

**CRIMINAL COURTS**

AUSTRALIA

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**I N Q U I R I E S**

For further information about these and related statistics, contact the National Information and Referral Service on 1300 135 070 or Chay Ang on Melbourne (03) 9615 7681.

# NOTES

- ABOUT THIS PUBLICATION** This publication presents nationally comparable statistics relating to the criminal jurisdiction of the Higher (Supreme and Intermediate), Magistrates' and Children's Courts across Australia for the period 1 July 2007 to 30 June 2008. Some time series data are also included where available. The statistics describe the characteristics of defendants, including information on the offences and sentences associated with those defendants.
- Additional data are available in the Supplementary Data Cubes (cat. no. 4513.0) on the ABS website. A list of Supplementary Data Cubes is included in Appendix 1.
- 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.
- CHANGES IN THIS ISSUE** Information is presented for the first time on the principal offence of those defendants whose charges have not been adjudicated e.g. transferred to another court level, withdrawn, etc. Previously, principal offence data were only collected for defendants whose charges had been finalised by adjudication.
- ROUNDING** Discrepancies may occur between sums of the component items and totals across tables due to rounding and randomisation.
- INFORMATION ON ABS CRIME AND JUSTICE** More information about ABS activities in the field of crime and justice statistics is available from the 'Crime and Justice' theme page on the ABS website. Details of other ABS publications relating to crime and justice statistics can be found in the Explanatory Notes paragraph 95.
- ACKNOWLEDGMENTS** 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.

Ian Ewing  
Acting Australian Statistician

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A system of courts for the hearing of criminal matters exists in all Australian states and territories. A criminal matter generally arises where a charge has been laid either by police or some other prosecuting authority. Once charges are laid, the court will hear evidence by both prosecution and defence, and will make a decision as to whether or not the defendant is guilty. In some cases charges may be withdrawn by the prosecution or not proceed to trial. In cases where the defendant is proven guilty, the court may also record a conviction and impose a penalty.

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

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

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

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

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

NATIONAL CRIMINAL  
COURTS STATISTICS

This publication presents statistics about defendants dealt with by the criminal jurisdiction of the Higher (Supreme and Intermediate), Magistrates' and Children's Courts of Australia, for the period 1 July 2007 to 30 June 2008. Defendants include persons as well as organisations (for the Higher and Magistrates' Courts only) charged with criminal offences. The statistics are based on data extracted from administrative records held by state and territory agencies responsible for courts administration. The statistics have been compiled according to national standards and classifications (see Explanatory Notes paragraphs 20–26).

The data in the Criminal Courts collection reflects defendants finalised in the court, that is, a person or organisation for whom all charges have been formally completed so that the defendant ceases to be an item of work to be dealt with. However, the data for the New South Wales Magistrates' and Children's Courts are based on finalised appearances rather than finalised defendants. This counting method results in slightly higher population counts than if the finalised defendant was counted (see Explanatory Notes paragraphs 14–15).

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

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

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

## SUMMARY

In 2007–08, there were a total of 675,765 defendants finalised in Australia's courts: 16,811 in the Higher Courts; 619,542 in the Magistrates' Courts; and 39,412 in the Children's Courts. Between 2006–07 and 2007–08, the number of defendants finalised across all criminal courts increased by 5%.

In 2007–08, male defendants increased by 5% (from 497,990 in 2006–07 to 521,404), while female defendants increased by 9% (from 132,278 in 2006–07 to 143,862). The number of organisations heard by the courts decreased 15% over this same period (from 7,971 in 2006–07 to 6,819).

Across all court levels, 96% of defendants adjudicated were proven guilty (up from 95% in 2006–07). Of those proven guilty, 10% (59,276) were sentenced to a custodial order.

Of all defendants finalised, 7% had their cases withdrawn.

Across the jurisdictions, the proportions of defendants who were male ranged from 80% in South Australia and the Northern Territory, to 66% in Tasmania.

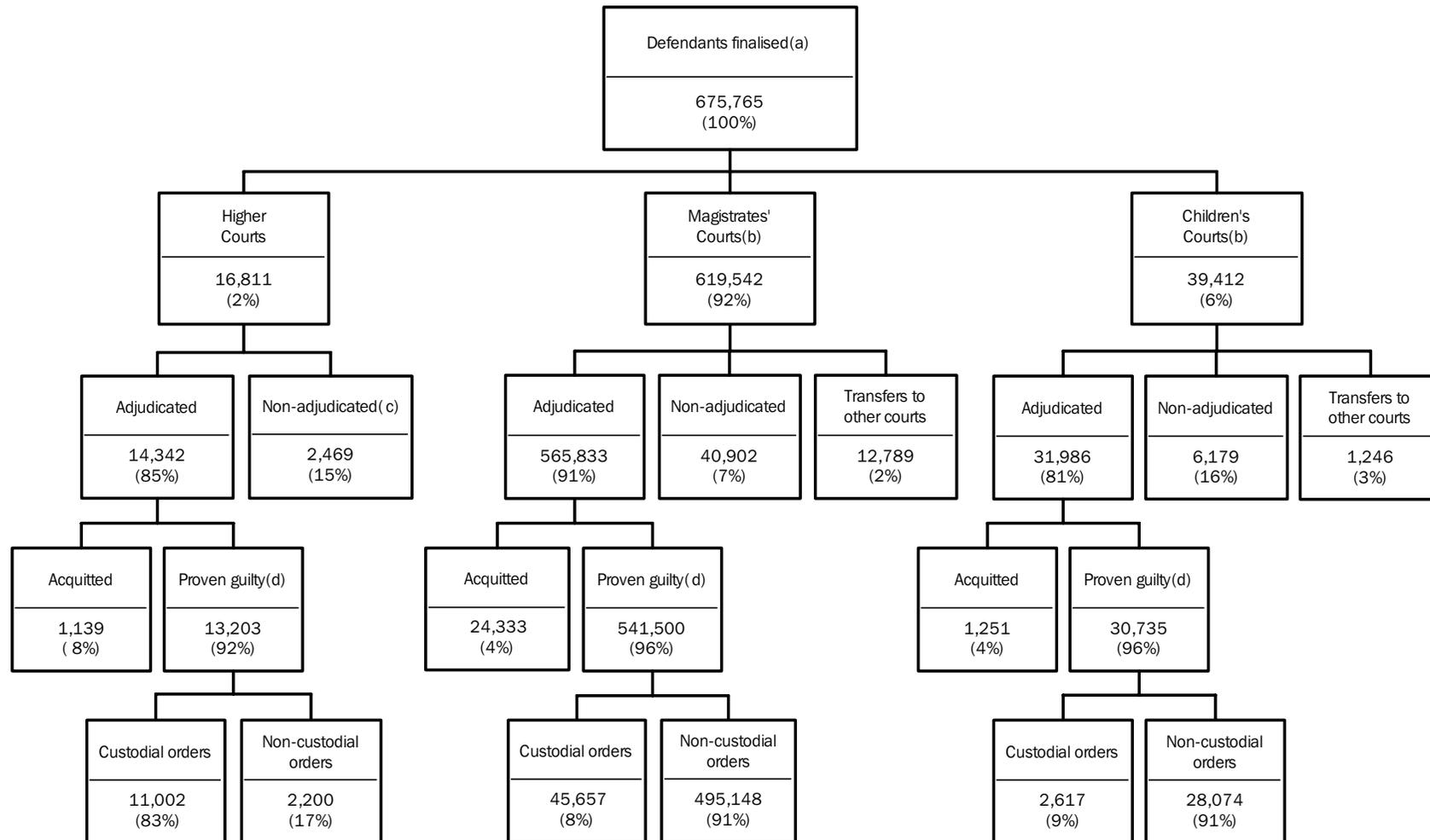
SUMMARY *continued*

The proportions of all finalised defendants proven guilty also varied across the jurisdictions. In Queensland and Western Australia 91% of defendants were proven guilty, while in the Australian Capital Territory 70% of defendants were proven guilty.

Custodial orders were issued to 31% of defendants proven guilty in the Northern Territory and 17% of those proven guilty in the Australian Capital Territory; higher than the national average of 10%. Tasmania had the lowest proportion of custodial orders at 5%.

In the Australian Capital Territory, 22% of cases were withdrawn by the prosecution, compared to 11% in South Australia and 1% in Tasmania.

## SUMMARY CHARACTERISTICS OF DEFENDANTS



(a) Defendants will be counted twice where they are transferred from one of the three court levels and then finalised in another within the same reference period.

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

(c) Includes defendants transferred to other courts.

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

**1.1****SUMMARY CHARACTERISTICS OF ALL DEFENDANTS, Court level .....****CRIMINAL COURT LEVEL**

|                               | <i>Higher</i> | <i>Magistrates'</i> | <i>Children's</i> | <i>All courts</i> |
|-------------------------------|---------------|---------------------|-------------------|-------------------|
| <b>Defendants finalised</b>   |               |                     |                   |                   |
| Males                         | 14 449        | 476 146             | 30 809            | 521 404           |
| Females                       | 2 053         | 133 262             | 8 547             | 143 862           |
| <b>Total(a)</b>               | <b>16 811</b> | <b>619 542</b>      | <b>39 412</b>     | <b>675 765</b>    |
| <b>Method of finalisation</b> |               |                     |                   |                   |
| Adjudicated outcomes          |               |                     |                   |                   |
| Acquitted                     | 1 139         | 24 333              | 1 251             | 26 723            |
| Proven guilty                 | 13 203        | 541 500             | 30 735            | 585 438           |
| <i>Total</i>                  | <i>14 342</i> | <i>565 833</i>      | <i>31 986</i>     | <i>612 161</i>    |
| Transfers to other courts     | 89            | 12 789              | 1 246             | 14 124            |
| Withdrawn by prosecution      | 2 291         | 40 459              | 4 177             | 46 927            |
| Other(b)                      | 89            | 443                 | 2 002             | 2 534             |
| <b>Total(c)</b>               | <b>16 811</b> | <b>619 542</b>      | <b>39 412</b>     | <b>675 765</b>    |
| <b>Sentence outcomes</b>      |               |                     |                   |                   |
| Custodial orders              | 11 002        | 45 657              | 2 617             | 59 276            |
| Non-custodial orders          | 2 200         | 495 148             | 28 074            | 525 422           |
| <b>Total proven guilty(d)</b> | <b>13 203</b> | <b>541 500</b>      | <b>30 735</b>     | <b>585 438</b>    |

- (a) Includes defendants with unknown sex and organisations.
- (b) Includes defendants deceased, unfit to plead, transfers to non-court agencies and other non-adjudicated finalisations n.e.c.
- (c) Includes defendants with an unknown method of finalisation.
- (d) Includes defendants for whom a principal sentence is unknown.

## 1.2 SUMMARY CHARACTERISTICS OF ALL DEFENDANTS, States and territories .....

|                               | NSW(a)         | Vic.           | Qld            | SA            | WA             | Tas.          | NT            | ACT          | Aust.          |
|-------------------------------|----------------|----------------|----------------|---------------|----------------|---------------|---------------|--------------|----------------|
| NUMBER                        |                |                |                |               |                |               |               |              |                |
| <b>Defendants finalised</b>   |                |                |                |               |                |               |               |              |                |
| Males                         | 135 294        | 85 456         | 130 454        | 40 687        | 80 295         | 36 349        | 8 691         | 4 178        | 521 404        |
| Females                       | 33 232         | 22 334         | 34 292         | 10 027        | 23 968         | 17 065        | 1 874         | 1 070        | 143 862        |
| <b>Total(b)</b>               | <b>171 507</b> | <b>109 723</b> | <b>165 883</b> | <b>50 857</b> | <b>106 611</b> | <b>54 958</b> | <b>10 911</b> | <b>5 315</b> | <b>675 765</b> |
| <b>Method of finalisation</b> |                |                |                |               |                |               |               |              |                |
| Adjudicated outcomes          |                |                |                |               |                |               |               |              |                |
| Acquitted                     | 8 201          | 8 073          | 1 305          | 190           | 1 091          | 6 980         | 718           | 165          | 26 723         |
| Proven guilty                 | 145 591        | 89 934         | 150 383        | 43 133        | 96 686         | 46 701        | 9 315         | 3 695        | 585 438        |
| <b>Total</b>                  | <b>153 792</b> | <b>98 007</b>  | <b>151 688</b> | <b>43 323</b> | <b>97 777</b>  | <b>53 681</b> | <b>10 033</b> | <b>3 860</b> | <b>612 161</b> |
| Transfers to other courts     | 3 782          | 376            | 4 359          | 1 825         | 2 652          | 651           | 193           | 286          | 14 124         |
| Withdrawn by prosecution      | 13 710         | 11 339         | 9 820          | 5 520         | 4 098          | 613           | 679           | 1 148        | 46 927         |
| Other(c)                      | 223            | —              | 16             | 189           | 2 084          | 8             | 6             | 7            | 2 533          |
| <b>Total(d)</b>               | <b>171 507</b> | <b>109 722</b> | <b>165 883</b> | <b>50 857</b> | <b>106 611</b> | <b>54 958</b> | <b>10 911</b> | <b>5 315</b> | <b>675 764</b> |
| <b>Sentence outcomes</b>      |                |                |                |               |                |               |               |              |                |
| Custodial orders              | 17 146         | 12 973         | 12 633         | 4 449         | 6 356          | 2 252         | 2 846         | 621          | 59 276         |
| Non-custodial orders          | 128 445        | 76 570         | 137 750        | 38 684        | 90 329         | 44 101        | 6 469         | 3 074        | 525 422        |
| <b>Total proven guilty(e)</b> | <b>145 591</b> | <b>89 934</b>  | <b>150 383</b> | <b>43 133</b> | <b>96 686</b>  | <b>46 701</b> | <b>9 315</b>  | <b>3 695</b> | <b>585 438</b> |
| PROPORTION (%)                |                |                |                |               |                |               |               |              |                |
| <b>Defendants finalised</b>   |                |                |                |               |                |               |               |              |                |
| Males                         | 78.9           | 77.9           | 78.6           | 80.0          | 75.3           | 66.1          | 79.7          | 78.6         | 77.2           |
| Females                       | 19.4           | 20.4           | 20.7           | 19.7          | 22.5           | 31.1          | 17.2          | 20.1         | 21.3           |
| <b>Total(b)</b>               | <b>100.0</b>   | <b>100.0</b>   | <b>100.0</b>   | <b>100.0</b>  | <b>100.0</b>   | <b>100.0</b>  | <b>100.0</b>  | <b>100.0</b> | <b>100.0</b>   |
| <b>Method of finalisation</b> |                |                |                |               |                |               |               |              |                |
| Adjudicated outcomes          |                |                |                |               |                |               |               |              |                |
| Acquitted                     | 4.8            | 7.4            | 0.8            | 0.4           | 1.0            | 12.7          | 6.6           | 3.1          | 4.0            |
| Proven guilty                 | 84.9           | 82.0           | 90.7           | 84.8          | 90.7           | 85.0          | 85.4          | 69.5         | 86.6           |
| <b>Total</b>                  | <b>89.7</b>    | <b>89.3</b>    | <b>91.4</b>    | <b>85.2</b>   | <b>91.7</b>    | <b>97.7</b>   | <b>92.0</b>   | <b>72.6</b>  | <b>90.6</b>    |
| Transfers to other courts     | 2.2            | 0.3            | 2.6            | 3.6           | 2.5            | 1.2           | 1.8           | 5.4          | 2.1            |
| Withdrawn by prosecution      | 8.0            | 10.3           | 5.9            | 10.9          | 3.8            | 1.1           | 6.2           | 21.6         | 6.9            |
| Other(c)                      | 0.1            | —              | —              | 0.4           | 2.0            | —             | 0.1           | 0.1          | 0.4            |
| <b>Total(d)</b>               | <b>100.0</b>   | <b>100.0</b>   | <b>100.0</b>   | <b>100.0</b>  | <b>100.0</b>   | <b>100.0</b>  | <b>100.0</b>  | <b>100.0</b> | <b>100.0</b>   |
| <b>Sentence outcomes</b>      |                |                |                |               |                |               |               |              |                |
| Custodial orders              | 11.8           | 14.4           | 8.4            | 10.3          | 6.6            | 4.8           | 30.6          | 16.8         | 10.1           |
| Non-custodial orders          | 88.2           | 85.1           | 91.6           | 89.7          | 93.4           | 94.4          | 69.4          | 83.2         | 89.7           |
| <b>Total proven guilty(e)</b> | <b>100.0</b>   | <b>100.0</b>   | <b>100.0</b>   | <b>100.0</b>  | <b>100.0</b>   | <b>100.0</b>  | <b>100.0</b>  | <b>100.0</b> | <b>100.0</b>   |

— nil or rounded to zero (including null cells)

(a) Refers to finalised appearances rather than finalised defendants in the Children's and Magistrates' Courts, resulting in potentially higher population counts (see Explanatory Notes 14 and 15).

(b) Includes defendants with unknown sex and organisations.

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

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

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

INTRODUCTION

This chapter presents information about defendants finalised in the criminal jurisdiction of the Higher Courts in 2007–08. The Higher Courts refers to the grouping of the Intermediate (the District or County Court) and Supreme Court levels.

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

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

The offence categories referred to relate to the principal offence, i.e. the most serious offence type with which the defendant was charged. For more information about principal offence see the Explanatory Notes paragraphs 40–45.

*Snapshot*

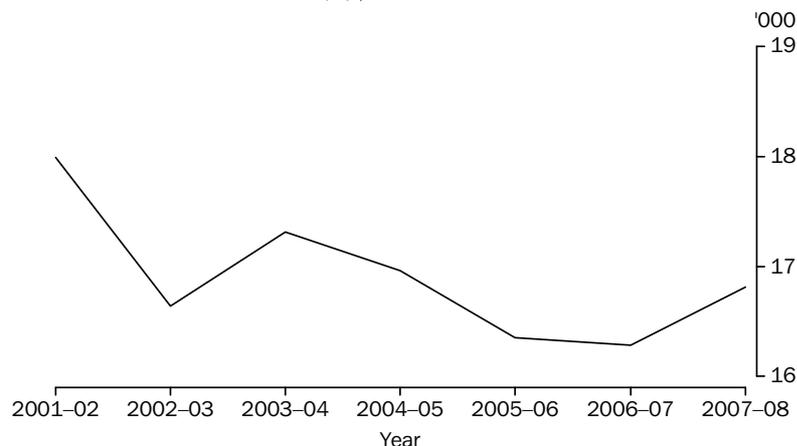
- The number of defendants finalised in the Higher Courts increased by 3%, from 16,287 in 2006–07 to 16,815 in 2007–08, but had decreased by 4% since 2001–02.
- The proportion of male to female defendants had remained relatively stable since 2001–02 with males accounting for approximately 86% of the total.
- Of those defendants finalised in the Higher Courts, 85% (14,346) were finalised by a guilty plea or a court determination of their guilt or innocence. Withdrawal of charges by the prosecution accounted for 14% of finalisations.
- Defendants finalised for charges of sexual assault had the lowest proportion (59%) proven guilty of all principal offences. This offence also had the largest proportion of acquittals (19%) and charges withdrawn (22%).
- The majority (92% or 13,206) of defendants whose cases were adjudicated in the Higher Courts in 2007–08 were proven guilty. Of those defendants proven guilty, 88% pleaded guilty and 10% were found guilty following a trial.
- Approximately 8 in 10 convicted defendants were sentenced to custodial orders.

DEFENDANTS FINALISED

Since 2001–02, the number of defendants finalised in the Higher Courts has averaged about 16,800 defendants. Over the last four years, the average has lowered, to about 16,600 defendants.

DEFENDANTS FINALISED  
*continued*

DEFENDANTS FINALISED(a), 2001–2002 to 2007–2008



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

*Charges withdrawn by the prosecution*

Of the 2,291 defendants whose charges were withdrawn by the prosecution in 2007–08, the greatest number of these defendants had charges for sexual assault (580) and acts intended to cause injury (542).

Principal offences with the largest proportion of defendants finalised by charges withdrawn were sexual assault (21%) and unlawful entry with intent (16%). In contrast, 7% of defendants facing charges of illicit drug offences, and 9% of defendants facing charges of dangerous or negligent acts and robbery and extortion, had their charges withdrawn.

South Australia (24%) and Tasmania (20%) had larger proportions of defendants finalised by charges withdrawn than the national average of 14%. New South Wales (7%) and Victoria (4%) had the smallest proportion of defendants finalised by this method.

DEFENDANTS  
ADJUDICATED

The following information only relates to defendants who were adjudicated, i.e. finalised via a plea of guilty or a decision by the judge as to their guilt or otherwise of the final charges laid.

There were 14,341 defendants adjudicated in the Higher Courts in 2007–08, a 3% increase from 2006–07.

Northern Territory had the largest proportion of males to females, with males accounting for 92% (or 233) of adjudicated defendants. South Australia (91%) and New South Wales (90%) also had a larger proportion of males compared to the national average of 86%.

*Principal offence*

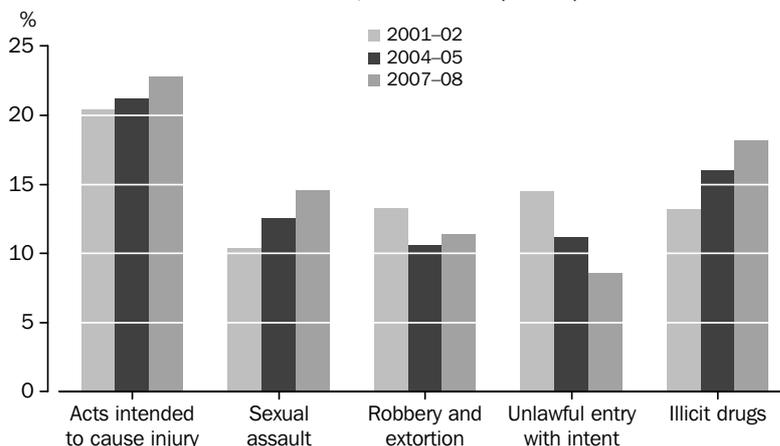
Five offence types accounted for nearly three-quarters of defendants heard in the Higher Courts: acts intended to cause injury (23%); illicit drug offences (18%); sexual assault (15%); robbery and extortion (11%); and unlawful entry with intent (9%).

Between 2001–02 and 2007–08, these five offences have continued to account for the largest number of defendants charged.

*Principal offence  
continued*

Although the number of defendants adjudicated decreased 6% in the period from 2001–02, the number charged with sexual assault and illicit drug offences increased during this period (up 32% to 2,099 and 30% to 2,615 respectively). The number of defendants charged with unlawful entry with intent decreased by 44% (to 1,234) between 2001–02 and 2007–08.

DEFENDANTS ADJUDICATED, Selected principal offence

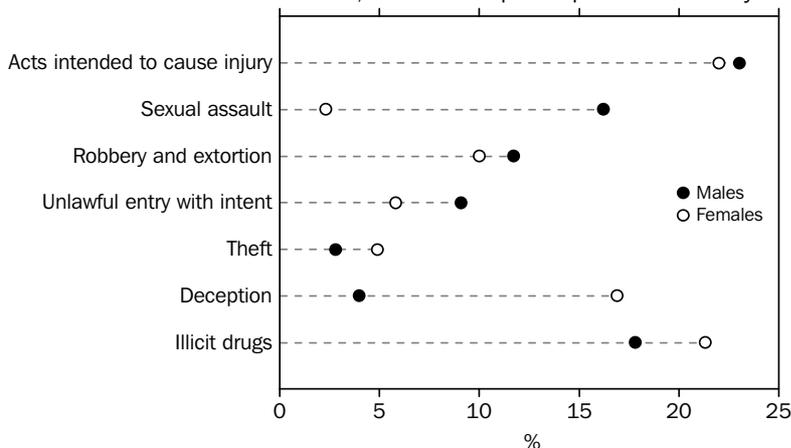


*Sex*

In 2007–08, defendants charged were more likely to be male (86%) than female (12%). These proportions have remained relatively stable over time, with males accounting for around 87% of defendants since 2001–02.

The two most common offences that both males and females were charged with were acts intended to cause injury (23% and 22% respectively) and illicit drug offences (18% and 21% respectively). For males, this was followed by sexual assault (16%) and for females it was deception (17%). There was a similar pattern of offences for both sexes during 2006–07.

DEFENDANTS ADJUDICATED, Selected principal offence by sex



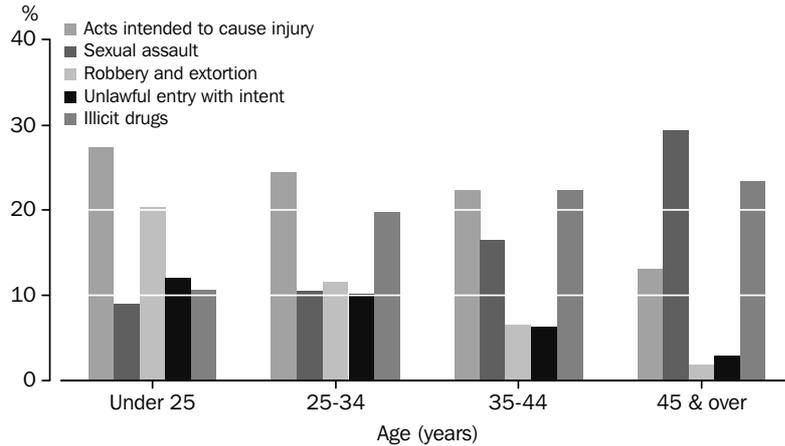
*Age*

Those aged 25 to 34 years accounted for just under a third (31%) of defendants charged in the Higher Courts. This was followed by defendants aged under 25 years (30%), and those aged 35 to 44 years (22%). Defendants aged 45 years and over represented 17% of defendants.

*Age continued*

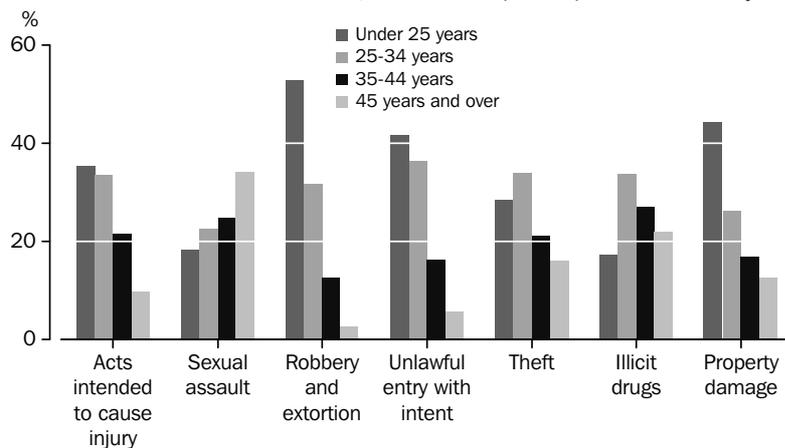
Approximately one quarter of defendants aged under 25 years and 25 to 34 years were charged with acts intended to cause injury (27% and 25% respectively). While robbery and extortion accounted for 20% of defendants aged under 25 years, this offence type was less common for defendants over this age group. The largest proportion of defendants aged 45 years and over were charged with sexual assault (29%), followed by illicit drug offences (23%).

DEFENDANTS ADJUDICATED, Age groups by selected principal offence



When comparing defendants by principal offence type, defendants aged under 25 years of age accounted for the largest proportions of the following offence types: robbery and extortion (53%); property damage (44%); unlawful entry with intent (42%); and acts intended to cause injury (35%). Of those charged with theft and illicit drug offences, the largest proportion of defendants were aged 25 to 34 years (both 34%). For sexual assault offences, just over a third (34%) of defendants with this principal offence type were aged 45 years and over.

DEFENDANTS ADJUDICATED, Selected principal offence by age groups



*Defendants acquitted*

Of the 2,506 defendants that had a trial outcome (acquitted or found guilty by the court), 45% were acquitted.

Two principal offences accounted for two-thirds of all defendants acquitted (1,138) in 2007–08: sexual assault (502 or 44%); and acts intended to cause injury (250 or 22%).

*Defendants acquitted  
continued*

Defendants heard for sexual assault and homicide offences had the largest proportion of defendants acquitted (24% and 18% respectively).

Queensland had the smallest proportion of adjudicated defendants acquitted (5%) compared to the national average of 8%.

*Defendants proven guilty*

In 2007–08, the majority (92% or 13,203) of defendants heard in the Higher Courts were proven guilty. Of these defendants, a large proportion (81% or 11,652) pleaded guilty, rather than being found guilty at trial.

Almost all adjudicated defendants charged with unlawful entry with intent, illicit drug offences and weapons and explosives offences were proven guilty (all 98%).

Defendants charged with weapons and explosives offences (92%), unlawful entry with intent (90%), and illicit drug offences (90%) were more likely to have pleaded guilty than those charged with homicide (56%) and sexual assault (59%).

## SENTENCE OUTCOMES

The following information relates to sentence outcomes for defendants heard in the Higher Courts. Defendants are referred to as 'convicted' where they were proven guilty of at least one of the final charges laid against them. Sentence refers to the principal sentence a defendant received (refer to Explanatory Notes paragraphs 46–48 for further information).

Differences in sentencing are a result of the offence the defendant was convicted of, as well as a range of aggravating and mitigating factors taken into account by the court, such as prior convictions, level of violence, whether the offender was provoked, and demonstrations of remorse.

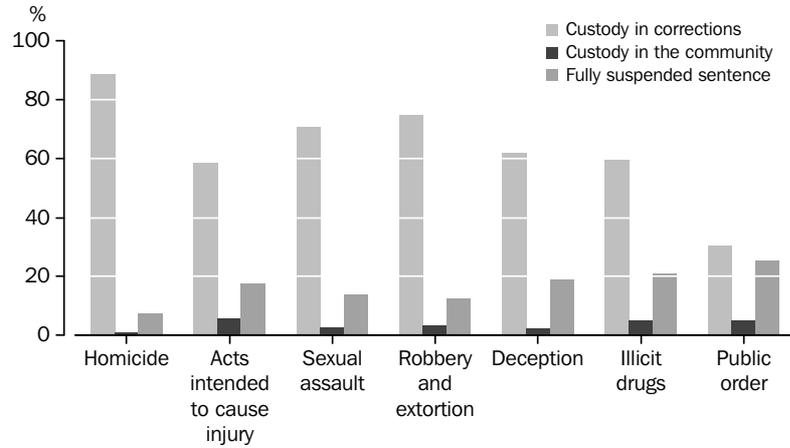
*Custodial orders*

The majority (83% or 11,005) of defendants proven guilty in 2007–08 received a custodial order. This proportion increased over the 7 years from 2001–02 when it was 72%. Of defendants proven guilty, 74% were sentenced to custody in a correctional institution; 5% to custody in the community; and 21% were granted fully suspended sentences. Defendants sentenced to custody in a correctional institution increased from 58% of custodial penalties in 2006–07.

The proportion of convicted defendants who received a custodial sentence in a correctional institution ranged from 31% for public order offences to 75% for robbery and extortion, and 89% for homicide. Defendants convicted of public order offences were more likely to receive a fully suspended sentence (25%) than defendants with most other offences.

*Custodial orders  
continued*

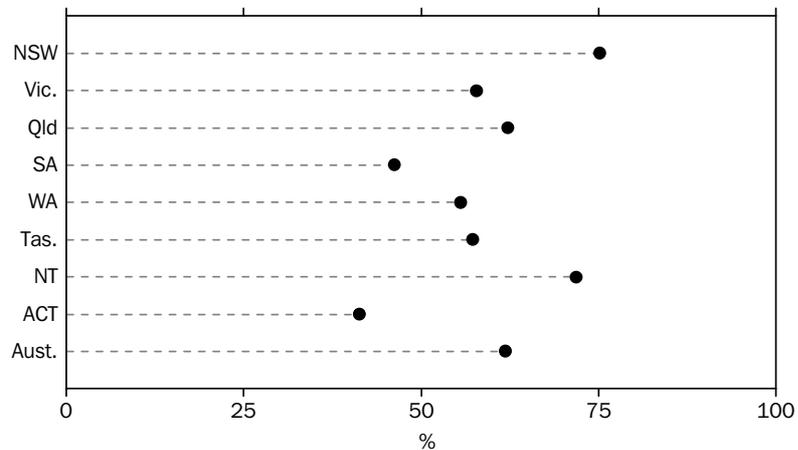
DEFENDANTS PROVEN GUILTY, Selected principal offence by custodial sentence



A greater proportion of males proven guilty received a sentence of custody in a correctional institution or the community than females (64% compared with 47%). A larger proportion of convicted females were given fully suspended sentences than males (23% and 16% respectively).

The proportion of defendants proven guilty receiving a custodial sentence in a correctional institution varied across states and territories, ranging from 41% in the Australian Capital Territory to 75% in New South Wales.

DEFENDANTS PROVEN GUILTY, Custody in corrections by states and territories



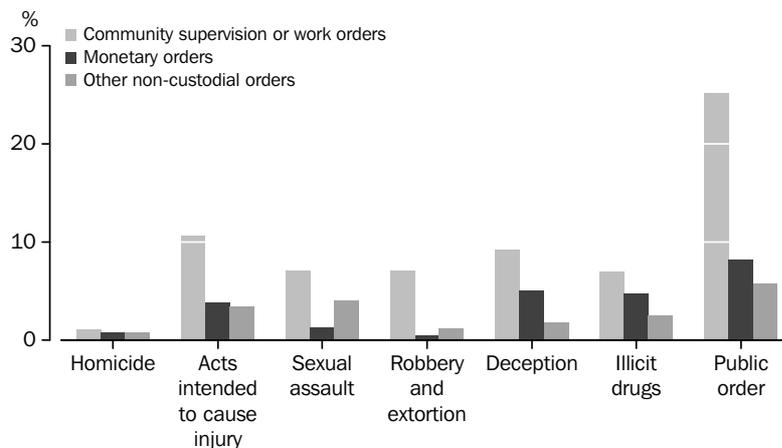
*Non-custodial orders*

Defendants sentenced to non-custodial orders (community supervision or work orders, monetary orders and other non-custodial orders) accounted for 17% (2,200) of defendants proven guilty in the Higher Courts.

Community supervision or work orders were issued to: a quarter (25%) of defendants convicted of public order offences; 11% of those convicted of acts intended to cause injury; and 9% of those convicted of deception. A greater proportion of defendants convicted of public order offences (8%) received monetary orders than defendants convicted of other offences.

*Non-custodial orders  
continued*

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



The proportion of convicted females receiving community supervision or work orders (17%) is almost double the proportion of males (9%). A larger proportion of both male and female convicted defendants under 25 years of age received a non-custodial order (16% and 24% respectively), compared with other age groups.

DURATION OF CASES  
ADJUDICATED

The nature of the charges presented to the court for a defendant, along with the process required to deal with the charges (which is affected by the type of plea), impact on the time required for a court to finalise a case. The duration is calculated from the date of initiation to finalisation of the case (for more information about duration see paragraphs 39, 55, 57–58 of the Explanatory Notes and the Glossary).

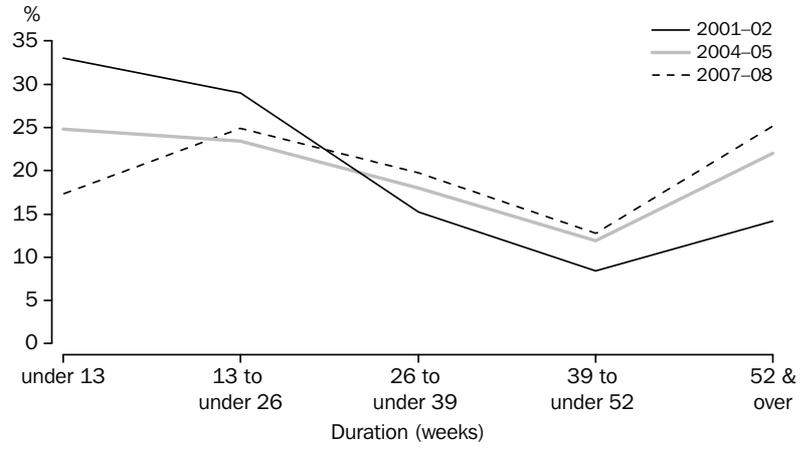
Almost one fifth (17%) of defendants adjudicated were finalised in less than 13 weeks from the date of initiation, while 42% were finalised in under 26 weeks from initiation. A quarter (25%) of defendants were finalised 52 weeks or more after initiation.

Of defendants that went to trial and were found guilty by the court, 59% were finalised 52 weeks or more after initiation. Of those acquitted, 41% were finalised in this same time period. For defendants who pleaded guilty in 2007–08, 20% were finalised in less than 13 weeks.

The length of time to finalise cases had increased between 2001–02 and 2007–08. In 2001–02 the proportion of defendants with cases finalised in less than 13 weeks was 33%, while the proportion of defendants with cases finalised in 52 weeks or more after initiation was 14%. The comparable figures for 2007–08 were 17% and 25% respectively.

DURATION OF CASES  
ADJUDICATED *continued*

DEFENDANTS ADJUDICATED, Duration of cases finalised, Selected years



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

|                             | <i>Homicide<br/>&amp; related<br/>offences</i> | <i>Acts<br/>intended<br/>to cause<br/>injury</i> | <i>Sexual<br/>assault<br/>&amp; related<br/>offences</i> | <i>Robbery,<br/>extortion<br/>&amp; related<br/>offences</i> | <i>Unlawful<br/>entry<br/>with<br/>intent</i> | <i>Theft &amp;<br/>related<br/>offences</i> | <i>Deception<br/>&amp; related<br/>offences</i> | <i>Illicit<br/>drug<br/>offences</i> | <i>Other(a)</i> | <i>Total(b)</i> |
|-----------------------------|--|--|--|--|---|---|---|--------------------------------------|-----------------|-----------------|
| NUMBER                      |  |  |  |  |   |   |   |                                      |                 |                 |
| <b>Adjudicated outcomes</b> |  |  |  |  |   |   |   |                                      |                 |                 |
| Acquitted                   | 81   | 250  | 502  | 79   | 22  | 23  | 38  | 56                                   | 87              | 1 138           |
| Proven guilty               |  |  |  |  |   |   |   |                                      |                 |                 |
| Guilty finding              | 118  | 315  | 345  | 98   | 62  | 43  | 59  | 167                                  | 161             | 1 368           |
| Guilty plea                 | 250  | 2 696  | 1 231  | 1 430  | 1 111   | 360   | 694   | 2 363                                | 1 502           | 11 652          |
| Total(c)                    | 368  | 3 026  | 1 597  | 1 554  | 1 212   | 415   | 763   | 2 559                                | 1 694           | 13 203          |
| <b>Total</b>                | <b>449</b>                                     | <b>3 276</b>                                     | <b>2 099</b>   | <b>1 633</b>   | <b>1 234</b>                                  | <b>438</b>                                  | <b>801</b>                                      | <b>2 615</b>                         | <b>1 781</b>    | <b>14 341</b>   |
| <b>Sentence outcomes</b>    |  |  |  |  |   |   |   |                                      |                 |                 |
| Custodial orders            | 360  | 2 476  | 1 399  | 1 418  | 992   | 289   | 639   | 2 197                                | 1 225           | 11 005          |
| Non-custodial orders        | 8  | 550  | 199  | 136  | 220   | 126   | 124   | 363                                  | 469             | 2 200           |
| <b>Total</b>                | <b>368</b>                                     | <b>3 026</b>                                     | <b>1 598</b>   | <b>1 554</b>   | <b>1 212</b>                                  | <b>415</b>                                  | <b>763</b>                                      | <b>2 560</b>                         | <b>1 694</b>    | <b>13 205</b>   |
| PROPORTION (%)              |  |  |  |  |   |   |   |                                      |                 |                 |
| <b>Adjudicated outcomes</b> |  |  |  |  |   |   |   |                                      |                 |                 |
| Acquitted                   | 18.0   | 7.6  | 23.9   | 4.8  | 1.8   | 5.3   | 4.7   | 2.1                                  | 4.9             | 7.9             |
| Proven guilty               |  |  |  |  |   |   |   |                                      |                 |                 |
| Guilty finding              | 26.3   | 9.6  | 16.4   | 6.0  | 5.0   | 9.8   | 7.4   | 6.4                                  | 9.0             | 9.5             |
| Guilty plea                 | 55.7   | 82.3   | 58.6   | 87.6   | 90.0  | 82.2  | 86.6  | 90.4                                 | 84.3            | 81.2            |
| Total(c)                    | 82.0   | 92.4   | 76.1   | 95.2   | 98.2  | 94.7  | 95.3  | 97.9                                 | 95.1            | 92.1            |
| <b>Total</b>                | <b>100.0</b>                                   | <b>100.0</b>                                     | <b>100.0</b>   | <b>100.0</b>   | <b>100.0</b>                                  | <b>100.0</b>                                | <b>100.0</b>                                    | <b>100.0</b>                         | <b>100.0</b>    | <b>100.0</b>    |
| <b>Sentence outcomes</b>    |  |  |  |  |   |   |   |                                      |                 |                 |
| Custodial orders            | 97.8   | 81.8   | 87.5   | 91.2   | 81.8  | 69.6  | 83.7  | 85.8                                 | 72.3            | 83.3            |
| Non-custodial orders        | 2.2  | 18.2   | 12.5   | 8.8  | 18.2  | 30.4  | 16.3  | 14.2                                 | 27.7            | 16.7            |
| <b>Total</b>                | <b>100.0</b>                                   | <b>100.0</b>                                     | <b>100.0</b>   | <b>100.0</b>   | <b>100.0</b>                                  | <b>100.0</b>                                | <b>100.0</b>                                    | <b>100.0</b>                         | <b>100.0</b>    | <b>100.0</b>    |

(a) Includes Divisions 04, 05, 11, 12, 13, 14, 15 & 16 of the ASOC (refer to Appendix 3).

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

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

## 2.2 SUMMARY CHARACTERISTICS OF DEFENDANTS, 2001–02 to 2007–08 .....

|                               | NUMBER        |               |               |               |               |                |               | PERCENTAGE                          |
|-------------------------------|---------------|---------------|---------------|---------------|---------------|----------------|---------------|-------------------------------------|
|                               | 2001–02       | 2002–03       | 2003–04       | 2004–05       | 2005–06       | 2006–07        | 2007–08       | CHANGE (%)<br>2006–07 to<br>2007–08 |
| <b>Defendants finalised</b>   |               |               |               |               |               |                |               |                                     |
| Males                         | 15 341        | 14 546        | 15 005        | 14 886        | 14 313        | r14 231        | 14 453        | 1.6                                 |
| Females                       | 2 197         | 2 086         | 2 292         | 2 052         | 2 027         | r1 961         | 2 053         | 4.7                                 |
| <b>Total(a)</b>               | <b>17 554</b> | <b>16 643</b> | <b>17 315</b> | <b>16 964</b> | <b>16 356</b> | <b>r16 287</b> | <b>16 815</b> | <b>3.2</b>                          |
| <b>Method of finalisation</b> |               |               |               |               |               |                |               |                                     |
| Adjudicated outcomes          |               |               |               |               |               |                |               |                                     |
| Acquitted                     | 1 156         | 990           | 1 053         | 1 273         | 1 248         | r1 100         | 1 140         | 3.6                                 |
| Proven guilty                 |               |               |               |               |               |                |               |                                     |
| Guilty finding                | 1 318         | 1 403         | 1 372         | 1 573         | 1 543         | r1 427         | 1 368         | -4.1                                |
| Guilty plea                   | 12 755        | 12 071        | 12 578        | 11 893        | 11 400        | r11 381        | 11 653        | 2.4                                 |
| <i>Total(b)</i>               | <i>14 073</i> | <i>13 474</i> | <i>13 950</i> | <i>13 466</i> | <i>12 943</i> | <i>r12 884</i> | <i>13 206</i> | <i>2.5</i>                          |
| <i>Total</i>                  | <i>15 229</i> | <i>14 464</i> | <i>15 003</i> | <i>14 739</i> | <i>14 191</i> | <i>r13 984</i> | <i>14 346</i> | <i>2.6</i>                          |
| Withdrawn by prosecution      | 2 208         | 2 066         | 2 181         | 2 134         | 2 054         | r2 190         | 2 291         | 4.6                                 |
| Other(c)                      | 117           | 113           | 131           | 91            | 111           | r113           | 178           | 57.5                                |
| <b>Total</b>                  | <b>17 554</b> | <b>16 643</b> | <b>17 315</b> | <b>16 964</b> | <b>16 356</b> | <b>r16 287</b> | <b>16 815</b> | <b>3.2</b>                          |
| <b>Sentence outcomes</b>      |               |               |               |               |               |                |               |                                     |
| Custodial orders              | 10 143        | 9 927         | 10 869        | 10 766        | 10 628        | r10 509        | 11 005        | 4.7                                 |
| Non-custodial orders          | 3 874         | 3 465         | 2 986         | 2 662         | 2 265         | r2 310         | 2 200         | -4.8                                |
| <b>Total(d)</b>               | <b>14 073</b> | <b>13 474</b> | <b>13 950</b> | <b>13 466</b> | <b>12 943</b> | <b>r12 884</b> | <b>13 206</b> | <b>2.5</b>                          |

r revised

(a) Includes defendants with unknown sex and organisations.

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

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

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

## 2.3 SUMMARY CHARACTERISTICS OF DEFENDANTS, States and territories .....

|                               | NSW(a)       | Vic.         | Qld          | SA           | WA           | Tas.         | NT(b)        | ACT          | Aust.         |
|-------------------------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|---------------|
| NUMBER                        |              |              |              |              |              |              |              |              |               |
| <b>Defendants finalised</b>   |              |              |              |              |              |              |              |              |               |
| Males                         | 2 936        | 2 226        | 5 138        | 1 181        | 2 097        | 454          | 255          | 166          | 14 453        |
| Females                       | 319          | 265          | 927          | 128          | 288          | 86           | 20           | 20           | 2 053         |
| <b>Total(c)</b>               | <b>3 261</b> | <b>2 506</b> | <b>6 068</b> | <b>1 309</b> | <b>2 667</b> | <b>540</b>   | <b>275</b>   | <b>186</b>   | <b>16 812</b> |
| <b>Method of finalisation</b> |              |              |              |              |              |              |              |              |               |
| Adjudicated outcomes          |              |              |              |              |              |              |              |              |               |
| Acquitted                     | 234          | 218          | 251          | 88           | 253          | 31           | 41           | 24           | 1 140         |
| Proven guilty                 |              |              |              |              |              |              |              |              |               |
| Guilty finding                | 234          | 274          | 278          | 165          | 315          | 78           | 14           | 10           | 1 368         |
| Guilty plea                   | 2 446        | 1 914        | 4 420        | 729          | 1 509        | 320          | 199          | 116          | 11 653        |
| Total(d)                      | 2 707        | 2 188        | 4 698        | 894          | 1 982        | 398          | 213          | 126          | 13 206        |
| Total                         | 2 941        | 2 406        | 4 949        | 982          | 2 235        | 429          | 254          | 150          | 14 346        |
| Withdrawn by prosecution      | 220          | 96           | 1 108        | 311          | 397          | 107          | 22           | 30           | 2 291         |
| Other(e)                      | 100          | 4            | 13           | 16           | 35           | 4            | —            | 6            | 178           |
| <b>Total</b>                  | <b>3 261</b> | <b>2 506</b> | <b>6 070</b> | <b>1 309</b> | <b>2 667</b> | <b>540</b>   | <b>276</b>   | <b>186</b>   | <b>16 815</b> |
| <b>Sentence outcomes</b>      |              |              |              |              |              |              |              |              |               |
| Custodial orders              | 2 452        | 1 821        | 3 707        | 826          | 1 548        | 343          | 201          | 107          | 11 005        |
| Non-custodial orders          | 255          | 367          | 991          | 68           | 433          | 55           | 12           | 19           | 2 200         |
| <b>Total</b>                  | <b>2 707</b> | <b>2 188</b> | <b>4 698</b> | <b>894</b>   | <b>1 981</b> | <b>398</b>   | <b>213</b>   | <b>126</b>   | <b>13 205</b> |
| PROPORTION (%)                |              |              |              |              |              |              |              |              |               |
| <b>Defendants finalised</b>   |              |              |              |              |              |              |              |              |               |
| Males                         | 90.0         | 88.8         | 84.7         | 90.2         | 78.6         | 84.1         | 92.7         | 89.2         | 86.0          |
| Females                       | 9.8          | 10.6         | 15.3         | 9.8          | 10.8         | 15.9         | 7.3          | 10.8         | 12.2          |
| <b>Total(c)</b>               | <b>100.0</b>  |
| <b>Method of finalisation</b> |              |              |              |              |              |              |              |              |               |
| Adjudicated outcomes          |              |              |              |              |              |              |              |              |               |
| Acquitted                     | 7.2          | 8.7          | 4.1          | 6.7          | 9.5          | 5.7          | 14.9         | 12.9         | 6.8           |
| Proven guilty                 |              |              |              |              |              |              |              |              |               |
| Guilty finding                | 7.2          | 10.9         | 4.6          | 12.6         | 11.8         | 14.4         | 5.1          | 5.4          | 8.1           |
| Guilty plea                   | 75.0         | 76.4         | 72.8         | 55.7         | 56.6         | 59.3         | 72.1         | 62.4         | 69.3          |
| Total(d)                      | 83.0         | 87.3         | 77.4         | 68.3         | 74.3         | 73.7         | 77.2         | 67.7         | 78.5          |
| Total                         | 90.2         | 96.0         | 81.5         | 75.0         | 83.8         | 79.4         | 92.0         | 80.6         | 85.3          |
| Withdrawn by prosecution      | 6.7          | 3.8          | 18.3         | 23.8         | 14.9         | 19.8         | 8.0          | 16.1         | 13.6          |
| Other(e)                      | 3.1          | 0.2          | 0.2          | 1.2          | 1.3          | 0.7          | —            | 3.2          | 1.1           |
| <b>Total</b>                  | <b>100.0</b>  |
| <b>Sentence outcomes</b>      |              |              |              |              |              |              |              |              |               |
| Custodial orders              | 90.6         | 83.2         | 78.9         | 92.4         | 78.1         | 86.2         | 94.4         | 84.9         | 83.3          |
| Non-custodial orders          | 9.4          | 16.8         | 21.1         | 7.6          | 21.9         | 13.8         | 5.6          | 15.1         | 16.7          |
| <b>Total</b>                  | <b>100.0</b>  |

— nil or rounded to zero (including null cells)

- (a) Data are impacted by the introduction of a new computer system (see Explanatory Note 60).  
 (b) Counts of acquittals are overstated and charges withdrawn by the prosecution are understated (see Explanatory Note 86).

(c) Includes defendants with unknown sex and organisations.

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

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

## 2.4 DEFENDANTS FINALISED, Principal offence by method of finalisation .....

|  | PROVEN GUILTY |                |               |               | Total adjudicated | Withdrawn by prosecution |            | Total         |
|--|---------------|----------------|---------------|---------------|-------------------|--------------------------|------------|---------------|
|  | Acquitted     | Guilty finding | Guilty plea   | Total(b)      |                   | Other(a)                 |            |               |
| NUMBER   |               |                |               |               |                   |                          |            |               |
| Homicide and related offences                                      | 81            | 118            | 250           | 368           | 449               | 52                       | 13         | 514           |
| Acts intended to cause injury                                      | 250           | 315            | 2 696         | 3 026         | 3 276             | 542                      | 38         | 3 856         |
| Sexual assault and related offences                                | 502           | 345            | 1 231         | 1 597         | 2 099             | 580                      | 21         | 2 700         |
| Dangerous or negligent acts endangering persons                    | 19            | 26             | 310           | 343           | 362               | 35                       | —          | 397           |
| Abduction and related offences                                     | 9             | 17             | 87            | 107           | 116               | 42                       | —          | 158           |
| Robbery, extortion and related offences                            | 79            | 98             | 1 430         | 1 554         | 1 633             | 171                      | 19         | 1 823         |
| Unlawful entry with intent   | 22            | 62             | 1 111         | 1 212         | 1 234             | 231                      | 19         | 1 484         |
| Theft and related offences   | 23            | 43             | 360           | 415           | 438               | 90                       | 8          | 536           |
| Deception and related offences                                     | 38            | 59             | 694           | 763           | 801               | 104                      | 10         | 915           |
| Illicit drug offences  | 56            | 167            | 2 363         | 2 559         | 2 615             | 205                      | 31         | 2 851         |
| Weapons and explosives offences                                    | 4             | 6              | 173           | 182           | 186               | 20                       | —          | 206           |
| Property damage and environmental pollution                        | 12            | 28             | 275           | 307           | 319               | 68                       | 5          | 392           |
| Public order offences  | 5             | 28             | 263           | 294           | 299               | 30                       | —          | 329           |
| Road traffic and motor vehicle regulatory offences                 | —             | —              | 6             | 6             | 6                 | —                        | —          | 6             |
| Offences against justice procedures, gov't security and operations | 15            | 23             | 199           | 230           | 245               | 47                       | 6          | 298           |
| Miscellaneous offences   | 23            | 33             | 189           | 226           | 249               | 69                       | 3          | 321           |
| <b>Total(c)</b>  | <b>1 141</b>  | <b>1 368</b>   | <b>11 652</b> | <b>13 204</b> | <b>14 345</b>     | <b>2 290</b>             | <b>173</b> | <b>16 808</b> |

|  | PROPORTION (%) |            |             |             |             |             |            |              |
|--|----------------|------------|-------------|-------------|-------------|-------------|------------|--------------|
| Homicide and related offences                                      | 15.8           | 23.0       | 48.6        | 71.6        | 87.4        | 10.1        | 2.5        | 100.0        |
| Acts intended to cause injury                                      | 6.5            | 8.2        | 69.9        | 78.5        | 85.0        | 14.1        | 1.0        | 100.0        |
| Sexual assault and related offences                                | 18.6           | 12.8       | 45.6        | 59.1        | 77.7        | 21.5        | 0.8        | 100.0        |
| Dangerous or negligent acts endangering persons                    | 4.8            | 6.5        | 78.1        | 86.4        | 91.2        | 8.8         | —          | 100.0        |
| Abduction and related offences                                     | 5.7            | 10.8       | 55.1        | 67.7        | 73.4        | 26.6        | —          | 100.0        |
| Robbery, extortion and related offences                            | 4.3            | 5.4        | 78.4        | 85.2        | 89.6        | 9.4         | 1.0        | 100.0        |
| Unlawful entry with intent   | 1.5            | 4.2        | 74.9        | 81.7        | 83.2        | 15.6        | 1.3        | 100.0        |
| Theft and related offences   | 4.3            | 8.0        | 67.2        | 77.4        | 81.7        | 16.8        | 1.5        | 100.0        |
| Deception and related offences                                     | 4.2            | 6.4        | 75.8        | 83.4        | 87.5        | 11.4        | 1.1        | 100.0        |
| Illicit drug offences  | 2.0            | 5.9        | 82.9        | 89.8        | 91.7        | 7.2         | 1.1        | 100.0        |
| Weapons and explosives offences                                    | 1.9            | 2.9        | 84.0        | 88.3        | 90.3        | 9.7         | —          | 100.0        |
| Property damage and environmental pollution                        | 3.1            | 7.1        | 70.2        | 78.3        | 81.4        | 17.3        | 1.3        | 100.0        |
| Public order offences  | 1.5            | 8.5        | 79.9        | 89.4        | 90.9        | 9.1         | —          | 100.0        |
| Road traffic and motor vehicle regulatory offences                 | —              | —          | 100.0       | 100.0       | 100.0       | —           | —          | 100.0        |
| Offences against justice procedures, gov't security and operations | 5.0            | 7.7        | 66.8        | 77.2        | 82.2        | 15.8        | 2.0        | 100.0        |
| Miscellaneous offences   | 7.2            | 10.3       | 58.9        | 70.4        | 77.6        | 21.5        | 0.9        | 100.0        |
| <b>Total(c)</b>  | <b>6.8</b>     | <b>8.1</b> | <b>69.3</b> | <b>78.6</b> | <b>85.3</b> | <b>13.6</b> | <b>1.0</b> | <b>100.0</b> |

— nil or rounded to zero (including null cells)

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

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

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

## 2.5 DEFENDANTS ADJUDICATED, Principal offence 2001–02 to 2007–08

|  | NUMBER        |               |               |               |               |                |               | PERCENTAGE                          |
|--|---------------|---------------|---------------|---------------|---------------|----------------|---------------|-------------------------------------|
|  | 2001–02       | 2002–03       | 2003–04       | 2004–05       | 2005–06       | 2006–07        | 2007–08       | CHANGE (%)<br>2006–07 to<br>2007–08 |
| Homicide and related offences                                      |               |               |               |               |               |                |               |                                     |
| Murder   | 159           | 179           | 132           | 169           | 156           | r147           | 132           | -10.2                               |
| Other(a)   | 303           | 272           | 287           | 279           | 312           | r280           | 317           | 13.2                                |
| <i>Total</i>   | 462           | 451           | 419           | 448           | 468           | r427           | 449           | 5.2                                 |
| Acts intended to cause injury                                      | 3 104         | 2 976         | 3 112         | 3 127         | 3 169         | r3 088         | 3 276         | 6.1                                 |
| Sexual assault and related offences                                |               |               |               |               |               |                |               |                                     |
| Aggravated sexual assault(b)                                       | 1 188         | 1 150         | 1 198         | 1 398         | 1 428         | r1 270         | 1 402         | 10.4                                |
| Non-aggravated sexual assault                                      | 337           | 360           | 334           | 353           | 356           | r420           | 388           | -7.6                                |
| Non-assaultive sexual offences(b)                                  | 43            | 56            | 45            | 98            | 134           | r251           | 309           | 23.1                                |
| <i>Total(c)</i>  | 1 585         | 1 566         | 1 577         | 1 849         | 1 918         | r1 941         | 2 099         | 8.1                                 |
| Dangerous or negligent acts endangering persons                    |               |               |               |               |               |                |               |                                     |
|  | 403           | 483           | 475           | 457           | 441           | 408            | 362           | -11.3                               |
| Abduction and related offences                                     |               |               |               |               |               |                |               |                                     |
|  | 110           | 97            | 116           | 122           | 142           | 122            | 116           | -4.9                                |
| Robbery, extortion and related offences                            |               |               |               |               |               |                |               |                                     |
| Aggravated robbery   | 1 762         | 1 524         | 1 469         | 1 397         | 1 290         | r1 344         | 1 453         | 8.1                                 |
| Other(d)   | 218           | 227           | 215           | 160           | 199           | r194           | 180           | -7.2                                |
| <i>Total(e)</i>  | 2 022         | 1 751         | 1 684         | 1 557         | 1 489         | r1 538         | 1 633         | 6.2                                 |
| Unlawful entry with intent   |               |               |               |               |               |                |               |                                     |
| Theft and related offences   | 2 206         | 2 171         | 2 246         | 1 652         | 1 381         | r1 245         | 1 234         | -0.9                                |
|  | 818           | 751           | 790           | 646           | 439           | r464           | 438           | -5.6                                |
| Deception and related offences                                     |               |               |               |               |               |                |               |                                     |
| Fraud, forgery or false financial instruments                      | 561           | 530           | 516           | 569           | 509           | r504           | 472           | -6.3                                |
| Dishonest conversion   | 431           | 436           | 439           | 312           | 175           | 195            | 229           | 17.4                                |
| Other(f)   | 114           | 111           | 147           | 154           | 112           | 144            | 100           | -30.6                               |
| <i>Total(g)</i>  | 1 109         | 1 077         | 1 102         | 1 035         | 796           | r843           | 801           | -5.0                                |
| Illicit drug offences  |               |               |               |               |               |                |               |                                     |
| Import or export illicit drugs                                     | 72            | 59            | 74            | 111           | 75            | 91             | 113           | 24.2                                |
| Deal or traffic in illicit drugs                                   | 1 518         | 1 410         | 1 547         | 1 593         | 1 588         | r1 649         | 1 794         | 8.8                                 |
| Manufacture or cultivate illicit drugs                             | 315           | 259           | 393           | 485           | 508           | r478           | 483           | 1.0                                 |
| Other(h)   | 111           | 81            | 96            | 174           | 237           | r204           | 225           | 10.3                                |
| <i>Total</i>   | 2 016         | 1 809         | 2 110         | 2 363         | 2 408         | r2 422         | 2 615         | 8.0                                 |
| Weapons and explosives offences                                    |               |               |               |               |               |                |               |                                     |
| Property damage and environmental pollution                        | 60            | 59            | 68            | 138           | 133           | r183           | 185           | 1.1                                 |
| Public order offences  | 367           | 385           | 382           | 366           | 362           | r323           | 319           | -1.2                                |
|  | 195           | 205           | 216           | 254           | 290           | r311           | 299           | -3.9                                |
| Road traffic and motor vehicle regulatory offences                 |               |               |               |               |               |                |               |                                     |
|  | —             | —             | 6             | 7             | 6             | r7             | 6             | -14.3                               |
| Offences against justice procedures, gov't security and operations |               |               |               |               |               |                |               |                                     |
|  | 280           | 257           | 274           | 310           | 284           | 293            | 245           | -16.4                               |
| Miscellaneous offences   |               |               |               |               |               |                |               |                                     |
|  | 347           | 289           | 295           | 333           | 324           | r278           | 249           | -10.4                               |
| <b>Total(i)</b>  | <b>15 225</b> | <b>14 461</b> | <b>15 003</b> | <b>14 738</b> | <b>14 191</b> | <b>r13 984</b> | <b>14 342</b> | <b>2.6</b>                          |

— nil or rounded to zero (including null cells)

r revised

(a) Includes Subdivisions 012 and 013 of the ASOC (refer to Appendix 3).

