

CRIMINAL COURTS

AUSTRALIA

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

NOTES

ABOUT THIS PUBLICATION	<p>This publication presents nationally comparable statistics relating to the criminal jurisdiction of the Higher (Supreme and Intermediate), Magistrates' and Children's Courts across Australia for the period 1 July 2007 to 30 June 2008. Some time series data are also included where available. The statistics describe the characteristics of defendants, including information on the offences and sentences associated with those defendants.</p> <p>Additional data are available in the Supplementary Data Cubes (cat. no. 4513.0) on the ABS website. A list of Supplementary Data Cubes is included in Appendix 1.</p>
DATA CONSISTENCY	<p>The statistics are sourced from the national Criminal Courts collection conducted by the Australian Bureau of Statistics (ABS), and have been compiled according to national standards in order to maximise consistency between the states and territories. The Explanatory Notes, Appendices and Glossary provide detailed information on the data sources, counting rules, terminology, classifications and other technical aspects associated with these statistics.</p>
CHANGES IN THIS ISSUE	<p>Information is presented for the first time on the principal offence of those defendants whose charges have not been adjudicated e.g. transferred to another court level, withdrawn, etc. Previously, principal offence data were only collected for defendants whose charges had been finalised by adjudication.</p>
ROUNDING	<p>Discrepancies may occur between sums of the component items and totals across tables due to rounding and randomisation.</p>
INFORMATION ON ABS CRIME AND JUSTICE	<p>More information about ABS activities in the field of crime and justice statistics is available from the 'Crime and Justice' theme page on the ABS website. Details of other ABS publications relating to crime and justice statistics can be found in the Explanatory Notes paragraph 95.</p>
ACKNOWLEDGMENTS	<p>The ABS acknowledges the valuable contribution of the Board of Management, the National Criminal Courts Statistics Advisory Group, the Court Practitioners' Group and the staff of the various agencies that provide the statistics presented in this publication.</p>

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CHAPTER 1

INTRODUCTION

CRIMINAL COURTS IN AUSTRALIA

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

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

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

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

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

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

NATIONAL CRIMINAL
COURTS STATISTICS

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

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

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

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

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

SUMMARY

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

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

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

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

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

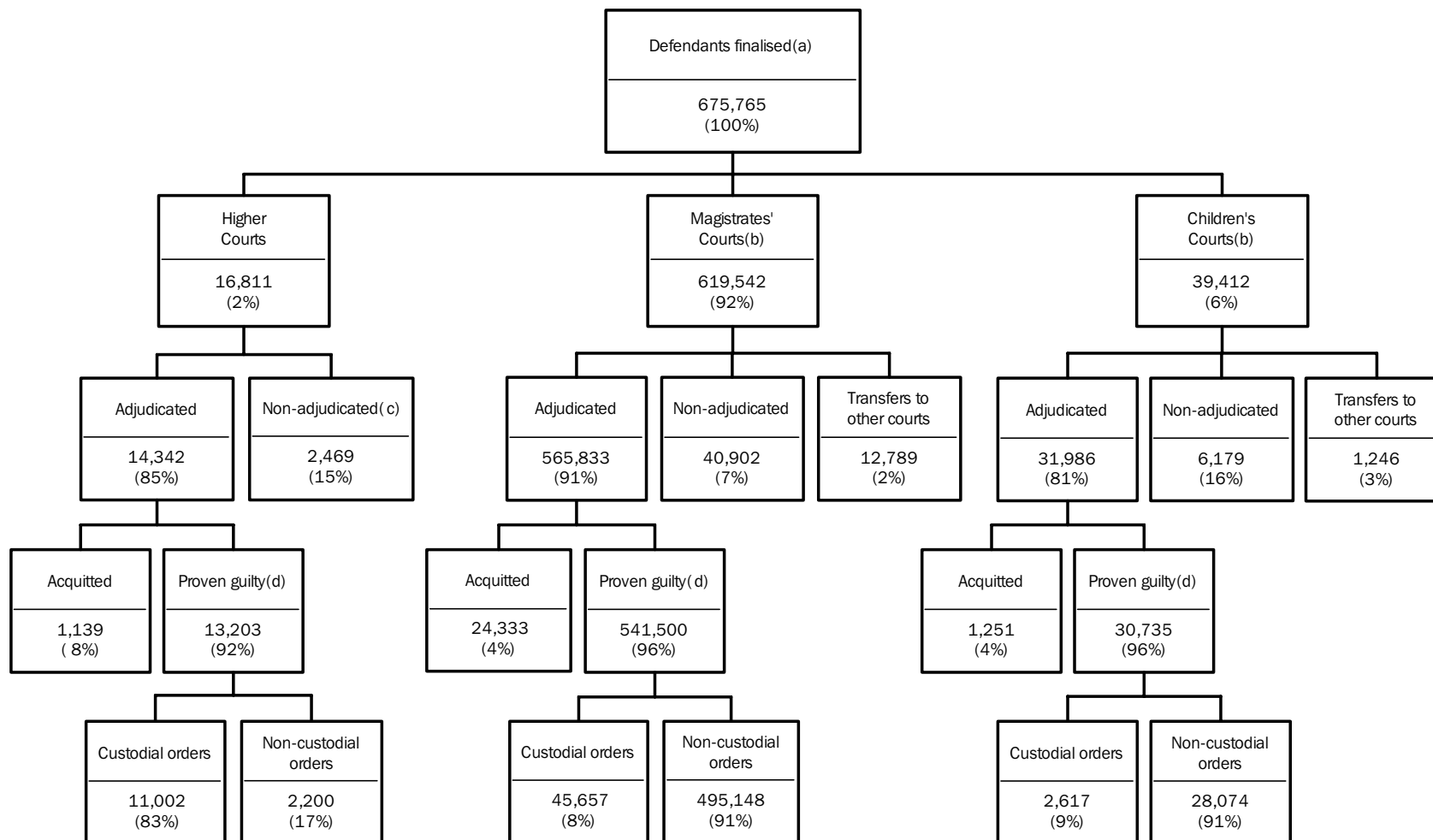
SUMMARY *continued*

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

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

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

SUMMARY CHARACTERISTICS OF DEFENDANTS



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

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

(c) Includes defendants transferred to other courts.

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

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

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

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

1.2 SUMMARY CHARACTERISTICS OF ALL DEFENDANTS, States and territories

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

— nil or rounded to zero (including null cells)

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

(b) Includes defendants with unknown sex and organisations.

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

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

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

CHAPTER 2

HIGHER COURTS

INTRODUCTION

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

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

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

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

Snapshot

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

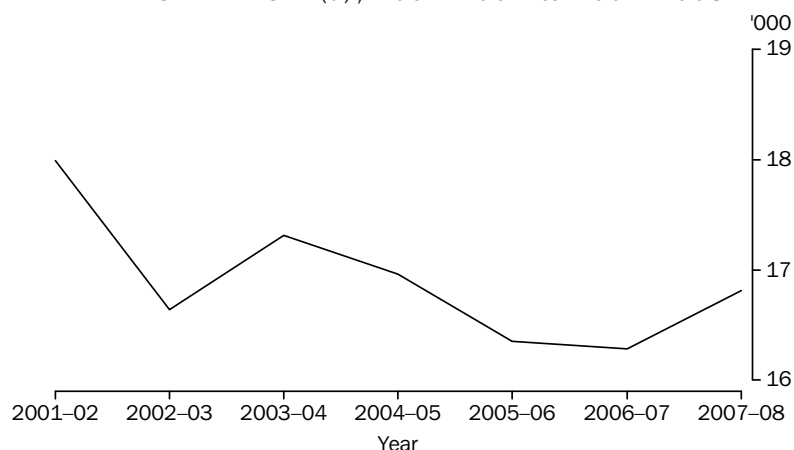
DEFENDANTS FINALISED

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

DEFENDANTS FINALISED

continued

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



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

Charges withdrawn by the prosecution

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

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

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

DEFENDANTS
ADJUDICATED

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

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

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

Principal offence

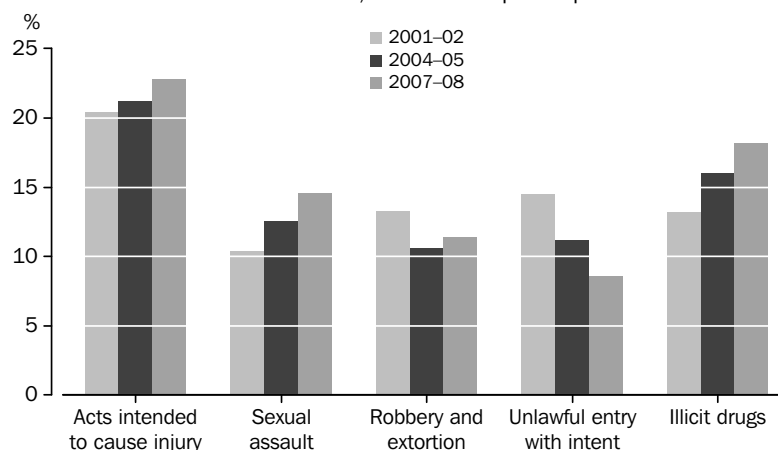
Five offence types accounted for nearly three-quarters of defendants heard in the Higher Courts: acts intended to cause injury (23%); illicit drug offences (18%); sexual assault (15%); robbery and extortion (11%); and unlawful entry with intent (9%).

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

Principal offence
continued

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

DEFENDANTS ADJUDICATED, Selected principal offence

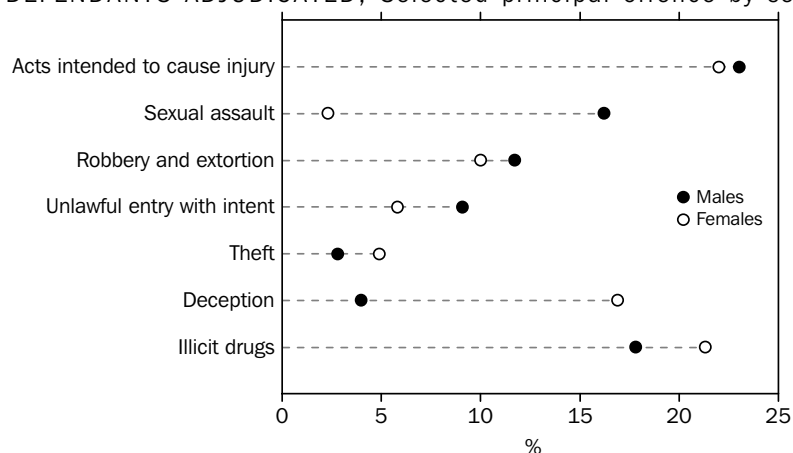


Sex

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

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

DEFENDANTS ADJUDICATED, Selected principal offence by sex



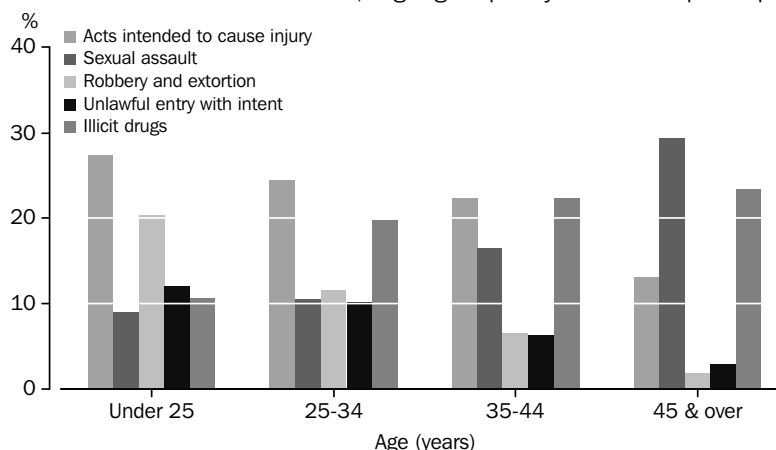
Age

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

Age continued

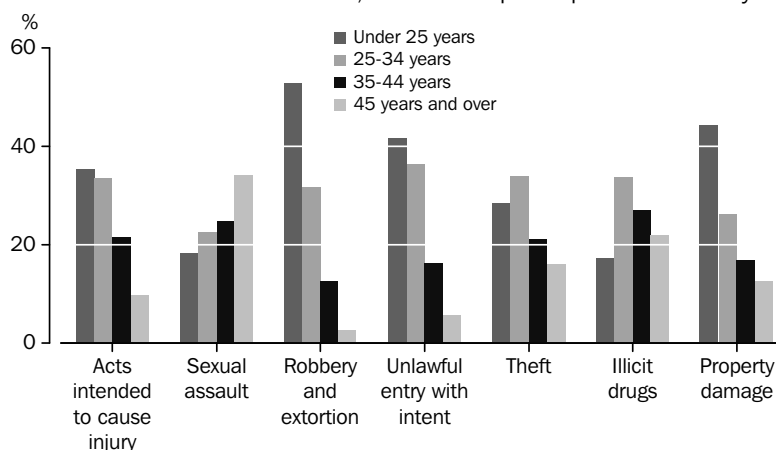
Approximately one quarter of defendants aged under 25 years and 25 to 34 years were charged with acts intended to cause injury (27% and 25% respectively). While robbery and extortion accounted for 20% of defendants aged under 25 years, this offence type was less common for defendants over this age group.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

