

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 Nick Skondreas on Melbourne (03) 9615 7381.

NOTES

ABOUT THIS PUBLICATION	<p>This publication presents nationally comparable statistics relating to the criminal jurisdiction of the Higher (Supreme and Intermediate) and Magistrates' Courts across Australia for the period 1 July 2003–30 June 2004. The statistics provide indicators on the characteristics of defendants, including information on the offences and sentences associated with those defendants.</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, Appendixes 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 on the characteristics of defendants finalised in the criminal jurisdiction of the Magistrates' Courts, including offence and sentence information associated with those defendants, is presented. Previously, these data were published as experimental and had been included as an Appendix in the publication.</p> <p>Due to the inclusion of the Magistrates' Courts statistics in the main suite of this publication, there has been a substantial revision of the tables presented. The focus of this publication is now on finalised defendants with statistics on principal offence, principal sentence, age, sex and duration.</p> <p>Some tables previously in this publication are available as special data services. For further information on the availability of data cubes contact the National Information and Referral Service on 1300 135 070.</p>
INFORMATION ON ABS CRIME AND JUSTICE	<p>Information about ABS activities in the field of Crime and Justice statistics is available from the Crime and Justice theme page on the ABS web site. Details of other ABS publications relating to Crime and Justice statistics can be found in paragraph 46 of the Explanatory Notes.</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>

Dennis Trewin
Australian Statistician

SUMMARY OF FINDINGS

INTRODUCTION

This publication presents statistics relating to the criminal jurisdiction of the Higher (Supreme and Intermediate) and Magistrates' Courts of Australia, for the period 1 July 2003–30 June 2004. The criminal jurisdiction of the courts is responsible for trying and sentencing persons and organisations charged with criminal offences.

The publication provides a picture of the characteristics of defendants dealt with by the Higher Courts and Magistrates' Courts of Australia, including information on the offences and sentences associated with those defendants.

Summary data relating to the Higher Courts are available for individual years from 1996–97 onwards. A comparison of Higher Court offence data from 2001–02 onwards has also been provided.

There are significant differences between the states and territories in the way the Higher Courts and Magistrates' Courts systems are structured and how criminal cases are allocated between court levels. For example, legislation differs between states and territories regarding which offences can be heard summarily in the Magistrates' Courts and which offences must be indicted to a Higher Court. Caution should therefore be taken into account when making comparisons between the data presented for the states and territories.

The Explanatory Notes provide detailed information on data sources, counting rules and other technical matters associated with this publication.

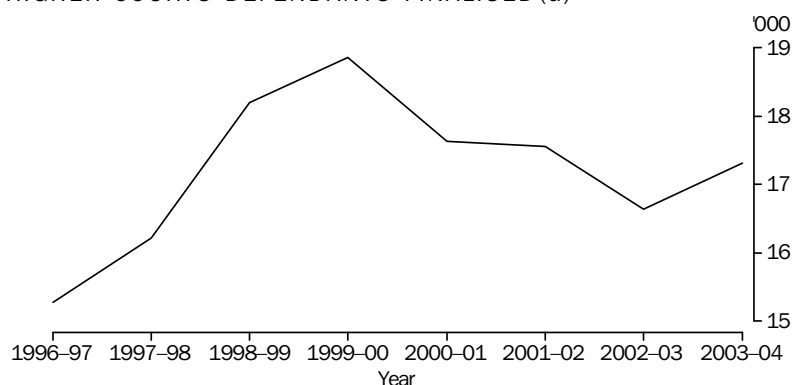
SUMMARY CHARACTERISTICS OF DEFENDANTS

Defendants finalised

In 2003–04, 544,689 defendants were finalised in the Higher and Magistrates' Courts in Australia. Of these, 17,315 (3%) were in the Higher Courts and 527,374 (97%) were in the Magistrates' Courts (see table 1).

The number of defendants finalised in the Higher Courts increased by 4% from the 16,643 defendants finalised in 2002–03 (see table 14). The increase was mainly influenced by a 23% increase of finalisations in Victoria. During 2003–04 the Victorian Higher Courts focused judicial resources on the criminal jurisdiction to reduce durations for contested criminal trials and to reduce the backlog of cases. Over the past eight years, and excluding bench warrants prior to 2002–03, the number of defendants finalised in the Higher Courts has fluctuated from a low of 15,281 in 1996–97 to a high of 18,864 in 1999–2000.

HIGHER COURTS DEFENDANTS FINALISED (a)



(a) Excludes defendants finalised by a bench warrant being issued (see Explanatory Notes paragraph 26).

SUMMARY OF FINDINGS *continued*

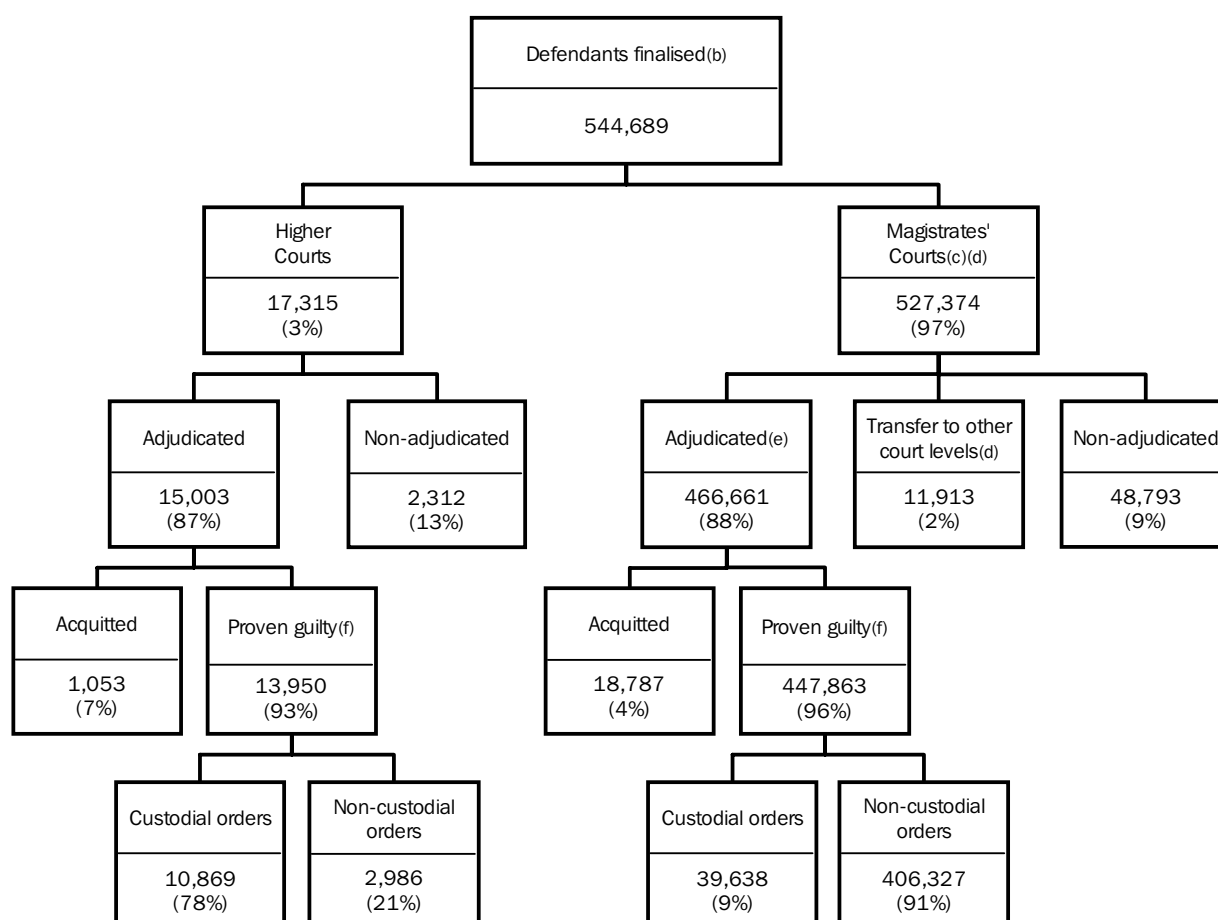
Defendants finalised — Method of finalisation

Approximately 87% (15,003) of defendants finalised in the Higher Courts were adjudicated. Of those adjudicated, 93% (13,950) were proven guilty (i.e. pleaded guilty or were declared guilty at trial) and 7% (1,053) were acquitted. Of those proven guilty, 90% (12,576) pleaded guilty and 10% (1,376) were declared guilty at trial (see table 11). The remaining 13% (2,312) of defendants were finalised by a non-adjudicated method such as all charges withdrawn by the prosecution.

Approximately 88% (466,661) of defendants finalised in the Magistrates' Courts were adjudicated. Of those adjudicated, 96% (447,863) were proven guilty (i.e. pleaded guilty or were declared guilty) and 4% (18,787) were acquitted. There were 12% (60,706) of defendants finalised by a non-adjudicated method (such as all charges withdrawn by the prosecution) or transferred to another court level.

Magistrates' Courts data include counts of finalised appearances in New South Wales (see paragraph 14 in the Explanatory Notes). This may result in an over count of defendants for this state.

SUMMARY CHARACTERISTICS OF DEFENDANTS(a)



(a) All percentages are subject to rounding.

(b) Defendants will be counted twice where they are transferred from the Magistrates' Court to a Higher Court and then finalised in the Higher Court within the same reference period.

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

(d) Excludes defendants finalised by a committal or transfer to a Higher Court in NSW.

(e) Includes defendants adjudicated n.f.d.

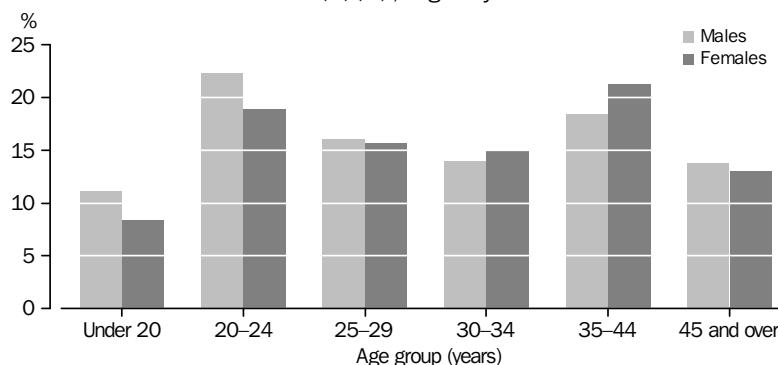
(f) Includes defendants for whom a principal sentence is unknown.

SUMMARY OF FINDINGS *continued*

Age and sex

For males, the age group with the highest number of finalised defendants was 20–24 years (22%) while for females it was 35–44 years (21%). Males represented the majority of finalised defendants (78%). Of all defendants finalised during 2003–04, half were males aged less than 35 years (see table 1).

DEFENDANTS FINALISED (a)(b), Age by sex



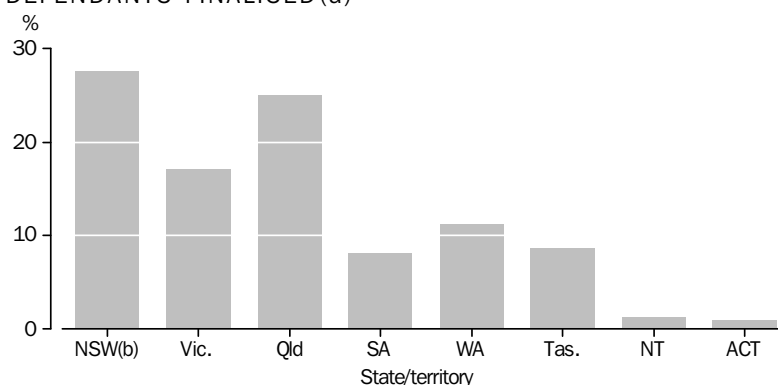
(a) Excludes defendants finalised by committal or transfer to a Higher Court in NSW.

(b) Defendants will be counted twice where they are transferred from the Magistrates' Court to a Higher Court and then finalised in the Higher Court within the same reference period.

States and territories

For combined court levels, New South Wales, Queensland and Victoria accounted for 70% of finalisations nationally (28%, 25% and 17% respectively) (see table 2).

DEFENDANTS FINALISED (a)



(a) Defendants will be counted twice where they are transferred from the Magistrates' Court to a Higher Court and then finalised in the Higher Court within the same reference period.

(b) Excludes defendants finalised by committal or transfer to a Higher Court and refers to finalised appearances rather than finalised defendants in the Magistrates' Court.

DEFENDANTS ADJUDICATED

Principal offence

Offence data refer to the principal offence adjudicated by the court (see paragraphs 31–34 of the Explanatory Notes for discussion of principal offence).

Defendants were more likely to be adjudicated in the Higher Courts for principal offences (Australian Standard Offence Classification Divisions, see Appendix 2) of: Acts intended to cause injury (21%); Unlawful entry with intent/burglary, break and enter (15%); Illicit drug offences (14%); and Robbery, extortion and related offences and Sexual assault and related offences (both 11%) (see table 4). There were 10,729 (72%) defendants adjudicated by the Higher Courts with a principal offence in one of these five categories.

SUMMARY OF FINDINGS *continued*

Principal offence continued

In comparison, the five principal offences that accounted for the majority of adjudicated defendants in the Magistrates' Courts in 2003–04 were: Road traffic and motor vehicle regulatory offences (44%); Public order offences (9%); Theft and related offences (8%); and Acts intended to cause injury and Dangerous or negligent acts endangering persons (both 7%). Overall, approximately three of every four defendants adjudicated in the Magistrates' Courts had one of these five principal offences (see table 6).

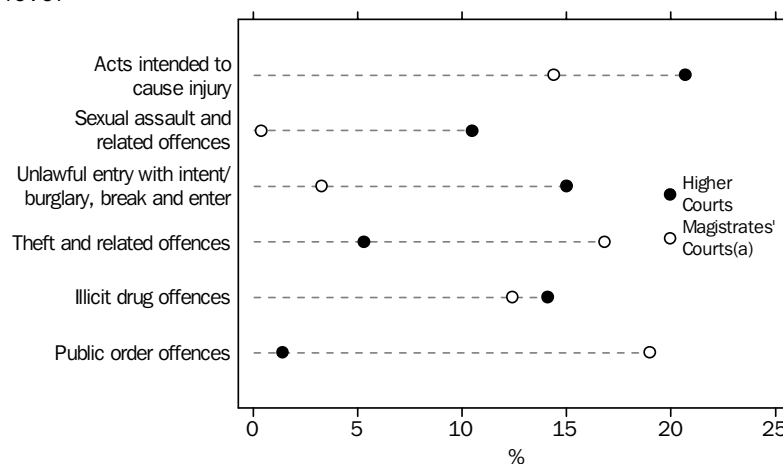
Across all states and territories, Road traffic and motor vehicle regulatory offences was the most common principal offence adjudicated in the Magistrates' Courts. The proportion of defendants with this principal offence ranged from 35% in Victoria and Western Australia to 80% in Tasmania. However, there are a number of differences between states and territories regarding how traffic matters are dealt with that may impact on these figures. These include:

- the coding of some drink driving offences to the principal offence of Dangerous or negligent acts endangering persons (as occurs in Western Australia)
- the use of fine recovery units in some states and territories (Victoria, Queensland, South Australia, Western Australia and the Northern Territory) to deal with the non-payment of traffic infringement notices, thereby redirecting these matters away from Magistrates' Courts.

Due to the large proportion of adjudicated defendants with a principal offence of Road traffic and motor vehicle regulatory offences, the proportional differences between other principal offences in the Magistrates' Courts is lessened.

When defendants with a principal offence related to traffic (ASOC Division 14 and ASOC Subdivision 041) are excluded from the adjudicated population in the Magistrates' Courts, the five principal offences at the ASOC division level that accounted for the majority of defendants nationally were: Public order offences (19%); Theft and related offences (17%); Acts intended to cause injury (14%); Illicit drug offences (12%); and Offences against justice procedures, government security and government operations (11%).

DEFENDANTS ADJUDICATED, Selected principal offences by court level



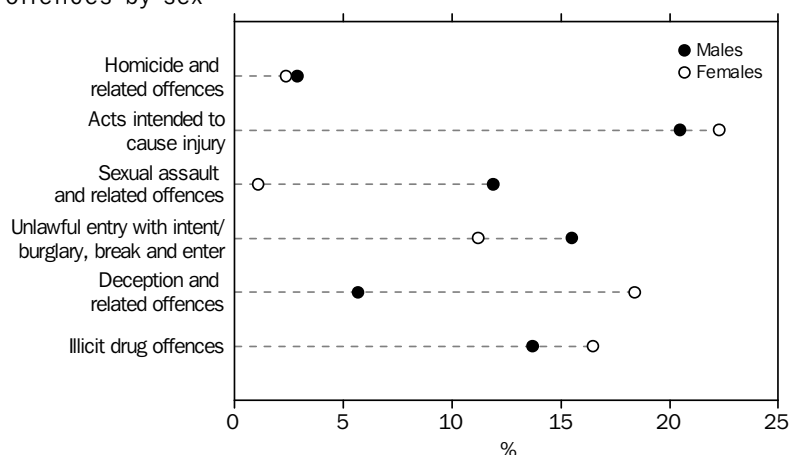
(a) Excludes defendants with a principal offence in ASOC Division 14 (Road traffic and motor vehicle regulatory offences) and Subdivision 041 (Dangerous or negligent operation of a vehicle).

SUMMARY OF FINDINGS *continued*

Principal offence — Age and sex

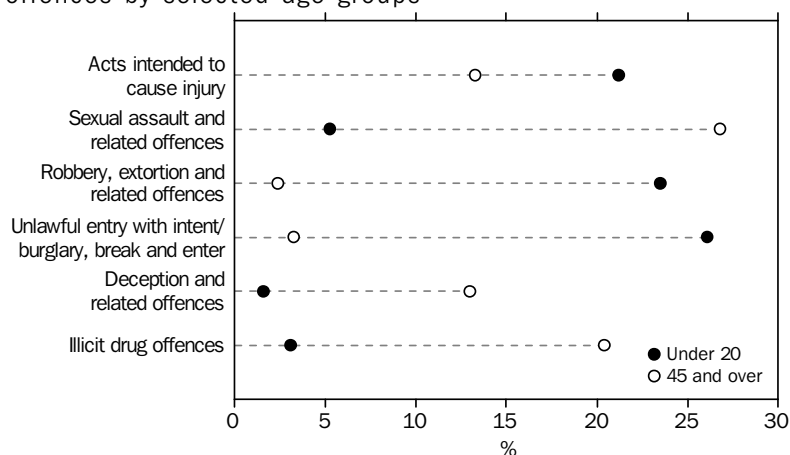
In the Higher Courts, the most prevalent principal offence for which both male and female defendants were adjudicated was Acts intended to cause injury (21% and 22% respectively). Proportionally, more females were adjudicated for the principal offence of Deception and related offences (18%) than males (6%). In contrast, there were proportionally more males than females with a principal offence of Sexual assault and related offences (12% and 1% respectively) (see table 3).

