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Adult Court Records Western Australia 2006



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Preface

This Statistical Report examines adult court records in Western Australia during 2006 and is the fifth in a series of online statistical reports allowing access to a wide range of criminal justice information. Another report in the series will follow, children's court appearances. Henceforth, the complete series for each year will replace information previously published in our annual report *Crime and Justice Statistics for Western Australia*.

This series is made possible by the co-operation of the Western Australia Police Service, Department of the Attorney General, and Department of Corrective Services. The goodwill and constructive working relationships between the Centre and these organizations has ensured the continuing production of its statistical report series for nearly two decades.

Within the Centre, this series is the product of teamwork, patience and a commitment to collecting, collating and analyzing data. The meticulous tasks of data validation and extraction, producing statistics, and assembling the report were the responsibilities of John Fernandez, Anna Ferrante, Nini Loh, Max Maller, Matt Walsh and Wendy Wrapson.

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Introduction

The data presented in this Chapter relate to Higher Court (Supreme and District Court) criminal cases and Magistrates' Court (Courts of Petty Sessions) criminal cases in Western Australia for 2006. The Higher Court data have been extracted from the Higher Court Criminal Case Management System (SRCASE) operated by the Department of the Attorney General.

The standard counting rule applied to court data is that the total count of offences finalised during the year, either by acquittal (including nolle prosequi and defendant incapacity) or conviction and sentence, are included. Offence counts resulting in conviction are included if the sentence date is within the reporting period. All other offences (not resulting in conviction) are included if the final hearing date is within the reporting period. Thus, this is not a count of offences initiated during the period.

Court data are counted in three ways: (i) for all finalised offence counts within the period, (ii) for all final appearances (that is, where a group of related offence counts per defendant are finalised at an appearance within the period), and (iii) for distinct persons (where individuals are counted only once within a period regardless of the number of times they have appeared in court over that time). We describe all finalised offence counts in the greatest detail. When describing final appearances or distinct persons, the most serious offence is extracted on the basis of the most severe penalty (as per Sentencing Act 1995 s.39) for convictions, and, for those acquitted or dealt with by other means, on the basis of an offence seriousness index (see Appendix B)¹.

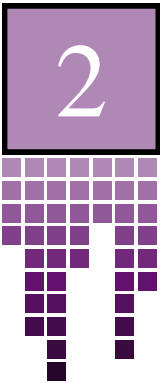
Statistics relating to the activities of the Magistrates' Courts in 2006 are also presented and are derived from data from the Department of the Attorney General CHIPS (Children's Court and Petty Sessions) system². Computerised case management systems began collecting Magistrates' Courts data during the mid-1990s, but did not include all metropolitan courts until 1998³. CHIPS coverage of Magistrates' Courts activity in regional Western Australia was completed during 1999, although, in remote areas, these activities continue to be managed by the police. Nevertheless, a significant proportion of Magistrates' Courts activity is recorded in the CHIPS system to allow some level of statistical reporting.

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- 1. The most severe penalty is imprisonment, followed by suspended sentences, intensive supervision orders, community-based orders, bond, loss of driver's licence, fine, restitution and other orders. If an individual has two offence counts of the same severity, the one which attracts the longer period or larger fine is selected. In the case of convicted offenders, the most serious offence is determined by the most severe (and largest) penalty outcome, whereas for those acquitted the selected most serious offence is determined by the protocol outlined in Appendix B.*
 - 2. The Courts of Petty Sessions are sometimes referred to as Magistrate's Courts or summary courts and are usually presided over by a stipendiary magistrate but, in country areas, they may be constituted by two Justices of the Peace sitting together or occasionally a single Justice of the Peace with restricted powers under the Justices Act.*
 - 3. Initially, Magistrate's courts in the Perth metropolitan area recorded information in the MAGIC systems but these were subsequently incorporated into a single CHIPS database.*

As previously, some matters such as those dealt with by the automatic expiation procedures of the Justices Act (INREP) are not described. Also, some information is poorly recorded in the CHIPS system and therefore not described in any detail here. This includes poor recording of defendant ethnicity, from which Indigenous status is derived and which has persisted in all of Department of the Attorney General court computer systems since their inception.

However, in an effort to shed some light on the extent of Indigenous involvement in the courts, the Crime Research Centre's linked offender database has been used to assign police-sourced ethnic appearance information for many court defendants with unknown ethnicity values⁴. This has significantly reduced the proportion of cases with unknown Indigenous status. Note, then, that in the statistics that follow, the Indigenous status of defendants is based on either court-based ethnicity or ethnic appearance information from police.

4. *The Centre's linked offender database contains anonymous (de-identified) records of offenders in WA. These records have been linked using probabilistic record linkage techniques (INOIS) and then used to track offender career paths through the justice system.*

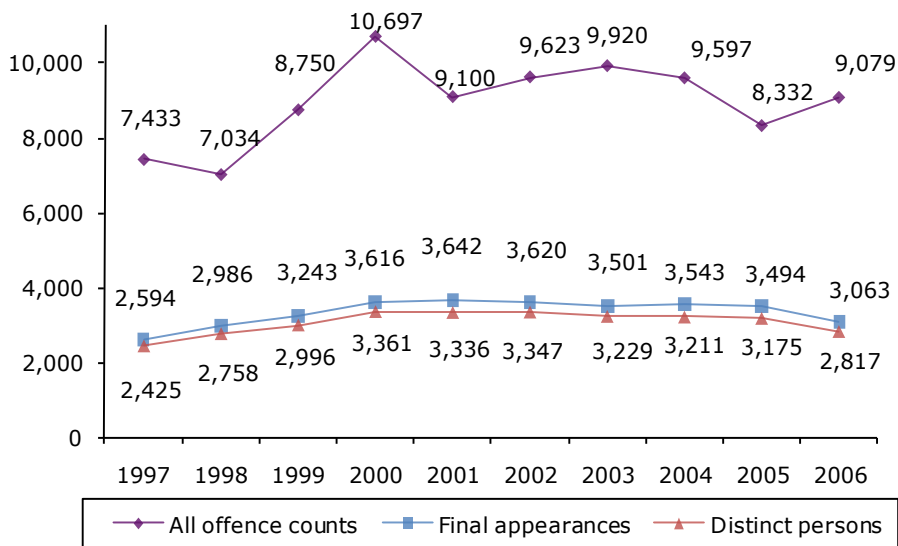


Higher (Supreme and District) Courts

2.1 General Trends

Figure 1 presents trends in all finalised offence counts, final appearances and distinct persons finalised, from 1996 through to 2006. Compared with the 2005 figures, the total number of offences dealt with by the Higher Court in 2006 has increased by 9.0% while final appearances and distinct persons have decreased by 12.3% and 11.3% respectively.

Figure 1: Higher Courts trends - all offence counts, final appearances and distinct persons, 1996-2006



2.2 Descriptive Summary

During 2006 there were 9,079 finalised offence counts by the Higher Courts, on 3,063 occasions (final appearances), involving 2,817 distinct persons – an average of 3.0 offence counts per final appearance and 3.2 offence counts per person.

Table 1 shows that males accounted for the majority of finalised offence counts (82.4%) and comprised 86.5% of all final appearances and 86.4% of all distinct persons dealt with during the year. Table 18 at the end of the Chapter shows the offence groups by sex and Indigenous status for all offence counts and Table 24 shows the same for final appearances.

Table 1 also shows that of all finalised offence counts during the period, 69.6% led to conviction and 12.1% resulted in acquittal. Of final appearances, about five in every seven led to conviction (71.8%), 11.6% were withdrawn and 10.2% were acquitted. Similar proportions were observed for all distinct persons dealt with during the period.

Table 1: Summary of Higher Court activities, for all finalised offence counts, final appearances and distinct persons, 2006

	All offence counts	Final appearances	Distinct persons
Total	9,079	3,063	2,817
Sex			
Males	7,484	2,651	2,435
Females	1,514	371	344
Unknown	81	41	38
<i>% Male</i>	82.4	86.5	86.4
Indigenous status			
Indigenous	1,487	690	624
Non-Indigenous	7,347	2,288	2,112
Unknown	245	85	81
<i>% Indigenous</i>	16.4	22.5	22.2
Age			
<26 years	2,938	1,032	934
26-33 years	2,053	816	742
34+ years	4,068	1,207	1,133
Unknown	20	8	8
<i>% aged 25 years or less</i>	32.4	33.7	33.2
Court outcome			
Convicted	6,321	2,198	2,033
Acquitted	1,099	312	292
Other	1,659	553	492
<i>% Convicted</i>	69.6	71.8	72.2
Offence type			
Against person	3,557	1,266	1,207
Property	3,644	749	682
Good order	747	535	444
Drugs & Other	1,131	513	484
<i>% Against person (violent)</i>	39.2	41.3	42.8

2.3 Offence Counts Finalised in the Higher Courts

The proportion of offence counts finalised by the District Court in 2006 were 93.7%. Table 18 shows the detailed offence descriptions of all finalised offence counts during 2006. Almost two fifths (39.2%) involved offences against the person, of which more than half (55.1%) were sexual assaults, 18.9% were assaults and 13.1% were robberies. Two fifths (40.1%) of all offence counts were related to property offences. These comprised mostly dishonest conversion (30.8%), burglary (27.2%) and fraud/forgery (22.3%). The remaining offence counts comprised drug-related offences (8.6%, mostly deal or traffic in illicit drugs), good order offences (8.2%) and other offences (3.8%).

Table 2 compares the most serious offence of defendants at final appearance with the distribution of offences found for all finalised offence counts; A smaller proportion of final appearances (24.5%) were property offences and larger proportions of final appearances were good order and drug offences (17.5% and 12.9%, respectively).

Table 2: Offence groups by all offence counts and final appearances, 2006

Offence Group	All offence counts		Final appearances (most serious offence)	
	n	%	n	%
Against the person	3,557	39.2	1,266	41.3
Property	3,644	40.1	749	24.5
Good order	747	8.2	535	17.5
Drugs	781	8.6	396	12.9
Other	350	3.9	115	3.8
Unknown	4	0.0	2	0.1

Conviction was the most likely court outcome for all finalised offence counts in 2006 (69.6%), 12.1% resulted in acquittal, another 12.1% were withdrawn (nolle prosequi) and the remainder (6.3%) were adjourned or remitted to another court (see Table 3).

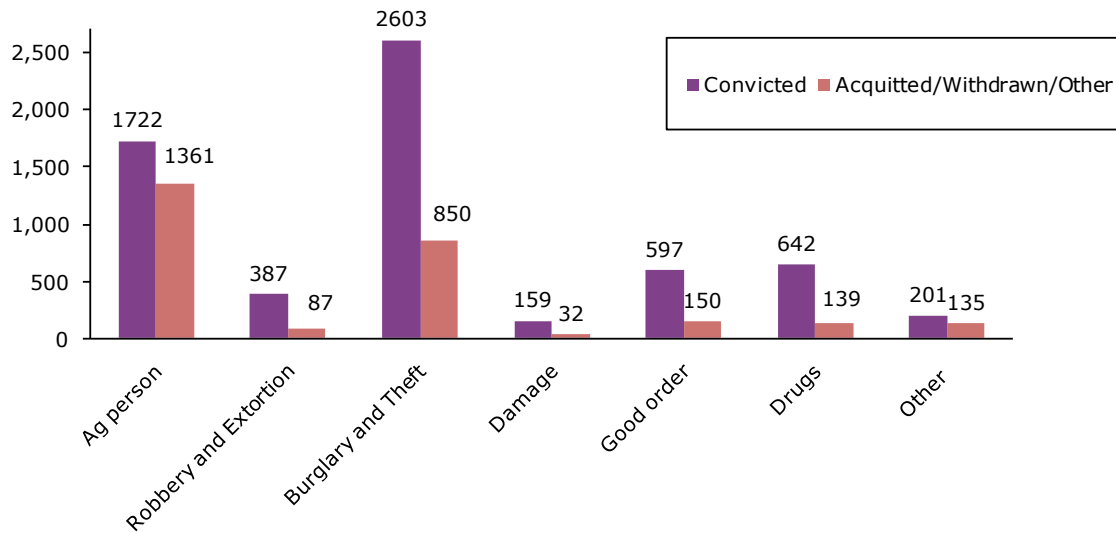
Table 3: Trends in court outcomes, finalised offence counts, 1996-2006

	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Court Outcome	%	%	%	%	%	%	%	%	%	%	%
Convicted	77.8	77.8	72.8	74.7	79.2	73.3	77.0	78.5	75.7	69.4	69.6
Acquitted	10.9	10.2	10.1	9.5	10.3	12.0	9.6	7.6	10.1	13.7	12.1
Withdrawn	7.9	7.6	11.0	12.2	6.1	9.5	7.6	6.6	7.9	7.8	12.1
Adjourned	2.3	3.4	4.2	2.6	3.2	4.2	4.3	5.0	5.4	6.9	4.1
Remitted	0.5	0.3	0.2	0.2	0.2	0.3	0.4	0.6	0.4	0.3	0.7
Other	0.6	0.7	1.7	0.8	1.0	0.7	1.1	1.7	0.5	1.9	1.5
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Total (n)	7,834	7,433	7,034	8,750	10,697	9,100	9,623	9,920	9,597	8,332	9,079

Figure 2 and Table 20 show court outcomes (conviction or otherwise) broken down by major offence category. There was some variation in court outcome by offence type. Lowest 'conviction rates' were found for offences against the person: homicide and related offences (57.8% convicted), acts intended to cause injury (61.7%) and sexual assaults (52.0%)⁵. Robbery and extortion offences had high conviction rates (81.6%), as did property offences (75.8%) and drug offences (82.2%). One fifth (20.9%) counts of offences against the person led to acquittal as compared with about one in sixteen (6.4%) for property offences.

5. We use the term 'conviction rate' to mean the proportion of offence counts dealt with by the Court which result in a guilty verdict or where a guilty plea is entered.

Figure 2: Higher Court outcomes of all finalised offence counts, by offence group, 2006



Trends in Higher Court convictions (for selected offence groups only) are presented in Table 4. Conviction rates for homicide (including murder, manslaughter and driving causing death), which increased between 2001 and 2004, has decreased to 57.8% in 2006. On the other hand, conviction rates for robbery & extortion, which have declined between 2001 and 2004, has increased to 81.6% in 2006. Conviction rates for sexual assaults peaked to 67.6 in 2003, before decreasing to 52.0% in 2006. The conviction rate for unlawful entry with intent has dropped by 17.6%, between 2002 and 2006. Compared with the 2005 figures, the conviction rate for motor vehicle thefts has decreased by 9.4% while the conviction rate for deception offences has increased by 10.5%.

Table 4: Trends in court convictions for selected offence groups only, finalised offence counts, 2001-2006

Offence group	2001	2002	2003	2004	2005	2006
	%	%	%	%	%	%
Homicide & Related Offences	51.5	57.1	61.4	63.6	58.5	57.8
Acts Intended to Cause Injury	59.6	63.9	60.4	61.9	60.5	61.7
Sexual Assault & Related Offences	57.4	59.3	67.6	48.9	52.4	52.0
Robbery, Extortion & Related Offences	90.2	84.5	82.2	76.8	80.0	81.6
Unlawful Entry with Intent/Burglary, Break & Enter	85.7	88.8	87.4	83.2	71.9	71.2
Motor Vehicle theft & Related Offences	86.6	89.3	83.2	83.0	88.9	79.5
Deception & Related Offences	79.0	77.6	87.9	86.6	68.0	78.5

2.4 Penalties Imposed by Higher Courts

Following conviction, the courts impose a sentence or penalty for each charge⁶. For statistical purposes, court penalties have been grouped into four categories: fines, non-custodial sentences, imprisonment and other miscellaneous penalties⁷.

In 2006, the most common penalty handed down by the Higher Courts was imprisonment. Excluding 486 counts having unknown penalty, prison sentences were imposed against 66.4% (3,877/5,835) of offence counts resulting in conviction. The distribution of other penalties was as follows:

- (i) fines (comprised 238 or 4.1% of all conviction counts);
- (ii) non-custodial sentences (1,711 or 29.3% of all conviction counts), comprising community-based orders (11.2%), suspended sentences (52.4%), intensive supervision orders (35.7%), adult conditional release orders (0.6%) and good behaviour orders (0.2%).

When final appearances are compared with offence counts, a considerably lower proportion of defendants received prison sentences. After excluding 11 cases which had unknown penalty information, there were 1,113 defendants (50.9%) sent to prison, 923 defendants (42.2%) sentenced to serve non-custodial terms (including suspended sentences) and 147 defendants (6.7%) issued with fines. Table 5 illustrates differences in penalties for all conviction counts and for final appearances resulting in conviction in the Higher Courts from 1997 to 2006. Overall, imprisonment continues to be the most frequently imposed sanction by the Higher Courts.

Table 5: Trends in types of penalties imposed for all offence counts and final appearances, 1997-2006

	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
	%	%	%	%	%	%	%	%	%	%
All offence counts										
Fine	7.5	7.9	5.0	6.2	4.1	3.6	2.9	4.0	5.0	4.1
Non-custody	27.9	26.4	30.4	26.3	33.0	34.5	37.8	33.3	33.7	29.3
Custody	64.6	65.6	64.7	67.5	62.9	61.8	59.2	62.6	60.6	66.4
Other	0.1	0.1	0.0	0.1	0.0	0.1	0.1	0.1	0.8	0.2
Final appearances										
Fine	12.3	10.9	7.9	8.9	6.9	6.5	5.6	7.5	6.9	6.7
Non-custody	33.8	37.2	38.2	41.0	44.3	44.4	45.0	45.9	43.4	42.2
Custody	53.9	51.9	54.0	49.9	48.8	48.9	49.1	46.4	49.0	50.9
Other	0.1	0.1	0.0	0.2	0.0	0.2	0.3	0.2	0.7	0.2

6. Although not common, the Court can impose a global sentence for a number of offences, e.g., a single term of imprisonment for a number of offences. Where this has occurred, our figures and tables have counted the single sentence repeatedly, once for each offence to which it applies.

7. Suspended sentences have been grouped with other non-custodial penalties (except in Table 7, where they are separately identified).

A breakdown of penalties imposed for broad offence categories is provided in Table 6. Imprisonment accounted for 72.9% of sentences for offences against the person, 69.3% of sentences for property offences, 62.1% of sentences for drug offences and 41.3% of sentences for good order offences.

Table 6: Offence group by type of penalty for all offence counts resulting in conviction, 2006

Offence Group	n	Fine	Non-custody	Custody	Other	Total
		%	%	%	%	%
Against the person	2,094	2.1	24.8	72.9	0.2	100.0
Property	2,316	2.7	27.8	69.3	0.2	100.0
Drugs	625	9.4	28.5	62.1	0.0	100.0
Good order	593	11.0	47.7	41.3	0.0	100.0
Other	205	3.9	41.5	54.6	0.0	100.0

486 cases of unknown penalty are excluded.

Table 21 describes the penalty for each offence group resulting in conviction by the sex and Indigenous status of the defendant. Table 22 provides a more detailed description of offence counts finalised by the Higher Courts in 2006. For each offence group, the table shows how many counts resulted in conviction and describes the most serious penalty imposed on each charge.

A more detailed breakdown of trends in the types of penalties imposed by the Higher Courts since 2001 (for selected offence groups only) is described in Table 7.

Table 8 summarises, for selected offences only, information on the length of sentences imposed for those offence counts resulting in conviction and imprisonment during 2006. The table provides the average sentence length calculated from the maximum sentence imposed by the court (ignoring the effect of parole or remission on actual time served). Sentence length is expressed as the mean (or average) number of months awarded. Minimum, maximum and median sentence are also included, as is the percentage of convictions leading to imprisonment and the number of offence counts involved in the calculation of average sentence length are. Note that, averages only crudely summarise the distribution of sentences as many offences display a wide range of sentence lengths.

