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# Deaths in custody in Australia: National Deaths in Custody Program 2011–12 and 2012–13

Ashleigh Baker and Tracy Cussen

**AIC Reports**  
Monitoring  
Reports **26**



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# Acronyms

ABS	Australian Bureau of Statistics
AIC	Australian Institute of Criminology
MVP	motor vehicle pursuit
NDICP	National Deaths in Custody Program
RCIADIC	Royal Commission into Aboriginal Deaths in Custody

# Executive summary

## Overview of the Deaths in Custody Monitoring Program

In this report, information is presented on deaths in prison custody, as well as deaths in police custody and custody-related operations across Australian states and territories for the 2011–12 and 2012–13 financial years. The data presented in this report include frequencies of deaths in custody and information regarding the deceased, including demographic information and cause of death. This report also presents trend analysis from 1979–80 onwards for prison custody and from 1989–90 onwards for police custody and police custody-related operations. Rates are presented for prison custody deaths. They are not available for police custody and custody-related operations due to a lack of reliable data on the total number of people placed into police custody and/or involved in custody-related operations each year.

## Overview of findings for 2011–12 and 2012–13

In 2011–12 and 2012–13, there were 144 deaths in custody, 73 in 2011–12 (42 prison custody; 31 police custody and custody-related operations) and 71 in 2012–13 (53 prison custody; 18 police custody and custody-related operations). Aggregate data on deaths in each form of custody are presented below.

### *Prison custody*

Between 1 July 2011 and 30 June 2013, the National Deaths in Custody Program (NDICP) has

collected and analysed data on the following cases of deaths in prison custody:

- 95 total deaths in prison custody across Australia (including 15 Indigenous deaths; 16%).
- The majority of deaths were among the 55 years and older age group (41%; n=39) and the 40 to 50 year age group (35%; n=33). The mean age at death was 50.7 years and the median age was 50 years.
- All but one of those who died were males.
- More than two-thirds of deaths in prison were due to natural causes (n=64), most commonly cancer. Hanging deaths accounted for 19 percent (n=17) of prison custody deaths, with light fittings/ventilation grills/door handles the most common hanging points and bed sheets the most common material used.
- Data for 89 of the 95 deaths were available for manner of death. Of the 89 deaths, 72 percent (n=64) were due to natural causes, 24 percent (n=21) were self-inflicted and five percent (n=4) were unlawful homicides.
- The most serious offence leading to incarceration for 63 percent (n=60) of people who died in custody was a violent offence. Violent offences were the most common serious offence among both Indigenous and non-Indigenous prisoners. Theft-related offences and drug-related offences each accounted for 15 percent of the most serious offences associated with incarceration.
- Of the 95 deaths in prison custody over the reporting period, 76 percent were of sentenced prisoners and 24 percent were of unsentenced prisoners.
- Prison cells were the primary location of deaths in prison custody (42%; n=40), followed closely by public hospitals (38%; n=36). Deaths in prison

hospitals were less common (15%; n=14), as were deaths in other custodial settings (4%; n=5).

- As at the end of the financial year 2011–12 (30 June 2012), the Australian Bureau of Statistics (ABS) recorded a total Australian prison population of 29,381 (including 7,981 Indigenous Prisoners; 27%). The 42 prisoners who died in custody during this financial year represent 0.14 percent of the total prison population.
- The number of Indigenous deaths at the end of financial year 2011–12 (n=6) represents 0.08 percent of the Indigenous prisoner population and 0.02 percent of the overall prisoner population.
- As at the end of the financial year 2012–13 (30 June 2013), the ABS recorded a total prison population in Australia of 30,775 (including 8,430 Indigenous prisoners; 27%). The 53 prisoners who died in custody during this financial year represent 0.13 percent of the total prison population.
- The number of Indigenous deaths at the end of financial year 2012–13 (n=9) represents 0.1 percent of the Indigenous prisoner population and 0.03 percent of the overall prisoner population.

### *Police custody and custody-related operations*

Between 1 July 2011 and 30 June 2013, the NDICP collected and analysed data on the following cases of deaths in police custody and custody-related operations:

- 49 deaths in police custody and custody-related operations (6 Indigenous deaths; 12%).
- 45 percent (n=22) were Category 1a and 1b deaths (close contact), while 55 percent (n=27) were Category 2 deaths (operational/detainment related).
- Just over half (51%; n=25) of the deaths were among the 25–39 year age group. The 40–54 year old group accounted for 33 percent (n=16) of deaths. There was a large difference between median Indigenous age of death and non-Indigenous age of death (27.5 years compared with 41 years respectively).
- Males constituted the majority of deaths (96%; n=47).
- The most common cause of death was external/multiple trauma (43%, n=21), which includes

injuries sustained during/following motor vehicle pursuits (MVPs), as well as directly inflicted injuries such as stab wounds. Gunshot was the second most common cause, accounting for 23 percent (n=11) of deaths. Of the 11 gunshot deaths, five were police shootings and six were self-inflicted injuries. There were no hanging deaths in the reporting period.

- 12 deaths occurred due to external/multiple trauma during/after an MVP by police during the reporting period (8 in 2011–12 and 4 in 2012–13), which represents 25 percent of all deaths in the reporting period. All MVP deaths were males, with two being Indigenous. The deaths were approximately evenly distributed across the less than 25 years, 25–39 years and 40–59 year age groups.
- Coronial reports identified that similar proportions of deaths were self-inflicted (35%; n=17), or the result of accidents (39%; n=19). Five of the six Indigenous deaths were classed as accidents; one was classed as 'other'.
- The alleged offence leading to police contact was most frequently recorded against the violent offences category (41%; n=20), followed by traffic offences (18%; n=9).
- Over half of the deaths in police custody and custody-related operations occurred in public places (57%; n=28). Private property (20%; n=10) and public hospitals (16%; n=8) represented the majority of the remaining cases.
- The majority (78%; n=38) of deaths occurred while police were attempting to detain an individual. Seven deaths (14%) occurred in other circumstances; for example, during police escorts and four deaths occurred in an institutional setting (8%). There were no deaths classified as occurring during escape.
- MVP was the method of detainment that resulted in the most deaths (27%; n=13). Raids and the other/shooting categories accounted for 18 percent each (n=9 each), followed by sieges (16%; n=8). Consistent with the data definitions used in this monitoring program, deaths of persons who were innocent parties to a police operation are not deaths in custody. These individuals were not detained, nor were in the process of being detained, by police.

## Overview of long-term trends

Since 1979–80, a total of 2,463 deaths in custody have occurred, with 1,487 deaths in prison (60%), 953 deaths in police custody and custody-related operations (39%), 18 (0.7%) deaths in youth detention or welfare facilities and five (0.2%) deaths of individuals occurring in other criminal justice-related settings; for example, while being apprehended by Australian Federal Police officers. Of the 2,463 deaths in custody since 1979–80, 470 were Indigenous people and 1,993 were of non-Indigenous background.

### *Prison custody*

- There have been 1,487 deaths in prison custody since 1979–80 (including 253 Indigenous prisoners; 17%).
- Deaths in prison custody have typically occurred most frequently among the 25–39 year age group (38%; n=569). Indigenous prisoners have historically died at younger ages than non-Indigenous prisoners. Since 1979, 70 percent of Indigenous prisoners who died in custody have been aged 39 years or younger (n=177) compared with 53 percent non-Indigenous prisoners (n=664).
- Male deaths in prison custody have outnumbered female deaths in custody throughout the monitoring program's history. Of all deaths in prison custody, males have constituted 96 percent (n=1,425).
- Natural cause deaths have been the most common cause of death since 2000–01. The most common natural cause of death in prison custody has been from cardiac-related causes.
- Hanging deaths have declined, particularly since 2004–05. The most frequently used hanging points have been 'other fitting in cell' and cell bars, while the most common material used has been sheets (44%; n=244).
- Deaths due to drug or alcohol acute toxicity and external trauma have remained consistently low over time.
- Violent offences have consistently been the most serious offence associated with the deceased

person's detention since 1979 (53%; n=784), followed by theft-related offences (26%; n=391); however, rates of this offence category have decreased since the late 1990s. This has been the case for both Indigenous and non-Indigenous prisoners.

- Of all prison custody deaths, sentenced prisoners account for 69 percent (n=1017) of deaths, while 31 percent (n=455) of deaths were of unsentenced prisoners.
- Almost half of all prison deaths occurred in prison cells (52%; n=764), followed by public hospitals (29%; n=431) and prison hospitals (9%; n=130).

### *Police custody and custody-related operations*

There have been 750 deaths in police custody and custody-related operations since 1989–1990.

- Category 1a and b (close contact) and Category 2 (operational/detainment-related) have both been decreasing in the past decade; however prior to this, Category 2 contacts were more frequent.
- Indigenous persons have comprised 20 percent (n=147) of the 750 recorded deaths.
- The majority of deaths involved persons aged 25–39 years (43%; n=324), followed by those aged less than 25 years (29%, n=219). The majority of Indigenous deaths have been in the younger age groups, with 42 percent (n=58) of deaths in the less than 25 years group and 38 percent (n=53) in the 25–39 years age group. Comparatively, non-Indigenous deaths have been more widely distributed across the age groups.
- 93 percent (n=672) of deaths have been male and seven percent female (n=49); this trend has remained stable over time.
- Deaths in police custody and custody-related operations have been primarily attributed to accidents since 1989–90 (40%; n=96). Self-inflicted deaths have been the second most common manner of death, accounting for 32 percent (n=238) and have been gradually decreasing.
- External and multiple trauma, such as experienced during/after MVPs or stab wounds, has been the most frequently occurring cause of death since the early 1990s (33%; n=246).

Gunshot wounds were the most common cause of death prior to the early 1990s, after which it became the second most common cause of death (28%; n=210). Hanging deaths have been declining since 1993–94 to the point where there have been no recorded hanging deaths in the past three years. Natural cause deaths have been consistently low since 1989–90, accounting for 10 percent (n=77) of deaths.

- The violent offences category was the most serious offence category occurring at the highest frequency throughout 1989–90 to present (32%; n=237). Theft-related offences were the next most frequent category, associated with 21 percent (n=157) of deaths. Since 2001–02 to present, theft-related offences have been decreasing.
- Similar to the present reporting period, most deaths in police custody and custody-related operations have occurred in public places (43%; n=321). Public hospitals have been the second most frequent location of death (26%, n=192), although the frequency has fluctuated greatly over time.
- Deaths while attempting to detain have been the most common category associated with police custody and custody-related operations deaths since 1989–90, accounting for 73 percent (n=547) of deaths. While this is the most common category, numbers have generally been decreasing since 2008–09. Deaths in police institutional settings have been the next most common category, accounting for 23 percent (n=171) of deaths, but they have occurred much less frequently than the former category. Police institutional setting deaths have been gradually declining since 2004–05.
- Methods of detainment have varied substantially on an annual basis, but MVPs have consistently been the most common method resulting in a death over the last 24 years, constituting 23 percent (n=219) of police custody deaths. The ‘other pursuits’ category has typically been the least frequently recorded method of detainment.

# Introduction



The Royal Commission into Aboriginal Deaths in Custody (RCIADIC) commenced in 1987 in response to concerns regarding the number of Aboriginal and Torres Strait Islander people dying in custody. For the purposes of this report, the term *Indigenous* is used to refer to persons of an Australian Aboriginal and/or Torres Strait Islander background.

Overall, RCIADIC found that Indigenous people were not more likely to die in custody than non-Indigenous people, but were significantly overrepresented in custody compared with their proportion of the total Australian population. This remains true today, with the rate of overrepresentation continuing to increase (ABS 2013).

Among the concerns expressed in the final report of RCIADIC (1991) was the scarcity of reliable statistics on Indigenous contact with the criminal justice system. The Royal Commission recommended that an ongoing program be established to monitor Indigenous and non-Indigenous deaths in prison, police custody and youth detention. In response, NDICP was established at the Australian Institute of

Criminology (AIC) in 1992. Since then, NDICP has provided comprehensive data on deaths of all people who, at the time of their death, were:

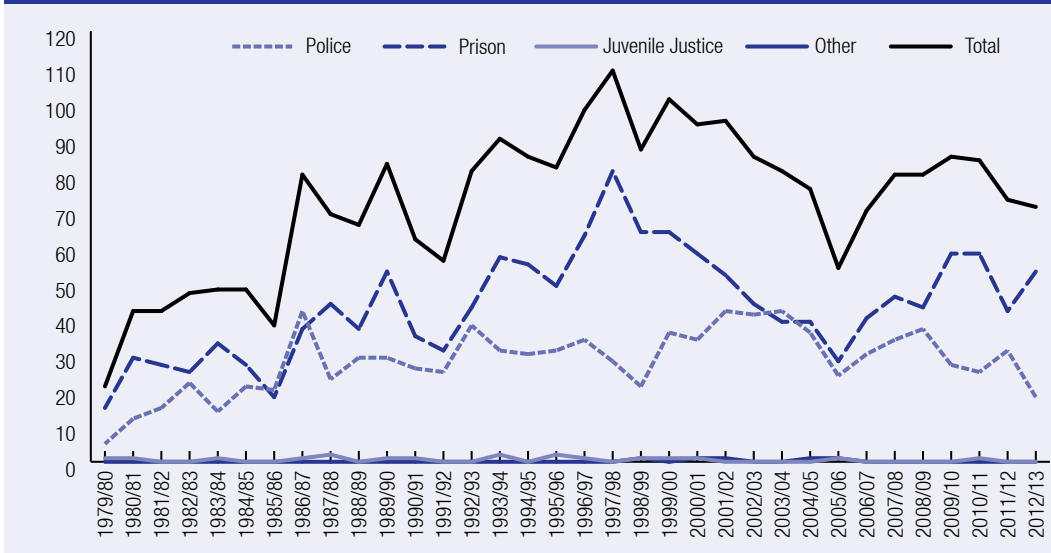
- in prison custody, police custody or youth detention; or
- attempting to escape from prison, police custody or youth detention.

NDICP also records the deaths of all people:

- whose death was caused, or contributed to, by traumatic injuries sustained, or by lack of proper care, while in such custody or detention; or
- who died, or were fatally injured in the process of police or prison officers attempting to detain that person (RCIADIC 1991).

Deaths in prison custody have been higher in number than deaths in police custody throughout the period of NDICP and comprise a substantial proportion of total deaths, such that trends in prison custody deaths strongly impact on overall trends for deaths in custody (see Figure 1).

**Figure 1 Trends in deaths in custody by custodial authority, 1979–80 to 2012–13 (n)**



Note: Prior to 1989–90 deaths in police operations were not recorded

Source: NDICP 1979–2013 [computer file]

## Compiling the National Deaths in Custody database

The information held in the NDICP database is based on two main data sources:

- NDICP data collection forms completed by all state and territory police services and correctional services agencies and sent to the AIC whenever a death occurs (including additional information such as offence records and police narratives); and
- coronial records, such as transcripts of proceedings and findings, as well as toxicology and post-mortem reports.

NDICP data collection forms allow information to be recorded on approximately 60 variables relating to the circumstances and characteristics of each death. Coronial data are accessed through the National Coroners Information System and are primarily used to confirm the cause and manner of death.

The NDICP database records Indigenous status as advised by Australian custody agencies. While there may be some variations in practice, custody agencies

determine Indigenous status through the use of the Standard Indigenous Question developed by the ABS (2014) and used in all of its data collections. The Standard Indigenous Question takes the form ‘are you of Aboriginal or Torres Strait Islander origin?’ with response categories of:

- No.
- Yes, Aboriginal.
- Yes, Torres Strait Islander.
- Yes, both Aboriginal and Torres Strait Islander.

### Definitions

The definitions used to determine whether a case is a death in custody are derived from the recommendations of the RCIADIC and are presented in Box 1. The definition of a death occurring in police custody stems from a 1994 resolution of the then Australasian Police Ministers’ Council. Previously, only deaths occurring in police institutional settings (Category 1a) were reported to NDICP and included in the dataset. The resolution of the Australasian Police Ministers’ Council allowed the definition to be expanded so deaths occurring during police operations (Category 1b

and Category 2) could be included and distinguished from those in institutional settings. As a result of retrospective data collection, Category 1a deaths since 1980 are included in NDICP and police operational deaths (Category 1b and Category 2) are included from 1990.

NDICP excludes deaths in immigration detention as administrative detention does not constitute custody within the criminal justice system.

## Box 1 Defining deaths in custody

### Death in prison custody

Deaths in prison custody include those deaths that occur in prison or youth justice facilities. This also includes the deaths that occur during transfer to or from these custody settings, or in medical facilities following transfer from adult and youth detention centres (RCIADIC 1991).

### Death in police custody

Deaths in police custody are divided into two categories:

#### Category 1

1a Deaths in institutional settings (eg police stations or lock-ups, police vehicles, hospitals, during transfer to or from such institutions, or following transfer from an institution).

1b Other deaths in police operations where officers were in close contact with the deceased. This includes most deaths linked to police raids and shootings by police. However, it would not include most sieges where a perimeter was established around a premise but officers did not have such close contact with the person to be able to significantly influence or control the person's behaviour.

#### Category 2

Other deaths during custody-related police operations. This includes most sieges and cases where officers were attempting to detain a person; for example, during a pursuit. This would cover situations where officers did not have such close contact with the person to be able to significantly influence or control the person's behaviour.

#### Excluded cases

- Deaths during police operations, such as search and rescue, evacuations or sieges, where the deceased was not detained or in the process of being detained.
- Deaths during operations to prevent a suicide, where the purpose was not to detain the deceased due to a breach of the law. If, after the death, it is discovered that the person had committed an offence, these cases may be included in the NDICP database retrospectively.
- Deaths of persons who were innocent bystanders of a police operation; for example, a pedestrian or passenger who dies as a result of a MVP and who was not a person the police were seeking to detain. If a passenger in the pursued vehicle was involved in the commission of an offence prior to the pursuit commencing, such as an armed robbery or motor vehicle theft, this death would generally fall within the scope of NDICP monitoring.
- Deaths in immigration detention, as these cases do not involve individuals being held or incarcerated for criminal justice purposes.



