

**NEW SOUTH WALES
CRIMINAL COURTS
STATISTICS 1999**

NSW Bureau of Crime Statistics and Research

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INTRODUCTION

This report deals with criminal cases finalised by the NSW Local, District and Supreme Courts in 1999 and in Children's Courts in 1998/99. The report provides statistical information on all criminal matters finalised by the District and Supreme Courts in 1999. However, minor criminal matters heard in Local Courts, such as appeals against parking fines, are not included in the report.

Dr Don Weatherburn
Director

June 2000

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The data for most Local Courts were provided by the Clerks of the Court who completed and returned coding forms for each person appearing before the Local Courts on criminal charges. For those Local Courts on the GLC (General Local Courts) computer system, data were obtained from this system with the assistance and co-operation of the information technology support team in Local Courts Administration.

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

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SUMMARY OF MAIN FEATURES

LOCAL COURTS

The number of criminal cases disposed of by NSW Local Courts increased by 13.3 per cent from 117,053 cases in 1998 to 132,635 cases in 1999.

Charges (Tables 1.1 and 1.2)

Table 1.1 shows the number of persons charged (number of court appearances) and the number of charges finalised in 1999 by offence category. Note that for persons charged, the sub-totals and totals do not sum across offence categories (see *Explanatory Notes: Local Courts Tables* in this publication for further information). Finalised charges are those fully determined by the court, requiring no further court proceedings. In 1999, over one-third of all finalised charges were for *driving* offences (76,144 charges, 35.4%). The next largest categories of offence charged in 1999 were *theft* offences (41,930 charges, 19.5%) and *against the person* offences (27,628, 12.8%). Almost 60 per cent of the *driving* offences are listed in the *other driving* offences sub-category which covers offences under the *Traffic Act* such as exceed speed limit, unlicensed driver, drive unregistered vehicle, drive whilst disqualified from holding licence and drive whilst licence cancelled/refused. In 1998, the proportions of charges in the three principal categories noted above were similar to those of 1999 (*driving* offences – 34.4%, *theft* offences – 19.1% and *against the person* offences – 14.2 %).¹

All offence categories showed increases between 1998 and 1999 in the number of charges finalised in NSW Local Courts. Some of the apparent increase is due to a change in the method of counting charges. In earlier reports in this series a maximum of four charges were counted for each person appearing before the Local Courts. In this report all charges are counted for persons appearing in those courts where the computerised General Local Court system (GLC) is in use. Approximately one-third of matters are heard before GLC courts. Of the overall increase of 30,210 in the number of charges heard before Local Courts between 1998 and 1999, 6,107 are due to the change in the method of counting. The biggest increases are evident in the *against good order*, *environmental*, *other*, *driving*, *theft* and *drug* offence categories. Because of the change in the method of counting charges it is not useful to examine the size of the changes in detail.

In the *against good order* offence category there were large increases in *other* offences, *offensive behaviour* offences and *weapons* offences, but a fall in *prostitution* offences. The largest increase in the number of charges within the *driving* offences category was for *other driving* offences. There were also increases of more than 10 per cent in *PCA - low range*, *PCA - medium range* and *DUI alcohol/drug* offences. There was a fall in the number of charges for *cause injury by driving*. *Fraud*, *unlawful possession*, *other larceny* and *break and enter* offences all showed large increases in the *theft* offence category, but there was a small fall in the number of charges for *motor vehicle theft*. It is likely that the big increase in the number of fraud charges is due to the changed method of counting, as fraud cases often include large numbers of charges. The *drug* offence category shows large increases in the number of charges for all *possession/use*, and *dealing and trafficking* offences but falls in the number of charges for *manufacturing and/or growing cannabis*, and *manufacturing and/or growing other drug*.

SUMMARY OF MAIN FEATURES

LOCAL COURTS continued

Table 1.2 shows the outcome of charges in appearances finalised in NSW Local Courts in 1999. Compared with the data reported in the 1998 publication, there has been a greater than three-fold increase in the number of charges finalised by ex parte conviction. This is mainly due to the method of identifying ex parte matters for both GLC and non-GLC data collection procedures. In previous years this category included only those defendants for whom a warrant was issued under section 80AA of the *Justices Act*. New codes for recording pleas and a redefinition of the outcome code for ex parte matters means that all ex parte finalisations are now included. The introduction of written pleas in NSW Local Courts in late 1998 is another factor contributing to the increase in the number of finalisations by ex parte conviction. The proportion of offences proven increased between 1998 and 1999 from 82.8 per cent to 85.2 per cent of offences.

Persons (Tables 1.3 to 1.6)

Table 1.3 details the outcome of appearance for persons charged in Local Courts in 1999. The number of persons found guilty of at least one charge (including those who pleaded guilty) increased between 1998 and 1999 while the percentage of persons found guilty remained relatively stable. There were 116,806 persons (88.1%) found guilty in 1999 compared with 100,934 (86.2%) in 1998.

Table 1.4 details the outcome of appearance for persons who were charged in NSW Local Courts in 1999 and who identified themselves as Aboriginal people or Torres Strait Islanders. Overall, a smaller proportion of Aboriginal people and Torres Strait Islanders were found guilty compared with all persons, as shown in Table 1.3. In 1999, 85.6 per cent of all Aboriginal people and Torres Strait Islanders whose cases were finalised were found guilty (including those who pleaded guilty), compared with 88.1 per cent of all persons in NSW whose cases were finalised. A larger proportion of Aboriginal people or Torres Strait Islanders were convicted ex parte in 1999 (26.5% of finalisations, compared with 22.2 % of finalisations for all NSW persons), but a smaller proportion pleaded guilty (49.5%, compared with 56.7% for all persons).

Table 1.5 shows the outcome of appearance by legal representation for persons charged in Local Court appearances finalised during 1999. In 1999, 52.1 per cent of all persons for whom charges were finalised in NSW Local Courts were known to have legal representation (69,155 persons) compared with 54.9 per cent (64,291 persons) in 1998, continuing a decrease from 1996 and 1997 (when 58.7% and 56.2% respectively had legal representation). In 1999, 87.1 per cent of persons with legal representation were found guilty (including those who pleaded guilty) compared with 86.1 per cent in 1998. For persons without legal representation, 89.2 per cent were found guilty (a large proportion of these were convicted ex parte) while in 1998, 86.6 per cent were found guilty.

Table 1.6 shows the bail status of all persons charged in Local Court appearances finalised in 1999. The proportion of persons for whom bail was refused increased slightly from 1998 to 1999, with 4.8 per cent of all persons charged in 1999 (6,415 persons) being refused bail, compared with 4.6 per cent (5,374 persons) in 1998 refused bail. In 1999, 23.1 per cent of persons were on bail and 70.4 per cent were appearing for summons cases or had bail dispensed with, compared with 24.6 per cent of persons on bail and 67.8 per cent summons cases or bail dispensed with in 1998.

SUMMARY OF MAIN FEATURES

LOCAL COURTS continued

Penalties (Tables 1.7 to 1.12)

Table 1.7 gives details of the numbers of penalties, **Table 1.9** gives the percentage of penalties imposed and **Table 1.11** shows the average duration or value of penalty imposed for the principal offence of those persons who were found guilty in Local Court appearances finalised in 1999. Imprisonment was imposed on 6.6 per cent of those found guilty in 1999, compared with 7.0 per cent in 1998 and 6.4 per cent in 1997. In terms of numbers of people, 7,121 persons were given prison sentences in 1999, compared with 6,612 in 1998, an increase of 7.7 per cent.

Excluding offences with very low numbers of persons found guilty, the offences with the highest imprisonment rates in 1999 (that is, offences with the highest proportion of persons found guilty of the offence being sentenced to imprisonment) were *break and enter* (44.6% of guilty persons imprisoned in 1999 compared with 42.9% in 1998), *dealing and trafficking in opiates* (41.2% in 1999, 39.5% in 1998) and *vehicle theft* (35.1% in 1999, 34.0% in 1998).

The offences with the highest prevalence of imprisonment (that is, those offences which result in the largest numbers of persons found guilty being sentenced to imprisonment) in 1999 were *breach of order* (11.7% of all imprisonments in 1999 compared with 12.9% in 1998), *break and enter* (11.7% in 1999, 11.0% in 1998) and *other driving* (11.1% in 1999, 7.6% in 1998).

The distribution of penalty imposition for principal offence, as shown in Table 1.9, remains essentially unchanged from 1998 to 1999. Fines were the principal penalty imposed for 58.6 per cent of Local Court appearances finalised in 1999 (compared with 58.5% in 1998), Community Service Orders for 5.5 per cent (5.7% in 1998) and recognizance for 20.6 per cent (20.8 per cent in 1998).

The average duration of imprisonment, home detention, periodic detention, community service order and recognizance penalties and the average amount of fines are shown in Table 1.11. The average duration of imprisonment imposed on persons whose cases were finalised in the Local Courts in 1999 was 4.8 months. Excluding offences with very small numbers of persons sentenced to prison, the longest average sentences were imposed on persons convicted of *manufacturing and/or growing other drug* (9.0 months), *arson, damage by fire* (7.8 months), *break and enter* (7.6 months), and *sexual offences against children* (7.4 months). The average duration of home detention imposed by the Local Courts in 1999 was 5.7 months, while the average duration of periodic detention was 6.3 months.

Table 1.8, **Table 1.10** and **Table 1.12** give details of the penalties imposed for the principal offence of those persons found guilty in Local Court appearances finalised in 1999 who identified themselves as Aboriginal people or Torres Strait Islanders. Imprisonment was imposed on 15.2 per cent of these persons who were found guilty in 1999 (16.5% in 1998) compared with 6.6 per cent of all NSW persons in 1999 (7.0% in 1998).

SUMMARY OF MAIN FEATURES

LOCAL COURTS continued

Aboriginal people and Torres Strait Islanders were more likely than NSW persons overall (as shown in Table 1.9 and Table 1.10) to be sentenced to imprisonment after conviction for offences in almost all offence categories. For example, 21.0 per cent of Aboriginal people or Torres Strait Islanders who were found guilty of *against the person* offences (including *assault*, *sexual assault* and *sexual offences against children*) were imprisoned (21.7% in 1998). The proportion of NSW persons overall was 9.5 per cent of all convictions for *against the person* offences (9.1% in 1998). Similarly, for *theft* offences, 29.9 per cent of Aboriginal people and Torres Strait Islanders, who were convicted, were sentenced to prison in 1999 (29.4% in 1998), compared with 16.0 per cent of convicted NSW persons overall (16.2% in 1998).

The offences with the highest prevalence of imprisonment (that is, those offences which result in the largest numbers of persons found guilty being sentenced to a term of imprisonment) in 1999 for Aboriginal people and Torres Strait Islanders were *other assault* comprising 16.9 per cent of all imprisonments for Aboriginal people and Torres Strait Islanders compared with 9.8 per cent for NSW persons overall (17.6% for Aboriginal people and Torres Strait Islanders and 10.7% for NSW persons overall in 1998), *break and enter* (12.3% and 11.7% in 1999, 10.0% and 11.0% in 1998), *assault occasioning actual bodily harm* (11.6% and 5.3% in 1999, 10.4% and 5.1% in 1998) and *breach of order* (10.9% and 11.7%, in 1999, 12.4% and 12.9% in 1998).

A comparison of Table 1.9 and Table 1.10 shows that, in the NSW Local Courts in 1999, convicted Aboriginal people and Torres Strait Islanders were more likely than convicted NSW persons overall to receive the penalties of imprisonment (15.2% for Aboriginal people and Torres Strait Islanders compared with 6.6% for NSW persons overall in 1999, 16.5% and 7.0% in 1998) or a Community Service Order (7.8% and 5.5% in 1999, 7.3% and 5.7% in 1998). Fines were less likely to be imposed on Aboriginal people and Torres Strait Islanders than on NSW persons overall sentenced in NSW Local Courts (50.2% for Aboriginal people and Torres Strait Islanders compared with 58.6% for NSW persons overall in 1999, 50.3% and 58.5% in 1998). Note, however, that prior convictions have not been taken into account in this comparison. Note, further, that the Aboriginal and Torres Strait Islander defendants included in this table are only those proceeded against by way of a charge or Court Attendance Notice rather than by a summons and therefore defendants with less serious offences may not be included.

Convicted persons, by age and gender (Tables 1.13 to 1.14)

The discussion of the data in **Tables 1.13, 1.13a, 1.13b** and **1.14** excludes offences where the number of defendants is very small (i.e. less than 100 defendants).

Table 1.13, Table 1.13a and Table 1.13b detail the age and sex, by offence, of persons found guilty in Local Court appearances finalised in 1999, as well as the average age by offence type. Of all persons found guilty in NSW Local Courts in 1999, 83.2 per cent were male and 16.8 per cent were female. These proportions are little changed from 1998 (83.0% male and 17.0% female).

SUMMARY OF MAIN FEATURES

LOCAL COURTS continued

Although approximately 17 per cent of persons found guilty in NSW Local Courts in 1999 were female, the proportion of females found guilty of each particular offence varied greatly from this overall figure. Offences where the person found guilty was likely to be female in disproportionate numbers to the total number of females overall include *prostitution* (82.3% female), *larceny by shop stealing* (42.2%), *fraud* (29.4%) and *other larceny* (28.2%). On the other hand, offences which show notably larger percentages of males being found guilty include *sexual assault* (99.1% male, compared with 83.2% overall), *weapons* offences (93.7%), *sexual offences against children* (99.0%), *break and enter* (92.3%) and *vehicle theft* (87.8%).

The average age of persons found guilty in NSW Local Court appearances finalised in 1999 was 31.2 years. Convicted females were slightly older, with an average age of 31.4 years, compared with an average age of 31.1 years for males. The offence for which the average age of convicted persons in the Local Courts was highest was that of *sexual offences against children* (average age 39.7 years) followed by *sexual assault* (average age 39.3 years). The lowest average age for persons found guilty in NSW Local Court appearances finalised in 1999 was for persons found guilty of *break and enter* (average age 25.8 years) and *vehicle theft* (average age 25.8 years).

Table 1.14 shows the distribution of age by offence category for males and females found guilty in Local Court appearances finalised in 1999. For males found guilty in Local Court appearances finalised in 1999, 11.9 per cent were less than 20 years of age. This younger age group was over-represented in a number of offences, for example, *vehicle theft* (23.7% aged less than 20 years), *offensive behaviour* (20.5% aged less than 20 years) and *break and enter* (19.4% aged less than 20 years). Only 6.9 per cent of finalised appearances for males involved persons aged 50 years or more. Older males were over-represented in the offences of *sexual assault* (27.5% aged 50 years or more), *sexual offences against children* (24.0% aged 50 years or more) and *weapons* offences (16.9% aged 50 years or more).

For females found guilty in Local Court appearances finalised in 1999, 10.6 per cent were less than 20 years of age. This group was over-represented in *vehicle theft* (20.9% aged less than 20 years), *offensive behaviour* (18.1% aged less than 20 years), *break and enter* (16.7% aged less than 20 years) and *possession and/or use of opiates* (16.7% aged less than 20 years). Only 5.8 per cent of finalised appearances for females involved persons aged 50 years or more. Older females were significantly over-represented in the offences of *dangerous, reckless or negligent driving* (17.5% aged 50 years or more) and *fraud* (12.9% aged 50 years or more).

Court delay (Table 1.15)

Table 1.15 shows the median duration of cases in NSW Local Courts in 1999. From first court appearance to the determination of charges, the median duration decreased or was unchanged for all defendants on bail and overall between 1998 and 1999. Overall, where the matter proceeded to a defended hearing the median delay from first court

SUMMARY OF MAIN FEATURES

LOCAL COURTS continued

appearance to determination fell from 96.0 to 92.0 days where all charges were dismissed, from 77.0 to 65.0 days for persons who were found guilty of at least one charge, and from 92.0 to 91.0 days for other defended hearings.

Region (Tables 1.16 and 1.17)

The numbers of Local Court appearances and rates per 100,000 population are shown by Statistical Division in NSW and Statistical Subdivision in Sydney in **Table 1.16**. Between 1998 and 1999, there were increases in the rate of court appearance in every Statistical Subdivision of Sydney. The Statistical Subdivisions with the greatest rate increases were Outer Western Sydney (25.8%), Northern Beaches (18.6%), Fairfield – Liverpool (16.4%) and Central Western Sydney (15.6%). Outside Sydney, there were increases in every Statistical Division. The greatest increases were in the Far West (41.0%), Illawarra (16.1%), Central West (15.3%) and Richmond – Tweed (14.7%) Statistical Divisions.

Overall, the Statistical Subdivisions within Sydney had the lowest rates of court appearance in NSW. The Sydney Subdivisions with the highest Local Court appearance rates in 1999 were the Inner Sydney Subdivision (2,769.1 appearances before Local Courts per 100,000 population), Outer South Western Sydney (2,760.9 per 100,000 population), Fairfield – Liverpool (2,418.6 per 100,000 population), and Blacktown – Baulkham Hills (2,208.3). Outside Sydney, the Far West Statistical Division had the highest rate of Local Court appearances in 1999, also the highest in NSW (4,532.9 per 100,000 population), followed by the North Western (3,680.6).

Table 1.17 details court appearance rates by NSW Statistical Division of residence for selected offences. In 1999, court appearance rates for most categories of offence were highest in the country areas of NSW. The Far West and North Western Statistical Divisions of NSW had the highest Local Court appearance rates for *against the person* offences, *property damage*, *against justice procedures* offences, *offences against good order* and *driving* offences. Court appearance rates for *drug* offences were highest in the Richmond – Tweed Statistical Division, followed by the Inner Sydney Statistical Subdivision. The only offences which showed highest appearance rates in the Sydney region were *theft* and *environmental* offences. The highest rate of appearance for *theft* offences occurred in the Inner Sydney Statistical Subdivision, followed by the North Western Statistical Division. The court appearance rate for *environmental* offences was highest in the St George – Sutherland and Inner Western Sydney Statistical Subdivisions.

Apprehended Violence Orders (Table 1.18)

Table 1.18 details the numbers of apprehended violence orders (AVOs) granted in NSW Local Courts during 1999 and rates per 100,000 population for residence of applicant by Statistical Subdivision in Sydney and Statistical Division in country NSW. In total, 22,252 AVOs were granted in NSW Local Courts in 1999, 67.1 per cent of these for domestic violence and 32.9 per cent for personal violence. Between 1998 and 1999, there was a 1.8 per cent decrease in the total number of AVOs granted in NSW, the decrease being greater for domestic violence (down by 2.1%) than for personal violence AVOs (down by 1.0%).

SUMMARY OF MAIN FEATURES

LOCAL COURTS continued

When examined on a regional basis, Apprehended Violence Orders for both domestic and personal violence are given far more frequently per capita in country areas of NSW than in the Sydney region. All country Statistical Divisions have rates above the average for NSW. The highest rates of domestic AVOs granted in 1999 occurred in the Far West (746.5 orders granted per 100,000 population in 1999), North Western (491.5), Mid-North Coast (423.8) and Central West (343.3) regions of country NSW. In the Sydney Statistical Division, three Statistical Subdivisions showed rates of domestic AVOs granted above the average NSW rate: Outer South Western Sydney (271.7 per 100,000 population), Gosford – Wyong (247.3) and Outer Western Sydney (244.1). Rates below the average NSW rate for domestic AVOs granted in 1999 were in the Sydney Statistical Division, with the lowest rates occurring in Hornsby – Ku-ring-gai (80.6) and the Lower Northern Sydney Subdivision (87.2). Rates of domestic AVOs granted have increased in 8 of the 11 Statistical Divisions outside Sydney but decreased in 10 of the 14 Statistical Subdivisions in Sydney, between 1998 and 1999. The greatest increase in rates occurred in the Central West Statistical Division (up by 13.4%), followed by the Northern Statistical Division (up by 12.1%). In Sydney the greatest increase was in the Hornsby – Ku-ring-gai Statistical Subdivision (up by 10.3%). The biggest decrease in rates occurred in the Fairfield – Liverpool Statistical Subdivision (down by 21.6%), followed by the Canterbury – Bankstown Statistical Subdivision (down by 16.3%) and the Inner Western Sydney Statistical Subdivision (down by 16.3%).

Country areas of NSW also had the highest rates of personal AVOs granted by NSW Local Courts in 1999. All Statistical Divisions had rates above the average NSW rate. In Sydney only the Inner Sydney Statistical Subdivision had a rate above the average NSW rate. Highest rates of personal AVOs granted occurred in the Far West Statistical Division (354.7 per 100,000 population), followed by North Western (335.9) and Richmond – Tweed (242.7). In Sydney the highest rates were in the Inner Sydney Statistical Subdivision (125.3 per 100,000 population) and Outer South Western Sydney (111.3).

1 Comparisons with data from previous years are made throughout the text. The source of these figures is the report: NSW Bureau of Crime Statistics and Research 1999, *New South Wales Criminal Courts Statistics 1998*.

SUMMARY OF MAIN FEATURES

CHILDREN'S COURTS

Appearances and proven offences (Table 2.1)

Table 2.1 shows the number of court appearances (number of persons charged) and the number of persons with at least one offence proven in 1998/99 by principal offence category. Of the 13,672 appearances, 10,277 resulted in at least one proven offence (75.2%). The number of criminal matters brought before NSW Children's Court decreased by 12.8 per cent between 1997/98 and 1998/99 (from 15,672 to 13,672 matters). For each matter brought before the court, only the most serious charge for an individual having multiple charges is counted in the table.

In 1998/99, 37.2 per cent of principal offences were in the *theft* category (3,819 proven offences). This represents a fall of 24.0 per cent from 1997/98 (5,027 proven offences). The next largest categories of principal offence in 1998/99 were *against the person* offences (1,662 proven offences, 16.2%) and *against good order* offences (996 proven offences, 9.7%). Between 1997/98 and 1998/99 the number of principal offences in the *other against the person* and *against good order* offence categories fell by 7.6 per cent and 12.6 per cent, respectively. *Assault* was the most common principal offence in 1998/99 (1,570 proven offences, 15.3% of principal offences overall). The number of assaults as principal offences fell by 9.0 per cent between 1997/98 and 1998/99. Within the *theft* category, the most common principal offences were *break and enter* (1,304 proven offences, 12.7% of proven offences overall), *other theft* (896 offences, 8.7%) and *motor vehicle theft* (801 offences, 7.8%). The number of *break and enter* principal offences fell by 14.4 per cent, *other theft* principal offences declined 38.9 per cent and the number of *motor vehicle theft* principal offences was down by 24.9 per cent between 1997/98 and 1998/99.

Sex of defendant and bail status at final appearance (Table 2.2)

Table 2.2 shows the bail status of defendants appearing before the Children's Courts in 1998/99 by the gender of the defendant. Males made up 82.2 per cent of persons appearing before the Children's Court (11,237 males of 13,672 persons overall). The proportion of male defendants is virtually unchanged from 1997/98 (82.5%). A large proportion of defendants presented to court by summons or court attendance notice (50.3%) or while on bail (25.6%). The number and proportion of persons in custody when appearing before the Children's Court fell between 1997/98 and 1998/99. In 1998/99 788 persons (5.8%) were in custody compared with 972 persons (6.2%) in 1997/98.

Penalties (Table 2.3)

Table 2.3 shows penalties for the principal offence charged in NSW Children's Courts for 1998/99, by offence category. Committals to prisons and institutions are included in the 'control order' category.

