

TRANSCRIPT

LEGISLATIVE COUNCIL LEGAL AND SOCIAL ISSUES COMMITTEE

Inquiry into Victoria's Criminal Justice System

Melbourne—Tuesday, 21 September 2021

MEMBERS

Ms Fiona Patten—Chair

Dr Tien Kieu—Deputy Chair

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Ms Tania Maxwell

Mr Craig Ondarchie

Ms Kaushaliya Vaghela

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Mr Stuart Grimley

Mr David Limbrick

Mr Edward O'Donohue

Mr Tim Quilty

Dr Samantha Ratnam

Ms Harriet Shing

Mr Lee Tarlamis

Ms Sheena Watt

WITNESS (*via videoconference*)

Ms Fiona Dowsley, Chief Statistician, Crime Statistics Agency.

The CHAIR: Good morning, everyone. I would like to declare open the Legislative Council Legal and Social Issues Committee's public hearing for the Inquiry into Victoria's Criminal Justice System.

May I start this hearing by acknowledging the Aboriginal peoples, the traditional custodians of the many and various lands that we are meeting on today, and pay my respects to elders, ancestors and any Aboriginal people joining us today. We acknowledge that the criminal justice system exponentially affects our Aboriginal brothers and sisters, and that has become very apparent just in the beginning of this inquiry and certainly through the submissions that we are receiving.

First up, we are very delighted to be joined by Fiona Dowsley from the Crime Statistics Agency. She is their Chief Statistician. Fiona, welcome and thank you for joining us.

With me today are Dr Matthew Bach, Tania Maxwell and Kaushaliya Vaghela. I am Fiona Patten, the Chair of the committee.

Fiona, just to let you know: all evidence taken is protected by parliamentary privilege, and that is provided by our *Constitution Act* but also the standing orders of the Legislative Council. Therefore any information that you provide today is protected by law. You are protected against any action for what you say today; however, if you were to repeat the same comments outside this hearing, you may not have the same protection. Any misleading or false evidence may be considered a contempt of Parliament.

All the evidence is being recorded today. We have got Hansard in the background. You will receive a transcript of today, and I would encourage you to have a look at that and make sure that we did not mishear you or misrepresent anything that you have said today.

We have got a report from you around offenders, and we would welcome some opening remarks before we open it up for a committee discussion.

Ms DOWSLEY: Thank you, Chair. Good morning. I would like to start by acknowledging the traditional owners of the land I am speaking to you from today, the Wurundjeri people, and to extend my respects to their elders past, present and emerging and to thank the committee for the invitation to appear. I have a number of roles, but today I am appearing in my capacity, as you mentioned, as Chief Statistician of the Crime Statistics Agency. The Chief Statistician's role is created by the *Crimes Statistics Act 2014* and has two legislative functions. The first is to publish and release statistical information relating to crime in Victoria. The second is to undertake research into and analysis of crime and criminal justice issues and trends.

To provide some information to the inquiry relevant to the terms of reference, I think it is important to consider the broader criminal justice context when looking to understand increases in imprisonment rates, return to prison and drivers of demand over the past 10 years, with many reforms implemented. There is no one element that has driven the imprisonment rate and return figures recently seen in the system. Cultural and social change, legislative and policy change and investment decisions have all likely contributed to the changes in the imprisonment rate over the past decade.

I would like to provide the inquiry with some observations of the available evidence base and the work of my agency, so let us start at the beginning. Across major offences against private citizens and household property, the occurrence of crime in the community has either been stable or decreasing over about the past decade according to representative surveys of the community. An exception to this is digitally enabled online crimes, such as online fraud and scams. They continue to grow as we embrace the online environment. But overall things have been either decreasing or stable across major categories. There can be a disconnect between what those community reports of crime experienced are and the recorded crime coming to the attention of the justice system and the way the justice system responds. So during the past 10 years the front-end capacity of the criminal justice system has expanded significantly and the amount of crime we have seen recorded by Victoria Police has increased. That increase in front-end capacity has enabled the justice system to respond to more victims, to encourage reporting and, critically, to bring new offenders into the system and to focus on the monitoring of existing offenders. New legislation has also been passed during this time, broadening the scope

of offences that are criminalised in Victoria and changing the way people move through the criminal justice system as alleged and proven offenders.

