with higher proportions of 10-15-year-olds experiencing assaults for more than one year.<sup>15</sup>

**3.15** CHILD SEXUAL ASSAULT, By previous assault history(a): NSW—1994–95 to 1997–98

	1994-95	1995-96	1996-97	1997-98
	%	%	%	%
Known period of assault(b)				
Only once(c)	5.4	4.9	4.1	5.2
Up to 1 week	1.4	1.3	1.2	0.7
Up to 1 month	10.4	12.7	11.1	8.1
Up to 1 year	25.2	26.1	21.9	23.7
More than 1 year	31.4	31.0	31.0	31.2
Total	73.8	76.0	69.3	68.9
Unknown period of assault	26.2	24.0	30.8	31.1
<b>Total (%)</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>
Total previously assaulted (no.)	652	613	604	557
Total child sexual assault victims (no.)	2 258	2 229	2 170	2 114

(a) Includes only children previously assaulted by the offender(s) responsible for the presenting assault.

(b) Period of assault refers to the period over which the child had been assaulted by the same perpetrator.

(c) Once refers to where previous assaults occurred on only one occasion.

Source: NSW Health, *Initial Presentations to NSW Sexual Assault Services 1994/95 - 1997/98*, Table 9, p. 28.

In NCSS 2002, almost two-thirds (64%) of the adult victims of sexual assault in the previous 12 months reported that they had experienced one incident in that period, while the remaining 36% reported that they had experienced two or more incidents. (See Table 3.1.) The 11,900 adults who reported experiencing multiple incidents of sexual assault in the previous 12 months reported an estimated total of 60,400 incidents of sexual assault, an average of 5.1 incidents per victim (7.1 incidents per male victim and 4.6 incidents per female victim).

In WSS 1996, 45% of women who had experienced sexual violence (i.e. sexual assault and/or sexual threat) by male and/or female perpetrator since the age of 15 years reported that they had experienced more than one incident.<sup>16</sup>

Neither NCSS nor WSS data specify whether reported multiple incidents were experienced at the hands of the same perpetrator.

*Experience of child abuse*

In WSS 1996, approximately two-thirds (65%) of women who reported experiencing sexual violence (i.e. sexual assault and/or sexual threat) since the age of 15 years also reported that they had not experienced any abuse at younger ages. An estimated one-fifth (20%) reported experiencing physical abuse when a child (i.e. prior to the age

<sup>15</sup> NSW Health, *op. cit.*, Table 9, p. 28.

<sup>16</sup> ABS, *Women's Safety, Australia, 1996* (cat. no. 4128.0); see Table 3.17. WSS did not ask about the number of incidents.

*Other information about victims continued*

*Experience of child abuse continued*

of 15 years) and one-quarter (27%) reported experiencing sexual abuse when a child; some had experienced both.<sup>17</sup>

WHETHER PHYSICALLY INJURED

In some incidents of sexual assault, physical injuries are inflicted on the victim. In NCSS 2002, almost one third (30%) of victims, and over one quarter (28%) of female victims, reported that they had been physically injured in the most recent incident of sexual assault. (See Table 3.1.)

In 1996, data from WSS indicate that, of women who experienced sexual assault by a man since the age of 15 years, a similar proportion (26%) were physically injured in the most recent incident.

In WSS, victims who suffered physical injury were more likely to report sexual assault to police than those who were not physically injured. They were also more likely to report that they had taken time off work and changed their day-to-day activities as a result of the sexual assault. These issues, as well as the nature and impact of injuries experienced by victims of sexual assault, are discussed in Chapter 4 - Responses, impacts and outcomes.

WHETHER INCIDENT PERCEIVED AS A CRIME

In NCSS 2002, an estimated seven in ten victims of sexual assault (71%) considered the most recent incident to be a crime. Over three-quarters (77%) of female victims considered the most recent incident to be a crime. An estimated one-fifth of both female victims and of all victims indicated that they had told police about the most recent incident.

CHARACTERISTICS OF PERPETRATORS

Information about perpetrators in the criminal justice system is currently available from the courts system and from the annual census of prisoners.

The extent of under-reporting of sexual assault to police indicates that the majority of perpetrators do not have any contact with the criminal justice system. In some instances, information about this group may be obtained from their victims as, in many cases, the perpetrators are known to the victims. People who have been victims of sexual assault may provide information about perpetrators in response to surveys and/or as part of information collected by services against sexual violence. However, it is not possible to compare the characteristics of perpetrators who have contact with the criminal justice system with the characteristics of those who do not.

*Socio-demographic characteristics of perpetrators*

GENDER

The majority of perpetrators of sexual assault reported in the various data sources are male. However, female offending does occur and is recognised and reported, although the numbers are relatively small.

<sup>17</sup> *Ibid.*; see Table 3.19.

Socio-demographic characteristics of perpetrators continued

GENDER continued

Data from NCSS 2002 indicate that 93% of female victims of sexual assault reported the sex of the offender(s) in the most recent incident of sexual assault as male; 2% reported the offender(s) to be female.<sup>18</sup>

The NASASV 2000 study reported that 96% of offenders reported by victims of sexual assault were male.<sup>19</sup>

Data from *Criminal Courts, Australia* (ABS cat. no. 4513.0) are available for defendants with a principal offence of 'sexual assault and related offences'. 'Sexual assault and related offences' includes 'sexual assault' and 'non-assaultive sexual offences'. ('Non-assaultive sexual offences' are offences of a sexual nature which do not involve physical contact with the person and where the person does not give consent - e.g. procuring a child for prostitution/pornography, voyeurism, peeping tom, gross indecency.) Data for 'sexual assault' are not available in this collection.

In 2002-03, males comprised nearly all (99%) of defendants with a principal offence of sexual assault and related offences adjudicated by the higher criminal courts.<sup>20</sup> (See Table 3.16.)

Males also comprised 99% of prisoners held in custody for a most serious offence related to sexual assault.<sup>21</sup>

**3.16** TOTAL HIGHER COURTS ADJUDICATED DEFENDANTS, Principal offence by age and sex: Australia—2002-03

ASOC Division and sex	Under 20 years	20-24 years	25-29 years	30-34 years	35-44 years	45 years and over	Unknown	Total	Mean age (years)	Median age (years)
<b>Sexual assault and related offences (no.)</b>										
Males	82	162	170	222	375	525	6	1 542	39.9	38.0
Females	—	2	4	6	6	7	—	25	37.8	36.0
Defendants	82	164	174	228	381	532	6	1 567	39.8	38.0
<b>All offences (no.)</b>										
Males	1 420	3 036	2 274	1 920	2 307	1 631	56	12 644	31.0	28.0
Females	135	384	345	317	408	212	10	1 811	31.7	30.0
Defendants	1 555	3 420	2 619	2 237	2 715	1 843	75	14 464	31.2	29.0
<b>Sexual assault and related offences - proportion of all offences (%)</b>										
Males	5.8	5.3	7.5	11.6	16.3	32.2	10.7	12.2	..	..
Females	—	0.5	1.2	1.9	1.5	3.3	—	1.4	..	..
Defendants	5.3	4.8	6.6	10.2	14.0	28.9	8.0	10.8	..	..

.. not applicable  
 — nil or rounded to zero (including null cells)

Source: ABS, *Criminal Courts, Australia, 2002-03* (cat.no. 4513.0), Table 1.

18 ABS, *Crime & Safety Australia, 2002* (cat. no. 4509.0); see Table 17.

19 NASASV (2000) *National Data Collection Project*, Table 5.17

20 'Adjudication' is a method of finalisation in courts based on a judgement or decision by the court as to whether or not the defendant is guilty of the charge(s) laid against them.

21 ABS, *Prisoners in Australia, 2003*; (cat. no. 4517.0); see Table 7.

*Socio-demographic characteristics of perpetrators continued*

AGE

Available data on adjudicated defendants in the criminal courts include principal offence by sex and age, with age calculated at the time of a defendant's date of finalisation within a court level. The highest proportion of male defendants adjudicated in the higher criminal courts for sexual assault and related offences were aged 45 years and over (36%). The age groups 35-44 years (24%) and 25-34 years (22%) had the next highest proportions. (See Table 3.16.)

Sexual assault adjudicated defendants appear to be older than defendants for all offence categories. The mean age of adjudicated defendants in the higher criminal courts in 2002-03 with a principal offence of sexual assault was 40 years, with a median age of 38 years, compared to the mean age of 31 years for all offence categories, with a median age of 29 years.

BIRTHPLACE

In the National Prisoner Census for 2003, of sentenced prisoners with a most serious offence of sexual assault and related offences, four out of five (79%) were born in Australia, compared to 16% born overseas. The proportion of sentenced prisoners with a most serious offence of sexual assault and born overseas was similar to the proportion of the general Australian population born overseas (16% compared to 18%). The proportion of the general prison population born overseas was 25%.<sup>22</sup>

*Other information about perpetrators*

RELATIONSHIP OF PERPETRATOR TO VICTIM

Data from all sources indicate that a large proportion of perpetrators are known to their victims. Data indicate that victims are less likely to report sexual assault to police if the perpetrator is known to them, especially if a current partner. (See Chapter 4 - Responses, impacts and outcomes.)

Recorded Crime Statistics report that almost three in five (58%) female victims of sexual assault knew the offender; of these, approximately half were family members. (See Table 3.17 below.) Results from the NCSS 2002 and the WSS 1996 are consistent with the Recorded Crime Statistics.

In NCSS 2002, slightly over half (52%) of adult victims of sexual assault reported that the offender(s) in the most recent incident were known to them. For female victims, this proportion was 58%. Overall, 42% of victims (37% of female victims) reported that the offender(s) were not known.<sup>23</sup> Of the victims who identified their relationship with the offender(s) in the most recent incident, 61% of all adult victims (60% of female victims) knew them as family / friend / ex-partner and the balance knew them as colleague / neighbour / acquaintance. (See Table 3.1.)

In WSS 1996, of women aged 18 years and over who reported that they had experienced one or more incidents of sexual assault since the age of 15 years, 11% had been sexually assaulted by strangers. Of the women for whom the perpetrators were known, the highest proportions were boyfriend / date (28%), friend (22%) and previous

<sup>22</sup> *Ibid*; see Table 5; additional data available on request.

<sup>23</sup> The balance were victims who knew one or some, but not all, of multiple perpetrators. The corresponding estimate in the 1998 NCSS was that 83% of female victims reported that they knew the offender or some offender(s), but the output categories were different for the 2002 survey so these data may not be comparable.

Other information about perpetrators continued

RELATIONSHIP OF PERPETRATOR TO VICTIM *continued*

partner(23%). (See Table 3.17 and Graph 3.18 below. The information presented relates to 'sexual violence', which includes 'sexual assault' and/or 'sexual threat'.)

**3.17** WOMEN WHO HAD EXPERIENCED SEXUAL VIOLENCE BY A MAN, SINCE THE AGE OF 15 YEARS—Relationship to perpetrator in the most recent incident: **Australia—1996**

Relationship to perpetrator	SEXUAL ASSAULT		SEXUAL THREAT		SEXUAL VIOLENCE	
	'000	%	'000	%	'000(a)	%
Current partner	37.3	4.8	*7.5	*3.1	43.9	3.6
Previous partner	176.5	22.8	47.6	19.7	260.1	21.5
Boyfriend/date	215.5	27.8	31.8	13.1	412.6	34.1
Other known man						
Family member	30.6	3.9	*10.2	*4.2	100.8	8.3
Friend	173.2	22.4	34.8	14.4	320.0	26.5
Boss/co-worker	32.6	4.2	*13.2	*5.5	89.3	7.4
Other(b)	23.0	3.0	*10.9	*4.5	60.1	5.0
Total(c)	259.4	33.5	69.2	28.6	517.2	42.8
Stranger	85.4	11.0	86.1	35.5	269.8	22.3
<b>Total(d)(e)</b>	<b>774.2</b>	<b>100.0</b>	<b>242.1</b>	<b>100.0</b>	<b>1 209.2</b>	<b>100.0</b>

\* estimate has a relative standard error of 25% to 50% and should be used with caution

(a) Sexual violence includes sexual assault and/or sexual threat.

(b) Includes professionals.

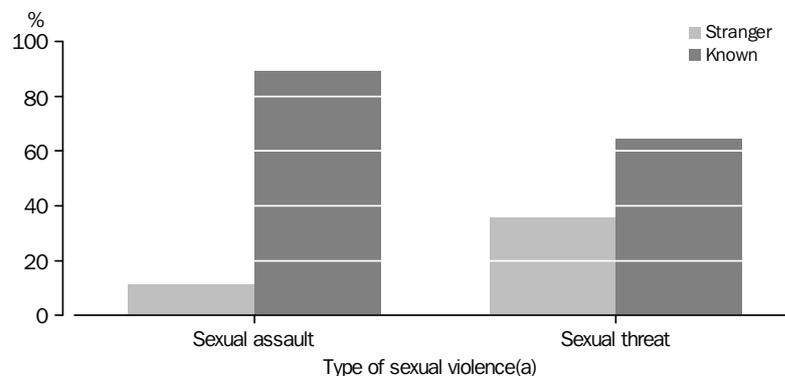
(c) If a women experienced violence by more than one 'other known man' she was counted only once in the total.

(d) Excludes women whose last incident occurred more than 20 years ago.

(e) If a woman experienced sexual violence by more than one perpetrator, she was counted only once in the total

Source: ABS, Women's Safety, Australia, 1996 (cat.no. 4128.0) Tables 3.18 and 3.21.

**3.18** WOMEN WHO HAD EXPERIENCED SEXUAL VIOLENCE SINCE THE AGE OF 15 YEARS, Relationship to perpetrator in most recent incident, 1996



(a) Sexual violence includes sexual assault and/or sexual threat.

Source: ABS, Women's Safety, Australia, 1996 (cat. no. 4128.0).

Other information about  
perpetrators continued

RELATIONSHIP OF PERPETRATOR TO VICTIM *continued*

Stalking is a component of the broader, experience-based definition of sexual assault (see Chapter 1). In 1996, according to the WSS, around half of the women who experienced stalking by a man were stalked by a stranger, whether the stalking occurred during the last 12 months or during their lifetime. For both time periods, the other main categories of relationship to perpetrator were previous partner (10% and 15%) and other known man (25% and 19%). (See Table 3.19.)

**3.19** WOMEN'S EXPERIENCE OF STALKING BY A MAN, Relationship to perpetrator—1996

Relationship to perpetrator	DURING THE LAST 12 MONTHS		DURING THEIR LIFETIME	
	'000	Rate(a)	'000	Rate(a)
Previous partner	*16.5	*0.6	154.1	6.1
Boyfriend/date	*11.2	. .	85.2	. .
Other known man	41.4	0.6	304.6	4.4
Stranger	96.7	1.4	493.1	7.2
<b>Total(b)</b>	<b>165.7</b>	<b>2.4</b>	<b>1 038.1</b>	<b>15.1</b>

\* estimate has a relative standard error of 25% to 50% and should be used with caution

. . not applicable

(a) Rate per 100 in the relevant population. See last column for the number of women in each group.

(b) Includes women who were stalked by a current partner.

Source: ABS, *Women's Safety, Australia, 1996 (cat.no. 4128.0)*,

Table 7.9.

The only available data which provide information about the relationship of offenders to male victims are from the RCS. These data indicate that, in 2003, 60% of male victims of sexual assault knew the offender. Of those who knew the offender, almost half knew them as family members. For all male victims, almost one in ten offenders were unknown to the victim, although almost one third were classified as 'Not stated/inadequately described'. (See Table 3.20.)

The recorded proportion of sexual assault by someone unknown to the victim was lower for males (9%) than for females (16%).

Other information about  
perpetrators *continued*

RELATIONSHIP OF PERPETRATOR TO VICTIM *continued*

**3.20** VICTIMS OF SEXUAL ASSAULT, By sex of victim and relationship of offender to victim: **Australia—2003**

	MALES		FEMALES		PERSONS(a)	
	no.	%	no.	%	no.	%
Known to victim						
Family member	974	29.9	4 279	28.7	5 263	28.9
Not family member	862	26.5	3 654	24.5	4 529	24.8
Total known to victim(b)	1 953	60.0	8 574	57.6	10 554	57.9
Unknown to victim	283	8.7	2 356	15.8	2 657	14.6
Not stated/inadequately described	1 019	31.3	3 962	26.6	5 026	27.6
<b>Total</b>	<b>3 255</b>	<b>100.0</b>	<b>14 892</b>	<b>100.0</b>	<b>18 237</b>	<b>100.0</b>

(a) Includes persons for whom sex was not specified.

