



# HIGHER CRIMINAL COURTS AUSTRALIA

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- For further information about these and related statistics, contact the National Information Service on 1300 135 070 or Jo Bell on Melbourne 03 9615 7361.

# NOTES

- ABOUT THIS PUBLICATION** The statistics in this publication provide measures of the volume and flow of criminal work through the Higher (Supreme and Intermediate) Courts across Australia. These measures include the number of defendants pending, initiated and finalised in each State and Territory for the period 1 July 1999 to 30 June 2000.
- DATA CONSISTENCY** The statistics are sourced from the national Higher Criminal Courts collection conducted by the Australian Bureau of Statistics (ABS) and have been compiled according to national standards in order to ensure consistency between the States and Territories. The Explanatory Notes, Appendix and Glossary provide detailed information on the data sources, counting rules, terminology, classifications and other technical aspects associated with these statistics.
- CHANGES IN THIS ISSUE** Table 1 now includes summary statistics for 1999–2000 as well as previous reference periods: 1996–97, 1997–98 and 1998–99. Duration figures which disaggregate defendants finalised by a guilty plea on the basis of their initial plea are now presented separately in table 9.
- ACKNOWLEDGEMENTS** Many individuals and groups contributed to the national Higher Criminal Courts collection. In particular, the ABS acknowledges the valuable contributions of the Board of Management of the National Criminal Courts Statistics Unit (NCCSU), the NCCSU Advisory Group and the State and Territory agencies responsible for courts administration.



## ABBREVIATIONS

- ABS Australian Bureau of Statistics
- ACT Australian Capital Territory
- Aust. Australia
- n.e.c. not elsewhere classified
- n.f.d. not further defined
- NCCJS National Centre for Crime and Justice Statistics
- NCCSU National Criminal Courts Statistics Unit
- NSW New South Wales
- NT Northern Territory
- Qld Queensland
- SA South Australia
- Tas. Tasmania
- Vic. Victoria
- WA Western Australia

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Australian Statistician

# SUMMARY OF FINDINGS

## INTRODUCTION

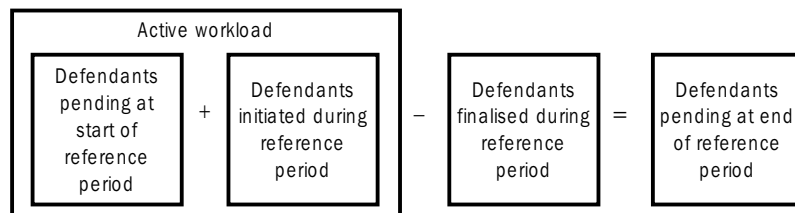
This publication presents statistics on the administration of criminal justice in the Higher (Supreme and Intermediate) Courts of Australia for the period 1 July 1999 to 30 June 2000. The Higher Criminal Courts deal with criminal cases involving serious charges; that is, those relating to indictable offences. The Higher Courts also hear appeal and civil cases, but these are not within the scope of this publication.

Statistics are presented separately for the Supreme and Intermediate (District/County) Courts. In Tasmania, the Northern Territory and the Australian Capital Territory there is no Intermediate Court, so the Supreme Court hears all cases relating to indictable offences. In the States with both a Supreme and Intermediate Court, the majority of defendants are dealt with in the Intermediate Court and the Supreme Court is reserved to hear the most serious offences. There are some significant differences in the nature of the work dealt with at each court level. In order to make valid comparisons between all the States and Territories, this commentary focuses on the combined workload of the Supreme and Intermediate Courts.

The Higher Criminal Courts collection, from which the statistics in this publication are compiled, provides counts of defendants with criminal cases processed by the Higher Courts, the outcomes for finalised cases and the time taken for them to be dealt with. Workflow measures provided by the statistics include: the number of defendants with cases active; the defendants finalised in the period; the time taken from initiation to finalisation; and the size of the pending workload together with the elapsed time since initiation.

Information on the active workload is not available for Queensland because state-wide data on the number of defendants pending is not available. It should be noted that Queensland's Higher Courts deal with more defendants than any other State or Territory accounting for 39% of defendants finalised in Australia in 1999–2000. Any comparison of data across States and Territories should also take into account the differences that exist in court procedures and legislation, as these affect the relative workload of the Higher Courts in each State and Territory.

### FLOW OF DEFENDANTS THROUGH THE HIGHER COURTS



## ACTIVE WORKLOAD

During 1999–2000, the active workload of the Higher Courts (excluding Queensland) was 18,656 defendants. Of these, 7,649 defendants (41%) had been initiated before the start of the reference period and 11,007 defendants (59%) were initiated during 1999–2000. The active workload for 1999–2000 remained stable decreasing by 52 (less than 1%) from the 18,708 defendants reported in 1998–99.

## SUMMARY OF FINDINGS *continued*

### DEFENDANTS WITH CASES ACTIVE & PROPORTION FINALISED

	1996-97 . . . . .		1997-98 . . . . .		1998-99 . . . . .		1999-2000 . . . . .	
	Active	Finalised(a)	Active	Finalised(a)	Active	Finalised(a)	Active	Finalised
	no.	%	no.	%	no.	%	no.	%
NSW	7 204	49.8	7 818	50.7	7 530	55.6	6 780	62.0
Vic.	2 680	60.9	3 038	57.2	3 383	58.4	3 641	60.7
SA	1 791	72.5	1 473	68.2	1 393	67.7	1 473	61.8
WA	3 693	60.3	4 254	63.9	4 730	61.2	4 921	61.2
Tas.	444	72.5	577	58.4	888	68.8	995	73.4
NT	427	48.2	471	66.0	441	65.3	468	56.6
ACT	256	58.6	254	54.3	343	46.9	378	48.1
<b>Aust.(b)</b>	<b>16 495</b>	<b>57.1</b>	<b>17 885</b>	<b>57.1</b>	<b>18 708</b>	<b>59.1</b>	<b>18 656</b>	<b>61.7</b>

(a) Data for this reference period have been revised.

(b) Excludes Queensland where data on the number of defendants active were not available.

Overall the active workload of the Higher Courts has increased by 13% over the last 4 years from 16,495 in 1996-97 to 18,656 in 1999-2000. Major contributors to this increase were Victoria (up 36%) and Western Australia (up 33%). Over the same period, the number of defendants finalised (excluding Queensland) increased by 22% from 9,420 to 11,511. Consequently, the completion rate increased from 57% in 1996-97 to 62% in 1999-2000. New South Wales recorded the greatest improvement in the completion rate, increasing from 50% in 1996-97 to 62% in 1999-2000.

### FINALISED WORKLOAD

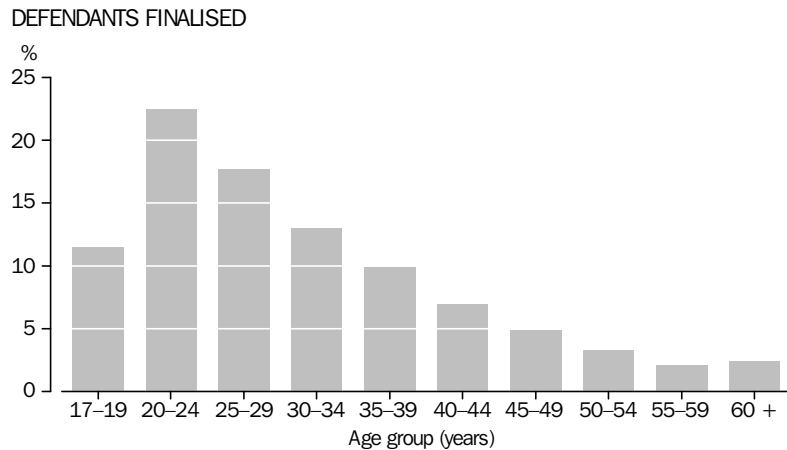
There were 18,890 defendants finalised in the Higher Courts (including Queensland) in 1999-2000, an increase of 236 (1%) from the 18,654 defendants finalised during 1998-99 (see table 1). The largest increase in the finalised workload was recorded by Victoria where there was an increase of 232 (12%) defendants finalised. Most of the workload was dealt with by the Intermediate Courts which finalised 16,347 (87%) defendants, compared to 2,543 (13%) defendants finalised in the Supreme Courts.

#### *Age and sex*

Most defendants appearing in the Higher Courts are young adult males. Just over half (52%) of the defendants finalised during 1999-2000 were aged between 17 and 29 years (see table 5), with more than one in five defendants (22%) falling in the 20-24 year age group. The majority (87%) of finalised defendants were male. In relative terms, the Australian Capital Territory had the most female defendants finalised (20%), while the Northern Territory had the least (8%).

## SUMMARY OF FINDINGS *continued*

### Age and sex *continued*

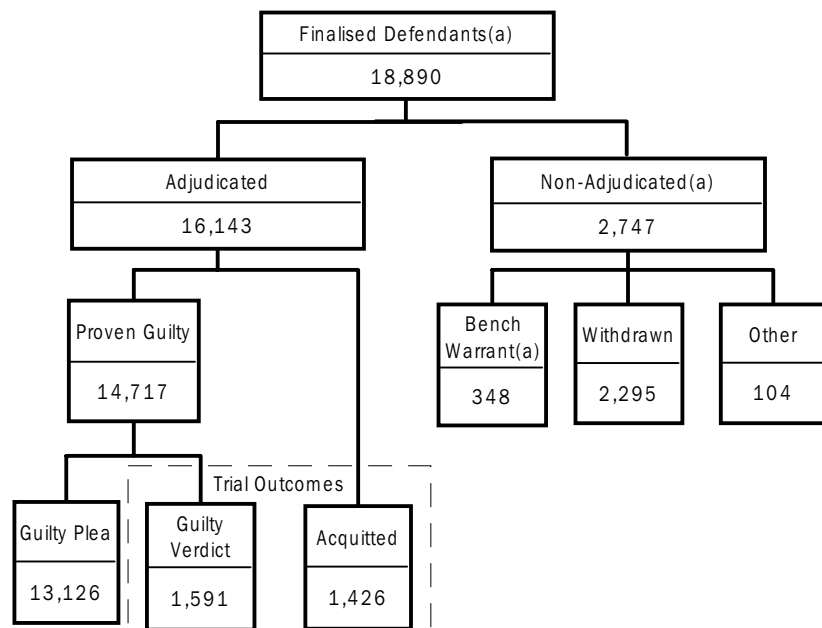


Generally, the distribution across the age groups was similar for males and females. The median age of male and female defendants was almost the same at 29 and 28 years respectively. The median age of defendants was lowest in Tasmania at 24 years and highest in Victoria and South Australia at 31 years (see table 5).

### Method of finalisation

Charges against defendants may be finalised in a number of ways. Following a court hearing the defendant may be declared guilty or may be acquitted. These are termed adjudicated methods of finalisation. Alternatively the defendant may be finalised through the issue of bench warrant or by having charges withdrawn by the prosecution. The number of defendants finalised by adjudication was 16,143 (85% of total finalisations), the same proportion reported in 1998-99. The majority of non-adjudicated finalisations were due to the case being withdrawn by the prosecution (84%).

### METHODS OF FINALISATION



(a) These totals exclude Queensland defendants finalised by a bench warrant being issued.

## SUMMARY OF FINDINGS *continued*

### ADJUDICATED FINALISATIONS

The process involved in adjudicating criminal charges depends on how a defendant pleads to the charges. Defendants who plead guilty to all charges have a sentence hearing to determine the penalty. Defendants who plead not guilty to at least one charge proceed to a trial that determines a guilty verdict or acquittal.