(b) For 2006–07 and 2007–08, aggravated sexual assault and non-assaultive sexual offences are understated and overstated respectively due to coding errors in WA (see Explanatory Note 79).

(c) Includes sexual assault, n.f.d.

(d) Includes Subdivision 062 and Group 0612 of the ASOC.

(e) Includes robbery, extortion and related offences, n.f.d.

(f) Includes Subdivisions 092, 094 and 099 of the ASOC.

(g) Includes deception and related offences, n.f.d.

(h) Includes Subdivisions 104 and 109 of the ASOC.

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

## 2.6 DEFENDANTS ADJUDICATED, Principal offence by age

|  | Under 20<br>years | 20–24<br>years | 25–29<br>years | 30–34<br>years | 35–44<br>years | 45 years<br>& over | Total (a)    |
|--|-------------------|----------------|----------------|----------------|----------------|--------------------|--------------|
| ACQUITTED (no.)  |                   |                |                |                |                |                    |              |
| Homicide and related offences                                      | 5                 | 15             | 13             | 11             | 18             | 19                 | 81           |
| Acts intended to cause injury                                      | 13                | 46             | 34             | 54             | 72             | 32                 | 251          |
| Sexual assault and related offences                                | 15                | 42             | 68             | 76             | 121            | 179                | 501          |
| Dangerous or negligent acts endangering persons                    | —                 | 4              | 7              | —              | 5              | 3                  | 19           |
| Abduction and related offences                                     | —                 | 3              | —              | —              | 3              | —                  | 6            |
| Robbery, extortion and related offences                            | 11                | 18             | 18             | 13             | 19             | —                  | 79           |
| Unlawful entry with intent   | —                 | 5              | 6              | 3              | 7              | —                  | 21           |
| Theft and related offences   | —                 | —              | 3              | —              | 6              | 11                 | 20           |
| Deception and related offences                                     | —                 | —              | —              | 3              | 12             | 22                 | 37           |
| Illicit drug offences  | —                 | —              | 7              | 9              | 16             | 22                 | 54           |
| Weapons and explosives offences                                    | —                 | —              | 3              | —              | —              | 3                  | 6            |
| Property damage and environmental pollution                        | —                 | 3              | —              | —              | 3              | 7                  | 13           |
| Public order offences  | —                 | —              | 3              | —              | —              | —                  | 3            |
| Road traffic and motor vehicle regulatory offences                 | —                 | —              | —              | —              | —              | —                  | —            |
| Offences against justice procedures, gov't security and operations | —                 | —              | —              | 3              | 8              | 4                  | 15           |
| Miscellaneous offences   | —                 | —              | 3              | 8              | 7              | 6                  | 24           |
| <b>Total</b>   | <b>44</b>         | <b>136</b>     | <b>165</b>     | <b>180</b>     | <b>297</b>     | <b>308</b>         | <b>1 130</b> |
| ACQUITTED (%)  |                   |                |                |                |                |                    |              |
| Homicide and related offences                                      | 11.4              | 11.0           | 7.9            | 6.1            | 6.1            | 6.2                | 7.2          |
| Acts intended to cause injury                                      | 29.5              | 33.8           | 20.6           | 30.0           | 24.2           | 10.4               | 22.2         |
| Sexual assault and related offences                                | 34.1              | 30.9           | 41.2           | 42.2           | 40.7           | 58.1               | 44.3         |
| Dangerous or negligent acts endangering persons                    | —                 | 2.9            | 4.2            | —              | 1.7            | 1.0                | 1.7          |
| Abduction and related offences                                     | —                 | 2.2            | —              | —              | 1.0            | —                  | 0.5          |
| Robbery, extortion and related offences                            | 25.0              | 13.2           | 10.9           | 7.2            | 6.4            | —                  | 7.0          |
| Unlawful entry with intent   | —                 | 3.7            | 3.6            | 1.7            | 2.4            | —                  | 1.9          |
| Theft and related offences   | —                 | —              | 1.8            | —              | 2.0            | 3.6                | 1.8          |
| Deception and related offences                                     | —                 | —              | —              | 1.7            | 4.0            | 7.1                | 3.3          |
| Illicit drug offences  | —                 | —              | 4.2            | 5.0            | 5.4            | 7.1                | 4.8          |
| Weapons and explosives offences                                    | —                 | —              | 1.8            | —              | —              | 1.0                | 0.5          |
| Property damage and environmental pollution                        | —                 | 2.2            | —              | —              | 1.0            | 2.3                | 1.2          |
| Public order offences  | —                 | —              | 1.8            | —              | —              | —                  | 0.3          |
| Road traffic and motor vehicle regulatory offences                 | —                 | —              | —              | —              | —              | —                  | —            |
| Offences against justice procedures, gov't security and operations | —                 | —              | —              | 1.7            | 2.7            | 1.3                | 1.3          |
| Miscellaneous offences   | —                 | —              | 1.8            | 4.4            | 2.4            | 1.9                | 2.1          |
| <b>Total</b>   | <b>100.0</b>      | <b>100.0</b>   | <b>100.0</b>   | <b>100.0</b>   | <b>100.0</b>   | <b>100.0</b>       | <b>100.0</b> |

— nil or rounded to zero (including null cells)

(a) Includes defendants with unknown age and organisations.

## 2.6 DEFENDANTS ADJUDICATED, Principal offence by age *continued*

|  | <i>Under 20<br/>years</i> | <i>20–24<br/>years</i> | <i>25–29<br/>years</i> | <i>30–34<br/>years</i> | <i>35–44<br/>years</i> | <i>45 years<br/>&amp; over</i> | <i>Total(a)</i> |
|--|---------------------------|------------------------|------------------------|------------------------|------------------------|--------------------------------|-----------------|
| PROVEN GUILTY (no.)  |                           |                        |                        |                        |                        |                                |                 |
| Homicide and related offences                                      | 23                        | 86                     | 60                     | 50                     | 89                     | 60                             | 368             |
| Acts intended to cause injury                                      | 284                       | 816                    | 563                    | 442                    | 635                    | 285                            | 3 025           |
| Sexual assault and related offences                                | 98                        | 229                    | 155                    | 175                    | 402                    | 539                            | 1 598           |
| Dangerous or negligent acts endangering persons                    | 31                        | 92                     | 68                     | 47                     | 72                     | 32                             | 342             |
| Abduction and related offences                                     | 4                         | 28                     | 19                     | 16                     | 21                     | 19                             | 107             |
| Robbery, extortion and related offences                            | 292                       | 543                    | 319                    | 168                    | 188                    | 44                             | 1 554           |
| Unlawful entry with intent   | 139                       | 370                    | 242                    | 198                    | 193                    | 71                             | 1 213           |
| Theft and related offences   | 35                        | 89                     | 84                     | 61                     | 86                     | 59                             | 417             |
| Deception and related offences                                     | 13                        | 79                     | 92                     | 105                    | 226                    | 248                            | 763             |
| Illicit drug offences  | 51                        | 400                    | 467                    | 399                    | 692                    | 551                            | 2 560           |
| Weapons and explosives offences                                    | 3                         | 27                     | 33                     | 33                     | 50                     | 36                             | 182             |
| Property damage and environmental pollution                        | 51                        | 88                     | 47                     | 37                     | 51                     | 33                             | 307             |
| Public order offences  | 12                        | 66                     | 45                     | 39                     | 61                     | 71                             | 294             |
| Road traffic and motor vehicle regulatory offences                 | —                         | 3                      | —                      | —                      | —                      | —                              | 3               |
| Offences against justice procedures, gov't security and operations | 14                        | 57                     | 48                     | 33                     | 45                     | 32                             | 232             |
| Miscellaneous offences   | 5                         | 23                     | 37                     | 28                     | 63                     | 56                             | 226             |
| <b>Total(b)</b>  | <b>1 055</b>              | <b>3 000</b>           | <b>2 284</b>           | <b>1 831</b>           | <b>2 877</b>           | <b>2 136</b>                   | <b>13 203</b>   |
| PROVEN GUILTY (%)  |                           |                        |                        |                        |                        |                                |                 |
| Homicide and related offences                                      | 2.2                       | 2.9                    | 2.6                    | 2.7                    | 3.1                    | 2.8                            | 2.8             |
| Acts intended to cause injury                                      | 26.9                      | 27.2                   | 24.6                   | 24.1                   | 22.1                   | 13.3                           | 22.9            |
| Sexual assault and related offences                                | 9.3                       | 7.6                    | 6.8                    | 9.6                    | 14.0                   | 25.2                           | 12.1            |
| Dangerous or negligent acts endangering persons                    | 2.9                       | 3.1                    | 3.0                    | 2.6                    | 2.5                    | 1.5                            | 2.6             |
| Abduction and related offences                                     | 0.4                       | 0.9                    | 0.8                    | 0.9                    | 0.7                    | 0.9                            | 0.8             |
| Robbery, extortion and related offences                            | 27.7                      | 18.1                   | 14.0                   | 9.2                    | 6.5                    | 2.1                            | 11.8            |
| Unlawful entry with intent   | 13.2                      | 12.3                   | 10.6                   | 10.8                   | 6.7                    | 3.3                            | 9.2             |
| Theft and related offences   | 3.3                       | 3.0                    | 3.7                    | 3.3                    | 3.0                    | 2.8                            | 3.2             |
| Deception and related offences                                     | 1.2                       | 2.6                    | 4.0                    | 5.7                    | 7.9                    | 11.6                           | 5.8             |
| Illicit drug offences  | 4.8                       | 13.3                   | 20.4                   | 21.8                   | 24.1                   | 25.8                           | 19.4            |
| Weapons and explosives offences                                    | 0.3                       | 0.9                    | 1.4                    | 1.8                    | 1.7                    | 1.7                            | 1.4             |
| Property damage and environmental pollution                        | 4.8                       | 2.9                    | 2.1                    | 2.0                    | 1.8                    | 1.5                            | 2.3             |
| Public order offences  | 1.1                       | 2.2                    | 2.0                    | 2.1                    | 2.1                    | 3.3                            | 2.2             |
| Road traffic and motor vehicle regulatory offences                 | —                         | 0.1                    | —                      | —                      | —                      | —                              | —               |
| Offences against justice procedures, gov't security and operations | 1.3                       | 1.9                    | 2.1                    | 1.8                    | 1.6                    | 1.5                            | 1.8             |
| Miscellaneous offences   | 0.5                       | 0.8                    | 1.6                    | 1.5                    | 2.2                    | 2.6                            | 1.7             |
| <b>Total(b)</b>  | <b>100.0</b>              | <b>100.0</b>           | <b>100.0</b>           | <b>100.0</b>           | <b>100.0</b>           | <b>100.0</b>                   | <b>100.0</b>    |

— nil or rounded to zero (including null cells)

(a) Includes defendants with unknown age and organisations.

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

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

CUSTODIAL ORDERS

|  | <i>Custody in a<br/>correctional<br/>institution</i> | <i>Custody<br/>in the<br/>community</i> | <i>Fully<br/>suspended<br/>sentence</i> | <i>Total</i>  |
|--|--|---|---|---------------|
| NUMBER   |  |   |   |               |
| Homicide and related offences                                      | 329  | 3                                       | 28                                      | 360           |
| Acts intended to cause injury                                      | 1 771  | 173                                     | 532                                     | 2 476         |
| Sexual assault and related offences                                | 1 131  | 44                                      | 224                                     | 1 399         |
| Dangerous or negligent acts endangering persons                    | 192  | 17                                      | 66                                      | 275           |
| Abduction and related offences                                     | 64   | —                                       | 21                                      | 85            |
| Robbery, extortion and related offences                            | 1 167  | 54                                      | 197                                     | 1 418         |
| Unlawful entry with intent   | 752  | 46                                      | 194                                     | 992           |
| Theft and related offences   | 210  | 10                                      | 69                                      | 289           |
| Deception and related offences                                     | 474  | 19                                      | 146                                     | 639           |
| Illicit drug offences  | 1 525  | 130                                     | 542                                     | 2 197         |
| Weapons and explosives offences                                    | 98   | 11                                      | 41                                      | 150           |
| Property damage and environmental pollution                        | 151  | 6                                       | 56                                      | 213           |
| Public order offences  | 90   | 15                                      | 74                                      | 179           |
| Road traffic and motor vehicle regulatory offences                 | 3  | —                                       | —                                       | 3             |
| Offences against justice procedures, gov't security and operations | 105  | 7                                       | 61                                      | 173           |
| Miscellaneous offences   | 100  | 9                                       | 35                                      | 144           |
| <b>Total(a)</b>  | <b>8 170</b>   | <b>544</b>                              | <b>2 286</b>                            | <b>11 000</b> |

PROPORTION (%)

|  |             |            |             |             |
|--|-------------|------------|-------------|-------------|
| Homicide and related offences                                      | 88.9        | 0.8        | 7.6         | 97.3        |
| Acts intended to cause injury                                      | 58.5        | 5.7        | 17.6        | 81.8        |
| Sexual assault and related offences                                | 70.8        | 2.8        | 14.0        | 87.5        |
| Dangerous or negligent acts endangering persons                    | 56.0        | 5.0        | 19.2        | 80.2        |
| Abduction and related offences                                     | 61.0        | —          | 20.0        | 81.0        |
| Robbery, extortion and related offences                            | 75.1        | 3.5        | 12.7        | 91.2        |
| Unlawful entry with intent   | 61.9        | 3.8        | 16.0        | 81.6        |
| Theft and related offences   | 50.6        | 2.4        | 16.6        | 69.6        |
| Deception and related offences                                     | 62.1        | 2.5        | 19.1        | 83.7        |
| Illicit drug offences  | 59.6        | 5.1        | 21.2        | 85.8        |
| Weapons and explosives offences                                    | 54.1        | 6.1        | 22.7        | 82.9        |
| Property damage and environmental pollution                        | 49.2        | 2.0        | 18.2        | 69.4        |
| Public order offences  | 30.6        | 5.1        | 25.2        | 60.9        |
| Road traffic and motor vehicle regulatory offences                 | 100.0       | —          | —           | 100.0       |
| Offences against justice procedures, gov't security and operations | 45.7        | 3.0        | 26.5        | 75.2        |
| Miscellaneous offences   | 44.2        | 4.0        | 15.5        | 63.7        |
| <b>Total(a)</b>  | <b>61.9</b> | <b>4.1</b> | <b>17.3</b> | <b>83.3</b> |

— nil or rounded to zero (including null cells)

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

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

### NON-CUSTODIAL ORDERS

|  | <i>Community supervision/<br/>work orders</i> | <i>Monetary orders</i> | <i>Other non-custodial orders</i> | <i>Total</i> | <i>Total proven guilty(a)</i> |
|--|---|------------------------|-----------------------------------|--------------|-------------------------------|
| NUMBER   |   |                        |                                   |              |                               |
| Homicide and related offences                                      | 4   | 3                      | 3                                 | 10           | 370                           |
| Acts intended to cause injury                                      | 324   | 119                    | 107                               | 550          | 3 026                         |
| Sexual assault and related offences                                | 114   | 21                     | 64                                | 199          | 1 598                         |
| Dangerous or negligent acts endangering persons                    | 40  | 17                     | 11                                | 68           | 343                           |
| Abduction and related offences                                     | 10  | 7                      | 3                                 | 20           | 105                           |
| Robbery, extortion and related offences                            | 110   | 7                      | 19                                | 136          | 1 554                         |
| Unlawful entry with intent   | 173   | 18                     | 29                                | 220          | 1 215                         |
| Theft and related offences   | 70  | 31                     | 25                                | 126          | 415                           |
| Deception and related offences                                     | 71  | 39                     | 14                                | 124          | 763                           |
| Illicit drug offences  | 178   | 122                    | 63                                | 363          | 2 560                         |
| Weapons and explosives offences                                    | 7   | 8                      | 16                                | 31           | 181                           |
| Property damage and environmental pollution                        | 58  | 18                     | 18                                | 94           | 307                           |
| Public order offences  | 74  | 24                     | 17                                | 115          | 294                           |
| Road traffic and motor vehicle regulatory offences                 | —   | —                      | —                                 | —            | 3                             |
| Offences against justice procedures, gov't security and operations | 24  | 11                     | 22                                | 57           | 230                           |
| Miscellaneous offences   | 32  | 32                     | 18                                | 82           | 226                           |
| <b>Total(b)</b>  | <b>1 294</b>                                  | <b>477</b>             | <b>429</b>                        | <b>2 200</b> | <b>13 203</b>                 |

### PROPORTION (%)

|  |            |            |            |             |              |
|--|------------|------------|------------|-------------|--------------|
| Homicide and related offences                                      | 1.1        | 0.8        | 0.8        | 2.7         | 100.0        |
| Acts intended to cause injury                                      | 10.7       | 3.9        | 3.5        | 18.2        | 100.0        |
| Sexual assault and related offences                                | 7.1        | 1.3        | 4.0        | 12.5        | 100.0        |
| Dangerous or negligent acts endangering persons                    | 11.7       | 5.0        | 3.2        | 19.8        | 100.0        |
| Abduction and related offences                                     | 9.5        | 6.7        | 2.9        | 19.0        | 100.0        |
| Robbery, extortion and related offences                            | 7.1        | 0.5        | 1.2        | 8.8         | 100.0        |
| Unlawful entry with intent   | 14.2       | 1.5        | 2.4        | 18.1        | 100.0        |
| Theft and related offences   | 16.9       | 7.5        | 6.0        | 30.4        | 100.0        |
| Deception and related offences                                     | 9.3        | 5.1        | 1.8        | 16.3        | 100.0        |
| Illicit drug offences  | 7.0        | 4.8        | 2.5        | 14.2        | 100.0        |
| Weapons and explosives offences                                    | 3.9        | 4.4        | 8.8        | 17.1        | 100.0        |
| Property damage and environmental pollution                        | 18.9       | 5.9        | 5.9        | 30.6        | 100.0        |
| Public order offences  | 25.2       | 8.2        | 5.8        | 39.1        | 100.0        |
| Road traffic and motor vehicle regulatory offences                 | —          | —          | —          | —           | 100.0        |
| Offences against justice procedures, gov't security and operations | 10.4       | 4.8        | 9.6        | 24.8        | 100.0        |
| Miscellaneous offences   | 14.2       | 14.2       | 8.0        | 36.3        | 100.0        |
| <b>Total(b)</b>  | <b>9.8</b> | <b>3.6</b> | <b>3.2</b> | <b>16.7</b> | <b>100.0</b> |

— nil or rounded to zero (including null cells)

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

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

## 2.8 DEFENDANTS PROVEN GUILTY, Sex and principal sentence by age .....

|                                       | <i>Under 20<br/>years</i> | <i>20–24<br/>years</i> | <i>25–29<br/>years</i> | <i>30–34<br/>years</i> | <i>35–44<br/>years</i> | <i>45 years<br/>&amp; over</i> | <i>Total(a)</i> |
|---------------------------------------|---------------------------|------------------------|------------------------|------------------------|------------------------|--------------------------------|-----------------|
| NUMBER                                |                           |                        |                        |                        |                        |                                |                 |
| <b>Males</b>                          |                           |                        |                        |                        |                        |                                |                 |
| Custodial orders                      |                           |                        |                        |                        |                        |                                |                 |
| Custody in a correctional institution | 489                       | 1 516                  | 1 324                  | 1 089                  | 1 671                  | 1 204                          | 7 296           |
| Custody in the community              | 42                        | 142                    | 79                     | 67                     | 91                     | 58                             | 479             |
| Fully suspended sentence              | 127                       | 459                    | 304                    | 226                    | 400                    | 350                            | 1 866           |
| <i>Total</i>                          | 658                       | 2 117                  | 1 707                  | 1 382                  | 2 162                  | 1 612                          | 9 641           |
| Non-custodial orders                  |                           |                        |                        |                        |                        |                                |                 |
| Community supervision/work orders     | 223                       | 342                    | 127                    | 85                     | 121                    | 84                             | 982             |
| Monetary orders                       | 17                        | 85                     | 71                     | 55                     | 89                     | 82                             | 399             |
| Other non-custodial orders            | 49                        | 81                     | 41                     | 37                     | 63                     | 55                             | 326             |
| <i>Total</i>                          | 289                       | 508                    | 239                    | 177                    | 273                    | 221                            | 1 707           |
| <b>Total proven guilty</b>            | <b>947</b>                | <b>2 625</b>           | <b>1 946</b>           | <b>1 559</b>           | <b>2 435</b>           | <b>1 833</b>                   | <b>11 348</b>   |
| <b>Females</b>                        |                           |                        |                        |                        |                        |                                |                 |
| Custodial orders                      |                           |                        |                        |                        |                        |                                |                 |
| Custody in a correctional institution | 27                        | 130                    | 159                    | 110                    | 203                    | 140                            | 769             |
| Custody in the community              | 6                         | 17                     | 16                     | 15                     | 10                     | 3                              | 67              |
| Fully suspended sentence              | 19                        | 74                     | 69                     | 61                     | 85                     | 70                             | 378             |
| <i>Total</i>                          | 52                        | 221                    | 244                    | 186                    | 298                    | 213                            | 1 214           |
| Non-custodial orders                  |                           |                        |                        |                        |                        |                                |                 |
| Community supervision/work orders     | 39                        | 69                     | 52                     | 34                     | 59                     | 25                             | 278             |
| Monetary orders                       | —                         | 12                     | 5                      | 14                     | 13                     | 11                             | 55              |
| Other non-custodial orders            | 9                         | 25                     | 11                     | 17                     | 25                     | 14                             | 101             |
| <i>Total</i>                          | 48                        | 106                    | 68                     | 65                     | 97                     | 50                             | 434             |
| <b>Total proven guilty</b>            | <b>100</b>                | <b>327</b>             | <b>312</b>             | <b>251</b>             | <b>395</b>             | <b>263</b>                     | <b>1 648</b>    |
| <b>Defendants(b)</b>                  |                           |                        |                        |                        |                        |                                |                 |
| Custodial orders                      |                           |                        |                        |                        |                        |                                |                 |
| Custody in a correctional institution | 521                       | 1 668                  | 1 496                  | 1 210                  | 1 906                  | 1 366                          | 8 173           |
| Custody in the community              | 48                        | 159                    | 95                     | 82                     | 101                    | 61                             | 546             |
| Fully suspended sentence              | 146                       | 542                    | 384                    | 291                    | 494                    | 430                            | 2 287           |
| <i>Total</i>                          | 715                       | 2 369                  | 1 975                  | 1 583                  | 2 501                  | 1 857                          | 11 006          |
| Non-custodial orders                  |                           |                        |                        |                        |                        |                                |                 |
| Community supervision/work orders     | 265                       | 423                    | 182                    | 124                    | 184                    | 117                            | 1 295           |
| Monetary orders                       | 17                        | 100                    | 76                     | 72                     | 105                    | 93                             | 478             |
| Other non-custodial orders            | 58                        | 106                    | 52                     | 54                     | 88                     | 69                             | 427             |
| <i>Total</i>                          | 340                       | 629                    | 310                    | 250                    | 377                    | 279                            | 2 200           |
| <b>Total proven guilty</b>            | <b>1 055</b>              | <b>2 998</b>           | <b>2 285</b>           | <b>1 833</b>           | <b>2 878</b>           | <b>2 136</b>                   | <b>13 206</b>   |

— nil or rounded to zero (including null cells)

(b) Includes defendants with unknown sex and organisations.

(a) Includes defendants with unknown age and organisations.

## 2.8 DEFENDANTS PROVEN GUILTY, Sex and principal sentence by age *continued* . . . . .

|                                       | <i>Under 20<br/>years</i> | <i>20–24<br/>years</i> | <i>25–29<br/>years</i> | <i>30–34<br/>years</i> | <i>35–44<br/>years</i> | <i>45 years<br/>&amp; over</i> | <i>Total(a)</i> |
|---------------------------------------|---------------------------|------------------------|------------------------|------------------------|------------------------|--------------------------------|-----------------|
| PROPORTION (%)                        |                           |                        |                        |                        |                        |                                |                 |
| <b>Males</b>                          |                           |                        |                        |                        |                        |                                |                 |
| Custodial orders                      |                           |                        |                        |                        |                        |                                |                 |
| Custody in a correctional institution | 51.6                      | 57.8                   | 68.0                   | 69.9                   | 68.6                   | 65.7                           | 64.3            |
| Custody in the community              | 4.4                       | 5.4                    | 4.1                    | 4.3                    | 3.7                    | 3.2                            | 4.2             |
| Fully suspended sentence              | 13.4                      | 17.5                   | 15.6                   | 14.5                   | 16.4                   | 19.1                           | 16.4            |
| <i>Total</i>                          | 69.5                      | 80.6                   | 87.7                   | 88.6                   | 88.8                   | 87.9                           | 85.0            |
| Non-custodial orders                  |                           |                        |                        |                        |                        |                                |                 |
| Community supervision/work orders     | 23.5                      | 13.0                   | 6.5                    | 5.5                    | 5.0                    | 4.6                            | 8.7             |
| Monetary orders                       | 1.8                       | 3.2                    | 3.6                    | 3.5                    | 3.7                    | 4.5                            | 3.5             |
| Other non-custodial orders            | 5.2                       | 3.1                    | 2.1                    | 2.4                    | 2.6                    | 3.0                            | 2.9             |
| <i>Total</i>                          | 30.5                      | 19.4                   | 12.3                   | 11.4                   | 11.2                   | 12.1                           | 15.0            |
| <b>Total proven guilty</b>            | <b>100.0</b>              | <b>100.0</b>           | <b>100.0</b>           | <b>100.0</b>           | <b>100.0</b>           | <b>100.0</b>                   | <b>100.0</b>    |
| <b>Females</b>                        |                           |                        |                        |                        |                        |                                |                 |
| Custodial orders                      |                           |                        |                        |                        |                        |                                |                 |
| Custody in a correctional institution | 27.0                      | 39.8                   | 51.0                   | 43.8                   | 51.4                   | 53.2                           | 46.7            |
| Custody in the community              | 6.0                       | 5.2                    | 5.1                    | 6.0                    | 2.5                    | 1.1                            | 4.1             |
| Fully suspended sentence              | 19.0                      | 22.6                   | 22.1                   | 24.3                   | 21.5                   | 26.6                           | 22.9            |
| <i>Total</i>                          | 52.0                      | 67.6                   | 78.2                   | 74.1                   | 75.4                   | 81.0                           | 73.7            |
| Non-custodial orders                  |                           |                        |                        |                        |                        |                                |                 |
| Community supervision/work orders     | 39.0                      | 21.1                   | 16.7                   | 13.5                   | 14.9                   | 9.5                            | 16.9            |
| Monetary orders                       | —                         | 3.7                    | 1.6                    | 5.6                    | 3.3                    | 4.2                            | 3.3             |
| Other non-custodial orders            | 9.0                       | 7.6                    | 3.5                    | 6.8                    | 6.3                    | 5.3                            | 6.1             |
| <i>Total</i>                          | 48.0                      | 32.4                   | 21.8                   | 25.9                   | 24.6                   | 19.0                           | 26.3            |
| <b>Total proven guilty</b>            | <b>100.0</b>              | <b>100.0</b>           | <b>100.0</b>           | <b>100.0</b>           | <b>100.0</b>           | <b>100.0</b>                   | <b>100.0</b>    |
| <b>Defendants(b)</b>                  |                           |                        |                        |                        |                        |                                |                 |
| Custodial orders                      |                           |                        |                        |                        |                        |                                |                 |
| Custody in a correctional institution | 49.4                      | 55.6                   | 65.5                   | 66.0                   | 66.2                   | 64.0                           | 61.9            |
| Custody in the community              | 4.5                       | 5.3                    | 4.2                    | 4.5                    | 3.5                    | 2.9                            | 4.1             |
| Fully suspended sentence              | 13.8                      | 18.1                   | 16.8                   | 15.9                   | 17.2                   | 20.1                           | 17.3            |
| <i>Total</i>                          | 67.8                      | 79.0                   | 86.4                   | 86.4                   | 86.9                   | 86.9                           | 83.3            |
| Non-custodial orders                  |                           |                        |                        |                        |                        |                                |                 |
| Community supervision/work orders     | 25.1                      | 14.1                   | 8.0                    | 6.8                    | 6.4                    | 5.5                            | 9.8             |
| Monetary orders                       | 1.6                       | 3.3                    | 3.3                    | 3.9                    | 3.6                    | 4.4                            | 3.6             |
| Other non-custodial orders            | 5.5                       | 3.5                    | 2.3                    | 2.9                    | 3.1                    | 3.2                            | 3.2             |
| <i>Total</i>                          | 32.2                      | 21.0                   | 13.6                   | 13.6                   | 13.1                   | 13.1                           | 16.7            |
| <b>Total proven guilty</b>            | <b>100.0</b>              | <b>100.0</b>           | <b>100.0</b>           | <b>100.0</b>           | <b>100.0</b>           | <b>100.0</b>                   | <b>100.0</b>    |

— nil or rounded to zero (including null cells)

(b) Includes defendants with unknown sex and organisations.

(a) Includes defendants with unknown age and organisations.

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

|   | <i>Under<br/>13 weeks</i> | <i>13 to under<br/>26 weeks</i> | <i>26 to under<br/>39 weeks</i> | <i>39 to under<br/>52 weeks</i> | <i>52 weeks<br/>&amp; over</i> | <i>Total</i>  |
|---|---------------------------|---------------------------------|---------------------------------|---------------------------------|--------------------------------|---------------|
| NUMBER                                  |                           |                                 |                                 |                                 |                                |               |
| Acquitted                               |                           |                                 |                                 |                                 |                                |               |
| Homicide and related offences           | 3                         | 9                               | 19                              | 18                              | 33                             | 82            |
| Acts intended to cause injury           | 13                        | 30                              | 68                              | 54                              | 85                             | 250           |
| Sexual assault and related offences     | 20                        | 59                              | 108                             | 104                             | 211                            | 502           |
| Robbery, extortion and related offences | 6                         | 22                              | 18                              | 12                              | 21                             | 79            |
| Unlawful entry with intent              | —                         | 3                               | 5                               | 7                               | 8                              | 23            |
| Theft and related offences              | 3                         | —                               | 3                               | —                               | 17                             | 23            |
| Deception and related offences          | —                         | 3                               | 4                               | 6                               | 27                             | 40            |
| Illicit drug offences                   | —                         | 9                               | 7                               | 4                               | 35                             | 55            |
| Other(a)                                | —                         | 16                              | 14                              | 23                              | 34                             | 87            |
| <i>Total</i>                            | <i>45</i>                 | <i>151</i>                      | <i>246</i>                      | <i>228</i>                      | <i>471</i>                     | <i>1 141</i>  |
| Guilty finding by court                 |                           |                                 |                                 |                                 |                                |               |
| Homicide and related offences           | —                         | 5                               | 9                               | 25                              | 78                             | 117           |
| Acts intended to cause injury           | 10                        | 30                              | 46                              | 55                              | 174                            | 315           |
| Sexual assault and related offences     | 5                         | 16                              | 55                              | 54                              | 215                            | 345           |
| Robbery, extortion and related offences | 3                         | 11                              | 26                              | 9                               | 50                             | 99            |
| Unlawful entry with intent              | —                         | 4                               | 13                              | 11                              | 32                             | 60            |
| Theft and related offences              | —                         | 6                               | 3                               | 7                               | 26                             | 42            |
| Deception and related offences          | —                         | 4                               | 5                               | 7                               | 42                             | 58            |
| Illicit drug offences                   | 3                         | 14                              | 22                              | 31                              | 97                             | 167           |
| Other(a)                                | 7                         | 15                              | 15                              | 29                              | 95                             | 161           |
| <i>Total</i>                            | <i>28</i>                 | <i>105</i>                      | <i>194</i>                      | <i>228</i>                      | <i>809</i>                     | <i>1 364</i>  |
| Guilty plea by defendant                |                           |                                 |                                 |                                 |                                |               |
| Homicide and related offences           | 20                        | 70                              | 48                              | 53                              | 59                             | 250           |
| Acts intended to cause injury           | 416                       | 679                             | 631                             | 358                             | 612                            | 2 696         |
| Sexual assault and related offences     | 211                       | 318                             | 246                             | 163                             | 293                            | 1 231         |
| Robbery, extortion and related offences | 329                       | 499                             | 266                             | 144                             | 192                            | 1 430         |
| Unlawful entry with intent              | 308                       | 319                             | 225                             | 111                             | 148                            | 1 111         |
| Theft and related offences              | 79                        | 107                             | 77                              | 33                              | 64                             | 360           |
| Deception and related offences          | 169                       | 160                             | 127                             | 86                              | 152                            | 694           |
| Illicit drug offences                   | 467                       | 654                             | 451                             | 271                             | 520                            | 2 363         |
| Other(a)                                | 368                       | 418                             | 297                             | 145                             | 274                            | 1 502         |
| <i>Total(b)</i>                         | <i>2 376</i>              | <i>3 227</i>                    | <i>2 371</i>                    | <i>1 364</i>                    | <i>2 314</i>                   | <i>11 652</i> |
| <b>Defendants adjudicated(c)</b>        | <b>2 481</b>              | <b>3 572</b>                    | <b>2 842</b>                    | <b>1 833</b>                    | <b>3 615</b>                   | <b>14 343</b> |
| Transfers to other courts               | 29                        | 38                              | 17                              | 3                               | 9                              | 96            |
| Withdrawn by prosecution                | 364                       | 374                             | 465                             | 366                             | 725                            | 2 294         |
| Other(d)                                | 12                        | 12                              | 29                              | 6                               | 31                             | 90            |
| <b>Defendants finalised</b>             | <b>2 886</b>              | <b>3 996</b>                    | <b>3 353</b>                    | <b>2 208</b>                    | <b>4 380</b>                   | <b>16 823</b> |

— nil or rounded to zero (including null cells)

(a) Includes Divisions 04, 05, 11, 12, 13, 14, 15 & 16 of the ASOC (refer to Appendix 3).

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

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

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

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

|   | Under<br>13 weeks | 13 to under<br>26 weeks | 26 to under<br>39 weeks | 39 to under<br>52 weeks | 52 weeks<br>& over | Total        |
|---|-------------------|-------------------------|-------------------------|-------------------------|--------------------|--------------|
| PROPORTION (%)                          |                   |                         |                         |                         |                    |              |
| <b>Acquitted</b>                        |                   |                         |                         |                         |                    |              |
| Homicide and related offences           | 3.7               | 11.0                    | 23.2                    | 22.0                    | 40.2               | 100.0        |
| Acts intended to cause injury           | 5.2               | 12.0                    | 27.2                    | 21.6                    | 34.0               | 100.0        |
| Sexual assault and related offences     | 4.0               | 11.8                    | 21.5                    | 20.7                    | 42.0               | 100.0        |
| Robbery, extortion and related offences | 7.6               | 27.8                    | 22.8                    | 15.2                    | 26.6               | 100.0        |
| Unlawful entry with intent              | —                 | 13.0                    | 21.7                    | 30.4                    | 34.8               | 100.0        |
| Theft and related offences              | 13.0              | —                       | 13.0                    | —                       | 73.9               | 100.0        |
| Deception and related offences          | —                 | 7.5                     | 10.0                    | 15.0                    | 67.5               | 100.0        |
| Illicit drug offences                   | —                 | 16.4                    | 12.7                    | 7.3                     | 63.6               | 100.0        |
| Other(a)                                | —                 | 18.4                    | 16.1                    | 26.4                    | 39.1               | 100.0        |
| <b>Total</b>                            | <b>3.9</b>        | <b>13.2</b>             | <b>21.6</b>             | <b>20.0</b>             | <b>41.3</b>        | <b>100.0</b> |
| <b>Guilty finding by court</b>          |                   |                         |                         |                         |                    |              |
| Homicide and related offences           | —                 | 4.3                     | 7.7                     | 21.4                    | 66.7               | 100.0        |
| Acts intended to cause injury           | 3.2               | 9.5                     | 14.6                    | 17.5                    | 55.2               | 100.0        |
| Sexual assault and related offences     | 1.4               | 4.6                     | 15.9                    | 15.7                    | 62.3               | 100.0        |
| Robbery, extortion and related offences | 3.0               | 11.1                    | 26.3                    | 9.1                     | 50.5               | 100.0        |
| Unlawful entry with intent              | —                 | 6.7                     | 21.7                    | 18.3                    | 53.3               | 100.0        |
| Theft and related offences              | —                 | 14.3                    | 7.1                     | 16.7                    | 61.9               | 100.0        |
| Deception and related offences          | —                 | 6.9                     | 8.6                     | 12.1                    | 72.4               | 100.0        |
| Illicit drug offences                   | 1.8               | 8.4                     | 13.2                    | 18.6                    | 58.1               | 100.0        |
| Other(a)                                | 4.3               | 9.3                     | 9.3                     | 18.0                    | 59.0               | 100.0        |
| <b>Total</b>                            | <b>2.1</b>        | <b>7.7</b>              | <b>14.2</b>             | <b>16.7</b>             | <b>59.3</b>        | <b>100.0</b> |
| <b>Guilty plea by defendant</b>         |                   |                         |                         |                         |                    |              |
| Homicide and related offences           | 8.0               | 28.0                    | 19.2                    | 21.2                    | 23.6               | 100.0        |
| Acts intended to cause injury           | 15.4              | 25.2                    | 23.4                    | 13.3                    | 22.7               | 100.0        |
| Sexual assault and related offences     | 17.1              | 25.8                    | 20.0                    | 13.2                    | 23.8               | 100.0        |
| Robbery, extortion and related offences | 23.0              | 34.9                    | 18.6                    | 10.1                    | 13.4               | 100.0        |
| Unlawful entry with intent              | 27.7              | 28.7                    | 20.3                    | 10.0                    | 13.3               | 100.0        |
| Theft and related offences              | 21.9              | 29.7                    | 21.4                    | 9.2                     | 17.8               | 100.0        |
| Deception and related offences          | 24.4              | 23.1                    | 18.3                    | 12.4                    | 21.9               | 100.0        |
| Illicit drug offences                   | 19.8              | 27.7                    | 19.1                    | 11.5                    | 22.0               | 100.0        |
| Other(a)                                | 24.5              | 27.8                    | 19.8                    | 9.7                     | 18.2               | 100.0        |
| <b>Total(b)</b>                         | <b>20.4</b>       | <b>27.7</b>             | <b>20.3</b>             | <b>11.7</b>             | <b>19.9</b>        | <b>100.0</b> |
| <b>Defendants adjudicated(c)</b>        | <b>17.3</b>       | <b>24.9</b>             | <b>19.8</b>             | <b>12.8</b>             | <b>25.2</b>        | <b>100.0</b> |
| Transfers to other courts               | 30.2              | 39.6                    | 17.7                    | 3.1                     | 9.4                | 100.0        |
| Withdrawn by prosecution                | 15.9              | 16.3                    | 20.3                    | 16.0                    | 31.6               | 100.0        |
| Other(d)                                | 13.3              | 13.3                    | 32.2                    | 6.7                     | 34.4               | 100.0        |
| <b>Defendants finalised</b>             | <b>17.2</b>       | <b>23.8</b>             | <b>19.9</b>             | <b>13.1</b>             | <b>26.0</b>        | <b>100.0</b> |

— nil or rounded to zero (including null cells)

(a) Includes Divisions 04, 05, 11, 12, 13, 14, 15 & 16 of the ASOC (refer to Appendix 3).

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

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

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

## 2.10 DEFENDANTS ADJUDICATED, Principal offence by states and territories .....

|  | NSW(a)       | Vic.         | Qld          | SA         | WA(b)        | Tas.       | NT         | ACT        | Aust. (b)     |
|--|--------------|--------------|--------------|------------|--------------|------------|------------|------------|---------------|
| NUMBER   |              |              |              |            |              |            |            |            |               |
| Homicide and related offences                                      | 151          | 118          | 51           | 44         | 45           | 11         | 23         | 6          | 449           |
| Acts intended to cause injury                                      | 466          | 607          | 1 418        | 216        | 340          | 98         | 94         | 38         | 3 277         |
| Sexual assault and related offences                                |              |              |              |            |              |            |            |            |               |
| Aggravated sexual assault  | 350          | 391          | 318          | 111        | 116          | 51         | 55         | 11         | 1 403         |
| Other(c)   | 11           | 55           | 342          | 30         | 245          | 4          | 7          | 3          | 697           |
| Total  | 361          | 446          | 660          | 141        | 361          | 55         | 62         | 14         | 2 100         |
| Dangerous or negligent acts endangering persons                    | 40           | 44           | 183          | 9          | 68           | 4          | 9          | 5          | 362           |
| Abduction and related offences                                     | 39           | 33           | 15           | —          | 28           | —          | —          | —          | 115           |
| Robbery, extortion and related offences                            |              |              |              |            |              |            |            |            |               |
| Aggravated robbery   | 455          | 250          | 317          | 101        | 240          | 50         | 15         | 25         | 1 453         |
| Other(d)   | 48           | 42           | 37           | 8          | 37           | 6          | —          | —          | 178           |
| Total  | 503          | 292          | 354          | 109        | 277          | 56         | 15         | 25         | 1 631         |
| Unlawful entry with intent   | 310          | 67           | 449          | 77         | 296          | 10         | 7          | 19         | 1 235         |
| Theft and related offences   | 64           | 76           | 172          | 15         | 85           | 10         | 4          | 12         | 438           |
| Deception and related offences                                     | 113          | 151          | 413          | 15         | 85           | 19         | 3          | 4          | 803           |
| Illicit drug offences  |              |              |              |            |              |            |            |            |               |
| Deal or traffic in illicit drugs                                   | 563          | 211          | 402          | 170        | 349          | 60         | 30         | 10         | 1 795         |
| Manufacture or cultivate illicit drugs                             | 81           | 69           | 225          | 71         | 24           | 9          | 3          | —          | 482           |
| Other(e)   | 85           | 33           | 202          | 4          | 9            | 3          | 3          | —          | 339           |
| Total  | 729          | 313          | 829          | 245        | 382          | 72         | 36         | 10         | 2 616         |
| Weapons and explosives offences                                    | 40           | 49           | 41           | 49         | —            | 3          | —          | —          | 182           |
| Property damage and environmental pollution                        | 26           | 39           | 132          | 15         | 65           | 35         | 3          | 5          | 320           |
| Public order offences  | 35           | 68           | 127          | 5          | 52           | 11         | —          | —          | 298           |
| Road traffic and motor vehicle regulatory offences                 | —            | —            | —            | —          | 3            | —          | —          | —          | 3             |
| Offences against justice procedures, gov't security and operations | 35           | 29           | 42           | 19         | 75           | 41         | —          | 4          | 245           |
| Miscellaneous offences   | 29           | 72           | 47           | 22         | 74           | 3          | —          | —          | 247           |
| <b>Total(f)</b>  | <b>2 941</b> | <b>2 404</b> | <b>4 948</b> | <b>981</b> | <b>2 236</b> | <b>428</b> | <b>256</b> | <b>142</b> | <b>14 336</b> |

— nil or rounded to zero (including null cells)

(a) Data are impacted by the introduction of a new computer system (see Explanatory Note 60).

(b) Aggravated sexual assault and 'other' sexual assault data are understated and overstated respectively due to coding errors (see Explanatory Note 79).

(c) Includes Subdivision 032 and Group 0312 of the ASOC (Refer to Appendix 3).

(d) Includes Subdivision 062 and Group 0612 of the ASOC.

(e) Includes Subdivisions 101, 104 and 109 of the ASOC.

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

## 2.10 DEFENDANTS ADJUDICATED, Principal offence by states and territories *continued*

|  | NSW(a)       | Vic.         | Qld          | SA           | WA(b)        | Tas.         | NT           | ACT          | Aust.(b)     |
|--|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|
| PROPORTION (%)   |              |              |              |              |              |              |              |              |              |
| Homicide and related offences                                      | 5.1          | 4.9          | 1.0          | 4.5          | 2.0          | 2.6          | 9.0          | 4.2          | 3.1          |
| Acts intended to cause injury                                      | 15.8         | 25.2         | 28.7         | 22.0         | 15.2         | 22.9         | 36.7         | 26.8         | 22.9         |
| Sexual assault and related offences                                |              |              |              |              |              |              |              |              |              |
| Aggravated sexual assault  | 11.9         | 16.3         | 6.4          | 11.3         | 5.2          | 11.9         | 21.5         | 7.7          | 9.8          |
| Other(c)   | 0.4          | 2.3          | 6.9          | 3.1          | 11.0         | 0.9          | 2.7          | 2.1          | 4.9          |
| Total  | 12.3         | 18.6         | 13.3         | 14.4         | 16.1         | 12.9         | 24.2         | 9.9          | 14.6         |
| Dangerous or negligent acts endangering persons                    | 1.4          | 1.8          | 3.7          | 0.9          | 3.0          | 0.9          | 3.5          | 3.5          | 2.5          |
| Abduction and related offences                                     | 1.3          | 1.4          | 0.3          | —            | 1.3          | —            | —            | —            | 0.8          |
| Robbery, extortion and related offences                            |              |              |              |              |              |              |              |              |              |
| Aggravated robbery   | 15.5         | 10.4         | 6.4          | 10.3         | 10.7         | 11.7         | 5.9          | 17.6         | 10.1         |
| Other(d)   | 1.6          | 1.7          | 0.7          | 0.8          | 1.7          | 1.4          | —            | —            | 1.2          |
| Total  | 17.1         | 12.1         | 7.2          | 11.1         | 12.4         | 13.1         | 5.9          | 17.6         | 11.4         |
| Unlawful entry with intent   | 10.5         | 2.8          | 9.1          | 7.8          | 13.2         | 2.3          | 2.7          | 13.4         | 8.6          |
| Theft and related offences   | 2.2          | 3.2          | 3.5          | 1.5          | 3.8          | 2.3          | 1.6          | 8.5          | 3.1          |
| Deception and related offences                                     | 3.8          | 6.3          | 8.3          | 1.5          | 3.8          | 4.4          | 1.2          | 2.8          | 5.6          |
| Illicit drug offences  |              |              |              |              |              |              |              |              |              |
| Deal or traffic in illicit drugs                                   | 19.1         | 8.8          | 8.1          | 17.3         | 15.6         | 14.0         | 11.7         | 7.0          | 12.5         |
| Manufacture or cultivate illicit drugs                             | 2.8          | 2.9          | 4.5          | 7.2          | 1.1          | 2.1          | 1.2          | —            | 3.4          |
| Other(e)   | 2.9          | 1.4          | 4.1          | 0.4          | 0.4          | 0.7          | 1.2          | —            | 2.4          |
| Total  | 24.8         | 13.0         | 16.8         | 25.0         | 17.1         | 16.8         | 14.1         | 7.0          | 18.2         |
| Weapons and explosives offences                                    | 1.4          | 2.0          | 0.8          | 5.0          | —            | 0.7          | —            | —            | 1.3          |
| Property damage and environmental pollution                        | 0.9          | 1.6          | 2.7          | 1.5          | 2.9          | 8.2          | 1.2          | 3.5          | 2.2          |
| Public order offences  | 1.2          | 2.8          | 2.6          | 0.5          | 2.3          | 2.6          | —            | —            | 2.1          |
| Road traffic and motor vehicle regulatory offences                 | —            | —            | —            | —            | 0.1          | —            | —            | —            | —            |
| Offences against justice procedures, gov't security and operations | 1.2          | 1.2          | 0.8          | 1.9          | 3.4          | 9.6          | —            | 2.8          | 1.7          |
| Miscellaneous offences   | 1.0          | 3.0          | 0.9          | 2.2          | 3.3          | 0.7          | —            | —            | 1.7          |
| <b>Total(f)</b>  | <b>100.0</b> |

— nil or rounded to zero (including null cells)

(a) Data are impacted by the introduction of a new computer system (see Explanatory Note 60).

(b) Aggravated sexual assault and 'other' sexual assault data are understated and overstated respectively due to coding errors (see Explanatory Note 79).

(c) Includes Subdivision 032 and Group 0312 of the ASOC (Refer to Appendix 3).

(d) Includes Subdivision 062 and Group 0612 of the ASOC.

(e) Includes Subdivisions 101, 104 and 109 of the ASOC.

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

## 2.11 DEFENDANTS FINALISED, Selected characteristics by states and territories, 2001–02 to 2007–08

|            | Defendants finalised |         | Aged 20–24 years | Acquitted |      | Withdrawn |        |       |
|------------|----------------------|---------|------------------|-----------|------|-----------|--------|-------|
|            | no.                  | Males % |                  | Females % | no.  | %         | no.    | %     |
| NSW        |                      |         |                  |           |      |           |        |       |
| 2001–02    | 3 539                | 89.9    | 9.9              | 24.0      | 380  | 10.7      | 335    | 9.5   |
| 2002–03    | 3 204                | 90.2    | 9.8              | 22.8      | 257  | 8.0       | 266    | 8.3   |
| 2003–04    | 3 456                | 90.8    | 9.2              | 24.4      | 248  | 7.2       | 254    | 7.3   |
| 2004–05    | 3 356                | 91.2    | 8.8              | 22.2      | 284  | 8.5       | 291    | 8.7   |
| 2005–06    | 3 371                | 90.4    | 9.6              | 22.2      | 259  | 7.7       | 247    | 7.3   |
| 2006–07    | 3 141                | 90.3    | 9.7              | 21.8      | 194  | 6.2       | 203    | 6.5   |
| 2007–08(a) | 3 261                | 90.0    | 9.8              | 21.5      | 234  | 7.2       | 220    | 6.7   |
| VIC.       |                      |         |                  |           |      |           |        |       |
| 2001–02    | 1 961                | 87.0    | 12.8             | 22.2      | 141  | 7.2       | 63     | 3.2   |
| 2002–03    | 2 078                | 87.3    | 12.2             | 20.1      | 153  | 7.4       | 84     | 4.0   |
| 2003–04    | 2 548                | 87.5    | 11.8             | 19.7      | 184  | 7.2       | 115    | 4.5   |
| 2004–05    | 2 425                | 87.0    | 12.1             | 17.8      | 220  | 9.0       | 115    | 4.7   |
| 2005–06    | 2 303                | 87.8    | 11.6             | 19.3      | 207  | 9.0       | 87     | 3.8   |
| 2006–07    | 2 346                | 88.8    | 10.7             | 20.4      | 176  | 7.5       | 89     | 3.8   |
| 2007–08    | 2 506                | 88.8    | 10.6             | 22.2      | 218  | 8.7       | 96     | 3.8   |
| QLD        |                      |         |                  |           |      |           |        |       |
| 2001–02    | 7 230                | 85.7    | 14.3             | 19.9      | 278  | 3.8       | 1 165  | 16.1  |
| 2002–03    | 6 630                | 85.1    | 14.8             | 22.6      | 243  | 3.7       | 1 115  | 16.8  |
| 2003–04    | 6 863                | 83.4    | 16.6             | 22.6      | 259  | 3.8       | 1 299  | 18.9  |
| 2004–05    | 6 546                | 85.4    | 14.6             | 21.1      | 307  | 4.7       | 1 147  | 17.5  |
| 2005–06    | 6 155                | 84.3    | 15.6             | 21.6      | 234  | 3.8       | 1 113  | 18.1  |
| 2006–07    | r5 937               | r85.6   | r14.3            | r20.9     | r224 | r3.8      | r1 046 | r17.6 |
| 2007–08    | 6 070                | 84.6    | 15.3             | 20.1      | 251  | 4.1       | 1 108  | 18.3  |
| SA         |                      |         |                  |           |      |           |        |       |
| 2001–02    | 1 080                | 86.7    | 12.6             | 19.8      | 61   | 5.6       | 265    | 24.5  |
| 2002–03    | 821                  | 88.7    | 11.3             | 19.7      | 49   | 6.0       | 192    | 23.4  |
| 2003–04    | 869                  | 88.4    | 11.6             | 18.8      | 64   | 7.4       | 177    | 20.4  |
| 2004–05    | 941                  | 88.4    | 11.6             | 18.5      | 67   | 7.1       | 182    | 19.3  |
| 2005–06    | 989                  | 86.9    | 13.1             | 19.8      | 89   | 9.0       | 208    | 21.0  |
| 2006–07    | 1 235                | 89.1    | 10.9             | 21.1      | 107  | 8.7       | 286    | 23.2  |
| 2007–08    | 1 309                | 90.2    | 9.8              | 21.5      | 88   | 6.7       | 311    | 23.8  |
| WA         |                      |         |                  |           |      |           |        |       |
| 2001–02    | 2 859                | 89.0    | 11.0             | 26.8      | 240  | 8.4       | 226    | 7.9   |
| 2002–03    | 2 885                | 88.9    | 11.1             | 26.1      | 212  | 7.3       | 229    | 7.9   |
| 2003–04    | 2 667                | 87.3    | 12.7             | 26.2      | 224  | 8.4       | 184    | 6.9   |
| 2004–05    | 2 695                | 89.2    | 10.8             | 22.3      | 305  | 11.3      | 248    | 9.2   |
| 2005–06    | 2 510                | 91.5    | 8.5              | 22.3      | 366  | 14.6      | 253    | 10.1  |
| 2006–07    | 2 582                | 84.7    | 12.2             | 22.8      | 331  | 12.8      | 409    | 15.8  |
| 2007–08    | 2 667                | 78.6    | 10.8             | 21.9      | 253  | 9.5       | 397    | 14.9  |

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(a) Data are impacted by the introduction of a new computer system (see Explanatory Note 60).

**2.11**DEFENDANTS FINALISED, Selected characteristics by states and territories,  
2001–02 to 2007–08 *continued*

|            | Defendants finalised |         | Aged 20–24 years | Acquitted |        | Withdrawn |        |       |
|------------|----------------------|---------|------------------|-----------|--------|-----------|--------|-------|
|            | no.                  | Males % |                  | Females % | no.    | %         | no.    | %     |
| TAS.       |                      |         |                  |           |        |           |        |       |
| 2001–02    | 463                  | 88.1    | 11.9             | 30.0      | 29     | 6.3       | 106    | 22.9  |
| 2002–03    | 605                  | 86.6    | 13.4             | 30.7      | 38     | 6.3       | 109    | 18.0  |
| 2003–04    | 537                  | 88.8    | 11.2             | 25.1      | 41     | 7.6       | 103    | 19.2  |
| 2004–05    | 526                  | 87.6    | 12.4             | 26.2      | 42     | 8.0       | 100    | 19.0  |
| 2005–06    | 536                  | 85.8    | 14.2             | 22.8      | 48     | 9.0       | 96     | 17.9  |
| 2006–07    | 553                  | 90.1    | 9.9              | 21.3      | 40     | 7.2       | 102    | 18.4  |
| 2007–08    | 540                  | 84.1    | 15.9             | 23.1      | 31     | 5.7       | 107    | 19.8  |
| NT         |                      |         |                  |           |        |           |        |       |
| 2001–02    | 257                  | 89.9    | 10.1             | 18.3      | 10     | 3.9       | 13     | 5.1   |
| 2002–03    | 256                  | 90.6    | 9.4              | 18.0      | 23     | 9.0       | 30     | 11.7  |
| 2003–04    | 256                  | 92.6    | 7.4              | 23.4      | 21     | 8.2       | 22     | 8.6   |
| 2004–05    | 331                  | 94.0    | 6.0              | 20.5      | 26     | 7.9       | 33     | 10.0  |
| 2005–06    | 326                  | 88.3    | 11.7             | 15.6      | 24     | 7.4       | 28     | 8.6   |
| 2006–07    | 346                  | 91.3    | 8.7              | 16.5      | 16     | 4.6       | 22     | 6.4   |
| 2007–08(a) | 276                  | 92.4    | 7.2              | 18.8      | 41     | 14.9      | 22     | 8.0   |
| ACT        |                      |         |                  |           |        |           |        |       |
| 2001–02    | 165                  | 84.8    | 15.2             | 21.6      | 17     | 10.4      | 35     | 21.3  |
| 2002–03    | 164                  | 89.6    | 10.4             | 26.2      | 15     | 9.1       | 41     | 25.0  |
| 2003–04    | 119                  | 84.0    | 16.0             | 24.4      | 12     | 10.1      | 27     | 22.7  |
| 2004–05    | 144                  | 84.0    | 16.0             | 22.2      | 22     | 15.3      | 18     | 12.5  |
| 2005–06    | 166                  | 89.8    | 10.2             | 26.5      | 21     | 12.7      | 22     | 13.3  |
| 2006–07    | 147                  | 87.1    | 12.9             | 20.4      | 12     | 8.2       | 33     | 22.4  |
| 2007–08    | 186                  | 89.2    | 10.8             | 24.7      | 24     | 12.9      | 30     | 16.1  |
| AUST.      |                      |         |                  |           |        |           |        |       |
| 2001–02    | 17 554               | 87.4    | 12.5             | 22.4      | 1 156  | 6.6       | 2 208  | 12.6  |
| 2002–03    | 16 643               | 87.4    | 12.5             | 23.1      | 990    | 5.9       | 2 066  | 12.4  |
| 2003–04    | 17 315               | 86.7    | 13.2             | 23.0      | 1 053  | 6.1       | 2 181  | 12.6  |
| 2004–05    | 16 964               | 87.8    | 12.1             | 21.1      | 1 273  | 7.5       | 2 134  | 12.6  |
| 2005–06    | 16 356               | 87.5    | 12.4             | 21.4      | 1 248  | 7.6       | 2 054  | 12.6  |
| 2006–07    | r16 287              | r87.4   | r12.0            | r21.2     | r1 100 | r6.8      | r2 190 | r13.4 |
| 2007–08    | 16 815               | 86.0    | 12.2             | 21.2      | 1 140  | 6.8       | 2 291  | 13.6  |

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(a) Counts of acquittals are overstated and charges withdrawn by the prosecution are understated (see Explanatory Note 86).

