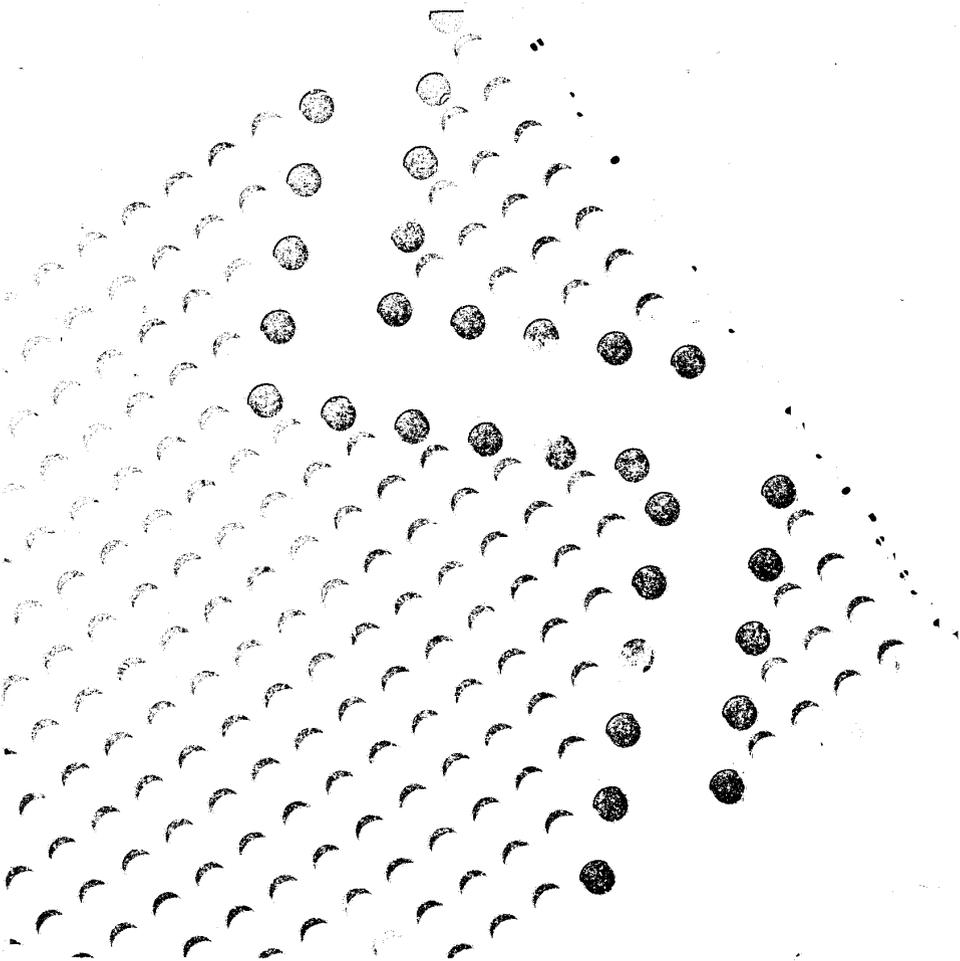


14433

New South Wales  
Criminal Courts  
Statistics 1992



# NEW SOUTH WALES CRIMINAL COURTS STATISTICS 1992

144332

U.S. Department of Justice  
National Institute of Justice

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## INTRODUCTION

This report deals with criminal cases finalised by the NSW Local, District and Supreme Courts in 1992 and in Children's Courts in 1990/91 and 1991/92. Note that prior to 1991, Local Court, Children's Courts and Higher Court matters were reported in two separate series of statistical reports: *New South Wales Lower Criminal Courts and Children's Courts Statistics* and *New South Wales Higher Criminal Courts Statistics*.

The report provides statistical information on all criminal matters finalised by the District and Supreme Courts in 1992. However, minor criminal matters heard in Local Courts, such as appeals against parking fines, are not included in the report.

Responsibility for juvenile justice has been taken over by the newly created Office of Juvenile Justice, which was gazetted in November 1991. As a result of the lengthy transition period, it was not until April 1992 that the Office of Juvenile Justice took over responsibility for the Children's Courts data collection. Data for 1990/91 and 1991/92 have now been made available by the Office of Juvenile Justice for Children's Court matters. Unfortunately data on police cautions for 1991/92 have not been released by the Office of Juvenile Justice and so cannot be published in this report.

Dr Don Weatherburn  
Director

June 1993

## ACKNOWLEDGEMENTS

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The data for the Local Courts were provided by the Clerks of the Court who completed and returned coding forms for each person appearing before the Local Courts on criminal charges.

The data for the Higher Courts were obtained from the Case Tracking System, an administrative computer system maintained by the Department of Courts Administration. The Bureau would like to express its gratitude for the assistance provided by the Information Technology Branch, the District Court Criminal Registry and the District Court Criminal Listing Directorate in obtaining the information from the computer system.

The following officers of the Bureau of Crime Statistics and Research also contributed significantly to the production of this report:

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## SUMMARY OF MAIN FEATURES

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### LOCAL COURTS

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1. The number of criminal cases disposed of by NSW Local Courts fell by 4.3% from 109,807 cases in 1991 to 105,118 in 1992. This decrease is notable given that the number of criminal cases dealt with increased each year from 1986 to 1989, decreased by 1.8% in 1990 (compared with 1989) then increased again in 1991.
2. Most of the decrease in cases disposed of was accounted for by decreases in the number of people charged in the categories of offensive behaviour (down 16.6% from 12,420 in 1991 to 10,357 in 1992), high range PCA offences (down 7.4% from 8,983 in 1991 to 8,317 in 1992) medium range PCA offences (down 7.2% from 12,755 cases in 1991 to 11,833 cases in 1992), other driving offences (down 7.5% from 15,693 cases in 1991 to 14,517 in 1992) and assaults not occasioning actual bodily harm (down 4.5% from 14,904 cases in 1991 to 14,240 cases in 1992).
3. The outcome was a guilty finding (including guilty pleas) for 92,216 (87.7%) of the 105,118 persons charged. Of the 92,216 persons found guilty, 78,860 (85.5%) were male and 13,350 (14.5%) were female.
4. Imprisonment was imposed in 5.8% of cases where there was a guilty finding (5,239 cases). This is a decline of 3.1% in the number of prison sentences handed down when compared with 1991, when 5,404 imprisonment penalties were imposed.
5. The proportion of relatively short prison sentences increased in 1992. For cases where a fixed term was imposed, the proportion of sentences of three months or less increased from 25.2% in 1991 to 31.7% in 1992. For cases where a minimum and additional term was imposed, sentences of 12 months or less accounted for 64.4% of cases. In 1991 sentences of twelve months or less accounted for 53.8% of sentences.
6. Court appearance rates in the Sydney Statistical Subdivisions were highest in the Inner Sydney Subdivision (2,656.8 per 100,000 population), Outer South Western Sydney Subdivision (1,774.6 per 100,000 population), Fairfield-Liverpool Subdivision (1,759.3 per 100,000 population) and Gosford-Wyong Subdivision (1,753.5 per 100,000 population). While the Inner Sydney Subdivision had the highest rate for most offence types, the Gosford-Wyong Subdivision had the highest rate for driving offences.
7. Court appearance rates in the country Statistical Divisions were highest in the Far West Division (4,274.0 per 100,000 population), North Western Division (3,177.5 per 100,000 population), Northern Division (2,136.4 per 100,000 population) and Central West Division (2,076.7 per 100,000 population). Whilst the Far West Division had the highest rate for most offences, the Richmond-Tweed Division had the highest rate for drug offences.

**SUMMARY OF MAIN FEATURES** continued

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**CHILDREN'S COURTS**

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1. The number of criminal matters disposed of by NSW Children's Courts fell by 13.0%, from 15,802 cases in 1990/91 to 13,753 in 1991/92.
2. There were notable decreases in the number of appearances in the categories of other theft (decreasing from 2,293 offences in 1990/91 to 1,874 offences in 1991/92, a decrease of 18.3%), offensive behaviour (decreasing from 999 offences in 1990/91 to 723 offences in 1991/92, a reduction of 27.6%) and motor vehicle theft (decreasing from 1,638 offences in 1990/91 to 1,366 offences in 1991/92, a decrease of 16.6%).
3. There was an increase in the number of appearances for drug offences, which rose from 590 cases in 1990/91 to 667 cases in 1991/92, a percentage increase of 13.1%. Appearances for robbery and extortion also increased from 272 appearances in 1990/91 to 300 in 1991/92, an increase of 10.3%.
4. The most common offence charged in Children's Courts was break, enter and steal, which accounted for 14.9% of appearances in 1990/91 and 16.4% of appearances in 1991/92.
5. The outcome was a guilty finding in 14,663 cases (92.8%) in 1990/91 and 12,660 cases (92.1%) in 1991/92.
6. The penalty most frequently imposed was a recognizance, which was imposed in 21.4% of cases where the offence was proven in 1990/91 and in 20.1% in 1991/92.

## SUMMARY OF MAIN FEATURES continued

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### HIGHER COURTS

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1. The number of trial and sentence cases registered in the NSW Higher Criminal Courts declined by 16.3% from 5,631 in 1991 to 4,712 in 1992. Trial registrations accounted for the majority of the reduction, falling by 759 cases from 3,739 in 1991 to 2,980 in 1992, a reduction of 20.3%.
2. The total number of trial and sentence cases finalised also declined in 1992 by 6.1% from 5,893 cases in 1991 to 5,534 cases in 1992.
3. Assault was the most frequent offence charged for cases finalised in the Higher Courts in 1992 (1837 charges; 14.5% of all charges), followed by drug offences (1704 charges; 13.4% of all charges). In 1991 there were 2291 charges of assault (17.0% of all charges) and 1454 charges for drug offences (10.8% of all charges). Robbery charges increased by 13.4% from 1306 in 1991 to 1481 in 1992.
4. The number of persons charged who proceeded to trial declined from 1,627 (25.4% of all outcomes) in 1991 to 1,334 in 1992 (22.3% of all outcomes), a decline of 18.0% in the number proceeding to trial.
5. There were 4,387 persons (73.3% of all persons charged) who either pleaded guilty or were found guilty following a trial. Of these people, 3,984 or 90.8% were male and 403 or 9.2% were female.
6. The penalty most often imposed was imprisonment (50.8% of all penalties, followed by Community Service Order (13.5% of all penalties imposed). In 1991, supervised recognizance was the second most common penalty imposed (15.4% of all penalties imposed). In 1992, supervised recognizance was imposed in only 13.3% of cases.
7. An imprisonment penalty of two years or less for the principal offence was imposed in the majority of cases (1,225 cases or 57.4% of all imprisonment penalties).
8. The median delay from arrest to committal where the accused was remanded in custody but eventually acquitted of all charges, fell from 96 days in 1991 to 84 days in 1992, a decrease of 12.5%.
9. The median delay from committal to outcome where the accused was remanded in custody but eventually acquitted of all charges rose from 238.5 days in 1991 to 263.5 days in 1992, an increase of 10.5%.

# NEW SOUTH WALES LOCAL COURTS

**Explanatory notes and tables**

## EXPLANATORY NOTES: LOCAL COURTS TABLES

Explanatory notes are given for data items in the order in which they first appear in the tables.

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**TABLE 1.1: PERSONS CHARGED AND CHARGES**

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### Charge

A charge refers to an instance of a particular type of offence being charged against a person. A *finalised* charge is one which has been fully determined by the court and no further court proceedings are required. Finalised charges are the basic counting units in this report.

Where there are multiple counts of the same offence (i.e. charged under the same Act and Section) and each count receives the same outcome, the multiple counts are treated as a single offence. Where multiple counts of the same offence have different outcomes, they are counted as separate charges.

### Persons charged

A *person charged* refers to a group of one or more charges, against a single individual, which are finalised by the court on a single day. Such a group of finalised charges against a single individual is also referred to as a *court appearance*.

This report does not distinguish 'distinct' persons within the counting period. If a person is a defendant in more than one court appearance during the counting period, such a person will be counted more than once in the report.

Table 1.1 shows the numbers of persons charged with offences within particular offence groups. This table counts individuals more than once, in all cases where the accused was charged with more than one offence and those offences fall within different offence groups.

### Type of offence

Offence groups in the Local Courts tables are based on the Australian National Classification of Offences (ANCO) issued by the Australian Bureau of Statistics (ABS Catalogue Number 1234.0). The coding system does not correspond to any single ANCO level but is structured to give more detailed information on those types of offence which form a large proportion of the workload of the Local Court.

Note: the Bureau has offence information at the level of Act and Section. Information at this level of detail can be obtained by contacting the Information Officer.

## EXPLANATORY NOTES: LOCAL COURTS TABLES

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**TABLE 1.2: OUTCOME OF CHARGES**

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Table 1.2 shows the court outcomes for all charges. Where a person was charged with more than one offence, each offence is counted separately. Those cases resulting in dismissal of the charge are separated from those in which the offence was proven. Charges can be dismissed by the court after a hearing, or where the prosecution elect to withdraw the charge due to insufficient evidence, or for some other reason, such as the death of the accused. A matter can also be stood out of the court list for various reasons; this outcome allows the prosecution to re-enter the matter at a later time.

Sections 32 and 33 are sections of the *Mental Health (Criminal Procedure) Act 1990* (No. 10). Under Section 32 the Court can dismiss the charge and discharge a defendant who is suffering from a mental illness. Under Section 33, a magistrate can order a mentally ill defendant to be detained in a hospital for an assessment; or discharge the defendant, either unconditionally, or conditionally into the care of a responsible person.

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**TABLE 1.3: OUTCOME OF APPEARANCE**

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Table 1.3 presents the major outcome of the court process for individual persons charged. Those appearances which involved a defended hearing are separated from those where the accused was convicted *ex parte* or pleaded guilty to all charges. Separate categories are also included where the charges were dismissed without a defended hearing or were otherwise disposed of. The possible outcome types are as follows.

**Proceeded to defended hearing**

*All charges dismissed:* Appearances in this category involved the accused being found not guilty of any offence, following a defended hearing. Such appearances may have included some charges being dismissed without hearing.

*Guilty of at least one charge:* In this category the accused pleaded not guilty, but was found guilty by the court of at least one of the offences charged.

*Other:* Appearances in this category are those where the accused was found not guilty of one or more charges, following a defended hearing, but pleaded guilty to at least one other charge.

**Convicted *ex parte***

This category includes cases where the accused either (i) pleaded guilty and was convicted in his/her absence, or (ii) failed to appear and was convicted by the court on the evidence presented.

## EXPLANATORY NOTES: LOCAL COURTS TABLES

### All charges dismissed without hearing

This category includes cases where all charges were dismissed by the court, but there was no defended hearing.

### Sentenced after guilty plea

Appearances in this category include those cases where the accused pleaded guilty to at least one charge, and the other charges were dismissed or otherwise disposed of.

### All charges otherwise disposed of

This category includes cases where the charges were stood out of the list, the recognizance was forfeited, or where the accused died prior to finalisation of the case.

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### TABLES 1.4 AND 1.5: LEGAL REPRESENTATION AND BAIL STATUS

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Tables 1.4 and 1.5 present the outcome for each appearance by legal representation and the bail status of the accused respectively.

#### Bail status

Bail status refers to the status of the accused at the final appearance. Those remanded in custody (bail refused) are distinguished from those people who were on conditional or unconditional bail, those for whom bail had been dispensed with, and those who had received a summons. Those persons in gaol for a previous offence are regarded as being of equivalent status to those on bail in terms of receiving priority for a Local Court hearing. (For this reason they are excluded from the gaol category in the duration table, Table 1.13.)

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### TABLES 1.6 TO 1.11: PENALTIES IMPOSED FOR PRINCIPAL OFFENCE

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#### Persons found guilty

*Persons found guilty* are those persons who, for at least one offence charged, either pleaded guilty or were found guilty after a defended hearing.

#### Principal offence

Appendix 2 provides explanations of the penalty types used in the Local Court. Penalties shown in the tables indicate the *principal penalty* imposed on the *principal offence*. The *principal offence* is defined to be that offence charged, which received the most serious penalty according to the following rules:

## EXPLANATORY NOTES: LOCAL COURTS TABLES

- (a) Where an offender was found guilty of more than one offence, that offence which received the most serious penalty type is the principal offence. Appendix 3 lists the hierarchy of penalty type seriousness used for this calculation.
- (b) Where there were two or more offences which received the same penalty type, that offence which received the greatest quantum of that penalty type is the principal offence. (Note that for this calculation, if multiple counts of the same offence type received different penalties, they are treated as separate offences.)
- (c) If there was more than one offence which received the same quantum of the same penalty type, the last of these offences recorded on the court file is selected as the principal offence.
- (d) Where an offence received more than one penalty, a *principal penalty* for that offence is first calculated following the rules set out above. The determination of principal offence is then calculated on the principal penalty for each offence.

### Amount of fine

Table 1.7 shows the dollar amount of fines imposed, where a fine was the principal penalty imposed for the principal offence.

### Duration of Community Service Order

Table 1.8 shows the duration of CSOs imposed, where a CSO was the principal penalty imposed for the principal offence. Note that a maximum of 500 hours of community service can be imposed on any one occasion.

### Duration of recognizance

Table 1.9 shows the duration of recognizance, where a recognizance was the principal penalty imposed for the principal offence.

### Duration of fixed term imprisonment

Table 1.10 shows the duration of fixed term imprisonment, where a fixed term was the principal penalty imposed for the principal offence. As imprisonment is the most serious penalty which can be imposed, this table and Table 1.11 show all cases where imprisonment was imposed. Note that for sentences of imprisonment of six months or less, the term is automatically fixed. For sentences of over six months, the court must provide reasons as to why a fixed term, rather than a minimum term and additional term is being applied. Cumulative terms of imprisonment are excluded from this table and from Table 1.11. In those cases where a cumulative term was imposed, only the penalty for the principal offence is shown.

## EXPLANATORY NOTES: LOCAL COURTS TABLES

### Duration of minimum term

Table 1.11 shows the duration of the minimum term of imprisonment, where a minimum plus additional term was the principal penalty imposed for the principal offence. Note that a maximum of two years of imprisonment can be imposed in the Local Court for any one offence.

---

### TABLE 1.13: DURATION OF PROCEEDINGS

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This table gives an indication of the time taken to dispose of a case for defended and undefended hearings by bail status at final appearance. It shows the median number of days taken at each stage of proceedings. The median duration is used in preference to the average duration because there may be a small number of cases with very long durations. (The definition of median is such that half the cases had durations less than the median value and the other half had longer durations.) Where a person's bail status changed in the course of the proceedings the duration may have been affected.

The outcome categories are used to distinguish those cases which involved a defended hearing. Excluded from this table are those people who were in custody for another offence, as this fact will have altered the duration of proceedings for these cases.

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### TABLES 1.14 AND 1.15: STATISTICAL DIVISION OF RESIDENCE

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These tables indicate the Statistical Division within which the residence of the accused falls. Within the Sydney Statistical Division, the Subdivisions are also shown, to provide more detail. In these tables, appearances are excluded if the accused was interstate, overseas, in an institution, of no fixed place of abode, or if the area of residence was unknown.

Table 1.14 shows the number and rate per 100,000 population of Local Court appearances by the area of residence of the accused.

Table 1.15 presents, for those accused who were found guilty, rates per 100,000 population by the area of residence and the type of principal offence.