HIGHER COURTS DEFENDANTS ADJUDICATED, Selected principal offences by sex



Nationally, the proportions of principal offences for defendants adjudicated were different across age groups in the Higher Courts. Defendants within the age group of less than 20 years were more likely to be adjudicated for a principal offence of: Unlawful entry with intent/burglary, break and enter (26%); Robbery, extortion and related offences (23%); and Acts intended to cause injury (21%). Those within the age group of 45 years and over were more likely to be adjudicated for: Sexual assault and related offences (27%); Illicit drug offences (20%); and Acts intended to cause injury and Deception and related offences (both 13%).

HIGHER COURTS DEFENDANTS ADJUDICATED, Selected principal offences by selected age groups



SUMMARY OF FINDINGS *continued*

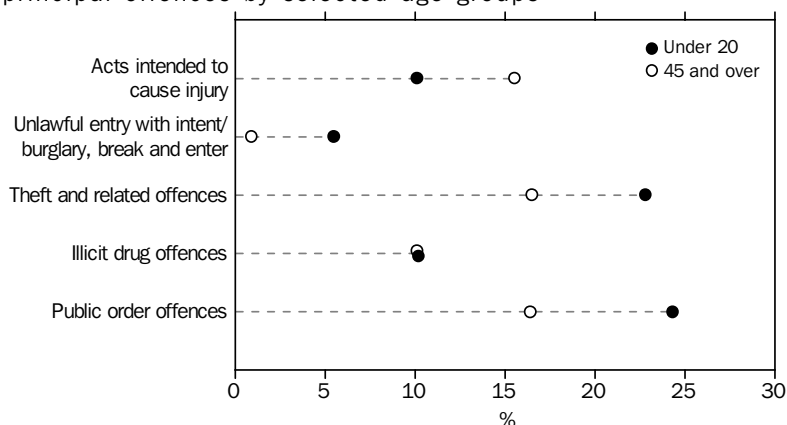
Principal offence — Age and sex continued

In the Magistrates' Courts, the most prevalent principal offence for both male and female adjudicated defendants was Road traffic and motor vehicle regulatory offences (43% and 46% respectively) (see table 5).

The variation in the proportions of defendants adjudicated in the Magistrates' Courts across age groups was similar for males and females. As age increased the proportions of defendants with a principal offence of Road traffic and motor vehicle regulatory offences increased. This was the principal offence for 31% of adjudicated defendants aged less than 20 years, increasing to 51% for defendants aged 45 years and over.

Excluding traffic offences, defendants within the age group of less than 20 years were more likely to be adjudicated for a principal offence of Public order offences (24%) and Theft and related offences (23%). Those within the age group of 45 years and over were more likely to be adjudicated for Theft and related offences and Public order offences (both 16%) and Acts intended to cause injury (15%).

MAGISTRATES' COURTS DEFENDANTS ADJUDICATED(a), Selected principal offences by selected age groups



(a) Excludes defendants with a principal offence in ASOC Division 14 (Road traffic and motor vehicle regulatory offences) and Subdivision 041 (Dangerous or negligent operation of a vehicle).

Principal offence — Adjudication type

Nationally, 84% of adjudicated defendants in the Higher Courts were finalised by pleading guilty (see table 7). Those with a principal offence of Weapons and explosives offences (96%) and Unlawful entry with intent/burglary, break and enter (94%) had the highest proportion of defendants finalised with a plea of guilty. In contrast, adjudicated defendants with a principal offence of Homicide and related offences and Sexual assault and related offences were least likely to plead guilty (53% and 62% respectively) and therefore most likely to have a trial outcome (acquittal or guilty verdict).

Three principal offences accounted for the majority of trial outcomes in the Higher Courts. These were: Sexual assault and related offences (24%); Acts intended to cause injury (23%); and Illicit drug offences (11%). There were 1,413 (58%) adjudicated defendants with a trial outcome in the Higher Courts with one of these three principal offences.

SUMMARY OF FINDINGS *continued*

Principal offence — Adjudication type continued

Across all principal offences, the acquittal rate for Higher Court defendants as a proportion of trial outcomes was 43%. The principal offence with the highest acquittal rate (as a proportion of trial outcomes) was Sexual assault and related offences (61%) followed by Acts intended to cause injury (47%). The principal offence with the lowest acquittal rate (as a proportion of trial outcomes) was Illicit drug offences (18%).

Nationally, 93% of adjudicated defendants were proven guilty in the Higher Courts compared with 96% in the Magistrates' Courts. For combined court levels, defendants with a principal offence of Illicit drug offences had the highest proportion of defendants proven guilty (99%). In contrast, defendants adjudicated in the Higher and Magistrates' Courts were most likely to be acquitted for the principal offences of Homicide and related offences (17% and 30% respectively) and Sexual assault and related offences (both 23%).

DEFENDANTS PROVEN GUILTY

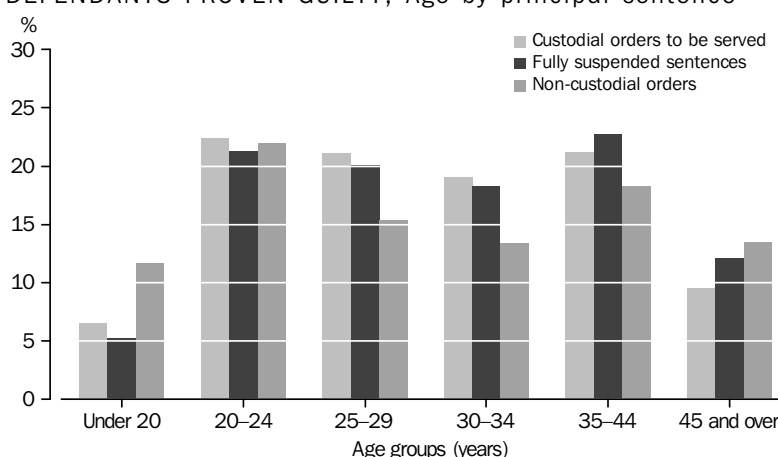
Principal sentence — Age and sex

Data on sentences are collected and published for all defendants who are proven guilty. Sentence refers to the principal sentence a defendant receives (see paragraph 40 of the Explanatory Notes for further information).

For combined court levels, males were more than twice as likely as females to receive custodial orders to be served (i.e. custody in a correctional institution/in the community) (8% of males and 3% of females) and were less likely to receive non-custodial orders (87% of males and 93% of females). A similar proportion of males and females received fully suspended sentences (4% and 3% respectively) (see table 8).

Of the defendants receiving a principal sentence of custodial orders to be served, the proportion was highest for those aged 20–24 years (22%), compared to 10% for those aged 45 years and over and 6% for those aged less than 20 years.

DEFENDANTS PROVEN GUILTY, Age by principal sentence



Principal sentence — Principal offence

For combined court levels, fully suspended sentences as a principal sentence were greatest for Sexual assault and related offences (18%), followed by Unlawful entry with intent/burglary, break and enter (16%) and Robbery, extortion and related offences (13%) (see table 9).

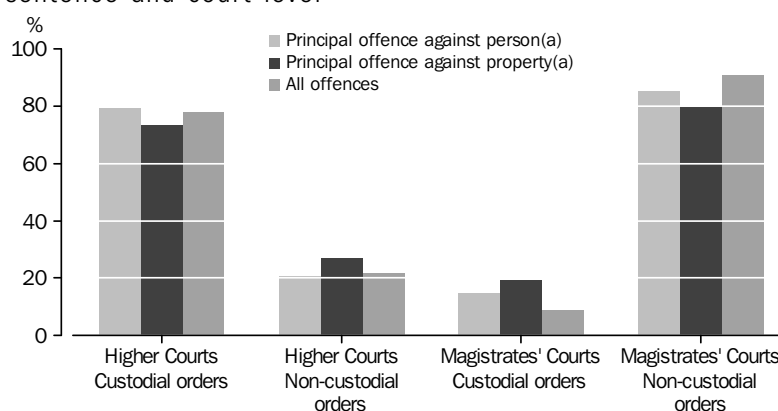
SUMMARY OF FINDINGS *continued*

Principal sentence — Principal offence continued

The principal offences most likely to receive a non-custodial principal sentence were Public order offences (96%), and Road traffic and motor vehicle regulatory offences (95%). The most common non-custodial principal sentence (of all non-custodial orders) was monetary orders for both males (80%) and females (76%).

Defendants proven guilty in the Higher Courts were more likely to receive custodial orders (i.e. custody in a correctional institution/in the community or fully suspended sentences) compared with those in the Magistrates' Courts (78% and 9% respectively). Consistent with this, defendants proven guilty in the Magistrates' Courts were more likely to receive a non-custodial principal sentence compared with those in the Higher Courts (91% and 21% respectively) (see table 10).

DEFENDANTS PROVEN GUILTY, Principal offence by principal sentence and court level



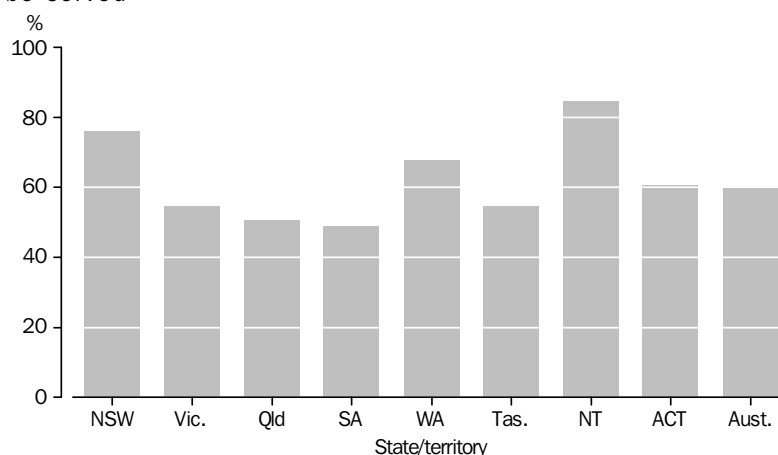
(a) For definitions see Glossary, Principal offence.

Principal sentence — Custodial orders

Custodial orders to be served, as a proportion of all principal sentences in the Higher Courts, varied across principal offences and ranged from 87% for Homicide and related offences, to 36% for Public order offences.

In the Higher Courts, the proportions of custodial orders to be served varied across states and territories, ranging from 49% in South Australia to 85% in the Northern Territory (see table 14).

HIGHER COURTS DEFENDANTS PROVEN GUILTY, Custodial orders to be served

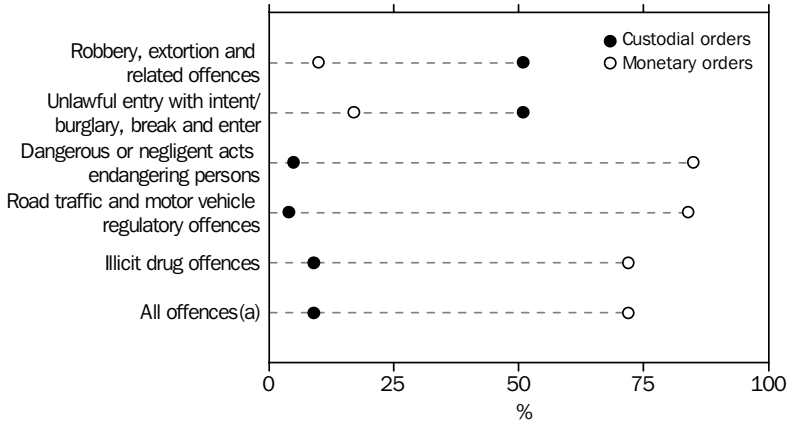


SUMMARY OF FINDINGS *continued*

*Principal sentence —
Custodial orders continued*

In the Magistrates' Courts, defendants proven guilty with principal offences of Robbery, extortion and related offences and Unlawful entry with intent/burglary, break and enter were more likely to receive a principal sentence of custodial orders (both 51%) (see table 10).

MAGISTRATES' COURTS DEFENDANTS PROVEN GUILTY, Selected principal offences by selected principal sentences



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

*Principal sentence —
Non-custodial orders*

Approximately, one in five (21%) defendants proven guilty in the Higher Courts received non-custodial orders (includes community supervision/work orders, monetary orders and other non-custodial orders) as their principal sentence.

For defendants proven guilty in the Magistrates' Courts, the most common principal sentence was monetary orders (72%). Monetary orders were most common for the principal offences of Dangerous or negligent acts endangering persons (85%) and Road traffic and motor vehicle regulatory offences (84%). Other non-custodial orders (i.e. non-custodial orders excluding monetary orders) were most common for the principal offences of Abduction and related offences (52%) and Homicide and related offences (46%). Homicide and related offences were predominately related to driving causing death, which can be heard summarily in some states and territories.

**DURATION FROM
INITIATION TO
FINALISATION**

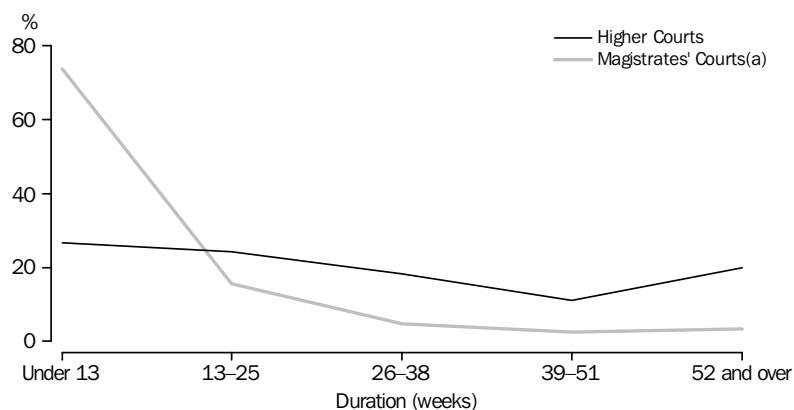
The nature of the charges presented to the court, together with the process required to deal with the charges (which is affected by type of plea), impact on the time required for a court to finalise a case. In general, a plea of 'not guilty' will require more court time than a case where the defendant initially pleads guilty. The complexity of the case, often associated with the type of offence(s) being heard, also impacts on the time required to finalise a case.

Defendants in the Magistrates' Courts are generally finalised in less time than those in the Higher Courts. Almost three in every four defendants were finalised in the Magistrates' Court in less than 13 weeks (see table 12) compared with just over one in four in the Higher Courts for the same period (see table 11).

SUMMARY OF FINDINGS *continued*

DURATION FROM
INITIATION TO
FINALISATION *continued*

DEFENDANTS FINALISED, Duration from initiation to finalisation and court level



(a) Excludes defendants finalised by committal or transfer to a Higher Court in NSW.

Within 26 weeks from initiation, 12% of defendants with a guilty verdict, 59% of defendants with a guilty plea and 21% of acquitted defendants were finalised in the Higher Courts in 2003–04.

In the Magistrates' Courts, 92% of defendants who were proven guilty and 75% of acquitted defendants were finalised within 26 weeks from initiation in 2003–04.

SUMMARY CHARACTERISTICS OF DEFENDANTS, Age group

	<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 and over</i>	<i>Total(a)</i>
HIGHER COURTS							
Sex							
Males	1 522	3 443	2 557	2 271	2 955	2 203	15 005
Females	171	536	388	371	539	276	2 292
Total defendants finalised(b)	1 693	3 979	2 945	2 642	3 494	2 479	17 315
Principal offence(c)							
Against person	506	1 203	952	868	1 210	951	5 699
Against property	577	1 187	802	688	786	457	4 520
Other	451	1 129	825	708	917	592	4 653
Total defendants adjudicated(d)	1 543	3 540	2 598	2 285	2 942	2 027	15 003
Principal sentence							
Custodial orders	933	2 522	1 987	1 733	2 180	1 473	10 869
Non-custodial orders	567	820	453	353	457	319	2 986
Total defendants proven guilty(e)	1 506	3 358	2 454	2 103	2 662	1 807	13 950

MAGISTRATES' COURTS (f)							
Sex							
Males	45 873	91 354	65 833	57 071	75 562	56 593	410 875
Females	8 644	19 568	16 316	15 576	22 073	13 599	104 246
Total defendants finalised(b)	54 638	111 328	82 489	72 873	97 969	70 509	527 374
Principal offence(c)							
Against person	7 882	15 360	11 026	9 819	13 649	9 315	67 359
Against property	12 419	18 475	12 882	10 589	12 618	7 529	75 559
Other	29 752	67 198	49 996	44 223	60 488	45 295	323 322
Total defendants adjudicated(d)	50 073	101 108	73 975	64 699	86 833	62 197	466 661
Principal sentence							
Custodial orders	2 102	8 579	8 471	7 713	8 825	3 843	39 638
Non-custodial orders	46 753	89 085	62 688	54 332	74 084	54 748	406 327
Total defendants proven guilty(e)	49 123	98 007	71 407	62 277	83 229	58 918	447 863

HIGHER & MAGISTRATES' COURTS (f)(g)							
Sex							
Males	47 395	94 797	68 390	59 342	78 517	58 796	425 880
Females	8 815	20 104	16 704	15 947	22 612	13 875	106 538
Total defendants finalised(b)	56 331	115 307	85 434	75 515	101 463	72 988	544 689
Principal offence(c)							
Against person	8 388	16 563	11 978	10 687	14 859	10 266	73 058
Against property	12 996	19 662	13 684	11 277	13 404	7 986	80 079
Other	30 203	68 327	50 821	44 931	61 405	45 887	327 975
Total defendants adjudicated(d)	51 616	104 648	76 573	66 984	89 775	64 224	481 664
Principal sentence							
Custodial orders	3 035	11 101	10 458	9 446	11 005	5 316	50 507
Non-custodial orders	47 320	89 905	63 141	54 685	74 541	55 067	409 313
Total defendants proven guilty(e)	50 629	101 365	73 861	64 380	85 891	60 725	461 813

(a) Includes defendants with unknown age.

(b) Includes organisations and persons with unknown sex.

(c) For definitions see Glossary, Principal offence.

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

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

(f) Excludes defendants finalised by committal or transfer to a Higher Court in NSW.

