



FEDERAL DEFENDANTS, SELECTED STATES AND TERRITORIES

EMBARGO: 11.30AM (CANBERRA TIME) TUES 19 JUN 2012

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INQUIRIES

For further information about these and related statistics, contact the National Information and Referral Service on 1300 135 070.

NOTES

ABOUT THIS PUBLICATION	This publication presents comparable statistics relating to cases of Federal Defendants heard in 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. The statistics describe the characteristics of defendants with finalised federal offences, including information about their offences and sentence outcomes.
CHANGES IN THIS ISSUE	The principal counting unit for the federal defendants collection is a finalised defendant. For the first time in this issue, a further step is taken when a defendant has more than one case in the reference period. When this occurs a defendant is created by merging defendant records. Details of the counting methodology can be found in the Explanatory Notes paragraphs 27–29.
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 'Topics @ a Glance' 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 53.
ACKNOWLEDGEMENTS	The ABS acknowledges the valuable contribution of the 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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CHAPTER 1

INTRODUCTION

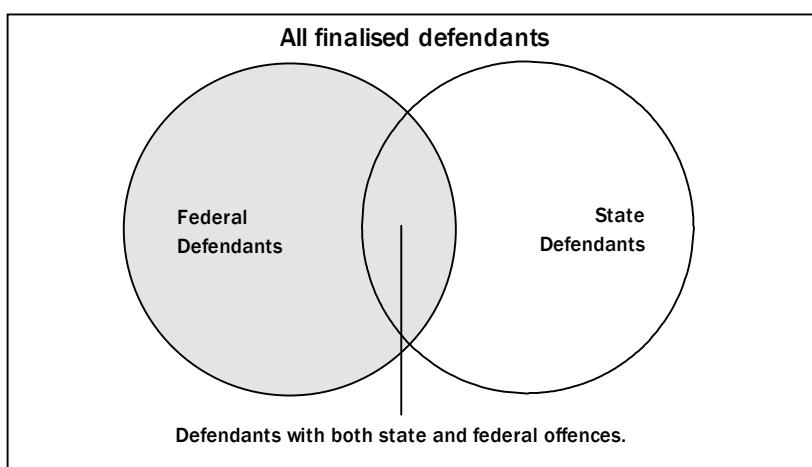
INTRODUCTION

This publication presents statistics about finalised defendants charged with federal offences that were 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. It includes data for all states and territories, except the Tasmanian Higher Courts. Data for the Tasmanian Higher Courts are not available for inclusion in the publication, therefore complete national data are not yet available for this collection. Data for the contributing states and territories have been aggregated to provide a total for the tables presented, unless otherwise specified.

This chapter provides an introduction to the federal defendants collection. Chapter 2 presents data about finalised defendants with federal charges classified using the Australian and New Zealand Standard Offence Classification (ANZSOC). Chapter 3 presents data about federal offences heard in the criminal courts and classified to a non-standard group of offences, providing an alternative view of federal defendants and their charges.

FINALISED DEFENDANTS

Finalised defendants include persons charged with Commonwealth criminal offences for each court level, as well as organisations charged with Commonwealth criminal offences for the Higher and Magistrates' Courts. A federal defendant is a finalised defendant who has been charged with at least one offence against Commonwealth legislation, irrespective of whether they have also been charged with any offences under state/territory legislation.



Prior to 2010–11, defendants were counted for each case they had finalised during the reference period, irrespective of whether multiple cases were finalised on the same day at the same hearing. For the first time in this issue, a further step is taken when a defendant has more than one case in the reference period. When this occurs a defendant

FINALISED DEFENDANTS
continued

is created by merging defendant records. This counting rule is now consistent with that applied in *Criminal Courts, Australia* (cat. no. 4513.0). The change in counting methodology has had a minimal impact on population counts for federal defendants in 2010–11. Details of the counting methodology can be found in the Explanatory Notes paragraph 27–29.

The statistics presented in this publication are based on data extracted from administrative records held by the state and territory agencies responsible for courts administration.

OFFENCE INFORMATION

Offence data in this publication are presented using both the ANZSOC and an alternative specialised view of the types of federal offences that are finalised for defendants. ANZSOC provides a basis for the standard collection, analysis and dissemination of offence data within Crime and Justice statistics. For more information, see Explanatory Notes paragraph 20. Chapter 2 presents information on the number of offences finalised, as well as the principal federal offence.

Principal federal offence

When presenting information on defendants in this publication, the offence categories referred to relate to the defendant's most serious federal offence, known as the 'principal federal' offence. Whilst it is possible for a defendant to be charged with multiple offences under Commonwealth legislation as well as state/territory legislation, only offences enacted under Commonwealth legislation are considered in scope of this publication. For information on defendants with state/territory offences and/or Commonwealth offences refer to *Criminal Courts, Australia* (cat. no. 4513.0).

Where defendants are represented by multiple federal offences, they are assigned a principal federal offence based on the method of finalisation and/or the most serious offence type using an ordinal ranking from the *National Offence Index (NOI) 2009*.

An alternative view of the types of federal offences is presented in Chapter 3. The offence types used in this chapter are not based on an official standard but have been created to compile groupings of Commonwealth offences of particular interest to users, using Act and Section information. These groupings may comprise a range of offences that reside in a number of different ANZSOC Subdivisions. For more information about these non-standard offence groupings and their concordance to Commonwealth Acts/Section and ANZSOC division, refer to Appendix 4.

CHAPTER 2

FEDERAL DEFENDANTS

INTRODUCTION

This chapter presents information about the characteristics of defendants charged with federal offences finalised in Australia's criminal courts during 2010–11. Characteristics of defendants include age, sex, their principal federal offence, and sentence outcomes, as well as a count of the total number of federal offences heard by the criminal courts during 2010–11. Offence data in this chapter are based on ANZSOC. Data are presented for all states and territories except the Tasmanian Higher Courts, due to their data not being readily available.

SUMMARY

In 2010–11, there were a total of 10,828 defendants finalised in Australia's criminal courts with at least one federal offence: 756 in the Higher Courts; 9,910 in the Magistrates' Courts; and 162 in the Children's Courts (Table 2.1).

There were 10,432 persons and 396 organisations finalised in 2010–11 compared with 13,156 persons and 851 organisations in 2009–10. Over two-thirds (68% or 7,387) of all finalised defendants were male while 27% (2,886) were female (Table 2.1).

Across all three court levels, 71% of defendants finalised were proven guilty of at least one federal offence. Of those proven guilty, one-fifth (20% or 1,550) were sentenced to a custodial order (Table 2.1).

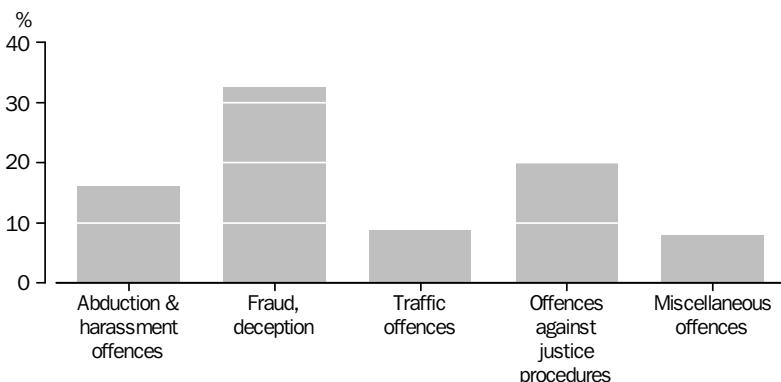
The 10,828 defendants represented a total of 42,037 federal offences finalised; an average of 3.9 offences per defendant. There were 3,264 federal offences finalised in the Higher Courts; 38,417 in the Magistrates' Courts; and 356 in the Children's Courts (Table 2.1).

PRINCIPAL FEDERAL OFFENCE

One-third (33%) of defendants finalised across all court levels had a principal federal offence of fraud and deception, followed by offences against justice procedures (20%) and abduction and harassment (16%). Of defendants finalised who had a principal federal offence of fraud and deception, most were classified to the ANZSOC Subdivision of obtain benefit by deception (86%) (Table 2.2).

PRINCIPAL FEDERAL OFFENCE *continued*

FEDERAL DEFENDANTS - ALL COURTS (a), Selected principal federal offences



(a) Excludes Tasmanian federal defendants in the Higher Criminal Courts.

Of the defendants heard in the Higher Courts, the majority had a principal federal offence in the following three ANZSOC Divisions: fraud and deception (26%); illicit drug offences (22%); offences against justice procedures (20%); and sexual assault (17%) (Table 2.2).

For the Magistrates' Courts, over two-thirds had a principal federal offence in the following three ANZSOC Divisions: fraud and deception (34%); offences against justice procedures (20%); and abduction and harassment (17%) (Table 2.2).

Over three-quarters of defendants in the Children's Court had a principal federal offence in the following five ANZSOC Divisions: abduction and harassment (41%); offences against justice procedures (14%); miscellaneous offences (9%); fraud and deception (8%); and theft and related offences (7%) (Table 2.2).

OFFENCE TYPES

Of the 42,037 offences across all court levels, over three-quarters were classified to three ANZSOC Divisions: fraud and deception (46%); offences against justice procedures (27%); and abduction and harassment (8%) (Table 2.3).

The largest number of offences finalised in the Higher Courts related to fraud and deception (44%), followed by sexual assault and related offences (24%) and offences against justice procedures (13%) (Table 2.3).

For the Magistrates' Courts, fraud and deception (47%), offences against justice procedures (28%) and abduction and harassment (8%) were the most prevalent (Table 2.3).

For the Children's Court, the largest number of offences finalised related to abduction and harassment (51%), offences against justice procedures (16%) and fraud and deception (12%) (Table 2.3).

AGE AND SEX

The proportion of male defendants finalised varied somewhat between court levels: 83% of defendants in the Higher Courts were male, compared with 70% in the Magistrates' Courts and 68% in the Children's Courts (Table 2.6).

AGE AND SEX *continued*

Across the three court levels, the 30–39 year age group was the highest represented age cohort (28%), and this was consistent for both males and females. More than half (53%) of all defendants were aged between 25 and 44 years. In the Children's Courts, one-half of all defendants (50%) were aged 16 or 17 years of age (Table 2.6).

The largest age cohort in New South Wales, Queensland and South Australia was 35–39 year olds. In Victoria, 40–44 year olds had the highest proportion of finalised defendants. The largest age cohorts in the other states and territories were 30–34 year olds in Western Australia and Tasmania, 25–29 year olds in the Northern Territory and 20–24 year olds in the Australian Capital Territory (Table 2.7).

FINALISATION METHOD

In the Higher Courts, 89% (672) of the 756 defendants were proven guilty (Table 2.1). The proportion of defendants proven guilty within the combined Magistrates' and Children's Courts was 70% (7,049), and a further 19% (1,903) were withdrawn by the prosecution (Table 2.12).

SENTENCE OUTCOMES

In the Higher Courts, 95% (640) of defendants proven guilty received a custodial order as their principal sentence, compared with 13% (888) in the Magistrates' Courts and 19% (22) in the Children's Courts (Table 2.1.).

Across all court levels, defendants were predominantly issued with a custodial order as their principal sentence where their principal federal offence was sexual assault (86%) or illicit drugs (72%). Those defendants with a principal federal offence in the category of offences against justice procedures were predominantly sentenced to a monetary order (70%) (Table 2.9).

Defendants sentenced to non-custodial orders (community supervision or work orders, monetary orders and other non-custodial orders) accounted for 80% (6,163) of defendants proven guilty across all court levels. Within the Magistrates' Court, 6,039 (87%) of defendants proven guilty were issued with a non-custodial order and in the Children's Court, 92 (81%) defendants proven guilty were issued with a non-custodial order (Table 2.1).

For the combined court levels, defendants who had a principal sentence of community supervision or work orders most commonly had a principal federal offence of fraud and deception (78%) or abduction and harassment (11%). Those with a principal sentence of monetary orders most commonly had a principal federal offence of offences against justice procedures (29%) or fraud and deception (27%) (Table 2.9).

STATES AND TERRITORIES

Principal federal offence

Of the 10,828 federal defendants finalised in Australia's criminal courts, more than one-third (34% or 3,695) appeared in New South Wales, over one-fifth (22% or 2,435) appeared in Queensland and almost one-fifth (18% or 1,997) appeared in Victoria (Table 2.4).

For federal defendants, the most prevalent principal offence was fraud and deception in Tasmania (68%), South Australia (56%), New South Wales (35%), Queensland (34%) and Victoria (26%). In Western Australia and the Northern Territory, offences against justice procedures were the most common (40% and 33% respectively), while in the Australian Capital Territory, traffic and vehicle regulatory offences (55%) were the most predominant. This is due largely to parking offences charged under federal legislation in

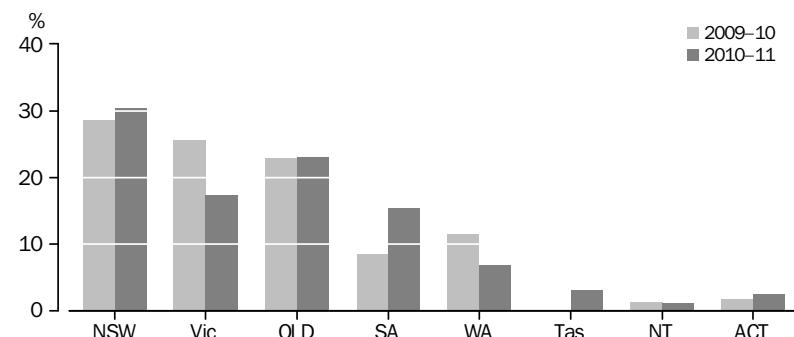
*Principal federal offence
continued*

the Australian Capital Territory (see Explanatory Notes, paragraph 49 for more detail) (Table 2.4).

Offence type

Of the 42,037 offences finalised across all court levels, New South Wales had the highest proportion of offences finalised by the courts (30% or 12,796), followed by Queensland (23% or 9,691 offences) and Victoria (17% or 7,329 offences). These states accounted for over two-thirds of all federal offences (Table 2.5).

FEDERAL OFFENCES - ALL COURTS (a)(b), Proportion of federal offences



a) In 2009–10, data for Tasmanian federal defendants and offences were not available.

b) In 2010–11, excludes Tasmanian federal defendants and offences in the Higher Criminal Courts.

Of the total number of offences finalised by the courts, fraud and deception offences comprised the largest proportion in South Australia (76%), Tasmania (64%), New South Wales (48%), the Northern Territory (40%), Queensland (39%) and Victoria (38%). In Western Australia, offences against justice procedures comprised 57% of all federal offences finalised and in the Australian Capital Territory, traffic and vehicle regulatory offences comprised 43% of all federal offences finalised. This is due largely to parking offences charged under federal legislation in the Australian Capital Territory (see Explanatory Notes, paragraph 49 for more detail) (Table 2.5).

2.1 SUMMARY CHARACTERISTICS OF ALL FEDERAL DEFENDANTS(a), Court level,
2008–09 to 2010–11

	NUMBER			PERCENTAGE CHANGE (%)
	2008–09	2009–10(b)	2010–11(c)	2009–10 to 2010–11
ALL COURTS (d)				
Defendants finalised				
Males	8 796	8 909	7 387	-17.1
Females	3 770	4 009	2 886	-28.0
Organisations	1 251	851	396	-53.5
Total (e)	14 002	14 007	10 828	-22.7
Method of finalisation				
Adjudicated outcomes				
Acquitted	310	350	363	3.7
Proven guilty	10 821	10 626	7 721	-27.3
<i>Total</i>	<i>11 131</i>	<i>10 976</i>	<i>8 084</i>	<i>-26.3</i>
Withdrawn by prosecution	2 272	2 360	1 960	-16.9
Other(f)	597	671	783	16.7
Total(g)	14 002	14 007	10 828	-22.7
Sentence outcomes				
Custodial orders				
	1 824	2 023	1 550	-23.4
Non-custodial orders				
	8 978	8 587	6 163	-28.2
Total proven guilty(h)	10 821	10 626	7 721	-27.3
Federal Offences	35 614	49 009	42 037	-14.2
Ratio - offences per defendant	2.5	3.5	3.9	11.4

- (a) In 2010–11, the counting unit for the federal defendant collection was changed. This has not affected time series comparisons. Details of the counting methodology can be found in the Explanatory Notes paragraph 27–29.
- (b) Data for Tasmania prior to 2010–11 are not available.
- (c) Excludes Tasmanian federal defendants and offences in the Higher Criminal Courts.
- (d) Defendants may be counted twice where they are transferred between court levels and finalised in each court level within the same reference period. See Explanatory Notes 32–34.
- (e) Includes defendants with unknown sex.
- (f) Includes transfers to other courts, defendants deceased, unfit to plead, transfers to non-court agencies, and other non-adjudicated finalisations n.f.d.
- (g) Includes defendants for whom a method of finalisation is unknown.
- (h) Includes defendants for whom a principal sentence is unknown.

