



CRIMINAL COURTS

AUSTRALIA

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

ABOUT THIS PUBLICATION This publication presents nationally comparable statistics relating to the criminal jurisdiction of the Higher (Supreme and Intermediate) Courts across Australia for the period 1 July 2001–30 June 2002. Magistrates' Criminal Courts data are also available on an experimental basis. The statistics provide indicators on the characteristics of defendants, including information on the offences and sentence types associated with those defendants.

DATA CONSISTENCY The statistics are sourced from the national 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, Appendixes 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 In the previous issue of this publication, Higher Criminal Court offence and sentence type data was considered experimental and included in the Appendixes. Due to significant data quality improvements, these data are now available in tables 1–6 of the main suite of statistical tables. The inclusion of these tables has resulted in changes to subsequent table numbering.

Tables 7 and 8 are no longer published by court level, although this information is available on request. In table 10 the wafer 'pending at start' has been replaced with 'pending at end' and there is an additional wafer showing the median duration of defendants 'pending at end'.

Some previously published data are available as special data services. For further information regarding the availability of companion data contact the National Information Referral Service on 1300 135 070.

EXPERIMENTAL DATA For the first time, data on the characteristics of defendants finalised in the Magistrates' Criminal Courts are included in this publication. At this stage, incomplete coverage and data quality issues and the need to further refine the national counting rules and definitions, mean that these tables are experimental. While they should be used with some caution, they provide useful information on this part of the Criminal Court system. They are included in Appendix 1.

The ABS is progressing resolution of the issues associated with data availability and quality with the data providers.

ACKNOWLEDGMENTS The ABS acknowledges the valuable contribution of the National Criminal Court Statistics Advisory Group, the Courts Practitioners Group and the staff of the various agencies that provide the statistics that are presented in this publication.

Dennis Trewin
Australian Statistician

SUMMARY OF FINDINGS

INTRODUCTION

This publication presents statistics relating to the criminal jurisdiction of the Higher (Supreme and Intermediate) and Magistrates' Courts of Australia, for the period 1 July 2001–30 June 2002. The criminal jurisdiction of the courts is responsible for trying and sentencing persons or organisations charged with criminal offences. The statistics are based on data extracted from administrative records held by state and territory agencies responsible for courts administration.

The publication provides a picture of the characteristics of defendants dealt with by the Higher Criminal Courts, including information on the offences and sentence types associated with those defendants. In the previous issue of this publication, offence and sentence type data were considered experimental and included in the Appendixes. However, due to significant data quality improvements, this information is now available in the main suite of tables.

Summary data relating to the criminal workload of the Higher Courts are also provided for individual years from 1996–97 onwards.

For the first time in this publication, information on the characteristics of defendants finalised in the criminal jurisdiction of the Magistrates' Courts, including offence and sentence type information associated with those defendants, is presented. These tables have been labelled experimental and are included in Appendix 1.

The Explanatory Notes provide detailed information on the data sources, definitions, counting rules and other technical matters associated with this publication.

KEY FINDINGS

The key findings for defendants finalised in the Higher Criminal Courts during 2001–02 are:

- The number of finalisations decreased by less than 1% (32) between 2000–01 and 2001–02 to 17,997 defendants.
- Approximately 85% (15,229) of defendants were finalised by adjudication (i.e. proven guilty or acquitted). The remaining defendants were finalised by a non-adjudicated method such as all charges being withdrawn by the prosecution.
- Nearly one in two defendants finalised by adjudication were males aged between 20 and 34 years. Males represented 88% of all defendants finalised by adjudication.
- For both male and female adjudicated defendants, the principal offence category with the highest proportion was acts intending to cause injury (including assault) (21% for males and 19% for females). Males were more likely than females to have a principal offence related to sexual assault (12% of males, 1% of females) while offences related to deception were the principal offence for 17% of females and 6% of males.
- For all adjudicated defendants, 92% were proven guilty and the remaining 8% were acquitted. The proportion of acquittals varied across offence categories ranging from 25% for sexual assault and related offences to 2% for deception and related offences.
- For defendants proven guilty, one in two (54%) received a custodial order (excluding fully suspended sentences) as their principal sentence type. For both males and females, these orders were the most likely principal sentence type. However, the proportion was higher for males than for females (57% of males and 38% of females).

SUMMARY OF FINDINGS *continued*

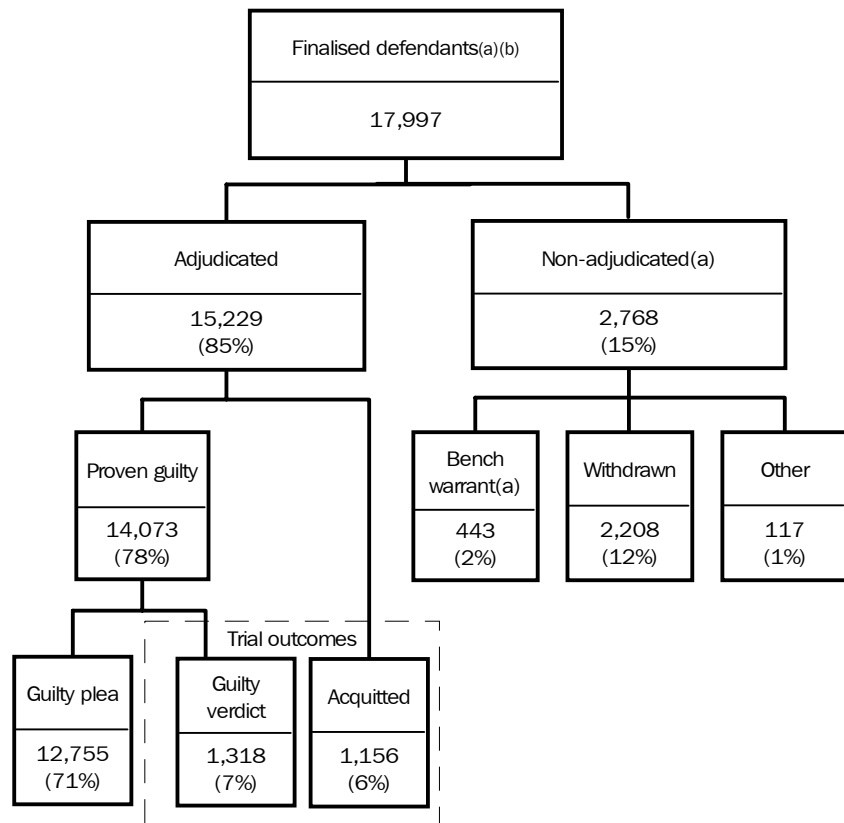
KEY FINDINGS *continued*

- The median duration for finalised defendants was 20 weeks, compared with 21 weeks in 2000–01. The largest reduction in the median duration for finalised defendants was in New South Wales (decreased by 13% or 3 weeks).
- Of all adjudicated defendants, those that received a guilty verdict had a median duration of 47 weeks, and those that were acquitted at trial had a median duration of 37 weeks. For those who pleaded guilty the median duration was 17 weeks.