(g) Defendants will be counted twice where they are transferred from the Magistrates' Court to a Higher Court and then finalised in the Higher Court within the same reference period.

SUMMARY CHARACTERISTICS OF DEFENDANTS, Age group *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 and over</i>	<i>Total(a)</i>
HIGHER COURTS (%)							
Sex							
Males	89.9	86.5	86.8	86.0	84.6	88.9	86.7
Females	10.1	13.5	13.2	14.0	15.4	11.1	13.2
Total defendants finalised(b)	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Principal offence(c)							
Against person	32.8	34.0	36.6	38.0	41.1	46.9	38.0
Against property	37.4	33.5	30.9	30.1	26.7	22.5	30.1
Other	29.2	31.9	31.8	31.0	31.2	29.2	31.0
Total defendants adjudicated(d)	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Principal sentence							
Custodial orders	62.0	75.1	81.0	82.4	81.9	81.5	77.9
Non-custodial orders	37.6	24.4	18.5	16.8	17.2	17.7	21.4
Total defendants proven guilty(e)	100.0	100.0	100.0	100.0	100.0	100.0	100.0
MAGISTRATES' COURTS (%) (f)							
Sex							
Males	84.0	82.1	79.8	78.3	77.1	80.3	77.9
Females	15.8	17.6	19.8	21.4	22.5	19.3	19.8
Total defendants finalised(b)	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Principal offence(c)							
Against person	15.7	15.2	14.9	15.2	15.7	15.0	14.4
Against property	24.8	18.3	17.4	16.4	14.5	12.1	16.2
Other	59.4	66.5	67.6	68.4	69.7	72.8	69.3
Total defendants adjudicated(d)	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Principal sentence							
Custodial orders	4.3	8.8	11.9	12.4	10.6	6.5	8.9
Non-custodial orders	95.2	90.9	87.8	87.2	89.0	92.9	90.7
Total defendants proven guilty(e)	100.0	100.0	100.0	100.0	100.0	100.0	100.0
HIGHER & MAGISTRATES' COURTS (%) (f) (g)							
Sex							
Males	84.1	82.2	80.1	78.6	77.4	80.6	78.2
Females	15.6	17.4	19.6	21.1	22.3	19.0	19.6
Total defendants finalised(b)	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Principal offence(c)							
Against person	16.3	15.8	15.6	16.0	16.6	16.0	15.2
Against property	25.2	18.8	17.9	16.8	14.9	12.4	16.6
Other	58.5	65.3	66.4	67.1	68.4	71.4	68.1
Total defendants adjudicated(d)	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Principal sentence							
Custodial orders	6.0	11.0	14.2	14.7	12.8	8.8	10.9
Non-custodial orders	93.5	88.7	85.5	84.9	86.8	90.7	88.6
Total defendants proven guilty(e)	100.0	100.0	100.0	100.0	100.0	100.0	100.0

(a) Includes defendants with unknown age.

(b) Includes organisations and persons with unknown sex.

(c) For definitions see Glossary, Principal offence.

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

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

(f) Excludes defendants finalised by committal or transfer to a Higher Court in NSW.

(g) Defendants will be counted twice where they are transferred from the Magistrates' Court to a Higher Court and then finalised in the Higher Court within the same reference period.

SUMMARY CHARACTERISTICS OF DEFENDANTS, States and territories

	NSW(a)	Vic.	Qld	SA	WA	Tas.	NT	ACT	Aust.
HIGHER COURTS									
Sex									
Males	3 138	2 230	5 726	768	2 329	477	237	100	15 005
Females	318	300	1 137	101	338	60	19	19	2 292
Total defendants finalised(b)	3 456	2 548	6 863	869	2 667	537	256	119	17 315
Principal offence(c)									
Against person	1 042	900	2 488	224	701	162	145	37	5 699
Against property	694	496	1 919	120	1 077	154	34	26	4 520
Other	1 402	903	1 157	327	678	111	55	20	4 653
Total defendants adjudicated(d)	3 138	2 426	5 564	675	2 456	427	234	83	15 003
Principal sentence									
Custodial orders	2 589	1 797	3 555	531	1 824	311	203	59	10 869
Non-custodial orders	301	358	1 750	72	408	75	10	12	2 986
Total defendants proven guilty(e)	2 890	2 242	5 305	611	2 232	386	213	71	13 950
MAGISTRATES' COURTS (f)									
Sex									
Males	116 980	72 124	100 894	35 919	44 357	30 870	5 639	4 092	410 875
Females	26 270	16 197	26 766	7 093	12 185	13 563	1 157	1 015	104 246
Total defendants finalised(b)	146 950	90 572	129 029	43 326	58 589	46 723	7 048	5 137	527 374
Principal offence(c)									
Against person	23 314	8 232	15 782	3 813	11 865	1 868	1 877	608	67 359
Against property	22 617	18 679	19 155	4 450	6 753	2 421	730	754	75 559
Other	86 769	50 984	79 506	24 492	34 874	40 763	3 724	2 210	323 322
Total defendants adjudicated(d)	132 700	78 109	114 443	32 755	53 525	45 140	6 371	3 618	466 661
Principal sentence									
Custodial orders	13 382	10 698	5 239	2 257	4 072	1 717	1 510	763	39 638
Non-custodial orders	113 671	64 130	108 455	30 169	48 557	34 268	4 452	2 625	406 327
Total defendants proven guilty(e)	127 053	75 370	113 694	32 692	52 637	36 946	5 968	3 503	447 863
HIGHER & MAGISTRATES' COURTS (f)(g)									
Sex									
Males	120 118	74 354	106 620	36 687	46 686	31 347	5 876	4 192	425 880
Females	26 588	16 497	27 903	7 194	12 523	13 623	1 176	1 034	106 538
Total defendants finalised(b)	150 406	93 120	135 892	44 195	61 256	47 260	7 304	5 256	544 689
Principal offence(c)									
Against person	24 356	9 132	18 270	4 037	12 566	2 030	2 022	645	73 058
Against property	23 311	19 175	21 074	4 570	7 830	2 575	764	780	80 079
Other	88 171	51 887	80 663	24 819	35 552	40 874	3 779	2 230	327 975
Total defendants adjudicated(d)	135 838	80 535	120 007	33 430	55 981	45 567	6 605	3 701	481 664
Principal sentence									
Custodial orders	15 971	12 495	8 794	2 788	5 896	2 028	1 713	822	50 507
Non-custodial orders	113 972	64 488	110 205	30 241	48 965	34 343	4 462	2 637	409 313
Total defendants proven guilty(e)	129 943	77 612	118 999	33 303	54 869	37 332	6 181	3 574	461 813

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

(b) Includes organisations and persons with unknown sex.

(c) For definitions see Glossary, Principal offence.

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

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

(f) Excludes defendants finalised by committal or transfer to a Higher Court in NSW.

(g) Defendants will be counted twice where they are transferred from the Magistrates' Court to a Higher Court and then finalised in the Higher Court within the same reference period.

SUMMARY CHARACTERISTICS OF DEFENDANTS, States and territories *continued*

	NSW(a)	Vic.	Qld	SA	WA	Tas.	NT	ACT	Aust.
HIGHER COURTS (%)									
Sex									
Males	90.8	87.5	83.4	88.4	87.3	88.8	92.6	84.0	86.7
Females	9.2	11.8	16.6	11.6	12.7	11.2	7.4	16.0	13.2
Total defendants finalised(b)	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Principal offence(c)									
Against person	33.2	37.1	44.7	33.2	28.5	37.9	62.0	44.6	38.0
Against property	22.1	20.4	34.5	17.8	43.9	36.1	14.5	31.3	30.1
Other	44.7	37.2	20.8	48.4	27.6	26.0	23.5	24.1	31.0
Total defendants adjudicated(d)	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Principal sentence									
Custodial orders	89.6	80.2	67.0	86.9	81.7	80.6	95.3	83.1	77.9
Non-custodial orders	10.4	16.0	33.0	11.8	18.3	19.4	4.7	16.9	21.4
Total defendants proven guilty(e)	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
MAGISTRATES' COURTS (%) (f)									
Sex									
Males	79.6	79.6	78.2	82.9	75.7	66.1	80.0	79.7	77.9
Females	17.9	17.9	20.7	16.4	20.8	29.0	16.4	19.8	19.8
Total defendants finalised(b)	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Principal offence(c)									
Against person	17.6	10.5	13.8	11.6	22.2	4.1	29.5	16.8	14.4
Against property	17.0	23.9	16.7	13.6	12.6	5.4	11.5	20.8	16.2
Other	65.4	65.3	69.5	74.8	65.2	90.3	58.5	61.1	69.3
Total defendants adjudicated(d)	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Principal sentence									
Custodial orders	10.5	14.2	4.6	6.9	7.7	4.6	25.3	21.8	8.9
Non-custodial orders	89.5	85.1	95.4	92.3	92.2	92.8	74.6	74.9	90.7
Total defendants proven guilty(e)	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
HIGHER & MAGISTRATES' COURTS (%) (f) (g)									
Sex									
Males	79.9	79.8	78.5	83.0	76.2	66.3	80.4	79.8	78.2
Females	17.7	17.7	20.5	16.3	20.4	28.8	16.1	19.7	19.6
Total defendants finalised(b)	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Principal offence(c)									
Against person	17.9	11.3	15.2	12.1	22.4	4.5	30.6	17.4	15.2
Against property	17.2	23.8	17.6	13.7	14.0	5.7	11.6	21.1	16.6
Other	64.9	64.4	67.2	74.2	63.5	89.7	57.2	60.3	68.1
Total defendants adjudicated(d)	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Principal sentence									
Custodial orders	12.3	16.1	7.4	8.4	10.7	5.4	27.7	23.0	10.9
Non-custodial orders	87.7	83.1	92.6	90.8	89.2	92.0	72.2	73.8	88.6
Total defendants proven guilty(e)	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

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

(b) Includes organisations and persons with unknown sex.

(c) For definitions see Glossary, Principal offence.

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

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

(f) Excludes defendants finalised by committal or transfer to a Higher Court in NSW.

(g) Defendants will be counted twice where they are transferred from the Magistrates' Court to a Higher Court and then finalised in the Higher Court within the same reference period.

HIGHER COURTS DEFENDANTS ADJUDICATED, Sex and principal offence by age

<i>Sex and ASOC Division</i>	<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 and over</i>	<i>Total(a)</i>
NUMBER							
Males							
Homicide and related offences	31	69	59	57	81	74	374
Acts intended to cause injury	279	644	532	473	514	236	2 681
Sexual assault and related offences	81	179	165	177	410	540	1 555
Dangerous or negligent acts endangering persons	55	135	85	58	56	41	430
Abduction and related offences	8	22	24	18	21	13	106
Robbery, extortion and related offences	341	569	270	162	146	44	1 536
Unlawful entry with intent/burglary, break and enter	369	661	387	308	244	57	2 029
Theft and related offences	65	185	114	91	109	65	633
Deception and related offences	14	91	112	112	215	193	746
Illicit drug offences	36	276	318	326	476	355	1 791
Weapons and explosives offences	3	12	15	12	11	15	68
Property damage and environmental pollution	67	81	52	44	47	32	326
Public order offences	14	42	34	36	43	25	197
Road traffic and motor vehicle regulatory offences	—	—	—	—	—	—	—
Offences against justice procedures, government security and government operations	12	58	37	34	40	26	207
Miscellaneous offences	9	36	45	44	61	55	258
Total(b)	1 392	3 079	2 266	1 970	2 499	1 795	13 051
Females							
Homicide and related offences	3	10	6	8	17	3	47
Acts intended to cause injury	47	117	67	65	100	34	433
Sexual assault and related offences	—	6	4	5	4	3	22
Dangerous or negligent acts endangering persons	—	19	9	6	5	5	44
Abduction and related offences	—	3	3	—	—	—	6
Robbery, extortion and related offences	20	44	32	20	26	4	149
Unlawful entry with intent/burglary, break and enter	32	63	44	34	35	9	217
Theft and related offences	12	31	26	33	28	26	159
Deception and related offences	10	65	59	57	94	70	355
Illicit drug offences	12	67	44	49	88	59	319
Weapons and explosives offences	—	—	—	—	—	—	—
Property damage and environmental pollution	8	10	8	9	14	5	57
Public order offences	—	3	9	4	4	—	20
Road traffic and motor vehicle regulatory offences	—	—	—	—	—	—	—
Offences against justice procedures, government security and government operations	3	16	11	16	14	7	67
Miscellaneous offences	—	5	9	4	7	3	28
Total(b)	147	462	331	313	440	231	1 936

— 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.

<i>Sex and ASOC Division</i>	<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 and over</i>	<i>Total(a)</i>
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NUMBER *cont.***Defendants(b)**

Homicide and related offences	34	79	65	65	98	77	421
Acts intended to cause injury	326	761	599	538	614	270	3 114
Sexual assault and related offences	81	185	169	182	414	543	1 577
Dangerous or negligent acts endangering persons	55	154	94	64	61	46	474
Abduction and related offences	8	25	27	18	21	13	112
Robbery, extortion and related offences	361	613	302	182	172	48	1 685
Unlawful entry with intent/burglary, break and enter	401	724	431	342	279	66	2 246
Theft and related offences	77	216	140	124	137	91	792
Deception and related offences	24	156	171	169	309	263	1 101
Illicit drug offences	48	343	362	375	564	414	2 110
Weapons and explosives offences	3	12	15	12	11	15	68
Property damage and environmental pollution	75	91	60	53	61	37	383
Public order offences	14	45	43	40	47	25	217
Road traffic and motor vehicle regulatory offences	—	—	—	—	—	—	—
Offences against justice procedures, government security and government operations	15	74	48	50	54	33	274
Miscellaneous offences	9	41	54	48	68	58	297

Total(c)	1 539	3 541	2 597	2 283	2 939	2 026	14 998
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— nil or rounded to zero (including null cells)

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

(a) Includes defendants with unknown age.

(b) Includes organisations and persons with unknown sex.

<i>Sex and ASOC Division</i>	<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 and over</i>	<i>Total(a)</i>
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PROPORTION (%)

Males

Homicide and related offences	2.2	2.2	2.6	2.9	3.2	4.1	2.9
Acts intended to cause injury	20.0	20.9	23.5	24.0	20.6	13.1	20.5
Sexual assault and related offences	5.8	5.8	7.3	9.0	16.4	30.1	11.9
Dangerous or negligent acts endangering persons	4.0	4.4	3.8	2.9	2.2	2.3	3.3
Abduction and related offences	0.6	0.7	1.1	0.9	0.8	0.7	0.8
Robbery, extortion and related offences	24.5	18.5	11.9	8.2	5.8	2.5	11.8
Unlawful entry with intent/burglary, break and enter	26.5	21.5	17.1	15.6	9.8	3.2	15.5
Theft and related offences	4.7	6.0	5.0	4.6	4.4	3.6	4.9
Deception and related offences	1.0	3.0	4.9	5.7	8.6	10.8	5.7
Illicit drug offences	2.6	9.0	14.0	16.5	19.0	19.8	13.7
Weapons and explosives offences	0.2	0.4	0.7	0.6	0.4	0.8	0.5
Property damage and environmental pollution	4.8	2.6	2.3	2.2	1.9	1.8	2.5
Public order offences	1.0	1.4	1.5	1.8	1.7	1.4	1.5
Road traffic and motor vehicle regulatory offences	—	—	—	—	—	—	—
Offences against justice procedures, government security and government operations	0.9	1.9	1.6	1.7	1.6	1.4	1.6
Miscellaneous offences	0.6	1.2	2.0	2.2	2.4	3.1	2.0
Total(b)	100.0	100.0	100.0	100.0	100.0	100.0	100.0

Females

Homicide and related offences	2.0	2.2	1.8	2.6	3.9	1.3	2.4
Acts intended to cause injury	32.0	25.3	20.2	20.8	22.7	14.7	22.4
Sexual assault and related offences	—	1.3	1.2	1.6	0.9	1.3	1.1
Dangerous or negligent acts endangering persons	—	4.1	2.7	1.9	1.1	2.2	2.3
Abduction and related offences	—	0.6	0.9	—	—	—	0.3
Robbery, extortion and related offences	13.6	9.5	9.7	6.4	5.9	1.7	7.7
Unlawful entry with intent/burglary, break and enter	21.8	13.6	13.3	10.9	8.0	3.9	11.2
Theft and related offences	8.2	6.7	7.9	10.5	6.4	11.3	8.2
Deception and related offences	6.8	14.1	17.8	18.2	21.4	30.3	18.3
Illicit drug offences	8.2	14.5	13.3	15.7	20.0	25.5	16.5
Weapons and explosives offences	—	—	—	—	—	—	—
Property damage and environmental pollution	5.4	2.2	2.4	2.9	3.2	2.2	2.9
Public order offences	—	0.6	2.7	1.3	0.9	—	1.0
Road traffic and motor vehicle regulatory offences	—	—	—	—	—	—	—
Offences against justice procedures, government security and government operations	2.0	3.5	3.3	5.1	3.2	3.0	3.5
Miscellaneous offences	—	1.1	2.7	1.3	1.6	1.3	1.4
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.

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

Sex and ASOC Division	Under 20 years	20–24 years	25–29 years	30–34 years	35–44 years	45 years and over	Total(a)
PROPORTION (%) <i>cont.</i>							
Defendants(b)							
Homicide and related offences	2.2	2.2	2.5	2.8	3.3	3.8	2.8
Acts intended to cause injury	21.2	21.5	23.1	23.6	20.9	13.3	20.8
Sexual assault and related offences	5.3	5.2	6.5	8.0	14.1	26.8	10.5
Dangerous or negligent acts endangering persons	3.6	4.3	3.6	2.8	2.1	2.3	3.2
Abduction and related offences	0.5	0.7	1.0	0.8	0.7	0.6	0.7
Robbery, extortion and related offences	23.5	17.3	11.6	8.0	5.9	2.4	11.2
Unlawful entry with intent/burglary, break and enter	26.1	20.4	16.6	15.0	9.5	3.3	15.0
Theft and related offences	5.0	6.1	5.4	5.4	4.7	4.5	5.3
Deception and related offences	1.6	4.4	6.6	7.4	10.5	13.0	7.3
Illicit drug offences	3.1	9.7	13.9	16.4	19.2	20.4	14.1
Weapons and explosives offences	0.2	0.3	0.6	0.5	0.4	0.7	0.5
Property damage and environmental pollution	4.9	2.6	2.3	2.3	2.1	1.8	2.6
Public order offences	0.9	1.3	1.7	1.8	1.6	1.2	1.4
Road traffic and motor vehicle regulatory offences	—	—	—	—	—	—	—
Offences against justice procedures, government security and government operations	1.0	2.1	1.8	2.2	1.8	1.6	1.8
Miscellaneous offences	0.6	1.2	2.1	2.1	2.3	2.9	2.0
Total(c)	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 organisations and persons with unknown sex.