2.1**SUMMARY CHARACTERISTICS OF ALL FEDERAL DEFENDANTS(a), Court level,
2008–09 to 2010–11 *continued***

	NUMBER			PERCENTAGE CHANGE (%)
	2008–09	2009–10(b)	2010–11(c)	2009–10 to 2010–11
HIGHER				
Defendants finalised				
Males	506	616	629	2.1
Females	115	146	127	-13.0
Organisations	3	3	—	-100.0
Total (d)	625	765	756	-1.2
Method of finalisation				
Adjudicated outcomes				
Acquitted	30	27	25	-7.4
Proven guilty	545	675	672	-0.4
<i>Total</i>	575	702	697	-0.7
Withdrawn by prosecution	7	50	57	14.0
Other(e)	43	13	—	-100.0
Total(f)	625	765	756	-1.2
Sentence outcomes				
Custodial orders				
Custodial orders	491	637	640	0.5
Non-custodial orders	54	38	32	-15.8
Total proven guilty(g)	545	675	672	-0.4
Federal Offences	1 970	2 686	3 264	21.5
Ratio - offences per defendant	3.2	3.5	4.3	22.9
MAGISTRATES ¹				
Defendants finalised				
Males	8 197	8 132	6 647	-18.2
Females	3 608	3 810	2 708	-28.9
Organisations	1 248	848	396	-53.3
Total (d)	13 207	13 028	9 910	-23.9
Method of finalisation				
Adjudicated outcomes				
Acquitted	268	311	321	3.2
Proven guilty	10 166	9 798	6 935	-29.2
<i>Total</i>	10 434	10 109	7 256	-28.2
Withdrawn by prosecution	2 221	2 267	1 879	-17.1
Other(e)	550	652	774	18.7
Total(f)	13 207	13 028	9 910	-23.9
Sentence outcomes				
Custodial orders				
Custodial orders	1 322	1 368	888	-35.1
Non-custodial orders	8 825	8 415	6 039	-28.2
Total proven guilty(g)	10 166	9 798	6 935	-29.2
Federal Offences	33 359	45 979	38 417	-16.4
Ratio - offences per defendant	2.5	3.5	3.9	11.4

— nil or rounded to zero (including null cells)

- (a) In 2010–11, the counting unit for the federal defendant collection was changed. This has not affected time series comparisons. Details of the counting methodology can be found in the Explanatory Notes paragraph 27–29.
- (b) Data for Tasmania prior to 2010–11 are not available.
- (c) Excludes Tasmanian federal defendants and offences in the Higher Criminal Courts.
- (d) Includes defendants with unknown sex.
- (e) Includes transfers to other courts, defendants deceased, unfit to plead, transfers to non-court agencies, and other non-adjudicated finalisations n.f.d.
- (f) Includes defendants for whom a method of finalisation is unknown.
- (g) Includes defendants for whom a principal sentence is unknown.

2.1 SUMMARY CHARACTERISTICS OF ALL FEDERAL DEFENDANTS(a), Court level,
2008–09 to 2010–11 *continued*

	NUMBER			PERCENTAGE CHANGE (%)
	2008–09	2009–10(b)	2010–11(c)	2009–10 to 2010–11
CHILDREN'S				
Defendants finalised				
Males	123	161	111	-31.1
Females	47	53	51	-3.8
Organisations	—	—	—	—
Total (d)	170	214	162	-24.3
Method of finalisation				
Adjudicated outcomes				
Acquitted	12	12	17	41.7
Proven guilty	110	153	114	-25.5
<i>Total</i>	122	165	131	-20.6
Withdrawn by prosecution	44	43	24	-44.2
Other(e)	4	6	7	16.7
Total(f)	170	214	162	-24.3
Sentence outcomes				
Custodial orders				
Custodial orders	11	18	22	22.2
Non-custodial orders	99	134	92	-31.3
Total proven guilty(g)	110	153	114	-25.5
Federal Offences	285	344	356	3.5
Ratio - offences per defendant	1.7	1.6	2.2	37.5

— nil or rounded to zero (including null cells)

- (a) In 2010–11, the counting unit for the federal defendant collection was changed. This has not affected time series comparisons. Details of the counting methodology can be found in the Explanatory Notes paragraph 27–29.
- (b) Data for Tasmania prior to 2010–11 are not available.
- (c) Excludes Tasmanian federal defendants and offences in the Higher Criminal Courts.
- (d) Includes defendants with unknown sex.
- (e) Includes transfers to other courts, defendants deceased, unfit to plead, transfers to non-court agencies, and other non-adjudicated finalisations n.f.d.
- (f) Includes defendants for whom a method of finalisation is unknown.
- (g) Includes defendants for whom a principal sentence is unknown.

2.2**FEDERAL DEFENDANTS(a), Principal federal offence by court level(b)**

ANZSOC	COURT LEVEL			
	Higher	Magistrates'	Children's	All courts
NUMBER				
Homicide and related offences	—	—	—	—
Acts intended to cause injury	—	87	6	93
Sexual assault and related offences				
Child pornography offences	90	189	—	279
Total(c)	132	243	—	375
Dangerous or negligent acts endangering persons	3	42	—	44
Abduction, harassment and related offences				
Harassment and private nuisance	19	774	34	827
Threatening behaviour	6	878	31	915
Total(d)	27	1 656	65	1 748
Robbery, extortion and related offences	—	13	3	16
Unlawful entry with intent/burglary, break and enter	—	9	4	15
Theft and related offences	31	240	11	282
Fraud, deception and related offences				
Obtain benefit by deception	153	2 888	5	3 046
Total(e)	196	3 320	12	3 528
Illicit drug offences				
Import or export illicit drugs	136	253	—	390
Total(f)	165	306	4	475
Prohibited and regulated weapons and explosives offences	—	43	—	44
Property damage and environmental pollution	6	36	—	43
Public order offences	3	138	10	149
Traffic and vehicle regulatory offences	—	949	8	957
Offences against justice procedures, etc.				
Immigration offences	109	235	—	346
Total(g)	153	2 010	23	2 186
Miscellaneous offences				
Commercial/industry/financial regulation	8	503	—	511
Total(h)	41	808	14	863
Total defendants(i)	757	9 910	160	10 828

- nil or rounded to zero (including null cells)
 (a) Excludes Tasmanian federal defendants and offences in the Higher Criminal Courts.
 (b) Defendants may be counted twice where they are transferred between court levels and finalised in each court level within the same reference period. See Explanatory Notes 32–34.
 (c) Includes ANZSOC Subdivisions 031 and 032.
 (d) Includes ANZSOC Subdivisions 051, 052 and 053.

- (e) Includes ANZSOC Subdivisions 092, 093 and 099.
 (f) Includes ANZSOC Subdivisions 102, 103, 104 and 109.
 (g) Includes ANZSOC Subdivisions 151, 153, 154, 155 and 156.
 (h) Includes ANZSOC Subdivisions 161, 162, 163 and 169.
 (i) Includes defendants for whom offence data are missing or a principal offence could not be determined.

2.2**FEDERAL DEFENDANTS(a), Principal federal offence by court level(b) *continued* ..**

ANZSOC	COURT LEVEL			
	Higher	Magistrates'	Children's	All courts
PROPORTION (%)				
Homicide and related offences	—	—	—	—
Acts intended to cause injury	—	0.9	3.8	0.9
Sexual assault and related offences				
Child pornography offences	11.9	1.9	—	2.6
Total(c)	17.4	2.5	—	3.5
Dangerous or negligent acts endangering persons	0.4	0.4	—	0.4
Abduction, harassment and related offences				
Harassment and private nuisance	2.5	7.8	21.3	7.6
Threatening behaviour	0.8	8.9	19.4	8.5
Total(d)	3.6	16.7	40.6	16.1
Robbery, extortion and related offences	—	0.1	1.9	0.1
Unlawful entry with intent/burglary, break and enter	—	0.1	2.5	0.1
Theft and related offences	4.1	2.4	6.9	2.6
Fraud, deception and related offences				
Obtain benefit by deception	20.2	29.1	3.1	28.1
Total(e)	25.9	33.5	7.5	32.6
Illicit drug offences				
Import or export illicit drugs	18.0	2.6	—	3.6
Total(f)	21.8	3.1	2.5	4.4
Prohibited and regulated weapons and explosives offences	—	0.4	—	0.4
Property damage and environmental pollution	0.8	0.4	—	0.4
Public order offences	0.4	1.4	6.3	1.4
Traffic and vehicle regulatory offences	—	9.6	5.0	8.8
Offences against justice procedures, etc.				
Immigration offences	14.4	2.4	—	3.2
Total(g)	20.2	20.3	14.4	20.2
Miscellaneous offences				
Commercial/industry/financial regulation	1.1	5.1	—	4.7
Total(h)	5.4	8.2	8.8	8.0
Total defendants(i)	100.0	100.0	100.0	100.0

- nil or rounded to zero (including null cells)
 (a) Excludes Tasmanian federal defendants and offences in the Higher Criminal Courts.
 (b) Defendants may be counted twice where they are transferred between court levels and finalised in each court level within the same reference period. See Explanatory Notes 32–34.
 (c) Includes ANZSOC Subdivisions 031 and 032.
 (d) Includes ANZSOC Subdivisions 051, 052 and 053.

- (e) Includes ANZSOC Subdivisions 092, 093 and 099.
 (f) Includes ANZSOC Subdivisions 102, 103, 104 and 109.
 (g) Includes ANZSOC Subdivisions 151, 153, 154, 155 and 156.
 (h) Includes ANZSOC Subdivisions 161, 162, 163 and 169.
 (i) Includes defendants for whom offence data are missing or a principal offence could not be determined.

2.3**FEDERAL OFFENCES(a), Principal federal offence by court level(b)**

ANZSOC	COURT LEVEL			
	Higher	Magistrates'	Children's	All Courts
NUMBER				
Homicide and related offences	—	—	—	—
Acts intended to cause injury	—	73	4	77
Sexual assault and related offences				
Child pornography offences	616	725	—	1 341
Total(c)	785	878	—	1 663
Dangerous or negligent acts endangering persons	5	63	—	68
Abduction, harassment and related offences				
Harassment and private nuisance	104	1 445	136	1 685
Threatening behaviour	10	1 415	44	1 469
Total(d)	134	2 865	180	3 179
Robbery, extortion and related offences	—	12	3	15
Unlawful entry with intent/burglary, break and enter	5	11	3	19
Theft and related offences	95	1 879	10	1 984
Fraud, deception and related offences				
Obtain benefit by deception	1 100	15 771	7	16 878
Total(e)	1 448	17 936	42	19 426
Illicit drug offences				
Import or export illicit drugs	192	406	—	598
Total(f)	238	502	5	745
Prohibited and regulated weapons and explosives offences	—	57	—	57
Property damage and environmental pollution	7	50	—	57
Public order offences	3	196	14	213
Traffic and vehicle regulatory offences	—	1 009	8	1 017
Offences against justice procedures, etc.				
Immigration offences	171	266	3	440
Total(g)	416	10 928	58	11 402
Miscellaneous offences				
Commercial/industry/financial regulation	51	1 035	—	1 086
Total(h)	129	1 943	28	2 100
Total offences(i)	3 265	38 417	355	42 037

- nil or rounded to zero (including null cells)
- (a) Excludes Tasmanian federal defendants and offences in the Higher Criminal Courts.
- (b) Defendants may be counted twice where they are transferred between court levels and finalised in each court level within the same reference period. See Explanatory Notes 32–34.
- (c) Includes ANZSOC Subdivisions 031 and 032.
- (d) Includes ANZSOC Subdivisions 051, 052 and 053.

- (e) Includes ANZSOC Subdivisions 092, 093 and 099.
- (f) Includes ANZSOC Subdivisions 102, 103, 104 and 109.
- (g) Includes ANZSOC Subdivisions 151, 153, 154, 155 and 156.
- (h) Includes ANZSOC Subdivisions 161, 162, 163 and 169.
- (i) Includes defendants for whom offence data are missing or a principal offence could not be determined.

2.3**FEDERAL OFFENCES(a), Principal federal offence by court level(b) *continued***

ANZSOC	COURT LEVEL			
	Higher	Magistrates' ¹	Children's	All Courts
PROPORTION (%)				
Homicide and related offences	—	—	—	—
Acts intended to cause injury	—	0.2	1.1	0.2
Sexual assault and related offences				
Child pornography offences	18.9	1.9	—	3.2
Total(c)	24.0	2.3	—	4.0
Dangerous or negligent acts endangering persons	0.2	0.2	—	0.2
Abduction, harassment and related offences				
Harassment and private nuisance	3.2	3.8	38.3	4.0
Threatening behaviour	0.3	3.7	12.4	3.5
Total(d)	4.1	7.5	50.7	7.6
Robbery, extortion and related offences	—	—	0.8	—
Unlawful entry with intent/burglary, break and enter	0.2	—	0.8	—
Theft and related offences	2.9	4.9	2.8	4.7
Fraud, deception and related offences				
Obtain benefit by deception	33.7	41.1	2.0	40.2
Total(e)	44.3	46.7	11.8	46.2
Illicit drug offences				
Import or export illicit drugs	5.9	1.1	—	1.4
Total(f)	7.3	1.3	1.4	1.8
Prohibited and regulated weapons and explosives offences	—	0.1	—	0.1
Property damage and environmental pollution	0.2	0.1	—	0.1
Public order offences	0.1	0.5	3.9	0.5
Traffic and vehicle regulatory offences	—	2.6	2.3	2.4
Offences against justice procedures, etc.				
Immigration offences	5.2	0.7	0.8	1.0
Total(g)	12.7	28.4	16.3	27.1
Miscellaneous offences				
Commercial/industry/financial regulation	1.6	2.7	—	2.6
Total(h)	4.0	5.1	7.9	5.0
Total offences(i)	100.0	100.0	100.0	100.0

- nil or rounded to zero (including null cells)
 (a) Excludes Tasmanian federal defendants and offences in the Higher Criminal Courts.
 (b) Defendants may be counted twice where they are transferred between court levels and finalised in each court level within the same reference period. See Explanatory Notes 32–34.
 (c) Includes ANZSOC Subdivisions 031 and 032.
 (d) Includes ANZSOC Subdivisions 051, 052 and 053.

- (e) Includes ANZSOC Subdivisions 092, 093 and 099.
 (f) Includes ANZSOC Subdivisions 102, 103, 104 and 109.
 (g) Includes ANZSOC Subdivisions 151, 153, 154, 155 and 156.
 (h) Includes ANZSOC Subdivisions 161, 162, 163 and 169.
 (i) Includes defendants for whom offence data are missing or a principal offence could not be determined.