## Classification of cases

NDICP uses the definition of a death in custody as recommended by RCIADIC as a guide to which cases should be included in the NDICP database. While most of the cases are straightforward and fall within the definition, each year there are some cases where it is unclear whether the death should be classified as a death in custody.

For the purposes of NDICP, a person is considered to be in custody when they are not free to leave the detention or arrest of police or corrections officials. As outlined in Box 1, a death in custody is considered to have occurred in hospitals if injuries or an illness suffered while in custody caused or contributed to that death. In cases where police were clearly in the process of detaining or attempting to detain a person immediately prior to death, such as shootings, sieges, raids and pursuits, the person is considered to have been in custody at the time of death. In all of these cases, the question of inclusion within the scope of the NDICP centres on whether the deceased was in custody, or in the process of being taken into custody, at the time of death.

Standard practice for NDICP is that any borderline cases that have been identified in the present data collection period, which could not be further clarified, have been excluded until full clarification of the case can be obtained, which often occurs via a coronial finding. This exclusion may result in a delay of some years regarding those particular borderline cases, as they may not be heard in their jurisdiction's coroner's court for months or years, or a coroner's findings may be appealed. Despite this drawback, the integrity and reliability of NDICP is improved over the longer term as the coronial decision is a legally binding determination based on all evidence available. It is important to note that this may mean that the total number of deaths may be revised upward in future reports, as borderline cases are not counted for this report until the coronial findings are available and a final determination can be made as to whether they should be counted as a death in custody. Cases that are retrospectively included in the database are identified clearly, with any necessary adjustments to findings made in subsequent reports. Finally, each year, AIC data are cross-checked with the relevant custodial authorities

to ensure accuracy. Where information is missing from reports to NDICP, these are checked against coronial findings and necessary revisions made to the dataset.

## Indigenous status

When reporting statistics on the deaths of Indigenous persons, it is important to note, as with the criminal justice system more generally, Indigenous status is not always collected and when it is, the recording is not always consistent. Moreover, the way in which Indigenous status is determined varies between jurisdictions. The recording of Indigenous status may be based on a subjective judgement of physical appearance or may rely on self-reporting. As a result, the size of Indigenous involvement in the criminal justice system may be underestimated and this issue should be kept in mind when interpreting the data in this report.

## Calculating death rates

Where rates of prison death are presented in this report, they have been calculated using the results of the annual national prisoner census (ABS 2014a). The census counts all prisoners in legal custody in each jurisdiction as at midnight on 30 June. Where trends in rates of death are presented, the rates are only calculated back to 1981–82, as prison census data are not available prior to 1982. Rates of police custody deaths are not presented in this report because there is no reliable data source for:

- the number of people who are placed into police custody each year; and
- the number of people who come into contact with police in custody-related operations.

The AIC is developing a police custody monitoring program to be commenced during 2014–15, with a view to providing the baseline police custody data.

Finally, some variables have missing data where there is unknown information or the AIC is awaiting further detail. As a result, there are differences in the number of cases that contribute to the various analyses. Analyses have been conducted for the total number of cases for which the relevant information is available.

## *Report content*

This report presents data on deaths in prison custody and police custody and custody-related operations collated from all jurisdictions for the 2011–12 and 2012–13 financial years, as well as an overview of trends since 1979–80. Report Appendices provide the number of deaths against the variables reported for prison and police custody-related deaths for each year of data collection, including data collected retrospectively after the formation of the NDICP.

There were no deaths in juvenile detention in 2011–12 or 2012–13 and therefore, the total number of deaths in juvenile detention remains at 17 since 1979–80. Due to the small numbers, this

report contains no further information on deaths in juvenile detention.

As noted above, for the purposes of NDICP, immigration detention does not constitute custody within the criminal justice system and such deaths are not assessed. However, in the last report from NDICP (Lyneham & Chan 2013) it was noted that the AIC had begun discussions with staff of the Department of Immigration and Border Protection regarding the possibility of undertaking a pilot study into deaths in immigration detention, separate from NDICP. Following departmental restructuring and changes in personnel, the AIC is revisiting options for pursuing such a study and will continue discussions with the department.

# Deaths in prison custody

## 2011–12 and 2012–13

A total of 95 deaths occurred in prison custody across the 2011–12 (n=42) and 2012–13 (n=53) financial years. Across the jurisdictions:

- New South Wales recorded 37 deaths;
- Western Australia recorded 17 deaths;
- Victoria recorded 17 deaths;
- Queensland recorded 15 deaths;
- South Australia recorded four deaths;

- the Northern Territory recorded three deaths;
- Tasmania recorded two deaths; and
- no deaths were recorded in the Australian Capital Territory.

Prison populations differ greatly across the states and territories, which has an impact on the number and distribution of deaths recorded. Table 1 presents the rates of death in prison by financial year, relative to each jurisdiction's prison population (per 100 prisoners on an average day).

**Table 1 Deaths in prison custody by jurisdiction and Indigenous status, 2011–12 to 2012–13 (rate per 100 prisoners)<sup>a</sup>**

	Indigenous		Non-Indigenous		Total	
	n	rate	n	rate	n	ratea (rate ratio)
<b>2011–12</b>						
New South Wales	1	0.05	17	0.23	18	0.19
Victoria	0	0.00	4	0.09	4	0.08
Queensland	2	0.12	4	0.10	6	0.11
Western Australia	2	0.10	5	0.17	7	0.14
South Australia	0	0.00	4	0.25	4	0.19
Tasmania	0	0.00	1	0.24	1	0.20
Northern Territory	1	0.08	1	0.44	2	0.14

**Table 1 Deaths in prison custody by jurisdiction and Indigenous status, 2011–12 to 2012–13 (rate per 100 prisoners)<sup>a</sup> cont.**

	Indigenous		Non-Indigenous		Total	
	n	rate	n	rate	n	ratea (rate ratio)
Australian Capital Territory	0	0.00	0	0.00	0	0.00
Total	6	0.08	36	0.17	42	0.14 (0.47)
<b>2012–13</b>						
New South Wales	2	0.09	17	0.22	19	0.19
Victoria	1	0.26	12	0.24	13	0.24
Queensland	2	0.11	7	0.17	9	0.15
Western Australia	2	0.10	8	0.27	10	0.20
South Australia	0	0.00	0	0.00	0	0.00
Tasmania	1	1.49	0	0.00	1	0.21
Northern Territory	1	0.08	0	0.00	1	0.07
Australian Capital Territory	0	0.00	0	0.00	0	0.00
Total	9	0.11	44	0.20	53	0.17 (0.55)

a: Rate per 100 prisoners on an average day (SCRGSP 2014a) rate ratio: Indigenous/non-Indigenous

Source: AIC NDICP 1979–2013 [computer file]

## Trend

A total of 1,487 deaths in prison custody have been recorded across Australia since 1979–80 (see Table A1 for a breakdown of the number of deaths by jurisdiction and financial year). Rates of death are available since 1981–82 and have fluctuated over time with an historical high of 0.44 deaths per 100 prisoners recorded in 1997–98. From 1997–98 through 2005–06, a consistent and statistically significant decline was recorded (see Figure 2). In more recent years, rates have fluctuated from 0.14 to 0.20 deaths, with 0.17 deaths per 100 prisoners recorded in 2012–13, the most recent year of data collection.

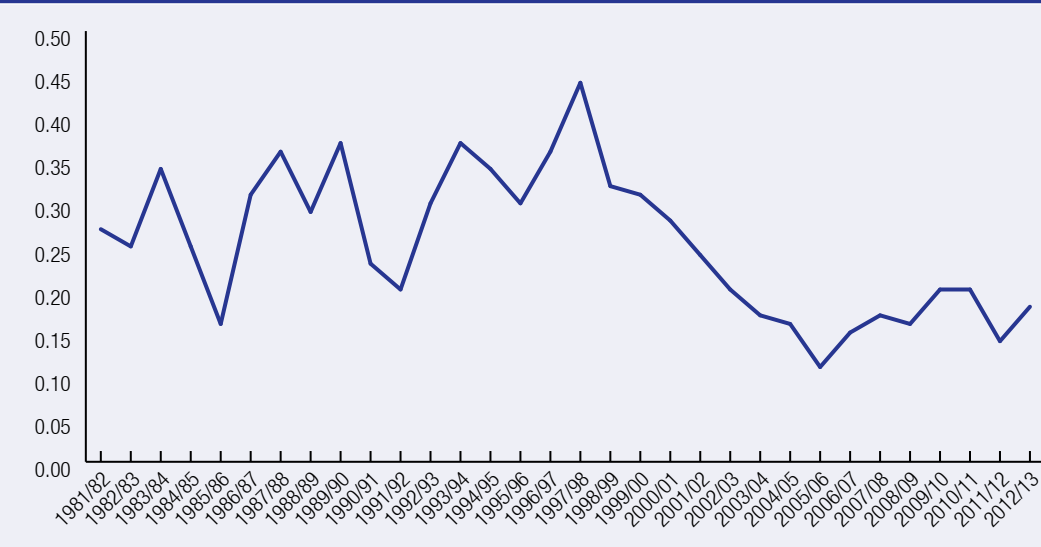
The prison population has generally risen since 1981–82, with only three declines recorded over the last 32 years—one decline from 1982–83 to 1983–84, another decline from 1991–92 to 1992–93

and the third decline between 2009–10 and 2010–11. Since the last NDICP monitoring report timeframe (2010–11), the number of people in prison has increased by approximately seven percent (ABS 2013), while the number of deaths recorded in 2012–13 was 8.6 percent lower than the number recorded in 2010–11 ( $n=53$  cf  $n=58$ ).

## Demographic characteristics

The Indigenous status, age and sex of people who die in prison custody are recorded within NDICP. An overview of these demographic characteristics (number and rate) as they relate to deaths of people in 2011–12 and 2012–13 is presented in Table 2. Historical data are presented in Tables A3–A5.

Figure 2 Prison custody deaths, 1981–82 to 2012–13 (rate per 100 prisoners)<sup>a</sup>



a: Rate per 100 prisoners (SCRGSP 2014a)

Source: AIC NDICP 1979–2013 [computer file]

Table 2 Prison custody deaths by Indigenous status, sex, and age, 2011–12 and 2012–13 (rate per 100 prisoners)<sup>a</sup>

	2011–12		2012–13		Total
	n	rate	n	rate	n
<b>Indigenous status</b>					
Indigenous	6	0.08	9	0.11	15
Non-Indigenous	36	0.17	44	0.20	80
All persons	42	0.14	53	0.18	95
<b>Sex</b>					
Male	42	0.15	52	0.18	94
Female	0	0	1	0.04	1
<b>Age</b>					
Less than 25 yrs	3	0.06	2	0.04	5
25–39 yrs	8	0.05	10	0.06	18
40–54 yrs	11	0.15	22	0.29	33
55+ yrs	20	0.97	19	0.87	39
Median (mean)	53 (53.2) years		49 (48.8) years		50 (50.7) years
Total	42	0.14	53	0.17	95

a: Rate per 100 prisoners on an average day (SCRGSP 2014a)

Source: AIC NDICP 1979–2013 [computer file]

## Indigenous status

### 2011–12 and 2012–13

There were 29,213 prisoners in Australia as at 30 June 2012 and of these, 27 percent (n=7,757) were of an Indigenous background (SCRGSP 2014a). Six of the 42 deaths in 2011–12 were of Indigenous persons (see Table 2), equating to 14 percent of all prison deaths.

In the 2012–13 financial year, a similar proportion of the total 30,081 detainees in prison custody were identified as Indigenous (27%; n= 8,259; SCRGSP 2014a). However, the modest increase in prisoner death numbers between 2011–12 and 2012–13 was also reflected in the number of Indigenous people who died in custody. In 2012–13, nine of the 53 deaths were of Indigenous persons, equating to 17 percent of all prison deaths.

Using prison population data from the Report on Government Services (SCRGSP 2014a), the rates of death in prison custody across Australia were:

- 0.08 per 100 Indigenous prisoners and 0.17 per 100 non-Indigenous prisoners in 2011–12; and
- 0.11 per 100 Indigenous prisoners and 0.20 per 100 non-Indigenous prisoners in 2012–13

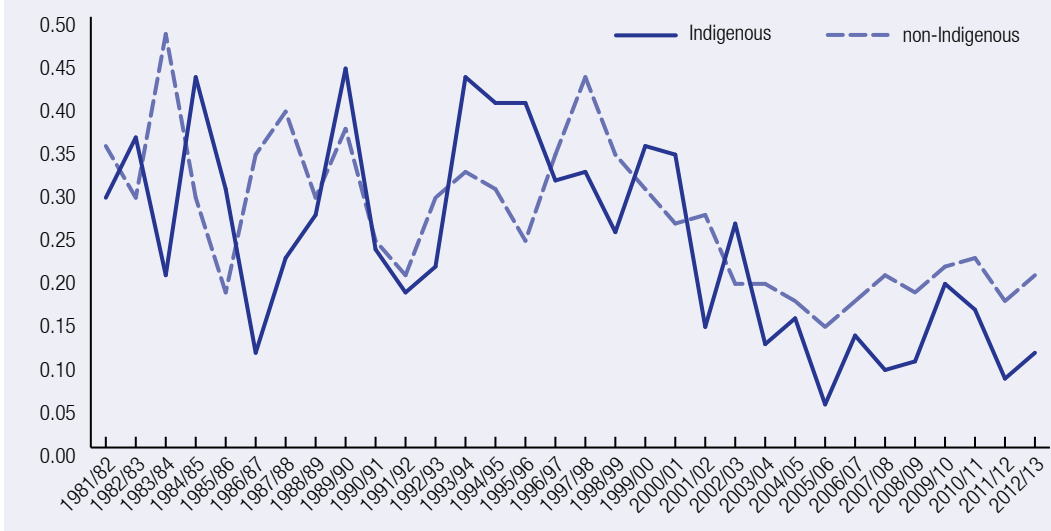
100 non-Indigenous prisoners in 2012–13 (SCRGSP 2014a).

### Trend

The number of both Indigenous and non-Indigenous deaths in prison custody fluctuates annually. Since 1979–80, 253 Indigenous persons have died in prison custody. Over the last 10 financial years, there have been only two occasions where the number of Indigenous deaths has exceeded 10 per year (2009–10 and 2010–11). Overall, the proportion of deaths of Indigenous people has been smaller than their relative representation as prisoners.

The rates of both Indigenous and non-Indigenous deaths have also fluctuated. For Indigenous Australians, rates have ranged from a low of 0.08 per 100 population in 2011–12, to a high of 0.43 per 100 population recorded in both 1984–85 and 1993–94. The recorded rates of death of non-Indigenous people have ranged from 0.14 per 100 recorded in 2005–06 to 0.48 per 100 recorded in 1983–84 (see Figure 3). Over the last decade, the rate of death for Indigenous persons in prison custody has generally been lower than that of non-Indigenous prisoners.

**Figure 3 Prison custody deaths by Indigenous status, 1981–82 to 2012–13 (rate per 100 prisoners)<sup>a</sup>**



a: Rate per 100 prisoners on an average day (SCRGSP 2014a)

Source: AIC NDICP 1979–2013 [computer file]

## Sex

### 2011–12 and 2012–13

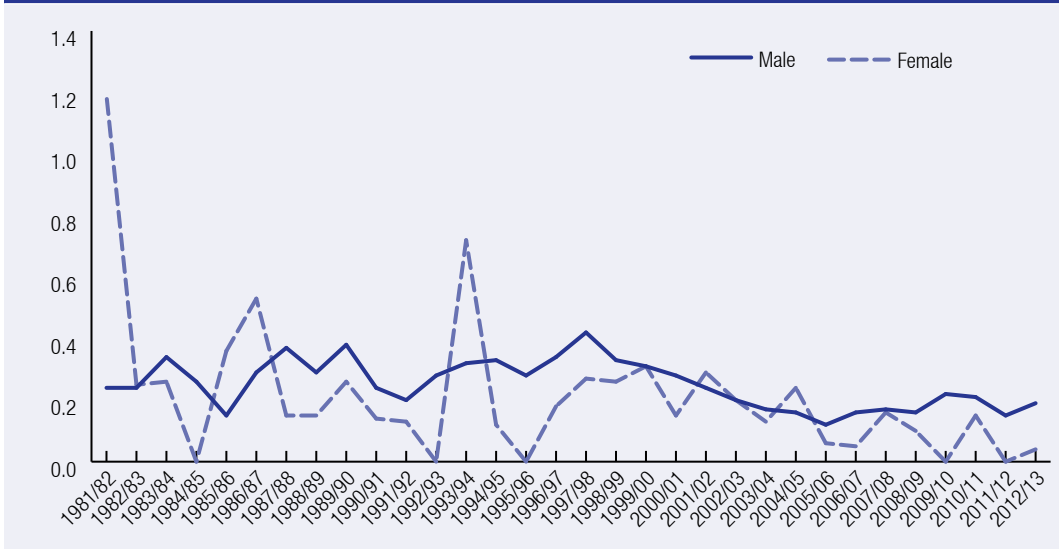
In 2011–12, each of the 42 prisoner deaths was of a male detainee, with a rate of 0.15 per 100 population. Of the 53 prisoner deaths in 2012–13, one female prisoner and 52 male prisoners died. The rate of death of female prisoners was 0.04 per 100 prisoners and the rate for males was 0.18 per 100 prisoners (see Table 2).

### Trend

Male deaths have consistently outnumbered female deaths each year since 1979–80 (see Table A3), with

96 percent of all deaths being males. This generally corresponds with the gender distribution of the Australian prison population, where 92 percent of prisoners are male (ABS 2014a). From 1997–98 through 2005–06, the rate of death of male prisoners steadily declined. Since 2005–06, the rate has been more variable. Greater fluctuations are evident in the rate of female deaths due to the small numbers involved (see Figure 4). Current rates of death for both male and female prisoners are lower than those reported in the last monitoring report (0.18 *cf* 0.21 *per 100* for males; 0.04 *cf* 0.15 *per 100* for females).