The table illustrates, for example, that of the 188 aggravated assault offence counts resulting in conviction in 2006, the median sentence was 16 months, but sentences ranged from a minimum of one month to a maximum of 72 months (6 years). Similar variations were found in other offence categories.

Table 7: Trends in types of penalties imposed for all offence counts, for selected offence groups, 2001-2006

Offence group	2001	2002	2003	2004	2005	2006
Penalty	%	%	%	%	%	%
Homicide & Related Offences						
Fine	8.6	5.0	3.7	7.1	1.8	0.0
Non-custodial	2.8	0.0	5.5	0.0	3.6	0.0
Suspended sentence	8.6	2.5	1.9	7.1	7.3	4.2
Custody	80.0	82.5	75.9	60.7	74.5	95.8
Unknown/Other	0.0	10.0	13.0	25.0	12.7	0.0
Total	100.0	100.0	100.0	100.0	100.0	100.0
Acts Intended to Cause Injury						
Fine	6.3	10.4	6.0	8.2	6.9	7.0
Non-custodial	11.1	16.3	13.3	13.4	13.4	19.9
Suspended sentence	13.3	13.0	14.2	19.1	19.8	21.9
Custody	64.9	58.6	65.8	56.3	56.3	49.0
Unknown/Other	4.3	1.8	0.6	3.0	3.6	2.2
Total	100.0	100.0	100.0	100.0	100.0	100.0
Sexual Assault & Related Offences						
Fine	1.6	2.1	1.5	1.5	2.1	0.8
Non-custodial	6.5	5.6	6.6	8.5	10.4	7.3
Suspended sentence	7.3	8.0	6.2	11.5	10.1	11.2
Custody	80.7	83.0	84.9	76.2	76.5	80.2
Unknown/Other	3.9	1.3	0.7	2.3	0.9	0.5
Total	100.0	100.0	100.0	100.0	100.0	100.0
Robbery, Extortion & Related Offences						
Fine	0.6	0.8	1.2	0.3	0.3	0.0
Non-custodial	14.3	15.2	20.2	16.0	12.5	7.5
Suspended sentence	6.2	6.8	9.5	9.1	10.6	13.4
Custody	77.2	75.7	67.9	67.3	71.8	78.8
Unknown/Other	1.7	1.5	1.2	7.2	4.8	0.3
Total	100.0	100.0	100.0	100.0	100.0	100.0
Unlawful Entry with Intent/Burglary, Break & Enter						
Fine	1.5	2.1	1.2	1.4	2.3	1.8
Non-custodial	37.4	36.6	35.1	35.7	21.7	17.1
Suspended sentence	6.9	10.5	12.0	10.9	13.2	13.2
Custody	51.4	48.4	50.8	49.9	61.9	66.1
Unknown/Other	2.9	2.3	1.0	2.1	0.9	1.7
Total	100.0	100.0	100.0	100.0	100.0	100.0
Motor Vehicle Theft & Related Offences						
Fine	1.1	2.7	0.7	0.0	0.0	0.8
Non-custodial	17.5	18.6	13.2	16.4	18.3	11.7
Suspended sentence	2.1	3.8	6.2	4.9	7.7	6.7
Custody	76.1	66.7	77.8	78.7	70.2	70.8
Unknown/Other	3.2	8.2	2.1	0.0	3.8	10.0
Total	100.0	100.0	100.0	100.0	100.0	100.0
Deception & Related Offences						
Fine	2.1	1.0	0.8	0.9	4.3	2.0
Non-custodial	20.2	8.0	4.4	11.7	14.1	6.1
Suspended sentence	13.0	31.3	43.6	12.3	30.5	10.5
Custody	63.0	59.0	49.0	74.7	45.2	54.1
Unknown/Other	1.6	0.8	2.2	0.4	5.9	27.3
Total	100.0	100.0	100.0	100.0	100.0	100.0

Table 8: Quantum of imprisonment for selected offences only, for all finalised offence counts, 2006

Offence group	Average sentence (mths)	Min (mths)	Max (mths)	Median sentence (mths)	% of convictions imprisoned	Offence counts imprisoned
Murder	173	18	300	204	100	22
Attempted Murder	57	24	112	54	100	7
Manslaughter	46	17	92	48	100	16
Aggravated Assault	20	1	72	16	50	188
Non-Aggravated Assault	16	2	28	16	38	15
Aggravated Sexual Assault	27	1	108	24	80	575
Non-Aggravated Sexual Assault	16	6	40	12	74	20
Dangerous or Negligent Driving	16	6	36	15	82	63
Aggravated Robbery	35	2	240	32	81	288
Non-Aggravated Robbery	16	4	30	12	64	16
Unlawful Entry with Intent/ Burglary, Break & Enter	17	3	60	16	66	467
Theft of a Motor Vehicle	13	2	40	12	71	85
Theft (Except Motor Vehicles)	17	1	32	18	82	62
Receiving or Handling Proceeds of Crime	8	2	24	6	34	30
Dishonest Conversion	14	2	18	15	43	426
Deal or Traffic in Illicit Drugs - Commercial Quantity	12	2	24	12	63	336
Property Damage by Fire or Explosion	12	2	24	12	53	54
Subvert the Course of Justice	14	6	32	14	34	26

In the calculation of quantum for counts of murder, we have included cases where defendants have been given life or strict security life sentences. In these cases, we have taken the minimum period before statutory review (as specified by the Court) as the sentence length. In cases where this information has not been recorded, we have used a median sentence length of 10.5 years for counts under s. 279 of the *Criminal Code* (murder) and 17 years for counts under s. 278 of the *Criminal Code* (wilful murder). In 2006 there were five murder convictions where the penalty was not recorded.

Under amendments made to section 86(a) of the *Sentencing Act 1995*, it is possible for a court to impose a sentence of six months or less provided the aggregate of the term imposed and any other term or terms imposed by the court is greater than six months.

Figure 3 presents the distribution of sentence lengths for selected offences groups. The figure shows that sentence length varies with offence type. For example, counts of aggravated assault generally incurred longer sentences than for non-aggravated assault. Similarly, counts of aggravated robbery received longer prison sentences than non-aggravated robbery. Sexual assault offences received a wider range of imprisonment sentences from the court. This most likely reflects variations in seriousness, previous criminal history of the offender and other (mitigating or aggravating) factors which are used to determine sentence length.

Table 23 provides a more detailed description of the length of prison sentences imposed by the Higher Courts for all finalised offence counts in 2006. Counts are categorised into offence groups and terms of imprisonment are grouped into years. Instances of life sentences have also been identified.

Figure 3: Distribution of sentence length for all offence counts resulting in imprisonment - selected offences, 2006

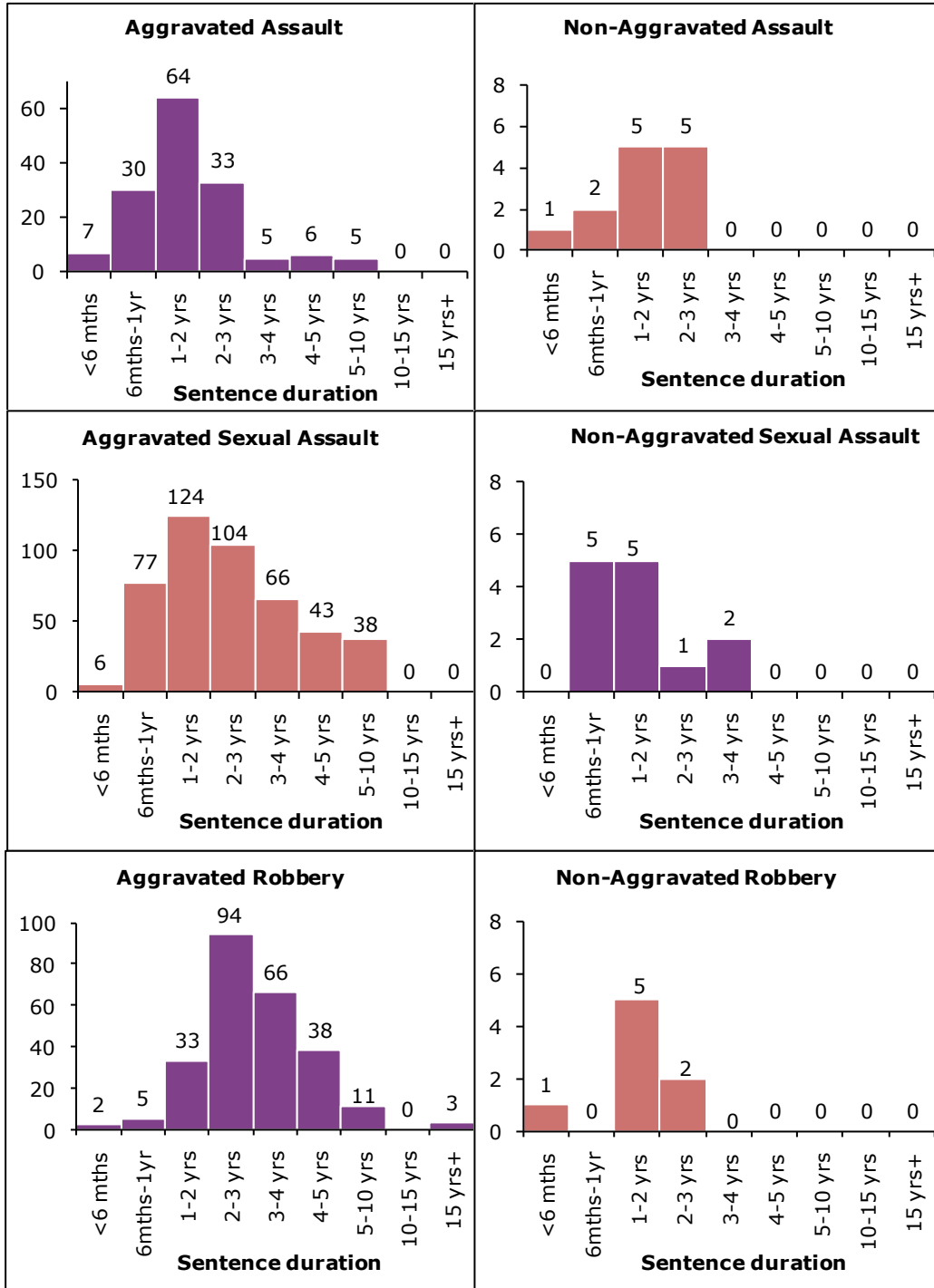


Table 9 shows proportions of convictions resulting in imprisonment (loosely referred to here as 'imprisonment rates') from 2001 to 2006. Table 10 compares the lengths of sentences imposed by the Higher Courts (for selected offences) for these years.

Table 9: Comparison of 'imprisonment rates' (proportion of convictions resulting in imprisonment), selected offences, 2001-2006

Offence group	% of convictions imprisoned					
	2001	2002	2003	2004	2005	2006
Murder	94.1	100.0	100.0	100.0	100.0	100.0
Attempted Murder	66.7	100.0	60.0	83.3	70.0	100.0
Manslaughter	90.0	100.0	100.0	94.1	100.0	100.0
Aggravated Assault	68.1	62.6	65.2	57.5	57.1	50.1
Non-Aggravated Assault	65.9	40.5	72.1	63.6	70.4	37.5
Aggravated Sexual Assault	85.5	83.9	87.3	78.0	78.6	80.0
Non-Aggravated Sexual Assault	75.5	71.0	62.1	70.0	69.9	74.1
Aggravated Robbery	79.6	78.9	70.9	74.3	76.0	81.1
Unlawful Entry with Intent/ Burglary, Break & Enter	52.9	49.6	51.3	50.9	62.5	66.1
Theft (Except Motor Vehicles)	34.4	72.5	54.1	47.9	64.7	81.6
Fraud, Forgery or False Financial Instruments	70.3	55.3	40.9	68.8	49.3	-
Dishonest Conversion	53.8	64.0	81.4	80.7	42.8	42.7
Deal or Traffic in Illicit Drugs - Commercial Quantity	48.5	66.9	56.8	49.0	69.4	63.4

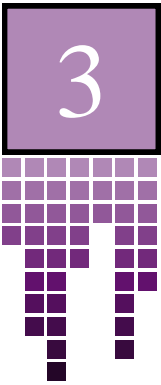
Cases of unknown penalty are excluded from percentage calculations.

Table 10: Comparison of quantum of imprisonment for all offence counts, selected offences, 2001-2006⁸

Offence group	Median Sentence (in years)					
	2001	2002	2003	2004	2005	2006
Murder	19.5	13.5	18.5	17.0	20.0	17.0
Attempted Murder	12.0	7.5	7.0	3.0	6.5	4.5
Manslaughter	6.0	5.5	5.0	4.5	5.0	4.0
Aggravated Assault	1.5	1.8	2.0	1.3	1.3	1.3
Non-Aggravated Assault	1.0	1.3	1.3	1.0	1.0	1.3
Aggravated Sexual Assault	3.0	4.0	3.0	2.0	2.0	2.0
Non-Aggravated Sexual Assault	1.5	2.0	2.0	1.1	1.3	1.0
Aggravated Robbery	4.0	4.0	3.5	2.3	3.0	2.7
Unlawful Entry with Intent/ Burglary, Break & Enter	1.5	1.5	1.5	1.5	1.3	1.3
Theft (Except Motor Vehicles)	1.0	1.0	1.2	1.0	0.7	1.5
Fraud, Forgery or False Financial Instruments	1.5	1.5	1.0	2.0	1.0	-
Dishonest Conversion	1.5	2.0	2.0	1.0	1.5	1.3
Deal or Traffic in Illicit Drugs - Commercial Quantity	2.0	2.4	2.0	1.7	2.0	1.0

Comparisons of imprisonment rates and sentence lengths give an insight (albeit a simplistic one) into the sentencing patterns of the Higher Courts. Unravelling and understanding trends in sentencing is a complex process requiring good quality data and much more detailed analysis than that presented here.

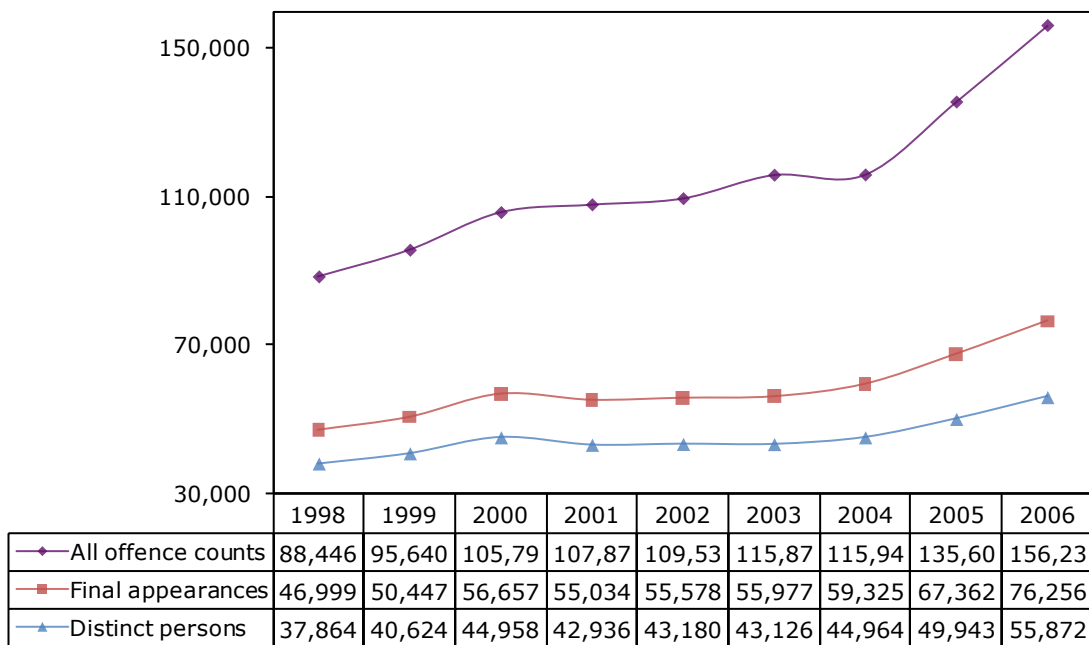
8. *In the calculation of quantum for murder counts, we have included cases where defendants have been given life or strict security life sentences. In these cases, we have taken the minimum period before statutory review (as specified by the Court) as the sentence length. In cases where this information is not recorded, we have used a median sentence length of 10.5 years for counts under s. 279 of the Criminal Code (murder) and 17 years for counts under s. 278 of the Criminal Code (wilful murder).*



Magistrates' Courts (Courts of Petty Sessions)

Figure 4 presents trends in all finalised offence counts, all final appearances and distinct persons finalised from 1998 to 2006. The total number of offence counts, final appearances and distinct persons dealt with by the Magistrates' Courts have all increased since 1998; by 76.6%, 62.3% and 47.6% respectively.

Figure 4: Magistrates' Court trends - all offence counts, all final appearances and distinct persons, 1998-2006



3.1 Descriptive Summary

During 2006, the Magistrates' Courts finalised 156,232 offence counts, on 76,256 occasions (final appearances). These charges were laid against 55,872 distinct persons – an average of 2.0 offence counts per final appearance and 2.8 offence counts per person.

Table 11 summarises the activities of the Magistrates' Courts, based on the three counting rules used to describe court activity, that is, (i) all offence counts, (ii) all final appearances and (iii) distinct persons. More detailed statistical information about all finalised offence counts is provided in the sub-section which follows.

Table 11: Summary of all finalised offence counts, final appearances and distinct persons dealt with by all the Magistrates' Courts, 2006

	All offence counts	Final appearances	Distinct persons
Total	156,232	76,256	55,872
Sex			
Males	120,156	59,188	43,023
Females	34,318	16,366	12,206
Unknown	1,758	702	643
<i>% Male</i>	76.9	77.6	77.0
Indigenous status			
Indigenous	38,060	16,549	10,179
Non-Indigenous	95,370	45,272	32,881
Unknown	22,802	14,435	12,812
<i>% Indigenous</i>	24.4	21.7	18.2
Age			
<26 years	61,684	31,297	22,158
26-33 years	42,197	19,325	13,718
34+ years	50,203	24,791	19,179
Unknown	2,148	843	817
<i>% aged 25 years or less</i>	39.5	41.0	39.7
Court outcome			
Convicted	150,699	74,910	55,205
Other	5,533	1,346	667
<i>% Convicted</i>	96.5	98.2	98.8
Offence type			
Against person	30,290	25,066	21,639
Property	30,779	8,712	6,427
Good order	37,345	15,191	9,706
Drugs & Other	13,629	5,902	4,400
Traffic/Vehicle	43,817	21,256	13,615
Unknown	372	129	85
<i>% Against person (violent)</i>	19.4	32.9	38.7

3.2 Offence Counts Finalised in the Magistrates' Courts

As Table 11 shows, over three quarters (76.9%) of all finalised offence counts were laid against males and 22.0% were laid against females.

Indigenous persons comprised almost a quarter (24.4%) of finalised offence counts. However, the Indigenous status of the defendant (as recorded by the court or as classified by the police) was not known in 14.6% of all cases.

The age of defendants was not recorded in 1.4% of finalised offence counts⁹. Excluding these cases, defendants aged 18 to 25 years made up two fifths (40.0%) of offence counts dealt with by the Magistrates' Courts. The mean age of defendants was 30.4 years and median age was 28 years.

Almost two thirds of Magistrates' Court offence counts (65.6%) were heard in the Perth metropolitan area (Table 12). Courts in the South West region dealt with 8.4%, while those in the South Eastern, Central and Kimberley regions dealt with 6.0%, 5.7% and 5.0% of offence counts, respectively.

9. The proportion of defendants having unknown age has fallen from 17.0% in 1998 to 1.4% in 2006.

Table 12 also shows that the number of Magistrates' Court offence counts in a region (as recorded in the CHIPS system) does not always reconcile with those laid by the police for the same region. In Perth, for example, it can be seen that the courts deal with considerably more offences than indicated by police figures (1.6 times more), reflecting the fact that not all offence counts dealt with by the criminal courts result from charges laid by the police. Some criminal charges are laid by other agencies (for example, transport authorities, fisheries, customs, taxation, etc.).