HIGHER CRIMINAL COURT FINALISATIONS

Of the 17,997 defendants finalised in the Higher criminal courts during 2001–02, 78% (14,073) were proven guilty (i.e. pleaded guilty or were declared guilty at trial) and 6% (1,156) were acquitted. Combined, these two finalisation outcomes represent defendants that had their cases adjudicated by the courts (85% or 15,229). The remaining 15% (2,768) of defendants were finalised by a non-adjudicated method such as all charges withdrawn by the prosecution, the defendant absconded or the defendant died.

Of all adjudicated defendants, 16% (2,474) were subject to a trial outcome and of these trial outcome adjudications 53% (1,318) were found guilty. Guilty pleas accounted for 84% (12,755) of adjudicated finalisations. Of the 14,073 defendants who were proven guilty, 91% pleaded guilty and the other 9% were declared guilty at trial.



(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.

Queensland had the largest number of adjudicated defendants (6,065), followed by New South Wales (3,167).

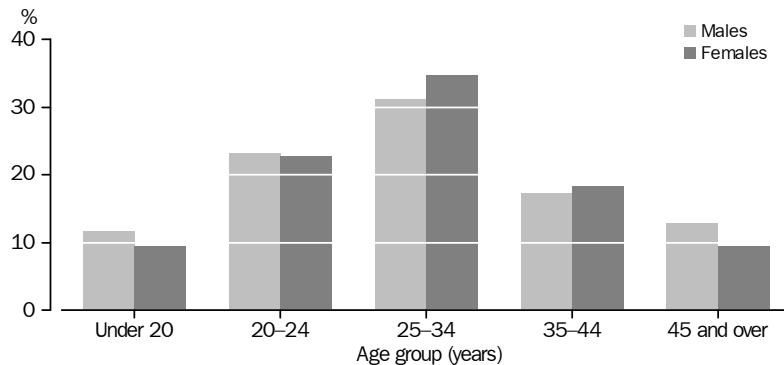
SUMMARY OF FINDINGS *continued*

ADJUDICATED DEFENDANTS *Age and sex*

The median age of defendants finalised by adjudication in the Higher Criminal Courts was 29 years (see table 1). The majority (55%) of adjudicated defendants were aged between 20 and 34 years. The median age of adjudicated defendants displayed considerable variation across the principal offence categories (see principal offence below).

Males represented 88% of total adjudicated defendants. Of all defendants adjudicated during 2001–02, 48% were males aged 20–34 years. Approximately one-third of both male and female adjudicated defendants were aged 25–34 years (31% of male adjudicated defendants and 35% of female adjudicated defendants).

ADJUDICATED DEFENDANTS(a), By age and sex



(a) Excludes defendants who are organisations and defendants whose sex is unknown.

Principal offence

Offence data refer to the principal offence adjudicated by the court (see paragraphs 37–40 of the Explanatory Notes for discussion on principal offence).

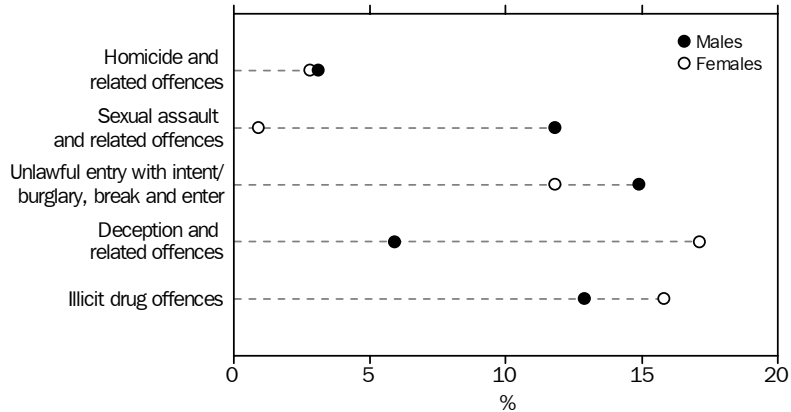
Five principal offence categories (Australian Standard Offence Classification Divisions, see Appendix 4), accounted for the majority of the adjudicated defendants in Australia's Higher Criminal Courts during 2001–02. These were: acts intending to cause injury (including assault) (20%); unlawful entry with intent (including burglary and break and enter) (14%); offences related to robbery and extortion (13%); illicit drug offences (13%); and offences related to sexual assault (10%). There were 10,934 (72%) defendants adjudicated by the Higher Criminal Courts with a principal offence in one of these five offence categories.

For both male and female defendants, the most prevalent principal offence category for which they were adjudicated was acts intending to cause injury (21% of males and 19% of females). There were proportionally more males with a principal offence related to sexual assault (12% of males, 1% of females) while offences related to deception was the principal offence for 17% of females and 6% of males.

SUMMARY OF FINDINGS *continued*

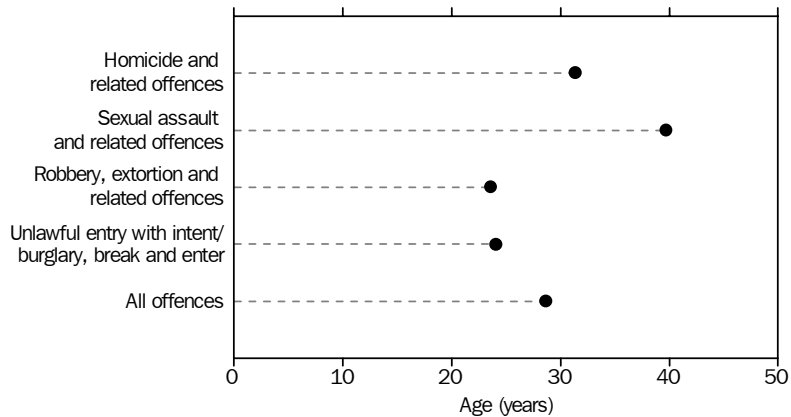
Principal offence continued

ADJUDICATED DEFENDANTS, By selected principal offence



Adjudicated defendants with a principal offence related to sexual assault had the highest median age (40 years) while the lowest median age was for defendants with a principal offence related to robbery and/or extortion, or unlawful entry with intent (24 years).

