



HIGHER CRIMINAL COURTS AUSTRALIA

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CONTENTS

	<i>page</i>
Notes	2
Summary of findings	3

TABLES

DEFENDANTS

1 Pending, initiated, finalised and duration, 1996–97 to 2000–01	14
2 Initiated, method of initiation	17

DEFENDANTS FINALISED

3 Method of finalisation	18
4 By adjudication, initial and final plea status	20
5 Sex and age	21
6 Duration from initiation to finalisation by court level	22
7 Duration from initiation to finalisation	24
8 By guilty verdict, duration	26
9 By guilty plea, duration by initial plea	27

DEFENDANTS PENDING

10 At 1 July 2000, elapsed time since initiation	28
11 At 30 June 2001, elapsed time since initiation	29

ADDITIONAL INFORMATION

Explanatory notes	30
Appendix 1: Experimental offence and penalty data	38
A1.1 Adjudicated defendants, Principal offence	40
A1.2 Adjudicated defendants, All adjudicated offences	42
A1.3 Adjudicated defendants, Principal offence by adjudication type	43
A1.4 Adjudicated defendants, Median case duration (weeks)—Principal offence	47
A1.5 Adjudicated defendants, Median case duration (weeks)—Principal offence and adjudication type	48
A1.6 Defendants proven guilty, Principal offence by type of penalty	49
Appendix 2: Method of initiation classification	53
Appendix 3: Method of finalisation classification	54
Appendix 4: Australian Standard Offence Classification	55
Glossary	56

- For further information about these and related statistics, contact the National Information and Referral Service on 1300 135 070 or Robert Letheby on Melbourne 03 9615 7381.

NOTES

- ABOUT THIS PUBLICATION** The statistics in this publication provide nationally comparable 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 2000 to 30 June 2001.
- 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 maximise consistency between the States and Territories. The Explanatory Notes, Appendices 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 has been restructured to enable a better comparison of changes over time by State and Territory. Information on 'pending at end' is no longer presented in the table, but is available in table 11 for the latest reference year.
- Due to courts systems changes in Queensland, initiations data are not available for 2000–01 for that State.
- EXPERIMENTAL DATA** For the first time, data on offences and penalties associated with adjudicated defendants in the Higher Courts are included in this publication. Current issues associated with incomplete coverage and data quality, along with the need for further refinement of the national counting rules and definitions, preclude the offence and penalty tables from forming part of the main suite of statistical tables in this publication. The tables are labelled as experimental data and included in Appendix 1. A section has been added to the Summary of Findings discussing a range of outcomes from the data.
- The ABS is progressing resolution of the issues associated with data availability and quality with the data providers with the intention of publishing offence and penalty data as an integral part of the suite of statistical tables contained within this publication.
- ACKNOWLEDGEMENTS** The ABS acknowledges the valuable contribution of the Board of Management, the Advisory Group of the National Criminal Courts Statistics Unit and the staff of the various agencies that provide the statistics that are presented in this publication.

R.W. Edwards
Acting 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, along with some data on the characteristics of defendants, for the period 1 July 2000 to 30 June 2001. Summary data are also provided for individual years from 1996–97 onwards. For the first time in this publication, data related to offences and penalties are also presented. Criminal cases that relate to indictable offences form the majority of cases dealt with by the Higher Courts.

There are significant differences between the States and Territories in the way the court systems are structured and how criminal cases are allocated to the various court levels within it. In order to make comparisons between States and Territories more meaningful, this commentary focuses on the combined workload of the Supreme and Intermediate Courts. A number of the tables, however, contain data presented separately.

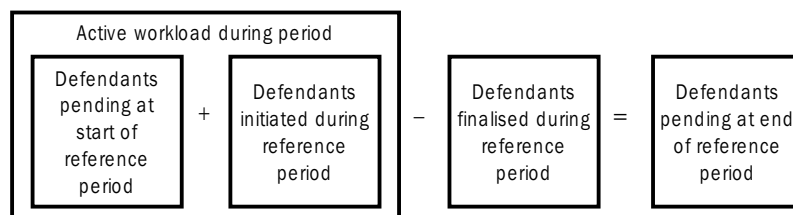
KEY FINDINGS

The following are some of the key findings for defendants who had their cases finalised in the Higher Courts during 2000–01:

- One in two of all defendants were aged between 17 and 29 years. Males represented 87% of total finalised defendants.
- Nearly 4 in 5 (77%) were proven guilty (either pleaded guilty or were declared guilty at trial), 7% were acquitted and another 13% had their charges withdrawn by the prosecution.
- Of the 13,722 defendants who were proven guilty, 89% pleaded guilty and the other 11% were declared guilty at trial.
- Of the 5,459 defendants who initially pleaded not guilty, 3,168 (58%) changed their plea to guilty during proceedings in the Higher Courts.
- One in five defendants in South Australia (21%) and Queensland (19%) had their charges withdrawn by the prosecution. Victoria had the lowest proportion of defendants where charges were withdrawn, at 2%.
- The median duration for finalised defendants was 21 weeks, compared to 22 weeks in 1999–2000. The largest reduction in the median duration for finalised defendants was in New South Wales (26% or 9 weeks), which contributed to the overall national decrease.

HIGHER COURTS WORKLOAD

FLOW OF DEFENDANTS THROUGH THE TOTAL HIGHER COURTS



Active

During 2000–01, the active workload of the Higher Courts (excluding Queensland, for which State data are not available) was 17,534 defendants and included 6,823 defendants

SUMMARY OF FINDINGS *continued*

Active continued

who were pending at the start of the reference period and 10,711 who were initiated during the year. This workload was 6% less than the previous year.

Increases in active workloads were experienced in the Northern Territory (21% or 97 defendants) and South Australia (7% or 106). All other States and Territories recorded decreases in their active workloads for 2000–01 compared with 1999–2000. These decreases ranged from less than 1% (7) in Western Australia to 31% (307) in Tasmania. The large decrease in the active workload in Tasmania was primarily the result of a 38% (276) decrease in the number of defendants initiated during 2000–01, a consequence of the introduction of legislation which enabled the Magistrates' Court to deal with less complex matters previously heard by the Tasmanian Supreme Court. The 12% (847) decrease in the active workload recorded in New South Wales since 1999–2000 was the largest actual recorded decrease for any State or Territory.

Finalised

There were 17,718 defendants finalised in the Higher Courts (including Queensland) in 2000–01, a decrease of 8% (1,494) from the 19,212 defendants finalised in 1999–2000. This decrease reverses the upward movement in finalisations since 1996–97.

FINALISATIONS

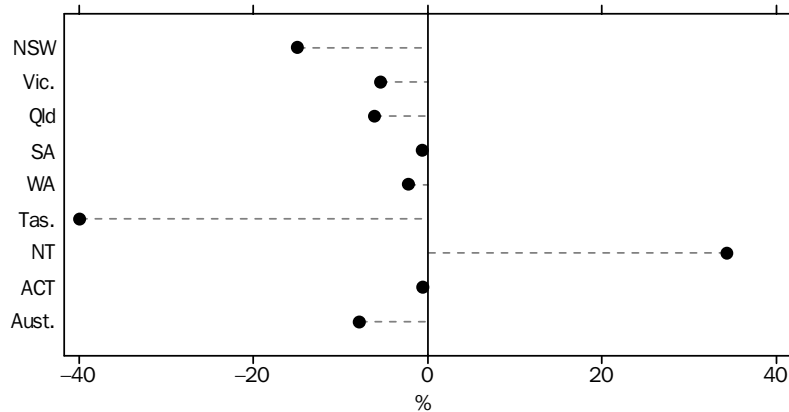


The 15% (641) decrease in New South Wales in the number of finalised defendants between 1999–2000 and 2000–01 was the largest actual change. Tasmania recorded the largest proportional change with a 40% (299) decrease in defendants finalised, while the Northern Territory was the only State/Territory to record an increase in defendants finalised (34% or 92).

SUMMARY OF FINDINGS *continued*

Finalised continued

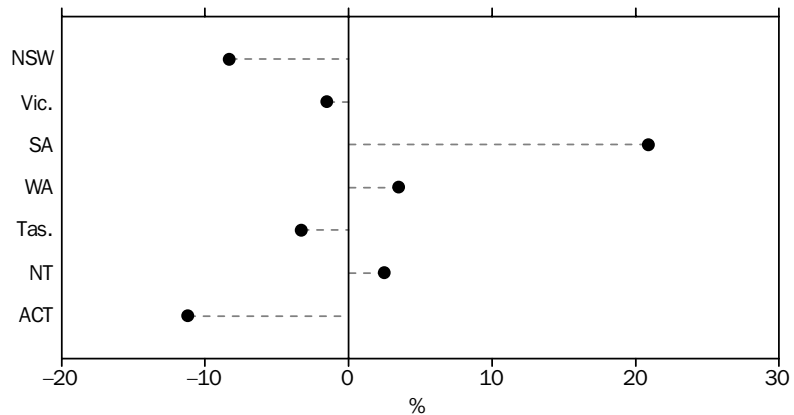
DEFENDANTS FINALISED, Change between 1999–2000 — 2000–2001



Pending

The pending workload at a point in time is represented by the number of defendants not finalised (data on pending workload are not available for Queensland). For the other States and Territories, there were 6,748 defendants pending at the end of 2000–01, a decrease of 1% (75) from the 6,823 pending at the commencement of 2000–01. The largest proportional decrease in defendants who were pending at the end of 2000–01 was recorded in the Australian Capital Territory with an 11% (21) decrease, followed by New South Wales with an 8% (206) decrease. South Australia recorded a 21% (112) increase in the number of defendants whose cases were pending.

DEFENDANTS PENDING, Change between 1 July 2000 — 30 June 2001



DEFENDANTS

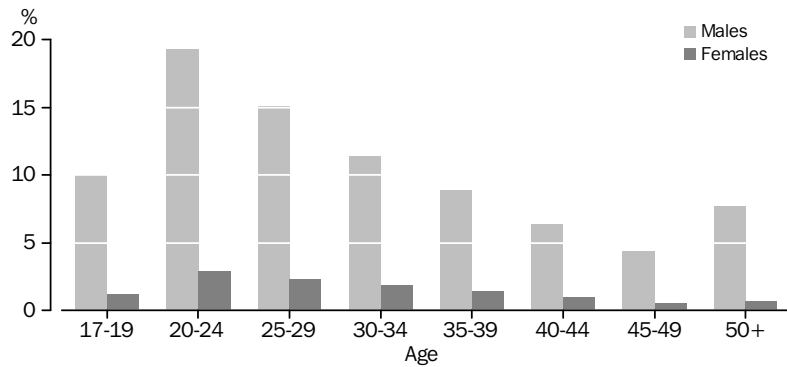
Age and sex

The majority (51%) of the 17,718 defendants who were finalised by the Higher Courts in 2000–01 were aged between 17 and 29 years. Males represented 87% of total finalised defendants. Of all defendants finalised during 2000–01, 44% were males aged 17 to 29 years.

SUMMARY OF FINDINGS *continued*

Age and sex *continued*

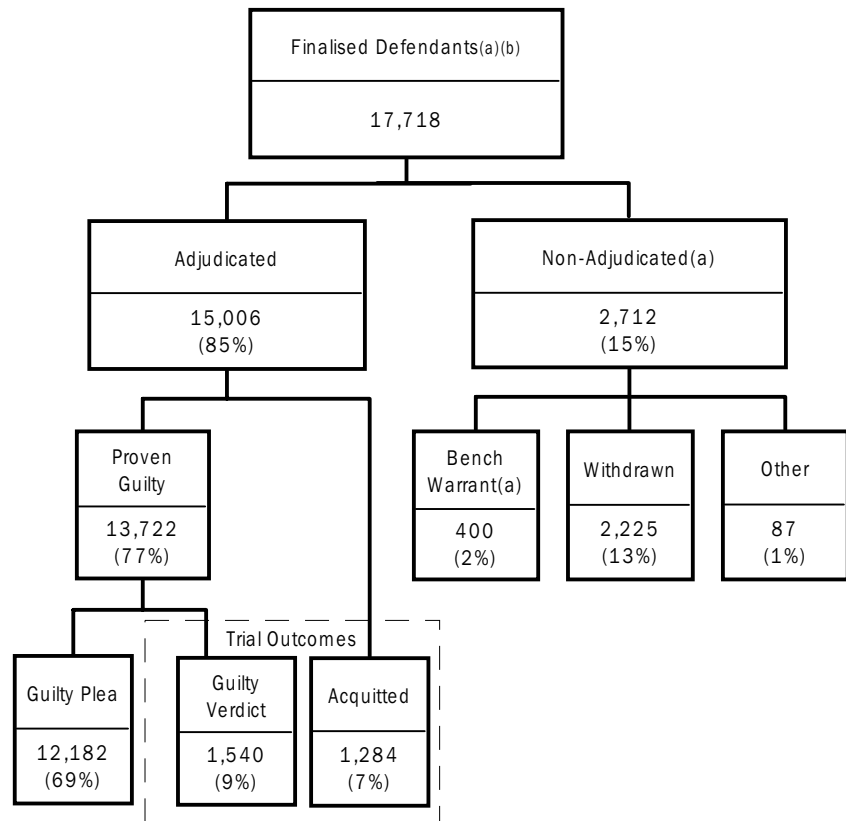
DEFENDANTS(a) FINALISED, By age and sex



(a) Excludes defendants who are organisations.

OUTCOMES

Of the 17,718 defendants finalised during 2000–01, 77% (13,722) either pleaded guilty or were declared guilty, 7% (1,284) were acquitted and another 13% (2,225) had their charges withdrawn by the prosecution. Trial outcomes represented 16% (2,824) of all finalised defendants.



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

(b) All percentages are calculated as a proportion of Finalised Defendants and are subject to rounding.

Guilty

Of the 13,722 defendants who were proven guilty in 2000–01, 89% (12,182) pleaded guilty and the other 11% (1,540) were found guilty at trial. The proportion of defendants

SUMMARY OF FINDINGS *continued*

Guilty continued

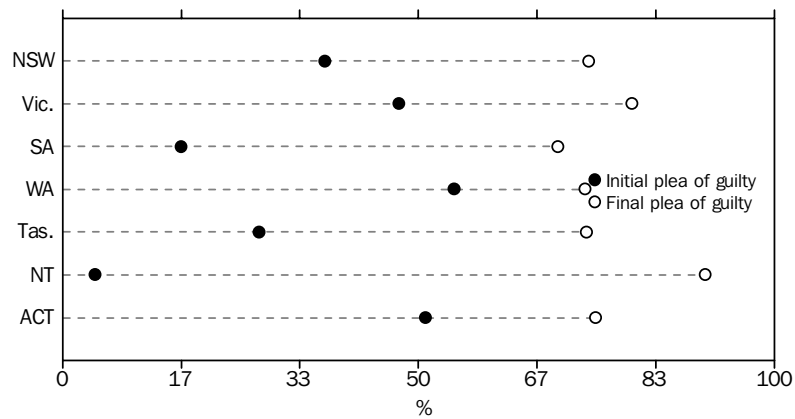
proven guilty who were found guilty at trial ranged from 5% in the Northern Territory to 19% in Tasmania and South Australia.

CHANGE IN PLEA

The initial plea entered by a defendant has implications for the workload of the Higher Courts. An initial plea of 'Not Guilty' may lead to a trial, while an initial plea of 'Guilty' will negate the need for a trial and result in a sentencing hearing.

Of the defendants finalised by adjudication (excluding Queensland), there were 58% (5,459) who entered the Higher Courts with a not guilty plea and were therefore expected to go to trial. Of the defendants who initially pleaded not guilty, 58% (3,168) changed their plea to guilty during proceedings in the Higher Courts.

ADJUDICATED DEFENDANTS, By plea



The proportions who initially pleaded guilty varied noticeably across the States and Territories, ranging from 55% in Western Australia to 5% in the Northern Territory. Changes in plea from not guilty to guilty also varied, with the changes proportionally highest in the Northern Territory (86%) and lowest in Western Australia (18%). However, there was less variation in the proportion of defendants who eventually pleaded guilty, ranging from 70% in South Australia to 90% in the Northern Territory.

Acquitted

Of the finalised defendants, 7% (1,284) had a not guilty verdict declared by the courts. The proportion who were acquitted varied from 4% in the Northern Territory to 9% in Western Australia and the Australian Capital Territory, and 11% in New South Wales.

Withdrawn

Overall, 13% (2,225) of finalised defendants had their charges formally withdrawn, with noticeable variations across the States and Territories. Approximately 1 in 5 of finalised defendants in South Australia (21%) and Queensland (19%) had charges withdrawn by the prosecution. Victoria had the lowest proportion of defendants where charges were withdrawn, at 2%, followed by the Northern Territory with 5%.

TIME TAKEN

A major factor impacting on the time taken for a case to be dealt with by the courts is whether a trial is required. In general, a defended case will require more court time than a case where the defendant initially pleads guilty. The complexity of the case, often

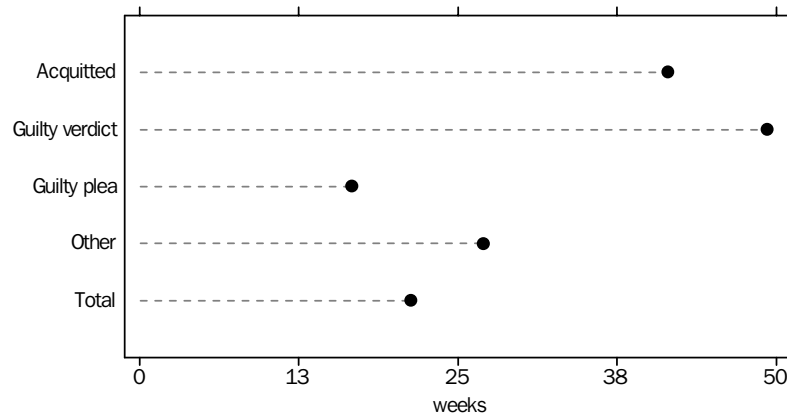
SUMMARY OF FINDINGS *continued*

TIME TAKEN *continued*

associated with the type of offence(s) being dealt with, also impacts on the time required to finalise a case.