Table 12: Comparison of CHIPS Magistrates' Court offence counts and total offence counts laid by police (adults only) by region, 2006

Region	CHIPS Lower Court offence counts	Police offence counts against adults	Ratio^(a)
Perth metro area	102,440	64,835	1.58
Kimberley	7,773	7,053	1.10
Pilbara	5,918	4,355	1.36
Central	8,859	5,764	1.54
Midlands	4,113	2,563	1.60
South Eastern	9,432	8,167	1.15
Great Southern	4,303	3,746	1.15
South West	13,106	8,667	1.51
Total	155,944	105,150	1.48

288 CHIPS offence counts and 2,158 police offence counts of unknown region are excluded.

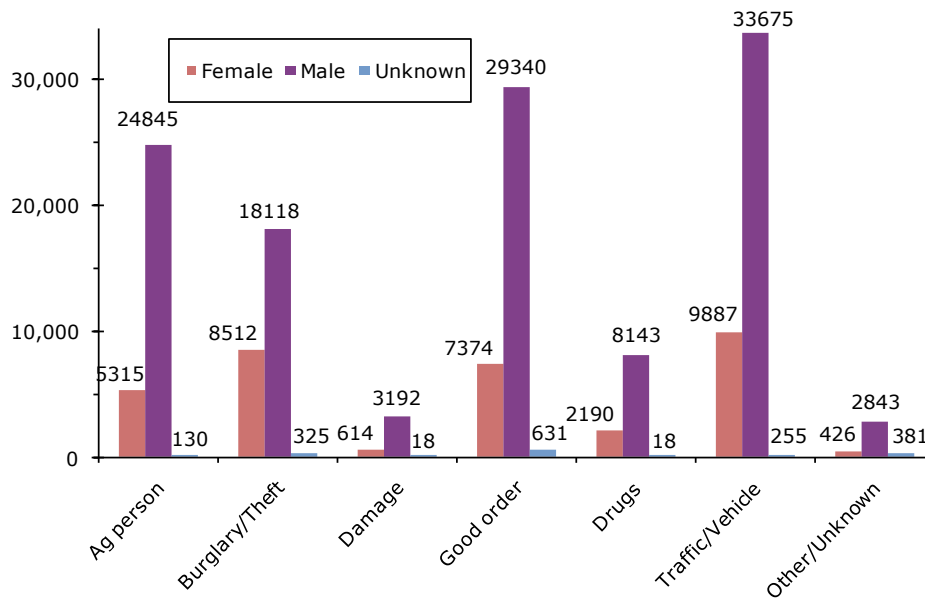
(a) A ratio of 1.00 would indicate exact agreement between CHIPS and police data on the number of offence counts laid in a particular region.

The most frequent offences with which defendants in the Magistrates' Courts were charged were traffic/vehicle offences (28.0%), good order offences (23.9%), against person offences (19.4%) and burglary/theft offences (17.3%). Drug offences comprised 6.6% of offence counts. In 0.2% of offence counts, the offence type was not recorded and these have been classified as 'unknown' (see Table 11).

Figure 5 describes finalised offence counts by the Magistrates' Courts by offence type (including a category for unknown offence type) and defendant sex. Some gender differences were observed, for example, burglary/theft offences comprise 24.8% of all charges laid against females, but only 15.1% of those against males. Conversely, against person offences comprise 20.7% of charges against males compared with 15.5% of those against females.

For a more detailed breakdown of offence counts by offence type, sex and age, see Table 28 at the end of the Chapter.

Figure 5: Offence counts finalised by the Magistrates' Courts by offence type and defendant sex, 2006



The results of decisions made by the Magistrates' Courts have been grouped into five broad categories: dropped (where the matter is withdrawn or no evidence is offered), guilty (where the matter is heard and results in conviction, with or without a sentence), not guilty, and 'other' (which includes some grant applications, extraditions, transfers to other courts, etc).

Of the 156,232 offence counts finalised by the Magistrates' Courts in 2006, the vast majority (96.5%) resulted in conviction (that is, a guilty outcome). In a further 1.7% of cases there were some other court outcome and 1.2% of offence counts were dropped or found not guilty.

Court outcomes did not vary greatly by defendant sex, age or Indigenous status. The proportion of guilty outcomes for offence counts against male defendants was 96.5% and against female defendants was 96.4%. The proportion of guilty outcomes for offence counts against young defendants aged 18 to 25 years (97.1%) was similar to those of older age-groups: 26 to 33 years (96.1%), 34 years and older (96.0%). In the case of Indigenous persons, the proportion of guilty outcomes was 96.6%, compared with 96.2% for non-Indigenous persons and 97.3% for persons with unknown Indigenous status.

There was some variation in court outcomes by offence type, however. As Table 13 shows, traffic/vehicle offences had the highest 'conviction rate' of 98.8% while burglary/theft offences had the lowest rate of 94.0%. For against person, drug, property damage and good order offences, the percentages at which offence counts resulted in conviction were, respectively, 96.9%, 96.7%, 95.9% and 95.4%.

Table 29 provides a more detailed breakdown of court outcomes by offence type and defendant sex.

Court penalties (sentences) were grouped into four broad categories: custody, non-custody, fine and dismissed. Fines were the most frequent sanction used by the court accounting for 111,646 of 150,679 conviction counts (74.1%), followed by non-custodial orders (14.8%), custodial sentences (5.7%) and dismissals (5.4%). In 2006, there were 22,337 non-custodial orders, comprising community-based orders (CBOs) only.

For the majority of offence counts (88.9%), the courts imposed only one type of sanction or penalty per charge following conviction. However, in 10.4% of cases, the court imposed two types of penalties (for example, fine and driver's licence suspension) and in the remaining cases (0.7%), three or more penalties were imposed. Note that in the case of multiple penalties imposed for a single count, only the most serious penalty is described in the statistics which follow¹⁰.

Table 13 shows the types of sentences imposed following conviction for various offence types. The most frequent sanction for all other offence types was the imposition of a fine.

Table 13: Convictions and penalties imposed by the Magistrates' Courts by offence group, 2006

Offence group	All offence counts n	Convictions		Penalties				
		n	%	Custody	Non-custody	Fine	Dismissed	Total
				%	%	%	%	%
Offences against person	30,290	29,359	96.9	5.7	12.7	76.0	5.5	100.0
Burglary/Theft	26,955	25,349	94.0	10.5	31.4	50.0	8.0	100.0
Property damage	3,824	3,668	95.9	7.0	26.5	59.4	7.1	100.0
Good order	37,345	35,618	95.4	5.8	16.4	71.5	6.3	100.0
Drug offences	10,351	10,014	96.7	4.0	12.0	81.8	2.2	100.0
Traffic/vehicle	43,817	43,296	98.8	2.9	5.3	89.2	2.7	100.0
Other	3,278	3,087	94.2	7.0	10.8	66.8	15.4	100.0
Unknown	372	308	82.8	1.0	3.6	48.2	47.2	100.0
Total	156,232	150,699	96.5	5.7	14.8	74.1	5.4	100.0

20 cases of other penalty are excluded from penalty percentages.

Some differences were observed between sentences imposed upon female and male defendants (see Table 14). Males were more likely than females to be imprisoned (compare 6.5% with 2.9%) and to receive a fine (compare 75.9% with 67.3%), while females were more likely than males to receive non-custodial sanctions (compare 24.6% with 12.2%). However, these effects may be due to differences in the types of offences committed by the different gender groups (see earlier discussion).

Racial differences in sentence disposition were also observed. Indigenous persons were more likely than non-Indigenous persons to be imprisoned (compare 9.5% with 4.9%) and to receive non-custodial sanctions (compare 19.7% with 15.4%) but less likely to receive a fine (compare 66.0% with 74.3%). However, as with gender differences, these effects may be due to differences in the types of offences committed by the two groups. Table 30 provides a more detailed breakdown of sentences imposed by offence type and defendant sex.

Older defendants were more likely than younger defendants to be dismissed by the court (7.1% compared with 3.8% and 5.1%); while younger defendants (those aged between 18 and 25 years) were less likely than other defendants to receive a custodial sentence (compare 3.8% with either 7.8% or 6.5%).

10. As with Higher Court sanctions, the penalties are ranked as follows: imprisonment, followed by suspended sentences, intensive supervision orders, community-based orders, bond, loss of driver's licence and other orders.

Table 14: Penalty by defendant sex and age - all conviction counts, 2006

Penalty	All	Sex		Age-group			Indigenous status		
	%	Males %	Females %	18-25 %	26-33 %	34+ %	Ind %	Non-Ind %	Unknown %
Dismissed	5.4	5.3	5.2	3.8	5.1	7.1	4.7	5.4	6.6
Fine	74.1	75.9	67.3	78.5	71.4	70.7	66.0	74.3	86.6
Non-Custody	14.8	12.2	24.6	13.9	15.7	15.8	19.7	15.4	4.2
Custody	5.7	6.5	2.9	3.8	7.8	6.5	9.5	4.9	2.6
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

Table 15 and Figure 6 show, for the major offence categories, the distribution of sentence lengths for offence counts that resulted in imprisonment. Overall, 19.9% of offence counts received custodial sentences of less than three months¹¹; almost a quarter (24.0%) were awarded sentences of between three and less than six months, 39.4% were given sentences of six to less than twelve months and 16.8% received prison sentences of one year or more¹².

Table 15: Distribution of sentence lengths for conviction counts resulting in imprisonment, by major offence group, 2006

Offence group	Offence counts imprisoned n	Sentence length					Total %
		Less 3 mths %	3-6mths %	6mth-1yr %	1yr-2yr %	2 yrs + %	
Offences against person	1,632	5.4	19.5	49.3	25.1	0.7	100.0
Burglary/Theft	2,639	6.7	26.3	43.2	23.3	0.4	100.0
Property damage	247	43.3	26.3	25.5	4.9	0.0	100.0
Good order	2,014	49.2	32.7	14.5	3.6	0.0	100.0
Drug offences	385	52.2	20.8	16.9	10.1	0.0	100.0
Traffic/vehicle	1,216	6.6	12.9	62.7	17.8	0.0	100.0
Other/Unknown	216	6.0	15.7	74.1	4.2	0.0	100.0
Total	8,349	19.9	24.0	39.4	16.5	0.3	100.0

203 cases of unknown quantum are excluded from sentence length percentages.

Some percentage totals may not equal 100.0 due to rounding.

11. Under amendments made to section 86(a) of the Sentencing Act 1995, it is possible for a court to impose a sentence of six months or less provided the aggregate of the term imposed and any other term or terms imposed by the court is greater than six months.

12. For some specific offences, prison sentences of two years or more can be awarded following summary conviction by the Magistrates' Courts.

Figure 6: Distribution of sentence lengths for conviction counts resulting in imprisonment, by major offence group, 2006

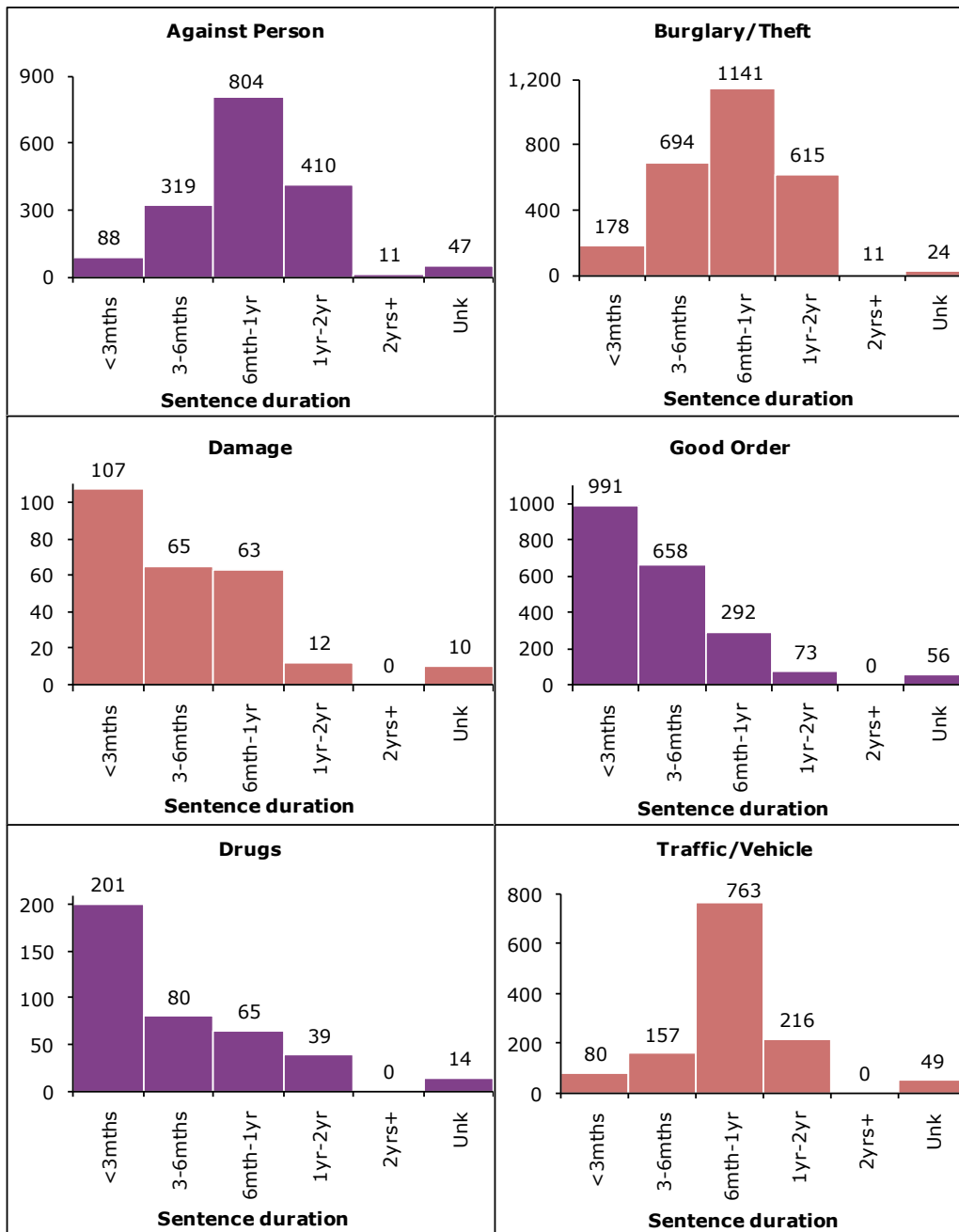


Table 16 summarises, for more specific offence groups, information on the length of sentences imposed for those offence counts resulting in conviction and imprisonment during 2006. The table describes the total number of offence counts resulting in imprisonment, the proportion of convictions leading to imprisonment (referred to in the discussion as the 'imprisonment rate'), the average sentence length (expressed in months), and the minimum, maximum and median sentence lengths.

Table 16: Distribution of sentence lengths for offence counts that resulted in imprisonment, selected offence groups, 2006

Offence group	Offence counts	Proportion of convictions %	Average sentence (mths)	Min (mths)	Max (mths)	Median sentence (mths)
Assault	1,252	14.8	7.9	1	28	6
Sexual Assault	11	9.5	10.9	2	24	12
Dangerous/Negligent Operation of a Vehicle	400	2.0	7.8	1	18	6
Unlawful Entry with Intent/Burglary, Break&Enter	928	41.6	10.1	1	30	12
Motor Vehicle Theft & Related Offences	186	27.5	7.2	1	24	6
Theft (Except Motor Vehicles)	280	4.0	5.6	1	18	6
Receiving or Handling Proceeds of Crime	425	24.8	5.4	1	18	6
Fraud, Forgery or False Financial Instruments	780	7.0	4.8	1	18	4
Posses and/or Use Illicit Drugs	230	3.9	2.1	1	6	1
Other Illicit Drug Offences	44	1.6	1.8	1	12	1
Property Damage	257	7.1	3.8	1	14	3
Disorderly Conduct	135	1.4	3.3	1	15	2
Driving Licence Offences	1,225	4.8	7.3	1	20	6
Regulatory Driving Offences	38	0.4	6.2	1	14	6
Breach of Justice Order	1,478	10.8	3.1	1	18	3

As the table shows, the 'imprisonment rate' varied considerably by offence type. For example, over two fifths (41.6%) of all convicted counts of unlawful entry with intent/burglary received prison sentences, compared with 14.8% for assault counts. More than a quarter (27.5%) of all vehicle theft convictions and 9.5% of all sexual assault convictions received prison sentences.

Average and median sentence lengths also varied with offence type. Sexual assault and burglary offences generally received the longest prison sentences (median length of 12 months) compared with all other offence types.

3.3 Traffic/Vehicle Offences

Traffic/Vehicle offences constituted the single largest category of offences dealt with by the Magistrates' Courts in 2006. They comprise four major sub-categories: Driving Licence Offences, Road Vehicle Registration and Roadworthiness Offences, Regulatory Driving Offences and Pedestrian Offences.

As Table 17 shows, driving licence offences accounted for the largest proportion (25,683/43,817 or 58.6%) of these offence counts in 2006. Regulatory driving offences and road vehicle registration and roadworthiness offences accounted for a further 22.7% and 18.6% (respectively) of offence counts. Most of the licence offences related to contraventions of either section 49(1)(a) or section 49(2) of the Road Traffic Act 1974, that is, driving without an appropriate and valid driver's licence. This includes driving while under suspension or having a cancelled licence.

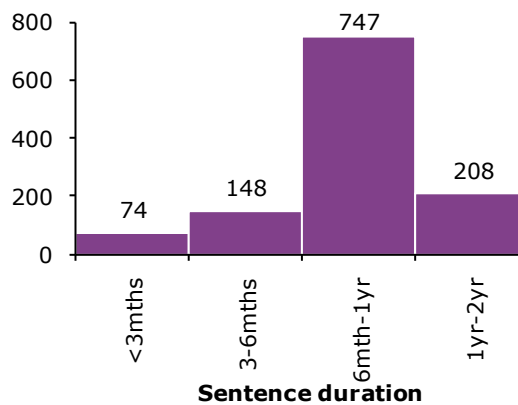
Table 17: Types of traffic/vehicle offences finalised by the Magistrates' Courts, 2006

Offence group	All offence counts			Penalties				
	n	Convictions		Non-Custody		Fine	Dismissed	Total
		n	%	%	%			
Driving Licence Offences	25,683	25,412	98.9	4.8	8.1	85.7	1.3	100.0
Road Vehicle Registration & Roadworthiness Offences	8,146	8,109	99.5	0.0	0.9	96.8	2.2	100.0
Regulatory Driving Offences	9,960	9,750	97.9	0.4	1.3	91.9	6.4	100.0
Pedestrian Offences	28	25	89.3	0.0	0.0	96.0	4.0	100.0
Total	43,817	43,296	98.8	2.9	5.3	89.2	2.7	100.0

Table 17 also shows that the most common penalty for driving offences was the imposition of a fine (89.2%). Note, however, that driving licence offences had the lowest proportion of offence counts receiving this type of sanction (85.7%) but had the highest proportion receiving custodial (4.8%) and non-custodial penalties (8.1%).

Figure 7 describes the range of sentence lengths for driving licence offences that resulted in conviction and imprisonment. As the figure shows (see also Table 16), prison sentences for driving licence offence was likely to average around seven months.