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

HIGHER COURTS DEFENDANTS ADJUDICATED, Principal offence by states and territories

ASOC Division NSW Vic. Qld SA WA Tas. NT ACT Aust.

NUMBER

Homicide and related offences	168	79	85	24	35	6	22	—	419
Acts intended to cause injury	473	499	1 593	100	259	96	73	19	3 112
Sexual assault and related offences	315	261	530	88	274	56	38	15	1 577
Dangerous or negligent acts endangering persons	56	28	266	10	97	4	12	3	476
Abduction and related offences	30	33	14	—	36	—	—	—	113
Robbery, extortion and related offences	619	407	312	81	203	37	14	11	1 684
Unlawful entry with intent/burglary, break and enter	431	99	716	85	814	72	21	8	2 246
Theft and related offences	103	127	370	17	135	21	4	13	790
Deception and related offences	124	190	659	8	89	25	3	4	1 102
Illicit drug offences	655	309	623	192	259	28	38	6	2 110
Weapons and explosives offences	36	11	14	7	—	—	—	—	68
Property damage and environmental pollution	36	80	174	10	39	36	6	3	384
Public order offences	25	83	45	4	49	10	—	—	216
Road traffic and motor vehicle regulatory offences	3	3	—	—	—	—	—	—	6
Offences against justice procedures, government security and government operations	36	32	45	27	99	31	3	3	276
Miscellaneous offences	29	58	118	16	68	5	—	—	294
All offence categories^(a)	3 139	2 426	5 564	673	2 456	427	234	85	15 004

PROPORTION (%)

Homicide and related offences	5.4	3.3	1.5	3.6	1.4	1.4	9.4	—	2.8
Acts intended to cause injury	15.1	20.6	28.6	14.9	10.5	22.5	31.2	22.4	20.7
Sexual assault and related offences	10.0	10.8	9.5	13.1	11.2	13.1	16.2	17.6	10.5
Dangerous or negligent acts endangering persons	1.8	1.2	4.8	1.5	3.9	0.9	5.1	3.5	3.2
Abduction and related offences	1.0	1.4	0.3	—	1.5	—	—	—	0.8
Robbery, extortion and related offences	19.7	16.8	5.6	12.0	8.3	8.7	6.0	12.9	11.2
Unlawful entry with intent/burglary, break and enter	13.7	4.1	12.9	12.6	33.1	16.9	9.0	9.4	15.0
Theft and related offences	3.3	5.2	6.6	2.5	5.5	4.9	1.7	15.3	5.3
Deception and related offences	4.0	7.8	11.8	1.2	3.6	5.9	1.3	4.7	7.3
Illicit drug offences	20.9	12.7	11.2	28.5	10.5	6.6	16.2	7.1	14.1
Weapons and explosives offences	1.1	0.5	0.3	1.0	—	—	—	—	0.5
Property damage and environmental pollution	1.1	3.3	3.1	1.5	1.6	8.4	2.6	3.5	2.6
Public order offences	0.8	3.4	0.8	0.6	2.0	2.3	—	—	1.4
Road traffic and motor vehicle regulatory offences	0.1	0.1	—	—	—	—	—	—	—
Offences against justice procedures, government security and government operations	1.1	1.3	0.8	4.0	4.0	7.3	1.3	3.5	1.8
Miscellaneous offences	0.9	2.4	2.1	2.4	2.8	1.2	—	—	2.0
All offence categories^(a)	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

— nil or rounded to zero (including null cells)

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

MAGISTRATES' COURTS DEFENDANTS ADJUDICATED, Sex and principal offence by age

Sex and ASOC Division	Under 20 years	20–24 years	25–29 years	30–34 years	35–44 years	45 years and over	Total(a)
NUMBER							
Males							
Homicide and related offences	5	20	14	10	21	20	90
Acts intended to cause injury	2 406	5 787	4 865	4 657	6 285	3 382	27 439
Sexual assault and related offences	33	103	76	107	222	296	841
Dangerous or negligent acts endangering persons	4 205	7 115	4 236	3 309	4 431	3 951	27 398
Abduction and related offences	—	5	4	5	6	6	26
Robbery, extortion and related offences	101	82	42	42	31	6	304
Unlawful entry with intent/burglary, break and enter	1 478	2 024	1 313	910	816	188	6 743
Theft and related offences	5 068	6 573	4 348	3 583	4 174	2 539	26 383
Deception and related offences	1 197	2 600	2 074	1 703	2 124	1 533	11 518
Illicit drug offences	2 540	5 588	4 373	3 802	4 650	2 103	23 084
Weapons and explosives offences	722	1 187	818	748	1 204	1 092	5 790
Property damage and environmental pollution	2 149	3 024	1 754	1 403	1 523	714	10 785
Public order offences	6 291	9 407	5 648	4 639	5 963	3 436	36 019
Road traffic and motor vehicle regulatory offences	13 234	34 454	25 036	21 123	28 931	25 752	157 669
Offences against justice procedures, government security and government operations	1 974	3 599	3 065	3 089	4 312	2 929	19 612
Miscellaneous offences	482	1 142	1 083	1 212	1 797	1 652	9 602
Total(b)	41 902	82 773	58 802	50 394	66 561	49 649	363 635
Females							
Homicide and related offences	—	6	3	3	3	4	19
Acts intended to cause injury	588	1 161	933	951	1 334	508	5 491
Sexual assault and related offences	—	—	3	9	9	6	27
Dangerous or negligent acts endangering persons	622	1 098	837	730	1 285	1 097	5 727
Abduction and related offences	—	3	3	—	3	—	9
Robbery, extortion and related offences	11	9	3	10	5	3	41
Unlawful entry with intent/burglary, break and enter	148	200	146	110	132	39	778
Theft and related offences	1 670	2 541	1 947	1 746	2 341	1 608	11 885
Deception and related offences	448	1 069	928	809	1 071	728	5 177
Illicit drug offences	464	1 141	895	916	1 285	448	5 155
Weapons and explosives offences	28	102	81	94	150	74	529
Property damage and environmental pollution	239	392	331	297	406	147	1 877
Public order offences	893	1 442	1 129	1 141	1 725	694	7 123
Road traffic and motor vehicle regulatory offences	2 427	7 854	6 747	6 359	8 865	6 082	42 628
Offences against justice procedures, government security and government operations	430	760	695	689	1 048	585	4 478
Miscellaneous offences	85	176	171	223	300	233	2 181
Total(b)	8 056	17 966	14 870	14 103	19 969	12 264	93 197

— nil or rounded to zero (including null cells)

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

(a) Includes defendants with unknown age.

Sex and ASOC Division	Under 20 years	20–24 years	25–29 years	30–34 years	35–44 years	45 years and over	Total(a)
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NUMBER cont.

Defendants(b)

Homicide and related offences	5	26	17	13	24	24	109
Acts intended to cause injury	3 000	6 962	5 810	5 620	7 632	3 897	32 994
Sexual assault and related offences	33	103	79	116	231	302	871
Dangerous or negligent acts endangering persons	4 839	8 261	5 116	4 064	5 753	5 086	33 348
Abduction and related offences	—	8	7	5	9	6	35
Robbery, extortion and related offences	112	91	45	52	36	9	345
Unlawful entry with intent/burglary, break and enter	1 630	2 231	1 462	1 023	948	227	7 538
Theft and related offences	6 748	9 143	6 312	5 338	6 525	4 160	38 364
Deception and related offences	1 648	3 679	3 020	2 527	3 212	2 275	16 857
Illicit drug offences	3 015	6 750	5 299	4 738	5 955	2 556	28 355
Weapons and explosives offences	750	1 292	899	842	1 357	1 169	6 331
Property damage and environmental pollution	2 393	3 422	2 088	1 703	1 932	866	12 800
Public order offences	7 193	10 894	6 803	5 786	7 721	4 147	43 322
Road traffic and motor vehicle regulatory offences	15 694	42 470	31 913	27 572	37 933	31 967	205 672
Offences against justice procedures, government security and government operations	2 417	4 376	3 776	3 792	5 379	3 530	25 504
Miscellaneous offences	570	1 325	1 261	1 440	2 107	1 919	13 792
Total(c)	50 067	101 108	73 978	64 699	86 832	62 198	466 658

— nil or rounded to zero (including null cells)

(a) Includes defendants with unknown age.

(b) Includes organisations and persons with unknown sex.

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

Sex and ASOC Division	Under 20 years	20-24 years	25-29 years	30-34 years	35-44 years	45 years and over	Total(a)
PROPORTION (%)							
Males							
Homicide and related offences	—	—	—	—	—	—	—
Acts intended to cause injury	5.7	7.0	8.3	9.2	9.4	6.8	7.5
Sexual assault and related offences	0.1	0.1	0.1	0.2	0.3	0.6	0.2
Dangerous or negligent acts endangering persons	10.0	8.6	7.2	6.6	6.7	8.0	7.5
Abduction and related offences	—	—	—	—	—	—	—
Robbery, extortion and related offences	0.2	0.1	0.1	0.1	—	—	0.1
Unlawful entry with intent/burglary, break and enter	3.5	2.4	2.2	1.8	1.2	0.4	1.9
Theft and related offences	12.1	7.9	7.4	7.1	6.3	5.1	7.3
Deception and related offences	2.9	3.1	3.5	3.4	3.2	3.1	3.2
Illicit drug offences	6.1	6.8	7.4	7.5	7.0	4.2	6.3
Weapons and explosives offences	1.7	1.4	1.4	1.5	1.8	2.2	1.6
Property damage and environmental pollution	5.1	3.7	3.0	2.8	2.3	1.4	3.0
Public order offences	15.0	11.4	9.6	9.2	9.0	6.9	9.9
Road traffic and motor vehicle regulatory offences	31.6	41.6	42.6	41.9	43.5	51.9	43.4
Offences against justice procedures, government security and government operations	4.7	4.3	5.2	6.1	6.5	5.9	5.4
Miscellaneous offences	1.2	1.4	1.8	2.4	2.7	3.3	2.6
Total(b)	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Females							
Homicide and related offences	—	—	—	—	—	—	—
Acts intended to cause injury	7.3	6.5	6.3	6.7	6.7	4.1	5.9
Sexual assault and related offences	—	—	—	0.1	—	—	—
Dangerous or negligent acts endangering persons	7.7	6.1	5.6	5.2	6.4	8.9	6.1
Abduction and related offences	—	—	—	—	—	—	—
Robbery, extortion and related offences	0.1	0.1	—	0.1	—	—	—
Unlawful entry with intent/burglary, break and enter	1.8	1.1	1.0	0.8	0.7	0.3	0.8
Theft and related offences	20.7	14.1	13.1	12.4	11.7	13.1	12.8
Deception and related offences	5.6	6.0	6.2	5.7	5.4	5.9	5.6
Illicit drug offences	5.8	6.4	6.0	6.5	6.4	3.7	5.5
Weapons and explosives offences	0.3	0.6	0.5	0.7	0.8	0.6	0.6
Property damage and environmental pollution	3.0	2.2	2.2	2.1	2.0	1.2	2.0
Public order offences	11.1	8.0	7.6	8.1	8.6	5.7	7.6
Road traffic and motor vehicle regulatory offences	30.1	43.7	45.4	45.1	44.4	49.6	45.7
Offences against justice procedures, government security and government operations	5.3	4.2	4.7	4.9	5.2	4.8	4.8
Miscellaneous offences	1.1	1.0	1.1	1.6	1.5	1.9	2.3
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.

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

Sex and ASOC Division	Under 20 years	20-24 years	25-29 years	30-34 years	35-44 years	45 years and over	Total(a)
PROPORTION (%) <i>cont.</i>							
Defendants(b)							
Homicide and related offences	—	—	—	—	—	—	—
Acts intended to cause injury	6.0	6.9	7.9	8.7	8.8	6.3	7.1
Sexual assault and related offences	0.1	0.1	0.1	0.2	0.3	0.5	0.2
Dangerous or negligent acts endangering persons	9.7	8.2	6.9	6.3	6.6	8.2	7.1
Abduction and related offences	—	—	—	—	—	—	—
Robbery, extortion and related offences	0.2	0.1	0.1	0.1	—	—	0.1
Unlawful entry with intent/burglary, break and enter	3.3	2.2	2.0	1.6	1.1	0.4	1.6
Theft and related offences	13.5	9.0	8.5	8.3	7.5	6.7	8.2
Deception and related offences	3.3	3.6	4.1	3.9	3.7	3.7	3.6
Illicit drug offences	6.0	6.7	7.2	7.3	6.9	4.1	6.1
Weapons and explosives offences	1.5	1.3	1.2	1.3	1.6	1.9	1.4
Property damage and environmental pollution	4.8	3.4	2.8	2.6	2.2	1.4	2.7
Public order offences	14.4	10.8	9.2	8.9	8.9	6.7	9.3
Road traffic and motor vehicle regulatory offences	31.3	42.0	43.1	42.6	43.7	51.4	44.1
Offences against justice procedures, government security and government operations	4.8	4.3	5.1	5.9	6.2	5.7	5.5
Miscellaneous offences	1.1	1.3	1.7	2.2	2.4	3.1	3.0
Total(c)	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 organisations and persons with unknown sex.

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

MAGISTRATES' COURTS DEFENDANTS ADJUDICATED, Principal offence by states and territories

ASOC Division/subdivision	NSW(a)	Vic.	Qld	SA	WA	Tas.	NT	ACT	Aust.
NUMBER									
Homicide and related offences	66	25	—	—	12	—	6	3	112
Acts intended to cause injury	16 916	3 754	5 039	1 642	2 788	1 488	926	442	32 995
Sexual assault and related offences	337	249	79	58	52	43	41	10	869
Dangerous or negligent acts endangering persons	5 995	4 181	10 656	2 112	9 012	337	902	153	33 348
Abduction and related offences	—	23	8	—	—	—	—	—	31
Robbery, extortion and related offences	50	249	3	4	9	6	12	11	344
Unlawful entry with intent/burglary, break and enter	1 702	2 380	1 739	314	653	445	200	104	7 537
Theft and related offences									
Theft/illegal use of motor vehicle	963	1 151	996	236	259	123	68	42	3 838
Receiving or handling proceeds of crime	2 415	1 545	2 727	387	286	194	42	73	7 669
Other theft	6 593	8 294	5 925	1 706	3 011	887	148	295	26 859
Total	9 971	10 990	9 648	2 329	3 556	1 204	258	410	38 366
Deception and related offences	6 460	2 883	4 676	764	1 482	364	95	133	16 857
Illicit drug offences									
Import or export illicit drugs	9	—	3	—	—	3	—	—	15
Deal or traffic in illicit drugs	682	1 130	366	120	221	174	142	25	2 860
Manufacture or cultivate illicit drugs	985	904	1 277	1 107	143	221	20	47	4 704
Possess and/or use illicit drugs	4 537	2 213	6 240	152	3 751	235	61	70	17 259
Total(b)	6 331	4 247	10 682	1 379	4 715	633	226	142	28 355
Weapons and explosives offences	1 272	1 338	1 822	814	520	324	195	48	6 333
Property damage and environmental pollution	4 484	2 426	3 092	1 043	1 062	408	177	107	12 799
Public order offences									
Disorderly conduct	6 006	10 500	13 033	2 664	5 127	1 440	185	63	39 018
Regulated public order offences	560	660	1 607	120	964	110	275	8	4 304
Total	6 566	11 160	14 640	2 784	6 091	1 550	460	71	43 322
Road traffic and motor vehicle regulatory offences	61 839	27 193	40 913	16 814	18 808	35 919	2 439	1 747	205 672
Offences against justice procedures, government security and government operations									
Breach of domestic violence order	2 666	1 110	3 230	147	—	—	6	63	7 222
Other justice offences	2 720	2 041	6 556	1 860	3 432	1 439	152	82	18 282
Total	5 386	3 151	9 786	2 007	3 432	1 439	158	145	25 504
Miscellaneous offences	5 325	3 646	1 660	690	1 299	891	236	45	13 792
All offence categories(c)	132 700	78 109	114 443	32 754	53 524	45 139	6 371	3 617	466 657

— nil or rounded to zero (including null cells)

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

(b) Includes Other illicit drug offences n.e.c.

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

ASOC Division/subdivision	NSW(a)	Vic.	Qld	SA	WA	Tas.	NT	ACT	Aust.
PROPORTION (%)									
Homicide and related offences	—	—	—	—	—	—	0.1	0.1	—
Acts intended to cause injury	12.7	4.8	4.4	5.0	5.2	3.3	14.5	12.2	7.1
Sexual assault and related offences	0.3	0.3	0.1	0.2	0.1	0.1	0.6	0.3	0.2
Dangerous or negligent acts endangering persons	4.5	5.4	9.3	6.4	16.8	0.7	14.2	4.2	7.1
Abduction and related offences	—	—	—	—	—	—	—	—	—
Robbery, extortion and related offences	—	0.3	—	—	—	—	0.2	0.3	0.1
Unlawful entry with intent/burglary, break and enter	1.3	3.0	1.5	1.0	1.2	1.0	3.1	2.9	1.6
Theft and related offences									
Theft/illegal use of motor vehicle	0.7	1.5	0.9	0.7	0.5	0.3	1.1	1.2	0.8
Receiving or handling proceeds of crime	1.8	2.0	2.4	1.2	0.5	0.4	0.7	2.0	1.6
Other theft	5.0	10.6	5.2	5.2	5.6	2.0	2.3	8.2	5.8
Total	7.5	14.1	8.4	7.1	6.6	2.7	4.0	11.3	8.2
Deception and related offences	4.9	3.7	4.1	2.3	2.8	0.8	1.5	3.7	3.6
Illicit drug offences									
Import or export illicit drugs	—	—	—	—	—	—	—	—	—
Deal or traffic in illicit drugs	0.5	1.4	0.3	0.4	0.4	0.4	2.2	0.7	0.6
Manufacture or cultivate illicit drugs	0.7	1.2	1.1	3.4	0.3	0.5	0.3	1.3	1.0
Possess and/or use illicit drugs	3.4	2.8	5.5	0.5	7.0	0.5	1.0	1.9	3.7
Total(b)	4.8	5.4	9.3	4.2	8.8	1.4	3.5	3.9	6.1
Weapons and explosives offences	1.0	1.7	1.6	2.5	1.0	0.7	3.1	1.3	1.4
Property damage and environmental pollution	3.4	3.1	2.7	3.2	2.0	0.9	2.8	3.0	2.7
Public order offences									
Disorderly conduct	4.5	13.4	11.4	8.1	9.6	3.2	2.9	1.7	8.4
Regulated public order offences	0.4	0.8	1.4	0.4	1.8	0.2	4.3	0.2	0.9
Total	4.9	14.3	12.8	8.5	11.4	3.4	7.2	2.0	9.3
Road traffic and motor vehicle regulatory offences	46.6	34.8	35.7	51.3	35.1	79.6	38.3	48.3	44.1
Offences against justice procedures, government security and government operations									
Breach of domestic violence order	2.0	1.4	2.8	0.4	—	—	0.1	1.7	1.5
Other justice offences	2.0	2.6	5.7	5.7	6.4	3.2	2.4	2.3	3.9
Total	4.1	4.0	8.6	6.1	6.4	3.2	2.5	4.0	5.5
Miscellaneous offences	4.0	4.7	1.5	2.1	2.4	2.0	3.7	1.2	3.0
All offence categories(c)	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' Court, resulting in a possible increase in the population counts (see Explanatory Note 14).

