



National Criminal Courts Data Dictionary

Australia

2005

National Criminal Courts Data Dictionary

Australia

2005

Susan Linacre
Acting Australian Statistician

AUSTRALIAN BUREAU OF STATISTICS

EMBARGO: 11.30AM (CANBERRA TIME) THURS 1 FEB 2007

ABS Catalogue No. 4527.0

© Commonwealth of Australia 2007

This work is copyright. Apart from any use as permitted under the *Copyright Act 1968*, no part may be reproduced by any process without prior written permission from the Commonwealth. Requests and inquiries concerning reproduction and rights in this publication should be addressed to The Manager, Intermediary Management, Australian Bureau of Statistics, Locked Bag 10, Belconnen ACT 2616, by telephone (02) 6252 6998, fax (02) 6252 7102, or email: <intermediary.management@abs.gov.au>.

In all cases the ABS must be acknowledged as the source when reproducing or quoting any part of an ABS publication or other product.

Produced by the Australian Bureau of Statistics

INQUIRIES

- For further information about these and related statistics, contact the National Information and Referral Service on 1300 135 070 or Lisette Aarons on Melbourne (03) 9615 7370.

CONTENTS

	<i>page</i>
Preface	vii
Abbreviations	viii

CHAPTERS

Chapter 1: About the Criminal Courts Data Dictionary	1
Chapter 2: Using the Criminal Courts Data Dictionary	8
Chapter 3: Data Elements and Data Element Concepts	10
Index of Data Elements/Concepts	11

DEFENDANT STATUS CHARACTERISTICS

Defendant	12
Lodgment	13
Active Pending Defendant	14
Finalised Defendant	15

DEMOGRAPHIC CHARACTERISTICS

Age	17
Date of Birth	20
Indigenous Status	22
Sex	24

DURATION CHARACTERISTICS

Date of Committal	26
Date of Registration	28
Date of Initiation	30
Date of Finalisation	32
Duration	34

OFFENCE AND SENTENCE CHARACTERISTICS

Offence	37
Charge	39
Principal Offence	40
Date of Verdict	42
Principal Sentence	43

PLEA CHARACTERISTICS

Committal Plea	47
Initial Plea	49
Final Plea	51

	<i>page</i>
 CHAPTERS <i>continued</i>	
LOCATION CHARACTERISTICS	
Court Level	53
Court Location	56
State/Territory	57
COURT PROCESS CHARACTERISTICS	
Method of Initiation	59
Method of Finalisation	63
Diversion	67
 ADDITIONAL INFORMATION	
Appendix 1: Data Element Attributes	68
Appendix 2: Glossary	71
Bibliography	81

PREFACE

The National Criminal Courts Data Dictionary, Version 1 (hereafter referred to as the Data Dictionary) seeks to maximise comparability within and across individual collections of criminal courts data, and provide a resource for agencies seeking to align their statistical output.

The Data Dictionary has been developed by the National Criminal Courts Statistics Unit (NCCSU) of the Australian Bureau of Statistics in collaboration with key stakeholders. The NCCSU operates as a part of the National Centre for Crime and Justice Statistics.

The Data Dictionary is endorsed by the NCCSU Board of Management, which is the governing body that oversees the operations of the NCCSU. The Board of Management comprises the Chief Executive Officers of state and territory Justice agencies, a representative from the Australian Government Attorney-General's Department and a representative from the Australian Bureau of Statistics (ABS).

In developing the data dictionary, the ABS acknowledges the valuable contribution of the Board of Management, the National Criminal Courts Statistics Advisory Group, the Court Practitioners' Group and the Productivity Commission.

Susan Linacre	Mr Peter Hoult
Acting Australian Statistician	Secretary, Department of Justice, Tasmania
	Chairperson, National Criminal Courts Statistics Board of Management

ABBREVIATIONS

ABS	Australian Bureau of Statistics
ASGC	Australian Standard Geographical Classification
ASOC	Australian Standard Offence Classification
cat. no.	Catalogue number
CADC	Court Administration Data Collection
CAWG	Court Administration Working Group
COAG	Council of Australian Governments
CPG	Court Practitioners Group
IEC	International Electrotechnical Commission
ISO	International Organization for Standardization
JTC	Joint Technical Committee
n.e.c.	not elsewhere classified
n.f.d.	not further defined
NCCJS	National Centre for Crime and Justice Statistics, Australian Bureau of Statistics
NCCSAG	National Criminal Courts Statistics Advisory Group
NCCSU	National Criminal Courts Statistics Unit
NOI	National Offence Index
PSS	Population Statistics Standards section

CHAPTER 1

ABOUT THE CRIMINAL COURTS DATA DICTIONARY

INTRODUCTION

The National Criminal Courts data dictionary has been developed by the Australian Bureau of Statistics (ABS) to improve the harmonisation of the ABS and Council of Australian Governments (COAG). The data dictionary provides definitions, classifications and standards for 27 data elements and data element concepts commonly used in criminal court statistical collections. It is intended that the data dictionary be available as a resource to other agencies to promote wider comparability in the collection and dissemination of Criminal Court information.

The first chapter contains information about the development of the data dictionary, including the development and the content of data elements and data element attributes. The second chapter contains information about how to use the data dictionary, including how to collect and use criminal courts data, how the data dictionary will be maintained, and issues for version 2. The third chapter presents the statistical standards for each of the data elements and data element concepts included in the data dictionary. Additional information to support the use of the data dictionary is provided in a number of appendices.

DEVELOPMENT OF THE DATA DICTIONARY

Definition of a data dictionary

A data dictionary is an agreed set of classifications and standards that is accepted as the authoritative source for a particular area of statistics. A data dictionary for criminal courts statistics provides a set of core definitions and data elements to enable the collection and reporting of uniform data in relation to the criminal courts in Australia.

Context

The data dictionary project is closely aligned with other NCCSU work projects that aim to improve the coverage, quality and use of criminal courts statistics. These include the development of Practitioner Manuals for data providers of higher criminal courts and Magistrates' Criminal Courts statistics, and the conduct of the Courts Improvement Project which resulted in a national report to the Productivity Commission and CAWG.

Outcomes

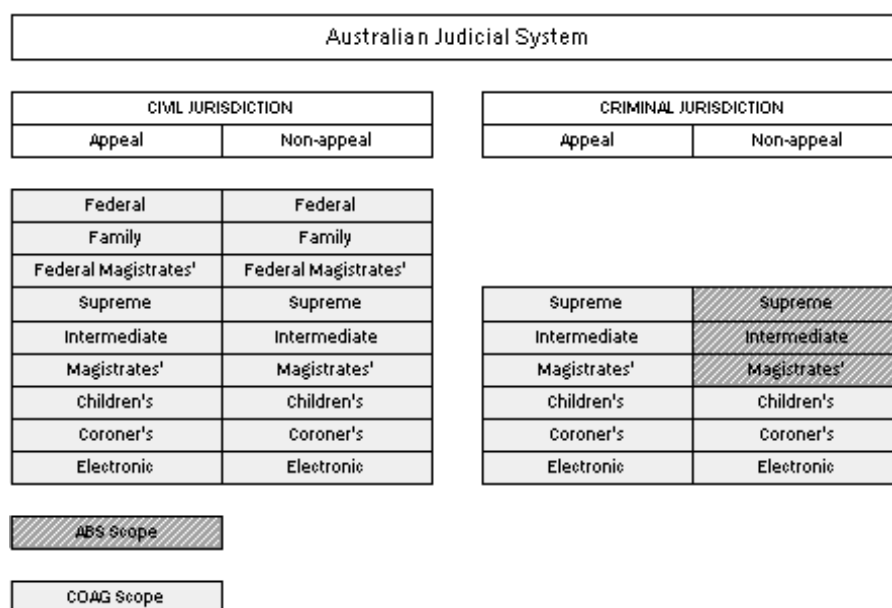
The main outcome sought through the compilation of this data dictionary is improved comparability of criminal courts statistics within and across criminal courts collections. The data dictionary defines a core set of data elements that are common across major criminal courts collections. Wherever possible, definitions accord with national and international protocols and standards. It is intended that the data dictionary will be available as a central reference point for administrative and survey collections in the criminal courts sector and will assist in improving reporting outcomes, in particular, the comparability of data.

Scope of the ABS and COAG collections

The ABS criminal courts collection currently collects and presents information relating to the criminal jurisdiction of the Supreme, intermediate (i.e. District/County) and Magistrates' courts in each state and territory. The COAG courts collection (also referred to as the Court Administration Data Collection) has a much broader scope including a

*Scope of the ABS and
COAG collections
continued*

number of other criminal courts and other types of courts (e.g. criminal appeals, children's, civil, family and coroner's). The current scope of harmonisation is therefore restricted to the subset of courts common to both collections - the non-appeal jurisdictions of the higher criminal courts and Magistrates' Criminal Courts in each state and territory. The following diagram visually represents the scope and overlap between the two collections.



*The ABS Criminal Courts
Collection*

The national criminal courts collection conducted by the ABS provides information relating to the criminal jurisdiction of the higher courts (Supreme and intermediate courts) and Magistrates' Courts in each state and territory. The aim of the collection is to provide nationally comparable statistics on the characteristics of defendants dealt with by the criminal courts, including information on the offences and sentences associated with those defendants. Some general information on the management of court workloads is also provided.

The scope of the collection includes defendants finalised in the original jurisdiction of the higher criminal courts and Magistrates' Criminal Courts, in Australia, during the reference period 1 July to 30 June.

*The COAG Criminal Courts
Collection*

The Review of Government Service Provision was established to provide information on the efficiency and effectiveness of Australian and State and Territory government services. The Review operates under the auspices of COAG and has a key function to develop objective and consistent data on the performance of government services, including justice services. These data are released annually in the *Report on Government Services*.

The focus on the Court administration chapter of the report is on the efficiency and effectiveness of the administration of the courts and not on the outcomes of the judicial process. Data providers are asked to count matters initiated and/or finalised within the reference period, 1 July to 30 June.

*Purpose of the ABS and
COAG collections*

The focus of the COAG criminal courts collection 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 will be the same, the counting rules will be different. Therefore data produced from both collections will also be different. Any further alignment of the two collections will be reviewed in the future.

Application

The main application of the data dictionary will be for the harmonisation of the comparable scope of the ABS and COAG courts collections. However, there are other ways in which the data dictionary may be used. These applications include:

- Development of statistical collections (ABS and non-ABS);
- Establishing/re-designing databases using data dictionary metadata standards;
- Establishing input processing mechanisms which apply standard classifications to the collection, coding and storage of data; and
- Reporting of collection results applying standard classifications.

*Relationship with ABS and
COAG criminal courts
collection manuals*

The data dictionary underpins - rather than replaces - the current set of coding manuals specific to each of the ABS and COAG criminal courts collections. The data dictionary defines an agreed list of data items and their attributes (including classification structure, applicable counting units and counting rules), whilst the ABS and COAG manuals list which data items are required, the level of classificatory detail needed (with reference to the data dictionary), and the reference period and format the data should be provided in. Therefore, while it is envisaged that the data dictionary will result in the coding manuals reducing in size, the manuals will continue to provide the documentation necessary for the extraction and dissemination of courts data.

The data dictionary contains:

- Definitions;
- Classifications;
- Counting rules; and
- Collection methods.

The ABS and COAG criminal court collection manuals contain:

- The data items required and the level of detail;
- The counting units required (e.g. finalised defendant versus merged finalised defendant);
- Format of extract;
- Mappings;
- Quality assurance documentation; and
- Definitions, classifications and counting rules for data items outside the scope of the data dictionary, e.g. financial expenditure information in the COAG collection.

DATA ELEMENTS AND DATA ELEMENT CONCEPTS

There are three distinct metadata types relevant to the data dictionary:

- *Data element* - A data element is considered to be a basic unit of data of interest to an organisation. It is a unit of data for which the definition, identification, representation, and permissible values are specified by means of a set of attributes.
- *Data element concept* - A data element concept clarifies the concepts forming the basis of related data elements within the data dictionary. They have no reporting requirement but define the higher level concepts that many of the individual data elements describe.
- *Derived data element* - A derived data element is a unit of data that is created from the values of other data elements. It is derived by the use of some form of simple or complex calculation or by conversion from one coding system to another.

To derive a list of data elements and data element concepts for inclusion in the data dictionary, consideration has been given to the data items which are common across the ABS and COAG criminal court collections and the characteristics published in ABS and non-ABS court collections.

The data element concepts used in both the ABS and COAG criminal courts collections are:

- Active Pending Defendant
- Defendant
- Finalised Defendant

The data elements used in both the ABS and COAG criminal courts collections are:

- Court Level
- Date of Committal
- Date of Finalisation
- Date of Initiation
- Date of Registration
- Duration
- Method of Finalisation
- Method of Initiation
- State/Territory

The data elements used in the ABS criminal courts collection (some of which are used in non-ABS court collections) are:

- Age
- Committal Plea
- Court Location
- Date of Birth
- Date of Verdict
- Diversion
- Final Plea
- Indigenous Status
- Initial Plea
- Principal Offence
- Principal Sentence
- Sex

DATA ELEMENTS AND
DATA ELEMENT CONCEPTS
continued

The data element concepts used in the ABS criminal courts collection (some of which are used in non-ABS court collections) are:

- Charge
- Offence

Additionally, the CPG agreed to include a data element concept which is fundamental to the COAG criminal court collection:

- Lodgment

These data elements and concepts are presented in the data dictionary by characteristic type rather than alphabetically. This allows data elements and concepts with interrelationships to be grouped together. The presentation of data elements in the data dictionary is outlined below.

Characteristic Type	Data element/concept
Defendant status characteristics	Defendant Lodgment Active Pending Defendant Finalised Defendant
Demographic characteristics	Age Date of Birth Indigenous Status Sex
Duration characteristics	Date of Committal Date of Registration Date of Initiation Date of Finalisation Duration
Offence and sentence characteristics	Charge Principal Offence Date of Verdict Principal Sentence
Plea characteristics	Committal Plea Initial Plea Final Plea
Location characteristics	Court Level Court Location State/Territory
Court process characteristics	Method of Initiation Method of Finalisation Diversion

DATA ELEMENT ATTRIBUTES

The characteristics or attributes of the data elements/concepts are described in the data dictionary entry for that data element. Data element attributes provide definitions of the element, its context, provide classification and coding information and a range of other instructions. A review of existing data dictionaries by the NCCSU found a wide variety of choices in the attributes included.

The data elements contained in this data dictionary are presented in a format that is consistent with the ISO/IEC 11179 Specification and standardisation of data elements - the international standard relevant to the development of a data dictionary.

The parts of ISO/IEC 11179 considered by the NCCSU were:

ISO/IEC 11179-1: 1999 - *Part 1: Framework for the specification and standardisation of data elements*

ISO/IEC 11179-2: 2000 - *Part 2: Classification of data elements*

ISO/IEC 11179-3: 2003 - *Part 3: Registry metamodel and basic attributes*

ISO/IEC 11179-4: 2004 - *Part 4: Formulation of data definitions*

ISO/IEC 11179-5: 1995 - *Part 5: Naming and identification principles for data elements*

The purpose of ISO/IEC 11179 is to give concrete guidance on the formulation and maintenance of discrete data element descriptions and semantic content (metadata) that shall be used to formulate data elements in a consistent, standard manner.

The final list of data element attributes chosen for use in this data dictionary are a subset of those specified in ISO/IEC 11179.

The attributes 'Guide for use' and 'Collection methods' were adapted from the *National Health Data Dictionary* produced by the Australian Institute of Health and Welfare but have no direct counterpart in ISO/IEC 11179. It was decided to include these to assist in the clarification of issues relating to the classification and collection of the data elements.

Additionally, the attribute 'History' was adapted from the *Dictionary of Standards for Education and Training Statistics* produced by the ABS. This attribute is not specified in ISO/IEC 11179 but has been included to provide an overview of amendments to data elements/concepts.

The attributes applied to each data element are summarised below. Additional descriptive information about the data element attributes are provided in Appendix 1. The descriptions included in this dictionary are based on the definitions provided in ISO/IEC 11179 and in the other data dictionaries mentioned above.

DATA ELEMENT

ATTRIBUTES *continued***Attribute category****Name of data element attribute**

Identifying and definitional

Name
Metadata type
Version
Definition
Context

Relational and representational

Datatype
Field size (Min, Max)
Representational form
Representational layout
Data domain
Guide for use
Verification rules
Collection methods
Related metadata

Administrative

Source document
Source organisation
History
Comments

Not all entries in the data dictionary will have information against all of the specified attributes and some will be presented in a more limited format. For example, representational attributes do not apply to data element concepts, as these items have no reporting requirement.

Some data elements in the data dictionary equate to single, well-defined elements for which established ABS standards exist. These data elements include Age, Sex and Indigenous Status. The data element attributes for these data elements are based on ABS standards, however, in some instances, deviations from the ABS standard (for example the data domain and output categories) have been necessary to extend the standard appropriately to the criminal courts. Where this occurs it has been noted within the applicable data attribute.

CHAPTER 2

USING THE CRIMINAL COURTS DATA DICTIONARY

INTRODUCTION

As noted in Chapter 1, the data dictionary contains 27 data elements/concepts that are used in the ABS and COAG criminal court collections. These data elements were chosen because they provide a range of information that is pertinent to the measurement of criminal courts activity in Australia.

COLLECTING CRIMINAL COURTS DATA

The administrative systems used by the courts to manage their daily operations are an important source of courts statistics. Broadly, these systems contain information on demographic characteristics of defendants (e.g. age, sex), offences, sentences and court workloads. As the systems have been established to meet the recording needs of each court, there is significant variation across the states and territories with regard to systems used and processing procedures employed (e.g. mandatory fields). Some states/territories do not yet have fully computerised recording practices while for those that do, periodically these systems are reviewed and re-developed or replaced to improve functionality.

Different legislation in the states and territories regarding court jurisdiction adds to the complexity of producing comparable courts statistics. The allocation of cases to courts varies across states and territories due to differences in court jurisdictions (e.g. some states and territories do not have intermediate courts), and availability of specialist courts (e.g. Drug Court) and tribunals. Thus, the type of matters heard in a court level can vary between each state and territory.