2.4 FEDERAL DEFENDANTS – ALL COURTS(a), Principal federal offence by selected states and territories

ANZSOC	NSW	Vic.	Qld	SA	WA	Tas.(b)	NT	ACT
NUMBER								
Homicide and related offences	—	—	—	—	—	—	—	—
Acts intended to cause injury	3	—	—	—	—	—	3	85
Sexual assault and related offences								
Child pornography offences	44	21	168	19	8	10	4	5
Total(c)	74	32	209	19	8	10	5	18
Dangerous or negligent acts endangering persons	12	4	19	3	4	—	—	3
Abduction, harassment and related offences								
Harassment and private nuisance	7	450	319	18	33	—	—	—
Threatening behaviour	843	7	57	—	—	—	—	4
Total(d)	854	457	376	20	33	—	—	6
Robbery, extortion and related offences	—	9	—	—	—	—	—	5
Unlawful entry with intent/burglary, break and enter	—	3	—	—	—	—	—	12
Theft and related offences	121	46	59	—	14	3	3	36
Fraud, deception and related offences								
Obtain benefit by deception	1 175	394	765	279	243	112	31	47
Total(e)	1 306	527	834	319	328	125	34	55
Illicit drug offences								
Import or export illicit drugs	210	50	53	41	31	—	3	—
Total(f)	226	80	62	45	52	3	3	5
Prohibited and regulated weapons and explosives offences	17	4	5	—	10	—	3	7
Property damage and environmental pollution	7	3	—	3	—	—	9	20
Public order offences	5	11	53	7	11	14	22	26
Traffic and vehicle regulatory offences	6	418	52	6	—	—	—	474
Offences against justice procedures, etc.								
Immigration offences	43	9	78	—	155	—	61	—
Total(g)	596	292	649	118	345	22	68	96
Miscellaneous offences								
Commercial/industry/financial regulation	327	71	41	20	16	—	32	3
Total(h)	468	104	117	35	67	5	54	13
Total defendants(i)	3 695	1 997	2 435	575	872	185	204	861

— nil or rounded to zero (including null cells)

- (a) Data are combined for Higher, Magistrates' and Children's courts.
 (b) Excludes Tasmanian federal defendants and offences in the Higher Criminal Courts.
 (c) Includes ANZSOC Subdivisions 031 and 032.
 (d) Includes ANZSOC Subdivisions 051, 052 and 053.

(e) Includes ANZSOC Subdivisions 092, 093 and 099.

(f) Includes ANZSOC Subdivisions 102, 103, 104 and 109.

(g) Includes ANZSOC Subdivisions 151, 153, 154, 155 and 156.

(h) Includes ANZSOC Subdivisions 161, 162, 163 and 169.

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

2.4 FEDERAL DEFENDANTS – ALL COURTS(a), Principal federal offence by selected states and territories *continued*

ANZSOC	NSW	Vic.	Qld	SA	WA	Tas.(b)	NT	ACT
PROPORTION (%)								
Homicide and related offences	—	—	—	—	—	—	—	—
Acts intended to cause injury	0.1	—	—	—	—	—	1.5	9.9
Sexual assault and related offences								
Child pornography offences	1.2	1.1	6.9	3.3	0.9	5.4	2.0	0.6
Total(c)	2.0	1.6	8.6	3.3	0.9	5.4	2.5	2.1
Dangerous or negligent acts endangering persons	0.3	0.2	0.8	0.5	0.5	—	—	0.3
Abduction, harassment and related offences								
Harassment and private nuisance	0.2	22.5	13.1	3.1	3.8	—	—	—
Threatening behaviour	22.8	0.4	2.3	—	—	—	—	0.5
Total(d)	23.1	22.9	15.4	3.5	3.8	—	—	0.7
Robbery, extortion and related offences	—	0.5	—	—	—	—	—	0.6
Unlawful entry with intent/burglary, break and enter	—	0.2	—	—	—	—	—	1.4
Theft and related offences	3.3	2.3	2.4	—	1.6	1.6	1.5	4.2
Fraud, deception and related offences								
Obtain benefit by deception	31.8	19.7	31.4	48.5	27.9	60.5	15.2	5.5
Total(e)	35.3	26.4	34.3	55.5	37.6	67.6	16.7	6.4
Illicit drug offences								
Import or export illicit drugs	5.7	2.5	2.2	7.1	3.6	—	1.5	—
Total(f)	6.1	4.0	2.5	7.8	6.0	1.6	1.5	0.6
Prohibited and regulated weapons and explosives offences	0.5	0.2	0.2	—	1.1	—	1.5	0.8
Property damage and environmental pollution	0.2	0.2	—	0.5	—	—	4.4	2.3
Public order offences	0.1	0.6	2.2	1.2	1.3	7.6	10.8	3.0
Traffic and vehicle regulatory offences	0.2	20.9	2.1	1.0	—	—	—	55.1
Offences against justice procedures, etc.								
Immigration offences	1.2	0.5	3.2	—	17.8	—	29.9	—
Total(g)	16.1	14.6	26.7	20.5	39.6	11.9	33.3	11.1
Miscellaneous offences								
Commercial/industry/financial regulation	8.8	3.6	1.7	3.5	1.8	—	15.7	0.3
Total(h)	12.7	5.2	4.8	6.1	7.7	2.7	26.5	1.5
Total defendants(i)	100.0							

— nil or rounded to zero (including null cells)

(e) Includes ANZSOC Subdivisions 092, 093 and 099.

(a) Data are combined for Higher, Magistrates' and Children's courts.

(f) Includes ANZSOC Subdivisions 102, 103, 104 and 109.

(b) Excludes Tasmanian federal defendants and offences in the Higher Criminal Courts.

(g) Includes ANZSOC Subdivisions 151, 153, 154, 155 and 156.

(c) Includes ANZSOC Subdivisions 031 and 032.

(h) Includes ANZSOC Subdivisions 161, 162, 163 and 169.

(d) Includes ANZSOC Subdivisions 051, 052 and 053.

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

2.5 FEDERAL OFFENCES – ALL COURTS(a), Principal federal offence by selected states and territories

ANZSOC	NSW	Vic.	Qld	SA	WA	Tas.(b)	NT	ACT
NUMBER								
Homicide and related offences	—	—	—	—	—	—	—	—
Acts intended to cause injury	6	—	—	4	—	—	4	62
Sexual assault and related offences								
Child pornography offences	138	78	814	36	27	206	22	20
Total(c)	229	111	993	36	27	206	23	38
Dangerous or negligent acts endangering persons	26	4	25	6	4	—	—	3
Abduction, harassment and related offences								
Harassment and private nuisance	25	1 044	514	54	46	—	—	—
Threatening behaviour	1 350	23	74	10	—	—	6	5
Total(d)	1 397	1 067	588	64	46	—	8	8
Robbery, extortion and related offences	—	9	—	—	—	—	—	4
Unlawful entry with intent/burglary, break and enter	—	5	—	—	—	—	—	14
Theft and related offences	1 063	385	450	7	34	10	4	31
Fraud, deception and related offences								
Obtain benefit by deception	5 593	1 729	3 347	4 563	580	790	196	80
Total(e)	6 102	2 792	3 730	4 901	751	842	208	100
Illicit drug offences								
Import or export illicit drugs	285	75	93	107	32	—	5	—
Total(f)	319	132	109	115	57	3	5	6
Prohibited and regulated weapons and explosives offences	17	9	6	—	10	—	12	3
Property damage and environmental pollution	12	5	10	4	—	—	10	17
Public order offences	9	29	61	12	13	24	39	24
Traffic and vehicle regulatory offences	6	457	66	13	—	—	5	470
Offences against justice procedures, etc.								
Immigration offences	65	22	82	—	178	—	93	—
Total(g)	2 618	1 926	3 438	1 182	1 629	210	106	293
Miscellaneous offences								
Commercial/industry/financial regulation	609	199	84	27	104	—	44	18
Total(h)	992	389	215	69	304	6	92	33
Total offences(i)	12 796	7 329	9 691	6 413	2 875	1 307	516	1 106

— nil or rounded to zero (including null cells)

(e) Includes ANZSOC Subdivisions 092, 093 and 099.

(a) Data are combined for Higher, Magistrates' and Children's courts.

(f) Includes ANZSOC Subdivisions 102, 103, 104 and 109.

(b) Excludes Tasmanian federal defendants and offences in the Higher Criminal Courts.

(g) Includes ANZSOC Subdivisions 151, 153, 154, 155 and 156.

(c) Includes ANZSOC Subdivisions 031 and 032.

(h) Includes ANZSOC Subdivisions 161, 162, 163 and 169.

(d) Includes ANZSOC Subdivisions 051, 052 and 053.

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

2.5 FEDERAL OFFENCES – ALL COURTS(a), Principal federal offence by selected states and territories *continued*

ANZSOC	NSW	Vic.	Qld	SA	WA	Tas.(b)	NT	ACT
PROPORTION (%)								
Homicide and related offences	—	—	—	—	—	—	—	—
Acts intended to cause injury	—	—	—	0.1	—	—	0.8	5.6
Sexual assault and related offences								
Child pornography offences	1.1	1.1	8.4	0.6	0.9	15.8	4.3	1.8
Total(c)	1.8	1.5	10.2	0.6	0.9	15.8	4.5	3.4
Dangerous or negligent acts endangering persons	0.2	0.1	0.3	0.1	0.1	—	—	0.3
Abduction, harassment and related offences								
Harassment and private nuisance	0.2	14.2	5.3	0.8	1.6	—	—	—
Threatening behaviour	10.6	0.3	0.8	0.2	—	—	1.2	0.5
Total(d)	10.9	14.6	6.1	1.0	1.6	—	1.6	0.7
Robbery, extortion and related offences	—	0.1	—	—	—	—	—	0.4
Unlawful entry with intent/burglary, break and enter	—	0.1	—	—	—	—	—	1.3
Theft and related offences	8.3	5.3	4.6	0.1	1.2	0.8	0.8	2.8
Fraud, deception and related offences								
Obtain benefit by deception	43.7	23.6	34.5	71.2	20.2	60.4	38.0	7.2
Total(e)	47.7	38.1	38.5	76.4	26.1	64.4	40.3	9.0
Illicit drug offences								
Import or export illicit drugs	2.2	1.0	1.0	1.7	1.1	—	1.0	—
Total(f)	2.5	1.8	1.1	1.8	2.0	0.2	1.0	0.5
Prohibited and regulated weapons and explosives offences	0.1	0.1	0.1	—	0.3	—	2.3	0.3
Property damage and environmental pollution	0.1	0.1	0.1	0.1	—	—	1.9	1.5
Public order offences	0.1	0.4	0.6	0.2	0.5	1.8	7.6	2.2
Traffic and vehicle regulatory offences	—	6.2	0.7	0.2	—	—	1.0	42.5
Offences against justice procedures, etc.								
Immigration offences	0.5	0.3	0.8	—	6.2	—	18.0	—
Total(g)	20.5	26.3	35.5	18.4	56.7	16.1	20.5	26.5
Miscellaneous offences								
Commercial/industry/financial regulation	4.8	2.7	0.9	0.4	3.6	—	8.5	1.6
Total(h)	7.8	5.3	2.2	1.1	10.6	0.5	17.8	3.0
Total offences(i)	100.0							

— nil or rounded to zero (including null cells)

(e) Includes ANZSOC Subdivisions 092, 093 and 099.

(a) Data are combined for Higher, Magistrates' and Children's courts.

(f) Includes ANZSOC Subdivisions 102, 103, 104 and 109.

(b) Excludes Tasmanian federal defendants and offences in the Higher Criminal Courts.

(g) Includes ANZSOC Subdivisions 151, 153, 154, 155 and 156.

(c) Includes ANZSOC Subdivisions 031 and 032.

(h) Includes ANZSOC Subdivisions 161, 162, 163 and 169.

(d) Includes ANZSOC Subdivisions 051, 052 and 053.

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

2.6

FEDERAL DEFENDANTS (a)(b), Court level and age by sex

Age groups (years)	NUMBER			PROPORTION (%)		
	Males	Females	Persons(c)	Males	Females	Persons(c)
HIGHER						
Under 20 years	19	—	19	3.0	—	2.5
20–24 years	71	8	79	11.3	6.3	10.4
25–29 years	69	8	77	11.0	6.3	10.2
30–34 years	88	18	106	14.0	14.2	14.0
35–39 years	82	19	101	13.0	15.0	13.4
40–44 years	73	20	93	11.6	15.7	12.3
45–49 years	68	17	85	10.8	13.4	11.2
50–54 years	53	18	71	8.4	14.2	9.4
55 years and over	106	19	125	16.9	15.0	16.5
Total(d)	629	127	756	100.0	100.0	100.0
MAGISTRATES ¹						
Under 20 years	179	52	235	2.7	1.9	2.5
20–24 years	675	201	890	10.2	7.4	9.4
25–29 years	809	395	1 213	12.2	14.6	12.7
30–34 years	903	411	1 332	13.6	15.2	14.0
35–39 years	929	413	1 359	14.0	15.3	14.3
40–44 years	843	389	1 244	12.7	14.4	13.1
45–49 years	711	267	983	10.7	9.9	10.3
50–54 years	455	195	654	6.8	7.2	6.9
55 years and over	690	225	925	10.4	8.3	9.7
Total(d)	6 647	2 708	9 514	100.0	100.0	100.0
CHILDREN'S						
12–14 years	12	8	20	10.9	15.7	12.4
15 years	13	13	26	11.8	25.5	16.1
16 years	28	12	40	25.5	23.5	24.8
17 years	32	9	41	29.1	17.6	25.5
18 years and over	25	9	34	22.7	17.6	21.1
Total (d)	110	51	161	100.0	100.0	100.0
ALL COURTS(e)						
Under 20 years	308	101	413	4.2	3.5	4.0
20–24 years	746	211	971	10.1	7.3	9.3
25–29 years	879	403	1 291	11.9	14.0	12.4
30–34 years	991	429	1 438	13.4	14.9	13.8
35–39 years	1 011	432	1 460	13.7	15.0	14.0
40–44 years	916	409	1 337	12.4	14.2	12.8
45–49 years	779	284	1 068	10.5	9.8	10.2
50–54 years	508	213	725	6.9	7.4	6.9
55 years and over	796	244	1 050	10.8	8.5	10.1
Total(d)	7 387	2 886	10 432	100.0	100.0	100.0

— nil or rounded to zero (including null cells)

(a) Excludes Tasmanian federal defendants in the Higher Criminal Courts.

(b) Excludes defendants that are organisations.

(c) Includes defendants with unknown sex.

(d) Includes defendants with unknown age.

(e) Data are combined for Higher, Magistrates' and Children's courts.

2.7**FEDERAL DEFENDANTS - ALL COURTS(a)(b), Sex and age by selected states and territories**

Age groups (years)	NSW	Vic.	Qld	SA	WA	Tas.(c)	NT	ACT
MALES								
Under 20 years	92	68	68	3	21	5	10	42
20–24 years	223	119	149	22	81	6	24	122
25–29 years	298	132	187	62	68	15	36	81
30–34 years	355	149	233	52	97	23	26	56
35–39 years	365	146	263	74	78	17	27	41
40–44 years	314	178	237	36	91	10	17	33
45–49 years	301	150	176	45	50	15	9	33
50–54 years	186	71	130	26	49	7	10	29
55 years and over	278	117	236	43	66	12	10	34
Total (d)	2 424	1 398	1 701	370	604	110	169	613
FEMALES								
Under 20 years	31	21	30	—	5	—	—	13
20–24 years	72	34	33	21	12	7	—	31
25–29 years	145	57	109	34	9	7	3	39
30–34 years	167	63	97	26	41	15	4	16
35–39 years	192	50	102	28	23	11	8	18
40–44 years	160	68	95	29	27	13	5	12
45–49 years	112	41	62	16	23	6	5	19
50–54 years	72	39	49	18	18	8	—	7
55 years and over	112	33	51	14	12	6	3	13
Total (d)	1 066	499	640	186	170	73	28	220
PERSONS (e)								
Under 20 years	123	89	98	3	30	5	11	55
20–24 years	296	153	186	43	102	13	25	153
25–29 years	443	189	297	96	85	22	39	120
30–34 years	527	212	333	78	148	38	30	72
35–39 years	563	196	371	102	106	28	35	59
40–44 years	476	246	338	65	122	23	22	45
45–49 years	414	191	239	61	76	21	14	52
50–54 years	259	110	181	44	68	15	12	36
55 years and over	392	150	295	57	78	18	13	47
Total (d)	3 511	1 897	2 379	557	872	183	201	833

— nil or rounded to zero (including null cells)

(a) Data are combined for Higher, Magistrates' and Children's courts

(b) Excludes defendants that are organisations.

(c) Excludes Tasmanian federal defendants and offences in the Higher Criminal Courts.

(d) Includes defendants with unknown age

(e) Includes defendants with unknown sex.