(b) Includes Other illicit drug offences n.e.c.

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

ASOC Division/subdivision	NSW(a)	Vic.	Qld	SA	WA	Tas.	NT	ACT	Aust.
PROPORTION (%) (excluding traffic offences)(b)									
Homicide and related offences	0.1	0.1	—	—	—	—	0.2	0.2	—
Acts intended to cause injury	26.1	8.0	8.0	11.9	10.8	16.7	30.3	25.6	14.4
Sexual assault and related offences	0.5	0.5	0.1	0.4	0.2	0.5	1.3	0.6	0.4
Dangerous or negligent acts endangering persons(c)	0.1	1.0	0.2	0.1	0.3	—	0.8	0.4	0.3
Abduction and related offences	—	—	—	—	—	—	—	—	—
Robbery, extortion and related offences	0.1	0.5	—	—	—	0.1	0.4	0.6	0.2
Unlawful entry with intent/burglary, break and enter	2.6	5.0	2.8	2.3	2.5	5.0	6.6	6.0	3.3
Theft and related offences									
Theft/illegal use of motor vehicle	1.5	2.4	1.6	1.7	1.0	1.4	2.2	2.4	1.7
Receiving or handling proceeds of crime	3.7	3.3	4.3	2.8	1.1	2.2	1.4	4.2	3.4
Other theft	10.2	17.6	9.4	12.3	11.7	10.0	4.8	17.1	11.8
Total	15.4	23.3	15.3	16.8	13.8	13.5	8.5	23.8	16.8
Deception and related offences	9.9	6.1	7.4	5.5	5.7	4.1	3.1	7.7	7.4
Illicit drug offences									
Import or export illicit drugs	—	—	—	—	—	—	—	—	—
Deal or traffic in illicit drugs	1.1	2.4	0.6	0.9	0.9	2.0	4.7	1.5	1.3
Manufacture or cultivate illicit drugs	1.5	1.9	2.0	8.0	0.6	2.5	0.7	2.7	2.1
Possess and/or use illicit drugs	7.0	4.7	9.9	1.1	14.5	2.6	2.0	4.1	7.6
Total(d)	9.8	9.0	17.0	10.0	18.3	7.1	7.4	8.2	12.4
Weapons and explosives offences	2.0	2.8	2.9	5.9	2.0	3.6	6.4	2.8	2.8
Property damage and environmental pollution	6.9	5.1	4.9	7.5	4.1	4.6	5.8	6.2	5.6
Public order offences									
Disorderly conduct	9.3	22.3	20.7	19.3	19.9	16.2	6.1	3.7	17.1
Regulated public order offences	0.9	1.4	2.6	0.9	3.7	1.2	9.0	0.5	1.9
Total	10.1	23.7	23.2	20.1	23.6	17.4	15.1	4.1	19.0
Offences against justice procedures, government security and government operations									
Breach of domestic violence order	4.1	2.4	5.1	1.1	—	—	0.2	3.7	3.2
Other justice offences	4.2	4.3	10.4	13.4	13.3	16.2	5.0	4.8	8.0
Total	8.3	6.7	15.5	14.5	13.3	16.2	5.2	8.4	11.2
Miscellaneous offences	8.2	7.7	2.6	5.0	5.0	10.0	7.7	2.6	6.0
All offence categories(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' Court, resulting in a possible increase in the population counts (see Explanatory Note 14).

(b) Excludes defendants with a principal offence in ASOC Division 14 (Road traffic and motor vehicle regulatory offences) and Subdivision 041 (Dangerous or negligent operation of a vehicle).

(c) Excludes defendants with a principal offence in Subdivision 041 (Dangerous or negligent operation of a vehicle).

(d) Includes Other illicit drug offences n.e.c.

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

DEFENDANTS ADJUDICATED, Principal offence by court level and adjudication type

ASOC Division	HIGHER COURTS				MAGISTRATES' COURTS		
	Acquitted	Guilty verdict	Guilty plea	Total	Acquitted	Proven guilty	Total(a)
NUMBER							
Homicide and related offences	70	128	221	419	33	78	111
Acts intended to cause injury	255	291	2 566	3 112	2 764	30 230	32 995
Sexual assault and related offences	363	230	984	1 577	196	673	869
Dangerous or negligent acts endangering persons	13	24	438	475	510	32 838	33 348
Abduction and related offences	12	20	84	116	5	31	36
Robbery, extortion and related offences	95	125	1 464	1 684	31	313	344
Unlawful entry with intent/burglary, break and enter	50	93	2 103	2 246	220	7 315	7 537
Theft and related offences	22	65	703	790	883	37 483	38 366
Deception and related offences	31	72	999	1 102	408	16 449	16 857
Illicit drug offences	49	225	1 836	2 110	260	28 095	28 355
Weapons and explosives offences	—	3	64	67	120	6 213	6 333
Property damage and environmental pollution	17	26	339	382	349	12 450	12 799
Public order offences	9	13	194	216	2 081	41 241	43 322
Road traffic and motor vehicle regulatory offences	—	3	5	8	9 169	196 503	205 672
Offences against justice procedures, government security and government operations	7	20	247	274	977	24 527	25 504
Miscellaneous offences	12	25	258	295	734	13 054	13 792
All offence categories(b)	1 051	1 375	12 578	15 004	18 787	447 863	466 661
PROPORTION (%)							
Homicide and related offences	16.7	30.5	52.7	100.0	29.7	70.3	100.0
Acts intended to cause injury	8.2	9.4	82.5	100.0	8.4	91.6	100.0
Sexual assault and related offences	23.0	14.6	62.4	100.0	22.6	77.4	100.0
Dangerous or negligent acts endangering persons	2.7	5.1	92.2	100.0	1.5	98.5	100.0
Abduction and related offences	10.3	17.2	72.4	100.0	13.9	86.1	100.0
Robbery, extortion and related offences	5.6	7.4	86.9	100.0	9.0	91.0	100.0
Unlawful entry with intent/burglary, break and enter	2.2	4.1	93.6	100.0	2.9	97.1	100.0
Theft and related offences	2.8	8.2	89.0	100.0	2.3	97.7	100.0
Deception and related offences	2.8	6.5	90.7	100.0	2.4	97.6	100.0
Illicit drug offences	2.3	10.7	87.0	100.0	0.9	99.1	100.0
Weapons and explosives offences	—	4.5	95.5	100.0	1.9	98.1	100.0
Property damage and environmental pollution	4.5	6.8	88.7	100.0	2.7	97.3	100.0
Public order offences	4.2	6.0	89.8	100.0	4.8	95.2	100.0
Road traffic and motor vehicle regulatory offences	—	37.5	62.5	100.0	4.5	95.5	100.0
Offences against justice procedures, government security and government operations	2.6	7.3	90.1	100.0	3.8	96.2	100.0
Miscellaneous offences	4.1	8.5	87.5	100.0	5.3	94.6	100.0
All offence categories(b)	7.0	9.2	83.8	100.0	4.0	96.0	100.0

— nil or rounded to zero (including null cells)

(a) Includes defendants adjudicated n.f.d.

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

DEFENDANTS PROVEN GUILTY, Sex and principal sentence by age

Sex and sentence type	Under 20 years	20–24 years	25–29 years	30–34 years	35–44 years	45 years and over	Total(a)
NUMBER							
Males							
Custodial orders							
Custody in a correctional institution	1 675	5 832	5 483	4 939	5 476	2 488	25 971
Custody in the community	229	571	452	413	433	196	2 300
Fully suspended sentences	897	3 438	3 227	2 824	3 522	1 952	15 903
Total(b)	2 801	9 844	9 166	8 184	9 444	4 645	44 213
Non-custodial orders							
Community supervision/work orders	3 220	4 542	2 983	2 444	2 927	1 340	17 492
Monetary orders	29 464	59 594	40 529	34 060	44 839	33 465	252 676
Other non-custodial orders	6 753	9 015	6 061	5 528	8 613	8 998	46 658
Total	39 437	73 151	49 573	42 032	56 379	43 803	316 826
Total(c)	42 468	83 281	58 945	50 397	66 065	48 695	362 509
Females							
Custodial orders							
Custody in a correctional institution	104	551	602	535	685	273	2 753
Custody in the community	22	87	76	84	76	44	390
Fully suspended sentences	106	590	566	612	769	345	2 998
Total(b)	232	1 228	1 247	1 233	1 536	663	6 153
Non-custodial orders							
Community supervision/work orders	550	1 118	867	821	1 059	427	4 856
Monetary orders	5 593	12 610	10 307	9 510	13 323	7 733	63 969
Other non-custodial orders	1 634	2 692	2 137	2 151	3 508	2 837	15 338
Total	7 777	16 420	13 311	12 482	17 890	10 997	84 163
Total(c)	8 053	17 721	14 614	13 783	19 529	11 755	90 795
Defendants(d)							
Custodial orders							
Custody in a correctional institution	1 780	6 401	6 108	5 490	6 169	2 767	28 798
Custody in the community	251	658	528	497	509	240	2 690
Fully suspended sentences	1 004	4 039	3 815	3 449	4 308	2 299	18 968
Total(b)	3 035	11 101	10 458	9 446	11 005	5 316	50 507
Non-custodial orders							
Community supervision/work orders	3 781	5 683	3 867	3 269	4 002	1 780	22 435
Monetary orders	35 140	72 501	51 065	43 728	58 392	41 411	324 153
Other non-custodial orders	8 399	11 721	8 209	7 688	12 147	11 876	62 725
Total	47 320	89 905	63 141	54 685	74 541	55 067	409 313
Total(c)	50 629	101 365	73 861	64 380	85 891	60 725	461 813

(a) Includes defendants with unknown age.

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

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

(d) Includes organisations and persons with unknown sex.

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

Sex and sentence type	Under 20 years	20-24 years	25-29 years	30-34 years	35-44 years	45 years and over	Total(a)
PROPORTION (%)							
Males							
Custodial orders							
Custody in a correctional institution	3.9	7.0	9.3	9.8	8.3	5.1	7.2
Custody in the community	0.5	0.7	0.8	0.8	0.7	0.4	0.6
Fully suspended sentences	2.1	4.1	5.5	5.6	5.3	4.0	4.4
Total(b)	6.6	11.8	15.6	16.2	14.3	9.5	12.2
Non-custodial orders							
Community supervision/work orders	7.6	5.5	5.1	4.8	4.4	2.8	4.8
Monetary orders	69.4	71.6	68.8	67.6	67.9	68.7	69.7
Other non-custodial orders	15.9	10.8	10.3	11.0	13.0	18.5	12.9
Total	92.9	87.8	84.1	83.4	85.3	90.0	87.4
Total(c)	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Females							
Custodial orders							
Custody in a correctional institution	1.3	3.1	4.1	3.9	3.5	2.3	3.0
Custody in the community	0.3	0.5	0.5	0.6	0.4	0.4	0.4
Fully suspended sentences	1.3	3.3	3.9	4.4	3.9	2.9	3.3
Total(b)	2.9	6.9	8.5	8.9	7.9	5.6	6.8
Non-custodial orders							
Community supervision/work orders	6.8	6.3	5.9	6.0	5.4	3.6	5.3
Monetary orders	69.5	71.2	70.5	69.0	68.2	65.8	70.5
Other non-custodial orders	20.3	15.2	14.6	15.6	18.0	24.1	16.9
Total	96.6	92.7	91.1	90.6	91.6	93.6	92.7
Total(c)	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Defendants(d)							
Custodial orders							
Custody in a correctional institution	3.5	6.3	8.3	8.5	7.2	4.6	6.2
Custody in the community	0.5	0.6	0.7	0.8	0.6	0.4	0.6
Fully suspended sentences	2.0	4.0	5.2	5.4	5.0	3.8	4.1
Total(b)	6.0	11.0	14.2	14.7	12.8	8.8	10.9
Non-custodial orders							
Community supervision/work orders	7.5	5.6	5.2	5.1	4.7	2.9	4.9
Monetary orders	69.4	71.5	69.1	67.9	68.0	68.2	70.2
Other non-custodial orders	16.6	11.6	11.1	11.9	14.1	19.6	13.6
Total	93.5	88.7	85.5	84.9	86.8	90.7	88.6
Total(c)	100.0	100.0	100.0	100.0	100.0	100.0	100.0

(a) Includes defendants with unknown age.

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

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

(d) Includes organisations and persons with unknown sex.

DEFENDANTS PROVEN GUILTY, Principal offence and principal sentence by sex

ASOC Division and sentence type	NUMBER			PROPORTION (%)		
	Males	Females	Defendants(a)	Males	Females	Defendants(a)
Homicide and related offences						
Custody in corrections/community	284	31	315	76.3	54.4	73.4
Fully suspended sentences	41	10	51	11.0	17.5	11.9
Monetary orders	15	5	20	4.0	8.8	4.7
Non-custodial-other(b)	29	11	40	7.8	19.3	9.3
Total(c)(d)	372	57	429	100.0	100.0	100.0
Acts intended to cause injury						
Custody in corrections/community	5 358	540	5 905	19.5	9.7	17.8
Fully suspended sentences	3 080	441	3 526	11.2	7.9	10.7
Monetary orders	9 858	2 140	12 030	35.9	38.6	36.4
Non-custodial-other(b)	9 075	2 397	11 488	33.0	43.2	34.7
Total(c)(d)	27 476	5 548	33 084	100.0	100.0	100.0
Sexual assault and related offences						
Custody in corrections/community	1 029	12	1 041	55.8	28.6	55.2
Fully suspended sentences	326	7	333	17.7	16.7	17.7
Monetary orders	137	13	150	7.4	31.0	8.0
Non-custodial-other(b)	331	10	341	18.0	23.8	18.1
Total(c)(d)	1 844	42	1 886	100.0	100.0	100.0
Dangerous or negligent acts endangering persons						
Custody in corrections/community	1 191	71	1 262	4.3	1.2	3.8
Fully suspended sentences	637	76	716	2.3	1.3	2.2
Monetary orders	22 963	4 717	27 892	83.8	82.9	83.8
Non-custodial-other(b)	2 584	820	3 409	9.4	14.4	10.2
Total(c)(d)	27 390	5 688	33 298	100.0	100.0	100.0
Abduction and related offences						
Custody in corrections/community	71	5	76	61.2	29.4	57.1
Fully suspended sentences	14	—	14	12.1	—	10.5
Monetary orders	7	—	7	6.0	—	5.3
Non-custodial-other(b)	24	12	36	20.7	70.6	27.1
Total(c)(d)	116	17	133	100.0	100.0	100.0
Robbery, extortion and related offences						
Custody in corrections/community	1 273	96	1 369	73.7	54.2	71.9
Fully suspended sentences	206	38	244	11.9	21.5	12.8
Monetary orders	38	3	41	2.2	1.7	2.2
Non-custodial-other(b)	199	36	235	11.5	20.3	12.3
Total(c)(d)	1 727	177	1 904	100.0	100.0	100.0
Unlawful entry with intent/burglary, break and enter						
Custody in corrections/community	3 697	263	3 967	43.4	27.3	41.7
Fully suspended sentences	1 323	157	1 480	15.5	16.3	15.6
Monetary orders	1 160	139	1 303	13.6	14.4	13.7
Non-custodial-other(b)	2 316	399	2 721	27.2	41.3	28.6
Total(c)(d)	8 528	965	9 510	100.0	100.0	100.0
Theft and related offences						
Custody in corrections/community	3 847	706	4 560	14.6	6.0	11.9
Fully suspended sentences	1 949	740	2 692	7.4	6.3	7.0
Monetary orders	13 437	6 140	19 638	51.0	52.1	51.3
Non-custodial-other(b)	6 957	4 120	11 101	26.4	34.9	29.0
Total(c)(d)	26 361	11 795	38 251	100.0	100.0	100.0
Deception and related offences						
Custody in corrections/community	1 642	578	2 225	13.7	10.7	12.7
Fully suspended sentences	928	474	1 415	7.8	8.8	8.1
Monetary orders	6 560	2 268	8 928	54.9	42.0	51.0
Non-custodial-other(b)	2 780	2 059	4 876	23.2	38.1	27.8
Total(c)(d)	11 959	5 405	17 519	100.0	100.0	100.0

— nil or rounded to zero (including null cells)

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

(a) Includes organisations and persons with unknown sex.

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

(b) Includes other non-custodial orders excluding monetary orders.