**TABLE 1.1**

**PERSONS CHARGED AND CHARGES IN LOCAL COURT  
APPEARANCES FINALISED:  
TYPE OF OFFENCE CHARGED**

<i>Type of offence charged</i>	<i>Persons charged</i>	<i>Charges</i>
	<i>Number</i>	<i>Number</i>
<b>Against the person:</b>		
Assault occasioning actual bodily harm	3415	3504
Other assault	14240	15282
Sexual assault	191	217
Sexual offences against children	222	284
Other	305	340
<b>Theft:</b>		
Breaking and entering	2948	3317
Fraud	3714	4920
Larceny by shop stealing	3345	3477
Other larceny	9527	10488
Unlawful possession	4764	5338
Vehicle theft	2133	2312
<b>Property damage:</b>		
Arson, damage by fire	8	10
Other	6426	6648
<b>Environmental</b>	<b>86</b>	<b>103</b>
<b>Against justice procedures:</b>		
Breach of order	5887	6412
Other	5124	5869
<b>Against good order:</b>		
Weapons	1702	2324
Betting and gaming	688	742
Prostitution	819	843
Liquor licensing	359	375
Offensive behaviour	10357	11027
Other	2674	2781

TABLE 1.1 continued

<i>Type of offence charged</i>	<i>Persons charged</i>	<i>Charges</i>
	<i>Number</i>	<i>Number</i>
<b>Drug:</b>		
Possession and/or use:		
-opiates	798	995
-cannabis	7936	10867
-other drug	1782	2306
Dealing and trafficking:		
-opiates	187	210
-cannabis	1000	1084
-other drug	287	302
Manufacturing and/or growing:		
-cannabis	2333	2361
-other drug	93	93
Other	2494	2564
<b>Driving:</b>		
Cause injury by driving	174	176
DUI drink/drug	1118	1121
PCA – high	8317	8400
PCA – medium	11833	11891
PCA – low	3588	3596
Dangerous, reckless or negligent driving	2760	2860
Other	14517	15973
<b>Other</b>	<b>450</b>	<b>593</b>

**TABLE 1.2****CHARGES IN LOCAL COURT APPEARANCES FINALISED:  
OUTCOME OF CHARGES**

<i>Outcome of charges</i>	<i>Charges</i>	
	<i>Number</i>	<i>%</i>
<b>Not proven:</b>		
Dismissed after hearing	7056	4.6
No evidence offered	8115	5.3
Non appearance	434	0.3
Death of accused	177	0.1
Recognizance forfeited	2437	1.6
Section 32, 33	399	0.3
Stood out of list	6049	4.0
<b>Offence proven:</b>		
Conviction ex parte, 80AA warrant issued	2534	1.7
Other conviction	124804	82.1
<b>Total</b>	<b>152005</b>	<b>100.0</b>

**TABLE 1.3****PERSONS CHARGED IN LOCAL COURT APPEARANCES FINALISED:  
OUTCOME OF APPEARANCE**

<i>Outcome of appearance</i>	<i>Persons charged</i>	
	<i>Number</i>	<i>%</i>
<b>Proceeded to defended hearing:</b>		
All charges dismissed	4399	4.2
Guilty of at least one charge	11298	10.7
Other	668	0.6
<b>Convicted ex parte</b>	8574	8.2
<b>All charges dismissed without hearing</b>	6142	5.8
<b>Sentenced after guilty plea</b>	71676	68.2
<b>All charges otherwise disposed of</b>	2361	2.2
<b>Total</b>	105118	100.0

TABLE 1.4

**PERSONS CHARGED IN LOCAL COURT APPEARANCES FINALISED:  
OUTCOME OF APPEARANCE, LEGAL REPRESENTATION**

<i>Outcome of appearance</i>	<i>Legal representation</i>							
	<i>Represented</i>		<i>Not represented</i>		<i>Unknown</i>		<i>Total</i>	
	<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>
<b>Proceeded to defended hearing:</b>								
All charges dismissed	3653	5.2	729	2.2	17	3.1	4399	4.2
Guilty of at least one charge	9350	13.2	1881	5.6	67	12.2	11298	10.7
Other	578	0.8	86	0.3	4	0.7	668	0.6
<b>Convicted ex parte</b>	1957	2.8	6566	19.4	51	9.3	8574	8.2
<b>All charges dismissed without hearing</b>	3639	5.1	2470	7.3	33	6.0	6142	5.8
<b>Sentenced after guilty plea</b>	50206	70.9	21112	62.5	358	65.3	71676	68.2
<b>All charges otherwise disposed of</b>	1409	2.0	934	2.8	18	3.3	2361	2.2
<b>Total</b>	70792	100.0	33778	100.0	548	100.0	105118	100.0

**TABLE 1.5**

**PERSONS CHARGED IN LOCAL COURT APPEARANCES FINALISED:  
OUTCOME OF APPEARANCE, BAIL STATUS**

<i>Outcome of appearance</i>	<i>Bail status</i>															
	<i>Summons case</i>		<i>Dispensed with</i>		<i>Unconditional</i>		<i>Conditional</i>		<i>Refused</i>		<i>In custody for prior offence</i>		<i>Unknown</i>		<i>Total</i>	
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
<b>Proceeded to defended hearing:</b>																
All charges dismissed	1036	4.4	572	3.3	1310	3.3	1290	6.6	86	2.4	26	2.6	79	9.6	4399	4.2
Guilty of at least one charge	2149	9.1	1549	9.1	3537	9.0	3231	16.6	465	13.0	186	18.3	181	22.0	11298	10.7
Other	72	0.3	72	0.4	240	0.6	234	1.2	34	0.9	11	1.1	5	0.6	668	0.6
<b>Convicted ex parte</b>	3434	14.5	1835	10.7	2031	5.2	1126	5.8	46	1.3	6	0.6	96	11.7	8574	8.2
<b>All charges dismissed without hearing</b>	1333	5.6	965	5.6	1620	4.1	1885	9.7	187	5.2	51	5.0	101	12.3	6142	5.8
<b>Sentenced after guilty plea</b>	15307	64.6	11714	68.5	30159	76.5	10871	55.9	2590	72.2	706	69.6	329	40.0	71676	68.2
<b>All charges otherwise disposed of</b>	380	1.6	385	2.3	537	1.4	819	4.2	180	5.0	28	2.8	32	3.9	2361	2.2
<b>Total</b>	23711	100.0	17092	100.0	39434	100.0	19456	100.0	3588	100.0	1014	100.0	823	100.0	105118	100.0

TABLE 1.6

**PERSONS FOUND GUILTY IN LOCAL COURT APPEARANCES FINALISED:  
TYPE OF PRINCIPAL OFFENCE, PENALTY FOR PRINCIPAL OFFENCE**

*Note: Excluded from this table are 5 cases for which no principal offence could be calculated, 455 cases which received no action taken on a breach of court orders and 1596 cases which received a Section 80AA warrant.*

<i>Type of principal offence</i>	<i>Penalty for principal offence</i>											<i>Total</i>
	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	
<b>Against the person:</b>												
Assault occasioning actual bodily harm	251	35	202	251	623	159	566	-	2	6	45	2140
Other assault	470	72	433	729	2127	1163	3001	-	9	54	417	8475
Sexual assault	17	3	17	13	18	4	4	-	-	-	-	76
Sexual offences against children	7	2	12	19	26	1	6	-	-	-	-	73
Other	15	2	8	4	66	4	34	-	-	1	7	141
<b>Theft:</b>												
Breaking and entering	583	65	420	259	311	41	133	-	-	8	15	1835
Fraud	184	30	284	163	566	97	823	-	18	27	53	2245
Larceny by shop stealing	121	20	117	145	201	343	1691	-	2	17	231	2888
Other larceny	584	78	417	390	807	626	3507	-	19	45	312	6785
Unlawful possession	240	24	142	113	284	86	1109	-	1	23	50	2072
Vehicle theft	307	40	199	107	210	50	229	-	1	5	20	1168
<b>Property damage:</b>												
Arson, damage by fire	1	-	1	1	-	-	4	-	-	-	1	8
Other	142	14	156	201	394	263	2378	-	76	17	194	3835
<b>Environmental</b>	-	-	1	-	1	3	50	-	-	1	8	64

<b>Against justice procedures:</b>												
Breach of order	663	48	203	151	232	29	830	2	10	84	146	2398
Other	102	7	65	79	165	105	1235	-	2	9	85	1854
<b>Against good order:</b>												
Weapons	25	4	18	38	62	71	669	-	-	4	139	1030
Betting and gaming	-	-	1	1	2	-	625	-	-	1	16	646
Prostitution	11	-	5	4	20	10	677	-	-	11	18	756
Liquor licensing	-	-	-	-	2	3	176	-	-	2	20	203
Offensive behaviour	43	3	42	74	116	168	5647	-	-	55	745	6893
Other	66	7	26	37	89	59	726	-	-	11	138	1159
<b>Drug:</b>												
Possession and/or use:												
-opiates	52	3	11	50	71	3	221	-	-	12	11	434
-cannabis	103	21	96	134	169	173	3697	-	1	15	185	4594
-other drug	36	4	20	37	78	57	748	-	-	7	53	1040
Dealing and trafficking:												
-opiates	44	8	9	9	12	1	7	-	-	-	-	90
-cannabis	113	33	167	59	125	8	120	-	-	1	2	628
-other drug	28	4	24	6	38	5	26	-	-	-	1	132
Manufacturing and/or growing:												
-cannabis	35	16	138	103	314	80	1016	-	-	-	36	1738
-other drug	1	1	2	1	9	-	23	-	-	-	-	37
Other	12	-	10	21	24	28	250	-	-	1	18	364
<b>Driving:</b>												
Cause injury by driving	2	4	7	2	12	2	58	-	-	-	5	92
DUI drink/drug	25	-	25	29	40	40	548	1	-	-	11	719
PCA – high	211	65	405	281	535	354	5748	25	-	7	32	7663
PCA – medium	114	37	195	98	316	1111	8955	28	-	8	162	11024
PCA – low	1	1	3	3	15	364	2663	6	-	2	166	3224
Dangerous, reckless or negligent driving	80	16	72	41	92	36	1265	7	-	2	47	1658
Other	541	179	997	196	730	222	6437	35	-	22	359	9718
<b>Other</b>	<b>9</b>	<b>-</b>	<b>4</b>	<b>3</b>	<b>48</b>	<b>5</b>	<b>184</b>	<b>-</b>	<b>-</b>	<b>1</b>	<b>7</b>	<b>261</b>
<b>Total</b>	<b>5239</b>	<b>846</b>	<b>4954</b>	<b>3852</b>	<b>8950</b>	<b>5774</b>	<b>56086</b>	<b>104</b>	<b>141</b>	<b>459</b>	<b>3755</b>	<b>90160</b>

TABLE 1.7

PERSONS FINED AS PRINCIPAL PENALTY FOR PRINCIPAL OFFENCE IN LOCAL COURT APPEARANCES FINALISED:  
TYPE OF PRINCIPAL OFFENCE, AMOUNT OF FINE

Type of principal offence	Amount of fine									Total
	Less than \$250	\$250 to \$499	\$500 to \$749	\$750 to \$999	\$1000 to \$1499	\$1500 to \$1999	\$2000 to \$2999	\$3000 to \$3999	\$4000 and over	
	No.	No.	No.	No.	No.	No.	No.	No.	No.	
<b>Against the person:</b>										
Assault occasioning actual bodily harm	77	169	154	71	64	9	17	2	3	566
Other assault	946	1297	553	101	85	7	8	1	3	3001
Sexual assault	-	2	1	-	1	-	-	-	-	4
Sexual offences against children	1	1	-	-	2	-	2	-	-	6
Other	16	11	5	1	1	-	-	-	-	34
<b>Theft:</b>										
Breaking and entering	20	50	44	9	4	2	2	-	2	133
Fraud	398	229	108	29	43	3	10	-	3	823
Larceny by shop stealing	932	610	120	10	14	3	2	-	-	1691
Other larceny	1646	1282	421	72	72	8	6	-	-	3507
Unlawful possession	324	519	210	23	22	4	4	-	3	1109
Vehicle theft	61	74	52	13	20	4	3	-	2	229
<b>Property damage:</b>										
Arson, damage by fire	1	3	-	-	-	-	-	-	-	4
Other	1230	848	247	23	25	4	1	-	-	2378
<b>Environmental</b>										
	25	11	9	-	5	-	-	-	-	50

<b>Against justice procedures:</b>										
Breach of order	396	273	127	16	14	3	-	1	-	830
Other	750	316	119	16	23	4	6	1	-	1235
<b>Against good order:</b>										
Weapons	327	225	76	10	23	2	6	-	-	669
Betting and gaming	335	199	45	10	12	1	14	2	7	625
Prostitution	405	211	59	-	1	-	-	1	-	677
Liquor licensing	131	38	3	1	-	2	1	-	-	176
Offensive behaviour	4518	976	137	9	6	-	-	-	1	5647
Other	491	158	52	8	11	1	2	-	3	726
<b>Drug:</b>										
Possession and/or use:										
-opiates	61	96	46	12	4	1	1	-	-	221
-cannabis	1935	1250	365	74	56	8	7	2	-	3697
-other drug	383	253	83	12	13	2	2	-	-	748
Dealing and trafficking:										
-opiates	4	1	-	1	1	-	-	-	-	7
-cannabis	16	32	38	10	13	3	6	1	1	120
-other drug	6	6	6	-	6	1	1	-	-	26
Manufacturing and/or growing:										
-cannabis	187	350	234	80	88	28	32	5	12	1016
-other drug	5	12	5	-	1	-	-	-	-	23
Other	159	69	18	2	2	-	-	-	-	250
<b>Driving:</b>										
Cause injury by driving	21	24	7	2	1	2	-	-	1	58
DUI drink/drug	44	201	227	52	23	1	-	-	-	548
PCA – high	104	874	2446	1455	797	62	10	-	-	5748
PCA – medium	344	4674	3441	413	79	3	-	-	1	8955
PCA – low	829	1592	203	29	9	1	-	-	-	2663
Dangerous, reckless or negligent driving	206	370	424	142	106	15	1	1	-	1265
Other	1703	2583	1520	354	264	11	2	-	-	6437
<b>Other</b>	<b>77</b>	<b>41</b>	<b>33</b>	<b>6</b>	<b>8</b>	<b>2</b>	<b>8</b>	<b>1</b>	<b>8</b>	<b>184</b>
<b>Total</b>	<b>19114</b>	<b>19930</b>	<b>11638</b>	<b>3066</b>	<b>1919</b>	<b>197</b>	<b>154</b>	<b>18</b>	<b>50</b>	<b>56086</b>

**TABLE 1.8**

**PERSONS RECEIVING A COMMUNITY SERVICE ORDER AS PRINCIPAL PENALTY FOR PRINCIPAL OFFENCE  
IN LOCAL COURT APPEARANCES FINALISED:  
TYPE OF PRINCIPAL OFFENCE, DURATION OF COMMUNITY SERVICE ORDER**

<i>Type of principal offence</i>	<i>Duration of Community Service Order</i>										<i>Total</i>
	<i>50 hours or less</i>	<i>51 to 100 hours</i>	<i>101 to 150 hours</i>	<i>151 to 200 hours</i>	<i>201 to 250 hours</i>	<i>251 to 300 hours</i>	<i>301 to 350 hours</i>	<i>351 to 400 hours</i>	<i>401 to 450 hours</i>	<i>Over 450 hours</i>	
	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	
<b>Against the person:</b>											
Assault occasioning actual bodily harm	8	78	28	56	6	14	-	10	-	2	202
Other assault	39	233	63	69	7	14	2	6	-	-	433
Sexual assault	-	6	4	2	1	2	-	1	-	1	17
Sexual offences against children	-	5	3	1	2	1	-	-	-	-	12
Other	-	2	1	2	2	1	-	-	-	-	8
<b>Theft:</b>											
Breaking and entering	14	124	99	121	21	32	4	2	-	3	420
Fraud	16	90	46	95	9	19	3	4	-	2	284
Larceny by shop stealing	17	65	23	11	-	-	-	1	-	-	117
Other larceny	41	182	65	86	5	24	1	10	2	1	417
Unlawful possession	15	63	17	38	3	3	1	1	-	1	142
Vehicle theft	7	71	46	47	6	14	-	5	-	3	199
<b>Property damage:</b>											
Arson, damage by fire	-	-	-	1	-	-	-	-	-	-	1
Other	20	80	26	24	1	3	-	2	-	-	156
<b>Environmental</b>											
	-	1	-	-	-	-	-	-	-	-	1

<b>Against justice procedures:</b>											
Breach of order	49	103	29	12	5	3	-	2	-	-	203
Other	14	36	4	9	-	2	-	-	-	-	65
<b>Against good order:</b>											
Weapons	4	8	3	2	-	1	-	-	-	-	18
Betting and gaming	-	1	-	-	-	-	-	-	-	-	1
Prostitution	-	5	-	-	-	-	-	-	-	-	5
Liquor licensing	-	-	-	-	-	-	-	-	-	-	-
Offensive behaviour	16	17	5	-	3	-	-	-	-	1	42
Other	3	16	2	4	-	1	-	-	-	-	26
<b>Drug:</b>											
Possession and/or use:											
-opiates	3	5	3	-	-	-	-	-	-	-	11
-cannabis	13	58	12	9	2	1	-	-	-	1	96
-other drug	4	7	3	4	2	-	-	-	-	-	20
Dealing and trafficking:											
-opiates	-	1	2	4	-	1	-	-	-	1	9
-cannabis	10	58	30	39	8	13	1	6	1	1	167
-other drug	-	13	4	4	-	3	-	-	-	-	24
Manufacturing and/or growing:											
-cannabis	11	59	25	29	2	9	-	3	-	-	138
-other drug	-	1	1	-	-	-	-	-	-	-	2
Other	1	8	-	1	-	-	-	-	-	-	10
<b>Driving:</b>											
Cause injury by driving	-	1	3	1	1	1	-	-	-	-	7
DUI drink/drug	2	18	4	1	-	-	-	-	-	-	25
PCA – high	9	134	127	127	3	4	1	-	-	-	405
PCA – medium	6	150	24	15	-	-	-	-	-	-	195
PCA – low	-	3	-	-	-	-	-	-	-	-	3
Dangerous, reckless or negligent driving	3	40	18	9	-	1	-	1	-	-	72
Other	72	813	66	34	2	3	2	3	1	1	997
<b>Other</b>	-	4	-	-	-	-	-	-	-	-	4
<b>Total</b>	<b>397</b>	<b>2559</b>	<b>786</b>	<b>857</b>	<b>91</b>	<b>170</b>	<b>15</b>	<b>57</b>	<b>4</b>	<b>18</b>	<b>4954</b>

TABLE 1.9

PERSONS RECEIVING A RECOGNIZANCE AS PRINCIPAL PENALTY FOR PRINCIPAL OFFENCE  
IN LOCAL COURT APPEARANCES FINALISED:  
TYPE OF PRINCIPAL OFFENCE, DURATION OF RECOGNIZANCE

Type of principal offence	Duration of recognizance											Total
	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	
	Less than 6 months	6 months to under 12 months	12 months to under 18 months	18 months to under 24 months	24 months to under 30 months	30 months to under 36 months	36 months to under 42 months	42 months to under 48 months	48 months to under 54 months	60 months and over	Unknown	
<b>Against the person:</b>												
Assault occasioning actual bodily harm	-	25	299	108	394	-	187	-	11	9	-	1033
Other assault	6	178	1673	414	1305	3	402	-	23	15	-	4019
Sexual assault	-	-	6	4	9	-	13	-	1	2	-	35
Sexual offences against children	-	-	6	2	13	-	21	-	2	2	-	46
Other	-	-	17	7	28	-	17	-	-	3	2	74
<b>Theft:</b>												
Breaking and entering	1	7	107	72	235	-	167	-	19	3	-	611
Fraud	3	11	177	70	291	-	233	-	16	18	7	826
Larceny by shop stealing	1	39	313	79	188	-	64	-	2	3	-	689
Other larceny	3	67	654	190	611	-	274	-	13	11	-	1823
Unlawful possession	-	13	136	52	170	-	102	-	8	2	-	483
Vehicle theft	-	6	82	36	144	-	82	-	11	5	-	367
<b>Property damage:</b>												
Arson, damage by fire	-	-	-	-	1	-	-	-	-	-	-	1
Other	1	54	352	85	270	-	91	-	4	-	1	858
<b>Environmental</b>	-	1	2	-	-	-	1	-	-	-	-	4

<b>Against justice procedures:</b>												
Breach of order	-	12	127	47	139	2	74	-	8	2	1	412
Other	-	18	142	38	100	-	46	-	2	3	-	349
<b>Against good order:</b>												
Weapons	-	10	71	11	52	-	26	-	-	1	-	171
Betting and gaming	-	-	2	-	-	-	1	-	-	-	-	3
Prostitution	1	8	12	5	5	-	3	-	-	-	-	34
Liquor licensing	-	1	4	-	-	-	-	-	-	-	-	5
Offensive behaviour	3	29	174	34	83	-	31	-	1	3	-	358
Other	2	15	67	20	56	-	20	-	3	2	-	185
<b>Drug:</b>												
Possession and/or use:												
-opiates	-	3	37	10	58	-	16	-	-	-	-	124
-cannabis	-	21	164	58	157	-	72	-	4	-	-	476
-other drug	-	2	72	16	55	-	22	-	5	-	-	172
Dealing and trafficking:												
-opiates	-	-	4	3	9	-	6	-	-	-	-	22
-cannabis	-	-	25	11	65	-	78	-	10	3	-	192
-other drug	-	-	12	1	23	-	12	-	1	-	-	49
Manufacturing and/or growing:												
-cannabis	-	7	106	74	197	-	101	-	7	5	-	497
-other drug	-	1	2	1	4	-	2	-	-	-	-	10
Other	-	4	26	6	24	-	13	-	-	-	-	73
<b>Driving:</b>												
Cause injury by driving	-	-	4	1	3	-	7	-	-	1	-	16
DUI drink/drug	-	1	25	8	38	-	32	-	1	4	-	109
PCA – high	-	13	160	61	424	1	433	1	32	45	-	1170
PCA – medium	4	21	510	152	542	-	276	-	8	12	-	1525
PCA – low	-	15	217	58	71	-	21	-	-	-	-	382
Dangerous, reckless or negligent driving	-	5	30	17	55	-	57	-	2	3	-	169
Other	4	42	271	125	404	1	270	-	16	14	1	1148
<b>Other</b>	-	1	18	2	26	-	5	-	-	-	4	56
<b>Total</b>	<b>30</b>	<b>630</b>	<b>6106</b>	<b>1878</b>	<b>6249</b>	<b>7</b>	<b>3278</b>	<b>1</b>	<b>210</b>	<b>171</b>	<b>16</b>	<b>18576</b>