(b) Includes persons who knew the offender but whether offender was a family member or not a family member was not recorded.

Source: ABS, *Recorded Crime - Victims, Australia, 2003* (cat.no. 4510.0), Table 6.

*Partner sexual assault*

Partner sexual assault, where the perpetrator is a current or former intimate partner of the victim, is viewed as a particular subset of sexual assault which may require more specific support and responses.<sup>24</sup>

Detailed information about partner physical and sexual violence (including sexual assault and/or sexual threat) is available from WSS. In 1996, 9% of women reported experiencing sexual assault by a previous partner during the relationship, compared to 1% reporting sexual assault by their current partner during the relationship. Of all women who had ever had a partner, 4% had experienced sexual assault by a current or previous partner during the relationship. (See Table 3.21.)

24 Heenan, M. *Just 'keeping the peace': A reluctance to respond to male partner sexual violence*, Issues Paper No. 1, Australian Centre for the Study of Sexual Assault, March 2004; available on web site <<http://www.aifs.gov.au/acssa/pubs/issue/i1.html>>.

Other information about  
perpetrators continued

Partner sexual assault continued

### 3.21 WOMEN'S EXPERIENCE OF SEXUAL VIOLENCE BY A PARTNER DURING THE RELATIONSHIP—1996

Experience of violence	CURRENT PARTNER		PREVIOUS PARTNER(a)		TOTAL(b)	
	'000	%	'000	%	'000	%
<b>Sexual violence</b>						
Sexual assault	39.5	0.9	228.8	9.0	262.7	4.4
Sexual threat	7.5	0.2	68.3	2.7	75.9	1.3
<b>Total(c)</b>	<b>43.9</b>	<b>1.0</b>	<b>260.1</b>	<b>10.2</b>	<b>297.7</b>	<b>5.0</b>

- (a) Includes partners who were violent during and/or after the relationship. A woman could have more than one previous partner and may have experienced violence by more than one of those previous partners.
- (b) Includes all women who have ever had a partner. If a woman experienced violence by both a current and previous partner she was only counted once in that total.
- (c) Components do not add to the total as women may have experienced more than one type of violence.

Source: ABS, *Women's Safety, Australia, 1996* (cat.no. 4128.0), Table 6.5.

#### Child sexual assault

RCS data for victims of sexual assault aged 0-14 years in 2003 indicate that female victims were slightly more likely to have known the offender than male victims in this age group (63% of female victims, compared to 59% of male victims in this age group). For approximately 30% of both male and female victims in this age group, the offenders were parents of the victims. For approximately 20% of both male and female victims in this age group, the offenders were known non-family members. (See Table 3.22.)

### 3.22 VICTIMS OF SEXUAL ASSAULT AGED 0-14 YEARS, By Sex and Relationship of Offender to Victim, Australia, 2003

	MALES		FEMALES		PERSONS(a)	
	no.	%	no.	%	no.	%
Known to Victim						
Family member						
Parent	534	29.3	1 733	30.6	2 267	30.2
Sibling	75	4.1	188	3.3	263	3.5
Other related family member	123	6.8	466	8.2	591	7.9
Non-family member	333	18.3	1 163	20.5	1 497	20.0
<i>Total known to victim</i>	<i>1 065</i>	<i>58.5</i>	<i>3 550</i>	<i>62.6</i>	<i>4 618</i>	<i>61.6</i>
Unknown to victim	90	4.9	378	6.7	469	6.3
Not stated/inadequately described	666	36.6	1 741	30.7	2 415	32.2
<b>Total</b>	<b>1 821</b>	<b>100.0</b>	<b>5 669</b>	<b>100.0</b>	<b>7 502</b>	<b>100.0</b>

- (a) Includes persons for whom sex was not recorded.

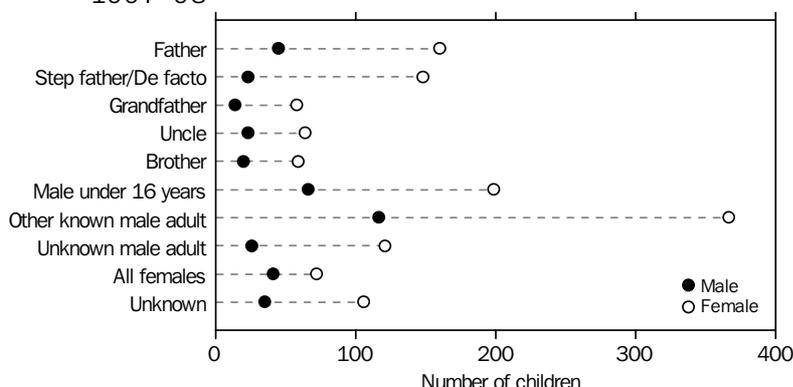
Source: ABS, *Recorded Crime - Victims, Australia, 2003*; data available on request.

Other information about perpetrators continued

Child sexual assault continued

Data from the NSW Health publication *Initial Presentations to NSW Sexual Assault Services* show that, in NSW in 1997-98, both boys and girls were most often sexually assaulted by a known male adult who was not a family member; the next most common category of perpetrator was males under 16 years, although it is not clear whether this category included males within or outside the family or both. Of perpetrators who were family members, the father and stepfather/de facto categories were represented in almost equal numbers as assailants of female children. (See Graph 3.23.)

**3.23** CHILD SEXUAL ASSAULT, RELATIONSHIP OF ASSAILANT, By gender—Initial presentations to NSW sexual assault services, 1997–98



Source: NSW Health, *Initial Presentations to NSW Sexual Assault Services, 1994-95 to 1997-98, Table 6, p 17.*

NUMBER OF PERPETRATORS

Although a minority, a significant proportion of incidents of sexual assault are reported to involve more than one perpetrator. In NCSS 2002, 75% of adult victims of sexual assault (77% of female victims and 68% of male victims) reported that there had been one offender in the most recent incident in the last 12 months; 23% of adult victims (and 22% of female victims) reported that there had been two or more offenders. (See Table 3.1.)

WSS 1996 data indicate that, of women who experienced sexual violence (i.e. sexual assault and/or sexual threat) in the previous 12 months, 87% reported one perpetrator and 12% reported more than one perpetrator.<sup>25</sup>

WEAPON USE

Use of a weapon is regarded as an aggravating factor in sexual assault and may be used to threaten further violence. Relatively few reported incidents of sexual assault involve the use of a weapon.

The table below (Table 3.24) shows that, in RCS during the period 1993 to 2003, when there was an increasing number of sexual assaults recorded by police, a steady proportion of approximately 2% of victims reported the use of a weapon by the perpetrator in the course of committing the offence.

<sup>25</sup> ABS, *Women's Safety, Australia, 1996*; see Table 3.8.

Other information about  
perpetrators continued

WEAPON USE *continued*

However, in 2002, results from NCSS indicated a higher rate of weapon use, with 10% of all victims (40% of male victims and 5% of female victims) reporting that a weapon had been used in the most recent incident of sexual assault. (See Table 3.1.) WSS 1996 did not collect data on weapon use.

**3.24** VICTIMS OF SEXUAL ASSAULT, By use of weapon in commission of offence:  
Australia—1993–2003

	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003
Weapon used (no.)											
Firearm	27	16	22	20	33	25	30	28	37	26	9
Other weapon(a)	181	150	211	251	256	281	243	244	277	238	231
Total(b)	223	171	244	279	296	311	280	275	321	267	247
No weapon used(c)	11 963	12 551	12 855	14 263	14 057	14 025	13 824	15 484	16 576	17 710	17 990
<b>Total</b>	<b>12 186</b>	<b>12 722</b>	<b>13 099</b>	<b>14 542</b>	<b>14 353</b>	<b>14 336</b>	<b>14 104</b>	<b>15 759</b>	<b>16 897</b>	<b>17 977</b>	<b>18 237</b>
Weapon used (%)											
Firearm	0.2	0.1	0.2	0.1	0.2	0.2	0.2	0.2	0.2	0.1	0.1
Other weapon(a)	1.5	1.2	1.6	1.7	1.8	2.0	1.7	1.5	1.6	1.3	1.3
Total(b)	1.8	1.3	1.9	1.9	2.1	2.2	2.0	1.7	1.9	1.5	1.4
No weapon used	98.2	98.7	98.1	98.1	97.9	97.8	98.0	98.3	98.1	98.5	98.6
<b>Total(c)</b>	<b>100.0</b>										

(a) Includes knife or syringe.

(b) Includes offences where a weapon was used but was not further defined.

(c) Includes offences where weapon use was not known or not stated.

Source: ABS, *Recorded Crime - Victims, Australia, 2003* (cat.no. 4510.0), Tables 10 and 11.

REPEAT OFFENDING

Data from Prisoners in Australia in 2003 indicate that, of prisoners with a most serious offence/charge of sexual assault, approximately 41% had prior imprisonment. By comparison, the prior imprisonment rate for prisoners overall was 57%. (See Table 3.25.)

No data are available on the offence(s) linked to the prior imprisonment.

Other information about  
perpetrators continued

REPEAT OFFENDING continued

**3.25** PRISONERS, By prior imprisonment and most serious offence/charge(a)—2003

	PRIOR IMPRISONMENT		NO PRIOR IMPRISONMENT		TOTAL(b)	
	no.	%	no.	%	no.	%
<b>Males</b>						
Sexual assault and related offences						
Sexual assault	884	41.0	1 192	55.3	2 155	100.0
Non-assaultive sexual offences(c)	59	26.1	157	69.5	226	100.0
Total	943	39.6	1 349	56.7	2 381	100.0
<b>All offences</b>	<b>12 683</b>	<b>57.8</b>	<b>8 979</b>	<b>40.9</b>	<b>21 961</b>	<b>100.0</b>
<b>Females</b>						
Sexual assault and related offences						
Sexual assault	2	11.8	13	76.5	17	100.0
Non-assaultive sexual offences(c)	—	—	—	—	—	—
Total	2	11.8	13	76.5	17	100.0
<b>All offences</b>	<b>779</b>	<b>48.9</b>	<b>755</b>	<b>47.4</b>	<b>1 594</b>	<b>100.0</b>
<b>Persons</b>						
Sexual assault and related offences						
Sexual assault	886	40.8	1 205	55.5	2 172	100.0
Non-assaultive sexual offences(c)	59	26.1	157	69.5	226	100.0
Total	945	39.4	1 362	56.8	2 398	100.0
<b>All offences</b>	<b>13 462</b>	<b>57.2</b>	<b>9 734</b>	<b>41.3</b>	<b>23 555</b>	<b>100.0</b>

— nil or rounded to zero (including null cells)

(a) Prisoners who have had previous imprisonment in another state or territory may not be counted as having prior imprisonment.

(b) Includes prisoners whose prior imprisonment status is unknown.

(c) Non-assaultive sexual offences are offences of a sexual nature which do not involve physical contact with the person and where the person does not give consent — e.g. procuring a child for prostitution/pornography, voyeurism, peeping tom, gross indecency.

Source: ABS, *Prisoners in Australia, 2003* (cat.no. 4517.0), Table 7.

## CHAPTER 4

## RESPONSES, IMPACTS AND OUTCOMES .....

### CONTENTS

	<i>page</i>
KEY POINTS .....	54
INTRODUCTION .....	54
DISCLOSURE .....	55
Reasons services not used .....	56
Reasons police not told .....	57
Circumstances of reporting .....	57
INFORMAL RESPONSES .....	59
FORMAL RESPONSES .....	61
Health system - Medical practitioners; Hospital separations .....	61
Community services - Child protection .....	62
Services against sexual violence - Service users; Services requested; Time since main presenting incident; Age of service users .....	63
Other services - Human Rights and Equal Opportunities Commission .....	66
VICTIM IMPACTS AND OUTCOMES .....	67
Health impacts - Physical injuries .....	67
Economic impacts - Time off work .....	69
Other impacts - Changes in day-to-day activities; Fear for personal safety .....	69
Recovery .....	70
CRIMINAL JUSTICE RESPONSES, IMPACTS AND OUTCOMES .....	71
Victims' experiences of the criminal justice system .....	71
Perpetrator impacts and outcomes in the criminal justice system - Police - incidents reported and recorded (Police action taken); Criminal courts (Adjudicated defendants; Duration of court processes; Sentencing outcomes); Corrective services (Unsentenced prisoners; Sentenced prisoners); Longer-term perpetrator outcomes (Recidivism studies) .....	72
EDUCATION AND PREVENTION PROGRAMS .....	83

**KEY POINTS**

NCSS 2002 data indicate that four out of five victims did not tell police about the most recent incident of sexual assault. Over half of the female victims indicated that they had dealt with the matter themselves.

WSS 1996 data indicate that approximately one in five women who experienced sexual assault did not disclose it to anyone and took no action in response to the incident.

- The most common action taken by victims of sexual assault was the 'informal response' of talking to people.
- An estimated 9% of women who experienced sexual assault in the previous 12 months used services after the most recent incident.

NCSS 2002 data indicate that more than one in four adult female victims of sexual assault were physically injured in the most recent incident of sexual assault.

In data from WSS 1996:

- the highest rate of reported physical injuries was inflicted when the perpetrator was a previous partner (49% of previous partner perpetrators)
- time was taken off work because of the most recent incident by 12% of female victims of sexual assault and by 15% of women who had been stalked
- around 40% of women who experienced sexual assault made some change to their day-to-day activities during the 12 months after the most recent incident because of the sexual assault.

For incidents of sexual assault recorded by police in 2002, offenders were proceeded against for approximately one in four victims of sexual assault (measured at six months from the date the incident(s) became known to police).

In Criminal Courts data for 2002-03:

- adjudicated defendants in the higher criminal courts with a principal offence of sexual assault and related offences were three times more likely to have an acquittal outcome (20%) than defendants for all offences (7%)
- of defendants proven guilty of sexual assault and related offences in higher criminal courts, 69% received custodial sentences, compared to 55% for all offences.

In data from the National Prisoner Census of June 2003:

- the mean aggregate sentence for sentenced prisoners with a most serious offence of sexual assault was 92.5 months, compared to 59.2 months for all sentenced prisoners
- the mean expected time to serve for sentenced prisoners with a most serious offence of sexual assault was 59.9 months, compared to 38.0 months for all sentenced prisoners.

**INTRODUCTION**

Most people who report that they have experienced sexual assault also report that they have never talked to anyone about the event, never told police, never sought professional help or used other services. In this chapter, we will discuss responses to sexual assault with this context in mind, firstly examining circumstances of disclosure and non-disclosure, then dealing with responses. Short-term impacts and longer-term

INTRODUCTION *continued*

outcomes are also examined, both for victims of sexual assault and for perpetrators who are dealt with through the criminal justice system.

The area of disclosure can be reviewed using victim survey responses. Both the WSS and NCSS examine the area of disclosure, including the reasons for reporting and non-reporting and the characteristics of victims in these categories.

The conceptual framework for sexual assault provides for *Responses* to sexual assault to be classified as either informal or formal. These include responses of and relating to victims, family and friends, and perpetrators.

- Informal responses are actions that do not involve reporting to, or using services provided by, formal systems. A range of informal responses may be made by a victim of sexual assault. Reasons for not using available services and reasons for not telling police assist in understanding how victims do respond to sexual assault. However, this information is not linked to impacts and outcomes.
- Formal responses include actions taken that involve reporting to, or engaging services provided by, various formal systems. These may include: the criminal justice system, services against sexual violence, general crisis support services, health services, child protection and other community services. Formal responses are actions taken by individuals in response to incidents of sexual assault that involve reporting to, or utilising services provided by, a formal 'system'. They may also be the interventions or services provided by systems which provide responses to sexual assault. Although there is some overlap, these systems fall into three groups: detection, treatment and prevention. The four major systems for which information is examined in this chapter are: criminal justice, health services, community services and services against sexual violence.

There are linkages and interactions between formal and informal responses, and between both areas of response and impacts and outcomes. Available information about health, economic and other impacts for victims, and about criminal justice outcomes for perpetrators, is presented in this chapter.

Where possible, data presented in this section provide information about responses relating to all victims of sexual assault (i.e. males and females, all ages). However, most survey data relate to adult females. NCSS 2002 collected some information about male victims of sexual assault, but the small numbers and high relative standard errors mean that the detailed data are considered too unreliable for general use.