ASOC Division and sentence type	NUMBER			PROPORTION (%)		
	Males	Females	Defendants(a)	Males	Females	Defendants(a)
Illicit drug offences						
Custody in corrections/community	2 344	298	2 645	9.5	5.5	8.8
Fully suspended sentences	1 236	294	1 533	5.0	5.4	5.1
Monetary orders	16 830	3 535	20 462	68.3	65.4	67.9
Non-custodial-other(b)	4 179	1 267	5 457	17.0	23.4	18.1
Total(c)(d)	24 640	5 403	30 157	100.0	100.0	100.0
Weapons and explosives offences						
Custody in corrections/community	440	19	459	7.7	3.6	7.3
Fully suspended sentences	218	20	238	3.8	3.8	3.8
Monetary orders	3 987	343	4 339	69.4	65.8	69.1
Non-custodial-other(b)	1 066	134	1 200	18.6	25.7	19.1
Total(c)(d)	5 746	521	6 276	100.0	100.0	100.0
Property damage and environmental pollution						
Custody in corrections/community	676	61	737	6.2	3.3	5.8
Fully suspended sentences	407	47	454	3.8	2.5	3.5
Monetary orders	6 959	1 161	8 232	64.3	62.4	64.2
Non-custodial-other(b)	2 745	576	3 330	25.3	31.0	26.0
Total(c)(d)	10 830	1 860	12 814	100.0	100.0	100.0
Public order offences						
Custody in corrections/community	718	88	818	2.1	1.3	2.0
Fully suspended sentences	398	54	457	1.2	0.8	1.1
Monetary orders	23 064	4 962	28 154	67.1	72.0	67.9
Non-custodial-other(b)	9 961	1 739	11 728	29.0	25.2	28.3
Total(c)(d)	34 380	6 895	41 448	100.0	100.0	100.0
Road traffic and motor vehicle regulatory offences						
Custody in corrections/community	3 711	213	3 945	2.4	0.5	2.0
Fully suspended sentences	4 050	490	4 569	2.7	1.2	2.3
Monetary orders	127 912	34 056	165 789	84.0	85.1	84.4
Non-custodial-other(b)	16 149	5 102	21 631	10.6	12.7	11.0
Total(c)(d)	152 218	40 017	196 509	100.0	100.0	100.0
Offences against justice procedures, government security and government operations						
Custody in corrections/community	1 436	132	1 578	7.5	3.0	6.4
Fully suspended sentences	777	120	903	4.1	2.8	3.6
Monetary orders	13 089	2 964	17 236	68.3	68.2	69.5
Non-custodial-other(b)	3 758	1 091	4 930	19.6	25.1	19.9
Total(c)(d)	19 161	4 344	24 793	100.0	100.0	100.0
Miscellaneous offences						
Custody in corrections/community	521	28	549	5.5	1.4	4.1
Fully suspended sentences	296	28	324	3.2	1.4	2.4
Monetary orders	6 531	1 494	9 765	69.5	75.4	73.2
Non-custodial-other(b)	1 951	412	2 579	20.8	20.8	19.3
Total(c)(d)	9 393	1 982	13 338	100.0	100.0	100.0
All offence categories(e)						
Custody in corrections/community	28 271	3 144	31 487	7.8	3.5	6.8
Fully suspended sentences	15 903	2 999	18 969	4.4	3.3	4.1
Monetary orders	252 676	63 969	324 151	69.7	70.5	70.2
Non-custodial-other(b)	64 150	20 194	85 157	17.7	22.2	18.4
Total(c)(d)	362 510	90 795	461 807	100.0	100.0	100.0

(a) Includes organisations and persons with unknown sex.

(b) Includes other non-custodial orders excluding monetary orders.

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

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

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

ASOC Division	HIGHER COURTS				MAGISTRATES' COURTS			
	Custody in corrections/ community	Fully suspended sentences	Non-custodial orders	Total(a)(b)	Custodial orders	Monetary orders	Non-custodial -other(c)	Total(b)
NUMBER								
Homicide and related offences	304	39	6	349	23	18	36	78
Acts intended to cause injury	1 591	519	740	2 857	7 321	11 877	10 901	30 230
Sexual assault and related offences	869	187	155	1 214	318	131	205	673
Dangerous or negligent acts endangering persons	278	78	106	462	1 622	27 864	3 333	32 838
Abduction and related offences	70	13	21	104	7	7	16	31
Robbery, extortion and related offences	1 256	196	135	1 590	161	30	110	313
Unlawful entry with intent/burglary, break and enter	1 384	314	498	2 196	3 750	1 270	2 256	7 315
Theft and related offences	350	168	249	770	6 734	19 581	10 909	37 483
Deception and related offences	539	224	283	1 071	2 877	8 870	4 651	16 449
Illicit drug offences	1 175	496	388	2 059	2 506	20 313	5 218	28 095
Weapons and explosives offences	45	12	9	66	640	4 339	1 194	6 213
Property damage and environmental pollution	146	76	141	363	971	8 215	3 206	12 450
Public order offences	74	34	95	206	1 167	28 126	11 661	41 241
Road traffic and motor vehicle regulatory offences	—	—	4	4	8 512	165 786	21 630	196 503
Offences against justice procedures, government security and government operations	125	72	69	266	2 284	17 213	4 884	24 527
Miscellaneous offences	148	34	87	283	691	9 738	2 519	13 054
All offence categories(d)	8 354	2 462	2 986	13 945	39 638	323 543	82 784	447 863

PROPORTION (%)

Homicide and related offences	87.1	11.2	1.7	100.0	29.5	23.1	46.2	100.0
Acts intended to cause injury	55.7	18.2	25.9	100.0	24.2	39.3	36.1	100.0
Sexual assault and related offences	71.6	15.4	12.8	100.0	47.3	19.5	30.5	100.0
Dangerous or negligent acts endangering persons	60.2	16.9	22.9	100.0	4.9	84.9	10.1	100.0
Abduction and related offences	67.3	12.5	20.2	100.0	22.6	22.6	51.6	100.0
Robbery, extortion and related offences	79.0	12.3	8.5	100.0	51.4	9.6	35.1	100.0
Unlawful entry with intent/burglary, break and enter	63.0	14.3	22.7	100.0	51.3	17.4	30.8	100.0
Theft and related offences	45.5	21.8	32.3	100.0	18.0	52.2	29.1	100.0
Deception and related offences	50.3	20.9	26.4	100.0	17.5	53.9	28.3	100.0
Illicit drug offences	57.1	24.1	18.8	100.0	8.9	72.3	18.6	100.0
Weapons and explosives offences	68.2	18.2	13.6	100.0	10.3	69.8	19.2	100.0
Property damage and environmental pollution	40.2	20.9	38.8	100.0	7.8	66.0	25.8	100.0
Public order offences	35.9	16.5	46.1	100.0	2.8	68.2	28.3	100.0
Road traffic and motor vehicle regulatory offences	—	—	100.0	100.0	4.3	84.4	11.0	100.0
Offences against justice procedures, government security and government operations	47.0	27.1	25.9	100.0	9.3	70.2	19.9	100.0
Miscellaneous offences	52.3	12.0	30.7	100.0	5.3	74.6	19.3	100.0
All offence categories(d)	59.9	17.7	21.4	100.0	8.9	72.2	18.5	100.0

— nil or rounded to zero (including null cells)

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

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

(c) Includes other non-custodial orders excluding monetary orders.

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

<i>Method of finalisation/ duration (weeks)</i>	<i>NSW</i>	<i>Vic.</i>	<i>Qld</i>	<i>SA</i>	<i>WA</i>	<i>Tas.</i>	<i>NT</i>	<i>ACT</i>	<i>Aust.</i>
NUMBER									
Acquitted									
Under 13	20	3	16	—	3	5	3	—	50
13 and under 26	85	19	37	5	7	13	4	—	170
26 and under 39	54	48	59	23	16	7	5	5	217
39 and under 52	29	48	60	14	28	8	—	4	191
52 and over	60	66	87	21	171	8	7	3	423
<i>Total</i>	<i>248</i>	<i>184</i>	<i>259</i>	<i>63</i>	<i>225</i>	<i>41</i>	<i>19</i>	<i>12</i>	<i>1 051</i>
Guilty verdict									
Under 13	3	3	10	4	—	8	3	—	31
13 and under 26	42	16	45	5	5	19	—	—	132
26 and under 39	56	62	48	22	29	21	—	3	241
39 and under 52	69	62	38	26	42	9	—	—	246
52 and over	155	108	66	88	290	13	3	3	726
<i>Total</i>	<i>325</i>	<i>251</i>	<i>207</i>	<i>145</i>	<i>366</i>	<i>70</i>	<i>6</i>	<i>6</i>	<i>1 376</i>
Guilty plea									
Under 13	545	558	1 635	104	1 036	146	63	25	4 112
13 and under 26	878	573	1 087	182	425	99	69	11	3 324
26 and under 39	504	365	1 123	65	119	29	40	18	2 263
39 and under 52	266	189	545	47	64	21	18	—	1 150
52 and over	372	308	708	68	221	21	18	11	1 727
<i>Total</i>	<i>2 565</i>	<i>1 993</i>	<i>5 098</i>	<i>466</i>	<i>1 865</i>	<i>316</i>	<i>208</i>	<i>65</i>	<i>12 576</i>
Non-adjudicated									
Under 13	60	8	163	97	51	22	—	10	411
13 and under 26	113	17	306	43	52	31	9	12	583
26 and under 39	57	14	277	15	26	25	6	4	424
39 and under 52	33	24	202	14	21	13	3	5	315
52 and over	55	59	351	25	61	19	4	5	579
<i>Total</i>	<i>318</i>	<i>122</i>	<i>1 299</i>	<i>194</i>	<i>211</i>	<i>110</i>	<i>22</i>	<i>36</i>	<i>2 312</i>
Total defendants									
Under 13	628	572	1 824	205	1 090	181	69	35	4 604
13 and under 26	1 118	625	1 475	235	489	162	82	23	4 209
26 and under 39	671	489	1 507	125	190	82	51	30	3 145
39 and under 52	397	323	845	101	155	51	21	9	1 902
52 and over	642	541	1 212	202	743	61	32	22	3 455
<i>Total</i>	<i>3 456</i>	<i>2 550</i>	<i>6 863</i>	<i>868</i>	<i>2 667</i>	<i>537</i>	<i>255</i>	<i>119</i>	<i>17 315</i>

— nil or rounded to zero (including null cells)

<i>Method of finalisation/ duration (weeks)</i>	<i>NSW</i>	<i>Vic.</i>	<i>Qld</i>	<i>SA</i>	<i>WA</i>	<i>Tas.</i>	<i>NT</i>	<i>ACT</i>	<i>Aust.</i>
PROPORTION (%)									
Acquitted									
Under 13	8.1	1.6	6.2	—	1.3	12.2	15.8	—	4.8
13 and under 26	34.3	10.3	14.3	7.9	3.1	31.7	21.1	—	16.2
26 and under 39	21.8	26.1	22.8	36.5	7.1	17.1	26.3	41.7	20.6
39 and under 52	11.7	26.1	23.2	22.2	12.4	19.5	—	33.3	18.2
52 and over	24.2	35.9	33.6	33.3	76.0	19.5	36.8	25.0	40.2
<i>Total</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>
Guilty verdict									
Under 13	0.9	1.2	4.8	2.8	—	11.4	50.0	—	2.3
13 and under 26	12.9	6.4	21.7	3.4	1.4	27.1	—	—	9.6
26 and under 39	17.2	24.7	23.2	15.2	7.9	30.0	—	50.0	17.5
39 and under 52	21.2	24.7	18.4	17.9	11.5	12.9	—	—	17.9
52 and over	47.7	43.0	31.9	60.7	79.2	18.6	50.0	50.0	52.8
<i>Total</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>
Guilty plea									
Under 13	21.2	28.0	32.1	22.3	55.5	46.2	30.3	38.5	32.7
13 and under 26	34.2	28.8	21.3	39.1	22.8	31.3	33.2	16.9	26.4
26 and under 39	19.6	18.3	22.0	13.9	6.4	9.2	19.2	27.7	18.0
39 and under 52	10.4	9.5	10.7	10.1	3.4	6.6	8.7	—	9.1
52 and over	14.5	15.5	13.9	14.6	11.8	6.6	8.7	16.9	13.7
<i>Total</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>
Non-adjudicated									
Under 13	18.9	6.6	12.5	50.0	24.2	20.0	—	27.8	17.8
13 and under 26	35.5	13.9	23.6	22.2	24.6	28.2	40.9	33.3	25.2
26 and under 39	17.9	11.5	21.3	7.7	12.3	22.7	27.3	11.1	18.3
39 and under 52	10.4	19.7	15.6	7.2	10.0	11.8	13.6	13.9	13.6
52 and over	17.3	48.4	27.0	12.9	28.9	17.3	18.2	13.9	25.0
<i>Total</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>
Total defendants									
Under 13	18.2	22.4	26.6	23.6	40.9	33.7	27.1	29.4	26.6
13 and under 26	32.3	24.5	21.5	27.1	18.3	30.2	32.2	19.3	24.3
26 and under 39	19.4	19.2	22.0	14.4	7.1	15.3	20.0	25.2	18.2
39 and under 52	11.5	12.7	12.3	11.6	5.8	9.5	8.2	7.6	11.0
52 and over	18.6	21.2	17.7	23.3	27.9	11.4	12.5	18.5	20.0
<i>Total</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>

— nil or rounded to zero (including null cells)

Method of finalisation/
duration (weeks)

NSW(a)

Vic.

Qld

SA

WA

Tas.

NT

ACT

Aust.

NUMBER

Acquitted

Under 6	840	1 725	240	—	124	1 107	55	4	4 095
6 and under 13	1 220	271	107	3	174	2 420	61	10	4 266
13 and under 20	1 475	166	111	12	196	1 216	52	12	3 240
20 and under 26	762	70	81	3	114	1 357	39	13	2 439
26 and under 39	833	111	111	5	143	734	61	38	2 036
39 and under 52	307	267	45	16	68	491	39	22	1 255
52 and over	210	129	54	22	58	862	96	16	1 447
Total(b)	5 647	2 739	749	61	877	8 194	403	115	18 785

Proven guilty

Under 6	83 141	45 250	84 889	6 578	42 139	5 553	3 023	562	271 135
6 and under 13	18 701	14 719	15 077	14 157	4 586	10 347	1 277	1 152	80 016
13 and under 20	11 585	6 392	5 385	4 328	2 238	6 589	444	773	37 734
20 and under 26	4 993	2 925	2 534	1 895	1 095	9 319	236	241	23 238
26 and under 39	4 903	2 750	2 682	1 784	1 269	2 279	305	350	16 322
39 and under 52	1 796	1 961	1 134	1 591	519	1 327	178	173	8 679
52 and over	1 934	1 373	1 993	2 359	791	1 499	504	252	10 705
Total(b)	127 053	75 370	113 694	32 692	52 637	36 946	5 967	3 503	447 862

Transfer to other court levels(c)

Under 6	279	130	97	64	848	48	—	7	1 473
6 and under 13	71	551	1 037	222	792	57	23	16	2 769
13 and under 20	32	308	1 069	314	834	76	15	16	2 664
20 and under 26	18	172	772	134	289	60	6	10	1 461
26 and under 39	15	604	1 084	77	155	104	8	30	2 077
39 and under 52	5	185	382	40	45	47	6	11	721
52 and over	17	241	347	37	34	61	3	7	747
Total(b)	437	2 191	4 788	888	2 997	453	61	97	11 912

Non-adjudicated

Under 6	4 878	6 548	3 121	797	703	162	207	289	16 705
6 and under 13	2 954	1 538	1 631	1 727	397	363	112	340	9 062
13 and under 20	2 336	714	1 351	1 599	349	235	71	317	6 972
20 and under 26	1 208	473	974	1 054	163	142	33	133	4 180
26 and under 39	1 325	508	1 238	1 201	192	78	54	174	4 770
39 and under 52	534	160	588	1 219	106	45	29	56	2 737
52 and over	578	331	895	2 086	157	98	109	113	4 367
Total(b)	13 813	10 272	9 798	9 683	2 067	1 123	615	1 422	48 793

Total defendants(c)(d)(e)

Under 6	89 138	53 653	88 347	7 439	43 819	6 870	3 285	862	293 413
6 and under 13	22 946	17 079	17 852	16 109	5 953	13 190	1 473	1 518	96 120
13 and under 20	15 428	7 580	7 916	6 253	3 617	8 119	582	1 118	50 613
20 and under 26	6 981	3 640	4 361	3 086	1 661	10 878	314	397	31 318
26 and under 39	7 076	3 973	5 115	3 067	1 759	3 195	428	592	25 205
39 and under 52	2 642	2 573	2 149	2 866	738	1 910	252	262	13 392
52 and over	2 739	2 074	3 289	4 504	1 040	2 520	712	388	17 266
Total(b)	146 950	90 572	129 029	43 324	58 587	46 722	7 046	5 137	527 367

— nil or rounded to zero (including null cells)

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

(b) Includes defendants with an unknown duration.

(c) Excludes defendants finalised by committal or transfer to a Higher Court in NSW.

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

(e) Includes defendants adjudicated n.f.d.

Method of finalisation/ duration (weeks)	NSW(a)	Vic.	Qld	SA	WA	Tas.	NT	ACT	Aust.
PROPORTION (%)									
Acquitted									
Under 6	14.9	63.0	32.0	—	14.1	13.5	13.6	3.5	21.8
6 and under 13	21.6	9.9	14.3	4.9	19.8	29.5	15.1	8.7	22.7
13 and under 20	26.1	6.1	14.8	19.7	22.3	14.8	12.9	10.4	17.2
20 and under 26	13.5	2.6	10.8	4.9	13.0	16.6	9.7	11.3	13.0
26 and under 39	14.8	4.1	14.8	8.2	16.3	9.0	15.1	33.0	10.8
39 and under 52	5.4	9.7	6.0	26.2	7.8	6.0	9.7	19.1	6.7
52 and over	3.7	4.7	7.2	36.1	6.6	10.5	23.8	13.9	7.7
Total(b)	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Proven guilty									
Under 6	65.4	60.0	74.7	20.1	80.1	15.0	50.7	16.0	60.5
6 and under 13	14.7	19.5	13.3	43.3	8.7	28.0	21.4	32.9	17.9
13 and under 20	9.1	8.5	4.7	13.2	4.3	17.8	7.4	22.1	8.4
20 and under 26	3.9	3.9	2.2	5.8	2.1	25.2	4.0	6.9	5.2
26 and under 39	3.9	3.6	2.4	5.5	2.4	6.2	5.1	10.0	3.6
39 and under 52	1.4	2.6	1.0	4.9	1.0	3.6	3.0	4.9	1.9
52 and over	1.5	1.8	1.8	7.2	1.5	4.1	8.4	7.2	2.4
Total(b)	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Transfer to other court levels(c)									
Under 6	63.8	5.9	2.0	7.2	28.3	10.6	—	7.2	12.4
6 and under 13	16.2	25.1	21.7	25.0	26.4	12.6	37.7	16.5	23.2
13 and under 20	7.3	14.1	22.3	35.4	27.8	16.8	24.6	16.5	22.4
20 and under 26	4.1	7.9	16.1	15.1	9.6	13.2	9.8	10.3	12.3
26 and under 39	3.4	27.6	22.6	8.7	5.2	23.0	13.1	30.9	17.4
39 and under 52	1.1	8.4	8.0	4.5	1.5	10.4	9.8	11.3	6.1
52 and over	3.9	11.0	7.2	4.2	1.1	13.5	4.9	7.2	6.3
Total(b)	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Non-adjudicated									
Under 6	35.3	63.7	31.9	8.2	34.0	14.4	33.7	20.3	34.2
6 and under 13	21.4	15.0	16.6	17.8	19.2	32.3	18.2	23.9	18.6
13 and under 20	16.9	7.0	13.8	16.5	16.9	20.9	11.5	22.3	14.3
20 and under 26	8.7	4.6	9.9	10.9	7.9	12.6	5.4	9.4	8.6
26 and under 39	9.6	4.9	12.6	12.4	9.3	6.9	8.8	12.2	9.8
39 and under 52	3.9	1.6	6.0	12.6	5.1	4.0	4.7	3.9	5.6
52 and over	4.2	3.2	9.1	21.5	7.6	8.7	17.7	7.9	9.0
Total(b)	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Total defendants(c)(d)(e)									
Under 6	60.7	59.2	68.5	17.2	74.8	14.7	46.6	16.8	55.6
6 and under 13	15.6	18.9	13.8	37.2	10.2	28.2	20.9	29.6	18.2
13 and under 20	10.5	8.4	6.1	14.4	6.2	17.4	8.3	21.8	9.6
20 and under 26	4.8	4.0	3.4	7.1	2.8	23.3	4.5	7.7	5.9
26 and under 39	4.8	4.4	4.0	7.1	3.0	6.8	6.1	11.5	4.8
39 and under 52	1.8	2.8	1.7	6.6	1.3	4.1	3.6	5.1	2.5
52 and over	1.9	2.3	2.5	10.4	1.8	5.4	10.1	7.6	3.3
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) Refers to finalised appearances rather than finalised defendants in the Magistrates' Court, resulting in a possible increase in the population counts (see Explanatory Note 14).

