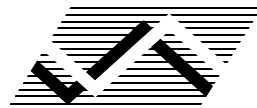


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# **NEW SOUTH WALES CRIMINAL COURTS STATISTICS 2009**

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NSW Bureau of Crime  
Statistics and Research

2010

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Level 8  
St James Centre  
111 Elizabeth Street  
Sydney

[bcsr@agd.nsw.gov.au](mailto:bcsr@agd.nsw.gov.au)

[www.bocsar.nsw.gov.au](http://www.bocsar.nsw.gov.au)

Telephone: (02) 9231 9190

Facsimile: (02) 9231 9187

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## INTRODUCTION

This report deals with criminal cases finalised in 2009 by the New South Wales (NSW) Local, Children's, District and Supreme Courts.

In 2009 there have been significant changes to the way court data is both collected and counted which have affected the continuity of some of our published court data. Some of these changes have arisen from the implementation of a new computerised system for recording court outcomes, JusticeLink, which was introduced into the Local Court and Children's Court in the second half of 2009. (The District Court adopted the system in 2008.)

The major changes to this report compared to previous years are:

**a) Change in offence classifications:** This publication applies the latest version (2008) of the Australian Bureau of Statistics (ABS) *Australian Standard Offence Classification (ASOC)* rather than the 1997 version used previously.

**b) Arrest warrants omitted:** In alignment with ABS and Productivity Commission counting rules, arrest warrants are no longer considered to be a finalising outcome. This change has resulted in about 5% of persons being removed from both the Children's and Local Courts and a minimal number being removed from the Higher Courts.

**c) Less accurate recording of ex parte convictions:** Persons convicted in their absence are not well recorded in JusticeLink resulting in a reported decrease in ex parte convictions from 13.5% of persons in the Local Court to 12.3%.

**d) Less accurate recording of plea:** Plea is not well recorded in JusticeLink resulting in the inclusion of a new finalising outcome which states that we could not determine if the matter was finalised by defended hearing/trial or the defendant was sentenced following a guilty plea.

**e) Less accurate recording of legal representation:** Legal representation is not well recorded in JusticeLink and as a result this publication reports 17% people as having unknown legal representation status in the Local Court.

**f) Less specificity in recording of remand:** Previously we published separate figures for people "in custody, on remand" and "in custody, prior offence". JusticeLink does not allow this distinction to be made so we now use the generic category "in custody" in the Children's and Local Court.

**g) Companies omitted from many Local Court tables:** In the past, many tables which show the characteristics of persons appearing in courts have also included companies (eg. bail status). Where companies are not relevant to the table they have now been omitted and a note added stipulating this.

**h) Change in layout of Children's Court tables:** Many Children's Court tables have been changed so that their design is consistent with those in the Local and Higher Courts.

**i) Removal of Licensing Court tables:** This court ceased operation in 2008.

For these reasons there are many tables in this publication which cannot be directly compared with data published in previous years. However, the Summary Tables in this publication contain revised 2008 data, and comparable data back to 1994 is available on request.

Dr Don Weatherburn  
**Director**

August 2010

## ACKNOWLEDGEMENTS

The Bureau is grateful for the support provided by court staff and the Department of Juvenile Justice in supplying the data for this report.

The data for most Local Court matters to mid-August 2009 was obtained from the General Local Courts (GLC) computer system with the assistance and co-operation of the GLC support team in Local Courts and the Department of Justice and Attorney General (DJAG) Information Services Branch. Data for matters finalised to end November 2009 in non-computerised Local Courts was provided by the court staff who completed and returned coding forms for each person appearing on criminal charges. Data for Children's Court matters finalised in non-computerised courts to end November 2009 was provided to the Bureau by the Department of Juvenile Justice.

The data for the Higher Courts, and for the Local and Children's Courts from mid-late 2009, was obtained from the JusticeLink System. This is an administrative computer system implemented in the Higher Courts in February 2008 and is now used by all NSW Criminal Courts. The Bureau would like to express its gratitude for the assistance provided by the DJAG Information Services Branch and the criminal court staff in obtaining and validating information from this system.

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

- Team management: Tracy Painting, Jacqueline Fitzgerald
- Programming and table production: Derek Goh, Matthew Holmes
- Data collection and validation: Rita Breheny, Lucy Daher
- Data analysis and text: Derek Goh, Katrina Grech,
- Desktop publishing: Katrina Grech, Derek Goh
- Checking and editing publication: Jessie Holmes, Jacqueline Fitzgerald, Tracy Painting

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# **NEW SOUTH WALES CRIMINAL COURTS**

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Executive Summary



**SUMMARY - LOCAL COURTS****PERSONS CHARGED AND CHARGES (TABLES 1.1 AND 1.2)**

	<b>2008</b>	<b>2009</b>
<b>Total finalisations</b>		
Persons charged	131,927	133,743
Charges determined	231,472	241,858
<b>Most frequently charged offence</b>		
Regulatory driving offences		
- Exceeding the prescribed content of alcohol (PCA) limit	27,299	27,517
Assault		
- Common assault	16,961	19,201
Driver Licence offences		
- Drive while licence disqualified or suspended	15,711	18,220
- Drive without a licence	11,260	11,817
<b>Outcome of charges</b>		
Percentage proven		
- Accused present	72.4	72.3
- Conviction ex parte <sup>a</sup>	-	9.4
Percentage receiving other outcomes	17.2	18.3

**PERSONS CHARGED (TABLES 1.3 TO 1.6)**

	<b>2008</b>	<b>2009</b>
<b>Outcome of appearance</b>		
Number of defended hearings <sup>a</sup>	-	17,424
- Percentage of finalised appearances with defended hearings	-	13.0
Number of persons proven guilty where unable to tell if a defended hearing occurred or a guilty plea was entered	0	5,580
Percentage of persons proven guilty where unable to tell if a defended hearing occurred or a guilty plea was entered	0.0	4.2
Number of persons found guilty	115,233	117,471
- Percentage of persons found guilty	87.4	87.8
<b>Outcome of appearance - Aboriginal and Torres Strait Islander persons</b>		
Number of persons charged	17,242	17,597
Number of defended hearings <sup>a</sup>	-	2,893
- Percentage of finalised appearances with defended hearings	-	16.4
Number of persons proven guilty where unable to tell if a defended hearing occurred or a guilty plea was entered	0	739
Percentage of persons proven guilty where unable to tell if a defended hearing occurred or a guilty plea was entered	0.0	4.2
Number of persons found guilty	14,681	14,984
- Percentage of persons found guilty	85.2	85.2
<b>Legal representation</b>		
Number of persons where legal representation not recorded	0	22,021
- Percentage of finalised appearances where legal representation not recorded	0.0	16.7

**SUMMARY - LOCAL COURTS** *continued*

<b>Bail status</b>	<b>2008</b>	<b>2009</b>
Number of persons in custody <sup>b</sup>	10,753	10,750
- Percentage of persons in custody	8.3	8.1
Number of persons granted bail	36,854	34,288
- Percentage of persons granted bail	28.3	26.0
Number of persons where bail not required or dispensed with	82,385	85,432
- Percentage of persons where bail not required or dispensed with	63.4	64.8

**PENALTIES (TABLES 1.7 TO 1.10)**

<b>Imprisonment</b>	<b>2008</b>	<b>2009</b>
Number of persons sentenced to imprisonment	8,233	8,190
- Persons sentenced to imprisonment as a percentage of all persons found guilty	7.2	7.0

**Persons sentenced to imprisonment as a percentage of all persons found guilty**

Highest imprisonment rates <sup>c</sup>		
- Unlawful entry with intent/burglary, break and enter	48.5	47.0
- Motor vehicle theft and related offences	41.6	37.7
- Deal or traffic in illicit drugs	30.9	27.8

**Highest number of persons sentenced to imprisonment**

Assault	1,625	1,954
Driver Licence offences	937	1,006
Unlawful entry with intent/burglary, break and enter	593	728

**Most frequently imposed principal penalty**

Fine	52,978	53,543
Bond without supervision	14,112	14,916
Bond without conviction	13,041	12,675

**Average duration of imprisonment for offences with highest imprisonment rates (months)<sup>c</sup>**

Unlawful entry with intent/burglary, break and enter	8.7	9.0
Motor vehicle theft and related offences	7.4	6.9
Deal or traffic in illicit drugs	6.1	6.0
All offences	5.8	5.9

**Imprisonment - Aboriginal and Torres Strait Islander**

Number of persons sentenced to imprisonment	2,897	2,976
- Percentage of persons found guilty sentenced to imprisonment	19.3	20.0

**Persons sentenced to imprisonment as a percentage of all persons found guilty – Aboriginal and Torres Strait Islander**

Highest imprisonment rates <sup>d</sup>		
- Unlawful entry with intent/burglary, break and enter	67.4	62.4
- Motor vehicle theft and related offences	47.1	47.6
- Deal or traffic in illicit drugs	44.2	44.5

**SUMMARY - LOCAL COURTS** *continued*

<b>Highest number of persons sentenced to imprisonment – Aboriginal and Torres Strait Islander</b>	<b>2008</b>	<b>2009</b>
Assault	735	879
Unlawful entry with intent/burglary, break and enter	236	290
Driver Licence offences	244	273
Theft (except motor vehicles)	284	250
<b>Most frequently imposed principal penalty – Aboriginal and Torres Strait Islander</b>		
Fine	5,340	4,947
Imprisonment	2,897	2,976
Bond without supervision	2,009	2,019
<b>Average duration of imprisonment for offences with highest imprisonment rates (months) – Aboriginal and Torres Strait Islander<sup>d</sup></b>		
Unlawful entry with intent/burglary, break and enter	8.7	9.0
Motor vehicle theft and related offences	7.4	6.7
Deal or traffic in illicit drugs	6.1	5.9
All offences	5.8	6.0

**PERSONS FOUND GUILTY, BY AGE AND GENDER (TABLES 1.11 TO 1.11B)**

<b>Gender of persons found guilty</b>	<b>2008</b>	<b>2009</b>
Percentage male	80.0	79.9
Percentage female	20.0	20.1
<b>Most common proven offences for males and females<sup>d</sup></b>		
Percentage of offenders who were male		
- Sexual assault	99.2	98.6
- Regulated weapons/explosives offences	94.0	93.7
- Prohibited weapons/explosives offences	93.4	92.5
Percentage of offender who were female		
- Obtain benefit by deception	45.9	51.5
- Other fraud and deception offences	34.1	38.2
- Theft (except motor vehicles)	38.0	38.0
<b>Average age of persons found guilty</b>		
All persons	33.4	33.5
- Male	33.3	33.4
- Female	33.7	33.9
<b>Average age of all persons found guilty of specific offences<sup>d</sup></b>		
Highest average age		
- Offences against government operations	44.5	45.0
- Commercial/industry/financial regulation	42.8	42.8
- Regulated weapons/explosives offences	42.0	41.3
Lowest average age		
- Motor vehicle theft and related offences	27.7	27.9
- Disorderly conduct	28.5	28.6
- Property damage	29.5	29.3
- Unlawful entry with intent/burglary, break and enter	28.9	29.3

**SUMMARY - LOCAL COURTS** *continued***COURT DELAY (TABLE 1.12)**

<b>Median delay, first appearance to determination (days)</b>	<b>2008</b>	<b>2009</b>
Defended hearing, on bail	127.0	123.0
- All charges dismissed	133.0	133.0
- Guilty of at least one charge	124.0	114.0
All charges dismissed without hearing, on bail	105.0	104.0
Defended hearing, in custody	118.0	107.0
- All charges dismissed	52.5	79.0
- Guilty of at least one charge	139.0	121.0
All charges dismissed without hearing, in custody	90.0	114.0

**PRIOR OFFENCES (TABLE 1.13)**

<b>Percentage of persons found guilty who had no prior proven offences in previous 10 years</b>	<b>2008</b>	<b>2009</b>
Average (all offences)	42.2	42.2
Highest <sup>d</sup>		
- Dangerous or negligent acts endangering persons	61.0	60.7
- Fraud, deception and related offences	54.0	56.2
- Sexual assault and related offences	60.1	55.2
Lowest <sup>d</sup>		
- Unlawful entry with intent/burglary, break and enter	15.8	15.5
- Offences against justice procedures, government security and government operations	24.3	24.4
- Abduction, harassment and other offences against the person	25.0	24.6

**APPREHENDED VIOLENCE ORDERS (AVOs) GRANTED (TABLE 1.14)**

<b>Number of AVOs granted (NSW)</b>	<b>2008</b>	<b>2009</b>
Domestic AVOs	23,807	24,310
Personal AVOs	6,587	7,885
<b>Rate of AVOs granted<sup>e</sup></b>		
NSW rates		
Domestic AVOs	333.7	340.7
Personal AVOs	92.3	110.5
Highest rates		
Domestic AVOs		
- Far West (SD)	1,218.6	1,390.2
- North Western (SD)	701.1	758.4
Personal AVOs		
- Far West (SD)	378.3	483.9
- North Western (SD)	275.0	295.3
Lowest rates		
Domestic AVOs		
- Central Northern Sydney (SSD)	85.1	81.3
- Lower Northern Sydney (SSD)	100.4	102.6
Personal AVOs		
- Central Northern Sydney (SSD)	13.6	21.8
- Lower Northern Sydney (SSD)	24.5	26.4



**SUMMARY - LOCAL COURTS** *continued***REGION (TABLES 1.15 AND 1.16)**

<b>Regional rate of court appearance<sup>e</sup></b>	<b>2008</b>	<b>2009</b>
Largest decreases		
- Murrumbidgee (SD)	2,367.1	2,281.3
- Blacktown (SSD)	2,379.6	2,298.2
Largest increases		
- Far West (SD)	2,582.4	2,753.9
- Eastern Suburbs (SSD)	1,292.8	1,396.6
<b>Highest regional rate of persons found guilty for selected offence categories<sup>e</sup></b>		
Acts intended to cause injury		
- Far West (SD)	439.9	624.7
- NSW	203.6	229.3
Sexual assault and related offences <sup>f</sup>		
- Northern (SD)	3.8	10.3
- NSW	4.7	5.0
Unlawful entry with intent/burglary, break and enter <sup>f</sup>		
- Central West (SD)	12.6	33.9
- NSW	13.1	18.1
Theft and related offences		
- Inner Sydney (SSD)	199.5	217.2
- NSW	84.6	86.8
Fraud, deception and related offences		
- Inner Sydney (SSD)	69.6	75.9
- NSW	40.0	46.1
Illicit drug offences		
- Inner Sydney (SSD)	236.6	272.6
- NSW	93.3	108.3
Traffic and vehicle regulatory offences		
- Blacktown (SSD)	887.3	935.0
- NSW	663.9	674.0

<sup>a</sup> Excludes 2008 figures due to a lack of comparability with 2009 data arising from changes in JusticeLink.

<sup>b</sup> It is not possible to distinguish between accused persons in custody because they were refused bail or could not meet their bail or were serving a sentence for a prior offence.

<sup>c</sup> Excludes offences with less than 450 persons convicted in 2009.

<sup>d</sup> Excludes offences with less than 100 persons convicted in 2009.

<sup>e</sup> Rate per 100,000 population. The 2008 rates are calculated using population figures published in 2008 and 2009 rates are calculated using population figures published in 2009.

<sup>f</sup> Excludes Statistical Divisions (SDs) with less than 10 persons convicted in 2009.

## SUMMARY - CHILDREN'S COURT

### PERSONS CHARGED AND CHARGES (TABLES 2.1)

	2008	2009
<b>Total finalisations</b>		
Persons charged	9,573	9,810
Charges determined	23,195	23,717
<b>Most frequently charged offence</b>		
Property damage and environmental pollution		
- Property damage, other	1,909	2,384
Unlawful entry with intent/burglary, break and enter	2,499	2,375

### PERSONS CHARGED (TABLES 2.2 TO 2.4)

#### Outcome of appearance

Number of defended hearings <sup>a</sup>	-	2,004
- Percentage of finalised appearances with defended hearings	-	20.4
Number of persons proven guilty where unable to tell if a defended hearing occurred or a guilty plea was entered	0	727
- Percentage of finalised appearances where unable to tell if a defended hearing occurred or a guilty plea was entered	0.0	7.4
Number of persons found guilty	7,373	7,661
- Percentage of persons found guilty	77.0	78.1

#### Outcome of appearance - Aboriginal and Torres Strait Islander persons

Number of persons charged	3,408	3,202
Number of defended hearings	770	713
- Percentage of finalised appearances with defended hearings	22.6	22.3
Number of persons found guilty	2,591	2,487
- Percentage of persons found guilty	76.0	77.7

#### Bail Status

Number of persons in custody <sup>b</sup>	1,655	1,758
- Percentage of persons in custody	17.3	17.9
Number of persons granted bail	5,177	4,705
- Percentage of persons granted bail	54.1	48.0
Number of persons where bail not required or bail dispensed with	2,736	3,189
- Percentage of persons where bail not required or dispensed with	28.6	32.5

**SUMMARY - CHILDREN'S COURT****PENALTY FOR PRINCIPAL OFFENCE (TABLE 2.5)**

<b>Most frequently imposed principal penalty</b>	<b>2008</b>	<b>2009</b>
- Bond	2,387	2,364
- Probation Order	1,434	1,494
- Dismissed with caution	1,183	1,091
- Control order	788	809
<b>Percentage of all principal penalties</b>		
- Bond	32.4	30.9
- Probation Order	19.5	19.5
- Dismissed with caution	16.1	14.2
- Control order	10.7	10.6
<b>Control orders</b>		
Number of persons sentenced to a control order	788	809
- Persons sentenced to a control order as a percentage of all persons found guilty	10.7	10.6
<b>Persons sentenced to a control order as a percentage of all persons found guilty<sup>c</sup></b>		
Highest rates		
- Breach of community-based orders	28.4	25.2
- Robbery	17.6	23.7
- Unlawful entry with intent /burglary, break and enter	22.9	18.3
<b>Highest number of persons sentenced to a control order</b>		
- Unlawful entry with intent /burglary, break and enter	223	195
- Assault	130	146
- Robbery	100	139

**SUMMARY - CHILDREN'S COURT** *continued***AGE AND GENDER OF DEFENDANTS (TABLES 2.6, 2.6a AND 2.6b)**

<b>Males within age group as a percentage of all males appearing</b>		
	<b>2008</b>	<b>2009</b>
10 to 12	1.9	1.4
13	4.3	3.5
14	9.3	9.0
15	15.1	16.6
16	22.8	22.4
17	28.8	28.4
18 and over	17.8	18.7
<b>Females within age group as a percentage of all females appearing</b>		
	<b>2008</b>	<b>2009</b>
10 to 12	1.6	1.6
13	5.5	4.9
14	11.8	14.2
15	20.8	18.4
16	23.9	26.4
17	23.1	21.6
18 and over	13.1	13.0
<b>Most common offences charged for males and females<sup>c</sup></b>		
	<b>2008</b>	<b>2009</b>
Percentage of offenders who were male	82.7	81.8
- Sexual assault	99.0	99.2
- Unlawful entry with intent /burglary, break and enter	93.8	92.5
- Dangerous or negligent operation of a vehicle	88.4	92.3
Percentage of offenders who were female	17.3	18.2
- Breach of violence and non-violence retraining orders	28.1	31.6
- Assault	25.8	27.0
- Theft (except motor vehicles)	25.2	27.0

**PRIOR PROVEN OFFENCES (TABLE 2.7)**

<b>Percentage of persons found guilty who had no prior proven offences in previous 10 years</b>		
	<b>2008</b>	<b>2009</b>
Average (all offences)	45.5	43.5
Highest <sup>d</sup>		
- Illicit drug offences	52.2	56.0
- Traffic and vehicle regulatory offence	56.9	55.3
- Robbery, extortion and related offences	63.7	55.1
Lowest <sup>d</sup>		
- Unlawful entry with intent/burglary, break and enter	33.8	33.1
- Offences against justice procedures, government security and government operations	34.6	33.6
- Theft and related offences	37.2	35.7

<sup>a</sup> Excludes 2008 figures due to a lack of comparability with 2009 data arising from changes in JusticeLink.

<sup>b</sup> It is not possible to distinguish between accused persons in custody because they were refused bail or could not meet their bail or were serving a sentence for a prior offence.

<sup>c</sup> Excludes offences with less than 100 persons convicted in 2009.

<sup>d</sup> Excludes offences with less than 50 persons convicted in 2009.

**SUMMARY - HIGHER COURTS****REGISTRATIONS (TABLE 3.1)**

	<b>2008</b>	<b>2009</b>
<b>Total persons registered</b>		
Higher Courts	3,804	3,681
- Supreme Court	101	100
- District Court	3,703	3,581
<b>Persons registered in trial cases</b>		
Higher Courts	1,993	1,861
- Supreme Court	96	91
- District Court	1,897	1,770
<b>Persons registered in sentence cases</b>		
Higher Courts	1,811	1,820
- Supreme Court	5	9
- District Court	1,806	1,811
<b>Percentage of total persons registered in trial cases</b>		
Higher Courts	52.4	50.6
- Supreme Court	95.1	91.0
- District Court	51.2	49.4

**FINALISATIONS (TABLES 3.2 TO 3.4)**

	<b>2008</b>	<b>2009</b>
<b>Persons</b>		
Total	3,491	3,646
- Committed for trial and finalised by any means	1,928	1,919
- Committed for sentence and finalised	1,563	1,727
<b>Persons proceeded against to trial</b>		
Higher Courts	582	640
- Supreme Court	56	46
- District Court	526	594
<b>Persons committed for trial proceeded against to sentence only</b>		
Higher Courts	1,066	1,054
- Supreme Court	43	44
- District Court	1,023	1,010
<b>Most frequently charged offence</b>		
Sexual assault and related offences		
- Aggravated sexual assault	2,017	2,060
Acts intended to cause injury		
- Serious assault resulting in injury	957	981
Unlawful entry with intent/burglary, break and enter	1,247	977
Deal or traffic in illicit drugs		
- Deal or traffic in illicit drugs - non-commercial quantity	896	972

**SUMMARY - HIGHER COURTS** *continued***NUMBER OF OFFENCES CHARGED (TABLE 3.5)**

<b>Higher Courts</b>	<b>2008</b>	<b>2009</b>
Percentage of persons charged with one offence	36.2	36.1
Percentage of persons charged with two offences	23.8	24.2

**OUTCOME FOR PERSONS (TABLE 3.6 and 3.7)**

<b>Percentage of persons proceeding to trial</b>	<b>2008</b>	<b>2009</b>
Higher Courts	16.7	17.6
- Supreme Court	47.1	43.0
- District Court	15.6	16.8

**Percentage of persons proceeding to sentence only**

Higher Courts	74.8	75.9
- Supreme Court	38.7	50.5
- District Court	76.1	76.7

**Percentage of persons found guilty**

- Higher Courts	84.5	86.0
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**Percentage of Aboriginal and Torres Strait Islander persons proceeding to trial**

Higher Courts	14.3	14.1
---------------	------	------

**Percentage of Aboriginal and Torres Strait Islander persons proceeding to sentence only**

Higher Courts	78.5	79.4
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**Percentage of Aboriginal and Torres Strait Islander persons found guilty**

- Higher Courts	84.7	87.9
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**PENALTIES (TABLES 3.8 AND 3.9)**

<b>Most frequently imposed principal penalty</b>	<b>2008</b>	<b>2009</b>
Imprisonment	2,000	2,200
Suspended sentence	487	489
Bond	223	204

**Most frequently imposed principal penalty (percentage of all principal penalties)**

Imprisonment	67.8	70.2
Suspended sentence	16.5	15.6
Bond	7.6	6.5

**Average duration of imprisonment for most frequently charged offences (months)**

Average (all offences)	30.5	30.6
Sexual assault	38.1	36.5
Assault	28.1	26.8
Unlawful entry with intent/burglary, break and enter	22.2	22.0
Deal or traffic in illicit drugs	24.6	28.1
Robbery	26.4	25.5

**SUMMARY - HIGHER COURTS** *continued***PERSONS FOUND GUILTY BY AGE AND GENDER (TABLES 3.10, 3.10a AND 3.10b)**

<b>Gender of persons found guilty</b>	<b>2008</b>	<b>2009</b>
Percentage male	90.1	89.5
Percentage female	9.4	10.5
<b>Average age of persons found guilty</b>		
Male	30.4	30.5
Female	32.6	33.5
<b>Average age of persons found guilty by specific offences<sup>a</sup></b>		
Highest average age		
- Manufacture or cultivate illicit drugs	41.9	40.0
- Sexual assault	35.8	34.8
Lowest average age		
- Robbery	24.7	24.4
- Unlawful entry with intent/burglary, break and enter	28.2	28.2

**BAIL STATUS (TABLE 3.11)**

<b>Persons in custody<sup>b</sup></b>	<b>2008</b>	<b>2009</b>
Number of persons in custody	1,681	1,790
Percentage of all finalisations where person in custody	48.2	49.1
<b>Outcome for persons in custody</b>		
Number of persons with guilty outcome	1,513	1,648
Percentage of persons with guilty outcome	90.0	92.1

**COURT DELAY (TABLES 3.12a TO 3.12h)**

<b>District Courts - Median delay, committal to outcome (days)</b>	<b>2008</b>	<b>2009</b>
On bail, proceeded to trial	244.0	247.0
- Acquitted of all charges	251.5	245.5
- Found guilty of at least one charge	240.0	274.0
On bail, proceeded to sentence only	153.0	148.0
On bail, no charges proceeded with	194.0	218.5
In custody, proceeded to trial	213.5	228.0
- Acquitted of all charges	184.5	239.0
- Found guilty of at least one charge	239.0	228.0
In custody, proceeded to sentence only	134.0	136.0
In custody, no charges proceeded with	146.0	159.0

**SUMMARY - HIGHER COURTS** *continued***PRIOR PROVEN OFFENCES (TABLE 3.13)**

<b>Percentage of persons found guilty who had no prior proven offences in previous 10 years</b>	<b>2008</b>	<b>2009</b>
Average (all offences)	29.2	29.4
Highest <sup>c</sup>		
- Fraud, deception and related offences	65.9	61.2
- Sexual assault and related offences	52.5	52.3
Lowest <sup>c</sup>		
- Unlawful entry with intent/burglary, break and enter	12.8	12.4
- Robbery, extortion and related offences	14.1	14.0

**APPEALS (TABLE 3.14)<sup>d</sup>**

<b>Appeals against severity of sentence</b>	<b>2008</b>	<b>2009</b>
Number of appeals finalised	5,783	6,002
- Appeal upheld for all matters (%)	61.5	62.5
- Appeal dismissed for all matters (%)	28.7	28.3
<b>Appeals against conviction and sentence</b>		
Number of appeals finalised	1,328	1,442
- Appeal upheld for all matters (%)	28.4	25.4
- Appeal dismissed for all matters (%)	65.9	69.4
<b>Appeals against inadequacy of sentence</b>		
Number of appeals finalised	19	27
- Appeal upheld for all matters (%)	26.3	74.1
- Appeal dismissed for all matters (%)	57.9	25.9
<b>Appeals against Apprehended Violence Orders</b>		
Number of appeals finalised	188	141
- Appeal upheld for all matters (%)	12.2	11.3
- Appeal dismissed for all matters (%)	86.7	88.7

<sup>a</sup> Excludes offences with less than 100 persons convicted in 2009.

<sup>b</sup> It is not possible to distinguish between accused persons in custody because they were refused bail or could not meet their bail or were serving a sentence for a prior offence.

<sup>c</sup> Excludes offences with less than 50 persons convicted in 2009.

<sup>d</sup> This table includes cases where companies and persons are accused.



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**SECTION 1:  
NEW SOUTH WALES  
LOCAL COURTS**

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Tables

TABLE 1.1

**PERSONS CHARGED AND NUMBER OF CHARGES IN LOCAL COURT APPEARANCES FINALISED<sup>a</sup>:  
TYPE OF OFFENCE CHARGED<sup>b</sup>**

<i>Type of offence charged Division / Subdivision / Group</i>	<b>Persons charged<sup>c</sup></b>		<b>Charges</b>
	<i>No.</i>	<i>No.</i>	
<b>Homicide and related offences</b>			
Manslaughter and driving causing death			
Manslaughter	1	1	1
Driving causing death	47	48	48
<b>Total</b>	48	49	49
<b>Acts intended to cause injury</b>			
Assault			
Serious assault resulting in injury	9,365	10,538	10,538
Serious assault not resulting in injury	2,808	3,248	3,248
Common assault	17,127	19,201	19,201
Stalking	4,474	5,056	5,056
Other acts intended to cause injury, other	76	78	78
<b>Total</b>	27,320	38,121	38,121
<b>Sexual assault and related offences</b>			
Sexual assault			
Aggravated sexual assault	518	747	747
Non-aggravated sexual assault	112	155	155
Child pornography offences	90	151	151
Non-assaultive sexual offences, other	55	68	68
<b>Total</b>	740	1,121	1,121
<i>Sexual offences against children<sup>d</sup></i>	305	531	531
<b>Dangerous or negligent acts endangering persons</b>			
Dangerous or negligent operation of a vehicle			
Driving under the influence of alcohol or other substance	1,331	1,362	1,362
Dangerous or negligent operation (driving) of a vehicle	6,477	7,274	7,274
Other dangerous or negligent acts endangering persons	37	61	61
Neglect or ill-treatment of persons under care	87	87	87
Other dangerous or negligent acts endangering persons, other	7,595	8,784	8,784
<b>Total</b>	7,595	8,784	8,784

<b>Abduction, harassment and other offences against the person</b>		
Deprivation of liberty/false imprisonment	1	1
Harassment and private nuisance	19	19
Threatening behaviour	1,615	1,944
<b>Total</b>	1,632	1,964
<b>Robbery, extortion and related offences</b>		
Robbery	58	61
Non-aggravated robbery	99	108
Blackmail and extortion	5	8
<b>Total</b>	157	177
<b>Unlawful entry with intent/burglary, break and enter</b>		
<b>Theft and related offences</b>	2,253	2,935
Motor vehicle theft and related offences		
Theft of a motor vehicle	140	158
Illegal use of a motor vehicle	1,019	1,169
Theft from a person (excluding by force)	365	438
Theft of intellectual property	40	375
Theft from retail premises	3,417	4,370
Theft (except motor vehicles), other	3,585	4,527
Receive or handle proceeds of crime	4,384	5,836
Illegal use of property (except motor vehicles)	3	3
<b>Total</b>	11,134	16,876
<b>Fraud, deception and related offences</b>		
Obtain benefit by deception	3,155	8,689
Forgery and counterfeiting	15	21
	563	1,779
Possess equipment to make false/illegal instrument	14	22
Fraudulent trade practices	39	76
Misrepresentation of professional status	94	117
Dishonest conversion	596	1,490
Other fraud and deception offences, other	600	702
<b>Total</b>	4,733	12,896
<b>Illicit drug offences</b>		
Import or export illicit drugs	2	2
Deal or traffic in illicit drugs	1,086	1,285
Manufacture or cultivate illicit drugs	11	12
Cultivate illicit drugs	799	815
Possess illicit drugs	10,167	11,328
Use illicit drugs	305	311
Other illicit drug offences, other	649	666
<b>Total</b>	11,226	14,419

Table continues on next page

TABLE 1.1 continued

<i>Type of offence charged</i> <i>Division / Subdivision / Group</i>	<i>Persons charged<sup>c</sup></i>		<i>Charges</i>	
	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>
<b>Prohibited and regulated weapons and explosives offences</b>				
Prohibited weapons/explosives offences				
Sell, possess and/or use prohibited weapons/explosives		561		778
Prohibited weapons/explosives offences, other		60		67
Regulated weapons/explosives offences				
Unlawfully obtain or possess regulated weapons/explosives		743		1,216
Misuse of regulated weapons/explosives		558		686
Deal or traffic regulated weapons/explosives offences		17		25
Regulated weapons/explosives offences, other		26		33
<b>Total</b>		<b>1,441</b>		<b>2,805</b>
<b>Property damage and environmental pollution</b>				
Property damage				
Property damage by fire or explosion		193		241
Graffiti		105		132
Property damage, other		9,832		11,415
Environmental pollution				
Water pollution offences		55		56
Noise pollution offences		54		61
Soil pollution offences		9		9
Environmental pollution, other		254		275
<b>Total</b>		<b>10,426</b>		<b>12,189</b>
<b>Public order offences</b>				
Disorderly conduct				
Trespass		2,381		2,589
Criminal intent		1,305		1,469
Riot and affray		2,637		2,762
Disorderly conduct, other		6		12
Betting and gambling offences		46		71
Liquor and tobacco offences		1,554		1,804
Censorship offences		25		87
Prostitution offences		56		58
Offences against public order sexual standards		260		273
Consumption of legal substances in prohibited spaces		10		10
Regulated public order offences, other		36		36
Offensive conduct				
Offensive language		2,912		2,972
Offensive behaviour		4,402		4,700
Cruelty to animals		165		326
<b>Total</b>		<b>13,770</b>		<b>17,169</b>

<b>Traffic and vehicle regulatory offences</b>		
Driver Licence offences	16,151	18,220
Drive while licence disqualified or suspended	10,867	11,817
Drive without a licence	241	267
Driver licence offences, other	7,551	8,575
Registration offences	26,989	27,517
Exceeding the prescribed content of alcohol (PCA) limit <sup>e</sup>	10,424	11,164
Regulatory driving offences, other	56,089	77,560
<b>Total</b>		
<b>Offences against justice procedures, government security and government operations</b>		
Breach of custodial order offences <sup>f</sup>	158	166
Breach of suspended sentence	177	211
Breach of community service order	515	695
Breach of bail	2,221	2,633
Breach of bond - probation	1	3
Breach of bond - other	2,284	3,572
Breach of community-based order, other	275	630
Breach of violence and non-violence restraining orders	6,791	8,500
Offences against government operations		
Resist or hinder government official (excluding police officer, justice official or government security officer)	142	187
Bribery involving government officials	4	4
Immigration offences	6	7
Offences against government operations, other	1,646	3,976
Resist or hinder government officer concerned with government security	2	2
Offences against government security, other	5	5
Subvert the course of justice	121	154
Resist or hinder police officer or justice official	6,752	7,770
Prison regulation offences	260	304
Offences against justice procedures, other	499	567
<b>Total</b>	20,338	29,386

*Table continues on next page*

TABLE 1.1 continued

Type of offence charged Division / Subdivision / Group	Persons charged <sup>c</sup>		Charges	
	No.	No.	No.	No.
<b>Miscellaneous offences</b>				
Defamation, libel and privacy offences		7		9
Public health and safety offences		1		1
		21		23
		107		347
		2		4
		921		1,091
		925		1,374
		727		1,278
		258		410
		5		16
		1		1
		70		101
		627		752
		3,633		5,407
<b>Total</b>				
<b>Grand Total<sup>g</sup></b>		<b>133,743</b>		<b>241,858</b>

<sup>a</sup> An arrest warrant is no longer a finalising outcome. Caution should be used when comparing this data with that published in previous years.

<sup>b</sup> Type of offence is based on the 2008 version of the Australian Standard Offence Classification (ASOC) released by the Australian Bureau of Statistics. Previous publications used the 1997 version of ASOC. Caution should be used when comparing this data with that published in previous years.

<sup>c</sup> Persons charged counts the number of people charged with the specified offence. A person who is charged with more than one offence within an offence group (for example, a person charged with both theft of a motor vehicle and theft from retail premises) is counted only once in the offence division total.

<sup>d</sup> Sexual offences against children is not a category within ASOC. These offences are also counted in the appropriate ASOC categories - Sexual assault and Non-assaultive sexual offences.

<sup>e</sup> PCA-high - 4,724 persons appearing and 4,795 charges; PCA-medium - 12,175 persons appearing and 12,387 charges; PCA-low - 7,859 persons appearing and 8,010 charges;

PCA-special - 2,137 persons appearing and 2,219 charges.

<sup>f</sup> As it is not currently possible to separately identify breaches of suspended sentence, community service order or probation in 2009 data sourced from Justicelink, they are included in 'Breach of bond - other' with breaches of good behaviour bonds.

<sup>g</sup> The grand total is a count of the total number of distinct persons charged in Local Court appearances finalised. For 'charges', all totals simply sum over the offence categories.

**TABLE 1.2****CHARGES IN LOCAL COURT APPEARANCES FINALISED<sup>a</sup>:  
OUTCOME OF CHARGE**

<b>Outcome of charge</b>	<b>Charges</b>	
	<b>No.</b>	<b>%</b>
<b>Offence proven:</b>		
Conviction	174,867	72.3
Conviction ex parte <sup>b</sup>	22,743	9.4
<b>Other outcomes:</b>		
Dismissed after hearing	9,907	4.1
Dismissed Mental Health (Criminal Procedure) Act	4,107	1.7
Adjourned to Drug Court	1,075	0.4
Stood out of list	160	0.1
Death of accused	407	0.2
Non-appearance of parties	211	0.1
Withdrawn - no evidence offered	28,283	11.7
Taken into account when sentencing principal offence	98	0.0
<b>Total</b>	<b>241,858</b>	<b>100.0</b>

<sup>a</sup> An arrest warrant is no longer a finalising outcome. Caution should be used when comparing this data with that published in previous years.

<sup>b</sup> Persons convicted in their absence are not as well recorded in JusticeLink as in previous systems. Caution should be used when comparing this data with that published in previous years.