DEFENDANTS ADJUDICATED, Age groups by selected principal offence



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

DEFENDANTS ADJUDICATED, Selected principal offence by age groups

*Defendants acquitted*

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

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

*Defendants acquitted
continued*

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

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

Defendants proven guilty

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

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

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

SENTENCE OUTCOMES

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

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

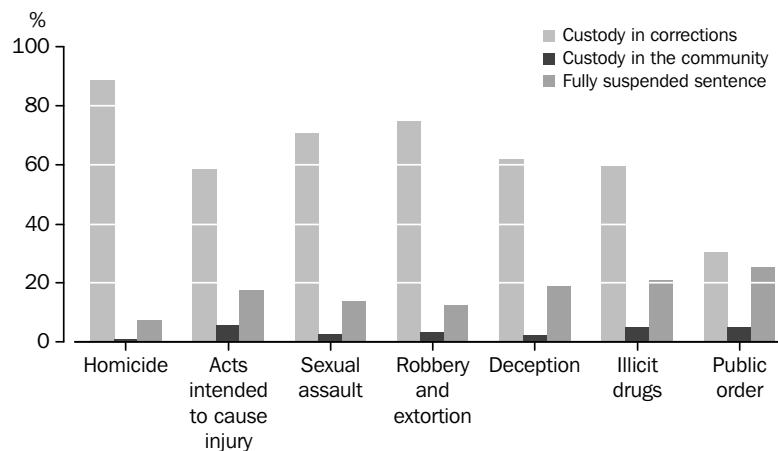
Custodial orders

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

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

Custodial orders
continued

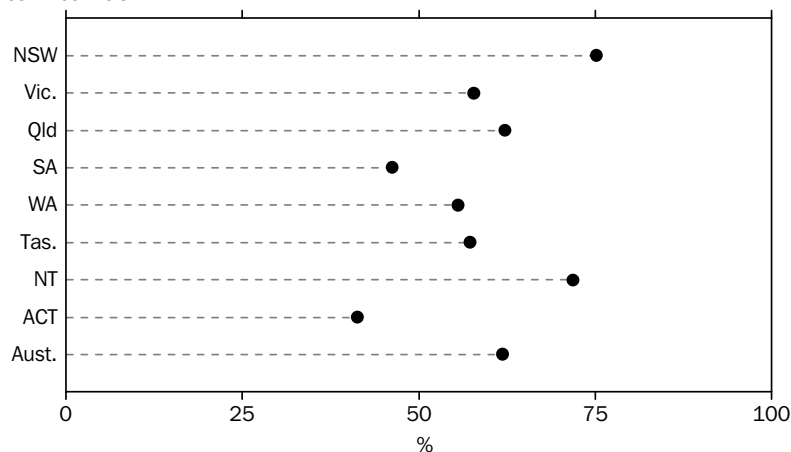
DEFENDANTS PROVEN GUILTY, Selected principal offence by custodial sentence



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

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

DEFENDANTS PROVEN GUILTY, Custody in corrections by states and territories



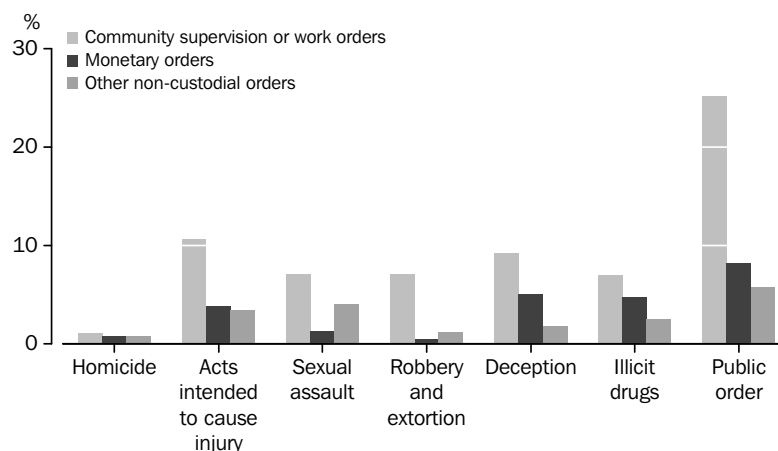
Non-custodial orders

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

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

*Non-custodial orders
continued*

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



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

**DURATION OF CASES
ADJUDICATED**

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

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

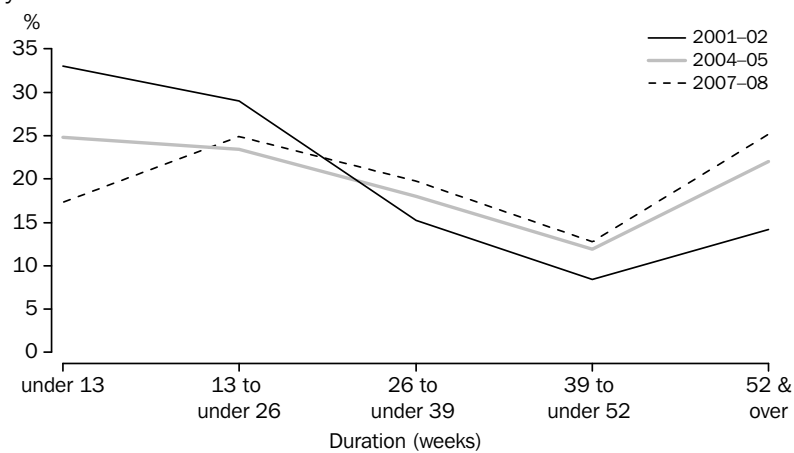
Of defendants that went to trial and were found guilty by the court, 59% were finalised 52 weeks or more after initiation. Of those acquitted, 41% were finalised in this same time period. For defendants who pleaded guilty in 2007–08, 20% were finalised in less than 13 weeks.

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

DURATION OF CASES

ADJUDICATED *continued*

DEFENDANTS ADJUDICATED, Duration of cases finalised, Selected years



2.1**SUMMARY CHARACTERISTICS OF DEFENDANTS, Selected principal offence**

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

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

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

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

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

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

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(a) Includes defendants with unknown sex and organisations.

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

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

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

2.3 SUMMARY CHARACTERISTICS OF DEFENDANTS, States and territories

NSW(a) Vic. Qld SA WA Tas. NT(b) ACT Aust.

NUMBER

Defendants finalised									
Males	2 936	2 226	5 138	1 181	2 097	454	255	166	14 453
Females	319	265	927	128	288	86	20	20	2 053
Total(c)	3 261	2 506	6 068	1 309	2 667	540	275	186	16 812
Method of finalisation									
Adjudicated outcomes									
Acquitted	234	218	251	88	253	31	41	24	1 140
Proven guilty									
Guilty finding	234	274	278	165	315	78	14	10	1 368
Guilty plea	2 446	1 914	4 420	729	1 509	320	199	116	11 653
Total(d)	2 707	2 188	4 698	894	1 982	398	213	126	13 206
Total	2 941	2 406	4 949	982	2 235	429	254	150	14 346
Withdrawn by prosecution	220	96	1 108	311	397	107	22	30	2 291
Other(e)	100	4	13	16	35	4	—	6	178
Total	3 261	2 506	6 070	1 309	2 667	540	276	186	16 815
Sentence outcomes									
Custodial orders	2 452	1 821	3 707	826	1 548	343	201	107	11 005
Non-custodial orders	255	367	991	68	433	55	12	19	2 200
Total	2 707	2 188	4 698	894	1 981	398	213	126	13 205

PROPORTION (%)

Defendants finalised									
Males	90.0	88.8	84.7	90.2	78.6	84.1	92.7	89.2	86.0
Females	9.8	10.6	15.3	9.8	10.8	15.9	7.3	10.8	12.2
Total(c)	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Method of finalisation									
Adjudicated outcomes									
Acquitted	7.2	8.7	4.1	6.7	9.5	5.7	14.9	12.9	6.8
Proven guilty									
Guilty finding	7.2	10.9	4.6	12.6	11.8	14.4	5.1	5.4	8.1
Guilty plea	75.0	76.4	72.8	55.7	56.6	59.3	72.1	62.4	69.3
Total(d)	83.0	87.3	77.4	68.3	74.3	73.7	77.2	67.7	78.5
Total	90.2	96.0	81.5	75.0	83.8	79.4	92.0	80.6	85.3
Withdrawn by prosecution	6.7	3.8	18.3	23.8	14.9	19.8	8.0	16.1	13.6
Other(e)	3.1	0.2	0.2	1.2	1.3	0.7	—	3.2	1.1
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Sentence outcomes									
Custodial orders	90.6	83.2	78.9	92.4	78.1	86.2	94.4	84.9	83.3
Non-custodial orders	9.4	16.8	21.1	7.6	21.9	13.8	5.6	15.1	16.7
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

— nil or rounded to zero (including null cells)

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

(c) Includes defendants with unknown sex and organisations.

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

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

2.4**DEFENDANTS FINALISED, Principal offence by method of finalisation**

	PROVEN GUILTY				Withdrawn by			
	Acquitted	Guilty finding	Guilty plea	Total (b)	Total adjudicated	prosecution	Other (a)	Total
NUMBER								
Homicide and related offences	81	118	250	368	449	52	13	514
Acts intended to cause injury	250	315	2 696	3 026	3 276	542	38	3 856
Sexual assault and related offences	502	345	1 231	1 597	2 099	580	21	2 700
Dangerous or negligent acts endangering persons	19	26	310	343	362	35	—	397
Abduction and related offences	9	17	87	107	116	42	—	158
Robbery, extortion and related offences	79	98	1 430	1 554	1 633	171	19	1 823
Unlawful entry with intent	22	62	1 111	1 212	1 234	231	19	1 484
Theft and related offences	23	43	360	415	438	90	8	536
Deception and related offences	38	59	694	763	801	104	10	915
Illicit drug offences	56	167	2 363	2 559	2 615	205	31	2 851
Weapons and explosives offences	4	6	173	182	186	20	—	206
Property damage and environmental pollution	12	28	275	307	319	68	5	392
Public order offences	5	28	263	294	299	30	—	329
Road traffic and motor vehicle regulatory offences	—	—	6	6	6	—	—	6
Offences against justice procedures, gov't security and operations	15	23	199	230	245	47	6	298
Miscellaneous offences	23	33	189	226	249	69	3	321
Total (c)	1 141	1 368	11 652	13 204	14 345	2 290	173	16 808
PROPORTION (%)								
Homicide and related offences	15.8	23.0	48.6	71.6	87.4	10.1	2.5	100.0
Acts intended to cause injury	6.5	8.2	69.9	78.5	85.0	14.1	1.0	100.0
Sexual assault and related offences	18.6	12.8	45.6	59.1	77.7	21.5	0.8	100.0
Dangerous or negligent acts endangering persons	4.8	6.5	78.1	86.4	91.2	8.8	—	100.0
Abduction and related offences	5.7	10.8	55.1	67.7	73.4	26.6	—	100.0
Robbery, extortion and related offences	4.3	5.4	78.4	85.2	89.6	9.4	1.0	100.0
Unlawful entry with intent	1.5	4.2	74.9	81.7	83.2	15.6	1.3	100.0
Theft and related offences	4.3	8.0	67.2	77.4	81.7	16.8	1.5	100.0
Deception and related offences	4.2	6.4	75.8	83.4	87.5	11.4	1.1	100.0
Illicit drug offences	2.0	5.9	82.9	89.8	91.7	7.2	1.1	100.0
Weapons and explosives offences	1.9	2.9	84.0	88.3	90.3	9.7	—	100.0
Property damage and environmental pollution	3.1	7.1	70.2	78.3	81.4	17.3	1.3	100.0
Public order offences	1.5	8.5	79.9	89.4	90.9	9.1	—	100.0
Road traffic and motor vehicle regulatory offences	—	—	100.0	100.0	100.0	—	—	100.0
Offences against justice procedures, gov't security and operations	5.0	7.7	66.8	77.2	82.2	15.8	2.0	100.0
Miscellaneous offences	7.2	10.3	58.9	70.4	77.6	21.5	0.9	100.0
Total (c)	6.8	8.1	69.3	78.6	85.3	13.6	1.0	100.0

— nil or rounded to zero (including null cells)

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

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

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

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

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

— nil or rounded to zero (including null cells)

r revised

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

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

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

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

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

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

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

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

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

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

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

— nil or rounded to zero (including null cells)

(a) Includes defendants with unknown age and organisations.

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

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

— nil or rounded to zero (including null cells)

(a) Includes defendants with unknown age and organisations.

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

2.7**DEFENDANTS PROVEN GUILTY, Principal offence by principal sentence****CUSTODIAL ORDERS**

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

NUMBER

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

PROPORTION (%)

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

— nil or rounded to zero (including null cells)

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

2.7**DEFENDANTS PROVEN GUILTY, Principal offence by principal sentence *continued*****NON-CUSTODIAL ORDERS**

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

PROPORTION (%)

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

— nil or rounded to zero (including null cells)

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

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

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

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

— nil or rounded to zero (including null cells)

(b) Includes defendants with unknown sex and organisations.

(a) Includes defendants with unknown age and organisations.

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

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

— nil or rounded to zero (including null cells)

(b) Includes defendants with unknown sex and organisations.

(a) Includes defendants with unknown age and organisations.

