

**CRIMINAL COURTS**

AUSTRALIA

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For further information about these and related statistics, contact the National Information and Referral Service on 1300 135 070 or Lana Condie on Melbourne (03) 9615 7782.

NOTES

- ABOUT THIS PUBLICATION** This publication presents nationally comparable statistics relating to the criminal jurisdiction of the Higher (Supreme and Intermediate), Magistrates' and Children's Courts across Australia for the period 1 July 2010 to 30 June 2011. Some time series data are also included where available. The statistics describe the characteristics of defendants, including information on the offences and sentences associated with those defendants.
- Additional data are available in the Supplementary Data Cubes (cat. no. 4513.0) on the ABS website. A list of Supplementary Data Cubes is included in Appendix 1.
- CHANGES IN THIS ISSUE** Data on defendants who identified as Aboriginal and Torres Strait Islander are presented for the second time in this issue. This information is available for defendants in each court level in Queensland and the Northern Territory and for defendants in the Magistrates' and Children's Courts in New South Wales. For further information on the identification of Aboriginal and Torres Strait Islander defendants see Explanatory Notes paragraphs 49–52.
- Data on federal defendants have been removed from this publication. This information will be available in the third release of the *Federal Defendants, Selected States and Territories, 2010–11* (cat. no. 4515.0).
- Three new tables (Tables 2.8, 3.8 and 4.8) have been included for the first time in this issue. These tables present time series data on defendants proven guilty, principal sentence by principal offence.
- DATA CONSISTENCY** The statistics are sourced from the national Criminal Courts collection conducted by the Australian Bureau of Statistics (ABS), and have been compiled according to national standards in order to maximise consistency between the states and territories. The Explanatory Notes, Appendices and Glossary provide detailed information on the data sources, counting rules, terminology, classifications and other technical aspects associated with these statistics.
- ROUNDING** Discrepancies may occur between sums of the component items and totals across tables due to rounding and randomisation.
- INFORMATION ON ABS CRIME AND JUSTICE** More information about ABS activities in the field of crime and justice statistics is available from the 'Crime and Justice' theme page on the ABS website <www.abs.gov.au>. Details of other ABS publications relating to crime and justice statistics can be found in the Explanatory Notes paragraph 109.
- ACKNOWLEDGMENTS** The ABS acknowledges the valuable contribution of the National Criminal Courts Board of Management, the National Criminal Courts Statistics Advisory Group, the Court Practitioners' Group and the staff of the various agencies that provide the statistics presented in this publication.

Brian Pink
Australian Statistician

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The police and other agencies are responsible for the prevention, detection and investigation of crimes. When alleged offenders are detected by police, they can be proceeded against either through the use of a non-court process (such as a caution, fine or diversionary conference) or by charges being laid before a criminal court. The court, including judicial officers and a jury (in the Higher Courts), with the assistance of the prosecution and the defence, determines the guilt or innocence of the defendant. In some cases, charges may be withdrawn by the prosecution or not proceed to trial. In cases where the defendant is proven guilty, the court may also record a conviction and impose a penalty.

There are differences between the states and territories in the way the Higher Courts, Magistrates' Courts and Children's Courts systems are structured. Legislation differs between states and territories regarding which offence types can be heard summarily or otherwise in the Magistrates' or Children's Courts and which offence types must be heard on indictment to a Higher Court.

All states and territories have a Supreme Court that deals with the most serious criminal matters, generally referred to as indictable offences. These include offences such as murder, manslaughter and drug trafficking as well as serious sexual offences, robberies and assaults. The larger states (New South Wales, Victoria, Queensland, South Australia and Western Australia) also have an intermediate level of court, known as the District Court or County Court, that deals with the majority of serious offences. In this publication, the Supreme Courts and Intermediate Courts are collectively referred to as the Higher Courts.

All defendants that are dealt with by the Higher Courts have an automatic entitlement to a trial before a judge and jury, however in some jurisdictions, the defendant may elect to have the matter heard before a judge alone.

The lowest level of criminal court is the Magistrates' Court, also known as the Court of Summary Jurisdiction, Local Court or Court of Petty Sessions. The majority of all criminal cases are heard in these courts. Cases heard in the Magistrates' Courts do not involve a jury as a magistrate determines the guilt or innocence of the defendant. This is known as a summary proceeding.

Each state and territory have Children's Courts to deal with offences alleged to have been committed by young people. These courts mainly deal with summary proceedings, however in some jurisdictions they also have the power to hear indictable matters. The maximum age that defendants are considered a child or juvenile is under the age of 18 years in all states and territories, except Queensland, where defendants are considered adults if aged 17 years or over at the time the offence was committed.

NATIONAL CRIMINAL
COURTS STATISTICS

This publication presents statistics about defendants dealt with by the criminal jurisdiction of the Higher (Supreme and Intermediate), Magistrates' and Children's Courts of Australia, for the period 1 July 2010 to 30 June 2011. Defendants include persons charged with criminal offences for each court level as well as organisations charged with criminal offences for the Higher and Magistrates' Courts. The statistics are based on data extracted from administrative records held by state and territory agencies responsible for courts administration. The statistics have been compiled according to national standards and classifications (see Explanatory Notes paragraphs 19–27).

Finalised defendants

The data in the Criminal Courts collection counts defendants finalised in the court - that is, a person or organisation for whom all charges have been formally completed so that the defendant ceases to be an item of work. If a person or organisation is a defendant in a number of criminal cases dealt with and finalised separately within the courts during the reference period they will be counted more than once in the reference period, either within the same court level or across court levels. For more information about the counting methodology (see Explanatory Notes paragraphs 28–48).

Prior to 2009–10, data for the New South Wales Magistrates' and Children's Courts were based on finalised appearances rather than finalised defendants. This counting method resulted in slightly higher population counts for New South Wales than if the finalised defendant was counted. From August 2009, the New South Wales data conforms to the national counting unit of a finalised defendant (see Explanatory Notes paragraphs 13–14 and 65–66).

The statistics provide a profile of the characteristics of defendants, as well as data about the offences for which they have been charged, their guilt or innocence, and sentence outcomes for those proven guilty.

The Explanatory Notes provide detailed information on the data sources, comparability, definitions, counting rules and other technical matters associated with the ABS criminal courts data collection.

For ease of reading, some terms have been abbreviated throughout this publication: 'principal sentence' is referred to as 'sentence' and 'principal offence' is referred to as 'offence'. The term 'and related offences' has also been omitted for the following offence categories: homicide and related offences; sexual assault and related offences; robbery, extortion and related offences; theft and related offences; and fraud, deception and related offences.

CHANGES TO OFFENCE
DATA

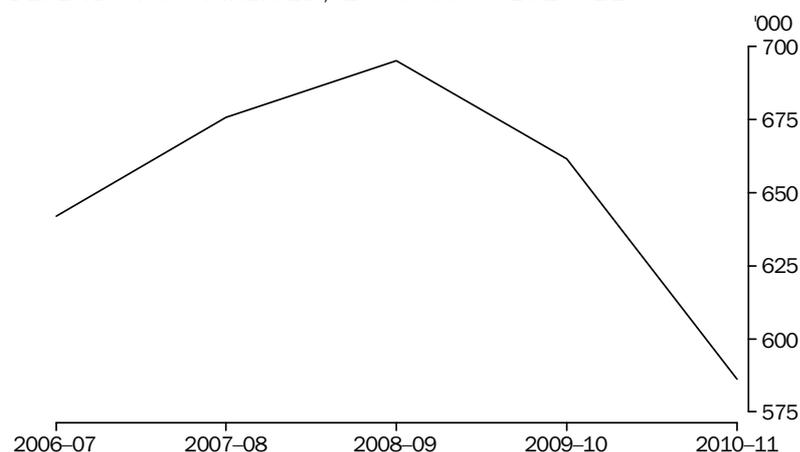
Offence data were first published for the Higher Courts for 2001–02; for the Magistrates' Courts for 2003–04; and for the Children's Courts for 2006–07. These data were based on the 1997 edition of the Australian Standard Offence Classification (ASOC97).

From the 2008–09 reference period, offence data from the Criminal Courts collection is based on the revised edition of the classification (ASOC08). Courts agencies in all states and territories migrated to the revised offence classification in 2008–09. In June 2011, ASOC08 was renamed as the Australian and New Zealand Standard Offence Classification (ANZSOC). No changes were made to the content of the classification.

SUMMARY

In 2010–11, there were a total of 586,391 defendants finalised in Australia's criminal courts: 16,298 in the Higher Courts; 533,857 in the Magistrates' Courts; and 36,236 in the Children's Courts (Table 1.1). Between 2009–10 and 2010–11, the number of defendants finalised across all criminal courts decreased by 11%, resulting from decreases in all three court levels (Table 1.2).

DEFENDANTS FINALISED, 2006–07 to 2010–11



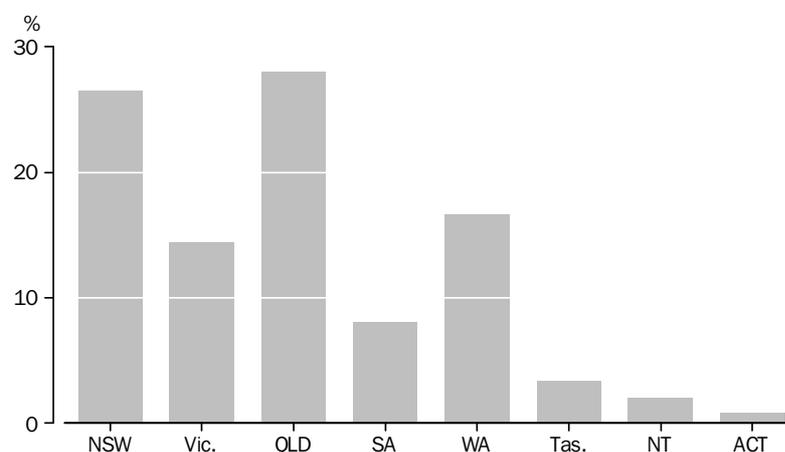
In 2010–11, male defendants decreased by 12% (from 512,278 in 2009–10 to 452,491), while female defendants decreased by 11% (from 139,610 in 2009–10 to 124,993). The number of organisations heard by the courts decreased by 6% (from 5,629 in 2009–10 to 5,309).

Of those defendants adjudicated, 97% were proven guilty, a small increase from 2009–10. Of those proven guilty, 11% (55,663) were sentenced to a custodial order, the same proportion as 2009–10.

Of all defendants finalised, 8% had their cases withdrawn (Table 1.1).

At the state and territory level, Queensland contributed the most to the defendant population with 28% (164,367), followed by New South Wales with 27% (155,630) and Western Australia with 17% (97,483) (Table 1.3).

DEFENDANTS FINALISED, Proportion of defendants by states and territories



SUMMARY *continued*

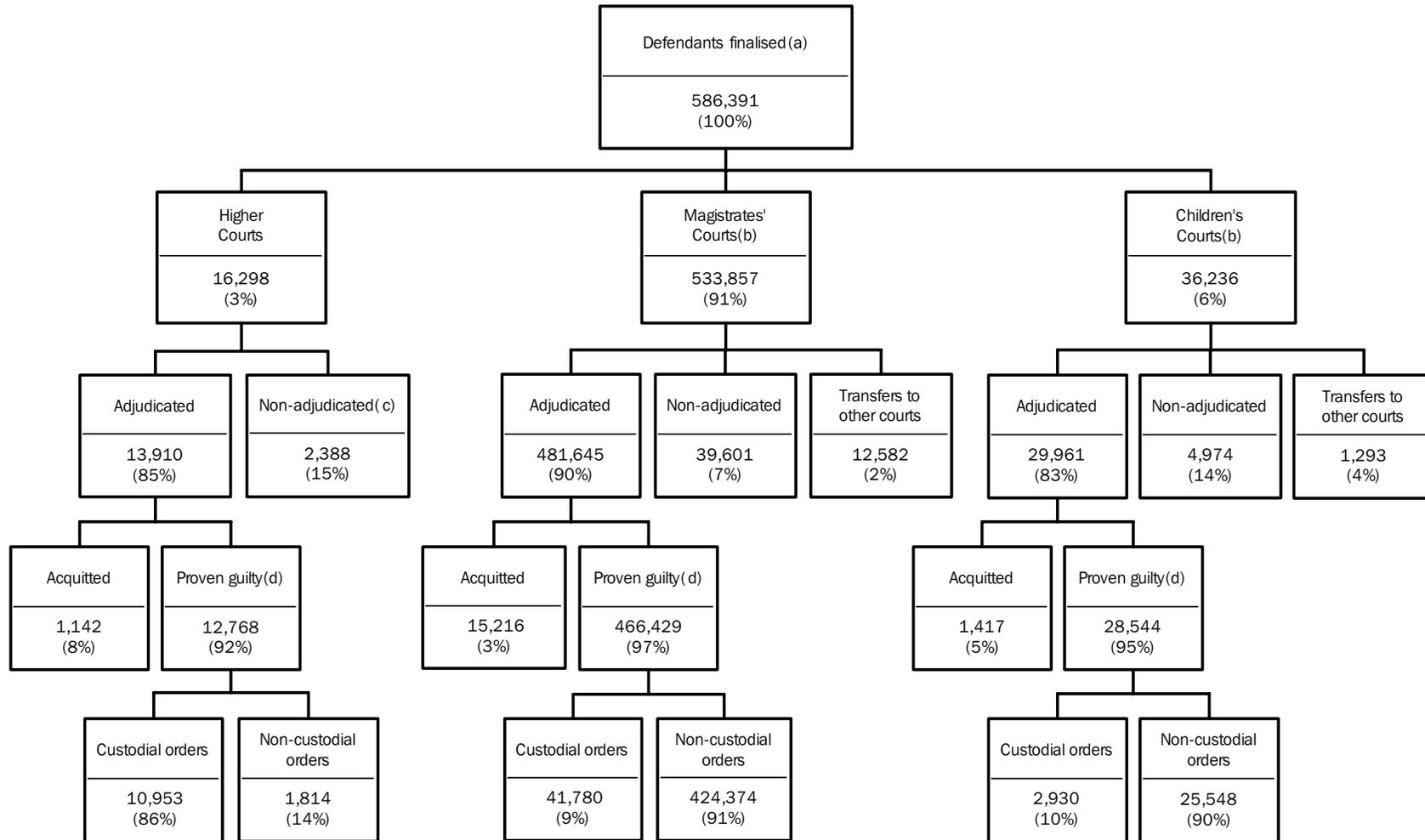
Across the jurisdictions, the proportions of defendants who were male ranged from 81% in South Australia to 75% in Western Australia.

The highest proportions of cases withdrawn by the prosecution were in the Australian Capital Territory (21%) and South Australia (20%) and the lowest were in Tasmania (2%) and Western Australia (5%) (Table 1.3).

The proportions of all finalised defendants proven guilty also varied across the jurisdictions. In Queensland and Western Australia 90% of defendants were proven guilty, while in the Australian Capital Territory 67% of defendants were proven guilty.

Custodial orders were issued to 33% of defendants proven guilty in the Northern Territory, 19% of those proven guilty in the Australian Capital Territory and 15% of those proven guilty in Victoria, South Australia and Tasmania; all higher than the national average of 11%. Western Australia had the lowest proportion of custodial orders at 6%.

SUMMARY CHARACTERISTICS OF DEFENDANTS



(a) Defendants will be counted twice where they are transferred from one of the three court levels and then finalised in another within the same reference period.
 (b) Includes defendants with an unknown method of finalisation.
 (c) Includes defendants transferred to other courts.
 (d) Includes defendants for whom a principal sentence is unknown.

1.1 SUMMARY CHARACTERISTICS OF ALL DEFENDANTS, Court level

	COURT LEVEL			
	Higher	Magistrates'	Children's	All courts
NUMBER				
Sex				
Males	14 302	409 491	28 698	452 491
Females	1 980	115 496	7 517	124 993
Organisations	14	5 295	..	5 309
Method of finalisation				
Adjudicated outcomes				
Acquitted	1 142	15 216	1 417	17 775
Proven guilty	12 768	466 429	28 544	507 741
Total	13 910	481 645	29 961	525 516
Transfers to other courts	119	12 582	1 293	13 994
Withdrawn by prosecution	2 197	38 923	3 318	44 438
Total finalised (a)(b)	16 298	533 857	36 236	586 391
Principal offence				
Homicide and related offences	402	100	10	512
Acts intended to cause injury	2 997	45 744	5 990	54 731
Sexual assault and related offences	2 305	1 273	352	3 930
Dangerous or negligent acts endangering persons	432	33 001	1 437	34 870
Abduction, harassment and other offences against the person	271	2 157	231	2 659
Robbery, extortion and related offences	1 519	216	1 188	2 923
Unlawful entry with intent	992	6 207	3 742	10 941
Theft and related offences	318	32 087	6 163	38 568
Fraud, deception and related offences	652	11 006	239	11 897
Illicit drug offences	2 776	30 808	785	34 369
Prohibited and regulated weapons and explosives offences	160	7 042	481	7 683
Property damage and environmental pollution	278	13 275	2 385	15 938
Public order offences	90	42 210	2 767	45 067
Traffic and vehicle regulatory offences	10	215 484	2 718	218 212
Offences against justice procedures, gov't security and operations	381	30 067	754	31 202
Miscellaneous offences	68	10 060	207	10 335
Total adjudicated (c)	13 910	481 645	29 961	525 516
Sentence outcomes				
Custodial orders	10 953	41 780	2 930	55 663
Non-custodial orders	1 814	424 374	25 548	451 736
Total proven guilty (d)	12 768	466 429	28 544	507 741

.. not applicable

(a) Includes defendants with an unknown sex.

(b) Includes defendants deceased, unfit to plead, transfers to non-court agencies, other non-adjudicated finalisations n.e.c. and unknown method of finalisation.

(c) Includes defendants for whom offence data are missing or a principal offence could not be determined.

(d) Includes defendants for whom a principal sentence is unknown.

1.1**SUMMARY CHARACTERISTICS OF ALL DEFENDANTS, Court level *continued***

	COURT LEVEL			
	<i>Higher</i>	<i>Magistrates'</i>	<i>Children's</i>	<i>All courts</i>
PROPORTION (%)				
Sex				
Males	87.8	76.7	79.2	77.2
Females	12.1	21.6	20.7	21.3
Organisations	0.1	1.0	. .	0.9
Method of finalisation				
Adjudicated outcomes				
Acquitted	7.0	2.9	3.9	3.0
Proven guilty	78.3	87.4	78.8	86.6
<i>Total</i>	85.3	90.2	82.7	89.6
Transfers to other courts	0.7	2.4	3.6	2.4
Withdrawn by prosecution	13.5	7.3	9.2	7.6
Total finalised (a)(b)	100.0	100.0	100.0	100.0
Principal offence				
Homicide and related offences	2.9	. .	. .	0.1
Acts intended to cause injury	21.5	9.5	20.0	10.4
Sexual assault and related offences	16.6	0.3	1.2	0.7
Dangerous or negligent acts endangering persons	3.1	6.9	4.8	6.6
Abduction, harassment and other offences against the person	1.9	0.4	0.8	0.5
Robbery, extortion and related offences	10.9	. .	4.0	0.6
Unlawful entry with intent	7.1	1.3	12.5	2.1
Theft and related offences	2.3	6.7	20.6	7.3
Fraud, deception and related offences	4.7	2.3	0.8	2.3
Illicit drug offences	20.0	6.4	2.6	6.5
Prohibited and regulated weapons and explosives offences	1.2	1.5	1.6	1.5
Property damage and environmental pollution	2.0	2.8	8.0	3.0
Public order offences	0.6	8.8	9.2	8.6
Traffic and vehicle regulatory offences	0.1	44.7	9.1	41.5
Offences against justice procedures, gov't security and operations	2.7	6.2	2.5	5.9
Miscellaneous offences	0.5	2.1	0.7	2.0
Total adjudicated (c)	100.0	100.0	100.0	100.0
Sentence outcomes				
Custodial orders	85.8	9.0	10.3	11.0
Non-custodial orders	14.2	91.0	89.5	89.0
Total proven guilty (d)	100.0	100.0	100.0	100.0

. . not applicable

(a) Includes defendants with an unknown sex.

(b) Includes defendants deceased, unfit to plead, transfers to non-court agencies, other non-adjudicated finalisations n.e.c. and unknown method of finalisation.

(c) Includes defendants for whom offence data are missing or a principal offence could not be determined.

(d) Includes defendants for whom a principal sentence is unknown.

1.2 SUMMARY CHARACTERISTICS OF ALL DEFENDANTS, 2006–07 to 2010–11

	NUMBER					PERCENTAGE
	2006–07	2007–08	2008–09	2009–10	2010–11	CHANGE (%) 2009–10 to 2010–11
Sex						
Males	497 944	521 343	540 817	512 278	452 491	-11.7
Females	132 271	143 852	144 255	139 610	124 993	-10.5
Organisation	7 971	6 814	7 010	5 629	5 309	-5.7
Method of finalisation						
Adjudicated outcomes						
Acquitted	26 765	26 701	27 947	23 078	17 775	-23.0
Proven guilty	549 251	585 440	598 461	570 458	507 741	-11.0
Total	576 016	612 141	626 408	593 536	525 516	-11.5
Transfers to other courts	15 936	14 122	14 766	14 830	13 994	-5.6
Withdrawn by prosecution	47 299	46 924	51 406	50 142	44 438	-11.4
Total finalised(a)(b)	641 894	675 689	695 331	661 713	586 391	-11.4
Principal offence(c)						
Homicide and related offences	560	561	517	549	512	-6.7
Acts intended to cause injury	49 524	51 452	57 378	57 418	54 731	-4.7
Sexual assault and related offences	3 253	3 451	4 106	3 955	3 930	-0.6
Dangerous or negligent acts endangering persons	47 574	52 242	42 684	39 088	34 870	-10.8
Abduction, harassment and other offences against the person	158	164	2 609	2 729	2 659	-2.6
Robbery, extortion and related offences	2 985	3 293	2 966	3 133	2 923	-6.7
Unlawful entry with intent	12 712	12 470	12 932	12 299	10 941	-11.0
Theft and related offences	35 230	33 992	40 165	41 702	38 568	-7.5
Fraud, deception and related offences	25 235	22 251	14 870	14 146	11 897	-15.9
Illicit drug offences	32 115	32 700	34 973	36 116	34 369	-4.8
Prohibited and regulated weapons and explosives offences	8 388	8 377	8 442	8 033	7 683	-4.4
Property damage and environmental pollution	16 488	16 599	17 198	16 949	15 938	-6.0
Public order offences	61 804	65 152	71 423	65 364	45 067	-31.1
Traffic and vehicle regulatory offences	230 383	260 531	269 267	244 436	218 212	-10.7
Offences against justice procedures, gov't security and operations	32 744	32 521	35 494	36 156	31 202	-13.7
Miscellaneous offences	15 798	15 559	11 157	11 248	10 335	-8.1
Total adjudicated(d)	576 016	612 141	626 408	593 536	525 516	-11.5
Sentence outcomes						
Custodial orders	56 011	59 282	62 165	60 665	55 663	-8.2
Non-custodial orders	492 440	525 418	535 482	509 021	451 736	-11.3
Total proven guilty(e)	549 251	585 440	598 461	570 458	507 741	-11.0

(a) Includes defendants with an unknown sex.

(b) Includes defendants deceased, unfit to plead, transfers to non-court agencies, other non-adjudicated finalisations n.e.c. and unknown method of finalisation.

(c) Offence data are based on ANZSOC from 2008–09 and ASOC97 prior to this period. Caution should be exercised when comparing offence data. See Explanatory Notes paragraph 21.

(d) Includes defendants for whom offence data are missing or a principal offence could not be determined.

(e) Includes defendants for whom a principal sentence is unknown.

1.3 SUMMARY CHARACTERISTICS OF ALL DEFENDANTS, States and territories

	NSW	Vic.	Qld	SA	WA	Tas.	NT	ACT	Aust.
NUMBER									
Sex									
Males	122 059	65 059	124 998	38 459	73 254	15 163	9 384	4 115	452 491
Females	30 091	17 778	37 820	9 174	22 319	4 470	2 249	1 092	124 993
Organisation	2 410	1 676	775	131	156	58	69	34	5 309
Method of finalisation									
Adjudicated outcomes									
Acquitted	7 897	3 428	1 583	350	990	3 059	329	139	17 775
Proven guilty	134 382	72 524	148 310	35 132	87 985	15 649	10 259	3 500	507 741
Total	142 279	75 952	149 893	35 482	88 975	18 708	10 588	3 639	525 516
Transfers to other courts	3 872	390	4 107	2 385	2 273	565	183	219	13 994
Withdrawn by prosecution	9 254	8 162	10 351	9 676	4 579	373	930	1 113	44 438
Total finalised(a)(b)	155 630	84 513	164 367	47 764	97 483	19 691	11 702	5 241	586 391
Principal offence									
Homicide and related offences	181	111	90	43	59	7	13	8	512
Acts intended to cause injury	24 033	8 848	6 823	3 639	6 641	2 284	1 923	540	54 731
Sexual assault and related offences	1 010	894	955	342	499	106	93	31	3 930
Dangerous or negligent acts endangering persons	5 386	6 801	10 477	3 313	7 107	846	555	385	34 870
Abduction, harassment and other offences against the person	880	718	378	87	537	9	44	6	2 659
Robbery, extortion and related offences	1 159	552	462	146	454	70	39	41	2 923
Unlawful entry with intent	2 379	1 637	3 097	1 010	1 761	523	394	140	10 941
Theft and related offences	8 638	7 170	12 402	3 133	5 050	1 407	441	327	38 568
Fraud, deception and related offences	3 436	2 654	3 219	826	1 269	381	63	49	11 897
Illicit drug offences	9 670	3 244	12 446	1 907	5 309	1 181	497	115	34 369
Prohibited and regulated weapons and explosives offences	1 125	1 706	2 085	1 333	854	234	271	75	7 683
Property damage and environmental pollution	5 154	1 988	4 092	1 386	2 471	574	210	63	15 938
Public order offences	5 741	3 097	21 797	4 066	8 381	1 466	485	34	45 067
Traffic and vehicle regulatory offences	64 754	29 750	55 458	11 824	42 394	7 823	4 569	1 640	218 212
Offences against justice procedures, gov't security and operations	5 647	2 758	13 002	1 848	5 315	1 570	894	168	31 202
Miscellaneous offences	3 086	3 882	1 580	579	874	221	96	17	10 335
Total adjudicated(c)	142 279	75 952	149 893	35 482	88 975	18 708	10 588	3 639	525 516
Sentence outcomes									
Custodial orders	15 199	11 188	12 234	5 140	5 555	2 305	3 371	671	55 663
Non-custodial orders	119 183	60 995	136 076	29 992	82 430	13 344	6 888	2 828	451 736
Total proven guilty(d)	134 382	72 524	148 310	35 132	87 985	15 649	10 259	3 500	507 741

(a) Includes defendants with an unknown sex.

(b) Includes defendants deceased, unfit to plead, transfers to non-court agencies, other non-adjudicated finalisations n.e.c. and unknown method of finalisation.

(c) Includes defendants for whom offence data are missing or a principal offence could not be determined.

(d) Includes defendants for whom a principal sentence is unknown.

1.3 SUMMARY CHARACTERISTICS OF ALL DEFENDANTS, States and territories

continued

	NSW	Vic.	Qld	SA	WA	Tas.	NT	ACT	Aust.
PROPORTION (%)									
Sex									
Males	78.4	77.0	76.0	80.5	75.1	77.0	80.2	78.5	77.2
Females	19.3	21.0	23.0	19.2	22.9	22.7	19.2	20.8	21.3
Organisation	1.5	2.0	0.5	0.3	0.2	0.3	0.6	0.6	0.9
Method of finalisation									
Adjudicated outcomes									
Acquitted	5.1	4.1	1.0	0.7	1.0	15.5	2.8	2.7	3.0
Proven guilty	86.3	85.8	90.2	73.6	90.3	79.5	87.7	66.8	86.6
Total	91.4	89.9	91.2	74.3	91.3	95.0	90.5	69.4	89.6
Transfers to other courts	2.5	0.5	2.5	5.0	2.3	2.9	1.6	4.2	2.4
Withdrawn by prosecution	5.9	9.7	6.3	20.3	4.7	1.9	7.9	21.2	7.6
Total finalised^{(a)(b)}	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Principal offence									
Homicide and related offences	0.1	0.1	0.1	0.1	0.1	—	0.1	0.2	0.1
Acts intended to cause injury	16.9	11.6	4.6	10.3	7.5	12.2	18.2	14.8	10.4
Sexual assault and related offences	0.7	1.2	0.6	1.0	0.6	0.6	0.9	0.9	0.7
Dangerous or negligent acts endangering persons	3.8	9.0	7.0	9.3	8.0	4.5	5.2	10.6	6.6
Abduction, harassment and other offences against the person	0.6	0.9	0.3	0.2	0.6	—	0.4	0.2	0.5
Robbery, extortion and related offences	0.8	0.7	0.3	0.4	0.5	0.4	0.4	1.1	0.6
Unlawful entry with intent	1.7	2.2	2.1	2.8	2.0	2.8	3.7	3.8	2.1
Theft and related offences	6.1	9.4	8.3	8.8	5.7	7.5	4.2	9.0	7.3
Fraud, deception and related offences	2.4	3.5	2.1	2.3	1.4	2.0	0.6	1.3	2.3
Illicit drug offences	6.8	4.3	8.3	5.4	6.0	6.3	4.7	3.2	6.5
Prohibited and regulated weapons and explosives offences	0.8	2.2	1.4	3.8	1.0	1.3	2.6	2.1	1.5
Property damage and environmental pollution	3.6	2.6	2.7	3.9	2.8	3.1	2.0	1.7	3.0
Public order offences	4.0	4.1	14.5	11.5	9.4	7.8	4.6	0.9	8.6
Traffic and vehicle regulatory offences	45.5	39.2	37.0	33.3	47.6	41.8	43.2	45.1	41.5
Offences against justice procedures, gov't security and operations	4.0	3.6	8.7	5.2	6.0	8.4	8.4	4.6	5.9
Miscellaneous offences	2.2	5.1	1.1	1.6	1.0	1.2	0.9	0.5	2.0
Total adjudicated^(c)	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Sentence outcomes									
Custodial orders	11.3	15.4	8.2	14.6	6.3	14.7	32.9	19.2	11.0
Non-custodial orders	88.7	84.1	91.8	85.4	93.7	85.3	67.1	80.8	89.0
Total proven guilty^(d)	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

— nil or rounded to zero (including null cells)

(a) Includes defendants with an unknown sex.

(b) Includes defendants deceased, unfit to plead, transfers to non-court agencies, other non-adjudicated finalisations n.e.c. and unknown method of finalisation.

(c) Includes defendants for whom offence data are missing or a principal offence could not be determined.

(d) Includes defendants for whom a principal sentence is unknown.

INTRODUCTION

This chapter presents information about defendants finalised in the criminal jurisdiction of the Higher Courts in 2010–11. The Higher Courts refers to the grouping of the Intermediate (the District or County Court) and Supreme Court levels.

Higher Courts are in operation in all states and territories of Australia. These courts try and sentence matters relating to indictable and serious criminal offences.

Higher Courts data presented here exclude cases such as bail reviews and applications to amend sentences or penalties which do not require the adjudication of charges. Also excluded are breach of bail or parole cases, appeal cases, tribunal matters and defendants for whom a bench warrant is issued, but not executed.

The offence categories referred to relate to the principal offence, i.e. the most serious offence type with which the defendant was charged. For more information about principal offence see Explanatory Notes paragraphs 40–44.

National data for the Higher Courts are available from 1995.

Snapshot

- The number of defendants finalised in the Higher Courts decreased by 3%, from 16,834 in 2009–10 to 16,295 in 2010–11. This is the lowest number of finalisations since 2006–07.
- Of those defendants finalised in the Higher Courts, 85% (13,908) were finalised by a guilty plea or a court determination of their guilt or innocence. Withdrawal of charges by the prosecution accounted for 13% of finalisations.
- Defendants finalised for charges of sexual assault had the lowest proportion (60%) proven guilty of all principal offences. This offence also had the largest proportion of charges acquitted (19%).
- More than 8 in 10 defendants proven guilty were sentenced to custodial orders.

DEFENDANTS FINALISED

Defendants can have their charges finalised via different methods (see Appendix 2). The main categories of finalisation are: adjudicated finalisations, where the court has made a finding as to the guilt or otherwise of the defendant; finalisation by transfer between court levels; withdrawal by the prosecution; and other methods such as defendant deceased or unfit to plead.

Following a low in 2006–07, the number of defendants finalised in the Higher Courts peaked in 2008–09. The number of defendants finalised decreased again in 2009–10 and 2010–11 (Table 2.2).

DEFENDANTS FINALISED
continued

DEFENDANTS FINALISED, 2005–2006 to 2010–2011

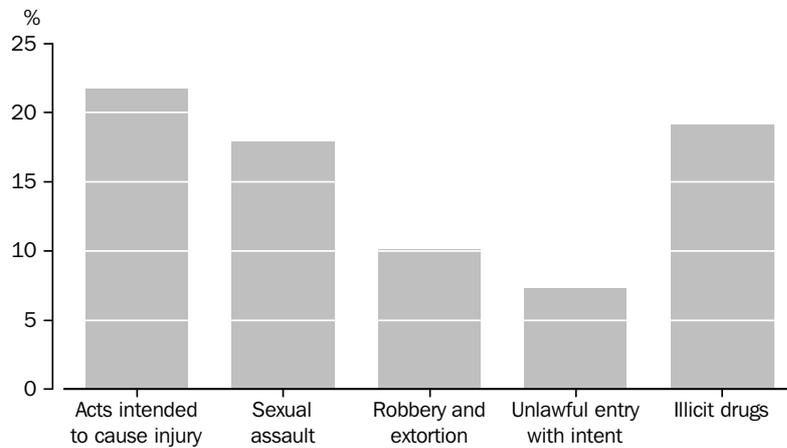


Four states and territories had decreases in the numbers of defendants finalised in the Higher Courts in 2010–11: New South Wales (11%), Western Australia (10%), the Northern Territory (11%) and Queensland (2%). The remaining states and territories had increases, the largest being the Australian Capital Territory (16%) (Table 2.11).

Principal offence

Five offence types accounted for over three-quarters of defendants finalised in the Higher Courts in 2010–11: acts intended to cause injury (22%), illicit drug offences (19%), sexual assault (18%), robbery and extortion (10%), and unlawful entry with intent (7%) (Table 2.5).

DEFENDANTS FINALISED, Selected principal offence



Sex	<p>In 2010–11, 88% of defendants finalised were male and 12% were female. These proportions have remained relatively stable over time, with males accounting for 86–88% of defendants since 2005–06 (Table 2.2).</p> <p>The proportion of males and females was similar across the states and territories. Queensland (85%) and Tasmania (87%) had a smaller proportion of males than the national average and the Northern Territory (91%), New South Wales (90%), Victoria (89%) and the Australian Capital Territory (90%) had a larger proportion (Table 2.3).</p>
Age	<p>Those aged 20 to 29 years accounted for over one-third (38%) of defendants finalised in the Higher Courts. This was followed by defendants aged 30 to 39 years (26%) (Table 2.6).</p>
Charges withdrawn by the prosecution	<p>In 2010–11, 2,197 (13%) defendants had their charges withdrawn by the prosecution, a small increase from 2009–10 (Table 2.2).</p> <p>During 2010–11, the following offences had the largest proportion of defendants finalised through the withdrawal of charges by the prosecution (Table 2.5):</p> <ul style="list-style-type: none"> ■ abduction, harassment and other offences against the person (21% or 72); ■ sexual assault (20% or 584); ■ property damage and environmental pollution (18% or 62); and ■ theft (17% or 70). <p>South Australia (29%) and Tasmania (26%) had larger proportions of defendants finalised by charges withdrawn than the national average of 14%. New South Wales and Victoria had the smallest proportion of defendants finalised by this method (5% and 6% respectively) (Table 2.3).</p>
Defendants acquitted	<p>Of the 16,298 defendants finalised, 7% (1,142) were acquitted. This represents no change from the proportion in 2009–10 (Table 2.2).</p> <p>Two principal offences accounted for over two-thirds of all defendants acquitted in 2010–11: sexual assault (542 or 48%) and acts intended to cause injury (257 or 23%) (Table 2.5).</p> <p>Defendants finalised with sexual assault and homicide offences had the largest proportion of defendants acquitted (19% and 15% respectively) (Table 2.1).</p> <p>Queensland and Tasmania had the lowest proportion of defendants acquitted (6%) and the Australian Capital Territory had the highest (10%) (Table 2.3).</p>
Defendants proven guilty	<p>In 2010–11, the majority (78% or 12,768) of defendants finalised in the Higher Courts were proven guilty. Of these defendants, a large proportion (88% or 11,203) pleaded guilty, while 11% had a guilty finding at trial (Table 2.2).</p> <p>The proportion of defendants pleading guilty varied by offence type: 82% of defendants with a principal offence of robbery and extortion pleaded guilty, whereas 44% of defendants with homicide offences and 46% of defendants with sexual assault offences pleaded guilty (Table 2.5).</p>

SENTENCE OUTCOMES

The following information relates to sentence outcomes for defendants proven guilty in the Higher Courts. Sentence refers to the principal sentence a proven guilty defendant received (refer to Explanatory Notes paragraphs 45–48 for further information).

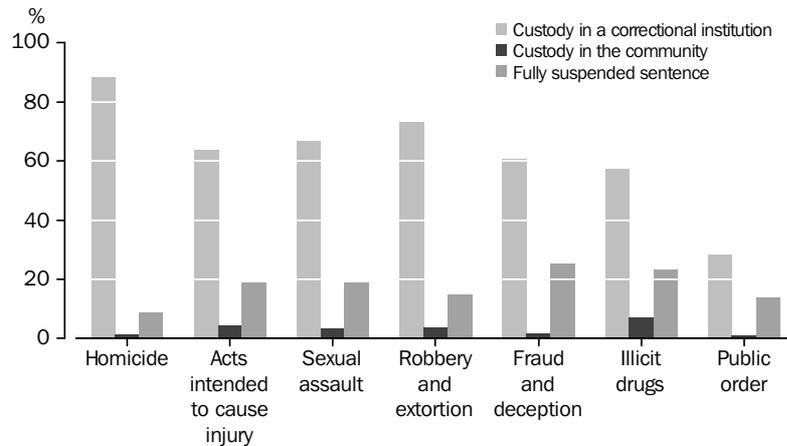
Differences in sentencing result from the offence with which the defendant was proven guilty, as well as a range of aggravating and mitigating factors taken into account by the court, such as prior convictions, level of violence, whether the offender was provoked, and demonstrations of remorse. The range of sentences available also differs across states and territories.

Custodial orders

The majority (86% or 10,953) of defendants proven guilty in 2010–11 received a custodial order. This proportion has slightly increased from 2005–06 when it was 82% (Table 2.2). Of defendants proven guilty, 62% were sentenced to custody in a correctional institution; 4% to custody in the community; and 19% were granted fully suspended sentences (Table 2.1).

Defendants proven guilty of homicide offences were most likely to receive a sentence of custody in a correctional institution (88%), followed by robbery and extortion (73%) and sexual assault (67%) (Table 2.1).

DEFENDANTS PROVEN GUILTY, Selected principal offence by custodial sentence

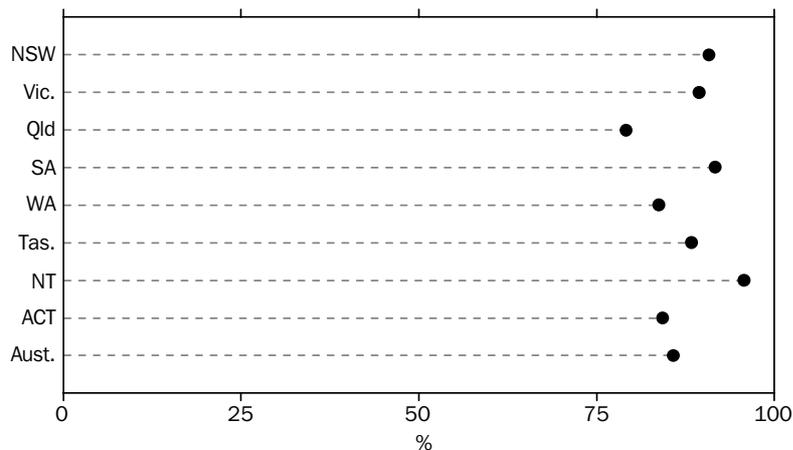


A greater proportion of males received a sentence of custody in a correctional institution than females (64% compared with 48%). A larger proportion of females were given fully suspended sentences than males (24% and 19% respectively) (Table 2.9).

The proportion of defendants receiving a custodial order varied across states and territories, ranging from 79% in Queensland to 96% in the Northern Territory (Table 2.3).

*Custodial orders
continued*

DEFENDANTS PROVEN GUILTY, Custodial orders by states and territories

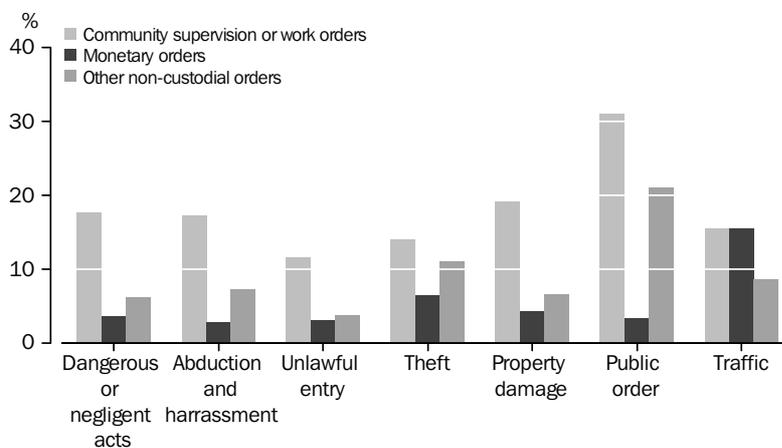


Non-custodial orders

Of defendants proven guilty in the Higher Courts 14% (1,814) were sentenced to non-custodial orders (community supervision or work orders, monetary orders and other non-custodial orders), a slightly lower proportion than in 2009–10 (Table 2.2).

Community supervision or work orders was proportionally highest for defendants proven guilty of public order offences (31%) and property damage and environmental pollution (19%) (Table 2.7).

DEFENDANTS PROVEN GUILTY, Selected principal offence by non-custodial sentence



The proportion of females receiving community supervision or work orders (15%) is more than double the proportion of males (7%). A larger proportion of defendants under 20 years of age received a non-custodial order (25% of males and 43% of females), compared with other age groups (Table 2.9).

DURATION OF CASES
ADJUDICATED

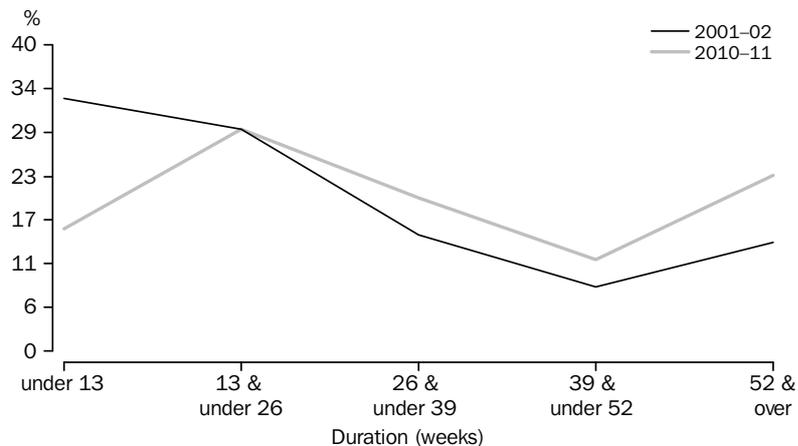
The nature of the charges presented to the court for a defendant, along with the process required to deal with the charges, impact on the time required for a court to finalise a case. Court resources and complexity of cases can also have an impact. The duration is calculated from the date of initiation to finalisation of the case (for more information about duration see paragraphs 61–62 of the Explanatory Notes and the Glossary).

Approximately one-sixth (16%) of defendants adjudicated were finalised in less than 13 weeks from the date of initiation, while 44% were finalised in under 26 weeks. Almost one-quarter (23%) of defendants were finalised 52 weeks or more after initiation (Table 2.10).

Of defendants that went to trial and were found guilty by the court, half (50%) were finalised 52 weeks or more after initiation. Of those acquitted, 40% were finalised in this same time period. For defendants who pleaded guilty in 2010–11, 19% were finalised in less than 13 weeks.

The length of time to finalise cases increased between 2001–02 and 2010–11. In 2001–02 the proportion of defendants with cases finalised in less than 13 weeks was 33%, while the proportion of defendants with cases finalised in 52 weeks or more after initiation was 14%. The comparable figures for 2010–11 were 17% and 23% respectively.

DEFENDANTS ADJUDICATED, Duration of cases finalised



ABORIGINAL AND TORRES
STRAIT ISLANDER
DEFENDANTS

Limited data about Aboriginal and Torres Strait Islander defendants are presented for the second time in this publication. In the Higher Courts, this information is available for defendants finalised in the Higher Courts in Queensland and the Northern Territory only.

The majority of defendants in the Higher Courts with a traffic offence as their principal offence have an unknown Aboriginal and Torres Strait Islander status. This is because most traffic offences are related to fines issued by road traffic authorities, who do not collect or record Aboriginal and Torres Strait Islander status. These defendants have a large impact on the proportion of unknowns in the data, therefore they have been removed from the data in order to enable a focus on those defendants that are more likely to have been in contact with police and are more likely to have had their Aboriginal and Torres Strait Islander status recorded.

ABORIGINAL AND TORRES
STRAIT ISLANDER
DEFENDANTS *continued*

Other offence categories that may also be affected by this issue are: public order offences; offences against justice procedures, government security and operations; and miscellaneous offences. This should be taken into account when comparing Aboriginal and Torres Strait Islander and non-Indigenous data for these offence categories. For further information on the identification of Aboriginal and Torres Strait Islander defendants in the Criminal Courts collection (see Explanatory Notes paragraphs 49–52).

Queensland

In 2010–11, 708 (14%) defendants in the Higher Courts in Queensland identified as Aboriginal and Torres Strait Islander.

The proportion of males and females varied for Aboriginal and Torres Strait Islander defendants when compared to non-Indigenous defendants, with 19% of Aboriginal and Torres Strait Islander defendants being female compared to 13% of non-Indigenous defendants.

There was also variation when comparing offence categories. The three main offence categories for Aboriginal and Torres Strait Islander defendants adjudicated in Queensland were: acts intended to cause injury (43%), sexual assault (16%) and robbery and extortion (9%). For non-Indigenous defendants the three main offence categories were: acts intended to cause injury (23%), illicit drugs (20%), and sexual assault (17%).

In 2010–11, 469 (83%) Aboriginal and Torres Strait Islander defendants proven guilty were sentenced to custodial orders and 2,209 (77%) non-Indigenous defendants were sentenced to custodial orders (Table 2.12).

Northern Territory

In 2010–11, 193 (59%) defendants in the Higher Courts in the Northern Territory identified as Aboriginal and Torres Strait Islander.

The proportion of males and females was similar for Aboriginal and Torres Strait Islander defendants and non-Indigenous defendants: 9% of Aboriginal and Torres Strait Islander defendants were female compared with 8% of non-Indigenous defendants.

Between the two populations, there was variation in the main offence categories. In the Northern Territory two offence categories accounted for almost three-quarters of Aboriginal and Torres Strait Islander defendants adjudicated: acts intended to cause injury (48%) and sexual assault (21%). For non-Indigenous defendants in the Northern Territory there were three main offence categories: illicit drugs (34%), sexual assault (23%), and offences against justice procedures, government security and government operations (18%).

In the Northern Territory in 2010–11, almost all defendants proven guilty were sentenced to custodial orders. The proportion was 96% for both guilty Aboriginal and Torres Strait Islander defendants and guilty non-Indigenous defendants (Table 2.12).

2.1 SUMMARY CHARACTERISTICS OF ALL DEFENDANTS, Selected principal offence ..

	<i>Homicide & related offences</i>	<i>Acts intended to cause injury</i>	<i>Sexual assault & related offences</i>	<i>Robbery, extortion & related offences</i>	<i>Unlawful entry with intent</i>	<i>Fraud, deception & related offences</i>	<i>Illicit drug offences</i>	<i>Other(a)</i>	<i>Total(b)</i>
NUMBER									
Method of finalisation									
Adjudicated outcomes									
Acquitted	67	257	542	59	28	20	45	122	1 140
Proven guilty	335	2 740	1 763	1 460	964	632	2 731	1 886	12 768
<i>Total</i>	402	2 997	2 305	1 519	992	652	2 776	2 008	13 908
Transfers to other courts	3	25	4	—	22	5	19	39	117
Withdrawn by prosecution	40	501	584	124	162	79	309	380	2 197
Other(c)	12	13	25	3	8	3	3	6	73
Total finalised(d)	457	3 536	2 918	1 646	1 184	739	3 107	2 433	16 295
Sentence outcomes									
Custodial orders									
Custody in a correctional institution	296	1 745	1 175	1 067	557	385	1 571	919	7 934
Custody in the community	5	115	61	53	50	10	191	66	551
Fully suspended sentence	29	514	332	213	189	160	635	381	2 468
<i>Total(e)</i>	330	2 374	1 568	1 333	796	555	2 397	1 366	10 953
Non-custodial orders									
Community supervision/ work orders	—	214	130	96	112	44	152	276	1 043
Monetary orders	3	63	24	3	20	22	104	86	329
Other non-custodial orders	4	89	41	28	36	11	78	157	444
<i>Total(f)</i>	7	366	195	127	168	77	334	519	1 816
Total proven guilty(g)	337	2 740	1 763	1 460	964	632	2 731	1 885	12 769

PROPORTION (%)

Method of finalisation									
Adjudicated outcomes									
Acquitted	14.7	7.3	18.6	3.6	2.4	2.7	1.4	5.0	7.0
Proven guilty	73.3	77.5	60.4	88.7	81.4	85.5	87.9	77.5	78.4
<i>Total</i>	88.0	84.8	79.0	92.3	83.8	88.2	89.3	82.5	85.4
Transfers to other courts	0.7	0.7	0.1	—	1.9	0.7	0.6	1.6	0.7
Withdrawn by prosecution	8.8	14.2	20.0	7.5	13.7	10.7	9.9	15.6	13.5
Other(c)	2.6	0.4	0.9	0.2	0.7	0.4	0.1	0.2	0.4
Total finalised(d)	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Sentence outcomes									
Custodial orders									
Custody in a correctional institution	87.8	63.7	66.6	73.1	57.8	60.9	57.5	48.8	62.1
Custody in the community	1.5	4.2	3.5	3.6	5.2	1.6	7.0	3.5	4.3
Fully suspended sentence	8.6	18.8	18.8	14.6	19.6	25.3	23.3	20.2	19.3
<i>Total(e)</i>	97.9	86.6	88.9	91.3	82.6	87.8	87.8	72.5	85.8
Non-custodial orders									
Community supervision/ work orders	—	7.8	7.4	6.6	11.6	7.0	5.6	14.6	8.2
Monetary orders	0.9	2.3	1.4	0.2	2.1	3.5	3.8	4.6	2.6
Other non-custodial orders	1.2	3.2	2.3	1.9	3.7	1.7	2.9	8.3	3.5
<i>Total(f)</i>	2.1	13.4	11.1	8.7	17.4	12.2	12.2	27.5	14.2
Total proven guilty(g)	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

— nil or rounded to zero (including null cells)

(a) Includes ANZSOC Divisions 04–05, 08, 11–16 (refer to Appendix 3).

(b) Includes defendants for whom offence data are missing or a principal offence could not be determined.

(c) Includes defendants deceased, unfit to plead and other non-adjudicated finalisations n.e.c.

(d) Includes defendants with unknown method of finalisation.

(e) Includes custodial orders n.f.d.

(f) Includes non-custodial orders n.f.d.

(g) Includes defendants for whom a principal sentence is unknown..

2.2 SUMMARY CHARACTERISTICS OF ALL DEFENDANTS, 2005–06 to 2010–11

	NUMBER						PERCENTAGE
	2005–06	2006–07	2007–08	2008–09	2009–10	2010–11	CHANGE (%) 2009–10 to 2010–11
NUMBER							
Sex							
Males	14 313	14 231	14 388	15 026	14 680	14 302	-2.6
Females	2 027	1 961	2 043	2 155	2 130	1 980	-7.0
Organisations	14	12	18	23	20	14	-30.0
Method of finalisation							
Adjudicated outcomes							
Acquitted	1 248	1 100	1 117	1 142	1 216	1 142	-6.1
Proven guilty							
Guilty finding	1 543	1 427	1 378	1 406	1 384	1 429	3.3
Guilty plea	11 400	11 381	11 665	11 822	11 697	11 203	-4.2
Total(a)	12 943	12 884	13 205	13 526	13 193	12 768	-3.2
Total adjudicated	14 191	13 984	14 322	14 668	14 409	13 910	-3.5
Withdrawn by prosecution	2 054	2 190	2 288	2 347	2 225	2 197	-1.3
Total finalised(b)(c)	16 356	16 287	16 735	17 207	16 834	16 298	-3.2
Sentence outcomes							
Custodial orders	10 628	10 509	11 008	11 439	11 184	10 953	-2.1
Non-custodial orders	2 265	2 310	2 196	2 087	2 009	1 814	-9.7
Total proven guilty(d)	12 943	12 884	13 205	13 526	13 193	12 768	-3.2

	PROPORTION (%)						
PROPORTION (%)							
Sex							
Males	87.5	87.4	86.0	87.3	87.2	87.8	..
Females	12.4	12.0	12.2	12.5	12.7	12.1	..
Organisations	0.1	0.1	0.1	0.1	0.1	0.1	..
Method of finalisation							
Adjudicated outcomes							
Acquitted	7.6	6.8	6.7	6.6	7.2	7.0	..
Proven guilty							
Guilty finding	9.4	8.8	8.2	8.2	8.2	8.8	..
Guilty plea	69.7	69.9	69.7	68.7	69.5	68.7	..
Total(a)	79.1	79.1	78.9	78.6	78.4	78.3	..
Total adjudicated	86.8	85.9	85.6	85.2	85.6	85.3	..
Withdrawn by prosecution	12.6	13.4	13.7	13.6	13.2	13.5	..
Total finalised(b)(c)	100.0	100.0	100.0	100.0	100.0	100.0	..
Sentence outcomes							
Custodial orders	82.1	81.6	83.4	84.6	84.8	85.8	..
Non-custodial orders	17.5	17.9	16.6	15.4	15.2	14.2	..
Total proven guilty(d)	100.0	100.0	100.0	100.0	100.0	100.0	..

