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Property Crime and Indigenous Offenders

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Introduction

It is well recognised that Indigenous offenders are over-represented within the Australian criminal justice system. In response to this, researchers have attempted to identify the factors contributing to Indigenous offending. Such studies have tended to look at Indigenous offending and engagement with the criminal justice system as a whole, across the full range of different offence types, or have focused on violent crime (Memmott et al. 2001; Bryant & Willis 2008; Wundersitz 2010). Little attention has been paid to Indigenous involvement in other specific forms of crime, such as property offending.

While violent crime (specifically acts intended to cause injury) accounts for the largest proportion of recorded Indigenous offenders (Australian Bureau of Statistics (ABS) 2016a) and prisoners (ABS 2016c), a substantial number of Indigenous people are imprisoned or otherwise sanctioned for property offences each year. Understanding and addressing factors contributing to Indigenous involvement in property crime can also potentially contribute to reducing Indigenous over-representation (Weatherburn 2014).

This paper aims to assist policymakers and practitioners by filling some of the gaps in knowledge about Indigenous involvement in property crime. The brief first overviews the extent of Indigenous involvement in property crime and draws some comparisons between nature and rates of property crime committed by Indigenous offenders and non-

Indigenous offenders. Some of the main theoretical explanations for involvement in property offending across the overall population are examined and related to property offending by Indigenous people. The brief draws on unpublished research data to further explore the nature of Indigenous property offending and also examines some initiatives that aim to reduce this offending.

For the purposes of this paper, 'property crime' will encompass the offences of robbery; unlawful entry with intent/break and enter (burglary); all thefts; fraud; and property damage as classified under the Australian and New Zealand Standard Offence Classification (ABS 2011).

Robbery is usually considered a violent crime as the actual or threatened use of violence is an element of the offence that is more serious than the theft element. However, the factors contributing to involvement in robbery and patterns of incidence for robbery tend to align more closely with crimes such as burglary than they do with violent crimes such as assault. For instance, rates of robbery in Australia and internationally have been declining in recent years to an extent that is consistent with property crime trends but not with violent crime trends (van Dijk, Tseloni & Farrell 2012).

Violent crime has also declined but over a shorter period and with greater fluctuation (Australian Institute of Criminology (AIC) 2016; Nelson 2015). Therefore, robbery will be considered a property crime for the purposes of this paper; this approach has been undertaken in other recent studies of property crime (Brown 2015).

Conceptions of property

While the concept of 'property' is generally well understood in the context of property offending, the intersection of Indigenous traditional practices, customary law and mainstream law can add complexity to some incidents of 'theft'.

For example, in the case of *R v Craigie and Patten* (1979) unreported District Court of NSW (as cited in Crawford & Kirkbright 1982) two Aboriginal Australians were charged with burglary after they broke into an art gallery and took possession of traditional Aboriginal paintings. The defendants were under the belief that they had the right to claim the paintings for the Aboriginal people in order to prevent the artworks from leaving Australia. Many Indigenous artworks contain spiritual aspects significant to both the artist and their kin; selling such artworks breaches customary Indigenous laws, although does not breach mainstream law providing general principles of ownership are satisfied (ALRC 1986).

Both defendants were ultimately found not guilty due to an honest claim of right under customary Indigenous law. The defendants argued that because the act in question was not a breach of customary law, they honestly believed that the mainstream law would 'enforce a right of possession' consistent with customary law. The court determined they therefore lacked the necessary mental intent required as an element of guilt for the crime (Crawford & Kirkbright 1982: 98).

In recent years many States and Territories have legislated to create exemptions in recognition of Indigenous customary law, and the use of cultural and natural resources that would otherwise be considered a property offence, such as taking and use of native animals. A study investigating factors leading to desistance among Aboriginal offenders highlighted attitudes to property as one factor contributing to either persisting with offending or desisting from it (Sullivan 2013).

Interviews with community members in a north-western New South Wales (NSW) town, conducted as part of a study into factors which discourage offending, indicated that most respondents considered crimes like stealing bikes and cars or break and enter — as well as family violence — to be trivial, compared with much more serious crimes like murder and paedophilia committed by non-Aboriginal people. Sullivan (2012) suggested this became a kind of collective application of what Matza and Sykes (1961) called ‘techniques of neutralisation’, whereby offenders suppress attitudes and values that would usually dissuade them from offending.

While these latter attitudes toward property are not unique to Indigenous Australians, Indigenous Australians experience poverty and environments with high levels of offending more than non-Indigenous Australians. Before considering some of the motives and theoretical explanations for engaging in property crime, it is valuable to consider the extent of these offences among Indigenous Australians.