<b>Against justice procedures:</b>														
Breach of order	115	122	78	155	55	13	92	1	-	7	-	-	3	641
Other	14	29	7	20	3	-	19	-	-	1	1	-	-	94
<b>Against good order:</b>														
Weapons	3	5	2	4	1	1	6	1	-	1	-	-	1	25
Betting and gaming	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Prostitution	3	7	1	-	-	-	-	-	-	-	-	-	-	11
Liquor licensing	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Offensive behaviour	17	10	4	5	2	-	4	-	-	-	-	-	1	43
Other	2	1	2	19	6	-	18	-	-	1	-	-	2	51
<b>Drug:</b>														
Possession and/or use:														
-opiates	4	23	7	7	2	2	4	-	-	-	-	-	-	49
-cannabis	18	32	13	19	7	1	9	1	-	-	-	-	-	100
-other drug	4	12	5	6	1	-	3	-	-	1	-	-	1	33
Dealing and trafficking:														
-opiates	1	3	4	7	8	2	11	-	-	-	-	-	2	38
-cannabis	4	7	7	23	13	3	31	1	-	1	-	-	5	95
-other drug	-	-	2	12	1	2	6	-	-	-	-	-	1	24
Manufacturing and/or growing:														
-cannabis	2	9	4	7	4	-	8	-	-	-	-	-	-	34
-other drug	-	1	-	-	-	-	-	-	-	-	-	-	-	1
Other	1	-	2	3	3	1	1	-	-	-	-	-	-	11
<b>Driving:</b>														
Cause injury by driving	-	-	-	-	-	-	-	-	-	-	-	-	-	-
DUI drink/drug	1	-	2	6	6	-	8	-	-	1	-	-	-	24
PCA – high	1	7	18	43	37	2	82	1	1	3	1	-	1	197
PCA – medium	1	13	10	30	21	5	33	-	-	-	-	-	1	114
PCA – low	-	-	1	-	-	-	-	-	-	-	-	-	-	1
Dangerous, reckless or negligent driving	-	4	7	22	7	1	30	-	-	2	-	-	1	74
Other	12	47	77	161	93	9	139	-	-	2	-	-	-	540
<b>Other</b>														
	-	3	1	4	-	-	1	-	-	-	-	-	-	9
<b>Total</b>	<b>350</b>	<b>632</b>	<b>487</b>	<b>1128</b>	<b>520</b>	<b>86</b>	<b>1191</b>	<b>6</b>	<b>11</b>	<b>100</b>	<b>5</b>	<b>-</b>	<b>125</b>	<b>4641</b>



<b>Against justice procedures:</b>										
Breach of order	-	4	2	9	6	1	-	-	-	22
Other	-	-	1	4	2	-	1	-	-	8
<b>Against good order:</b>										
Weapons	-	-	-	-	-	-	-	-	-	-
Betting and gaming	-	-	-	-	-	-	-	-	-	-
Prostitution	-	-	-	-	-	-	-	-	-	-
Liquor licensing	-	-	-	-	-	-	-	-	-	-
Offensive behaviour	-	-	-	-	-	-	-	-	-	-
Other	-	1	1	5	4	2	2	-	-	15
<b>Drug:</b>										
Possession and/or use:										
-opiates	-	-	2	-	-	1	-	-	-	3
-cannabis	-	1	-	1	1	-	-	-	-	3
-other drug	-	2	-	-	-	1	-	-	-	3
Dealing and trafficking:										
-opiates	-	-	1	3	1	-	1	-	-	6
-cannabis	1	3	3	8	2	1	-	-	-	18
-other drug	-	1	-	1	-	-	2	-	-	4
Manufacturing and/or growing:										
-cannabis	-	-	-	1	-	-	-	-	-	1
-other drug	-	-	-	1	-	-	-	-	-	1
Other	-	-	-	-	-	-	-	-	-	-
<b>Driving:</b>										
Cause injury by driving	-	-	1	1	-	-	-	-	-	2
DUI drink/drug	-	-	-	1	-	-	-	-	-	1
PCA – high	1	1	5	6	1	-	-	-	-	14
PCA – medium	-	-	-	-	-	-	-	-	-	-
PCA – low	-	-	-	-	-	-	-	-	-	-
Dangerous, reckless or negligent driving	-	-	4	2	-	-	-	-	-	6
Other	-	-	1	-	-	-	-	-	-	1
<b>Other</b>										
	-	-	-	-	-	-	-	-	-	-
<b>Total</b>	<b>7</b>	<b>33</b>	<b>102</b>	<b>243</b>	<b>136</b>	<b>28</b>	<b>47</b>	<b>1</b>	<b>1</b>	<b>598</b>

TABLE 1.12

**PERSONS FOUND GUILTY IN LOCAL COURT APPEARANCES FINALISED:  
SEX, TYPE OF PRINCIPAL OFFENCE, AGE**

*Note: Excluded from this table are 6 companies (included in Table 1.6), 5 cases for which no principal offence could be calculated and 1596 cases for which a Section 80AA warrant was issued. There were 455 cases which received no action taken on a breach of court orders which appear in this table but were excluded from Table 1.6.*

Type of principal offence	Sex: Total male and female											
	Age (years)											Total
	Under 18	18	19	20-24	25-29	30-39	40-49	50-59	60-65	Over 65	Unknown	
<b>Against the person:</b>												
Assault occasioning actual bodily harm	1	42	124	681	439	536	225	65	11	7	9	2140
Other assault	2	125	434	2188	1659	2380	1119	354	70	53	91	8475
Sexual assault	-	1	3	12	8	28	12	7	1	4	-	76
Sexual offences against children	-	2	1	11	13	23	11	6	2	4	-	73
Other	-	1	9	27	23	39	24	11	2	1	4	141
<b>Theft:</b>												
Breaking and entering	1	120	309	739	323	264	60	15	-	1	3	1835
Fraud	5	35	102	528	454	584	292	75	18	7	144	2244
Larceny by shop stealing	5	103	202	590	431	692	374	249	108	99	38	2891
Other larceny	9	281	633	1997	1127	1533	651	309	113	80	52	6785
Unlawful possession	-	67	168	683	446	471	183	39	6	5	4	2072
Vehicle theft	12	83	198	550	169	120	27	5	2	1	3	1170
<b>Property damage:</b>												
Arson, damage by fire	-	-	1	2	-	3	2	-	-	-	-	8
Other	2	167	426	1410	725	753	237	64	21	9	21	3835
<b>Environmental</b>	-	2	-	13	7	7	11	-	1	-	22	63

<b>Against justice procedures:</b>												
Breach of order	2	14	100	833	566	739	270	85	16	11	208	2844
Other	2	59	163	668	388	373	136	47	5	4	9	1854
<b>Against good order:</b>												
Weapons	-	17	66	267	149	235	166	71	20	16	23	1030
Betting and gaming	-	-	1	62	116	278	108	58	13	7	3	646
Prostitution	-	18	44	208	254	203	24	4	-	1	-	756
Liquor licensing	-	7	12	46	37	51	16	11	2	2	19	203
Offensive behaviour	10	251	698	2636	1359	1229	461	130	46	26	48	6894
Other	2	52	141	405	207	220	74	25	9	1	23	1159
<b>Drug:</b>												
Possession and/or use:												
-opiates	-	2	13	77	140	167	33	1	-	-	1	434
-cannabis	2	139	415	1688	1053	1038	216	27	5	-	11	4594
-other drug	5	32	70	302	247	294	71	7	1	1	10	1040
Dealing and trafficking:												
-opiates	-	3	-	19	20	37	10	1	-	-	-	90
-cannabis	-	12	38	207	142	172	41	12	1	1	2	628
-other drug	-	3	4	33	29	40	18	2	-	-	3	132
Manufacturing and/or growing:												
-cannabis	-	21	74	426	389	595	172	33	13	10	7	1740
-other drug	-	1	2	7	12	13	2	-	-	-	-	37
Other	-	19	40	126	68	80	19	1	3	1	7	364
<b>Driving:</b>												
Cause injury by driving	-	3	3	29	16	23	5	5	2	6	-	92
DUI drink/drug	2	18	31	181	134	198	82	36	7	19	11	719
PCA – high	18	74	175	1470	1463	2398	1340	514	114	73	24	7663
PCA – medium	57	234	476	2859	2134	2811	1540	602	164	116	31	11024
PCA – low	34	103	192	876	595	759	388	169	50	41	17	3224
Dangerous, reckless or negligent driving	43	114	162	609	271	258	111	44	16	13	17	1658
Other	65	279	494	2946	2107	2348	918	313	63	67	117	9717
<b>Other</b>	-	-	4	21	16	47	33	17	9	5	107	259
<b>Total</b>	<b>279</b>	<b>2504</b>	<b>6028</b>	<b>28432</b>	<b>17736</b>	<b>22039</b>	<b>9482</b>	<b>3414</b>	<b>914</b>	<b>692</b>	<b>1089</b>	<b>90609</b>

TABLE 1.12a

**PERSONS FOUND GUILTY IN LOCAL COURT APPEARANCES FINALISED:  
SEX, TYPE OF PRINCIPAL OFFENCE, AGE**

*Note: Excluded from this table are 3 males for whom principal offences could not be calculated and 1332 males for whom a Section 80AA warrant was issued.*

Type of principal offence	Sex: Male											
	Age (years)											
	Under 18	18	19	20-24	25-29	30-39	40-49	50-59	60-65	Over 65	Unknown	Total
<b>Against the person:</b>												
Assault occasioning actual bodily harm	1	34	113	626	408	495	209	60	11	7	5	1969
Other assault	2	106	373	1943	1505	2154	1046	332	66	48	69	7644
Sexual assault	-	1	3	12	8	28	12	7	1	4	-	76
Sexual offences against children	-	2	1	11	12	23	11	6	2	4	-	72
Other	-	1	9	23	16	30	16	8	2	1	2	108
<b>Theft:</b>												
Breaking and entering	1	116	296	685	293	245	53	13	-	1	3	1706
Fraud	5	30	71	374	316	425	216	60	15	5	90	1607
Larceny by shop stealing	3	67	125	331	208	342	181	142	62	56	8	1525
Other larceny	8	218	518	1526	816	1045	439	182	69	52	31	4904
Unlawful possession	-	57	157	577	367	390	153	33	3	5	4	1746
Vehicle theft	12	76	187	519	152	102	22	5	2	1	3	1081
<b>Property damage:</b>												
Arson, damage by fire	-	-	1	2	-	2	2	-	-	-	-	7
Other	2	160	398	1314	668	668	208	56	19	7	19	3519
<b>Environmental</b>												
	-	2	-	12	7	4	11	-	1	-	21	58

<b>Against justice procedures:</b>												
Breach of order	2	14	91	740	500	653	239	76	15	11	177	2518
Other	2	53	143	566	321	311	114	40	5	4	8	1567
<b>Against good order:</b>												
Weapons	-	17	63	261	145	221	159	69	19	15	19	988
Betting and gaming	-	-	1	58	100	238	94	45	12	6	2	556
Prostitution	-	5	12	47	48	46	7	1	-	1	-	167
Liquor licensing	-	5	8	40	32	43	13	10	2	2	18	173
Offensive behaviour	9	224	619	2347	1208	1067	381	120	46	25	42	6088
Other	2	51	134	378	190	201	64	24	8	1	21	1074
<b>Drug:</b>												
Possession and/or use:												
-opiates	-	-	10	49	109	137	27	1	-	-	1	334
-cannabis	2	129	387	1534	920	890	185	23	3	-	11	4084
-other drug	5	27	62	252	202	245	55	6	1	1	8	864
Dealing and trafficking:												
-opiates	-	3	-	17	14	27	8	1	-	-	-	70
-cannabis	-	9	36	187	125	145	30	11	1	1	-	545
-other drug	-	3	4	26	25	35	15	2	-	-	3	113
Manufacturing and/or growing:												
-cannabis	-	20	63	378	323	493	132	29	7	9	7	1461
-other drug	-	1	2	6	11	11	2	-	-	-	-	33
Other	-	18	36	107	54	56	9	-	2	1	6	289
<b>Driving:</b>												
Cause injury by driving	-	3	2	26	16	21	3	5	2	4	-	82
DUI drink/drug	1	16	28	160	120	166	77	36	7	17	9	637
PCA - high	16	66	156	1323	1277	2124	1195	473	110	63	22	6825
PCA - medium	52	211	429	2490	1825	2394	1353	557	156	111	26	9604
PCA - low	31	93	164	751	516	632	335	156	48	41	15	2782
Dangerous, reckless or negligent driving	42	112	156	580	252	232	95	41	12	10	16	1548
Other	59	257	460	2747	1926	2130	828	281	59	54	107	8908
<b>Other</b>	-	-	4	14	10	34	27	15	9	5	75	193
<b>Total</b>	<b>257</b>	<b>2207</b>	<b>5322</b>	<b>23039</b>	<b>15045</b>	<b>18505</b>	<b>8026</b>	<b>2926</b>	<b>777</b>	<b>573</b>	<b>848</b>	<b>77525</b>

TABLE 1.12b

**PERSONS FOUND GUILTY IN LOCAL COURT APPEARANCES FINALISED:  
SEX, TYPE OF PRINCIPAL OFFENCE, AGE**

Note: Excluded from this table are 2 females for whom principal offences could not be calculated and 264 females for whom a Section 80AA warrant was issued.

Type of principal offence	Sex: Female											
	Age (years)											
	Under 18	18	19	20-24	25-29	30-39	40-49	50-59	60-65	Over 65	Unknown	Total
<b>Against the person:</b>												
Assault occasioning actual bodily harm	-	8	11	55	31	41	16	5	-	-	4	171
Other assault	-	19	61	245	154	226	73	22	4	5	22	831
Sexual assault	-	-	-	-	-	-	-	-	-	-	-	-
Sexual offences against children	-	-	-	-	1	-	-	-	-	-	-	1
Other	-	-	-	4	7	9	8	3	-	-	2	33
<b>Theft:</b>												
Breaking and entering	-	4	13	54	30	19	7	2	-	-	-	129
Fraud	-	5	31	154	138	159	76	15	3	2	54	637
Larceny by shop stealing	2	36	77	259	223	350	193	107	46	43	30	1366
Other larceny	1	63	115	471	311	488	212	127	44	28	21	1881
Unlawful possession	-	10	11	106	79	81	30	6	3	-	-	326
Vehicle theft	-	7	11	31	17	18	5	-	-	-	-	89
<b>Property damage:</b>												
Arson, damage by fire	-	-	-	-	-	1	-	-	-	-	-	1
Other	-	7	28	96	57	85	29	8	2	2	2	316
<b>Environmental</b>												
	-	-	-	1	-	3	-	-	-	-	1	5

<b>Against justice procedures:</b>												
Breach of order	-	-	9	93	66	86	31	9	1	-	31	326
Other	-	6	20	102	67	62	22	7	-	-	1	287
<b>Against good order:</b>												
Weapons	-	-	3	6	4	14	7	2	1	1	4	42
Betting and gaming	-	-	-	4	16	40	14	13	1	1	1	90
Prostitution	-	13	32	161	206	157	17	3	-	-	-	589
Liquor licensing	-	2	4	6	5	8	3	1	-	-	1	30
Offensive behaviour	1	27	79	289	151	162	80	10	-	1	6	806
Other	-	1	7	27	17	19	10	1	1	-	2	85
<b>Drug:</b>												
Possession and/or use:												
-opiates	-	2	3	28	31	30	6	-	-	-	-	100
-cannabis	-	10	28	154	133	148	31	4	2	-	-	510
-other drug	-	5	8	50	45	49	16	1	-	-	2	176
Dealing and trafficking:												
-opiates	-	-	-	2	6	10	2	-	-	-	-	20
-cannabis	-	3	2	20	17	27	11	1	-	-	2	83
-other drug	-	-	-	7	4	5	3	-	-	-	-	19
Manufacturing and/or growing:												
-cannabis	-	1	11	48	66	102	40	4	6	1	-	279
-other drug	-	-	-	1	1	2	-	-	-	-	-	4
Other	-	1	4	19	14	24	10	1	1	-	1	75
<b>Driving:</b>												
Cause injury by driving	-	-	1	3	-	2	2	-	-	2	-	10
DUI drink/drug	1	2	3	21	14	32	5	-	-	2	2	82
PCA – high	2	8	19	147	186	274	145	41	4	10	2	838
PCA – medium	5	23	47	369	309	417	187	45	8	5	5	1420
PCA – low	3	10	28	125	79	127	53	13	2	-	2	442
Dangerous, reckless or negligent driving	1	2	6	29	19	26	16	3	4	3	1	110
Other	6	22	34	199	181	218	90	32	4	13	10	809
Other	-	-	-	7	6	13	6	2	-	-	32	66
<b>Total</b>	<b>22</b>	<b>297</b>	<b>706</b>	<b>3393</b>	<b>2691</b>	<b>3534</b>	<b>1456</b>	<b>488</b>	<b>137</b>	<b>119</b>	<b>241</b>	<b>13084</b>

TABLE 1.13

**PERSONS CHARGED IN LOCAL COURT APPEARANCES FINALISED AND DURATION OF PROCEEDINGS:  
OUTCOME OF APPEARANCE, BAIL STATUS**

a Total includes 79 persons for whom bail status was unknown

b Total includes 181 persons for whom bail status was unknown

c Total includes 5 persons for whom bail status was unknown

d Total includes 96 persons for whom bail status was unknown

e Total includes 101 persons for whom bail status was unknown

f Total includes 329 persons for whom bail status was unknown

g Total includes 32 persons for whom bail status was unknown

Outcome of appearance	Bail status								
	On bail			In gaol/shelter			Total		
	Duration of proceedings			Duration of proceedings			Duration of proceedings		
	Persons charged	Offence to first appearance	First appearance to determination	Persons charged	Offence to first appearance	First appearance to determination	Persons charged	Offence to first appearance	First appearance to determination
	Number	Median duration (days)		Number	Median duration (days)		Number	Median duration (days)	
<b>Proceeded to defended hearing:</b>									
All charges dismissed	4208	29.0	98.0	86	21.5	66.0	4373 <sup>a</sup>	30.0	97.0
Guilty of at least one charge	10466	26.0	94.0	465	26.0	35.0	11112 <sup>b</sup>	27.0	92.0
Other	618	27.0	84.0	34	36.0	56.0	657 <sup>c</sup>	27.0	81.0
<b>Convicted ex parte</b>	8426	24.0	22.0	46	106.5	12.5	8568 <sup>d</sup>	24.0	21.0
<b>All charges dismissed without hearing</b>	5803	27.0	57.0	187	28.0	30.0	6091 <sup>e</sup>	27.0	56.0
<b>Sentenced after guilty plea</b>	68051	24.0	0.0	2590	24.0	2.0	70970 <sup>f</sup>	24.0	0.0
<b>All charges otherwise disposed of</b>	2121	27.0	53.0	180	11.0	29.5	2333 <sup>g</sup>	26.0	50.0

Note: Excluded from this table are 1014 persons who were in prison for a previous offence.

**TABLE 1.14****PERSONS CHARGED IN LOCAL COURT APPEARANCES FINALISED:  
STATISTICAL DIVISION OF RESIDENCE**

<i>Statistical Division of residence</i>	<i>Persons charged</i>	
	<i>Number</i>	<i>Rate per 100,000 population</i>
Sydney:		
Inner Sydney	6933	2656.8
Eastern Suburbs	3343	1431.1
St George - Sutherland	5357	1351.1
Canterbury - Bankstown	4172	1411.8
Fairfield - Liverpool	5021	1759.3
Outer South Western Sydney	3582	1774.6
Inner Western Sydney	1781	1161.8
Central Western Sydney	4113	1530.7
Outer Western Sydney	3601	1254.7
Blacktown - Baulkham Hills	5416	1577.6
Lower Northern Sydney	2285	836.7
Hornsby - Ku-ring-gai	1701	714.7
Manly - Warringah	3255	1469.2
Gosford - Wyong	4205	1753.5
<hr/>		
Hunter	10055	1937.6
<hr/>		
Illawarra	5262	1535.2
<hr/>		
Richmond - Tweed	3269	1810.6
<hr/>		
Mid-North Coast	4802	1994.2
<hr/>		
Northern	3963	2136.4
<hr/>		
North Western	3643	3177.5
<hr/>		
Central West	3491	2076.7
<hr/>		
South Eastern	3356	1978.8
<hr/>		
Murrumbidgee	2881	1980.1
<hr/>		
Murray	1940	1753.3
<hr/>		
Far West	1092	4274.0

*Note: Excluded from this table are 2351 people whose residence was recorded as interstate and 4248 whose residence was unknown.*

*The population data used to calculate rates are preliminary estimates of population as at 30 June 1991 from the Australian Bureau of Statistics publication, Estimated Resident Population of Statistical Local Areas New South Wales, at 30 June, 1990 Final and 1991 Preliminary, Catalogue No. 3210.1.*

TABLE 1.15

PERSONS FOUND GUILTY IN LOCAL COURT APPEARANCES FINALISED  
 RATE PER 100,000 POPULATION:  
 STATISTICAL DIVISION OF RESIDENCE, TYPE OF PRINCIPAL OFFENCE

<i>Statistical Division of residence</i>	<i>Type of principal offence</i>								
	<i>Against the person</i>	<i>Theft</i>	<i>Property damage</i>	<i>Environmental</i>	<i>Against justice procedures</i>	<i>Against good order</i>	<i>Drug</i>	<i>Driving</i>	<i>Other</i>
	Rate	Rate	Rate	Rate	Rate	Rate	Rate	Rate	Rate
Sydney:									
Inner Sydney	231.5	617.0	82.4	-	133.0	348.3	232.6	454.5	10.7
Eastern Suburbs	120.3	283.4	42.8	0.4	56.9	126.3	125.4	420.4	7.7
St George – Sutherland	112.2	195.7	44.1	1.0	50.2	98.9	109.0	544.0	2.5
Canterbury – Bankstown	137.4	223.0	40.9	0.3	52.8	115.4	105.6	498.8	6.4
Fairfield – Liverpool	157.7	310.4	50.8	0.7	69.4	187.1	152.1	573.6	8.1
Outer South Western Sydney	200.6	313.6	57.0	2.0	107.0	131.8	107.5	599.0	1.5
Inner Western Sydney	110.2	224.4	39.8	-	48.3	99.8	80.9	343.8	8.5
Central Western Sydney	134.4	256.8	39.4	-	66.2	115.0	130.6	537.4	4.8
Outer Western Sydney	134.1	216.0	45.3	-	45.3	96.9	123.7	461.0	2.4
Blacktown – Baulkham Hills	148.0	278.5	53.3	0.3	78.4	107.8	131.7	547.6	4.4
Lower Northern Sydney	76.2	135.8	22.7	0.7	24.5	70.3	64.1	355.2	3.3
Hornsby – Ku-ring-gai	47.1	87.0	21.0	0.4	18.5	68.1	76.1	336.1	1.7
Manly – Warringah	129.1	204.9	42.9	1.4	45.1	144.9	116.0	633.7	2.7
Gosford – Wyong	146.8	263.6	69.6	0.4	76.7	156.4	161.4	649.7	0.8

Hunter	221.8	309.1	83.8	0.6	88.1	181.1	216.8	618.9	2.1
Illawarra	148.5	255.0	63.0	0.3	60.1	112.9	142.4	580.3	1.5
Richmond – Tweed	229.9	266.4	69.2	1.1	68.7	188.3	248.7	522.8	2.2
Mid-North Coast	219.7	304.4	81.0	1.2	81.4	169.0	214.3	632.9	4.2
Northern	305.7	293.8	97.6	3.8	126.7	305.7	129.9	568.7	3.2
North Western	498.9	378.5	131.7	4.4	186.7	533.8	153.5	792.0	7.8
Central West	248.7	297.4	89.2	2.4	88.0	237.4	151.1	622.8	3.6
South Eastern	218.8	228.8	80.8	2.4	60.1	304.8	195.2	701.7	3.9
Murrumbidgee	241.9	253.6	95.5	-	85.2	257.0	85.9	714.1	4.8
Murray	252.1	268.4	92.2	4.5	69.6	270.2	103.9	494.4	2.7
Far West	814.1	403.1	234.8	3.9	191.8	661.4	207.4	915.9	15.7
New South Wales	175.3	268.2	61.3	0.9	71.6	167.9	143.2	546.3	4.2

*Note: Excluded from this table are 2004 people whose residence was recorded as interstate and 3699 whose residence was unknown.*

*The population data used to calculate rates are preliminary estimates of population as at 30 June 1991 from the Australian Bureau of Statistics publication, Estimated Resident Population of Statistical Local Areas New South Wales, at 30 June, 1990 Final and 1991 Preliminary, Catalogue No. 3210.1.*

# NEW SOUTH WALES CHILDREN'S COURTS

**Explanatory notes and tables**

## EXPLANATORY NOTES: CHILDREN'S COURTS TABLES

Children's Courts data are provided by the Office of Juvenile Justice, which has been responsible for the administration of juvenile justice since 1991. As noted in last year's report figures for the financial year 1990/91 were not available in time for publication. Tables for 1990/91 have been included in this year's report, with the 1991/92 figures.