.. not applicable

(a) Includes defendants with charges proven n.f.d.

(b) Includes defendants with unknown sex.

(c) Includes defendants deceased, unfit to plead, transfers to other courts, and other non-adjudicated finalisations n.e.c.

(d) Includes defendants for whom a principal sentence is unknown.

2.3 SUMMARY CHARACTERISTICS OF ALL DEFENDANTS, States and territories

	NSW	Vic.	Qld	SA	WA	Tas.	NT	ACT	Aust.
NUMBER									
Sex									
Males	2 961	2 049	4 572	1 640	2 021	532	305	222	14 302
Females	314	242	786	227	272	81	31	27	1 980
Organisation	—	13	—	—	—	—	—	—	13
Method of finalisation									
Adjudicated outcomes									
Acquitted	239	196	312	124	180	38	27	26	1 142
Proven guilty									
Guilty finding	268	224	286	267	262	73	28	21	1 429
Guilty plea	2 530	1 728	3 881	897	1 404	336	250	177	11 203
Total(a)	2 814	1 952	4 167	1 164	1 786	409	278	198	12 768
Total adjudicated	3 053	2 148	4 479	1 288	1 966	447	305	224	13 910
Withdrawn by prosecution	164	147	866	544	264	157	31	24	2 197
Total finalised(b)(c)	3 275	2 304	5 361	1 867	2 295	612	336	248	16 298
Sentence outcomes									
Custodial orders	2 555	1 746	3 298	1 067	1 494	361	266	166	10 953
Non-custodial orders	259	206	869	97	292	48	12	31	1 814
Total proven guilty	2 814	1 952	4 167	1 164	1 786	409	278	198	12 768
PROPORTION (%)									
Sex									
Males	90.4	88.9	85.3	87.8	88.1	86.9	90.8	89.5	87.8
Females	9.6	10.5	14.7	12.2	11.9	13.2	9.2	10.9	12.1
Organisation	—	0.6	—	—	—	—	—	—	0.1
Method of finalisation									
Adjudicated outcomes									
Acquitted	7.3	8.5	5.8	6.6	7.8	6.2	8.0	10.5	7.0
Proven guilty									
Guilty finding	8.2	9.7	5.3	14.3	11.4	11.9	8.3	8.5	8.8
Guilty plea	77.3	75.0	72.4	48.0	61.2	54.9	74.4	71.4	68.7
Total(a)	85.9	84.7	77.7	62.3	77.8	66.8	82.7	79.8	78.3
Total adjudicated	93.2	93.2	83.5	69.0	85.7	73.0	90.8	90.3	85.3
Withdrawn by prosecution	5.0	6.4	16.2	29.1	11.5	25.7	9.2	9.7	13.5
Total finalised(b)(c)	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Sentence outcomes									
Custodial orders	90.8	89.4	79.1	91.7	83.7	88.3	95.7	83.8	85.8
Non-custodial orders	9.2	10.6	20.9	8.3	16.3	11.7	4.3	15.7	14.2
Total proven guilty	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

— nil or rounded to zero (including null cells)

(a) Includes defendants with charges proven n.f.d.

(b) Includes defendants with unknown sex.

(c) Includes defendants deceased, unfit to plead, transfers to other courts, and other non-adjudicated finalisations n.e.c.

2.4 DEFENDANTS ADJUDICATED, Principal offence, 2005–06 to 2010–11(a)

	2005–06	2006–07	2007–08	2008–09	2009–10	2010–11
Homicide and related offences						
Murder	161	152	138	132	158	142
Attempted murder	52	62	43	44	41	34
Manslaughter and driving causing death	255	211	268	260	253	225
<i>Total(b)</i>	468	425	449	441	452	401
Acts intended to cause injury						
Assault	3 162	3 081	3 248	3 204	3 121	2 942
Stalking	..	..	..	34	42	47
<i>Total(c)</i>	3 169	3 088	3 273	3 252	3 170	2 997
Sexual assault						
Aggravated sexual assault(d)	1 428	1 270	1 394	1 846	1 773	1 747
Non-aggravated sexual assault	356	420	388	179	145	158
Non-assaultive sexual offences against a child	119	230	293	131	128	136
Child pornography offences	..	..	..	225	246	248
<i>Total(e)</i>	1 918	1 941	2 091	2 394	2 303	2 305
Dangerous or negligent acts endangering persons						
Abduction, harassment and other offences against the person	441	408	361	450	472	432
Robbery, extortion and related offences	142	122	119	323	257	271
Aggravated robbery						
Aggravated robbery	1 290	1 344	1 455	1 325	1 473	1 341
Non-aggravated robbery	152	150	138	165	124	123
Blackmail and extortion	46	44	44	34	44	54
<i>Total</i>	1 488	1 538	1 637	1 524	1 641	1 518
Unlawful entry with intent						
Theft and related offences	1 381	1 245	1 237	1 295	1 204	992
Fraud, deception and related offences	439	464	434	360	374	318
Illicit drug offences						
Import or export illicit drugs	796	843	802	747	656	652
Deal or traffic in illicit drugs	75	91	114	135	163	122
Manufacture or cultivate illicit drugs	1 588	1 649	1 787	1 936	1 864	1 699
Possess and/or use illicit drugs	508	478	484	583	561	744
Other illicit drug offences	217	184	211	208	225	198
<i>Total</i>	2 020	2 022	2 110	2 082	2 027	1 776
Prohibited and regulated weapons and explosives offences						
Property damage and environmental pollution	133	183	184	160	184	160
Public order offences	362	323	317	289	302	278
Traffic and vehicle regulatory offences	290	311	296	153	104	90
Offences against justice procedures, gov't security and operations	6	7	6	17	18	10
Miscellaneous offences	284	293	246	290	365	381
<i>Total adjudicated(f)</i>	324	278	243	90	80	68
Total adjudicated(f)	14 190	13 982	14 322	14 667	14 409	13 908

.. not applicable

(a) Offence data are based on ANZSOC from 2008–09 and ASOC97 prior to this period. Caution should be exercised when comparing offence data across the two classification (see Explanatory Notes paragraph 21).

(b) Includes ANZSOC group 0100.

(c) Includes ANZSOC groups 0200, 0290 and 0299.

(d) For 2006–07 and 2007–08, aggravated sexual assault and non-aggravated sexual assault offences are understated and overstated respectively due to coding errors in Western Australia (see Explanatory Notes paragraph 92).

(e) Includes ANZSOC groups 0300, 0310, 0320, 0323 and 0329.

(f) Includes defendants for whom offence data are missing or a principal offence could not be determined.

2.5 DEFENDANTS FINALISED, Principal offence by method of finalisation

	PROVEN GUILTY			Total(b)	Total adjudicated	Withdrawn by prosecution	Total(a)
	Acquitted	Guilty finding	Guilty plea				
NUMBER							
Homicide and related offences	67	125	202	335	402	40	457
Acts intended to cause injury	257	287	2 434	2 740	2 997	501	3 536
Sexual assault and related offences	542	392	1 355	1 763	2 305	584	2 918
Dangerous or negligent acts endangering persons	19	42	365	413	432	49	489
Abduction, harassment and other offences against the person	23	19	224	248	271	72	343
Robbery, extortion and related offences	59	91	1 352	1 460	1 519	124	1 648
Unlawful entry with intent	28	41	901	964	992	162	1 184
Theft and related offences	11	23	282	308	319	70	402
Fraud, deception and related offences	20	51	576	632	652	79	738
Illicit drug offences	45	229	2 482	2 731	2 776	309	3 107
Prohibited and regulated weapons and explosives offences	4	18	137	158	162	22	187
Property damage and environmental pollution	22	28	216	256	278	62	349
Public order offences	—	14	74	88	88	15	107
Traffic and vehicle regulatory offences	3	—	8	8	11	—	14
Offences against justice procedures, gov't security and operations	30	52	296	351	381	78	462
Miscellaneous offences	9	9	50	59	68	10	81
Total finalised(c)	1 139	1 429	11 203	12 771	13 910	2 195	16 297

	PROPORTION (%)						
Homicide and related offences	14.7	27.4	44.2	73.3	88.0	8.8	100.0
Acts intended to cause injury	7.3	8.1	68.8	77.5	84.8	14.2	100.0
Sexual assault and related offences	18.6	13.4	46.4	60.4	79.0	20.0	100.0
Dangerous or negligent acts endangering persons	3.9	8.6	74.6	84.5	88.3	10.0	100.0
Abduction, harassment and other offences against the person	6.7	5.5	65.3	72.3	79.0	21.0	100.0
Robbery, extortion and related offences	3.6	5.5	82.0	88.6	92.2	7.5	100.0
Unlawful entry with intent	2.4	3.5	76.1	81.4	83.8	13.7	100.0
Theft and related offences	2.7	5.7	70.1	76.6	79.4	17.4	100.0
Fraud, deception and related offences	2.7	6.9	78.0	85.6	88.3	10.7	100.0
Illicit drug offences	1.4	7.4	79.9	87.9	89.3	9.9	100.0
Prohibited and regulated weapons and explosives offences	2.1	9.6	73.3	84.5	86.6	11.8	100.0
Property damage and environmental pollution	6.3	8.0	61.9	73.4	79.7	17.8	100.0
Public order offences	—	13.1	69.2	82.2	82.2	14.0	100.0
Traffic and vehicle regulatory offences	21.4	—	57.1	57.1	78.6	—	100.0
Offences against justice procedures, gov't security and operations	6.5	11.3	64.1	76.0	82.5	16.9	100.0
Miscellaneous offences	11.1	11.1	61.7	72.8	84.0	12.3	100.0
Total finalised(c)	7.0	8.8	68.7	78.4	85.4	13.5	100.0

— nil or rounded to zero (including null cells)

(a) Includes defendants deceased, unfit to plead, transfers to other courts, other non-adjudicated finalisations n.e.c. and unknown method of finalisation.

(b) Includes defendants with charges proven n.f.d.

(c) Includes defendants for whom offence data are missing or a principal offence could not be determined.

2.6 DEFENDANTS FINALISED, Sex and age by method of finalisation

	PROVEN GUILTY				Total adjudicated	Withdrawn by prosecution	Total(a)
	Acquitted	Guilty finding	Guilty plea	Total(b)			
NUMBER							
Males							
Under 20 years	37	54	970	1 039	1 076	117	1 217
20–24 years	187	210	2 273	2 512	2 699	353	3 082
25–29 years	174	185	1 701	1 911	2 085	286	2 397
30–34 years	138	172	1 292	1 479	1 617	244	1 888
35–39 years	123	158	1 176	1 350	1 473	236	1 725
40–44 years	120	149	815	973	1 093	190	1 292
45–49 years	85	120	618	741	826	141	971
50–54 years	64	89	365	459	523	92	625
55 years and over	127	152	582	741	868	211	1 095
<i>Total(c)</i>	<i>1 055</i>	<i>1 292</i>	<i>9 797</i>	<i>11 213</i>	<i>12 268</i>	<i>1 873</i>	<i>14 303</i>
Females							
Under 20 years	—	3	96	99	99	25	127
20–24 years	13	15	253	271	284	60	352
25–29 years	14	18	214	237	251	42	293
30–34 years	14	21	232	256	270	50	325
35–39 years	10	20	206	229	239	53	292
40–44 years	14	24	151	178	192	39	236
45–49 years	4	17	112	129	133	21	157
50–54 years	3	11	73	84	87	16	103
55 years and over	8	8	61	69	77	17	94
<i>Total(c)</i>	<i>80</i>	<i>137</i>	<i>1 398</i>	<i>1 552</i>	<i>1 632</i>	<i>323</i>	<i>1 979</i>
Persons(d)							
Under 20 years	37	57	1 066	1 138	1 175	142	1 344
20–24 years	200	225	2 526	2 783	2 983	413	3 434
25–29 years	188	203	1 915	2 148	2 336	328	2 690
30–34 years	152	193	1 524	1 735	1 887	294	2 213
35–39 years	133	178	1 382	1 579	1 712	289	2 017
40–44 years	134	173	969	1 154	1 288	229	1 531
45–49 years	89	137	730	870	959	162	1 128
50–54 years	67	100	438	543	610	108	728
55 years and over	135	160	643	810	945	228	1 189
<i>Total(c)</i>	<i>1 135</i>	<i>1 429</i>	<i>11 198</i>	<i>12 768</i>	<i>13 903</i>	<i>2 196</i>	<i>16 285</i>
Organisations	4	—	6	6	10	—	10
Total finalised	1 139	1 429	11 204	12 774	13 913	2 196	16 295

— nil or rounded to zero (including null cells)

(a) Includes defendants deceased, unfit to plead, transfers to other courts, other non-adjudicated finalisations n.e.c. and unknown method of finalisation.

(b) Includes defendants with charges proven n.f.d.

(c) Includes defendants with unknown age.

(d) Includes defendants with unknown sex.

2.6 DEFENDANTS FINALISED, Sex and age by method of finalisation *continued*

	PROVEN GUILTY			Total(b)	Total adjudicated	Withdrawn by prosecution	Total(a)
	Acquitted	Guilty finding	Guilty plea				
PROPORTION (%)							
Males							
Under 20 years	3.5	4.2	9.9	9.3	8.8	6.2	8.5
20–24 years	17.7	16.3	23.2	22.4	22.0	18.8	21.5
25–29 years	16.5	14.3	17.4	17.0	17.0	15.3	16.8
30–34 years	13.1	13.3	13.2	13.2	13.2	13.0	13.2
35–39 years	11.7	12.2	12.0	12.0	12.0	12.6	12.1
40–44 years	11.4	11.5	8.3	8.7	8.9	10.1	9.0
45–49 years	8.1	9.3	6.3	6.6	6.7	7.5	6.8
50–54 years	6.1	6.9	3.7	4.1	4.3	4.9	4.4
55 years and over	12.0	11.8	5.9	6.6	7.1	11.3	7.7
Total(c)	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Females							
Under 20 years	—	2.2	6.9	6.4	6.1	7.7	6.4
20–24 years	16.3	10.9	18.1	17.5	17.4	18.6	17.8
25–29 years	17.5	13.1	15.3	15.3	15.4	13.0	14.8
30–34 years	17.5	15.3	16.5	16.5	16.5	15.5	16.4
35–39 years	12.5	14.6	14.7	14.6	14.6	16.4	14.8
40–44 years	17.5	17.5	10.8	11.5	11.8	12.1	11.9
45–49 years	5.0	12.4	8.0	8.1	8.1	6.5	7.9
50–54 years	3.8	8.0	5.2	5.4	5.3	5.0	5.2
55 years and over	10.0	5.8	4.4	4.4	4.7	5.3	4.7
Total(c)	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Persons(d)							
Under 20 years	3.3	4.0	9.5	8.9	8.5	6.5	8.3
20–24 years	17.6	15.7	22.6	21.8	21.5	18.8	21.1
25–29 years	16.6	14.2	17.1	16.8	16.8	14.9	16.5
30–34 years	13.4	13.5	13.6	13.6	13.6	13.4	13.6
35–39 years	11.7	12.5	12.3	12.4	12.3	13.2	12.4
40–44 years	11.8	12.1	8.7	9.0	9.3	10.4	9.4
45–49 years	7.8	9.6	6.5	6.8	6.9	7.4	6.9
50–54 years	5.9	7.0	3.9	4.3	4.4	4.9	4.5
55 years and over	11.9	11.2	5.7	6.3	6.8	10.4	7.3
Total(c)	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Organisations	100.0	100.0	100.0	100.0	100.0	—	100.0
Total finalised	100.0	100.0	100.0	100.0	100.0	100.0	100.0

— nil or rounded to zero (including null cells)

(a) Includes defendants deceased, unfit to plead, transfers to other courts, other non-adjudicated finalisations n.e.c. and unknown method of finalisation.

(b) Includes defendants with charges proven n.f.d.

(c) Includes defendants with unknown age.

(d) Includes defendants with unknown sex.

2.7 DEFENDANTS PROVEN GUILTY, Principal offence by principal sentence

CUSTODIAL ORDERS

	<i>Custody in a correctional institution</i>	<i>Custody in the community</i>	<i>Fully suspended sentence</i>	<i>Total(a)</i>
--	--	---	---	-----------------

NUMBER

Homicide and related offences	296	5	29	330
Acts intended to cause injury	1 745	115	514	2 374
Sexual assault and related offences	1 175	61	332	1 568
Dangerous or negligent acts endangering persons	201	15	83	299
Abduction, harassment and other offences against the person	124	14	42	180
Robbery, extortion and related offences	1 067	53	213	1 333
Unlawful entry with intent	557	50	189	796
Theft and related offences	142	6	62	210
Fraud, deception and related offences	385	10	160	555
Illicit drug offences	1 571	191	635	2 397
Prohibited and regulated weapons and explosives offences	75	14	43	132
Property damage and environmental pollution	122	7	50	179
Public order offences	25	3	12	40
Traffic and vehicle regulatory offences	3	—	—	3
Offences against justice procedures, gov't security and operations	209	8	72	289
Miscellaneous offences	19	—	16	35
Total proven guilty(b)	7 935	552	2 467	10 954

PROPORTION (%)

Homicide and related offences	3.7	0.9	1.2	3.0
Acts intended to cause injury	22.0	20.8	20.8	21.7
Sexual assault and related offences	14.8	11.1	13.5	14.3
Dangerous or negligent acts endangering persons	2.5	2.7	3.4	2.7
Abduction, harassment and other offences against the person	1.6	2.5	1.7	1.6
Robbery, extortion and related offences	13.4	9.6	8.6	12.2
Unlawful entry with intent	7.0	9.1	7.7	7.3
Theft and related offences	1.8	1.1	2.5	1.9
Fraud, deception and related offences	4.9	1.8	6.5	5.1
Illicit drug offences	19.8	34.6	25.7	21.9
Prohibited and regulated weapons and explosives offences	0.9	2.5	1.7	1.2
Property damage and environmental pollution	1.5	1.3	2.0	1.6
Public order offences	0.3	0.5	0.5	0.4
Traffic and vehicle regulatory offences	—	—	—	—
Offences against justice procedures, gov't security and operations	2.6	1.4	2.9	2.6
Miscellaneous offences	0.2	—	0.6	0.3
Total proven guilty(b)	100.0	100.0	100.0	100.0

— nil or rounded to zero (including null cells)

(b) Includes defendants for whom offence data are missing or a principal offence could not be determined.

(a) Includes custodial orders n.f.d.

2.7 DEFENDANTS PROVEN GUILTY, Principal offence by principal sentence *continued*

NON-CUSTODIAL ORDERS

	<i>Community supervision/ work orders</i>	<i>Monetary orders</i>	<i>Other non-custodial orders</i>	<i>Total(a)</i>	<i>Total proven guilty</i>
NUMBER					
Homicide and related offences	—	—	4	4	334
Acts intended to cause injury	214	63	89	366	2 740
Sexual assault and related offences	130	24	41	195	1 763
Dangerous or negligent acts endangering persons	73	15	26	114	413
Abduction, harassment and other offences against the person	43	7	18	68	248
Robbery, extortion and related offences	96	3	28	127	1 460
Unlawful entry with intent	112	20	36	168	964
Theft and related offences	43	20	34	97	307
Fraud, deception and related offences	44	22	11	77	632
Illicit drug offences	152	104	78	334	2 731
Prohibited and regulated weapons and explosives offences	6	7	10	23	155
Property damage and environmental pollution	49	11	17	77	256
Public order offences	28	3	19	50	90
Traffic and vehicle regulatory offences	—	3	3	6	9
Offences against justice procedures, gov't security and operations	25	11	26	62	351
Miscellaneous offences	9	9	5	23	58
Total proven guilty (b)	1 043	326	445	1 814	12 768

PROPORTION (%)

Homicide and related offences	—	—	0.9	0.2	2.6
Acts intended to cause injury	20.5	19.3	20.0	20.2	21.5
Sexual assault and related offences	12.5	7.4	9.2	10.7	13.8
Dangerous or negligent acts endangering persons	7.0	4.6	5.8	6.3	3.2
Abduction, harassment and other offences against the person	4.1	2.1	4.0	3.7	1.9
Robbery, extortion and related offences	9.2	0.9	6.3	7.0	11.4
Unlawful entry with intent	10.7	6.1	8.1	9.3	7.6
Theft and related offences	4.1	6.1	7.6	5.3	2.4
Fraud, deception and related offences	4.2	6.7	2.5	4.2	4.9
Illicit drug offences	14.6	31.9	17.5	18.4	21.4
Prohibited and regulated weapons and explosives offences	0.6	2.1	2.2	1.3	1.2
Property damage and environmental pollution	4.7	3.4	3.8	4.2	2.0
Public order offences	2.7	0.9	4.3	2.8	0.7
Traffic and vehicle regulatory offences	—	0.9	0.7	0.3	0.1
Offences against justice procedures, gov't security and operations	2.4	3.4	5.8	3.4	2.7
Miscellaneous offences	0.9	2.8	1.1	1.3	0.5
Total proven guilty (b)	100.0	100.0	100.0	100.0	100.0

— nil or rounded to zero (including null cells)

(a) Includes non-custodial orders n.f.d.

(b) Includes defendants for whom offence data are missing or a principal offence could not be determined.

2.8

DEFENDANTS PROVEN GUILTY, Principal sentence by principal offence, 2005–06 to 2010–11(a)

	2005–06	2006–07	2007–08	2008–09	2009–10	2010–11
CUSTODIAL ORDERS						
Homicide and related offences	362	339	360	350	361	330
Acts intended to cause injury	2 292	2 270	2 481	2 532	2 453	2 374
Sexual assault and related offences	1 307	1 335	1 400	1 687	1 572	1 568
Dangerous or negligent acts endangering persons	327	293	275	339	347	299
Abduction, harassment and other offences against the person	99	98	90	209	179	180
Robbery, extortion and related offences	1 287	1 329	1 422	1 352	1 466	1 333
Unlawful entry with intent	1 114	990	995	1 020	933	796
Theft and related offences	317	309	286	241	253	210
Fraud, deception and related offences	630	669	639	609	555	555
Illicit drug offences	2 003	2 004	2 193	2 427	2 379	2 397
Prohibited and regulated weapons and explosives offences	100	141	151	122	142	132
Property damage and environmental pollution	235	204	211	212	189	179
Public order offences	161	176	175	83	39	38
Traffic and vehicle regulatory offences	3	4	4	8	7	3
Offences against justice procedures, gov't security and operations	182	182	173	209	272	289
Miscellaneous offences	186	157	142	38	37	36
Total proven guilty (b)	10 630	10 509	11 008	11 441	11 184	10 953
NON-CUSTODIAL ORDERS						
Homicide and related offences	6	5	8	11	6	5
Acts intended to cause injury	606	566	547	430	426	366
Sexual assault and related offences	161	178	200	241	174	195
Dangerous or negligent acts endangering persons	93	96	67	92	107	114
Abduction, harassment and other offences against the person	28	15	20	88	58	68
Robbery, extortion and related offences	106	140	138	105	118	127
Unlawful entry with intent	218	216	219	233	226	168
Theft and related offences	105	141	126	107	111	97
Fraud, deception and related offences	138	137	125	114	76	77
Illicit drug offences	332	356	363	395	406	334
Prohibited and regulated weapons and explosives offences	28	37	30	27	35	23
Property damage and environmental pollution	105	95	94	65	87	77
Public order offences	122	116	116	60	57	50
Traffic and vehicle regulatory offences	5	3	3	9	11	5
Offences against justice procedures, gov't security and operations	75	98	57	68	74	62
Miscellaneous offences	102	107	79	42	37	23
Total proven guilty (b)	2 265	2 311	2 197	2 087	2 009	1 814
TOTAL PROVEN GUILTY (c)						
Homicide and related offences	368	344	368	361	367	335
Acts intended to cause injury	2 898	2 839	3 028	2 962	2 879	2 740
Sexual assault and related offences	1 468	1 516	1 600	1 928	1 746	1 763
Dangerous or negligent acts endangering persons	420	389	342	431	454	413
Abduction, harassment and other offences against the person	127	113	110	297	237	248
Robbery, extortion and related offences	1 393	1 469	1 560	1 457	1 584	1 460
Unlawful entry with intent	1 332	1 206	1 217	1 253	1 159	964
Theft and related offences	422	450	412	348	364	307
Fraud, deception and related offences	768	806	764	723	631	632
Illicit drug offences	2 335	2 364	2 556	2 822	2 785	2 731
Prohibited and regulated weapons and explosives offences	128	181	181	149	177	158
Property damage and environmental pollution	340	302	305	277	276	256
Public order offences	283	295	291	143	96	88
Traffic and vehicle regulatory offences	8	7	7	17	18	8
Offences against justice procedures, gov't security and operations	257	280	230	277	346	351
Miscellaneous offences	288	267	221	80	74	59
Total proven guilty (b)	12 945	12 894	13 208	13 528	13 193	12 770

(a) Offence data are based on ANZSOC from 2008–09 and ASOC97 prior to this period. Caution should be exercised when comparing offence data across the two classification (see Explanatory Notes paragraph 21).

(b) Includes defendants for whom offence data are missing or a principal offence could not be determined.

(c) Includes defendants for whom a principal sentence is unknown.

2.9 DEFENDANTS PROVEN GUILTY, Sex and age by principal sentence

	CUSTODIAL ORDERS				NON-CUSTODIAL ORDERS				Total proven guilty (a)
	Custody in a correctional institution	Custody in the community	Fully suspended sentence	Total (b)	Community supervision/ work orders	Monetary orders	Other non-custodial orders	Total (c)	
NUMBER									
Males									
Under 20 years	553	46	179	778	195	15	50	260	1 038
20–24 years	1 480	118	501	2 099	273	60	80	413	2 512
25–29 years	1 291	97	323	1 711	112	38	50	200	1 911
30–34 years	1 028	58	251	1 337	60	35	47	142	1 479
35–39 years	914	57	233	1 204	66	38	42	146	1 350
40–44 years	674	42	163	879	47	25	22	94	973
45–49 years	479	29	157	665	26	26	24	76	741
50–54 years	300	17	94	411	16	17	15	48	459
55 years and over	474	17	187	678	17	23	23	63	741
Total (d)	7 196	481	2 091	9 768	812	277	353	1 442	11 210
Females									
Under 20 years	38	3	15	56	31	4	8	43	99
20–24 years	121	10	69	200	45	8	17	70	270
25–29 years	101	13	58	172	41	8	16	65	237
30–34 years	128	11	61	200	31	9	15	55	255
35–39 years	104	14	53	171	42	6	8	56	227
40–44 years	94	7	44	145	22	3	7	32	177
45–49 years	63	8	39	110	8	—	10	18	128
50–54 years	53	3	19	75	7	—	3	10	85
55 years and over	35	3	19	57	4	3	5	12	69
Total (d)	737	72	377	1 186	231	41	89	361	1 547
Persons									
Under 20 years	591	49	194	833	226	19	58	303	1 137
20–24 years	1 601	128	570	2 299	318	68	97	483	2 782
25–29 years	1 392	110	381	1 883	153	46	69	268	2 151
30–34 years	1 156	69	312	1 537	91	44	62	197	1 734
35–39 years	1 018	71	286	1 375	108	44	50	202	1 577
40–44 years	768	49	207	1 024	69	28	29	126	1 150
45–49 years	542	37	196	775	34	26	34	95	869
50–54 years	353	20	113	485	23	17	18	58	544
55 years and over	509	20	206	735	21	26	28	75	810
Total (d)	7 933	553	2 468	10 954	1 043	318	445	1 806	12 760
Organisations	—	—	—	—	—	8	—	8	8
Total defendants (e)	7 933	553	2 468	10 954	1 043	326	445	1 814	12 768

— nil or rounded to zero (including null cells)

(a) Includes defendants with an unknown sentence.

(b) Includes custodial orders n.f.d.

(c) Includes non-custodial orders n.f.d.

(d) Includes defendants with unknown age.

(e) Includes defendants with unknown sex.

2.9 DEFENDANTS PROVEN GUILTY, Sex and age by principal sentence *continued*

	CUSTODIAL ORDERS				NON-CUSTODIAL ORDERS				Total proven guilty(a)
	<i>Custody in a correctional institution</i>	<i>Custody in the community</i>	<i>Fully suspended sentence</i>	<i>Total(b)</i>	<i>Community supervision/work orders</i>	<i>Monetary orders</i>	<i>Other non-custodial orders</i>	<i>Total(c)</i>	
PROPORTION (%)									
Males									
Under 20 years	7.7	9.6	8.6	8.0	24.0	5.4	14.2	18.0	9.3
20–24 years	20.6	24.5	24.0	21.5	33.6	21.7	22.7	28.6	22.4
25–29 years	17.9	20.2	15.4	17.5	13.8	13.7	14.2	13.9	17.0
30–34 years	14.3	12.1	12.0	13.7	7.4	12.6	13.3	9.8	13.2
35–39 years	12.7	11.9	11.1	12.3	8.1	13.7	11.9	10.1	12.0
40–44 years	9.4	8.7	7.8	9.0	5.8	9.0	6.2	6.5	8.7
45–49 years	6.7	6.0	7.5	6.8	3.2	9.4	6.8	5.3	6.6
50–54 years	4.2	3.5	4.5	4.2	2.0	6.1	4.2	3.3	4.1
55 years and over	6.6	3.5	8.9	6.9	2.1	8.3	6.5	4.4	6.6
<i>Total(d)</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>
Females									
Under 20 years	5.2	4.2	4.0	4.7	13.4	9.8	9.0	11.9	6.4
20–24 years	16.4	13.9	18.3	16.9	19.5	19.5	19.1	19.3	17.5
25–29 years	13.7	18.1	15.4	14.5	17.7	19.5	18.0	18.0	15.3
30–34 years	17.4	15.3	16.2	16.9	13.4	22.0	16.9	15.2	16.5
35–39 years	14.1	19.4	14.1	14.4	18.2	14.6	9.0	15.5	14.7
40–44 years	12.8	9.7	11.7	12.2	9.5	7.3	7.9	8.9	11.4
45–49 years	8.5	11.1	10.3	9.3	3.5	—	11.2	5.0	8.3
50–54 years	7.2	4.2	5.0	6.3	3.0	—	3.4	2.8	5.5
55 years and over	4.7	4.2	5.0	4.8	1.7	7.3	5.6	3.3	4.5
<i>Total(d)</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>
Persons									
Under 20 years	7.4	8.9	7.9	7.6	21.7	6.0	13.0	16.8	8.9
20–24 years	20.2	23.1	23.1	21.0	30.5	21.4	21.8	26.7	21.8
25–29 years	17.5	19.9	15.4	17.2	14.7	14.5	15.5	14.8	16.9
30–34 years	14.6	12.5	12.6	14.0	8.7	13.8	13.9	10.9	13.6
35–39 years	12.8	12.8	11.6	12.6	10.4	13.8	11.2	11.2	12.4
40–44 years	9.7	8.9	8.4	9.3	6.6	8.8	6.5	7.0	9.0
45–49 years	6.8	6.7	7.9	7.1	3.3	8.2	7.6	5.2	6.8
50–54 years	4.4	3.6	4.6	4.4	2.2	5.3	4.0	3.2	4.3
55 years and over	6.4	3.6	8.3	6.7	2.0	8.2	6.3	4.2	6.3
<i>Total(d)</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>
Organisations	—	—	—	—	—	100.0	—	100.0	100.0
Total defendants(e)	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

— nil or rounded to zero (including null cells)

(a) Includes defendants with an unknown sentence.

(b) Includes custodial orders n.f.d.

(c) Includes non-custodial orders n.f.d.

(d) Includes defendants with unknown age.

(e) Includes defendants with unknown sex.

2.10 DURATION FROM INITIATION TO FINALISATION, Method of finalisation by selected principal offence

	<i>Under 13 weeks</i>	<i>13 to under 26 weeks</i>	<i>26 to under 39 weeks</i>	<i>39 to under 52 weeks</i>	<i>52 weeks & over</i>	<i>Total</i>
.....						
NUMBER						
.....						
Acquitted						
Homicide and related offences	3	11	19	9	26	68
Acts intended to cause injury	4	44	47	42	120	257
Sexual assault and related offences	19	120	116	89	198	542
Robbery, extortion and related offences	6	15	13	3	22	59
Unlawful entry with intent	—	10	7	4	7	28
Fraud, deception and related offences	—	—	—	3	13	16
Illicit drug offences	6	8	6	3	22	45
Other(a)	7	24	25	19	47	122
<i>Total(b)</i>	45	232	233	172	455	1 137
Guilty finding						
Homicide and related offences	—	5	15	27	78	125
Acts intended to cause injury	—	37	62	50	136	285
Sexual assault and related offences	16	34	64	73	205	392
Robbery, extortion and related offences	3	10	23	13	43	92
Unlawful entry with intent	—	14	11	3	12	40
Fraud, deception and related offences	—	4	9	5	32	50
Illicit drug offences	8	32	48	37	104	229
Other(a)	6	23	43	34	99	205
<i>Total(b)</i>	33	159	275	242	713	1 422
Guilty plea						
Homicide and related offences	27	48	40	38	49	202
Acts intended to cause injury	300	719	532	344	539	2 434
Sexual assault and related offences	213	434	277	175	256	1 355
Robbery, extortion and related offences	321	501	295	107	128	1 352
Unlawful entry with intent	235	325	158	64	119	901
Fraud, deception and related offences	104	159	110	62	141	576
Illicit drug offences	456	790	519	281	436	2 482
Other(a)	393	491	311	171	286	1 652
<i>Total(b)</i>	2 094	3 522	2 297	1 280	2 010	11 203
Total adjudicated(c)	2 203	3 974	2 826	1 705	3 190	13 898
Withdrawn by prosecution	456	460	408	282	591	2 197
Other(d)	11	22	8	7	24	72
Total finalised	2 735	4 487	3 252	1 997	3 815	16 286

— nil or rounded to zero (including null cells)

(a) Includes ANZSOC Divisions 04–05, 08, 11–16 (refer to Appendix 3).

(b) Includes defendants for whom offence data are missing or a principal offence could not be determined.

(c) Includes defendants with charges proven n.f.d.

(d) Includes defendants deceased, unfit to plead, transfers to other courts, and other non-adjudicated finalisations n.e.c.

2.10DURATION FROM INITIATION TO FINALISATION, Method of finalisation by
selected principal offence *continued*

	Under 13 weeks	13 to under 26 weeks	26 to under 39 weeks	39 to under 52 weeks	52 weeks & over	Total
PROPORTION (%)						
Acquitted						
Homicide and related offences	4.4	16.2	27.9	13.2	38.2	100.0
Acts intended to cause injury	1.6	17.1	18.3	16.3	46.7	100.0
Sexual assault and related offences	3.5	22.1	21.4	16.4	36.5	100.0
Robbery, extortion and related offences	10.2	25.4	22.0	5.1	37.3	100.0
Unlawful entry with intent	—	35.7	25.0	14.3	25.0	100.0
Fraud, deception and related offences	—	—	—	18.8	81.3	100.0
Illicit drug offences	13.3	17.8	13.3	6.7	48.9	100.0
Other(a)	5.7	19.7	20.5	15.6	38.5	100.0
Total(b)	4.0	20.4	20.5	15.1	40.0	100.0
Guilty finding						
Homicide and related offences	—	4.0	12.0	21.6	62.4	100.0
Acts intended to cause injury	—	13.0	21.8	17.5	47.7	100.0
Sexual assault and related offences	4.1	8.7	16.3	18.6	52.3	100.0
Robbery, extortion and related offences	3.3	10.9	25.0	14.1	46.7	100.0
Unlawful entry with intent	—	35.0	27.5	7.5	30.0	100.0
Fraud, deception and related offences	—	8.0	18.0	10.0	64.0	100.0
Illicit drug offences	3.5	14.0	21.0	16.2	45.4	100.0
Other(a)	2.9	11.2	21.0	16.6	48.3	100.0
Total(b)	2.3	11.2	19.3	17.0	50.1	100.0
Guilty plea						
Homicide and related offences	13.4	23.8	19.8	18.8	24.3	100.0
Acts intended to cause injury	12.3	29.5	21.9	14.1	22.1	100.0
Sexual assault and related offences	15.7	32.0	20.4	12.9	18.9	100.0
Robbery, extortion and related offences	23.7	37.1	21.8	7.9	9.5	100.0
Unlawful entry with intent	26.1	36.1	17.5	7.1	13.2	100.0
Fraud, deception and related offences	18.1	27.6	19.1	10.8	24.5	100.0
Illicit drug offences	18.4	31.8	20.9	11.3	17.6	100.0
Other(a)	23.8	29.7	18.8	10.4	17.3	100.0
Total(b)	18.7	31.4	20.5	11.4	17.9	100.0
Total adjudicated(c)	15.9	28.6	20.3	12.3	22.9	100.0
Withdrawn by prosecution	20.8	20.9	18.6	12.8	26.9	100.0
Other(d)	15.3	30.6	11.1	9.7	33.3	100.0
Total finalised	16.8	27.6	20.0	12.3	23.4	100.0

— nil or rounded to zero (including null cells)

(a) Includes ANZSOC Divisions 04–05, 08, 11–16 (refer to Appendix 3).

(b) Includes defendants for whom offence data are missing or a principal offence could not be determined.

(c) Includes defendants with charges proven n.f.d.

(d) Includes defendants deceased, unfit to plead, transfers to other courts, and other non-adjudicated finalisations n.e.c.

2.11 SUMMARY OUTCOMES OF DEFENDANTS, States and territories, 2005–06 to 2010–11

	NUMBER						PERCENTAGE
	2005–06	2006–07	2007–08	2008–09	2009–10	2010–11	CHANGE (%) 2009–10 to 2010–11
NEW SOUTH WALES							
Method of finalisation							
Adjudicated outcomes							
Acquitted	259	194	224	252	280	239	-14.6
Proven guilty	2 831	2 704	2 706	2 998	3 153	2 814	-10.8
Total	3 090	2 898	2 930	3 250	3 433	3 053	-11.1
Withdrawn by prosecution	247	203	204	178	176	164	-6.8
Total finalised(a)	3 371	3 141	3 181	3 477	3 671	3 275	-10.8
Principal offence(b)							
Homicide and related offences	142	155	151	149	179	125	-30.2
Acts intended to cause injury	480	438	466	541	564	484	-14.2
Sexual assault and related offences	394	341	359	436	456	419	-8.1
Dangerous or negligent acts endangering persons	48	39	39	31	41	38	-7.3
Abduction, harassment and other offences against the person	44	38	42	59	54	69	27.8
Robbery, extortion and related offences	513	525	509	537	549	543	-1.1
Unlawful entry with intent	379	296	312	384	383	301	-21.4
Theft and related offences	70	68	60	72	75	57	-24.0
Fraud, deception and related offences	120	113	114	97	93	102	9.7
Illicit drug offences	715	701	723	786	870	777	-10.7
Prohibited and regulated weapons and explosives offences	47	39	39	50	53	46	-13.2
Property damage and environmental pollution	22	22	24	26	27	13	-51.9
Public order offences	27	36	32	27	22	19	-13.6
Traffic and vehicle regulatory offences	3	—	—	3	3	3	—
Offences against justice procedures, gov't security and operations	46	59	36	39	57	49	-14.0
Miscellaneous offences	40	26	23	12	7	9	28.6
Total adjudicated(c)	3 090	2 896	2 929	3 252	3 433	3 054	-11.0
Sentence outcomes							
Custodial orders							
Custody in a correctional institution	2 054	1 981	2 022	2 248	2 365	1 980	-16.3
Custody in the community	12	13	5	7	3	48	1 500.0
Fully suspended sentence	480	472	428	458	485	527	8.7
Total(d)	2 546	2 466	2 455	2 713	2 853	2 555	-11.0
Non-custodial orders							
Community supervision/work orders	81	80	59	39	51	42	-17.6
Monetary orders	24	23	19	30	34	28	-17.6
Other non-custodial orders	180	135	173	216	215	189	-12.1
Total	285	238	251	285	300	259	-13.7
Total proven guilty(e)	2 831	2 704	2 706	2 998	3 153	2 814	-10.8

— nil or rounded to zero (including null cells)

(a) Includes defendants deceased, unfit to plead, transfers to other courts, other non-adjudicated method of finalisation n.e.c. and unknown method of finalisation.

(b) Offence data are based on ANZSOC from 2008–09 and ASOC97 prior to this period. Caution should be used when comparing offence data across the two classifications (see Explanatory Notes paragraph 21).

(c) Includes defendants for whom offence data are missing or a principal offence could not be determined.

(d) Includes custodial orders n.f.d.

(e) Includes defendants for whom a principal sentence is unknown.

2.11 SUMMARY OUTCOMES OF DEFENDANTS, States and territories, 2005–06 to 2010–11 *continued*

	NUMBER						PERCENTAGE
	2005–06	2006–07	2007–08	2008–09	2009–10	2010–11	CHANGE (%) 2009–10 to 2010–11
VICTORIA							
Method of finalisation							
Adjudicated outcomes							
Acquitted	207	176	218	176	179	196	9.5
Proven guilty	2 005	2 073	2 188	1 963	1 851	1 952	5.5
Total	2 212	2 249	2 406	2 139	2 030	2 148	5.9
Withdrawn by prosecution	87	89	96	117	150	147	-2.0
Total finalised (a)	2 303	2 346	2 505	2 259	2 183	2 304	5.5
Principal offence (b)							
Homicide and related offences	95	84	118	131	93	104	11.8
Acts intended to cause injury	450	519	607	548	507	544	7.3
Sexual assault and related offences	274	327	446	421	403	447	10.9
Dangerous or negligent acts endangering persons	35	35	44	49	44	38	-13.6
Abduction, harassment and other offences against the person	30	24	33	34	36	33	-8.3
Robbery, extortion and related offences	264	268	292	207	257	238	-7.4
Unlawful entry with intent	78	77	67	58	48	55	14.6
Theft and related offences	98	89	76	38	53	49	-7.5
Fraud, deception and related offences	154	216	151	132	103	125	21.4
Illicit drug offences	347	234	313	321	356	375	5.3
Prohibited and regulated weapons and explosives offences	25	59	49	23	12	19	58.3
Property damage and environmental pollution	51	38	39	25	29	34	17.2
Public order offences	111	95	68	68	28	23	-17.9
Traffic and vehicle regulatory offences	—	3	—	3	—	—	—
Offences against justice procedures, gov't security and operations	47	54	29	43	37	34	-8.1
Miscellaneous offences	74	52	72	38	23	30	30.4
Total adjudicated (c)	2 212	2 251	2 404	2 139	2 029	2 148	5.9
Sentence outcomes							
Custodial orders							
Custody in a correctional institution	1 073	1 163	1 265	1 180	1 249	1 293	3.5
Custody in the community	50	62	57	47	36	27	-25.0
Fully suspended sentence	486	444	498	506	398	426	7.0
Total (d)	1 612	1 672	1 820	1 733	1 688	1 746	3.4
Non-custodial orders							
Community supervision/work orders	176	199	206	123	88	133	51.1
Monetary orders	81	92	91	79	48	44	-8.3
Other non-custodial orders	86	58	70	28	27	29	7.4
Total	343	349	367	230	163	206	26.4
Total proven guilty (e)	2 005	2 073	2 187	1 963	1 851	1 952	5.5

— nil or rounded to zero (including null cells)

- (a) Includes defendants deceased, unfit to plead, transfers to other courts, other non-adjudicated method of finalisation n.e.c. and unknown method of finalisation.
- (b) Offence data are based on ANZSOC from 2008–09 and ASOC97 prior to this period. Caution should be used when comparing offence data across the two classifications (see Explanatory Notes paragraph 21).

(c) Includes defendants for whom offence data are missing or a principal offence could not be determined.

(d) Includes custodial orders n.f.d.

(e) Includes defendants for whom a principal sentence is unknown.

2.11 SUMMARY OUTCOMES OF DEFENDANTS, States and territories, 2005–06 to 2010–11 *continued*

	NUMBER						PERCENTAGE
							CHANGE (%)
	2005–06	2006–07	2007–08	2008–09	2009–10	2010–11	2009–10 to 2010–11
QUEENSLAND							
Method of finalisation							
Adjudicated outcomes							
Acquitted	234	224	251	259	331	312	-5.7
Proven guilty	4 807	4 658	4 698	4 511	4 214	4 167	-1.1
Total	5 041	4 882	4 949	4 770	4 545	4 479	-1.4
Withdrawn by prosecution	1 113	1 046	1 108	1 041	895	866	-3.2
Total finalised(a)	6 154	5 937	6 070	5 818	5 457	5 361	-1.8
Principal offence(b)							
Homicide and related offences	84	65	51	66	61	76	24.6
Acts intended to cause injury	1 513	1 414	1 418	1 346	1 268	1 126	-11.2
Sexual assault and related offences	674	661	660	765	723	710	-1.8
Dangerous or negligent acts endangering persons	256	220	183	237	241	248	2.9
Abduction, harassment and other offences against the person	22	12	15	82	64	71	10.9
Robbery, extortion and related offences	325	335	354	316	342	345	0.9
Unlawful entry with intent	443	427	449	365	336	225	-33.0
Theft and related offences	158	204	172	133	142	124	-12.7
Fraud, deception and related offences	407	382	413	377	334	303	-9.3
Illicit drug offences	677	763	829	820	716	729	1.8
Prohibited and regulated weapons and explosives offences	17	40	41	36	40	29	-27.5
Property damage and environmental pollution	170	145	132	123	130	112	-13.8
Public order offences	95	100	127	41	48	29	-39.6
Traffic and vehicle regulatory offences	3	—	—	10	8	3	-62.5
Offences against justice procedures, gov't security and operations	56	47	42	42	66	77	16.7
Miscellaneous offences	79	51	47	11	26	15	-42.3
Total adjudicated(c)	5 041	4 880	4 948	4 770	4 545	4 481	-1.4
Sentence outcomes							
Custodial orders							
Custody in a correctional institution	2 284	2 530	2 921	2 759	2 549	2 571	0.9
Custody in the community	317	276	187	159	96	77	-19.8
Fully suspended sentence	990	733	599	632	592	650	9.8
Total(d)	3 591	3 539	3 707	3 550	3 237	3 298	1.9
Non-custodial orders							
Community supervision/work orders	815	773	680	646	677	598	-11.7
Monetary orders	276	238	215	197	177	158	-10.7
Other non-custodial orders	125	108	96	118	123	113	-8.1
Total	1 216	1 119	991	961	977	869	-11.1
Total proven guilty(e)	4 807	4 658	4 698	4 511	4 214	4 167	-1.1

— nil or rounded to zero (including null cells)

- (a) Includes defendants deceased, unfit to plead, transfers to other courts, other non-adjudicated method of finalisation n.e.c. and unknown method of finalisation.
- (b) Offence data are based on ANZSOC from 2008–09 and ASOC97 prior to this period. Caution should be used when comparing offence data across the two classifications (see Explanatory Notes paragraph 21).

(c) Includes defendants for whom offence data are missing or a principal offence could not be determined.

(d) Includes custodial orders n.f.d.

(e) Includes defendants for whom a principal sentence is unknown.

2.11 SUMMARY OUTCOMES OF DEFENDANTS, States and territories, 2005–06 to 2010–11 *continued*

	NUMBER						PERCENTAGE
	2005–06	2006–07	2007–08	2008–09	2009–10	2010–11	CHANGE (%) 2009–10 to 2010–11
SOUTH AUSTRALIA							
Method of finalisation							
Adjudicated outcomes							
Acquitted	89	107	88	116	131	124	-5.3
Proven guilty	671	821	894	950	1 125	1 164	3.5
Total	760	928	982	1 066	1 256	1 288	2.5
Withdrawn by prosecution	208	286	311	376	506	544	7.5
Total finalised (a)	989	1 235	1 309	1 460	1 789	1 867	4.4
Principal offence (b)							
Homicide and related offences	41	62	44	28	36	39	8.3
Acts intended to cause injury	129	141	216	194	249	271	8.8
Sexual assault and related offences	97	147	141	191	195	246	26.2
Dangerous or negligent acts endangering persons	16	19	9	27	50	39	-22.0
Abduction, harassment and other offences against the person	7	13	—	38	37	32	-13.5
Robbery, extortion and related offences	86	101	109	102	102	81	-20.6
Unlawful entry with intent	90	84	77	89	111	99	-10.8
Theft and related offences	9	15	15	25	27	20	-25.9
Fraud, deception and related offences	14	15	15	14	11	19	72.7
Illicit drug offences	195	235	245	270	307	350	14.0
Prohibited and regulated weapons and explosives offences	38	38	49	44	71	53	-25.4
Property damage and environmental pollution	10	13	15	9	13	12	-7.7
Public order offences	3	7	5	—	—	4	100.0
Traffic and vehicle regulatory offences	—	—	—	3	6	3	-50.0
Offences against justice procedures, gov't security and operations	13	16	19	24	37	18	-51.4
Miscellaneous offences	13	22	22	9	4	3	-25.0
Total adjudicated (c)	761	928	981	1 067	1 256	1 289	2.6
Sentence outcomes							
Custodial orders							
Custody in a correctional institution	306	381	413	454	453	520	14.8
Custody in the community	—	156	290	270	388	399	2.8
Fully suspended sentence	292	218	123	134	176	148	-15.9
Total (d)	598	755	826	858	1 017	1 067	4.9
Non-custodial orders							
Community supervision/work orders	3	—	4	3	8	14	75.0
Monetary orders	21	20	23	22	32	29	-9.4
Other non-custodial orders	49	44	41	67	68	54	-20.6
Total	73	64	68	92	108	97	-10.2
Total proven guilty (e)	671	819	894	950	1 125	1 164	3.5

— nil or rounded to zero (including null cells)

(a) Includes defendants deceased, unfit to plead, transfers to other courts, other non-adjudicated method of finalisation n.e.c. and unknown method of finalisation.

(b) Offence data are based on ANZSOC from 2008–09 and ASOC97 prior to this period. Caution should be used when comparing offence data across the two classifications (see Explanatory Notes paragraph 21).

(c) Includes defendants for whom offence data are missing or a principal offence could not be determined.

(d) Includes custodial orders n.f.d.

(e) Includes defendants for whom a principal sentence is unknown.

2.11 SUMMARY OUTCOMES OF DEFENDANTS, States and territories, 2005–06 to 2010–11 *continued*

	NUMBER						PERCENTAGE
	2005–06	2006–07	2007–08	2008–09	2009–10	2010–11	CHANGE (%) 2009–10 to 2010–11
WESTERN AUSTRALIA							
Method of finalisation							
Adjudicated outcomes							
Acquitted	366	331	253	253	221	180	-18.6
Proven guilty	1 850	1 814	1 982	2 176	1 955	1 786	-8.6
Total	2 216	2 145	2 235	2 429	2 176	1 966	-9.7
Withdrawn by prosecution	253	409	397	348	281	264	-6.0
Total finalised (a)	2 510	2 582	2 667	2 877	2 536	2 292	-9.6
Principal offence (b)							
Homicide and related offences	63	39	45	38	47	36	-23.4
Acts intended to cause injury	316	328	340	344	300	278	-7.3
Sexual assault and related offences	365	330	361	450	382	349	-8.6
Dangerous or negligent acts endangering persons	71	75	68	91	71	53	-25.4
Abduction, harassment and other offences against the person	34	33	28	99	62	61	-1.6
Robbery, extortion and related offences	237	241	277	254	299	218	-27.1
Unlawful entry with intent	341	327	296	358	272	252	-7.4
Theft and related offences	76	56	85	62	49	41	-16.3
Fraud, deception and related offences	72	81	85	92	85	71	-16.5
Illicit drug offences	354	371	382	487	418	395	-5.5
Prohibited and regulated weapons and explosives offences	3	4	3	4	5	8	60.0
Property damage and environmental pollution	60	60	65	65	52	51	-1.9
Public order offences	47	52	52	5	4	—	-100.0
Traffic and vehicle regulatory offences	—	—	—	—	—	4	100.0
Offences against justice procedures, gov't security and operations	90	79	75	71	112	138	23.2
Miscellaneous offences	87	68	74	9	18	9	-50.0
Total adjudicated (c)	2 216	2 144	2 236	2 429	2 176	1 964	-9.7
Sentence outcomes							
Custodial orders							
Custody in a correctional institution	946	941	1 101	1 237	1 088	1 014	-6.8
Custody in the community	359	—	—	—	—	—	—
Fully suspended sentence	327	450	447	520	499	480	-3.8
Total (d)	1 632	1 391	1 548	1 757	1 587	1 494	-5.9
Non-custodial orders							
Community supervision/work orders	96	302	319	300	272	217	-20.2
Monetary orders	115	99	104	105	84	63	-25.0
Other non-custodial orders	7	9	10	14	12	12	—
Total	218	410	433	419	368	292	-20.7
Total proven guilty (e)	1 850	1 814	1 981	2 176	1 955	1 786	-8.6

— nil or rounded to zero (including null cells)

- (a) Includes defendants deceased, unfit to plead, transfers to other courts, other non-adjudicated method of finalisation n.e.c. and unknown method of finalisation.
- (b) Offence data are based on ANZSOC from 2008–09 and ASOC97 prior to this period. Caution should be used when comparing offence data across the two classifications (see Explanatory Notes paragraph 21).