As the inquiry has previously heard, the number of young offenders has been declining in recent years. Ten- to 17-year-olds account for a small and decreasing proportion of all offenders recorded by police overall, down by approximately a third from 2011 to 2020. Meanwhile, family violence related offending, criminalised breaches of orders, drug use and possession offences have all increased over that time and driven growth in the number of people in corrections custody. The number of arrests and recorded summons has increased over the past 10 years for breaches of orders and to a lesser extent for drug use and possession offences. Excluding the COVID-19-related period, which has been very disrupted, the number of arrests and summons related to assaults has also been steadily increasing over the past decade, and a significant proportion of that has been related to family violence. Arguably that focus on addressing family violence, combined with the cultural and justice system impact of the royal commission, has contributed to consistent growth in the number of family violence incidents overall reported to and recorded by police over the past decade. That has in turn increased justice system demand driven by family violence offending.

The number of repeat offenders recorded annually by police we have observed steadily increasing over the past 10 years, and as is always found, a small group of high-frequency offenders account for a large proportion of all offending. So to give you an idea of that concentration, in a study we did looking at the 10 years to 2017, 43 per cent of all offenders were recorded for more than one offence, but 6.3 per cent of offenders were recorded for more than 10 offences and that group accounted for 44 per cent of all incidents reported to police over that period. A concentrated group of offenders is having a lot of repeat contact through the system.

We are finding police are using diversion options less over time, bringing more people further into the criminal justice system. The proportion of young offenders given a caution or warning by police has been steadily decreasing over the past 10 years from 37 per cent in 2010–11 to 20 per cent in 2019–20, and research that my agency has done has found that those initial contacts can make quite a difference. Looking at child cautioning, within 12 months of receiving a caution, 36 per cent of those cautions were recorded for a further offence compared to 48 per cent who were charged. When we controlled for all available factors, that still held.

Moving to the next stage of the criminal justice system, there have been significant increases in the remand population over 10 years, as the committee has been very interested in, which has contributed to that broader imprisonment rate increase. The number of bail applications in the Magistrates Court more than doubled in the five years to June 2018, and the proportion of applications that were refused increased from 24 per cent to 36 per cent over that period. Cumulative changes to the way bail operates over the past 10 years have corresponded with notable changes in remand numbers, particularly affecting certain cohorts. In 2019 we released a research report on the types of offending related to women's imprisonment that showed that there were large increases in the proportion of unsentenced women who would have been placed in a reverse onus position for the granting of bail between 2012 and 2018, with most of this attributable to those changes in the *Bail Act* in 2013. Thirty-seven per cent of unsentenced women would have been subject to a reverse onus test in 2012, which increased to 74 per cent in 2015 and 79 per cent in 2018. In 2015, 32 per cent of unsentenced women were only placed in a reverse onus test due to the two new bail offences introduced—so breaches of bail.

These shifts were also reflected in the court sentencing trends, but I know you have had evidence from the Sentencing Advisory Council, so I will not dwell there except to observe that there has been that significant increase in the proportion of court cases resulting in imprisonment and that, in the context of that increased use of remand, the number of people receiving time-served sentences, where their period of imprisonment imposed is equal to the time already served on remand, has increased from 5 per cent of all prison sentences in 2012–13 to 20 per cent in 2017–18.

So the imprisonment rate has therefore—recent COVID disruption notwithstanding—increased significantly over that past 10 years in particular. There have been large increases in those remand receptions, but also in short periods—so under 12 months—of imprisonment. Between 2009 and 2019, just prior to the impact of COVID, there was an 86 per cent increase in the total prison population, which included a 265 per cent increase in the number of prisoners on remand. So overall there were big changes, but as always, they do not impact everybody equally. There was a 230 per cent increase in the number of women on remand—in 2019, 47 per cent of women prisoners were on remand, a big proportion—and a 774 per cent increase in the number of Aboriginal and Torres Strait Islander prisoners on remand, which was 48 per cent of Aboriginal prisoners in 2019.

