

LEGISLATIVE COUNCIL

QUESTION ON NOTICE

Tuesday, 15 October 2019

2552. Hon Robin Chapple to the Minister for the Environment representing the Minister for Police; Road Safety:

For the Kimberley and Goldfields regions, in addition to the town of Kununurra specifically, would the Minister please table statistics, from the past five years to present, regarding:

- (a) instances of assault;
- (b) instances of specifically aggravated assault;
- (c) instances of burglary;
- (d) other instances of unlawful or forced entry;
- (e) any and all instances of family and/or domestic violence; and
- (f) if no to any part of (a) - (e), why not?

Answer

The Western Australian Police Force advise:

(a) Table 1 is a distinct count of offences categorised as 'Assault' in standard crime statistics reporting. Figures include the following sections of the Criminal Code Act 1913: Section 293 – Stupefying in order to commit indictable offence etc; Section 294 – Act intended to cause grievous bodily harm or prevent arrest; Section 294(1)(c) – Unlawfully causes any explosive substance to explode; Section 297 – Grievous bodily harm; Section 301 – Wounding and similar acts; Section 304 – Act or omission causing bodily harm or danger; Section 305 – Setting dangerous thing; Section 305A – Intoxication by deception; Section 313 – Common assault; Section 317 – Assault causing bodily harm; Section 317A – Assault with intent; Section 318 – Serious assault; Section 318(1)(d) – Assaults a public officer; Section 318(1)(g)(iii) – Assault the driver of a passenger transport vehicle. There exists other types of 'Assault' offences in legislation but these have not been recorded for the requested locations, during the requested timeframe, and as such, have not been listed above.

Table 1. The number of assault offences in the Western Australia Police Force Districts of Kimberley and Goldfields-Esperance and in the suburb of Kununurra, from 2014 to 2019 year-to-date (YTD).

	2014	2015	2016	2017	2018	2019 YTD
Kimberley	2 090	2 308	2 934	3 109	3 320	2 668
Goldfields-Esperance	1 214	1 370	1 435	1 435	1 357	1 000
Kununurra	311	396	522	599	639	561

(b) Aggravated assault figures cannot be accurately distinguished from total assault figures, as aggravated assault is not a legislated offence or reporting category. Aggravation is a circumstance under which the assault offence was committed, and is not recorded systematically in WA Police Force data holdings. Section 221 of the Criminal Code Act 1913 defines circumstances of aggravation for assault, which is where: a family relationship exists between the offender and victim; a child was present during the offence; the offender has breached a restraining order, or the victim is 60 years or over. These circumstance are not readily available and would take significant effort to discern and compare with assault offences to determine which were aggravated. Further, the quality of the recording of these circumstances is unknown and so resulting figures might be an approximation.

(c) Figures consist of burglary offences defined under Section 401 – Burglary of the Criminal Code Act 1913. Figures are a distinct count of burglary offences under Section 401- Burglary of the Criminal Code Act 1913 that occurred during the requested timeframe.

Table 2. The number of burglary offences in the WA Police Force Districts of Kimberley and Goldfields-Esperance and in the suburb of Kununurra, from 2014 to 2019 YTD.

	2014	2015	2016	2017	2018	2019 YTD
Kimberley	1 188	1 220	1 294	1 363	1 748	1 523
Goldfields-Esperance	1 037	977	1 299	1 639	1 347	849
Kununurra	198	234	176	251	350	319

(d) Unlawful or forced entry' is not a legislated offence or reporting category.

(e) Figures are a distinct count of incidents where a family relationship has been determined. From 1 July 2017, a family relationship is defined for the purpose of recording incidents by the

WA Police Force as immediate family, and involves a partner / ex-partner, parents, guardians of children or children who reside or regularly stay with involved parties

Prior to 1 July 2017, a family/domestic relationship is defined for the purpose of recording incidents by the WA Police Force as:

- Intimate partners, meaning two persons who are or have been in a relationship with each other which has some degree of stability and continuity. It must reasonably be supposed to have, or have had a sexual aspect to the relationship. The partners do not have to be living together on a full time continuing basis and need not ever have done so; or
- Immediate family members, meaning two persons who are related either directly, in-laws or as step family, and can involve Parent; Grandparent; One of the persons being a child who ordinarily resides, resided or regularly stays with the other person; and Guardian of an involved child.

From 1 July 2017, a number of legislative amendments within the Restraining Orders Act 1997 have been implemented with subsequent changes to IMS. Family Violence is now defined in the Restraining Orders Act 1997 as: Violence, or a threat of violence used by a family member; or any other behaviour that coerces or controls a family member or causes a family member to be fearful.

Prior to 1 July 2017, an act of family/domestic violence is defined, as per section 6 of the Restraining Orders Act 1997 (WA), as one of the following acts that a person commits against another person with whom he or she is in a family and domestic relationship: assaulting or causing personal injury to the person; kidnapping or depriving the person of his or her liberty; damaging the persons property, including the injury or death of an animal that is the person's property; behaving in an ongoing manner that is intimidating, offensive or emotionally abusive towards the person; pursuing the person, or a third person, or causing the person or a third person to be pursued with intent to intimidate the person or in a manner that could reasonably be expected to intimidate, and that does in fact intimidate the person; or threatening to commit any act described in paragraphs (a) to (c) against the person.

Table 4. The number of incidents in the WA Police Force Districts of Kimberley and Goldfields-Esperance and in the suburb of Kununurra, where a family relationship has been determined, from 2014 to 2019 YTD.

	2014	2015	2016	2017	2018	2019 YTD
Kimberley	3105	3684	4916	5500	5716	4271
Goldfields-Esperance	2074	2103	2370	2266	2176	1599
Kununurra	398	569	729	1105	1144	899

(f) Please refer to (b) and (d).

Data is provisional and subject to revision. YTD for 2019 is from 1 January 2019 to 23 October 2019, inclusive. Counting Rules have been applied which exclude facilitation and duplication offences in specific circumstances. These rules are applied to certain reporting categories (typically those known to have been prone to over-recording of offences historically) in order to provide a more accurate picture of crime volumes and trends. Counting Rules are applied historically to ensure comparability.

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