(c) Includes defendants for whom offence data are missing or a principal offence could not be determined.

(d) Includes custodial orders n.f.d.

(e) Includes defendants for whom a principal sentence is unknown.

2.11 SUMMARY OUTCOMES OF DEFENDANTS, States and territories, 2005–06 to 2010–11 *continued*

	NUMBER						PERCENTAGE
	2005–06	2006–07	2007–08	2008–09	2009–10	2010–11	CHANGE (%) 2009–10 to 2010–11
TASMANIA							
Method of finalisation							
Adjudicated outcomes							
Acquitted	48	40	31	32	25	38	52.0
Proven guilty	390	408	398	501	428	409	-4.7
Total	438	448	429	533	453	447	-2.0
Withdrawn by prosecution	96	102	107	206	145	157	8.3
Total finalised(a)	537	553	540	750	604	615	1.8
Principal offence(b)							
Homicide and related offences	19	8	11	7	10	7	-30.0
Acts intended to cause injury	146	125	98	143	119	122	2.5
Sexual assault and related offences	55	71	55	49	49	46	-6.1
Dangerous or negligent acts endangering persons	3	3	4	—	5	—	-100.0
Abduction, harassment and other offences against the person	3	—	—	5	3	3	—
Robbery, extortion and related offences	39	34	56	54	55	48	-12.7
Unlawful entry with intent	17	19	10	8	8	10	25.0
Theft and related offences	12	9	10	13	10	12	20.0
Fraud, deception and related offences	20	24	19	25	22	24	9.1
Illicit drug offences	51	66	72	129	86	91	5.8
Prohibited and regulated weapons and explosives offences	—	3	3	3	—	—	—
Property damage and environmental pollution	36	30	35	31	41	47	14.6
Public order offences	7	17	11	10	3	12	300.0
Traffic and vehicle regulatory offences	—	—	—	—	—	—	—
Offences against justice procedures, gov't security and operations	28	32	41	57	44	24	-45.5
Miscellaneous offences	4	8	3	—	—	—	—
Total adjudicated(c)	440	449	428	534	455	446	-2.0
Sentence outcomes							
Custodial orders							
Custody in a correctional institution	206	242	228	285	219	213	-2.7
Custody in the community	—	—	—	—	—	—	—
Fully suspended sentence	115	114	115	161	155	148	-4.5
Total(d)	321	356	343	446	374	361	-3.5
Non-custodial orders							
Community supervision/work orders	31	31	25	25	23	31	34.8
Monetary orders	17	16	17	17	22	—	-100.0
Other non-custodial orders	21	5	13	13	9	16	77.8
Total	69	52	55	55	54	47	-13.0
Total proven guilty(e)	390	408	398	501	428	408	-4.7

— nil or rounded to zero (including null cells)

(a) Includes defendants deceased, unfit to plead, transfers to other courts, other non-adjudicated method of finalisation n.e.c. and unknown method of finalisation.

(b) Offence data are based on ANZSOC from 2008–09 and ASOC97 prior to this period. Caution should be used when comparing offence data across the two classifications (see Explanatory Notes paragraph 21).

(c) Includes defendants for whom offence data are missing or a principal offence could not be determined.

(d) Includes custodial orders n.f.d.

(e) Includes defendants for whom a principal sentence is unknown.

2.11 SUMMARY OUTCOMES OF DEFENDANTS, States and territories, 2005–06 to 2010–11 *continued*

	NUMBER						PERCENTAGE
	2005–06	2006–07	2007–08	2008–09	2009–10	2010–11	CHANGE (%) 2009–10 to 2010–11
NORTHERN TERRITORY							
Method of finalisation							
Adjudicated outcomes							
Acquitted	24	16	28	27	24	27	12.5
Proven guilty	271	308	213	278	308	278	-9.7
Total	295	324	241	305	332	305	-7.6
Withdrawn by prosecution	28	22	35	50	42	31	-26.2
Total finalised (a)	326	346	276	355	377	336	-10.9
Principal offence (b)							
Homicide and related offences	20	13	23	20	20	11	-45.0
Acts intended to cause injury	103	91	90	105	122	105	-13.9
Sexual assault and related offences	45	55	55	58	63	62	-1.6
Dangerous or negligent acts endangering persons	11	18	9	13	17	13	-23.5
Abduction, harassment and other offences against the person	3	3	—	3	—	—	—
Robbery, extortion and related offences	5	21	13	20	20	27	35.0
Unlawful entry with intent	14	7	7	12	14	15	7.1
Theft and related offences	3	6	4	—	—	—	—
Fraud, deception and related offences	6	6	3	4	3	3	—
Illicit drug offences	48	39	34	54	58	40	-31.0
Prohibited and regulated weapons and explosives offences	—	—	—	—	—	—	—
Property damage and environmental pollution	9	13	3	5	5	3	-40.0
Public order offences	—	—	3	—	—	—	—
Traffic and vehicle regulatory offences	—	—	—	—	—	—	—
Offences against justice procedures, gov't security and operations	3	5	—	3	7	25	257.1
Miscellaneous offences	26	48	—	9	—	—	—
Total adjudicated (c)	296	325	244	306	329	304	-7.6
Sentence outcomes							
Custodial orders							
Custody in a correctional institution	190	204	153	234	276	233	-15.6
Custody in the community	4	11	7	6	5	—	-100.0
Fully suspended sentence	51	48	41	28	22	33	50.0
Total (d)	245	263	201	268	303	266	-12.2
Non-custodial orders							
Community supervision/work orders	—	3	3	—	—	4	100.0
Monetary orders	23	42	3	7	3	3	—
Other non-custodial orders	3	—	7	3	3	7	133.3
Total	26	45	13	10	6	14	133.3
Total proven guilty (e)	271	308	214	278	309	280	-9.4

— nil or rounded to zero (including null cells)

(a) Includes defendants deceased, unfit to plead, transfers to other courts, other non-adjudicated method of finalisation n.e.c. and unknown method of finalisation.

(b) Offence data are based on ANZSOC from 2008–09 and ASOC97 prior to this period. Caution should be used when comparing offence data across the two classifications (see Explanatory Notes paragraph 21).

(c) Includes defendants for whom offence data are missing or a principal offence could not be determined.

(d) Includes custodial orders n.f.d.

(e) Includes defendants for whom a principal sentence is unknown.

2.11 SUMMARY OUTCOMES OF DEFENDANTS, States and territories, 2005–06 to 2010–11 *continued*

	NUMBER						PERCENTAGE
	2005–06	2006–07	2007–08	2008–09	2009–10	2010–11	CHANGE (%) 2009–10 to 2010–11
AUSTRALIAN CAPITAL TERRITORY							
Method of finalisation							
Adjudicated outcomes							
Acquitted	21	12	24	27	25	26	4.0
Proven guilty	118	98	126	149	159	198	25.8
Total	139	110	150	176	184	224	22.0
Withdrawn by prosecution	22	33	30	31	30	24	-20.0
Total finalised (a)	166	149	187	214	217	251	15.7
Principal offence (b)							
Homicide and related offences	4	—	6	3	6	4	-33.3
Acts intended to cause injury	32	32	38	31	41	67	63.4
Sexual assault and related offences	14	9	14	24	32	26	-18.8
Dangerous or negligent acts endangering persons	—	—	5	3	3	—	-100.0
Abduction, harassment and other offences against the person	3	—	—	4	—	—	—
Robbery, extortion and related offences	20	13	27	34	17	19	11.8
Unlawful entry with intent	19	8	19	21	32	35	9.4
Theft and related offences	13	17	12	17	17	15	-11.8
Fraud, deception and related offences	3	6	4	6	5	7	40.0
Illicit drug offences	21	13	12	15	16	19	18.8
Prohibited and regulated weapons and explosives offences	—	3	3	3	3	5	66.7
Property damage and environmental pollution	4	—	5	5	5	6	20.0
Public order offences	—	4	—	3	—	—	—
Traffic and vehicle regulatory offences	—	—	—	—	—	—	—
Offences against justice procedures, gov't security and operations	3	—	4	12	5	16	220.0
Miscellaneous offences	3	3	—	3	—	3	100.0
Total adjudicated (c)	139	108	149	184	182	222	22.0
Sentence outcomes							
Custodial orders							
Custody in a correctional institution	38	32	52	60	70	110	57.1
Custody in the community	—	—	—	—	—	—	—
Fully suspended sentence	45	35	55	54	55	56	1.8
Total (d)	83	67	107	114	125	166	32.8
Non-custodial orders							
Community supervision/work orders	3	—	—	10	12	4	-66.7
Monetary orders	23	—	—	3	8	3	-62.5
Other non-custodial orders	11	28	16	22	14	24	71.4
Total	37	28	16	35	34	31	-8.8
Total proven guilty (e)	120	95	123	149	159	200	25.8

— nil or rounded to zero (including null cells)

(a) Includes defendants deceased, unfit to plead, transfers to other courts, other non-adjudicated method of finalisation n.e.c. and unknown method of finalisation.

(b) Offence data are based on ANZSOC from 2008–09 and ASOC97 prior to this period. Caution should be used when comparing offence data across the two classifications (see Explanatory Notes paragraph 21).

(c) Includes defendants for whom offence data are missing or a principal offence could not be determined.

(d) Includes custodial orders n.f.d.

(e) Includes defendants for whom a principal sentence is unknown.

2.12

SUMMARY CHARACTERISTICS OF DEFENDANTS (EXCLUDING TRAFFIC OFFENCES)(a), Indigenous status by selected states and territories

	NUMBER			
	<i>Aboriginal & Torres Strait Islander</i>	<i>Non-Indigenous</i>	<i>Unknown/ Not stated</i>	<i>Total(b)</i>
.....				
QUEENSLAND				
Sex				
Males	572.0	3 208	649	4 429
Females	136	483	148	767
Total finalised(c)	708	3 691	800	5 199
Principal offence				
Homicide and related offences	5	61	10	76
Acts intended to cause injury	260	699	167	1 126
Sexual assault and related offences	95	535	80	710
Dangerous or negligent acts endangering persons	23	71	10	104
Abduction, harassment and other offences against the person	10	53	8	71
Robbery, extortion and related offences	54	231	60	345
Unlawful entry with intent	34	160	31	225
Theft and related offences	10	92	22	124
Fraud, deception and related offences	10	215	77	302
Illicit drug offences	21	609	99	729
Prohibited and regulated weapons and explosives offences	—	24	5	29
Property damage and environmental pollution	11	78	23	112
Public order offences	9	18	3	30
Offences against justice procedures, gov't security and operations	11	48	18	77
Miscellaneous offences	—	9	6	15
Total adjudicated(d)	600	3 080	654	4 334
Sentence outcomes				
Custodial orders	469	2 209	501	3 179
Non-custodial orders	93	658	99	850
Total proven guilty	562	2 867	600	4 029

— nil or rounded to zero (including null cells)

(a) Excludes ANZSOC Division 14 and Subdivision 041 (see Explanatory Notes paragraph 50–51).

(b) Includes organisations.

(c) Includes defendants with unknown sex.

(d) Includes defendants for whom offence data are missing or a principal offence could not be determined.

2.12SUMMARY CHARACTERISTICS OF DEFENDANTS (EXCLUDING TRAFFIC OFFENCES)(a), Indigenous status by selected states and territories *continued* ..

	PROPORTION (%)			Total(b)
	Aboriginal & Torres Strait Islander	Non-Indigenous	Unknown/ Not stated	
.....				
QUEENSLAND				
Sex				
Males	12.9	72.4	14.7	100.0
Females	17.7	63.0	19.3	100.0
Total finalised(c)	13.6	71.0	15.4	100.0
Principal offence				
Homicide and related offences	6.6	80.3	13.2	100.0
Acts intended to cause injury	23.1	62.1	14.8	100.0
Sexual assault and related offences	13.4	75.4	11.3	100.0
Dangerous or negligent acts endangering persons	22.1	68.3	9.6	100.0
Abduction, harassment and other offences against the person	14.1	74.6	11.3	100.0
Robbery, extortion and related offences	15.7	67.0	17.4	100.0
Unlawful entry with intent	15.1	71.1	13.8	100.0
Theft and related offences	8.1	74.2	17.7	100.0
Fraud, deception and related offences	3.3	71.2	25.5	100.0
Illicit drug offences	2.9	83.5	13.6	100.0
Prohibited and regulated weapons and explosives offences	—	82.8	17.2	100.0
Property damage and environmental pollution	9.8	69.6	20.5	100.0
Public order offences	30.0	60.0	10.0	100.0
Offences against justice procedures, gov't security and operations	14.3	62.3	23.4	100.0
Miscellaneous offences	—	60.0	40.0	100.0
Total adjudicated(d)	13.8	71.1	15.1	100.0
Sentence outcomes				
Custodial orders	14.8	69.5	15.8	100.0
Non-custodial orders	10.9	77.4	11.6	100.0
Total proven guilty	13.9	71.2	14.9	100.0

— nil or rounded to zero (including null cells)

(a) Excludes ANZSOC Division 14 and Subdivision 041 (see Explanatory Notes paragraph 50–51).

(b) Includes organisations.

(c) Includes defendants with unknown sex.

(d) Includes defendants for whom offence data are missing or a principal offence could not be determined.

2.12 SUMMARY CHARACTERISTICS OF DEFENDANTS (EXCLUDING TRAFFIC OFFENCES)(a), Indigenous status by selected states and territories *continued* ..

	NUMBER			
	<i>Aboriginal & Torres Strait Islander</i>	<i>Non-Indigenous</i>	<i>Unknown/ Not stated</i>	<i>Total(b)</i>
.....				
NORTHERN TERRITORY				
Sex				
Males	176	108	14	298
Females	17	10	3	30
Total finalised(c)	193	118	17	328
Principal offence				
Homicide and related offences	11	—	—	11
Acts intended to cause injury	86	12	7	105
Sexual assault and related offences	38	24	—	62
Dangerous or negligent acts endangering persons	5	3	—	8
Abduction, harassment and other offences against the person	3	—	—	3
Robbery, extortion and related offences	17	9	—	26
Unlawful entry with intent	14	—	—	14
Theft and related offences	—	—	—	—
Fraud, deception and related offences	—	—	—	—
Illicit drug offences	4	36	—	40
Prohibited and regulated weapons and explosives offences	—	—	—	—
Property damage and environmental pollution	—	3	—	3
Public order offences	—	—	—	—
Offences against justice procedures, gov't security and operations	—	19	6	25
Miscellaneous offences	—	—	3	3
Total adjudicated(d)	178	106	16	300
Sentence outcomes				
Custodial orders	154	94	14	262
Non-custodial orders	6	4	—	10
Total proven guilty	160	98	14	272

— nil or rounded to zero (including null cells)

(a) Excludes ANZSOC Division 14 and Subdivision 041 (see Explanatory Notes paragraph 50–51).

(b) Includes organisations.

(c) Includes defendants with unknown sex.

(d) Includes defendants for whom offence data are missing or a principal offence could not be determined.

2.12SUMMARY CHARACTERISTICS OF DEFENDANTS (EXCLUDING TRAFFIC OFFENCES)(a), Indigenous status by selected states and territories *continued* ..

	PROPORTION (%)			Total(b)
	Aboriginal & Torres Strait Islander	Non-Indigenous	Unknown/ Not stated	
.....				
NORTHERN TERRITORY				
Sex				
Males	59.1	36.2	4.7	100.0
Females	56.7	33.3	10.0	100.0
Total finalised(c)	58.8	36.0	5.2	100.0
Principal offence				
Homicide and related offences	100.0	—	—	100.0
Acts intended to cause injury	81.9	11.4	6.7	100.0
Sexual assault and related offences	61.3	38.7	—	100.0
Dangerous or negligent acts endangering persons	62.5	37.5	—	100.0
Abduction, harassment and other offences against the person	100.0	—	—	100.0
Robbery, extortion and related offences	65.4	34.6	—	100.0
Unlawful entry with intent	100.0	—	—	100.0
Theft and related offences	—	—	—	—
Fraud, deception and related offences	—	—	—	—
Illicit drug offences	10.0	90.0	—	100.0
Prohibited and regulated weapons and explosives offences	—	—	—	—
Property damage and environmental pollution	—	100.0	—	100.0
Public order offences	—	—	—	—
Offences against justice procedures, gov't security and operations	—	76.0	24.0	100.0
Miscellaneous offences	—	—	100.0	100.0
Total adjudicated(d)	59.3	35.3	5.3	100.0
Sentence outcomes				
Custodial orders	58.8	35.9	5.3	100.0
Non-custodial orders	60.0	40.0	—	100.0
Total proven guilty	58.8	36.0	5.1	100.0

— nil or rounded to zero (including null cells)

(a) Excludes ANZSOC Division 14 and Subdivision 041 (see Explanatory Notes paragraph 50–51).

(b) Includes organisations.

(c) Includes defendants with unknown sex.

(d) Includes defendants for whom offence data are missing or a principal offence could not be determined.

INTRODUCTION

This chapter presents information about defendants finalised in the criminal jurisdiction of the Magistrates' Courts in 2010–11.

Magistrates' Courts (known as Local Courts in New South Wales) are in operation in all states and territories of Australia. These courts try and sentence criminal matters relating to summary offences (such as traffic offences and disorderly behaviour) and also may hear indictable offences summarily.

Magistrates' Courts data presented here exclude cases such as bail reviews and applications to amend sentences or penalties which do not require the adjudication of charges. Also excluded are breach of bail or parole cases, appeal cases, tribunal matters and defendants for whom a bench warrant is issued, but not executed.

The offence categories referred to relate to the principal offence i.e. the most serious offence type with which the defendant was charged. For more information about principal offence see Explanatory Notes paragraphs 40–44.

National data for the Magistrates' Courts are available from 2003–04.

Snapshot

- The number of defendants finalised in the Magistrates' Courts decreased by 12%, from 603,604 in 2009–10 to 533,857 in 2010–11. This is the second lowest number of finalisations recorded in the Magistrates' Courts collection.
- Most defendants (43% or 227,056) were finalised for traffic and vehicle regulatory offences, followed by acts intended to cause injury (11% or 56,996).
- The proportion of male to female defendants has remained relatively stable since 2005–06, with males accounting for 77% (409,491) of the 2010–11 total.
- During 2010–11, 481,645 or 90% of defendants finalised in the Magistrates' Courts had their cases adjudicated. Other methods of finalisation included charges withdrawn by the prosecution (7% or 38,923) and transfers to other courts (2% or 12,582).
- The majority (97% or 466,429) of defendants whose cases were adjudicated in the Magistrates' Courts in 2010–11 were proven guilty.
- Approximately 9 in 10 defendants proven guilty were sentenced to non-custodial orders.

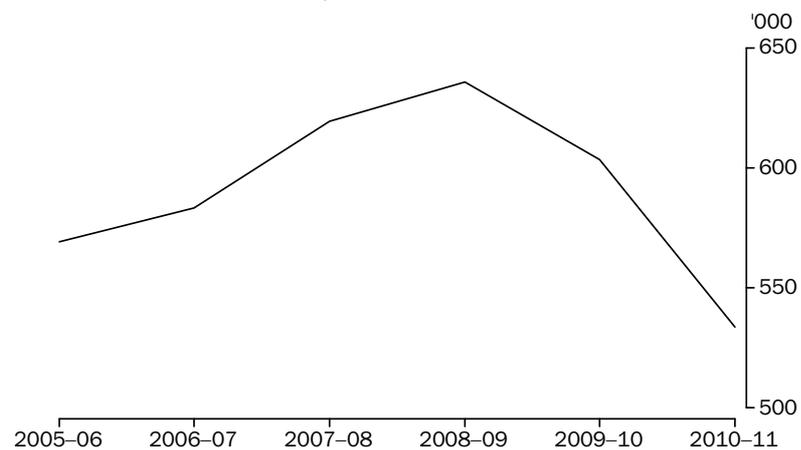
DEFENDANTS FINALISED

Defendants can have their charges finalised via different methods (see Appendix 2). The main categories of finalisation are: adjudicated finalisations, where the court has made a finding as to the guilt or otherwise of the defendant; finalisation by transfer between courts; withdrawal by the prosecution; and other methods such as defendant deceased or unfit to plead.

DEFENDANTS FINALISED
continued

The largest number of defendants charged with criminal offences in Australia each year are finalised in the Magistrates' Courts. The number of defendants finalised at this court level had increased each year from 2005–06 to 2008–09 before decreasing in 2009–10 and again in 2010–11. Overall for this period, the number of defendants finalised has decreased by 6%, from 569,163 in 2005–06 to 533,857 in 2010–11 (Table 3.2).

DEFENDANTS FINALISED, 2005–2006 to 2010–2011



All states and territories, except Tasmania and the Northern Territory had decreases in the numbers of defendants finalised in the Magistrates' Courts in 2010–11. Victoria (22%), Western Australia (14%), Queensland and the Australian Capital Territory (both 11%) had the largest decreases (Table 3.11).

*Principal offence – traffic
and vehicle regulatory
offences*

Traffic and vehicle regulatory offences accounted for the greatest proportion (43% or 227,056) of defendants finalised in the Magistrates' Courts in 2010–11. This was slightly higher than the proportion of defendants with this offence in the previous year. The majority of these defendants had their charges adjudicated (95% or 215,484); of these almost all (98%) were proven guilty (Table 3.1).

Within the broad category of traffic offences, defendants had their charges adjudicated in the following main categories (Table 3.4):

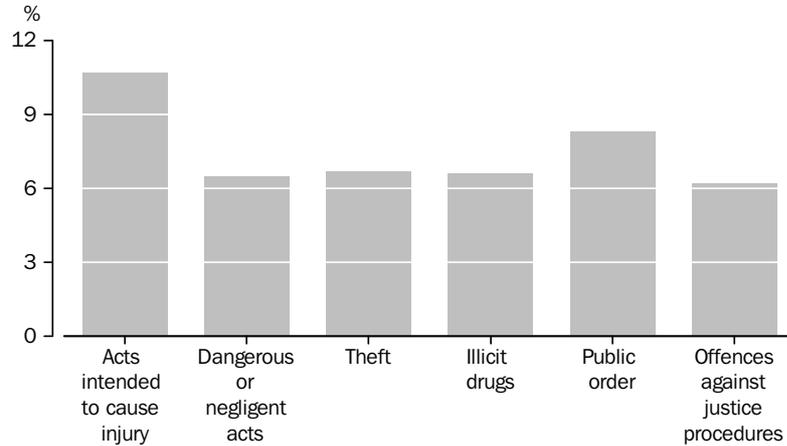
- exceeding the prescribed content of alcohol or other substance limit (34%);
- driver licence offences (31%);
- vehicle registration and roadworthiness offences (11%); and
- exceeding the legal speed limit (7%).

Of the 210,899 defendants proven guilty of traffic offences, the majority (83%) were sentenced to a monetary order and 4% received a custodial order (Table 3.1).

Principal offence – offences other than traffic

After traffic offences, the largest proportion of defendants in 2010–11 were finalised with: acts intended to cause injury (11%), public order offences (8%), theft, illicit drug offences and dangerous or negligent acts endangering persons (all 7%) and offences against justice procedures (6%) (Table 3.5).

DEFENDANTS FINALISED, Selected principal offence



Sex

In 2010–11, more than three-quarters (77%) of finalised defendants were male and under one-quarter were female (22%). This proportion has remained relatively stable since 2005–06. These proportions are similar across the states and territories, ranging from 80% for males in South Australia and the Northern Territory to 74% in Western Australia (Table 3.3).

Age

Two age groupings accounted for over half of defendants finalised in the Magistrates' Courts: those aged under 25 years and those aged 25 to 34 years (both 29%). The next largest groups were defendants aged 35 to 44 years (21%) and 45 years and over (17%) (Table 3.6).

Charges withdrawn by the prosecution

Defendants finalised through charges being withdrawn by the prosecution decreased by 12% from 43,975 in 2009–10 to 38,923 in 2010–11. Of all finalised defendants, 7% of defendants had their charges withdrawn, the same proportion as in 2009–10 (Table 3.2).

During 2010–11, the following offences had the largest proportion of defendants finalised through the withdrawal of charges by the prosecution (Table 3.5):

- robbery and extortion (20% or 372);
- sexual assault (17% or 734);
- miscellaneous (17% or 2,087);
- abduction, harassment and other offences against the person (16% or 439); and
- acts intended to cause injury (15% or 8,759).

The Australian Capital Territory (23%), South Australia (20%) and Victoria (10%) had larger proportions of defendants whose charges were withdrawn than the national average (7%). Tasmania had the smallest proportion of defendants whose charges were withdrawn, at 1% (Table 3.3).

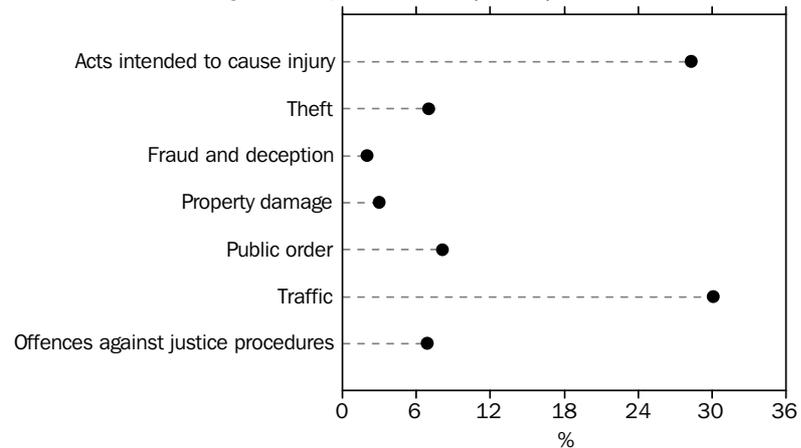
Defendants acquitted

In 2010–11, 15,216 or 3% of defendants finalised were acquitted in the Magistrates' Courts in Australia (Table 3.3).

Five offence categories made up 80% of all acquitted defendants (Table 3.5):

- traffic and vehicle regulatory offences (4,585 or 30%);
- acts intended to cause injury (4,305 or 28%);
- public order offences (1,226 or 8%);
- theft (1,062 or 7%); and
- offences against justice procedures (1,052 or 7%).

DEFENDANTS ACQUITTED, Selected principal offence



The proportions of defendants acquitted varied across the states and territories with the largest proportions in Tasmania (15%), New South Wales (5%) and Victoria (4%), while South Australia had the smallest (less than 1%) (Table 3.3).

Defendants proven guilty

The proven guilty population comprises defendants who plead guilty or were found guilty, including those found guilty ex-parte.

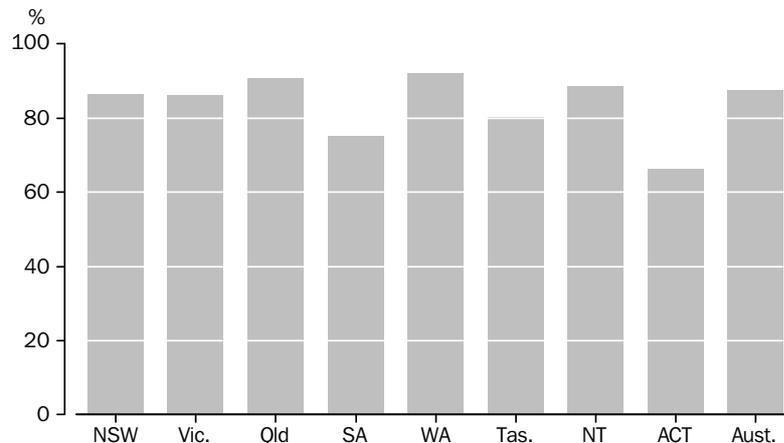
Defendants proven guilty in the Magistrates' Courts accounted for 466,429 (87%) of defendants finalised in 2010–11. This proportion has remained relatively stable since 2005–06 (Table 3.2).

Almost all defendants finalised for dangerous or negligent acts endangering persons, public order offences and traffic offences (all 93%) were proven guilty (Table 3.5).

The proportion of defendants proven guilty, of all finalised defendants, ranged from 92% in Western Australia and 91% in Queensland to 66% in the Australian Capital Territory (Table 3.3).

*Defendants proven guilty
continued*

DEFENDANTS PROVEN GUILTY, States and territories



SENTENCE OUTCOMES

The following information relates to sentence outcomes for defendants proven guilty in the Magistrates' Courts. Sentence refers to the principal sentence a defendant received which is usually, though not necessarily, the sentence associated with the principal offence. See Explanatory Notes paragraphs 45–48 for further information.

Differences in sentencing result from the offence with which the defendant was proven guilty, as well as a range of aggravating and mitigating factors taken into account by the court, such as prior convictions, level of violence, whether the offender was provoked, and demonstrations of remorse. The range of sentences available also differs across states and territories.

Custodial orders

The most serious penalties issued for charges proven in the Magistrates' Courts are custodial sentences. In 2010–11, 9% (41,780) of guilty defendants had custodial orders imposed: 4% were sentenced to custody in a correctional institution; 4% to fully suspended sentences; and 1% were sentenced to custody in the community (Table 3.7).

The proportions of custodial orders varied across the states and territories with the largest proportion in the Northern Territory (32%) and the smallest in Western Australia (5%) (Table 3.3).

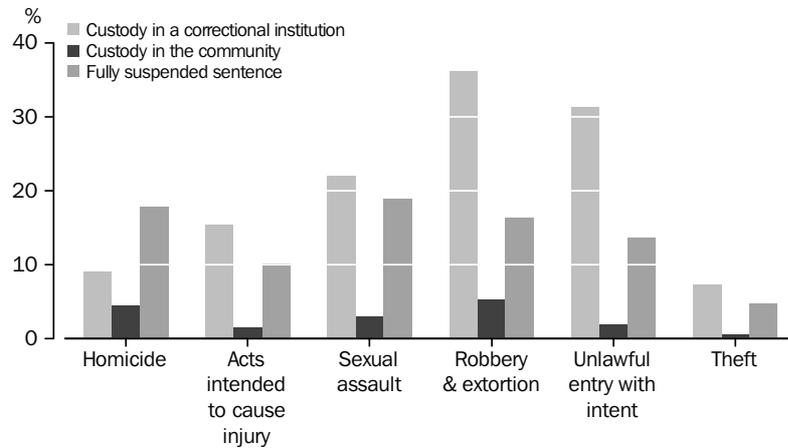
Defendants found guilty of the following offences were most likely to receive a custodial order:

- robbery (99 or 58%);
- unlawful entry with intent (2,777 or 47%);
- sexual assault (444 or 43%);
- homicide (21 or 31%); and
- acts intended to cause injury (11,178 or 27%).

The types of custodial orders issued varied across principal offences. Custody in a correctional institution was the most common principal sentence for those guilty of robbery and extortion offences (36%), followed by unlawful entry with intent (31%). Sexual assault and homicide were the principal offences with the highest proportions of fully suspended sentences (19% and 18% respectively) (Table 3.7).

*Custodial orders
continued*

DEFENDANTS PROVEN GUILTY, Selected principal offence by type of custodial order



The proportion of male defendants who received a custodial sentence was double that of women (10% and 5% respectively). Of the 36,158 males who were sentenced to a custodial order, over half (51%) were sentenced to custody in a correctional institution. In contrast, the majority of females issued with custodial orders were given fully suspended sentences (54%) (Table 3.9).

Non-custodial orders

The majority of guilty defendants (91% or 424,374) were given non-custodial sentences, such as community supervision or work orders, monetary orders, or good behaviour bonds. This proportion has not changed since 2005–06.

The most common non-custodial sentence was a monetary order, with over two-thirds (70% or 326,798) of defendants proven guilty receiving this sentence (Table 3.1).

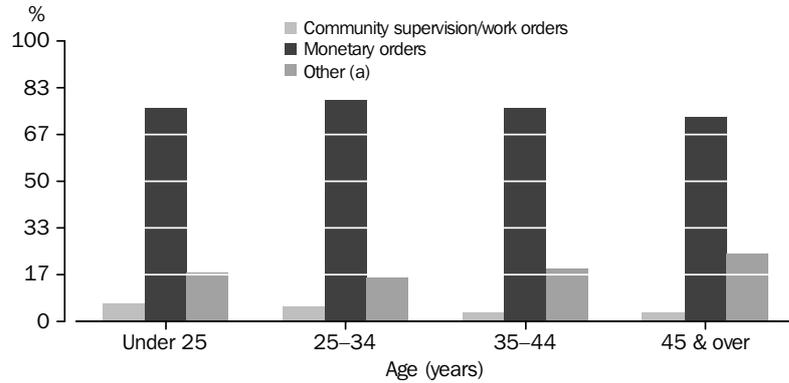
Proportionally, monetary orders were most commonly issued to defendants guilty of traffic offences (83%), public order (77%) and dangerous and negligent acts (76%) (Table 3.7).

Community supervision or work orders were the most common non-custodial sentence for those guilty of robbery and extortion offences (27%) and unlawful entry with intent (23%).

There were some differences across age groups in the types of non-custodial orders issued. Defendants aged under 25 years had a higher proportion of community supervision/work orders (6% of defendants in this age group) than those aged 45 years and over (3%) (Table 3.9).

*Non-custodial orders
continued*

DEFENDANTS PROVEN GUILTY, Age groups by selected non-custodial sentences



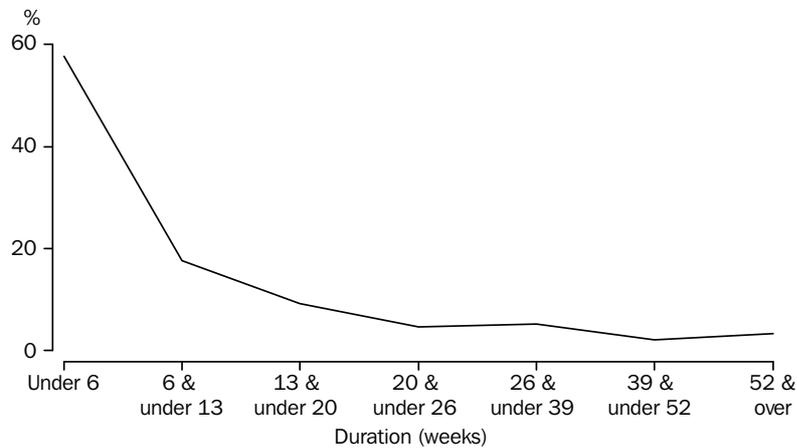
(a) Includes good behaviour bonds, licence disqualification/suspensions/amendments, forfeiture of property and nominal penalties.

**DURATION OF CASES
ADJUDICATED**

The nature of the charges presented to the court for a defendant, along with the process required to deal with the charges, impact on the time required to finalise a case. Court resources and complexity of cases can also have an impact. Duration is calculated from the date of initiation to finalisation of the case (for more information about duration see paragraphs 61–62 of the Explanatory Notes and the Glossary).

In 2010–11, three-quarters (75%) of all defendants adjudicated in the Magistrates' Court were finalised in under 13 weeks from initiation. Adjudicated defendants finalised at 52 weeks or longer comprised 3% (Table 3.10).

DEFENDANTS ADJUDICATED, Duration of cases finalised



**ABORIGINAL AND TORRES
STRAIT ISLANDER
DEFENDANTS**

Limited data about Aboriginal and Torres Strait Islander defendants are presented for the second time in this publication. This information is available for defendants finalised in the Magistrates' Courts in New South Wales, Queensland and the Northern Territory only.

The majority of defendants in the Magistrates' Courts with a traffic offence as their principal offence have an unknown Aboriginal and Torres Strait Islander status. This is because most traffic offences are related to fines issued by road traffic authorities, who do not collect or record Aboriginal and Torres Strait Islander status. These defendants have a large impact on the proportion of unknowns in the data, therefore they have been

ABORIGINAL AND TORRES
STRAIT ISLANDER
DEFENDANTS *continued*

removed to enable a focus on those defendants that are more likely to have been in contact with police and have their Aboriginal and Torres Strait Islander status recorded.

Other offence categories that may also be affected by this issue are: public order; offences against justice procedures, government security and operations; and miscellaneous offences. This should be taken into account when comparing Aboriginal and Torres Strait Islander and non-Indigenous data for these offence categories. For further information on the identification of Aboriginal and Torres Strait Islander defendants in the Criminal Courts collection (see Explanatory Notes paragraphs 49–52).

New South Wales

In the Magistrates' Courts in 2010–11, 8,502 (12%) defendants finalised in New South Wales identified as Aboriginal and Torres Strait Islander.

The proportion of males and females varied for Aboriginal and Torres Strait Islander defendants when compared to non-Indigenous defendants. In New South Wales, 27% of Aboriginal and Torres Strait Islander defendants were female compared to 17% of non-Indigenous defendants.

There was also variation when comparing offence categories. The three main offence categories for Aboriginal and Torres Strait Islander defendants adjudicated were: acts intended to cause injury (42%); theft (12%) and public order (11%). For non-Indigenous defendants, the three main offence categories were acts intended to cause injury (37%), illicit drugs (16%), and theft (12%).

In the Magistrates' Courts the majority of defendants proven guilty are sentenced to non-custodial orders. When comparing Aboriginal and Torres Strait Islander defendants with non-Indigenous defendants, the proportions of custodial to non-custodial orders varied in 2010–11. In New South Wales, almost one-third (32%) of guilty Aboriginal and Torres Strait Islander defendants were sentenced to a custodial order compared to 15% of guilty non-Indigenous defendants (Table 3.12).

Queensland

In the Magistrates' Courts in 2010–11, 17,066 (20%) defendants in Queensland identified as Aboriginal and Torres Strait Islander.

The proportion of males and females varied for Aboriginal and Torres Strait Islander defendants when compared to non-Indigenous defendants. In Queensland, 31% of Aboriginal and Torres Strait Islander defendants were female compared to 20% of non-Indigenous defendants.

There was also variation when comparing offence categories. In Queensland, the three main offence categories for Aboriginal and Torres Strait Islander defendants adjudicated were: public order (45%), offences against justice procedures, government security and operations (17%), and theft (9%). For non-Indigenous defendants the three main offence categories were public order (24%), illicit drugs (18%), and offences against justice procedures, government security and operations (17%).

When comparing Aboriginal and Torres Strait Islander defendants with non-Indigenous defendants, the proportions of custodial to non-custodial orders varied in 2010–11. In Queensland 13% of guilty Aboriginal and Torres Strait Islander defendants were sentenced to custodial orders compared to 8% of guilty non-Indigenous defendants (Table 3.12).

Northern Territory

In the Magistrates' Courts in 2010–11, 3,956 (72%) defendants in the Northern Territory identified as Aboriginal and Torres Strait Islander.

The proportion of males and females was similar for Aboriginal and Torres Strait Islander defendants and non-Indigenous defendants: 17% of Aboriginal and Torres Strait Islander defendants were female compared with 14% of non-Indigenous defendants.

There was also variation when comparing offence categories. In the Northern Territory, the three main offence categories for Aboriginal and Torres Strait Islander defendants adjudicated were: acts intended to cause injury (40%), offences against justice procedures, government security and operations (19%), and public order (11%). For non-Indigenous defendants, the three main offence categories were: illicit drugs (22%), acts intended to cause injury (20%), and offences against justice procedures, government security and operations and theft (both 12%).

When comparing Aboriginal and Torres Strait Islander defendants with non-Indigenous defendants, the proportions of custodial to non-custodial orders varied in 2010–11. In the Northern Territory, more than half (54%) of guilty Aboriginal and Torres Strait Islander defendants were sentenced to custodial orders compared to 28% of guilty non-Indigenous defendants (Table 3.12).

3.1

SUMMARY CHARACTERISTICS OF ALL DEFENDANTS, Selected principal offence ..

	Acts intended to cause injury	Dangerous or negligent acts endangering persons	Theft & related offences	Illicit drug offences	Public order offences	Traffic & vehicle regulatory offences	Offences against justice procedures	Other(a)	Total(b)
NUMBER									
Method of finalisation									
Adjudicated outcomes									
Acquitted	4 305	566	1 062	391	1 226	4 585	1 052	2 000	15 216
Proven guilty	41 439	32 435	31 025	30 417	40 984	210 899	29 015	49 336	466 429
Total	45 744	33 001	32 087	30 808	42 210	215 484	30 067	51 336	481 645
Transfers to other courts									
	2 355	314	492	2 409	66	44	515	6 248	12 582
Withdrawn by prosecution									
	8 759	1 362	3 109	2 028	1 822	11 349	2 447	7 872	38 923
Other(c)									
	136	49	57	31	39	167	38	161	678
Total finalised(d)	56 996	34 726	35 747	35 278	44 138	227 056	33 070	65 624	533 857
Sentence outcomes									
Custodial orders									
Custody in a correctional institution									
	6 345	1 509	2 248	971	536	2 598	1 656	4 467	20 674
Custody in the community									
	647	250	183	142	35	627	64	468	2 424
Fully suspended sentence									
	4 186	1 649	1 472	1 132	405	5 829	1 030	2 912	18 682
Total	11 178	3 408	3 903	2 245	976	9 054	2 750	7 847	41 780
Non-custodial orders									
Community supervision/work orders									
	4 736	1 807	2 193	1 758	1 152	3 311	1 434	5 071	21 679
Monetary orders									
	12 700	24 572	17 443	19 017	31 587	175 785	18 664	26 860	326 798
Other non-custodial orders									
	12 778	2 641	7 457	7 388	7 258	22 676	6 146	9 502	75 897
Total	30 214	29 020	27 093	28 163	39 997	201 772	26 244	41 433	424 374
Total proven guilty(e)	41 439	32 435	31 025	30 417	40 984	210 899	29 015	49 336	466 429

(a) Includes ANZSOC Divisions 01, 03, 05–07, 09, 11–12 & 16 (refer to Appendix 3).

(b) Includes defendants for whom offence data are missing or a principal offence could not be determined.

(c) Includes defendants deceased, unfit to plead, transfers to non-court agencies and other non-adjudicated finalisations n.e.c.

(d) Includes defendants with an unknown method of finalisation.

(e) Includes defendants for whom a principal sentence is unknown.

3.1 SUMMARY CHARACTERISTICS OF ALL DEFENDANTS, Selected principal offence

continued

	Acts intended to cause injury	Dangerous or negligent acts endangering persons	Theft & related offences	Illicit drug offences	Public order offences	Traffic & vehicle regulatory offences	Offences against justice procedures	Other(a)	Total(b)
PROPORTION (%)									
Method of finalisation									
Adjudicated outcomes									
Acquitted	7.6	1.6	3.0	1.1	2.8	2.0	3.2	3.0	2.9
Proven guilty	72.7	93.4	86.8	86.2	92.9	92.9	87.7	75.2	87.4
Total	80.3	95.0	89.8	87.3	95.6	94.9	90.9	78.2	90.2
Transfers to other courts	4.1	0.9	1.4	6.8	0.1	—	1.6	9.5	2.4
Withdrawn by prosecution	15.4	3.9	8.7	5.7	4.1	5.0	7.4	12.0	7.3
Other(c)	0.2	0.1	0.2	0.1	0.1	0.1	0.1	0.2	0.1
Total finalised(d)	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Sentence outcomes									
Custodial orders									
Custody in a correctional institution	15.3	4.7	7.2	3.2	1.3	1.2	5.7	9.1	4.4
Custody in the community	1.6	0.8	0.6	0.5	0.1	0.3	0.2	0.9	0.5
Fully suspended sentence	10.1	5.1	4.7	3.7	1.0	2.8	3.5	5.9	4.0
Total	27.0	10.5	12.6	7.4	2.4	4.3	9.5	15.9	9.0
Non-custodial orders									
Community supervision/work orders	11.4	5.6	7.1	5.8	2.8	1.6	4.9	10.3	4.6
Monetary orders	30.6	75.8	56.2	62.5	77.1	83.4	64.3	54.4	70.1
Other non-custodial orders	30.8	8.1	24.0	24.3	17.7	10.8	21.2	19.3	16.3
Total	72.9	89.5	87.3	92.6	97.6	95.7	90.4	84.0	91.0
Total proven guilty(e)	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

— nil or rounded to zero (including null cells)

(a) Includes ANZSOC Divisions 01, 03, 05–07, 09, 11–12 & 16 (refer to Appendix 3).

(b) Includes defendants for whom offence data are missing or a principal offence could not be determined.

(c) Includes defendants deceased, unfit to plead, transfers to non-court agencies and other non-adjudicated finalisations n.e.c.

(d) Includes defendants with an unknown method of finalisation.

(e) Includes defendants for whom a principal sentence is unknown.

3.2 SUMMARY CHARACTERISTICS OF ALL DEFENDANTS, 2005–06 to 2010–11

	NUMBER						PERCENTAGE
	2005–06	2006–07	2007–08	2008–09	2009–10	2010–11	CHANGE (%)
							2009–10 to 2010–11
NUMBER							
Sex							
Males	440 818	451 219	476 146	492 197	464 935	409 491	-11.9
Females	115 928	120 714	133 262	133 570	128 900	115 496	-10.4
Organisations	9 363	7 959	6 796	6 987	5 609	5 295	-5.6
Method of finalisation							
Adjudicated outcomes							
Acquitted	21 687	24 206	24 333	25 169	20 383	15 216	-25.3
Proven guilty							
Guilty finding	38 906	35 976	36 230	38 490	42 026	39 520	-6.0
Guilty plea	372 136	383 765	410 329	431 914	407 496	365 510	-10.3
Guilty ex-parte	75 851	83 096	94 074	81 317	59 752	54 670	-8.5
Total(a)	487 584	503 556	541 500	552 379	525 275	466 429	-11.2
Total adjudicated	509 271	527 762	565 833	577 548	545 658	481 645	-11.7
Transfers to other courts	13 358	14 661	12 789	13 163	13 147	12 582	-4.3
Withdrawn by prosecution	44 360	40 245	40 459	44 725	43 975	38 923	-11.5
Total finalised(b)(c)	569 163	583 453	619 542	635 926	603 604	533 857	-11.6
Sentence outcomes							
Custodial orders	42 047	42 972	45 657	47 679	46 445	41 780	-10.0
Non-custodial orders	445 083	459 924	495 148	504 049	478 210	424 374	-11.3
Total proven guilty(d)	487 584	503 556	541 500	552 379	525 275	466 429	-11.2
PROPORTION (%)							
Sex							
Males	77.5	77.3	76.9	77.4	77.0	76.7	..
Females	20.4	20.7	21.5	21.0	21.4	21.6	..
Organisations	1.6	1.4	1.1	1.1	0.9	1.0	..
Method of finalisation							
Adjudicated outcomes							
Acquitted	3.8	4.1	3.9	4.0	3.4	2.9	..
Proven guilty							
Guilty finding	6.8	6.2	5.8	6.1	7.0	7.4	..
Guilty plea	65.4	65.8	66.2	67.9	67.5	68.5	..
Guilty ex-parte	13.3	14.2	15.2	12.8	9.9	10.2	..
Total(a)	85.7	86.3	87.4	86.9	87.0	87.4	..
Total adjudicated	89.5	90.5	91.3	90.8	90.4	90.2	..
Transfers to other courts	2.3	2.5	2.1	2.1	2.2	2.4	..
Withdrawn by prosecution	7.8	6.9	6.5	7.0	7.3	7.3	..
Total finalised(b)(c)	100.0	100.0	100.0	100.0	100.0	100.0	..
Sentence outcomes							
Custodial orders	8.6	8.5	8.4	8.6	8.8	9.0	..
Non-custodial orders	91.3	91.3	91.4	91.3	91.0	91.0	..
Total proven guilty(d)	100.0	100.0	100.0	100.0	100.0	100.0	..

.. not applicable

(a) Includes defendants with charges proven n.f.d.

(b) Includes defendants with unknown sex.

(c) Includes defendants deceased, unfit to plead, transfers to non-court agencies, other non-adjudicated finalisations n.e.c. and unknown method of finalisation.

(d) Includes defendants for whom a principal sentence is unknown.

3.3 SUMMARY CHARACTERISTICS OF ALL DEFENDANTS, States and territories

	NSW	Vic.	Qld	SA	WA	Tas.	NT	ACT	Aust.
NUMBER									
Sex									
Males	112 503	57 731	114 711	33 941	65 238	13 429	8 373	3 565	409 491
Females	28 079	16 119	35 176	8 213	20 805	4 050	2 088	966	115 496
Organisations	2 410	1 663	774	131	156	58	69	34	5 295
Method of finalisation									
Acquitted	7 064	2 995	1 196	207	728	2 688	254	84	15 216
Proven guilty									
Guilty finding	12 856	1 815	22 122	405	1 117	808	90	307	39 520
Guilty plea	83 808	56 398	115 401	28 763	58 473	11 575	8 578	2 514	365 510
Guilty ex-parte	21 883	6 756	—	2 609	21 518	1 674	35	195	54 670
Total(a)	124 583	64 984	137 523	31 777	81 108	14 090	9 344	3 019	466 428
Total adjudicated	131 647	67 979	138 719	31 984	81 836	16 778	9 598	3 103	481 644
Transfers to other courts	3 695	311	3 776	1 711	2 177	535	171	206	12 582
Withdrawn by prosecution	8 540	7 223	8 937	8 533	3 711	189	760	1 030	38 923
Total finalised(b)(c)	144 062	75 513	151 432	42 285	87 932	17 537	10 532	4 565	533 858
Sentence outcomes									
Custodial orders	11 683	8 819	8 514	3 847	3 720	1 785	2 973	439	41 780
Non-custodial orders	112 900	55 890	129 009	27 930	77 389	12 305	6 371	2 580	424 374
Total proven guilty(d)	124 583	64 984	137 523	31 777	81 109	14 090	9 344	3 019	466 429
PROPORTION (%)									
Sex									
Males	78.1	76.5	75.8	80.3	74.2	76.6	79.5	78.1	76.7
Females	19.5	21.3	23.2	19.4	23.7	23.1	19.8	21.2	21.6
Organisations	1.7	2.2	0.5	0.3	0.2	0.3	0.7	0.7	1.0
Method of finalisation									
Acquitted	4.9	4.0	0.8	0.5	0.8	15.3	2.4	1.8	2.9
Proven guilty									
Guilty finding	8.9	2.4	14.6	1.0	1.3	4.6	0.9	6.7	7.4
Guilty plea	58.2	74.7	76.2	68.0	66.5	66.0	81.4	55.1	68.5
Guilty ex-parte	15.2	8.9	—	6.2	24.5	9.5	0.3	4.3	10.2
Total(a)	86.5	86.1	90.8	75.1	92.2	80.3	88.7	66.1	87.4
Total adjudicated	91.4	90.0	91.6	75.6	93.1	95.7	91.1	68.0	90.2
Transfers to other courts	2.6	0.4	2.5	4.0	2.5	3.1	1.6	4.5	2.4
Withdrawn by prosecution	5.9	9.6	5.9	20.2	4.2	1.1	7.2	22.6	7.3
Total finalised(b)(c)	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Sentence outcomes									
Custodial orders	9.4	13.6	6.2	12.1	4.6	12.7	31.8	14.5	9.0
Non-custodial orders	90.6	86.0	93.8	87.9	95.4	87.3	68.2	85.5	91.0
Total proven guilty(d)	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

— nil or rounded to zero (including null cells)

(a) Includes defendants with charges proven n.f.d.

(b) Includes defendants with unknown sex.

(c) Includes defendants deceased, unfit to plead, transfers to non-court agencies, other non-adjudicated finalisations n.e.c. and unknown method of finalisation.

(d) Includes defendants for whom a principal sentence is unknown.