The ABS recommends that the national classifications and standards referenced in the 27 data elements and data element concepts in the data dictionary be used when collecting information about these data elements/concepts. This will ensure that consistent and comparable data are collected.

When implementing these classifications and standards in collections it is recommended that agencies adopt the definitions, recommended question modules, classifications and coding structures provided in the data dictionary. For the data elements sex, age and Indigenous Status, responses to data element questions should be classified using standard ABS classifications and associated coding procedures. These classifications are well researched and soundly developed and their use enables the ready comparison of data from different sources. The use of coding indexes designed to complement the classifications will simplify the coding process and improve data accuracy.

It is recommended that data be captured and stored at the most detailed level of the classifications wherever possible. This allows the greatest flexibility for the output of statistics, enables more detailed and complex analysis, facilitates comparisons with previous data using different classifications and preserves information so as to provide maximum flexibility for future use of data.

COLLECTING CRIMINAL COURTS DATA

continued

Organisations may need to review and adjust their measurement tools and data processing procedures to fully implement the classifications and standards proposed for each data element in their collections. While implementation of the data elements may involve some initial costs and inconvenience, consistent use of the data elements will ultimately result in improved usefulness of information collected.

USING CRIMINAL COURTS DATA

The data dictionary aims to guide how the data relating to each data element is to be collected and reported.

Use by organisations will depend on the data requirements and operational aims of each organisation. The data dictionary points to standard statistical classifications and definitions, which could be used in administrative systems and statistical collections to maximise the comparability of court-related statistics across the different sources.

ABS STANDARDS FOR SEX, AGE AND INDIGENOUS STATUS

Users of the data dictionary should be aware that while the data element attributes for Sex, Age and Indigenous status are based on ABS standards, some deviations from the ABS standard (for example the data domain and output categories) have been necessary to extend the standard appropriately to the criminal courts. Where this occurs it has been noted within the applicable data attribute. Users wishing to refer to the ABS standards for Sex, Age and Indigenous Status, for purposes other than a criminal courts collection, are referred to the ABS web site (from the ABS home page (<www.abs.gov.au>) select: Methods, Classifications, Concepts & Standards/ABS concepts, classifications and statistical standards/12. Classifications and work manuals/1200.0 Standards for Social, Labour and Demographic Variables).

MAINTENANCE OF THE DATA DICTIONARY

One of the aims of the data dictionary is to be flexible, expanding over time to ensure the comparability of the criminal courts collections. This flexibility is best assured if the same agency has responsibility for maintaining the content and monitoring the quality of the implementation of the standards in the data dictionary. It is envisaged that the ABS will have primary responsibility for maintaining the data dictionary, subject to ongoing resources.

ISSUES FOR NEXT VERSION OF DATA DICTIONARY

The NCCSU is currently producing experimental Children's Criminal Court data. Version 2 of the National Criminal Courts Data Dictionary will include amendments or additions to data items arising from the inclusion of this court level.

CONTACT DETAILS

For more information about the data dictionary, please contact the NCCSU at the ABS. Feedback or comments on this report are welcome.

Postal address:

Director
National Criminal Courts Statistics Unit
GPO Box 2796Y
Melbourne Vic 3001

Email:

<crime.justice@abs.gov.au>

INTRODUCTION

This chapter presents the statistical standards for each of the data elements and data element concepts included in the data dictionary. As noted in Chapter 1, the data elements and concepts are presented in the data dictionary by 'Characteristic Type' rather than alphabetically. This type of presentation allows data elements with interrelationships to be grouped together.

IMPORTANT NOTE

To ensure the following information is read in the correct context, please note that this data dictionary relates to criminal matters heard in the original jurisdiction of the Supreme, Intermediate and Magistrates' Courts. It is not intended to include the following, but may be applicable nonetheless:

- Civil jurisdiction;
- Appellate jurisdiction;
- Specialist courts (e.g. Drug Court);
- Electronic courts;
- Children's courts;
- Coroners' court.

*Index of Data**Elements/Concepts*

DEFENDANT STATUS CHARACTERISTICS

- Defendant
- Lodgment
- Active Pending Defendant
- Finalised Defendant

DEMOGRAPHIC CHARACTERISTICS

- Age
- Date of Birth
- Indigenous Status
- Sex

DURATION CHARACTERISTICS

- Date of Committal
- Date of Registration
- Date of Initiation
- Date of Finalisation
- Duration

OFFENCE AND SENTENCE CHARACTERISTICS

- Offence
- Charge
- Principal Offence
- Date of Verdict
- Principal Sentence

PLEA CHARACTERISTICS

- Committal Plea
- Initial Plea
- Final Plea

LOCATION CHARACTERISTICS

- Court Level
- Court Location
- State/Territory

COURT PROCESS CHARACTERISTICS

- Method of Initiation
- Method of Finalisation
- Diversion

DEFENDANT

IDENTIFYING AND DEFINITIONAL ATTRIBUTES

Metadata type: DATA ELEMENT CONCEPT Version: 1

Definition: A person or organisation against whom one or more criminal charges have been laid, typically relating to the same criminal incident, and which are heard together as the one unit of work by a court level.

Context: The defendant is the principal counting unit for the ABS criminal courts collection and Court Administration Data Collection (CADC).

The CADC and ABS collections do not enumerate distinct individuals, as one individual or organisation may be involved in a number of separate criminal cases active within the courts during the reference period. In such instances the defendant will be counted for each case in which they appear.

RELATIONAL ATTRIBUTES

Verification rules: A defendant always relates to a person or organisation within a case.

Related metadata: Is related to the data element concepts:

Lodgment
Active Pending Defendant
Finalised Defendant

Is described by the data elements:

Age
Date of Birth
Indigenous Status
Sex

ADMINISTRATIVE ATTRIBUTES

Source document: 1. *Higher Criminal Courts Collection Manual*
2. *Magistrates' Criminal Courts Collection Manual*
3. *2004 Data Collection Manual*

Source organisation: 1. Australian Bureau of Statistics
2. Australian Bureau of Statistics
3. Court Administration Working Group

History: Commenced 2005

Comments: None

LODGMENT

IDENTIFYING AND DEFINITIONAL ATTRIBUTES

Metadata type:	DATA ELEMENT CONCEPT	Version: 1
Definition:	One defendant with one or more criminal charges and with all charges having the same Date of Registration. If there are multiple charges that are related, the defendant is counted once.	
Context:	The count of Lodgments in the CADC provide a measure of a state/territories new workload, that is, the number of persons/organisations for whom an original criminal matter has been commenced. Lodgments represent the source of work for criminal courts and are a reflection of the degree to which the Australian community demands court services.	

RELATIONAL ATTRIBUTES

Verification rules:	<p>The following types of Lodgments should be excluded from the collection:</p> <ul style="list-style-type: none"> ■ cases that relate to applications where there are no original charges to be adjudicated by the court (e.g. extraditions); ■ any Lodgment that does not have a direct defendant element or relate to an original offence to be determined (e.g. applications for telephone taps); ■ bail procedures (including applications and review); ■ directions; ■ cases or charges which only relate to the breach of an earlier sentence (or condition of a sentence); and ■ extraordinary driver's licence applications. <p>The following should not be considered as a new initiated defendant/lodgment (i.e. they are a continuation of an original criminal matter):</p> <ul style="list-style-type: none"> ■ the transfer of a defendant to a new geographical location within the same court level; ■ a hung jury (where no verdict has been reached and the trial process is to be recommenced); ■ mistrials (where a new trial will be scheduled); ■ where an Appeal court rules on a point of law but the charges have not been finalised in the original court; and ■ the execution of a bench warrant.
Related metadata:	<p>Is related to the data element concepts:</p> <ul style="list-style-type: none"> Defendant Active Pending Defendant <p>Is related to the data elements:</p> <ul style="list-style-type: none"> Date of Initiation Initial Plea Method of Initiation

ADMINISTRATIVE ATTRIBUTES

Source document:	<i>2004 Data Collection Manual</i>
Source organisation:	Court Administration Working Group
History:	Commenced 2005
Comments:	None

ACTIVE PENDING DEFENDANT

IDENTIFYING AND DEFINITIONAL ATTRIBUTES

Metadata type:	DATA ELEMENT CONCEPT	Version: 1
Definition:	A defendant who has been initiated (lodged) in a criminal court and has at least one charge that has not been finalised at a particular date and is an active unit of work for the court in that it is part of the case management of court administrators. This excludes defendants who have had a bench warrant issued.	
Context:	A defendant can be either pending at the start of a counting period (those for whom further work is required at the beginning of the counting period), or pending at the end of a counting period (those for whom further work is required at the end of the counting period). The count of Active Pending Defendants gives an indication of the current workload of defendants within a criminal court.	

RELATIONAL ATTRIBUTES

Verification rules:	To verify a defendant as active pending the following can be checked: <ul style="list-style-type: none"> ■ <i>For active pending at start</i> - At the beginning of the counting period the defendant has been initiated but has one or more charges unfinalised and is an active unit of work for the courts. ■ <i>For active pending at end</i> - At the end of the counting period the defendant has been initiated but has one or more charges unfinalised and is an active unit of work for the courts. 	
Related metadata:	Is related to the data element concepts: Defendant Lodgment Is related to the data element: Duration	

ADMINISTRATIVE ATTRIBUTES

Source document:	1. <i>Higher Criminal Courts Collection Manual</i> 2. <i>Report on Government Services, 2004</i>
Source organisation:	1. Australian Bureau of Statistics 2. Steering Committee for the Review of Government Service Provision
History:	Commenced 2005
Comments:	None

FINALISED DEFENDANT

IDENTIFYING AND DEFINITIONAL ATTRIBUTES

Metadata type: DATA ELEMENT CONCEPT Version: 1

Definition: 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.

Context: The determination of a Finalised Defendant in the ABS criminal courts collection and CADC provides a measure of a state/territories completed workload, that is, the number of persons or organisations for whom a criminal matter has been completed.

A Finalised Defendant is determined by combining the final charge data for those offences relating to the one case and regarded as one unit of work by the courts.

Please refer to Related metadata for the list of data elements that will need to have order of precedence rules applied to create a Finalised Defendant.

Transfer between higher court levels

For the purposes of data provision in the ABS criminal courts collection, defendants who transfer from one higher court level to another are considered to be finalised in the court level they have left and initiated in the new court level they have entered. However, for the purposes of output, defendants who transfer from one higher court level to another (e.g. from an intermediate court to a Supreme Court), will be considered as initiated only once (in the level they first entered) and finalised only once (from the level they finally left).

For both collection and output purposes, the Court Administration Data Collection counts defendants who transfer between higher court levels as finalised in the court level they left and initiated in the new court level they have entered.

Merged finalised defendant

Within the ABS criminal courts collection, data is 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 should be merged and counted as a single defendant record, irrespective of the dates of initiation.

Where the defendant records are merged, and where one of the conditions below varies, the following additional coding rules apply:

- Where the date of initiation varies, the earliest date is retained.
- Where the method of initiation varies, the order of precedence rules for coding method of initiation are applied.
- Where the method of finalisation varies, the order of precedence rules for coding method of finalisation are applied.
- Where the principal offence varies, the order of precedence rules for coding principal offence are applied.
- Where the principal sentence varies, the order of precedence rules for coding principal sentence are applied.

RELATIONAL ATTRIBUTES

Verification rules: All charges for a defendant (as a unit of work) have been finalised and so have a Date of Finalisation, Method of Finalisation and Final Plea.

Verification rules: *continued*

A defendant is considered finalised on the date of the last formal hearing that takes place in relation to that defendant and will correspond to the date of the handing down of a judgement or sentence. Where sentencing is held over until a later date for defendants proven guilty, they are considered finalised on the date of sentencing.

Within all criminal courts, it is possible for some but not all charges to be finalised at a point in time. For example, a charge may be withdrawn and a replacement charge may then be added to the defendant case. Such a defendant is not considered finalised until all charges are finalised. Hence, the latest charge date of finalisation should signal the inclusion of the defendant in finalisation data.

The following should not be considered a finalisation (i.e. they are a continuation of an original criminal matter):

- the transfer of a defendant to a new geographical location within the same court level;
- a hung jury (where no verdict has been reached and the trial process is to be recommenced);
- mistrials (where a new trial will be scheduled);
- referrals to a Mental Health Review Tribunal to consider whether a defendant is fit to stand trial;
- where an Appeal court rules on a point of law but the charges have not been finalised in the original court; and
- the issuing of a bench warrant.

Related metadata:

Is related to the data element concept:
Defendant

Is related to the data elements:

Date of Finalisation
Final Plea
Method of Finalisation
Duration
Principal Offence
Principal Sentence

ADMINISTRATIVE ATTRIBUTES

Source document: 1. *Higher Criminal Courts Collection Manual*
2. *Magistrates' Criminal Courts Collection Manual*
3. *2004 Data Collection Manual*

Source organisation: 1. Australian Bureau of Statistics
2. Australian Bureau of Statistics
3. Court Administration Working Group

History: Commenced 2005

Comments: None

AGE

IDENTIFYING AND DEFINITIONAL ATTRIBUTES

Metadata type:	DERIVED DATA ELEMENT	Version: 1
Definition:	The concept of Age describes how old a person is at a particular point in time in completed years. It is defined as the measure of the time elapsed from date of live birth to a specific point in time.	
Context:	Age is one of the basic demographic variables used in population statistics. It is widely used in cross-classification with other variables such as sex, marital status, occupation etc.	

RELATIONAL AND REPRESENTATIONAL ATTRIBUTES

Datatype:	Numeric														
Field size:	Min:	1	Max: 3												
Representational form:	Code														
Representational layout:	N (NN)														
Data domain:	<p>Age is a flat classification containing one level with as many categories as needed for a particular collection or topic. Codes are provided to assist with data entry and/or output purposes.</p> <p>The standard categories are single, complete, calendar years to 98, and a category for 99 and over.</p> <table><tr><td>0</td><td>0 years</td></tr><tr><td>1</td><td>1 year</td></tr><tr><td>2</td><td>2 years</td></tr><tr><td colspan="2">.....</td></tr><tr><td>98</td><td>98 years</td></tr><tr><td>99</td><td>99 years and over</td></tr></table> <p>For the proposed criminal court collection output categories, refer to Guide for use.</p>			0	0 years	1	1 year	2	2 years		98	98 years	99	99 years and over
0	0 years														
1	1 year														
2	2 years														
.....															
98	98 years														
99	99 years and over														
Guide for use:	<p>In addition to the above ABS standard classification, two extra values for 'Organisation' and 'Unknown/not stated' are necessary for the ABS criminal courts collection.</p> <table><tr><td>800</td><td>Not applicable (Organisation)</td></tr><tr><td>900</td><td>Unknown/Not stated</td></tr></table>			800	Not applicable (Organisation)	900	Unknown/Not stated								
800	Not applicable (Organisation)														
900	Unknown/Not stated														

Age is measured by calculating the time elapsed (usually in complete years) between date of birth and a specific point in time.

For example, within the criminal courts collection, a defendant's Age could be calculated at Date of Finalisation by:

$$\text{Age} = (\text{Date of Finalisation} - \text{Date of Birth}) / 365.25$$

All years for a defendant's Age should be rounded down (e.g. A defendant aged 24 years and 10 months would be rounded down to 24 years).

For the purposes of the ABS criminal courts collection only, if the actual Date of Birth is not known or cannot be obtained, provision should be made to collect or estimate Age (in years).

Some suggested standard questions to use to collect Age in this instance are:

Age last birthday?

What was [your] [the person's] [(name)'s] age last birthday?

What is [your] [the person's] [(name)'s] age in complete years?

A Date of Birth can then be derived from this age using 0101 as DDMM if only the year is known. The actual or estimated year of birth should then be converted to an estimated date of birth according to the following convention: 0101YYYY, where YYYY is the estimated year of birth.

It is recommended that estimated Dates of Birth be identified by an appropriate date flag to prevent inappropriate use of Date of Birth data for record identification and/or the derivation of other data elements (such as Age) that require Date of Birth information.

Developing output categories for Age

Due to the wide variety of uses of data on Age, it is not possible to have one standard set of output categories to satisfy all applications. The following guidelines are recommended when developing output classifications for Age:

- The recommended standard output classification to consist of 5 year groupings;
- Groupings with a range of more than 5 years to be in multiples of 5 years;
- Groupings with a range of less than 5 years, including single years, to be capable of aggregation to 5 year groupings as subtotals;
- Subtotals of groupings, and groupings with a range of 5 years or more, to start at numbers ending with the digits '0' or '5' and finish in numbers ending with the digits '4' or '9';
- The terminology used to describe the first group in any set of groupings to be a dash between two numbers (e.g. 0-4), not 'under' (e.g. under 5). Labels such as '4 years and under' are only acceptable where the data included in the first category do not necessarily span the full range of the standard category;
- The terminology used to describe the last group in any set of groupings to be the first number of the last age range followed by the words 'and over' (e.g. 75 and over), not the first number of the range followed by a '+' (e.g. 75+).

The ABS recognises that it may not always be possible, for statistical or other reasons, such as legal age requirements, to adhere strictly to the output guidelines. It is particularly important, however, to ensure that as many categories as possible are multiples of 5 years, or capable of aggregation to such groupings, to facilitate maximum comparability of Age data from different sources.

Proposed output categories for use in a criminal courts collection (which includes juveniles) are:

10 years
 11 years
 12 years
 13 years
 14 years
 15 years
 16 years
 17 years
 18 years
 19 years
 20-24 years
 25-29 years
 30-34 years
 35-39 years
 40-44 years
 45-49 years
 50-54 years
 55-64 years
 65 years and over
 Not applicable (for organisations)
 Not specified (Unknown and not stated/inadequately described)

Verification rules: Age needs to be such that the defendant is at or above the age of criminal liability (which is 10 years of age).