**TABLE 1.3****PERSONS CHARGED IN LOCAL COURT APPEARANCES FINALISED<sup>a</sup>:  
OUTCOME OF APPEARANCE**

<b>Outcome of appearance</b>	<b>Persons charged</b>	
	<b>No.</b>	<b>%</b>
<b>Proceeded to defended hearing</b>		
All charges dismissed	5,914	4.4
Guilty of at least one charge	10,570	7.9
Other <sup>b</sup>	940	0.7
<b>Proven outcome not further described<sup>c</sup></b>	5,580	4.2
<b>Sentenced after guilty plea</b>	83,905	62.7
<b>Convicted ex parte<sup>d</sup></b>	16,476	12.3
<b>All charges dismissed without hearing</b>	9,940	7.4
<b>All charges otherwise disposed of</b>	418	0.3
<b>Total</b>	<b>133,743</b>	<b>100.0</b>

**TABLE 1.4****ABORIGINAL AND TORRES STRAIT ISLANDER PERSONS  
CHARGED IN LOCAL COURT APPEARANCES FINALISED<sup>a</sup>:  
OUTCOME OF APPEARANCE**

<b>Outcome of appearance</b>	<b>Persons charged</b>	
	<b>No.</b>	<b>%</b>
<b>Proceeded to defended hearing</b>		
All charges dismissed	939	5.3
Guilty of at least one charge	1,790	10.2
Other <sup>b</sup>	163	0.9
<b>Proven outcome not further described<sup>c</sup></b>	739	4.2
<b>Sentenced after guilty plea</b>	10,422	59.2
<b>Convicted ex parte<sup>d</sup></b>	1,867	10.6
<b>All charges dismissed without hearing</b>	1,637	9.3
<b>All charges otherwise disposed of</b>	36	0.2
<b>Total</b>	<b>17,593</b>	<b>100.0</b>

<sup>a</sup> An arrest warrant is no longer a finalising outcome. Caution should be used when comparing this data with that published in previous years.

<sup>b</sup> The category 'Proceeded to defended hearing: Other' includes persons for whom one or more charges were dismissed after a defended hearing, but who either (1) pleaded guilty to other charges or (2) were convicted ex parte of other charges.

<sup>c</sup> The category 'Proven outcome not further described' includes persons who received a sentence but there was insufficient data to indicate whether they had proceeded to defended hearing or were sentenced after a guilty plea.

<sup>d</sup> Persons convicted in their absence are not as well recorded in JusticeLink as in previous systems. Caution should be used when comparing this data with that published in previous years.



TABLE 1.5

**PERSONS CHARGED IN LOCAL COURT APPEARANCES FINALISED<sup>a</sup>:  
OUTCOME OF APPEARANCE, LEGAL REPRESENTATION**

Outcome of appearance	Legal representation								
	Represented		Not represented		Unknown <sup>b</sup>		Total		
	No.	%	No.	%	No.	%	No.	%	
<b>Proceeded to defended hearing</b>									
All charges dismissed	4,195	6.2	829	2.0	863	3.9	5,887	4.5	
Guilty of at least one charge	6,122	9.0	2,186	5.2	2,120	9.6	10,428	7.9	
Other <sup>c</sup>	656	1.0	105	0.3	177	0.8	938	0.7	
<b>Proven outcome not further described<sup>d</sup></b>	625	0.9	644	1.5	4,246	19.3	5,515	4.2	
<b>Sentenced after guilty plea</b>	48,866	72.0	24,546	58.5	9,887	44.9	83,299	63.1	
<b>Convicted ex parte<sup>e</sup></b>	1,090	1.6	11,464	27.3	3,178	14.4	15,732	11.9	
<b>All charges dismissed without hearing</b>	6,097	9.0	2,133	5.1	1,476	6.7	9,706	7.4	
<b>All charges otherwise disposed of</b>	261	0.4	82	0.2	74	0.3	417	0.3	
<b>Total</b>	<b>67,912</b>	<b>100.0</b>	<b>41,989</b>	<b>100.0</b>	<b>22,021</b>	<b>100.0</b>	<b>131,922</b>	<b>100.0</b>	

<sup>a</sup> An arrest warrant is no longer a finalising outcome. Caution should be used when comparing this data with that published in previous years.

<sup>b</sup> Legal representation was not recorded for the majority of defendants in the JusticeLink system. Caution should be used when comparing this data with that published in previous years.

<sup>c</sup> The category 'Proceeded to defended hearing: Other' includes persons for whom one or more charges were dismissed after a defended hearing, but who either (1) pleaded guilty to other charges or (2) were convicted ex parte of other charges.

<sup>d</sup> The category 'Proven outcome not further described' includes persons who received a sentence but there was insufficient data to indicate whether they had proceeded to defended hearing or were sentenced after a guilty plea.

<sup>e</sup> Persons convicted in their absence are not as well recorded in JusticeLink as in previous systems. Caution should be used when comparing this data with that published in previous years.

NOTE: Excluded from this table are 1,821 companies. Companies were included in previous publications.

TABLE 1.6

**PERSONS CHARGED IN LOCAL COURT APPEARANCES FINALISED<sup>a</sup>:  
OUTCOME OF APPEARANCE, BAIL STATUS**

	<b>Bail status</b>													
	<b>Bail not required or bail dispensed with</b>			<b>On bail</b>			<b>In custody<sup>b</sup></b>			<b>Unknown</b>			<b>Total</b>	
	No.	%		No.	%		No.	%		No.	%		No.	%
<b>Outcome of appearance</b>														
<b>Proceeded to defended hearing</b>														
All charges dismissed	2,484	2.9		2,778	8.1		570	5.3		55	3.8		5,887	4.5
Guilty of at least one charge	4,696	5.5		4,004	11.7		1,651	15.4		77	5.3		10,428	7.9
Other <sup>c</sup>	298	0.3		460	1.3		174	1.6		6	0.4		938	0.7
<b>Proven outcome not further described<sup>d</sup></b>	3,389	4.0		942	2.7		582	5.4		602	41.5		5,515	4.2
<b>Sentenced after guilty plea</b>	56,552	66.2		19,659	57.3		6,612	62		476	32.8		83,299	63
<b>Convicted ex parte<sup>e</sup></b>	13,672	16.0		1,698	5.0		268	2.5		94	6.5		15,732	11.9
<b>All charges dismissed without hearing</b>	4,270	5.0		4,664	13.6		641	6.0		131	9.0		9,706	7.4
<b>All charges otherwise disposed of</b>	71	0.1		83	0.2		252	2.3		11	0.8		417	0.3
<b>Total</b>	<b>85,432</b>	<b>100.0</b>		<b>34,288</b>	<b>100.0</b>		<b>10,750</b>	<b>100.0</b>		<b>1,452</b>	<b>100.0</b>		<b>131,922</b>	<b>100.0</b>

<sup>a</sup> An arrest warrant is no longer a finalising outcome. Caution should be used when comparing this data with that published in previous years.

<sup>b</sup> The category 'In custody' includes persons who were refused bail, persons who could not meet their bail and persons who were in custody for a prior offence.

<sup>c</sup> The category 'Proceeded to defended hearing : Other' includes persons for whom one or more charges were dismissed after a defended hearing, but who either (1) pleaded guilty to other charges or (2) were convicted ex parte of other charges.

<sup>d</sup> The category 'Proven outcome not further described' includes persons who received a sentence but there was insufficient data to indicate whether they had proceeded to defended hearing or were sentenced after a guilty plea.

<sup>e</sup> Persons convicted in their absence are not as well recorded in JusticeLink as in previous systems. Caution should be used when comparing this data with that published in previous years.  
NOTE: Excluded from this table are 1,821 companies. Companies were included in previous publications.

TABLE 1.7

**PERSONS FOUND GUILTY IN LOCAL COURT APPEARANCES FINALISED:  
TYPE OF PRINCIPAL OFFENCE<sup>a</sup>, PENALTY FOR PRINCIPAL OFFENCE**

Type of principal offence	Penalty for principal offence														Total
	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	
	Imprisonment	Home Detention	Periodic detention	Suspended sentence with supervision	Suspended sentence without supervision	Community service order	Bond with supervision	Bond without supervision	Fine	Nominal sentence	Conviction without penalty	Bond without conviction	No conviction recorded		
<b>Homicide and related offences</b>															
Manslaughter and driving causing death	-	-	2	-	3	3	1	12	1	-	-	4	1	27	
<b>Total</b>	-	-	2	-	3	3	1	12	1	-	-	4	1	27	
<b>Acts intended to cause injury</b>															
Assault	1,954	6	211	810	491	775	2,138	3,937	2,184	14	79	1,963	434	14,996	
Other acts intended to cause injury	315	-	16	169	95	108	390	727	245	2	11	188	33	2,299	
<b>Total</b>	2,269	6	227	979	586	883	2,528	4,664	2,429	16	90	2,151	467	17,295	
<b>Sexual assault and related offences</b>															
Sexual assault	72	-	5	62	20	4	55	54	10	-	1	5	4	292	
Non-assaultive sexual offences	27	-	8	18	9	3	9	14	5	-	-	5	1	99	
<b>Total</b>	99	-	13	80	29	7	64	68	15	-	1	10	5	391	
<i>Sexual offences against children<sup>b</sup></i>	56	-	7	41	13	2	17	15	1	-	-	3	2	157	
<b>Dangerous or negligent acts endangering persons</b>															
Dangerous or negligent operation of a vehicle	130	7	30	65	62	190	123	455	2,729	-	46	185	341	4,363	
Other dangerous or negligent acts endangering persons	7	-	1	3	3	3	2	6	21	-	-	3	2	51	
<b>Total</b>	137	7	31	68	65	193	125	461	2,750	-	46	188	343	4,414	
<b>Abduction, harassment and other offences against the person</b>															
Harassment and threatening behaviour	115	-	10	59	29	48	105	171	146	1	11	55	15	765	
<b>Total</b>	115	-	10	59	29	48	105	171	146	1	11	55	15	765	

Table continues on next page

TABLE 1.7 continued

Type of principal offence	Penalty for principal offence														Total
	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	
	Imprisonment	Home Detention	Periodic detention	Suspended sentence with supervision	Suspended sentence without supervision	Community service order	Bond with supervision	Bond without supervision	Fine	Nominal sentence	Conviction without penalty	Bond without conviction	No conviction recorded		
<b>Robbery, extortion and related offences</b>															
Robbery	38	-	4	12	5	6	7	6	3	-	-	-	1	82	
Blackmail and extortion	-	-	-	1	-	-	-	-	-	-	-	-	-	1	
<b>Total</b>	38	-	4	13	5	6	7	6	3	-	-	-	1	83	
<b>Unlawful entry with intent/burglary, break and enter</b>	728	4	35	167	100	129	138	176	29	1	10	26	4	1,547	
<b>Theft and related offences</b>															
Motor vehicle theft and related offences	203	2	16	38	28	36	64	89	35	3	3	18	4	539	
Theft (except motor vehicles)	667	15	26	163	139	157	348	590	1,567	9	71	379	199	4,330	
Receive or handle proceeds of crime	331	3	7	42	69	69	161	367	540	2	34	93	33	1,751	
Illegal use of property (except motor vehicles)	-	-	-	-	-	-	-	1	-	-	-	2	-	3	
<b>Total</b>	1,201	20	49	243	236	262	573	1,047	2,142	14	108	492	236	6,623	
<b>Fraud, deception and related offences</b>															
Obtain benefit by deception	224	38	60	104	220	400	138	615	293	-	7	197	59	2,355	
Forgery and counterfeiting	117	11	13	17	22	25	34	82	39	-	4	18	7	389	
Deceptive business/government practices	1	-	1	-	-	5	2	10	56	-	1	7	4	87	
Other fraud and deception offences	29	8	15	19	23	55	25	146	195	1	11	71	15	613	
<b>Total</b>	371	57	89	140	265	485	199	853	583	1	23	293	85	3,444	
<b>Illicit drug offences</b>															
Import or export illicit drugs	-	-	-	-	-	-	-	-	-	-	-	1	-	1	
Deal or traffic in illicit drugs	166	7	23	68	66	53	69	100	32	-	1	9	3	597	
Manufacture or cultivate illicit drugs	14	-	5	28	16	25	64	147	260	2	3	66	29	659	
Possess and/or use illicit drugs	101	-	6	30	28	28	249	427	4,222	3	190	882	702	6,868	
Other illicit drug offences	6	-	-	1	-	-	3	5	48	-	4	6	8	81	
<b>Total</b>	287	7	34	127	110	106	385	679	4,562	5	198	964	742	8,206	

<b>Prohibited and regulated weapons and explosives offences</b>														
Prohibited weapons/explosives offences	25	-	2	6	11	8	14	46	106	-	8	43	28	297
Regulated weapons/explosives offences	26	-	8	8	14	19	12	62	205	-	15	81	76	526
<b>Total</b>	51	-	10	14	25	27	26	108	311	-	23	124	104	823
<b>Property damage and environmental pollution</b>														
Property damage	183	10	17	77	57	151	350	613	1,741	13	82	564	259	4,117
Environmental pollution	-	-	-	-	-	-	-	1	177	-	5	3	21	207
<b>Total</b>	183	10	17	77	57	151	350	614	1,918	13	87	567	280	4,324
<b>Public order offences</b>														
Disorderly conduct	345	2	33	103	82	144	207	446	702	1	79	195	118	2,457
Regulated public order offences	13	-	-	4	3	6	23	25	536	-	24	52	115	801
Offensive conduct	37	-	1	6	15	25	58	118	1,828	1	98	146	224	2,557
<b>Total</b>	395	2	34	113	100	175	288	589	3,066	2	201	393	457	5,815
<b>Traffic and vehicle regulatory offences</b>														
Driver Licence offences	1,006	91	273	417	709	1,199	388	1,971	10,773	6	356	2,020	1,594	20,803
Vehicle registration and roadworthiness offences	-	-	-	1	1	-	-	-	760	-	59	7	304	1,132
Regulatory driving offences	250	29	150	348	216	842	848	2,132	18,502	1	248	4,692	1,330	29,588
<b>Total</b>	1,256	120	423	766	926	2,041	1,236	4,103	30,035	7	663	6,719	3,228	51,523
<b>Offences against justice procedures, government security and government operations</b>														
Breach of custodial order offences <sup>c</sup>	99	3	16	3	5	3	3	12	6	-	1	3	-	154
Breach of community-based order <sup>c</sup>	351	8	83	111	113	98	163	195	351	8	61	16	26	1,584
Breach of violence and non-violence restraining orders	424	3	28	160	104	130	391	640	646	26	109	247	147	3,055
Offences against government operations	1	-	1	1	-	2	2	18	1,263	-	6	42	195	1,531
Offences against government security	-	-	-	-	-	-	-	-	2	-	-	3	-	5
Offences against justice procedures	154	1	9	43	48	51	165	416	1,643	3	63	260	186	3,042
<b>Total</b>	1,029	15	137	318	270	284	724	1,281	3,911	37	240	571	554	9,371
<b>Miscellaneous offences</b>														
Defamation, libel and privacy offences	-	-	-	-	-	-	-	1	-	-	-	-	-	1
Public health and safety offences	27	-	-	4	6	3	23	51	810	1	33	54	155	1,167
Commercial/industry/financial regulation	-	-	-	-	-	1	2	3	446	-	4	10	78	544
Other miscellaneous offences	4	-	3	-	3	5	5	29	386	-	9	54	54	552
<b>Total</b>	31	-	3	4	9	9	30	84	1,642	1	46	118	287	2,264
<b>Grand Total</b>	<b>8,190</b>	<b>248</b>	<b>1,118</b>	<b>3,168</b>	<b>2,815</b>	<b>4,809</b>	<b>6,779</b>	<b>14,916</b>	<b>53,543</b>	<b>98</b>	<b>1,747</b>	<b>12,675</b>	<b>6,809</b>	<b>116,915</b>

<sup>a</sup> Type of offence is based on the 2008 version of the Australian Standard Offence Classification (ASOC) released by the Australian Bureau of Statistics. Previous publications used the 1997 version of ASOC.

Caution should be used when comparing this data with that published in previous years.

<sup>b</sup> Sexual offences against children is not a category within ASOC. These offences are also counted in the appropriate ASOC categories - Sexual assault and Non-assaultive sexual offences.

<sup>c</sup> As it is not currently possible to separately identify breaches of suspended sentence in the 2009 data sourced from JusticeLink, they are counted as a 'Breach of community-based order' rather than a 'Breach of custodial order offences' in this table.

NOTE: Excluded from this table are 470 persons who received no action taken on a breach of court orders, 7 persons who received compensation, 2 persons who received a non-association or place restriction order and 77 persons who received a licence disqualification as their only penalty.

TABLE 1.7a

**PERSONS FOUND GUILTY OF DRUG OFFENCES IN LOCAL COURT APPEARANCES FINALISED:  
TYPE OF DRUG AND PRINCIPAL OFFENCE<sup>a</sup>, PENALTY FOR PRINCIPAL OFFENCE**

Type of principal offence	Penalty for principal offence																Total
	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	
	Imprisonment	Home Detention	Periodic detention	Suspended sentence with supervision	Suspended sentence without supervision	Community service order	Bond with supervision	Bond without supervision	Fine	Nominal sentence	Conviction without penalty	Bond without conviction	No conviction recorded				
<b>Opiates</b>																	
Deal or traffic in illicit drugs-non-commercial quantity	52	1	3	11	12	5	11	9	4	-	-	1	1	110			
Possess illicit drugs	20	-	1	8	4	2	35	40	251	-	13	21	9	404			
Use illicit drugs	-	-	-	-	-	-	4	3	23	-	1	-	2	33			
Other illicit drug offences, other	-	-	-	-	-	-	-	-	2	-	-	-	-	2			
<b>Total</b>	72	1	4	19	16	7	50	52	280	-	14	22	12	549			
<b>Cannabis</b>																	
Import illicit drugs	-	-	-	-	-	-	-	-	-	-	-	1	-	1			
Deal or traffic in illicit drugs-non-commercial quantity	66	1	11	32	42	29	41	43	15	-	1	-	1	282			
Manufacture illicit drugs	-	-	-	-	-	-	-	1	1	-	-	1	-	3			
Cultivate illicit drugs	13	-	5	27	16	25	64	146	259	2	3	65	29	654			
Possess illicit drugs	56	-	5	12	18	9	139	219	2,571	3	133	210	235	3,610			
Use illicit drugs	-	-	-	-	-	-	-	1	13	-	-	4	2	20			
Other illicit drug offences, other	-	-	-	-	-	-	-	-	20	-	2	1	1	24			
<b>Total</b>	135	1	21	71	76	63	244	410	2,879	5	139	282	268	4,594			
<b>Hallucinogens</b>																	
Possess illicit drugs	1	-	-	-	-	1	3	1	22	-	-	8	10	46			
<b>Total</b>	1	-	-	-	-	1	3	1	22	-	-	8	10	46			

<b>Amphetamines</b>														
Deal or traffic in illicit drugs-non-commercial quantity	30	2	5	17	9	7	9	12	6	-	-	2	-	99
Manufacture illicit drugs	1	-	-	1	-	-	-	-	-	-	-	-	-	2
Possess illicit drugs	15	-	-	7	3	6	40	73	490	-	20	94	70	818
Use illicit drugs	-	-	-	-	-	1	-	2	8	-	-	1	-	12
Other illicit drug offences, other	1	-	-	-	-	-	1	-	9	-	2	-	-	13
<b>Total</b>	<b>47</b>	<b>2</b>	<b>5</b>	<b>25</b>	<b>12</b>	<b>14</b>	<b>50</b>	<b>87</b>	<b>513</b>	<b>-</b>	<b>22</b>	<b>97</b>	<b>70</b>	<b>944</b>
<b>Barbiturates</b>														
Deal or traffic in illicit drugs-non-commercial quantity	-	-	-	-	-	1	-	-	-	-	-	-	1	2
Possess illicit drugs	-	-	-	-	-	-	4	7	19	-	2	29	10	71
<b>Total</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>1</b>	<b>4</b>	<b>7</b>	<b>19</b>	<b>-</b>	<b>2</b>	<b>29</b>	<b>11</b>	<b>73</b>
<b>Cocaine</b>														
Deal or traffic in illicit drugs-non-commercial quantity	9	-	-	3	-	2	-	7	2	-	-	1	-	24
Possess illicit drugs	1	-	-	1	1	-	9	25	115	-	9	100	36	297
Use illicit drugs	-	-	-	-	-	-	-	-	2	-	-	2	-	4
<b>Total</b>	<b>10</b>	<b>-</b>	<b>-</b>	<b>4</b>	<b>1</b>	<b>2</b>	<b>9</b>	<b>32</b>	<b>119</b>	<b>-</b>	<b>9</b>	<b>103</b>	<b>36</b>	<b>325</b>
<b>Other drug</b>														
Deal or traffic in illicit drugs-non-commercial quantity	1	-	-	-	-	-	-	-	1	-	-	-	-	2
Possess illicit drugs	-	-	-	-	-	-	1	2	23	-	2	2	2	32
Use illicit drugs	-	-	-	-	-	-	-	-	-	-	-	1	-	1
<b>Total</b>	<b>1</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>1</b>	<b>2</b>	<b>24</b>	<b>-</b>	<b>2</b>	<b>3</b>	<b>2</b>	<b>35</b>
<b>Ecstasy</b>														
Deal or traffic in illicit drugs-non-commercial quantity	6	3	3	5	3	8	8	28	4	-	-	5	-	73
Possess illicit drugs	6	-	-	1	2	9	14	51	620	-	6	395	313	1,417
Use illicit drugs	-	-	-	-	-	-	-	-	-	-	-	4	1	5
<b>Total</b>	<b>12</b>	<b>3</b>	<b>3</b>	<b>6</b>	<b>5</b>	<b>17</b>	<b>22</b>	<b>79</b>	<b>624</b>	<b>-</b>	<b>6</b>	<b>404</b>	<b>314</b>	<b>1,495</b>
<b>Unknown</b>														
Deal or traffic in illicit drugs-non-commercial quantity	2	-	1	-	-	1	-	1	-	-	-	-	-	5
Possess illicit drugs	1	-	-	1	-	-	-	3	65	-	4	11	12	97
Use illicit drugs	1	-	-	-	-	-	-	-	-	-	-	-	-	1
Other illicit drug offences, other	5	-	-	1	-	-	2	5	17	-	-	5	7	42
<b>Total</b>	<b>9</b>	<b>-</b>	<b>1</b>	<b>2</b>	<b>-</b>	<b>1</b>	<b>2</b>	<b>9</b>	<b>82</b>	<b>-</b>	<b>4</b>	<b>16</b>	<b>19</b>	<b>145</b>
<b>Grand Total</b>	<b>287</b>	<b>7</b>	<b>34</b>	<b>127</b>	<b>110</b>	<b>106</b>	<b>385</b>	<b>679</b>	<b>4,562</b>	<b>5</b>	<b>198</b>	<b>964</b>	<b>742</b>	<b>8,206</b>

<sup>a</sup> Type of offence is based on the 2008 version of the Australian Standard Offence Classification (ASOC) released by the Australian Bureau of Statistics. Previous publications used the 1997 version of ASOC. Caution should be used when comparing this data with that published in previous years.

TABLE 1.8

**ABORIGINAL AND TORRES STRAIT ISLANDER PERSONS FOUND GUILTY IN LOCAL COURT APPEARANCES FINALISED:  
TYPE OF PRINCIPAL OFFENCE<sup>a</sup>, PENALTY FOR PRINCIPAL OFFENCE**

Type of principal offence	Penalty for principal offence														Total
	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	
	Imprisonment	Home Detention	Periodic detention	Suspended sentence with supervision	Suspended sentence without supervision	Community service order	Bond with supervision	Bond without supervision	Fine	Nominal sentence	Conviction without penalty	Bond without conviction	No conviction recorded		
<b>Homicide and related offences</b>															
Manslaughter and driving causing death	-	-	-	-	1	-	-	-	-	-	-	-	-	1	
<b>Total</b>	-	-	-	-	1	-	-	-	-	-	-	-	-	1	
<b>Acts intended to cause injury</b>															
Assault	879	3	37	270	144	195	487	587	280	3	16	113	17	3,031	
Other acts intended to cause injury	120	-	4	59	24	30	96	120	42	-	2	12	2	511	
<b>Total</b>	999	3	41	329	168	225	583	707	322	3	18	125	19	3,542	
<b>Sexual assault and related offences</b>															
Sexual assault	18	-	2	5	4	-	1	6	-	-	-	1	-	37	
Non-assaultive sexual offences	1	-	-	1	-	-	-	-	1	-	-	1	-	4	
<b>Total</b>	19	-	2	6	4	-	1	6	1	-	-	2	-	41	
<i>Sexual offences against children<sup>b</sup></i>	10	-	-	3	-	-	-	1	-	-	-	-	-	14	
<b>Dangerous or negligent acts endangering persons</b>															
Dangerous or negligent operation of a vehicle	28	-	-	12	7	15	16	20	87	-	2	5	3	195	
Other dangerous or negligent acts endangering persons	2	-	-	2	-	-	-	1	3	-	-	-	-	8	
<b>Total</b>	30	-	-	14	7	15	16	21	90	-	2	5	3	203	
<b>Abduction, harassment and other offences against the person</b>															
Harassment and threatening behaviour	40	-	3	23	8	9	24	43	13	-	3	3	1	170	
<b>Total</b>	40	-	3	23	8	9	24	43	13	-	3	3	1	170	
<b>Robbery, extortion and related offences</b>															
Robbery	16	-	-	3	-	1	-	-	1	-	-	-	-	21	
Blackmail and extortion	-	-	-	-	-	-	-	-	-	-	-	-	-	0	
<b>Total</b>	16	-	-	3	-	1	-	-	1	-	-	-	-	21	



<b>Unlawful entry with intent/burglary, break and enter</b>	290	1	9	36	19	30	36	35	6	-	-	3	-	465
<b>Theft and related offences</b>														
Motor vehicle theft and related offences	80	-	3	15	12	4	16	23	12	1	-	2	-	168
Theft (except motor vehicles)	250	2	6	45	29	33	78	100	225	4	13	17	5	807
Receive or handle proceeds of crime	86	1	1	11	16	9	31	67	94	-	7	5	3	331
Illegal use of property (except motor vehicles)	-	-	-	-	-	-	-	-	-	-	-	-	-	0
<b>Total</b>	416	3	10	71	57	46	125	190	331	5	20	24	8	1,306
<b>Fraud, deception and related offences</b>														
Obtain benefit by deception	34	2	3	16	11	18	17	27	20	-	-	3	-	151
Forgery and counterfeiting	9	-	1	1	3	1	3	4	1	-	-	-	-	23
Deceptive business/government practices	-	-	-	-	-	-	-	-	3	-	-	-	-	3
Other fraud and deception offences	3	-	-	1	1	2	2	2	30	-	-	-	-	41
<b>Total</b>	46	2	4	18	15	21	22	33	54	-	-	3	-	218
<b>Illicit drug offences</b>														
Import or export illicit drugs	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Deal or traffic in illicit drugs	49	1	2	12	11	6	12	11	5	-	-	1	-	110
Manufacture or cultivate illicit drugs	-	-	1	1	2	-	8	13	32	-	1	3	1	62
Possess and/or use illicit drugs	21	-	1	8	4	3	49	59	633	1	42	17	29	867
Other illicit drug offences	-	-	-	-	-	-	-	1	6	-	-	-	1	8
<b>Total</b>	70	1	4	21	17	9	69	84	676	1	43	21	31	1,047
<b>Prohibited and regulated weapons and explosives offences</b>														
Prohibited weapons/explosives offences	5	-	-	1	1	3	1	5	5	-	-	1	-	22
Regulated weapons/explosives offences	3	-	2	1	1	4	2	7	16	-	-	3	3	42
<b>Total</b>	8	-	2	2	2	7	3	12	21	-	-	4	3	64
<b>Property damage and environmental pollution</b>														
Property damage	80	1	2	20	21	33	95	118	299	7	19	38	8	741
Environmental pollution	-	-	-	-	-	-	-	-	7	-	1	-	-	8
<b>Total</b>	80	1	2	20	21	33	95	118	306	7	20	38	8	749
<b>Public order offences</b>														
Disorderly conduct	170	1	8	40	41	39	54	118	131	-	22	20	12	656
Regulated public order offences	5	-	-	-	-	-	1	3	75	-	3	2	5	94
Offensive conduct	17	-	-	3	4	9	24	38	531	1	30	16	29	702
<b>Total</b>	192	1	8	43	45	48	79	159	737	1	55	38	46	1,452

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TABLE 1.8 continued

Type of principal offence	Penalty for principal offence														Total
	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	
	Imprisonment	Home Detention	Periodic detention	Suspended sentence with supervision	Suspended sentence without supervision	Community service order	Bond with supervision	Bond without supervision	Fine	Nominal sentence	Conviction without penalty	Bond without conviction	No conviction recorded		
<b>Traffic and vehicle regulatory offences</b>															
Driver Licence offences	273	10	39	93	126	137	56	215	1,003	-	56	146	94	2,248	
Vehicle registration and roadworthiness offences	-	-	-	-	-	-	-	-	28	-	2	-	3	33	
Regulatory driving offences	61	3	10	43	27	74	89	138	783	-	22	78	8	1,336	
<b>Total</b>	334	13	49	136	153	211	145	353	1,814	-	80	224	105	3,617	
<b>Offences against justice procedures, government security and government operations</b>															
Breach of custodial order offences <sup>c</sup>	56	-	9	-	3	1	1	6	-	-	1	1	-	78	
Breach of community-based order <sup>c</sup>	134	-	16	36	26	21	42	34	49	1	16	3	2	380	
Breach of violence and non-violence restraining orders	176	-	6	67	31	44	106	123	138	7	33	28	23	782	
Offences against government operations	-	-	-	-	-	-	-	1	18	-	-	-	1	20	
Offences against government security	-	-	-	-	-	-	-	-	-	-	-	-	-	0	
Offences against justice procedures	61	-	3	16	12	19	53	80	273	1	17	20	17	572	
<b>Total</b>	427	-	34	119	72	85	202	244	478	9	67	52	43	1,832	
<b>Miscellaneous offences</b>															
Defamation, libel and privacy offences	-	-	-	-	-	-	-	-	-	-	-	-	-	0	
Public health and safety offences	7	-	-	-	2	-	4	7	58	-	11	-	1	90	
Commercial/industry/financial regulation	-	-	-	-	-	-	-	-	2	-	-	-	-	2	
Other miscellaneous offences	2	-	-	-	-	2	1	7	37	-	2	8	-	59	
<b>Total</b>	9	-	-	-	2	2	5	14	97	-	13	8	1	151	
<b>Grand Total</b>	<b>2,976</b>	<b>25</b>	<b>168</b>	<b>841</b>	<b>591</b>	<b>742</b>	<b>1,405</b>	<b>2,019</b>	<b>4,947</b>	<b>26</b>	<b>321</b>	<b>550</b>	<b>268</b>	<b>14,879</b>	

<sup>a</sup> Type of offence is based on the 2008 version of the Australian Standard Offence Classification (ASOC) released by the Australian Bureau of Statistics. Previous publications used the 1997 version of ASOC. Caution should be used when comparing this data with that published in previous years.

<sup>b</sup> Sexual offences against children is not a category within ASOC. These offences are also counted in the appropriate ASOC categories - Sexual assault and Non-assaultive sexual offences.

<sup>c</sup> As it is not currently possible to separately identify breaches of suspended sentence in the 2009 data sourced from JusticeLink, they are counted as a 'Breach of community-based order' rather than a 'Breach of custodial order offences' in this table.

NOTE: Excluded from this table are 93 persons who received no action taken on breach of court orders, 2 persons who received a non - association or place restriction order and 8 persons who received a licence disqualification as their only penalty.

TABLE 1.9

**AVERAGE PENALTY FOR PERSONS FOUND GUILTY IN LOCAL COURT APPEARANCES FINALISED:  
TYPE OF PRINCIPAL OFFENCE<sup>a</sup>, PENALTY FOR PRINCIPAL OFFENCE**

<i>Type of principal offence</i>	<b>Penalty for principal offence</b>							
	Average months	Home detention	Periodic detention	Suspended sentence	Community service order	Bond	Fine	Average \$
	Average months	Average months	Average months	Average months	Average hours	Average months	Average months	Average \$
<b>Homicide and related offences</b>								
Manslaughter and driving causing death	-	-	7.5	11.0	233.3	17.5	17.5	750
<b>Total</b>	-	-	7.5	11.0	233.3	17.5	17.5	750
<b>Acts intended to cause injury</b>								
Assault	6.2	4.8	6.8	9.8	145.7	15.2	15.2	558
Other acts intended to cause injury	4.9	-	8.1	9.3	116.8	15.1	15.1	491
<b>Total</b>	6.0	4.8	6.9	9.7	142.1	15.2	15.2	551
<b>Sexual assault and related offences</b>								
Sexual assault	8.2	-	8.6	11.9	212.5	19.8	19.8	631
Non-assaultive sexual offences	8.5	-	9.5	13.0	150.0	21.0	21.0	363
<b>Total</b>	8.3	-	9.2	12.2	185.7	20.0	20.0	541
<i>Sexual offences against children<sup>b</sup></i>	9.6	-	10.0	13.7	125.0	24.2	24.2	750
<b>Dangerous or negligent acts endangering persons</b>								
Dangerous or negligent operation of a vehicle	6.0	9.1	6.7	10.4	146.1	16.1	16.1	497
Other dangerous or negligent acts endangering persons	8.1	-	6.0	13.7	186.7	18.0	18.0	1,117
<b>Total</b>	6.1	9.1	6.7	10.5	146.7	16.2	16.2	501

Table continues on next page

TABLE 1.9 continued

Type of principal offence	Penalty for principal offence						
	Imprisonment Average months	Home detention Average months	Periodic detention Average months	Suspended sentence Average months	Community service order Average hours	Bond Average months	Fine Average \$
<b>Abduction, harassment and other offences against the person</b>							
Harassment and threatening behaviour	5.2	-	8.1	12.2	116.3	15.1	582
<b>Total</b>	5.2	-	8.1	12.2	116.3	15.1	582
<b>Robbery, extortion and related offences</b>							
Robbery	8.0	-	8.0	12.5	183.3	25.8	383
Blackmail and extortion	-	-	-	12.0	-	-	-
<b>Total</b>	8.0	-	8.0	12.4	183.3	25.8	383
<b>Unlawful entry with intent/burglary, break and enter</b>							
<b>Total</b>	9.0	7.0	7.7	12.2	175.4	18.7	734
<b>Theft and related offences</b>							
Motor vehicle theft and related offences	6.9	9.0	7.0	9.8	146.0	16.7	634
Theft (except motor vehicles)	4.6	5.2	5.8	8.3	113.9	14.0	382
Receive or handle proceeds of crime	4.2	6.0	5.7	7.1	106.1	14.3	448
Illegal use of property (except motor vehicles)	-	-	-	-	-	24.0	-
<b>Total</b>	4.9	5.7	6.2	8.2	116.3	14.3	403
<b>Fraud, deception and related offences</b>							
Obtain benefit by deception	5.8	6.4	7.6	14.5	138.9	16.7	988
Forgery and counterfeiting	6.0	8.8	8.0	9.8	130.4	17.0	580
Deceptive business/government practices	15.0	-	6.0	-	136.0	14.8	3,107
Other fraud and deception offences	7.3	9.0	10.1	13.0	176.3	16.8	571
<b>Total</b>	6.0	7.2	8.1	13.9	142.7	16.7	1,025
<b>Illicit drug offences</b>							
Import or export illicit drugs	-	-	-	-	-	2.0	-
Deal or traffic in illicit drugs	6.0	5.9	7.3	10.7	152.1	19.6	758
Manufacture or cultivate illicit drugs	6.0	-	7.4	10.6	123.2	16.4	553
Possess and/or use illicit drugs	2.9	-	5.7	7.6	91.8	13.0	347
Other illicit drug offences	3.6	-	-	9.0	-	19.1	343
<b>Total</b>	4.8	5.9	7.0	9.9	129.3	14.1	362

<b>Prohibited and regulated weapons and explosives offences</b>									
Prohibited weapons/explosives offences	5.6	-	13.5	9.4	187.5	14.6	518		
Regulated weapons/explosives offences	9.6	-	7.6	11.6	152.6	14.1	446		
<b>Total</b>	<b>7.7</b>	<b>-</b>	<b>8.7</b>	<b>10.6</b>	<b>163.0</b>	<b>14.3</b>	<b>471</b>		
<b>Property damage and environmental pollution</b>									
Property damage	3.9	6.2	4.9	9.1	110.1	13.1	435		
Environmental pollution	-	-	-	-	-	13.5	2,064		
<b>Total</b>	<b>3.9</b>	<b>6.2</b>	<b>4.9</b>	<b>9.1</b>	<b>110.1</b>	<b>13.1</b>	<b>585</b>		
<b>Public order offences</b>									
Disorderly conduct	6.3	6.0	6.8	9.6	152.0	16.5	372		
Regulated public order offences	3.0	-	-	6.3	95.0	12.8	518		
Offensive conduct	3.2	-	9.0	6.3	78.2	12.9	319		
<b>Total</b>	<b>5.9</b>	<b>6.0</b>	<b>6.9</b>	<b>9.2</b>	<b>139.5</b>	<b>15.3</b>	<b>366</b>		
<b>Traffic and vehicle regulatory offences</b>									
Driver Licence offences	6.3	7.5	6.5	10.7	133.5	15.4	511		
Vehicle registration and roadworthiness offences	-	-	-	12.0	-	9.4	320		
Regulatory driving offences	6.0	6.5	7.2	9.9	155.2	15.1	637		
<b>Total</b>	<b>6.2</b>	<b>7.3</b>	<b>6.8</b>	<b>10.4</b>	<b>142.4</b>	<b>15.2</b>	<b>584</b>		
<b>Offences against justice procedures, government security and government operations</b>									
Breach of custodial order offences <sup>c</sup>	5.5	4.7	5.9	8.3	158.3	13.0	767		
Breach of community-based order <sup>c</sup>	4.3	6.3	6.1	9.1	112.9	16.0	1,977		
Breach of violence and non-violence restraining orders	4.1	8.0	5.8	8.5	110.6	13.9	423		
Offences against government operations	2.0	-	6.0	12.0	125.0	14.2	2,616		
Offences against government security	-	-	-	-	-	18.0	500		
Offences against justice procedures	4.2	9.0	5.8	9.4	116.6	13.5	412		
<b>Total</b>	<b>4.3</b>	<b>6.5</b>	<b>6.0</b>	<b>8.9</b>	<b>113.1</b>	<b>14.1</b>	<b>1,266</b>		
<b>Miscellaneous offences</b>									
Defamation, libel and privacy offences	-	-	-	-	-	2.0	-		
Public health and safety offences	2.8	-	-	7.6	66.7	12.4	1,683		
Commercial/industry/financial regulation	-	-	-	-	300.0	16.0	797		
Other miscellaneous offences	2.5	-	8.7	20.7	100.0	14.1	1,547		
<b>Total</b>	<b>2.7</b>	<b>-</b>	<b>8.7</b>	<b>10.6</b>	<b>111.1</b>	<b>13.3</b>	<b>1,410</b>		
<b>Grand Total</b>	<b>5.9</b>	<b>7.0</b>	<b>6.9</b>	<b>10.2</b>	<b>138.9</b>	<b>15.0</b>	<b>619</b>		

<sup>a</sup> Type of offence is based on the 2008 version of the Australian Standard Offence Classification (ASOC) released by the Australian Bureau of Statistics. Previous publications used the 1997 version of ASOC. Caution should be used when comparing this data with that published in previous years.