Over half (58%) of finalised defendants who appeared in the Higher Courts during 2000–01 had their cases finalised within 26 weeks. The median duration for all finalised defendants was 21 weeks, compared to 22 weeks in 1999–2000. In terms of the type of adjudicated outcome, for defendants who received a guilty verdict the median was 49 weeks, and for those who were acquitted at trial the median was 42 weeks. For those who pleaded guilty the median duration was 17 weeks.

DEFENDANTS FINALISED, Method by median duration



The large reduction in the median duration for finalised defendants in New South Wales (26% or 9 weeks) contributed to an overall national decrease in the median of 4% (1 week). Major administrative and legal reforms have been implemented in New South Wales which have reduced delays in criminal trials. The proportion of finalised defendants in New South Wales with an initial plea of guilty increased from 29% in 1999–2000 to 37% in 2000–01 (with guilty pleas having a much shorter median duration than trial outcomes). Other States to record a decrease in median duration for finalised defendants were Victoria (2%) and Western Australia (1%).

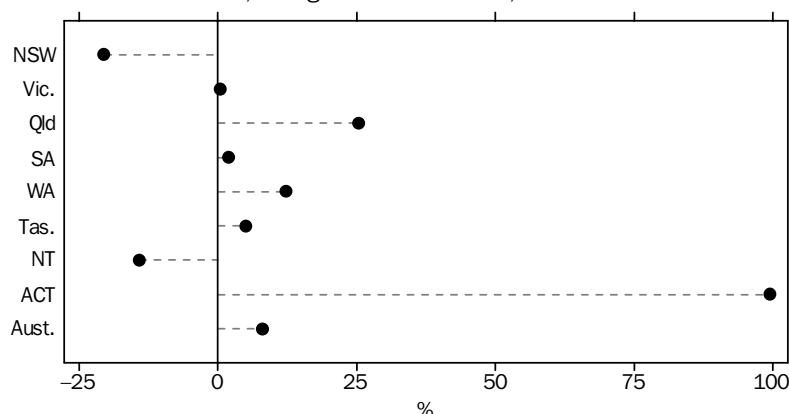
The Australian Capital Territory continued to record the longest median duration at 33 weeks, while Western Australia and Tasmania recorded the shortest median duration of 15 weeks.

The period 1996–97 to 2000–01 shows that New South Wales had the largest decrease in median duration for finalised defendants (21%). The Northern Territory also recorded an overall decrease for the period since 1996–97 (14%). The Australian Capital Territory's median duration almost doubled during this period (99%) from 17 to 33 weeks.

SUMMARY OF FINDINGS *continued*

TIME TAKEN *continued*

DEFENDANTS FINALISED, Change in median duration, 1996–97 — 2000–01



EXPERIMENTAL DATA: OFFENCE AND PENALTY

Offence data primarily refer to the principal offence adjudicated by the court (see paragraphs 26–30 of the Explanatory Notes for discussion on principal offence). As the offence data are limited to those defendants that have had their cases adjudicated (i.e. where there is an outcome of proven guilty or acquitted), offence data therefore exclude defendants finalised by a non-adjudicated method such as all charges withdrawn, the defendant absconded or the defendant died.

Coverage and data quality issues pose limitations to the use of the experimental offence and penalty statistics for the 2000–01 period. No offence data are available for defendants adjudicated in the Australian Capital Territory or for acquitted offences in Victoria. For most States and Territories there was a substantial proportion of defendants for whom a principal offence could not be determined; if a principal offence had been determined for all adjudicated defendants then the proportions associated with each offence type might be higher than those figures published.

Caution should be taken regarding any analyses based on these incomplete data. Particular care should be taken in making comparisons across States and Territories as the relative distribution of offences and penalties may be influenced by the extent to which data are missing or a principal offence could not be identified. Further development work will be undertaken in conjunction with each State and Territory in order to address these issues and improve the quality and coverage of the offence and penalty statistics. For further details on these issues, see paragraphs 36–40 of the Explanatory Notes, and Appendix 1.

Principal offence

The available data show that five principal offence categories accounted for the majority of the adjudicated defendants who appeared in Australia's Higher Courts during 2000–01. These were: acts intended to cause injury (including assault) (13%); illicit drug offences (12%); unlawful entry with intent (11%); offences related to robbery and extortion (11%) and offences related to sexual assault (10%). There were 8,503 (57%) defendants adjudicated by the Higher Criminal Courts with a principal offence that fell into one of these five offence divisions. Overall, a principal offence could not be determined for 17% of adjudicated defendants, with the proportion ranging from 2% in the Northern Territory to 29% in Victoria and Tasmania.

SUMMARY OF FINDINGS *continued*

Principal offence continued

In New South Wales one in five (22% or 682) adjudicated defendants had a principal offence related to robbery and extortion. The other common offence categories associated with adjudicated defendants were illicit drug offences (17% or 542), sexual assault and related offences (13% or 404), acts intended to cause injury (9% or 290) and unlawful entry with intent (9% or 289). These offences accounted for more than two-thirds (70%) of all defendants adjudicated in the Higher Courts in New South Wales. A principal offence could not be determined for 7% of adjudicated defendants.

In Victoria the most common principal offence category was robbery and extortion accounting for 18% (364) defendants. The other common categories were acts intended to cause injury (10% or 200), sexual assault and related offences (9% or 183), illicit drug offences (8% or 162) and offences related to deception (7% or 143). These offences accounted for 51% of all defendants adjudicated in the Higher Courts in Victoria. A principal offence could not be determined for 29% of adjudicated defendants.

Queensland had a relatively low number of defendants with a principal offence related to robbery and extortion (4% or 214). For Queensland, the most common principal offence categories were acts intended to cause injury (19% or 1088), illicit drug offences (9% or 534), offences related to sexual assault (9% or 486), offences related to deception (9% or 481) and offences related to theft (8% or 476). These five principal offence types accounted for 54% of all defendants adjudicated in Queensland's Higher Courts. A principal offence could not be determined for 23% of adjudicated defendants.

In South Australia there were 29% (191) of adjudicated defendants who had a principal offence related to illicit drugs. The other common categories were offences related to sexual assault (10% or 67), acts intended to cause injury (10% or 65), unlawful entry with intent (9% or 59) and offences related to robbery and extortion (8% or 53). These offences accounted for two-thirds of all defendants adjudicated in South Australia's Higher Courts. A principal offence could not be determined for 17% of adjudicated defendants.

In Western Australia the principal offence category with the highest proportion was unlawful entry with intent (29% or 756). This was followed by sexual assault and related offences (12% or 321), illicit drug offences (11% or 285), offences related to robbery and extortion (9% or 242) and acts intended to cause injury (8% or 210). Together, these offences accounted for more than two-thirds (69%) of all adjudicated defendants in Western Australia's Higher Courts. A principal offence could not be determined for 7% of adjudicated defendants.

In Tasmania acts intended to cause injury accounted for the highest proportion of defendants adjudicated in the Tasmanian Higher Courts (19% or 67). This was followed by offences related to sexual assault (9% or 33), offences related to robbery and extortion (8% or 29), property damage and environmental pollution offences (7% or 25) and offences against justice procedures (6% or 20). These offences accounted for 48% of all defendants adjudicated in the Supreme Court of Tasmania. A principal offence could not be determined for 29% of adjudicated defendants.

In the Northern Territory half the adjudicated defendants (50% or 164) were associated with miscellaneous offences (which includes federal offences associated with illegally bringing people into Australia). A further 13% (44) defendants had a principal offence of

SUMMARY OF FINDINGS *continued*

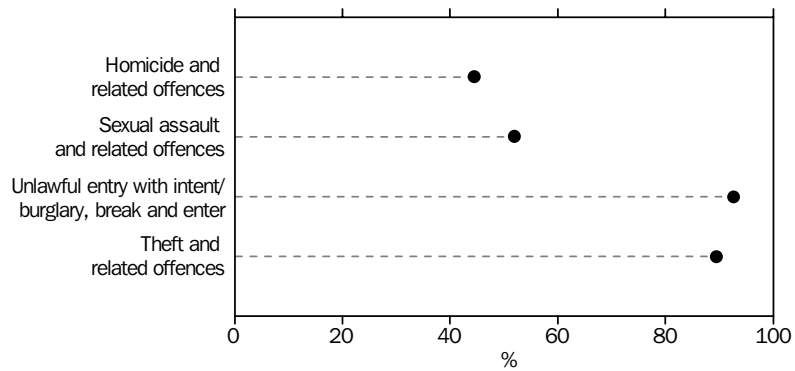
Principal offence continued

acts intended to cause injury, while 8% (26) had illicit drug offences and 8% (25) had offences related to robbery and extortion. These offences accounted for more than three-quarters (78%) of all defendants adjudicated in the Supreme Court of the Northern Territory. A principal offence could not be determined for 2% of adjudicated defendants.

Method of finalisation

Defendants who had a principal offence related to homicide tended to have the highest proportion of trial outcomes relative to guilty pleas, with about 56% of such defendants associated with trial outcomes. Offences related to sexual assault also tended to have higher proportions of trials, at 48%. In contrast, unlawful entry with intent offences had relatively low proportions of trials and correspondingly higher levels of guilty pleas. The proportion of adjudicated defendants who pleaded guilty to unlawful entry with intent offences was 93%, while for offences related to theft 89% of defendants pleaded guilty.

EXPERIMENTAL DATA, Adjudicated defendants with a guilty plea(a)

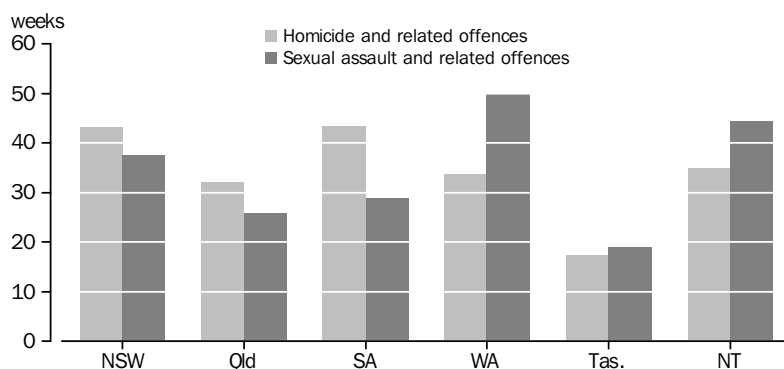


(a) Data not available for Australian Capital Territory.

Duration

The nature of the charges presented to court, together with the process required to deal with the charges (which is affected by the type of plea), impact on the time required for a court to deal with a case.

EXPERIMENTAL DATA, Adjudicated defendants by median duration(a)



(a) Data not available for Victoria and Australian Capital Territory.

While the offence category with the longest median duration for all defendants finalised within the Higher Criminal Courts was homicide and related offences at 40 weeks, for defendants who were finalised at trial, the longest median time taken was for deception

SUMMARY OF FINDINGS *continued*

Duration continued

and related offences at 63 weeks. The median durations for homicide and related offences ranged from 43 weeks in New South Wales and South Australia to 17 weeks in Tasmania. Median durations were also relatively high for the categories of sexual assault and related offences (from 50 weeks in Western Australia to 19 weeks in Tasmania) and acts intended to cause injury (from 42 weeks in Western Australia to 16 weeks in Tasmania). The shortest median durations tended to be associated with defendants who had offences related to theft (from 19 weeks in Queensland to 10 weeks in Western Australia) or unlawful entry with intent (from 20 weeks in South Australia to 9 weeks in Western Australia).

Penalty

Caution is needed in comparing penalty data across States and Territories (see paragraph 40 of the Explanatory Notes). Compounding the issues associated with the extent to which principal offences were not able to be determined, the proportion of defendants for whom there was an unknown penalty status ranged from 0.3% in the Northern Territory to 9% in Victoria. Table A1.6 in Appendix 1 shows that 1 in 2 defendants proven guilty in the Higher Courts were sent to prison. The proportion of defendants receiving an imprisonment penalty varied across the different offence categories and tended to be higher for offences such as homicide (89%) and robbery related offences (80%) and lowest for property damage and environmental pollution offences (37%) and public order offences (39%).

DEFENDANTS, Pending, Initiated, Finalised and duration, 1996-97 to 2000-01

Court level and State/Territory 1996-1997 1997-1998 1998-1999 1999-2000 2000-2001

PENDING AT START (a)

Supreme court

NSW	156	175	210	193	157
Vic.	51	65	91	77	75
Qld	na	na	na	na	na
SA	87	65	47	40	48
WA	204	132	78	86	93
Tas.	123	122	240	277	246
NT	141	221	160	153	200
ACT	81	106	116	182	188
Aust.	na	na	na	na	na

Intermediate court(b)

NSW	3 040	3 445	3 647	3 151	2 323
Vic.	979	984	1 210	1 329	1 289
Qld	na	na	na	na	na
SA	600	427	422	410	489
WA	1 015	1 333	1 458	1 751	1 715
Aust.	na	na	na	na	na

Total higher courts

NSW	3 196	3 620	3 857	3 344	2 480
Vic.	1 030	1 049	1 301	1 406	1 364
Qld	na	na	na	na	na
SA	687	492	469	450	537
WA	1 219	1 465	1 536	1 837	1 808
Tas.	123	122	240	277	246
NT	141	221	160	153	200
ACT	81	106	116	182	188
Aust.	na	na	na	na	na

TOTAL INITIATED (a)

Supreme court

NSW	112	125	108	98	112
Vic.	89	100	88	113	84
Qld	na	na	na	na	na
SA	67	64	38	58	32
WA	254	218	243	206	204
Tas.	321	455	648	718	442
NT	286	250	281	315	365
ACT	175	148	227	196	168
Aust.	na	na	na	na	na

Intermediate court(b)

NSW	3 896	4 073	3 565	3 338	3 341
Vic.	1 561	1 889	1 994	2 122	2 051
Qld	na	na	na	na	na
SA	1 037	917	886	965	1 010
WA	2 220	2 571	2 951	2 878	2 902
Aust.	na	na	na	na	na

Total higher courts

NSW	4 008	4 198	3 673	3 436	3 453
Vic.	1 650	1 989	2 082	2 235	2 135
Qld	5 688	6 229	6 545	5 985	na
SA	1 104	981	924	1 023	1 042
WA	2 474	2 789	3 194	3 084	3 106
Tas.	321	455	648	718	442
NT	286	250	281	315	365
ACT	175	148	227	196	168
Aust.	15 706	17 039	17 574	16 992	na

na not available

(a) Data for defendants pending and initiated for Queensland are not available.

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

Court level and State/Territory 1996-1997 1997-1998 1998-1999 1999-2000 2000-2001

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TOTAL FINALISED

Supreme court

NSW	r90	r85	r123	r127	117
Vic.	r72	r75	r100	r115	100
Qld	743	813	776	856	785
SA	r121	r114	r69	r74	70
WA	r298	r263	r238	r213	225
Tas.	r322	r337	r611	r749	450
NT	r206	r311	r288	r268	360
ACT	r150	r138	r161	r190	189
Aust.	r2 002	r2 136	r2 366	r2 592	2 296

Intermediate court(a)

NSW	r3 494	r3 876	r4 063	r4 173	3 542
Vic.	r1 559	r1 662	r1 877	r2 162	2 055
Qld	5 521	5 664	6 819	6 523	6 147
SA	r1 178	r890	r874	r862	860
WA	r1 930	r2 455	r2 655	r2 900	2 818
Aust.	r13 682	r14 547	r16 288	r16 620	15 422

Total higher courts

NSW	r3 584	r3 961	r4 186	r4 300	3 659
Vic.	r1 631	r1 737	r1 977	r2 277	2 155
Qld	6 264	6 477	7 595	7 379	6 932
SA	r1 299	r1 004	r943	r936	930
WA	r2 228	r2 718	r2 893	r3 113	3 043
Tas.	r322	r337	r611	r749	450
NT	r206	r311	r288	r268	360
ACT	r150	r138	r161	r190	189
Aust.	r15 684	r16 683	r18 654	r19 212	17 718

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PROPORTION OF ACTIVE FINALISED (%)

Supreme court

NSW	34.0	28.8	38.9	44.7	43.2
Vic.	52.6	45.2	56.5	60.5	61.0
Qld	na	na	na	na	na
SA	65.1	70.8	63.3	60.7	63.1
WA	69.3	77.1	73.5	69.6	68.2
Tas.	72.5	58.4	68.8	75.3	65.4
NT	48.2	66.0	65.3	57.3	63.7
ACT	58.6	54.3	46.9	50.3	53.1
Aust.	na	na	na	na	na

Intermediate court(a)

NSW	50.4	51.5	56.3	64.2	62.6
Vic.	61.3	57.9	58.5	62.6	61.6
Qld	na	na	na	na	na
SA	73.4	67.8	68.1	63.8	58.6
WA	59.1	62.7	60.3	62.8	61.5
Aust.	na	na	na	na	na

Total higher courts

NSW	49.8	50.7	55.6	63.4	61.7
Vic.	60.9	57.2	58.4	62.5	61.6
Qld	na	na	na	na	na
SA	72.5	68.2	67.7	63.5	58.9
WA	60.3	63.9	61.2	63.3	61.9
Tas.	72.5	58.4	68.8	75.3	65.4
NT	48.2	66.0	65.3	57.3	63.7
ACT	58.6	54.3	46.9	50.3	53.1
Aust.	na	na	na	na	na

r revised

na not available

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

Court level and State/Territory 1996-1997 1997-1998 1998-1999 1999-2000 2000-2001

FINALISED DEFENDANTS - MEDIAN ELAPSED TIME (WEEKS)