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

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

— nil or rounded to zero (including null cells)

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

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

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

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

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

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

— nil or rounded to zero (including null cells)

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

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

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

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

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

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

— nil or rounded to zero (including null cells)

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

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

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

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

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

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

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

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

— nil or rounded to zero (including null cells)

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

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

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

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

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

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

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

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

r revised

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

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

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

r revised

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

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

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

r revised

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

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

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

— nil or rounded to zero (including null cells)

r revised

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

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

. . not applicable

— nil or rounded to zero (including null cells)

na not available

r revised

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

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

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

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

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

.. not applicable

r revised

— nil or rounded to zero (including null cells)

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

CHAPTER 3

MAGISTRATES' COURTS

INTRODUCTION

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

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

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

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

Snapshot

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

DEFENDANTS FINALISED

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

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

Charges withdrawn by the prosecution

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

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

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

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

DEFENDANTS
ADJUDICATED

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

Principal offence – road traffic and motor vehicle regulatory offences

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

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

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

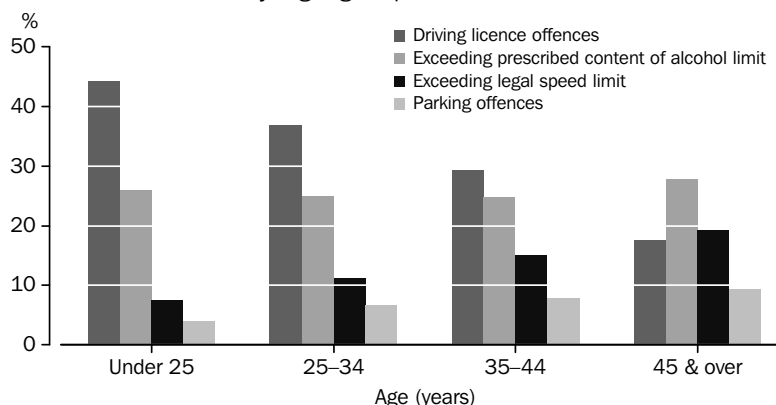
- driving licence offences (33%);
- exceeding the prescribed content of alcohol limit (25%);
- exceeding the legal speed limit (12%); and
- other road traffic and motor vehicle regulatory offences (30%).

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

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

Principal offence – road traffic and motor vehicle regulatory offences
continued

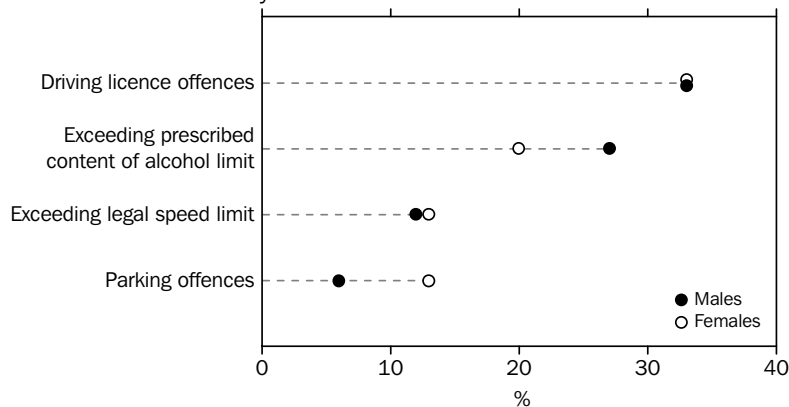
DEFENDANTS ADJUDICATED FOR ROAD TRAFFIC OFFENCES(a), Selected offences by age group



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

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

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



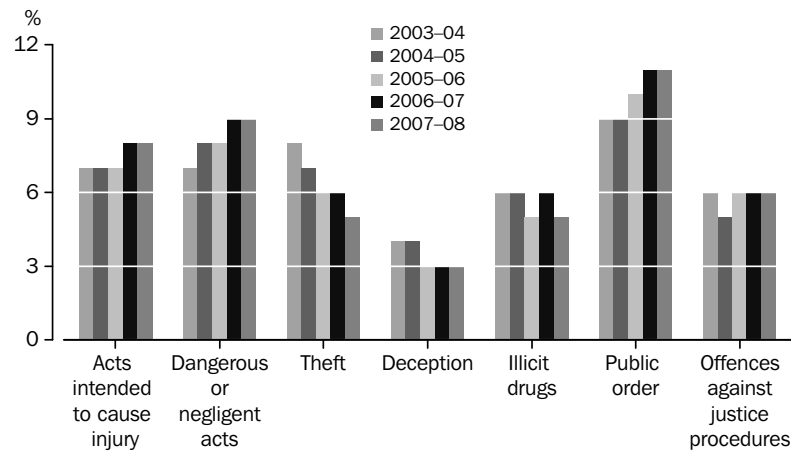
(a) Principal offence of road traffic and motor vehicle regulatory offences.

Principal offence - offences other than road traffic

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

*Principal offence -
offences other than road
traffic continued*

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



Sex

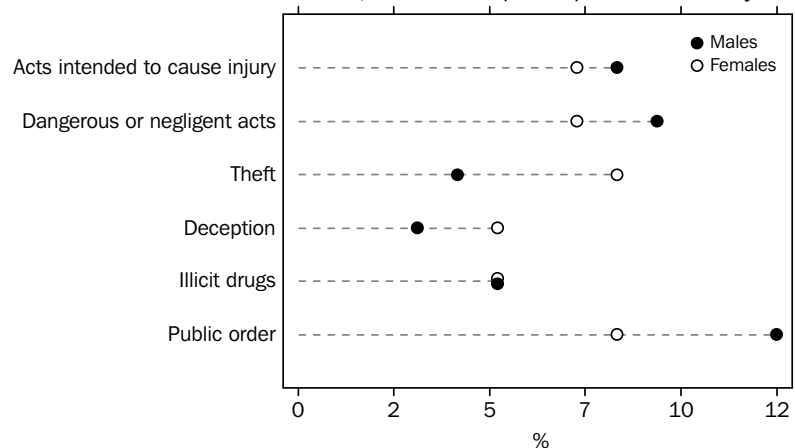
In 2007–08, defendants were nearly four times more likely to be male (77%) than female (22%). This proportion has remained relatively stable since 2003–04, when males comprised 78% of defendants adjudicated.

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

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

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

DEFENDANTS ADJUDICATED, Selected principal offence by sex



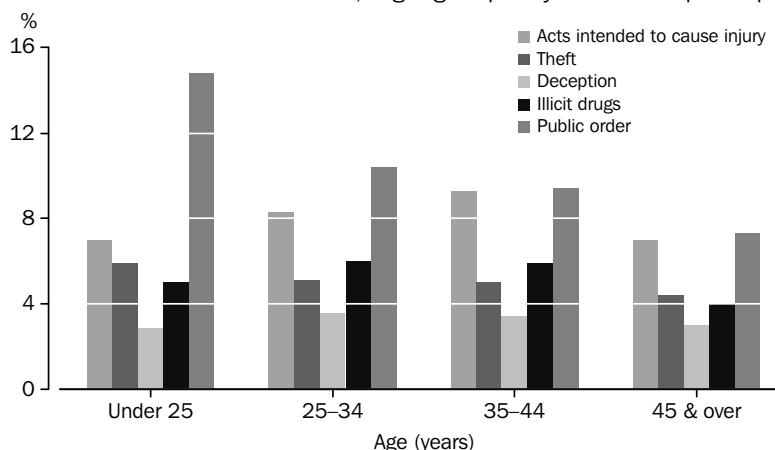
Age

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

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

Age continued

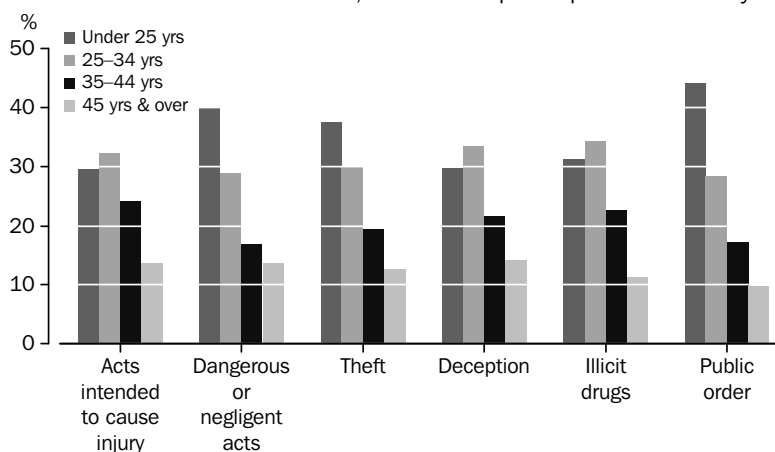
DEFENDANTS ADJUDICATED, Age groups by selected principal offence



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

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

DEFENDANTS ADJUDICATED, Selected principal offence by age groups

*Defendants acquitted*

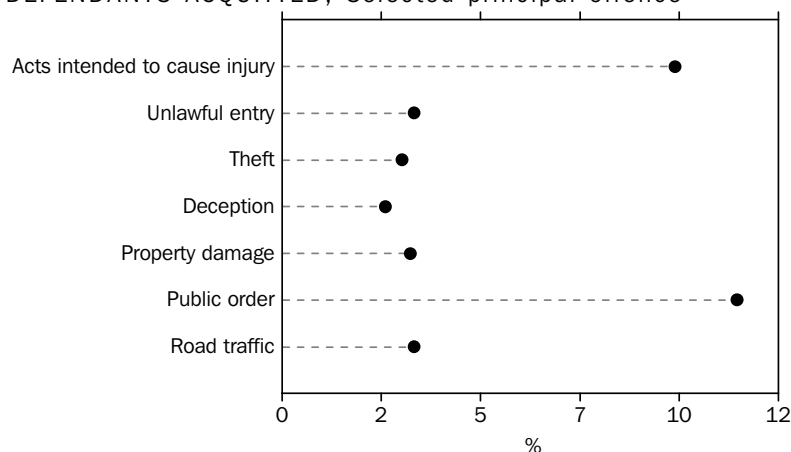
In 2007–08, 24,333 or 4% of defendants adjudicated were acquitted in the Magistrates' Courts in Australia.

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

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

Defendants acquitted
continued

DEFENDANTS ACQUITTED, Selected principal offence



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

Defendants proven guilty

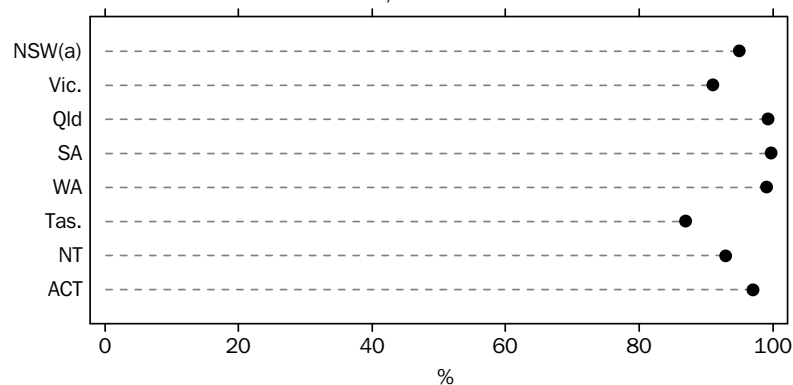
Defendants are referred to as 'convicted' where they were proven guilty of at least one of the final charges laid against them in a court. This includes defendants who plead guilty or were found guilty, including those found guilty ex-parte.

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

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

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

DEFENDANTS PROVEN GUILTY, States and territories



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

SENTENCE OUTCOMES

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

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

Custodial orders

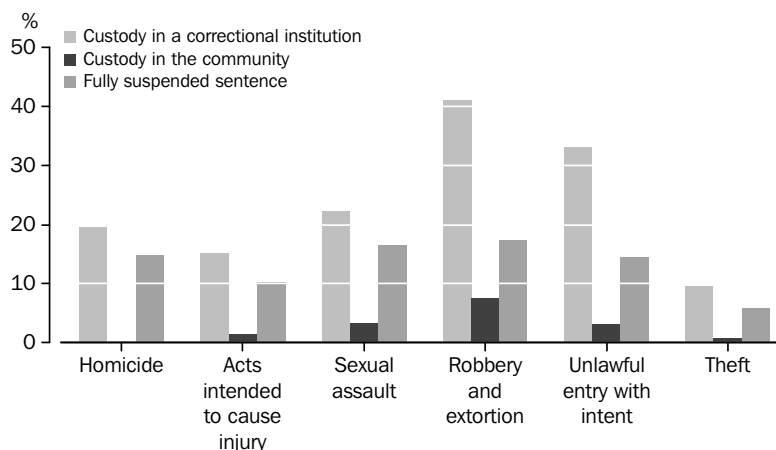
The most serious penalties issued for charges proven in the Magistrates' Courts are custodial sentences. In 2007–08, 8% (45,657) of convicted defendants had custodial orders imposed: 4% sentenced to custody in a correctional institution; 3.5% given fully suspended sentences; and 0.5% sentenced to custody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

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

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

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

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

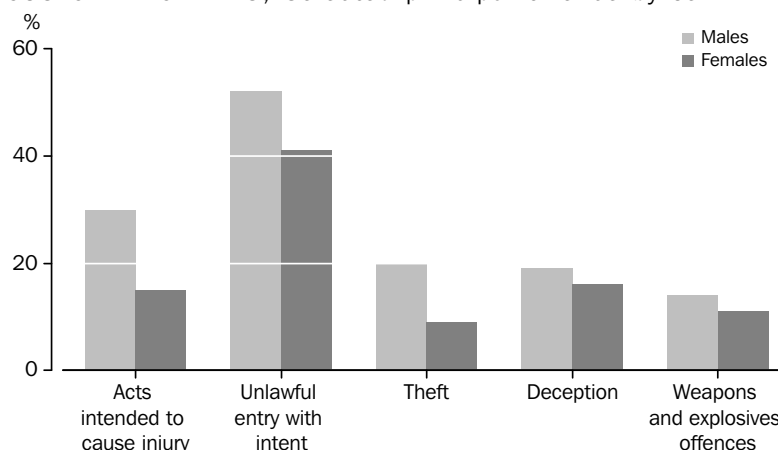


Males proven guilty were twice as likely to receive a custodial sentence (10%) than females (5%). The higher proportion of custodial sentences for males was consistent across all principal offences. Custodial orders were issued to just over half (52%) of males proven guilty of unlawful entry with intent,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

Custodial orders
continued

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

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



Non-custodial orders

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

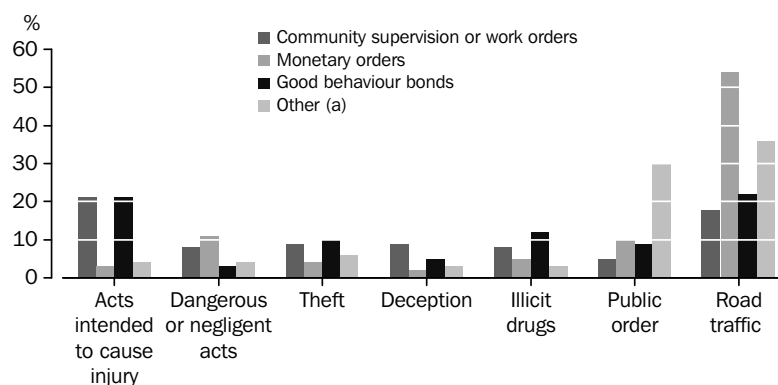
The most common non-custodial sentence was a monetary order, with 73% (or 394,067) of defendants proven guilty receiving this sentence.