Extent of Indigenous property crime

In 2014–15, the rate of Indigenous offenders (per 100,000 population) proceeded against by police for a property crime as the most serious offence was higher than for non-Indigenous property crime offenders in each jurisdiction for which data were available (ABS 2016a). Between jurisdictions, rates of Indigenous property offending ranged from 11.7 times to 22.7 times greater for burglary, 4.8 to 52 times higher (the latter in the Australian Capital Territory (ACT), influenced by very small raw numbers)

for robbery, 3.5 times to 10.3 times greater for theft, 1.3 times to 5.8 times greater for fraud, and 6.4 times to 12.5 times greater for property damage (ABS 2016a).

According to the 2016 prison census, across Australia 36.8 percent of all persons held in Australian prisons for burglary offences were Indigenous, the second most common offence type after assault (ABS 2016c). At the same time, 32.1 percent of prisoners held for robbery and related offences were Indigenous, the fourth most common offence after offences against justice procedures (ABS 2016c).

Data from the Drug Use Monitoring in Australia program show that 22.3 percent (n=103) of Indigenous people in police custody surveyed during 2015 had been arrested for a property offence as their most serious offence, compared with 17 percent (n=290) of non-Indigenous people in police custody. Property offences therefore contribute strongly to the over-representation of Indigenous people throughout the criminal justice system.

with arrests of Indigenous property crime offenders in NSW decreasing by 33 percent from 2001 to 2015 (Weatherburn & Ramsey 2016). The decrease in arrests was greater for males (40%) than for females (23%) with an overall steady rate of decline in the male rate. The trend for females was much more uneven than for males across this period, with a substantial decline from 2001 to 2004, stability until 2011 and a slight upward trend thereafter. For male offenders, the most substantial decreases were among the 15–19 years and 20–24 years age groups (Weatherburn & Ramsey 2016). This was also the case for females, but with greater annual variation due to the much smaller numbers involved.

The trend towards decreasing property offending among Indigenous offenders is borne out by a longitudinal study conducted by Payne, Brown and Broadhurst (forthcoming). The authors followed the offending of two youth cohorts — one born in 1984, the other 1994 — until the age of 21. At age 19 (the peak offending age of each cohort), the prevalence of reported offending

Key Facts & Figures:

- 36.8% of all person held in Australian prisons for burglary offences in 2016 were Indigenous (ABS 2016c)
- 32.1% of prisoners held for robbery and related offences in 2016 were Indigenous (ABS 2016c)
- 43.7% of survey respondents cited theft as a problem in their neighbourhood (NATSISS; ABS 2016b)

Property crime can impact heavily on Indigenous communities. Some 43.7 percent of respondents to the National Aboriginal and Torres Strait Islander Social Survey, 2014–15 (NATSISS; ABS 2016b) cited theft (including burglaries, theft from homes, motor vehicle theft and other theft) as a problem in their neighbourhood or community. This was the largest proportion of all the neighbourhood or community problems listed in the survey. Those living in remote locations were significantly more likely (51.4%) to report theft as an issue than in other locations (41.6%).

In recent years Australia has seen an overall decrease in property crime (ABS 2016a; Weatherburn & Ramsey 2016),

by Indigenous young people was 66.8 percent lower in the 1994 cohort (2.1%) than the 1984 cohort (6.4%). While Indigenous people were over-represented in these cohorts against all offence types, the rate of over-representation of Indigenous offenders declined between the 1984 and 1994 for all offence types except property crime.

Indigenous over-representation in the 1994 cohort increased for burglary (8.6%), theft from vehicles (23.9%), stealing (15.6%), other property offences (37.8%) and robbery (14.8%). Therefore, while the overall prevalence of Indigenous property offending is decreasing, the decrease is less than for non-Indigenous people, which has

had the effect of increasing the level of Indigenous over-representation in property offences, but not other offences. In explaining these findings, Payne, Brown and Broadhurst (forthcoming) hypothesised that Indigenous Australians may not have benefited from the economic growth experienced in Australia over the relevant period. Indigenous youths may offend out of economic necessity or because stolen items have greater relative or actual value in disadvantaged communities. This hypothesis is consistent with more general theories of property crime, which are discussed in the following section.

Theories of property crime

There has been little attention given in the literature to explanations for the involvement of Indigenous Australians in property crime specifically. However, a number of explanations and contributing factors have been posited for the occurrence of property crime in the overall population that are applicable to Indigenous people.

Early theories of socio-economic disadvantage and crime have been subject to considerable critique (see Weatherburn & Lind 2001). More recent theories have shifted towards 'life course' and cohort studies which focus on the role different factors at different life stages play on offending. Weatherburn and Lind (2001) suggest that parents experiencing high levels of economic or social stress are more likely to engage in problematic or abusive parenting practices.

Later work suggested that socio-economic disadvantage negatively affects the quality of parenting a child receives, which influences the youth's involvement in property crime (Weatherburn & Schnepel 2015). Studies have shown a positive correlation between socio-economic disadvantage and property offending (Weatherburn & Schnepel 2015) and offenders attribute the need for money as the predominate reason for burglaries (Kuhns et al. 2017).