ADJUDICATED DEFENDANTS, Median age by selected principal offence



Nationally, the principal offence of adjudicated defendants showed a different pattern for males and females across age groups in the Higher Criminal Courts. Both males and females aged up to 24 years were more likely to be adjudicated with a principal offence related to robbery/extortion or unlawful entry with intent. Males aged 25–44 years were more likely to be adjudicated with a principal offence of acts intending to cause injury, whilst males aged 45 years and over were more likely to be adjudicated for a principal offence related to sexual assault. Females aged 25–34 were more likely to be adjudicated with a principal offence of acts intended to cause injury, while females aged 35 years and over were more likely to be adjudicated with a principal offence of illicit drug offences (closely followed by deception and related offences).

SUMMARY OF FINDINGS *continued*

Method of finalisation

GUILTY PLEA

Nationally, 84% of adjudicated defendants in the Higher Criminal Courts were finalised by pleading guilty (see table 2). Those with a principal offence of unlawful entry with intent had the highest proportion of defendants finalised with a plea of guilty (94%), followed closely by those with a principal offence of dangerous or negligent acts endangering persons (93%). In contrast, adjudicated defendants with a principal offence related to homicide (47%) or sexual assault (60%) were least likely to plead guilty.

TRIAL OUTCOMES

Adjudicated defendants in the Higher Criminal Courts with a principal offence related to homicide or sexual assault had the highest proportion of guilty verdicts and acquittals (as a consequence of their lower propensity to plead guilty). Adjudicated defendants with a principal offence related to homicide had the highest proportion of guilty verdicts (34%) followed by those with a principal offence related to sexual assault (15%). Adjudicated defendants in the Higher Criminal Courts with a principal offence related to sexual assault had the greatest proportion of acquittals (25%) followed by homicide and related offences (19%).

Across all principal offence categories, the acquittal rate for Higher Criminal Court defendants as a proportion of trial outcomes was 47%. Defendants with a principal offence related to sexual assault had the highest acquittal rate (62%), while for those with a principal offence related to homicide, the acquittal rate was 37%. The principal offence with the lowest acquittal rate was public order offences (24%), followed by illicit drug offences (26%).

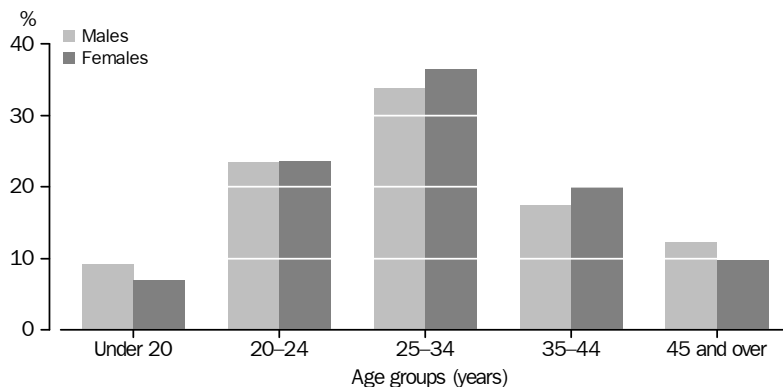
DEFENDANTS PROVEN GUILTY — PRINCIPAL SENTENCE TYPE

Data on sentence type is collected and published for all defendants who are proven guilty. Sentence type refers to the principal sentence type a defendant receives (see paragraph 44 of the Explanatory Notes for further information).

Custodial orders

Just over half of defendants proven guilty (54%) received custodial orders to be served (i.e. custodial orders excluding fully suspended sentences) (see table 3). For both males and females these were the main sentence types, although the proportion was higher for males (57%) than females (38%). For both males and females, the number of defendants receiving this sentence type was greatest for defendants aged 25–34 years.

DEFENDANTS PROVEN GUILTY,
Custodial order (excluding fully suspended sentences) by age and sex

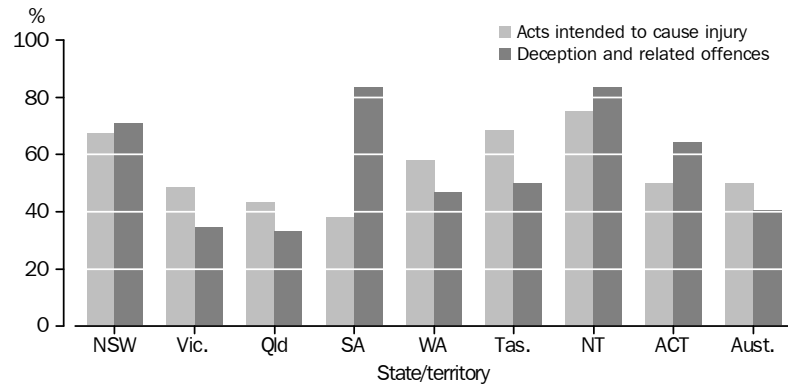


SUMMARY OF FINDINGS *continued*

Custodial orders continued

Custodial orders (excluding fully suspended sentences) as a proportion of all sentence types varied across principal offence categories (see table 4). Offence categories such as homicide and related offences and robbery, extortion and related offences had the highest proportion of these sentence types (86% and 77% respectively), whilst property damage and environmental pollution offences and public order offences had the lowest proportions of these sentence types (31% and 32% respectively). The proportions of custodial orders also varied across states and territories, with some of the largest variations occurring for the principal offences of acts intended to cause injury (ranging from 38% in South Australia to 75% in the Northern Territory) and deception and related offences (ranging from 33% in Queensland to 83% in South Australia and the Northern Territory).

DEFENDANTS PROVEN GUILTY,
Custodial order (excluding fully suspended sentences) by selected principal offence



Nationally, 17% of adjudicated defendants proven guilty received a fully suspended sentence as their principal sentence type (see table 3). Fully suspended sentences were the principal sentence type for 17% of males and 20% of females. For both males and females, the proportion of defendants receiving a fully suspended sentence as a principal sentence increased with age ranging from 12% for males and females under 20 years, to 21% for males and 25% for females aged 45 years and over. Fully suspended sentences as a principal sentence type were greatest for offences against justice procedures (27%). For illicit drug offences, 25% of defendants received a fully suspended sentence as their principal sentence.