Juveniles aged 10 to 17 years who allegedly offend against the criminal laws may be brought before the Children's Courts for conviction and sentence or, for relatively minor offences, may be dealt with by a system of formal police cautions. Tables are provided for both court appearances and for police cautions. Note, however, that for 1991/92, figures on police cautions were not made available by the Office of Juvenile Justice and are not included in this report.

Juveniles may also appear before the Children's Courts for complaints under the *Children (Care and Protection) Act 1987*. These matters deal with issues such as truancy or neglect. Tables were formerly provided for these welfare matters. As welfare matters are now the responsibility of the Department of Community Services, rather than the Office of Juvenile Justice, and do not constitute criminal proceedings, inclusion of these tables has been discontinued in this report series.

### TABLES 2.1 TO 2.8: CRIMINAL MATTERS BEFORE THE CHILDREN'S COURTS

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#### TABLE 2.1: TRENDS IN APPEARANCES

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Table 2.1 provides information on the numbers of criminal matters before the Children's Courts over a five year period.

##### Appearance

An appearance is defined as a group of charges against an individual. A final court appearance is defined as the court appearance at which at least one charge was finalised. This corresponds to the counting rule for a finalised case in the Local Courts tables. Where there were multiple finalised charges for an individual these are not shown for juvenile court appearances.

##### Type of offence

In this and subsequent tables, the type of offence charged is the principal offence charged. The principal offence charged is defined as the most serious charge laid against an individual at the court appearance. The tables dealing with adult court appearances differ in that they show all charges laid, and do not distinguish a principal offence charged.

## EXPLANATORY NOTES: CHILDREN'S COURTS TABLES

The offence classification system is based on the ANCO system which is also used for adult court appearances. The following notes provide more information on the categorisation used:

1. The category 'against the person' includes homicides, attempted homicides and non-sexual assaults.
2. The 'serious driving' category includes drink/driving offences and dangerous or negligent driving.
3. The 'motor vehicle theft' category includes steal motor vehicle, take/use motor vehicle and ride in stolen motor vehicle.
4. The category 'other' includes offences against good order and other offences not elsewhere classified.

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### TABLE 2.2: TRENDS IN PROVEN OFFENCES

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Table 2.2 presents information for a five year period, on the number of criminal matters before the Children's Courts which were proven. The term *proven offence* is used in preference to the term *conviction*, as some court outcomes do not result in a conviction being recorded, although the offence has been proven.

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### TABLE 2.3: TRENDS IN COURT OUTCOMES

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Table 2.3 presents information for a five year period on the outcome for the principal offence charged. Where there were other charges against an individual with different outcomes to that for the principal offence charged, the outcomes of these charges are not shown in the table. The outcome classification used is based on draft national standards developed by the Australian Bureau of Statistics. Note that *outcome of charge* in these tables includes both outcome and penalty which are shown separately in the tables for adult court appearances. Appendix 2 provides a description of the major types of outcome and penalty used by the Local, Children's and Higher Courts.

The categories relating to children placed under the care of the Department of Community Services or other persons have been discontinued as they relate to outcomes of welfare rather than criminal matters. The categories 'committed to prison' and 'committed to institution' are included under the category 'control order' in 1990/91 and 1991/92.

## EXPLANATORY NOTES: CHILDREN'S COURTS TABLES

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### TABLE 2.4: TYPE OF CHARGE AND OUTCOME

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Table 2.4 presents information on court outcomes for the principal offence charged for each type of offence. The grouped outcome 'not proven' includes the following categories: committed to a higher court; heard, not proven; withdrawn, and other not proven outcomes. The grouped outcome 'other' includes the following categories: rising of the court; compensation and other proven outcomes.

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### TABLE 2.5: APPEARANCES AND PROVEN OFFENCES FOR DRUG MATTERS

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Table 2.5 shows information on the number of court appearances and proven offences for different types of drug offence. Note that the more serious drug offences are committed to the District Court.

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### TABLE 2.6: AGE AND SEX OF PROVEN OFFENDERS

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The age category '18 years and over' which appears in this and subsequent tables, refers to those offenders who were under 18 years at the time of the offence, but were 18 years or over at the time of the finalisation of the matter.

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### TABLE 2.8: BAIL AT FINAL APPEARANCE

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Table 2.8 includes both those accused for whom a bail decision was made and those accused whose cases resulted from a summons or court attendance notice.

## EXPLANATORY NOTES: CHILDREN'S COURTS TABLES

### TABLES 2.9 TO 2.11: POLICE CAUTIONS

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#### TABLE 2.9: TRENDS IN POLICE CAUTIONS

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Table 2.9 presents five year trends in police cautions by offence type for the principal offence charged. The offence types used are the same as those in Tables 2.1 and 2.2. It should be noted that in 1987/88 and 1988/89 shoplifting was included in the 'other theft' category.

**TABLE 2.1**
**TRENDS IN APPEARANCES FOR CRIMINAL MATTERS BEFORE THE CHILDREN'S COURTS, 1987/88 TO 1991/92**

<i>Type of offence charged</i>	<i>1987/88</i>		<i>1988/89</i>		<i>1989/90</i>		<i>1990/91</i>		<i>1991/92</i>	
	<i>No.</i>	<i>%</i>								
Against the person	1400	9.1	1920	12.3	2186	13.8	2079	13.2	1951	14.2
Robbery and extortion	181	1.2	201	1.3	245	1.5	272	1.7	300	2.2
Sexual assault	132	0.9	148	1.0	136	0.9	98	0.6	98	0.7
Fraud	235	1.5	331	2.1	403	2.5	435	2.8	406	3.0
Break, enter and steal	2257	14.7	2168	13.9	2307	14.5	2353	14.9	2250	16.4
Larceny:										
Motor vehicle theft	1696	11.1	1831	11.8	1802	11.3	1638	10.4	1366	9.9
Shoplifting	855	5.6	896	5.8	770	4.8	714	4.5	639	4.6
Other theft	1904	12.4	1671	10.7	1908	12.0	2293	14.5	1874	13.6
Unlawful possession	714	4.7	868	5.6	868	5.5	864	5.5	668	4.9
Serious driving	1089	7.1	699	4.5	548	3.5	491	3.1	364	2.6
Firearms and weapons	170	1.1	200	1.3	155	1.0	185	1.2	171	1.2
Property damage	1041	6.8	1166	7.5	1214	7.6	1163	7.4	1024	7.4
Offensive behaviour	691	4.5	1291	8.3	1192	7.5	999	6.3	723	5.3
Drug	530	3.5	579	3.7	606	3.8	590	3.7	667	4.8
Other	2445	15.9	1584	10.2	1539	9.7	1628	10.3	1252	9.1
<b>Total</b>	<b>15340</b>	<b>100.0</b>	<b>15553</b>	<b>100.0</b>	<b>15879</b>	<b>100.0</b>	<b>15802</b>	<b>100.0</b>	<b>13753</b>	<b>100.0</b>

TABLE 2.2

## TRENDS IN PROVEN OFFENCES FOR CRIMINAL MATTERS BEFORE THE CHILDREN'S COURTS, 1987/88 TO 1991/92

<i>Type of offence charged</i>	1987/88		1988/89		1989/90		1990/91		1991/92	
	No.	%								
Against the person	1120	8.1	1586	11.2	1921	13.1	1848	12.6	1726	13.6
Robbery and extortion	117	0.8	137	1.0	189	1.3	244	1.7	267	2.1
Sexual assault	93	0.7	117	0.8	97	0.7	83	0.6	83	0.7
Fraud	214	1.6	308	2.2	379	2.6	412	2.8	377	3.0
Break, enter and steal	2087	15.1	2032	14.3	2156	14.7	2229	15.2	2112	16.7
Larceny:										
Motor vehicle theft	1530	11.1	1707	12.0	1686	11.5	1531	10.4	1285	10.2
Shoplifting	811	5.9	847	6.0	725	4.9	676	4.6	603	4.8
Other theft	1761	12.8	1575	11.1	1793	12.2	2161	14.7	1736	13.7
Unlawful possession	597	4.3	789	5.5	783	5.3	764	5.2	597	4.7
Serious driving	946	6.9	606	4.3	492	3.4	459	3.1	346	2.7
Firearms and weapons	151	1.1	180	1.3	147	1.0	171	1.2	158	1.2
Property damage	951	6.9	1063	7.5	1132	7.7	1082	7.4	937	7.4
Offensive behaviour	647	4.7	1241	8.7	1148	7.8	964	6.6	698	5.5
Drug	505	3.7	558	3.9	589	4.0	570	3.9	636	5.0
Other	2259	16.4	1477	10.4	1420	9.7	1469	10.0	1099	8.7
<b>Total</b>	<b>13769</b>	<b>100.0</b>	<b>14223</b>	<b>100.0</b>	<b>14657</b>	<b>100.0</b>	<b>14663</b>	<b>100.0</b>	<b>12660</b>	<b>100.0</b>

TABLE 2.3

## TRENDS IN OUTCOMES OF CHARGES FOR CRIMINAL MATTERS BEFORE THE CHILDREN'S COURTS, 1987/88 TO 1991/92

Outcome of charge	1987/88		1988/89		1989/90		1990/91		1991/92	
	No.	%								
<b>Not proven:</b>										
Committed to Higher Court	161	1.0	164	1.1	108	0.7	-	-	-	-
Heard, not proven	17	0.1	0	0.0	0	0.0	-	-	-	-
Withdrawn	985	6.4	707	4.5	631	4.0	-	-	-	-
Other	388	2.5	459	3.0	483	3.0	-	-	-	-
<b>Total</b>	<b>1551</b>	<b>10.1</b>	<b>1330</b>	<b>8.6</b>	<b>1222</b>	<b>7.7</b>	<b>1139</b>	<b>7.2</b>	<b>1093</b>	<b>7.9</b>
<b>Proven:</b>										
Dismissed and cautioned	2504	16.3	2349	15.1	2390	15.1	2644	16.7	2347	17.1
Proven, no penalty	839	5.5	1393	9.0	1546	9.7	1432	9.1	1135	8.3
Rising of the court	50	0.3	22	0.1	28	0.2	-	-	-	-
Recognizance	3155	20.6	3121	20.1	3082	19.4	3384	21.4	2770	20.1
Probation	2185	14.2	2216	14.2	2725	17.2	2562	16.2	2371	17.2
Compensation	112	0.7	111	0.7	164	1.0	-	-	-	-
Fine	2725	17.8	2894	18.6	2547	16.0	2373	15.0	1945	14.1
Community Service Order	402	2.6	606	3.9	686	4.3	797	5.0	878	6.4
Committed to care - FACS	3	0.0	5	0.0	1	0.0	-	-	-	-
Committed to care - other	12	0.1	4	0.0	4	0.0	-	-	-	-
Committed to institution	1168	7.6	1021	6.6	1069	6.7	-	-	-	-
Committed to prison	66	0.4	19	0.1	10	0.1	-	-	-	-
Control order	-	-	-	-	-	-	925	5.9	851	6.2
Other	568	3.7	462	3.0	405	2.6	546	3.5	363	2.6
<b>Total</b>	<b>13789</b>	<b>89.9</b>	<b>14223</b>	<b>91.4</b>	<b>14657</b>	<b>92.3</b>	<b>14663</b>	<b>92.8</b>	<b>12660</b>	<b>92.1</b>
<b>Total</b>	<b>15340</b>	<b>100.0</b>	<b>15553</b>	<b>100.0</b>	<b>15879</b>	<b>100.0</b>	<b>15802</b>	<b>100.0</b>	<b>13753</b>	<b>100.0</b>

TABLE 2.4a

CHARGES FOR CRIMINAL MATTERS BEFORE THE CHILDREN'S COURTS, 1990/91  
 OUTCOME OF CHARGE, TYPE OF OFFENCE CHARGED

<i>Outcome of charge</i>	<i>Against the person</i>		<i>Robbery and extortion</i>		<i>Sexual Assault</i>		<i>Fraud</i>		<i>Break, enter and steal</i>	
	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>
Not proven	231	11.1	28	10.3	15	15.3	23	5.3	124	5.3
Dismissed and cautioned	202	9.7	5	1.8	1	1.0	80	18.4	281	11.9
Proven, no penalty	258	12.4	34	12.5	14	14.3	34	7.8	133	5.7
Recognizance	511	24.6	43	15.8	19	19.4	118	27.1	631	26.8
Probation	381	18.3	58	21.3	35	35.7	71	16.3	613	26.1
Fine	212	10.2	3	1.1	1	1.0	74	17.0	76	3.2
Community Service Order	120	5.8	40	14.7	3	3.1	11	2.5	209	8.9
Control order	138	6.6	52	19.1	1	1.0	8	1.8	260	11.0
Other	26	1.3	9	3.3	9	9.2	16	3.7	26	1.1
<b>Total</b>	<b>2079</b>	<b>100.0</b>	<b>272</b>	<b>100.0</b>	<b>98</b>	<b>100.0</b>	<b>435</b>	<b>100.0</b>	<b>2353</b>	<b>100.0</b>

TABLE 2.4a continued

CHARGES FOR CRIMINAL MATTERS BEFORE THE CHILDREN'S COURTS, 1990/91  
OUTCOME OF CHARGE, TYPE OF OFFENCE CHARGED

<i>Outcome of charge</i>	<i>Motor vehicle theft</i>		<i>Shoplifting</i>		<i>Other theft</i>		<i>Unlawful possession</i>		<i>Serious driving</i>	
	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>
Not proven	107	6.5	38	5.3	132	5.8	100	11.6	32	6.5
Dismissed and cautioned	218	13.3	198	27.7	506	22.1	112	13.0	15	3.1
Proven, no penalty	126	7.7	50	7.0	200	8.7	104	12.0	12	2.4
Recognizance	452	27.6	180	25.2	540	23.5	169	19.6	62	12.6
Probation	393	24.0	104	14.6	350	15.3	161	18.6	20	4.1
Fine	73	4.4	113	15.8	327	14.3	123	14.2	39	7.9
Community Service Order	121	7.4	17	2.4	117	5.1	33	3.8	11	2.2
Control order	138	8.4	11	1.5	80	3.5	54	6.3	9	1.8
Other	10	0.6	3	0.4	41	1.8	8	0.9	291	59.3
<b>Total</b>	<b>1638</b>	<b>100.0</b>	<b>714</b>	<b>100.0</b>	<b>2293</b>	<b>100.0</b>	<b>864</b>	<b>100.0</b>	<b>491</b>	<b>100.0</b>

TABLE 2.4a continued

**CHARGES FOR CRIMINAL MATTERS BEFORE THE CHILDREN'S COURTS, 1990/91**  
**OUTCOME OF CHARGE, TYPE OF OFFENCE CHARGED**

<i>Outcome of charge</i>	<i>Firearms and weapons</i>		<i>Property damage</i>		<i>Offensive behaviour</i>		<i>Drug</i>		<i>Other</i>		<i>Total</i>	
	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>
Not proven	14	7.6	81	7.0	35	3.5	20	3.4	159	9.8	1139	7.2
Dismissed and cautioned	46	24.9	188	16.2	240	24.0	152	25.8	400	24.6	2644	16.7
Proven, no penalty	19	10.3	117	10.1	90	9.0	55	9.3	186	11.4	1432	9.1
Recognizance	34	18.4	252	21.7	87	8.7	107	18.1	179	11.0	3384	21.4
Probation	24	13.0	149	12.8	55	5.5	45	7.6	103	6.3	2562	16.2
Fine	39	21.1	183	15.7	476	47.6	199	33.7	435	26.7	2373	15.0
Community Service Order	5	2.7	72	6.2	9	0.9	7	1.2	22	1.4	797	5.0
Control order	2	1.0	50	4.3	3	0.3	4	0.7	115	7.1	925	5.9
Other	2	1.0	71	6.1	4	0.4	1	0.2	29	1.8	546	3.5
<b>Total</b>	<b>185</b>	<b>100.0</b>	<b>1163</b>	<b>100.0</b>	<b>999</b>	<b>100.0</b>	<b>590</b>	<b>100.0</b>	<b>1628</b>	<b>100.0</b>	<b>15802</b>	<b>100.0</b>

TABLE 2.4b

**CHARGES FOR CRIMINAL MATTERS BEFORE THE CHILDREN'S COURTS, 1991/92**  
**OUTCOME OF CHARGE, TYPE OF OFFENCE CHARGED**

<i>Outcome of charge</i>	<i>Against the person</i>		<i>Robbery and extortion</i>		<i>Sexual Assault</i>		<i>Fraud</i>		<i>Break, enter and steal</i>	
	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>
Not proven	225	11.5	33	11.0	15	15.3	29	7.1	138	6.1
Dismissed and cautioned	229	11.7	10	3.3	6	6.1	69	17.0	311	13.8
Proven, no penalty	229	11.7	21	7.0	14	14.3	21	5.2	140	6.2
Recognizance	400	20.5	37	12.3	23	23.5	91	22.4	534	23.7
Probation	397	20.3	63	21.0	23	23.5	88	21.7	582	25.9
Fine	174	8.9	7	2.3	0	0.0	66	16.3	58	2.6
Community Service Order	122	6.3	59	19.7	3	3.1	22	5.4	231	10.3
Control order	145	7.4	64	21.3	7	7.1	8	2.0	235	10.4
Other	30	1.6	6	2.0	7	7.1	12	2.9	21	0.9
<b>Total</b>	<b>1951</b>	<b>100.0</b>	<b>300</b>	<b>100.0</b>	<b>98</b>	<b>100.0</b>	<b>406</b>	<b>100.0</b>	<b>2250</b>	<b>100.0</b>

TABLE 2.4b continued

CHARGES FOR CRIMINAL MATTERS BEFORE THE CHILDREN'S COURTS, 1991/92  
 OUTCOME OF CHARGE, TYPE OF OFFENCE CHARGED

<i>Outcome of charge</i>	<i>Motor vehicle theft</i>		<i>Shoplifting</i>		<i>Other theft</i>		<i>Unlawful possession</i>		<i>Serious driving</i>	
	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>
Not proven	81	5.9	38	5.6	138	7.4	71	10.6	18	4.9
Dismissed and cautioned	189	13.8	194	30.4	412	22.0	97	14.5	3	3.6
Proven, no penalty	86	6.3	37	5.8	135	7.2	63	9.4	9	2.5
Recognizance	343	25.1	150	23.5	459	24.5	146	21.9	50	13.7
Probation	313	22.9	83	13.0	309	16.5	128	19.2	23	6.3
Fine	75	5.5	100	15.6	234	12.5	97	14.5	58	15.9
Community Service Order	144	10.5	26	4.1	92	4.9	38	5.7	10	2.7
Control order	129	9.4	6	0.9	67	3.6	20	3.0	7	1.9
Other	6	0.5	7	1.1	28	1.5	8	1.2	176	48.4
<b>Total</b>	<b>1366</b>	<b>100.0</b>	<b>639</b>	<b>100.0</b>	<b>1874</b>	<b>100.0</b>	<b>668</b>	<b>100.0</b>	<b>364</b>	<b>100.0</b>