## DISCLOSURE

Data from the National Crime and Safety Survey (NCSS) of 2002 indicate that approximately one in seven adult female victims of sexual assault (14%) did not disclose the most recent incident to anyone.<sup>26</sup> An estimated 3,900 of the 28,300 adult female victims of sexual assault neither told police nor accessed any formal or informal support.

Data from the Women's Safety Survey of 1996 (WSS) indicate that, of those who reported that they had experienced at least one incident of sexual assault since the age of 15 years, approximately one woman in five took no action after the most recent incident. (See Table 4.1 below.)

<sup>26</sup> ABS, National Crime and Safety Survey, 2002; data available on request.

DISCLOSURE *continued*

**4.1** WOMEN WHO EXPERIENCED SEXUAL ASSAULT BY A MAN SINCE THE AGE OF 15, Whether the woman took action herself after the most recent incident—1996

	DURING THE		SINCE THE	
	LAST 12 MONTHS		AGE OF 15(a)	
	'000	%	'000	%
<i>Whether action taken</i>				
No action taken	*20.9	*21.2	170.8	22.1
<i>One type of action taken</i>				
Talked to others	49.7	50.5	360.6	46.6
Other(b)	*6.7	*6.8	46.5	6.0
<i>Total</i>	56.4	57.3	407.1	52.6
More than one type	21.1	21.5	196.3	25.3
<b>Total</b>	<b>98.4</b>	<b>100.0</b>	<b>774.2</b>	<b>100.0</b>

\* estimate has a relative standard error of 25% to 50% and should be used with caution

(a) Excludes women whose most recent incident occurred more than 20 years ago.

(b) Includes told police, sought professional help and used services.

Source: ABS, *Women's Safety, Australia, 1996 (cat.no. 4128.0), Table 4.18.*

*Reasons services not used*

Data from WSS indicate that nearly 90% of women who experienced sexual assault and did not use crisis, legal or financial services gave their reasons as either 'dealt with it herself' (61%) or that it was 'not serious enough to seek help' (28%). (See Table 4.2 below.)

**4.2** WOMEN WHO EXPERIENCED SEXUAL ASSAULT BY A MAN DURING THE LAST 12 MONTHS, Reason(s) for not using services—1996

<i>Reason(s) for not using services</i>	'000	%
Dealt with it herself	54.6	60.8
Not serious enough to seek help	25.5	28.3
Received help from family/friends	*4.3	*4.8
Did not know of any services	—	—
Other(a)	*14.9	*16.6
<b>Total(b)</b>	<b>89.9</b>	<b>100.0</b>

\* estimate has a relative standard error of 25% to 50% and should be used with caution

— nil or rounded to zero (including null cells)

(a) Includes shame/embarrassment, did not think they could help, would not be believed, fear of perpetrator, cultural/language reasons and other. Also includes do not know.

(b) If a woman reported more than one reason she was only counted once in the total.

Source: ABS, *Women's Safety, Australia, 1996 (cat.no. 4128.0), Table 4.14.*

*Reasons police not told*

Most incidents of sexual assault are not reported to police. In NCSS 2002, the proportion of female victims of sexual assault who considered the most recent incident to be a crime was 77%. However, four out of five (80%) adult female victims of sexual assault responded that they had not told police about the most recent incident.

In WSS 1996, 55% of women who had experienced sexual assault during the previous 12 months, and who did not report the most recent incident to police, responded that they did not tell police because they had dealt with it themselves; for women who had experienced sexual assault since the age of 15, the corresponding proportion was 39%. (See Table 4.3 below.)

**4.3** WOMEN WHO EXPERIENCED SEXUAL ASSAULT BY A MAN, Main reason police not told about most recent incident—1996

	DURING THE		SINCE THE	
	LAST 12 MONTHS		AGE OF 15(a)	
<i>Main reason police not told</i>	'000	%	'000	%
Dealt with it herself	46.0	54.9	268.5	39.1
Did not regard it as a serious offence	*13.5	*16.1	98.7	14.4
Did not think they could do anything	*6.9	*8.2	65.1	9.5
Fear of perpetrator	**1.9	**2.3	42.2	6.1
Shame/embarrassment	*4.7	5.7	85.5	12.5
Did not want perpetrator arrested	—	—	*13.5	*2.0
Would not be believed	—	—	44.5	6.5
Other(b)	9.8	11.7	64.6	9.4
<b>Total(c)</b>	<b>83.9</b>	<b>100.0</b>	<b>686.3</b>	<b>100.0</b>

\* estimate has a relative standard error of 25% to 50% and should be used with caution  
 \*\* estimate has a relative standard error greater than 50% and is considered too unreliable for general use  
 — nil or rounded to zero (including null cells)  
 (a) Excludes women whose most recent incident occurred more than 20 years ago.  
 (b) Includes fear of legal processes, cultural language reasons and other.  
 (c) Includes 'Do not know'.

Source: ABS, *Women's Safety, Australia, 1996* (cat. no. 4128.0), Table 4.6.

*Circumstances of reporting*

Data from WSS 1996 indicate that, when police were told of an incident of sexual assault, in six times out of seven it was the woman herself who made the report. (See Table 4.4 below.)

*Circumstances of reporting continued*

**4.4** WOMEN WHO EXPERIENCED SEXUAL ASSAULT BY A MAN SINCE THE AGE OF 15, Whether police told about the most recent incident—1996

<i>Whether police told</i>	<i>'000</i>	<i>%</i>
Police not told	686.3	88.6
Police told		
By woman	75.5	9.8
By someone else	*12.3	*1.6
Total	87.9	11.4
<b>Total(a)</b>	<b>774.2</b>	<b>100.0</b>

\* estimate has a relative standard error of 25% to 50% and should be used with caution

(a) Excludes women whose most recent incident occurred more than 20 years ago.

Source: ABS, *Women's Safety, Australia, 1996* (cat. no. 4128.0), Table 4.5.

In NCSS 2002, 21% of all adult victims of sexual assault and 20% of female adult victims reported that they had told police about the most recent incident.

WSS 1996 reported on circumstances in which women were more or less likely to tell police about an incident of sexual assault.<sup>27</sup> However, most of those estimates have high relative standard errors and should be used with caution. Overall, 10% of women who reported that they had experienced at least one incident of sexual assault by a man since the age of 15 years also reported that they had told police about the most recent incident themselves. The proportion of women who told police was higher in circumstances where:

- the woman was physically injured (28%)
- the perpetrator was a stranger (25%).

<sup>27</sup> ABS, *Women's Safety, Australia, 1996*; see Tables 4.7, 4.8 and 4.9.

*Circumstances of reporting continued*

**4.5** WOMEN WHO EXPERIENCED SEXUAL ASSAULT BY A MAN SINCE THE AGE OF 15(a), Whether police told, When the most recent incident occurred—1996

	POLICE TOLD (b)		POLICE NOT TOLD		TOTAL	
	'000	%	'000	%	'000	%
<b>When the most recent incident occurred</b>						
During the last 12 months	*14.7	*14.9	83.8	85.1	98.4	100.0
1 year to less than 5 years	28.5	13.2	187.7	86.8	216.2	100.0
5 years to less than 10 years	*16.3	*8.1	183.7	91.9	200.0	100.0
10 years to less than 20 years	28.5	11.0	231.1	89.0	259.6	100.0
<b>Total</b>	<b>87.9</b>	<b>11.4</b>	<b>686.3</b>	<b>88.6</b>	<b>774.2</b>	<b>100.0</b>

\* estimate has a relative standard error of 25% to 50% and should be used with caution

(a) Excludes women whose most recent incident occurred more than 20 years ago.

(b) Includes police told by woman or someone else.

Source: ABS, *Women's Safety, Australia, 1996* (cat.no. 4128.0), Table 4.4.

Comparison can be made with data relating to victims of other personal crimes. Overall, the data from NCSS 2002 indicate that lower proportions of victims of sexual assault reported the most recent incident to police. For example, 31% of victims of assault (other than sexual assault) and 50% of victims of robbery told police about the last incident, compared to 21% of victims of sexual assault. However, rates of reporting to police are generally lower for personal crime than for household crime. NCSS 2002 estimated reporting rates of 95% for motor vehicle theft and 75% for break-in.<sup>28</sup>

#### INFORMAL RESPONSES

Data from NCSS 2002 indicate that 87% of female victims of sexual assault accessed some form of formal or informal support after the most recent incident of sexual assault. Family provided support for 41% and a friend or colleague provided support for 68%. A professional/religious person provided support for 39% of female victims, which is treated as a 'formal response' in this context. (See Table 4.6 below.) These data align with findings from WSS 1996 (below), that a number of female victims of sexual assault drew on more than one source of support.

<sup>28</sup> ABS, *Crime and Safety, Australia, 2002* (cat. no. 4509.0); see Table 2.

INFORMAL RESPONSES  
*continued***4.6** FEMALE VICTIMS OF SEXUAL ASSAULT(a), Whether support services accessed—2002

	Number		Proportion	
	'000		%	
Whether support services accessed after most recent incident				
Support services accessed	24.6		87.1	
Family	11.7		41.4	
Friend or colleague	19.3		68.2	
Professional/religious person	11.0		39.0	
Support services not accessed	3.1		11.0	
<b>Total(b)(c)</b>	<b>28.3</b>		<b>100.0</b>	

(a) Persons aged 18 years and over.

(b) More than one support service may have been accessed.

(c) Includes persons who did not give details of most recent incident.

Source: ABS, *Crime and Safety, Australia, April 2002 (cat.no. 4509.0)*, Table 16.

Estimates from WSS 1996 indicate that 82% of women who experienced sexual assault by a man during the previous 12 months did not seek professional help (i.e. did not consult a doctor, counsellor or minister/priest) and 91% did not use services (i.e. did not use crisis, legal or financial services). (See Table 4.7 below.)

**4.7** WOMEN WHO EXPERIENCED SEXUAL ASSAULT BY A MAN, Type of action taken after the most recent incident—1996

Type of action taken	DURING LAST 12 MONTHS		SINCE AGE 15	
	'000	%	'000	%
<b>Whether professional help sought(a)</b>				
Professional help sought(b)	*17.5	*17.8	145.8	18.8
Professional help not sought	80.9	82.2	628.4	81.2
<b>Total</b>	<b>98.4</b>	<b>100.0</b>	<b>774.2</b>	<b>100.0</b>
<b>Whether services used(c)</b>				
Services used(b)	*8.6	*8.7	119.8	15.5
Services not used	89.9	91.3	654.4	84.5
<b>Total</b>	<b>98.4</b>	<b>100.0</b>	<b>774.2</b>	<b>100.0</b>

\* estimate has a relative standard error of 25% to 50% and should be used with caution

(a) Includes professional help by a doctor, counsellor, and/or minister/priest.

(b) If a woman sought professional help from more than one source or used more than one service, she was counted only once in the total.

(c) Includes crisis services, legal services, and/or financial services.

Source: ABS, *Women's Safety, Australia, 1996 (cat.no. 4128.0)*, Tables 4.12 and 4.13.

The most common action reported by victims of sexual assault in 1996 was the 'informal response' of talking to people. In WSS, of 98,400 women who had experienced sexual assault by a man during the previous 12 months, 72% had talked to people, the main categories being friend/neighbour (59%) or family (32%). (See Table 4.8 below.)

## INFORMAL RESPONSES

*continued***4.8** WOMEN WHO EXPERIENCED SEXUAL ASSAULT BY A MAN,  
Whether talked to others—1996

	DURING LAST 12 MONTHS		SINCE AGE 15	
	'000	%	'000	%
Did not talk to others	27.6	28.0	220.7	28.5
Talked to others				
Family	31.3	31.8	262.4	33.9
Friend/neighbour	58.0	59.0	409.2	52.9
Work colleague	*8.8	*9.0	60.9	7.9
Other	*8.2	*8.4	59.4	7.7
<i>Total(a)</i>	70.8	72.0	553.5	71.5
<b>Total</b>	<b>98.4</b>	<b>100.0</b>	<b>774.2</b>	<b>100.0</b>

\* estimate has a relative standard error of 25% to 50% and should be used with caution

(a) If a woman talked to more than one person she was counted only once in the total.

Source: ABS, *Women's Safety, Australia, 1996 (cat.no. 4128.0)*, Tables 4.12 and 4.13.

## FORMAL RESPONSES

*Health system*

A variety of health services may be accessed by people who have experienced sexual assault. Although some settings for health services collect data for administrative purposes, the available information about services provided in relation to sexual assault is limited.<sup>29</sup>

## MEDICAL PRACTITIONERS

WSS 1996 estimated that 9% of women who had experienced sexual assault since the age of 15 years had consulted a doctor.<sup>30</sup> The data are not specific about the setting in which the doctor was consulted.

## HOSPITAL SEPARATIONS

Hospital separations data, available from the Australian Institute of Health and Welfare, record hospital separations of admitted patients whose admission is attributed to sexual assault as an external cause of injury. For the three years 1998-99 to 2000-01, the numbers of separations for female patients were steady at around 230 per year, then the number increased to 310 in 2001-02. (See Table 4.9 below.)

<sup>29</sup> ABS, *Sexual Assault Information Development Framework (cat. no. 4518.0)*; see pages 68 and 77.

<sup>30</sup> ABS, *Women's Safety, Australia, 1996 (cat. no. 4128.0)*; see Table 4.13.

Health system *continued*

HOSPITAL SEPARATIONS *continued*

**4.9** HOSPITAL SEPARATIONS (a), All hospitals, Australia(b)—Number of separations reporting an external cause of injury of sexual assault by bodily force

	1998-99	1999-00	2000-01	2001-02
<b>Sex</b>				
Females	235	255	225	310
Males	26	32	55	35
<b>Total</b>	<b>261</b>	<b>287</b>	<b>280</b>	<b>345</b>

- (a) 'Separation' refers to the process by which an admitted patient completes an episode of care by being discharged, dying, transferring to another hospital or changing type of care.
- (b) Classified according to the International Statistical Classification of Diseases and Related Health Problems, 10th Revision, Australian Modification (ICD-10-AM), Chapter XX, Code Y05.

Source: Australian Institute of Health and Welfare, National Hospital Morbidity Database; data not previously published.

Community services

CHILD PROTECTION

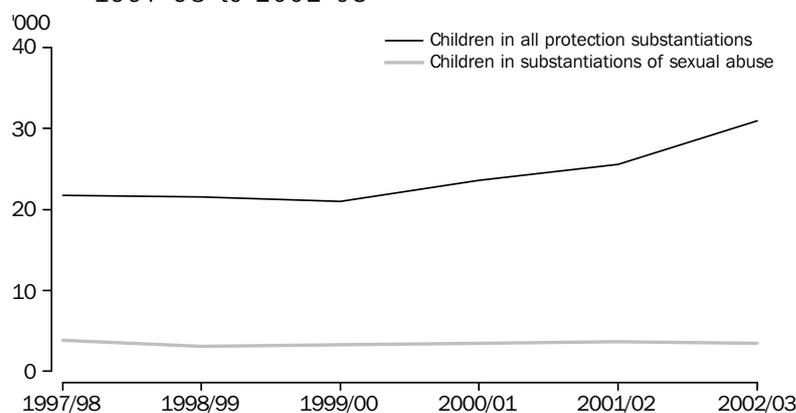
Legislation in most states and territories mandates the reporting of suspected cases of child abuse and neglect by prescribed groups of people such as medical practitioners, child care workers, police and teachers. Child abuse may involve physical, emotional or sexual abuse. Child protection services are provided by state and territory community services departments. Notifications (reports) to child protection agencies may be investigated and may be substantiated or found to be not substantiated. Possible outcomes include children being placed on care and protection orders or in out-of-home care.

Data on child protection notifications, investigations, substantiations and outcomes are compiled and published annually by the Australian Institute of Health and Welfare. In 2002-03, approximately 10% of all substantiations were for sexual abuse. (See Graph 4.10.)

Community services  
continued

CHILD PROTECTION *continued*

**4.10** CHILDREN IN CHILD PROTECTION SUBSTANTIATIONS, Australia, 1997-98 to 2002-03



Source: Australian Institute of Health and Welfare, *Child Protection, Australia*.

In 2002-03, there were 3493 children who were in child protection for substantiations of sexual abuse. These children comprised 11% of all children in substantiations of child abuse and neglect in Australia. (See Table 4.11 below.)