**Figure 4 Prison custody deaths by sex, 1981–82 to 2012–13 (rate per 100 prisoners)<sup>a</sup>**



a: Rate per 100 prisoners on an average day (SCRGSP 2014a)

Source: AIC NDICP 1979–2013 [computer file]

# Age

## 2011–12 and 2012–13

Across the 2011–12 and 2012–13 financial years, the median age at time of death of those in prison custody was 50 years (see Table 2). The median age at time of death was lower for Indigenous prisoners (48 years) than for non-Indigenous prisoners (52.5 years).

In 2011–12, the age group constituting the most deaths was 55 years and over (n=20; 48%), while in 2012–13, a similar number of deaths occurred in the 55 years and over age group (n=22; 42%) as in the 40–54 year old age group (n=19; 36%).

### Trend

Since 1979–80, almost one in five (18%; n=272) deaths have been of persons aged less than 25 years; 38 percent (n=569) have been of persons aged 25 to 39 years, 23 percent (n=343) have been of persons aged 40 to 54 years and 20 percent (n=303) have been of persons aged over 55 years (see Table A5). Since 2000, the number of deaths of prisoners aged 55 years and over has been greater than the number of deaths of people aged 25 years or less.

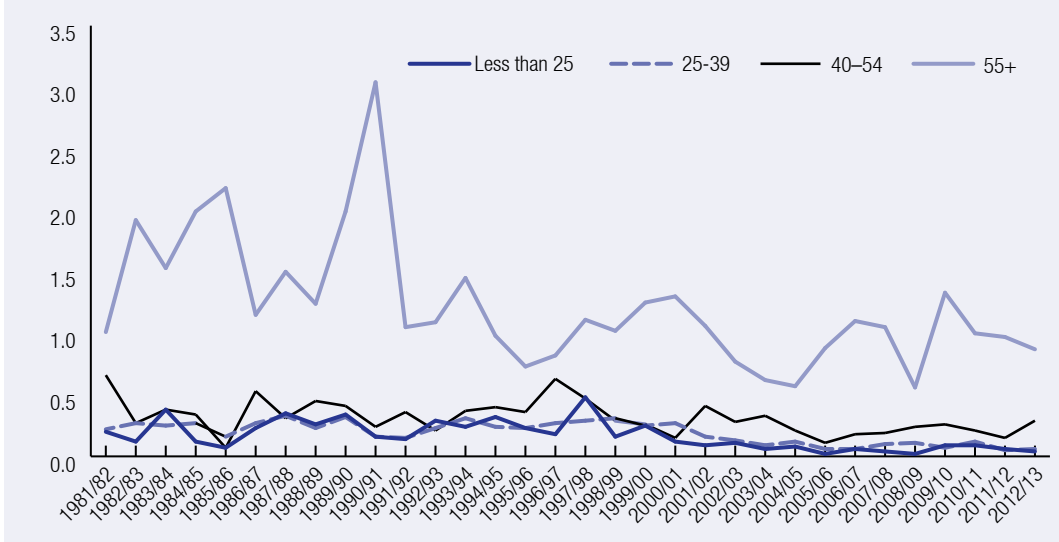
Historically, a greater proportion of Indigenous prisoners die in the younger age groups compared with non-Indigenous prisoners. This is consistent with the lower life expectancy and lower median age of

Indigenous Australians in the general population (ABS 2011, SCRGSP 2014b). In the 33 years to 2012–13, Indigenous prisoners who died in prison were in the following age categories:

- less than 25 years (23%; n=59);
  - 25–39 years (47%; n=118);
  - 40–54 years (24%; n=60);
  - 55 years and older (6%; n=16).
- Over the same time period, the proportion of deaths of non-Indigenous prisoners in each of the age categories was:
- less than 25 years (17%; n=213);
  - 25–39 years (37%; n=451);
  - 40–54 years (22%; n=283);
  - 55 years and older (23%; n=287).

Rates of death by age category are strongly linked to the overall number of prisoners within that age category. As Australia’s prison population increases, so too does the number of detainees in each age category. As at 30 June 2013, prisoners aged 25–39 years accounted for half the population (n=15,386), while detainees aged 55 years or more accounted for seven percent of the overall prison population (n=2,187). As can be seen in Figure 5, there is a fluctuation in rates of death by age category and a very slight increase in rates of death among people 40–54 years and 25–39 years over the previous financial year (see Table 2 and Figure 5).

**Figure 5 Prison custody deaths by age category, 1981–82 to 2012–13 (rate per 100 prisoners)<sup>a</sup>**



a: Rate per 100 prisoners, census data (ABS 2013)

Source: AIC NDICP 1979–2013 [computer file]



# Cause of death

## 2011–12 and 2012–13

Table 3 depicts the cause of death, as ascertained from autopsy reports, of prisoners who died during 2011–12 through 2012–13.

More than two-thirds of deaths in prison custody were due to natural causes (n=64; see Table 3). The majority of natural cause deaths were of people aged over 40 years for both Indigenous (53%; n=8) and non-Indigenous (65%; n=52) prisoners. Cancer was the leading cause of death among all prisoner deaths (n=19; 21% of deaths overall and 34% of natural cause deaths; see Table 4).

**Table 3 Prison custody deaths by cause of death, 2011–12 and 2012–13 (n)**

	2011–12			2012–13			Total <sup>a</sup>	
	Indigenous	Non-Indigenous	All persons	Indigenous	Non-Indigenous	All persons	n	%
Hanging	1	7	8	1	8	9	17	19
Natural causes	5	27	32	7	25	32	64	71
Head injury	0	0	0	0	1	1	1	1
External/multiple trauma	0	1	1	0	5	5	6	7
Drugs	0	0	0	0	1	1	1	1
Other/multiple causes	0	0	0	0	1	1	1	1
<b>Total</b>	<b>6</b>	<b>35</b>	<b>41</b>	<b>8</b>	<b>41</b>	<b>49</b>	<b>90</b>	<b>100</b>

a:1 case excluded from 2011–12 non-Indigenous group due to missing data; 1 Indigenous case and 3 non-Indigenous cases excluded from 2012–13 cases due to missing data

Source: AIC NDICP 1979–2013 [computer file]

**Table 4 Natural cause deaths in prison 2011–12 and 2012–13 (n)**

	2011–12			2012–13			Total	
	Indigenous	Non-Indigenous	All persons	Indigenous	Non-Indigenous	All persons	n	%
Heart	2	5	7	2	5	7	14	25
Cancer	0	8	8	2	9	11	19	34
Stroke	0	0	0	0	1	1	1	2
Respiratory	1	2	3	0	2	2	5	9
Infectious	0	0	0	0	1	1	1	2
Other disease	0	3	3	0	0	0	3	5
Other/multiple	2	6	8	0	5	5	13	23
<b>Total</b>	<b>5</b>	<b>24</b>	<b>29</b>	<b>4</b>	<b>23</b>	<b>27</b>	<b>56</b>	<b>100</b>

Note: Excludes deaths where cause had not been determined by a Coroner at time of reporting

Source: AIC NDICP 1979–2013 [computer file]

Seventeen deaths (19%) resulted from hanging during the 2011–12 and 2012–13 financial years; two of these deaths involved Indigenous prisoners. At the time of reporting, the hanging points had been identified in 12 of the 17 deaths and comprised fittings in the cell (eg light fittings, ventilation grills or door handles (n=7), cell bars (n=2), bed bunks (n=2) and shower fixtures (n=1)). The materials used were identified for 14 deaths and were sheets (n=8), shoelaces (n=3), rope/cord (n=2) and a belt (n=1).

### Trend

As shown in Figure 6, the greatest variability evident in causes of death since 1979–80 was for hanging deaths and natural cause deaths. Hanging deaths have declined, particularly since 2004–05, and overall account for 37 percent (n=545) of all deaths in prison custody since 1979–80. Since 1979–80, 28 percent of hanging points (n=153) were a cell fitting and 25 percent (n=136) of hanging points were the cell bars. The most commonly used material in hanging deaths has been sheets (n=241; 44%; see Tables A7–A8).

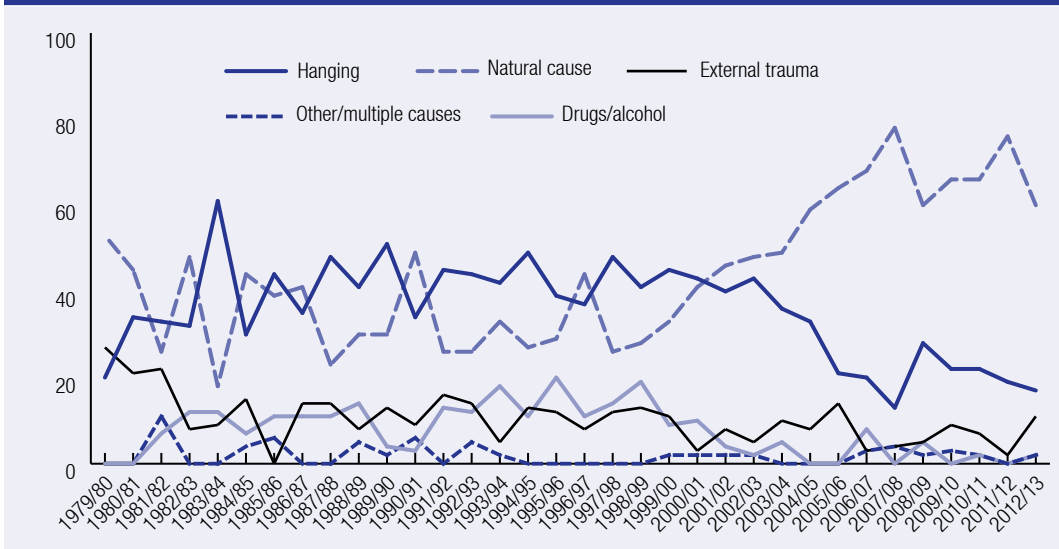
Since 2000–01, natural cause deaths have consistently outnumbered all other causes of death (see Table A9, Figure 6) and the proportion of deaths attributed to natural causes has exceeded two-thirds since 2005–06. In the 33 years to 2012–13, 44 percent (n=647) of all deaths in prison have resulted from natural causes. More natural cause deaths have been attributed to heart disease and other cardiac ailments (n=277; 45%) than any other natural cause.

Deaths due to drug or acute alcohol toxicity have been consistently low, with a small increase in the late 1990s. Deaths due to external trauma (eg strangulation, stabbing, police pursuits, head injury, gunshot wounds) have also occurred infrequently.

Since 1979–80, the deaths of Indigenous prisoners have been due to:

- natural causes (55%; n=139);
- hanging (34%; n=86);
- external trauma (5%; n=14);
- drugs (4%; n=11); and
- other causes (<1%).

**Figure 6 Prison custody deaths by cause of death, 1979–80 to 2012–13 (%)**



Note: External trauma includes gunshots and head injuries

Source: AIC NDICP 1979–2013 [computer file]

## Manner of death

*Manner of death* refers to the accountability or responsibility for the death as reported by the coroner or by prison authorities. Manner of death may be classed as *self-inflicted*, *due to natural causes*, *justifiable (or lawful) homicide*, *unlawful homicide*, *accidental* or *other*.

The manner of death is different to the cause of death but is a related variable and therefore the finding may be similar. For example, where a person dies as a result of natural causes, their death will be recorded as natural causes for both cause and manner of death. In other cases, cause and manner of death will differ. For example, where a person dies after hanging themselves, cause of death will be recorded as hanging and manner of death will be recorded as either self-inflicted or accidental hanging.

### 2011–12 and 2012–13

At the time of reporting, the manner of death for 89 of the 95 prison deaths across the 2011–12 and

2012–13 financial years was known. Sixty-four of these 89 deaths (72%) were due to natural causes (see Table 5). A further 21 deaths (24%) were considered to have been self-inflicted and four (5%) were unlawful homicides.

### Trend

Since 1979–80, 44 percent (n=647) of prison deaths have been due to natural causes and 42 percent (n=616) were self-inflicted (see Table A8, Figure 7). Over this period:

- self-inflicted deaths and deaths due to natural causes have consistently been the two most frequently recorded manners of death each year;
- there have been only six lawful homicides, none since 2001–02;
- accidental deaths have accounted for only eight percent of all deaths in prison with none recorded in the last two financial years;
- of the 1,487 deaths that have occurred in the last 33 years, the manner of death was unknown or undetermined for 21 (1.4%).

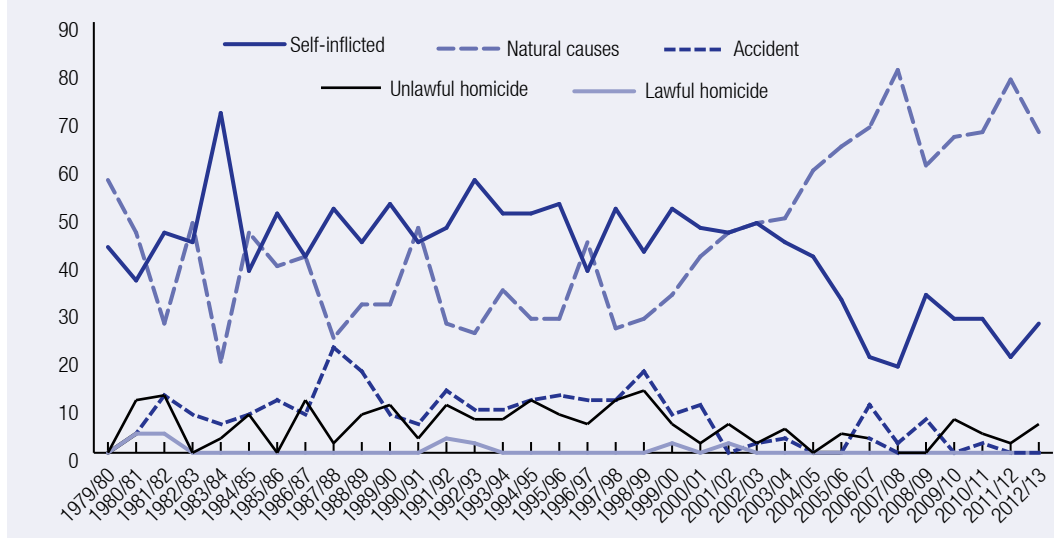
**Table 5 Prison custody manner of death 2011–12 and 2012–13 (n)**

	2011–12			2012–13			Total	
	Indigenous	Non-Indigenous	All persons	Indigenous	Non-Indigenous	All persons	n	%
Self-inflicted	1	7	8	1	12	13	21	24
Natural causes	5	27	32	7	25	32	64	72
Justifiable homicide	0	0	0	0	0	0	0	0
Unlawful homicide	0	1	1	0	3	3	4	5
Accident	0	0	0	0	0	0	0	0
Total	6	35	41	8	40	48	89	100

Note: One non-Indigenous 2011–12 case excluded due to missing data; Five 2012–13 cases excluded due to missing data (1 Indigenous 3 non-Indigenous, 1 unspecified ethnicity)

Source: AIC NDICP 1979–2013 [computer file]

Figure 7 Prison custody deaths by manner of death, 1979–80 to 2012–13 (%)



Source: AIC NDICP 1979–2013 [computer file]

## Most serious offence

NDICP collects information on the offence leading to custody. The offences are grouped into six categories based on severity of offence:

- violent offence—includes homicide, assault, sex offences, other offences against the person and robbery;
- theft-related offence—includes break and enter, other theft, property damage and fraud;
- drug-related offence—includes possessing, using, dealing, trafficking and manufacturing/growing drugs;
- traffic offence—includes road traffic, driving and license offences;
- good order offence—includes public drunkenness, protective custody for intoxication in jurisdictions where public drunkenness is not an offence, justice procedure offences, breaches of sentences (including fine default) and other offences against good order (eg prostitution, betting and gambling,

disorderly conduct, vagrancy and offensive behaviour); and

- other/unknown—includes other offences not elsewhere classified or where the most serious offence is unknown.

Where information on more than one offence is submitted to the NDICP by the data provider, only the most serious of those is assigned to the case.

### 2011–12 and 2012–13

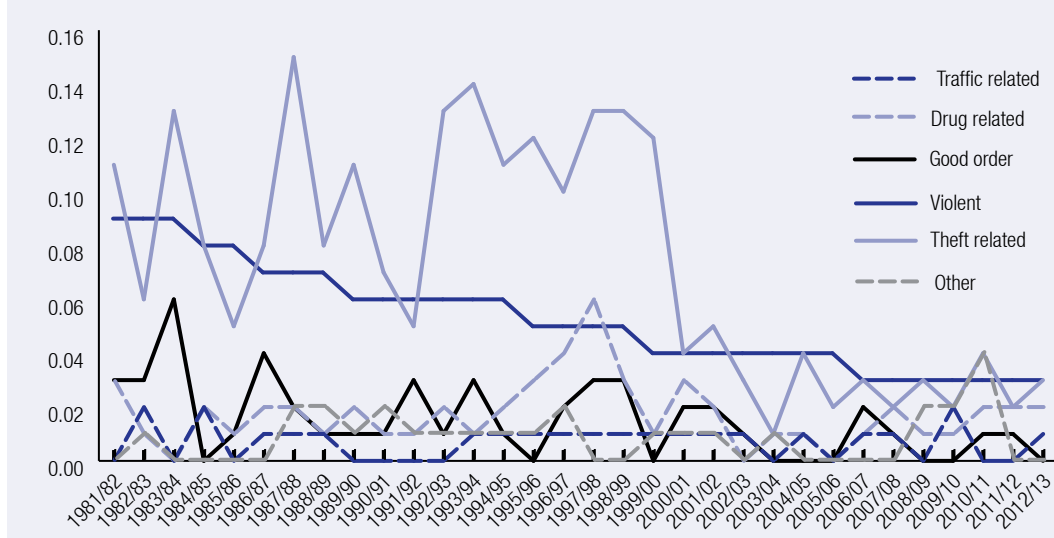
The most serious offence leading to incarceration was recorded for 94 of the 95 prisoner deaths occurring in the 2011–12 and 2012–13 financial years. Sixty (64%) of these prison deaths were of people whose most serious offence was violent in nature (see Table 6). Fourteen people (15%) had committed a theft-related offence and 14 (15%) others a drug-related offence. The most common offences leading to custody for both Indigenous and non-Indigenous prisoners were violent offences.