Factors contributing to NSW property crime

While it is outside the scope of this brief

to consider the diverse motivations for property crime, some studies from NSW may provide some insight. A NSW study of burglary and robbery examined the reductions in these offences that followed from the 'heroin drought' of the early 2000s (Moffat, Weatherburn & Donnelly 2005). This study found that, while reductions in heroin use contributed to reductions in burglary and robbery, other contributing factors included heroin users re-entering treatment and increases in the rate of imprisonment for burglary. Importantly an increase in average weekly earnings and possibly a reduction in long-term male unemployment also contributed to reduced levels of property offending.

This finding was consistent with earlier work that has shown links between involvement in property crime and economic factors such as income levels, employment and financial stress. For instance, one study found that unemployment increases rates of property offending among young people from socio-economically disadvantaged families (Farrington et al. 1986) while others have shown a relationship between long-term unemployment and rates of property crime (Chamblin & Cochran 1998; Greenberg 2001; Chapman et al. 2002; Howsen & Jarrell 2006). The findings of the Moffat, Weatherburn and Donnelly (2005) study were also reflected in a later study by Wan et al. (2012) that found improvements in the NSW economy between 2001 and 2009 contributed strongly to continued falls in property offending.

A study of factors influencing crime rates in six NSW rural communities drew on observations and consultations with community representatives and both government and non-government service providers (Behrendt, Porter & Vivian 2016). These six communities had Indigenous populations ranging from 14 to 77 percent, compared with the 2.5 percent average for the state.

Compared with the state overall, these communities each experienced socio-economic disadvantage across indicators of employment and income, with Indigenous residents having consistently greater levels of disadvantage than others in their communities. The study highlighted the complex array of factors that influenced crime in these communities,

including ongoing impacts of colonial and subsequent government policies; contemporary racism and segregation within the communities; degrees of self-determination, autonomy and resilience; and police-community relations (Behrendt, Porter & Vivian 2016).

Of particular relevance to this paper is the authors' conclusion, echoing an earlier study of crime in rural communities conducted by Jobes et al. (2005), that while economic conditions have an underlying contribution to crime, variations in offending across the communities despite their shared economic disadvantage suggested that economic factors did not directly account for crime. The distinct disadvantage, seen especially in three of the six communities, was seen as leading to 'marginalisation, bitterness and anger' (Behrendt, Porter & Vivian 2016: 42) that directly contributed to property crime as well as violent crime.

These recent studies have built on early theories of crime that placed socio-economic disadvantage at the core of their explanations. They are therefore particularly pertinent to considerations of Indigenous property offending given the well documented extent of socio-economic disadvantage experienced by Indigenous Australians and the subsequent increased risk of involvement in property crime. It is also important to move beyond these broader considerations to examine the more proximal factors that influence Indigenous property offending.

Influencing factors

Consistent with the limited specific attention given to Indigenous property crime in the literature, there is no strong evidence base suggesting the specific factors that contribute to Indigenous involvement in property crime, as opposed to violent crime or crime more generally. Studies examining overall Indigenous involvement in crime have highlighted the contributing role of:

- use of alcohol and other drugs (eg Ferrante 2013; Weatherburn, Snowball & Hunter 2006, 2008), including evidence of specific links between alcohol use and property crime (Wells, Horwood &

Fergusson 2004) and illicit drug use and property crime (see Bennett, Holloway & Farrington 2008);

- unemployment and low income (Hunter 1999; Payne, Brown & Broadhurst forthcoming; Vivian & Schnierer 2010; Weatherburn, Snowball & Hunter 2006), including evidence of positive relationships between property offending and both unemployment rates (Lee & Holoviak 2006) and unemployment duration (Chapman et al. 2002);
- education deficits (Weatherburn, Snowball & Hunter 2006, 2008);
- the younger age profile of the Indigenous population (Cunneen, White & Richards 2015);
- neglect and maltreatment (Stewart, Dennison & Waterson 2002; Weatherburn 2014; Weatherburn & Lind 2006); and
- negative peer influences (Sullivan 2012: 157).

Environmental circumstances can influence offender opportunities and police detection, influencing the way Indigenous property offending manifests (Gale, Bailey–Harris and Wundersitz 1990). Cunneen, White and Richards

(2015) have suggested that because remote areas lack the large shopping centres and retail districts where petty theft and shoplifting typically occur, other more serious property crimes (eg break and enter offences) become relatively more common among young Indigenous offenders.

The lack of anonymity in small communities may lead to increased chance of detection and police knowledge of offenders (Cunneen, White & Richards 2015). This does not necessarily mean that there is greater criminality among these young offenders; it merely shows some of the influences of the environment.