(b) Includes defendants with an unknown duration.

(c) Excludes defendants finalised by committal or transfer to a Higher Court in NSW.

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

(e) Includes defendants adjudicated n.f.d.

Sex and ASOC Division/subdivision	2001–02		2002–03		2003–04	
	no.	%	no.	%	no.	%
Males						
Homicide and related offences						
Murder	146	1.1	162	1.3	119	0.9
Other homicide and related offences	265	2.0	232	1.8	253	1.9
Total	411	3.1	394	3.1	372	2.9
Acts intended to cause injury	2 738	20.5	2 637	20.9	2 680	20.5
Sexual assault and related offences	1 569	11.8	1 542	12.2	1 555	11.9
Dangerous or negligent acts endangering persons	367	2.8	434	3.4	431	3.3
Abduction and related offences	96	0.7	88	0.7	106	0.8
Robbery, extortion and related offences	1 788	13.4	1 560	12.3	1 536	11.8
Unlawful entry with intent/burglary, break and enter	1 985	14.9	1 953	15.4	2 029	15.5
Theft and related offences	667	5.0	608	4.8	633	4.9
Deception and related offences						
Fraud, forgery or false financial instruments	398	3.0	357	2.8	352	2.7
Dishonest conversion	292	2.2	281	2.2	276	2.1
Other deception and related offence	94	0.7	91	0.7	118	0.9
Total	784	5.9	729	5.8	746	5.7
Illicit drug offences						
Import or export illicit drugs	60	0.4	55	0.4	65	0.5
Deal or traffic in illicit drugs	1 291	9.7	1 190	9.4	1 297	9.9
Manufacture or cultivate illicit drugs	283	2.1	236	1.9	352	2.7
Other illicit drugs(a)	85	0.6	69	0.5	77	0.6
Total	1 719	12.9	1 550	12.3	1 791	13.7
Weapons and explosives offences	58	0.4	57	0.5	68	0.5
Property damage and environmental pollution	323	2.4	351	2.8	325	2.5
Public order offences	174	1.3	176	1.4	195	1.5
Road traffic and motor vehicle regulatory offences	—	—	—	—	5	—
Offences against justice procedures, government security and government operations	224	1.7	185	1.5	207	1.6
Miscellaneous offences	312	2.3	258	2.0	258	2.0
Total(b)	13 341	100.0	12 643	100.0	13 050	100.0

— nil or rounded to zero (including null cells)

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

(a) Includes Subdivision 104 (Possess and/or use illicit drugs).

Sex and ASOC Division/subdivision	2001–02		2002–03		2003–04	
	no.	%	no.	%	no.	%
Females						
Homicide and related offences						
Murder	12	0.6	17	0.9	13	0.7
Other homicide and related offences	40	2.1	40	2.2	34	1.8
Total	52	2.8	57	3.1	47	2.4
Acts intended to cause injury	365	19.4	339	18.7	432	22.3
Sexual assault and related offences	16	0.9	25	1.4	22	1.1
Dangerous or negligent acts endangering persons	36	1.9	49	2.7	44	2.3
Abduction and related offences	14	0.7	9	0.5	10	0.5
Robbery, extortion and related offences	234	12.5	191	10.5	148	7.6
Unlawful entry with intent/burglary, break and enter	221	11.8	218	12.0	217	11.2
Theft and related offences	150	8.0	143	7.9	157	8.1
Deception and related offences						
Fraud, forgery or false financial instruments	160	8.5	173	9.6	164	8.5
Dishonest conversion	139	7.4	155	8.6	163	8.4
Other deception and related offence	23	1.2	20	1.1	29	1.5
Total	322	17.1	348	19.2	356	18.4
Illicit drug offences						
Import or export illicit drugs	10	0.5	4	0.2	9	0.5
Deal or traffic in illicit drugs	227	12.1	220	12.1	250	12.9
Manufacture or cultivate illicit drugs	32	1.7	23	1.3	41	2.1
Other illicit drugs(a)	27	1.4	12	0.7	19	1.0
Total	296	15.8	259	14.3	319	16.5
Weapons and explosives offences	3	0.2	3	0.2	—	—
Property damage and environmental pollution	44	2.3	34	1.9	56	2.9
Public order offences	21	1.1	29	1.6	21	1.1
Road traffic and motor vehicle regulatory offences	—	—	—	—	—	—
Offences against justice procedures, government security and government operations	56	3.0	72	4.0	67	3.5
Miscellaneous offences	34	1.8	23	1.3	26	1.3
Total(b)	1 879	100.0	1 811	100.0	1 938	100.0

— nil or rounded to zero (including null cells)

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

(a) Includes Subdivision 104 (Possess and/or use illicit drugs).

Sex and ASOC Division/subdivision	2001–02		2002–03		2003–04	
	no.	%	no.	%	no.	%
Defendants(a)						
Homicide and related offences						
Murder	158	1.0	179	1.2	132	0.9
Other homicide and related offences	305	2.0	272	1.9	287	1.9
Total	463	3.0	451	3.1	419	2.8
Acts intended to cause injury	3 103	20.4	2 976	20.6	3 112	20.7
Sexual assault and related offences	1 585	10.4	1 567	10.8	1 577	10.5
Dangerous or negligent acts endangering persons	403	2.6	483	3.3	475	3.2
Abduction and related offences	110	0.7	97	0.7	116	0.8
Robbery, extortion and related offences	2 022	13.3	1 751	12.1	1 684	11.2
Unlawful entry with intent/burglary, break and enter	2 206	14.5	2 171	15.0	2 246	15.0
Theft and related offences	820	5.4	751	5.2	790	5.3
Deception and related offences						
Fraud, forgery or false financial instruments	561	3.7	530	3.7	516	3.4
Dishonest conversion	431	2.8	436	3.0	439	2.9
Other deception and related offence	117	0.8	111	0.8	147	1.0
Total	1 109	7.3	1 077	7.4	1 102	7.3
Illicit drug offences						
Import or export illicit drugs	73	0.5	59	0.4	74	0.5
Deal or traffic in illicit drugs	1 518	10.0	1 410	9.7	1 547	10.3
Manufacture or cultivate illicit drugs	315	2.1	259	1.8	393	2.6
Other illicit drugs(b)	112	0.7	81	0.6	96	0.6
Total	2 018	13.2	1 809	12.5	2 110	14.1
Weapons and explosives offences	61	0.4	60	0.4	68	0.5
Property damage and environmental pollution	367	2.4	385	2.7	381	2.5
Public order offences	195	1.3	205	1.4	216	1.4
Road traffic and motor vehicle regulatory offences	—	—	—	—	5	—
Offences against justice procedures, government security and government operations	280	1.8	257	1.8	274	1.8
Miscellaneous offences	349	2.3	289	2.0	295	2.0
Total(c)	15 232	100.0	14 462	100.0	14 999	100.0

— nil or rounded to zero (including null cells)

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

(a) Includes organisations and persons with unknown sex.

(b) Includes Subdivision 104 (Possess and/or use illicit drugs).

HIGHER COURTS, States and territories, 1996–97 to 2003–04(a)

Years	DEFENDANTS FINALISED			DEFENDANTS ADJUDICATED		DEFENDANTS PROVEN GUILTY			
	no.	Females (%)	20–24 years age group (%)	no.	Acquitted (%)	no.	Principal offence against person (%) (b)	Principal offence against property (%) (b)	Custody in corrections/ community (%)
NSW									
1996–97	3 584	7.5	21.1	2 927	15.3	2 479	na	na	na
1997–98	3 961	7.9	21.2	3 261	15.0	2 773	na	na	na
1998–99	4 186	8.2	20.6	3 331	15.4	2 819	na	na	na
1999–2000	4 300	9.3	21.3	3 582	12.6	3 132	na	na	na
2000–01	3 917	9.0	22.4	3 159	12.7	2 757	na	na	na
2001–02	3 654	10.1	24.2	3 167	12.0	2 787	30.6	19.5	74.1
2002–03	3 204	9.8	22.8	2 908	8.8	2 651	33.5	19.2	73.9
2003–04	3 456	9.2	24.4	3 138	7.9	2 890	30.4	23.3	75.9
VIC.									
1996–97	1 631	10.2	17.7	1 510	13.0	1 314	na	na	na
1997–98	1 737	9.1	19.8	1 634	11.3	1 449	na	na	na
1998–99	1 977	10.3	18.9	1 777	11.1	1 580	na	na	na
1999–2000	2 277	12.2	18.7	2 111	10.0	1 900	na	na	na
2000–01	2 147	11.4	20.2	2 074	8.1	1 905	na	na	na
2001–02	1 993	12.9	22.3	1 895	7.4	1 754	36.6	17.4	59.4
2002–03	2 078	12.2	20.1	1 990	7.7	1 837	36.2	21.8	54.3
2003–04	2 548	11.9	19.7	2 426	7.6	2 242	36.0	21.3	54.7
QLD									
1996–97	6 264	14.5	19.3	5 507	6.1	5 172	na	na	na
1997–98	6 477	13.8	21.0	5 477	5.8	5 160	na	na	na
1998–99	7 595	14.9	20.7	6 364	6.2	5 968	na	na	na
1999–2000	7 379	14.1	21.6	6 133	6.4	5 740	na	na	na
2000–01	6 932	15.8	19.6	5 643	5.6	5 329	na	na	na
2001–02	7 230	14.3	19.9	6 065	4.6	5 787	41.9	37.0	44.2
2002–03	6 630	14.8	22.6	5 515	4.4	5 272	43.3	37.6	48.8
2003–04	6 863	16.6	22.6	5 564	4.7	5 305	43.0	35.6	50.7
SA									
1996–97	1 299	10.3	21.2	978	12.3	858	na	na	na
1997–98	1 004	9.0	22.3	783	10.9	698	na	na	na
1998–99	943	12.3	19.6	730	13.2	634	na	na	na
1999–2000	936	12.5	20.4	692	10.7	618	na	na	na
2000–01	928	12.1	20.7	654	10.6	585	na	na	na
2001–02	1 131	13.5	19.9	802	7.6	741	28.1	17.7	47.9
2002–03	821	11.3	19.7	612	8.0	563	33.9	20.2	44.2
2003–04	869	11.7	18.8	675	9.5	611	29.6	19.3	48.9
WA									
1996–97	2 228	10.9	25.2	2 031	10.1	1 825	na	na	na
1997–98	2 718	10.6	25.6	2 164	11.1	1 924	na	na	na
1998–99	2 893	12.1	29.5	2 530	9.6	2 286	na	na	na
1999–2000	3 113	11.9	25.6	2 672	8.7	2 439	na	na	na
2000–01	3 055	12.0	27.0	2 631	10.1	2 365	na	na	na
2001–02	3 070	11.2	26.7	2 585	9.3	2 345	22.8	45.0	50.5
2002–03	2 885	11.1	26.1	2 616	8.1	2 404	24.3	43.5	49.9
2003–04	2 667	12.7	26.2	2 456	9.1	2 232	24.2	47.0	67.8

na not available

(b) For definitions see Glossary, Principal offence.

(a) Includes defendants finalised by a bench warrant being issued for the reference periods 1996–97 to 2001–02.

Years	DEFENDANTS FINALISED			DEFENDANTS ADJUDICATED		DEFENDANTS PROVEN GUILTY			
	no.	Females (%)	20–24 years age group (%)	no.	Acquitted (%)	no.	Principal offence against person (%) (b)	Principal offence against property (%) (b)	Custody in corrections/ community (%)
TAS.									
1996–97	322	12.4	28.9	276	6.5	258	na	na	na
1997–98	337	12.2	26.7	280	8.9	255	na	na	na
1998–99	611	8.3	26.7	508	4.9	483	na	na	na
1999–2000	749	10.8	29.1	597	5.5	564	na	na	na
2000–01	441	8.8	28.1	359	8.9	327	na	na	na
2001–02	486	11.9	30.0	353	8.2	324	34.9	33.0	62.3
2002–03	605	13.4	30.7	485	7.8	447	38.7	37.8	59.5
2003–04	537	11.2	25.1	427	9.6	386	36.3	36.5	54.4
NT									
1996–97	206	6.8	24.8	187	9.6	169	na	na	na
1997–98	311	7.7	18.6	236	12.3	207	na	na	na
1998–99	288	6.6	21.5	235	9.8	212	na	na	na
1999–2000	268	7.5	21.3	216	8.8	197	na	na	na
2000–01	404	5.2	20.0	331	4.8	315	na	na	na
2001–02	262	9.9	18.3	241	4.1	231	33.8	13.9	78.8
2002–03	256	9.4	18.0	226	10.2	203	52.7	12.8	74.4
2003–04	256	7.4	23.4	234	9.0	213	60.6	15.0	84.5
ACT									
1996–97	150	16.0	18.7	122	9.0	111	na	na	na
1997–98	138	14.5	23.2	112	16.1	94	na	na	na
1998–99	161	8.7	26.7	133	11.3	118	na	na	na
1999–2000	190	19.5	23.2	140	9.3	127	na	na	na
2000–01	205	13.2	19.0	155	10.3	139	na	na	na
2001–02	171	15.2	21.6	121	14.0	104	26.9	42.3	50.0
2002–03	164	10.4	26.2	112	13.4	97	30.9	28.9	38.1
2003–04	119	16.0	24.4	83	14.5	71	42.3	32.4	60.6
AUST.									
1996–97	15 684	11.4	20.8	13 538	10.0	12 186	na	na	na
1997–98	16 683	11.0	21.9	13 947	9.9	12 560	na	na	na
1998–99	18 654	11.9	22.0	15 608	9.7	14 100	na	na	na
1999–2000	19 212	12.2	22.1	16 143	8.8	14 717	na	na	na
2000–01	18 029	12.5	21.8	15 006	8.6	13 722	na	na	na
2001–02	17 997	12.6	22.4	15 229	7.6	14 073	34.7	31.0	54.3
2002–03	16 643	12.5	23.1	14 464	6.8	13 474	36.5	31.7	55.2
2003–04	17 315	13.3	23.0	15 003	7.0	13 950	35.7	31.5	59.9

na not available

(b) For definitions see Glossary, Principal offence.

(a) Includes defendants finalised by a bench warrant being issued for the reference periods 1996–97 to 2001–02.

EXPLANATORY NOTES

INTRODUCTION

- 1** This publication presents information relating to the criminal jurisdiction of the Higher (Supreme and Intermediate) and Magistrates' Courts in each state and territory, which is sourced from the national Criminal Courts collection produced by the Australian Bureau of Statistics (ABS) with the cooperation of the states and territories. The criminal jurisdiction of the courts is responsible for the trial and sentencing of persons and organisations charged with criminal offences.
- 2** The aim of the Criminal Courts collection is to provide comparable statistics for the states and territories and for Australia on the characteristics of defendants dealt with by the Criminal Courts. This includes information on the offences and sentences associated with those defendants.
- 3** In order to ensure consistency between the states and territories, the statistics have been compiled according to national standards and classifications. These have been developed by the National Criminal Courts Statistics Unit (NCCSU) of the ABS.
- 4** The NCCSU was established in 1994 following an initiative of the Standing Committee of Attorneys-General. The NCCSU is jointly funded by state and territory courts agencies, the Australian Government Attorney-General's Department and the ABS. It reports to a Board of Management consisting of representatives of the funding parties, and receives technical advice from an Advisory Group of expert users of criminal justice statistics. The NCCSU is also supported by the Court Practitioners' Group.
- 5** 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.
- 6** Given the high degree of conceptual complexity in the operation of the courts systems in Australia, and the variation in the capacity of the states and territories to supply statistical information, a staged approach has been adopted for the development and conduct of the Criminal Courts collection.
- 7** This publication presents results from the first, second and third stages of the collection. Stage 1 information (from 1995 onwards) relates to criminal cases heard in the Supreme and Intermediate Courts. This includes statistics on the number of defendants finalised as well as information on the characteristics of defendants. Stage 2 information (from 2001–02 onwards) relates to offences and sentences associated with defendants who are finalised by adjudication in the Higher Courts. Stage 3 information (from 2003–04 onwards) relates to defendants finalised in the Magistrates' Courts and their characteristics, including offences and sentences for defendants who were finalised by adjudication.

DATA SOURCE

- 8** National statistics are derived from data about each defendant provided to the ABS by the state and territory agencies responsible for courts administration. This includes defendants processed in the Higher and Magistrates' Courts. 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).
- 9** Standardisation of data requires the states and territories to provide data coded according to national classifications and standards. Higher Courts data have been provided in a standardised format for the 2003–04 reference period by all states and territories. Refer to paragraphs 14–15 for Magistrates' Courts.

EXPLANATORY NOTES *continued*

DATA SOURCE *continued*

10 For states and territories other than Victoria data on offences and sentences were obtained from the same source that supplied data on defendants. For Victoria, the offence and sentence data for adjudicated defendants in the Higher Courts were derived from two sources. For defendants with offences proven guilty, the offence and sentence information was derived from the Higher Courts sentencing database. These data were matched to the defendant records obtained from the primary source (courts listing system) for Victorian data. There was incomplete coverage of defendants proven guilty in the Victorian Higher Courts sentencing database, and therefore offence details for some defendants were unavailable.

