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Aboriginal (Ab.) people are over-represented in the criminal justice system as victims of crimes, as offenders in sentencing, and in the imprisonment rates. For example, in 2011 (according to the Australian Bureau of statistics - ABS), of the total prison population, 26% were Aboriginal, of which 74% had prior convictions, in comparison with 48% of non-Indigenous prisoners. Factors which have contributed to the over-representation of Ab. people in the criminal justice system include:

2012 HSC - Aboriginal Studies
Band 3/4
Sample 2 Question 16(a)

- Comparatively low socioeconomic status
- Policing Powers
- Over-policing
- Bail conditions, and
- Sentencing, and
- Police interviews.

~~Changes to policing powers has~~ Those deemed to have low socioeconomic status are considered to be "at risk" of crime, and recidivism (habitual relapse into crime). In part, the over-representation of Ab. people in the criminal justice system is driven by socioeconomic

status, it has also been driven by other factors, such as policing powers.

Changes to policing powers have ~~seen~~ ^{given} the police officers the authority to issue "move on" orders if the officer has reasonable grounds to believe that a person is, or is going to, commit a serious breach of the peace. Failure to comply results in a penalty of 1 years imprisonment.

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