Of the 16,143 defendants with an adjudicated method of finalisation in the Higher Courts there were 14,717 (91%) defendants who were proven guilty while the remaining 1,426 (9%) defendants were acquitted (see table 3). Similar proportions were reported in 1998–99 (90% and 10% respectively).

Defendants proven guilty are differentiated according to the process by which the charge(s) were adjudicated: 'guilty verdict' refers to defendants who went through a trial and were found guilty by the court, while 'guilty plea' refers to defendants who admitted guilt. Of the 14,717 defendants proven guilty in 1999–2000, the vast majority (89%) entered a guilty plea. This proportion ranged from 84% in Western Australia to 95% in the Northern Territory.

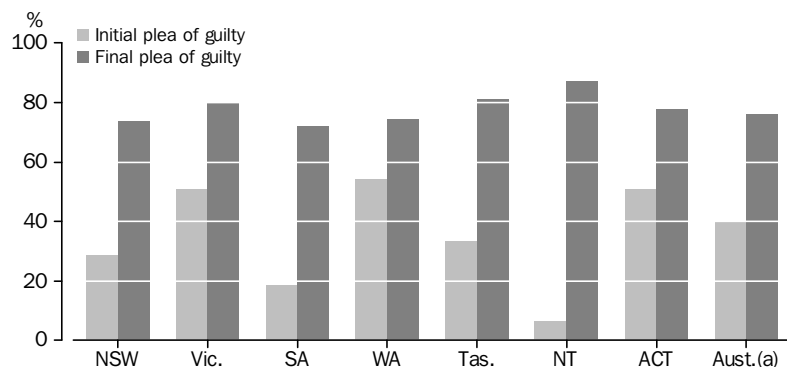
### *Trial outcomes*

Of the 3,017 defendants finalised with a trial outcome, 1,426 defendants (47%) were acquitted and 1,591 defendants (53%) received a guilty verdict. The proportion acquitted varied from 31% in Tasmania to 68% in the Northern Territory.

### *Change in plea*

The plea initially entered by a defendant gives an indication of the potential demand for trials in the Higher Courts, while the final plea entered by a defendant provides an indication of the trials that actually took place. Data on both initial and final pleas are not available for Queensland. Of the 10,010 defendants finalised by adjudication in the remaining States and Territories, 6,053 (60%) entered the Higher Courts with a not guilty plea and were therefore expected to go to trial (see table 4). Of these defendants, 2,413 (40%) maintained a not guilty plea and went through trial while the remaining 3,640 (60%) defendants changed their plea to guilty during proceedings in the Higher Courts.

ADJUDICATED DEFENDANTS, Proportion with a Guilty Plea



(a) Excludes Queensland where data on both initial and final pleas were not available.

Of the defendants who were finalised by adjudication, the proportion with an initial plea of guilty varied considerably among the States and Territories ranging from 6% in the Northern Territory to 54% in Western Australia. The proportion of defendants changing their plea from not guilty to guilty was highest in the Northern Territory (81%) and

## SUMMARY OF FINDINGS *continued*

*Change in plea continued*

lowest in Western Australia with 20%. The proportion of defendants with a final plea of guilty ranged from 72% in South Australia to 87% in the Northern Territory (see table 4).

**DURATION**

Duration statistics are presented for all defendants finalised in the Higher Courts in 1999–2000. These figures measure the total time taken to finalise all charges for a defendant from the date the defendant was initiated. The total duration for a finalised defendant includes the time taken by the defence and prosecution to prepare their cases, the time required to list a case and the time taken for all hearings. Actual hearing time typically occupies only a small proportion of the overall case duration.

A major factor governing the processing time required for a case is whether a trial is required. In general, a defended case will require more court hearing time than an undefended case. In addition, the timing of a guilty plea, at initiation or later in the case, will affect the time taken to finalise the case.

*Initiation to finalisation*

Half the defendants appearing in the Higher Courts had their cases finalised in five months. In 1999–2000 the median duration for finalised defendants was 22 weeks compared to 21 weeks in 1998–99. The median duration was shortest in Tasmania at 14 weeks and longest in the Australian Capital Territory and New South Wales at 33 weeks (see table 7).

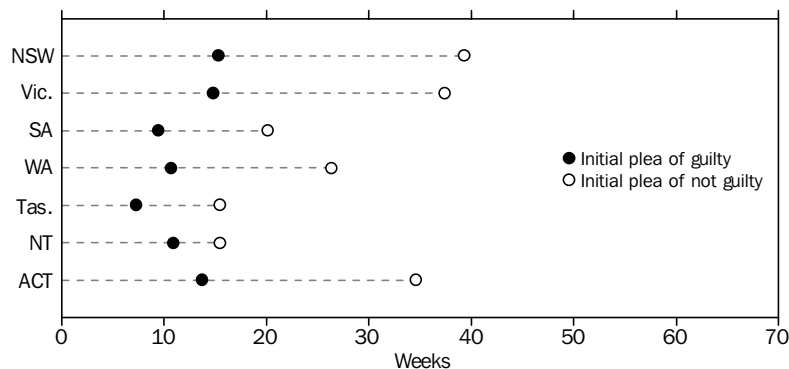
The median duration varied for different methods of finalisation. Defendants finalised in 1999–2000 by the trial outcomes of guilty verdict or acquitted had the longest median duration times, at 49 and 41 weeks respectively.

*Finalised by guilty plea*

Nationally, defendants finalised by guilty plea had a median duration of 17 weeks, ranging from 11 weeks in Tasmania to 27 weeks in New South Wales (see table 7).

Defendants finalised by guilty plea are divided into those with an initial plea of guilty (i.e. initiated for sentence) and those with a initial plea of not guilty (i.e. initiated for trial). Data on initial plea was not available for Queensland. In most other States and Territories, the median duration for defendants who initially pleaded not guilty, was more than double that of defendants who pleaded guilty from the start (see table 9).

DEFENDANTS FINALISED BY GUILTY PLEA, Median Duration(a)



(a) Information on both initial and final pleas were not available in Queensland.

## SUMMARY OF FINDINGS *continued*

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### *Finalised by guilty plea continued*

For the defendants that pleaded guilty from the start, the median duration ranged from 7 weeks in Tasmania to 15 weeks in New South Wales. Of these defendants, the proportion that had their cases finalised within 6 months (26 weeks) varied from 71% in the Northern Territory to 98% in Tasmania.

In comparison, defendants that initially pleaded not guilty took longer to finalise with the median duration ranging from 16 weeks in Tasmania and the Northern Territory to 39 weeks in New South Wales. The proportion of these cases finalised in 6 months ranged from 29% in the Australian Capital Territory to 72% in Tasmania.

### PENDING WORKLOAD

The pending workload of the Higher Courts is represented by the number of defendants not finalised at a point in time. This publication presents data on the number of defendants pending at the start of the reference period and the number of defendants pending at the end of the reference period. This information was not available for Queensland. For the other States and Territories, there were 7,145 defendants pending at the end of 1999–2000, a decrease of 504 defendants (7%) from the 7,649 defendants pending at the start of 1999–2000. New South Wales recorded a significant decrease in pending workload of 769 (23%). South Australia recorded an increase of 113 (25%).

### *Elapsed time since initiation*

The median elapsed time since initiation for defendants pending on 30 June 2000 ranged from 14 weeks in South Australia, Tasmania and the Northern Territory to 33 weeks in the Australian Capital Territory (see table 11). Over the reference period, New South Wales, South Australia and the Northern Territory reported a decrease in the median elapsed time since initiation for pending defendants. The largest decrease was found in New South Wales, falling from 33 weeks to 29 weeks. Victoria's median elapsed time remained constant at 18 weeks. The remaining States and Territories reported increases in the median elapsed time, with the Australian Capital Territory reporting a 50% increase from 22 weeks to 33 weeks.



## DEFENDANTS, Initiated, Finalised and Pending —1996–97 to 1999–2000

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Status	NSW	Vic.	Qld(a)	SA	WA	Tas.	NT	ACT	Aust.(a)
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## 1999–2000

**Supreme court**

Pending at start	193	77	na	40	86	277	153	182	na
Total initiated	98	113	na	58	206	718	315	196	na
Total Transferred in	—	—	na	34	15	..	..	..	na
Total Transferred out	7	—	na	10	1	..	..	..	na
Total finalised	126	103	856	70	211	730	265	182	2 543
Pending at end	158	87	na	52	95	265	203	196	na

**Intermediate court(b)**

Pending at start	3 151	1 329	na	410	1 751	..	..	..	na
Total initiated	3 338	2 122	na	965	2 878	..	..	..	na
Total Transferred in	7	—	na	10	1	..	..	..	na
Total Transferred out	—	—	na	34	15	..	..	..	na
Total finalised	4 079	2 106	6 523	840	2 799	..	..	..	16 347
Pending at end	2 417	1 345	na	511	1 816	..	..	..	na

**Total higher courts(b)**

Pending at start	3 344	1 406	na	450	1 837	277	153	182	na
Total initiated	3 436	2 235	5 985	1 023	3 084	718	315	196	16 992
Total Transferred in	7	—	na	44	16	..	..	..	na
Total Transferred out	7	—	na	44	16	..	..	..	na
Total finalised	4 205	2 209	7 379	910	3 010	730	265	182	18 890
Pending at end	2 575	1 432	na	563	1 911	265	203	196	na

## 1998–99

**Supreme court**

Pending at start	210	91	na	47	78	240	160	116	na
Total initiated	108	88	na	38	243	648	281	227	na
Total Transferred in	1	—	na	36	11	..	..	..	na
Total Transferred out	3	2	na	12	8	..	..	..	na
Total finalised	r123	r100	776	r69	r238	r611	r288	r161	r2 366
Pending at end	r193	r77	na	r40	r86	r277	r153	r182	na

**Intermediate court(b)**

Pending at start	3 647	1 210	na	422	1 458	..	..	..	na
Total initiated	3 565	1 994	na	886	2 951	..	..	..	na
Total Transferred in	3	2	na	12	8	..	..	..	na
Total Transferred out	1	—	na	36	11	..	..	..	na
Total finalised	r4 063	r1 877	6 819	r874	r2 655	..	..	..	r16 288
Pending at end	r3 151	r1 329	na	r410	r1 751	..	..	..	na

**Total higher courts(b)**

Pending at start	3 857	1 301	na	469	1 536	240	160	116	na
Total initiated	3 673	2 082	6 545	924	3 194	648	281	227	17 574
Total Transferred in	4	2	na	48	19	..	..	..	na
Total Transferred out	4	2	na	48	19	..	..	..	na
Total finalised	r4 186	r1 977	7 595	r943	r2 893	r611	r288	r161	r18 654
Pending at end	r3 344	r1 406	na	r450	r1 837	r277	r153	r182	na

na not available

— nil or rounded to zero (including null cells)

.. not applicable

r revised

(a) Data for defendants initiated in Queensland are only available for the Supreme and Intermediate Courts combined. Counts of defendants pending and transferred are not available in Queensland.

(b) There is no Intermediate Court in Tasmania, Northern Territory or Australian Capital Territory.