TABLE 2.4b continued

**CHARGES FOR CRIMINAL MATTERS BEFORE THE CHILDREN'S COURTS, 1991/92**  
**OUTCOME OF CHARGE, TYPE OF OFFENCE CHARGED**

<i>Outcome of charge</i>	<i>Firearms and weapons</i>		<i>Property damage</i>		<i>Offensive behaviour</i>		<i>Drug</i>		<i>Other</i>		<i>Total</i>	
	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>
Not proven	13	7.6	87	8.5	25	3.5	31	4.6	153	12.2	1093	7.9
Dismissed and cautioned	51	29.8	181	17.7	181	25.0	156	23.4	248	19.8	2347	17.1
Proven, no penalty	10	5.8	87	8.5	67	9.3	41	6.1	175	14.0	1135	8.3
Recognizance	30	17.5	201	19.6	61	8.4	121	18.1	124	9.9	2770	20.1
Probation	20	11.7	145	14.2	25	3.5	67	10.0	105	8.4	2371	17.2
Fine	35	20.5	158	15.4	354	49.0	222	33.3	307	24.5	1945	14.1
Community Service Order	8	4.7	76	7.4	1	0.1	18	2.7	28	2.2	878	6.4
Control order	3	1.8	48	4.7	8	1.1	8	1.2	96	7.7	851	6.2
Other	1	0.6	41	4.0	1	0.1	3	0.5	16	1.3	363	2.6
<b>Total</b>	<b>171</b>	<b>100.0</b>	<b>1024</b>	<b>100.0</b>	<b>723</b>	<b>100.0</b>	<b>667</b>	<b>100.0</b>	<b>1252</b>	<b>100.0</b>	<b>13753</b>	<b>100.0</b>

**TABLE 2.5a**

**APPEARANCES AND PROVEN OFFENCES FOR DRUG MATTERS  
BEFORE THE CHILDREN'S COURTS, 1990/91**  
TYPE OF OFFENCE CHARGED

<i>Type of offence charged</i>	<i>Appearances</i>		<i>Proven offences</i>	
	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>
<b>Possess/use:</b>				
- Cannabis	353	59.8	341	59.8
- Opiates	7	1.2	6	1.0
- Stimulants	2	0.3	1	0.2
- Other drug	56	9.5	54	9.5
<b>Deal/traffic:</b>				
- Cannabis	27	4.6	26	4.6
- Opiates	-	-	-	-
- Stimulants	-	-	-	-
- Other drug	6	1.0	6	1.0
<b>Other</b>	139	23.6	136	23.9
<b>Total</b>	590	100.0	570	100.0

**TABLE 2.5b**

**APPEARANCES AND PROVEN OFFENCES FOR DRUG MATTERS  
BEFORE THE CHILDREN'S COURTS, 1991/92**  
TYPE OF OFFENCE CHARGED

<i>Type of offence charged</i>	<i>Appearances</i>		<i>Proven offences</i>	
	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>
<b>Possess/use:</b>				
- Cannabis	359	53.8	342	53.8
- Opiates	4	0.6	3	0.5
- Stimulants	1	0.1	1	0.2
- Other drug	86	13.2	84	13.2
<b>Deal/traffic:</b>				
- Cannabis	35	5.2	34	5.3
- Opiates	-	-	-	-
- Stimulants	-	-	-	-
- Other drug	10	1.5	10	1.6
<b>Other</b>	170	25.5	162	25.5
<b>Total</b>	667	100.0	636	100.0

**TABLE 2.6a**

**PROVEN OFFENCES FOR CRIMINAL MATTERS BEFORE THE  
CHILDREN'S COURTS, 1990/91**  
AGE OF OFFENDER, SEX OF OFFENDER

<i>Age of offender</i>	<i>Male</i>		<i>Female</i>		<i>Total</i>	
	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>
10 years	34	0.2	1	0.0	35	0.2
11 years	100	0.8	9	0.4	109	0.8
12 years	260	2.1	30	1.4	290	2.0
13 years	599	4.8	96	4.6	695	4.7
14 years	1268	10.1	286	13.8	1554	10.6
15 years	2156	17.1	410	19.8	2566	17.5
16 years	3157	25.1	555	26.8	3712	25.3
17 years	4331	34.4	582	28.1	4913	33.5
18 years and over	684	5.4	105	5.1	789	5.4
<b>Total</b>	<b>12589</b>	<b>100.0</b>	<b>2074</b>	<b>100.0</b>	<b>14663</b>	<b>100.0</b>

**TABLE 2.6b**

**PROVEN OFFENCES FOR CRIMINAL MATTERS BEFORE THE  
CHILDREN'S COURTS, 1991/92**  
AGE OF OFFENDER, SEX OF OFFENDER

<i>Age of offender</i>	<i>Male</i>		<i>Female</i>		<i>Total</i>	
	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>
10 years	28	0.3	2	0.1	30	0.2
11 years	92	0.9	8	0.4	100	0.8
12 years	221	2.0	31	1.7	252	2.0
13 years	535	4.9	78	4.2	613	4.8
14 years	1080	10.0	228	12.3	1308	10.3
15 years	1822	16.9	402	21.7	2224	17.6
16 years	2697	24.9	461	24.9	3158	24.9
17 years	3762	34.8	543	29.4	4305	34.0
18 years and over	573	5.3	97	5.2	670	5.3
<b>Total</b>	<b>10810</b>	<b>100.0</b>	<b>1850</b>	<b>100.0</b>	<b>12660</b>	<b>100.0</b>

**TABLE 2.7a**

**PROVEN OFFENDERS FOR CRIMINAL MATTERS BEFORE THE  
CHILDREN'S COURTS, 1990/91**  
TYPE OF OFFENCE CHARGED, SEX OF OFFENDER

<i>Type of offence charged</i>	<i>Male</i>		<i>Female</i>		<i>Total</i>	
	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>
Against the person	1462	11.6	386	18.6	1848	12.6
Robbery and extortion	210	1.7	34	1.6	244	1.7
Sexual assault	82	0.7	1	0.0	83	0.6
Fraud	280	2.2	132	6.4	412	2.8
Break, enter and steal	2082	16.5	147	7.1	2229	15.2
Larceny:						
Motor vehicle theft	1397	11.1	134	6.4	1531	10.4
Shoplifting	468	3.7	208	10.0	676	4.6
Other theft	1872	14.9	289	13.9	2161	14.7
Unlawful possession	647	5.1	117	5.6	764	5.2
Serious driving	421	3.3	38	1.8	459	3.1
Firearms and weapons	167	1.3	4	0.2	171	1.2
Property damage	986	7.8	96	4.6	1082	7.4
Offensive behaviour	790	6.3	174	8.4	964	6.6
Drug	500	4.0	70	3.4	570	3.9
Other	1225	9.7	244	11.8	1469	10.0
<b>Total</b>	<b>12589</b>	<b>100.0</b>	<b>2074</b>	<b>100.0</b>	<b>14663</b>	<b>100.0</b>

**TABLE 2.7b**

**PROVEN OFFENDERS FOR CRIMINAL MATTERS BEFORE THE  
CHILDREN'S COURTS, 1991/92**  
TYPE OF OFFENCE CHARGED, SEX OF OFFENDER

<i>Type of offence charged</i>	<i>Male</i>		<i>Female</i>		<i>Total</i>	
	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>
Against the person	1401	13.0	325	17.6	1726	13.6
Robbery and extortion	244	2.3	23	1.2	267	2.1
Sexual assault	83	0.8	0	0.0	83	0.7
Fraud	257	2.4	120	6.5	377	3.0
Break, enter and steal	1935	18.2	147	7.9	2112	16.7
Larceny:						
Motor vehicle theft	1165	10.8	120	6.5	1285	10.2
Shoplifting	391	3.6	212	11.5	603	4.8
Other theft	1484	13.7	252	13.6	1736	13.7
Unlawful possession	513	4.7	84	4.5	597	4.7
Serious driving	316	2.9	30	1.6	346	2.7
Firearms and weapons	153	1.4	5	0.3	158	1.2
Property damage	835	7.7	102	5.5	937	7.4
Offensive behaviour	543	5.0	155	8.4	698	5.5
Drug	574	5.3	62	3.4	636	5.0
Other	886	8.2	213	11.5	1099	8.7
<b>Total</b>	<b>10810</b>	<b>100.0</b>	<b>1850</b>	<b>100.0</b>	<b>12660</b>	<b>100.0</b>

**TABLE 2.8a**

**APPEARANCES FOR CRIMINAL MATTERS  
BEFORE THE CHILDREN'S COURTS, 1990/91  
BAIL STATUS**

<i>Bail status</i>	<i>No.</i>	<i>%</i>
In custody	1006	6.4
On bail	6552	41.4
Bail dispensed with	685	4.3
Unknown bail status	1716	10.9
Summons and court attendance	5843	36.9
<b>Total</b>	<b>15802</b>	<b>100.0</b>

**TABLE 2.8b**

**APPEARANCES FOR CRIMINAL MATTERS  
BEFORE THE CHILDREN'S COURTS, 1991/92  
BAIL STATUS**

<i>Bail status</i>	<i>No.</i>	<i>%</i>
In custody	1080	7.9
On bail	6221	45.2
Bail dispensed with	457	3.3
Unknown bail status	869	6.3
Summons and court attendance	5126	37.3
<b>Total</b>	<b>13753</b>	<b>100.0</b>

**TABLE 2.9**

**TRENDS IN POLICE CAUTIONS, 1987/88 TO 1990/91**

<i>Type of offence charged</i>	<i>1987/88</i>		<i>1988/89</i>		<i>1989/90</i>		<i>1990/91</i>	
	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>
Against the person	215	5.2	193	5.7	147	5.7	152	6.9
Robbery and extortion	6	0.1	3	0.1	7	0.3	9	0.4
Sexual assault	30	0.7	19	0.6	13	0.5	5	0.2
Fraud	76	1.8	117	3.5	86	3.4	46	2.1
Break, enter and steal	476	11.5	379	11.2	271	10.6	217	9.8
Larceny								
Motor vehicle theft	225	5.4	73	2.2	87	3.4	78	3.5
Shoplifting	-	-	-	-	775	30.2	292	13.2
Other theft	2068	49.9	1676	49.6	461	18.0	889	40.2
Unlawful possession	106	2.6	80	2.4	85	3.3	75	3.4
Serious driving	0	0.0	2	0.1	1	0.0	1	0.0
Firearms and weapons	61	1.5	44	1.3	45	1.8	33	1.5
Property damage	342	8.3	331	9.8	204	8.0	175	7.9
Offensive behaviour	131	3.2	143	4.2	90	3.5	63	2.9
Drug	176	4.2	117	3.5	97	3.8	94	4.3
Other	233	5.6	199	5.9	197	7.7	81	3.7
<b>Total</b>	<b>4145</b>	<b>100.0</b>	<b>3376</b>	<b>100.0</b>	<b>2566</b>	<b>100.0</b>	<b>2210</b>	<b>100.0</b>

**TABLE 2.10****POLICE CAUTIONS, 1990/91  
AGE OF OFFENDER, SEX OF OFFENDER**

<i>Age of offender</i>	<i>Male</i>		<i>Female</i>		<i>Total</i>	
	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>
10 years	41	2.6	10	1.7	51	2.3
11 years	63	3.9	19	3.1	82	3.7
12 years	125	7.8	51	8.4	176	8.0
13 years	203	12.6	92	15.2	295	13.3
14 years	286	17.8	142	23.5	428	19.4
15 years	298	18.6	106	17.5	404	18.3
16 years	314	19.6	109	18.0	423	19.1
17 years	260	16.2	71	11.8	331	15.0
18 years and over	16	0.9	4	0.7	20	0.9
<b>Total</b>	<b>1606</b>	<b>100.0</b>	<b>604</b>	<b>100.0</b>	<b>2210</b>	<b>100.0</b>

**TABLE 2.11****POLICE CAUTIONS, 1990/91  
TYPE OF OFFENCE , SEX OF OFFENDER**

<i>Type of offence</i>	<i>Male</i>		<i>Female</i>		<i>Total</i>	
	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>
Against the person	110	6.8	42	7.0	152	6.9
Robbery and extortion	8	0.5	1	0.2	9	0.4
Sexual assault	5	0.4	0	0.0	5	0.2
Fraud	26	1.6	20	3.3	46	2.1
Break, enter and steal	180	11.2	37	6.1	217	9.8
Larceny:						
Motor vehicle theft	60	3.7	18	3.0	78	3.5
Shoplifting	142	8.8	150	24.8	292	13.2
Other theft	619	38.5	270	44.7	889	40.2
Unlawful possession	66	4.1	9	1.5	75	3.4
Serious driving	1	0.0	0	0.0	1	0.0
Firearms and weapons	30	1.9	3	0.5	33	1.5
Property damage	156	9.7	19	3.1	175	7.9
Offensive behaviour	51	3.2	12	2.0	63	2.9
Drug	82	5.1	12	2.0	94	4.3
Other	70	4.4	11	1.8	81	3.7
<b>Total</b>	<b>1606</b>	<b>100.0</b>	<b>604</b>	<b>100.0</b>	<b>2210</b>	<b>100.0</b>

# NEW SOUTH WALES HIGHER COURTS

**Explanatory notes and tables**

## EXPLANATORY NOTES: HIGHER COURTS TABLES

Explanatory notes are given for data items in the order in which they first appear in the tables.

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### TABLES 3.1 AND 3.2: CASES APPEARING IN HIGHER CRIMINAL COURTS

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#### Jurisdiction

There are two jurisdictions in NSW Higher Courts, the Supreme Court which hears cases in Sydney and on circuit in country centres periodically, and the District Court which has a number of metropolitan and country sites. The Supreme Court deals only with the most serious matters. The District Court deals with all other matters on indictment and appeals against conviction or sentence arising from Local Court cases.

#### Registry

Registries handle the administrative work involved in preparing a case for trial. The District Court is regionalised into a number of Registries. Appendix 1 lists the various courts which fall within each Registry's administrative area.

#### Case

Court workload is usually measured by the number of cases where a case is defined to be all matters, involving one or more accused persons, each with one or more charges, which are recorded together on a single court file.

A finalised case is a case where one or more charges against one or more accused were completed in the reporting period.

For cases where there are remaining defendants with outstanding charges or where there are outstanding charges against an accused, a new case would be counted in a subsequent counting period.

For this reason there is not necessarily a direct relationship between the incoming cases registered, shown in Table 3.1 and finalised cases shown in Table 3.2.

#### Committal

Cases normally appear before the Higher Courts following a committal hearing in the Local Courts. A committal involves a preliminary hearing by a magistrate of the evidence against the accused. If the accused pleads guilty at the committal hearing he or she may be committed for sentencing to a Higher Court. Alternatively, if the defendant pleads not guilty, or reserves his or her defence, he or she is committed for trial. Cases which do not proceed beyond committal are not included in this report.

## EXPLANATORY NOTES: HIGHER COURTS TABLES

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### TABLES 3.3 AND 3.4: PERSONS AND CHARGES IN TRIAL AND SENTENCE CASES

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#### Persons charged

In these and subsequent tables, information is shown for individual persons within finalised cases. As described in the section on cases, a case may involve one or more accused persons. Thus, the total number of persons indicated in these tables is greater than the total number of cases.

This report does not distinguish 'distinct' persons within the counting period. If a person is a defendant in more than one case during the counting period, such a person will be counted more than once in the report.

Note that Table 3.4, which shows the number of persons charged with offences within a particular offence group, counts individuals more than once, in all cases where the accused was charged with more than one offence and those offences fall within different groups.

#### Year of committal

Year of committal is included to provide some indication of the length of time cases normally require to be processed in the Higher Courts. More detailed information on this subject is provided in Tables 3.14a to 3.14h.

#### Type of offence

Offence groups in Table 3.4 and subsequent tables are based on the Australian National Classification of Offences (ANCO) issued by the Australian Bureau of Statistics (ABS Catalogue Number 1234.0). The ANCO system has three hierarchical levels of offences. The first level has 9 general groupings. There is a more detailed breakdown within these groups, at the second level of the hierarchy, and a third level of detail within the second level groupings. Tables in this report generally use the offence groupings at the second ANCO level.

Note: The classifications used in this report have been altered slightly from those used in the ANCO system. The differences from the ANCO classification are as follows:

- a) Sexual offences against children have been separated from other sexual offences.
- b) The drug offence categories include substance type as a part of the offence category. This is so that sentences for offences involving different drug types can be separately examined.
- c) The categories of 'environmental offences', 'offences against government security', 'company offences' and 'banking, financial offences' have all been merged into the category of 'other offences'. This is due to the small numbers of cases which are normally present in these categories. Information on these offence categories can be obtained by contacting the Bureau.

Note: The Bureau's data collection has information on offences with sufficient detail to

## EXPLANATORY NOTES: CHILDREN'S COURTS TABLES

determine charges by individual Act and Section. Information on specific charges can be obtained by contacting the Bureau.

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**TABLE 3.5: NUMBER OF OFFENCES CHARGED**

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Table 3.5 indicates the number of distinct offences charged against each accused. Where there were multiple counts of the same offence (i.e. charged under the same Act and Section) and each count had the same outcome, the multiple counts are counted as a single offence. Where charges of the same type had different outcomes, they are counted as separate charges.

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**TABLE 3.6: OUTCOME OF CHARGES**

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Table 3.6 presents the major outcome of the court process for each defendant. Those cases which involved a trial before a judge and jury (or a judge alone) are separated from those where the accused pleaded guilty to all charges, where the charges were not proceeded with, or where the charges were otherwise disposed of. Possible outcome types are as follows:

**Proceeded to trial**

*Acquitted of all charges:* Cases in this category involved the accused being found not guilty of any offence, following a trial. Such cases may have included some charges not being proceeded with or being otherwise disposed of.

*Found guilty of at least one charge:* In this category, cases proceeded to a trial, and the defendant was found guilty of at least one of the offences charged.

*Other:* Cases in the 'Other' category are those where the accused was acquitted of one or more charges following a trial, but pleaded guilty to at least one other charge.

**Proceeded to sentence only**

Cases in this category involved a plea of guilty by the defendant to at least one charge. Other offences may have been disposed of other than by trial or not proceeded with.

**No charges proceeded with**

Cases in this category did not proceed to trial. The charges were not proceeded with by the Director of Public Prosecutions.

**All charges otherwise disposed of**

Included in this category are cases where the accused died or absconded.

## EXPLANATORY NOTES: HIGHER COURTS TABLES

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### TABLES 3.7 TO 3.9: PENALTIES IMPOSED FOR PRINCIPAL OFFENCE

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#### Persons found guilty

*Persons found guilty* are those persons who, for at least one offence charged, either pleaded guilty or were found guilty by trial.

#### Principal offence

Appendix 2 provides explanations of the penalty types. Penalties shown in the tables indicate the *principal penalty* imposed on the *principal offence*. The *principal offence* is defined to be that offence charged which received the most serious penalty according to the following rules:

- a) Where an offender was found guilty of more than one offence, that offence which received the most serious penalty type is the principal offence. Appendix 3 lists the hierarchy of penalty type seriousness used for this calculation.
- b) Where there were two or more offences which received the same penalty type, that offence which received the greatest quantum of that penalty type is the principal offence. (Note that for this calculation, if multiple counts of the same offence type received different penalties, they are treated as separate offences.)
- c) If there was more than one offence which received the same quantum of the same penalty type, the last of these offences recorded on the indictment is selected as the principal offence.
- d) Where an offence received more than one penalty, a *principal penalty* for that offence is first calculated following the rules set out above. The determination of principal offence is thus calculated on the principal penalty for each offence.

#### Amount of fine

Table 3.8 shows the dollar amount of fines imposed, where a fine was the principal penalty imposed for the principal offence. Note that where imprisonment or a recognizance were imposed in addition to a fine, the fine amount is not included in this table.

#### Duration of imprisonment

Duration of imprisonment in Table 3.9 is the length of time in years of the minimum or fixed term of imprisonment imposed on the principal offence. As imprisonment is the most serious penalty which can be imposed, Table 3.9 includes all charges where an imprisonment penalty was imposed. Excluded from this table are sentences of cumulative imprisonment. In those cases where a cumulative term was imposed, only the penalty for the principal offence is shown.

Table 3.9 does not report on cases where the prison sentence was not imposed under the *Sentencing Act 1989*.

## EXPLANATORY NOTES: HIGHER COURTS TABLES

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**TABLE 3.10: DURATION OF AGGREGATE SENTENCE AND MINIMUM/FIXED TERM**

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Table 3.10 shows the aggregate minimum and fixed term of imprisonment imposed, against this aggregate plus the relevant additional term on the other axis. Note that under the Sentencing Act 1989, each offence must receive either a fixed term or a minimum and additional term. Where imprisonment penalties are made cumulative, the relevant additional term is that imposed on the minimum term which expires on the latest date. Where the imprisonment term with the latest date is a fixed term of imprisonment, there will be no additional term to be served. Table 3.10 thus provides information on the total sentence to be served by an individual, with the time to be served in prison shown separately from the time to be served on parole. As the aggregate sentence can include cumulative imprisonment penalties, the maximum durations for cases in this table can be greater than in Table 3.9.