2.8 FEDERAL DEFENDANTS – ALL COURTS(a)(b), Principal offence by method of finalisation

ANZSOC	Acquitted	Proven guilty	Withdrawn by prosecution	Other(c)	Total(d)
NUMBER					
Homicide and related offences	—	—	—	—	—
Acts intended to cause injury	3	58	16	17	94
Sexual assault and related offences					
Child pornography offences	5	114	51	109	279
Total(e)	9	151	66	151	377
Dangerous or negligent acts endangering persons	3	28	12	3	46
Abduction, harassment and related offences					
Harassment and private nuisance	22	570	223	14	829
Threatening behaviour	103	633	162	19	917
Total(f)	125	1 205	388	34	1 752
Robbery, extortion and related offences	—	3	11	3	17
Unlawful entry with intent	—	11	4	—	15
Theft and related offences	14	153	79	38	284
Fraud, deception and related offences					
Obtain benefit by deception	60	2 545	355	87	3 047
Total(g)	81	2 897	439	112	3 529
Illicit drug offences					
Import or export illicit drugs	6	159	74	151	390
Total(h)	7	206	91	171	475
Prohibited and regulated weapons and explosives offences	5	24	14	3	46
Property damage and environmental pollution	—	37	4	—	41
Public order offences	17	102	25	7	151
Traffic and vehicle regulatory offences	14	617	325	—	956
Offences against justice procedures, etc.					
Immigration offences	16	105	36	191	348
Total(i)	45	1 563	356	224	2 188
Miscellaneous offences					
Commercial/industry/financial regulation	11	409	89	4	513
Total(j)	49	662	129	23	863
Total defendants(k)	372	7 724	1 962	786	10 844

— nil or rounded to zero (including null cells)

- (a) Data are combined for Higher, Magistrates' and Children's courts.
- (b) Excludes Tasmanian federal defendants and offences in the Higher Criminal Courts.
- (c) Includes transfers to other courts, defendants deceased, unfit to plead, transfers to non-court agencies and other non-adjudicated finalisation n.e.c.
- (d) Includes defendants for whom a method of finalisation is unknown.

(e) Includes ANZSOC Subdivisions 031 and 032.

(f) Includes ANZSOC Subdivisions 051, 052 and 053.

(g) Includes ANZSOC Subdivisions 092, 093 and 099.

(h) Includes ANZSOC Subdivisions 102, 103, 104 and 109.

(i) Includes ANZSOC Subdivisions 151, 153, 154, 155 and 156.

(j) Includes ANZSOC Subdivisions 161, 162, 163 and 169.

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

2.8 FEDERAL DEFENDANTS – ALL COURTS(a)(b), Principal offence by method of finalisation *continued*

ANZSOC	Acquitted	Proven guilty	Withdrawn by prosecution	Other(c)	Total(d)
PROPORTION (%)					
Homicide and related offences	—	—	—	—	—
Acts intended to cause injury	0.8	0.8	0.8	2.2	0.9
Sexual assault and related offences					
Child pornography offences	1.3	1.5	2.6	13.9	2.6
Total(e)	2.4	2.0	3.4	19.2	3.5
Dangerous or negligent acts endangering persons	0.8	0.4	0.6	0.4	0.4
Abduction, harassment and related offences					
Harassment and private nuisance	5.9	7.4	11.4	1.8	7.6
Threatening behaviour	27.7	8.2	8.3	2.4	8.5
Total(f)	33.6	15.6	19.8	4.3	16.2
Robbery, extortion and related offences	—	—	0.6	0.4	0.2
Unlawful entry with intent	—	0.1	0.2	—	0.1
Theft and related offences	3.8	2.0	4.0	4.8	2.6
Fraud, deception and related offences					
Obtain benefit by deception	16.1	32.9	18.1	11.1	28.1
Total(g)	21.8	37.5	22.4	14.2	32.5
Illicit drug offences					
Import or export illicit drugs	1.6	2.1	3.8	19.2	3.6
Total(h)	1.9	2.7	4.6	21.8	4.4
Prohibited and regulated weapons and explosives offences	1.3	0.3	0.7	0.4	0.4
Property damage and environmental pollution	—	0.5	0.2	—	0.4
Public order offences	4.6	1.3	1.3	0.9	1.4
Traffic and vehicle regulatory offences	3.8	8.0	16.6	—	8.8
Offences against justice procedures, etc.					
Immigration offences	4.3	1.4	1.8	24.3	3.2
Total(i)	12.1	20.2	18.1	28.5	20.2
Miscellaneous offences					
Commercial/industry/financial regulation	3.0	5.3	4.5	0.5	4.7
Total(j)	13.2	8.6	6.6	2.9	8.0
Total defendants(k)	100.0	100.0	100.0	100.0	100.0

— nil or rounded to zero (including null cells)

- (a) Data are combined for Higher, Magistrates' and Children's courts.
- (b) Excludes Tasmanian federal defendants and offences in the Higher Criminal Courts.
- (c) Includes transfers to other courts, defendants deceased, unfit to plead, transfers to non-court agencies and other non-adjudicated finalisation n.e.c.
- (d) Includes defendants for whom a method of finalisation is unknown.

(e) Includes ANZSOC Subdivisions 031 and 032.

(f) Includes ANZSOC Subdivisions 051, 052 and 053.

(g) Includes ANZSOC Subdivisions 092, 093 and 099.

(h) Includes ANZSOC Subdivisions 102, 103, 104 and 109.

(i) Includes ANZSOC Subdivisions 151, 153, 154, 155 and 156.

(j) Includes ANZSOC Subdivisions 161, 162, 163 and 169.

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

2.9 FEDERAL DEFENDANTS PROVEN GUILTY – ALL COURTS(a)(b), Principal federal offence by principal sentence

ANZSOC	NON-CUSTODIAL ORDERS					Total(c)
	Custodial orders	Community supervision/work orders	Monetary orders	Other non-custodial orders		
NUMBER						
Homicide and related offences	—	—	—	—	—	—
Acts intended to cause injury	25	7	12	14	58	
Sexual assault and related offences						
Child pornography offences	97	10	3	8	118	
Total(d)	133	11	3	8	155	
Dangerous or negligent acts endangering persons	3	—	12	10	25	
Abduction, harassment and related offences						
Harassment and private nuisance	69	58	234	210	571	
Threatening behaviour	115	29	172	318	634	
Total(e)	186	87	406	528	1 207	
Robbery, extortion and related offences	—	—	—	3	3	
Unlawful entry with intent	10	—	—	—	10	
Theft and related offences	55	15	55	30	155	
Fraud, deception and related offences						
Obtain benefit by deception	683	590	844	433	2 550	
Total(f)	759	610	1 030	502	2 901	
Illicit drug offences						
Import or export illicit drugs	123	6	16	18	163	
Total(g)	152	8	24	26	210	
Prohibited and regulated weapons and explosives offences	—	—	9	13	22	
Property damage and environmental pollution	10	3	21	7	41	
Public order offences	5	6	63	28	102	
Traffic and vehicle regulatory offences	6	—	595	14	615	
Offences against justice procedures, etc.						
Immigration offences	97	—	5	—	102	
Total(h)	154	27	1 100	280	1 561	
Miscellaneous offences						
Commercial/industry/financial regulation	14	—	311	83	411	
Total(i)	49	13	455	148	665	
Total proven guilty(j)	1 547	787	3 788	1 614	7 736	

— nil or rounded to zero (including null cells)

- (a) Data are combined for Higher, Magistrates' and Children's courts.
- (b) Excludes Tasmanian federal defendants and offences in the Higher Criminal Courts.
- (c) Includes defendants for whom a method of finalisation is unknown.
- (d) Includes ANZSOC Subdivisions 031 and 032.
- (e) Includes ANZSOC Subdivisions 051, 052 and 053.
- (f) Includes ANZSOC Subdivisions 092, 093 and 099.
- (g) Includes ANZSOC Subdivisions 102, 103, 104 and 109.
- (h) Includes ANZSOC Subdivisions 151, 153, 154, 155 and 156.
- (i) Includes ANZSOC Subdivisions 161, 162, 163 and 169.
- (j) Includes defendants for whom offence data are missing or a principal offence could not be determined.

2.9 FEDERAL DEFENDANTS PROVEN GUILTY – ALL COURTS(a)(b), Principal federal offence by principal sentence *continued*

ANZSOC	NON-CUSTODIAL ORDERS				
	Custodial orders	Community supervision/work orders	Monetary orders	Other non-custodial orders	Total(c)
PROPORTION (%)					
Homicide and related offences	—	—	—	—	—
Acts intended to cause injury	1.6	0.9	0.3	0.9	0.7
Sexual assault and related offences					
Child pornography offences	6.3	1.3	0.1	0.5	1.5
Total(d)	8.6	1.4	0.1	0.5	2.0
Dangerous or negligent acts endangering persons	0.2	—	0.3	0.6	0.3
Abduction, harassment and related offences					
Harassment and private nuisance	4.5	7.4	6.2	13.0	7.4
Threatening behaviour	7.4	3.7	4.5	19.7	8.2
Total(e)	12.0	11.1	10.7	32.7	15.6
Robbery, extortion and related offences	—	—	—	0.2	—
Unlawful entry with intent	0.6	—	—	—	0.1
Theft and related offences	3.6	1.9	1.5	1.9	2.0
Fraud, deception and related offences					
Obtain benefit by deception	44.1	75.0	22.3	26.8	33.0
Total(f)	49.0	77.5	27.2	31.1	37.5
Illicit drug offences					
Import or export illicit drugs	8.0	0.8	0.4	1.1	2.1
Total(g)	9.8	1.0	0.6	1.6	2.7
Prohibited and regulated weapons and explosives offences	—	—	0.2	0.8	0.3
Property damage and environmental pollution	0.6	0.4	0.6	0.4	0.5
Public order offences	0.3	0.8	1.7	1.7	1.3
Traffic and vehicle regulatory offences	0.4	—	15.7	0.9	7.9
Offences against justice procedures, etc.					
Immigration offences	6.3	—	0.1	—	1.3
Total(h)	10.0	3.4	29.0	17.3	20.2
Miscellaneous offences					
Commercial/industry/financial regulation	0.9	—	8.2	5.1	5.3
Total(i)	3.2	1.7	12.0	9.2	8.6
Total proven guilty(j)	100.0	100.0	100.0	100.0	100.0

— nil or rounded to zero (including null cells)

- (a) Data are combined for Higher, Magistrates' and Children's courts.
- (b) Excludes Tasmanian federal defendants and offences in the Higher Criminal Courts.
- (c) Includes defendants for whom a method of finalisation is unknown.
- (d) Includes ANZSOC Subdivisions 031 and 032.
- (e) Includes ANZSOC Subdivisions 051, 052 and 053.

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(g) Includes ANZSOC Subdivisions 102, 103, 104 and 109.

(h) Includes ANZSOC Subdivisions 151, 153, 154, 155 and 156.

(i) Includes ANZSOC Subdivisions 161, 162, 163 and 169.

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

2.10**FEDERAL DEFENDANTS – HIGHER COURTS(a), Selected principal offences by method of finalisation**

	Acquitted	Proven guilty	Withdrawn by prosecution	Other(b)	Total(c)
NUMBER					
Sexual assault and related offences	3	121	9	—	133
Abduction, harassment and other offences against the person	—	21	4	—	25
Theft and related offences	—	27	3	—	30
Fraud, deception and related offences	3	184	10	—	197
Illicit drug offences	3	146	16	—	165
Offences against justice procedures, etc.	12	129	11	—	152
Miscellaneous offences	3	35	3	—	41
Other(d)	3	9	3	—	15
Total defendants	27	672	59	—	758
PROPORTION (%)					
Sexual assault and related offences	11.1	18.0	15.3	—	17.5
Abduction, harassment and other offences against the person	—	3.1	6.8	—	3.3
Theft and related offences	—	4.0	5.1	—	4.0
Fraud, deception and related offences	11.1	27.4	16.9	—	26.0
Illicit drug offences	11.1	21.7	27.1	—	21.8
Offences against justice procedures, etc.	44.4	19.2	18.6	—	20.1
Miscellaneous offences	11.1	5.2	5.1	—	5.4
Other(d)	11.1	1.3	5.1	—	2.0
Total defendants	100.0	100.0	100.0	—	100.0

— nil or rounded to zero (including null cells)

(a) Excludes Tasmanian federal defendants and offences in the Higher Criminal Courts.

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

(c) Includes defendants for whom a method of finalisation is unknown.

(d) Includes ANZSOC Divisions 01, 02, 04, 06, 07, 11–14 (refer to Appendix 2).

2.11 FEDERAL DEFENDANTS PROVEN GUILTY – HIGHER COURTS(a), Selected principal offence by principal sentence

ANZSOC	Custodial orders	Non-custodial orders	Total
NUMBER			
Sexual assault and related offences	117	4	121
Abduction, harassment and other offences against the person	15	6	21
Theft and related offences	26	—	26
Fraud, deception and related offences	177	7	184
Illicit drug offences	143	3	146
Offences against justice procedures, etc.	127	3	130
Miscellaneous offences	29	6	35
Other(b)	6	3	9
Total proven guilty	640	32	672
PROPORTION (%)			
Sexual assault and related offences	18.3	12.5	18.0
Abduction, harassment and other offences against the person	2.3	18.8	3.1
Theft and related offences	4.1	—	3.9
Fraud, deception and related offences	27.7	21.9	27.4
Illicit drug offences	22.3	9.4	21.7
Offences against justice procedures, etc.	19.8	9.4	19.3
Miscellaneous offences	4.5	18.8	5.2
Other(b)	0.9	9.4	1.3
Total proven guilty	100.0	100.0	100.0

— nil or rounded to zero (including null cells)

(a) Excludes Tasmanian federal defendants and offences in the Higher Criminal Courts.

(b) Includes ANZSOC Divisions 01, 02, 04, 06, 07 and 11–14 (refer to Appendix 2).

2.12**FEDERAL DEFENDANTS – MAGISTRATES' AND CHILDREN'S COURTS, Principal federal offence by method of finalisation**

ANZSOC	Acquitted	Proven guilty	Withdrawn by prosecution	Other(a)	Total(b)
NUMBER					
Homicide and related offences	—	—	—	—	—
Acts intended to cause injury	3	58	16	17	94
Sexual assault and related offences					
Child pornography offences	5	29	46	109	189
Total(c)	5	30	57	151	243
Dangerous or negligent acts endangering persons	3	25	12	3	43
Abduction, harassment and related offences					
Harassment and private nuisance	19	556	219	14	808
Threatening behaviour	103	628	162	16	909
Total(d)	122	1 184	384	31	1 721
Robbery, extortion and related offences	—	3	11	3	17
Unlawful entry with intent	—	8	4	—	12
Theft and related offences	11	126	76	38	251
Fraud, deception and related offences					
Obtain benefit by deception	56	2 403	346	87	2 895
Total(e)	77	2 713	429	112	3 331
Illicit drug offences					
Import or export illicit drugs	3	39	61	151	254
Total(f)	4	60	75	171	310
Prohibited and regulated weapons and explosives offences	5	24	14	3	46
Property damage and environmental pollution	—	31	4	—	35
Public order offences	17	102	22	7	148
Traffic and vehicle regulatory offences	14	617	325	—	956
Offences against justice procedures, etc					
Immigration offences	9	9	31	188	237
Total(g)	33	1 434	345	221	2 033
Miscellaneous offences					
Commercial/industry/financial regulation	8	402	89	4	503
Total(h)	46	627	126	23	822
Total defendants(i)	338	7 049	1 903	781	10 071

— nil or rounded to zero (including null cells)

- (a) Includes transfers to other courts, defendants deceased, unfit to plead, transfers to non-court agencies, other non-adjudicated finalisation n.e.c. and non-adjudicated finalisation n.f.d.
- (b) Includes defendants for whom a method of finalisation is unknown.
- (c) Includes ANZSOC Subdivisions 031 and 032.

(d) Includes ANZSOC Subdivisions 051, 052 and 053.

(e) Includes ANZSOC Subdivisions 092, 093 and 099.

(f) Includes ANZSOC Subdivisions 102, 103, 104 and 109.

(g) Includes ANZSOC Subdivisions 151, 153, 154, 155 and 156.

(h) Includes ANZSOC Subdivisions 161, 162, 163 and 169.