Supreme court

NSW	71.1	76.4	77.1	74.9	56.1
Vic.	28.9	41.8	40.1	34.6	41.6
Qld	26.0	21.6	19.4	20.9	20.9
SA	35.6	36.5	34.9	30.9	42.1
WA	16.4	15.1	14.9	15.7	14.3
Tas.	13.9	14.4	15.1	14.4	14.6
NT	21.1	31.8	21.4	18.1	18.1
ACT	16.6	21.8	26.9	33.1	33.1
Aust.	22.3	22.9	20.3	21.0	21.1

Intermediate court(a)

NSW	30.0	31.7	34.3	32.3	23.9
Vic.	22.0	20.4	22.3	22.6	21.9
Qld	16.4	18.9	19.0	20.6	21.9
SA	20.1	19.4	19.9	18.3	20.3
WA	12.4	12.1	12.7	14.6	14.7
Aust.	19.3	21.1	21.4	22.3	21.3

Total higher courts

NSW	30.7	32.3	35.3	33.0	24.4
Vic.	22.9	21.4	23.3	23.4	23.0
Qld	17.3	19.1	19.0	20.6	21.7
SA	20.9	20.3	21.0	19.3	21.3
WA	13.0	12.6	13.0	14.7	14.6
Tas.	13.9	14.1	15.1	14.4	14.6
NT	21.1	31.8	21.4	18.1	18.1
ACT	16.6	21.8	26.9	33.1	33.1
Aust.	19.7	21.3	21.3	22.1	21.3

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

DEFENDANTS INITIATED, Method of initiation

Method of initiation NSW Vic. Qld(a) SA WA Tas. NT ACT Aust.(a)

SUPREME COURT

Committed									
Committed for trial	109	69	na	30	106	335	296	94	na
Committed for sentence	3	10	na	—	96	97	11	70	na
Total	112	79	na	30	202	432	307	164	na
Ex-officio	—	2	na	1	—	4	51	—	na
Bench warrant executed	—	—	na	—	2	6	7	2	na
Other initiation	—	3	na	1	—	—	—	2	na
Total	112	84	na	32	204	442	365	168	na

INTERMEDIATE COURT (b)

Committed									
Committed for trial	1 862	1 167	na	802	1 333	..	..	..	na
Committed for sentence	1 291	874	na	141	1 457	..	..	..	na
Total	3 153	2 041	na	943	2 790	..	..	..	na
Ex-officio	11	4	na	6	—	..	..	..	na
Bench warrant executed	139	6	na	55	109	..	..	..	na
Other initiation	38	—	na	6	3	..	..	..	na
Total	3 341	2 051	na	1 010	2 902	..	..	..	na

TOTAL HIGHER COURTS

Committed									
Committed for trial	1 971	1 236	na	832	1 439	335	296	94	na
Committed for sentence	1 294	884	na	141	1 553	97	11	70	na
Total	3 265	2 120	na	973	2 992	432	307	164	na
Ex-officio	11	6	na	7	—	4	51	—	na
Bench warrant executed	139	6	na	55	111	6	7	2	na
Other initiation	38	3	na	7	3	—	—	2	na
Total	3 453	2 135	na	1 042	3 106	442	365	168	na

TOTAL HIGHER COURTS (%)

Committed									
Committed for trial	57.1	57.9	na	79.8	46.3	75.8	81.1	56.0	na
Committed for sentence	37.5	41.4	na	13.5	50.0	21.9	3.0	41.7	na
Total	94.6	99.3	na	93.4	96.3	97.7	84.1	97.6	na
Ex-officio	0.3	0.3	na	0.7	—	0.9	14.0	—	na
Bench warrant executed	4.0	0.3	na	5.3	3.6	1.4	1.9	1.2	na
Other initiation	1.1	0.1	na	0.7	0.1	—	—	1.2	na
Total	100.0	100.0	na	100.0	100.0	100.0	100.0	100.0	na

na not available

— nil or rounded to zero (including null cells)

.. not applicable

(a) Data for defendants initiated in Queensland are not available for 2000–01.

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

DEFENDANTS FINALISED, Method of finalisation

<i>Method of finalisation</i>	NSW	Vic.	Qld	SA	WA	Tas.	NT	ACT	Aust.
.....									
SUPREME COURT									
Adjudicated									
Acquitted	23	19	13	12	7	32	16	16	138
Proven guilty									
Guilty Verdict	45	30	42	24	48	63	16	23	291
Guilty Plea	43	44	623	20	156	264	299	116	1 565
Total	88	74	665	44	204	327	315	139	1 856
Total	111	93	678	56	211	359	331	155	1 994
Non-Adjudicated									
Bench warrant-issued	—	—	na	2	5	6	11	—	(a)24
Withdrawn	6	7	107	11	6	73	17	29	256
Other finalisation	—	—	—	1	3	12	1	5	22
Total	6	7	(a)107	14	14	91	29	34	(a)302
Total	117	100	(a)785	70	225	450	360	189	(a)2 296
.....									
INTERMEDIATE COURT (b)									
Adjudicated									
Acquitted	379	150	301	57	259	..	..	..	1 146
Proven guilty									
Guilty Verdict	318	211	287	85	348	..	..	..	1 249
Guilty Plea	2 351	1 620	4 377	456	1 813	..	..	..	10 617
Total	2 669	1 831	4 664	541	2 161	..	..	..	11 866
Total	3 048	1 981	4 965	598	2 420	..	..	..	13 012
Non-Adjudicated									
Bench warrant-issued	110	27	na	64	175	..	..	..	(a)376
Withdrawn	349	46	1 181	187	206	..	..	..	1 969
Other finalisation	35	1	1	11	17	..	..	..	65
Total	494	74	(a)1 182	262	398	..	..	..	(a)2 410
Total	3 542	2 055	(a)6 147	860	2 818	..	..	..	(a)15 422
.....									
TOTAL HIGHER COURTS									
Adjudicated									
Acquitted	402	169	314	69	266	32	16	16	1 284
Proven guilty									
Guilty Verdict	363	241	329	109	396	63	16	23	1 540
Guilty Plea	2 394	1 664	5 000	476	1 969	264	299	116	12 182
Total	2 757	1 905	5 329	585	2 365	327	315	139	13 722
Total	3 159	2 074	5 643	654	2 631	359	331	155	15 006
Non-Adjudicated									
Bench warrant-issued	110	27	na	66	180	6	11	—	(a)400
Withdrawn	355	53	1 288	198	212	73	17	29	2 225
Other finalisation	35	1	1	12	20	12	1	5	87
Total	500	81	(a)1 289	276	412	91	29	34	(a)2 712
Total	3 659	2 155	(a)6 932	930	3 043	450	360	189	(a)17 718

— 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*

<i>Method of finalisation</i>	NSW	Vic.	Qld	SA	WA	Tas.	NT	ACT	Aust.
TOTAL HIGHER COURTS (%)									
Adjudicated									
Acquitted	11.0	7.8	4.5	7.4	8.7	7.1	4.4	8.5	7.2
Proven guilty									
Guilty Verdict	9.9	11.2	4.7	11.7	13.0	14.0	4.4	12.2	8.7
Guilty Plea	65.4	77.2	72.1	51.2	64.7	58.7	83.1	61.4	68.8
Total	75.3	88.4	76.9	62.9	77.7	72.7	87.5	73.5	77.4
Total	86.3	96.2	81.4	70.3	86.5	79.8	91.9	82.0	84.7
Non-Adjudicated									
Bench warrant-issued	3.0	1.3	na	7.1	5.9	1.3	3.1	—	(a)2.3
Withdrawn	9.7	2.5	18.6	21.3	7.0	16.2	4.7	15.3	12.6
Other finalisation	1.0	—	—	1.3	0.7	2.7	0.3	2.6	0.5
Total	13.7	3.8	(a)18.6	29.7	13.5	20.2	8.1	18.0	(a)15.3
Total	100.0	100.0	(a)100.0	100.0	100.0	100.0	100.0	100.0	(a)100.0

na not available

— nil or rounded to zero (including null cells)

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

DEFENDANTS FINALISED BY ADJUDICATION(a), Initial and final plea status

<i>Initial and final pleas</i>	NSW	Vic.	Qld	SA	WA	Tas.	NT	ACT	Aust.
.....									
SUPREME COURT									
No change in plea									
Not guilty	70	49	na	38	63	95	32	38	na
Guilty	3	8	na	4	116	99	15	79	na
Total	73	57	na	42	179	194	47	117	na
Change in plea									
Not guilty to guilty	38	36	na	13	32	165	284	37	na
Guilty to not guilty	—	—	na	1	—	—	—	1	na
Total	38	36	na	14	32	165	284	38	na
Total	111	93	678	56	211	359	331	155	1 994
.....									
INTERMEDIATE COURT (b)									
No change in plea									
Not guilty	751	365	na	158	632	..	..	..	na
Guilty	1 163	972	na	105	1 331	..	..	..	na
Total	1 914	1 337	na	263	1 963	..	..	..	na
Change in plea									
Not guilty to guilty	1 134	643	na	333	453	..	..	..	na
Guilty to not guilty	—	1	na	2	4	..	..	..	na
Total	1 134	644	na	335	457	..	..	..	na
Total	3 048	1 981	4 965	598	2 420	..	..	..	13 012
.....									
TOTAL HIGHER COURTS									
No change in plea									
Not guilty	821	414	na	196	695	95	32	38	na
Guilty	1 166	980	na	109	1 447	99	15	79	na
Total	1 987	1 394	na	305	2 142	194	47	117	na
Change in plea									
Not guilty to guilty	1 172	679	na	346	485	165	284	37	na
Guilty to not guilty	—	1	na	3	4	—	—	1	na
Total	1 172	680	na	349	489	165	284	38	na
Total	3 159	2 074	5 643	654	2 631	359	331	155	15 006
.....									
TOTAL HIGHER COURTS (%)									
No change in plea									
Not guilty	26.0	20.0	na	30.0	26.4	26.5	9.7	24.5	na
Guilty	36.9	47.3	na	16.7	55.0	27.6	4.5	51.0	na
Total	62.9	67.2	na	46.6	81.4	54.0	14.2	75.5	na
Change in plea									
Not guilty to guilty	37.1	32.7	na	52.9	18.4	46.0	85.8	23.9	na
Guilty to not guilty	—	—	na	0.5	0.2	—	—	0.6	na
Total	37.1	32.8	na	53.4	18.6	46.0	85.8	24.5	na
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

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

Sex and age (years)	NSW	Vic.	Qld	SA	WA	Tas.	NT	ACT	Aust.	.....
	no.	no.	no.	no.	no.	no.	no.	no.	no.	%
Male										
Under 17	20	1	1	—	4	7	2	2	37	0.2
17–19	232	175	823	61	357	50	57	12	1 767	11.4
20–24	781	384	1 148	166	718	118	71	29	3 415	22.1
25–29	598	328	943	152	476	71	63	41	2 672	17.3
30–34	503	261	680	136	343	47	31	23	2 024	13.1
35–39	354	215	551	99	258	42	40	20	1 579	10.2
40–44	280	160	379	81	180	26	24	12	1 142	7.4
45–49	190	119	269	29	123	15	21	4	770	5.0
50 and over	346	188	488	86	171	35	28	15	1 357	8.8
Unknown	3	73	554	5	47	—	2	4	688	4.5
Total	3 307	1 904	5 836	815	2 677	411	339	162	15 451	100.0
Mean age (years)	33.0	33.3	31.7	33.2	30.5	30.5	31.3	31.9	32.0	..
Median age (years)	30.1	30.5	28.5	31.3	27.3	26.6	27.8	28.8	29.0	..
Female										
Under 17	—	2	—	1	2	1	—	—	6	0.3
17–19	17	22	122	6	39	1	1	1	209	9.3
20–24	96	49	213	26	106	6	10	10	516	22.9
25–29	62	48	197	13	71	5	4	6	406	18.0
30–34	50	38	157	27	50	8	1	3	334	14.8
35–39	55	21	119	17	32	4	2	3	253	11.2
40–44	28	27	76	8	29	4	1	—	173	7.7
45–49	18	11	50	5	18	3	—	2	107	4.7
50 and over	25	14	52	8	10	6	2	2	119	5.3
Unknown	1	12	106	1	9	1	—	—	130	5.8
Total	352	244	1 092	112	366	39	21	27	2 253	100.0
Mean age (years)	32.4	31.5	31.0	32.7	29.6	35.7	29.9	30.6	31.2	..
Median age (years)	30.1	29.2	29.2	31.6	27.4	34.2	24.9	29.1	29.2	..
Persons										
Under 17	20	3	1	1	6	8	2	2	43	0.2
17–19	249	197	945	67	396	51	58	13	1 976	11.2
20–24	877	433	1 361	192	824	124	81	39	3 931	22.2
25–29	660	376	1 140	165	547	76	67	47	3 078	17.4
30–34	553	299	837	163	393	55	32	26	2 358	13.3
35–39	409	236	670	116	290	46	42	23	1 832	10.3
40–44	308	187	455	89	209	30	25	12	1 315	7.4
45–49	208	130	319	34	141	18	21	6	877	5.0
50 and over	371	202	540	94	181	41	30	17	1 476	8.3
Unknown	4	85	660	6	56	1	2	4	818	4.6
Total	3 659	2 148	6 928	927	3 043	450	360	189	17 704	100.0
Mean age (years)	33.0	33.1	31.6	33.2	30.4	30.9	31.3	31.7	31.9	..
Median age (years)	30.1	30.3	28.6	31.3	27.3	27.0	27.5	28.8	29.1	..
Organisations	—	7	4	3	—	—	—	—	14	—
Total	3 659	2 155	6 932	930	3 043	450	360	189	17 718	100.0

— 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			
Acquitted			
Under 13	4	67	71
13 and under 26	35	218	253
26 and under 39	28	237	265
39 and under 52	25	187	212
52 and over	46	437	483
<i>Total</i>	138	1 146	1 284
Mean elapsed time (weeks)	48.8	49.3	49.2
Median elapsed time (weeks)	39.3	41.8	41.5
Guilty verdict			
Under 13	22	54	76
13 and under 26	51	169	220
26 and under 39	57	217	274
39 and under 52	57	190	247
52 and over	104	619	723
<i>Total</i>	291	1 249	1 540
Mean elapsed time (weeks)	48.4	57.5	55.8
Median elapsed time (weeks)	41.1	51.4	49.3
Guilty plea			
Under 13	645	4 031	4 676
13 and under 26	437	3 189	3 626
26 and under 39	231	1 424	1 655
39 and under 52	109	759	868
52 and over	143	1 214	1 357
<i>Total</i>	1 565	10 617	12 182
Mean elapsed time (weeks)	22.9	24.9	24.6
Median elapsed time (weeks)	16.3	16.7	16.7
Other finalisation			
Under 13	65	555	620
13 and under 26	79	617	696
26 and under 39	51	419	470
39 and under 52	31	249	280
52 and over	76	570	646
<i>Total</i>	(a)302	(a)2 410	(a)2 712
Mean elapsed time (weeks)	37.9	39.6	39.4
Median elapsed time (weeks)	28.1	27.0	27.0
Total defendants finalised			
Under 13	736	4 707	5 443
13 and under 26	602	4 193	4 795
26 and under 39	367	2 297	2 664
39 and under 52	222	1 385	1 607
52 and over	369	2 840	3 209
Total	(a)2 296	(a)15 422	(a)17 718
Mean elapsed time (weeks)	29.6	31.6	31.4
Median elapsed time (weeks)	21.1	21.3	21.3

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

<i>Method of finalisation/duration (weeks)</i>	<i>Supreme court</i>	<i>Intermediate court</i>	<i>Total higher courts</i>
.....			
PROPORTION			
Acquitted			
Under 13	2.9	5.8	5.5
13 and under 26	25.4	19.0	19.7
26 and under 39	20.3	20.7	20.6
39 and under 52	18.1	16.3	16.5
52 and over	33.3	38.1	37.6
<i>Total</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>
Guilty verdict			
Under 13	7.6	4.3	4.9
13 and under 26	17.5	13.5	14.3
26 and under 39	19.6	17.4	17.8
39 and under 52	19.6	15.2	16.0
52 and over	35.7	49.6	46.9
<i>Total</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>
Guilty plea			
Under 13	41.2	38.0	38.4
13 and under 26	27.9	30.0	29.8
26 and under 39	14.8	13.4	13.6
39 and under 52	7.0	7.1	7.1
52 and over	9.1	11.4	11.1
<i>Total</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>
Other finalisation			
Under 13	21.5	23.0	22.9
13 and under 26	26.2	25.6	25.7
26 and under 39	16.9	17.4	17.3
39 and under 52	10.3	10.3	10.3
52 and over	25.2	23.7	23.8
<i>Total</i>	<i>(a)100.0</i>	<i>(a)100.0</i>	<i>(a)100.0</i>
Total defendants finalised			
Under 13	32.1	30.5	30.7
13 and under 26	26.2	27.2	27.1
26 and under 39	16.0	14.9	15.0
39 and under 52	9.7	9.0	9.1
52 and over	16.1	18.4	18.1
Total	(a)100.0	(a)100.0	(a)100.0

.....