Figure 7: Distribution of sentence lengths for driving licence offences leading to imprisonment, 2006



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Magistrates' Courts

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Table 18: Offences and offence groups by sex and Indigenous status for all higher court offence counts

	FI	FN	FU	MI	MN	MU	UI	UN	UU	Total
Murder	3	0	0	8	23	0	0	0	2	36
Conspiracies & Attempts to Murder	1	5	0	4	8	0	0	0	0	18
Manslaughter & Driving Causing Death	3	0	0	6	13	0	0	0	1	23
Assault	0	0	0	1	5	0	0	0	0	6
	27	22	0	161	397	5	0	0	4	616
Non-Aggravated Assault	6	8	0	21	21	0	0	0	0	56
Other Acts Intended to Cause Injury	0	0	0	1	1	0	0	0	0	2
Sexual Assault	1	25	0	248	1205	12	0	5	3	1,499
Non-Assaultive Sexual Offences	1	1	0	18	87	0	0	0	0	107
Non-Assaultive Sexual Offences Against a Child	0	5	0	37	285	10	0	1	1	399
Non-Assaultive Sexual Offences, nec	0	0	0	1	14	0	0	0	0	15
Dangerous or Negligent Operation of a Vehicle	0	0	0	0	2	0	0	0	0	2
Dangerous or Negligent Driving	0	7	0	33	54	0	0	0	0	94
Other Dangerous or Negligent Acts Endangering Persons	2	1	0	10	35	0	0	0	2	50
Abduction & Kidnapping	0	1	0	0	1	0	0	0	0	2
Deprivation of Liberty/False Imprisonment	3	10	0	51	150	3	0	0	1	218
Robbery	15	24	7	83	273	10	0	1	11	424
Aggravated Robbery	2	3	0	15	20	0	0	0	1	41
Non-Aggravated Robbery	0	1	0	0	8	0	0	0	0	9
Blackmail & Extortion	0	1	0	0	8	0	0	0	0	9
Unlawful Entry with Intent/Burglary, Break & Enter	44	43	0	321	555	12	0	3	13	991
Motor Vehicle Theft & Related Offences	2	4	0	44	99	2	0	0	0	151
Theft (Except Motor Vehicles)	1	56	0	6	51	1	0	1	2	118
Theft (Except Motor Vehicles), nfd	0	0	0	1	23	1	0	0	0	25
Theft from a Person (Excluding by Force)	1	9	0	7	63	0	0	0	1	81
Theft (Except Motor Vehicles), nec	22	24	0	4	92	0	0	0	1	143
Receiving or Handling Proceeds of Crime	0	0	0	0	38	0	0	0	0	38
Fraud, Forgery or False Financial Instruments	1	51	2	5	679	30	0	0	5	773
Fraud, nec	0	2	0	0	0	0	0	0	0	2
Counterfeiting Currency and Related Offences	0	813	0	0	258	53	0	0	0	1,124
Dishonest Conversion	0	0	0	0	3	0	0	0	0	3
Bribery	0	0	0	0	1	2	1	0	0	4
Other Deception Offences	0	0	0	1	2	1	0	0	0	4

Table 18: (continued)

	FI	FO	FU	MI	MO	MU	UI	UO	UU	Total
Import or Export Illicit Drugs	0	0	1	0	0	0	0	0	0	1
Deal or Traffic in Illicit Drugs	3	104	2	4	533	2	0	0	0	648
Deal or Traffic in Illicit Drugs -- Commercial Quantity	0	0	0	0	3	0	0	0	1	4
Deal or Traffic in Illicit Drugs -- Non-Commercial Quantity	3	8	0	0	82	1	0	0	0	94
Manufacture or Cultivate Illicit Drugs	0	0	0	1	15	0	0	0	0	16
Possess and/or Use Illicit Drugs	0	0	0	0	16	0	0	0	0	16
Possess Illicit Drug	0	0	0	0	2	0	0	0	0	2
Other Illicit Drug Offences	0	0	0	0	1	0	0	0	0	1
Prohibited Weapons/Explosives Offences	0	0	0	0	5	0	0	0	0	5
Prohibited Weapons/Explosives Offences	0	0	0	0	4	0	0	0	0	4
Regulated Weapons/Explosives Offences	0	4	0	15	99	0	0	0	0	118
Regulated Weapons/Explosives Offences	2	1	0	13	57	0	0	0	0	73
Property Damage	0	0	0	0	4	0	0	0	0	4
Property Damage	0	0	0	2	0	0	0	0	0	2
Disorderly Conduct	0	11	0	0	37	2	0	0	0	50
Disorderly Conduct	2	0	0	7	2	0	0	0	0	11
Regulated Public Order Offences	0	0	0	2	99	0	0	0	1	102
Regulated Public Order Offences	0	0	0	0	2	0	0	0	0	2
Regulated Public Order Offences	0	1	0	0	13	0	0	0	0	14
Driving Licence Offences	0	0	0	1	1	0	0	0	0	2
Driving Licence Offences	0	0	0	0	2	1	0	0	0	3
Road Vehicle Registration & Roadworthiness Offences	0	0	0	1	0	1	0	0	0	2
Regulatory Driving Offences	0	0	0	0	2	0	0	0	0	2
Breach of Justice Order	0	0	0	0	1	0	0	0	0	1
Breach of Justice Order	0	1	0	5	4	0	0	0	0	10
Other Offences Against Justice Procedures	24	47	2	95	222	4	0	3	1	398
Other Offences Against Justice Procedures	7	14	0	9	78	3	0	1	2	114
Offences Against Government Operations	0	3	0	1	10	0	0	0	0	14
Offences Against Government Operations	0	0	0	2	10	0	0	0	0	12

Table 18: (continued)

	FI	FO	FU	MI	MO	MU	UI	UO	UU	Total
Harassment & Related Offences	0	0	0	1	7	0	0	0	0	8
Harassment and Private Nuisance										
Offences Against Privacy	0	0	0	0	15	0	0	0	0	15
Threatening Behaviour	6	5	0	56	176	2	0	0	2	247
Public Health & Safety Offences	0	1	0	0	0	0	0	0	0	1
Transport Offences										
Commercial/Industry/Financial Regulation	0	0	0	0	14	2	0	0	7	23
Other Miscellaneous Offences										
Immigration Regulation Offences	0	0	0	0	12	0	0	0	0	12
Import/Export Regulations	0	0	1	0	13	2	0	0	1	17
Miscellaneous Offences, nec	0	0	0	0	7	3	0	0	3	13
Unknown	0	2	0	1	0	1	0	0	0	4
Total	182	1,317	15	1,305	6,015	164	0	15	66	9,079

nec - not elsewhere classified
nfd - not further defined

Table 19: Court outcome by jurisdiction for all higher court offence counts

Court	Acquitted	Convicted	Withdrawn	Other	Total
District Court	1048	5875	1072	80	8,075
Supreme Court	51	446	26	43	566
Total	1,099	6,321	1,098	123	8,641

Note: 64 cases remitted to lower court, 5 cases unfit to plea and 369 adjourned cases are excluded.

Table 20: Court outcome by offence group for all higher court offence counts

Offence group	Acquitted	Convicted	Withdrawn	Other	Total
Homicide & Related Offences	17	48	9	5	79
Acts Intended to Cause Injury	115	416	87	10	628
Sexual Assault & Related Offences	540	1020	325	3	1,888
Dangerous or Negligent Acts Endangering Persons	6	115	15	3	139
Abduction & Related Offences	39	123	42	5	209
Robbery, Extortion & Related Offences	28	387	40	5	460
Unlawful Entry with Intent/Burglary, Break & Enter	88	706	113	32	939
Fraud/Theft	135	1897	291	26	2,349
Property Damage	10	159	13	2	184
Good Order	27	597	57	8	689
Drugs/Other	94	851	104	24	1,073
Total	1,099	6,319	1,096	123	8,637

Note: 64 cases remitted to lower court, 5 cases unfit to plea, 369 adjourned cases and 4 cases of unknown offence are excluded.

Table 21: Most serious penalty by offence group, sex and Indigenous status for all higher court offence counts

Males													
Offence group	Fine			Non-custody			Custody			Other			Total
	I	O	U	I	O	U	I	O	U	I	O	U	
Homicide & Related Offences	0	0	0	1	0	0	13	26	0	0	0	0	40
Acts Intended to Cause Injury	4	23	0	40	112	0	83	104	0	0	0	0	366
Sexual Assault & Related Offences	1	7	0	19	161	0	123	673	8	0	0	0	992
Dangerous or Negligent Acts Endangering Persons	0	4	0	9	21	0	29	38	0	0	0	0	101
Abduction & Related Offences	0	1	0	7	23	0	22	59	0	0	0	0	112
Robbery, Extortion & Related Offences	0	0	0	5	59	1	73	188	6	0	0	0	332
Unlawful Entry with Intent/Burglary, Break & Enter	0	12	0	39	139	1	199	230	3	0	0	0	623
Fraud/Theft	0	22	1	9	141	1	45	733	9	0	0	0	961
Property Damage	0	13	0	14	54	0	10	57	0	0	1	0	149
Good Order	5	45	0	49	174	2	46	168	1	0	0	0	490
Drugs/Other	4	55	2	19	197	1	20	418	8	0	0	0	724
Unknown	0	0	0	0	0	0	1	0	0	0	0	0	1
Total	14	182	3	211	1,081	6	664	2,694	35	0	1	0	4,891

Note: 55 cases of unknown penalty are excluded.

Females													
Offence group	Fine			Non-custody			Custody			Other			Total
	I	O	U	I	O	U	I	O	U	I	O	U	
Homicide & Related Offences	0	0	0	0	0	0	5	1	0	0	0	0	6
Acts Intended to Cause Injury	1	1	0	7	15	0	11	4	0	0	4	0	43
Sexual Assault & Related Offences	0	0	0	0	7	0	0	7	0	0	0	0	14
Dangerous or Negligent Acts Endangering Persons	1	0	0	1	4	0	0	4	0	0	0	0	10
Abduction & Related Offences	0	0	0	1	7	0	0	0	0	0	0	0	8
Robbery, Extortion & Related Offences	0	0	0	3	9	2	12	14	2	0	0	1	43
Unlawful Entry with Intent/Burglary, Break & Enter	0	0	0	11	22	0	21	8	0	0	1	0	63
Fraud/Theft	0	14	0	23	182	0	3	278	2	0	2	0	504
Property Damage	0	0	0	2	3	0	0	0	0	0	0	0	5
Good Order	6	8	1	17	35	0	4	23	1	0	0	0	95
Drugs/Other	1	4	1	4	40	1	3	41	2	0	0	0	97
Unknown	0	0	0	0	1	0	0	0	0	0	0	0	1
Total	9	27	2	69	325	3	59	380	7	0	7	1	889

Note: 431 cases of unknown penalty are excluded.

Table 22: Court outcome and most serious penalty by offence group for all higher court offence counts

Offence group	Offence counts	Offence counts		Most serious penalty received			
	finalised	convicted		Fine	Non-custody	Custody	Unknown
	n	n	%	n	n	n	n
Murder	36	23	64	0	1	22	0
Attempted Murder	18	7	39	0	0	7	0
Manslaughter	23	16	70	0	0	16	0
Driving Causing Death	6	2	33	0	1	1	0
Aggravated Assault	616	375	61	26	153	188	5
Non-Aggravated Assault	56	40	71	3	21	15	0
Acts Intended to Cause Injury, nec	2	1	50	0	0	1	0
Aggravated Sexual Assault	1,499	719	48	6	133	575	5
Non-Aggravated Sexual Assault	107	27	25	1	6	20	0
Non-Assaultive Sexual Offences Against a Child	339	273	81	1	50	222	0
Non-Assaultive Sexual Offences, nec	15	1	7	0	0	1	0
Driving Under the Influence of Alcohol or Drugs	2	1	50	0	0	1	0
Dangerous or Negligent Driving	94	77	82	1	13	63	0
Other Dangerous or Negligent Acts Endangering Persons, nec	50	37	74	4	23	8	2
Abduction and Kidnapping	2	1	50	0	0	1	0
Deprivation of Liberty/False Imprisonment	218	122	56	1	38	80	3
Aggravated Robbery	424	355	84	0	66	288	0
Non-Aggravated Robbery	41	25	61	0	9	16	0
Blackmail and Extortion	9	7	78	0	6	1	0
Unlawful Entry with Intent/Burglary, Break and Enter	991	706	71	13	214	467	11
Theft of a Motor Vehicle	151	120	79	1	22	85	12
Theft (Except Motor Vehicles), nfd	118	76	64	1	10	62	1
Theft from a Person (Excluding by Force)	25	14	56	0	5	9	0
Theft (Except Motor Vehicles), nec	81	72	89	1	12	59	0
Receiving or Handling Proceeds of Crime	143	89	62	4	54	30	1
Make Use or Possess Equip. to Make False/Illegal Financial Instr	38	9	24	0	8	1	0
Fraud, nec	773	516	67	28	88	399	1
Counterfeiting Currency and Related Offences	2	2	100	0	2	0	0
Dishonest Conversion	1,124	998	89	1	156	426	415
Bribery, nec	3	0	0	0	0	0	0
Deception Offences, nec	4	1	25	1	0	0	0
Import Illicit Drugs	1	1	100	0	0	1	0
Deal or Traffic in Illicit Drugs – Commercial Quantity	648	530	82	39	141	336	14
Deal or Traffic in Illicit Drugs – Non-Commercial Quantity	4	4	100	1	1	2	0
Manufacture or Cultivate Illicit Drugs	94	82	87	9	30	42	1
Possess and/or Use Illicit Drugs, nfd	16	13	81	3	4	5	1
Possess Illicit Drug	16	12	75	7	2	2	1
Illicit Drug Offences, nec	2	0	0	0	0	0	0
Sell, Possess and/or Use Prohibited Weapons/Explosives	1	1	100	0	0	0	1
Prohibited Weapons/Explosives Offences, nec	5	3	60	0	2	1	0
Unlawfully Obtain or Possess Regulated Weapons/Explosives	4	3	75	0	0	3	0
Property Damage by Fire or Explosion	118	102	86	9	38	54	0
Property Damage, nec	73	57	78	4	35	13	5
Trespass	4	0	0	0	0	0	0
Criminal Intent	2	1	50	0	0	1	0
Conspiracy	50	27	54	0	12	15	0
Disorderly Conduct, nec	11	8	73	1	7	0	0

Table 22: (continued)

Offence group	Offence counts		Most serious penalty received				
	finalised	convicted		Fine	Non-custody	Custody	Unknown
	n	n	%	n	n	n	n
Censorship Offences	102	91	89	6	38	47	0
Prostitution Offences	2	2	100	2	0	0	0
Offences Against Public Order Sexual Standards	14	12	86	0	1	11	0
Driving While Licence Cancelled or Suspended	2	1	50	0	0	0	1
Driving Without a Licence	3	3	100	1	0	2	0
Driving Licence Offences, nec	2	1	50	1	0	0	0
Registration Offences	2	2	100	0	0	0	2
Regulatory Driving Offences, nec	1	1	100	0	0	1	0
Escape Custody Offences	2	1	50	0	0	1	0
Breach of Bail	10	5	50	1	0	2	2
Breach of Other Restraining Order	2	1	50	0	1	0	0
Breach of Justice Order, nec	398	352	88	51	168	132	1
Subvert the Course of Justice	114	77	68	4	47	26	0
Offences Against Justice Procedures, nec	14	6	43	0	5	1	0
Offences Against Government Operations, nec	12	7	58	0	2	5	0
Harassment and Private Nuisance	8	2	25	0	1	1	0
Offences Against Privacy	15	15	100	0	0	15	0
Threatening Behaviour	247	151	61	6	83	61	1
Transport Offences	1	0	0	0	0	0	0
Commercial/Industry/Financial Regulation	23	9	39	0	0	9	0
Immigration Regulation Offences	12	9	75	0	0	9	0
Import/Export Regulations	17	14	82	0	1	13	0
Miscellaneous Offences, nec	13	1	8	0	0	1	0
Unknown	4	2	50	0	1	1	0
Total	9,079	6,321	70	238	1,711	3,877	486

Note: 9 cases of other penalty are excluded.

Table 23: Length of sentence by offence group for all higher court conviction counts resulting in imprisonment

Offence group	LIF	<6M	6M<1Y	1Y<2Y	2Y<3Y	3Y<4Y	4Y<5Y	5Y<10Y	10Y<15Y	15Y+	Unk	Total
Murder	11	0	0	1	2	0	0	0	1	7	0	22
Attempted Murder	0	0	0	0	2	1	2	2	0	0	0	7
Manslaughter	0	0	0	1	4	0	2	4	0	0	5	16
Driving Causing Death	0	0	0	0	1	0	0	0	0	0	0	1
Aggravated Assault	0	7	30	64	33	5	6	5	0	0	38	188
Non-Aggravated Assault	0	1	2	5	5	0	0	0	0	0	2	15
Acts Intended to Cause Injury, nec	0	0	0	0	1	0	0	0	0	0	0	1
Aggravated Sexual Assault	0	6	77	124	104	66	43	38	0	0	117	575
Non-Aggravated Sexual Assault	0	0	5	5	1	2	0	0	0	0	7	20
Non-Assaultive Sexual Offences Against a Child	0	5	11	167	17	1	0	1	0	0	20	222
Non-Assaultive Sexual Offences, nec	0	0	0	0	1	0	0	0	0	0	0	1
Driving Under the Influence of Alcohol or Drugs	0	0	0	0	0	0	0	0	0	0	1	1
Dangerous or Negligent Driving	0	0	12	23	14	1	0	0	0	0	13	63
Other Dangerous or Negligent Acts Endangering Persons, nec	0	0	2	1	2	1	1	0	0	0	1	8
Abduction and Kidnapping	0	0	0	0	0	0	0	0	0	0	1	1
Deprivation of Liberty/False Imprisonment	0	2	2	23	34	4	1	2	0	0	12	80
Aggravated Robbery	0	2	5	33	94	66	38	11	0	3	36	288
Non-Aggravated Robbery	0	1	0	5	2	0	0	0	0	0	8	16
Blackmail and Extortion	0	0	0	0	0	0	0	1	0	0	0	1
Unlawful Entry with Intent/Burglary, Break and Enter	0	5	31	250	73	8	2	1	0	0	97	467
Theft of a Motor Vehicle	0	4	25	38	7	1	0	0	0	0	10	85
Theft (Except Motor Vehicles), nfd	0	26	9	3	4	1	0	0	0	0	19	62
Theft from a Person (Excluding by Force)	0	2	4	2	0	0	0	0	0	0	1	9
Theft (Except Motor Vehicles), nec	0	4	2	20	8	0	0	0	0	0	25	59
Receiving or Handling Proceeds of Crime	0	11	8	5	2	0	0	0	0	0	4	30
Make Use or Possess Equip. to Make False/Illegal Financial Instr	0	1	0	0	0	0	0	0	0	0	0	1
Fraud, nec	0	127	85	136	5	0	0	0	0	0	46	399
Dishonest Conversion	0	10	9	176	0	0	0	0	0	0	231	426

Table 23: (continued)