**Table 6 Prison custody deaths by most serious offence 2011–12 and 2012–13 (n)**

	2011–12			2012–13			Total	
	Indigenous	Non-Indigenous	All persons	Indigenous	Non-Indigenous	All persons	n	%
Violent	3	24	27	5	28	33	60	64
Theft-related	2	3	5	1	8	9	14	15
Drug-related	1	6	7	1	6	7	14	15
Good order	0	3	3	0	0	0	3	3
Traffic	0	0	0	1	1	2	2	2
Other	0	0	0	0	1	1	1	1
Total	6	36	42	8	44	52	94	100

Source: AIC NDICP 1979–2013 [computer file]

**Figure 8 Prison custody deaths by most serious offence, 1981–82 to 2012–13 (rate per 100 prisoners)<sup>a</sup>**



a: Rate per 100 prisoners on an average day (SCRGSP 2014a)

Source: AIC NDICP 1979–2013 [computer file]

### Trend

In Figure 8, the trends in rates of death since 1979–80 are presented according to the most serious offence leading to imprisonment. The trends for specific offences show that:

- rates of deaths of violent offenders have fallen over the years;
- rates of deaths among theft-related offenders fluctuated widely until the late 1990s, but have declined considerably since then and become more stable; and
- rates of deaths of other offenders have been consistently low and have never approached the rates of violent offenders.
- Since 1979–80, the majority of both Indigenous (57%; n=145) and non-Indigenous (52%; n=639) deaths in prison custody have been of violent offenders.

**Table 7 Prison custody deaths by location of death 2011–12 and 2012–13 (n)**

	2011–12			2012–13			Total	
	Indigenous	Non-Indigenous	All persons	Indigenous	Non-Indigenous	All persons	n	%
Public hospital	3	12	15	4	17	21	36	38
Prison hospital	0	9	9	0	5	5	14	15
Cell	3	14	17	4	19	23	40	42
Custodial setting	0	1	1	1	3	4	5	5
Other	0	0	0	0	0	0	0	0
Total	6	36	42	9	44	53	95	100

Source: AIC NDICP 1979–2013 [computer file]

## Location of death

### *2011–12 and 2012–13*

From 2011–12 through 2012–13, 40 (42%) prisoner deaths occurred in cells, 36 (38%) in public hospitals, 14 (15%) in prison hospitals and five (5%) in other custodial settings (See Table 7). When a prisoner dies in a public hospital, the cause of death or precipitating incident will generally have occurred within a prison setting. Further information on the circumstances of death in these cases can be found in the ‘cause of death’ section above.

### Trend

Since 1979–80, over half of all prison deaths (51%; n=764) have occurred in prison cells (see Table A11). The proportion of all deaths occurring in cells are the same for both Indigenous (51%; n=132) and non-Indigenous (51%; n=632) prisoners. Public or prison hospitals accounted for the location of death of 561 prisoners over time (37%). A smaller number of deaths have occurred within the prison grounds but outside of cells (n=73; 5%).

## Legal status of prisoners who died in custody

### *2011–12 and 2012–13*

On 30 June 2013, 76 percent of all prisoners across Australia were serving a sentence (n=23,335), while the remaining 24 percent (n=7,374) were unsentenced prisoners on remand (SCRGSP 2014a). Of the 95 deaths that occurred from 2011–12 through 2012–13, 72 (76%) were of sentenced prisoners and 23 (24%) were of prisoners on remand. The number and rate of death by sentenced status for the two financial years are presented in Table 8. However, caution should be taken when interpreting the rates of death for unsentenced prisoners. The calculation of rates of death among these prisoners relies on an accurate count of the total annual number of unsentenced prisoners, which is currently not available. The prisoner numbers are based on census data taken at 30 June each year and cannot account for the total number of prisoners annually. Although true of all prisoners this is particularly relevant to a remand population whose length of time in custody is more variable.

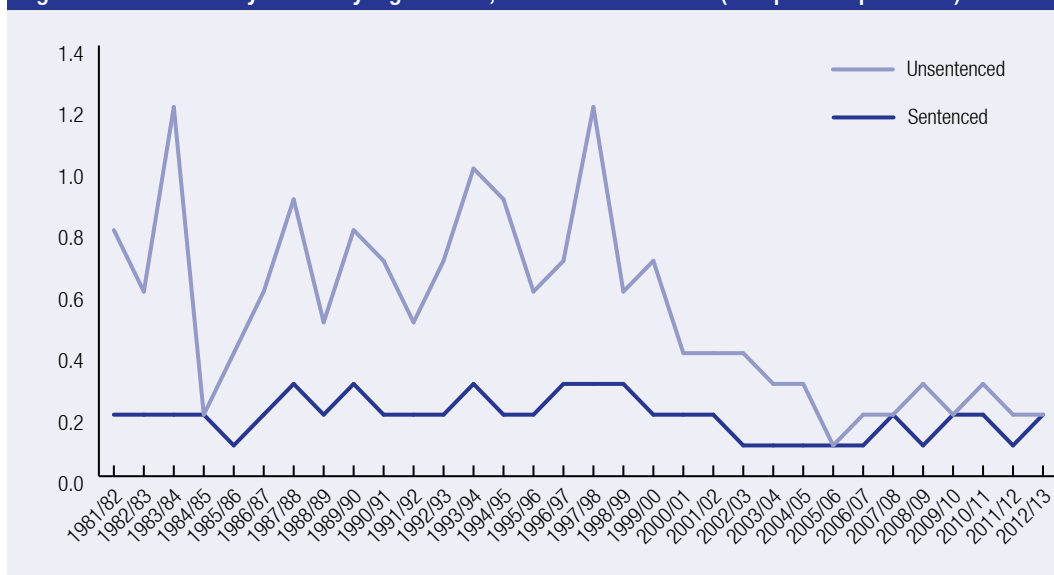
**Table 8 Prison custody deaths by legal status 2011–12 and 2012–13 (rate per 100 prisoners)<sup>a</sup>**

	2011–12		2012–13		Total
	n	rate	n	rate	n
<b>Sentenced</b>					
Indigenous	6	0.10	9	0.14	15
Non-Indigenous	25	0.15	32	0.19	57
All persons	31	0.14	41	0.18	72
<b>Unsentenced</b>					
Indigenous	0	0.00	0	0.00	0
Non-Indigenous	11	0.23	12	0.23	23
All persons	11	0.16	12	0.18	23
Total	42		53		95

a: Rate per 100 prisoners on an average day (SCRGSP 2014a)

Source: AIC NDICP 1979–2013 [computer file]

**Figure 9 Prison custody deaths by legal status, 1981–82 to 2012–13 (rate per 100 prisoners)<sup>a</sup>**



a: Rate per 100 prisoners, census data (ABS 2013)

Source: AIC NDICP 1979–2013 [computer file]

## Trend

Trends in the overall rates of death of unsentenced prisoners demonstrate high variability over time, with a pronounced decline across the years (see Figure 9). Overall, the legal status has been recorded for 1,472 of the 1,487 (99%) recorded cases of deaths in prison custody since 1979–80. Of these deaths, 1,017 (n=69%) have been of sentenced prisoners and the remaining 455 deaths (31%) have been of remandees.

Over the last 33 years, the majority of sentenced prisoner deaths have resulted from natural causes (54%; n=551), while the majority of unsentenced prisoner deaths have been due to hangings (62%; n=284). Data indicated that Indigenous prisoners are not more likely to hang themselves prior to sentencing, as the proportion of Indigenous and non-Indigenous deaths by legal status are approximately equal (26% of Indigenous deaths have been of unsentenced prisoners *cf* 31% of non-Indigenous deaths).

## Type of prison in which deaths occurred: Government and private

In 2012–13, 81 percent of all prisoners (n=23,703) were detained in prisons operated by state and territory Corrective Services Departments. The

majority of deaths also occur in these government institutions (80%; n=76; see Table 9).

It is difficult to make comparisons between deaths across government and private settings because the prisons will differ by security level and the profiles of the detainee population is also likely to differ by classification, offence history and a range of other factors including the proportion of Indigenous prisoners. General characteristics can however be documented to identify substantive differences as they emerge.

Over the 20 years to 2012–13 that NDICP has been collecting data on private prison deaths:

- 89 percent (n=136) have been deaths of non-Indigenous people (*cf* 80%; n=740 in government prisons);
- prisoners aged 55 years of age and older accounted for more private prisoner deaths than any other age category (32%; n=49), while in government institutions, a greater proportion of deaths were of people aged 25–39 years (38%; n=354) than any other age group;
- both the cause and manner of death was most likely to be natural causes in each prison type (53%, n=80 private; 46%, n=425 government); and
- a majority of deaths in both private and government-run prisons have been of sentenced prisoners (64%, n=97; 69%, n=642, respectively).



**Table 9 Prison custody deaths by type of prison, 2011–12 to 2012–13 (rate per 100 prisoners)<sup>a</sup>**

	2011–12		2012–13		Total
	n	rate	n	rate	n
<b>Private</b>					
Indigenous	2		0		2
Non-Indigenous	8		9		17
All persons	10	0.18	9	0.16	19
<b>Government</b>					
Indigenous	4		9		13
Non-Indigenous	28		35		63
All persons	32	0.13	44	0.19	76
<b>All prisons</b>					
Indigenous	6		9		
Non-Indigenous	36		44		
All persons	42		53		95

a: Rate per 100 prisoners on an average day (SCRGSP 2014a)

Source: AIC NDICP 1979–2013 [computer file]

# Deaths in police custody and custody-related operations

Deaths in police custody are divided into two categories:

Category 1: Deaths in institutional settings and deaths in police operations where officers were in close contact with the deceased.

Category 2: Deaths during custody-related police operations.

Full definitions and examples of the two categories are provided above (see *Introduction Box 1*). When interpreting data on police custody and custody-related operations, it is important to keep in mind that the number of police custody episodes/arrests for the reporting period is not known. Consequently, the calculation of rates of deaths in police custody and custody-related operations is not possible. Percentages have been provided in Tables; however, they should be interpreted with an understanding that they are in the context of overall low numbers and therefore, greater focus should be given to the counts provided in the number ('n') columns.

Trends in police custody deaths are best interpreted from 1990 onwards, as only Category 1a deaths (police institutional settings) were included in the collection prior to 1990; these are not directly comparable with the deaths recorded after 1990.

Category 1 and Category 2 deaths in police custody and custody-related operations are considered separately in the beginning of this section and in the cause of deaths section, in order to adequately address MVP deaths and police shootings. However, deaths in police custody and custody-related operations will generally be presented at an aggregate level.

## 2011–12 and 2012–13

During the 2011–12 and 2012–13 reporting period, there were 49 deaths in Australian police custody and custody-related operations; 31 occurred in 2011–12 and 18 in 2012–13. The marked change between the first and second year will be monitored in future reporting periods to determine if it is part of a trend or an anomaly.

Of the 49 deaths:

- 22 (45%) were Category 1a and 1b deaths (close contact) and 27 (55%) were Category 2 (operational/detainment-related);
- six deaths (12%) were of persons of Indigenous background and 43 (88%) were of persons of non-Indigenous background;

- 47 (96%) were male and two (4%) were female; and
- four (8%) were of persons less than 25 years of age, 25 (51%) were aged 25–39 years, 16 (33%) were aged 40–54 years and four (8%) were aged 55+ years.

### Trend

The total number of deaths in police custody and custody-related operations, including those prior to 1990, are included in Table A13 and presented in Figure 10. When focusing on the deaths from 1989–90 onwards, there was a total of 750 deaths

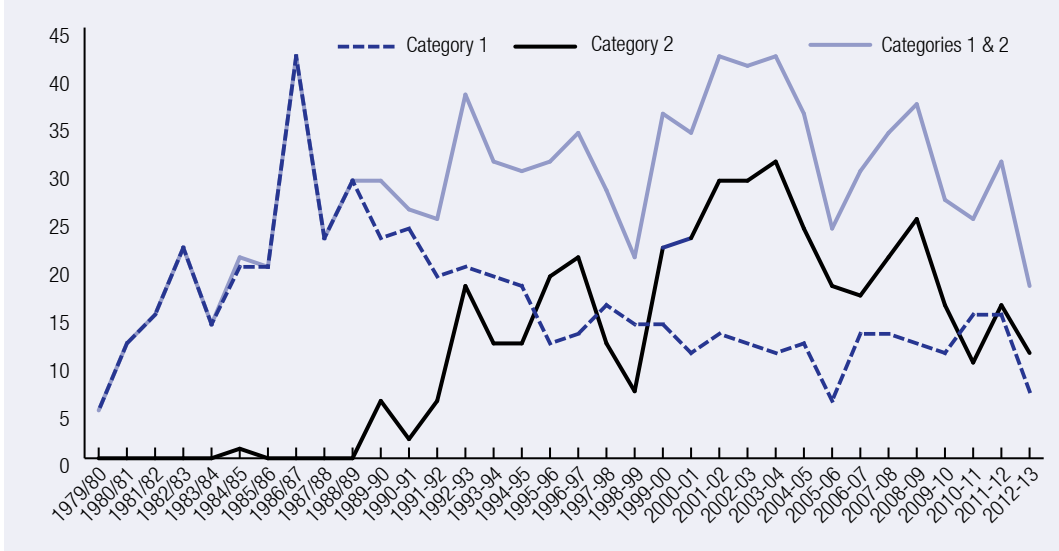
(46% Category 1, 54% Category 2). The frequency of deaths in each category have fluctuated over time, with Category 1 generally decreasing and Category 2 decreasing following peaks in 2003–04 and 2008–09. The two categories have begun to converge in the present reporting period, although the large decrease of deaths in 2012–13 may mean this convergence is temporary. The decrease in the number of police custody and custody-related operations in 2012–13 was largely in Category 1, where it dropped by 10 percent from 2011–12 and by 11 percent from 2010–11. This change will be monitored in the future to determine if it represents the emergence of a new trend or is an anomaly.

**Table 10 Deaths in police custody and custody-related operations by jurisdiction and Indigenous status, 2011–12 and 2012–13 (n)**

	Indigenous		Non-Indigenous		Total	
	n	%	n	%	n	%
<b>2011–12</b>						
New South Wales	0	0	11	37.9	11	36
Victoria	0	0	3	10.3	3	10
Queensland	0	0	7	24.1	7	23
Western Australia	0	0	5	17.2	5	16
South Australia	0	0	3	10.3	3	10
Tasmania	0	0	0	0	0	0
Northern Territory	2	100	0	0	2	7
Australian Capital Territory	0	0	0	0	0	0
Total	2	100	29	100	31	100
<b>2012–13</b>						
New South Wales	0	0	6	42.9	6	33
Victoria	0	0	2	14.3	2	11
Queensland	0	0	2	14.3	2	11
Western Australia	3	75	3	21.4	6	33
South Australia	1	25	0	0	1	6
Tasmania	0	0	1	7.1	1	6
Northern Territory	0	0	0	0	0	0
Australian Capital Territory	0	0	0	0	0	0
Total	4	100	14	100	18	100

Source: AIC NDICP 1979–2013 [computer file]

**Figure 10 Deaths in police custody and custody-related operations, 1979–80 to 2012–13 (n)**



Source: AIC NDICP 1979–2013 [computer file]

## Demographic characteristics

### *Indigenous status*

#### 2011–12 and 2012–13

Of the 49 deaths that occurred in police custody and custody-related operations in 2011–12 and 2012–13, 12 percent (n=6) were of Indigenous

persons (see Table 11). Two of the Indigenous deaths occurred in 2011–12 and four in 2012–13.

#### Trend

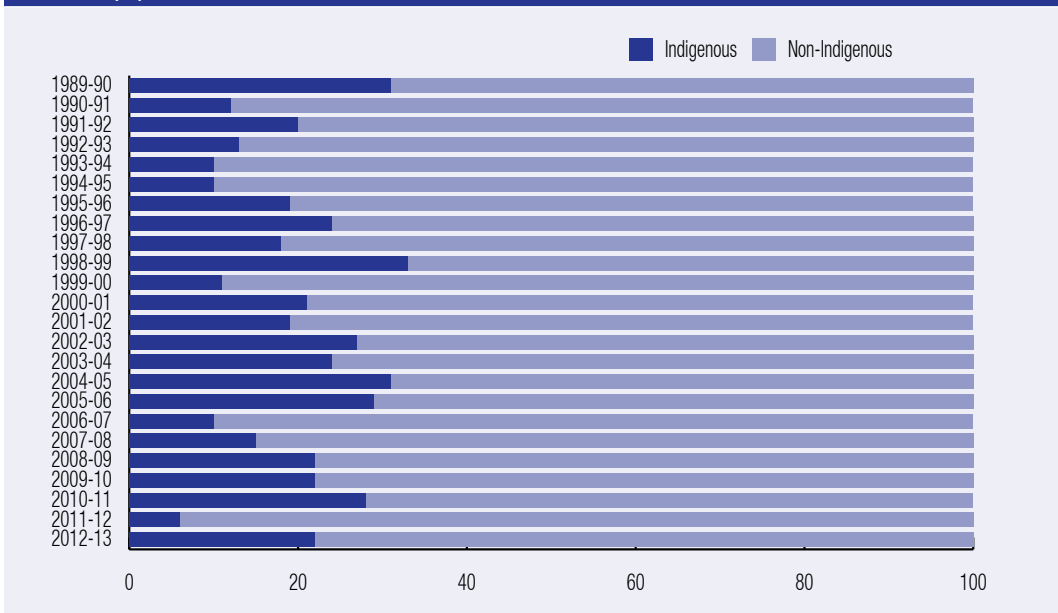
Of the 750 deaths in police custody and custody-related operations since 1989–90 to 2012–13, 20 percent (n=147) have been Indigenous detainees and 80 percent (n=603) non-Indigenous detainees. The number of Indigenous deaths increased between 2000–01 and 2004–05 and increased again (to a lesser extent) in 2007–08 and 2010–11.