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

2.12 FEDERAL DEFENDANTS – MAGISTRATES' AND CHILDREN'S COURTS, Principal federal offence by method of finalisation *continued*

ANZSOC	Acquitted	Proven guilty	Withdrawn by prosecution	Other(a)	Total(b)
PROPORTION (%)					
Homicide and related offences	—	—	—	—	—
Acts intended to cause injury	0.9	0.8	0.8	2.2	0.9
Sexual assault and related offences					
Child pornography offences	1.5	0.4	2.4	14.0	1.9
Total(c)	1.5	0.4	3.0	19.3	2.4
Dangerous or negligent acts endangering persons	0.9	0.4	0.6	0.4	0.4
Abduction, harassment and related offences					
Harassment and private nuisance	5.6	7.9	11.5	1.8	8.0
Threatening behaviour	30.5	8.9	8.5	2.0	9.0
Total(d)	36.1	16.8	20.2	4.0	17.1
Robbery, extortion and related offences	—	—	0.6	0.4	0.2
Unlawful entry with intent	—	0.1	0.2	—	0.1
Theft and related offences	3.3	1.8	4.0	4.9	2.5
Fraud, deception and related offences					
Obtain benefit by deception	16.6	34.1	18.2	11.1	28.7
Total(e)	22.8	38.5	22.5	14.3	33.1
Illicit drug offences					
Import or export illicit drugs	0.9	0.6	3.2	19.3	2.5
Total(f)	1.2	0.9	3.9	21.9	3.1
Prohibited and regulated weapons and explosives offences	1.5	0.3	0.7	0.4	0.5
Property damage and environmental pollution	—	0.4	0.2	—	0.3
Public order offences	5.0	1.4	1.2	0.9	1.5
Traffic and vehicle regulatory offences	4.1	8.8	17.1	—	9.5
Offences against justice procedures, etc					
Immigration offences	2.7	0.1	1.6	24.1	2.4
Total(g)	9.8	20.3	18.1	28.3	20.2
Miscellaneous offences					
Commercial/industry/financial regulation	2.4	5.7	4.7	0.5	5.0
Total(h)	13.6	8.9	6.6	2.9	8.2
Total defendants(i)	100.0	100.0	100.0	100.0	100.0

— nil or rounded to zero (including null cells)

- (a) Includes transfers to other courts, defendants deceased, unfit to plead, transfers to non-court agencies, other non-adjudicated finalisation n.e.c. and non-adjudicated finalisation n.f.d.
- (b) Includes defendants for whom a method of finalisation is unknown.
- (c) Includes ANZSOC Subdivisions 031 and 032.

(d) Includes ANZSOC Subdivisions 051, 052 and 053.

(e) Includes ANZSOC Subdivisions 092, 093 and 099.

(f) Includes ANZSOC Subdivisions 102, 103, 104 and 109.

(g) Includes ANZSOC Subdivisions 151, 153, 154, 155 and 156.

(h) Includes ANZSOC Subdivisions 161, 162, 163 and 169.

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

2.13**FEDERAL DEFENDANTS PROVEN GUILTY – MAGISTRATES' AND CHILDREN'S COURTS, Principal federal offence by principal sentence**

ANZSOC	NON-CUSTODIAL ORDERS					Total(a)
	Custodial orders	Community supervision/work orders	Monetary orders	Other non-custodial orders		
NUMBER						
Homicide and related offences	—	—	—	—	—	—
Acts intended to cause injury	25	7	12	14	58	
Sexual assault and related offences						
Child pornography offences	16	7	—	5	28	
Total(b)	16	8	3	5	32	
Dangerous or negligent acts endangering persons	3	—	12	10	25	
Abduction, harassment and related offences						
Harassment and private nuisance	59	55	234	207	558	
Threatening behaviour	112	29	172	315	628	
Total(c)	171	84	406	522	1 183	
Robbery, extortion and related offences	—	—	—	3	3	
Unlawful entry with intent	7	—	—	—	7	
Theft and related offences	29	15	55	27	126	
Fraud, deception and related offences						
Obtain benefit by deception	545	587	841	430	2 403	
Total(d)	582	606	1 026	498	2 712	
Illicit drug offences						
Import or export illicit drugs	5	3	13	18	39	
Total(e)	9	4	21	26	60	
Prohibited and regulated weapons and explosives offences	—	—	9	13	22	
Property damage and environmental pollution	6	3	18	4	31	
Public order offences	5	6	63	28	102	
Traffic and vehicle regulatory offences	6	—	595	14	615	
Offences against justice procedures, etc						
Immigration offences	—	—	5	—	5	
Total(f)	27	27	1 100	276	1 434	
Miscellaneous offences						
Commercial/industry/financial regulation	7	—	311	83	404	
Total(g)	20	9	452	145	626	
Total proven guilty(h)	910	771	3 773	1 587	7 049	

— nil or rounded to zero (including null cells)

(e) Includes ANZSOC Subdivisions 102, 103, 104 and 109.

(a) Includes defendants for whom a method of finalisation is unknown.

(f) Includes ANZSOC Subdivisions 151, 153, 154, 155 and 156.

(b) Includes ANZSOC Subdivisions 031 and 032.

(g) Includes ANZSOC Subdivisions 161, 162, 163 and 169.

(c) Includes ANZSOC Subdivisions 051, 052 and 053.

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

(d) Includes ANZSOC Subdivisions 092, 093 and 099

2.13**FEDERAL DEFENDANTS PROVEN GUILTY – MAGISTRATES' AND CHILDREN'S COURTS, Principal federal offence by principal sentence *continued***

ANZSOC	NON-CUSTODIAL ORDERS				
	Custodial orders	Community supervision/work orders	Monetary orders	Other non-custodial orders	Total(a)
PROPORTION (%)					
Homicide and related offences	—	—	—	—	—
Acts intended to cause injury	2.7	0.9	0.3	0.9	0.8
Sexual assault and related offences					
Child pornography offences	1.8	0.9	—	0.3	0.4
Total(b)	1.8	1.0	0.1	0.3	0.5
Dangerous or negligent acts endangering persons	0.3	—	0.3	0.6	0.4
Abduction, harassment and related offences					
Harassment and private nuisance	6.5	7.1	6.2	13.0	7.9
Threatening behaviour	12.3	3.8	4.6	19.8	8.9
Total(c)	18.8	10.9	10.8	32.9	16.8
Robbery, extortion and related offences	—	—	—	0.2	—
Unlawful entry with intent	0.8	—	—	—	0.1
Theft and related offences	3.2	1.9	1.5	1.7	1.8
Fraud, deception and related offences					
Obtain benefit by deception	59.9	76.1	22.3	27.1	34.1
Total(d)	64.0	78.6	27.2	31.4	38.5
Illicit drug offences					
Import or export illicit drugs	0.5	0.4	0.3	1.1	0.6
Total(e)	1.0	0.5	0.6	1.6	0.9
Prohibited and regulated weapons and explosives offences	—	—	0.2	0.8	0.3
Property damage and environmental pollution	0.7	0.4	0.5	0.3	0.4
Public order offences	0.5	0.8	1.7	1.8	1.4
Traffic and vehicle regulatory offences	0.7	—	15.8	0.9	8.7
Offences against justice procedures, etc					
Immigration offences	—	—	0.1	—	0.1
Total(f)	3.0	3.5	29.2	17.4	20.3
Miscellaneous offences					
Commercial/industry/financial regulation	0.8	—	8.2	5.2	5.7
Total(g)	2.2	1.2	12.0	9.1	8.9
Total proven guilty(h)	100.0	100.0	100.0	100.0	100.0

— nil or rounded to zero (including null cells)

(e) Includes ANZSOC Subdivisions 102, 103, 104 and 109.

(a) Includes defendants for whom a method of finalisation is unknown.

(f) Includes ANZSOC Subdivisions 151, 153, 154, 155 and 156.

(b) Includes ANZSOC Subdivisions 031 and 032.

(g) Includes ANZSOC Subdivisions 161, 162, 163 and 169.

(c) Includes ANZSOC Subdivisions 051, 052 and 053.

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

(d) Includes ANZSOC Subdivisions 092, 093 and 099

CHAPTER 3

FEDERAL OFFENCES

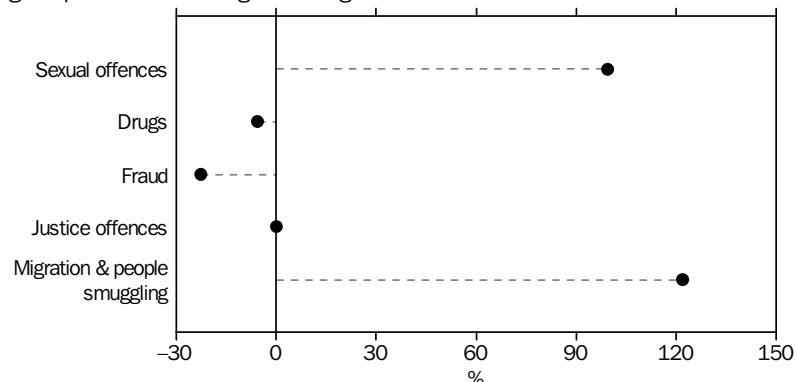
INTRODUCTION

This chapter presents information about the number of federal offences heard in the criminal courts. The offence groupings used are not based on an official standard but are grouped around similar themes of federal offences using Commonwealth Acts and Sections. These groupings may also comprise a range of ANZSOC Subdivisions. A concordance of the Commonwealth legislation and ANZSOC to these groupings can be found at Appendix 4.

FEDERAL OFFENCE TYPE

During 2010–11, there were 42,039 federal offences finalised in the Higher, Magistrates' and Children's Courts. Over two-thirds of federal offences finalised in all court levels (67% or 27,995 offences) were classified as fraud offences, a decrease of 23% from 2009–10 (Table 3.1).

FEDERAL OFFENCES - ALL COURTS (a)(b), Selected federal offence groups - Percentage change from 2009–10



(a) Excludes Tasmanian federal offences in the Higher Criminal Courts.

(b) In 2009–10, data for Tasmania federal defendants and offences are not available.

Within the Higher Courts, the predominant offence types were: fraud (36%), sexual offences (24%) and financial offences (13%). Of the 38,420 offences in the Magistrates' Courts, 70% were classified as fraud and 10% were communications offences. The highest proportion of offences in the Children's Courts were communications offences (68%) (Table 3.1).

Fraud offences comprised the highest proportion of offences in every jurisdiction except the Australian Capital Territory, ranging from 35% in the Northern Territory up to 88% in South Australia. The largest proportion of communications offences were finalised in Victoria (20%), the largest proportion of financial offences were finalised in New South Wales (10%) and the largest proportion of illegal fishing offences (8%) were finalised in the Northern Territory. Offences relating to Commonwealth officials were proportionally more common in the Australian Capital Territory (12%), with Tasmania having the largest proportion of Commonwealth sexual offences (16%) (Table 3.2).

FINALISATION METHOD	During 2010–11, 75% or 31,387 offences were proven guilty across all courts, while 18% (7,401) were withdrawn by the prosecution. The offence group with the highest proportion proven guilty was fraud offences (73%) (Table 3.3).
SENTENCE OUTCOMES	<p>Information on sentence outcomes in Chapter 3 do not apply the concept of a principal sentence (as applied in Chapter 2). Sentence outcomes presented in this chapter represent all sentences handed down for each offence proven guilty. Where multiple sentence types are handed down for a single offence, these are counted each time. As such the total number of sentence outcomes recorded is greater than the number of offences proven guilty.</p> <p>Monetary orders were the most common sentence type to be issued overall, comprising 42% (13,251) of all sentence outcomes handed down by the courts. These orders predominantly related to fraud offences (75%) (Table 3.4).</p> <p>Of the 31,383 sentences across all court levels, 16% (5,066) were custodial orders (Table 3.4). The Higher Courts issued custodial orders in 67% of the sentence outcomes, compared with 11% in the Magistrates' and Children's Courts (Table 3.6 and 3.8).</p> <p>Fraud offences comprised 62% (3,121) of all custodial orders, followed by financial offences (10%) and Commonwealth sexual offences and communications offences (both 8%) for all court levels (Table 3.4).</p> <p>The majority (72%) of migration and people smuggling offences resulted in a custodial order. Other offence groups with high proportions of custodial orders were: security offences (65%), drug offences (60%) and justice offences (59%) (Table 3.4).</p>
FEDERAL OFFENCE GROUPS	<p>A summary of the Commonwealth Legislation contained within the federal offence groupings in the following tables is presented below. For further information, please refer to Explanatory Notes paragraph 26, and Appendix 4.</p> <p><i>Aviation</i> - Offences under the Aviation Transport Security Regulations 2005. The intent of this Act is to safeguard against the unlawful interference of aviation throughout Australia.</p> <p><i>Commonwealth officials</i> - Offences under the sections of the Criminal Code Act 1995 that relate to bribery of Commonwealth officials, demands with menaces, and the harming or impersonating of Commonwealth officials.</p> <p><i>Commonwealth property</i> - Offences under the sections of the Criminal Code Act 1995 that relate to theft, robbery and burglary of Commonwealth property or on Commonwealth premises.</p> <p><i>Commonwealth sexual offences</i> - Offences under Commonwealth legislation of a sexual nature e.g. child sex tourism, importation of child pornography, sexual slavery.</p> <p><i>Communications</i> - Offences under Commonwealth legislation that relate to the use of computers and other telecommunications and the use of the postal service.</p>

FEDERAL OFFENCE
GROUPS *continued*

Drugs - Offences under the Customs Act 1901 that relate to the importing of performance enhancing and non-narcotic drugs; offences under the Criminal Code Act 1995 that relate to illicit drug offences; and offences under the Therapeutic Goods Act 1989 that relate to the supply of therapeutic goods.

Financial - Offences under Commonwealth legislation relating to the improper handling of finance e.g. bankruptcy; money laundering; the improper use of public money.

Fraud - Offences under Commonwealth legislation relating to fraudulent activities e.g. tax fraud; social security fraud; false passports.

Illegal fishing - Offences under the Fisheries Management Act 1991. The intent of this Act is to safeguard against illegal fishing in Australian waters.

Illegal use/importation of weapons - Offences under Commonwealth legislation relating to the illegal use or importation of firearms, other weapons and explosives.

International - Offences under Commonwealth legislation that are initiated overseas or relate to foreign persons e.g. harming Australians overseas; bribery of foreign officials; war crimes.

Justice offences - Offences under Commonwealth legislation relating to the breach of justice orders; escaping from custody; escaping from immigration detention; and subverting the course of justice.

Migration and people smuggling - Offences under the Commonwealth legislation relating to people smuggling and other migration offences.

Security - Offences under Commonwealth legislation that relate to the security of Commonwealth property e.g. espionage, treason, domestic terrorism.

Wildlife smuggling - Offences under the Environmental Protection and Biodiversity Conservation Act 1999. The intent of this Act is to safeguard protected wildlife and heritage areas.

3.1

FEDERAL OFFENCES(a)(b), Court level, 2008–09 to 2010–11

Federal offence group	NUMBER			PERCENTAGE CHANGE (%)
	2008–09	2009–10	2010–11	2009–10 to 2010–11
ALL COURTS (c)				
Aviation	29	25	22	-12.0
Commonwealth officials	166	171	197	15.2
Commonwealth property	194	248	269	8.5
Commonwealth sexual offences	491	795	1 585	99.4
Communications	2 874	3 202	4 138	29.2
Drugs	567	803	759	-5.5
Financial	2 560	3 105	2 931	-5.6
Fraud	24 703	36 213	27 995	-22.7
Illegal fishing	110	119	48	-59.7
Illegal use/importation of weapons	—	8	3	-62.5
International	—	—	3	—
Justice offences	134	217	217	—
Migration and people smuggling	60	220	488	121.8
Security	38	44	24	-45.5
Wildlife smuggling	11	38	3	-92.1
Other(d)	3 674	3 803	3 357	-11.7
Total	35 614	49 011	42 039	-14.2
HIGHER COURTS				
Aviation	—	—	3	—
Commonwealth officials	14	25	15	-40.0
Commonwealth property	64	115	33	-71.3
Commonwealth sexual offences	187	335	787	134.9
Communications	103	205	153	-25.4
Drugs	214	279	234	-16.1
Financial	503	570	434	-23.9
Fraud	588	921	1 190	29.2
Illegal fishing	14	4	—	-100.0
Illegal use/importation of weapons	—	3	—	-100.0
International	—	—	—	—
Justice offences	46	67	80	19.4
Migration and people smuggling	10	29	178	513.8
Security	20	20	5	-75.0
Wildlife smuggling	—	3	—	-100.0
Other(d)	206	112	153	36.6
Total	1 970	2 688	3 265	21.5

— nil or rounded to zero (including null cells)

(a) Excludes Tasmanian federal offences in the Higher Criminal Courts.

(b) Data for Tasmania prior to 2010–11 are not available.

(c) Data are combined for Higher, Magistrates' and Children's courts.

(d) Includes federal offences n.e.c.