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

DEFENDANTS FINALISED, Duration from initiation to finalisation

Method of
finalisation/duration
(weeks)

	NSW	Vic.	Qld	SA	WA	Tas.	NT	ACT	Aust.
NUMBER									
Acquitted									
Under 13	27	5	31	2	3	3	—	—	71
13 and under 26	100	44	70	9	13	13	3	1	253
26 and under 39	78	25	100	32	21	5	1	3	265
39 and under 52	47	35	52	12	52	8	2	4	212
52 and over	150	60	61	14	177	3	10	8	483
Total	402	169	314	69	266	32	16	16	1 284
Mean elapsed time (weeks)	52.0	48.1	37.4	41.4	61.9	31.1	59.4	69.9	49.2
Median elapsed time (weeks)	38.2	41.7	32.5	34.3	60.3	24.6	63.4	57.6	41.5
Guilty verdict									
Under 13	10	3	42	3	4	12	1	1	76
13 and under 26	54	30	70	23	17	21	1	4	220
26 and under 39	61	40	79	23	47	17	5	2	274
39 and under 52	55	50	54	21	60	2	2	3	247
52 and over	183	118	84	39	268	11	7	13	723
Total	363	241	329	109	396	63	16	23	1 540
Mean elapsed time (weeks)	65.5	55.6	41.9	50.2	64.0	29.3	48.7	65.1	55.8
Median elapsed time (weeks)	52.3	51.1	34.9	40.1	63.1	23.0	42.8	53.3	49.3
Guilty plea									
Under 13	715	471	1 745	137	1 274	171	121	42	4 676
13 and under 26	797	629	1 485	179	359	50	99	28	3 626
26 and under 39	332	225	850	83	80	21	51	13	1 655
39 and under 52	171	121	435	36	77	13	8	7	868
52 and over	379	218	485	41	179	9	20	26	1 357
Total	2 394	1 664	5 000	476	1 969	264	299	116	12 182
Mean elapsed time (weeks)	30.8	26.3	24.4	24.7	17.7	16.5	20.3	30.9	24.6
Median elapsed time (weeks)	19.1	18.1	18.6	19.8	10.1	10.5	16.0	16.9	16.7
Other finalisation									
Under 13	89	9	266	115	107	23	8	3	620
13 and under 26	122	20	329	86	94	36	6	3	696
26 and under 39	79	10	261	37	63	11	7	2	470
39 and under 52	44	6	158	21	40	8	2	1	280
52 and over	166	36	275	17	108	13	6	25	646
Total	500	81	(a)1 289	276	412	91	29	34	(a)2 712
Mean elapsed time (weeks)	52.9	58.9	37.9	21.6	36.0	28.4	33.7	70.6	39.4
Median elapsed time (weeks)	30.6	41.3	28.4	14.2	27.1	20.9	26.6	67.1	27.0
Total defendants finalised									
Under 13	841	488	2 084	257	1 388	209	130	46	5 443
13 and under 26	1 073	723	1 954	297	483	120	109	36	4 795
26 and under 39	550	300	1 290	175	211	54	64	20	2 664
39 and under 52	317	212	699	90	229	31	14	15	1 607
52 and over	878	432	905	111	732	36	43	72	3 209
Total	3 659	2 155	(a)6 932	930	3 043	450	360	189	(a)17 718
Mean elapsed time (weeks)	39.6	32.5	28.4	28.0	30.0	21.8	24.4	45.5	31.4
Median elapsed time (weeks)	24.4	23.0	21.7	21.3	14.6	14.6	18.1	33.1	21.3

— 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 *continued*

Method of
finalisation/duration
(weeks)

	NSW	Vic.	Qld	SA	WA	Tas.	NT	ACT	Aust.
PROPORTION									
Acquitted									
Under 13	6.7	3.0	9.9	2.9	1.1	9.4	—	—	5.5
13 and under 26	24.9	26.0	22.3	13.0	4.9	40.6	18.8	6.3	19.7
26 and under 39	19.4	14.8	31.8	46.4	7.9	15.6	6.3	18.8	20.6
39 and under 52	11.7	20.7	16.6	17.4	19.5	25.0	12.5	25.0	16.5
52 and over	37.3	35.5	19.4	20.3	66.5	9.4	62.5	50.0	37.6
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Guilty verdict									
Under 13	2.8	1.2	12.8	2.8	1.0	19.0	6.3	4.3	4.9
13 and under 26	14.9	12.4	21.3	21.1	4.3	33.3	6.3	17.4	14.3
26 and under 39	16.8	16.6	24.0	21.1	11.9	27.0	31.3	8.7	17.8
39 and under 52	15.2	20.7	16.4	19.3	15.2	3.2	12.5	13.0	16.0
52 and over	50.4	49.0	25.5	35.8	67.7	17.5	43.8	56.5	46.9
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Guilty plea									
Under 13	29.9	28.3	34.9	28.8	64.7	64.8	40.5	36.2	38.4
13 and under 26	33.3	37.8	29.7	37.6	18.2	18.9	33.1	24.1	29.8
26 and under 39	13.9	13.5	17.0	17.4	4.1	8.0	17.1	11.2	13.6
39 and under 52	7.1	7.3	8.7	7.6	3.9	4.9	2.7	6.0	7.1
52 and over	15.8	13.1	9.7	8.6	9.1	3.4	6.7	22.4	11.1
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Other finalisation									
Under 13	17.8	11.1	20.6	41.7	26.0	25.3	27.6	8.8	22.9
13 and under 26	24.4	24.7	25.5	31.2	22.8	39.6	20.7	8.8	25.7
26 and under 39	15.8	12.3	20.2	13.4	15.3	12.1	24.1	5.9	17.3
39 and under 52	8.8	7.4	12.3	7.6	9.7	8.8	6.9	2.9	10.3
52 and over	33.2	44.4	21.3	6.2	26.2	14.3	20.7	73.5	23.8
Total	100.0	100.0	(a)100.0	100.0	100.0	100.0	100.0	100.0	(a)100.0
Total defendants finalised									
Under 13	23.0	22.6	30.1	27.6	45.6	46.4	36.1	24.3	30.7
13 and under 26	29.3	33.5	28.2	31.9	15.9	26.7	30.3	19.0	27.1
26 and under 39	15.0	13.9	18.6	18.8	6.9	12.0	17.8	10.6	15.0
39 and under 52	8.7	9.8	10.1	9.7	7.5	6.9	3.9	7.9	9.1
52 and over	24.0	20.0	13.1	11.9	24.1	8.0	11.9	38.1	18.1
Total	100.0	100.0	(a)100.0	100.0	100.0	100.0	100.0	100.0	(a)100.0

— 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	30	6	na	7	4	16	2	1	na
13 and under 26	84	36	na	31	20	20	1	6	na
26 and under 39	53	47	na	27	52	15	5	1	na
39 and under 52	57	53	na	11	60	1	2	3	na
52 and over	139	99	na	33	260	11	6	12	na
<i>Total</i>	363	241	329	109	396	63	16	23	1 540
Mean elapsed time (weeks)	55.6	51.0	na	43.3	61.9	28.0	44.5	61.6	na
Median elapsed time (weeks)	41.0	47.3	na	33.1	61.4	22.1	38.7	53.0	na

Verdict to finalisation

Under 1	49	94	na	30	223	37	5	11	na
1 and under 4	58	84	na	27	89	17	5	2	na
4 and under 8	78	32	na	18	61	8	1	7	na
8 and under 12	71	11	na	11	16	1	1	2	na
12 or more	107	20	na	23	7	—	4	1	na
<i>Total</i>	363	241	329	109	396	63	16	23	1 540
Mean elapsed time (weeks)	10.0	4.7	na	7.0	2.3	1.5	4.4	3.6	na
Median elapsed time (weeks)	7.7	1.3	na	3.7	0.4	0.3	1.1	1.1	na

PROPORTION (%)

Initiation to verdict

Under 13	8.3	2.5	na	6.4	1.0	25.4	12.5	4.3	na
13 and under 26	23.1	14.9	na	28.4	5.1	31.7	6.3	26.1	na
26 and under 39	14.6	19.5	na	24.8	13.1	23.8	31.3	4.3	na
39 and under 52	15.7	22.0	na	10.1	15.2	1.6	12.5	13.0	na
52 and over	38.3	41.1	na	30.3	65.7	17.5	37.5	52.2	na
<i>Total</i>	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

Verdict to finalisation

Under 1	13.5	39.0	na	27.5	56.3	58.7	31.3	47.8	na
1 and under 4	16.0	34.9	na	24.8	22.5	27.0	31.3	8.7	na
4 and under 8	21.5	13.3	na	16.5	15.4	12.7	6.3	30.4	na
8 and under 12	19.6	4.6	na	10.1	4.0	1.6	6.3	8.7	na
12 or more	29.5	8.3	na	21.1	1.8	—	25.0	4.3	na
<i>Total</i>	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

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>	<i>NSW</i>	<i>Vic.</i>	<i>Qld</i>	<i>SA</i>	<i>WA</i>	<i>Tas.</i>	<i>NT</i>	<i>ACT</i>	<i>Aust.</i>
.....									
NUMBER									
Not guilty									
Under 13	135	30	na	77	99	80	108	1	na
13 and under 26	372	218	na	136	127	44	97	7	na
26 and under 39	228	161	na	81	61	21	51	5	na
39 and under 52	142	88	na	33	70	12	8	4	na
52 and over	351	187	na	39	164	8	20	20	na
<i>Total</i>	1 228	684	na	366	521	165	284	37	na
Mean elapsed time (weeks)	44.4	39.7	na	27.9	38.6	21.7	21.1	57.1	na
Median elapsed time (weeks)	31.1	31.7	na	23.2	31.0	13.7	17.2	55.3	na
Guilty									
Under 13	580	441	na	60	1 175	91	13	41	na
13 and under 26	425	411	na	43	232	6	2	21	na
26 and under 39	104	64	na	2	19	—	—	8	na
39 and under 52	29	33	na	3	7	1	—	3	na
52 and over	28	31	na	2	15	1	—	6	na
<i>Total</i>	1 166	980	na	110	1 448	99	15	79	na
Mean elapsed time (weeks)	16.4	16.9	na	13.9	10.1	7.9	5.6	18.6	na
Median elapsed time (weeks)	13.0	13.6	na	11.4	8.0	6.4	5.0	12.6	na
Total	2 394	1 664	5 000	476	1 969	264	299	116	12 182
.....									
PROPORTION (%)									
Not guilty									
Under 13	11.0	4.4	na	21.0	19.0	48.5	38.0	2.7	na
13 and under 26	30.3	31.9	na	37.2	24.4	26.7	34.2	18.9	na
26 and under 39	18.6	23.5	na	22.1	11.7	12.7	18.0	13.5	na
39 and under 52	11.6	12.9	na	9.0	13.4	7.3	2.8	10.8	na
52 and over	28.6	27.3	na	10.7	31.5	4.8	7.0	54.1	na
<i>Total</i>	100.0	100.0	na	100.0	100.0	100.0	100.0	100.0	na
Guilty									
Under 13	49.7	45.0	na	54.5	81.1	91.9	86.7	51.9	na
13 and under 26	36.4	41.9	na	39.1	16.0	6.1	13.3	26.6	na
26 and under 39	8.9	6.5	na	1.8	1.3	—	—	10.1	na
39 and under 52	2.5	3.4	na	2.7	0.5	1.0	—	3.8	na
52 and over	2.4	3.2	na	1.8	1.0	1.0	—	7.6	na
<i>Total</i>	100.0	100.0	na	100.0	100.0	100.0	100.0	100.0	na
.....									
na	not available								
—	nil or rounded to zero (including null cells)								

DEFENDANTS PENDING AT 1 JULY 2000(a), Elapsed time since initiation

<i>Elapsed time (weeks)</i>	<i>NSW</i>	<i>Vic.</i>	<i>Qld</i>	<i>SA</i>	<i>WA</i>	<i>Tas.</i>	<i>NT</i>	<i>ACT</i>	<i>Aust</i>
.....									
SUPREME COURT									
Under 13	18	33	na	15	59	122	66	49	na
13 and under 26	20	14	na	8	18	59	78	32	na
26 and under 39	22	10	na	6	9	25	20	27	na
39 and under 52	21	8	na	5	5	8	11	21	na
52 and over	76	10	na	14	2	32	25	59	na
Total	157	75	na	48	93	246	200	188	na
Mean elapsed time (<i>weeks</i>)	64.6	27.8	na	43.5	14.8	22.4	23.4	43.9	na
Median elapsed time (<i>weeks</i>)	48.1	18.4	na	30.4	8.4	13.3	14.3	32.5	na
.....									
INTERMEDIATE COURT (b)									
Under 13	723	508	na	244	580	..	..	..	na
13 and under 26	414	280	na	124	340	..	..	..	na
26 and under 39	297	182	na	52	224	..	..	..	na
39 and under 52	211	110	na	21	204	..	..	..	na
52 and over	678	209	na	48	367	..	..	..	na
Total	2 323	1 289	na	489	1 715	..	..	..	na
Mean elapsed time (<i>weeks</i>)	43.6	28.3	na	21.4	31.8	..	..	..	na
Median elapsed time (<i>weeks</i>)	27.6	17.4	na	13.1	23.1	..	..	..	na
.....									
TOTAL HIGHER COURTS									
Under 13	741	541	na	259	639	122	66	49	na
13 and under 26	434	294	na	132	358	59	78	32	na
26 and under 39	319	192	na	58	233	25	20	27	na
39 and under 52	232	118	na	26	209	8	11	21	na
52 and over	754	219	na	62	369	32	25	59	na
Total	2 480	1 364	na	537	1 808	246	200	188	na
Mean elapsed time (<i>weeks</i>)	44.9	28.3	na	23.4	30.9	22.4	23.4	43.9	na
Median elapsed time (<i>weeks</i>)	28.6	17.4	na	13.4	22.1	13.3	14.3	32.5	na

na not available

.. not applicable

(a) These figures may differ from previously published pending data for 30 June 2000.

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

DEFENDANTS PENDING AT 30 JUNE 2001, Elapsed time since initiation

	NSW	Vic.	Qld	SA	WA	Tas.	NT	ACT	Aust
.....									
SUPREME COURT									
Under 13	35	16	na	12	35	86	94	34	na
13 and under 26	13	29	na	8	38	31	40	23	na
26 and under 39	28	10	na	4	21	41	29	32	na
39 and under 52	14	3	na	4	6	27	10	14	na
52 and over	64	6	na	13	5	53	32	64	na
Total	154	64	na	41	105	238	205	167	na
Mean elapsed time (weeks)	66.5	25.7	na	48.7	22.0	34.6	25.7	52.6	na
Median elapsed time (weeks)	41.3	18.7	na	29.3	20.6	27.6	14.9	37.7	na
.....									
INTERMEDIATE COURT (a)									
Under 13	836	537	na	271	654	..	..	..	na
13 and under 26	386	270	na	139	318	..	..	..	na
26 and under 39	280	174	na	82	225	..	..	..	na
39 and under 52	168	93	na	39	225	..	..	..	na
52 and over	450	206	na	77	344	..	..	..	na
Total	2 120	1 280	na	608	1 766	..	..	..	na
Mean elapsed time (weeks)	36.5	27.3	na	23.8	32.4	..	..	..	na
Median elapsed time (weeks)	18.4	16.8	na	14.6	21.4	..	..	..	na
.....									
TOTAL HIGHER COURTS									
Under 13	871	553	na	283	689	86	94	34	na
13 and under 26	399	299	na	147	356	31	40	23	na
26 and under 39	308	184	na	86	246	41	29	32	na
39 and under 52	182	96	na	43	231	27	10	14	na
52 and over	514	212	na	90	349	53	32	64	na
Total	2 274	1 344	na	649	1 871	238	205	167	na
Mean elapsed time (weeks)	38.5	27.2	na	25.4	31.8	34.6	25.7	52.6	na
Median elapsed time (weeks)	18.7	17.4	na	15.3	20.9	27.6	14.9	37.7	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 the Australian Bureau of Statistics (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 on the management of court workloads and characteristics of defendants dealt with by the Higher Courts, including information on the offences and penalties associated with those defendants.

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 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 and second stages of the collection. Stage 1 information relates to criminal cases heard in the Supreme and Intermediate Courts, with data on defendants reported separately for each distinct court level. Stage 1 includes statistics on the number of defendants pending, initiated and finalised as well as information on the characteristics of defendants. Stage 2 information, which currently is considered to be experimental, covers offences and penalties associated with adjudicated defendants in the Higher Courts.

8 Future development of the collection will include further information on offences and penalties, and information from the Lower Criminal Court levels.

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 the Office of Economic and Statistical Research) and Tasmania (where it is supplied via the State and Commonwealth Director of Public Prosecutions).

10 For all States and Territories other than Victoria and the Australian Capital Territory, data on offences and penalties were obtained from the same source that supplied data on the defendants with active cases before the Higher Courts. The source of data for the Australian Capital Territory does not record offence data in a manner that would enable national standards to be applied, hence no

EXPLANATORY NOTES *continued*

DATA SOURCE *continued*

offence or penalty data are currently available for the Australian Capital Territory, and therefore Australia as a whole.

11 For Victoria, the offence and penalty data were derived from a sentencing database which stores information on all defendants proven guilty in the Higher Courts. These data were matched to the defendant records obtained from the primary source for Victorian data. The sentencing database records information on proven charges. Hence, no offence details are available for Victorian defendants acquitted of all charges or acquitted charges for defendants proven guilty. Also, there was incomplete coverage of defendants proven guilty as this data source is dependent on manual forms being supplied by the relevant court that handled the defendant's case. Thus, offence details were also unavailable for this missing group of defendants. The result, in both instances, is that a principal offence could not be identified for these defendants and they were classified to the category 'not able to be determined'.

SCOPE

12 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 2000 to 30 June 2001. 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.

13 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.

14 The scope of the data collected and presented for Queensland is restricted. Figures for the number of pending defendants are currently not available. For 1996–97 to 1999–2000, the total figure for defendants initiated in Queensland only included defendants initiated by committal to the Higher Courts and has excluded other forms of initiation such as ex-officio indictment, bench warrants executed and transfers from other courts. For 2000–01, initiations data was not available for Queensland. Total figures for defendants finalised exclude defendants finalised by the issue of a bench warrant. Queensland has developed a new computerised courts administration system which has the potential to address existing data provision issues in the longer term. 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.

15 The Higher Criminal Courts collection obtains 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, the defendant's final plea, along with offence and penalty details associated with adjudicated defendants.