**Table 11 Deaths in police custody and custody-related operations by Indigenous status, sex, and age, 2011–12 and 2012–13 (n)**

	2011–12	2012–13	Total
Indigenous	2	4	6
Non-Indigenous	29	14	43
All persons	31	18	49
<b>Sex</b>			
Male	30	17	47
Female	1	1	2
Total	31	18	49
<b>Age</b>			
Less than 25 yrs	4	0	4
25–39 yrs	18	7	25
40–54 yrs	7	9	16
55+ yrs	2	2	4
Total	31	18	49

Source: AIC NDICP 1979–2013 [computer file]

**Figure 11 Deaths in police custody and custody-related operations by Indigenous status, 1989–90 to 2012–13 (%)**



Source: AIC NDICP 1979–2013 [computer file]

## Sex

### 2011–12 and 2012–13

Of the 49 deaths in police custody and custody-related operations in 2011–12 and 2012–13, two (4%) were female and 47 (96%) were male. Of the two female deaths, one was of an Indigenous female (2%), while there were five (11%) Indigenous males of the 47 male deaths.

### Trend

Male deaths in police custody and custody-related operations continue to outnumber female deaths, which is in accordance with the rate at which males are arrested compared with females. Since 1989–90, 93 percent (n=672) of deaths in custody have been male and seven percent (n=49) female. The number of female deaths in police custody and custody-related operations has always been low, reaching a maximum of five deaths on three occasions (1991–92, 1993–94 and 2001–02) and

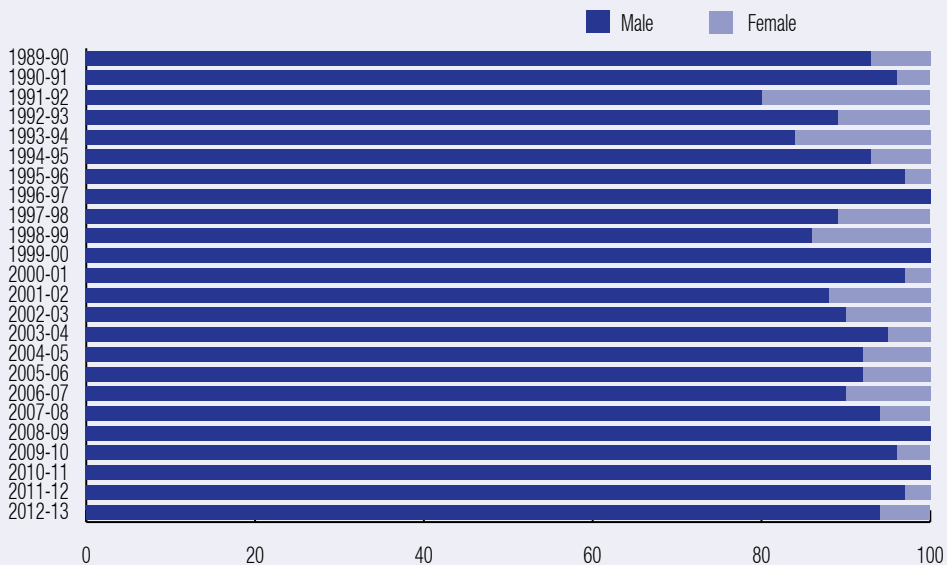
dropping to zero or one in 10 of the last 24 years. The average number of female deaths per year from 1989–90 to 2012–13 was 2.1, while the average for male deaths between these years was 29.2, which again reflects the rate at which males engage with police compared with females.

## Age

### 2011–12 and 2012–13

In the reporting period of 2011–12 and 2012–13, the majority of deaths were within the 25–39 and 40–54 year age categories, with 25 (51%) deaths within the 25–39 year age group and 16 (33%) in the 40–54 year age group. There were four (8%) deaths of people aged younger than 25 years and four (8%) aged 55 years and older. The median age of Indigenous deaths in police custody and custody-related operations in 2011–12 and 2012–13 was 27.5 years, while the median age of non-Indigenous deaths was 41 years.

**Figure 12 Deaths in police custody and custody-related operations by sex, 1989–90 to 2012–13 (%)**



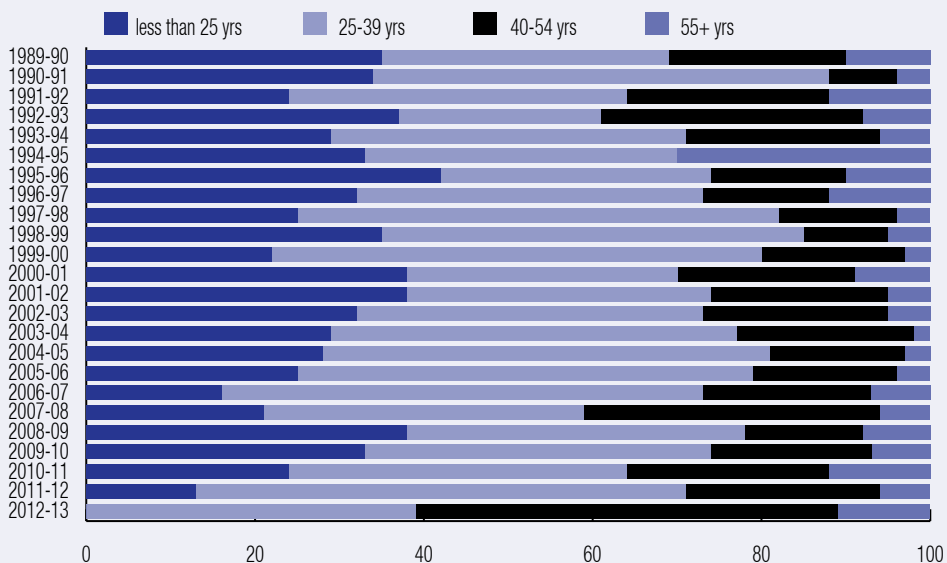
Source: AIC NDICP 1979–2013 [computer file]

## Trend

The age group with the highest frequency of deaths in police custody and custody-related operations since reporting began in its full form in 1989–90 has generally been people aged 25–39 years. There have been fluctuations in the annual frequencies for the age group; however, this age group has accounted for 43 percent (n=324) of deaths in police custody and custody-related operations since 1989–90. The less than 25 year old age group has comprised 29 percent (n=219) of deaths since 1989–90 to present and has shown larger fluctuations in frequencies than other age groups. Since 2008–09, there has been a decrease in the number of deaths of individuals aged 25 or younger. The 40–54 year old age group accounts for 21 percent (n=154) of deaths in police custody and custody-related operations and has been gradually increasing since 2009–10. The 55 years and older age group has accounted for six percent (n=48) of deaths since 1989–90 and has remained relatively stable over time, with a small yet gradual increase occurring from 2005–06 to present.

Differences in the age distribution of Indigenous and non-Indigenous deaths in police custody and custody-related operations between 1989–91 and 2012–13 have been identified. Indigenous deaths were highest in the younger age categories, with 42 percent (n=58) aged less than 25 years old and 38 percent (n=53) aged 25–39 years. The 40–54 year old age group constituted 18 percent (n=25) of deaths, while two percent (n=3) was accounted for by the 55 years and older age group. Non-Indigenous deaths were also high in the younger age groups with 26 percent (n=152) of deaths in the less than 25 years category and 45 percent (n=261) in the 25–39 year group. However, unlike Indigenous deaths, the 40–54 year group was also high, accounting for 22 percent (n=128) of non-Indigenous deaths. The percentage of deaths in the 55 and over age group were also higher in non-Indigenous compared with Indigenous people (7%; n=42 and 2%; n=3, respectively).

**Figure 13 Deaths in police custody and custody-related operations by age category, 1989–90 to 2012–13 (%)**



Source: AIC NDICP 1979–2013 [computer file]

## Cause of death

### 2011–12 and 2012–13

The largest proportion (n=21; 43%) of deaths in police custody and custody-related operations was caused by external/multiple trauma, such as MVPs and stab wounds. Gunshot wound was the next most common cause of death at 23 percent (n=11); five of the shooting deaths were police shootings and six were self-inflicted (see *Shooting deaths*).

Multiple causes/other, which includes drowning and fire, accounted for six deaths (12%). There were three (6%) natural cause deaths and no hanging deaths. Head injury, drugs and alcohol were each identified as the cause of two deaths (4%) per category.

Of the six deaths of Indigenous persons, one resulted from a head injury, one as a result of external/multiple trauma, two from alcohol toxicity and two due to other/multiple causes.

**Table 12 Deaths in police custody and custody-related operations by cause of death, 2011–12 and 2012–13 (n)**

	2011–12			2012–13			Total	
	Indigenous	Non-Indigenous	All persons	Indigenous	Non-Indigenous	All persons	n	%
Hanging	0	0	0	0	0	0	0	0
Natural causes	0	1	1	0	2	2	3	6
Head injury	1	1	2	0	0	0	2	4
Gun shot	0	6	6	0	5	5	11	23
External/multiple trauma	0	15	15	1	5	6	21	43
Drugs	0	2	2	0	0	0	2	4
Alcohol	1	0	1	1	0	1	2	4
Other/multiple causes	0	3	3	2	1	3	6	12
Missing	0	1	1	0	1	1	2	4
<b>Total</b>	<b>2</b>	<b>29</b>	<b>31</b>	<b>4</b>	<b>14</b>	<b>18</b>	<b>49</b>	<b>100</b>

Source: AIC NDICP 1979–2013 [computer file]



## Trend

The most common cause of death in police custody and custody-related operations since 1989–90, accounting for 33 percent (n=246) of all deaths, has been external and multiple trauma. In the early 1990s, gunshot wound was the most common cause of death in police custody and custody-related operations; however, over time, this has decreased slightly although it remains the second most common cause of death, comprising 28 percent (n=210) of deaths.

Hanging deaths have been decreasing since 1993–94 and no deaths have been attributed to this cause in the past three financial years (see Table A19). The present reporting period marks an increase in deaths due to drug and alcohol toxicity; however, it is too soon to identify it as an emerging trend. Causes of death in Indigenous people in police custody and custody-related operations have been largely due to external/multiple trauma (36%; n=53) and natural cause deaths (20%; n=30). Similarly, a high proportion of non-Indigenous deaths have been caused by external/multiple trauma (32%; n=193); however, unlike the Indigenous deaths, shooting has been a more common cause among non-Indigenous deaths (33%; n=197; see Table A19 for complete historical data).

## *Hanging deaths: Points and materials used*

### 2011–12 and 2012–13

There were no hanging deaths in police custody and custody-related operations in the current reporting period.

## Trend

Since 1989–90, there have been 56 hanging deaths in police custody settings, 15 (27%) of which were of Indigenous persons. Of the total 49 deaths, the following hanging points and materials were used.

Hanging points:

- 16 (29%) involved cell bars;
- nine (16%) involved other fittings in cells (such as vents);
- eight (14%) involved fittings outside the cell (such as tree in yard);
- five (9%) used shower fixtures;
- three (5%) occurred in a police van;
- seven (13%) were classified as 'other'; and
- eight (14%) were missing data.

Materials:

- 10 (18%) used sheets;
- six (11%) used shoelaces;
- five (9%) used a belt;
- 11 (20%) used rope/cord;
- 15 (27%) used other clothing;
- one (2%) was classified as 'other'; and
- eight (14%) were missing data.

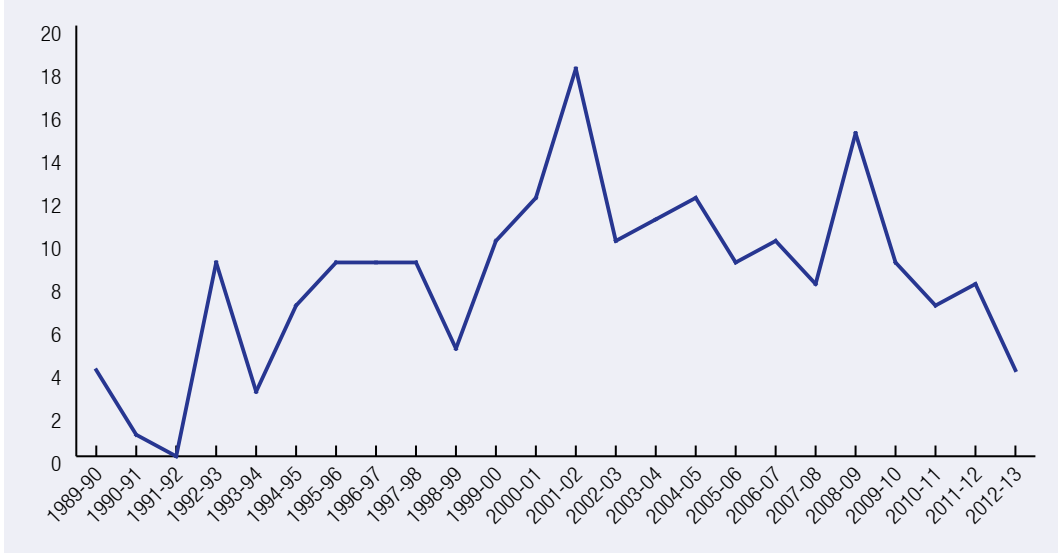
## *Motor vehicle pursuit deaths*

### 2011–12 and 2012–13

During the 2011–12 and 2012–13 financial years, there were 12 MVP deaths, eight in 2011–12 and four in 2012–13. This accounted for 25 percent of all police custody and custody-related deaths during the two financial years. Of the 12 deaths:

- two were of Indigenous persons;
- all were male;
- three were aged less than 25 years, five were 25–39 years and four were 40–54 years;
- two deaths were of people being pursued for violent offences and nine deaths resulted from a pursuit in relation to traffic offences;
- median speed reached across all pursuits was 134 km/hr;
- median pursuit time was 2.8 minutes; and
- the leading cause of death was external/multiple trauma (n=11).

**Figure 14 Motor vehicle pursuit deaths, 1989–90 to 2012–13 (n)**



Source: AIC NDICP 1979–2013 [computer file]

## Trend

There have been 199 deaths due to MVPs since 1989–90, which accounts for 27 percent of all deaths in police custody and custody-related operations. Of the 199 deaths:

- 48 (24%) were of Indigenous persons;
- 185 (93%) were male; and
- 121 (61%) were aged less than 25 years, 63 (32%) were 25–39 years, 11 (6%) were 40–54 years and four (2%) aged 55 years and older.

In relation to most serious offences associated with MVP deaths, the majority are categorised as traffic offences (46%; n=92) and theft-related (39%; n=78). Other most serious offence categories have occurred at a much lower frequency than theft and traffic offences. Violent offences accounted for four percent (n=7), good order two percent (n=4), drug-related three percent (n=6), other two percent (n=3) and five percent of cases were excluded due to missing data (n=9).

As expected, the most frequent cause of death associated with MVPs was external/multiple trauma (n=156; 78%), followed by head injury (n=42; 21%) and other/multiple causes (n=1; 1%).

The maximum speed reached during pursuits was 220 km/hr, with a minimum of 30 kmh and an average speed of 137 kmh (SD=34), and a median speed of 134 kmh. The average pursuit time during 1989–90 to 2012–13 was 5.5 minutes (SD=9 minutes). The shortest pursuit was 0.06 minutes, while the longest pursuit was 81 minutes; the median pursuit was three minutes.

## Shooting deaths

### 2011–12 and 2012–13

In 2011–12 and 2012–13, there were 11 deaths due to shootings, five (46%) were police shootings and six (54%) were self-inflicted gun shots (data by year can be seen in Table A19). All deaths were of males of non-Indigenous background, six (55%) of whom were aged 25–39 years, four (36%) were aged 40–54 years and one (9%) aged 55 years and older.

In relation to the offence associated with the 11 people who were shot, nine (82%) were violent offences, one (9%) was a good order offence and one (9%) was categorised as an ‘other’ offence. The deaths caused by gunshot occurred in public places

(n=5; 45%), on private property (n=5; 45%) and one occurred in a custodial setting.

### Trend

Since 1989–90, there have been 211 shooting deaths, of which 16 (8%) were of Indigenous persons. Self-inflicted shootings accounted for 99 (47%) of the deaths, while 110 (56%) were due to police shootings and one (1%) shooting was categorised as being carried by an ‘other’ official/person. The number of shooting deaths has fluctuated substantially since 1989–90, with police shootings having been the most common category of shooting death at some times and self-inflicted shootings being most common at other times.

Historically, the majority of offences associated with shooting deaths have been violent offences (n=139; 66%), followed by ‘other’ offences (n=22; 10%), theft-related offences (n=23; 11%), good order offences (n=17; 8%), drug-related (n=4; 2%) and traffic offences (n=3; 1%); three cases had missing data (1%).

The locations of deaths due to gunshot have largely been public places (n=84; 40%), as well as private property (n=80; 38%). Less frequent locations have been public hospitals (n=37; 18%), ‘other’ locations (n=7; 3%) and custodial settings (n=2; 1%). This pattern appears to accord with the locations at which police most frequently encounter perilous circumstances and/or individuals who are potentially violent.

**Figure 15 Shooting deaths, 1989–90 to 2012–13 (n)**



Source: AIC NDICP 1979–2013 [computer file]

## Manner of death

### 2011–12 and 2012–13

Of the 49 deaths during the 2011–12 and 2012–13, 17 (35%) were self-inflicted deaths, 19 (39%) were considered accidents, three (6%) were due to natural causes, five (10%) were justifiable homicides, one (2%) was an unlawful homicide, two (4%) were classified as ‘other’ and in two (4%) cases, the manner of death was missing (this is often because a finding as to manner of death is not yet available).

Five of the six Indigenous deaths were classified as accidents and one was classified as ‘other’.

Non-Indigenous deaths were largely in the self-inflicted and accident categories.