<sup>b</sup> Sexual offences against children is not a category within ASOC. These offences are also counted in the appropriate ASOC categories - Sexual assault and Non-assaultive sexual offences.

<sup>c</sup> As it is not currently possible to separately identify breaches of suspended sentence in the 2009 data sourced from JusticeLink, they are counted as a 'Breach of community-based order' rather than a 'Breach of custodial order offences' in this table.

TABLE 1.10

**AVERAGE PENALTY FOR ABORIGINAL AND TORRES STRAIT ISLANDER PERSONS FOUND GUILTY IN LOCAL COURT APPEARANCES FINALISED:  
TYPE OF PRINCIPAL OFFENCE<sup>a</sup>, PENALTY FOR PRINCIPAL OFFENCE**

Type of principal offence	Penalty for principal offence						
	Imprisonment Average months	Home detention Average months	Periodic detention Average months	Suspended sentence Average months	Community service order Average hours	Bond Average months	Fine Average \$
<b>Homicide and related offences</b>							
Manslaughter and driving causing death	-	-	-	15.0	-	-	-
<b>Total</b>	-	-	-	15.0	-	-	-
<b>Acts intended to cause injury</b>							
Assault	6.2	5.0	7.4	9.8	152.4	16.1	511
Other acts intended to cause injury	5.1	-	5.3	10.4	117.5	14.8	455
<b>Total</b>	6.1	5.0	7.2	9.9	147.7	15.9	503
<b>Sexual assault and related offences</b>							
Sexual assault	9.6	-	8.5	10.9	-	18.8	-
Non-assaultive sexual offences	24.0	-	-	9.0	-	24.0	220
<b>Total</b>	10.3	-	8.5	10.7	-	19.3	220
<i>Sexual offences against children<sup>b</sup></i>	12.1	-	-	13.3	-	12.0	-
<b>Dangerous or negligent acts endangering persons</b>							
Dangerous or negligent operation of a vehicle	6.8	-	-	12.7	153.0	15.8	501
Other dangerous or negligent acts endangering persons	12.0	-	-	18.0	-	12.0	1,667
<b>Total</b>	7.2	-	-	13.2	153.0	15.7	540

<b>Abduction, harassment and other offences against the person</b>									
Harassment and threatening behaviour	5.7	-	9.0	10.5	116.1	15.1	507		
<b>Total</b>	5.7	-	9.0	10.5	116.1	15.1	507		
<b>Robbery, extortion and related offences</b>									
Robbery	8.1	-	-	10.7	100.0	-	500		
<b>Total</b>	8.1	-	-	10.7	100.0	-	500		
<b>Unlawful entry with intent/burglary, break and enter</b>									
<b>Total</b>	9.0	12.0	8.8	11.1	172.8	19.3	467		
<b>Theft and related offences</b>									
Motor vehicle theft and related offences	6.7	-	5.3	9.7	187.5	15.5	479		
Theft (except motor vehicles)	4.7	3.5	6.8	8.1	110.6	14.2	372		
Receive or handle proceeds of crime	4.1	1.0	4.0	8.6	93.3	14.4	412		
<b>Total</b>	5.0	2.7	6.1	8.5	113.9	14.4	388		
<b>Fraud, deception and related offences</b>									
Obtain benefit by deception	6.2	6.0	5.3	10.3	161.1	15.2	565		
Forgery and counterfeiting	4.4	-	9.0	10.5	150.0	16.3	200		
Deceptive business/government practices	-	-	-	-	-	-	2,133		
Other fraud and deception offences	6.3	-	-	15.0	115.0	10.5	396		
<b>Total</b>	5.9	6.0	6.3	10.6	156.2	15.0	551		
<b>Illicit drug offences</b>									
Deal or traffic in illicit drugs	5.9	6.0	12.0	9.9	134.2	19.2	500		
Manufacture or cultivate illicit drugs	-	-	6.0	9.0	-	15.6	437		
Possess and/or use illicit drugs	3.0	-	2.0	7.0	85.0	12.9	311		
Other illicit drug offences	-	-	-	-	-	24.0	267		
<b>Total</b>	5.0	6.0	8.0	8.9	117.8	14.2	318		
<b>Prohibited and regulated weapons and explosives offences</b>									
Prohibited weapons/explosives offences	6.0	-	-	15.0	150.0	14.6	500		
Regulated weapons/explosives offences	14.3	-	7.5	10.5	102.5	11.0	405		
<b>Total</b>	9.1	-	7.5	12.8	122.9	12.3	428		

Table continues on next page

TABLE 1.10 continued

Type of principal offence	Penalty for principal offence						
	Imprisonment Average months	Home detention Average months	Periodic detention Average months	Suspended sentence Average months	Community service order Average hours	Bond Average months	Fine Average \$
<b>Property damage and environmental pollution</b>							
Property damage	4.1	12.0	5.0	8.1	91.5	13.6	416
Environmental pollution	-	-	-	-	-	-	150
<b>Total</b>	4.1	12.0	5.0	8.1	91.5	13.6	410
<b>Public order offences</b>							
Disorderly conduct	6.0	4.0	7.2	9.7	164.4	16.9	320
Regulated public order offences	3.2	-	-	-	-	10.0	285
Offensive conduct	3.5	-	-	7.7	43.3	12.2	278
<b>Total</b>	5.7	4.0	7.2	9.5	141.7	15.4	287
<b>Traffic and vehicle regulatory offences</b>							
Driver Licence offences	6.4	7.3	6.8	11.1	129.7	16.0	494
Vehicle registration and roadworthiness offences	-	-	-	-	-	-	320
Regulatory driving offences	6.6	6.3	7.9	10.1	155.1	17.0	560
<b>Total</b>	6.5	7.1	7.0	10.9	138.6	16.4	520
<b>Offences against justice procedures, government security and government operations</b>							
Breach of custodial order offences <sup>c</sup>	5.7	-	5.0	10.0	75.0	13.5	-
Breach of community-based order <sup>c</sup>	4.1	-	5.9	8.0	88.2	16.7	409
Breach of violence and non-violence restraining orders	4.4	-	6.2	9.0	105.1	14.3	386
Offences against government operations	-	-	-	-	-	12.0	878
Offences against justice procedures	3.6	-	6.0	9.6	136.1	14.2	353
<b>Total</b>	4.4	-	5.7	8.8	107.5	14.6	388
<b>Miscellaneous offences</b>							
Public health and safety offences	2.9	-	-	9.0	-	15.8	304
Commercial/industry/financial regulation	-	-	-	-	-	-	625
Other miscellaneous offences	3.8	-	-	-	100.0	20.6	528
<b>Total</b>	3.1	-	-	9.0	100.0	18.7	396
<b>Grand Total</b>	<b>6.0</b>	<b>6.4</b>	<b>6.9</b>	<b>9.9</b>	<b>135.7</b>	<b>15.5</b>	<b>426</b>

<sup>a</sup> Type of offence is based on the 2008 version of the Australian Standard Offence Classification (ASOC) released by the Australian Bureau of Statistics. Previous publications used the 1997 version of ASOC. Caution should be used when comparing this data with that published in previous years.

<sup>b</sup> Sexual offences against children is not a category within ASOC. These offences are also counted in the appropriate ASOC categories - Sexual assault and Non-assaultive sexual offences.

<sup>c</sup> As it is not currently possible to separately identify breaches of suspended sentence in the 2009 data sourced from JusticeLink, they are counted as a 'Breach of community-based order' rather than a 'Breach of custodial order offences' in this table.



TABLE 1.11

**PERSONS FOUND GUILTY IN LOCAL COURT APPEARANCES FINALISED:  
TYPE OF PRINCIPAL OFFENCE<sup>a</sup>, AGE, AVERAGE AGE**

Gender: Total male and female																								
Age (years)																								
Type of principal offence	Age (years)																							
	Under 18		19		20-24		25-29		30-39		40-49		50-59		60-65		Over 65		Not known		Total		Average age	
No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	Years	Years
<b>Homicide and related offences</b>																								
Manslaughter and driving causing death	-	1	-	8	-	7	4	4	4	4	4	4	4	4	-	3	-	-	-	-	-	27	39.0	
<b>Total</b>	-	1	-	8	-	7	4	4	4	4	4	4	4	-	3	-	-	-	-	-	-	27	39.0	
<b>Acts intended to cause injury</b>																								
Assault	2	501	702	3,028	2,481	4,319	2,688	913	173	149	19	14,975	33.4											
Other acts intended to cause injury	-	60	80	386	366	776	459	126	25	20	3	2,301	34.3											
<b>Total</b>	2	561	782	3,414	2,847	5,095	3,147	1,039	198	169	22	17,276	33.5											
<b>Sexual assault and related offences</b>																								
Sexual assault	-	2	14	44	35	65	67	34	8	21	-	290	39.4											
Non-assaultive sexual offences	-	-	2	6	10	26	25	11	8	8	-	96	43.2											
<b>Total</b>	-	2	16	50	45	91	92	45	16	29	-	386	40.4											
<i>Sexual offences against children<sup>b</sup></i>	-	-	8	17	16	34	38	18	6	18	-	155	42.3											
<b>Dangerous or negligent acts endangering persons</b>																								
Dangerous or negligent operation of a vehicle	170	263	230	930	628	930	585	330	107	184	5	4,362	33.7											
Other dangerous or negligent acts endangering persons	-	1	4	9	11	16	8	-	-	1	1	51	32.0											
<b>Total</b>	170	264	234	939	639	946	593	330	107	185	6	4,413	33.7											
<b>Abduction, harassment and other offences against the person</b>																								
Harassment and threatening behaviour	-	20	37	141	114	258	143	38	8	5	2	766	33.6											
<b>Total</b>	-	20	37	141	114	258	143	38	8	5	2	766	33.6											
<b>Robbery, extortion and related offences</b>																								
Robbery	-	5	7	27	13	23	5	1	-	-	-	81	28.0											
Blackmail and extortion	-	-	-	-	1	-	-	-	-	-	-	1	26.8											
<b>Total</b>	-	5	7	27	14	23	5	1	-	-	-	82	28.0											

Table continues on next page

TABLE 1.11 continued

Gender: Total male and female														
Age (years)														
Type of principal offence	Under 18		18	19	20-24	25-29	30-39	40-49	50-59	60-65	Over 65	Not known	Total	Average age Years
	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	
<b>Unlawful entry with intent/burglary, break and enter</b>	-	69	130	411	302	431	164	33	2	-	1	1543	29.3	
<b>Theft and related offences</b>														
Motor vehicle theft and related offences	-	35	55	174	98	128	35	12	1	-	1	539	27.9	
Theft (except motor vehicles)	2	246	255	854	749	1,226	616	238	65	66	5	4,322	32.6	
Receive or handle proceeds of crime	-	86	92	305	335	549	271	80	17	10	2	1,747	32.5	
Illegal use of property (except motor vehicles)	-	-	-	-	-	2	1	-	-	-	-	3	38.0	
<b>Total</b>	2	367	402	1,333	1,182	1,905	923	330	83	76	8	6,611	32.2	
<b>Fraud, deception and related offences</b>														
Obtain benefit by deception	-	21	44	267	387	798	499	224	44	47	18	2,349	36.9	
Forgery and counterfeiting	-	8	16	80	68	120	68	19	5	3	-	387	33.5	
Deceptive business/government practices	-	-	5	6	6	26	18	11	3	1	5	81	39.6	
Other fraud and deception offences	1	27	42	148	101	149	80	41	5	5	9	608	31.9	
<b>Total</b>	1	56	107	501	562	1,093	665	295	57	56	32	3,425	35.7	
<b>Illicit drug offences</b>														
Import or export illicit drugs	-	-	-	1	-	-	-	-	-	-	-	1	21.9	
Deal or traffic in illicit drugs	-	17	26	126	95	157	118	50	4	3	-	596	33.9	
Manufacture or cultivate illicit drugs	-	5	3	50	86	190	173	123	18	9	1	658	40.4	
Possess and/or use illicit drugs	3	219	338	1,663	1,269	1,804	1,133	354	38	13	4	6,838	31.9	
Other illicit drug offences	-	5	5	16	12	21	12	7	1	-	1	80	32.5	
<b>Total</b>	3	246	372	1,856	1,462	2,172	1,436	534	61	25	6	8,173	32.7	
<b>Prohibited and regulated weapons and explosives offences</b>														
Prohibited weapons/explosives offences	-	14	18	52	52	76	49	25	5	4	-	295	33.9	
Regulated weapons/explosives offences	-	17	12	69	56	103	107	88	23	44	2	521	41.3	
<b>Total</b>	-	31	30	121	108	179	156	113	28	48	2	816	38.6	

<b>Property damage and environmental pollution</b>													
Property damage	-	358	328	1,204	660	882	490	133	29	19	4	4,107	29.3
Environmental pollution	2	1	2	20	12	36	30	17	6	2	41	169	38.2
<b>Total</b>	2	359	330	1,224	672	918	520	150	35	21	45	4,276	29.6
<b>Public order offences</b>													
Disorderly conduct	1	177	256	818	336	490	282	78	11	3	4	2,456	28.6
Regulated public order offences	2	23	33	134	130	224	134	57	11	15	29	792	34.7
Offensive conduct	2	157	193	576	426	594	426	114	27	22	20	2,557	31.6
<b>Total</b>	5	357	482	1,528	892	1,308	842	249	49	40	53	5,805	30.7
<b>Traffic and vehicle regulatory offences</b>													
Driver Licence offences	522	746	895	4,672	3,693	5,313	3,125	1,261	292	227	62	20,808	32.4
Vehicle registration and roadworthiness offences	13	18	28	160	147	258	237	129	45	35	27	1,097	38.0
Regulatory driving offences	449	810	1,070	5,502	4,701	6,991	4,711	2,664	642	589	488	28,617	34.7
<b>Total</b>	984	1,574	1,993	10,334	8,541	12,562	8,073	4,054	979	851	577	50,522	33.8
<b>Offences against justice procedures, government security and government operations</b>													
Breach of custodial order offences <sup>c</sup>	-	7	6	42	34	46	17	3	-	-	1	156	29.5
Breach of community-based order <sup>c</sup>	1	29	71	376	327	540	329	108	23	8	7	1,819	33.5
Breach of violence and non-violence restraining orders	-	42	65	330	433	1,097	771	233	45	31	5	3,052	36.7
Offences against government operations	1	1	-	22	50	288	315	235	69	32	117	1,130	45.0
Offences against government security	-	-	-	1	1	1	-	2	-	-	-	5	40.4
Offences against justice procedures	13	127	184	779	520	700	398	133	24	26	48	2,952	31.1
<b>Total</b>	15	206	326	1,550	1,365	2,672	1,830	714	161	97	178	9,114	35.0
<b>Miscellaneous offences</b>													
Defamation, libel and privacy offences	-	-	-	-	-	1	-	-	-	-	-	1	36.7
Public health and safety offences	-	14	15	97	119	210	131	60	10	11	371	1,038	35.9
Commercial/industry/financial regulation	-	1	1	24	35	153	141	70	25	21	20	491	42.8
Other miscellaneous offences	-	2	1	41	45	69	77	37	9	11	227	519	39.4
<b>Total</b>	-	17	17	162	199	433	349	167	44	43	618	2,049	38.9
<b>Grand Total</b>	<b>1,184</b>	<b>4,135</b>	<b>5,265</b>	<b>23,599</b>	<b>18,944</b>	<b>30,093</b>	<b>18,942</b>	<b>8,096</b>	<b>1,828</b>	<b>1,648</b>	<b>1,550</b>	<b>115,284</b>	<b>33.5</b>

<sup>a</sup> Type of offence is based on the 2008 version of the Australian Standard Offence Classification (ASOC) released by the Australian Bureau of Statistics. Previous publications used the 1997 version of ASOC. Caution should be used when comparing this data with that published in previous years.

<sup>b</sup> Sexual offences against children is not a category within ASOC. These offences are also counted in the appropriate ASOC categories - Sexual assault and Non-assaultive sexual offences.

<sup>c</sup> As it is not currently possible to separately identify breaches of suspended sentence in the 2009 data sourced from JusticeLink, they are counted as a 'Breach of community-based order' rather than a 'Breach of custodial order offences' in this table.

Note: Excluded from this table are 1,559 companies (included in Table 1.7) and 628 persons with unknown gender (included in Table 1.7).

TABLE 1.11a

**MALE PERSONS FOUND GUILTY IN LOCAL COURT APPEARANCES FINALISED:  
TYPE OF PRINCIPAL OFFENCE<sup>a</sup>, AGE, AVERAGE AGE**

Gender: Male													Average age Years
Age (years)													
Type of principal offence	Under 18		18	19	20-24	25-29	30-39	40-49	50-59	60-65	Over 65	Not known	Total
	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.
<b>Homicide and related offences</b>													
Manslaughter and driving causing death	-	1	-	7	-	5	1	1	3	-	2	-	19
<b>Total</b>	-	1	-	7	-	5	1	1	3	-	2	-	19
<b>Acts intended to cause injury</b>													
Assault	1	383	555	2,466	2,022	3,457	2,181	763	154	128	12	12,122	
Other acts intended to cause injury	-	52	66	345	318	693	405	116	25	18	3	2,041	
<b>Total</b>	1	435	621	2,811	2,340	4,150	2,586	879	179	146	15	14,163	
<b>Sexual assault and related offences</b>													
Sexual assault	-	2	14	44	35	64	65	33	8	21	-	286	
Non-assaultive sexual offences	-	-	2	6	10	26	24	11	8	8	-	95	
<b>Total</b>	-	2	16	50	45	90	89	44	16	29	-	381	
<i>Sexual offences against children<sup>b</sup></i>													
	-	-	8	17	16	34	37	17	6	18	-	153	
<b>Dangerous or negligent acts endangering persons</b>													
Dangerous or negligent operation of a vehicle	144	226	197	798	521	736	463	256	95	139	4	3,579	
Other dangerous or negligent acts endangering persons	-	1	4	6	8	9	4	-	-	-	1	33	
<b>Total</b>	144	227	201	804	529	745	467	256	95	139	5	3,612	
<b>Abduction, harassment and other offences against the person</b>													
Harassment and threatening behaviour	-	17	32	126	99	216	127	28	5	4	2	656	
<b>Total</b>	-	17	32	126	99	216	127	28	5	4	2	656	
<b>Robbery, extortion and related offences</b>													
Robbery	-	4	7	26	11	19	4	1	-	-	-	72	
Blackmail and extortion	-	-	-	-	1	-	-	-	-	-	-	1	
<b>Total</b>	-	4	7	26	12	19	4	1	-	-	-	73	
<b>Unlawful entry with intent/burglary, break and enter</b>													
	-	60	123	378	269	389	151	30	2	-	1	1,403	

<b>Theft and related offences</b>													
Motor vehicle theft and related offences	-	30	45	161	81	111	29	10	-	-	1	468	27.7
Theft (except motor vehicles)	1	169	184	544	437	754	386	136	33	33	3	2,680	32.0
Receive or handle proceeds of crime	-	68	70	219	244	406	198	57	12	6	2	1,282	32.4
Illegal use of property (except motor vehicles)	-	-	-	-	-	1	1	-	-	-	-	2	38.2
<b>Total</b>	<b>1</b>	<b>267</b>	<b>299</b>	<b>924</b>	<b>762</b>	<b>1,272</b>	<b>614</b>	<b>203</b>	<b>45</b>	<b>39</b>	<b>6</b>	<b>4,432</b>	<b>31.7</b>
<b>Fraud, deception and related offences</b>													
Obtain benefit by deception	-	17	33	157	187	368	215	101	19	33	9	1,139	36.3
Forgery and counterfeiting	-	5	13	58	49	81	46	14	4	2	-	272	33.3
Deceptive business/government practices	-	-	5	5	5	21	12	8	3	1	3	63	38.8
Other fraud and deception offences	1	12	23	86	61	99	50	30	3	4	7	376	32.6
<b>Total</b>	<b>1</b>	<b>34</b>	<b>74</b>	<b>306</b>	<b>302</b>	<b>569</b>	<b>323</b>	<b>153</b>	<b>29</b>	<b>40</b>	<b>19</b>	<b>1,850</b>	<b>35.2</b>
<b>Illicit drug offences</b>													
Import or export illicit drugs	-	-	-	1	-	-	-	-	-	-	-	1	21.9
Deal or traffic in illicit drugs	-	17	24	108	70	117	90	43	3	1	-	473	33.5
Manufacture or cultivate illicit drugs	-	4	1	43	77	158	137	99	15	6	-	540	40.1
Possess and/or use illicit drugs	3	193	291	1,409	1,065	1,520	933	294	33	12	2	5,755	31.8
Other illicit drug offences	-	5	5	9	7	17	11	3	1	-	1	59	32.4
<b>Total</b>	<b>3</b>	<b>219</b>	<b>321</b>	<b>1,570</b>	<b>1,219</b>	<b>1,812</b>	<b>1,171</b>	<b>439</b>	<b>52</b>	<b>19</b>	<b>3</b>	<b>6,828</b>	<b>32.6</b>
<b>Prohibited and regulated weapons and explosives offences</b>													
Prohibited weapons/explosives offences	-	13	18	49	48	71	42	23	5	4	-	273	33.8
Regulated weapons/explosives offences	-	17	11	67	52	95	98	83	22	41	2	488	41.3
<b>Total</b>	<b>-</b>	<b>30</b>	<b>29</b>	<b>116</b>	<b>100</b>	<b>166</b>	<b>140</b>	<b>106</b>	<b>27</b>	<b>45</b>	<b>2</b>	<b>761</b>	<b>38.6</b>
<b>Property damage and environmental pollution</b>													
Property damage	-	322	294	1,078	579	737	388	105	27	16	3	3,549	28.9
Environmental pollution	2	1	2	15	9	26	21	15	5	1	33	130	38.2
<b>Total</b>	<b>2</b>	<b>323</b>	<b>296</b>	<b>1,093</b>	<b>588</b>	<b>763</b>	<b>409</b>	<b>120</b>	<b>32</b>	<b>17</b>	<b>36</b>	<b>3,679</b>	<b>29.2</b>
<b>Public order offences</b>													
Disorderly conduct	1	158	224	721	287	387	234	63	10	3	2	2,090	28.3
Regulated public order offences	1	20	31	120	109	189	106	44	10	14	28	672	34.5
Offensive conduct	2	133	159	490	359	436	321	95	25	21	15	2,056	31.3
<b>Total</b>	<b>4</b>	<b>311</b>	<b>414</b>	<b>1,331</b>	<b>755</b>	<b>1,012</b>	<b>661</b>	<b>202</b>	<b>45</b>	<b>38</b>	<b>45</b>	<b>4,818</b>	<b>30.4</b>

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TABLE 1.11a continued

		Gender: Male											Average age	
		Age (years)											Years	
Under		18	19	20-24	25-29	30-39	40-49	50-59	60-65	Over 65	Not known	Total		
No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	
<b>Type of principal offence</b>														
<b>Traffic and vehicle regulatory offences</b>														
	Driver Licence offences	423	624	733	3,713	2,868	4,075	2,413	1,013	251	201	56	16,370	32.4
	Vehicle registration and roadworthiness offences	11	16	22	125	108	190	172	100	40	31	27	842	38.1
	Regulatory driving offences	382	669	861	4,501	3,825	5,586	3,656	2,148	541	513	466	23,148	34.7
	<b>Total</b>	816	1,309	1,616	8,339	6,801	9,851	6,241	3,261	832	745	549	40,360	33.8
<b>Offences against justice procedures, government security and government operations</b>														
	Breach of custodial order offences <sup>c</sup>	-	5	5	41	30	39	14	2	-	-	1	137	29.1
	Breach of community-based order <sup>c</sup>	1	25	69	313	266	450	250	94	19	8	6	1,501	33.3
	Breach of violence and non-violence restraining orders	-	38	52	288	369	974	667	200	38	26	5	2,657	36.7
	Offences against government operations	1	1	-	19	42	254	264	196	64	24	87	952	44.8
	Offences against government security	-	-	-	-	1	1	-	2	-	-	-	4	45.3
	Offences against justice procedures	10	112	151	620	385	523	293	97	20	22	40	2,273	30.8
	<b>Total</b>	12	181	277	1,281	1,093	2,241	1,488	591	141	80	139	7,524	35.0
<b>Miscellaneous offences</b>														
	Public health and safety offences	-	12	12	76	94	161	89	44	9	10	245	752	35.6
	Commercial/industry/financial regulation	-	1	1	22	30	136	121	61	20	18	15	425	42.5
	Other miscellaneous offences	-	2	1	37	41	54	65	35	6	11	76	328	39.4
	<b>Total</b>	-	15	14	135	165	351	275	140	35	39	336	1,505	38.8
	<b>Grand Total</b>	<b>984</b>	<b>3,435</b>	<b>4,340</b>	<b>19,297</b>	<b>15,079</b>	<b>23,651</b>	<b>14,747</b>	<b>6,456</b>	<b>1,535</b>	<b>1,382</b>	<b>1,158</b>	<b>92,064</b>	<b>33.4</b>

<sup>a</sup> Type of offence is based on the 2008 version of the Australian Standard Offence Classification (ASOC) released by the Australian Bureau of Statistics. Previous publications used the 1997 version of ASOC. Caution should be used when comparing this data with that published in previous years.

<sup>b</sup> Sexual offences against children is not a category within ASOC. These offences are also counted in the appropriate ASOC categories - Sexual assault and Non-assaultive sexual offences.

<sup>c</sup> As it is not currently possible to separately identify breaches of suspended sentence in the 2009 data sourced from JusticeLink, they are counted as a 'Breach of community-based order' rather than a 'Breach of custodial order offences' in this table.

TABLE 1.11b

**FEMALE PERSONS FOUND GUILTY IN LOCAL COURT APPEARANCES FINALISED:  
TYPE OF PRINCIPAL OFFENCE<sup>a</sup>, AGE, AVERAGE AGE**

<b>Gender: Female</b>																										
<b>Age (years)</b>																										
<b>Under</b>		<b>18</b>		<b>19</b>		<b>20-24</b>		<b>25-29</b>		<b>30-39</b>		<b>40-49</b>		<b>50-59</b>		<b>60-65</b>		<b>Over 65</b>		<b>Not known</b>		<b>Total</b>		<b>Average age</b>		
<b>Type of principal offence</b>		No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	Years	Years	
<b>Homicide and related offences</b>																										
Manslaughter and driving causing death		-	-	-	1	-	2	3	1	-	1	-	1	-	1	-	1	-	1	-	-	-	8	43.2		
<b>Total</b>		-	-	-	1	-	2	3	1	-	1	-	1	-	1	-	1	-	1	-	-	-	8	43.2		
<b>Acts intended to cause injury</b>																										
Assault		1	118	147	562	459	862	507	150	19	21	7	2,853	32.9												
Other acts intended to cause injury		-	8	14	41	48	83	54	10	-	2	-	260	33.0												
<b>Total</b>		1	126	161	603	507	945	561	160	19	23	7	3,113	32.9												
<b>Sexual assault and related offences</b>																										
Sexual assault		-	-	-	-	-	1	2	1	-	-	-	4	46.0												
Non-assaultive sexual offences		-	-	-	-	-	-	1	-	-	-	-	1	41.9												
<b>Total</b>		-	-	-	-	-	1	3	1	-	-	-	5	45.2												
<i>Sexual offences against children<sup>b</sup></i>																										
Sexual offences against children <sup>b</sup>		-	-	-	-	-	-	1	1	-	-	-	2	52.9												
<b>Dangerous or negligent acts endangering persons</b>																										
Dangerous or negligent operation of a vehicle		26	37	33	132	107	194	122	74	12	45	1	783	35.8												
Other dangerous or negligent acts endangering persons		-	-	-	3	3	7	4	-	-	1	-	18	35.9												
<b>Total</b>		26	37	33	135	110	201	126	74	12	46	1	801	35.8												
<b>Abduction, harassment and other offences against the person</b>																										
Harassment and threatening behaviour		-	3	5	15	15	42	16	10	3	1	-	110	35.1												
<b>Total</b>		-	3	5	15	15	42	16	10	3	1	-	110	35.1												

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TABLE 1.11b continued

		Gender: Female											
		Age (years)											
Type of principal offence	Under 18	18	19	20-24	25-29	30-39	40-49	50-59	60-65	Over 65	Not known	Total	Average age
	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	Years
<b>Robbery, extortion and related offences</b>													
Robbery	-	1	-	1	2	4	1	-	-	-	-	9	30.9
Total	-	1	-	1	2	4	1	-	-	-	-	9	30.9
<b>Unlawful entry with intent/burglary, break and enter</b>													
Total	-	9	7	33	33	42	13	3	-	-	-	140	29.4
<b>Theft and related offences</b>													
Motor vehicle theft and related offences	-	5	10	13	17	17	6	2	1	-	-	71	29.2
Theft (except motor vehicles)	1	77	71	310	312	472	230	102	32	33	2	1,642	33.5
Receive or handle proceeds of crime	-	18	22	86	91	143	73	23	5	4	-	465	32.9
Illegal use of property (except motor vehicles)	-	-	-	-	-	1	-	-	-	-	-	1	37.7
Total	1	100	103	409	420	633	309	127	38	37	2	2,179	33.2
<b>Fraud, deception and related offences</b>													
Obtain benefit by deception	-	4	11	110	200	430	284	123	25	14	9	1,210	37.5
Forgery and counterfeiting	-	3	3	22	19	39	22	5	1	1	-	115	33.9
Deceptive business/government practices	-	-	-	1	1	5	6	3	-	-	2	18	42.6
Other fraud and deception offences	-	15	19	62	40	50	30	11	2	1	2	232	30.7
Total	-	22	33	195	260	524	342	142	28	16	13	1,575	36.3
<b>Illicit drug offences</b>													
Deal or traffic in illicit drugs	-	-	2	18	25	40	28	7	1	2	-	123	35.4
Manufacture or cultivate illicit drugs	-	1	2	7	9	32	36	24	3	3	1	118	41.8
Possess and/or use illicit drugs	-	26	47	254	204	284	200	60	5	1	2	1,083	32.3
Other illicit drug offences	-	-	-	7	5	4	1	4	-	-	-	21	33.0
Total	-	27	51	286	243	360	265	95	9	6	3	1,345	33.4
<b>Prohibited and regulated weapons and explosives offences</b>													
Prohibited weapons/explosives offences	-	1	-	3	4	5	7	2	-	-	-	22	36.0
Regulated weapons/explosives offences	-	-	1	2	4	8	9	5	1	3	-	33	42.4
Total	-	1	1	5	8	13	16	7	1	3	-	55	39.8



<b>Property damage and environmental pollution</b>													
Property damage	-	36	34	126	81	145	102	28	2	3	1	558	31.9
Environmental pollution	-	-	-	5	3	10	9	2	1	1	8	39	38.1
<b>Total</b>	-	36	34	131	84	155	111	30	3	4	9	597	32.2
<b>Public order offences</b>													
Disorderly conduct	-	19	32	97	49	103	48	15	1	-	2	366	30.4
Regulated public order offences	1	3	2	14	21	35	28	13	1	1	1	120	36.2
Offensive conduct	-	24	34	86	67	158	105	19	2	1	5	501	32.7
<b>Total</b>	1	46	68	197	137	296	181	47	4	2	8	987	32.3
<b>Traffic and vehicle regulatory offences</b>													
Driver Licence offences	99	122	162	959	825	1,238	712	248	41	26	6	4,438	32.5
Vehicle registration and roadworthiness offences	2	2	6	35	39	68	65	29	5	4	-	255	37.4
Regulatory driving offences	67	141	209	1,001	876	1,405	1,055	516	101	76	22	5,469	34.9
<b>Total</b>	168	265	377	1,995	1,740	2,711	1,832	793	147	106	28	10,162	33.9
<b>Offences against justice procedures, government security and government operations</b>													
Breach of custodial order offences <sup>c</sup>	-	2	1	1	4	7	3	1	-	-	-	19	32.5
Breach of community-based order <sup>c</sup>	-	4	2	63	61	90	79	14	4	-	1	318	34.3
Breach of violence and non-violence restraining orders	-	4	13	42	64	123	104	33	7	5	-	395	36.8
Offences against government operations	-	-	-	3	8	34	51	39	5	8	30	178	46.0
Offences against government security	-	-	-	1	-	-	-	-	-	-	-	1	20.8
Offences against justice procedures	3	15	33	159	135	177	105	36	4	4	8	679	32.1
<b>Total</b>	3	25	49	269	272	431	342	123	20	17	39	1,590	35.1
<b>Miscellaneous offences</b>													
Defamation, libel and privacy offences	-	-	-	-	-	1	-	-	-	-	-	1	36.7
Public health and safety offences	-	2	3	21	25	49	42	16	1	1	126	286	36.9
Commercial/industry/financial regulation	-	-	-	2	5	17	20	9	5	3	5	66	44.7
Other miscellaneous offences	-	-	-	4	4	15	12	2	3	-	151	191	39.7
<b>Total</b>	-	2	3	27	34	82	74	27	9	4	282	544	39.2
<b>Grand Total</b>	<b>200</b>	<b>700</b>	<b>925</b>	<b>4,302</b>	<b>3,865</b>	<b>6,442</b>	<b>4,195</b>	<b>1,640</b>	<b>293</b>	<b>266</b>	<b>392</b>	<b>23,220</b>	<b>33.9</b>

<sup>a</sup> Type of offence is based on the 2008 version of the Australian Standard Offence Classification (ASOC) released by the Australian Bureau of Statistics. Previous publications used the 1997 version of ASOC. Caution should be used when comparing this data with that published in previous years.

<sup>b</sup> Sexual offences against children is not a category within ASOC. These offences are also counted in the appropriate ASOC categories - Sexual assault and Non-assaultive sexual offences.

<sup>c</sup> As it is not currently possible to separately identify breaches of suspended sentence in the 2009 data sourced from JusticeLink, they are counted as a 'Breach of community-based order' rather than a 'Breach of custodial order offences' in this table.

TABLE 1.12

**PERSONS CHARGED IN LOCAL COURT APPEARANCES FINALISED<sup>a</sup>  
AND DURATION OF PROCEEDINGS:  
OUTCOME OF APPEARANCE, BAIL STATUS**

- <sup>1</sup> Total includes 138 persons with unknown bail status.  
<sup>2</sup> Total includes 55 persons with unknown bail status.  
<sup>3</sup> Total includes 77 persons with unknown bail status.  
<sup>4</sup> Total includes 6 persons with unknown bail status.  
<sup>5</sup> Total includes 604 persons with unknown bail status.  
<sup>6</sup> Total includes 476 persons with unknown bail status.  
<sup>7</sup> Total includes 94 persons with unknown bail status.  
<sup>8</sup> Total includes 131 persons with unknown bail status.  
<sup>9</sup> Total includes 12 persons with unknown bail status.

Outcome of appearance	Bail status											
	On bail				In custody <sup>b</sup>				Total			
	Court Delay		First appearance to determination		Court Delay		First appearance to determination		Court Delay		First appearance to determination	
	No.	Median delay (days)	Persons charged	Median delay (days)	Persons charged	Median delay (days)	Persons charged	Median delay (days)	Persons charged	Median delay (days)	Persons charged	
<b>Proceeded to defended hearing</b>	14,724	33.0	123.0	2,391	22.0	107.0	17,253 <sup>1</sup>	32.0	120.0			
All charges dismissed	5,265	33.0	133.0	567	8.0	79.0	5,887 <sup>2</sup>	31.0	127.0			
Guilty of at least one charge	8,701	33.0	114.0	1,650	24.0	121.0	10,428 <sup>3</sup>	32.0	114.0			
Other <sup>c</sup>	758	30.0	128.0	174	27.0	96.0	938 <sup>4</sup>	30.0	124.0			
<b>Proven outcome not further described<sup>d</sup></b>	4,334	36.0	0.0	577	48.5	7.0	5,515 <sup>5</sup>	42.0	0.0			
<b>Sentenced after guilty plea</b>	76,220	30.0	21.0	6,603	21.0	50.0	83,299 <sup>6</sup>	30.0	21.0			
<b>Convicted ex parte<sup>e</sup></b>	15,370	38.0	0.0	268	31.5	58.5	15,732 <sup>7</sup>	38.0	0.0			
<b>All charges dismissed without hearing</b>	8,939	33.0	104.0	636	19.5	114.0	9,706 <sup>8</sup>	33.0	104.0			
<b>All charges otherwise disposed of</b>	154	38.5	13.5	251	15.0	21.0	417 <sup>9</sup>	26.0	16.0			

<sup>a</sup> An arrest warrant is no longer a finalising outcome. Caution should be used when comparing this data with that published in previous years.