- Collection methods:** Age can be derived from a single question in most collections.
- The ideal question for most collections is:
What is [your] [the person's] [(name)'s] date of birth?
- The recommended format for the collection of Age data using a self-enumerated questionnaire is:
Date of Birth: __/__/____
- This provides the greatest amount of detail and can easily be converted to completed days, weeks, months and years as required. It also improves data quality and should be used wherever possible.
- As Age is a derived data element it should not be stored within systems. What should be stored is the Date of Birth (Refer to Date of Birth data element) so that Age can be correctly derived. This also gives the greatest flexibility for derivation of new data items, cross-classification with other variables and in the production of output categories.
- Related metadata:** Is derived from the data element:
Date of Birth
- Is a characteristic of the data element concept:
Defendant

ADMINISTRATIVE ATTRIBUTES

- Source document:** 1. *Standards for Social, Labour and Demographic Statistics* (cat. no. 1200.0)
- The ABS standards appear on the ABS web site. From the ABS home page (<www.abs.gov.au>) select: Methods, Classifications, Concepts & Standards/ABS concepts, classifications and statistical standards/12. Classifications and work manuals/1200.0 Standards for Social, Labour and Demographic Variables.
2. *Juvenile Justice National Minimum Dataset Data Dictionary*
- Source organisation:** 1. Australian Bureau of Statistics
2. Australian Institute of Health and Welfare
- History:** Commenced 2005
- Comments:** None

DATE OF BIRTH

IDENTIFYING AND DEFINITIONAL ATTRIBUTES

Metadata type: DATA ELEMENT **Version:** 1

Definition: Date of birth of a person.

Context: Date of Birth is required to enable data providers to determine the data element 'Age'.

RELATIONAL AND REPRESENTATIONAL ATTRIBUTES

Datatype: Alphanumeric

Field size: Min: 10 Max: 10

Representational form: Date

Representational layout: DD/MM/YYYY

Data domain: Valid date

Guide for use: The data element Date of Birth applies to all persons.

The Year component of the date must be 4 digits long.

For the purposes of the ABS criminal courts collection only, if the actual date of birth is not known or cannot be obtained, provision should be made to collect or estimate age (in years).

Some suggested standard questions to use to collect age in this instance are:

Age last birthday?

What was [your] [the person's] [(name)'s] age last birthday?

What is [your] [the person's] [(name)'s] age in complete years?

A Date of Birth can then be derived from this age using 0101 as DDMM if only the year is known. The actual or estimated year of birth should then be converted to an estimated Date of Birth according to the following convention: 0101YYYY, where YYYY is the estimated year of birth.

It is recommended that estimated Dates of Birth be identified by an appropriate date flag to prevent inappropriate use of Date of Birth data for record identification and/or the derivation of other data elements (such as age) that require Date of Birth information.

Verification rules: Date of Birth needs to be such that the defendant is at or above the age of criminal liability (which is 10 years of age).

Collection methods: The ideal question for most collections is:
What is [your] [the person's] [(name)'s] date of birth?

The recommended format for the collection of age data using a self-enumerated questionnaire is:

Date of Birth: __/__/----

This provides the greatest amount of detail and flexibility as it can easily be converted to completed days, weeks, months and years as required. It also improves data quality and should be used wherever possible.

Related metadata: Is used to derive the data element:
Age

Is a characteristic of the data element concept:
Defendant

ADMINISTRATIVE ATTRIBUTES

Source document:	1. <i>National Health Data Dictionary V12</i>
	2. <i>Juvenile Justice National Minimum Dataset Data Dictionary</i>
Source organisation:	1. National Health Data Committee
	2. Australian Institute of Health and Welfare
History:	Commenced 2005
Comments:	None

INDIGENOUS STATUS

IDENTIFYING AND DEFINITIONAL ATTRIBUTES

Metadata type: DATA ELEMENT

Version: 1

Definition: Indigenous Status indicates whether or not a person identifies as being of Aboriginal or Torres Strait Islander origin. The term 'origin' when used in the context of this definition, is considered to relate to people's Australian Aboriginal or Torres Strait Islander descent and for some, but not all, their cultural identity.

Context: Australia's Aboriginal and Torres Strait Islander peoples occupy a unique place in Australian society and culture. Accurate and consistent statistics about Aboriginal and Torres Strait Islander peoples are needed in order to plan, promote and deliver essential services, to monitor changes in well-being and to account for government expenditure in this area.

RELATIONAL AND REPRESENTATIONAL ATTRIBUTES

Datatype: Numeric**Field size:** Min: 2 Max: 2**Representational form:** Code**Representational layout:** NN

Data domain: The standard classification for Indigenous Status has a hierarchical structure comprising two levels. Codes are provided to distinguish between the levels in the hierarchy and can be used to assist with data entry and/or output purposes.

- 1 Indigenous
 - 11 Aboriginal but not Torres Strait Islander Origin
 - 12 Torres Strait Islander but not Aboriginal Origin
 - 13 Both Aboriginal and Torres Strait Islander Origin
- 2 Non-Indigenous
 - 24 Neither Aboriginal nor Torres Strait Islander Origin

Guide for use: In addition to the above ABS standard classification, three extra values are necessary for the criminal courts collection. These are:

- 10 Indigenous n.f.d.
- 80 Not applicable (Organisation)
- 90 Not stated

Please note that the coding structure above deviates from the ABS standard which codes Not stated to 09

Verification rules: None

Collection methods: It is not possible to determine a person's Indigenous Status on the basis of appearance, surname or birthplace. To achieve an acceptable quality of Indigenous Status data, it is imperative that the individual collecting the information endeavour to apply the standard question module to all respondents and to record every response regardless of the person's appearance, name, country of birth or other perceptions about the person's background.

The following question is the basis for the standard question module:

[Are you] [Is the person] [Is (name)] of Aboriginal or Torres Strait Islander origin?
(For persons of both Aboriginal and Torres Strait Islander origin, mark both 'Yes' boxes.)

No ☐
 Yes, Aboriginal ☐
 Yes, Torres Strait Islander ☐

Collection methods: *continued*

The Indigenous Status question allows for more than one response. The procedure for coding multiple responses is as follows:

- If the respondent marks 'No' and either 'Aboriginal' or 'Torres Strait Islander', then the response should be coded to either Aboriginal or Torres Strait Islander as indicated (i.e. disregard the 'No' response).
- If the respondent marks both the 'Aboriginal' and 'Torres Strait Islander' boxes, then the response should be coded to 'Both Aboriginal and Torres Strait Islander Origin'.
- If the respondent marks all three boxes ('No', 'Aboriginal' and 'Torres Strait Islander'), then the response should be coded to 'Both Aboriginal and Torres Strait Islander Origin' (i.e. disregard the 'No' response).

The 'Not stated' category should not be available as a valid response but can be used for operational purposes in the following circumstances:

- primarily when importing data from other data collections that do not contain mappable data;
- where an answer was refused; or
- where the question could not be asked because the client was unable to communicate or a person who knows the client was not available.

Related metadata: Is a characteristic of the data element concept:
Defendant

ADMINISTRATIVE ATTRIBUTES

Source document: *Standards for Social, Labour and Demographic Statistics* (cat. no. 1200.0)

The ABS standards appear on the ABS web site. From the ABS home page (<www.abs.gov.au>) select: Methods, Classifications, Concepts & Standards/ABS concepts, classifications and statistical standards/12. Classifications and work manuals/1200.0 Standards for Social, Labour and Demographic Variables.

Source organisation: Australian Bureau of Statistics

History: Commenced 2005

Comments: The purpose of the Indigenous Status standard is to enable the provision of consistent information from both statistical and administrative sources about people who self identify as being of Australian Aboriginal or Torres Strait Islander origin.

Organisations wishing to determine the eligibility of individuals for particular benefits, services or rights will need to make their own judgements about the suitability of the standard measure for these purposes, having regard to the specific eligibility criteria of the program concerned.

SEX

IDENTIFYING AND DEFINITIONAL ATTRIBUTES

Metadata type: DATA ELEMENT **Version:** 1

Definition: The distinction 'male' and 'female', as reported by a person.

Context: Sex is a basic demographic variable used almost universally in statistical and administrative data collections relating to people. It differentiates any population in terms of male and female numbers and characteristics. The meaning, description and use of this concept are generally standard and consistent across Australian data sources.

RELATIONAL AND REPRESENTATIONAL ATTRIBUTES

Datatype: Numeric

Field size: Min: 1 Max: 1

Representational form: CODE

Representational layout: N

Data domain: Sex is a flat classification having only one level. In some situations there may be a need for the additional category 'Intersex or Indeterminate'. This refers to a person, who because of a genetic condition, was born with reproductive organs or sex chromosomes that are not exclusively male or female (for whatever reason). If it is necessary to include the category 'Intersex or Indeterminate', it should be allocated the code '4'. Codes are provided to assist with data entry and/or output purposes.

The code structure is:

- 1 Male
- 2 Female
- 4 Intersex or Indeterminate

Guide for use: In addition to the above ABS standard classification, two extra values for 'Organisation' and 'Unknown/Not stated' are necessary for the ABS criminal courts collection.

Therefore, the classification would be:

- 0 Unknown/Not stated
- 1 Male
- 2 Female
- 3 Not Applicable (Organisation)
- 4 Intersex or Indeterminate

Physical biology is the criterion used to classify persons into the categories 'male' and 'female'. This criterion is physical rather than genetic to cover the exceptional cases such as sex change operations. In the vast majority of cases the physical and genetic categories are identical.

Please note that the coding structure above deviates from the ABS standard which codes Intersex or Indeterminate to 3.

The term 'sex' is used rather than 'gender' because it more accurately reflects the biological distinction between males and females. In common usage the term gender is increasingly being substituted for sex. The ABS encourages the use of the term sex rather than gender in the statistical context because it is well understood by people of all ages and those who do not speak English as a first language. Furthermore, the term gender is frequently used (for example in psychological or sociological discussions) to refer to cultural or social differences as opposed to biological ones.

Verification rules: None

Collection methods: For the collection of data on Sex the ABS standard questionnaire module is a tick box question as shown below. Due to tradition in the ABS and other collections, the category Male is shown first.

Sex: ☐ Male
 ☐ Female

In addition to the above, an extra value for 'Organisation' is necessary for the ABS criminal courts collection.

☐ Organisation

When collecting data on Sex by personal interview, asking the sex of the respondent is usually unnecessary and may be inappropriate, or even offensive. It is usually a simple matter to infer the Sex of the respondent from other cues such as observation, or first name.

Every effort should be made to ensure that Sex is provided for a finalised defendant. If Sex is unknown (e.g. is not included in the court record for a defendant) and cannot be determined from any other information (e.g. name), this defendant should be assigned the code 0 - Unknown/Not stated.

Code 4 - Intersex or Indeterminate should not generally be used on data collection forms completed by a respondent. It should only be used if the person volunteers that their sex is intersex or Indeterminate or where it otherwise becomes clear during the collection process that the individual is neither male nor female.

Related metadata: Is a characteristic of the data element concept:
 Defendant

ADMINISTRATIVE ATTRIBUTES

Source document: *Standards for Social, Labour and Demographic Statistics* (cat. no. 1200.0)
 The ABS standards appear on the ABS web site. From the ABS home page (<www.abs.gov.au>) select: Methods, Classifications, Concepts & Standards/ABS concepts, classifications and statistical standards/12. Classifications and work manuals/1200.0 Standards for Social, Labour and Demographic Variables

Source organisation: Australian Bureau of Statistics

History: Commenced 2005

Comments: A person's sex may change during their lifetime as a result of procedures known alternatively as Sex change, Gender reassignment, Transsexual surgery, Transgender reassignment or Sexual reassignment. Throughout this process, which may be over a considerable period of time, Sex could be recorded as either Male or Female.

DATE OF COMMITTAL

IDENTIFYING AND DEFINITIONAL ATTRIBUTES

Metadata type: DATA ELEMENT

Version: 1

Definition: The date that a defendant is formally committed from a Magistrates' Court to a higher criminal court.**Context:** Committals are usually the first stage of hearing indictable offences in the criminal justice system. A magistrate assesses the evidence presented against the defendant and decides whether it is sufficient to warrant the defendant being committed to a higher criminal court.

RELATIONAL AND REPRESENTATIONAL ATTRIBUTES

Datatype: Alphanumeric**Field size:** Min: 10 Max: 10**Representational form:** Date**Representational layout:** DD/MM/YYYY**Data domain:** Valid date**Guide for use:** *Higher Criminal Courts*

Only one Date of Committal may be applied to each defendant's case. National coding rules (see below) are applied to determine the appropriate Date of Committal when the defendant has multiple charges, which have different committal dates.

The coding rules for determining Date of Committal are:

1. Where a defendant has a single charge, the charge Date of Committal is also the defendant Date of Committal.
2. Where a defendant has multiple charges, and these charges have the same Date of Committal, this is also the defendant Date of Committal.
3. Where a defendant has multiple charges and these charges have differing Dates of Committal, the defendant Date of Committal is the Date of Committal of the earliest charge.

For example, a defendant has three charges, all of which were committed to a higher court on the following dates:

Charge 1 was laid on 10/08/2004 and committed on 21/09/2004

Charge 2 was laid on 10/08/2004 and committed on 22/09/2004

Charge 3 was laid on 12/08/2004 and committed on 23/09/2004

The Date of Committal for this defendant is 21/09/2004, the date of committal of the earliest charge.

Magistrates' Criminal Courts

When all charges for a defendant are finalised by committal proceedings, the date of committal of the latest charge will actually correspond to the Date of Finalisation for that defendant. Date of Committal is not a required data element for defendants finalised in the Magistrates' Criminal Courts.

Verification rules: Date of Committal is applicable to all defendants who entered a higher court as a direct result of committal proceedings. Date of Committal should be blank for all other defendants.

For higher court defendants, where there is a Date of Committal and a Date of Registration, Date of Committal must fall on or before Date of Registration.

Collection methods: Date of Committal is taken from the date on the committal notice.

Related metadata: Is used to derive the data element:
Date of Initiation
Is related to the data element:
Date of Registration
Method of Initiation
Committal Plea

ADMINISTRATIVE ATTRIBUTES

Source document: 1. *Higher Criminal Courts Collection Manual*
2. *2004 Data Collection Manual*
Source organisation: 1. Australian Bureau of Statistics
2. Court Administration Working Group
History: Commenced 2005
Comments: None

DATE OF REGISTRATION

IDENTIFYING AND DEFINITIONAL ATTRIBUTES

Metadata type: DATA ELEMENT **Version:** 1

Definition: The date on which a defendant is first acknowledged as being a new item of work to be dealt with by the court.

Context: Date of Registration is used to determine Date of Initiation for those defendants who do not go through a committal process.

RELATIONAL AND REPRESENTATIONAL ATTRIBUTES

Datatype: Alphanumeric

Field size: Min: 10 Max: 10

Representational form: Date

Representational layout: DD/MM/YYYY

Data domain: Valid date

Guide for use: Only one Date of Registration may be applied to each defendant's case.
Where there are multiple dates of registration for charges for a defendant's case, the earliest date is used.

Verification rules: Date of Registration is applicable to all defendants.
For the majority of higher criminal court defendants with matters committed, Date of Registration must fall on or after Date of Committal. The exception is when a matter that actually appears on indictment in a higher court is sent back to the lower courts for a committal, although this is very rare.

Collection methods: Date of Registration is taken as the date acknowledged by the court that the documentary evidence is received/date stamped.

In the higher criminal courts, documentary evidence includes the committal papers sent from a Magistrates' Court (e.g. hardcopy, fax, electronic transfer) and for an ex-officio case the indictment filed by the Department of Public Prosecutions to an intermediate court or Supreme Court.

Depending on the Method of Initiation, the Date of Registration could be:

- the date when the charges are brought by the prosecuting party against the defendant in the lower court;
- the date a copy of the summons is provided to the court by the prosecuting party;
- the date when charges for a defendant are lodged with the court system for the first time - the date of direct presentment by the prosecuting party or the Attorney General;
- the date when the documentation for a defendant is first received/date stamped in a receiving court following transfer from another court level; or
- the date when a retrial is ordered by a court of appeal.

Related metadata: Is used to derive the data element:
Date of Initiation

Is related to the data elements:
Date of Committal
Method of Initiation

ADMINISTRATIVE ATTRIBUTES

Source document:	1. <i>Higher Criminal Courts Collection Manual</i>
	2. <i>2004 Data Collection Manual</i>
Source organisation:	1. Australian Bureau of Statistics
	2. Court Administration Working Group
History:	Commenced 2005
Comments:	None

DATE OF INITIATION

IDENTIFYING AND DEFINITIONAL ATTRIBUTES

Metadata type:	DERIVED DATA ELEMENT	Version: 1
Definition:	Date of Initiation represents either the date of committal or the date of registration depending on the process of entry into that level of court.	
Context:	Date of Initiation is derived for the purposes of national statistics. When considered along with Date of Finalisation, Date of Initiation allows for the calculation of the duration of a defendant's case.	

RELATIONAL AND REPRESENTATIONAL ATTRIBUTES

Datatype:	Alphanumeric		
Field size:	Min:	10	Max: 10
Representational form:	Date		
Representational layout:	DD/MM/YYYY		
Data domain:	Valid date		
Guide for use:	Only one Date of Initiation may be recorded for each defendant's case.		
Verification rules:	Date of Initiation is applicable to all defendants.		
Collection methods:	Date of Initiation for a defendant is derived by applying the national coding rules to the defendant level data elements Date of Committal and Date of Registration on the following basis: <i>Higher Criminal Courts</i> <ul style="list-style-type: none"> ■ For defendants who are committed from a Magistrates' Court to a higher criminal court, Date of Committal is used as the Date of Initiation. ■ For defendants who have any other method of initiation, including direct presentment to a higher court by ex-officio, Date of Registration for that court level is used as the Date of Initiation. <i>Magistrates' Criminal Courts</i> <ul style="list-style-type: none"> ■ The Date of Initiation is the Date of Registration for defendants in the Magistrates' Criminal Court. 		
Related metadata:	Is derived from the data elements: Date of Registration Date of Committal Is used to derive the data element: Duration Is related to the data element concept: Lodgment Method of Initiation		

ADMINISTRATIVE ATTRIBUTES

Source document:	1. <i>Higher Criminal Courts Collection Manual</i> 2. <i>Magistrates' Criminal Courts Collection Manual</i> 3. <i>2004 Data Collection Manual</i>
Source organisation:	1. Australian Bureau of Statistics 2. Australian Bureau of Statistics 3. Court Administration Working Group

History: Commenced 2005
Comments: None

DATE OF FINALISATION

IDENTIFYING AND DEFINITIONAL ATTRIBUTES

Metadata type: DATA ELEMENT

Version: 1

Definition: The date on which all charges laid against a defendant are regarded as formally completed by a particular court level and the defendant ceases to be an active unit of work to be dealt with by that court level.