Higher Courts

11 The Higher Courts collection includes defendants finalised in the original jurisdiction (see Glossary) of the Supreme and Intermediate Courts in Australia during the reference period 1 July 2003–30 June 2004.

12 Details of finalisation for all defendants who enter the Higher Courts are presented. The details of finalisation include the duration, method of finalisation, and offence and sentence details for adjudicated defendants.

Magistrates' Courts

13 Data on defendants finalised in the criminal jurisdiction of the Magistrates' Courts have been included in the main suite of this publication for the first time. These data were first included as 'experimental' statistics in *Criminal Courts, Australia, 2001–02* (cat. no. 4513.0).

14 These data include defendants finalised in the Magistrates' Courts for all states and territories except New South Wales where finalised appearances were provided instead of finalised defendants. 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.

15 Data on defendants finalised in the Magistrates' Courts in New South Wales do not include defendants finalised by committal or transfer to a Higher Court.

Exclusions

16 The Higher and Magistrates' 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 bond cases, appeal cases, tribunal matters and defendants for whom a bench warrant is issued but not executed.

17 The Magistrates' Court data exclude defendants finalised in the Childrens' Courts, Drug Courts, Electronic Courts, Family Violence Courts and Aboriginal programs.

REFERENCE PERIOD

18 The statistics in this collection relate to defendants who had criminal cases finalised within the Higher Courts and/or were finalised in the Magistrates' Courts during the reference period 1 July 2003–30 June 2004.

19 A historical summary of the number of defendants finalised in the Higher Courts for the years 1996–97 through to 2003–04 is provided in table 14.

COUNTING UNIT

20 The principal counting unit for the Criminal Courts collection is the 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 individual persons or organisations. If a person or organisation is a defendant in a number of criminal cases finalised within the courts during the reference period, this person or organisation will be counted more than once within that reference period.

EXPLANATORY NOTES *continued*

CLASSIFICATIONS

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

- Method of Finalisation (see Appendix 1)
- Australian Standard Offence Classification (ASOC) (see Appendix 2)
- National Offence Index (see Appendix 3)
- Sentence Type (see Appendix 4).

22 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 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.

COUNTING METHODOLOGY

Transfer between Higher Court levels

23 Defendants who transfer from one Higher Court level to another 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

24 Defendants who transfer from the Magistrates' Court level to the Higher Court level 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.

Method of finalisation

25 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 Magistrates' Courts and each defendant within the Higher Courts.

26 As part of the original ABS Higher courts collection, a bench warrant issued was considered a method of finalisation. From the 2002–03 reference period, this is no longer considered a method of finalisation for a defendant in the Higher Courts. This aligns with the Magistrates' Courts which do not include a bench warrant issued as a method of finalisation.

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

Higher Courts

28 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 on grounds of insanity
- guilty finding by court
- guilty plea by defendant
- acquitted by court
- charge unproven n.f.d.
- transfer from a Higher Court to a Court of Summary Jurisdiction
- other transfer between court levels
- withdrawn by prosecution
- other non-adjudicated method of finalisation.

Magistrates' Courts

29 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:

EXPLANATORY NOTES *continued*

Magistrates' Courts continued

- defendant deceased
- unfit to plead
- not guilty on grounds of insanity
- guilty finding by court
- charge proven n.f.d.
- guilty plea by defendant
- acquitted by court
- charge unproven n.f.d.
- committed for trial
- committed n.f.d.
- committed for sentence
- non-committed transfer from a Court of Summary Jurisdiction to a Higher Court
- other transfer between court levels
- withdrawn by prosecution
- other non-adjudicated method of finalisation.

Merging counting units

30 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 both the Higher and Magistrates' Courts.

Principal offence adjudicated

31 Principal offence is only calculated for adjudicated defendants. Charges considered for the purpose of determining the principal offence are only those charges that have an adjudicated method of finalisation (i.e. where the defendant has pleaded guilty or the court has made a decision as to whether or not the defendant is guilty). Thus, charges that have been transferred to another level of court, together with those that are withdrawn or dealt with by some other non-adjudicated method, are not considered for the purposes of determining the principal offence adjudicated.

32 For a defendant who has a method of finalisation of proven guilty (resulting from a guilty verdict, guilty plea or guilty ex-parte), the principal offence is selected from the charge(s) proven guilty (i.e. acquitted charges are not considered). For a defendant who has a method of finalisation of acquitted, the principal offence is selected from the charge(s) acquitted.

33 Where a defendant has a single proven guilty or acquitted charge, the principal offence is the relevant ASOC code (see paragraphs 35–36) associated with the adjudicated charge.

34 Where a defendant has a method of finalisation of proven guilty with multiple charges proven guilty, or where a defendant has a method of finalisation of acquitted with multiple charges acquitted, the principal offence is selected by applying the National Offence Index (see paragraph 37) to these charges. The principal offence is determined as the adjudicated charge with the highest ranked ASOC Group in the Index. Where the defendant has an adjudicated charge but is unable to receive an Index ranking (due to missing offence information or the offence mapped to an ASOC code is not included in the Index) the principal offence is coded to 'not able to be determined'.

Australian Standard Offence Classification (ASOC)

35 The ASOC was developed by the ABS for use in the collection and publication of crime and justice statistics. It provides a uniform national classificatory framework for the compilation and comparison of statistics on offences across Australia.

EXPLANATORY NOTES *continued*

Australian Standard Offence Classification (ASOC) continued

36 Offence data have been coded to the ASOC on the basis of mappings of state/territory legislative codes undertaken by various agencies within those states and territories. The ABS has not undertaken any systematic checks to assess the quality of the ASOC coding for the charges adjudicated in the Criminal Courts. Amendments to the ASOC codes have only been made in very limited cases where erroneous codes were identified as part of the edit checks applied to the final data.

National Offence Index (NOI)

37 The National Offence Index (see Appendix 3) 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. In developing this Index, the ranking of offences was analysed using the 2000–01 Higher Courts data. The results indicated that the Index produced principal offence output that aligned with that produced using the 2000–01 Principal Offence rules which were based on actual sentences handed down in the Higher Courts in the 2000–01 reference period. In addition, the Index resulted in significant data quality improvements with the proportion of adjudicated defendants for whom a principal offence was unable to be determined reducing from a national average of 17% in 2000–01 to 3% in 2001–02 using the Index.

38 The assumptions and rules underpinning the NOI, in particular defining 'offence seriousness' and the subsequent 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 (see paragraph 39). 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).

39 The principal offence for each adjudicated defendant (i.e. acquitted or proven guilty) is aggregated and published at the ASOC Division level for selected tables, and at the more detailed ASOC Subdivision or Group level (including the ASOC Group of Breach of domestic violence orders) for other tables.

Principal sentence

40 Within this publication, 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 4).

DATA COMPARABILITY

41 The Criminal Courts collection has been designed to facilitate comparisons of 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.

42 To ensure that the statistics are as reliable as possible, the ABS has employed a number of measures. A range of edit checks identify any erroneous data and these are queried and resolved by the ABS in consultation with the relevant state or territory representative. The final data are also checked against other available data sources, such as state and territory court statistics and annual reports produced by the court administration agencies and the Offices of the Directors of Public Prosecutions.

EXPLANATORY NOTES *continued*

DATA COMPARABILITY *continued*

43 Data quality control checks will continue to be reviewed and modified as the Criminal Courts collection evolves. Data availability and quality will also improve as the states and territories further develop and improve their court operational systems.

CONFIDENTIALITY OF TABULAR DATA

44 A technique has been implemented to avoid identification of individuals. The confidentiality technique applied by the ABS is to randomly adjust cells with very small values. These adjustments do not impair the value of the table as a whole.

45 Tables which have been randomly adjusted will be internally consistent however, comparisons with other tables containing similar data may show minor discrepancies. These small variances can, for the most part, be ignored.

RELATED PUBLICATIONS *ABS publications*

46 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) — irregular

Crime and Safety, New South Wales (cat. no. 4509.1) — irregular

Crime and Safety, South Australia (cat. no. 4509.4) — irregular

Crime and Safety, Western Australia (cat. no. 4509.5) — irregular

General Social Survey: Summary Results, Australia (cat. no. 4159.5) — irregular

Measuring Wellbeing: Frameworks for Australian Social Statistics (cat. no. 4160.0) — irregular

Measuring Australia's Progress (cat. no. 1370.0) — issued annually

Prisoners in Australia (cat. no. 4517.0) — issued annually

Recorded Crime - Victims, Australia (cat. no. 4510.0) — issued annually (previously titled *Recorded Crime, Australia*)

Sexual Assault Australia: A Statistical Overview (cat. no. 45230.0) — single issue

Year Book Australia (cat. no. 1301.0) — issued annually

47 Current publications and other products released by the ABS are listed in the *Catalogue of Publications and Products* (cat. no. 1101.0). The Catalogue is available from any ABS office or the ABS web site <<http://www.abs.gov.au>>. The ABS also issues a daily Release Advice on the web site which details products to be released in the week ahead. The National Centre for Crime and Justice Statistics releases a biannual newsletter that is published on the ABS internet site. The Centre can be contacted by email <crime.justice@abs.gov.au>.

EXPLANATORY NOTES *continued*

Non-ABS publications

- 48** Non-ABS sources of criminal court statistics which may be of interest include:
- Australian Institute of Criminology, *List of Publications* <<http://www.aic.gov.au>>
- Chief Justice of Western Australia, *Annual Review of Western Australian Courts*
- 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 Justice, Western Australia, *Annual Report*
- Department of Justice and Attorney-General, Queensland, *Annual Report*
- Department of Justice and Community Safety, Australian Capital Territory, *Annual Report*
- Department of Justice and Industrial Relations, 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*
- NSW Bureau of Crime Statistics and Research, *New South Wales Criminal Courts Statistics*
- Office of Courts Administration, Northern Territory, *Annual Report*
- Office of Crime Statistics and Research, South Australia, *Crime and Justice in South Australia Adult Courts and Corrections*
- Office of Economic and Statistical Research, *Crime and Justice Statistics Queensland*
- Steering Committee for the Review of Government Service Provision, *Report on Government Services*
- South Australia Courts Administration Authority, *Annual Report*
- Supreme Court of Queensland, *Annual Report*
- Supreme Court of Tasmania, *Annual Report*
- Victoria Police, *Crime Statistics*

ABBREVIATIONS

ABS	Australian Bureau of Statistics
ACT	Australian Capital Territory
ASOC	Australian Standard Offence Classification
Aust.	Australia
n.e.c.	not elsewhere classified
n.f.d.	not further defined
NCCSU	National Criminal Courts Statistics Unit
NOI	National Offence Index
NSW	New South Wales
NT	Northern Territory
Qld	Queensland
SA	South Australia
Tas.	Tasmania
Vic.	Victoria
WA	Western Australia

APPENDIX 1 METHOD OF FINALISATION CLASSIFICATION

<i>Code</i>	<i>Division/Subdivision/Item</i>
1	Adjudicated finalisation
11	Charge proven n.f.d.
111	Guilty finding by court
112	Guilty plea by defendant
113	Guilty ex-parte
12	Acquitted
121	Acquitted by court
122	Not guilty on the grounds of insanity
123	No case to answer at committal
129	Charge unproven n.e.c.
2	Finalisation by transfer between court levels
21	Transfer from a Court of Summary Jurisdiction to a Higher Court
211	Committed for trial
212	Committed for sentence
219	Transfer from a Court of Summary Jurisdiction to a Higher Court n.e.c.
22	Transfer from a Higher Court to a Court of Summary Jurisdiction
29	Other transfers between court levels n.e.c.
3	Non-adjudicated finalisation
31	Defendant deceased
33	Unfit to plead
34	Withdrawn by the prosecution
39	Other non-adjudicated finalisation
9	Method of finalisation unknown/not stated

APPENDIX 2 AUSTRALIAN STANDARD OFFENCE CLASSIFICATION

Code	Division/Subdivision
01	Homicide and related offences
011	Murder
012	Conspiracies and attempts to murder
013	Manslaughter and driving causing death
02	Acts intended to cause injury
021	Assault
029	Other acts intended to cause injury
03	Sexual assault and related offences
031	Sexual assault
032	Non-assaultive sexual offences
04	Dangerous or negligent acts endangering persons
041	Dangerous or negligent operation of a vehicle
049	Other dangerous or negligent acts endangering persons
05	Abduction and related offences
051	Abduction and kidnapping
052	Deprivation of liberty/false imprisonment
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061	Robbery
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104	Possess and/or use illicit drugs
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141	Driving licence offences
142	Road vehicle registration and road worthiness offences
143	Regulatory driving offences
144	Pedestrian offences
15	Offences against justice procedures, government security and government operations
151	Breach of justice order
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153	1440	Pedestrian offences
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156	9998	No data provided
157	9999	Inadequately described

APPENDIX 4 SENTENCE TYPE CLASSIFICATION

<i>Code</i>	<i>Division/Subdivision/Item</i>
1	Custodial orders
11	Custody in a correctional institution
111	Life and indeterminate imprisonment
112	Imprisonment with determined term
113	Periodic detention
12	Custody in the community
121	Intensive corrections order
122	Home detention
129	Other custody in the community n.e.c.
13	Suspended sentence
131	Suspended sentence
2	Non-custodial orders
21	Community supervision or work orders
211	Community service orders
212	Probation orders
213	Treatment orders
22	Monetary orders
221	Fine
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29	Other non-custodial orders
291	Good behaviour bond/recognition orders
292	Licence disqualification/suspension/amendment
293	Forfeiture of property order
294	Nominal penalty
299	Other non-custodial orders n.e.c.
9	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 on the grounds of insanity/unsoundness of mind at the time the defendant committed the offence.
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 2). 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.
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 and appear together on one indictment.
Charge	An allegation laid before a court by the police or other prosecuting agency that a person or organisation has committed a criminal offence.
Committal	A preliminary hearing of a charge relating to an indictable offence which is conducted by a Magistrate in a Court of Summary Jurisdiction. The aim of this hearing is to decide whether there is sufficient evidence to warrant the defendant being committed to a Higher Court for trial or sentence.
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 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 a method of initiation into a Higher Court level.

GLOSSARY *continued*

Community supervision or work orders	Non-custodial orders that require a person to perform work within the community or report to a person nominated by the court (for example a corrections officer). Includes Community service orders, Probation orders and Treatment orders.
County Court	See Intermediate Court.
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 Petty Sessions	See Court of Summary Jurisdiction.
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	An order requiring a person to have restricted liberty for a specified period of time either through detainment in an institution/home or being subject to regular supervision while residing within the community. Includes: Custody in a correctional institution, Custody in the community and Suspended sentence.
Custody in a correctional institution	An order 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 and Periodic detention.
Custody in the community	An order 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 courts as a new item of work. For defendants who were committed for trial or sentence from a Court of Summary Jurisdiction to a Higher Court, the date of committal is used as the date of initiation. 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).

GLOSSARY *continued*

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.
Final plea	The last plea entered by a defendant in relation to a criminal charge that is laid against them in a court.
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 for the length of the sentence.
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.
Guilty verdict	An outcome of a trial in which a court determines that the criminal charge against a defendant has been proven.
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).

GLOSSARY *continued*

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.
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. In some states, the Intermediate Court may have appellate jurisdiction over decisions made in the Court of Summary Jurisdiction. 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 and appellate jurisdictions. Each court level has its own defined jurisdictional limits and these vary across states and territories.
Life and indeterminate imprisonment	<p>The most serious sentence of imprisonment.</p> <p>Life — 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>Indeterminate — 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	A Court of Summary Jurisdiction, which for the purposes of this collection includes only the adult criminal Magistrates' Court. Where used in this publication, the term 'Magistrates' Court' includes the Court of Petty Sessions. Victoria, Queensland, South Australia, Tasmania, the Northern Territory and the Australian Capital Territory have Magistrates' Courts, while New South Wales has a Local Court and Western Australia has a Court of Petty Sessions. Excluded from this collection are the other Courts of Summary Jurisdiction, including Childrens' Courts, Electronic Courts and Drug Courts.

GLOSSARY *continued*

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 1).
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	Includes: Fines, Orders as recompense to victim (includes restitution orders and compensation orders) and Other monetary orders, n.e.c.
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 ASOC Group 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 adjudicated charges. For defendants proven guilty, the Index is applied to the associated charges proven guilty. For acquitted defendants, the Index is applied to all acquitted charges. These charges are allocated an Index and the highest ranking charge for each adjudicated defendant is taken as the principal offence (see Appendix 3).
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-custodial orders	Sentences imposed on an offender 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 (see Jurisdiction).
Other illicit drug offences	Other illicit drug offences not elsewhere classified (1099) in Division 10, 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.

GLOSSARY *continued*

Other non-custodial orders	Other Non-custodial orders not elsewhere classified in Division 200, Non-custodial orders. Includes: Good behaviour bond/recognition orders, Licence disqualification/suspension/amendment, Forfeiture of property order, Nominal penalty and Other non-custodial orders n.e.c.
Periodic detention	Persons given periodic detention are in custody for two consecutive days in a week (e.g. weekends) and remain at liberty during the rest of the week.
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.
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	<p>The offence category (based on ASOC) associated with the main charge that has an adjudicated finalisation (i.e. an outcome of acquitted or proven guilty). For a defendant who has a method of finalisation of proven guilty, the principal offence refers to the main charge proven guilty while for a defendant who has a method of finalisation of acquitted, the principal offence refers to the main charge acquitted (see National Offence Index).</p> <p>Principal offence against the person includes Divisions 1–5 of the ASOC.</p> <p>Principal offence against property includes Divisions 7–9 and 12 of the ASOC.</p> <p>Other principal offence includes Divisions 6, 10, 11 and 13–16 of the ASOC.</p>
Principal sentence	The main sentence type for a defendant based on the hierarchy of the Sentence Type Classification (see Appendix 4).
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 a guilty plea entered by a defendant or the defendant is declared guilty by the court.
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).

GLOSSARY *continued*

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 type	A penalty imposed by a court upon a defendant who is proven guilty of a criminal offence.
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. The Supreme Court may also have appellate jurisdiction over decisions made in a Court of Summary Jurisdiction or the Intermediate Court.
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 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.

GLOSSARY *continued*

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 charge against him/her. For the purposes of this collection, this process is regarded as a non-adjudicated method of finalisation.
Unlawful entry with intent/burglary, break and enter	The unlawful entry of a structure with the intent to commit an offence where the entry is either forced or unforced (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 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.

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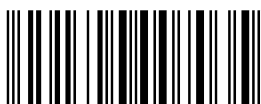
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