<sup>b</sup> 'In custody' replaces 'Bail refused' and 'In custody, prior offence'.

<sup>c</sup> The category 'Proceeded to defended hearing: Other' includes persons for whom one or more charges were dismissed after a defended hearing, but who either (1) pleaded guilty to other charges or (2) were convicted ex parte of other charges.

<sup>d</sup> The category 'Proven outcome not further described' includes persons who received a sentence but there was insufficient data to indicate whether they had proceeded to defended hearing or were sentenced after a guilty plea.

<sup>e</sup> Persons convicted in their absence are not as well recorded in JusticeLink as in previous systems. Caution should be used when comparing this data with that published in previous years.

Note: Excluded from this table are 1,821 companies

TABLE 1.13

**PERSONS<sup>a</sup> FOUND GUILTY IN LOCAL COURT APPEARANCES FINALISED:  
TYPE OF PRINCIPAL OFFENCE<sup>b</sup>, PRIOR PROVEN OFFENCES SINCE 2000**

Type of principal offence	No prior proven offences						Prior proven offences since 2000						Total			
	No. of offences		%		No. of offences		%		No. of offences		%		No. of offences		%	
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
Homicide and related offences	20	90.9	2	9.1	-	-	-	-	-	-	-	-	-	-	22	100.0
Acts intended to cause injury	5,327	37.0	4,167	29.0	3,631	25.2	1,267	8.8	14,392	100.0						
Sexual assault and related offences	176	55.2	112	35.1	12	3.8	19	6.0	319	100.0						
Dangerous or negligent acts endangering persons	2,581	60.7	1,332	31.3	310	7.3	30	0.7	4,253	100.0						
Abduction, harassment and other offences against the person	149	24.6	394	65.0	40	6.6	23	3.8	606	100.0						
Robbery, extortion and related offences	11	21.6	32	62.7	2	3.9	6	11.8	51	100.0						
Unlawful entry with intent/burglary, break and enter	173	15.5	444	39.7	136	12.2	365	32.6	1,118	100.0						
Theft and related offences	1,652	27.1	1,450	23.8	1,684	27.7	1,299	21.3	6,085	100.0						
Fraud, deception and related offences	1,716	56.2	918	30.1	343	11.2	77	2.5	3,054	100.0						
Illicit drug offences	2,870	35.3	2,615	32.1	2,277	28.0	373	4.6	8,135	100.0						
Prohibited and regulated weapons and explosives offences	399	50.7	326	41.4	46	5.8	16	2.0	787	100.0						
Property damage and environmental pollution	1,674	36.1	1,830	39.5	909	19.6	222	4.8	4,635	100.0						
Public order offences	1,864	31.6	1,766	30.0	1,986	33.7	277	4.7	5,893	100.0						
Traffic and vehicle regulatory offences	24,166	50.4	5,837	12.2	17,051	35.5	920	1.9	47,974	100.0						
government operations	2,597	24.4	3,656	34.3	3,163	29.7	1,232	11.6	10,648	100.0						
Miscellaneous offences	1,056	53.9	641	32.7	247	12.6	15	0.8	1,959	100.0						
<b>Total</b>	<b>46,431</b>	<b>42.2</b>	<b>25,522</b>	<b>23.2</b>	<b>31,837</b>	<b>29.0</b>	<b>6,141</b>	<b>5.6</b>	<b>109,931</b>	<b>100.0</b>						

<sup>a</sup> The data in this table are sourced from the NSW Bureau of Crime Statistics and Research's Reoffending Database (ROD) which is derived from court data. As a consequence, the totals shown here are slightly different to those presented elsewhere in this section of the report.

<sup>b</sup> Type of offence is based on the 2008 version of the Australian Standard Offence Classification (ASOC) released by the Australian Bureau of Statistics. Previous publications used the 1997 version of ASOC. Caution should be used when comparing this data with that published in previous years.

TABLE 1.14

**APPREHENDED VIOLENCE ORDERS (AVOs) GRANTED:  
STATISTICAL DIVISION<sup>a</sup> OF RESIDENCE OF PERSON OF INTEREST (POI)<sup>b</sup>**

<i>Statistical Division of residence of POI<sup>b</sup></i>	<i>Domestic AVO</i>		<i>Personal AVO</i>	
	<i>No.</i>	<i>Rate<sup>c</sup> per 100,000 population</i>	<i>No.</i>	<i>Rate<sup>c</sup> per 100,000 population</i>
Sydney:				
Inner Sydney	1,060	302.5	374	106.7
Eastern Suburbs	426	166.9	161	63.1
St George-Sutherland	973	211.6	278	60.5
Canterbury-Bankstown	920	279.4	211	64.1
Fairfield-Liverpool	1,297	344.2	333	88.4
Outer South Western Sydney	1,209	482.4	265	105.7
Inner Western Sydney	339	179.6	57	30.2
Central Western Sydney	1,015	295.0	248	72.1
Outer Western Sydney	1,043	320.0	257	78.8
Blacktown	1,323	441.3	395	131.8
Lower Northern Sydney	322	102.6	83	26.4
Central Northern Sydney	366	81.3	98	21.8
Northern Beaches	295	121.0	82	33.6
Central Coast	1,084	343.0	259	82.0
Hunter	2,546	395.2	946	146.8
Illawarra	1,547	358.8	551	127.8
Richmond-Tweed	906	374.5	326	134.7
Mid-North Coast	1,423	459.6	627	202.5
Northern	1,090	589.8	443	239.7
North Western	899	758.4	350	295.3
Central West	894	488.1	342	186.7
South Eastern	794	366.6	314	145.0
Murrumbidgee	941	593.3	369	232.7
Murray	563	474.9	214	180.5
Far West	316	1,390.2	110	483.9
<b>New South Wales</b>	<b>24,310<sup>d</sup></b>	<b>340.7</b>	<b>7,885<sup>e</sup></b>	<b>110.5</b>

<sup>a</sup> Refer to Appendix 4 for a listing of Local Government Areas within NSW Statistical Divisions .

<sup>b</sup> The AVOs were granted against the POIs (persons of interest).

<sup>c</sup> The population data used to calculate rates are preliminary estimates as at 30 March 2010 from the Australian Bureau of Statistics publication *Regional Population Growth Australia, 30 March 2010, Catalogue no. 3218.0*.

<sup>d</sup> Total includes 443 people whose residence was recorded as interstate and 276 people whose residence was recorded as unknown.

<sup>e</sup> Total includes 102 people whose residence was recorded as interstate and 90 people whose residence was recorded as unknown.

**TABLE 1.15****PERSONS CHARGED IN LOCAL COURT APPEARANCES FINALISED:  
STATISTICAL DIVISION<sup>a</sup> OF RESIDENCE**

<i>Statistical Division of residence</i>	<i>Persons charged</i>	
	<i>No.</i>	<i>Rate<sup>b</sup> per 100,000 population</i>
Sydney:		
Inner Sydney	7,842	2,238.1
Eastern Suburbs	3,565	1,396.6
St George-Sutherland	6,437	1,399.9
Canterbury-Bankstown	6,019	1,828.3
Fairfield-Liverpool	7,545	2,002.4
Outer South Western Sydney	5,664	2,259.9
Inner Western Sydney	2,207	1,169.5
Central Western Sydney	5,985	1,739.5
Outer Western Sydney	5,440	1,669.0
Blacktown	6,890	2,298.2
Lower Northern Sydney	2,595	826.8
Central Northern Sydney	3,521	782.3
Northern Beaches	2,730	1,119.5
Central Coast	6,279	1,987.0
Hunter	12,571	1,951.2
Illawarra	7,478	1,734.4
Richmond-Tweed	4,478	1,850.8
Mid-North Coast	6,232	2,013.0
Northern	4,016	2,172.9
North Western	3,259	2,749.4
Central West	3,693	2,016.3
South Eastern	3,729	1,721.7
Murrumbidgee	3,618	2,281.3
Murray	2,045	1,725.2
Far West	626	2,753.9
<b>New South Wales</b>	<b>124,464</b>	<b>1,744.6</b>

<sup>a</sup> Refer to Appendix 4 for listing of Local Government Areas within NSW Statistical Divisions.

<sup>b</sup> The population data used to calculate rates are preliminary estimates as at 30 March 2010 from the Australian Bureau of Statistics publication *Regional Population Growth Australia, 30 March 2010, Catalogue no. 3218.0*.

Note: Excluded from this table are 4,533 people whose residence was interstate or overseas, 2,410 people whose residence was unknown and 2,336 people who were in custody.

TABLE 1.16

**PERSONS FOUND GUILTY IN LOCAL COURT APPEARANCES FINALISED, RATE<sup>a</sup> PER 100,000 POPULATION:  
STATISTICAL DIVISION<sup>b</sup> OF RESIDENCE, TYPE OF PRINCIPAL OFFENCE<sup>c</sup>**

Statistical Division of residence	Type of principal offence															
	Homicide and related offences	Acts intended to cause injury	Sexual assault and related offences	Dangerous or negligent acts endangering persons	Abduction harassment and other offences against the person	Robbery, extortion and related offences	Unlawful entry with intent / burglary, break and enter	Theft and related offences	Fraud, deception and related offences	Illicit drug offences	Prohibited and regulated weapons and explosives offences	Property damage and environmental pollution	Public order offences	Traffic and vehicle regulatory offences	Against justice procedures, government security and government operations	Miscellaneous offences
	Rate per 100,000 population															
Sydney:																
Inner Sydney	0.3	263.4	6.3	47.9	8.0	2.0	32.0	217.2	75.9	272.6	9.4	73.6	142.1	571.7	149.6	46.5
Eastern Suburbs	-	141.8	5.5	43.5	4.3	1.2	10.2	79.5	35.3	108.5	4.7	41.5	50.9	555.9	97.5	23.9
St George-Sutherland	0.4	147.7	3.9	45.7	5.9	0.7	5.2	69.8	37.0	108.1	7.6	38.7	52.4	557.0	85.3	38.1
Canterbury-Bankstown	0.3	167.1	4.9	77.5	10.0	1.5	9.4	89.6	58.0	117.9	8.2	36.1	67.7	743.0	111.8	45.0
Fairfield-Liverpool	0.5	238.9	5.3	75.4	6.9	2.4	21.5	114.6	66.9	116.0	12.5	45.9	82.5	822.7	109.1	33.7
Outer South Western Sydney	0.4	363.5	6.4	83.8	17.2	0.4	23.1	112.1	59.1	96.2	14.4	92.6	100.5	826.7	141.6	40.7
Inner Western Sydney	-	113.4	5.3	42.4	3.2	1.6	7.4	62.5	37.1	86.4	5.3	33.9	38.2	476.9	61.5	31.3
Central Western Sydney	0.3	186.6	4.4	71.5	9.6	0.3	20.1	104.3	63.4	82.5	10.8	46.2	73.5	674.9	104.0	34.3
Outer Western Sydney	1.2	176.7	4.3	62.6	8.9	1.5	11.7	70.9	53.4	104.0	10.4	65.7	77.6	715.5	97.3	19.0
Blacktown	0.3	286.5	5.3	81.7	15.3	0.7	24.0	117.7	75.4	103.4	10.7	69.0	89.7	935.0	158.4	25.7
Lower Northern Sydney	0.3	73.0	1.9	37.6	3.5	-	5.1	47.5	22.3	45.2	3.8	23.9	27.1	355.9	50.0	16.6
Central Northern Sydney	0.2	58.4	0.9	45.3	1.8	0.2	3.8	29.1	20.9	45.1	4.9	20.2	20.2	359.5	44.9	24.2
Northern Beaches	0.4	85.3	3.3	39.0	4.5	-	6.2	43.1	28.3	83.2	5.7	39.0	31.2	502.8	64.8	27.9
Central Coast	-	258.9	7.3	67.4	14.9	0.9	20.3	93.4	44.3	92.1	7.0	70.6	61.1	856.9	154.4	27.8

Hunter	0.3	294.3	5.0	63.6	10.2	1.7	30.7	103.1	43.6	100.1	9.5	71.7	77.3	782.0	136.0	21.7
Illawarra	0.2	257.9	6.0	50.6	13.2	0.7	23.0	89.1	45.2	102.7	9.0	65.4	76.1	661.0	125.2	24.1
Richmond-Tweed	0.8	241.0	4.1	55.8	12.0	0.8	14.5	52.5	45.9	153.3	10.3	53.3	64.1	837.8	118.2	12.8
Mid-North Coast	0.6	345.3	5.8	54.3	13.2	1.0	19.4	88.5	46.5	129.5	12.9	84.6	109.8	720.3	155.4	23.6
Northern	0.5	381.4	10.3	51.9	22.7	1.6	24.3	64.4	47.1	111.5	29.2	93.1	161.2	700.7	179.6	10.8
North Western	-	448.0	9.3	67.5	20.2	-	28.7	102.1	53.1	115.6	34.6	90.3	208.4	837.7	274.2	28.7
Central West	-	332.5	5.5	57.9	13.1	1.1	33.9	80.3	29.5	150.1	18.0	78.6	131.6	656.3	160.0	21.8
South Eastern	0.9	260.4	5.5	58.6	14.3	0.9	24.5	57.3	32.8	104.3	22.2	68.8	76.2	650.1	123.3	36.5
Murrumbidgee	-	407.3	6.3	70.0	15.8	1.3	19.5	64.3	33.4	101.5	24.6	86.4	116.0	930.7	162.7	26.5
Murray	-	311.3	4.2	55.7	16.0	-	23.6	66.6	33.7	83.5	18.6	55.7	86.9	646.2	109.7	15.2
Far West	-	624.7	8.8	79.2	26.4	-	30.8	70.4	39.6	136.4	8.8	114.4	184.8	752.3	228.8	26.4
<b>New South Wales</b>	<b>0.4</b>	<b>229.3</b>	<b>5.0</b>	<b>58.6</b>	<b>10.1</b>	<b>1.0</b>	<b>18.1</b>	<b>86.8</b>	<b>46.1</b>	<b>108.3</b>	<b>10.9</b>	<b>57.9</b>	<b>77.8</b>	<b>674.0</b>	<b>117.9</b>	<b>28.0</b>

<sup>a</sup> The population data used to calculate rates are preliminary estimates as at 30 March 2010 from the Australian Bureau of Statistics publication Regional Population Growth Australia, 30 March 2010, Catalogue no. 3218.0.

<sup>b</sup> Refer to Appendix 4 for a listing of Local Government Areas within NSW Statistical Divisions.

<sup>c</sup> Type of offence is based on the 2008 version of the Australian Standard Offence Classification (ASOC) released by the Australian Bureau of Statistics. Previous publications used the 1997 version of ASOC. Caution should be used when comparing this data with that published in previous years.

Note: Excluded from this table are 4,179 people whose residence was interstate or overseas, 2,106 people whose residence was unknown and 2,036 people who were in custody.





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**SECTION 2:  
NEW SOUTH WALES  
CHILDREN'S COURT**

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Tables

TABLE 2.1

**PERSONS CHARGED AND NUMBER OF CHARGES IN CHILDREN'S COURT APPEARANCES FINALISED<sup>a</sup>:  
TYPE OF OFFENCE CHARGED AND NUMBER OF CHARGES<sup>b</sup>**

<i>Type of offence charged Division/Subdivision/Group</i>	<i>Persons charged<sup>c</sup></i>		<i>Charges</i>	
	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>
<b>Homicide and related offences</b>				
Manslaughter and driving causing death	4	4	7	7
<b>Total</b>		4		7
<b>Acts intended to cause injury</b>				
Assault	1,179	1,179	1,382	1,382
Serious assault resulting in injury	472	472	569	569
Serious assault not resulting in injury	1,767	1,767	2,073	2,073
Common assault	403	403	449	449
Stalking	42	42	44	44
Other acts intended to cause injury				
<b>Total</b>	3,141	3,141	4,517	4,517
<b>Sexual assault and related offences</b>				
Sexual assault	129	129	225	225
Aggravated sexual assault	10	10	10	10
Non-aggravated sexual assault	2	2	2	2
Child pornography offences	138	138	237	237
<b>Total</b>	97	97	181	181
<i>Sexual offences against children<sup>d</sup></i>				
<b>Dangerous or negligent acts endangering persons</b>				
Dangerous or negligent operation of a vehicle	22	22	25	25
Drive under the influence of alcohol or other substance	260	260	306	306
Dangerous or negligent operation (driving) of a vehicle	1	1	2	2
Neglect or ill-treatment of persons under care	12	12	15	15
Other dangerous or negligent acts endangering persons	289	289	348	348
<b>Total</b>				

<b>Abduction, harassment and other offences against the person</b>		
Abduction and kidnapping	13	16
Deprivation of liberty/false imprisonment	2	2
Harassment and threatening behaviour	2	2
Threatening behaviour	178	199
<b>Total</b>	<b>193</b>	<b>219</b>
<b>Robbery, extortion and related offences</b>		
Robbery	891	1,135
Aggravated robbery	145	163
Non-aggravated robbery	1,003	1,298
<b>Total</b>	<b>1,565</b>	<b>2,375</b>
<b>Unlawful entry with intent/burglary, break and enter</b>		
<b>Theft and related offences</b>		
Motor vehicle theft and related offences	62	68
Theft of a motor vehicle	787	1,003
Theft (except motor vehicles)	147	162
Theft from a person (excluding by force)	3	67
Theft of intellectual property	524	602
Theft from retail premises	838	1,034
Theft (except motor vehicles), other	703	839
Receive or handle proceeds of crime	2,509	3,775
<b>Total</b>	<b>2,509</b>	<b>3,775</b>
<b>Fraud, deception and related offences</b>		
Obtain benefit by deception	83	122
Forgery and counterfeiting	11	20
Deceptive business/government practices	5	5
Other fraud and deception offences	1	1
Illegal non-fraudulent trade practices	5	42
Dishonest conversion	24	25
Other fraud and deception offences, other	127	215
<b>Total</b>	<b>127</b>	<b>215</b>

Table continues on next page

TABLE 2.1 continued

Type of offence charged Division/Subdivision/Group	Persons charged <sup>c</sup>		Charges	
	No.	No.	No.	No.
<b>Illicit drug offences</b>				
Deal or traffic in illicit drugs				
Deal or traffic in illicit drugs - commercial quantity		4		5
Deal or traffic in illicit drugs - non-commercial quantity		89		111
Manufacture or cultivate illicit drugs		1		1
Cultivate illicit drugs		14		14
Possess illicit drugs		373		402
Use illicit drugs		10		10
Other illicit drug offences, other		15		15
<b>Total</b>		<b>418</b>		<b>558</b>
<b>Prohibited and regulated weapons and explosives offences</b>				
Prohibited weapons/explosives offences				
Sell, possess and/or use prohibited weapons/explosives		40		44
Prohibited weapons/explosives offences, other		1		1
Regulated weapons/explosives offences				
Unlawfully obtain or possess regulated weapons/explosives		37		53
Misuse of regulated weapons/explosives		34		39
<b>Total</b>		<b>97</b>		<b>137</b>
<b>Property damage and environmental pollution</b>				
Property damage				
Property damage by fire or explosion		97		112
Graffiti		47		53
Property damage, other		1,839		2,384
Environmental pollution				
Noise pollution offences		3		3
Environmental pollution, other		3		3
<b>Total</b>		<b>1,948</b>		<b>2,555</b>
<b>Public order offences</b>				
Disorderly conduct				
Trespass		759		846
Criminal intent		304		331
Riot and affray		752		802
Liquor and tobacco offences		28		35
Prostitution offences		1		1
Offences against public order sexual standards		8		8
Consumption of legal substances in prohibited spaces		12		12
Regulated public order offences, other		5		5
Offensive language		421		446
Offensive behaviour		599		637
Cruelty to animals		13		14
<b>Total</b>		<b>2,467</b>		<b>3,137</b>

<b>Traffic and vehicle regulatory offences</b>		
Driver Licence offences	86	112
Drive while licence disqualified or suspended	507	565
Drive without a licence	14	16
Driver licence offences, other	218	263
Registration offences	125	127
Exceed the prescribed content of alcohol or other substance limit	221	241
Regulatory driving offences, other	699	1,324
<b>Total</b>		
<b>Offences against justice procedures, government security and government operations</b>		
Breach of custodial order offences <sup>e</sup>	62	65
Escape custody offences	5	5
Breach of suspended sentence	19	24
Breach of community service order	284	357
Breach of bail	135	155
Breach of bond - probation	346	834
Breach of bond - other	2	2
Breach of community-based order, other	435	505
Breach of violence and non-violence restraining orders		
Offences against government operations	2	2
Resist or hinder government official (excluding police officer, justice official or government security officer)	6	6
Offences against government operations, other	20	22
Subvert the course of justice	777	922
Resist or hinder police officer or justice official	1	1
Prison regulation offences	61	62
Offences against justice procedures, other	1,945	2,962
<b>Total</b>		
<b>Miscellaneous offences</b>		
Public health and safety offences	8	9
Transport regulation offences	16	21
Licit drug offences	9	11
Public health and safety offences, other	2	4
Commercial/industry/financial regulation	1	1
Other miscellaneous offences	7	7
<b>Total</b>	43	53
<b>Grand Total</b>	<b>9,810</b>	<b>23,717</b>

<sup>a</sup> An arrest warrant is no longer a finalising outcome. Caution should be used when comparing this data with that published in previous years.

<sup>b</sup> Type of offence is based on the 2008 version of the Australian Standard Offence Classification (ASOC) released by the Australian Bureau of Statistics. Previous publications used the 1997 version of ASOC. Caution should be used when comparing this data with that published in previous years.

<sup>c</sup> Persons charged counts the number of people charged with the specified offence. A persons who is charged with more than one offence within an offence group (for example, a person charged with both theft of a motor vehicle and theft from retail premises) is counted only once in the offence division total. The grand total is a count of the total number of distinct persons charged in Children's Court appearances finalised. For 'charges', all totals simply sum over the categories.

<sup>d</sup> Sexual offences against children is not a category within ASOC. These offences are also counted in the appropriate ASOC categories - Sexual assault and non-assaultive sexual offences.

<sup>e</sup> As it is not currently possible to separately identify breaches of suspended sentence, community service order or probation in 2009 data sourced from Justicelink, they are included in 'Breach of bond - other' with breaches of good behaviour bonds.

**TABLE 2.2****PERSONS CHARGED IN CHILDREN'S COURT APPEARANCES FINALISED:  
OUTCOME OF APPEARANCE**

<i>Outcome of appearance</i>	<i>Persons charged</i>	
	<i>No.</i>	<i>%</i>
<b>Proceeded to defended hearing</b>		
All charges dismissed	765	7.8
Guilty of at least one charge	965	9.8
Other <sup>a</sup>	274	2.8
<b>Proven outcome not further described<sup>b</sup></b>	727	7.4
<b>Sentenced after guilty plea</b>	5,184	52.8
<b>Convicted ex parte</b>	511	5.2
<b>All charges dismissed without hearing</b>	1,202	12.3
<b>All charges otherwise disposed of</b>	182	1.9
<b>Total</b>	<b>9,810</b>	<b>100.0</b>

**TABLE 2.3****ABORIGINAL AND TORRES STRAIT ISLANDER PERSONS  
CHARGED IN CHILDREN'S COURT APPEARANCES FINALISED:  
OUTCOME OF APPEARANCE**

<i>Outcome of appearance</i>	<i>Persons charged</i>	
	<i>No.</i>	<i>%</i>
<b>Proceeded to defended hearing</b>		
All charges dismissed	262	8.2
Guilty of at least one charge	338	10.6
Other <sup>a</sup>	113	3.5
<b>Proven outcome not further described<sup>b</sup></b>	160	5.0
<b>Sentenced after guilty plea</b>	1,738	54.3
<b>Convicted ex parte</b>	138	4.3
<b>All charges dismissed without hearing</b>	382	11.9
<b>All charges otherwise disposed of</b>	71	2.2
<b>Total</b>	<b>3,202</b>	<b>100.0</b>

<sup>a</sup> The category 'Proceeded to defended hearing: Other' includes persons for whom one or more charges were dismissed after a defended hearing, but who either (1) pleaded guilty to other charges or (2) were convicted ex parte of other charges.

<sup>b</sup> The category 'Proven outcome not further described' includes persons who received a sentence but there was insufficient data to indicate whether they had proceeded to defended hearing or were sentenced after a guilty plea.

TABLE 2.4

**PERSONS CHARGED IN CHILDREN'S COURT APPEARANCES FINALISED<sup>a</sup>:  
OUTCOME OF APPEARANCE, BAIL STATUS**

<i>Outcome of appearance</i>	<i>Bail status</i>													
	<i>Bail not required or bail dispensed with</i>			<i>On bail</i>			<i>In custody<sup>b</sup></i>			<i>Unknown</i>			<i>Total</i>	
	No.	%		No.	%		No.	%		No.	%		No.	%
<b>Proceeded to defended hearing</b>														
All charges dismissed	244	7.7		417	8.9		97	5.5	7	4.4		765	7.8	
Guilty of at least one charge	199	6.2		507	10.8		258	14.7	1	0.6		965	9.8	
Other <sup>c</sup>	64	2.0		147	3.1		61	3.5	2	1.3		274	2.8	
<b>Proven outcome not further described<sup>d</sup></b>	194	6.1		297	6.3		164	9.3	72	45.6		727	7.4	
<b>Sentenced after guilty plea</b>	1,760	55.2		2,461	52.3		919	52	44	27.8		5,184	53	
<b>Convicted ex parte<sup>e</sup></b>	432	13.5		65	1.4		14	0.8	-	-		511	5.2	
<b>All charges dismissed without hearing</b>	282	8.8		781	16.6		108	6.1	31	19.6		1,202	12.3	
<b>All charges otherwise disposed of</b>	14	0.4		30	0.6		137	7.8	1	0.6		182	1.9	
<b>Total</b>	<b>3,189</b>	<b>100.0</b>		<b>4,705</b>	<b>100.0</b>		<b>1,758</b>	<b>100.0</b>	<b>158</b>	<b>100.0</b>		<b>9,810</b>	<b>100.0</b>	

<sup>a</sup> An arrest warrant is no longer a finalising outcome. Caution should be used when comparing this data with that published in previous years.

<sup>b</sup> The category 'In custody' includes persons who were refused bail, persons who could not meet their bail and persons who were in custody for a prior offence.

<sup>c</sup> The category 'Proceeded to defended hearing : Other' includes persons for whom one or more charges were dismissed after a defended hearing, but who either (1) pleaded guilty to other charges or (2) were convicted ex parte of other charges.

<sup>d</sup> The category 'Proven outcome not further described' includes persons who received a sentence but there was insufficient data to indicate whether they had proceeded to defended hearing or were sentenced after a guilty plea.

<sup>e</sup> Persons convicted in their absence are not as well recorded in JusticeLink as in previous systems. Caution should be used when comparing this data with that published in previous years.

TABLE 2.5

**PERSONS FOUND GUILTY IN CHILDREN'S COURT APPEARANCES FINALISED:  
TYPE OF PRINCIPAL OFFENCE<sup>a</sup>, PENALTY FOR PRINCIPAL OFFENCE**

Type of principal offence	Penalty for principal offence										Total	
	Control Order	Community service order	Probation Order	Fine	Bond	Dismissed with Caution	Other proven outcomes	No.	No.	No.		No.
<b>Homicide and related offences</b>												
Manslaughter and driving causing death	-	-	1	-	2	-	-	-	-	-	-	3
<b>Total</b>	-	-	1	-	2	-	-	-	-	-	-	3
<b>Acts intended to cause injury</b>												
Assault	146	84	293	50	615	172	203	1,563				
Other acts intended to cause injury	15	6	48	3	101	28	13	214				
<b>Total</b>	161	90	341	53	716	200	216	1,777				
<b>Sexual assault and related offences</b>												
Sexual assault	7	-	26	1	28	4	-	66				
Non-assaultive sexual offences	-	-	1	-	-	-	-	1				
<b>Total</b>	7	-	27	1	28	4	-	67				
<i>Sexual offences against children<sup>b</sup></i>												
<b>Dangerous or negligent acts endangering persons</b>	3	-	22	-	23	3	-	51				
<b>Dangerous or negligent acts endangering persons</b>												
Dangerous or negligent operation of a vehicle	11	12	13	24	26	3	1	90				
Other dangerous or negligent acts endangering persons	-	1	3	-	1	-	-	5				
<b>Total</b>	11	13	16	24	27	3	1	95				
<b>Abduction, harassment and other offences against the person</b>												
Abduction and kidnapping	3	1	1	-	1	-	-	6				
Deprivation of liberty/false imprisonment	-	-	1	-	-	-	-	1				
Harassment and threatening behaviour	6	6	19	4	27	6	7	75				
<b>Total</b>	9	7	21	4	28	6	7	82				



<b>Robbery, extortion and related offences</b>										
Robbery	139	48	250	1	136	1	11	1	11	586
<b>Total</b>	139	48	250	1	136	1	11	1	11	586
<b>Unlawful entry with intent/burglary, break and enter</b>										
Motor vehicle theft and related offences	64	24	69	5	123	39	44			368
Theft (except motor vehicles)	38	25	67	54	189	124	87			584
Receive or handle proceeds of crime	17	11	35	20	89	42	33			247
<b>Total</b>	119	60	171	79	401	205	164			1,199
<b>Fraud, deception and related offences</b>										
Obtain benefit by deception	2	2	5	6	8	3	6			32
Forgery and counterfeiting	-	-	1	-	2	1	2			6
Deceptive business/government practices	-	-	-	1	-	-	-			1
Other fraud and deception offences	-	-	-	-	3	8	2			13
<b>Total</b>	2	2	6	7	13	12	10			52
<b>Illicit drug offences</b>										
Deal or traffic in illicit drugs	2	4	19	3	16	2	-			46
Manufacture or cultivate illicit drugs	-	1	2	1	5	2	-			11
Possess and/or use illicit drugs	1	1	4	43	37	84	6			176
Other illicit drug offences	-	-	-	-	1	-	-			1
<b>Total</b>	3	6	25	47	59	88	6			234
<b>Prohibited and regulated weapons and explosives offences</b>										
Prohibited weapons/explosives offences	2	3	4	1	2	1	1			14
Regulated weapons/explosives offences	2	-	1	3	2	8	1			17
<b>Total</b>	4	3	5	4	4	9	2			31
<b>Property damage and environmental pollution</b>										
Property damage	26	37	84	70	154	118	127			616
Environmental pollution	-	-	-	3	-	2	-			5
<b>Total</b>	26	37	84	73	154	120	127			621
<b>Public order offences</b>										
Disorderly conduct	40	38	101	86	168	115	66			614
Regulated public order offences	-	-	-	10	-	11	3			24
Offensive conduct	1	3	8	82	38	70	17			219
<b>Total</b>	41	41	109	178	206	196	86			857

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TABLE 2.5 continued

Type of principal offence	Penalty for principal offence										Total	
	Control Order	Community service order	Probation Order	Fine	Bond	Dismissed with Caution	Other proven outcomes	No.	No.	No.		No.
<b>Traffic and vehicle regulatory offences</b>												
Driver Licence offences	7	10	10	85	47	76	9					244
Vehicle registration and roadworthiness offences	-	-	-	5	1	3	-					9
Regulatory driving offences	2	2	3	53	22	11	-					93
<b>Total</b>	9	12	13	143	70	90	9					346
<b>Offences against justice procedures, government security and government operations</b>												
Breach of custodial order offences <sup>c</sup>	16	2	5	-	5	5	2					35
Breach of community-based order <sup>c</sup>	60	16	55	9	36	14	48					238
Breach of violence and non-violence restraining orders	4	3	25	5	89	40	1					167
Offences against government operations	-	-	-	-	2	1	-					3
Offences against justice procedures	3	6	17	24	48	55	33					186
<b>Total</b>	83	27	102	38	180	115	84					629
<b>Miscellaneous offences</b>												
Public health and safety offences	-	-	2	2	1	4	2					11
Commercial/industry/financial regulation	-	-	-	1	-	-	-					1
Other miscellaneous offences	-	-	-	2	2	-	-					4
<b>Total</b>	-	-	2	5	3	4	2					16
<b>Grand Total</b>	<b>809</b>	<b>426</b>	<b>1,494</b>	<b>673</b>	<b>2,364</b>	<b>1,091</b>	<b>804</b>					<b>7,661</b>

<sup>a</sup> Type of offence is based on the 2008 version of the Australian Standard Offence Classification (ASOC) released by the Australian Bureau of Statistics. Previous publications used the 1997 version of ASOC. Caution should be used when comparing this data with that published in previous years.

<sup>b</sup> Sexual offences against children is not a category within ASOC. These offences are also counted in the appropriate ASOC categories - Sexual assault and non-assaultive sexual offences.

<sup>c</sup> As it is not currently possible to separately identify breaches of suspended sentence in the 2009 data sourced from Justicelink, they are counted as a 'Breach of community-based order' rather than a 'Breach of custodial order offences' in this table.

TABLE 2.6

**PERSONS CHARGED IN CHILDREN'S COURT APPEARANCES FINALISED<sup>a</sup> AND AGE:  
TYPE OF PRINCIPAL OFFENCE<sup>b</sup>, AGE**

Type of principal offence	Gender: Total male and female													Total
	Age (years)													
	10	11	12	13	14	15	16	17	18 and over	Not known	Total			
No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.		
<b>Homicide and related offences</b>														
Manslaughter and driving causing death	-	-	-	-	-	-	1	-	-	3	-	-	4	
<b>Total</b>	-	-	-	-	-	-	1	-	-	3	-	-	4	
<b>Acts intended to cause injury</b>														
Assault	1	2	29	86	233	358	507	608	395	-	-	-	2,219	
Other acts intended to cause injury	-	1	4	9	34	40	62	72	33	-	-	-	255	
<b>Total</b>	1	3	33	95	267	398	569	680	428	-	-	-	2,474	
<b>Sexual assault and related offences</b>														
Sexual assault	-	-	1	6	11	14	34	23	39	-	-	-	128	
Non-assaultive sexual offences	-	-	-	-	-	-	-	1	-	-	-	-	1	
<b>Total</b>	-	-	1	6	11	14	34	24	39	-	-	-	129	
<i>Sexual offences against children<sup>c</sup></i>	-	-	1	4	9	12	25	15	29	-	-	-	95	
<b>Dangerous or negligent acts endangering persons</b>														
Dangerous or negligent operation of a vehicle	-	-	-	-	6	18	25	50	31	-	-	-	130	
Other dangerous or negligent acts endangering persons	-	-	-	-	-	-	6	-	2	-	-	-	8	
<b>Total</b>	-	-	-	-	6	18	31	50	33	-	-	-	138	
<b>Abduction, harassment and other offences against the person</b>														
Abduction and kidnapping	-	-	-	-	2	-	1	1	3	-	-	-	7	
Deprivation of liberty/false imprisonment	-	-	-	1	-	-	-	-	1	-	-	-	2	
Harassment and threatening behaviour	-	-	-	5	7	13	26	27	13	-	-	-	91	
<b>Total</b>	-	-	-	6	9	13	27	28	17	-	-	-	100	

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TABLE 2.6 continued

<b>Gender: Total male and female</b>												
<b>Age (years)</b>												
	10	11	12	13	14	15	16	17	18 and over	Not known	Total	
<i>Type of principal offence</i>	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.
<b>Robbery, extortion and related offences</b>												
Robbery	-	-	5	31	94	166	189	232	124	1	842	
<b>Total</b>	-	-	5	31	94	166	189	232	124	1	842	
<b>Unlawful entry with intent/burglary, break and enter</b>												
	-	6	22	45	145	243	292	264	287	-	1,304	
<b>Theft and related offences</b>												
Motor vehicle theft and related offences	-	1	4	14	51	82	115	105	82	-	454	
Theft (except motor vehicles)	-	8	8	35	91	132	159	156	101	-	690	
Receive or handle proceeds of crime	-	1	5	22	37	66	78	87	38	-	334	
<b>Total</b>	-	10	17	71	179	280	352	348	221	-	1,478	
<b>Fraud, deception and related offences</b>												
Obtain benefit by deception	-	-	-	-	-	7	6	12	13	-	38	
Forgery and counterfeiting	-	-	-	-	-	-	2	3	4	-	9	
Deceptive business/government practices	-	-	-	-	-	-	1	-	1	-	2	
Other fraud and deception offences	-	-	-	2	-	-	2	5	6	-	15	
<b>Total</b>	-	-	-	2	-	7	11	20	24	-	64	
<b>Illicit drug offences</b>												
Deal or traffic in illicit drugs	-	-	-	1	2	6	9	25	14	-	57	
Manufacture or cultivate illicit drugs	-	-	-	-	-	-	4	7	1	-	12	
Possess and/or use illicit drugs	-	-	1	3	13	16	41	85	38	-	197	
Other illicit drug offences	-	-	-	-	-	-	-	1	-	-	1	
<b>Total</b>	-	-	1	4	15	22	54	118	53	-	267	
<b>Prohibited and regulated weapons and explosives offences</b>												
Prohibited weapons/explosives offences	-	-	1	-	-	3	4	6	1	-	15	
Regulated weapons/explosives offences	-	-	-	1	-	3	8	5	6	-	23	
<b>Total</b>	-	-	1	1	-	6	12	11	7	-	38	

<b>Property damage and environmental pollution</b>												
Property damage	-	5	14	35	72	127	155	209	133	-	750	
Environmental pollution	-	-	-	-	-	-	1	2	2	-	5	
<b>Total</b>	-	5	14	35	72	127	156	211	135	-	755	
<b>Public order offences</b>												
Disorderly conduct	-	1	7	29	76	141	161	216	118	-	749	
Regulated public order offences	-	-	-	-	-	-	1	12	11	-	24	
Offensive conduct	-	2	4	12	16	39	70	87	35	-	265	
<b>Total</b>	-	3	11	41	92	180	232	315	164	-	1,038	
<b>Traffic and vehicle regulatory offences</b>												
Driver Licence offences	-	-	-	5	15	47	82	77	28	-	254	
Vehicle registration and roadworthiness offences	-	-	-	1	-	3	2	4	-	-	10	
Regulatory driving offences	-	-	-	1	1	14	19	47	14	-	96	
<b>Total</b>	-	-	-	7	16	64	103	128	42	-	360	
<b>Offences against justice procedures, government security and government operations</b>												
Breach of custodial order offences <sup>d</sup>	-	-	-	-	2	6	15	10	4	-	37	
Breach of community-based order <sup>d</sup>	1	-	3	14	31	33	78	70	102	-	332	
Breach of violence and non-violence restraining orders	-	1	4	8	22	44	38	67	8	1	193	
Offences against government operations	-	-	-	-	-	-	2	1	-	-	3	
Offences against justice procedures	-	-	-	1	15	37	65	77	38	1	234	
<b>Total</b>	1	1	7	23	70	120	198	225	152	2	799	
<b>Miscellaneous offences</b>												
Public health and safety offences	-	-	-	-	1	2	4	6	2	-	15	
Commercial/industry/financial regulation	-	-	-	-	-	-	-	1	-	-	1	
Other miscellaneous offences	-	-	-	-	-	-	-	3	1	-	4	
<b>Total</b>	-	-	-	-	1	2	4	10	3	-	20	
<b>Grand Total</b>	<b>2</b>	<b>28</b>	<b>112</b>	<b>367</b>	<b>977</b>	<b>1,660</b>	<b>2,265</b>	<b>2,664</b>	<b>1,732</b>	<b>3</b>	<b>9,810</b>	

<sup>a</sup> An arrest warrant is no longer a finalising outcome. Caution should be used when comparing this data with that published in previous years.