Excluded from this table are cases where the penalty imposed was not under the Sentencing Act 1989, where life imprisonment was imposed or where the defendant was serving an existing gaol term. For this reason, some durations from Table 3.9 are missing from this table.

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**TABLE 3.11: PRIOR CONVICTIONS**

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Table 3.11 provides information on the history of prior convictions of those persons found guilty. The following categories are used:

**No prior convictions**

Persons in this category had no prior convictions of any kind at the time of sentencing.

**Prior convictions, not of the same type**

Persons in this category had a history of prior convictions, but none of these convictions was of the same general type as the principal offence receiving sentence on this occasion. This category can include convictions which resulted in a gaol term as well as non-custodial penalties.

**Prior convictions of the same type**

In this category are persons who had been convicted of an offence of the same general type as the principal offence, on a previous occasion.

**Prior convictions of the same type, with imprisonment**

Persons in this category were convicted of an offence of the same general type as the principal offence, on a previous occasion, and in addition, had received a custodial penalty on at least one occasion, for an offence of this type.

## EXPLANATORY NOTES: HIGHER COURTS TABLES

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**TABLE 3.13: BAIL STATUS**

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Table 3.13 indicates the bail status of the defendant at the hearing which disposed of the matter. The bail categories distinguish broadly between defendants who were at large or in custody, and additionally for those at large, whether or not they were supervised.

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**TABLE 3.14: DURATION OF PROCEEDINGS**

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These tables give an indication of the time taken to dispose of a case for defended and undefended cases by bail status at final appearance. They show the median number of days taken at each stage of proceedings. The median duration is used in preference to the average duration because there may be a small number of cases with very long duration times. (The definition of median is such that half the cases had duration times less than the median duration time and the other half of the cases had longer duration times.) Where a person's bail status changed in the course of the trial the duration of proceedings may have been affected.

The outcome categories are used to distinguish those cases which involved a trial. The stages of proceedings are categorised as follows:

**Arrest to committal**

The time from date of arrest to date committed.

**Committal to outcome**

The time from date committed to latest date of determination of charges. (Note that it is not possible to distinguish whether the defendant altered his or her plea during the course of proceedings. Such a change of plea would be expected to alter the time taken to dispose of the case.)

**Outcome to sentence**

The time from latest date of determination of charges (guilty plea or verdict) to date of sentence. (This category is applicable only to those defendants who were found guilty.)

Those who were in custody for another offence during the course of the trial were excluded from the duration calculations, as were those who absconded at some stage in proceedings.

The category 'proceeded to sentence only' includes cases where the plea was changed from not guilty to guilty in the course of the trial. Some of these matters could, therefore, be expected to take longer to dispose of than matters originally committed for sentence.

## EXPLANATORY NOTES: HIGHER COURTS TABLES

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### TABLES 3.15 AND 3.16: APPEALS AGAINST CONVICTION AND SEVERITY OF SENTENCE

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Tables 3.15 and 3.16 present the outcomes for appeals to the District Court against convictions or severity of sentences imposed in the Local Courts.

The appeal outcome categories are as follows:

#### **Appeal upheld for all matters**

This category indicates that:

1) the conviction was overturned, for an appeal against conviction;

or 2) the penalty was varied, for a severity appeal

for all charges appealed against.

#### **Appeal dismissed/withdrawn for all matters**

This indicates that the court dismissed the appeal for all the charges appealed against or that the appellant withdrew the appeal.

#### **Appeal upheld for some matters**

This indicates that the court dismissed the appeal on some charges but upheld the appeal for at least one charge.

#### **Other**

This indicates that the appeal was dismissed due to non-appearance of the appellant or that a bench warrant was issued or that the appellant died.

**TABLE 3.1****TRIAL AND SENTENCE CASES REGISTERED:  
REGISTRY, TYPE OF COMMITTAL**

<i>Registry</i>	<i>Type of committal</i>					
	<i>Committed for trial</i>		<i>Committed for sentence</i>		<i>Total</i>	
	<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>
Supreme Court	85	2.9	13	0.8	98	2.1
District Court:						
Dubbo	166	5.6	51	2.9	217	4.6
Lismore	200	6.7	118	6.8	318	6.7
Newcastle	438	14.7	293	16.9	731	15.5
Sydney	765	25.7	492	28.4	1257	26.7
Sydney West	1027	34.5	509	29.4	1536	32.6
Wagga Wagga	83	2.8	58	3.3	141	3.0
Wollongong	216	7.2	198	11.4	414	8.8
<b>Total</b>	<b>2980</b>	<b>100.0</b>	<b>1732</b>	<b>100.0</b>	<b>4712</b>	<b>100.0</b>

**TABLE 3.2****TRIAL AND SENTENCE CASES FINALISED:  
REGISTRY, TYPE OF COMMITTAL**

<i>Registry</i>	<i>Type of committal</i>					
	<i>Committed for trial</i>		<i>Committed for sentence</i>		<i>Total</i>	
	<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>
Supreme Court	138	3.6	17	1.0	155	2.8
District Court:						
Dubbo	186	4.9	41	2.4	227	4.1
Lismore	180	4.7	110	6.4	290	5.2
Newcastle	433	11.4	322	18.7	755	13.6
Sydney	1303	34.2	504	29.3	1807	32.7
Sydney West	1155	30.3	474	27.6	1629	29.4
Wagga Wagga	116	3.0	60	3.5	176	3.2
Wollongong	303	7.9	192	11.2	495	8.9
<b>Total</b>	<b>3814</b>	<b>100.0</b>	<b>1720</b>	<b>100.0</b>	<b>5534</b>	<b>100.0</b>

**TABLE 3.3**

**TRIAL AND SENTENCE CASES FINALISED AND PERSONS CHARGED:  
YEAR OF COMMITTAL, JURISDICTION, TYPE OF COMMITTAL**

<i>Year of committal</i>	<i>Supreme Court</i>				<i>District Court</i>				<i>Total</i>			
	<i>Type of committal</i>											
	<i>Committed for trial</i>		<i>Committed for sentence</i>		<i>Committed for trial</i>		<i>Committed for sentence</i>		<i>Committed for trial</i>		<i>Committed for sentence</i>	
	<i>Cases finalised</i>	<i>Persons charged</i>	<i>Cases finalised</i>	<i>Persons charged</i>	<i>Cases finalised</i>	<i>Persons charged</i>	<i>Cases finalised</i>	<i>Persons charged</i>	<i>Cases finalised</i>	<i>Persons charged</i>	<i>Cases finalised</i>	<i>Persons charged</i>
1988 or earlier	0	0	0	0	73	83	6	6	73	83	6	6
1989	4	8	0	0	298	346	8	10	302	354	8	10
1990	27	31	0	0	814	883	38	38	841	914	38	38
1991	81	94	8	8	1693	1854	650	692	1774	1948	658	700
1992	26	32	9	9	790	837	1001	1049	816	869	1010	1058
Unknown	0	0	0	0	8	9	0	0	8	9	0	0
<b>Total</b>	<b>138</b>	<b>165</b>	<b>17</b>	<b>17</b>	<b>3676</b>	<b>4012</b>	<b>1703</b>	<b>1795</b>	<b>3814</b>	<b>4177</b>	<b>1720</b>	<b>1812</b>

**TABLE 3.4**

**PERSONS CHARGED AND CHARGES IN TRIAL AND SENTENCE CASES FINALISED:  
TYPE OF OFFENCE CHARGED**

<i>Type of offence charged</i>	<i>Persons charged</i>	<i>Charges</i>
	<i>Number</i>	<i>Number</i>
<b>Against the person:</b>		
Murder	90	95
Manslaughter	73	73
Attempt, intent to murder	40	43
Assault	1125	1837
Sexual assault	603	1014
Sexual offences against children	443	967
Other	120	150
<b>Robbery and extortion:</b>		
Robbery	970	1481
Blackmail and extortion	102	106
<b>Theft:</b>		
Breaking and entering	899	1222
Fraud and misappropriation	567	1032
Receiving and unlawful possession	267	318
Vehicle theft	447	562
Other	308	329
Property damage	238	301
Against justice procedures	280	322
Weapons	248	382
Against good order	166	180
<b>Drug:</b>		
Possession and/or use		
- opiates	16	19
- cannabis	42	48
- other drug	36	39
Dealing and trafficking		
- opiates	246	344
- cannabis	298	389
- other drug	283	386
Manufacturing and/or growing		
- cannabis	267	294
- other drug	40	48
Import/export	79	130
Other	7	7

TABLE 3.4 continued

<b>Driving:</b>		
Cause death by driving	146	165
Cause injury by driving	157	192
Other	19	19
<b>Against prison rules</b>	<b>96</b>	<b>98</b>
<b>Other</b>	<b>66</b>	<b>78</b>

**TABLE 3.5**

**PERSONS CHARGED IN TRIAL AND SENTENCE  
CASES FINALISED:  
NUMBER OF OFFENCES CHARGED**

<i>Number of offences charged</i>	<i>Persons charged</i>	
	<i>Number</i>	<i>%</i>
1	2393	40.0
2	1969	32.9
3	885	14.8
4	400	6.7
5	179	3.0
6	64	1.1
7	45	0.8
8	29	0.5
9	10	0.2
10 or more	15	0.3

**TABLE 3.6**

**PERSONS CHARGED IN TRIAL AND SENTENCE  
CASES FINALISED:  
OUTCOME OF CHARGES**

<i>Outcome of charges</i>	<i>Persons charged</i>	
	<i>Number</i>	<i>%</i>
<b>Proceeded to trial:</b>		
Acquitted of all charges	616	10.3
Found guilty of at least one charge	675	11.3
Other	43	0.7
<b>Proceeded to sentence only</b>	3669	61.3
<b>No charges proceeded with</b>	494	8.2
<b>All charges otherwise disposed of</b>	492	8.2
<b>Total</b>	5989	100.0

**TABLE 3.7**
**PERSONS FOUND GUILTY IN TRIAL AND SENTENCE CASES FINALISED:  
TYPE OF PRINCIPAL OFFENCE, PENALTY FOR PRINCIPAL OFFENCE**

<i>Type of principal offence</i>	<i>Penalty for principal offence</i>												<i>Total</i>
	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	
<b>Against the person:</b>													
Murder	40	-	-	-	1	-	-	-	-	-	-	-	41
Manslaughter	29	-	1	1	3	4	-	-	-	-	-	-	38
Attempt, intent to murder	4	-	1	-	-	1	-	-	-	-	-	-	6
Assault	202	4	37	69	89	104	5	4	-	-	3	5	522
Sexual assault	119	3	21	14	27	22	-	-	-	-	1	5	212
Sexual offences against children	117	-	18	18	26	16	-	-	-	-	-	2	199
Other	13	-	-	2	1	6	-	-	-	-	-	-	22
<b>Total</b>	<b>524</b>	<b>7</b>	<b>78</b>	<b>104</b>	<b>147</b>	<b>155</b>	<b>5</b>	<b>4</b>	<b>-</b>	<b>-</b>	<b>4</b>	<b>12</b>	<b>1040</b>
<b>Robbery and extortion:</b>													
Robbery	389	10	34	40	68	17	1	-	-	1	-	-	560
Blackmail and extortion	17	1	3	6	10	8	-	-	-	-	1	-	46
<b>Total</b>	<b>406</b>	<b>11</b>	<b>37</b>	<b>46</b>	<b>78</b>	<b>25</b>	<b>1</b>	<b>-</b>	<b>-</b>	<b>1</b>	<b>1</b>	<b>-</b>	<b>606</b>
<b>Theft:</b>													
Breaking and entering	316	1	29	41	89	37	-	-	-	-	-	-	513
Fraud and misappropriation	104	-	59	92	38	87	4	2	-	-	2	2	390
Receiving and unlawful possession	56	-	8	32	18	21	-	-	-	-	-	-	135
Vehicle theft	93	-	8	17	27	11	1	-	-	-	-	-	157
Other	44	1	5	14	24	12	2	2	-	-	-	-	104
<b>Total</b>	<b>613</b>	<b>2</b>	<b>109</b>	<b>196</b>	<b>196</b>	<b>168</b>	<b>7</b>	<b>4</b>	<b>-</b>	<b>-</b>	<b>2</b>	<b>2</b>	<b>1299</b>

<b>Property damage</b>	44	-	5	13	25	16	-	-	-	-	-	-	103
<b>Against justice procedures</b>	49	1	5	20	23	31	4	1	-	1	-	-	135
<b>Weapons</b>	43	-	4	6	16	15	2	-	-	-	1	-	87
<b>Against good order</b>	15	-	3	5	9	7	-	4	-	-	-	-	43
<b>Drug:</b>													
Possession and/or use													
- opiates	1	-	-	1	-	1	-	1	-	-	-	-	4
- cannabis	-	-	-	2	3	2	-	1	-	-	-	-	8
- other drug	-	-	1	1	-	-	-	-	-	-	-	-	2
Dealing and trafficking													
- opiates	135	-	15	6	12	1	-	-	-	-	-	-	169
- cannabis	85	-	32	30	18	16	-	1	-	-	-	-	182
- other drug	94	-	27	32	24	6	-	-	-	-	-	-	183
Manufacturing and/or growing													
- cannabis	44	-	17	67	28	29	1	6	-	-	-	-	192
- other drug	9	-	2	1	1	2	-	-	-	-	-	-	15
Import/export	61	-	3	2	-	-	-	-	-	-	-	-	66
Other	-	-	-	-	-	-	1	-	-	-	-	-	1
<b>Total</b>	429	-	97	142	86	57	2	9	-	-	-	-	822
<b>Driving:</b>													
Cause death by driving	22	-	12	27	-	21	1	-	-	-	-	-	83
Cause injury by driving	17	-	12	29	2	23	1	-	-	-	-	1	85
Other	-	-	-	-	-	-	-	1	-	-	-	1	2
<b>Total</b>	39	-	24	56	2	44	2	1	-	-	-	2	170
<b>Against prison rules</b>	56	-	1	-	1	1	-	-	-	-	-	-	59
<b>Other</b>	10	-	1	6	-	5	1	-	-	-	-	-	23
<b>Total</b>	2228	21	364	594	583	524	24	23	-	2	8	16	4387

TABLE 3.8

PERSONS FINED AS PRINCIPAL PENALTY FOR PRINCIPAL OFFENCE IN TRIAL AND SENTENCE CASES FINALISED:  
TYPE OF PRINCIPAL OFFENCE, AMOUNT OF FINE

Type of principal offence	Amount of fine														Total
	\$10	\$100	\$200	\$250	\$500	\$1,000	\$1,500	\$2,000	\$2,500	\$3,000	\$4,000	\$6,000	\$7,000	\$10,000	
	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	
<b>Against the person:</b>															
Assault	-	-	-	-	2	-	1	1	-	-	-	-	-	-	4
<b>Theft:</b>															
Fraud and misappropriation	-	-	-	-	-	-	-	-	-	-	-	2	-	-	2
Other	-	-	-	2	-	-	-	-	-	-	-	-	-	-	2
<b>Against justice procedures</b>	-	-	-	-	-	1	-	-	-	-	-	-	-	-	1
<b>Against good order</b>	1	-	-	-	-	-	-	-	2	-	1	-	-	-	4
<b>Drug:</b>															
Possession and/or use															
- opiates	-	-	-	-	1	-	-	-	-	-	-	-	-	-	1
Possession and/or use															
- cannabis	-	-	1	-	-	-	-	-	-	-	-	-	-	-	1
Dealing and trafficking															
- cannabis	-	1	-	-	-	-	-	-	-	-	-	-	-	-	1
Manufacturing and/or growing															
- cannabis	-	-	-	-	-	-	-	-	2	1	-	-	1	2	6
<b>Driving</b>															
Other	-	1	-	-	-	-	-	-	-	-	-	-	-	-	1
<b>Total</b>	1	2	1	2	3	1	1	1	4	1	1	2	1	2	23

# **TABLES**

**continue on the next page...**

**TABLE 3.9**

**PERSONS SENTENCED TO PRISON IN TRIAL AND SENTENCE CASES FINALISED:  
TYPE OF PRINCIPAL OFFENCE, DURATION OF IMPRISONMENT FOR PRINCIPAL OFFENCE**

*Note: 93 people who received an imprisonment penalty which was not under the Sentencing Act 1989, have been excluded from this table.*

Type of principal offence	Duration of imprisonment for principal offence																				Total
	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	
<b>Against the person:</b>																					
Murder	-	1	-	-	-	-	2	-	2	3	4	2	9	2	4	6	1	1	2	1	
Manslaughter	-	4	7	4	3	3	3	2	-	1	1	-	-	-	-	-	-	1	-	-	
Attempt, intent to murder	-	2	1	-	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	
Assault	89	71	23	11	4	1	2	-	-	1	-	-	-	-	-	-	-	-	-	-	
Sexual assault	15	25	30	15	14	9	7	1	1	-	-	-	-	-	-	-	-	-	-	-	
Sexual offences against children	23	34	25	17	10	2	6	-	-	1	1	-	-	-	-	-	-	-	-	-	
Other	3	3	3	1	2	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
<b>Total</b>	<b>130</b>	<b>140</b>	<b>89</b>	<b>48</b>	<b>33</b>	<b>16</b>	<b>20</b>	<b>4</b>	<b>4</b>	<b>6</b>	<b>5</b>	<b>2</b>	<b>9</b>	<b>2</b>	<b>4</b>	<b>6</b>	<b>1</b>	<b>2</b>	<b>2</b>	<b>1</b>	
<b>Robbery and extortion:</b>																					
Robbery	62	96	93	56	36	10	14	10	2	4	2	-	2	-	-	2	-	-	-	-	
Blackmail and extortion	5	5	5	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
<b>Total</b>	<b>67</b>	<b>101</b>	<b>98</b>	<b>58</b>	<b>36</b>	<b>10</b>	<b>14</b>	<b>10</b>	<b>2</b>	<b>4</b>	<b>2</b>	<b>-</b>	<b>2</b>	<b>-</b>	<b>-</b>	<b>2</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	
<b>Theft:</b>																					
Breaking and entering	65	117	74	41	13	3	2	1	-	-	-	-	-	-	-	-	-	-	-	-	
Fraud and misappropriation	27	28	12	10	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Receiving and unlawful possession	19	24	8	4	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Vehicle theft	39	28	17	7	-	-	2	-	-	-	-	-	-	-	-	-	-	-	-	-	
Other	18	12	8	5	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
<b>Total</b>	<b>168</b>	<b>209</b>	<b>119</b>	<b>67</b>	<b>16</b>	<b>3</b>	<b>4</b>	<b>1</b>	<b>-</b>												

<b>Property damage</b>	16	17	7	2	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	44	
<b>Against justice procedures</b>	27	9	4	5	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	47	
<b>Weapons</b>	7	17	12	4	1	1	-	1	-	-	-	-	-	-	-	-	-	-	-	43	
<b>Against good order</b>	9	5	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	15	
<b>Drug:</b>																					
Possession and/or use																					
- opiates	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	
- cannabis	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
- other drug	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Dealing and trafficking																					
- opiates	20	31	37	19	16	9	3	-	-	-	-	-	-	-	-	-	-	-	-	135	
- cannabis	38	28	9	5	2	-	1	-	2	-	-	-	-	-	-	-	-	-	-	85	
- other drug	26	38	17	8	3	1	-	-	-	1	-	-	-	-	-	-	-	-	-	94	
Manufacturing and/or growing																					
- cannabis	18	12	9	4	-	-	-	-	-	-	1	-	-	-	-	-	-	-	-	44	
- other drug	2	2	1	1	2	-	-	-	-	-	1	-	-	-	-	-	-	-	-	9	
Import/export	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	
Other	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
<b>Total</b>	104	112	74	37	23	10	4	-	2	1	2	-	-	-	-	-	-	-	-	369	
<b>Driving:</b>																					
Cause death by driving	5	10	6	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	22	
Cause injury by driving	9	8	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	17	
Other	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
<b>Total</b>	14	18	6	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	39	
<b>Against prison rules</b>	39	14	1	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	56	
<b>Other</b>	2	-	2	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	5	
<b>Total</b>	583	642	412	225	112	42	42	16	8	11	9	2	11	2	4	8	1	2	2	1	2135

**TABLE 3.10**

**PERSONS SENTENCED TO PRISON IN TRIAL AND SENTENCE CASES FINALISED:  
DURATION OF AGGREGATE SENTENCE, DURATION OF MINIMUM/FIXED TERM**

*Note: Excluded from this table are 1 person who received life imprisonment, 92 people serving an existing sentence and 93 people who received an imprisonment penalty which was not under the Sentencing Act 1989.*