SUMMARY OF MAIN FEATURES

CHILDREN'S COURTS continued

The penalty most frequently imposed in the NSW Children's Court in 1998/99 was a recognizance, which was imposed in 2,236¹ cases (21.8% of all cases in which the offence was proven) compared with 3,023 cases in 1997/98 (25.2% of all cases in which the offence was proven) for which a recognizance was imposed. Other frequently imposed penalties were dismissed with caution (1,786 cases, 17.4% in 1998/99 compared with 2,760 cases, 23.0% in 1997/98), probation (1,715 cases, 16.7% in 1998/99 compared with 1,673 cases, 14.0% in 1997/98) and fine (1,568 cases, 15.3% in 1998/99 compared with 1,732 cases, 14.4% in 1997/98).

A higher proportion of offenders were given control orders in 1998/99 than in the previous year (8.5% in 1998/99 compared with 7.3% in 1997/98). Control orders were most commonly imposed for *robbery* (117 persons received a control order penalty representing 26.3% of all penalties for proven robbery offences in 1998/99 compared with 80 persons, 20.9% in 1997/98), *break and enter* (208 persons, 16.0% in 1998/99 compared with 177 persons, 11.6% in 1997/98), *against justice procedures* offences (78 persons, 14.0% in 1998/99 compared with 122 persons, 20.9% in 1997/98) and *motor vehicle theft* (92 persons, 11.5% in 1998/99 compared with 103 persons, 9.7% in 1997/98).

Age and sex of defendants (Tables 2.4, 2.4a and 2.4b)

Table 2.4 details the age of persons appearing in matters determined before the Children's Court in 1998/99 by type of offence. **Tables 2.4a and 2.4b** show the age of males and females respectively by offence type. Male defendants accounted for 82.2 per cent of all matters determined during 1998/99 (11,237 of the total 13,672 cases). The proportion of male defendants is virtually unchanged from the proportion in 1997/98 (12,934 of the total of 15,672 cases, 82.5%). The largest proportion of female defendants occurred in the 14 and 15 year age groups, where females made up 20.9 per cent of all cases in each age group, compared with 17.8 per cent of persons overall. The proportion of female defendants was lowest in the youngest age groups, with 4 females out of a total of 89 defendants aged 10 or 11 years (accounting for 4.5% of all defendants in each age group). Overall, the percentage of total defendants from each age group grows steadily with increasing age up to 17 years, from 0.2 per cent of defendants aged 10 years, up to 31.0 per cent of defendants aged 17 years.

¹ Does not include 117 defendants who received a recognizance and a fine.

SUMMARY OF MAIN FEATURES

HIGHER COURTS

Registrations (Table 3.1)

In 1999, there were 3,492 cases committed for trial or sentencing in the NSW Higher Courts, a decrease of 7.3 per cent from the total number of cases registered in 1998. The number of trial registrations decreased by 14.3 per cent between 1998 and 1999, while the number of sentence registrations increased by 16.5 per cent during the same period. Of the total number of cases registered in 1999, 71.2 per cent were trial case registrations (compared with 77.1% in 1998 and 78.2% in 1997).

The total number of case registrations in the NSW Supreme Court decreased by 28.0 per cent between 1998 and 1999 (from 100 to 72 cases). The number of cases committed for trial fell from 98 in 1998 to 71 in 1999 (a decrease of 27.6%). Very few cases are committed for sentencing in the Supreme Court (1 in 1999 and 2 in 1998).

In the District Court the number of cases committed for trial decreased by 13.8 per cent, from 2,805 in 1998 to 2,417 in 1999. The number of matters committed for sentence in the District Court increased by 16.6 per cent from 860 in 1998 to 1,003 in 1999. The Sydney Registry had the largest number of case registrations in 1999, accounting for 30.2 per cent of total registrations (compared with 24.8% in 1998). The Sydney West Registry had the next highest proportion of total case registrations (27.5%), followed by Newcastle (14.2%) and Wollongong (8.5%). All registries other than Dubbo, Lismore and Sydney recorded a decrease in the total number of case registrations between 1998 and 1999. Lismore Registry recorded a 22.6 per cent increase in total registrations, Dubbo Registry recorded a 15.9 per cent increase while the total number of case registrations in the Sydney Registry increased by 12.9 per cent.

Finalisations (Tables 3.2 to 3.6)

Table 3.2 shows the method of finalisation for trial and sentence cases in the NSW Higher Criminal Courts in 1999. There was a 2.1 per cent decrease in the total number of trial and sentence cases finalised, from 3,818 cases in 1998 to 3,739 in 1999. The total number of cases which were committed for trial and were finalised by any method in the NSW Higher Courts in 1999 decreased by 5.8 per cent (2,848 cases in 1999, compared with 3,022 in 1998), while the number of cases which were committed for sentence increased by 11.9 per cent during this period (891 cases in 1999 compared with 796 in 1998).

The total number of trials held fell from 938 in 1998 to 856 in 1999, a decrease of 8.7 per cent, while the total number of cases finalised in 1999 which had proceeded to sentence only increased by 3.0 per cent (2,266 in 1999 compared with 2,200 in 1998). The percentage of cases which proceeded to trial decreased, from 24.6 per cent in 1998 to 22.9 per cent of all finalised cases in 1999.

SUMMARY OF MAIN FEATURES

HIGHER COURTS continued

In the NSW Supreme Court the number of trials held fell from 61 in 1998 to 47 in 1999 (down by 23.0%) while the number of cases which were committed for trial but proceeded to sentence only increased by 6.7 per cent, from 30 in 1998 to 32 in 1999. The number of trials held in the District Court declined by 7.8 per cent from 877 in 1998 to 809 in 1999. The number of cases committed for trial but proceeding to sentence only in the District Court decreased by 2.5 per cent (from 1,416 in 1998 to 1,318 in 1999).

Table 3.3 details the year of committal for cases finalised in NSW Higher Courts in 1999. A lower percentage of both cases committed for trial, and cases committed for sentence, were finalised in the same year as committal in 1999, compared with 1998. For matters committed for trial, 27.0 per cent of cases finalised in 1999 had been committed in the same year (769 of 2,848 finalised cases), compared with 29.7 per cent (897 of 3,022 finalised trial cases) in 1998. Only 9.3 per cent of cases committed for trial in the NSW Supreme Court were finalised in the same year as committal in 1999. For all matters committed for sentence in the NSW Higher Courts, 67.2 per cent of cases finalised in 1999 had been committed in the same year, compared with 66.7 per cent in 1998.

Table 3.4 details the total number of persons charged, and the total number of charges, in the NSW Higher Courts, by type of offence charged. Note that for persons charged, the sub-totals and totals do not sum across offence categories (see *Explanatory Notes: Higher Courts Tables* in this publication for further information).

The most frequently charged offences in cases finalised in the Higher Courts in 1999 were *against the person* offences (2,873, or 40.3% of all charges). Within this category, the most frequently charged specific offence was *assault*, accounting for 13.5 per cent of all charges finalised in the Higher Courts in 1999. *Theft* offences were the next most frequently charged category of offence in cases finalised in 1999 (18.3% of all charges) followed by *robbery* offences (17.4% of all charges). *Drug* offences accounted for 12.2 per cent of all charges in 1999, the most prevalent category being *dealing and trafficking* offences (8.6% of all charges).

In 1999, 40.8 per cent of all *persons* charged in the Higher Courts were charged with an *against the person* offence, with 18.6 per cent of all persons charged with at least one *assault* offence. The next most frequently charged offence category for persons whose cases were finalised in the Higher Courts in 1999 was *robbery and extortion* (24.2% of persons charged). The third most frequently charged offence category was that of *theft* (20.7%). Of all persons charged in Higher Court cases finalised in 1999, 16.5 per cent were charged with at least one *drug* offence.

Table 3.5 shows the number of offences charged per person in trial and sentence cases finalised in the Higher Courts in 1999. Of 3,912 persons charged in finalised cases, 45.6 per cent were charged with only one offence and 30.3 per cent with two offences. In 1998, 40.9 per cent of persons were charged with one offence only and 31.8 per cent with two offences.

SUMMARY OF MAIN FEATURES

HIGHER COURTS continued

There was a decrease in the percentage of people who proceeded to trial, as shown in **Table 3.6**. In 1999, 22.7 per cent of all persons whose cases were finalised had proceeded to trial, compared with 24.3 per cent in 1998. In 1999, 60.7 per cent of all persons whose charges were finalised in the Higher Courts proceeded only to sentencing (57.5% in 1998). In the Supreme Court 52.6 per cent of persons proceeded to trial (53.9% in 1998) while 40.0 per cent proceeded to sentence only (31.3% in 1998). In the District Court 22.0 per cent of persons proceeded to trial (23.5% in 1998) and 61.2 per cent proceeded to sentence only (58.2% in 1998).

Penalties (Tables 3.7 to 3.9)

Table 3.7 shows that there were 2,826 persons found guilty (either by verdict or plea) in 1999, representing 72.2 per cent of all persons whose cases were finalised in that period. In 1998, 2,753 or 68.9 per cent of all defendants in finalised cases were found guilty.

Table 3.7 also gives details of the penalties imposed for the principal offence of those persons who were found guilty in trial and sentence cases finalised in NSW Higher Courts in 1999. The penalty most frequently imposed in 1999 was imprisonment, with 1,898 persons sentenced to a period of imprisonment in 1999, compared with 1,736 persons sentenced to imprisonment in 1998. The next most common penalty for persons found guilty was a Community Service Order (CSO). In 1999, 252 persons were given a Community Service order compared with 281 persons in 1998. The third most commonly imposed penalty was a recognizance with supervision (243 persons in 1999, 258 persons in 1998).

Table 3.8 shows the percentage of persons receiving each penalty in Higher Court cases finalised in 1999 by offence type. In 1999 67.2 per cent of persons were sentenced to imprisonment, an increase of 6.5% from 1998 (63.1% of persons found guilty sentenced to imprisonment). The percentage of persons receiving a CSO fell by 12.6 per cent from 1998 to 1999 (8.9% were given a CSO in 1999, 10.2% in 1998).

Table 3.9 shows the average magnitude of the penalties imposed by offence type. The average duration of imprisonment imposed on persons whose cases were finalised in the Higher Courts in 1999 was 26.2 months (28.0 months in 1998). The average duration of imprisonment imposed in 1999 decreased by 6.4 per cent from the average duration in 1998. The longest average sentences were imposed on persons convicted of *murder, attempted murder* and *import/export drugs*. The average magnitude of most penalties was lower in 1999 than in 1998.

SUMMARY OF MAIN FEATURES

HIGHER COURTS continued

Prior conviction (Table 3.10)

Table 3.10 shows the incidence of prior conviction for persons who were found guilty in trial and sentence cases finalised in NSW Higher Courts in 1999, by category of principal offence. Across all offence categories, a total of 40.2 per cent of persons found guilty in 1999 had no prior convictions. Most commonly those persons convicted of *driving* offences (73.3% had no prior convictions), *fraud* offences (68.9%) and *sex* offences (55.5%). Comparable percentages in 1998 were 40.0 per cent having no prior convictions across all offence categories, with 69.8 per cent for *driving* offences, 66.9 per cent for *fraud* offences and 50.2 per cent for *sex* offences.

Convicted persons, by age and gender (Tables 3.11 and 3.12)

Tables 3.11, 3.11a and 3.11b detail the age and sex, by offence, of persons found guilty in trial and sentence cases finalised in Higher Courts in 1999, as well as the average age by offence type. Of all persons found guilty in the NSW Higher Courts in 1999, 90.7 per cent were male and 9.3 per cent female. These proportions are similar to those in 1998 (91.2% male and 8.8% female).

The average age of persons found guilty in NSW Higher Court appearances finalised in 1999 was 31.4 years. Convicted females were slightly younger, with an average age of 30.3 years, compared with an average age of 31.5 years for males. The offence category for which the average age of convicted persons in the Higher Courts was highest was that of *against the person* offences. In particular, persons convicted of *sexual offences against children* had the highest average age of all specific offence categories (44.7 years). The lowest average age is for persons convicted of offences in the *robbery and extortion* category (25.1 years).

Table 3.12 shows the distribution of age by offence category for males and females found guilty in trial and sentence cases finalised in NSW Higher Courts in 1999. For males found guilty in Higher Court cases finalised in 1999, 13.2 per cent were under 20 years of age. This younger age group was over-represented in the specific offences of *vehicle theft* (42.1% aged under 20 years), *robbery* (27.0% aged under 20 years) and *against good order* offences (21.4% aged under 20 years). Only 7.7 per cent of finalised cases for males involved persons aged 50 years and over. Older males were over-represented in the specific offences of *sexual offences against children* (35.9% aged 50 years and over), *sexual assault* (27.5%) and *import/export drugs* (15.5%). Note that the percentage calculations for convicted females are based on small numbers.

SUMMARY OF MAIN FEATURES

HIGHER COURTS continued

Bail status (Table 3.13)

Table 3.13 shows the bail status at the time of the hearing which disposed of the matter for all persons charged in trial and sentence cases finalised in NSW Higher Courts in 1999. The proportion of persons in gaol with bail refused increased from 33.3 per cent of persons in 1998 (1,330 of 3,998 persons) to 34.7 per cent in 1999 (1,358 of 3,912 persons). Of these 1,358 persons in 1999, 7.5 per cent proceeded to trial and were found guilty of at least one charge, compared with 9.2 per cent in 1998. Most persons in gaol with bail refused (78.4%) proceeded to sentence only compared to only 50.9 per cent of persons on unconditional or conditional bail who proceeded to sentence only.

Court delay (Table 3.14)

Table 3.14 shows the median duration of cases in NSW Higher Courts in 1999, by outcome and bail status, for all Registries. The median delay from arrest to committal has generally increased for both defendants on bail and defendants remanded in custody. For persons on bail found guilty of at least one charge, delay from arrest to committal increased by 17.5 per cent (from 114.0 days in 1998 to 134.0 days in 1999). For those proceeding to sentence only the delay from arrest to committal rose by 13.4 per cent (from 97.0 days in 1998 to 110.0 days in 1999) and where no charges were proceeded with, the median delay increased by 12.1 per cent (from 111.5 days in 1998 to 125.0 days in 1999). For persons remanded in custody there were sizeable increases in delay for persons acquitted of all charges (up by 14.3% from 63.0 days in 1998 to 72.0 days in 1999), for persons proceeding to sentence only (up by 32.7% from 50.5 days in 1998 to 67.0 days in 1999) and where no charges were proceeded with (up by 38.7% from 59.5 days in 1998 to 82.5 days in 1999).

The median delay from committal to outcome showed increases for persons on bail of 15.1 per cent for those eventually acquitted of all charges (from 358.0 days in 1998 to 412.0 days in 1999) and 21.9 per cent for those found guilty of at least one charge (from 415.0 days in 1998 to 506.0 days in 1999). For persons on remand there were increases of 37.4 per cent for those found guilty of at least one charge (from 211.5 to 290.5 days) and 13.1 per cent for those proceeding to sentence only (from 99.0 to 112.0 days). The median delay from committal to outcome showed decreases for persons on remand who were eventually acquitted of all charges of 25.1 per cent (from 259.0 days in 1998 to 194.0 days in 1999) and 12.5 per cent where no charges were proceeded with (from 220.0 to 192.5 days).

Tables 3.14a to 3.14h detail median delays in 1999, by outcome and bail status for each Higher Court Registry in NSW. Median delays from arrest to committal, and from committal to outcome varied considerably between Registries.

SUMMARY OF MAIN FEATURES

HIGHER COURTS *continued*

Because of the small number of cases finalised in the NSW Supreme Court the median delay from arrest to committal and from committal to outcome can fluctuate considerably from year to year. There was generally an increase in the median delays for both trial and sentence matters for persons on bail. The biggest increases were for cases proceeding to sentence only. Median delay from arrest to committal rose by 28.5 per cent (from 158.0 days in 1998 to 203.0 days in 1999) while median delay from committal to outcome for cases proceeding to sentence only, increased by 28.9 per cent (from 340.5 days in 1998 to 439.0 days in 1999). Note that these figures are based on a total of only 6 cases in 1998 and 18 cases in 1999.

For persons in custody the median delays fell both for those proceeding to trial and for those proceeding to sentence only before the Supreme Court. The median delay from arrest to committal decreased by 52.4 per cent where the defendant was acquitted of all charges (from 177.5 days in 1998 to 84.5 days in 1999), by 27.9 per cent where the defendant was found guilty of at least one charge (from 159.5 days in 1998 to 115.0 days in 1999) and by 17.8 per cent where the person proceeded to sentence only (from 165.5 days in 1998 to 136.0 days in 1999). The median delay from committal to outcome, for persons in custody, decreased by 20.6 per cent where the defendant was acquitted of all charges (from 436.0 days in 1998 to 346.0 days in 1999), by 24.4 per cent where the defendant was found guilty of at least one charge (from 604.5 days in 1998 to 457.0 days in 1999) and by 5.4 per cent where the person proceeded to sentence only (from 428.0 days in 1998 to 405.0 days in 1999).

Appeals (Tables 3.15 and 3.16)

Tables 3.15 and 3.16 detail the outcomes of appeals to the District Court against convictions or severity or leniency of sentences imposed in the Local Courts in 1999. There was a 3.6 per cent decrease between 1998 and 1999 in the number of appeals against conviction finalised, from 2,004 in 1998 to 1,932 in 1999. Of these 1,932 appeals in 1999, in 26.9 per cent of cases the appeal was upheld for all matters, and in 64.6 per cent of cases the appeal was dismissed or withdrawn for all matters (25.5% and 66.8%, respectively, in 1998).

Between 1998 and 1999, there was a 12.8 per cent increase in the total number of appeals against sentence finalised, from 4,217 in 1998 to 4,758 in 1999. In less than one per cent of cases in 1999, the appeal was upheld for all matters, and in 94.4 per cent of cases, the appeal was dismissed or withdrawn for all matters (0.7% and 95.3% in 1998).

NEW SOUTH WALES LOCAL COURTS

Explanatory notes and tables

EXPANATORY NOTES: LOCAL COURTS TABLES

TABLE 1.1:
PERSONS CHARGED AND CHARGES

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.

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

Persons charged

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

Type of offence

Offence groups in the Local Courts tables are based on the Australian National Classification of Offences (ANCO) issued by the Australian Bureau of Statistics (ABS 1985, Cat. No. 1234.0). The coding system does not correspond to any single ANCO level but is structured to give more detailed information on those types of offence which form a large proportion of the workload of the Local Courts.

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

Sexual offences against children

In Table 1.1 and elsewhere in this section, the numbers of charges and persons charged for offences classified as *sexual offences against children* are shown separately from the general *sexual assault* category. Some charges which have been laid under Section 61I (*sexual intercourse without consent*) 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* category in this report, the frequency within the *sexual offences against children* classification is subject to undercounting.

EXPLANATORY NOTES: LOCAL COURTS TABLES

TABLE 1.2:
OUTCOME OF CHARGE

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 death of the accused. A matter can also be stood out of the court list for various reasons; this outcome allows the prosecution to re-enter the matter at a later time.

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

TABLES 1.3 AND 1.4:
OUTCOME OF APPEARANCE

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 identified themselves as Aboriginal and/or Torres Strait Islanders. Note that, in general, defendants are only able to identify themselves as Aboriginal or Torres Strait Islanders if they have been proceeded against by way of a charge or Court Attendance Notice (rather than by a summons).

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

Proceeded to defended hearing

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

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

Other: Appearances in this category 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.

EXPLANATORY NOTES: LOCAL COURTS TABLES

Convicted ex parte

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

All charges dismissed without hearing

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

Sentenced after guilty plea

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

All charges otherwise disposed of

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

TABLES 1.5 AND 1.6: LEGAL REPRESENTATION AND BAIL STATUS

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

Bail status

Bail status refers to the status of the accused at the final appearance. Those remanded in custody (bail refused) are distinguished from those people who were on bail and those for whom either bail had been dispensed with or who had received a summons. Those persons in gaol for a previous offence are regarded as being of equivalent status to those on bail in terms of receiving priority for a Local Court hearing. (For this reason they are excluded from the gaol category in the court delay table, Table 1.15.)

TABLES 1.7 TO 1.12: PENALTIES IMPOSED FOR PRINCIPAL OFFENCE

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 TABLES

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 to be that offence charged, which received the most serious penalty according to the following rules:

- (a) Where an offender was found guilty of more than one offence, that offence which received the most serious penalty type is the principal offence. Appendix 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 which received the same quantum of the same penalty type, the first of these offences recorded on the court file is selected as the principal offence.
- (d) Where an offence received more than one penalty, a *principal penalty* for that offence is first calculated following the rules set out above. The determination of principal offence is then calculated on the principal penalty for each offence.

Quantum of penalty

Table 1.11 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 1.12 presents this information for those persons who identified themselves as Aboriginal and/or Torres Strait Islanders.

Imprisonment

Where imprisonment is the principal penalty imposed for the principal offence the sentence may be for a fixed term or a minimum and additional term. For sentences of imprisonment of six months or less, the term is automatically fixed. For sentences of over six months, the court must provide reasons as to why a fixed term, rather than a minimum term and additional term is being applied. The average durations shown in Tables 1.11 and 1.12 include only the minimum term where a minimum and additional term of imprisonment has been imposed as the principal penalty for the principal offence. Cumulative terms of imprisonment are excluded from these tables. In those cases where a cumulative term was imposed, only the penalty for the principal offence is shown. Note that a maximum of two years of imprisonment can be imposed in the Local Courts for any one offence.

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.

EXPLANATORY NOTES: LOCAL COURTS TABLES

**TABLE 1.15:
COURT DELAY**

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

Excluded from this table are some persons who were in custody for another offence, as this fact will have altered the duration of proceedings for these cases.

**TABLES 1.16 AND 1.17:
STATISTICAL DIVISION OF RESIDENCE**

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

Table 1.16 shows the number and rate per 100,000 population of Local Court appearances by the area of residence of the accused.

Table 1.17 presents, for those accused who were found guilty, rates per 100,000 population by the area of residence and the type of principal offence.

**TABLE 1.18:
APPREHENDED VIOLENCE ORDERS**

Table 1.18 counts only those orders finalised by a magistrate at a Local Court hearing. It does not include interim orders granted.

An Apprehended Violence Order may protect more than one person. For the purposes of Table 1.18, the residence of only one protected person has been included for each order.

TABLE 1.1

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

<i>Type of offence charged</i>	<i>Persons* charged</i>	<i>Charges**</i>
	<i>Number</i>	<i>Number</i>
Against the person:		
Assault occasioning actual bodily harm	5,295	5,441
Other assault	17,792	19,792
Sexual assault	319	355
Sexual offences against children	325	416
Other	1,449	1,624
Total	22,550	27,628
Theft:		
Break and enter	3,891	4,655
Fraud	6,164	8,596
Larceny by shop stealing	3,342	3,492
Other larceny	10,547	12,683
Unlawful possession	7,993	9,652
Vehicle theft	2,584	2,852
Total	28,923	41,930
Property damage:		
Arson, damage by fire	172	181
Other	6,884	7,212
Total	7,044	7,393
Environmental	216	227
Against justice procedures:		
Breach of order	10,078	11,700
Other	7,511	8,030
Total	17,234	19,730
Against good order:		
Weapons	1,930	2,815
Betting and gaming	13	19
Prostitution	217	225
Liquor licensing	409	411
Offensive behaviour	8,844	9,334
Other	7,647	8,281
Total	18,156	21,085

TABLE 1.1 continued

<i>Type of offence charged</i>	<i>Persons* charged Charges**</i>	
	<i>Number</i>	<i>Number</i>
Drug:		
Possession and/or use:		
- opiates	2,359	2,633
- cannabis	7,820	9,103
- other drug	2,114	2,458
Dealing and trafficking:		
- opiates	408	452
- cannabis	588	633
- other drug	563	631
Manufacturing and/or growing:		
- cannabis	1,382	1,401
- other drug	37	39
Other	1,667	1,772
Total	13,575	19,122
Driving:		
Cause injury by driving	174	196
DUI drink/drug	1,225	1,235
PCA - high	6,304	6,375
PCA - medium	11,911	11,967
PCA - low	4,267	4,287
Dangerous, reckless or negligent driving	6,582	7,251
Other	29,708	44,833
Total	51,954	76,144
Other	1,561	2,061
Total	132,635	215,320

* '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 break and enter and vehicle theft) is counted **only once** in the offence group total. Hence the numbers within an offence group do not sum to the offence group total. The grand total is a count of the total number of distinct persons charged in Local Court appearances. For 'charges', all totals simply sum over the categories.