So it has been quite a shift, the way that remand impacts the demand on the prison system. The vast majority of prisoners are now received initially on remand, which historically was not always the case. In 2018–19, 35 per cent of women and 55 per cent of male prisoners transitioned from remand to being a sentenced prisoner. Again, I have got some more detail around some different trends there for different cohorts, but we can go into that if the committee would like.

Just one further observation I would make on the changes to the prisoner profile entering custody, however, is the main offences people are going in for are still assault, property offences and drug offences, but there has been the greatest increase around the proportion of remand receptions for breach-of-order offences—breaches of intervention orders, breaches of bail—which increased from 1 per cent to 13 per cent of total receptions in 2018–19, quite a big change over the 10-year period.

The short sentence issue is one I will just come back to. The rate at which sentenced prisoners released from custody return to prison under sentence within two years for a subsequent sentenced episode is the nationally reported performance measure. I know it has been a topic many people who have appeared before you have talked about, the fact that we had the rate of return at 44.2 per cent in 2019–20, but it is a pretty blunt measure of recidivism. When I have had a look at it, three-quarters of that annual flow of prisoners entering the system served short remand only or sentenced episodes of under six months; that was 2018–19 data. So what we can see when we have a look at the rate of return is that the shorter the sentence, the higher the rate of return to imprisonment within that two-year period. Looking at the people who have the lower rate of return, it seems to be people who were released to parole or were on longer sentences and are a little older in terms of their cohort. So that is a definite emerging trend.

I have rattled through a whole lot of things very, very quickly. Hopefully some of those observations are useful in putting into context some of that growth in the overall imprisonment rate. It is a big number. There are other contributors, but just a few things to note, and I am obviously happy to assist the inquiry with any questions you have or provide any data on notice to support your further deliberations.

The CHAIR: Thank you so much, Fiona. They are somewhat startling numbers sometimes, when you are looking at the quadrupling of stats, and particularly around women. So just to start off, you mentioned that the increases are not across the board but certainly for women the increases have been far more substantial than in other areas. Is there anything in your data that indicates why that is the case? Is it just the change to bail?

Ms DOWSLEY: That is certainly the biggest thing in terms of being able to make a direct correlation, but as with everything, it is a multilayered story, I suspect. Traditionally increases around drug use and possession and some of those lower level offences that are now in scope for different responses by the justice system tend more towards women. I think the family violence implications to the way the system operates have been complicated for women. Certainly there has been a much greater focus on response to victim-survivors. I think, however, that has impacted a little on our offending population too. So it is a number of changes, I think, over time, but the bail one is the biggest one that we have been able to draw a correlation with.

The CHAIR: Just looking at that also remarkable figure that 6 per cent of offenders commit 40 per cent of the offences, I think when I was looking at the data those that met the criminal justice system at a young age seemed to be over-represented in that cohort. Reading the report, offenders whose first offence happened when they were young, between 10 and 24, made up the majority. But with those offenders, is that that they just offend a lot when they are young and they age out, or is it that their first brush with the criminal justice system was so young that puts them into a cycle of offending?

Ms DOWSLEY: A little bit of all that. So a study that the CSA published a couple of years ago looked at different trajectories of young offenders, because like everyone it is not a homogenous group of young people; there are different groups within groups that have different pathways. So we found a number of different groups. One group is the one that I think you are alluding to, which is the kids who start really, really young. So 10 to 14 is when they are having their first contacts with the justice system, and those can be intensive contacts, so a lot of different contacts through their teen years. They are obviously the cohort that are likely to become then youth justice clients and likely to commence into adult offending as well. You also have a group, which is by far the most voluminous group, which is the young people who have one or two contacts with police and then that is it—they never come back. They move on their life, they go in a different direction and they are not seen again by the system. That is the majority of young people. There is also an emerging cohort who had their first offence later in their teens, and there is a bit of a suggestion that their offending can start a little more seriously. So that is an interesting group, because they are probably a bit more likely to then head into more

serious justice involvement because of the nature of their offending, the nature of their age et cetera. So it is a bit of a complex one. You have got different groups, some of which are prolific and some of which are starting later but potentially a little bit more serious with the offences they are coming in with. But still the majority of young people have brushes with the system, and they go a different pathway.