Comparing Indigenous and non-Indigenous property offenders

No published literature has examined differences in the motivations or related characteristics of Indigenous compared with non-Indigenous property offenders. However, an unpublished study conducted by NSW Corrective Services provides some insights that could contribute to criminal justice responses to Indigenous property offending. The

study, drawing on a sample of 229 prisoners (36.7% Indigenous) across 17 correctional centres, asked prisoners about their experiences in committing residential break and enter offences and the characteristics they looked for when deciding whether to break into a particular home (Worthington & Webber 2012).

Results by Indigenous status are presented in Table 1 below. Large negative average scores indicate that the characteristic is an effective deterrent while large positive average scores indicate an effective attractor. Following analysis, 12 of the 25 characteristics shown to participants demonstrated significant differences between Indigenous and non-Indigenous offenders. Compared with non-Indigenous prisoners, Indigenous prisoners were significantly more likely to be attracted to homes:

- in wealthy suburbs;
- with easy access to the back door;
- close to public transport;
- with a nearby lane connected to another street; and
- with a tall fence surrounding the home you cannot see through (Worthington & Webber 2012).

Table 1: Webber & Worthington (2012), Security and design features average score, by Indigenous status

Security and design feature	Indigenous Average score	Non-Indigenous Average score	Difference
You can hear noise coming from the home	-1.09	-1.33	0.24
It is a third-floor unit in an apartment block	-0.60	-0.93	0.33*
The home has video and audio surveillance	-0.49	-0.96	0.47**
All the windows have bars on them	-0.40	-0.68	0.28
You can hear a dog at the home	-0.31	-0.51	0.2
The home has an alarm	-0.25	-0.65	0.40*
There is a car in the driveway	-0.10	-0.49	0.39**
It is a ground-floor unit in an apartment block	-0.05	-0.08	0.03
There is a 'beware of the dog' sign	0.01	-0.15	0.16
The home is on a main street	0.11	-0.07	0.18
The doors have deadlocks	0.16	-0.09	0.25
The home has sensor lights	0.18	-0.17	0.35**
The home is in a cul-de-sac	0.21	-0.14	0.35*
All the windows have locks on them	0.22	-0.07	0.29*
The home is on a corner block	0.26	0.04	0.22
The curtains are closed	0.27	-0.01	0.28*
On collection day, the bins are still outside after 3pm	0.29	0.28	0.01
There is a park near the home	0.36	0.32	0.04
The home is close to public transport	0.40	0.13	0.27*
A tall fence surrounds the home so you cannot see through it	0.45	0.03	0.42**
The mailbox is overflowing	0.73	0.59	0.14
You can easily walk around the home to the back door	0.88	0.64	0.24
There is a laneway to another street near the home	0.99	0.62	0.37**
You know there is \$3,000 worth of valuables inside	1.02	0.75	0.27
It is in a wealthy suburb	1.13	0.74	0.39*

Source: Webber & Worthington 2012. Note: * p<0.05; ** p<0.01

Survey results also showed that Indigenous prisoners perceived some characteristics as moderate attractors, while non-Indigenous prisoners reported them to be moderate deterrents. Significant differences were reported for homes with sensor lights, in a cul-de-sac, with window locks or closed curtains. Indigenous property offenders saw these as attractors while non-Indigenous prisoners perceived them to be detractors. No characteristics were reported to be deterrents for Indigenous prisoners, but attractors for non-Indigenous prisoners.

Additional analysis of the NSW Corrective Services data, conducted by the AIC, showed that Indigenous prisoners were generally similar to non-Indigenous prisoners in regards to characteristics such as:

- frequency of offending;
- sources of legitimate and illegitimate income;
- motivation for offending;
- mode of transport to and from the target location;
- whether offences were committed alone or in a group;
- drug use; and
- disposal methods.

However, a number of statistically significant differences were found. The additional analysis showed that Indigenous participants were significantly more likely to have walked to and from the targeted residence, and more likely to have broken into homes within a 30-minute walk from their own residence. When asked about motivation for their most recent offence, Indigenous participants were significantly more likely than non-Indigenous participants to attribute their offending to needing money as they were unemployed, despite there being no significant difference between reported legitimate and illegitimate income levels between the two groups.

Among prisoners who offended because they wanted money for drugs, a significantly greater proportion of Indigenous than non-Indigenous participants stated they wanted money to buy cannabis. Indigenous participants were significantly more likely to have disposed of stolen goods from their

most recent burglary by trading them directly for drugs or selling them to a drug dealer.

The same was true in relation to disposal from past burglaries, with Indigenous property offenders being more likely to sell directly to a drug dealer 'most of the time', while non-Indigenous offenders were more likely to do this only 'some of the time'. Indigenous offenders were more likely to have never sold goods to a 'cash-for-gold' kiosk. A larger proportion of non-Indigenous than Indigenous participants reported being caught on-site during the crime.