3.4 DEFENDANTS ADJUDICATED, Principal offence, 2005–06 to 2010–11(a)

	2005–06	2006–07	2007–08	2008–09	2009–10	2010–11
Homicide and related offences	128	118	97	72	86	100
Acts intended to cause injury						
Assault	37 209	41 753	43 127	45 609	45 293	43 051
Stalking	..	..	..	2 194	2 470	2 643
Total(b)	37 263	41 813	43 187	47 839	47 795	45 744
Sexual assault and related offences						
Aggravated sexual assault	381	457	463	502	626	547
Non-aggravated sexual assault	392	400	430	347	260	321
Non-assaultive sexual offences against a child	42	48	49	51	47	44
Child pornography offences	..	..	..	206	165	154
Total(c)	881	983	1 023	1 338	1 298	1 273
Dangerous or negligent acts endangering persons	41 845	45 417	49 966	40 367	36 897	33 001
Abduction, harassment and other offences against the person	22	28	34	2 103	2 234	2 157
Robbery, extortion and related offences	301	334	286	259	225	216
Unlawful entry with intent	7 255	7 482	7 260	7 447	6 818	6 207
Theft and related offences						
Motor vehicle theft and related offences	3 771	3 284	3 214	2 217	2 021	1 710
Theft (except motor vehicles)	22 494	20 738	19 901	25 165	27 186	25 222
Total(d)	32 762	30 230	29 086	32 905	34 742	32 087
Fraud, deception and related offences	17 743	17 878	18 050	13 799	13 157	11 006
Illicit drug offences						
Import or export illicit drugs	12	19	27	16	32	45
Deal or traffic in illicit drugs	3 171	3 117	2 934	2 855	2 806	2 776
Manufacture or cultivate illicit drugs	4 042	4 144	3 840	4 199	4 484	4 294
Possess and/or use illicit drugs	16 646	18 034	18 993	20 665	21 180	19 933
Other illicit drug offences	3 437	3 699	3 655	3 601	3 966	3 760
Total	27 308	29 013	29 449	31 336	32 468	30 808
Prohibited and regulated weapons and explosives offences	6 561	7 745	7 730	7 735	7 314	7 042
Property damage and environmental pollution	13 640	13 997	14 208	14 494	14 063	13 275
Public order offences						
Regulated public order offences	4 562	4 110	3 775	6 294	6 489	5 586
Total(e)	51 890	58 489	61 887	67 875	61 832	42 210
Traffic and vehicle regulatory offences						
Driver licence offences	67 916	70 080	84 121	92 258	81 720	66 092
Vehicle registration and roadworthiness offences	21 194	20 736	24 839	26 940	22 928	22 998
Exceeding the prescribed content of alcohol or other substance limit	61 668	61 349	63 731	80 991	79 268	72 321
Exceeding legal speed limit	24 044	27 189	31 401	21 294	16 699	15 102
Total(f)	224 901	227 175	256 963	264 849	240 891	215 484
Offences against justice procedures, gov't security and operations						
Breach of violence and non-violence restraining orders	..	..	..	10 639	11 688	11 867
Offences against government operations	8 559	5 664	4 806	5 421	5 156	2 834
Offences against government security	33	33	51	72	49	17
Offences against justice procedures	13 561	15 628	16 299	17 889	17 757	15 203
Total(g)	32 481	31 500	31 378	34 239	34 821	30 067
Miscellaneous offences	13 976	14 606	14 566	10 707	10 848	10 060
Total adjudicated(h)	509 271	527 762	565 833	577 548	545 658	481 645

.. not applicable

(a) Offence data are based on ANZSOC from 2008–09 and ASOC97 prior to this period. Caution should be exercised when comparing offence data across the two classifications (see Explanatory Notes paragraph 21).

(b) Includes ANZSOC group 0299.

(c) Includes ANZSOC groups 0300, 0310, 0323 and 0329.

(d) Includes ANZSOC group 0800 and subdivision 083 and 084.

(e) Includes ANZSOC subdivisions 131 and 133.

(f) Includes ANZSOC groups 1433, 1439 and subdivision 144.

(g) Includes ANZSOC subdivision 151.

(h) Includes defendants for whom offence data are missing or a principal offence could not be determined.

3.5 DEFENDANTS FINALISED, Principal offence by method of finalisation

	PROVEN GUILTY				Total(a)
	Acquitted	Guilty finding	Guilty plea	Guilty ex-parte	
NUMBER					
Homicide and related offences	33	9	53	3	68
Acts intended to cause injury	4 305	4 611	34 678	1 212	41 439
Sexual assault and related offences	245	179	817	13	1 028
Dangerous or negligent acts endangering persons	566	1 497	28 540	2 133	32 435
Abduction, harassment and other offences against the person	125	172	1 743	77	2 032
Robbery, extortion and related offences	44	14	154	—	172
Unlawful entry with intent	306	242	5 546	39	5 901
Theft and related offences	1 062	2 603	25 372	2 679	31 025
Fraud, deception and related offences	308	661	9 353	505	10 698
Illicit drug offences	391	1 190	25 266	3 622	30 417
Prohibited and regulated weapons and explosives offences	132	379	6 100	372	6 910
Property damage and environmental pollution	459	690	10 723	1 189	12 816
Public order offences	1 226	7 063	29 009	4 637	40 984
Traffic and vehicle regulatory offences	4 585	15 964	157 757	33 692	210 899
Offences against justice procedures, gov't security and operations	1 052	3 108	23 698	1 886	29 015
Miscellaneous offences	348	1 108	5 862	2 602	9 712
Total finalised(b)	15 216	39 520	365 510	54 671	466 430
PROPORTION (%)					
Homicide and related offences	5.9	1.6	9.5	0.5	12.2
Acts intended to cause injury	7.6	8.1	60.8	2.1	72.7
Sexual assault and related offences	5.8	4.2	19.3	0.3	24.2
Dangerous or negligent acts endangering persons	1.6	4.3	82.2	6.1	93.4
Abduction, harassment and other offences against the person	4.4	6.1	61.5	2.7	71.7
Robbery, extortion and related offences	2.3	0.7	8.1	—	9.0
Unlawful entry with intent	3.6	2.8	64.5	0.5	68.6
Theft and related offences	3.0	7.3	71.0	7.5	86.8
Fraud, deception and related offences	2.4	5.2	73.4	4.0	84.0
Illicit drug offences	1.1	3.4	71.6	10.3	86.2
Prohibited and regulated weapons and explosives offences	1.7	4.8	77.8	4.7	88.1
Property damage and environmental pollution	3.1	4.7	73.0	8.1	87.3
Public order offences	2.8	16.0	65.7	10.5	92.9
Traffic and vehicle regulatory offences	2.0	7.0	69.5	14.8	92.9
Offences against justice procedures, gov't security and operations	3.2	9.4	71.7	5.7	87.7
Miscellaneous offences	2.9	9.1	48.0	21.3	79.5
Total finalised(b)	2.9	7.4	68.5	10.2	87.4

— nil or rounded to zero (including null cells)

(a) Includes defendants with charges proven n.f.d.

(b) Includes defendants for whom offence data are missing or a principal offence could not be determined.

3.5 DEFENDANTS FINALISED, Principal offence by method of finalisation *continued* ...

	Total adjudicated	Withdrawn by prosecution	Total(a)
.....			
NUMBER			
Homicide and related offences	101	67	557
Acts intended to cause injury	45 744	8 759	56 997
Sexual assault and related offences	1 273	734	4 242
Dangerous or negligent acts endangering persons	33 001	1 362	34 726
Abduction, harassment and other offences against the person	2 157	439	2 835
Robbery, extortion and related offences	216	372	1 912
Unlawful entry with intent	6 207	1 174	8 602
Theft and related offences	32 087	3 109	35 748
Fraud, deception and related offences	11 006	1 239	12 737
Illicit drug offences	30 808	2 028	35 279
Prohibited and regulated weapons and explosives offences	7 042	603	7 844
Property damage and environmental pollution	13 275	1 157	14 685
Public order offences	42 210	1 822	44 140
Traffic and vehicle regulatory offences	215 484	11 349	227 056
Offences against justice procedures, gov't security and operations	30 067	2 447	33 070
Miscellaneous offences	10 060	2 087	12 210
Total finalised(b)	481 646	38 923	533 862

	PROPORTION (%)		
.....			
Homicide and related offences	18.1	12.0	100.0
Acts intended to cause injury	80.3	15.4	100.0
Sexual assault and related offences	30.0	17.3	100.0
Dangerous or negligent acts endangering persons	95.0	3.9	100.0
Abduction, harassment and other offences against the person	76.1	15.5	100.0
Robbery, extortion and related offences	11.3	19.5	100.0
Unlawful entry with intent	72.2	13.6	100.0
Theft and related offences	89.8	8.7	100.0
Fraud, deception and related offences	86.4	9.7	100.0
Illicit drug offences	87.3	5.7	100.0
Prohibited and regulated weapons and explosives offences	89.8	7.7	100.0
Property damage and environmental pollution	90.4	7.9	100.0
Public order offences	95.6	4.1	100.0
Traffic and vehicle regulatory offences	94.9	5.0	100.0
Offences against justice procedures, gov't security and operations	90.9	7.4	100.0
Miscellaneous offences	82.4	17.1	100.0
Total finalised(b)	90.2	7.3	100.0

(a) Includes defendants deceased, unfit to plead, transfers to non-court agencies, other non-adjudicated finalisations n.e.c., transfers to other courts and unknown method of finalisation.

(b) Includes defendants for whom offence data are missing or a principal offence could not be determined.

3.6 DEFENDANTS FINALISED, Sex and age by method of finalisation

	PROVEN GUILTY				Total(b)	Withdrawn by prosecution		Total(a)
	Acquitted	Guilty finding	Guilty plea	Guilty ex-parte		Total adjudicated		
NUMBER								
Males								
Under 20 years	543	2 348	29 217	2 762	34 768	35 311	1 651	38 108
20–24 years	1 752	5 309	63 074	8 293	77 592	79 344	4 514	86 268
25–29 years	1 634	4 392	48 256	6 811	60 277	61 911	4 214	67 983
30–34 years	1 553	3 507	36 379	5 002	45 544	47 097	3 631	52 302
35–39 years	1 481	3 199	31 506	4 360	39 644	41 125	3 611	46 093
40–44 years	1 318	2 751	24 392	3 585	31 245	32 563	3 039	36 654
45–49 years	1 039	2 140	17 873	2 675	23 089	24 128	2 254	27 133
50–54 years	734	1 611	11 849	1 870	15 580	16 314	1 533	18 338
55 years and over	1 358	2 342	16 333	2 672	21 811	23 169	2 336	26 386
Total(c)	11 730	29 046	283 052	39 885	357 130	368 860	29 104	409 491
Females								
Under 20 years	137	700	6 839	820	8 459	8 596	375	9 099
20–24 years	454	1 434	15 696	2 517	19 894	20 348	1 091	21 714
25–29 years	439	1 382	12 673	1 997	16 270	16 709	996	18 005
30–34 years	398	1 136	10 488	1 737	13 565	13 963	951	15 178
35–39 years	450	1 172	9 738	1 589	12 707	13 157	982	14 353
40–44 years	397	905	8 085	1 215	10 352	10 749	776	11 705
45–49 years	308	632	5 798	884	7 420	7 728	576	8 445
50–54 years	209	385	3 543	483	4 474	4 683	371	5 126
55 years and over	271	466	3 770	506	4 820	5 091	475	5 643
Total(c)	3 229	9 540	78 893	12 566	102 386	105 615	8 228	115 496
Persons(d)								
Under 20 years	683	3 051	36 078	3 593	43 263	43 946	2 029	47 254
20–24 years	2 211	6 802	78 925	10 863	97 753	99 964	5 623	108 290
25–29 years	2 079	5 831	61 175	8 913	76 955	79 034	5 238	86 444
30–34 years	1 957	4 685	47 048	6 823	59 416	61 373	4 601	67 827
35–39 years	1 937	4 391	41 400	6 030	52 608	54 545	4 610	60 735
40–44 years	1 721	3 674	32 602	4 874	41 814	43 535	3 832	48 604
45–49 years	1 351	2 785	23 779	3 650	30 724	32 075	2 855	35 825
50–54 years	948	2 015	15 467	2 398	20 193	21 141	1 918	23 622
55 years and over	1 633	2 837	20 207	3 255	26 841	28 474	2 836	32 268
Total(c)	15 046	39 057	363 482	53 410	462 512	477 558	37 730	528 562
Organisations	170	463	2 028	1 260	3 917	4 087	1 193	5 295
Total finalised	15 216	39 520	365 510	54 670	466 429	481 645	38 923	533 857

(a) Includes defendants deceased, unfit to plead, transfers to non-court agencies, other non-adjudicated finalisations n.e.c., transfers to other courts and unknown method of finalisation.

(b) Includes defendants with charges proven n.f.d.

(c) Includes defendants with unknown age.

(d) Includes defendants with unknown sex.

3.6**DEFENDANTS FINALISED, Sex and age by method of finalisation** *continued*

	PROVEN GUILTY				Total(b)	Withdrawn by prosecution		Total(a)
	Acquitted	Guilty finding	Guilty plea	Guilty ex-parte		Total adjudicated		
PROPORTION (%)								
Males								
Under 20 years	4.6	8.1	10.3	6.9	9.7	9.6	5.7	9.3
20–24 years	14.9	18.3	22.3	20.8	21.7	21.5	15.5	21.1
25–29 years	13.9	15.1	17.0	17.1	16.9	16.8	14.5	16.6
30–34 years	13.2	12.1	12.9	12.5	12.8	12.8	12.5	12.8
35–39 years	12.6	11.0	11.1	10.9	11.1	11.1	12.4	11.3
40–44 years	11.2	9.5	8.6	9.0	8.7	8.8	10.4	9.0
45–49 years	8.9	7.4	6.3	6.7	6.5	6.5	7.7	6.6
50–54 years	6.3	5.5	4.2	4.7	4.4	4.4	5.3	4.5
55 years and over	11.6	8.1	5.8	6.7	6.1	6.3	8.0	6.4
Total(c)	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Females								
Under 20 years	4.2	7.3	8.7	6.5	8.3	8.1	4.6	7.9
20–24 years	14.1	15.0	19.9	20.0	19.4	19.3	13.3	18.8
25–29 years	13.6	14.5	16.1	15.9	15.9	15.8	12.1	15.6
30–34 years	12.3	11.9	13.3	13.8	13.2	13.2	11.6	13.1
35–39 years	13.9	12.3	12.3	12.6	12.4	12.5	11.9	12.4
40–44 years	12.3	9.5	10.2	9.7	10.1	10.2	9.4	10.1
45–49 years	9.5	6.6	7.3	7.0	7.2	7.3	7.0	7.3
50–54 years	6.5	4.0	4.5	3.8	4.4	4.4	4.5	4.4
55 years and over	8.4	4.9	4.8	4.0	4.7	4.8	5.8	4.9
Total(c)	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Persons(d)								
Under 20 years	4.5	7.8	9.9	6.7	9.4	9.2	5.4	8.9
20–24 years	14.7	17.4	21.7	20.3	21.1	20.9	14.9	20.5
25–29 years	13.8	14.9	16.8	16.7	16.6	16.5	13.9	16.4
30–34 years	13.0	12.0	12.9	12.8	12.8	12.9	12.2	12.8
35–39 years	12.9	11.2	11.4	11.3	11.4	11.4	12.2	11.5
40–44 years	11.4	9.4	9.0	9.1	9.0	9.1	10.2	9.2
45–49 years	9.0	7.1	6.5	6.8	6.6	6.7	7.6	6.8
50–54 years	6.3	5.2	4.3	4.5	4.4	4.4	5.1	4.5
55 years and over	10.9	7.3	5.6	6.1	5.8	6.0	7.5	6.1
Total(c)	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Organisations	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Total finalised	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

(a) Includes defendants deceased, unfit to plead, transfers to non-court agencies, other non-adjudicated finalisations n.e.c., transfers to other courts and unknown method of finalisation.

(b) Includes defendants with charges proven n.f.d.

(c) Includes defendants with unknown age.

(d) Includes defendants with unknown sex.

3.7 DEFENDANTS PROVEN GUILTY, Principal offence by principal sentence

CUSTODIAL ORDERS

	<i>Custody in a correctional institution</i>	<i>Custody in the community</i>	<i>Fully suspended sentence</i>	<i>Total</i>
--	--	---	---	--------------

NUMBER

Homicide and related offences	6	3	12	21
Acts intended to cause injury	6 345	647	4 186	11 178
Sexual assault and related offences	223	30	191	444
Dangerous or negligent acts endangering persons	1 509	250	1 649	3 408
Abduction, harassment and other offences against the person	212	21	165	398
Robbery, extortion and related offences	62	9	28	99
Unlawful entry with intent	1 851	116	810	2 777
Theft and related offences	2 248	183	1 472	3 903
Fraud, deception and related offences	1 058	180	977	2 215
Illicit drug offences	971	142	1 132	2 245
Prohibited and regulated weapons and explosives offences	468	62	350	880
Property damage and environmental pollution	517	40	321	878
Public order offences	536	35	405	976
Traffic and vehicle regulatory offences	2 598	627	5 829	9 054
Offences against justice procedures, gov't security and operations	1 656	64	1 030	2 750
Miscellaneous offences	70	7	58	135
Total proven guilty^(a)	20 674	2 424	18 682	41 780

PROPORTION (%)

Homicide and related offences	—	0.1	0.1	0.1
Acts intended to cause injury	30.7	26.7	22.4	26.8
Sexual assault and related offences	1.1	1.2	1.0	1.1
Dangerous or negligent acts endangering persons	7.3	10.3	8.8	8.2
Abduction, harassment and other offences against the person	1.0	0.9	0.9	1.0
Robbery, extortion and related offences	0.3	0.4	0.1	0.2
Unlawful entry with intent	9.0	4.8	4.3	6.6
Theft and related offences	10.9	7.5	7.9	9.3
Fraud, deception and related offences	5.1	7.4	5.2	5.3
Illicit drug offences	4.7	5.9	6.1	5.4
Prohibited and regulated weapons and explosives offences	2.3	2.6	1.9	2.1
Property damage and environmental pollution	2.5	1.7	1.7	2.1
Public order offences	2.6	1.4	2.2	2.3
Traffic and vehicle regulatory offences	12.6	25.9	31.2	21.7
Offences against justice procedures, gov't security and operations	8.0	2.6	5.5	6.6
Miscellaneous offences	0.3	0.3	0.3	0.3
Total proven guilty^(a)	100.0	100.0	100.0	100.0

— nil or rounded to zero (including null cells)

(a) Includes defendants for whom offence data are missing or a principal offence could not be determined.

3.7**DEFENDANTS PROVEN GUILTY, Principal offence by principal sentence** *continued*

NON-CUSTODIAL ORDERS

	<i>Community supervision/ work orders</i>	<i>Monetary orders</i>	<i>Other non-custodial orders</i>	<i>Total(b)</i>	<i>Total proven guilty(a)</i>
NUMBER					
Homicide and related offences	5	16	25	46	67
Acts intended to cause injury	4 736	12 700	12 778	30 214	41 439
Sexual assault and related offences	168	163	236	567	1 028
Dangerous or negligent acts endangering persons	1 807	24 572	2 641	29 020	32 435
Abduction, harassment and other offences against the person	235	805	591	1 631	2 032
Robbery, extortion and related offences	46	10	16	72	172
Unlawful entry with intent	1 347	1 000	773	3 120	5 901
Theft and related offences	2 193	17 443	7 457	27 093	31 025
Fraud, deception and related offences	1 707	4 859	1 910	8 476	10 698
Illicit drug offences	1 758	19 017	7 388	28 163	30 417
Prohibited and regulated weapons and explosives offences	461	3 968	1 596	6 025	6 910
Property damage and environmental pollution	1 018	7 997	2 914	11 929	12 816
Public order offences	1 152	31 587	7 258	39 997	40 984
Traffic and vehicle regulatory offences	3 311	175 785	22 676	201 772	210 899
Offences against justice procedures, gov't security and operations	1 434	18 664	6 146	26 244	29 015
Miscellaneous offences	84	8 042	1 441	9 567	9 712
Total proven guilty(c)	21 679	326 798	75 897	424 374	466 429

PROPORTION (%)

Homicide and related offences	—	—	—	—	—
Acts intended to cause injury	21.8	3.9	16.8	7.1	8.9
Sexual assault and related offences	0.8	—	0.3	0.1	0.2
Dangerous or negligent acts endangering persons	8.3	7.5	3.5	6.8	7.0
Abduction, harassment and other offences against the person	1.1	0.2	0.8	0.4	0.4
Robbery, extortion and related offences	0.2	—	—	—	—
Unlawful entry with intent	6.2	0.3	1.0	0.7	1.3
Theft and related offences	10.1	5.3	9.8	6.4	6.7
Fraud, deception and related offences	7.9	1.5	2.5	2.0	2.3
Illicit drug offences	8.1	5.8	9.7	6.6	6.5
Prohibited and regulated weapons and explosives offences	2.1	1.2	2.1	1.4	1.5
Property damage and environmental pollution	4.7	2.4	3.8	2.8	2.7
Public order offences	5.3	9.7	9.6	9.4	8.8
Traffic and vehicle regulatory offences	15.3	53.8	29.9	47.5	45.2
Offences against justice procedures, gov't security and operations	6.6	5.7	8.1	6.2	6.2
Miscellaneous offences	0.4	2.5	1.9	2.3	2.1
Total proven guilty(c)	100.0	100.0	100.0	100.0	100.0

— nil or rounded to zero (including null cells)

(a) Includes defendants for whom a principal sentence is unknown.

(b) Includes non-custodial orders n.f.d.

(c) Includes defendants for whom offence data are missing or a principal offence could not be determined.

3.8 DEFENDANTS PROVEN GUILTY, Principal sentence by principal offence, 2005–06 to 2010–11(a)

	2005–06	2006–07	2007–08	2008–09	2009–10	2010–11
CUSTODIAL ORDERS						
Homicide and related offences	23	20	21	10	17	21
Acts intended to cause injury	8 597	9 708	10 550	12 207	11 967	11 178
Sexual assault and related offences	267	304	343	472	487	444
Dangerous or negligent acts endangering persons	2 185	2 518	3 134	4 026	3 777	3 408
Abduction, harassment and other offences against the person	—	5	5	459	426	398
Robbery, extortion and related offences	133	166	159	107	116	99
Unlawful entry with intent	3 697	3 809	3 573	3 419	3 115	2 777
Theft and related offences	5 615	4 461	4 590	4 423	4 359	3 903
Fraud, deception and related offences	2 561	3 102	3 213	3 151	2 981	2 215
Illicit drug offences	2 263	2 326	2 390	2 404	2 499	2 245
Prohibited and regulated weapons and explosives offences	586	980	1 028	951	881	880
Property damage and environmental pollution	1 000	952	1 006	1 041	1 016	878
Public order offences	1 076	970	1 068	922	1 069	976
Traffic and vehicle regulatory offences	10 375	10 018	10 531	11 113	10 662	9 054
Offences against justice procedures, gov't security and operations	2 694	2 553	2 819	2 806	2 886	2 750
Miscellaneous offences	944	922	1 055	132	180	135
Total proven guilty(b)	42 045	42 972	45 657	47 679	46 445	41 780
NON-CUSTODIAL ORDERS						
Homicide and related offences	51	50	40	29	43	46
Acts intended to cause injury	25 125	28 027	28 448	31 154	31 296	30 214
Sexual assault and related offences	408	450	461	632	589	567
Dangerous or negligent acts endangering persons	39 046	42 280	46 277	35 725	32 537	29 020
Abduction, harassment and other offences against the person	7	14	15	1 524	1 697	1 631
Robbery, extortion and related offences	105	94	76	75	56	72
Unlawful entry with intent	3 296	3 379	3 441	3 728	3 425	3 120
Theft and related offences	26 183	24 819	23 597	27 160	29 246	27 093
Fraud, deception and related offences	14 689	14 210	14 367	10 254	9 831	8 476
Illicit drug offences	24 732	26 342	26 737	28 572	29 588	28 163
Prohibited and regulated weapons and explosives offences	5 879	6 626	6 574	6 596	6 325	6 025
Property damage and environmental pollution	12 198	12 578	12 738	12 912	12 554	11 929
Public order offences	46 919	51 717	53 927	57 421	54 109	39 997
Traffic and vehicle regulatory offences	205 462	208 225	237 890	247 827	225 711	201 772
Offences against justice procedures, gov't security and operations	28 586	27 671	27 422	30 280	30 799	26 244
Miscellaneous offences	12 201	12 725	12 675	10 059	10 296	9 567
Total proven guilty(b)	445 083	459 924	495 148	504 049	478 210	424 374

— nil or rounded to zero (including null cells)

(a) Offence data are based on ANZSOC from 2008–09 and ASOC97 prior to this period. Caution should be exercised when comparing offence data across the two classifications (see Explanatory Notes paragraph 21).

(b) Includes defendants for whom offence data are missing or a principal offence could not be determined.

3.8DEFENDANTS PROVEN GUILTY, Principal sentence by principal offence, 2005–06 to 2010–11(a) *continued*

	2005–06	2006–07	2007–08	2008–09	2009–10	2010–11
TOTAL PROVEN GUILTY (b)						
Homicide and related offences	74	70	61	42	63	67
Acts intended to cause injury	33 764	37 792	39 063	43 436	43 330	41 439
Sexual assault and related offences	679	758	820	1 120	1 096	1 028
Dangerous or negligent acts endangering persons	41 243	44 825	49 429	39 780	36 335	32 435
Abduction, harassment and other offences against the person	7	19	20	1 989	2 126	2 032
Robbery, extortion and related offences	248	263	241	191	184	171
Unlawful entry with intent	7 007	7 200	7 031	7 172	6 584	5 901
Theft and related offences	31 908	29 342	28 235	31 657	33 681	31 025
Fraud, deception and related offences	17 265	17 339	17 606	13 429	12 838	10 698
Illicit drug offences	27 009	28 696	29 146	30 996	32 127	30 417
Prohibited and regulated weapons and explosives offences	6 472	7 622	7 610	7 568	7 220	6 910
Property damage and environmental pollution	13 220	13 555	13 770	13 980	13 597	12 816
Public order offences	48 022	52 785	55 054	58 392	55 216	40 984
Traffic and vehicle regulatory offences	215 934	218 413	248 734	259 076	236 499	210 899
Offences against justice procedures, gov't security and operations	31 299	30 290	30 286	33 156	33 751	29 015
Miscellaneous offences	13 159	13 669	13 757	10 227	10 494	9 712
Total proven guilty(c)	487 582	503 558	541 498	552 380	525 277	466 428

(a) Offence data are based on ANZSOC from 2008–09 and ASOC97 prior to this period. Caution should be exercised when comparing offence data across the two classifications (see Explanatory Notes paragraph 21).

(b) Includes defendants for whom a principal sentence is unknown.

(c) Includes defendants for whom offence data are missing or a principal offence could not be determined.

3.9 DEFENDANTS PROVEN GUILTY, Sex and age by principal sentence

	CUSTODIAL ORDERS				NON-CUSTODIAL ORDERS				Total proven guilty(a)
	Custody in a correctional institution	Custody in the community	Fully suspended sentence	Total	Community supervision/work orders	Monetary orders	Other non-custodial orders	Total	
NUMBER									
Males									
Under 20 years	1 001	102	769	1 872	2 826	23 792	6 251	32 869	34 768
20–24 years	3 541	453	2 985	6 979	4 171	55 805	10 597	70 573	77 592
25–29 years	3 899	413	2 981	7 293	2 915	42 701	7 341	52 957	60 277
30–34 years	3 329	346	2 563	6 238	2 132	31 117	6 028	39 277	45 544
35–39 years	2 822	293	2 229	5 344	1 793	26 665	5 820	34 278	39 644
40–44 years	1 850	215	1 717	3 782	1 277	20 992	5 171	27 440	31 245
45–49 years	1 079	128	1 050	2 257	835	15 860	4 128	20 823	23 089
50–54 years	533	68	644	1 245	430	10 884	3 008	14 322	15 580
55 years and over	384	51	697	1 132	365	14 695	5 607	20 667	21 811
Total(b)	18 447	2 069	15 642	36 158	16 757	249 418	54 577	320 752	357 130
Females									
Under 20 years	93	13	99	205	514	5 757	1 977	8 248	8 459
20–24 years	343	46	458	847	973	14 372	3 695	19 040	19 894
25–29 years	469	80	564	1 113	866	11 357	2 929	15 152	16 270
30–34 years	420	60	532	1 012	757	9 323	2 466	12 546	13 565
35–39 years	359	59	522	940	667	8 517	2 579	11 763	12 707
40–44 years	251	43	377	671	522	6 945	2 210	9 677	10 352
45–49 years	143	26	243	412	291	4 932	1 780	7 003	7 420
50–54 years	70	15	121	206	159	2 949	1 159	4 267	4 474
55 years and over	48	11	89	148	127	2 944	1 597	4 668	4 820
Total(b)	2 198	353	3 006	5 557	4 877	71 342	20 565	96 784	102 386
Persons(c)									
Under 20 years	1 094	115	868	2 077	3 340	29 582	8 230	41 152	43 262
20–24 years	3 885	499	3 448	7 832	5 148	70 421	14 305	89 874	97 753
25–29 years	4 377	493	3 551	8 421	3 793	54 423	10 288	68 504	76 957
30–34 years	3 756	406	3 107	7 269	2 901	40 701	8 509	52 111	59 416
35–39 years	3 186	353	2 755	6 294	2 465	35 403	8 420	46 288	52 608
40–44 years	2 105	259	2 095	4 459	1 803	28 128	7 398	37 329	41 815
45–49 years	1 224	154	1 296	2 674	1 129	20 973	5 934	28 036	30 724
50–54 years	603	83	765	1 451	590	13 949	4 189	18 728	20 193
55 years and over	433	62	787	1 282	492	17 808	7 244	25 544	26 842
Unknown	11	—	8	19	16	11 993	894	12 903	12 942
Total(b)	20 674	2 424	18 680	41 778	21 677	323 381	75 411	420 469	462 512
Organisations	—	—	—	—	3	3 417	486	3 906	3 916
Total proven guilty	20 674	2 424	18 680	41 778	21 680	326 798	75 897	424 375	466 428

— nil or rounded to zero (including null cells)

(a) Includes defendants for whom a principal sentence is unknown.

(b) Includes defendants with unknown age.

(c) Includes defendants with unknown sex.

3.9**DEFENDANTS PROVEN GUILTY, Sex and age by principal sentence *continued***

	CUSTODIAL ORDERS				NON-CUSTODIAL ORDERS				Total proven guilty(a)
	Custody in a correctional institution	Custody in the community	Fully suspended sentence	Total	Community supervision/work orders	Monetary orders	Other non-custodial orders	Total	
PROPORTION (%)									
Males									
Under 20 years	4.8	4.2	4.1	4.5	13.0	7.4	8.3	7.8	7.5
20–24 years	17.1	18.7	16.0	16.7	19.2	17.3	14.1	16.8	16.8
25–29 years	18.9	17.0	16.0	17.5	13.4	13.2	9.7	12.6	13.0
30–34 years	16.1	14.3	13.7	14.9	9.8	9.6	8.0	9.3	9.8
35–39 years	13.6	12.1	11.9	12.8	8.3	8.2	7.7	8.2	8.6
40–44 years	8.9	8.9	9.2	9.1	5.9	6.5	6.9	6.5	6.8
45–49 years	5.2	5.3	5.6	5.4	3.9	4.9	5.5	5.0	5.0
50–54 years	2.6	2.8	3.4	3.0	2.0	3.4	4.0	3.4	3.4
55 years and over	1.9	2.1	3.7	2.7	1.7	4.5	7.4	4.9	4.7
Total	89.2	85.4	83.7	86.5	77.3	77.1	72.4	76.3	77.2
Females									
Under 20 years	0.4	0.5	0.5	0.5	2.4	1.8	2.6	2.0	1.8
20–24 years	1.7	1.9	2.5	2.0	4.5	4.4	4.9	4.5	4.3
25–29 years	2.3	3.3	3.0	2.7	4.0	3.5	3.9	3.6	3.5
30–34 years	2.0	2.5	2.8	2.4	3.5	2.9	3.3	3.0	2.9
35–39 years	1.7	2.4	2.8	2.2	3.1	2.6	3.4	2.8	2.7
40–44 years	1.2	1.8	2.0	1.6	2.4	2.1	2.9	2.3	2.2
45–49 years	0.7	1.1	1.3	1.0	1.3	1.5	2.4	1.7	1.6
50–54 years	0.3	0.6	0.6	0.5	0.7	0.9	1.5	1.0	1.0
55 years and over	0.2	0.5	0.5	0.4	0.6	0.9	2.1	1.1	1.0
Total	10.6	14.6	16.1	13.3	22.5	22.1	27.3	23.0	22.1
Persons									
Under 20 years	5.3	4.7	4.6	5.0	15.4	9.1	10.9	9.8	9.4
20–24 years	18.8	20.6	18.5	18.7	23.7	21.8	19.0	21.4	21.1
25–29 years	21.2	20.3	19.0	20.2	17.5	16.8	13.6	16.3	16.6
30–34 years	18.2	16.7	16.6	17.4	13.4	12.6	11.3	12.4	12.8
35–39 years	15.4	14.6	14.7	15.1	11.4	10.9	11.2	11.0	11.4
40–44 years	10.2	10.7	11.2	10.7	8.3	8.7	9.8	8.9	9.0
45–49 years	5.9	6.4	6.9	6.4	5.2	6.5	7.9	6.7	6.6
50–54 years	2.9	3.4	4.1	3.5	2.7	4.3	5.6	4.5	4.4
55 years and over	2.1	2.6	4.2	3.1	2.3	5.5	9.6	6.1	5.8
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Organisations	—	—	—	—	100.0	100.0	100.0	100.0	100.0
Total proven guilty	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

— nil or rounded to zero (including null cells)

(a) Includes defendants for whom a principal sentence is unknown.

3.10 DURATION FROM INITIATION TO FINALISATION, Method of finalisation by selected principal offence

	<i>Under 13 weeks</i>	<i>13 to under 26 weeks</i>	<i>26 to under 39 weeks</i>	<i>39 to under 52 weeks</i>	<i>52 weeks & over</i>	<i>Total</i>
NUMBER						
Acquitted						
Acts intended to cause injury	1 099	1 483	809	401	512	4 307
Dangerous or negligent acts endangering persons	167	191	105	37	66	566
Theft & related offences	340	308	157	77	180	1 062
Illicit drug offences	79	107	73	45	87	391
Public order offences	600	288	154	67	117	1 226
Traffic & vehicle regulatory offences	2 132	1 466	455	169	363	4 585
Offences against justice procedures	326	310	189	73	154	1 052
Other(a)	494	526	390	216	374	2 000
<i>Total(b)</i>	<i>5 249</i>	<i>4 687</i>	<i>2 335</i>	<i>1 087</i>	<i>1 857</i>	<i>15 215</i>
Proven guilty						
Acts intended to cause injury	21 704	9 800	4 965	2 197	2 773	41 439
Dangerous or negligent acts endangering persons	23 993	4 882	1 808	714	1 038	32 435
Theft & related offences	22 029	4 507	2 002	916	1 571	31 025
Illicit drug offences	23 415	3 735	1 512	712	1 043	30 417
Public order offences	35 218	3 091	1 255	526	893	40 983
Traffic & vehicle regulatory offences	176 727	23 030	5 595	2 106	3 441	210 899
Offences against justice procedures	22 408	3 628	1 504	626	849	29 015
Other(a)	32 257	8 640	3 898	1 756	2 785	49 336
<i>Total(b)</i>	<i>358 186</i>	<i>61 484</i>	<i>22 636</i>	<i>9 599</i>	<i>14 523</i>	<i>466 428</i>
Total adjudicated	363 435	66 171	24 971	10 686	16 380	481 646
Transfers to other courts	2 652	4 816	2 848	1 153	1 113	12 582
Withdrawn by prosecution	15 787	10 822	5 079	2 356	4 879	38 923
Other(c)	332	134	72	46	94	678
Total finalised(d)	382 216	81 957	32 973	14 244	22 466	533 859

(a) Includes ANZSOC Divisions 01, 03, 05–07, 09, 11–12 & 16 (refer to Appendix 3).

(b) Includes defendants for whom offence data are missing or a principal offence could not be determined.

(c) Includes defendants deceased, unfit to plead, transfers to non-court agencies and other non-adjudicated finalisations n.e.c.

(d) Includes defendants with an unknown method of finalisation.

3.10DURATION FROM INITIATION TO FINALISATION, Method of finalisation by
selected principal offence *continued*

	Under 13 weeks	13 to under 26 weeks	26 to under 39 weeks	39 to under 52 weeks	52 weeks & over	Total
PROPORTION (%)						
Acquitted						
Acts intended to cause injury	25.5	34.4	18.8	9.3	11.9	100.0
Dangerous or negligent acts endangering persons	29.5	33.7	18.6	6.5	11.7	100.0
Theft & related offences	32.0	29.0	14.8	7.3	16.9	100.0
Illicit drug offences	20.2	27.4	18.7	11.5	22.3	100.0
Public order offences	48.9	23.5	12.6	5.5	9.5	100.0
Traffic & vehicle regulatory offences	46.5	32.0	9.9	3.7	7.9	100.0
Offences against justice procedures	31.0	29.5	18.0	6.9	14.6	100.0
Other(a)	24.7	26.3	19.5	10.8	18.7	100.0
Total(b)	34.5	30.8	15.3	7.1	12.2	100.0
Proven guilty						
Acts intended to cause injury	52.4	23.6	12.0	5.3	6.7	100.0
Dangerous or negligent acts endangering persons	74.0	15.1	5.6	2.2	3.2	100.0
Theft & related offences	71.0	14.5	6.5	3.0	5.1	100.0
Illicit drug offences	77.0	12.3	5.0	2.3	3.4	100.0
Public order offences	85.9	7.5	3.1	1.3	2.2	100.0
Traffic & vehicle regulatory offences	83.8	10.9	2.7	1.0	1.6	100.0
Offences against justice procedures	77.2	12.5	5.2	2.2	2.9	100.0
Other(a)	65.4	17.5	7.9	3.6	5.6	100.0
Total(b)	76.8	13.2	4.9	2.1	3.1	100.0
Total adjudicated	75.0	14.0	5.0	2.0	3.0	100.0
Transfers to other courts	21.0	38.0	23.0	9.0	9.0	100.0
Withdrawn by prosecution	41.0	28.0	13.0	6.0	13.0	100.0
Other(c)	49.0	20.0	11.0	7.0	14.0	100.0
Total finalised(d)	72.0	15.0	6.0	3.0	4.0	100.0

(a) Includes ANZSOC Divisions 01, 03, 05–07, 09, 11–12 & 16 (refer to Appendix 3).

(b) Includes defendants for whom offence data are missing or a principal offence could not be determined.

(c) Includes defendants deceased, unfit to plead, transfers to non-court agencies and other non-adjudicated finalisations n.e.c.

(d) Includes defendants with an unknown method of finalisation.

3.11 SUMMARY OUTCOMES OF DEFENDANTS, States and territories, 2005–06 to 2010–11

	NUMBER						PERCENTAGE
	2005–06	2006–07	2007–08	2008–09	2009–10	2010–11	CHANGE (%) 2009–10 to 2010–11
NEW SOUTH WALES (a)							
Method of finalisation							
Adjudicated outcomes							
Acquitted	5 983	7 018	7 319	7 553	7 458	7 064	-5.3
Proven guilty	135 495	133 686	135 862	146 952	135 140	124 583	-7.8
<i>Total</i>	<i>141 478</i>	<i>140 704</i>	<i>143 181</i>	<i>154 505</i>	<i>142 598</i>	<i>131 647</i>	<i>-7.7</i>
Transfers to other courts	3 175	3 356	3 462	3 594	3 394	3 695	8.9
Withdrawn by prosecution	13 064	11 818	12 199	13 325	9 860	8 540	-13.4
Total finalised(b)	159 539	156 206	158 987	171 531	155 989	144 062	-7.6
Principal offence(c)							
Homicide and related offences	71	66	59	38	47	53	12.8
Acts intended to cause injury	17 362	19 277	19 826	22 253	21 600	21 203	-1.8
Sexual assault and related offences	333	396	416	548	564	515	-8.7
Dangerous or negligent acts endangering persons	5 985	5 948	5 849	6 317	5 874	5 152	-12.3
Abduction, harassment and other offences against the person	4	7	7	725	760	736	-3.2
Robbery, extortion and related offences	78	90	78	102	73	94	28.8
Unlawful entry with intent	1 375	1 414	1 334	1 377	1 326	1 167	-12.0
Theft and related offences	7 935	8 216	7 606	7 877	8 002	7 293	-8.9
Fraud, deception and related offences	7 411	5 552	5 000	4 004	3 800	3 289	-13.4
Illicit drug offences	6 047	6 651	6 835	8 116	8 770	8 644	-1.4
Prohibited and regulated weapons and explosives offences	956	1 053	976	1 030	956	1 027	7.4
Property damage and environmental pollution	4 496	4 777	4 922	5 010	4 680	4 528	-3.2
Public order offences	7 961	7 800	7 304	6 381	5 759	5 026	-12.7
Traffic and vehicle regulatory offences	70 211	68 473	71 843	80 439	70 971	64 529	-9.1
Offences against justice procedures, gov't security and operations	6 058	6 086	5 971	6 765	6 206	5 394	-13.1
Miscellaneous offences	5 195	4 898	5 155	3 523	3 210	2 997	-6.6
Total adjudicated(d)	141 478	140 704	143 181	154 505	142 598	131 647	-7.7
Sentence outcomes							
Custodial orders							
Custody in a correctional institution	7 821	8 219	8 208	9 003	8 186	6 707	-18.1
Custody in the community	327	296	199	233	201	397	97.5
Fully suspended sentence	5 152	5 023	5 280	5 765	5 213	4 579	-12.2
<i>Total</i>	<i>13 300</i>	<i>13 538</i>	<i>13 687</i>	<i>15 001</i>	<i>13 600</i>	<i>11 683</i>	<i>-14.1</i>
Non-custodial orders							
Community supervision/ work orders	4 729	4 732	4 403	4 743	4 308	3 575	-17.0
Monetary orders	81 141	79 460	79 617	86 109	77 940	70 305	-9.8
Other non-custodial orders	36 325	35 956	38 155	41 099	39 202	39 020	-0.5
<i>Total</i>	<i>122 195</i>	<i>120 148</i>	<i>122 175</i>	<i>131 951</i>	<i>121 450</i>	<i>112 900</i>	<i>-7.0</i>
Total proven guilty(e)	135 495	133 686	135 862	146 952	135 140	124 583	-7.8

(a) Prior to 2009–10 NSW counts referred to finalised appearances rather than finalised defendants in the Magistrates' Courts resulting in potentially higher population counts (see Explanatory Notes paragraph 66).

(b) Includes defendants deceased, unfit to plead, transfers to non-court agencies, other non-adjudicated finalisation n.e.c. and unknown method of finalisation.

(c) Offence data are based on ANZSOC from 2008–09 and ASOC97 prior to this period. Caution should be exercised when comparing offence data across the two classifications (see Explanatory Notes paragraph 21).

(d) Includes defendants for whom offence data is missing or a principal offence could not be determined.

(e) Includes defendants for whom a principal sentence is unknown.

3.11 SUMMARY OUTCOMES OF DEFENDANTS, States and territories, 2005–06 to 2010–11 *continued*

	NUMBER						PERCENTAGE
	2005–06	2006–07	2007–08	2008–09	2009–10	2010–11	CHANGE (%) 2009–10 to 2010–11
VICTORIA (a)							
Method of finalisation							
Adjudicated outcomes							
Acquitted	4 924	6 629	7 627	10 971	8 327	2 995	-64.0
Proven guilty	78 152	77 179	80 410	82 524	77 579	64 984	-16.2
<i>Total</i>	83 076	83 808	88 037	93 495	85 906	67 979	-20.9
Transfers to other courts	1 878	2 080	338	426	360	311	-13.6
Withdrawn by prosecution	11 048	10 884	9 951	10 774	10 991	7 223	-34.3
Total finalised(b)	96 002	96 772	98 326	104 695	97 257	75 513	-22.4
Principal offence(c)							
Homicide and related offences	7	10	9	4	6	6	—
Acts intended to cause injury	4 385	6 100	5 923	7 207	7 637	6 939	-9.1
Sexual assault and related offences	232	255	249	391	371	349	-5.9
Dangerous or negligent acts endangering persons	4 684	6 482	7 204	7 589	7 316	6 461	-11.7
Abduction, harassment and other offences against the person	3	—	12	593	635	620	-2.4
Robbery, extortion and related offences	191	197	178	128	118	96	-18.6
Unlawful entry with intent	1 965	1 768	1 654	1 361	1 264	1 077	-14.8
Theft and related offences	9 028	6 127	5 612	6 808	6 323	5 473	-13.4
Fraud, deception and related offences	2 586	4 546	4 206	3 313	2 740	2 423	-11.6
Illicit drug offences	3 852	3 467	3 090	2 875	2 966	2 806	-5.4
Prohibited and regulated weapons and explosives offences	1 152	1 978	1 779	1 795	1 750	1 492	-14.7
Property damage and environmental pollution	2 464	2 104	1 875	1 935	1 839	1 517	-17.5
Public order offences	13 711	14 813	15 214	19 434	12 058	2 636	-78.1
Traffic and vehicle regulatory offences	29 790	27 401	33 144	31 842	33 408	29 522	-11.6
Offences against justice procedures, gov't security and operations	4 876	3 473	2 851	3 871	3 263	2 671	-18.1
Miscellaneous offences	3 884	4 825	5 037	4 235	4 043	3 757	-7.1
Total adjudicated(d)	83 077	83 807	88 037	93 495	85 906	67 979	-20.9
Sentence outcomes							
Custodial orders							
Custody in a correctional institution	4 448	4 318	3 812	3 364	3 476	2 936	-15.5
Custody in the community	1 257	1 501	1 491	1 237	1 353	1 035	-23.5
Fully suspended sentence	4 872	4 811	5 392	5 396	5 504	4 848	-11.9
<i>Total</i>	10 577	10 630	10 695	9 997	10 333	8 819	-14.7
Non-custodial orders							
Community supervision/ work orders	4 533	4 239	3 993	4 396	4 526	4 133	-8.7
Monetary orders	41 814	42 207	46 143	44 209	43 365	38 167	-12.0
Other non-custodial orders	20 778	19 813	19 232	23 464	18 993	13 590	-28.4
<i>Total</i>	67 125	66 259	69 368	72 069	66 884	55 890	-16.4
Total proven guilty(e)	78 152	77 179	80 410	82 524	77 579	64 984	-16.2

— nil or rounded to zero (including null cells)

(a) From 2009–10 Victoria increased the use of infringement notices for public order offences. This impacted the 2010–11 data and caution should be exercised when making historical comparisons. (See Explanatory Notes paragraph 71).

(b) Includes defendants deceased, unfit to plead, transfers to non-court agencies, other non-adjudicated finalisation n.e.c. and unknown method of finalisation.

(c) Offence data are based on ANZSOC from 2008–09 and ASOC97 prior to this period. Caution should be exercised when comparing offence data across the two classifications (see Explanatory Notes paragraph 21).

(d) Includes defendants for whom offence data is missing or a principal offence could not be determined.

(e) Includes defendants for whom a principal sentence is unknown.

3.11 SUMMARY OUTCOMES OF DEFENDANTS, States and territories, 2005–06 to 2010–11 *continued*

	NUMBER						PERCENTAGE
	2005–06	2006–07	2007–08	2008–09	2009–10	2010–11	CHANGE (%) 2009–10 to 2010–11
QUEENSLAND							
Method of finalisation							
Adjudicated outcomes							
Acquitted	1 725	1 097	998	1 178	1 218	1 196	-1.8
Proven guilty	127 501	129 796	139 169	148 738	156 768	137 523	-12.3
<i>Total</i>	129 226	130 893	140 167	149 916	157 986	138 719	-12.2
Transfers to other courts	4 689	4 692	4 017	3 811	3 920	3 776	-3.7
Withdrawn by prosecution	7 907	8 438	8 181	8 304	8 777	8 937	1.8
Total finalised(a)	141 823	144 026	152 367	162 033	170 685	151 432	-11.3
Principal offence(b)							
Homicide and related offences	14	13	6	8	6	14	133.3
Acts intended to cause injury	4 468	4 815	4 861	4 900	5 231	5 032	-3.8
Sexual assault and related offences	119	135	124	166	150	194	29.3
Dangerous or negligent acts endangering persons	10 862	10 886	11 412	11 995	11 381	10 128	-11.0
Abduction, harassment and other offences against the person	11	12	10	244	265	287	8.3
Robbery, extortion and related offences	18	15	13	18	15	14	-6.7
Unlawful entry with intent	2 059	2 295	2 267	2 248	2 179	1 913	-12.2
Theft and related offences	8 771	8 263	7 972	9 312	11 039	10 437	-5.5
Fraud, deception and related offences	4 782	4 833	5 780	3 439	3 511	2 879	-18.0
Illicit drug offences	11 552	12 084	12 519	12 015	12 386	11 526	-6.9
Prohibited and regulated weapons and explosives offences	2 223	2 193	2 191	1 983	1 949	1 952	0.2
Property damage and environmental pollution	3 386	3 434	3 390	3 474	3 444	3 448	0.1
Public order offences	19 211	22 909	25 433	26 810	28 196	20 827	-26.1
Traffic and vehicle regulatory offences	47 597	44 060	49 442	58 901	62 390	55 032	-11.8
Offences against justice procedures, gov't security and operations	12 316	12 572	12 584	13 301	14 364	12 712	-11.5
Miscellaneous offences	1 837	1 734	1 591	1 102	1 480	1 557	5.2
Total adjudicated(c)	129 226	130 893	140 167	149 916	157 986	138 719	-12.2
Sentence outcomes							
Custodial orders							
Custody in a correctional institution	3 613	4 251	5 025	4 881	5 110	5 083	-0.5
Custody in the community	546	477	371	351	362	268	-26.0
Fully suspended sentence	3 148	2 955	3 159	3 015	3 149	3 163	0.4
<i>Total</i>	7 307	7 683	8 555	8 247	8 621	8 514	-1.2
Non-custodial orders							
Community supervision/ work orders	6 710	7 442	7 842	8 194	9 176	8 743	-4.7
Monetary orders	105 118	105 361	112 558	121 439	127 018	109 631	-13.7
Other non-custodial orders	8 366	9 310	10 214	10 858	11 953	10 635	-11.0
<i>Total</i>	120 194	122 113	130 614	140 491	148 147	129 009	-12.9
Total proven guilty(d)	127 501	129 796	139 169	148 738	156 768	137 523	-12.3

(a) Includes defendants deceased, unfit to plead, transfers to non-court agencies, other non-adjudicated finalisation n.e.c. and unknown method of finalisation.

(b) Offence data are based on ANZSOC from 2008–09 and ASOC97 prior to this period. Caution should be exercised when comparing offence data across the two classifications (see Explanatory Notes paragraph 21).

(c) Includes defendants for whom offence data is missing or a principal offence could not be determined.

(d) Includes defendants for whom a principal sentence is unknown.

3.11SUMMARY OUTCOMES OF DEFENDANTS, States and territories, 2005–06 to 2010–11 *continued*

	NUMBER						PERCENTAGE
	2005–06	2006–07	2007–08	2008–09	2009–10	2010–11	CHANGE (%) 2009–10 to 2010–11
SOUTH AUSTRALIA							
Method of finalisation							
Adjudicated outcomes							
Acquitted	89	119	94	165	175	207	18.3
Proven guilty	36 101	37 870	39 910	41 980	35 341	31 777	-10.1
<i>Total</i>	36 190	37 989	40 004	42 145	35 516	31 984	-9.9
Transfers to other courts	1 213	1 293	1 310	1 681	1 859	1 711	-8.0
Withdrawn by prosecution	7 726	4 620	4 809	6 005	7 522	8 533	13.4
Total finalised(a)	45 164	43 932	46 181	49 894	44 949	42 285	-5.9
Principal offence(b)							
Homicide and related offences	3	—	—	3	—	—	—
Acts intended to cause injury	1 737	1 987	2 682	3 087	3 093	2 987	-3.4
Sexual assault and related offences	38	41	56	74	69	69	—
Dangerous or negligent acts endangering persons	1 834	2 392	2 388	3 440	3 132	2 959	-5.5
Abduction, harassment and other offences against the person	—	—	—	100	58	45	-22.4
Robbery, extortion and related offences	—	3	—	—	—	3	—
Unlawful entry with intent	304	347	353	720	620	678	9.4
Theft and related offences	2 125	2 531	2 512	2 546	2 959	2 838	-4.1
Fraud, deception and related offences	631	711	820	855	952	798	-16.2
Illicit drug offences	1 054	1 127	1 065	1 223	1 414	1 512	6.9
Prohibited and regulated weapons and explosives offences	806	932	1 123	1 272	1 255	1 220	-2.8
Property damage and environmental pollution	1 011	1 170	1 382	1 288	1 317	1 187	-9.9
Public order offences	2 647	3 081	3 198	3 457	3 823	3 847	0.6
Traffic and vehicle regulatory offences	21 440	21 144	21 722	21 733	14 417	11 497	-20.3
Offences against justice procedures, gov't security and operations	2 225	2 137	2 415	2 057	2 038	1 769	-13.2
Miscellaneous offences	337	386	286	292	368	576	56.5
Total adjudicated(c)	36 192	37 989	40 002	42 147	35 515	31 985	-9.9
Sentence outcomes							
Custodial orders							
Custody in a correctional institution	614	734	932	1 060	1 213	1 081	-10.9
Custody in the community	—	458	729	912	845	666	-21.2
Fully suspended sentence	1 517	1 250	1 797	2 007	2 163	2 100	-2.9
<i>Total</i>	2 131	2 442	3 458	3 979	4 221	3 847	-8.9
Non-custodial orders							
Community supervision/ work orders	700	685	745	1 496	1 291	1 370	6.1
Monetary orders	28 143	28 619	29 069	29 689	22 920	19 934	-13.0
Other non-custodial orders	5 127	6 124	6 638	6 816	6 909	6 626	-4.1
<i>Total</i>	33 970	35 428	36 452	38 001	31 120	27 930	-10.3
Total proven guilty(d)	36 101	37 870	39 910	41 980	35 341	31 777	-10.1

— nil or rounded to zero (including null cells)

(a) Includes defendants deceased, unfit to plead, transfers to non-court agencies, other non-adjudicated finalisation n.e.c. and unknown method of finalisation.

(b) Offence data are based on ANZSOC from 2008–09 and ASOC97 prior to this period. Caution should be exercised when comparing offence data across the two classifications (see Explanatory Notes paragraph 21).

(c) Includes defendants for whom offence data is missing or a principal offence could not be determined.

(d) Includes defendants for whom a principal sentence is unknown.