The CHAIR: They move on. Just finally, has there ever been any work done on looking at people who have been to prison who undertake sort of a ReConnect or undertake a post-release program as a population as to whether that is affecting their reoffending?

Ms DOWSLEY: There are definitely evaluations undertaken of programs. I do not have any to hand; that is something that probably is best referred back to the department and certainly to Corrections about evaluations of those programs that they have undertaken.

The CHAIR: Great. Thank you. I will move on to Kaushaliya, then Tania, then Matt.

Ms VAGHELA: Thanks, Chair. Thanks, Fiona, for your time today. One of your current research priorities is to understand and evaluate crime prevention and intervention strategies. What will this work involve?

Ms DOWSLEY: There is a good partnership we have established within the department with our community crime prevention unit. So we have been undertaking ongoing evaluations with them of a range of grant programs that they run. That is the main area where we have been focusing our work—collaborating with them.

Ms VAGHELA: So are you the only one who is going to do that work or have you seen some other organisations doing the work and there is a gap and you want to continue on that?

Ms DOWSLEY: There are a lot of different people who work in that space. I know, for example, you have already had Jesuit Social Services appear before the committee. They do a lot of programmatic work, and there are evaluations of those that get undertaken as well. So it is definitely good practice whenever we have got those sorts of interventions running to try and have evaluations to follow along to determine what works and the impacts.

Ms VAGHELA: You have also named as a priority for us to understand better how disadvantage can culminate in engagement with the criminal justice system and how that interacts with support services inside and outside the justice system. What insights have you gained so far?

Ms DOWSLEY: Well, just referring to, for example, a couple of published reports that we have got out in the public domain and the work I quoted earlier around cautioning, for example, we have found correlations in lower socio-economic areas—so looking at SEIFA indexes et cetera—with a lower likelihood of cautioning for people early on in their criminal offending as young people. So there is a range of different things that we look at there, and again I know the inquiry has already heard people talk about the concentration and correlation between disadvantage in certain areas of the state and a higher propensity for people to be involved in the criminal justice system as offenders. I think that is a pretty well documented relationship at this point. So we have done a range of work looking at that, and to support policy we will also look at things like interactions with service systems et cetera.

Ms VAGHELA: Do I have time, Chair?

The CHAIR: Yes.

Ms VAGHELA: The Crime Statistics Agency has conducted extensive research on a number of topics, including characteristics of chronic offenders, and you have answered this while answering a question by the Chair. Can you tell the committee about what your research shows are the factors most likely to lead a person to reoffend?

Ms DOWSLEY: Well, again it depends a little bit on which part of the system you are looking at. So if we are looking at our front-end correlates, it tends to be certain types of offending. So, for example, property crime is one that people often do have more frequent re-contact with the criminal justice system. We are seeing emerging cohorts within our family violence perpetrators of repeat contacts. Arguably that is increasing partly because of the system response and people being more confident in reaching out for that assistance, but we are seeing more multiple contacts with those sorts of offenders. And when we are talking about looking at

offenders moving through to the end of the system, to Corrections custody, as I mentioned earlier, things like prior imprisonment, once people are in that part of the system, they are more likely to return to that part of the system. Those short sentences are definitely related to more frequent appearance. If you have reached custody at a younger age, you are more likely to return. So there are a range of different correlates depending on exactly which part of the system that you are looking at.

Ms VAGHELA: Thank you. I will come back with more questions in the second round. Thanks, Chair.

The CHAIR: Thanks, Kaushaliya. Tania.

Ms MAXWELL: Thank you, Chair. Fiona, good morning and thank you for joining us. Fiona, you talked about breaches of orders earlier this morning, and I am quite interested in that. We know that often the general public will hear about offenders committing further crimes whilst on a CCO, and it is CCOs that I specifically want to talk about here. How can the system be improved to mitigate this offending? Because looking at the number of programs that were sent in within your submission, there is an enormous amount of programs. We continually hear about programs; we often do not see the evaluations. We hear that there are continued breaches of CCOs. How do we mitigate that, and is it documented how many breaches an offender may have prior to being put in front of whether it be a senior case manager or the courts?