Offence group	LIF	<6M	6M<1Y	1Y<2Y	2Y<3Y	3Y<4Y	4Y<5Y	5Y<10Y	10Y<15Y	15Y+	Unk	Total
Import Illicit Drugs	0	0	0	0	0	0	0	0	1	0	0	1
Deal or Traffic in Illicit Drugs – Commercial Quantity	0	10	23	152	51	14	10	14	0	0	62	336
Deal or Traffic in Illicit Drugs – Non-Commercial Quantity	0	0	0	2	0	0	0	0	0	0	0	2
Manufacture or Cultivate Illicit Drugs	0	0	7	13	4	4	1	0	0	0	13	42
Possess and/or Use Illicit Drugs, nfd	0	0	0	1	0	0	1	0	0	0	3	5
Possess Illicit Drug	0	1	1	0	0	0	0	0	0	0	0	2
Prohibited Weapons/Explosives Offences, nec	0	0	1	0	0	0	0	0	0	0	0	1
Unlawfully Obtain or Possess Regulated Weapons/Explosives	0	0	0	3	0	0	0	0	0	0	0	3
Property Damage by Fire or Explosion	0	5	13	16	4	0	0	0	0	0	16	54
Property Damage, nec	0	1	3	2	0	1	0	0	0	0	6	13
Criminal Intent	0	0	0	1	0	0	0	0	0	0	0	1
Conspiracy	0	1	0	4	5	0	2	2	0	0	1	15
Censorship Offences	0	3	30	9	0	0	0	0	0	0	5	47
Offences Against Public Order Sexual Standards	0	0	0	3	4	0	0	0	0	0	4	11
Driving Without a Licence	0	0	0	0	0	0	0	0	0	0	2	2
Regulatory Driving Offences, nec	0	0	0	0	0	0	0	0	0	0	1	1
Escape Custody Offences	0	0	0	0	1	0	0	0	0	0	0	1
Breach of Bail	0	0	1	0	0	0	0	0	0	0	1	2
Breach of Justice Order, nec	0	6	21	33	5	1	0	0	0	0	66	132
Subvert the Course of Justice	0	0	6	12	1	0	0	0	0	0	7	26
Offences Against Justice Procedures, nec	0	0	0	0	1	0	0	0	0	0	0	1
Offences Against Government Operations, nec	0	0	4	0	0	0	0	0	0	0	1	5
Harassment and Private Nuisance	0	0	0	0	1	0	0	0	0	0	0	1
Offences Against Privacy	0	0	0	15	0	0	0	0	0	0	0	15
Threatening Behaviour	0	4	15	17	5	3	0	0	0	0	17	61
Commercial/Industry/Financial Regulation	0	0	0	0	9	0	0	0	0	0	0	9
Immigration Regulation Offences	0	0	0	0	0	0	2	0	0	0	7	9
Import/Export Regulations	0	0	8	1	0	0	0	1	2	0	1	13
Miscellaneous Offences, nec	0	0	0	0	1	0	0	0	0	0	0	1
Unknown	0	0	0	0	0	0	0	0	0	0	1	1
Total	11	245	452	1,366	508	180	111	82	4	10	908	3,877

Table 24: Offences and offence groups by sex and Indigenous status for all final appearances in the higher courts

	FI	FO	FU	MI	MO	MU	UI	UO	UU	Total
Murder	2	0	0	5	17	0	0	0	1	25
Conspiracies & Attempts to Murder	1	3	0	4	6	0	0	0	0	14
Manslaughter & Driving Causing Death	2	0	0	6	8	0	0	0	1	17
Assault	0	0	0	1	5	0	0	0	0	6
Aggravated Assault	18	9	0	95	188	4	0	0	3	317
Non-Aggravated Assault	1	3	0	8	3	0	0	0	0	15
Other Acts Intended to Cause Injury, nec	0	0	0	1	0	0	0	0	0	1
Sexual Assault	1	7	0	76	304	2	0	1	2	393
Non-Assaultive Sexual Offences	0	1	0	4	12	0	0	0	0	17
Dangerous or Negligent Operation of a Vehicle	0	1	0	6	23	1	0	0	1	32
Other Dangerous or Negligent Acts Endangering Persons	0	0	0	0	3	0	0	0	0	3
Abduction & Kidnapping	0	0	0	0	1	0	0	0	0	1
Deprivation of Liberty/False Imprisonment	0	4	0	15	40	0	0	0	0	59
Robbery	2	0	0	7	20	0	0	0	1	30
Blackmail & Extortion	0	1	0	0	0	0	0	0	0	1
Unlawful Entry with Intent/Burglary, Break & Enter	1	1	0	12	40	0	0	0	0	54
Motor Vehicle Theft & Related Offences	11	20	5	37	156	7	0	1	7	244
Theft (Except Motor Vehicles)	2	1	0	11	18	0	0	0	1	33
Receiving or Handling Proceeds of Crime	0	1	0	0	3	0	0	0	0	4
Fraud, Forgery or False Financial Instruments	31	32	0	135	274	5	0	2	6	485
Counterfeiting Currency & Related Offences	2	3	0	4	17	0	0	0	0	26
Dishonest Conversion	1	1	0	2	13	0	0	0	0	17
Other Deception Offences	0	0	0	1	5	1	0	0	0	7
Deception Offences, nec	0	4	0	2	7	0	0	0	0	13
Make Use or Possess Equip. to Make False/Illegal Financial Instr	1	7	0	2	22	0	0	0	1	33
Fraud, nec	0	0	0	0	2	0	0	0	0	2
Counterfeiting Currency and Related Offences	1	11	1	0	55	4	0	0	2	74
Dishonest Conversion	0	1	0	0	0	0	0	0	0	1
Other Deception Offences	0	11	0	0	13	1	0	0	0	25
Deception Offences, nec	0	0	0	0	1	0	0	0	0	1

Table 24: (continued)

	FI	FO	FU	MI	MO	MU	UI	UO	UU	Total
Import or Export Illicit Drugs	0	0	1	0	0	0	0	0	0	1
Deal or Traffic in Illicit Drugs	3	48	1	3	261	1	0	0	0	317
Deal or Traffic in Illicit Drugs – Commercial Quantity										
Deal or Traffic in Illicit Drugs – Non-Commercial Quantity	0	0	0	0	1	0	0	0	1	2
Manufacture or Cultivate Illicit Drugs	3	5	0	0	48	1	0	0	0	57
Possess and/or Use Illicit Drugs	0	0	0	1	8	0	0	0	0	9
Possess Illicit Drug	0	0	0	0	10	0	0	0	0	10
Prohibited Weapons/Explosives Offences	0	0	0	0	5	0	0	0	0	5
Regulated Weapons/Explosives Offences	0	0	0	0	1	0	0	0	0	1
Property Damage	0	3	0	10	34	0	0	0	0	47
Property Damage by Fire or Explosion	0	0	0	5	13	0	0	0	0	18
Property Damage, nec	0	7	0	0	24	2	0	0	0	33
Conspiracy	1	0	0	4	1	0	0	0	0	6
Disorderly Conduct, nec	0	0	0	1	35	0	0	0	0	36
Censorship Offences	0	0	0	0	2	0	0	0	0	2
Prostitution Offences	0	0	0	0	5	0	0	0	0	5
Offences Against Public Order Sexual Standards	0	0	0	0	1	0	0	0	0	1
Offences Against Public Order Sexual Standards	0	0	0	0	1	0	0	0	0	1
Driving While Licence Cancelled or Suspended	0	0	0	0	0	1	0	0	0	1
Driving Without a Licence	0	0	0	0	0	1	0	0	0	1
Escape Custody Offences	0	0	0	0	1	0	0	0	0	1
Breach of Bail	0	1	0	2	0	0	0	0	0	3
Breach of Other Restraining Order	0	0	0	1	0	0	0	0	0	1
Breach of Justice Order, nec	19	42	2	86	188	4	0	3	1	345
Subvert the Course of Justice	6	12	0	7	52	2	0	1	2	82
Offences Against Justice Procedures, nec	0	3	0	1	7	0	0	0	0	11
Offences Against Government Operations, nec	0	0	0	0	4	0	0	0	0	4
Harassment and Private Nuisance	0	0	0	1	4	0	0	0	0	5
Offences Against Privacy	0	0	0	0	1	0	0	0	0	1
Threatening Behaviour	5	2	0	19	62	1	0	0	1	90
Transport Offences	0	1	0	0	0	0	0	0	0	1
Commercial/Industry/Financial Regulation	0	0	0	0	3	1	0	0	1	5
Other Miscellaneous Offences	0	0	0	0	2	0	0	0	0	2
Immigration Regulation Offences	0	0	1	0	4	2	0	0	1	8
Import/Export Regulations	0	0	0	0	1	0	0	0	0	1
Miscellaneous Offences, nec	0	0	0	0	1	0	0	0	0	1
Unknown	0	0	0	1	0	1	0	0	0	2
Total	114	246	11	576	2,034	41	0	8	33	3,063

nec - not elsewhere classified
nfd - not further defined

Table 25: Court outcome by offence group for all final appearances in the higher courts

Offence group	Acquitted	Convicted	Withdrawn	Other	Total
Homicide & Related Offences	9	41	6	2	58
Acts Intended to Cause Injury	54	199	51	3	307
Sexual Assault & Related Offences	128	207	84	0	419
Dangerous or Negligent Acts Endangering Persons	5	74	8	0	87
Abduction & Related Offences	6	37	10	0	53
Robbery, Extortion & Related Offences	19	221	27	4	271
Unlawful Entry with Intent/Burglary, Break & Enter	34	378	48	2	462
Fraud/Theft	14	143	25	4	186
Property Damage	4	55	3	0	62
Good Order	18	446	30	2	496
Drugs/Other	21	396	63	2	482
Total	312	2,197	355	19	2,883

Note: 15 cases remitted to lower court, 1 case unfit to plea, 162 adjourned cases and 2 cases of unknown offence are excluded.

Table 26: Most serious penalty by offence group, sex and Indigenous status for all final appearances in the higher courts

Males													
Offence group	Fine			Non-custody			Custody			Other			Total
	I	O	U	I	O	U	I	O	U	I	O	U	
Homicide & Related Offences	0	0	0	1	0	0	12	20	0	0	0	0	33
Acts Intended to Cause Injury	3	16	0	20	58	0	43	36	0	0	0	0	176
Sexual Assault & Related Offences	1	3	0	11	52	0	37	94	1	0	0	0	199
Dangerous or Negligent Acts Endangering Persons	0	4	0	8	18	0	11	26	0	0	0	0	67
Abduction & Related Offences	0	1	0	3	12	0	4	15	0	0	0	0	35
Robbery, Extortion & Related Offences	0	0	0	3	45	1	31	95	5	0	0	0	180
Unlawful Entry with Intent/Burglary, Break & Enter	0	9	0	34	106	1	72	94	2	0	0	0	318
Fraud/Theft	0	9	0	3	42	1	7	43	2	0	0	0	107
Property Damage	0	2	0	7	23	0	6	14	0	0	1	0	53
Good Order	4	30	0	42	137	2	40	102	1	0	0	0	358
Drugs/Other	1	39	1	8	113	1	5	168	5	0	0	0	341
Unknown	0	0	0	0	0	0	1	0	0	0	0	0	1
Total	9	113	1	140	606	6	269	707	16	0	1	0	1,868

Note: 8 cases of unknown penalty are excluded.

Females													
Offence group	Fine			Non-custody			Custody			Other			Total
	I	O	U	I	O	U	I	O	U	I	O	U	
Homicide & Related Offences	0	0	0	0	0	0	5	1	0	0	0	0	6
Acts Intended to Cause Injury	0	1	0	3	7	0	6	1	0	0	2	0	20
Sexual Assault & Related Offences	0	0	0	0	2	0	0	2	0	0	0	0	4
Dangerous or Negligent Acts Endangering Persons	1	0	0	1	3	0	0	1	0	0	0	0	6
Abduction & Related Offences	0	0	0	1	1	0	0	0	0	0	0	0	2
Robbery, Extortion & Related Offences	0	0	0	3	8	2	8	10	2	0	0	0	33
Unlawful Entry with Intent/Burglary, Break & Enter	0	0	0	9	19	0	18	5	0	0	1	0	52
Fraud/Theft	0	2	0	2	20	0	2	8	1	0	0	0	35
Property Damage	0	0	0	0	2	0	0	0	0	0	0	0	2
Good Order	6	7	1	13	30	0	3	19	1	0	0	0	80
Drugs/Other	1	4	0	4	26	1	3	7	2	0	0	0	48
Total	8	14	1	36	118	3	45	54	6	0	3	0	288

Note: 3 cases of unknown penalty are excluded.

Table 27: Most serious penalty by offence group and age for all final appearances in the higher courts

Offence group	Fine						Non-custody						Custody															
	<21		21-30		31-40		41-50		51+		U		<21		21-30		31-40		41-50		51+		U		Total			
Homicide & Related Offences	0	0	0	0	0	0	0	0	0	0	0	1	0	0	1	0	0	1	0	0	1	3	13	7	10	5	1	41
Acts Intended to Cause Injury	1	7	8	1	3	0	14	43	17	8	6	0	0	0	0	0	0	0	0	0	0	9	44	16	13	5	0	195
Sexual Assault & Related Offences	0	1	1	0	2	0	11	22	15	7	12	0	0	0	0	0	0	0	0	0	0	8	27	42	26	32	0	206
Dangerous or Negligent Acts Endangering Persons	1	1	2	1	0	0	12	8	7	4	0	0	0	0	0	0	0	0	0	0	0	8	22	5	2	1	0	74
Abduction & Related Offences	0	0	0	0	1	0	3	8	4	1	1	0	0	0	0	0	0	0	0	0	0	0	12	3	3	1	0	37
Robbery, Extortion & Related Offences	0	0	0	0	0	0	17	28	13	4	0	1	0	0	0	0	0	0	0	0	0	22	85	40	6	5	0	221
Unlawful Entry with Intent/Burglary, Break & Enter	2	3	2	2	1	0	41	84	27	15	3	0	0	0	0	0	0	0	0	0	0	33	101	46	11	3	0	374
Fraud/Theft	1	2	4	2	2	0	8	21	26	7	7	0	0	0	0	0	0	0	0	0	0	4	23	14	14	8	0	143
Property Damage	2	0	0	0	0	0	5	9	9	5	4	0	0	0	0	0	0	0	0	0	0	3	11	4	0	2	0	54
Good Order	2	28	9	6	3	0	35	121	41	21	12	0	0	0	0	0	0	0	0	0	0	13	84	50	8	12	0	445
Drugs/Other	3	9	16	13	5	0	11	71	42	21	9	0	0	0	0	0	0	0	0	0	0	5	56	69	42	19	1	392
Total	12	51	42	25	17	0	157	415	202	93	54	2	93	54	2	108	478	296	135	93	2	108	478	296	135	93	2	2,182

Note: 4 cases of other penalty, 11 cases of unknown penalty and 1 case of unknown offence are excluded.

Table 28: Offences by sex and age for all finalised offence counts in the Magistrates' Courts

Offence	Males				Females				Unknown				Grand Total
	18-25	26-33	34 & Over	Total	18-25	26-33	34 & Over	Total	18-25	26-33	34 & Over	Total	
	Murder	0	1	0	1	0	0	0	0	0	0	0	
Manslaughter	0	1	0	1	0	0	0	0	0	0	0	0	1
Driving Causing Death	6	2	16	24	4	1	3	8	0	0	0	0	32
Aggravated Assault	1,383	1,325	1,537	4,252	208	203	241	653	1	4	0	2	4,912
Non-Aggravated Assault	1,202	816	1,116	3,135	390	287	320	997	4	0	4	5	4,145
Acts Intended to Cause Injury, nec	2	4	1	7	0	0	3	3	0	0	0	0	10
Aggravated Sexual Assault	15	9	48	72	0	0	1	1	0	0	0	0	73
Non-Aggravated Sexual Assault	13	15	58	86	0	0	1	1	0	0	0	0	87
Non-Assaultive Sexual Offences Against a Child	7	8	28	43	0	0	0	0	0	0	0	0	43
Driving Under the Influence of Alcohol or Drugs	5,727	3,256	4,069	13,057	1,283	795	1,047	3,130	18	13	21	2	16,241
Dangerous or Negligent Driving	2,411	819	712	3,942	205	100	124	430	14	4	9	2	4,401
Neglect of Person Under Care	0	2	1	3	1	0	0	1	0	0	0	1	5
Other Dangerous or Negligent Acts Endangering Persons, nec	50	29	30	153	25	9	22	82	0	0	2	24	261
Abduction and Kidnapping				0	1	0	0	1	0	0	0	0	1
Deprivation of Liberty/False Imprisonment	12	6	10	28	1	0	1	2	0	0	0	0	30
Aggravated Robbery	17	6	5	28	1	1	1	3	0	0	0	0	31
Non-Aggravated Robbery	5	5	3	13	2	1	0	3	0	0	0	0	16
Unlawful Entry with Intent/Burglary, Break and Enter	1,201	575	363	2,139	118	123	83	324	1	0	8	0	2,472
Theft of a Motor Vehicle	333	201	103	637	48	34	20	102	0	1	0	0	740
Illegal Use of a Motor Vehicle	4	0	3	7	0	0	0	0	0	0	0	0	7
Theft from a Person (Excluding by Force)	5	8	10	23	13	1	5	19	0	0	0	0	42
Theft of Intellectual Property	0	25	2	27	0	0	23	23	0	0	0	0	50
Theft (Except Motor Vehicles), nec	2,027	1,381	1,263	4,673	859	747	914	2,520	4	5	6	2	7,210
Receiving or Handling Proceeds of Crime	323	585	390	1,299	137	228	128	493	0	3	0	0	1,795
Illegal Use of Property (Except Motor Vehicles)	1	0	0	1	1	0	0	1	0	0	0	0	2
Make Use or Possess Equip. to Make False/Illegal Financial Instr	1	4	18	23	0	7	26	33	0	0	0	0	56
Fraudulent Trade Practices	0	0	8	43	0	0	1	4	5	0	0	0	311
Prescription Drug Fraud	6	18	5	29	2	17	16	35	0	0	0	0	64
Fare Evasion	1,910	1,244	1,203	4,361	489	66	225	1,781	0	1	0	0	5,143
Fraud, nec	911	1,215	1,312	3,466	466	719	1,458	2,652	2	0	3	7	6,130
Counterfeiting Currency and Related Offences	8	1	1	10	1	32	1	34	0	0	0	0	44
Dishonest Conversion	435	335	187	957	676	410	244	1,330	0	0	0	0	2,287
Misrepresentation of Professional Status	6	2	35	54	0	4	1	5	0	0	0	10	69
Deception Offences, nec	85	86	193	369	56	32	65	155	0	1	0	8	533
Deal or Traffic in Illicit Drugs – Commercial Quantity	273	194	240	707	79	93	138	310	0	0	1	2	1,020
Deal or Traffic in Illicit Drugs – Non-Commercial Quantity	3	7	12	22	0	2	1	3	0	0	0	0	25

Table 28: (continued)

Offence	Males					Females					Unknown					Grand Total
	18-25	26-33	34 & Over	Unk	Total	18-25	26-33	34 & Over	Unk	Total	18-25	26-33	34 & Over	Unk	Total	
Manufacture or Cultivate Illicit Drugs	91	133	236	0	460	21	24	53	0	98	0	0	2	0	2	560
Possess Illicit Drug	1,684	1,398	1,554	3	4,639	363	436	418	0	1,217	1	4	2	0	7	5,863
Use Illicit Drug	35	24	26	0	85	2	9	8	0	19	0	0	1	0	1	105
Illicit Drug Offences, nec	866	664	699	1	2,230	163	178	202	0	543	0	1	4	0	5	2,778
Import or Export Prohibited Weapons/Explosives	0	0	1	0	1	21	11	12	0	44	0	0	0	0	0	45
Sell, Possess and/or Use Prohibited Weapons/Explosives	211	158	194	2	565	0	0	0	0	0	0	0	0	0	0	565
Prohibited Weapons/Explosives Offences, nec	5	4	6	0	15	0	0	0	0	0	0	0	0	0	0	15
Unlawfully Obtain or Possess Regulated Weapons/Explosives	226	227	482	1	936	12	18	35	0	65	0	0	2	0	2	1,003
Misuse of Regulated Weapons/Explosives	19	14	74	0	107	0	0	5	0	5	0	0	0	0	0	112
Deal or Traffic Regulated Weapons/Explosives Offences	0	4	4	0	8	0	1	1	0	2	0	0	0	0	0	10
Regulated Weapons/Explosives Offences, nec	51	72	173	0	296	5	4	9	0	18	0	0	0	0	0	314
Property Damage by Fire or Explosion	6	5	3	1	15	0	1	1	0	2	0	0	0	0	0	17
Graffiti	90	5	6	0	101	5	0	3	0	8	0	0	0	0	0	109
Property Damage, nec	1,518	781	743	1	3,043	239	163	200	0	602	5	0	0	5	10	3,655
Environmental Pollution, nfd	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	6
Water Pollution Offences	7	7	6	0	20	0	0	0	0	0	0	0	0	0	0	20
Noise Pollution Offences	4	5	3	1	13	1	1	0	0	2	0	0	0	1	1	16
Environmental Pollution Offences, nec	0	0	0	0	0	0	0	0	0	0	0	0	1	0	1	
Trespass	557	264	273	5	1,099	60	40	56	2	158	0	1	3	0	4	1,261
Offensive Language	8	7	3	0	18	0	4	2	0	6	0	0	0	0	0	24
Offensive Behaviour	19	10	15	1	45	2	2	9	0	13	0	0	0	1	1	59
Criminal Intent	336	150	204	1	691	42	40	48	0	130	0	1	0	0	1	822
Conspiracy	11	7	1	0	19	0	1	1	0	2	0	0	0	0	0	21
Disorderly Conduct, nec	3,174	1,413	1,604	4	6,195	616	435	644	1	1,696	6	6	8	5	25	7,916
Betting and Gambling Offences	3	2	4	0	9	1	7	2	0	10	0	0	0	1	1	20
Liquor and Tobacco Offences	176	157	181	2	516	35	21	53	0	109	0	0	0	21	21	646
Censorship Offences	31	7	25	0	63	0	0	4	0	4	0	0	0	3	3	70
Prostitution Offences	0	12	48	0	60	11	6	3	0	20	0	0	0	0	0	80
Offences Against Public Order Sexual Standards	40	22	61	0	123	1	0	3	0	4	0	0	0	0	0	127
Regulated Public Order Offences, nec	272	173	381	0	826	61	58	135	0	254	0	0	4	0	4	1,084
Driving While Licence Cancelled or Suspended	5,435	3,875	3,531	5	12,846	1,301	1,283	1,110	2	3,696	15	11	15	1	42	16,584
Driving Without a Licence	2,189	1,156	1,190	2	4,537	687	412	451	4	1,554	19	4	9	2	34	6,125
Driving Licence Offences, nec	1,488	381	316	0	2,185	516	153	105	0	774	8	4	3	0	15	2,974
Registration Offences	2,182	1,536	1,960	3	5,681	565	495	592	1	1,653	13	6	14	23	56	7,390