What works

While there is a body of literature regarding evaluation of crime prevention strategies and initiatives for the general population, there are few published evaluations of programs targeting Indigenous offenders, with even fewer specific to property offending (Higgins & Davis 2014). The lack of programs to address the offending-related needs of non-violent Indigenous offenders was highlighted in an earlier Indigenous Justice Clearinghouse Research Brief (Richards 2015), which also identified some principles for addressing these needs that might be incorporated in future programs. These principles included:

- incorporating Indigenous culture;
- combining Indigenous cultural content with Western or mainstream approaches;
- incorporating family and community into treatment programs; and
- addressing substance abuse, trauma and socio-historical context (Richards 2015).

Taking these principles into account, the following section highlights some of the few known Indigenous-specific programs that have shown promise in reducing property offending.

The Tennant Creek Transitional Accommodation Project

Jointly coordinated by a local motor inn, a catering business, and an Aboriginal Health corporation, the Tennant Creek Transitional Accommodation Project (TTAP) offers housing, employment training and health education to

Indigenous participants, mostly youth (Gregory 2015). Although crime prevention is a secondary aim of the program, reduced property damage has been reported as a program outcome. Anecdotal evidence suggested that some tenants were damaging property through incorrect or inappropriate use (eg lighting fires in ovens to cook food) or because they did not view themselves as responsible for the property (Gregory 2015). TTAP participants were required to sign liability agreements on entry into the program which assigned responsibility to the tenants. It was thought that this contributed to reduced rates of property damage.

The Community Justice Group Program

The Community Justice Group Program (CJGP) operates in Queensland communities to provide support and services to Indigenous offenders and victims through the development of community specific crime prevention strategies (Queensland Department of Justice and Attorney-General 2012). The CJGP encourages collaboration between the community organisation and others such as courts, police and other government departments. Support and engagement of local groups helps preserve traditional laws and customs, and the decision-making and authority of community Elders (Gant & Grabosky 2000).

An early evaluation of CJGPs from two locations (Kowanyama and Palm Island) drew on stakeholder and community member interviews along with police data from one of the sites (Kowanyama) to determine their effectiveness (Gant & Grabosky 2000). Interview responses supported findings that the CJGPs are effective in achieving improvements against a number of justice-related measures including property crime.

Police statistics for Kowanyama showed that in the year following the introduction of the CJGPs, juvenile charges for break and enter and stealing dropped from 207 to 37 and 123 to 11 respectively (Gant & Grabosky 2000). There was also a marked reduction in charges against young people on Palm Island and substantially reduced numbers of court appearances by young people

in both Kowanyama and Palm Island. However, these findings are now very dated, covering the period from 1993–94 to 1996–97 and there is no evidence to whether positive results have been sustained.

Clean Slate Without Prejudice and Never Going Back Programs

The Clean Slate Without Prejudice and Never Going Back programs are based in Redfern, NSW, an inner-city suburb with a large Indigenous population. Collaborations between local police, community leaders and NSW Corrective Services aim to provide at-risk community members, the majority of whom are Indigenous, with engagement and support through boxing classes and mentoring services (Roberts 2016).

The Clean Slate Without Prejudice program is an early morning boxing class offered three times a week to both referred or volunteered local youths. Those who are referred by police receive mentoring in exchange for a commitment to participate. The Never Going Back program allows the temporary release of Indigenous prisoners from Long Bay Correctional Complex to attend the Clean Slate Without Prejudice boxing and mentoring program.

An evaluation of the program analysed Redfern's crime rates over 2008–2016 compared to the whole of NSW (Roberts 2016). Overall, the programs have brought mixed results, but some improvements in property crime outcomes. The rate of robbery incidents decreased by 20.8 percent in Redfern, compared with 13.1 percent for the rest of NSW. Malicious property damage decreased in Redfern but to a lesser extent than NSW (6.6% compared to 8.3%) while theft remained stable compared to the 3.5 percent decrease seen over NSW. The rate of assault decreased to a greater extent in Redfern compared with the rest of the state, while increases in the rate of illicit drug offences seen elsewhere in NSW did not occur in Redfern (Roberts 2016).

Interviews with stakeholders and community members suggested that the programs were generally effective in reducing crime, improving community-police relationships, and improving perceptions of police legitimacy

(Roberts 2016). However, caution is needed in interpreting these results because it is not possible to attribute the above trends solely to the programs, particularly in the context of social and infrastructure changes in Redfern which have reduced the number of Indigenous residents in troubled housing areas.