### Trend

While the trend has fluctuated, since 1989–90 deaths within police custody and custody-related operations have been most commonly categorised as accidental (40%; n=296). Self-inflicted deaths

have been the second most common manner of death (32%; n=238) and have been gradually decreasing over time, although the present reporting period marks a spike in frequency of this manner of death. Natural cause deaths and justifiable homicides have fluctuated since 1989–90 with no stable pattern identifiable; the categories accounting for 10 percent (n=78) and 14 percent (n=104) of deaths, respectively. The present reporting period marks a decrease in both categories, although in 2012–13, natural cause deaths increased slightly. Unlawful homicides and deaths falling within the ‘otherwise unspecified’ manner of death category have remained consistently low and account for two percent (n=15) of deaths each, with several years where deaths did not occur in these categories. For unlawful homicides (where the homicide was not legally justifiable, such as when a police officer shoots an armed offender in the line of duty), the pattern established since 1989–90 was continued in the present reporting period, while the ‘other’ category displayed a small increase.

**Table 13 Deaths in police custody and custody-related operations by manner of death, 2011–12 and 2012–13 (n)**

	2011–12			2012–13			Total	
	Indigenous	Non-Indigenous	All persons	Indigenous	Non-Indigenous	All persons	n	%
Self-inflicted	0	11	11	0	6	6	17	35
Natural causes	0	1	1	0	2	2	3	6
Justifiable homicide	0	4	4	0	1	1	5	10
Unlawful homicide	0	1	1	0	0	0	1	2
Accident	1	10	11	4	4	8	19	39
Other	1	1	2	0	0	0	2	4
Missing	0	1	1	0	1	1	2	4
<b>Total</b>	<b>2</b>	<b>29</b>	<b>31</b>	<b>4</b>	<b>14</b>	<b>18</b>	<b>49</b>	<b>100</b>

Source: AIC NDICP 1979–2013 [computer file]

**Table 14 Deaths in police custody and custody-related operations by manner of death, 1989–90 to 2012–13 (n)**

	Indigenous		Non-Indigenous		Total	
	n	%	n	%	n	%
Self-inflicted	28	19	210	35	238	32
Natural causes	31	21	47	8	78	10
Justifiable homicide	6	4	98	16	104	14
Unlawful homicide	8	5	7	1	15	2
Accident	69	47	227	38	296	40
Otherwise unspecified	5	3	7	1	15	2
Missing	0	0	4	0.7	5	0.7
<b>Total</b>	<b>147</b>	<b>100</b>	<b>603</b>	<b>100</b>	<b>750</b>	<b>100</b>

Source: AIC NDICP 1979–2013 [computer file]

## Most serious offence

### *2011–12 and 2012–13*

Of the 49 deaths in police custody and custody-related operations, the deceased was most likely to have been suspected of committing a most serious offence involving violence, with violent offences accounting for 41 percent (n=20) of cases during 2011–12 and 2012–13. Violent offences were far more prevalent than traffic offences, which was the next most common offence type (n=9, 18%),

followed by ‘other’ offences (n=8, 16%). Good order offences were less frequent (n=5, 10%), as were theft-related offences (n=4, 8%). There were no drug offences associated with any deaths in police custody and custody-related operations during the reporting period.

The six Indigenous deaths in police custody and custody-related operations were associated with one of each of the following—most serious offences, good order, traffic, theft-related and ‘other’; in two cases the relevant data were missing.

**Table 15 Deaths in police custody and custody-related operations by most serious offence 2011–12 and 2012–13 (n)**

	2011–12			2012–13			Total	
	Indigenous	Non-Indigenous	All persons	Indigenous	Non-Indigenous	All persons	n	%
Violent	0	13	13	0	7	7	20	41
Theft-related	0	2	2	1	1	2	4	8
Drug-related	0	0	0	0	0	0	0	0
Good order	1	2	3	0	2	2	5	10
Traffic	1	7	8	0	1	1	9	18
Other	0	5	5	1	2	3	8	16
Missing	0	0	0	2	1	3	3	6
Total	2	29	31	4	14	18	49	100

Source: AIC NDICP 1979–2013 [computer file]

## Trend

Although there has been some fluctuation over the years, since 1989–90, violent offences (32%, n=237) have constituted the largest proportion of most serious offences associated with police custody deaths. Theft-related offences were associated with 21 percent (n=157) of all deaths, with a decrease in their frequency since 2001–02 that has continued into the 2011–12 and 2012–13 financial years.

Drug-related offences are not frequently associated with deaths in police custody and custody-related operations. Since 1989–90, they have been associated with between zero and three deaths per financial year, totalling three percent (n=20) over the entire period. There were no deaths associated with the offence category in the present reporting period.

Good order offences have been associated with 15 percent (n=114) of all deaths. In 2006–07, there was a drop in deaths associated with good order offences to zero, after which numbers increased and have remained at between two to four deaths per financial year.

Overall, traffic offences have been associated with 15 percent (n=114) of deaths since 1989–90 and have also fluctuated over time, with a bimodal distribution as frequency increased from 1999–00 to

2008–09. The frequency has remained higher from 2008–09 until 2011–12; however, there was a sharp decrease in 2012–13 down to only one death.

The ‘other’ offences category constitutes offences such as arson, as well as protective custody situations for intoxication and has been associated with 11 percent (n=86) of all deaths in police custody and custody-related operations. The frequency of deaths in this category has varied over time and as such, no clear pattern has been established.

## Location of death

Location of death refers to the specific environment at the time of death; that is, the actual place where the death occurred.

### 2011–12 and 2012–13

Of the 49 deaths in custody during 2011–12 and 2012–13:

- 28 (57%) occurred in public places;
- 10 (20%) occurred on private property;
- eight (16%) occurred in public hospitals;

**Table 16 Deaths in police custody and custody-related operations by location of death, 2011–12 and 2012–13 (n)**

	2011–12			2012–13			Total	
	Indigenous	Non-Indigenous	All persons	Indigenous	Non-Indigenous	All persons	n	%
Public hospital	0	6	6	0	2	2	8	16
Cell	1	0	1	1	0	1	2	4
Custodial setting	0	1	1	0	0	0	1	2
Private property	0	8	8	0	2	2	10	20
Public place	1	14	15	3	10	13	28	57
Other	0	0	0	0	0	0	0	0
Total	2	29	31	4	14	18	49	100

Source: AIC NDICP 1979–2013 [computer file]

- two (4%) occurred in cells; and
- one (2%) occurred in a custodial setting.

Of the six Indigenous deaths, two took place in police custody cells and four occurred in public places.

### Trend

Of the 750 deaths in police custody and custody-related operations since 1989–90, most (n=321; 43%) have occurred in public places. Public hospitals have been the setting for approximately one-quarter (n=192; 26%) of all deaths over the last 22 years, while deaths located on private property have accounted for 15 percent (n=116). Deaths in cells and other police custody areas have been rare (see Table A21).

### *Circumstances of custodial period for deaths in police custody*

NDICP examines the circumstances of the custodial period; that is, both the type of police custody the death occurred in, as well as the method used to detain the person. The four types of police custody and custody-related operations into which deaths are categorised are:

- institution—death occurred in a police lock-up, prison, juvenile detention centre, or during transfer to or following transfer from one of these places to a hospital or other detention facility, or during transfer to a facility; for example, in a van etc;
- escaping—death occurred during the process of the person escaping or attempting to escape from police or prison custody or juvenile detention;
- detaining—death occurred during the process of police or prison officers attempting to detain the person, regardless of whether or not the person was under arrest or the officers intended to arrest the person; and
- other/marginal cases—for example, the death of a person detained under a state Mental Health Act in the process of being conveyed via ambulance from a public hospital to a psychiatric institution under ‘police escort’.

The second aspect of custodial circumstances is method of detainment. This includes the following categories:

- MVP;
- other pursuit; for example, on foot;
- sieges;
- raids; and
- ‘other’ methods; for example, shooting.

## 2011–12 and 2012–13

The majority (78%; n=38) of the 49 police custody and custody-related deaths during 2011–12 and 2012–13 occurred while police were attempting to detain an individual. Four (67%) of the six Indigenous deaths and 34 (79%) of the 43 non-Indigenous deaths were in the 'attempting to detain' category. The distribution of the remaining deaths in custody included seven (14%) deaths in the 'other/marginal' category, while four (8%) occurred in institutional settings. There were no deaths categorised as occurring during escaping.

The most frequent method of detainment resulting in a death in custody was MVPs (n=13, 27%); the raids category and the other/shooting category were each associated with nine deaths (18% each), followed by sieges (n=8, 16%) and other pursuits (n=4, 8%). Of the 49 cases, six (12%) were classified as detainment method 'not applicable' where the death occurred in police custody, for instance, in a police cell, rather than while police were attempting to detain the individual.

### Trend

Deaths while attempting to detain have been the most common category associated with police

custody and custody-related operations deaths since 1989–90, accounting for 73 percent (n=547) of deaths. While this is the most common category, numbers have generally been decreasing since 2008–09. Deaths in police institutional settings have accounted for 23 percent (n=171) of deaths and have been gradually declining since 2004–05. Deaths in the 'other/marginal' category and the escaping category have occurred infrequently since the 1990s. The present reporting period continues this pattern of low frequency, although the other/marginal category has displayed a small increase in 2011–12 to rise above the police institutional setting category. See Table A23 for historical data.

While the frequency with which particular methods of detainment have been associated with police custody deaths have varied year to year, MVPs have consistently been the most common over the last 22 years, constituting 23 percent (n=219) of deaths. The highest frequency of MVP deaths was 19 in 2001–02, although deaths associated with this method of detainment have been declining since then. The 'other pursuits' category has typically been the least frequently recorded method of detainment. See Table A22 for detailed historical data.





# Conclusion

In 2011–12 and 2012–13, there were 144 deaths in custody, 73 in 2011–12 (42 prison custody; 31 police custody and custody-related operations) and 71 in 2012–13 (53 prison custody; 18 police custody and custody-related operations). Since NDICP began recording data, the number of deaths in each form of custody has been small, fluctuating annually, and an overall decline in deaths in custody has been observed.

Although the overall number of deaths, and Indigenous deaths in particular, have been declining, the rate of incarceration of Indigenous Australians has remained high and has continued to increase in recent years. In addition, although precise figures are not available, research has demonstrated that contact between police and Indigenous people has also remained high (Joudo Larsen 2010; Weatherburn 2014). The number of female deaths in custody has historically been low and this trend continues in the current monitoring period. This trend is reflective of the smaller amount of contact females have with police and corrective services compared with males.

During the past 33 years, the majority of unsentenced prisoner deaths have resulted from hangings, while the majority of sentenced prisoner deaths have resulted from natural causes. Although rates of death of unsentenced prisoners have

declined considerably over this timeframe, more information about the events and stresses leading to an unsentenced prisoner taking their life may provide useful explanatory evidence to assist further with the prevention of these deaths.

With regard to the number of deaths in police custody and custodial operations, it is apparent that over time, the number of deaths occurring in close contact with police (including in cells or as lawful shootings) have declined and in recent years, the number of MVP deaths have also declined. The number of police custody deaths in 2012–13 dropped significantly from 2011–12 and is the lowest recorded since the definition of police custody deaths was expanded in 1990. It will be a number of years before it is clear if this is a consistent trend or an anomaly.

In conclusion, this report highlights some of the key issues identified for deaths in custody for the period 2011–12 and 2012, as well as identifying specific trends evident from 1979–80 onwards. Some of the most significant findings are reiterated below.

- In 2011–12 and 2012–13, there were 144 deaths in custody, 73 in 2011–12 (42 prison custody; 31 police custody and custody-related operations) and 71 in 2012–13 (53 prison custody; 18 police custody and custody-related operations).

- More than two-thirds of deaths in prison were due to natural causes (n=64), followed by hanging deaths.
- Violent offences were the most common serious offence among both Indigenous and non-Indigenous prisoners. Theft-related offences and drug-related offences each accounted for 15 percent of the most serious offences associated with incarceration.
- Between 1 July 2011 and 30 June 2013, there were 49 deaths in police custody and custody-related operations (6 of which related to the deaths of Indigenous prisoners).
- The most common cause of death was external/multiple trauma (43%, n=21), which includes injuries sustained during/following MVPs, as well as directly inflicted injuries such as stab wounds.
- Gunshot wound was the second most common cause of death, accounting for 23 percent (n=11). Of the 11 gunshot wound deaths, five were police shootings and six were self-inflicted injuries. There were no hanging deaths in the reporting period.
- Twelve deaths occurred due to external/multiple trauma during/after an MVP by police during the reporting period (8 in 2011–12 and 4 in 2012–13), which represents 25 percent of all deaths in the reporting period. All MVP deaths were males (2 were of Indigenous background) and the deaths were approximately evenly distributed across the less than 25 years, 25–39 years and 40–59 year age groups.
- Coronial reports identified that similar proportions of deaths were self-inflicted (35%; n=17), or the result of accidents (39%; n=19). Five of the six Indigenous deaths were classed as accidents; one was classed as 'other'.
- The majority (78%; n=38) of deaths occurred while police were attempting to detain an individual. Seven deaths (14%) occurred in other circumstances; for example, during police escorts and four deaths occurred in an institutional setting (8%). There were no deaths classified as occurring during escape.
- Since 1979–80, a total of 2,463 deaths in custody have occurred, with 1,487 deaths in prison (60%), 953 deaths in police custody and custody-related operations (39%), 18 (0.7%) deaths in youth detention or welfare facilities and five (0.2%) deaths of individuals occurring in other criminal justice-related settings; for example, while being apprehended by Australian Federal Police officers.
- Of the 2,463 deaths in custody since 1979–80, 470 were Indigenous people and 1,993 were non-Indigenous.



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# Appendix

**Table A1 Custodial deaths by custodial authority, 1979–80 to 2012–13**

	Police	Prison	Juvenile justice	Other	Total
1979–80	5	15	1	0	21
1980–81	12	29	1	0	42
1981–82	15	27	0	0	42
1982–83	22	25	0	0	47
1983–84	14	33	1	0	48
1984–85	21	27	0	0	48
1985–86	20	18	0	0	38
1986–87	42	37	1	0	80
1987–88	23	44	2	0	69
1988–89	29	37	0	0	66
1989–90	29	53	1	0	83
1990–91	26	35	1	0	62
1991–92	25	31	0	0	56
1992–93	38	43	0	0	81
1993–94	31	57	2	0	90
1994–95	30	55	0	0	85
1995–96	31	49	2	0	82
1996–97	34	63	1	0	98
1997–98	28	81	0	0	109
1998–99	21	64	1	1	87
1999–2000	36	64	1	0	101
2000–01	34	58	1	1	94
2001–02	42	52	0	1	95
2002–03	41	44	0	0	85
2003–04	42	39	0	0	81
2004–05	36	39	0	1	76
2005–06	24	28	1	1	54
2006–07	30	40	0	0	70
2007–08	34	46	0	0	80
2008–09	37	43	0	0	80
2009–10	27	58	0	0	85
2010–11	25	58	1	0	84
2011–12	31	42	0	0	73
2012–13	18	53	0	0	71
<b>Total</b>	<b>953</b>	<b>1487</b>	<b>18</b>	<b>5</b>	<b>2,463</b>

Source: AIC NDICP 1979–2013 [computer file]

**Table A2 Prison custody deaths by jurisdiction, 1979–80 to 2012–13**

	NSW	Vic	Qld	WA	SA	Tas	NT	ACT	Total
1979–80	3	2	3	1	5	0	1	0	15
1980–81	8	6	9	3	3	0	0	0	29
1981–82	7	7	6	5	1	1	0	0	27
1982–83	5	4	6	5	5	0	0	0	25
1983–84	12	14	4	2	1	0	0	0	33
1984–85	10	5	5	5	2	0	0	0	27
1985–86	6	2	7	1	0	0	2	0	18
1986–87	17	7	7	3	2	0	1	0	37
1987–88	13	18	5	3	2	2	0	1	44
1988–89	7	11	6	6	1	4	2	0	37
1989–90	28	4	12	3	5	1	0	0	53
1990–91	18	2	4	6	3	1	1	0	35
1991–92	6	2	11	4	5	3	0	0	31
1992–93	20	7	6	5	4	0	1	0	43
1993–94	29	5	11	2	6	3	1	0	57
1994–95	22	7	12	6	7	0	1	0	55
1995–96	18	5	10	6	6	2	1	1	49
1996–97	30	5	13	9	5	1	0	0	63
1997–98	29	13	11	17	6	1	3	1	81
1998–99	27	9	19	6	1	1	1	0	64
1999–2000	23	3	14	15	4	5	0	0	64
2000–01	18	11	11	9	7	0	2	0	58
2001–02	18	6	14	10	2	1	1	0	52
2002–03	16	5	7	8	5	1	2	0	44
2003–04	13	4	13	6	2	0	1	0	39
2004–05	15	4	4	7	6	2	1	0	39
2005–06	10	5	2	6	3	1	1	0	28
2006–07	22	3	6	3	4	1	1	0	40
2007–08	11	13	8	8	4	2	0	0	46
2008–09	15	8	9	4	5	1	0	1	43
2009–10	21	8	10	8	5	3	2	1	58
2010–11	20	10	11	5	4	2	6	0	58
2011–12	18	4	6	7	4	1	2	0	42
2012–13	19	13	9	10	0	1	1	0	53
<b>Total</b>	<b>554</b>	<b>232</b>	<b>291</b>	<b>204</b>	<b>125</b>	<b>41</b>	<b>35</b>	<b>5</b>	<b>1,487</b>

Source: AIC NDICP 1979–2013 [computer file]

**Table A3 Prison custody deaths by sex, 1979–80 to 2012–13**

	Male	Female	Total
1979–80	15	0	15
1980–81	29	0	29
1981–82	23	4	27
1982–83	24	1	25
1983–84	32	1	33
1984–85	27	0	27
1985–86	16	2	18
1986–87	34	3	37
1987–88	43	1	44
1988–89	36	1	37
1989–90	51	2	53
1990–91	34	1	35
1991–92	30	1	31
1992–93	43	0	43
1993–94	51	6	57
1994–95	54	1	55
1995–96	49	0	49
1996–97	61	2	63
1997–98	78	3	81
1998–99	61	3	64
1999–2000	60	4	64
2000–01	56	2	58
2001–02	48	4	52
2002–03	41	3	44
2003–04	37	2	39
2004–05	35	4	39
2005–06	27	1	28
2006–07	39	1	40
2007–08	43	3	46
2008–09	41	2	43
2009–10	58	0	58
2010–11	55	3	58
2011–12	42	0	42
2012–13	52	1	53
<b>Total</b>	<b>1,425</b>	<b>62</b>	<b>1,487</b>