Ms DOWSLEY: I do not have CCO data in front of me, so I am going to have to take that on notice and potentially refer it to Corrections colleagues for a bit more commentary about that process question. So I am going to have to take that one I am afraid. I do not have that to hand.

Ms MAXWELL: Thank you, because we know—serious offences, there were 3316 people. Those numbers are quite significantly higher, and what I am trying to draw out here is: why aren't these programs working to prevent that from happening, to prevent that ongoing recidivism? I guess that is why we are looking for the evaluations, too, to be able as a committee to have a look at what is working and what is not and where the investment is going.

Just on that as well, Fiona, I am really interested in the number of women you spoke about on remand and for breaches. I would be really interested to know what those breaches were, because there are so many different levels of breaches. For one, it might be that they are not supposed to have contact with their child, and they have sent a text message. That can be a breach. Or they can have committed serious offending as a breach. I think it is all put in together as one set of data, but I think in order for us to look at why these women in particular are being held on remand we need to understand what those breaches are and what ways that that could have been dealt with differently to reduce them being placed on remand and away from their families.

Ms DOWSLEY: I concur. There is a lot of nuance in that, and looking at figures does not always explain the full story of what is going on with any individual's circumstances. The majority of those, I can tell you, when we have done our women in prison analysis, have been breach of bail. That said, even looking at breach of bail as a category it is not always easy for me to tell you whether it is a technical breach, what degree of breach et cetera. I do not have that kind of information. So that is one where I think it is a qualitative question to go back to Corrections colleagues and others about exactly what they are seeing come through in these categories. But what we can report from just purely looking at the statistics is that growth in that category being the reason that people have returned, which simply was not the case prior to the introduction of some of those offences and some of the policy changes underneath that.

Ms MAXWELL: And, Fiona, we spoke about police not using the referrals to the diversionary programs as often as they previously were. The data is showing and we heard yesterday within the committee that the seriousness of the offending, particularly by younger people, is increasing. It is getting far more serious. Do you think that is playing a role in those numbers of lower referrals to the diversionary programs? What do you think is behind that?

Ms DOWSLEY: Potentially a small amount of influence, but I do not think the change in the offending profile is that different when we look at it purely based on the statistics. Again, within category you can always have variation, and that is something that only practitioners in that part of the system would be able to really comment on. We are looking at things categorised. Obviously you can have a range of different kinds of scenarios within those categories. So, potentially, it is something of a correlate, but I do not think it explains the whole picture.

The CHAIR: Thank you. Matthew.

Dr BACH: Thanks, Chair, and thanks very much, Ms Dowsley. Ms Dowsley, I am really interested in the gap between actual crime and reported crime, and of course, reams have been written about this, the so-called dark figure. Based on your experience—it is fantastic to have you here before the committee—it is so hard to quantify, obviously, but what is the magnitude of the dark figure in Victoria?

Ms DOWSLEY: Well, it varies significantly, depending on the type of crime. So, for example, if you are looking at something like motor vehicle theft, the gap is very small because there is a very strong structural incentive for people to report those crimes. It is required for insurance et cetera, so the reporting rate is extremely high. The closer the incident is in terms of the offender and victim it tends to be a lower reporting rate. So interpersonal assaults, for example, have one of the lower reporting rates. So depending on the type of crime, it will vary. We actually have some really good ways of measuring that by comparing data from crime victimisation surveys, so where people are surveyed about what they have actually experienced versus what they say they report and what comes through in the system. I am happy to direct the committee to references for that out of session so that you can have a look at those variations, because it is very different, depending on the type of crime.

Dr BACH: Yes, that is great—and those surveys, and having access to those surveys would be fascinating. Thank you very much.

You talked before, and this surprised me if I understood you properly, when we were talking about the rate of return, that the rate of return was higher for those with shorter sentences.

Ms DOWSLEY: Correct.