**4.11** CHILD PROTECTION (a), Australia, 2002-03

	Aust. (b)
	no.
Number of substantiations of all types of abuse and neglect	40 416
All children in all types of substantiations	30 953
Number of substantiations of sexual abuse	4 137
All children in substantiations of sexual abuse	3 493

(a) Children 0-17 years.

(b) Includes children of unknown age.

Source: AIHW, *Child Protection, Australia, 2002-03*, AIHW cat. no. CWS 22.

Services against sexual  
violence

Specialised services against sexual violence are available in all states and territories. They include Centres Against Sexual Assault (CASAs), Centres Against Sexual Violence (CASVs) and Rape Crisis Centres. Many are government funded and run under state and territory government departments, whilst others are run by non-government organisations, with or without government funding. Sexual violence in this context refers to the broader, experience based definition of sexual assault presented in Chapter 1.

Whilst many of these services collect administrative data, the data collection systems used vary, both within and between states and territories. The only national data collection in this sector is that which was undertaken in 2000 by the National Association of Services Against Sexual Violence (NASASV). This collection, which covered a three-week period in April-May 2000, was funded by the Australian Government Office of the Status of Women. It collected data from 54 out of a possible total of 118 services, representing a range of regions of Australia across all states and territories, including

*Services against sexual violence continued*

metropolitan, rural and remote areas.<sup>31</sup>

**SERVICE USERS**

The published data from the NASASV collection represent 3,838 service users from 51 services against sexual violence. 62% of service users were victims of sexual violence. The diversity of other service users is apparent in the data presented in Table 4.12 below.

**4.12** USERS OF SERVICES AGAINST SEXUAL VIOLENCE, Status of contact person—May–June 2000

Contact Person	no.	%
Victim/survivor	2 395	62.4
Professional/Worker	658	17.1
Family Member	334	8.7
Student	130	3.4
Other	117	3.0
Friend/acquaintance	64	1.7
Police	58	1.5
Sexual Assault Service	52	1.4
Unknown	29	0.8
Offender	1	—
<b>Total</b>	<b>3 838</b>	<b>100.0</b>

— nil or rounded to zero (including null cells)  
 Source: *National Association of Services Against Sexual Violence, National Data Collection Project, 2000, Table 5.1.*

**SERVICES REQUESTED**

The most frequently requested service was counselling, followed by requests for information. 24% of service users requested more than one type of service. (See Table 4.13 below.)

<sup>31</sup> NASASV, *Report on the Snapshot Data Collection by Australian Services Against Sexual Violence*, NASASV, 2000.

Services against sexual violence *continued*

SERVICES REQUESTED *continued*

**4.13** USERS OF SERVICES AGAINST SEXUAL VIOLENCE, By services requested—May–June 2000

Service requested	no.	%
Crisis Support	639	11.9
Counselling	1 918	35.6
Forensic Medical	71	1.3
Non Forensic Medical	28	0.5
Information	1 451	26.9
Advocacy	262	4.9
Referral	265	4.9
Group	273	5.1
Legal Info./Advocacy	246	4.6
Written Report	56	1.0
Other	145	2.7
Unknown	36	0.7
<b>Total requests(a)</b>	<b>5 390</b>	<b>100.0</b>

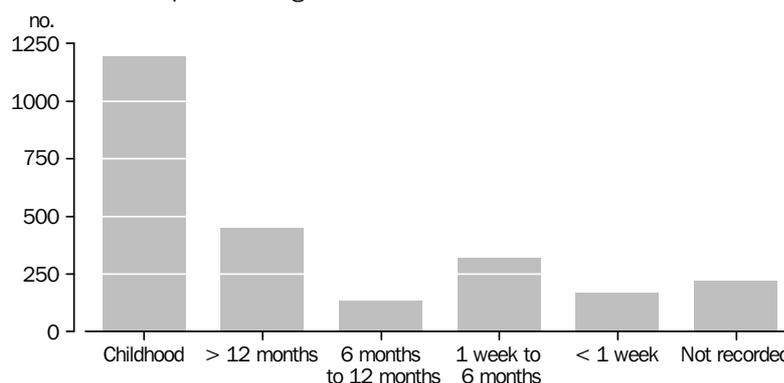
(a) 24% of service users requested more than one type of service.

Source: National Association of Services Against Sexual Violence, National Data Collection Project, 2000, Table 5.4.

TIME SINCE MAIN PRESENTING INCIDENT

The most commonly reported time elapsed since the main presenting incident of sexual violence (the 'main presenting assault') was 'childhood'. (See Graph 4.14 below.)

**4.14** USERS OF SERVICES AGAINST SEXUAL VIOLENCE, Time since 'main presenting assault'—2000



Source: NASASV, National Data Collection Project, 2000, Table 5.12.

AGE OF SERVICE USERS

Over half (54%) of victims who used services against sexual violence, and whose ages were recorded, were aged in their twenties and thirties at the time of their contact with the service. Almost one in five (18%) were aged over 40 years and a similar proportion (17%) were aged 15 years and under. (See Table 4.15 below.)

Services against sexual  
violence *continued*

AGE OF SERVICE USERS *continued*

**4.15** USERS OF SERVICES AGAINST SEXUAL VIOLENCE, Age of  
victim/survivor

Age of victim/survivor(a)	No.	Proportion (%)
0–5	43	1.8
6–11	174	7.3
12–15	187	7.9
16–19	265	11.1
20–29	689	29.0
30–39	582	24.5
40–49	314	13.2
50–59	99	4.2
60+	24	1.0
<i>Total</i>	2 377	100.0
Unknown	152	—
<b>TOTAL</b>	<b>2 529</b>	—

— nil or rounded to zero (including null cells)

(a) Age at time of contact with the service.

Source: National Association of Services Against Sexual  
Violence, National Data Collection Project, 2000,  
Table 5.9.

Other services

WSS data from 1996 indicate that some women who experienced sexual assault in the previous 12 months sought professional help (18%) and/or used services (9%). Women who had experienced sexual assault since the age of 15 sought professional help at about the same rate (19%), but were more likely to have used services (16%).

Of the estimated 145,800 women who sought professional help in response to the most recent incident of sexual assault since the age of 15, almost three-quarters consulted a counsellor and about half consulted a doctor. Of the estimated 119,800 women who used services, almost three-quarters (70%) used crisis services and almost half (44%) used legal services. (See Table 4.7.)

#### HUMAN RIGHTS AND EQUAL OPPORTUNITIES COMMISSION

Sexual harassment is defined by the Human Rights and Equal Opportunity Commission (HREOC) as 'unwelcome sexual conduct which makes a person feel offended, humiliated and/or intimidated where that reaction is reasonable in the circumstances'.<sup>32</sup> Complaints of sexual harassment in employment may be made to HREOC. There are two types of parties to a complaint: the complainant and the respondent. The complainant is the person who lodges the complaint with HREOC, and the respondent is the party against whom the complaint has been lodged.

<sup>32</sup> Human Rights and Equal Opportunity Commission; see web site  
<[http://www.hreoc.gov.au/sex\\_discrimination/code\\_practice/data/1\\_what.html](http://www.hreoc.gov.au/sex_discrimination/code_practice/data/1_what.html)>.

*Other services continued*HUMAN RIGHTS AND EQUAL OPPORTUNITIES COMMISSION *continued*

A review of 152 of the 155 complaints of sexual harassment in the workplace which were finalised in 2002 was undertaken because of an increase of over 20% in the number of complaints on this ground over the previous four years. Key findings of the review are noted below.<sup>33</sup>

- Most reported harassment was against women and was by men. In the 152 complaints, 95% of the complainants were female; 88% of individual respondents (harassers) in the 152 complaints were male. Smaller numbers of reports involved female or both male and female respondents.
- Most complaints of sexual harassment involved multiple forms of harassing behaviours, including verbal harassment (71%), physical intimacy (37%) and sexual physical behaviour (23%). In 22% of cases, the harassment had continued for more than 12 months. Almost three-quarters (72%) of complainants reported that the harassment began in the first 12 months of the complainant's employment and half (51%) reported it as beginning within the first four months.
- Harassment was an issue in small (44%), medium sized (19%) and large organisations (36%). Two-thirds (67%) of complainants reported that harassment occurred in workplaces located in cities, and three quarters (78%) of complainants had reported the harassment within their organisation prior to lodging the complaint with HREOC.
- Costs to employers included the loss of employees and payment of financial compensation. Two-thirds (67%) of complainants had left the organisation and 10% were on leave. Payments received by complainants varied from \$500 to \$200,000 and were most often paid by employers rather than the individual harasser. The median financial payment was \$6,250, with 64% of complainants receiving less than \$10,000 compensation at settlement.

VICTIM IMPACTS AND  
OUTCOMES*Health impacts*

## PHYSICAL INJURIES

According to the NCSS 2002, more than one in four (28%) female victims of sexual assault were physically injured in the last incident. In WSS 1996, a similar proportion of women reported being physically injured in the most recent incident since the age of 15 years.

The nature of injuries, as reported in WSS 1996, is recorded in Table 4.16 below. The most commonly reported physical injury was bruising.

<sup>33</sup> Sex Discrimination Commissioner, Human Rights and Equal Opportunity Commission (HREOC), *Sexual Harassment - Bad Business: Review of Sexual Harassment in Employment, 2002*, HREOC, 2003. Available on web site <[http://www.hreoc.gov.au/sex\\_discrimination/bad\\_business/text.html](http://www.hreoc.gov.au/sex_discrimination/bad_business/text.html)>.

Health impacts continued

PHYSICAL INJURIES continued

**4.16** WOMEN WHO EXPERIENCED SEXUAL ASSAULT SINCE THE AGE OF 15 YEARS, Whether physically injured in the most recent incident—1996

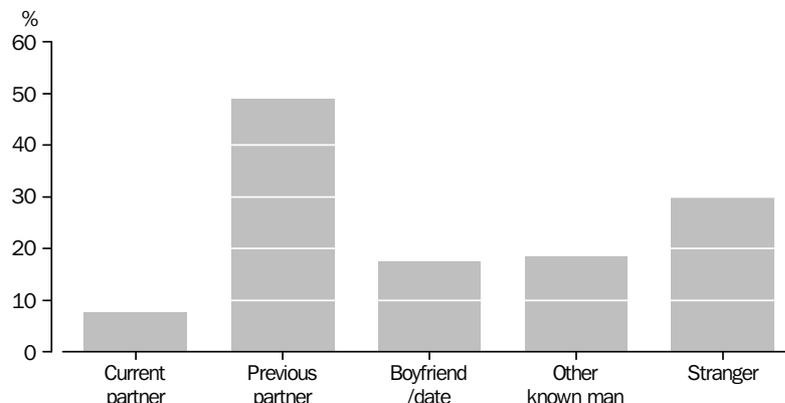
Whether physically injured	'000	%
Not physically injured	572.7	74.0
Physically injured		
Bruised	184.7	23.9
Cut	30.0	3.9
Scratched	36.3	4.7
Other(a)	50.3	6.5
Total(b)	201.5	26.0
<b>Total(c)</b>	<b>774.2</b>	<b>100.0</b>

- (a) Includes fractured or broken bones or teeth, penetrative injuries, stab or gun shot wounds, miscarriage and other injuries.
- (b) If a woman reported more than one type of injury she was counted only once in the total.
- (c) Excludes women whose last incident occurred more than 20 years ago.

Source: ABS, *Women's Safety, Australia, 1996* (cat.no. 4128.0), Table 3.14.

The highest rate of recorded injuries occurred when the perpetrator was a previous partner (49% of previous partner perpetrators). The lowest rate was when the perpetrator was a current partner (8% of current partner perpetrators). (See Graph 4.17 below.)

**4.17** WOMEN WHO EXPERIENCED SEXUAL ASSAULT BY A MAN SINCE AGE 15, Proportion who were physically injured in most recent incident, By relationship to perpetrator, 1996



Source: ABS, *Women's Safety, Australia, 1996* (cat. no. 4128.0), Table 3.24.

*Economic impacts*

**TIME OFF WORK**

Another impact of sexual assault can be the need to take time off work. This is more likely to occur if the victim has been physically injured. Time off work can mean loss of earnings or a need to use leave entitlements that then would not be available for other purposes.

WSS 1996 reported information about women who had experienced sexual assault and had taken time off work during the 12 months after the most recent incident, because of that incident. Overall, 12% of women who worked took time off in the 12 months following the most recent incident because of the sexual assault. These comprised 6% of those who were not physically injured and 30% of those who were physically injured. (See Table 4.18 below.)

**4.18** WOMEN WHO EXPERIENCED SEXUAL ASSAULT BY A MAN SINCE THE AGE OF 15, Whether took time off work during the 12 months after the most recent incident—1996

	NOT PHYSICALLY INJURED			PHYSICALLY INJURED			TOTAL		
	'000	%	%	'000	%	%	'000	%	%
<b>Worked</b>									
No time off	373.7	65.2	93.6	86.4	42.9	69.8	460.0	59.4	88.0
Time off	25.6	4.5	6.4	37.3	18.5	30.2	62.9	8.1	12.0
<b>Total</b>	<b>399.3</b>	<b>69.7</b>	<b>100.0</b>	<b>123.7</b>	<b>61.4</b>	<b>100.0</b>	<b>522.9</b>	<b>67.5</b>	<b>100.0</b>
<b>Did not work</b>	173.5	30.3	..	77.8	38.6	..	251.3	32.5	..
<b>Total(a)</b>	<b>572.7</b>	<b>100.0</b>	<b>..</b>	<b>201.5</b>	<b>100.0</b>	<b>..</b>	<b>774.2</b>	<b>100.0</b>	<b>..</b>

.. not applicable

(a) Excludes women whose most recent incident occurred more than 20 years ago.

Source: ABS, *Women's Safety, Australia, 1996 (cat.no. 4128.0)*, Table 5.9.

*Other impacts*

**CHANGES IN DAY-TO-DAY ACTIVITIES**

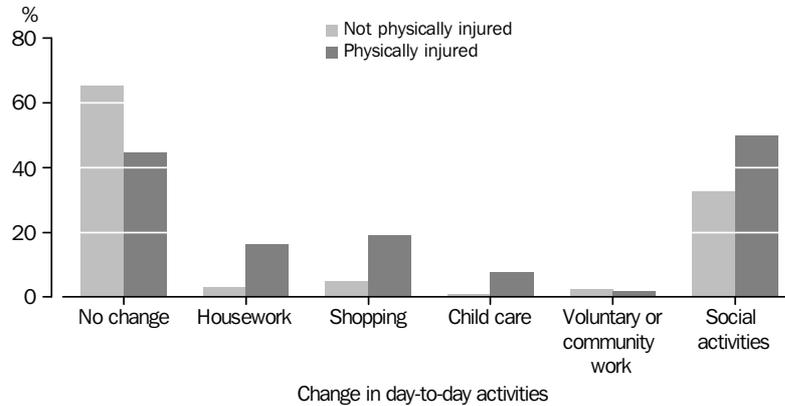
Day-to-day activities, other than work, may also be affected by sexual assault victimisation. Activities for which information is available include housework, shopping, child care, voluntary or community work and social activities. WSS 1996 reported information about changes in day-to-day activities in the 12 months following the last incident of sexual assault. Overall 40% of women who experienced sexual assault since the age of 15 years had made some change to their day-to-day activities during the 12 months after the most recent incident because of the sexual assault.

Women were more likely to have changed their day-to-day activities because of the sexual assault if they had been physically injured in the last incident; 55% of women who were physically injured made some change, compared to 35% of women who were not physically injured. The most common area of change reported was social activities; 37% of women who had experienced sexual assault reported change in social activities overall. Half (50%) of women who were also physically injured reported a change in social activities. (See Graph 4.19 below.)

Other impacts continued

CHANGES IN DAY-TO-DAY ACTIVITIES continued

**4.19** WOMEN WHO EXPERIENCED SEXUAL ASSAULT BY A MAN SINCE THE AGE OF 15, Proportion who changed day-to-day activities during the 12 months after the most recent incident—1996



Source: ABS, Women's Safety, Australia, 1996 (cat.no. 4128.0), Table 5.9.

FEAR FOR PERSONAL SAFETY

An outcome of an experience of sexual assault or of stalking can be that the victim fears for their personal safety. WSS 1996 reported information about women living in fear for their personal safety and the time since the last incident of sexual assault occurred, when the perpetrator had been a man other than a partner. An overall proportion of 17% of this group reported living in fear for their personal safety. (See Table 4.20 below.)