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

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

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

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

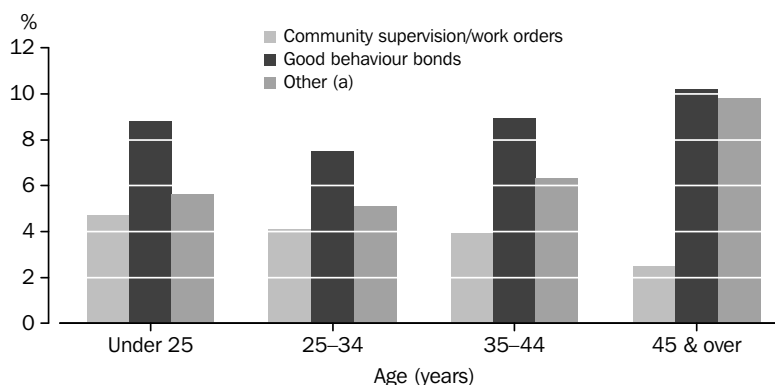


(a) Includes licence disqualification/suspensions/amendments, forfeiture of property orders, nominal penalties and other non-custodial orders n.e.c.

Non-custodial orders *continued*

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

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



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

DURATION OF CASES ADJUDICATED

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

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

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

3.1 SUMMARY CHARACTERISTICS OF DEFENDANTS, Selected principal offence

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

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

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

r revised

(a) Includes defendants with unknown sex and organisations.

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

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

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

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

3.3 SUMMARY CHARACTERISTICS OF DEFENDANTS, States and territories

	NSW(a)	Vic.	Qld	SA	WA	Tas.	NT	ACT	Aust.
NUMBER									
Defendants finalised									
Males	124 741	76 993	119 483	36 741	71 575	35 066	7 899	3 648	476 146
Females	31 271	19 415	31 756	9 297	22 071	16 758	1 732	962	133 262
Organisations	2 975	1 918	666	143	64	618	345	67	6 796
Total(b)	158 987	98 326	152 367	46 181	95 660	53 368	9 976	4 677	619 542
Method of finalisation									
Adjudicated outcomes									
Acquitted	7 319	7 627	998	94	795	6 791	606	103	24 333
Proven guilty	135 862	80 410	139 169	39 910	88 852	45 464	8 590	3 243	541 500
Total	143 181	88 037	140 167	40 004	89 647	52 255	9 196	3 346	565 833
Transfers to other courts	3 462	338	4 017	1 310	2 584	629	177	272	12 789
Withdrawn by prosecution	12 199	9 951	8 181	4 809	3 204	471	603	1 041	40 459
Other(c)	145	—	3	58	225	8	—	5	444
Total(d)	158 987	98 326	152 368	46 181	95 660	53 368	9 976	4 677	619 543
Sentence outcomes									
Custodial orders	13 687	10 695	8 555	3 458	4 480	1 772	2 529	481	45 657
Non-custodial orders	122 175	69 368	130 614	36 452	84 372	43 344	6 061	2 762	495 148
Total(e)	135 862	80 410	139 169	39 910	88 852	45 464	8 590	3 243	541 500
PROPORTION (%)									
Defendants finalised									
Males	78.5	78.3	78.4	79.6	74.8	65.7	79.2	78.0	76.9
Females	19.7	19.7	20.8	20.1	23.1	31.4	17.4	20.6	21.5
Organisations	1.9	2.0	0.4	0.3	0.1	1.2	3.5	1.4	1.1
Total(b)	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Method of finalisation									
Adjudicated outcomes									
Acquitted	4.6	7.8	0.7	0.2	0.8	12.7	6.1	2.2	3.9
Proven guilty	85.5	81.8	91.3	86.4	92.9	85.2	86.1	69.3	87.4
Total	90.1	89.5	92.0	86.6	93.7	97.9	92.2	71.5	91.3
Transfers to other courts	2.2	0.3	2.6	2.8	2.7	1.2	1.8	5.8	2.1
Withdrawn by prosecution	7.7	10.1	5.4	10.4	3.3	0.9	6.0	22.3	6.5
Other(c)	0.1	—	—	0.1	0.2	—	—	0.1	0.1
Total(d)	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Sentence outcomes									
Custodial orders	10.1	13.3	6.1	8.7	5.0	3.9	29.4	14.8	8.4
Non-custodial orders	89.9	86.3	93.9	91.3	95.0	95.3	70.6	85.2	91.4
Total(e)	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

— nil or rounded to zero (including null cells)

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

(b) Includes defendants with unknown sex.

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

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

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

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

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

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

— nil or rounded to zero (including null cells)

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

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

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

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

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

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

— nil or rounded to zero (including null cells)

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

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

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

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

continued

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

— nil or rounded to zero (including null cells)

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

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

(c) Includes defendants with unknown sex and organisations.

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

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

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

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

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

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

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

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

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

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

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

3.6

DEFENDANTS ADJUDICATED, Principal offence by age

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

— nil or rounded to zero (including null cells)

(a) Includes defendants with unknown age and organisations.

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

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

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

— nil or rounded to zero (including null cells)

(a) Includes defendants with unknown age and organisations.

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

3.7 DEFENDANTS PROVEN GUILTY, Principal offence by principal sentence

CUSTODIAL ORDERS

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

NUMBER

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

PROPORTION (%)

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

— nil or rounded to zero (including null cells)

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

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

NON-CUSTODIAL ORDERS

	Community supervision/ work orders	Monetary orders	Good behaviour bonds	Other(b)	Total	Total proven guilty(a)
NUMBER						
Homicide and related offences	5	13	17	5	40	61
Acts intended to cause injury	4 398	12 933	9 669	1 448	28 448	39 063
Sexual assault and related offences	120	181	141	19	461	820
Dangerous or negligent acts endangering persons	1 711	42 055	1 220	1 291	46 277	49 429
Abduction and related offences	—	8	6	—	14	20
Robbery, extortion and related offences	44	12	14	6	76	241
Unlawful entry with intent	1 531	1 176	509	225	3 441	7 031
Theft and related offences	1 961	14 942	4 676	2 018	23 597	28 235
Deception and related offences	1 984	9 278	2 154	951	14 367	17 606
Illicit drug offences	1 609	18 631	5 483	1 014	26 737	29 146
Weapons and explosives offences	422	4 693	787	672	6 574	7 610
Property damage and environmental pollution	976	8 801	1 923	1 038	12 738	13 770
Public order offences	985	38 836	3 990	10 116	53 927	55 054
Road traffic and motor vehicle regulatory offences	3 779	211 583	10 142	12 386	237 890	248 734
Offences against justice procedures, gov't security and operations	1 242	20 808	3 342	2 030	27 422	30 286
Miscellaneous offences	430	9 800	1 597	848	12 675	13 757
Total(c)	21 304	394 067	45 701	34 075	495 147	541 498
PROPORTION (%)						
Homicide and related offences	8.2	21.3	27.9	8.2	65.6	100.0
Acts intended to cause injury	11.3	33.1	24.8	3.7	72.8	100.0
Sexual assault and related offences	14.6	22.1	17.2	2.3	56.2	100.0
Dangerous or negligent acts endangering persons	3.5	85.1	2.5	2.6	93.6	100.0
Abduction and related offences	—	40.0	30.0	—	70.0	100.0
Robbery, extortion and related offences	18.3	5.0	5.8	2.5	31.5	100.0
Unlawful entry with intent	21.8	16.7	7.2	3.2	48.9	100.0
Theft and related offences	6.9	52.9	16.6	7.1	83.6	100.0
Deception and related offences	11.3	52.7	12.2	5.4	81.6	100.0
Illicit drug offences	5.5	63.9	18.8	3.5	91.7	100.0
Weapons and explosives offences	5.5	61.7	10.3	8.8	86.4	100.0
Property damage and environmental pollution	7.1	63.9	14.0	7.5	92.5	100.0
Public order offences	1.8	70.5	7.2	18.4	98.0	100.0
Road traffic and motor vehicle regulatory offences	1.5	85.1	4.1	5.0	95.6	100.0
Offences against justice procedures, gov't security and operations	4.1	68.7	11.0	6.7	90.5	100.0
Miscellaneous offences	3.1	71.2	11.6	6.2	92.1	100.0
Total(c)	3.9	72.8	8.4	6.3	91.4	100.0

— nil or rounded to zero (including null cells)

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

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

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

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

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

(a) Includes defendants with unknown age and organisations.

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

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

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

(e) Includes defendants with unknown sex and organisations.

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

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

(a) Includes defendants with unknown age and organisations.

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

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

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

(e) Includes defendants with unknown sex and organisations.

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

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

(a) Includes defendants with unknown duration.

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

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

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

(e) Includes defendants with unknown method of finalisation.

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

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

(a) Includes defendants with unknown duration.

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

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

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

(e) Includes defendants with unknown method of finalisation.

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

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

— nil or rounded to zero (including null cells)

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

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

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

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

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

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

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

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

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

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

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

— nil or rounded to zero (including null cells)

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

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

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

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

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

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

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

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

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

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

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

r revised

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

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

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

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

r revised

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

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

r revised

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

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

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

r revised

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

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

		CUSTODIAL ORDERS				NON-CUSTODIAL ORDERS				
	<i>Defendants proven guilty</i>	<i>Custody in a correctional institution</i>	<i>Custody in the community</i>	<i>Fully suspended sentence</i>	<i>Total</i>	<i>Community supervision/ work orders</i>	<i>Monetary orders</i>	<i>Good behaviour bonds</i>	<i>Other(a)</i>	<i>Total</i>
	no.	%	%	%	%	%	%	%	%	%
NSW (b)										
2003–04	127 053	6.3	0.2	4.0	10.5	3.4	59.7	15.8	10.6	89.5
2004–05	137 054	5.8	0.2	3.9	9.9	3.6	61.3	14.5	10.7	90.1
2005–06	135 495	5.8	0.2	3.8	9.8	3.5	59.9	15.4	11.4	90.2
2006–07	133 686	6.1	0.2	3.8	10.1	3.5	59.4	16.6	10.3	89.9
2007–08	135 862	6.0	0.1	3.9	10.1	3.2	58.6	17.0	11.1	89.9
VIC.										
2003–04	75 370	6.1	1.6	6.5	14.2	6.8	53.1	11.0	14.1	85.1
2004–05	79 921	5.5	1.5	6.4	13.5	5.9	52.3	10.0	17.5	85.7
2005–06	78 152	5.7	1.6	6.2	13.5	5.8	53.5	9.9	16.7	85.9
2006–07	77 179	5.6	1.9	6.2	13.8	5.5	54.7	9.6	16.0	85.9
2007–08	80 410	4.7	1.9	6.7	13.3	5.0	57.4	9.8	14.1	86.3
QLD										
2003–04	113 694	3.0	0.3	1.4	4.6	4.7	86.7	2.8	1.2	95.4
2004–05	119 579	3.0	0.4	1.5	4.8	4.8	85.6	3.2	1.6	95.2
2005–06	127 501	2.8	0.4	2.5	5.7	5.3	82.4	5.1	1.4	94.3
2006–07	129 796	3.3	0.4	2.3	5.9	5.7	81.2	5.5	1.7	94.1
2007–08	139 169	3.6	0.3	2.3	6.1	5.6	80.9	5.6	1.7	93.9
SA										
2003–04	32 692	2.2	na	4.7	6.9	3.0	87.3	0.4	1.6	92.3
2004–05	35 218	2.2	na	4.6	6.8	2.4	90.0	0.1	0.6	93.1
2005–06	36 101	1.7	na	4.2	5.9	1.9	78.0	5.6	8.6	94.1
2006–07	37 870	1.9	1.2	3.3	6.4	1.8	75.6	6.7	9.4	93.6
2007–08	39 910	2.3	1.8	4.5	8.7	1.9	72.8	6.3	10.3	91.3
WA										
2003–04	52 637	4.1	..	3.6	7.7	7.6	78.8	5.5	0.4	92.2
2004–05	55 140	3.8	..	3.7	7.5	7.4	80.0	4.8	0.3	92.5
2005–06	64 686	3.3	..	3.0	6.3	6.1	83.3	4.0	0.3	93.7
2006–07	73 234	2.7	..	2.7	5.4	5.1	86.0	3.2	0.2	94.6
2007–08	88 852	2.5	..	2.6	5.0	4.0	88.2	2.5	0.3	95.0
TAS.										
2003–04	36 946	2.0	..	2.6	4.6	1.4	88.6	2.6	0.1	92.8
2004–05	36 573	2.0	..	2.5	4.5	1.3	88.1	2.7	0.1	92.2
2005–06	34 438	2.0	..	3.1	5.1	1.5	88.1	3.3	2.0	94.9
2006–07	40 909	1.8	..	2.5	4.2	1.3	89.4	3.4	0.9	94.9
2007–08	45 464	1.5	..	2.4	3.9	1.0	89.8	3.1	1.4	95.3