3.1FEDERAL OFFENCES(a)(b), Court level, 2008–09 to 2010–11 *continued*

Federal offence group	NUMBER			PERCENTAGE CHANGE (%)
	2008–09	2009–10	2010–11	2009–10 to 2010–11
MAGISTRATES' COURTS				
Aviation	29	25	21	-16.0
Commonwealth officials	143	136	172	26.5
Commonwealth property	122	117	231	97.4
Commonwealth sexual offences	301	446	798	78.9
Communications	2 639	2 861	3 744	30.9
Drugs	350	524	522	-0.4
Financial	2 032	2 503	2 469	-1.4
Fraud	24 115	35 223	26 791	-23.9
Illegal fishing	96	115	48	-58.3
Illegal use/importation of weapons	—	5	3	-40.0
International	—	—	3	—
Justice offences	81	138	133	-4
Migration and people smuggling	50	191	298	56
Security	18	21	19	-10
Wildlife smuggling	11	35	3	-91
Other(c)	3 371	3 639	3 165	-13
Total	33 359	45 979	38 420	-16
CHILDREN'S COURTS				
Aviation	—	—	—	—
Commonwealth officials	9	10	10	—
Commonwealth property	8	16	5	-69
Commonwealth sexual offences	3	14	—	-100
Communications	132	136	241	77
Drugs	3	—	3	—
Financial	25	32	28	-13
Fraud	—	69	14	-80
Illegal fishing	—	—	—	—
Illegal use/importation of weapons	—	—	—	—
International	—	—	—	—
Justice offences	7	12	4	-67
Migration and people smuggling	—	—	12	—
Security	—	3	—	-100
Wildlife smuggling	—	—	—	—
Other(c)	97	52	39	-25
Total	285	344	356	4

— nil or rounded to zero (including null cells)

(a) Excludes Tasmanian federal offences in the Higher Criminal Courts.

(b) Data for Tasmania prior to 2010–11 are not available.

(c) Includes federal offences n.e.c.

3.2**FEDERAL OFFENCES – ALL COURTS(a)(b), Selected states and territories**

<i>Federal offence group</i>	NSW	Vic.	Qld	SA	WA	Tas.	NT	ACT
NUMBER								
Aviation	6	3	9	—	3	—	—	—
Commonwealth officials	19	9	7	15	4	—	10	133
Commonwealth property	92	58	53	3	21	9	3	30
Commonwealth sexual offences	245	100	926	34	27	206	13	34
Communications	1 616	1 484	816	60	63	25	28	46
Drugs	323	123	129	115	60	3	7	—
Financial	1 222	576	726	223	116	22	4	42
Fraud	8 531	4 034	6 473	5 605	1 945	1 006	181	220
Illegal fishing	—	—	5	—	—	—	43	—
Illegal use/importation of weapons	—	3	—	—	—	—	—	—
International	—	3	—	—	—	—	—	—
Justice offences	40	29	112	23	5	—	8	—
Migration and people smuggling	87	25	81	—	193	—	102	—
Security	6	3	—	—	—	—	10	3
Wildlife smuggling	—	3	—	—	—	—	3	—
Other(c)	611	881	355	331	439	37	106	597
Total	12 798	7 334	9 692	6 409	2 876	1 308	518	1 105
PROPORTION (%)								
Aviation	—	—	0.1	—	0.1	—	—	—
Commonwealth officials	0.1	0.1	0.1	0.2	0.1	—	1.9	12.0
Commonwealth property	0.7	0.8	0.5	—	0.7	0.7	0.6	2.7
Commonwealth sexual offences	1.9	1.4	9.6	0.5	0.9	15.7	2.5	3.1
Communications	12.6	20.2	8.4	0.9	2.2	1.9	5.4	4.2
Drugs	2.5	1.7	1.3	1.8	2.1	0.2	1.4	—
Financial	9.5	7.9	7.5	3.5	4.0	1.7	0.8	3.8
Fraud	66.7	55.0	66.8	87.5	67.6	76.9	34.9	19.9
Illegal fishing	—	—	0.1	—	—	—	8.3	—
Illegal use/importation of weapons	—	—	—	—	—	—	—	—
International	—	—	—	—	—	—	—	—
Justice offences	0.3	0.4	1.2	0.4	0.2	—	1.5	—
Migration and people smuggling	0.7	0.3	0.8	—	6.7	—	19.7	—
Security	—	—	—	—	—	—	1.9	0.3
Wildlife smuggling	—	—	—	—	—	—	0.6	—
Other(c)	4.8	12.0	3.7	5.2	15.3	2.8	20.5	54.0
Total	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) Excludes Tasmanian federal offences in the Higher Criminal Courts.

(b) Data are combined for Higher, Magistrates' and Children's courts.

(c) Includes federal offences n.e.c.

3.3**FEDERAL OFFENCES - ALL COURTS(a)(b), Method of finalisation**

<i>Federal offence group</i>	<i>Acquitted</i>	<i>Proven guilty</i>	<i>Withdrawn</i>	<i>Other(c)</i>	<i>Total</i>
			<i>by prosecution</i>		
NUMBER					
Aviation	3	17	3	—	23
Commonwealth officials	4	94	74	25	197
Commonwealth property	3	166	85	15	269
Commonwealth sexual offences	19	808	169	589	1 585
Communications	284	2 296	1 337	221	4 138
Drugs	14	318	194	233	759
Financial	57	2 035	556	283	2 931
Fraud	480	23 038	3 937	539	27 994
Illegal fishing	4	41	3	—	48
Illegal use/importation of weapons	—	3	—	—	3
International	—	—	—	3	3
Justice offences	9	92	77	39	217
Migration and people smuggling	24	187	65	212	488
Security	3	17	4	—	24
Wildlife smuggling	—	3	—	—	3
Other(d)	94	2 272	897	94	3 357
Total	998	31 387	7 401	2 253	42 039
PROPORTION (%)					
Aviation	0.3	0.1	—	—	0.1
Commonwealth officials	0.4	0.3	1.0	1.1	0.5
Commonwealth property	0.3	0.5	1.1	0.7	0.6
Commonwealth sexual offences	1.9	2.6	2.3	26.1	3.8
Communications	28.5	7.3	18.1	9.8	9.8
Drugs	1.4	1.0	2.6	10.3	1.8
Financial	5.7	6.5	7.5	12.6	7.0
Fraud	48.1	73.4	53.2	23.9	66.6
Illegal fishing	0.4	0.1	—	—	0.1
Illegal use/importation of weapons	—	—	—	—	—
International	—	—	—	0.1	—
Justice offences	0.9	0.3	1.0	1.7	0.5
Migration and people smuggling	2.4	0.6	0.9	9.4	1.2
Security	0.3	0.1	0.1	—	0.1
Wildlife smuggling	—	—	—	—	—
Other(d)	9.4	7.2	12.1	4.2	8.0
Total	100.0	100.0	100.0	100.0	100.0

— nil or rounded to zero (including null cells)

(a) Excludes Tasmanian federal offences in the Higher Criminal Courts.

(b) Data are combined for Higher, Magistrates' and Children's courts.

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

(d) Includes federal offences n.e.c.

3.4**FEDERAL OFFENCES PROVEN GUILTY – ALL COURTS(a)(b)(c), Sentence type****NON-CUSTODIAL ORDERS**

<i>Federal offence group</i>	<i>Custodial orders</i>	<i>Community supervision/work orders</i>	<i>Monetary orders</i>	<i>Other non-custodial orders</i>	<i>Total(d)</i>
NUMBER					
Aviation	—	—	13	4	17
Commonwealth officials	24	9	25	34	92
Commonwealth property	34	8	63	55	166
Commonwealth sexual offences	426	103	4	275	808
Communications	422	208	564	1 071	2 296
Drugs	192	10	41	66	318
Financial	484	51	891	520	2 035
Fraud	3 121	1 751	9 933	7 366	23 038
Illegal fishing	—	—	35	6	41
Illegal use/importation of weapons	—	—	—	3	3
International	—	—	—	—	—
Justice offences	53	—	—	34	90
Migration and people smuggling	135	6	10	29	187
Security	11	—	—	6	17
Wildlife smuggling	—	—	—	3	3
Other(e)	164	42	1 672	353	2 272
Total	5 066	2 188	13 251	9 825	31 383
PROPORTION (%)					
Aviation	—	—	0.1	—	0.1
Commonwealth officials	0.5	0.4	0.2	0.3	0.3
Commonwealth property	0.7	0.4	0.5	0.6	0.5
Commonwealth sexual offences	8.4	4.7	—	2.8	2.6
Communications	8.3	9.5	4.3	10.9	7.3
Drugs	3.8	0.5	0.3	0.7	1.0
Financial	9.6	2.3	6.7	5.3	6.5
Fraud	61.6	80.0	75.0	75.0	73.4
Illegal fishing	—	—	0.3	0.1	0.1
Illegal use/importation of weapons	—	—	—	—	—
International	—	—	—	—	—
Justice offences	1.0	—	—	0.3	0.3
Migration and people smuggling	2.7	0.3	0.1	0.3	0.6
Security	0.2	—	—	0.1	0.1
Wildlife smuggling	—	—	—	—	—
Other(e)	3.2	1.9	12.6	3.6	7.2
Total	100.0	100.0	100.0	100.0	100.0

— nil or rounded to zero (including null cells)

(c) Data are combined for Higher, Magistrates' and Children's courts.

(a) Excludes Tasmanian federal offences in the Higher Criminal Courts.

(d) Includes unknown sentence types.

(b) Offences proven guilty may have resulted in more than one

(e) Includes federal offences n.e.c.

sentence type. In these instances an offence will be counted for each sentence type. Therefore the totals may be higher than in other tables within this publication.

3.5**FEDERAL OFFENCES – HIGHER COURTS(a), Method of finalisation**

<i>Federal offence group</i>	<i>Acquitted</i>	<i>Proven guilty</i>	<i>Withdrawn by prosecution</i>		<i>Total</i>
			<i>Other(b)</i>	<i>Total</i>	
NUMBER					
Aviation	—	3	—	—	3
Commonwealth officials	—	11	3	—	14
Commonwealth property	—	28	5	—	33
Commonwealth sexual offences	10	731	45	—	786
Communications	3	144	5	3	155
Drugs	3	200	31	—	234
Financial	3	351	48	32	434
Fraud	9	1 144	23	14	1 190
Illegal fishing	—	—	—	—	—
Illegal use/importation of weapons	—	—	—	—	—
International	—	—	—	—	—
Justice offences	—	74	6	—	80
Migration and people smuggling	8	152	5	13	178
Security	3	3	—	—	6
Wildlife smuggling	—	—	—	—	—
Other(c)	23	124	6	—	153
Total	62	2 965	177	62	3 266
PROPORTION (%)					
Aviation	—	0.1	—	—	0.1
Commonwealth officials	—	0.4	1.7	—	0.4
Commonwealth property	—	0.9	2.8	—	1.0
Commonwealth sexual offences	16.1	24.7	25.4	—	24.1
Communications	4.8	4.9	2.8	4.8	4.7
Drugs	4.8	6.7	17.5	—	7.2
Financial	4.8	11.8	27.1	51.6	13.3
Fraud	14.5	38.6	13.0	22.6	36.4
Illegal fishing	—	—	—	—	—
Illegal use/importation of weapons	—	—	—	—	—
International	—	—	—	—	—
Justice offences	—	2.5	3.4	—	2.4
Migration and people smuggling	12.9	5.1	2.8	21.0	5.5
Security	4.8	0.1	—	—	0.2
Wildlife smuggling	—	—	—	—	—
Other(c)	37.1	4.2	3.4	—	4.7
Total	100.0	100.0	100.0	100.0	100.0

— nil or rounded to zero (including null cells)

(a) Excludes Tasmanian federal offences in the Higher Criminal Courts.

(b) Includes transfers to other courts, defendants deceased, unfit to plead, transfers to non-court agencies, other non-adjudicated finalisation n.e.c. and non-adjudicated finalisation n.f.d.

(c) Includes federal offences n.e.c.

3.6**FEDERAL OFFENCES PROVEN GUILTY – HIGHER COURTS(a)(b), Sentence type ...**

<i>Federal offence group</i>	<i>Custodial orders</i>	<i>Non-custodial orders</i>	<i>Total</i>
NUMBER			
Aviation	—	3	3
Commonwealth officials	6	5	11
Commonwealth property	20	8	28
Commonwealth sexual offences	393	338	731
Communications	76	68	144
Drugs	180	20	200
Financial	300	51	351
Fraud	735	409	1 144
Illegal fishing	—	—	—
Illegal use/importation of weapons	—	—	—
International	—	—	—
Justice offences	48	26	74
Migration and people smuggling	127	25	152
Security	3	3	6
Wildlife smuggling	—	—	—
Other(c)	112	12	124
Total	2 000	968	2 968
PROPORTION (%)			
Aviation	—	0.3	0.1
Commonwealth officials	0.3	0.5	0.4
Commonwealth property	1.0	0.8	0.9
Commonwealth sexual offences	19.6	34.9	24.6
Communications	3.8	7.0	4.9
Drugs	9.0	2.1	6.7
Financial	15.0	5.3	11.8
Fraud	36.8	42.3	38.5
Illegal fishing	—	—	—
Illegal use/importation of weapons	—	—	—
International	—	—	—
Justice offences	2.4	2.7	2.5
Migration and people smuggling	6.4	2.6	5.1
Security	0.2	0.3	0.2
Wildlife smuggling	—	—	—
Other(c)	5.6	1.2	4.2
Total	100.0	100.0	100.0

— nil or rounded to zero (including null cells)

(a) Excludes Tasmanian federal offences in the Higher Criminal Courts.

(b) Offences proven guilty may have resulted in more than one sentence type. In these instances an offence will be counted for each sentence type. Therefore the totals may be higher than in other tables within this publication.

(c) Includes federal offences n.e.c.

3.7**FEDERAL OFFENCES – MAGISTRATES' & CHILDREN'S COURTS(a), Method of finalisation**

<i>Federal offence group</i>	<i>Acquitted</i>	<i>Proven guilty</i>	<i>Withdrawn by prosecution</i>	<i>Other(b)</i>	<i>Total(c)</i>
NUMBER					
Aviation	3	16	3	—	22
Commonwealth officials	4	83	71	24	182
Commonwealth property	3	138	80	15	236
Commonwealth sexual offences	9	77	124	588	798
Communications	283	2 152	1 332	218	3 985
Drugs	11	118	163	233	525
Financial	54	1 684	508	251	2 497
Fraud	471	21 894	3 914	525	26 804
Illegal fishing	4	41	3	—	48
Illegal use/importation of weapons	—	3	—	—	3
International	—	—	—	3	3
Justice offences	9	18	71	39	137
Migration and people smuggling	16	35	60	199	310
Security	—	14	4	—	18
Wildlife smuggling	—	3	—	—	3
Other(d)	71	2 148	891	94	3 204
Total	938	28 424	7 224	2 189	38 775
PROPORTION (%)					
Aviation	0.3	0.1	—	—	0.1
Commonwealth officials	0.4	0.3	1.0	1.1	0.5
Commonwealth property	0.3	0.5	1.1	0.7	0.6
Commonwealth sexual offences	1.0	0.3	1.7	26.9	2.1
Communications	30.2	7.6	18.4	10.0	10.3
Drugs	1.2	0.4	2.3	10.6	1.4
Financial	5.8	5.9	7.0	11.5	6.4
Fraud	50.2	77.0	54.2	24.0	69.1
Illegal fishing	0.4	0.1	—	—	0.1
Illegal use/importation of weapons	—	—	—	—	—
International	—	—	—	0.1	—
Justice offences	1.0	0.1	1.0	1.8	0.4
Migration and people smuggling	1.7	0.1	0.8	9.1	0.8
Security	—	—	0.1	—	—
Wildlife smuggling	—	—	—	—	—
Other(d)	7.6	7.6	12.3	4.3	8.3
Total	100.0	100.0	100.0	100.0	100.0

— nil or rounded to zero (including null cells)

(a) Excludes Tasmanian federal offences in the Higher Criminal Courts.

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

(c) Includes unknown method of finalisation.

(d) Includes federal offences n.e.c.