REFERENCE PERIOD

16 This publication relates to defendants who had criminal cases active within the Higher Courts at any time during the reference period 1 July 2000 to 30 June 2001. A historical summary of the number of defendants initiated, finalised and pending for the years 1996–97 through to 1999–2000 is also provided in table 1. For these previous reference periods, revisions may have been made to the number of defendants finalised.

EXPLANATORY NOTES *continued*

COUNTING UNIT

17 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

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

- Method of initiation (see Appendix 2);
- Method of finalisation (see Appendix 3); and
- Australian Standard Offence Classification (ASOC) (see Appendix 4).

19 The 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.

COUNTING METHODOLOGY

Transfer between Higher Court levels

20 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). Transfers are taken into account when determining the proportion of active workload finalised in table 1 at the Supreme and Intermediate Court levels.

Method of initiation

21 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

22 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.

EXPLANATORY NOTES *continued*

Plea continued

23 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

24 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

Merging counting units

25 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 21).
- Where the method of finalisation varies, the order of precedence rules for coding method of finalisation are applied (see paragraph 24).

Principal offence adjudicated

26 The scope of charges considered for the purposes of determining the principal offence adjudicated are those where the court has made a decision as to whether or not the defendant is guilty (i.e. charges that have an adjudicated method of finalisation). Thus, charges that have been transferred for hearing in another level of court, together with those that are withdrawn or dealt with by some other non-adjudicated method, are not considered for the purposes of determining the principal offence adjudicated.

27 For a defendant who has a method of finalisation of proven guilty (resulting from a guilty verdict or guilty plea), the principal offence is selected from the charge(s) proven guilty (i.e. acquitted charges are not considered). For a defendant who has a method of finalisation of acquitted, the principal offence is selected from the charge(s) acquitted.

28 Where a defendant has a single proven guilty or acquitted charge, or multiple charges that fall into the same ASOC Division, the principal offence is

EXPLANATORY NOTES *continued*

Principal offence adjudicated continued

the relevant ASOC Division associated with the adjudicated charge(s). Where a defendant has multiple charges proven guilty or multiple charges acquitted and the ASOC Divisions corresponding to these offences are not all the same, the main charge adjudicated is determined by applying the following rules.

29 Where a defendant with a method of finalisation of proven guilty has multiple charges proven guilty and the ASOC Divisions are not the same, the principal offence is determined according to the type and/or quantum of penalty imposed by the court. In the first instance, the principal offence will be selected on the basis of the charge that has a penalty of imprisonment (see Glossary). Where more than one proven guilty charge has a penalty of imprisonment, the charge having the longest imprisonment term will be selected as the principal offence. If none of the charges proven guilty has a penalty of imprisonment, the principal offence is coded as 'not able to be determined'.

30 The rule specified in paragraph 29 will be insufficient to determine a principal offence for defendants who have two or more charges proven guilty with a penalty of imprisonment where the length of imprisonment is either the same, unknown or recorded as a global penalty. Similarly, these rules do not deal with defendants with a method of finalisation of acquitted who have multiple charges in more than one ASOC Division. For these defendants, the main adjudicated charge is determined according to the nature of the offence type. In these circumstances, the principal offence is determined according to following rules:

- ASOC Division 01 (Homicide and related offences) will override any other ASOC Division;
- Any ASOC Division will override ASOC Division 16 (Miscellaneous offences);
- ASOC Division 07 (Unlawful entry with intent) will override ASOC Division 08 (Theft and related offences);
- ASOC Division 09 (Deception and related offences) will override ASOC Division 08 (Theft and related offences); and
- If the multiple charges for the defendant cross more than two ASOC Divisions or pairs of ASOC Divisions other than those specified, the principal offence is coded as 'not able to be determined'.

Penalty type

31 Defendants that are proven guilty have penalty type information reported against their principal offence. A defendant can have multiple penalties due to multiple offences proven guilty and/or multiple penalties assigned to the one offence. A defendant will be coded as having an imprisonment penalty if at least one of the offences proven guilty is given an imprisonment penalty (see Glossary for definition). If none of the offences proven guilty have an imprisonment penalty but the defendant has been given another type of penalty for any of the offences proven guilty, the defendant will be coded to 'other penalty type'. The defendant will be coded to 'unknown penalty type' only when there is no penalty assigned to all of the offences proven guilty or penalty data is missing for all the proven guilty offences associated with the defendant.

DATA COMPARABILITY

32 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

EXPLANATORY NOTES *continued*

DATA COMPARABILITY *continued*

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.

33 The Higher Criminal Courts collection has been designed 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 are comparable across the State and Territories.

DATA QUALITY

34 To ensure that the statistics are as reliable as possible the ABS has employed a number of measures. 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.

35 Data quality control checks will continue to be reviewed and modified as the Higher Criminal Courts collection evolves. Data availability and quality will also improve as the States and Territories further develop and improve their court operational systems. Victorian statistical data in this publication may differ from prior and future publications for the reporting period 2000–01 due to a large data cleansing exercise undertaken in Victoria between July 2001 and September 2001.

EXPERIMENTAL DATA

36 The offence and penalty data included in Appendix 1 of this issue have not been subjected to the same type of validation processes that are applied to the other data presented in this publication and are thus being labelled as 'experimental'. The work undertaken by the ABS on incorporating offence and penalty information into this national collection has in the first instance concentrated on identifying the scope of charges that have been adjudicated and ensuring that these are coded to ASOC. No editing of offence data has been undertaken in terms of validating the method of finalisation and associated penalties for these charges or following up with the data providers where any information is missing or anomalies exist.

37 Offence data have been coded to ASOC on the basis of mappings of State/Territory legislative codes undertaken by various agencies within those States and Territories. The ABS has not undertaken any systematic checks to assess the quality of the ASOC coding for the charges adjudicated in the Higher Courts. Amendments to the ASOC codes have only been made in very limited cases where erroneous codes were identified as part of the edit checks applied to the final data.

38 The national counting methodology for selecting a principal offence adjudicated requires further development. It is currently not possible to determine a principal offence for some defendants who have multiple adjudicated charges belonging to different ASOC Divisions. For defendants acquitted, this mainly arises where the combination of offences does not match those described in the offence based coding rules outlined in paragraph 30. For defendants proven guilty, this mainly arises where penalties other than imprisonment have been given or where the imprisonment terms are the same or cannot be differentiated due to global sentencing. The principal offence rules will be extended to enable a principal offence to be determined for a greater proportion of defendants. For the 2000–01 data, the proportions of defendants

EXPLANATORY NOTES *continued*

EXPERIMENTAL DATA *continued*

who could not be assigned a principal offence ranged from 2% in the Northern Territory to 29% in Victoria and Tasmania.

39 The capacity to assign a principal offence code was also affected by incomplete data (e.g. missing ASOC codes and/or missing outcome information). In addition, no offence information was available for acquitted charges in Victoria (see paragraph 11). In these instances, a principal offence for the defendant could not be determined.

40 There are a few data quality issues which have impacted on the penalty data. The first issue relates to identifying those defendants who received a penalty of full-time imprisonment. While the national standards exclude fully suspended imprisonment terms, the penalty data supplied by Western Australia and the Northern Territory did not enable partially suspended sentences to be distinguished from fully suspended sentences. All suspended sentences have been included in the definition of imprisonment. As a result, for Western Australia and the Northern Territory, the figures in table A1.6 of Appendix 1 for the category 'imprisonment' will be inflated. Secondly, for South Australia and Tasmania, the form in which the penalty data were supplied did not readily enable defendants with penalties other than imprisonment to be identified. Consequently, the categories of 'other penalty type' and 'unknown' have been treated as not available.

RELATED PUBLICATIONS

ABS publications

41 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
Crime and Safety, Australia, April 1998 (Cat. no. 4509.0) — irregular
Crime and Safety, New South Wales (Cat. no. 4509.1) — irregular
Crime and Safety, South Australia (Cat. no. 4509.4) — irregular
Crime and Safety, Western Australia (Cat. no. 4509.5) — irregular
Measuring Social Wellbeing (Cat. no. 4160.0) — irregular
Measuring Australia's Progress (Cat. no. 1370.0) — issued annually
Prisoners in Australia (Cat. no. 4517.0) — issued annually
Recorded Crime, Australia (Cat. no. 4510.0) — issued annually

42 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>.

EXPLANATORY NOTES *continued*

Non-ABS publications

43 Non-ABS sources of criminal court annual statistics which may be of interest include:

Chief Justice of Western Australia, *Annual Review of Western Australian Courts*

Crime Research Centre, University of Western Australia, *Crime and Justice Statistics for Western Australia*

Department of Justice, Tasmania, *Annual Report*

Department of Justice, Western Australia, *Annual Report*

Department of Justice and Attorney General, Queensland, *Annual Report*

Department of Justice and Community Safety, Australian Capital Territory, *Annual Report*

Director of Public Prosecutions, *Annual Report*, all State, Territory and Commonwealth Offices of the Director of Public Prosecutions

District Court of Queensland, *Annual Report*

NSW Bureau of Crime Statistics and Research, *New South Wales Criminal Courts Statistics*

Office of Courts Administration, Northern Territory, *Annual Report*

Office of Crime Statistics, South Australia, *Crime and Justice in South Australia Adult Courts and Corrections*

Office of Economic and Statistic Research, *Crime and Justice Statistics Queensland*

Steering Committee for the Review of Commonwealth/State Service Provision, *Report on Government Services*

South Australia Courts Administration Authority, *Annual Report*

Supreme Court of Queensland, *Annual Report*

Supreme Court of Tasmania, *Annual Report*

Victoria Police, *Crime Statistics*

ABBREVIATIONS

ABS	Australian Bureau of Statistics
ACT	Australian Capital Territory
ASOC	Australian Standard Offence Classification
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

APPENDIX 1 EXPERIMENTAL OFFENCE AND PENALTY DATA

OFFENCE AND PENALTY

Appendix 1 contains experimental statistics on offences and penalties associated with adjudicated defendants. The data are presented for the first time in this issue. The statistics will enable users of court statistics to better understand the profile of defendants appearing in the courts and, over time, to examine changes in type of offences dealt with by the Higher Courts.

All charges adjudicated by the Higher Courts have been mapped to the Australian Standard Offence Classification (ASOC) to ensure that offence statistics can be reported according to a standard classification. This overcomes different ways of categorising offence information across the States and Territories reflecting their different legislative frameworks. National counting rules for determining a principal offence have been developed to overcome different practices associated with recording charges and/or identifying a single offence to report against the defendant.

Principal offence essentially describes the main offence type associated with a defendant. Categorisation by a single principal offence provides an important and useful way of understanding the types of criminal cases presented to the Higher Court. It provides a mechanism for associating offence information with a range of data variables linked to the defendant. This includes information about the court level in which the defendant's case was heard, the time taken to hear the case and the sentence imposed on the defendant.

An important point to note is the nature of a principal offence and what it represents will vary depending on its application. Thus, it will differ according to the point in the criminal justice process to which this information relates. When applied to defendants in court, it may refer to the principal offence originally charged, the principal offence indicted by the prosecution, or the principal offence for which the court made a finding. Given that each application has a slightly different focus, each will require its own set of rules to measure the principal offence for a defendant. In this issue, the principal offence data in Appendix 1 refer to the principal offence adjudicated by the court (see Glossary).

Offence statistics in this issue are produced at the aggregated level of ASOC Divisions. The ASOC Divisions represent broad categories of criminal behaviour. Where the defendant has only one adjudicated charge, or multiple adjudicated charges that belong to the same ASOC Division, the principal offence refers to the relevant ASOC Division associated with the charge(s). The majority of defendants for the 2000–01 reference period fit one of these two categories, ranging from 76% to 94% of the population of adjudicated defendants in any given State/Territory. For the defendants who have two or more charges that fall into multiple ASOC Divisions, the principal offence adjudicated is determined according to the national standards outlined in paragraphs 29 and 30 of the Explanatory Notes.

CAUTION

For every State and Territory there was a proportion of adjudicated defendants who could not be assigned to a specific ASOC Division, either because offence information was missing or a principal offence could not be determined from the information provided. This proportion ranged from 2% in the Northern Territory to 29% in Victoria and Tasmania. The figures that are reported under each of the ASOC Divisions are therefore likely to be understated.

Compounding the issues associated with the extent to which principal offences were not able to be determined, the proportion of defendants for whom there was an unknown penalty status ranged from 0.3% in the Northern Territory to 9% in Victoria.

APPENDIX 1 EXPERIMENTAL OFFENCE AND PENALTY DATA *continued*

CAUTION *continued*

Users of these statistics should note that the offence and penalty figures in this issue are regarded as 'experimental' and should be interpreted with caution. Particular care should be taken in making comparisons across States and Territories. Further development work is required in order to improve the quality and coverage of the data (see paragraphs 36 to 40 of the Explanatory Notes). The ABS is continuing to work with the relevant bodies in each jurisdiction to achieve these improvements.

APPENDIX 1 EXPERIMENTAL OFFENCE AND PENALTY DATA *continued*

A1.1 ADJUDICATED DEFENDANTS, Principal offence

ASOC Division	NSW	Vic.	Qld	SA	WA	Tas.	NT	ACT(a)	Aust.(a)
SUPREME COURT									
Homicide and related offences	94	44	56	18	34	15	15	na	na
Acts intended to cause injury	5	11	11	3	4	67	44	na	na
Sexual assault and related offences	1	—	4	11	6	33	11	na	na
Dangerous or negligent acts endangering persons	—	—	—	1	—	—	2	na	na
Abduction and related offences	—	2	—	3	4	—	—	na	na
Robbery, extortion and related offences	1	5	1	1	159	29	25	na	na
Unlawful entry with intent /burglary, break and enter	1	1	—	1	1	19	14	na	na
Theft and related offences	—	—	2	—	1	18	11	na	na
Deception and related offences	3	3	—	2	—	12	6	na	na
Illicit drug offences	—	1	527	8	—	15	26	na	na
Weapons and explosives offences	—	—	—	—	—	—	—	na	na
Property damage and environmental pollution	—	—	—	—	—	25	2	na	na
Public order offences	1	1	—	—	—	2	2	na	na
Road traffic and motor vehicle regulatory offences	—	—	—	—	—	—	—	na	na
Offences against justice procedures, government security and government operations	1	—	4	1	—	20	2	na	na
Miscellaneous offences	1	—	7	—	—	1	164	na	na
Not able to be determined(b)	3	25	66	7	2	103	7	na	na
Total	111	93	678	56	211	359	331	155	1 994

INTERMEDIATE COURT (c)

Homicide and related offences	103	27	35	3	16	..	..	..	184
Acts intended to cause injury	285	189	1 077	62	206	..	..	..	1 819
Sexual assault and related offences	403	183	482	56	315	..	..	..	1 439
Dangerous or negligent acts endangering persons	52	11	142	8	27	..	..	..	240
Abduction and related offences	27	19	7	—	31	..	..	..	84
Robbery, extortion and related offences	681	359	213	52	83	..	..	..	1 388
Unlawful entry with intent /burglary, break and enter	288	61	471	58	755	..	..	..	1 633
Theft and related offences	91	82	474	15	136	..	..	..	798
Deception and related offences	144	140	481	19	109	..	..	..	893
Illicit drug offences	542	161	7	183	285	..	..	..	1 178
Weapons and explosives offences	20	4	8	1	2	..	..	..	35
Property damage and environmental pollution	34	22	153	10	33	..	..	..	252
Public order offences	16	92	21	2	39	..	..	..	170
Road traffic and motor vehicle regulatory offences	—	2	—	—	—	..	..	..	2
Offences against justice procedures, government security and government operations	105	20	39	15	123	..	..	..	302
Miscellaneous offences	51	35	125	8	68	..	..	..	287
Not able to be determined(b)	206	574	1 230	106	192	..	..	..	2 308
Total	3 048	1 981	4 965	598	2 420	..	..	..	13 012

na not available

— nil or rounded to zero (including null cells)

.. not applicable

(a) The Australian Capital Territory is currently not able to provide offence and penalty data (see paragraph 10 of the Explanatory Notes).

(b) Defendants for whom offence data are missing or a principal offence could not be determined (see paragraphs 38 and 39 of the Explanatory Notes).

(c) There is no intermediate court in Tasmania, Northern Territory or Australian Capital Territory.