.. not applicable

na not available

r revised

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

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

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

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

— nil or rounded to zero (including null cells)

r revised

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

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

INTRODUCTION

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

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

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

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

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

Juvenile justice

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

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

Juvenile justice continued

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

Snapshot

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

DEFENDANTS FINALISED

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

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

Charges withdrawn by the prosecution

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

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

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

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

DEFENDANTS
ADJUDICATED

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

DEFENDANTS ADJUDICATED *continued*

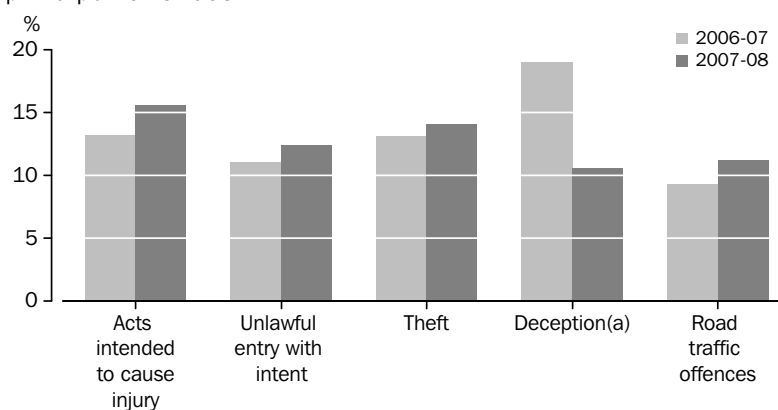
During 2007–08, 31,986 or 81% of defendants finalised in the Children's Courts in Australia were adjudicated.

Principal offence

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

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

DEFENDANTS ADJUDICATED, Proportion of defendants with selected principal offences

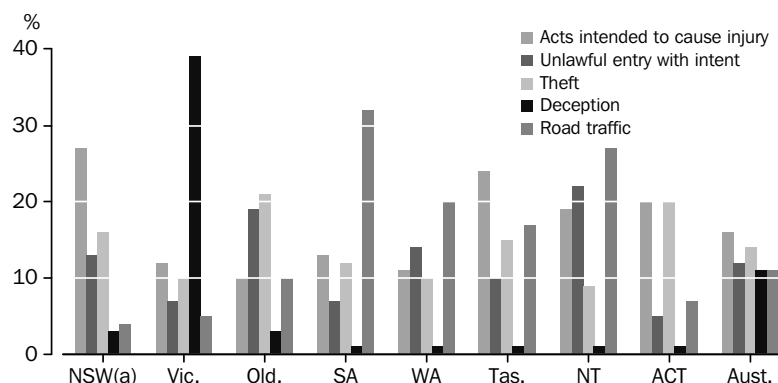


(a) Includes fare evasion

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

*Principal offence
continued*

DEFENDANTS ADJUDICATED, Selected principal offence by states and territories



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

Sex

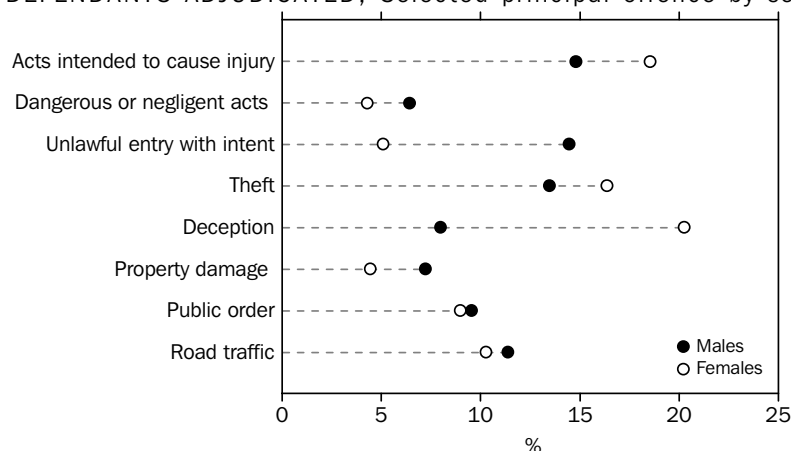
In 2007–08, over three quarters (78% or 25,019) of defendants heard in the Children's Courts were male, while females accounted for 22% (6,925). The number of males decreased 5% from the 26,387 defendants heard in 2006–07, while the number of females decreased 12% (down from 7,836).

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

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

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

DEFENDANTS ADJUDICATED, Selected principal offence by sex



Age

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

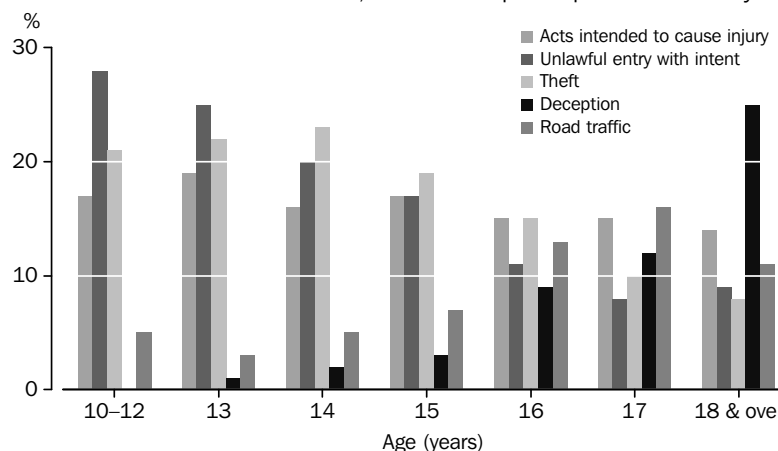
Age continued

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

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

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

DEFENDANTS ADJUDICATED, Selected principal offence by age

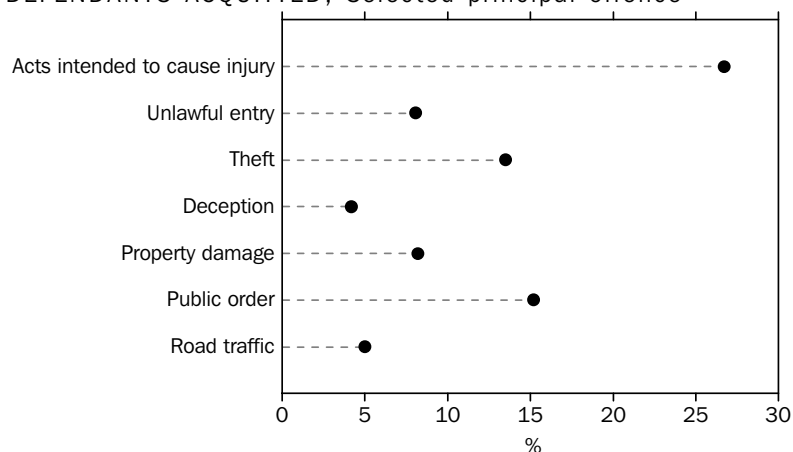
*Defendants acquitted*

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

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

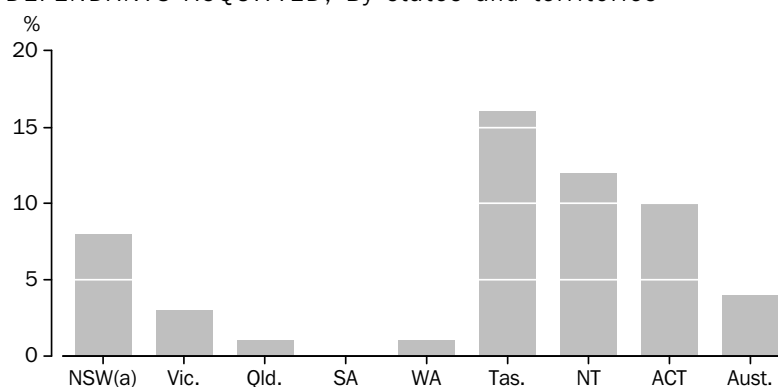
Defendants acquitted
continued

DEFENDANTS ACQUITTED, Selected principal offence



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

DEFENDANTS ACQUITTED, By states and territories



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

Defendants proven guilty

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

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

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

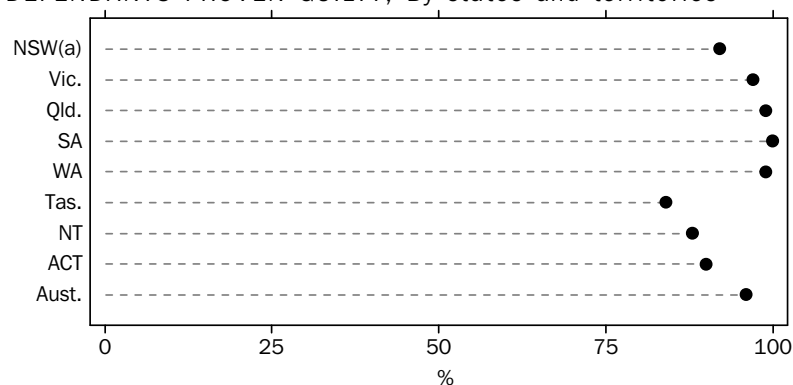
Defendants proven guilty
continued

DEFENDANTS PROVEN GUILTY, Selected principal offence



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

DEFENDANTS PROVEN GUILTY, By states and territories



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

SENTENCE OUTCOMES

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

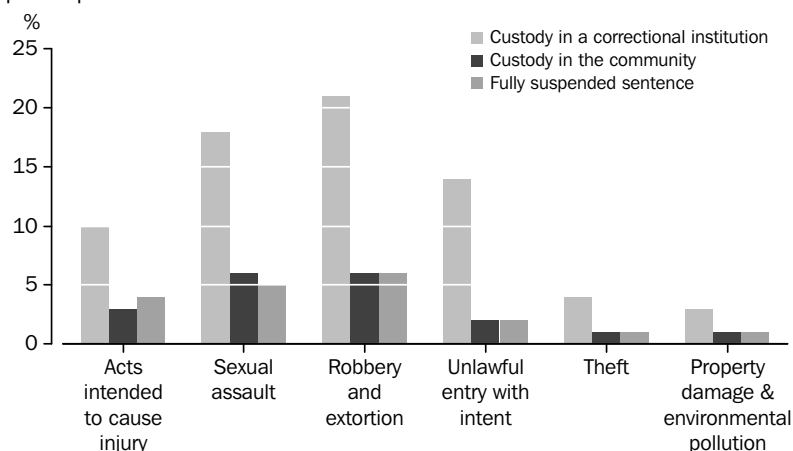
Custodial orders

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

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

*Custodial orders
continued*

DEFENDANTS PROVEN GUILTY, Custodial sentences by selected principal offence



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

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

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

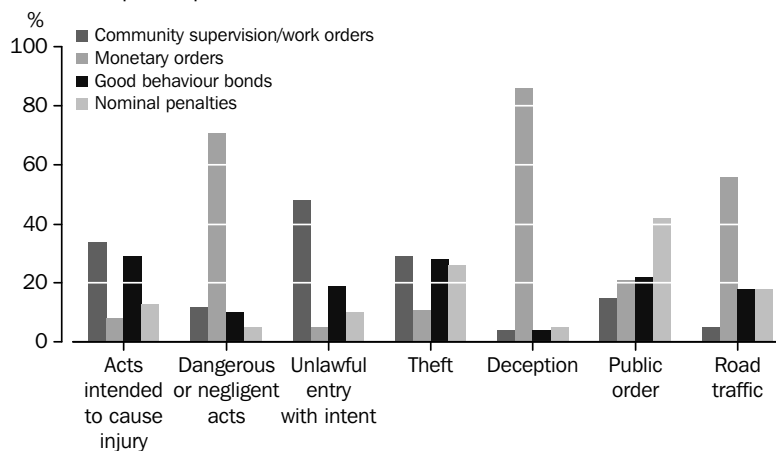
Non-custodial orders

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

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

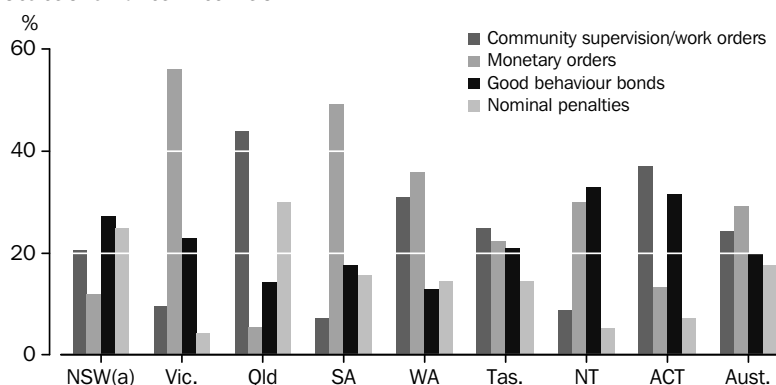
Non-custodial orders
continued

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



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

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



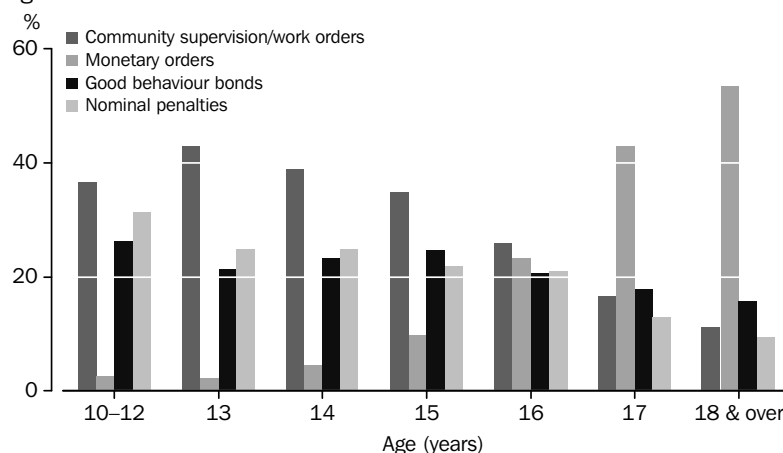
(a) Refers to finalised appearances rather than finalised defendants in the Children's Court, resulting in potentially higher population counts (see Explanatory Note 15).