DEFENDANTS, Initiated, Finalised and Pending —1996–97 to 1999–2000 *continued*

Status NSW Vic. Qld(a) SA WA Tas. NT ACT Aust.(a)

1997–98

**Supreme court**

Pending at start	175	65	na	65	132	122	221	106	na
Total initiated	125	100	na	64	218	455	250	148	na
Total Transferred in	—	3	na	52	15	..	..	..	na
Total Transferred out	5	2	na	20	24	..	..	..	na
Total finalised	r85	r75	813	r114	r263	r337	r311	r138	r2 136
Pending at end	r210	r91	na	r47	r78	r240	r160	r116	na

**Intermediate court(b)**

Pending at start	3 445	984	na	427	1 333	..	..	..	na
Total initiated	4 073	1 889	na	917	2 571	..	..	..	na
Total Transferred in	5	2	na	20	24	..	..	..	na
Total Transferred out	—	3	na	52	15	..	..	..	na
Total finalised	r3 876	r1 662	5 664	r890	r2 455	..	..	..	r14 547
Pending at end	r3 647	r1 210	na	r422	r1 458	..	..	..	na

**Total higher courts(b)**

Pending at start	3 620	1 049	na	492	1 465	122	221	106	na
Total initiated	4 198	1 989	6 229	981	2 789	455	250	148	17 039
Total Transferred in	5	5	na	72	39	..	..	..	na
Total Transferred out	5	5	na	72	39	..	..	..	na
Total finalised	r3 961	r1 737	6 477	r1 004	r2 718	r337	r311	r138	r16 683
Pending at end	r3 857	r1 301	na	r469	r1 536	r240	r160	r116	na

1996–97

**Supreme court**

Pending at start	156	51	na	87	204	123	141	81	na
Total initiated	112	89	na	67	254	321	286	175	na
Total Transferred in	—	2	na	53	24	..	..	..	na
Total Transferred out	3	5	na	21	52	..	..	..	na
Total finalised	r90	r72	743	r121	r298	r322	r206	r150	r2 002
Pending at end	r175	r65	na	r65	r132	r122	r221	r106	na

**Intermediate court(b)**

Pending at start	3 040	979	na	600	1 015	..	..	..	na
Total initiated	3 896	1 561	na	1 037	2 220	..	..	..	na
Total Transferred in	3	5	na	21	52	..	..	..	na
Total Transferred out	—	2	na	53	24	..	..	..	na
Total finalised	r3 494	r1 559	5 521	r1 178	r1 930	..	..	..	r13 682
Pending at end	r3 445	r984	na	r427	r1 333	..	..	..	na

**Total higher courts(b)**

Pending at start	3 196	1 030	na	687	1 219	123	141	81	na
Total initiated	4 008	1 650	5 688	1 104	2 474	321	286	175	15 706
Total Transferred in	3	7	na	74	76	..	..	..	na
Total Transferred out	3	7	na	74	76	..	..	..	na
Total finalised	r3 584	r1 631	6 264	r1 299	r2 228	r322	r206	r150	r15 684
Pending at end	r3 620	r1 049	na	r492	r1 465	r122	r221	r106	na

na not available

— nil or rounded to zero (including null cells)

.. not applicable

r revised

(a) Data for defendants initiated in Queensland are only available for the Supreme and Intermediate Courts combined. Counts of defendants pending and transferred are not available in Queensland.

(b) There is no Intermediate Court in Tasmania, Northern Territory or Australian Capital Territory.

## DEFENDANTS INITIATED, Method of Initiation

	NSW	Vic.	Qld(a)	SA	WA	Tas.	NT	ACT	Aust.(a)
.....									
SUPREME COURT									
Committed									
Committed for trial	87	99	na	49	102	491	273	113	na
Committed for sentence	1	8	na	2	99	202	10	78	na
<b>Total</b>	<b>88</b>	<b>107</b>	<b>na</b>	<b>51</b>	<b>201</b>	<b>693</b>	<b>283</b>	<b>191</b>	<b>na</b>
Ex-officio									
Bench warrant executed	—	—	na	1	5	20	12	5	na
Other initiation	1	6	na	—	—	—	—	—	na
<b>Total</b>	<b>98</b>	<b>113</b>	<b>na</b>	<b>58</b>	<b>206</b>	<b>718</b>	<b>315</b>	<b>196</b>	<b>na</b>
.....									
INTERMEDIATE COURT (b)									
Committed									
Committed for trial	2 133	1 068	na	774	1 442	..	..	..	na
Committed for sentence	1 030	1 041	na	120	1 351	..	..	..	na
<b>Total</b>	<b>3 163</b>	<b>2 109</b>	<b>na</b>	<b>894</b>	<b>2 793</b>	<b>..</b>	<b>..</b>	<b>..</b>	<b>na</b>
Ex-officio									
Bench warrant executed	135	1	na	49	85	..	..	..	na
Other initiation	37	8	na	10	—	..	..	..	na
<b>Total</b>	<b>3 338</b>	<b>2 122</b>	<b>na</b>	<b>965</b>	<b>2 878</b>	<b>..</b>	<b>..</b>	<b>..</b>	<b>na</b>
.....									
TOTAL HIGHER COURTS (b)									
Committed									
Committed for trial	2 220	1 167	5 394	823	1 544	491	273	113	12 025
Committed for sentence	1 031	1 049	591	122	1 450	202	10	78	4 533
<b>Total</b>	<b>3 251</b>	<b>2 216</b>	<b>5 985</b>	<b>945</b>	<b>2 994</b>	<b>693</b>	<b>283</b>	<b>191</b>	<b>16 558</b>
Ex-officio									
Bench warrant executed	135	1	na	50	90	20	12	5	(c)313
Other initiation	38	14	na	10	—	—	—	—	(c)62
<b>Total</b>	<b>3 436</b>	<b>2 235</b>	<b>(c)5 985</b>	<b>1 023</b>	<b>3 084</b>	<b>718</b>	<b>315</b>	<b>196</b>	<b>(c)16 992</b>
.....									
TOTAL HIGHER COURTS (%) (b)									
Committed									
Committed for trial	64.6	52.2	90.1	80.4	50.1	68.4	86.7	57.7	70.8
Committed for sentence	30.0	46.9	9.9	11.9	47.0	28.1	3.2	39.8	26.7
<b>Total</b>	<b>94.6</b>	<b>99.1</b>	<b>100.0</b>	<b>92.4</b>	<b>97.1</b>	<b>96.5</b>	<b>89.8</b>	<b>97.4</b>	<b>97.4</b>
Ex-officio									
Bench warrant executed	3.9	—	na	4.9	2.9	2.8	3.8	2.6	(c)1.8
Other initiation	1.1	0.6	na	1.0	—	—	—	—	(c)0.4
<b>Total</b>	<b>100.0</b>	<b>100.0</b>	<b>(c)100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>(c)100.0</b>
.....									
na	not available								
—	nil or rounded to zero (including null cells)								
..	not applicable								
(a)	Data for defendants initiated in Queensland are only available for the Supreme and Intermediate Courts combined.								
(b)	There is no Intermediate Court in Tasmania, Northern Territory or Australian Capital Territory.								
(c)	Data on defendants initiated by ex-officio, bench warrant executed or other initiation methods are currently not available for Queensland.								

## DEFENDANTS FINALISED, Method of Finalisation

	NSW	Vic.	Qld	SA	WA	Tas.	NT	ACT	Aust.
.....									
SUPREME COURT									
<b>Adjudicated</b>									
Acquitted	19	13	28	17	8	33	19	13	150
Proven guilty									
Guilty verdict	37	36	58	16	38	72	9	18	284
Guilty plea	61	48	654	25	146	492	188	109	1 723
Total	98	84	712	41	184	564	197	127	2 007
Total	117	97	740	58	192	597	216	140	2 157
<b>Non-Adjudicated</b>									
Bench warrant issued	1	—	na	—	7	22	12	8	(a)50
Withdrawn	7	6	116	12	9	101	37	30	318
Other finalisation	1	—	—	—	3	10	—	4	18
Total	9	6	(a)116	12	19	133	49	42	(a)386
<b>Total</b>	<b>126</b>	<b>103</b>	<b>(a)856</b>	<b>70</b>	<b>211</b>	<b>730</b>	<b>265</b>	<b>182</b>	<b>(a)2 543</b>
.....									
INTERMEDIATE COURT (b)									
<b>Adjudicated</b>									
Acquitted	431	198	365	57	225	..	..	..	1 276
Proven guilty									
Guilty verdict	394	163	317	78	355	..	..	..	1 307
Guilty plea	2 640	1 653	4 711	499	1 900	..	..	..	11 403
Total	3 034	1 816	5 028	577	2 255	..	..	..	12 710
Total	3 465	2 014	5 393	634	2 480	..	..	..	13 986
<b>Non-Adjudicated</b>									
Bench warrant issued	147	11	na	46	94	..	..	..	(a)298
Withdrawn	418	78	1 122	151	208	..	..	..	1 977
Other finalisation	49	3	8	9	17	..	..	..	86
Total	614	92	(a)1 130	206	319	..	..	..	(a)2 361
<b>Total</b>	<b>4 079</b>	<b>2 106</b>	<b>(a)6 523</b>	<b>840</b>	<b>2 799</b>	<b>..</b>	<b>..</b>	<b>..</b>	<b>(a)16 347</b>
.....									
TOTAL HIGHER COURTS (b)									
<b>Adjudicated</b>									
Acquitted	450	211	393	74	233	33	19	13	1 426
Proven guilty									
Guilty verdict	431	199	375	94	393	72	9	18	1 591
Guilty plea	2 701	1 701	5 365	524	2 046	492	188	109	13 126
Total	3 132	1 900	5 740	618	2 439	564	197	127	14 717
Total	3 582	2 111	6 133	692	2 672	597	216	140	16 143
<b>Non-Adjudicated</b>									
Bench warrant issued	148	11	na	46	101	22	12	8	(a)348
Withdrawn	425	84	1 238	163	217	101	37	30	2 295
Other finalisation	50	3	8	9	20	10	—	4	104
Total	623	98	(a)1 246	218	338	133	49	42	(a)2 747
<b>Total</b>	<b>4 205</b>	<b>2 209</b>	<b>(a)7 379</b>	<b>910</b>	<b>3 010</b>	<b>730</b>	<b>265</b>	<b>182</b>	<b>(a)18 890</b>

— nil or rounded to zero (including null cells)

na not available

.. not applicable

(a) These totals exclude Queensland defendants finalised by a bench warrant being issued.

(b) There is no Intermediate court in Tasmania, Northern Territory, or Australian Capital Territory.

DEFENDANTS FINALISED, Method of Finalisation *continued*

	NSW	Vic.	Qld	SA	WA	Tas.	NT	ACT	Aust.
TOTAL HIGHER COURTS (%) (a)									
<b>Adjudicated</b>									
Acquitted	10.7	9.6	5.3	8.1	7.7	4.5	7.2	7.1	7.5
Proven guilty									
Guilty verdict	10.2	9.0	5.1	10.3	13.1	9.9	3.4	9.9	8.4
Guilty plea	64.2	77.0	72.7	57.6	68.0	67.4	70.9	59.9	69.5
Total	74.5	86.0	77.8	67.9	81.0	77.3	74.3	69.8	77.9
Total	85.2	95.6	83.1	76.0	88.8	81.8	81.5	76.9	85.5
<b>Non-Adjudicated</b>									
Bench warrant issued	3.5	0.5	na	5.1	3.4	3.0	4.5	4.4	(b)1.8
Withdrawn	10.1	3.8	16.8	17.9	7.2	13.8	14.0	16.5	12.1
Other finalisation	1.2	0.1	0.1	1.0	0.7	1.4	—	2.2	0.6
Total	14.8	4.4	(b)16.9	24.0	11.2	18.2	18.5	23.1	(b)14.5
<b>Total</b>	<b>100.0</b>	<b>100.0</b>	<b>(b)100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>(b)100.0</b>

na not available

— nil or rounded to zero (including null cells)

(a) There is no Intermediate court in Tasmania, Northern Territory, or Australian Capital Territory.