**4.20** WOMEN WHO EXPERIENCED SEXUAL ASSAULT SINCE THE AGE OF 15, Whether fears for personal safety(a)—1996

	DURING THE LAST 12 MONTHS		1 YEAR TO LESS THAN 5 YEARS		5 YEARS TO LESS THAN 20 YEARS		TOTAL(b)	
	'000	%	'000	%	'000	%	'000	%
Fear for personal safety								
Does not live in fear for personal safety	56.3	76.6	120.0	79.8	288.5	85.7	464.8	83.0
Lives in fear for personal safety	*17.2	*23.4	30.3	20.2	48.0	14.3	95.5	17.0
<b>Total</b>	<b>73.5</b>	<b>100.0</b>	<b>150.3</b>	<b>100.0</b>	<b>336.5</b>	<b>100.0</b>	<b>560.3</b>	<b>100.0</b>

\* estimate has a relative standard error of 25% to 50% and should be used with caution

(b) Excludes women whose most recent incident occurred more than 20 years ago.

(a) Fear for personal safety as a result of the most recent incident was not collected if the most recent incident of assault was by a previous or current partner.

Source: ABS, Women's Safety, Australia, 1996 (cat.no. 4128.0), Table 5.7.

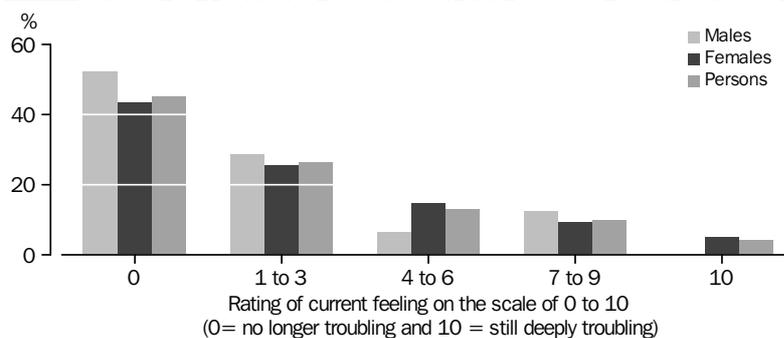
Recovery

In the 1999 South Australian Interpersonal Violence and Abuse Survey, respondents who reported that they had experienced sexual assault (excluding domestic violence) since they had turned 18 years of age rated their current feelings about what happened to them as a result of the sexual assault. The survey used a scale from 0 to 10, where 0 means 'no longer troubling' and 10 means 'experience is still deeply troubling'. Almost half (45%) of the respondents who had experienced sexual assault outside their domestic setting reported that the incident was no longer troubling them and over 70%

Recovery continued

rated their current feelings at the lower end of the scale (between 0 and 3). However, approximately 14% rated their current feelings at the upper end of the scale (between 7 and 10). Female victims were more likely than male victims to report that the experience was still deeply troubling. (See Graph 4.21 below.)

**4.21** RESPONDENTS' RATINGS OF CURRENT FEELINGS ABOUT WHAT HAPPENED TO THEM AS A RESULT OF SEXUAL ASSAULT (a)



(a) Excludes incidents involving a current partner or an ex-partner.

Source: Department of Human Services, South Australia, *Interpersonal Violence and Abuse Survey, 1999, Table 7.7.*

CRIMINAL JUSTICE  
RESPONSES, IMPACTS  
AND OUTCOMES

Criminal justice processes that follow a report to or detection by police may include investigation, evidence-gathering, apprehension, diversion, charging of an alleged offender, committal, trial and imprisonment or other penalty. However, there are many variations that may occur in this course of events.

ABS administrative by-product data collections for the criminal justice sector focus on the people dealt with by the system. The recorded crime statistics collection provides information on victims of criminal incidents; the criminal courts collection provides information on defendants; and the corrections collections provide information about prisoners.

Victims' experiences of the  
criminal justice system

Victims' experiences of the criminal justice system occur when police respond to their initial report and when victims appear as complainants or witnesses in court processes. A Victorian Law Reform Commission Report has said that these experiences, particularly those relating to court processes, have been found to be traumatising to the extent that they have been referred to as 'secondary victimisation'. Victims' fears that they may be treated unfairly appear to contribute to low reporting rates for sexual assault and to unwillingness to participate in the criminal justice process.<sup>34</sup>

Other research, published in 2003 by the Australian Institute of Criminology, has focussed the processes and consequences of involvement in the criminal justice system from the perspective of child complainants of sexual abuse. The study of 130 children, aged between 8 and 17 years and mostly female, was conducted across three states. Three main areas of difficulty were identified as: waiting for the trial; seeing the accused; and undergoing cross-examination. Between one-third and two-thirds of children

<sup>34</sup> Victorian Law Reform Commission, *Sexual Offences: Interim Report, 2003*; available on web site <<http://www.lawreform.vic.gov.au>>.

*Victims' experiences of the criminal justice system continued*

interviewed indicated that they would not report sexual abuse again, following their experiences in the criminal justice system.<sup>35</sup>

*Perpetrator impacts and outcomes in the criminal justice system*

Little is known about perpetrators who do not come into contact with the criminal justice system and no information is available about impacts and outcomes for that group. For the relatively small proportion of perpetrators who are identified to or by police, and who move through to the court system, some information is available about the impacts and outcomes of those processes. Information is also available about offenders proven guilty who are held in prisons. Available data on criminal justice outcomes for perpetrators indicate some differences in length of court processes, outcomes and sentences for sexual assault offenders compared to all offenders. These differences are discussed below.

#### POLICE- INCIDENTS REPORTED AND RECORDED

Police are the first point of contact within the criminal justice system. When an incident of sexual assault is reported to police, it is not necessarily recorded as a sexual assault offence. Survey estimates of incidents becoming known to police exceed considerably the number of victims recorded by police. There are several reasons why.

- A number of victims report more than one incident. Under RCS counting rules, a victim who is subjected to multiple incidents or to incidents that occur repeatedly over a period of time, is counted only once, at the time the report is made. However, if the victim reports different incidents to police at different times, then a victim count is made for each separate record.
- Victims may advise police of a matter but not seek to proceed through the criminal justice system.
- The information received by police may not be sufficient to allow them to determine whether a crime has been committed, or what kind of offence has been committed.
- The police may regard the incident as not having enough evidence to substantiate an offence.
- The incident may have been determined to be in a different offence category.

Table 4.22 shows a comparison of the numbers of incidents of sexual assault of adult females becoming known to police and the numbers of victims recorded by police.

<sup>35</sup> Eastwood, C. *The Experiences of Child Complainants of Sexual Abuse in the Criminal Justice System*, Trends and Issues Paper No. 250, AIC, Canberra, May 2003.

*Perpetrator impacts and outcomes in the criminal justice system continued*

POLICE- INCIDENTS REPORTED AND RECORDED *continued*

**4.22** SEXUAL ASSAULT INCIDENTS BECOMING KNOWN TO/RECORDED BY POLICE (a)

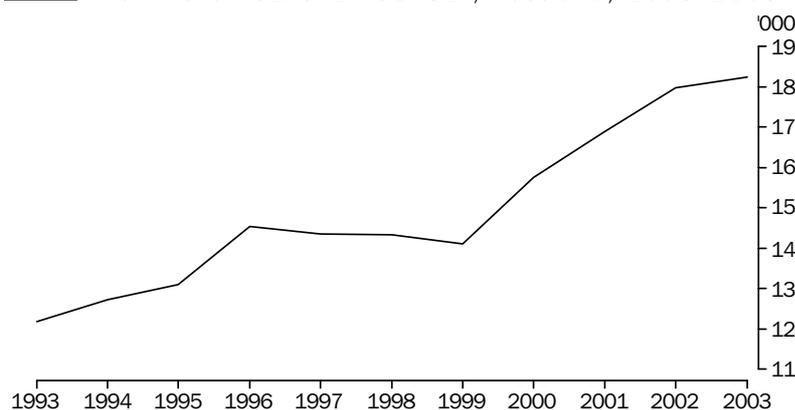
	1998	2002
	'000	'000
Crime and Safety Survey - incidents(b)	11.0	8.3
Recorded Crime Statistics - victims(c)	5.4	6.1

- (a) For females aged 18 years and over.
- (b) Number of sexual assault incidents becoming known to police, based on survey responses and as estimated for the 12 months prior to each survey (conducted April 1998 and April 2002).
- (c) As recorded by police from May 1997 to April 1998 and from May 2001 to April 2002.

Source: ABS, *Crime and Safety, Australia, April 2002 (cat.no. 4509.0)* and ABS, *Recorded Crime Statistics data available on request*

In 2003, police recorded a total of 18,237 sexual assault victims in Australia (including males and females of all ages). There has been a steady trend of increasing numbers of victimisations recorded, from around 12,000 in 1993 to the higher recent levels. (See Graph 4.23 below.) The increase in recording levels may be partly attributed to police and other publicity campaigns about sexual assault.

**4.23** VICTIMS OF SEXUAL ASSAULT, Australia, 1993–2003



Source: ABS, *Recorded Crime - Victims, Australia (cat. no. 4510.0)*.

*Police action taken*

RCS data include information about the outcome of police investigations. Where an investigation has been finalised and an offender was proceeded against, the possible outcomes include court proceedings (including summons, warrant, notice to appear), arrest, diversionary conference, caution or other non-court proceedings. Where an

*Perpetrator impacts and outcomes in the criminal justice system continued*

*Police action taken continued*

investigation has been finalised and an offender was not proceeded against, the reason may have been that the investigation lapsed, or the complaint was considered to be unfounded or was withdrawn.

Published data include information about the outcome of investigation at 30 days and data are also available about the outcome of investigation at 90 days and at 180 days. Data are revised following their initial compilation, because of the need for the nominated time to pass, so it is more useful to consider data for an earlier reference period. The data presented below relate to the 2002 reference year, but were revised in the 2003 collection.

For sexual assault victims recorded in 2002, the police investigation was finalised at 30 days after the time of the report for 37% of victims and offenders were proceeded against in relation to 19% of victims, while a further 63% of investigations had not been finalised. The proportion of victims for whom offenders had been proceeded against rose to 22% at 90 days and to 25% at 180 days. For just over half of the victims with police investigations finalised at 180 days, the offender was proceeded against. (See Table 4.24 below.)

**4.24** VICTIMS OF SEXUAL ASSAULT, Outcome of investigation—2002

	AT 30 DAYS		AT 90 DAYS		AT 180 DAYS	
	no.	%	no.	%	no.	%
Investigation not finalised	11 348	63.1	10 174	56.6	9 362	52.1
Investigation finalised						
No offender proceeded against	3 259	18.1	3 803	21.2	4 218	23.5
Offender proceeded against	3 370	18.7	4 000	22.3	4 397	24.5
Total finalised	6 629	36.9	7 803	43.4	8 615	47.9
<b>Total</b>	<b>17 977</b>	<b>100.0</b>	<b>17 977</b>	<b>100.0</b>	<b>17 977</b>	<b>100.0</b>

Source: ABS, *Recorded Crime - Victims, Australia, 2003 (cat.no. 4510.0)*, data available on request.

Table 4.25 compares data on victims for whom investigations were finalised by 'offender proceeded against' at 180 days, for sexual assault and other major offence categories. The 'offender proceeded against' finalisation at 180 days was much lower for sexual assault (25%) and robbery (19%) than for other personal crimes such as murder (64%) and assault (49%).

Perpetrator impacts and outcomes in the criminal justice system *continued*

Police action taken *continued*

**4.25** VICTIMS FOR WHOM INVESTIGATION FINALISED AT 180 DAYS, By selected offences(a)—2002

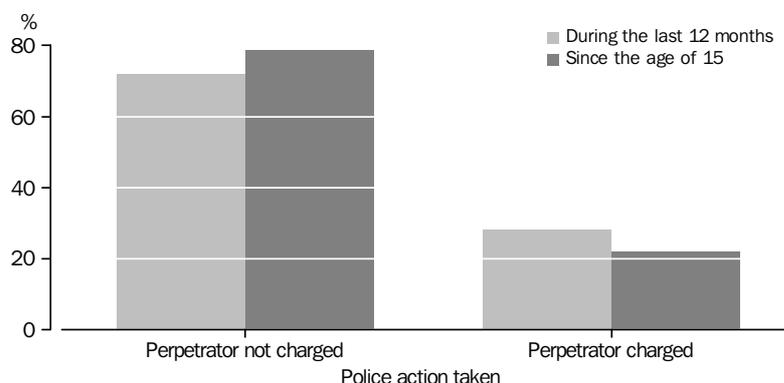
Selected offences	OFFENDER PROCEEDED AGAINST		INVESTIGATION FINALISED		TOTAL VICTIMS
	no.	%	no.	%	no.
Sexual Assault	4 397	24.5	8 615	47.9	17 977
Murder	202	63.7	225	71.0	317
Attempted Murder	250	62.5	278	69.5	400
Assault	78 614	49.1	103 564	64.7	160 118
Robbery	3 963	18.9	5 316	25.3	20 989
Unlawful Entry With Intent	31 030	7.9	37 777	9.6	394 323
Motor Vehicle Theft	11 182	9.9	15 006	13.2	113 460

(a) Police investigations finalised by 'offender proceeded against' include court proceedings (including summons, warrant, notice to appear), arrest, diversionary conference, caution or other non-court proceedings.

Source: ABS, *Recorded Crime - Victims, Australia, 2003* (cat. no. 4510.0); data available on request.

WSS 1996 data indicate that the perpetrator was charged in relation to the most recent incident for approximately one in four women who reported sexual assault victimisation to the police (22% of women who experienced sexual assault since the age of 15 years, where police were told about the most recent incident). (See Graph 4.26 below.)

**4.26** WOMEN WHO EXPERIENCED SEXUAL ASSAULT BY A MAN, Police action taken after the most recent incident



Source: ABS, *Women's Safety, Australia, 1996* (cat.no. 4128.0), Table 4.11.

*Perpetrator impacts and outcomes in the criminal justice system continued*

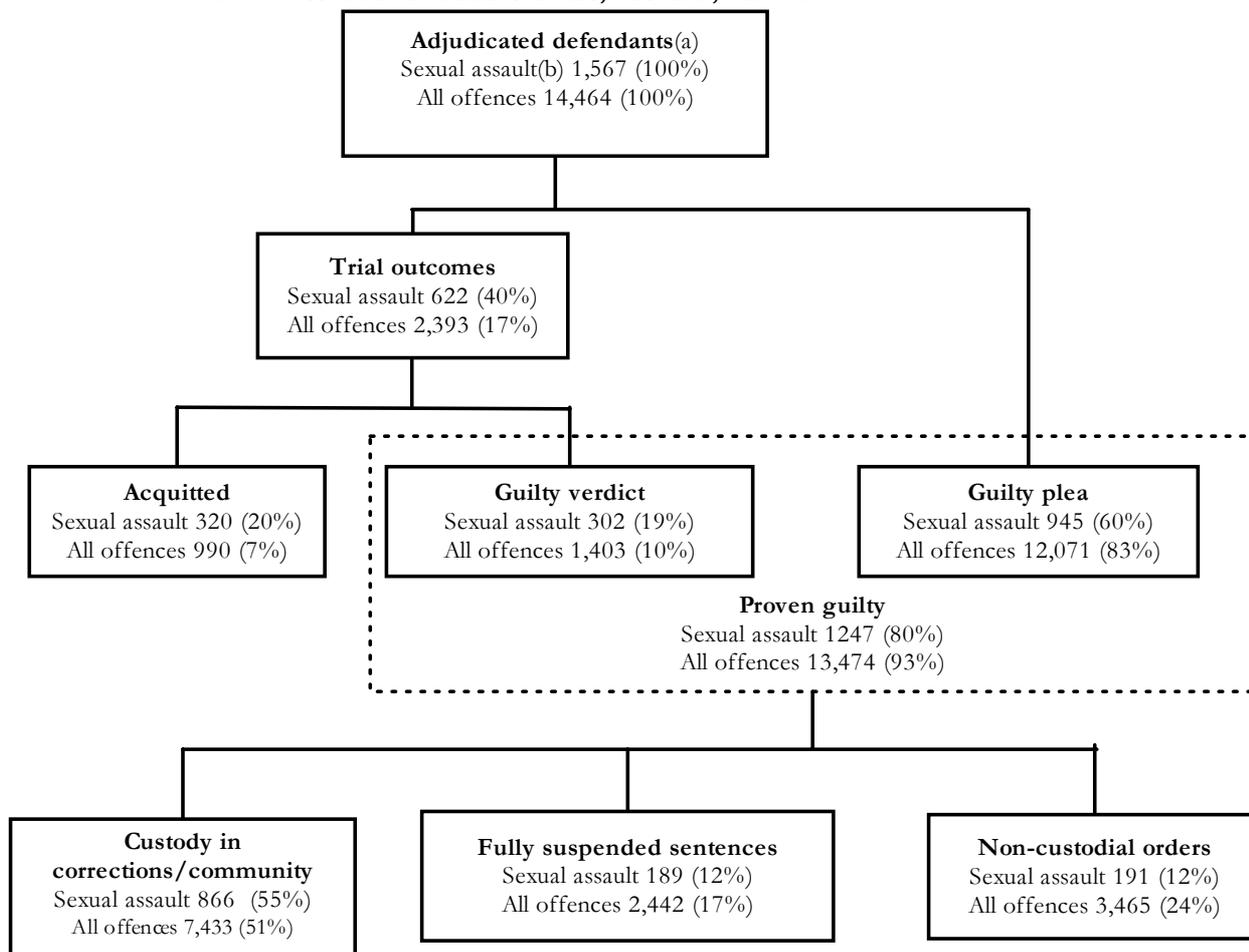
CRIMINAL COURTS

Criminal courts in each state and territory deal with sexual assault charges brought against defendants. Cases against defendants may be adjudicated or withdrawn. Defendants charged with sexual assault and related offences may have a committal hearing or be adjudicated in a lower court, or may be adjudicated in a higher court. Information published by ABS in *Criminal Courts, Australia* (cat. no. 4513.0) provides a picture of defendants dealt with by the higher criminal courts (Supreme and Intermediate courts) and some experimental information about defendants finalised in the Magistrates' (Lower) Criminal Courts.