<sup>b</sup> Type of offence is based on the 2008 version of the Australian Standard Offence Classification (ASOC) released by the Australian Bureau of Statistics. Previous publications used the 1997 version of ASOC. Caution should be used when comparing this data with that published in previous years.

<sup>c</sup> Sexual offences against children is not a category within ASOC. These offences are also counted in the appropriate ASOC categories - Sexual assault and non-assaultive sexual offences.

<sup>d</sup> As it is not currently possible to separately identify breaches of suspended sentence in the 2009 data sourced from JusticeLink, they are counted as a 'Breach of community-based order' rather than a 'Breach of custodial order offences' in this table.

TABLE 2.6a

**MALE PERSONS CHARGED IN CHILDREN'S COURT APPEARANCES FINALISED<sup>a</sup>:  
TYPE OF PRINCIPAL OFFENCE<sup>b</sup>, AGE**

Type of principal offence	Gender: Male										Total	
	Age (Years)											
	10	11	12	13	14	15	16	17	18 and over	Not known		
No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	
<b>Homicide and related offences</b>												
Manslaughter and driving causing death	-	-	-	-	-	-	1	-	1	-	-	2
<b>Total</b>	-	-	-	-	-	-	1	-	1	-	-	2
<b>Acts intended to cause injury</b>												
Assault	1	2	15	66	134	259	343	481	318	-	-	1,619
Other acts intended to cause injury	-	1	3	5	24	31	48	58	30	-	-	200
<b>Total</b>	1	3	18	71	158	290	391	539	348	-	-	1,819
<b>Sexual assault and related offences</b>												
Sexual assault	-	-	1	6	11	14	33	23	39	-	-	127
Non-assaultive sexual offences	-	-	-	-	-	-	-	1	-	-	-	1
<b>Total</b>	-	-	1	6	11	14	33	24	39	-	-	128
<i>Sexual offences against children<sup>c</sup></i>	-	-	1	4	9	12	25	15	29	-	-	95
<b>Dangerous or negligent acts endangering persons</b>												
Dangerous or negligent operation of a vehicle	-	-	-	-	3	17	24	48	28	-	-	120
Other dangerous or negligent acts endangering persons	-	-	-	-	-	-	6	-	1	-	-	7
<b>Total</b>	-	-	-	-	3	17	30	48	29	-	-	127
<b>Abduction, harassment and other offences against the person</b>												
Abduction and kidnapping	-	-	-	-	1	-	1	1	3	-	-	6
Harassment and threatening behaviour	-	-	-	1	6	9	22	24	12	-	-	74
<b>Total</b>	-	-	-	1	7	9	23	25	15	-	-	80
<b>Robbery, extortion and related offences</b>												
Robbery	-	-	4	17	66	132	152	206	106	1	-	684
<b>Total</b>	-	-	4	17	66	132	152	206	106	1	-	684

<b>Unlawful entry with intent/burglary, break and enter</b>	-	5	17	41	129	225	266	244	279	-	1,206
<b>Theft and related offences</b>											
Motor vehicle theft and related offences	-	1	4	13	48	75	105	94	74	-	414
Theft (except motor vehicles)	-	8	6	26	72	98	102	117	75	-	504
Receive or handle proceeds of crime	-	1	5	21	29	53	62	74	33	-	278
<b>Total</b>	-	10	15	60	149	226	269	285	182	-	1,196
<b>Fraud, deception and related offences</b>											
Obtain benefit by deception	-	-	-	-	-	2	4	12	12	-	30
Forgery and counterfeiting	-	-	-	-	-	-	1	2	2	-	5
Deceptive business/government practices	-	-	-	-	-	-	1	-	1	-	2
Other fraud and deception offences	-	-	-	1	-	-	1	5	3	-	10
<b>Total</b>	-	-	-	1	-	2	7	19	18	-	47
<b>Illicit drug offences</b>											
Deal or traffic in illicit drugs	-	-	-	1	2	5	9	25	14	-	56
Manufacture or cultivate illicit drugs	-	-	-	-	-	-	2	7	-	-	9
Possess and/or use illicit drugs	-	-	1	3	12	14	32	76	34	-	172
Other illicit drug offences	-	-	-	-	-	-	-	1	-	-	1
<b>Total</b>	-	-	1	4	14	19	43	109	48	-	238
<b>Prohibited and regulated weapons and explosives offences</b>											
Prohibited weapons/explosives offences	-	-	1	-	-	3	4	6	1	-	15
Regulated weapons/explosives offences	-	-	-	-	-	3	6	5	6	-	20
<b>Total</b>	-	-	1	-	-	6	10	11	7	-	35
<b>Property damage and environmental pollution</b>											
Property damage	-	5	12	27	57	103	129	185	118	-	636
Environmental pollution	-	-	-	-	-	-	1	1	1	-	3
<b>Total</b>	-	5	12	27	57	103	130	186	119	-	639
<b>Public order offences</b>											
Disorderly conduct	-	1	7	19	57	113	134	191	98	-	620
Regulated public order offences	-	-	-	-	-	-	1	9	9	-	19
Offensive conduct	-	2	4	11	11	27	60	77	32	-	224
<b>Total</b>	-	3	11	30	68	140	195	277	139	-	863

Table continues on next page

TABLE 2.6a continued

Gender: Male													
Type of principal offence	Age (Years)										18 and over	Not known	Total
	10	11	12	13	14	15	16	17	18 and over	Not known			
No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.
<b>Traffic and vehicle regulatory offences</b>													
Driver Licence offences	-	-	-	5	13	40	73	66	22	-	-	-	219
Vehicle registration and roadworthiness offences	-	-	-	1	-	3	2	4	-	-	-	-	10
Regulatory driving offences	-	-	-	1	1	10	13	38	12	-	-	-	75
<b>Total</b>	-	-	-	7	14	53	88	108	34	-	-	-	304
<b>Offences against justice procedures, government security and government operations</b>													
Breach of custodial order offences <sup>d</sup>	-	-	-	-	2	6	13	9	4	-	-	-	34
Breach of community-based order <sup>d</sup>	1	-	3	10	21	30	57	61	90	-	-	-	273
Breach of violence and non-violence restraining orders	-	-	3	4	12	28	27	50	7	1	-	-	132
Offences against government operations	-	-	-	-	-	-	2	1	-	-	-	-	3
Offences against justice procedures	-	-	-	1	11	30	52	68	33	-	-	-	195
<b>Total</b>	1	-	6	15	46	94	151	189	134	1	-	-	637
<b>Miscellaneous offences</b>													
Public health and safety offences	-	-	-	-	1	1	4	5	1	-	-	-	12
Commercial/industry/financial regulation	-	-	-	-	-	-	-	1	-	-	-	-	1
Other miscellaneous offences	-	-	-	-	-	-	-	2	-	-	-	-	2
<b>Total</b>	-	-	-	-	1	1	4	8	1	-	-	-	15
<b>Grand Total</b>	<b>2</b>	<b>26</b>	<b>86</b>	<b>280</b>	<b>723</b>	<b>1,331</b>	<b>1,793</b>	<b>2,278</b>	<b>1,499</b>	<b>2</b>	<b>8,020</b>	<b>2</b>	<b>8,020</b>

<sup>a</sup> An arrest warrant is no longer a finalising outcome. Caution should be used when comparing this data with that published in previous years.

<sup>b</sup> Type of offence is based on the 2008 version of the Australian Standard Offence Classification (ASOC) released by the Australian Bureau of Statistics. Previous publications used the 1997

<sup>c</sup> Sexual offences against children is not a category within ASOC. These offences are also counted in the appropriate ASOC categories - Sexual assault and non-assaultive sexual offences.

<sup>d</sup> As it is not currently possible to separately identify breaches of suspended sentence in the 2009 data sourced from JusticeLink, they are counted as a 'Breach of community-based order' rather than a 'Breach of custodial order offences' in this table.



TABLE 2.6b

**FEMALE PERSONS CHARGED IN CHILDREN'S COURT APPEARANCES FINALISED<sup>a</sup>:  
TYPE OF PRINCIPAL OFFENCE<sup>b</sup>, AGE**

Type of principal offence	Gender: Female										Total	
	Age (years)											
	11	12	13	14	15	16	17	18 and over	Not known	Total		
No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	
<b>Homicide and related offences</b>	-	-	-	-	-	-	-	-	-	-	-	-
Manslaughter and driving causing death	-	-	-	-	-	-	-	-	-	-	-	-
<b>Total</b>	-	-	-	-	-	-	-	-	-	-	-	-
<b>Acts intended to cause injury</b>	-	14	20	99	99	164	127	77	-	-	600	
Assault	-	1	4	10	9	14	14	3	-	-	55	
Other acts intended to cause injury	-	15	24	109	108	178	141	80	-	-	655	
<b>Total</b>	-	15	24	109	108	178	141	80	-	-	655	
<b>Sexual assault and related offences</b>	-	-	-	-	-	1	-	-	-	-	1	
Sexual assault	-	-	-	-	-	1	-	-	-	-	1	
<b>Total</b>	-	-	-	-	-	1	-	-	-	-	1	
<b>Dangerous or negligent acts endangering persons</b>	-	-	-	3	1	1	2	3	-	-	10	
Dangerous or negligent operation of a vehicle	-	-	-	-	-	-	-	1	-	-	1	
Other dangerous or negligent acts endangering persons	-	-	-	3	1	1	2	4	-	-	11	
<b>Total</b>	-	-	-	3	1	1	2	4	-	-	11	
<b>Abduction, harassment and other offences against the person</b>	-	-	-	1	-	-	-	-	-	-	1	
Abduction and kidnapping	-	-	-	1	-	-	-	-	-	-	1	
Deprivation of liberty/false imprisonment	-	-	1	-	-	-	-	-	-	-	2	
Harassment and threatening behaviour	-	-	4	1	4	4	3	1	-	-	17	
<b>Total</b>	-	-	5	2	4	4	3	2	-	-	20	
<b>Robbery, extortion and related offences</b>	-	1	14	28	34	37	26	18	-	-	158	
Robbery	-	1	14	28	34	37	26	18	-	-	158	
<b>Total</b>	-	1	14	28	34	37	26	18	-	-	158	
<b>Unlawful entry with intent/burglary, break and enter</b>	1	5	4	16	18	26	20	8	-	-	98	
<b>Theft and related offences</b>	-	-	1	3	7	10	11	8	-	-	40	
Motor vehicle theft and related offences	-	2	9	19	34	57	39	26	-	-	186	
Theft (except motor vehicles)	-	-	1	8	13	16	13	5	-	-	56	
Receive or handle proceeds of crime	-	2	11	30	54	83	63	39	-	-	282	
<b>Total</b>	-	2	11	30	54	83	63	39	-	-	282	
<b>Fraud, deception and related offences</b>	-	-	-	-	5	2	-	1	-	-	8	
Obtain benefit by deception	-	-	-	-	-	1	1	2	-	-	4	
Forgery and counterfeiting	-	-	-	-	-	1	-	3	-	-	5	
Other fraud and deception offences	-	-	-	1	5	4	1	6	-	-	17	
<b>Total</b>	-	-	-	1	5	4	1	6	-	-	17	

Table continues on next page

TABLE 2.6b continued

Type of principal offence	Gender: Female										Total No.
	Age (years)										
	11 No.	12 No.	13 No.	14 No.	15 No.	16 No.	17 No.	18 and over No.	Not known No.		
<b>Illicit drug offences</b>											
Deal or traffic in illicit drugs	-	-	-	-	1	-	-	-	-	-	1
Manufacture or cultivate illicit drugs	-	-	-	-	-	2	-	-	1	-	3
Possess and/or use illicit drugs	-	-	-	1	2	9	9	4	-	-	25
<b>Total</b>	-	-	-	1	3	11	9	5	-	-	29
<b>Prohibited and regulated weapons and explosives offences</b>											
Regulated weapons/explosives offences	-	-	1	-	-	2	-	-	-	-	3
<b>Total</b>	-	-	1	-	-	2	-	-	-	-	3
<b>Property damage and environmental pollution</b>											
Property damage	-	2	8	15	24	26	24	15	-	-	114
Environmental pollution	-	-	-	-	-	-	1	1	-	-	2
<b>Total</b>	-	2	8	15	24	26	25	16	-	-	116
<b>Public order offences</b>											
Disorderly conduct	-	-	10	19	28	27	25	20	-	-	129
Regulated public order offences	-	-	-	-	-	-	3	2	-	-	5
Offensive conduct	-	-	1	5	12	10	10	3	-	-	41
<b>Total</b>	-	-	11	24	40	37	38	25	-	-	175
<b>Traffic and vehicle regulatory offences</b>											
Driver Licence offences	-	-	-	2	7	9	11	6	-	-	35
Regulatory driving offences	-	-	-	-	4	6	9	2	-	-	21
<b>Total</b>	-	-	-	2	11	15	20	8	-	-	56
<b>Offences against justice procedures, government security and government operations</b>											
Breach of custodial order offences <sup>c</sup>	-	-	-	-	-	2	1	-	-	-	3
Breach of community-based order <sup>c</sup>	-	-	4	10	3	21	9	12	-	-	59
Breach of violence and non-violence restraining orders	1	1	4	10	16	11	17	1	-	-	61
Offences against justice procedures	-	-	-	4	7	13	9	5	1	-	39
<b>Total</b>	1	1	8	24	26	47	36	18	1	-	162
<b>Miscellaneous offences</b>											
Public health and safety offences	-	-	-	-	1	-	1	1	-	-	3
Other miscellaneous offences	-	-	-	-	-	-	1	1	-	-	2
<b>Total</b>	-	-	-	-	1	-	2	2	-	-	5
<b>Grand Total</b>	<b>2</b>	<b>26</b>	<b>87</b>	<b>254</b>	<b>329</b>	<b>472</b>	<b>386</b>	<b>233</b>	<b>1</b>	<b>1,790</b>	

<sup>a</sup> An arrest warrant is no longer a finalising outcome. Caution should be used when comparing this data with that published in previous years.

<sup>b</sup> Type of offence is based on the 2008 version of the Australian Standard Offence Classification (ASOC) released by the Australian Bureau of Statistics. Previous publications used the 1997 version of ASOC. Caution should be used when comparing this data with that published in previous years.

<sup>c</sup> As it is not currently possible to separately identify breaches of suspended sentence in the 2009 data sourced from JusticeLink, they are counted as a 'Breach of community-based order' rather than a 'Breach of custodial order offences' in this table.

TABLE 2.7

**PERSONS<sup>a</sup> FOUND GUILTY IN CHILDREN'S COURT APPEARANCES FINALISED:  
TYPE OF PRINCIPAL OFFENCE<sup>b</sup>, PRIOR PROVEN OFFENCES SINCE 2000**

<i>Type of principal offence</i>	<i>Prior proven offences since 2000</i>											
	<i>No prior proven offences</i>		<i>Prior proven offences not of same type</i>		<i>Prior proven offences of same type without imprisonment</i>		<i>Prior proven offences 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>		
Homicide and related offences	3	100.0	-	-	-	-	-	-	3	100.0		
Acts intended to cause injury	780	51.8	322	21.4	341	22.7	62	4.1	1,505	100.0		
Sexual assault and related offences	45	76.3	12	20.3	2	3.4	-	-	59	100.0		
Dangerous or negligent acts endangering persons	65	54.2	48	40.0	5	4.2	2	1.7	120	100.0		
Abduction, harassment and other offences against the person	18	32.7	34	61.8	1	1.8	2	3.6	55	100.0		
Robbery, extortion and related offences	269	55.1	153	31.4	40	8.2	26	5.3	488	100.0		
Unlawful entry with intent/burglary, break and enter	288	33.1	275	31.6	197	22.7	109	12.5	869	100.0		
Theft and related offences	415	35.7	246	21.2	402	34.6	100	8.6	1,163	100.0		
Fraud, deception and related offences	19	50.0	12	31.6	6	15.8	1	2.6	38	100.0		
Illicit drug offences	139	56.0	81	32.7	27	10.9	1	0.4	248	100.0		
Prohibited and regulated weapons	17	48.6	17	48.6	1	2.9	-	-	35	100.0		
Property damage and environmental pollution	292	39.4	230	31.0	199	26.9	20	2.7	741	100.0		
Public order offences	419	42.9	259	26.5	282	28.9	17	1.7	977	100.0		
Traffic and vehicle regulatory offences	194	55.3	82	23.4	75	21.4	-	-	351	100.0		
Offences against justice procedures, government security and government operations	240	33.6	256	35.8	183	25.6	36	5.0	715	100.0		
Miscellaneous offences	6	40.0	9	60.0	-	-	-	-	15	100.0		
<b>Total</b>	<b>3,209</b>	<b>43.5</b>	<b>2,036</b>	<b>27.6</b>	<b>1,761</b>	<b>23.9</b>	<b>376</b>	<b>5.1</b>	<b>7,382</b>	<b>100.0</b>		

<sup>a</sup> The data in this table are sourced from the NSW Bureau of Crime Statistics and Research's Recoffending Database which is derived from court data. As a consequence, the totals shown here are slightly different to those presented elsewhere in this section of the report.

<sup>b</sup> Type of offence is based on the 2008 version of the Australian Standard Offence Classification (ASOC) released by the Australian Bureau of Statistics. Previous publications used the 1997 version of ASOC. Caution should be used when comparing this data with that published in previous years.



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**SECTION 3:  
NEW SOUTH WALES  
HIGHER COURTS**

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Tables

TABLE 3.1

**PERSONS REGISTERED IN TRIAL AND SENTENCE CASES:  
REGISTRY, TYPE OF COMMITTAL**

<i>Registry</i>	<i>Committed for trial</i>		<i>Type of committal</i>		<i>Committed for sentence</i>		<i>Total</i>	
	No.	%	No.	%	No.	%	No.	%
Supreme Court	91	4.9	9	0.5	100	2.7		
<b>District Court:</b>								
Dubbo	126	6.8	99	5.4	225	6.1		
Lismore	118	6.3	114	6.3	232	6.3		
Newcastle	234	12.6	303	16.6	537	14.6		
Sydney	576	31.0	605	33.2	1,181	32.1		
Sydney West	497	26.7	482	26.5	979	26.6		
Wagga Wagga	68	3.7	57	3.1	125	3.4		
Wollongong	151	8.1	151	8.3	302	8.2		
<b>Total</b>	<b>1,861</b>	<b>100.0</b>	<b>1,820</b>	<b>100.0</b>	<b>3,681</b>	<b>100.0</b>	<b>100.0</b>	

TABLE 3.2

**PERSONS CHARGED IN TRIAL AND SENTENCE APPEARANCES FINALISED<sup>a</sup>:  
REGISTRY, TYPE OF COMMITTAL, METHOD OF FINALISATION**

Registry	Type of committal	Method of finalisation														
		Proceeded to trial			Proven outcome not further described <sup>b</sup>			Proceeded to sentence only			No charges proceeded with			All charges otherwise disposed of		
		No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	
Supreme Court	Committed for trial	46	47.4	-	-	44	45.4	1	1.0	6	6.2	97	100.0			
	Committed for sentence	-	-	-	-	10	100.0	-	-	-	-	10	100.0			
District Court	Committed for trial	593	32.5	6	0.3	1,010	55.4	184	10.1	29	1.6	1,822	100.0			
	Committed for sentence	1	0.1	-	-	1,704	99.2	6	0.3	6	0.3	1,717	100.0			
Dubbo	Committed for trial	32	29.4	-	-	66	60.6	8	7.3	3	2.8	109	100.0			
	Committed for sentence	-	-	-	-	81	100.0	-	-	-	-	81	100.0			
Lismore	Committed for trial	33	28.4	-	-	64	55.2	16	13.8	3	2.6	116	100.0			
	Committed for sentence	-	-	-	-	107	100.0	-	-	-	-	107	100.0			
Newcastle	Committed for trial	93	36.8	-	-	135	53.4	23	9.1	2	0.8	253	100.0			
	Committed for sentence	-	-	-	-	300	99.7	1	0.3	-	-	301	100.0			
Sydney	Committed for trial	209	34.3	1	0.2	328	53.8	65	10.7	7	1.1	610	100.0			
	Committed for sentence	-	-	-	-	529	98.7	3	0.6	4	0.7	536	100.0			
Sydney West	Committed for trial	158	29.8	5	0.9	304	57.3	51	9.6	13	2.4	531	100.0			
	Committed for sentence	1	0.2	-	-	480	99.2	1	0.2	2	0.4	484	100.0			
Wagga Wagga	Committed for trial	21	34.4	-	-	33	54.1	7	11.5	-	-	61	100.0			
	Committed for sentence	-	-	-	-	46	100.0	-	-	-	-	46	100.0			
Wollongong	Committed for trial	47	33.1	-	-	80	56.3	14	9.9	1	0.7	142	100.0			
	Committed for sentence	-	-	-	-	161	99.4	1	0.6	-	-	162	100.0			
All Registries	Committed for trial	639	33.3	6	0.3	1,054	54.9	185	9.6	35	1.8	1,919	100.0			
	Committed for sentence	1	0.1	-	-	1,714	99.2	6	0.3	6	0.3	1,727	100.0			
<b>Total</b>		<b>640</b>	<b>17.6</b>	<b>6</b>	<b>0.2</b>	<b>2,768</b>	<b>75.9</b>	<b>191</b>	<b>5.2</b>	<b>41</b>	<b>1.1</b>	<b>3,646</b>	<b>100.0</b>			

<sup>a</sup> An arrest warrant is no longer a finalising outcome. Caution should be used when comparing this data with that published in previous years.

<sup>b</sup> The category 'Proven outcome not further described' includes persons who received a sentence but where there was insufficient data to determine whether they had proceeded to trial or to sentence only.

TABLE 3.3

**PERSONS CHARGED IN TRIAL AND SENTENCE APPEARANCES FINALISED<sup>a</sup>:  
YEAR OF COMMITTAL, JURISDICTION, TYPE OF COMMITTAL**

Year of committal	Jurisdiction						Total
	Supreme Court		District Court				
	Committed for trial	Committed for sentence	Committed for trial	Committed for sentence	Committed for trial	Committed for sentence	
2005 or earlier	1	0	36	4	37	4	
2006	3	0	19	1	22	1	
2007	9	0	207	21	216	21	
2008	61	5	1,044	607	1,105	612	
2009	23	5	516	1,084	539	1,088	
<b>Total</b>	<b>97</b>	<b>10</b>	<b>1,822</b>	<b>1,717</b>	<b>1,919</b>	<b>1,727</b>	

<sup>a</sup> An arrest warrant is no longer a finalising outcome. Caution should be used when comparing this data with that published in previous years.



TABLE 3.4

**PERSONS CHARGED AND NUMBER OF CHARGES IN TRIAL AND SENTENCE APPEARANCES FINALISED<sup>a</sup>:  
TYPE OF OFFENCE CHARGED<sup>b</sup>**

<i>Type of offence charged</i> <i>Division / Subdivision / Group</i>	<i>Persons charged<sup>c</sup></i>		<i>Charges</i> <i>No.</i>
	<i>No.</i>	<i>No.</i>	
<b>Homicide and related offences</b>			
Murder	88		97
Attempted murder	55		72
Manslaughter and driving causing death	56		64
Driving causing death	45		65
<b>Total</b>	<b>213</b>		<b>298</b>
<b>Acts intended to cause injury</b>			
Assault	630		981
Serious assault resulting in injury	47		69
Serious assault not resulting in injury	147		220
Common assault	38		46
Stalking	13		18
Other acts intended to cause injury, other	753		1,334
<b>Total</b>			
<b>Sexual assault and related offences</b>			
Sexual assault	517		2,060
Aggravated sexual assault	17		50
Non-aggravated sexual assault	21		41
Non-assaultive sexual offences against a child	52		287
Child pornography offences	3		5
Non-assaultive sexual offences, other	564		2,443
<b>Total</b>	<b>344</b>		<b>1,640</b>
<i>Sexual offences against children<sup>d</sup></i>			
<b>Dangerous or negligent acts endangering persons</b>			
Dangerous or negligent operation of a vehicle	33		36
Drive under the influence of alcohol or other substance	63		90
Dangerous or negligent operation (driving) of a vehicle	3		3
Neglect or ill-treatment of persons under care	5		5
Other dangerous or negligent acts endangering persons, other	97		134
<b>Total</b>			

Table continues on next page

TABLE 3.4 continued

Type of offence charged Division / Subdivision / Group	Persons charged <sup>c</sup>		Charges No.
	No.	No.	
<b>Abduction, harassment and other offences against the person</b>			
Abduction and kidnapping	131		157
Deprivation of liberty/false imprisonment	8		8
Harassment and threatening behaviour	24		46
<b>Total</b>	<b>158</b>		<b>211</b>
<b>Robbery, extortion and related offences</b>			
Robbery	584		919
Non-aggravated robbery	100		136
Blackmail and extortion	2		5
<b>Total</b>	<b>655</b>		<b>1,060</b>
<b>Unlawful entry with intent/burglary, break and enter</b>			
<b>Theft and related offences</b>			
Motor vehicle theft and related offences	47		81
Theft (except motor vehicles)	117		151
Theft of a motor vehicle			
Theft from a person (excluding by force)	32		52
Theft of intellectual property	4		70
Theft from retail premises	4		5
Theft (except motor vehicles), other	103		133
Receive or handle proceeds of crime	295		475
<b>Total</b>	<b>531</b>		<b>967</b>
<b>Fraud, deception and related offences</b>			
Obtain benefit by deception	110		637
Forgery and counterfeiting	1		1
Deceptive business/government practices	30		201
Other fraud and deception offences	3		3
Obtain benefit by deception	4		15
Counterfeiting of currency	1		1
Forgery of documents	17		110
Possess equipment to make false/illegal instrument	6		13
Fraudulent trade practices	140		981
Misrepresentation of professional status			
Dishonest conversion			
Other fraud and deception offences, other			

<b>Illicit drug offences</b>		
Import or export illicit drugs	82	103
Deal or traffic in illicit drugs	235	295
Deal or traffic in illicit drugs - commercial quantity	603	972
Deal or traffic in illicit drugs - non-commercial quantity	52	63
Manufacture or cultivate illicit drugs	129	160
Cultivate illicit drugs	271	422
Possess illicit drugs	6	6
Use illicit drugs	67	78
Other illicit drug offences, other	990	2,099
<b>Total</b>		
<b>Prohibited and regulated weapons and explosives offences</b>		
Prohibited weapons/explosives offences	87	166
Sell, possess and/or use prohibited weapons/explosives	10	12
Prohibited weapons/explosives offences, other	110	243
Regulated weapons/explosives offences	71	98
Unlawfully obtain or possess regulated weapons/explosives	7	11
Misuse of regulated weapons/explosives	172	530
Deal or traffic regulated weapons/explosives offences		
<b>Total</b>		
<b>Property damage and environmental pollution</b>		
Property damage	43	60
Property damage by fire or explosion	118	136
Property damage, other	157	196
<b>Total</b>		
<b>Public order offences</b>		
Disorderly conduct	27	38
Trespass	67	84
Criminal intent	58	58
Riot and affray	3	3
Disorderly conduct, other	1	2
Liquor and tobacco offences	4	6
Offences against public order sexual standards	2	2
Offensive language	22	22
Offensive behaviour	170	215
<b>Total</b>		
<b>Traffic and vehicle regulatory offences</b>		
Driver Licence offences	44	55
Drive while licence disqualified or suspended	19	19
Drive without a licence	9	12
Driver licence offences, other	11	14
Registration offences	13	13
Vehicle registration and roadworthiness offences	3	3
Exceed the prescribed content of alcohol or other substance limit	25	31
Exceed the legal speed limit	96	147
Regulatory driving offences, other		
<b>Total</b>		

Table continues on next page

TABLE 3.4 continued

Type of offence charged Division / Subdivision / Group	Persons charged <sup>c</sup>		Charges No.
	No.	No.	
<b>Offences against justice procedures, government security and government operations</b>			
Breach of custodial order offences		10	10
Breach of community-based order		4	5
Breach of violence and non-violence restraining orders		31	49
Offences against government operations		1	1
		1	11
Offences against government security		4	7
Offences against justice procedures		61	118
		67	75
		3	3
		17	29
<b>Total</b>		192	308
<b>Miscellaneous offences</b>			
Public health and safety offences		21	38
		2	24
Commercial/industry/financial regulation		47	55
Other miscellaneous offences		1	1
		1	12
		3	11
		1	1
		1	1
<b>Total</b>		76	143
<b>Grand Total</b>		<b>3,646</b>	<b>12,043</b>

<sup>a</sup> An arrest warrant is no longer a finalising outcome. Caution should be used when comparing this data with that published in previous years.

<sup>b</sup> Type of offence is based on the 2008 version of the Australian Standard Offence Classification (ASOC) released by the Australian Bureau of Statistics. Previous publications used the 1997 version of ASOC. Caution should be used when comparing this data with that published in previous years.

<sup>c</sup> Persons charged counts the number of people charged with the specified offence. A person who is charged with more than one offence within an offence group (for example, a person charged with both theft of a motor vehicle and theft from retail premises) is counted only once in the offence division total. The grand total is a count of the total number of distinct persons charged in Higher Court appearances finalised. For 'charges', all totals simply sum over the categories.

<sup>d</sup> Sexual offences against children is not a category within ASOC. These offences are also counted in the appropriate ASOC categories - Sexual assault and non-assaultive sexual offences.

**TABLE 3.5****PERSONS CHARGED IN TRIAL AND SENTENCE APPEARANCES FINALISED:  
NUMBER OF OFFENCES CHARGED**

<i>Number of offences charged</i>	<i>Persons charged</i>	
	<i>No.</i>	<i>%</i>
1	1,317	36.1
2	884	24.2
3	476	13.1
4	309	8.5
5	189	5.2
6	103	2.8
7	101	2.8
8	55	1.5
9	38	1.0
10 or more	174	4.8

TABLE 3.6

**PERSONS CHARGED IN TRIAL AND SENTENCE APPEARANCES FINALISED<sup>a</sup>:  
METHOD OF FINALISATION, JURISDICTION**

<i>Method of finalisation</i>	<i>Jurisdiction</i>				<i>Total</i>	
	<i>Supreme Court</i>		<i>District Court</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	24	22.4	256	7.2	280	7.7
Guilty of at least one charge	22	20.6	292	8.3	314	8.6
Other <sup>b</sup>	-	-	46	1.3	46	1.3
<b>Proven outcome not further described<sup>c</sup></b>	-	-	6	0.2	6	0.2
<b>Proceeded to sentence only</b>	54	50.5	2,714	76.7	2,768	75.9
<b>No charges proceeded with</b>	1	0.9	190	5.4	191	5.2
<b>All charges otherwise disposed of</b>	6	5.6	35	1.0	41	1.1
<b>Total</b>	<b>107</b>	<b>100.0</b>	<b>3,539</b>	<b>100.0</b>	<b>3,646</b>	<b>100.0</b>

TABLE 3.7

**ABORIGINAL AND TORRES STRAIT ISLANDER PERSONS  
CHARGED IN TRIAL AND SENTENCE APPEARANCES FINALISED<sup>a</sup>:  
METHOD OF FINALISATION, JURISDICTION**

<i>Method of finalisation</i>	<i>Jurisdiction</i>				<i>Total</i>	
	<i>Supreme Court</i>		<i>District Court</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	3	15.0	35	5.5	38	5.8
Guilty of at least one charge	2	10.0	45	7.1	47	7.2
Other <sup>b</sup>	-	-	7	1.1	7	1.1
<b>Proven outcome not further described<sup>c</sup></b>	-	-	2	0.3	2	0.3
<b>Proceeded to sentence only</b>	13	65.0	506	79.8	519	79.4
<b>No charges proceeded with</b>	-	-	33	5.2	33	5.0
<b>All charges otherwise disposed of</b>	2	10.0	6	0.9	8	1.2
<b>Total</b>	<b>20</b>	<b>100.0</b>	<b>634</b>	<b>100.0</b>	<b>654</b>	<b>100.0</b>

<sup>a</sup> An arrest warrant is no longer a finalising outcome. Caution should be used when comparing this data with that published in previous years.

<sup>b</sup> The category 'Proceeded to trial: Other' includes persons who were acquitted of one or more charges at trial but pleaded guilty to at least one other charge.

<sup>c</sup> The category 'Proven outcome not further described' includes persons who received a sentence but where there was insufficient data to determine whether they had proceeded to trial or to sentence only.