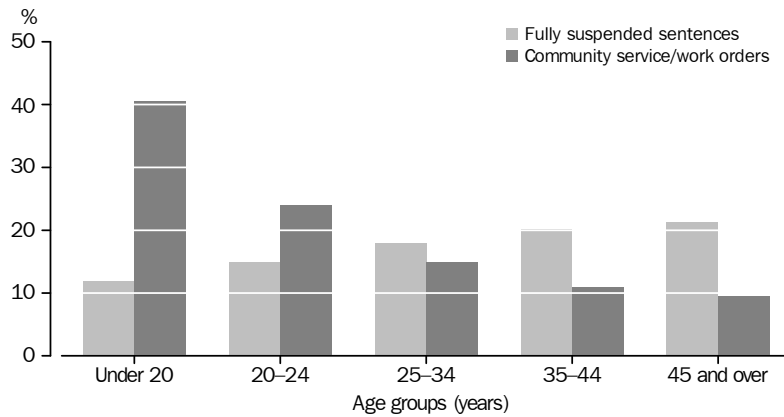
Non-custodial orders

Nationally, 28% of defendants proven guilty received a principal sentence type of a non-custodial order (includes community supervision/work orders, monetary orders and other non-custodial orders). This proportion was greater for females (40%) than for males (26%). The most common non-custodial sentence type for both males and females was a community supervision/work order (70% and 73% respectively of non-custodial sentences). However, unlike fully suspended sentences, the proportion of defendants receiving community supervision/work orders as a principal sentence decreased with age from 40% of males and 48% of females aged less than 20 years, to 9% of males and 16% of females aged 45 years and over.

SUMMARY OF FINDINGS *continued*

Non-custodial orders *continued*

DEFENDANTS PROVEN GUILTY, Age by selected principal sentence type

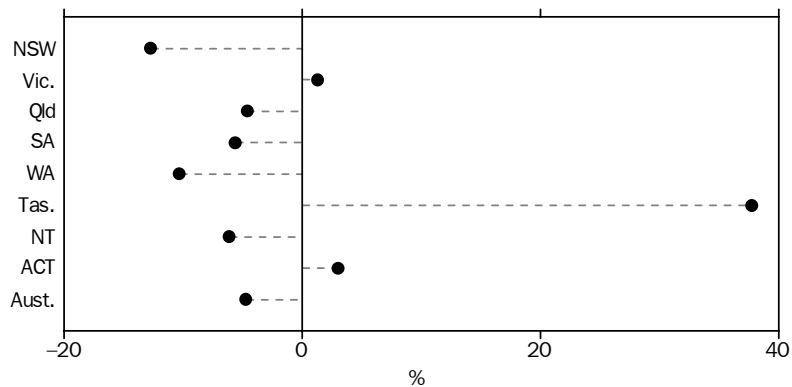


More than half of defendants (53%) proven guilty with a principal offence relating to property damage or environmental pollution received a non-custodial principal sentence (see table 4). This was followed by 44% of defendants for public order offences and 41% of defendants for theft and related offences.

DURATION

The median duration of all finalised defendants in the Higher Criminal Courts in 2001-02 was 20 weeks from initiation to finalisation, which represents a 5% (1 week) decrease since 2000-01 (see table 10). New South Wales recorded the largest actual and proportional decrease in median duration to 21 weeks. This 13% (or 3 week) decrease in New South Wales between 2000-01 and 2001-02 in conjunction with the large decrease between 1999-2000 and 2000-01 (26% or 9 weeks), highlights the continuing impact of major administrative and legal reforms that have been implemented in New South Wales. Other states and territories that recorded decreases in median duration for finalised defendants between 2000-01 and 2001-02 were Western Australia (10%), Northern Territory (6%), South Australia (6%) and Queensland (5%). Tasmania recorded the largest actual, and proportional increase in median duration (38% or 5 weeks) between 2000-01 and 2001-02. The large increase in Tasmania in the median duration of finalised defendants was primarily the result of an increase in the number of defendants initiated (36% or 160 defendants), several long trials and an increase in the number of trial outcomes.

DEFENDANTS FINALISED,
Change in median duration between 2000-01 — 2001-02



SUMMARY OF FINDINGS *continued*

DURATION *continued*

The period 1996–97 to 2001–02 shows that New South Wales had the largest decrease in median duration for finalised defendants (31%) while the Australian Capital Territory median duration for finalised defendants more than doubled during this period (105%) from 17 weeks to 34 weeks, although this has been relatively stable for the past 3 years. Factors contributing to this increase in the Australian Capital Territory include an increase in the number of finalised defendants, and delays in the court system due to long running trials with complex issues, and infrastructure limitations.

The nature of the charges presented to the court, together with the process required to deal with the charges (which is affected by type of plea), impact on the time required for a court to finalise a case. 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 associated with the type of offence(s) being heard, also impacts on the time required to finalise a case.

Change in plea

The initial plea entered by the defendant has implications for the workload of the Higher Criminal Courts and the length of time a defendant remains active within the court system. 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), 55% (5,038) entered the Higher Criminal Courts with a not guilty plea and were therefore expected to be tried (see table 7). Of the defendants who initially pleaded not guilty, 59% (2,994) changed their plea to guilty during proceedings in the Higher Criminal Courts.

Generally, defendants with an initial plea of guilty had a shorter duration than defendants with an initial plea of not guilty and final plea of guilty. Defendants entering an initial plea of not guilty and final plea of guilty in turn had a shorter duration than defendants with an initial and final plea of not guilty.

Method of finalisation

Of all adjudicated defendants, those that received a guilty verdict had a median duration of 47 weeks, and those that were acquitted at trial had a median duration of 37 weeks (see table 6). For those who pleaded guilty the median duration was 17 weeks.

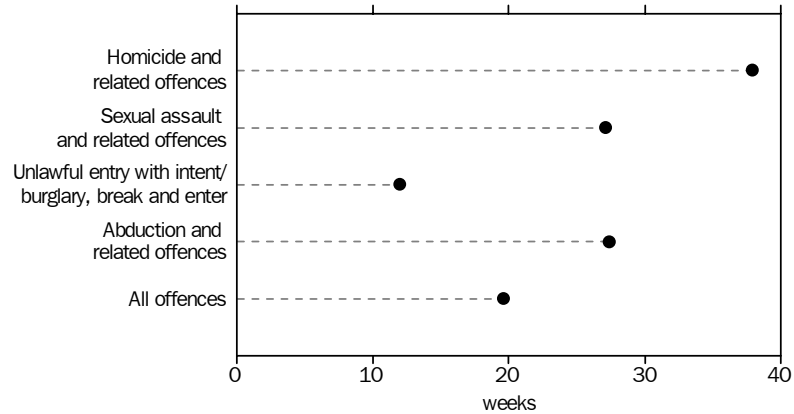
Principal offence

Adjudicated defendants with a principal offence related to homicide had the longest median duration of 38 weeks, followed by defendants with a principal offence related to sexual assault or abduction (27 weeks) (see table 5). Homicide and sexual assault had the largest proportion of trial outcomes (53% and 40% respectively), which take longer to finalise. Adjudicated defendants with a principal offence of unlawful entry with intent had the shortest median duration of 12 weeks, this is in line with the majority of defendants pleading guilty (94%).