** In previous reports of this series a maximum of four charges was counted for each defendant. In the current year all charges are counted for defendants appearing in courts where the computerised General Local Courts (GLC) system is in use.

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

<i>Outcome of charge</i>	<i>Charges</i>	
	<i>Number</i>	<i>%</i>
Dismissed:		
After hearing	7,937	3.7
No evidence offered	13,553	6.3
Non-appearance	529	0.2
Death of accused	382	0.2
Section 32, 33	638	0.3
Stood out of list*	8,877	4.1
Offence proven:		
Conviction ex parte**	44,509	20.7
Other	138,895	64.5
Total	215,320	100.0

* This category now includes what was previously known as 'Recognizance forfeited'.

** This category was previously known as 'Conviction ex parte, 80AA warrant issued' and included only those outcomes where a s.80AA warrant was issued. In this report all ex parte convictions are included.

TABLE 1.3

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

<i>Outcome of appearance</i>	<i>Persons charged</i>	
	<i>Number</i>	<i>%</i>
Proceeded to defended hearing:		
All charges dismissed	4,882	3.7
Guilty of at least one charge	11,286	8.5
Other*	870	0.7
Convicted ex parte**	29,394	22.2
All charges dismissed without hearing	7,596	5.7
Sentenced after guilty plea	75,256	56.7
All charges otherwise disposed of	3,351	2.5
Total	132,635	100.0

* 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.

** This category previously included only those persons for whom a s.80AA warrant was issued. In this report all ex parte convictions are included.

TABLE 1.4

**ABORIGINAL AND TORRES STRAIT ISLANDER* PERSONS
CHARGED IN LOCAL COURT APPEARANCES FINALISED:
OUTCOME OF APPEARANCE**

<i>Outcome of appearance</i>	<i>Persons charged</i>	
	<i>Number</i>	<i>%</i>
Proceeded to defended hearing:		
All charges dismissed	472	4.1
Guilty of at least one charge	994	8.5
Other*	126	1.1
Convicted ex parte**	3,080	26.5
All charges dismissed without hearing	673	5.8
Sentenced after guilty plea	5,760	49.5
All charges otherwise disposed of	535	4.6
Total	11,640	100.0

* This table only includes those persons who identify themselves as Aboriginals and/or Torres Strait Islanders and who were proceeded against by way of a charge or Court Attendance Notice rather than by a summons.

* 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.

** This category previously included only those persons for whom a s.80AA warrant was issued. In this report all ex parte convictions are included.

TABLE 1.5

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

<i>Outcome of appearance</i>	<i>Legal representation</i>							
	<i>Represented</i>		<i>Not represented</i>		<i>Unknown</i>		<i>Total</i>	
	<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>
Proceeded to defended hearing:								
All charges dismissed	3,583	5.2	1,281	2.0	18	2.2	4,882	3.7
Guilty of at least one charge	7,448	10.8	3,798	6.1	40	5.0	11,286	8.5
Other*	663	1.0	207	0.3	-	-	870	0.7
Convicted ex parte**	3,260	4.7	25,774	41.1	360	44.9	29,394	22.2
All charges dismissed without hearing	4,241	6.1	3,183	5.1	172	21.4	7,596	5.7
Sentenced after guilty plea	48,894	70.7	26,151	41.7	211	26.3	75,256	56.7
All charges otherwise disposed of	1,066	1.5	2,284	3.6	1	0.1	3,351	2.5
Total	69,155	100.0	62,678	100.0	802	100.0	132,635	100.0

* 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.

** This category previously included only those persons for whom a s.80AA warrant was issued. In this report all ex parte convictions are included.

TABLE 1.6
**PERSONS CHARGED IN LOCAL COURT APPEARANCES FINALISED:
OUTCOME OF APPEARANCE, BAIL STATUS**

Outcome of appearance	Bail status											
	Summons case or bail dispensed with		On bail		Refused		In custody, prior offence		Unknown		Total	
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
Proceeded to defended hearing:												
All charges dismissed	2,768	3.0	1,867	6.1	190	3.0	39	2.8	18	2.2	4,882	3.7
Guilty of at least one charge	6,411	6.9	3,446	11.2	1,160	18.1	229	16.4	40	5.0	11,286	8.5
Other*	434	0.5	359	1.2	63	1.0	14	1.0	-	-	870	0.7
Convicted ex parte**	22,676	24.3	6,026	19.6	326	5.1	6	0.4	360	44.9	29,394	22.2
All charges dismissed without hearing	4,259	4.6	2,684	8.7	400	6.2	81	5.8	172	21.4	7,596	5.7
Sentenced after guilty plea	54,979	58.9	15,018	48.9	4,071	63.5	977	69.9	211	26.3	75,256	56.7
All charges otherwise disposed of	1,805	1.9	1,289	4.2	205	3.2	51	3.7	1	0.1	3,351	2.5
Total	93,332	100.0	30,689	100.0	6,415	100.0	1,397	100.0	802	100.0	132,635	100.0

* 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.

** This category previously included only those persons for whom a s.80AA warrant was issued. In this report all ex parte convictions are included.

TABLE 1.7

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

Note: Excluded from this table is 1 case which received orders under the Migration Act, 520 cases which received no action taken on a breach of court orders, 8,951 cases which received a Section 80AA warrant, and 2 cases committed to a juvenile institution.

<i>Type of principal offence</i>	<i>Penalty for principal offence</i>												<i>Total</i>
	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	
Against the person:													
Assault occasioning actual bodily harm	379	1	82	340	355	675	231	599	-	2	13	53	2,730
Other assault	695	11	146	603	1,098	1,718	1,106	3,002	-	2	44	582	9,007
Sexual assault	16	-	6	20	20	26	8	12	-	-	-	2	110
Sexual offences against children	20	-	7	22	23	16	4	11	-	-	-	2	105
Other	84	3	17	48	51	116	43	159	-	2	5	23	551
Total	1,194	15	258	1,033	1,547	2,551	1,392	3,783	-	6	62	662	12,503
Theft:													
Break and enter	832	31	107	342	209	189	43	82	-	8	10	11	1,864
Fraud	252	27	82	461	179	446	150	2,138	-	24	15	128	3,902
Larceny by shop stealing	213	6	25	92	166	147	156	1,356	-	2	14	183	2,360
Other larceny	778	27	98	442	553	570	419	2,730	-	24	43	362	6,046
Unlawful possession	477	6	64	222	276	370	104	1,398	-	8	34	82	3,041
Vehicle theft	371	18	69	145	105	132	35	162	-	3	9	7	1,056
Total	2,923	115	445	1,704	1,488	1,854	907	7,866	-	69	125	773	18,269
Property damage:													
Arson, damage by fire	13	2	5	10	14	12	10	20	-	-	-	5	91
Other	152	3	19	128	250	318	373	1,932	-	90	19	273	3,557
Total	165	5	24	138	264	330	383	1,952	-	90	19	278	3,648
Environmental	4	1	1	3	2	2	6	111	-	-	-	18	148
Against justice procedures:													
Breach of order	836	39	185	524	533	679	184	1,132	1	4	159	216	4,492
Other	213	8	47	155	163	262	146	1,987	-	2	17	163	3,163
Total	1,049	47	232	679	696	941	330	3,119	1	6	176	379	7,655

Against good order:													
Weapons	39	1	13	56	37	79	93	542	-	-	4	156	1,020
Betting and gaming	3	-	-	-	-	-	-	1	-	-	-	-	4
Prostitution	1	-	-	-	-	5	2	149	-	-	2	16	175
Liquor licensing	-	-	-	-	1	2	9	112	-	-	-	30	154
Offensive behaviour	27	2	5	48	86	114	236	3,978	-	2	27	764	5,289
Other	188	7	20	82	116	184	126	3,033	-	2	40	259	4,057
Total	258	10	38	186	240	384	466	7,815	-	4	73	1,225	10,699
Drug:													
Possession and/or use:													
- opiates	61	2	6	12	108	74	46	1,079	-	-	11	63	1,462
- cannabis	70	1	14	50	142	144	285	3,251	-	1	38	529	4,525
- other drug	42	1	4	18	56	58	72	730	-	-	13	91	1,085
Dealing and trafficking:													
- opiates	70	-	10	15	21	36	-	15	-	-	3	-	170
- cannabis	43	3	17	82	38	39	3	47	-	-	5	3	280
- other drug	49	1	13	39	24	34	2	32	-	-	1	4	199
Manufacturing and/or growing:													
- cannabis	21	2	12	87	85	168	68	482	-	-	1	40	966
- other drug	2	2	-	4	2	1	-	7	-	-	-	-	18
Other	10	-	1	10	32	17	24	219	-	-	8	46	367
Total	368	12	77	317	508	571	500	5,862	-	1	80	776	9,072
Driving:													
Cause injury by driving	8	2	5	19	1	6	9	34	1	-	-	3	88
DUI drink/drug	41	1	9	38	53	44	42	487	3	-	1	10	729
PCA - high	148	26	71	348	356	461	391	3,610	4	-	-	37	5,452
PCA - medium	61	13	49	243	196	359	1,721	7,763	4	-	-	306	10,715
PCA - low	1	-	1	6	11	33	814	2,486	2	-	-	347	3,701
Dangerous, reckless or negligent driving	100	6	42	108	70	129	82	2,678	8	3	1	405	3,632
Other	791	58	356	1,085	351	1,005	547	14,488	39	-	12	1,149	19,881
Total	1,150	106	533	1,847	1,038	2,037	3,606	31,546	61	3	14	2,257	44,198
Other	10	-	-	9	3	38	22	888	-	6	-	164	1,140
Total	7,121	311	1,608	5,916	5,786	8,708	7,612	62,942	62	185	549	6,532	107,332

TABLE 1.8

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

Note: Excluded from this table are 34 cases which received no action taken on a breach of court orders, 1,219 cases which received a Section 80AA warrant and 1 case committed to a juvenile institution.

<i>Type of principal offence</i>	<i>Penalty for principal offence</i>												<i>Total</i>
	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	
Against the person:													
Assault occasioning actual bodily harm	154	1	13	58	60	74	17	68	-	-	3	5	453
Other assault	224	2	19	147	172	235	76	435	-	1	14	40	1,365
Sexual assault	3	-	-	2	4	-	-	2	-	-	-	-	11
Sexual offences against children	3	-	-	2	3	1	-	-	-	-	-	-	9
Other	17	-	1	9	6	16	3	18	-	1	-	-	71
Total	401	3	33	218	245	326	96	523	-	2	17	45	1,909
Theft:													
Break and enter	163	1	10	45	18	35	2	8	-	1	2	1	286
Fraud	21	-	3	19	10	20	4	23	-	1	1	1	103
Larceny by shop stealing	33	-	2	14	14	9	7	146	-	2	2	5	234
Other larceny	111	-	3	29	44	37	8	192	-	-	9	5	438
Unlawful possession	62	-	5	18	25	26	8	125	-	1	7	4	281
Vehicle theft	55	1	5	15	18	20	2	24	-	1	2	1	144
Total	445	2	28	140	129	147	31	518	-	6	23	17	1,486
Property damage:													
Arson, damage by fire	3	-	1	-	4	1	2	4	-	-	-	-	15
Other	34	2	3	17	41	45	24	252	-	6	5	11	440
Total	37	2	4	17	45	46	26	256	-	6	5	11	455
Environmental	-	-	1	1	-	1	-	1	-	-	-	-	4

Against justice procedures:													
Breach of order	144	4	10	81	67	69	12	99	-	-	30	13	529
Other	50	-	1	14	43	32	15	209	-	-	4	8	376
Total	194	4	11	95	110	101	27	308	-	-	34	21	905
Against good order:													
Weapons	4	-	-	4	2	3	1	21	-	-	-	1	36
Betting and gaming	-	-	-	-	-	-	-	-	-	-	-	-	0
Prostitution	-	-	-	-	-	3	-	13	-	-	-	-	16
Liquor licensing	-	-	-	-	1	1	3	35	-	-	-	-	40
Offensive behaviour	9	1	2	16	19	30	31	888	-	-	8	77	1,081
Other	33	-	4	10	17	27	3	221	-	-	3	6	324
Total	46	1	6	30	39	64	38	1,178	-	-	11	84	1,497
Drug:													
Possession and/or use:													
- opiates	1	-	-	-	5	6	-	45	-	-	-	2	59
- cannabis	5	-	-	1	7	9	6	237	-	-	4	16	285
- other drug	2	-	1	4	2	5	2	26	-	-	1	2	45
Dealing and trafficking:													
- opiates	5	-	2	-	4	-	-	2	-	-	2	-	15
- cannabis	4	-	-	5	3	3	-	7	-	-	1	-	23
- other drug	5	-	1	5	1	-	-	-	-	-	-	-	12
Manufacturing and/or growing:													
- cannabis	-	-	1	3	2	9	2	22	-	-	-	1	40
- other drug	-	-	-	-	-	-	-	1	-	-	-	-	1
Other	-	-	-	-	1	-	-	12	-	-	-	2	15
Total	22	-	5	18	25	32	10	352	-	-	8	23	495
Driving:													
Cause injury by driving	1	-	1	-	-	-	-	-	-	-	-	-	2
DUI drink/drug	2	-	-	3	2	4	2	14	-	-	-	-	27
PCA - high	40	-	5	40	30	30	14	223	-	-	-	1	383
PCA - medium	11	1	5	25	2	23	44	306	-	-	-	12	429
PCA - low	-	-	-	-	1	-	10	60	-	-	-	8	79
Dangerous, reckless or negligent driving	12	-	2	6	3	2	-	21	-	-	-	-	46
Other	112	2	29	86	29	66	25	603	4	-	1	20	977
Total	178	3	42	160	67	125	95	1,227	4	-	1	41	1,943
Other	-	-	-	-	-	-	1	11	-	-	-	-	12
Total	1,323	15	130	679	660	842	324	4,374	4	14	99	242	8,706

^{**} This table only includes those persons who identify themselves as Aboriginals and/or Torres Strait Islanders and who were proceeded against by way of a charge or Court Attendance Notice rather than by a summons.

TABLE 1.9

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

<i>Type of principal offence</i>	<i>Penalty for principal offence</i>						
	<i>Imprisonment</i>	<i>Home detention</i>	<i>Periodic detention</i>	<i>Community Service Order</i>	<i>Recognizance</i>	<i>Fine</i>	<i>Other</i>
	%	%	%	%	%	%	%
Against the person:							
Assault occasioning actual bodily harm	13.9	0.0	3.0	12.5	46.2	21.9	2.5
Other assault	7.7	0.1	1.6	6.7	43.5	33.3	7.0
Sexual assault	14.5	-	5.5	18.2	49.1	10.9	1.8
Sexual offences against children	19.0	-	6.7	21.0	41.0	10.5	1.9
Other	15.2	0.5	3.1	8.7	38.1	28.9	5.4
All offences	9.5	0.1	2.1	8.3	43.9	30.3	5.8
Theft:							
Break and enter	44.6	1.7	5.7	18.3	23.7	4.4	1.6
Fraud	6.5	0.7	2.1	11.8	19.9	54.8	4.3
Larceny by shop stealing	9.0	0.3	1.1	3.9	19.9	57.5	8.4
Other larceny	12.9	0.4	1.6	7.3	25.5	45.2	7.1
Unlawful possession	15.7	0.2	2.1	7.3	24.7	46.0	4.1
Vehicle theft	35.1	1.7	6.5	13.7	25.8	15.3	1.8
All offences	16.0	0.6	2.4	9.3	23.3	43.1	5.3
Property damage:							
Arson, damage by fire	14.3	2.2	5.5	11.0	39.6	22.0	5.5
Other	4.3	0.1	0.5	3.6	26.5	54.3	10.7
All offences	4.5	0.1	0.7	3.8	26.8	53.5	10.6
Environmental	2.7	0.7	0.7	2.0	6.8	75.0	12.2

Against justice procedures:							
Breach of order	18.6	0.9	4.1	11.7	31.1	25.2	8.5
Other	6.7	0.3	1.5	4.9	18.1	62.8	5.8
All offences	13.7	0.6	3.0	8.9	25.7	40.7	7.3
Against good order:							
Weapons	3.8	0.1	1.3	5.5	20.5	53.1	15.7
Betting and gaming	75.0	-	-	-	-	25.0	-
Prostitution	0.6	-	-	-	4.0	85.1	10.3
Liquor licensing	-	-	-	-	7.8	72.7	19.5
Offensive behaviour	0.5	0.0	0.1	0.9	8.2	75.2	15.0
Other	4.6	0.2	0.5	2.0	10.5	74.8	7.4
All offences	2.4	0.1	0.4	1.7	10.2	73.0	12.2
Drug:							
Possession and/or use:							
- opiates	4.2	0.1	0.4	0.8	15.6	73.8	5.1
- cannabis	1.5	0.0	0.3	1.1	12.6	71.8	12.6
- other drug	3.9	0.1	0.4	1.7	17.1	67.3	9.6
Dealing and trafficking:							
- opiates	41.2	-	5.9	8.8	33.5	8.8	1.8
- cannabis	15.4	1.1	6.1	29.3	28.6	16.8	2.9
- other drug	24.6	0.5	6.5	19.6	30.2	16.1	2.5
Manufacturing and/or growing:							
- cannabis	2.2	0.2	1.2	9.0	33.2	49.9	4.2
- other drug	11.1	11.1	-	22.2	16.7	38.9	-
Other	2.7	-	0.3	2.7	19.9	59.7	14.7
All offences	4.1	0.1	0.8	3.5	17.4	64.6	9.4
Driving:							
Cause injury by driving	9.1	2.3	5.7	21.6	18.2	38.6	4.5
DUI drink/drug	5.6	0.1	1.2	5.2	19.1	66.8	1.9
PCA - high	2.7	0.5	1.3	6.4	22.2	66.2	0.8
PCA - medium	0.6	0.1	0.5	2.3	21.2	72.4	2.9
PCA - low	0.0	-	0.0	0.2	23.2	67.2	9.4
Dangerous, reckless or negligent driving	2.8	0.2	1.2	3.0	7.7	73.7	11.5
Other	4.0	0.3	1.8	5.5	9.6	72.9	6.0
All offences	2.6	0.2	1.2	4.2	15.1	71.4	5.3
Other	0.9	-	-	0.8	5.5	77.9	14.9
All offences	6.6	0.3	1.5	5.5	20.6	58.6	6.8

TABLE 1.10

**PERCENTAGE RECEIVING PENALTY, ABORIGINAL AND TORRES STRAIT ISLANDER* PERSONS
FOUND GUILTY IN LOCAL COURT APPEARANCES FINALISED:
TYPE OF PRINCIPAL OFFENCE, PENALTY FOR PRINCIPAL OFFENCE**

<i>Type of principal offence</i>	<i>Penalty for principal offence</i>						
	<i>Imprisonment</i>	<i>Home detention</i>	<i>Periodic detention</i>	<i>Community Service Order</i>	<i>Recognizance</i>	<i>Fine</i>	<i>Other</i>
	%	%	%	%	%	%	%
Against the person:							
Assault occasioning actual bodily harm	34.0	0.2	2.9	12.8	33.3	15.0	1.8
Other assault	16.4	0.1	1.4	10.8	35.4	31.9	4.0
Sexual assault	27.3	-	-	18.2	36.4	18.2	-
Sexual offences against children	33.3	-	-	22.2	44.4	-	-
Other	23.9	-	1.4	12.7	35.2	25.4	1.4
All offences	21.0	0.2	1.7	11.4	34.9	27.4	3.4
Theft:							
Break and enter	57.0	0.3	3.5	15.7	19.2	2.8	1.4
Fraud	20.4	-	2.9	18.4	33.0	22.3	2.9
Larceny by shop stealing	14.1	-	0.9	6.0	12.8	62.4	3.8
Other larceny	25.3	-	0.7	6.6	20.3	43.8	3.2
Unlawful possession	22.1	-	1.8	6.4	21.0	44.5	4.3
Vehicle theft	38.2	0.7	3.5	10.4	27.8	16.7	2.8
All offences	29.9	0.1	1.9	9.4	20.7	34.9	3.1
Property damage:							
Arson, damage by fire	20.0	-	6.7	-	46.7	26.7	-
Other	7.7	0.5	0.7	3.9	25.0	57.3	5.0
All offences	8.1	0.4	0.9	3.7	25.7	56.3	4.8
Environmental	-	-	25.0	25.0	25.0	25.0	-

Against justice procedures:									
Breach of order	27.2	0.8	1.9	15.3	28.0	18.7	8.1		
Other	13.3	-	0.3	3.7	23.9	55.6	3.2		
All offences	21.4	0.4	1.2	10.5	26.3	34.0	6.1		
Against good order:									
Weapons	11.1	-	-	11.1	16.7	58.3	2.8		
Betting and gaming	-	-	-	-	18.8	81.3	-		
Prostitution	-	-	-	-	12.5	87.5	-		
Liquor licensing	0.8	0.1	0.2	1.5	7.4	82.1	7.9		
Offensive behaviour	10.2	-	1.2	3.1	14.5	68.2	2.8		
Other	3.1	0.1	0.4	2.0	9.4	78.7	6.3		
All offences	1.7	-	-	-	18.6	76.3	3.4		
Drug:									
Possession and/or use:									
- opiates	1.8	-	-	0.4	7.7	83.2	7.0		
- cannabis	4.4	-	2.2	8.9	20.0	57.8	6.7		
- other drug	33.3	-	13.3	-	26.7	13.3	13.3		
Dealing and trafficking:									
- opiates	17.4	-	-	21.7	26.1	30.4	4.3		
- cannabis	41.7	-	8.3	41.7	8.3	-	-		
- other drug	-	-	2.5	7.5	32.5	55.0	2.5		
Manufacturing and/or growing:									
- cannabis	-	-	-	-	-	100.0	-		
- other drug	-	-	-	-	6.7	80.0	13.3		
Other	4.4	-	1.0	3.6	13.5	71.1	6.3		
All offences	50.0	-	50.0	-	-	-	-		
Driving:									
Cause injury by driving	50.0	-	50.0	-	-	-	-		
DUI drink/drug	7.4	-	-	11.1	29.6	51.9	-		
PCA - high	10.4	-	1.3	10.4	19.3	58.2	0.3		
PCA - medium	2.6	0.2	1.2	5.8	16.1	71.3	2.8		
PCA - low	26.1	-	4.3	13.0	10.9	45.7	-		
Dangerous, reckless or negligent driving	-	-	-	-	13.9	75.9	10.1		
Other	11.5	0.2	3.0	8.8	12.3	61.7	2.6		
All offences	9.2	0.2	2.2	8.2	14.8	63.1	2.4		
Other	-	-	-	-	8.3	91.7	-		
All offences	15.2	0.2	1.5	7.8	21.0	50.2	4.1		

* This table only includes those persons who identify themselves as Aboriginals and/or Torres Strait Islanders and who were proceeded against by way of a charge or Court Attendance Notice rather than by a summons.