*Adjudicated defendants*

Information published by ABS in *Criminal Courts, Australia* (cat. no. 4513.0) provides insights into the impacts and outcomes for defendants who are finalised by adjudication in the court system. The diagram below illustrates the processes and outcomes for adjudicated defendants in higher criminal courts in Australia for 2002-03, for defendants with a principal offence of sexual assault and related offences, and, as a comparison, for all adjudicated defendants. 'Sexual assault and related offences' is defined as sexual assault and non-assaultive sexual offences.

**ADJUDICATED DEFENDANTS IN HIGHER CRIMINAL COURTS,  
Sexual assault and related offences, Australia, 2002-03**



- (a) All percentages are calculated as a proportion of Adjudicated Defendants and are subject to rounding.
- (b) In this diagram, all references to 'Sexual assault' refer to the ASOC division, 'Sexual assault and related offences' and cover the full range of offences in that division.

Source: ABS, *Criminal Courts, Australia, 2002-03, cat. no. 4513.0.*

*Perpetrator impacts and outcomes in the criminal justice system continued*

*Adjudicated defendants continued*

In 2002-03, a total of 1,567 defendants (1,542 males and 25 females) were adjudicated by higher criminal courts and 915 were adjudicated by magistrates' criminal courts in Australia with a principal offence of sexual assault and related offences. These represented respectively 11% of total higher courts adjudicated defendants and 0.4% of magistrates' courts adjudicated defendants (excluding traffic). As the data for magistrates' courts are experimental, this section will focus on data relating to higher criminal courts.

Adjudicated defendants may be finalised by a guilty plea, a guilty verdict or an acquittal (which may be 'acquitted by court', 'no case to answer at committal' or 'not guilty on the grounds of insanity'). Adjudicated defendants with a principal offence related to sexual assault were less likely to have a guilty plea as their method of finalisation (60%) than all defendants (83%). This meant that they were more likely to go to trial and, of those who went to trial, they were more likely to be acquitted. The combination of these two factors resulted in adjudicated defendants with a principal offence related to sexual

*Perpetrator impacts and outcomes in the criminal justice system continued*

*Adjudicated defendants continued*

assault being three times more likely to be have an acquittal outcome (20%) than all defendants (7%). (See diagram above.)

The relatively high acquittal rate for sexual assault and related offences is in part due to the nature of the offences. First, the victims of sexual assault incidents that are reported to police are often very young at the time of the offence. RCS 2003 data indicate that 41% of victims of sexual assault recorded by police were aged less than 15 years. Secondly, there can also be a considerable lag in time between the offence being committed and the report to police. Thirdly, it can often be difficult for police to obtain definitive evidence of the offence. These factors increase the difficulty of attaining the required burden of proof.

*Duration of court processes*

The duration of court processes can have impacts not only for the defendant but for family and friends, as well as the victim who appears as complainant or witness. The elapsed times for court processes for adjudicated defendants are measured from date of initiation to finalisation in the court system and are published as median duration. The median duration of higher criminal court processes in 2002-03 for defendants with a principal offence of 'sexual assault and related offences' was 29 weeks, compared to a median duration for all offence categories of 21.9 weeks. A shorter median duration was reported for defendants with guilty plea outcomes for sexual assault and related offences (21.3 weeks) and longer times were reported for defendants with acquittal outcomes (38.7 weeks) and guilty verdict outcomes (51.9 weeks).

*Sentencing outcomes*

Once an offender has been proven guilty (either by pleading guilty or by receiving a guilty verdict), penalties are imposed by the courts. Penalties may comprise custodial sentences, fully suspended sentences or non-custodial orders such as community work. Data for principal sentence types for defendants with a principal offence related to sexual assault for 2002-03 are contained in Table 4.27 below. Of the 1,247 defendants proven guilty with a principal offence related to sexual assault, 69% received a custodial sentence (compared to 55% of all defendants), 15% received fully suspended sentences and 15% received non-custodial orders.

*Perpetrator impacts and outcomes in the criminal justice system continued*

*Sentencing outcomes continued*

**4.27** TOTAL HIGHER COURTS DEFENDANTS PROVEN GUILTY, Principal offence by principal sentence type, Australia—2002-03

<i>ASOC Division and principal sentence type</i>	<i>Defendants Proportion</i>	
	<i>no.</i>	<i>%</i>
<b>Sexual assault and related offences (no.)</b>		
Custody in corrections/community	866	69.4
Fully suspended sentences	189	15.2
Non-custodial orders	191	15.3
<b>Total(a)</b>	<b>1 247</b>	<b>100.0</b>
<b>All offences(b)</b>		
Custody in corrections/community	7 433	55.2
Fully suspended sentences	2 442	18.1
Non-custodial orders	3 465	25.7
<b>Total(a)</b>	<b>13 474</b>	<b>100.0</b>

(a) Total includes custodial orders/non-custodial orders not further defined and defendants proven guilty but for whom sentence type is not known.

(b) Includes defendants for whom offence data are missing or a principal offence could not be determined.

Source: ABS, *Criminal Courts, Australia, 2002-03* (cat. no. 4513.0), Table 5.

#### CORRECTIVE SERVICES

Once arrested and charged with an offence, an alleged offender may be remanded in custody to await trial and may be held in custody during the trial. If proven guilty, a further period of remand may follow for a person awaiting sentence. Therefore, the prison population includes both sentenced and unsentenced prisoners.

Information about sentenced and unsentenced prisoners (including those held on remand) is collected in the National Prisoner Census and published annually by ABS as *Prisoners in Australia* (cat. no. 4517.0).

At 30 June 2003, prisoners with a most serious offence or charge of sexual assault and related offences represented 10% of the total Australian prisoner population. (See Table 4.28 below.) There were 2,172 prisoners with a most serious offence or charge of sexual assault (2,155 males and 17 females) and a further 226 with a most serious offence or charge of non-assaultive sexual offences (all males).

*Perpetrator impacts and outcomes in the criminal justice system continued*

CORRECTIVE SERVICES *continued*

**4.28** PRISONERS, Selected most serious offence/charge—30 June 2003

	SENTENCED PRISONERS		UNSENTENCED PRISONERS		TOTAL PRISONERS	
	no.	%	no.	%	no.	%
Most serious offence/charge						
Sexual assault	1 917	10.2	255	5.3	2 172	9.2
Non-assaultive sexual offences	208	1.1	18	0.4	226	1.0
Sexual assault and related offences	2 125	11.3	273	5.7	2 398	10.2
<b>Total prisoners</b>	<b>18 738</b>	<b>100.0</b>	<b>4 817</b>	<b>100.0</b>	<b>23 555</b>	<b>100.0</b>

Source: ABS, *Prisoners in Australia, 2003* (cat. no. 4517.0), Tables 7, 9 and 14.

*Unsentenced prisoners*

At 30 June 2003, there were 255 unsentenced prisoners with a most serious offence or charge of sexual assault and 18 with non-assaultive sexual offences. The mean time held on remand for unsentenced prisoners with a most serious offence/charge of sexual assault was 5.5 months. This compared to a mean time on remand of 5.4 months for unsentenced prisoners with non-assaultive sexual offences and 4.7 months for all unsentenced prisoners. Unsentenced prisoners held for sexual assault and related offences comprised 5.7% of the total number of unsentenced prisoners. (See Table 4.28 below.)

*Sentenced prisoners*

At 30 June 2003, there were 1,917 sentenced prisoners with a most serious offence of sexual assault and 208 with non-assaultive sexual offences. The numbers of sentenced prisoners with a most serious offence of sexual assault and related offences declined between the years 1996 and 2002, from 2,162 prisoners to 2,016 prisoners. There was an increase to 2,125 prisoners in 2003. (See Table 4.29 and Graph 4.30.)

**4.29** SENTENCED PRISONERS, Most serious offence of sexual assault and related offences, Australia—1996–2003

	1996	1997	1998	1999	2000	2001	2003	2003
Sexual assault	na	na	na	na	na	1 884	1 809	1 917
Non-assaultive sexual offences	na	na	na	na	na	215	207	208
<i>Sexual assault and related offences(a)</i>	2 162	2 171	2 283	2 239	2 199	2 099	2 016	2 125
Proportion of total sentenced prisoners (%)	14	13	13	12	12	12	11	11
Total sentenced prisoners (no.)	15 887	16 522	17 118	18 332	17 929	18 123	18 078	18 738

na not available

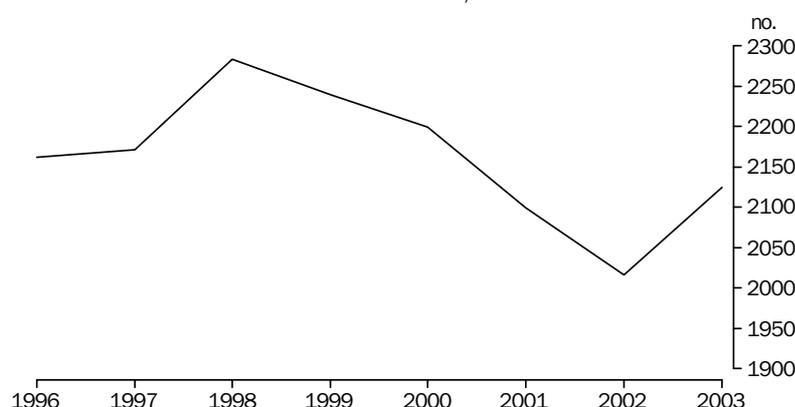
Source: ABS, *Prisoners in Australia, 2003 (cat. no. 4517.0), 1996-2003.*

(a) Reported as 'Sex offences' prior to 2001. From 2001 onwards offence has been reported as either 'Sexual assault' or 'Non-assaultive sexual offences'.

*Perpetrator impacts and outcomes in the criminal justice system continued*

*Sentenced prisoners continued*

**4.30** SENTENCED PRISONERS, Most serious offence of sexual assault and related offences, Australia—1996–2003



Source: ABS, *Prisoners in Australia, (cat. no. 4517.0).*

Information available from the annual National Prisoner Census includes aggregate sentence and expected time to serve for sentenced prisoners. The aggregate sentence is the longest period that the offender may be detained under sentence in the current custody episode. The expected time to serve, in most cases, refers to the time elapsed between the date of reception for the current episode and the earliest date of release.

An examination of the data shows that, for both aggregate sentence and expected time to serve, the mean and median sentence lengths for prisoners with a most serious offence of sexual assault or non-assaultive sexual offences are greater than those for all prisoners. (See Table 4.31 below.)

*Perpetrator impacts and outcomes in the criminal justice system continued*

*Sentenced prisoners continued*

In 2003, the mean aggregate sentence time for prisoners with a most serious offence of sexual assault was 92.5 months, compared to 59.2 months for all prisoners. The mean expected time to serve for prisoners with a most serious offence of sexual assault was 59.9 months, compared to 38.0 months for all prisoners.

**4.31** SENTENCED PRISONERS, Most serious offence of sexual assault and related offences, by sentence length(a)—30 June 2003

	Sexual assault	Non-assaultive sexual offences	Sexual assault and related offences	All offences
Aggregate sentence(b)				
Mean months(c)	92.5	99.7	93.2	59.2
Median months(c)	84.0	96.1	84.0	40.0
Expected time to serve(d)				
Mean months(c)	59.9	63.2	60.3	38.0
Median months(c)	48.0	60.2	48.0	21.1
<b>Total sentenced prisoners (no.)</b>	<b>1 917</b>	<b>208</b>	<b>2 125</b>	<b>18 738</b>
<b>Total sentenced prisoners (%)</b>	<b>10.2</b>	<b>1.1</b>	<b>11.3</b>	<b>100.0</b>

(a) Refers to most serious offence only. See paragraph 65 of Explanatory Notes in the source publication.

(b) For information on aggregate sentence, see paragraph 42 of Explanatory Notes in the source publication.

(c) Prisoners with indeterminate and periodic detention sentences are excluded from these calculations. See paragraphs 61-64 of Explanatory Notes in the source publication.

(d) For information on expected time to serve, see paragraphs 43-60 of Explanatory Notes in the source publication.

Source: ABS, *Prisoners in Australia, 2003* (cat.no. 4517.0), Tables 10, 11, 12 and 13; data available on request.

#### LONGER-TERM PERPETRATOR OUTCOMES

Longer-term outcomes for perpetrators who have been proven guilty of sexual assault can be either rehabilitation or recidivism (i.e. re-offending after an earlier conviction or imprisonment for a sexual offence). These are likely to be dependent on a number of factors, including experience in prison and participation in sex offender treatment programs. Longer-term outcomes are difficult to measure, at least partly because of definitional issues, and little information is available.

#### *Recidivism studies*

Several studies from Australia and other countries were reviewed in a report published by the AIC in 2003.<sup>36</sup> The studies reviewed dated from the 1990s through to 2002 and had differences in definitions of recidivism (re-investigation, re-arrest, re-conviction or re-imprisonment), in the scope of offences (sex offences, violent offences, sex/violent offences, any offences), in follow-up periods and in methodologies. However, a generally low base rate of sexual recidivism was found. Some estimates of reported recidivism rates were below 10% and relatively few were higher than 20%.

36 Lievore, D. (2003) *Recidivism of Sexual Assault Offenders: Rates, Risk Factors and Treatment Efficacy*, A Report prepared for the Office of the Status of Women by the Australian Institute of Criminology, Canberra, March 2004. Available on web site <<http://www.aic.gov.au/publications/reports/2003-06-recidivism.html>>.

EDUCATION AND  
PREVENTION PROGRAMS

In recent years, there has been a stronger policy focus on providing sexual assault education and prevention programs as a response to sexual assault. Rehabilitation programs, which aim to prevent future re-offending by proven offenders, are often part of the criminal justice response to sexual assault. Little information is currently available which measures directly how well education, prevention and rehabilitation programs are performing in delivering quality interventions to reduce the prevalence and incidence of sexual assault.