Table 28: (continued)

Offence	Males				Females				Unknown				Grand Total			
	18-25	26-33	34 & Over	Unk	Total	18-25	26-33	34 & Over	Unk	Total	18-25	26-33		34 & Over	Unk	Total
	Roadworthiness Offences	303	131	196	1	631	44	39	39	0	122	2		0	0	1
Exceeding the Prescribed Content of Alcohol Limit	0	0	1	0	1	0	0	0	0	0	0	0	0	0	0	1
Exceeding Legal Speed Limit	887	592	959	0	2,438	199	154	231	0	584	3	4	8	1	16	3,038
Parking Offences	15	39	128	28	210	14	44	23	18	99	0	1	3	30	34	343
Regulatory Driving Offences, nec	2,195	1,252	1,670	7	5,124	568	377	453	1	1,399	6	8	19	22	55	6,578
Pedestrian Offences	7	5	10	0	22	2	2	2	0	6	0	0	0	0	0	28
Escape Custody Offences	118	65	35	0	218	15	6	7	0	28	0	1	0	0	1	247
Breach of Bail	1,838	1,412	1,607	9	4,866	555	456	483	8	1,502	2	6	9	0	17	6,385
Breach of Domestic Violence Order	118	182	216	0	516	21	9	33	0	63	1	0	0	1	2	581
Breach of Other Restraining Order	514	792	1,943	0	3,249	58	68	194	0	320	2	1	6	0	9	3,578
Breach of Justice Order, nec	1,250	719	703	10	2,682	452	598	425	1	1,476	7	5	0	24	36	4,194
Subvert the Course of Justice	12	9	10	0	31	1	4	3	0	8	0	0	0	0	0	39
Resist or Hinder Police Officer or Justice Official	1,245	774	854	9	2,882	293	218	293	1	805	2	4	4	1	11	3,698
Prison Regulation Offences	6	27	10	0	43	3	3	1	0	7	0	0	0	0	0	50
Offences Against Justice Procedures, nec	62	56	85	0	203	32	29	27	3	91	0	0	0	0	0	294
Resist/Hinder Govern. Officer Concerned with Govern. Security	10	7	6	0	23	0	0	2	0	2	0	0	0	0	0	25
Offences Against Government Security, nec	0	0	1	0	1	0	0	1	0	1	0	0	0	0	0	2
Resist/Hinder Govern. Official (Excluding Police Officer, etc.)	65	37	34	2	138	7	4	3	0	14	1	0	0	3	4	156
Offences Against Government Operations, nec	830	576	1,436	54	2,896	150	119	234	14	517	2	2	16	469	489	3,902
Harassment and Private Nuisance	14	23	55	1	93	2	1	7	0	10	0	0	0	0	0	103
Offences Against Privacy	3	0	63	0	66	0	2	1	0	3	0	0	0	0	0	69
Threatening Behaviour	304	211	304	1	820	36	31	41	0	108	0	0	1	1	2	930
Sanitation Offences	0	0	1	8	9	0	0	0	1	1	0	0	0	8	8	18
Disease Prevention Offences	0	0	0	9	9	0	0	0	0	0	0	0	0	4	4	13
Occupational Health and Safety Offences	0	1	4	8	13	0	0	3	1	4	1	0	0	37	38	55
Transport Offences	84	45	49	1	179	8	10	4	0	22	0	0	2	2	4	205
Dangerous Substances Offences	0	2	2	80	84	0	0	1	0	1	0	0	0	1	1	86
Licit Drug Offences	0	0	7	0	7	0	0	0	0	0	0	0	0	0	0	7
Public Health and Safety Offences, nec	17	43	66	102	228	49	10	31	54	144	0	0	10	111	121	493
Commercial/Industry/Financial Regulation	24	121	166	72	383	0	8	21	10	39	0	0	4	116	120	542
Environmental Regulation Offences	81	99	151	35	366	2	3	4	18	27	2	0	6	15	23	416
Quarantine Offences	1	0	2	0	3	0	0	3	0	3	0	0	0	0	0	6
Import/Export Regulations	21	36	75	0	132	0	0	3	0	3	1	0	0	0	1	136
Miscellaneous Offences, nec	36	27	72	19	154	11	0	13	1	25	0	0	0	20	20	199
Unknown	39	37	204	17	297	8	7	14	7	36	0	0	1	38	39	372
Total	49,215	32,178	38,114	649	120,156	12,326	9,917	11,878	197	34,318	143	102	211	1,302	1,758	156,232

Table 29: Court outcome by offence group and sex for all finalised offence counts in the Magistrates' Courts

Offence group	Dropped			Guilty			Not Guilty			Other			Grand Total				
	M	F	U	M	F	U	Total	M	F	U	Total	M		F	U	Total	
	Murder	0	0	0	1	0	0	1	0	0	0	0		0	0	0	0
Manslaughter & Driving Causing Death	1	0	0	23	8	0	31	0	0	0	0	1	0	0	1	33	
Assault	146	35	1	182	6,881	1,539	19	8,439	4	0	0	4	211	60	0	271	8,896
Other Acts Intended to Cause Injury	0	0	0	7	3	0	10	0	0	0	0	0	0	0	0	10	
Sexual Assault	9	0	0	9	114	2	0	116	1	0	0	1	24	0	0	24	150
Non-Assaultive Sexual Offences	10	0	0	10	24	0	0	24	2	0	0	2	1	0	0	1	37
Dangerous or Negligent Operation of a Vehicle	66	19	2	87	16,847	3,521	81	20,449	0	0	0	0	70	16	0	86	20,622
Other Dangerous or Negligent Acts Endangering Persons	7	5	0	12	148	75	27	250	0	0	0	0	1	3	0	4	266
Deprivation of Liberty/False Imprisonment	0	0	0	0	0	1	0	1	1	0	0	1	0	0	0	0	2
Robbery	4	1	0	5	16	1	0	17	0	0	0	0	1	0	0	1	23
Blackmail & Extortion	4	1	0	5	17	4	0	21	0	0	0	0	9	1	0	10	36
Unlawful Entry with Intent/Burglary, Break & Enter	59	9	0	68	1,966	258	9	2,233	2	0	0	2	70	43	0	113	2,416
Motor Vehicle Theft & Related Offences	18	3	0	21	583	92	1	676	0	0	0	0	12	6	0	18	715
Theft (Except Motor Vehicles)	121	26	0	147	4,483	2,484	17	6,984	0	0	0	0	84	46	0	130	7,261
Receiving or Handling Proceeds of Crime	15	13	0	28	1,239	471	3	1,713	0	0	0	0	36	6	0	42	1,783
Illegal Use of Property (Except Motor Vehicles)	0	0	0	0	1	1	0	2	0	0	0	0	0	0	0	0	2
Fraud, Forgery or False Financial Instruments	62	20	0	82	7,449	3,367	276	11,092	0	0	0	0	195	79	0	274	11,448
Counterfeiting Currency & Related Offences	0	0	0	0	10	34	0	44	0	0	0	0	0	0	0	0	44
Dishonest Conversion	33	4	0	37	851	1,243	0	2,094	0	0	0	0	48	15	0	63	2,194
Other Deception Offences	13	2	1	16	347	146	18	511	0	0	0	0	8	12	0	20	547
Deal or Traffic in Illicit Drugs	22	8	0	30	617	289	3	909	3	0	0	3	22	7	0	29	971
Manufacture or Cultivate Illicit Drugs	7	2	0	9	437	96	2	535	0	0	0	0	5	0	0	5	549
Possess and/or Use Illicit Drugs	58	5	0	63	4,629	1,218	8	5,855	0	0	0	0	28	12	0	40	5,958
Other Illicit Drug Offences	35	5	0	40	2,175	535	5	2,715	0	0	0	0	13	2	0	15	2,770
Prohibited Weapons/Explosives Offences	22	0	0	22	553	44	0	597	0	0	0	0	5	0	0	5	624
Regulated Weapons/Explosives Offences	28	3	0	31	1,282	85	2	1,369	0	0	0	0	27	2	0	29	1,429
Property Damage	40	4	0	44	3,028	589	10	3,627	0	0	0	0	71	17	0	88	3,759
Environmental Pollution	0	0	0	0	32	2	7	41	0	0	0	0	1	0	1	2	43
Disorderly Conduct	57	5	1	63	7,923	1,987	29	9,939	0	2	0	2	65	11	1	77	10,081
Regulated Public Order Offences	18	3	1	22	1,564	396	28	1,988	0	0	0	0	8	2	0	10	2,020

Table 29: (continued)

Offence group	Dropped			Guilty			Not Guilty			Other			Grand Total		
	M	F	U	M	F	U	M	F	U	M	F	U	Total	Total	
Driving Licence Offences	117	29	3	19,361	5,963	88	25,412	0	0	0	65	27	0	92	25,653
Road Vehicle Registration & Roadworthiness Offences	20	6	0	6,284	1,766	59	8,109	0	0	0	6	2	0	8	8,143
Regulatory Driving Offences	91	17	3	7,610	2,039	101	9,750	0	0	0	54	19	1	74	9,935
Pedestrian Offences	0	0	0	19	6	0	25	0	0	0	3	0	0	3	28
Breach of Justice Order	252	37	21	10,684	3,013	41	13,738	2	0	0	549	336	3	888	14,938
Other Offences Against Justice Procedures	25	7	1	3,091	884	10	3,985	2	1	0	33	19	0	52	4,073
Offences Against Government Security	0	0	0	24	3	0	27	0	0	0	0	0	0	0	27
Offences Against Government Operations	16	3	1	2,968	517	490	3,975	0	0	0	27	11	2	40	4,035
Harassment & Related Offences	24	2	0	895	111	2	1,008	2	0	0	29	7	0	36	1,072
Public Health & Safety Offences	13	8	11	514	161	163	838	0	0	0	2	3	2	7	877
Commercial/Industry/Financial Regulation	6	0	10	376	38	110	524	0	0	0	0	0	0	0	540
Other Miscellaneous Offences	22	5	1	627	53	37	717	0	0	0	3	0	6	9	754
Unknown	4	2	2	243	29	36	308	7	0	0	41	5	1	47	370
Total	1,445	289	59	115,943	33,074	1,682	150,699	26	3	0	1,828	769	17	2,614	155,135

Note: 1,097 cases of unknown court outcome are excluded.

Table 30: Most serious penalty by offence group and sex for all finalised offence counts in the Magistrates' Courts

Offence group	Dismissed			Fine			Non-custody			Custody			Grand Total			
	M	F	U	M	F	U	Total	M	F	U	Total	M		F	U	Total
	Total	Total	Total	Total	Total	Total	Total	Total	Total	Total	Total	Total		Total	Total	Total
Murder	1	0	0	1	0	0	0	0	0	0	0	0	0	0	0	1
Manslaughter & Driving Causing Death	3	0	0	3	10	7	0	17	6	0	0	6	4	1	0	31
Assault	1,055	163	0	1,218	2,530	541	4	3,075	2,191	687	13	2,891	1,102	148	2	1,252
Other Acts Intended to Cause Injury	2	0	0	2	3	0	0	3	2	3	0	5	0	0	0	10
Sexual Assault	42	1	0	43	45	1	0	46	16	0	0	16	11	0	0	116
Non-Assaultive Sexual Offences	24	0	0	24	0	0	0	0	0	0	0	0	0	0	0	24
Dangerous or Negligent Operation of a Vehicle	222	39	4	265	15,657	3,252	75	18,984	590	209	1	800	378	21	1	20,449
Other Dangerous or Negligent Acts Endangering Persons	23	7	5	35	99	66	21	186	16	1	1	18	10	1	0	250
Abduction & Kidnapping	0	1	0	1	0	0	0	0	0	0	0	0	0	0	0	1
Deprivation of Liberty/False Imprisonment	16	1	0	17	0	0	0	0	0	0	0	0	0	0	0	17
Robbery	12	4	0	16	1	0	0	1	4	0	0	4	0	0	0	21
Unlawful Entry with Intent/Burglary, Break & Enter	150	30	1	181	282	29	1	312	675	137	0	812	859	62	7	2,233
Motor Vehicle Theft & Related Offences	66	12	0	78	176	23	0	199	166	47	0	213	175	10	1	676
Theft (Except Motor Vehicles)	306	107	1	414	2,939	1,353	15	4,307	966	1,003	1	1,970	259	21	0	6,971
Receiving or Handling Proceeds of Crime	107	38	0	145	555	159	3	717	218	206	0	424	357	68	0	1,711
Illegal Use of Property (Except Motor Vehicles)	0	0	0	0	0	1	0	1	1	0	0	1	0	0	0	2
Fraud, Forgery or False Financial Instruments	562	208	40	810	4,961	1,030	228	6,219	1,338	1,937	8	3,283	588	192	0	11,092
Counterfeiting Currency & Related Offences	3	1	0	4	7	2	0	9	0	31	0	31	0	0	0	44
Dishonest Conversion	46	283	0	329	408	181	0	589	353	779	0	1,132	44	0	0	2,094
Other Deception Offences	33	40	3	76	264	42	14	320	34	61	0	95	16	3	1	511
Deal or Traffic in Illicit Drugs	47	23	0	70	324	137	1	462	144	114	0	258	102	15	2	909
Manufacture or Cultivate Illicit Drugs	7	2	0	9	381	78	2	461	43	16	0	59	6	0	0	535
Possess and/or Use Illicit Drugs	84	27	0	111	3,944	942	6	4,892	405	216	1	622	196	33	1	5,855
Other Illicit Drug Offences	24	4	0	28	1,931	444	5	2,380	183	80	0	263	37	7	0	2,715
Prohibited Weapons/Explosives Offences	59	2	0	61	417	28	0	445	54	12	0	66	23	2	0	597
Regulated Weapons/Explosives Offences	92	8	0	100	966	60	2	1,028	163	16	0	179	61	1	0	1,369
Property Damage	215	35	1	251	1,837	302	7	2,146	739	232	2	973	237	20	0	3,627
Environmental Pollution	2	0	6	8	30	2	1	33	0	0	0	0	0	0	0	41
Disorderly Conduct	301	68	1	370	6,564	1,422	27	8,013	938	482	1	1,421	120	15	0	9,939
Regulated Public Order Offences	98	25	13	136	1,327	323	15	1,665	113	43	0	156	26	5	0	1,988

Table 30: (continued)

Offence group	Dismissed			Fine			Non-custody			Custody			Grand Total			
	M	F	U	M	F	U	Total	M	F	U	Total	M	F	U	Total	
Driving Licence Offences	274	64	4	342	16,449	5,250	21,774	1,532	535	4	2,071	1,106	114	5	1,225	25,412
Road Vehicle Registration & Roadworthiness Offences	136	37	8	181	6,103	1,695	7,849	43	34	0	77	2	0	0	2	8,109
Regulatory Driving Offences	462	133	30	625	7,029	1,858	8,957	88	42	0	130	31	6	1	38	9,750
Pedestrian Offences	1	0	0	1	18	6	24	0	0	0	0	0	0	0	0	25
Breach of Justice Order	803	212	13	1,028	6,385	1,803	8,207	2,179	839	6	3,024	1,316	159	3	1,478	13,737
Other Offences Against Justice Procedures	159	51	0	210	2,460	609	3,078	331	193	1	525	141	31	0	172	3,985
Offences Against Government Security	2	0	0	2	18	2	20	3	1	0	4	1	0	0	1	27
Offences Against Government Operations	254	33	42	329	2,224	344	3,016	337	127	0	464	153	13	0	166	3,975
Harassment & Related Offences	107	15	1	123	487	69	556	234	24	1	259	67	3	0	70	1,008
Public Health & Safety Offences	45	23	41	109	461	132	713	7	5	2	14	1	1	0	2	838
Commercial/Industry/Financial Regulation	53	13	36	102	303	21	398	20	4	0	24	0	0	0	0	524
Other Miscellaneous Offences	116	15	10	141	339	30	396	28	8	0	36	144	0	0	144	717
Unknown	139	5	1	145	94	19	148	6	5	0	11	3	0	0	3	307
Total	6,153	1,730	261	8,144	88,028	22,263	111,646	14,166	8,129	42	22,337	7,576	952	24	8,552	150,679

Note: 20 cases of other penalty are excluded.