## 2.12 DEFENDANTS ADJUDICATED, Selected principal offence by states and territories, 2001–02 to 2007–08

|            | <i>Defendants adjudicated</i> | <i>Homicide &amp; related offences</i> | <i>Acts intended to cause injury</i> | <i>Sexual assault &amp; related offences</i> | <i>Robbery, extortion &amp; related offences</i> | <i>Unlawful entry with intent</i> | <i>Theft &amp; related offences</i> | <i>Deception &amp; related offences</i> | <i>Illicit drug offences</i> |
|------------|-------------------------------|--|--------------------------------------|--|--|-----------------------------------|-------------------------------------|---|------------------------------|
|            | no.                           | %                                      | %                                    | %  | %  | %                                 | %                                   | %                                       | %                            |
| NSW        |                               |  |                                      |  |  |                                   |                                     |   |                              |
| 2001–02    | 3 167                         | 6.2                                    | 14.0                                 | 11.7   | 24.3   | 9.8                               | 3.2                                 | 4.2                                     | 18.8                         |
| 2002–03    | 2 908                         | 5.0                                    | 16.5                                 | 12.2   | 21.3   | 10.6                              | 2.3                                 | 4.3                                     | 18.5                         |
| 2003–04    | 3 139                         | 5.4                                    | 15.1                                 | 10.0   | 19.7   | 13.7                              | 3.3                                 | 4.0                                     | 20.9                         |
| 2004–05    | 3 017                         | 5.4                                    | 15.2                                 | 11.3   | 17.1   | 11.9                              | 2.4                                 | 4.4                                     | 23.5                         |
| 2005–06    | 3 090                         | 4.6                                    | 15.5                                 | 12.8   | 16.6   | 12.3                              | 2.3                                 | 3.9                                     | 23.1                         |
| 2006–07    | 2 899                         | 5.3                                    | 15.1                                 | 11.8   | 18.1   | 10.2                              | 2.3                                 | 3.9                                     | 24.2                         |
| 2007–08(a) | 2 941                         | 5.1                                    | 15.8                                 | 12.3   | 17.1   | 10.5                              | 2.2                                 | 3.8                                     | 24.8                         |
| VIC.       |                               |  |                                      |  |  |                                   |                                     |   |                              |
| 2001–02    | 1 895                         | 4.7                                    | 18.8                                 | 12.6   | 23.3   | 4.3                               | 3.2                                 | 7.1                                     | 10.3                         |
| 2002–03    | 1 991                         | 5.0                                    | 18.7                                 | 10.1   | 19.1   | 4.5                               | 5.0                                 | 8.2                                     | 10.0                         |
| 2003–04    | 2 426                         | 3.3                                    | 20.6                                 | 10.8   | 16.8   | 4.1                               | 5.2                                 | 7.8                                     | 12.7                         |
| 2004–05    | 2 306                         | 4.3                                    | 20.6                                 | 14.9   | 13.2   | 3.7                               | 4.5                                 | 8.6                                     | 11.6                         |
| 2005–06    | 2 212                         | 4.3                                    | 20.3                                 | 12.4   | 11.9   | 3.5                               | 4.4                                 | 7.0                                     | 15.7                         |
| 2006–07    | 2 251                         | 3.7                                    | 23.1                                 | 14.5   | 11.9   | 3.4                               | 4.0                                 | 9.6                                     | 10.4                         |
| 2007–08    | 2 407                         | 4.9                                    | 25.2                                 | 18.5   | 12.1   | 2.8                               | 3.2                                 | 6.3                                     | 13.0                         |
| QLD        |                               |  |                                      |  |  |                                   |                                     |   |                              |
| 2001–02    | 6 065                         | 1.7                                    | 28.2                                 | 9.4  | 6.3  | 13.5                              | 7.7                                 | 11.3                                    | 9.3                          |
| 2002–03    | 5 515                         | 1.7                                    | 28.0                                 | 10.0   | 6.0  | 13.8                              | 7.6                                 | 11.5                                    | 9.1                          |
| 2003–04    | 5 564                         | 1.5                                    | 28.6                                 | 9.5  | 5.6  | 12.9                              | 6.6                                 | 11.8                                    | 11.2                         |
| 2004–05    | 5 398                         | 1.6                                    | 29.5                                 | 11.3   | 6.4  | 9.8                               | 5.6                                 | 9.9                                     | 13.8                         |
| 2005–06    | 5 041                         | 1.7                                    | 30.0                                 | 13.4   | 6.4  | 8.8                               | 3.1                                 | 8.1                                     | 13.4                         |
| 2006–07    | r4 883                        | 1.3                                    | r29.0                                | r13.5  | r6.9   | r8.7                              | r4.2                                | r7.8                                    | 15.6                         |
| 2007–08    | 4 948                         | 1.0                                    | 28.7                                 | 13.3   | 7.2  | 9.1                               | 3.5                                 | 8.3                                     | 16.8                         |
| SA         |                               |  |                                      |  |  |                                   |                                     |   |                              |
| 2001–02    | 797                           | 3.1                                    | 16.7                                 | 10.4   | 12.3   | 11.0                              | 3.0                                 | 2.5                                     | 34.1                         |
| 2002–03    | 609                           | 5.6                                    | 16.9                                 | 12.0   | 10.8   | 12.6                              | 3.0                                 | 2.8                                     | 28.7                         |
| 2003–04    | 676                           | 3.6                                    | 14.8                                 | 13.0   | 12.0   | 12.6                              | 2.5                                 | 1.2                                     | 28.4                         |
| 2004–05    | 744                           | 3.4                                    | 14.2                                 | 11.0   | 11.2   | 12.9                              | 2.3                                 | 2.7                                     | 30.4                         |
| 2005–06    | 758                           | 5.4                                    | 17.0                                 | 12.8   | 11.3   | 11.9                              | 1.2                                 | 1.8                                     | 25.7                         |
| 2006–07    | 928                           | 6.7                                    | 15.2                                 | 15.8   | 10.9   | 9.1                               | 1.6                                 | 1.6                                     | 25.3                         |
| 2007–08    | 981                           | 4.5                                    | 22.0                                 | 14.4   | 11.1   | 7.8                               | 1.5                                 | 1.5                                     | 25.0                         |
| WA         |                               |  |                                      |  |  |                                   |                                     |   |                              |
| 2001–02    | 2 585                         | 1.2                                    | 11.2                                 | 10.2   | 9.5  | 31.6                              | 5.0                                 | 4.0                                     | 12.1                         |
| 2002–03    | 2 616                         | 1.8                                    | 10.2                                 | 10.8   | 10.2   | 32.3                              | 3.9                                 | 3.5                                     | 12.0                         |
| 2003–04    | 2 456                         | 1.4                                    | 10.5                                 | 11.2   | 8.3  | 33.1                              | 5.5                                 | 3.6                                     | 10.5                         |
| 2004–05    | 2 430                         | 2.1                                    | 12.5                                 | 14.5   | 9.4  | 20.5                              | 4.2                                 | 4.2                                     | 13.6                         |
| 2005–06    | 2 216                         | 2.8                                    | 14.3                                 | 16.5   | 10.7   | 15.4                              | 3.4                                 | 3.2                                     | 16.0                         |
| 2006–07    | 2 144                         | 1.8                                    | 15.3                                 | 15.4   | 11.2   | 15.3                              | 2.6                                 | 3.8                                     | 17.3                         |
| 2007–08    | 2 236                         | 2.0                                    | 15.2                                 | 16.1   | 12.4   | 13.2                              | 3.8                                 | 3.8                                     | 17.1                         |

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(a) Data are impacted by the introduction of a new computer system (see Explanatory Note 60).

**2.12**DEFENDANTS ADJUDICATED, Selected principal offence by states and territories, 2001–02 to 2007–08 *continued*

|         | Defendants adjudicated | Homicide & related offences | Acts intended to cause injury | Sexual assault & related offences | Robbery, extortion & related offences | Unlawful entry with intent | Theft & related offences | Deception & related offences | Illicit drug offences |
|---------|------------------------|-----------------------------|-------------------------------|-----------------------------------|---------------------------------------|----------------------------|--------------------------|------------------------------|-----------------------|
|         | no.                    | %                           | %                             | %                                 | %                                     | %                          | %                        | %                            | %                     |
| TAS.    |                        |                             |                               |                                   |                                       |                            |                          |                              |                       |
| 2001–02 | 353                    | 2.5                         | 28.6                          | 5.9                               | 15.3                                  | 16.4                       | 7.1                      | 2.8                          | 5.4                   |
| 2002–03 | 487                    | 2.3                         | 27.3                          | 11.9                              | 8.6                                   | 12.5                       | 7.4                      | 6.0                          | 7.0                   |
| 2003–04 | 427                    | 1.4                         | 22.5                          | 13.1                              | 8.7                                   | 16.9                       | 4.9                      | 5.9                          | 6.6                   |
| 2004–05 | 426                    | 0.7                         | 22.1                          | 14.6                              | 11.5                                  | 10.6                       | 6.1                      | 5.9                          | 7.5                   |
| 2005–06 | 437                    | 4.3                         | 33.4                          | 12.6                              | 8.9                                   | 3.9                        | 2.7                      | 4.6                          | 11.7                  |
| 2006–07 | 446                    | 1.8                         | 28.0                          | 15.9                              | 7.6                                   | 4.3                        | 2.0                      | 5.4                          | 14.8                  |
| 2007–08 | 431                    | 2.6                         | 22.7                          | 12.8                              | 13.0                                  | 2.3                        | 2.3                      | 4.4                          | 16.7                  |
| NT      |                        |                             |                               |                                   |                                       |                            |                          |                              |                       |
| 2001–02 | 241                    | 3.7                         | 18.7                          | 9.5                               | 7.5                                   | 8.7                        | —                        | 2.5                          | 16.6                  |
| 2002–03 | 221                    | 10.4                        | 23.1                          | 14.9                              | 10.4                                  | 6.8                        | 2.7                      | 4.1                          | 19.9                  |
| 2003–04 | 234                    | 9.4                         | 31.2                          | 16.2                              | 6.0                                   | 9.0                        | 1.7                      | 1.3                          | 16.2                  |
| 2004–05 | 296                    | 4.7                         | 25.3                          | 15.9                              | 6.4                                   | 8.1                        | 2.0                      | 2.4                          | 11.5                  |
| 2005–06 | 296                    | 6.8                         | 34.8                          | 15.2                              | 1.7                                   | 4.7                        | 1.0                      | 2.0                          | 16.2                  |
| 2006–07 | 325                    | 4.0                         | 28.0                          | 16.9                              | 6.5                                   | 2.2                        | 1.8                      | 1.8                          | 12.0                  |
| 2007–08 | 251                    | 9.2                         | 37.5                          | 24.7                              | 6.0                                   | 2.8                        | 1.6                      | 1.2                          | 13.5                  |
| ACT     |                        |                             |                               |                                   |                                       |                            |                          |                              |                       |
| 2001–02 | 117                    | —                           | 19.7                          | 10.3                              | 12.0                                  | 11.1                       | 11.1                     | 13.7                         | 14.5                  |
| 2002–03 | 109                    | —                           | 23.9                          | 11.0                              | 20.2                                  | 11.0                       | 4.6                      | 9.2                          | 6.4                   |
| 2003–04 | 85                     | —                           | 22.4                          | 17.6                              | 12.9                                  | 9.4                        | 15.3                     | 4.7                          | 7.1                   |
| 2004–05 | 120                    | 3.3                         | 20.0                          | 10.8                              | 8.3                                   | 11.7                       | 14.2                     | 11.7                         | 15.0                  |
| 2005–06 | 139                    | 2.9                         | 23.0                          | 10.1                              | 14.4                                  | 13.7                       | 9.4                      | 2.2                          | 15.1                  |
| 2006–07 | 108                    | —                           | 29.6                          | 8.3                               | 12.0                                  | 7.4                        | 15.7                     | 5.6                          | 12.0                  |
| 2007–08 | 152                    | 3.9                         | 25.0                          | 9.2                               | 17.8                                  | 12.5                       | 7.9                      | 2.6                          | 7.9                   |
| AUST.   |                        |                             |                               |                                   |                                       |                            |                          |                              |                       |
| 2001–02 | 15 220                 | 3.0                         | 20.4                          | 10.4                              | 13.3                                  | 14.5                       | 5.4                      | 7.3                          | 13.3                  |
| 2002–03 | 14 456                 | 3.1                         | 20.6                          | 10.8                              | 12.1                                  | 15.0                       | 5.2                      | 7.5                          | 12.5                  |
| 2003–04 | 15 007                 | 2.8                         | 20.7                          | 10.5                              | 11.2                                  | 15.0                       | 5.3                      | 7.3                          | 14.1                  |
| 2004–05 | 14 737                 | 3.0                         | 21.2                          | 12.6                              | 10.6                                  | 11.2                       | 4.4                      | 7.0                          | 16.0                  |
| 2005–06 | 14 189                 | 3.3                         | 22.3                          | 13.5                              | 10.5                                  | 9.7                        | 3.1                      | 5.6                          | 17.0                  |
| 2006–07 | r13 984                | 3.0                         | r22.1                         | 13.9                              | 11.0                                  | r8.9                       | r3.3                     | r6.0                         | r17.3                 |
| 2007–08 | 14 347                 | 3.1                         | 22.8                          | 14.6                              | 11.4                                  | 8.6                        | 3.1                      | 5.6                          | 18.2                  |

— nil or rounded to zero (including null cells)

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## 2.13 DEFENDANTS PROVEN GUILTY, Principal sentence by states and territories, 2001–02 to 2007–08

|            | CUSTODIAL ORDERS                |  |                                 |                                 |                  | NON-CUSTODIAL ORDERS                     |                        |                                   |              |
|------------|---------------------------------|--|---------------------------------|---------------------------------|------------------|--|------------------------|-----------------------------------|--------------|
|            | <i>Defendants proven guilty</i> | <i>Custody in a correctional institution</i> | <i>Custody in the community</i> | <i>Fully suspended sentence</i> | <i>Total (a)</i> | <i>Community supervision/work orders</i> | <i>Monetary orders</i> | <i>Other non-custodial orders</i> | <i>Total</i> |
|            | no.                             | %  | %                               | %                               | %                | %  | %                      | %                                 | %            |
| NSW        |                                 |  |                                 |                                 |                  |  |                        |                                   |              |
| 2001–02    | 2 787                           | 73.8   | 0.3                             | 12.0                            | 86.1             | 5.1                                      | 0.7                    | 7.4                               | 13.1         |
| 2002–03    | 2 651                           | 73.7   | 0.2                             | 13.6                            | 87.5             | 4.2                                      | 0.8                    | 6.7                               | 11.8         |
| 2003–04    | 2 890                           | 75.4   | 0.5                             | 13.7                            | 89.6             | 3.5                                      | 0.9                    | 6.0                               | 10.4         |
| 2004–05    | 2 732                           | 74.9   | 0.4                             | 13.9                            | 89.2             | 3.6                                      | 0.8                    | 6.5                               | 10.8         |
| 2005–06    | 2 831                           | 72.6   | 0.4                             | 17.0                            | 89.9             | 2.9                                      | 0.8                    | 6.4                               | 10.1         |
| 2006–07    | 2 704                           | 73.3   | 0.5                             | 17.5                            | 91.2             | 3.0                                      | 0.9                    | 5.0                               | 8.8          |
| 2007–08(b) | 2 707                           | 75.2   | 0.2                             | 15.1                            | 90.6             | 2.1                                      | 0.8                    | 6.5                               | 9.4          |
| VIC.       |                                 |  |                                 |                                 |                  |  |                        |                                   |              |
| 2001–02    | 1 754                           | 56.3   | 3.1                             | 19.4                            | 82.0             | 9.9                                      | 2.2                    | 4.4                               | 16.4         |
| 2002–03    | 1 837                           | 52.8   | 1.5                             | 21.2                            | 78.4             | 11.8                                     | 3.0                    | 3.6                               | 18.5         |
| 2003–04    | 2 242                           | 51.1   | 3.7                             | 23.1                            | 80.2             | 9.6                                      | 3.1                    | 3.3                               | 16.0         |
| 2004–05    | 2 087                           | 53.1   | 2.5                             | 23.7                            | 82.3             | 10.2                                     | 3.1                    | 2.8                               | 16.0         |
| 2005–06    | 2 005                           | 53.5   | 2.5                             | 24.2                            | 80.4             | 8.8                                      | 4.0                    | 4.3                               | 17.1         |
| 2006–07    | 2 073                           | 56.1   | 3.0                             | 21.4                            | 80.7             | 9.6                                      | 4.4                    | 2.8                               | 16.8         |
| 2007–08    | 2 188                           | 57.8   | 2.6                             | 22.8                            | 83.2             | 9.4                                      | 4.2                    | 3.2                               | 16.8         |
| QLD        |                                 |  |                                 |                                 |                  |  |                        |                                   |              |
| 2001–02    | 5 787                           | 44.2   | —                               | 18.5                            | 62.6             | 28.5                                     | 5.8                    | 3.0                               | 37.3         |
| 2002–03    | 5 272                           | 42.9   | 5.9                             | 18.8                            | 67.6             | 23.4                                     | 6.2                    | 2.9                               | 32.4         |
| 2003–04    | 5 305                           | 44.5   | 6.2                             | 16.3                            | 67.0             | 23.3                                     | 6.3                    | 3.4                               | 33.0         |
| 2004–05    | 5 091                           | 51.9   | 6.7                             | 11.7                            | 70.3             | 20.9                                     | 5.7                    | 3.1                               | 29.7         |
| 2005–06    | 4 807                           | 47.5   | 6.6                             | 20.6                            | 74.7             | 17.0                                     | 5.7                    | 2.6                               | 25.3         |
| 2006–07    | r4 658                          | r54.3  | r5.9                            | r15.7                           | r76.0            | r16.6                                    | r5.1                   | r2.3                              | r24.0        |
| 2007–08    | 4 698                           | 62.2   | 4.0                             | 12.8                            | 78.9             | 14.5                                     | 4.6                    | 2.0                               | 21.1         |
| SA (c)     |                                 |  |                                 |                                 |                  |  |                        |                                   |              |
| 2001–02    | 741                             | 47.9   | na                              | 40.9                            | 88.8             | 1.2                                      | 4.2                    | 5.8                               | 11.2         |
| 2002–03    | 563                             | 44.2   | na                              | 43.9                            | 88.1             | 0.9                                      | 4.8                    | 5.3                               | 11.0         |
| 2003–04    | 611                             | 48.9   | na                              | 38.0                            | 86.9             | 0.7                                      | 4.6                    | 6.5                               | 11.8         |
| 2004–05    | 678                             | 43.5   | na                              | 48.2                            | 91.7             | —  | 7.5                    | 0.7                               | 8.3          |
| 2005–06    | 671                             | 45.6   | na                              | 43.5                            | 89.1             | 0.4                                      | 3.1                    | 7.3                               | 10.9         |
| 2006–07    | 821                             | 46.4   | 19.0                            | 26.6                            | 92.0             | 0.4                                      | 2.4                    | 5.4                               | 8.0          |
| 2007–08    | 894                             | 46.2   | 32.4                            | 13.8                            | 92.4             | 0.4                                      | 2.6                    | 4.6                               | 7.6          |
| WA         |                                 |  |                                 |                                 |                  |  |                        |                                   |              |
| 2001–02    | 2 345                           | 50.5   | —                               | 11.9                            | 62.5             | 30.4                                     | 6.3                    | 0.9                               | 37.5         |
| 2002–03    | 2 404                           | 49.9   | —                               | 13.3                            | 63.2             | 29.8                                     | 5.7                    | 1.3                               | 36.8         |
| 2003–04    | 2 232                           | 49.4   | 18.4                            | 13.9                            | 81.7             | 11.4                                     | 5.6                    | 1.2                               | 18.3         |
| 2004–05    | 2 125                           | 50.4   | 17.7                            | 16.3                            | 84.4             | 7.3                                      | 7.1                    | 1.1                               | 15.5         |
| 2005–06    | 1 850                           | 51.1   | 19.4                            | 17.7                            | 88.2             | 5.2                                      | 6.2                    | 0.4                               | 11.8         |
| 2006–07    | 1 814                           | 51.9   | ..                              | 24.8                            | 76.7             | 16.6                                     | 5.5                    | 0.5                               | 22.6         |
| 2007–08    | 1 982                           | 55.5   | ..                              | 22.6                            | 78.1             | 16.1                                     | 5.2                    | 0.5                               | 21.8         |

.. not applicable

— nil or rounded to zero (including null cells)

na not available

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

(b) Data are impacted by the introduction of a new computer system (see Explanatory Note 60).

(c) Prior to 2007–08, fully suspended sentences in SA were overstated. For 2006–07, custody in the community were understated (see Explanatory Note 76).

**2.13****DEFENDANTS PROVEN GUILTY, Principal sentence by states and territories,  
2001–02 to 2007–08 *continued***

|         | CUSTODIAL ORDERS                |  |                                 |                                 |                 | NON-CUSTODIAL ORDERS                     |                        |                                   |              |
|---------|---------------------------------|--|---------------------------------|---------------------------------|-----------------|--|------------------------|-----------------------------------|--------------|
|         | <i>Defendants proven guilty</i> | <i>Custody in a correctional institution</i> | <i>Custody in the community</i> | <i>Fully suspended sentence</i> | <i>Total(a)</i> | <i>Community supervision/work orders</i> | <i>Monetary orders</i> | <i>Other non-custodial orders</i> | <i>Total</i> |
|         | no.                             | %  | %                               | %                               | %               | %  | %                      | %                                 | %            |
| TAS.    |                                 |  |                                 |                                 |                 |  |                        |                                   |              |
| 2001–02 | 324                             | 62.3   | ..                              | 14.2                            | 76.5            | 12.7                                     | 4.0                    | 6.5                               | 23.1         |
| 2002–03 | 447                             | 59.5   | ..                              | 15.4                            | 74.9            | 14.1                                     | 8.3                    | 2.7                               | 25.1         |
| 2003–04 | 386                             | 54.4   | ..                              | 26.2                            | 80.6            | 12.7                                     | 4.7                    | 2.1                               | 19.4         |
| 2004–05 | 384                             | 48.4   | ..                              | 35.7                            | 84.1            | 8.1                                      | 5.2                    | 2.6                               | 15.9         |
| 2005–06 | 390                             | 52.8   | ..                              | 29.5                            | 82.3            | 7.9                                      | 4.4                    | 5.4                               | 17.7         |
| 2006–07 | 408                             | 59.3   | ..                              | 27.9                            | 87.3            | 7.6                                      | 3.9                    | 1.2                               | 12.7         |
| 2007–08 | 398                             | 57.3   | ..                              | 28.9                            | 86.2            | 6.3                                      | 4.3                    | 3.3                               | 13.8         |
| NT      |                                 |  |                                 |                                 |                 |  |                        |                                   |              |
| 2001–02 | 231                             | 78.8   | —                               | 19.0                            | 97.8            | —  | —                      | 2.2                               | 2.2          |
| 2002–03 | 203                             | 73.4   | 1.5                             | 18.7                            | 93.1            | —  | —                      | 6.4                               | 6.9          |
| 2003–04 | 213                             | 82.6   | 1.9                             | 10.8                            | 95.3            | 1.4                                      | 1.4                    | 2.3                               | 4.7          |
| 2004–05 | 269                             | 71.4   | 1.5                             | 12.6                            | 85.5            | —  | 10.4                   | 3.3                               | 14.5         |
| 2005–06 | 271                             | 70.1   | 1.5                             | 18.8                            | 90.4            | —  | 8.5                    | 1.1                               | 9.6          |
| 2006–07 | 308                             | 66.2   | 3.6                             | 15.6                            | 85.4            | —  | 13.6                   | —                                 | 14.6         |
| 2007–08 | 213                             | 71.8   | 3.3                             | 19.2                            | 94.4            | 1.4                                      | 1.4                    | 3.3                               | 5.6          |
| ACT     |                                 |  |                                 |                                 |                 |  |                        |                                   |              |
| 2001–02 | 104                             | 50.0   | —                               | 30.8                            | 80.8            | 4.8                                      | 9.6                    | 2.9                               | 17.3         |
| 2002–03 | 97                              | 38.1   | —                               | 28.9                            | 67.0            | —  | 23.7                   | 8.2                               | 33.0         |
| 2003–04 | 71                              | 60.6   | —                               | 22.5                            | 83.1            | —  | 8.5                    | 7.0                               | 16.9         |
| 2004–05 | 100                             | 44.0   | —                               | 21.0                            | 65.0            | —  | 23.0                   | 10.0                              | 35.0         |
| 2005–06 | 118                             | 32.2   | —                               | 38.1                            | 70.3            | —  | 19.5                   | 9.3                               | 29.7         |
| 2006–07 | 98                              | 32.7   | —                               | 35.7                            | 68.4            | —  | —                      | 28.6                              | 31.6         |
| 2007–08 | 126                             | 41.3   | —                               | 43.7                            | 84.9            | —  | —                      | 12.7                              | 15.1         |
| AUST.   |                                 |  |                                 |                                 |                 |  |                        |                                   |              |
| 2001–02 | 14 073                          | 53.8   | 0.4                             | 17.4                            | 72.1            | 19.4                                     | 4.2                    | 3.9                               | 27.5         |
| 2002–03 | 13 474                          | 52.6   | 2.6                             | 18.1                            | 73.7            | 17.4                                     | 4.6                    | 3.6                               | 25.7         |
| 2003–04 | 13 950                          | 53.9   | 6.0                             | 17.7                            | 77.9            | 13.4                                     | 4.4                    | 3.7                               | 21.4         |
| 2004–05 | 13 466                          | 56.3   | 5.8                             | 17.3                            | 79.9            | 11.6                                     | 4.8                    | 3.4                               | 19.8         |
| 2005–06 | 12 943                          | 54.8   | 5.7                             | 21.5                            | 82.1            | 9.3                                      | 4.5                    | 3.7                               | 17.5         |
| 2006–07 | r12 884                         | 58.0   | r4.0                            | 19.5                            | 81.6            | r10.8                                    | 4.1                    | r3.0                              | 17.9         |
| 2007–08 | 13 206                          | 61.9   | 4.1                             | 17.3                            | 83.3            | 9.8                                      | 3.6                    | 3.2                               | 16.7         |

.. not applicable

— nil or rounded to zero (including null cells)

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

INTRODUCTION

This chapter presents information about defendants finalised in the criminal jurisdiction of the Magistrates' Courts in 2007–08.

Magistrates' Courts (known as Local Courts in New South Wales) are in operation in all states and territories of Australia. The court tries and sentences criminal matters relating to summary offences (such as traffic offences and disorderly behaviour) and hears indictable offences summarily.

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

The offence categories referred to relate to the principal offence i.e. the most serious offence type with which the defendant was charged. For more information about principal offence see Explanatory Notes paragraphs 40–45.

*Snapshot*

- The number of defendants finalised in the Magistrates' Courts increased by 6%, from 583,543 in 2006–07 to 619,542 in 2007–08.
- Most defendants (44% or 270,409) were finalised for road traffic and motor vehicle regulatory offences, followed by public order offences (10% or 64,400).
- The proportion of male to female defendants has remained relatively stable since 2003–04 with males accounting for approximately 77% (476,146) of the total.
- During 2007–08, 565,833 or 91% of defendants finalised in the Magistrates' Courts in Australia had their cases adjudicated. Other methods of finalisation included: charges withdrawn by the prosecution (7% or 40,459); transfers to other courts (2% or 12,789); and other methods, such as defendants unfit to plead, defendants deceased, transfers to non-court agencies, etc., (less than 1% or 444).
- The majority (96% or 541,500) of defendants whose cases were adjudicated in the Magistrates' Courts in 2007–08 were proven guilty.
- Approximately 9 in 10 convicted defendants were sentenced to non-custodial orders.

DEFENDANTS FINALISED

The largest number of defendants charged with criminal offences in Australia each year, are finalised in the Magistrates' Courts. The number of defendants finalised at this court level has increased by 18% since 2003–04 (from 527,374 to 619,542 in 2007–08).

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

*Charges withdrawn by the prosecution*

Defendants finalised through charges being withdrawn by the prosecution has declined from 9% of all finalised defendants in 2003–04 to 7% in 2007–08.

During 2007–08, the following offences had the largest proportion of defendants finalised via the withdrawal of charges by the prosecution:

- abduction (32% or 81 defendants);
- robbery and extortion (22% or 521);
- sexual assault (19% or 728); and
- acts intended to cause injury (14% or 7,352).

Victoria (10%), South Australia (10%), and the Australian Capital Territory (22%) had larger proportions of defendants whose charges were withdrawn than the national average (7%). Tasmania had the smallest proportion of defendants whose charges were withdrawn, at 1%.

DEFENDANTS  
ADJUDICATED

The following information only relates to defendants who were adjudicated, i.e. finalised via a plea of guilty or a decision by the Magistrate as to their guilt or otherwise of the final charges laid.

*Principal offence – road traffic and motor vehicle regulatory offences*

Road traffic offences accounted for the greatest proportion (45% or 256,963) of defendants heard in the Magistrates' Courts in 2007–08. This was similar to the proportion of defendants with this offence in the previous year.

Of the defendants adjudicated in the Magistrates' Courts charged with road traffic offences as their principal offence, nearly a third (29%) were aged under 25 years. In total, 58% of defendants charged with road traffic offences were aged under 35 years.

Within the broad category of road traffic offences, defendants in 2007–08 were charged as follows:

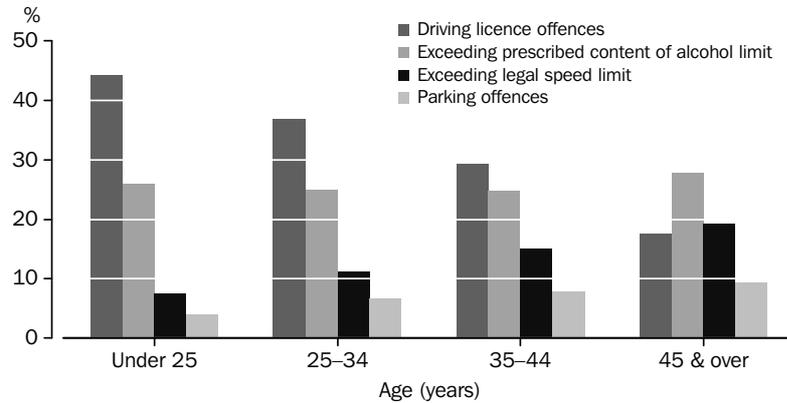
- driving licence offences (33%);
- exceeding the prescribed content of alcohol limit (25%);
- exceeding the legal speed limit (12%); and
- other road traffic and motor vehicle regulatory offences (30%).

Younger defendants were more likely to be charged with driving licence offences than older defendants, 44% of defendants aged under 25 years compared with 18% of those aged 45 years and over. Driving licence offences include driving without a licence or driving while a licence is cancelled or suspended.

A greater proportion of defendants aged 45 years and over were charged with exceeding the legal speed limit (19%) and parking offences (9%), compared with younger defendants aged under 25 years (8%). Around the same proportion of defendants in each age group were charged with exceeding the prescribed content of alcohol limit (approximately 25%).

*Principal offence – road traffic and motor vehicle regulatory offences continued*

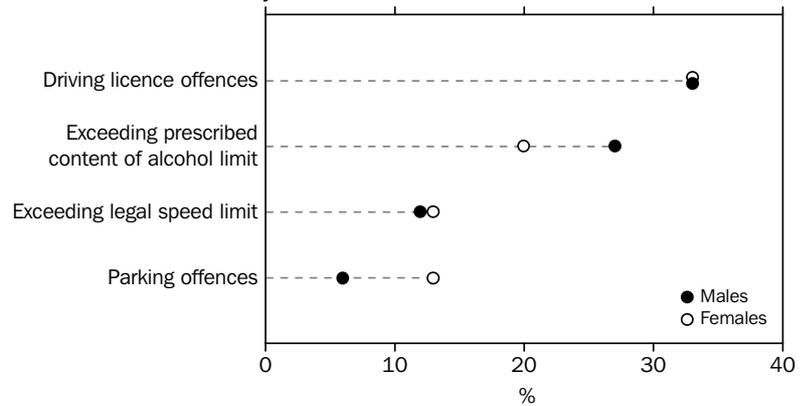
DEFENDANTS ADJUDICATED FOR ROAD TRAFFIC OFFENCES (a), Selected offences by age group



(a) Principal offence of road traffic and motor vehicle regulatory offences.

Of defendants charged with road traffic offences as their principal offence, 74% (189,997) were males and 24% (62,005) were females. The largest proportion of both males and females were in court for driving licence offences (both 33%). However, males were more likely to have a principal offence of exceeding the alcohol limit (27%) than females (20%), while females were more than twice as likely to be charged with parking offences (13%) than males (6%).

DEFENDANTS ADJUDICATED FOR ROAD TRAFFIC OFFENCES (a), Selected offences by sex



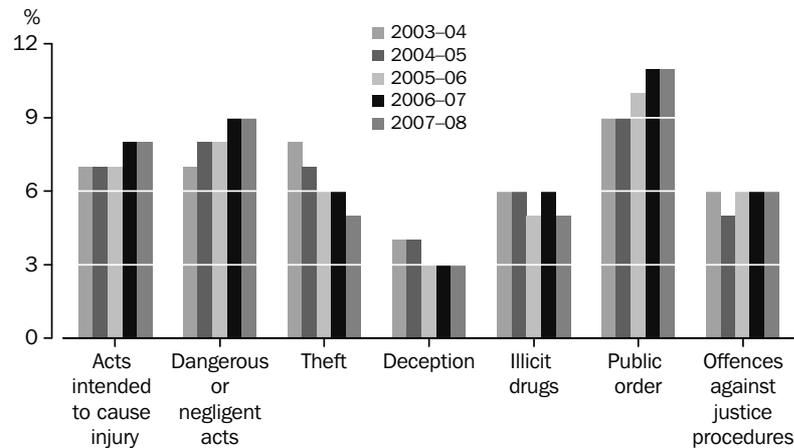
(a) Principal offence of road traffic and motor vehicle regulatory offences.

*Principal offence - offences other than road traffic*

After road traffic offences, the largest proportion of defendants in 2007–08 were charged with: public order offences (11%); dangerous or negligent acts endangering persons (9%); acts intended to cause injury (8%); offences against justice procedures (6%); and theft and illicit drugs (both 5%). These proportions were all similar to those for 2006–07. Theft has declined over time, from 8% in 2003–04 to 5% in 2007–08.

Principal offence - offences other than road traffic continued

DEFENDANTS ADJUDICATED, Selected principal offence, 2003–04 to 2007–08



Sex

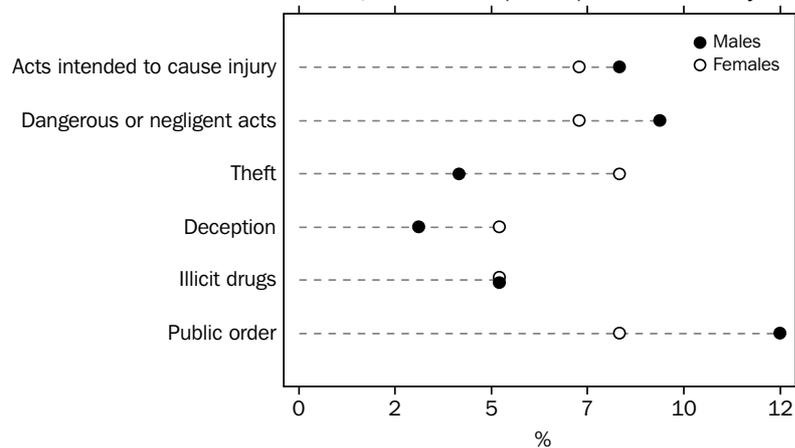
In 2007–08, defendants were nearly four times more likely to be male (77%) than female (22%). This proportion has remained relatively stable since 2003–04, when males comprised 78% of defendants adjudicated.

Following road traffic offences, the three offences for which males were most commonly charged were: public order offences (12%); dangerous or negligent acts endangering persons (9%); and acts intended to cause injury (8%).

Females were most commonly charged with: theft (8%); public order offences (8%); and dangerous or negligent acts endangering persons (7%).

This was a similar pattern of offences to 2006–07 for both sexes.

DEFENDANTS ADJUDICATED, Selected principal offence by sex



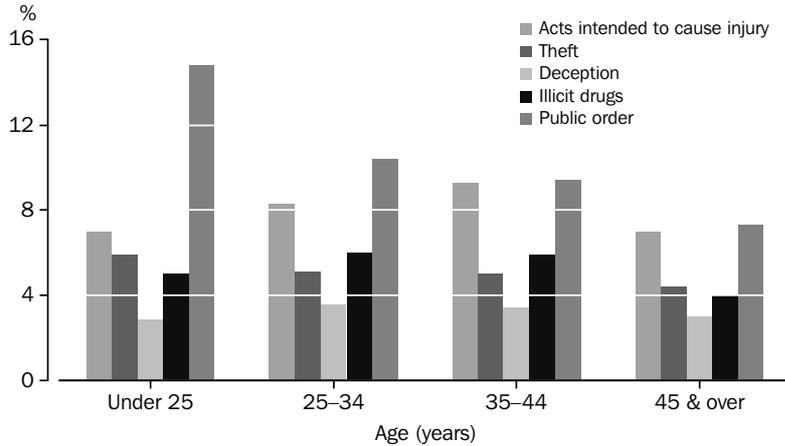
Age

A third (33%) of defendants heard in the Magistrates' Courts were aged under 25 years, followed by those aged 25 to 34 years (30%), 35 to 44 years (20%), and 45 years and over (15%).

The most common principal offence, apart from road traffic offences, for all age groups was public order offences, ranging from 7% of those aged 45 years and over, to 15% of those under 25 years. For those aged 35 to 44 years and those aged 45 years and over, acts intended to cause injury accounted for 9% and 7% respectively.

Age continued

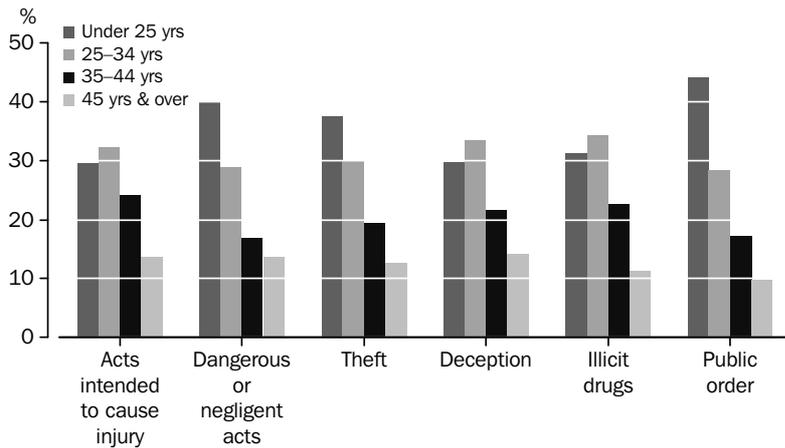
DEFENDANTS ADJUDICATED, Age groups by selected principal offence



When viewing selected principal offences, the proportions of defendants varied by age group (see chart below):

- Defendants aged 25 to 34 years accounted for the largest proportion of those charged with deception (33%), illicit drug offences (34%), and acts intended to cause injury (32%).
- Those aged under 25 years accounted for the largest proportion of defendants charged with public order offences (44%), dangerous or negligent acts (40%), and theft (38%).
- In general, defendants aged 45 years and over, accounted for the smallest proportion of those charged across most principal offence types. However, for homicide and sexual assault, those aged 45 years and over made up the largest proportion of defendants charged with these offences (36% and 35% respectively).

DEFENDANTS ADJUDICATED, Selected principal offence by age groups



Defendants acquitted

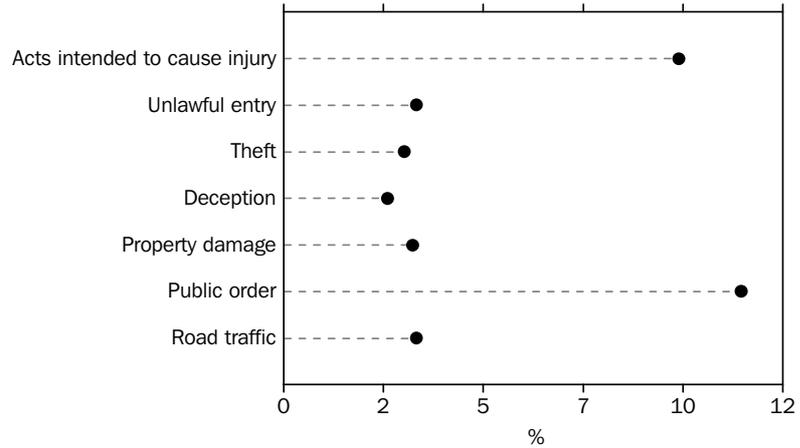
In 2007–08, 24,333 or 4% of defendants adjudicated were acquitted in the Magistrates' Courts in Australia.

Defendants adjudicated for public order offences and acts intended to cause injury had the largest proportion of acquitted outcomes, 11% and 10% respectively.

Of defendants charged with road traffic offences, 3% (8,229) were acquitted.

*Defendants acquitted  
continued*

DEFENDANTS ACQUITTED, Selected principal offence



States and territories with the largest proportions of adjudicated defendants acquitted included Tasmania (13%), Victoria (9%) and the Northern Territory (7%), while South Australia had the smallest (less than 1%).

*Defendants proven guilty*

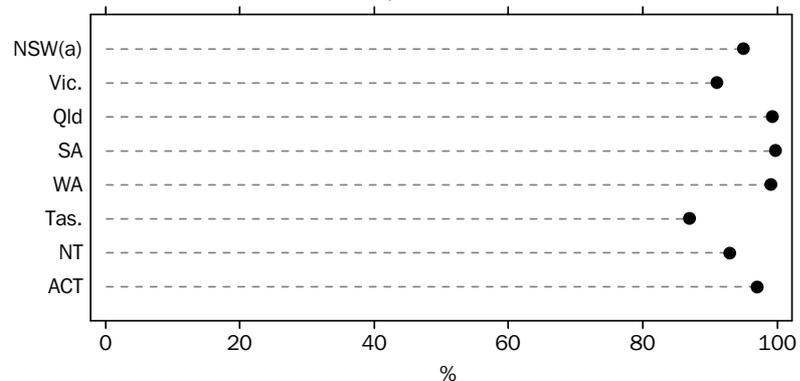
Defendants are referred to as 'convicted' where they were proven guilty of at least one of the final charges laid against them in a court. This includes defendants who plead guilty or were found guilty, including those found guilty ex-parte.

Defendants proven guilty in the Magistrates' Courts accounted for 541,500 (96%) of defendants adjudicated in 2007–08, and has remained stable since 2003–04.

A proven guilty outcome accounted for the vast majority of defendants adjudicated for illicit drug offences and dangerous or negligent acts endangering persons (99% of defendants charged with either offence); and theft, road traffic, and offences against justice procedures (all 97%).

In South Australia, Queensland and Western Australia, almost all of the adjudicated defendants were proven guilty (99.8%, 99.3% and 99.1% respectively), which was above the national average of 96%.

DEFENDANTS PROVEN GUILTY, States and territories



(a) Refers to finalised appearances rather than finalised defendants in the Magistrates' Courts, resulting in potentially higher population counts (see Explanatory Note 14).

SENTENCE OUTCOMES

The following information relates to sentence outcomes for defendants heard in the Magistrates' Courts. Sentence refers to the principal sentence a defendant received which is usually, though not necessarily, the sentence associated with the principal offence. See Explanatory Notes paragraphs 46–48 for further information.

Differences in sentencing are a result of the offence the defendant was convicted of, as well as a range of aggravating and mitigating factors taken into account by the court, such as prior convictions, level of violence, whether the offender was provoked, and demonstrations of remorse.

*Custodial orders*

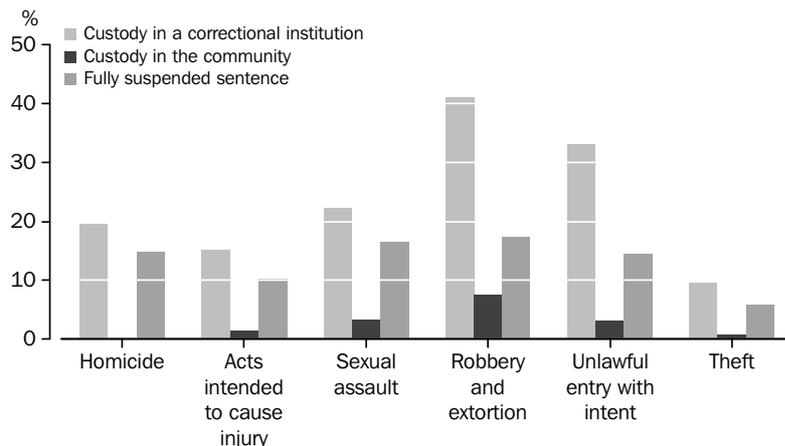
The most serious penalties issued for charges proven in the Magistrates' Courts are custodial sentences. In 2007–08, 8% (45,657) of convicted defendants had custodial orders imposed: 4% sentenced to custody in a correctional institution; 3.5% given fully suspended sentences; and 0.5% sentenced to custody in the community.

Defendants convicted of acts intended to cause injury and road traffic offences each comprised 23% of all defendants given custodial sentences. Defendants convicted of theft accounted for a 10% of custodial sentences.

Of all road traffic offences, driving licence offences had the largest proportion of defendants sentenced to custodial orders (8% or 6,935), followed by exceeding the alcohol limit (6% or 3,535).

The types of custodial orders issued varied across principal offences. Custody in a correctional institution was the most common principal sentence for those convicted of robbery and extortion offences (41%), followed by unlawful entry with intent (33%). Robbery and extortion, and sexual assault offences were the principal offences for which fully suspended sentences were most commonly ordered (both 17%).

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

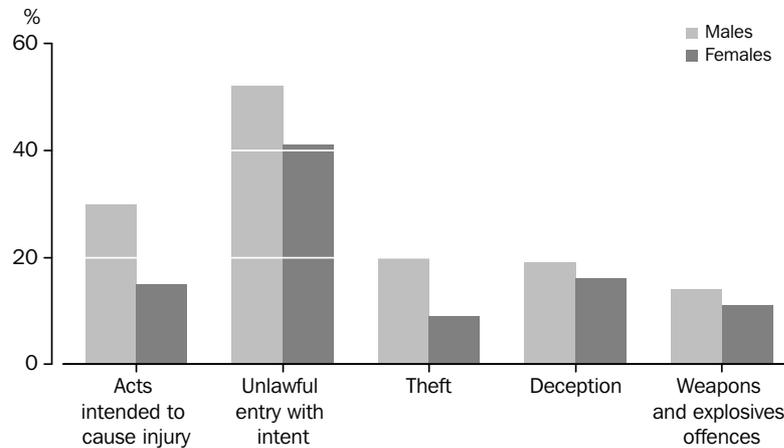


Males proven guilty were twice as likely to receive a custodial sentence (10%) than females (5%). The higher proportion of custodial sentences for males was consistent across all principal offences. Custodial orders were issued to just over half (52%) of males proven guilty of unlawful entry with intent, while the same sentence was handed to 41% of females convicted of this offence. Custodial orders were also issued to 30% of males

*Custodial orders  
continued*

proven guilty of acts intended to cause injury. In contrast, 15% of females convicted of this offence were issued with custodial orders.

DEFENDANTS PROVEN GUILTY, PROPORTION SENTENCED TO CUSTODIAL ORDERS, Selected principal offence by sex



*Non-custodial orders*

The majority of convicted defendants (91% or 495,148) were given non-custodial sentences, such as community supervision or work orders, monetary orders, or good behaviour bonds.

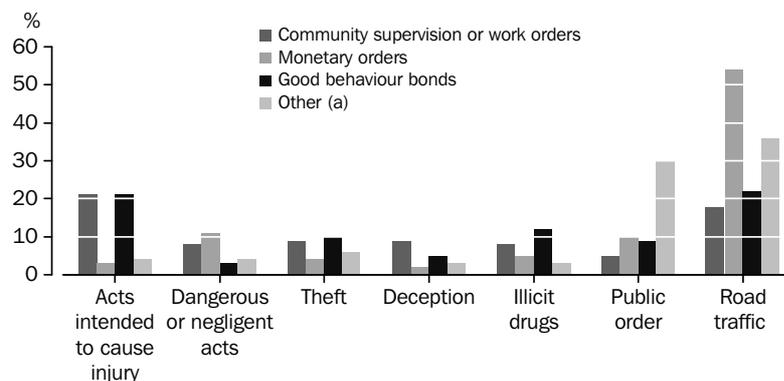
The most common non-custodial sentence was a monetary order, with 73% (or 394,067) of defendants proven guilty receiving this sentence.

Monetary orders were the most common sentence issued to defendants convicted of offences of dangerous or negligent acts endangering persons and road traffic offences (both 85%).

Community supervision or work orders were the most common non-custodial sentence for those convicted of unlawful entry with intent (22%), and robbery and extortion offences (18%).

Of those who received good behaviour bonds (8% or 45,701): 22% had a principal offence of road traffic offences; 21% a principal offence of acts intended to cause injury; and 12% a principal offence of illicit drugs.

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

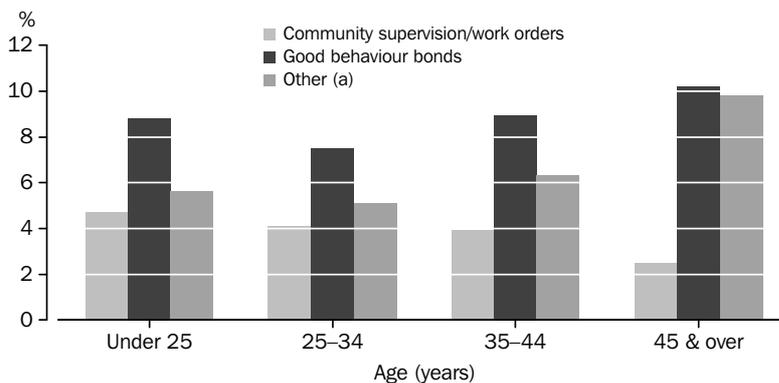


(a) Includes licence disqualification/suspensions/amendments, forfeiture of property orders, nominal penalties and other non-custodial orders n.e.c.

*Non-custodial orders  
continued*

There were some differences across age groups in the types of non-custodial orders issued. Convicted defendants aged under 25 years were the most likely to receive community supervision/work orders (5% of defendants in this age group). Those aged 25 to 34 years were the least likely to receive good behaviour bonds (8%), while those aged 45 years and over were most likely to receive these orders (10%).

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



(a) Includes licence disqualification/suspensions/amendments, forfeiture of property orders, nominal penalties and other non-custodial orders n.e.c.

**DURATION OF CASES  
ADJUDICATED**

The nature of the charges presented to the court for a defendant, along with the process required to deal with the charges (which is affected by the type of plea), impact on the time required for a court to finalise a case. The duration is calculated from the date of initiation to finalisation of the case (for more information about duration see paragraphs 39, 55, 57-58 of the Explanatory Notes and the Glossary).

In 2007-08 in the Magistrates' Courts, over half (56%) of all defendants adjudicated had charges finalised within 6 weeks of initiation. Duration of cases finalised within this time period have not changed markedly over time; 59% of adjudicated defendants were finalised in this time in 2003-04. Adjudicated defendants finalised at 52 weeks or longer comprised 4%; in 2003-04 this comprised 3% of adjudicated defendants.

In 2007-08, public order offences (78%), dangerous or negligent acts (65%) and illicit drug offences (62%) had the largest proportion of adjudicated defendants finalised within 6 weeks of initiation.

**3.1**

## SUMMARY CHARACTERISTICS OF DEFENDANTS, Selected principal offence . . . . .

|                             | <i>Acts<br/>intended<br/>to cause<br/>injury</i>  | <i>Dangerous<br/>or negligent<br/>acts<br/>endangering<br/>persons</i> | <i>Theft &amp;<br/>related<br/>offences</i> | <i>Illicit<br/>drug<br/>offences</i> | <i>Public<br/>order<br/>offences</i>  | <i>Road traffic<br/>&amp; motor<br/>vehicle<br/>regulatory<br/>offences</i> | <i>Offences<br/>against<br/>justice<br/>procedures</i> | <i>Other(a)</i> | <i>Total(b)</i> |
|-----------------------------|---|--|---|--------------------------------------|---|---|--|-----------------|-----------------|
| NUMBER                      |   |  |   |                                      |   |   |  |                 |                 |
| <b>Adjudicated outcomes</b> |   |  |   |                                      |   |   |  |                 |                 |
| Acquitted                   | 4 124   | 537  | 851   | 303                                  | 6 833   | 8 229   | 1 092  | 2 337           | 24 333          |
| Proven guilty               | 39 063  | 49 429   | 28 235                                      | 29 146                               | 55 054  | 248 734   | 30 286   | 60 917          | 541 500         |
| <b>Total</b>                | <b>43 187</b>   | <b>49 966</b>  | <b>29 086</b>                               | <b>29 449</b>                        | <b>61 887</b>   | <b>256 963</b>  | <b>31 378</b>  | <b>63 254</b>   | <b>565 833</b>  |
| <b>Sentence outcomes</b>    |   |  |   |                                      |   |   |  |                 |                 |
| Custodial orders            | 10 550  | 3 134  | 4 590                                       | 2 390                                | 1 068   | 10 531  | 2 819  | 10 403          | 45 657          |
| Non-custodial orders        | 28 448  | 46 277   | 23 597                                      | 26 737                               | 53 927  | 237 890   | 27 422   | 50 387          | 495 148         |
| <b>Total(c)</b>             | <b>39 063</b>   | <b>49 429</b>  | <b>28 235</b>                               | <b>29 146</b>                        | <b>55 054</b>   | <b>248 734</b>  | <b>30 286</b>  | <b>60 917</b>   | <b>541 502</b>  |
| PROPORTION (%)              |   |  |   |                                      |   |   |  |                 |                 |
| <b>Adjudicated outcomes</b> |   |  |   |                                      |   |   |  |                 |                 |
| Acquitted                   | 9.5   | 1.1  | 2.9   | 1.0                                  | 11.0  | 3.2   | 3.5  | 3.7             | 4.3             |
| Proven guilty               | 90.5  | 98.9   | 97.1  | 99.0                                 | 89.0  | 96.8  | 96.5   | 96.3            | 95.7            |
| <b>Total</b>                | <b>100.0</b>  | <b>100.0</b>   | <b>100.0</b>                                | <b>100.0</b>                         | <b>100.0</b>  | <b>100.0</b>  | <b>100.0</b>   | <b>100.0</b>    | <b>100.0</b>    |
| <b>Sentence outcomes</b>    |   |  |   |                                      |   |   |  |                 |                 |
| Custodial orders            | 27.0  | 6.3  | 16.3  | 8.2                                  | 1.9   | 4.2   | 9.3  | 17.1            | 8.4             |
| Non-custodial orders        | 72.8  | 93.6   | 83.6  | 91.7                                 | 98.0  | 95.6  | 90.5   | 82.7            | 91.4            |
| <b>Total(c)</b>             | <b>100.0</b>  | <b>100.0</b>   | <b>100.0</b>                                | <b>100.0</b>                         | <b>100.0</b>  | <b>100.0</b>  | <b>100.0</b>   | <b>100.0</b>    | <b>100.0</b>    |
| (a)                         | Includes Divisions 01, 03, 05, 06, 07, 09, 11, 12 & 16 of the ASOC (refer to Appendix 3). |  |   |                                      | (b) Includes defendants for whom offence data are missing or a principal offence could not be determined. |   |  |                 |                 |
|                             | (c) Includes defendants for whom a principal sentence is unknown.                         |  |   |                                      |   |   |  |                 |                 |

## 3.2 SUMMARY CHARACTERISTICS OF DEFENDANTS, 2003–04 to 2007–08 .....

|                               | NUMBER         |                |                |                 |                | PERCENTAGE            |
|-------------------------------|----------------|----------------|----------------|-----------------|----------------|-----------------------|
|                               | 2003–04        | 2004–05        | 2005–06        | 2006–07         | 2007–08        | 2006–07 to<br>2007–08 |
| <b>Defendants finalised</b>   |                |                |                |                 |                |                       |
| Males                         | 410 875        | 433 518        | 440 818        | r451 219        | 476 146        | 5.5                   |
| Females                       | 104 246        | 112 432        | 115 928        | r120 714        | 133 262        | 10.4                  |
| <b>Total(a)</b>               | <b>527 374</b> | <b>558 464</b> | <b>569 163</b> | <b>r583 453</b> | <b>619 542</b> | <b>6.2</b>            |
| <b>Method of finalisation</b> |                |                |                |                 |                |                       |
| Adjudicated outcomes          |                |                |                |                 |                |                       |
| Acquitted                     | 18 787         | 20 852         | 21 687         | r24 206         | 24 333         | 0.5                   |
| Proven guilty                 | 447 863        | 474 298        | 487 584        | r503 556        | 541 500        | 7.5                   |
| <i>Total(b)</i>               | 466 661        | 495 150        | 509 271        | r527 762        | 565 833        | 7.2                   |
| Transfers to other courts     | 11 913         | 15 154         | 13 358         | r14 661         | 12 789         | -12.8                 |
| Withdrawn by prosecution      | 46 268         | 45 987         | 44 360         | r40 245         | 40 459         | 0.5                   |
| Other(c)                      | 2 525          | 2 159          | 2 173          | r780            | 443            | -43.2                 |
| <b>Total(d)</b>               | <b>527 374</b> | <b>558 464</b> | <b>569 163</b> | <b>r583 453</b> | <b>619 542</b> | <b>6.2</b>            |
| <b>Sentence outcomes</b>      |                |                |                |                 |                |                       |
| Custodial orders              | 39 638         | 41 077         | 42 047         | r42 972         | 45 657         | 6.2                   |
| Non-custodial orders          | 406 327        | 431 295        | 445 083        | r459 924        | 495 148        | 7.7                   |
| <b>Total(e)</b>               | <b>447 863</b> | <b>474 298</b> | <b>487 584</b> | <b>r503 556</b> | <b>541 500</b> | <b>7.5</b>            |

r revised

(a) Includes defendants with unknown sex and organisations.

(b) Includes adjudicated finalisation n.f.d.