Source: AIC NDICP 1979–2013 [computer file]

**Table A4 Prison custody deaths by Indigenous status, 1979–80 to 2012–13**

	Indigenous	Non-Indigenous	Total
1979–80	4	11	15
1980–81	2	27	29
1981–82	3	24	27
1982–83	4	21	25
1983–84	2	31	33
1984–85	5	22	27
1985–86	4	14	18
1986–87	2	35	37
1987–88	4	40	44
1988–89	5	32	37
1989–90	9	44	53
1990–91	5	30	35
1991–92	4	27	31
1992–93	5	38	43
1993–94	12	45	57
1994–95	12	43	55
1995–96	13	36	49
1996–97	11	52	63
1997–98	12	69	81
1998–99	10	54	64
1999–2000	14	50	64
2000–01	14	44	58
2001–02	6	46	52
2002–03	12	32	44
2003–04	6	33	39
2004–05	8	31	39
2005–06	3	25	28
2006–07	8	32	40
2007–08	6	40	46
2008–09	7	36	43
2009–10	14	44	58
2010–11	12	46	58
2011–12	6	36	42
2012–13	9	44	53
Total	253	1,234	1,487

Source: AIC NDICP 1979–2013 [computer file]



**Table A5 Prison custody deaths by age category, 1979–80 to 2012–13**

	Less than 25 yrs	25–39 yrs	40–54 yrs	55+ yrs	Total
1979–80	4	4	5	2	15
1980–81	6	14	7	2	29
1981–82	8	10	7	2	27
1982–83	5	13	3	4	25
1983–84	14	12	4	3	33
1984–85	5	14	4	4	27
1985–86	3	9	1	5	18
1986–87	10	16	8	3	37
1987–88	15	20	5	4	44
1988–89	11	15	8	3	37
1989–90	16	23	8	6	53
1990–91	8	12	5	10	35
1991–92	7	12	8	4	31
1992–93	14	19	5	5	43
1993–94	12	27	10	8	57
1994–95	16	21	12	6	55
1995–96	12	21	11	5	49
1996–97	10	26	21	6	63
1997–98	26	30	16	9	81
1998–99	9	35	11	9	64
1999–2000	14	28	10	12	64
2000–01	7	32	6	13	58
2001–02	5	19	17	11	52
2002–03	6	16	13	9	44
2003–04	3	12	16	8	39
2004–05	4	16	11	8	39
2005–06	1	8	6	13	28
2006–07	3	9	11	17	40
2007–08	2	14	12	18	46
2008–09	1	16	16	10	43
2009–10	5	10	18	25	58
2010–11	5	18	15	20	58
2011–12	3	8	11	20	42
2012–13	2	10	22	19	53
Total	272	569	343	303	1,487

Source: AIC NDICP 1979–2013 [computer file]

**TableA6 Prison custody deaths by manner of death, 1979–80 to 2012–13**

	Self-inflicted	Natural causes	Unlawful homicide	Justifiable homicide	Accident	Other/unknown	Total
1979–80	6	8	0	0	0	0	14
1980–81	10	13	3	1	1	1	29
1981–82	12	7	3	1	3	1	27
1982–83	11	12	0	0	2	0	25
1983–84	22	6	1	0	2	2	33
1984–85	10	12	2	0	2	1	27
1985–86	9	7	0	0	2	0	18
1986–87	15	15	4	0	3	0	37
1987–88	21	10	1	0	9	1	42
1988–89	16	11	3	0	6	0	36
1989–90	27	16	5	0	4	0	52
1990–91	16	17	1	0	2	0	36
1991–92	14	8	3	1	4	0	30
1992–93	25	11	3	1	4	0	44
1993–94	28	19	4	0	5	1	57
1994–95	27	15	6	0	6	0	54
1995–96	26	14	4	0	6	0	50
1996–97	24	28	4	0	7	0	63
1997–98	41	21	9	0	9	1	81
1998–99	27	18	8	0	11	0	64
1999–2000	32	21	4	1	5	1	64
2000–01	27	24	1	0	6	0	58
2001–02	24	24	3	1	0	0	52
2002–03	21	21	1	0	1	0	44
2003–04	17	19	2	0	1	0	39
2004–05	16	23	0	0	0	0	39
2005–06	9	18	1	0	0	0	28
2006–07	8	27	1	0	4	0	40
2007–08	8	36	0	0	1	1	46
2008–09	14	26	0	0	3	0	43
2009–10	16	38	4	0	0	0	58
2010–11	16	38	2	0	1	0	57
2011–12	8	32	1	0	0	0	41
2012–13	13	32	3	0	0	1	49
Total	616	647	87	6	110	11	1,477

Source: AIC NDICP 1979–2013 [computer file]

**Table A7 Prison custody hanging deaths by hanging point used and year, 1979–80 to 2012–13 (n)**

	Cell bars	Shower fixture	Other cell fitting	Fitting outside cell	Bed bunk	Other	Missing	Total
1979–80	0	0	0	0	0	0	3	3
1980–81	0	0	0	0	0	0	10	10
1981–82	0	0	0	0	0	0	9	9
1982–83	0	0	0	0	0	0	8	8
1983–84	0	0	0	0	0	0	20	20
1984–85	0	0	0	0	0	0	8	8
1985–86	0	0	0	0	0	0	8	8
1986–87	0	0	0	0	0	0	13	13
1987–88	0	0	0	0	0	0	21	21
1988–89	0	0	0	0	0	0	15	15
1989–90	8	0	1	0	0	0	18	27
1990–91	6	0	4	0	0	0	2	12
1991–92	4	1	9	0	0	0	1	15
1992–93	8	1	8	0	1	0	1	19
1993–94	11	4	7	1	1	0	0	24
1994–95	6	5	13	0	3	0	0	27
1995–96	9	0	5	2	1	0	2	19
1996–97	9	0	8	1	1	1	3	23
1997–98	5	10	20	0	3	0	1	39
1998–99	12	1	7	0	2	0	4	26
1999–2000	8	2	12	1	6	0	0	29
2000–01	8	3	8	1	4	0	1	25
2001–02	7	7	4	2	1	0	0	21
2002–03	6	3	9	0	0	1	0	19
2003–04	9	0	2	0	2	1	0	14
2004–05	6	1	5	0	1	0	0	13
2005–06	1	2	2	0	1	0	0	6
2006–07	1	1	3	0	3	0	0	8
2007–08	3	0	2	1	0	0	0	6
2008–09	3	2	4	0	2	1	0	12
2009–10	2	2	7	0	2	0	0	13
2010–11	2	2	6	2	0	0	1	13
2011–12	2	1	2	0	2	0	1	8
2012–13	0	0	5	0	0	1	6	12
Total	136	48	153	11	36	5	156	545

Source: AIC NDICP 1979–2013 [computer file]

**Table A8 Prison custody hanging deaths by hanging material used and year, 1979–80 to 2012–13 (n)**

	Sheets	Shoelaces	Belt	Other clothing	Rope/cord	Other	Missing	Total
1979–80	0	0	0	0	0	0	3	3
1980–81	0	0	0	0	0	0	10	10
1981–82	0	0	0	0	0	0	9	9
1982–83	0	0	0	0	0	0	8	8
1983–84	0	0	0	0	0	0	20	20
1984–85	0	0	0	0	0	0	8	8
1985–86	0	0	0	0	0	0	8	8
1986–87	0	0	0	0	0	0	13	13
1987–88	0	0	0	0	0	0	21	21
1988–89	0	0	0	0	0	0	15	15
1989–90	6	0	0	1	0	2	18	27
1990–91	6	0	1	0	1	4	0	12
1991–92	8	0	1	1	4	1	0	15
1992–93	9	0	2	2	4	2	0	19
1993–94	17	1	1	4	0	1	0	24
1994–95	17	0	2	2	2	3	1	27
1995–96	13	0	1	1	2	1	1	19
1996–97	11	5	0	3	2	0	2	23
1997–98	22	4	1	1	6	1	4	39
1998–99	15	2	0	1	2	3	3	26
1999–2000	15	6	0	4	4	0	0	29
2000–01	16	2	0	2	1	3	1	25
2001–02	14	1	0	1	2	3	0	21
2002–03	12	4	0	1	1	1	0	19
2003–04	9	2	0	1	1	1	0	14
2004–05	9	0	0	2	1	1	0	13
2005–06	3	0	0	0	1	2	0	6
2006–07	4	0	0	4	0	0	0	8
2007–08	4	0	0	1	1	0	0	6
2008–09	8	0	0	0	3	1	0	12
2009–10	6	1	0	1	3	2	0	13
2010–11	9	0	0	1	1	1	1	13
2011–12	4	1	1	0	0	1	1	8
2012–13	4	2	0	0	2	1	3	12
Total	241	31	10	34	44	35	150	545

Source: AIC NDICP 1979–2013 [computer file]

**Table A9 Prison custody deaths by cause of death, 1979–80 to 2012–13**

	Hanging	Natural causes	Head injury	Gunshot	External/multiple trauma	Alcohol/drugs	Other/multiple causes	Total
1979–80	3	8	1	0	3	0	0	15
1980–81	10	13	1	1	4	0	0	29
1981–82	9	7	0	1	5	2	3	27
1982–83	8	12	0	0	2	3	0	25
1983–84	20	6	0	1	2	4	0	33
1984–85	8	12	0	0	4	2	1	27
1985–86	8	7	0	0	0	2	1	18
1986–87	13	15	2	0	3	4	0	37
1987–88	21	10	0	0	6	5	0	42
1988–89	15	11	1	0	2	5	2	36
1989–90	27	16	0	1	6	2	1	53
1990–91	12	17	1	0	2	1	2	35
1991–92	14	8	2	1	2	4	0	31
1992–93	19	11	1	1	4	5	2	43
1993–94	24	19	0	0	3	10	1	57
1994–95	27	15	0	0	7	6	0	55
1995–96	19	14	1	0	5	10	0	49
1996–97	23	28	1	0	4	7	0	63
1997–98	39	21	0	0	10	11	0	81
1998–99	26	18	0	0	8	12	0	64
1999–2000	29	21	1	0	6	6	1	64
2000–01	25	24	0	0	2	6	1	58
2001–02	21	24	0	1	3	2	1	52
2002–03	19	21	0	0	2	1	1	44
2003–04	14	19	1	0	3	2	0	39
2004–05	13	23	1	0	2	0	0	39
2005–06	6	18	1	0	3	0	0	28
2006–07	8	27	1	0	0	3	1	40
2007–08	6	36	0	0	2	0	2	46
2008–09	12	26	1	0	1	2	1	43
2009–10	13	38	1	0	4	0	2	58
2010–11	13	38	2	0	2	1	1	57
2011–12	8	32	0	0	1	0	0	41
2012–13	9	32	1	0	5	1	1	49
Total	541	647	21	7	118	119	25	1,478

Note: 9 cases were excluded from this analysis due to missing data

Source: AIC NDICP 1979–2013 [computer file]

**Table A10 Prison custody deaths by most serious offence, 1979–80 to 2012–13**

	Violent	Theft-related	Drug-related	Good order	Traffic	Other	Total
1979–80	8	3	1	1	1	1	15
1980–81	10	7	3	5	2	1	28
1981–82	9	11	3	3	0	0	26
1982–83	11	6	1	3	2	1	24
1983–84	14	13	0	6	0	0	33
1984–85	13	9	2	0	2	0	26
1985–86	8	6	1	1	0	0	16
1986–87	14	10	2	5	1	0	32
1987–88	17	18	2	3	1	2	43
1988–89	22	10	1	1	1	2	37
1989–90	28	16	3	2	0	2	51
1990–91	19	10	2	1	0	3	35
1991–92	16	8	2	4	0	1	31
1992–93	18	19	3	2	0	1	43
1993–94	25	22	2	5	2	1	57
1994–95	28	18	4	2	2	1	55
1995–96	21	20	5	0	2	1	49
1996–97	29	18	7	4	2	3	63
1997–98	39	23	11	6	1	0	80
1998–99	27	26	5	5	1	0	64
1999–00	33	24	2	1	2	2	64
2000–01	33	9	7	4	2	3	58
2001–02	28	11	5	4	2	2	52
2002–03	32	7	0	2	2	1	44
2003–04	30	2	3	1	1	2	39
2004–05	23	9	3	0	3	1	39
2005–06	22	4	1	1	0	0	28
2006–07	22	9	3	4	2	0	40
2007–08	31	5	4	3	3	0	46
2008–09	26	8	3	1	0	5	43
2009–10	39	5	3	0	5	6	58
2010–11	29	11	5	2	0	11	58
2011–12	27	5	7	3	0	0	42
2012–13	33	9	7	0	2	1	52
Total	784	391	113	85	44	54	1,471

Note: excludes missing information

Source: AIC NDICP 1979–2013 [computer file]

**Table A11 Prison custody deaths by location of death, 1979–80 to 2012–13**

	Public hosp	Prison hosp	Cell	Other custodial setting	private property	Public place	Psych. hospital	Other	Total
1979–80	7	0	5	0	0	0	0	0	15
1980–81	6	0	14	0	0	0	0	0	29
1981–82	9	0	6	0	0	0	0	0	27
1982–83	8	0	13	0	0	0	0	0	25
1983–84	7	0	23	0	0	0	0	0	33
1984–85	10	0	10	0	0	0	0	0	27
1985–86	4	0	9	0	0	0	0	0	18
1986–87	14	0	15	0	0	0	0	0	37
1987–88	8	0	26	0	0	0	0	0	44
1988–89	11	0	19	1	0	0	0	0	37
1989–90	10	0	31	2	0	1	0	0	53
1990–91	14	0	21	0	0	0	0	0	35
1991–92	9	2	18	1	0	1	0	0	31
1992–93	12	3	26	2	0	0	0	0	43
1993–94	11	10	34	2	0	0	0	0	57
1994–95	11	7	33	3	0	0	0	1	55
1995–96	9	1	34	4	0	0	0	1	49
1996–97	20	5	32	4	0	1	0	1	63
1997–98	17	7	53	4	0	0	0	0	81
1998–99	9	5	41	8	0	0	1	0	64
1999–2000	14	7	38	5	0	0	0	0	64
2000–01	18	1	35	2	0	2	0	0	58
2001–02	18	1	26	7	0	0	0	0	52
2002–03	13	5	21	4	0	1	0	0	44
2003–04	10	4	22	2	1	0	0	0	39
2004–05	17	5	16	1	0	0	0	0	39
2005–06	7	3	14	4	0	0	0	0	28
2006–07	14	10	14	2	0	0	0	0	40
2007–08	16	12	12	5	0	0	0	1	46
2008–09	17	7	18	1	0	0	0	0	43
2009–10	18	11	24	4	0	0	0	1	58
2010–11	27	10	21	0	0	0	0	0	58
2011–12	15	9	17	1	0	0	0	0	42
2012–13	21	5	23	4	0	0	0	0	53
Total	431	130	764	73	1	6	1	5	1,487

Note: 76 cases excluded due to missing data

Source: AIC NDICP 1979–2013 [computer file]

**Table A12 Prison custody deaths by legal status, 1979–80 to 2012–13**

	Sentenced	Unsentenced	Total
1979–80	11	4	15
1980–81	20	8	28
1981–82	18	8	26
1982–83	19	6	25
1983–84	20	13	33
1984–85	23	3	26
1985–86	9	6	15
1986–87	25	9	32
1987–88	29	14	43
1988–89	26	9	35
1989–90	35	15	50
1990–91	22	13	35
1991–92	21	10	31
1992–93	29	14	43
1993–94	38	19	57
1994–95	38	17	55
1995–96	36	13	49
1996–97	46	17	63
1997–98	48	33	81
1998–99	45	19	64
1999–2000	41	23	64
2000–01	43	15	58
2001–02	36	16	52
2002–03	25	19	44
2003–04	26	13	39
2004–05	22	17	39
2005–06	22	6	28
2006–07	29	11	40
2007–08	34	12	46
2008–09	26	17	43
2009–10	42	16	58
2010–11	41	17	58
2011–12	31	11	42
2012–13	41	12	53
<b>Total</b>	<b>1017</b>	<b>455</b>	<b>1,472</b>

Note: 15 cases excluded due to missing data

Source: AIC NDICP 1979–2013 [computer file]



**Table A13 Deaths in police custody and custody-related operations, 1979–80 to 2012–13 (n)**

	Category 1	Category 2	Total
1979–80	5	0	5
1980–81	12	0	12
1981–82	15	0	15
1982–83	22	0	22
1983–84	14	0	14
1984–85	20	1	21
1985–86	20	0	20
1986–87	42	0	42
1987–88	23	0	23
1988–89	29	0	29
1989–90	23	6	29
1990–91	24	2	26
1991–92	19	6	25
1992–93	20	18	38
1993–94	19	12	31
1994–95	18	12	30
1995–96	12	19	31
1996–97	13	21	34
1997–98	16	12	28
1998–99	14	7	21
1999–2000	14	22	36
2000–01	11	23	34
2001–02	13	29	42
2002–03	12	29	41
2003–04	11	31	42
2004–05	12	24	36
2005–06	6	18	24
2006–07	13	17	30
2007–08	13	21	34
2008–09	12	25	37
2009–10	11	16	27
2010–11	15	10	25
2011–12	15	16	31
2012–13	7	11	18
Total	545	408	953

Source: AIC NDICP 1979–2013 [computer file]