Table 31: Court outcome and most serious penalty by offence group for all finalised offence counts in the Magistrates' Courts

Offence group	Offence counts finalised			Offence counts convicted			Most serious penalty received			
	n	n	%	n	n	%	Dismissed	Fine	Non-custody	Custody
	n	n	%	n	n	%	n	n	n	n
Murder	1	1	100	1	1	100	1	0	0	0
Manslaughter	1	0	0	0	0	0	0	0	0	0
Driving Causing Death	32	31	97	31	3	17	3	17	6	5
Aggravated Assault	4,912	4,530	92	4,530	721	1,305	721	1,305	1,725	779
Non-Aggravated Assault	4,145	3,909	94	3,909	497	1,770	497	1,770	1,166	473
Acts Intended to Cause Injury, nec	10	10	100	10	2	3	2	3	5	0
Aggravated Sexual Assault	73	40	55	40	11	16	11	16	8	5
Non-Aggravated Sexual Assault	87	76	87	76	32	30	32	30	8	6
Non-Assaultive Sexual Offences Against a Child	43	24	56	24	24	0	24	0	0	0
Driving Under the Influence of Alcohol or Drugs	16,241	16,139	99	16,139	98	15,152	98	15,152	626	263
Dangerous or Negligent Driving	4,401	4,310	98	4,310	167	3,832	167	3,832	174	137
Neglect of Person Under Care	5	4	80	4	1	1	1	1	2	0
Other Dangerous or Negligent Acts Endangering Persons, nec	261	246	94	246	34	185	34	185	16	11
Abduction and Kidnapping	1	1	100	1	1	0	1	0	0	0
Deprivation of Liberty/False Imprisonment	30	17	57	17	17	0	17	0	0	0
Aggravated Robbery	31	13	42	13	12	0	12	0	1	0
Non-Aggravated Robbery	16	8	50	8	4	1	4	1	3	0
Unlawful Entry with Intent/Burglary, Break and Enter	2,472	2,233	90	2,233	181	312	181	312	812	928
Theft of a Motor Vehicle	740	669	90	669	78	193	78	193	212	186
Illegal Use of a Motor Vehicle	7	7	100	7	0	6	0	6	1	0
Theft from a Person (Excluding by Force)	42	41	98	41	4	26	4	26	9	2
Theft of Intellectual Property	50	50	100	50	0	50	0	50	0	0
Theft (Except Motor Vehicles), nec	7,210	6,893	96	6,893	410	4,231	410	4,231	1,961	278
Receiving or Handling Proceeds of Crime	1,795	1,713	95	1,713	145	717	145	717	424	425
Illegal Use of Property (Except Motor Vehicles)	2	2	100	2	0	1	0	1	1	0
Make Use or Possess Equip. to Make False/Illegal Financial Instr	56	56	100	56	26	14	26	14	5	11
Fraudulent Trade Practices	311	311	100	311	53	258	53	258	0	0
Prescription Drug Fraud	64	54	84	54	3	20	3	20	26	5
Fare Evasion	5,143	5,069	99	5,069	337	4,627	337	4,627	105	0
Fraud, nec	6,130	5,602	91	5,602	391	1,300	391	1,300	3,147	764
Counterfeiting Currency and Related Offences	44	44	100	44	4	9	4	9	31	0
Dishonest Conversion	2,287	2,094	92	2,094	329	589	329	589	1,132	44
Misrepresentation of Professional Status	69	60	87	60	7	48	7	48	5	0
Deception Offences, nec	533	451	85	451	69	272	69	272	90	20
Deal or Traffic in Illicit Drugs – Commercial Quantity	1,020	892	87	892	67	453	67	453	258	114
Deal or Traffic in Illicit Drugs – Non-Commercial Quantity	25	17	68	17	3	9	3	9	0	5

Table 31: (continued)

Offence group	Offence counts finalised		Offence counts convicted		Offence counts %		Dismissed		Most serious penalty received		
	n	n	n	%	n	%	n	n	Fine	Non-custody	Custody
Manufacture or Cultivate Illicit Drugs	560	535	96	96	9	461	59	6			
Possess Illicit Drug	5,863	5,755	98	98	110	4,810	609	226			
Use Illicit Drug	105	100	95	95	1	82	13	4			
Illicit Drug Offences, nec	2,778	2,715	98	98	28	2,380	263	44			
Import or Export Prohibited Weapons/Explosives	1	1	100	100	0	1	0	0			
Sell, Possess and/or Use Prohibited Weapons/Explosives	609	583	96	96	61	432	65	25			
Prohibited Weapons/Explosives Offences, nec	15	13	87	87	0	12	1	0			
Unlawfully Obtain or Possess Regulated Weapons/Explosives	1,003	952	95	95	80	688	128	56			
Misuse of Regulated Weapons/Explosives	112	108	96	96	7	82	17	2			
Deal or Traffic Regulated Weapons/Explosives Offences	10	10	100	100	0	8	2	0			
Regulated Weapons/Explosives Offences, nec	314	299	95	95	13	250	32	4			
Property Damage by Fire or Explosion	17	13	76	76	9	3	1	0			
Graffiti	109	103	94	94	9	73	20	1			
Property Damage, nec	3,655	3,511	96	96	233	2,070	952	256			
Environmental Pollution, nfd	6	6	100	100	6	0	0	0			
Water Pollution Offences	20	20	100	100	1	19	0	0			
Noise Pollution Offences	16	14	88	88	1	13	0	0			
Environmental Pollution Offences, nec	1	1	100	100	0	1	0	0			
Trespass	1,261	1,232	98	98	55	860	265	52			
Offensive Language	24	21	88	88	2	14	5	0			
Offensive Behaviour	59	58	98	98	3	43	12	0			
Criminal Intent	822	787	96	96	60	496	163	68			
Conspiracy	21	16	76	76	15	1	0	0			
Disorderly Conduct, nec	7,916	7,825	99	99	235	6,599	976	15			
Betting and Gambling Offences	20	20	100	100	0	20	0	0			
Liquor and Tobacco Offences	646	632	98	98	48	543	41	0			
Censorship Offences	70	69	99	99	20	40	5	4			
Prostitution Offences	80	79	99	99	3	69	4	3			
Offences Against Public Order Sexual Standards	127	119	94	94	12	58	37	12			
Regulated Public Order Offences, nec	1,084	1,069	99	99	53	935	69	12			
Driving While Licence Cancelled or Suspended	16,584	16,394	99	99	208	13,084	1,912	1,190			
Driving Without a Licence	6,125	6,072	99	99	76	5,821	143	32			
Driving Licence Offences, nec	2,974	2,946	99	99	58	2,869	16	3			
Registration Offences	7,390	7,354	100	100	161	7,128	63	2			
Roadworthiness Offences	756	755	100	100	20	721	14	0			
Exceeding the Prescribed Content of Alcohol Limit	1	1	100	100	0	1	0	0			

Table 31: (continued)

Offence group	Offence counts finalised		Offence counts convicted		Dismissed		Fine		Non-custody		Custody	
	n	%	n	%	n	n	n	n	n	n	n	n
Exceeding Legal Speed Limit	3,038	98	2,987	98	79	2,903	5	0	0	0	0	0
Parking Offences	343	94	321	94	195	126	0	0	0	0	0	0
Regulatory Driving Offences, nec	6,578	98	6,441	98	351	5,927	125	38	38	38	38	38
Pedestrian Offences	28	89	25	89	1	24	0	0	0	0	0	0
Escape Custody Offences	247	97	240	97	20	88	58	74	74	74	74	74
Breach of Bail	6,385	96	6,131	96	432	3,691	1,229	778	778	778	778	778
Breach of Domestic Violence Order	581	98	569	98	20	406	126	17	17	17	17	17
Breach of Other Restraining Order	3,578	95	3,382	95	259	1,525	1,068	530	530	530	530	530
Breach of Justice Order, nec	4,194	81	3,416	81	297	2,497	543	79	79	79	79	79
Subvert the Course of Justice	39	74	29	74	16	8	4	1	1	1	1	1
Resist or Hinder Police Officer or Justice Official	3,698	98	3,631	98	165	2,866	469	131	131	131	131	131
Prison Regulation Offences	50	98	49	98	1	26	3	19	19	19	19	19
Offences Against Justice Procedures, nec	294	94	276	94	28	178	49	21	21	21	21	21
Resist/Hinder Govern. Officer Concerned with Govern. Security	25	100	25	100	2	18	4	1	1	1	1	1
Offences Against Government Security, nec	2	100	2	100	0	2	0	0	0	0	0	0
Resist/Hinder Govern. Official (Excluding Police Officer, etc.)	156	97	151	97	14	132	5	0	0	0	0	0
Offences Against Government Operations, nec	3,902	98	3,824	98	315	2,884	459	166	166	166	166	166
Harassment and Private Nuisance	103	92	95	92	20	26	38	11	11	11	11	11
Offences Against Privacy	69	100	69	100	4	65	0	0	0	0	0	0
Threatening Behaviour	930	91	844	91	99	465	221	59	59	59	59	59
Sanitation Offences	18	89	16	89	2	14	0	0	0	0	0	0
Disease Prevention Offences	13	69	9	69	1	8	0	0	0	0	0	0
Occupational Health and Safety Offences	55	98	54	98	15	39	0	0	0	0	0	0
Transport Offences	205	99	203	99	19	174	9	1	1	1	1	1
Dangerous Substances Offences	86	100	86	100	3	83	0	0	0	0	0	0
Licit Drug Offences	7	100	7	100	0	7	0	0	0	0	0	0
Public Health and Safety Offences, nec	493	94	463	94	69	388	5	1	1	1	1	1
Commercial/Industry/Financial Regulation	542	97	524	97	102	398	24	0	0	0	0	0
Environmental Regulation Offences	416	94	392	94	42	208	10	132	132	132	132	132
Quarantine Offences	6	100	6	100	0	6	0	0	0	0	0	0
Import/Export Regulations	136	96	131	96	48	71	4	8	8	8	8	8
Miscellaneous Offences, nec	199	94	188	94	51	111	22	4	4	4	4	4
Unknown	372	83	308	83	145	148	11	3	3	3	3	3
Total	156,232	96	150,699	96	8,144	111,646	22,337	8,552	8,552	8,552	8,552	8,552

Note: 20 cases of other penalty are excluded.

Appendix A

Australian Bureau of Statistics Australian Standard Offence Classification (ASOC) Summary of Division, Subdivision and Group Titles

DIVISION	SUB-DIVISION	GROUP	TITLE
01			Homicide and Related Offences
	011	0111	Murder Murder
	012	0121 0122	Conspiracies and Attempts to Murder Conspiracy to Murder Attempted Murder
	013	0131 0132	Manslaughter and Driving Causing Death Manslaughter Driving Causing Death
02			Acts Intended to Cause Injury
	021	0211 0212	Assault Aggravated Assault Non-Aggravated Assault
	029	0299	Other Acts Intended to Cause Injury Acts Intended to Cause Injury, nec
03			Sexual Assault and Related Offences
	031	0311 0312	Sexual Assault Aggravated Sexual Assault Non-Aggravated Sexual Assault
	032	0321 0329	Non-Assaultive Sexual Offences Non-Assaultive Sexual Offences Against a Child Non-Assaultive Sexual Offences, nec
04			Dangerous or Negligent Acts Endangering Persons
	041	0411 0412	Dangerous or Negligent Operation of a Vehicle Driving Under the Influence of Alcohol or Drugs Dangerous or Negligent Driving
	049	0491 0499	Other Dangerous or Negligent Acts Endangering Persons Neglect of Person Under Care Other Dangerous or Negligent Acts Endangering Persons, nec
05			Abduction And Related Offences
	051	0511	Abduction and Kidnapping Abduction and Kidnapping
	052	0521	Deprivation of Liberty/False Imprisonment Deprivation of Liberty/False Imprisonment

DIVISION	SUB-DIVISION	GROUP	TITLE
06			Robbery, Extortion and Related Offences
	061		Robbery
		0611	Aggravated Robbery
		0612	Non-Aggravated Robbery
	062		Blackmail and Extortion
		0621	Blackmail and Extortion
07			Unlawful Entry with Intent/Burglary, Break and Enter
	071		Unlawful Entry with Intent/Burglary, Break and Enter
		0711	Unlawful Entry with Intent/Burglary, Break and Enter
08			Theft and Related Offences
	081		Motor Vehicle Theft and Related Offences
		0811	Theft of a Motor Vehicle
		0812	Illegal Use of a Motor Vehicle
		0813	Theft of Motor Vehicle Parts or Contents
	082		Theft (Except Motor Vehicles)
		0821	Theft from a Person (Excluding by Force)
		0822	Theft of Intellectual Property
		0823	Theft From Retail Premises
		0829	Theft (Except Motor Vehicles), nec
	083		Receiving or Handling Proceeds of Crime
		0831	Receiving or Handling Proceeds of Crime
	084		Illegal Use of Property (Except Motor Vehicles)
		0841	Illegal Use of Property (Except Motor Vehicles)
09			Deception and Related Offences
	091		Fraud, Forgery or False Financial Instruments
		0911	Cheque or Credit Card Fraud
		0912	Make, Use or Possess Equipment to Make False/Illegal Financial Instrument
		0913	Fraudulent Trade Practices
		0914	Prescription Drug Fraud
		0915	Fare Evasion
		0919	Fraud, nec
	092		Counterfeiting Currency and Related Offences
		0921	Counterfeiting Currency and Related Offences
	093		Dishonest Conversion
		0931	Dishonest Conversion
	094		Bribery
		0941	Bribery Involving Government Officials
		0949	Bribery, nec
	099		Other Deception Offences
		0991	Misrepresentation of Professional Status
		0992	Non-Fraudulent Trade Practices
		0999	Deception Offences, nec

DIVISION	SUB-DIVISION	GROUP	TITLE
10			Illicit Drug Offences
	101		Import or Export Illicit Drugs
		1011	Import Illicit Drugs
		1012	Export Illicit Drugs
	102		Deal or Traffic in Illicit Drugs
		1021	Deal or Traffic in Illicit Drugs – Commercial Quantity
		1022	Deal or Traffic in Illicit Drugs – Non-Commercial Quantity
	103		Manufacture or Cultivate Illicit Drugs
		1031	Manufacture or Cultivate Illicit Drugs
	104		Possess and/or Use Illicit Drugs
		1041	Possess Illicit Drug
		1042	Use Illicit Drug
	109		Other Illicit Drug Offences
		1099	Illicit Drug Offences, nec
11			Weapons and Explosives Offences
	111		Prohibited Weapons/Explosives Offences
		1111	Import or Export Prohibited Weapons/Explosives
		1112	Sell, Possess and/or Use Prohibited Weapons/Explosives
		1119	Prohibited Weapons/Explosives Offences, nec
	112		Regulated Weapons/Explosives Offences
		1121	Unlawfully Obtain or Possess Regulated Weapons/Explosives
		1122	Misuse of Regulated Weapons/Explosives
		1123	Deal or Traffic Regulated Weapons/Explosives Offences
		1129	Regulated Weapons/Explosives Offences, nec
12			Property Damage and Environmental Pollution
	121		Property Damage
		1211	Property Damage by Fire or Explosion
		1212	Graffiti
		1219	Property Damage, nec
	122		Environmental Pollution
		1221	Air Pollution Offences
		1222	Water Pollution Offences
		1223	Noise Pollution Offences
		1229	Environmental Pollution Offences, nec
13			Public Order Offences
	131		Disorderly Conduct
		1311	Trespass
		1312	Offensive Language
		1313	Offensive Behaviour
		1314	Criminal Intent
		1315	Conspiracy
		1319	Disorderly Conduct, nec

DIVISION	SUB-DIVISION	GROUP	TITLE
	132		Regulated Public Order Offences
		1321	Betting and Gambling Offences
		1322	Liquor and Tobacco Offences
		1323	Censorship Offences
		1324	Prostitution Offences
		1325	Offences Against Public Order Sexual Standards
		1329	Regulated Public Order Offences, nec
14			Road Traffic and Motor Vehicle Regulatory Offences
	141		Driving Licence Offences
		1411	Driving While Licence Cancelled or Suspended
		1412	Driving Without a Licence
		1419	Driving Licence Offences, nec
	142		Road Vehicle Registration and Roadworthiness Offences
		1421	Registration Offences
		1422	Roadworthiness Offences
	143		Regulatory Driving Offences
		1431	Exceeding the Prescribed Content of Alcohol Limit
		1432	Exceeding Legal Speed Limit
		1433	Parking Offences
		1439	Regulatory Driving Offences, nec
	144		Pedestrian Offences
		1441	Pedestrian Offences
15			Offences Against Justice Procedures, Government Security and Government Operations
	151		Breach of Justice Order
		1511	Escape Custody Offences
		1512	Breach of Bail
		1513	Breach of Parole
		1514	Breach of Domestic Violence Order
		1515	Breach of Other Restraining Order
		1519	Breach of Justice Order, nec
	152		Other Offences Against Justice Procedures
		1521	Subvert the Course of Justice
		1522	Resist or Hinder Police Officer or Justice Official
		1523	Prison Regulation Offences
		1529	Offences Against Justice Procedures, nec
	153		Offences Against Government Security
		1531	Resist or Hinder Government Officer Concerned with Government Security
		1539	Offences Against Government Security, nec
	154		Offences Against Government Operations
		1541	Resist or Hinder Government Official (Excluding Police Officer, Justice Official or Government Security Officer)
		1549	Offences Against Government Operations, nec

DIVISION	SUB-DIVISION	GROUP	TITLE
16			Miscellaneous Offences
	161		Harassment and Related Offences
		1611	Harassment and Private Nuisance
		1612	Offences Against Privacy
		1613	Threatening Behaviour
		1614	Defamation and Libel
	162		Public Health and Safety Offences
		1621	Sanitation Offences
		1622	Disease Prevention Offences
		1623	Occupational Health and Safety Offences
		1624	Transport Offences
		1625	Dangerous Substances Offences
		1626	Licit Drug Offences
		1629	Public Health and Safety Offences, nec
	163		Commercial/Industrial/Financial Regulation
		1631	Commercial/Industry/Financial Regulation
	169		Other Miscellaneous Offences
		1691	Environmental Regulation Offences
		1692	Immigration Regulation Offences
		1693	Quarantine Offences
		1694	Import/Export Regulations
		1695	Procure or Commit Illegal Abortion
		1699	Miscellaneous Offences, nec

Appendix B

Crime Research Centre (CRC) Offence Seriousness Index (OSI)

Extraction protocol for determining offence seriousness for multiple offence events

This order of offences is based on the complete list of ASOC offence classifications and, to the extent possible, is consistent with the ANCO-based Draft Seriousness Index developed by the CRC in the early 1990s. The current CRC OSI also accords with the National Offence Index (NOI), developed by the Australian Bureau of Statistics in 2003. The ranking of offences in these indices has been determined by reference to legal seriousness (as indicated by penalty) and the results of research on public opinion. It should be noted that within ASOC classifications considerable variation in harm and seriousness occur (for example, the category 1020-1022 deal or traffic in illicit drugs would include a high severity case such as the trafficking of cocaine as well as the less severe dealing of cannabis).

The general rules of ordering are as follows. The most serious offence within the classification is the basis for ranking even though it may also contain offences of a less serious nature. Offences specifically against individuals are ranked above those against corporations, institutions, etc. Environmental offences and other offences not ordinarily covered by criminal law statutes are provisionally ranked intermediate as insufficient information is contained in offence descriptions. Note that it is not always possible to rank all offences relative to every other offence and so rough groupings of offences of like seriousness have been attempted.

As all methods of ranking offences based on offence classifications alone are problematic this version does not purport to be definitive or reflect the Crime Research Centre position on the relative harm of offences. The Centre welcomes comment and discussion on the ranking of offences.

Summary description - offence grouping headings

1. Homicide
2. Sexual Assault
3. Import/Deal Illicit Drugs
4. Serious Assault/Robbery
5. Other Offences Against the Person
6. Weapons, Explosives
7. Receiving/Offences Against Justice
8. Theft
9. Company and Financial
10. Dangerous/Drink Driving
11. Environmental, Health, etc.
12. Breaches of Court Orders, etc.
13. Immigration, Censorship, etc.
14. Possess/Use Illicit Drug
15. Public Order
16. Government Security, Justice Procedures, etc.
17. Traffic and Other Offences

Appendix B

1.

0111 - murder
0110 - murder, nfd
0122 - attempted murder
0121 - conspiracy to murder
0120 - conspiracies and attempts to murder, nfd
0131 - manslaughter
0132 - driving causing death
0130 - manslaughter and driving causing death, nfd
0100 - homicide and related offences, nfd

2.

0311 - aggravated sexual assault
0321 - non-assaultive sexual offences against a child
0312 - non-aggravated sexual assault
0310 - sexual assault, nfd
0329 - other non-assaultive sexual offences, nec
0320 - non-assaultive sexual offences, nfd
0300 - sexual assault and related offences, nfd

3.

1011 - import illicit drugs
1012 - export illicit drugs
1010 - import or export illicit drugs, nfd
1021 - deal or traffic in illicit drugs - commercial quantity
1022 - deal or traffic in illicit drugs - non-commercial quantity
1020 - deal or traffic in illicit drugs, nfd
1031 - manufacture or cultivate illicit drugs
1030 - manufacture or cultivate illicit drugs, nfd

4.

0611 - aggravated robbery
0211 - aggravated assault
0511 - abduction and kidnapping
0510 - abduction and kidnapping, nfd
0521 - deprivation of liberty/false imprisonment
0520 - deprivation of liberty/false imprisonment, nfd
0500 - abduction and related offences, nfd

5.