3.11 SUMMARY OUTCOMES OF DEFENDANTS, States and territories, 2005–06 to 2010–11 *continued*

	NUMBER						PERCENTAGE
	2005–06	2006–07	2007–08	2008–09	2009–10	2010–11	CHANGE (%) 2009–10 to 2010–11
WESTERN AUSTRALIA							
Method of finalisation							
Adjudicated outcomes							
Acquitted	745	750	795	657	754	728	-3.4
Proven guilty	64 686	73 234	88 852	99 400	93 604	81 109	-13.3
<i>Total</i>	65 431	73 984	89 647	100 057	94 358	81 837	-13.3
Transfers to other courts	1 589	2 440	2 584	2 496	2 499	2 177	-12.9
Withdrawn by prosecution	2 265	2 447	3 204	4 232	4 709	3 711	-21.2
Total finalised(a)	69 592	79 122	95 660	107 081	101 838	87 933	-13.7
Principal offence(b)							
Homicide and related offences	28	21	16	9	21	22	4.8
Acts intended to cause injury	5 422	5 681	6 075	6 268	6 351	5 626	-11.4
Sexual assault and related offences	74	83	99	87	95	67	-29.5
Dangerous or negligent acts endangering persons	17 334	18 636	21 411	9 506	7 766	6 694	-13.8
Abduction, harassment and other offences against the person	—	—	—	405	480	422	-12.1
Robbery, extortion and related offences	—	—	3	—	3	—	-100.0
Unlawful entry with intent	984	1 069	1 124	1 137	879	761	-13.4
Theft and related offences	3 345	3 588	3 938	4 697	4 822	4 338	-10.0
Fraud, deception and related offences	1 701	1 653	1 693	1 521	1 594	1 173	-26.4
Illicit drug offences	3 768	4 512	4 759	5 686	5 521	4 745	-14.1
Prohibited and regulated weapons and explosives offences	937	1 110	1 177	1 047	957	816	-14.7
Property damage and environmental pollution	1 587	1 836	1 903	2 062	2 147	1 928	-10.2
Public order offences	6 225	7 409	7 883	8 963	9 875	8 025	-18.7
Traffic and vehicle regulatory offences	18 484	22 664	33 403	52 292	46 707	41 311	-11.6
Offences against justice procedures, gov't security and operations	4 152	4 461	4 872	5 556	6 060	5 051	-16.7
Miscellaneous offences	1 390	1 261	1 292	821	1 081	857	-20.7
Total adjudicated(c)	65 431	73 984	89 648	100 057	94 359	81 836	-13.3
Sentence outcomes							
Custodial orders							
Custody in a correctional institution	2 149	1 989	2 192	2 581	2 086	1 740	-16.6
Custody in the community	—	—	—	—	—	—	—
Fully suspended sentence	1 935	2 002	2 288	2 633	2 519	1 980	-21.4
<i>Total</i>	4 084	3 991	4 480	5 214	4 605	3 720	-19.2
Non-custodial orders							
Community supervision/ work orders	3 953	3 740	3 547	3 529	3 862	2 813	-27.2
Monetary orders	53 889	62 970	78 361	87 915	82 092	72 238	-12.0
Other non-custodial orders	2 760	2 533	2 464	2 742	3 045	2 338	-23.2
<i>Total</i>	60 602	69 243	84 372	94 186	88 999	77 389	-13.0
Total proven guilty(d)	64 686	73 234	88 852	99 400	93 604	81 109	-13.3

— nil or rounded to zero (including null cells)

(a) Includes defendants deceased, unfit to plead, transfers to non-court agencies, other non-adjudicated finalisation n.e.c. and unknown method of finalisation.

(b) Offence data are based on ANZSOC from 2008–09 and ASOC97 prior to this period. Caution should be exercised when comparing offence data across the two classifications (see Explanatory Notes paragraph 21).

(c) Includes defendants for whom offence data is missing or a principal offence could not be determined.

(d) Includes defendants for whom a principal sentence is unknown.

3.11SUMMARY OUTCOMES OF DEFENDANTS, States and territories, 2005–06 to 2010–11 *continued*

	NUMBER						PERCENTAGE
	2005–06	2006–07	2007–08	2008–09	2009–10	2010–11	CHANGE (%) 2009–10 to 2010–11
TASMANIA							
Method of finalisation							
Adjudicated outcomes							
Acquitted	7 421	8 016	6 791	3 866	2 103	2 688	27.8
Proven guilty	34 438	40 909	45 464	19 961	14 466	14 090	-2.6
<i>Total</i>	41 859	48 925	52 255	23 827	16 569	16 778	1.3
Transfers to other courts	490	471	629	693	613	535	-12.7
Withdrawn by prosecution	368	507	471	446	207	189	-8.7
Total finalised(a)	42 717	49 909	53 368	24 971	17 396	17 537	0.8
Principal offence(b)							
Homicide and related offences	—	—	3	—	—	—	—
Acts intended to cause injury	2 005	1 989	1 935	1 949	1 907	1 848	-3.1
Sexual assault and related offences	42	41	43	40	27	51	88.9
Dangerous or negligent acts endangering persons	522	512	554	880	853	748	-12.3
Abduction, harassment and other offences against the person	—	—	3	—	3	6	100.0
Robbery, extortion and related offences	3	9	5	4	6	3	-50.0
Unlawful entry with intent	334	342	317	341	308	354	14.9
Theft and related offences	951	909	937	1 098	1 028	1 131	10.0
Fraud, deception and related offences	404	406	403	457	380	340	-10.5
Illicit drug offences	573	669	733	957	915	1 028	12.3
Prohibited and regulated weapons and explosives offences	151	140	158	201	171	226	32.2
Property damage and environmental pollution	382	393	426	477	429	425	-0.9
Public order offences	1 333	1 765	2 014	1 798	1 421	1 346	-5.3
Traffic and vehicle regulatory offences	32 330	38 656	42 225	13 381	7 088	7 581	7.0
Offences against justice procedures, gov't security and operations	1 643	1 974	1 704	1 652	1 506	1 479	-1.8
Miscellaneous offences	1 146	1 069	751	591	527	207	-60.7
Total adjudicated(c)	41 859	48 923	52 257	23 826	16 569	16 779	1.3
Sentence outcomes							
Custodial orders							
Custody in a correctional institution	699	721	677	637	536	534	-0.4
Custody in the community	—	—	—	—	—	—	—
Fully suspended sentence	1 056	1 007	1 095	1 292	1 239	1 251	1.0
<i>Total</i>	1 755	1 728	1 772	1 929	1 775	1 785	0.6
Non-custodial orders							
Community supervision/ work orders	519	516	475	498	700	809	15.6
Monetary orders	30 352	36 568	40 811	14 963	9 268	8 838	-4.6
Other non-custodial orders	1 812	1 727	2 058	2 379	2 555	2 658	4.0
<i>Total</i>	32 683	38 811	43 344	17 840	12 523	12 305	-1.7
Total proven guilty(d)	34 438	40 909	45 464	19 961	14 466	14 090	-2.6

— nil or rounded to zero (including null cells)

(a) Includes defendants deceased, unfit to plead, transfers to non-court agencies, other non-adjudicated finalisation n.e.c. and unknown method of finalisation.

(b) Offence data are based on ANZSOC from 2008–09 and ASOC97 prior to this period. Caution should be exercised when comparing offence data across the two classifications (see Explanatory Notes paragraph 21).

(c) Includes defendants for whom offence data is missing or a principal offence could not be determined.

(d) Includes defendants for whom a principal sentence is unknown.

3.11 SUMMARY OUTCOMES OF DEFENDANTS, States and territories, 2005–06 to 2010–11 *continued*

	NUMBER						PERCENTAGE
	2005–06	2006–07	2007–08	2008–09	2009–10	2010–11	CHANGE (%) 2009–10 to 2010–11
NORTHERN TERRITORY (a)							
Method of finalisation							
Adjudicated outcomes							
Acquitted	663	526	606	610	247	254	2.8
Proven guilty	7 584	7 810	8 590	9 504	9 119	9 344	2.5
<i>Total</i>	8 247	8 336	9 196	10 114	9 366	9 598	2.5
Transfers to other courts	145	131	177	182	225	171	-24.0
Withdrawn by prosecution	489	585	603	422	786	760	-3.3
Total finalised(b)	8 881	9 052	9 976	10 718	10 378	10 530	1.5
Principal offence(c)							
Homicide and related offences	7	4	4	5	—	3	—
Acts intended to cause injury	1 562	1 604	1 562	1 777	1 587	1 711	7.8
Sexual assault and related offences	25	21	25	22	14	23	64.3
Dangerous or negligent acts endangering persons	485	444	467	568	512	491	-4.1
Abduction, harassment and other offences against the person	3	3	—	33	29	37	27.6
Robbery, extortion and related offences	3	6	5	6	6	4	-33.3
Unlawful entry with intent	189	206	177	235	210	215	2.4
Theft and related offences	281	265	268	240	303	336	10.9
Fraud, deception and related offences	149	118	106	125	110	62	-43.6
Illicit drug offences	324	372	326	338	400	453	13.3
Prohibited and regulated weapons and explosives offences	277	267	243	343	217	253	16.6
Property damage and environmental pollution	263	234	219	209	175	194	10.9
Public order offences	698	600	739	941	638	474	-25.7
Traffic and vehicle regulatory offences	3 280	3 192	3 851	4 263	4 163	4 400	5.7
Offences against justice procedures, gov't security and operations	590	628	775	813	880	848	-3.6
Miscellaneous offences	107	368	382	126	122	94	-23.0
Total adjudicated(d)	8 247	8 336	9 194	10 114	9 366	9 601	2.5
Sentence outcomes							
Custodial orders							
Custody in a correctional institution	1 750	1 843	1 928	2 254	2 259	2 369	4.9
Custody in the community	6	—	3	54	53	45	-15.1
Fully suspended sentence	651	624	599	587	533	559	4.9
<i>Total</i>	2 407	2 467	2 530	2 895	2 845	2 973	4.5
Non-custodial orders							
Community supervision/ work orders	241	242	180	159	195	176	-9.7
Monetary orders	4 399	4 535	5 308	5 903	5 518	5 679	2.9
Other non-custodial orders	537	565	573	546	561	516	-8.0
<i>Total</i>	5 177	5 342	6 061	6 608	6 274	6 371	1.5
Total proven guilty(e)	7 584	7 809	8 591	9 503	9 119	9 344	2.5

— nil or rounded to zero (including null cells)

(a) Prior to 2009–10 there was an error in mapping for charges acquitted and withdrawn. Caution should be exercised when making historical comparisons (see Explanatory Notes paragraph 101).

(b) Includes defendants deceased, unfit to plead, transfers to non-court agencies, other non-adjudicated finalisation n.e.c. and unknown method of finalisation.

(c) Offence data are based on ANZSOC from 2008–09 and ASOC97 prior to this period. Caution should be exercised when comparing offence data across the two classifications (see Explanatory Notes paragraph 21).

(d) Includes defendants for whom offence data is missing or a principal offence could not be determined.

(e) Includes defendants for whom a principal sentence is unknown.

3.11SUMMARY OUTCOMES OF DEFENDANTS, States and territories, 2005–06 to 2010–11 *continued*

	NUMBER						PERCENTAGE
	2005–06	2006–07	2007–08	2008–09	2009–10	2010–11	CHANGE (%) 2009–10 to 2010–11
AUSTRALIAN CAPITAL TERRITORY							
Method of finalisation							
Adjudicated outcomes							
Acquitted	137	51	103	169	101	84	-16.8
Proven guilty	3 627	3 072	3 243	3 320	3 258	3 019	-7.3
<i>Total</i>	3 764	3 123	3 346	3 489	3 359	3 103	-7.6
Transfers to other courts	179	198	272	280	277	206	-25.6
Withdrawn by prosecution	1 493	946	1 041	1 217	1 123	1 030	-8.3
Total finalised(a)	5 445	4 434	4 677	5 003	5 112	4 565	-10.7
Principal offence(b)							
Homicide and related offences	—	—	—	7	6	3	-50.0
Acts intended to cause injury	322	360	323	398	389	398	2.3
Sexual assault and related offences	18	11	11	10	8	5	-37.5
Dangerous or negligent acts endangering persons	139	117	681	72	63	368	484.1
Abduction, harassment and other offences against the person	3	5	3	3	4	4	—
Robbery, extortion and related offences	9	15	4	—	4	3	-25.0
Unlawful entry with intent	45	41	34	28	32	42	31.3
Theft and related offences	326	331	241	327	266	241	-9.4
Fraud, deception and related offences	79	59	42	85	70	42	-40.0
Illicit drug offences	138	131	122	126	96	94	-2.1
Prohibited and regulated weapons and explosives offences	59	72	83	64	59	56	-5.1
Property damage and environmental pollution	51	49	91	39	32	48	50.0
Public order offences	104	112	102	91	62	29	-53.2
Traffic and vehicle regulatory offences	1 769	1 585	1 333	1 998	1 747	1 612	-7.7
Offences against justice procedures, gov't security and operations	621	169	206	224	504	143	-71.6
Miscellaneous offences	80	65	72	17	17	15	-11.8
Total adjudicated(c)	3 766	3 122	3 348	3 489	3 359	3 103	-7.6
Sentence outcomes							
Custodial orders							
Custody in a correctional institution	187	205	204	174	162	224	38.3
Custody in the community	—	6	48	38	44	13	-70.5
Fully suspended sentence	299	281	229	205	239	202	-15.5
<i>Total</i>	486	492	481	417	445	439	-1.3
Non-custodial orders							
Community supervision/ work orders	97	87	120	128	92	60	-34.8
Monetary orders	2 724	2 211	2 200	2 437	2 411	2 006	-16.8
Other non-custodial orders	316	282	442	338	310	514	65.8
<i>Total</i>	3 137	2 580	2 762	2 903	2 813	2 580	-8.3
Total proven guilty(d)	3 627	3 072	3 243	3 320	3 258	3 019	-7.3

— nil or rounded to zero (including null cells)

(a) Includes defendants deceased, unfit to plead, transfers to non-court agencies, other non-adjudicated finalisation n.e.c. and unknown method of finalisation.

(b) Offence data are based on ANZSOC from 2008–09 and ASOC97 prior to this period. Caution should be exercised when comparing offence data across the two classifications (see Explanatory Notes paragraph 21).

(c) Includes defendants for whom offence data is missing or a principal offence could not be determined.

(d) Includes defendants for whom a principal sentence is unknown.

3.12 SUMMARY CHARACTERISTICS OF DEFENDANTS (EXCLUDING TRAFFIC OFFENCES)(a), Indigenous status by selected states and territories

	NUMBER			
	<i>Aboriginal & Torres Strait Islander</i>	<i>Non-Indigenous</i>	<i>Unknown/ Not stated</i>	<i>Total(b)</i>
NEW SOUTH WALES				
Sex				
Males	6 247	44 388	6 243	56 878
Females	2 255	9 397	2 301	13 953
Total finalised(c)	8 502	53 785	8 719	71 614
Principal offence(a)				
Homicide and related offences	3	13	39	55
Acts intended to cause injury	3 132	17 267	801	21 203
Sexual assault and related offences	40	444	31	515
Dangerous or negligent acts endangering persons	4	54	11	77
Abduction, harassment and other offences against the person	102	595	39	736
Robbery, extortion and related offences	13	79	3	95
Unlawful entry with intent	229	862	76	1 167
Theft and related offences	866	5 456	967	7 293
Fraud, deception and related offences	133	1 966	1 181	3 289
Illicit drug offences	664	7 705	275	8 644
Prohibited and regulated weapons and explosives offences	65	902	60	1 027
Property damage and environmental pollution	579	3 565	343	4 528
Public order offences	848	3 514	658	5 026
Offences against justice procedures, gov't security and operations	658	3 496	1 042	5 394
Miscellaneous offences	73	1 008	1 735	2 997
Total adjudicated(d)	7 409	46 926	7 261	62 046
Sentence outcomes				
Custodial orders	2 166	6 321	502	8 991
Non-custodial orders	4 654	36 278	6 285	47 643
Total proven guilty	6 820	42 599	6 787	56 634

(a) Excludes Division 14 and Subdivision 041 of ANZSOC (see Explanatory Notes paragraphs 50–51).

(b) Includes organisations.

(c) Includes defendants with unknown sex.

(d) Includes defendants for whom offence data are missing or a principal offence could not be determined.

3.12SUMMARY CHARACTERISTICS OF DEFENDANTS (EXCLUDING TRAFFIC OFFENCES)(a), Indigenous status by selected states and territories *continued* ..

	PROPORTION			Total(b)
	Aboriginal & Torres Strait Islander	Non-Indigenous	Unknown/ Not stated	
NEW SOUTH WALES				
Sex				
Males	11.0	78.0	11.0	100.0
Females	16.2	67.3	16.5	100.0
Total finalised(c)	11.9	75.1	12.2	100.0
Principal offence(a)				
Homicide and related offences	5.5	23.6	70.9	100.0
Acts intended to cause injury	14.8	81.4	3.8	100.0
Sexual assault and related offences	7.8	86.2	6.0	100.0
Dangerous or negligent acts endangering persons	5.2	70.1	14.3	100.0
Abduction, harassment and other offences against the person	13.9	80.8	5.3	100.0
Robbery, extortion and related offences	13.7	83.2	3.2	100.0
Unlawful entry with intent	19.6	73.9	6.5	100.0
Theft and related offences	11.9	74.8	13.3	100.0
Fraud, deception and related offences	4.0	59.8	35.9	100.0
Illicit drug offences	7.7	89.1	3.2	100.0
Prohibited and regulated weapons and explosives offences	6.3	87.8	5.8	100.0
Property damage and environmental pollution	12.8	78.7	7.6	100.0
Public order offences	16.9	69.9	13.1	100.0
Offences against justice procedures, gov't security and operations	12.2	64.8	19.3	100.0
Miscellaneous offences	2.4	33.6	57.9	100.0
Total adjudicated(d)	11.9	75.6	11.7	100.0
Sentence outcomes				
Custodial orders	24.1	70.3	5.6	100.0
Non-custodial orders	9.8	76.1	13.2	100.0
Total proven guilty	12.0	75.2	12.0	100.0

- (a) Excludes Division 14 and Subdivision 041 of ANZSOC (see Explanatory Notes paragraphs 50–51).
 (b) Includes organisations.

- (c) Includes defendants with unknown sex.
 (d) Includes defendants for whom offence data are missing or a principal offence could not be determined.

3.12SUMMARY CHARACTERISTICS OF DEFENDANTS (EXCLUDING TRAFFIC OFFENCES)(a), Indigenous status by selected states and territories *continued* ..

	NUMBER			
	<i>Aboriginal & Torres Strait Islander</i>	<i>Non-Indigenous</i>	<i>Unknown/ Not stated</i>	<i>Total(b)</i>
.....				
QUEENSLAND				
Sex				
Males	11 805	44 814	7 382	64 001
Females	5 261	11 358	2 403	19 022
Total finalised(c)	17 066	56 186	9 855	83 404
Principal offence(a)				
Homicide and related offences	—	11	3	14
Acts intended to cause injury	1 271	3 310	451	5 032
Sexual assault and related offences	26	148	20	194
Dangerous or negligent acts endangering persons	35	245	44	324
Abduction, harassment and other offences against the person	25	236	25	286
Robbery, extortion and related offences	3	11	—	14
Unlawful entry with intent	469	1 219	225	1 913
Theft and related offences	1 489	7 998	950	10 437
Fraud, deception and related offences	172	1 963	731	2 879
Illicit drug offences	1 244	9 126	1 156	11 526
Prohibited and regulated weapons and explosives offences	188	1 558	206	1 952
Property damage and environmental pollution	795	2 353	293	3 448
Public order offences	7 017	12 095	1 703	20 827
Offences against justice procedures, gov't security and operations	2 690	8 617	1 339	12 712
Miscellaneous offences	55	424	942	1 557
Total adjudicated(d)	15 683	49 787	8 178	73 882
Sentence outcomes				
Custodial orders	2 103	3 729	807	6 639
Non-custodial orders	13 494	45 526	7 226	66 465
Total proven guilty	15 597	49 255	8 033	73 104

— nil or rounded to zero (including null cells)

(a) Excludes Division 14 and Subdivision 041 of ANZSOC (see Explanatory Notes paragraphs 50–51).

(b) Includes organisations.

(c) Includes defendants with unknown sex.

(d) Includes defendants for whom offence data are missing or a principal offence could not be determined.

3.12SUMMARY CHARACTERISTICS OF DEFENDANTS (EXCLUDING TRAFFIC OFFENCES)(a), Indigenous status by selected states and territories *continued* ..

	PROPORTION			
	Aboriginal & Torres Strait Islander	Non-Indigenous	Unknown/ Not stated	Total(b)
.....				
QUEENSLAND				
Sex				
Males	18.4	70.0	11.5	100.0
Females	27.7	59.7	12.6	100.0
Total finalised(c)	20.5	67.4	11.8	100.0
Principal offence(a)				
Homicide and related offences	—	78.6	21.4	100.0
Acts intended to cause injury	25.3	65.8	9.0	100.0
Sexual assault and related offences	13.4	76.3	10.3	100.0
Dangerous or negligent acts endangering persons	10.8	75.6	13.6	100.0
Abduction, harassment and other offences against the person	8.7	82.5	8.7	100.0
Robbery, extortion and related offences	21.4	78.6	—	100.0
Unlawful entry with intent	24.5	63.7	11.8	100.0
Theft and related offences	14.3	76.6	9.1	100.0
Fraud, deception and related offences	6.0	68.2	25.4	100.0
Illicit drug offences	10.8	79.2	10.0	100.0
Prohibited and regulated weapons and explosives offences	9.6	79.8	10.6	100.0
Property damage and environmental pollution	23.1	68.2	8.5	100.0
Public order offences	33.7	58.1	8.2	100.0
Offences against justice procedures, gov't security and operations	21.2	67.8	10.5	100.0
Miscellaneous offences	3.5	27.2	60.5	100.0
Total adjudicated(d)	21.2	67.4	11.1	100.0
Sentence outcomes				
Custodial orders	31.7	56.2	12.2	100.0
Non-custodial orders	20.3	68.5	10.9	100.0
Total proven guilty	21.3	67.4	11.0	100.0

— nil or rounded to zero (including null cells)

(a) Excludes Division 14 and Subdivision 041 of ANZSOC (see Explanatory Notes paragraphs 50–51).

(b) Includes organisations.

(c) Includes defendants with unknown sex.

(d) Includes defendants for whom offence data are missing or a principal offence could not be determined.

3.12 SUMMARY CHARACTERISTICS OF DEFENDANTS (EXCLUDING TRAFFIC OFFENCES)(a), Indigenous status by selected states and territories *continued* ..

	NUMBER			
	Aboriginal & Torres Strait Islander	Non-Indigenous	Unknown/ Not stated	Total(b)
.....				
NORTHERN TERRITORY				
Sex				
Males	3 277	1 047	248	4 572
Females	679	169	61	909
Total finalised(c)	3 956	1 216	309	5 499
Principal offence(a)				
Homicide and related offences	—	—	—	—
Acts intended to cause injury	1 411	194	106	1 711
Sexual assault and related offences	13	7	3	23
Dangerous or negligent acts endangering persons	23	4	—	27
Abduction, harassment and other offences against the person	21	11	5	37
Robbery, extortion and related offences	—	3	—	3
Unlawful entry with intent	185	23	7	215
Theft and related offences	205	119	12	336
Fraud, deception and related offences	18	29	15	62
Illicit drug offences	237	209	7	453
Prohibited and regulated weapons and explosives offences	177	67	9	253
Property damage and environmental pollution	140	45	8	193
Public order offences	380	74	16	474
Offences against justice procedures, gov't security and operations	680	120	44	848
Miscellaneous offences	10	60	20	94
Total adjudicated(d)	3 503	965	252	4 732
Sentence outcomes				
Custodial orders	1 809	251	121	2 181
Non-custodial orders	1 540	661	123	2 336
Total proven guilty	3 349	912	244	4 517

— nil or rounded to zero (including null cells)

(a) Excludes Division 14 and Subdivision 041 of ANZSOC (see Explanatory Notes paragraphs 50–51).

(b) Includes organisations.

(c) Includes defendants with unknown sex.

(d) Includes defendants for whom offence data are missing or a principal offence could not be determined.

3.12SUMMARY CHARACTERISTICS OF DEFENDANTS (EXCLUDING TRAFFIC OFFENCES)(a), Indigenous status by selected states and territories *continued* ..

	PROPORTION			Total(b)
	Aboriginal & Torres Strait Islander	Non-Indigenous	Unknown/ Not stated	
NORTHERN TERRITORY				
Sex				
Males	71.7	22.9	5.4	100.0
Females	74.7	18.6	6.7	100.0
Total finalised(c)	71.9	22.1	5.6	100.0
Principal offence(a)				
Homicide and related offences	—	—	—	—
Acts intended to cause injury	82.5	11.3	6.2	100.0
Sexual assault and related offences	56.5	30.4	13.0	100.0
Dangerous or negligent acts endangering persons	85.2	14.8	—	100.0
Abduction, harassment and other offences against the person	56.8	29.7	13.5	100.0
Robbery, extortion and related offences	—	100.0	—	100.0
Unlawful entry with intent	86.0	10.7	3.3	100.0
Theft and related offences	61.0	35.4	3.6	100.0
Fraud, deception and related offences	29.0	46.8	24.2	100.0
Illicit drug offences	52.3	46.1	1.5	100.0
Prohibited and regulated weapons and explosives offences	70.0	26.5	3.6	100.0
Property damage and environmental pollution	72.5	23.3	4.1	100.0
Public order offences	80.2	15.6	3.4	100.0
Offences against justice procedures, gov't security and operations	80.2	14.2	5.2	100.0
Miscellaneous offences	10.6	63.8	21.3	100.0
Total adjudicated(d)	74.0	20.4	5.3	100.0
Sentence outcomes				
Custodial orders	82.9	11.5	5.5	100.0
Non-custodial orders	65.9	28.3	5.3	100.0
Total proven guilty	74.1	20.2	5.4	100.0

— nil or rounded to zero (including null cells)

(a) Excludes Division 14 and Subdivision 041 of ANZSOC (see Explanatory Notes paragraphs 50–51).

(b) Includes organisations.

(c) Includes defendants with unknown sex.

(d) Includes defendants for whom offence data are missing or a principal offence could not be determined.

INTRODUCTION

This chapter presents information about defendants finalised in the criminal jurisdiction of the Children's Courts during 2010–11. This jurisdiction specifically deals with juvenile offenders charged with summary criminal offences, and in some states and territories those charged with indictable offences. The power of the Children's Court to hear serious criminal matters varies across states and territories.

In all states and territories, children aged under 10 years cannot be charged with a criminal offence. The maximum age that defendants are considered a child or juvenile is under the age of 18 years in all states and territories, except in Queensland where defendants are considered adults if aged 17 years and over at the time the offence was committed. Note that the age of defendants in the Children's Courts data are based on age at finalisation in the courts, not age at the time of the alleged offence. Therefore, some defendants of adult age will be processed by the Children's Courts and included in the collection.

Children's Courts data presented here exclude cases such as bail reviews and applications to amend sentences or penalties which do not require the adjudication of charges. Also excluded are breach of bail or parole cases, appeal cases, tribunal matters and defendants for whom a bench warrant is issued but not executed.

The offence categories referred to relate to the principal offence, i.e. the most serious offence type with which the defendant was charged. For more information about principal offence see paragraphs 40–44 of the Explanatory Notes.

National data for the Children's Courts are only available from 2006–07.

Juvenile justice

Juvenile justice is a complex area that can involve a range of bodies such as police, courts, juvenile justice departments, legal advocates and young people and their families. A key feature of juvenile justice is the diversion of young people away from the formal criminal justice system where appropriate. Not all young people who come into contact with the criminal justice authorities will appear in court. Police and other non-court agencies can divert juvenile offenders away from the courts by way of warnings, cautions, conferences, and other programs. Pre-court contact with juveniles may vary considerably across jurisdictions and therefore could potentially impact on the number of juvenile defendants who appear in court and the duration of their cases.

Furthermore, the Children's Courts can also initiate programs as part of the court process by transferring defendants to drug and other specialist courts, or non-court agencies, and programs where defendants return to the Children's Court upon program completion. Some defendants may be referred to a program as a sentencing outcome. There can be many differences in the types of court programs or sentencing options available in each state and territory, therefore caution should be used when making comparisons between states and territories.

Snapshot

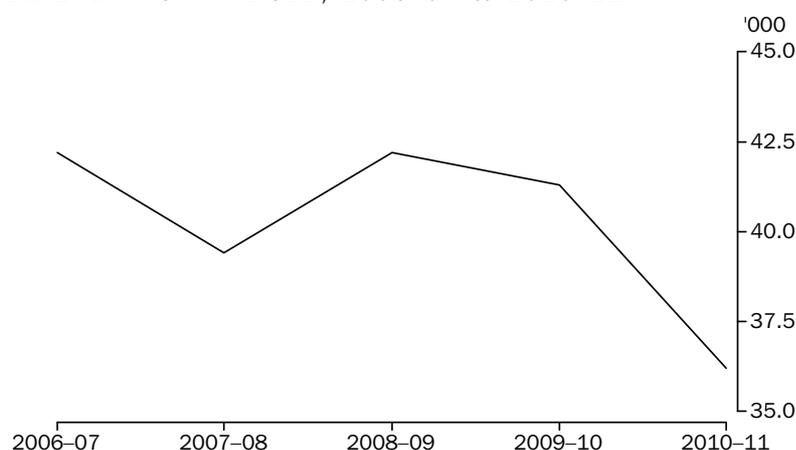
- There were 36,236 defendants finalised in the Children's Courts in 2010–11, a decrease of 12% from 2009–10.
- Males accounted for 79% of the total defendants finalised in 2010–11.
- The majority (79%) of all finalised defendants were proven guilty, 4% were acquitted and 17% were finalised either through the withdrawal of charges by the prosecution, transfers to other courts or via other non-adjudicated finalisations.
- Of the 29,961 defendants whose charges were adjudicated, 95% were proven guilty, while the remainder (5%) were acquitted.
- For those defendants proven guilty, the majority (90% or 25,548) were sentenced to non-custodial orders.

DEFENDANTS FINALISED

Defendants can have their charges finalised via different methods (see Appendix 2). The main categories of finalisation are: adjudicated finalisations, where the court has made a finding as to the guilt or otherwise of the defendant; finalisation by transfer between court levels; withdrawal by the prosecution; and other methods such as defendant deceased or unfit to plead.

In 2010–11, the number of defendants finalised (36,236) was the lowest since the Children's Courts collection began in 2006–07. Six jurisdictions had decreases in the numbers of defendants finalised in the Children's Courts in 2010–11: Victoria (22%), Western Australia (18%), South Australia (11%), New South Wales (9%), the Australian Capital Territory (8%) and Queensland (7%). The remaining two states and territories had increases: Tasmania (23%) and the Northern Territory (5%) (Table 4.11).

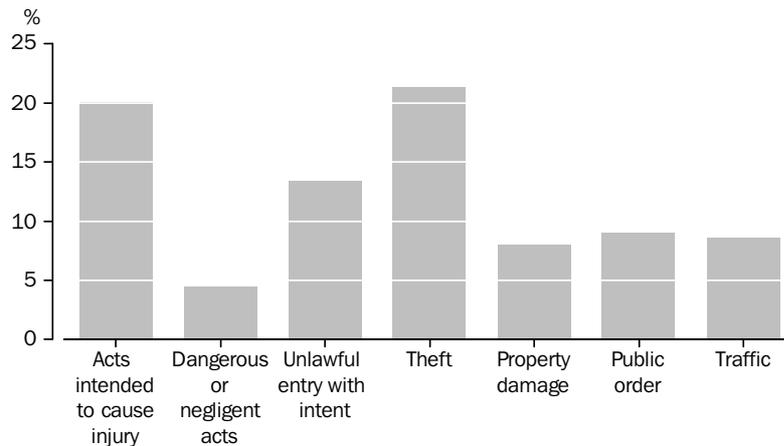
DEFENDANTS FINALISED, 2006–07 to 2010–11

*Principal offence*

In 2010–11, those finalised with a principal offence of theft formed the largest proportion of defendants (21%) in the Children's Courts. This offence category was also the largest for 2009–10. This was followed by: acts intended to cause injury (20%), unlawful entry with intent (13%), public order (9%), and traffic offences (8%). Combined, these principal offences accounted for almost three-quarters (71%) of defendants finalised in the Children's Courts in 2010–11 (Table 4.1).

*Principal offence
continued*

DEFENDANTS FINALISED, Selected principal offence



Sex

In 2010–11, 79% (28,698) of defendants heard in the Children's Courts were males, while females accounted for 21% (7,517). Both males and females decreased by 12% from 2009–10. Males went down from 32,663 and females from 8,580 (Table 4.2).

The proportion of males and females was similar across the states and territories. Queensland had the lowest proportion of males (76%) and the Northern Territory had the highest proportion of males (84%) (Table 4.3).

The proportion of males proven guilty and the proportion of females proven guilty was the same (79%). Both males and females had the same proportion of defendants acquitted (4%) (Table 4.6).

Age

The largest proportion of defendants finalised in the Children's Courts were aged 17 years at the time of finalisation (25% or 9,124), followed by those aged 16 years (24% or 8,686). Those aged 10 to 12 years comprised 3% (1,084).

The largest proportion of males finalised were aged 17 years (26%), followed by those aged 16 years (24%). The age profile for females was younger with the largest proportion of females finalised aged 16 years (25%) followed by those aged 17 years (21%) (Table 4.6).

Charges withdrawn by the prosecution

Defendants finalised through charges being withdrawn by the prosecution decreased by 16% from 3,942 in 2009–10 to 3,318 in 2010–11 (Table 4.2).

During 2010–11, offences with the largest proportion of defendants finalised through charges withdrawn by the prosecution were (Table 4.5):

- sexual assault (21% or 133);
- homicide (18% or 6); and
- robbery and extortion (13% or 211).

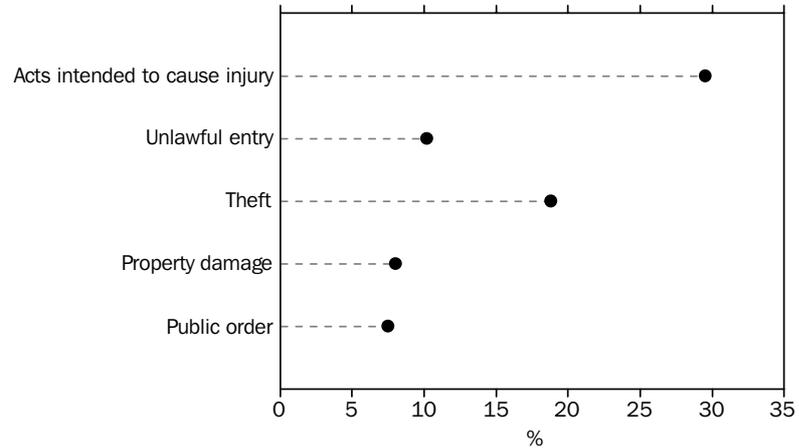
States and territories with a higher proportion of withdrawns than the national average (9%) were South Australia and the Northern Territory (both 17%), the Australian Capital Territory (14%) and Victoria (12%). Tasmania had the smallest proportion of defendants finalised through charges withdrawn (2%) (Table 4.3).

Defendants acquitted

In 2010–11, 1,417 or 4% of defendants finalised in the Children's Courts were acquitted.

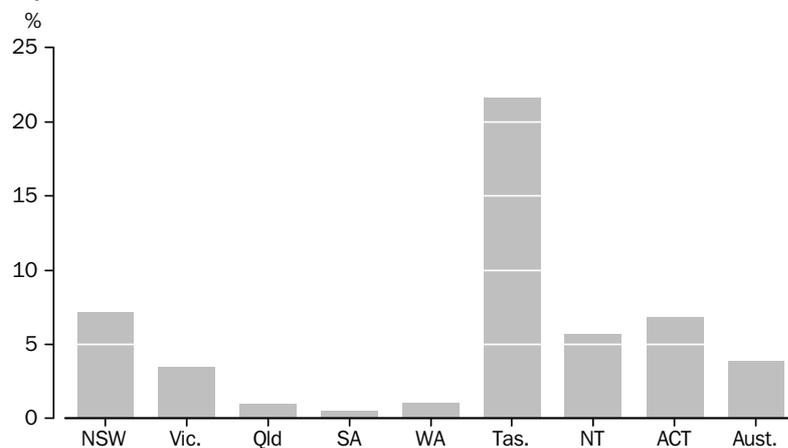
For those acquitted, the largest proportion of defendants had the following principal offences: acts intended to cause injury (30%), theft (19%), unlawful entry with intent (10%), property damage (8%) and public order offences (7%) (Table 4.5).

DEFENDANTS ACQUITTED, Selected principal offence



The states with the highest proportions of defendants acquitted were Tasmania (22%), followed by New South Wales and the Australian Capital Territory (both 7%). South Australia, Queensland and Western Australia had the lowest proportion at 1% (Table 4.3).

DEFENDANTS ACQUITTED, State and territory proportions of adjudicated outcomes



Defendants proven guilty

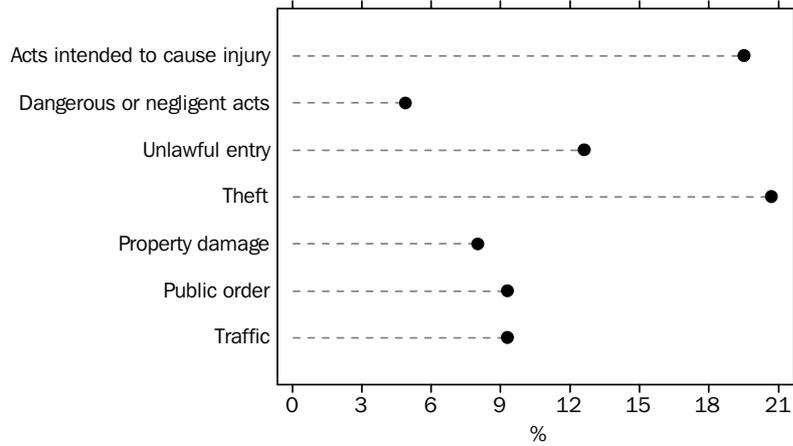
The proven guilty population comprises defendants who plead guilty or were found guilty, including those found guilty ex-parte.

Defendants proven guilty in the Children's Courts accounted for 28,544 (79%) of defendants finalised in 2010–11.

For those proven guilty, the largest proportion of defendants had the following principal offences: theft (21%), acts intended to cause injury (20%), unlawful entry with intent (13%), traffic and public order (both 9%) (Table 4.5).

*Defendants proven guilty
continued*

DEFENDANTS PROVEN GUILTY, Selected principal offence



Queensland had the largest proportion of defendants proven guilty (87%), while South Australia had the smallest (61%) (Table 4.3).

SENTENCE OUTCOMES

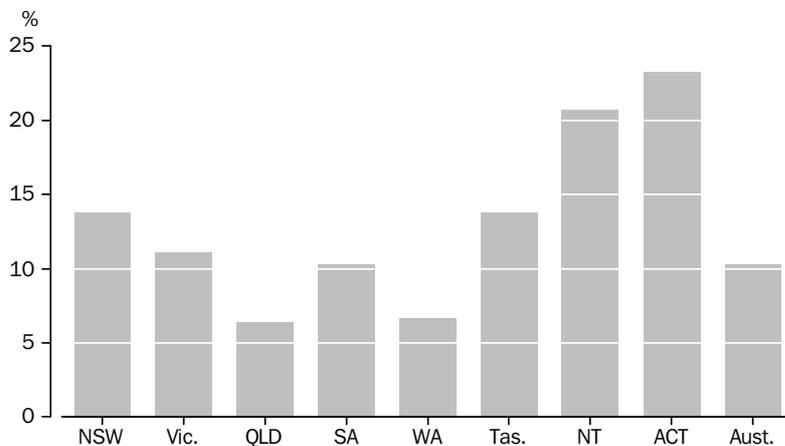
The following information relates to sentence outcomes for defendants heard in the Children's Courts. Sentence refers to the principal sentence a defendant received (refer to Explanatory Notes paragraphs 45–48 for further information).

Custodial orders

Of the guilty defendants in the Children's Courts in 2010–11, 2,930 (10%) were sentenced to custodial orders. Of all guilty defendants, 6% were ordered to serve time in a correctional institution, while defendants sentenced to custody in the community accounted for 2% and those with fully suspended sentences 3% (Table 4.1).

The proportion of defendants proven guilty receiving a custodial order varied across states and territories. The Australian Capital Territory (23%), the Northern Territory (21%), New South Wales (14%) and Tasmania (14%) had the highest proportions of defendants receiving a custodial order. Queensland (6%) and Western Australia (7%) had the lowest (Table 4.3).

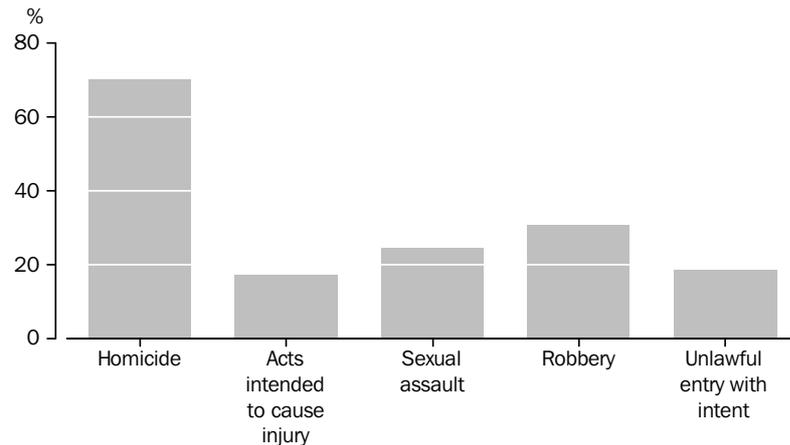
DEFENDANTS PROVEN GUILTY, Custodial sentences by states and territories



*Custodial orders
continued*

Offences with relatively high proportions of custodial sentences were homicide (70%), robbery and extortion (31% or 346), sexual assault (25% or 73), unlawful entry with intent (19% or 672) and acts intended to cause injury (17% or 961). Most of these defendants were sentenced to custody in a correctional institution, with the exception of homicide (majority fully suspended sentences) and acts intended to cause injury (majority custody in the community and fully suspended sentences) (Table 4.7).

DEFENDANTS PROVEN GUILTY, Custodial sentences by selected principal offence



Custodial orders were issued to 12% of guilty male defendants and 5% of guilty female defendants.

Defendants aged 17 years were the most likely to receive a sentence of custody in a correctional institution (7% or 472). Those aged 10–12 years were the least likely (1%) to receive a sentence of custody in a correctional institution (Table 4.9).

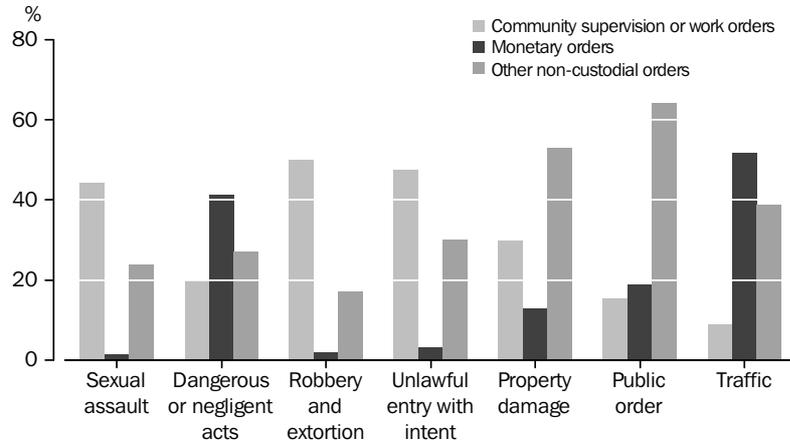
Non-custodial orders

During 2010–11, 90% (25,548) of guilty defendants in the Children's Courts were sentenced to non-custodial orders. Of all guilty defendants, 28% received a sentence of community supervision or work orders, while 16% received a sentence of monetary orders (Table 4.1).

Defendants proven guilty of robbery and extortion were most likely to be issued with a community supervision or work order (50%) followed by unlawful entry with intent (48%), and sexual assault (44%). Defendants proven guilty of traffic offences were most likely to be issued with a monetary order (52%), followed by dangerous or negligent acts (41%) (Table 4.7).

*Non-custodial orders
continued*

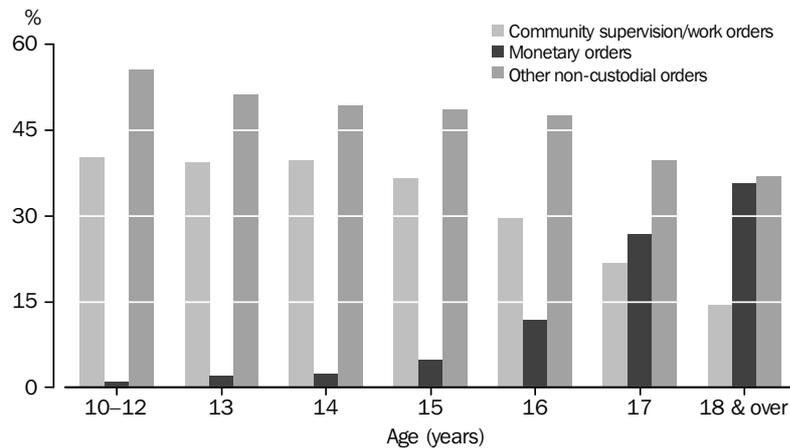
DEFENDANTS PROVEN GUILTY, Non-custodial sentences by selected principal offence



Of the 22,558 guilty male defendants, nearly one-third (29%) received a community supervision or work order, while 17% received a monetary order. Sentences for female defendants were similar to males: 26% received a community supervision or work order and 14% received a monetary order (Table 4.9).

The proportion of defendants receiving community supervision or work orders generally decreased with age, from 41% of 10–12 year old defendants to 14% of those aged 18 years and over. Older defendants were more likely to be sentenced to monetary orders; 36% of those aged 18 years and over received this order compared to 1% of 10–12 year olds.

DEFENDANTS PROVEN GUILTY, Selected non-custodial sentences by age



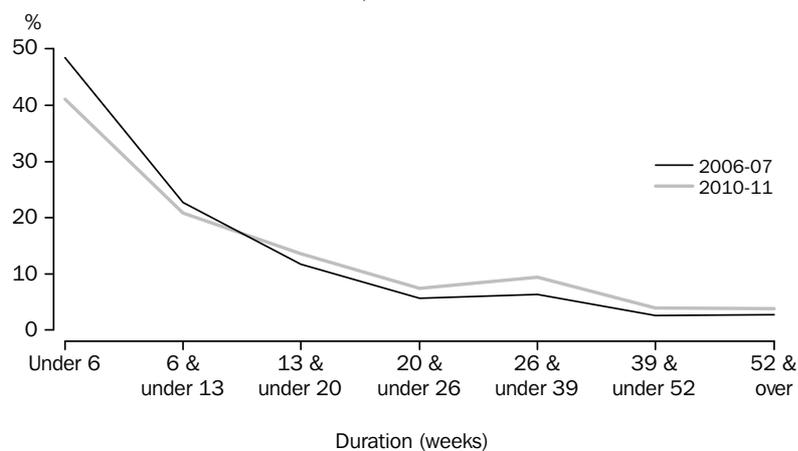
**DURATION OF CASES
ADJUDICATED**

The nature of the charges presented to the court for a defendant, along with the process required to deal with the charges, impact on the time required for a court to finalise a case. Court resources and complexity of cases can also have an impact. The duration is calculated from the date of initiation to finalisation of the case (for more information about duration see paragraphs 61–62 of the Explanatory Notes and the Glossary).

Almost two-thirds (60%) of the defendants finalised in the Children's Court had their cases finalised in less than 13 weeks, while 4% of cases were finalised at 52 or more weeks. There has been little change in these durations since 2006–07 (Table 4.10).

DURATION OF CASES
ADJUDICATED *continued*

DEFENDANTS ADJUDICATED, Duration of cases finalised



ABORIGINAL AND TORRES
STRAIT ISLANDER
DEFENDANTS

Limited data about Aboriginal and Torres Strait Islander defendants are presented for the second time in this publication. This information is available for defendants finalised in the Children's Courts in New South Wales, Queensland and the Northern Territory only.

The majority of defendants in the Magistrates' Courts with a traffic offence as their principal offence have an unknown Aboriginal and Torres Strait Islander status. This is because most traffic offences are related to fines issued by road traffic authorities, who do not collect or record Aboriginal and Torres Strait Islander status. These defendants have a large impact on the proportion of unknowns in the data, therefore they have been removed from the data in order to enable a focus on those defendants that are more likely to have been in contact with police and are more likely to have had their Aboriginal and Torres Strait Islander status recorded.

Other offence categories that may also be affected by this issue are: public order; offences against justice procedures, government security and operations; and miscellaneous offences. This should be taken into account when comparing Aboriginal and Torres Strait Islander and non-Indigenous data for these offence categories. For further information on the identification of Aboriginal and Torres Strait Islander defendants in the Criminal Courts collection (see Explanatory Notes paragraphs 49–52).

New South Wales

In the Children's Courts in 2010–11, 2,358 (30%) defendants finalised in New South Wales identified as Aboriginal and Torres Strait Islander.

The proportion of males and females varied for Aboriginal and Torres Strait Islander defendants when compared to non-Indigenous defendants. In New South Wales, 23% of Aboriginal and Torres Strait Islander defendants were female compared to 20% of non-Indigenous defendants.

There was little variation when comparing offence categories. The three main offence categories for Aboriginal and Torres Strait Islander defendants adjudicated in New South Wales were: acts intended to cause injury (31%), theft (19%) and unlawful entry with intent (18%). For non-Indigenous defendants, the three main offence categories were: acts intended to cause injury (35%), theft (17%), and unlawful entry with intent (10%).

*New South Wales
continued*

In the Children's Courts the majority of defendants proven guilty are sentenced to non-custodial orders. When comparing Aboriginal and Torres Strait Islander defendants with non-Indigenous defendants, the proportions of custodial to non-custodial orders varied in 2010–11. In New South Wales, 22% of Aboriginal and Torres Strait Islander defendants proven guilty were sentenced to a custodial order compared to 11% of non-Indigenous defendants (Table 4.12).

Queensland

In the Children's Courts in 2010–11, 2,558 (36%) defendants in Queensland identified as Aboriginal and Torres Strait Islander.

The proportion of males and females was similar for Aboriginal and Torres Strait Islander defendants and non-Indigenous defendants: 26% of Aboriginal and Torres Strait Islander defendants were female compared with 25% of non-Indigenous defendants.

Between the two populations, there was little variation between the main offence categories. The three main offence categories for Aboriginal and Torres Strait Islander defendants adjudicated in Queensland were: theft (27%), unlawful entry with intent (21%), and public order (15%). For non-Indigenous defendants the three main offence categories were: theft (31%), public order (16%), and unlawful entry with intent (12%).

When comparing Aboriginal and Torres Strait Islander defendants with non-Indigenous defendants, the proportions of custodial to non-custodial orders varied in 2010–11. In Queensland 10% of Aboriginal and Torres Strait Islander defendants proven guilty were sentenced to custodial orders compared to 4% of non-Indigenous defendants (Table 4.12).

Northern Territory

In the Children's Courts in 2010–11, 499 (83%) defendants in the Northern Territory identified as Aboriginal and Torres Strait Islander.

The proportion of males and females was similar for Aboriginal and Torres Strait Islander defendants and non-Indigenous defendants: 14% of Aboriginal and Torres Strait Islander defendants were female compared with 11% of non-Indigenous defendants.

Between the two populations, there was little variation between the main offence categories. In the Northern Territory, three offence categories accounted for the majority of Aboriginal and Torres Strait Islander defendants adjudicated: unlawful entry with intent (36%), theft and acts intended to cause injury (both 23%). For non-Indigenous, three offence categories accounted for the majority of defendants: unlawful entry with intent (25%), theft (23%) and acts intended to cause injury (18%).

When comparing Aboriginal and Torres Strait Islander defendants with non-Indigenous defendants, the proportions of custodial to non-custodial orders varied in 2010–11. In the Northern Territory, 29% of Aboriginal and Torres Strait Islander defendants proven guilty were sentenced to custodial orders compared to 18% of non-Indigenous defendants (Table 4.12).

4.1 SUMMARY CHARACTERISTICS OF ALL DEFENDANTS, Selected principal offence ..

	<i>Acts intended to cause injury</i>	<i>Dangerous or negligent acts endangering persons</i>	<i>Unlawful entry with intent</i>	<i>Theft & related offences</i>	<i>Property damage & environmental pollution</i>
.....					
NUMBER					
Method of finalisation					
Adjudicated outcomes					
Acquitted	419	40	145	267	113
Proven guilty	5 571	1 397	3 597	5 896	2 272
<i>Total</i>	5 990	1 437	3 742	6 163	2 385
Transfers to other courts	336	14	256	169	86
Withdrawn by prosecution	702	64	394	909	260
Total finalised(a)	7 154	1 583	4 791	7 585	2 837
Sentence outcomes					
Custodial orders					
Custody in a correctional institution	459	93	428	157	62
Custody in the community	246	35	69	53	12
Fully suspended sentence	256	35	175	67	23
<i>Total(b)</i>	961	163	672	277	97
Non-custodial orders					
Community supervision/ work orders	1 873	277	1 715	1 409	676
Monetary orders	313	577	119	974	290
Other non-custodial orders	2 417	379	1 086	3 214	1 206
<i>Total(c)</i>	4 603	1 233	2 920	5 597	2 172
Total proven guilty(d)	5 571	1 397	3 597	5 896	2 272
.....					
PROPORTION (%)					
Method of finalisation					
Adjudicated outcomes					
Acquitted	5.9	2.5	3.0	3.5	4.0
Proven guilty	77.9	88.3	75.1	77.7	80.1
<i>Total</i>	83.7	90.8	78.1	81.3	84.1
Transfers to other courts	4.7	0.9	5.3	2.2	3.0
Withdrawn by prosecution	9.8	4.0	8.2	12.0	9.2
Total finalised(a)	100.0	100.0	100.0	100.0	100.0
Sentence outcomes					
Custodial orders					
Custody in a correctional institution	8.2	6.7	11.9	2.7	2.7
Custody in the community	4.4	2.5	1.9	0.9	0.5
Fully suspended sentence	4.6	2.5	4.9	1.1	1.0
<i>Total(b)</i>	17.3	11.7	18.7	4.7	4.3
Non-custodial orders					
Community supervision/ work orders	33.6	19.8	47.7	23.9	29.8
Monetary orders	5.6	41.3	3.3	16.5	12.8
Other non-custodial orders	43.4	27.1	30.2	54.5	53.1
<i>Total(c)</i>	82.6	88.3	81.2	94.9	95.6
Total proven guilty(d)	100.0	100.0	100.0	100.0	100.0
.....					
(a)	Includes defendants deceased, unfit to plead, transfers to non-court agencies, other non-adjudicated finalisations n.e.c. and unknown method of finalisation.		(b)	Includes custodial orders n.f.d.	
			(c)	Includes non-custodial orders n.f.d.	
			(d)	Includes defendants for whom a principal sentence is unknown.	
.....					