(b) These totals exclude Queensland defendants finalised by a bench warrant being issued.

## DEFENDANTS FINALISED BY ADJUDICATION(a), Initial and Final Plea

<i>Initial and final pleas</i>	NSW	Vic.	Qld	SA	WA	Tas.	NT	ACT	Aust.
.....									
SUPREME COURT									
<b>No change in plea</b>									
Not guilty	58	49	na	39	57	113	28	31	na
Guilty	1	15	na	5	94	199	14	71	na
<i>Total</i>	59	64	na	44	151	312	42	102	na
<b>Change in plea</b>									
Not guilty to guilty	58	33	na	14	41	284	174	38	na
Guilty to not guilty	—	—	na	—	—	1	—	—	na
<i>Total</i>	58	33	na	14	41	285	174	38	na
<b>Total</b>	<b>117</b>	<b>97</b>	<b>740</b>	<b>58</b>	<b>192</b>	<b>597</b>	<b>216</b>	<b>140</b>	<b>2 157</b>
.....									
INTERMEDIATE COURT (b)									
<b>No change in plea</b>									
Not guilty	886	368	na	154	630	..	..	..	na
Guilty	1 025	1 053	na	123	1 355	..	..	..	na
<i>Total</i>	1 911	1 421	na	277	1 985	..	..	..	na
<b>Change in plea</b>									
Not guilty to guilty	1 554	593	na	357	494	..	..	..	na
Guilty to not guilty	—	—	na	—	1	..	..	..	na
<i>Total</i>	1 554	593	na	357	495	..	..	..	na
<b>Total</b>	<b>3 465</b>	<b>2 014</b>	<b>5 393</b>	<b>634</b>	<b>2 480</b>	..	..	..	<b>13 986</b>
.....									
TOTAL HIGHER COURTS (b)									
<b>No change in plea</b>									
Not guilty	944	417	na	193	687	113	28	31	na
Guilty	1 026	1 068	na	128	1 449	199	14	71	na
<i>Total</i>	1 970	1 485	na	321	2 136	312	42	102	na
<b>Change in plea</b>									
Not guilty to guilty	1 612	626	na	371	535	284	174	38	na
Guilty to not guilty	—	—	na	—	1	1	—	—	na
<i>Total</i>	1 612	626	na	371	536	285	174	38	na
<b>Total</b>	<b>3 582</b>	<b>2 111</b>	<b>6 133</b>	<b>692</b>	<b>2 672</b>	<b>597</b>	<b>216</b>	<b>140</b>	<b>16 143</b>
.....									
TOTAL HIGHER COURTS (%) (b)									
<b>No change in plea</b>									
Not guilty	26.4	19.8	na	27.9	25.7	18.9	13.0	22.1	na
Guilty	28.6	50.6	na	18.5	54.2	33.3	6.5	50.7	na
<i>Total</i>	55.0	70.3	na	46.4	79.9	52.3	19.4	72.9	na
<b>Change in plea</b>									
Not guilty to guilty	45.0	29.7	na	53.6	20.0	47.6	80.6	27.1	na
Guilty to not guilty	—	—	na	—	—	0.2	—	—	na
<i>Total</i>	45.0	29.7	na	53.6	20.1	47.7	80.6	27.1	na
<b>Total</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>

na not available

— nil or rounded to zero (including null cells)

.. not applicable

(a) Includes defendants who were acquitted, pleaded guilty or received a guilty verdict.

(b) There is no Intermediate Court in Tasmania, Northern Territory or Australian Capital Territory.

## DEFENDANTS FINALISED (a), Sex and Age

	NSW	Vic.	Qld	SA	WA	Tas.	NT	ACT	Aust.	
Sex and age (years)	no.	no.	no.	no.	no.	no.	no.	no.	no.	%
<b>Male</b>										
Under 17	20	—	—	2	—	14	8	1	45	0.3
17–19	272	155	920	47	312	159	47	17	1 929	11.7
20–24	843	359	1 372	161	682	192	52	36	3 697	22.4
25–29	713	345	1 058	169	473	77	31	23	2 889	17.5
30–34	534	280	728	139	333	63	38	15	2 130	12.9
35–39	428	194	567	97	255	48	21	18	1 628	9.9
40–44	328	154	376	66	180	27	23	12	1 166	7.1
45–49	229	114	252	48	138	26	10	7	824	5.0
50 and over	409	231	435	56	176	42	15	9	1 373	8.3
Unknown	27	96	616	6	91	—	—	7	843	5.1
<b>Total</b>	<b>3 803</b>	<b>1 928</b>	<b>6 324</b>	<b>791</b>	<b>2 640</b>	<b>648</b>	<b>245</b>	<b>145</b>	<b>16 524</b>	<b>100.0</b>
Mean age (years)	33.4	33.9	30.6	32.7	30.9	28.2	30.0	31.4	31.7	..
Median age (years)	30.3	30.9	27.6	30.6	27.8	23.5	27.4	28.0	28.7	..
<b>Female</b>										
Under 17	4	—	—	—	1	3	—	—	8	0.3
17–19	25	23	118	7	36	17	1	6	233	10.0
20–24	74	66	219	30	115	26	5	8	543	23.2
25–29	87	58	191	19	81	12	2	8	458	19.6
30–34	68	36	138	20	58	5	3	3	331	14.1
35–39	48	24	111	15	32	6	4	4	244	10.4
40–44	32	14	75	11	17	6	1	2	158	6.8
45–49	25	16	35	8	9	4	1	3	101	4.3
50 and over	33	26	35	5	12	2	3	2	118	5.0
Unknown	4	14	116	2	9	—	—	1	146	6.2
<b>Total</b>	<b>400</b>	<b>277</b>	<b>1 038</b>	<b>117</b>	<b>370</b>	<b>81</b>	<b>20</b>	<b>37</b>	<b>2 340</b>	<b>100.0</b>
Mean age (years)	32.9	32.0	30.3	31.9	28.7	27.3	34.2	29.9	30.7	..
Median age (years)	30.6	28.4	28.4	30.7	27.3	23.8	33.8	26.4	28.3	..
<b>Persons</b>										
Under 17	24	—	—	2	1	17	8	1	53	0.3
17–19	297	178	1 038	54	348	176	48	23	2 162	11.5
20–24	917	425	1 591	191	797	218	57	44	4 240	22.5
25–29	800	403	1 249	188	554	89	33	31	3 347	17.7
30–34	602	316	866	159	391	68	41	18	2 461	13.0
35–39	476	218	678	112	287	54	25	22	1 872	9.9
40–44	360	168	451	77	197	33	24	14	1 324	7.0
45–49	254	130	287	56	147	30	11	10	925	4.9
50 and over	442	257	470	61	188	44	18	11	1 491	7.9
Unknown	31	110	732	8	100	—	—	8	989	5.2
<b>Total</b>	<b>4 203</b>	<b>2 205</b>	<b>7 362</b>	<b>908</b>	<b>3 010</b>	<b>729</b>	<b>265</b>	<b>182</b>	<b>18 864</b>	<b>100.0</b>
Mean age (years)	33.3	33.7	30.6	32.6	30.7	28.1	30.4	31.1	31.6	..
Median age (years)	30.3	30.6	27.6	30.6	27.6	23.6	27.5	27.8	28.6	..
<b>Organisations</b>										
	2	4	17	2	—	1	—	—	26	—
<b>Total</b>	<b>4 205</b>	<b>2 209</b>	<b>7 379</b>	<b>910</b>	<b>3 010</b>	<b>730</b>	<b>265</b>	<b>182</b>	<b>18 890</b>	<b>100.0</b>

— nil or rounded to zero (including null cells)

.. not applicable

(a) Age is calculated at the defendant's date of finalisation.

## DEFENDANTS FINALISED, Duration from Initiation to Finalisation by Court level

<i>Method of finalisation/duration (weeks)</i>	<i>Supreme court</i>	<i>Intermediate court</i>	<i>Total higher courts</i>
NUMBER			
<b>Acquitted</b>			
Under 13	13	85	98
13 and under 26	27	254	281
26 and under 39	24	261	285
39 and under 52	30	207	237
52 and over	56	469	525
<i>Total</i>	150	1 276	1 426
Mean elapsed time (weeks)	48.4	50.2	50.0
Median elapsed time (weeks)	44.4	41.1	41.3
<b>Guilty verdict</b>			
Under 13	16	51	67
13 and under 26	56	177	233
26 and under 39	59	243	302
39 and under 52	55	186	241
52 and over	98	650	748
<i>Total</i>	284	1 307	1 591
Mean elapsed time (weeks)	49.6	61.3	59.3
Median elapsed time (weeks)	41.1	51.6	49.3
<b>Guilty plea</b>			
Under 13	724	3 904	4 628
13 and under 26	478	3 563	4 041
26 and under 39	261	1 667	1 928
39 and under 52	97	839	936
52 and over	163	1 430	1 593
<i>Total</i>	1 723	11 403	13 126
Mean elapsed time (weeks)	24.0	27.0	26.6
Median elapsed time (weeks)	15.7	17.7	17.4
<b>Other finalisation</b>			
Under 13	95	495	590
13 and under 26	95	626	721
26 and under 39	75	431	506
39 and under 52	39	237	276
52 and over	82	572	654
<i>Total</i>	(a)386	(a)2 361	(a)2 747
Mean elapsed time (weeks)	39.3	40.5	40.4
Median elapsed time (weeks)	26.1	27.1	27.1
<b>Total defendants finalised</b>			
Under 13	848	4 535	5 383
13 and under 26	656	4 620	5 276
26 and under 39	419	2 602	3 021
39 and under 52	221	1 469	1 690
52 and over	399	3 121	3 520
<b>Total</b>	<b>(a)2 543</b>	<b>(a)16 347</b>	<b>(a)18 890</b>
Mean elapsed time (weeks)	30.6	33.5	33.1
Median elapsed time (weeks)	21.0	22.3	22.1

(a) Excludes Queensland defendants finalised by a bench warrant being issued.



## DEFENDANTS FINALISED, Duration from Initiation to Finalisation by Court Level

<i>Method of finalisation/duration (weeks)</i>	<i>Supreme court</i>	<i>Intermediate court</i>	<i>Total higher courts</i>
.....			
PROPORTION (%)			
<b>Acquitted</b>			
Under 13	8.7	6.7	6.9
13 and under 26	18.0	19.9	19.7
26 and under 39	16.0	20.5	20.0
39 and under 52	20.0	16.2	16.6
52 and over	37.3	36.8	36.8
<i>Total</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>
<b>Guilty verdict</b>			
Under 13	5.6	3.9	4.2
13 and under 26	19.7	13.5	14.6
26 and under 39	20.8	18.6	19.0
39 and under 52	19.4	14.2	15.1
52 and over	34.5	49.7	47.0
<i>Total</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>
<b>Guilty plea</b>			
Under 13	42.0	34.2	35.3
13 and under 26	27.7	31.2	30.8
26 and under 39	15.1	14.6	14.7
39 and under 52	5.6	7.4	7.1
52 and over	9.5	12.5	12.1
<i>Total</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>
<b>Other finalisation</b>			
Under 13	24.6	21.0	21.5
13 and under 26	24.6	26.5	26.2
26 and under 39	19.4	18.3	18.4
39 and under 52	10.1	10.0	10.0
52 and over	21.2	24.2	23.8
<i>Total</i>	<i>(a)100.0</i>	<i>(a)100.0</i>	<i>(a)100.0</i>
<b>Total defendants finalised</b>			
Under 13	33.3	27.7	28.5
13 and under 26	25.8	28.3	27.9
26 and under 39	16.5	15.9	16.0
39 and under 52	8.7	9.0	8.9
52 and over	15.7	19.1	18.6
<b>Total</b>	<b>(a)100.0</b>	<b>(a)100.0</b>	<b>(a)100.0</b>

.....