CHAPTER **5**

**IMPROVING THE INFORMATION BASE - DATA  
ISSUES AND GAPS, CURRENT DEVELOPMENTS ...**

**CONTENTS**

	<i>page</i>
DATA ISSUES .....	86
Specific data issues and gaps .....	86
CURRENT DEVELOPMENTS .....	87
Offender Based Recorded Crime Statistics .....	87
Differences in Recorded Crime Statistics .....	87
2006 ABS Personal Safety Survey .....	88

## DATA ISSUES

The Sexual Assault Information Development Framework contained a number of conclusions about the development and provision of data. Those conclusions were framed within the context of policy drivers and priorities in relation to sexual assault and the priority information needs that emerged from consultation with key users of sexual assault information.<sup>37</sup>

The three highest priority areas for unmet data needs were:

- information about perpetrators, especially those who become repeat offenders;
- estimates of under-reporting, which would improve measures of prevalence and incidence rates; and
- evaluation of programs provided in response to sexual assault.

Details of 35 conclusions relating to sexual assault information are contained in Chapter 9 of the Information Development Framework.

*Specific data issues and gaps*

Compilation of information for this publication has highlighted some particular issues and gaps in available data on sexual assault.

Non-comparability of available data has been an issue when drawing data from different sources.

- There are differences in scope and coverage between different surveys and between survey data and administrative by-product data.
- Different counting units are used in a variety of data sources - e.g. criminal justice data sources count victims, defendants and prisoners; surveys count incidents and victims.
- Different age groupings are published in data from recorded crime, child protection and sexual assault services. (See IDF, conclusion 16, page 115.)
- There are differences between data collections in definitions and classification of sexual assault - e.g. data may relate to sexual assault, sexual violence, sexual assault and related offences.

Data comparability is limited at the state/territory level.

- There are differences in the detail of legislation and in policy practices which impact on the events that are recorded as crimes in different states and territories. Although national crime statistics are compiled with the use of national standards and classifications, some discrepancies remain between the states and territories and some caution is needed in interpreting these statistics.
- The absence of particular data items for every state and territory prevents the publication of national data.
- Some states publish data for smaller sub-state areas and others do not. Therefore, the level of geographic detail available across Australia is different.

Data quality reduces the validity of making some comparisons of interest. Small numbers and high relative standard errors in survey estimates, especially at the level of state/territory estimates and estimates relating to male victimisation, limit the value of available survey data.

<sup>37</sup> ABS, *Sexual Assault Information Development Framework, 2003*, cat. no. 4518.0; see Chapter 9.

*Specific data issues and gaps continued*

Comparisons over time should be made with caution. For example, RCS data may be affected by issues such as changes in policing over time, as well as by differences between states and territories. Apparent changes over time may not be statistically significant where survey data have high relative standard errors.

For some purposes, such as comparisons between Indigenous and non-Indigenous populations, age standardisation of data may be required to enable valid comparisons of rates to be made. The rates calculated on an age-standardised basis adjust for differences in the age structures between the populations under study.

Gaps remain in the information available on sexual assault in Australia.

- Estimation of the number of perpetrators of sexual assault is currently not possible. There is no information about whether many incidents of sexual assault are committed by relatively few perpetrators, or there are many perpetrators who commit single or few offences.
- No information is available (or is likely to become available) about perpetrators of sexual assault who have no contact with the criminal justice system. Characteristics of this group of perpetrators and impacts and outcomes for them remain unknown.
- In some administrative sources, sexual assault is combined with other types of assault or injury and is 'lost' in much larger numbers.
- Population-based surveys do not ask questions about sexual assault of children, so a population-based estimate of the prevalence of child sexual assault cannot be made. The extent of under-reporting of child sexual assault is therefore unknown.
- Some population groups may be over-represented as victims of sexual assault. In order to identify these groups and track their experiences, measures of prevalence are needed, in addition to information about any differences in support needs and responses such as reporting to police and utilising services. Better outcomes may be realised if service utilisation is improved - utilisation of services may be influenced by accessibility and cultural appropriateness of service settings.
- Some population groups may be over-represented as perpetrators of sexual assault, but there is very limited information about their characteristics.
- Longitudinal data - there is difficulty in tracking the experiences of victims of sexual assault over time. Therefore, it remains difficult to evaluate the effectiveness of interventions in providing responses to sexual assault.
- Evaluation - information about outcomes of victim services, prevention programs, and perpetrator (rehabilitation) programs is limited.

## CURRENT DEVELOPMENTS

*Offender Based Recorded Crime Statistics*

In addition to information currently available from criminal courts and corrections systems, information about perpetrators who come into contact with the criminal justice system may be available in future from Offender Based Statistics, which are currently under development by the ABS. When available, these data will provide information about alleged offenders proceeded against by the police.

*Differences in Recorded Crime Statistics*

National recorded crime statistics are compiled in order to maximise comparability of statistics across states and territories. Although jurisdictional differences have been mainly overcome through the introduction of national standards, some legislative, interpretive and processing differences inevitably remain. As part of its quality assurance program, the ABS - in conjunction with statistical staff from state and territory police

*Differences in Recorded Crime Statistics continued* forces - has identified data comparability issues and is undertaking a project to investigate the differences in recorded crime statistics between state and territory police agencies.

*2006 ABS Personal Safety Survey* The most detailed source of currently available information on physical and sexual violence against women is the ABS Women's Safety Survey of 1996. Its output remains the benchmark reference for much research and policy discussion in this area of concern. The ABS Personal Safety Survey, scheduled for 2006 and currently under development, will update this information, providing a measure of change over the intervening period, and provide comparable information about men's experience of physical and sexual violence.

## EXPLANATORY NOTES .....

### INTRODUCTION

**1** These explanatory notes provide information about the ABS and other collections from which data have been drawn for use in this publication. Available information describing aspects of quality of each data source is included.

### SOURCES OF DATA

**2** There are a number of ways in which sexual assault may be measured and a variety of data sources. Different collections relating to sexual assault may not align because of the variations in methodology. Issues relating to the measurement of sexual assault victimisation are similar to those discussed for assault generally in a recent ABS Information Paper. The Information Paper, *Measuring Crime Victimisation, Australia: The Impact of Different Collection Methodologies* (ABS cat. no. 4522.0.55.001), aims to increase community understanding of the nature of measurement of crime victimisation in Australia. It is available on the ABS web site, <<http://www.abs.gov.au>>. Follow the path: About Statistics \ Information Papers \ 45. Crime and Justice \ 4522.0.55.001 Measuring Crime Victimisation, Australia: The Impact of Different Collection Methodologies.

**3** Most data used in this publication are drawn from ABS publications. Other data are taken from non-ABS sources and these have been examined to evaluate their suitability for the purpose of inclusion in this publication.

**4** The process of selection of data for use in this publication has involved assessment of the data's usefulness for informing the various elements of the conceptual framework for sexual assault. Published national data have been used where they are available. Some additional data have also been extracted from ABS collections for this publication. Where available, data for states and territories have been included as Appendix 1. Where no national data are available and a published, quality-defined source is available for a single state or territory, data from that source have been used.

### ABS DATA SOURCES

**5** There are three major sources of ABS data about sexual assault victimisation: the National Crime and Safety Survey, the Women's Safety Survey and the Recorded Crime Statistics collection.

#### *National Crime and Safety Survey*

**6** The National Crime and Safety Survey (NCSS) is a regular survey conducted by the ABS. Data have been collected in 1975, 1983, 1993, 1998 and most recently in 2002. The survey is expected to be conducted three-yearly in future. Results are published in *Crime and Safety, Australia* (cat. no. 4509.0). The survey is specifically designed to collect crime and safety information from individuals in selected households and to enable comparisons across crime topics, populations, geography and time. In 1983, the NCSS was conducted by personal interview. Since 1993, the NCSS has been a mail-back collection conducted as a supplementary survey to the ABS Monthly Labour Force Survey. All persons aged 15 years and over within selected households are within the scope of the survey, with the exception of a separate module on sexual assault which is only enumerated for persons aged 18 years or over. In 1993 and 1998, the sexual assault module was enumerated for females only and in 2002 it was also enumerated for males. The publication includes some state and territory data and some additional data are available on request.

*Women's Safety Survey*

**7** The Women's Safety Survey (WSS) was conducted by the ABS in 1996 and published in *Women's Safety, Australia, 1996* (cat. no. 4128.0). A survey repeating the majority of the content from the WSS is planned for 2005, but with coverage including men as well as women. This survey will be called the Personal Safety Survey (PSS).

**8** The WSS was conducted to provide information on the safety of women at home and in the community. It was an interviewer based survey in which one respondent per household, a female randomly selected per household and aged 18 years or over, was asked a series of questions by an experienced female ABS interviewer regarding her safety in the home and the community. The majority of interviews were conducted face-to-face. Telephone interviews were available for respondents who did not wish to proceed with a face-to-face interview.

**9** Detailed national data from the survey were published about physical and sexual violence against women. Information is also presented on the actions that women take after experiencing violence and the consequences of violence on women. Partner violence is presented as a separate topic. Other topics covered included stalking, sexual harassment and general safety.

**10** A User Guide is available (*Women's Safety - User Guide, Australia, 1996*, cat. no. 4129.0), containing information about the concepts and methods used to undertake the survey. The guide includes a description of sampling, data collection and processing methods and a complete list of output data items and associated material to assist users. Although the data from the WSS are now a number of years old, they remain at this time the only authoritative source of information on many areas of interest in relation to sexual assault and provide a benchmark against which changes may be measured in the survey planned for 2005.

## COMPARISON OF NCSS AND WSS

**11** The NCSS and WSS are both population-based surveys but use different modes of data collection, the former a mail-back questionnaire and the latter face-to-face interviews conducted by experienced female ABS interviewers. Each survey has published estimates of both numbers of incidents and numbers of victims of sexual assault. The NCSS is a general crime victimisation survey where sexual assault is just one component of the whole survey. On the other hand, the WSS was a detailed survey with a specific focus on physical and sexual violence against women. Given this context, the WSS may provide better estimates of violence against women than the more general survey on crime and safety. Users should take care in comparing figures from the two surveys.

**12** The reference period for the NCSS is the 12 months prior to enumeration. Thus, for the NCSS 2002 survey, data relate to incidents that occurred from May 2001 to April 2002. Some data from the WSS refer to the 12-month period prior to the interview, which was enumerated from February to April 1996. In addition, some WSS data refer to women's experiences of violence 'since the age of 15' and experiences of stalking and sexual harassment 'during their lifetime'. These are not directly comparable to any other available data, but are used in this publication because they provide estimates of women's experiences over longer periods of time.

*Recorded Crime Statistics collection*

**13** Results from the Recorded Crime Statistics collection (RCS) are published annually by the ABS in *Recorded Crime - Victims, Australia* (cat. no. 4510.0). The RCS collection contains uniform national crime statistics relating to a selected range of offences that have become known to and recorded by police. National recorded crime statistics are compiled on a victim basis and measure the number of victims for each offence category rather than the number of breaches of the criminal law. The statistics provide indicators of the level and nature of recorded crime in Australia and a basis for measuring change over time in official records of criminal victimisation. The publication provides a

*Recorded Crime Statistics  
collection continued*

breakdown of the offences by victim details (age of victim at the time of reporting to police, sex of victim, relationship of offender to victim) and includes type of location, use of weapon, and outcome of police investigations. Companion tables with detailed state/territory information are available separately. Offender based statistics from the RCS collection are being developed and will include information on alleged offenders proceeded against by police. They are expected to be published from 2005.

**14** By way of illustration of how incidents of victimisation are counted in RCS, one victim may experience several incidents of sexual assault and report all incidents to police on one occasion. This would result in one victimisation count and the number of incidents would not be recorded separately in RCS. If each incident of sexual assault were reported separately to police, the victimisation count would reflect the number of reports made and recorded, even though the same victim was involved each time.

*Other ABS data sources*

**15** Other ABS data sources used in this publication are outlined below. Each publication contains Explanatory Notes which contain more detailed information about the way the statistics are prepared and assist in the use and understanding of the figures contained in the publication.

*Community Safety, Tasmania (CAT. NO. 4515.6)*

**16** This publication contains information collected from usual residents, aged 18 years and over, living in selected private dwellings. Data were collected as a supplementary survey to the ABS Monthly Labour Force Survey in Tasmania in October 1998. It includes data on the level and nature of fear of crime in the community; factors which influence the fear of crime, such as experience of victimisation, home security and perception of neighbourhood problems. Details are also provided on main ways in which members of the community find out about crime in their neighbourhood; perceived level of crime in the community; and awareness and perceived effectiveness of community crime prevention programs.

*Criminal Courts, Australia (CAT. NO. 4513.0)*

**17** This publication presents nationally comparable administrative by-product data relating to the criminal jurisdiction of the higher (Supreme and Intermediate) courts across Australia. It is an annual publication, first issued in 1995; latest issue 2002-03. The data describe some of the characteristics of defendants, including information on offence and sentence types associated with those defendants. Magistrates' Criminal Courts data are also available on an experimental basis.

*Prisoners in Australia (CAT. NO. 4517.0)*

**18** This publication was first issued by ABS in 2000, replacing an annual report previously published for the Corrective Services Ministers' Council; latest issue 2003. The publication contains data from the National Prisoner Census, which collects information about prisoners who were in custody on 30 June each year. Statistics are derived from information collected by the ABS from corrective services agencies in each state and territory. Details are provided on the number of people in gazetted adult prisons (including people on remand), imprisonment rates, most serious offence and sentence length. A range of information is also presented on prisoner characteristics (age, sex, Indigenous status) and on the type of prisoner (sentenced prisoners, unsentenced prisoners and periodic detainees). Companion tables with detailed state/territory information are available separately.

NON-ABS DATA SOURCES

**19** The following information relates to non-ABS sources from which data have been used. Other references have been detailed in notes in the relevant chapter.

*Child Protection, Australia*

**20** Compiled by the Australian Institute of Health and Welfare (AIHW), this biennial publication was first released in 1994-95; latest issue was 2002-03. The publication contains national data on children who come into contact with community services departments for protective reasons. Data are collected annually as administrative by-product data from community services departments in each state and territory, recording notifications, investigations and substantiations of child abuse or neglect, by main types of abuse or neglect. Data relate to children aged 0-17 years and include Indigenous status and state and territory numbers and rates. Publications are available on the AIHW web site: <<http://www.aihw.gov.au>> under Children and Youth \ Child Protection. Further information about the collection is available from AIHW.

*Initial Presentations to NSW Sexual Assault Services, 1995-96 to 1997-98*

**21** Utilising administrative records for initial presentations to the NSW Health network of 50 sexual assault services, this publication presents data from the NSW Health Sexual Assault Data Collection for the four financial years 1995-96 to 1997-98. Data are collected at first presentation and in the course of providing a therapeutic intervention. Information relates to the demographic characteristics of persons using NSW sexual assault services as well as information relating to assaults. It does not reflect the outcomes of intervention provided by the service. Data from these services have been collected on child victims since 1985 and on adult victims since 1989. The publication presents information in three sections: Child Sexual Assault (under 16 years at time of initial presentation), Adult Sexual Assault (16 years and over) and Adult Survivor of Child Sexual Assault. Further information relating to the Sexual Assault Data Collection is available from The Manager, Information Analysis and Dissemination Unit, NSW Health, Locked Bag 961, North Sydney, NSW 2059; phone: 02 9391 9108; email: <[JAGLA@doh.health.nsw.gov.au](mailto:JAGLA@doh.health.nsw.gov.au)>.

*National Data Collection Project: Report on the Snapshot Data Collection by Australian Services Against Sexual Violence, May-June 2000*

**22** This national data collection project was undertaken by the National Association of Services Against Sexual Violence (NASASV). Data were collected over a three-week 'snapshot' survey period in May-June 2000 from 54 of 118 services against sexual violence around Australia. Data collection forms were provided to each service location, and were completed by service providers or administrative staff using information from service records. Information covers status of service user, method of service provision, region, reason for contact, service provided, source of referral, gender of victim/survivor, victim/survivors with a disability, age of victim/survivor, culture and ethnicity, main presenting assault, time since main presenting assault, place of main presenting assault, report of other assault in addition to main presenting assault, relationship of offender to victim/survivor, gender of single offender, multiple offenders, and age of offender. The published report includes further information about the collection and is available from: CASA House, 270 Cardigan Street, Carlton, Victoria, 3053; phone: 03 9347 3066; email: <[casa@cryptic.rcs.unimelb.edu.au](mailto:casa@cryptic.rcs.unimelb.edu.au)>.