4.1 SUMMARY CHARACTERISTICS OF ALL DEFENDANTS, Selected principal offence

continued

	Public order offences	Traffic & vehicle regulatory offences	Other(a)	Total(b)
NUMBER				
Method of finalisation				
Adjudicated outcomes				
Acquitted	106	56	266	1 417
Proven guilty	2 661	2 662	3 981	28 544
<i>Total</i>	2 767	2 718	4 247	29 961
Transfers to other courts	45	4	348	1 293
Withdrawn by prosecution	195	153	615	3 318
Total finalised(c)	3 182	3 058	5 473	36 236
Sentence outcomes				
Custodial orders				
Custody in a correctional institution	23	5	323	1 617
Custody in the community	3	5	99	523
Fully suspended sentence	9	7	144	790
<i>Total(d)</i>	35	17	566	2 930
Non-custodial orders				
Community supervision/ work orders	413	234	1 207	8 109
Monetary orders	502	1 378	494	4 652
Other non-custodial orders	1 710	1 030	1 691	12 787
<i>Total(e)</i>	2 625	2 642	3 392	25 548
Total proven guilty(f)	2 661	2 662	3 981	28 544
PROPORTION (%)				
Method of finalisation				
Adjudicated outcomes				
Acquitted	3.3	1.8	4.9	3.9
Proven guilty	83.6	87.1	72.7	78.8
<i>Total</i>	87.0	88.9	77.6	82.7
Transfers to other courts	1.4	0.1	6.4	3.6
Withdrawn by prosecution	6.1	5.0	11.2	9.2
Total finalised(c)	100.0	100.0	100.0	100.0
Sentence outcomes				
Custodial orders				
Custody in a correctional institution	0.9	0.2	8.1	5.7
Custody in the community	0.1	0.2	2.5	1.8
Fully suspended sentence	0.3	0.3	3.6	2.8
<i>Total(d)</i>	1.3	0.6	14.2	10.3
Non-custodial orders				
Community supervision/ work orders	15.5	8.8	30.3	28.4
Monetary orders	18.9	51.8	12.4	16.3
Other non-custodial orders	64.3	38.7	42.5	44.8
<i>Total(e)</i>	98.6	99.2	85.2	89.5
Total proven guilty(f)	100.0	100.0	100.0	100.0

(a) Includes ANZSOC Divisions 01, 03, 05–06, 09–11, 15–16 (refer to Appendix 3).

(b) Includes defendants for whom offence data are missing or a principal offence could not be determined.

(c) Includes defendants deceased, unfit to plead, transfers to non-court agencies, other non-adjudicated finalisations n.e.c. and unknown method of finalisation.

(d) Includes custodial orders n.f.d.

(e) Includes non-custodial orders n.f.d.

(f) Includes defendants for whom a principal sentence is unknown.

4.2

SUMMARY CHARACTERISTICS OF ALL DEFENDANTS, 2006–07 to 2010–11

	NUMBER					PERCENTAGE
	2006–07	2007–08	2008–09	2009–10	2010–11	CHANGE (%)
.....						
NUMBER						
Sex						
Males	32 494	30 809	33 594	32 663	28 698	-12.0
Females	9 596	8 547	8 530	8 580	7 517	-12.0
Method of finalisation						
Adjudicated outcomes						
Acquitted	1 459	1 251	1 636	1 479	1 417	-4.0
Proven guilty						
Guilty finding	892	1 100	1 198	1 152	1 313	14.0
Guilty plea	27 506	26 724	28 570	27 060	24 671	-9.0
Guilty ex-parte	4 233	2 766	2 646	1 591	1 415	-11.0
Total(a)	32 811	30 735	32 556	31 990	28 544	-11.0
Total adjudicated	34 270	31 986	34 192	33 469	29 961	-10.0
Transfer to other courts	1 220	1 246	1 463	1 552	1 293	-17.0
Withdrawn by prosecution	4 864	4 177	4 334	3 942	3 318	-16.0
Total finalised(b)(c)	42 154	39 412	42 198	41 275	36 236	-12.0
Sentence outcomes						
Custodial orders	2 530	2 617	3 047	3 036	2 930	-3.0
Non-custodial orders	30 206	28 074	29 346	28 802	25 548	-11.0
Total proven guilty(d)	32 811	30 735	32 556	31 990	28 544	-11.0
.....						
PROPORTION (%)						
Sex						
Males	77.1	78.2	79.6	79.1	79.2	..
Females	22.8	21.7	20.2	20.8	20.7	..
Method of finalisation						
Adjudicated outcomes						
Acquitted	3.5	3.2	3.9	3.6	3.9	..
Proven guilty						
Guilty finding	2.1	2.8	2.8	2.8	3.6	..
Guilty plea	65.3	67.8	67.7	65.6	68.1	..
Guilty ex-parte	10.0	7.0	6.3	3.9	3.9	..
Total(a)	77.8	78.0	77.2	77.5	78.8	..
Total adjudicated	81.3	81.2	81.0	81.1	82.7	..
Transfer to other courts	2.9	3.2	3.5	3.8	3.6	..
Withdrawn by prosecution	11.5	10.6	10.3	9.6	9.2	..
Total finalised(b)(c)	100.0	100.0	100.0	100.0	100.0	..
Sentence outcomes						
Custodial orders	7.7	8.5	9.4	9.5	10.3	..
Non-custodial orders	92.1	91.3	90.1	90.0	89.5	..
Total proven guilty(d)	100.0	100.0	100.0	100.0	100.0	..

.. not applicable

(a) Includes defendants with charges proven n.f.d.

(b) Includes defendants with unknown sex

(c) Includes defendants deceased, unfit to plead, transfers to non-court agencies, other non-adjudicated finalisations n.e.c. and unknown method of finalisation.

(d) Includes defendants for whom a principal sentence is unknown.

4.3 SUMMARY CHARACTERISTICS OF ALL DEFENDANTS, States and territories

	NSW	Vic.	Qld	SA	WA	Tas.	NT	ACT	Aust.
NUMBER									
Sex									
Males	6 595	5 279	5 715	2 878	5 995	1 202	706	328	28 698
Females	1 698	1 417	1 858	734	1 242	339	130	99	7 517
Method of finalisation									
Adjudicated outcomes									
Acquitted	594	237	75	19	82	333	48	29	1 417
Proven guilty									
Guilty finding	995	—	135	19	80	63	11	10	1 313
Guilty plea	4 617	4 759	6 485	2 083	4 815	1 056	583	273	24 671
Guilty ex-parte	373	730	—	89	195	28	—	—	1 415
Total(a)	6 985	5 588	6 620	2 191	5 090	1 150	637	283	28 544
Total adjudicated	7 579	5 825	6 695	2 210	5 172	1 483	685	312	29 961
Transfer to other courts	158	79	331	644	34	22	12	13	1 293
Withdrawn by prosecution	550	792	548	599	604	27	139	59	3 318
Total finalised(b)(c)	8 293	6 696	7 574	3 612	7 257	1 540	836	427	36 235
Sentence outcomes									
Custodial orders	961	623	422	226	341	159	132	66	2 930
Non-custodial orders	6 024	4 899	6 198	1 965	4 749	991	505	217	25 548
Total proven guilty(d)	6 985	5 588	6 620	2 191	5 090	1 150	637	283	28 544
PROPORTION (%)									
Sex									
Males	79.5	78.8	75.5	79.7	82.6	78.1	84.4	76.8	79.2
Females	20.5	21.2	24.5	20.3	17.1	22.0	15.6	23.2	20.7
Method of finalisation									
Adjudicated outcomes									
Acquitted	7.2	3.5	1.0	0.5	1.1	21.6	5.7	6.8	3.9
Proven guilty									
Guilty finding	12.0	—	1.8	0.5	1.1	4.1	1.3	2.3	3.6
Guilty plea	55.7	71.1	85.6	57.7	66.3	68.6	69.7	63.9	68.1
Guilty ex-parte	4.5	10.9	—	2.5	2.7	1.8	—	—	3.9
Total(a)	84.2	83.5	87.4	60.7	70.1	74.7	76.2	66.3	78.8
Total adjudicated	91.4	87.0	88.4	61.2	71.3	96.3	81.9	73.1	82.7
Transfer to other courts	1.9	1.2	4.4	17.8	0.5	1.4	1.4	3.0	3.6
Withdrawn by prosecution	6.6	11.8	7.2	16.6	8.3	1.8	16.6	13.8	9.2
Total finalised(b)(c)	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Sentence outcomes									
Custodial orders	13.8	11.1	6.4	10.3	6.7	13.8	20.7	23.3	10.3
Non-custodial orders	86.2	87.7	93.6	89.7	93.3	86.2	79.3	76.7	89.5
Total proven guilty(d)	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

— nil or rounded to zero (including null cells)

(a) Includes defendants with charges proven n.f.d.

(b) Includes defendants with unknown sex.

(c) Includes defendants deceased, unfit to plead,

transfers to non-court agencies, other

non-adjudicated finalisations n.e.c. and unknown

method of finalisation.

(d) Includes defendants for whom a principal sentence is unknown.

4.4 DEFENDANTS ADJUDICATED, Principal offence, 2006–07 to 2010–11(a)

	2006–07	2007–08	2008–09	2009–10	2010–11
Homicide and related offences	15	15	4	11	10
Acts intended to cause injury					
Assault	4 609	4 976	6 107	6 241	5 763
Stalking	.	.	156	181	208
Total(b)	4 623	4 992	6 287	6 453	5 990
Sexual assault and related offences	329	337	374	354	352
Dangerous or negligent acts endangering persons					
Dangerous or negligent operation of a vehicle	1 609	1 790	1 657	1 495	1 216
Other dangerous or negligent acts endangering persons	140	125	210	224	221
Total	1 749	1 915	1 867	1 719	1 437
Abduction, harassment and other offences against the person	8	11	183	238	231
Robbery, extortion and related offences	1 113	1 370	1 183	1 267	1 188
Unlawful entry with intent	3 985	3 973	4 190	4 277	3 742
Theft and related offences					
Motor vehicle theft and related offences	1 514	1 430	1 291	1 155	1 076
Theft (except motor vehicles)	2 313	2 342	4 901	4 641	4 242
Total(c)	4 536	4 472	6 900	6 586	6 163
Fraud, deception and related offences	6 514	3 399	324	333	239
Illicit drug offences	680	641	755	821	785
Prohibited and regulated weapons and explosives offences	460	463	547	535	481
Property damage and environmental pollution					
Property damage by fire or explosion	245	235	259	249	214
Graffiti	215	212	217	312	289
Property damage, n.e.c.	1 700	1 617	1 933	2 014	1 873
Total(d)	2 168	2 074	2 415	2 584	2 385
Public order offences					
Regulated public order offences	433	386	506	483	292
Total(e)	3 004	2 969	3 395	3 428	2 767
Traffic and vehicle regulatory offences					
Driver licence offences	1 974	2 382	2 741	2 190	1 629
Regulatory driving offences	998	935	1 362	1 158	986
Total(f)	3 201	3 562	4 401	3 527	2 718
Offences against justice procedures, gov't security and gov't operations	951	897	965	970	754
Miscellaneous offences	914	750	360	320	207
Total adjudicated(g)	34 270	31 986	34 192	33 469	29 961

.. not applicable

(a) Offence data are based on ANZSOC from 2008–09 and ASOC97 prior to this period. Caution should be exercised when comparing offence data across the two classifications (see Explanatory Notes paragraph 21).

(b) Includes ANZSOC group 0299.

(c) Includes ANZSOC groups 0800 and ANZSOC subdivisions 083 and 084.

(d) Includes ANZSOC subdivision 122.

(e) Includes ANZSOC subdivisions 131 and 133.

(f) Includes ANZSOC subdivisions 142 and 144.

(g) Includes defendants for whom offence data are missing or a principal offence could not be determined.

4.5 DEFENDANTS FINALISED, Principal offence by method of finalisation

	Acquitted	Proven guilty	Total adjudicated	Withdrawn by prosecution	Total(a)
NUMBER					
Homicide and related offences	3	8	11	6	34
Acts intended to cause injury	419	5 571	5 990	702	7 153
Sexual assault and related offences	56	296	352	133	627
Dangerous or negligent acts endangering persons	40	1 397	1 437	64	1 583
Abduction, harassment and other offences against the person	18	214	232	32	284
Robbery, extortion and related offences	69	1 119	1 188	211	1 583
Unlawful entry with intent	145	3 597	3 742	394	4 792
Theft and related offences	267	5 896	6 163	909	7 584
Fraud, deception and related offences	7	232	239	16	280
Illicit drug offences	33	752	785	50	915
Prohibited and regulated weapons and explosives offences	18	463	481	38	577
Property damage and environmental pollution	113	2 272	2 385	260	2 837
Public order offences	106	2 661	2 767	195	3 182
Traffic and vehicle regulatory offences	56	2 662	2 718	153	3 057
Offences against justice procedures, gov't security and operations	49	705	754	90	922
Miscellaneous offences	14	193	207	39	253
Total finalised(b)	1 418	28 545	29 963	3 318	36 236

	PROPORTION (%)				
Homicide and related offences	8.8	23.5	32.4	17.6	100.0
Acts intended to cause injury	5.9	77.9	83.7	9.8	100.0
Sexual assault and related offences	8.9	47.2	56.1	21.2	100.0
Dangerous or negligent acts endangering persons	2.5	88.3	90.8	4.0	100.0
Abduction, harassment and other offences against the person	6.3	75.4	81.7	11.3	100.0
Robbery, extortion and related offences	4.4	70.7	75.0	13.3	100.0
Unlawful entry with intent	3.0	75.1	78.1	8.2	100.0
Theft and related offences	3.5	77.7	81.3	12.0	100.0
Fraud, deception and related offences	2.5	82.9	85.4	5.7	100.0
Illicit drug offences	3.6	82.2	85.8	5.5	100.0
Prohibited and regulated weapons and explosives offences	3.1	80.2	83.4	6.6	100.0
Property damage and environmental pollution	4.0	80.1	84.1	9.2	100.0
Public order offences	3.3	83.6	87.0	6.1	100.0
Traffic and vehicle regulatory offences	1.8	87.1	88.9	5.0	100.0
Offences against justice procedures, gov't security and operations	5.3	76.5	81.8	9.8	100.0
Miscellaneous offences	5.5	76.3	81.8	15.4	100.0
Total finalised(b)	3.9	78.8	82.7	9.2	100.0

(a) Includes defendants deceased, unfit to plead, transfers to non-court agencies, other non-adjudicated finalisations n.e.c., transfers to other courts and unknown method of finalisation.

(b) Includes defendants for whom offence data are missing or a principal offence could not be determined

4.6 DEFENDANTS FINALISED, Sex and age by method of finalisation

	<i>Acquitted</i>	<i>Proven guilty</i>	<i>Total adjudicated</i>	<i>Withdrawn by prosecution</i>	<i>Total(a)</i>
.....					
NUMBER					
Males					
10–12 years	40	594	634	100	912
13 years	60	1 050	1 110	101	1 382
14 years	90	2 199	2 289	254	2 811
15 years	152	3 789	3 941	409	4 718
16 years	211	5 476	5 687	599	6 782
17 years	303	6 004	6 307	603	7 526
18 years	195	2 849	3 044	383	3 612
19 years and over	84	594	678	214	944
Total finalised(b)	1 136	22 562	23 698	2 665	28 698
Females					
10–12 years	6	121	127	15	172
13 years	13	316	329	21	386
14 years	28	759	787	60	949
15 years	46	1 227	1 273	90	1 470
16 years	54	1 543	1 597	163	1 899
17 years	81	1 215	1 296	135	1 587
18 years	36	641	677	104	818
19 years and over	17	144	161	59	232
Total finalised(b)	281	5 969	6 250	648	7 517
Persons(c)					
10–12 years	46	715	761	115	1 084
13 years	73	1 366	1 439	122	1 768
14 years	118	2 958	3 076	314	3 760
15 years	198	5 017	5 215	499	6 189
16 years	265	7 023	7 288	763	8 686
17 years	384	7 225	7 609	740	9 124
18 years	231	3 490	3 721	489	4 432
19 years and over	101	738	839	273	1 176
Total finalised(b)	1 417	28 544	29 961	3 318	36 236

(a) Includes defendants deceased, unfit to plead, transfers to non-court agencies, other non-adjudicated finalisations n.e.c., transfers to other courts and unknown methods of finalisation.

(b) Includes defendants with unknown age.

(c) Includes defendants with unknown sex.

4.6 DEFENDANTS FINALISED, Sex and age by method of finalisation *continued*

	Acquitted	Proven guilty	Total adjudicated	Withdrawn by prosecution	Total(a)
.....					
PROPORTION (%)					
Males					
10–12 years	3.5	2.6	2.7	3.8	3.2
13 years	5.3	4.7	4.7	3.8	4.8
14 years	7.9	9.7	9.7	9.5	9.8
15 years	13.4	16.8	16.6	15.3	16.4
16 years	18.6	24.3	24.0	22.5	23.6
17 years	26.7	26.6	26.6	22.6	26.2
18 years	17.2	12.6	12.8	14.4	12.6
19 years and over	7.4	2.6	2.9	8.0	3.3
Total finalised(b)	100.0	100.0	100.0	100.0	100.0
Females					
10–12 years	2.1	2.0	2.0	2.3	2.3
13 years	4.6	5.3	5.3	3.2	5.1
14 years	10.0	12.7	12.6	9.3	12.6
15 years	16.4	20.6	20.4	13.9	19.6
16 years	19.2	25.9	25.6	25.2	25.3
17 years	28.8	20.4	20.7	20.8	21.1
18 years	12.8	10.7	10.8	16.0	10.9
19 years and over	6.0	2.4	2.6	9.1	3.1
Total finalised(b)	100.0	100.0	100.0	100.0	100.0
Persons(c)					
10–12 years	3.2	2.5	2.5	3.5	3.0
13 years	5.2	4.8	4.8	3.7	4.9
14 years	8.3	10.4	10.3	9.5	10.4
15 years	14.0	17.6	17.4	15.0	17.1
16 years	18.7	24.6	24.3	23.0	24.0
17 years	27.1	25.3	25.4	22.3	25.2
18 years	16.3	12.2	12.4	14.7	12.2
19 years and over	7.1	2.6	2.8	8.2	3.2
Total finalised(b)	100.0	100.0	100.0	100.0	100.0

-
- (a) Includes defendants deceased, unfit to plead, transfers to non-court agencies, other non-adjudicated finalisations n.e.c., transfers to other courts and unknown methods of finalisation.
- (b) Includes defendants with unknown age.
- (c) Includes defendants with unknown sex.

4.7 DEFENDANTS PROVEN GUILTY, Principal offence by principal sentence

CUSTODIAL ORDERS

	<i>Custody in a correctional institution</i>	<i>Custody in the community</i>	<i>Fully suspended sentence</i>	<i>Total</i>
.....				
NUMBER				
Homicide and related offences	3	—	4	7
Acts intended to cause injury	459	246	256	961
Sexual assault and related offences	40	15	18	73
Dangerous or negligent acts endangering persons	93	35	35	163
Abduction, harassment and other offences against the person	12	9	6	27
Robbery, extortion and related offences	211	44	91	346
Unlawful entry with intent	428	69	175	672
Theft and related offences	157	53	67	277
Fraud, deception and related offences	5	3	3	11
Illicit drug offences	14	8	11	33
Prohibited and regulated weapons and explosives offences	23	21	4	48
Property damage and environmental pollution	62	12	23	97
Public order offences	23	3	9	35
Traffic and vehicle regulatory offences	5	5	7	17
Offences against justice procedures, gov't security and operations	16	—	7	23
Miscellaneous offences	—	—	—	—
Total proven guilty (a)	1 618	526	790	2 934

PROPORTION (%)

Homicide and related offences	0.2	—	0.5	0.2
Acts intended to cause injury	28.4	46.8	32.4	32.8
Sexual assault and related offences	2.5	2.9	2.3	2.5
Dangerous or negligent acts endangering persons	5.7	6.7	4.4	5.6
Abduction, harassment and other offences against the person	0.7	1.7	0.8	0.9
Robbery, extortion and related offences	13.0	8.4	11.5	11.8
Unlawful entry with intent	26.5	13.1	22.2	22.9
Theft and related offences	9.7	10.1	8.5	9.4
Fraud, deception and related offences	0.3	0.6	0.4	0.4
Illicit drug offences	0.9	1.5	1.4	1.1
Prohibited and regulated weapons and explosives offences	1.4	4.0	0.5	1.6
Property damage and environmental pollution	3.8	2.3	2.9	3.3
Public order offences	1.4	0.6	1.1	1.2
Traffic and vehicle regulatory offences	0.3	1.0	0.9	0.6
Offences against justice procedures, gov't security and operations	1.0	—	0.9	0.8
Miscellaneous offences	—	—	—	—
Total proven guilty (a)	100.0	100.0	100.0	100.0

— nil or rounded to zero (including null cells)

(a) Includes defendants for whom offence data are missing or a principal offence could not be determined.

4.7 DEFENDANTS PROVEN GUILTY, Principal offence by principal sentence *continued*

NON-CUSTODIAL ORDERS

	<i>Community supervision/ work orders</i>	<i>Monetary orders</i>	<i>Other non-custodial orders</i>	<i>Total</i>	<i>Total proven guilty(a)</i>
NUMBER					
Homicide and related offences	3	—	—	3	10
Acts intended to cause injury	1 873	313	2 417	4 603	5 571
Sexual assault and related offences	131	4	71	206	296
Dangerous or negligent acts endangering persons	277	577	379	1 233	1 396
Abduction, harassment and other offences against the person	73	16	97	186	213
Robbery, extortion and related offences	558	21	191	770	1 119
Unlawful entry with intent	1 715	119	1 086	2 920	3 597
Theft and related offences	1 409	974	3 214	5 597	5 896
Fraud, deception and related offences	48	54	119	221	232
Illicit drug offences	156	142	420	718	754
Prohibited and regulated weapons and explosives offences	128	53	234	415	463
Property damage and environmental pollution	676	290	1 206	2 172	2 272
Public order offences	413	502	1 710	2 625	2 663
Traffic and vehicle regulatory offences	234	1 378	1 030	2 642	2 662
Offences against justice procedures, gov't security and operations	106	101	475	682	705
Miscellaneous offences	6	103	83	192	192
Total proven guilty(b)	8 111	4 652	12 786	25 549	28 552

PROPORTION (%)

Homicide and related offences	—	—	—	—	—
Acts intended to cause injury	23.1	6.7	18.9	18.0	19.5
Sexual assault and related offences	1.6	0.1	0.6	0.8	1.0
Dangerous or negligent acts endangering persons	3.4	12.4	3.0	4.8	4.9
Abduction, harassment and other offences against the person	0.9	0.3	0.8	0.7	0.7
Robbery, extortion and related offences	6.9	0.5	1.5	3.0	3.9
Unlawful entry with intent	21.1	2.6	8.5	11.4	12.6
Theft and related offences	17.4	20.9	25.1	21.9	20.7
Fraud, deception and related offences	0.6	1.2	0.9	0.9	0.8
Illicit drug offences	1.9	3.1	3.3	2.8	2.6
Prohibited and regulated weapons and explosives offences	1.6	1.1	1.8	1.6	1.6
Property damage and environmental pollution	8.3	6.2	9.4	8.5	8.0
Public order offences	5.1	10.8	13.4	10.3	9.3
Traffic and vehicle regulatory offences	2.9	29.6	8.1	10.3	9.3
Offences against justice procedures, gov't security and operations	1.3	2.2	3.7	2.7	2.5
Miscellaneous offences	0.1	2.2	0.6	0.8	0.7
Total proven guilty(b)	100.0	100.0	100.0	100.0	100.0

— nil or rounded to zero (including null cells)

(a) Includes defendants for whom a principal sentence is unknown.

(b) Includes defendants for whom offence data are missing or a principal offence could not be determined.

4.8 DEFENDANTS PROVEN GUILTY, Principal sentence by principal offence, 2006–07 to 2010–11(a)

2006–07 2007–08 2008–09 2009–10 2010–11

CUSTODIAL ORDERS

Homicide and related offences	7	7	3	5	6
Acts intended to cause injury	687	787	1 097	1 051	961
Sexual assault and related offences	60	87	77	68	73
Dangerous or negligent acts endangering persons	51	39	199	186	163
Abduction, harassment and other offences against the person	3	5	24	42	27
Robbery, extortion and related offences	341	432	341	401	346
Unlawful entry with intent	730	701	744	699	672
Theft and related offences	310	258	292	267	277
Fraud, deception and related offences	29	24	12	15	10
Illicit drug offences	35	32	27	37	33
Prohibited and regulated weapons and explosives offences	27	44	44	45	48
Property damage and environmental pollution	112	104	115	117	97
Public order offences	45	26	35	44	35
Traffic and vehicle regulatory offences	35	22	18	22	17
Offences against justice procedures, gov't security and operations	26	20	13	27	23
Miscellaneous offences	33	28	3	—	—
Total proven guilty(b)	2 531	2 616	3 048	3 035	2 930

NON-CUSTODIAL ORDERS

Homicide and related offences	3	4	—	4	—
Acts intended to cause injury	3 604	3 866	4 795	4 975	4 603
Sexual assault and related offences	205	208	228	222	206
Dangerous or negligent acts endangering persons	1 682	1 845	1 631	1 510	1 233
Abduction, harassment and other offences against the person	5	5	147	177	186
Robbery, extortion and related offences	690	860	725	785	770
Unlawful entry with intent	3 110	3 170	3 263	3 434	2 920
Theft and related offences	4 015	4 040	6 248	6 022	5 597
Fraud, deception and related offences	6 336	3 317	299	308	221
Illicit drug offences	626	597	700	756	718
Prohibited and regulated weapons and explosives offences	424	409	485	474	415
Property damage and environmental pollution	1 936	1 866	2 178	2 332	2 172
Public order offences	2 754	2 750	3 087	3 154	2 625
Traffic and vehicle regulatory offences	3 100	3 473	4 321	3 453	2 642
Offences against justice procedures, gov't security and operations	868	831	883	889	682
Miscellaneous offences	840	691	325	275	192
Total proven guilty(b)	30 208	28 074	29 345	28 802	25 546

— nil or rounded to zero (including null cells)

(a) Offence data are based on ANZSOC from 2008–09 and ASOC97 prior to this period. Caution should be exercised when comparing offence data across the two classifications (see Explanatory Notes paragraph 21).

(b) Includes defendants for whom offence data are missing or a principal offence could not be determined.

4.8 DEFENDANTS PROVEN GUILTY, Principal sentence by principal offence, 2006–07 to 2010–11(a) *continued*

2006–07 2007–08 2008–09 2009–10 2010–11

PROVEN GUILTY (b)

Homicide and related offences	10	11	3	9	6
Acts intended to cause injury	4 307	4 659	5 909	6 047	5 571
Sexual assault and related offences	265	299	318	310	296
Dangerous or negligent acts endangering persons	1 733	1 887	1 835	1 699	1 399
Abduction, harassment and other offences against the person	8	10	171	219	213
Robbery, extortion and related offences	1 031	1 295	1 072	1 186	1 119
Unlawful entry with intent	3 850	3 874	4 016	4 141	3 597
Theft and related offences	4 336	4 304	6 578	6 320	5 896
Fraud, deception and related offences	6 379	3 347	311	323	231
Illicit drug offences	661	629	734	799	754
Prohibited and regulated weapons and explosives offences	451	453	529	522	463
Property damage and environmental pollution	2 051	1 973	2 308	2 460	2 272
Public order offences	2 804	2 780	3 140	3 219	2 660
Traffic and vehicle regulatory offences	3 144	3 500	4 347	3 488	2 662
Offences against justice procedures, gov't security and operations	897	851	911	923	705
Miscellaneous offences	876	719	333	278	192
Total proven guilty(c)	32 816	30 733	32 552	31 987	28 545

(a) Offence data are based on ANZSOC from 2008–09 and ASOC97 prior to this period. Caution should be exercised when comparing offence data across the two classifications (see Explanatory Notes paragraph 21).

(b) Includes defendants for whom a principal sentence is unknown.

(c) Includes defendants for whom offence data are missing or a principal offence could not be determined.

4.9**DEFENDANTS PROVEN GUILTY, Sex and age by principal sentence**

	CUSTODIAL ORDERS				NON-CUSTODIAL ORDERS				Total proven guilty(a)
	Custody in a correctional institution	Custody in the community	Fully suspended sentence	Total	Community supervision/work orders	Monetary orders	Other non-custodial orders	Total	
NUMBER									
Males									
10–12 years	6	7	4	17	243	6	327	576	593
13 years	45	19	19	83	437	23	506	966	1 049
14 years	119	34	59	212	892	54	1 036	1 982	2 199
15 years	267	55	120	442	1 428	191	1 722	3 341	3 789
16 years	393	121	142	656	1 666	671	2 473	4 810	5 476
17 years	448	137	179	764	1 336	1 629	2 263	5 228	6 004
18 years	175	86	131	392	444	1 062	942	2 448	2 849
19 years and over	46	10	36	92	79	168	248	495	594
Total(b)	1 499	469	690	2 658	6 525	3 804	9 522	19 851	22 558
Females									
10–12 years	3	—	—	3	45	—	70	115	118
13 years	10	—	3	13	103	5	193	301	314
14 years	12	5	18	35	283	17	424	724	759
15 years	17	9	22	48	408	50	720	1 178	1 229
16 years	43	19	24	86	422	163	872	1 457	1 543
17 years	24	9	22	55	236	322	602	1 160	1 215
18 years	7	11	7	25	72	245	296	613	641
19 years and over	—	3	3	6	12	40	78	130	145
Total(b)	116	56	99	271	1 581	842	3 258	5 681	5 967
Persons(c)									
10–12 years	9	7	4	20	288	6	397	691	711
13 years	55	19	22	96	540	28	699	1 267	1 363
14 years	131	39	77	247	1 175	71	1 460	2 706	2 958
15 years	284	64	142	490	1 836	241	2 442	4 519	5 018
16 years	436	140	166	742	2 088	834	3 348	6 270	7 022
17 years	472	146	201	819	1 575	1 954	2 868	6 397	7 228
18 years	182	97	138	417	516	1 307	1 238	3 061	3 490
19 years and over	46	13	39	98	91	208	326	625	739
Total(b)	1 615	525	789	2 929	8 109	4 649	12 789	25 547	28 540

— nil or rounded to zero (including null cells)

(a) Includes defendants for whom a principal sentence is unknown.

(b) Includes defendants with unknown age.

(c) Includes defendants with unknown sex.

4.9 DEFENDANTS PROVEN GUILTY, Sex and age by principal sentence *continued*

	CUSTODIAL ORDERS				NON-CUSTODIAL ORDERS				Total proven guilty(a)
	<i>Custody in a correctional institution</i>	<i>Custody in the community</i>	<i>Fully suspended sentence</i>	<i>Total</i>	<i>Community supervision/work orders</i>	<i>Monetary orders</i>	<i>Other non-custodial orders</i>	<i>Total</i>	
PROPORTION (%)									
Males									
10–12 years	0.4	1.5	0.6	0.6	3.7	0.2	3.4	2.9	2.6
13 years	3.0	4.1	2.8	3.1	6.7	0.6	5.3	4.9	4.7
14 years	7.9	7.2	8.6	8.0	13.7	1.4	10.9	10.0	9.7
15 years	17.8	11.7	17.4	16.6	21.9	5.0	18.1	16.8	16.8
16 years	26.2	25.8	20.6	24.7	25.5	17.6	26.0	24.2	24.3
17 years	29.9	29.2	25.9	28.7	20.5	42.8	23.8	26.3	26.6
18 years	11.7	18.3	19.0	14.7	6.8	27.9	9.9	12.3	12.6
19 years and over	3.1	2.1	5.2	3.5	1.2	4.4	2.6	2.5	2.6
Total(b)	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Females									
10–12 years	2.6	—	—	1.1	2.8	—	2.1	2.0	2.0
13 years	8.6	—	3.0	4.8	6.5	0.6	5.9	5.3	5.3
14 years	10.3	8.9	18.2	12.9	17.9	2.0	13.0	12.7	12.7
15 years	14.7	16.1	22.2	17.7	25.8	5.9	22.1	20.7	20.6
16 years	37.1	33.9	24.2	31.7	26.7	19.4	26.8	25.6	25.9
17 years	20.7	16.1	22.2	20.3	14.9	38.2	18.5	20.4	20.4
18 years	6.0	19.6	7.1	9.2	4.6	29.1	9.1	10.8	10.7
19 years and over	—	5.4	3.0	2.2	0.8	4.8	2.4	2.3	2.4
Total(b)	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Persons(c)									
10–12 years	0.6	1.3	0.5	0.7	3.6	0.1	3.1	2.7	2.5
13 years	3.4	3.6	2.8	3.3	6.7	0.6	5.5	5.0	4.8
14 years	8.1	7.4	9.8	8.4	14.5	1.5	11.4	10.6	10.4
15 years	17.6	12.2	18.0	16.7	22.6	5.2	19.1	17.7	17.6
16 years	27.0	26.7	21.0	25.3	25.7	17.9	26.2	24.5	24.6
17 years	29.2	27.8	25.5	28.0	19.4	42.0	22.4	25.0	25.3
18 years	11.3	18.5	17.5	14.2	6.4	28.1	9.7	12.0	12.2
19 years and over	2.8	2.5	4.9	3.3	1.1	4.5	2.5	2.4	2.6
Total(b)	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

— nil or rounded to zero (including null cells)

(a) Includes defendants for whom a principal sentence is unknown.

(b) Includes defendants with unknown age.

(c) Includes defendants with unknown sex.

4.10**DURATION FROM INITIATION TO FINALISATION, Method of finalisation by selected principal offence**

	<i>Under 13 weeks</i>	<i>13 to under 26 weeks</i>	<i>26 to under 39 weeks</i>	<i>39 to under 52 weeks</i>	<i>52 weeks & over</i>	<i>Total</i>
.....						
NUMBER						
.....						
Acquitted						
Acts intended to cause injury	86	157	74	40	61	418
Dangerous or negligent acts endangering persons	7	15	10	5	3	40
Unlawful entry with intent	32	49	34	14	16	145
Theft and related offences	95	93	35	18	26	267
Property damage and environmental pollution	29	50	18	5	11	113
Public order offences	39	39	14	9	5	106
Traffic and vehicle regulatory offences	15	19	11	—	10	55
Other(a)	57	92	60	26	31	266
<i>Total(b)</i>	<i>360</i>	<i>514</i>	<i>256</i>	<i>117</i>	<i>166</i>	<i>1 413</i>
Proven guilty						
Acts intended to cause injury	2 645	1 494	804	330	298	5 571
Dangerous or negligent acts endangering persons	924	277	115	41	40	1 397
Unlawful entry with intent	2 246	775	332	123	121	3 597
Theft and related offences	4 028	1 148	402	160	158	5 896
Property damage and environmental pollution	1 526	450	157	73	66	2 272
Public order offences	2 003	389	153	57	59	2 661
Traffic and vehicle regulatory offences	2 227	261	83	40	51	2 662
Other(a)	2 254	897	465	209	156	3 981
<i>Total(b)</i>	<i>18 195</i>	<i>5 781</i>	<i>2 556</i>	<i>1 050</i>	<i>962</i>	<i>28 544</i>
Total adjudicated	18 555	6 295	2 812	1 167	1 128	29 957
Transfer to other courts	634	368	172	67	52	1 293
Withdrawn by prosecution	1 185	1 095	492	200	346	3 318
Other(c)	1 419	129	59	21	28	1 656
Total finalised(d)	21 799	7 891	3 535	1 456	1 554	36 238

— nil or rounded to zero (including null cells)

(a) Includes ANZSOC Divisions 01, 03, 05–06, 09–11, 15–16 (refer to Appendix 3).

(b) Includes defendants for whom offence data are missing or a principal offence could not be determined.

(c) Includes defendants deceased, unfit to plead, transfers to non-court agencies and other non-adjudicated finalisations n.e.c.

(d) Includes defendants with an unknown method of finalisation.

4.10 DURATION FROM INITIATION TO FINALISATION, Method of finalisation by selected principal offence *continued*

	<i>Under 13 weeks</i>	<i>13 to under 26 weeks</i>	<i>26 to under 39 weeks</i>	<i>39 to under 52 weeks</i>	<i>52 weeks & over</i>	<i>Total</i>
.....						
PROPORTION (%)						
.....						
Acquitted						
Acts intended to cause injury	20.6	37.6	17.7	9.6	14.6	100.0
Dangerous or negligent acts endangering persons	17.5	37.5	25.0	12.5	7.5	100.0
Unlawful entry with intent	22.1	33.8	23.4	9.7	11.0	100.0
Theft and related offences	35.6	34.8	13.1	6.7	9.7	100.0
Property damage and environmental pollution	25.7	44.2	15.9	4.4	9.7	100.0
Public order offences	36.8	36.8	13.2	8.5	4.7	100.0
Traffic and vehicle regulatory offences	27.3	34.5	20.0	—	18.2	100.0
Other(a)	21.4	34.6	22.6	9.8	11.7	100.0
<i>Total(b)</i>	<i>25.5</i>	<i>36.4</i>	<i>18.1</i>	<i>8.3</i>	<i>11.7</i>	<i>100.0</i>
Proven guilty						
Acts intended to cause injury	47.5	26.8	14.4	5.9	5.3	100.0
Dangerous or negligent acts endangering persons	66.1	19.8	8.2	2.9	2.9	100.0
Unlawful entry with intent	62.4	21.5	9.2	3.4	3.4	100.0
Theft and related offences	68.3	19.5	6.8	2.7	2.7	100.0
Property damage and environmental pollution	67.2	19.8	6.9	3.2	2.9	100.0
Public order offences	75.3	14.6	5.7	2.1	2.2	100.0
Traffic and vehicle regulatory offences	83.7	9.8	3.1	1.5	1.9	100.0
Other(a)	56.6	22.5	11.7	5.2	3.9	100.0
<i>Total(b)</i>	<i>63.7</i>	<i>20.3</i>	<i>9.0</i>	<i>3.7</i>	<i>3.4</i>	<i>100.0</i>
Total adjudicated	61.9	21.0	9.4	3.9	3.8	100.0
Transfer to other courts	49.0	28.5	13.3	5.2	4.0	100.0
Withdrawn by prosecution	35.7	33.0	14.8	6.0	10.4	100.0
Other(c)	85.7	7.8	3.6	1.3	1.7	100.0
Total finalised(d)	60.2	21.8	9.8	4.0	4.3	100.0

— nil or rounded to zero (including null cells)

(a) Includes ANZSOC Divisions 01, 03, 05–06, 09–11, 15–16 (refer to Appendix 3).

(b) Includes defendants for whom offence data are missing or a principal offence could not be determined.

(c) Includes defendants deceased, unfit to plead, transfers to non-court agencies and other non-adjudicated finalisations n.e.c.

(d) Includes defendants with an unknown method of finalisation.

4.11 SUMMARY OUTCOMES OF DEFENDANTS, States and territories, 2006–07 to 2010–11

	NUMBER					PERCENTAGE
	2006–07	2007–08	2008–09	2009–10	2010–11	CHANGE (%) 2009–10 to 2010–11
NEW SOUTH WALES (a)						
Method of finalisation						
Adjudicated outcomes						
Acquitted	680	649	783	667	594	-10.9
Proven guilty	6 253	7 025	7 854	7 421	6 985	-5.9
<i>Total</i>	6 933	7 674	8 637	8 088	7 579	-6.3
Transfers to other courts	203	283	303	199	158	-20.6
Withdrawn by prosecution	1 022	1 291	1 434	802	550	-31.4
Total finalised (b)	8 165	9 263	10 379	9 098	8 293	-8.8
Principal offence (c)						
Homicide and related offences	5	4	—	4	3	-25.0
Acts intended to cause injury	1 787	2 040	2 531	2 428	2 346	-3.4
Sexual assault and related offences	80	84	103	72	76	5.6
Dangerous or negligent acts endangering persons	113	129	218	220	196	-10.9
Abduction, harassment and other offences against the person	6	5	72	77	75	-2.6
Robbery, extortion and related offences	549	606	658	618	522	-15.5
Unlawful entry with intent	866	990	1 153	989	911	-7.9
Theft and related offences	1 202	1 251	1 435	1 289	1 288	-0.1
Fraud, deception and related offences	157	211	84	68	45	-33.8
Illicit drug offences	175	218	238	233	249	6.9
Prohibited and regulated weapons and explosives offences	47	46	59	42	52	23.8
Property damage and environmental pollution	572	584	686	716	613	-14.4
Public order offences	621	752	775	733	696	-5.0
Traffic and vehicle regulatory offences	328	315	307	257	223	-13.2
Offences against justice procedures, gov't security and operations	233	215	242	255	204	-20.0
Miscellaneous offences	192	224	75	87	80	-8.0
Total adjudicated (d)	6 933	7 674	8 636	8 088	7 579	-6.3
Sentence outcomes						
Custodial orders						
Custody in a correctional institution	639	683	803	728	631	-13.3
Custody in the community	—	—	—	—	—	—
Fully suspended sentence	254	327	396	389	330	-15.2
<i>Total</i>	893	1 010	1 199	1 117	961	-14.0
Non-custodial orders						
Community supervision/work orders	1 201	1 505	1 869	1 750	1 575	-10.0
Monetary orders	824	837	845	750	669	-10.8
Other non-custodial orders	3 335	3 673	3 941	3 804	3 780	-0.6
<i>Total</i>	5 360	6 015	6 655	6 304	6 024	-4.4
Total proven guilty (e)	6 253	7 025	7 854	7 421	6 985	-5.9

— nil or rounded to zero (including null cells)

(a) Prior to 2009–10 NSW counts referred to finalised appearances rather than finalised defendants in the Children's Courts resulting in potentially higher population counts (see Explanatory Notes paragraph 66).

(b) Includes defendants deceased, unfit to plead, transfers to non-court agencies, other non-adjudicated method of finalisation n.e.c. and unknown method of finalisation.

(c) Offence data are based on ANZSOC from 2008–09 and ASOC97 prior to this period. Caution should be used when comparing offence data across the two classifications (see Explanatory Notes paragraph 21).

(d) Includes defendants for whom offence data are missing or a principal offence could not be determined.

(e) Includes defendants for whom a principal sentence is unknown.

4.11 SUMMARY OUTCOMES OF DEFENDANTS, States and territories, 2006–07 to 2010–11 *continued*

	NUMBER					PERCENTAGE
	2006–07	2007–08	2008–09	2009–10	2010–11	CHANGE (%) 2009–10 to 2010–11
VICTORIA						
Method of finalisation						
Adjudicated outcomes						
Acquitted	383	228	424	379	237	-37.5
Proven guilty	11 114	7 336	7 274	7 064	5 588	-20.9
Total	11 497	7 564	7 698	7 443	5 825	-21.7
Transfers to other courts	15	35	59	52	79	51.9
Withdrawn by prosecution	2 181	1 292	1 194	1 104	792	-28.3
Total finalised(a)	13 693	8 891	8 951	8 599	6 696	-22.1
Principal offence(b)						
Homicide and related offences	—	—	—	3	—	-100.0
Acts intended to cause injury	866	896	1 387	1 459	1 365	-6.4
Sexual assault and related offences	72	71	94	105	98	-6.7
Dangerous or negligent acts endangering persons	194	195	322	364	302	-17.0
Abduction, harassment and other offences against the person	—	3	45	69	65	-5.8
Robbery, extortion and related offences	199	274	207	211	218	3.3
Unlawful entry with intent	570	505	597	665	505	-24.1
Theft and related offences	1 003	756	2 541	2 041	1 648	-19.3
Fraud, deception and related offences	6 107	2 945	116	147	106	-27.9
Illicit drug offences	76	53	81	100	63	-37.0
Prohibited and regulated weapons and explosives offences	177	146	201	211	195	-7.6
Property damage and environmental pollution	449	313	481	562	437	-22.2
Public order offences	665	528	774	697	438	-37.2
Traffic and vehicle regulatory offences	411	342	531	544	228	-58.1
Offences against justice procedures, gov't security and operations	124	94	75	87	53	-39.1
Miscellaneous offences	581	441	235	172	95	-44.8
Total adjudicated(c)	11 497	7 562	7 698	7 444	5 824	-21.8
Sentence outcomes						
Custodial orders						
Custody in a correctional institution	139	148	167	172	177	2.9
Custody in the community	343	309	454	485	446	-8.0
Fully suspended sentence	—	—	—	—	—	—
Total	482	457	621	657	623	-5.2
Non-custodial orders						
Community supervision/work orders	886	712	942	1 071	922	-13.9
Monetary orders	7 413	4 126	2 530	1 849	1 334	-27.9
Other non-custodial orders	2 279	1 997	3 109	3 388	2 643	-22.0
Total	10 578	6 835	6 581	6 308	4 899	-22.3
Total proven guilty(d)	11 114	7 336	7 274	7 064	5 588	-20.9

— nil or rounded to zero (including null cells)

(a) Includes defendants deceased, unfit to plead, transfers to non-court agencies, other non-adjudicated method of finalisation n.e.c. and unknown method of finalisation.

(b) Offence data are based on ANZSOC from 2008–09 and ASOC97 prior to this period. Caution should be used when comparing offence data across the two classifications (see Explanatory Notes paragraph 21).

(c) Includes defendants for whom offence data are missing or a principal offence could not be determined.

(d) Includes defendants for whom a principal sentence is unknown.

4.11SUMMARY OUTCOMES OF DEFENDANTS, States and territories, 2006–07 to
2010–11 *continued*

	NUMBER					PERCENTAGE
	2006–07	2007–08	2008–09	2009–10	2010–11	CHANGE (%) 2009–10 to 2010–11
QUEENSLAND						
Method of finalisation						
Adjudicated outcomes						
Acquitted	91	56	69	76	75	-1.3
Proven guilty	6 522	6 516	6 439	7 153	6 620	-7.5
<i>Total</i>	6 613	6 572	6 508	7 229	6 695	-7.4
Transfers to other courts	417	342	326	418	331	-20.8
Withdrawn by prosecution	668	531	500	516	548	6.2
Total finalised(a)	7 699	7 446	7 338	8 165	7 574	-7.2
Principal offence(b)						
Homicide and related offences	—	—	—	—	—	—
Acts intended to cause injury	702	656	713	826	665	-19.5
Sexual assault and related offences	77	69	58	68	51	-25.0
Dangerous or negligent acts endangering persons	105	96	154	148	101	-31.8
Abduction, harassment and other offences against the person	—	—	10	23	20	-13.0
Robbery, extortion and related offences	116	155	87	129	103	-20.2
Unlawful entry with intent	1 314	1 239	1 063	1 178	959	-18.6
Theft and related offences	1 250	1 321	1 603	1 919	1 841	-4.1
Fraud, deception and related offences	171	166	57	67	37	-44.8
Illicit drug offences	200	152	153	186	191	2.7
Prohibited and regulated weapons and explosives offences	103	126	111	134	104	-22.4
Property damage and environmental pollution	554	492	476	565	532	-5.8
Public order offences	1 083	1 059	1 070	1 190	941	-20.9
Traffic and vehicle regulatory offences	632	635	661	541	425	-21.4
Offences against justice procedures, gov't security and operations	270	249	283	246	213	-13.4
Miscellaneous offences	34	18	9	9	8	-11.1
Total adjudicated(c)	6 611	6 570	6 508	7 229	6 695	-7.4
Sentence outcomes						
Custodial orders						
Custody in a correctional institution	375	366	336	203	209	3.0
Custody in the community	18	5	3	10	5	-50.0
Fully suspended sentence	3	—	12	175	208	18.9
<i>Total</i>	396	371	351	388	422	8.8
Non-custodial orders						
Community supervision/work orders	2 864	2 870	2 770	3 065	2 960	-3.4
Monetary orders	434	366	337	222	201	-9.5
Other non-custodial orders	2 828	2 909	2 981	3 478	3 037	-12.7
<i>Total</i>	6 126	6 145	6 088	6 765	6 198	-8.4
Total proven guilty(d)	6 522	6 516	6 439	7 153	6 620	-7.5

— nil or rounded to zero (including null cells)

(a) Includes defendants deceased, unfit to plead, transfers to non-court agencies, other non-adjudicated method of finalisation n.e.c. and unknown method of finalisation.

(b) Offence data are based on ANZSOC from 2008–09 and ASOC97 prior to this period. Caution should be used when comparing offence data across the two classifications (see Explanatory Notes paragraph 21).

(c) Includes defendants for whom offence data are missing or a principal offence could not be determined.

(d) Includes defendants for whom a principal sentence is unknown.

4.11 SUMMARY OUTCOMES OF DEFENDANTS, States and territories, 2006–07 to 2010–11 *continued*

	NUMBER					PERCENTAGE
	2006–07	2007–08	2008–09	2009–10	2010–11	CHANGE (%) 2009–10 to 2010–11
SOUTH AUSTRALIA						
Method of finalisation						
Adjudicated outcomes						
Acquitted	5	8	13	17	19	11.8
Proven guilty	2 277	2 329	2 768	2 513	2 191	-12.8
<i>Total</i>	2 282	2 337	2 781	2 530	2 210	-12.6
Transfers to other courts	510	502	705	798	644	-19.3
Withdrawn by prosecution	390	400	372	538	599	11.3
Total finalised(a)	3 273	3 367	4 002	4 065	3 612	-11.1
Principal offence(b)						
Homicide and related offences	—	3	—	—	4	—
Acts intended to cause injury	211	308	413	386	381	-1.3
Sexual assault and related offences	19	23	29	31	27	-12.9
Dangerous or negligent acts endangering persons	226	202	423	351	315	-10.3
Abduction, harassment and other offences against the person	—	—	9	12	10	-16.7
Robbery, extortion and related offences	30	42	45	51	63	23.5
Unlawful entry with intent	175	158	263	271	233	-14.0
Theft and related offences	299	270	324	300	275	-8.3
Fraud, deception and related offences	15	32	5	8	9	12.5
Illicit drug offences	25	32	35	45	45	—
Prohibited and regulated weapons and explosives offences	46	64	91	75	60	-20.0
Property damage and environmental pollution	189	184	201	189	187	-1.1
Public order offences	173	170	201	213	215	0.9
Traffic and vehicle regulatory offences	763	755	652	494	324	-34.4
Offences against justice procedures, gov't security and operations	97	83	84	95	61	-35.8
Miscellaneous offences	13	11	6	8	3	-62.5
Total adjudicated(c)	2 281	2 337	2 781	2 529	2 212	-12.5
Sentence outcomes						
Custodial orders						
Custody in a correctional institution	70	59	66	86	75	-12.8
Custody in the community	16	57	95	81	72	-11.1
Fully suspended sentence	95	49	73	83	79	-4.8
<i>Total</i>	181	165	234	250	226	-9.6
Non-custodial orders						
Community supervision/work orders	167	172	596	453	458	1.1
Monetary orders	1 133	1 149	1 257	1 034	797	-22.9
Other non-custodial orders	796	843	681	776	710	-8.5
<i>Total</i>	2 096	2 164	2 534	2 263	1 965	-13.2
Total proven guilty(d)	2 277	2 329	2 768	2 513	2 191	-12.8

— nil or rounded to zero (including null cells)

(a) Includes defendants deceased, unfit to plead, transfers to non-court agencies, other non-adjudicated method of finalisation n.e.c. and unknown method of finalisation.

(b) Offence data are based on ANZSOC from 2008–09 and ASOC97 prior to this period. Caution should be used when comparing offence data across the two classifications (see Explanatory Notes paragraph 21).

(c) Includes defendants for whom offence data are missing or a principal offence could not be determined.

(d) Includes defendants for whom a principal sentence is unknown.