(a) Excludes Queensland defendants finalised by a bench warrant being issued.

## DEFENDANTS FINALISED, Duration from Initiation to Finalisation by State

Method of  
finalisation/duration  
(weeks)

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

## NUMBER

**Acquitted**

Under 13	18	8	57	4	5	5	1	—	98
13 and under 26	89	37	104	22	15	8	4	2	281
26 and under 39	70	49	106	20	31	8	—	1	285
39 and under 52	74	49	59	9	31	7	4	4	237
52 and over	199	68	67	19	151	5	10	6	525
<b>Total</b>	<b>450</b>	<b>211</b>	<b>393</b>	<b>74</b>	<b>233</b>	<b>33</b>	<b>19</b>	<b>13</b>	<b>1 426</b>
Mean elapsed time (weeks)	59.4	47.6	34.1	42.1	65.0	33.5	57.8	53.9	50.0
Median elapsed time (weeks)	46.2	42.4	29.4	27.8	63.4	35.9	52.9	50.4	41.3

**Guilty verdict**

Under 13	4	2	40	10	7	3	—	1	67
13 and under 26	40	27	97	21	30	18	—	—	233
26 and under 39	69	35	100	37	35	21	2	3	302
39 and under 52	52	35	55	13	63	18	—	5	241
52 and over	266	100	83	13	258	12	7	9	748
<b>Total</b>	<b>431</b>	<b>199</b>	<b>375</b>	<b>94</b>	<b>393</b>	<b>72</b>	<b>9</b>	<b>18</b>	<b>1 591</b>
Mean elapsed time (weeks)	78.5	58.8	38.8	33.9	67.3	40.6	73.8	53.3	59.3
Median elapsed time (weeks)	67.4	52.1	32.7	29.8	64.6	32.7	64.4	51.7	49.3

**Guilty plea**

Under 13	514	401	1 937	186	1 182	290	88	30	4 628
13 and under 26	791	665	1 702	181	512	116	41	33	4 041
26 and under 39	463	273	893	92	95	61	33	18	1 928
39 and under 52	276	133	385	33	80	11	8	10	936
52 and over	657	229	448	32	177	14	18	18	1 593
<b>Total</b>	<b>2 701</b>	<b>1 701</b>	<b>5 365</b>	<b>524</b>	<b>2 046</b>	<b>492</b>	<b>188</b>	<b>109</b>	<b>13 126</b>
Mean elapsed time (weeks)	39.6	28.1	23.7	23.3	19.2	15.6	24.0	29.2	26.6
Median elapsed time (weeks)	27.0	18.6	17.9	17.0	11.7	10.8	15.1	19.3	17.4

**Other finalisation**

Under 13	99	15	230	92	96	39	12	7	590
13 and under 26	122	28	355	78	75	45	12	6	721
26 and under 39	111	14	266	26	43	36	6	4	506
39 and under 52	60	15	149	8	25	7	6	6	276
52 and over	231	26	246	14	99	6	13	19	654
<b>Total</b>	<b>623</b>	<b>98</b>	<b>(a)1 246</b>	<b>218</b>	<b>338</b>	<b>133</b>	<b>49</b>	<b>42</b>	<b>(a)2 747</b>
Mean elapsed time (weeks)	53.3	47.8	39.0	19.9	37.4	24.6	42.7	49.2	40.4
Median elapsed time (weeks)	36.1	32.9	27.1	14.9	25.5	21.3	26.1	46.3	27.1

**Total defendants finalised**

Under 13	635	426	2 264	292	1 290	337	101	38	5 383
13 and under 26	1 042	757	2 258	302	632	187	57	41	5 276
26 and under 39	713	371	1 365	175	204	126	41	26	3 021
39 and under 52	462	232	648	63	199	43	18	25	1 690
52 and over	1 353	423	844	78	685	37	48	52	3 520
<b>Total</b>	<b>4 205</b>	<b>2 209</b>	<b>(a)7 379</b>	<b>910</b>	<b>3 010</b>	<b>730</b>	<b>265</b>	<b>182</b>	<b>(a)18 890</b>
Mean elapsed time (weeks)	47.7	33.6	27.6	25.1	31.0	20.5	31.6	37.9	33.1
Median elapsed time (weeks)	33.0	23.4	20.6	19.3	14.7	14.4	18.1	33.1	22.1

— nil or rounded to zero (including null cells)

(a) Excludes Queensland defendants finalised by a bench warrant being issued.

## DEFENDANTS FINALISED, Duration from Initiation to Finalisation by State

<i>Method of finalisation/duration (weeks)</i>	NSW	Vic.	Qld	SA	WA	Tas.	NT	ACT	Aust.
PROPORTION (%)									
<b>Acquitted</b>									
Under 13	4.0	3.8	14.5	5.4	2.1	15.2	5.3	—	6.9
13 and under 26	19.8	17.5	26.5	29.7	6.4	24.2	21.1	15.4	19.7
26 and under 39	15.6	23.2	27.0	27.0	13.3	24.2	—	7.7	20.0
39 and under 52	16.4	23.2	15.0	12.2	13.3	21.2	21.1	30.8	16.6
52 and over	44.2	32.2	17.0	25.7	64.8	15.2	52.6	46.2	36.8
<b>Total</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>
<b>Guilty verdict</b>									
Under 13	0.9	1.0	10.7	10.6	1.8	4.2	—	5.6	4.2
13 and under 26	9.3	13.6	25.9	22.3	7.6	25.0	—	—	14.6
26 and under 39	16.0	17.6	26.7	39.4	8.9	29.2	22.2	16.7	19.0
39 and under 52	12.1	17.6	14.7	13.8	16.0	25.0	—	27.8	15.1
52 and over	61.7	50.3	22.1	13.8	65.6	16.7	77.8	50.0	47.0
<b>Total</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>
<b>Guilty plea</b>									
Under 13	19.0	23.6	36.1	35.5	57.8	58.9	46.8	27.5	35.3
13 and under 26	29.3	39.1	31.7	34.5	25.0	23.6	21.8	30.3	30.8
26 and under 39	17.1	16.0	16.6	17.6	4.6	12.4	17.6	16.5	14.7
39 and under 52	10.2	7.8	7.2	6.3	3.9	2.2	4.3	9.2	7.1
52 and over	24.3	13.5	8.4	6.1	8.7	2.8	9.6	16.5	12.1
<b>Total</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>
<b>Other finalisation</b>									
Under 13	15.9	15.3	18.5	42.2	28.4	29.3	24.5	16.7	21.5
13 and under 26	19.6	28.6	28.5	35.8	22.2	33.8	24.5	14.3	26.2
26 and under 39	17.8	14.3	21.3	11.9	12.7	27.1	12.2	9.5	18.4
39 and under 52	9.6	15.3	12.0	3.7	7.4	5.3	12.2	14.3	10.0
52 and over	37.1	26.5	19.7	6.4	29.3	4.5	26.5	45.2	23.8
<b>Total</b>	<b>100.0</b>	<b>100.0</b>	<b>(a)100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>(a)100.0</b>
<b>Total defendants finalised</b>									
Under 13	15.1	19.3	30.7	32.1	42.9	46.2	38.1	20.9	28.5
13 and under 26	24.8	34.3	30.6	33.2	21.0	25.6	21.5	22.5	27.9
26 and under 39	17.0	16.8	18.5	19.2	6.8	17.3	15.5	14.3	16.0
39 and under 52	11.0	10.5	8.8	6.9	6.6	5.9	6.8	13.7	8.9
52 and over	32.2	19.1	11.4	8.6	22.8	5.1	18.1	28.6	18.6
<b>Total</b>	<b>100.0</b>	<b>100.0</b>	<b>(a)100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>(a)100.0</b>

— nil or rounded to zero (including null cells)

(a) Excludes Queensland defendants finalised by a bench warrant being issued.

## DEFENDANTS FINALISED BY GUILTY VERDICT, Duration

*Duration (weeks)*                      NSW    Vic.    Qld    SA    WA    Tas.    NT    ACT    Aust.

## NUMBER

**Initiation to verdict**

Under 13	13	5	na	11	8	6	1	2	na
13 and under 26	76	36	na	41	32	18	—	1	na
26 and under 39	58	42	na	27	37	21	3	3	na
39 and under 52	55	33	na	7	65	15	—	7	na
52 and over	229	83	na	8	251	12	5	5	na
<i>Total</i>	<i>431</i>	<i>199</i>	<i>375</i>	<i>94</i>	<i>393</i>	<i>72</i>	<i>9</i>	<i>18</i>	<i>1 591</i>
Mean elapsed time (weeks)	68.0	52.2	na	28.2	64.9	38.8	61.9	46.5	na
Median elapsed time (weeks)	56.3	46.6	na	24.7	62.1	31.7	61.0	45.3	na

**Verdict to finalisation**

Under 1	66	77	na	29	251	45	3	6	na
1 and under 4	51	55	na	22	72	18	1	1	na
4 and under 8	102	24	na	18	46	4	3	6	na
8 and under 12	86	15	na	18	13	3	—	2	na
12 or more	126	28	na	7	11	2	2	3	na
<i>Total</i>	<i>431</i>	<i>199</i>	<i>375</i>	<i>94</i>	<i>393</i>	<i>72</i>	<i>9</i>	<i>18</i>	<i>1 591</i>
Mean elapsed time (weeks)	10.6	6.8	na	5.9	2.6	1.9	12.0	6.9	na
Median elapsed time (weeks)	7.7	1.3	na	3.1	0.1	0.4	4.6	6.9	na

## PROPORTION (%)

**Initiation to verdict**

Under 13	3.0	2.5	na	11.7	2.0	8.3	11.1	11.1	na
13 and under 26	17.6	18.1	na	43.6	8.1	25.0	—	5.6	na
26 and under 39	13.5	21.1	na	28.7	9.4	29.2	33.3	16.7	na
39 and under 52	12.8	16.6	na	7.4	16.5	20.8	—	38.9	na
52 and over	53.1	41.7	na	8.5	63.9	16.7	55.6	27.8	na
<i>Total</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>

**Verdict to finalisation**

Under 1	15.3	38.7	na	30.9	63.9	62.5	33.3	33.3	na
1 and under 4	11.8	27.6	na	23.4	18.3	25.0	11.1	5.6	na
4 and under 8	23.7	12.1	na	19.1	11.7	5.6	33.3	33.3	na
8 and under 12	20.0	7.5	na	19.1	3.3	4.2	—	11.1	na
12 or more	29.2	14.1	na	7.4	2.8	2.8	22.2	16.7	na
<i>Total</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>

na not available

— nil or rounded to zero (including null cells)