Context: When considered along with Date of Initiation, Date of Finalisation allows for calculation of the duration of a defendant's case.

RELATIONAL AND REPRESENTATIONAL ATTRIBUTES

Datatype: Alphanumeric**Field size:** Min: 10 Max: 10**Representational form:** Date**Representational layout:** DD/MM/YYYY**Data domain:** Valid date

Guide for use: Only one Date of Finalisation may be recorded for each defendant's case. National coding rules (see below) are applied to determine the appropriate Date of Finalisation when the defendant has multiple charges, which have different finalisation dates.

The coding rules for determining Date of Finalisation are:

1. Where a defendant has a single charge, the charge date of finalisation is also the defendant Date of Finalisation.
2. Where a defendant has multiple charges, and these charges have the same dates of finalisation, this is also the defendant Date of Finalisation.
3. Where a defendant has multiple charges and these charges have differing dates of finalisation, the defendant Date of Finalisation is the latest charge date of finalisation.

Verification rules: Date of Finalisation is only applicable to finalised defendants.

All charges for a defendant relating to the one case have been finalised and so have a valid Date of Finalisation and the related data elements Method of Finalisation and Final Plea.

A defendant Date of Finalisation should not be prior to Date of Verdict or Date of Initiation.

Collection methods: Depending on the Method of Finalisation, the Date of Finalisation could be:

- the date when a judgement is handed down or an acquittal finding is made within a particular court level;
- the date when sentencing occurs;
- the date that the defendant is last acknowledged as an item of work of the court (for example, the day the court is notified that the defendant is deceased);
- the date of transfer of the case to another court level;
- the date at the committal hearing at which the defendant is committed to a higher court;
- the date at which the prosecution withdraws the charges against the defendant; or
- the date that the Office of the Director of Public Prosecutions (ODPP) advise the court they will not proceed further, i.e. No True Bill or Nolle Prosequi.

Related metadata: Is used to derive the data element:
 Duration

Is related to the data elements:
 Date of Verdict
 Method of Finalisation
 Final Plea

Is related to the data element concept:
 Finalised Defendant

ADMINISTRATIVE ATTRIBUTES

Source document: 1. *Higher Criminal Courts Collection Manual*
 2. *Magistrates' Criminal Courts Collection Manual*
 3. *2004 Data Collection Manual*

Source organisation: 1. Australian Bureau of Statistics
 2. Australian Bureau of Statistics
 3. Court Administration Working Group

History: Commenced 2005

Comments: None

DURATION

IDENTIFYING AND DEFINITIONAL ATTRIBUTES

Metadata type:	DERIVED DATA ELEMENT	Version: 1
Definition:	The time elapsed in days from the earliest Date of Initiation to the latest Date of Finalisation for a defendant.	
Context:	<p>Duration provides a measure of the timeliness with which a court deals with its criminal workload.</p> <p>The total Duration for a finalised defendant includes the time taken by the defence and prosecution to prepare their cases, the time required to list a case and time taken for any hearings. Actual hearing time typically occupies only a small proportion of the overall case duration.</p> <p>A major factor governing the processing time required for a case is whether or not a trial or defended hearing is required. In general, a defended case will require significantly greater amounts of court hearing time than a hearing of a guilty plea. In addition, the timing of a guilty plea, at initiation or later in the case, will affect the time taken to finalise the case.</p> <p>Duration statistics should be interpreted with caution, as there are numerous jurisdictional, legislative and procedural differences that impact on the courts' ability to process defendant cases, for example, the execution of a bench warrant and court initiated diversions.</p>	

RELATIONAL AND REPRESENTATIONAL ATTRIBUTES

Datatype:	Numeric		
Field size:	Min: 1	Max: 5	
Representational form:	Quantitative value		
Representational layout:	N (NNNN)		
Data domain:	Count of whole days		
Guide for use:	<p>The ABS criminal courts collection calculates Duration for a defendant as the time taken in days from Date of Initiation to Date of Finalisation. Please refer to the entries for Date of Initiation and Date of Finalisation for how to determine the respective dates for a defendant's case when there are different dates for the charges.</p> <p>Duration is derived by:</p> $\text{Duration} = \text{Date of Finalisation} - \text{Date of Initiation} + 1$ <p>To convert the duration from days to weeks, the resulting figure from the calculation above should be divided by 7 and rounded down. For example, a duration of 5 weeks and 5 days would be taken as 5 weeks.</p>		

Guide for use: *continued*

Proposed output categories in days (and weeks) for use in a criminal courts collection are:

Under 42 days (Under 6 weeks)
 42 days and under 91 days (6 weeks and under 13 weeks)
 91 days and under 140 days (13 weeks and under 20 weeks)
 140 days and under 182 days (20 weeks and under 26 weeks)
 182 days and under 273 days (26 weeks and under 39 weeks)
 273 days and under 364 days (39 weeks and under 52 weeks)
 364 days and under 455 days (52 weeks and under 65 weeks)
 455 days and under 546 days (65 weeks and under 78 weeks)
 546 days and under 637 days (78 weeks and under 91 weeks)
 637 days and under 728 days (91 weeks and under 104 weeks)
 728 days and over (104 weeks and over)
 Unknown

Backlog index in the CADC

Case duration was included in the Court Administration chapter of the *Report on Government Services* up until 2004. As part of the new performance indicator framework, a new measure - the backlog index has been introduced, which is calculated using the duration of active pending matters.

Backlog is a measure of case processing timeliness. The measure, however, is reported in terms of the proportion of a court's pending caseload that is older than a set standard. A significant feature of this form of reporting is that it recognises that case processing must take some time, and therefore time does not equal delay.

The formula to calculate the backlog index is:

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

In order to enhance the indicator's comparability, the national performance indicator reports 'backlogged' cases as a percentage of the total pending caseload. The reporting standard for Magistrates' Courts is 6 months for 90% of cases and 12 months for 100% of cases. The reporting standard for the District/County and Supreme Courts is 12 months for 90% of cases and 2 years for 100%.

Verification rules: For the ABS collection, duration is only applicable for finalised defendants; that is all charges for a defendant must have a valid Method of Finalisation.

Collection methods: Duration is a derived data element based on the Date of Initiation and Date of Finalisation of a defendant.

Related metadata: Is derived from the data elements:

Date of Initiation
 Date of Finalisation

Is related to the data element concepts:

Active Pending Defendant
 Finalised Defendant

ADMINISTRATIVE ATTRIBUTES

Source document: 1. *Higher Criminal Courts Collection Manual*
 2. *Magistrates' Criminal Courts Collection Manual*

Source document:	<i>continued</i>	3. <i>2004 Data Collection Manual</i>
Source organisation:		1. Australian Bureau of Statistics 2. Australian Bureau of Statistics 3. Court Administration Working Group
History:		Commenced 2005
Comments:		None

OFFENCE

IDENTIFYING AND DEFINITIONAL ATTRIBUTES

Metadata type: DATA ELEMENT CONCEPT Version: 1

Definition: Any act or omission by a person or organisation for which a penalty could be imposed by the Australian legal system.

An Offence is generally taken to be a breach of legislation (including subordinate legislation) or common law, which may render a person liable to prosecution, mainly at the instigation of the crown, and liable to punishment if the proof of such allegation is established according to law. An Offence is an alleged offence until the act or omission is proved to have occurred and conforms to the prescribed legislation.

Context: Offences which are heard by the courts can be divided into two general classes: summary and indictable. This is an important distinction because it affects the procedures used in the prosecution process.

Summary offence

A criminal offence which is regarded as less serious relative to an indictable offence as defined by specific Commonwealth, state or territory legislation. Charges relating to summary offences are generally dealt with by a Magistrate, who decides the guilt or innocence of the accused. These offences are heard in a Magistrates' Court and do not require trial by jury in a higher court.

Indictable offence

A serious 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, either a Supreme Court or an intermediate court. The judge presides over the court and rules on questions of law while the jury determines the guilt or innocence of the accused. Under some circumstances, a defendant can elect to have these charges dealt with in a Magistrates' Court.

For summary indictable offences the registrar may also elect to commit a defendant for sentencing in a higher court if they deem the offence too serious for the limits imposed on a magistrate's sentencing discretion.

Use of the term 'offence'

The term 'offence' has varied meanings in different sectors of the criminal justice system. The different usage of this term is likely to impact on the representation of this information. The use of the term 'offence' varies as follows:

- Victims - Offence information sourced from victims (e.g. crime victim surveys) refers to the offence that the victim states they have been subjected to;
- Police - Offence information sourced from police may relate to offences initially recorded by police on an incident management system for victims, or offences that an alleged offender is charged with by police.
- Criminal Courts - Offence information sourced from the criminal courts refers to charges brought before the courts, charges at finalisation and at a more detailed level charges that the person is found guilty of and/or acquitted of; and
- Corrections - Offence information sourced from corrective services can refer to the charges that the prisoner is sentenced for, or where they are unsentenced, offence refers to the charges for which they are being held on remand while awaiting court proceedings.

RELATIONAL ATTRIBUTES

Verification rules: The following Australian Standard Offence (ASOC) group codes are out of scope of the criminal courts collections as they relate to breaches of existing orders/sentences:

ASOC Group	1512	Breach of Bail
ASOC Group	1513	Breach of Parole
ASOC Group	1519	Breach of Justice Order, n.e.c.

Related metadata: Is related to the data element concept:
Charge

Is related to the data element:
Principal Offence

ADMINISTRATIVE ATTRIBUTES

Source document: 1. *Australian Standard Offence Classification* (cat. no. 1234.0)

The ABS Australian Standard Offence Classification appears on the ABS web site. From the ABS home page (<www.abs.gov.au>) select: Methods, Classifications, Concepts & Standards/ABS concepts, classifications and statistical standards/ 12. Classifications and work manuals/ 1234.0 Australian Standard Offence Classification (ASOC).

2. *Criminal Courts, Australia* (cat. no. 4513.0)

Source organisation: 1. Australian Bureau of Statistics
2. Australian Bureau of Statistics

History: Commenced 2005

Comments: The *Australian Standard Offence Classification* (cat. no. 1234.0) has been developed to provide a classificatory framework for the comparison of statistics on offences across Australia.

CHARGE

IDENTIFYING AND DEFINITIONAL ATTRIBUTES

Metadata type:	DATA ELEMENT CONCEPT	Version: 1
Definition:	An allegation laid before a court by the police or other prosecuting agency that a person or organisation has committed an offence, which will be adjudicated or otherwise addressed in court.	
Context:	The terms 'charge' and 'offence' are often used interchangeably in the criminal courts collection. Offence information refers to charges brought before the courts, charges at finalisation and at a more detailed level charges that the person is found guilty of and/or acquitted of.	

RELATIONAL ATTRIBUTES

Verification rules:	None
Related metadata:	Is related to the data element concept: Offence

ADMINISTRATIVE ATTRIBUTES

Source document:	<i>Criminal Courts, Australia</i> (cat. no. 4513.0)
Source organisation:	Australian Bureau of Statistics
History:	Commenced 2005
Comments:	None

PRINCIPAL OFFENCE

IDENTIFYING AND DEFINITIONAL ATTRIBUTES

Metadata type: DATA ELEMENT

Version: 1

Definition: The Principal Offence for a finalised defendant refers to the main offence that has an adjudicated finalisation (i.e. an outcome of proven guilty or acquitted). This is determined as the offence with the highest ranked Australian Standard Offence Classification (ASOC) using the National Offence Index (NOI).

Context: Principal Offence essentially describes the most serious offence type associated with an adjudicated defendant. Categorisation by a single principal offence provides an important and useful way of understanding the types of criminal cases presented to the criminal courts. It provides a mechanism for associating offence information with a range of data variables linked to the defendant.

RELATIONAL AND REPRESENTATIONAL ATTRIBUTES

Datatype: Numeric**Field size:** Min: 4 Max: 4**Representational form:** Code**Representational layout:** NNNN**Data domain:** Valid ASOC code

Guide for use: There are two supplementary ASOC codes that may be used, but only if the situation explicitly warrants it. If an adjudicated offence cannot be assigned to any ASOC code, then the four-digit code of 9999 can be used. If no data at all are provided, then the four-digit code of 9998 can be used.

Only one Principal Offence ASOC code (4 digit) may be applied to each finalised defendant (retaining leading zeros where applicable).

In order to code the Principal Offence for a finalised defendant, the following order of precedence rules must be applied:

1. Where a defendant has one adjudicated offence, that ASOC code is the Principal Offence.
2. Where a defendant has multiple offences with all adjudicated as Proven Guilty and these are the same ASOC code, or multiple offences all adjudicated as Acquitted and these are the same ASOC code, then that ASOC is the Principal Offence.
3. Where a defendant has multiple offences with some adjudicated as Proven Guilty and some Acquitted, and;
 - (i) there is only one offence adjudicated as Proven Guilty, then that ASOC code is the Principal Offence for the defendant.
 - (ii) there are multiple offences adjudicated as Proven Guilty and these are the same ASOC code, then that ASOC is the Principal Offence.

The National Offence Index (see text box below) is applied to determine the appropriate Principal Offence ASOC code to be assigned when the defendant has multiple offences, as in the following instances:

4. Where a defendant has multiple offences with all adjudicated as Proven Guilty and these have different ASOC codes, or multiple offences all adjudicated as Acquitted, and these have different ASOC codes, then apply the National Offence Index ranking to determine the Principal Offence for the defendant.
5. Where a defendant has multiple offences with some adjudicated as Proven Guilty and some Acquitted, and these have different ASOC codes, then apply the National Offence Index ranking to those offences Proven Guilty to determine the Principal Offence for that defendant.

National Offence Index

The National Offence Index (NOI) is a ranking of offence categories of ASOC according to their level of seriousness, with a ranking of 1 relating to the ASOC code containing the most serious offence. The ASOC was used to ensure that offence statistics were reported according to a standard classification.

The purpose of the NOI is to enable the representation of a defendant by a single offence. Therefore, where a defendant has two or more offences in different output offence categories the most serious offence is chosen to represent that defendant.

The NOI is based on the Offence Seriousness Index developed by the Crime Research Centre in Western Australia. This Index was developed using two methodologies: research on public perception of offence seriousness and consideration of legislated sentences. The ABS has used the 1998 version of the Index as a base index for the NOI.

For a copy of the NOI, please contact the National Criminal Courts Statistics Unit at <crime.justice@abs.gov.au>.

Verification rules: Principal Offence is coded only for adjudicated defendants. Thus, charges that have been transferred for hearing to another court level (including committals), together with those that are withdrawn or dealt with by some other non-adjudicated method, are not considered for the purpose of determining Principal Offence.

The following ASOC group codes are out of scope of the criminal courts collections as they relate to breaches of existing orders/sentences:

ASOC Group	1512	Breach of Bail
ASOC Group	1513	Breach of Parole
ASOC Group	1519	Breach of Justice Order, n.e.c.

Collection methods: Direct coding from legislative codes to ASOC is the preferable/most reliable source of ASOC coded data for the determination of Principal Offence information.

Related metadata: Is related to the data element concepts:

- Offence
- Finalised Defendant

Is related to the data element:

- Method of Finalisation
- Principal Sentence

ADMINISTRATIVE ATTRIBUTES

Source document:

1. *Higher Criminal Courts Collection Manual*
2. *Magistrates' Criminal Courts Collection Manual*
3. *Australian Standard Offence Classification* (cat. no. 1234.0)

The ABS Australian Standard Offence Classification appears on the ABS web site. From the ABS home page (<www.abs.gov.au>) select: Methods, Classifications, Concepts & Standards/ABS concepts, classifications and statistical standards/ 12. Classifications and work manuals/ 1234.0 Australian Standard Offence Classification (ASOC).

Source organisation:

1. Australian Bureau of Statistics
2. Australian Bureau of Statistics
3. Australian Bureau of Statistics

History: Commenced 2005

Comments: None

DATE OF VERDICT

IDENTIFYING AND DEFINITIONAL ATTRIBUTES

Metadata type:	DATA ELEMENT	Version: 1
Definition:	The date on which a judgment is made (if judge alone) or a jury announces their finding on the alleged criminal charge(s) laid against the defendant.	
Context:	A verdict is a decision of a judge or jury based on their interpretation of evidence presented. A verdict of guilty means that the judge or jury is satisfied beyond a reasonable doubt that the accused did the things required to constitute the crime as legally defined. Any other verdict is an acquittal.	
	Date of Verdict can be used to calculate the time elapsed between Date of Initiation and Date of Verdict and the time elapsed between Date of Verdict and Date of Finalisation.	