**Table A14 Police custody and custody-related operations deaths by jurisdiction, 1979–80 to 2012–13**

	NSW	Vic	Qld	WA	SA	Tas	NT	ACT	Total
1979–80	0	0	3	2	0	0	0	0	5
1980–81	3	1	2	4	0	0	2	0	12
1981–82	4	3	1	4	2	1	0	0	15
1982–83	6	3	4	3	4	2	0	0	22
1983–84	5	2	2	4	1	0	0	0	14
1984–85	5	4	5	5	0	0	2	0	21
1985–86	4	1	4	4	2	1	4	0	20
1986–87	13	11	9	3	4	0	2	0	42
1987–88	7	4	5	4	1	1	1	0	23
1988–89	10	6	6	4	3	0	0	0	29
1989–90	5	7	7	5	2	1	1	1	29
1990–91	3	9	6	4	2	0	2	0	26
1991–92	4	9	5	0	2	3	1	1	25
1992–93	16	14	3	1	4	0	0	0	38
1993–94	8	10	7	0	1	2	2	1	31
1994–95	14	5	4	3	1	1	1	0	30
1995–96	9	7	5	4	1	3	1	1	31
1996–97	16	2	2	6	2	1	5	0	34
1997–98	14	8	1	3	0	0	2	0	28
1998–99	6	4	6	3	0	0	2	0	21
1999–2000	11	4	4	5	7	0	4	0	36
2000–01	17	4	3	4	5	0	1	0	34
2001–02	14	13	3	6	1	0	5	0	42
2002–03	14	6	7	7	3	1	3	0	41
2003–04	15	6	9	6	2	0	3	1	42
2004–05	11	7	10	6	2	0	0	0	36
2005–06	6	2	4	6	4	0	1	1	24
2006–07	10	6	4	4	4	0	1	1	30
2007–08	7	8	5	4	4	1	5	0	34
2008–09	6	3	8	8	6	0	5	1	37
2009–10	5	6	6	3	1	1	4	1	27
2010–11	6	1	7	6	2	2	0	1	25
2011–12	11	3	7	5	3	0	2	0	31
2012–13	6	2	2	6	1	1	0	0	18
Total	291	181	166	142	77	22	62	10	953

Source: AIC NDICP 1979–2013 [computer file]

**Table A15 Deaths in police custody and custody-related operations by Indigenous status, 1979–80 to 2012–13 (n)**

	Indigenous	Non-Indigenous	Total
1979–80	1	4	5
1980–81	7	5	12
1981–82	2	13	15
1982–83	5	17	22
1983–84	3	11	14
1984–85	8	13	21
1985–86	5	15	20
1986–87	15	27	42
1987–88	6	17	23
1988–89	10	19	29
1989–90	9	20	29
1990–91	3	23	26
1991–92	5	20	25
1992–93	5	33	38
1993–94	3	28	31
1994–95	3	27	30
1995–96	6	25	31
1996–97	8	26	34
1997–98	5	23	28
1998–99	7	14	21
1999–2000	4	32	36
2000–01	7	27	34
2001–02	8	34	42
2002–03	11	30	41
2003–04	10	32	42
2004–05	11	25	36
2005–06	7	17	24
2006–07	3	27	30
2007–08	5	29	34
2008–09	8	29	37
2009–10	6	21	27
2010–11	7	18	25
2011–12	2	29	31
2012–13	4	14	18
<b>Total</b>	<b>209</b>	<b>744</b>	<b>953</b>

Source: AIC NDICP 1979–2013 [computer file]

**Table A16 Deaths in police custody and custody-related operations by sex, 1979–80 to 2012–13 (n)**

	Male	Female	Total
1979–80	5	0	5
1980–81	10	2	12
1981–82	15	0	15
1982–83	19	3	22
1983–84	14	0	14
1984–85	21	0	21
1985–86	19	1	20
1986–87	41	1	42
1987–88	23	0	23
1988–89	24	5	29
1989–90	27	2	29
1990–91	25	1	26
1991–92	20	5	25
1992–93	34	4	38
1993–94	26	5	31
1994–95	28	2	30
1995–96	30	1	31
1996–97	34	0	34
1997–98	25	3	28
1998–99	18	3	21
1999–2000	36	0	36
2000–01	33	1	34
2001–02	37	5	42
2002–03	37	4	41
2003–04	40	2	42
2004–05	33	3	36
2005–06	22	2	24
2006–07	27	3	30
2007–08	32	2	34
2008–09	37	0	37
2009–10	26	1	27
2010–11	25	0	25
2011–12	30	1	31
2012–13	17	1	18
Total	890	63	953

Source: AIC NDICP 1979–2013 [computer file]

**Table A17 Deaths in police custody and custody-related operations by age category, 1979–80 to 2012–13**

	Less than 25 yrs	25–39 yrs	40–54 yrs	55+ yrs	Total
1979–80	1	3	1	0	5
1980–81	5	0	2	5	12
1981–82	4	4	6	1	15
1982–83	6	7	7	2	22
1983–84	4	3	3	4	14
1984–85	2	8	6	4	21
1985–86	4	10	4	2	20
1986–87	11	16	12	3	42
1987–88	6	9	5	3	23
1988–89	8	19	1	1	29
1989–90	10	10	6	3	29
1990–91	9	14	2	1	26
1991–92	6	10	6	3	25
1992–93	14	9	12	3	38
1993–94	9	13	7	2	31
1994–95	10	11	9	0	30
1995–96	13	10	5	3	31
1996–97	11	14	5	4	34
1997–98	7	16	4	1	28
1998–99	7	10	2	1	21
1999–2000	8	21	6	1	36
2000–01	13	11	7	3	34
2001–02	16	15	9	2	42
2002–03	13	17	9	2	41
2003–04	12	20	9	1	42
2004–05	10	19	6	1	36
2005–06	6	13	4	1	24
2006–07	5	17	6	2	30
2007–08	7	13	12	2	34
2008–09	14	15	5	3	37
2009–10	9	11	5	2	27
2010–11	6	10	6	3	25
2011–12	4	18	7	2	31
2012–13	0	7	9	2	18
<b>Total</b>	<b>270</b>	<b>403</b>	<b>205</b>	<b>73</b>	<b>953</b>

Source: AIC NDICP 1979–2013 [computer file]

**Table A18 Deaths in police custody and custody-related operations by manner of death, 1979–80 to 2012–13**

	Self-inflicted	Natural causes	Unlawful homicide	Justifiable homicide	Accident	Other/unknown	Missing	Total
1979–80	1	1	1	0	2	0	0	5
1980–81	2	5	0	0	2	2	1	12
1981–82	8	6	0	0	1	0	0	15
1982–83	6	9	0	0	6	0	1	22
1983–84	7	6	0	0	0	1	0	14
1984–85	6	10	0	0		0	1	21
1985–86	7	5	0	0	4	2	2	20
1986–87	22	11	1	2	4	1	1	42
1987–88	12	7	0	3	0	0	1	23
1988–89	15	4	0	3	4	2	1	29
1989–90	9	4	1	1	13	1	0	29
1990–91	10	3	0	3	7	3	0	26
1991–92	9	5	0	4	7	0	0	25
1992–93	13	0	1	4	18	2	0	38
1993–94	11	4	0	9	6	1	0	31
1994–95	10	1	0	7	12	0	0	30
1995–96	12	4	0	4	11	0	0	31
1996–97	12	2	1	7	12	0	0	34
1997–98	8	2	1	5	12	0	0	28
1998–99	2	6	0	2	11	0	0	21
1999–2000	9	2	0	11	12	2	0	36
2000–01	8	4	1	2	19	0	0	34
2001–02	13	4	2	2	21	0	0	42
2002–03	17	3	1	4	15	1	0	41
2003–04	14	4	0	6	18	0	0	42
2004–05	12	2	3	6	12	1	0	36
2005–06	8	3	2	3	8	0	0	24
2006–07	10	4	0	3	12	0	1	30
2007–08	12	7	0	3	12	0	0	34
2008–09	10	2	1	4	18	1	1	37
2009–10	7	3	0	3	13	1	0	27
2010–11	5	6	0	6	8	0	0	25
2011–12	11	1	1	4	11	2	1	31
2012–13	6	2	0	1	8	0	1	18
<b>Total</b>	<b>324</b>	<b>142</b>	<b>17</b>	<b>112</b>	<b>323</b>	<b>23</b>	<b>12</b>	<b>953</b>

Source: AIC NDICP 1979–2013 [computer file]

**Table A19 Deaths in Police custody and custody-related operations by cause of death, 1979–80 to 2012–13**

	Hanging	Natural causes	Head injury	Gunshot	External/multiple trauma	Alcohol/drugs	Other/multiple causes	Unknown	Total
1979–80	1	1	0	0	1	2	0	0	5
1980–81	2	5	3	1	0	1	0	0	12
1981–82	8	6	0	0	0	1	0	0	15
1982–83	6	9	4	0	0	3	0	0	22
1983–84	7	6	1	0	0	0	0	0	14
1984–85	6	10	1	0	0	3	0	1	21
1985–86	6	5	4	1	1	3	0	0	20
1986–87	22	11	0	2	3	3	0	1	42
1987–88	12	7	0	3	0	0	0	1	23
1988–89	13	4	1	4	2	3	1	1	29
1989–90	7	4	2	2	6	6	2	0	29
1990–91	5	3	3	8	3	2	2	0	26
1991–92	4	5	3	6	2	5	0	0	25
1992–93	6	0	6	11	8	4	3	0	38
1993–94	2	4	1	16	4	2	2	0	31
1994–95	0	1	4	11	5	7	2	0	30
1995–96	2	4	0	11	12	1	1	0	31
1996–97	2	2	3	15	10	2	0	0	34
1997–98	3	2	1	7	12	3	0	0	28
1998–99	2	6	0	2	6	4	1	0	21
1999–2000	2	2	3	15	13	1	0	0	36
2000–01	0	4	5	7	13	2	3	0	34
2001–02	2	4	8	6	18	1	3	0	42
2002–03	5	3	5	10	17	0	1	0	41
2003–04	4	4	1	11	16	3	3	0	42
2004–05	3	2	3	11	15	0	2	0	36
2005–06	2	3	6	6	5	2	0	0	24
2006–07	1	4	0	7	13	2	2	1	30
2007–08	1	7	2	9	13	1	1	0	34
2008–09	1	2	4	11	17	1	1	0	37
2009–10	1	3	3	8	8	1	3	0	27
2010–11	0	5	0	9	9	2	0	0	25
2011–12	0	1	2	6	15	3	3	1	31
2012–13	0	2	0	5	6	1	3	1	18
Total	138	141	79	221	253	75	39	7	953

Source: AIC NDICP 1979–2013 [computer file]

**Table A20 Deaths in Police custody and custody-related operations by most serious offence, 1979–80 to 2012–13**

	Violent	Theft-related	Drug-related	Good order	Traffic	Other	Unknown	Total
1979–80	0	0	0	0	0	0	5	5
1980–81	0	1	0	5	0	0	6	12
1981–82	2	0	0	3	1	2	7	15
1982–83	1	1	0	11	2	0	7	22
1983–84	0	4	0	4	0	0	6	14
1984–85	0	2	0	7	0	0	12	21
1985–86	0	2	0	8	2	0	8	20
1986–87	2	5	0	22	0	1	12	42
1987–88	1	4	1	7	0	1	9	23
1988–89	5	3	1	16	0	1	3	29
1989–90	4	6	0	15	3	1	0	29
1990–91	7	7	0	12	0	0	0	26
1991–92	5	2	1	11	2	4	0	25
1992–93	8	16	2	4	5	3	0	38
1993–94	14	7	0	4	3	3	0	31
1994–95	13	7	3	3	3	0	1	30
1995–96	13	9	0	4	4	1	0	31
1996–97	14	10	1	6	1	2	0	34
1997–98	6	6	0	9	4	1	2	28
1998–99	6	9	0	2	1	2	1	21
1999–2000	18	10	2	3	2	1	0	36
2000–01	9	7	0	7	6	5	0	34
2001–02	8	14	0	3	7	10	0	42
2002–03	8	8	1	4	9	10	1	41
2003–04	16	9	1	5	7	3	1	42
2004–05	16	8	3	2	5	1	1	36
2005–06	8	3	3	3	4	3	0	24
2006–07	9	3	1	0	6	7	4	30
2007–08	9	4	1	2	7	10	1	34
2008–09	10	3	0	4	12	5	3	37
2009–10	7	2	1	3	7	6	1	27
2010–11	9	3	0	3	7	0	3	25
2011–12	13	2	0	3	8	5	0	31
2012–13	7	2	0	2	1	3	3	18
Total	248	179	22	197	119	91	97	953

Source: AIC NDICP 1979–2013 [computer file]



**Table A21 Deaths in Police custody and custody-related operations by location of death, 1979–80 to 2012–13**

	Public hospital	Cell	Custodial setting	Private property	Public place	Other	Unknown	Total
1979–80	2	0	0	0	0	0	5	7
1980–81	2	0	0	0	0	0	10	2
1981–82	2	0	0	0	0	0	13	2
1982–83	4	0	0	0	0	0	18	4
1983–84	1	1	0	0	0	0	12	2
1984–85	2	1	0	0	1	0	17	4
1985–86	7	1	0	0	0	0	12	8
1986–87	2	1	1	1	1	0	36	6
1987–88	1	0	0	2	1	0	19	4
1988–89	4	12	3	2	1	0	7	22
1989–90	6	11	5	1	6	0	0	29
1990–91	7	6	4	5	4	0	0	26
1991–92	11	5	3	3	3	0	0	25
1992–93	13	3	2	3	15	2	0	38
1993–94	8	2	2	5	13	1	0	31
1994–95	7	2	2	5	14	0	0	30
1995–96	11	3	0	7	8		0	31
1996–97	12	2	2	4	12	2	0	34
1997–98	7	6	1	3	10	1	0	28
1998–99	10	3	2	2	3	1	0	21
1999–2000	8	1	1	9	17	0	0	36
2000–01	8	5	0	3	18	0	0	34
2001–02	9	2	2	5	24	0	0	42
2002–03	7	2	3	4	24	1	0	41
2003–04	3	4	0	8	27	0	0	42
2004–05	7	1	3	6	18	1	0	36
2005–06	5	2	1	4	12	0	0	24
2006–07	7	2	1	5	14	1	0	30
2007–08	18	1	0	4	11	0	0	34
2008–09	8	2	0	7	19	1	0	37
2009–10	9	3	1	5	8	1	0	27
2010–11	3	1	0	8	13	0	0	25
2011–12	6	1	1	8	15	0	0	31
2012–13	2	1	0	2	13	0	0	18
Total	217	87	40	121	325	14	149	953

**Table A22 Deaths in Police custody and custody-related operations by method of detainment, 1979–80 to 2012–13**

	Motor vehicle pursuit	Other pursuit	Siege	Raid	Shooting/ other	Unknown	Total
1979–80	0	0	0	0	0	5	5
1980–81	0	0	0	0	0	12	12
1981–82	0	0	0	0	0	15	15
1982–83	0	0	0	0	0	22	22
1983–84	0	0	0	0	0	14	14
1984–85	0	0	0	0	1	20	21
1985–86	0	0	0	0	0	20	20
1986–87	0	0	0	1	1	40	42
1987–88	0	1	0	1	1	20	23
1988–89	0	0	1	0	3	25	29
1989–90	5	1	0	0	3	20	29
1990–91	1	0	1	2	6	16	26
1991–92	2	2	1	0	6	14	25
1992–93	10	4	3	0	9	12	38
1993–94	5	1	4	1	10	10	31
1994–95	7	2	3	1	10	7	30
1995–96	9	0	3	1	11	7	31
1996–97	11	1	7	2	7	6	34
1997–98	11	1	2	0	4	10	28
1998–99	5	0	1	0	4	11	21
1999–2000	12	2	3	5	10	4	36
2000–01	12	6	6	2	1	7	34
2001–02	19	2	3	1	5	12	42
2002–03	15	4	3	1	7	11	41
2003–04	12	7	7	2	7	7	42
2004–05	11	4	2	1	10	8	36
2005–06	10	0	3	0	6	5	24
2006–07	9	2	4	0	8	7	30
2007–08	9	5	5	0	11	4	34
2008–09	15	1	5	3	8	5	37
2009–10	9	2	7	1	2	6	27
2010–11	7	2	5	5	3	3	25
2011–12	9	1	6	5	7	3	31
2012–13	5	3	2	4	2	2	18
<b>Total</b>	<b>220</b>	<b>54</b>	<b>87</b>	<b>39</b>	<b>163</b>	<b>390</b>	<b>953</b>

Source: AIC NDICP 1979–2013 [computer file]

**Table A23 Deaths in Police custody and custody-related operations by type of custody, 1979–80 to 2012–13**

	Institution	Escaping	Detaining	Other cases	Total
1979–80	5	0	0	0	5
1980–81	12	0	0	0	12
1981–82	15	0	0	0	15
1982–83	22	0	0	0	22
1983–84	14	0	0	0	14
1984–85	20	0	0	1	21
1985–86	20	0	0	0	20
1986–87	40	0	2	0	42
1987–88	20	0	3	0	23
1988–89	26	0	3	0	29
1989–90	20	0	9	0	29
1990–91	16	0	10	0	26
1991–92	13	0	11	1	25
1992–93	11	0	26	1	38
1993–94	8	0	21	2	31
1994–95	7	0	23	0	30
1995–96	7	0	24	0	31
1996–97	5	1	28	0	34
1997–98	10	0	18	0	28
1998–99	9	0	10	2	21
1999–2000	4	0	32	0	36
2000–01	6	0	27	1	34
2001–02	6	0	30	6	42
2002–03	7	1	30	3	41
2003–04	5	2	35	0	42
2004–05	7	0	28	1	36
2005–06	5	0	19	0	24
2006–07	5	0	23	2	30
2007–08	4	0	30	0	34
2008–09	4	1	32	0	37
2009–10	5	0	21	1	27
2010–11	3	0	22	0	25
2011–12	3	0	23	5	31
2012–13	1	0	15	2	18
<b>Total</b>	<b>365</b>	<b>5</b>	<b>555</b>	<b>28</b>	<b>953</b>

Source: AIC NDICP 1979–2013 [computer file]

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