## DEFENDANTS FINALISED BY GUILTY PLEA, Duration by Initial Plea

<i>Initial plea/duration (weeks)</i>	NSW	Vic.	Qld	SA	WA	Tas.	NT	ACT	Aust.
NUMBER									
<b>Not guilty</b>									
Under 13	116	38	na	103	153	120	79	3	na
13 and under 26	383	150	na	144	144	93	40	8	na
26 and under 39	330	148	na	88	68	57	31	9	na
39 and under 52	237	105	na	31	74	11	8	4	na
52 and over	609	192	na	30	158	13	16	14	na
<i>Total</i>	<b>1 675</b>	<b>633</b>	na	<b>396</b>	<b>597</b>	<b>294</b>	<b>174</b>	<b>38</b>	na
Mean elapsed time (weeks)	51.9	43.7	na	26.5	36.4	20.3	24.3	44.6	na
Median elapsed time (weeks)	39.3	37.4	na	20.1	26.3	15.5	15.5	34.6	na
<b>Guilty</b>									
Under 13	398	363	na	83	1 029	170	9	27	na
13 and under 26	408	515	na	37	368	23	1	25	na
26 and under 39	133	125	na	4	27	4	2	9	na
39 and under 52	39	28	na	2	6	—	—	6	na
52 and over	48	37	na	2	19	1	2	4	na
<i>Total</i>	<b>1 026</b>	<b>1 068</b>	na	<b>128</b>	<b>1 449</b>	<b>198</b>	<b>14</b>	<b>71</b>	na
Mean elapsed time (weeks)	19.5	18.9	na	13.4	12.0	8.6	20.6	20.9	na
Median elapsed time (weeks)	15.3	14.8	na	9.4	10.7	7.3	10.9	13.7	na
<b>Total</b>	<b>2 701</b>	<b>1 701</b>	<b>5 365</b>	<b>524</b>	<b>2 046</b>	<b>492</b>	<b>188</b>	<b>109</b>	<b>13 126</b>
PROPORTION (%)									
<b>Not guilty</b>									
Under 13	6.9	6.0	na	26.0	25.6	40.8	45.4	7.9	na
13 and under 26	22.9	23.7	na	36.4	24.1	31.6	23.0	21.1	na
26 and under 39	19.7	23.4	na	22.2	11.4	19.4	17.8	23.7	na
39 and under 52	14.1	16.6	na	7.8	12.4	3.7	4.6	10.5	na
52 and over	36.4	30.3	na	7.6	26.5	4.4	9.2	36.8	na
<i>Total</i>	<b>100.0</b>	<b>100.0</b>	na	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	na
<b>Guilty</b>									
Under 13	38.8	34.0	na	64.8	71.0	85.9	64.3	38.0	na
13 and under 26	39.8	48.2	na	28.9	25.4	11.6	7.1	35.2	na
26 and under 39	13.0	11.7	na	3.1	1.9	2.0	14.3	12.7	na
39 and under 52	3.8	2.6	na	1.6	0.4	—	—	8.5	na
52 and over	4.7	3.5	na	1.6	1.3	0.5	14.3	5.6	na
<i>Total</i>	<b>100.0</b>	<b>100.0</b>	na	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	na
na	not available								
—	nil or rounded to zero (including null cells)								

## DEFENDANTS PENDING AT 1 JULY 1999(a), Elapsed Time Since Initiation

Elapsed time (weeks)      NSW      Vic.      Qld      SA      WA      Tas.      NT      ACT      Aust.

SUPREME COURT

Under 13	15	18	na	8	51	135	65	56	na
13 and under 26	30	22	na	5	18	80	26	43	na
26 and under 39	33	12	na	5	10	17	17	29	na
39 and under 52	16	7	na	8	2	20	15	24	na
52 and over	99	18	na	14	5	25	30	30	na
<i>Total</i>	193	77	na	40	86	277	153	182	na
Mean elapsed time (weeks)	55.9	31.9	na	63.6	16.5	22.2	31.4	31.6	na
Median elapsed time (weeks)	52.4	21.4	na	45.0	10.1	13.0	16.3	21.9	na

INTERMEDIATE COURT (b)

Under 13	804	538	na	186	635	..	..	..	na
13 and under 26	582	278	na	124	317	..	..	..	na
26 and under 39	417	158	na	44	258	..	..	..	na
39 and under 52	308	130	na	15	213	..	..	..	na
52 and over	1 040	225	na	41	328	..	..	..	na
<i>Total</i>	3 151	1 329	na	410	1 751	..	..	..	na
Mean elapsed time (weeks)	46.3	28.7	na	21.8	31.6	..	..	..	na
Median elapsed time (weeks)	32.3	17.1	na	14.4	22.0	..	..	..	na

TOTAL HIGHER COURTS (b)

Under 13	819	556	na	194	686	135	65	56	na
13 and under 26	612	300	na	129	335	80	26	43	na
26 and under 39	450	170	na	49	268	17	17	29	na
39 and under 52	324	137	na	23	215	20	15	24	na
52 and over	1 139	243	na	55	333	25	30	30	na
<b>Total</b>	<b>3 344</b>	<b>1 406</b>	na	<b>450</b>	<b>1 837</b>	<b>277</b>	<b>153</b>	<b>182</b>	na
Mean elapsed time (weeks)	46.9	28.8	na	25.6	30.9	22.2	31.4	31.6	na
Median elapsed time (weeks)	33.1	18.1	na	15.1	21.1	13.0	16.3	21.9	na

na not available

.. not applicable

(a) These figures may differ from previously released pending data for 30 June 1999.

(b) There is no Intermediate Court in Tasmania, Northern Territory or Australian Capital Territory.

## DEFENDANTS PENDING AT 30 JUNE 2000, Elapsed Time Since Initiation

Elapsed time (weeks)      NSW      Vic.      Qld      SA      WA      Tas.      NT      ACT      Aust.

### SUPREME COURT

Under 13	18	39	na	16	58	124	65	49	na
13 and under 26	22	15	na	9	19	62	78	35	na
26 and under 39	21	10	na	5	8	24	21	30	na
39 and under 52	22	10	na	6	5	12	11	21	na
52 and over	75	13	na	16	5	43	28	61	na
<i>Total</i>	158	87	na	52	95	265	203	196	na
Mean elapsed time (weeks)	62.7	28.9	na	45.0	16.5	26.1	25.7	43.4	na
Median elapsed time (weeks)	47.6	18.4	na	29.8	9.3	14.4	14.4	32.5	na

### INTERMEDIATE COURT (a)

Under 13	739	507	na	247	590	..	..	..	na
13 and under 26	425	297	na	136	359	..	..	..	na
26 and under 39	323	200	na	49	228	..	..	..	na
39 and under 52	232	115	na	26	221	..	..	..	na
52 and over	698	226	na	53	418	..	..	..	na
<i>Total</i>	2 417	1 345	na	511	1 816	..	..	..	na
Mean elapsed time (weeks)	43.9	28.5	na	21.8	34.2	..	..	..	na
Median elapsed time (weeks)	28.3	18.1	na	13.4	23.6	..	..	..	na

### TOTAL HIGHER COURTS (a)

Under 13	757	546	na	263	648	124	65	49	na
13 and under 26	447	312	na	145	378	62	78	35	na
26 and under 39	344	210	na	54	236	24	21	30	na
39 and under 52	254	125	na	32	226	12	11	21	na
52 and over	773	239	na	69	423	43	28	61	na
<b>Total</b>	<b>2 575</b>	<b>1 432</b>	na	<b>563</b>	<b>1 911</b>	<b>265</b>	<b>203</b>	<b>196</b>	na
Mean elapsed time (weeks)	45.1	28.6	na	24.0	33.3	26.1	25.7	43.4	na
Median elapsed time (weeks)	29.1	18.1	na	14.4	23.1	14.4	14.4	32.5	na

na not available

.. not applicable

(a) There is no Intermediate Court in Tasmania, Northern Territory or Australian Capital Territory.

## EXPLANATORY NOTES

### INTRODUCTION

**1** This publication presents information, relating to the criminal jurisdiction of the Higher Courts (Supreme and Intermediate Courts) in each State and Territory, which is sourced from the national Higher Criminal Courts collection conducted by ABS. The criminal jurisdiction of the courts is responsible for the trial and sentencing of persons or corporations charged with criminal offences.

**2** The aim of the collection is to provide comparable statistics for the States and Territories and for Australia as a whole on the management of court workloads. The data presented provide indicators of the volume and flow of defendants through the courts and a basis for measuring changes over time.

**3** In order to ensure consistency between the States and Territories, the statistics have been compiled according to national standards and classifications. These have been developed by the National Criminal Courts Statistics Unit (NCCSU) of the Australian Bureau of Statistics (ABS).

**4** The NCCSU was established in 1994 following an initiative of the Standing Committee of Attorneys-General. The NCCSU is jointly funded by State and Territory courts agencies, the Commonwealth Attorney-General's Department and the ABS. It reports to a Board of Management consisting of representatives of the funding parties, and receives technical advice from an Advisory Group of expert users of criminal justice statistics.

**5** The statistics presented in this publication may be different from those published in individual States and Territories due to variations between the NCCSU definitions and counting rules and those used by individual States and Territories.

**6** Given the high degree of conceptual complexity in the operation of the court systems in Australia, and the variation in the capacity of the States and Territories to supply statistical information, a staged approach has been adopted for the development and conduct of the Higher Criminal Courts collection.

**7** This publication presents results from the first stage of the collection. This information relates to criminal cases heard in the Supreme and Intermediate Courts. Data on defendants are reported separately for each distinct court level. The publication includes statistics on the number of defendants pending, initiated and finalised as well as information on the characteristics of defendants.

**8** Subsequent stages of the collection will expand the dataset to include information on offences and penalties for proven charges.

### DATA SOURCE

**9** National statistics are derived from data in respect of each defendant provided to ABS by the State and Territory agencies responsible for courts administration. The ABS receives the data directly from these agencies in all States and Territories except for Queensland (where it is supplied via Office of Economic and Statistical Research) and Tasmania (where it is supplied via the State and Commonwealth Director of Public Prosecutions).

### SCOPE

**10** The scope of the data in this publication consists of all defendants with charges before the original jurisdiction (see Glossary) of the Supreme and Intermediate Courts in Australia during the reference period 1 July 1999 to 30 June 2000. Within a given reference period, the total population of defendants active in a particular court level consists of those pending at the start of the reference period together with those initiated during the reference period.



## EXPLANATORY NOTES *continued*

### SCOPE *continued*

**11** The collection excludes cases heard in the criminal jurisdiction of the courts which do not require the adjudication of charges, e.g. bail reviews and applications to amend sentence or penalty. Also excluded are breach of bond cases and appeal cases.

**12** The scope of the data collected and presented for Queensland is restricted. Figures for the number of pending defendants are currently not available. The total figure for defendants initiated in Queensland only includes defendants initiated by committal to the Higher Courts and excludes other forms of initiation such as ex-officio indictment, bench warrants executed and transfers from other courts. Total figures for defendants finalised exclude defendants finalised by the issue of a bench warrant. In order to address these issues Queensland has developed a new computerised courts administration system. While this new system is in the process of being implemented in the lower courts, it is not currently known whether the system will be extended to the higher courts.

**13** Stage 1 of the Higher Criminal Courts collection primarily focuses on obtaining caseflow information on the number of defendants pending, initiated and finalised within the Higher Courts during the reference period. Details of initiation and finalisation for all defendants who enter Higher Courts are presented. The details of initiation include the date of committal, plea at committal, date of registration and method of initiation. The details of finalisation include the date of verdict, date of finalisation, method of finalisation and the defendant's final plea.

### REFERENCE PERIOD

**14** This publication relates to defendants who had criminal cases active within the Higher Courts at any time during the reference period 1 July 1999 to 30 June 2000. A historical summary of the number of defendants initiated, finalised and pending for 1998–99, 1997–98 and 1996–97 is also provided in table 1. For these previous reference periods, revisions have been made to the number of defendants finalised and pending at end. These revisions are due to updates to the relevant State or Territory database after the relevant year's data was processed.