TABLE 3.8

**PERSONS FOUND GUILTY IN TRIAL AND SENTENCE APPEARANCES FINALISED:  
TYPE OF PRINCIPAL OFFENCE<sup>a</sup>, PENALTY FOR PRINCIPAL OFFENCE**

Type of principal offence	Penalty for principal offence														Total
	Imprisonment	Detention in juvenile institution	Home detention	Periodic detention	Suspended sentence with supervision	Suspended sentence without supervision	Community service order	Bond with supervision	Bond without supervision	Fine	Nominal Sentence	Bond without conviction	No conviction recorded	Total	
<b>Homicide and related offences</b>															
Murder	34	-	-	-	-	-	-	-	-	-	-	-	-	34	
Attempted murder	14	-	-	-	-	-	-	-	-	-	-	-	-	14	
Manslaughter and driving causing death	64	-	1	6	2	6	-	2	4	-	-	-	-	85	
<b>Total</b>	112	-	1	6	2	6	-	2	4	-	-	-	-	133	
<b>Acts intended to cause injury</b>															
Assault	289	2	-	34	38	13	9	8	16	-	1	2	1	413	
Other acts intended to cause injury	5	-	-	-	1	-	-	1	1	-	-	-	-	8	
<b>Total</b>	294	2	-	34	39	13	9	9	17	-	1	2	1	421	
<b>Sexual assault and related offences</b>															
Sexual assault	236	1	-	4	21	11	-	11	14	-	-	-	5	303	
Non-assaultive sexual offences	35	-	-	3	5	-	-	-	-	-	-	-	-	43	
<b>Total</b>	271	1	-	7	26	11	-	11	14	-	-	-	5	346	
<i>Sexual offences against children<sup>b</sup></i>	176	1	-	3	17	9	-	10	2	-	-	-	4	222	
<b>Dangerous or negligent acts endangering persons</b>															
Dangerous or negligent operation of a vehicle	23	-	-	5	-	-	-	-	1	-	-	-	-	29	
Other dangerous or negligent acts endangering persons	2	-	-	-	-	-	-	-	-	-	-	-	-	2	
<b>Total</b>	25	-	-	5	-	-	-	-	1	-	-	-	-	31	

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TABLE 3.8 continued

Type of principal offence	Penalty for principal offence														Total
	Imprisonment	Detention in juvenile institution	Home detention	Periodic detention	Suspended sentence with supervision	Suspended sentence without supervision	Community service order	Bond with supervision	Bond without supervision	Fine	Nominal Sentence	Bond without conviction	No conviction recorded	No. Total	
<b>Abduction, harassment and other offences against the person</b>															
Abduction and kidnapping	37	1	1	1	4	2	2	1	-	-	-	-	1	50	
Deprivation of liberty/false imprisonment	5	-	-	-	1	-	-	-	-	-	-	-	-	6	
Harassment and threatening behaviour	-	-	-	-	2	1	-	-	-	-	-	1	-	4	
<b>Total</b>	42	1	1	1	6	4	2	1	-	-	-	1	1	60	
<b>Robbery, extortion and related offences</b>															
Robbery	413	3	-	30	46	22	3	7	6	-	-	-	-	530	
Blackmail and extortion	1	-	-	-	-	-	-	-	-	-	-	-	-	1	
<b>Total</b>	414	3	-	30	46	22	3	7	6	-	-	-	-	531	
<b>Unlawful entry with intent/burglary, break and enter</b>	286	-	1	13	61	22	8	16	15	-	-	3	-	425	
<b>Theft and related offences</b>															
Motor vehicle theft and related offences	15	-	-	-	1	-	-	-	1	-	-	-	-	17	
Theft (except motor vehicles)	16	-	-	-	-	5	1	-	5	1	1	2	-	31	
Receive or handle proceeds of crime	26	-	-	-	3	-	2	-	4	-	-	1	-	36	
<b>Total</b>	57	-	-	-	4	5	3	-	10	1	1	3	-	84	
<b>Fraud, deception and related offences</b>															
Obtain benefit by deception	43	-	-	9	2	4	-	-	2	1	-	1	-	62	
Forgery and counterfeiting	6	-	-	-	1	1	-	1	-	-	-	-	-	9	
Deceptive business/government practices	1	-	-	-	-	-	-	-	1	-	-	-	-	2	
Other fraud and deception offences	8	-	1	1	2	-	-	-	-	-	-	-	-	12	
<b>Total</b>	58	-	1	10	5	5	-	1	3	1	-	1	-	85	
<b>Illicit drug offences</b>															
Import or export illicit drugs	76	-	-	-	-	-	-	-	-	-	-	-	-	76	
Deal or traffic in illicit drugs	349	-	1	39	109	59	13	15	28	3	1	5	-	622	
Manufacture or cultivate illicit drugs	107	-	-	13	12	9	1	-	3	-	-	-	-	145	
Possess and/or use illicit drugs	5	-	-	-	-	-	-	2	1	-	-	1	1	10	
Other illicit drug offences	-	-	-	-	-	-	-	-	-	-	-	-	-	0	
<b>Total</b>	537	-	1	52	121	68	14	17	32	3	1	6	1	853	



<b>Prohibited and regulated weapons and explosives offences</b>												
Prohibited weapons/explosives offences	13	-	-	1	-	3	-	4	-	1	-	22
Regulated weapons/explosives offences	35	-	-	2	-	-	1	-	-	-	-	38
<b>Total</b>	48	-	-	3	-	3	-	4	-	1	-	60
<b>Property damage and environmental pollution</b>												
Property damage	12	-	1	-	3	-	1	-	1	-	1	19
<b>Total</b>	12	-	1	-	3	-	1	-	1	-	1	19
<b>Public order offences</b>												
Disorderly conduct	7	-	-	2	-	1	-	2	-	-	-	15
Regulated public order offences	1	-	-	-	-	-	-	2	-	-	-	3
Offensive conduct	-	-	-	-	-	-	-	-	-	-	-	0
<b>Total</b>	8	-	-	2	-	1	-	2	-	-	-	18
<b>Traffic and vehicle regulatory offences</b>												
Driver Licence offences	-	-	-	-	-	-	-	-	-	-	-	0
Vehicle registration and roadworthiness offences	-	-	-	-	-	-	-	-	-	-	-	0
Regulatory driving offences	-	-	-	-	1	-	1	-	1	-	-	3
<b>Total</b>	-	-	-	-	1	-	1	-	1	-	-	3
<b>Offences against justice procedures, government security and government operations</b>												
Breach of custodial order offences	5	-	-	-	-	-	-	-	-	-	-	5
Breach of community-based order	-	-	-	-	-	-	-	-	-	-	-	0
Breach of violence and non-violence restraining orders	-	-	-	-	-	-	-	1	-	-	-	1
Offences against government operations	-	-	-	-	-	-	-	-	-	-	-	0
Offences against government security	4	-	-	-	-	-	-	-	-	-	-	4
Offences against justice procedures	26	-	-	3	3	6	1	4	-	2	1	46
<b>Total</b>	35	-	-	3	3	6	1	5	-	2	1	56
<b>Miscellaneous offences</b>												
Public health and safety offences	-	-	-	-	-	-	-	-	-	-	-	0
Commercial/industry/financial regulation	1	-	-	-	1	3	-	-	-	-	-	5
Other miscellaneous offences	-	-	-	2	1	-	-	-	-	-	-	3
<b>Total</b>	1	-	-	2	1	1	3	-	-	-	-	8
<b>Grand Total</b>	<b>2,200</b>	<b>7</b>	<b>6</b>	<b>164</b>	<b>321</b>	<b>168</b>	<b>42</b>	<b>69</b>	<b>117</b>	<b>6</b>	<b>18</b>	<b>3,133</b>

<sup>a</sup> Type of offence is based on the 2008 version of the Australian Standard Offence Classification (ASOC) released by the Australian Bureau of Statistics. Previous publications used the 1997 version of ASOC. Caution should be used when comparing this data with that published in previous years.

<sup>b</sup> Sexual offences against children is not a category within ASOC. These offences are also counted in the appropriate ASOC categories - Sexual assault and non-assaultive sexual offences.

TABLE 3.8a

**PERSONS FOUND GUILTY OF DRUG OFFENCES IN TRIAL AND SENTENCE APPEARANCES FINALISED:  
TYPE OF DRUG AND PRINCIPAL OFFENCE, PENALTY FOR PRINCIPAL OFFENCE**

Type of principal offence	Penalty for principal offence														Total
	Imprisonment	Home Detention	Periodic detention	Suspended sentence with supervision	Suspended sentence w/o supervision	Community service order	Bond with supervision	Bond without supervision	Fine	Nominal Sentence	Bond without conviction	No conviction recorded	No. No.	No. No.	
<b>Opiates</b>															
Import illicit drugs	26	-	-	-	-	-	-	-	-	-	-	-	-	-	26
Deal or traffic in illicit drugs-commercial quantity	37	-	2	3	-	-	-	-	-	-	-	-	-	-	42
Deal or traffic in illicit drugs-non-commercial quantity	19	-	1	5	3	-	1	-	-	-	-	-	-	-	29
Possess illicit drugs	1	-	-	-	-	-	-	-	-	-	-	-	-	-	1
<b>Total</b>	<b>83</b>	<b>-</b>	<b>3</b>	<b>8</b>	<b>3</b>	<b>-</b>	<b>1</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>98</b>
<b>Cannabis</b>															
Deal or traffic in illicit drugs-commercial quantity	6	-	-	5	1	-	-	-	-	-	-	-	-	-	12
Deal or traffic in illicit drugs-non-commercial quantity	13	-	1	3	3	1	-	-	-	-	-	-	-	-	21
Manufacture illicit drugs	11	-	2	-	1	-	-	-	-	-	-	-	-	-	14
Cultivate illicit drugs	72	-	11	12	7	1	-	3	-	-	-	-	-	-	106
<b>Total</b>	<b>102</b>	<b>-</b>	<b>14</b>	<b>20</b>	<b>12</b>	<b>2</b>	<b>-</b>	<b>3</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>153</b>
<b>Halucinogens</b>															
Deal or traffic in illicit drugs-non-commercial quantity	2	-	-	2	2	-	-	-	-	-	-	-	-	-	6
<b>Total</b>	<b>2</b>	<b>-</b>	<b>-</b>	<b>2</b>	<b>2</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>6</b>
<b>Amphetamines</b>															
Import illicit drugs	10	-	-	-	-	-	-	-	-	-	-	-	-	-	10
Deal or traffic in illicit drugs-commercial quantity	79	-	6	3	2	-	-	-	-	1	-	-	-	-	91
Deal or traffic in illicit drugs-non-commercial quantity	92	-	10	31	17	4	1	8	1	-	1	-	-	-	165
Manufacture illicit drugs	19	-	-	-	1	-	-	-	-	-	-	-	-	-	20
Possess illicit drugs	2	-	-	-	-	-	-	-	-	-	-	-	-	-	2
<b>Total</b>	<b>202</b>	<b>-</b>	<b>16</b>	<b>34</b>	<b>20</b>	<b>4</b>	<b>1</b>	<b>8</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>288</b>

<b>Barbiturates</b>												
Deal or traffic in illicit drugs-non-commercial quantity	2	-	2	1	1	-	-	3	-	-	-	9
<b>Total</b>	2	-	2	1	1	-	-	3	-	-	-	9
<b>Cocaine</b>												
Import illicit drugs	34	-	-	-	-	-	-	-	-	-	-	34
Deal or traffic in illicit drugs-commercial quantity	8	-	-	1	-	-	-	-	-	-	-	9
Deal or traffic in illicit drugs-non-commercial quantity	17	-	2	4	2	-	2	1	-	-	-	28
<b>Total</b>	59	-	2	5	2	-	2	1	-	-	-	71
<b>Ecstasy</b>												
Import illicit drugs	5	-	-	-	-	-	-	-	-	-	-	5
Deal or traffic in illicit drugs-commercial quantity	42	-	1	3	-	-	-	-	-	-	-	46
Deal or traffic in illicit drugs-non-commercial quantity	29	1	14	44	26	8	11	16	2	-	4	155
Manufacture illicit drugs	4	-	-	-	-	-	-	-	-	-	-	4
Possess illicit drugs	2	-	-	-	-	-	-	-	-	-	-	3
<b>Total</b>	82	1	15	47	26	8	11	16	2	-	4	213
<b>Other drugs</b>												
Deal or traffic in illicit drugs-non-commercial quantity	1	-	-	3	-	-	-	-	-	-	-	4
<b>Total</b>	1	-	-	3	-	-	-	-	-	-	-	4
<b>Unknown</b>												
Import illicit drugs	1	-	-	-	-	-	-	-	-	-	-	1
Deal or traffic in illicit drugs-commercial quantity	-	-	-	1	-	-	-	-	-	-	-	1
Deal or traffic in illicit drugs-non-commercial quantity	2	-	-	-	2	-	-	-	-	-	-	4
Manufacture illicit drugs	1	-	-	-	-	-	-	-	-	-	-	1
Possess illicit drugs	-	-	-	-	-	-	2	1	-	-	1	4
<b>Total</b>	4	-	-	1	2	-	2	1	-	-	1	11
<b>Grand Total</b>	<b>537</b>	<b>1</b>	<b>52</b>	<b>121</b>	<b>68</b>	<b>14</b>	<b>17</b>	<b>32</b>	<b>3</b>	<b>1</b>	<b>6</b>	<b>853</b>

<sup>a</sup> Type of offence is based on the 2008 version of the Australian Standard Offence Classification (ASOC) released by the Australian Bureau of Statistics. Previous publications used the 1997 version of ASOC. Caution should be used when comparing this data with that published in previous years.

TABLE 3.9

**AVERAGE PENALTY FOR PERSONS FOUND GUILTY IN TRIAL AND SENTENCE APPEARANCES FINALISED:  
TYPE OF PRINCIPAL OFFENCE<sup>a</sup>, PENALTY FOR PRINCIPAL OFFENCE**

Type of principal offence	Penalty for principal offence									
	Average months	Average months	Average months	Average months	Average months	Average months	Average months	Average hours	Average months	Average \$
	Imprisonment	Detention in juvenile institution	Home detention	Periodic detention	Suspended sentence	Community service order	Bond	Fine		
<b>Homicide and related offences</b>										
Murder <sup>b</sup>	177.7	-	-	-	-	-	-	-	-	-
Attempted murder	82.4	-	-	-	-	-	-	-	-	-
Manslaughter and driving causing death	44.4	-	6.0	17.2	19.6	-	30.0	-	-	-
<b>Total</b>	<b>86.3</b>	<b>-</b>	<b>6.0</b>	<b>17.2</b>	<b>19.6</b>	<b>-</b>	<b>30.0</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>Acts intended to cause injury</b>										
Assault	26.8	19.0	-	14.0	17.7	183.3	19.6	-	-	-
Other acts intended to cause injury	21.0	-	-	-	24.0	-	21.0	-	-	-
<b>Total</b>	<b>26.7</b>	<b>19.0</b>	<b>-</b>	<b>14.0</b>	<b>17.8</b>	<b>183.3</b>	<b>19.7</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>Sexual assault and related offences</b>										
Sexual assault	36.5	15.0	-	10.5	19.2	-	22.7	-	-	-
Non-assaultive sexual offences	18.2	-	-	16.7	16.6	-	-	-	-	-
<b>Total</b>	<b>34.2</b>	<b>15.0</b>	<b>-</b>	<b>13.1</b>	<b>18.8</b>	<b>-</b>	<b>22.7</b>	<b>-</b>	<b>-</b>	<b>-</b>
<i>Sexual offences against children<sup>c</sup></i>	28.8	15.0	-	16.7	17.9	-	25.2	-	-	-
<b>Dangerous or negligent acts endangering persons</b>										
Dangerous or negligent operation of a vehicle	12.4	-	-	10.8	-	-	18.0	-	-	-
Other dangerous or negligent acts endangering persons	15.0	-	-	-	-	-	-	-	-	-
<b>Total</b>	<b>12.6</b>	<b>-</b>	<b>-</b>	<b>10.8</b>	<b>-</b>	<b>-</b>	<b>18.0</b>	<b>-</b>	<b>-</b>	<b>-</b>

<b>Abduction, harassment and other offences against the person</b>									
Abduction and kidnapping	30.2	12.0	15.0	25.5	20.3	-	24.0	-	-
Deprivation of liberty/false imprisonment	27.4	-	-	-	24.0	-	-	-	-
Harassment and threatening behaviour	-	-	-	-	7.0	-	12.0	-	-
<b>Total</b>	29.9	12.0	15.0	25.5	16.7	-	21.0	-	-
<b>Robbery, extortion and related offences</b>									
Robbery	25.5	14.7	-	14.7	20.7	71.7	29.5	-	-
Blackmail and extortion	18.0	-	-	-	-	-	-	-	-
<b>Total</b>	25.5	14.7	-	14.7	20.7	71.7	29.5	-	-
<b>Unlawful entry with intent/burglary, break and enter</b>									
<b>Total</b>	22.0	-	6.0	13.2	20.0	191.9	24.3	-	-
<b>Theft and related offences</b>									
Motor vehicle theft and related offences	30.3	-	-	-	20.0	-	24.0	-	-
Theft (except motor vehicles)	11.0	-	-	-	28.2	200.0	18.0	2,500	-
Receive or handle proceeds of crime	18.6	-	-	-	18.0	175.0	19.2	-	-
<b>Total</b>	19.5	-	-	-	23.9	183.3	18.9	2,500	-
<b>Fraud, deception and related offences</b>									
Obtain benefit by deception	19.9	-	-	11.8	23.5	-	34.0	10,000	-
Forgery and counterfeiting	16.3	-	-	-	13.5	-	60.0	-	-
Deceptive business/government practices	48.0	-	-	-	-	-	5.0	-	-
Other fraud and deception offences	18.5	-	18.0	22.0	22.5	-	-	-	-
<b>Total</b>	19.8	-	18.0	12.8	21.3	-	33.4	10,000	-
<b>Illicit drug offences</b>									
Import or export illicit drugs	62.1	-	-	-	-	-	-	-	-
Deal or traffic in illicit drugs	28.1	-	7.0	12.8	18.6	221.2	26.9	1,467	-
Manufacture or cultivate illicit drugs	27.5	-	-	14.2	17.3	200.0	36.0	-	-
Possess and/or use illicit drugs	54.4	-	-	-	-	-	18.0	-	-
Other illicit drug offences	-	-	-	-	-	-	-	-	-
<b>Total</b>	33.1	-	7.0	13.1	18.5	219.6	26.7	1,467	-
<b>Prohibited and regulated weapons and explosives offences</b>									
Prohibited weapons/explosives offences	20.0	-	-	18.0	21.3	-	26.4	-	-
Regulated weapons/explosives offences	21.6	-	-	-	20.0	-	12.0	-	-
<b>Total</b>	21.1	-	-	18.0	20.8	-	24.0	-	-
<b>Property damage and environmental pollution</b>									
Property damage	26.1	-	6.0	-	20.0	-	18.0	-	-
<b>Total</b>	26.1	-	6.0	-	20.0	-	18.0	-	-

Table continues on next page

TABLE 3.9 continued

Type of principal offence	Penalty for principal offence									
	Imprisonment	Detention in juvenile institution	Home detention	Periodic detention	Suspended sentence	Community service order	Bond	Fine	Average months	Average \$
<b>Public order offences</b>										
Disorderly conduct	16.5	-	-	-	14.3	-	-	-	28.8	-
Regulated public order offences	12.0	-	-	-	-	-	-	-	12.0	-
Offensive conduct	-	-	-	-	-	-	-	-	-	-
<b>Total</b>	<b>15.9</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>14.3</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>24.0</b>	<b>-</b>
<b>Traffic and vehicle regulatory offences</b>										
Driver Licence offences	-	-	-	-	-	-	-	-	-	-
Vehicle registration and roadworthiness offences	-	-	-	-	-	-	-	-	-	-
Regulatory driving offences	-	-	-	-	12.0	100.0	-	-	-	1,500
<b>Total</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>12.0</b>	<b>100.0</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>1,500</b>
<b>Offences against justice procedures, government security and government operations</b>										
Breach of custodial order offences	6.6	-	-	-	-	-	-	-	-	-
Breach of community-based order	-	-	-	-	-	-	-	-	-	-
Breach of violence and non-violence restraining orders	-	-	-	-	-	-	-	-	12.0	-
Offences against government operations	-	-	-	-	-	-	-	-	-	-
Offences against government security	91.3	-	-	-	-	-	-	-	-	-
Offences against justice procedures	13.7	-	-	12.0	11.9	200.0	-	-	15.6	-
<b>Total</b>	<b>21.5</b>	<b>-</b>	<b>-</b>	<b>12.0</b>	<b>11.9</b>	<b>200.0</b>	<b>-</b>	<b>-</b>	<b>15.0</b>	<b>-</b>
<b>Miscellaneous offences</b>										
Public health and safety offences	-	-	-	-	-	-	-	-	-	-
Commercial/industry/financial regulation	24.0	-	-	-	48.0	193.3	-	-	-	-
Other miscellaneous offences	-	-	-	21.0	12.0	-	-	-	-	-
<b>Total</b>	<b>24.0</b>	<b>-</b>	<b>-</b>	<b>21.0</b>	<b>30.0</b>	<b>193.3</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>Grand Total</b>	<b>30.6</b>	<b>15.6</b>	<b>9.7</b>	<b>13.8</b>	<b>19.1</b>	<b>188.2</b>	<b>24.1</b>	<b>3,067</b>		

<sup>a</sup> Type of offence is based on the 2008 version of the Australian Standard Offence Classification (ASOC) released by the Australian Bureau of Statistics. Previous publications used the 1997 version of ASOC. Caution should be used when comparing this data with that published in previous years.

<sup>b</sup> Excluded from this table are 4 persons serving life imprisonment. Of the persons sentenced to life imprisonment, 4 persons were found guilty of murder.

<sup>c</sup> Sexual offences against children is not a category within ASOC. These offences are also counted in the appropriate ASOC categories - Sexual assault and non-assaultive sexual offences.

TABLE 3.10

**PERSONS FOUND GUILTY IN TRIAL AND SENTENCE APPEARANCES FINALISED BY AGE:  
TYPE OF PRINCIPAL OFFENCE<sup>a</sup>, AGE, AVERAGE AGE**

Gender: Total male and female													
Type of principal offence	Age (years)										Average Age		
	Under 18	18	19	20-24	25-29	30-39	40-49	50-59	60-65	Over 65		Not known	Total
No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	Years
<b>Homicide and related offences</b>													
Murder	1	1	2	7	8	8	6	-	-	1	-	34	31.1
Attempted murder	-	-	-	3	-	4	5	1	1	-	-	14	39.5
Manslaughter and driving causing death	9	3	4	15	13	18	16	4	-	3	-	85	32.4
<b>Total</b>	10	4	6	25	21	30	27	5	1	4	-	133	32.8
<b>Acts intended to cause injury</b>													
Assault	24	25	23	100	78	96	55	7	2	3	-	413	29.4
Other acts intended to cause injury	-	-	1	3	-	3	1	-	-	-	-	8	28.3
<b>Total</b>	24	25	24	103	78	99	56	7	2	3	-	421	29.4
<b>Sexual assault and related offences</b>													
Sexual assault	25	7	6	41	46	81	58	25	6	8	-	303	34.8
Non-assaultive sexual offences	-	-	-	5	4	14	8	6	5	1	-	43	41.4
<b>Total</b>	25	7	6	46	50	95	66	31	11	9	-	346	35.7
<i>Sexual offences against children<sup>b</sup></i>	21	3	3	24	23	66	46	21	8	7	-	222	36.5
<b>Dangerous or negligent acts endangering persons</b>													
Dangerous or negligent operation of a vehicle	-	-	4	12	5	4	3	1	-	-	-	29	27.5
Other dangerous or negligent acts endangering persons	-	-	-	-	2	-	-	-	-	-	-	2	26.3
<b>Total</b>	-	-	4	12	7	4	3	1	-	-	-	31	27.5
<b>Abduction, harassment and other offences against the person</b>													
Abduction and kidnapping	4	3	1	13	8	15	2	4	-	-	-	50	29.5
Deprivation of liberty/false imprisonment	1	-	-	2	-	1	2	-	-	-	-	6	31.0
Harassment and threatening behaviour	-	-	-	1	2	1	-	-	-	-	-	4	29.5
<b>Total</b>	5	3	1	16	10	17	4	4	-	-	-	60	29.7

Table continues on next page

TABLE 3.10 continued

<b>Gender: Total male and female</b>																				
<b>Type of principal offence</b>	<b>Under 18</b>	<b>Age (years)</b>										<b>Average Age</b>								
		No.	No.	No.	No.	No.	No.	No.	No.	No.	No.		No.	No.	No.	Years				
<b>Robbery, extortion and related offences</b>																				
Robbery	36	79	74	154	81	89	12	4	1	-	-	-	-	-	-	-	-	530	24.4	
Blackmail and extortion	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	24.1
<b>Total</b>	36	79	74	155	81	89	12	4	1	-	-	-	-	-	-	-	-	531	24.4	
<b>Unlawful entry with intent/burglary, break and enter</b>	3	52	39	103	72	113	33	10	-	-	-	-	-	-	-	-	-	425	28.2	
<b>Theft and related offences</b>																				
Motor vehicle theft and related offences	1	1	-	3	6	4	2	-	-	-	-	-	-	-	-	-	-	-	17	28.7
Theft (except motor vehicles)	-	7	-	5	6	8	4	1	-	-	-	-	-	-	-	-	-	-	31	29.3
Receive or handle proceeds of crime	-	1	1	5	9	8	9	1	1	1	1	1	1	1	1	1	1	-	36	34.9
<b>Total</b>	1	9	1	13	21	20	15	2	1	1	1	1	1	1	1	1	1	-	84	31.6
<b>Fraud, deception and related offences</b>																				
Obtain benefit by deception	-	-	2	5	9	14	16	14	1	1	1	1	1	1	1	1	1	-	62	40.4
Forgery and counterfeiting	-	-	-	-	1	2	2	4	-	-	-	-	-	-	-	-	-	-	9	44.3
Deceptive business/government practices	-	-	-	-	1	1	-	-	-	-	-	-	-	-	-	-	-	-	2	33.5
Other fraud and deception offences	-	-	-	1	1	3	3	3	1	1	1	1	1	1	1	1	1	-	12	42.4
<b>Total</b>	-	-	2	6	12	20	21	21	2	2	2	2	2	2	2	2	2	-	85	40.9
<b>Illicit drug offences</b>																				
Import or export illicit drugs	-	1	4	8	9	21	23	10	-	-	-	-	-	-	-	-	-	-	76	37.2
Deal or traffic in illicit drugs	-	30	45	143	126	157	85	26	6	4	4	4	4	4	4	4	4	-	622	31.1
Manufacture or cultivate illicit drugs	-	1	1	8	19	42	51	17	3	3	3	3	3	3	3	3	3	-	145	40.0
Possess and/or use illicit drugs	-	1	1	1	2	2	3	-	-	-	-	-	-	-	-	-	-	-	10	31.6
Other illicit drug offences	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0	-
<b>Total</b>	-	33	51	160	156	222	162	53	9	7	7	7	7	7	7	7	7	-	853	33.2



<b>Prohibited and regulated weapons and explosives offences</b>													
Prohibited weapons/explosives offences	-	-	-	3	4	3	2	2	3	2	-	22	41.8
Regulated weapons/explosives offences	1	-	1	5	11	14	3	2	-	1	-	38	32.7
<b>Total</b>	<b>1</b>	<b>-</b>	<b>1</b>	<b>8</b>	<b>16</b>	<b>18</b>	<b>6</b>	<b>4</b>	<b>3</b>	<b>3</b>	<b>-</b>	<b>60</b>	<b>36.1</b>
<b>Property damage and environmental pollution</b>													
Property damage	1	-	1	1	3	6	6	1	-	-	-	19	34.3
<b>Total</b>	<b>1</b>	<b>-</b>	<b>1</b>	<b>1</b>	<b>3</b>	<b>6</b>	<b>6</b>	<b>1</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>19</b>	<b>34.3</b>
<b>Public order offences</b>													
Disorderly conduct	2	2	-	4	3	4	-	-	-	-	-	15	25.3
Regulated public order offences	-	-	-	1	1	-	1	-	-	-	-	3	30.4
Offensive conduct	-	-	-	-	-	-	-	-	-	-	-	0	-
<b>Total</b>	<b>2</b>	<b>2</b>	<b>-</b>	<b>5</b>	<b>4</b>	<b>4</b>	<b>1</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>18</b>	<b>26.1</b>
<b>Traffic and vehicle regulatory offences</b>													
Driver Licence offences	-	-	-	-	-	-	-	-	-	-	-	0	-
Vehicle registration and roadworthiness offences	-	-	-	-	-	-	-	-	-	-	-	0	-
Regulatory driving offences	-	-	-	1	-	2	-	-	-	-	-	3	30.3
<b>Total</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>1</b>	<b>-</b>	<b>2</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>3</b>	<b>30.3</b>
<b>Offences against justice procedures, government security and government operations</b>													
Breach of custodial order offences	-	1	-	3	-	-	-	1	-	-	-	5	27.1
Breach of community-based order	-	-	-	-	-	-	-	-	-	-	-	0	-
Breach of violence and non-violence restraining orders	-	-	-	-	1	-	-	-	-	-	-	1	39.5
Offences against government operations	-	-	-	-	-	-	-	-	-	-	-	0	-
Offences against government security	-	-	-	1	2	1	-	-	-	-	-	4	28.8
Offences against justice procedures	-	-	1	10	10	16	4	2	-	2	1	46	33.4
<b>Total</b>	<b>-</b>	<b>1</b>	<b>1</b>	<b>14</b>	<b>12</b>	<b>18</b>	<b>4</b>	<b>3</b>	<b>-</b>	<b>2</b>	<b>1</b>	<b>56</b>	<b>32.6</b>
<b>Miscellaneous offences</b>													
Public health and safety offences	-	-	-	-	-	-	-	-	-	-	-	0	-
Commercial/industry/financial regulation	-	-	-	-	-	3	1	1	-	-	-	5	40.3
Other miscellaneous offences	-	-	-	1	-	2	-	-	-	-	-	3	30.9
<b>Total</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>1</b>	<b>-</b>	<b>5</b>	<b>1</b>	<b>1</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>8</b>	<b>36.7</b>
<b>Grand Total</b>	<b>108</b>	<b>215</b>	<b>211</b>	<b>669</b>	<b>543</b>	<b>762</b>	<b>417</b>	<b>147</b>	<b>30</b>	<b>30</b>	<b>1</b>	<b>3,133</b>	<b>30.8</b>

<sup>a</sup> Type of offence is based on the 2008 version of the Australian Standard Offence Classification (ASOC) released by the Australian Bureau of Statistics. Previous publications used the 1997 version of ASOC. Caution should be used when comparing this data with that published in previous years.

<sup>b</sup> Sexual offences against children is not a category within ASOC. These offences are also counted in the appropriate ASOC categories - Sexual assault and non-assaultive sexual offences.

TABLE 3.10a

**MALE PERSONS FOUND GUILTY IN TRIAL AND SENTENCE APPEARANCES FINALISED AND AGE: TYPE OF PRINCIPAL OFFENCE<sup>a</sup>, AGE, AVERAGE AGE**

<b>Gender: Male</b>														
<b>Age (years)</b>														
<b>Under 18</b>	<b>Age (years)</b>													<b>Average Age</b>
	<b>18</b>	<b>19</b>	<b>20-24</b>	<b>25-29</b>	<b>30-39</b>	<b>40-49</b>	<b>50-59</b>	<b>60-65</b>	<b>Over 65</b>	<b>Not known</b>	<b>Total</b>	<b>Years</b>		
<b>No.</b>	<b>No.</b>	<b>No.</b>	<b>No.</b>	<b>No.</b>	<b>No.</b>	<b>No.</b>	<b>No.</b>	<b>No.</b>	<b>No.</b>	<b>No.</b>	<b>No.</b>	<b>No.</b>	<b>No.</b>	
<b>Type of principal offence</b>														
<b>Homicide and related offences</b>														
Murder	1	1	2	5	6	7	6	-	-	1	-	-	29	31.9
Attempted murder	-	-	-	3	-	2	3	-	1	-	-	-	9	37.5
Manslaughter and driving causing death	8	3	4	13	10	17	9	2	-	3	-	-	69	31.3
<b>Total</b>	9	4	6	21	16	26	18	2	1	4	-	-	107	32.0
<b>Acts intended to cause injury</b>														
Assault	22	22	21	94	72	87	49	6	2	3	-	-	378	29.3
Other acts intended to cause injury	-	-	1	3	-	3	-	-	-	-	-	-	7	26.6
<b>Total</b>	22	22	22	97	72	90	49	6	2	3	-	-	385	29.3
<b>Sexual assault and related offences</b>														
Sexual assault	25	7	6	38	45	81	57	25	6	8	-	-	298	35.0
Non-assaultive sexual offences	-	-	-	5	4	14	8	6	5	1	-	-	43	41.4
<b>Total</b>	25	7	6	43	49	95	65	31	11	9	-	-	341	35.8
<i>Sexual offences against children<sup>b</sup></i>	21	3	3	23	23	66	46	21	8	7	-	-	221	36.6
<b>Dangerous or negligent acts endangering persons</b>														
Dangerous or negligent operation of a vehicle	-	-	3	12	4	3	2	-	-	-	-	-	24	25.9
Other dangerous or negligent acts endangering persons	-	-	-	-	1	-	-	-	-	-	-	-	1	26.8
<b>Total</b>	-	-	3	12	5	3	2	-	-	-	-	-	25	25.9
<b>Abduction, harassment and other offences against the person</b>														
Abduction and kidnapping	3	3	1	12	5	13	2	4	-	-	-	-	43	29.8
Deprivation of liberty/false imprisonment	1	-	-	2	-	1	2	-	-	-	-	-	6	31.0
Harassment and threatening behaviour	-	-	-	1	2	1	-	-	-	-	-	-	4	29.5
<b>Total</b>	4	3	1	15	7	15	4	4	-	-	-	-	53	29.9

<b>Robbery, extortion and related offences</b>													
Robbery	33	75	71	143	71	80	9	4	1	-	-	487	24.2
Blackmail and extortion	-	-	-	1	-	-	-	-	-	-	-	1	24.1
<b>Total</b>	33	75	71	144	71	80	9	4	1	-	-	488	24.2
<b>Unlawful entry with intent/burglary, break and enter</b>													
	3	49	37	99	68	100	30	9	-	-	-	395	27.9
<b>Theft and related offences</b>													
Motor vehicle theft and related offences	1	1	-	3	6	4	2	-	-	-	-	17	28.7
Theft (except motor vehicles)	-	6	-	4	6	6	3	1	-	-	-	26	29.2
Receive or handle proceeds of crime	-	1	1	4	8	6	8	1	1	1	-	31	35.3
<b>Total</b>	1	8	1	11	20	16	13	2	1	1	-	74	31.6
<b>Fraud, deception and related offences</b>													
Obtain benefit by deception	-	-	1	3	3	9	12	11	-	-	-	39	42.0
Forgery and counterfeiting	-	-	-	-	1	2	1	4	-	-	-	8	43.9
Deceptive business/government practices	-	-	-	-	1	-	-	-	-	-	-	1	29.2
Other fraud and deception offences	-	-	-	1	1	3	3	2	1	-	-	11	41.5
<b>Total</b>	-	-	1	4	6	14	16	17	1	-	-	59	42.0
<b>Illicit drug offences</b>													
Import or export illicit drugs	-	1	4	5	6	16	20	5	-	-	-	57	36.8
Deal or traffic in illicit drugs	-	28	42	129	112	129	67	22	6	4	-	539	30.7
Manufacture or cultivate illicit drugs	-	1	-	8	16	35	44	15	3	3	-	125	40.3
Possess and/or use illicit drugs	-	1	1	1	2	2	3	-	-	-	-	10	31.6
Other illicit drug offences	-	-	-	-	-	-	-	-	-	-	-	0	-
<b>Total</b>	-	31	47	143	136	182	134	42	9	7	-	731	32.8
<b>Prohibited and Regulated Weapons and explosives offences</b>													
Prohibited weapons/explosives offences	-	-	-	3	5	4	3	2	2	2	-	21	40.8
Regulated weapons/explosives offences	1	-	1	5	10	14	2	2	-	1	-	36	32.6
<b>Total</b>	1	-	1	8	15	18	5	4	2	3	-	57	35.6
<b>Property damage and environmental pollution</b>													
Property damage	1	-	1	1	3	4	5	1	-	-	-	16	33.8
<b>Total</b>	1	-	1	1	3	4	5	1	-	-	-	16	33.8

Table continues on next page

TABLE 3.10a continued

		Gender: Male													
		Age (years)											Average Age		
Under 18		18	19	20-24	25-29	30-39	40-49	50-59	60-65	Over 65	Not known	Total	Average Age		
No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	Years	
<b>Type of principal offence</b>															
<b>Public order offences</b>															
	2	2	-	4	2	4	-	-	-	-	-	-	-	14	25.3
Disorderly conduct	-	-	-	-	1	-	1	-	-	-	-	-	-	2	34.1
Regulated public order offences	-	-	-	-	-	-	-	-	-	-	-	-	-	0	-
Offensive conduct	2	2	-	4	3	4	1	-	-	-	-	-	-	16	26.4
<b>Total</b>															
<b>Traffic and vehicle regulatory offences</b>															
Driver Licence offences	-	-	-	-	-	-	-	-	-	-	-	-	-	0	-
Vehicle registration and roadworthiness offences	-	-	-	-	-	-	-	-	-	-	-	-	-	0	-
Regulatory driving offences	-	-	-	1	-	2	-	-	-	-	-	-	-	3	30.3
<b>Total</b>	-	-	-	1	-	2	-	-	-	-	-	-	-	3	30.3
<b>Offences against justice procedures, government security and government operations</b>															
Breach of custodial order offences	-	1	-	3	-	-	-	1	-	-	-	-	-	5	27.1
Breach of community-based order	-	-	-	-	-	-	-	-	-	-	-	-	-	0	-
Breach of violence and non-violence restraining orders	-	-	-	-	-	1	-	-	-	-	-	-	-	1	39.5
Offences against government operations	-	-	-	-	-	-	-	-	-	-	-	-	-	0	-
Offences against government security	-	-	-	1	2	1	-	-	-	-	-	-	-	4	28.8
Offences against justice procedures	-	-	1	9	7	13	2	1	-	-	1	1	1	35	31.3
<b>Total</b>	-	1	1	13	9	15	2	2	-	-	1	1	1	45	30.8
<b>Miscellaneous offences</b>															
Public health and safety offences	-	-	-	-	-	-	-	-	-	-	-	-	-	0	-
Commercial/industry/financial regulation	-	-	-	-	-	3	1	1	-	-	-	-	-	5	40.3
Other miscellaneous offences	-	-	-	1	-	2	-	-	-	-	-	-	-	3	30.9
<b>Total</b>	-	-	-	1	-	5	1	1	-	-	-	-	-	8	36.7
<b>Grand Total</b>	<b>101</b>	<b>202</b>	<b>198</b>	<b>617</b>	<b>480</b>	<b>669</b>	<b>354</b>	<b>125</b>	<b>28</b>	<b>28</b>	<b>28</b>	<b>1</b>	<b>2,803</b>	<b>30.5</b>	

<sup>a</sup> Type of offence is based on the 2008 version of the Australian Standard Offence Classification (ASOC) released by the Australian Bureau of Statistics. Previous publications used the 1997 version of ASOC. Caution should be used when comparing this data with that published in previous years.

<sup>b</sup> Sexual offences against children is not a category within ASOC. These offences are also counted in the appropriate ASOC categories - sexual assault and non-assaultive sexual offences.