APPENDIX 1 EXPERIMENTAL OFFENCE AND PENALTY DATA *continued*

A1.1 ADJUDICATED DEFENDANTS, Principal offence *continued*

ASOC Division	NSW	Vic.	Qld	SA	WA	Tas.	NT	ACT(a)	Aust.(a)
TOTAL HIGHER COURTS									
Homicide and related offences	197	71	91	21	50	15	15	na	na
Acts intended to cause injury	290	200	1 088	65	210	67	44	na	na
Sexual assault and related offences	404	183	486	67	321	33	11	na	na
Dangerous or negligent acts endangering persons	52	11	142	9	27	—	2	na	na
Abduction and related offences	27	21	7	3	35	—	—	na	na
Robbery, extortion and related offences	682	364	214	53	242	29	25	na	na
Unlawful entry with intent /burglary, break and enter	289	62	471	59	756	19	14	na	na
Theft and related offences	91	82	476	15	137	18	11	na	na
Deception and related offences	147	143	481	21	109	12	6	na	na
Illicit drug offences	542	162	534	191	285	15	26	na	na
Weapons and explosives offences	20	4	8	1	2	—	—	na	na
Property damage and environmental pollution	34	22	153	10	33	25	2	na	na
Public order offences	17	93	21	2	39	2	2	na	na
Road traffic and motor vehicle regulatory offences	—	2	—	—	—	—	—	na	na
Offences against justice procedures, government security and government operations	106	20	43	16	123	20	2	na	na
Miscellaneous offences	52	35	132	8	68	1	164	na	na
Not able to be determined(b)	209	599	1 296	113	194	103	7	na	na
Total	3 159	2 074	5 643	654	2 631	359	331	155	15 006

TOTAL HIGHER COURTS (%)									
Homicide and related offences	6.2	3.4	1.6	3.2	1.9	4.2	4.5	na	na
Acts intended to cause injury	9.2	9.6	19.3	9.9	8.0	18.7	13.3	na	na
Sexual assault and related offences	12.8	8.8	8.6	10.2	12.2	9.2	3.3	na	na
Dangerous or negligent acts endangering persons	1.6	0.5	2.5	1.4	1.0	—	0.6	na	na
Abduction and related offences	0.9	1.0	0.1	0.5	1.3	—	—	na	na
Robbery, extortion and related offences	21.6	17.6	3.8	8.1	9.2	8.1	7.6	na	na
Unlawful entry with intent /burglary, break and enter	9.1	3.0	8.3	9.0	28.7	5.3	4.2	na	na
Theft and related offences	2.9	4.0	8.4	2.3	5.2	5.0	3.3	na	na
Deception and related offences	4.7	6.9	8.5	3.2	4.1	3.3	1.8	na	na
Illicit drug offences	17.2	7.8	9.5	29.2	10.8	4.2	7.9	na	na
Weapons and explosives offences	0.6	0.2	0.1	0.2	0.1	—	—	na	na
Property damage and environmental pollution	1.1	1.1	2.7	1.5	1.3	7.0	0.6	na	na
Public order offences	0.5	4.5	0.4	0.3	1.5	0.6	0.6	na	na
Road traffic and motor vehicle regulatory offences	—	0.1	—	—	—	—	—	na	na
Offences against justice procedures, government security and government operations	3.4	1.0	0.8	2.4	4.7	5.6	0.6	na	na
Miscellaneous offences	1.6	1.7	2.3	1.2	2.6	0.3	49.5	na	na
Not able to be determined(b)	6.6	28.9	23.0	17.3	7.4	28.7	2.1	na	na
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

na not available

— nil or rounded to zero (including null cells)

(a) The Australian Capital Territory is currently not able to provide offence and penalty data (see paragraph 10 of the Explanatory Notes).

(b) Defendants for whom offence data are missing or a principal offence could not be determined (see paragraphs 38 and 39 of the Explanatory Notes).

APPENDIX 1 EXPERIMENTAL OFFENCE AND PENALTY DATA *continued*

A1.2 ADJUDICATED DEFENDANTS, All adjudicated offences(a)

ASOC Division	NSW	Vic.(b)	Qld	SA	WA	Tas.	NT	ACT(b)	Aust.(b)
NUMBER									
Homicide and related offences	640	na	100	31	75	16	22	na	na
Acts intended to cause injury	1 177	na	2 245	176	521	167	75	na	na
Sexual assault and related offences	1 577	na	2 249	222	2 033	160	20	na	na
Dangerous or negligent acts endangering persons	308	na	360	30	37	—	3	na	na
Abduction and related offences	123	na	74	8	133	—	2	na	na
Robbery, extortion and related offences	2 263	na	492	98	543	44	34	na	na
Unlawful entry with intent /burglary, break and enter	1 053	na	3 974	222	1 470	183	47	na	na
Theft and related offences	659	na	4 605	159	632	257	64	na	na
Deception and related offences	728	na	3 365	270	1 158	214	43	na	na
Illicit drug offences	1 620	na	1 725	330	579	21	61	na	na
Weapons and explosives offences	174	na	79	11	4	6	1	na	na
Property damage and environmental pollution	185	na	977	56	90	55	9	na	na
Public order offences	98	na	156	20	89	2	4	na	na
Road traffic and motor vehicle regulatory offences	20	na	77	36	—	3	—	na	na
Offences against justice procedures, government security and government operations	277	na	344	76	166	35	2	na	na
Miscellaneous offences	153	na	1 637	35	194	1	171	na	na
Unknown(c)	34	na	—	—	19	2	—	na	na
Total	11 089	na	22 459	1 780	7 743	1 166	558	na	na

PROPORTION (%)									
Homicide and related offences	5.8	na	0.4	1.7	1.0	1.4	3.9	na	na
Acts intended to cause injury	10.6	na	10.0	9.9	6.7	14.3	13.4	na	na
Sexual assault and related offences	14.2	na	10.0	12.5	26.3	13.7	3.6	na	na
Dangerous or negligent acts endangering persons	2.8	na	1.6	1.7	0.5	—	0.5	na	na
Abduction and related offences	1.1	na	0.3	0.4	1.7	—	0.4	na	na
Robbery, extortion and related offences	20.4	na	2.2	5.5	7.0	3.8	6.1	na	na
Unlawful entry with intent /burglary, break and enter	9.5	na	17.7	12.5	19.0	15.7	8.4	na	na
Theft and related offences	5.9	na	20.5	8.9	8.2	22.0	11.5	na	na
Deception and related offences	6.6	na	15.0	15.2	15.0	18.4	7.7	na	na
Illicit drug offences	14.6	na	7.7	18.5	7.5	1.8	10.9	na	na
Weapons and explosives offences	1.6	na	0.4	0.6	0.1	0.5	0.2	na	na
Property damage and environmental pollution	1.7	na	4.4	3.1	1.2	4.7	1.6	na	na
Public order offences	0.9	na	0.7	1.1	1.1	0.2	0.7	na	na
Road traffic and motor vehicle regulatory offences	0.2	na	0.3	2.0	—	0.3	—	na	na
Offences against justice procedures, government security and government operations	2.5	na	1.5	4.3	2.1	3.0	0.4	na	na
Miscellaneous offences	1.4	na	7.3	2.0	2.5	0.1	30.6	na	na
Unknown(c)	0.3	na	—	—	0.2	0.2	—	na	na
Total	100.0	na	100.0	100.0	100.0	100.0	100.0	na	na

na not available

— nil or rounded to zero (including null cells)

(a) A defendant can be counted against more than one offence category therefore the total number of offences will exceed the total number of defendants.

(b) No offence data were available for the Australian Capital Territory, while for Victoria data on acquitted offences were missing (see paragraphs 10 and 11 of the Explanatory Notes).

(c) Offences were unable to be classified to an ASOC division.

APPENDIX 1 EXPERIMENTAL OFFENCE AND PENALTY DATA *continued*

A1.3

ADJUDICATED DEFENDANTS, Principal offence by adjudication type(a)

ASOC Division and adjudication type	NSW	Vic.(b)	Qld	SA	WA	Tas.	NT	ACT(b)	Aust.(b)
NUMBER									
Homicide and related offences									
Acquitted	48	na	16	3	6	2	2	na	na
Guilty verdict	57	31	33	9	27	10	3	na	na
Guilty plea	92	40	42	9	17	3	10	na	na
<i>Total</i>	197	na	91	21	50	15	15	na	na
Acts intended to cause injury									
Acquitted	34	na	91	10	45	14	3	na	na
Guilty verdict	27	29	83	10	47	13	5	na	na
Guilty plea	229	171	914	45	118	40	36	na	na
<i>Total</i>	290	na	1 088	65	210	67	44	na	na
Sexual assault and related offences									
Acquitted	145	na	91	23	84	7	2	na	na
Guilty verdict	80	40	80	13	96	11	2	na	na
Guilty plea	179	143	315	31	141	15	7	na	na
<i>Total</i>	404	na	486	67	321	33	11	na	na
Dangerous or negligent acts endangering persons									
Acquitted	2	na	10	—	1	—	—	na	na
Guilty verdict	2	1	12	3	4	—	—	na	na
Guilty plea	48	10	120	6	22	—	2	na	na
<i>Total</i>	52	na	142	9	27	—	2	na	na
Abduction and related offences									
Acquitted	4	na	—	—	6	—	—	na	na
Guilty verdict	3	1	2	3	10	—	—	na	na
Guilty plea	20	20	5	—	19	—	—	na	na
<i>Total</i>	27	na	7	3	35	—	—	na	na
Robbery, extortion and related offences									
Acquitted	37	na	6	5	6	—	1	na	na
Guilty verdict	42	14	15	11	28	4	—	na	na
Guilty plea	603	350	193	37	208	25	24	na	na
<i>Total</i>	682	na	214	53	242	29	25	na	na
Unlawful entry with intent /burglary, break and enter									
Acquitted	9	na	12	2	28	2	1	na	na
Guilty verdict	16	5	9	5	33	1	—	na	na
Guilty plea	264	57	450	52	695	16	13	na	na
<i>Total</i>	289	na	471	59	756	19	14	na	na
Theft and related offences									
Acquitted	3	na	22	2	4	2	1	na	na
Guilty verdict	8	5	25	—	10	1	1	na	na
Guilty plea	80	77	429	13	123	15	9	na	na
<i>Total</i>	91	na	476	15	137	18	11	na	na
Deception and related offences									
Acquitted	12	na	14	4	12	—	—	na	na
Guilty verdict	20	19	16	4	22	1	1	na	na
Guilty plea	115	124	451	13	75	11	5	na	na
<i>Total</i>	147	na	481	21	109	12	6	na	na

na not available

— nil or rounded to zero (including null cells)

(a) Refers to type of adjudication for the defendant's case which does not necessarily reflect the type of adjudication for the principal offence.

(b) No offence data were available for the Australian Capital Territory, while for Victoria data on acquitted offences were missing (see paragraphs 10 and 11 of the Explanatory Notes).

APPENDIX 1 EXPERIMENTAL OFFENCE AND PENALTY DATA *continued*

A1.3 ADJUDICATED DEFENDANTS, Principal offence by adjudication type(a) *continued*

ASOC Division and adjudication type	NSW	Vic.(b)	Qld	SA	WA	Tas.	NT	ACT(b)	Aust.(b)
NUMBER <i>cont.</i>									
Illicit drug offences									
Acquitted	31	na	7	9	17	1	1	na	na
Guilty verdict	77	20	10	30	65	2	2	na	na
Guilty plea	434	142	517	152	203	12	23	na	na
<i>Total</i>	542	na	534	191	285	15	26	na	na
Weapons and explosives offences									
Acquitted	1	na	—	—	—	—	—	na	na
Guilty verdict	4	—	—	1	—	—	—	na	na
Guilty plea	15	4	8	—	2	—	—	na	na
<i>Total</i>	20	na	8	1	2	—	—	na	na
Property damage and environmental pollution									
Acquitted	5	na	7	—	2	2	—	na	na
Guilty verdict	7	2	10	1	4	3	—	na	na
Guilty plea	22	20	136	9	27	20	2	na	na
<i>Total</i>	34	na	153	10	33	25	2	na	na
Public order offences									
Acquitted	2	na	2	—	2	—	—	na	na
Guilty verdict	1	10	2	—	2	—	—	na	na
Guilty plea	14	83	17	2	35	2	2	na	na
<i>Total</i>	17	na	21	2	39	2	2	na	na
Road traffic and motor vehicle regulatory offences									
Acquitted	—	na	—	—	—	—	—	na	na
Guilty verdict	—	1	—	—	—	—	—	na	na
Guilty plea	—	1	—	—	—	—	—	na	na
<i>Total</i>	—	na	—	—	—	—	—	na	na
Offences against justice procedures, government security and government operations									
Acquitted	20	na	4	—	4	—	2	na	na
Guilty verdict	2	2	6	1	11	1	—	na	na
Guilty plea	84	18	33	15	108	19	—	na	na
<i>Total</i>	106	na	43	16	123	20	2	na	na
Miscellaneous offences									
Acquitted	3	na	3	1	10	—	—	na	na
Guilty verdict	5	5	5	2	9	—	2	na	na
Guilty plea	44	30	124	5	49	1	162	na	na
<i>Total</i>	52	na	132	8	68	1	164	na	na
Not able to be determined(c)									
Acquitted	46	na	29	10	39	2	3	na	na
Guilty verdict	12	56	21	16	28	16	—	na	na
Guilty plea	151	374	1 246	87	127	85	4	na	na
<i>Total</i>	209	na	1 296	113	194	103	7	na	na
All offence categories									
Acquitted Total	402	169	314	69	266	32	16	16	1 284
Guilty verdict Total	363	241	329	109	396	63	16	23	1 540
Guilty plea Total	2 394	1 664	5 000	476	1 969	264	299	116	12 182
Total Defendants	3 159	2 074	5 643	654	2 631	359	331	155	15 006

na not available

— nil or rounded to zero (including null cells)

- (a) Refers to type of adjudication for the defendant's case which does not necessarily reflect the type of adjudication for the principal offence.
- (b) No offence data were available for the Australian Capital Territory, while for Victoria data on acquitted offences were missing (see paragraphs 10 and 11 of the Explanatory Notes).
- (c) Defendants for whom offence data are missing or a principal offence could not be determined (see paragraphs 38 and 39 of the Explanatory Notes).

APPENDIX 1 EXPERIMENTAL OFFENCE AND PENALTY DATA *continued*

A1.3

ADJUDICATED DEFENDANTS, Principal offence by adjudication type(a) *continued*

ASOC Division and adjudication type	NSW	Vic.(b)	Qld	SA	WA	Tas.	NT	ACT(b)	Aust.(b)
PROPORTION (%)									
Homicide and related offences									
Acquitted	24.4	na	17.6	14.3	12.0	13.3	13.3	na	na
Guilty verdict	28.9	na	36.3	42.9	54.0	66.7	20.0	na	na
Guilty plea	46.7	na	46.2	42.9	34.0	20.0	66.7	na	na
<i>Total</i>	100.0	na	100.0	100.0	100.0	100.0	100.0	na	na
Acts intended to cause injury									
Acquitted	11.7	na	8.4	15.4	21.4	20.9	6.8	na	na
Guilty verdict	9.3	na	7.6	15.4	22.4	19.4	11.4	na	na
Guilty plea	79.0	na	84.0	69.2	56.2	59.7	81.8	na	na
<i>Total</i>	100.0	na	100.0	100.0	100.0	100.0	100.0	na	na
Sexual assault and related offences									
Acquitted	35.9	na	18.7	34.3	26.2	21.2	18.2	na	na
Guilty verdict	19.8	na	16.5	19.4	29.9	33.3	18.2	na	na
Guilty plea	44.3	na	64.8	46.3	43.9	45.5	63.6	na	na
<i>Total</i>	100.0	na	100.0	100.0	100.0	100.0	100.0	na	na
Dangerous or negligent acts endangering persons									
Acquitted	3.8	na	7.0	—	3.7	—	—	na	na
Guilty verdict	3.8	na	8.5	33.3	14.8	—	—	na	na
Guilty plea	92.3	na	84.5	66.7	81.5	—	100.0	na	na
<i>Total</i>	100.0	na	100.0	100.0	100.0	—	100.0	na	na
Abduction and related offences									
Acquitted	14.8	na	—	—	17.1	—	—	na	na
Guilty verdict	11.1	na	28.6	100.0	28.6	—	—	na	na
Guilty plea	74.1	na	71.4	—	54.3	—	—	na	na
<i>Total</i>	100.0	na	100.0	100.0	100.0	—	—	na	na
Robbery, extortion and related offences									
Acquitted	5.4	na	2.8	9.4	2.5	—	4.0	na	na
Guilty verdict	6.2	na	7.0	20.8	11.6	13.8	—	na	na
Guilty plea	88.4	na	90.2	69.8	86.0	86.2	96.0	na	na
<i>Total</i>	100.0	na	100.0	100.0	100.0	100.0	100.0	na	na
Unlawful entry with intent /burglary, break and enter									
Acquitted	3.1	na	2.5	3.4	3.7	10.5	7.1	na	na
Guilty verdict	5.5	na	1.9	8.5	4.4	5.3	—	na	na
Guilty plea	91.3	na	95.5	88.1	91.9	84.2	92.9	na	na
<i>Total</i>	100.0	na	100.0	100.0	100.0	100.0	100.0	na	na
Theft and related offences									
Acquitted	3.3	na	4.6	13.3	2.9	11.1	9.1	na	na
Guilty verdict	8.8	na	5.3	—	7.3	5.6	9.1	na	na
Guilty plea	87.9	na	90.1	86.7	89.8	83.3	81.8	na	na
<i>Total</i>	100.0	na	100.0	100.0	100.0	100.0	100.0	na	na
Deception and related offences									
Acquitted	8.2	na	2.9	19.0	11.0	—	—	na	na
Guilty verdict	13.6	na	3.3	19.0	20.2	8.3	16.7	na	na
Guilty plea	78.2	na	93.8	61.9	68.8	91.7	83.3	na	na
<i>Total</i>	100.0	na	100.0	100.0	100.0	100.0	100.0	na	na

na not available

— nil or rounded to zero (including null cells)

(a) Refers to type of adjudication for the defendant's case which does not necessarily reflect the type of adjudication for the principal offence.

(b) No offence data were available for the Australian Capital Territory, while for Victoria data on acquitted offences were missing (see paragraphs 10 and 11 of the Explanatory Notes).