TABLE 1.11

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

Type of principal offence	Penalty for principal offence						Average \$
	Imprisonment	Home detention	Periodic detention	Community Service Order	Recognition	Fine	
	Average months	Average months	Average months	Average hours	Average months	Average months	
Against the person:							
Assault occasioning actual bodily harm	5.1	5.0	6.4	159.3	19.8	19.8	681
Other assault	4.0	4.0	5.8	135.2	17.7	17.7	452
Sexual assault	4.4	-	6.2	152.3	21.8	21.8	767
Sexual offences against children	7.4	-	7.4	189.8	31.3	31.3	418
Other	5.5	6.7	8.2	122.8	20.0	20.0	479
All offences	4.5	4.6	6.2	144.0	18.4	18.4	490
Theft:							
Break and enter	7.6	8.1	8.3	161.8	22.8	22.8	706
Fraud	5.2	5.6	7.1	158.6	22.5	22.5	721
Larceny by shop stealing	3.2	4.4	6.2	110.7	17.8	17.8	368
Other larceny	4.3	6.0	7.0	135.7	18.8	18.8	412
Unlawful possession	3.9	4.6	5.7	117.4	19.8	19.8	418
Vehicle theft	6.2	7.1	6.5	155.6	20.7	20.7	627
All offences	5.4	6.5	7.0	145.1	20.1	20.1	497
Property damage:							
Arson, damage by fire	7.8	4.5	8.8	172.5	19.8	19.8	448
Other	3.3	4.0	5.5	109.7	16.3	16.3	368
All offences	3.6	4.2	6.2	114.3	16.4	16.4	369
Environmental	3.0	18.0	5.0	146.7	17.4	17.4	730

Against justice procedures:						
Breach of order	3.3	4.4	4.8	120.7	19.0	370
Other	4.0	4.0	4.5	138.8	18.4	480
All offences	3.5	4.3	4.8	124.8	18.9	440
Against good order:						
Weapons	6.8	2.0	6.8	144.2	19.8	443
Betting and gaming	5.1	-	-	-	-	400
Prostitution	9.0	-	-	-	16.6	261
Liquor licensing	-	-	-	-	15.5	250
Offensive behaviour	3.7	6.0	5.6	89.5	14.6	222
Other	4.9	5.1	6.3	116.6	18.7	366
All offences	5.1	5.0	6.4	117.9	17.2	294
Drug:						
Possession and/or use:						
- opiates	3.7	2.5	4.3	102.5	18.4	433
- cannabis	2.3	3.0	5.8	117.2	16.4	294
- other drug	3.5	6.0	5.8	115.6	16.5	368
Dealing and trafficking:						
- opiates	7.3	-	7.1	163.0	25.9	1137
- cannabis	6.4	5.3	8.2	179.1	23.6	658
- other drug	6.2	3.0	5.5	213.2	23.5	1681
Manufacturing and/or growing:						
- cannabis	5.4	5.5	7.5	143.0	19.4	534
- other drug	9.0	6.0	-	156.3	25.3	779
Other	2.0	-	4.0	94.5	18.4	262
All offences	4.8	4.7	6.6	153.4	18.4	361
Driving:						
Cause injury by driving	6.4	5.0	10.8	214.2	23.6	715
DUI drink/drug	4.6	4.0	7.0	119.2	21.3	716
PCA - high	5.4	6.1	6.5	158.0	27.7	1063
PCA - medium	4.7	5.5	6.3	130.7	20.4	702
PCA - low	0.5	-	6.0	99.2	15.3	431
Dangerous, reckless or negligent driving	5.3	5.8	6.2	138.1	23.7	398
Other	4.9	5.6	6.1	129.2	22.1	491
All offences	5.0	5.7	6.3	135.9	21.7	599
Other	2.9	-	-	136.7	19.5	455
All offences	4.8	5.7	6.3	138.6	19.6	503

TABLE 1.12

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

<i>Type of principal offence</i>	<i>Penalty for principal offence</i>					
	<i>Imprisonment</i>	<i>Home detention</i>	<i>Periodic detention</i>	<i>Community Service Order</i>	<i>Recognizance</i>	<i>Fine</i>
	<i>Average months</i>	<i>Average months</i>	<i>Average months</i>	<i>Average hours</i>	<i>Average months</i>	<i>Average \$</i>
Against the person:						
Assault occasioning actual bodily harm	5.2	5.0	8.3	173.4	19.4	548
Other assault	4.1	2.0	4.6	132.7	18.0	448
Sexual assault	2.3	-	-	300.0	18.0	1150
Sexual offences against children	4.0	-	-	225.0	21.0	-
Other	3.8	-	4.0	126.1	18.2	439
All offences	4.5	3.0	6.0	145.6	18.3	463
Theft:						
Break and enter	7.0	6.0	7.8	166.2	22.3	569
Fraud	4.5	-	6.3	123.4	17.8	343
Larceny by shop stealing	2.4	-	4.0	107.1	16.6	341
Other larceny	4.2	-	6.0	135.5	19.9	405
Unlawful possession	3.6	-	6.0	125.8	19.0	410
Vehicle theft	5.5	9.0	8.4	112.0	18.6	501
All offences	5.2	7.5	7.0	137.1	19.4	392
Property damage:						
Arson, damage by fire	6.0	-	9.0	-	14.6	588
Other	3.6	4.5	6.3	92.9	15.2	349
All offences	3.8	4.5	7.0	92.9	15.2	353
Environmental	-	-	5.0	200.0	12.0	700

Against justice procedures:						
Breach of order	3.0	5.3	4.4	119.1	18.3	319
Other	3.9	-	3.0	109.3	17.1	368
All offences	3.3	5.3	4.3	117.7	17.9	352
Against good order:						
Weapons	6.3	-	-	212.5	22.0	382
Betting and gaming	-	-	-	-	-	-
Prostitution	-	-	-	-	24.0	262
Liquor licensing	-	-	-	-	20.4	251
Offensive behaviour	5.3	8.0	3.0	100.3	12.4	218
Other	3.9	-	4.5	102.5	15.9	335
All offences	4.4	8.0	4.0	116.0	14.5	245
Drug:						
Possession and/or use:	18.0	-	-	-	19.6	359
- cannabis	2.6	-	-	100.0	18.0	283
- other drug	4.5	-	9.0	52.5	13.7	373
Dealing and trafficking:						
- opiates	9.6	-	6.0	-	24.0	1000
- cannabis	6.0	-	-	207.0	22.0	593
- other drug	5.6	-	9.0	225.0	18.0	-
Manufacturing and/or growing:						
- cannabis	-	-	3.0	150.0	15.7	504
- other drug	-	-	-	-	-	500
Other	-	-	-	-	12.0	235
All offences	6.4	-	6.6	162.2	17.9	322
Driving:						
Cause injury by driving	6.0	-	9.0	-	-	-
DUI drink/drug	3.0	-	-	91.7	20.3	546
PCA - high	5.0	-	7.6	150.8	25.2	944
PCA - medium	3.3	8.0	5.0	111.6	19.5	649
PCA - low	-	-	-	-	12.5	426
Dangerous, reckless or negligent driving	7.5	-	4.5	100.0	21.6	609
Other	4.5	4.5	5.7	119.9	21.5	528
All offences	4.7	5.7	5.9	125.0	21.6	630
Other	-	-	-	-	24.0	227
All offences	4.6	5.3	6.0	133.0	18.4	417

* This table only includes those persons who identify themselves as Aboriginals and/or Torres Strait Islanders and who were proceeded against by way of a charge or Court Attendance Notice rather than by a summons.

TABLE 1.13

**PERSONS FOUND GUILTY IN LOCAL COURT APPEARANCES FINALISED
AND AVERAGE AGE:**

SEX, TYPE OF PRINCIPAL OFFENCE, AGE

Note: Excluded from this table are 610 companies (included in Table 1.7) and 8,951 persons for whom a Section 80AA warrant was issued.

<i>Type of principal offence</i>	<i>Sex: Total male and female</i>												<i>Average age</i>
	<i>Age (years)</i>												
	<i>Under 18</i>	<i>18</i>	<i>19</i>	<i>20-24</i>	<i>25-29</i>	<i>30-39</i>	<i>40-49</i>	<i>50-59</i>	<i>60-65</i>	<i>Over 65</i>	<i>Unknown</i>	<i>Total</i>	
	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>Years</i>
Against the person:													
Assault occasioning actual bodily harm	3	101	134	647	584	786	345	92	23	7	8	2,730	30.9
Other assault	5	307	465	1,977	1,878	2,743	1,128	368	57	59	20	9,007	31.5
Sexual assault	-	1	1	17	21	25	15	18	3	9	-	110	39.3
Sexual offences against children	-	5	3	14	10	22	25	15	4	7	-	105	39.7
Other	1	23	44	116	93	153	69	29	7	10	6	551	32.2
Total	9	437	647	2,771	2,586	3,729	1,582	522	94	92	34	12,503	31.5
Theft:													
Break and enter	1	149	208	703	382	341	69	9	1	-	1	1,864	25.8
Fraud	1	62	103	521	527	920	631	329	58	37	225	3,414	35.6
Larceny by shop stealing	2	161	158	527	440	539	303	135	38	55	2	2,360	32.1
Other larceny	17	453	488	1,652	1,188	1,338	589	212	59	35	16	6,047	29.4
Unlawful possession	7	219	236	884	658	741	233	49	1	9	4	3,041	28.2
Vehicle theft	4	109	134	339	229	197	34	8	-	2	-	1,056	25.8
Total	32	1,153	1,327	4,626	3,424	4,076	1,859	742	157	138	248	17,782	30.1
Property damage:													
Arson, damage by fire	-	6	10	32	13	21	7	2	-	-	-	91	28.0
Other	7	279	334	965	731	812	326	84	9	6	5	3,558	28.4
Total	7	285	344	997	744	833	333	86	9	6	5	3,649	28.4
Environmental	-	2	2	11	13	7	10	5	-	1	58	109	33.5

Against justice procedures:													
Breach of order	2	74	169	1,067	1,073	1,594	728	212	22	35	35	5,011	32.3
Other	42	183	213	865	614	672	307	97	11	10	120	3,134	29.1
Total	44	257	382	1,932	1,687	2,266	1,035	309	33	45	155	8,145	31.1
Against good order:													
Weapons	-	43	50	166	153	259	167	115	33	16	5	1,007	35.5
Betting and gaming	-	-	1	1	2	-	-	-	-	-	-	4	25.1
Prostitution	-	2	14	47	49	53	8	1	-	-	1	175	28.0
Liquor licensing	-	8	11	32	32	35	21	11	2	1	1	154	32.1
Offensive behaviour	27	506	525	1,578	1,010	1,082	419	95	16	16	15	5,289	27.7
Other	13	279	348	1,259	870	890	313	42	9	3	29	4,055	27.6
Total	40	838	949	3,083	2,116	2,319	928	264	60	36	51	10,684	28.5
Drug:													
Possession and/or use:													
- opiates	-	79	100	493	343	332	109	5	-	-	1	1,462	27.6
- cannabis	14	334	388	1,385	891	1,007	422	71	6	4	3	4,525	28.1
- other drug	1	47	82	328	269	269	80	8	-	-	1	1,085	27.9
Dealing and trafficking:													
- opiates	-	7	15	55	27	44	21	1	-	-	-	170	28.9
- cannabis	-	9	10	62	45	90	52	10	2	-	-	280	32.4
- other drug	-	7	12	53	35	44	33	8	-	3	3	198	31.5
Manufacturing and/or growing:													
- cannabis	1	14	39	162	175	347	173	41	3	9	2	966	33.3
- other drug	-	-	-	2	5	5	5	-	1	-	-	18	35.6
Other	1	26	27	115	81	79	31	5	1	-	1	367	27.9
Total	17	523	673	2,655	1,871	2,217	926	149	13	16	11	9,071	28.8
Driving:													
Cause injury by driving	1	5	5	34	5	18	9	7	2	2	-	88	31.4
DUI drink/drug	2	27	32	180	151	214	77	25	11	7	3	729	31.2
PCA - high	28	86	107	811	977	1,665	1,144	484	94	54	2	5,452	35.7
PCA - medium	180	365	390	2,228	1,999	2,701	1,700	819	146	184	3	10,715	33.4
PCA - low	77	176	189	792	630	856	555	270	68	86	2	3,701	33.2
Dangerous, reckless or negligent driving	145	256	211	798	547	747	440	267	78	118	25	3,632	32.6
Other	437	840	859	4,504	3,875	5,262	2,502	1,124	180	192	86	19,861	31.6
Total	870	1,755	1,793	9,347	8,184	11,463	6,427	2,996	579	643	121	44,178	32.8
Other	9	23	39	147	154	262	145	94	25	27	199	1,124	35.8
Total	1,028	5,273	6,156	25,569	20,779	27,172	13,245	5,167	970	1,004	882	107,245	31.2

TABLE 1.13a

**PERSONS FOUND GUILTY IN LOCAL COURT APPEARANCES FINALISED
AND AVERAGE AGE:**

SEX, TYPE OF PRINCIPAL OFFENCE, AGE

Note: Excluded from this table are 7,270 males for whom a Section 80AA warrant was issued.

<i>Type of principal offence</i>	<i>Sex: Male</i>												<i>Average age</i> Years
	<i>Age (years)</i>												
	<i>Under 18</i>	<i>18</i>	<i>19</i>	<i>20-24</i>	<i>25-29</i>	<i>30-39</i>	<i>40-49</i>	<i>50-59</i>	<i>60-65</i>	<i>Over 65</i>	<i>Unknown</i>	<i>Total</i>	
	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	
Against the person:													
Assault occasioning actual bodily harm	3	81	124	573	523	698	316	80	22	7	8	2,435	31.0
Other assault	4	235	373	1,658	1,591	2,297	978	338	53	56	17	7,600	31.7
Sexual assault	-	1	1	17	21	24	15	18	3	9	-	109	39.3
Sexual offences against children	-	5	3	14	10	22	25	14	4	7	-	104	39.5
Other	1	23	35	93	74	125	57	25	7	8	3	451	32.3
Total	8	345	536	2,355	2,219	3,166	1,391	475	89	87	28	10,699	31.7
Theft:													
Break and enter	1	142	191	661	342	308	65	8	1	-	1	1,720	25.7
Fraud	1	45	76	361	360	654	460	230	44	30	150	2,411	35.8
Larceny by shop stealing	2	86	104	334	249	308	148	75	24	33	1	1,364	31.6
Other larceny	13	342	370	1,207	862	935	404	135	37	24	11	4,340	29.0
Unlawful possession	6	181	174	709	495	554	181	39	1	7	3	2,350	28.1
Vehicle theft	3	100	117	298	197	175	27	8	-	2	-	927	25.7
Total	26	896	1,032	3,570	2,505	2,934	1,285	495	107	96	166	13,112	29.6
Property damage:													
Arson, damage by fire	-	5	10	31	10	18	3	1	-	-	-	78	26.6
Other	6	254	299	862	646	683	257	74	8	5	3	3,097	28.1
Total	6	259	309	893	656	701	260	75	8	5	3	3,175	28.1
Environmental	-	2	2	9	12	4	8	4	-	1	54	96	32.9

Against justice procedures:													
Breach of order	2	64	144	924	937	1,389	642	198	19	31	30	4,380	32.4
Other	40	152	176	719	488	530	234	77	10	7	86	2,519	28.8
Total	42	216	320	1,643	1,425	1,919	876	275	29	38	116	6,899	31.1
Against good order:													
Weapons	-	40	49	156	146	236	153	110	33	16	5	944	35.5
Betting and gaming	-	-	1	1	2	-	-	-	-	-	-	4	25.1
Prostitution	-	-	1	5	9	10	5	-	-	-	1	31	31.0
Liquor licensing	-	7	10	23	26	24	16	10	2	1	1	120	32.1
Offensive behaviour	19	439	442	1,377	831	834	348	79	14	16	9	4,408	27.5
Other	13	238	290	1,009	744	778	272	35	8	3	25	3,415	27.8
Total	32	724	793	2,571	1,758	1,882	794	234	57	36	41	8,922	28.5
Drug:													
Possession and/or use:													
- opiates	-	54	76	393	278	268	93	5	-	-	1	1,168	27.8
- cannabis	14	294	347	1,225	747	813	334	67	4	4	3	3,852	27.8
- other drug	1	35	68	285	226	229	68	7	-	-	1	920	28.0
Dealing and trafficking:													
- opiates	-	6	12	45	21	31	17	1	-	-	-	133	28.6
- cannabis	-	7	9	52	40	72	39	10	2	-	-	231	32.2
- other drug	-	4	9	45	29	36	24	6	-	2	2	157	31.3
Manufacturing and/or growing:													
- cannabis	1	10	34	140	150	257	141	35	3	7	2	780	33.2
- other drug	-	-	-	2	5	4	5	-	1	-	-	17	35.5
Other	1	21	23	97	65	55	21	4	1	-	1	289	27.4
Total	17	431	578	2,284	1,561	1,765	742	135	11	13	10	7,547	28.6
Driving:													
Cause injury by driving	1	4	5	30	5	16	8	4	1	2	-	76	30.4
DUI drink/drug	2	23	27	163	128	181	63	20	10	6	2	625	30.9
PCA - high	23	75	92	723	833	1,376	960	432	90	49	1	4,654	35.7
PCA - medium	153	315	342	1,914	1,684	2,234	1,411	712	140	169	1	9,075	33.5
PCA - low	66	156	160	672	518	706	457	240	64	79	2	3,120	33.3
Dangerous, reckless or negligent driving	123	237	192	723	470	631	368	217	66	95	20	3,142	32.2
Other	399	756	799	4,026	3,265	4,414	2,135	994	160	172	74	17,194	31.5
Total	767	1,566	1,617	8,251	6,903	9,558	5,402	2,619	531	572	100	37,886	32.7
Other	7	16	27	106	119	203	116	78	22	21	133	848	36.4
Total	905	4,455	5,214	21,682	17,158	22,132	10,874	4,390	854	869	651	89,184	31.1

TABLE 1.13b

PERSONS FOUND GUILTY IN LOCAL COURT APPEARANCES FINALISED
AND AVERAGE AGE:

Note: Excluded from this table are 1,680 females for whom a Section 80AA warrant was issued.

SEX, TYPE OF PRINCIPAL OFFENCE, AGE

Type of principal offence	Sex: Female											Average age Years	
	Age (years)												
	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.	Unknown No.		Total No.
Against the person:													
Assault occasioning actual bodily harm	-	20	10	74	61	88	29	12	1	-	-	295	30.3
Other assault	1	72	92	319	287	446	150	30	4	3	3	1,407	30.1
Sexual assault	-	-	-	-	-	1	-	-	-	-	-	1	37.0
Sexual offences against children	-	-	-	-	-	-	-	1	-	-	-	1	59.2
Other	-	-	9	23	19	28	12	4	-	2	3	100	32.1
Total	1	92	111	416	367	563	191	47	5	5	6	1,804	30.3
Theft:													
Break and enter	-	7	17	42	40	33	4	1	-	-	-	144	26.8
Fraud	-	17	27	160	167	266	171	99	14	7	75	1,003	35.2
Larceny by shop stealing	-	75	54	193	191	231	155	60	14	22	1	996	32.7
Other larceny	4	111	118	445	326	403	185	77	22	11	5	1,707	30.3
Unlawful possession	1	38	62	175	163	187	52	10	-	2	1	691	28.4
Vehicle theft	1	9	17	41	32	22	7	-	-	-	-	129	25.9
Total	6	257	295	1,056	919	1,142	574	247	50	42	82	4,670	31.3
Property damage:													
Arson, damage by fire	-	1	-	1	3	3	4	1	-	-	-	13	36.5
Other	1	25	35	103	85	129	69	10	1	1	2	461	30.2
Total	1	26	35	104	88	132	73	11	1	1	2	474	30.3
Environmental	-	-	-	2	1	3	2	1	-	-	4	13	36.0

Against justice procedures:													
Breach of order	-	10	25	143	136	205	86	14	3	4	5	631	31.4
Other	2	31	37	146	126	142	73	20	1	3	34	615	30.0
Total	2	41	62	289	262	347	159	34	4	7	39	1,246	30.8
Against good order:													
Weapons	-	3	1	10	7	23	14	5	-	-	-	63	34.5
Betting and gaming	-	-	-	-	-	-	-	-	-	-	-	-	-
Prostitution	-	2	13	42	40	43	3	1	-	-	-	144	27.3
Liquor licensing	-	1	1	9	6	11	5	1	-	-	-	34	32.1
Offensive behaviour	8	67	83	201	179	248	71	16	2	-	6	881	28.7
Other	-	41	58	250	126	112	41	7	1	-	4	640	26.7
Total	8	114	156	512	358	437	134	30	3	-	10	1,762	28.1
Drug:													
Possession and/or use:													
- opiates	-	25	24	100	65	64	16	-	-	-	-	294	26.8
- cannabis	-	40	41	160	144	194	88	4	2	-	-	673	29.6
- other drug	-	12	14	43	43	40	12	1	-	-	-	165	27.8
Dealing and trafficking:													
- opiates	-	1	3	10	6	13	4	-	-	-	-	37	30.0
- cannabis	-	2	1	10	5	18	13	-	-	-	-	49	33.0
- other drug	-	3	3	8	6	8	9	2	-	1	1	41	32.7
Manufacturing and/or growing:													
- cannabis	-	4	5	22	25	90	32	6	-	2	-	186	33.9
- other drug	-	-	-	-	-	1	-	-	-	-	-	1	36.8
Other	-	5	4	18	16	24	10	1	-	-	-	78	29.8
Total	-	92	95	371	310	452	184	14	2	3	1	1,524	29.6
Driving:													
Cause injury by driving	-	1	-	4	-	2	1	3	1	-	-	12	37.7
DUI drink/drug	-	4	5	17	23	33	14	5	1	1	1	104	32.6
PCA - high	5	11	15	88	144	289	184	52	4	5	1	798	35.4
PCA - medium	27	50	48	314	315	467	289	107	6	15	2	1,640	33.2
PCA - low	11	20	29	120	112	150	98	30	4	7	-	581	32.5
Dangerous, reckless or negligent driving	22	19	19	75	77	116	72	50	12	23	5	490	35.5
Other	38	84	60	478	610	848	367	130	20	20	12	2,667	32.4
Total	103	189	176	1,096	1,281	1,905	1,025	377	48	71	21	6,292	33.3
Other	2	7	12	41	35	59	29	16	3	6	66	276	33.9
Total	123	818	942	3,887	3,621	5,040	2,371	777	116	135	231	18,061	31.4

TABLE 1.14

AGE DISTRIBUTION* OF PERSONS FOUND GUILTY IN LOCAL COURT APPEARANCES FINALISED: *Note: Excluded from this table are 610 companies (included in Table 1.7), and 8,951 cases for which a Section 80AA warrant was issued.*