RELATIONAL AND REPRESENTATIONAL ATTRIBUTES

Datatype:	Alphanumeric		
Field size:	Min:	10	Max: 10
Representational form:	Date		
Representational layout:	DD/MM/YYYY		
Data domain:	Valid date		
Guide for use:	<p>Only one Date of Verdict may be recorded for each defendant's case. National coding rules (see below) are applied to determine the appropriate Date of Verdict when the defendant has multiple charges which have different verdict dates.</p> <p>The coding rules for determining Date of Verdict are:</p> <ol style="list-style-type: none"> 1. Where a defendant has a single charge with a Date of Verdict, the charge Date of Verdict is also the defendant Date of Verdict. 2. Where a defendant has multiple charges, and these charges have the same dates of verdict, this is also the defendant Date of Verdict. 3. Where a defendant has multiple charges and these charges have differing dates of verdict, the defendant Date of Verdict is the latest charge Date of Verdict. 		
Verification rules:	<p>Date of Verdict is only collected for charges finalised by trial in a higher court where a verdict is handed down. Therefore, Date of Verdict is not valid for charges where the defendant pleads guilty or the charge is withdrawn.</p> <p>Where there is a Date of Verdict and Date of Finalisation, Date of Verdict should be earlier or the same as Date of Finalisation.</p> <p>Date of Verdict should not be prior to Date of Initiation.</p>		
Collection methods:	This information is taken from court process documentation including court bench sheets etc.		
Related metadata:	<p>Is related to the data elements:</p> <p>Method of Finalisation</p> <p>Date of Finalisation</p>		

ADMINISTRATIVE ATTRIBUTES

Source document:	<ol style="list-style-type: none"> 1. <i>Higher Criminal Courts Collection Manual</i> 2. <i>Collins Dictionary of Law</i>
Source organisation:	<ol style="list-style-type: none"> 1. Australian Bureau of Statistics 2. Harper Collins
History:	Commenced 2005
Comments:	None

PRINCIPAL SENTENCE

IDENTIFYING AND DEFINITIONAL ATTRIBUTES

Metadata type:	DATA ELEMENT	Version: 1
Definition:	The Principal Sentence refers to the main sentence type for a defendant who has a proven guilty Method of Finalisation.	
Context:	Sentence describes the type of punishment given for a breach of the criminal law. This is usually a final order or sanction imposed by the court during a sentence hearing for a defendant who has been proven guilty of committing a criminal offence. It generally results in action that restricts or compels the defendant in order to fulfil one or more of the following sentencing objectives: <ul style="list-style-type: none"> ■ punishment; ■ restitution/reparation; ■ rehabilitation/care; ■ prevention/containment/supervision. 	

RELATIONAL AND REPRESENTATIONAL ATTRIBUTES

Datatype:	Numeric		
Field size:	Min:	3	Max: 3
Representational form:	Code		
Representational layout:	NNN		
Data domain:	The sentence type classification has two major categories distinguishing between Custodial and Non-custodial orders. Codes are provided to distinguish between the levels in the hierarchy and can be used to assist with data entry and/or output purposes.		

100	Custodial orders n.f.d.
110	Custody in a correctional institution n.f.d.
111	Life and indeterminate imprisonment
112	Imprisonment with determined term
113	Periodic detention
120	Custody in the community n.f.d.
121	Intensive corrections order
122	Home detention
129	Other custody in the community n.e.c.
130	Suspended sentence n.f.d.
131	Suspended sentence
200	Non-custodial orders n.f.d.
210	Community supervision or work orders n.f.d.
211	Community service orders
212	Probation orders
213	Treatment orders
220	Monetary orders n.f.d.
221	Fine
222	Orders as recompense to victim
229	Other monetary orders n.e.c.
290	Other non-custodial orders n.f.d.
291	Good behaviour bond/Recognisance orders
292	Licence disqualification/Suspension/Amendment
293	Forfeiture of property order
294	Nominal penalty
299	Other non-custodial orders n.e.c.
900	Sentence type unknown/Not stated

Guide for use: *Custodial Orders*

An order requiring a person to have restricted liberty for a specified period of time either through detainment in an institution/home or being subject to regular supervision while residing within the community.

Non-Custodial Orders

Sentence imposed on an offender that does not involve custody.

More detailed definitions of the types of Principal Sentence can be found in the glossary.

A defendant can receive a single sentence for a single offence proven guilty, a single sentence for multiple offences proven guilty, multiple sentences due to multiple offences proven guilty and/or multiple sentences assigned to the one offence proven guilty.

Guide for use: *continued*

Only one Principal Sentence may be applied to each defendant's case. National coding rules are applied to determine the appropriate Principal Sentence code where the defendant has multiple sentence types.

1. Where there is only one sentence for a single offence proven guilty, the Principal Sentence will be the same as the offence sentence type.
2. Where there is only one sentence for multiple offences proven guilty (including a global sentence), the Principal Sentence will be the same sentence type shared by the multiple offences.
3. Where a defendant has multiple sentences and these are all the same sentence type, the Principal Sentence will be that sentence type.
4. Where a defendant has multiple sentences and these are different sentence types, the Principal Sentence will be determined by applying the following hierarchy of the Sentence type classification:
 - 111 Life and indeterminate imprisonment
 - 112 Imprisonment with determined term
 - 113 Periodic detention
 - 110 Custody in a correctional institution n.f.d.
 - 121 Intensive corrections order
 - 122 Home detention
 - 129 Other custody in the community n.e.c.
 - 120 Custody in the community n.f.d.
 - 131 Suspended sentence
 - 130 Suspended sentence n.f.d.
 - 100 Custodial orders n.f.d.
 - 211 Community service orders
 - 212 Probation orders
 - 213 Treatment orders
 - 210 Community supervision or work orders n.f.d.
 - 221 Fine
 - 222 Orders as recompense to victim
 - 229 Other monetary orders n.e.c.
 - 220 Monetary orders n.f.d.
 - 291 Good behaviour bond/Recognisance orders
 - 292 Licence disqualification/Suspension/Amendment
 - 293 Forfeiture of property order
 - 294 Nominal penalty
 - 299 Other non-custodial orders n.e.c.
 - 290 Other non-custodial orders n.f.d.
 - 200 Non-custodial orders n.f.d.
 - 900 Sentence type unknown/Not stated

Verification rules:	<p>Principal Sentence should only be derived for defendants with a charge proven guilty (either by court, by guilty plea or ex-parte).</p> <p>The following should be excluded when considering the scope for Principal Sentence:</p> <ul style="list-style-type: none"> ■ hearings for a breach of a criminal court order, which is typically a re-sentencing and therefore not heard in the original jurisdiction of the court; and ■ re-sentence hearings in an Appeal court. If as a result of a re-sentencing hearing in an Appeal Court, new finalisation information appears on the Magistrates' or higher Court system, then this information is out of scope.
Collection methods:	This information is taken from court process documentation including court bench sheets etc.
Related metadata:	<p>Is related to the data element concept:</p> <p>Finalised Defendant</p> <p>Is related to the data element:</p> <p>Method of Finalisation</p> <p>Principal Offence</p>

ADMINISTRATIVE ATTRIBUTES

Source document:	<ol style="list-style-type: none"> 1. <i>Higher Criminal Courts Collection Manual</i> 2. <i>Magistrates' Criminal Courts Collection Manual</i>
Source organisation:	<ol style="list-style-type: none"> 1. Australian Bureau of Statistics 2. Australian Bureau of Statistics
History:	Commenced 2005
Comments:	The Principal Sentence is usually, though not necessarily, the sentence associated with the Principal Offence.

COMMITTAL PLEA

IDENTIFYING AND DEFINITIONAL ATTRIBUTES

Metadata type: DATA ELEMENT

Version: 1

Definition: The plea to a charge, which is entered by a defendant at a committal proceeding in a Magistrates' Court.

Plea refers to the formal statement made by, or on behalf of, the defendant indicating whether or not they intend to defend the charges laid against them.

Context: All states and territories (except Western Australia) have in place a procedure for conducting a preliminary hearing in lower courts to decide whether an indictable matter can and should be committed to a higher court for determination of the charges. At the committal hearing the Magistrate assesses the strength of the prosecution evidence against the accused and will dismiss matters for which there is insufficient evidence. The procedure is designed to avoid using higher court resources in conducting a trial for cases where there is insufficient evidence to convict the accused. The committal hearing is the method by which most defendants are initiated in a higher court. The same outcome is achieved in Western Australia by a replacement process that involves a hearing termed a Committal Mention, at which a plea is taken, and where the parties are subject to early statutory formal disclosure requirements.

A plea of guilty to each charge indicates that the defendant does not wish to contest the charges and if unchanged results in a sentence hearing, consequently the charges are undefended. A plea other than guilty, including no plea, is regarded as an intention to contest the charge(s) and, if unchanged, results in the defendant being listed for a trial or defended hearing.

RELATIONAL AND REPRESENTATIONAL ATTRIBUTES

Datatype: Numeric**Field size:** Min: 2 Max: 2**Representational form:** Code**Representational layout:** NN

Data domain: The plea classification has two major categories separating plea on the basis of whether or not the defendant defends the charge(s) against them. Codes are provided to distinguish between the levels in the hierarchy and can be used to assist with data entry and/or output purposes.

- 10 Undefended n.f.d.
- 11 Guilty plea
- 20 Defended n.f.d.
- 21 Not guilty plea
- 22 No plea
- 23 Plea reserved
- 24 Other defended plea n.e.c.
- 40 Not applicable
- 99 Unknown/Not stated

Guide for use: Undefended refers to where the defendant does not contest the charge(s) laid against them.

Defended refers to where the defendant will contest the charge(s) laid against them.

More detailed definitions of the types of pleas can be found in the glossary.

Guide for use: <i>continued</i>	<p>Only one plea code may be applied to each defendant in a particular court level. National coding rules (see below) are applied to determine the appropriate plea code to be assigned when the defendant has multiple charges which have different pleas.</p> <ol style="list-style-type: none"> 1. If a defendant has multiple charges which all have exactly the same plea, then the Committal Plea for the defendant is the same as the plea code shared by the multiple charges. 2. If the plea to one or more charges is Defended/Not guilty (Codes 20-24), the Committal Plea for the defendant is Defended n.f.d. (Code 20). 3. If the plea to each charge is Undefended/Guilty (Codes 10-11), the Committal Plea for the defendant is Undefended n.f.d. (Code 10).
Verification rules:	<p>Committal Plea is applicable to all defendants who entered a higher court as a direct result of committal proceedings. For those defendants who entered a higher court but were not committed from a Magistrates' Court, the code 40 - Not Applicable should be assigned.</p> <p>For those defendants who entered a higher court as a direct result of committal proceedings, Committal Plea will correspond to the Final Plea in a Magistrates' Court.</p> <p>If Method of Initiation is Committed for trial (Code 211), Committal Plea must not be Undefended or Guilty (Codes 10-11).</p> <p>If Method of Initiation is Committed for sentence (Code 212), Committal Plea must not be Defended (Codes 20-24).</p>
Collection methods:	Committal plea is taken from the committal notice.
Related metadata:	<p>Is related to the data element:</p> <ul style="list-style-type: none"> Method of Initiation Date of Committal Initial Plea

ADMINISTRATIVE ATTRIBUTES

Source document:	<i>Higher Criminal Courts Collection Manual</i>
Source organisation:	Australian Bureau of Statistics
History:	Commenced 2005
Comments:	None

INITIAL PLEA

IDENTIFYING AND DEFINITIONAL ATTRIBUTES

Metadata type:	DATA ELEMENT	Version: 1
Definition:	The first/earliest plea entered by a defendant (at the current court level) in relation to the criminal charges laid against them.	
Context:	A plea of guilty to each charge indicates that the defendant does not wish to contest the charges and if unchanged results in a sentence hearing, consequently the defendant is undefended. A plea other than guilty, including no plea, is regarded as an intention to contest the charge(s) and, if unchanged, results in the defendant being listed for a trial or defended hearing.	

RELATIONAL AND REPRESENTATIONAL ATTRIBUTES

Datatype:	Numeric		
Field size:	Min:	2	Max: 2
Representational form:	Code		
Representational layout:	NN		
Data domain:	<p>The plea classification has two major categories separating plea on the basis of whether or not the defendant defends the charge(s) against them. Codes are provided to distinguish between the levels in the hierarchy and can be used to assist with data entry and/or output purposes.</p> <ul style="list-style-type: none"> 10 Undefended n.f.d. 11 Guilty plea 20 Defended n.f.d. 21 Not guilty plea 22 No plea 23 Plea reserved 24 Other defended plea n.e.c. 99 Unknown/Not stated 		
Guide for use:	<p>Undefended refers to where the defendant does not contest the charge(s) laid against them.</p> <p>Defended refers to where the defendant will contest the charge(s) laid against them.</p> <p>More detailed definitions of the types of pleas can be found in the glossary.</p> <p>Only one plea code may be applied to each defendant in a particular court level. National coding rules (see below) are applied to determine the appropriate plea code to be assigned when the defendant has multiple charges which have different pleas.</p> <ol style="list-style-type: none"> 1. If a defendant has multiple charges which all have exactly the same plea, then the Initial Plea for the defendant is the same as the plea code shared by the multiple charges. 2. If the plea to one or more charges is Defended/Not Guilty (Codes 20-24), the Initial Plea for the defendant is Defended n.f.d. (Code 20). 3. If the plea to each charge is Undefended/Guilty (Codes 10-11), the Initial Plea for the defendant is Undefended n.f.d. (Code 10). 		
Verification rules:	<p>If Method of Initiation is Ex-officio indictment of charges to a higher court for trial (Code 121), Initial Plea must not be Undefended or Guilty (Codes 10-11).</p> <p>If Method of Initiation is Retrial ordered by Court of Appeal (Coded to 290), Initial Plea must not be Undefended or Guilty (Codes 10-11).</p> <p>If Method of Initiation is Ex-officio indictment of charges to a higher court for sentence (Code 122), Initial Plea must not be Defended (Codes 20-24).</p>		

Collection methods:	This information is taken from court process documentation including court bench sheets etc.
Related metadata:	Is related to the data element concept: Lodgment Is related to the data element: Committal Plea Method of Initiation Final Plea

ADMINISTRATIVE ATTRIBUTES

Source document:	<i>Higher Criminal Courts Collection Manual</i>
Source organisation:	Australian Bureau of Statistics
History:	Commenced 2005
Comments:	A defendant's plea on each charge is entered during a court hearing and may change during the course of criminal proceedings.

FINAL PLEA

IDENTIFYING AND DEFINITIONAL ATTRIBUTES

Metadata type: DATA ELEMENT

Version: 1

Definition: The last plea entered by a defendant in relation to a criminal charge that is laid against them in a court.**Context:** Information on the Final Plea(s) entered by a defendant can provide an indication of the number of trials that actually took place within a court level and the use of court resources.

A major factor governing the processing time required for a case is whether or not a trial or defended hearing was required. In general, a defended hearing will require significantly greater amounts of court hearing time than a hearing of a guilty plea. Information obtained from both initial and final pleas can provide an indication of the number of defendants who have maintained or changed their plea during court proceedings.

RELATIONAL AND REPRESENTATIONAL ATTRIBUTES

Datatype: Numeric**Field size:** Min: 2 Max: 2**Representational form:** Code**Representational layout:** NN**Data domain:** The plea classification has three major categories separating plea on the basis of whether or not the defendant defends the charge(s) against them or the charges were non-adjudicated. Codes are provided to distinguish between the levels in the hierarchy and can be used to assist with data entry and/or output purposes.

- 10 Undefended n.f.d.
- 11 Guilty plea
- 20 Defended n.f.d.
- 21 Not guilty plea
- 22 No plea
- 23 Plea reserved
- 24 Other defended plea n.e.c.
- 30 Not applicable n.f.d.
- 31 Withdrawn by prosecution
- 39 Not applicable n.e.c.
- 99 Unknown/Not stated

Guide for use: Undefended refers to where the defendant does not contest the charge(s) laid against them.

Defended refers to where the defendant will contest the charge(s) laid against them.

The Not applicable n.f.d. category only applies to defendants with non-adjudicated finalisations.

More detailed definitions of the types of pleas can be found in the glossary.

Only one plea code may be applied to each defendant in a particular court level. National coding rules (see below) are applied to determine the appropriate plea code to be assigned when the defendant has multiple charges that have different pleas.

1. If a defendant is finalised by the Method of Finalisation Defendant deceased (Code 310) or Unfit to plead (Code 330) then code the Final Plea for the defendant to Not applicable n.e.c. (Code 39).

2. If a defendant has multiple charges which all have exactly the same plea, then the Final Plea for the defendant is the same as the plea code shared by the multiple charges.

Guide for use: <i>continued</i>	<p>3. If the plea to each charge is Undefended/Guilty (Codes 10-11), then the Final Plea for the defendant is Undefended n.f.d. (Code 10).</p> <p>4. If the plea to one or more charges is Defended/Not Guilty (Codes 20-24), then the Final Plea for the defendant is Defended n.f.d. (Code 20).</p> <p>5. If a defendant has multiple charges which are finalised by a combination of a non-adjudicated Method of Finalisation of Withdrawn by Prosecution (Code 340) or Other Non-adjudicated Finalisation n.e.c. (Code 390) and an adjudicated Method of Finalisation of Undefended/Guilty (Codes 10-11), then the Final Plea for the defendant is Undefended n.f.d. (Code 10).</p> <p>6. If all charges are finalised by a non-adjudicated Method of Finalisation of Withdrawn by prosecution (Code 340) or Other non-adjudicated finalisation n.e.c. (Code 390), and at least one of these is Withdrawn by prosecution (Code 340), then the Final Plea for the defendant is Withdrawn by prosecution (Code 31).</p> <p>7. If all charges are finalised by a non-adjudicated Method of Finalisation of Other non-adjudicated finalisation n.e.c. (Code 390), then the Final Plea for the defendant is Not applicable n.e.c. (Code 39).</p>
Verification rules:	<p>This data element is only applicable to finalised defendants.</p> <p>All charges for a defendant relating to the one case have been finalised and so have the related data elements Method of Finalisation and Date of Finalisation.</p> <p>If there is only one plea given in a particular court level, then Final Plea should be the same as Initial Plea.</p> <p>If Method of Finalisation is Guilty finding by court (Coded to 111), Final Plea must not be Undefended or Guilty (Codes 10-11).</p>
Collection methods:	<p>This information is taken from court process documentation including court bench sheets etc.</p>
Related metadata:	<p>Is related to the data element concept:</p> <p>Finalised Defendant</p> <p>Is related to the data element:</p> <p>Date of Finalisation</p> <p>Method of Finalisation</p> <p>Initial Plea</p>

ADMINISTRATIVE ATTRIBUTES

Source document:	<ol style="list-style-type: none"> 1. <i>Higher Criminal Courts Collection Manual</i> 2. <i>Magistrates' Criminal Courts Collection Manual</i>
Source organisation:	<ol style="list-style-type: none"> 1. Australian Bureau of Statistics 2. Australian Bureau of Statistics
History:	Commenced 2005
Comments:	None

COURT LEVEL

IDENTIFYING AND DEFINITIONAL ATTRIBUTES

Metadata type: DATA ELEMENT

Version: 1

Definition: Court Level indicates the level of the court in which a defendant's case is heard. Court levels can be distinguished from one another on the basis of the extent of their legal powers.