APPENDIX 1 EXPERIMENTAL OFFENCE AND PENALTY DATA *continued*

A1.3 ADJUDICATED DEFENDANTS, Principal offence by adjudication type(a) *continued*

ASOC Division and adjudication type	NSW	Vic.(b)	Qld	SA	WA	Tas.	NT	ACT(b)	Aust.(b)
PROPORTION (%) <i>cont.</i>									
Illicit drug offences									
Acquitted	5.7	na	1.3	4.7	6.0	6.7	3.8	na	na
Guilty verdict	14.2	na	1.9	15.7	22.8	13.3	7.7	na	na
Guilty plea	80.1	na	96.8	79.6	71.2	80.0	88.5	na	na
<i>Total</i>	<i>100.0</i>	<i>na</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>na</i>	<i>na</i>
Weapons and explosives offences									
Acquitted	5.0	na	—	—	—	—	—	na	na
Guilty verdict	20.0	na	—	100.0	—	—	—	na	na
Guilty plea	75.0	na	100.0	—	100.0	—	—	na	na
<i>Total</i>	<i>100.0</i>	<i>na</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>—</i>	<i>—</i>	<i>na</i>	<i>na</i>
Property damage and environmental pollution									
Acquitted	14.7	na	4.6	—	6.1	8.0	—	na	na
Guilty verdict	20.6	na	6.5	10.0	12.1	12.0	—	na	na
Guilty plea	64.7	na	88.9	90.0	81.8	80.0	100.0	na	na
<i>Total</i>	<i>100.0</i>	<i>na</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>na</i>	<i>na</i>
Public order offences									
Acquitted	11.8	na	9.5	—	5.1	—	—	na	na
Guilty verdict	5.9	na	9.5	—	5.1	—	—	na	na
Guilty plea	82.4	na	81.0	100.0	89.7	100.0	100.0	na	na
<i>Total</i>	<i>100.0</i>	<i>na</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>na</i>	<i>na</i>
Road traffic and motor vehicle regulatory offences									
Acquitted	—	na	—	—	—	—	—	na	na
Guilty verdict	—	na	—	—	—	—	—	na	na
Guilty plea	—	na	—	—	—	—	—	na	na
<i>Total</i>	<i>—</i>	<i>na</i>	<i>—</i>	<i>—</i>	<i>—</i>	<i>—</i>	<i>—</i>	<i>na</i>	<i>na</i>
Offences against justice procedures, government security and government operations									
Acquitted	18.9	na	9.3	—	3.3	—	100.0	na	na
Guilty verdict	1.9	na	14.0	6.3	8.9	5.0	—	na	na
Guilty plea	79.2	na	76.7	93.8	87.8	95.0	—	na	na
<i>Total</i>	<i>100.0</i>	<i>na</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>na</i>	<i>na</i>
Miscellaneous offences									
Acquitted	5.8	na	2.3	12.5	14.7	—	—	na	na
Guilty verdict	9.6	na	3.8	25.0	13.2	—	1.2	na	na
Guilty plea	84.6	na	93.9	62.5	72.1	100.0	98.8	na	na
<i>Total</i>	<i>100.0</i>	<i>na</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>na</i>	<i>na</i>
Not able to be determined(c)									
Acquitted	22.0	na	2.2	8.8	20.1	1.9	42.9	na	na
Guilty verdict	5.7	na	1.6	14.2	14.4	15.5	—	na	na
Guilty plea	72.2	na	96.1	77.0	65.5	82.5	57.1	na	na
<i>Total</i>	<i>100.0</i>	<i>na</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>na</i>	<i>na</i>
All offence categories									
Acquitted Total	12.7	8.1	5.6	10.6	10.1	8.9	4.8	10.3	8.6
Guilty verdict Total	11.5	11.6	5.8	16.7	15.1	17.5	4.8	14.8	10.3
Guilty plea Total	75.8	80.2	88.6	72.8	74.8	73.5	90.3	74.8	81.2
Total Defendants	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

na not available

— nil or rounded to zero (including null cells)

- (a) Refers to type of adjudication for the defendant's case which does not necessarily reflect the type of adjudication for the principal offence.
- (b) No offence data were available for the Australian Capital Territory, while for Victoria data on acquitted offences were missing (see paragraphs 10 and 11 of the Explanatory Notes).
- (c) Defendants for whom offence data are missing or a principal offence could not be determined (see paragraphs 38 and 39 of the Explanatory Notes).

APPENDIX 1 EXPERIMENTAL OFFENCE AND PENALTY DATA *continued*

A1.4 ADJUDICATED DEFENDANTS, Median case duration (weeks)(a)—Principal offence

ASOC Division	NSW	Vic.(b)	Qld	SA	WA	Tas.	NT	ACT(b)	Aust.(b)
Homicide and related offences	43.1	na	32.1	43.4	33.6	17.4	35.0	na	na
Acts intended to cause injury	32.8	na	23.3	29.1	41.6	15.9	28.6	na	na
Sexual assault and related offences	37.6	na	25.9	28.9	50.0	19.0	44.4	na	na
Dangerous or negligent acts endangering persons	16.7	na	21.1	23.7	14.3	—	22.0	na	na
Abduction and related offences	25.3	na	20.7	46.0	47.6	—	—	na	na
Robbery, extortion and related offences	17.1	na	15.9	26.0	12.6	10.1	20.1	na	na
Unlawful entry with intent /burglary, break and enter	13.3	na	16.6	19.6	8.7	11.9	18.1	na	na
Theft and related offences	17.3	na	19.4	15.6	9.7	12.9	13.4	na	na
Deception and related offences	29.6	na	17.7	24.1	33.9	10.1	37.6	na	na
Illicit drug offences	23.9	na	17.7	25.9	22.7	11.4	19.9	na	na
Weapons and explosives offences	22.6	na	14.4	21.4	44.1	—	—	na	na
Property damage and environmental pollution	31.6	na	19.0	15.1	13.6	8.3	21.1	na	na
Public order offences	20.4	na	18.6	14.4	9.4	8.4	39.3	na	na
Road traffic and motor vehicle regulatory offences	—	na	—	—	—	—	—	na	na
Offences against justice procedures, government security and government operations	20.0	na	25.3	14.2	7.3	8.8	81.2	na	na
Miscellaneous offences	18.3	na	16.2	28.7	18.3	7.1	11.7	na	na
Not able to be determined(c)	30.3	na	19.2	22.3	18.1	11.3	14.9	na	na
Total	23.6	22.6	20.3	24.0	13.3	12.6	18.0	26.4	20.3

na not available

— nil or rounded to zero (including null cells)

(a) Some medians have been calculated on the basis of small base populations and may therefore be volatile figures. Refer table 1.3 of appendix 1 for population sizes of cells.

(b) No offence data were available for the Australian Capital Territory, while for Victoria data on acquitted offences were missing (see

paragraphs 10 and 11 of the Explanatory Notes). Therefore, median duration figures are included in the ASOC division totals only for this State and Territory.

(c) Defendants for whom offence data are missing or a principal offence could not be determined (see paragraphs 38 and 39 of the Explanatory Notes).

APPENDIX 1 EXPERIMENTAL OFFENCE AND PENALTY DATA *continued*

A1.5 ADJUDICATED DEFENDANTS, Median case duration (weeks)(a)—Principal offence and adjudication type(b)

<i>ASOC Division</i>	<i>Acquitted</i>	<i>Guilty verdict</i>	<i>Guilty plea</i>	<i>Total</i>
Homicide and related offences	39.3	47.6	31.0	40.0
Acts intended to cause injury	41.1	40.9	22.1	25.7
Sexual assault and related offences	43.1	47.1	20.6	29.9
Dangerous or negligent acts endangering persons	31.1	38.6	17.2	19.9
Abduction and related offences	49.1	53.4	18.6	25.3
Robbery, extortion and related offences	25.4	41.4	14.1	15.1
Unlawful entry with intent /burglary, break and enter	45.6	43.1	11.1	11.9
Theft and related offences	26.8	53.2	15.8	17.4
Deception and related offences	62.6	62.7	18.1	21.9
Illicit drug offences	41.6	53.4	18.6	22.1
Weapons and explosives offences	28.1	21.4	16.4	17.1
Property damage and environmental pollution	43.1	51.9	18.0	19.1
Public order offences	42.3	52.3	17.6	19.5
Road traffic and motor vehicle regulatory offences	—	52.4	11.1	31.8
Offences against justice procedures, government security and government operations	40.2	59.3	11.1	14.0
Miscellaneous offences	46.3	37.3	14.7	15.9
Not able to be determined(c)	42.2	55.1	18.2	21.9
Total	41.4	49.1	16.7	20.3

— nil or rounded to zero (including null cells)

- (a) Some medians have been calculated on the basis of small base populations and may therefore be volatile figures. Refer table 1.3 of appendix 1 for population sizes of cells.
- (b) No offence data were available for the Australian Capital Territory, while for Victoria data on acquitted offences were missing (see paragraphs 10 and 11 of the Explanatory Notes). Therefore median duration figures are only included in the ASOC Division totals for this State and Territory.
- (c) Defendants for whom offence data were missing or a principal offence could not be determined (see paragraphs 38 and 39 of the Explanatory Notes).

APPENDIX 1 EXPERIMENTAL OFFENCE AND PENALTY DATA *continued*

A1.6 DEFENDANTS PROVEN GUILTY(a), Principal offence by type of penalty(b)

ASOC division and type of penalty	NSW	Vic.	Qld	SA(c)	WA(d)	Tas.(c)	NT(d)	ACT(e)	Aust.(e)
NUMBER									
Homicide and related offences									
Imprisonment	124	69	66	17	41	10	13	na	na
Other penalty type	25	2	9	na	3	na	—	na	na
Unknown penalty type	—	—	—	na	—	na	—	na	na
<i>Total</i>	149	71	75	18	44	13	13	na	na
Acts intended to cause injury									
Imprisonment	144	109	410	22	113	22	40	na	na
Other penalty type	112	91	577	na	46	na	1	na	na
Unknown penalty type	—	—	10	na	6	na	—	na	na
<i>Total</i>	256	200	997	55	165	53	41	na	na
Sexual assault and related offences									
Imprisonment	169	107	264	22	193	12	9	na	na
Other penalty type	88	75	131	na	38	na	—	na	na
Unknown penalty type	2	1	—	na	6	na	—	na	na
<i>Total</i>	259	183	395	44	237	26	9	na	na
Dangerous or negligent acts endangering persons									
Imprisonment	35	10	74	—	17	—	1	na	na
Other penalty type	15	1	58	na	8	na	1	na	na
Unknown penalty type	—	—	—	na	1	na	—	na	na
<i>Total</i>	50	11	132	9	26	—	2	na	na
Abduction and related offences									
Imprisonment	15	16	3	1	19	—	—	na	na
Other penalty type	8	5	4	na	9	na	—	na	na
Unknown penalty type	—	—	—	na	1	na	—	na	na
<i>Total</i>	23	21	7	3	29	—	—	na	na
Robbery, extortion and related offences									
Imprisonment	522	274	173	40	191	18	24	na	na
Other penalty type	119	90	34	na	42	na	—	na	na
Unknown penalty type	4	—	1	na	3	na	—	na	na
<i>Total</i>	645	364	208	48	236	29	24	na	na
Unlawful entry with intent /burglary, break and enter									
Imprisonment	219	55	269	22	377	15	13	na	na
Other penalty type	59	7	189	na	325	na	—	na	na
Unknown penalty type	2	—	1	na	26	na	—	na	na
<i>Total</i>	280	62	459	57	728	17	13	na	na
Theft and related offences									
Imprisonment	51	44	161	6	69	8	9	na	na
Other penalty type	36	38	288	na	57	na	1	na	na
Unknown penalty type	1	—	5	na	7	na	—	na	na
<i>Total</i>	88	82	454	13	133	16	10	na	na
Deception and related offences									
Imprisonment	83	52	223	13	58	1	6	na	na
Other penalty type	52	91	242	na	36	na	—	na	na
Unknown penalty type	—	—	2	na	3	na	—	na	na
<i>Total</i>	135	143	467	17	97	12	6	na	na

na not available

— nil or rounded to zero (including null cells)

(a) Includes defendants adjudicated by guilty plea or guilty verdict.

(b) Refers to the type of penalty for any offence for which the defendant has been proven guilty (see paragraph 31 of the Explanatory Notes).

(c) Penalties other than imprisonment and unknown penalty types were unable to be distinguished.

(d) Imprisonment may also include defendants with fully suspended sentences (see paragraph 40 of the Explanatory Notes).

(e) Offence and penalty data are currently not available for the Australian Capital Territory (see paragraph 10 of the Explanatory Notes).

APPENDIX 1 EXPERIMENTAL OFFENCE AND PENALTY DATA *continued*

A1.6

DEFENDANTS PROVEN GUILTY(a), Principal offence by type of penalty(b) *continued*

ASOC division and type of penalty	NSW	Vic.	Qld	SA(c)	WA(d)	Tas.(c)	NT(d)	ACT(e)	Aust.(e)
NUMBER <i>cont.</i>									
Illicit drug offences									
Imprisonment	324	118	269	58	156	6	23	na	na
Other penalty type	186	44	256	na	108	na	2	na	na
Unknown penalty type	1	—	2	na	4	na	—	na	na
<i>Total</i>	511	162	527	182	268	14	25	na	na
Weapons and explosives offences									
Imprisonment	10	3	2	—	1	—	—	na	na
Other penalty type	9	1	6	na	1	na	—	na	na
Unknown penalty type	—	—	—	na	—	na	—	na	na
<i>Total</i>	19	4	8	1	2	—	—	na	na
Property damage and environmental pollution									
Imprisonment	15	12	43	4	13	8	2	na	na
Other penalty type	14	10	102	na	17	na	—	na	na
Unknown penalty type	—	—	1	na	1	na	—	na	na
<i>Total</i>	29	22	146	10	31	23	2	na	na
Public order offences									
Imprisonment	7	30	10	—	17	—	2	na	na
Other penalty type	8	63	9	na	19	na	—	na	na
Unknown penalty type	—	—	—	na	1	na	—	na	na
<i>Total</i>	15	93	19	2	37	2	2	na	na
Road traffic and motor vehicle regulatory offences									
Imprisonment	—	—	—	—	—	—	—	na	na
Other penalty type	—	2	—	na	—	na	—	na	na
Unknown penalty type	—	—	—	na	—	na	—	na	na
<i>Total</i>	—	2	—	—	—	—	—	na	na
Offences against justice procedures, government security and government operations									
Imprisonment	47	8	18	8	67	9	—	na	na
Other penalty type	38	12	21	na	47	na	—	na	na
Unknown penalty type	1	—	—	na	5	na	—	na	na
<i>Total</i>	86	20	39	16	119	20	—	na	na
Miscellaneous offences									
Imprisonment	39	11	45	3	24	—	161	na	na
Other penalty type	10	24	80	na	32	na	2	na	na
Unknown penalty type	—	—	4	na	2	na	1	na	na
<i>Total</i>	49	35	129	7	58	1	164	na	na
Not able to be determined(f)									
Imprisonment	38	53	447	58	46	47	4	na	na
Other penalty type	122	211	819	na	98	na	—	na	na
Unknown penalty type	3	166	1	na	11	na	—	na	na
<i>Total</i>	163	430	1 267	103	155	101	4	na	na
All offence categories									
Imprisonment Total	1 842	971	2 477	274	1 402	156	307	na	na
Other penalty type Total	901	767	2 825	na	886	na	7	na	na
Unknown Total	14	167	27	na	77	na	1	na	na
Total defendants	2 757	1 905	5 329	585	2 365	327	315	139	13 722

na not available

— nil or rounded to zero (including null cells)

(a) Includes defendants adjudicated by guilty plea or guilty verdict.

(b) Refers to the type of penalty for any offence for which the defendant has been proven guilty (see paragraph 31 of the Explanatory Notes).

(c) Penalties other than imprisonment and unknown penalty types were unable to be distinguished.

(d) Imprisonment may also include defendants with fully suspended sentences (see paragraph 40 of the Explanatory Notes).

(e) Offence and penalty data are currently not available for the Australian Capital Territory (see paragraph 10 of the Explanatory Notes).

(f) Defendants for whom offence data are missing or a principal offence could not be determined (see paragraphs 38 and 39 of the Explanatory Notes).

APPENDIX 1 EXPERIMENTAL OFFENCE AND PENALTY DATA *continued*

A1.6 DEFENDANTS PROVEN GUILTY(a), Principal offence by type of penalty(b) *continued*

ASOC division and type of penalty	NSW	Vic.	Qld	SA(c)	WA(d)	Tas.(c)	NT(d)	ACT(e)	Aust.(e)
PROPORTION (%)									
Homicide and related offences									
Imprisonment	83.2	97.2	88.0	94.4	93.2	76.9	100.0	na	na
Other penalty type	16.8	2.8	12.0	na	6.8	na	—	na	na
Unknown penalty type	—	—	—	na	—	na	—	na	na
<i>Total</i>	100.0	100.0	100.0	100.0	100.0	100.0	100.0	na	na
Acts intended to cause injury									
Imprisonment	56.3	54.5	41.1	40.0	68.5	41.5	97.6	na	na
Other penalty type	43.8	45.5	57.9	na	27.9	na	2.4	na	na
Unknown penalty type	—	—	1.0	na	3.6	na	—	na	na
<i>Total</i>	100.0	100.0	100.0	100.0	100.0	100.0	100.0	na	na
Sexual assault and related offences									
Imprisonment	65.3	58.5	66.8	50.0	81.4	46.2	100.0	na	na
Other penalty type	34.0	41.0	33.2	na	16.0	na	—	na	na
Unknown penalty type	0.8	0.5	—	na	2.5	na	—	na	na
<i>Total</i>	100.0	100.0	100.0	100.0	100.0	100.0	100.0	na	na
Dangerous or negligent acts endangering persons									
Imprisonment	70.0	90.9	56.1	—	65.4	—	50.0	na	na
Other penalty type	30.0	9.1	43.9	na	30.8	na	50.0	na	na
Unknown penalty type	—	—	—	na	3.8	na	—	na	na
<i>Total</i>	100.0	100.0	100.0	100.0	100.0	—	100.0	na	na
Abduction and related offences									
Imprisonment	65.2	76.2	42.9	33.3	65.5	—	—	na	na
Other penalty type	34.8	23.8	57.1	na	31.0	na	—	na	na
Unknown penalty type	—	—	—	na	3.4	na	—	na	na
<i>Total</i>	100.0	100.0	100.0	100.0	100.0	—	—	na	na
Robbery, extortion and related offences									
Imprisonment	80.9	75.3	83.2	83.3	80.9	62.1	100.0	na	na
Other penalty type	18.4	24.7	16.3	na	17.8	na	—	na	na
Unknown penalty type	0.6	—	0.5	na	1.3	na	—	na	na
<i>Total</i>	100.0	100.0	100.0	100.0	100.0	100.0	100.0	na	na
Unlawful entry with intent /burglary, break and enter									
Imprisonment	78.2	88.7	58.6	38.6	51.8	88.2	100.0	na	na
Other penalty type	21.1	11.3	41.2	na	44.6	na	—	na	na
Unknown penalty type	0.7	—	0.2	na	3.6	na	—	na	na
<i>Total</i>	100.0	100.0	100.0	100.0	100.0	100.0	100.0	na	na
Theft and related offences									
Imprisonment	58.0	53.7	35.5	46.2	51.9	50.0	90.0	na	na
Other penalty type	40.9	46.3	63.4	na	42.9	na	10.0	na	na
Unknown penalty type	1.1	—	1.1	na	5.3	na	—	na	na
<i>Total</i>	100.0	100.0	100.0	100.0	100.0	100.0	100.0	na	na
Deception and related offences									
Imprisonment	61.5	36.4	47.8	76.5	59.8	8.3	100.0	na	na
Other penalty type	38.5	63.6	51.8	na	37.1	na	—	na	na
Unknown penalty type	—	—	0.4	na	3.1	na	—	na	na
<i>Total</i>	100.0	100.0	100.0	100.0	100.0	100.0	100.0	na	na

na not available

— nil or rounded to zero (including null cells)

(a) Includes defendants adjudicated by guilty plea or guilty verdict.