3.8 FEDERAL OFFENCES PROVEN GUILTY – MAGISTRATES' & CHILDREN'S COURTS(a)(b), Sentence type

Federal offence group	Custodial orders	Community supervision/work orders	Monetary orders	Other non-custodial orders	Total(c)
NUMBER					
Aviation	—	—	12	4	16
Commonwealth officials	18	9	24	30	81
Commonwealth property	14	7	61	50	138
Commonwealth sexual offences	33	5	—	39	77
Communications	346	199	563	1 013	2 152
Drugs	12	8	39	50	118
Financial	184	45	886	480	1 684
Fraud	2 386	1 747	9 712	7 182	21 894
Illegal fishing	—	—	35	6	41
Illegal use/importation of weapons	—	—	—	3	3
International	—	—	—	—	—
Justice offences	5	—	—	8	16
Migration and people smuggling	8	6	7	7	35
Security	9	—	—	5	14
Wildlife smuggling	—	—	—	3	3
Other(d)	52	39	1 670	346	2 148
Total	3 067	2 065	13 009	9 226	28 420
PROPORTION (%)					
Aviation	—	—	0.1	—	0.1
Commonwealth officials	0.6	0.4	0.2	0.3	0.3
Commonwealth property	0.5	0.3	0.5	0.5	0.5
Commonwealth sexual offences	1.1	0.2	—	0.4	0.3
Communications	11.3	9.6	4.3	11.0	7.6
Drugs	0.4	0.4	0.3	0.5	0.4
Financial	6.0	2.2	6.8	5.2	5.9
Fraud	77.8	84.6	74.7	77.8	77.0
Illegal fishing	—	—	0.3	0.1	0.1
Illegal use/importation of weapons	—	—	—	—	—
International	—	—	—	—	—
Justice offences	0.2	—	—	0.1	0.1
Migration and people smuggling	0.3	0.3	0.1	0.1	0.1
Security	0.3	—	—	0.1	—
Wildlife smuggling	—	—	—	—	—
Other(d)	1.7	1.9	12.8	3.8	7.6
Total	100.0	100.0	100.0	100.0	100.0

— nil or rounded to zero (including null cells)

(a) Excludes Tasmanian federal offences in the Higher Criminal Courts.

(b) Offences proven guilty may have resulted in more than one sentence type. In these instances an offence will be counted for each sentence type. Therefore the totals may be higher than in other tables within this publication.

(c) Includes unknown sentence type.

(d) Includes federal offences n.e.c.

EXPLANATORY NOTES

INTRODUCTION

- 1** This publication presents information on the characteristics of federal defendants dealt with by Australian state and territory criminal courts. This includes information on the offences and sentences associated with those defendants.
- 2** The 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** Federal defendants are a subset of all criminal courts defendants. Information relating to all defendants finalised in the criminal courts is available in the publication *Criminal Courts, Australia* (cat. no. 4513.0).

DATA SOURCE

- 4** These statistics are derived from data about each federal 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). Data for Tasmanian Higher Criminal Courts are not available for this publication.
- 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 with at least one Commonwealth legislative offence that has been finalised in the Higher, Magistrates' or Children's Courts. Defendants with charges against both Commonwealth legislation and State and Territory legislation are still within scope of the collection, however only federal offences are counted for the purposes of this publication.
- 7** The federal defendants 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 geographic definition of Australia, as used by the ABS, includes 'Other Territories'. However, these territories are generally out of scope for ABS collections. For the federal defendants data, defendant cases heard in the criminal courts on Cocos (Keeling) Islands and Christmas Island are included in the counts for Western Australia, where applicable. Defendants finalised in Jervis Bay Territory are not included in any counts in this publication.

Higher Courts

- 9** 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.

Magistrates' Courts

- 10** 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.

Magistrates' Courts continued

11 From 2009–10, data for New South Wales Magistrates' Courts are based on finalised defendants, resulting in slightly lower population counts to 2008–09. Prior to this reference period, data for New South Wales Magistrates' Courts were based on finalised appearances. 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.

Children's Courts

12 Data includes defendants finalised in the original jurisdiction of the Children's Criminal Courts. Prior to 2009–10, data for New South Wales Children's Courts were based on finalised appearances (as described in Magistrates' Courts above).

13 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.

Exclusions

14 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.

15 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.

16 The Australian Road Rules are maintained by the National Transport Commission but only apply if they are adopted in each state and territory through local legislation. In the Northern Territory, offences against the Australian Road Rules are identified as federal offences. To ensure consistency across all states and territories, the Australian Road Rules and their state/territory enacting legislation were excluded from the scope of the federal defendants collection.

REFERENCE PERIOD

17 The statistics in this collection relate to federal 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

18 The national classifications used to collect and produce data on federal defendants are:

- Australian and New Zealand Standard Offence Classification (ANZSOC) (refer to Appendix 2);
- Method of finalisation (refer to Appendix 1); and
- Sentence type (refer to Appendix 3).

19 The classifications provide a framework for classifying criminal court information for statistical purposes, promoting data that are 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 in the 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)

20 The offence categories used for 2010–11 federal defendants 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 and New Zealand
Standard Offence
Classification (ANZSOC)
continued*

National Offence Index (NOI)

Method of Finalisation

Sentence Type

Federal Offence Group

COUNTING METHODOLOGY

Finalised defendant

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.

21 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 seriousness of offence, with a ranking of 1 relating to the ANZSOC code containing the most serious offence.

22 The NOI was revised in 2009 to accommodate the changes made to the ASOC08, and supersedes the first version of NOI which was released in 2002. Principal federal offence information in this publication, are based on the 2009 edition of the NOI.

23 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 federal 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).

24 This classification categorises how an offence and defendant has been finalised by a court. Main categories include adjudications, non-adjudications and transfers. For more information see Appendix 1 and paragraph 31.

25 This classification is used to assign a sentence to offences that are proven guilty. It is also used to determine a principal sentence for a defendant who has been proven guilty. For more information see Appendix 3 and paragraphs 43–46.

26 The Federal Offence Group classifies the various Commonwealth Acts and Sections into broad categories or themes by the type of legislation. For more information see Appendix 4.

27 The principal counting unit for the federal defendants 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 collection does not enumerate unique persons or organisations. 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, this person or organisation will be counted more than once within that reference period.

28 Prior to 2010–11 defendants were counted for each case they had finalised during the reference period, irrespective of whether multiple cases were finalised on the same day at the same hearing. For the first time in this issue, a further step is taken when a defendant has more than one case in the reference period. When this occurs a defendant is created by merging defendant records.

29 If the defendant has more than one case which is finalised on the same day and at the same hearing, this is counted as one defendant case, irrespective of the dates of initiation. This is called merging defendant records.

30 This counting rule is now consistent with the Criminal Courts collection.

*Finalised defendant continued***METHOD OF FINALISATION**

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

TRANSFERS BETWEEN HIGHER COURT LEVELS

32 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).

TRANSFERS BETWEEN MAGISTRATES' AND HIGHER COURT LEVELS

33 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.

TRANSFERS BETWEEN CHILDREN'S COURTS AND MAGISTRATES' OR HIGHER COURT LEVELS

34 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

35 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

36 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

Finalised defendant continued

- 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

37 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.

PRINCIPAL FEDERAL OFFENCE

38 Where a finalised defendant has multiple charges the principal federal offence is determined by:

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

39 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.

Finalised defendant continued

40 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 federal offence is the relevant ANZSOC code (refer to paragraph 20) associated with that charge.

41 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 federal offence. The principal federal 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 federal offence is coded to 'not able to be determined'. For more information about the NOI refer to paragraphs 21–23.

42 There is presently no similar hierarchy for classification of the detailed Act and Section level information from which the federal offence types are derived. As such, whilst defendant level information in this publication can be presented by ANZSOC, there is no way of representing defendants by a single federal category type. Data presented by federal offence group are therefore only available at the offence level.

PRINCIPAL SENTENCE

43 Federal defendants who are proven guilty have sentence information reported against them at the offence level. This enables the presentation of two views of sentencing data: the sentence for an offence and the principal sentence for the defendant.

44 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. Where a defendant has multiple sentences, the principal sentence is selected by applying the hierarchy of the Sentence Type Classification (see Appendix 3). This is usually, though not necessarily, the sentence associated with the principal federal offence.

45 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.

46 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 this collection 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.

Offence**OFFENCES**

47 The secondary counting unit for the federal defendants collection is the offence. Rather than apply an order of precedence to the offences for each defendant case to enable the defendant to be represented by one principal federal offence (as in Chapter 2), the federal defendants collection allows for the counting of all offences finalised. These counts are presented in both Chapters 2 and 3. The count of offences will be the same or higher than the count for defendants.

OFFENCE SENTENCES

48 The third counting unit for the federal defendants collection is offence sentences. This is an extension of the offence counting unit for offences that are proven guilty. A proven guilty offence may have more than one sentence type. When this occurs the offence will be counted for each sentence type handed down.

STATE / TERRITORY SPECIFIC
ISSUES

COMPARISONS TO OTHER
ABS DATA

Criminal Courts Collection

COMPARISONS TO NON-ABS
SOURCES

CONFIDENTIALITY OF
TABULAR DATA

RELATED PUBLICATIONS

ABS publications

Non-ABS publications

49 The Australian Capital Territory has a high proportion of defendants with a principal federal offence of traffic offences (55%). This is due to parking offences charged under the Australian National University Parking and Traffic Statute 2007.

50 Federal defendants are a subset of all criminal courts defendants. Information relating to all defendants finalised in the criminal courts is available in the publication *Criminal Courts, Australia* (cat. no. 4513.0). However, as a federal defendant may also be charged with state or territory offences, the difference between all finalised defendants in the criminal courts and finalised federal defendants does not equal the count of defendants charged with state or territory offences.

51 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.

52 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.

53 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
- *General Social Survey: Summary Results, Australia* (cat. no. 4159.0) - irregular
- *Information Paper: Measuring Crime Victimisation, 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

54 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>.

55 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*

Non-ABS publications

continued

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
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
cat. no. Catalogue number
n.e.c. not elsewhere classified
n.f.d. not further defined
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

METHOD OF FINALISATION CLASSIFICATION

Code	Division/Subdivision/Item
1	Adjudicated finalisation
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
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
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

APPENDIX 2

AUSTRALIAN AND NEW ZEALAND STANDARD OFFENCE CLASSIFICATION

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

-
- 06 Robbery, extortion and related offences *cont.*
- 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
-

11	Prohibited and regulated weapons and explosives offences <i>cont.</i>
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
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

15	Offences against justice procedures, government security and government operations <i>cont.</i>
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
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

APPENDIX 3

SENTENCE TYPE CLASSIFICATION

<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/recognisance 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

APPENDIX 4

FEDERAL OFFENCE CONCORDANCE

<i>Federal offence group</i>	<i>Act & Section by ANZSOC Division</i>
Aviation	Aviation Transport Security Regulations 2005 09 Fraud, deception and related offences 13 Public order offences 15 Offences against justice procedures, government security and government operations 16 Miscellaneous offences
Commonwealth officials	Criminal Code Act 1995 02 Acts intended to cause injury 05 Abduction, harassment and other offences against the person 09 Fraud, deception and related offences 15 Offences against justice procedures, government security and government operations
Commonwealth property	Criminal Code Act 1995 06 Robbery, extortion and related offences 07 Unlawful entry with intent/burglary, break and enter 08 Theft and related offences 09 Fraud, deception and related offences 10 Illicit drug offences 13 Public order offences 15 Offences against justice procedures, government security and government operations
Commonwealth sexual offences	Crimes Act 1914 03 Sexual assault and related offences Criminal Code Act 1995 03 Sexual assault and related offences 04 Dangerous or negligent acts endangering persons 05 Abduction, harassment and other offences against the person 08 Theft and related offences 09 Fraud, deception and related offences 10 Illicit drug offences 13 Public order offences 15 Offences against justice procedures, government security and government operations 16 Miscellaneous offences
Communications	Classification of Publications, Films and Computer Games Act 13 Public order offences Crimes Act 1914 05 Abduction, harassment and other offences against the person 16 Miscellaneous offences Criminal Code Act 1995 01 Homicide and related offences 03 Sexual assault and related offences 05 Abduction, harassment and other offences against the person 08 Theft and related offences 09 Fraud, deception and related offences 12 Property damage and environmental pollution 13 Public order offences 15 Offences against justice procedures, government security and government operations 16 Miscellaneous offences 99 Unknown Referendum (Machinery Provisions) Act 1984 05 Abduction, harassment and other offences against the person
Drugs	Criminal Code Act 1995 08 Theft and related offences 10 Illicit drug offences 16 Miscellaneous offences

	Customs Act 1901
	10 Illicit drug offences
	16 Miscellaneous offences
	Therapeutic Goods Act 1989
	09 Fraud, deception and related offences
	15 Offences against justice procedures, government security and government operations
	16 Miscellaneous offences
Financial	Bankruptcy Act 1966
	09 Fraud, deception and related offences
	15 Offences against justice procedures, government security and government operations
	16 Miscellaneous offences
	Corporations Act 2001
	09 Fraud, deception and related offences
	15 Offences against justice procedures, government security and government operations
	16 Miscellaneous offences
	Corporations Law
	09 Fraud, deception and related offences
	16 Miscellaneous offences
	Crimes (Currency) Act 1981
	04 Dangerous or negligent acts endangering persons
	09 Fraud, deception and related offences
	11 Prohibited and regulated weapons and explosives offences
	16 Miscellaneous offences
	Criminal Code Act 1995
	08 Theft and related offences
	09 Fraud, deception and related offences
	16 Miscellaneous offences
	Excise Act 1901
	09 Fraud, deception and related offences
	13 Public order offences
	16 Miscellaneous offences
	Financial Management and Accountability Act 1997
	09 Fraud, deception and related offences
	Financial Transaction Reports Act 1988
	08 Theft and related offences
	09 Fraud, deception and related offences
	10 Illicit drug offences
	13 Public order offences
	16 Miscellaneous offences
	99 Unknown
	Financial Transaction Reports Act 1992
	09 Fraud, deception and related offences
	Proceeds of Crime Act 1987
	08 Theft and related offences
	15 Offences against justice procedures, government security and government operations
	Proceeds of Crime Act 2002
	15 Offences against justice procedures, government security and government operations
Fraud	A New Tax System (Australian Business Number) Act 1999
	09 Fraud, deception and related offences
	Australian Passports Act 2005
	08 Theft and related offences
	09 Fraud, deception and related offences
	12 Property damage and environmental pollution
	15 Offences against justice procedures, government security and government operations
	16 Miscellaneous offences
	Copyright Act 1968
	08 Theft and related offences
	09 Fraud, deception and related offences

	Crimes Act 1914	
	05 Abduction, harassment and other offences against the person	
	08 Theft and related offences	
	09 Fraud, deception and related offences	
	10 Illicit drug offences	
	12 Property damage and environmental pollution	
	13 Public order offences	
	15 Offences against justice procedures, government security and government operations	
	16 Miscellaneous offences	
	99 Unknown	
	Criminal Code Act 1995	
	05 Abduction, harassment and other offences against the person	
	09 Fraud, deception and related offences	
	15 Offences against justice procedures, government security and government operations	
	16 Miscellaneous offences	
	99 Unknown	
	Criminal Code Amendment Act 2000	
	09 Fraud, deception and related offences	
	Foreign Passports (Law Enforcement and Security) Act 2005	
	09 Fraud, deception and related offences	
	15 Offences against justice procedures, government security and government operations	
	99 Unknown	
	Health Insurance Act 1973	
	09 Fraud, deception and related offences	
	15 Offences against justice procedures, government security and government operations	
	National Health Act 1953	
	09 Fraud, deception and related offences	
	Passports Act 1938	
	09 Fraud, deception and related offences	
	Social Security (Administration) Act 1999	
	09 Fraud, deception and related offences	
	16 Miscellaneous offences	
	Social Security Act 1991	
	09 Fraud, deception and related offences	
	Statutory Declarations Act 1959	
	09 Fraud, deception and related offences	
	15 Offences against justice procedures, government security and government operations	
	Student and Youth Assistance Act 1973	
	09 Fraud, deception and related offences	
	Student Assistance Regulations 1973	
	09 Fraud, deception and related offences	
	Superannuation Industry (Supervision) Act 1993	
	16 Miscellaneous offences	
	Taxation (Administration) Act 1953	
	09 Fraud, deception and related offences	
	15 Offences against justice procedures, government security and government operations	
	16 Miscellaneous offences	
Illegal fishing	Fisheries Management Act 1991	
	15 Offences against justice procedures, government security and government operations	
	16 Miscellaneous offences	
Illegal use/importation of weapons	Crimes Act 1914	
	11 Prohibited and regulated weapons and explosives offences	
	Criminal Code Act 1995	
	11 Prohibited and regulated weapons and explosives offences	
International	Crimes (Foreign Incursions and Recruitment) Act 1978	
	Not available	
	Crimes (Internationally Protected Persons) Act 1976	
	Not available	
	Criminal Code Act 1995	
	Not available	