Context: This data element provides a measure of the number and types of cases going through a particular jurisdictional level of court.

RELATIONAL AND REPRESENTATIONAL ATTRIBUTES

Datatype: Numeric**Field size:** Min: 1 Max: 1**Representational form:** Code**Representational layout:** N

Data domain: The Court Level classification represents the jurisdictional levels of courts within Australia. Codes are provided to assist with data entry and/or output purposes.

- 1 High Court
- 2 Federal Court
- 3 Courts of Appeal
- 4 Supreme Court
- 5 Intermediate Court (District Court, County Court)
- 6 Magistrates Court (Court of Summary Jurisdiction, Local Court, Court of Petty Sessions)
- 7 Children's/Youth Court
- 8 Other Court n.e.c. (Includes specialist courts, electronic courts, etc)

Guide for use: If a defendant has a status of pending at the end of the reference period, the Court Level is coded to the initial court level.

If a defendant has a status of finalised, the Court Level is coded to the court level at finalisation.

State and territory court levels

There is a hierarchy of courts within each state and territory, which are established under legislation and have certain prescribed powers (which includes the power to hear appeals* from other jurisdictions). Within certain court levels, a number of specialist courts (such as Drug Courts and Children's Courts) aim to improve the responsiveness of courts to the special needs of particular clients*. For the majority of jurisdictions, the hierarchy of Supreme, intermediate and Magistrates' Courts are as outlined below. The name assigned to each of these court levels varies across Australia.

* Appeals and specialist courts are excluded from the scope of this data dictionary.

Supreme Court

A higher court level which deals with the most serious criminal charges and has the greatest legal powers of all the state and territory court levels. A Supreme Court is presided over by a Judge, and has jurisdiction to hear trial and sentence matters relating to all indictable offences. In states that have an intermediate court, the most serious indictable offences, such as murder, are heard in a Supreme Court.

Intermediate court

A higher court level (known either as the District Court or County Court) of general jurisdiction in states that have three levels for courts of general jurisdiction. An intermediate court has powers lying between those of a Magistrates' Court and those of a Supreme Court in the relevant state, and usually 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. Tasmania, the Northern Territory and the Australian Capital Territory do not have an intermediate court, so all indictable offences are heard in a Supreme Court.

Magistrates' Court

A lower court level (also known as Court of Summary Jurisdiction, 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 Magistrates' Court 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', 'triable either way' or 'summary/indictable' offences. Magistrates' Courts are also responsible for conducting preliminary (committal) hearings for indictable offences.

Verification rules: Court Level is applicable to all defendants.

Collection methods: None

Related metadata: Is used to derive the data element:
Court Location

ADMINISTRATIVE ATTRIBUTES

Source document:

1. *Higher Criminal Courts Collection Manual*
2. *Magistrates' Criminal Courts Collection Manual*
3. *Criminal Courts, Australia* (cat. no. 4513.0)
4. *2004 Data Collection Manual*
5. *Report on Government Services, 2004*

.....

Source organisation: 1. Australian Bureau of Statistics
2. Australian Bureau of Statistics
3. Australian Bureau of Statistics
4. Court Administration Working Group
5. Steering Committee for the Review of Government Service Provision

History: Commenced 2005

Comments: None

COURT LOCATION

IDENTIFYING AND DEFINITIONAL ATTRIBUTES

Metadata type:	DATA ELEMENT	Version: 1
Definition:	The geographical location of the sitting places in which court hearings are held.	
Context:	This information can be used to compare court workloads and to profile the types of cases going through a particular Court Location.	

RELATIONAL AND REPRESENTATIONAL ATTRIBUTES

Datatype:	Numeric								
Field size:	Min:	5	Max: 5						
Representational form:	Code								
Representational layout:	NNNNN								
Data domain:	Court Location consists of 5 characters comprising the following components: <table><tr><td>Digit 1</td><td>= State/territory code (see State/Territory)</td></tr><tr><td>Digits 2, 3 & 4</td><td>= Court house (i.e. actual sitting location)</td></tr><tr><td>Digit 5</td><td>= Court level code (see Court Level)</td></tr></table>			Digit 1	= State/territory code (see State/Territory)	Digits 2, 3 & 4	= Court house (i.e. actual sitting location)	Digit 5	= Court level code (see Court Level)
Digit 1	= State/territory code (see State/Territory)								
Digits 2, 3 & 4	= Court house (i.e. actual sitting location)								
Digit 5	= Court level code (see Court Level)								
Guide for use:	<p>Court house codes range from 0 - 999. If the code is less than 3 digits in length, leading zeros are used to fill the remaining digits.</p> <p>For a listing of higher court house codes, please contact the National Criminal Courts Statistics Unit at <crime.justice@abs.gov.au>.</p> <p>If a defendant has a status of pending at the end of the reference period, Court Location is coded to the initial court location. If a defendant has a status of finalised, Court Location is coded to the court location at finalisation.</p> <p>Court hearings conducted by video conference should be coded to the court location of the presiding judge.</p>								
Verification rules:	None								
Collection methods:	None								
Related metadata:	Is derived from the data elements: <table><tr><td>State/Territory</td></tr><tr><td>Court Level</td></tr></table>			State/Territory	Court Level				
State/Territory									
Court Level									

ADMINISTRATIVE ATTRIBUTES

Source document:	<i>Higher Criminal Courts Collection Manual</i>
Source organisation:	Australian Bureau of Statistics
History:	Commenced 2005
Comments:	None

STATE/TERRITORY

IDENTIFYING AND DEFINITIONAL ATTRIBUTES

Metadata type:	DATA ELEMENT	Version: 1
Definition:	State/territory relates to the state or territory within Australia where the defendant's case is heard.	
Context:	This data element provides a measure of the number and types of cases going through a particular state/territory.	

RELATIONAL AND REPRESENTATIONAL ATTRIBUTES

Datatype:	Numeric		
Field size:	Min: 1	Max: 1	
Representational form:	Code		
Representational layout:	N		
Data domain:	<p>The classification of states/territories is from the Australian Standard Geographical Classification (ASGC). States/territories are identified by unique one-digit codes within Australia as follows:</p> <ol style="list-style-type: none"> 1 New South Wales 2 Victoria 3 Queensland 4 South Australia 5 Western Australia 6 Tasmania 7 Northern Territory 8 Australian Capital Territory 9 Other Territories 		
Guide for use:	'Other Territories' includes Jervis Bay Territory and the external Territories of Christmas Island and Cocos (Keeling) Islands.		
Verification rules:	All defendants within each state/territory must be given the same code.		
Collection methods:	None		
Related metadata:	Is used to derive the data element: Court Location		

ADMINISTRATIVE ATTRIBUTES

Source document:	<p>1. <i>Australian Standard Geographical Classification 2004</i> (cat. no. 1216.0)</p> <p>The ABS Australian Standard Geographical Classification appears on the ABS web site. From the ABS home page (<www.abs.gov.au>) select: Methods, Classifications, Concepts & Standards/ABS concepts, classifications and statistical standards/ 12. Classifications and work manuals/ 1216.0 Australian Standard Geographical Classification 2004.</p> <p>2. <i>Higher Criminal Courts Collection Manual</i></p> <p>3. <i>Magistrates' Criminal Courts Collection Manual</i></p>
Source organisation:	<p>1. Australian Bureau of Statistics</p> <p>2. Australian Bureau of Statistics</p> <p>3. Australian Bureau of Statistics</p>
History:	Commenced 2005

Comments: This coding order has been widely used in the ABS and other organisations as a standard for many years. The order was reviewed when Western Australia displaced South Australia as the fourth most populous state. Citing the Commonwealth Table of Precedence, which adopted a revised listing such that any textual material having protocol significance should list Western Australia before South Australia, some users requested the code for Western Australia be changed to four and South Australia to five. For the ASGC however, the above order was maintained to ensure historical continuity, to reduce potential errors in data handling and interpreting, and to avoid costs associated with changing existing systems.

METHOD OF INITIATION

IDENTIFYING AND DEFINITIONAL ATTRIBUTES

Metadata type:	DATA ELEMENT	Version: 1
Definition:	Method of Initiation describes how a criminal charge is initiated, commenced, lodged or filed within the court system or a court level.	
Context:	Information on the Method of Initiation describes how a criminal charge is initiated and the judicial process scheduled for the defendant.	

RELATIONAL AND REPRESENTATIONAL ATTRIBUTES

Datatype:	Numeric		
Field size:	Min:	3	Max: 3
Representational form:	Code		
Representational layout:	NNN		
Data domain:	The Method of Initiation classification has two major categories, disaggregated on the basis of the action leading to the registration of charges in a particular court level. Codes are provided to distinguish between the levels in the hierarchy and can be used to assist with data entry and/or output purposes.		

100	Direct laying of charges n.f.d.
110	Charges laid before a Magistrates' Court n.f.d.
111	Indictable offences brought before a Magistrates' Court
112	Summary offences brought before a Magistrates' Court
113	Charges laid before a Magistrates' Court n.e.c.
120	Ex-officio indictment of charges to a higher court n.f.d.
121	Ex-officio indictment of charges to a higher court for trial
122	Ex-officio indictment of charges to a higher court for sentence
200	Transfer of charges between court levels n.f.d.
210	Transfer from a Magistrates' Court to a higher court n.f.d.
211	Committed for trial
212	Committed for sentence
219	Transfer from a Magistrates' Court to a higher court n.e.c.
220	Transfer from a higher court to a Magistrates' Court
230	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
240	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
290	Other transfer between court levels n.e.c.
900	Method of initiation unknown/not stated

Note. Codes 100 or 200 are not valid codes within the collection.

Guide for use: *Direct laying of charges*

A method of registration resulting from a prosecuting agency laying charges before the court alleging that the named defendant(s) committed the specified criminal offence(s). This includes the direct laying of charges by the Director of Public Prosecution or the Attorney-General in a higher or Magistrates' Court for adjudication.

Guide for use: *continued* *Transfer of charges between court levels*

A court outcome in which criminal charges against a defendant are transferred, registering the criminal charges to another court level to be determined and/or sentenced.

More detailed definitions of the types of Method of Initiation can be found in the glossary.

Transfer between higher court levels

For the purposes of data provision in the ABS criminal courts collection, defendants who transfer from one higher court level to another are considered to be finalised in the court level they have left and initiated in the new court level they have entered. However, for the purposes of output, defendants who transfer from one higher court level to another (e.g. from an intermediate court to a Supreme Court), will be considered as initiated only once (in the level they first entered) and finalised only once (from the level they finally left).

For both collection and output purposes, the Court Administration Data Collection counts defendants who transfer between higher court levels as finalised in the court level they left and initiated in the new court level they have entered.

The Method of Initiation classification is intended to be used to classify the commencement of each individual charge heard in a Magistrates' or higher court.

If a defendant has one charge or multiple charges all with the same Method of Initiation code, then that code is the Method of Initiation for the defendant.

As a defendant may have multiple charges and these may have been initiated in different ways, there may be multiple Method of Initiation codes associated with the same defendant. The national coding rule (see below) is applied to determine the appropriate Method of Initiation code to be assigned in this instance.

Where a defendant has multiple charges and these have different Method of Initiation codes, the Method of Initiation code for the defendant is determined by applying the following order of precedence:

For higher court defendants:

- 211 Committed for trial
- 210 Transfer from a Magistrates' Court to a higher court n.f.d.
- 212 Committed for sentence
- 219 Transfer from a Magistrates' Court to a higher court n.e.c.
- 121 Ex-officio indictment of charges to a higher court for trial
- 120 Ex-officio indictment of charges to a higher court n.f.d.
- 122 Ex-officio indictment of charges to a higher court for sentence
- 290 Other transfer between court levels n.e.c.
- 231 Transfer from an intermediate court to a Supreme Court for trial
- 241 Transfer from a Supreme Court to an intermediate court for trial
- 230 Transfer from an intermediate court to a Supreme Court n.f.d.
- 240 Transfer from a Supreme Court to an intermediate court n.f.d.
- 232 Transfer from an intermediate court to a Supreme Court for sentence
- 242 Transfer from a Supreme Court to an intermediate court for sentence
- 900 Method of initiation unknown/not stated

Guide for use: *continued**For Magistrates' Court defendants:*

- 111 Indictable offences brought before a Magistrates' Court
- 110 Charges laid before a Magistrates' Court n.f.d.
- 112 Summary offences brought before a Magistrates' Court
- 113 Charges laid before a Magistrates' Court n.e.c.
- 220 Transfer from a higher court to a Magistrates' Court
- 290 Other transfer between court levels n.e.c.
- 900 Method of initiation unknown/not stated

Verification rules:

Method of Initiation is applicable to all defendants.

Where an Appeal court orders a retrial after an original case was finalised (i.e. by adjudication or by conviction and sentencing), this is considered a new case and should be assigned a Method of Initiation code of 290.

If Committal Plea is Undefended or Guilty (Codes 10-11), Method of Initiation must not be Committed for trial (Code 211)

If Committal Plea is Defended (Codes 20-24), Method of Initiation must not be Committed for sentence (Code 212).

If Committal Plea is Undefended or Defended (Codes 10-11, 20-24), Method of Initiation must be Committed for trial or sentence (Codes 211-212)

If Initial Plea is Undefended or Guilty (Codes 10-11), Method of Initiation must not be Ex-officio indictment of charges to a higher court for trial (Code 121).

If Initial Plea is Defended (Codes 20-24), Method of Initiation must not be Ex-officio indictment of charges to a higher court for sentence (Code 122).

The following should be excluded when considering the scope for Method of Initiation:

- where an Appeal court rules on a point of law but the charges have not been finalised in the original court;
- hearing(s) following a Mental Health Review Tribunal decision of whether a defendant is fit to stand trial;
- the transfer of a defendant/case to a new geographical location within the same court level;
- the transfer of a defendant/case to a new registry within the same court level; and
- the execution of a bench warrant.

Method of Initiation in the Court Administration Data Collection

In the Court Administration Data Collection (CADC), data is not classified by method of initiation, but it is defined in order to assist with capturing the intended scope of the collection. Apart from the instances footnoted, all of the following methods of initiation defined in the CADC are captured in the ABS Criminal Court Collection:

- where the Director of Public Prosecutions or the Attorney General directly lays charges in a lower or higher court – ex-officio as direct presentment;
- where indictable offences are brought before the lower court by the police or the Director of Public Prosecutions;
- where a prosecuting body (e.g. Australian Crime Commission) lays charges in a higher court against a defendant;
- where summary offences served against a defendant are brought to a lower court for determination;
- where a defendant is transferred to a higher court by a lower court (i.e. committed);
- where a defendant transfers between jurisdictions;
- where a defendant transfers between higher court levels;
- where an application to appeal, or application for leave to appeal is received by a higher court;
- where a defendant's matter is re-tried (following a decision of an appeal court); and
- where a defendant appeals an infringement or expiated offence in the electronic court to be heard in the Magistrates Court*.

Collection methods: This information is taken from the committal or registration notice.

Related metadata: Is related to the data element concept:

Lodgment

Is related to the data elements:

Date of Registration

Date of Committal

Date of Initiation

Committal Plea

Initial Plea

ADMINISTRATIVE ATTRIBUTES

Source document: 1. *Higher Criminal Courts Collection Manual*

2. *2004 Data Collection Manual*

Source organisation: 1. Australian Bureau of Statistics

2. Court Administration Working Group

History: Commenced 2005

Comments: None

METHOD OF FINALISATION

IDENTIFYING AND DEFINITIONAL ATTRIBUTES

Metadata type:	DATA ELEMENT	Version: 1
Definition:	Method of Finalisation refers to the process which leads to the completion of a defendant's case as an item of work in a particular court level. A defendant undergoing court proceedings is considered to be finalised when all charges against that defendant have been processed to completion within a court level.	
Context:	The Method of Finalisation describes how a criminal charge is finalised and the judicial process which occurred.	

RELATIONAL AND REPRESENTATIONAL ATTRIBUTES

Datatype:	Numeric
Field size:	Min: 3 Max: 3
Representational form:	Code
Representational layout:	NNN
Data domain:	The Method of Finalisation classification has three major categories distinguishing between finalisations which are adjudicated, transferred between court levels or non-adjudicated. Codes are provided to distinguish between the levels in the hierarchy and can be used to assist with data entry and/or output purposes.

100	Adjudicated finalisation n.f.d.
110	Charge proven n.f.d.
111	Guilty finding by court
112	Guilty plea by defendant
113	Guilty ex-parte
120	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.
200	Finalisation by transfer between court levels n.f.d.
210	Transfer from a Magistrates' Court to a higher court n.f.d.
211	Committed for trial
212	Committed for sentence
219	Transfer from a Magistrates' Court to a higher court n.e.c.
220	Transfer from a higher court to a Magistrates' Court
230	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
240	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
290	Other transfers between court levels n.e.c.
300	Non-adjudicated finalisation n.f.d.
310	Defendant deceased
330	Unfit to plead
340	Withdrawn by the prosecution
390	Other non-adjudicated finalisation n.e.c.
900	Method of finalisation unknown/not stated

Note. Codes 100, 200 or 300 are not valid codes within the collection.

Guide for use: *Adjudicated finalisation*

Adjudicated finalisations refer to defendants whose charge(s) are resolved through a trial or sentence hearing. The adjudication involves a judgment or determination by the court as to whether the defendant is guilty of the charge(s) against them and/or a determination of the penalty to be applied where a defendant is proven guilty.