Type of principal offence	Sex: Male							Sex: Female						
	Age (years)											Total	No.	
	Under 20	20 - 24	25 - 29	30 - 49	50 and over	Total	Under 20	20 - 24	25 - 29	30 - 49	50 and over			Total
%	%	%	%	%	%	No.	%	%	%	%	%	%	No.	
Against the person:														
Assault occasioning actual bodily harm	8.6	23.6	21.5	41.8	4.5	100.0	2,435	10.2	25.1	20.7	39.7	4.4	100.0	295
Other assault	8.1	21.9	21.0	43.2	5.9	100.0	7,600	11.8	22.7	20.4	42.5	2.6	100.0	1,407
Sexual assault	1.8	15.6	19.3	35.8	27.5	100.0	109	-	-	-	100.0	-	100.0	1
Sexual offences against children	7.7	13.5	9.6	45.2	24.0	100.0	104	-	-	-	-	100.0	100.0	1
Other	13.2	20.8	16.5	40.6	8.9	100.0	451	9.3	23.7	19.6	41.2	6.2	100.0	100
All offences	8.3	22.1	20.8	42.7	6.1	100.0	10,699	11.3	23.1	20.4	41.9	3.2	100.0	1,804
Theft:														
Break and enter	19.4	38.5	19.9	21.7	0.5	100.0	1,720	16.7	29.2	27.8	25.7	0.7	100.0	144
Fraud	5.4	16.0	15.9	49.3	13.4	100.0	2,411	4.7	17.2	18.0	47.1	12.9	100.0	1,003
Larceny by shop stealing	14.1	24.5	18.3	33.5	9.7	100.0	1,364	13.0	19.4	19.2	38.8	9.6	100.0	996
Other larceny	16.7	27.9	19.9	30.9	4.5	100.0	4,340	13.7	26.1	19.2	34.5	6.5	100.0	1,707
Unlawful possession	15.4	30.2	21.1	31.3	2.0	100.0	2,350	14.6	25.4	23.6	34.6	1.7	100.0	691
Vehicle theft	23.7	32.1	21.3	21.8	1.1	100.0	927	20.9	31.8	24.8	22.5	-	100.0	129
All offences	15.1	27.6	19.3	32.6	5.4	100.0	13,112	12.2	23.0	20.0	37.4	7.4	100.0	4,670
Property damage:														
Arson, damage by fire	19.2	39.7	12.8	26.9	1.3	100.0	78	7.7	7.7	23.1	53.8	7.7	100.0	13
Other	18.1	27.9	20.9	30.4	2.8	100.0	3,097	13.3	22.4	18.5	43.1	2.6	100.0	461
All offences	18.1	28.2	20.7	30.3	2.8	100.0	3,175	13.1	22.0	18.6	43.4	2.8	100.0	474
Environmental	9.5	21.4	28.6	28.6	11.9	100.0	96	-	22.2	11.1	55.6	11.1	100.0	13

Against justice procedures:														
Breach of order	4.8	21.2	21.5	46.7	5.7	100.0	4,380	5.6	22.8	21.7	46.5	3.4	100.0	631
Other	15.1	29.6	20.1	31.4	3.9	100.0	2,519	12.0	25.1	21.7	37.0	4.1	100.0	615
All offences	8.5	24.2	21.0	41.2	5.0	100.0	6,899	8.7	23.9	21.7	41.9	3.7	100.0	1,246
Against good order:														
Weapons	9.5	16.6	15.5	41.4	16.9	100.0	944	6.3	15.9	11.1	58.7	7.9	100.0	63
Betting and gaming	25.0	25.0	50.0	-	-	100.0	4	-	-	-	-	-	-	-
Prostitution	3.3	16.7	30.0	50.0	-	100.0	31	10.4	29.2	27.8	31.9	0.7	100.0	144
Liquor licensing	14.3	19.3	21.8	33.6	10.9	100.0	120	5.9	26.5	17.6	47.1	2.9	100.0	34
Offensive behaviour	20.5	31.3	18.9	26.9	2.5	100.0	4,408	18.1	23.0	20.5	36.5	2.1	100.0	881
Other	16.0	29.8	21.9	31.0	1.4	100.0	3,415	15.6	39.3	19.8	24.1	1.3	100.0	640
All offences	17.4	28.9	19.8	30.1	3.7	100.0	8,922	15.9	29.2	20.4	32.6	1.9	100.0	1,762
Drug:														
Possession and/or use:														
- opiates	11.1	33.7	23.8	30.9	0.4	100.0	1,168	16.7	34.0	22.1	27.2	-	100.0	294
- cannabis	17.0	31.8	19.4	29.8	1.9	100.0	3,852	12.0	23.8	21.4	41.9	0.9	100.0	673
- other drug	11.3	31.0	24.6	32.3	0.8	100.0	920	15.8	26.1	26.1	31.5	0.6	100.0	165
Dealing and trafficking:														
- opiates	13.5	33.8	15.8	36.1	0.8	100.0	133	10.8	27.0	16.2	45.9	-	100.0	37
- cannabis	6.9	22.5	17.3	48.1	5.2	100.0	231	6.1	20.4	10.2	63.3	-	100.0	49
- other drug	8.4	29.0	18.7	38.7	5.2	100.0	157	15.0	20.0	15.0	42.5	7.5	100.0	41
Manufacturing and/or growing:														
- cannabis	5.8	18.0	19.3	51.2	5.8	100.0	780	4.8	11.8	13.4	65.6	4.3	100.0	186
- other drug	-	11.8	29.4	52.9	5.9	100.0	17	-	-	-	100.0	-	100.0	1
Other	15.6	33.7	22.6	26.4	1.7	100.0	289	11.5	23.1	20.5	43.6	1.3	100.0	78
All offences	13.6	30.3	20.7	33.3	2.1	100.0	7,547	12.3	24.4	20.4	41.8	1.2	100.0	1,524
Driving:														
Cause injury by driving	13.2	39.5	6.6	31.6	9.2	100.0	76	8.3	33.3	-	25.0	33.3	100.0	12
DUI drink/drug	8.3	26.2	20.5	39.2	5.8	100.0	625	8.7	16.5	22.3	45.6	6.8	100.0	104
PCA - high	4.1	15.5	17.9	50.2	12.3	100.0	4,654	3.9	11.0	18.1	59.3	7.7	100.0	798
PCA - medium	8.9	21.1	18.6	40.2	11.3	100.0	9,075	7.6	19.2	19.2	46.2	7.8	100.0	1,640
PCA - low	12.3	21.6	16.6	37.3	12.3	100.0	3,120	10.3	20.7	19.3	42.7	7.1	100.0	581
Dangerous, reckless or negligent driving	17.7	23.2	15.1	32.0	12.1	100.0	3,142	12.4	15.5	15.9	38.8	17.5	100.0	490
Other	11.4	23.5	19.1	38.3	7.7	100.0	17,194	6.9	18.0	23.0	45.8	6.4	100.0	2,667
All offences	10.5	21.8	18.3	39.6	9.9	100.0	37,886	7.5	17.5	20.4	46.7	7.9	100.0	6,292
Other	7.0	14.8	16.6	44.6	16.9	100.0	848	10.0	19.5	16.7	41.9	11.9	100.0	276
All offences	11.9	24.5	19.4	37.3	6.9	100.0	89,184	10.6	21.8	20.3	41.6	5.8	100.0	18,061

* Based on numbers in Tables 1.13a and 1.13b. Persons of unknown age are excluded from the percentage calculations.

TABLE 1.15

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

a Total includes 18 persons for whom bail status was unknown.

b Total includes 40 persons for whom bail status was unknown.

c Total includes 360 persons for whom bail status was unknown.

d Total includes 172 persons for whom bail status was unknown.

e Total includes 211 persons for whom bail status was unknown.

f Total includes 1 person for whom bail status was unknown.

Note: There were 1,397 persons excluded from this table who were in prison for a previous offence.

Outcome of appearance	Bail status								
	On bail			In gaol/shelter			Total		
	Persons charged	Court delay		Persons charged	Court delay		Persons charged	Court delay	
	Offence to first appearance	First appearance to determination		Offence to first appearance	First appearance to determination		Offence to first appearance	First appearance to determination	
	Number	Median delay (days)		Number	Median delay (days)		Number	Median delay (days)	
Proceeded to defended hearing:									
All charges dismissed	4,635	47.0	94.0	190	24.5	56.0	4,843 ^a	46.0	92.0
Guilty of at least one charge	9,857	50.0	71.0	1,160	86.0	21.0	11,057 ^b	54.0	65.0
Other*	793	30.0	93.0	63	47.0	43.0	856	30.0	91.0
Convicted ex parte**	28,702	28.0	0.0	326	82.5	2.0	29,388 ^c	28.0	0.0
All charges dismissed without hearing	6,943	55.0	78.0	400	33.0	56.0	7,515 ^d	57.0	77.0
Sentenced after guilty plea	69,997	27.0	0.0	4,071	31.0	6.0	74,279 ^e	27.0	0.0
All charges otherwise disposed of	3,094	45.0	14.0	205	23.0	28.0	3,300 ^f	43.0	14.0

* 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.

** This category previously included only those persons for whom a s.80AA warrant was issued. In this report all ex parte convictions are included.

TABLE 1.16

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

<i>Statistical Division of residence</i>	<i>Persons charged</i>	
	<i>Number</i>	<i>Rate per 100,000 population</i>
Sydney:		
Inner Sydney	7,936	2,769.1
Eastern Suburbs	3,439	1,396.6
St George – Sutherland	6,121	1,438.7
Canterbury – Bankstown	5,700	1,848.5
Fairfield – Liverpool	8,078	2,418.6
Outer South Western Sydney	6,249	2,760.9
Inner Western Sydney	2,017	1,255.3
Central Western Sydney	6,099	2,098.7
Outer Western Sydney	6,509	2,087.7
Blacktown – Baulkham Hills	8,579	2,208.3
Lower Northern Sydney	2,958	1,019.1
Hornsby – Ku-ring-gai	1,906	742.0
Northern Beaches	3,186	1,396.0
Gosford – Wyong	4,694	1,632.8
Hunter	10,196	1,780.0
Illawarra	7,179	1,862.3
Richmond – Tweed	4,906	2,344.2
Mid-North Coast	6,258	2,306.4
Northern	4,760	2,720.7
North Western	4,328	3,680.6
Central West	4,409	2,544.1
South Eastern	3,987	2,195.4
Murrumbidgee	3,416	2,293.1
Murray	1,933	1,745.7
Far West	1,099	4,532.9
New South Wales	125,942	1,964.3

Note: Excluded from this table are 4,279 people whose residence was recorded as interstate or overseas, 1,017 people whose residence was unknown/no fixed abode, and 1,397 people who were institutionalised. The population data used to calculate rates are preliminary estimates of population as at 30 June 1999 from the Australian Bureau of Statistics publication, **Population, New South Wales, 30 June 1999**, Catalogue No. 3234.1.

TABLE 1.17

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

<i>Statistical Division of residence</i>	<i>Type of principal offence</i>								
	<i>Against the person</i>	<i>Theft</i>	<i>Property damage</i>	<i>Environmental</i>	<i>Against justice procedures</i>	<i>Against good order</i>	<i>Drug</i>	<i>Driving</i>	<i>Other</i>
	<i>Rate</i>	<i>Rate</i>	<i>Rate</i>	<i>Rate</i>	<i>Rate</i>	<i>Rate</i>	<i>Rate</i>	<i>Rate</i>	<i>Rate</i>
Sydney:									
Inner Sydney	216.3	583.4	67.0	0.3	145.5	225.8	243.2	569.5	18.1
Eastern Suburbs	123.5	218.9	37.4	0.8	58.1	65.8	79.6	540.9	12.2
St George – Sutherland	134.7	202.6	39.3	3.3	68.2	89.3	100.1	533.3	9.2
Canterbury – Bankstown	125.5	286.3	32.1	0.6	96.0	134.3	128.4	605.8	11.0
Fairfield – Liverpool	150.0	332.9	44.9	2.4	144.3	291.3	184.7	812.6	12.6
Outer South Western Sydney	212.1	341.5	66.7	0.9	182.5	217.8	159.1	991.0	11.5
Inner Western Sydney	91.5	216.6	32.4	2.5	66.0	74.7	76.6	431.3	10.6
Central Western Sydney	170.3	318.0	38.5	2.1	105.0	194.1	153.8	650.7	10.7
Outer Western Sydney	177.1	233.8	58.4	1.3	128.0	149.5	145.6	777.5	17.0
Blacktown – Baulkham Hills	189.2	270.5	48.4	1.5	132.8	138.2	139.5	770.4	18.3
Lower Northern Sydney	62.4	130.2	27.9	1.7	40.0	43.1	58.9	495.4	7.2
Hornsby – Ku-ring-gai	50.2	90.3	16.7	0.8	32.7	49.1	51.0	324.7	7.8
Northern Beaches	112.6	156.4	39.9	1.8	49.1	58.3	64.8	693.2	16.6
Gosford – Wyong	154.1	195.1	46.3	2.1	130.4	86.6	95.0	617.1	20.9

Hunter	198.7	264.8	53.6	1.4	125.2	103.9	112.4	583.3	17.3
Illawarra	228.3	259.2	72.6	1.8	137.7	106.4	101.7	625.7	17.9
Richmond – Tweed	245.1	270.9	72.2	1.9	137.1	241.3	272.4	762.1	19.6
Mid-North Coast	307.0	301.5	78.9	2.2	190.9	192.8	203.1	688.8	24.0
Northern	332.7	280.1	102.9	1.1	182.9	340.7	151.5	747.0	20.6
North Western	478.8	364.8	114.0	0.9	216.0	489.0	177.7	978.8	25.5
Central West	279.3	305.2	93.5	1.2	133.3	324.9	182.3	807.2	27.7
South Eastern	239.0	201.5	80.4	1.7	142.1	247.2	177.9	783.0	55.1
Murrumbidgee	287.3	243.7	81.2	2.0	161.1	236.3	114.1	765.3	18.1
Murray	201.4	197.8	54.2	1.8	129.1	178.8	102.1	568.1	17.2
Far West	651.7	255.7	152.6	.	375.3	515.6	181.5	1299.2	33.0
New South Wales	187.8	261.7	55.0	1.6	119.2	160.3	133.8	659.2	16.8

Note: Excluded from this table are 3,570 people whose residence was recorded as interstate or overseas, 769 people whose residence was unknown/no fixed abode, and 1,222 people who were institutionalised.

The population data used to calculate rates are preliminary estimates of population as at 30 June 1999 from the Australian Bureau of Statistics publication, **Population, New South Wales, 30 June 1999**, Catalogue No. 3234.1.

TABLE 1.18**APPREHENDED VIOLENCE ORDERS GRANTED:
STATISTICAL DIVISION OF RESIDENCE**

<i>Statistical Division of residence of protected person</i>	<i>Domestic</i>		<i>Personal</i>	
	<i>Number</i>	<i>Rate per 100,000 population</i>	<i>Number</i>	<i>Rate per 100,000 population</i>
Sydney:				
Inner Sydney	601	209.7	359	125.3
Eastern Suburbs	315	127.9	141	57.3
St George – Sutherland	662	155.6	252	59.2
Canterbury – Bankstown	398	129.1	141	45.7
Fairfield – Liverpool	687	205.7	248	74.3
Outer South Western Sydney	615	271.7	252	111.3
Inner Western Sydney	175	108.9	73	45.4
Central Western Sydney	538	185.1	174	59.9
Outer Western Sydney	761	244.1	299	95.9
Blacktown – Baulkham Hills	805	207.2	368	94.7
Lower Northern Sydney	253	87.2	101	34.8
Hornsby – Ku-ring-gai	207	80.6	55	21.4
Northern Beaches	247	108.2	75	32.9
Gosford – Wyong	711	247.3	269	93.6
Hunter	1,742	304.1	879	153.5
Illawarra	1,082	280.7	469	121.7
Richmond – Tweed	691	330.2	508	242.7
Mid-North Coast	1,150	423.8	607	223.7
Northern	574	328.1	380	217.2
North Western	578	491.5	395	335.9
Central West	595	343.3	326	188.1
South Eastern	504	277.5	308	169.6
Murrumbidgee	488	327.6	320	214.8
Murray	293	264.6	191	172.5
Far West	181	746.5	86	354.7
New South Wales	14,853	231.7	7,276	113.5

Note: Excluded from this table are 80 orders where the residence of the person was interstate and 43 where the residence was unknown.

The population data used to calculate rates are preliminary estimates of population as at 30 June 1999 from the Australian Bureau of Statistics publication, **Population, New South Wales, 30 June 1999**, Catalogue No. 3234.1.

NEW SOUTH WALES CHILDREN'S COURTS

Explanatory notes and tables

EXPLANATORY NOTES: CHILDREN'S COURTS TABLES

Children's Courts data are provided by the Department of Juvenile Justice (DJJ), which has been responsible for the administration of juvenile justice since 1991. Juveniles aged 10 to 17 years who allegedly offend against the criminal laws may be brought before the Children's Courts, referred to a Youth Justice Conference or, for relatively minor offences, may be dealt with by a system of formal police cautions. This report deals only with court appearances and does not include figures on police cautions.

Juveniles may also appear before the Children's Courts for complaints under the *Children (Care and Protection) Act 1987*. These matters deal with issues such as truancy or neglect. As welfare matters are the responsibility of the Department of Community Services, rather than the Department of Juvenile Justice, and do not constitute criminal proceedings, they are not included in this report.

TABLE 2.1:
APPEARANCES AND OFFENCES PROVEN, BY PRINCIPAL OFFENCE

Table 2.1 provides information on the numbers of criminal matters before the Children's Court 1998/1999.

Appearance and principal offence

An appearance is defined as a group of one or more charges against an individual, disposed of by the Children's Courts. If more than one offence was finalised at that appearance the principal offence is the offence with the most serious outcome or severity. If more than one offence received the same outcome then the most serious offence is calculated as the one with the lowest Australian Standard Offence Classification (ASOC) code. For juveniles with multiple charges only the principal offence is presented in this table.

Offence proven

Proven offences include those appearances resulting in domestic violence orders, referral to drug programs, return to former custody, revoked or amended community service orders and referrals to other jurisdictions.

Type of offence

In this and subsequent tables, the type of offence charged is the principal offence charged.

From July 1997 the DJJ has recorded offences using the NSW Lawcodes and aggregated these offences using the ASOC codes. In previous years the offence coding was based on the less detailed Draft National Classification of Offences (DANCO).

EXPLANATORY NOTES: CHILDREN'S COURTS TABLES

The offence categories appearing in this table represent a further aggregation as follows:

- The category 'assault' includes aggravated assault and non-aggravated assault.
- The 'sexual offences' category includes aggravated sexual assault, non-aggravated sexual assault and non-assaultive sexual offences.
- The 'other offences against the person' category includes acts intended to cause injury, and other dangerous or negligent acts endangering persons.
- The 'robbery' category includes aggravated robbery and non-aggravated robbery.
- The 'motor vehicle theft' category includes theft of motor vehicle and illegal use of motor vehicle.
- The 'other theft' category includes theft not elsewhere classified and theft of intellectual property.
- The 'other property damage' category includes graffiti and property damage not elsewhere classified.

TABLE 2.2:
BAIL STATUS AT FINAL APPEARANCE, SEX

Table 2.2 includes both those accused for whom a bail decision was made and those accused whose cases resulted from a summons or court attendance notice.

TABLE 2.3:
TYPE OF PRINCIPAL OFFENCE, PENALTY FOR PRINCIPAL OFFENCE

Penalties

'Control order' is a custodial penalty; it includes fixed term, minimum and additional term with DJJ supervision, minimum and additional term with other supervision and minimum and additional term with no supervision.

'Probation' includes probation orders with DJJ supervision, probation orders with other supervision and probation without supervision.

'Recognizance and fine' includes a fine and a recognizance *Children (Criminal Proceedings) Act 1987 s. 33(i)(d)*.

EXPLANATORY NOTES: CHILDREN'S COURTS TABLES

'Recognizance' includes recognizance, deferred sentence (s.558), suspended committal and conditional discharge, with supervision and without supervision.

'Dismissed with caution' includes dismissed with a caution and admonished and discharged.

'Other proven outcomes' includes domestic violence order, periodic/weekly detention, drug program, disqualified driver, returned to former custody, compensation, committed to the rising of the court, committed to higher court, remitted to local court and community service order revoked or amended.

TABLES 2.4, 2.4a AND 2.4b: TYPE OF OFFENCE, SEX, AGE

These tables detail the age and gender of all defendants appearing before the Children's Court including both proven and unproven outcome. The age category '18 years and over' which appears 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.

TABLE 2.1**PERSONS CHARGED IN CHILDREN'S COURT APPEARANCES FINALISED,
1998/99:****TYPE OF PRINCIPAL OFFENCE**

<i>Type of principal offence</i>	<i>Persons appearing</i>		<i>Persons with offence proven*</i>	
	<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>
Homicide and related:				
Murder	7	0.1	3	0.0
Attempted murder	1	0.0	-	0.0
Manslaughter	1	0.0	1	0.0
Driving causing death	3	0.0	1	0.0
Total	12	0.1	5	0.0
Other against the person:				
Assault	2,144	15.7	1,570	15.3
Sexual offences	125	0.9	74	0.7
Abduction and related	20	0.1	13	0.1
Other	8	0.1	5	0.0
Total	2,297	16.8	1,662	16.2
Robbery and extortion:				
Robbery	620	4.5	445	4.3
Blackmail and extortion	54	0.4	34	0.3
Total	674	4.9	479	4.7
Theft:				
Break and enter	1,658	12.1	1,304	12.7
Motor vehicle theft	1,030	7.5	801	7.8
Theft from a person	102	0.7	75	0.7
Theft from retail premises	393	2.9	336	3.3
Other	1,197	8.8	896	8.7
Receiving or handling proceeds of crime	614	4.5	407	4.0
Total	4,994	36.5	3,819	37.2
Fraud/deception	133	1.0	107	1.0
Property damage:				
Property damage by fire or explosion	34	0.2	22	0.2
Other	680	5.0	515	5.0
Environmental pollution	7	0.1	4	0.0
Total	721	5.3	541	5.3
Against justice procedures	933	6.8	559	5.4
Against good order	1,200	8.8	996	9.7
Drug:				
Possess/use illicit drugs	925	6.8	835	8.1
Deal or traffic in illicit drugs	149	1.1	107	1.0
Manufacture or cultivate illicit drugs	34	0.2	33	0.3
Other	8	0.1	7	0.1
Total	1,116	8.2	982	9.6

TABLE 2.1 cont.

<i>Type of principal offence</i>	<i>Persons appearing</i>		<i>Persons with offence proven*</i>	
	<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>
Driving:				
Driving under the influence of alcohol or drugs	15	0.1	14	0.1
Dangerous or negligent driving	301	2.2	252	2.5
Road, traffic and motor vehicle regulation	399	2.9	365	3.6
Total	715	5.2	631	6.1
Weapons and explosives	119	0.9	88	0.9
Other	758	5.5	408	4.0
Total	13,672	100.0	10,277	100.0

* 'Proven offences' includes charges referred to the Higher Courts.