4.11SUMMARY OUTCOMES OF DEFENDANTS, States and territories, 2006–07 to
2010–11 *continued*

	NUMBER					PERCENTAGE
	2006–07	2007–08	2008–09	2009–10	2010–11	CHANGE (%) 2009–10 to 2010–11
WESTERN AUSTRALIA						
Method of finalisation						
Adjudicated outcomes						
Acquitted	66	43	75	71	82	15.5
Proven guilty	5 187	5 852	6 284	5 868	5 090	-13.3
<i>Total</i>	5 253	5 895	6 359	5 939	5 172	-12.9
Transfers to other courts	43	40	34	54	34	-37.0
Withdrawn by prosecution	453	497	563	734	604	-17.7
Total finalised(a)	7 435	8 284	9 008	8 825	7 257	-17.8
Principal offence(b)						
Homicide and related offences	5	3	3	3	—	-100.0
Acts intended to cause injury	710	671	772	842	737	-12.5
Sexual assault and related offences	62	71	69	63	83	31.7
Dangerous or negligent acts endangering persons	1 047	1 170	605	481	360	-25.2
Abduction, harassment and other offences against the person	3	—	44	54	54	—
Robbery, extortion and related offences	177	217	164	230	235	2.2
Unlawful entry with intent	808	833	759	818	748	-8.6
Theft and related offences	534	600	671	716	671	-6.3
Fraud, deception and related offences	45	27	34	29	25	-13.8
Illicit drug offences	172	140	194	204	169	-17.2
Prohibited and regulated weapons and explosives offences	58	54	39	41	30	-26.8
Property damage and environmental pollution	311	366	440	435	492	13.1
Public order offences	369	352	447	453	354	-21.9
Traffic and vehicle regulatory offences	732	1 168	1 901	1 352	1 079	-20.2
Offences against justice procedures, gov't security and operations	160	178	200	207	126	-39.1
Miscellaneous offences	62	44	17	11	8	-27.3
Total adjudicated(c)	5 255	5 894	6 359	5 939	5 171	-12.9
Sentence outcomes						
Custodial orders						
Custody in a correctional institution	278	294	294	299	303	1.3
Custody in the community	—	—	—	—	—	—
Fully suspended sentence	29	34	35	23	38	65.2
<i>Total</i>	307	328	329	322	341	5.9
Non-custodial orders						
Community supervision/work orders	1 723	1 810	1 883	2 065	1 888	-8.6
Monetary orders	1 635	2 095	2 039	1 446	1 218	-15.8
Other non-custodial orders	1 522	1 619	2 033	2 035	1 643	-19.3
<i>Total</i>	4 880	5 524	5 955	5 546	4 749	-14.4
Total proven guilty(d)	5 187	5 852	6 284	5 868	5 090	-13.3

— nil or rounded to zero (including null cells)

(a) Includes defendants deceased, unfit to plead, transfers to non-court agencies, other non-adjudicated method of finalisation n.e.c. and unknown method of finalisation.

(b) Offence data are based on ANZSOC from 2008–09 and ASOC97 prior to this period. Caution should be used when comparing offence data across the two classifications (see Explanatory Notes paragraph 21).

(c) Includes defendants for whom offence data are missing or a principal offence could not be determined.

(d) Includes defendants for whom a principal sentence is unknown.

4.11 SUMMARY OUTCOMES OF DEFENDANTS, States and territories, 2006–07 to 2010–11 *continued*

	NUMBER					PERCENTAGE
	2006–07	2007–08	2008–09	2009–10	2010–11	CHANGE (%) 2009–10 to 2010–11
TASMANIA						
Method of finalisation						
Adjudicated outcomes						
Acquitted	134	158	160	188	333	77.1
Proven guilty	713	839	1 031	997	1 150	15.3
Total	847	997	1 191	1 185	1 483	25.1
Transfers to other courts	11	18	19	12	22	83.3
Withdrawn by prosecution	35	35	46	58	27	-53.4
Total finalised(a)	894	1 050	1 256	1 257	1 541	22.6
Principal offence(b)						
Homicide and related offences	—	—	—	—	—	—
Acts intended to cause injury	198	239	265	296	314	6.1
Sexual assault and related offences	7	8	6	8	9	12.5
Dangerous or negligent acts endangering persons	27	22	72	97	97	—
Abduction, harassment and other offences against the person	—	—	—	3	—	-100.0
Robbery, extortion and related offences	4	22	11	20	20	—
Unlawful entry with intent	96	103	166	156	159	1.9
Theft and related offences	121	153	216	189	264	39.7
Fraud, deception and related offences	12	12	8	10	17	70.0
Illicit drug offences	23	33	40	42	62	47.6
Prohibited and regulated weapons and explosives offences	3	5	17	9	8	-11.1
Property damage and environmental pollution	62	84	103	89	102	14.6
Public order offences	68	90	88	101	108	6.9
Traffic and vehicle regulatory offences	173	169	114	88	242	175.0
Offences against justice procedures, gov't security and operations	50	51	69	48	67	39.6
Miscellaneous offences	3	6	14	31	14	-54.8
Total adjudicated(c)	847	997	1 189	1 187	1 483	24.9
Sentence outcomes						
Custodial orders						
Custody in a correctional institution	64	62	62	50	66	32.0
Custody in the community	—	—	—	—	—	—
Fully suspended sentence	51	75	88	105	93	-11.4
Total	115	137	150	155	159	2.6
Non-custodial orders						
Community supervision/work orders	219	209	251	244	262	7.4
Monetary orders	180	188	191	127	243	91.3
Other non-custodial orders	178	305	348	418	486	16.3
Total	577	702	790	789	991	25.6
Total proven guilty(d)	713	839	1 031	997	1 150	15.3

— nil or rounded to zero (including null cells)

(a) Includes defendants deceased, unfit to plead, transfers to non-court agencies, other non-adjudicated method of finalisation n.e.c. and unknown method of finalisation.

(b) Offence data are based on ANZSOC from 2008–09 and ASOC97 prior to this period. Caution should be used when comparing offence data across the two classifications (see Explanatory Notes paragraph 21).

(c) Includes defendants for whom offence data are missing or a principal offence could not be determined.

(d) Includes defendants for whom a principal sentence is unknown.

4.11SUMMARY OUTCOMES OF DEFENDANTS, States and territories, 2006–07 to
2010–11 *continued*

	NUMBER					PERCENTAGE
	2006–07	2007–08	2008–09	2009–10	2010–11	CHANGE (%) 2009–10 to 2010–11
NORTHERN TERRITORY (a)						
Method of finalisation						
Adjudicated outcomes						
Acquitted	89	71	70	30	48	60.0
Proven guilty	420	512	626	642	637	-0.8
<i>Total</i>	509	583	696	672	685	1.9
Transfers to other courts	14	16	11	9	12	33.3
Withdrawn by prosecution	50	54	72	119	139	16.8
Total finalised (b)	575	659	779	800	836	4.5
Principal offence (c)						
Homicide and related offences	3	3	—	—	—	—
Acts intended to cause injury	92	109	136	107	107	—
Sexual assault and related offences	11	8	10	6	8	33.3
Dangerous or negligent acts endangering persons	28	37	60	43	51	18.6
Abduction, harassment and other offences against the person	—	—	—	3	6	100.0
Robbery, extortion and related offences	3	5	5	4	8	100.0
Unlawful entry with intent	137	127	145	132	164	24.2
Theft and related offences	39	50	45	59	105	78.0
Fraud, deception and related offences	4	3	3	3	—	-100.0
Illicit drug offences	9	8	11	6	4	-33.3
Prohibited and regulated weapons and explosives offences	15	11	17	12	18	50.0
Property damage and environmental pollution	16	26	22	14	13	-7.1
Public order offences	19	16	32	28	10	-64.3
Traffic and vehicle regulatory offences	104	154	173	197	169	-14.2
Offences against justice procedures, gov't security and operations	12	16	7	19	21	10.5
Miscellaneous offences	—	—	—	—	—	—
Total adjudicated (d)	509	582	697	672	684	1.8
Sentence outcomes						
Custodial orders						
Custody in a correctional institution	112	113	108	78	105	34.6
Custody in the community	—	—	—	—	—	—
Fully suspended sentence	10	3	43	38	27	-28.9
<i>Total</i>	122	116	151	116	132	13.8
Non-custodial orders						
Community supervision/work orders	55	45	35	54	44	-18.5
Monetary orders	127	154	192	205	153	-25.4
Other non-custodial orders	116	197	248	267	308	15.4
<i>Total</i>	298	396	475	526	505	-4.0
Total proven guilty (e)	420	512	626	642	637	-0.8

— nil or rounded to zero (including null cells)

(a) Prior to 2009–10 there was an error in mapping for charges acquitted and withdrawn. Caution should be exercised when making historical comparisons (see Explanatory Notes paragraph 101).

(b) Includes defendants deceased, unfit to plead, transfers to non-court agencies, other non-adjudicated method of finalisation n.e.c. and unknown method of finalisation.

(c) Offence data are based on ANZSOC from 2008–09 and ASOC97 prior to this period. Caution should be used when comparing offence data across the two classifications (see Explanatory Notes paragraph 21).

(d) Includes defendants for whom offence data are missing or a principal offence could not be determined.

(e) Includes defendants for whom a principal sentence is unknown.

4.11 SUMMARY OUTCOMES OF DEFENDANTS, States and territories, 2006–07 to 2010–11 *continued*

	NUMBER					PERCENTAGE
	2006–07	2007–08	2008–09	2009–10	2010–11	CHANGE (%) 2009–10 to 2010–11
AUSTRALIAN CAPITAL TERRITORY						
Method of finalisation						
Adjudicated outcomes						
Acquitted	11	38	42	51	29	-43.1
Proven guilty	325	326	280	332	283	-14.8
<i>Total</i>	336	364	322	383	312	-18.5
Transfers to other courts	7	10	6	10	13	30.0
Withdrawn by prosecution	65	77	153	71	59	-16.9
Total finalised(a)	420	452	485	466	427	-8.4
Principal offence(b)						
Homicide and related offences	—	—	—	—	3	—
Acts intended to cause injury	57	73	70	109	75	-31.2
Sexual assault and related offences	3	3	5	—	—	—
Dangerous or negligent acts endangering persons	9	64	13	15	15	—
Abduction, harassment and other offences against the person	—	—	—	—	—	—
Robbery, extortion and related offences	36	49	6	4	19	375.0
Unlawful entry with intent	19	18	44	68	63	-7.4
Theft and related offences	88	71	65	73	71	-2.7
Fraud, deception and related offences	3	3	18	—	—	—
Illicit drug offences	—	5	3	5	3	-40.0
Prohibited and regulated weapons and explosives offences	11	11	12	11	14	27.3
Property damage and environmental pollution	15	25	6	14	9	-35.7
Public order offences	6	3	8	13	5	-61.5
Traffic and vehicle regulatory offences	58	24	62	54	28	-48.1
Offences against justice procedures, gov't security and operations	5	11	5	13	9	-30.8
Miscellaneous offences	28	5	4	—	—	—
Total adjudicated(c)	338	365	321	379	314	-17.2
Sentence outcomes						
Custodial orders						
Custody in a correctional institution	12	18	—	12	51	325.0
Custody in the community	22	15	7	5	—	-100.0
Fully suspended sentence	—	—	4	14	15	7.1
<i>Total</i>	34	33	11	31	66	112.9
Non-custodial orders						
Community supervision/work orders	120	121	56	—	—	—
Monetary orders	36	43	47	47	37	-21.3
Other non-custodial orders	135	129	165	254	180	-29.1
<i>Total</i>	291	293	268	301	217	-27.9
Total proven guilty(d)	325	326	279	332	283	-14.8

— nil or rounded to zero (including null cells)

(a) Includes defendants deceased, unfit to plead, transfers to non-court agencies, other non-adjudicated method of finalisation n.e.c. and unknown method of finalisation.

(b) Offence data are based on ANZSOC from 2008–09 and ASOC97 prior to this period. Caution should be used when comparing offence data across the two classifications (see Explanatory Notes paragraph 21).

(c) Includes defendants for whom offence data are missing or a principal offence could not be determined.

(d) Includes defendants for whom a principal sentence is unknown.

4.12

SUMMARY CHARACTERISTICS OF DEFENDANTS (EXCLUDING TRAFFIC OFFENCES)(a), Indigenous status by selected states and territories

	NUMBER			
	<i>Indigenous</i>	<i>Non-Indigenous</i>	<i>Unknown/ Not stated</i>	<i>Total</i>
NEW SOUTH WALES				
Sex				
Males	1 808	4 091	320	6 219
Females	550	996	102	1 648
Total finalised	2 358	5 087	422	7 867
Principal offence(a)				
Homicide and related offences	—	3	3	6
Acts intended to cause injury	665	1 606	75	2 346
Sexual assault and related offences	13	59	4	76
Dangerous or negligent acts endangering persons	—	3	3	6
Abduction, harassment and other offences against the person	25	47	3	75
Robbery, extortion and related offences	119	399	4	522
Unlawful entry with intent	399	468	44	911
Theft and related offences	404	770	114	1 288
Fraud, deception and related offences	8	31	6	45
Illicit drug offences	43	202	4	249
Prohibited and regulated weapons and explosives offences	14	37	—	51
Property damage and environmental pollution	161	425	27	613
Public order offences	257	402	37	696
Offences against justice procedures, gov't security and operations	49	142	13	204
Miscellaneous offences	8	28	44	80
Total adjudicated(b)	2 165	4 622	381	7 168
Sentence outcomes				
Custodial orders	445	448	24	917
Non-custodial orders	1 572	3 754	335	5 661
Total proven guilty	2 017	4 202	359	6 578

— nil or rounded to zero (including null cells)

(a) Excludes Division 14 and Subdivision 041 of ANZSOC (see Explanatory Notes paragraphs 50–51).

(b) Includes defendants for whom offence data are missing or a principal offence could not be determined.

4.12 SUMMARY CHARACTERISTICS OF DEFENDANTS (EXCLUDING TRAFFIC OFFENCES)(a), Indigenous status by selected states and territories *continued* ..

	PROPORTION (%)			Total
	Indigenous	Non-Indigenous	Unknown/ Not stated	
NEW SOUTH WALES				
Sex				
Males	29.1	65.8	5.1	100.0
Females	33.4	60.4	6.2	100.0
Total finalised	30.0	64.7	5.4	100.0
Principal offence(a)				
Homicide and related offences	—	50.0	50.0	100.0
Acts intended to cause injury	28.3	68.5	3.2	100.0
Sexual assault and related offences	17.1	77.6	5.3	100.0
Dangerous or negligent acts endangering persons	—	50.0	50.0	100.0
Abduction, harassment and other offences against the person	33.3	62.7	4.0	100.0
Robbery, extortion and related offences	22.8	76.4	0.8	100.0
Unlawful entry with intent	43.8	51.4	4.8	100.0
Theft and related offences	31.4	59.8	8.9	100.0
Fraud, deception and related offences	17.8	68.9	13.3	100.0
Illicit drug offences	17.3	81.1	1.6	100.0
Prohibited and regulated weapons and explosives offences	27.5	72.5	—	100.0
Property damage and environmental pollution	26.3	69.3	4.4	100.0
Public order offences	36.9	57.8	5.3	100.0
Offences against justice procedures, gov't security and operations	24.0	69.6	6.4	100.0
Miscellaneous offences	10.0	35.0	55.0	100.0
Total adjudicated(b)	30.2	64.5	5.3	100.0
Sentence outcomes				
Custodial orders	48.5	48.9	2.6	100.0
Non-custodial orders	27.8	66.3	5.9	100.0
Total proven guilty	30.7	63.9	5.5	100.0

— nil or rounded to zero (including null cells)

(a) Excludes Division 14 and Subdivision 041 of ANZSOC (see Explanatory Notes paragraphs 50–51).

(b) Includes defendants for whom offence data are missing or a principal offence could not be determined.

4.12SUMMARY CHARACTERISTICS OF DEFENDANTS (EXCLUDING TRAFFIC OFFENCES)(a), Indigenous status by selected states and territories *continued* ..

	NUMBER			
	<i>Indigenous</i>	<i>Non-Indigenous</i>	<i>Unknown/ Not stated</i>	<i>Total</i>
.....				
QUEENSLAND				
.....				
Sex				
Males	1 902	2 793	623	5 318
Females	656	923	189	1 768
Total finalised	2 558	3 716	812	7 086
Principal offence(a)				
Homicide and related offences	—	—	—	—
Acts intended to cause injury	219	359	87	665
Sexual assault and related offences	14	27	10	51
Dangerous or negligent acts endangering persons	14	31	14	59
Abduction, harassment and other offences against the person	—	17	3	20
Robbery, extortion and related offences	26	67	10	103
Unlawful entry with intent	488	384	87	959
Theft and related offences	619	1 013	209	1 841
Fraud, deception and related offences	5	29	3	37
Illicit drug offences	36	129	26	191
Prohibited and regulated weapons and explosives offences	28	65	11	104
Property damage and environmental pollution	176	299	57	532
Public order offences	334	530	77	941
Offences against justice procedures, gov't security and operations	72	116	25	213
Miscellaneous offences	3	5	3	11
Total adjudicated(b)	2 280	3 268	683	6 231
Sentence outcomes				
Custodial orders	227	145	48	420
Non-custodial orders	2 035	3 078	622	5 735
Total proven guilty	2 262	3 223	670	6 155

— nil or rounded to zero (including null cells)

(a) Excludes Division 14 and Subdivision 041 of ANZSOC (see Explanatory Notes paragraphs 50–51).

(b) Includes defendants for whom offence data are missing or a principal offence could not be determined.

4.12SUMMARY CHARACTERISTICS OF DEFENDANTS (EXCLUDING TRAFFIC OFFENCES)(a), Indigenous status by selected states and territories *continued* ..

	PROPORTION (%)			Total
	Indigenous	Non-Indigenous	Unknown/ Not stated	
.....				
QUEENSLAND				
Sex				
Males	35.8	52.5	11.7	100.0
Females	37.1	52.2	10.7	100.0
Total finalised	36.1	52.4	11.5	100.0
Principal offence(a)				
Homicide and related offences	—	—	—	—
Acts intended to cause injury	32.9	54.0	13.1	100.0
Sexual assault and related offences	27.5	52.9	19.6	100.0
Dangerous or negligent acts endangering persons	23.7	52.5	23.7	100.0
Abduction, harassment and other offences against the person	—	85.0	15.0	100.0
Robbery, extortion and related offences	25.2	65.0	9.7	100.0
Unlawful entry with intent	50.9	40.0	9.1	100.0
Theft and related offences	33.6	55.0	11.4	100.0
Fraud, deception and related offences	13.5	78.4	8.1	100.0
Illicit drug offences	18.8	67.5	13.6	100.0
Prohibited and regulated weapons and explosives offences	26.9	62.5	10.6	100.0
Property damage and environmental pollution	33.1	56.2	10.7	100.0
Public order offences	35.5	56.3	8.2	100.0
Offences against justice procedures, gov't security and operations	33.8	54.5	11.7	100.0
Miscellaneous offences	27.3	45.5	27.3	100.0
Total adjudicated (b)	36.6	52.4	11.0	100.0
Sentence outcomes				
Custodial orders	54.0	34.5	11.4	100.0
Non-custodial orders	35.5	53.7	10.8	100.0
Total proven guilty	36.8	52.4	10.9	100.0

— nil or rounded to zero (including null cells)

(a) Excludes Division 14 and Subdivision 041 of ANZSOC (see Explanatory Notes paragraphs 50–51).

(b) Includes defendants for whom offence data are missing or a principal offence could not be determined.

4.12SUMMARY CHARACTERISTICS OF DEFENDANTS (EXCLUDING TRAFFIC OFFENCES)(a), Indigenous status by selected states and territories *continued* ..

	NUMBER			
	<i>Indigenous</i>	<i>Non-Indigenous</i>	<i>Unknown/ Not stated</i>	<i>Total</i>
.....				
NORTHERN TERRITORY				
Sex				
Males	431	81	15	527
Females	68	10	—	78
Total finalised	499	91	15	605
Principal offence(a)				
Homicide and related offences	—	—	—	—
Acts intended to cause injury	93	10	4	107
Sexual assault and related offences	6	—	—	6
Dangerous or negligent acts endangering persons	4	7	—	11
Abduction, harassment and other offences against the person	4	—	—	4
Robbery, extortion and related offences	7	—	—	7
Unlawful entry with intent	146	14	4	164
Theft and related offences	92	13	—	105
Fraud, deception and related offences	—	—	—	—
Illicit drug offences	3	—	—	3
Prohibited and regulated weapons and explosives offences	13	5	—	18
Property damage and environmental pollution	10	—	3	13
Public order offences	8	3	—	11
Offences against justice procedures, gov't security and operations	17	4	—	21
Miscellaneous offences	—	—	—	—
Total adjudicated (b)	403	56	11	470
Sentence outcomes				
Custodial orders	110	9	4	123
Non-custodial orders	265	41	4	310
Total proven guilty	375	50	8	433

— nil or rounded to zero (including null cells)

(a) Excludes Division 14 and Subdivision 041 of ANZSOC (see Explanatory Notes paragraphs 50–51).

(b) Includes defendants for whom offence data are missing or a principal offence could not be determined.

4.12 SUMMARY CHARACTERISTICS OF DEFENDANTS (EXCLUDING TRAFFIC OFFENCES)(a), Indigenous status by selected states and territories *continued* ..

	PROPORTION (%)			Total
	Indigenous	Non-Indigenous	Unknown/ Not stated	
.....				
NORTHERN TERRITORY				
.....				
Sex				
Males	81.8	15.4	2.8	100.0
Females	87.2	12.8	—	100.0
Total finalised	82.5	15.0	2.5	100.0
Principal offence(a)				
Homicide and related offences	—	—	—	—
Acts intended to cause injury	86.9	9.3	3.7	100.0
Sexual assault and related offences	100.0	—	—	100.0
Dangerous or negligent acts endangering persons	36.4	63.6	—	100.0
Abduction, harassment and other offences against the person	100.0	—	—	100.0
Robbery, extortion and related offences	100.0	—	—	100.0
Unlawful entry with intent	89.0	8.5	2.4	100.0
Theft and related offences	87.6	12.4	—	100.0
Fraud, deception and related offences	—	—	—	—
Illicit drug offences	100.0	—	—	100.0
Prohibited and regulated weapons and explosives offences	72.2	27.8	—	100.0
Property damage and environmental pollution	76.9	—	23.1	100.0
Public order offences	72.7	27.3	—	100.0
Offences against justice procedures, gov't security and operations	81.0	19.0	—	100.0
Miscellaneous offences	—	—	—	—
Total adjudicated(b)	85.7	11.9	2.3	100.0
Sentence outcomes				
Custodial orders	89.4	7.3	3.3	100.0
Non-custodial orders	85.5	13.2	1.3	100.0
Total proven guilty	86.6	11.5	1.8	100.0

— nil or rounded to zero (including null cells)

(a) Excludes Division 14 and Subdivision 041 of ANZSOC (see Explanatory Notes paragraphs 50–51).

(b) Includes defendants for whom offence data are missing or a principal offence could not be determined.

EXPLANATORY NOTES

INTRODUCTION

- 1** This publication presents information on the characteristics of defendants dealt with by Australian state and territory criminal courts. This includes information on the offences and sentences associated with those defendants.
- 2** Information relates to the criminal jurisdiction of the Higher (Supreme and Intermediate), Magistrates' and Children's Courts in each state and territory. The criminal jurisdiction of the courts includes the trial and sentencing of persons and organisations charged with criminal offences in Australia.
- 3** Information relating to criminal cases heard in the Higher Courts is available from 1996. Information about defendants finalised in the Magistrates' Courts is available from 2003–04 and in the Children's Courts from 2006–07.

DATA SOURCE

- 4** National statistics are derived from data about each defendant provided to the ABS by the state and territory agencies responsible for courts administration. The ABS receives data directly from these agencies in all states and territories except for Queensland (where data are supplied via the Office of Economic and Statistical Research), and New South Wales (where data are supplied via the Bureau of Crime Statistics and Research).
- 5** In order to ensure consistency between the states and territories, the statistics have been compiled according to national standards and classifications. Standardisation of data requires the states and territories to provide data coded according to national classifications and standards.

SCOPE

- 6** The scope of the statistics in this publication includes all defendants who have been finalised in the Higher, Magistrates' or Children's Courts.
- 7** The criminal courts collection is limited to defendants finalised, that is a person or organisation for whom all charges have been formally completed so that the defendant ceases to be an item of work to be dealt with by the court.
- 8** The numbers of defendants finalised can be impacted by the use of diversionary programs that can be initiated by police and other agencies (pre-court) and/or by the courts themselves as part of the court process. Given a major part of the juvenile justice system is to divert young people away from the more formal justice system, the use of diversionary schemes are likely to be used more often in the Children's Courts. The types of pre-court programs include (but are not limited to) warnings (both informal and formal), cautions, police drug diversions and conferencing. Such pre-court programs can reduce the number of defendants finalised appearing in the Criminal Courts collection.
- 9** Programs initiated by the Courts are generally grouped into two types: 'pre-adjudication' if initiated prior to hearing the facts of a case; and 'post-adjudication' if initiated once the defendant is found guilty or the defendant has entered a plea of guilty, but prior to sentencing. Referral to a program is also used as a sentencing outcome. Defendants involved in programs initiated by the Courts are included in the scope of the collection and are counted when finalised.
- 10** The geographic definition of Australia, as used by the ABS, includes Other Territories. However, for the Criminal Courts data, defendants in Higher, Magistrates' and Children's Courts cases heard in the criminal courts on Cocos (Keeling) Islands and Christmas Island are included in the counts for Western Australia, where applicable.

SCOPE <i>continued</i>	Defendants finalised in Jervis Bay Territory are not included in any counts in this publication.
<i>Higher Courts</i>	11 Data includes defendants finalised in the original jurisdiction of the Supreme and Intermediate Criminal Courts. Children treated as adults by the courts are included in the Higher Courts collection.
<i>Magistrates' Courts</i>	12 Data includes defendants finalised in the original jurisdiction of the Magistrates' Criminal Courts. Children treated as adults by the courts are included in the Magistrates' Courts collection. 13 These data include defendants finalised (i.e. a person or organisation for whom all charges have been formally completed so that the defendant ceases to be an item of work to be dealt with) in the Magistrates' Courts for all states and territories. Prior to 2009–10, data for the New South Wales Magistrates' Courts were based on finalised appearances rather than finalised defendants. Where charges were finalised at different court appearances in the same case for a defendant in New South Wales, these were counted as finalised defendants at each appearance rather than being aggregated as a single finalised defendant at the latest charge finalisation date. This counting method resulted in slightly higher population counts for New South Wales than if the finalised defendant was counted (see Explanatory Notes paragraphs 65–66).
<i>Children's Courts</i>	14 Data includes defendants finalised in the original jurisdiction of the Children's Criminal Courts. Prior to 2009–10, data for the New South Wales Children's Courts were based on finalised appearances (as described in Explanatory Notes paragraph 13). 15 In all states and territories, children aged under 10 years cannot be charged with a criminal offence. The maximum age that defendants are considered a child or juvenile is under the age of 18 years in all states and territories, except Queensland. In Queensland, defendants are considered adults if aged 17 years and over at the time the offence was committed.
<i>Exclusions</i>	16 The Higher, Magistrates' and Children's Courts data exclude cases heard in the criminal jurisdiction of the courts which do not require the adjudication of charges (e.g. bail reviews and applications to amend sentences or penalties). Also excluded are breach of bail or parole cases, appeal cases, tribunal matters and defendants for whom a bench warrant is issued but not executed. 17 The Magistrates' and Children's Courts data exclude finalisations in specialist courts, such as Drug Courts, Electronic Courts, Fine Recovery Units, Family Violence Courts and Indigenous Courts. Defendants referred to these specialist courts from mainstream courts will be included in the mainstream Court data as transfers.
REFERENCE PERIOD	18 The statistics in this collection relate to defendants who had criminal cases finalised within the Higher, Magistrates' and Children's Courts during the reference period 1 July 2010 to 30 June 2011.
CLASSIFICATIONS	19 The national classifications used to collect and produce data on defendants in the Criminal Courts are: <ul style="list-style-type: none"> ■ Australian and New Zealand Standard Offence Classification (ANZSOC) (refer to Appendix 3) ■ Method of finalisation (Appendix 2) and ■ Sentence type (refer to Appendix 4). 20 The classifications provide a framework for classifying criminal court information for statistical purposes, enabling data to be compiled on a consistent basis across states and territories. The classifications have a hierarchical structure and therefore allow for different levels of detail to be recorded depending on the level of detail available in the

CLASSIFICATIONS *continued*

source information. Associated with each classification are coding rules which ensure that the counting of information is consistent across states and territories.

*Australian and New Zealand
Standard Offence
Classification (ANZSOC)*

21 The offence categories used for national criminal courts statistics in this publication are classified to the *Australian and New Zealand Standard Offence Classification* (ANZSOC) (cat. no. 1234.0). ANZSOC provides a national framework for classifying offences for statistical purposes. The first release of this classification was Australian Standard Offence Classification 1997 (cat.no. 1234.0) (ASOC97). In 2008 the ABS released the second edition of the *Australian Standard Offence Classification* (ASOC08), which reflected changes that have occurred in criminal legislation since the first edition was released, as well as satisfying emerging user requirements for offence data. The ASOC was renamed ANZSOC in July 2011 to reflect its adoption in New Zealand. ANZSOC contains the same offence details and classification as ASOC and therefore there are no impacts on the offence data in this publication. Information about the effects of changing ASOC97 to ASOC08 is presented in the Technical Note in the 2008–09 issue of Criminal Courts.

National Offence Index (NOI)

22 The National Offence Index (NOI) is a ranking of all ANZSOC Groups and supplementary ANZSOC codes (ANZSOC Divisions and/or ANZSOC Subdivisions). This ranking is based on the concept of 'offence seriousness', with a ranking of 1 relating to the ANZSOC code containing the most serious offence.

23 The NOI was revised in 2009 to accommodate the changes made in ASOC08, and supersedes the first version of NOI which was released in 2002. Offence information for 2010–11 are based on the 2009 edition of the NOI in this publication.

24 The assumptions and rules underpinning the NOI, in particular defining 'offence seriousness' and the impact of this definition on the ranking of offences, need to be considered when using the principal offence data in this publication. However, it is important to note that these technical issues are only of practical significance where a choice must be made between output categories. For example, although some sexual assault and related offences are ranked ahead of illicit drug and related offences, they are unlikely to co-occur. For more information see *National Offence Index, 2009* (cat. no. 1234.0.55.001).

Method of Finalisation

25 This classification categorises how a defendant has been finalised by a court. Main categories include adjudications, non-adjudications and transfers. For more information see Appendix 2 and paragraphs 30–38.

Sentence Type

26 This classification is used to assign a principal sentence to a defendant who has been proven guilty. For more information see Appendix 4 and paragraphs 45–48.

NATIONAL CRIMINAL COURTS
DATA DICTIONARY

27 A data dictionary is an agreed set of classifications and standards that is accepted as the authoritative reference for a particular area of statistics. The *National Criminal Courts Data Dictionary, Version 1, 2005* (cat. no. 4527.0) has been developed by the National Criminal Courts Statistics Unit (NCCSU) of the ABS in collaboration with key stakeholders. It is a reference document which defines national data items and outlines methods for the use of 27 data elements and concepts that underpin the ABS and Council of Australian Governments (COAG) criminal courts collections. Version 1 of the data dictionary relates to the Higher and Magistrates' Criminal Courts. The National Criminal Courts Data Dictionary can be accessed via the ABS website.

COUNTING METHODOLOGY

Counting unit

28 The principal counting unit for the Criminal Courts collection is a finalised defendant. A defendant is a person or organisation against whom one or more criminal charges have been laid and which are heard together as the one unit of work by a court at a particular level. It should be noted that the Criminal Courts collection does not enumerate unique persons or organisations. If a person or organisation is a defendant in

Counting unit continued

a number of criminal cases dealt with and finalised separately within the courts during the reference period, this person or organisation will be counted more than once within that reference period.

29 Some courts operate programs which transfer defendants to drug and other specialist courts for finalisation. These defendants are counted as finalised by transfer in the Criminal Court level that recommended the transfer. In some cases defendants may be referred to programs where upon completion of the program the defendant returns for finalisation to the Criminal Court that requested the transfer.

Method of finalisation

30 Method of finalisation describes how a criminal charge is concluded by a criminal court level. For the purposes of the Criminal Courts collection, one method of finalisation is applied to each defendant within the Higher, Magistrates' and Children's Courts.

31 A bench warrant is no longer considered a method of finalisation for a defendant in the Higher Courts and has been excluded from counts in this publication.

32 Defendants who are referred to a Mental Health Review Tribunal (e.g. for determination of fitness for trial) are not considered to be finalised.

Transfer between Higher Court levels

33 Defendants who transfer from one Higher Court level to another Higher Court level are considered as initiated only once (in the level they first entered) and finalised only once (from the level they finally left).

Transfer between Magistrates' and Higher Court levels

34 Defendants who transfer from the Magistrates' Court level to the Higher Court level (or vice versa) are considered as initiated twice (once in each of these levels) and finalised twice (once in each level). Defendants may have some charges finalised in the Magistrates' Courts whilst other charges are committed to the Higher Courts. A defendant in this situation would be counted in the Magistrates' Courts data and the Higher Courts data.

Transfers between the Children's Courts and the Magistrates' or Higher Courts

35 Defendants who transfer between the Children's Courts and the Magistrates' or Higher Courts (or vice versa) are considered to be initiated twice (once in each court level) and finalised twice (once in each court level).

Higher Courts

36 Where a defendant finalised in a Higher Court has multiple charges and these have different methods of finalisation, the defendant method of finalisation code is determined by the following order of precedence:

- defendant deceased
- unfit to plead
- not guilty by reason of mental illness/condition
- guilty finding by court
- charge proven n.f.d.
- guilty plea by defendant
- acquitted by court
- charge unproven n.f.d.
- charge unproven n.e.c.
- transfer from a Higher Court to a Magistrates' Court
- other transfer between court levels n.e.c.
- transfer to non-court agency
- withdrawn by the prosecution
- other non-adjudicated finalisation n.e.c.
- unknown/not stated.

Magistrates' Courts

37 Where a defendant finalised in a Magistrates' Court has multiple charges and these have different methods of finalisation, the defendant method of finalisation code is determined by the following order of precedence:

- defendant deceased
- unfit to plead
- not guilty by reason of mental illness/condition
- guilty finding by court
- charge proven n.f.d.
- guilty plea by defendant
- guilty ex-parte
- acquitted by court
- charge unproven n.f.d.
- no case to answer at committal
- charge unproven n.e.c.
- committed for trial
- transfer from a Magistrates' Court to a Higher Court n.f.d.
- committed for sentence
- transfer from a Magistrates' Court to a Higher Court n.e.c.
- other transfer between court levels n.e.c.
- transfer to non-court agency
- withdrawn by the prosecution
- other non-adjudicated finalisation n.e.c.
- unknown/not stated.

Children's Courts

38 Where a defendant finalised in a Children's Court has multiple charges and these have different methods of finalisation, the defendant method of finalisation code is determined by the following order of precedence:

- defendant deceased
- unfit to plead
- not guilty by reason of mental illness/condition
- guilty finding by court
- charge proven n.f.d.
- guilty plea by defendant
- guilty ex-parte
- acquitted by court
- charge unproven n.f.d.
- no case to answer at committal
- charge unproven n.e.c.
- committed for trial
- transfer from a Children's Court to a Higher court n.f.d.
- committed for sentence
- transfer from a Children's Court to a Higher court n.e.c.
- transfer from a Children's Court to a Magistrates' Court
- other transfer between court levels n.e.c.
- transfer to non-court agency
- withdrawn by the prosecution
- other non-adjudicated finalisation n.e.c.
- unknown/not stated.

Merging counting units

39 Where a person or organisation is a defendant in more than one case, and their cases are finalised on the same date, in the same court level and in the same court location, their defendant records will be merged and counted as a single defendant record. This merging rule is used for defendants finalised in the Higher, Magistrates' and Children's Courts.

Principal offence

40 Prior to 2007–08, principal offence was only calculated for those defendants whose charges were adjudicated. Principal offence rules have now been extended to include defendants whose charges were non-adjudicated or transferred to another court level.

41 Where a finalised defendant has multiple charges the principal offence is determined by

- the type of finalisation and/or
- the highest ranked ANZSOC using the NOI.

42 The type of finalisation is considered in the following order:

- Defendant deceased, unfit to plead, or not guilty by reason of mental illness
- Charges proven
- Charges not proven
- Transfer of charges
- Charges withdrawn
- Other non-adjudicated finalisation
- Unknown/not stated

43 Where a defendant has a single charge within the type of finalisation (e.g. charges proven, charges not proven, transfer of charges etc.), the principal offence is the relevant ANZSOC code (refer to paragraphs 21–24) associated with that charge.

44 Where a defendant has multiple charges, each with the same type of finalisation, for example, the defendant has been found guilty of all charges, the NOI is used to determine the principal offence. The principal offence is determined as the charge with the highest ranked ANZSOC Group in the NOI. Where the defendant has an offence that is unable to be determined via the NOI (due to missing offence information or the offence is mapped to an ANZSOC code that is not included in the NOI), and this offence cannot be determined as more or less serious than another offence within the same type of finalisation, the principal offence is coded to 'not able to be determined'. For more information about the NOI refer to paragraphs 22–24.

Principal sentence

45 Defendants who are proven guilty have sentence information reported against them at the defendant level. This is usually, though not necessarily, the sentence associated with the principal offence. A defendant can receive:

- a single sentence for a single offence proven guilty;
- a single sentence for multiple offences proven guilty;
- multiple sentences for multiple offences proven guilty;
- and/or multiple sentences assigned to the one offence proven guilty.

46 Where a defendant has multiple sentences, the principal sentence is selected by applying the hierarchy of the Sentence Type Classification (refer to Appendix 4).

47 It should be noted that not all sentence types are available to magistrates and judges in all jurisdictions. For example, in the Higher Courts, all states and territories with the exception of Western Australia have provision for the use of partially suspended imprisonment sentences. Whether a sentencing option is available in a particular state/territory and court level should be considered when making comparisons.

48 Defendants with a method of finalisation of 'not guilty by reason of mental illness/condition' (an acquitted outcome) may have a specific kind of sentence or order imposed on them by the court. However, these sentences are not within the scope of the Criminal Courts as the definition of principal sentence, for the purpose of this collection, is that it only applies to defendants with a method of finalisation of proven guilty.

ABORIGINAL AND TORRES
STRAIT ISLANDER
DEFENDANTS

49 This publication presents data on Aboriginal and Torres Strait Islander defendants for each court level in Queensland and the Northern Territory and for the Magistrates' and Children's Courts in New South Wales. The NCCSU has determined that Aboriginal and Torres Strait Islander data for defendants for other jurisdictions are not of sufficient quality for national reporting in 2010–11. Further work is underway to improve the quality of the Aboriginal and Torres Strait Islander data for Criminal Courts defendants.

50 Aboriginal and Torres Strait Islander status is based on self-identification by the individual who comes into contact with police. The quality of the data is dependent on police asking individuals to self-identify and responses being recorded on police systems. Further, this information then needs to be transferred from police systems to the courts when the defendant is initiated in the courts.

51 The majority of defendants with a traffic offence as their principal offence have an unknown Aboriginal and Torres Strait Islander status recorded. This is because most traffic offences are related to fines issued by road traffic authorities where it is usually not possible to ask an individual their Indigenous status. These defendants have a large impact on the proportion of unknowns in the data, therefore they have been removed from the Criminal Courts data in order to enable a focus on those defendants that are more likely to have been in contact with police and therefore would be more likely to have had their Aboriginal and Torres Strait Islander status recorded.

52 Other offence categories that may be actioned by prosecuting agencies other than police that may also be affected by this issue are: public order; justice procedures, government security and operations; and miscellaneous offences. This should be taken into account when comparing Aboriginal and Torres Strait Islander and non-Indigenous data for these offence categories.

COMPARABILITY

53 Caution should be exercised when comparing 2006–07 Children's Courts data to earlier years as data prior to this period was deemed experimental and may not be strictly comparable.

54 The Criminal Courts collection has been designed to facilitate comparisons over time and across states and territories through the application of common national statistical standards. However, some legislative and processing differences may limit the degree to which the statistics are comparable across the states and territories. Differences may also arise as a result of other factors, including refinements in data quality procedures and modifications in the systems used to obtain and compile the figures. Refer to paragraphs 63–107 for specific state and territory issues.

COMPARISONS TO OTHER
ABS DATA

Recorded crime – Offenders

55 Data relating to the number of court initiated police proceedings sourced from the Recorded Crime – Offenders collection are not strictly comparable to the number of defendants in the Criminal Courts collection. Not all court related actions initiated by police will proceed to a criminal court as police proceedings may be withdrawn or changed to other legal actions by police during the course of an investigation. Furthermore, a defendant appearing in a criminal court may be prosecuted via charges initiated by authorities other than police. There will also be lags between when the police initiate action via a court method of proceeding and when a criminal court finalises a defendants case. For more information about offenders recorded by police, refer to *Recorded Crime – Offenders, Australia* (cat. no. 4519.0).

COMPARISONS TO NON-ABS
SOURCES

56 Due to differing scope and counting rules the data in this publication may not be comparable to data published in other national and state/territory publications.

Report on Government Services

57 The Report on Government Services, commissioned by the Council of Australian Governments (COAG), was established to provide information on the performance of Australian and state and territory government services. The Report releases data annually on the efficiency and effectiveness of the administration of the courts, sourcing data from the Court Administration Data Collection (CADC) on a financial year basis.

58 The focus of the CADC is on the administration of the courts, including workload and financial information, while the ABS Criminal Courts collection has a social theme, painting a picture of the characteristics of defendants, including information on the offences and sentence types associated with those defendants. Whilst the classifications and standards for both collections are the same, some of the counting rules are different which result in different counts of the population.

Finalised defendant

59 For both collections a finalised defendant is defined as follows: 'A person or organisation for whom all charges relating to the one case have been formally completed so that the defendant ceases to be an item of work to be dealt with by the courts'. However, the number of defendants will vary between the ABS and CADC collections as in the ABS collection data are further aggregated to create a 'merged finalised defendant'. The rule used in the ABS collection is: if a defendant has more than one case, which is finalised on the same date in the same court level and in the same court location, their defendant records will be merged and counted as a single defendant record. The CADC counts each case separately. This method of aggregation results in a lower count of defendants finalised and longer durations in the ABS collection than in the CADC collection.

Transfers between intermediate and supreme court levels

60 Further differences exist as a result of different counting rules for the transfer of defendants for some court levels. The CADC counts defendants who transfer between higher court levels (e.g. from an Intermediate Court to a Supreme Court), as finalised in both the court level they left and in the new court level they entered. For the purposes of the ABS Criminal Courts collection, defendants who transfer from one higher court level to another will be considered as finalised only once (from the level they finally left). As a result, the combined Intermediate and Supreme court data in the Report on Government Services will be higher than the ABS Higher Courts data.

Duration

61 Different counting rules for duration counts will also result in lower ABS figures for this item compared with the CADC collection. The ABS Criminal Courts collection calculates duration for a defendant as the time taken in days from the date of initiation to the date of finalisation of the defendant's case as follows:

$$\text{i.e. Duration} = \text{Date of Finalisation} - \text{Date of Initiation} + 1.$$

62 From 2004, the CADC has introduced the backlog index which is calculated using the duration of active pending matters (i.e. a lodgment which is yet to be finalised but which is part of the case management of court administrators). The formula used is as follows:

$$\text{No. of cases older than applicable reporting standard} \times 100 / \text{Total pending caseload.}$$

STATE/TERRITORY EVENTS / SPECIFIC ISSUES

63 The following information highlights events or processes unique to a state/territory that may have an impact on the data for this collection. This may include information on recording practices and changes to legislation supplied by each state/territory.

New South Wales

64 The *Crimes Amendment (Intensive Corrections Orders) Act 2010* came into effect on 1st October 2010. At the same time, Periodic Detentions ceased to be a sentencing option in the New South Wales Criminal Courts, with Intensive Corrections Orders effectively being the replacement for Periodic Detentions. This change has contributed to a decrease in 'custody in a correctional institution' counts and an increase in 'custody in the community' for 2010–11 for the Magistrates' Courts and Higher Courts data.

New South Wales continued

65 Justicelink, a new system for data collection in the New South Wales courts, was introduced for the Higher Courts in 2008 and the Magistrates' and Children's Courts between August and December 2009. Justicelink is an integrated, multi-jurisdictional case management system.

66 Prior to Justicelink the data for the Magistrates' and Children's Courts were sourced from a number of separate systems and it was not possible to consolidate the information for a defendant according to the ABS Criminal Courts collection counting unit of a finalised defendant. The data were based on finalised appearances, that is, where charges were finalised at different court appearances in the same case for a defendant, these were counted as finalised defendants at each appearance rather than being aggregated as a single finalised defendant at the latest charge finalisation date. This counting method resulted in slightly higher population counts than if the finalised defendant was counted. From August 2009, the data were able to be provided based on the finalised defendant.

67 Some Higher Courts data may have been lost in the migration to the new system; therefore Higher Courts counts may be understated for the 2007–08 financial year. Caution should be used when making comparisons of small data movements between 2007–08 and other years.

68 New South Wales legislation does not contain discrete offences of stalking, intimidation and harassment. As these offences cannot be disaggregated defendants charged with stalking, intimidation and harassment have been coded to ANZSOC offence category 0291 (Stalking). From 2008–09 this group may therefore be overstated and 0531 (Harassment and private nuisance) and 0532 (Threatening behaviour) may be understated.

69 A number of offences, previously handled by the Licensing Court, have been heard in the Magistrates' Courts since July 2008. These include liquor and tobacco offences and betting and gambling offences and has resulted in an increase in the number of defendants for these offences from 2008–09 onwards.

70 Prior to 2006–07, defendants discharged under the *Mental Health (Criminal Procedure) Act 1990* were included in the non-adjudicated population as 'unfit to plead' in the Magistrate's Court. Defendants with this method of finalisation are now correctly appearing as acquitted 'by reason of mental illness/condition' from 2006–07. Therefore, the number of acquittals prior to 2006–07 were undercounted and the number of other non-adjudicated finalisations were overstated in the Magistrate's Court.

Victoria

71 In 2009 the Victorian Government introduced new measures that resulted in a number of drunkenness and public order offences being enforced by infringement notices, instead of appearing in open court. Since their introduction, more than 6,300 on-the-spot penalties for drunkenness and disorderly behaviour have been issued. These measures impacted on the 2010–11 data for the Magistrates' and Children's Courts, including a reduction in total finalised defendants and reductions in ANZSOC Division 13 (public order).

72 Due to delays in the implementation of ANZSOC during 2008–09, some data was based on ASOC97. Data movements in principal offence from 2008–09 to 2009–10 may be related to improvements in coding, with 2009–10 being the first complete year of data based on ANZSOC.

73 A three year trial expansion of the infringements system, commenced on 1 July 2008. This expansion allows police to issue an infringement notice for certain offences instead of charging an accused to appear at court on summons or bail. This has led to a decrease in the number of offences being dealt with in the Magistrates' and Children's Courts in 2009–10 and 2010–11.

Victoria continued

74 For the first time in 2006–07, data on principal offence in the Magistrates' and Children's Courts of Victoria were provided based on the national counting rules. Prior to this, principal offence has been calculated using the main charge at initiation, rather than at finalisation. While the differences are expected to be minimal, some caution should be used in making comparisons of small data movements between 2005–06 and 2006–07.

75 Prior to 2008–09, deception and related offences included fare evasions processed through the Children's courts. Victoria processed a large number of backlogs of fare evasions through the Children's Court during 2006–07, resulting in a higher number of defendants finalised. Approximately 5,900 defendants finalised had a principal offence of fare evasion in 2006–07. From December 2008 most fare evasions have been dealt with in a new Children and Young Persons Infringement Notice System (CAYPINS) rather than through the Children's Courts.

76 From July 2005 the *Children and Young Persons (Age Jurisdiction) Act 2004* was implemented increasing the age jurisdiction of the Criminal Division of the Children's Court from 17 years to 18 years. The definition of a child was amended as follows: 'in the case of a person who is alleged to have committed an offence, a person who at the time of the alleged commission of the offence was under the age of 18 years, but of or above the age of 10 years, but does not include any person who is of or above the age of 19 years when a proceeding for the offence is commenced in the Court'. This change led to an increase in the number of defendants heard in the Children's Courts and a decrease in the number of defendants heard in the Magistrates' Courts.

77 Offence and sentence data for adjudicated defendants in the Higher Courts are derived from two sources. For defendants with offences proven guilty, the offence and sentence information is derived from the Higher Courts sentencing database. These data are then matched to the defendant records obtained from the primary source, the courts listing systems for Victorian Higher Courts. In some cases it is not possible to match sentence records with the primary records, as there is incomplete coverage of defendants proven guilty in the Victorian Higher Courts sentencing database, therefore offence and sentence information is not available for all defendants for this court level.

Queensland

78 In February 2011, criminal infringement notices were implemented by police for some public order and traffic offences, including urinating in a public place and consumption of alcohol in a public place. These on-the-spot fines aim to deter street and traffic offences by way of an immediate consequence to the offender. This has resulted in a decrease in the overall defendant population in Queensland and decreases in ANZSOC Division 13 (public order offences) and Division 14 (traffic and related offences) for 2010–11.

79 During 2009–10 a change was made to the recording of detention/conditional release orders in the Children's Courts database to ensure that these order types were correctly recorded as fully suspended sentences rather than partially suspended sentences. This change resulted in an increase in fully suspended sentences in this court level for 2009–10.

80 From 2006–07, there had been a large increase in the number of vehicle registration and roadworthiness offences finalised in the Magistrates' Courts. Various initiatives resulting out of the 2006 Premier's Road Safety Summit had impacted on the number of traffic and motor vehicle offences, which included a vehicle impoundment trial in some areas of the state in July 2007 by police. Many driving offences which were previously dealt with by the issuing of a traffic offence notice were dealt with through the Magistrates' Court. This trial was extended state-wide on 1 July 2008 and is now a permanent policing arrangement.

Queensland continued

81 An undercount of finalised defendants was identified in the 2005–06 and 2006–07 Queensland data for all court levels. Data had been revised for the 2006–07 reference period (increasing Queensland's finalised defendant counts by 2% in the Higher Courts, 2% in the Magistrates' Courts and 8% in the Children's Courts). Data was unable to be revised for 2005–06 therefore caution should be used when making comparisons to prior years.

82 An error in the calculation of duration in the Queensland Higher Courts data was identified and the method corrected to comply with national counting rules. This error was significant, therefore duration data for Queensland prior to 2006–07 should not be compared as the calculation used resulted in inflated duration counts for periods up to 26 weeks and shorter duration counts for periods over 26 weeks.

South Australia

83 From July 2009, Registration offences (ANZSOC code 1421) were able to be dealt with by way of infringement notice rather than by a summons to appear in court. This has led to a decrease in the number of these offences being dealt with in the Magistrates' and Children's Courts in 2009–10 and 2010–11.

84 For 2008–09, a change to coding practices for method of finalisation has resulted in a reduction in the number of defendants found guilty *ex-parte*. Caution should be exercised in making comparisons with earlier years.

85 For 2008–09, probation orders were introduced as a sentence for the first time. These had previously been recorded as good behaviour bond/recognition orders/obligations, where supervision is required. Where no supervision is required, the sentence continues to be recorded as good behaviour bond/recognition orders/obligation.

86 Due to changes made to local business processes during 2008–09, quality improvements were made in the mapping of local codes to national offence categories. Most notably, these changes have contributed to an increase in ANZSOC Division 7 (Unlawful entry with intent) and a subsequent decrease in Division 13 (Public order offences).

87 In the Children's Courts, data had been revised for 2006–07. These data were previously understated due to the omission of approximately 400 records relating to defendants transferred to family conferences, which are in scope of this collection. The revisions impacted on the counts of defendants transferred to other court levels and the total defendants finalised for this state.

88 Caution should be exercised when comparing finer custodial order counts prior to 2007–08 as some of these counts have been miscoded between categories. For 2006–07, custody in the community are understated, while fully suspended sentence counts are overstated. This is due to the partial miscoding of intensive corrections orders as fully suspended sentences, rather than custody in the community. Intensive corrections orders were all incorrectly coded to fully suspended sentences prior to 2006–07, resulting in an overcount of this offence type and no data for custody in the community.

Western Australia

89 For 2008–09, a change to coding practices for sexual assault offences was made in conjunction with the implementation of ANZSOC. These mapping changes were made to the Higher courts data but were not made to the Magistrates' or Children's courts data for 2008–09. Caution should be exercised in making comparisons between Higher courts data and Magistrates' and Children's courts data in 2008–09.

90 As a result of the implementation of ASOC08, inaccuracies were discovered in the mapping of local offence codes for stalking in ASOC97. This error was unable to be rectified in the 2009-10 publication and therefore may have caused an undercount in ANZSOC Division 2 (stalking offences) and an overcount in ANZSOC Division 16 in all court levels for 2008–09.

Western Australia *continued*

91 From 2008–09, a change to coding practices for local codes relating to driving under the influence was made in conjunction with the implementation of ASOC 2008. These mapping changes has resulted in a notable movement of defendants from Division 4 to Division 14.

92 Data for aggravated sexual assault and non-aggravated sexual offences are understated and overstated respectively for 2006–07 and 2007–08 due to errors in the application of codes for these offence types. Data for these detailed offence categories in 2006–07 and 2007–08 should not be compared with previous years. The total sexual assault and related offences ANZSOC division has not been impacted.

93 Data relating to custody in the community were incorrectly coded in 2005–06, resulting in an overcount for this sentence type. All of these data should have been coded to community supervision or work orders as they comprised probation orders. Some probation orders may have also been coded to fully suspended sentences for these same years, resulting in a potential overcount for this sentence type.

94 The jurisdiction of the Children's Court in WA allows magistrates to hear all offences, whether indictable or summary, and to apply both adult and juvenile penalties.

95 During 2004, legislative changes were implemented in Western Australia impacting on the number and types of offences that could be adjudicated in the Magistrates' Court. These changes had resulted in an increase in the number of defendants finalised in the Magistrates' Courts in Western Australia and decreased the number of defendants transferred to the Higher courts.