Finalisation by transfer of charges between court levels

Transfer to another court level is a court outcome ordering that a criminal charge be transferred to another court level (within the state/territory) to be adjudicated and/or sentenced.

Non-adjudicated finalisation

A non-adjudicated finalisation is where 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, that is, the charge(s) have not been adjudicated. The methods of non-adjudicated finalisation include but are not limited to defendant deceased; unfit to plead; withdrawn by the prosecution; diplomatic immunity and statute of limitation applies.

More detailed definitions of the types of Method of Finalisation can be found in the glossary.

Transfer between higher court levels

For the purposes of data provision in the ABS criminal courts collection, defendants who transfer from one higher court level to another are considered to be finalised in the court level they have left and initiated in the new court level they have entered. However, for the purposes of output, defendants who transfer from one higher court level to another (e.g. from an intermediate court to a Supreme Court), will be considered as initiated only once (in the level they first entered) and finalised only once (from the level they finally left).

For both collection and output purposes, the Court Administration Data Collection counts defendants who transfer between higher court levels as finalised in the court level they left and initiated in the new court level they have entered.

The Method of Finalisation classification is intended to be used to classify the outcome of each individual charge heard in a Magistrates' or higher court. However, only one Method of Finalisation code may be applied to each finalised defendant.

A defendant is considered to be finalised when all charges against that defendant have been processed to completion within a court level.

If a defendant has one charge or multiple charges all with the same Method of Finalisation code, then that code is the Method of Finalisation for the defendant.

As a defendant may have multiple charges and these may have been finalised in different ways, there may be multiple Method of Finalisation codes associated with the same defendant. National coding rules (see below) are applied to determine the appropriate Method of Finalisation code to be assigned in this instance.

1. If for the defendant or any of the charges the Method of Finalisation is:

- Defendant deceased (Code 310);
- Unfit to plead (Code 330); or
- Not guilty by reason of mental illness/condition (Code 122);

then code the defendant to that particular Method of Finalisation category.

Guide for use: *continued*

2. If a defendant has multiple charges and the finalisation codes are different, the following order of precedence is to be applied:

For higher court defendants:

- 111 Guilty finding by court
- 110 Charge proven n.f.d.
- 112 Guilty plea by defendant
- 121 Acquitted by court
- 120 Charge unproven n.f.d.
- 129 Charge unproven n.e.c.
- 231 Transfer from an intermediate court to a Supreme Court - for trial
- 241 Transfer from a Supreme Court to an intermediate court - for trial
- 230 Transfer from an intermediate court to a Supreme Court n.f.d.
- 240 Transfer from a Supreme Court to an intermediate court n.f.d.
- 232 Transfer from an intermediate court to a Supreme Court - for sentence
- 242 Transfer from a Supreme Court to an intermediate court - for sentence
- 220 Transfer from a higher court to Magistrates' Court
- 290 Other transfer between court levels n.e.c.
- 340 Withdrawn by prosecution
- 390 Other Non-adjudicated finalisation n.e.c.
- 900 Unknown/Not stated

For Magistrates' Court defendants:

- 111 Guilty finding by court
- 110 Charge proven n.f.d.
- 112 Guilty plea by defendant
- 113 Guilty ex-parte
- 121 Acquitted by court
- 120 Charge unproven n.f.d.
- 123 No case to answer at committal
- 129 Charge unproven n.e.c.
- 211 Committed for trial
- 210 Transfer from a Magistrates' Court to a higher court n.f.d.
- 212 Committed for sentence
- 219 Transfer from a Magistrates' Court to a higher court n.e.c.
- 290 Other transfer between court levels n.e.c.
- 340 Withdrawn by prosecution
- 390 Other Non-adjudicated finalisation n.e.c.
- 900 Unknown/Not stated

Verification rules: Method of Finalisation is only applicable to finalised defendants.

All charges for a defendant relating to the one case have been finalised, therefore both the related data elements of Final plea and Date of Finalisation exist.

If Method of Finalisation is Guilty finding by court (Coded to 111) then Final Plea must be Not guilty or Defended (Codes 20-24).

Defendants with a Principal Offence must have an adjudicated Method of Finalisation (Codes 100-129).

Defendants with a Principal Sentence must have an adjudicated Method of Finalisation of Proven guilty (Codes 110-113).

The following should be excluded when considering the scope for Method of Finalisation:

- a hung jury - where no verdict has been reached and the trial process is to be recommenced;
- mistrials - where a new trial will be scheduled;
- referrals to a Mental Health Review Tribunal to consider whether a defendant is fit to stand trial;

Verification rules: <i>continued</i>	<ul style="list-style-type: none"> ■ where an Appeal court rules on a point of law but the charges have not been finalised in the original court; ■ hearings for a breach of a criminal court order, which is typically a re-sentencing and therefore not heard in the original jurisdiction of the court; ■ re-sentence hearings in an Appeal court. If as a result of a re-sentencing hearing in an Appeal Court, new finalisation information appears on the Magistrates' or higher court system, then this information is out of scope; ■ transfers of defendants between geographical court locations within the same court level; and ■ the issuing of a bench warrant.
Collection methods:	This information is taken from court process documentation including court bench sheets etc.
Related metadata:	<p>Is related to the data elements:</p> <ul style="list-style-type: none"> Date of Finalisation Date of Verdict Final Plea Principal Offence Principal Sentence <p>Is related to the data element concept:</p> <ul style="list-style-type: none"> Finalised Defendant

ADMINISTRATIVE ATTRIBUTES

Source document:	<ol style="list-style-type: none"> 1. <i>Higher Criminal Courts Collection Manual</i> 2. <i>Magistrates' Criminal Courts Collection Manual</i> 3. <i>2004 Data Collection Manual</i>
Source organisation:	<ol style="list-style-type: none"> 1. Australian Bureau of Statistics 2. Australian Bureau of Statistics 3. Court Administration Working Group
History:	Commenced 2005
Comments:	None

DIVERSION

IDENTIFYING AND DEFINITIONAL ATTRIBUTES

Metadata type:	DATA ELEMENT	Version: 1
Definition:	An intervention program/order agreed to by the defendant prior to sentencing, which involves treatment or conditions, and which upon completion can be considered in the conviction/sentencing of the defendant.	
Context:	Information regarding whether a defendant has participated in a diversion program will contribute to the analysis of duration statistics and Principal Sentence.	

RELATIONAL AND REPRESENTATIONAL ATTRIBUTES

Datatype:	Numeric		
Field size:	Min:	1	Max: 1
Representational form:	Code		
Representational layout:	N		
Data domain:	<p>The classification structure for the Diversion indicator is as follows:</p> <ul style="list-style-type: none"> 0 The defendant has not undertaken a diversion program in relation to the defendant case. 1 Defendant completed diversion order successfully or returned to court after non-compliance with the conditions of a diversion order in relation to the defendant case. 		
Guide for use:	None		
Verification rules:	This data element is only valid for defendants finalised in the Magistrates' Criminal Court.		
Collection methods:	This information is taken from court process documentation including court bench sheets etc.		
Related metadata:	None		

ADMINISTRATIVE ATTRIBUTES

Source document:	<i>Magistrates' Criminal Court Collection Manual</i>
Source organisation:	Australian Bureau of Statistics
History:	Commenced 2005
Comments:	None

IDENTIFYING AND DEFINITIONAL ATTRIBUTES

Name:	A single or multi-word designation assigned to a data element. This appears in the heading for each unique entry in the data dictionary.
Metadata type:	Defines the type of metadata. Options are: Data element, Data element concept or Derived data element.
Version:	The unique version identifier of the metadata item. A new version number is allocated to a data element/concept when changes have been made to the name, definition and/or data domain. Other changes that significantly affect the meaning of the data element may also require the allocation of a new version number. As this is the first version of the data dictionary all data elements/concepts are '1'.
Definition:	Statement that expresses the essential nature of a data element and permits its differentiation from all other data elements.
Context:	A designation or description of the application environment or discipline in which a name is applied or from which it originates. This attribute may also include the justification for collecting the items and uses of the information.

RELATIONAL AND REPRESENTATIONAL ATTRIBUTES

Datatype:	The format used to depict values of a data element. Examples include 'numeric', 'alpha', 'alphanumeric', 'integer', etc.
Minimum size:	The minimum number of storage units (of the corresponding datatype) to represent the data element value.
Maximum size:	The maximum number of storage units (of the corresponding datatype) to represent the data element value.
Representational form:	Name or description of the form of representation for the data element. Options are: code, count, currency, date, graphic, icon, picture, quantity, text or time.
Representational layout:	The layout of characters for the datatype expressed by a character string representation. For example, for a 1 digit numeric datatype, the representational layout would be 'N'.
Data domain:	A set of permissible (or valid) values for a data element. Data domains come in two (non-exclusive) sub-types: <ul style="list-style-type: none"> ■ Enumerated data domain: A data domain specified as a list of permissible values (values and their meanings), for example, for 'Sex' values are 1=Male, 2=Female, etc. ■ Non-enumerated data domain: A data domain specified by a description, for example, 'value 1 minus value 2'.
Guide for use:	Additional comments or advice on the interpretation or application of the attribute 'data domain'. This attribute may also include information on likely output categories for a data element if this differs with the values presented in the data domain.
Verification rules:	The rules and/or instructions applied for validating and/or verifying elements occurring in actual communication and/or databases, in addition to the formal screening based on the requirements laid down in the basic attributes.
Collection methods:	Comments and advice concerning the actual capture of data for the particular data element, including guidelines on the design of questions for use in collecting information, and treatment of 'not stated' or non-response.
Related metadata:	A reference from one metadata item to another. Examples include: 'relates to the data element ...', 'derived from the data element ...', or 'contrasts with the data element ...'.

ADMINISTRATIVE ATTRIBUTES

Source document:	The document from which definitional or representational attributes originate.
Source organisation:	The organisation responsible for the source metadata.
History:	Brief summary of changes in one or more data element attributes since they were specified in the Dictionary.
Comments:	Remarks on the data element.

The purpose of this glossary is to provide detailed definitions of selected classifications referenced within the data dictionary. These classifications include Method of finalisation, Plea (Committal, Initial and Final), Method of initiation and Principal Sentence. The glossary also defines terms referenced in the data dictionary for which no subsequent definition is provided, this includes terms such as original jurisdiction and case.

METHOD OF FINALISATION

Acquitted by court (121)	<p>A determination by the court that the defendant is not guilty of the charge on the grounds that the charge has not been proven. A not guilty verdict by the court.</p> <p>For defendants finalised in the Magistrates' Criminal Court this includes:</p> <ul style="list-style-type: none"> ■ dismissal of charge by a Magistrate on the grounds that the defendant is found not guilty ■ dismissal of charge by member of judiciary due to lack of evidence or no evidence given by prosecution <p>For defendants finalised in a higher criminal court this includes:</p> <ul style="list-style-type: none"> ■ acquitted by jury at direction of judge (except on the grounds of mental illness/condition). <p>For all defendants this excludes:</p> <ul style="list-style-type: none"> ■ Not guilty by reasons of mental illness/condition (this is coded to 122)
Adjudicated finalisation n.f.d. (100)	<p>A summary method of finalisation which includes those finalisations where there has been a judgement or determination of whether or not the charge has been proven. This determination is made by the court. This code should only be used if a more specific code in this grouping cannot be allocated.</p>
Charge proven n.f.d. (110)	<p>A method of adjudicated charge finalisation where the court finds the charge proven. This code should only be used if a more specific code in this grouping cannot be allocated.</p>
Charge unproven n.e.c. (129)	<p>Charge unproven not elsewhere classified.</p> <p>For defendants finalised in the Magistrates' Criminal Court this includes:</p> <ul style="list-style-type: none"> ■ Dismissal of charge by a member of the judiciary due to delays in procedural steps <p>For defendants finalised in a higher criminal court this includes:</p> <ul style="list-style-type: none"> ■ Charge struck out ■ Dismissal of charge by a member of the judiciary due to delays in procedural steps ■ Dismissal of charge by member of judiciary due to lack of evidence or no evidence given by prosecution <p>For all defendants this excludes:</p> <ul style="list-style-type: none"> ■ Acquitted by court (this is coded to 121) ■ Not guilty by reasons of mental illness/condition (this is coded to 122)
Charge unproven n.f.d. (120)	<p>A summary method of finalisation of all determinations by the court of charge unproven. This code should only be used if a more specific code in this grouping cannot be allocated.</p>

Defendant deceased (310)	The court is notified of the fact that the defendant is deceased.
Finalisation by transfer of charge(s) between court levels n.f.d. (200)	<p>Includes finalisations where there is a court outcome ordering that a criminal charge be transferred to another court level (within the state/territory) to be determined and/or sentenced. This code should only be used if a more specific code in this grouping cannot be allocated.</p> <p>For all defendants this excludes:</p> <ul style="list-style-type: none"> ■ The transfer of a defendant to another geographical court location within the same court level.
Guilty ex-parte (113)	<p>Where the court adjudicates charge(s) and the charge(s) are proven either:</p> <ul style="list-style-type: none"> (i) where the defendant pleaded guilty and the charge(s) are proven in his/her absence, or (ii) the defendant fails to appear and the charge(s) were proven on the basis of the evidence presented.
Guilty finding by court (111)	<p>A guilty verdict by the court, a hearing/trial outcome where the court finds the charge proven (and the case was not heard ex-parte).</p> <p>For defendants finalised in the Magistrates' Criminal Court this includes a guilty finding which may have any of the following outcomes:</p> <ul style="list-style-type: none"> ■ Conviction recorded and accused discharged ■ Conviction recorded and sentence imposed ■ No conviction recorded and sentence imposed ■ No conviction recorded and accused discharged <p>For defendants finalised in a higher criminal court this includes a guilty finding by a jury or members of the judiciary which may have any of the following outcomes:</p> <ul style="list-style-type: none"> ■ Conviction recorded and accused discharged ■ Conviction recorded and penalty imposed ■ No conviction recorded and penalty imposed <p>For all defendants this excludes:</p> <ul style="list-style-type: none"> ■ guilty plea by a defendant (this is coded to 112)
Guilty plea by defendant (112)	<p>A guilty plea to a charge by the defendant (and where the charge was not heard ex-parte). This is not a trial outcome.</p> <p>For defendants finalised in the Magistrates' Criminal Court this includes a guilty plea by a defendant which may have any of the following outcomes:</p> <ul style="list-style-type: none"> ■ Conviction recorded and accused discharged ■ Conviction recorded and sentence imposed ■ No conviction recorded and sentence imposed ■ No conviction recorded and accused discharged <p>For defendants finalised in a higher criminal court this includes a guilty plea by a defendant which may have any of the following outcomes:</p> <ul style="list-style-type: none"> ■ Conviction recorded and accused discharged ■ Conviction recorded and penalty imposed ■ No conviction recorded and penalty imposed <p>For all defendants this excludes:</p> <ul style="list-style-type: none"> ■ guilty finding by court (this is coded to 111)
Method of finalisation unknown/not stated (900)	Method of charge finalisation unknown/not stated.
No case to answer at committal (123)	<p>A determination by the court at a committal hearing that there is insufficient evidence to commit the defendant to a higher court for trial on a charge.</p> <p>For all defendants this excludes:</p> <ul style="list-style-type: none"> ■ Acquitted by court (this is coded to 121)

Non-adjudicated finalisation n.f.d. (300)	A summary method of finalisation which includes those finalisations whereby a charge is considered to be completed and ceases to be active. This code should only be used if a more specific code in this grouping cannot be allocated.
Not guilty by reasons of mental illness/condition (122)	<p>A determination by the court that the defendant is not guilty of a charge by reason of mental illness/condition.</p> <p>For all defendants this excludes:</p> <ul style="list-style-type: none"> ■ Acquitted by court (this is coded to 121) ■ Outcomes of appeal matters
Other non-adjudicated finalisation n.e.c. (390)	<p>For defendants finalised in the Magistrates' Criminal Court this includes:</p> <ul style="list-style-type: none"> ■ Permanent stay of proceedings ■ Diplomatic immunity ■ Statute of limitation applies <p>For defendants finalised in a higher criminal court this includes:</p> <ul style="list-style-type: none"> ■ Permanent stay of proceedings ■ Sine Die ■ Diplomatic immunity ■ Statute of limitation applies <p>For all defendants this excludes:</p> <ul style="list-style-type: none"> ■ Defendant deceased (this is coded to 310) ■ Unfit to plead (this is coded to 330) ■ Withdrawn by prosecution (this is coded to 340)
Other transfers between court levels n.e.c. (290)	<p>Transfer of a charge to a court not elsewhere classified.</p> <p>This includes:</p> <ul style="list-style-type: none"> ■ Transfer from a higher court to a Children's/Juvenile court ■ Transfer from a Magistrates' Court to a drug court. <p>This excludes:</p> <ul style="list-style-type: none"> ■ Transfer from a higher court to a Magistrates' Court (this is coded to 220).
Transfer from a higher court to a Magistrates' Court (220)	<p>Transfer of a charge from a higher court to a Magistrates' Court.</p> <p>This excludes:</p> <ul style="list-style-type: none"> ■ Transfer from a higher court to Children's/Juvenile court (this is coded to 290).
Transfer from an intermediate court to a Supreme Court - for sentence (232)	Transfer of a charge from an intermediate court to the Supreme Court for sentence.
Transfer from an intermediate court to a Supreme Court - for trial (231)	Transfer of a charge from an intermediate court to the Supreme Court for trial.
Transfer from an intermediate court to a Supreme Court n.f.d. (230)	<p>Transfer of a charge from an intermediate court to the Supreme Court for adjudication. This code should only be used if a more specific code in this grouping cannot be allocated.</p>
Transfer from a Magistrates' Court to a higher court - Committed for sentence (212)	The committal of a defendant to a higher court for sentence on one or more charge.
Transfer from a Magistrates' Court to a higher court - Committed for trial (211)	The committal of a defendant to a higher court for trial on one or more charge.
Transfer from a Magistrates' Court to a higher court - n.e.c. (219)	Transfer of a charge from a Magistrates' Court to a higher court not elsewhere classified.