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

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

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

### 3.3 SUMMARY CHARACTERISTICS OF DEFENDANTS, States and territories .....

|                               | NSW(a)         | Vic.          | Qld            | SA            | WA            | Tas.          | NT           | ACT          | Aust.          |
|-------------------------------|----------------|---------------|----------------|---------------|---------------|---------------|--------------|--------------|----------------|
| NUMBER                        |                |               |                |               |               |               |              |              |                |
| <b>Defendants finalised</b>   |                |               |                |               |               |               |              |              |                |
| Males                         | 124 741        | 76 993        | 119 483        | 36 741        | 71 575        | 35 066        | 7 899        | 3 648        | 476 146        |
| Females                       | 31 271         | 19 415        | 31 756         | 9 297         | 22 071        | 16 758        | 1 732        | 962          | 133 262        |
| Organisations                 | 2 975          | 1 918         | 666            | 143           | 64            | 618           | 345          | 67           | 6 796          |
| <b>Total(b)</b>               | <b>158 987</b> | <b>98 326</b> | <b>152 367</b> | <b>46 181</b> | <b>95 660</b> | <b>53 368</b> | <b>9 976</b> | <b>4 677</b> | <b>619 542</b> |
| <b>Method of finalisation</b> |                |               |                |               |               |               |              |              |                |
| Adjudicated outcomes          |                |               |                |               |               |               |              |              |                |
| Acquitted                     | 7 319          | 7 627         | 998            | 94            | 795           | 6 791         | 606          | 103          | 24 333         |
| Proven guilty                 | 135 862        | 80 410        | 139 169        | 39 910        | 88 852        | 45 464        | 8 590        | 3 243        | 541 500        |
| <b>Total</b>                  | <b>143 181</b> | <b>88 037</b> | <b>140 167</b> | <b>40 004</b> | <b>89 647</b> | <b>52 255</b> | <b>9 196</b> | <b>3 346</b> | <b>565 833</b> |
| Transfers to other courts     | 3 462          | 338           | 4 017          | 1 310         | 2 584         | 629           | 177          | 272          | 12 789         |
| Withdrawn by prosecution      | 12 199         | 9 951         | 8 181          | 4 809         | 3 204         | 471           | 603          | 1 041        | 40 459         |
| Other(c)                      | 145            | —             | 3              | 58            | 225           | 8             | —            | 5            | 444            |
| <b>Total(d)</b>               | <b>158 987</b> | <b>98 326</b> | <b>152 368</b> | <b>46 181</b> | <b>95 660</b> | <b>53 368</b> | <b>9 976</b> | <b>4 677</b> | <b>619 543</b> |
| <b>Sentence outcomes</b>      |                |               |                |               |               |               |              |              |                |
| Custodial orders              | 13 687         | 10 695        | 8 555          | 3 458         | 4 480         | 1 772         | 2 529        | 481          | 45 657         |
| Non-custodial orders          | 122 175        | 69 368        | 130 614        | 36 452        | 84 372        | 43 344        | 6 061        | 2 762        | 495 148        |
| <b>Total(e)</b>               | <b>135 862</b> | <b>80 410</b> | <b>139 169</b> | <b>39 910</b> | <b>88 852</b> | <b>45 464</b> | <b>8 590</b> | <b>3 243</b> | <b>541 500</b> |

#### PROPORTION (%)

|                               |              |              |              |              |              |              |              |              |              |
|-------------------------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|
| <b>Defendants finalised</b>   |              |              |              |              |              |              |              |              |              |
| Males                         | 78.5         | 78.3         | 78.4         | 79.6         | 74.8         | 65.7         | 79.2         | 78.0         | 76.9         |
| Females                       | 19.7         | 19.7         | 20.8         | 20.1         | 23.1         | 31.4         | 17.4         | 20.6         | 21.5         |
| Organisations                 | 1.9          | 2.0          | 0.4          | 0.3          | 0.1          | 1.2          | 3.5          | 1.4          | 1.1          |
| <b>Total(b)</b>               | <b>100.0</b> |
| <b>Method of finalisation</b> |              |              |              |              |              |              |              |              |              |
| Adjudicated outcomes          |              |              |              |              |              |              |              |              |              |
| Acquitted                     | 4.6          | 7.8          | 0.7          | 0.2          | 0.8          | 12.7         | 6.1          | 2.2          | 3.9          |
| Proven guilty                 | 85.5         | 81.8         | 91.3         | 86.4         | 92.9         | 85.2         | 86.1         | 69.3         | 87.4         |
| <b>Total</b>                  | <b>90.1</b>  | <b>89.5</b>  | <b>92.0</b>  | <b>86.6</b>  | <b>93.7</b>  | <b>97.9</b>  | <b>92.2</b>  | <b>71.5</b>  | <b>91.3</b>  |
| Transfers to other courts     | 2.2          | 0.3          | 2.6          | 2.8          | 2.7          | 1.2          | 1.8          | 5.8          | 2.1          |
| Withdrawn by prosecution      | 7.7          | 10.1         | 5.4          | 10.4         | 3.3          | 0.9          | 6.0          | 22.3         | 6.5          |
| Other(c)                      | 0.1          | —            | —            | 0.1          | 0.2          | —            | —            | 0.1          | 0.1          |
| <b>Total(d)</b>               | <b>100.0</b> |
| <b>Sentence outcomes</b>      |              |              |              |              |              |              |              |              |              |
| Custodial orders              | 10.1         | 13.3         | 6.1          | 8.7          | 5.0          | 3.9          | 29.4         | 14.8         | 8.4          |
| Non-custodial orders          | 89.9         | 86.3         | 93.9         | 91.3         | 95.0         | 95.3         | 70.6         | 85.2         | 91.4         |
| <b>Total(e)</b>               | <b>100.0</b> |

— nil or rounded to zero (including null cells)

(a) Refers to finalised appearances rather than finalised defendants in the Magistrates' Courts, resulting in potentially higher population counts (see Explanatory Note 14).

(b) Includes defendants with unknown sex.

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

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

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

### 3.4 DEFENDANTS FINALISED, Sex and principal offence by method of finalisation . .

|  | <i>Acquitted</i> | <i>Proven guilty</i> | <i>Total adjudicated</i> | <i>Transfers to other courts</i> | <i>Withdrawn by prosecution</i> | <i>Other(a)</i> | <i>Total(b)</i> |
|--|------------------|----------------------|--------------------------|----------------------------------|---------------------------------|-----------------|-----------------|
| MALES (no.)  |                  |                      |                          |                                  |                                 |                 |                 |
| Homicide and related offences                                      | 29               | 51                   | 80                       | 329                              | 58                              | 3               | 470             |
| Acts intended to cause injury                                      | 3 419            | 31 653               | 35 072                   | 2 220                            | 6 288                           | 95              | 43 675          |
| Sexual assault and related offences                                | 202              | 796                  | 998                      | 1 999                            | 709                             | 8               | 3 717           |
| Dangerous or negligent acts endangering persons                    | 438              | 40 218               | 40 656                   | 234                              | 1 209                           | 32              | 42 131          |
| Abduction and related offences                                     | 7                | 13                   | 20                       | 113                              | 71                              | 4               | 208             |
| Robbery, extortion and related offences                            | 40               | 207                  | 247                      | 1 378                            | 451                             | 5               | 2 081           |
| Unlawful entry with intent   | 201              | 6 335                | 6 536                    | 1 216                            | 1 042                           | 22              | 8 816           |
| Theft and related offences   | 588              | 18 410               | 18 998                   | 417                              | 2 055                           | 30              | 21 500          |
| Deception and related offences                                     | 282              | 11 754               | 12 036                   | 389                              | 1 076                           | 9               | 13 510          |
| Illicit drug offences  | 229              | 23 182               | 23 411                   | 1 629                            | 1 305                           | 13              | 26 358          |
| Weapons and explosives offences                                    | 107              | 6 914                | 7 021                    | 122                              | 439                             | 13              | 7 595           |
| Property damage and environmental pollution                        | 335              | 11 582               | 11 917                   | 262                              | 937                             | 13              | 13 129          |
| Public order offences  | 6 124            | 46 015               | 52 139                   | 223                              | 1 872                           | 24              | 54 258          |
| Road traffic and motor vehicle regulatory offences                 | 4 919            | 185 078              | 189 997                  | 53                               | 8 859                           | 50              | 198 959         |
| Offences against justice procedures, gov't security and operations | 746              | 23 852               | 24 598                   | 159                              | 1 887                           | 16              | 26 663          |
| Miscellaneous offences   | 545              | 9 770                | 10 315                   | 207                              | 1 891                           | 20              | 12 437          |
| <b>Total(c)</b>  | <b>18 224</b>    | <b>416 296</b>       | <b>434 520</b>           | <b>11 072</b>                    | <b>30 186</b>                   | <b>357</b>      | <b>476 145</b>  |

|  | MALES (%)  |             |             |            |            |            |              |
|--|------------|-------------|-------------|------------|------------|------------|--------------|
| Homicide and related offences                                      | 6.2        | 10.9        | 17.0        | 70.0       | 12.3       | 0.6        | 100.0        |
| Acts intended to cause injury                                      | 7.8        | 72.5        | 80.3        | 5.1        | 14.4       | 0.2        | 100.0        |
| Sexual assault and related offences                                | 5.4        | 21.4        | 26.8        | 53.8       | 19.1       | 0.2        | 100.0        |
| Dangerous or negligent acts endangering persons                    | 1.0        | 95.5        | 96.5        | 0.6        | 2.9        | 0.1        | 100.0        |
| Abduction and related offences                                     | 3.4        | 6.3         | 9.6         | 54.3       | 34.1       | 1.9        | 100.0        |
| Robbery, extortion and related offences                            | 1.9        | 9.9         | 11.9        | 66.2       | 21.7       | 0.2        | 100.0        |
| Unlawful entry with intent   | 2.3        | 71.9        | 74.1        | 13.8       | 11.8       | 0.2        | 100.0        |
| Theft and related offences   | 2.7        | 85.6        | 88.4        | 1.9        | 9.6        | 0.1        | 100.0        |
| Deception and related offences                                     | 2.1        | 87.0        | 89.1        | 2.9        | 8.0        | 0.1        | 100.0        |
| Illicit drug offences  | 0.9        | 88.0        | 88.8        | 6.2        | 5.0        | —          | 100.0        |
| Weapons and explosives offences                                    | 1.4        | 91.0        | 92.4        | 1.6        | 5.8        | 0.2        | 100.0        |
| Property damage and environmental pollution                        | 2.6        | 88.2        | 90.8        | 2.0        | 7.1        | 0.1        | 100.0        |
| Public order offences  | 11.3       | 84.8        | 96.1        | 0.4        | 3.5        | —          | 100.0        |
| Road traffic and motor vehicle regulatory offences                 | 2.5        | 93.0        | 95.5        | —          | 4.5        | —          | 100.0        |
| Offences against justice procedures, gov't security and operations | 2.8        | 89.5        | 92.3        | 0.6        | 7.1        | 0.1        | 100.0        |
| Miscellaneous offences   | 4.4        | 78.6        | 82.9        | 1.7        | 15.2       | 0.2        | 100.0        |
| <b>Total(c)</b>  | <b>3.8</b> | <b>87.4</b> | <b>91.3</b> | <b>2.3</b> | <b>6.3</b> | <b>0.1</b> | <b>100.0</b> |

— nil or rounded to zero (including null cells)

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

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

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

**3.4**

## DEFENDANTS FINALISED, Sex and principal offence by method of finalisation

*continued*

|  | Acquitted    | Proven guilty  | Total adjudicated | Transfers to other courts | Withdrawn by prosecution | Other(a)  | Total(b)       |
|--|--------------|----------------|-------------------|---------------------------|--------------------------|-----------|----------------|
| FEMALES (no.)  |              |                |                   |                           |                          |           |                |
| Homicide and related offences                                      | 7            | 10             | 17                | 54                        | 15                       | —         | 86             |
| Acts intended to cause injury                                      | 704          | 7 304          | 8 008             | 340                       | 1 054                    | 20        | 9 422          |
| Sexual assault and related offences                                | —            | 23             | 23                | 41                        | 19                       | —         | 83             |
| Dangerous or negligent acts endangering persons                    | 95           | 8 747          | 8 842             | 52                        | 222                      | 5         | 9 121          |
| Abduction and related offences                                     | 6            | 7              | 13                | 16                        | 7                        | —         | 36             |
| Robbery, extortion and related offences                            | 5            | 34             | 39                | 165                       | 70                       | —         | 274            |
| Unlawful entry with intent   | 28           | 683            | 711               | 132                       | 160                      | —         | 1 003          |
| Theft and related offences   | 260          | 9 738          | 9 998             | 120                       | 775                      | 14        | 10 907         |
| Deception and related offences                                     | 158          | 5 743          | 5 901             | 207                       | 584                      | 7         | 6 699          |
| Illicit drug offences  | 73           | 5 872          | 5 945             | 338                       | 384                      | 5         | 6 672          |
| Weapons and explosives offences                                    | 13           | 683            | 696               | 4                         | 55                       | 3         | 758            |
| Property damage and environmental pollution                        | 96           | 2 094          | 2 190             | 36                        | 207                      | 3         | 2 436          |
| Public order offences  | 706          | 8 841          | 9 547             | 17                        | 345                      | 9         | 9 918          |
| Road traffic and motor vehicle regulatory offences                 | 2 491        | 59 513         | 62 004            | 5                         | 3 483                    | 5         | 65 497         |
| Offences against justice procedures, gov't security and operations | 254          | 5 290          | 5 544             | 70                        | 489                      | 5         | 6 111          |
| Miscellaneous offences   | 229          | 3 018          | 3 247             | 26                        | 748                      | —         | 4 021          |
| <b>Total(c)</b>  | <b>5 134</b> | <b>117 769</b> | <b>122 903</b>    | <b>1 647</b>              | <b>8 627</b>             | <b>76</b> | <b>133 259</b> |

|  | FEMALES (%) |             |             |            |            |            |              |
|--|-------------|-------------|-------------|------------|------------|------------|--------------|
| Homicide and related offences                                      | 8.1         | 11.6        | 19.8        | 62.8       | 17.4       | —          | 100.0        |
| Acts intended to cause injury                                      | 7.5         | 77.5        | 85.0        | 3.6        | 11.2       | 0.2        | 100.0        |
| Sexual assault and related offences                                | —           | 27.7        | 27.7        | 49.4       | 22.9       | —          | 100.0        |
| Dangerous or negligent acts endangering persons                    | 1.0         | 95.9        | 96.9        | 0.6        | 2.4        | 0.1        | 100.0        |
| Abduction and related offences                                     | 16.7        | 19.4        | 36.1        | 44.4       | 19.4       | —          | 100.0        |
| Robbery, extortion and related offences                            | 1.8         | 12.4        | 14.2        | 60.2       | 25.5       | —          | 100.0        |
| Unlawful entry with intent   | 2.8         | 68.1        | 70.9        | 13.2       | 16.0       | —          | 100.0        |
| Theft and related offences   | 2.4         | 89.3        | 91.7        | 1.1        | 7.1        | 0.1        | 100.0        |
| Deception and related offences                                     | 2.4         | 85.7        | 88.1        | 3.1        | 8.7        | 0.1        | 100.0        |
| Illicit drug offences  | 1.1         | 88.0        | 89.1        | 5.1        | 5.8        | 0.1        | 100.0        |
| Weapons and explosives offences                                    | 1.7         | 90.1        | 91.8        | 0.5        | 7.3        | 0.4        | 100.0        |
| Property damage and environmental pollution                        | 3.9         | 86.0        | 89.9        | 1.5        | 8.5        | 0.1        | 100.0        |
| Public order offences  | 7.1         | 89.1        | 96.3        | 0.2        | 3.5        | 0.1        | 100.0        |
| Road traffic and motor vehicle regulatory offences                 | 3.8         | 90.9        | 94.7        | —          | 5.3        | —          | 100.0        |
| Offences against justice procedures, gov't security and operations | 4.2         | 86.6        | 90.7        | 1.1        | 8.0        | 0.1        | 100.0        |
| Miscellaneous offences   | 5.7         | 75.1        | 80.8        | 0.6        | 18.6       | —          | 100.0        |
| <b>Total(c)</b>  | <b>3.9</b>  | <b>88.4</b> | <b>92.2</b> | <b>1.2</b> | <b>6.5</b> | <b>0.1</b> | <b>100.0</b> |

— nil or rounded to zero (including null cells)

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

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

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

### 3.4 DEFENDANTS FINALISED, Sex and principal offence by method of finalisation

*continued*

|  | Acquitted     | Proven guilty  | Total adjudicated | Transfers to other courts | Withdrawn by prosecution | Other(a)   | Total(b)       |
|--|---------------|----------------|-------------------|---------------------------|--------------------------|------------|----------------|
| DEFENDANTS (no.) (c)   |               |                |                   |                           |                          |            |                |
| Homicide and related offences                                      | 36            | 61             | 97                | 383                       | 73                       | 3          | 556            |
| Acts intended to cause injury                                      | 4 123         | 39 063         | 43 186            | 2 566                     | 7 352                    | 115        | 53 219         |
| Sexual assault and related offences                                | 202           | 819            | 1 021             | 2 050                     | 728                      | 8          | 3 810          |
| Dangerous or negligent acts endangering persons                    | 536           | 49 429         | 49 965            | 289                       | 1 445                    | 37         | 51 736         |
| Abduction and related offences                                     | 13            | 20             | 33                | 132                       | 84                       | 4          | 253            |
| Robbery, extortion and related offences                            | 45            | 241            | 286               | 1 546                     | 521                      | 5          | 2 358          |
| Unlawful entry with intent   | 229           | 7 031          | 7 260             | 1 352                     | 1 205                    | 22         | 9 839          |
| Theft and related offences   | 851           | 28 235         | 29 086            | 540                       | 2 849                    | 44         | 32 519         |
| Deception and related offences                                     | 443           | 17 606         | 18 049            | 603                       | 1 683                    | 16         | 20 351         |
| Illicit drug offences  | 302           | 29 146         | 29 448            | 1 975                     | 1 692                    | 18         | 33 133         |
| Weapons and explosives offences                                    | 120           | 7 610          | 7 730             | 126                       | 497                      | 16         | 8 369          |
| Property damage and environmental pollution                        | 438           | 13 770         | 14 208            | 298                       | 1 177                    | 16         | 15 699         |
| Public order offences  | 6 836         | 55 054         | 61 890            | 240                       | 2 237                    | 33         | 64 400         |
| Road traffic and motor vehicle regulatory offences                 | 8 229         | 248 734        | 256 963           | 58                        | 13 333                   | 55         | 270 409        |
| Offences against justice procedures, gov't security and operations | 1 092         | 30 286         | 31 378            | 229                       | 2 551                    | 21         | 34 185         |
| Miscellaneous offences   | 809           | 13 757         | 14 566            | 255                       | 2 992                    | 23         | 17 840         |
| <b>Total(d)</b>  | <b>24 330</b> | <b>541 497</b> | <b>565 827</b>    | <b>12 788</b>             | <b>40 466</b>            | <b>436</b> | <b>619 533</b> |
| DEFENDANTS (%) (c)   |               |                |                   |                           |                          |            |                |
| Homicide and related offences                                      | 6.5           | 11.0           | 17.4              | 68.9                      | 13.1                     | 0.5        | 100.0          |
| Acts intended to cause injury                                      | 7.7           | 73.4           | 81.1              | 4.8                       | 13.8                     | 0.2        | 100.0          |
| Sexual assault and related offences                                | 5.3           | 21.5           | 26.8              | 53.8                      | 19.1                     | 0.2        | 100.0          |
| Dangerous or negligent acts endangering persons                    | 1.0           | 95.5           | 96.6              | 0.6                       | 2.8                      | 0.1        | 100.0          |
| Abduction and related offences                                     | 5.1           | 7.9            | 13.0              | 52.2                      | 33.2                     | 1.6        | 100.0          |
| Robbery, extortion and related offences                            | 1.9           | 10.2           | 12.1              | 65.6                      | 22.1                     | 0.2        | 100.0          |
| Unlawful entry with intent   | 2.3           | 71.5           | 73.8              | 13.7                      | 12.2                     | 0.2        | 100.0          |
| Theft and related offences   | 2.6           | 86.8           | 89.4              | 1.7                       | 8.8                      | 0.1        | 100.0          |
| Deception and related offences                                     | 2.2           | 86.5           | 88.7              | 3.0                       | 8.3                      | 0.1        | 100.0          |
| Illicit drug offences  | 0.9           | 88.0           | 88.9              | 6.0                       | 5.1                      | 0.1        | 100.0          |
| Weapons and explosives offences                                    | 1.4           | 90.9           | 92.4              | 1.5                       | 5.9                      | 0.2        | 100.0          |
| Property damage and environmental pollution                        | 2.8           | 87.7           | 90.5              | 1.9                       | 7.5                      | 0.1        | 100.0          |
| Public order offences  | 10.6          | 85.5           | 96.1              | 0.4                       | 3.5                      | 0.1        | 100.0          |
| Road traffic and motor vehicle regulatory offences                 | 3.0           | 92.0           | 95.0              | —                         | 4.9                      | —          | 100.0          |
| Offences against justice procedures, gov't security and operations | 3.2           | 88.6           | 91.8              | 0.7                       | 7.5                      | 0.1        | 100.0          |
| Miscellaneous offences   | 4.5           | 77.1           | 81.6              | 1.4                       | 16.8                     | 0.1        | 100.0          |
| <b>Total(d)</b>  | <b>3.9</b>    | <b>87.4</b>    | <b>91.3</b>       | <b>2.1</b>                | <b>6.5</b>               | <b>0.1</b> | <b>100.0</b>   |

— nil or rounded to zero (including null cells)

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

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

(c) Includes defendants with unknown sex and organisations.

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

**3.5****DEFENDANTS ADJUDICATED, Principal offence 2003–04 to 2007–08** .....

|  | NUMBER         |                |                |                 |                | PERCENTAGE            |
|--|----------------|----------------|----------------|-----------------|----------------|-----------------------|
|  | 2003–04        | 2004–05        | 2005–06        | 2006–07         | 2007–08        | 2006–07 to<br>2007–08 |
| Homicide and related offences                                      | 111            | 125            | 128            | 118             | 97             | -17.8                 |
| Acts intended to cause injury                                      | 32 995         | 34 903         | 37 263         | r41 813         | 43 187         | 3.3                   |
| Sexual assault and related offences                                |                |                |                |                 |                |                       |
| Aggravated sexual assault  | 398            | 411            | 381            | r457            | 463            | 1.3                   |
| Non-aggravated sexual assault                                      | 387            | 388            | 392            | r400            | 430            | 7.5                   |
| Non-assaultive sexual offences                                     | 84             | 104            | 108            | r126            | 130            | 3.2                   |
| <i>Total</i>   | 869            | 903            | 881            | r983            | 1 023          | 4.1                   |
| Dangerous or negligent acts endangering persons                    | 33 348         | 39 862         | 41 845         | r45 417         | 49 966         | 10.0                  |
| Abduction and related offences(a)                                  | 36             | 39             | 22             | r28             | 34             | 21.4                  |
| Robbery, extortion and related offences                            | 344            | 350            | 301            | r334            | 286            | -14.4                 |
| Unlawful entry with intent   | 7 537          | 7 412          | 7 255          | r7 482          | 7 260          | -3.0                  |
| Theft and related offences   |                |                |                |                 |                |                       |
| Theft/illegal use of a motor vehicle(b)                            | 3 838          | 3 524          | 3 248          | r2 976          | 2 913          | -2.1                  |
| Receiving or handling proceeds of crime                            | 7 669          | 7 206          | 6 487          | r6 200          | 5 949          | -4.0                  |
| Other(c)   | 26 859         | 25 414         | 23 020         | r21 050         | 20 224         | -3.9                  |
| <i>Total(d)</i>  | 38 366         | 36 147         | 32 762         | r30 230         | 29 086         | -3.8                  |
| Deception and related offences                                     | 16 857         | 18 900         | 17 743         | r17 878         | 18 050         | 1.0                   |
| Illicit drug offences  |                |                |                |                 |                |                       |
| Deal or traffic in illicit drugs                                   | 2 860          | 3 397          | 3 171          | r3 117          | 2 934          | -5.9                  |
| Manufacture or cultivate illicit drugs                             | 4 704          | 4 607          | 4 042          | r4 144          | 3 840          | -7.3                  |
| Possess and/or use illicit drugs                                   | 17 259         | 16 316         | 16 646         | r18 034         | 18 993         | 5.3                   |
| Other(e)   | 3 532          | 3 392          | 3 449          | r3 718          | 3 682          | -1.0                  |
| <i>Total</i>   | 28 355         | 27 712         | 27 308         | r29 013         | 29 449         | 1.5                   |
| Weapons and explosives offences                                    | 6 333          | 6 914          | 6 561          | r7 745          | 7 730          | -0.2                  |
| Property damage and environmental pollution                        | 12 799         | 12 051         | 13 640         | r13 997         | 14 208         | 1.5                   |
| Public order offences  |                |                |                |                 |                |                       |
| Disorderly conduct   | 39 018         | 41 815         | 47 328         | r54 379         | 58 112         | 6.9                   |
| Regulated public order offences                                    | 4 304          | 4 842          | 4 562          | r4 110          | 3 775          | -8.2                  |
| <i>Total</i>   | 43 322         | 46 657         | 51 890         | r58 489         | 61 887         | 5.8                   |
| Road traffic and motor vehicle regulatory offences                 |                |                |                |                 |                |                       |
| Driving licence offences   | 52 326         | 61 024         | 67 916         | r70 080         | 84 121         | 20.0                  |
| Road vehicle registration and roadworthiness offences              | 20 675         | 20 108         | 21 194         | r20 736         | 24 839         | 19.8                  |
| Exceeding the prescribed content of alcohol limit                  | 57 548         | 60 990         | 61 668         | r61 349         | 63 731         | 3.9                   |
| Exceeding legal speed limit  | 27 505         | 28 534         | 24 044         | r27 189         | 31 401         | 15.5                  |
| Parking offences   | 20 332         | 22 337         | 20 971         | r20 313         | 21 584         | 6.3                   |
| Other(f)   | 27 245         | 28 450         | 29 072         | r27 449         | 31 232         | 13.8                  |
| <i>Total</i>   | 205 672        | 221 469        | 224 901        | r227 175        | 256 963        | 13.1                  |
| Offences against justice procedures, govt. security and operations |                |                |                |                 |                |                       |
| Breach of domestic violence order                                  | 7 222          | 8 199          | 8 948          | r8 746          | 8 476          | -3.1                  |
| Other(g)   | 18 282         | 18 689         | 23 533         | r22 754         | 22 902         | 0.7                   |
| <i>Total</i>   | 25 504         | 26 888         | 32 481         | r31 500         | 31 378         | -0.4                  |
| Miscellaneous offences   | 13 792         | 14 687         | 13 976         | r14 606         | 14 566         | -0.3                  |
| <b>Total(h)</b>  | <b>466 661</b> | <b>495 150</b> | <b>509 271</b> | <b>r527 762</b> | <b>565 833</b> | <b>7.2</b>            |

r revised

(a) Abduction and related offences may be overstated prior to 2005–06 due to an overcount of these offences in Victoria (see Explanatory Note 64).

(b) Includes Groups 0811 and 0812 of the ASOC (refer to Appendix 3).

(c) Includes Subdivisions 082 and 084 and Group 0813 of the ASOC.

(d) Includes theft and related offences, n.f.d.

(e) Includes Subdivisions 101 and 109 of the ASOC.

(f) Includes Subdivision 144 and Group 1439 of the ASOC.

(g) Includes Subdivisions 152–154 and Groups 1511 and 1519 of the ASOC.

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

### 3.6 DEFENDANTS ADJUDICATED, Principal offence by age

|  | <i>Under<br/>20 years</i> | <i>20–24<br/>years</i> | <i>25–29<br/>years</i> | <i>30–34<br/>years</i> | <i>35–44<br/>years</i> | <i>45 years<br/>&amp; over</i> | <i>Total(a)</i> |
|--|---------------------------|------------------------|------------------------|------------------------|------------------------|--------------------------------|-----------------|
| ACQUITTED (no.)  |                           |                        |                        |                        |                        |                                |                 |
| Homicide and related offences                                      | 3                         | 5                      | 6                      | 4                      | 7                      | 13                             | 38              |
| Acts intended to cause injury                                      | 151                       | 662                    | 707                    | 647                    | 1 178                  | 770                            | 4 124           |
| Sexual assault and related offences                                | 8                         | 22                     | 24                     | 21                     | 42                     | 84                             | 201             |
| Dangerous or negligent acts endangering persons                    | 55                        | 111                    | 76                     | 61                     | 106                    | 123                            | 538             |
| Abduction and related offences                                     | —                         | 3                      | —                      | —                      | 4                      | —                              | 7               |
| Robbery, extortion and related offences                            | 6                         | 18                     | 6                      | 8                      | 5                      | —                              | 43              |
| Unlawful entry with intent   | 27                        | 60                     | 54                     | 33                     | 42                     | 13                             | 229             |
| Theft and related offences   | 71                        | 155                    | 151                    | 124                    | 194                    | 151                            | 851             |
| Deception and related offences                                     | 22                        | 75                     | 73                     | 59                     | 105                    | 99                             | 445             |
| Illicit drug offences  | 8                         | 55                     | 69                     | 46                     | 71                     | 53                             | 302             |
| Weapons and explosives offences                                    | 9                         | 18                     | 20                     | 13                     | 34                     | 25                             | 119             |
| Property damage and environmental pollution                        | 40                        | 71                     | 73                     | 56                     | 110                    | 75                             | 438             |
| Public order offences  | 800                       | 1 817                  | 1 187                  | 907                    | 1 296                  | 786                            | 6 832           |
| Road traffic and motor vehicle regulatory offences                 | 303                       | 1 117                  | 1 042                  | 833                    | 1 580                  | 2 117                          | 8 229           |
| Offences against justice procedures, gov't security and operations | 20                        | 119                    | 161                    | 136                    | 294                    | 231                            | 1 092           |
| Miscellaneous offences   | 21                        | 68                     | 73                     | 83                     | 166                    | 130                            | 809             |
| <b>Total(b)</b>  | <b>1 544</b>              | <b>4 380</b>           | <b>3 722</b>           | <b>3 035</b>           | <b>5 234</b>           | <b>4 677</b>                   | <b>24 320</b>   |
| ACQUITTED (%)  |                           |                        |                        |                        |                        |                                |                 |
| Homicide and related offences                                      | 0.2                       | 0.1                    | 0.2                    | 0.1                    | 0.1                    | 0.3                            | 0.2             |
| Acts intended to cause injury                                      | 9.8                       | 15.1                   | 19.0                   | 21.3                   | 22.5                   | 16.5                           | 17.0            |
| Sexual assault and related offences                                | 0.5                       | 0.5                    | 0.6                    | 0.7                    | 0.8                    | 1.8                            | 0.8             |
| Dangerous or negligent acts endangering persons                    | 3.6                       | 2.5                    | 2.0                    | 2.0                    | 2.0                    | 2.6                            | 2.2             |
| Abduction and related offences                                     | —                         | 0.1                    | —                      | —                      | 0.1                    | —                              | —               |
| Robbery, extortion and related offences                            | 0.4                       | 0.4                    | 0.2                    | 0.3                    | 0.1                    | —                              | 0.2             |
| Unlawful entry with intent   | 1.7                       | 1.4                    | 1.5                    | 1.1                    | 0.8                    | 0.3                            | 0.9             |
| Theft and related offences   | 4.6                       | 3.5                    | 4.1                    | 4.1                    | 3.7                    | 3.2                            | 3.5             |
| Deception and related offences                                     | 1.4                       | 1.7                    | 2.0                    | 1.9                    | 2.0                    | 2.1                            | 1.8             |
| Illicit drug offences  | 0.5                       | 1.3                    | 1.9                    | 1.5                    | 1.4                    | 1.1                            | 1.2             |
| Weapons and explosives offences                                    | 0.6                       | 0.4                    | 0.5                    | 0.4                    | 0.6                    | 0.5                            | 0.5             |
| Property damage and environmental pollution                        | 2.6                       | 1.6                    | 2.0                    | 1.8                    | 2.1                    | 1.6                            | 1.8             |
| Public order offences  | 51.8                      | 41.5                   | 31.9                   | 29.9                   | 24.8                   | 16.8                           | 28.1            |
| Road traffic and motor vehicle regulatory offences                 | 19.6                      | 25.5                   | 28.0                   | 27.4                   | 30.2                   | 45.3                           | 33.8            |
| Offences against justice procedures, gov't security and operations | 1.3                       | 2.7                    | 4.3                    | 4.5                    | 5.6                    | 4.9                            | 4.5             |
| Miscellaneous offences   | 1.4                       | 1.6                    | 2.0                    | 2.7                    | 3.2                    | 2.8                            | 3.3             |
| <b>Total(b)</b>  | <b>100.0</b>              | <b>100.0</b>           | <b>100.0</b>           | <b>100.0</b>           | <b>100.0</b>           | <b>100.0</b>                   | <b>100.0</b>    |

— nil or rounded to zero (including null cells)

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

(a) Includes defendants with unknown age and organisations.

**3.6**DEFENDANTS ADJUDICATED, Principal offence by age *continued*

|  | <i>Under<br/>20 years</i> | <i>20–24<br/>years</i> | <i>25–29<br/>years</i> | <i>30–34<br/>years</i> | <i>35–44<br/>years</i> | <i>45 years<br/>&amp; over</i> | <i>Total(a)</i> |
|--|---------------------------|------------------------|------------------------|------------------------|------------------------|--------------------------------|-----------------|
| PROVEN GUILTY (no.)  |                           |                        |                        |                        |                        |                                |                 |
| Homicide and related offences                                      | 4                         | 13                     | 5                      | 4                      | 14                     | 21                             | 61              |
| Acts intended to cause injury                                      | 3 526                     | 8 489                  | 6 803                  | 5 842                  | 9 284                  | 5 085                          | 39 063          |
| Sexual assault and related offences                                | 43                        | 113                    | 106                    | 83                     | 199                    | 276                            | 820             |
| Dangerous or negligent acts endangering persons                    | 6 682                     | 13 194                 | 8 503                  | 5 830                  | 8 316                  | 6 691                          | 49 429          |
| Abduction and related offences                                     | —                         | 3                      | 6                      | —                      | 4                      | 5                              | 21              |
| Robbery, extortion and related offences                            | 37                        | 86                     | 39                     | 37                     | 36                     | 6                              | 241             |
| Unlawful entry with intent   | 1 521                     | 1 887                  | 1 241                  | 1 039                  | 1 055                  | 271                            | 7 031           |
| Theft and related offences   | 4 493                     | 6 228                  | 4 724                  | 3 711                  | 5 462                  | 3 516                          | 28 235          |
| Deception and related offences                                     | 1 609                     | 3 677                  | 3 283                  | 2 629                  | 3 795                  | 2 442                          | 17 606          |
| Illicit drug offences  | 2 607                     | 6 536                  | 5 590                  | 4 436                  | 6 648                  | 3 290                          | 29 146          |
| Weapons and explosives offences                                    | 746                       | 1 554                  | 1 223                  | 979                    | 1 624                  | 1 475                          | 7 610           |
| Property damage and environmental pollution                        | 2 549                     | 3 872                  | 2 240                  | 1 627                  | 2 284                  | 1 034                          | 13 770          |
| Public order offences  | 9 216                     | 15 486                 | 9 112                  | 6 357                  | 9 324                  | 5 289                          | 55 054          |
| Road traffic and motor vehicle regulatory offences                 | 19 489                    | 52 672                 | 41 957                 | 32 615                 | 49 992                 | 43 287                         | 248 734         |
| Offences against justice procedures, gov't security and operations | 2 934                     | 6 031                  | 4 717                  | 4 172                  | 6 894                  | 4 003                          | 30 286          |
| Miscellaneous offences   | 713                       | 2 094                  | 1 796                  | 1 721                  | 2 810                  | 2 306                          | 13 757          |
| <b>Total(b)</b>  | <b>56 312</b>             | <b>122 101</b>         | <b>91 436</b>          | <b>71 168</b>          | <b>107 846</b>         | <b>79 030</b>                  | <b>541 499</b>  |
| PROVEN GUILTY (%)  |                           |                        |                        |                        |                        |                                |                 |
| Homicide and related offences                                      | —                         | —                      | —                      | —                      | —                      | —                              | —               |
| Acts intended to cause injury                                      | 6.3                       | 7.0                    | 7.4                    | 8.2                    | 8.6                    | 6.4                            | 7.2             |
| Sexual assault and related offences                                | 0.1                       | 0.1                    | 0.1                    | 0.1                    | 0.2                    | 0.3                            | 0.2             |
| Dangerous or negligent acts endangering persons                    | 11.9                      | 10.8                   | 9.3                    | 8.2                    | 7.7                    | 8.5                            | 9.1             |
| Abduction and related offences                                     | —                         | —                      | —                      | —                      | —                      | —                              | —               |
| Robbery, extortion and related offences                            | 0.1                       | 0.1                    | —                      | 0.1                    | —                      | —                              | —               |
| Unlawful entry with intent   | 2.7                       | 1.5                    | 1.4                    | 1.5                    | 1.0                    | 0.3                            | 1.3             |
| Theft and related offences   | 8.0                       | 5.1                    | 5.2                    | 5.2                    | 5.1                    | 4.4                            | 5.2             |
| Deception and related offences                                     | 2.9                       | 3.0                    | 3.6                    | 3.7                    | 3.5                    | 3.1                            | 3.3             |
| Illicit drug offences  | 4.6                       | 5.4                    | 6.1                    | 6.2                    | 6.2                    | 4.2                            | 5.4             |
| Weapons and explosives offences                                    | 1.3                       | 1.3                    | 1.3                    | 1.4                    | 1.5                    | 1.9                            | 1.4             |
| Property damage and environmental pollution                        | 4.5                       | 3.2                    | 2.4                    | 2.3                    | 2.1                    | 1.3                            | 2.5             |
| Public order offences  | 16.4                      | 12.7                   | 10.0                   | 8.9                    | 8.6                    | 6.7                            | 10.2            |
| Road traffic and motor vehicle regulatory offences                 | 34.6                      | 43.1                   | 45.9                   | 45.8                   | 46.4                   | 54.8                           | 45.9            |
| Offences against justice procedures, gov't security and operations | 5.2                       | 4.9                    | 5.2                    | 5.9                    | 6.4                    | 5.1                            | 5.6             |
| Miscellaneous offences   | 1.3                       | 1.7                    | 2.0                    | 2.4                    | 2.6                    | 2.9                            | 2.5             |
| <b>Total(b)</b>  | <b>100.0</b>              | <b>100.0</b>           | <b>100.0</b>           | <b>100.0</b>           | <b>100.0</b>           | <b>100.0</b>                   | <b>100.0</b>    |

— nil or rounded to zero (including null cells)

(a) Includes defendants with unknown age and organisations.

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

### 3.7 DEFENDANTS PROVEN GUILTY, Principal offence by principal sentence .....

## CUSTODIAL ORDERS

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

## NUMBER

|  |               |              |               |               |
|--|---------------|--------------|---------------|---------------|
| Homicide and related offences                                      | 12            | —            | 9             | 21            |
| Acts intended to cause injury                                      | 5 957         | 598          | 3 995         | 10 550        |
| Sexual assault and related offences                                | 182           | 26           | 135           | 343           |
| Dangerous or negligent acts endangering persons                    | 1 313         | 233          | 1 588         | 3 134         |
| Abduction and related offences                                     | 4             | —            | —             | 4             |
| Robbery, extortion and related offences                            | 99            | 18           | 42            | 159           |
| Unlawful entry with intent   | 2 331         | 217          | 1 025         | 3 573         |
| Theft and related offences   | 2 718         | 216          | 1 656         | 4 590         |
| Deception and related offences                                     | 1 625         | 253          | 1 335         | 3 213         |
| Illicit drug offences  | 1 177         | 175          | 1 038         | 2 390         |
| Weapons and explosives offences                                    | 609           | 79           | 340           | 1 028         |
| Property damage and environmental pollution                        | 594           | 44           | 368           | 1 006         |
| Public order offences  | 613           | 45           | 410           | 1 068         |
| Road traffic and motor vehicle regulatory offences                 | 3 357         | 807          | 6 367         | 10 531        |
| Offences against justice procedures, gov't security and operations | 1 703         | 79           | 1 037         | 2 819         |
| Miscellaneous offences   | 552           | 45           | 458           | 1 055         |
| <b>Total(a)</b>  | <b>22 978</b> | <b>2 840</b> | <b>19 838</b> | <b>45 656</b> |

## PROPORTION (%)

|  |            |            |            |            |
|--|------------|------------|------------|------------|
| Homicide and related offences                                      | 19.7       | —          | 14.8       | 34.4       |
| Acts intended to cause injury                                      | 15.2       | 1.5        | 10.2       | 27.0       |
| Sexual assault and related offences                                | 22.2       | 3.2        | 16.5       | 41.8       |
| Dangerous or negligent acts endangering persons                    | 2.7        | 0.5        | 3.2        | 6.3        |
| Abduction and related offences                                     | 20.0       | —          | —          | 20.0       |
| Robbery, extortion and related offences                            | 41.1       | 7.5        | 17.4       | 66.0       |
| Unlawful entry with intent   | 33.2       | 3.1        | 14.6       | 50.8       |
| Theft and related offences   | 9.6        | 0.8        | 5.9        | 16.3       |
| Deception and related offences                                     | 9.2        | 1.4        | 7.6        | 18.2       |
| Illicit drug offences  | 4.0        | 0.6        | 3.6        | 8.2        |
| Weapons and explosives offences                                    | 8.0        | 1.0        | 4.5        | 13.5       |
| Property damage and environmental pollution                        | 4.3        | 0.3        | 2.7        | 7.3        |
| Public order offences  | 1.1        | 0.1        | 0.7        | 1.9        |
| Road traffic and motor vehicle regulatory offences                 | 1.3        | 0.3        | 2.6        | 4.2        |
| Offences against justice procedures, gov't security and operations | 5.6        | 0.3        | 3.4        | 9.3        |
| Miscellaneous offences   | 4.0        | 0.3        | 3.3        | 7.7        |
| <b>Total(a)</b>  | <b>4.2</b> | <b>0.5</b> | <b>3.7</b> | <b>8.4</b> |

— nil or rounded to zero (including null cells)

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

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

## NON-CUSTODIAL ORDERS

|  | Community<br>supervision/<br>work orders | Monetary<br>orders | Good<br>behaviour<br>bonds | Other(b)      | Total          | Total<br>proven<br>guilty(a) |
|--|--|--------------------|----------------------------|---------------|----------------|------------------------------|
| NUMBER   |  |                    |                            |               |                |                              |
| Homicide and related offences                                      | 5  | 13                 | 17                         | 5             | 40             | 61                           |
| Acts intended to cause injury                                      | 4 398                                    | 12 933             | 9 669                      | 1 448         | 28 448         | 39 063                       |
| Sexual assault and related offences                                | 120                                      | 181                | 141                        | 19            | 461            | 820                          |
| Dangerous or negligent acts endangering persons                    | 1 711                                    | 42 055             | 1 220                      | 1 291         | 46 277         | 49 429                       |
| Abduction and related offences                                     | —  | 8                  | 6                          | —             | 14             | 20                           |
| Robbery, extortion and related offences                            | 44                                       | 12                 | 14                         | 6             | 76             | 241                          |
| Unlawful entry with intent   | 1 531                                    | 1 176              | 509                        | 225           | 3 441          | 7 031                        |
| Theft and related offences   | 1 961                                    | 14 942             | 4 676                      | 2 018         | 23 597         | 28 235                       |
| Deception and related offences                                     | 1 984                                    | 9 278              | 2 154                      | 951           | 14 367         | 17 606                       |
| Illicit drug offences  | 1 609                                    | 18 631             | 5 483                      | 1 014         | 26 737         | 29 146                       |
| Weapons and explosives offences                                    | 422                                      | 4 693              | 787                        | 672           | 6 574          | 7 610                        |
| Property damage and environmental pollution                        | 976                                      | 8 801              | 1 923                      | 1 038         | 12 738         | 13 770                       |
| Public order offences  | 985                                      | 38 836             | 3 990                      | 10 116        | 53 927         | 55 054                       |
| Road traffic and motor vehicle regulatory offences                 | 3 779                                    | 211 583            | 10 142                     | 12 386        | 237 890        | 248 734                      |
| Offences against justice procedures, gov't security and operations | 1 242                                    | 20 808             | 3 342                      | 2 030         | 27 422         | 30 286                       |
| Miscellaneous offences   | 430                                      | 9 800              | 1 597                      | 848           | 12 675         | 13 757                       |
| <b>Total(c)</b>  | <b>21 304</b>                            | <b>394 067</b>     | <b>45 701</b>              | <b>34 075</b> | <b>495 147</b> | <b>541 498</b>               |

## PROPORTION (%)

|  |            |             |            |            |             |              |
|--|------------|-------------|------------|------------|-------------|--------------|
| Homicide and related offences                                      | 8.2        | 21.3        | 27.9       | 8.2        | 65.6        | 100.0        |
| Acts intended to cause injury                                      | 11.3       | 33.1        | 24.8       | 3.7        | 72.8        | 100.0        |
| Sexual assault and related offences                                | 14.6       | 22.1        | 17.2       | 2.3        | 56.2        | 100.0        |
| Dangerous or negligent acts endangering persons                    | 3.5        | 85.1        | 2.5        | 2.6        | 93.6        | 100.0        |
| Abduction and related offences                                     | —          | 40.0        | 30.0       | —          | 70.0        | 100.0        |
| Robbery, extortion and related offences                            | 18.3       | 5.0         | 5.8        | 2.5        | 31.5        | 100.0        |
| Unlawful entry with intent   | 21.8       | 16.7        | 7.2        | 3.2        | 48.9        | 100.0        |
| Theft and related offences   | 6.9        | 52.9        | 16.6       | 7.1        | 83.6        | 100.0        |
| Deception and related offences                                     | 11.3       | 52.7        | 12.2       | 5.4        | 81.6        | 100.0        |
| Illicit drug offences  | 5.5        | 63.9        | 18.8       | 3.5        | 91.7        | 100.0        |
| Weapons and explosives offences                                    | 5.5        | 61.7        | 10.3       | 8.8        | 86.4        | 100.0        |
| Property damage and environmental pollution                        | 7.1        | 63.9        | 14.0       | 7.5        | 92.5        | 100.0        |
| Public order offences  | 1.8        | 70.5        | 7.2        | 18.4       | 98.0        | 100.0        |
| Road traffic and motor vehicle regulatory offences                 | 1.5        | 85.1        | 4.1        | 5.0        | 95.6        | 100.0        |
| Offences against justice procedures, gov't security and operations | 4.1        | 68.7        | 11.0       | 6.7        | 90.5        | 100.0        |
| Miscellaneous offences   | 3.1        | 71.2        | 11.6       | 6.2        | 92.1        | 100.0        |
| <b>Total(c)</b>  | <b>3.9</b> | <b>72.8</b> | <b>8.4</b> | <b>6.3</b> | <b>91.4</b> | <b>100.0</b> |

— nil or rounded to zero (including null cells)

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

(b) Includes licence disqualification/suspensions/amendments, forfeiture of property orders, nominal penalties and other non-custodial orders n.e.c.

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

### 3.8 DEFENDANTS PROVEN GUILTY, Sex and principal sentence by age .....

|                                       | <i>Under<br/>20 years</i> | <i>20–24<br/>years</i> | <i>25–29<br/>years</i> | <i>30–34<br/>years</i> | <i>35–44<br/>years</i> | <i>45 years<br/>&amp; over</i> | <i>Total(a)</i> |
|---------------------------------------|---------------------------|------------------------|------------------------|------------------------|------------------------|--------------------------------|-----------------|
| NUMBER                                |                           |                        |                        |                        |                        |                                |                 |
| <b>Males</b>                          |                           |                        |                        |                        |                        |                                |                 |
| Custodial orders                      |                           |                        |                        |                        |                        |                                |                 |
| Custody in a correctional institution | 1 110                     | 4 195                  | 4 435                  | 3 808                  | 5 048                  | 2 047                          | 20 675          |
| Custody in the community              | 98                        | 548                    | 543                    | 431                    | 591                    | 278                            | 2 489           |
| Fully suspended sentence              | 827                       | 3 596                  | 3 341                  | 2 778                  | 4 008                  | 2 162                          | 16 729          |
| <i>Total</i>                          | 2 035                     | 8 339                  | 8 319                  | 7 017                  | 9 647                  | 4 487                          | 39 893          |
| Non-custodial orders                  |                           |                        |                        |                        |                        |                                |                 |
| Community supervision/work orders     | 2 772                     | 4 096                  | 2 843                  | 2 160                  | 3 025                  | 1 482                          | 16 399          |
| Monetary orders                       | 33 709                    | 72 690                 | 51 542                 | 38 368                 | 56 316                 | 43 751                         | 301 157         |
| Good behaviour bonds                  | 4 467                     | 7 330                  | 4 734                  | 3 811                  | 6 467                  | 5 793                          | 32 661          |
| Other(b)                              | 2 791                     | 5 214                  | 3 543                  | 2 846                  | 4 821                  | 5 874                          | 25 691          |
| <i>Total</i>                          | 43 739                    | 89 330                 | 62 662                 | 47 185                 | 70 629                 | 56 900                         | 375 908         |
| <b>Total proven guilty(c)</b>         | <b>45 869</b>             | <b>97 733</b>          | <b>71 055</b>          | <b>54 264</b>          | <b>80 366</b>          | <b>61 476</b>                  | <b>416 294</b>  |
| <b>Females</b>                        |                           |                        |                        |                        |                        |                                |                 |
| Custodial orders                      |                           |                        |                        |                        |                        |                                |                 |
| Custody in a correctional institution | 75                        | 358                    | 538                    | 437                    | 623                    | 231                            | 2 266           |
| Custody in the community              | 8                         | 50                     | 64                     | 65                     | 112                    | 48                             | 350             |
| Fully suspended sentence              | 92                        | 495                    | 651                    | 526                    | 897                    | 396                            | 3 060           |
| <i>Total</i>                          | 175                       | 903                    | 1 253                  | 1 028                  | 1 632                  | 675                            | 5 676           |
| Non-custodial orders                  |                           |                        |                        |                        |                        |                                |                 |
| Community supervision/work orders     | 526                       | 1 012                  | 888                    | 794                    | 1 155                  | 459                            | 4 846           |
| Monetary orders                       | 7 622                     | 18 127                 | 14 828                 | 12 161                 | 19 173                 | 11 989                         | 86 238          |
| Good behaviour bonds                  | 1 420                     | 2 463                  | 1 961                  | 1 696                  | 3 097                  | 2 225                          | 12 896          |
| Other(d)                              | 592                       | 1 381                  | 1 006                  | 950                    | 1 964                  | 1 890                          | 7 926           |
| <i>Total</i>                          | 10 160                    | 22 983                 | 18 683                 | 15 601                 | 25 389                 | 16 563                         | 111 906         |
| <b>Total proven guilty(c)</b>         | <b>10 357</b>             | <b>23 920</b>          | <b>19 963</b>          | <b>16 649</b>          | <b>27 059</b>          | <b>17 274</b>                  | <b>117 770</b>  |
| <b>Defendants(e)</b>                  |                           |                        |                        |                        |                        |                                |                 |
| Custodial orders                      |                           |                        |                        |                        |                        |                                |                 |
| Custody in a correctional institution | 1 185                     | 4 559                  | 4 981                  | 4 254                  | 5 681                  | 2 281                          | 22 977          |
| Custody in the community              | 106                       | 598                    | 607                    | 496                    | 703                    | 326                            | 2 839           |
| Fully suspended sentence              | 919                       | 4 099                  | 4 006                  | 3 310                  | 4 916                  | 2 567                          | 19 840          |
| <i>Total</i>                          | 2 210                     | 9 256                  | 9 594                  | 8 060                  | 11 300                 | 5 174                          | 45 656          |
| Non-custodial orders                  |                           |                        |                        |                        |                        |                                |                 |
| Community supervision/work orders     | 3 302                     | 5 123                  | 3 741                  | 2 964                  | 4 194                  | 1 947                          | 21 304          |
| Monetary orders                       | 41 410                    | 91 222                 | 66 742                 | 50 758                 | 75 857                 | 55 989                         | 394 067         |
| Good behaviour bonds                  | 5 890                     | 9 802                  | 6 708                  | 5 510                  | 9 581                  | 8 029                          | 45 702          |
| Other(b)                              | 3 383                     | 6 598                  | 4 549                  | 3 796                  | 6 785                  | 7 767                          | 34 072          |
| <i>Total</i>                          | 53 985                    | 112 745                | 81 740                 | 63 028                 | 96 417                 | 73 732                         | 495 145         |
| <b>Total proven guilty(c)</b>         | <b>56 312</b>             | <b>122 099</b>         | <b>91 435</b>          | <b>71 170</b>          | <b>107 845</b>         | <b>79 031</b>                  | <b>541 495</b>  |

(a) Includes defendants with unknown age and organisations.

(b) Includes licence disqualification/suspensions/amendments, forfeiture of property orders, nominal penalties and other non-custodial orders n.e.c.

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

(d) Includes licence disqualification/suspensions/amendments, forfeiture of property orders and nominal penalties.

(e) Includes defendants with unknown sex and organisations.

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

|                                       | <i>Under<br/>20 years</i> | <i>20–24<br/>years</i> | <i>25–29<br/>years</i> | <i>30–34<br/>years</i> | <i>35–44<br/>years</i> | <i>45 years<br/>&amp; over</i> | <i>Total(a)</i> |
|---------------------------------------|---------------------------|------------------------|------------------------|------------------------|------------------------|--------------------------------|-----------------|
| PROPORTION (%)                        |                           |                        |                        |                        |                        |                                |                 |
| <b>Males</b>                          |                           |                        |                        |                        |                        |                                |                 |
| Custodial orders                      |                           |                        |                        |                        |                        |                                |                 |
| Custody in a correctional institution | 2.4                       | 4.3                    | 6.2                    | 7.0                    | 6.3                    | 3.3                            | 5.0             |
| Custody in the community              | 0.2                       | 0.6                    | 0.8                    | 0.8                    | 0.7                    | 0.5                            | 0.6             |
| Fully suspended sentence              | 1.8                       | 3.7                    | 4.7                    | 5.1                    | 5.0                    | 3.5                            | 4.0             |
| <i>Total</i>                          | 4.4                       | 8.5                    | 11.7                   | 12.9                   | 12.0                   | 7.3                            | 9.6             |
| Non-custodial orders                  |                           |                        |                        |                        |                        |                                |                 |
| Community supervision/work orders     | 6.0                       | 4.2                    | 4.0                    | 4.0                    | 3.8                    | 2.4                            | 3.9             |
| Monetary orders                       | 73.5                      | 74.4                   | 72.5                   | 70.7                   | 70.1                   | 71.2                           | 72.3            |
| Good behaviour bonds                  | 9.7                       | 7.5                    | 6.7                    | 7.0                    | 8.0                    | 9.4                            | 7.8             |
| Other(b)                              | 6.1                       | 5.3                    | 5.0                    | 5.2                    | 6.0                    | 9.6                            | 6.2             |
| <i>Total</i>                          | 95.4                      | 91.4                   | 88.2                   | 87.0                   | 87.9                   | 92.6                           | 90.3            |
| <b>Total proven guilty(c)</b>         | <b>100.0</b>              | <b>100.0</b>           | <b>100.0</b>           | <b>100.0</b>           | <b>100.0</b>           | <b>100.0</b>                   | <b>100.0</b>    |
| <b>Females</b>                        |                           |                        |                        |                        |                        |                                |                 |
| Custodial orders                      |                           |                        |                        |                        |                        |                                |                 |
| Custody in a correctional institution | 0.7                       | 1.5                    | 2.7                    | 2.6                    | 2.3                    | 1.3                            | 1.9             |
| Custody in the community              | 0.1                       | 0.2                    | 0.3                    | 0.4                    | 0.4                    | 0.3                            | 0.3             |
| Fully suspended sentence              | 0.9                       | 2.1                    | 3.3                    | 3.2                    | 3.3                    | 2.3                            | 2.6             |
| <i>Total</i>                          | 1.7                       | 3.8                    | 6.3                    | 6.2                    | 6.0                    | 3.9                            | 4.8             |
| Non-custodial orders                  |                           |                        |                        |                        |                        |                                |                 |
| Community supervision/work orders     | 5.1                       | 4.2                    | 4.4                    | 4.8                    | 4.3                    | 2.7                            | 4.1             |
| Monetary orders                       | 73.6                      | 75.8                   | 74.3                   | 73.0                   | 70.9                   | 69.4                           | 73.2            |
| Good behaviour bonds                  | 13.7                      | 10.3                   | 9.8                    | 10.2                   | 11.4                   | 12.9                           | 11.0            |
| Other(d)                              | 5.7                       | 5.8                    | 5.0                    | 5.7                    | 7.3                    | 10.9                           | 6.7             |
| <i>Total</i>                          | 98.1                      | 96.1                   | 93.6                   | 93.7                   | 93.8                   | 95.9                           | 95.0            |
| <b>Total proven guilty(c)</b>         | <b>100.0</b>              | <b>100.0</b>           | <b>100.0</b>           | <b>100.0</b>           | <b>100.0</b>           | <b>100.0</b>                   | <b>100.0</b>    |
| <b>Defendants(e)</b>                  |                           |                        |                        |                        |                        |                                |                 |
| Custodial orders                      |                           |                        |                        |                        |                        |                                |                 |
| Custody in a correctional institution | 2.1                       | 3.7                    | 5.4                    | 6.0                    | 5.3                    | 2.9                            | 4.2             |
| Custody in the community              | 0.2                       | 0.5                    | 0.7                    | 0.7                    | 0.7                    | 0.4                            | 0.5             |
| Fully suspended sentence              | 1.6                       | 3.4                    | 4.4                    | 4.7                    | 4.6                    | 3.2                            | 3.7             |
| <i>Total</i>                          | 3.9                       | 7.6                    | 10.5                   | 11.3                   | 10.5                   | 6.5                            | 8.4             |
| Non-custodial orders                  |                           |                        |                        |                        |                        |                                |                 |
| Community supervision/work orders     | 5.9                       | 4.2                    | 4.1                    | 4.2                    | 3.9                    | 2.5                            | 3.9             |
| Monetary orders                       | 73.5                      | 74.7                   | 73.0                   | 71.3                   | 70.3                   | 70.8                           | 72.8            |
| Good behaviour bonds                  | 10.5                      | 8.0                    | 7.3                    | 7.7                    | 8.9                    | 10.2                           | 8.4             |
| Other(b)                              | 6.0                       | 5.4                    | 5.0                    | 5.3                    | 6.3                    | 9.8                            | 6.3             |
| <i>Total</i>                          | 95.9                      | 92.3                   | 89.4                   | 88.6                   | 89.4                   | 93.3                           | 91.4            |
| <b>Total proven guilty(c)</b>         | <b>100.0</b>              | <b>100.0</b>           | <b>100.0</b>           | <b>100.0</b>           | <b>100.0</b>           | <b>100.0</b>                   | <b>100.0</b>    |

(a) Includes defendants with unknown age and organisations.

(b) Includes licence disqualification/suspensions/amendments, forfeiture of property orders, nominal penalties and other non-custodial orders n.e.c.

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

(d) Includes licence disqualification/suspensions/amendments, forfeiture of property orders and nominal penalties.