The New Life Akoranga Program

The New Life Akoranga Program (NLAP) is a Māori offender rehabilitation program developed under the New Zealand Department of Corrections' Tikanga Māori programs strategy (Wehipeihana, Porima & Spier 2003). The NLAP is a four-day residential prison program offered New Zealand-wide that provides mentoring and support to current Māori inmates through ex-prisoner mentors. The aim of the NLAP is to reduce reoffending through the teaching of traditional Māori principles, values and disciplines through a variety of methods such as haka (traditional dance), waiata (traditional song) and korero (discussion). It aims to bring about positive behaviour changes as anti-social behaviour and offending directly conflict with the traditional Māori belief systems.

To evaluate the NLAP, participant reconviction and reimprisonment data were compared to a matched control group at six, 12- and 24-month follow-ups. A smaller proportion of property offender program participants than control group members received a reconviction for any offence at the follow-ups (39% versus 54% at 6 months, 72% versus 80% at 12 months, and 83% versus 91% at 24 months), although the differences were not statistically significant (Wehipeihana, Porima & Spier 2003). A smaller proportion of program participants than the control group were reimprisoned at the follow-up periods (7% versus 17% at 6 months, 28% versus 46% at 12 months and 54% versus 69% at 24 months), with these results marginally significant ($p < .1$) at the 12-month follow-up, but not at other periods (Wehipeihana, Porima & Spier 2003).

Conclusion

This brief has highlighted the extent of property offending among Indigenous Australians and its contribution to over-representation across the criminal justice system, particularly for unlawful entry with intent/burglary offences (ABS 2016a; 2016c). While a range of factors contribute to involvement in property offending, there is good evidence of the influence of socio-economic factors in driving property crime. The finding that Indigenous over-representation is increasing for property offending at the same time it is stable or decreasing for other offence types is a valuable insight that points to the role of continuing socio-economic disadvantage in shaping Indigenous offending. Involvement in property crime is just one consequence of the ongoing marginalisation of Indigenous Australians from the economic gains experienced across Australian society more broadly.

It is perhaps not surprising that there is little literature explicitly addressing Indigenous involvement in property crime or interventions specifically aimed at property offending. Greater attention has been paid to violent offending, perhaps because of its more acute and visible impacts and its more tangible drivers. Violent offending can more readily be examined through lenses that focus on the influences of colonisation, alcohol misuse and community dysfunction, as well as cultural perspectives.

Compared with interventions to address violent offending, there are few programs that address property offending and these do so as part of a response to offending more generally. Taking into account evidence from theory, research and best practice principles, programs to address Indigenous property offending should consider the financial circumstances of participants, their attitudes to property and should incorporate cultural perspectives and the impacts of colonisation, trauma and substance abuse within evidence-based programs drawn from mainstream models.

Some valuable insights into Indigenous property offending emerged from the findings of the survey of NSW

prisoners who had committed property offences, as outlined in this brief. That Indigenous property offenders are really no different from their non-Indigenous counterparts is consistent with the best practice principle that mainstream rehabilitative programs addressing broad criminogenic factors may be equally effective for Indigenous and non-Indigenous property offenders.

At the same time, the study highlighted a small number of important differences. In particular, the greater likelihood that Indigenous offenders would sell goods directly to drug dealers or exchange goods for drugs points to the need to keep addressing the apparently growing use of illicit drugs in Indigenous communities while also suggesting approaches to limiting the benefits to be gained from property offending.

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References

Australian Bureau of Statistics (ABS) 2011. *Australian and New Zealand Standard Offence Classification (ANZSOC), 2011*. ABS cat. no. 1234.0. Canberra: Australian Bureau of Statistics

Australian Bureau of Statistics (ABS) 2015b. *Labour Force, Australia, Jan 2015*. ABS cat. no. 6202.0. Canberra: Australian Bureau of Statistics

Australian Bureau of Statistics (ABS) 2016a. *Recorded crime: Offenders, 2014–15*. ABS cat. no. 4519.0. Canberra: Australian Bureau of Statistics

Australian Bureau of Statistics (ABS) 2016b. *National Aboriginal and Torres Strait Islander Social Survey, 2014–15*. ABS cat. no. 4714.0. Canberra: Australian Bureau of Statistics

Australian Bureau of Statistics (ABS) 2016c. *Prisoners in Australia, 2016*. ABS cat. no. 4517.0. Canberra: Australian Bureau of Statistics

Australian Institute of Criminology (AIC) 2016. *Australian crime: facts and figures 2014*. Canberra: Australian Institute of Criminology

Australian Law Reform Commission (ALRC) 1986. *Recognition of Aboriginal customary laws*. ALRC Report 31. Sydney: Australian Law Reform Commission

Bennett T, Holloway K and Farrington D 2008. The statistical association between drug misuse and crime: A meta-analysis. *Aggression and Violent Behavior* 13: 107–118

Behrendt L, Porter A and Vivian A 2016. Factors affecting crime rates in six rural Indigenous communities. In Donnermeyer JF (ed). *The Routledge international handbook of rural criminology*: 33–44. London: Routledge