(b) Refers to the type of penalty for any offence for which the defendant has been proven guilty (see paragraph 31 of the Explanatory Notes).

(c) Penalties other than imprisonment and unknown penalty types were unable to be distinguished.

(d) Imprisonment may also include defendants with fully suspended sentences (see paragraph 40 of the Explanatory Notes).

(e) Offence and penalty data are currently not available for the Australian Capital Territory (see paragraph 10 of the Explanatory Notes).

APPENDIX 1 EXPERIMENTAL OFFENCE AND PENALTY DATA *continued*

A1.6 DEFENDANTS PROVEN GUILTY(a), Principal offence by type of penalty(b) *continued*

ASOC division and type of penalty	NSW	Vic.	Qld	SA(c)	WA(d)	Tas.(c)	NT(d)	ACT(e)	Aust.(e)
PROPORTION (%) <i>cont.</i>									
Illicit drug offences									
Imprisonment	63.4	72.8	51.0	31.9	58.2	42.9	92.0	na	na
Other penalty type	36.4	27.2	48.6	na	40.3	na	8.0	na	na
Unknown penalty type	0.2	—	0.4	na	1.5	na	—	na	na
<i>Total</i>	100.0	100.0	100.0	100.0	100.0	100.0	100.0	na	na
Weapons and explosives offences									
Imprisonment	52.6	75.0	25.0	—	50.0	—	—	na	na
Other penalty type	47.4	25.0	75.0	na	50.0	na	—	na	na
Unknown penalty type	—	—	—	na	—	na	—	na	na
<i>Total</i>	100.0	100.0	100.0	100.0	100.0	—	—	na	na
Property damage and environmental pollution									
Imprisonment	51.7	54.5	29.5	40.0	41.9	34.8	100.0	na	na
Other penalty type	48.3	45.5	69.9	na	54.8	na	—	na	na
Unknown penalty type	—	—	0.7	na	3.2	na	—	na	na
<i>Total</i>	100.0	100.0	100.0	100.0	100.0	100.0	100.0	na	na
Public order offences									
Imprisonment	46.7	32.3	52.6	—	45.9	—	100.0	na	na
Other penalty type	53.3	67.7	47.4	na	51.4	na	—	na	na
Unknown penalty type	—	—	—	na	2.7	na	—	na	na
<i>Total</i>	100.0	100.0	100.0	100.0	100.0	100.0	100.0	na	na
Road traffic and motor vehicle regulatory offences									
Imprisonment	—	—	—	—	—	—	—	na	na
Other penalty type	—	100.0	—	na	—	na	—	na	na
Unknown penalty type	—	—	—	na	—	na	—	na	na
<i>Total</i>	—	100.0	—	—	—	—	—	na	na
Offences against justice procedures, government security and government operations									
Imprisonment	54.7	40.0	46.2	50.0	56.3	45.0	—	na	na
Other penalty type	44.2	60.0	53.8	na	39.5	na	—	na	na
Unknown penalty type	1.2	—	—	na	4.2	na	—	na	na
<i>Total</i>	100.0	100.0	100.0	100.0	100.0	100.0	—	na	na
Miscellaneous offences									
Imprisonment	79.6	31.4	34.9	42.9	41.4	—	98.2	na	na
Other penalty type	20.4	68.6	62.0	na	55.2	na	1.2	na	na
Unknown penalty type	—	—	3.1	na	3.4	na	0.6	na	na
<i>Total</i>	100.0	100.0	100.0	100.0	100.0	100.0	100.0	na	na
Not able to be determined(f)									
Imprisonment	23.3	12.3	35.3	56.3	29.7	46.5	100.0	na	na
Other penalty type	74.8	49.1	64.6	na	63.2	na	—	na	na
Unknown penalty type	1.8	38.6	0.1	na	7.1	na	—	na	na
<i>Total</i>	100.0	100.0	100.0	100.0	100.0	100.0	100.0	na	na
All offence categories									
Imprisonment Total	66.8	51.0	46.5	46.8	59.3	47.7	97.5	na	na
Other penalty type Total	32.7	40.3	53.0	na	37.5	na	2.2	na	na
Unknown Total	0.5	8.8	0.5	na	3.3	na	0.3	na	na
Total defendants	100.0	100.0	100.0	100.0	100.0	100.0	100.0	na	na

na not available

— nil or rounded to zero (including null cells)

(a) Includes defendants adjudicated by guilty plea or guilty verdict.

(b) Refers to the type of penalty for any offence for which the defendant has been proven guilty (see paragraph 31 of the Explanatory Notes).

(c) Penalties other than imprisonment and unknown penalty types were unable to be distinguished.

(d) Imprisonment may also include defendants with fully suspended sentences (see paragraph 40 of the Explanatory Notes).

(e) Offence and penalty data are currently not available for the Australian Capital Territory (see paragraph 10 of the Explanatory Notes).

(f) Defendants for whom offence data are missing or a principal offence could not be determined (see paragraphs 38 and 39 of the Explanatory Notes).

APPENDIX 2 METHOD OF INITIATION CLASSIFICATION

<i>Code</i>	<i>Division/Subdivision/Item</i>
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

APPENDIX 3 METHOD OF FINALISATION CLASSIFICATION

<i>Code</i>	<i>Division/Subdivision/Item</i>
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

APPENDIX 4 AUSTRALIAN STANDARD OFFENCE CLASSIFICATION

<i>Code</i>	<i>Division/Subdivision</i>
01	Homicide and related offences
011	Murder
012	Conspiracies and attempts to murder
013	Manslaughter and driving causing death
02	Acts intended to cause injury
021	Assault
029	Other acts intended to cause injury
03	Sexual assault and related offences
031	Sexual assault
032	Non-assaultive sexual offences
04	Dangerous or negligent acts endangering persons
041	Dangerous or negligent operation of a vehicle
049	Other dangerous or negligent acts endangering persons
05	Abduction and related offences
051	Abduction and kidnapping
052	Deprivation of liberty/False imprisonment
06	Robbery, extortion and related offences
061	Robbery
062	Blackmail and extortion
07	Unlawful entry with intent/Burglary, break and enter
071	Unlawful entry with intent/Burglary, break and enter
08	Theft and related offences
081	Motor vehicle theft and related offences
082	Theft (except motor vehicles)
083	Receiving or handling proceeds of crime
084	Illegal use of property (except motor vehicles)
09	Deception and related offences
091	Fraud, forgery or false financial instruments
092	Counterfeiting currency and related offences
093	Dishonest conversion
094	Bribery
099	Other deception offences
10	Illicit drug offences
101	Import or export illicit drugs
102	Deal or traffic in illicit drugs
103	Manufacture or cultivate illicit drugs
104	Possess and/or use illicit drugs
109	Other illicit drug offences
11	Weapons and explosives offences
111	Prohibited weapons/Explosives offences
112	Regulated weapons/Explosives offences
12	Property damage and environmental pollution
121	Property damage
122	Environmental pollution
13	Public order offences
131	Disorderly conduct
132	Regulated public order offences
14	Road traffic and motor vehicle regulatory offences
141	Driving licence offences
142	Road vehicle registration and roadworthiness offences
143	Regulatory driving offences
144	Pedestrian offences
15	Offences against justice procedures, government security and government operations
151	Breach of justice order
152	Other offences against justice procedures
153	Offences against government security
154	Offences against government operations
16	Miscellaneous offences
161	Harassment and related offences
162	Public health and safety offences
163	Commercial/Industry/Financial regulation
169	Other miscellaneous offences

GLOSSARY

Abduction and related offences	Acts intended to unlawfully deprive another person of their freedom of movement against that person's will or against the will of any parent, guardian or other person having lawful custody or care of that person. This offence category is a division of ASOC which includes the following subdivisions: Abduction and kidnapping (051), and Deprivation of liberty/false imprisonment (052).
Acquitted	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.
Active workload	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.
Acts intended to cause injury	Acts, excluding homicide and related offences, which are intended to cause non-fatal injury or harm to another person and where there is no sexual or acquisitive element. This is a division of ASOC which includes the following subdivisions: Assault (021) and Other acts intended to cause injury (029).
Adjudicated finalisation	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(s) laid against them.
Australian Standard Offence Classification (ASOC)	The ASOC is a hierarchical classification developed by the ABS for use in the collection and publication of crime and justice statistics. It provides a classificatory framework for the comparison of statistics on offences across Australia. Within the classificatory structure of ASOC, Divisions represent the broadest categories of offences (see Appendix 4).
Bench warrant executed	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.
Bench warrant issued	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.
Case	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.
Charge	An allegation laid before a court by the police or other prosecuting agency that a person or corporation has committed a criminal offence.
Committal	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.
Committal plea	The plea to a charge which is entered by a defendant at the end of committal proceedings in a Court of Summary Jurisdiction.
Committed for sentence	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.
Committed for trial	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.

GLOSSARY *continued*

County Court	See Intermediate Court.
Court level	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.
Court of Petty Sessions	See Court of Summary Jurisdiction.
Court of Summary Jurisdiction	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 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.
Dangerous or negligent acts endangering persons	Dangerous or negligent acts which, though not intended to cause harm, actually or potentially result in injury to oneself or another person. This is a division of ASOC which includes the following subdivisions: Dangerous or negligent operation of a vehicle (041) and Other dangerous or negligent acts endangering persons (049).
Date of committal	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.
Date of finalisation	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.
Date of initiation	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.
Date of registration	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.
Date of verdict	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.
Deception and related offences	The use of deception, secret agreements or the making of false instruments with the intent of dishonestly obtaining property, services or other advantage. This is a division of ASOC which includes the following subdivisions: Fraud, forgery or false financial instruments (091); Counterfeiting currency and related offences (092); Dishonest conversion (093); Bribery (094) and Other deception offences (099).
Defendant	<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</p>

GLOSSARY *continued*

Defendant <i>continued</i>	reference period, such a person or corporation will be counted more than once in this statistical collection.
District Court	See Intermediate Court.
Duration	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: <ul style="list-style-type: none">■ date of initiation and date of finalisation;■ date of initiation and date of verdict; and■ date of verdict and date of finalisation.
Elapsed time since initiation	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.
Ex-officio	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.
Final plea	The last plea entered by a defendant in relation to a criminal charge that is laid against him/her in a Higher Court.
Finalised defendant	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.
Global sentencing	A sentencing practice whereby a defendant who has been proven guilty on two or more charges receives an aggregate sentence covering all the proven charges, rather than separate sentences associated with each proven charge.
Guilty plea	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 do not intend to contest the charge. If the guilty plea is accepted by the court, the charge will be considered to be proven.
Guilty verdict	An outcome of a trial in which a court determines that the criminal charge against a defendant has been proven.
Higher Court	An Intermediate Court or Supreme Court.
Homicide and related offences	The unlawful killing, attempted unlawful killing or conspiracy to kill another person. This is a division of ASOC which includes the following subdivisions: Murder (011), Conspiracies and attempts to murder (012), and Manslaughter and driving causing death (013).
Illicit drug offences	The possession, sale, dealing or trafficking, importing or exporting, manufacture or cultivation of drugs or other substances prohibited under legislation. This is a division of ASOC which includes the following subdivisions: Import or export illicit drugs (101), Deal or traffic in illicit drugs (102), Manufacture or cultivate illicit drugs (103), Possess and/or use illicit drugs (104) and Other illicit drug offences (109).
Imprisonment	A type of penalty which results in a person being taken into custody on a full-time basis. This includes partially suspended sentences where the person serves part of the imprisonment term but some component is deferred and will not be served unless the person does not comply with the conditions of the suspended order. Imprisonment sentences that are fully suspended or relate to home or periodic detention are excluded. Custody must take place in a gazetted prison, juvenile detention centre or youth training centre and excludes custody in a mental or psychiatric institution.

GLOSSARY *continued*

Indictable offence	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.
Initial plea	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.
Initiated defendant	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.
Intermediate Court	<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>
Jurisdiction	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.
Local Court	See Court of Summary Jurisdiction.
Lower Court	See Court of Summary Jurisdiction.
Magistrates Court	See Court of Summary Jurisdiction.
Median	The middle value of a population when values are ranked by order of size. Below and above this point lie an equal number of values.
Method of finalisation	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 3).
Method of initiation	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 2).
Miscellaneous offences	Offences involving the breach of statutory rules or regulations governing activities that are prima facie legal, where such offences are not explicitly dealt with under any other division of ASOC. This is a division of ASOC which includes the following subdivisions: Harassment and related offences (161), Public health and safety offences (162), Commercial/industry/financial regulation (163) and Other miscellaneous offences (169).
Non-adjudicated finalisation	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*

Not guilty plea	The formal statement by a defendant denying culpability in relation to a charge. This also includes 'no plea', 'plea reserved' and 'other defended plea'.
Not guilty verdict	See Acquitted.
Offences against justice, government	An act or omission that is deemed to be prejudicial to the effective carrying out of justice procedures or any government operations including those specifically concerned with maintaining government security. This is a division of ASOC which includes the following subdivisions: Breach of Justice Order (151), Other offences against justice procedures (152), Offences against government security (153) and Offences against government operations (154).
Original jurisdiction	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.)
Other initiation	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.
Penalty	Punishment for a breach of the criminal law. This is usually a final order or sanction imposed by a court during a sentence hearing for a defendant who has been proven guilty of committing a criminal offence.
Pending defendant	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.
Plea	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.
Principal offence adjudicated	The offence category (based on ASOC) associated with the main charge that has an adjudicated finalisation (i.e. an outcome of acquitted or proven guilty). For a defendant who has a method of finalisation of proven guilty, the principal offence refers to the main charge proven guilty while for a defendant who has a method of finalisation of acquitted, the principal offence refers to the main charge acquitted.
Property damage and environmental pollution	The wilful and unlawful destruction, damage or defacement of public or private property, or the pollution of property or a definable entity held in common by the community. This is a division of ASOC which includes the following subdivisions: Property damage (121) and Environmental pollution (122).
Proven guilty	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.
Public order offences	Offences involving personal conduct that involves or may lead to a breach of public order and decency, or that is indicative of criminal intent, or that is otherwise regulated or prohibited on moral or ethical grounds. The 'victim' of these offences is generally the public at large. However, some offences such as offensive language and offensive behaviour may be directed towards a single victim. This is a division of ASOC which includes the following subdivisions: Disorderly conduct (131) and Regulated public order activities (132).
Road traffic and motor vehicle offences	Offences relating to vehicles and most forms of road traffic, including offences pertaining to the licensing, registration, roadworthiness or use of vehicles, bicycle offences and pedestrian offences. This is a division of ASOC which includes the following subdivisions: Driving licence offences (141), Road vehicle registration and roadworthiness offences (142), Regulatory driving offences (143) and Pedestrian offences (144).

GLOSSARY *continued*

Robbery, extortion and related offences	Acts intended to unlawfully gain money, property or other thing of value from, or cause detriment to, another person by using the threat of force or any other coercive measure. This is a division of ASOC which includes the following subdivisions: Robbery (061) and Blackmail and extortion (062).
Sentence	A penalty or punishment imposed by a court upon a defendant who is proven guilty of a criminal offence.
Sentence hearing	A hearing in which a judge imposes a sentence upon a convicted defendant in a particular court.
Sexual assault and related offences	Acts of a sexual nature against another person which are non-consensual or consent is proscribed. This offence category is a division of ASOC which includes the following subdivisions: Sexual assault (031) and Non-assaultive sexual offences (032).
Summary offence	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).
Supreme Court	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.
Theft and related offences	The unlawful taking or obtaining of money or goods not involving the use of force, threat of force or violence, coercion or deception, with the intent to permanently or temporarily deprive the owner or possessor of the use of the money or goods, or the receiving or handling of money or goods obtained unlawfully. This is a division of ASOC which includes the following subdivisions: Motor vehicle theft and related offences (081), Theft (except motor vehicles) (082), Receiving or handling proceeds of crime (083) and Illegal use of property (except motor vehicles) (084).
Transfer between court levels	<p>A court outcome ordering that a criminal charge be transferred to another court level to be adjudicated 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>
Trial	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 not the defendant is guilty. Some States and Territories also allow for a trial before a judge alone in the Higher Courts.

GLOSSARY *continued*

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.
Unlawful entry with intent/burglary, break and enter	The unlawful entry of a structure with the intent to commit an offence where the entry is either forced or unforced. This is a division of ASOC which includes burglary and break and enter offences.
Weapons and explosives offences	Offences relating to weapons or explosives which are either prohibited or legalised/regulated by legislation. This is a division of ASOC which includes the following subdivisions: Prohibited weapons/explosives offences (111) and regulated weapons/explosives offences (112).
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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