(e) Includes defendants with unknown sex and organisations.

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

|  | <i>Under 6 weeks</i> | <i>6 to under 13 weeks</i> | <i>13 to under 20 weeks</i> | <i>20 to under 26 weeks</i> | <i>26 to under 39 weeks</i> | <i>39 to under 52 weeks</i> | <i>52 weeks &amp; over</i> | <i>Total(a)</i> |
|--|----------------------|----------------------------|-----------------------------|-----------------------------|-----------------------------|-----------------------------|----------------------------|-----------------|
| NUMBER   |                      |                            |                             |                             |                             |                             |                            |                 |
| <b>Acquitted</b>   |                      |                            |                             |                             |                             |                             |                            |                 |
| Acts intended to cause injury                                      | 358                  | 538                        | 991                         | 650                         | 809                         | 344                         | 434                        | 4 124           |
| Dangerous or negligent acts endangering persons                    | 58                   | 125                        | 111                         | 79                          | 93                          | 31                          | 40                         | 537             |
| Theft and related offences   | 101                  | 130                        | 161                         | 116                         | 153                         | 71                          | 119                        | 851             |
| Illicit drug offences  | 36                   | 36                         | 47                          | 38                          | 63                          | 31                          | 52                         | 303             |
| Public order offences  | 5 726                | 580                        | 142                         | 106                         | 146                         | 59                          | 74                         | 6 833           |
| Road traffic and motor vehicle regulatory offences                 | 1 559                | 2 390                      | 1 239                       | 694                         | 1 221                       | 368                         | 758                        | 8 229           |
| Offences against justice procedures, gov't security and operations | 137                  | 170                        | 271                         | 131                         | 166                         | 83                          | 134                        | 1 092           |
| Other(b)   | 383                  | 424                        | 400                         | 284                         | 398                         | 198                         | 250                        | 2 337           |
| <b>Total(c)</b>  | <b>8 358</b>         | <b>4 398</b>               | <b>3 366</b>                | <b>2 102</b>                | <b>3 055</b>                | <b>1 187</b>                | <b>1 867</b>               | <b>24 333</b>   |
| <b>Proven guilty</b>   |                      |                            |                             |                             |                             |                             |                            |                 |
| Acts intended to cause injury                                      | 13 270               | 7 036                      | 5 754                       | 3 836                       | 4 608                       | 2 015                       | 2 544                      | 39 063          |
| Dangerous or negligent acts endangering persons                    | 32 284               | 7 747                      | 3 843                       | 1 935                       | 1 958                       | 699                         | 963                        | 49 429          |
| Theft and related offences   | 14 537               | 4 347                      | 2 947                       | 1 781                       | 2 080                       | 913                         | 1 630                      | 28 235          |
| Illicit drug offences  | 18 227               | 4 059                      | 2 302                       | 1 302                       | 1 508                       | 675                         | 1 073                      | 29 146          |
| Public order offences  | 42 540               | 5 963                      | 2 795                       | 1 179                       | 1 326                       | 563                         | 688                        | 55 054          |
| Road traffic and motor vehicle regulatory offences                 | 137 633              | 49 820                     | 26 535                      | 10 568                      | 9 177                       | 8 251                       | 6 748                      | 248 732         |
| Offences against justice procedures, gov't security and operations | 18 028               | 4 835                      | 2 794                       | 1 424                       | 1 618                       | 697                         | 890                        | 30 286          |
| Other(b)   | 28 790               | 11 202                     | 7 026                       | 3 953                       | 4 732                       | 2 085                       | 3 127                      | 60 918          |
| <b>Total(c)</b>  | <b>305 556</b>       | <b>95 151</b>              | <b>54 069</b>               | <b>26 020</b>               | <b>27 053</b>               | <b>15 925</b>               | <b>17 722</b>              | <b>541 500</b>  |
| <b>Defendants adjudicated</b>                                      | <b>313 914</b>       | <b>99 549</b>              | <b>57 435</b>               | <b>28 122</b>               | <b>30 108</b>               | <b>17 112</b>               | <b>19 589</b>              | <b>565 833</b>  |
| Transfers to other courts  | 1 222                | 1 952                      | 2 812                       | 2 043                       | 2 619                       | 1 085                       | 1 056                      | 12 789          |
| Withdrawn by prosecution   | 11 045               | 8 775                      | 6 293                       | 3 803                       | 4 811                       | 2 262                       | 3 470                      | 40 459          |
| Other(d)   | 125                  | 68                         | 58                          | 36                          | 56                          | 26                          | 74                         | 443             |
| <b>Defendants finalised(e)</b>                                     | <b>326 318</b>       | <b>110 344</b>             | <b>66 598</b>               | <b>34 004</b>               | <b>37 594</b>               | <b>20 488</b>               | <b>24 192</b>              | <b>619 542</b>  |

(a) Includes defendants with unknown duration.

(b) Includes Divisions 01, 03, 05, 06, 07, 09, 11, 12 & 16 of the ASOC (refer to Appendix 3).

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

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

(e) Includes defendants with unknown method of finalisation.

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

|  | Under 6 weeks | 6 to under 13 weeks | 13 to under 20 weeks | 20 to under 26 weeks | 26 to under 39 weeks | 39 to under 52 weeks | 52 weeks & over | Total(a)     |
|--|---------------|---------------------|----------------------|----------------------|----------------------|----------------------|-----------------|--------------|
| PROPORTION (%)   |               |                     |                      |                      |                      |                      |                 |              |
| <b>Acquitted</b>   |               |                     |                      |                      |                      |                      |                 |              |
| Acts intended to cause injury                                      | 8.7           | 13.0                | 24.0                 | 15.8                 | 19.6                 | 8.3                  | 10.5            | 100.0        |
| Dangerous or negligent acts endangering persons                    | 10.8          | 23.3                | 20.7                 | 14.7                 | 17.3                 | 5.8                  | 7.4             | 100.0        |
| Theft and related offences   | 11.9          | 15.3                | 18.9                 | 13.6                 | 18.0                 | 8.3                  | 14.0            | 100.0        |
| Illicit drug offences  | 11.9          | 11.9                | 15.5                 | 12.5                 | 20.8                 | 10.2                 | 17.2            | 100.0        |
| Public order offences  | 83.8          | 8.5                 | 2.1                  | 1.6                  | 2.1                  | 0.9                  | 1.1             | 100.0        |
| Road traffic and motor vehicle regulatory offences                 | 18.9          | 29.0                | 15.1                 | 8.4                  | 14.8                 | 4.5                  | 9.2             | 100.0        |
| Offences against justice procedures, gov't security and operations | 12.5          | 15.6                | 24.8                 | 12.0                 | 15.2                 | 7.6                  | 12.3            | 100.0        |
| Other(b)   | 16.4          | 18.1                | 17.1                 | 12.2                 | 17.0                 | 8.5                  | 10.7            | 100.0        |
| Total(c)   | 34.3          | 18.1                | 13.8                 | 8.6                  | 12.6                 | 4.9                  | 7.7             | 100.0        |
| <b>Proven guilty</b>   |               |                     |                      |                      |                      |                      |                 |              |
| Acts intended to cause injury                                      | 34.0          | 18.0                | 14.7                 | 9.8                  | 11.8                 | 5.2                  | 6.5             | 100.0        |
| Dangerous or negligent acts endangering persons                    | 65.3          | 15.7                | 7.8                  | 3.9                  | 4.0                  | 1.4                  | 1.9             | 100.0        |
| Theft and related offences   | 51.5          | 15.4                | 10.4                 | 6.3                  | 7.4                  | 3.2                  | 5.8             | 100.0        |
| Illicit drug offences  | 62.5          | 13.9                | 7.9                  | 4.5                  | 5.2                  | 2.3                  | 3.7             | 100.0        |
| Public order offences  | 77.3          | 10.8                | 5.1                  | 2.1                  | 2.4                  | 1.0                  | 1.2             | 100.0        |
| Road traffic and motor vehicle regulatory offences                 | 55.3          | 20.0                | 10.7                 | 4.2                  | 3.7                  | 3.3                  | 2.7             | 100.0        |
| Offences against justice procedures, gov't security and operations | 59.5          | 16.0                | 9.2                  | 4.7                  | 5.3                  | 2.3                  | 2.9             | 100.0        |
| Other(b)   | 47.3          | 18.4                | 11.5                 | 6.5                  | 7.8                  | 3.4                  | 5.1             | 100.0        |
| Total(c)   | 56.4          | 17.6                | 10.0                 | 4.8                  | 5.0                  | 2.9                  | 3.3             | 100.0        |
| <b>Defendants adjudicated</b>                                      | <b>55.5</b>   | <b>17.6</b>         | <b>10.2</b>          | <b>5.0</b>           | <b>5.3</b>           | <b>3.0</b>           | <b>3.5</b>      | <b>100.0</b> |
| Transfers to other courts  | 9.6           | 15.3                | 22.0                 | 16.0                 | 20.5                 | 8.5                  | 8.3             | 100.0        |
| Withdrawn by prosecution   | 27.3          | 21.7                | 15.6                 | 9.4                  | 11.9                 | 5.6                  | 8.6             | 100.0        |
| Other(d)   | 28.2          | 15.3                | 13.1                 | 8.1                  | 12.6                 | 5.9                  | 16.7            | 100.0        |
| <b>Defendants finalised(e)</b>                                     | <b>52.7</b>   | <b>17.8</b>         | <b>10.7</b>          | <b>5.5</b>           | <b>6.1</b>           | <b>3.3</b>           | <b>3.9</b>      | <b>100.0</b> |

(a) Includes defendants with unknown duration.

(b) Includes Divisions 01, 03, 05, 06, 07, 09, 11, 12 & 16 of the ASOC (refer to Appendix 3).

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

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

(e) Includes defendants with unknown method of finalisation.

### 3.10 DEFENDANTS ADJUDICATED, Principal offence by states and territories .....

|  | NSW(a)         | Vic.          | Qld            | SA            | WA            | Tas.          | NT           | ACT(b)       | Aust.          |
|--|----------------|---------------|----------------|---------------|---------------|---------------|--------------|--------------|----------------|
| NUMBER   |                |               |                |               |               |               |              |              |                |
| Homicide and related offences                                      | 59             | 9             | 6              | —             | 16            | 3             | 4            | —            | 97             |
| Acts intended to cause injury                                      | 19 826         | 5 923         | 4 861          | 2 682         | 6 075         | 1 935         | 1 562        | 323          | 43 187         |
| Sexual assault and related offences                                | 416            | 249           | 124            | 56            | 99            | 43            | 25           | 11           | 1 023          |
| Dangerous or negligent acts endangering persons                    |                |               |                |               |               |               |              |              |                |
| Dangerous or negligent operation of a vehicle                      | 5 775          | 6 877         | 11 188         | 2 386         | 21 212        | 553           | 443          | 674          | 49 108         |
| Other(c)   | 74             | 327           | 224            | 3             | 199           | —             | 24           | 7            | 858            |
| Total  | 5 849          | 7 204         | 11 412         | 2 389         | 21 411        | 553           | 467          | 681          | 49 966         |
| Abduction and related offences                                     | 7              | 12            | 10             | 3             | —             | —             | 3            | —            | 35             |
| Robbery, extortion and related offences                            | 78             | 178           | 13             | —             | 3             | 5             | 5            | 4            | 286            |
| Unlawful entry with intent   | 1 334          | 1 654         | 2 267          | 353           | 1 124         | 317           | 177          | 34           | 7 260          |
| Theft and related offences   |                |               |                |               |               |               |              |              |                |
| Theft/illegal use of a motor vehicle(d)                            | 779            | 471           | 976            | 180           | 329           | 81            | 69           | 28           | 2 913          |
| Receiving or handling proceeds of crime                            | 1 967          | 852           | 1 815          | 353           | 571           | 176           | 36           | 179          | 5 949          |
| Other(e)   | 4 860          | 4 289         | 5 181          | 1 979         | 3 038         | 680           | 163          | 34           | 20 224         |
| Total  | 7 606          | 5 612         | 7 972          | 2 512         | 3 938         | 937           | 268          | 241          | 29 086         |
| Deception and related offences                                     | 5 000          | 4 206         | 5 780          | 820           | 1 693         | 403           | 106          | 42           | 18 050         |
| Illicit drug offences  |                |               |                |               |               |               |              |              |                |
| Deal or traffic in illicit drugs                                   | 603            | 810           | 571            | 94            | 495           | 177           | 169          | 15           | 2 934          |
| Manufacture or cultivate illicit drugs                             | 709            | 805           | 912            | 781           | 434           | 166           | 9            | 24           | 3 840          |
| Possess and/or use illicit drugs                                   | 5 422          | 1 471         | 8 028          | 169           | 3 287         | 390           | 143          | 83           | 18 993         |
| Other(f)   | 101            | 4             | 3 008          | 21            | 543           | —             | 5            | —            | 3 682          |
| Total  | 6 835          | 3 090         | 12 519         | 1 065         | 4 759         | 733           | 326          | 122          | 29 449         |
| Weapons and explosives offences                                    | 976            | 1 779         | 2 191          | 1 123         | 1 177         | 158           | 243          | 83           | 7 730          |
| Property damage and environmental pollution                        | 4 922          | 1 875         | 3 390          | 1 382         | 1 903         | 426           | 219          | 91           | 14 208         |
| Public order offences  |                |               |                |               |               |               |              |              |                |
| Disorderly conduct   | 6 766          | 14 967        | 24 003         | 2 995         | 7 030         | 1 935         | 317          | 99           | 58 112         |
| Regulated public order offences                                    | 538            | 247           | 1 430          | 203           | 853           | 79            | 422          | 3            | 3 775          |
| Total  | 7 304          | 15 214        | 25 433         | 3 198         | 7 883         | 2 014         | 739          | 102          | 61 887         |
| Road traffic and motor vehicle regulatory offences                 |                |               |                |               |               |               |              |              |                |
| Driving licence offences   | 20 290         | 10 046        | 17 979         | 5 404         | 24 857        | 4 093         | 1 197        | 255          | 84 121         |
| Road vehicle registration and roadworthiness offences              | 2 142          | 653           | 2 328          | 8 561         | 6 318         | 4 206         | 600          | 31           | 24 839         |
| Regulatory driving offences  | 49 381         | 22 436        | 29 072         | 7 748         | 2 223         | 33 857        | 2 050        | 1 046        | 147 813        |
| Pedestrian offences  | 30             | 9             | 63             | 9             | 5             | 14            | 4            | —            | 134            |
| Total(g)   | 71 843         | 33 144        | 49 442         | 21 722        | 33 403        | 42 225        | 3 851        | 1 332        | 256 962        |
| Offences against justice procedures, gov't security and operations |                |               |                |               |               |               |              |              |                |
| Breach of domestic violence order                                  | 2 335          | 948           | 3 522          | 183           | 453           | 443           | 539          | 53           | 8 476          |
| Other(h)   | 3 636          | 1 903         | 9 062          | 2 232         | 4 419         | 1 261         | 236          | 153          | 22 902         |
| Total  | 5 971          | 2 851         | 12 584         | 2 415         | 4 872         | 1 704         | 775          | 206          | 31 378         |
| Miscellaneous offences   | 5 155          | 5 037         | 1 591          | 286           | 1 292         | 751           | 382          | 72           | 14 566         |
| <b>Total(i)</b>  | <b>143 181</b> | <b>88 037</b> | <b>140 167</b> | <b>40 006</b> | <b>89 648</b> | <b>52 253</b> | <b>9 197</b> | <b>3 344</b> | <b>565 833</b> |

— nil or rounded to zero (including null cells)

(a) Refers to finalised appearances rather than finalised defendants in the Magistrates' Courts, resulting in potentially higher population counts (see Explanatory Note 14).

(b) Dangerous or negligent acts endangering persons are overstated and road traffic and motor vehicle regulatory driving offences are understated (see Explanatory Note 90).

(c) Includes Subdivision 049 of the ASOC (refer to Appendix 3).

(d) Includes Groups 0811 and 0812 of the ASOC.

(e) Includes Subdivisions 082 and 084 and Group 0813 of the ASOC.

(f) Includes Subdivisions 101 and 109 of the ASOC.

(g) Includes road traffic and motor vehicle regulatory offences, n.f.d.

(h) Includes Subdivisions 152–154 and Groups 1511 and 1515 of the ASOC.

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

**3.10****DEFENDANTS ADJUDICATED, Principal offence by states and territories** *continued*

|  | NSW(a)       | Vic.         | Qld          | SA           | WA           | Tas.         | NT           | ACT(b)       | Aust.        |
|--|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|
| PROPORTION (%)   |              |              |              |              |              |              |              |              |              |
| Homicide and related offences                                      | —            | —            | —            | —            | —            | —            | —            | —            | —            |
| Acts intended to cause injury                                      | 13.8         | 6.7          | 3.5          | 6.7          | 6.8          | 3.7          | 17.0         | 9.7          | 7.6          |
| Sexual assault and related offences                                | 0.3          | 0.3          | 0.1          | 0.1          | 0.1          | 0.1          | 0.3          | 0.3          | 0.2          |
| Dangerous or negligent acts endangering persons                    |              |              |              |              |              |              |              |              |              |
| Dangerous or negligent operation of a vehicle                      | 4.0          | 7.8          | 8.0          | 6.0          | 23.7         | 1.1          | 4.8          | 20.2         | 8.7          |
| Other(c)   | 0.1          | 0.4          | 0.2          | —            | 0.2          | —            | 0.3          | 0.2          | 0.2          |
| Total  | 4.1          | 8.2          | 8.1          | 6.0          | 23.9         | 1.1          | 5.1          | 20.4         | 8.8          |
| Abduction and related offences                                     | —            | —            | —            | —            | —            | —            | —            | —            | —            |
| Robbery, extortion and related offences                            | 0.1          | 0.2          | —            | —            | —            | —            | 0.1          | 0.1          | 0.1          |
| Unlawful entry with intent   | 0.9          | 1.9          | 1.6          | 0.9          | 1.3          | 0.6          | 1.9          | 1.0          | 1.3          |
| Theft and related offences   |              |              |              |              |              |              |              |              |              |
| Theft/illegal use of a motor vehicle(d)                            | 0.5          | 0.5          | 0.7          | 0.4          | 0.4          | 0.2          | 0.8          | 0.8          | 0.5          |
| Receiving or handling proceeds of crime                            | 1.4          | 1.0          | 1.3          | 0.9          | 0.6          | 0.3          | 0.4          | 5.4          | 1.1          |
| Other(e)   | 3.4          | 4.9          | 3.7          | 4.9          | 3.4          | 1.3          | 1.8          | 1.0          | 3.6          |
| Total  | 5.3          | 6.4          | 5.7          | 6.3          | 4.4          | 1.8          | 2.9          | 7.2          | 5.1          |
| Deception and related offences                                     | 3.5          | 4.8          | 4.1          | 2.0          | 1.9          | 0.8          | 1.2          | 1.3          | 3.2          |
| Illicit drug offences  |              |              |              |              |              |              |              |              |              |
| Deal or traffic in illicit drugs                                   | 0.4          | 0.9          | 0.4          | 0.2          | 0.6          | 0.3          | 1.8          | 0.4          | 0.5          |
| Manufacture or cultivate illicit drugs                             | 0.5          | 0.9          | 0.7          | 2.0          | 0.5          | 0.3          | 0.1          | 0.7          | 0.7          |
| Possess and/or use illicit drugs                                   | 3.8          | 1.7          | 5.7          | 0.4          | 3.7          | 0.7          | 1.6          | 2.5          | 3.4          |
| Other(f)   | 0.1          | —            | 2.1          | 0.1          | 0.6          | —            | 0.1          | —            | 0.7          |
| Total  | 4.8          | 3.5          | 8.9          | 2.7          | 5.3          | 1.4          | 3.5          | 3.6          | 5.2          |
| Weapons and explosives offences                                    | 0.7          | 2.0          | 1.6          | 2.8          | 1.3          | 0.3          | 2.6          | 2.5          | 1.4          |
| Property damage and environmental pollution                        | 3.4          | 2.1          | 2.4          | 3.5          | 2.1          | 0.8          | 2.4          | 2.7          | 2.5          |
| Public order offences  |              |              |              |              |              |              |              |              |              |
| Disorderly conduct   | 4.7          | 17.0         | 17.1         | 7.5          | 7.8          | 3.7          | 3.4          | 3.0          | 10.3         |
| Regulated public order offences                                    | 0.4          | 0.3          | 1.0          | 0.5          | 1.0          | 0.2          | 4.6          | 0.1          | 0.7          |
| Total  | 5.1          | 17.3         | 18.1         | 8.0          | 8.8          | 3.9          | 8.0          | 3.1          | 10.9         |
| Road traffic and motor vehicle regulatory offences                 |              |              |              |              |              |              |              |              |              |
| Driving licence offences   | 14.2         | 11.4         | 12.8         | 13.5         | 27.7         | 7.8          | 13.0         | 7.6          | 14.9         |
| Road vehicle registration and roadworthiness offences              | 1.5          | 0.7          | 1.7          | 21.4         | 7.0          | 8.0          | 6.5          | 0.9          | 4.4          |
| Regulatory driving offences  | 34.5         | 25.5         | 20.7         | 19.4         | 2.5          | 64.8         | 22.3         | 31.3         | 26.1         |
| Pedestrian offences  | —            | —            | —            | —            | —            | —            | —            | —            | —            |
| Total(g)   | 50.2         | 37.6         | 35.3         | 54.3         | 37.3         | 80.8         | 41.9         | 39.8         | 45.4         |
| Offences against justice procedures, gov't security and operations |              |              |              |              |              |              |              |              |              |
| Breach of domestic violence order                                  | 1.6          | 1.1          | 2.5          | 0.5          | 0.5          | 0.8          | 5.9          | 1.6          | 1.5          |
| Other(h)   | 2.5          | 2.2          | 6.5          | 5.6          | 4.9          | 2.4          | 2.6          | 4.6          | 4.0          |
| Total  | 4.2          | 3.2          | 9.0          | 6.0          | 5.4          | 3.3          | 8.4          | 6.2          | 5.5          |
| Miscellaneous offences   | 3.6          | 5.7          | 1.1          | 0.7          | 1.4          | 1.4          | 4.2          | 2.2          | 2.6          |
| <b>Total(i)</b>  | <b>100.0</b> |

— nil or rounded to zero (including null cells)

(a) Refers to finalised appearances rather than finalised defendants in the Magistrates' Courts, resulting in potentially higher population counts (see Explanatory Note 14).

(b) Dangerous or negligent acts endangering persons are overstated and road traffic and motor vehicle regulatory driving offences are understated (see Explanatory Note 90).

(c) Includes Subdivision 049 of the ASOC (refer to Appendix 3).

(d) Includes Groups 0811 and 0812 of the ASOC.

(e) Includes Subdivisions 082 and 084 and Group 0813 of the ASOC.

(f) Includes Subdivisions 101 and 109 of the ASOC.

(g) Includes road traffic and motor vehicle regulatory offences, n.f.d.

(h) Includes Subdivisions 152–154 and Groups 1511 and 1515 of the ASOC.

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

### 3.11 DEFENDANTS FINALISED, Selected characteristics by states and territories, 2003–04 to 2007–08

|            | Defendants<br>finalised | Sex   |         | Aged<br>20–24<br>years | Acquitted |      | Withdrawn |      |
|------------|-------------------------|-------|---------|------------------------|-----------|------|-----------|------|
|            |                         | Males | Females |                        | no.       | %    | no.       | %    |
|            | no.                     | %     | %       | %                      | no.       | %    | no.       | %    |
| NSW (a)(b) |                         |       |         |                        |           |      |           |      |
| 2003–04    | 146 950                 | 79.6  | 17.9    | 24.4                   | 5 647     | 3.8  | 11 495    | 7.8  |
| 2004–05    | 160 560                 | 79.2  | 18.4    | 22.2                   | 5 711     | 3.6  | 12 567    | 7.8  |
| 2005–06    | 159 539                 | 78.6  | 18.6    | 22.2                   | 5 983     | 3.8  | 13 064    | 8.2  |
| 2006–07    | 156 206                 | 78.9  | 18.9    | 18.9                   | 7 018     | 4.5  | 11 818    | 7.6  |
| 2007–08    | 158 987                 | 78.9  | 18.9    | 18.5                   | 7 319     | 4.6  | 12 199    | 7.7  |
| VIC.       |                         |       |         |                        |           |      |           |      |
| 2003–04    | 90 572                  | 79.6  | 17.9    | 19.7                   | 2 739     | 3.0  | 10 272    | 11.3 |
| 2004–05    | 99 096                  | 79.2  | 18.1    | 17.8                   | 3 193     | 3.2  | 13 441    | 13.6 |
| 2005–06    | 96 002                  | 79.2  | 18.5    | 19.3                   | 4 924     | 5.1  | 11 048    | 11.5 |
| 2006–07    | 96 772                  | 79.4  | 18.3    | 20.5                   | 6 629     | 6.9  | 10 884    | 11.2 |
| 2007–08    | 98 326                  | 79.4  | 18.3    | 23.5                   | 7 627     | 7.8  | 9 951     | 10.1 |
| QLD        |                         |       |         |                        |           |      |           |      |
| 2003–04    | 129 029                 | 78.2  | 20.7    | 22.6                   | 749       | 0.6  | 9 798     | 7.6  |
| 2004–05    | 135 133                 | 78.4  | 20.6    | 21.1                   | 2 036     | 1.5  | 8 278     | 6.1  |
| 2005–06    | 141 823                 | 78.4  | 20.5    | 21.6                   | 1 725     | 1.2  | 7 907     | 5.6  |
| 2006–07    | r144 026                | 78.4  | 20.6    | r24.2                  | r1 097    | 0.8  | r8 438    | r5.9 |
| 2007–08    | 152 367                 | 78.4  | 20.6    | 23.5                   | 998       | 0.7  | 8 181     | 5.4  |
| SA         |                         |       |         |                        |           |      |           |      |
| 2003–04    | 43 326                  | 82.9  | 16.4    | 18.8                   | 63        | 0.1  | 9 649     | 22.3 |
| 2004–05    | 44 134                  | 80.2  | 19.0    | 18.5                   | 85        | 0.2  | 7 749     | 17.6 |
| 2005–06    | 45 164                  | 79.3  | 20.0    | 19.8                   | 89        | 0.2  | 7 726     | 17.1 |
| 2006–07    | 43 932                  | 79.2  | 20.2    | 22.3                   | 119       | 0.3  | 4 620     | 10.5 |
| 2007–08    | 46 181                  | 79.2  | 20.2    | 21.5                   | 94        | 0.2  | 4 809     | 10.4 |
| WA         |                         |       |         |                        |           |      |           |      |
| 2003–04    | 58 589                  | 75.7  | 20.8    | 26.2                   | 877       | 1.5  | 1 941     | 3.3  |
| 2004–05    | 60 136                  | 76.3  | 20.6    | 22.3                   | 735       | 1.2  | 1 875     | 3.1  |
| 2005–06    | 69 592                  | 76.8  | 20.6    | 22.3                   | 745       | 1.1  | 2 265     | 3.3  |
| 2006–07    | 79 122                  | 76.4  | 21.2    | 26.0                   | 750       | 0.9  | 2 447     | 3.1  |
| 2007–08    | 95 660                  | 76.4  | 21.2    | 25.5                   | 795       | 0.8  | 3 204     | 3.3  |
| TAS.       |                         |       |         |                        |           |      |           |      |
| 2003–04    | 46 723                  | 66.1  | 29.0    | 25.1                   | 8 194     | 17.5 | 1 121     | 2.4  |
| 2004–05    | 46 019                  | 65.1  | 30.6    | 26.2                   | 8 442     | 18.3 | 534       | 1.2  |
| 2005–06    | 42 717                  | 64.9  | 31.5    | 22.8                   | 7 421     | 17.4 | 368       | 0.9  |
| 2006–07    | 49 909                  | 64.5  | 31.8    | 19.4                   | 8 016     | 16.1 | 507       | 1.0  |
| 2007–08    | 53 368                  | 64.5  | 31.8    | 19.3                   | 6 791     | 12.7 | 471       | 0.9  |

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(a) Prior to 2006–07, the number of acquittals were undercounted (see Explanatory Note 61).

(b) Refers to finalised appearances rather than finalised defendants in the Magistrates' Courts, resulting in potentially higher population counts (See Explanatory Note 14).

**3.11**DEFENDANTS FINALISED, Selected characteristics by states and territories,  
2003–04 to 2007–08 *continued*

|         | Defendants<br>finalised |            | Aged<br>20–24<br>years | Acquitted    |         | Withdrawn |         |      |
|---------|-------------------------|------------|------------------------|--------------|---------|-----------|---------|------|
|         | no.                     | Males<br>% |                        | Females<br>% | no.     | %         | no.     | %    |
| NT      |                         |            |                        |              |         |           |         |      |
| 2003–04 | 7 048                   | 80.0       | 16.4                   | 23.4         | 403     | 5.7       | 613     | 8.7  |
| 2004–05 | 8 802                   | 80.8       | 17.0                   | 20.5         | 491     | 5.6       | 510     | 5.8  |
| 2005–06 | 8 881                   | 79.9       | 17.1                   | 15.6         | 663     | 7.5       | 489     | 5.5  |
| 2006–07 | 9 052                   | 79.2       | 16.6                   | 20.2         | 526     | 5.8       | 585     | 6.5  |
| 2007–08 | 9 976                   | 79.2       | 16.6                   | 20.4         | 606     | 6.1       | 603     | 6.0  |
| ACT     |                         |            |                        |              |         |           |         |      |
| 2003–04 | 5 137                   | 79.7       | 19.8                   | 24.4         | 115     | 2.2       | 1 379   | 26.8 |
| 2004–05 | 4 584                   | 79.8       | 18.8                   | 22.2         | 159     | 3.5       | 1 033   | 22.5 |
| 2005–06 | 5 445                   | 78.6       | 20.8                   | 26.5         | 137     | 2.5       | 1 493   | 27.4 |
| 2006–07 | 4 434                   | 79.8       | 19.2                   | 24.3         | 51      | 1.2       | 946     | 21.3 |
| 2007–08 | 4 677                   | 79.8       | 19.2                   | 24.7         | 103     | 2.2       | 1 041   | 22.3 |
| AUST.   |                         |            |                        |              |         |           |         |      |
| 2003–04 | 527 374                 | 77.9       | 19.8                   | 23.0         | 18 787  | 3.6       | 46 268  | 8.8  |
| 2004–05 | 558 464                 | 77.6       | 20.1                   | 21.1         | 20 852  | 3.7       | 45 987  | 8.2  |
| 2005–06 | 569 163                 | 77.5       | 20.4                   | 21.4         | 21 687  | 3.8       | 44 360  | 7.8  |
| 2006–07 | r583 453                | 77.3       | 20.7                   | r21.8        | r24 206 | r4.1      | r40 245 | 6.9  |
| 2007–08 | 619 542                 | 77.3       | 20.7                   | 22.0         | 24 333  | 3.9       | 40 459  | 6.5  |

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### 3.12 DEFENDANTS ADJUDICATED, Selected principal offence by states and territories, 2003–04 to 2007–08

|         | Defendants adjudicated | Acts intended to cause injury | Dangerous or negligent acts endangering persons | Theft & related offences | Deception & related offences | Illicit drug offences | Public order offences | Road traffic & motor vehicle regulatory offences | Offences against justice procedures |
|---------|------------------------|-------------------------------|---|--------------------------|------------------------------|-----------------------|-----------------------|--|-------------------------------------|
|         | no.                    | %                             | %   | %                        | %                            | %                     | %                     | %  | %                                   |
| NSW (a) |                        |                               |   |                          |                              |                       |                       |  |                                     |
| 2003–04 | 132 700                | 12.7                          | 4.5   | 7.5                      | 4.9                          | 4.8                   | 4.9                   | 46.6   | 4.1                                 |
| 2004–05 | 142 765                | 11.6                          | 4.3   | 6.1                      | 5.2                          | 4.4                   | 5.3                   | 50.7   | 3.7                                 |
| 2005–06 | 141 478                | 12.3                          | 4.2   | 5.6                      | 5.2                          | 4.3                   | 5.6                   | 49.6   | 4.3                                 |
| 2006–07 | 140 704                | 13.7                          | 4.2   | 5.8                      | 3.9                          | 4.7                   | 5.5                   | 48.7   | 4.3                                 |
| 2007–08 | 143 181                | 13.8                          | 4.1   | 5.3                      | 3.5                          | 4.8                   | 5.1                   | 50.2   | 4.2                                 |
| VIC.    |                        |                               |   |                          |                              |                       |                       |  |                                     |
| 2003–04 | 78 109                 | 4.8                           | 5.4   | 14.1                     | 3.7                          | 5.4                   | 14.3                  | 34.8   | 4.0                                 |
| 2004–05 | 83 114                 | 4.7                           | 5.5   | 12.6                     | 3.5                          | 5.2                   | 16.0                  | 35.9   | 4.2                                 |
| 2005–06 | 83 077                 | 5.3                           | 5.6   | 10.9                     | 3.1                          | 4.6                   | 16.5                  | 35.9   | 5.9                                 |
| 2006–07 | 83 810                 | 7.3                           | 7.7   | 7.3                      | 5.4                          | 4.1                   | 17.7                  | 32.7   | 4.1                                 |
| 2007–08 | 88 037                 | 6.7                           | 8.2   | 6.4                      | 4.8                          | 3.5                   | 17.3                  | 37.6   | 3.2                                 |
| QLD     |                        |                               |   |                          |                              |                       |                       |  |                                     |
| 2003–04 | 114 443                | 4.4                           | 9.3   | 8.4                      | 4.1                          | 9.3                   | 12.8                  | 35.7   | 8.6                                 |
| 2004–05 | 121 615                | 3.6                           | 9.0   | 7.5                      | 4.3                          | 9.4                   | 13.0                  | 36.6   | 8.9                                 |
| 2005–06 | 129 226                | 3.5                           | 8.4   | 6.8                      | 3.7                          | 8.9                   | 14.9                  | 36.8   | 9.5                                 |
| 2006–07 | r130 893               | r3.7                          | 8.3   | r6.3                     | r3.7                         | r9.2                  | r17.5                 | r33.7  | r9.6                                |
| 2007–08 | 140 167                | 3.5                           | 8.1   | 5.7                      | 4.1                          | 8.9                   | 18.1                  | 35.3   | 9.0                                 |
| SA      |                        |                               |   |                          |                              |                       |                       |  |                                     |
| 2003–04 | 32 754                 | 5.0                           | 6.4   | 7.1                      | 2.3                          | 4.2                   | 8.5                   | 51.3   | 6.1                                 |
| 2004–05 | 35 303                 | 5.0                           | 6.0   | 6.8                      | 2.1                          | 3.7                   | 7.7                   | 54.8   | 5.9                                 |
| 2005–06 | 36 189                 | 4.8                           | 5.1   | 5.9                      | 1.7                          | 2.9                   | 7.3                   | 59.2   | 6.1                                 |
| 2006–07 | 37 989                 | 5.2                           | 6.3   | 6.7                      | 1.9                          | 3.0                   | 8.1                   | 55.7   | 5.6                                 |
| 2007–08 | 40 002                 | 6.7                           | 6.0   | 6.3                      | 2.0                          | 2.7                   | 8.0                   | 54.3   | 6.0                                 |
| WA      |                        |                               |   |                          |                              |                       |                       |  |                                     |
| 2003–04 | 53 524                 | 5.2                           | 16.8  | 6.6                      | 2.8                          | 8.8                   | 11.4                  | 35.1   | 6.4                                 |
| 2004–05 | 55 873                 | 8.9                           | 27.0  | 6.7                      | 3.5                          | 5.8                   | 8.9                   | 26.7   | 5.2                                 |
| 2005–06 | 65 431                 | 8.3                           | 26.5  | 5.1                      | 2.6                          | 5.8                   | 9.5                   | 28.2   | 6.3                                 |
| 2006–07 | 73 984                 | 7.7                           | 25.2  | 4.8                      | 2.2                          | 6.1                   | 10.0                  | 30.6   | 6.0                                 |
| 2007–08 | 89 645                 | 6.8                           | 23.9  | 4.4                      | 1.9                          | 5.3                   | 8.8                   | 37.3   | 5.4                                 |
| TAS.    |                        |                               |   |                          |                              |                       |                       |  |                                     |
| 2003–04 | 45 140                 | 3.3                           | 0.7   | 2.7                      | 0.8                          | 1.4                   | 3.4                   | 79.6   | 3.2                                 |
| 2004–05 | 45 015                 | 3.8                           | 0.9   | 2.3                      | 0.9                          | 1.4                   | 3.4                   | 79.1   | 3.7                                 |
| 2005–06 | 41 856                 | 4.8                           | 1.2   | 2.3                      | 1.0                          | 1.4                   | 3.2                   | 77.2   | 3.9                                 |
| 2006–07 | 48 923                 | 4.1                           | 1.0   | 1.9                      | 0.8                          | 1.4                   | 3.6                   | 79.0   | 4.0                                 |
| 2007–08 | 52 254                 | 3.7                           | 1.1   | 1.8                      | 0.8                          | 1.4                   | 3.9                   | 80.8   | 3.3                                 |

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(a) Refers to finalised appearances rather than finalised defendants in the Magistrates' Court, resulting in potentially higher population counts (see Explanatory Note 14).

**3.12**DEFENDANTS ADJUDICATED, Selected principal offence by states and territories, 2003–04 to 2007–08 *continued*

|            | Defendants adjudicated | Acts intended to cause injury | Dangerous or negligent acts endangering persons | Theft & related offences | Deception & related offences | Illicit drug offences | Public order offences | Road traffic & motor vehicle regulatory offences | Offences against justice procedures |
|------------|------------------------|-------------------------------|---|--------------------------|------------------------------|-----------------------|-----------------------|--|-------------------------------------|
|            | no.                    | %                             | %   | %                        | %                            | %                     | %                     | %  | %                                   |
| NT         |                        |                               |   |                          |                              |                       |                       |  |                                     |
| 2003–04    | 6 369                  | 14.5                          | 14.2  | 4.1                      | 1.5                          | 3.5                   | 7.2                   | 38.3   | 2.5                                 |
| 2004–05    | 8 120                  | 16.3                          | 6.3   | 4.1                      | 1.9                          | 4.0                   | 8.8                   | 40.3   | 5.0                                 |
| 2005–06    | 8 247                  | 18.9                          | 5.9   | 3.4                      | 1.8                          | 3.9                   | 8.5                   | 39.8   | 7.2                                 |
| 2006–07    | 8 336                  | 19.2                          | 5.3   | 3.2                      | 1.4                          | 4.5                   | 7.2                   | 38.3   | 7.5                                 |
| 2007–08    | 9 194                  | 17.0                          | 5.1   | 2.9                      | 1.2                          | 3.5                   | 8.0                   | 41.9   | 8.4                                 |
| ACT        |                        |                               |   |                          |                              |                       |                       |  |                                     |
| 2003–04    | 3 621                  | 12.2                          | 4.2   | 11.3                     | 3.7                          | 3.9                   | 2.0                   | 48.2   | 4.0                                 |
| 2004–05    | 3 344                  | 10.3                          | 3.6   | 11.2                     | 4.0                          | 3.7                   | 1.9                   | 50.1   | 4.8                                 |
| 2005–06    | 3 766                  | 8.6                           | 3.7   | 8.7                      | 2.1                          | 3.7                   | 2.8                   | 47.0   | 16.5                                |
| 2006–07    | 3 122                  | 11.5                          | 3.7   | 10.6                     | 1.9                          | 4.2                   | 3.6                   | 50.8   | 5.4                                 |
| 2007–08(a) | 3 348                  | 9.6                           | 20.3  | 7.2                      | 1.3                          | 3.6                   | 3.0                   | 39.8   | 6.2                                 |
| AUST.      |                        |                               |   |                          |                              |                       |                       |  |                                     |
| 2003–04    | 466 660                | 7.1                           | 7.1   | 8.2                      | 3.6                          | 6.1                   | 9.3                   | 44.1   | 5.5                                 |
| 2004–05    | 495 149                | 7.0                           | 8.1   | 7.3                      | 3.8                          | 5.6                   | 9.4                   | 44.7   | 5.4                                 |
| 2005–06    | 509 270                | 7.3                           | 8.2   | 6.4                      | 3.5                          | 5.4                   | 10.2                  | 44.2   | 6.4                                 |
| 2006–07    | r527 761               | 7.9                           | 8.6   | r5.7                     | 3.4                          | 5.5                   | 11.1                  | r43.0  | 6.0                                 |
| 2007–08    | 565 833                | 7.6                           | 8.8   | 5.1                      | 3.2                          | 5.2                   | 10.9                  | 45.4   | 5.5                                 |

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(a) Dangerous or negligent acts endangering persons are overstated and road traffic and motor vehicle regulatory driving offences are understated (see Explanatory Note 90).

### 3.13 DEFENDANTS PROVEN GUILTY, Principal sentence by states and territories, 2003–04 to 2007–08

|         | CUSTODIAL ORDERS                |  |                                 |                                 |              | NON-CUSTODIAL ORDERS                     |                        |                             |                 |              |
|---------|---------------------------------|--|---------------------------------|---------------------------------|--------------|--|------------------------|-----------------------------|-----------------|--------------|
|         | <i>Defendants proven guilty</i> | <i>Custody in a correctional institution</i> | <i>Custody in the community</i> | <i>Fully suspended sentence</i> | <i>Total</i> | <i>Community supervision/work orders</i> | <i>Monetary orders</i> | <i>Good behaviour bonds</i> | <i>Other(a)</i> | <i>Total</i> |
|         | no.                             | %  | %                               | %                               | %            | %  | %                      | %                           | %               | %            |
| NSW (b) |                                 |  |                                 |                                 |              |  |                        |                             |                 |              |
| 2003–04 | 127 053                         | 6.3  | 0.2                             | 4.0                             | 10.5         | 3.4                                      | 59.7                   | 15.8                        | 10.6            | 89.5         |
| 2004–05 | 137 054                         | 5.8  | 0.2                             | 3.9                             | 9.9          | 3.6                                      | 61.3                   | 14.5                        | 10.7            | 90.1         |
| 2005–06 | 135 495                         | 5.8  | 0.2                             | 3.8                             | 9.8          | 3.5                                      | 59.9                   | 15.4                        | 11.4            | 90.2         |
| 2006–07 | 133 686                         | 6.1  | 0.2                             | 3.8                             | 10.1         | 3.5                                      | 59.4                   | 16.6                        | 10.3            | 89.9         |
| 2007–08 | 135 862                         | 6.0  | 0.1                             | 3.9                             | 10.1         | 3.2                                      | 58.6                   | 17.0                        | 11.1            | 89.9         |
| VIC.    |                                 |  |                                 |                                 |              |  |                        |                             |                 |              |
| 2003–04 | 75 370                          | 6.1  | 1.6                             | 6.5                             | 14.2         | 6.8                                      | 53.1                   | 11.0                        | 14.1            | 85.1         |
| 2004–05 | 79 921                          | 5.5  | 1.5                             | 6.4                             | 13.5         | 5.9                                      | 52.3                   | 10.0                        | 17.5            | 85.7         |
| 2005–06 | 78 152                          | 5.7  | 1.6                             | 6.2                             | 13.5         | 5.8                                      | 53.5                   | 9.9                         | 16.7            | 85.9         |
| 2006–07 | 77 179                          | 5.6  | 1.9                             | 6.2                             | 13.8         | 5.5                                      | 54.7                   | 9.6                         | 16.0            | 85.9         |
| 2007–08 | 80 410                          | 4.7  | 1.9                             | 6.7                             | 13.3         | 5.0                                      | 57.4                   | 9.8                         | 14.1            | 86.3         |
| QLD     |                                 |  |                                 |                                 |              |  |                        |                             |                 |              |
| 2003–04 | 113 694                         | 3.0  | 0.3                             | 1.4                             | 4.6          | 4.7                                      | 86.7                   | 2.8                         | 1.2             | 95.4         |
| 2004–05 | 119 579                         | 3.0  | 0.4                             | 1.5                             | 4.8          | 4.8                                      | 85.6                   | 3.2                         | 1.6             | 95.2         |
| 2005–06 | 127 501                         | 2.8  | 0.4                             | 2.5                             | 5.7          | 5.3                                      | 82.4                   | 5.1                         | 1.4             | 94.3         |
| 2006–07 | r129 796                        | r3.3   | r0.4                            | r2.3                            | r5.9         | r5.7                                     | r81.2                  | 5.5                         | r1.7            | r94.1        |
| 2007–08 | 139 169                         | 3.6  | 0.3                             | 2.3                             | 6.1          | 5.6                                      | 80.9                   | 5.6                         | 1.7             | 93.9         |
| SA      |                                 |  |                                 |                                 |              |  |                        |                             |                 |              |
| 2003–04 | 32 692                          | 2.2  | na                              | 4.7                             | 6.9          | 3.0                                      | 87.3                   | 0.4                         | 1.6             | 92.3         |
| 2004–05 | 35 218                          | 2.2  | na                              | 4.6                             | 6.8          | 2.4                                      | 90.0                   | 0.1                         | 0.6             | 93.1         |
| 2005–06 | 36 101                          | 1.7  | na                              | 4.2                             | 5.9          | 1.9                                      | 78.0                   | 5.6                         | 8.6             | 94.1         |
| 2006–07 | 37 870                          | 1.9  | 1.2                             | 3.3                             | 6.4          | 1.8                                      | 75.6                   | 6.7                         | 9.4             | 93.6         |
| 2007–08 | 39 910                          | 2.3  | 1.8                             | 4.5                             | 8.7          | 1.9                                      | 72.8                   | 6.3                         | 10.3            | 91.3         |
| WA      |                                 |  |                                 |                                 |              |  |                        |                             |                 |              |
| 2003–04 | 52 637                          | 4.1  | ..                              | 3.6                             | 7.7          | 7.6                                      | 78.8                   | 5.5                         | 0.4             | 92.2         |
| 2004–05 | 55 140                          | 3.8  | ..                              | 3.7                             | 7.5          | 7.4                                      | 80.0                   | 4.8                         | 0.3             | 92.5         |
| 2005–06 | 64 686                          | 3.3  | ..                              | 3.0                             | 6.3          | 6.1                                      | 83.3                   | 4.0                         | 0.3             | 93.7         |
| 2006–07 | 73 234                          | 2.7  | ..                              | 2.7                             | 5.4          | 5.1                                      | 86.0                   | 3.2                         | 0.2             | 94.6         |
| 2007–08 | 88 852                          | 2.5  | ..                              | 2.6                             | 5.0          | 4.0                                      | 88.2                   | 2.5                         | 0.3             | 95.0         |
| TAS.    |                                 |  |                                 |                                 |              |  |                        |                             |                 |              |
| 2003–04 | 36 946                          | 2.0  | ..                              | 2.6                             | 4.6          | 1.4                                      | 88.6                   | 2.6                         | 0.1             | 92.8         |
| 2004–05 | 36 573                          | 2.0  | ..                              | 2.5                             | 4.5          | 1.3                                      | 88.1                   | 2.7                         | 0.1             | 92.2         |
| 2005–06 | 34 438                          | 2.0  | ..                              | 3.1                             | 5.1          | 1.5                                      | 88.1                   | 3.3                         | 2.0             | 94.9         |
| 2006–07 | 40 909                          | 1.8  | ..                              | 2.5                             | 4.2          | 1.3                                      | 89.4                   | 3.4                         | 0.9             | 94.9         |
| 2007–08 | 45 464                          | 1.5  | ..                              | 2.4                             | 3.9          | 1.0                                      | 89.8                   | 3.1                         | 1.4             | 95.3         |

.. not applicable

na not available

r revised

(a) Includes other non-custodial orders n.f.d, licence disqualification/suspensions/amendments, forfeiture of property orders, nominal penalties and other non-custodial orders n.e.c.

(b) Refers to finalised appearances rather than finalised defendants in the Magistrates' Courts, resulting in potentially higher population counts (see Explanatory Note 14).

**3.13****DEFENDANTS PROVEN GUILTY, Principal sentence by states and territories,  
2003–04 to 2007–08 *continued***

|         | CUSTODIAL ORDERS                |  |                                 |                                 |              | NON-CUSTODIAL ORDERS                     |                        |                             |                 |              |
|---------|---------------------------------|--|---------------------------------|---------------------------------|--------------|--|------------------------|-----------------------------|-----------------|--------------|
|         | <i>Defendants proven guilty</i> | <i>Custody in a correctional institution</i> | <i>Custody in the community</i> | <i>Fully suspended sentence</i> | <i>Total</i> | <i>Community supervision/work orders</i> | <i>Monetary orders</i> | <i>Good behaviour bonds</i> | <i>Other(a)</i> | <i>Total</i> |
|         | no.                             | %  | %                               | %                               | %            | %  | %                      | %                           | %               | %            |
| NT      |                                 |  |                                 |                                 |              |  |                        |                             |                 |              |
| 2003–04 | 5 968                           | 25.3   | —                               | —                               | 25.3         | 3.1                                      | 67.6                   | 3.6                         | 0.4             | 74.6         |
| 2004–05 | 7 628                           | 21.2   | 0.1                             | 8.8                             | 30.0         | 3.6                                      | 57.8                   | 7.4                         | 1.2             | 70.0         |
| 2005–06 | 7 584                           | 23.1   | 0.1                             | 8.6                             | 31.7         | 3.2                                      | 58.0                   | 5.8                         | 1.3             | 68.3         |
| 2006–07 | 7 810                           | 23.6   | —                               | 8.0                             | 31.6         | 3.1                                      | 58.1                   | 6.0                         | 1.2             | 68.4         |
| 2007–08 | 8 590                           | 22.4   | —                               | 7.0                             | 29.4         | 2.1                                      | 61.8                   | 5.7                         | 1.0             | 70.6         |
| ACT     |                                 |  |                                 |                                 |              |  |                        |                             |                 |              |
| 2003–04 | 3 503                           | 5.4  | —                               | 16.4                            | 21.8         | 2.1                                      | 67.0                   | 2.8                         | 3.0             | 74.9         |
| 2004–05 | 3 185                           | 5.9  | —                               | 8.8                             | 14.7         | 3.2                                      | 72.4                   | 7.1                         | 1.1             | 83.8         |
| 2005–06 | 3 627                           | 5.2  | —                               | 8.2                             | 13.4         | 2.7                                      | 75.1                   | 7.0                         | 1.7             | 86.5         |
| 2006–07 | 3 072                           | 6.7  | 0.2                             | 9.1                             | 16.0         | 2.8                                      | 72.0                   | 8.8                         | 0.4             | 84.0         |
| 2007–08 | 3 243                           | 6.3  | 1.5                             | 7.1                             | 14.8         | 3.7                                      | 67.8                   | 10.6                        | 3.0             | 85.2         |
| AUST.   |                                 |  |                                 |                                 |              |  |                        |                             |                 |              |
| 2003–04 | 447 863                         | 4.8  | 0.4                             | 3.7                             | 8.9          | 4.6                                      | 72.2                   | 8.0                         | 5.9             | 90.7         |
| 2004–05 | 474 298                         | 4.5  | 0.4                             | 3.7                             | 8.7          | 4.5                                      | 72.3                   | 7.6                         | 6.6             | 90.9         |
| 2005–06 | 487 584                         | 4.4  | 0.4                             | 3.8                             | 8.6          | 4.4                                      | 71.3                   | 8.5                         | 7.1             | 91.3         |
| 2006–07 | r503 556                        | 4.4  | 0.5                             | 3.6                             | 8.5          | r4.3                                     | 71.9                   | r8.7                        | 6.5             | r91.3        |
| 2007–08 | 541 500                         | 4.2  | 0.5                             | 3.7                             | 8.4          | 3.9                                      | 72.8                   | 8.4                         | 6.3             | 91.4         |

— nil or rounded to zero (including null cells)

r revised

(a) Includes other non-custodial orders n.f.d, licence disqualification/suspensions/amendments, forfeiture of property orders, nominal penalties and other non-custodial orders n.e.c.

INTRODUCTION

This chapter presents information about defendants finalised in the criminal jurisdiction of the Children's Courts during 2007–08. The criminal jurisdiction of the Children's Courts specifically deals with juvenile offenders charged with summary criminal offences, and in some states and territories those charged with indictable offences. The power of the Children's Court to hear serious criminal matters will vary across states and territories.

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

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

The offence categories referred to relate to the principal offence, i.e. the most serious offence type with which the defendant was charged. For more information about principal offence see paragraphs 40–45 of the Explanatory Notes.

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

*Juvenile justice*

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

Furthermore, the Children's Courts can also initiate programs as part of the court process by transferring defendants to drug and other specialist courts, or non-court agencies, and programs where defendants return to the Children's Court upon program completion. Some programs also utilise referral as a sentencing outcome. There can be many differences in the types of court programs or sentencing options available in each

*Juvenile justice continued*

state and territory (see Explanatory Notes paragraph 9), therefore caution should be used when making comparisons between states and territories.

*Snapshot*

- There were 39,412 defendants finalised in the Children's Courts in 2007–08, a decrease of 7% (2,742) from 2006–07.
- Males accounted for 78% (30,809) of the total defendants finalised in 2007–08, an increase from 77% in 2006–07.
- The majority (78% or 30,735) of all finalised defendants were proven guilty, 3% (1,251) were acquitted and 19% (7,425) were finalised either through the withdrawal of charges by the prosecution, transfers to other courts or via other non-adjudicated finalisations.
- Of the 31,986 defendants whose charges were adjudicated, 96% were proven guilty, while the remainder (4%) were acquitted. These proportions had not changed from 2006–07.
- For those defendants proven guilty, the majority (91% or 28,074) were sentenced to non-custodial orders.

## DEFENDANTS FINALISED

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

The large decrease (7%) in defendants finalised in 2007–08 was expected as Victorian Courts were dealing with a large number of backlog of cases relating to fare evasion (which is a subset of deception offences) during 2006–07 and this was not expected to continue at these same levels in 2007–08 (see Explanatory Notes paragraph 63). The number of defendants finalised at the national level with a principal offence of fare evasion declined by 41% (2,473 defendants) between 2006–07 and 2007–08.

*Charges withdrawn by the prosecution*

Defendants finalised through charges being withdrawn by the prosecution declined by 14% from 4,864 in 2006–07 to 4,177 in 2007–08.

During 2007–08, principal offences with the largest number of defendants finalised through charges withdrawn by the prosecution were:

- theft (741)
- acts intended to cause injury (688); and
- deception (617).

The Australian Capital Territory (17%), Victoria (15%) and New South Wales (14%) had relatively larger proportions of defendants finalised through charges withdrawn than the national average of 11%. Tasmania has the smallest proportion of defendants finalised through charges withdrawn (3%).

DEFENDANTS  
ADJUDICATED

The following information only relates to defendants who were adjudicated, i.e. finalised via a plea of guilty or a decision by the Children's Court as to their guilt or innocence of the final charges laid. Defendants adjudicated are also referred to as defendants charged or defendants heard.

DEFENDANTS  
ADJUDICATED *continued*

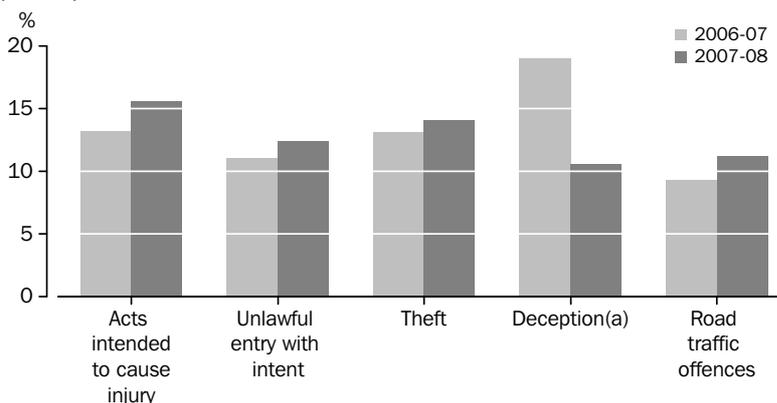
During 2007–08, 31,986 or 81% of defendants finalised in the Children's Courts in Australia were adjudicated.

*Principal offence*

In 2007–08, those charged with a principal offence of acts intended to cause injury formed the largest proportion of defendants (16%) in the Children's Courts. This was followed by: theft (14%); unlawful entry with intent (12%); and deception and road traffic offences, both at 11%. Combined, these principal offences accounted for two-thirds (64%) of defendants appearing before the Children's Courts in 2007–08.

Proportionally the number of defendants with acts intended to cause injury increased from 14% to 16%. Deception recorded the largest proportional decrease, having accounted for 19% of defendants in 2006–07 and 11% in 2007–08. This was mainly as a result of the clearance of backlogs of fare evasions in Victoria. Fare evasion comprised the highest proportion of offences under the principal offence of deception. Victorian defendants charged with fare evasion accounted for 96% (2,832) of defendants charged with deception in that state, and 83% (3,036) of defendants charged with deception Australia wide.

DEFENDANTS ADJUDICATED, Proportion of defendants with selected principal offences

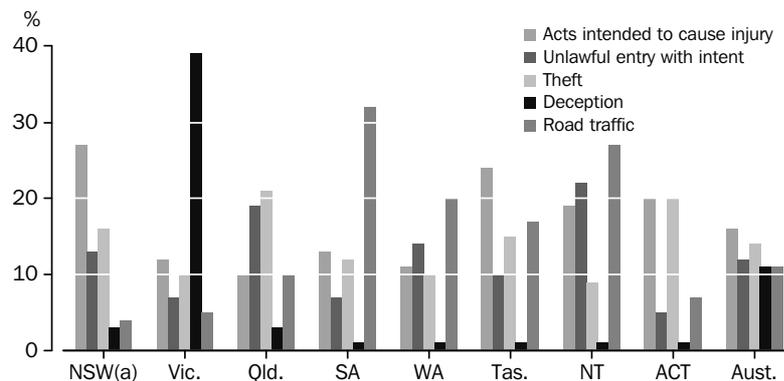


(a) Includes fare evasion

There was variation across states and territories in the types of principal offences that defendants were charged with in the Children's Courts in 2007–08. Acts intended to cause injury accounted for the largest proportion of final charges for defendants in New South Wales (27%), Tasmania (24%) and the Australian Capital Territory (20%). In South Australia and the Northern Territory, road traffic offences accounted for the largest proportion of final charges (32% and 26% respectively). For the remaining states and territories the most prevalent offence types were: theft and related offences in Queensland (20%); dangerous or negligent acts and road traffic offences in Western Australia (both 20%); and deception in Victoria (39%).

Principal offence  
continued

DEFENDANTS ADJUDICATED, Selected principal offence by states and territories



(a) Refers to finalised appearances rather than finalised defendants in the Children's Courts, resulting in potentially higher population counts (see Explanatory Note 15).