Justice offences	<p>Australian Crime Commission Act 2002</p> <p>09 Fraud, deception and related offences</p> <p>15 Offences against justice procedures, government security and government operations</p>
Crimes (Aviation) Act 1991	<p>15 Offences against justice procedures, government security and government operations</p>
Crimes Act 1914	<p>09 Fraud, deception and related offences</p> <p>15 Offences against justice procedures, government security and government operations</p> <p>99 Unknown</p>
Migration and people smuggling	<p>Criminal Code Act 1995</p> <p>15 Offences against justice procedures, government security and government operations</p> <p>Migration Act 1958</p> <p>09 Fraud, deception and related offences</p> <p>15 Offences against justice procedures, government security and government operations</p> <p>Migration Regulations 1994</p> <p>09 Fraud, deception and related offences</p>
Security	<p>Crimes Act 1914</p> <p>12 Property damage and environmental pollution</p> <p>15 Offences against justice procedures, government security and government operations</p> <p>16 Miscellaneous offences</p> <p>Criminal Code Act 1995</p> <p>04 Dangerous or negligent acts endangering persons</p> <p>08 Theft and related offences</p> <p>12 Property damage and environmental pollution</p> <p>15 Offences against justice procedures, government security and government operations</p>
Wildlife smuggling	<p>Environment Protection and Biodiversity Conservation Act 1999</p> <p>16 Miscellaneous offences</p>
Other	<p>Crimes (Aviation) Act 1991</p> <p>02 Acts intended to cause injury</p> <p>04 Dangerous or negligent acts endangering persons</p> <p>05 Abduction, harassment and other offences against the person</p> <p>12 Property damage and environmental pollution</p> <p>13 Public order offences</p> <p>16 Miscellaneous offences</p> <p>Crimes Act 1914</p> <p>13 Public order offences</p> <p>15 Offences against justice procedures, government security and government operations</p> <p>99 Unknown</p> <p>Criminal Code Act 1995</p> <p>13 Public order offences</p> <p>Customs Act 1901</p> <p>02 Acts intended to cause injury</p> <p>03 Sexual assault and related offences</p> <p>09 Fraud, deception and related offences</p> <p>10 Illicit drug offences</p> <p>11 Prohibited and regulated weapons and explosives offences</p> <p>13 Public order offences</p> <p>15 Offences against justice procedures, government security and government operations</p> <p>16 Miscellaneous offences</p> <p>Environment Protection and Biodiversity Conservation Act 1999</p> <p>16 Miscellaneous offences</p> <p>Environment Protection and Biodiversity Conservation Regulations</p> <p>16 Miscellaneous offences</p>
Not elsewhere classified	<p>A New Tax System (Family Assistance) (Administration) Act 1999</p> <p>09 Fraud, deception and related offences</p> <p>Adelaide Airport Curfew Act 2000</p> <p>16 Miscellaneous offences</p> <p>Aged Care Act 1997</p> <p>16 Miscellaneous offences</p>

- Agricultural and Veterinary Chemicals Code Act 1994
 16 Miscellaneous offences
- Air Navigation Regulations
 09 Fraud, deception and related offences
 13 Public order offences
 16 Miscellaneous offences
- Airports (Control of On-Airport Activities) Regulations 1997
 13 Public order offences
 14 Traffic and vehicle regulatory offences
- Anti-Money Laundering and Counter-Terrorism Financing Act 2006
 08 Theft and related offences
 09 Fraud, deception and related offences
 15 Offences against justice procedures, government security and government operations
- ANU Parking and Traffic Statute 2007
 14 Traffic and vehicle regulatory offences
- Australian Citizenship Act 2007
 09 Fraud, deception and related offences
 15 Offences against justice procedures, government security and government operations
- Australian Federal Police Act 1979
 02 Acts intended to cause injury
 09 Fraud, deception and related offences
 15 Offences against justice procedures, government security and government operations
- Australian National Railways By-Laws
 14 Traffic and vehicle regulatory offences
- Australian National University Act 1991
 14 Traffic and vehicle regulatory offences
- Australian Postal Corporation Act 1989
 16 Miscellaneous offences
- Australian Securities and Investments Commission Act 2001
 09 Fraud, deception and related offences
 15 Offences against justice procedures, government security and government operations
- Australian Security Intelligence Organisation Act 1979
 15 Offences against justice procedures, government security and government operations
- Aviation Transport Security Act 2004
 11 Prohibited and regulated weapons and explosives offences
 13 Public order offences
 15 Offences against justice procedures, government security and government operations
- Aviation Transport Security Regulations 2005
 09 Fraud, deception and related offences
 13 Public order offences
 15 Offences against justice procedures, government security and government operations
 16 Miscellaneous offences
- Building and Construction Industry Improvement Act 2005
 15 Offences against justice procedures, government security and government operations
- Census and Statistics Act 1905
 15 Offences against justice procedures, government security and government operations
- Charter of the United Nations Act 1945
 15 Offences against justice procedures, government security and government operations
- Child Support (Registration and Collection) Act 1988
 15 Offences against justice procedures, government security and government operations
- Civil Aviation Act 1988
 02 Acts intended to cause injury
 04 Dangerous or negligent acts endangering persons
 09 Fraud, deception and related offences
 12 Property damage and environmental pollution
 13 Public order offences
 14 Traffic and vehicle regulatory offences
 15 Offences against justice procedures, government security and government operations
 16 Miscellaneous offences

- Civil Aviation Regulations
04 Dangerous or negligent acts endangering persons
11 Prohibited and regulated weapons and explosives offences
13 Public order offences
14 Traffic and vehicle regulatory offences
15 Offences against justice procedures, government security and government operations
16 Miscellaneous offences
- Classification of Publications, Films and Computer Games Act
13 Public order offences
- Commonwealth Electoral Act 1918
15 Offences against justice procedures, government security and government operations
- Control of Naval Waters Act 1918
13 Public order offences
- Crimes (Traffic in Narcotic Drugs and Psychotropic Substances) Act 1990
10 Illicit drug offences
- Crimes Act 1914
02 Acts intended to cause injury
03 Sexual assault and related offences
04 Dangerous or negligent acts endangering persons
05 Abduction, harassment and other offences against the person
07 Unlawful entry with intent/burglary, break and enter
08 Theft and related offences
11 Prohibited and regulated weapons and explosives offences
12 Property damage and environmental pollution
13 Public order offences
14 Traffic and vehicle regulatory offences
16 Miscellaneous offences
99 Unknown
- Criminal Code Act 1995
02 Acts intended to cause injury
03 Sexual assault and related offences
05 Abduction, harassment and other offences against the person
07 Unlawful entry with intent/burglary, break and enter
08 Theft and related offences
09 Fraud, deception and related offences
10 Illicit drug offences
13 Public order offences
16 Miscellaneous offences
99 Unknown
- Customs Act 1901
16 Miscellaneous offences
- Defence Act 1903
08 Theft and related offences
09 Fraud, deception and related offences
13 Public order offences
15 Offences against justice procedures, government security and government operations
- Defence Force Discipline Act 1982
15 Offences against justice procedures, government security and government operations
- Distillation Act 1901
13 Public order offences
- Environment Protection and Biodiversity Conservation Act 1999
15 Offences against justice procedures, government security and government operations
- Fair Work (Registered Organisations) Act 2009
15 Offences against justice procedures, government security and government operations
16 Miscellaneous offences
- Family Law Act 1975
15 Offences against justice procedures, government security and government operations
- Federal Airports By-Laws
14 Traffic and vehicle regulatory offences
- Fisheries Management Regulations 1992
09 Fraud, deception and related offences
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- Fuel Quality Standards Act 2000
16 Miscellaneous offences
- Great Barrier Reef Marine Park Act 1975
13 Public order offences
14 Traffic and vehicle regulatory offences
16 Miscellaneous offences
- Great Barrier Reef Marine Park Regulations 1983
16 Miscellaneous offences
- Historic Shipwrecks Act 1976
13 Public order offences
- Income Tax Assessment Act 1936
09 Fraud, deception and related offences
15 Offences against justice procedures, government security and government operations
16 Miscellaneous offences
- Industrial Chemicals (Notification and Assessment) Act 1989
16 Miscellaneous offences
- Insurance Act 1973
16 Miscellaneous offences
- Interstate Road Transport Act 1985
14 Traffic and vehicle regulatory offences
15 Offences against justice procedures, government security and government operations
- Interstate Road Transport Regulations 1986
09 Fraud, deception and related offences
14 Traffic and vehicle regulatory offences
15 Offences against justice procedures, government security and government operations
16 Miscellaneous offences
- Marine Orders Part 30
04 Dangerous or negligent acts endangering persons
16 Miscellaneous offences
- Marine Regulations
16 Miscellaneous offences
- Maritime Transport and Offshore Facilities Regulations 2003
13 Public order offences
16 Miscellaneous offences
- Marriage Act 1961
13 Public order offences
- Motor Vehicle Standards Act 1989
14 Traffic and vehicle regulatory offences
- National Crime Authority Act 1984
15 Offences against justice procedures, government security and government operations
- National Parks and Wildlife Regulations
11 Prohibited and regulated weapons and explosives offences
- Nature Conservation (Administration) Regulations 2006
15 Offences against justice procedures, government security and government operations
- Navigation Act 1912
16 Miscellaneous offences
- Northern Territory Emergency Response Act 2007
13 Public order offences
- Passports Act 1938
09 Fraud, deception and related offences
- Primary Industries Levies and Charges Collection Act 1991
15 Offences against justice procedures, government security and government operations
16 Miscellaneous offences
- Protection Sea (Prevent Pollution) Act 1983
12 Property damage and environmental pollution
16 Miscellaneous offences

- Public Order (Protection of Persons and Property) Act 1971
02 Acts intended to cause injury
04 Dangerous or negligent acts endangering persons
05 Abduction, harassment and other offences against the person
11 Prohibited and regulated weapons and explosives offences
13 Public order offences
15 Offences against justice procedures, government security and government operations
- Quarantine Act 1908
02 Acts intended to cause injury
09 Fraud, deception and related offences
16 Miscellaneous offences
- Radiocommunications Act 1992
04 Dangerous or negligent acts endangering persons
15 Offences against justice procedures, government security and government operations
16 Miscellaneous offences
- Referendum (Machinery Provisions) Act 1984
15 Offences against justice procedures, government security and government operations
- Superannuation Guarantee (Administration) Act 1992
16 Miscellaneous offences
- Sydney Airport Curfew Act 1995
12 Property damage and environmental pollution
- Telecommunications Act 1997
15 Offences against justice procedures, government security and government operations
16 Miscellaneous offences
- Telecommunications (General) By-Laws 1975
05 Abduction, harassment and other offences against the person
- Telecommunications (Interception and Access) Act 1979
05 Abduction, harassment and other offences against the person
16 Miscellaneous offences
- Telecommunications Regulations 1975
09 Fraud, deception and related offences
- Torres Strait Fisheries Act
16 Miscellaneous offences
- Trade Marks Act 1995
09 Fraud, deception and related offences
16 Miscellaneous offences
- Wine Australia Corporations Act 1980
15 Offences against justice procedures, government security and government operations
- Workplace Relations Act 1996
15 Offences against justice procedures, government security and government operations
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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).
Acquitted	A grouping of outcomes of criminal proceedings in which a court accepts that a charge is unproven. These outcomes are: acquitted by court, not guilty by reason of mental illness/condition, no case to answer at committal, charges unproven not further defined and charges unproven not elsewhere classified.
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, guilty plea and guilty ex parte.
Age	A defendant's age is the time elapsed (in years) between a defendant's date of birth and the date of finalisation of the defendant's case.
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).
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</i> (cat. no. 1234.0) is available from the Australian Bureau of Statistics website < http://www.abs.gov.au >.
Aviation	Offences under the Aviation Transport Security Regulations 2005. The intent of this Act is to safeguard against the unlawful interference of aviation throughout Australia.

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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.
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.
Commonwealth officials	Offences under the sections of the Criminal Code Act 1995 that relate to bribery of Commonwealth officials, demands with menaces, and the harming or impersonating of Commonwealth officials.
Commonwealth property	Offences under the sections of the Criminal Code Act 1995 that relate to theft, robbery and burglary of Commonwealth property or on Commonwealth premises.
Commonwealth sexual offences	Offences under Commonwealth legislation of a sexual nature e.g. child sex tourism, importation of child pornography, sexual slavery.
Communications	Offences under Commonwealth legislation that relate to the use of computers and other telecommunications and the use of the postal service.
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.
Convicted	In this publication the term convicted refers to those defendants who were proven guilty of at least one of the final charge(s) laid against them.
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.
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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).
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 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.
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.
District Court	See Intermediate Court.
Drugs	Offences under the Customs Act 1901 that relate to the importing of performance enhancing and non-narcotic drugs; offences under the Criminal Code Act 1995 that relate to illicit drug offences; and offences under the Therapeutic Goods Act 1989 that relate to the supply of therapeutic goods.
Duration	The time elapsed between the earliest date of initiation and the latest date of finalisation for a defendant that has been finalised.
Federal defendant	A finalised defendant in the Criminal Courts who has been charged with at least one Commonwealth legislative offence.
Federal offence group	A listing of broad offence categories, as agreed with by the Attorney-General's Department (AGD), that are amalgamations of Commonwealth Acts/Sections. These do not relate to ANZSOC. See Appendix 4 for a list of the AGD federal offences groups and associated Commonwealth Acts/Sections.
Federal offence group n.e.c.	Federal offence types not elsewhere classified. A listing of those Commonwealth Acts/Sections not able to be classified to a specific federal offence group. See Appendix 4.
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.
Financial	Offences under Commonwealth legislation relating to the improper handling of finance e.g. bankruptcy; money laundering; the improper use of public money.
Fraud	Offences under Commonwealth legislation relating to fraudulent activities e.g. tax fraud; social security fraud; false passports.
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.
Guilty ex parte	Where the court adjudicates charge(s) and the charge(s) are proven either: <ol style="list-style-type: none"> where the defendant pleaded guilty and the charges are proven in his/her absence, or 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).
Illegal fishing	Offences under the Fisheries Management Act 1991. The intent of this Act is to safeguard against illegal fishing in Australian waters.
Illegal use/importation of weapons	Offences under Commonwealth legislation relating to the illegal use or importation of firearms, other weapons and explosives.
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).
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.
International	Offences under Commonwealth legislation that are initiated overseas or relate to foreign persons e.g. harming Australians overseas; bribery of foreign officials; war crimes.
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.

Justice offences	Offences under Commonwealth legislation relating to the breach of justice orders; escaping from custody; escaping from immigration detention; and subverting the course of justice.
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. <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.
Indeterminate	<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.
Local Court	See Court of Summary Jurisdiction.
Magistrates' Court	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.
Method of finalisation	See Court of Summary Jurisdiction for further information.
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 1).
Migration and people smuggling	Offences under Commonwealth legislation relating to people smuggling and other migration offences.
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, n.e.c. (does not include court levies and fees).
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-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.
Not guilty verdict	See Acquitted.
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 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.
Plea	The formal statement by, or on behalf of, the defendant in response to a criminal charge that has been laid in a court. The nature of this response indicates whether or not the defendant intends to contest that charge. If the defendant does not enter a plea, this is treated by the court as if the defendant had pleaded not guilty.
Principal federal offence	The offence category, based on ANZSOC, that describes the most serious offence type associated with a finalised federal 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 3).
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).

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).
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).
Security	Offences under Commonwealth legislation that relate to the security of Commonwealth property e.g. espionage, treason, domestic terrorism.
Sentence	A penalty or penalties imposed by a court upon a defendant who is proven guilty of a criminal offence.
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).
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).
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 (from the level they finally left).
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.
Wildlife smuggling	Offences under the Environmental Protection and Biodiversity Conservation Act 1999. The intent of this Act is to safeguard protected wildlife and heritage areas.
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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