Brown R 2015. *Explaining the property crime drop: The offender perspective*. Trends & issues in crime and criminal justice no. 495. Canberra: Australian Institute of Criminology

Bryant C and Willis M 2008. *Risk factors in Indigenous violent victimisation*. Technical and background paper no. 30. Canberra: Australian Institute of Criminology

Chamblin MB and Cochran JK 1998. Causality, economic conditions, and burglary. *Criminology* 36: 425–440

Chapman B, Weatherburn D, Kapuscinski CA, Chilvers M and Roussel S 2002. Unemployment duration, schooling and property crime. *Crime and Justice Bulletin no. 74*. Sydney: NSW Bureau of Crime Statistics and Research

Crawford JR and Kirkbright CJ 1982. *Aboriginal customary law and the substantive criminal law*. Sydney: Australian Law Reform Commission

Cunneen C, White R and Richards K 2015. *Juvenile Justice: Youth and Crime in Australia, 5th ed*. South Melbourne, Victoria: Oxford University Press

Farrington DP, Gallagher B, Morley L, St. Ledger RJ and West DJ 1986. Unemployment, school leaving, and crime. *British Journal of Criminology* 26(4): 335–356

Ferrante AM 2013. Assessing the influence of 'standard' and 'culturally specific' risk factors on the prevalence and frequency of offending: The case of Indigenous Australians. *Race and Justice* 3(1): 58–82

Gale F, Bailey-Harris R and Wundersitz J 1990. *Aboriginal Youth and the Criminal Justice System*. Cambridge: Cambridge University Press

Gant F and Grabosky P 2000. *The promise of crime prevention: Second edition*. Research and Public Policy Series no. 31. Canberra: Australian Institute of Criminology. <https://aic.gov.au/publications/rpp/rpp31>

Greenberg DF 2001. Time series analysis of crime rates. *Journal of quantitative criminology* 17: 291–327

Gregory P 2015. Free market solutions to Indigenous poverty. *IPA Review*: 43–45. https://ipa.org.au/wp-content/uploads/archive/Gregory-indigenous_poverty.pdf

Higgins D and Davis K 2014. *Law and justice: Prevention and early intervention programs for Indigenous youth*. Resource sheet no. 34. Produced by the Closing the Gap Clearinghouse. Canberra: Australian Institute of Health and Welfare & Melbourne: Australian Institute of Family Studies. <https://www.aihw.gov.au/getmedia/85dd676d-62ab-47cf-8a01-a1847a05a17a/ctg-rs34.pdf.aspx?inline=true>

Howsen RM and Jarrell SB 2006. Some determinants of property crime: economic factors influence criminal behavior but cannot completely explain the syndrome. *American Journal of Economics and Sociology* 46(4): 445–457

Hunter B 1999. Three nations, not one: Indigenous and other Australian poverty. CAEPR Working Paper no. 1. <http://caep.anu.edu.au/Publications/WP/1999WP1.php>

Jobes PC, Donnermeyer JF and Barclay E 2005. A tale of two towns: Social structure, integration and crime in rural New South Wales. *Sociologica Ruralis: Journal of the European Society for Rural Sociology* 45 (3): 224–244

Kuhns JB, Blevins KR, Bolin RM and Cambareri JF 2017. Drug use and abuse as primary motivators for involvement in burglary: A comparison of self-reported differences among a random sample of male and female burglars. *Journal of Drug Issues* 47 (1): 116–131

Lee DY and Holoviak SJ 2006. Unemployment and crime: An empirical investigation. *Applied Economics Letters* 13: 805–810

Matza D and Sykes GM 1961. Juvenile delinquency and subterranean values. *American Sociological Review* 26 (5): 712–719

Memmott P, Nash D and Passi C 2015. Cultural relativism and Indigenous family violence, in Day A and Fernandez E (eds), *Preventing Violence in Australia: Policy, Practice and Solutions*. Sydney: The Federation Press: 164–186

Moffat S, Weatherburn D and Donnelly N 2005. *What caused the recent drop in property crime?* Crime and Justice Bulletin number 85. Sydney: NSW Bureau of Crime Statistics and Research www.bocsar.nsw.gov.au/Documents/CJB/cjb85.pdf