Transfer from a Magistrates' Court to a higher court n.f.d. (210)	Transfer of a charge from a Magistrates' Court to a higher court for trial or sentence. This code should only be used if a more specific code in this grouping cannot be allocated.
Transfer from a Supreme Court to an intermediate court - for sentence (242)	Transfer of a charge from the Supreme Court to an intermediate court for sentence.
Transfer from a Supreme Court to an intermediate court - for trial (241)	Transfer of a charge from the Supreme Court to an intermediate court for trial.
Transfer from a Supreme Court to an intermediate court n.f.d. (240)	Transfer of a charge from the Supreme Court to an intermediate court for adjudication. . This code should only be used if a more specific code in this grouping cannot be allocated.
Unfit to plead (330)	An outcome of court proceedings where it has been determined that the defendant's mental status is such that he/she is unfit to plead in relation to the charge against him/her.
Withdrawn by prosecution (340)	<p>The formal withdrawal of charge(s) by the prosecution.</p> <p>For all defendants this includes:</p> <ul style="list-style-type: none"> ■ Police or other initiating agency withdrawing charge ■ Director of Public Prosecutions withdrawing charge ■ Attorney-General withdrawing charge ■ Nolle Prosequi ■ No True Bill <p>For all defendants this excludes:</p> <ul style="list-style-type: none"> ■ Unfit to plead (this is coded to 330) ■ Other non-adjudicated finalisation (this is coded to 390)

METHOD OF INITIATION

Charge(s) laid before a Magistrates' Court n.e.c. (113)	A method of registration resulting from a prosecuting agency laying charge(s) before the Magistrates' Court not elsewhere classified (includes triable either way offences).
Charge(s) laid before a Magistrates' Court n.f.d. (110)	A method of registration resulting from a prosecuting agency laying charge(s) before the Magistrates' Court. This code should only be used if a more specific code in this grouping cannot be allocated.
Committed for sentence (212)	An outcome of a committal hearing where a defendant enters a guilty plea to a charge and is transferred to a higher court to be sentenced.
Committed for trial (211)	An outcome of a committal hearing where a defendant enters a not guilty plea to a charge and is transferred to a higher court to stand trial.
Direct laying of charge(s) n.f.d. (100)	A method of registration resulting from a prosecuting agency laying charge(s) before the court alleging that the named defendant committed the specified criminal offence(s). This code should only be used if a more specific code in this grouping cannot be allocated.
Ex-officio indictment of charge(s) to a higher court n.f.d. (120)	The direct laying of charge(s) by the Director of Public Prosecution or the Attorney-General in a higher court, for adjudication. This code should only be used if a more specific code in this grouping cannot be allocated.
Ex-officio indictment of charge(s) to a higher court - for sentence (122)	The direct laying of charge(s) by the Director of Public Prosecution or the Attorney-General in a higher court, for sentence.
Ex-officio indictment of charge(s) to a higher court - for trial (121)	The direct laying of charge(s) by the Director of Public Prosecution or the Attorney-General in a higher court, for trial.
Indictable offences brought before a Magistrates' Court (111)	A method of registration resulting from a prosecuting agency laying indictable charge(s) before the Magistrates' Court.
Method of Initiation unknown/not stated (900)	This code is to be used for charge(s) where the method of initiation is unknown.
Other transfer between court levels n.e.c. (290)	<p>A court outcome ordering that a criminal charge be transferred to another court level to be determined and/or sentenced not elsewhere classified.</p> <p>This includes:</p> <ul style="list-style-type: none"> ■ Retrials ordered by an Appellate court ■ Transfers from the Children's/Juvenile Court <p>For all defendants this excludes:</p> <ul style="list-style-type: none"> ■ Transfers between court locations within the same court level.
Summary offences brought before a Magistrates' Court (112)	A method of registration resulting from a prosecuting agency laying summary charge(s) before the Magistrates' Court.
Transfer from a higher court to a Magistrates' Court (220)	A court outcome ordering that a criminal charge be transferred from a higher court to a Magistrates' court to be determined and/or sentenced.
Transfer from a Magistrates' Court to a higher court n.e.c. (219)	Resulting from a criminal charge being transferred, other than by a committal process, from a Magistrates' Court.
Transfer from a Magistrates' Court to a higher court n.f.d. (210)	A court outcome ordering that a criminal charge laid in a Magistrates' Court be transferred to a higher court to be determined and/or sentenced. This code should only be used if a more specific code in this grouping cannot be allocated.

Transfer from a Supreme Court to an intermediate court - for sentence (242)	A court outcome ordering that a criminal charge be transferred from a Supreme Court to an intermediate for sentence.
Transfer from a Supreme Court to an intermediate court - for trial (241)	A court outcome ordering that a criminal charge be transferred from a Supreme Court to an intermediate for trial.
Transfer from a Supreme Court to an intermediate court n.f.d. (240)	A court outcome ordering that a criminal charge be transferred from a Supreme Court to an intermediate court to be determined and/or sentenced. This code should only be used if a more specific code in this grouping cannot be allocated.
Transfer from an intermediate court to a Supreme Court - for sentence (232)	A court outcome ordering that a criminal charge be transferred from an intermediate court to a Supreme Court for sentence.
Transfer from an intermediate court to a Supreme Court - for trial (231)	A court outcome ordering that a criminal charge be transferred from an intermediate court to a Supreme Court for trial.
Transfer from an intermediate court to a Supreme Court n.f.d. (230)	A court outcome ordering that a criminal charge be transferred from an intermediate court to a Supreme Court to be determined and/or sentenced. This code should only be used if a more specific code in this grouping cannot be allocated.
Transfer of charge(s) between court levels n.f.d. (200)	A court outcome in which criminal charge(s) against a defendant have been registered transferring the criminal charge(s) to another court level to be determined and/or sentenced. This code should only be used if a more specific code in this grouping cannot be allocated.

PLEA

Defended n.f.d. (20)	Defended refers to where the defendant will contest the charge(s) laid against him/her. This code should only be used if a more specific code in this grouping cannot be allocated.
Guilty plea (11)	A plea of guilty indicates that the defendant does not wish to contest the charge(s) and if unchanged, results in a sentence hearing (i.e. the defendant has undefended court proceedings).
Other defended plea n.e.c. (24)	Includes Demurrer, No jurisdiction, Autrefois conviction and Autrefois acquittal.
No plea (22)	No plea entered by a defendant or representative of the defendant is a refusal to enter a plea in relation to charge(s), and if unchanged results in the defendant being listed for a trial or defended hearing.
Not applicable (40)	This category is only relevant to Plea at committal and only applies to defendants whose charge(s) are initiated through a non-committal process.
Not applicable n.e.c. (39)	This category is only relevant to Plea at Finalisation and only applies to defendants with the non-adjudicated finalisations 'Defendant deceased', 'Unfit to plead' or 'Other non-adjudicated finalisation n.e.c.'
Not applicable n.f.d. (30)	This category is only relevant to Plea at Finalisation and only applies to non adjudicated charge finalisations. This code should only be used if a more specific code in this grouping cannot be allocated.
Not guilty plea (21)	A plea of not guilty indicates that the defendant wishes to contest the charge(s), and if unchanged results in the defendant being listed for a trial or defended hearing.
Plea reserved (23)	The statement of plea reserved to a charge by a defendant in a Magistrates' Court.
Undefended n.f.d. (10)	Undefended refers to where a defendant does not contest the charge(s) laid against him/her. This code should only be used if a more specific code in this grouping cannot be allocated.
Unknown/not stated (99)	This code is to be used for charge(s) where the final plea is unknown or has not been completed.
Withdrawn by prosecution (31)	This category is only relevant to Plea at Finalisation and only applies to charge(s) finalised as Withdrawn by Prosecution.

PRINCIPAL SENTENCE

Community service orders (211)	An order requiring a person to undertake a specified number of hours of unpaid work for the community. Should that person breach the order he/she may be brought back to court and receive another penalty.
Community supervision or work orders n.f.d. (210)	Non-custodial orders that require a person to perform work within the community or report to a person nominated by the court (for example, a corrections officer). This code should only be used if a more specific code in this grouping cannot be allocated.
Custodial orders n.f.d. (100)	An order requiring a person to have restricted liberty for a specified period of time either through detainment in an institution/home or being subject to regular supervision while residing within the community. This code should only be used if a more specific code in this grouping cannot be allocated.
Custody in a correctional institution n.f.d. (110)	An order requiring a person to be detained within a facility built especially for the purpose of incarceration. This code should only be used if a more specific code in this grouping cannot be allocated.
Custody in the community n.f.d. (120)	An order requiring a person to have restricted liberty for a specified period of time while living within the community. This code should only be used if a more specific code in this grouping cannot be allocated.
Fine (221)	A monetary penalty where the offender is required to pay a sum of money to the 'Crown'.
Forfeiture of property order (293)	The deprivation of a person of his/her property as a penalty for some act or omission.
Good behaviour bond/Recognisance orders (291)	An obligation, with or without sureties, aimed at securing the performance of some act by the person bound by the undertaking.
Home detention (122)	An order in which a person serves part of a sentence of imprisonment at home or at another approved place that is not a correctional institution.
Imprisonment with determined term (112)	An order requiring a person to be detained for a specified period of time within a facility built especially for the purpose of incarceration.
Intensive corrections order (121)	An order that has a component of restricted liberty and requires a person to report to a correctional services officer on a specified basis.
Licence disqualification/Suspension/Amendment (292)	An order relating to the cancellation/suspension or amendment of a licence/permit, or the review or modification of conditions associated with it.
Life and indeterminate imprisonment (111)	The most serious form of imprisonment. Life imprisonment refers to offenders sentenced to life imprisonment. This does not necessarily mean that the person will be held in custody for the term of his/her natural life. In some states/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.
Monetary orders n.f.d. (220)	A sentence order which requires the offender to pay a sum of money, usually in the form of a fine or for recompense to victims (does not include court levy's and fees). This code should only be used if a more specific code in this grouping cannot be allocated.
Nominal penalty (294)	Release of a defendant without an order following sentence which may or may not have conditions attached. Includes Rising of the Court and discharge/dismissal.
Non-custodial orders n.f.d. (200)	Sentences imposed on an offender that do not involve custody. This code should only be used if a more specific code in this grouping cannot be allocated.

Orders as recompense to victim (222)	A sentence order which requires the offender to pay a sum of money for a purpose other than fine, usually in relation to reparation to a victim. Includes Restitution and Compensation orders.
Other custody in the community n.e.c. (129)	An order requiring a person to have restricted liberty for a specified period of time while living within the community not including Intensive corrections orders or Home detention orders.
Other monetary orders n.e.c. (229)	Other monetary orders that is not a fine or an order as recompense to victim.
Other non-custodial orders n.e.c. (299)	Other non-custodial orders that are not good behaviour bonds, recognisance orders, licence disqualifications, forfeiture of property or a nominal penalty.
Other non-custodial orders n.f.d. (290)	Other non-custodial orders that are not community supervision or work orders or monetary orders. This code should only be used if a more specific code in this grouping cannot be allocated.
Periodic detention (113)	Persons given periodic detention are in custody for two consecutive days in a week (for example, weekends) and remain at liberty during the rest of the week.
Probation orders (212)	An order which requires an offender to be released, with or without conviction, to the supervision of an authorised officer. Includes any order which requires an offender to report periodically to an authorised officer but does not include any period of restricted liberty. Excludes Intensive supervision orders and Intensive corrections orders that contain periods of restricted liberty.
Sentence type unknown/Not stated (900)	This code is to be used for charge(s) where the sentence type is unknown.
Suspended sentence (130/131)	A custodial order which provides that all of the sentence not be served, subject to the person being of good behaviour for the length of the sentence.
Treatment orders (213)	An order requiring a person to undertake a specified rehabilitation program aimed at behavioural or attitudinal modification.

OTHER TERMS

Benchwarrant executed	The apprehension of an absconder who is brought back before the court to answer outstanding (and new) charges.
Benchwarrant issued	A warrant signed by a Judge or Magistrate ordering a person to be arrested and brought back before a 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.
Case	<p>One or more defendants against whom one or more criminal charge(s) have been laid and which are heard together by a court as one unit of work. The charge(s) usually relate to the same criminal incident(s) and appear together on one indictment.</p> <p>Case is the operational unit of work for a court and signifies an intention to hear one or more charge relating to one or more individuals or organisations.</p> <p>The counting unit case could be collected at four different stages; the number pending at the start of a counting period, the number initiated during the counting period, the number finalised during the counting period and the number pending at the end of the counting period.</p>
Higher criminal courts	The criminal jurisdiction of an intermediate court or Supreme Court.
Jurisdiction	The legal power or authority which may be exercised by a particular court level and within which the judgements or orders of the court can be enforced or executed. The criminal jurisdiction of a court includes the original and appellate jurisdictions. Each court level has its own defined jurisdictional limits and these vary across states and territories.
Original jurisdiction	The power of a court to hear criminal charge(s) and determine whether or not a defendant is proven guilty and/or to sentence defendants where a charge has been proven.
Trial	The examination of, and decision on, a matter of law or fact by a court. Where a defendant enters a not guilty plea or other defended plea in the committal proceedings, they are committed to a higher criminal court for trial. In a higher criminal court, 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 a higher criminal court.

BIBLIOGRAPHY

- Australian Bureau of Statistics, 1997, *Australian Standard Offence Classification*, cat. no. 1234.0, ABS, Canberra. Refer to the ABS web site: <www.abs.gov.au> and select Methods, Classifications, Concepts & Standards/ABS concepts, classifications and statistical standards/12. Classification and manuals/1234.0 Australian Standard Offence Classification (ASOC).
- Australian Bureau of Statistics, 1999, *Standards for Social, Labour and Demographic Statistics*, cat. no. 1200.0, ABS, Canberra. Refer to the ABS web site: <www.abs.gov.au> and select Methods, Classifications, Concepts & Standards/ABS concepts, classifications and statistical standards/12. Classification and manuals/1200.0 Standards for Social, Labour and Demographic Statistics.
- Australian Bureau of Statistics, 2004, *Australian Standard Geographical Classification 2004*, cat. no. 1216.0, ABS, Canberra. Refer to the ABS web site: <www.abs.gov.au> and select Methods, Classifications, Concepts & Standards/ABS concepts, classifications and statistical standards/12. Classification and manuals/1216.0 Australian Standard Geographical Classification (ASGC) 2004.
- Australian Bureau of Statistics, 2004, *Measuring Learning in Australia: Dictionary of Standards for Education and Training Statistics*, cat. no. 4232.0.55.001, ABS, Canberra.
- Australian Bureau of Statistics, various editions, *Criminal Courts, Australia*, cat. no. 4513.0, ABS, Canberra.
- Australian Bureau of Statistics, 2004, *Higher Criminal Courts Collection Manual 2003-04*.
- Australian Bureau of Statistics, 2004, *Magistrates' Criminal Courts Collection Manual 2003-04*.
- Collins English Dictionary*, 2000. Retrieved 11 January 2005. Available from xreferplus. <http://www.xreferplus.com/entry/2617795>.
- Joint Technical Committee ISO/IEC JTC 1, 1999, *Part 1: Framework for the specification and standardization of data elements*, International Standard ISO/IEC 11179-1, International Organization for Standardization and International Electrotechnical Commission, Switzerland.
- Joint Technical Committee ISO/IEC JTC 1, 2000, *Part 2: Classification for data elements*, International Standard ISO/IEC 11179-2, International Organization for Standardization and International Electrotechnical Commission, Switzerland.
- Joint Technical Committee ISO/IEC JTC 1, 2003, *Part 3: Registry metamodel and basic attributes*, International Standard ISO/IEC 11179-3, International Organization for Standardization and International Electrotechnical Commission, Switzerland.
- Joint Technical Committee ISO/IEC JTC 1, 2004, *Part 4: Formulation of data definitions, International Standard ISO/IEC 11179-4*, International Organization for Standardization and International Electrotechnical Commission, Switzerland.

- Joint Technical Committee ISO/IEC JTC 1, 1995, *Part 5: Naming and identification principles for data elements*, International Standard ISO/IEC 11179-5, International Organization for Standardization and International Electrotechnical Commission, Switzerland.
- Joint Technical Committee ISO/IEC JTC 1, 1997, *Part 6: Registration of data elements*, International Standard ISO/IEC 11179-6, International Organization for Standardization and International Electrotechnical Commission, Switzerland.
- Marantelli, S. E., 1980, *The Australian Legal Dictionary*, Hargreen Publishing Company, Melbourne.
- National Health Data Committee, 2003, *National Health Data Dictionary - Version 12*, cat. no. HWI 43, Australian Institute of Health and Welfare, Canberra.
- Steering Committee for the Review of Government Service Provision, 2004, *2004 Data Collection Manual*, Court Administration Working Group, Melbourne.
- Steering Committee for the Review of Government Service Provision, *Report on Government Services 2004*, Volume 1: Education, Justice, Emergency Management, Productivity Commission, Canberra.

FOR MORE INFORMATION . . .

<i>INTERNET</i>	www.abs.gov.au the ABS web site is the best place for data from our publications and information about the ABS.
<i>LIBRARY</i>	A range of ABS publications are available from public and tertiary libraries Australia wide. Contact your nearest library to determine whether it has the ABS statistics you require, or visit our web site for a list of libraries.

INFORMATION AND REFERRAL SERVICE

Our consultants can help you access the full range of information published by the ABS that is available free of charge from our web site, or purchase a hard copy publication. Information tailored to your needs can also be requested as a 'user pays' service. Specialists are on hand to help you with analytical or methodological advice.

<i>PHONE</i>	1300 135 070
<i>EMAIL</i>	client.services@abs.gov.au
<i>FAX</i>	1300 135 211
<i>POST</i>	Client Services, ABS, GPO Box 796, Sydney NSW 2001

FREE ACCESS TO STATISTICS

All statistics on the ABS web site can be downloaded free of charge.

<i>WEB ADDRESS</i>	www.abs.gov.au
--------------------	-----------------------



2452700001050

RRP \$37.00