TABLE 2.2

**PERSONS CHARGED IN CHILDREN'S COURT APPEARANCES FINALISED,
1998/99:
BAIL STATUS AT FINAL APPEARANCE, SEX**

<i>Bail status at final appearance</i>	Sex					
	<i>Male</i>		<i>Female</i>		<i>Total</i>	
	<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>
Bail refused	685	6.1	103	4.2	788	5.8
On bail	2,811	25.0	683	28.0	3,494	25.6
Bail dispensed with	162	1.4	25	1.0	187	1.4
Unknown bail status	2,003	17.8	329	13.5	2,332	17.1
Summons or court attendance notice	5,576	49.6	1,295	53.2	6,871	50.3
Total	11,237	100.0	2,435	100.0	13,672	100.0

TABLE 2.3

**PERSONS WITH OFFENCE PROVEN IN CHILDREN'S COURT APPEARANCES FINALISED, 1998/99:
TYPE OF PRINCIPAL OFFENCE, PENALTY FOR PRINCIPAL OFFENCE**

<i>Type of principal offence</i>	<i>Penalty for principal offence</i>									
	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>Total</i>
Homicide and related:										
Murder	-	-	-	-	-	-	-	-	3	3
Attempted murder	-	-	-	-	-	-	-	-	-	0
Manslaughter	-	-	-	-	-	-	-	-	1	1
Driving causing death	-	1	-	-	-	-	-	-	-	1
Total	-	1	-	-	-	-	-	-	4	5
Other against the person:										
Assault	167	155	340	34	122	459	198	95	1,570	
Sexual offences	7	3	31	-	-	25	2	6	74	
Abduction and related	5	-	3	-	-	2	2	1	13	
Other	1	1	-	-	-	3	-	-	5	
Total	180	159	374	34	122	489	202	102	1,662	
Robbery and extortion:										
Robbery	117	135	112	4	2	38	17	20	445	
Blackmail and extortion	5	12	8	-	-	6	1	2	34	
Total	122	147	120	4	2	44	18	22	479	

Theft:	208	207	330	6	18	304	137	94	1,304
Break and enter	92	96	158	3	31	240	113	68	801
Motor vehicle theft	15	19	18	2	1	12	3	5	75
Theft from a person	13	12	51	2	81	82	74	21	336
Theft from retail premises	44	63	154	11	142	244	174	64	896
Other	15	20	80	8	93	115	61	15	407
Receiving or handling proceeds of crime	387	417	791	32	366	997	562	267	3,819
Total	2	10	13	-	23	22	22	15	107
Fraud/deception									
Property:									
Property damage by fire or explosion	5	6	4	-	2	2	2	1	22
Other	23	31	82	6	89	126	114	44	515
Environmental pollution	-	-	-	-	1	-	3	-	4
Total	28	37	86	6	92	128	119	45	541
Against justice procedures	78	27	82	5	93	100	136	38	559
Against good order	11	19	79	13	410	145	295	24	996
Drug:									
Possess/use illicit drugs	11	8	62	12	275	171	289	7	835
Deal or traffic in illicit drugs	16	26	25	2	5	19	14	-	107
Manufacture or cultivate illicit drugs	-	2	4	-	10	7	9	1	33
Other	-	-	2	-	2	1	2	-	7
Total	27	36	93	14	292	198	314	8	982
Driving:									
Driving under the influence of alcohol or drugs	2	2	3	-	1	1	-	5	14
Dangerous or negligent driving	22	36	47	2	17	50	25	53	252
Road, traffic and motor vehicle regulation	5	8	10	3	105	29	54	151	365
Total	29	46	60	5	123	80	79	209	631
Weapons and explosives	4	12	12	3	20	16	17	4	88
Other	8	7	5	1	25	17	22	323	408
Total	876	918	1,715	117	1,568	2,236	1,786	1,061	10,277

TABLE 2.4

PERSONS CHARGED IN CHILDREN'S COURT APPEARANCES FINALISED, 1998/99:
SEX, TYPE OF PRINCIPAL OFFENCE, AGE

<i>Type of principal offence</i>	<i>Sex: Total male and female</i>									
	<i>Age (years)</i>									
	<i>10</i>	<i>11</i>	<i>12</i>	<i>13</i>	<i>14</i>	<i>15</i>	<i>16</i>	<i>17</i>	<i>18 and over</i>	<i>Total</i>
	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>
Homicide and related:										
Murder	-	-	-	-	-	1	1	4	1	7
Attempted murder	-	-	-	-	-	1	-	-	-	1
Manslaughter	-	1	-	-	-	-	-	-	-	1
Driving causing death	-	-	-	-	-	-	-	1	2	3
Total	-	1	-	-	-	2	1	5	3	12
Other against the person:										
Assault	3	15	33	91	206	344	460	662	330	2,144
Sexual offences	-	1	1	4	11	26	33	29	20	125
Abduction and related	-	-	-	-	3	2	6	5	4	20
Other	-	1	-	-	2	1	-	1	3	8
Total	3	17	34	95	222	373	499	697	357	2,297
Robbery and extortion:										
Robbery	-	1	7	16	69	94	163	192	78	620
Blackmail and extortion	-	-	1	1	3	15	9	16	9	54
Total	-	1	8	17	72	109	172	208	87	674

Theft offences:										
Break and enter	5	10	36	94	186	314	358	449	206	1,658
Motor vehicle theft	2	4	11	52	102	230	244	266	119	1,030
Theft from a person	-	1	3	5	9	24	22	30	8	102
Theft from retail premises	-	5	11	23	52	60	99	121	22	393
Other	4	11	21	48	137	215	280	351	130	1,197
Receiving or handling proceeds of crime	-	-	8	15	40	88	134	224	105	614
Total	11	31	90	237	526	931	1,137	1,441	590	4,994
Fraud/deception										
	-	-	-	-	3	19	32	45	34	133
Property damage:										
Property damage by fire or explosion	-	-	-	3	7	6	6	7	5	34
Other	2	1	23	40	61	112	157	210	74	680
Environmental pollution	-	-	-	-	-	2	1	3	1	7
Total	2	1	23	43	68	120	164	220	80	721
Against justice procedures										
	2	5	12	27	62	121	163	269	272	933
Against good order										
	1	4	8	30	74	213	308	435	127	1,200
Drug:										
Possess/use illicit drugs	-	1	7	22	71	135	250	339	100	925
Deal or traffic in illicit drugs	-	-	2	6	10	20	43	44	24	149
Manufacture or cultivate illicit drugs	-	-	-	-	3	2	13	12	4	34
Other	-	-	-	-	-	2	2	4	-	8
Total	-	1	9	28	84	159	308	399	128	1,116
Driving:										
Driving under the influence of alcohol or drugs	-	-	-	-	-	2	1	10	2	15
Dangerous or negligent driving	-	1	4	7	19	62	88	94	26	301
Road, traffic and motor vehicle regulation	-	-	1	4	13	43	98	182	58	399
Total	-	1	5	11	32	107	187	286	86	715
Weapons and explosives										
	-	1	-	3	11	18	28	45	13	119
Other										
	3	4	25	53	81	147	213	188	44	758
Total	22	67	214	544	1,235	2,319	3,212	4,238	1,821	13,672

TABLE 2.4a

PERSONS CHARGED IN CHILDREN'S COURT APPEARANCES FINALISED, 1998/99:
SEX, TYPE OF PRINCIPAL OFFENCE, AGE

<i>Type of principal offence</i>	<i>Sex: Male</i>									
	<i>Age (years)</i>									
	<i>10</i>	<i>11</i>	<i>12</i>	<i>13</i>	<i>14</i>	<i>15</i>	<i>16</i>	<i>17</i>	<i>18 and over</i>	<i>Total</i>
	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>
Homicide and related:										
Murder	-	-	-	-	-	1	1	4	1	7
Attempted murder	-	-	-	-	-	1	-	-	-	1
Manslaughter	-	1	-	-	-	-	-	-	-	1
Driving causing death	-	-	-	-	-	-	-	1	2	3
Total	-	1	-	-	-	2	1	5	3	12
Other against the person:										
Assault	3	13	26	71	138	243	338	521	258	1,611
Sexual offences	-	1	1	4	11	25	31	28	20	121
Abduction and related	-	-	-	-	3	1	3	1	4	12
Other	-	1	-	-	2	1	-	1	3	8
Total	3	15	27	75	154	270	372	551	285	1,752
Robbery and extortion:										
Robbery	-	1	4	14	59	76	140	167	71	532
Blackmail and extortion	-	-	1	1	3	11	9	13	9	47
Total	-	1	5	15	62	87	149	180	80	579

Theft:										
Break and enter	5	9	32	85	164	286	330	405	188	1,504
Motor vehicle theft	2	4	10	43	88	192	216	238	104	897
Theft from a person	-	1	3	5	8	23	19	27	7	93
Theft from retail premises	-	5	9	13	33	39	68	78	17	262
Other	4	11	20	44	115	163	230	279	99	965
Receiving or handling proceeds of crime	-	-	6	9	30	69	108	178	87	487
Total	11	30	80	199	438	772	971	1205	502	4,208
Fraud/deception	-	-	-	-	1	12	16	26	22	77
Property damage:										
Property damage by fire or explosion	-	-	-	3	6	5	4	7	5	30
Other	2	1	20	36	50	89	132	191	68	589
Environmental pollution	-	-	-	-	-	2	-	3	1	6
Total	2	1	20	39	56	96	136	201	74	625
Against justice procedures	2	5	12	22	48	83	126	213	236	747
Against good order	1	4	8	21	56	163	245	378	110	986
Drug:										
Possess/use illicit drugs	-	1	5	16	55	118	207	293	86	781
Deal or traffic in illicit drugs	-	-	2	4	9	16	36	39	22	128
Manufacture or cultivate illicit drugs	-	-	-	-	2	1	12	11	4	30
Other	-	-	-	-	-	2	2	4	-	8
Total	-	1	7	20	66	137	257	347	112	947
Driving:										
Driving under the influence of alcohol or drugs	-	-	-	-	-	1	1	8	2	12
Dangerous or negligent driving	-	1	4	7	15	53	79	88	24	271
Road, traffic and motor vehicle regulation	-	-	1	4	13	40	83	161	52	354
Total	-	1	5	11	28	94	163	257	78	637
Weapons and explosives	-	1	-	3	10	17	26	40	11	108
Other	2	4	23	41	58	102	148	145	36	559
Total	21	64	187	446	977	1,835	2,610	3,548	1,549	11,237

TABLE 2.4b

PERSONS CHARGED IN CHILDREN'S COURT APPEARANCES FINALISED, 1998/99:
SEX, TYPE OF PRINCIPAL OFFENCE, AGE

<i>Type of principal offence</i>	<i>Sex: Female</i>									
	<i>Age (years)</i>									
	<i>10</i>	<i>11</i>	<i>12</i>	<i>13</i>	<i>14</i>	<i>15</i>	<i>16</i>	<i>17</i>	<i>18 and over</i>	<i>Total</i>
	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>
Homicide and related:										
Murder	-	-	-	-	-	-	-	-	-	0
Attempted murder	-	-	-	-	-	-	-	-	-	0
Manslaughter	-	-	-	-	-	-	-	-	-	0
Driving causing death	-	-	-	-	-	-	-	-	-	0
Total	-	-	-	-	-	-	-	-	-	0
Other against the person:										
Assault	-	2	7	20	68	101	122	141	72	533
Sexual offences	-	-	-	-	-	1	2	1	-	4
Abduction and related	-	-	-	-	-	1	3	4	-	8
Other against the person	-	-	-	-	-	-	-	-	-	0
Total	-	2	7	20	68	103	127	146	72	545
Robbery and extortion:										
Robbery	-	-	3	2	10	18	23	25	7	88
Blackmail and extortion	-	-	-	-	-	4	-	3	-	7
Total	-	-	3	2	10	22	23	28	7	95

Theft:										
Break and enter	-	1	4	9	22	28	28	44	18	154
Motor vehicle theft	-	-	1	9	14	38	28	28	15	133
Theft from a person	-	-	-	-	1	1	3	3	1	9
Theft from retail premises	-	-	2	10	19	21	31	43	5	131
Other theft	-	-	1	4	22	52	50	72	31	232
Receiving or handling proceeds of crime	-	-	2	6	10	19	26	46	18	127
Total	-	1	10	38	88	159	166	236	88	786
Fraud/deception	-	-	-	-	2	7	16	19	12	56
Property damage:										
Property damage by fire or explosion	-	-	-	-	1	1	2	-	-	4
Other	-	-	3	4	11	23	25	19	6	91
Environmental pollution	-	-	-	-	-	-	1	-	-	1
Total	-	-	3	4	12	24	28	19	6	96
Against justice procedures	-	-	-	5	14	38	37	56	36	186
Against good order	-	-	-	9	18	50	63	57	17	214
Drug:										
Possess/use illicit drugs	-	-	2	6	16	17	43	46	14	144
Deal or traffic in illicit drugs	-	-	-	2	1	4	7	5	2	21
Manufacture or cultivate illicit drugs	-	-	-	-	1	1	1	1	-	4
Other	-	-	-	-	-	-	-	-	-	0
Total	-	-	2	8	18	22	51	52	16	169
Driving:										
Driving under the influence of alcohol or drugs	-	-	-	-	-	1	-	2	-	3
Dangerous or negligent driving	-	-	-	-	4	9	9	6	2	30
Road, traffic and motor vehicle regulation	-	-	-	-	-	3	15	21	6	45
Total	-	-	-	-	4	13	24	29	8	78
Weapons and explosives	-	-	-	-	1	1	2	5	2	11
Other	1	-	2	12	23	45	65	43	8	199
Total	1	3	27	98	258	484	602	690	272	2,435

NEW SOUTH WALES HIGHER COURTS

Explanatory notes and tables

EXPANATORY NOTES: HIGHER COURTS TABLES

TABLES 3.1 AND 3.2: CASES APPEARING IN HIGHER CRIMINAL COURTS

Jurisdiction

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

Registry

Registries handle the administrative work involved in preparing a case for trial. The District Court is regionalised into a number of Registries. Appendix 3 lists the various courts which fall within each Registry's administrative area.

Case

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

A case is finalised when one or more charges against one or more accused is dealt with by the court in the reporting period.

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

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

Committal

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

EXPLANATORY NOTES: HIGHER COURTS TABLES

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

Persons charged

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

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

Note that Table 3.4, which shows the number of persons charged with offences within a particular offence group, counts individuals more than once in all cases where the accused was charged with more than one offence and those offences fall within different groups. 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 3.14a to 3.14h.

Type of offence

Offence groups in Table 3.4 and subsequent tables are based on the Australian National Classification of Offences (ANCO) issued by the Australian Bureau of Statistics (ABS 1985, Cat. No. 1234.0). The ANCO system has three hierarchical levels of offences. The first level has nine general groupings. There is a more detailed breakdown within these groups, at the second level of the hierarchy, and a third level of detail within the second level groupings. Tables in this report generally use the offence groupings at the second ANCO level.

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

- a) *Sexual offences against children* are shown separately from the general *sexual assault* category. Some charges which have been laid under Section 61I (*sexual intercourse without consent*) 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* category in this report, the frequency within the *sexual offences against children* classification is subject to undercounting.
- b) The drug offence categories include substance type as a part of the offence category. This is so that sentences for offences involving different drug types can be separately examined.

EXPANATORY NOTES: HIGHER COURTS TABLES

- c) The categories of 'environmental offences', 'offences against government security', 'company offences' and 'banking, financial offences' have all been merged into the category of 'other offences'. This is due to the small numbers of cases which are normally present in these categories. Information on these offence categories can be obtained by contacting the Bureau.

Note: The Bureau's data collection has information on offences with sufficient detail to determine charges by individual Act and Section. Information on specific charges can be obtained by contacting the Bureau.

TABLE 3.5:
NUMBER OF OFFENCES CHARGED

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

TABLE 3.6:
OUTCOME OF CHARGE

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

Proceeded to trial

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

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

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

EXPLANATORY NOTES: HIGHER COURTS TABLES

Proceeded to sentence only

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

No charges proceeded with

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

All charges otherwise disposed of

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

TABLES 3.7, 3.8 AND 3.9: PENALTIES IMPOSED FOR PRINCIPAL OFFENCE

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

- a) Where an offender was found guilty of more than one offence, that offence which received the most serious penalty type is the principal offence. Appendix 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.
- c) If there was more than one offence which received the same quantum of the same penalty type, the last of these offences recorded on the indictment is selected as the principal offence.
- d) Where an offence received more than one penalty, a *principal penalty* for that offence is first calculated following the rules set out above. The determination of principal offence is thus calculated on the principal penalty for each offence.

EXPANATORY NOTES: HIGHER COURTS TABLES

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

Duration of imprisonment

Average duration of imprisonment in Table 3.9 is the mean length of time in months of the minimum or fixed term of imprisonment imposed on the principal offence. As imprisonment is the most serious penalty which can be imposed, Table 3.8 includes all charges where an imprisonment penalty was imposed. Excluded from this table are sentences of cumulative imprisonment. In those cases where a cumulative term was imposed, only the penalty for the principal offence is shown.

Tables 3.7, 3.8 and 3.9 do not report on cases where the prison sentence was not imposed under the *Sentencing Act 1989*.

TABLE: 3.10:
PRIOR CONVICTIONS

Table 3.10 provides information on the history of prior convictions of those persons found guilty. The following categories are used:

No prior convictions

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

Prior convictions, not of the same type

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

Prior convictions of the same type

In this category are persons who had been convicted of an offence of the same general type as the principal offence, on a previous occasion, but not sentenced to a period of imprisonment for that offence.

Prior convictions of the same type, with imprisonment

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

EXPLANATORY NOTES: HIGHER COURTS TABLES

**TABLE 3.13:
BAIL STATUS**

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

**TABLE 3.14 AND 3.14a TO 3.14h:
COURT DELAY**

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

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

Arrest to committal

The time from date of arrest to date committed for trial in Local Court.

Committal to outcome

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

Outcome to sentence

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

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

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

EXPANATORY NOTES: HIGHER COURTS TABLES

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

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

The appeal outcome categories are as follows:

Appeal upheld for all matters

This category indicates that:

- 1) the conviction was overturned, for an appeal against conviction;
 - or 2) the penalty was varied, for a severity appeal
- for all charges appealed against.

Appeal dismissed/withdrawn for all matters

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

Appeal upheld for some matters

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

Other

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

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

<i>Registry</i>	<i>Type of committal</i>					
	<i>Committed for trial</i>		<i>Committed for sentence</i>		<i>Total</i>	
	<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>
Supreme Court	71	2.9	1	0.1	72	2.1
District Court:						
Dubbo	188	7.6	31	3.1	219	6.3
Lismore	225	9.0	46	4.6	271	7.8
Newcastle	355	14.3	140	13.9	495	14.2
Sydney	704	28.3	349	34.8	1,053	30.2
Sydney West	657	26.4	305	30.4	962	27.5
Wagga Wagga	98	3.9	25	2.5	123	3.5
Wollongong	190	7.6	107	10.7	297	8.5
Total	2,488	100.0	1,004	100.0	3,492	100.0

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

<i>Registry, Type of committal</i>		<i>Method of finalisation</i>									
		<i>Proceeded to trial</i>		<i>Proceeded to sentence only</i>		<i>No charges proceeded with</i>		<i>All charges otherwise disposed of</i>		<i>Total</i>	
		<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>
Supreme Court	- committed for trial	47	54.7	32	37.2	6	7.0	1	1.2	86	100.0
	- committed for sentence	-	-	1	100.0	-	-	-	-	1	100.0
District Court											
Dubbo	- committed for trial	71	37.8	84	44.7	16	8.5	17	9.0	188	100.0
	- committed for sentence	-	-	27	96.4	-	-	1	3.6	28	100.0
Lismore	- committed for trial	40	21.3	125	66.5	14	7.4	9	4.8	188	100.0
	- committed for sentence	-	-	46	97.9	-	-	1	2.1	47	100.0
Newcastle	- committed for trial	117	30.4	181	47.0	60	15.6	27	7.0	385	100.0
	- committed for sentence	-	-	135	96.4	1	0.7	4	2.9	140	100.0
Sydney	- committed for trial	241	32.1	373	49.7	91	12.1	45	6.0	750	100.0
	- committed for sentence	-	-	287	97.6	1	0.3	6	2.0	294	100.0
Sydney West	- committed for trial	243	26.4	478	51.9	132	14.3	68	7.4	921	100.0
	- committed for sentence	-	-	257	94.8	1	0.4	13	4.8	271	100.0
Wagga Wagga	- committed for trial	29	31.9	46	50.5	8	8.8	8	8.8	91	100.0
	- committed for sentence	-	-	24	92.3	-	-	2	7.7	26	100.0
Wollongong	- committed for trial	68	28.5	94	39.3	50	20.9	27	11.3	239	100.0
	- committed for sentence	-	-	76	90.5	-	-	8	9.5	84	100.0
All Registries	- committed for trial	856	30.1	1,413	49.6	377	13.2	202	7.1	2,848	100.0
	- committed for sentence	-	-	853	95.7	3	0.3	35	3.9	891	100.0
Total		856	22.9	2,266	60.6	380	10.2	237	6.3	3,739	100.0

TABLE 3.3

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

<i>Year of committal</i>	<i>Jurisdiction</i>											
	<i>Supreme Court</i>				<i>District Court</i>				<i>Total</i>			
	<i>Type of committal</i>											
	<i>Committed for trial</i>		<i>Committed for sentence</i>		<i>Committed for trial</i>		<i>Committed for sentence</i>		<i>Committed for trial</i>		<i>Committed for sentence</i>	
	<i>Cases finalised</i>	<i>Persons charged</i>	<i>Cases finalised</i>	<i>Persons charged</i>	<i>Cases finalised</i>	<i>Persons charged</i>	<i>Cases finalised</i>	<i>Persons charged</i>	<i>Cases finalised</i>	<i>Persons charged</i>	<i>Cases finalised</i>	<i>Persons charged</i>
1995 or earlier	1	2	0	0	67	77	0	0	68	79	0	0
1996	4	4	0	0	95	106	1	1	99	110	1	1
1997	27	29	0	0	455	509	12	12	482	538	12	12
1998	46	49	1	1	1,384	1,436	278	282	1,430	1,485	279	283
1999	8	10	0	0	761	789	599	605	769	799	599	605
Total	86	94	1	1	2,762	2,917	890	900	2,848	3,011	891	901

TABLE 3.4

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

<i>Type of offence charged</i>	<i>Persons* charged</i>	<i>Charges</i>
	<i>Number</i>	<i>Number</i>
Against the person:		
Murder	72	72
Manslaughter	54	54
Attempt, intent to murder	49	51
Assault	729	962
Sexual assault	506	761
Sexual offences against children	439	857
Other	103	116
Total	1,596	2,873
Robbery and extortion:		
Robbery	913	1,185
Blackmail and extortion	56	57
Total	948	1,242
Theft:		
Break and enter	418	552
Fraud and misappropriation	182	320
Unlawful possession	110	135
Vehicle theft	175	200
Other	94	102
Total	809	1,309
Property damage	107	121
Against justice procedures	268	305
Weapons	121	143
Against good order	67	69

TABLE 3.4 continued

<i>Type of offence charged</i>	<i>Persons*</i>	<i>Charges</i>
	<i>Number</i>	<i>Number</i>
Drug:		
Possession and/or use:		
- opiates	3	4
- cannabis	16	17
- other drug	28	32
Dealing and trafficking:		
- opiates	140	160
- cannabis	106	112
- other drug	291	343
Manufacturing and/or growing:		
- cannabis	56	60
- other drug	41	44
Import/export	81	91
Other	5	5
Total	645	868
Driving:		
Cause death by driving	89	98
Cause injury by driving	7	8
Other	19	34
Total	112	140
Against prison rules	38	38
Other	26	27
Total	3,912	7,135

* '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 break and enter and vehicle theft) is counted **only once** in the offence group total. Hence the numbers within an offence group do not sum to the offence group total. The grand total is a count of the total number of distinct persons charged in Local Court appearances. For 'charges', all totals simply sum over the categories.