Sex

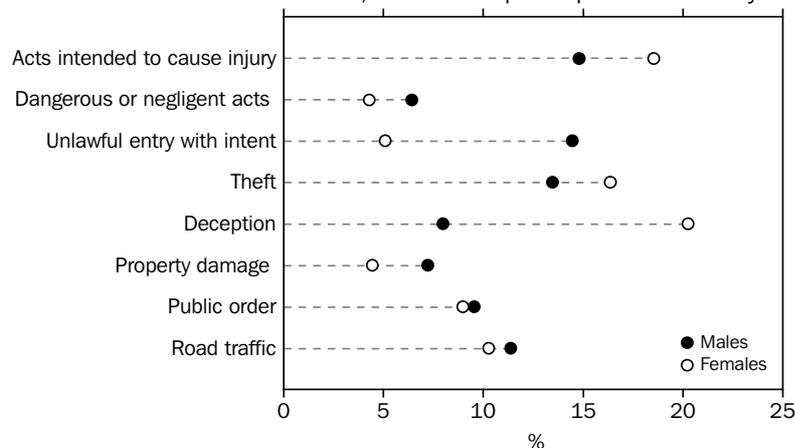
In 2007–08, over three quarters (78% or 25,019) of defendants heard in the Children's Courts were male, while females accounted for 22% (6,925). The number of males decreased 5% from the 26,387 defendants heard in 2006–07, while the number of females decreased 12% (down from 7,836).

The most prevalent principal offence for male defendants was acts intended to cause injury (15%), followed by unlawful entry with intent (14%), and theft (13%).

In contrast, deception was the most prevalent principal offence type for females (20%), followed closely by acts intended to cause injury (19%). The proportion of females with this latter principal offence increased from 14% (1,110 females) in 2006–07 to 19% (1,283) in 2007–08. This was higher than the proportion for males in both years (13% and 15% respectively).

Unlawful entry with intent accounted for a much lower proportion of female defendants (5%) than males (14%), while proportionally there were more females heard for theft (16%) compared to 14% of males.

DEFENDANTS ADJUDICATED, Selected principal offence by sex



Age

The largest proportion of defendants heard in the Children's Courts were aged 17 years at the time of finalisation (28% or 8,936), followed by those aged 16 years (23% or 7,381). Those aged 10 to 12 years comprised 2% (725), no change from 2006–07.

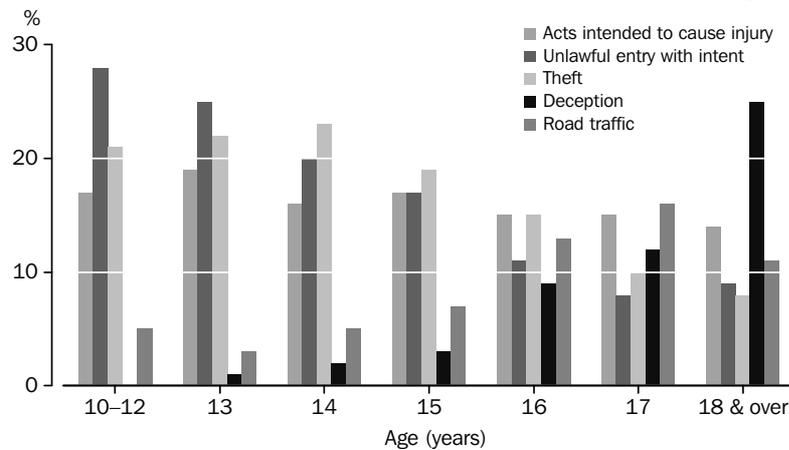
*Age continued*

Younger defendants (those aged between 10 to 14 years of age) are more likely to be charged with property offences, but as they become older these offence types start to decline and more defendants are charged with offences against the person, road traffic or deception offences (mainly fare evasion). However, in 2007–08 a reasonable proportion of young offenders were heard in the Children's Courts for acts intended to cause injury: 17% of 10–12 year olds, 19% of 13 year olds, and 16% of 14 year olds.

The type of offence defendants were charged with in the Children's Courts varied by age:

- Of the youngest defendants, the largest proportion had a principal offence of unlawful entry with intent: 28% for those aged 10–12 years, and 25% for those aged 13 years;
- Defendants aged 14 and 15 years most commonly had a principal offence of theft (23% and 19% respectively);
- Acts intended to cause injury and theft comprised the largest proportion of offences for 16 year olds (both 15%). In 2006–07 the proportion for theft was the same, while for acts intended to cause injury, it was slightly lower at 14%.
- The largest proportion of defendants aged 17 years had a principal offence of road traffic offences (16%), acts intended to cause injury (15%), and deception (12%).
- Deception offences accounted for a quarter (25%) of defendants aged 18 years and over, followed by acts intended to cause injury (15%).

DEFENDANTS ADJUDICATED, Selected principal offence by age



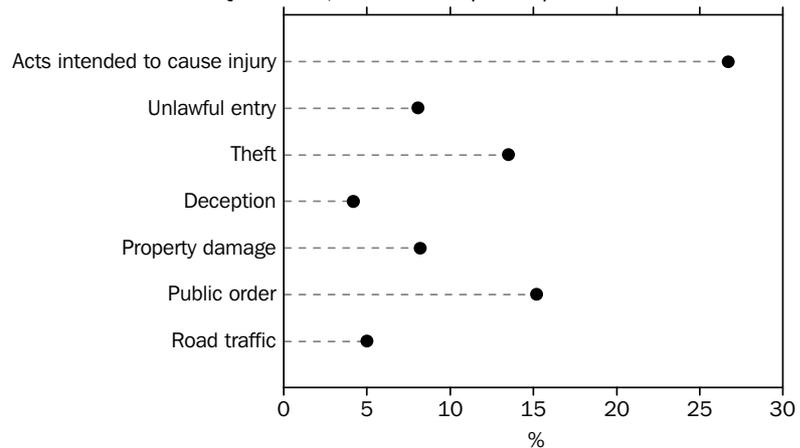
*Defendants acquitted*

In 2007–08, 1,251 or 4% of defendants adjudicated in the Children's Courts in Australia were acquitted.

The largest proportion of defendants acquitted had the following principal offences: acts intended to cause injury accounting (27%), public order offences (15%), theft (13%), property damage and unlawful entry with intent (both 8%).

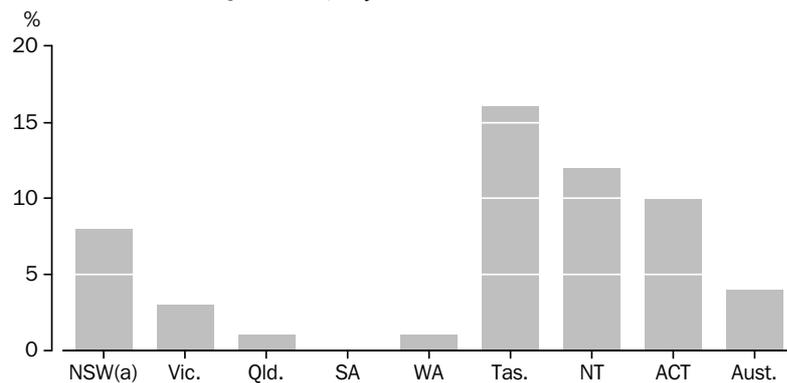
*Defendants acquitted  
continued*

DEFENDANTS ACQUITTED, Selected principal offence



The proportion of defendants acquitted were greater than the national average for Tasmania and the Northern Territory (16% and 12% respectively). South Australia had the smallest number at 0.3%.

DEFENDANTS ACQUITTED, By states and territories



(a) Refers to finalised appearances rather than finalised defendants in the Children's Courts, resulting in potentially higher population counts (see Explanatory Note 15).

*Defendants proven guilty*

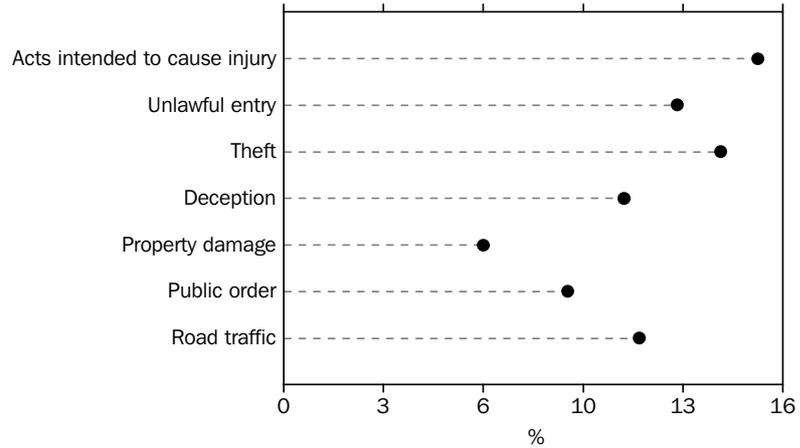
Defendants are referred to as 'convicted' where they were proven guilty of at least one of the final charges laid against them in a court. This includes defendants who pleaded guilty or are found guilty, including those found guilty ex-parte.

Defendants proven guilty in the Children's Courts accounted for 30,735 (96%) of defendants adjudicated in 2007–08.

For those proven guilty, the largest proportion of defendants had the following principal offences: acts intended to cause injury (15%), theft (14%), unlawful entry with intent (13%), and road traffic and deception offences (both 11%).

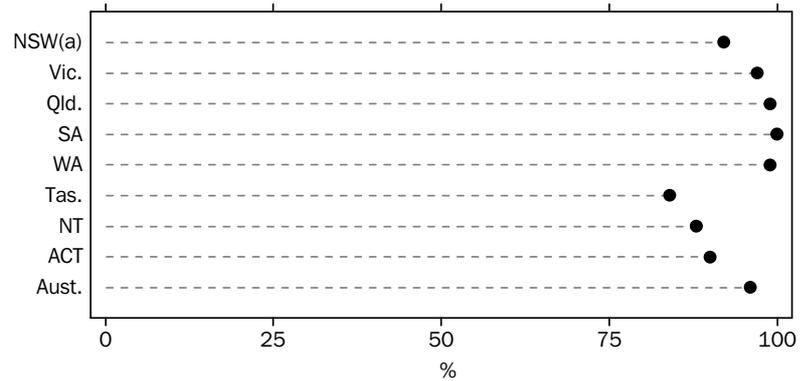
*Defendants proven guilty  
continued*

DEFENDANTS PROVEN GUILTY, Selected principal offence



Queensland, South Australia, Western Australia (all 99%) and Victoria (97%) had larger proportions of defendants with proven guilty outcomes than the national average (96%).

DEFENDANTS PROVEN GUILTY, By states and territories



(a) Refers to finalised appearances rather than finalised defendants in the Children's Court, resulting in potentially higher population counts (see Explanatory Note 15).

SENTENCE OUTCOMES

The following information relates to sentence outcomes for defendants heard in the Children's Courts. Sentence refers to the principal sentence a defendant received (refer to Explanatory Notes paragraphs 46–48 for further information).

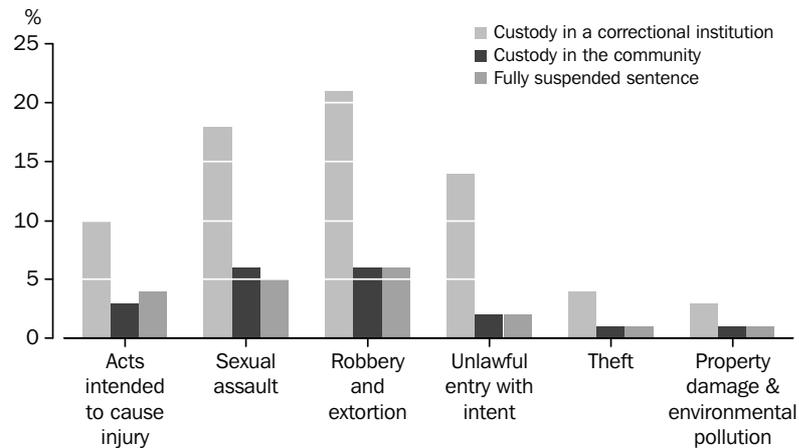
*Custodial orders*

Of the defendants convicted in the Children's Courts in 2007–08, 2,616 (9%) were sentenced to custodial orders. Defendants ordered to serve time in a correctional institution comprised 6% of all sentence outcomes, those issued with fully suspended sentences accounted for 2%, while defendants sentenced to custody in the community accounted for 1%.

One third (33% or 432) of defendants convicted of robbery and extortion were issued with custodial orders. Other offences with relatively high proportions of custodial sentences were sexual assault (29% or 87), unlawful entry with intent (18% or 701) and acts intended to cause injury (17% or 787). The majority of these defendants were sentenced to custody in a correctional institution.

*Custodial orders  
continued*

DEFENDANTS PROVEN GUILTY, Custodial sentences by selected principal offence



Custodial orders were issued to 10% of convicted male defendants and 3% of female defendants.

Defendants aged 19 years and over at the time of finalisation were the most likely to receive a sentence of custody in a correctional institution (8% or 62). This was similar for this age group in 2006–07 (9%). Those aged 10–12 years were the least likely (1% or 10) to receive a sentence of custody in a correctional institution. During 2006–07, 3% of 10–12 year old defendants received this sentence outcome.

Convicted defendants in the Northern Territory were the most likely of any state or territory to be sentenced to custodial orders (23% or 116), followed by Tasmania (16% or 137) and New South Wales (14% or 1,010). Victoria, Queensland and Western Australia were the least likely to sentence convicted defendants to custodial orders (6% each).

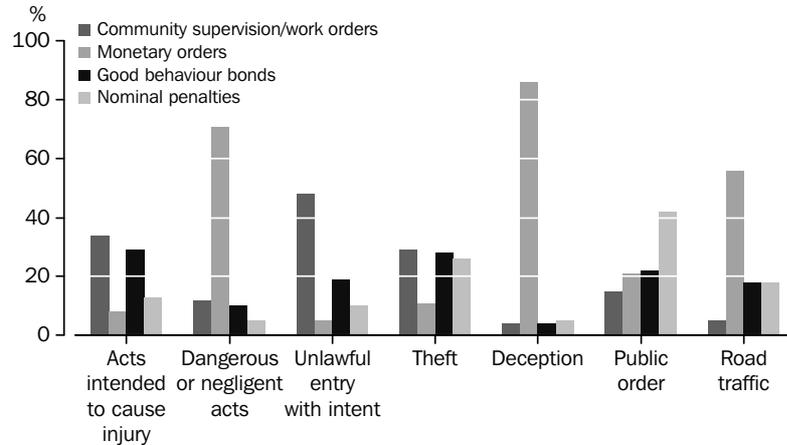
*Non-custodial orders*

During 2007–08, 28,074 (91%) defendants convicted in the Children's Courts were sentenced to non-custodial orders. Defendants who had monetary orders imposed comprised 29% of all sentence outcomes, those with community supervision or work orders accounted for 24%, while those with good behaviour bonds comprised 20%. In 2006–07, monetary orders comprised 36% of all sentence outcomes, community supervision or work orders 22%, and good behaviour bonds 19%.

Monetary orders were more likely to be issued for defendants convicted of deception or dangerous or negligent acts (86% and 71% respectively), than other sentences. Community supervision or work orders were the most common sentences for defendants convicted of unlawful entry with intent (48%), and acts intended to cause injury (34%).

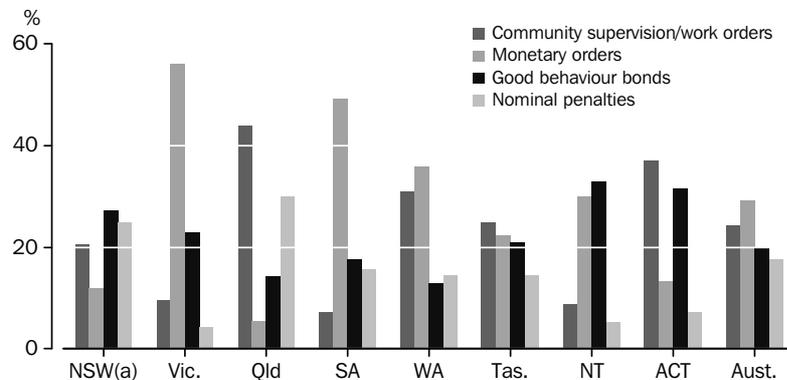
*Non-custodial orders  
continued*

**DEFENDANTS PROVEN GUILTY, Selected non-custodial sentences by selected principal offence**



In 2007–08, 56% (4,126) of convicted defendants in Victoria were sentenced with a monetary order, though this was largely due to the high number of fare evasions. Close to half (49%) of all sentences issued to convicted defendants in South Australia were monetary orders. Community supervision or work orders were the most prevalent sentences in Queensland (44%), the Australian Capital Territory (37%) and Tasmania (25%), while good behaviour bonds were most common in the Northern Territory (33%) and New South Wales (27%).

**DEFENDANTS PROVEN GUILTY, Selected non-custodial sentences by states and territories**



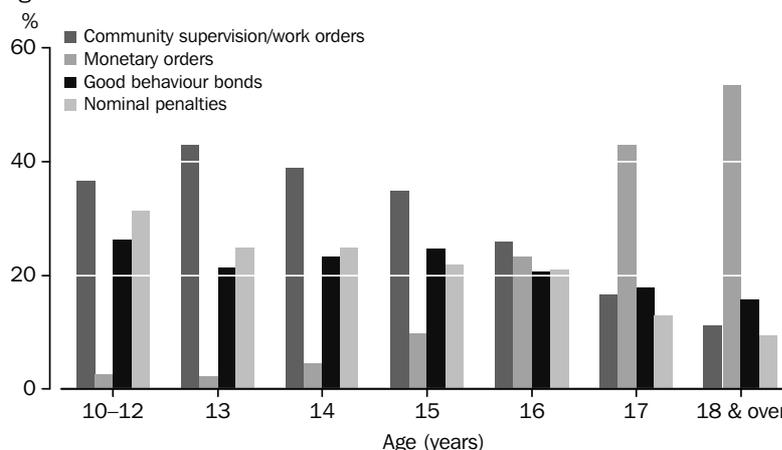
(a) Refers to finalised appearances rather than finalised defendants in the Children's Court, resulting in potentially higher population counts (see Explanatory Note 15).

Of the 24,042 convicted male defendants, nearly a third (27%) received a monetary order, while a quarter (25%) received a community supervision or work order. Convicted female defendants were more likely than males to receive a monetary order (36% compared with 27%).

The proportion of convicted defendants receiving community supervision or work orders generally decreased with age, from 43% of 13 year old defendants to 11% of those aged 18 years or more. Older defendants were more likely to be sentenced to monetary orders; 54% of those aged 18 years and over received this order compared to 2% of 13 year olds.

*Non-custodial orders  
continued*

**DEFENDANTS PROVEN GUILTY, Selected non-custodial sentences by age**

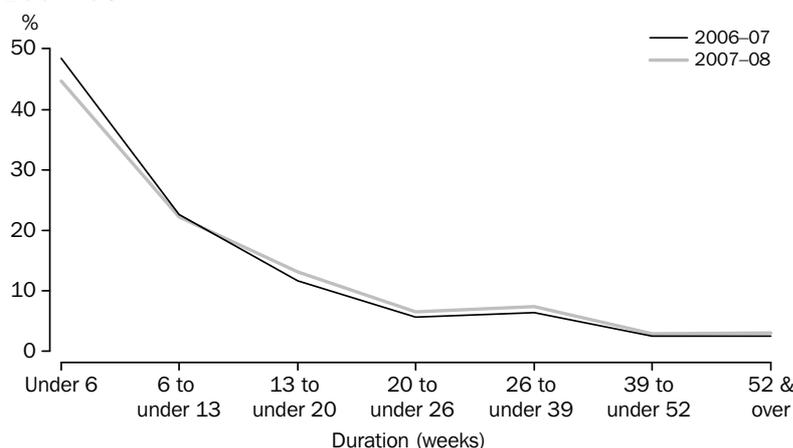


**DURATION OF CASES  
ADJUDICATED**

The nature of the charges presented to the court for a defendant, along with the process required to deal with the charges (which is affected by the type of plea), impact on the time required for a court to finalise a case. The duration is calculated from the date of initiation to finalisation of the case (for more information about duration see paragraphs 39, 55, 57–58 of the Explanatory Notes and the Glossary).

Just under half (44%) of the defendants charged in the Children's Court had their cases finalised in less than 6 weeks, while 6% of cases were finalised at 39 or more weeks. In 2006–07, 5% of cases were finalised at 39 or more weeks, while 48% were finalised in less than 6 weeks.

**DEFENDANTS ADJUDICATED, Duration of cases finalised, 2006–07 to 2007–08**



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

|                             | Acts<br>intended to<br>cause<br>injury | Unlawful<br>entry with<br>intent | Theft &<br>related<br>offences | Deception<br>& related<br>offences | Property<br>damage &<br>environ-<br>mental<br>pollution | Public<br>order<br>offences | Road traffic<br>& motor<br>vehicle<br>regulatory<br>offences | Other(a)     | Total(b)      |
|-----------------------------|--|----------------------------------|--------------------------------|------------------------------------|---|-----------------------------|--|--------------|---------------|
| .....                       |  |                                  |                                |                                    |   |                             |  |              |               |
| NUMBER                      |  |                                  |                                |                                    |   |                             |  |              |               |
| <b>Adjudicated outcomes</b> |  |                                  |                                |                                    |   |                             |  |              |               |
| Acquitted                   | 333                                    | 101                              | 168                            | 52                                 | 102   | 189                         | 62   | 241          | 1 251         |
| Proven guilty               | 4 659                                  | 3 872                            | 4 304                          | 3 347                              | 1 972   | 2 780                       | 3 500  | 6 158        | 30 735        |
| <b>Total</b>                | <b>4 992</b>                           | <b>3 973</b>                     | <b>4 472</b>                   | <b>3 399</b>                       | <b>2 074</b>  | <b>2 969</b>                | <b>3 562</b>   | <b>6 399</b> | <b>31 986</b> |
| <b>Sentence outcomes</b>    |  |                                  |                                |                                    |   |                             |  |              |               |
| Custodial orders            | 787                                    | 701                              | 258                            | 24                                 | 104   | 26                          | 22   | 694          | 2 616         |
| Non-custodial orders        | 3 866                                  | 3 170                            | 4 040                          | 3 317                              | 1 866   | 2 750                       | 3 473  | 5 450        | 28 074        |
| <b>Total(c)</b>             | <b>4 659</b>                           | <b>3 874</b>                     | <b>4 304</b>                   | <b>3 347</b>                       | <b>1 973</b>  | <b>2 780</b>                | <b>3 500</b>   | <b>6 158</b> | <b>30 737</b> |
| .....                       |  |                                  |                                |                                    |   |                             |  |              |               |
| PROPORTION (%)              |  |                                  |                                |                                    |   |                             |  |              |               |
| <b>Adjudicated outcomes</b> |  |                                  |                                |                                    |   |                             |  |              |               |
| Acquitted                   | 6.7                                    | 2.5                              | 3.8                            | 1.5                                | 4.9   | 6.4                         | 1.7  | 3.8          | 3.9           |
| Proven guilty               | 93.3                                   | 97.5                             | 96.2                           | 98.5                               | 95.1  | 93.6                        | 98.3   | 96.2         | 96.1          |
| <b>Total</b>                | <b>100.0</b>                           | <b>100.0</b>                     | <b>100.0</b>                   | <b>100.0</b>                       | <b>100.0</b>  | <b>100.0</b>                | <b>100.0</b>   | <b>100.0</b> | <b>100.0</b>  |
| <b>Sentence outcomes</b>    |  |                                  |                                |                                    |   |                             |  |              |               |
| Custodial orders            | 16.9                                   | 18.1                             | 6.0                            | 0.7                                | 5.3   | 0.9                         | 0.6  | 11.3         | 8.5           |
| Non-custodial orders        | 83.0                                   | 81.8                             | 93.9                           | 99.1                               | 94.6  | 98.9                        | 99.2   | 88.5         | 91.3          |
| <b>Total(c)</b>             | <b>100.0</b>                           | <b>100.0</b>                     | <b>100.0</b>                   | <b>100.0</b>                       | <b>100.0</b>  | <b>100.0</b>                | <b>100.0</b>   | <b>100.0</b> | <b>100.0</b>  |

(a) Includes Divisions 01, 03, 04, 05, 06, 10, 11, 15 & 16 of the ASOC (refer to Appendix 3).

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

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

## 4.2 SUMMARY CHARACTERISTICS OF DEFENDANTS, 2006–07 to 2007–08 .....

|                               | NUMBER         |               | PERCENTAGE                          |
|-------------------------------|----------------|---------------|-------------------------------------|
|                               | 2006–07        | 2007–08       | CHANGE (%)<br>2006–07 to<br>2007–08 |
| <b>Defendants finalised</b>   |                |               |                                     |
| Males                         | r32 494        | 30 809        | -5.2                                |
| Females                       | r9 596         | 8 547         | -10.9                               |
| <b>Total(a)</b>               | <b>r42 154</b> | <b>39 412</b> | <b>-6.5</b>                         |
| <b>Method of finalisation</b> |                |               |                                     |
| Acquitted                     | r1 459         | 1 251         | -14.3                               |
| Proven guilty                 | r32 811        | 30 735        | -6.3                                |
| <i>Total</i>                  | r34 270        | 31 986        | -6.7                                |
| Transfers to other courts     | r1 220         | 1 246         | 2.1                                 |
| Withdrawn by prosecution      | r4 864         | 4 177         | -14.1                               |
| Other(b)                      | r1 800         | 2 002         | 11.2                                |
| <b>Total</b>                  | <b>r42 154</b> | <b>39 412</b> | <b>-6.5</b>                         |
| <b>Sentence outcomes</b>      |                |               |                                     |
| Custodial orders              | r2 530         | 2 617         | 3.4                                 |
| Non-custodial orders          | r30 206        | 28 074        | -7.1                                |
| <b>Total proven guilty(c)</b> | <b>r32 811</b> | <b>30 735</b> | <b>-6.3</b>                         |

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(a) Includes defendants with unknown sex.

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

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

## 4.3 SUMMARY CHARACTERISTICS OF DEFENDANTS, States and territories .....

|                               | NSW(a)       | Vic.         | Qld          | SA           | WA           | Tas.         | NT         | ACT        | Aust.         |
|-------------------------------|--------------|--------------|--------------|--------------|--------------|--------------|------------|------------|---------------|
| NUMBER                        |              |              |              |              |              |              |            |            |               |
| <b>Defendants finalised</b>   |              |              |              |              |              |              |            |            |               |
| Males                         | 7 621        | 6 237        | 5 833        | 2 765        | 6 623        | 829          | 537        | 364        | 30 809        |
| Females                       | 1 642        | 2 654        | 1 609        | 602          | 1 609        | 221          | 122        | 88         | 8 547         |
| <b>Total(b)</b>               | <b>9 263</b> | <b>8 891</b> | <b>7 446</b> | <b>3 367</b> | <b>8 284</b> | <b>1 050</b> | <b>659</b> | <b>452</b> | <b>39 412</b> |
| <b>Method of finalisation</b> |              |              |              |              |              |              |            |            |               |
| Adjudicated outcomes          |              |              |              |              |              |              |            |            |               |
| Acquitted                     | 649          | 228          | 56           | 8            | 43           | 158          | 71         | 38         | 1 251         |
| Proven guilty                 | 7 025        | 7 336        | 6 516        | 2 329        | 5 852        | 839          | 512        | 326        | 30 735        |
| Total                         | 7 674        | 7 564        | 6 572        | 2 337        | 5 895        | 997          | 583        | 364        | 31 986        |
| Transfers to other courts     | 283          | 35           | 342          | 502          | 40           | 18           | 16         | 10         | 1 246         |
| Withdrawn by prosecution      | 1 291        | 1 292        | 531          | 400          | 497          | 35           | 54         | 77         | 4 177         |
| Other(c)                      | 15           | —            | 3            | 128          | 1 852        | —            | 6          | —          | 2 004         |
| <b>Total</b>                  | <b>9 263</b> | <b>8 891</b> | <b>7 448</b> | <b>3 367</b> | <b>8 284</b> | <b>1 050</b> | <b>659</b> | <b>451</b> | <b>39 413</b> |
| <b>Sentence outcomes</b>      |              |              |              |              |              |              |            |            |               |
| Custodial orders              | 1 010        | 457          | 371          | 165          | 328          | 137          | 116        | 33         | 2 617         |
| Non-custodial orders          | 6 015        | 6 835        | 6 145        | 2 164        | 5 524        | 702          | 396        | 293        | 28 074        |
| <b>Total(d)</b>               | <b>7 025</b> | <b>7 336</b> | <b>6 516</b> | <b>2 329</b> | <b>5 852</b> | <b>839</b>   | <b>512</b> | <b>326</b> | <b>30 735</b> |

|                               | PROPORTION (%) |              |              |              |              |              |              |              |              |
|-------------------------------|----------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|
| <b>Defendants finalised</b>   |                |              |              |              |              |              |              |              |              |
| Males                         | 82.3           | 70.1         | 78.3         | 82.1         | 79.9         | 79.0         | 81.5         | 80.5         | 78.2         |
| Females                       | 17.7           | 29.9         | 21.6         | 17.9         | 19.4         | 21.0         | 18.5         | 19.5         | 21.7         |
| <b>Total(b)</b>               | <b>100.0</b>   | <b>100.0</b> | <b>100.0</b> | <b>100.0</b> | <b>100.0</b> | <b>100.0</b> | <b>100.0</b> | <b>100.0</b> | <b>100.0</b> |
| <b>Method of finalisation</b> |                |              |              |              |              |              |              |              |              |
| Adjudicated outcomes          |                |              |              |              |              |              |              |              |              |
| Acquitted                     | 7.0            | 2.6          | 0.8          | 0.2          | 0.5          | 15.0         | 10.8         | 8.4          | 3.2          |
| Proven guilty                 | 75.8           | 82.5         | 87.5         | 69.2         | 70.6         | 79.9         | 77.7         | 72.3         | 78.0         |
| Total                         | 82.8           | 85.1         | 88.2         | 69.4         | 71.2         | 95.0         | 88.5         | 80.7         | 81.2         |
| Transfers to other courts     | 3.1            | 0.4          | 4.6          | 14.9         | 0.5          | 1.7          | 2.4          | 2.2          | 3.2          |
| Withdrawn by prosecution      | 13.9           | 14.5         | 7.1          | 11.9         | 6.0          | 3.3          | 8.2          | 17.1         | 10.6         |
| Other(c)                      | 0.2            | —            | —            | 3.8          | 22.4         | —            | 0.9          | —            | 5.1          |
| <b>Total</b>                  | <b>100.0</b>   | <b>100.0</b> | <b>100.0</b> | <b>100.0</b> | <b>100.0</b> | <b>100.0</b> | <b>100.0</b> | <b>100.0</b> | <b>100.0</b> |
| <b>Sentence outcomes</b>      |                |              |              |              |              |              |              |              |              |
| Custodial orders              | 14.4           | 6.2          | 5.7          | 7.1          | 5.6          | 16.3         | 22.7         | 10.1         | 8.5          |
| Non-custodial orders          | 85.6           | 93.2         | 94.3         | 92.9         | 94.4         | 83.7         | 77.3         | 89.9         | 91.3         |
| <b>Total(d)</b>               | <b>100.0</b>   | <b>100.0</b> | <b>100.0</b> | <b>100.0</b> | <b>100.0</b> | <b>100.0</b> | <b>100.0</b> | <b>100.0</b> | <b>100.0</b> |

— nil or rounded to zero (including null cells)

(a) Refers to finalised appearances rather than finalised defendants in the Children's Courts, resulting in potentially higher population counts (see Explanatory Note 15).

(b) Includes defendants with unknown sex.

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

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

## 4.4 DEFENDANTS FINALISED, Sex and principal offence by method of finalisation ...

|  | Acquitted  | Proven<br>guilty | Transfers<br>to other<br>courts | Withdrawn<br>by<br>prosecution | Other(a)     | Total         |
|--|------------|------------------|---------------------------------|--------------------------------|--------------|---------------|
| MALES (no.)  |            |                  |                                 |                                |              |               |
| Homicide and related offences                                      | 4          | 9                | 21                              | 5                              | 3            | 42            |
| Acts intended to cause injury                                      | 243        | 3 458            | 183                             | 537                            | 99           | 4 520         |
| Sexual assault and related offences                                | 37         | 295              | 118                             | 142                            | 42           | 634           |
| Dangerous or negligent acts endangering persons                    | 24         | 1 587            | 8                               | 73                             | 111          | 1 803         |
| Abduction and related offences                                     | —          | 8                | —                               | 5                              | —            | 13            |
| Robbery, extortion and related offences                            | 66         | 1 121            | 165                             | 311                            | 14           | 1 677         |
| Unlawful entry with intent   | 96         | 3 518            | 195                             | 380                            | 375          | 4 564         |
| Theft and related offences   | 123        | 3 227            | 126                             | 575                            | 270          | 4 321         |
| Deception and related offences                                     | 33         | 1 966            | 8                               | 339                            | 11           | 2 357         |
| Illicit drug offences  | 6          | 523              | 9                               | 42                             | 41           | 621           |
| Weapons and explosives offences                                    | 9          | 420              | 15                              | 45                             | 33           | 522           |
| Property damage and environmental pollution                        | 86         | 1 687            | 98                              | 220                            | 148          | 2 239         |
| Public order offences  | 159        | 2 195            | 32                              | 219                            | 162          | 2 767         |
| Road traffic and motor vehicle regulatory offences                 | 42         | 2 803            | 13                              | 122                            | 164          | 3 144         |
| Offences against justice procedures, gov't security and operations | 31         | 624              | 12                              | 83                             | 54           | 804           |
| Miscellaneous offences   | 16         | 499              | 8                               | 126                            | 15           | 664           |
| <b>Total(b)</b>  | <b>975</b> | <b>24 044</b>    | <b>1 011</b>                    | <b>3 231</b>                   | <b>1 542</b> | <b>30 803</b> |

|  | MALES (%)  |             |            |             |            |              |
|--|------------|-------------|------------|-------------|------------|--------------|
| Homicide and related offences                                      | 9.5        | 21.4        | 50.0       | 11.9        | 7.1        | 100.0        |
| Acts intended to cause injury                                      | 5.4        | 76.5        | 4.0        | 11.9        | 2.2        | 100.0        |
| Sexual assault and related offences                                | 5.8        | 46.5        | 18.6       | 22.4        | 6.6        | 100.0        |
| Dangerous or negligent acts endangering persons                    | 1.3        | 88.0        | 0.4        | 4.0         | 6.2        | 100.0        |
| Abduction and related offences                                     | —          | 61.5        | —          | 38.5        | —          | 100.0        |
| Robbery, extortion and related offences                            | 3.9        | 66.8        | 9.8        | 18.5        | 0.8        | 100.0        |
| Unlawful entry with intent   | 2.1        | 77.1        | 4.3        | 8.3         | 8.2        | 100.0        |
| Theft and related offences   | 2.8        | 74.7        | 2.9        | 13.3        | 6.2        | 100.0        |
| Deception and related offences                                     | 1.4        | 83.4        | 0.3        | 14.4        | 0.5        | 100.0        |
| Illicit drug offences  | 1.0        | 84.2        | 1.4        | 6.8         | 6.6        | 100.0        |
| Weapons and explosives offences                                    | 1.7        | 80.5        | 2.9        | 8.6         | 6.3        | 100.0        |
| Property damage and environmental pollution                        | 3.8        | 75.3        | 4.4        | 9.8         | 6.6        | 100.0        |
| Public order offences  | 5.7        | 79.3        | 1.2        | 7.9         | 5.9        | 100.0        |
| Road traffic and motor vehicle regulatory offences                 | 1.3        | 89.2        | 0.4        | 3.9         | 5.2        | 100.0        |
| Offences against justice procedures, gov't security and operations | 3.9        | 77.6        | 1.5        | 10.3        | 6.7        | 100.0        |
| Miscellaneous offences   | 2.4        | 75.2        | 1.2        | 19.0        | 2.3        | 100.0        |
| <b>Total(b)</b>  | <b>3.2</b> | <b>78.1</b> | <b>3.3</b> | <b>10.5</b> | <b>5.0</b> | <b>100.0</b> |

— nil or rounded to zero (including null cells)

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

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

## 4.4 DEFENDANTS FINALISED, Sex and principal offence by method of finalisation

*continued*

|  | Acquitted  | Proven guilty | Transfers to other courts | Withdrawn by prosecution | Other(a)   | Total        |
|--|------------|---------------|---------------------------|--------------------------|------------|--------------|
| FEMALES (no.)  |            |               |                           |                          |            |              |
| Homicide and related offences                                      | —          | 3             | 3                         | —                        | —          | 6            |
| Acts intended to cause injury                                      | 90         | 1 193         | 67                        | 148                      | 57         | 1 555        |
| Sexual assault and related offences                                | —          | 3             | 4                         | 5                        | 3          | 15           |
| Dangerous or negligent acts endangering persons                    | 5          | 292           | 3                         | 11                       | 9          | 320          |
| Abduction and related offences                                     | —          | 3             | —                         | —                        | —          | 3            |
| Robbery, extortion and related offences                            | 9          | 173           | 29                        | 62                       | 5          | 278          |
| Unlawful entry with intent   | 5          | 349           | 20                        | 42                       | 78         | 494          |
| Theft and related offences   | 45         | 1 073         | 57                        | 166                      | 94         | 1 435        |
| Deception and related offences                                     | 19         | 1 381         | 7                         | 278                      | 10         | 1 695        |
| Illicit drug offences  | 4          | 108           | 3                         | 13                       | 13         | 141          |
| Weapons and explosives offences                                    | —          | 34            | —                         | 4                        | 3          | 41           |
| Property damage and environmental pollution                        | 16         | 283           | 18                        | 34                       | 27         | 378          |
| Public order offences  | 30         | 583           | 12                        | 55                       | 64         | 744          |
| Road traffic and motor vehicle regulatory offences                 | 20         | 689           | 3                         | 30                       | 61         | 803          |
| Offences against justice procedures, gov't security and operations | 13         | 229           | 3                         | 29                       | 26         | 300          |
| Miscellaneous offences   | 15         | 219           | 5                         | 57                       | 4          | 300          |
| <b>Total(b)</b>  | <b>271</b> | <b>6 654</b>  | <b>234</b>                | <b>937</b>               | <b>454</b> | <b>8 550</b> |
| FEMALES (%)  |            |               |                           |                          |            |              |
| Homicide and related offences                                      | —          | 50.0          | 50.0                      | —                        | —          | 100.0        |
| Acts intended to cause injury                                      | 5.8        | 76.7          | 4.3                       | 9.5                      | 3.7        | 100.0        |
| Sexual assault and related offences                                | —          | 20.0          | 26.7                      | 33.3                     | 20.0       | 100.0        |
| Dangerous or negligent acts endangering persons                    | 1.6        | 91.3          | 0.9                       | 3.4                      | 2.8        | 100.0        |
| Abduction and related offences                                     | —          | 100.0         | —                         | —                        | —          | 100.0        |
| Robbery, extortion and related offences                            | 3.2        | 62.2          | 10.4                      | 22.3                     | 1.8        | 100.0        |
| Unlawful entry with intent   | 1.0        | 70.6          | 4.0                       | 8.5                      | 15.8       | 100.0        |
| Theft and related offences   | 3.1        | 74.8          | 4.0                       | 11.6                     | 6.6        | 100.0        |
| Deception and related offences                                     | 1.1        | 81.5          | 0.4                       | 16.4                     | 0.6        | 100.0        |
| Illicit drug offences  | 2.8        | 76.6          | 2.1                       | 9.2                      | 9.2        | 100.0        |
| Weapons and explosives offences                                    | —          | 82.9          | —                         | 9.8                      | 7.3        | 100.0        |
| Property damage and environmental pollution                        | 4.2        | 74.9          | 4.8                       | 9.0                      | 7.1        | 100.0        |
| Public order offences  | 4.0        | 78.4          | 1.6                       | 7.4                      | 8.6        | 100.0        |
| Road traffic and motor vehicle regulatory offences                 | 2.5        | 85.8          | 0.4                       | 3.7                      | 7.6        | 100.0        |
| Offences against justice procedures, gov't security and operations | 4.3        | 76.3          | 1.0                       | 9.7                      | 8.7        | 100.0        |
| Miscellaneous offences   | 5.0        | 73.0          | 1.7                       | 19.0                     | 1.3        | 100.0        |
| <b>Total(b)</b>  | <b>3.2</b> | <b>77.8</b>   | <b>2.7</b>                | <b>11.0</b>              | <b>5.3</b> | <b>100.0</b> |

— nil or rounded to zero (including null cells)

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

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

**4.4**

## DEFENDANTS FINALISED, Sex and principal offence by method of finalisation

*continued*

|  | Acquitted    | Proven<br>guilty | Transfers<br>to other<br>courts | Withdrawn<br>by<br>prosecution | Other(a)     | Total         |
|--|--------------|------------------|---------------------------------|--------------------------------|--------------|---------------|
| DEFENDANTS (no.) (b)   |              |                  |                                 |                                |              |               |
| Homicide and related offences                                      | 4            | 12               | 24                              | 5                              | 3            | 48            |
| Acts intended to cause injury                                      | 333          | 4 659            | 250                             | 688                            | 156          | 6 086         |
| Sexual assault and related offences                                | 37           | 298              | 122                             | 147                            | 45           | 649           |
| Dangerous or negligent acts endangering persons                    | 29           | 1 886            | 11                              | 84                             | 120          | 2 130         |
| Abduction and related offences                                     | —            | 11               | —                               | 5                              | —            | 16            |
| Robbery, extortion and related offences                            | 75           | 1 297            | 194                             | 373                            | 19           | 1 958         |
| Unlawful entry with intent   | 101          | 3 872            | 215                             | 422                            | 456          | 5 066         |
| Theft and related offences   | 168          | 4 304            | 183                             | 741                            | 364          | 5 760         |
| Deception and related offences                                     | 52           | 3 347            | 15                              | 617                            | 21           | 4 052         |
| Illicit drug offences  | 10           | 631              | 12                              | 55                             | 54           | 762           |
| Weapons and explosives offences                                    | 9            | 454              | 15                              | 49                             | 36           | 563           |
| Property damage and environmental pollution                        | 102          | 1 973            | 116                             | 254                            | 178          | 2 623         |
| Public order offences  | 189          | 2 781            | 44                              | 277                            | 226          | 3 517         |
| Road traffic and motor vehicle regulatory offences                 | 62           | 3 500            | 16                              | 152                            | 225          | 3 955         |
| Offences against justice procedures, gov't security and operations | 44           | 853              | 15                              | 112                            | 83           | 1 107         |
| Miscellaneous offences   | 31           | 721              | 13                              | 183                            | 19           | 967           |
| <b>Total(c)</b>  | <b>1 246</b> | <b>30 742</b>    | <b>1 245</b>                    | <b>4 174</b>                   | <b>2 005</b> | <b>39 412</b> |

## DEFENDANTS (%) (b)

|  |            |             |            |             |            |              |
|--|------------|-------------|------------|-------------|------------|--------------|
| Homicide and related offences                                      | 8.3        | 25.0        | 50.0       | 10.4        | 6.3        | 100.0        |
| Acts intended to cause injury                                      | 5.5        | 76.6        | 4.1        | 11.3        | 2.6        | 100.0        |
| Sexual assault and related offences                                | 5.7        | 45.9        | 18.8       | 22.7        | 6.9        | 100.0        |
| Dangerous or negligent acts endangering persons                    | 1.4        | 88.5        | 0.5        | 3.9         | 5.6        | 100.0        |
| Abduction and related offences                                     | —          | 68.8        | —          | 31.3        | —          | 100.0        |
| Robbery, extortion and related offences                            | 3.8        | 66.2        | 9.9        | 19.1        | 1.0        | 100.0        |
| Unlawful entry with intent   | 2.0        | 76.4        | 4.2        | 8.3         | 9.0        | 100.0        |
| Theft and related offences   | 2.9        | 74.7        | 3.2        | 12.9        | 6.3        | 100.0        |
| Deception and related offences                                     | 1.3        | 82.6        | 0.4        | 15.2        | 0.5        | 100.0        |
| Illicit drug offences  | 1.3        | 82.8        | 1.6        | 7.2         | 7.1        | 100.0        |
| Weapons and explosives offences                                    | 1.6        | 80.6        | 2.7        | 8.7         | 6.4        | 100.0        |
| Property damage and environmental pollution                        | 3.9        | 75.2        | 4.4        | 9.7         | 6.8        | 100.0        |
| Public order offences  | 5.4        | 79.1        | 1.3        | 7.9         | 6.4        | 100.0        |
| Road traffic and motor vehicle regulatory offences                 | 1.6        | 88.5        | 0.4        | 3.8         | 5.7        | 100.0        |
| Offences against justice procedures, gov't security and operations | 4.0        | 77.1        | 1.4        | 10.1        | 7.5        | 100.0        |
| Miscellaneous offences   | 3.2        | 74.6        | 1.3        | 18.9        | 2.0        | 100.0        |
| <b>Total(c)</b>  | <b>3.2</b> | <b>78.0</b> | <b>3.2</b> | <b>10.6</b> | <b>5.1</b> | <b>100.0</b> |

— nil or rounded to zero (including null cells)

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

(b) Includes defendants with unknown sex.

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

## 4.5 DEFENDANTS ADJUDICATED, Principal offence 2006–07 to 2007–08 .....

|  | NUMBER         |               | PERCENTAGE                          |
|--|----------------|---------------|-------------------------------------|
|  | 2006–07        | 2007–08       | CHANGE (%)<br>2006–07 to<br>2007–08 |
| Homicide and related offences                                      | 15             | 15            | —                                   |
| Acts intended to cause injury                                      | r4 623         | 4 992         | 8.0                                 |
| Sexual assault and related offences                                | r329           | 337           | 2.4                                 |
| Dangerous or negligent acts endangering persons                    | r1 749         | 1 915         | 9.5                                 |
| Abduction and related offences                                     | 8              | 11            | 37.5                                |
| Robbery, extortion and related offences                            | r1 113         | 1 370         | 23.1                                |
| Unlawful entry with intent   | r3 985         | 3 973         | -0.3                                |
| Theft and related offences   |                |               |                                     |
| Theft/illegal use of a motor vehicle(a)                            | r1 453         | 1 377         | -5.2                                |
| Receiving or handling proceeds of crime                            | r707           | 699           | -1.1                                |
| Other(b)   | r2 375         | 2 396         | 0.9                                 |
| Total(c)   | r4 535         | 4 472         | -1.4                                |
| Deception and related offences                                     |                |               |                                     |
| Fare evasion   | r6 107         | 3 036         | -50.3                               |
| Other(d)   | r407           | 363           | -10.8                               |
| Total  | r6 514         | 3 399         | -47.8                               |
| Illicit drug offences  | r680           | 641           | -5.7                                |
| Weapons and explosives offences                                    | r460           | 463           | 0.7                                 |
| Property damage and environmental pollution                        |                |               |                                     |
| Property damage by fire or explosion                               | r245           | 235           | -4.1                                |
| Graffiti   | r215           | 212           | -1.4                                |
| Other(e)   | r1 708         | 1 627         | -4.7                                |
| Total  | r2 168         | 2 074         | -4.3                                |
| Public order offences  |                |               |                                     |
| Disorderly conduct   | r2 571         | 2 583         | 0.5                                 |
| Regulated public order offences                                    | r433           | 386           | -10.9                               |
| Total  | r3 004         | 2 969         | -1.2                                |
| Road traffic and motor vehicle regulatory offences                 |                |               |                                     |
| Driving licence offences   | r1 974         | 2 382         | 20.7                                |
| Road vehicle registration and roadworthiness offences              | r193           | 209           | 8.3                                 |
| Regulatory driving offences  | r998           | 935           | -6.3                                |
| Pedestrian offences  | 36             | 36            | —                                   |
| Total(f)   | 3 201          | 3 562         | 11.3                                |
| Offences against justice procedures, gov't security and operations | r951           | 897           | -5.7                                |
| Miscellaneous offences   | r914           | 750           | -17.9                               |
| <b>Total(g)</b>  | <b>r34 269</b> | <b>31 986</b> | <b>-6.7</b>                         |

— nil or rounded to zero (including null cells)

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(a) Includes Groups 0811 and 0812 of the ASOC (refer to Appendix 3).

(b) Includes Subdivisions 082 and 084 and Group 0813 of the ASOC.

(c) Includes theft and related offences, n.f.d.

(d) Includes Subdivisions 092–094 and 099 and Groups 0911–0914, and 0919 of the ASOC.

(e) Includes Subdivision 122 and Group 1219 of the ASOC.

(f) Includes road traffic and motor vehicle regulatory offences, n.f.d.

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

**4.6****DEFENDANTS ADJUDICATED, Principal offence by age**

|  | 10-12<br>years | 13<br>years  | 14<br>years  | 15<br>years  | 16<br>years  | 17<br>years  | 18<br>years  | 19 years<br>& over | Total(a)     |
|--|----------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------------|--------------|
| ACQUITTED (no.)  |                |              |              |              |              |              |              |                    |              |
| Homicide and related offences                                      | —              | —            | —            | —            | 3            | 3            | —            | —                  | 6            |
| Acts intended to cause injury                                      | 10             | 21           | 34           | 36           | 66           | 99           | 56           | 10                 | 332          |
| Sexual assault and related offences                                | —              | —            | 5            | 10           | 6            | —            | 8            | 6                  | 35           |
| Dangerous or negligent acts endangering persons                    | 3              | —            | —            | 5            | 6            | 4            | 8            | —                  | 26           |
| Abduction and related offences                                     | —              | —            | —            | —            | —            | —            | —            | —                  | —            |
| Robbery, extortion and related offences                            | 6              | 4            | 7            | 14           | 11           | 16           | 14           | 3                  | 75           |
| Unlawful entry with intent   | 6              | 6            | 5            | 17           | 20           | 21           | 20           | 6                  | 101          |
| Theft and related offences   | 3              | 5            | 14           | 37           | 50           | 36           | 15           | 7                  | 170          |
| Deception and related offences                                     | —              | —            | —            | 3            | 16           | 13           | 14           | 5                  | 51           |
| Illicit drug offences  | —              | —            | —            | —            | —            | 7            | —            | 3                  | 10           |
| Weapons and explosives offences                                    | —              | —            | —            | —            | 3            | 3            | 3            | —                  | 9            |
| Property damage and environmental pollution                        | 4              | 3            | 12           | 18           | 12           | 33           | 14           | 6                  | 102          |
| Public order offences  | 4              | 9            | 9            | 24           | 38           | 80           | 20           | 5                  | 189          |
| Road traffic and motor vehicle regulatory offences                 | —              | —            | —            | 5            | 8            | 20           | 25           | —                  | 58           |
| Offences against justice procedures, gov't security and operations | —              | 3            | —            | 4            | 10           | 14           | 10           | 3                  | 44           |
| Miscellaneous offences   | —              | —            | —            | 5            | 9            | 8            | 8            | —                  | 30           |
| <b>Total(b)</b>  | <b>36</b>      | <b>51</b>    | <b>86</b>    | <b>178</b>   | <b>258</b>   | <b>357</b>   | <b>215</b>   | <b>54</b>          | <b>1 238</b> |
| ACQUITTED (%)  |                |              |              |              |              |              |              |                    |              |
| Homicide and related offences                                      | —              | —            | —            | —            | 1.2          | 0.8          | —            | —                  | 0.5          |
| Acts intended to cause injury                                      | 27.8           | 41.2         | 39.5         | 20.2         | 25.6         | 27.7         | 26.0         | 18.5               | 26.8         |
| Sexual assault and related offences                                | —              | —            | 5.8          | 5.6          | 2.3          | —            | 3.7          | 11.1               | 2.8          |
| Dangerous or negligent acts endangering persons                    | 8.3            | —            | —            | 2.8          | 2.3          | 1.1          | 3.7          | —                  | 2.1          |
| Abduction and related offences                                     | —              | —            | —            | —            | —            | —            | —            | —                  | —            |
| Robbery, extortion and related offences                            | 16.7           | 7.8          | 8.1          | 7.9          | 4.3          | 4.5          | 6.5          | 5.6                | 6.1          |
| Unlawful entry with intent   | 16.7           | 11.8         | 5.8          | 9.6          | 7.8          | 5.9          | 9.3          | 11.1               | 8.2          |
| Theft and related offences   | 8.3            | 9.8          | 16.3         | 20.8         | 19.4         | 10.1         | 7.0          | 13.0               | 13.7         |
| Deception and related offences                                     | —              | —            | —            | 1.7          | 6.2          | 3.6          | 6.5          | 9.3                | 4.1          |
| Illicit drug offences  | —              | —            | —            | —            | —            | 2.0          | —            | 5.6                | 0.8          |
| Weapons and explosives offences                                    | —              | —            | —            | —            | 1.2          | 0.8          | 1.4          | —                  | 0.7          |
| Property damage and environmental pollution                        | 11.1           | 5.9          | 14.0         | 10.1         | 4.7          | 9.2          | 6.5          | 11.1               | 8.2          |
| Public order offences  | 11.1           | 17.6         | 10.5         | 13.5         | 14.7         | 22.4         | 9.3          | 9.3                | 15.3         |
| Road traffic and motor vehicle regulatory offences                 | —              | —            | —            | 2.8          | 3.1          | 5.6          | 11.6         | —                  | 4.7          |
| Offences against justice procedures, gov't security and operations | —              | 5.9          | —            | 2.2          | 3.9          | 3.9          | 4.7          | 5.6                | 3.6          |
| Miscellaneous offences   | —              | —            | —            | 2.8          | 3.5          | 2.2          | 3.7          | —                  | 2.4          |
| <b>Total(b)</b>  | <b>100.0</b>   | <b>100.0</b> | <b>100.0</b> | <b>100.0</b> | <b>100.0</b> | <b>100.0</b> | <b>100.0</b> | <b>100.0</b>       | <b>100.0</b> |

— nil or rounded to zero (including null cells)

(a) Includes defendants with unknown age.

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

## 4.6 DEFENDANTS ADJUDICATED, Principal offence by age *continued*

|  | 10-12<br>years | 13<br>years  | 14<br>years  | 15<br>years  | 16<br>years  | 17<br>years  | 18<br>years  | 19 years<br>& over | Total(a)      |
|--|----------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------------|---------------|
| PROVEN GUILTY (no.)  |                |              |              |              |              |              |              |                    |               |
| Homicide and related offences                                      | —              | —            | —            | 3            | 3            | 3            | 4            | 3                  | 16            |
| Acts intended to cause injury                                      | 112            | 241          | 422          | 793          | 1 038        | 1 273        | 657          | 122                | 4 658         |
| Sexual assault and related offences                                | 5              | 16           | 36           | 53           | 51           | 76           | 43           | 19                 | 299           |
| Dangerous or negligent acts endangering persons                    | 7              | 13           | 44           | 112          | 294          | 1 021        | 371          | 24                 | 1 886         |
| Abduction and related offences                                     | —              | —            | —            | 3            | —            | 3            | 3            | —                  | 9             |
| Robbery, extortion and related offences                            | 13             | 47           | 133          | 251          | 319          | 340          | 162          | 30                 | 1 295         |
| Unlawful entry with intent   | 198            | 333          | 559          | 814          | 785          | 668          | 311          | 204                | 3 872         |
| Theft and related offences   | 145            | 300          | 638          | 888          | 1 040        | 825          | 359          | 109                | 4 304         |
| Deception and related offences                                     | —              | 14           | 47           | 159          | 631          | 1 051        | 1 339        | 104                | 3 345         |
| Illicit drug offences  | 3              | 11           | 35           | 84           | 186          | 209          | 89           | 14                 | 631           |
| Weapons and explosives offences                                    | 16             | 17           | 44           | 81           | 120          | 115          | 52           | 9                  | 454           |
| Property damage and environmental pollution                        | 75             | 126          | 272          | 373          | 467          | 401          | 212          | 46                 | 1 972         |
| Public order offences  | 53             | 110          | 276          | 492          | 834          | 698          | 284          | 33                 | 2 780         |
| Road traffic and motor vehicle regulatory offences                 | 33             | 45           | 132          | 349          | 943          | 1 381        | 547          | 67                 | 3 500         |
| Offences against justice procedures, gov't security and operations | 9              | 19           | 57           | 148          | 224          | 275          | 110          | 11                 | 853           |
| Miscellaneous offences   | 8              | 13           | 34           | 60           | 157          | 225          | 198          | 24                 | 719           |
| <b>Total(b)</b>  | <b>689</b>     | <b>1 316</b> | <b>2 761</b> | <b>4 701</b> | <b>7 123</b> | <b>8 579</b> | <b>4 744</b> | <b>819</b>         | <b>30 735</b> |
| PROVEN GUILTY (%)  |                |              |              |              |              |              |              |                    |               |
| Homicide and related offences                                      | —              | —            | —            | 0.1          | —            | —            | 0.1          | 0.4                | 0.1           |
| Acts intended to cause injury                                      | 16.3           | 18.3         | 15.3         | 16.9         | 14.6         | 14.8         | 13.8         | 14.9               | 15.2          |
| Sexual assault and related offences                                | 0.7            | 1.2          | 1.3          | 1.1          | 0.7          | 0.9          | 0.9          | 2.3                | 1.0           |
| Dangerous or negligent acts endangering persons                    | 1.0            | 1.0          | 1.6          | 2.4          | 4.1          | 11.9         | 7.8          | 2.9                | 6.1           |
| Abduction and related offences                                     | —              | —            | —            | 0.1          | —            | —            | 0.1          | —                  | —             |
| Robbery, extortion and related offences                            | 1.9            | 3.6          | 4.8          | 5.3          | 4.5          | 4.0          | 3.4          | 3.7                | 4.2           |
| Unlawful entry with intent   | 28.7           | 25.3         | 20.2         | 17.3         | 11.0         | 7.8          | 6.6          | 24.9               | 12.6          |
| Theft and related offences   | 21.0           | 22.8         | 23.1         | 18.9         | 14.6         | 9.6          | 7.6          | 13.3               | 14.0          |
| Deception and related offences                                     | —              | 1.1          | 1.7          | 3.4          | 8.9          | 12.3         | 28.2         | 12.7               | 10.9          |
| Illicit drug offences  | 0.4            | 0.8          | 1.3          | 1.8          | 2.6          | 2.4          | 1.9          | 1.7                | 2.1           |
| Weapons and explosives offences                                    | 2.3            | 1.3          | 1.6          | 1.7          | 1.7          | 1.3          | 1.1          | 1.1                | 1.5           |
| Property damage and environmental pollution                        | 10.9           | 9.6          | 9.9          | 7.9          | 6.6          | 4.7          | 4.5          | 5.6                | 6.4           |
| Public order offences  | 7.7            | 8.4          | 10.0         | 10.5         | 11.7         | 8.1          | 6.0          | 4.0                | 9.0           |
| Road traffic and motor vehicle regulatory offences                 | 4.8            | 3.4          | 4.8          | 7.4          | 13.2         | 16.1         | 11.5         | 8.2                | 11.4          |
| Offences against justice procedures, gov't security and operations | 1.3            | 1.4          | 2.1          | 3.1          | 3.1          | 3.2          | 2.3          | 1.3                | 2.8           |
| Miscellaneous offences   | 1.2            | 1.0          | 1.2          | 1.3          | 2.2          | 2.6          | 4.2          | 2.9                | 2.3           |
| <b>Total(b)</b>  | <b>100.0</b>   | <b>100.0</b> | <b>100.0</b> | <b>100.0</b> | <b>100.0</b> | <b>100.0</b> | <b>100.0</b> | <b>100.0</b>       | <b>100.0</b>  |

— nil or rounded to zero (including null cells)

(a) Includes defendants with unknown age.