0212 - non-aggravated assault
0210 - assault, nfd
0299 - acts intended to cause injury, nec
0290 - other acts intended to cause injury, nfd
0200 - acts intended to cause injury, nfd
0491 - neglect of person under care
0499 - other dangerous or negligent acts endangering persons, nec
0490 - other dangerous or negligent acts endangering persons, nfd
0612 - non-aggravated robbery
0610 - robbery, nfd
0621 - blackmail and extortion
0620 - blackmail and extortion, nfd
0600 - robbery, extortion and relation offences, nfd
1611 - harassment and private nuisance
1613 - threatening behaviour
1695 - procure or commit illegal abortion
1211 - property damage by fire or explosion
1539 - offences against government security, nec

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6.

- 1111 - Import or export prohibited weapons/explosives
- 1112 - sell, possess and/or use prohibited weapons/explosives
- 1119 - prohibited weapons/explosives offences, nec
- 1110 - prohibited weapons/explosives offences, nfd
- 1121 - unlawfully obtain or possess regulated weapons/explosives
- 1122 - misuse of regulated weapons/explosives
- 1123 - deal or traffic regulated weapons/explosives offences
- 1129 - regulated weapons/explosives offences, nec
- 1120 - regulated weapons/explosives offences, nfd
- 1100 - weapons and explosives offences, nfd

7.

- 0921 - counterfeiting currency and related offences
- 0920 - counterfeiting currency and related offences, nfd
- 0941 - bribery involving government officials
- 1315 - conspiracy
- 1521 - subvert the course of justice

8.

- 0711 - unlawful entry with intent/burglary, break and enter
- 0710 - unlawful entry with intent/burglary, break and enter, nfd
- 0700 - unlawful entry with intent/burglary, break and enter, nfd
- 0911 - cheque or credit card fraud
- 0912 - make, use or possess equip to make false/illegal financial instrument
- 0913 - fraudulent trade practices
- 0914 - prescription drug fraud
- 0915 - fare evasion
- 0919 - fraud or forgery, nec
- 0910 - fraud, forgery or false financial instruments, nfd
- 0931 - dishonest conversion
- 0930 - dishonest conversion, nfd
- 0991 - misrepresentation of professional status
- 0999 - deception offences, nec
- 0949 - bribery, nec
- 0940 - bribery, nfd
- 0992 - non-fraudulent trade practices
- 0990 - other deception offences, nfd
- 0900 - deception and related offences, nfd
- 0811 - theft of a motor vehicle
- 0812 - illegal use of a motor vehicle
- 0821 - theft from a person (excluding by force)
- 0813 - theft of motor vehicle parts or contents
- 0810 - motor vehicle theft and related offences, nfd
- 0822 - theft of intellectual property
- 0823 - theft from retail premises
- 0829 - theft (except motor vehicles), nec
- 0820 - theft (except motor vehicles), nfd
- 0831 - receiving or handling proceeds of crime
- 0830 - receiving or handling proceeds of crime, nfd
- 0841 - illegal use of property (except motor vehicles)
- 0840 - illegal use of property (except motor vehicles), nfd
- 0800 - theft and related offences, nfd

9.

- 1631 - commercial/industry/financial regulation
- 1630 - commercial/industry/financial regulation, nfd
- 1694 - import/export regulations
- 1612 - offences against privacy

10.

- 0411 - driving under the influence of alcohol or drugs
- 0412 - dangerous or negligent driving
- 0410 - dangerous/negligent operation of vehicle, nfd
- 0400 - dangerous/negligent acts endangering persons, nfd
- 1431 - exceeding the prescribed content of alcohol limit

11.

- 1212 - graffiti
- 1219 - property damage, nec
- 1210 - property damage, nfd
- 1221 - air pollution offences
- 1222 - water pollution offences
- 1223 - noise pollution offences
- 1229 - environmental pollution offences, nec
- 1220 - environmental pollution offences, nfd
- 1200 - property damage and environmental pollution, nfd
- 1621 - sanitation offences
- 1622 - disease prevention offences
- 1623 - occupational health and safety offences
- 1624 - transport offences
- 1625 - dangerous substances offences
- 1626 - licit drug offences
- 1629 - public health and safety offences, nec
- 1620 - public health and safety offences, nfd
- 1691 - environmental regulation offences
- 1693 - quarantine offences

12.

- 1529 - offences against justice procedures, nec
- 1549 - offences against government operations, nec
- 1511 - escape custody offences
- 1512 - breach of bail
- 1513 - breach of parole
- 1514 - breach of domestic violence order
- 1515 - breach of other restraining order
- 1519 - breach of justice order, nec
- 1510 - breach of justice order, nfd
- 1523 - prison regulation offences

13.

- 1692 - immigration regulation offences
- 1614 - defamation and libel
- 1610 - harassment and private nuisance, nfd
- 1323 - censorship offences

14.

- 1041 - possess illicit drug
- 1042 - use illicit drug
- 1040 - possess and/or use illicit drug, nfd
- 1099 - illicit drug offences, nec
- 1090 - other illicit drug offences, nfd
- 1000 - illicit drug offences, nfd

15.

- 1311 - trespass
- 1312 - offensive language
- 1313 - offensive behaviour
- 1314 - criminal intent
- 1319 - disorderly conduct, nec
- 1310 - disorderly conduct, nfd
- 1321 - betting and gambling offences
- 1322 - liquor and tobacco offences
- 1324 - prostitution offences
- 1325 - offences against public order sexual standards
- 1329 - regulated public order offences, nec
- 1320 - regulated public order offences, nfd
- 1300 - public order offences, nfd

16.

- 1522 - resist or hinder police officer or justice official
- 1520 - other offences against justice procedures, nfd
- 1531 - resist or hinder government officer concerned with government security
- 1530 - offences against government security, nfd
- 1541 - resist or hinder government official (excluding police, justice officer or government security)
- 1540 - offences against government operations, nfd
- 1500 - offences against justice procedures, government security and operations, nfd

17.

- 1411 - driving while licence cancelled or suspended
- 1412 - driving without a licence
- 1419 - driving licence offences, nec
- 1410 - driving licence offences, nfd
- 1421 - registration offences
- 1422 - roadworthiness offences
- 1420 - road vehicle registration and roadworthiness offences, nfd
- 1432 - exceeding legal speed limit
- 1433 - parking offences
- 1439 - regulatory driving offences, nec
- 1430 - regulatory driving offences, nfd
- 1441 - pedestrian offences
- 1440 - pedestrian offences, nfd
- 1400 - road traffic and motor vehicle regulatory offences, nfd
- 1699 - miscellaneous offences, nec
- 1690 - other miscellaneous offences, nfd
- 1600 - miscellaneous offences, nfd

nec - not elsewhere classified

nfd - not further defined

Appendix C

Glossary of Terms

Abbreviations used in tables:

A	- (as in A/J) denotes Adult
F	- female
FI	- female, Indigenous
FO	- female, Other (non-Indigenous)
FU	- female, unknown indigenous status
I	- (as in I/O/U) denotes Indigenous
J	- (as in A/J) denotes Juvenile
M	- male
MI	- male, Indigenous
MO	- male, Other (non-Indigenous)
MU	- male, unknown indigenous status
O	- (as in A/O/U) denotes Other or non-Indigenous
U	- Unknown
UI	- Indigenous with unknown sex
UO	- non-Indigenous with unknown sex
UU	- unknown indigenous status and sex

ABS	the Australian Bureau of Statistics.
Acquittal	a finding by the court that the defendant is not guilty of the offence charged.
Actual sentence length	the length of time between date of sentence and the prison exit date served by a prisoner (as opposed to the maximum sentence length established by the sentencing court.)
Against person offences	see Offences against the person.
ANCO	(Australian National Classification of Offences) a standardised classification of criminal offences developed by the ABS and used by criminal justice organisations to categorise offences. A revised classification known as ASOC (Australian Standard Offence Classification) was introduced in 1997.
Appearance	see Final Appearance.
Apprehension	the laying of charges either by way of an arrest or summons by a police officer against a person alleged to have committed a criminal offence. Does not include juvenile cautions or minor traffic charges.
Arrest	same as Apprehension, see above.
ASOC	(Australian Standard Offence Classification) — a revised version of ANCO which takes into account the changes to criminal legislation since 1985 and rectifies some technical deficiencies in ANCO. Published by the ABS in 1997 (ABS Catalogue No. 1234.0).

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Bail	the release of a defendant from custody prior to the hearing of the charge or sentencing.
BH	see Conditional Bail.
Break & enter	same as Burglary.
Break-in	same as Burglary.
Burglary	the unlawful entry (forced or unforced) of a structure with the intent to commit an offence.
Case management systems	computer applications designed to record all aspects of cases appearing before the courts.
Cautioning	a formal method of dealing with young offenders without taking court proceedings. Police officers may caution young offenders instead of charging them if the offence or the circumstances of the offence are not serious.
CBO	Community-based order.
Census date	the date at which a count is taken of all prisoners held in lock-ups and/or prisons.
CEO parole	parole considerations for prisoners serving sentences of 12 months or more remain the prerogative of the Parole Board and Governor, but for shorter sentences the CEO of the Department of Justice is the issuing authority. CEO Parole Orders replace Home Detention Orders which were previously applied to prisoners as an alternative form of imprisonment/parole.
Charge	an official attachment of an offence to an individual in order to initiate court proceedings.
Children's Court	a Court established to process criminal charges against all persons aged 17 years or under.
CHIPS	the name given to the computerised case management system in which Children's Court and Court of Petty Sessions matters are recorded. Community-based order a non-custodial order whereby the offender may be supervised by a community corrections officer and/or required to perform between 40 and 120 hours of unpaid community work and/or undertake counselling and treatment, including residential programmes. CBOs were introduced through the Sentencing Act 1995.
Complaint	same as Charge.

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Conditional Bail	defendant is supervised, may have some restrictions on movement and will be subject to one or more conditions while on bail.
Conditional release order	a non-custodial order that does not require supervision by a community corrections officer but may have conditions to secure the good behaviour of the offender. The offender may be required to enter a recognisance, with or without surety. CROs were introduced through the Sentencing Act 1995.
Conviction	a finding by the court that a person is guilty of the offence charged.
Counting period	a period which is designated within which all events are recorded and identified.
Court of Petty Sessions	also referred to as police courts, lower courts or Magistrate's courts. These courts deal with charges of simple offences against adult persons, indictable offences triable summarily, preliminary proceedings relating to indictable offences, and matters of an administrative or licensing nature.
CRO	see Conditional release order.
Custody	legal deprivation of liberty, restriction of freedom by the authorities.
DCD	the former Department for Community Development (now Family and Children's Service).
Default imprisonment	Imprisonment served as an alternative (default) for the non-payment of a fine.
Detention	see Custody.
Discharge	the release of a defendant from further court proceedings due to the dismissal or withdrawal of charges.
Dismissal	a disposition of the court whereby the sentencer decides there is insufficient evidence of a charge or merit in prosecuting it or where the sentencer decides that a person is guilty but imposes no further penalty.
Disposition	an outcome from a court which may include dismissal, acquittal, fine, non-custodial order or imprisonment.
Distinct persons	the counting of individuals as distinct, that is, in a one year period a certain individual may be arrested or may appear before the court a number of times, however, in the court of "distinct" persons, the individual is counted only once for the period.

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District Court	a higher court below the Supreme Court and equivalent to a county court in other jurisdictions. Constituted under the District Court Act 1969.
Diversion	a method of dealing with offenders (usually, juveniles) without taking court proceedings.
DUI	Driving under the influence of alcohol or drugs — one of the most common criminal traffic charges.
Exit forms	forms completed on the release of a prisoner from prison.
Expiation	the process by which a penalty or fine associated with the commission of an offence is satisfied. Usually a process by which criminal proceedings can be avoided.
Final Appearance	an appearance by an accused person in court, during which at least one charge against the person is finalised.
Finalised	a charge or matter is finalised in the courts when it is removed, with or without a hearing, from the list awaiting hearing in the court.
Fine default	the default penalty for non-payment of a fine.
Fine enforcement	a system introduced through the Fines, Penalties and Infringement Enforcement Act 1995 to increase the proportion of fines paid, minimise enforcement actions and ensure that fine defaulters do not go to prison. The system uses licence suspension as a primary sanction for non-payment of fines. If a licence is not available or suspension is ineffective, defaulters are sequentially subject to the seizure of goods, compulsory community work or, as a last resort, imprisonment. Note that although the legislation took effect on 1 January 1995, there was an initial six months moratorium on the enforcement of the new fine default provisions.
Finite	a custodial sentence of a limited time (as opposed to an indeterminate sentence).

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Finite sentence	a sentence of a fixed length that must be served completely in prison; that is, without any part of it being served on parole. The old 1/3 remission is abolished under the 2003 legislation, but the new Act instructs sentencing authorities to “impose a fixed term that is 2/3 of the fixed term that it would have imposed had the old provisions been in operation at the time of sentencing”. So, any prisoner who is refused parole eligibility by the court, or is ineligible for CEO parole if the sentence is less than 12 months, or is ultimately denied parole by the Parole Board must serve the full term of the sentence as determined above in prison as a finite sentence. See the document “New Sentencing Regime for Western Australia” on the Dept of Justice website for details about parole eligibility.
FPINE Act	Fines, Penalties and Infringement Enforcement Act 1995.
Good order offences	an ANCO category which includes offences of vagrancy, public drunkenness, etc. These offences involve no direct offences against person or property or the taking of drugs.
HD	see Home detention order.
HB	see Monitored Bail.
Higher Courts	the Supreme Court and the District Court.
Home detention order	an order imposed either as a condition of bail or as an alternative to imprisonment which requires an offender to stay at home.
Homicide	the unlawful killing of another person. The ANCO category of homicide includes the offences of murder, attempted murder, manslaughter and driving causing death.
IMS	the police Incident-based Management System. A database which contains records of all crimes reported to the police.
Indeterminate sentence	a sentence such as “governor’s pleasure” that theoretically has no maximum, the date of release to be determined by the Executive.
Indictable offence	an offence which is triable by jury.
Indigenous (person)	an individual who considers himself or herself to be Indigenous (definition used by the Department of Justice) or is assessed by a police officer as Indigenous (definition as used by the WA Police Service).
Indigenous status	the term used to distinguish between Indigenous and non-Indigenous population groups.

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INREP	a system for the expeditious processing of minor fines.
Intensive supervision	a non-custodial order much like a CBO but with mandatory supervision. An ISO may also include a curfew requirement such as electronic monitoring for 2-12 hours per day. Community service work may range from 40 to 240 hours. ISOs were introduced through the Sentencing Act 1995.
ISO	see Intensive supervision order.
Juvenile	a young person aged 17 years or under.
Juvenile Justice Teams	formally established under the Young Offenders Act 1995, Teams work with young offenders and, through family group conferences, attempt to negotiate acceptable outcomes between the offender, their parents and the victim.
Lock-up	a jail run by police, usually in a police station, and used to detained persons in legal custody.
Lower courts	all courts below higher courts, these include Magistrate's courts and Justices of the Peace hearing charges and imposing sentences. See Courts of Petty Sessions.
Meal allowance form	a form filled out by police which records the number of meals provided to each prisoner detained in a lockup.
Monitored Bail	defendant is restricted to his/her own home or that of a sponsor and must wear an electronic tracking device so his/her presence in the defined residence can be confirmed during the bail period.
Most serious offence	where an offender or prisoner has a range of offences, the most serious offence is that determined by an established scale of seriousness (see Seriousness below) or the one attracting the most serious penalty. The order of severity of penalties imposed is: <ul style="list-style-type: none">• Imprisonment• juvenile detention• suspended sentence of imprisonment• conditional release orders (juv) or intensive supervision orders• community-based order• good behaviour bond• loss or suspension of motor driver's licence• Fine• compensation• restitution• other

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Non-custodial orders	penalties imposed on an offender that do not involve custody or a fine, such as ISOs, CBOs, WDOs and home detention.
Offence	a breach of criminal law.
Offences against the person	an ANCO category which includes all offences involving direct assault on another person. The category includes homicides, assaults, sexual assaults, deprivation of liberty and robbery but excludes property offences.
OIS	the Offence Information System. A database which contains records of all crimes reported to the police. An electronic copy of the P49 police form.
Overcounting	the counting of more offences or offenders, or any unit of interest than actually exist. An error associated with techniques designed to record the number of units.
P10	a police form used to record the property of individuals taken into custody.
P10A	the computerised Lock-up Admission System used by the police to record admissions to and exits from police custody.
P18	a police form used to record an apprehension.
P49	a form used to record crimes or offences reported to the police.
Panel	the Children's (Suspended Proceedings) Panel, a group of selected individuals established to hear offences committed by first-time juvenile offenders who admit the offence. Now defunct.
Parole order	is the mechanism which allows prisoners to serve a portion of their sentence in the community. They are still serving terms of imprisonment, but are doing so under varying levels of supervision and possibly other conditions. The current parole eligibility requirements are that parole is set at 50% of the sentence for those serving four years or less, while those serving more than four years are eligible for parole two years prior to the end of their sentence. These requirements are described in the Sentence Administration Act 2003 and the Sentencing Legislation Amendment and Repeal Act 2003.
Penalty	any order or sanction specified by a sentencer as a result of conviction on criminal charges.
Petty Sessions	see Court of Petty Sessions.
Police property sheets	see P10.

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Property offences	offences related to the theft or damage of property.
PSO	(Pre-Sentence Order) the purpose of this Order is to give an offender who is facing a term of imprisonment an opportunity to take steps to address his/her offending behaviour prior to the court proceeding with sentencing. Each Order imposes at least one of a supervision, program or curfew requirement upon the offender. Compliance is monitored by Department of Justice Officers.
Receivals or Receptions	persons entering prisons. Usually used as a method of counting prison statistics. Receivals exclude transfers between prisons and re-captures after escapes. Receivals do not count individuals, as the same person can be received a number of times each year. Receivals also do not reflect the length of sentence.
Receiving prison	the prison that receives (initially processes) the prisoner.
Reception history sheets	the form filled out at the time of receipt of a prisoner.
Robbery	the unlawful taking of property from a person by force or threat of force.
RRO	(Re-Entry Release Order) the purpose of this Order is to allow prisoners to be released to seek or undertake gainful employment, vocational training or gratuitous employment; or to engage in such other activities as ordered by the CEO that will facilitate the prisoner's re-entry into the community. These can include attending educational, vocational or personal development programs or undergoing counselling in relation to behavioural matters.
Security rating	a rating given to a prisoner to reflect the level of security that must be observed.
Sentence	see Penalty.
Seriousness	a rating of offences according to their gravity or seriousness. A draft seriousness index is included as Appendix B.
SP	State parole.
SRCASE	the name given to the computerised Case Management System in which Supreme and District Court matters are recorded.
Summons	a notification of a charge without the detention of the defendant. An alternative to an arrest.

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Supreme Court	the superior higher court, constituted under the Supreme Court Act 1935. It has exclusive jurisdiction in regard to certain cases, including serious indictable offences such as murder and treason.
Suspended proceedings	an alternative disposition for juveniles.
Suspended sentence	a term of imprisonment that is suspended for a period. Section 76(1) of the Sentencing Act 1995 provides that a court which sentences a person to a term or an aggregate term of imprisonment of five years or less may order that the sentence be suspended for a period not exceeding two years.
Teams	see Juvenile Justice Teams.
Termination status	reasons why a non-custodial order is terminated.
Type of release	a prisoner may be released from prison in a number of ways directly to freedom, extradition or deportation.
TOMS	acronym for Total Offender Management system. A computer system for the collection and management of prison/prisoner information. Implemented by the Department of Justice in July 2000.
Undercounting	the counting of less offences or offenders, or any unit of interest than actually exist. An error associated with techniques designed to record the number of units.
Unlawful entry	same as Burglary.
Warrant summaries	a summary of all offences for which a person is legally held, either before or after conviction.
WDO	see Work and development order.
Withdrawn	charges against a defendant may be withdrawn, that is, reversed.
Work and development order	under the fine enforcement system, this is the final alternative to imprisonment for people who are in default of fine. The order requires that the offender perform a stated number of hours of work in and for the community.