### COUNTING UNIT

**15** The principal counting unit for the collection is the defendant. A defendant is a person or corporation against whom one or more criminal charges have been laid and which are heard together as the one unit of work by a court at a particular level. It should be noted that the Higher Criminal Courts collection does not enumerate individual persons or corporations. If a person or corporation is a defendant in a number of criminal cases active within the courts during the reference period, this person or corporation will be counted more than once within that reference period.

### CLASSIFICATIONS

**16** The national classifications used in the Higher Criminal Courts collection are:

- Method of initiation (see Appendix); and
- Method of finalisation (see Appendix).

**17** These classifications provide a framework for classifying criminal court information for statistical purposes and ensuring that data are compiled on a consistent basis across the States and Territories. The classifications are hierarchical and allow for different levels of detail to be recorded depending on the level of detail in the source information. Associated with each classification are coding rules which ensure that the counting of information is consistent across the States and Territories.

## EXPLANATORY NOTES *continued*

### COUNTING METHODOLOGY

*Transfer between Higher Court levels*

**18** Defendants who transfer from one Higher Court level to another are considered as initiated only once (in the level they first entered) and finalised only once (from the level they finally left).

*Method of initiation*

**19** Method of initiation describes how a criminal charge is introduced to a court level. For the purposes of the collection, only one method of initiation is applied to each defendant in the Higher Courts. Where a defendant has multiple charges and these have different methods of initiation, the code applied is determined by the following order of precedence:

- bench warrant executed
- committed for trial
- committed n.f.d.
- committed for sentence
- transfer from Court of Summary Jurisdiction to a Higher Court n.e.c.
- ex-officio indictment of charges to Higher Court for trial
- ex-officio indictment of charges to Higher Court n.f.d.
- ex-officio indictment of charges to Higher Court for sentence
- other transfer between court levels.

*Plea*

**20** Plea describes a defendant's formal response to a specific charge (see Glossary). A defendant's plea on each charge is entered during a court hearing and may change during the course of criminal proceedings. If a defendant has multiple charges, there may be different pleas for each charge. This collection presents an aggregated plea in which only one plea code is applied to the defendant. The rules for recording a plea are:

- the plea for a defendant is 'not guilty' whenever the plea to one or more charges is not guilty, no plea, plea reserved, or other defended plea; and
- the plea for a defendant is 'guilty' only when the plea to all charges is guilty.

**21** The collection records plea information at the initiation and finalisation of the case. Initial plea (in most instances the committal plea) determines the judicial process (i.e. trial or sentence) scheduled for the defendant. The final plea is the last plea to be entered in the court level and reflects the judicial process that was ultimately used for the defendant.

*Method of finalisation*

**22** Method of finalisation describes how a criminal charge is concluded by a court level. For the purposes of the collection, only one method of finalisation is applied to each defendant within the Higher Courts. Where a defendant has multiple charges and these have different methods of finalisation, the code applied is determined by the following order of precedence:

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

## EXPLANATORY NOTES *continued*

### *Merging counting units*

**23** Where a person/corporation is a defendant in more than one case and their cases are finalised on the same date, in the same court level and in the same court location, their defendant records will be merged and counted as a single defendant record. However, merging will only occur where at least two of the following conditions are also met:

- The date of initiation is the same.
- The method of initiation is the same.
- The method of finalisation is the same.

If one of these three conditions varies, the following coding rules apply:

- Where the date of initiation varies, the earliest date is retained.
- Where the method of initiation varies, the order of precedence rules for coding method of initiation are applied (see paragraph 19).
- Where the method of finalisation varies, the order of precedence rules for coding method of finalisation are applied (see paragraph 22).

### DATA COMPARABILITY

**24** The merging of defendant records will result in adjustments to the counts of defendants pending, initiated, and finalised. Where the defendants with merged records were initiated in one reference period and finalised in the next reference period, the number of pending defendants at the end of the first period (which will include the multiple defendants whose records are later merged into one) will be higher than the number of defendants pending at the start of the next period (where only each single 'merged' defendant is counted). This will have an impact on elapsed time for pending cases and the duration of finalised cases. Differences may also arise as a result of other factors, including refinements in data quality procedures and modifications in the systems used to obtain and compile the figures.

**25** The Higher Criminal Courts collection has been designed in order to facilitate comparisons of States and Territories through the application of common national statistical standards. However, some remaining legislative and processing differences may limit the degree to which the statistics reflect the performance of State and Territory courts.

### DATA QUALITY

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

**27** Data quality control checks will continue to be reviewed and modified as the Higher Criminal Courts collection evolves. Data availability will also improve as the States and Territories further develop and improve their court operational systems.

## EXPLANATORY NOTES *continued*

### RELATED PUBLICATIONS

#### *ABS publications*

- 28** ABS publications which may be of interest include:
- Australian Social Trends* (Cat. no. 4102.0) — issued annually
  - Australian Standard Offence Classification* (Cat. no. 1234.0) — irregular
  - Corrective Services, Australia* (Cat. no. 4512.0) — issued quarterly
  - Courts of Petty Sessions, Western Australia, 1996–97* (Cat. no. 4502.5) — issued annually
  - Crime and Safety, Australia, April 1993* (Cat. no. 4509.0) — irregular
  - Crime and Safety, Australia, April 1998* (Cat. no. 4509.0) — irregular
  - Crime and Safety, New South Wales* (Cat. no. 4509.1) — issued annually
  - Crime and Safety, Queensland, April 1995* (Cat. no. 4509.3) — irregular
  - Crime and Safety, South Australia, October 2000* (Cat. no. 4509.4) — irregular
  - Crime and Safety, Victoria, April 1995* (Cat. no. 4509.2) — irregular
  - Crime and Safety, Western Australia, October 1999* (Cat. no. 4509.5) — irregular
  - Measuring Social Wellbeing* (Cat. no. 4160.0) — irregular
  - Occasional Paper: Review of Social and Labour Statistics — Criminal Justice* (Cat. no. 4170.0) — irregular
  - Prisoners in Australia* (Cat. no. 4517.0) — issued annually
  - Recorded Crime, Australia* (Cat. no. 4510.0) — issued annually
- 29** Current publications produced by the ABS are listed in the *Catalogue of Publications and Products* (Cat. no. 1101.0) and the list is available on the ABS internet site <URL: <http://www.abs.gov.au>>. The ABS also issues, on Tuesdays and Fridays, a *Release Advice* (Cat. no. 1105.0) which lists publications to be released in the next few days. The Catalogue and Release Advice are available from any ABS office. The National Centre for Crime and Justice Statistics (NCCJS) releases a biannual newsletter that is published on the ABS internet site. The NCCJS can be contacted by email <[crime.justice@abs.gov.au](mailto:crime.justice@abs.gov.au)>.

## EXPLANATORY NOTES *continued*

Non-ABS publications

**30** Non-ABS sources of criminal court statistics which may be of interest include:

- Australian Institute of Criminology, *List of Publications*  
<URL: <http://www.aic.gov.au>>
- Crime Research Centre, University of Western Australia, *Crime and Justice Statistics for Western Australia: 1998*, The University of Western Australia, Nedlands
- Department of Justice, Tasmania, *Annual Report*, Government Printer, Tasmania
- Department of Justice, Victoria, *Sentencing Statistics for Higher Criminal Courts Victoria 1996*, Department of Justice, Victoria
- Director of Public Prosecutions, *Annual Report*, all State, Territory and Commonwealth Offices of the Director of Public Prosecutions
- District Court of Queensland, *Annual Report*, The District Court of Queensland, Brisbane
- Government Statistician's Office 1999, *Imprisonment in Sentencing*, Queensland Government, Brisbane
- Government Statistician's Office 1999, *Sentencing in Queensland Criminal Courts 1997-98*, Queensland Government, Brisbane
- Ministry of Justice 1998, *Sentencing Statistics for Western Australian Higher Courts* <URL: <http://www.justice.wa.gov.au>>, Ministry of Justice, Perth
- NSW Bureau of Crime Statistics and Research 1998, *Are the courts becoming more lenient? Recent trends in convictions and penalties in NSW Higher and Local courts*, NSW Bureau of Crime Statistics and Research, Sydney
- NSW Bureau of Crime Statistics and Research, *New South Wales Criminal Courts Statistics 1998*, NSW Bureau of Crime Statistics and Research, Sydney
- NSW Bureau of Crime Statistics and Research 1996, *Measuring Trial Court Performance: Indicators for Trial Case Processing*, NSW Bureau of Crime Statistics and Research, Sydney
- Office of Courts Administration, *Annual Report*, Northern Territory Attorney-General's Department, Darwin
- Office of Crime Statistics, South Australia, *Crime and Justice in South Australia 1998*, South Australian Attorney-General's Department, Adelaide
- Office of the Government Statistician, *Crime and Justice Statistics Queensland, 1998-99*, Queensland Government, Brisbane
- Steering Committee for the Review of Commonwealth/State Service Provision, *Report on Government Services, 2001*
- South Australia Courts Administration Authority, *Annual Report*, South Australia Courts Administration Authority, Adelaide
- Supreme Court of Queensland, *Annual Report*, The Supreme Court of Queensland, Brisbane
- Victoria Police, *Crime Statistics*

# APPENDIX HIGHER CRIMINAL COURTS' CLASSIFICATIONS

## METHOD OF INITIATION CLASSIFICATION

DIVISION  
SUBDIVISION  
ITEM

- 1 Direct laying of charge**
  - 10 Direct laying of charges n.f.d.
  - 11 Charges laid before a Court of Summary Jurisdiction
  - 12 Ex-officio indictment of charges to a Higher Court
    - 121 Ex-officio indictment of charges to a Higher Court for trial
    - 122 Ex-officio indictment of charges to a Higher Court for sentence
- 2 Transfer of charges between court levels**
  - 20 Transfer of charges between court levels n.f.d.
  - 21 Transfer from a Court of Summary Jurisdiction to a Higher Court
    - 211 Committed for trial
    - 212 Committed for sentence
    - 219 Transfer from a Court of Summary Jurisdiction to a Higher Court n.e.c.
  - 29 Other transfers between court levels
- 3 Re-registration of criminal charges**
  - 30 Re-registration of criminal charges n.f.d.
  - 31 Bench warrant executed
  - 39 Other re-registration of criminal charges
- 9 Method of initiation unknown/not stated**