96 Prior to 2008–09, Western Australia have a higher than average proportion of defendants with a principal offence in Division 4 (dangerous or negligent acts endangering persons), and a relatively low proportion in Division 14 (road traffic and motor vehicle regulatory offences). This can be largely attributed to a miscoding of several local offences relating to exceeding the prescribed content of alcohol limit to ANZSOC Division 4 (specifically, ANZSOC Group 0411: driving under the influence of drugs or alcohol), rather than ANZSOC Division 14 (specifically group 1431: exceeding the prescribed content of alcohol limit). Other states/territories generally concord their drink driving offences to ANZSOC Group 1431, and therefore historical comparisons of this data for Western Australia and with other states and territories should be made with caution.

Tasmania

97 For 2010–11, there has been a change in the way defendants are counted as being finalised in the 'Children's/Youth Court' in Tasmania. In Tasmania a 'youth' is a person who is 10 or more years old but less than 18 years old at the time when the offence the person has committed, or is suspected of having committed, occurred (*Youth Justice Act 1997*). The Act includes specific provisions for a youth who is charged jointly with an adult or charged with a prescribed offence (which includes some traffic offences). These provisions are complex and may involve the youth being dealt with by another court but sentenced under the *Youth Justice Act*. In the past, many of these youth defendants have been included in the counts for the Magistrates' Court, however they have been included in the Children's Court counts for 2010–11.

98 In February 2008 changes were made to the process for dealing with defendants charged with indictable offences. This change in criminal procedure has resulted in an increase in the number of defendants committed for trial to the Higher Criminal Courts.

99 In April 2008, the *Monetary Penalties Enforcement Act 2005* came into effect. Under this Act, a person issued with an infringement notice who did nothing about the infringement was deemed to have been convicted of the offence without going to court. This legislation resulted in a significant decrease in the number of defendants appearing in the Tasmanian Magistrates' Court in 2008–09.

Northern Territory

100 Prior to August 2010, most traffic matters were dealt with ex-parte (ie. without the defendant being present at the hearing) before Justice of the Peace (JP) Courts. These matters are now dealt with by Magistrates. This has resulted in a significant decrease in guilty ex-parte counts for the 2010–11 Magistrates' Courts data. Caution should be used when making historical comparisons.

101 Prior to 2009–10, there was an error in the mapping for charges acquitted and withdrawn resulting in an overcount for acquittals and an undercount for charges withdrawn. This was rectified for the 2009–10 data. Caution should be exercised when making historical comparisons.

102 Prior to 2008–09 fully suspended sentences were based on a flag which determined if the defendant was 'released forthwith' and did not consider whether the defendant had actually served time in custody. Consequently fully suspended sentences are overcounted and custody in a correctional institution are undercounted prior to this period. Caution should be exercised when making historical comparisons.

103 The introduction of the *Youth Justice Court (Youth Justice Act) 2007* allows for referral of a youth to diversion or youth justice conferencing which may impact on the time taken for defendants to be dealt with by the Children's Court. This Act also allows for pre-sentencing conferences which may impact on the time taken for defendants to be dealt with.

Australian Capital Territory

104 In 2010–11, three acting judges were appointed to assist with the backlog of cases in the Supreme Court, which resulted in a notable increase in cases finalised over the year.

105 In 2007–08, defendants sentenced to a good behaviour bond/recognition order were incorrectly coded to a fully suspended sentence. This was rectified for the 2008–09 publication. Caution should be exercised when making comparisons between 2007–08 and 2008–09.

106 For 2007–08, some road traffic offences in the Magistrates' and Children's Court were incorrectly concoded to ANZSOC code 0411 (driving under the influence of alcohol or drugs) instead of ANZSOC code 1431 (exceeding the prescribed content of alcohol limit). Based on historical proportions for these principal offences we estimate that over 500 defendants in the Magistrates' Courts and over 30 defendants in the Children's Courts have been miscoded. The data provider has advised that coding for this offence was incorrect for 2007–08 data only. Comparisons of 2007–08 data with other time periods therefore should not be made.

107 From 2007–08, community service orders imposed with a fully suspended sentence are now coded correctly to 'intensive corrections orders'; in previous years this sentence type was coded to 'fully suspended sentence'. This sentence type relates to defendants charged with federal offences.

CONFIDENTIALITY OF
TABULAR DATA

108 Table cells containing small values have been randomly adjusted to avoid releasing confidential information. Due to this randomisation process, totals may vary slightly across tables.

RELATED PUBLICATIONS

ABS publications

109 ABS publications which may be of interest include:

- *Australian Social Trends* (cat. no. 4102.0) - issued quarterly
- *Australian and New Zealand Standard Offence Classification* (cat. no. 1234.0) - irregular
- *Corrective Services, Australia* (cat. no. 4512.0) - issued quarterly
- *Crime Victimisation, Australia* (cat. no. 4530.0) - issued annually
- *Crime and Safety, New South Wales* (cat. no. 4509.1) - irregular

ABS publications continued

- *Federal Defendants, Selected States and Territories* (cat. no. 4515.0) - issued annually
- *General Social Survey: Summary Results, Australia* (cat. no. 4159.0) - irregular
- *Information Paper: Measuring Crime Victimization, Australia: The Impact of Different Collection Methodologies* (cat. no. 4522.0.55.001) - single issue
- *Information Paper: Measuring Victims of Crime: A Guide to Using Administrative and Survey data* (cat. no. 4500.0.55.001) - single issue
- *Information Paper: National Information Development Plan for Crime and Justice Statistics 2005* (cat. no. 4520.0) - single issue
- *Measures of Australia's Progress* (cat. no. 1370.0) - irregular
- *Measuring Well-being: Frameworks for Australian Social Statistics* (cat. no. 4160.0) - irregular
- *National Criminal Courts Data Dictionary* (cat. no. 4527.0) - single issue
- *Personal Safety Survey, Australia* (cat. no. 4906.0) - irregular
- *Prisoners in Australia* (cat. no. 4517.0) - issued annually
- *Recorded Crime - Offenders, Australia* (cat. no. 4519.0) - issued annually
- *Recorded Crime - Victims, Australia* (cat. no. 4510.0) - issued annually
- *Year Book Australia* (cat. no. 1301.0) - irregular

110 Current publications and other products released by the ABS are listed on the ABS website. The ABS also issues a daily Release Advice on the website which details products to be released in the week ahead. The National Centre for Crime and Justice Statistics (NCCJS) releases a newsletter titled *Crime and Justice News* (cat. no. 4500.0) that is published on the ABS website, and emailed to subscribers of the NCCJS electronic mailing list. The NCCJS can be contacted by email through <crime.justice@abs.gov.au>.

Non-ABS publications

- 111** Non-ABS sources of criminal court statistics which may be of interest include:
- *ACT Department of Justice and Community Safety, Annual Report*
 - *Australian Institute of Criminology, List of Publications*
 - *Children's Court, Queensland, Annual Report*
 - *Children's Court of Victoria, Annual Report*
 - *Commonwealth Director of Public Prosecutions, Annual Report*
 - *County Court of Victoria, Annual Report*
 - *Courts Administration Authority, South Australia, Annual Report*
 - *Crime Research Centre, University of Western Australia, Crime and Justice Statistics for Western Australia*
 - *Department of Justice, Northern Territory, Annual Report*
 - *Department of Justice, Victoria, Annual Report*
 - *Department of the Attorney General, Western Australia, Annual Report*
 - *Department of Justice and Attorney-General, Queensland, Annual Report*
 - *Department of Justice, Tasmania, Annual Report*
 - *Director of Public Prosecutions—States and Territories, Annual Report*
 - *District Court of Queensland, Annual Report*
 - *District Court of Western Australia, Annual Report*
 - *Local Court of New South Wales, Annual Review*
 - *Magistrates' Court of Tasmania, Annual Report*
 - *Magistrates' Court, Queensland, Annual Report*
 - *Magistrates' Court of Victoria, Annual Report*
 - *NSW Bureau of Crime Statistics and Research, New South Wales Criminal Courts Statistics*
 - *Office of Crime Statistics and Research, South Australia, Publications and Statistics*
 - *Office of Economic and Statistical Research, Crime and Justice Statistics Queensland*
 - *Productivity Commission, Report on Government Services*

Non-ABS publications

continued

- *Supreme Court of Queensland*, Annual Report
- *Supreme Court of Tasmania*, Annual Report
- *Supreme Court of Victoria*, Annual Report
- *Supreme Court of Western Australia*, Annual Report

ABBREVIATIONS

ABS	Australian Bureau of Statistics
ACT	Australian Capital Territory
ANZSOC	Australian and New Zealand Standard Offence Classification
ASOC	Australian Standard Offence Classification
Aust.	Australia
cat. no.	Catalogue number
CADC	Court Administration Data Collection
n.e.c.	not elsewhere classified
n.f.d.	not further defined
no.	number
NCCJS	National Centre for Crime and Justice Statistics, Australian Bureau of Statistics
NCCSU	National Criminal Courts Statistics Unit
NOI	National Offence Index
NSW	New South Wales
NT	Northern Territory
Qld	Queensland
SA	South Australia
Tas.	Tasmania
Vic.	Victoria
WA	Western Australia

APPENDIX 1

LIST OF SUPPLEMENTARY DATA CUBES

COMBINED ALL COURTS
SUPPLEMENTARY DATA
CUBES

1. Summary characteristics of all defendants, States and territories, 2006–07 to 2010–11

HIGHER COURTS
SUPPLEMENTARY DATA
CUBES

1. Summary outcomes of defendants, States and territories by selected principal offence
2. Summary characteristics of defendants, States and territories, 2005–06 to 2010–11
3. Defendants adjudicated, States and territories and principal offence, 2005–06 to 2010–11
4. Defendants finalised, States and territories and principal offence by method of finalisation
5. Defendants proven guilty, States and territories and principal offence by principal sentence

MAGISTRATES' COURTS
SUPPLEMENTARY DATA
CUBES

1. Summary outcomes of defendants, States and territories by selected principal offence
2. Summary characteristics of defendants, States and territories, 2005–06 to 2010–11
3. Defendants adjudicated, States and territories and principal offence, 2005–06 to 2010–11
4. Defendants finalised, States and territories and principal offence by method of finalisation
5. Defendants proven guilty, States and territories and principal offence by principal sentence

CHILDREN'S COURTS
SUPPLEMENTARY DATA
CUBES

1. Summary outcomes of defendants, States and territories by selected principal offence
2. Summary characteristics of defendants, States and territories, 2006–07 to 2010–11
3. Defendants adjudicated, States and territories and principal offence, 2006–07 to 2010–11
4. Defendants finalised, States and territories and principal offence by method of finalisation
5. Defendants proven guilty, States and territories and principal offence by principal sentence

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<i>Code</i>	<i>Division/Subdivision/Item</i>
1	Adjudicated finalisation
10	Adjudicated finalisation n.f.d.
11	Charge proven n.f.d.
111	Guilty finding by court
112	Guilty plea by defendant
113	Guilty ex-parte
12	Charge unproven n.f.d.
121	Acquitted by court
122	Not guilty by reason of mental illness/condition
123	No case to answer at committal
129	Charge unproven n.e.c.
2	Finalisation by transfer between court levels
20	Finalisation by transfer between court levels n.f.d.
21	Transfer from a Magistrates/Children's Court to a Higher Court
211	Committed for trial
212	Committed for sentence
219	Transfer from a Magistrates/Children's Court to a Higher Court n.e.c.
22	Transfer from a Higher Court to a Magistrates' Court
23	Transfer from an intermediate court to a Supreme Court n.f.d.
231	Transfer from an intermediate court to a Supreme Court for trial
232	Transfer from an intermediate court to a Supreme Court for sentence
24	Transfer from a Supreme Court to an intermediate court n.f.d.
241	Transfer from a Supreme Court to an intermediate court for trial
242	Transfer from a Supreme Court to an intermediate court for sentence
25	Transfer from a Children's Court to a Magistrates' court
29	Other transfers between courts n.e.c.
3	Non-adjudicated finalisation
30	Non-adjudicated finalisation n.f.d.
31	Defendant deceased
33	Unfit to plead
34	Withdrawn by the prosecution
35	Transfer to non-court agency
39	Other non-adjudicated finalisation
9	Method of finalisation unknown/not stated

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Code	Division/Subdivision/Group
01	Homicide and related offences
011	Murder
0111	Murder
012	Attempted murder
0121	Attempted murder
013	Manslaughter and driving causing death
0131	Manslaughter
0132	Driving causing death
02	Acts intended to cause injury
021	Assault
0211	Serious assault resulting in injury
0212	Serious assault not resulting in injury
0213	Common assault
029	Other acts intended to cause injury
0291	Stalking
0299	Other acts intended to cause injury, nec
03	Sexual assault and related offences
031	Sexual assault
0311	Aggravated sexual assault
0312	Non-aggravated sexual assault
032	Non-assaultive sexual offences
0321	Non-assaultive sexual offences against a child
0322	Child pornography offences
0323	Sexual servitude offences
0329	Non-assaultive sexual offences, nec
04	Dangerous or negligent acts endangering persons
041	Dangerous or negligent operation of a vehicle
0411	Driving under the influence of alcohol or other substance
0412	Dangerous or negligent operation (driving) of a vehicle
049	Other dangerous or negligent acts endangering persons
0491	Neglect or ill-treatment of persons under care
0499	Other dangerous or negligent acts endangering persons, nec
05	Abduction, harassment and other offences against the person
051	Abduction and kidnapping
0511	Abduction and kidnapping
052	Deprivation of liberty/false imprisonment
0521	Deprivation of liberty/false imprisonment
053	Harassment and threatening behaviour
0531	Harassment and private nuisance
0532	Threatening behaviour
06	Robbery, extortion and related offences
061	Robbery
0611	Aggravated robbery
0612	Non-aggravated robbery
062	Blackmail and extortion
0621	Blackmail and extortion

- 07 Unlawful entry with intent/burglary, break and enter
 - 071 Unlawful entry with intent/burglary, break and enter
 - 0711 Unlawful entry with intent/burglary, break and enter
- 08 Theft and related offences
 - 081 Motor vehicle theft and related offences
 - 0811 Theft of a motor vehicle
 - 0812 Illegal use of a motor vehicle
 - 0813 Theft of motor vehicle parts or contents
 - 082 Theft (except motor vehicles)
 - 0821 Theft from a person (excluding by force)
 - 0822 Theft of intellectual property
 - 0823 Theft from retail premises
 - 0829 Theft (except motor vehicles), nec
 - 083 Receive or handle proceeds of crime
 - 0831 Receive or handle proceeds of crime
 - 084 Illegal use of property (except motor vehicles)
 - 0841 Illegal use of property (except motor vehicles)
- 09 Fraud, deception and related offences
 - 091 Obtain benefit by deception
 - 0911 Obtain benefit by deception
 - 092 Forgery and counterfeiting
 - 0921 Counterfeiting of currency
 - 0922 Forgery of documents
 - 0923 Possess equipment to make false/illegal instrument
 - 093 Deceptive business/government practices
 - 0931 Fraudulent trade practices
 - 0932 Misrepresentation of professional status
 - 0933 Illegal non-fraudulent trade practices
 - 099 Other fraud and deception offences
 - 0991 Dishonest conversion
 - 0999 Other fraud and deception offences, nec
- 10 Illicit drug offences
 - 101 Import or export illicit drugs
 - 1011 Import illicit drugs
 - 1012 Export illicit drugs
 - 102 Deal or traffic in illicit drugs
 - 1021 Deal or traffic in illicit drugs - commercial quantity
 - 1022 Deal or traffic in illicit drugs - non-commercial quantity
 - 103 Manufacture or cultivate illicit drugs
 - 1031 Manufacture illicit drugs
 - 1032 Cultivate illicit drugs
 - 104 Possess and/or use illicit drugs
 - 1041 Possess illicit drugs
 - 1042 Use illicit drugs
 - 109 Other illicit drug offences
 - 1099 Other illicit drug offences, nec
- 11 Prohibited and regulated weapons and explosives offences
 - 111 Prohibited weapons/explosives offences
 - 1111 Import or export prohibited weapons/explosives
 - 1112 Sell, possess and/or use prohibited weapons/explosives
 - 1119 Prohibited weapons/explosives offences, nec
 - 112 Regulated weapons/explosives offences
 - 1121 Unlawfully obtain or possess regulated weapons/explosives
 - 1122 Misuse of regulated weapons/explosives
 - 1123 Deal or traffic regulated weapons/explosives offences
 - 1129 Regulated weapons/explosives offences, nec
- 12 Property damage and environmental pollution
 - 121 Property damage
 - 1211 Property damage by fire or explosion
 - 1212 Graffiti
 - 1219 Property damage, nec

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- 12 Property damage and environmental pollution *cont.*
 - 122 Environmental pollution
 - 1221 Air pollution offences
 - 1222 Water pollution offences
 - 1223 Noise pollution offences
 - 1224 Soil pollution offences
 - 1229 Environmental pollution, nec
 - 13 Public order offences
 - 131 Disorderly conduct
 - 1311 Trespass
 - 1312 Criminal intent
 - 1313 Riot and affray
 - 1319 Disorderly conduct, nec
 - 132 Regulated public order offences
 - 1321 Betting and gambling offences
 - 1322 Liquor and tobacco offences
 - 1323 Censorship offences
 - 1324 Prostitution offences
 - 1325 Offences against public order sexual standards
 - 1326 Consumption of legal substances in regulated spaces
 - 1329 Regulated public order offences, nec
 - 133 Offensive conduct
 - 1331 Offensive language
 - 1332 Offensive behaviour
 - 1333 Vilify or incite hatred on racial, cultural, religious or ethnic grounds
 - 1334 Cruelty to animals
 - 14 Traffic and vehicle regulatory offences
 - 141 Driver Licence offences
 - 1411 Drive while licence disqualified or suspended
 - 1412 Drive without a licence
 - 1419 Driver licence offences, nec
 - 142 Vehicle registration and roadworthiness offences
 - 1421 Registration offences
 - 1422 Roadworthiness offences
 - 143 Regulatory driving offences
 - 1431 Exceed the prescribed content of alcohol or other substance limit
 - 1432 Exceed the legal speed limit
 - 1433 Parking offences
 - 1439 Regulatory driving offences, nec
 - 144 Pedestrian offences
 - 1441 Pedestrian offences
 - 15 Offences against justice procedures, government security and government operations
 - 151 Breach of custodial order offences
 - 1511 Escape custody offences
 - 1512 Breach of home detention
 - 1513 Breach of suspended sentence
 - 152 Breach of community-based orders
 - 1521 Breach of community service order
 - 1522 Breach of parole
 - 1523 Breach of bail
 - 1524 Breach of bond - probation
 - 1525 Breach of bond - other
 - 1529 Breach of community-based order, nec
 - 153 Breach of violence and non-violence orders
 - 1531 Breach of violence order
 - 1532 Breach of non-violence order
 - 154 Offences against government operations
 - 1541 Resist or hinder government official (excluding police officer, justice official or government security officer)
 - 1542 Bribery involving government officials
 - 1543 Immigration offences
 - 1549 Offences against government operations, nec
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15 Offences against justice procedures, government security and government operations *cont.*

- 155 Offences against government security
 - 1551 Resist or hinder government officer concerned with government security
 - 1559 Offences against government security, nec
- 156 Offences against justice procedures
 - 1561 Subvert the course of justice
 - 1562 Resist or hinder police officer or justice official
 - 1563 Prison regulation offences
 - 1569 Offences against justice procedures, nec

16 Miscellaneous offences

- 161 Defamation, libel and privacy offences
 - 1611 Defamation and libel
 - 1612 Offences against privacy
- 162 Public health and safety offences
 - 1621 Sanitation offences
 - 1622 Disease prevention offences
 - 1623 Occupational health and safety offences
 - 1624 Transport regulation offences
 - 1625 Dangerous substances offences
 - 1626 Licit drug offences
 - 1629 Public health and safety offences, nec
- 163 Commercial/industry/financial regulation
 - 1631 Commercial/industry/financial regulation
- 169 Other miscellaneous offences
 - 1691 Environmental regulation offences
 - 1692 Bribery excluding government officials
 - 1693 Quarantine offences
 - 1694 Import/export regulations
 - 1695 Procure or commit illegal abortion
 - 1699 Other miscellaneous offences, nec

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<i>Code</i>	<i>Division/Subdivision/Item</i>
1000	Custodial orders n.f.d.
1100	Custody in a correctional institution n.f.d.
1110	Life and indeterminate imprisonment
1120	Imprisonment n.f.d.
1121	Imprisonment with determined term
1122	Imprisonment with partially suspended term
1130	Periodic detention
1140	Juvenile detention n.f.d.
1141	Juvenile detention with determined term
1142	Juvenile detention with partially suspended term
1200	Custody in the community n.f.d.
1210	Intensive corrections order
1220	Home detention
1290	Other custody in the community n.e.c.
1300	Fully suspended sentence n.f.d.
1310	Fully suspended adult sentence
1320	Suspended juvenile sentence
2000	Non-custodial orders n.f.d.
2100	Community supervision or work orders n.f.d.
2110	Community service orders
2120	Probation orders
2130	Treatment orders
2140	Referral to conference
2200	Monetary orders n.f.d.
2210	Fine
2220	Orders as recompense to victim
2290	Other monetary orders n.e.c.
2900	Other non-custodial orders n.f.d.
2910	Good behaviour bond/recognition orders
2920	Licence disqualification/suspension/amendment
2930	Forfeiture of property order
2940	Nominal penalty
2990	Other non-custodial orders n.e.c.
9000	Sentence type unknown/not stated

GLOSSARY

Abduction, harassment and other offences against the person	Acts intended to threaten or harass, or acts that unlawfully deprive another person of their freedom of movement, that are against that person's will or against the will of any parent, guardian or other person having lawful custody or care of that person. This is a Division of ANZSOC which includes the following Subdivisions: abduction and kidnapping (051), deprivation of liberty/false imprisonment (052) and harassment and threatening behaviour (053).
Aboriginal and Torres Strait Islander	A defendant who has identified as being of Aboriginal or Torres Strait Islander origin, or both.
Acquitted	A determination by the court that a defendant is not guilty of the charge(s) on the grounds that the charge has not been proven. A not guilty verdict by the court. This includes dismissal of charge(s) by a magistrate on the grounds that the defendant is found not guilty or dismissal of charge(s) by a member of the judiciary due to lack of evidence or no evidence given by the prosecution. This excludes a finding of not guilty by reason of mental illness or condition at the time the defendant committed the offence. This is a method of finalisation.
Acts intended to cause injury	Acts, excluding attempted murder and those resulting in death, which are intended to cause non-fatal injury or harm to another person and where there is no sexual or acquisitive element. This is a Division of ANZSOC which includes the following Subdivisions: assault (021) and other acts intended to cause injury (029).
Adjudicated finalisation	A method of finalisation based on a judgement or decision by the court as to whether or not the defendant is guilty of the charge(s) laid against them.
Adjudicated outcomes	The outcomes of the judgement or decision by the court as to whether or not the defendant is guilty of the charge(s) laid against them. These outcomes include: acquitted, guilty finding and guilty plea.
Age	A defendant's age is the time elapsed (in years) between a defendant's date of birth and the date of finalisation.
Aggravated robbery	Robbery involving any of the following aggravating circumstances: <ul style="list-style-type: none">■ infliction of injury or violence on the person■ possession/use of a weapon■ committed in company (i.e. by two or more persons).
Aggravated sexual assault	Sexual assault that involves any of the following aggravating circumstances: <ul style="list-style-type: none">■ sexual intercourse (i.e. oral sex and/or penetration of the vagina or anus by any part of the human body or by any object)■ inflict injury or violence■ possession/use of a weapon■ consent proscribed/committed against a child■ committed in company (i.e. by two or more persons). This is a Group of ANZSOC (0311).
Assault	The direct (and immediate/confrontational) infliction of force, injury or violence upon a person or persons or the direct (and immediate/confrontational) threat of force, injury or violence where there is an apprehension that the threat could be enacted. This is a Subdivision of ANZSOC which includes the following Groups: serious assault resulting in injury (0211), serious assault not resulting in injury (0212) and common assault (0213).

Attempted murder	The attempted unlawful killing of another person, where there is either the intent to kill or to cause grievous bodily harm with the knowledge that it was probable that death or grievous bodily harm would occur (reckless indifference to life), not resulting in death. This is a Subdivision of ANZSOC and is not further disaggregated.
Australian and New Zealand Standard Offence Classification (ANZSOC)	The third edition of the Australian and New Zealand Standard Offence (ANZSOC) has been developed for use within Australia and in New Zealand for the production and analysis of crime and justice statistics. It replaces the second edition of the Australian Standard Offence Classification (ASOC) and incorporates a title change from ASOC to ANZSOC and corrects some minor typographical errors only. The classification content and structure, which was updated in the second edition of ASOC, following the review of the first edition of ASOC released in 1997, remains unchanged. The revised title ANZSOC reflects the international use of the framework to classify criminal behaviour and highlights the collaborative work occurring between Australia and New Zealand. The title change from ASOC to ANZSOC is also in accordance with the agreed policy between the Australian Bureau of Statistics (ABS) and Statistics New Zealand to harmonise classifications where possible. This edition of ANZSOC is used to classify offence data in this publication. The <i>Australian and New Zealand Standard Offence Classification (cat. no. 1234.0)</i> is available from the Australian Bureau of Statistics website < http://www.abs.gov.au >.
Bench warrant	A warrant signed by a judge or magistrate ordering a person to be arrested and brought back before the court. This process takes place when a defendant, who has at least one charge that has not been finalised by the court, absconds from criminal proceedings.
Blackmail and extortion	The unlawful demanding with intent to gain money, property, or any other benefit from, or with intent to cause detriment to, another person, accompanied by the use of coercive measures, to be carried out at some point in the future if the demand is not met. This may also include the use and/or threatened use of face-to-face force or violence, provided there is a threat of continued violence if the demand is not met. This is a Subdivision of ANZSOC and is not further disaggregated.
Breach of violence and non-violence orders	An act or omission breaching the conditions of a violence or non-violence related restraining order. This is a Subdivision of ANZSOC which includes the Groups: breach of violence order (1531) and breach of non-violence order (1532).
Case	One or more defendants against whom one or more charge(s) have been laid and which are heard together by a court as one unit of work. The charge(s) usually relate to the same criminal incident.
Charge	An allegation laid before a court by the police, Director of Public Prosecutions or other prosecuting agency that a person or organisation has committed a criminal offence.
Charged	In this publication, the term charged refers to those defendants who were adjudicated i.e. finalised via a plea of guilty or a decision by the court as to their guilt or otherwise of the final charge(s) laid against them.
Child pornography offences	The production, possession, distribution or display of pornographic or abusive material of a child under the age of consent in written, photographic, film, video, digital or other format. This is a Group of ANZSOC (0322).
Children's Court	The Children's Court is primarily a Court of Summary Jurisdiction, to hear and determine criminal charges against persons generally aged less than 18 years. The Children's Court may also determine some minor indictable offences and conduct committal proceedings in relation to young people who have been charged with major indictable offences.
Committed for sentence	An outcome of a committal hearing where a defendant enters a guilty plea to all charges and is transferred to a Higher Court to be sentenced. This process is regarded as a method of finalisation for the Magistrates' Court and the Children's Court, and a method of initiation into a Higher Court level.

Committed for trial	An outcome of a committal hearing where a defendant enters a not guilty plea to at least one charge and is transferred to a Higher Court to stand trial. This process is regarded as a method of finalisation for the Magistrates' Court and the Children's Court, and a method of initiation into a Higher Court level.
Community supervision or work orders	Sentences imposed on a defendant requiring a person to perform work within the community or report to a person nominated by the court (for example a corrections officer). These non-custodial orders include: community service orders, probation orders, treatment orders and referral to conference.
Court level	This indicates the level of the court in which a defendant's case is heard. Court levels can be distinguished from one another on the basis of the extent of their legal powers (see Jurisdiction). Court levels include Court of Summary Jurisdiction, Intermediate Court and Supreme Court. The names assigned to each of these court levels varies across Australia.
Court of Summary Jurisdiction	A lower court level (also referred to as Magistrates' Court, Local Court or Court of Petty Sessions) which deals with relatively less serious charges and has the most limited legal powers of all the state and territory court levels. A Court of Summary Jurisdiction is presided over by a magistrate and has jurisdiction to try and sentence matters relating to summary offences. Under some circumstances, this court level may also deal with less serious indictable offences known as 'minor indictable' or 'triable either way' offences. Courts of Summary Jurisdiction are also responsible for conducting preliminary (committal) hearings for indictable offences.
Custodial orders	Sentences imposed on a defendant requiring a person to have restricted liberty for a specified period of time either through detainment in an institution/home or being subject to regular supervision while residing in the community. The court may set aside the order subject to the person being of good behaviour. Includes: custody in a correctional institution, custody in the community and fully suspended sentence.
Custody in a correctional institution	Sentences imposed on a defendant requiring a person to be detained within a facility built especially for the purpose of incarceration. Includes: life and indeterminate imprisonment, imprisonment with determined term, imprisonment with partially suspended term, periodic detention, juvenile detention with determined term, and juvenile detention with partially suspended term.
Custody in the community	Sentences imposed on a defendant requiring a person to have restricted liberty for a specified period of time while living within the community. Includes: intensive corrections orders, home detention and other custody in the community.
Dangerous or negligent acts endangering persons	Dangerous or negligent acts which, though not intended to cause harm, actually or potentially result in injury to oneself or another person. This is a Division of ANZSOC which includes the following Subdivisions: dangerous or negligent operation of a vehicle (041) and other dangerous or negligent acts endangering persons (049).
Dangerous or negligent operation of a vehicle	The dangerous or negligent operation of a vehicle which, though not intended to cause harm, actually or potentially results in injury to oneself or another person. This is a Subdivision of ANZSOC which includes the following Groups: drive under the influence of alcohol or other substance (0411) and dangerous or negligent operation (driving) of a vehicle (0412).
Date of finalisation	The date on which all charges laid against a defendant are regarded as formally completed by a particular court level and the defendant ceases to be an active unit of work to be dealt with by that court level.
Date of initiation	Date of initiation represents either the date of committal or the date of registration depending on the process of entry into that level of court. For defendants who are committed from a Magistrates' Court to a higher criminal court, date of committal is used for the date of initiation. For defendants who have any other method of initiation, including direct presentment to a higher court by ex-officio, date of registration for that

Date of initiation <i>continued</i>	court level is used as the date of initiation. Where there are multiple dates of initiation for charges for a defendant, the earliest date is used.
Deal or traffic in illicit drugs	The supply or purchase of an illicit drug or controlled substance of any quantity, or the possession of an illicit drug or controlled substance where the amount involved is deemed to be of a quantity for commercial activity. This is a Subdivision of ANZSOC which includes the following Groups: deal or traffic in illicit drugs – commercial quantity (1021) and deal or traffic in illicit drugs – non-commercial quantity (1022).
Defendant	A person or organisation against whom one or more criminal charges have been laid and which are heard together as one unit of work by a court level.
Dishonest conversion	Dishonestly converting money or goods that come into a person's possession or control, not involving the use of deception or taking without consent. This is a Group of ANZSOC(0991).
Disorderly conduct	Offences involving personal conduct that is disorderly or is indicative of criminal intent. This is a Subdivision of ANZSOC which includes the following Groups: trespass (1311), criminal intent (1312), riot and affray (1313) and disorderly conduct, n.e.c. (1319).
District Court	See Intermediate Court.
Driver licence offences	Driver licence offences pertaining to the ownership or use of a driver's licence. This is a Subdivision of ANZSOC which includes the following Groups: drive while licence disqualified or suspended (1411), drive without a licence (1412), and driver licence offences, n.e.c. (1419).
Duration	The time elapsed between the earliest date of initiation and the latest date of finalisation for a defendant that has been finalised.
Exceed legal speed limit	Offences where a driver of a vehicle exceeds the speed restrictions pertaining to a particular area. This is a Group of ANZSOC(1432).
Exceed the prescribed content of alcohol or other substance limit	Offences where the driver of a vehicle exceeds the prescribed content of alcohol or other substance. This is a Group of ANZSOC(1431).
Finalised appearance	Where charges were finalised at different court appearances in the same case for a defendant, these were counted as finalised defendants at each appearance rather than being aggregated as a single finalised defendant at the latest charge finalisation date. This relates to New South Wales Magistrates' and Children's Courts defendants prior to 2009–10.
Finalised defendant	A person or organisation for whom all charges relating to the one case have been formally completed so that the defendant ceases to be an item of work to be dealt with by the court.
Fraud, deception and related offences	Offences involving a dishonest act or omission carried out with the purpose of deceiving to obtain benefit. This is a Division of ANZSOC which includes the following Subdivisions: obtain benefit by deception (091); forgery and counterfeiting (092); deceptive business/government practices (093); and other fraud and deception offences (099).
Fully suspended sentence	A custodial order which provides that all of the sentence not be served, subject to the person being of good behaviour for the length of the sentence. Excludes fully suspended sentences that have added conditions other than good behaviour.
Good behaviour bond	An obligation, with or without sureties, aimed at securing the performance of some act by the person bound by the undertaking. Includes recognisance orders.
Graffiti	Property damage caused by the application of substances (i.e. paint, posters and/or plastic, metal or wood based compounds) to the surface of the property. This is a Group of ANZSOC(1212).

Guilty ex-parte	Where the court adjudicates charge(s) and the charge(s) are proven either: (i) where the defendant pleaded guilty and the charges are proven in his/her absence, or (ii) the defendant failed to appear and the charge(s) were proven on the basis of the evidence presented. This is a method of finalisation in the Magistrates' and Children's Courts.
Guilty finding	A guilty finding by the court, where the court finds the charge has been proven (and the case was not heard ex-parte). This is a method of finalisation.
Guilty plea	A guilty plea to charge(s) by the defendant (and the case was not heard ex-parte). This is not a trial outcome. This is a method of finalisation.
Higher Court	The criminal jurisdiction of an Intermediate Court or Supreme Court.
Homicide and related offences	Unlawfully kill, attempt to unlawfully kill or conspiracy to kill another person. This is a Division of ANZSOC which includes the following Subdivisions: murder (011), attempted murder (012), and manslaughter and driving causing death (013).
Illicit drug offences	The possession, selling, dealing or trafficking, importing or exporting, manufacturing or cultivation of drugs or other substances prohibited under legislation. This is a Division of ANZSOC which includes the following Subdivisions: import or export illicit drugs (101), deal or traffic in illicit drugs (102), manufacture or cultivate illicit drugs (103), possess and/or use illicit drugs (104) and other illicit drug offences (109).
Import or export illicit drugs	Actions resulting or intended to result in either the importation of illicit drugs or controlled substances into Australia, or the exportation of illicit drugs or controlled substances from Australia. This is a Subdivision of ANZSOC which includes the following Groups: import illicit drugs (1011) and export illicit drugs (1012).
Imprisonment	See Custody in a correctional institution.
Imprisonment with determined term	An order requiring a person to be detained for a specified period of time within a facility built especially for the purpose of incarceration.
Imprisonment with partially suspended term	An order requiring a person to be detained for part of the specified period of time within a facility built especially for the purpose of incarceration, subject to the person being of good behaviour.
Indictable offence	A serious criminal offence as defined by specific Commonwealth, state or territory legislation. Charges relating to indictable offences generally require a trial and/or sentence hearing in a Higher Court. Under some circumstances, a defendant can elect to have these charges dealt with in a Court of Summary Jurisdiction.
Intermediate Court	A Higher Court level (known either as the District Court or County Court) which has legal powers that are between those of the Court of Summary Jurisdiction and the Supreme Court and deals with the majority of cases involving serious criminal offences. An Intermediate Court is presided over by a judge, and has original jurisdiction to hear trial and sentence matters relating to most indictable offences. Note: As Tasmania, the Northern Territory and the Australian Capital Territory do not have an Intermediate Court, all indictable offences are heard in the Supreme Court.
Jurisdiction	The legal power or authority which may be exercised by a particular court level and within which the judgements or orders of the court can be enforced or executed. The criminal jurisdiction of a court includes the original jurisdiction. Each court level has its own defined jurisdictional limits and these vary across states and territories.
Juvenile detention with determined term	An order requiring a person to be detained in a juvenile facility for all of the specified period of time.
Juvenile detention with partially suspended term	An order requiring a person to be detained in a juvenile facility for part of the specified period of time, subject to the person being of good behaviour for the length of the sentence.
Life and indeterminate imprisonment	The most serious sentence of imprisonment.

Life and indeterminate imprisonment <i>continued</i>	<p><i>Life</i> – This does not necessarily mean that the person will be held in custody for the term of his/her natural life. In some states or territories a minimum time to serve in custody is specified by the court, while in others an administrative body such as a Parole Board makes this decision.</p> <p><i>Indeterminate</i> – Persons declared as habitual criminals, persons who are either permanently or temporarily deemed not responsible for their actions because of a mental disorder or intellectual disability and prisoners who are sentenced to imprisonment but have not had a release date set. The prisoner may be released, at any time, at the discretion of the administrative body within each jurisdiction responsible for making that decision.</p>
Local Court	See Court of Summary Jurisdiction.
Magistrates' Court	<p>Where used in this publication, the term 'Magistrates' Court' includes the adult criminal Magistrates' Court and the Court of Petty Sessions and New South Wales Local Court. Excluded from this are other Courts of Summary Jurisdiction, such as Children's Courts, Electronic Courts and Drug Courts.</p> <p>See Court of Summary Jurisdiction for further information.</p>
Manslaughter and driving causing death	The unlawful killing of another person while deprived of the power of self-control by provocation, or under circumstances amounting to diminished responsibility or without intent to kill, as a result of a careless, reckless, negligent, unlawful or dangerous act. This is a Subdivision of ANZSOC which includes the Groups: manslaughter (0131) and driving causing death (0132).
Manufacture or cultivate illicit drugs	Actions resulting or intended to result in the manufacture of controlled substances, or growing of plants used to make illicit drugs. This is a Subdivision of ANZSOC which includes the Groups: manufacture illicit drugs (1031) and cultivate illicit drugs (1032).
Method of finalisation	The process which leads to the completion of a defendant as an item of business in a particular court level. A defendant undergoing court proceedings is considered to be finalised when all charges against that defendant have been processed to completion within a court level. There are different methods by which a charge may be finalised (see Appendix 2).
Method of initiation	The process which describes how a criminal charge is initiated, commenced, lodged or filed within the court system or a court level. It refers to the process that leads to the recording of a defendant as a new item of business in a particular court level. There are different methods by which a charge may be initiated.
Minor indictable offence	See Triable either way offence.
Miscellaneous offences	Offences involving the breach of statutory rules or regulations governing activities that are <i>prima facie</i> legal, where such offences are not explicitly dealt with under any other Division of ANZSOC. This is a Division of ANZSOC which includes the following Subdivisions: defamation, libel and privacy offences (161), public health and safety offences (162), commercial/industry/financial regulation (163) and other miscellaneous offences (169).
Monetary orders	A sentence order that requires the offender to pay a sum of money, usually in the form of a fine or as recompense to victims (includes restitution orders and compensation orders) and other monetary orders, <i>n.e.c.</i> (does not include court levies and fees).
Motor vehicle theft and related offences	The taking of another person's motor vehicle illegally and without permission, with the intent of temporarily or permanently depriving the owner or possessor of the use of the motor vehicle. Additionally, the taking of another person's motor vehicle parts or its contents illegally, whether or not this also involves the taking of the motor vehicle. This is a Subdivision of ANZSOC which includes the Groups: theft of a motor vehicle (0811), illegal use of a motor vehicle (0812) and theft of motor vehicle parts or contents (0813).

Murder	Unlawfully kill another person where there is one or more of the following: the intent to kill; the intent to cause grievous bodily harm, with the knowledge that it was probable that death or grievous bodily harm would occur (reckless indifference to life); or without intent to kill in the course of committing a crime (felony murder). This subdivision is not further disaggregated.
National Offence Index	The National Offence Index (NOI) is a seriousness ranking of the ANZSOC and is used to determine a principal offence when a defendant has multiple finalised offences across different offence categories, with the same type of finalisation (e.g. proven guilty, acquitted, charges withdrawn).
Nominal penalty	Release of a defendant without an order following sentence that may or may not have conditions attached.
Non-adjudicated finalisation	A method of finalisation whereby a charge is considered completed and ceases to be active in a court even though that charge has not been adjudicated. This includes where the defendant is deceased, unfit to plead, the charge is withdrawn by the prosecution, transferred to a non-court agency or another non-adjudicated finalisation n.e.c. such as diplomatic immunity and statute of limitation applies.
Non-aggravated robbery	Robbery not involving any aggravating circumstances as defined in ANZSOC Group 0611, Aggravated robbery. This is a group of ANZSOC (0612).
Non-aggravated sexual assault	Sexual assault not involving any of the aggravating circumstances as defined in ANZSOC Group 0311, Aggravated sexual assault. This is a group of ANZSOC (0312).
Non-assaultive sexual offences	Offences of a sexual nature, or intent thereof, against another person that do not involve physical contact with the person and where the person does not give consent, gives consent as a result of intimidation or deception, or consent is proscribed (i.e. the person is legally deemed incapable of giving consent because of youth, temporary/permanent (mental) incapacity or there is a familial relationship). This is a Subdivision of ANZSOC which includes the Groups: non-assaultive sexual offences against a child (0321), child pornography offences (0322), sexual servitude offences (0323) and non-assaultive sexual offences n.e.c. (0329).
Non-assaultive sexual offences against a child	Offences of a sexual nature, or intent thereof, against a person under the age of 16 years that involve the presence of that person but not physical contact with that person. This is a group of ANZSOC(0321).
Non-custodial orders	Sentences imposed on a defendant that do not involve being held in custody. Includes: community supervision or work orders, monetary orders and other non-custodial orders.
Non-Indigenous	A defendant who does not identify as being of Aboriginal and/or Torres Strait Islander origin.
Not guilty verdict	See Acquitted.
Obtain benefit by deception	The use of deception or impersonation with the intent of dishonestly obtaining property, goods, services or other benefit, or to avoid a disbenefit. This subdivision is not further disaggregated.

Offences against government operations	An act with the intent of resisting or hindering government officers, or government operations, other than police, justice or government security officers. This is a Subdivision of ANZSOC which includes the Groups: resist or hinder government official (excluding police officer, justice official or government security officer) (1541), bribery involving government officials (1542), immigration offences (1543) and offences against government operations, n.e.c. (1549).
Offences against government security	An act or omission prejudicial to effective enforcement of government operations concerned with the preservation of national security. This is a Subdivision of ANZSOC which includes the Groups: resist or hinder government officer concerned with government security (1551) and offences against government security, n.e.c. (1559).
Offences against justice procedures	An act or omission prejudicial to the effective carrying out of justice procedures other than justice orders. This is a Subdivision of ANZSOC which includes the Groups: subvert the course of justice (1561), resist or hinder police officer or justice official (1562), prison regulation offences (1563) and offences against justice procedures, n.e.c. (1569).
Offences against justice procedures, government security and government operations	An act or omission that is deemed to be prejudicial to the effective carrying out of justice procedures or any government operations. This includes general government operations as well as those specifically concerned with maintaining government security. This is a Division of ANZSOC which includes the following Subdivisions: breach of custodial order offences (151), breach of community-based orders (152), breach of violence and non-violence orders (153), offences against government operations (154), offences against government security (155) and offences against justice procedures (156).
Original jurisdiction	The power of a court to hear criminal charges and determine whether or not a defendant is proven guilty and/or to sentence defendants where a charge has been proven (refer to Jurisdiction).
Other dangerous or negligent acts endangering persons	Dangerous or negligent acts not involving the operation of a vehicle which, though not intended to cause harm, actually or potentially result in injury to oneself or another person. This is a Subdivision of ANZSOC which includes the following Groups: neglect or ill treatment of person under care (0491) and other dangerous or negligent acts endangering persons, n.e.c. (0499).
Other illicit drug offences	Other illicit drug offences not elsewhere classified in Illicit drug offences (Division 10 of ANZSOC) which includes possession of money with intent to obtain drugs, possession of pipes, syringes, other utensils associated with the use of drugs, permitting premises to be used for taking, selling or distributing drugs, and failure to keep register for drugs of addiction. This subdivision is not further disaggregated.
Other non-custodial orders	Sentences imposed on a defendant that do not require custody, are not fully suspended, and are not elsewhere classified in the non-custodial orders category of the Sentence Type classification. Includes: good behaviour bond/recognition orders, licence disqualification/suspension/amendment, forfeiture of property order, nominal penalty and other non-custodial orders, n.e.c.
Partially suspended sentence	An order of imprisonment requiring a person be detained for part of the specified period of time, subject to the person being of good behaviour for the length of the sentence.
Periodic detention	Sentence imposed on a defendant requiring a person to be in custody for two consecutive days in a week (e.g. weekends) and remain at liberty during the rest of the week. This sentencing option is available in New South Wales and the Australian Capital Territory.
Possess and/or use illicit drugs	The possession of a non-commercial quantity and/or use of an illicit drug or other controlled substance. This is a Subdivision of ANZSOC which includes the following Groups: possess illicit drugs (1041) and use illicit drugs (1042).

Principal offence	The offence category, based on ANZSOC, that describes the most serious offence type associated with a finalised defendant. The most serious offence is determined by how the offences were finalised and/or the rankings in the National Offence Index 2009 (see National Offence Index).
Principal sentence	The main sentence type for a defendant who has a proven guilty finalisation. It is based on the hierarchy of the Sentence Type Classification (see Appendix 4).
Prohibited and regulated weapons and explosives offences	Offences involving prohibited or regulated weapons and explosives. This is a Division of ANZSOC which includes the following Subdivisions: prohibited weapons/explosives offences (111) and regulated weapons/explosives offences (112).
Property damage and environmental pollution	The wilful and unlawful destruction, damage or defacement of public or private property, or the pollution of property or a definable entity held in common by the community. For this division, 'destruction' means altering the property in any way so as to render it imperfect or inoperative. This is a Division of ANZSOC which includes the following Subdivisions: property damage (121) and environmental pollution (122).
Property damage by fire or explosion	The wilful and unlawful destruction, damage or defacement of public or private property caused by fire or explosion. This is a Group of ANZSOC(1211).
Property damage n.e.c.	Property damage other than by fire or explosion. This is a Group of ANZSOC(1219).
Proven guilty	An outcome of criminal proceedings in which a court accepts that a charge is proven through a guilty plea entered by a defendant or the defendant is found guilty by the court. In the Magistrates' and Children's Courts, this includes defendants found guilty ex-parte.
Public order offences	Offences relating to personal conduct that involves, or may lead to, a breach of public order or decency, or that is indicative of criminal intent, or that is otherwise regulated or prohibited on moral or ethical grounds. In general these offences do not involve a specific victim or victims; however some offences, such as offensive language and offensive behaviour, may be directed towards a single victim. This is a Division of ANZSOC which includes the following Subdivisions: disorderly conduct (131), regulated public order offences (132) and offensive conduct (133).
Receive or handle proceeds of crime	Receive, handle, process or possess money or goods taken or obtained illegally. This is a Subdivision of ANZSOC which includes the Group: receiving or handling proceeds of crime (0831).
Regulated public order offences	Offences involving behaviour that is regulated or prohibited on moral or ethical grounds. This is a Subdivision of ANZSOC which includes the following Groups: betting and gambling offences (1321), liquor and tobacco offences (1322), censorship offences (1323), prostitution offences (1324), offences against public order sexual standards (1325), consumption of legal substances in regulated spaces (1326) and regulated public order offences, n.e.c. (1329).
Regulatory driving offences	Offences relating to the breaches of regulations governing the manner in which the vehicle is operated. This is a Subdivision of ANZSOC which includes the following Groups: exceed the prescribed content of alcohol or other substance limit (1431), exceed legal speed limit (1432), parking offences (1433) and regulatory driving offences, n.e.c. (1439).
Robbery, extortion and related offences	Acts intended to unlawfully gain money, property or other items of value from, or cause detriment to, another person by using the threat of force or any other coercive measure. This is a Division of ANZSOC which includes the following Subdivisions: robbery (061) and blackmail and extortion (062).
Sentence	A penalty or penalties imposed by a court upon a defendant who is proven guilty of a criminal offence.

Sexual assault	Physical contact, or intent of contact, of a sexual nature directed toward another person where that person does not give consent, gives consent as a result of intimidation or deception, or consent is proscribed (i.e. the person is legally deemed incapable of giving consent because of youth, temporary/permanent (mental) incapacity or there is a familial relationship). This is a Subdivision of ANZSOC which includes the following Groups: aggravated sexual assault (0311) and non-aggravated sexual assault (0312).
Sexual assault and related offences	Acts, or intent of acts, of a sexual nature against another person which are non-consensual or where consent is proscribed. This is a Division of ANZSOC which includes the following Subdivisions: sexual assault (031) and non-assaultive sexual offences (032).
Stalking	Acts intended to cause physical or mental harm to a person, or to arouse apprehension or fear in a person, through a repeated course of unreasonable conduct. For the purposes of this group, stalking behaviours include, but are not limited to, activities such as unauthorised surveillance of an individual, interfering with the individual's property (or that of an associate), sending offensive material, and communicating with the person in a way that could be reasonably expected to arouse apprehension or fear. This is a Group of ANZSOC (0291).
Summary offence	A criminal offence which is regarded as less serious relative to an indictable offence as defined by specific Commonwealth, state or territory legislation (see Indictable offence). Charges relating to summary offences are generally dealt with by a Court of Summary Jurisdiction and do not require a trial by jury in a Higher Court. In some states and territories, a defendant against whom summary charges are laid may be transferred to a Higher Court for sentencing (e.g. if the magistrate wants to impose a penalty which exceeds his/her jurisdictional powers).
Supreme Court	A Higher Court level which deals with the most serious criminal charges and has the greatest legal powers of all the state and territory court levels. A Supreme Court is presided over by a judge, and has jurisdiction to hear trial and sentence matters relating to all indictable offences. In states which have an Intermediate Court, the Supreme Court is usually reserved to deal with the most serious indictable offences, such as murder.
Theft and related offences	The unlawful taking or obtaining of money or goods, not involving the use of force, threat of force or violence, coercion or deception, with the intent to permanently or temporarily deprive the owner or possessor of the use of the money or goods, or the receiving or handling of money or goods obtained unlawfully. This is a Division of ANZSOC which includes the following Subdivisions: motor vehicle theft and related offences (081), theft (except motor vehicles) (082), receive or handle proceeds of crime (083) and illegal use of property (except motor vehicles) (084).
Theft (except motor vehicles)	The unlawful taking or obtaining of money, goods, services (other than from motor vehicles) or non-motorised vehicles, without the use of force, threat of force or violence, coercion or deception, with the intent to permanently deprive the owner or possessor of the use of the money or goods. This is a Subdivision of ANZSOC which includes the following groups: theft from a person (excluding by force) (0821), theft of intellectual property (0822), theft from retail premises (0823) and theft (except motor vehicles), n.e.c. (0829).
Theft/illegal use of a motor vehicle	The taking of another person's motor vehicle illegally and without permission, with the intent of temporarily or permanently depriving the owner or possessor of the use of the motor vehicle. This is a combination of the following Groups of ANZSOC: theft of a motor vehicle (0811) and illegal use of a motor vehicle (0812).
Traffic and vehicle regulatory offences	Offences relating to vehicles and most forms of traffic, including offences pertaining to the licensing, registration, roadworthiness or use of vehicles, bicycle offences and pedestrian offences. This is a Division of ANZSOC which includes the following Subdivisions: driver licence offences (141), vehicle registration and roadworthiness offences (142), regulatory driving offences (143) and pedestrian offences (144).

Transfer to non-court agency	An outcome of court proceedings whereby the charge(s) have been transferred to a non-court agency. This is a method of finalisation.
Transfer to other court levels	A court outcome ordering that a criminal charge be transferred to another court level to be adjudicated and/or sentenced. For all transfers, except those between Higher Court levels, this process is regarded as a method of finalisation for the court level ordering the transfer and a method of initiation for the court level to which the defendant's charge(s) were transferred. Defendants who transfer from one Higher Court level to another will be considered as initiated only once (in the level they first entered) and finalised only once (in the final court where their case was heard).
Triable either way offence	An indictable offence which a defendant can elect to have heard either in a Court of Summary Jurisdiction before a magistrate or in a Higher Court before a judge and jury.
Trial	The examination of, and decision on, a matter of law or fact by a court. Where a defendant enters a not guilty plea or other defended plea in the committal proceedings, they are committed to a Higher Court for trial. In the Higher Courts, trials are usually conducted before a judge and jury whereby the judge rules on questions of law and the jury is responsible for determining whether or not the defendant is guilty. Some states and territories also allow for a trial before a judge alone in the Higher Courts.
Unfit to plead	An outcome of court proceedings when it has been determined that a defendant's mental status is such that he/she is unfit to plead in relation to the charge(s) against him/her. For the purposes of this collection, this process is regarded as a non-adjudicated method of finalisation.
Unlawful entry with intent/burglary, break and enter	The unlawful entry of a structure with the intent to commit an offence, where the entry is either forced or unforced (ANZSOC Division 7). A structure is defined as a building that is contained by walls and can be secured in some form. This includes a dwelling (e.g. house, flat, caravan), office, bank, shop, factory, school and church. This division is not further disaggregated.
Vehicle registration and roadworthiness offences	Offences relating to the registration or roadworthiness of the vehicle itself, rather than the manner in which the vehicle is being driven. This is a Subdivision of ANZSOC which includes the following groups: registration offences (1421) and roadworthiness offences (1422).
Withdrawn by the prosecution	The formal withdrawal of charge(s) by the prosecution (e.g. police, Director of Public Prosecutions, Attorney-General). This includes nolle prosequi and no true bill. Withdrawal of charges allows the prosecution to charge the defendant on the same incident at a later time. This is a non-adjudicated method of finalisation.

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