SUMMARY OF FINDINGS *continued*

Principal offence continued

ADJUDICATED DEFENDANTS, Median duration by selected principal offence



Durations were quite different for defendants with a trial outcome, with more violent offences including homicide and sexual assault having shorter median durations than some non-violent offences including unlawful entry with intent.

CRIMINAL WORKLOAD

Finalisations

Between 2000–01 and 2001–02 the number of finalisations in the Higher Criminal Courts decreased by less than 1% (32) to 17,997 defendants (see table 10). The increase of 298 (4%) in Queensland in the number of finalised defendants between 2000–01 and 2001–02 was the largest actual change.

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 7,366 defendants pending at the end of 2001–02, an increase of 14% (929) since the end of 2000–01. The only state or territory to record a decrease in the number of defendants pending at the end of 2001–02 was the Australian Capital Territory with a decrease of 17% (25).

MAGISTRATES' CRIMINAL COURT FINALISATIONS

Coverage and data quality issues place limitations on the use of the experimental Magistrates' Criminal Court data for the 2001–02 reference period. For further details see paragraphs 49–52 of the Explanatory Notes and Appendix 1.

TOTAL HIGHER COURTS ADJUDICATED DEFENDANTS, Principal offence by age and sex

Sex and ASOC Division	Under						Total	Mean age (years)	Median age (years)
	20	20-24	25-34	35-44	45+	Unknown			
NUMBER									
Males									
Homicide and related offences	23	99	127	89	63	10	411	33.2	31.2
Acts intended to cause injury	293	616	976	488	238	127	2 738	30.5	28.8
Sexual assault and related offences	68	146	349	380	562	64	1 569	41.3	39.9
Dangerous or negligent acts endangering persons	35	122	130	42	23	15	367	28.6	26.6
Abduction and related offences	8	26	34	18	8	2	96	31.0	29.2
Robbery, extortion and related offences	368	613	551	157	45	54	1 788	25.9	23.6
Unlawful entry with intent/burglary, break and enter	389	665	637	178	38	78	1 985	25.8	24.0
Theft and related offences	109	187	215	81	46	29	667	28.6	26.0
Deception and related offences	27	106	220	186	189	56	784	37.2	35.7
Illicit drug offences	47	250	582	467	341	32	1 719	35.7	34.2
Weapons and explosives offences	4	10	16	11	10	7	58	33.6	31.1
Property damage and environmental pollution	69	90	87	40	15	22	323	27.2	24.1
Public order offences	30	36	35	33	35	5	174	33.6	31.6
Road traffic and motor vehicle regulatory offences	1	—	—	—	—	—	1	np	np
Offences against justice procedures, government security and government operations	18	54	67	46	28	11	224	32.1	30.0
Miscellaneous offences	34	47	93	60	48	30	312	33.4	31.0
Not able to be determined(a)	21	22	39	19	14	11	126	31.1	27.6
Total	1 544	3 089	4 158	2 295	1 703	553	13 342	31.5	28.7
Females									
Homicide and related offences	4	12	8	14	10	4	52	34.8	35.0
Acts intended to cause injury	21	61	157	60	35	31	365	31.8	30.0
Sexual assault and related offences	—	—	7	8	1	—	16	36.1	36.0
Dangerous or negligent acts endangering persons	4	6	8	7	8	3	36	34.8	33.0
Abduction and related offences	3	2	5	3	1	—	14	30.6	27.8
Robbery, extortion and related offences	46	84	75	24	1	4	234	25.7	24.0
Unlawful entry with intent/burglary, break and enter	38	73	77	21	4	8	221	26.5	24.9
Theft and related offences	25	37	36	33	12	7	150	30.1	27.3
Deception and related offences	17	47	116	67	41	34	322	33.4	32.1
Illicit drug offences	7	64	102	78	42	3	296	33.8	32.4
Weapons and explosives offences	—	—	1	1	—	—	2	np	np
Property damage and environmental pollution	4	12	13	9	4	2	44	31.1	30.6
Public order offences	2	5	6	2	4	2	21	31.1	26.5
Road traffic and motor vehicle regulatory offences	—	—	—	—	—	—	—	—	—
Offences against justice procedures, government security and government operations	6	10	26	8	4	2	56	30.2	28.3
Miscellaneous offences	1	11	11	2	5	4	34	31.6	27.5
Not able to be determined(a)	1	2	3	4	5	—	15	37.4	37.2
Total	179	426	651	341	177	104	1 878	31.0	29.0

— nil or rounded to zero (including null cells)

np not available for publication but included in totals where applicable, unless otherwise indicated

(a) Defendants for whom offence data are missing or a principal offence could not be determined.

1

TOTAL HIGHER COURTS ADJUDICATED DEFENDANTS, Principal offence by age and sex

continued

Sex and ASOC Division	Under						Total	Mean	Median
	20	20-24	25-34	35-44	45+	Unknown		age (years)	age (years)
NUMBER <i>cont.</i>									
Persons									
Homicide and related offences	27	111	135	103	73	14	463	33.4	31.4
Acts intended to cause injury	314	677	1 133	548	273	158	3 103	30.6	28.9
Sexual assault and related offences	68	146	356	388	563	64	1 585	41.3	39.7
Dangerous or negligent acts endangering persons	39	128	138	49	31	18	403	29.1	26.7
Abduction and related offences	11	28	39	21	9	2	110	30.9	28.7
Robbery, extortion and related offences	414	697	626	181	46	58	2 022	25.9	23.6
Unlawful entry with intent/burglary, break and enter	427	738	714	199	42	86	2 206	25.9	24.1
Theft and related offences	134	224	251	114	58	36	817	28.9	26.1
Deception and related offences	44	153	336	253	230	90	1 106	36.2	34.2
Illicit drug offences	54	314	684	545	383	35	2 015	35.4	33.9
Weapons and explosives offences	4	10	17	12	10	7	60	33.8	31.5
Property damage and environmental pollution	73	102	100	49	19	24	367	27.7	24.8
Public order offences	32	41	41	35	39	7	195	33.4	30.4
Road traffic and motor vehicle regulatory offences	1	—	—	—	—	—	1	np	np
Offences against justice procedures, government security and government operations	24	64	93	54	32	13	280	31.7	29.4
Miscellaneous offences	35	58	104	62	53	34	346	33.2	30.7
Not able to be determined(a)	22	24	42	23	19	11	141	31.9	28.3
Total	1 723	3 515	4 809	2 636	1 880	657	15 220	31.5	28.7
Organisations/unknown	—	1	—	1	4	3	9	—	—
Total defendants	1 723	3 516	4 809	2 637	1 884	660	15 229	31.5	28.7

— nil or rounded to zero (including null cells)

np not available for publication but included in totals where applicable, unless otherwise indicated

(a) Defendants for whom offence data are missing or a principal offence could not be determined.