Dr BACH: My presumption would be that the majority of those people who had been incarcerated on shorter sentences would have been incarcerated for crimes that were seen to be less significant. Would you mind talking us through why it is you think we are seeing a higher rate of recidivism—notwithstanding that that particular measure is blunt, and I note your comments about that—for those on shorter sentences initially?

Ms DOWSLEY: Well, first of all, I am happy to furnish you with some data on notice around sentence lengths for particular offences, because I think that gets to your question around exactly who is ending up in that category. But I think it is important to also couple the relationship between short sentences and the time on remand. So you have got people who are coming into the system—they are in custody, they are not really eligible for any kind of program or any kind of supporting intervention and they are there for a relatively short period of time, so there is disruption in their life, not necessarily in connection with things that are going to help address the offending that got them there. And I do think some of these, for want of a better term, almost administrative offences around breaches et cetera are probably contributing to that as well. So people who are in custody, they are getting short or time-served sentences and they are therefore coming back in on a fairly regular basis after that, is the trend. But I am happy to come back to you out of session with the breakdown for particular offences for sentence length, because I think that will get to your question.

Dr BACH: All right. That is great. Many thanks. A really quick one, Ms Dowsley: I am interested in language. The Crime Statistics Agency talks about chronic offenders. In the past we have called repeat offenders a range of things—going back in history: habitual criminals, professional offenders or professional criminals. Why this particular language now?

Ms DOWSLEY: It is where we settled on in terms of representing what we are seeing. So we are seeing offenders where their contact is frequent. It is often, as I say, quite concentrated within groups of offenders. That is the language that best describes to our researchers what we are seeing.

The CHAIR: Thank you very much.

Ms DOWSLEY: Thank you.

The CHAIR: Thank you, Matthew. I think it is interesting. When you look at the statistics about those chronic offenders, or those 10 plus, they are not breach of bail, steal from retail, non-aggravated burglary; they are kind of at that almost opportunistic level of offences. I just have a question around serious assault and assault. Do we know how many of the offenders know the victim or the perpetrators know who they have assaulted?

Ms DOWSLEY: Yes. I can come back to you with those figures from the front end. So Victoria Police—obviously we have got a victim, but where they have identified an offender—do have a relationship variable, so I can come back to you with those proportions.

The CHAIR: Yes. Thank you. Just going back to the decrease in cautioning, did your agency come up with any data as to why that might be occurring?

Ms DOWSLEY: I think a range of reasons. We have observed, particularly when looking at drug cautioning, for example, that the increase in the use of methamphetamine has been associated with a much-reduced likelihood of cautioning and going down that path. It seems to be viewed and treated very differently than, for example, if someone came through with a cannabis offence, when they would be a little bit more likely to be cautioned. I think there are issues we have observed around, as I said, different characteristics of offenders. We have seen a lower likelihood of cautioning for Aboriginal alleged offenders, coming through the system. So there are some different correlates depending on the situation at hand. But I think part of the thing I would observe around cautioning is that up until basically very recently it has only really been open to select offenders, select offences, and it is usually very focused on a first or second offence. So people very, very early on in their offending have been only really eligible for consideration.

The CHAIR: Yes. Thank you, Fiona. Kaushaliya.

Ms VAGHELA: Thanks, Chair. Fiona, you mentioned family violence. I would like you to elaborate a little bit more on that, because your agency has also looked at the factors that drive recidivism among perpetrators of family violence. What did that research tell you about how intervention and intervention strategies could be better used to disrupt family violence offending?

Ms DOWSLEY: I do not have that research directly in front of me, but from memory, the issues that we have seen are to do with—first of all, as we have been looking at this topic over a number of years, we have also noticed the emergence of not just repeat perpetrator incidents being recorded for family violence within a relationship but also successive relationships, so I think that is something to note as well. And we have observed that where there are breaches of orders—safety notices, formal intervention orders et cetera—that tends to be correlated with the likelihood of further contact with the system. And we have also noted that where there are victims of offenders in more disadvantaged areas and also more regional areas, we do tend to see a high level of repeat offending and also exposure of children to family violence. We did a report on child witnesses of family violence relatively recently which noted that relationship. So there can be a range of different things that come into play. And also we are again happy to draw to the attention of the committee out of session: we have done regression analyses that have looked at individual characteristics of events that have been recorded—for example, whether people have experienced choking in a family violence incident and the relationship with further offence and further risk of family violence. So there is a range of different things. There is no one issue. It is a really complex area, trying to predict where you are going to see repeat family violence.