TABLE 3.10b

**FEMALE PERSONS FOUND GUILTY IN TRIAL AND SENTENCE CASES FINALISED AND AGE:  
TYPE OF PRINCIPAL OFFENCE<sup>a</sup>, AGE, AVERAGE AGE**

		Gender: Female										Average Age Years		
		Age (years)												
Type of principal offence	Under 18 No.	18 No.	19 No.	20-24 No.	25-29 No.	30-39 No.	40-49 No.	50-59 No.	60-65 No.	Over 65 No.	Not known No.	Total No.		
<b>Homicide and related offences</b>														
Murder	-	-	-	2	2	1	-	-	-	-	-	-	5	26.4
Attempted murder	-	-	-	-	-	2	2	1	-	-	-	-	5	43.0
Manslaughter and driving causing death	1	-	-	2	3	1	7	2	-	-	-	-	16	36.8
<b>Total</b>	1	-	-	4	5	4	9	3	-	-	-	-	26	36.0
<b>Acts intended to cause injury</b>														
Assault	2	3	2	6	6	9	6	1	-	-	-	-	35	30.7
Other acts intended to cause injury	-	-	-	-	-	-	1	-	-	-	-	-	1	40.4
<b>Total</b>	2	3	2	6	6	9	7	1	-	-	-	-	36	31.0
<b>Sexual assault and related offences</b>														
Sexual assault	-	-	-	3	1	-	1	-	-	-	-	-	5	27.6
Non-assaultive sexual offences	-	-	-	-	-	-	-	-	-	-	-	-	0	-
<b>Total</b>	-	-	-	3	1	-	1	-	-	-	-	-	5	27.6
<i>Sexual offences against children<sup>b</sup></i>														
<b>Dangerous or negligent acts endangering persons</b>														
Dangerous or negligent operation of a vehicle	-	-	1	-	1	1	1	1	-	-	-	-	5	35.5
Other dangerous or negligent acts endangering persons	-	-	-	-	1	-	-	-	-	-	-	-	1	25.8
<b>Total</b>	-	-	1	-	2	1	1	1	-	-	-	-	6	33.9
<b>Abduction, harassment and other offences against the person</b>														
Abduction and kidnapping	1	-	-	1	3	2	-	-	-	-	-	-	7	28.0
Deprivation of liberty/false imprisonment	-	-	-	-	-	-	-	-	-	-	-	-	0	-
Harassment and threatening behaviour	-	-	-	-	-	-	-	-	-	-	-	-	0	-
<b>Total</b>	1	-	-	1	3	2	-	-	-	-	-	-	7	28.0

Table continues on next page

TABLE 3.10b continued

<b>Gender: Female</b>															
<b>Age (years)</b>															
<b>Under 18</b>													<b>Average Age</b>		
	<b>No.</b>	<b>18</b>	<b>19</b>	<b>20-24</b>	<b>25-29</b>	<b>30-39</b>	<b>40-49</b>	<b>50-59</b>	<b>60-65</b>	<b>Over 65</b>	<b>Not known</b>	<b>Total</b>		<b>Years</b>	
<b>Type of principal offence</b>	<b>No.</b>	<b>No.</b>	<b>No.</b>	<b>No.</b>	<b>No.</b>	<b>No.</b>	<b>No.</b>	<b>No.</b>	<b>No.</b>	<b>No.</b>	<b>No.</b>	<b>No.</b>	<b>No.</b>	<b>No.</b>	<b>Years</b>
<b>Robbery, extortion and related offences</b>															
Robbery	3	4	3	11	10	9	3	-	-	-	-	-	-	43	26.7
Blackmail and extortion	-	-	-	-	-	-	-	-	-	-	-	-	-	0	-
<b>Total</b>	<b>3</b>	<b>4</b>	<b>3</b>	<b>11</b>	<b>10</b>	<b>9</b>	<b>3</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>43</b>	<b>26.7</b>
<b>Unlawful entry with intent/burglary, break and enter</b>															
<b>Theft and related offences</b>															
Motor vehicle theft and related offences	-	-	-	-	-	-	-	-	-	-	-	-	-	0	-
Theft (except motor vehicles)	-	1	-	1	-	2	1	-	-	-	-	-	-	5	29.9
Receive or handle proceeds of crime	-	-	-	1	1	2	1	-	-	-	-	-	-	5	32.8
<b>Total</b>	<b>-</b>	<b>1</b>	<b>-</b>	<b>2</b>	<b>1</b>	<b>4</b>	<b>2</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>10</b>	<b>31.3</b>
<b>Fraud, deception and related offences</b>															
Obtain benefit by deception	-	-	1	2	6	5	4	3	1	1	1	-	-	23	37.6
Forgery and counterfeiting	-	-	-	-	-	-	1	-	-	-	-	-	-	1	47.4
Deceptive business/government practices	-	-	-	-	-	1	-	-	-	-	-	-	-	1	37.8
Other fraud and deception offences	-	-	-	-	-	-	-	1	-	-	-	-	-	1	52.1
<b>Total</b>	<b>-</b>	<b>-</b>	<b>1</b>	<b>2</b>	<b>6</b>	<b>6</b>	<b>5</b>	<b>4</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>-</b>	<b>-</b>	<b>26</b>	<b>38.5</b>
<b>Illicit drug offences</b>															
Import or export illicit drugs	-	-	-	3	3	5	3	5	-	-	-	-	-	19	38.4
Deal or traffic in illicit drugs	-	2	3	14	14	28	18	4	-	-	-	-	-	83	33.9
Manufacture or cultivate illicit drugs	-	-	1	-	3	7	7	2	-	-	-	-	-	20	38.6
Possess and/or use illicit drugs	-	-	-	-	-	-	-	-	-	-	-	-	-	0	-
Other illicit drug offences	-	-	-	-	-	-	-	-	-	-	-	-	-	0	-
<b>Total</b>	<b>-</b>	<b>2</b>	<b>4</b>	<b>17</b>	<b>20</b>	<b>40</b>	<b>28</b>	<b>11</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>122</b>	<b>35.4</b>

<b>Prohibited and regulated weapons and explosives offences</b>														
Prohibited weapons/explosives offences	-	-	-	-	-	-	-	-	-	-	-	1	64.0	
Regulated weapons/explosives offences	-	-	-	-	-	-	-	-	-	-	-	2	35.2	
<b>Total</b>	-	-	-	-	-	-	-	-	-	-	-	3	44.8	
<b>Property damage and environmental pollution</b>														
Property damage	-	-	-	-	-	2	1	-	-	-	-	-	3	37.2
<b>Total</b>	-	-	-	-	-	2	1	-	-	-	-	-	3	37.2
<b>Public order offences</b>														
Disorderly conduct	-	-	-	-	-	-	1	-	-	-	-	-	1	25.1
Regulated public order offences	-	-	-	-	-	-	-	-	-	-	-	-	1	22.8
Offensive conduct	-	-	-	-	-	-	-	-	-	-	-	-	0	-
<b>Total</b>	-	-	-	-	-	-	1	-	-	-	-	-	2	23.9
<b>Traffic and vehicle regulatory offences</b>														
Driver Licence offences	-	-	-	-	-	-	-	-	-	-	-	-	0	-
Vehicle registration and roadworthiness offences	-	-	-	-	-	-	-	-	-	-	-	-	0	-
Regulatory driving offences	-	-	-	-	-	-	-	-	-	-	-	-	0	-
<b>Total</b>	-	-	-	-	-	-	-	-	-	-	-	-	0	-
<b>Offences against justice procedures, government security and government operations</b>														
Breach of custodial order offences	-	-	-	-	-	-	-	-	-	-	-	-	0	-
Breach of community-based order	-	-	-	-	-	-	-	-	-	-	-	-	0	-
Breach of violence and non-violence restraining orders	-	-	-	-	-	-	-	-	-	-	-	-	0	-
Offences against government operations	-	-	-	-	-	-	-	-	-	-	-	-	0	-
Offences against government security	-	-	-	-	-	-	-	-	-	-	-	-	0	-
Offences against justice procedures	-	-	-	-	-	1	3	2	1	-	-	1	11	39.8
<b>Total</b>	-	-	-	-	-	1	3	3	2	1	-	1	11	39.8
<b>Miscellaneous offences</b>														
Public health and safety offences	-	-	-	-	-	-	-	-	-	-	-	-	0	-
Commercial/industry/financial regulation	-	-	-	-	-	-	-	-	-	-	-	-	0	-
Other miscellaneous offences	-	-	-	-	-	-	-	-	-	-	-	-	0	-
<b>Total</b>	-	-	-	-	-	-	-	-	-	-	-	-	0	-
<b>Grand Total</b>	<b>7</b>	<b>13</b>	<b>13</b>	<b>52</b>	<b>63</b>	<b>93</b>	<b>63</b>	<b>22</b>	<b>63</b>	<b>22</b>	<b>2</b>	<b>2</b>	<b>330</b>	<b>33.5</b>

<sup>a</sup> Type of offence is based on the 2008 version of the Australian Standard Offence Classification (ASOC) released by the Australian Bureau of Statistics. Previous publications used the 1997 version of ASOC. Caution should be used when comparing this data with that published in previous years.

<sup>b</sup> Sexual offences against children is not a category within ASOC. These offences are also counted in the appropriate ASOC categories - Sexual assault and non-assaultive sexual offences.

TABLE 3.11

**PERSONS CHARGED IN TRIAL AND SENTENCE APPEARANCES FINALISED<sup>a</sup>:  
METHOD OF FINALISATION, BAIL STATUS**

<i>Method of finalisation</i>	<i>Bail status</i>											
	<i>Bail dispensed with</i>		<i>In custody<sup>b</sup></i>		<i>On bail conditional</i>		<i>On bail unconditional</i>		<i>Unknown</i>		<i>Total</i>	
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
<b>Proceeded to trial:</b>												
Acquitted of all charges	4	23.5	87	4.9	188	10.5	1	2.6	-	-	280	7.7
Guilty of at least one charge	3	17.6	147	8.2	159	8.9	5	13.2	-	-	314	8.6
Other <sup>c</sup>	-	-	27	1.5	19	1.1	-	-	-	-	46	1.3
<b>Proven outcome not further described<sup>d</sup></b>	-	-	2	0.1	4	0.2	-	-	-	-	6	0.2
<b>Proceeded to sentence only</b>	9	52.9	1,472	82.2	1,257	70.3	30	78.9	-	-	2,768	75.9
<b>No charges proceeded with</b>	1	5.9	43	2.4	145	8.1	2	5.3	-	-	191	5.2
<b>All charges otherwise disposed of</b>	-	-	12	0.7	16	0.9	-	-	13	100.0	41	1.1
<b>Total</b>	<b>17</b>	<b>100.0</b>	<b>1,790</b>	<b>100.0</b>	<b>1,788</b>	<b>100.0</b>	<b>38</b>	<b>100.0</b>	<b>13</b>	<b>100.0</b>	<b>3,646</b>	<b>100.0</b>

<sup>a</sup> An arrest warrant is no longer a finalising outcome. Caution should be used when comparing this data with that published in previous years.

<sup>b</sup> The category 'In custody' includes persons who were refused bail, persons who could not meet their bail and persons who were in custody for a prior offence.

<sup>c</sup> The category 'Proceeded to trial: Other' includes persons who were acquitted of one or more charges at trial but pleaded guilty to at least one other charge.

<sup>d</sup> The category 'Proven outcome not further described' includes persons who received a sentence but where there was insufficient data to determine whether they had proceeded to trial or to sentence only.



TABLE 3.12a

**PERSONS CHARGED IN TRIAL AND SENTENCE APPEARANCES FINALISED<sup>a</sup> AND COURT DELAY:  
REGISTRY, METHOD OF FINALISATION, BAIL STATUS**

<sup>1</sup> Total includes 1 person for whom bail status was unknown

Method of finalisation	Supreme Court Registry																	
	On bail						Bail status						Total					
	Court Delay			In custody <sup>b</sup>			Court Delay			Total								
No.	Median duration (days)	Persons charged	Offence to committal	Outcome to sentence	Persons charged	Offence to committal	Commitment to outcome	Median duration (days)	No.	Persons charged	Offence to committal	Outcome to sentence	Median duration (days)	No.	Persons charged	Offence to committal	Outcome to sentence	
<b>Proceeded to trial</b>	10	585.0	295.0	109.0	36	403.0	287.0	95.5	46	454.0	287.0	99.0						
Acquitted of all charges	4	459.5	295.0	-	20	332.0	287.0	-	24	397.0	287.0	-						
Guilty of at least one charge	6	1518.0	308.5	109.0	16	417.5	276.0	95.5	22	538.0	276.0	99.0						
Other <sup>c</sup>	-	-	-	-	-	-	-	-	-	-	-	-						
<b>Proceeded to sentence only</b>	5	447.0	169.0	64.0	49	431.5	209.0	73.0	54	432.0	209.0	71.5						
<b>No charges proceeded with</b>	-	-	-	-	1	2873.0	195.0	-	1	2873.0	195.0	-						
<b>All charges otherwise disposed of</b>	-	-	-	-	5	210.0	219.0	-	6	254.0	260.0	-						

<sup>a</sup> An arrest warrant is no longer a finalising outcome. Caution should be used when comparing this data with that published in previous years.

<sup>b</sup> The category 'In custody' includes persons who were refused bail, persons who could not meet their bail and persons who were in custody for a prior offence.

<sup>c</sup> The category 'Proceeded to trial: Other' includes persons who were acquitted of one or more charges at trial but pleaded guilty to at least one other charge.

TABLE 3.12b

**PERSONS CHARGED IN TRIAL AND SENTENCE APPEARANCES FINALISED<sup>a</sup> AND COURT DELAY:  
REGISTRY, METHOD OF FINALISATION, BAIL STATUS**

<sup>1</sup> Total includes 12 person for whom bail status was unknown

Method of finalisation	All District Court Registries																
	On bail						Bail status						Total				
	Court Delay			In custody <sup>b</sup>			Court Delay			Court Delay							
No.	Median duration (days)	Persons charged	Outcome to committal	Persons charged	Outcome to committal	No.	Median duration (days)	Persons charged	Outcome to committal	Persons charged	Outcome to committal	No.	Median duration (days)	Persons charged	Outcome to committal	Outcome to sentence	
<b>Proceeded to trial</b>	369	337.0	247.0	93.0	225	265.0	228.0	92.0	594	304.0	239.0	92.0					
Acquitted of all charges	189	344.0	245.5	-	67	254.0	239.0	-	256	308.0	245.0	-					
Guilty of at least one charge	161	342.0	274.0	99.0	131	289.0	228.0	93.5	292	310.0	243.0	97.5					
Other <sup>c</sup>	19	241.0	175.0	11.5	27	229.0	217.0	60.0	46	230.0	203.5	49.0					
<b>Proven outcome not further described<sup>d</sup></b>	4	200.0	-	-	2	269.0	175.0	-	6	229.0	175.0	-					
<b>Proceeded to sentence only</b>	1,291	226.0	148.0	0.0	1,423	223.5	136.0	0.0	2,714	225.0	141.0	0.0					
<b>No charges proceeded with</b>	148	299.5	218.5	-	42	317.0	159.0	-	190	300.0	201.0	-					
<b>All charges otherwise disposed of</b>	16	342.5	265.5	-	7	157.0	162.5	-	35 <sup>1</sup>	331.0	233.0	-					

<sup>a</sup> An arrest warrant is no longer a finalising outcome. Caution should be used when comparing this data with that published in previous years.

<sup>b</sup> The category 'In custody' includes persons who were refused bail, persons who could not meet their bail and persons who were in custody for a prior offence.

<sup>c</sup> The category 'Proceeded to trial: Other' includes persons who were acquitted of one or more charges at trial but pleaded guilty to at least one other charge.

<sup>d</sup> The category 'Proven outcome not further described' includes persons who received a sentence but where there was insufficient data to determine whether they had proceeded to trial or to sentence only.

TABLE 3.12c

**PERSONS CHARGED IN TRIAL AND SENTENCE APPEARANCES FINALISED<sup>a</sup> AND COURT DELAY:  
REGISTRY, METHOD OF FINALISATION, BAIL STATUS**

<sup>1</sup> Total includes 1 person for whom bail status was unknown

Method of finalisation	District Court Registry: Dubbo											
	On bail						Bail status					
	Court Delay			In custody <sup>b</sup>			Court Delay			Total		
	Persons charged	Commitment to outcome	Outcome to sentence	Persons charged	Commitment to outcome	Outcome to sentence	Persons charged	Commitment to outcome	Outcome to sentence	Persons charged	Commitment to outcome	Outcome to sentence
	No.	Median duration (days)	No.	Median duration (days)	No.	Median duration (days)	No.	Median duration (days)	No.	Median duration (days)	No.	Median duration (days)
<b>Proceeded to trial</b>	17	469.0	301.0	51.0	15	254.0	259.0	113.0	32	356.0	260.5	70.5
Acquitted of all charges	10	412.5	297.0	-	12	217.5	259.5	-	22	352.0	260.5	-
Guilty of at least one charge	5	1573.0	301.0	90.0	3	312.0	210.0	113.0	8	407.0	255.5	97.5
Other <sup>c</sup>	2	456.0	791.5	0.0	-	-	-	-	2	456.0	791.5	0.0
<b>Proceeded to sentence only</b>	75	235.0	138.0	0.0	72	188.5	129.5	0.0	147	202.0	134.0	0.0
<b>No charges proceeded with</b>	6	320.0	348.5	-	2	1161.0	120.5	-	8	557.0	342.0	-
<b>All charges otherwise disposed of</b>	1	363.0	258.0	-	1	947.0	119.0	-	3	363.0	119.0	-

<sup>a</sup> An arrest warrant is no longer a finalising outcome. Caution should be used when comparing this data with that published in previous years.

<sup>b</sup> The category 'In custody' includes persons who were refused bail, persons who could not meet their bail and persons who were in custody for a prior offence.

<sup>c</sup> The category 'Proceeded to trial: Other' includes persons who were acquitted of one or more charges at trial but pleaded guilty to at least one other charge.

TABLE 3.12d

**PERSONS CHARGED IN TRIAL AND SENTENCE APPEARANCES FINALISED<sup>a</sup> AND COURT DELAY:  
REGISTRY, METHOD OF FINALISATION, BAIL STATUS**

<b>District Court Registry: Lismore</b>												
<b>Bail status</b>												
<b>On bail</b>												
<b>In custody<sup>b</sup></b>												
<b>Total</b>												
<b>Method of finalisation</b>	<b>Court Delay</b>			<b>Court Delay</b>			<b>Court Delay</b>			<b>Court Delay</b>		
	<b>Persons charged</b>	<b>Offence to committal</b>	<b>Outcome to sentence</b>	<b>Persons charged</b>	<b>Offence to committal</b>	<b>Outcome to sentence</b>	<b>Persons charged</b>	<b>Offence to committal</b>	<b>Outcome to sentence</b>	<b>Persons charged</b>	<b>Offence to committal</b>	<b>Outcome to sentence</b>
<b>No.</b>	<b>Median duration (days)</b>	<b>No.</b>	<b>Median duration (days)</b>	<b>No.</b>	<b>Median duration (days)</b>	<b>No.</b>	<b>Median duration (days)</b>	<b>No.</b>	<b>Median duration (days)</b>	<b>No.</b>	<b>Median duration (days)</b>	<b>No.</b>
<b>Proceeded to trial</b>	20	346.5	273.0	63.5	13	240.0	308.0	6.0	33	263.0	286.0	50.0
Acquitted of all charges	12	392.5	295.0	-	6	186.0	331.5	-	18	296.0	295.0	-
Guilty of at least one charge	4	450.0	223.5	63.5	6	247.5	267.5	4.0	10	248.0	256.5	42.5
Other <sup>c</sup>	4	227.5	228.5	46.5	1	265.0	819.0	129.0	5	241.0	260.0	78.0
<b>Proceeded to sentence only</b>	94	272.5	186.5	0.0	77	231.0	126.0	0.0	171	257.0	159.0	0.0
<b>No charges proceeded with</b>	15	308.0	247.0	-	1	128.0	171.0	-	16	293.0	227.0	-
<b>All charges otherwise disposed of</b>	1	344.0	282.0	-	2	261.5	88.5	-	3	307.0	140.0	-

<sup>a</sup> An arrest warrant is no longer a finalising outcome. Caution should be used when comparing this data with that published in previous years.

<sup>b</sup> The category 'In custody' includes persons who were refused bail, persons who could not meet their bail and persons who were in custody for a prior offence.

<sup>c</sup> The category 'Proceeded to trial: Other' includes persons who were acquitted of one or more charges at trial but pleaded guilty to at least one other charge.

TABLE 3.12e

**PERSONS CHARGED IN TRIAL AND SENTENCE APPEARANCES FINALISED<sup>a</sup> AND COURT DELAY:  
REGISTRY, METHOD OF FINALISATION, BAIL STATUS**

<b>District Court Registry: Newcastle</b>												
<b>Method of finalisation</b>	<b>On bail</b>			<b>In custody<sup>b</sup></b>			<b>Total</b>					
	<b>Court Delay</b>			<b>Court Delay</b>			<b>Court Delay</b>					
	<b>Persons charged</b>	<b>Median duration (days)</b>	<b>Outcome to</b>	<b>Persons charged</b>	<b>Median duration (days)</b>	<b>Outcome to</b>	<b>Persons charged</b>	<b>Median duration (days)</b>	<b>Outcome to</b>			
	<b>No.</b>		<b>Offence to</b>	<b>No.</b>		<b>Offence to</b>	<b>No.</b>		<b>Offence to</b>	<b>No.</b>		
<b>Proceeded to trial</b>	63	294.0	249.0	85.0	30	225.5	193.0	104.0	93	276.0	238.0	97.0
Acquitted of all charges	40	292.5	247.0	-	9	162.0	190.0	-	49	275.0	238.0	-
Guilty of at least one charge	23	294.0	334.0	85.0	17	228.0	203.0	104.0	40	271.0	247.5	97.0
Other <sup>c</sup>	-	-	-	-	4	328.0	172.5	118.0	4	328.0	172.5	118.0
<b>Proceeded to sentence only</b>	204	220.0	142.5	0.0	231	184.0	138.0	0.0	435	199.0	139.0	0.0
<b>No charges proceeded with</b>	21	210.5	209.5	-	3	225.5	754.0	-	24	211.0	218.0	-
<b>All charges otherwise disposed of</b>	2	745.0	229.0	-	-	-	-	-	2	745.0	229.0	-

<sup>a</sup> An arrest warrant is no longer a finalising outcome. Caution should be used when comparing this data with that published in previous years.

<sup>b</sup> The category 'In custody' includes persons who were refused bail, persons who could not meet their bail and persons who were in custody for a prior offence.

<sup>c</sup> The category 'Proceeded to trial: Other' includes persons who were acquitted of one or more charges at trial but pleaded guilty to at least one other charge.

TABLE 3.12f

**PERSONS CHARGED IN TRIAL AND SENTENCE APPEARANCES FINALISED<sup>a</sup> AND COURT DELAY:  
REGISTRY, METHOD OF FINALISATION, BAIL STATUS**

<sup>1</sup> Total includes 6 person for whom bail status was unknown

Method of finalisation	District Court Registry: Sydney												
	On bail						In custody <sup>b</sup>						Total
	Court Delay		Court Delay		Court Delay		Court Delay		Court Delay		Court Delay		
No.	Median duration (days)	No.	Median duration (days)	No.	Median duration (days)	No.	Median duration (days)	No.	Median duration (days)	No.	Median duration (days)	No.	Median duration (days)
Proceeded to trial	126	370.5	222.5	99.0	83	289.0	197.0	114.0	209	310.0	213.0	105.0	
Acquitted of all charges	65	374.0	183.0	-	17	308.0	196.0	-	82	333.0	187.5	-	
Guilty of at least one charge	58	375.5	248.5	104.0	60	295.0	198.0	118.5	118	319.0	225.0	113.0	
Other <sup>c</sup>	3	288.0	134.0	25.5	6	171.0	205.5	39.0	9	181.0	183.0	34.5	
Proven outcome not further described <sup>d</sup>	-	-	-	-	1	229.0	-	-	1	229.0	-	-	
Proceeded to sentence only	394	236.0	141.0	0.0	463	257.5	135.5	0.0	857	248.0	138.5	0.0	
No charges proceeded with	51	223.0	211.0	-	17	288.0	135.0	-	68	249.0	178.0	-	
All charges otherwise disposed of	4	323.0	111.0	-	1	157.0	-	-	11 <sup>#</sup>	323.0	279.0	-	

<sup>a</sup> An arrest warrant is no longer a finalising outcome. Caution should be used when comparing this data with that published in previous years.

<sup>b</sup> The category 'In custody' includes persons who were refused bail, persons who could not meet their bail and persons who were in custody for a prior offence.

<sup>c</sup> The category 'Proceeded to trial: Other' includes persons who were acquitted of one or more charges at trial but pleaded guilty to at least one other charge.

<sup>d</sup> The category 'Proven outcome not further described' includes persons who received a sentence but where there was insufficient data to determine whether they had proceeded to trial or to sentence only.

TABLE 3.12g

**PERSONS CHARGED IN TRIAL AND SENTENCE APPEARANCES FINALISED<sup>a</sup> AND COURT DELAY:  
REGISTRY, METHOD OF FINALISATION, BAIL STATUS**

<sup>1</sup> Total includes 4 person for whom bail status was unknown

Method of finalisation	District Court Registry: Sydney West														
	On bail						Bail status						Total		
	Court Delay			In custody <sup>b</sup>			Court Delay			Court Delay					
No.	Median duration (days)	Outcome to committal	Persons charged	Outcome to committal	Persons charged	Outcome to committal	Persons charged	Outcome to committal	Persons charged	Outcome to committal	Persons charged	Outcome to committal	Persons charged	Outcome to committal	Persons charged
<b>Proceeded to trial</b>	100	329.5	314.5	114.5	59	264.0	252.5	79.5	159	318.0	285.0	102.0			
Acquitted of all charges	42	327.0	303.5	-	17	293.0	285.0	-	59	326.0	285.0	-			
Guilty of at least one charge	51	333.0	315.0	115.0	31	283.5	245.5	86.0	82	329.0	296.0	109.0			
Other <sup>c</sup>	7	585.0	244.0	104.0	11	213.0	238.0	45.0	18	255.0	241.0	47.0			
<b>Proven outcome not further described<sup>d</sup></b>	4	200.0	-	-	1	309.0	175.0	-	5	222.0	175.0	-			
<b>Proceeded to sentence only</b>	353	234.0	168.0	0.0	431	238.0	153.0	0.0	784	236.0	161.0	0.0			
<b>No charges proceeded with</b>	40	342.0	244.0	-	12	317.0	152.5	-	52	333.0	213.0	-			
<b>All charges otherwise disposed of</b>	8	263.5	273.0	-	3	110.0	192.0	-	15	277.0	251.0	-			

<sup>a</sup> An arrest warrant is no longer a finalising outcome. Caution should be used when comparing this data with that published in previous years.

<sup>b</sup> The category 'In custody' includes persons who were refused bail, persons who could not meet their bail and persons who were in custody for a prior offence.

<sup>c</sup> The category 'Proceeded to trial: Other' includes persons who were acquitted of one or more charges at trial but pleaded guilty to at least one other charge.

<sup>d</sup> The category 'Proven outcome not further described' includes persons who received a sentence but where there was insufficient data to determine whether they had proceeded to trial or to sentence only.

TABLE 3.12h

**PERSONS CHARGED IN TRIAL AND SENTENCE APPEARANCES FINALISED<sup>a</sup> AND COURT DELAY:  
REGISTRY, METHOD OF FINALISATION, BAIL STATUS**

District Court Registry: Wagga Wagga												
Bail status												
On bail												
In custody <sup>b</sup>												
Total												
Method of finalisation	Court Delay			Court Delay			Court Delay			Court Delay		
	Persons charged	Offence to committal	Outcome to sentence	Persons charged	Offence to committal	Outcome to sentence	Persons charged	Offence to committal	Outcome to sentence	Persons charged	Offence to committal	Outcome to sentence
	No.	Median duration (days)	No.	Median duration (days)	No.	Median duration (days)	No.	Median duration (days)	No.	Median duration (days)	No.	Median duration (days)
<b>Proceeded to trial</b>	12	590.0	333.0	69.0	9	161.0	331.0	46.0	21	306.0	331.0	61.0
Acquitted of all charges	5	1325.0	363.0	-	1	101.0	183.0	-	6	1096.0	280.5	-
Guilty of at least one charge	6	290.0	333.0	70.5	5	141.0	236.0	61.0	11	238.0	328.0	68.0
Other <sup>c</sup>	1	178.0	89.0	0.0	3	346.0	351.0	7.0	4	262.0	341.0	3.5
<b>Proceeded to sentence only</b>	40	203.5	139.5	0.0	39	231.0	102.0	0.0	79	216.0	111.0	0.0
<b>No charges proceeded with</b>	7	1511.0	138.0	-	-	-	-	-	7	1511.0	138.0	-
<b>All charges otherwise disposed of</b>	-	-	-	-	-	-	-	-	-	-	-	-

<sup>a</sup> An arrest warrant is no longer a finalising outcome. Caution should be used when comparing this data with that published in previous years.

<sup>b</sup> The category 'In custody' includes persons who were refused bail, persons who could not meet their bail and persons who were in custody for a prior offence.

<sup>c</sup> The category 'Proceeded to trial: Other' includes persons who were acquitted of one or more charges at trial but pleaded guilty to at least one other charge.



TABLE 3.12i

**PERSONS CHARGED IN TRIAL AND SENTENCE APPEARANCES FINALISED<sup>a</sup> AND COURT DELAY:  
REGISTRY, METHOD OF FINALISATION, BAIL STATUS**

<sup>1</sup> Total includes 1 person for whom bail status was unknown

		District Court Registry: Wollongong											
		On bail				In custody <sup>b</sup>				Total			
		Court Delay		Court Delay		Court Delay		Court Delay		Court Delay		Court Delay	
Method of finalisation	No.	Median duration (days)	No.	Median duration (days)	No.	Median duration (days)	No.	Median duration (days)	No.	Median duration (days)	No.	Median duration (days)	
		Offence to committal	Persons charged	Offence to committal	Persons charged	Offence to committal	Persons charged	Offence to committal	Persons charged	Offence to committal	Persons charged	Offence to committal	Persons charged
<b>Proceeded to trial</b>													
Acquitted of all charges	15	237.5	220.0	-	-	199.0	258.0	-	-	204.0	235.0	-	-
Guilty of at least one charge	14	322.0	218.5	88.5	9	566.0	286.0	77.0	23	458.0	223.0	77.0	77.0
Other <sup>c</sup>	2	190.5	167.0	0.0	2	201.0	97.0	151.0	4	201.0	142.0	75.5	75.5
<b>Proceeded to sentence only</b>	131	170.0	110.0	0.0	110	154.5	122.5	0.0	241	161.0	114.0	0.0	0.0
<b>No charges proceeded with</b>	8	264.0	176.0	-	7	386.0	271.5	-	15	299.0	204.0	-	-
<b>All charges otherwise disposed of</b>	-	-	-	-	-	-	-	-	1	201.0	79.0	-	-

<sup>a</sup> An arrest warrant is no longer a finalising outcome. Caution should be used when comparing this data with that published in previous years.

<sup>b</sup> The category 'In custody' includes persons who were refused bail, persons who could not meet their bail and persons who were in custody for a prior offence.

<sup>c</sup> The category 'Proceeded to trial: Other' includes persons who were acquitted of one or more charges at trial but pleaded guilty to at least one other charge.

TABLE 3.13

**PERSONS<sup>a</sup> FOUND GUILTY IN TRIAL AND SENTENCE APPEARANCES FINALISED:  
TYPE OF PRINCIPAL OFFENCE<sup>b</sup>, PRIOR PROVEN OFFENCES SINCE 2000**

Type of principal offence	Prior proven offences since 2000											
	No prior proven offences		Prior proven offences not of same type		Prior proven offences of same type without imprisonment		Prior proven offences of same type with imprisonment		Total			
	No.	%	No.	%	No.	%	No.	%	No.	%		
Homicide and related offences	57	43.5	72	55.0	-	-	2	1.5	131	100.0		
Acts intended to cause injury	83	19.6	126	29.8	116	27.4	98	23.2	423	100.0		
Sexual assault and related offences	181	52.3	129	37.3	10	2.9	26	7.5	346	100.0		
Dangerous or negligent acts endangering persons	15	45.5	12	36.4	4	12.1	2	6.1	33	100.0		
Abduction harassment and other offences against the person	14	23.7	44	74.6	1	1.7	-	-	59	100.0		
Robbery, extortion and related offences	74	14.0	321	60.9	32	6.1	100	19.0	527	100.0		
Unlawful entry with intent/burglary, break and enter	52	12.4	164	39.1	47	11.2	156	37.2	419	100.0		
Theft and related offences	20	23.3	26	30.2	21	24.4	19	22.1	86	100.0		
Fraud, deception and related offences	52	61.2	19	22.4	8	9.4	6	7.1	85	100.0		
Illicit drug offences	327	38.6	280	33.1	163	19.2	77	9.1	847	100.0		
Prohibited and regulated weapon and explosives offences	11	18.3	37	61.7	5	8.3	7	11.7	60	100.0		
Property damage and environmental pollution	4	20.0	9	45.0	5	25.0	2	10.0	20	100.0		
Public order offences	6	28.6	10	47.6	4	19.0	1	4.8	21	100.0		
Traffic and vehicle regulatory offences	2	66.7	-	-	1	33.3	-	-	3	100.0		
Offences against justice procedures, government security and government operations	13	23.6	19	34.5	14	25.5	9	16.4	55	100.0		
Miscellaneous offences	6	85.7	-	-	1	14.3	-	-	7	100.0		
<b>Total</b>	<b>917</b>	<b>29.4</b>	<b>1,268</b>	<b>40.6</b>	<b>432</b>	<b>13.8</b>	<b>505</b>	<b>16.2</b>	<b>3,122</b>	<b>100.0</b>		

<sup>a</sup> The data in this table are sourced from the NSW Bureau of Crime Statistics and Research's Reoffending Database (ROD) which is derived from court data. As a consequence, the totals shown here are slightly different to those presented elsewhere in this section of the report.

<sup>b</sup> Type of offence is based on the 2008 version of the Australian Standard Offence Classification (ASOC) released by the Australian Bureau of Statistics. Previous publications used the 1997 version of ASOC. Caution should be used when comparing this data with that published in previous years.

TABLE 3.14

**APPEAL CASES FINALISED<sup>a</sup> IN THE DISTRICT COURT<sup>b</sup>:  
OUTCOME OF APPEAL, TYPE OF APPEAL**

<i>Outcome of appeal</i>	<i>Type of appeal</i>						<i>Total</i>			
	<i>Appeals against severity of sentence</i>	<i>Appeals against conviction of sentence</i>	<i>Appeals against inadequacy of sentence</i>	<i>Appeals against violence orders</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>		
Appeal upheld for all matters	3,754	62.5	366	25.4	20	74.1	16	11.3	4,156	54.6
Appeal dismissed/withdrawn all matters	1,698	28.3	1,001	69.4	7	25.9	125	88.7	2,831	37.2
Appeal upheld for some matters	533	8.9	66	4.6	-	-	-	-	599	7.9
Other (did not appear, died etc)	17	0.3	9	0.6	-	-	-	-	26	0.3
<b>Total</b>	<b>6,002</b>	<b>100.0</b>	<b>1,442</b>	<b>100.0</b>	<b>27</b>	<b>100.0</b>	<b>141</b>	<b>100.0</b>	<b>7,612</b>	<b>100.0</b>

<sup>a</sup> An arrest warrant is no longer a finalising outcome. Caution should be used when comparing this data with that published in previous years.

<sup>b</sup> This table includes companies and persons.



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# **NEW SOUTH WALES CRIMINAL COURTS**

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Explanatory Notes

## EXPLANATORY NOTES

This report deals with criminal matters finalised in 2009 by the New South Wales (NSW) Local, Children's, District and Supreme Courts.

Data presented in this report was collected from the courts and maintained by the NSW Bureau of Crime Statistics and Research. Data for the tables on prior proven offences for persons found guilty was sourced from the Bureau's Reoffending Database (ROD).

From mid 2009, Local and Children's Court data was obtained from the JusticeLink System, an administrative computer system first implemented in the Higher Courts in February 2008. As a result, data quality for some key Local and Children's Court data items has been affected. See the Local Court Explanatory Notes for details. For a small number of non computerised Children's Courts that did not initially use the JusticeLink System, the Department of Juvenile Justice provided raw data, which was processed by the Bureau, for matters finalised up to November 2009.

From 2009, warrants were no longer considered a finalising outcome in the Bureau's criminal courts collections. This aligns with the counting rules used in the Australian Bureau of Statistics' annual *Criminal Courts, Australia* (cat. no. 4513.0) and the Productivity Commission's *Report on Government Services*. This change resulted in approximately 5% of persons being removed from the Local and Children's Court data and a minimal number being removed from the Higher Court data. Because of this, data in this publication can not be directly compared with data published in previous years. Revised 2008 data is presented in the Executive Summary of this publication and revised data back to 1994 is available on request.

Offence data in this report is based on the Australian Bureau of Statistics *Australian Standard Offence Classification* (ASOC), 2008 (Second edition) (cat. no. 1234.0). Previous published reports used the 1997 version of ASOC. Offence type data in this publication should not be directly compared with data published in previous years, however, the Bureau can provide comparable data back to 1994 on request.

The report includes information on offence type, court outcomes, penalties, bail status, court delay, and the age, gender, Indigenous status and prior offending record of offenders. In most tables the counting unit is persons charged in finalised court appearances or persons found guilty in finalised court appearances. In some tables however, the counting unit is the number of finalised charges. In these tables a person charged with more than one offence would appear more than once.

## EXPLANATORY NOTES - LOCAL COURTS

From August 2009, Local and Children's Court data has been sourced from JusticeLink, a new electronic system which links all NSW courts onto the one computer platform. Prior to this, Local Court data was sourced from (1) the General Local Court (GLC) System for computerised courts and (2) coding forms completed by Local Court staff at non-computerised courts.