Duration of aggregate sentence	Duration of minimum/fixd term																				Total
	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	
Under 1 year	302	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	302
1 year, under 2 years	181	257	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	438
2 years, under 3 years	64	231	143	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	438
3 years, under 4 years	15	85	144	12	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	256
4 years, under 5 years	2	38	61	135	4	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	240
5 years, under 6 years	2	7	20	37	55	3	-	-	-	-	-	-	-	-	-	-	-	-	-	-	124
6 years, under 7 years	-	1	10	20	27	11	2	-	-	-	-	-	-	-	-	-	-	-	-	-	71
7 years, under 8 years	-	-	1	12	11	13	2	5	-	-	-	-	-	-	-	-	-	-	-	-	44
8 years, under 9 years	-	-	-	1	5	8	25	1	1	-	-	-	-	-	-	-	-	-	-	-	41
9 years, under 10 years	-	1	-	-	1	-	5	5	-	-	-	-	-	-	-	-	-	-	-	-	12
10 years, under 11 years	-	-	1	-	2	-	4	2	4	1	-	-	-	-	-	-	-	-	-	-	14
11 years, under 12 years	-	-	-	-	-	-	-	2	1	-	-	-	-	-	-	-	-	-	-	-	3
12 years, under 13 years	-	-	-	-	-	1	1	1	1	5	2	-	-	-	-	-	-	-	-	-	11
13 years, under 14 years	-	-	-	-	-	-	-	-	-	-	3	-	-	-	-	-	-	-	-	-	3
14 years, under 15 years	-	-	-	-	-	-	-	-	1	2	-	-	1	-	-	-	-	-	-	-	4
15 years, under 16 years	-	-	-	-	-	-	-	-	1	2	1	-	-	-	-	-	-	-	-	-	4
16 years, under 17 years	-	-	-	-	-	-	-	-	-	2	2	5	-	-	-	-	-	-	-	-	9
17 years, under 18 years	-	-	-	-	-	-	-	1	-	-	1	-	1	1	-	-	-	-	-	-	4
18 years, under 19 years	-	-	-	-	-	-	-	-	-	-	1	-	2	-	1	-	-	-	-	-	4
19 years, under 20 years	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-	-	1
20 years, under 21 years	-	-	-	-	-	-	-	-	-	-	-	-	2	1	3	7	-	-	-	-	13
23 years, under 24 years	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	1
24 years, under 25 years	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	1
25 years and over	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2	2	2	4
<b>Total</b>	<b>566</b>	<b>620</b>	<b>380</b>	<b>217</b>	<b>105</b>	<b>36</b>	<b>39</b>	<b>17</b>	<b>9</b>	<b>10</b>	<b>10</b>	<b>3</b>	<b>11</b>	<b>2</b>	<b>4</b>	<b>8</b>	<b>1</b>	<b>2</b>	<b>2</b>	<b>2042</b>	

**TABLE 3.11**

**PERSONS FOUND GUILTY IN TRIAL AND SENTENCE CASES FINALISED:  
TYPE OF PRINCIPAL OFFENCE, PRIOR CONVICTIONS**

*Note: The principal offence categories in this table are more general than in previous tables. This is due to a limitation in the Case Tracking System.*

<i>Type of principal offence</i>	<i>Prior convictions</i>									
	<i>No prior convictions</i>		<i>Prior convictions not of same type</i>		<i>Prior convictions of same type</i>		<i>Prior convictions of same type with imprisonment</i>		<i>Total</i>	
	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>
Against the person	401	32.5	284	23.0	357	28.9	193	15.6	1235	100.0
Driving	106	62.4	19	11.2	39	22.9	6	3.5	170	100.0
Drug	293	36.3	193	23.9	227	28.1	94	11.6	807	100.0
Fraud	227	58.2	86	22.1	42	10.8	35	9.0	390	100.0
Property	199	19.5	76	7.5	306	30.0	438	43.0	1019	100.0
Sex	168	40.9	173	42.1	40	9.7	30	7.3	411	100.0
Other	94	26.5	261	73.5	-	-	-	-	355	100.0
<b>Total</b>	<b>1488</b>	<b>33.9</b>	<b>1092</b>	<b>24.9</b>	<b>1011</b>	<b>23.0</b>	<b>796</b>	<b>18.1</b>	<b>4387</b>	<b>100.0</b>

TABLE 3.12:

**PERSONS FOUND GUILTY IN TRIAL AND SENTENCE CASES FINALISED:  
SEX, TYPE OF PRINCIPAL OFFENCE, AGE**

<i>Type of principal offence</i>	<i>Sex: Total male and female</i>											
	<i>Age (years)</i>										<i>Unknown</i>	<i>Total</i>
	<i>Under 18</i>	<i>18</i>	<i>19</i>	<i>20-24</i>	<i>25-29</i>	<i>30-39</i>	<i>40-49</i>	<i>50-59</i>	<i>60-65</i>	<i>Over 65</i>		
<b>Against the person:</b>												
Murder	2	4	3	13	3	9	6	1	-	-	-	41
Manslaughter	-	3	6	9	4	9	5	-	2	-	-	38
Attempt, intent to murder	1	-	1	2	-	1	1	-	-	-	-	6
Assault	14	23	33	154	110	130	43	10	1	3	1	522
Sexual assault	6	8	8	47	33	46	35	19	3	7	-	212
Sexual assault against children	4	4	8	14	20	64	60	17	3	4	1	199
Other	1	-	1	7	3	7	3	-	-	-	-	22
<b>Total</b>	<b>28</b>	<b>42</b>	<b>60</b>	<b>246</b>	<b>173</b>	<b>266</b>	<b>153</b>	<b>47</b>	<b>9</b>	<b>14</b>	<b>2</b>	<b>1040</b>
<b>Robbery and extortion:</b>												
Robbery	24	44	70	203	117	80	20	1	-	-	1	560
Blackmail and extortion	1	2	5	9	13	10	4	2	-	-	-	46
<b>Total</b>	<b>25</b>	<b>46</b>	<b>75</b>	<b>212</b>	<b>130</b>	<b>90</b>	<b>24</b>	<b>3</b>	<b>-</b>	<b>-</b>	<b>1</b>	<b>606</b>
<b>Theft:</b>												
Breaking and entering	2	12	54	200	112	121	9	2	1	-	-	513
Fraud and misappropriation	-	1	11	67	61	114	71	37	6	5	17	390
Receiving and unlawful possession	1	5	4	40	30	41	13	1	-	-	-	135
Vehicle theft	4	11	11	64	37	26	3	-	-	-	1	157
Other	1	5	11	32	23	25	7	-	-	-	-	104
<b>Total</b>	<b>8</b>	<b>34</b>	<b>91</b>	<b>403</b>	<b>263</b>	<b>327</b>	<b>103</b>	<b>40</b>	<b>7</b>	<b>5</b>	<b>18</b>	<b>1299</b>

Property damage	4	4	8	35	22	16	12	2	-	-	-	103
Against justice procedures	2	3	13	41	23	31	14	5	-	-	3	135
Weapons	1	-	4	21	20	25	13	2	-	1	-	87
Against good order	-	1	5	19	9	2	6	1	-	-	-	43
<b>Drug:</b>												
Possession and/or use												
- opiates	-	-	-	-	1	-	1	2	-	-	-	4
- cannabis	-	-	-	2	3	2	1	-	-	-	-	8
- other drug	-	-	-	-	1	-	1	-	-	-	-	2
Dealing and trafficking												
- opiates	-	1	1	15	29	86	33	2	1	1	-	169
- cannabis	-	3	6	22	28	85	28	10	-	-	-	182
- other drug	-	-	5	24	38	77	36	3	-	-	-	183
Manufacturing and/or growing												
- cannabis	1	-	3	24	34	88	32	7	2	1	-	192
- other drug	-	-	-	2	4	5	3	-	1	-	-	15
Import/export	1	-	-	8	10	26	10	3	5	1	2	66
Other	-	-	-	-	-	1	-	-	-	-	-	1
<b>Total</b>	<b>2</b>	<b>4</b>	<b>15</b>	<b>97</b>	<b>148</b>	<b>370</b>	<b>145</b>	<b>27</b>	<b>9</b>	<b>3</b>	<b>2</b>	<b>822</b>
<b>Driving:</b>												
Cause death by driving	1	2	10	26	9	16	10	5	1	3	-	83
Cause injury by driving	2	3	1	23	24	17	10	1	1	2	1	85
Other	-	-	-	1	-	-	1	-	-	-	-	2
<b>Total</b>	<b>3</b>	<b>5</b>	<b>11</b>	<b>50</b>	<b>33</b>	<b>33</b>	<b>21</b>	<b>6</b>	<b>2</b>	<b>5</b>	<b>1</b>	<b>170</b>
Against prison rules	-	1	2	21	19	10	5	1	-	-	-	59
Other	-	-	-	7	4	-	5	1	-	1	4	23
<b>Total</b>	<b>73</b>	<b>140</b>	<b>284</b>	<b>1152</b>	<b>844</b>	<b>1171</b>	<b>501</b>	<b>135</b>	<b>27</b>	<b>29</b>	<b>31</b>	<b>4387</b>

TABLE 3.12a

PERSONS FOUND GUILTY IN TRIAL AND SENTENCE CASES FINALISED:  
SEX, TYPE OF PRINCIPAL OFFENCE, AGE

Type of principal offence	Sex: Male											Total
	Age (years)											
	Under 18	18	19	20-24	25-29	30-39	40-49	50-59	60-65	Over 65	Unknown	
<b>Against the person:</b>												
Murder	2	4	3	12	3	7	6	1	-	-	-	38
Manslaughter	-	3	5	9	2	8	4	-	2	-	-	33
Attempt, intent to murder	1	-	1	2	-	1	1	-	-	-	-	6
Assault	11	22	29	145	104	121	40	9	1	3	1	487
Sexual assault	6	8	8	45	33	45	35	19	3	7	-	209
Sexual assault against children	4	4	8	14	20	64	60	17	3	4	1	199
Other	1	-	1	7	2	6	3	-	-	-	-	20
<b>Total</b>	<b>25</b>	<b>41</b>	<b>55</b>	<b>234</b>	<b>164</b>	<b>252</b>	<b>149</b>	<b>46</b>	<b>9</b>	<b>14</b>	<b>2</b>	<b>991</b>
<b>Robbery and extortion:</b>												
Robbery	21	39	64	191	104	75	20	1	-	-	1	516
Blackmail and extortion	1	2	5	8	12	10	4	2	-	-	-	44
<b>Total</b>	<b>22</b>	<b>41</b>	<b>69</b>	<b>199</b>	<b>116</b>	<b>85</b>	<b>24</b>	<b>3</b>	<b>-</b>	<b>-</b>	<b>1</b>	<b>560</b>
<b>Theft:</b>												
Breaking and entering	2	12	51	192	105	116	9	2	1	-	-	490
Fraud and misappropriation	-	1	10	56	49	93	53	27	5	5	6	305
Receiving and unlawful possession	1	5	4	36	29	41	13	1	-	-	-	130
Vehicle theft	4	11	10	59	35	24	3	-	-	-	1	147
Other	1	3	11	25	22	21	7	-	-	-	-	90
<b>Total</b>	<b>8</b>	<b>32</b>	<b>86</b>	<b>368</b>	<b>240</b>	<b>295</b>	<b>85</b>	<b>30</b>	<b>6</b>	<b>5</b>	<b>7</b>	<b>1162</b>

<b>Property damage</b>	3	4	8	35	21	15	10	1	-	-	-	97
<b>Against justice procedures</b>	2	2	10	34	19	23	11	4	-	-	3	108
<b>Weapons</b>	1	-	4	18	18	23	13	2	-	1	-	80
<b>Against good order</b>	-	1	5	17	7	1	5	1	-	-	-	37
<b>Drug:</b>												
Possession and/or use												
- opiates	-	-	-	-	1	-	1	1	-	-	-	3
- cannabis	-	-	-	2	3	1	1	-	-	-	-	7
- other drug	-	-	-	-	1	-	1	-	-	-	-	2
Dealing and trafficking												
- opiates	-	1	1	12	25	69	28	2	1	1	-	140
- cannabis	-	3	6	22	28	80	25	10	-	-	-	174
- other drug	-	-	4	18	33	63	32	2	-	-	-	152
Manufacturing and/or growing												
- cannabis	1	-	3	21	31	79	29	7	2	1	-	174
- other drug	-	-	-	2	4	5	3	-	1	-	-	15
Import/export	-	-	-	5	10	21	6	3	5	1	-	51
Other	-	-	-	-	-	1	-	-	-	-	-	1
<b>Total</b>	1	4	14	82	136	319	126	25	9	3	-	719
<b>Driving:</b>												
Cause death by driving	1	2	9	24	9	13	9	4	-	3	-	74
Cause injury by driving	2	2	-	21	23	16	7	1	1	1	1	75
Other	-	-	-	1	-	-	1	-	-	-	-	2
<b>Total</b>	3	4	9	46	32	29	17	5	1	4	1	151
<b>Against prison rules</b>	-	1	2	21	18	10	5	1	-	-	-	58
<b>Other</b>	-	-	-	7	3	1	5	-	-	1	4	21
<b>Total</b>	65	130	262	1061	774	1053	450	118	25	28	18	3984

**TABLE 3.12b****PERSONS FOUND GUILTY IN TRIAL AND SENTENCE CASES FINALISED:  
SEX, TYPE OF PRINCIPAL OFFENCE, AGE**

<i>Type of principal offence</i>	<i>Sex: Female</i>											<i>Total</i>
	<i>Age (years)</i>											
	<i>Under 18</i>	<i>18</i>	<i>19</i>	<i>20-24</i>	<i>25-29</i>	<i>30-39</i>	<i>40-49</i>	<i>50-59</i>	<i>60-65</i>	<i>Over 65</i>	<i>Unknown</i>	
<b>Against the person:</b>												
Murder	-	-	-	1	-	2	-	-	-	-	-	3
Manslaughter	-	-	1	-	2	1	1	-	-	-	-	5
Attempt, intent to murder	-	-	-	-	-	-	-	-	-	-	-	-
Assault	3	1	4	9	6	9	3	1	-	-	-	36
Sexual assault	-	-	-	2	-	1	-	-	-	-	-	3
Sexual assault against children	-	-	-	-	-	-	-	-	-	-	-	-
Other	-	-	-	-	1	1	-	-	-	-	-	2
<b>Total</b>	<b>3</b>	<b>1</b>	<b>5</b>	<b>12</b>	<b>9</b>	<b>14</b>	<b>4</b>	<b>1</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>49</b>
<b>Robbery and extortion:</b>												
Robbery	3	5	6	12	13	5	-	-	-	-	-	44
Blackmail and extortion	-	-	-	1	1	-	-	-	-	-	-	2
<b>Total</b>	<b>3</b>	<b>5</b>	<b>6</b>	<b>13</b>	<b>14</b>	<b>5</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>46</b>
<b>Theft:</b>												
Breaking and entering	-	-	3	8	7	5	-	-	-	-	-	23
Fraud and misappropriation	-	-	1	11	12	21	18	10	1	-	11	85
Receiving and unlawful possession	-	-	-	4	1	-	-	-	-	-	-	5
Vehicle theft	-	-	1	5	2	2	-	-	-	-	-	10
Other	-	2	-	7	1	4	-	-	-	-	-	14
<b>Total</b>	<b>-</b>	<b>2</b>	<b>5</b>	<b>35</b>	<b>23</b>	<b>32</b>	<b>18</b>	<b>10</b>	<b>1</b>	<b>-</b>	<b>11</b>	<b>137</b>

<b>Property damage</b>	1	-	-	-	1	1	2	1	-	-	-	6
<b>Against justice procedures</b>	-	1	3	7	4	8	3	1	-	-	-	27
<b>Weapons</b>	-	-	-	3	2	2	-	-	-	-	-	7
<b>Against good order</b>	-	-	-	2	2	1	1	-	-	-	-	6
<b>Drug:</b>												
Possession and/or use												
- opiates	-	-	-	-	-	-	-	1	-	-	-	1
- cannabis	-	-	-	-	-	1	-	-	-	-	-	1
- other drug	-	-	-	-	-	-	-	-	-	-	-	-
Dealing and trafficking												
- opiates	-	-	-	3	4	17	5	-	-	-	-	29
- cannabis	-	-	-	-	-	5	3	-	-	-	-	8
- other drug	-	-	1	6	5	14	4	1	-	-	-	31
Manufacturing and/or growing												
- cannabis	-	-	-	3	3	9	3	-	-	-	-	18
- other drug	-	-	-	-	-	-	-	-	-	-	-	-
Import/export	1	-	-	3	-	5	4	-	-	-	2	15
Other	-	-	-	-	-	-	-	-	-	-	-	-
<b>Total</b>	<b>1</b>	<b>-</b>	<b>1</b>	<b>15</b>	<b>12</b>	<b>51</b>	<b>19</b>	<b>2</b>	<b>-</b>	<b>-</b>	<b>2</b>	<b>103</b>
<b>Driving:</b>												
Cause death by driving	-	-	1	2	-	3	1	1	1	-	-	9
Cause injury by driving	-	1	1	2	1	1	3	-	-	1	-	10
Other	-	-	-	-	-	-	-	-	-	-	-	-
<b>Total</b>	<b>-</b>	<b>1</b>	<b>2</b>	<b>4</b>	<b>1</b>	<b>4</b>	<b>4</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>-</b>	<b>19</b>
<b>Against prison rules</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>1</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>1</b>
<b>Other</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>1</b>	<b>-</b>	<b>-</b>	<b>1</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>2</b>
<b>Total</b>	<b>8</b>	<b>10</b>	<b>22</b>	<b>91</b>	<b>70</b>	<b>118</b>	<b>51</b>	<b>17</b>	<b>2</b>	<b>1</b>	<b>13</b>	<b>403</b>

TABLE 3.13

**PERSONS CHARGED IN TRIAL AND SENTENCE CASES FINALISED:  
OUTCOME OF CHARGES, BAIL STATUS**

<i>Outcome of charges</i>	<i>Bail status</i>																
	<i>Bail dispensed with</i>		<i>In gaol bail not met</i>		<i>In gaol bail refused</i>		<i>On bail conditional</i>		<i>On bail unconditional</i>		<i>Shelter</i>		<i>Unknown</i>		<i>Total</i>		
	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>	
<b>Proceeded to trial:</b>																	
Acquitted of all charges	37	19.1	5	6.4	59	4.2	369	11.5	125	12.6	-	-	21	17.9	616	10.3	
Found guilty of at least one charge	22	11.3	5	6.4	153	10.9	361	11.3	122	12.3	-	-	12	10.3	675	11.3	
Other	2	1.0	-	-	12	0.9	24	0.8	5	0.5	-	-	-	-	43	0.7	
<b>Proceeded to sentence only</b>	97	50.0	55	70.5	1096	78.1	1780	55.7	594	59.8	6	100.0	41	35.0	3669	61.3	
<b>All charges not proceeded with</b>	30	15.5	4	5.1	55	3.9	310	9.7	82	8.3	-	-	13	11.1	494	8.2	
<b>All charges otherwise disposed of</b>	6	3.1	9	11.5	28	2.0	354	11.1	65	6.5	-	-	30	25.6	492	8.2	
<b>Total</b>	194	100.0	78	100.0	1403	100.0	3198	100.0	993	100.0	6	100.0	117	100.0	5989	100.0	

**TABLE 3.14**

**PERSONS CHARGED IN TRIAL AND SENTENCE CASES FINALISED AND DURATION OF PROCEEDINGS: REGISTRY, OUTCOME OF CHARGES, BAIL STATUS**

*Note:* a Total includes 21 people for whom bail status was unknown.  
 b Total includes 12 people for whom bail status was unknown.  
 c Total includes 41 people for whom bail status was unknown.  
 d Total includes 13 people for whom bail status was unknown.  
 e Total includes 30 people for whom bail status was unknown.

	<b>All Registries</b>											
	<b>Bail status</b>											
	<b>On bail</b>				<b>In gaol/shelter</b>				<b>Total</b>			
	<i>Duration of proceedings</i>				<i>Duration of proceedings</i>				<i>Duration of proceedings</i>			
	<i>Persons charged</i>	<i>Arrest to committal</i>	<i>Committal to outcome</i>	<i>Outcome to sentence</i>	<i>Persons charged</i>	<i>Arrest to committal</i>	<i>Committal to outcome</i>	<i>Outcome to sentence</i>	<i>Persons charged</i>	<i>Arrest to committal</i>	<i>Committal to outcome</i>	<i>Outcome to sentence</i>
No.	Median duration (days)			No.	Median duration (days)			No.	Median duration (days)			
<b>Proceeded to trial:</b>												
Acquitted of all charges	531	175.0	510.0	-	64	84.0	263.5	-	616 <sup>a</sup>	167.0	465.0	-
Found guilty of at least one charge	505	167.0	511.0	10.0	158	87.0	291.0	14.0	675 <sup>b</sup>	154.0	450.0	11.0
Other	31	165.0	511.0	2.0	12	99.5	312.0	0.5	43	146.0	491.0	1.0
<b>Proceeded to sentence only</b>	2471	104.0	253.0	1.0	1157	42.0	126.0	0.0	3669 <sup>c</sup>	80.0	197.0	1.0
<b>No charges proceeded with</b>	422	162.0	428.0	-	59	66.0	289.0	-	494 <sup>d</sup>	156.0	413.0	-
<b>All charges otherwise disposed of</b>	425	112.0	312.0	-	37	57.0	216.0	-	492 <sup>e</sup>	113.5	300.5	-

**TABLE 3.14a**

**PERSONS CHARGED IN TRIAL AND SENTENCE CASES FINALISED AND DURATION OF PROCEEDINGS: REGISTRY, OUTCOME OF CHARGES, BAIL STATUS**

<i>Outcome of charges</i>	<i>Registry: Supreme Court</i>											
	<i>Bail status</i>											
	<i>On bail</i>				<i>In gaol/shelter</i>				<i>Total</i>			
	<i>Duration of proceedings</i>				<i>Duration of proceedings</i>				<i>Duration of proceedings</i>			
	<i>Persons charged</i>	<i>Arrest to committal</i>	<i>Committal to outcome</i>	<i>Outcome to sentence</i>	<i>Persons charged</i>	<i>Arrest to committal</i>	<i>Committal to outcome</i>	<i>Outcome to sentence</i>	<i>Persons charged</i>	<i>Arrest to committal</i>	<i>Committal to outcome</i>	<i>Outcome to sentence</i>
<i>No.</i>	<i>Median duration (days)</i>			<i>No.</i>	<i>Median duration (days)</i>			<i>No.</i>	<i>Median duration (days)</i>			
<b>Proceeded to trial:</b>												
Acquitted of all charges	27	155.0	381.0	-	7	180.0	344.0	-	34	166.0	366.5	-
Found guilty of at least one charge	23	153.0	450.0	21.0	31	111.0	372.0	12.0	54	132.0	390.0	16.0
Other	-	-	-	-	2	296.5	453.0	0.5	2	296.0	453.0	0.5
<b>Proceeded to sentence only</b>	36	140.5	283.0	3.5	42	94.0	275.5	6.5	78	111.5	276.5	5.0
<b>No charges proceeded with</b>	9	431.0	1005.0	-	-	-	-	-	9	431.0	1005.0	-
<b>All charges otherwise disposed of</b>	4	197.5	252.0	-	1	49.0	320.0	-	5	166.0	260.0	-

**TABLE 3.14b**

**PERSONS CHARGED IN TRIAL AND SENTENCE CASES FINALISED AND DURATION OF PROCEEDINGS: REGISTRY, OUTCOME OF CHARGES, BAIL STATUS**

Note: a Total includes 1 person for whom bail status was unknown.  
 b Total includes 2 people for whom bail status was unknown.