- Nelson P 2015. Violent and property crime trends: local and international comparisons. *Issues paper no. 109*. Sydney: NSW Bureau of Crime Statistics and Research
- Payne J, Brown R and Broadhurst R forthcoming. *Exploring the causes and consequences of the Australian crime decline: A comparative analysis of the criminal trajectories of two NSW birth cohorts*. A report prepared for the Criminology Research Council.
- Queensland Department of Justice and Attorney-General 2012. *Courts Innovation Program: Community Justice Group Program*. Brisbane: Government of Brisbane. http://www.courts.qld.gov.au/__data/assets/pdf_file/0005/205583/cip-fs-community-justice-group-program-cjg.pdf
- Richards K 2015. Addressing the offending-related needs of non-violent Indigenous offenders. *Research Brief 20*. Sydney: Indigenous Justice Clearinghouse. <https://www.indigenousjustice.gov.au/wp-content/uploads/mp/files/publications/files/brief020.pdf>
- Roberts K 2016. Clean Slate Without Prejudice and Never Going Back: A Review of Two Community Engagement Programs in Redfern Local Area Command New South Wales Police
- Steering Committee for the Review of Government Service Provision (SCRGSP) 2016. *Overcoming Indigenous disadvantage: key indicators*. Canberra: Productivity Commission
- Stewart A, Dennison S and Waterson E 2002. Pathways from child maltreatment to juvenile offending. *Trends & Issues in Crime and Criminal Justice* no. 241. <http://www.aic.gov.au/publications/current%20series/tandi/241-260/tandi241.html>
- Sullivan KM 2012. Motivating and Maintaining Desistance from Crime: Male Aboriginal Serial Offenders' Experience of 'Going Good'. *A thesis submitted for the degree of Doctor of Philosophy, of the Australian National University*. https://openresearch-repository.anu.edu.au/bitstream/1885/9847/1/01Front_Sullivan.pdf
- van Dijk J, Tseloni A and Farrell G 2012. *The international crime drop: New directions in research*. New York: Palgrave Macmillan
- Vivian A and Schierer E 2010. *Factors affecting crime rates in Indigenous communities in NSW: A pilot study in Bourke and Lightning Ridge*. Sydney: UTS Jumbunna Indigenous House of Learning. <https://www.uts.edu.au/sites/default/files/FinalCommunityReportBLNov10.pdf>
- Wan W-Y, Moffat S, Jones C and Weatherburn D 2012. *The effect of arrest and imprisonment on crime*. Contemporary Issues in Crime and Justice number 158. Sydney: NSW Bureau of Crime Statistics and Research
- Weatherburn D 2014. *Arresting Incarceration: Pathways out of Indigenous Imprisonment*. Canberra: Aboriginal Studies Press.
- Weatherburn D, Jones C, Snowball L and Hua J 2008. *The NSW Drug Court: A re-evaluation of its effectiveness*. Contemporary Issues in Crime and Justice no. 121. Sydney: NSW Bureau of Crime Statistics and Research. <http://www.bocsar.nsw.gov.au/Documents/CJB/cjb121.pdf>
- Weatherburn D and Lind B 2006. What mediates the macro-level effects of economic and social stress on crime? *The Australian and New Zealand Journal of Criminology* 39(3): 384–397
- Weatherburn D and Lind B 2011. *Delinquent-prone communities*. Cambridge, UK: Cambridge University Press
- Weatherburn D and Ramsey S 2016. *Trends in Indigenous offending NSW: 2001–2015*. Crime and Justice Statistics Issue Paper no. 117. Sydney: NSW Bureau of Crime Statistics and Research. <http://www.bocsar.nsw.gov.au/Documents/BB/Report-2016-Trends-in-Indigenous-offending-NSW-2001-2015-BB117.pdf>
- Weatherburn D and Schepel KT 2015. Economic adversity and crime: Old theories and new evidence. *The Australian Journal of Social Issues* 50 (1): 89–106
- Weatherburn D, Snowball L and Hunter B 2006. *The economic and social factors underpinning Indigenous contact with the justice system: Results from the 2002 NATS/ISS survey*. Contemporary Issues in Crime and Justice no. 104. Sydney: NSW Bureau of Crime Statistics and Research. <http://www.bocsar.nsw.gov.au/Documents/CJB/cjb104.pdf>
- Weatherburn D, Snowball L and Hunter B 2008. Predictors of Indigenous arrest: An exploratory study. *The Australian and New Zealand Journal of Criminology* 41(2): 307–322
- Wehipeihana N, Porima L and Spier P (2003). *Research on the New Life Akoranga Programme of the Mahi Tahī Trust*. Wellington: Ministry of Justice. <https://www.justice.govt.nz/assets/Documents/Publications/ResearchNewLifeMahiTahi.pdf>
- Wells JE, Horwood LJ and Fergusson DM 2004. Drinking patterns in mid-adolescence and psychosocial outcomes in late adolescence and early adulthood. *Addiction* 99: 1529–1541
- Worthington E and Webber A 2012. *Results of the Residential Break and Enter Offender Study*. Sydney: NSW Attorney General & Justice.
- Wundersitz J 2010. *Indigenous perpetrators of violence: Prevalence and risk factors for offending*. Research and public policy series no. 105. Canberra: Australian Institute of Criminology. <https://aic.gov.au/publications/rpp/rpp105>

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