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

## 4.7 DEFENDANTS PROVEN GUILTY, Principal offence by principal sentence .....

### CUSTODIAL ORDERS

|   | <i>Custody in a<br/>correctional<br/>institution</i> | <i>Custody<br/>in the<br/>community</i> | <i>Fully<br/>suspended<br/>sentence</i> | <i>Total</i> |
|---|--|---|---|--------------|
| NUMBER  |  |   |   |              |
| Homicide and related offences   | 3  | —                                       | 3                                       | 6            |
| Acts intended to cause injury   | 481  | 143                                     | 163                                     | 787          |
| Sexual assault and related offences                                   | 54   | 18                                      | 15                                      | 87           |
| Dangerous or negligent acts endangering<br>persons                    | 20   | 11                                      | 8                                       | 39           |
| Abduction and related offences  | 3  | —                                       | 3                                       | 6            |
| Robbery, extortion and related offences                               | 276  | 80                                      | 76                                      | 432          |
| Unlawful entry with intent  | 550  | 58                                      | 93                                      | 701          |
| Theft and related offences  | 180  | 22                                      | 56                                      | 258          |
| Deception and related offences  | 12   | 4                                       | 8                                       | 24           |
| Illicit drug offences   | 11   | 11                                      | 10                                      | 32           |
| Weapons and explosives offences                                       | 28   | 12                                      | 4                                       | 44           |
| Property damage and environmental pollution                           | 67   | 15                                      | 22                                      | 104          |
| Public order offences   | 10   | 4                                       | 12                                      | 26           |
| Road traffic and motor vehicle regulatory<br>offences                 | 14   | —                                       | 6                                       | 20           |
| Offences against justice procedures, gov't<br>security and operations | 13   | 3                                       | 4                                       | 20           |
| Miscellaneous offences  | 20   | 3                                       | 6                                       | 29           |
| <b>Total (a)</b>  | <b>1 745</b>   | <b>384</b>                              | <b>489</b>                              | <b>2 618</b> |

### PROPORTION (%)

|   |            |            |            |            |
|---|------------|------------|------------|------------|
| Homicide and related offences   | 27.3       | —          | 27.3       | 54.5       |
| Acts intended to cause injury   | 10.3       | 3.1        | 3.5        | 16.9       |
| Sexual assault and related offences                                   | 18.1       | 6.0        | 5.0        | 29.1       |
| Dangerous or negligent acts endangering<br>persons                    | 1.1        | 0.6        | 0.4        | 2.1        |
| Abduction and related offences  | 30.0       | —          | 30.0       | 60.0       |
| Robbery, extortion and related offences                               | 21.3       | 6.2        | 5.9        | 33.4       |
| Unlawful entry with intent  | 14.2       | 1.5        | 2.4        | 18.1       |
| Theft and related offences  | 4.2        | 0.5        | 1.3        | 6.0        |
| Deception and related offences  | 0.4        | 0.1        | 0.2        | 0.7        |
| Illicit drug offences   | 1.7        | 1.7        | 1.6        | 5.1        |
| Weapons and explosives offences                                       | 6.1        | 2.6        | 0.9        | 9.6        |
| Property damage and environmental pollution                           | 3.4        | 0.8        | 1.1        | 5.3        |
| Public order offences   | 0.4        | 0.1        | 0.4        | 0.9        |
| Road traffic and motor vehicle regulatory<br>offences                 | 0.4        | —          | 0.2        | 0.6        |
| Offences against justice procedures, gov't<br>security and operations | 1.5        | 0.4        | 0.5        | 2.3        |
| Miscellaneous offences  | 2.8        | 0.4        | 0.8        | 4.0        |
| <b>Total (a)</b>  | <b>5.7</b> | <b>1.2</b> | <b>1.6</b> | <b>8.5</b> |

— nil or rounded to zero (including null cells)

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

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

### NON-CUSTODIAL ORDERS

|  | <i>Community supervision/work orders</i> | <i>Monetary orders</i> | <i>Other non-custodial orders</i> | <i>Total</i>  | <i>Total proven guilty(a)</i> |
|--|--|------------------------|-----------------------------------|---------------|-------------------------------|
| NUMBER   |  |                        |                                   |               |                               |
| Homicide and related offences                                      | 3  | —                      | 3                                 | 6             | 11                            |
| Acts intended to cause injury                                      | 1 565                                    | 360                    | 1 941                             | 3 866         | 4 659                         |
| Sexual assault and related offences                                | 146                                      | —                      | 62                                | 208           | 299                           |
| Dangerous or negligent acts endangering persons                    | 222                                      | 1 329                  | 294                               | 1 845         | 1 884                         |
| Abduction and related offences                                     | 4  | —                      | —                                 | 4             | 10                            |
| Robbery, extortion and related offences                            | 625                                      | 32                     | 203                               | 860           | 1 295                         |
| Unlawful entry with intent   | 1 857                                    | 197                    | 1 116                             | 3 170         | 3 874                         |
| Theft and related offences   | 1 218                                    | 491                    | 2 331                             | 4 040         | 4 304                         |
| Deception and related offences                                     | 124                                      | 2 889                  | 304                               | 3 317         | 3 347                         |
| Illicit drug offences  | 124                                      | 141                    | 332                               | 597           | 632                           |
| Weapons and explosives offences                                    | 133                                      | 61                     | 215                               | 409           | 456                           |
| Property damage and environmental pollution                        | 572                                      | 327                    | 967                               | 1 866         | 1 970                         |
| Public order offences  | 389                                      | 579                    | 1 782                             | 2 750         | 2 780                         |
| Road traffic and motor vehicle regulatory offences                 | 182                                      | 1 972                  | 1 319                             | 3 473         | 3 500                         |
| Offences against justice procedures, gov't security and operations | 108                                      | 159                    | 564                               | 831           | 854                           |
| Miscellaneous offences   | 87                                       | 412                    | 192                               | 691           | 719                           |
| <b>Total (b)</b>   | <b>7 444</b>                             | <b>8 958</b>           | <b>11 673</b>                     | <b>28 075</b> | <b>30 739</b>                 |

### PROPORTION (%)

|  |             |             |             |             |              |
|--|-------------|-------------|-------------|-------------|--------------|
| Homicide and related offences                                      | 27.3        | —           | 27.3        | 54.5        | 100.0        |
| Acts intended to cause injury                                      | 33.6        | 7.7         | 41.7        | 83.0        | 100.0        |
| Sexual assault and related offences                                | 48.8        | —           | 20.7        | 69.6        | 100.0        |
| Dangerous or negligent acts endangering persons                    | 11.8        | 70.5        | 15.6        | 97.9        | 100.0        |
| Abduction and related offences                                     | 40.0        | —           | —           | 40.0        | 100.0        |
| Robbery, extortion and related offences                            | 48.3        | 2.5         | 15.7        | 66.4        | 100.0        |
| Unlawful entry with intent   | 47.9        | 5.1         | 28.8        | 81.8        | 100.0        |
| Theft and related offences   | 28.3        | 11.4        | 54.2        | 93.9        | 100.0        |
| Deception and related offences                                     | 3.7         | 86.3        | 9.1         | 99.1        | 100.0        |
| Illicit drug offences  | 19.6        | 22.3        | 52.5        | 94.5        | 100.0        |
| Weapons and explosives offences                                    | 29.2        | 13.4        | 47.1        | 89.7        | 100.0        |
| Property damage and environmental pollution                        | 29.0        | 16.6        | 49.1        | 94.7        | 100.0        |
| Public order offences  | 14.0        | 20.8        | 64.1        | 98.9        | 100.0        |
| Road traffic and motor vehicle regulatory offences                 | 5.2         | 56.3        | 37.7        | 99.2        | 100.0        |
| Offences against justice procedures, gov't security and operations | 12.6        | 18.6        | 66.0        | 97.3        | 100.0        |
| Miscellaneous offences   | 12.1        | 57.3        | 26.7        | 96.1        | 100.0        |
| <b>Total (b)</b>   | <b>24.2</b> | <b>29.1</b> | <b>38.0</b> | <b>91.3</b> | <b>100.0</b> |

— nil or rounded to zero (including null cells)

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

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

**4.8****DEFENDANTS PROVEN GUILTY, Sex and principal sentence by age .....**

|                                       | 10-12<br>years | 13<br>years  | 14<br>years  | 15<br>years  | 16<br>years  | 17<br>years  | 18<br>years  | 19 years<br>& over | Total(a)      |
|---------------------------------------|----------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------------|---------------|
| NUMBER                                |                |              |              |              |              |              |              |                    |               |
| <b>Males</b>                          |                |              |              |              |              |              |              |                    |               |
| Custodial orders                      |                |              |              |              |              |              |              |                    |               |
| Custody in a correctional institution | 10             | 86           | 146          | 258          | 392          | 450          | 206          | 58                 | 1 606         |
| Custody in the community              | 5              | 5            | 21           | 49           | 61           | 141          | 62           | 8                  | 352           |
| Fully suspended sentence              | 3              | 13           | 30           | 44           | 80           | 124          | 107          | 34                 | 435           |
| <i>Total</i>                          | 18             | 104          | 197          | 351          | 533          | 715          | 375          | 100                | 2 393         |
| Non-custodial orders                  |                |              |              |              |              |              |              |                    |               |
| Community supervision/work orders     | 231            | 470          | 854          | 1 306        | 1 491        | 1 206        | 464          | 86                 | 6 108         |
| Monetary orders                       | 12             | 21           | 99           | 334          | 1 185        | 2 732        | 1 944        | 216                | 6 543         |
| Other non-custodial orders            | 359            | 477          | 973          | 1 592        | 2 316        | 2 099        | 903          | 245                | 8 964         |
| <i>Total</i>                          | 602            | 968          | 1 926        | 3 232        | 4 992        | 6 037        | 3 311        | 547                | 21 615        |
| <b>Total proven guilty(b)</b>         | <b>620</b>     | <b>1 072</b> | <b>2 128</b> | <b>3 586</b> | <b>5 529</b> | <b>6 755</b> | <b>3 691</b> | <b>661</b>         | <b>24 042</b> |
| <b>Females</b>                        |                |              |              |              |              |              |              |                    |               |
| Custodial orders                      |                |              |              |              |              |              |              |                    |               |
| Custody in a correctional institution | —              | 7            | 17           | 29           | 40           | 32           | 6            | 4                  | 135           |
| Custody in the community              | —              | —            | 3            | 6            | 10           | 11           | 4            | 3                  | 37            |
| Fully suspended sentence              | —              | —            | 7            | 7            | 13           | 14           | 11           | 3                  | 55            |
| <i>Total</i>                          | —              | 7            | 27           | 42           | 63           | 57           | 21           | 10                 | 227           |
| Non-custodial orders                  |                |              |              |              |              |              |              |                    |               |
| Community supervision/work orders     | 22             | 96           | 217          | 337          | 351          | 227          | 59           | 12                 | 1 321         |
| Monetary orders                       | 5              | 7            | 26           | 117          | 478          | 953          | 749          | 69                 | 2 404         |
| Other non-custodial orders            | 43             | 133          | 361          | 608          | 688          | 576          | 217          | 65                 | 2 691         |
| <i>Total</i>                          | 70             | 236          | 604          | 1 062        | 1 517        | 1 756        | 1 025        | 146                | 6 416         |
| <b>Total proven guilty(b)</b>         | <b>70</b>      | <b>243</b>   | <b>631</b>   | <b>1 104</b> | <b>1 580</b> | <b>1 813</b> | <b>1 051</b> | <b>156</b>         | <b>6 648</b>  |
| <b>Defendants(c)</b>                  |                |              |              |              |              |              |              |                    |               |
| Custodial orders                      |                |              |              |              |              |              |              |                    |               |
| Custody in a correctional institution | 10             | 93           | 163          | 287          | 435          | 482          | 212          | 62                 | 1 744         |
| Custody in the community              | 5              | 5            | 24           | 55           | 71           | 152          | 66           | 11                 | 389           |
| Fully suspended sentence              | 3              | 13           | 37           | 51           | 93           | 138          | 118          | 37                 | 490           |
| <i>Total</i>                          | 18             | 111          | 224          | 393          | 599          | 772          | 396          | 110                | 2 623         |
| Non-custodial orders                  |                |              |              |              |              |              |              |                    |               |
| Community supervision/work orders     | 253            | 566          | 1 075        | 1 646        | 1 846        | 1 436        | 526          | 98                 | 7 446         |
| Monetary orders                       | 17             | 28           | 125          | 454          | 1 663        | 3 690        | 2 693        | 285                | 8 955         |
| Other non-custodial orders            | 402            | 610          | 1 334        | 2 204        | 3 008        | 2 678        | 1 120        | 313                | 11 669        |
| <i>Total</i>                          | 672            | 1 204        | 2 534        | 4 304        | 6 517        | 7 804        | 4 339        | 696                | 28 070        |
| <b>Total proven guilty(b)</b>         | <b>690</b>     | <b>1 315</b> | <b>2 763</b> | <b>4 700</b> | <b>7 120</b> | <b>8 579</b> | <b>4 745</b> | <b>820</b>         | <b>30 732</b> |

— nil or rounded to zero (including null cells)

(a) Includes defendants with unknown age.

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

(c) Includes defendants with unknown sex.

## 4.8 DEFENDANTS PROVEN GUILTY, Sex and principal sentence by age *continued* . . . .

|                                       | 10-12<br>years | 13<br>years  | 14<br>years  | 15<br>years  | 16<br>years  | 17<br>years  | 18<br>years  | 19 years<br>& over | Total(a)     |
|---------------------------------------|----------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------------|--------------|
| PROPORTION (%)                        |                |              |              |              |              |              |              |                    |              |
| <b>Males</b>                          |                |              |              |              |              |              |              |                    |              |
| Custodial orders                      |                |              |              |              |              |              |              |                    |              |
| Custody in a correctional institution | 1.6            | 8.0          | 6.9          | 7.2          | 7.1          | 6.7          | 5.6          | 8.8                | 6.7          |
| Custody in the community              | 0.8            | 0.5          | 1.0          | 1.4          | 1.1          | 2.1          | 1.7          | 1.2                | 1.5          |
| Fully suspended sentence              | 0.5            | 1.2          | 1.4          | 1.2          | 1.4          | 1.8          | 2.9          | 5.1                | 1.8          |
| Total                                 | 2.9            | 9.7          | 9.3          | 9.8          | 9.6          | 10.6         | 10.2         | 15.1               | 10.0         |
| Non-custodial orders                  |                |              |              |              |              |              |              |                    |              |
| Community supervision/work orders     | 37.3           | 43.8         | 40.1         | 36.4         | 27.0         | 17.9         | 12.6         | 13.0               | 25.4         |
| Monetary orders                       | 1.9            | 2.0          | 4.7          | 9.3          | 21.4         | 40.4         | 52.7         | 32.7               | 27.2         |
| Other non-custodial orders            | 57.9           | 44.5         | 45.7         | 44.4         | 41.9         | 31.1         | 24.5         | 37.1               | 37.3         |
| Total                                 | 97.1           | 90.3         | 90.5         | 90.1         | 90.3         | 89.4         | 89.7         | 82.8               | 89.9         |
| <b>Total proven guilty</b> (b)        | <b>100.0</b>   | <b>100.0</b> | <b>100.0</b> | <b>100.0</b> | <b>100.0</b> | <b>100.0</b> | <b>100.0</b> | <b>100.0</b>       | <b>100.0</b> |
| <b>Females</b>                        |                |              |              |              |              |              |              |                    |              |
| Custodial orders                      |                |              |              |              |              |              |              |                    |              |
| Custody in a correctional institution | —              | 2.9          | 2.7          | 2.6          | 2.5          | 1.8          | 0.6          | 2.6                | 2.0          |
| Custody in the community              | —              | —            | 0.5          | 0.5          | 0.6          | 0.6          | 0.4          | 1.9                | 0.6          |
| Fully suspended sentence              | —              | —            | 1.1          | 0.6          | 0.8          | 0.8          | 1.0          | 1.9                | 0.8          |
| Total                                 | —              | 2.9          | 4.3          | 3.8          | 4.0          | 3.1          | 2.0          | 6.4                | 3.4          |
| Non-custodial orders                  |                |              |              |              |              |              |              |                    |              |
| Community supervision/work orders     | 31.4           | 39.5         | 34.4         | 30.5         | 22.2         | 12.5         | 5.6          | 7.7                | 19.9         |
| Monetary orders                       | 7.1            | 2.9          | 4.1          | 10.6         | 30.3         | 52.6         | 71.3         | 44.2               | 36.2         |
| Other non-custodial orders            | 61.4           | 54.7         | 57.2         | 55.1         | 43.5         | 31.8         | 20.6         | 41.7               | 40.5         |
| Total                                 | 100.0          | 97.1         | 95.7         | 96.2         | 96.0         | 96.9         | 97.5         | 93.6               | 96.5         |
| <b>Total proven guilty</b> (b)        | <b>100.0</b>   | <b>100.0</b> | <b>100.0</b> | <b>100.0</b> | <b>100.0</b> | <b>100.0</b> | <b>100.0</b> | <b>100.0</b>       | <b>100.0</b> |
| <b>Defendants(c)</b>                  |                |              |              |              |              |              |              |                    |              |
| Custodial orders                      |                |              |              |              |              |              |              |                    |              |
| Custody in a correctional institution | 1.4            | 7.1          | 5.9          | 6.1          | 6.1          | 5.6          | 4.5          | 7.6                | 5.7          |
| Custody in the community              | 0.7            | 0.4          | 0.9          | 1.2          | 1.0          | 1.8          | 1.4          | 1.3                | 1.3          |
| Fully suspended sentence              | 0.4            | 1.0          | 1.3          | 1.1          | 1.3          | 1.6          | 2.5          | 4.5                | 1.6          |
| Total                                 | 2.6            | 8.4          | 8.1          | 8.4          | 8.4          | 9.0          | 8.3          | 13.4               | 8.5          |
| Non-custodial orders                  |                |              |              |              |              |              |              |                    |              |
| Community supervision/work orders     | 36.7           | 43.0         | 38.9         | 35.0         | 25.9         | 16.7         | 11.1         | 12.0               | 24.2         |
| Monetary orders                       | 2.5            | 2.1          | 4.5          | 9.7          | 23.4         | 43.0         | 56.8         | 34.8               | 29.1         |
| Other non-custodial orders            | 58.3           | 46.4         | 48.3         | 46.9         | 42.2         | 31.2         | 23.6         | 38.2               | 38.0         |
| Total                                 | 97.4           | 91.6         | 91.7         | 91.6         | 91.5         | 91.0         | 91.4         | 84.9               | 91.3         |
| <b>Total proven guilty</b> (b)        | <b>100.0</b>   | <b>100.0</b> | <b>100.0</b> | <b>100.0</b> | <b>100.0</b> | <b>100.0</b> | <b>100.0</b> | <b>100.0</b>       | <b>100.0</b> |

— nil or rounded to zero (including null cells)

(a) Includes defendants with unknown age.

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

(c) Includes defendants with unknown sex.

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

|  | <i>Under 6 weeks</i> | <i>6 to under 13 weeks</i> | <i>13 to under 20 weeks</i> | <i>20 to under 26 weeks</i> | <i>26 to under 39 weeks</i> | <i>39 to under 52 weeks</i> | <i>52 weeks &amp; over</i> | <i>Total</i>  |
|--|----------------------|----------------------------|-----------------------------|-----------------------------|-----------------------------|-----------------------------|----------------------------|---------------|
| NUMBER   |                      |                            |                             |                             |                             |                             |                            |               |
| <b>Acquitted</b>                                   |                      |                            |                             |                             |                             |                             |                            |               |
| Acts intended to cause injury                      | 36                   | 50                         | 85                          | 41                          | 54                          | 34                          | 33                         | 333           |
| Unlawful entry with intent                         | 9                    | 10                         | 26                          | 13                          | 24                          | 7                           | 12                         | 101           |
| Theft and related offences                         | 25                   | 34                         | 47                          | 21                          | 23                          | 9                           | 9                          | 168           |
| Deception and related offences                     | 26                   | 11                         | 9                           | —                           | —                           | 3                           | 3                          | 52            |
| Property damage and environmental pollution        | 12                   | 24                         | 16                          | 15                          | 16                          | 14                          | 5                          | 102           |
| Public order offences                              | 89                   | 29                         | 26                          | 14                          | 21                          | 3                           | 8                          | 190           |
| Road traffic and motor vehicle regulatory offences | 19                   | 23                         | 6                           | 4                           | 8                           | 3                           | —                          | 63            |
| Other(a)   | 29                   | 39                         | 46                          | 26                          | 44                          | 26                          | 31                         | 241           |
| <b>Total</b>                                       | <b>245</b>           | <b>220</b>                 | <b>261</b>                  | <b>134</b>                  | <b>190</b>                  | <b>99</b>                   | <b>101</b>                 | <b>1 250</b>  |
| <b>Proven guilty</b>                               |                      |                            |                             |                             |                             |                             |                            |               |
| Acts intended to cause injury                      | 1 300                | 1 045                      | 782                         | 463                         | 568                         | 249                         | 252                        | 4 659         |
| Unlawful entry with intent                         | 1 576                | 936                        | 542                         | 273                         | 286                         | 115                         | 144                        | 3 872         |
| Theft and related offences                         | 2 192                | 838                        | 482                         | 251                         | 329                         | 97                          | 115                        | 4 304         |
| Deception and related offences                     | 1 118                | 1 205                      | 626                         | 201                         | 146                         | 34                          | 17                         | 3 347         |
| Property damage and environmental pollution        | 949                  | 392                        | 239                         | 133                         | 134                         | 57                          | 68                         | 1 972         |
| Public order offences                              | 1 752                | 470                        | 239                         | 102                         | 121                         | 54                          | 42                         | 2 780         |
| Road traffic and motor vehicle regulatory offences | 2 226                | 757                        | 243                         | 92                          | 81                          | 34                          | 67                         | 3 500         |
| Other(a)   | 2 850                | 1 251                      | 761                         | 419                         | 502                         | 190                         | 185                        | 6 158         |
| <b>Total</b>                                       | <b>14 047</b>        | <b>6 926</b>               | <b>3 927</b>                | <b>1 938</b>                | <b>2 172</b>                | <b>830</b>                  | <b>894</b>                 | <b>30 734</b> |
| <b>Defendants adjudicated</b>                      | <b>14 292</b>        | <b>7 146</b>               | <b>4 188</b>                | <b>2 072</b>                | <b>2 362</b>                | <b>929</b>                  | <b>995</b>                 | <b>31 984</b> |
| Transfers to other courts                          | 547                  | 197                        | 167                         | 105                         | 128                         | 54                          | 45                         | 1 243         |
| Withdrawn by prosecution                           | 953                  | 935                        | 865                         | 471                         | 555                         | 209                         | 182                        | 4 170         |
| Other(b)   | 1 588                | 182                        | 91                          | 41                          | 46                          | 33                          | 19                         | 2 000         |
| <b>Defendants finalised</b>                        | <b>17 380</b>        | <b>8 460</b>               | <b>5 311</b>                | <b>2 689</b>                | <b>3 091</b>                | <b>1 225</b>                | <b>1 241</b>               | <b>39 397</b> |

— nil or rounded to zero (including null cells)

(a) Includes Divisions 01, 03, 04, 05, 06, 10, 11, 15 & 16 of the ASOC (refer to Appendix 3).

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

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

|  | <i>Under 6 weeks</i> | <i>6 to under 13 weeks</i> | <i>13 to under 20 weeks</i> | <i>20 to under 26 weeks</i> | <i>26 to under 39 weeks</i> | <i>39 to under 52 weeks</i> | <i>52 weeks &amp; over</i> | <i>Total</i> |
|--|----------------------|----------------------------|-----------------------------|-----------------------------|-----------------------------|-----------------------------|----------------------------|--------------|
| PROPORTION (%)                                     |                      |                            |                             |                             |                             |                             |                            |              |
| <b>Acquitted</b>                                   |                      |                            |                             |                             |                             |                             |                            |              |
| Acts intended to cause injury                      | 10.8                 | 15.0                       | 25.5                        | 12.3                        | 16.2                        | 10.2                        | 9.9                        | 100.0        |
| Unlawful entry with intent                         | 8.9                  | 9.9                        | 25.7                        | 12.9                        | 23.8                        | 6.9                         | 11.9                       | 100.0        |
| Theft and related offences                         | 14.9                 | 20.2                       | 28.0                        | 12.5                        | 13.7                        | 5.4                         | 5.4                        | 100.0        |
| Deception and related offences                     | 50.0                 | 21.2                       | 17.3                        | —                           | —                           | 5.8                         | 5.8                        | 100.0        |
| Property damage and environmental pollution        | 11.8                 | 23.5                       | 15.7                        | 14.7                        | 15.7                        | 13.7                        | 4.9                        | 100.0        |
| Public order offences                              | 46.8                 | 15.3                       | 13.7                        | 7.4                         | 11.1                        | 1.6                         | 4.2                        | 100.0        |
| Road traffic and motor vehicle regulatory offences | 30.2                 | 36.5                       | 9.5                         | 6.3                         | 12.7                        | 4.8                         | —                          | 100.0        |
| Other(a)   | 12.0                 | 16.2                       | 19.1                        | 10.8                        | 18.3                        | 10.8                        | 12.9                       | 100.0        |
| <b>Total</b>                                       | <b>19.6</b>          | <b>17.6</b>                | <b>20.9</b>                 | <b>10.7</b>                 | <b>15.2</b>                 | <b>7.9</b>                  | <b>8.1</b>                 | <b>100.0</b> |
| <b>Proven guilty</b>                               |                      |                            |                             |                             |                             |                             |                            |              |
| Acts intended to cause injury                      | 27.9                 | 22.4                       | 16.8                        | 9.9                         | 12.2                        | 5.3                         | 5.4                        | 100.0        |
| Unlawful entry with intent                         | 40.7                 | 24.2                       | 14.0                        | 7.1                         | 7.4                         | 3.0                         | 3.7                        | 100.0        |
| Theft and related offences                         | 50.9                 | 19.5                       | 11.2                        | 5.8                         | 7.6                         | 2.3                         | 2.7                        | 100.0        |
| Deception and related offences                     | 33.4                 | 36.0                       | 18.7                        | 6.0                         | 4.4                         | 1.0                         | 0.5                        | 100.0        |
| Property damage and environmental pollution        | 48.1                 | 19.9                       | 12.1                        | 6.7                         | 6.8                         | 2.9                         | 3.4                        | 100.0        |
| Public order offences                              | 63.0                 | 16.9                       | 8.6                         | 3.7                         | 4.4                         | 1.9                         | 1.5                        | 100.0        |
| Road traffic and motor vehicle regulatory offences | 63.6                 | 21.6                       | 6.9                         | 2.6                         | 2.3                         | 1.0                         | 1.9                        | 100.0        |
| Other(a)   | 46.3                 | 20.3                       | 12.4                        | 6.8                         | 8.2                         | 3.1                         | 3.0                        | 100.0        |
| <b>Total</b>                                       | <b>45.7</b>          | <b>22.5</b>                | <b>12.8</b>                 | <b>6.3</b>                  | <b>7.1</b>                  | <b>2.7</b>                  | <b>2.9</b>                 | <b>100.0</b> |
| <b>Defendants adjudicated</b>                      | <b>44.7</b>          | <b>22.3</b>                | <b>13.1</b>                 | <b>6.5</b>                  | <b>7.4</b>                  | <b>2.9</b>                  | <b>3.1</b>                 | <b>100.0</b> |
| Transfers to other courts                          | 44.0                 | 15.8                       | 13.4                        | 8.4                         | 10.3                        | 4.3                         | 3.6                        | 100.0        |
| Withdrawn by prosecution                           | 22.9                 | 22.4                       | 20.7                        | 11.3                        | 13.3                        | 5.0                         | 4.4                        | 100.0        |
| Other(b)   | 79.4                 | 9.1                        | 4.6                         | 2.1                         | 2.3                         | 1.7                         | 1.0                        | 100.0        |
| <b>Defendants finalised</b>                        | <b>44.1</b>          | <b>21.5</b>                | <b>13.5</b>                 | <b>6.8</b>                  | <b>7.8</b>                  | <b>3.1</b>                  | <b>3.1</b>                 | <b>100.0</b> |

— nil or rounded to zero (including null cells)

(a) Includes Divisions 01, 03, 04, 05, 06, 10, 11, 15 & 16 of the ASOC (refer to Appendix 3).

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

## 4.10 DEFENDANTS ADJUDICATED, Principal offence by states and territories .....

|  | NSW(a)       | Vic.         | Qld          | SA           | WA           | Tas.       | NT         | ACT(b)     | Aust.         |
|--|--------------|--------------|--------------|--------------|--------------|------------|------------|------------|---------------|
| NUMBER   |              |              |              |              |              |            |            |            |               |
| Homicide and related offences                                      | 4            | 3            | —            | 3            | 3            | —          | 3          | —          | 16            |
| Acts intended to cause injury                                      | 2 040        | 896          | 656          | 308          | 671          | 239        | 109        | 73         | 4 992         |
| Sexual assault and related offences                                | 84           | 71           | 69           | 23           | 71           | 8          | 8          | 3          | 337           |
| Dangerous or negligent acts endangering persons                    | 129          | 195          | 96           | 202          | 1 170        | 22         | 37         | 64         | 1 915         |
| Abduction and related offences                                     | 5            | 3            | —            | —            | —            | —          | —          | —          | 8             |
| Robbery, extortion and related offences                            | 606          | 274          | 155          | 42           | 217          | 22         | 5          | 49         | 1 370         |
| Unlawful entry with intent   | 990          | 505          | 1 239        | 158          | 833          | 103        | 127        | 18         | 3 973         |
| Theft and related offences   |              |              |              |              |              |            |            |            |               |
| Theft/illegal use of a motor vehicle(c)                            | 410          | 237          | 379          | 66           | 184          | 36         | 28         | 37         | 1 377         |
| Receiving or handling proceeds of crime                            | 259          | 73           | 211          | 28           | 77           | 15         | 5          | 31         | 699           |
| Other(d)   | 582          | 446          | 731          | 176          | 339          | 102        | 17         | 3          | 2 396         |
| Total  | 1 251        | 756          | 1 321        | 270          | 600          | 153        | 50         | 71         | 4 472         |
| Deception and related offences                                     |              |              |              |              |              |            |            |            |               |
| Fare evasion   | 105          | 2 832        | 71           | 21           | 4            | 3          | —          | —          | 3 036         |
| Other(e)   | 106          | 113          | 95           | 11           | 23           | 9          | 3          | 3          | 363           |
| Total  | 211          | 2 945        | 166          | 32           | 27           | 12         | 3          | 3          | 3 399         |
| Illicit drug offences  | 218          | 53           | 152          | 32           | 140          | 33         | 8          | 5          | 641           |
| Weapons and explosives offences                                    | 46           | 146          | 126          | 64           | 54           | 5          | 11         | 11         | 463           |
| Property damage and environmental pollution                        |              |              |              |              |              |            |            |            |               |
| Property damage by fire or explosion                               | 61           | 51           | 22           | 13           | 61           | 24         | —          | 3          | 235           |
| Graffiti   | 27           | 9            | 101          | 47           | 27           | —          | —          | —          | 211           |
| Other(f)   | 496          | 253          | 369          | 124          | 278          | 60         | 25         | 22         | 1 627         |
| Total  | 584          | 313          | 492          | 184          | 366          | 84         | 25         | 25         | 2 073         |
| Public order offences  |              |              |              |              |              |            |            |            |               |
| Disorderly conduct   | 732          | 320          | 952          | 153          | 333          | 76         | 15         | —          | 2 581         |
| Regulated public order offences                                    | 20           | 208          | 107          | 17           | 19           | 14         | —          | —          | 385           |
| Total  | 752          | 528          | 1 059        | 170          | 352          | 90         | 15         | —          | 2 966         |
| Road traffic and motor vehicle regulatory offences                 |              |              |              |              |              |            |            |            |               |
| Driving licence offences   | 191          | 213          | 372          | 358          | 1 099        | 45         | 89         | 15         | 2 382         |
| Road vehicle registration and roadworthiness offences              | 9            | 7            | 10           | 132          | 46           | —          | 4          | —          | 208           |
| Regulatory driving offences  | 115          | 116          | 248          | 242          | 21           | 123        | 61         | 9          | 935           |
| Pedestrian offences  | —            | 6            | 5            | 23           | 3            | —          | —          | —          | 37            |
| Total  | 315          | 342          | 635          | 755          | 1 169        | 168        | 154        | 24         | 3 562         |
| Offences against justice procedures, gov't security and operations | 215          | 94           | 249          | 83           | 178          | 51         | 16         | 11         | 897           |
| Miscellaneous offences   | 224          | 441          | 18           | 11           | 44           | 6          | —          | 5          | 749           |
| <b>Total(g)</b>  | <b>7 674</b> | <b>7 565</b> | <b>6 570</b> | <b>2 337</b> | <b>5 895</b> | <b>996</b> | <b>580</b> | <b>362</b> | <b>31 979</b> |

— nil or rounded to zero (including null cells)

(a) Refers to finalised appearances rather than finalised defendants in the Children's Courts, resulting in potentially higher population counts (see Explanatory Note 15).

(b) Dangerous or negligent acts endangering persons are overstated and road traffic and motor vehicle regulatory offences are understated (see Explanatory Note 90).

(c) Includes Groups 0811 and 0812 of the ASOC (refer to Appendix 3).

(d) Includes Subdivisions 082 and 084 and Groups 0813 of the ASOC.

(e) Includes Subdivisions 092–094 and 099 and Groups 0911–0914 and 0919 of the ASOC.

(f) Includes Subdivision 122 and Group 1219 of the ASOC.

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

## 4.10 DEFENDANTS ADJUDICATED, Principal offence by states and territories *continued*

|   | NSW(a)       | Vic.         | Qld          | SA           | WA           | Tas.         | NT           | ACT(b)       | Aust.        |
|---|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|
| PROPORTION (%)  |              |              |              |              |              |              |              |              |              |
| Homicide and related offences   | 0.1          | —            | —            | 0.1          | 0.1          | —            | 0.5          | —            | 0.1          |
| Acts intended to cause injury   | 26.6         | 11.8         | 10.0         | 13.2         | 11.4         | 24.0         | 18.8         | 20.2         | 15.6         |
| Sexual assault and related offences                                       | 1.1          | 0.9          | 1.1          | 1.0          | 1.2          | 0.8          | 1.4          | 0.8          | 1.1          |
| Dangerous or negligent acts endangering persons                           | 1.7          | 2.6          | 1.5          | 8.6          | 19.8         | 2.2          | 6.4          | 17.7         | 6.0          |
| Abduction and related offences  | 0.1          | —            | —            | —            | —            | —            | —            | —            | —            |
| Robbery, extortion and related offences                                   | 7.9          | 3.6          | 2.4          | 1.8          | 3.7          | 2.2          | 0.9          | 13.5         | 4.3          |
| Unlawful entry with intent  | 12.9         | 6.7          | 18.9         | 6.8          | 14.1         | 10.3         | 21.9         | 5.0          | 12.4         |
| <b>Theft and related offences</b>   |              |              |              |              |              |              |              |              |              |
| Theft/illegal use of a motor vehicle(c)                                   | 5.3          | 3.1          | 5.8          | 2.8          | 3.1          | 3.6          | 4.8          | 10.2         | 4.3          |
| Receiving or handling proceeds of crime                                   | 3.4          | 1.0          | 3.2          | 1.2          | 1.3          | 1.5          | 0.9          | 8.6          | 2.2          |
| Other(d)  | 7.6          | 5.9          | 11.1         | 7.5          | 5.8          | 10.2         | 2.9          | 0.8          | 7.5          |
| <b>Total</b>  | <b>16.3</b>  | <b>10.0</b>  | <b>20.1</b>  | <b>11.6</b>  | <b>10.2</b>  | <b>15.4</b>  | <b>8.6</b>   | <b>19.6</b>  | <b>14.0</b>  |
| <b>Deception and related offences</b>                                     |              |              |              |              |              |              |              |              |              |
| Fare evasion  | 1.4          | 37.4         | 1.1          | 0.9          | 0.1          | 0.3          | —            | —            | 9.5          |
| Other(e)  | 1.4          | 1.5          | 1.4          | 0.5          | 0.4          | 0.9          | 0.5          | 0.8          | 1.1          |
| <b>Total</b>  | <b>2.7</b>   | <b>38.9</b>  | <b>2.5</b>   | <b>1.4</b>   | <b>0.5</b>   | <b>1.2</b>   | <b>0.5</b>   | <b>0.8</b>   | <b>10.6</b>  |
| <b>Illicit drug offences</b>  | <b>2.8</b>   | <b>0.7</b>   | <b>2.3</b>   | <b>1.4</b>   | <b>2.4</b>   | <b>3.3</b>   | <b>1.4</b>   | <b>1.4</b>   | <b>2.0</b>   |
| <b>Weapons and explosives offences</b>                                    | <b>0.6</b>   | <b>1.9</b>   | <b>1.9</b>   | <b>2.7</b>   | <b>0.9</b>   | <b>0.5</b>   | <b>1.9</b>   | <b>3.0</b>   | <b>1.4</b>   |
| <b>Property damage and environmental pollution</b>                        |              |              |              |              |              |              |              |              |              |
| Property damage by fire or explosion                                      | 0.8          | 0.7          | 0.3          | 0.6          | 1.0          | 2.4          | —            | 0.8          | 0.7          |
| Graffiti  | 0.4          | 0.1          | 1.5          | 2.0          | 0.5          | —            | —            | —            | 0.7          |
| Other(f)  | 6.5          | 3.3          | 5.6          | 5.3          | 4.7          | 6.0          | 4.3          | 6.1          | 5.1          |
| <b>Total</b>  | <b>7.6</b>   | <b>4.1</b>   | <b>7.5</b>   | <b>7.9</b>   | <b>6.2</b>   | <b>8.4</b>   | <b>4.3</b>   | <b>6.9</b>   | <b>6.5</b>   |
| <b>Public order offences</b>  |              |              |              |              |              |              |              |              |              |
| Disorderly conduct  | 9.5          | 4.2          | 14.5         | 6.5          | 5.6          | 7.6          | 2.6          | —            | 8.1          |
| Regulated public order offences   | 0.3          | 2.7          | 1.6          | 0.7          | 0.3          | 1.4          | —            | —            | 1.2          |
| <b>Total</b>  | <b>9.8</b>   | <b>7.0</b>   | <b>16.1</b>  | <b>7.3</b>   | <b>6.0</b>   | <b>9.0</b>   | <b>2.6</b>   | <b>—</b>     | <b>9.3</b>   |
| <b>Road traffic and motor vehicle regulatory offences</b>                 |              |              |              |              |              |              |              |              |              |
| Driving licence offences  | 2.5          | 2.8          | 5.7          | 15.3         | 18.6         | 4.5          | 15.3         | 4.1          | 7.4          |
| Road vehicle registration and roadworthiness offences                     | 0.1          | 0.1          | 0.2          | 5.6          | 0.8          | —            | 0.7          | —            | 0.7          |
| Regulatory driving offences   | 1.5          | 1.5          | 3.8          | 10.4         | 0.4          | 12.3         | 10.5         | 2.5          | 2.9          |
| Pedestrian offences   | —            | 0.1          | 0.1          | 1.0          | 0.1          | —            | —            | —            | 0.1          |
| <b>Total</b>  | <b>4.1</b>   | <b>4.5</b>   | <b>9.7</b>   | <b>32.3</b>  | <b>19.8</b>  | <b>16.9</b>  | <b>26.6</b>  | <b>6.6</b>   | <b>11.1</b>  |
| <b>Offences against justice procedures, gov't security and operations</b> | <b>2.8</b>   | <b>1.2</b>   | <b>3.8</b>   | <b>3.6</b>   | <b>3.0</b>   | <b>5.1</b>   | <b>2.8</b>   | <b>3.0</b>   | <b>2.8</b>   |
| <b>Miscellaneous offences</b>   | <b>2.9</b>   | <b>5.8</b>   | <b>0.3</b>   | <b>0.5</b>   | <b>0.7</b>   | <b>0.6</b>   | <b>—</b>     | <b>1.4</b>   | <b>2.3</b>   |
| <b>Total(g)</b>   | <b>100.0</b> |

— nil or rounded to zero (including null cells)

(a) Refers to finalised appearances rather than finalised defendants in the Children's Courts, resulting in potentially higher population counts (see Explanatory Note 15).

(b) Dangerous or negligent acts endangering persons are overstated and road traffic and motor vehicle regulatory offences are understated (see Explanatory Note 90).

(c) Includes Groups 0811 and 0812 of the ASOC (refer to Appendix 3).

(d) Includes Subdivisions 082 and 084 and Groups 0813 of the ASOC.

(e) Includes Subdivisions 092–094 and 099 and Groups 0911–0914 and 0919 of the ASOC.

(f) Includes Subdivision 122 and Group 1219 of the ASOC.

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

**4.11**DEFENDANTS FINALISED, Selected characteristics by states and territories,  
2006–07 to 2007–08

|         | Defendants finalised |       | Aged 17 years | Acquitted |        | Withdrawn |        |       |
|---------|----------------------|-------|---------------|-----------|--------|-----------|--------|-------|
|         | no.                  | %     |               | no.       | %      | no.       | %      |       |
| NSW (a) |                      |       |               |           |        |           |        |       |
| 2006–07 | 8 165                | 82.2  | 17.8          | 29.1      | 680    | 8.3       | 1 022  | 12.5  |
| 2007–08 | 9 262                | 82.3  | 17.7          | 28.8      | 649    | 7.0       | 1 291  | 13.9  |
| VIC.    |                      |       |               |           |        |           |        |       |
| 2006–07 | 13 693               | 69.0  | 31.0          | 33.0      | 383    | 2.8       | 2 181  | 15.9  |
| 2007–08 | 8 891                | 70.1  | 29.9          | 31.0      | 228    | 2.6       | 1 292  | 14.5  |
| QLD     |                      |       |               |           |        |           |        |       |
| 2006–07 | r7 699               | r79.1 | r20.9         | r14.3     | r91    | r1.2      | r668   | r8.7  |
| 2007–08 | 7 447                | 78.3  | 21.6          | 12.6      | 56     | 0.8       | 531    | 7.1   |
| SA      |                      |       |               |           |        |           |        |       |
| 2006–07 | r3 273               | r82.6 | r17.4         | r31.8     | 5      | 0.2       | 390    | 11.9  |
| 2007–08 | 3 367                | 82.1  | 17.9          | 31.8      | 8      | 0.2       | 400    | 11.9  |
| WA      |                      |       |               |           |        |           |        |       |
| 2006–07 | 7 435                | 80.9  | 18.3          | 33.8      | 66     | 0.9       | 453    | 6.1   |
| 2007–08 | 8 283                | 79.9  | 19.4          | 34.3      | 43     | 0.5       | 497    | 6.0   |
| TAS.    |                      |       |               |           |        |           |        |       |
| 2006–07 | 894                  | 77.9  | 22.1          | 29.8      | 134    | 15.0      | 35     | 3.9   |
| 2007–08 | 1 051                | 79.0  | 21.0          | 31.4      | 158    | 15.0      | 35     | 3.3   |
| NT      |                      |       |               |           |        |           |        |       |
| 2006–07 | 575                  | 89.6  | 10.4          | 35.5      | 89     | 15.5      | 50     | 8.7   |
| 2007–08 | 658                  | 81.5  | 18.5          | 31.8      | 71     | 10.8      | 54     | 8.2   |
| ACT     |                      |       |               |           |        |           |        |       |
| 2006–07 | 420                  | 74.0  | 26.0          | 34.8      | 11     | 2.6       | 65     | 15.5  |
| 2007–08 | 452                  | 80.5  | 19.5          | 33.2      | 38     | 8.4       | 77     | 17.0  |
| AUST.   |                      |       |               |           |        |           |        |       |
| 2006–07 | r42 154              | r77.1 | r22.8         | r28.9     | r1 459 | r3.5      | r4 864 | r11.5 |
| 2007–08 | 39 411               | 78.2  | 21.7          | 27.8      | 1 251  | 3.2       | 4 177  | 10.6  |

r revised

(a) Refers to finalised appearances rather than finalised defendants in the Children's Courts, resulting in potentially higher population counts (see Explanatory Note 15).

## 4.12 DEFENDANTS ADJUDICATED, Selected principal offence by states and territories, 2006–07 to 2007–08

|         | Defendants adjudicated | Acts intended to cause injury | Unlawful entry with intent | Theft & related offences | Deception & related offences | Property damage & environmental pollution | Public order offences | Road traffic & motor vehicle regulatory offences |
|---------|------------------------|-------------------------------|----------------------------|--------------------------|------------------------------|---|-----------------------|--|
|         | no.                    | %                             | %                          | %                        | %                            | %   | %                     | %  |
| NSW (a) |                        |                               |                            |                          |                              |   |                       |  |
| 2006–07 | 6 933                  | 25.8                          | 12.5                       | 17.3                     | 2.3                          | 8.3                                       | 9.0                   | 4.7  |
| 2007–08 | 7 674                  | 26.6                          | 12.9                       | 16.3                     | 2.7                          | 7.6                                       | 9.8                   | 4.1  |
| VIC.    |                        |                               |                            |                          |                              |   |                       |  |
| 2006–07 | 11 497                 | 7.5                           | 5.0                        | 8.7                      | 53.1                         | 3.9                                       | 5.8                   | 3.6  |
| 2007–08 | 7 565                  | 11.8                          | 6.7                        | 10.0                     | 38.9                         | 4.1                                       | 7.0                   | 4.5  |
| QLD     |                        |                               |                            |                          |                              |   |                       |  |
| 2006–07 | r6 614                 | r10.6                         | r19.9                      | r18.9                    | r2.6                         | r8.4                                      | r16.4                 | r9.6   |
| 2007–08 | 6 570                  | 10.0                          | 18.9                       | 20.1                     | 2.5                          | 7.5                                       | 16.1                  | 9.7  |
| SA      |                        |                               |                            |                          |                              |   |                       |  |
| 2006–07 | 2 281                  | 9.3                           | 7.7                        | 13.1                     | 0.7                          | 8.3                                       | 7.6                   | 33.5   |
| 2007–08 | 2 337                  | 13.2                          | 6.8                        | 11.6                     | 1.4                          | 7.9                                       | 7.3                   | 32.3   |
| WA      |                        |                               |                            |                          |                              |   |                       |  |
| 2006–07 | 5 252                  | 13.5                          | 15.4                       | 10.2                     | 0.9                          | 5.9                                       | 7.0                   | 13.9   |
| 2007–08 | 5 894                  | 11.4                          | 14.1                       | 10.2                     | 0.5                          | 6.2                                       | 6.0                   | 19.8   |
| TAS.    |                        |                               |                            |                          |                              |   |                       |  |
| 2006–07 | 847                    | 23.4                          | 11.3                       | 14.3                     | 1.4                          | 7.3                                       | 8.0                   | 20.4   |
| 2007–08 | 997                    | 24.0                          | 10.3                       | 15.3                     | 1.2                          | 8.4                                       | 9.0                   | 17.0   |
| NT      |                        |                               |                            |                          |                              |   |                       |  |
| 2006–07 | 506                    | 18.2                          | 27.1                       | 7.7                      | 0.8                          | 3.2                                       | 3.8                   | 20.6   |
| 2007–08 | 582                    | 18.7                          | 21.8                       | 8.6                      | 0.5                          | 4.5                                       | 2.7                   | 26.5   |
| ACT (b) |                        |                               |                            |                          |                              |   |                       |  |
| 2006–07 | 338                    | 16.9                          | 5.6                        | 26.0                     | 0.9                          | 4.4                                       | 1.8                   | 17.2   |
| 2007–08 | 362                    | 20.2                          | 5.0                        | 19.6                     | 0.8                          | 6.9                                       | —                     | 6.6  |
| AUST.   |                        |                               |                            |                          |                              |   |                       |  |
| 2006–07 | r34 268                | r13.5                         | r11.6                      | r13.2                    | r19.0                        | r6.3                                      | r8.8                  | r9.3   |
| 2007–08 | 31 981                 | 15.6                          | 12.4                       | 14.0                     | 10.6                         | 6.5                                       | 9.3                   | 11.1   |

— nil or rounded to zero (including null cells)

r revised

(a) Refers to finalised appearances rather than finalised defendants in the Children's Court, resulting in potentially higher population counts (see Explanatory Note 15).

(b) Dangerous or negligent acts endangering persons are overstated and road traffic and motor vehicle regulatory driving offences are understated (see Explanatory Note 90).

## 4.13 DEFENDANTS PROVEN GUILTY, Principal sentence by states and territories, 2006–07 to 2007–08

|         | CUSTODIAL ORDERS                |  |                                 |                                 |              | NON-CUSTODIAL ORDERS                     |                        |                             |                 |              |
|---------|---------------------------------|--|---------------------------------|---------------------------------|--------------|--|------------------------|-----------------------------|-----------------|--------------|
|         | <i>Defendants proven guilty</i> | <i>Custody in a correctional institution</i> | <i>Custody in the community</i> | <i>Fully suspended sentence</i> | <i>Total</i> | <i>Community supervision/work orders</i> | <i>Monetary orders</i> | <i>Good behaviour bonds</i> | <i>Other(a)</i> | <i>Total</i> |
|         | no.                             | %  | %                               | %                               | %            | %  | %                      | %                           | %               | %            |
| NSW (b) |                                 |  |                                 |                                 |              |  |                        |                             |                 |              |
| 2006–07 | 6 253                           | 10.2   | ..                              | 4.1                             | 14.3         | 19.2                                     | 13.2                   | 27.7                        | 25.6            | 85.7         |
| 2007–08 | 7 025                           | 9.7  | ..                              | 4.7                             | 14.4         | 21.4                                     | 11.9                   | 27.3                        | 25.0            | 85.6         |
| VIC.    |                                 |  |                                 |                                 |              |  |                        |                             |                 |              |
| 2006–07 | 11 114                          | 1.3  | 3.1                             | ..                              | 4.3          | 8.0                                      | 66.7                   | 18.4                        | 2.1             | 95.2         |
| 2007–08 | 7 336                           | 2.0  | 4.2                             | ..                              | 6.2          | 9.7                                      | 56.2                   | 22.9                        | 4.3             | 93.2         |
| QLD     |                                 |  |                                 |                                 |              |  |                        |                             |                 |              |
| 2006–07 | r6 522                          | r5.7   | r0.3                            | —                               | r6.1         | r43.9                                    | r6.7                   | r14.4                       | r29.0           | r93.9        |
| 2007–08 | 6 516                           | 5.6  | 0.1                             | —                               | 5.7          | 44.0                                     | 5.6                    | 14.3                        | 30.4            | 94.3         |
| SA (c)  |                                 |  |                                 |                                 |              |  |                        |                             |                 |              |
| 2006–07 | 2 277                           | 3.1  | 0.7                             | 4.2                             | 7.9          | 7.3                                      | 49.8                   | 17.0                        | 18.0            | 92.1         |
| 2007–08 | 2 329                           | 2.5  | 2.4                             | 2.1                             | 7.1          | 7.4                                      | 49.3                   | 17.6                        | 18.5            | 92.9         |
| WA      |                                 |  |                                 |                                 |              |  |                        |                             |                 |              |
| 2006–07 | 5 187                           | 5.4  | ..                              | 0.6                             | 5.9          | 33.2                                     | 31.5                   | 14.5                        | 14.8            | 94.1         |
| 2007–08 | 5 852                           | 5.0  | ..                              | 0.6                             | 5.6          | 30.9                                     | 35.8                   | 13.0                        | 14.6            | 94.4         |
| TAS.    |                                 |  |                                 |                                 |              |  |                        |                             |                 |              |
| 2006–07 | 713                             | 9.0  | ..                              | 7.2                             | 16.1         | 30.7                                     | 25.2                   | 12.9                        | 12.1            | 80.9         |
| 2007–08 | 839                             | 7.4  | ..                              | 8.9                             | 16.3         | 24.9                                     | 22.4                   | 21.0                        | 15.4            | 83.7         |
| NT      |                                 |  |                                 |                                 |              |  |                        |                             |                 |              |
| 2006–07 | 420                             | 26.7   | —                               | 2.4                             | 29.0         | 13.1                                     | 30.2                   | 20.2                        | 7.4             | 71.0         |
| 2007–08 | 512                             | 22.1   | —                               | 0.6                             | 22.7         | 8.8                                      | 30.1                   | 33.0                        | 5.5             | 77.3         |
| ACT     |                                 |  |                                 |                                 |              |  |                        |                             |                 |              |
| 2006–07 | 325                             | 3.7  | 6.8                             | —                               | 10.5         | 36.9                                     | 11.1                   | 21.8                        | 19.7            | 89.5         |
| 2007–08 | 326                             | 5.5  | 4.6                             | —                               | 10.1         | 37.1                                     | 13.2                   | 31.6                        | 8.0             | 89.9         |
| AUST.   |                                 |  |                                 |                                 |              |  |                        |                             |                 |              |
| 2006–07 | r32 811                         | r5.1   | r1.2                            | r1.3                            | r7.7         | r22.1                                    | r35.9                  | r18.6                       | r15.5           | r92.1        |
| 2007–08 | 30 735                          | 5.7  | 1.3                             | 1.6                             | 8.5          | 24.2                                     | 29.1                   | 20.0                        | 18.0            | 91.3         |

.. not applicable

— nil or rounded to zero (including null cells)

r revised

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

(b) Refers to finalised appearances rather than finalised defendants in the Children's Court, resulting in potentially higher population counts (see Explanatory Note 15).

(c) Prior to 2007–08, fully suspended sentences in SA were overcounted. For 2006–07, custody in the community were undercounted (see Explanatory Note 76).

## EXPLANATORY NOTES .....

### INTRODUCTION

**1** This publication presents information on the characteristics of defendants dealt with by Australian state and territory criminal courts. This includes information on the offences and sentences associated with those defendants.

**2** Information relates to the criminal jurisdiction of the Higher (Supreme and Intermediate), Magistrates' and Children's Courts in each state and territory. The criminal jurisdiction of the courts includes the trial and sentencing of persons and organisations charged with criminal offences in Australia.

**3** Information relating to criminal cases heard in the Higher Courts is available from 1995. Information about defendants finalised in the Magistrates' Courts is available from 2003–04 and in the Children's Courts from 2006–07.

### DATA SOURCE

**4** National statistics are derived from data about each defendant provided to the ABS by the state and territory agencies responsible for courts administration. The ABS receives data directly from these agencies in all states and territories except for Queensland (where data are supplied via the Office of Economic and Statistical Research), and New South Wales (where data are supplied via the Bureau of Crime Statistics and Research).

**5** In order to ensure consistency between the states and territories, the statistics have been compiled according to national standards and classifications. Standardisation of data requires the states and territories to provide data coded according to national classifications and standards.

### SCOPE

**6** The scope of the statistics in this publication includes all defendants who have been finalised in the Higher, Magistrates' or Children's Courts.

**7** The criminal courts collection is limited to defendants finalised, that is a person or organisation for whom all charges have been formally completed so that the defendant ceases to be an item of work to be dealt with by the court.

**8** The numbers of defendants finalised can be impacted by the use of diversionary programs that can be initiated by police and other agencies (pre-court) and/or by the courts themselves as part of the court process. Given a major part of the juvenile justice system is to divert young people away from the more formal justice system, the use of diversionary schemes are likely to be used more often in the Children's Courts. The types of pre-court programs include (but are not limited to) warnings (both informal and formal), cautions, police drug diversions and conferencing. Such pre-court programs can reduce the number of defendants finalised appearing in the Criminal Courts collection.

**9** Some examples of court initiated programs used in the Children's Courts include:

- Victoria - Group Conference, Ropes Program
- Queensland - Youth Justice Conferencing, Illicit Drug Court Diversion Program
- South Australia - Family conferences, Youth CARDS (Court Assessment and Referral Drug Scheme)
- Western Australia - Juvenile Justice Teams, Drug Court
- Tasmania - Court Ordered Community Conference
- Australian Capital Territory - Restorative Justice.

SCOPE *continued*

**10** Programs initiated by the Courts are generally grouped into two types: 'pre-adjudication' if initiated prior to hearing the facts of a case; and 'post-adjudication' if initiated once the defendant is found guilty or the defendant has entered a plea of guilty, but prior to sentencing. In addition, there are also court programs where a referral is used as a sentencing outcome. Defendants involved in programs initiated by the Courts are included in the scope of the collection and will be counted as a finalised defendant.

**11** 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 Criminal Courts data, defendants in Higher, Magistrates' and Children's Courts cases heard in the criminal courts on Cocos (Keeling) Islands and Christmas Island are included in the counts for Western Australia, where applicable. Defendants finalised in Jervis Bay Territory are not included in any counts in this publication.

*Higher Courts*

**12** 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*

**13** 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.

**14** These data include defendants finalised (i.e. a person for whom all charges have been formally completed so that the defendant ceases to be an item of work to be dealt with) in the Magistrates' Courts for all states and territories except New South Wales whose data represents finalised appearances. Therefore, where charges were finalised at different court appearances in the same case for a defendant in New South Wales, these were counted as finalised defendants at each appearance rather than being aggregated as a single finalised defendant at the latest charge finalisation date. This may result in increased counts for New South Wales.

*Children's Courts*

**15** Data includes defendants finalised in the original jurisdiction of the Children's Criminal Courts with the exception of New South Wales whose data represents finalised appearances (as described in Magistrates' Courts above).

**16** 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*

**17** 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.

**18** The Magistrates' and Children's Courts data exclude finalisations in the Drug Courts, Electronic Courts, Fine Recovery Units, Family Violence Courts and Indigenous Courts.

## REFERENCE PERIOD

**19** The statistics in this collection relate to defendants who had criminal cases finalised within the Higher, Magistrates' and Children's Courts during the reference period 1 July 2007 to 30 June 2008.

## CLASSIFICATIONS

**20** The national classifications used to collect and produce data on defendants in the Criminal Courts are:

- Method of finalisation (see Appendix 2)
- Australian Standard Offence Classification (ASOC) 1997 (refer to Appendix 3)

CLASSIFICATIONS *continued*

- National Offence Index (NOI) (refer to Appendix 4) and
- Sentence type (refer to Appendix 5).

**21** 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 Standard Offence Classification (ASOC)*

**22** The ASOC provides a uniform national classificatory framework for classifying offences across Australia. The classification is hierarchical, allowing for varying degrees of detail in both coding and output (see Appendix 3).

**23** Offence data have been coded to the ASOC (1997) on the basis of mappings of state/territory legislative codes undertaken by various agencies within those states and territories.

**24** The second edition of the ASOC was released in August 2008 although this has yet to be implemented in the Criminal Courts collection. The complete ASOC (1997), and the second edition is available on the ABS website (cat. no. 1234.0).

*National Offence Index (NOI)*

**25** The National Offence Index (see Appendix 4) is a ranking of all ASOC Groups and selected supplementary ASOC codes (ASOC Divisions and/or ASOC Subdivisions). This ranking is based on the concept of seriousness, with a ranking of 1 relating to the ASOC code containing the most serious offence.