With the implementation of JusticeLink in the larger Local and Children's Courts in August 2009 and smaller courts in November 2009, the quality of some key data items has been affected: (1) legal representation was not recorded for the majority of defendants in JusticeLink resulting in 16.7% of persons overall in the Local Court having legal representation not recorded; (2) plea was not recorded for a significant proportion of offences in JusticeLink, resulting in 4.2% of persons overall in the Local Court and 7.4% of persons in the Children's Court where it could not be determined whether they were the subject of a defended hearing or entered a guilty plea; and (3) persons convicted in their absence were not always recorded as such in JusticeLink, resulting in an overall decrease in ex parte convictions from 13.5% to 12.3% of persons in 2009. While the overall decrease is relatively small, it should be noted that only 9.7% of persons were recorded in the Local Court JusticeLink data as having been dealt with in their absence.

Finally, Local and Children's Court data no longer distinguishes between persons in custody because they were refused bail or could not meet bail and those who were serving a sentence for a prior offence. Prior to JusticeLink, the court coding forms had a separate bail code for persons in prison for a prior offence, but they were not separately identified in the GLC system which provided data for 85% of Local and Children's Court matters. Bureau staff would interrogate the Department of Corrective Services' Offender Information Management System (OIMS) to identify persons in the GLC court data who were already serving a term of imprisonment. This process was inefficient and ineffective as the only people checked were those who received a term of imprisonment that commenced after their date of sentencing and those with a bail refused order where there was a long delay between the first appearance and finalisation. Following the implementation of JusticeLink this process has ceased.

For these reasons caution should be used when making comparisons with Local Court data published in earlier years.

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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 for which no further court proceedings are required.

#### 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 finalised court appearance. A company charged with an offence is treated as a person.

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 defendant was charged with more than one offence and those offences fall within different offence groups. However, individuals are counted only once in the overall total.

## EXPLANATORY NOTES - LOCAL COURTS *continued*

### Type of offence

Offence groups in the Local Courts tables are based on the *Australian Standard Offence Classification (ASOC)* issued by the Australian Bureau of Statistics (ABS 2008, Cat. No. 1234.0). Table 1.1 shows offences classified at ASOC division, subdivision and group levels. All other tables show offences classified at ASOC division and subdivision levels.

Prior to 2009, published data used the 1997 version of ASOC. Offence type data in this publication should not be directly compared with data published in previous years. The Bureau can, however, provide comparable data back to 1994.

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 office.

### Sexual offences against children

In Table 1.1 and elsewhere in this report, the numbers of charges and persons charged for offences classified as sexual offences against children are shown separately from other offences in the sexual assault and related offences division. The subdivision sexual offences against children is not part of the ASOC system. The offences in this category also appear in the appropriate ASOC subdivisions and as such are included in the total.

Some charges which have been laid under Section 61I (sexual assault) and Section 61L (indecent assault) of the *Crimes Act 1900*, however, may have involved child victims. Since such offences are counted in the sexual assault subdivision in this report, the frequency within the sexual offences against children classification is subject to undercounting.

### Drug offences

ASOC does not include the type of drug in the offence classification. Table 1.7a shows penalties received by persons with a proven drug offence by the type of drug. The 'Other' drug category includes offences where more than one drug is involved and offences involving drugs which do not belong to any of the specified drug type categories.

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### TABLE 1.2: OUTCOME OF CHARGE

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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. A charge can be dismissed by the court after a hearing, or where the prosecution elects to withdraw the charge due to insufficient evidence, or for some other reason such as the defendant's death. 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.

Note: From the 2009 publication warrants are no longer a finalising outcome in the Bureau's criminal courts collections. Data in this publication should not be directly compared with data published in previous years, however comparable data back to 1994 is available on request.



## EXPLANATORY NOTES - LOCAL COURTS *continued*

Some of the major charge outcomes are described below:

### **Offence proven: Conviction**

Includes all charges finalised by a plea of guilt or by a guilty finding at a defended hearing where the defendant was present.

### **Offence proven: Conviction ex parte**

Includes charges where the defendant either (i) lodged a written plea of guilty and was convicted and sentenced in his/her absence, or (ii) failed to appear, was convicted and sentenced by the court on the evidence presented.

### **Dismissed Mental Health (Criminal Procedure) Act**

Under Section 32 of the *Mental Health (Criminal Procedure) Act* 1990, the Court can dismiss a charge and discharge a defendant who is suffering from a mental illness. The defendant may be conditionally discharged and may be called before the court for failing to comply with the order within six months of the order being imposed. 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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## **TABLES 1.3 AND 1.4: OUTCOME OF APPEARANCE**

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Table 1.3 presents the major outcome of the court process for individual persons charged. Table 1.4 presents this information for those persons who had identified as being of Aboriginal and/or Torres Strait Islander origin at any court appearance since 1994. Indigenous status is sourced from the Bureau's Reoffending Database.

The possible outcome types are as follows:

### **Proceeded to defended hearing**

*All charges dismissed*: Appearances in this category involved the defendant 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 defendant pleaded not guilty, but was found guilty by the court of at least one of the offences charged.

*Other*: Appearances in this category include persons for whom one or more charges were dismissed after a defended hearing, but who either (i) pleaded guilty to other charges or (ii) were convicted ex parte of other charges.

### **Proven outcome not further described**

Appearances in this category are those where no plea was recorded and so it is not possible to determine whether the matter proceeded to a defended hearing or the defendant was sentenced after entering a guilty plea.

### **Sentenced after guilty plea**

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

## EXPLANATORY NOTES - LOCAL COURTS *continued*

### Convicted ex parte

Includes charges where the defendant either (i) lodged a written plea of guilty and was convicted and sentenced in his/her absence, or (ii) failed to appear, was convicted and sentenced by the court on the evidence presented. Note that from the 2009 publication, this outcome does not include where a conviction warrant was issued by the court for the offender to be brought before the court for sentencing.

### All charges dismissed without hearing

This category includes cases where all charges were dismissed by the court, but there was no defended hearing. For instance, the prosecution may not have offered any evidence in respect to the case or the defendant may have died prior to finalisation.

### All charges otherwise disposed of

This category includes cases where the charges were adjourned generally (previously known as 'stood out of list') and those that were adjourned to the Drug Court.

Note: From the 2009 publication warrants are no longer a finalising outcome in the Bureau's criminal courts collections. Data in this publication should not be directly compared with data published in previous years, however, comparable data back to 1994 is available on request.

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## TABLES 1.5 AND 1.6: LEGAL REPRESENTATION AND BAIL STATUS

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Tables 1.5 and 1.6 present the outcome for each appearance by legal representation and the bail status of the defendant respectively.

### Legal Representation

Legal Representation is not being recorded for the majority of records in JusticeLink, resulting in 16.7% of persons in the Local Court with legal representation not recorded in 2009. In previously published data, Legal Representation was recorded for all defendants.

### Bail status

Bail status refers to the bail status of the defendant at their final appearance. 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. Caution should be taken when comparing this table to past reports as recording no longer distinguishes between persons in gaol because they were refused bail or could not meet their bail and those who were in prison serving a sentence for a prior offence. See the Local Court Explanatory Notes for more details.

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## TABLES 1.7 TO 1.10: PENALTIES FOR PRINCIPAL OFFENCE

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Tables 1.8 and 1.10 both report on persons who had identified as being of Aboriginal and/or Torres Strait Islander origin at any court appearance since 1994.

### Persons found guilty

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

## EXPLANATORY NOTES - LOCAL COURTS *continued*

### Principal offence

Appendix 1 provides explanations of the penalty types used in the Local Courts. Penalties shown in the tables indicate the *principal penalty* imposed for the *principal offence*.

The *principal offence* is defined as the offence 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 2 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 with a custodial penalty, the offence with the longest total sentence is selected as the principal offence. Note that prior to 2005, the offence with the longest non-parole period (rather than the longest total sentence) was selected as the principal offence.
- (d) If there was more than one offence with a custodial penalty with the same quantum of total sentence, the offence with the longest non-parole period is selected as the principal offence.
- (e) If there was more than one offence which received the same quantum of the same penalty type, including the same quantum of total sentence and non-parole period, the offence with the highest Median Sentence Rank (see the upcoming Bureau Crime and Justice Bulletin "Measuring Offence Seriousness") is selected as the principal offence.
- (f) 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.

### Quantum of penalty

Table 1.9 shows the average duration of principal penalties which involve a time component and the average dollar amount of fines imposed, where a fine was the principal penalty. Table 1.10 presents this information for those persons who have in the past identified themselves as Aboriginal and/or Torres Strait Islanders.

### Imprisonment

Where imprisonment is the principal penalty imposed for the principal offence, the sentence specifies the term of the sentence and a non-parole period. The non-parole period must not be less than three quarters of the term unless there are special circumstances which the court must note. The court may decline to set a non-parole period, noting the reasons. For sentences of imprisonment of six months or less, no non-parole period is set. The average durations shown in Tables 1.9 and 1.10 include only the non-parole period where a non-parole period has been specified and the total term where no non-parole period has been set. Cumulative terms of imprisonment are excluded from these tables. In those cases where a cumulative term was imposed, only the non-parole period duration for the principal offence is shown. Note that a maximum of two years imprisonment can be imposed in the Local Courts for any one offence but the Local Court may impose a cumulative term of up to five years.

## EXPLANATORY NOTES - LOCAL COURTS *continued*

### Community Service Order (CSO)

Where a CSO is the principal penalty imposed for the principal offence a maximum of 500 hours of community service can be imposed on any one occasion.

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### TABLES 1.11, 1.11a AND 1.11b: TYPE OF PRINCIPAL OFFENCE, GENDER, AGE

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These tables detail the age and gender of all defendants appearing before the Local Court. Age is calculated as at the date of finalisation.

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### TABLE 1.12: COURT DELAY

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This table gives an indication of the time taken to dispose of a group of charges against a person by 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 finalised appearances with very long durations. The definition of *median* is that half of the records 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.

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### TABLE 1.13: PRIOR PROVEN OFFENCES

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Table 1.13 provides information on the 10-year history of prior proven offences for those persons found guilty in the Local Court. This information is sourced from the Bureau's Reoffending Database (ROD). The Reoffending Database is used to derive a 10-year offending history for individuals by searching and matching court records from January 2000 to December 2009. Court records from the Children's, Local, District and Supreme Courts are considered. Due to the application of matching techniques and slightly different composition rules (such as the exclusion of companies) the total number of persons within each offence type is slightly different than in other tables in this section.

The following prior offending categories are used in the table:

#### **No prior proven outcomes**

At the time of sentencing, persons in this category had no prior proven offences of any kind in the past 10 years.

#### **Prior proven outcomes, not of the same type**

Persons in this category had a history of prior proven offences but none were of the same general type as the principal offence receiving sentence on this occasion. This category can include offences which resulted in a term of imprisonment as well as non-custodial penalties.

#### **Prior proven outcomes of the same type, without imprisonment**

Persons in this category were found guilty of an offence of the same general type as the principal offence on a previous occasion, but not sentenced to a period of imprisonment for that offence.

## EXPLANATORY NOTES - LOCAL COURTS *continued*

### Prior proven outcomes of the same type, with imprisonment

Persons in this category were found guilty 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.

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#### **TABLE 1.14: APPREHENDED VIOLENCE ORDERS (AVOs)**

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Table 1.14 counts only those orders finalised by a magistrate at a Local Court hearing. It does not include interim orders granted. Note that an AVO may protect more than one person.

Note: From 2007, data on AVOs granted has been based on the statistical division of the person against whom the AVO is granted (Person of Interest or POI), rather than the statistical division of the protected person as was the procedure for previous reports.

The reason for this change was an increasing proportion of protected persons with no address details listed. This was due to the *Crimes (Domestic and Personal Violence) Act 2007* which provided that 'protected persons' residential addresses not be included in AVO applications unless in certain circumstances. Data in this publication should not be directly compared with data in previous years. The Bureau can, however, provide comparable data back to 1996.

Data source: AVO data is sourced from the NSW Police Computerised Operational Policing System (COPS). The Bureau does not collect AVO data directly from the courts.

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#### **TABLES 1.15 AND 1.16: STATISTICAL DIVISION OF RESIDENCE**

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

Table 1.15 shows the number and rate per 100,000 population of Local Court appearances by defendant's residential area.

Table 1.16 presents, for those defendants found guilty, rates per 100,000 population by the defendant's residential area and principal offence.

## EXPLANATORY NOTES - CHILDREN'S COURT

Juveniles who were aged 10 to 17 years at the time of the alleged offence may be brought before the Children's Court, diverted to a Youth Justice Conference, cautioned by the Court or simply cautioned by the Police. This report deals only with court appearances, including finalised appearances following Youth Justice Conferences where the Court initiated the conference referral. Only matters involving criminal offences that are classified under ASOC are included in these tables. Apprehended Violence Order applications that are heard in the Children's Court are excluded. Similarly, juveniles may also appear before the Children's Court for complaints under the *Children and Young Persons (Care and Protection) Act 1998*. These matters deal with issues such as neglect and as they are welfare matters that do not constitute criminal proceedings, they are not included in this report.

Children's Court data prior to 2006 had been provided by the Department of Juvenile Justice. From 2006 to 2009, Children's Court data was sourced from (1) the General Local Court (GLC) System for computerised courts and (2) data provided to the Bureau by the Department of Juvenile Justice for non-computerised courts for criminal matters to November 2009. From August 2009, Children's Court data have been sourced from JusticeLink.

The quality of some key data items has been affected by the JusticeLink implementation. See the Local Court Explanatory Notes for more details.

Finally, Children's Court data no longer distinguishes between persons in custody because they were refused bail or could not meet bail and those who were in custody for a prior offence. See the Local Court Explanatory Notes for more details.

For these reasons caution should be used when making comparisons with Children's Court data published in earlier years.

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### TABLE 2.1: 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 for which no further court proceedings are required.

#### 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 finalised 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 2.1 shows the numbers of persons charged with offences within particular offence groups. This table counts individuals more than once in all cases where the defendant was charged with more than one offence and those offences fall within different offence groups. However, individuals are counted only once in the overall total.

## EXPLANATORY NOTES - CHILDREN'S COURT *continued*

### Type of offence

Offence groups in the Children's Court tables are based on the *Australian Standard Offence Classification (ASOC)* issued by the Australian Bureau of Statistics (ABS 2008, Cat. No. 1234.0). Table 2.1 shows offences classified at ASOC division, subdivision and group levels. All other tables show offences classified at ASOC division and subdivision levels.

Prior to 2009, published data used the 1997 version of ASOC. Offence type data in this publication should not be directly compared with data published in previous years. The Bureau can, however, provide comparable data back to 1994.

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 office.

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### TABLES 2.2 AND 2.3: OUTCOME OF APPEARANCE

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Table 2.2 presents major outcomes of the court process for individual persons charged. Table 2.3 presents this information for those persons identifying as being of Aboriginal and/or Torres Strait Islander origin at this or any previous court appearance since 1994. Indigenous status is sourced from the Bureau's Reoffending Database.

The possible outcome types are as follows:

#### **Proceeded to defended hearing**

*All charges dismissed*: Appearances in this category involved the defendant 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 defendant pleaded not guilty, but was found guilty by the court of at least one of the offences charged.

*Other*: Appearances in this category include persons for whom one or more charges were dismissed after a defended hearing, but who either (i) pleaded guilty to other charges or (ii) were convicted *ex parte* of other charges.

#### **Proven outcome not further described**

Appearances in this category are those where no plea was recorded and so it is not possible to determine whether the matter proceeded to a defended hearing or the defendant was sentenced after entering a guilty plea.

#### **Sentenced after guilty plea**

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

#### **Convicted *ex parte***

Includes charges where the defendant either (i) lodged a written plea of guilty and was convicted and sentenced in his/her absence, or (ii) failed to appear, was convicted and sentenced by the court on the evidence presented. This outcome does not include where a conviction warrant was issued by the court for the offender to be brought before the court for sentencing.

## EXPLANATORY NOTES - CHILDREN'S COURT *continued*

### All charges dismissed without hearing

This category includes matters where all charges were dismissed by the court, but there was no defended hearing. For instance, the prosecution may not have offered any evidence in respect to the case or the defendant may have died prior to finalisation.

### All charges otherwise disposed of

This category includes matters where the charges were adjourned generally (previously known as 'stood out of list') and those that were adjourned to the Youth Drug and Alcohol Court.

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### TABLE 2.4: BAIL STATUS

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Bail status refers to the bail status of the defendant at their final appearance. 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. Caution should be taken when comparing this table to past reports as recording no longer distinguishes between persons in gaol because they were refused bail or could not meet their bail and those who were in prison serving a sentence for a prior offence. See the Local Court Explanatory Notes for more details.

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### TABLE 2.5: PENALTIES 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, were found guilty ex parte, or were found guilty after a defended hearing.

#### Principal offence

The *principal offence* is defined as the 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. The hierarchy of Children's Court penalties is:
  - (i) Control order - a fixed term or non-parole period of juvenile detention in Department of Juvenile Justice (DJJ) facility.
  - (ii) Community Service Order
  - (iii) Probation Order - probation orders with DJJ supervision, probation orders with other supervision and probation without supervision
  - (iv) Fine
  - (v) Bond - includes bond, suspended control order and conditional discharge, with supervision and without supervision
  - (vi) Dismissed with caution
  - (vii) Other proven outcomes - includes periodic detention, referral to Youth Drug and Alcohol Court, disqualified driver, compensation, committed to the rising of the court and dismissed after Youth Justice Conference
- (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.)



**EXPLANATORY NOTES - CHILDREN'S COURT** *continued*

- (c) If there was more than one offence with a custodial penalty, the offence with the longest total sentence is selected as the principal offence.
- (d) If there was more than one offence with a custodial penalty with the same quantum of total sentence, the offence with the longest non-parole period is selected as the principal offence.
- (e) If there was more than one offence which received the same quantum of the same penalty type, including the same quantum of total sentence and non-parole period, the offence with the highest Median Sentence Rank (see the upcoming Bureau Crime and Justice Bulletin "Measuring Offence Seriousness") is selected as the principal offence.
- (f) 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.

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**TABLES 2.6, 2.6a AND 2.6b:  
TYPE OF PRINCIPAL OFFENCE, GENDER, AGE**


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These tables detail the age and gender of all persons found guilty in the Children's Court. The age category '18 years and over' in these tables refers to those alleged offenders who were under 18 years at the time of the alleged offence, but were 18 years or over at the time of the finalisation of the matter.

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**TABLE 2.7:  
PRIOR PROVEN OFFENCES**


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Table 2.7 provides information on the 10-year history of prior proven offences for those persons found guilty in the Children's Court. This information is sourced from the Bureau of Crime Statistics and Research's Reoffending Database (ROD). The Reoffending Database is used to derive an offending history for individuals by searching and matching court records from January 2000 to December 2009. Court records from the Children's, Local, District and Supreme Courts are considered. Due to the application of matching techniques and slightly different composition rules, the total number of persons within each offence type is slightly different than in other tables in this section. The following prior offending categories are used in the table:

**No prior proven outcomes**

At the time of sentencing, persons in this category had no prior proven offences of any kind in the past 10 years.

**Prior proven outcomes, not of the same type**

Persons in this category had a history of prior proven offences but none were of the same general type as the principal offence receiving sentence on this occasion. This category can include offences which resulted in a term of imprisonment as well as non-custodial penalties.

**Prior proven outcomes of the same type, without imprisonment**

Persons in this category were found guilty of an offence of the same general type as the principal offence on a previous occasion, but not sentenced to a period of imprisonment for that offence.

**Prior proven outcomes of the same type, with imprisonment**

Persons in this category were found guilty 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

From February 2008, Higher Courts data has been sourced from JusticeLink, an electronic system which links all NSW courts onto the one computer platform. Prior to 2008 Higher Courts data was sourced from the Case Tracking System and Bureau staff manually recorded details directly from the final indictment. Court staff and Judge's Associates are now responsible for entering results, with the Bureau taking on a validation and audit role. The new system resulted in some changes to the data:

(1) The counting unit changed from the number of 'finalised cases' to the number of 'persons in finalised cases'. Prior to 2008, one finalised case could include one or more accused persons. Each person record now includes all charges that the person had finalised on the same date (regardless of whether or not they were registered on the same date). A person with charges finalised on two dates is reported as two persons.

(2) A small number of incomplete records affected the quality of some variables. The number of drug offences with an 'unknown' drug type rose from 5% in 2007 to 17% in 2008 but has now fallen to 1.3% in 2009 (Table 3.8a). The data no longer distinguish whether people in custody at finalisation are on remand or in custody for a prior offence (Table 3.11). Lastly, for a small number of people there was inadequate information provided to determine whether they were finalised by sentence or trial (Table 3.6, 3.7 and 3.8).

Improvements in processing JusticeLink data, in particular a correction to the derivation of bail status, have resulted in a revision to the 2008 Higher Courts data.

For these reasons caution should be used when making comparisons with Higher Court data published in earlier years.

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### **TABLES 3.1 AND 3.2: PERSONS APPEARING IN HIGHER CRIMINAL COURTS**

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#### **Jurisdiction**

There are two jurisdictions in the NSW Higher Courts: the Supreme Court, which hears cases in Sydney and on circuit in country centres, and the District Court, which has a number of metropolitan and country sites. The Supreme Court deals only with the most serious criminal matters. The District Court deals with all other matters on indictment and appeals against conviction or sentence arising from Local Court cases. In all tables where Jurisdiction is shown this reflects the Jurisdiction at which the case was registered and not where it was finalised.

#### **Registry**

Registries handle the administrative work involved in preparing a case for trial. The District Court is regionalised into a number of Registries. In all tables where Registry is shown this reflects the Registry at which the case was registered and not where it was finalised. Appendix 3 lists the various courts which fall within each Registry's administrative area.

#### **Persons registered in trial and sentence cases**

A case is made up of a number of charges for a single accused that were registered together. Table 3.1 shows the number of persons in trial and sentence cases registered in the Higher Courts. Prior to 2008, this table showed cases which comprised a number of charges for one or more accused. Cases involving both companies and persons as accused are included.

## EXPLANATORY NOTES - HIGHER COURTS *continued*

### Persons charged in trial and sentence appearances finalised

From 2008, court workload has been measured by the number of individual persons charged within cases finalised. In both the District Court and Supreme Court, a person charged refers to a group of one or more charges, against a single accused person, which are finalised by the court on the same date. The number of persons in trial and sentence appearances finalised is shown for Table 3.2 and subsequent tables.

This report does not distinguish 'distinct' persons within the counting period. If an accused person is in more than one case finalised on different dates during the counting period, such a person will be counted more than once in the report. However, separate charges finalised on the same date for the one accused person are consolidated and counted as one person. Where there are outstanding charges against the accused, this would be counted as a new person in a subsequent counting period. For these reasons there is no direct relationship between the persons registered in trial and sentence cases, shown in Table 3.1, and the number of persons with cases finalised, shown in Table 3.2.

### Committal

Cases normally appear before the Higher Courts following a committal hearing in the Local Court or Children's Court. A committal hearing 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 accused 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.

Note that there are no companies in the 2009 trial and sentence data.

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## TABLES 3.3, 3.4 AND 3.5: PERSONS CHARGED AND CHARGES IN TRIAL AND SENTENCE APPEARANCES

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### Persons charged

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. However, persons are counted only once in the overall total.

### 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 3.12a to 3.12i.

### Type of offence

Offence groups in the Higher Courts tables are based on the Australian Standard Offence Classification (ASOC) issued by the Australian Bureau of Statistics (ABS 2008, Cat. No. 1234.0). Table 3.4 shows offences classified at ASOC division, subdivision and group levels. All other tables show offences classified at ASOC division and subdivision levels.

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 office.

## EXPLANATORY NOTES - HIGHER COURTS *continued*

### Sexual offences against children

In Table 3.4 and elsewhere in this section, the number of charges and persons charged for offences classified as *sexual offences against children* are shown separately from other offences in the sexual assault and related offences division. *Sexual offences against children* is not part of the ASOC system. The offences in this category also appear in the appropriate ASOC subdivisions and as such are included in the total.

Some charges which have been laid under Section 61I (sexual assault) and Section 61L (indecent assault) of the *Crimes Act 1900*, however, may have involved child victims. Since such offences are counted in the sexual assault subdivision in this report, the frequency within the *sexual offences against children* classification is subject to undercounting.

### Drug offences

ASOC does not include the type of drug in the offence classification. Table 3.8a shows penalties received by persons with a proven drug offence by the type of drug. The 'Other' drug category includes cases where more than one drug is involved and cases where the type of drug does not belong to any of the specified drug categories. Due to poor recording of drug type when JusticeLink was implemented in 2008, the proportion of drug offences where the drug type was Unknown/Not Stated increased from 5% in 2007 to 17% in 2008, however this has since fallen to 1.3% in 2009.

### Number of offences charged

Tables 3.4 and 3.5 indicate the number of distinct offences charged against each accused person. Prior to 2008, 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 were counted as a single charge. From 2008, each individual count has been treated as a separate charge.

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### TABLE 3.6 AND 3.7: OUTCOME OF CHARGE

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Table 3.6 presents major outcomes of the court process for each accused person. Table 3.7 presents this information for those persons who had identified as being of Aboriginal and/or Torres Strait Islander origin at any court appearance since 1994. Those cases which involved a trial before a Judge and jury (or a Judge alone trial) 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*: Persons in this category were found not guilty of any offence following a trial. This may include some charges not being proceeded with or being otherwise disposed of.

*Found guilty of at least one charge*: Persons in this category were found guilty of at least one of the offences charged.

*Other*: Persons in the 'Other' category are those who were acquitted of one or more charges following a trial but pleaded guilty to at least one other charge.

#### Proceeded to sentence only

Persons in this category pleaded guilty to at least one charge. Other offences may have been disposed of other than by trial or not proceeded with.

## EXPLANATORY NOTES - HIGHER COURTS *continued*

### Proven outcome not further described

Persons who received a sentence but where there was insufficient data to determine whether their case had proceeded to trial or to sentence only.

### No charges proceeded with

Persons in this category were not proceeded against by the Director of Public Prosecutions to trial.

### All charges otherwise disposed of

Included in this category are accused persons who died or were referred to the Drug Court.

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## TABLES 3.8 AND 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 1 provides explanations of the penalty types used in the Higher Courts. Penalties shown in the tables indicate the principal penalty imposed for 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, the offence which received the most serious penalty type is the principal offence. Appendix 2 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 with a custodial penalty, the offence with the longest total sentence is selected as the principal offence.
- (d) If there was more than one offence with a custodial penalty with the same quantum of total sentence, the offence with the longest non-parole period is selected as the principal offence.
- (e) If there was more than one offence which received the same quantum of the same penalty type, including the same quantum of total sentence and non-parole period, the offence with the highest Median Sentence Rank (see the upcoming Bureau Crime and Justice Bulletin "Measuring Offence Seriousness") is selected as the principal offence.
- (f) 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.

### Quantum of penalty

Table 3.9 shows the average duration of principal penalties which involve a time component and the average dollar amount of fines imposed, where a fine was the principal penalty.

## EXPLANATORY NOTES - HIGHER COURTS *continued*

### Duration of imprisonment

Average duration of imprisonment in Table 3.9 is the mean length of time in months of the non-parole period or the total term, where no non-parole period is specified, imposed on the principal offence. As imprisonment is the most serious penalty which can be imposed, Table 3.8 includes all charges where an imprisonment penalty was imposed. Excluded from Table 3.9 are sentences of cumulative imprisonment. In those cases where a cumulative term was imposed, only the non-parole duration for the principal offence is shown.

The calculation of the average duration of imprisonment shown in Table 3.9 does not include sentences of life imprisonment.

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### TABLES 3.10, 3.10a AND 3.10b: TYPE OF PRINCIPAL OFFENCE, GENDER, AGE

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From 2008, Table 3.10 has shown age at the date of the offence. Prior reports showed age at the date of arrest.

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### TABLE 3.11: BAIL STATUS

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Table 3.11 shows the bail status of the accused at finalisation. The bail categories distinguish broadly between accused persons who were at large or in custody, and additionally for those at large, whether or not they were supervised. Caution should be taken when comparing this table to past reports as recording no longer distinguishes between accused persons in custody because they were refused bail, could not meet their bail or were in prison for a prior offence.

Note that the Higher Court bail status data in the 2008 report was incorrect. This has now been corrected but means that the data in this table should not be compared with the data published in 2008.

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### TABLE 3.12a TO 3.12i: COURT DELAY

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These tables give an indication of the time taken to dispose of a case for trial and sentence matters 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 persons with very long duration times. The definition of median is such that half the persons had duration times less than the median duration time and the other half of the persons had longer duration times.

The category 'proceeded to sentence only' includes, in addition to guilty pleas, persons whose 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.

The outcome categories are used to distinguish persons who proceeded to trial.

The stages of proceedings are categorised as follows:

#### Offence to committal

From 2008, the time from date of the earliest offence to date committed has been reported. Prior to 2008, the duration between the arrest date to committal date was reported.

**EXPLANATORY NOTES - HIGHER COURTS** *continued***Committal to outcome**

The time from date committed to latest date of determination of charges. Note that it is not possible to distinguish from this table whether the accused 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 accused persons who were found guilty.

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**TABLE 3.13:**  
**PRIOR PROVEN OFFENCES**


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Table 3.13 provides information on the 10-year history of prior proven offences for those persons found guilty in the Higher Courts. This information is sourced from the Bureau of Crime Statistics and Research's Reoffending Database. The Reoffending Database derives an offending history for individuals by searching and matching court records from January 2000 to December 2009. Court records from the Children's, Local, District and Supreme Courts are considered. Due to the application of matching techniques and slightly different composition rules (such as the exclusion of companies) the total number of persons within each offence type is slightly different than in other tables in this section.

The following prior offending categories are used in the table:

**No prior proven outcomes**

At the time of sentencing, persons in this category had no prior proven outcomes of any kind in the past ten years.

**Prior proven outcomes, not of the same type**

Persons in this category had a history of prior proven offences but none were of the same general type as the principal offence receiving sentence on this occasion. This category can include offences which resulted in a term of imprisonment as well as non-custodial penalties.

**Prior proven outcomes of the same type, without imprisonment**

Persons in this category were found guilty of an offence of the same general type as the principal offence on a previous occasion, but not sentenced to a period of imprisonment for that offence.

**Prior proven outcomes of the same type, with imprisonment**

Persons in this category were found guilty 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** *continued*

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**TABLE 3.14:**  
**OUTCOME OF APPEAL, TYPE OF APPEAL**

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Table 3.14 presents the outcomes for appeals to the District Court against conviction, severity or adequacy of sentences imposed in the Local Courts and against AVOs granted by the Local Courts.

Appeals by or against companies as well as persons are included.

The appeal outcome categories are as follows:

**Appeal upheld for all matters**

This category indicates that:

- 1) the conviction or AVO was overturned for all matters appealed against; or
- 2) the penalty was varied (for a severity or inadequacy appeal) for all charges/orders

**Appeal dismissed/withdrawn for all matters**

This indicates that the court dismissed the appeal for all the charges/orders 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/orders 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 the appellant's death.



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**NEW SOUTH WALES**

**CRIMINAL COURTS**

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Appendices

## APPENDIX 1

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### NOTES ON PENALTIES

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Unlike the self-explanatory penalties, such as fines and imprisonment, the following court actions may need some description.

#### **Home detention**

Home detention orders are an alternative means of serving sentences of full-time imprisonment of up to 18 months. The conditions of the Order constrain the offender's liberty to an extent that approximates confinement in minimum security custody with access to day release programs.

#### **Periodic detention**

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

#### **Suspended sentence**

Under Section 12 of the *Crimes (Sentencing Procedures) Act 1999*, a court may impose a sentence of imprisonment of up to two years duration and then suspend the sentence on the condition that the offender enters into a good behaviour bond.

#### **Community Service Order**

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

#### **Bond (or Commonwealth recognizance)**

There are several different types of 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 (bond with supervision);
- attend alcohol counselling;
- reside in a certain area.

#### **Bond without conviction and No conviction recorded**

Under Section 10 of the *Crimes (Sentencing Procedures) Act 1999*, a 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, with a good behaviour bond, or with an agreement to participate and comply with an intervention program.

#### **Nominal sentence**

This is a nominal penalty where the offender is held in custody until the court adjourns (also referred to as 'Rising of the Court').

#### **Conviction without penalty**

Under Section 10A of the *Crimes (Sentencing Procedure) Act 1999*, the court may, where it finds a charge proved, record a conviction and dispose of the proceedings without imposing any other penalty.

## APPENDIX 2

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### PENALTY HIERARCHY FOR PRINCIPAL OFFENCE

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The penalty hierarchy for the calculation of principal offence is shown below. Penalties are listed from the most to the least serious.

1. Imprisonment
2. Juvenile detention (Control order)
3. Home detention
4. Periodic detention
5. Suspended sentence with supervision
6. Suspended sentence
7. Community Service Order
8. Good behaviour bond with supervision
9. Good behaviour bond without supervision
10. Fine
11. Nominal sentence (Rising of the Court)
12. Conviction without penalty
13. Good behaviour bond without conviction
14. No conviction recorded

## APPENDIX 3

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### DISTRICT COURTS IN REGISTRY REGIONS

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**1. Sydney Registry**

Sydney

**2. Sydney West Registry**

Campbelltown

Parramatta

Penrith

**3. Newcastle Registry**

East Maitland

Gosford

Maitland

Moree

Newcastle

Port Macquarie

Tamworth

Taree

**4. Wollongong Registry**

Batemans Bay

Bega

Goulburn

Nowra

Queanbeyan

Wollongong

**5. Lismore Registry**

Armidale

Coffs Harbour

Grafton

Inverell

Lismore

**6. Dubbo Registry**

Bathurst

Bourke

Broken Hill

Coonamble

Dubbo

Orange

Parkes

**7. Wagga Wagga Registry**

Albury

Griffith

Wagga Wagga

**APPENDIX 4****LOCAL GOVERNMENT AREAS IN SYDNEY STATISTICAL DIVISIONS****Sydney Statistical Subdivisions*****Inner Sydney***

Botany Bay  
Leichhardt  
Marrickville  
Sydney

***Outer South Western Sydney***

Camden  
Campbelltown  
Wollondilly

***Lower Northern Sydney***

Hunters Hill  
Lane Cove  
Mosman  
North Sydney  
Ryde  
Willoughby

***Eastern Suburbs***

Randwick  
Waverley  
Woollahra

***Inner Western Sydney***

Ashfield  
Burwood  
Canada Bay  
Strathfield

***Central Northern Sydney***

Hornsby  
Ku-ring-gai  
The Hills Shire

***St George – Sutherland***

Hurstville  
Kogarah  
Rockdale  
Sutherland Shire

***Central Western Sydney***

Auburn  
Holroyd  
Parramatta

***Northern Beaches***

Manly  
Pittwater  
Warringah

***Canterbury – Bankstown***

Bankstown  
Canterbury

***Outer Western Sydney***

Blue Mountains  
Hawkesbury  
Penrith

***Central Coast***

Gosford  
Wyong

***Fairfield – Liverpool***

Fairfield  
Liverpool

***Blacktown***

Blacktown

**APPENDIX 4** *continued***LOCAL GOVERNMENT AREAS IN NSW REGIONAL STATISTICAL DIVISIONS****NSW regional Statistical Divisions**

<b><i>Hunter</i></b>	<b><i>Illawarra</i></b>	<b><i>Richmond – Tweed</i></b>	<b><i>Mid-North Coast</i></b>
Cessnock	Kiama	Ballina	Bellingen
Dungog	Shellharbour	Byron	Clarence Valley
Gloucester	Shoalhaven	Kyogle	Coffs Harbour
Great Lakes	Wingecarribee	Lismore	Greater Taree
Lake Macquarie	Wollongong	Richmond Valley	Kempsey
Maitland		Tweed	Lord Howe Island
Muswellbrook			Nambucca
Newcastle			Port Macquarie - Hastings
Port Stephens			
Singleton			
Upper Hunter Shire			
<b><i>Northern</i></b>	<b><i>North Western</i></b>	<b><i>Central West</i></b>	<b><i>South Eastern</i></b>
Armidale Dumaresq	Bogan	Bathurst Regional	Bega Valley
Glen Innes Severn	Bourke	Bland	Bombala
Gunnedah	Brewarrina	Blayney	Boorowa
Guyra	Cobar	Cabonne	Cooma-Monaro
Gwydir	Coonamble	Cowra	Eurobodalla
Inverell	Dubbo	Forbes	Goulburn Mulwaree
Liverpool Plains	Gilgandra	Lachlan	Harden
Moree Plains	Mid-Western Regional	Lithgow	Palerang
Narrabri	Narromine	Oberon	Queanbeyan
Tamworth Regional	Walgett	Orange	Snowy River
Tenterfield	Warren	Parkes	Upper Lachlan Shire
Uralla	Warrumbungle Shire	Weddin	Yass Valley
Walcha	Wellington		Young
<b><i>Murrumbidgee</i></b>	<b><i>Murray</i></b>	<b><i>Far West</i></b>	
Carrathool	Albury	Broken Hill	
Coolamon	Balranald	Central Darling	
Cootamundra	Berrigan	Unincorporated Far West	
Griffith	Conargo		
Gundagai	Corowa Shire		
Hay	Deniliquin		
Junee	Greater Hume Shire		
Leeton	Jerilderie		
Lockhart	Murray		
Murrumbidgee	Tumbarumba		
Narrandera	Urana		
Temora	Wakool		
Tumut Shire	Wentworth		
Wagga Wagga			