TOTAL HIGHER COURTS ADJUDICATED DEFENDANTS, Principal offence by age and sex

continued

Sex and ASOC Division	Under						Total	Mean	Median
	20	20-24	25-34	35-44	45+	Unknown		age (years)	age (years)
PROPORTION (%)									
Males									
Homicide and related offences	1.5	3.2	3.1	3.9	3.7	1.8	3.1	..	..
Acts intended to cause injury	19.0	19.9	23.5	21.3	14.0	23.0	20.5	..	..
Sexual assault and related offences	4.4	4.7	8.4	16.6	33.0	11.6	11.8	..	..
Dangerous or negligent acts endangering persons	2.3	3.9	3.1	1.8	1.4	2.7	2.8	..	..
Abduction and related offences	0.5	0.8	0.8	0.8	0.5	0.4	0.7	..	..
Robbery, extortion and related offences	23.8	19.8	13.3	6.8	2.6	9.8	13.4	..	..
Unlawful entry with intent/burglary, break and enter	25.2	21.5	15.3	7.8	2.2	14.1	14.9	..	..
Theft and related offences	7.1	6.1	5.2	3.5	2.7	5.2	5.0	..	..
Deception and related offences	1.7	3.4	5.3	8.1	11.1	10.1	5.9	..	..
Illicit drug offences	3.0	8.1	14.0	20.3	20.0	5.8	12.9	..	..
Weapons and explosives offences	0.3	0.3	0.4	0.5	0.6	1.3	0.4	..	..
Property damage and environmental pollution	4.5	2.9	2.1	1.7	0.9	4.0	2.4	..	..
Public order offences	1.9	1.2	0.8	1.4	2.1	0.9	1.3	..	..
Road traffic and motor vehicle regulatory offences	0.1	—	—	—	—	—	—	..	..
Offences against justice procedures, government security and government operations	1.2	1.7	1.6	2.0	1.6	2.0	1.7	..	..
Miscellaneous offences	2.2	1.5	2.2	2.6	2.8	5.4	2.3	..	..
Not able to be determined(a)	1.4	0.7	0.9	0.8	0.8	2.0	0.9	..	..
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	..	..
Females									
Homicide and related offences	2.2	2.8	1.2	4.1	5.6	3.8	2.8	..	..
Acts intended to cause injury	11.7	14.3	24.1	17.6	19.8	29.8	19.4	..	..
Sexual assault and related offences	—	—	1.1	2.3	0.6	—	0.9	..	..
Dangerous or negligent acts endangering persons	2.2	1.4	1.2	2.1	4.5	2.9	1.9	..	..
Abduction and related offences	1.7	0.5	0.8	0.9	0.6	—	0.7	..	..
Robbery, extortion and related offences	25.7	19.7	11.5	7.0	0.6	3.8	12.5	..	..
Unlawful entry with intent/burglary, break and enter	21.2	17.1	11.8	6.2	2.3	7.7	11.8	..	..
Theft and related offences	14.0	8.7	5.5	9.7	6.8	6.7	8.0	..	..
Deception and related offences	9.5	11.0	17.8	19.6	23.2	32.7	17.1	..	..
Illicit drug offences	3.9	15.0	15.7	22.9	23.7	2.9	15.8	..	..
Weapons and explosives offences	—	—	0.2	0.3	—	—	0.1	..	..
Property damage and environmental pollution	2.2	2.8	2.0	2.6	2.3	1.9	2.3	..	..
Public order offences	1.1	1.2	0.9	0.6	2.3	1.9	1.1	..	..
Road traffic and motor vehicle regulatory offences	—	—	—	—	—	—	—	..	..
Offences against justice procedures, government security and government operations	3.4	2.3	4.0	2.3	2.3	1.9	3.0	..	..
Miscellaneous offences	0.6	2.6	1.7	0.6	2.8	3.8	1.8	..	..
Not able to be determined(a)	0.6	0.5	0.5	1.2	2.8	—	0.8	..	..
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	..	..

.. not applicable

— nil or rounded to zero (including null cells)

(a) Defendants for whom offence data are missing or a principal offence could not be determined.

TOTAL HIGHER COURTS ADJUDICATED DEFENDANTS, Principal offence by age and sex

continued

Sex and ASOC Division	Under						Total	Mean	Median
	20	20-24	25-34	35-44	45+	Unknown		age (years)	age (years)
PROPORTION (%) <i>cont.</i>									
Persons									
Homicide and related offences	1.6	3.2	2.8	3.9	3.9	2.1	3.0	..	..
Acts intended to cause injury	18.2	19.3	23.6	20.8	14.5	24.0	20.4	..	..
Sexual assault and related offences	3.9	4.2	7.4	14.7	29.9	9.7	10.4	..	..
Dangerous or negligent acts endangering persons	2.3	3.6	2.9	1.9	1.6	2.7	2.6	..	..
Abduction and related offences	0.6	0.8	0.8	0.8	0.5	0.3	0.7	..	..
Robbery, extortion and related offences	24.0	19.8	13.0	6.9	2.4	8.8	13.3	..	..
Unlawful entry with intent/burglary, break and enter	24.8	21.0	14.8	7.5	2.2	13.1	14.5	..	..
Theft and related offences	7.8	6.4	5.2	4.3	3.1	5.5	5.4	..	..
Deception and related offences	2.6	4.4	7.0	9.6	12.2	13.7	7.3	..	..
Illicit drug offences	3.1	8.9	14.2	20.7	20.4	5.3	13.2	..	..
Weapons and explosives offences	0.2	0.3	0.4	0.5	0.5	1.1	0.4	..	..
Property damage and environmental pollution	4.2	2.9	2.1	1.9	1.0	3.7	2.4	..	..
Public order offences	1.9	1.2	0.9	1.3	2.1	1.1	1.3	..	..
Road traffic and motor vehicle regulatory offences	0.1	—	—	—	—	—	—	..	..
Offences against justice procedures, government security and government operations	1.4	1.8	1.9	2.0	1.7	2.0	1.8	..	..
Miscellaneous offences	2.0	1.7	2.2	2.4	2.8	5.2	2.3	..	..
Not able to be determined(a)	1.3	0.7	0.9	0.9	1.0	1.7	0.9	..	..
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	..	..

.. not applicable

— nil or rounded to zero (including null cells)

(a) Defendants for whom offence data are missing or a principal offence could not be determined.