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

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

*Non-custodial orders
continued*

DEFENDANTS PROVEN GUILTY, Selected non-custodial sentences by age

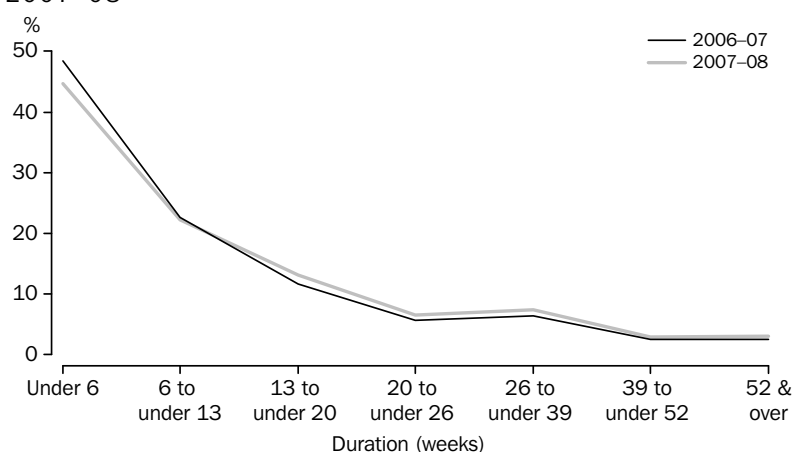


**DURATION OF CASES
ADJUDICATED**

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

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

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



4.1 SUMMARY CHARACTERISTICS OF DEFENDANTS, Selected principal offence

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

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

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

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

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

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

.....

r revised

(a) Includes defendants with unknown sex.

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

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

4.3**SUMMARY CHARACTERISTICS OF DEFENDANTS, States and territories**

	NSW(a)	Vic.	Qld	SA	WA	Tas.	NT	ACT	Aust.
NUMBER									
Defendants finalised									
Males	7 621	6 237	5 833	2 765	6 623	829	537	364	30 809
Females	1 642	2 654	1 609	602	1 609	221	122	88	8 547
Total(b)	9 263	8 891	7 446	3 367	8 284	1 050	659	452	39 412
Method of finalisation									
Adjudicated outcomes									
Acquitted	649	228	56	8	43	158	71	38	1 251
Proven guilty	7 025	7 336	6 516	2 329	5 852	839	512	326	30 735
Total	7 674	7 564	6 572	2 337	5 895	997	583	364	31 986
Transfers to other courts	283	35	342	502	40	18	16	10	1 246
Withdrawn by prosecution	1 291	1 292	531	400	497	35	54	77	4 177
Other(c)	15	—	3	128	1 852	—	6	—	2 004
Total	9 263	8 891	7 448	3 367	8 284	1 050	659	451	39 413
Sentence outcomes									
Custodial orders	1 010	457	371	165	328	137	116	33	2 617
Non-custodial orders	6 015	6 835	6 145	2 164	5 524	702	396	293	28 074
Total(d)	7 025	7 336	6 516	2 329	5 852	839	512	326	30 735
PROPORTION (%)									
Defendants finalised									
Males	82.3	70.1	78.3	82.1	79.9	79.0	81.5	80.5	78.2
Females	17.7	29.9	21.6	17.9	19.4	21.0	18.5	19.5	21.7
Total(b)	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Method of finalisation									
Adjudicated outcomes									
Acquitted	7.0	2.6	0.8	0.2	0.5	15.0	10.8	8.4	3.2
Proven guilty	75.8	82.5	87.5	69.2	70.6	79.9	77.7	72.3	78.0
Total	82.8	85.1	88.2	69.4	71.2	95.0	88.5	80.7	81.2
Transfers to other courts	3.1	0.4	4.6	14.9	0.5	1.7	2.4	2.2	3.2
Withdrawn by prosecution	13.9	14.5	7.1	11.9	6.0	3.3	8.2	17.1	10.6
Other(c)	0.2	—	—	3.8	22.4	—	0.9	—	5.1
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Sentence outcomes									
Custodial orders	14.4	6.2	5.7	7.1	5.6	16.3	22.7	10.1	8.5
Non-custodial orders	85.6	93.2	94.3	92.9	94.4	83.7	77.3	89.9	91.3
Total(d)	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

— nil or rounded to zero (including null cells)

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

(b) Includes defendants with unknown sex.

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

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

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

	<i>Acquitted</i>	<i>Proven guilty</i>	<i>Transfers to other courts</i>	<i>Withdrawn by prosecution</i>	<i>Other(a)</i>	<i>Total</i>
MALES (no.)						
Homicide and related offences	4	9	21	5	3	42
Acts intended to cause injury	243	3 458	183	537	99	4 520
Sexual assault and related offences	37	295	118	142	42	634
Dangerous or negligent acts endangering persons	24	1 587	8	73	111	1 803
Abduction and related offences	—	8	—	5	—	13
Robbery, extortion and related offences	66	1 121	165	311	14	1 677
Unlawful entry with intent	96	3 518	195	380	375	4 564
Theft and related offences	123	3 227	126	575	270	4 321
Deception and related offences	33	1 966	8	339	11	2 357
Illicit drug offences	6	523	9	42	41	621
Weapons and explosives offences	9	420	15	45	33	522
Property damage and environmental pollution	86	1 687	98	220	148	2 239
Public order offences	159	2 195	32	219	162	2 767
Road traffic and motor vehicle regulatory offences	42	2 803	13	122	164	3 144
Offences against justice procedures, gov't security and operations	31	624	12	83	54	804
Miscellaneous offences	16	499	8	126	15	664
Total(b)	975	24 044	1 011	3 231	1 542	30 803
MALES (%)						
Homicide and related offences	9.5	21.4	50.0	11.9	7.1	100.0
Acts intended to cause injury	5.4	76.5	4.0	11.9	2.2	100.0
Sexual assault and related offences	5.8	46.5	18.6	22.4	6.6	100.0
Dangerous or negligent acts endangering persons	1.3	88.0	0.4	4.0	6.2	100.0
Abduction and related offences	—	61.5	—	38.5	—	100.0
Robbery, extortion and related offences	3.9	66.8	9.8	18.5	0.8	100.0
Unlawful entry with intent	2.1	77.1	4.3	8.3	8.2	100.0
Theft and related offences	2.8	74.7	2.9	13.3	6.2	100.0
Deception and related offences	1.4	83.4	0.3	14.4	0.5	100.0
Illicit drug offences	1.0	84.2	1.4	6.8	6.6	100.0
Weapons and explosives offences	1.7	80.5	2.9	8.6	6.3	100.0
Property damage and environmental pollution	3.8	75.3	4.4	9.8	6.6	100.0
Public order offences	5.7	79.3	1.2	7.9	5.9	100.0
Road traffic and motor vehicle regulatory offences	1.3	89.2	0.4	3.9	5.2	100.0
Offences against justice procedures, gov't security and operations	3.9	77.6	1.5	10.3	6.7	100.0
Miscellaneous offences	2.4	75.2	1.2	19.0	2.3	100.0
Total(b)	3.2	78.1	3.3	10.5	5.0	100.0

— nil or rounded to zero (including null cells)

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

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

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

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

— nil or rounded to zero (including null cells)

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

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

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

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

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

— nil or rounded to zero (including null cells)

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

(b) Includes defendants with unknown sex.

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

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

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

— nil or rounded to zero (including null cells)

r revised

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

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

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

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

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

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

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

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

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

— nil or rounded to zero (including null cells)

(a) Includes defendants with unknown age.

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

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

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

— nil or rounded to zero (including null cells)

(a) Includes defendants with unknown age.

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

4.7 DEFENDANTS PROVEN GUILTY, Principal offence by principal sentence

CUSTODIAL ORDERS

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

PROPORTION (%)

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

— nil or rounded to zero (including null cells)

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

4.7**DEFENDANTS PROVEN GUILTY, Principal offence by principal sentence** *continued***NON-CUSTODIAL ORDERS**

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

PROPORTION (%)

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

— nil or rounded to zero (including null cells)

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

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

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

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

— nil or rounded to zero (including null cells)

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

(a) Includes defendants with unknown age.

(c) Includes defendants with unknown sex.

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

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

— nil or rounded to zero (including null cells)

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

(a) Includes defendants with unknown age.

(c) Includes defendants with unknown sex.

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

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

— nil or rounded to zero (including null cells)

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

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

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

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

— nil or rounded to zero (including null cells)

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

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

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

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

— nil or rounded to zero (including null cells)

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

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

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

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

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

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

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

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

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

— nil or rounded to zero (including null cells)

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

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

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

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

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

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

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

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

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

r revised

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

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

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

— nil or rounded to zero (including null cells)

r revised

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

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

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

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

. . not applicable

— nil or rounded to zero (including null cells)

r revised

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

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

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

EXPLANATORY NOTES

INTRODUCTION

- 1** This publication presents information on the characteristics of defendants dealt with by Australian state and territory criminal courts. This includes information on the offences and sentences associated with those defendants.
- 2** Information relates to the criminal jurisdiction of the Higher (Supreme and Intermediate), Magistrates' and Children's Courts in each state and territory. The criminal jurisdiction of the courts includes the trial and sentencing of persons and organisations charged with criminal offences in Australia.
- 3** Information relating to criminal cases heard in the Higher Courts is available from 1995. Information about defendants finalised in the Magistrates' Courts is available from 2003–04 and in the Children's Courts from 2006–07.

DATA SOURCE

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

SCOPE

- 6** The scope of the statistics in this publication includes all defendants who have been finalised in the Higher, Magistrates' or Children's Courts.
- 7** The criminal courts collection is limited to defendants finalised, that is a person or organisation for whom all charges have been formally completed so that the defendant ceases to be an item of work to be dealt with by the court.
- 8** The numbers of defendants finalised can be impacted by the use of diversionary programs that can be initiated by police and other agencies (pre-court) and/or by the courts themselves as part of the court process. Given a major part of the juvenile justice system is to divert young people away from the more formal justice system, the use of diversionary schemes are likely to be used more often in the Children's Courts. The types of pre-court programs include (but are not limited to) warnings (both informal and formal), cautions, police drug diversions and conferencing. Such pre-court programs can reduce the number of defendants finalised appearing in the Criminal Courts collection.
- 9** Some examples of court initiated programs used in the Children's Courts include:
 - Victoria - Group Conference, Ropes Program
 - Queensland - Youth Justice Conferencing, Illicit Drug Court Diversion Program
 - South Australia - Family conferences, Youth CARDS (Court Assessment and Referral Drug Scheme)
 - Western Australia - Juvenile Justice Teams, Drug Court
 - Tasmania - Court Ordered Community Conference
 - Australian Capital Territory - Restorative Justice.

SCOPE *continued*

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

11 The geographic definition of Australia, as used by the ABS, includes Other Territories. However, these territories are generally out of scope for ABS collections. For the Criminal Courts data, defendants in Higher, Magistrates' and Children's Courts cases heard in the criminal courts on Cocos (Keeling) Islands and Christmas Island are included in the counts for Western Australia, where applicable. Defendants finalised in Jervis Bay Territory are not included in any counts in this publication.

Higher Courts

12 Data includes defendants finalised in the original jurisdiction of the Supreme and Intermediate Criminal Courts. Children treated as adults by the courts are included in the Higher Courts collection.

Magistrates' Courts

13 Data includes defendants finalised in the original jurisdiction of the Magistrates' Criminal Courts. Children treated as adults by the courts are included in the Magistrates' Courts collection.

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

Children's Courts

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

16 In all states and territories, children aged under 10 years cannot be charged with a criminal offence. The maximum age that defendants are considered a child or juvenile is under the age of 18 years in all states and territories, except Queensland. In Queensland, defendants are considered adults if aged 17 years and over at the time the offence was committed.