## METHOD OF FINALISATION CLASSIFICATION

DIVISION  
SUBDIVISION  
ITEM

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

## GLOSSARY

<b>Acquitted</b>	An outcome of criminal proceedings in which a court declares a not guilty verdict as a charge laid against a defendant has not been proven. This also includes a finding of not guilty on the grounds of insanity/unsoundness of mind at the time the defendant committed the offence.
<b>Active workload</b>	Defendants who have an unfinalised case in the Higher Courts at some point during a specified period. The active workload for a reference period consists of the number of defendants pending at the start of the reference period together with the number of defendants initiated during the reference period.
<b>Adjudicated finalisation</b>	A method of finalisation based on a judgement or decision by the court as to whether or not the defendant is guilty of the charge laid against them.
<b>Bench warrant executed</b>	The apprehension of an absconder who is brought back before the court to answer outstanding (and new) charges. For the purposes of these statistics, this process is regarded as a method of initiation and results in a person being counted as a new defendant initiated.
<b>Bench warrant issued</b>	A warrant signed by a judge or magistrate ordering a person to be arrested and brought back before the court. This process takes place when a defendant, who has at least one charge that has not been finalised by the court, absconds from criminal proceedings.
<b>Case</b>	One or more defendants against whom one or more charges have been laid and which are heard together by a court as one unit of work. The charge(s) usually relate to the same criminal incident and appear together on one indictment.
<b>Charge</b>	An allegation laid before a court by the police or other prosecuting agency that a person or corporation has committed a criminal offence.
<b>Committal</b>	A preliminary hearing of a charge relating to an indictable offence which is conducted by a magistrate in a Court of Summary Jurisdiction. The aim of this hearing is to decide whether there is sufficient evidence to warrant the defendant being committed to a Higher Court for trial or sentence.
<b>Committal plea</b>	The plea to a charge which is entered by a defendant at the end of committal proceedings in a Court of Summary Jurisdiction.
<b>Committed for sentence</b>	An outcome of a committal hearing where a defendant enters a guilty plea to all charges and is transferred to a Higher Court to be sentenced. This process is regarded as a method of initiation into a Higher Court level.
<b>Committed for trial</b>	An outcome of a committal hearing where a defendant enters a not guilty plea to at least one charge and is transferred to a Higher Court to stand trial. This process is regarded as a method of initiation into a Higher Court level.
<b>County Court</b>	See Intermediate Court.
<b>Court level</b>	A separate tier of the court system, each of which is established under legislation and has certain prescribed powers. Court levels can be distinguished from one another on the basis of the extent of their legal powers (see Jurisdiction). Court levels include Court of Summary Jurisdiction, Intermediate Court and Supreme Court. The names assigned to each of these court levels may vary across Australia.
<b>Court of Petty Sessions</b>	See Court of Summary Jurisdiction.
<b>Court of Summary Jurisdiction</b>	A lower court level (also referred to as Magistrates' Court, Local Court or Court of Petty Sessions) which deals with relatively less serious charges and has the most limited legal powers of all the State and Territory court levels. A Court of Summary Jurisdiction is presided over by a magistrate and has jurisdiction to hear trial and sentence matters relating to summary offences. Under some circumstances, this court level may also deal with the less serious indictable

## GLOSSARY *continued*

<b>Court of Summary Jurisdiction</b> <i>continued</i>	offences known as 'minor indictable' or 'triable either way' offences. Courts of Summary Jurisdiction are also responsible for conducting preliminary (committal) hearings for indictable offences.
<b>Date of committal</b>	The date at the end of a committal hearing which results in a defendant being transferred to a Higher Court for a trial or sentence hearing.
<b>Date of finalisation</b>	The date on which all charges laid against a defendant are regarded as formally completed by the Higher Courts and the defendant ceases to be an active unit of work to be dealt with by the Higher Courts.
<b>Date of initiation</b>	The date on which a defendant is regarded as having started within the Higher Courts as a new item of work. For defendants who were committed for trial or sentence from a Court of Summary Jurisdiction, the date of committal is used as the date of initiation. For defendants who have any other method of initiation (e.g. ex-officio, bench warrant executed), the date of registration for that court level is used as the date of initiation. Where there are multiple dates of initiation for charges for a defendant, the earliest date is used.
<b>Date of registration</b>	The date on which a defendant first enters a particular court level and becomes a new item of work to be dealt with by the court. This refers to the date when formal notification for a defendant is first received and a new case or file is created by the registry/listing area of the court.
<b>Date of verdict</b>	The date at the conclusion of a trial when a Higher Court announces its finding as to whether the alleged criminal charge(s) laid against a defendant are proven.
<b>Defendant</b>	<p>A person or corporation against whom one or more criminal charges have been laid and which are heard together as the one unit of work by a court level.</p> <p>It should be noted that the Higher Criminal Courts collection does not enumerate distinct persons or corporations. If a person or corporation is a defendant in a number of criminal cases active within the courts during the reference period, such a person or corporation will be counted more than once in this statistical collection.</p>
<b>District Court</b>	See Intermediate Court.
<b>Duration</b>	<p>The time elapsed between specified dates for a defendant that has been finalised. This collection provides statistics on the number of weeks elapsed between the:</p> <ul style="list-style-type: none"><li>■ date of initiation and date of finalisation;</li><li>■ date of initiation and date of verdict; and</li><li>■ date of verdict and date of finalisation.</li></ul>
<b>Elapsed time since initiation</b>	The time elapsed since the date of initiation for a defendant who has at least one charge that has not been finalised. This collection provides statistics on the elapsed time since initiation for defendants pending at the start of the reference period and for defendants pending at the end of the reference period.
<b>Ex-officio</b>	The laying of charges against a defendant directly in a Higher Court, by the Director of Public Prosecutions or the Attorney-General. This process is regarded as a method of initiation into the Higher Courts.
<b>Final plea</b>	The last plea entered by a defendant in relation to a criminal charge that is laid against him/her in a Higher Court.
<b>Finalised defendant</b>	A person or corporation for whom all charges have been formally completed so that the defendant ceases to be an item of work to be dealt with by the Higher Courts.
<b>Guilty plea</b>	The formal statement by a defendant admitting culpability in relation to a criminal charge. By pleading guilty, a defendant indicates to the court that they



## GLOSSARY *continued*

<b>Guilty plea <i>continued</i></b>	do not intend to contest the charge. If the guilty plea is accepted by the court, the charge will be considered to be proven.
<b>Guilty verdict</b>	An outcome of a trial in which a court determines that the criminal charge against a defendant has been proven.
<b>Higher Court</b>	An Intermediate Court or Supreme Court.
<b>Indictable offence</b>	A serious criminal offence as defined by specific Commonwealth, State or Territory legislation. Charges relating to indictable offences generally require a trial and/or sentence hearing in a Higher Court but under some circumstances, a defendant can elect to have these charges dealt with in a Court of Summary Jurisdiction.
<b>Initial plea</b>	The first plea entered by a defendant in relation to a criminal charge that is laid against him or her in a Higher Court. For charges that were committed from a Court of Summary Jurisdiction, this corresponds to the plea at committal.
<b>Initiated defendant</b>	A person or corporation for whom at least one criminal charge has been formally started within a Higher Court so that the defendant is regarded as a new item of work to be dealt with by that court.
<b>Intermediate Court</b>	<p>A Higher Court level (known either as the District Court or County Court) which has legal powers that are intermediate between those of the Court of Summary Jurisdiction and the Supreme Court and deals with the majority of cases involving serious criminal offences. An Intermediate Court is presided over by a judge, and has original jurisdiction to hear trial and sentence matters relating to most indictable offences. In some States, the Intermediate Court may have appellate jurisdiction over decisions made in the Court of Summary Jurisdiction.</p> <p>Note: Since Tasmania, the Northern Territory and the Australian Capital Territory do not have an Intermediate Court, all indictable offences are heard in the Supreme Court.</p>
<b>Jurisdiction</b>	The legal power or authority which may be exercised by a particular court level and within which the judgements or orders of the court can be enforced or executed. The criminal jurisdiction of a court includes the original and appellate jurisdictions. Each court level has its own defined jurisdictional limits and these vary across States and Territories.
<b>Local Court</b>	See Court of Summary Jurisdiction.
<b>Lower Court</b>	See Court of Summary Jurisdiction.
<b>Magistrates Court</b>	See Court of Summary Jurisdiction.
<b>Median</b>	The middle value of a population when values are sorted into order of size. Below and above this point lie values with equal total frequencies.
<b>Method of finalisation</b>	The process which leads to the completion of a criminal charge within a Higher Court so that it ceases to be an item of work in that court. There are different methods by which a charge may be finalised (see Appendix).
<b>Method of initiation</b>	The process which leads to the introduction of a criminal charge within a Higher Court so that it becomes a new item of work to be dealt with by that court. There are different methods by which a charge may be initiated (see Appendix).
<b>Non-adjudicated finalisation</b>	A method of finalisation whereby a charge is considered completed and ceases to be active in any Higher Court even though there has not been a determination on whether the defendant is guilty. This includes where a charge is withdrawn by the prosecution, the defendant absconds and a bench warrant is issued, and where a defendant is deemed unfit to plead to the charge.

## GLOSSARY *continued*

<b>Not guilty plea</b>	The formal statement by a defendant denying culpability in relation to a charge. This also includes 'no plea', 'plea reserved' and 'other defended plea'.
<b>Not guilty verdict</b>	See Acquitted.
<b>Original jurisdiction</b>	The power of a court to hear criminal charges and determine whether or not a defendant is proven guilty and/or to sentence defendants where a charge has been proven. (See Jurisdiction.)
<b>Other initiation</b>	All methods of initiation other than committed for trial, committed for sentence, ex-officio indictment of charges and bench warrant executed. This includes a re-trial ordered as a result of an appeal and the transfer of charges involving summary offences from a Court of Summary Jurisdiction to a Higher Court.
<b>Pending defendant</b>	A defendant who has been initiated in a Higher Court and has at least one charge that has not been finalised at a particular date.
<b>Plea</b>	The formal statement by, or on behalf of, the defendant in response to a criminal charge that has been laid in a court. The nature of this response indicates whether or not the defendant intends to contest that charge.
<b>Proven guilty</b>	An outcome of criminal proceedings in which a court accepts a guilty plea entered by a defendant or arrives at a guilty verdict following a trial.
<b>Sentence</b>	A penalty or punishment imposed by a court upon a defendant who is proven guilty of a criminal offence.
<b>Sentence hearing</b>	A hearing in which a judge imposes a sentence upon a convicted defendant in a particular court.
<b>Summary offence</b>	A criminal offence which is regarded as less serious relative to an indictable offence as defined by specific Commonwealth, State or Territory legislation (see Indictable offence). Charges relating to summary offences are generally dealt with by a Court of Summary Jurisdiction and do not require a trial by jury in a Higher Court. In some States and Territories, a defendant against whom summary charges are laid may be transferred to a Higher Court for sentencing, (e.g. if the Magistrate wants to impose a penalty which exceeds his/her jurisdictional powers).
<b>Supreme Court</b>	A Higher Court level which deals with the most serious criminal charges and has the greatest legal powers of all the State and Territory court levels. A Supreme Court is presided over by a judge, and has jurisdiction to hear trial and sentence matters relating to all indictable offences. In States which have an Intermediate Court, the Supreme Court is usually reserved to deal with the most serious indictable offences, such as murder. The Supreme Court may also have appellate jurisdiction over decisions made in the Court of Summary Jurisdiction or the Intermediate Court.
<b>Transfer between court levels</b>	<p>A court outcome ordering that a criminal charge be transferred to another court level to be determined and/or sentenced. For all transfers, except those between Higher Court levels, this process is regarded as a method of finalisation for the court level ordering the transfer and a method of initiation for the court level to which the defendant's charge(s) were transferred.</p> <p>Defendants who transfer from one Higher Court level to another will be considered as initiated only once (in the level they first entered) and finalised only once (from the level they finally left).</p>
<b>Trial</b>	The examination of, and decision on, a matter of law or fact by a court. Where a defendant enters a not guilty plea or other defended plea in the committal proceedings, they are committed to a Higher Court for trial. In the Higher Courts, trials are usually conducted before a judge and jury whereby the judge rules on questions of law and the jury is responsible for determining whether or

## GLOSSARY *continued*

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- Trial *continued*** not the defendant is guilty. Some States and Territories also allow for a trial before a judge alone in the Higher Courts.
- Unfit to plead** An outcome of court proceedings in which a court determines that a defendant's mental status is such that he/she is unfit to plead in relation to the charge against him/her. For the purposes of this collection, this process is regarded as a non-adjudicated method of finalisation.
- Withdrawn by prosecution** The formal withdrawal of charges by the prosecution (e.g. police, Director of Public Prosecutions, Attorney-General). This includes Nolle Prosequi and No True Bill.

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