**Registry: Dubbo**

**Bail status**

<b>Outcome of charges</b>	<b>On bail</b>				<b>In gaol/shelter</b>				<b>Total</b>			
	<i>Duration of proceedings</i>				<i>Duration of proceedings</i>				<i>Duration of proceedings</i>			
	<i>Persons charged</i>	<i>Arrest to committal</i>	<i>Committal to outcome</i>	<i>Outcome to sentence</i>	<i>Persons charged</i>	<i>Arrest to committal</i>	<i>Committal to outcome</i>	<i>Outcome to sentence</i>	<i>Persons charged</i>	<i>Arrest to committal</i>	<i>Committal to outcome</i>	<i>Outcome to sentence</i>
	No.	Median duration (days)			No.	Median duration (days)			No.	Median duration (days)		
<b>Proceeded to trial:</b>												
Acquitted of all charges	43	175.0	589.0	-	4	86.0	431.5	-	48 <sup>a</sup>	167.5	492.0	-
Found guilty of at least one charge	36	188.5	740.0	3.0	7	14.0	141.0	23.0	43	173.0	693.0	3.0
Other	2	336.0	1132.0	0.5	-	-	-	-	2	336.0	1132.0	0.5
<b>Proceeded to sentence only</b>	97	147.0	358.0	1.0	20	23.5	105.0	0.0	119 <sup>b</sup>	105.0	288.0	1.0
<b>No charges proceeded with</b>	13	180.0	540.0	-	-	-	-	-	13	180.0	540.0	-
<b>All charges otherwise disposed of</b>	15	161.0	453.0	-	3	1.0	137.0	-	18	123.0	365.0	-



**TABLE 3.14d**

**PERSONS CHARGED IN TRIAL AND SENTENCE CASES FINALISED AND DURATION OF PROCEEDINGS: REGISTRY, OUTCOME OF CHARGES, BAIL STATUS**

*Note:* a Total includes 3 people for whom bail status was unknown.  
 b Total includes 1 person for whom bail status was unknown.  
 c Total includes 7 people for whom bail status was unknown.  
 d Total includes 1 person for whom bail status was unknown.  
 e Total includes 1 person for whom bail status was unknown.

<b>Registry: Newcastle</b>														
<b>Bail status</b>														
<b>On bail</b>					<b>In gaol/shelter</b>				<b>Total</b>					
<i>Duration of proceedings</i>					<i>Duration of proceedings</i>				<i>Duration of proceedings</i>					
<i>Persons charged</i>	<i>Arrest to committal</i>	<i>Committal to outcome</i>	<i>Outcome to sentence</i>		<i>Persons charged</i>	<i>Arrest to committal</i>	<i>Committal to outcome</i>	<i>Outcome to sentence</i>		<i>Persons charged</i>	<i>Arrest to committal</i>	<i>Committal to outcome</i>	<i>Outcome to sentence</i>	
No.	Median duration (days)				No.	Median duration (days)				No.	Median duration (days)			
<b>Proceeded to trial:</b>														
Acquitted of all charges	57	170.5	407.0	-	6	124.0	130.0	-		66 <sup>a</sup>	157.5	366.0	-	
Found guilty of at least one charge	68	165.5	256.5	2.0	12	43.0	192.5	2.0		81 <sup>b</sup>	160.5	234.0	2.0	
Other	2	146.0	343.5	1.0	-	-	-	-		2	146.0	343.5	1.0	
<b>Proceeded to sentence only</b>	<b>422</b>	<b>88.5</b>	<b>140.0</b>	<b>1.0</b>	<b>159</b>	<b>35.0</b>	<b>66.0</b>	<b>1.0</b>		<b>588<sup>c</sup></b>	<b>72.0</b>	<b>114.5</b>	<b>1.0</b>	
<b>No charges proceeded with</b>	<b>53</b>	<b>114.5</b>	<b>201.0</b>	<b>-</b>	<b>4</b>	<b>82.5</b>	<b>183.0</b>	<b>-</b>		<b>58<sup>d</sup></b>	<b>114.0</b>	<b>195.5</b>	<b>-</b>	
<b>All charges otherwise disposed of</b>	<b>26</b>	<b>104.5</b>	<b>214.5</b>	<b>-</b>	<b>2</b>	<b>92.0</b>	<b>112.0</b>	<b>-</b>		<b>29<sup>e</sup></b>	<b>106.0</b>	<b>186.0</b>	<b>-</b>	

TABLE 3.14e

**PERSONS CHARGED IN TRIAL AND SENTENCE CASES FINALISED AND DURATION OF PROCEEDINGS:  
REGISTRY, OUTCOME OF CHARGES, BAIL STATUS**

Note: a Total includes 4 people for whom bail status was unknown.  
b Total includes 3 people for whom bail status was unknown.  
c Total includes 10 people for whom bail status was unknown.  
d Total includes 5 people for whom bail status was unknown.  
e Total includes 15 people for whom bail status was unknown.

	Registry: Sydney											
	Bail status											
	On bail				In gaol/shelter				Total			
	Duration of proceedings				Duration of proceedings				Duration of proceedings			
Persons charged	Arrest to committal	Committal to outcome	Outcome to sentence	Persons charged	Arrest to committal	Committal to outcome	Outcome to sentence	Persons charged	Arrest to committal	Committal to outcome	Outcome to sentence	
No.	Median duration (days)			No.	Median duration (days)			No.	Median duration (days)			
<b>Outcome of charges</b>												
<b>Proceeded to trial:</b>												
Acquitted of all charges	165	165.5	611.1	-	31	51.0	275.0	-	200 <sup>a</sup>	153.0	568.0	-
Found guilty of at least one charge	148	181.0	649.0	14.0	52	134.0	350.5	13.5	203 <sup>b</sup>	167.5	533.0	14.0
Other	11	146.0	554.0	17.0	6	46.5	233.5	0.0	17	109.0	381.5	0.0
<b>Proceeded to sentence only</b>	678	108.0	343.0	1.0	437	52.0	152.0	1.0	1125 <sup>c</sup>	80.0	247.0	1.0
<b>No charges proceeded with</b>	158	186.5	524.5	-	32	113.5	406.0	-	195 <sup>d</sup>	176.0	499.0	-
<b>All charges otherwise disposed of</b>	201	107.0	341.0	-	14	60.5	194.0	-	230 <sup>e</sup>	112.5	328.0	-

**TABLE 3.14f**

**PERSONS CHARGED IN TRIAL AND SENTENCE CASES FINALISED AND DURATION OF PROCEEDINGS: REGISTRY, OUTCOME OF CHARGES, BAIL STATUS**

*Note:* a Total includes 5 people for whom bail status was unknown.  
 b Total includes 4 people for whom bail status was unknown.  
 c Total includes 10 people for whom bail status was unknown.  
 d Total includes 3 people for whom bail status was unknown.  
 e Total includes 11 people for whom bail status was unknown.

<b>Registry: Sydney West</b>												
<b>Bail status</b>												
<b>On bail</b>				<b>In gaol/shelter</b>				<b>Total</b>				
<i>Duration of proceedings</i>				<i>Duration of proceedings</i>				<i>Duration of proceedings</i>				
<i>Persons charged</i>	<i>Arrest to committal</i>	<i>Committal to outcome</i>	<i>Outcome to sentence</i>	<i>Persons charged</i>	<i>Arrest to committal</i>	<i>Committal to outcome</i>	<i>Outcome to sentence</i>	<i>Persons charged</i>	<i>Arrest to committal</i>	<i>Committal to outcome</i>	<i>Outcome to sentence</i>	
<i>No.</i>	<i>Median duration (days)</i>			<i>No.</i>	<i>Median duration (days)</i>			<i>No.</i>	<i>Median duration (days)</i>			
<b>Proceeded to trial:</b>												
Acquitted of all charges	126	173.0	601.5	-	14	62.5	234.0	-	145 <sup>a</sup>	167.0	511.0	-
Found guilty of at least one charge	131	158.0	554.0	39.0	45	52.0	237.0	28.0	180 <sup>b</sup>	140.0	477.5	35.5
Other	9	149.0	538.0	30.0	2	85.0	491.0	200.0	11	133.0	538.0	39.5
<b>Proceeded to sentence only</b>	<b>754</b>	<b>103.5</b>	<b>290.5</b>	<b>14.0</b>	<b>315</b>	<b>36.0</b>	<b>134.0</b>	<b>0.0</b>	<b>1079<sup>c</sup></b>	<b>78.0</b>	<b>215.0</b>	<b>4.0</b>
<b>No charges proceeded with</b>	<b>125</b>	<b>137.0</b>	<b>431.0</b>	<b>-</b>	<b>18</b>	<b>27.5</b>	<b>166.5</b>	<b>-</b>	<b>146<sup>d</sup></b>	<b>129.0</b>	<b>392.5</b>	<b>-</b>
<b>All charges otherwise disposed of</b>	<b>132</b>	<b>120.5</b>	<b>333.5</b>	<b>-</b>	<b>17</b>	<b>46.0</b>	<b>222.0</b>	<b>-</b>	<b>160<sup>e</sup></b>	<b>120.5</b>	<b>292.0</b>	<b>-</b>

TABLE 3.14g

**PERSONS CHARGED IN TRIAL AND SENTENCE CASES FINALISED AND  
DURATION OF PROCEEDINGS:  
REGISTRY, OUTCOME OF CHARGES, BAIL STATUS**

Note: a Total includes 1 person for whom bail status was unknown.  
b Total includes 1 person for whom bail status was unknown.  
c Total includes 1 person for whom bail status was unknown.

<b>Registry: Wagga Wagga</b>														
<b>Bail status</b>														
<b>On bail</b>					<b>In gaol/shelter</b>				<b>Total</b>					
<i>Duration of proceedings</i>					<i>Duration of proceedings</i>				<i>Duration of proceedings</i>					
<i>Persons charged</i>	<i>Arrest to committal</i>	<i>Committal to outcome</i>	<i>Outcome to sentence</i>		<i>Persons charged</i>	<i>Arrest to committal</i>	<i>Committal to outcome</i>	<i>Outcome to sentence</i>		<i>Persons charged</i>	<i>Arrest to committal</i>	<i>Committal to outcome</i>	<i>Outcome to sentence</i>	
No.	Median duration (days)				No.	Median duration (days)				No.	Median duration (days)			
<b>Proceeded to trial:</b>														
Acquitted of all charges	24	150.0	400.0	-	1	70.0	146.0	-	26 <sup>a</sup>	150.0	372.0	-	-	
Found guilty of at least one charge	9	150.0	461.0	4.0	3	71.0	228.0	3.0	12	111.5	326.5	3.5	-	
Other	1	17.0	491.0	0.0	1	98.0	649.0	58.0	2	57.5	570.0	29.0	-	
<b>Proceeded to sentence only</b>	<b>90</b>	<b>84.0</b>	<b>188.0</b>	<b>0.0</b>	<b>41</b>	<b>25.0</b>	<b>71.0</b>	<b>1.0</b>	<b>132<sup>b</sup></b>	<b>67.5</b>	<b>145.5</b>	<b>0.0</b>	<b>-</b>	
<b>No charges proceeded with</b>	<b>19</b>	<b>152.0</b>	<b>270.0</b>	<b>-</b>	<b>1</b>	<b>275.0</b>	<b>806.0</b>	<b>-</b>	<b>20</b>	<b>154.5</b>	<b>273.0</b>	<b>-</b>	<b>-</b>	
<b>All charges otherwise disposed of</b>	<b>8</b>	<b>78.5</b>	<b>347.5</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>9<sup>c</sup></b>	<b>79.0</b>	<b>368.0</b>	<b>-</b>	<b>-</b>	

**TABLE 3.14h**

**PERSONS CHARGED IN TRIAL AND SENTENCE CASES FINALISED AND DURATION OF PROCEEDINGS: REGISTRY, OUTCOME OF CHARGES, BAIL STATUS**

Note: a Total includes 7 people for whom bail status was unknown.  
 b Total includes 4 people for whom bail status was unknown.  
 c Total includes 10 people for whom bail status was unknown.  
 d Total includes 3 people for whom bail status was unknown.  
 e Total includes 1 person for whom bail status was unknown.

**Registry: Wollongong**

	<b>Bail status</b>											
	<b>On bail</b>				<b>In gaol/shelter</b>				<b>Total</b>			
	<i>Duration of proceedings</i>				<i>Duration of proceedings</i>				<i>Duration of proceedings</i>			
	<i>Persons charged</i>	<i>Arrest to committal</i>	<i>Committal to outcome</i>	<i>Outcome to sentence</i>	<i>Persons charged</i>	<i>Arrest to committal</i>	<i>Committal to outcome</i>	<i>Outcome to sentence</i>	<i>Persons charged</i>	<i>Arrest to committal</i>	<i>Committal to outcome</i>	<i>Outcome to sentence</i>
No.	Median duration (days)			No.	Median duration (days)			No.	Median duration (days)			
<b>Proceeded to trial:</b>												
Acquitted of all charges	68	209.0	392.5	-	1	136.0	395.0	-	76 <sup>a</sup>	189.0	370.0	-
Found guilty of at least one charge	70	160.0	436.5	1.0	7	170.0	251.0	4.0	81 <sup>b</sup>	163.0	399.0	1.0
Other	5	174.0	379.0	2.0	1	546.0	155.0	1.0	6	226.0	333.0	1.5
<b>Proceeded to sentence only</b>	206	108.5	171.0	0.0	91	35.0	95.0	0.0	307 <sup>c</sup>	81.5	143.0	0.0
<b>No charges proceeded with</b>	28	202.0	386.5	-	3	119.0	64.0	-	34 <sup>d</sup>	194.0	386.5	-
<b>All charges otherwise disposed of</b>	30	104.0	166.5	-	-	-	-	-	31 <sup>e</sup>	107.0	170.0	-

**TABLE 3.15****APPEALS AGAINST CONVICTION FINALISED:  
OUTCOME OF APPEAL, BAIL STATUS**

<i>Outcome of appeal</i>	<i>Bail status</i>							
	<i>On bail</i>		<i>In gaol/shelter</i>		<i>Unknown</i>		<i>Total</i>	
	<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>
Appeal upheld for all matters	494	26.7	29	15.5	7	28.0	530	25.7
Appeal dismissed/withdrawn for all matters	1222	66.1	143	76.5	16	64.0	1381	67.0
Appeal upheld for some matters	79	4.3	6	3.2	1	4.0	86	4.2
Other	53	2.9	9	4.8	1	4.0	63	3.1
<b>Total</b>	<b>1848</b>	<b>100.0</b>	<b>187</b>	<b>100.0</b>	<b>25</b>	<b>100.0</b>	<b>2060</b>	<b>100.0</b>

**TABLE 3.16**

**APPEALS AGAINST SENTENCE FINALISED:  
OUTCOME OF APPEAL, BAIL STATUS**

<i>Outcome of appeal</i>	<i>Bail status</i>							
	<i>On bail</i>		<i>In gaol/shelter</i>		<i>Unknown</i>		<i>Total</i>	
	<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>
Appeal upheld for all matters	28	1.0	4	0.6	1	2.9	33	0.9
Appeal dismissed/withdrawn for all matters	2705	95.1	619	96.3	31	91.2	3355	95.3
Appeal upheld for some matters	16	0.6	7	1.1	-	-	23	0.7
Other	96	3.4	13	2.0	2	5.9	111	3.2
<b>Total</b>	<b>2845</b>	<b>100.0</b>	<b>643</b>	<b>100.0</b>	<b>34</b>	<b>100.0</b>	<b>3522</b>	<b>100.0</b>

# APPENDIX 1

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## DISTRICT COURTS IN REGISTRY REGIONS

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### 1. Sydney Registry

Sydney District Court

### 2. Sydney West Registry

Campbelltown District Court

Lithgow District Court

Liverpool District Court

Parramatta District Court

Penrith District Court

Katoomba District Court

### 3. Newcastle Registry

Cessnock District Court

East Maitland District Court

Gosford District Court

Gunnedah District Court

Moree District Court

Muswellbrook District Court

Newcastle District Court

Port Macquarie District Court

Singleton District Court

Tamworth District Court

Taree District Court

### 4. Wollongong Registry

Bega District Court

Cooma District Court

Goulburn District Court

Moruya District Court

Moss Vale District Court

Nowra District Court

Queanbeyan District Court

Wollongong District Court

**5. Lismore Registry**

Armidale District Court  
Coffs Harbour District Court  
Glen Innes District Court  
Grafton District Court  
Inverell District Court  
Kempsey District Court  
Lismore District Court  
Murwillumbah District Court

**6. Dubbo Registry**

Bathurst District Court  
Bourke District Court  
Broken Hill District Court  
Cobar District Court  
Condobolin District Court  
Coonamble District Court  
Dubbo District Court  
Forbes District Court  
Mudgee District Court  
Narrabri District Court  
Nyngan District Court  
Orange District Court  
Parkes District Court

**7. Wagga Wagga Registry**

Albury District Court  
Cootamundra District Court  
Cowra District Court  
Deniliquin District Court  
Griffith District Court  
Gundagai District Court  
Hay District Court  
Leeton District Court  
Narrandera District Court  
Wagga Wagga District Court  
Wentworth District Court  
Wyalong District Court  
Yass District Court  
Young District Court

## APPENDIX 2

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### NOTES ON PENALTIES

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As well as the self-explanatory penalties, such as fines and imprisonment, the following court actions may need some explanation.

#### **Held in custody (Mental Health (Criminal Procedure) Act 1990)**

This is the term used for the detention of a mentally ill person who has been charged with offences but has been found by the court to be either unfit to plead or 'not guilty by reason of mental illness'. Such persons may be held in custody for an indeterminate period.

#### **Periodic detention**

The offender is held in custody in prison periodically (at weekends for example) for a specified period.

#### **Community Service Order**

The offender is ordered to perform a specified number of hours of unpaid community service work.

#### **Recognizance**

There are several different types of recognizances, or 'bonds', which may be imposed by a court. Generally speaking they all require the offender to be 'of good behaviour' for a certain length of time and may impose other conditions as well. Common conditions include that the offender:

- report to the Probation and Parole Service on a regular basis (recognizance with supervision);
- attend alcohol counselling;
- reside in a certain area; etc.

Depending on the kind of recognizance the court imposes, a sum of money is usually fixed at the time of sentencing by the court and indicates the amount the offender will be liable to pay if any conditions of the recognizance are breached. Such payment by the offender will, of course, be in addition to any other sanction which breach of the recognizance might attract.

#### **S.20 (Commonwealth) Conditional release after sentence**

This is a form of recognizance imposed after a prison term has been served.

#### **Deferred sentences**

Under Section 558 of the Crimes Act 1900, a certain type of recognizance may be imposed which is referred to as a 'deferred sentence'. In addition to having to pay any monetary penalty, a breach of the conditions of the recognizance may lead to the offender being called upon for sentencing on the original offence.

#### **556A dismissal/recognizance**

Under Section 556A of the Crimes Act 1900, the court may, where it finds a charge proved, elect not to proceed to a conviction, but to either discharge the offender with no penalty, with some nominal penalty, or with a recognizance to be of good behaviour (see above).

#### **Rising of the Court**

This is a nominal penalty where the offender is held in custody until the court adjourns.

## APPENDIX 3

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### PENALTY HIERARCHY FOR PRINCIPAL OFFENCE

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The penalty hierarchy for the calculation of the principal offence is shown below. Penalties applicable to both adults and children are shown in the hierarchy. The penalties are listed from the most to the least serious.

1. Held in custody (Mental Health (Criminal Procedure) Act 1990)
2. Imprisonment
3. S.20 (Cwth) Conditional release after sentence
4. Control Order
5. Periodic detention
6. Detention - not otherwise specified
7. Community Service Order
8. Community Service Order - children
9. S.432(2) Recognizance with supervision
10. Sentence deferred, with supervision
11. Sentence deferred
12. Recognizance to appear, with supervision
13. S.556A Recognizance
14. Caution and dismissal (Children's Court only)
15. Recognizance not otherwise specified
16. Fine
17. Disqualified/suspended from driving
18. Compensation
19. Rising of the Court
20. S.556A Offence proved, no conviction recorded