*National Hospital Morbidity Database*

**23** This database contains information on the principal diagnosis and diagnosis-related groups for patients admitted to Australian hospitals, and is compiled by the Australian Institute of Health and Welfare (AIHW) from data collected from state and territory health authorities. Information about the data is available on the AIHW web site: <<http://www.aihw.gov.au/hospitaldata/datacubes/index.html>>. Data are classified using ICD-10-AM. The codes relevant to sexual assault are 1909 and Y05. Data classified to these codes are available on request from AIHW. Further information on the collection is available from the Hospitals and Mental Health Services Unit, AIHW.

*South Australian Interpersonal Violence and Abuse Survey, 1999*

**24** The objectives of this survey were to obtain regional data (for South Australia) on violence and abuse in the community, including morbidity due to interpersonal violence. It was conducted by the Social Environmental Risk Context Information Service (SERCIS), which is managed within the Centre for Population Studies in Epidemiology and overseen by an Advisory Committee. SERCIS is a telephone monitoring system

*South Australian Interpersonal  
Violence and Abuse Survey,  
1999 continued*

designed to provide health data on large samples of the South Australian population; estimates were published for each of 11 health regions in South Australia and for state level. The survey investigated sexual assault as well as physical, sexual, emotional and economic abuse in a domestic context, child abuse and elder abuse. The survey included 6,004 completed interviews from an initial eligible sample of 8,217, giving a response rate of 73%. Published by the Epidemiology Branch, Department of Human Services (South Australia), the full report, including tables and technical information, is available on web site: <<http://www.dhs.sa.gov.au/pehs/PROS/interpersonal-violence-survey.pdf>>.



NATIONAL CRIME AND  
SAFETY SURVEY, 2002**A1.1** FEMALE VICTIMS OF SEXUAL ASSAULT, Victimization  
prevalence rates(a): **States and territories—1993–2002**  
.....

	1993	1995(b)	1998	2002
	%	%	%	%
New South Wales	0.8	0.5	0.3	0.4
Victoria	0.5	*0.3	0.7	*0.4
Queensland	0.5	0.6	0.4	*0.5
South Australia	0.8	0.7	*0.3	*0.2
Western Australia	*0.3	0.7	0.5	*0.4
Tasmania	*0.5	na	*0.7	*0.4
Northern Territory(c)	*0.2	na	*0.6	**0.4
Australian Capital Territory	*0.9	1.3	*0.9	*0.3
<b>Australia</b>	<b>0.6</b>	na	<b>0.4</b>	<b>0.4</b>

\* estimate has a relative standard error of 25% to 50% and should be used with caution

\*\* estimate has a relative standard error greater than 50% and is considered too unreliable for general use

na not available

(a) See paragraphs 20-22 of the Explanatory Notes contained in the source publication.

(b) 1995 rates were produced from separate state surveys in the mainland states and the Australian Capital Territory. Estimates are not available for Tasmania, Northern Territory or Australia.

(c) Refers only to mainly urban areas. For further information see paragraph 6 of the Explanatory Notes contained in the source publication.

Source: ABS, *Crime and Safety, Australia, April 2002 (cat.no. 4509.0)*, Table 15.

NATIONAL CRIME AND  
SAFETY SURVEY, 2002*continued***A1.2** SEXUAL ASSAULT, States and territories—2002

	<i>Total victims (a)</i>	<i>Total incidents</i>	<i>Population 18 years and over</i>	<i>Victimisation prevalence rate (b)</i>	<i>Victimisation incidence rate (c)</i>
	'000	'000	'000	%	%
New South Wales	12.9	33.5	4 865.8	0.3	0.7
Victoria	*7.2	11.8	3 652.8	*0.2	0.3
Queensland	*6.7	14.3	2 679.5	*0.3	0.5
South Australia	*1.6	8.4	1 129.2	*0.1	0.7
Western Australia	*3.2	*3.4	1 416.4	*0.2	*0.2
Tasmania	*0.9	8.7	346.7	*0.3	2.5
Northern Territory (d)	**0.2	**0.2	101.1	**0.2	0.2
Australian Capital Territory	*0.4	*1.2	226.0	*0.2	0.5
<b>Australia</b>	<b>33.0</b>	<b>81.5</b>	<b>14 417.5</b>	<b>0.2</b>	<b>0.5</b>

\* estimate has a relative standard error of 25% to 50% and should be used with caution

\*\* estimate has a relative standard error greater than 50% and is considered too unreliable for general use

(a) Persons aged 18 years and over.

(b) Number of victims as a proportion of the relevant population.

(c) Number of incidents as a proportion of the relevant population.

(d) Refers to mainly urban areas only. For further information see paragraph 6 of the Explanatory Notes contained in the source publication.

Source: ABS, *Crime and Safety, Australia, April 2002 (cat. no. 4509.0), Table 5.*

NATIONAL CRIME AND  
SAFETY SURVEY, 2002*continued***A1.3** SEXUAL ASSAULT IDENTIFIED AS A PROBLEM IN  
NEIGHBOURHOOD, States and territories—2002

PERSONS			
	<i>Number</i> ( <i>'000</i> )	<i>Proportion</i> (%)	<i>Population</i> <i>15 years</i> <i>and over(a)</i>
New South Wales	138.7	2.7	5 135.4
Victoria	56.6	1.5	3 845.2
Queensland	36.7	1.3	2 831.9
South Australia	13.3	1.1	1 191.9
Western Australia	33.2	2.2	1 497.2
Tasmania	*4.3	*1.2	365.8
Northern Territory(b)	*5.5	*5.0	108.2
Australian Capital Territory	*3.3	*1.4	239.5
<b>Australia</b>	<b>291.6</b>	<b>1.9</b>	<b>15 215.1</b>

\* estimate has a relative standard error of 25% to 50% and should be used with caution

(a) Includes persons who did not give details of problems in neighbourhood.

(b) Refers to mainly urban areas only. For further information see paragraph 6 of the Explanatory Notes in the source publication.

Source: ABS, *Crime and Safety Australia, April 2002 (cat.no. 4509.0)*, Table 20.

RECORDED CRIME  
STATISTICS

The ABS Recorded Crime Statistics collection provides information about selected offences, including sexual assault, for states and territories and for Australia. These data include a 10-year time series and are presented separately for each state and territory in Tables 11 to 18 in *Recorded Crime - Victims, Australia* (cat. no. 4510.0). Current investigations into data quality issues associated with this collection have resulted in some concerns about the comparability of these data between individual states and territories. As a consequence, state and territory dissections of these data are not reproduced in this publication.

STATE AND TERRITORY  
POLICE DATA

Some states and territories publish police statistics for their jurisdiction, including statistics for small areas. Data may therefore be available to compare the incidence of sexual assault in metropolitan areas with the incidence in rural and regional areas, and to examine particular sub-state areas. These data are not examined here.

Care should be taken in comparing these data as there may be different legislation, different counting rules, different recording practices and other differences in police procedures. It should also be noted that, although these data provide one measure of the proportion of police workload represented by responses to sexual assault, the complexity of each individual offence could mean that the actual proportion of police resources used in responding to sexual assault is likely to be higher.

## CRIMINAL COURTS

**A1.4** TOTAL HIGHER COURTS ADJUDICATED DEFENDANTS, Principal offence by adjudication type(a): **States and territories—2002–03**

	SEXUAL ASSAULT AND RELATED OFFENCES(b)				ALL OFFENCES(c)			
	Acquitted	Guilty verdict	Guilty plea	Total	Acquitted	Guilty verdict	Guilty plea	Total
NUMBER								
New South Wales	105	70	179	354	257	319	2 332	2 908
Victoria	20	28	154	202	153	131	1 706	1 990
Queensland	92	74	386	552	243	329	4 943	5 515
South Australia	21	17	35	73	49	119	444	612
Western Australia	62	91	130	283	212	381	2 023	2 616
Tasmania	9	15	34	58	38	97	350	485
Northern Territory	8	2	23	33	23	8	195	226
Australian Capital Territory	3	5	4	12	15	19	78	112
<b>Australia</b>	<b>320</b>	<b>302</b>	<b>945</b>	<b>1 567</b>	<b>990</b>	<b>1 403</b>	<b>12 071</b>	<b>14 464</b>
PROPORTION (%)								
New South Wales	29.7	19.8	50.6	100.0	8.8	11.0	80.2	100.0
Victoria	9.9	13.9	76.2	100.0	7.7	6.6	85.7	100.0
Queensland	16.7	13.4	69.9	100.0	4.4	6.0	89.6	100.0
South Australia	28.8	23.3	47.9	100.0	8.0	19.4	72.5	100.0
Western Australia	21.9	32.2	45.9	100.0	8.1	14.6	77.3	100.0
Tasmania	15.5	25.9	58.6	100.0	7.8	20.0	72.2	100.0
Northern Territory	24.2	6.1	69.7	100.0	10.2	3.5	86.3	100.0
Australian Capital Territory	25.0	41.7	33.3	100.0	13.4	17.0	69.6	100.0
<b>Australia</b>	<b>20.4</b>	<b>19.3</b>	<b>60.3</b>	<b>100.0</b>	<b>6.8</b>	<b>9.7</b>	<b>83.5</b>	<b>100.0</b>

(a) Refers to adjudication type for the defendant's case which does not necessarily reflect the adjudication type for the principal offence.

(b) This refers to ASOC Division 03, which includes Sexual Assault and Non-Assaultive Sexual Offences.

(c) Includes defendants for whom offence data are missing or a principal offence could not be determined.

Source: ABS, *Criminal Courts, Australia, 2002–03* (cat.no. 4513.0), Table 2.

**A1.5** TOTAL HIGHER COURTS DEFENDANTS PROVEN GUILTY, Principal offence by principal sentence type—States and territories—2002–03

	SEXUAL ASSAULT AND RELATED OFFENCES (a)				ALL OFFENCES (b)			
	<i>Custody in corrections/ community</i>	<i>Fully suspended sentences</i>	<i>Non-custodial orders</i>	<i>Total (c)</i>	<i>Custody in corrections/ community</i>	<i>Fully suspended sentences</i>	<i>Non-custodial orders</i>	<i>Total (c)</i>
NUMBER								
New South Wales	194	25	30	249	1 959	361	312	2 651
Victoria	121	38	23	182	998	390	339	1 837
Queensland	317	77	66	460	2 573	989	1 710	5 272
South Australia	34	12	5	52	249	247	62	563
Western Australia	143	25	53	221	1 200	320	884	2 404
Tasmania	33	7	9	49	266	69	112	447
Northern Territory	21	3	1	25	151	38	14	203
Australian Capital Territory	3	2	4	9	37	28	32	97
<b>Australia</b>	<b>866</b>	<b>189</b>	<b>191</b>	<b>1 247</b>	<b>7 433</b>	<b>2 442</b>	<b>3 465</b>	<b>13 474</b>
PROPORTION (%)								
New South Wales	77.9	10.0	12.0	100.0	73.9	13.6	11.8	100.0
Victoria	66.5	20.9	12.6	100.0	54.3	21.2	18.5	100.0
Queensland	68.9	16.7	14.3	100.0	48.8	18.8	32.4	100.0
South Australia	65.4	23.1	9.6	100.0	44.2	43.9	11.0	100.0
Western Australia	64.7	11.3	24.0	100.0	49.9	13.3	36.8	100.0
Tasmania	67.3	14.3	18.4	100.0	59.5	15.4	25.1	100.0
Northern Territory	84.0	12.0	4.0	100.0	74.4	18.7	6.9	100.0
Australian Capital Territory	33.3	22.2	44.4	100.0	38.1	28.9	33.0	100.0
<b>Australia</b>	<b>69.4</b>	<b>15.2</b>	<b>15.3</b>	<b>100.0</b>	<b>55.2</b>	<b>18.1</b>	<b>25.7</b>	<b>100.0</b>

(a) This refers to ASOC Division 03, which includes Sexual Assault and Non-Assaultive Sexual Offences.

(b) Includes defendants for whom offence data are missing or a principal offence could not be determined.

(c) Total includes custodial orders/non-custodial orders not further defined and defendants proven guilty but for whom sentence type is not known.

Source: ABS, *Criminal Courts, Australia, 2002–03 (cat.no. 4513.0), Table 5.*

## CHILD PROTECTION

**A1.6** CHILDREN AGED 0-17 YEARS IN SEXUAL ABUSE SUBSTANTIATIONS, States and territories—1997–98 to 2002–03

	1997/98	1998/99	1999/00	2000/01	2001/02	2002/03
<b>Total number of children in sexual abuse substantiations</b>						
New South Wales(a)	2 476	2 282	1 903	2 103	2 301	1 940
Victoria	593	681	608	591	564	532
Queensland	500	431	398	492	536	508
Western Australia	(b) 349	397	311	335	330	234
South Australia	205	230	223	181	175	167
Tasmania	53	40	34	39	43	59
Australian Capital Territory	49	39	20	14	14	21
Northern Territory	52	(c) 9	42	39	29	32
<b>Australia</b>	<b>4 277</b>	<b>4 109</b>	<b>3 539</b>	<b>3 794</b>	<b>3 992</b>	<b>3 493</b>

(a) The data for 2002-03 and previous years should not be compared. NSW implemented a modification to their data system to support legislation and practice changes during 2002-03 which would make any comparison inaccurate.

(b) 1997-98 Western Australia, data excludes 16 children for whom no other details are known.

(c) 1998-99 data for the Northern Territory are for the period 1 January to 30 June 30.

Source: Australian Institute of Health and Welfare, *Child Protection, Australia, various issues, various tables*.

**COMPARISON OF MEASURES OF PREVALENCE AND INCIDENCE OF SEXUAL ASSAULT**

MEASURES OF THE EXTENT OF SEXUAL ASSAULT

Measures of sexual assault victimisation have been used from three ABS collections: Recorded Crime Statistics 2003, the National Crime and Safety Survey of 2002 and the Women's Safety Survey of 1996.

The table below compares the measures of sexual assault in Australia from these three data sources. The differences in methodologies, populations and reference periods are summarised and presented with the various measures.

**A2.1** SEXUAL ASSAULT, Comparison of measures of prevalence and incidence

	RCS 2003(a)	NCSS 2002(b)	NCSS 2002(c)	WSS 1996(d)
Population	All persons	All persons 18+	All females 18+	All females 18+
Collection methodology	Admin by-product	Mail-back survey	Mail-back survey	Personal interview
Estimated no. incidents (no. in 12-month period)	—	81 500	62 700	na
Estimated no. victims (no. in 12-month period)	(e) 18 237	33 000	28 300	100 000
Victimisation incidence rate(%)	—	0.6	0.9	—
Victimisation prevalence rate(%)	0.1	0.2	0.4	1.5

— nil or rounded to zero (including null cells)

na not available

(a) ABS, Recorded Crime - Victims, Australia, 2003, cat. no. 4510.0

(b) ABS, Crime and Safety, Australia, 2002, cat. no. 4509.0

(c) ABS, Crime and Safety, Australia, 2002, cat. no. 4509.0

(d) ABS, Women's Safety, Australia, 1996, cat. no. 4128.0

(e) For details of Recorded Crime Statistics counting rules see paragraphs 13-14 in the Explanatory Notes.

Issues relating to the measurement of sexual assault victimisation using the RCS, NCSS and WSS collections are similar to those for assault generally which are discussed in the recent ABS Information Paper, *Measuring Crime Victimization, Australia: The Impact of Different Collection Methodologies* (cat. no. 4522.0.55.001).<sup>38</sup> The Information Paper aims to increase community understanding of the measurement of crime victimisation in Australia and explores the differences between a number of collections which provide different ways of measuring similar phenomena.

Both victimisation survey data and police recorded crime data contribute to informing users about the nature and extent of crime victimisation. Data from victimisation surveys can be used to contextualise information from police recorded crime data, but neither administrative statistics nor victimisation surveys alone can provide comprehensive information about crime. Each is useful for addressing specific issues. However, even within a particular method of data collection, there are differences between collections. For example, there are numerous elements that combine to make up a single survey methodology. These include: sample design and selection; scope and coverage; questionnaire format and content; survey procedure; and response rate. Differences in any one of these elements may impact on statistics from the collection.

<sup>38</sup> The Information Paper is available on the ABS web site, <<http://www.abs.gov.au>>. Follow the path: About Statistics \ Information Papers \ 45. Crime and Justice \ 4522.0.55.001 *Measuring Crime Victimization, Australia: The Impact of Different Collection Methodologies*.

MEASURES OF THE  
EXTENT OF SEXUAL  
ASSAULT *continued*

Ultimately, the choice of which data source is used should be an informed decision made by the user based on an understanding of the purpose of the data source and the methodology behind it.

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