Exclusions

17 The Higher, Magistrates' and Children's Courts data exclude cases heard in the criminal jurisdiction of the courts which do not require the adjudication of charges (e.g. bail reviews and applications to amend sentences or penalties). Also excluded are breach of bail or parole cases, appeal cases, tribunal matters and defendants for whom a bench warrant is issued but not executed.

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

REFERENCE PERIOD

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

CLASSIFICATIONS

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

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

CLASSIFICATIONS *continued*

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

21 The classifications provide a framework for classifying criminal court information for statistical purposes, promoting data that are compiled on a consistent basis across states and territories. The classifications have a hierarchical structure and therefore allow for different levels of detail to be recorded depending on the level of detail in the source information. Associated with each classification are coding rules which ensure that the counting of information is consistent across states and territories.

*Australian Standard Offence
Classification (ASOC)*

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

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

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

National Offence Index (NOI)

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

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

NATIONAL CRIMINAL COURTS
DATA DICTIONARY

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

COUNTING METHODOLOGY
Counting unit

28 The principal counting unit for the Criminal Courts collection is a finalised defendant. A defendant is a person or organisation against whom one or more criminal charges have been laid and which are heard together as the one unit of work by a court at a particular level. It should be noted that the Criminal Courts collection does not enumerate unique persons or organisations. If a person or organisation is a defendant in a number of criminal cases dealt with and finalised separately within the courts during the reference period, this person or organisation will be counted more than once within that reference period.

Counting unit continued

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

Method of finalisation

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

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

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

Transfer between Higher Court levels

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

Transfer between Magistrates' and Higher Court levels

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

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

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

Higher Courts

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

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

Higher Courts continued

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

Magistrates' Courts

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

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

Children's Courts

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

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

Merging counting units

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

Principal offence

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

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

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

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

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

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

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

Principal sentence

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

Principal sentence continued

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

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

COMPARABILITY

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

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

REVISIONS

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

COMPARISONS TO NON-ABS SOURCES

Report on Government Services

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

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

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

FINALISED DEFENDANT

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

*Report on Government
Services continued*

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

TRANSFERS BETWEEN INTERMEDIATE AND SUPREME COURT LEVELS

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

DURATION

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

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

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

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

STATE/TERRITORY EVENTS /
SPECIFIC ISSUES

New South Wales

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

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

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

Victoria

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

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

Victoria continued

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

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

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

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

Queensland

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

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

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

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

Queensland continued

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

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

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

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

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

South Australia

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

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

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

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

Western Australia

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

Western Australia continued

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

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

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

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

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

Tasmania

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

Northern Territory

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

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

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

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

Australian Capital Territory

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

Australian Capital Territory
continued

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

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

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

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

CONFIDENTIALITY OF
TABULAR DATA

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

RELATED PUBLICATIONS
ABS publications

95 ABS publications which may be of interest include:

- *Australian Social Trends* (cat. no. 4102.0) - issued annually
- *Australian Standard Offence Classification* (cat. no. 1234.0) - irregular
- *Corrective Services, Australia* (cat. no. 4512.0) - issued quarterly
- *Crime and Safety, Australia* (cat. no. 4509.0) - released 26 April 2006
- *Crime and Safety, New South Wales* (cat. no. 4509.1) - irregular
- *General Social Survey: Summary Results, Australia* (cat. no. 4159.0) - irregular
- *Information Paper: Measuring Crime Victimisation, Australia: The Impact of Different Collection Methodologies* (cat. no. 4522.0.55.001) - single issue
- *Information Paper: National Information Development Plan for Crime and Justice Statistics 2005* (cat. no. 4520.0) - single issue
- *Measures of Australia's Progress* (cat. no. 1370.0) - released 31 May 2006
- *Measuring Well-being: Frameworks for Australian Social Statistics* (cat. no. 4160.0) - irregular
- *National Criminal Courts Data Dictionary* (cat. no. 4527.0) - released 1 February 2007
- *Personal Safety Survey, Australia* (cat. no. 4906.0) - released 21 August 2006
- *Prisoners in Australia* (cat. no. 4517.0) - issued annually
- *Recorded Crime - Victims, Australia* (cat. no. 4510.0) - issued annually
- *Year Book Australia* (cat. no. 1301.0) - irregular

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

Non-ABS publications

97 Non-ABS sources of criminal court statistics which may be of interest include:

- ACT Department of Justice and Community Safety, *Annual Report*
- Australian Institute of Criminology, List of Publications <<http://www.aic.gov.au>>
- Chief Justice of Western Australia, *Annual Review*
- Children's Court, Queensland, *Annual Report*

Non-ABS publications

continued

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

ABBREVIATIONS

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

APPENDIX 1

LIST OF SUPPLEMENTARY DATA CUBES

HIGHER COURTS SUPPLEMENTARY DATA CUBES

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

MAGISTRATES' COURTS SUPPLEMENTARY DATA CUBES

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

MAGISTRATES' COURTS
SUPPLEMENTARY DATA
CUBES *continued*

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

CHILDREN'S COURTS
SUPPLEMENTARY DATA
CUBES

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

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

APPENDIX 3

AUSTRALIAN STANDARD OFFENCE CLASSIFICATION (1997)

<i>Code</i>	<i>Division/Subdivision/Group</i>
01	Homicide and related offences
011	Murder
0111	Murder
012	Conspiracies and Attempts to Murder
0121	Conspiracy to Murder
0122	Attempted Murder
013	Manslaughter And Driving Causing Death
0131	Manslaughter
0132	Driving Causing Death
02	Acts intended to cause injury
021	Assault
0211	Aggravated Assault
0212	Non-Aggravated Assault
029	Other Acts Intended To Cause Injury
0299	Acts Intended to Cause Injury, n.e.c
03	Sexual assault and related offences
031	Sexual Assault
0311	Aggravated Sexual Assault
0312	Non-Aggravated Sexual Assault
032	Non-Assaultive Sexual Offences
0321	Non-Assaultive Sexual Offences Against a Child
0329	Non-Assaultive Sexual Offences, n.e.c
04	Dangerous or negligent acts endangering persons
041	Dangerous or Negligent Operation of a Vehicle
0411	Driving Under the Influence of Alcohol or Drugs
0412	Dangerous or Negligent Driving
049	Other Dangerous or Negligent Acts Endangering Persons
0491	Neglect of Person Under Care
0499	Other Dangerous or Negligent Acts Endangering Persons, n.e.c
05	Abduction and related offences
051	Abduction and Kidnapping
0511	Abduction and Kidnapping
052	Deprivation of Liberty/False Imprisonment
0521	Deprivation of Liberty/False Imprisonment
06	Robbery, extortion and related offences
061	Robbery
0611	Aggravated Robbery
0612	Non-Aggravated Robbery
062	Blackmail And Extortion
0621	Blackmail and Extortion
07	Unlawful entry with intent/burglary, break and enter
071	Unlawful Entry with Intent/Burglary, Break And Enter
0711	Unlawful Entry with Intent/Burglary, Break and Enter
08	Theft and related offences
081	Motor Vehicle Theft And Related Offences
0811	Theft of a Motor Vehicle
0812	Illegal Use of a Motor Vehicle
0813	Theft of Motor Vehicle Parts or Contents

<i>Code</i>	<i>Division/Subdivision/Group</i>
08	Theft and related offences <i>cont.</i>
082	Theft (Except Motor Vehicles)
0821	Theft from a Person (Excluding by Force)
0822	Theft of Intellectual Property
0823	Theft from Retail Premises
0829	Theft (Except Motor Vehicles), n.e.c
083	Receiving Or Handling Proceeds Of Crime
0831	Receiving or Handling Proceeds of Crime
084	Illegal Use Of Property (Except Motor Vehicles)
0841	Illegal Use of Property (Except Motor Vehicles)
09	Deception and related offences
091	Fraud, Forgery or False Financial Instruments
0911	Cheque or Credit Card Fraud
0912	Make, Use or Possess Equipment to Make False/Illegal Financial Instrument
0913	Fraudulent Trade Practices
0914	Prescription Drug Fraud
0915	Fare Evasion
0919	Fraud, n.e.c
092	Counterfeiting Currency and Related Offences
0921	Counterfeiting Currency and Related Offences
093	Dishonest Conversion
0931	Dishonest Conversion
094	Bribery
0941	Bribery Involving Government Officials
0949	Bribery, n.e.c
099	Other Deception Offences
0991	Misrepresentation of Professional Status
0992	Non-Fraudulent Trade Practices
0999	Deception Offences, n.e.c
10	Illicit drug offences
101	Import Or Export Illicit Drugs
1011	Import Illicit Drugs
1012	Export Illicit Drugs
102	Deal or Traffic in Illicit Drugs
1021	Deal or Traffic in Illicit Drugs - Commercial Quantity
1022	Deal or Traffic in Illicit Drugs - Non-Commercial Quantity
103	Manufacture or Cultivate Illicit Drugs
1031	Manufacture or Cultivate Illicit Drugs
104	Possess And/Or Use Illicit Drugs
1041	Possess Illicit Drug
1042	Use Illicit Drug
109	Other Illicit Drug Offences
1099	Illicit Drug Offences, n.e.c
11	Weapons and explosives offences
111	Prohibited Weapons/Explosives Offences
1111	Import or Export Prohibited Weapons/Explosives
1112	Sell, Possess and/or Use Prohibited Weapons/Explosives
1119	Prohibited Weapons/Explosives Offences, n.e.c
112	Regulated Weapons/Explosives Offences
1121	Unlawfully Obtain or Possess Regulated Weapons/Explosives
1122	Misuse of Regulated Weapons/Explosives
1123	Deal or Traffic Regulated Weapons/Explosives Offences
1129	Regulated Weapons/Explosives Offences, n.e.c
12	Property damage and environmental pollution
121	Property Damage
1211	Property Damage by Fire or Explosion
1212	Graffiti
1219	Property Damage, n.e.c

<i>Code</i>	<i>Division/Subdivision/Group</i>
12	Property damage and environmental pollution <i>cont.</i>
122	Environmental Pollution
1221	Air Pollution Offences
1222	Water Pollution Offences
1223	Noise Pollution Offences
1229	Environmental Pollution Offences, n.e.c
13	Public order offences
131	Disorderly Conduct
1311	Trespass
1312	Offensive Language
1313	Offensive Behaviour
1314	Criminal Intent
1315	Conspiracy
1319	Disorderly Conduct, n.e.c
132	Regulated Public Order Offences
1321	Betting and Gambling Offences
1322	Liquor and Tobacco Offences
1323	Censorship Offences
1324	Prostitution Offences
1325	Offences Against Public Order Sexual Standards
1329	Regulated Public Order Offences, n.e.c
14	Road traffic and motor vehicle regulatory offences
141	Driving Licence Offences
1411	Driving While Licence Cancelled or Suspended
1412	Driving Without a Licence
1419	Driving Licence Offences, n.e.c
142	Road Vehicle Registration and Roadworthiness Offences
1421	Registration Offences
1422	Roadworthiness Offences
143	Regulatory Driving Offences
1431	Exceeding the Prescribed Content of Alcohol Limit
1432	Exceeding Legal Speed Limit
1433	Parking Offences
1439	Regulatory Driving Offences, n.e.c
144	Pedestrian Offences
1441	Pedestrian Offences
15	Offences against justice procedures, government security and government operations
151	Breach of Justice Order
1511	Escape Custody Offences
1512	Breach of Bail
1513	Breach of Parole
1514	Breach of Domestic Violence Order
1515	Breach of Other Restraining Order
1519	Breach of Justice Order, n.e.c
152	Other Offences Against Justice Procedures
1521	Subvert the Course of Justice
1522	Resist or Hinder Police Officer or Justice Official
1523	Prison Regulation Offences
1529	Offences Against Justice Procedures, n.e.c
153	Offences Against Government Security
1531	Resist or Hinder Government Officer Concerned with Government Security
1539	Offences Against Government Security, n.e.c
154	Offences Against Government Operations
1541	Resist or Hinder Government Official (Excluding Police Officer, Justice Official or Government Security Officer)
1549	Offences Against Government Operations, n.e.c
16	Miscellaneous offences
161	Harassment and Related Offences
1611	Harassment and Private Nuisance
1612	Offences Against Privacy
1613	Threatening Behaviour
1614	Defamation and Libel

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

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3	0122 Attempted murder
4	0121 Conspiracy to murder
5	0120 Conspiracies and attempts to murder, n.f.d.
6	0131 Manslaughter
7	0130 Manslaughter and driving causing death, n.f.d.
8	0132 Driving causing death
9	0100 Homicide and related offences, n.f.d.
10	0311 Aggravated sexual assault
11	0321 Non-assaultive sexual offences against a child
12	0312 Non-aggravated sexual assault
13	0329 Non-assaultive sexual offences, n.e.c.
14	0300 Sexual assault and related offences, n.f.d.
15	1011 Import illicit drugs
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18	1021 Deal or traffic in illicit drugs - commercial quantity
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20	1020 Deal or traffic in illicit drugs, n.f.d.
21	1031 Manufacture or cultivate illicit drugs
22	1030 Manufacture or cultivate illicit drugs, n.f.d.
23	0611 Aggravated robbery
24	0211 Aggravated assault
25	0511 Abduction and kidnapping
26	0510 Abduction and kidnapping, n.f.d.
27	0521 Deprivation of liberty/false imprisonment
28	0520 Deprivation of liberty/false imprisonment, n.f.d.
29	0500 Abduction and related offences, n.f.d.
30	0212 Non-aggravated assault
31	0290 Other acts intended to cause injury, n.f.d.
32	0299 Acts intended to cause injury, n.e.c.
33	0491 Neglect of person under care
34	0490 Other dangerous or negligent acts endangering persons, n.f.d.
35	0499 Other dangerous or negligent acts endangering persons, n.e.c.
36	0612 Non-aggravated robbery
37	0621 Blackmail and extortion
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57	1315 Conspiracy
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89	0411 Driving under the influence of alcohol or drugs
90	0412 Dangerous or negligent operation (driving) of a vehicle
91	0410 Dangerous or negligent operation of a vehicle, n.f.d.
92	1431 Exceeding the prescribed content of alcohol limit
93	1212 Graffiti
94	1219 Property damage, n.e.c.
95	1221 Air pollution offences
96	1222 Water pollution offences
97	1223 Noise pollution offences
98	1220 Environmental pollution, n.f.d.
99	1229 Environmental pollution offences, n.e.c.
100	1621 Sanitation offences