**26** The assumptions and rules underpinning the NOI, in particular defining 'offence seriousness' and the impact of this definition on the ranking of offences, need to be considered when using the principal offence data in this publication. However, it is important to note that these technical issues are only of practical significance where a choice must be made between output categories. For example, although some sexual assault and related offences are ranked ahead of illicit drug and related offences, they are unlikely to co-occur. For further information regarding the development of the NOI please refer to Appendix 5 in *Criminal Courts, Australia, 2001–02* (cat. no. 4513.0). This classification is currently under review following the release of the second edition of ASOC.

NATIONAL CRIMINAL COURTS  
DATA DICTIONARY

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

COUNTING METHODOLOGY  
*Counting unit*

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

*Counting unit continued*

**29** Some courts operate programs which transfer defendants to drug and other specialist courts for finalisation (these defendants are counted as finalised by transfer in the Criminal Court level that recommended the transfer), and other programs where upon completion of the program the defendant returns to the Criminal Court that requested the transfer.

*Method of finalisation*

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

**31** Previously, a bench warrant issued was considered a method of finalisation. However, this is no longer considered a method of finalisation for a defendant in the Higher Courts and has been excluded from counts in this publication. As bench warrants are treated as a continuation of a defendants' case, this will impact on the duration of that case i.e. time elapsed from date of initiation to date of finalisation. This aligns with the Magistrates' Courts and Children's Courts collections which do not include a bench warrant issued as a method of finalisation. Once a bench warrant has been executed and the outstanding (and new) charges have been determined, the defendant is regarded as being finalised (by a method of finalisation other than a bench warrant being issued) and is included in data for the relevant reference period in which the defendant is finalised.

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

*Transfer between Higher Court levels*

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

*Transfer between Magistrates' and Higher Court levels*

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

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

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

*Higher Courts*

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

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

*Higher Courts continued*

- other non-adjudicated finalisation n.e.c.
- unknown/not stated.

*Magistrates' Courts*

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

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

*Children's Courts*

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

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

*Merging counting units*

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

*Principal offence*

**40** Prior to 2007–08, principal offence was only calculated for adjudicated defendants. Principal offence rules have now been extended to include non-adjudicated and transferred defendants.

**41** Where a finalised defendant has multiple charges and these have different methods of finalisation, the principal offence is determined by the type of finalisation and the most serious offence within that type of finalisation using both the ASOC and NOI classifications. 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

**42** For a defendant with multiple charges and only some are proven (resulting from a guilty verdict, guilty plea or guilty ex-parte), the principal offence is selected only from those charge(s) where proof of guilt has been established. For acquitted defendants, the principal offence is selected from the charge(s) not proven.

**43** Where a defendant has a single charge within the type of finalisation (e.g. charges proven, charges not proven, transfer of charges etc.), the principal offence is the relevant ASOC code (see paragraphs 22–24) associated with that charge.

**44** Where a defendant has several offences, each with the same type of finalisation, for example, the defendant has been found guilty of all charges, the principal offence is selected from those charges with same type of finalisation - that is proven guilty. The NOI is used to determine the principal offence. The principal offence is determined as the charge with the highest ranked ASOC 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 ASOC code that is not included in the NOI), and this offence cannot be determined as more or less serious than another offence within the same type of finalisation, the principal offence is coded to 'not able to be determined'. For more information about the NOI see paragraphs 25–26.

**45** Prior to 2007–08, principal offence was only available for adjudicated defendants. Principal offence is now available for all finalised defendants.

*Principal sentence*

**46** Defendants who are proven guilty have sentence information reported against them at the defendant level. This is usually, though not necessarily, the sentence associated with the principal offence. A defendant can receive a single sentence for a single offence proven guilty, a single sentence for multiple offences proven guilty, multiple sentences for multiple offences proven guilty and/or multiple sentences assigned to the one offence proven guilty. Where a defendant has multiple sentences, the principal sentence is selected by applying the hierarchy of the Sentence Type Classification (see Appendix 5).

*Principal sentence continued*

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

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

COMPARABILITY

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

**50** The Criminal Courts collection has been designed to facilitate comparisons over time and across states and territories through the application of common national statistical standards. However, some legislative and processing differences may limit the degree to which the statistics are comparable across the states and territories. Differences may also arise as a result of other factors, including refinements in data quality procedures and modifications in the systems used to obtain and compile the figures. See paragraphs 59–93 for specific state and territory issues.

REVISIONS

**51** The count of defendants finalised for South Australia Children's Criminal Court has been revised upwards for 2006–07 resulting in approximately 400 finalised additional defendants that were previously omitted (see paragraph 75). Revisions were also made upwards to the 2006–07 finalised defendant counts in all court levels for Queensland for the same reason (see paragraph 68).

COMPARISONS TO NON-ABS SOURCES

*Report on Government Services*

**52** 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.

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

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

FINALISED DEFENDANT

**55** For both collections a finalised defendant is defined as follows: 'A person or organisation for which all charges relating to the one case have been formally completed so that the defendant ceases to be an item of work to be dealt with by the courts'. However, the number of defendants will vary between the ABS and CADC collections due to the following. For the ABS Criminal Courts collection, data are further aggregated to create a 'merged finalised defendant'. The rule is: if a defendant has more than one case, which is finalised on the same date in the same court level and in the same court location, their defendant records will be merged and counted as a single defendant

*Report on Government  
Services continued*

record. This method of aggregation will result in a lower count of defendants finalised and longer durations in the ABS collection than in the CADC collection.

TRANSFERS BETWEEN INTERMEDIATE AND SUPREME COURT LEVELS

**56** Further differences exist as a result of different counting rules for the transfer of defendants for some court levels. The CADC counts defendants who transfer between higher court levels (e.g. from an Intermediate Court to a Supreme Court), as finalised in both the court level they left and in the new court level they entered. For the purposes of the ABS Criminal Courts collection, defendants who transfer from one higher court level to another will be considered as finalised only once (from the level they finally left). As a result, the combined Intermediate and Supreme court data in the Report on Government Services will not equate to the ABS Higher Courts data.

DURATION

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

i.e. Duration = Date of Finalisation - Date of Initiation + 1.

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

No. of cases older than applicable reporting standard x 100 / Total pending caseload.

STATE/TERRITORY EVENTS /  
SPECIFIC ISSUES

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

*New South Wales*

**60** New South Wales Higher Courts data for January to June 2008 has been sourced from a new computer system and should be considered preliminary in nature. A combination of incomplete records and unidentifiable out-of-scope records is thought to have affected the quality and coverage of the 2007–08 New South Wales Higher Courts data included in this publication. It is anticipated that duration of cases finalised may be most affected. Caution should be used when making comparisons of data movements between 2007–08 and earlier years.

**61** Prior to 2006–07, defendants discharged under the Mental Health (Criminal Procedure) Act 1990 were included in the non-adjudicated population as 'unfit to plead'. Defendants with this method of finalisation are now correctly appearing as acquitted 'by reason of mental illness/condition' from 2006–07. Therefore, the number of acquittals prior to 2006–07 were undercounted for New South Wales and the number of other non-adjudicated finalisations were overstated. In 2006–07, 1,501 (21%) of the acquitted defendants were finalised through discharge for mental health reasons.

*Victoria*

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

**63** Deception and related offences includes fare evasions processed through the Children's courts. Victoria processed a large number of backlogs of fare evasions through the Children's Court during 2006–07, resulting in a higher number of defendants finalised. Approximately 5,900 defendants finalised had a principal offence of fare evasion

*Victoria continued*

in 2006–07. From December 2008 most fare evasions have been dealt with in a new Children and Young Persons Infringement Notice System (CAYPINS) rather than through the Children's Courts.

**64** Errors were encountered in some data prior to 2005–06, resulting in changes to the application of some national counting rules. These changes caused some minor movements in the principal offence data item in the 2005–06 data and therefore historical comparisons should be made with caution. In particular, abduction and related offences are over counted prior to 2005–06.

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

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

*Queensland*

**67** Between 2006–07 and 2007–08, there was a large increase in the number of road vehicle registration and roadworthiness offences finalised in the Magistrates' Courts. Various initiatives resulting out of the 2006 Premier's Road Safety Summit have impacted of the number of road traffic and motor vehicle offences. In particular on 1 July 2007 the Queensland Police Service commenced a vehicle impoundment trial in some areas of the state. Many driving offences which would have previously been dealt with by the issuing of a traffic offence notice are now dealt with through the Magistrates' Court. This trial was extended state-wide on 1 July 2008 so even larger increases in the number of these offences finalised in the Magistrates' Courts are anticipated in the next financial year.

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

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

**70** During 2004–05, Queensland's finalised defendant populations for the Higher, Magistrates' and Children's Criminal Courts were undercounted. This small undercount occurred due to an internal business process that resulted in a lag in the verification of finalised defendant records included in data supplied to the ABS. Revised 2004–05 data for Queensland was included in the 2005–06 publication. It is likely that data published prior to 2004–05 for Queensland also contains an undercount. The size of undercount in

*Queensland continued*

prior years is unknown. As a result, caution should be taken when making historical comparisons with 2004–05 and 2005–06 data.

**71** Due to a change in business processes, 'assault police' and 'resist/hinder police' offences are not able to be disaggregated in the 2004–05 revised and 2005–06 Magistrates' Criminal Courts data for Queensland. Where a defendant was adjudicated after February 2005 for either an assault police offence or a resist or hinder police officer offence, the offence level ASOC codes for both these offences were coded to ASOC group 1522 (resist or hinder police officer or justice official). Assault police should be recorded in ASOC Division 2. This has resulted in a slight undercount of defendants with offences coded to ASOC Division 2 and a slight overcount in ASOC Division 15 for Queensland 2004–05 revised data.

**72** During 2005–06, a review of local processes used to compile data for the ABS was undertaken. As a result, some errors were identified in the application of counting rules and local offence code mappings to the ASOC. These anomalies were rectified in the 2004–05 data. Historical comparisons prior to 2004–05 should be made with caution, particularly for principal offence.

**73** From July 2004 to February 2005, suspended sentences in the Higher Courts relating to Cairns, Townsville, Rockhampton and Brisbane were incorrectly categorised as imprisonment orders leading to imprisonment with a determined term being overstated and fully suspended sentences being understated.

**74** Prior to January 2005, some suspended sentences were incorrectly categorised as imprisonment orders leading to imprisonment with a determined term being overstated and fully suspended sentences being understated in the Magistrates' Courts.

*South Australia*

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

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

**77** During 2006–07, there had been an increase in the number of sexual assault cases heard within the District Court. The Mulligan Inquiry resulted in increased reporting to police of sexual assault offences committed prior to 1983, resulting in increases of defendants appearing before the courts.

**78** Prior to 2005–06, court costs/levies had been incorrectly included as a sentence type. The removal of these post this period has resulted in a decrease in defendants with a principal sentence of 'other monetary orders n.e.c.' and increases in some other non-custodial sentence categories for South Australia.

*Western Australia*

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

*Western Australia continued*

**80** Western Australian Higher Courts defendants with sex unknown or not stated increased from 3% of finalised defendants in 2006–07 to 10% the following year. In 2007–08, these defendants accounted for 99% of defendants with unknown sex in this court level across Australia.

**81** Data relating to custody in the community were incorrectly coded between 2003–04 and 2005–06, resulting in an overcount for this sentence type. All of these data should have been coded to community supervision or work orders as they comprised probation orders. Some probation orders may have also been coded to fully suspended sentences for these same years, resulting in a potential overcount for this sentence type.

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

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

**84** Western Australia have a higher than average proportion of defendants with a principal offence in Division 4 (dangerous or negligent acts endangering persons), and a relatively low proportion in Division 14 (road traffic and motor vehicle regulatory offences). This can be largely attributed to specific legislation in this state that stipulates that a blood alcohol limit of 0.15g/100ml leads to a driving under the influence offence, which is recorded in ASOC Division 4 (specifically, ASOC Group 0411: driving under the influence of drugs or alcohol). Other states/territories generally code drink driving offences to ASOC Division 14 (specifically group 1431: exceeding the prescribed content of alcohol limit). This difference should be taken into account when comparing differences in principal offence across states and territories.

*Tasmania*

**85** Data prior to 2005–06 contains a slight overcount of defendants finalised for the Magistrates' and Children's Courts due to incorrect application of counting rules. Data prior to 2006–07 contain a small number of non-original matters included in the finalised defendant counts.

*Northern Territory*

**86** In 2007–08, a data entry error in the Higher Courts resulted in the number of acquittals being overstated by 13 defendants and charges withdrawn by the prosecution being understated by the same number. This should be taken into consideration when comparing these methods of finalisation in 2007–08 with previous years. It is expected that revised data may be included in the 2008–09 publication.

**87** The commencement of the Alcohol Court on 1 July 2006 has had some impact on the time taken to finalise matters in the Magistrates' Court. These matters often involve several court appearances to gather information from service providers.

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

**89** Incorrect application of counting rules resulted in revisions to data in 2004–05. Data prior to this period should be used with caution, particularly principal offence.

*Australian Capital Territory*

**90** For 2007–08, some road traffic offences in the Magistrates' and Children's Court were incorrectly coded to ASOC 0411 (driving under the influence of alcohol or drugs) instead of ASOC 1431 (exceeding the prescribed content of alcohol limit). Based on historical proportions for these principal offences we estimate that over 500 defendants

*Australian Capital Territory*  
*continued*

in the Magistrates' Courts and over 30 defendants in the Children's Courts have been miscoded. The data provider has advised that coding for this offence was incorrect for 2007–08 data only and has been corrected for future cycles. Comparisons over time should therefore not be made with these ASOC Divisions for the ACT.

**91** From 2007–08, community service orders imposed with a fully suspended sentence are now coded correctly to 'intensive corrections orders'; in previous years this sentence type was coded to 'fully suspended sentence'.

**92** For 2006–07, the principal sentence type 'orders as recompense to victim' has been reported separately and included in the Higher Courts data. This sentence type had previously been coded to 'monetary orders n.f.d.'. There is no impact on time series data, as monetary orders are not disaggregated to this level.

**93** There was a significant increase in defendants finalised in the Magistrates' Courts data between 2004–05 and 2005–06 due to two main factors: a large number of old defendant records in the Magistrates' Courts were finalised; and a territory election during the reference period resulted in a large number of defendants being adjudicated for failure to vote offences.

CONFIDENTIALITY OF  
TABULAR DATA

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

RELATED PUBLICATIONS  
*ABS publications*

- 95** ABS publications which may be of interest include:
- *Australian Social Trends* (cat. no. 4102.0) - issued annually
  - *Australian Standard Offence Classification* (cat. no. 1234.0) - irregular
  - *Corrective Services, Australia* (cat. no. 4512.0) - issued quarterly
  - *Crime and Safety, Australia* (cat. no. 4509.0) - released 26 April 2006
  - *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: 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) - released 31 May 2006
  - *Measuring Well-being: Frameworks for Australian Social Statistics* (cat. no. 4160.0) - irregular
  - *National Criminal Courts Data Dictionary* (cat. no. 4527.0) - released 1 February 2007
  - *Personal Safety Survey, Australia* (cat. no. 4906.0) - released 21 August 2006
  - *Prisoners in Australia* (cat. no. 4517.0) - issued annually
  - *Recorded Crime - Victims, Australia* (cat. no. 4510.0) - issued annually
  - *Year Book Australia* (cat. no. 1301.0) - irregular

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

*Non-ABS publications*

- 97** 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 <<http://www.aic.gov.au>>
  - Chief Justice of Western Australia, *Annual Review*
  - Children's Court, Queensland, *Annual Report*

## Non-ABS publications

continued

- Children's Court of Victoria, *Annual Report*
- County Court of Victoria, *Annual Report*
- Courts Administration Authority, South Australia, *Annual Report*
- Crime Research Centre, University of Western Australia, *Crime and Justice Statistics for Western Australia*
- Department of Justice, Northern Territory, *Annual Report*
- Department of Justice, Victoria, *Annual Report*
- Department of the Attorney General, Western Australia, *Annual Report*
- Department of Justice and Attorney-General, Queensland, *Annual Report*
- Department of Justice, Tasmania, *Department of Justice Annual Report*
- Director of Public Prosecutions, *Annual Report*, all State, Territory and Commonwealth Offices of the Director of Public Prosecutions
- 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, *Crime and Justice in South Australia: Adult Courts and Corrections*
- Office of Crime Statistics and Research, South Australia, *Crime and Justice in South Australia: Juvenile Justice*
- Office of Economic and Statistical Research, *Crime and Justice Statistics Queensland*
- Steering Committee for the Review of Government Service Provision, *Report on Government Services*
- Supreme Court of Queensland, *Annual Report*
- Supreme Court of Victoria, *Annual Report*
- Supreme Court of Tasmania, *Annual Report*

## ABBREVIATIONS

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

APPENDIX 1

**LIST OF SUPPLEMENTARY DATA CUBES** .....

HIGHER COURTS  
SUPPLEMENTARY DATA  
CUBES

1. Defendants finalised, Method of finalisation and principal offence by states and territories
2. Defendants adjudicated, Method of finalisation and principal offence, 2001–02 to 2007–08
3. Defendants adjudicated, Sex and principal offence by states and territories
4. Defendants adjudicated, Sex and age by states and territories
5. Defendants adjudicated, Principal offence by age and sex
6. Defendants adjudicated, Sex and principal offence by adjudication type
7. Defendants adjudicated, Sex by principal offence, 2001–02 to 2007–08
8. Defendants proven guilty, Principal offence and principal sentence by states and territories
9. Defendants proven guilty, Principal offence by principal sentence, 2001–02 to 2007–08
10. Defendants proven guilty, Sex and principal sentence by states and territories
11. Defendants proven guilty, Sex and principal offence by principal sentence
12. Duration from initiation to finalisation, Method of finalisation by states and territories
13. Duration from initiation to finalisation, Method of finalisation by principal offence, 2001–02 to 2007–08
14. Defendants proven guilty, Sexual assault and related offences by principal sentence, 2006–07 to 2007–08

MAGISTRATES' COURTS  
SUPPLEMENTARY DATA  
CUBES

1. Defendants finalised, Method of finalisation and principal offence by states and territories
2. Defendants adjudicated, Method of finalisation and principal offence, 2003–04 to 2007–08
3. Defendants adjudicated, Sex and principal offence by states and territories
4. Defendants adjudicated, Sex and age by states and territories
5. Defendants adjudicated, Principal offence by age and sex
6. Defendants adjudicated, Sex by principal offence, 2003–04 to 2007–08
7. Defendants proven guilty, Selected principal offence and principal sentence by states and territories
8. Defendants proven guilty, Principal offence and principal sentence, 2003–04 to 2007–08
9. Defendants proven guilty, Sex and principal sentence by states and territories
10. Defendants proven guilty, Sex and principal offence by principal sentence

MAGISTRATES' COURTS  
SUPPLEMENTARY DATA  
CUBES *continued*

- 11. Duration from initiation to finalisation, Method of finalisation by states and territories
- 12. Duration from initiation to finalisation, Method of finalisation by principal offence, 2003–04 to 2007–08
- 13. Defendants adjudicated for road traffic offences, Summary characteristics

CHILDREN'S COURTS  
SUPPLEMENTARY DATA  
CUBES

- 1. Defendants finalised, Method of finalisation and principal offence by states and territories
- 2. Defendants adjudicated, Method of finalisation and principal offence, 2006–07 to 2007–08
- 3. Defendants adjudicated, Sex and principal offence by states and territories
- 4. Defendants adjudicated, Sex and age by states and territories
- 5. Defendants adjudicated, Principal offence by age and sex
- 6. Defendants adjudicated, Sex by principal offence, 2006–07 to 2007–08
- 7. Defendants adjudicated, Age by principal offence, 2006–07 to 2007–08
- 8. Defendants proven guilty, Principal offence and principal sentence by states and territories
- 9. Defendants proven guilty, Principal offence and principal sentence, 2006–07 to 2007–08
- 10. Defendants proven guilty, Sex and principal sentence by states and territories
- 11. Defendants proven guilty, Age and principal sentence by states and territories
- 12. Defendants proven guilty, Sex and principal offence by principal sentence
- 13. Duration from initiation to finalisation, Method of finalisation by states and territories
- 14. Duration from initiation to finalisation, Method of finalisation by principal offence, 2006–07 to 2007–08

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

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| <i>Code</i> | <i>Division/Subdivision/Group</i>                            |
|-------------|--|
| 01          | Homicide and related offences                                |
| 011         | Murder   |
| 0111        | Murder   |
| 012         | Conspiracies and Attempts to Murder                          |
| 0121        | Conspiracy to Murder   |
| 0122        | Attempted Murder   |
| 013         | Manslaughter And Driving Causing Death                       |
| 0131        | Manslaughter   |
| 0132        | Driving Causing Death  |
| 02          | Acts intended to cause injury                                |
| 021         | Assault  |
| 0211        | Aggravated Assault   |
| 0212        | Non-Aggravated Assault                                       |
| 029         | Other Acts Intended To Cause Injury                          |
| 0299        | Acts Intended to Cause Injury, n.e.c                         |
| 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               |
| 0329        | Non-Assaultive Sexual Offences, n.e.c                        |
| 04          | Dangerous or negligent acts endangering persons              |
| 041         | Dangerous or Negligent Operation of a Vehicle                |
| 0411        | Driving Under the Influence of Alcohol or Drugs              |
| 0412        | Dangerous or Negligent Driving                               |
| 049         | Other Dangerous or Negligent Acts Endangering Persons        |
| 0491        | Neglect of Person Under Care                                 |
| 0499        | Other Dangerous or Negligent Acts Endangering Persons, n.e.c |
| 05          | Abduction and related offences                               |
| 051         | Abduction and Kidnapping                                     |
| 0511        | Abduction and Kidnapping                                     |
| 052         | Deprivation of Liberty/False Imprisonment                    |
| 0521        | Deprivation of Liberty/False Imprisonment                    |
| 06          | Robbery, extortion and related offences                      |
| 061         | Robbery  |
| 0611        | Aggravated Robbery   |
| 0612        | Non-Aggravated Robbery                                       |
| 062         | Blackmail And Extortion                                      |
| 0621        | Blackmail and Extortion                                      |
| 07          | Unlawful entry with intent/burglary, break and enter         |
| 071         | Unlawful Entry with Intent/Burglary, Break And Enter         |
| 0711        | Unlawful Entry with Intent/Burglary, Break and Enter         |
| 08          | Theft and related offences                                   |
| 081         | Motor Vehicle Theft And Related Offences                     |
| 0811        | Theft of a Motor Vehicle                                     |
| 0812        | Illegal Use of a Motor Vehicle                               |
| 0813        | Theft of Motor Vehicle Parts or Contents                     |

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| <i>Code</i> | <i>Division/Subdivision/Group</i>   |
|-------------|---|
| 08          | Theft and related offences <i>cont.</i>                                   |
| 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), n.e.c                                      |
| 083         | Receiving Or Handling Proceeds Of Crime                                   |
| 0831        | Receiving or Handling Proceeds of Crime                                   |
| 084         | Illegal Use Of Property (Except Motor Vehicles)                           |
| 0841        | Illegal Use of Property (Except Motor Vehicles)                           |
| 09          | Deception and related offences  |
| 091         | Fraud, Forgery or False Financial Instruments                             |
| 0911        | Cheque or Credit Card Fraud   |
| 0912        | Make, Use or Possess Equipment to Make False/Illegal Financial Instrument |
| 0913        | Fraudulent Trade Practices  |
| 0914        | Prescription Drug Fraud   |
| 0915        | Fare Evasion  |
| 0919        | Fraud, n.e.c  |
| 092         | Counterfeiting Currency and Related Offences                              |
| 0921        | Counterfeiting Currency and Related Offences                              |
| 093         | Dishonest Conversion  |
| 0931        | Dishonest Conversion  |
| 094         | Bribery   |
| 0941        | Bribery Involving Government Officials                                    |
| 0949        | Bribery, n.e.c  |
| 099         | Other Deception Offences  |
| 0991        | Misrepresentation of Professional Status                                  |
| 0992        | Non-Fraudulent Trade Practices  |
| 0999        | Deception Offences, n.e.c   |
| 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 or Cultivate Illicit Drugs                                    |
| 104         | Possess And/Or Use Illicit Drugs  |
| 1041        | Possess Illicit Drug  |
| 1042        | Use Illicit Drug  |
| 109         | Other Illicit Drug Offences   |
| 1099        | Illicit Drug Offences, n.e.c  |
| 11          | 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, n.e.c                             |
| 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, n.e.c                              |
| 12          | Property damage and environmental pollution                               |
| 121         | Property Damage   |
| 1211        | Property Damage by Fire or Explosion                                      |
| 1212        | Graffiti  |
| 1219        | Property Damage, n.e.c  |

| <i>Code</i> | <i>Division/Subdivision/Group</i>  |
|-------------|--|
| 12          | Property damage and environmental pollution <i>cont.</i>   |
| 122         | Environmental Pollution  |
| 1221        | Air Pollution Offences   |
| 1222        | Water Pollution Offences   |
| 1223        | Noise Pollution Offences   |
| 1229        | Environmental Pollution Offences, n.e.c  |
| 13          | Public order offences  |
| 131         | Disorderly Conduct   |
| 1311        | Trespass   |
| 1312        | Offensive Language   |
| 1313        | Offensive Behaviour  |
| 1314        | Criminal Intent  |
| 1315        | Conspiracy   |
| 1319        | Disorderly Conduct, n.e.c  |
| 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   |
| 1329        | Regulated Public Order Offences, n.e.c   |
| 14          | Road traffic and motor vehicle regulatory offences   |
| 141         | Driving Licence Offences   |
| 1411        | Driving While Licence Cancelled or Suspended   |
| 1412        | Driving Without a Licence  |
| 1419        | Driving Licence Offences, n.e.c  |
| 142         | Road Vehicle Registration and Roadworthiness Offences  |
| 1421        | Registration Offences  |
| 1422        | Roadworthiness Offences  |
| 143         | Regulatory Driving Offences  |
| 1431        | Exceeding the Prescribed Content of Alcohol Limit  |
| 1432        | Exceeding Legal Speed Limit  |
| 1433        | Parking Offences   |
| 1439        | Regulatory Driving Offences, n.e.c   |
| 144         | Pedestrian Offences  |
| 1441        | Pedestrian Offences  |
| 15          | Offences against justice procedures, government security and government operations                               |
| 151         | Breach of Justice Order  |
| 1511        | Escape Custody Offences  |
| 1512        | Breach of Bail   |
| 1513        | Breach of Parole   |
| 1514        | Breach of Domestic Violence Order  |
| 1515        | Breach of Other Restraining Order  |
| 1519        | Breach of Justice Order, n.e.c   |
| 152         | Other Offences Against Justice Procedures  |
| 1521        | Subvert the Course of Justice  |
| 1522        | Resist or Hinder Police Officer or Justice Official  |
| 1523        | Prison Regulation Offences   |
| 1529        | Offences Against Justice Procedures, n.e.c   |
| 153         | Offences Against Government Security   |
| 1531        | Resist or Hinder Government Officer Concerned with Government Security   |
| 1539        | Offences Against Government Security, n.e.c  |
| 154         | Offences Against Government Operations   |
| 1541        | Resist or Hinder Government Official (Excluding Police Officer, Justice Official or Government Security Officer) |
| 1549        | Offences Against Government Operations, n.e.c  |
| 16          | Miscellaneous offences   |
| 161         | Harassment and Related Offences  |
| 1611        | Harassment and Private Nuisance  |
| 1612        | Offences Against Privacy   |
| 1613        | Threatening Behaviour  |
| 1614        | Defamation and Libel   |

| <i>Code</i> | <i>Division/Subdivision/Group</i>        |
|-------------|--|
| 16          | Miscellaneous offences <i>cont.</i>      |
| 162         | Public Health And Safety Offences        |
| 1621        | Sanitation Offences                      |
| 1622        | Disease Prevention Offences              |
| 1623        | Occupational Health and Safety Offences  |
| 1624        | Transport Offences                       |
| 1625        | Dangerous Substances Offences            |
| 1626        | Licit Drug Offences                      |
| 1629        | Public Health and Safety Offences, n.e.c |
| 163         | Commercial/Industry/Financial Regulation |
| 1631        | Commercial/Industry/Financial Regulation |
| 169         | Other Miscellaneous Offences             |
| 1691        | Environmental Regulation Offences        |
| 1692        | Immigration Regulation Offences          |
| 1693        | Quarantine Offences                      |
| 1694        | Import/Export Regulations                |
| 1695        | Procure or Commit Illegal Abortion       |
| 1699        | Miscellaneous Offences, n.e.c            |

## Index ASOC Group

|    |      |   |
|----|------|---|
| 1  | 0111 | Murder  |
| 2  | 0110 | Murder, n.f.d.  |
| 3  | 0122 | Attempted murder  |
| 4  | 0121 | Conspiracy to murder  |
| 5  | 0120 | Conspiracies and attempts to murder, n.f.d.                   |
| 6  | 0131 | Manslaughter  |
| 7  | 0130 | Manslaughter and driving causing death, n.f.d.                |
| 8  | 0132 | Driving causing death   |
| 9  | 0100 | Homicide and related offences, n.f.d.                         |
| 10 | 0311 | Aggravated sexual assault                                     |
| 11 | 0321 | Non-assaultive sexual offences against a child                |
| 12 | 0312 | Non-aggravated sexual assault                                 |
| 13 | 0329 | Non-assaultive sexual offences, n.e.c.                        |
| 14 | 0300 | Sexual assault and related offences, n.f.d.                   |
| 15 | 1011 | Import illicit drugs  |
| 16 | 1012 | Export illicit drugs  |
| 17 | 1010 | Import or export illicit drugs, n.f.d.                        |
| 18 | 1021 | Deal or traffic in illicit drugs - commercial quantity        |
| 19 | 1022 | Deal or traffic in illicit drugs - non-commercial quantity    |
| 20 | 1020 | Deal or traffic in illicit drugs, n.f.d.                      |
| 21 | 1031 | Manufacture or cultivate illicit drugs                        |
| 22 | 1030 | Manufacture or cultivate illicit drugs, n.f.d.                |
| 23 | 0611 | Aggravated robbery  |
| 24 | 0211 | Aggravated assault  |
| 25 | 0511 | Abduction and kidnapping                                      |
| 26 | 0510 | Abduction and kidnapping, n.f.d.                              |
| 27 | 0521 | Deprivation of liberty/false imprisonment                     |
| 28 | 0520 | Deprivation of liberty/false imprisonment, n.f.d.             |
| 29 | 0500 | Abduction and related offences, n.f.d.                        |
| 30 | 0212 | Non-aggravated assault  |
| 31 | 0290 | Other acts intended to cause injury, n.f.d.                   |
| 32 | 0299 | Acts intended to cause injury, n.e.c.                         |
| 33 | 0491 | Neglect of person under care                                  |
| 34 | 0490 | Other dangerous or negligent acts endangering persons, n.f.d. |
| 35 | 0499 | Other dangerous or negligent acts endangering persons, n.e.c. |
| 36 | 0612 | Non-aggravated robbery  |
| 37 | 0621 | Blackmail and extortion                                       |
| 38 | 0620 | Blackmail and extortion, n.f.d.                               |
| 39 | 1611 | Harassment and private nuisance                               |
| 40 | 1613 | Threatening behaviour   |
| 41 | 1695 | Procure or commit illegal abortion                            |
| 42 | 1211 | Property damage by fire or explosion                          |
| 43 | 1539 | Offences against government security, n.e.c.                  |
| 44 | 1111 | Import or export prohibited weapons/explosives                |
| 45 | 1112 | Sell, possess and/or use prohibited weapons/explosives        |
| 46 | 1110 | Prohibited weapons/explosives offences, n.f.d.                |
| 47 | 1119 | Prohibited weapons/explosives offences, n.e.c.                |
| 48 | 1121 | Unlawfully obtain or possess regulated weapons/explosives     |
| 49 | 1122 | Misuse of regulated weapons/explosives                        |
| 50 | 1123 | Deal or traffic regulated weapons/explosives offences         |

|     |      |   |
|-----|------|---|
| 51  | 1120 | Regulated weapons/explosives offences, n.f.d.                             |
| 52  | 1129 | Regulated weapons/explosives offences, n.e.c.                             |
| 53  | 1100 | Weapons and explosives offences, n.f.d.                                   |
| 54  | 0921 | Counterfeiting currency and related offences                              |
| 55  | 0920 | Counterfeiting currency and related offences, n.f.d.                      |
| 56  | 0941 | Bribery involving government officials                                    |
| 57  | 1315 | Conspiracy  |
| 58  | 1521 | Subvert the course of justice   |
| 59  | 0711 | Unlawful entry with intent/burglary, break and enter                      |
| 60  | 0710 | Unlawful entry with intent/burglary, break and enter, n.f.d.              |
| 61  | 0700 | Unlawful entry with intent/burglary, break and enter, n.f.d.              |
| 62  | 0911 | Cheque or credit card fraud   |
| 63  | 0912 | Make, use or possess equipment to make false/illegal financial instrument |
| 64  | 0913 | Fraudulent trade practices  |
| 65  | 0914 | Prescription drug fraud   |
| 66  | 0915 | Fare evasion  |
| 67  | 0910 | Fraud, forgery or false financial instruments, n.f.d.                     |
| 68  | 0919 | Fraud, n.e.c.   |
| 69  | 0931 | Dishonest conversion  |
| 70  | 0930 | Dishonest conversion, n.f.d.  |
| 71  | 0991 | Misrepresentation of professional status                                  |
| 72  | 0999 | Deception offences, n.e.c.  |
| 73  | 0949 | Bribery, n.e.c.   |
| 74  | 0992 | Non-fraudulent trade practices  |
| 75  | 0811 | Theft of a motor vehicle  |
| 76  | 0812 | Illegal use of a motor vehicle  |
| 77  | 0821 | Theft from a person (excluding by force)                                  |
| 78  | 0813 | Theft of motor vehicle parts or contents                                  |
| 79  | 0822 | Theft of intellectual property  |
| 80  | 0829 | Theft (except motor vehicles), n.e.c.                                     |
| 81  | 0831 | Receiving or handling proceeds of crime                                   |
| 82  | 0830 | Receiving or handling proceeds of crime, n.f.d.                           |
| 83  | 0841 | Illegal use of property (except motor vehicles)                           |
| 84  | 0840 | Illegal use of property (except motor vehicles), n.f.d.                   |
| 85  | 1631 | Commercial/industry/financial regulation                                  |
| 86  | 1630 | Commercial/industry/financial regulation, n.f.d.                          |
| 87  | 1694 | Import/export regulations   |
| 88  | 1612 | Offences against privacy  |
| 89  | 0411 | Driving under the influence of alcohol or drugs                           |
| 90  | 0412 | Dangerous or negligent operation (driving) of a vehicle                   |
| 91  | 0410 | Dangerous or negligent operation of a vehicle, n.f.d.                     |
| 92  | 1431 | Exceeding the prescribed content of alcohol limit                         |
| 93  | 1212 | Graffiti  |
| 94  | 1219 | Property damage, n.e.c.   |
| 95  | 1221 | Air pollution offences  |
| 96  | 1222 | Water pollution offences  |
| 97  | 1223 | Noise pollution offences  |
| 98  | 1220 | Environmental pollution, n.f.d.   |
| 99  | 1229 | Environmental pollution offences, n.e.c.                                  |
| 100 | 1621 | Sanitation offences   |

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|     |      |  |
|-----|------|--|
| 101 | 1622 | Disease prevention offences  |
| 102 | 1623 | Occupational health and safety offences  |
| 103 | 1624 | Transport offences   |
| 104 | 1625 | Dangerous substances offences  |
| 105 | 1626 | Licit drug offences  |
| 106 | 1620 | Public health and safety offences, n.f.d.  |
| 107 | 1629 | Public health and safety offences, n.e.c.  |
| 108 | 1691 | Environmental regulation offences  |
| 109 | 1693 | Quarantine offences  |
| 110 | 1529 | Offences against justice procedures, n.e.c.  |
| 111 | 1549 | Offences against government operations, n.e.c.   |
| 112 | 1511 | Escape custody offences  |
| 113 | 1512 | Breach of bail   |
| 114 | 1513 | Breach of parole   |
| 115 | 1514 | Breach of domestic violence order  |
| 116 | 1515 | Breach of other restraining order  |
| 117 | 1510 | Breach of justice order, n.f.d.  |
| 118 | 1519 | Breach of justice order, n.e.c.  |
| 119 | 1523 | Prison regulation offences   |
| 120 | 1692 | Immigration regulation offences  |
| 121 | 1614 | Defamation and libel   |
| 122 | 1323 | Censorship offences  |
| 123 | 1041 | Possess illicit drug   |
| 124 | 1042 | Use illicit drug   |
| 125 | 1040 | Possess and/or use illicit drugs, n.f.d.   |
| 126 | 1090 | Other illicit drug offences, n.f.d.  |
| 127 | 1099 | Illicit drug offences, n.e.c.  |
| 128 | 1311 | Trespass   |
| 129 | 1312 | Offensive language   |
| 130 | 1313 | Offensive behaviour  |
| 131 | 1314 | Criminal intent  |
| 132 | 1319 | Disorderly conduct, n.e.c.   |
| 133 | 1321 | Betting and gambling offences  |
| 134 | 1322 | Liquor and tobacco offences  |
| 135 | 1324 | Prostitution offences  |
| 136 | 1325 | Offences against public order sexual standards   |
| 137 | 1329 | Regulated public order offences, n.e.c.  |
| 138 | 0823 | Theft from retail premises   |
| 139 | 1522 | Resist or hinder police officer or justice official  |
| 140 | 1531 | Resist or hinder government officer concerned with government security   |
| 141 | 1541 | Resist or hinder government official (excluding police officer, justice official or government security officer) |
| 142 | 1411 | Driving while licence cancelled or suspended   |
| 143 | 1412 | Driving without a licence  |
| 144 | 1410 | Driving licence offences, n.f.d.   |
| 145 | 1419 | Driving licence offences, n.e.c.   |
| 146 | 1421 | Registration offences  |
| 147 | 1422 | Roadworthiness offences  |
| 148 | 1420 | Road vehicle registration and roadworthiness offences, n.f.d.  |
| 149 | 1432 | Exceeding legal speed limit  |
| 150 | 1433 | Parking offences   |
| 151 | 1439 | Regulatory driving offences, n.e.c.  |
| 152 | 1441 | Pedestrian offences  |
| 153 | 1440 | Pedestrian offences, n.f.d.  |
| 154 | 1400 | Road traffic and motor vehicle regulatory offences, n.f.d.   |
| 155 | 1699 | Miscellaneous offences, n.e.c.   |
| 156 | 9998 | No data provided   |
| 157 | 9999 | Inadequately described   |

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| <i>Code</i> | <i>Division/Subdivision/Item</i>                 |
|-------------|--|
| <b>1000</b> | <b>Custodial orders n.f.d.</b>                   |
| 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                      |
| <b>2000</b> | <b>Non-custodial orders n.f.d.</b>               |
| 2100        | Community supervision or work orders n.f.d.      |
| 2110        | Community service orders                         |
| 2120        | Probation orders                                 |
| 2130        | Treatment orders                                 |
| 2140        | Referral to conference                           |
| 2200        | Monetary orders n.f.d.                           |
| 2210        | Fine   |
| 2220        | Orders as recompense to victim                   |
| 2290        | Other monetary orders n.e.c.                     |
| 2900        | Other non-custodial orders n.f.d.                |
| 2910        | Good behaviour bond/recognition orders           |
| 2920        | Licence disqualification/suspension/amendment    |
| 2930        | Forfeiture of property order                     |
| 2940        | Nominal penalty                                  |
| 2990        | Other non-custodial orders n.e.c.                |
| <b>9000</b> | <b>Sentence type unknown/not stated</b>          |

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## GLOSSARY

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| <b>Abduction and related offences</b>                    | Acts intended to unlawfully deprive another person of their freedom of movement 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 ASOC which includes the following Subdivisions: abduction and kidnapping (051) and deprivation of liberty/false imprisonment (052).  |
| <b>Acquitted</b>   | An outcome of criminal proceedings in which a court declares a not guilty verdict as a charge laid against a defendant has not been proven. This also includes a finding of not guilty by reason of mental illness or condition at the time the defendant committed the offence. This is a method of finalisation.  |
| <b>Acts intended to cause injury</b>                     | Acts, excluding homicide and related offences, 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 ASOC which includes the following Subdivisions: assault (021) and other acts intended to cause injury (029).   |
| <b>Adjudicated finalisation</b>                          | 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.   |
| <b>Age</b>   | Age is calculated at a defendant's date of finalisation within a court level. A defendant's age is the time elapsed (in years) between a defendant's date of birth and the date of finalisation.  |
| <b>Australian Standard Offence Classification (ASOC)</b> | The ASOC is a hierarchical classification developed by the ABS for use in the collection and publication of crime and justice statistics. It provides a classificatory framework for the comparison of statistics on offences across Australia. Within the classificatory structure of ASOC, Divisions represent the broadest categories of offences (see Appendix 3). The main purpose of Divisions is to provide a limited number of categories which represent broad groups of criminal offences. The Subdivision and Group levels provide increasingly detailed dissections of these broad categories. The 1997 version of ASOC is used to classify offence data within this publication. |
| <b>Bench warrant issued</b>                              | A warrant signed by a judge or magistrate ordering a person to be arrested and brought back before the court. This process takes place when a defendant, who has at least one charge that has not been finalised by the court, absconds from criminal proceedings.  |
| <b>Breach of domestic violence order</b>                 | An act or omission breaching the conditions of a domestic violence order. This is ASOC Group 1514.  |
| <b>Case</b>  | One or more defendants against whom one or more charges 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.   |
| <b>Charge</b>  | 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.  |
| <b>Charged</b>   | 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.   |
| <b>Children's Court</b>                                  | 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.   |

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| <b>Committal plea</b>                                  | The plea to a charge which is entered by a defendant at the end of committal proceedings in a Court of Summary Jurisdiction.   |
| <b>Committed for sentence</b>                          | An outcome of a committal hearing where a defendant enters a guilty plea to all charges and is transferred to a Higher Court to be sentenced. This process is regarded as a method of finalisation for the Magistrates' Court and the Children's Court, and a method of initiation into a Higher Court level.  |
| <b>Committed for trial</b>                             | An outcome of a committal hearing where a defendant enters a not guilty plea to at least one charge and is transferred to a Higher Court to stand trial. This process is regarded as a method of finalisation for the Magistrates' Court and the Children's Court, and a method of initiation into a Higher Court level.   |
| <b>Community supervision or work orders</b>            | 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.  |
| <b>Convicted</b>                                       | 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.   |
| <b>Court level</b>                                     | Separate tiers of the court system which are established under legislation and have certain prescribed powers. 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.   |
| <b>Court of Summary Jurisdiction</b>                   | 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. |
| <b>Custodial orders</b>                                | Sentences imposed on a defendant requiring a person to have restricted liberty for a specified period of time through detainment in an institution or home. 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.   |
| <b>Custody in a correctional institution</b>           | 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.   |
| <b>Custody in the community</b>                        | 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.  |
| <b>Dangerous or negligent acts endangering persons</b> | 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 ASOC which includes the following Subdivisions: dangerous or negligent operation of a vehicle (041) and other dangerous or negligent acts endangering persons (049).   |
| <b>Date of finalisation</b>                            | The date on which all charges laid against a defendant are regarded as formally completed by the courts and the defendant ceases to be an active unit of work to be dealt with by the court.   |

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| <b>Date of initiation</b>                            | The date on which a defendant is regarded as having started within the Higher, Magistrates' or Children's Courts as a new item of work. The date of committal is used as the date of initiation for defendants who were committed for trial or sentence from a court of Summary Jurisdiction to a Higher Court. For defendants who have any other method of initiation (e.g. ex-officio, bench warrant executed), the 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. |
| <b>Deal or traffic in illicit drugs</b>              | The supply or purchase of an illicit drug or controlled substance of any quantity, or the possession of an illicit drug or controlled substance where the amount involved is deemed to be of a quantity for commercial activity. This is a Subdivision of ASOC which includes the following Groups: deal or traffic in illicit drugs – commercial quantity (1021) and deal or traffic in illicit drugs – non-commercial quantity (1022).  |
| <b>Deception and related offences</b>                | The use of deception, secret agreements or the making of false instruments with the intent of dishonestly obtaining property, services or other advantage. This is a Division of ASOC which includes the following Subdivisions: fraud, forgery or false financial instruments (091); counterfeiting currency and related offences (092); dishonest conversion (093); bribery (094); and other deception offences (099).  |
| <b>Defendant</b>                                     | 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. It should be noted that the Criminal Courts collection does not enumerate distinct persons or organisations. If a person or organisation is a defendant in a number of criminal cases active within the courts during the reference period, such a person or organisation will be counted more than once in this statistical collection.   |
| <b>Dishonest conversion</b>                          | Dishonestly converting money or goods which came into a person's possession or control not involving the use of deception or taking without consent. This is a Subdivision of ASOC which includes the Group: dishonest conversion (0931).   |
| <b>Disorderly conduct</b>                            | Offences involving personal conduct that is offensive to members of the public or is indicative of criminal intent. This is a Subdivision of ASOC which includes the following Groups: trespass (1311), offensive language (1312), offensive behaviour (1313), criminal intent (1314), conspiracy (1315), and disorderly conduct, n.e.c. (1319).  |
| <b>District Court</b>                                | See Intermediate Court.   |
| <b>Duration</b>                                      | The time elapsed between the date of initiation and the date of finalisation for a defendant that has been finalised.   |
| <b>Finalised appearance</b>                          | Where charges were finalised at different court appearances in the same case for a defendant, these were counted as finalised defendants at each appearance rather than being aggregated as a single finalised defendant at the latest charge finalisation date. This relates to New South Wales Magistrates' and Children's Courts defendants.   |
| <b>Finalised defendant</b>                           | 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.  |
| <b>Fraud, forgery or false financial instruments</b> | Inducing a course of action, by deceit or other dishonest conduct, with the intent to obtain money or other benefit or to evade a liability. The making, use or possession of a forged financial instrument with an intention to obtain an advantage. This is a Subdivision of ASOC which includes the following Groups: cheque or credit card fraud (0911); make, use or possess equipment to make false/illegal financial instrument (0912); fraudulent trade practices (0913); prescription drug fraud (0914); fare evasion (0915); and fraud, n.e.c. (0919).  |
| <b>Fully suspended sentence</b>                      | A custodial order which provides that all of the sentence not be served, subject to the person being of good behaviour.   |
| <b>Good behaviour bond</b>                           | An obligation, with or without sureties, aimed at securing the performance of some act by the person bound by the undertaking. Includes recognisance orders.  |

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| <b>Guilty ex-parte</b>                                  | Where the court adjudicates charge(s) and the charge(s) are proven either: (i) where the defendant pleaded guilty and the charges are proven in his/her absence, or (ii) the defendant failed to appear and the charges were proven on the basis of the evidence presented. This is a method of finalisation in the Magistrates' and Children's Courts.  |
| <b>Guilty finding</b>                                   | An outcome of a trial in which a court determines that the criminal charge against a defendant has been proven. This is a method of finalisation.  |
| <b>Guilty plea</b>                                      | The formal statement by a defendant admitting culpability in relation to a criminal charge. By pleading guilty, a defendant indicates to the court that they do not intend to contest the charge. If the guilty plea is accepted by the court, the charge will be considered to be proven, and this is the method of finalisation.   |
| <b>Higher Court</b>                                     | The criminal jurisdiction of an Intermediate Court or Supreme Court.   |
| <b>Homicide and related offences</b>                    | The unlawful killing, attempted unlawful killing or conspiracy to kill another person. This is a Division of ASOC which includes the following Subdivisions: murder (011), conspiracies and attempts to murder (012), and manslaughter and driving causing death (013).  |
| <b>Illicit drug offences</b>                            | The possession, sale, dealing or trafficking, importing or exporting, manufacture or cultivation of drugs or other substances prohibited under legislation. This is a Division of ASOC 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).  |
| <b>Import or export illicit drugs</b>                   | The importing of illicit drugs or controlled substances into Australia, or the exporting of illicit drugs or controlled substances from Australia. This is a Subdivision of ASOC which includes the following Groups: import illicit drugs (1011) and export illicit drugs (1012).   |
| <b>Imprisonment</b>                                     | See Custody in a correctional institution.   |
| <b>Imprisonment with determined term</b>                | An order requiring a person to be detained for a period of time within a facility built especially for the purpose of incarceration.   |
| <b>Imprisonment with partially suspended term</b>       | 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.  |
| <b>Indictable offence</b>                               | 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 but under some circumstances, a defendant can elect to have these charges dealt with in a Court of Summary Jurisdiction.   |
| <b>Intermediate Court</b>                               | 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. |
| <b>Jurisdiction</b>                                     | 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.  |
| <b>Juvenile detention with determined term</b>          | An order requiring a person to be detained in a juvenile facility for all of the specified period of time.   |
| <b>Juvenile detention with partially suspended term</b> | 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.   |

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| <b>Life and indeterminate imprisonment</b>    | <p>The most serious sentence of imprisonment.</p> <p><i>Life</i> – This does not necessarily mean that the person will be held in custody for the term of his/her natural life. In some states or territories a minimum time to serve in custody is specified by the court, while in others an administrative body such as a Parole Board makes this decision.</p> <p><i>Indeterminate</i> – Persons declared as habitual criminals, persons who are either permanently or temporarily deemed not responsible for their actions because of a mental disorder or intellectual disability and prisoners who are sentenced to imprisonment but have not had a release date set. The prisoner may be released, at any time, at the discretion of the administrative body within each jurisdiction responsible for making that decision.</p> |
| <b>Local Court</b>                            | See Court of Summary Jurisdiction.  |
| <b>Magistrates' Court</b>                     | <p>Where used in this publication, the term 'Magistrates' Court' includes the adult criminal Magistrates' Court and the Court of Petty Sessions and New South Wales Local Court. Excluded from this are other Courts of Summary Jurisdiction, such as Children's Courts, Electronic Courts and Drug Courts.</p> <p>See Court of Summary Jurisdiction for further information.</p>   |
| <b>Manufacture or cultivate illicit drugs</b> | Actions intended to result in the manufacture of controlled substances or growing of plants used to make illicit drugs. This is a Subdivision of ASOC which includes the Group: manufacture or cultivate illicit drugs (1031).  |
| <b>Method of finalisation</b>                 | The process which leads to the completion of a criminal charge within a court so that it ceases to be an item of work in that court. There are different methods by which a charge may be finalised (see Appendix 2).   |
| <b>Method of initiation</b>                   | The process which leads to the introduction of a criminal charge within a court so that it becomes a new item of work to be dealt with by that court. There are different methods by which a charge may be initiated.   |
| <b>Minor indictable offence</b>               | See Triable either way offence.   |
| <b>Miscellaneous offences</b>                 | Offences involving the breach of statutory rules or regulations governing activities that are prima facie legal, where such offences are not explicitly dealt with under any other Division of ASOC. This is a Division of ASOC which includes the following Subdivisions: harassment and related offences (161), public health and safety offences (162), commercial/industry/financial regulation (163) and other miscellaneous offences (169).   |
| <b>Monetary orders</b>                        | Sentences imposed that include: fines, orders as recompense to victim (includes restitution orders and compensation orders) and other monetary orders, n.e.c. (does not include court levies and fees).   |
| <b>Murder</b>                                 | The unlawful killing of another person where there is either: the intent to kill; the intent to cause grievous bodily harm, with the knowledge that it was probable that death or grievous bodily harm would occur (reckless indifference to life); or without intent to kill in the course of committing a crime (felony murder). This is a Subdivision of ASOC which includes the Group: murder (0111).   |
| <b>National Offence Index</b>                 | The National Offence Index (NOI) is a seriousness ranking of the ASOC 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). The charges are allocated an Index order and the highest ranking charge is taken as the principal offence. For example, for defendants proven guilty, the principal offence refers to the most serious offence proven guilty while for defendants acquitted, the principal offence refers to the most serious offence acquitted. The NOI is included at Appendix 4.   |
| <b>Nominal penalty</b>                        | Release of a defendant without an order following sentence that may or may not have conditions attached. Includes Rising of the Court and discharge or dismissal.   |

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| <b>Non-adjudicated finalisation</b>   | A method of finalisation whereby a charge is considered completed and ceases to be active in a court even though there has not been a determination on whether the defendant is guilty. This includes where a charge is withdrawn by the prosecution and where a defendant is deemed unfit to plead to the charge.   |
| <b>Non-assaultive sexual offence</b>  | Offences of a sexual nature against another person which do not involve physical contact with the person and where the person does not give consent, gives consent as a result of intimidation or fraud, or consent is proscribed (i.e. the person is legally deemed incapable of giving consent because of youth, temporary/permanent (mental) incapacity or there is a familial relationship). This is a Subdivision of ASOC 1997 which includes the Groups: Non-assaultive sexual offences against a child (0321) and non-assaultive sexual offences n.e.c. (0329). |
| <b>Non-custodial orders</b>   | 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.  |
| <b>Not guilty verdict</b>   | See Acquitted.   |
| <b>Offences against justice procedures, government security and government operations</b> | An act or omission that is deemed to be prejudicial to the effective carrying out of justice procedures or any government operations including those specifically concerned with maintaining government security. This is a Division of ASOC which includes the following Subdivisions: breach of justice order (151), other offences against justice procedures (152), offences against government security (153) and offences against government operations (154).   |
| <b>Original jurisdiction</b>  | 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).  |
| <b>Other illicit drug offences</b>  | Other illicit drug offences not elsewhere classified (1099) in Division 10 of the ASOC, illicit drug offences. Includes: possess money with intent to obtain drugs; possess pipes, syringes, other utensils associated with the use of drugs; permit premises to be used for taking, selling or distributing drugs; and fail to keep register for drugs of addiction.  |
| <b>Other non-custodial orders</b>   | 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.   |
| <b>Partially suspended sentence</b>   | 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.  |
| <b>Periodic detention</b>   | 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.   |
| <b>Plea</b>   | 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.  |
| <b>Possess and/or use illicit drugs</b>   | The possession of a non-commercial quantity and/or use of an illicit drug or other controlled substance. This is a Subdivision of ASOC which includes the following Groups: possess illicit drug (1041) and use illicit drug (1042).   |
| <b>Principal offence</b>  | The offence category, based on ASOC (1997), that describes the most serious offence type associated with a finalised defendant. The most serious offence is determined by how the offences were finalised and the rankings in the National Offence Index. For example, for defendants proven guilty, the principal offence refers to the most serious  |

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| <b>Principal offence <i>continued</i></b>                 | offence proven guilty while for defendants acquitted, the principal offence refers to the most serious offence acquitted (see National Offence Index).   |
| <b>Principal sentence</b>                                 | The main sentence type for a defendant based on the hierarchy of the Sentence Type Classification (see Appendix 5).  |
| <b>Property damage and environmental pollution</b>        | 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. This is a Division of ASOC which includes the following Subdivisions: property damage (121) and environmental pollution (122).  |
| <b>Proven guilty</b>                                      | 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 declared guilty by the court. In the Magistrates' and Children's Courts, this includes defendants found guilty <i>ex-parte</i> .  |
| <b>Public order offences</b>                              | Offences involving personal conduct that involves or may lead to a breach of public order and decency, or that is indicative of criminal intent, or that is otherwise regulated or prohibited on moral or ethical grounds. The 'victim' of these offences is generally the public at large. However, some offences such as offensive language and offensive behaviour may be directed towards a single victim. This is a Division of ASOC which includes the following Subdivisions: disorderly conduct (131) and regulated public order offences (132). |
| <b>Receiving or handling proceeds of crime</b>            | Receiving, handling or processing money or goods taken or obtained illegally. This is a Subdivision of ASOC which includes the Group: receiving or handling proceeds of crime (0831).  |
| <b>Regulated public order offences</b>                    | Offences involving behaviour that is regulated or prohibited on moral or ethical grounds. This is a Subdivision of ASOC which includes the following Groups: betting and gambling offences (1321), liquor and tobacco offences (1322), censorship offences (1323), prostitution offences (1324), offences against public order sexual standards (1325) and regulated public order offences, <i>n.e.c.</i> (1329).  |
| <b>Road traffic and motor vehicle regulatory offences</b> | Offences relating to vehicles and most forms of road traffic, including offences pertaining to the licensing, registration, roadworthiness or use of vehicles, bicycle offences and pedestrian offences. This is a Division of ASOC which includes the following Subdivisions: driving licence offences (141), road vehicle registration and roadworthiness offences (142), regulatory driving offences (143) and pedestrian offences (144).   |
| <b>Robbery, extortion and related offences</b>            | Acts intended to unlawfully gain money, property or any other thing 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 ASOC which includes the following Subdivisions: robbery (061) and blackmail and extortion (062).  |
| <b>Sentence</b>   | A penalty or penalties imposed by a court upon a defendant who is proven guilty of a criminal offence.   |
| <b>Sexual assault</b>                                     | Physical contact of a sexual nature directed toward another person where that person does not give consent, gives consent as a result of intimidation or fraud, or consent is proscribed (i.e. the person is legally deemed incapable of giving consent because of youth, temporary/permanent (mental) incapacity or there is a familial relationship). This is a Subdivision of ASOC 1997 which includes the following Groups: Aggravated sexual assault (0311) and Non-aggravated sexual assault (0312).   |
| <b>Sexual assault and related offences</b>                | Acts of a sexual nature against another person which are non-consensual or consent is proscribed. This is a Division of ASOC which includes the following Subdivisions: sexual assault (031) and non-assaultive sexual offences (032).   |

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| <b>Summary offence</b>                    | 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).                |
| <b>Supreme Court</b>                      | 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.  |
| <b>Theft and related offences</b>         | 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 ASOC which includes the following Subdivisions: motor vehicle theft and related offences (081), theft (except motor vehicles) (082), receiving or handling proceeds of crime (083) and illegal use of property (except motor vehicles) (084).    |
| <b>Theft/illegal use of motor vehicle</b> | The taking of another person's motor vehicle illegally and without permission with the intent of either temporarily or permanently depriving the owner or possessor of the use of the motor vehicle. These are ASOC Groups: theft of a motor vehicle (0811) and illegal use of a motor vehicle (0812).   |
| <b>Transfer to non-court agency</b>       | A court outcome ordering that a criminal charge be transferred to an agency outside the court for mediation e.g. a juvenile justice agency.  |
| <b>Transfer to other court levels</b>     | 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). |
| <b>Triable either way offence</b>         | 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.  |
| <b>Trial</b>                              | 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.  |
| <b>Unfit to plead</b>                     | An outcome of court proceedings in which a court determines that a defendant's mental status is such that he/she is unfit to plead in relation to the charges against him/her. For the purposes of this collection, this process is regarded as a non-adjudicated method of finalisation.  |
| <b>Unlawful entry with intent</b>         | The unlawful entry of a structure with the intent to commit an offence where the entry is either forced or unforced (ASOC Division 7).   |
| <b>Weapons and explosives offences</b>    | Offences relating to weapons or explosives which are either prohibited or legalised/regulated by legislation. This is a Division of ASOC which includes the following Subdivisions: prohibited weapons/explosives offences (111) and regulated weapons/explosives offences (112).  |

**Withdrawn by the prosecution**     The formal withdrawal of charges 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.



## FOR MORE INFORMATION . . .

*INTERNET*      **www.abs.gov.au** the ABS website is the best place for data from our publications and information about the ABS.

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*FAX*                              1300 135 211

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