2 TOTAL HIGHER COURTS ADJUDICATED DEFENDANTS, Principal offence by adjudication type(a)

ASOC division and adjudication type	NSW	Vic.	Qld	SA	WA	Tas.	NT	ACT	Aust.
NUMBER									
Homicide and related offences									
Acquitted	52	12	12	2	10	2	—	—	90
Guilty verdict	56	36	35	8	13	5	3	—	156
Guilty plea	88	42	55	15	9	2	6	1	218
<i>Total</i>	196	90	102	25	32	9	9	1	464
Acts intended to cause injury									
Acquitted	49	30	106	18	50	15	5	3	276
Guilty verdict	38	45	73	25	61	20	1	4	267
Guilty plea	357	281	1 533	90	179	66	39	16	2 561
<i>Total</i>	444	356	1 712	133	290	101	45	23	3 104
Sexual assault and related offences									
Acquitted	133	48	98	18	84	2	3	5	391
Guilty verdict	58	46	52	15	62	8	3	—	244
Guilty plea	179	145	423	50	118	11	17	7	950
<i>Total</i>	370	239	573	83	264	21	23	12	1 585
Dangerous or negligent acts endangering persons									
Acquitted	4	—	5	—	1	—	—	1	11
Guilty verdict	2	4	8	2	2	—	1	—	19
Guilty plea	42	21	228	—	73	1	8	—	373
<i>Total</i>	48	25	241	2	76	1	9	1	403
Abduction and related offences									
Acquitted	7	4	2	—	1	—	—	—	14
Guilty verdict	5	1	1	—	3	—	—	—	10
Guilty plea	29	21	18	3	15	—	—	—	86
<i>Total</i>	41	26	21	3	19	—	—	—	110
Robbery, extortion and related offences									
Acquitted	62	11	4	6	14	3	1	1	102
Guilty verdict	45	17	7	13	24	9	2	—	117
Guilty plea	663	414	370	79	207	42	15	13	1 803
<i>Total</i>	770	442	381	98	245	54	18	14	2 022
Unlawful entry with intent/burglary, break and enter									
Acquitted	8	—	11	6	28	2	—	1	56
Guilty verdict	6	4	14	6	26	11	—	—	67
Guilty plea	297	78	791	76	763	45	21	12	2 083
<i>Total</i>	311	82	816	88	817	58	21	13	2 206
Theft and related offences									
Acquitted	3	4	12	1	10	2	—	4	36
Guilty verdict	4	5	15	3	16	5	—	—	48
Guilty plea	94	52	437	20	102	18	2	9	734
<i>Total</i>	101	61	464	24	128	25	2	13	818
Deception and related offences									
Acquitted	5	3	9	2	5	—	—	2	26
Guilty verdict	12	8	21	2	14	4	—	1	62
Guilty plea	116	124	656	16	84	6	6	13	1 021
<i>Total</i>	133	135	686	20	103	10	6	16	1 109

— 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.

2 TOTAL HIGHER COURTS ADJUDICATED DEFENDANTS, Principal offence by adjudication type(a) *continued*

ASOC division and adjudication type	NSW	Vic.	Qld	SA	WA	Tas.	NT	ACT	Aust.
NUMBER <i>cont.</i>									
Illicit drug offences									
Acquitted	42	5	4	5	19	—	—	—	75
Guilty verdict	86	15	17	35	59	—	—	3	215
Guilty plea	467	175	546	232	234	19	40	14	1 727
<i>Total</i>	595	195	567	272	312	19	40	17	2 017
Weapons and explosive offences									
Acquitted	1	—	1	—	2	1	—	—	5
Guilty verdict	3	1	—	—	—	—	—	—	4
Guilty plea	22	5	15	4	5	—	—	—	51
<i>Total</i>	26	6	16	4	7	1	—	—	60
Property damage and environmental pollution									
Acquitted	1	4	9	3	2	2	—	—	21
Guilty verdict	2	2	5	—	9	2	—	—	20
Guilty plea	13	32	204	8	41	16	3	9	326
<i>Total</i>	16	38	218	11	52	20	3	9	367
Public order offences									
Acquitted	1	1	1	—	3	—	—	—	6
Guilty verdict	—	8	1	—	3	7	—	—	19
Guilty plea	14	75	36	1	34	8	2	—	170
<i>Total</i>	15	84	38	1	40	15	2	—	195
Road traffic and motor vehicle regulatory offences									
Acquitted	—	—	—	—	—	—	—	—	—
Guilty verdict	—	—	—	—	—	—	—	—	—
Guilty plea	—	—	—	—	—	—	1	—	1
<i>Total</i>	—	—	—	—	—	—	1	—	1
Offences against justice procedures, government security and government operations									
Acquitted	8	2	1	—	3	—	—	—	14
Guilty verdict	8	3	6	2	4	4	—	—	27
Guilty plea	38	29	38	34	86	14	—	—	239
<i>Total</i>	54	34	45	36	93	18	—	—	280
Miscellaneous offences									
Acquitted	3	2	2	—	8	—	1	—	16
Guilty verdict	8	3	6	—	10	—	2	—	29
Guilty plea	32	29	92	2	89	—	58	—	302
<i>Total</i>	43	34	100	2	107	—	61	—	347
Not able to be determined (b)									
Acquitted	1	15	1	—	—	—	—	—	17
Guilty verdict	—	7	5	—	—	—	—	2	14
Guilty plea	3	26	79	—	—	1	1	—	110
<i>Total</i>	4	48	85	—	—	1	1	2	141
All offence categories									
Acquitted Total	380	141	278	61	240	29	10	17	1 156
Guilty verdict Total	333	205	266	111	306	75	12	10	1 318
Guilty plea Total	2 454	1 549	5 521	630	2 039	249	219	94	12 755
Total defendants	3 167	1 895	6 065	802	2 585	353	241	121	15 229

— 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) Defendants for whom offence data are missing or a principal offence could not be determined.