TABLE 3.5

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

<i>Number of offences charged</i>	<i>Persons charged</i>	
	<i>Number</i>	<i>%</i>
1	1,783	45.6
2	1,184	30.3
3	489	12.5
4	237	6.1
5	111	2.8
6	51	1.3
7	20	0.5
8	11	0.3
9	5	0.1
10 or more	21	0.5

TABLE 3.6

**PERSONS CHARGED IN TRIAL AND SENTENCE CASES FINALISED:
OUTCOME OF CHARGE, JURISDICTION**

<i>Outcome of charge</i>	<i>Jurisdiction</i>					
	<i>Supreme Court</i>		<i>District Court</i>		<i>Total</i>	
	<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>
Proceeded to trial:						
Acquitted of all charges	21	22.1	416	10.9	437	11.2
Found guilty of at least one charge	28	29.5	395	10.3	423	10.8
Other*	1	1.1	28	0.7	29	0.7
Proceeded to sentence only	38	40.0	2,336	61.2	2,374	60.7
No charges proceeded with	6	6.3	399	10.5	405	10.4
All charges otherwise disposed of	1	1.1	243	6.4	244	6.2
Total	95	100.0	3,817	100.0	3,912	100.0

* 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 3.7

**PERSONS FOUND GUILTY IN TRIAL AND SENTENCE CASES FINALISED:
TYPE OF PRINCIPAL OFFENCE, 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	Detention in juvenile institution	Periodic detention	Community Service Order	Recognition with supervision	Recognition without supervision	Recognition without conviction	Fine	Rising of the court	No conviction recorded				
Against the person:															
Murder	21	-	-	-	-	-	-	-	-	-	-	-	-	21	
Manslaughter	26	-	1	-	-	3	2	-	-	-	-	-	-	32	
Attempt, intent to murder	4	-	-	-	-	1	-	-	-	-	-	-	-	5	
Assault	187	1	5	28	42	47	37	4	2	2	-	-	-	355	
Sexual assault	115	-	-	12	10	11	7	1	1	-	-	-	3	160	
Sexual offences against children	133	-	1	19	17	15	23	1	-	-	-	-	2	211	
Other	23	-	-	2	6	4	4	1	1	-	-	-	-	41	
Total	509	1	7	61	75	81	73	7	4	2	5	2	5	825	
Robbery and extortion:															
Robbery	569	2	19	23	31	28	5	-	-	-	-	-	-	677	
Blackmail and extortion	10	-	-	1	4	2	2	-	-	-	-	-	-	19	
Total	579	2	19	24	35	30	7	-	-	-	-	-	-	696	
Theft:															
Break and enter	206	1	4	19	26	19	5	-	-	-	-	-	1	281	
Fraud and misappropriation	57	4	-	20	18	5	11	2	1	-	-	-	1	119	
Unlawful possession	22	-	-	6	7	3	3	-	-	-	-	-	-	41	
Vehicle theft	16	-	-	1	1	1	-	-	-	-	-	-	-	19	
Other	14	-	-	1	3	3	3	-	-	-	-	-	-	24	
Total	315	5	4	47	55	31	22	2	1	-	-	-	2	484	

Property damage	14	-	-	5	3	13	4	-	1	-	-	40
Against justice procedures	75	-	1	6	17	34	7	3	1	-	-	144
Weapons	17	-	-	2	3	3	2	-	2	-	-	29
Against good order	3	1	-	-	6	4	2	-	-	-	-	16
Drug:												
Possession and/or use:												
- opiates	-	-	-	-	-	-	-	-	-	-	-	0
- cannabis	.	-	-	-	-	-	-	-	1	-	-	1
- other drug	.	-	-	-	-	1	-	-	-	-	-	1
Dealing and trafficking:												
- opiates	83	1	-	7	6	10	2	-	1	-	-	110
- cannabis	27	-	-	10	4	8	6	-	-	-	-	55
- other drug	116	2	-	21	28	19	13	-	-	-	-	199
Manufacturing and/or growing:												
- cannabis	12	-	-	10	8	7	5	1	1	-	-	44
- other drug	19	-	-	3	3	-	2	-	1	-	-	28
Import/export	65	-	-	-	-	-	1	-	-	-	-	66
Other	-	-	-	-	-	-	-	-	-	-	-	0
Total	322	3	-	51	49	45	29	1	4	-	-	504
Driving:												
Cause death by driving	37	-	-	7	8	1	1	-	1	-	-	55
Cause injury by driving	3	-	-	1	-	-	-	-	-	-	-	4
Other	-	-	-	-	-	-	-	-	1	-	-	1
Total	40	-	-	8	8	1	1	-	2	-	-	60
Against prison rules	18	-	-	-	-	-	-	-	-	-	-	18
Other	6	-	-	-	1	1	1	-	-	-	1	10
Total	1,898	12	31	204	252	243	148	13	15	2	8	2,826

TABLE 3.8

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

<i>Type of principal offence</i>	<i>Penalty for principal offence</i>								
	<i>Imprisonment</i>	<i>Home detention</i>	<i>Detention in juvenile institution</i>	<i>Periodic detention</i>	<i>Community Service Order</i>	<i>Recognizance</i>	<i>Fine</i>	<i>Other</i>	<i>All penalties</i>
	%	%	%	%	%	%	%	%	%
Against the person:									
Murder	100.0	-	-	-	-	-	-	-	100.0
Manslaughter	81.3	-	3.1	-	-	15.6	-	-	100.0
Attempt, intent to murder	80.0	-	-	-	-	20.0	-	-	100.0
Assault	52.7	0.3	1.4	7.9	11.8	24.8	0.6	0.6	100.0
Sexual assault	71.9	-	-	7.5	6.3	11.9	0.6	1.9	100.0
Sexual offences against children	63.0	-	0.5	9.0	8.1	18.5	-	0.9	100.0
Other	56.1	-	-	4.9	14.6	22.0	2.4	-	100.0
All offences	61.7	0.1	0.8	7.4	9.1	19.5	0.5	0.8	100.0
Robbery and extortion:									
Robbery	84.0	0.3	2.8	3.4	4.6	4.9	-	-	100.0
Blackmail and extortion	52.6	-	-	5.3	21.1	21.1	-	-	100.0
All offences	83.2	0.3	2.7	3.4	5.0	5.3	-	-	100.0
Theft:									
Break and enter	73.3	0.4	1.4	6.8	9.3	8.5	-	0.4	100.0
Fraud and misappropriation	47.9	3.4	-	16.8	15.1	15.1	0.8	0.8	100.0
Unlawful possession	53.7	-	-	14.6	17.1	14.6	-	-	100.0
Vehicle theft	84.2	-	-	5.3	5.3	5.3	-	-	100.0
Other	58.3	-	-	4.2	12.5	25.0	-	-	100.0
All offences	65.1	1.0	0.8	9.7	11.4	11.4	0.2	0.4	100.0

Property damage	35.0	-	-	12.5	7.5	42.5	2.5	-	100.0
Against justice procedures	52.1	-	0.7	4.2	11.8	30.6	0.7	-	100.0
Weapons	58.6	-	-	6.9	10.3	17.2	6.9	-	100.0
Against good order	18.8	6.3	-	-	37.5	37.5	-	-	100.0
Drug:									
Possession and/or use:									
- opiates	-	-	-	-	-	-	-	-	-
- cannabis	-	-	-	-	-	-	100.0	-	100.0
- other drug	-	-	-	-	-	100.0	-	-	100.0
Dealing and trafficking:									
- opiates	75.5	0.9	-	6.4	5.5	10.9	0.9	-	100.0
- cannabis	49.1	-	-	18.2	7.3	25.5	-	-	100.0
- other drug	58.3	1.0	-	10.6	14.1	16.1	-	-	100.0
Manufacturing and/or growing:									
- cannabis	27.3	-	-	22.7	18.2	29.5	2.3	-	100.0
- other drug	67.9	-	-	10.7	10.7	7.1	3.6	-	100.0
Import/export	98.5	-	-	-	-	1.5	-	-	100.0
Other	-	-	-	-	-	-	-	-	-
All offences	63.9	0.6	-	10.1	9.7	14.9	0.8	-	100.0
Driving:									
Cause death by driving	67.3	-	-	12.7	14.5	3.6	1.8	-	100.0
Cause injury by driving	75.0	-	-	25.0	-	-	-	-	100.0
Other	-	-	-	-	-	-	100.0	-	100.0
All offences	66.7	-	-	13.3	13.3	3.3	3.3	-	100.0
Against prison rules	100.0	-	-	-	-	-	-	-	100.0
Other	60.0	-	-	-	10.0	20.0	-	10.0	100.0
All offences	67.2	0.4	1.1	7.2	8.9	14.3	0.5	0.4	100.0

TABLE 3.9

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

<i>Type of principal offence</i>	<i>Penalty for principal offence</i>						
	<i>Imprisonment</i>	<i>Home detention</i>	<i>Detention in juvenile institution</i>	<i>Periodic detention</i>	<i>Community Service Order</i>	<i>Recognizance</i>	<i>Fine</i>
	<i>Average months</i>	<i>Average months</i>	<i>Average months</i>	<i>Average months</i>	<i>Average hours</i>	<i>Average months</i>	<i>Average \$</i>
Against the person:							
Murder	154.9	-	-	-	-	-	-
Manslaughter	47.2	-	36.0	-	-	38.4	-
Attempt, intent to murder	113.3	-	-	-	-	36.0	-
Assault	20.3	6.0	12.8	16.5	277.5	28.2	500
Sexual assault	29.7	-	-	18.9	255.0	23.7	500
Sexual offences against children	28.2	-	18.0	21.0	332.4	34.6	-
Other	27.0	-	-	18.0	433.3	30.0	2,000
All offences	32.4	6.0	16.9	18.4	299.4	29.7	875
Robbery and extortion:							
Robbery	28.2	9.0	21.3	19.3	382.9	40.4	-
Blackmail and extortion	18.1	-	-	27.0	263.8	39.0	-
All offences	28.0	9.0	21.3	19.7	369.3	40.2	-
Theft:							
Break and enter	20.2	12.0	25.5	17.8	325.0	26.1	-
Fraud and misappropriation	18.7	6.0	-	17.3	302.8	30.7	3,000
Unlawful possession	14.1	-	-	18.5	372.1	31.0	-
Vehicle theft	20.9	-	-	6.0	100.0	36.0	-
Other	15.2	-	-	36.0	300.0	34.0	-
All offences	19.4	7.2	25.5	17.8	318.3	29.2	3,000

Property damage	13.2	-	-	10.2	433.3	23.6	500
Against justice procedures	15.8	-	9.0	15.5	283.5	30.1	500
Weapons	20.3	-	-	24.0	373.3	28.8	450
Against good order	8.0	9.0	-	-	308.3	26.0	-
Drug:							
Possession and/or use:							
- opiates	-	-	-	-	-	-	-
- cannabis	-	-	-	-	-	-	750
- other drug	-	-	-	-	-	24.0	-
Dealing and trafficking:							
- opiates	25.6	4.0	-	15.9	316.7	31.5	200
- cannabis	17.6	-	-	18.3	337.5	30.6	-
- other drug	19.9	15.5	-	20.9	304.8	29.3	-
Manufacturing and/or growing:							
- cannabis	14.7	-	-	17.2	368.8	32.8	1,500
- other drug	27.0	-	-	18.0	500.0	30.0	5,000
Import/export	138.0	-	-	-	-	60.0	-
Other	-	-	-	-	-	-	-
All offences	22.7	11.7	-	18.8	331.3	30.8	1,863
Driving:							
Cause death by driving	27.0	-	-	21.4	375.0	36.0	1,000
Cause injury by driving	15.7	-	-	12.0	-	-	-
Other	-	-	-	-	-	-	500
All offences	26.2	-	-	20.3	375.0	36.0	750
Against prison rules	7.5	-	-	-	-	-	-
Other	18.0	-	-	-	500.0	36.0	-
All offences	26.2	8.7	20.5	18.4	324.2	30.6	1,157

TABLE 3.10

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

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

<i>Type of principal offence</i>	<i>Prior convictions</i>									
	<i>No prior convictions</i>		<i>Prior convictions not of same type</i>		<i>Prior convictions of same type</i>		<i>Prior convictions of same type with imprisonment</i>		<i>Total</i>	
	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>
Against the person	367	31.9	305	26.5	266	23.1	212	18.4	1,150	100.0
Driving	44	73.3	5	8.3	9	15.0	2	3.3	60	100.0
Drug	232	48.7	71	14.9	120	25.2	53	11.1	476	100.0
Fraud	82	68.9	19	16.0	11	9.2	7	5.9	119	100.0
Property	105	25.9	17	4.2	92	22.7	191	47.2	405	100.0
Sex	206	55.5	116	31.3	25	6.7	24	6.5	371	100.0
Other	100	40.8	145	59.2	-	-	-	-	245	100.0
Total	1,136	40.2	678	24.0	523	18.5	489	17.3	2,826	100.0

TABLES

continue on the next page...

TABLE 3.11

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

<i>Type of principal offence</i>	<i>Sex: Total male and female</i>												<i>Average age</i> Years	
	<i>Age (years)</i>													
	<i>Under 18</i>									<i>Over 65</i>		<i>Unknown</i>		<i>Total</i>
	<i>18</i>	<i>19</i>	<i>20-24</i>	<i>25-29</i>	<i>30-39</i>	<i>40-49</i>	<i>50-59</i>	<i>60-65</i>	<i>65</i>					
<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>		
Against the person:														
Murder	1	-	2	7	4	4	1	1	-	-	1	21	28.6	
Manslaughter	1	1	2	5	7	11	3	1	-	-	1	32	30.1	
Attempt, intent to murder	-	-	-	-	1	2	2	-	-	-	-	5	34.0	
Assault	9	25	23	82	86	78	42	6	1	2	1	355	29.3	
Sexual assault	-	1	3	9	18	54	31	31	4	9	-	160	41.5	
Sexual offences against children	-	2	3	15	20	46	49	43	16	15	2	211	44.7	
Other	-	1	4	12	5	11	4	3	-	1	-	41	31.1	
Total	11	30	37	130	141	206	132	85	21	27	5	825	35.7	
Robbery and extortion:														
Robbery	19	88	75	236	124	110	20	4	-	-	1	677	25.0	
Blackmail and extortion	-	2	-	6	4	6	1	-	-	-	-	19	28.8	
Total	19	90	75	242	128	116	21	4	-	-	1	696	25.1	
Theft:														
Break and enter	4	16	22	70	93	58	17	1	-	-	-	281	27.3	
Fraud and misappropriation	-	1	1	9	21	31	33	11	2	2	8	119	38.1	
Unlawful possession	-	3	1	9	8	11	6	3	-	-	-	41	31.9	
Vehicle theft	-	4	4	3	4	3	1	-	-	-	-	19	24.7	
Other	-	2	2	4	7	7	1	1	-	-	-	24	29.2	
Total	4	26	30	95	133	110	58	16	2	2	8	484	30.2	

Property damage	-	1	2	5	11	8	10	2	1	-	-	40	34.2
Against justice procedures	-	11	8	32	26	38	21	6	-	-	2	144	30.8
Weapons	-	-	1	9	7	8	1	1	-	2	-	29	31.1
Against good order	-	2	1	5	1	5	1	-	-	-	1	16	27.5
Drug:													
Possession and/or use:													
- opiates	-	-	-	-	-	-	-	-	-	-	-	0	-
- cannabis	-	-	-	-	-	1	-	-	-	-	-	1	31.1
- other drug	-	-	1	-	-	-	-	-	-	-	-	1	19.9
Dealing and trafficking:													
- opiates	-	3	2	13	24	41	24	2	-	1	-	110	33.8
- cannabis	-	-	1	6	13	16	17	2	-	-	-	55	35.4
- other drug	-	2	9	51	37	53	37	8	1	1	-	199	32.4
Manufacturing and/or growing:													
- cannabis	-	-	-	2	12	17	8	3	2	-	-	44	37.1
- other drug	-	-	-	-	7	7	11	2	1	-	-	28	38.3
Import/export	1	-	2	6	10	21	17	9	-	-	-	66	36.9
Other	-	-	-	-	-	-	-	-	-	-	-	0	-
Total	1	5	15	78	103	156	114	26	4	2	-	504	34.3
Driving:													
Cause death by driving	-	2	3	17	13	13	6	1	-	-	-	55	28.9
Cause injury by driving	-	-	-	-	1	2	-	1	-	-	-	4	38.2
Other	-	-	-	1	-	-	-	-	-	-	-	1	23.5
Total	-	2	3	18	14	15	6	2	-	-	-	60	29.4
Against prison rules	-	-	1	3	4	6	1	3	-	-	-	18	34.4
Other	-	-	-	1	-	2	3	-	-	-	4	10	38.2
Total	35	167	173	618	568	670	368	145	28	33	21	2,826	31.4

Note: The age of defendants has been calculated more accurately than in reports prior to 1998 and hence numbers are not comparable with those in reports prior to 1998.

TABLE 3.11a

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

<i>Type of principal offence</i>	<i>Sex: Male</i>												<i>Average age</i> Years
	<i>Age (years)</i>												
	<i>Under 18</i>	<i>18</i>	<i>19</i>	<i>20-24</i>	<i>25-29</i>	<i>30-39</i>	<i>40-49</i>	<i>50-59</i>	<i>60-65</i>	<i>Over 65</i>	<i>Unknown</i>	<i>Total</i>	
	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	
Against the person:													
Murder	1	-	2	7	4	3	1	1	-	-	1	20	28.4
Manslaughter	1	1	2	4	5	10	3	1	-	-	1	28	30.2
Attempt, intent to murder	-	-	-	-	1	2	2	-	-	-	-	5	34.0
Assault	8	22	21	79	78	75	37	5	1	2	1	329	29.3
Sexual assault	-	1	3	9	18	54	31	31	4	9	-	160	41.5
Sexual offences against children	-	2	3	14	19	45	49	43	16	15	2	208	45.0
Other	-	1	2	11	5	10	4	3	-	1	-	37	31.7
Total	10	27	33	124	130	199	127	84	21	27	5	787	36.1
Robbery and extortion:													
Robbery	18	81	66	217	110	97	18	4	-	-	1	612	24.9
Blackmail and extortion	-	1	-	6	4	5	1	-	-	-	-	17	28.8
Total	18	82	66	223	114	102	19	4	-	-	1	629	25.0
Theft:													
Break and enter	3	15	21	65	86	56	17	1	-	-	-	264	27.4
Fraud and misappropriation	-	-	1	8	18	23	23	10	1	1	8	93	37.6
Unlawful possession	-	3	1	8	6	11	6	3	-	-	-	38	32.3
Vehicle theft	-	4	4	3	4	3	1	-	-	-	-	19	24.7
Other	-	2	2	4	5	6	1	1	-	-	-	21	28.9
Total	3	24	29	88	119	99	48	15	1	1	8	435	29.8

Property damage	-	1	2	5	9	6	10	1	1	-	-	35	34.2
Against justice procedures	-	8	7	23	23	29	18	4	-	-	1	113	30.7
Weapons	-	-	1	8	6	8	1	1	-	2	-	27	31.7
Against good order	-	2	1	5	1	4	1	-	-	-	1	15	27.1
Drug:													
Possession and/or use:													
- opiates	-	-	-	-	-	-	-	-	-	-	-	0	-
- cannabis	-	-	-	-	-	1	-	-	-	-	-	1	31.1
- other drug	-	-	1	-	-	-	-	-	-	-	-	1	19.9
Dealing and trafficking:													
- opiates	-	2	2	13	19	31	21	2	-	1	-	91	33.8
- cannabis	-	-	1	6	12	14	16	1	-	-	-	50	34.9
- other drug	-	2	6	45	30	49	34	7	1	1	-	175	32.7
Manufacturing and/or growing:													
- cannabis	-	-	-	2	10	15	8	3	2	-	-	40	37.8
- other drug	-	-	-	-	6	7	11	2	1	-	-	27	38.7
Import/export	1	-	2	6	9	18	13	9	-	-	-	58	36.8
Other	-	-	-	-	-	-	-	-	-	-	-	0	-
Total	1	4	12	72	86	135	103	24	4	2	-	443	34.5
Driving:													
Cause death by driving	-	2	3	17	13	11	6	1	-	-	-	53	28.6
Cause injury by driving	-	-	-	-	1	2	-	1	-	-	-	4	38.2
Other	-	-	-	-	-	-	-	-	-	-	-	0	-
Total	-	2	3	17	14	13	6	2	-	-	-	57	29.3
Against prison rules	-	-	1	3	3	6	1	2	-	-	-	16	33.5
Other	-	-	-	1	-	-	3	-	-	-	2	6	38.7
Total	32	150	155	569	505	601	337	137	27	32	18	2,563	31.5

Note: The age of defendants has been calculated more accurately than in reports prior to 1998 and hence numbers are not comparable with those in reports prior to 1998.

TABLE 3.11b

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

<i>Type of principal offence</i>	Sex: Female											Average age Years	
	Age (years)												
	Under 18	18	19	20-24	25-29	30-39	40-49	50-59	60-65	Over 65	Unknown		Total
	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.		No.
Against the person:													
Murder	-	-	-	-	-	1	-	-	-	-	-	1	32.7
Manslaughter	-	-	-	1	2	1	-	-	-	-	-	4	29.1
Attempt, intent to murder	-	-	-	-	-	-	-	-	-	-	-	0	-
Assault	1	3	2	3	8	3	5	1	-	-	-	26	30.0
Sexual assault	-	-	-	-	-	-	-	-	-	-	-	0	-
Sexual offences against children	-	-	-	1	1	1	-	-	-	-	-	3	27.9
Other	-	-	2	1	-	1	-	-	-	-	-	4	24.8
Total	1	3	4	6	11	7	5	1	-	-	-	38	29.2
Robbery and extortion:													
Robbery	1	7	9	19	14	13	2	-	-	-	-	65	25.3
Blackmail and extortion	-	1	-	-	-	1	-	-	-	-	-	2	28.2
Total	1	8	9	19	14	14	2	-	-	-	-	67	25.4
Theft:													
Break and enter	1	1	1	5	7	2	-	-	-	-	-	17	24.5
Fraud and misappropriation	-	1	-	1	3	8	10	1	1	1	-	26	39.9
Unlawful possession	-	-	-	1	2	-	-	-	-	-	-	3	26.8
Vehicle theft	-	-	-	-	-	-	-	-	-	-	-	0	-
Other	-	-	-	-	2	1	-	-	-	-	-	3	31.3
Total	1	2	1	7	14	11	10	1	1	1	-	49	33.2

Property damage	-	-	-	-	2	2	-	1	-	-	-	5	34.4
Against justice procedures	-	3	1	9	3	9	3	2	-	-	1	31	31.1
Weapons	-	-	-	1	1	-	-	-	-	-	-	2	23.6
Against good order	-	-	-	-	-	1	-	-	-	-	-	1	32.7
Drug:													
Possession and/or use:													
- opiates	-	-	-	-	-	-	-	-	-	-	-	0	-
- cannabis	-	-	-	-	-	-	-	-	-	-	-	0	-
- other drug	-	-	-	-	-	-	-	-	-	-	-	0	-
Dealing and trafficking:													
- opiates	-	1	-	-	5	10	3	-	-	-	-	19	33.7
- cannabis	-	-	-	-	1	2	1	1	-	-	-	5	39.8
- other drug	-	-	3	6	7	4	3	1	-	-	-	24	29.7
Manufacturing and/or growing:													
- cannabis	-	-	-	-	2	2	-	-	-	-	-	4	30.3
- other drug	-	-	-	-	1	-	-	-	-	-	-	1	27.2
Import/export	-	-	-	-	1	3	4	-	-	-	-	8	38.0
Other	-	-	-	-	-	-	-	-	-	-	-	0	-
Total	-	1	3	6	17	21	11	2	-	-	-	61	32.9
Driving:													
Cause death by driving	-	-	-	-	-	2	-	-	-	-	-	2	36.5
Cause injury by driving	-	-	-	-	-	-	-	-	-	-	-	0	-
Other	-	-	-	1	-	-	-	-	-	-	-	1	23.5
Total	-	-	-	1	-	2	-	-	-	-	-	3	32.1
Against prison rules	-	-	-	-	1	-	-	1	-	-	-	2	41.8
Other	-	-	-	-	-	2	-	-	-	-	2	4	37.2
Total	3	17	18	49	63	69	31	8	1	1	3	263	30.3

Note: The age of defendants has been calculated more accurately than in reports prior to 1998 and hence numbers are not comparable with those in reports prior to 1998.