Ms VAGHELA: Yes. And you have also looked at young people's pathways through the justice system, and we have had some interesting evidence on this topic. Would you be able to describe a typical pathway for the small number of young people who get involved in the justice system in a little bit more detail?

Ms DOWSLEY: Well, as I said, the vast majority of young people who touch the criminal justice system, they have one or two contacts and then they go. So for the majority of young people, they bounce off the system, effectively. Where we have seen the more repeat offending, the high-intensity offending, it does tend to be more with that cohort who start very young in their criminal careers. And I would refer you to research that the Sentencing Advisory Council have released and also researchers at Monash University around the observed relationship, between contact with child protection and the crossover with children on the criminal list, where they see a significant relationship there, between those crossover kids. So there is a cohort there who have early trauma in their lives and then we are seeing them coming to the attention of the criminal justice system at a very early age, often with lots of different contacts, lots of high-intensity offending, not necessarily all very serious—a lot of it is still property crime in there—but a lot of frequent contacts, and that tends to build into a pretty determined criminal pathway quite quickly.

The CHAIR: Thanks, Kaushaliya. Tania.

Ms MAXWELL: Thank you, Chair. Fiona, I just wanted to talk a little bit more about CCOs and the IMP statistics, so that is obviously the combination of a CCO and incarceration when they have an IMP. We have got some data here on the percentage of people in prison, released and who then may go on to an IMP—and a CCO obviously—but we do not have any data on anybody who has been under a CCO and an IMP. What is the data of their recidivism rates after that?

Ms DOWSLEY: I do not know. I would have to put in a data request myself to find out, so happy to take that one on notice.

Ms MAXWELL: Yes. Great, thank you. That would be good. That is me probably just at the moment. Actually, before we go, we have noticed that there has been an increase in the age of offenders, probably more so through historical sex offences, that are coming through the courts. Is there anything else that you can provide us with that gives us a better understanding of why? You know, they are talking about more so men 60 years and over. I am interested in that cohort.

Ms DOWSLEY: Yes. I think there are a couple of factors. In terms of people who are entering prison who are sort of 60-plus, absolutely historical sexual offences is a contributor. It is probably a good portion of that category. However, we do have a couple of other things that are kicking in to overall shifting the prisoner population to an older age group. First of all, as I mentioned in my earlier remarks, the growth of family violence-related offending, that brings in people of an older cohort. So if you look back through history, the general observation would be, you know, your peak offender population was about 24. You know, it was earlier in life, high-frequency criminal events that would be more likely to bring you to prison. That has changed a little with the addition of some family violence offenders, because the peak family violence offending is more in middle age; it is more 30s and 40s. So that in itself brings more people in slightly later. It is changing a little bit the trajectory of people entering custody for those sorts of offences as well as a general ageing of the underlying demography of the state. As broader demographic trends have aged, so has our prisoner cohort. So I think it is not one thing, I think it is a number of different contributors that are shifting the dial there.

Ms MAXWELL: Great. Thanks, Fiona.

The CHAIR: Matthew.

Dr BACH: Thanks, Chair. I do not have any further questions.

The CHAIR: Brilliant. Fiona, thank you so much and thank you for your generosity in taking a number of those questions on notice. We very much appreciate that, and it may be that we may call upon you as we progress, because I think some of the data that you have been able to drill into is absolutely fascinating and really will help the committee in coming to hopefully some recommendations for solutions in addressing our terms of reference. As I mentioned at the outset, you will receive a transcript of today. Please have a look at it and make sure that we did not mishear you or misrepresent you. Thank you very much. The committee will just take a short break to reset for the next witnesses. Thank you.

Witness withdrew.