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

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

GLOSSARY

Abduction and related offences	Acts intended to unlawfully deprive another person of their freedom of movement against that person's will or against the will of any parent, guardian or other person having lawful custody or care of that person. This is a Division of ASOC which includes the following Subdivisions: abduction and kidnapping (051) and deprivation of liberty/false imprisonment (052).
Acquitted	An outcome of criminal proceedings in which a court declares a not guilty verdict as a charge laid against a defendant has not been proven. This also includes a finding of not guilty by reason of mental illness or condition at the time the defendant committed the offence. This is a method of finalisation.
Acts intended to cause injury	Acts, excluding homicide and related offences, which are intended to cause non-fatal injury or harm to another person and where there is no sexual or acquisitive element. This is a Division of ASOC which includes the following Subdivisions: assault (021) and other acts intended to cause injury (029).
Adjudicated finalisation	A method of finalisation based on a judgement or decision by the court as to whether or not the defendant is guilty of the charge(s) laid against them.
Age	Age is calculated at a defendant's date of finalisation within a court level. A defendant's age is the time elapsed (in years) between a defendant's date of birth and the date of finalisation.
Australian Standard Offence Classification (ASOC)	The ASOC is a hierarchical classification developed by the ABS for use in the collection and publication of crime and justice statistics. It provides a classificatory framework for the comparison of statistics on offences across Australia. Within the classificatory structure of ASOC, Divisions represent the broadest categories of offences (see Appendix 3). The main purpose of Divisions is to provide a limited number of categories which represent broad groups of criminal offences. The Subdivision and Group levels provide increasingly detailed dissections of these broad categories. The 1997 version of ASOC is used to classify offence data within this publication.
Bench warrant issued	A warrant signed by a judge or magistrate ordering a person to be arrested and brought back before the court. This process takes place when a defendant, who has at least one charge that has not been finalised by the court, absconds from criminal proceedings.
Breach of domestic violence order	An act or omission breaching the conditions of a domestic violence order. This is ASOC Group 1514.
Case	One or more defendants against whom one or more charges have been laid and which are heard together by a court as one unit of work. The charge(s) usually relate to the same criminal incident.
Charge	An allegation laid before a court by the police, Director of Public Prosecutions or other prosecuting agency that a person or organisation has committed a criminal offence.
Charged	In this publication, the term charged refers to those defendants who were adjudicated i.e. finalised via a plea of guilty or a decision by the court as to their guilt or otherwise of the final charge(s) laid against them.
Children's Court	The Children's Court is primarily a Court of Summary Jurisdiction, to hear and determine criminal charges against persons generally aged less than 18 years. The Children's Court may also determine some minor indictable offences and conduct committal proceedings in relation to young people who have been charged with major indictable offences.

Committal plea	The plea to a charge which is entered by a defendant at the end of committal proceedings in a Court of Summary Jurisdiction.
Committed for sentence	An outcome of a committal hearing where a defendant enters a guilty plea to all charges and is transferred to a Higher Court to be sentenced. This process is regarded as a method of finalisation for the Magistrates' Court and the Children's Court, and a method of initiation into a Higher Court level.
Committed for trial	An outcome of a committal hearing where a defendant enters a not guilty plea to at least one charge and is transferred to a Higher Court to stand trial. This process is regarded as a method of finalisation for the Magistrates' Court and the Children's Court, and a method of initiation into a Higher Court level.
Community supervision or work orders	Sentences imposed on a defendant requiring a person to perform work within the community or report to a person nominated by the court (for example a corrections officer). These non-custodial orders include: community service orders, probation orders, treatment orders and referral to conference.
Convicted	In this publication the term convicted refers to those defendants who were proven guilty of at least one of the final charge(s) laid against them.
Court level	Separate tiers of the court system which are established under legislation and have certain prescribed powers. Court levels can be distinguished from one another on the basis of the extent of their legal powers (see Jurisdiction). Court levels include Court of Summary Jurisdiction, Intermediate Court and Supreme Court. The names assigned to each of these court levels varies across Australia.
Court of Summary Jurisdiction	A lower court level (also referred to as Magistrates' Court, Local Court or Court of Petty Sessions) which deals with relatively less serious charges and has the most limited legal powers of all the state and territory court levels. A Court of Summary Jurisdiction is presided over by a magistrate and has jurisdiction to try and sentence matters relating to summary offences. Under some circumstances, this court level may also deal with less serious indictable offences known as 'minor indictable' or 'triable either way' offences. Courts of Summary Jurisdiction are also responsible for conducting preliminary (committal) hearings for indictable offences.
Custodial orders	Sentences imposed on a defendant requiring a person to have restricted liberty for a specified period of time through detainment in an institution or home. The court may set aside the order subject to the person being of good behaviour. Includes: custody in a correctional institution, custody in the community and fully suspended sentence.
Custody in a correctional institution	Sentences imposed on a defendant requiring a person to be detained within a facility built especially for the purpose of incarceration. Includes: life and indeterminate imprisonment, imprisonment with determined term, imprisonment with partially suspended term, periodic detention, juvenile detention with determined term, and juvenile detention with partially suspended term.
Custody in the community	Sentences imposed on a defendant requiring a person to have restricted liberty for a specified period of time while living within the community. Includes: intensive corrections orders, home detention and other custody in the community.
Dangerous or negligent acts endangering persons	Dangerous or negligent acts which, though not intended to cause harm, actually or potentially, result in injury to oneself or another person. This is a Division of ASOC which includes the following Subdivisions: dangerous or negligent operation of a vehicle (041) and other dangerous or negligent acts endangering persons (049).
Date of finalisation	The date on which all charges laid against a defendant are regarded as formally completed by the courts and the defendant ceases to be an active unit of work to be dealt with by the court.

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

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

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

Non-adjudicated finalisation	A method of finalisation whereby a charge is considered completed and ceases to be active in a court even though there has not been a determination on whether the defendant is guilty. This includes where a charge is withdrawn by the prosecution and where a defendant is deemed unfit to plead to the charge.
Non-assaultive sexual offence	Offences of a sexual nature against another person which do not involve physical contact with the person and where the person does not give consent, gives consent as a result of intimidation or fraud, or consent is proscribed (i.e. the person is legally deemed incapable of giving consent because of youth, temporary/permanent (mental) incapacity or there is a familial relationship). This is a Subdivision of ASOC 1997 which includes the Groups: Non-assaultive sexual offences against a child (0321) and non-assaultive sexual offences n.e.c. (0329).
Non-custodial orders	Sentences imposed on a defendant that do not involve being held in custody. Includes: community supervision or work orders, monetary orders and other non-custodial orders.
Not guilty verdict	See Acquitted.
Offences against justice procedures, government security and government operations	An act or omission that is deemed to be prejudicial to the effective carrying out of justice procedures or any government operations including those specifically concerned with maintaining government security. This is a Division of ASOC which includes the following Subdivisions: breach of justice order (151), other offences against justice procedures (152), offences against government security (153) and offences against government operations (154).
Original jurisdiction	The power of a court to hear criminal charges and determine whether or not a defendant is proven guilty and/or to sentence defendants where a charge has been proven (refer to Jurisdiction).
Other illicit drug offences	Other illicit drug offences not elsewhere classified (1099) in Division 10 of the ASOC, illicit drug offences. Includes: possess money with intent to obtain drugs; possess pipes, syringes, other utensils associated with the use of drugs; permit premises to be used for taking, selling or distributing drugs; and fail to keep register for drugs of addiction.
Other non-custodial orders	Sentences imposed on a defendant that do not require custody, are not fully suspended, and are not elsewhere classified in the non-custodial orders category of the Sentence Type classification. Includes: good behaviour bond/recognition orders, licence disqualification/suspension/amendment, forfeiture of property order, nominal penalty and other non-custodial orders n.e.c.
Partially suspended sentence	An order of imprisonment requiring a person be detained for part of the specified period of time, subject to the person being of good behaviour for the length of the sentence.
Periodic detention	Sentence imposed on a defendant requiring a person to be in custody for two consecutive days in a week (e.g. weekends) and remain at liberty during the rest of the week. This sentencing option is available in New South Wales and the Australian Capital Territory.
Plea	The formal statement by, or on behalf of, the defendant in response to a criminal charge that has been laid in a court. The nature of this response indicates whether or not the defendant intends to contest that charge. If the defendant does not enter a plea, this is treated by the court as if the defendant had pleaded not guilty.
Possess and/or use illicit drugs	The possession of a non-commercial quantity and/or use of an illicit drug or other controlled substance. This is a Subdivision of ASOC which includes the following Groups: possess illicit drug (1041) and use illicit drug (1042).
Principal offence	The offence category, based on ASOC (1997), that describes the most serious offence type associated with a finalised defendant. The most serious offence is determined by how the offences were finalised and the rankings in the National Offence Index. For example, for defendants proven guilty, the principal offence refers to the most serious

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

Summary offence	A criminal offence which is regarded as less serious relative to an indictable offence as defined by specific Commonwealth, state or territory legislation (see Indictable offence). Charges relating to summary offences are generally dealt with by a Court of Summary Jurisdiction and do not require a trial by jury in a Higher Court. In some states and territories, a defendant against whom summary charges are laid may be transferred to a Higher Court for sentencing (e.g. if the magistrate wants to impose a penalty which exceeds his/her jurisdictional powers).
Supreme Court	A Higher Court level which deals with the most serious criminal charges and has the greatest legal powers of all the state and territory court levels. A Supreme Court is presided over by a judge, and has jurisdiction to hear trial and sentence matters relating to all indictable offences. In states which have an Intermediate Court, the Supreme Court is usually reserved to deal with the most serious indictable offences, such as murder.
Theft and related offences	The unlawful taking or obtaining of money or goods not involving the use of force, threat of force or violence, coercion or deception, with the intent to permanently or temporarily deprive the owner or possessor of the use of the money or goods, or the receiving or handling of money or goods obtained unlawfully. This is a Division of ASOC which includes the following Subdivisions: motor vehicle theft and related offences (081), theft (except motor vehicles) (082), receiving or handling proceeds of crime (083) and illegal use of property (except motor vehicles) (084).
Theft/illegal use of motor vehicle	The taking of another person's motor vehicle illegally and without permission with the intent of either temporarily or permanently depriving the owner or possessor of the use of the motor vehicle. These are ASOC Groups: theft of a motor vehicle (0811) and illegal use of a motor vehicle (0812).
Transfer to non-court agency	A court outcome ordering that a criminal charge be transferred to an agency outside the court for mediation e.g. a juvenile justice agency.
Transfer to other court levels	A court outcome ordering that a criminal charge be transferred to another court level to be adjudicated and/or sentenced. For all transfers, except those between Higher Court levels, this process is regarded as a method of finalisation for the court level ordering the transfer and a method of initiation for the court level to which the defendant's charge(s) were transferred. Defendants who transfer from one Higher Court level to another will be considered as initiated only once (in the level they first entered) and finalised only once (from the level they finally left).
Triable either way offence	An indictable offence which a defendant can elect to have heard either in a Court of Summary Jurisdiction before a Magistrate or in a Higher Court before a judge and jury.
Trial	The examination of, and decision on, a matter of law or fact by a court. Where a defendant enters a not guilty plea or other defended plea in the committal proceedings, they are committed to a Higher Court for trial. In the Higher Courts, trials are usually conducted before a judge and jury whereby the judge rules on questions of law and the jury is responsible for determining whether or not the defendant is guilty. Some states and territories also allow for a trial before a judge alone in the Higher Courts.
Unfit to plead	An outcome of court proceedings in which a court determines that a defendant's mental status is such that he/she is unfit to plead in relation to the charges against him/her. For the purposes of this collection, this process is regarded as a non-adjudicated method of finalisation.
Unlawful entry with intent	The unlawful entry of a structure with the intent to commit an offence where the entry is either forced or unforced (ASOC Division 7).
Weapons and explosives offences	Offences relating to weapons or explosives which are either prohibited or legalised/regulated by legislation. This is a Division of ASOC which includes the following Subdivisions: prohibited weapons/explosives offences (111) and regulated weapons/explosives offences (112).

Withdrawn by the prosecution The formal withdrawal of charges by the prosecution (e.g. police, Director of Public Prosecutions, Attorney-General). This includes nolle prosequi and no true bill. Withdrawal of charges allows the prosecution to charge the defendant on the same incident at a later time. This is a non-adjudicated method of finalisation.

FOR MORE INFORMATION . . .

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