TABLE 3.12

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

Type of principal offence	Sex: Male							Sex: Female							
	Age (years)													Total	No.
	Under 20	20 - 24	25 - 29	30 - 49	50 and over	Under 20	20 - 24	25 - 29	30 - 49	50 and over	Total				
	%	%	%	%	%	%	No.	%	%	%	%	%	%	No.	
Against the person:															
Murder	15.8	36.8	21.1	21.1	5.3	100.0	20	-	-	-	100.0	-	100.0	1	
Manslaughter	14.8	14.8	18.5	48.1	3.7	100.0	28	-	25.0	50.0	25.0	-	100.0	4	
Attempt, intent to murder	-	-	20.0	80.0	-	100.0	5	-	-	-	-	-	100.0	0	
Assault	15.5	24.1	23.8	34.1	2.4	100.0	329	23.1	11.5	30.8	30.8	3.8	100.0	26	
Sexual assault	2.5	5.6	11.3	53.1	27.5	100.0	160	-	-	-	-	-	100.0	0	
Sexual offences against children	2.4	6.8	9.2	45.6	35.9	100.0	208	-	33.3	33.3	33.3	-	100.0	3	
Other	8.1	29.7	13.5	37.8	10.8	100.0	37	50.0	25.0	-	25.0	-	100.0	4	
All offences	9.0	15.9	16.6	41.7	16.9	100.0	787	21.1	15.8	28.9	31.6	2.6	100.0	38	
Robbery and extortion:															
Robbery	27.0	35.5	18.0	18.8	0.7	100.0	612	26.2	29.2	21.5	23.1	-	100.0	65	
Blackmail and extortion	5.9	35.3	23.5	35.3	-	100.0	17	50.0	-	-	50.0	-	100.0	2	
All offences	26.4	35.5	18.2	19.3	0.6	100.0	629	26.9	28.4	20.9	23.9	-	100.0	67	
Theft:															
Break and enter	14.8	24.6	32.6	27.7	0.4	100.0	264	17.6	29.4	41.2	11.8	-	100.0	17	
Fraud and misappropriation	1.2	9.4	21.2	54.1	14.1	100.0	93	3.8	3.8	11.5	69.2	11.5	100.0	26	
Unlawful possession	10.5	21.1	15.8	44.7	7.9	100.0	38	-	33.3	66.7	-	-	100.0	3	
Vehicle theft	42.1	15.8	21.1	21.1	-	100.0	19	-	-	-	-	-	100.0	0	
Other	19.0	19.0	23.8	33.3	4.8	100.0	21	-	-	66.7	33.3	-	100.0	3	
All offences	13.1	20.6	27.9	34.4	4.0	100.0	435	8.2	14.3	28.6	42.9	6.1	100.0	49	

Property damage	8.6	14.3	25.7	45.7	5.7	100.0	35	-	-	40.0	40.0	20.0	100.0	5
Against justice procedures	13.4	20.5	20.5	42.0	3.6	100.0	113	13.3	30.0	10.0	40.0	6.7	100.0	31
Weapons	3.7	29.6	22.2	33.3	11.1	100.0	27	-	50.0	50.0	-	-	100.0	2
Against good order	21.4	35.7	7.1	35.7	-	100.0	15	-	-	-	100.0	-	100.0	1
Drug:														
Possession and/or use:														
- opiates	-	-	-	-	-	100.0	0	-	-	-	-	-	100.0	0
- cannabis	-	-	-	100.0	-	100.0	1	-	-	-	-	-	100.0	0
- other drug	100.0	-	-	-	-	100.0	1	-	-	-	-	-	100.0	0
Dealing and trafficking:														
- opiates	4.4	14.3	20.9	57.1	3.3	100.0	91	5.3	-	26.3	68.4	-	100.0	19
- cannabis	2.0	12.0	24.0	60.0	2.0	100.0	50	-	-	20.0	60.0	20.0	100.0	5
- other drug	4.6	25.7	17.1	47.4	5.1	100.0	175	12.5	25.0	29.2	29.2	4.2	100.0	24
Manufacturing and/or growing:														
- cannabis	-	5.0	25.0	57.5	12.5	100.0	40	-	-	50.0	50.0	-	100.0	4
- other drug	-	-	22.2	66.7	11.1	100.0	27	-	-	100.0	-	-	100.0	1
Import/export	5.2	10.3	15.5	53.4	15.5	100.0	58	-	-	12.5	87.5	-	100.0	8
Other	-	-	-	-	-	100.0	0	-	-	-	-	-	100.0	0
All offences	3.8	16.3	19.4	53.7	6.8	100.0	443	6.6	9.8	27.9	52.5	3.3	100.0	61
Driving:														
Cause death by driving	9.4	32.1	24.5	32.1	1.9	100.0	53	-	-	-	100.0	-	100.0	2
Cause injury by driving	-	-	25.0	50.0	25.0	100.0	4	-	-	-	-	-	100.0	0
Other	-	-	-	-	-	100.0	0	-	100.0	-	-	-	100.0	1
All offences	8.8	29.8	24.6	33.3	3.5	100.0	57	-	33.3	-	66.7	-	100.0	3
Against prison rules	6.3	18.8	18.8	43.8	12.5	100.0	16	-	-	50.0	-	50.0	100.0	2
Other	-	25.0	-	75.0	-	100.0	6	-	-	-	100.0	-	100.0	4
All offences	13.2	22.4	19.8	36.9	7.7	100.0	2,563	14.6	18.8	24.2	38.5	3.8	100.0	263

* Based on numbers in Tables 3.11a and 3.11b. Persons of unknown age are excluded from the percentage calculations.

TABLE 3.13

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

<i>Outcome of charge</i>	<i>Bail status</i>															
	<i>Bail dispensed with</i>		<i>In gaol bail not met</i>		<i>In gaol bail refused</i>		<i>On bail conditional</i>		<i>On bail unconditional</i>		<i>Shelter</i>		<i>Unknown</i>		<i>Total</i>	
	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>
Proceeded to trial:																
Acquitted of all charges	21	17.2	1	4.5	80	5.9	284	13.5	41	16.6	-	-	10	20.0	437	11.2
Found guilty of at least one charge	7	5.7	2	9.1	102	7.5	281	13.3	26	10.5	2	28.6	3	6.0	423	10.8
Other*	2	1.6	-	-	10	0.7	15	0.7	1	0.4	-	-	1	2.0	29	0.7
Proceeded to sentence only	71	58.2	15	68.2	1,065	78.4	1,067	50.7	130	52.6	4	57.1	22	44.0	2,374	60.7
No charges proceeded with	16	13.1	2	9.1	52	3.8	288	13.7	38	15.4	-	-	9	18.0	405	10.4
All charges otherwise disposed of	5	4.1	2	9.1	49	3.6	171	8.1	11	4.5	1	14.3	5	10.0	244	6.2
Total	122	100	22	100.0	1,358	100.0	2,106	100.0	247	100.0	7	100.0	50	100.0	3,912	100.0

* 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 3.14

**PERSONS CHARGED IN TRIAL AND SENTENCE CASES FINALISED
AND COURT DELAY:
REGISTRY, OUTCOME OF CHARGE, BAIL STATUS**

a Total includes 10 people for whom bail status was unknown.
b Total includes 3 people for whom bail status was unknown.
c Total includes 1 person for whom bail status was unknown.
d Total includes 22 people for whom bail status was unknown.
e Total includes 9 people for whom bail status was unknown.
f Total includes 5 people for whom bail status was unknown.

Outcome of charge	All Registries											
	Bail status											
	On bail				In gaol/shelter				Total			
	Persons charged	Court delay			Persons charged	Court delay			Persons charged	Court delay		
Arrest to committal		Committal to outcome	Outcome to sentence	Arrest to committal		Committal to outcome	Outcome to sentence	Arrest to committal		Committal to outcome	Outcome to sentence	
	No.	Median delay (days)			No.	Median delay (days)			No.	Median delay (days)		
Proceeded to trial:												
Acquitted of all charges	346	123.0	412.0	-	81	72.0	194.0	-	437 ^a	109.0	362.0	-
Found guilty of at least one charge	314	134.0	506.0	49.0	106	78.5	290.5	57.5	423 ^b	114.0	435.0	49.0
Other*	18	172.0	363.0	18.0	10	63.0	209.0	21.0	29 ^c	102.0	267.0	5.0
Proceeded to sentence only	1,268	110.0	201.0	10.0	1,084	67.0	112.0	1.0	2,374 ^d	87.0	152.0	6.0
No charges proceeded with	342	125.0	347.0	-	54	82.5	192.5	-	405 ^e	121.0	313.0	-
All charges otherwise disposed of	187	95.5	211.0	-	52	80.0	160.5	-	244 ^f	91.0	193.5	-

* 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 3.14a

**PERSONS CHARGED IN TRIAL AND SENTENCE CASES FINALISED
AND COURT DELAY:
REGISTRY, OUTCOME OF CHARGE, BAIL STATUS**

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

Registry: Supreme Court												
Bail status												
On bail												
In gaol/shelter												
Total												
Court delay												
Outcome of charge	Persons charged	Court delay			Persons charged	Court delay			Persons charged	Court delay		
	Arrest to committal	Committal to outcome	Outcome to sentence	Arrest to committal	Committal to outcome	Outcome to sentence	Arrest to committal	Committal to outcome	Outcome to sentence			
	No.	Median delay (days)			No.	Median delay (days)			No.	Median delay (days)		
Proceeded to trial:												
Acquitted of all charges	10	275.0	535.0	-	10	84.5	346.0	-	21 ^a	152.5	388.0	-
Found guilty of at least one charge	13	157.0	637.0	80.0	14	115.0	457.0	57.0	28 ^b	148.0	543.0	71.0
Other*	1	177.0	777.0	60.0	-	-	-	-	1	177.0	777.0	60.0
Proceeded to sentence only	18	203.0	439.0	56.0	19	136.0	405.0	62.0	38 ^c	152.0	395.5	59.5
No charges proceeded with	3	314.0	168.0	-	3	103.0	283.0	-	6	181.5	253.0	-
All charges otherwise disposed of	1	168.0	567.0	-	-	-	-	-	1	168.0	567.0	-

* 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 3.14b

**PERSONS CHARGED IN TRIAL AND SENTENCE CASES FINALISED
AND COURT DELAY:
REGISTRY, OUTCOME OF CHARGE, BAIL STATUS**

a Total includes 1 person for whom bail status was unknown.

Registry: Dubbo																													
Bail status																													
On bail																													
In gaol/shelter																													
Total																													
Court delay																													
Persons charged	Arrest to committal			Committal to outcome			Outcome to sentence			Persons charged	Arrest to committal			Committal to outcome			Outcome to sentence			Persons charged	Arrest to committal			Committal to outcome			Outcome to sentence		
	No.	Median delay (days)		No.	Median delay (days)		No.	Median delay (days)			No.	Median delay (days)		No.	Median delay (days)		No.	Median delay (days)			No.	Median delay (days)		No.	Median delay (days)		No.	Median delay (days)	
Outcome of charge																													
Proceeded to trial:																													
Acquitted of all charges	27	112.0	639.0	-	3	103.0	141.0	-	30	108.0	582.0	-																	
Found guilty of at least one charge	36	112.0	676.5	12.0	7	58.0	166.0	15.0	43	111.0	600.0	14.0																	
Other*	1	60.0	962.0	0.0	-	-	-	-	1	60.0	962.0	0.0																	
Proceeded to sentence only	71	125.0	302.0	3.0	48	73.0	146.0	1.0	120^a	97.0	217.0	1.0																	
No charges proceeded with	15	126.0	598.0	-	1	288.0	176.0	-	16	133.0	561.0	-																	
All charges otherwise disposed of	16	115.5	278.5	-	4	169.5	136.0	-	20	136.5	226.0	-																	

* 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 3.14c

PERSONS CHARGED IN TRIAL AND SENTENCE CASES FINALISED
AND COURT DELAY:
REGISTRY, OUTCOME OF CHARGE, BAIL STATUS

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

Registry: Lismore												
Bail status												
Outcome of charge	On bail				In gaol/shelter				Total			
	Persons charged	Court delay			Persons charged	Court delay			Persons charged	Court delay		
		Arrest to committal	Committal to outcome	Outcome to sentence		Arrest to committal	Committal to outcome	Outcome to sentence		Arrest to committal	Committal to outcome	Outcome to sentence
No.	Median delay (days)			No.	Median delay (days)			No.	Median delay (days)			
Proceeded to trial:												
Acquitted of all charges	19	125.0	276.0	-	2	102.0	198.5	-	22 ^a	121.0	274.0	-
Found guilty of at least one charge	17	183.0	653.0	21.0	3	118.0	220.0	12.0	20	168.5	642.0	20.5
Other*	2	116.5	246.5	39.0	1	14.0	262.0	210.0	3	48.0	262.0	78.0
Proceeded to sentence only	115	85.0	190.0	4.0	60	49.5	104.5	1.0	176 ^b	79.0	149.5	2.0
No charges proceeded with	14	125.0	192.0	-	2	92.0	474.0	-	16	125.0	192.0	-
All charges otherwise disposed of	9	79.0	140.0	-	1	18.0	190.0	-	10	78.0	165.0	-

* 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 3.14d

**PERSONS CHARGED IN TRIAL AND SENTENCE CASES FINALISED
AND COURT DELAY:
REGISTRY, OUTCOME OF CHARGE, BAIL STATUS**

a Total includes 1 person for whom bail status was unknown.
b Total includes 10 people for whom bail status was unknown.
c Total includes 2 people for whom bail status was unknown.
d Total includes 1 person for whom bail status was unknown.

Registry: Newcastle												
Bail status												
Outcome of charge	On bail				In gaol/shelter				Total			
	Persons charged	Court delay			Persons charged	Court delay			Persons charged	Court delay		
		Arrest to committal	Committal to outcome	Outcome to sentence		Arrest to committal	Committal to outcome	Outcome to sentence		Arrest to committal	Committal to outcome	Outcome to sentence
No.	Median delay (days)			No.	Median delay (days)			No.	Median delay (days)			
Proceeded to trial:												
Acquitted of all charges	51	111.5	469.0	-	11	84.0	164.5	-	63 ^a	106.5	402.5	-
Found guilty of at least one charge	39	134.0	475.0	21.0	13	67.0	205.0	13.5	52	104.0	429.0	15.0
Other*	1	249.0	281.0	31.0	2	61.0	210.0	53.0	3	77.0	248.0	42.0
Proceeded to sentence only	164	89.0	158.0	7.0	155	53.0	93.0	1.0	329 ^b	67.0	116.5	5.0
No charges proceeded with	52	98.0	348.0	-	8	48.5	85.5	-	62 ^c	94.5	295.0	-
All charges otherwise disposed of	25	73.0	129.0	-	5	30.0	175.0	-	31 ^d	68.0	132.0	-

* 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 3.14e

**PERSONS CHARGED IN TRIAL AND SENTENCE CASES FINALISED
AND COURT DELAY:
REGISTRY, OUTCOME OF CHARGE, BAIL STATUS**

a Total includes 5 people for whom bail status was unknown.
b Total includes 2 people for whom bail status was unknown.
c Total includes 1 person for whom bail status was unknown.
d Total includes 3 people for whom bail status was unknown.
e Total includes 3 people for whom bail status was unknown.
f Total includes 4 people for whom bail status was unknown.

Outcome of charge	Registry: Sydney											
	Bail status											
	On bail				In gaol/shelter				Total			
	Persons charged	Court delay			Persons charged	Court delay			Persons charged	Court delay		
Arrest to committal		Committal to outcome	Outcome to sentence	Arrest to committal		Committal to outcome	Outcome to sentence	Arrest to committal		Committal to outcome	Outcome to sentence	
	No.	Median delay (days)			No.	Median delay (days)			No.	Median delay (days)		
Proceeded to trial:												
Acquitted of all charges	83	184.0	496.0	-	23	79.0	161.0	-	111 ^a	178.0	376.0	
Found guilty of at least one charge	98	168.0	513.5	52.0	38	86.0	423.5	61.5	138 ^b	138.0	455.0	
Other*	7	167.0	365.0	51.0	2	111.5	321.0	0.0	10 ^c	141.0	388.5	2.0
Proceeded to sentence only	316	135.0	184.5	34.0	372	77.0	106.0	0.0	691 ^d	99.0	139.0	5.5
No charges proceeded with	84	147.0	414.5	-	17	116.0	187.0	-	104 ^e	139.0	366.0	-
All charges otherwise disposed of	36	113.0	301.5	-	13	103.0	155.0	-	53 ^f	102.0	244.0	-

* 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 3.14f

**PERSONS CHARGED IN TRIAL AND SENTENCE CASES FINALISED
AND COURT DELAY:**

REGISTRY, OUTCOME OF CHARGE, BAIL STATUS

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

Registry: Sydney West												
Bail status												
Outcome of charge	On bail				In gaol/shelter				Total			
	Persons charged	<i>Court delay</i>			Persons charged	<i>Court delay</i>			Persons charged	<i>Court delay</i>		
		Arrest to committal	Committal to outcome	Outcome to sentence		Arrest to committal	Committal to outcome	Outcome to sentence		Arrest to committal	Committal to outcome	Outcome to sentence
Outcome of charge	No.	Median delay (days)			No.	Median delay (days)			No.	Median delay (days)		
Proceeded to trial:												
Acquitted of all charges	106	96.5	359.5	.	28	57.0	231.0	-	134	86.0	354.0	-
Found guilty of at least one charge	79	103.5	357.0	51.0	23	71.0	293.0	86.0	102	93.0	321.0	54.0
Other*	3	203.0	229.0	0.0	5	69.0	159.0	0.0	8	78.0	187.5	0.0
Proceeded to sentence only	432	105.0	214.0	39.0	329	67.0	122.0	5.0	763 ^a	88.5	168.0	24.0
No charges proceeded with	120	133.5	276.0	.	19	64.0	233.5	-	140 ^b	123.0	271.0	-
All charges otherwise disposed of	61	95.0	183.0	.	22	44.5	168.0	-	83	87.0	180.0	-

* 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 3.14g**PERSONS CHARGED IN TRIAL AND SENTENCE CASES FINALISED
AND COURT DELAY:**

REGISTRY, OUTCOME OF CHARGE, BAIL STATUS

^a Total includes 1 person for whom bail status was unknown.

Registry: Wagga Wagga												
Bail status												
On bail												
In gaol/shelter												
Total												
Court delay												
Outcome of charge	Persons charged	Court delay			Persons charged	Court delay			Persons charged	Court delay		
	No.	Arrest to committal	Committal to outcome	Outcome to sentence	No.	Arrest to committal	Committal to outcome	Outcome to sentence	No.	Arrest to committal	Committal to outcome	Outcome to sentence
		Median delay (days)				Median delay (days)				Median delay (days)		
Proceeded to trial:												
Acquitted of all charges	16	109.0	445.0	-	3	72.0	146.0	-	20 ^a	97.0	429.0	-
Found guilty of at least one charge	7	190.0	744.0	9.0	3	83.0	879.0	14.0	10	175.5	744.0	9.0
Other*	-	-	-	-	-	-	-	-	-	-	-	-
Proceeded to sentence only	45	104.0	233.0	8.0	29	51.0	99.0	2.0	74	78.5	164.0	6.0
No charges proceeded with	8	184.5	252.5	-	-	-	-	-	8	184.5	252.5	-
All charges otherwise disposed of	10	123.0	409.0	-	-	-	-	-	10	123.0	409.0	-

* 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 3.14h

**PERSONS CHARGED IN TRIAL AND SENTENCE CASES FINALISED
AND COURT DELAY:
REGISTRY, OUTCOME OF CHARGE, BAIL STATUS**

a Total includes 1 person for whom bail status was unknown.
b Total includes 4 people for whom bail status was unknown.
c Total includes 3 people for whom bail status was unknown.

Registry: Wollongong												
Bail status												
Outcome of charge	On bail				In gaol/shelter				Total			
	Persons charged	Court delay			Persons charged	Court delay			Persons charged	Court delay		
		Arrest to committal	Committal to outcome	Outcome to sentence		Arrest to committal	Committal to outcome	Outcome to sentence		Arrest to committal	Committal to outcome	Outcome to sentence
No.	Median delay (days)			No.	Median delay (days)			No.	Median delay (days)			
Proceeded to trial:												
Acquitted of all charges	34	108.0	405.5	-	1	42.0	151.0	-	36 ^a	103.0	387.5	-25
Guilty of at least one charge	25	123.0	403.0	45.0	5	93.0	158.5	186.0	30	122.5	307.0	52.0
Other*	3	192.5	434.0	5.0	-	-	-	-	3	192.5	434.0	5.0
Proceeded to sentence only	107	92.0	233.0	4.0	72	56.5	112.0	2.0	183 ^b	83.0	173.0	3.5
No charges proceeded with	46	122.0	407.5	-	4	199.0	125.0	-	53 ^c	124.5	407.5	-
All charges otherwise disposed of	29	111.0	187.0	-	7	94.0	162.0	-	36	107.0	187.0	-

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

Outcome of appeal	Bail status							
	On bail		In gaol/shelter		Unknown		Total	
	<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>
Appeal upheld for all matters	448	28.6	40	14.3	31	36.5	519	26.9
Appeal dismissed/withdrawn for all matters	992	63.3	207	74.2	49	57.6	1,248	64.6
Appeal for some matters upheld	64	4.1	15	5.4	4	4.7	83	4.3
Other (did not appear, died etc)	64	4.1	17	6.1	1	1.2	82	4.2
Total	1,568	100.0	279	100.0	85	100.0	1,932	100.0

TABLE 3.16**APPEALS AGAINST SENTENCE FINALISED:
OUTCOME OF APPEAL, BAIL STATUS**

Outcome of appeal	Bail status							
	On bail		In gaol/shelter		Unknown		Total	
	<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>
Appeal upheld for all matters	25	0.9	7	0.4	3	1.4	35	0.7
Appeal dismissed/withdrawn for all matters	2,716	93.4	1,576	95.9	201	97.1	4,493	94.4
Appeal upheld for some matters	29	1.0	26	1.6	-	-	55	1.2
Other	138	4.7	34	2.1	3	1.4	175	3.7
Total	2,908	100.0	1,643	100.0	207	100.0	4,758	100.0

APPENDIX 1

NOTES ON PENALTIES

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

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

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

Home detention

The *Home Detention Act 1996* and *Home Detention Regulation 1997* came into effect on 21 February 1997, establishing a Home Detention Order as 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.

Community Service Order

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

Recognizance

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

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

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

APPENDIX 1 continued

S.20 (Commonwealth) Conditional release after sentence

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

Deferred sentences

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

556A dismissal/recognizance

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

Rising of the Court

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

APPENDIX 2

PENALTY HIERACHY FOR PRINCIPAL OFFENCE

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

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

APPENDIX 3

DISTRICT COURTS IN REGISTRY REGIONS

1. Sydney Registry

Sydney District Court

2. Sydney West Registry

Campbelltown District Court

Lithgow District Court

Liverpool District Court

Parramatta District Court

Penrith District Court

Katoomba District Court

3. Newcastle Registry

Cessnock District Court

East Maitland District Court

Gosford District Court

Gunnedah District Court

Moree District Court

Muswellbrook District Court

Narrabri District Court

Newcastle District Court

Port Macquarie District Court

Singleton District Court

Tamworth District Court

Taree District Court

4. Wollongong Registry

Bega District Court

Cooma District Court

Goulburn District Court

Moruya District Court

Moss Vale District Court

Nowra District Court

Queanbeyan District Court

Wollongong District Court

5. Lismore Registry

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

6. Dubbo Registry

Bathurst District Court
Cobar District Court
Condobolin District Court
Coonamble District Court
Dubbo District Court
Forbes District Court
Mudgee District Court
Nyngan District Court
Orange District Court
Parkes District Court

7. Wagga Wagga Registry

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