2 TOTAL HIGHER COURTS ADJUDICATED DEFENDANTS, Principal offence by adjudication type(a) *continued*

ASOC division and adjudication type	NSW	Vic.	Qld	SA	WA	Tas.	NT	ACT	Aust.
PROPORTION (%)									
Homicide and related offences									
Acquitted	26.5	13.3	11.8	8.0	31.3	22.2	—	—	19.4
Guilty verdict	28.6	40.0	34.3	32.0	40.6	55.6	33.3	—	33.6
Guilty plea	44.9	46.7	53.9	60.0	28.1	22.2	66.7	100.0	47.0
<i>Total</i>	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Acts intended to cause injury									
Acquitted	11.0	8.4	6.2	13.5	17.2	14.9	11.1	13.0	8.9
Guilty verdict	8.6	12.6	4.3	18.8	21.0	19.8	2.2	17.4	8.6
Guilty plea	80.4	78.9	89.5	67.7	61.7	65.3	86.7	69.6	82.5
<i>Total</i>	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Sexual assault and related offences									
Acquitted	35.9	20.1	17.1	21.7	31.8	9.5	13.0	41.7	24.7
Guilty verdict	15.7	19.2	9.1	18.1	23.5	38.1	13.0	—	15.4
Guilty plea	48.4	60.7	73.8	60.2	44.7	52.4	73.9	58.3	59.9
<i>Total</i>	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Dangerous or negligent acts endangering persons									
Acquitted	8.3	—	2.1	—	1.3	—	—	100.0	2.7
Guilty verdict	4.2	16.0	3.3	100.0	2.6	—	11.1	—	4.7
Guilty plea	87.5	84.0	94.6	—	96.1	100.0	88.9	—	92.6
<i>Total</i>	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Abduction and related offences									
Acquitted	17.1	15.4	9.5	—	5.3	—	—	—	12.7
Guilty verdict	12.2	3.8	4.8	—	15.8	—	—	—	9.1
Guilty plea	70.7	80.8	85.7	100.0	78.9	—	—	—	78.2
<i>Total</i>	100.0	100.0	100.0	100.0	100.0	—	—	—	100.0
Robbery, extortion and related offences									
Acquitted	8.1	2.5	1.0	6.1	5.7	5.6	5.6	7.1	5.0
Guilty verdict	5.8	3.8	1.8	13.3	9.8	16.7	11.1	—	5.8
Guilty plea	86.1	93.7	97.1	80.6	84.5	77.8	83.3	92.9	89.2
<i>Total</i>	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Unlawful entry with intent/burglary, break and enter									
Acquitted	2.6	—	1.3	6.8	3.4	3.4	—	7.7	2.5
Guilty verdict	1.9	4.9	1.7	6.8	3.2	19.0	—	—	3.0
Guilty plea	95.5	95.1	96.9	86.4	93.4	77.6	100.0	92.3	94.4
<i>Total</i>	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Theft and related offences									
Acquitted	3.0	6.6	2.6	4.2	7.8	8.0	—	30.8	4.4
Guilty verdict	4.0	8.2	3.2	12.5	12.5	20.0	—	—	5.9
Guilty plea	93.1	85.2	94.2	83.3	79.7	72.0	100.0	69.2	89.7
<i>Total</i>	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Deception and related offences									
Acquitted	3.8	2.2	1.3	10.0	4.9	—	—	12.5	2.3
Guilty verdict	9.0	5.9	3.1	10.0	13.6	40.0	—	6.3	5.6
Guilty plea	87.2	91.9	95.6	80.0	81.6	60.0	100.0	81.3	92.1
<i>Total</i>	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

— 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.

2 TOTAL HIGHER COURTS ADJUDICATED DEFENDANTS, Principal offence by adjudication type(a) *continued*

ASOC division and adjudication type	NSW	Vic.	Qld	SA	WA	Tas.	NT	ACT	Aust.
PROPORTION (%) <i>cont.</i>									
Illicit drug offences									
Acquitted	7.1	2.6	0.7	1.8	6.1	—	—	—	3.7
Guilty verdict	14.5	7.7	3.0	12.9	18.9	—	—	17.6	10.7
Guilty plea	78.5	89.7	96.3	85.3	75.0	100.0	100.0	82.4	85.6
<i>Total</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>
Weapons and explosive offences									
Acquitted	3.8	—	6.3	—	28.6	100.0	—	—	8.3
Guilty verdict	11.5	16.7	—	—	—	—	—	—	6.7
Guilty plea	84.6	83.3	93.8	100.0	71.4	—	—	—	85.0
<i>Total</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>—</i>	<i>—</i>	<i>100.0</i>
Property damage and environmental pollution									
Acquitted	6.3	10.5	4.1	27.3	3.8	10.0	—	—	5.7
Guilty verdict	12.5	5.3	2.3	—	17.3	10.0	—	—	5.4
Guilty plea	81.3	84.2	93.6	72.7	78.8	80.0	100.0	100.0	88.8
<i>Total</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>
Public order offences									
Acquitted	6.7	1.2	2.6	—	7.5	—	—	—	3.1
Guilty verdict	—	9.5	2.6	—	7.5	46.7	—	—	9.7
Guilty plea	93.3	89.3	94.7	100.0	85.0	53.3	100.0	—	87.2
<i>Total</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>—</i>	<i>100.0</i>
Road traffic and motor vehicle regulatory offences									
Acquitted	—	—	—	—	—	—	—	—	—
Guilty verdict	—	—	—	—	—	—	—	—	—
Guilty plea	—	—	—	—	—	—	100.0	—	100.0
<i>Total</i>	<i>—</i>	<i>—</i>	<i>—</i>	<i>—</i>	<i>—</i>	<i>—</i>	<i>100.0</i>	<i>—</i>	<i>100.0</i>
Offences against justice procedures, government security and government operations									
Acquitted	14.8	5.9	2.2	—	3.2	—	—	—	5.0
Guilty verdict	14.8	8.8	13.3	5.6	4.3	22.2	—	—	9.6
Guilty plea	70.4	85.3	84.4	94.4	92.5	77.8	—	—	85.4
<i>Total</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>—</i>	<i>—</i>	<i>100.0</i>
Miscellaneous offences									
Acquitted	7.0	5.9	2.0	—	7.5	—	1.6	—	4.6
Guilty verdict	18.6	8.8	6.0	—	9.3	—	3.3	—	8.4
Guilty plea	74.4	85.3	92.0	100.0	83.2	—	95.1	—	87.0
<i>Total</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>—</i>	<i>100.0</i>	<i>—</i>	<i>100.0</i>
Not able to be determined (b)									
Acquitted	25.0	31.3	1.2	—	—	—	—	—	12.1
Guilty verdict	—	14.6	5.9	—	—	—	—	100.0	9.9
Guilty plea	75.0	54.2	92.9	—	—	100.0	100.0	—	78.0
<i>Total</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>—</i>	<i>—</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>
All offence categories									
Acquitted Total	12.0	7.4	4.6	7.6	9.3	8.2	4.1	14.0	7.6
Guilty verdict Total	10.5	10.8	4.4	13.8	11.8	21.2	5.0	8.3	8.7
Guilty plea Total	77.5	81.7	91.0	78.6	78.9	70.5	90.9	77.7	83.8
Total defendants	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

— 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) Defendants for whom offence data are missing or a principal offence could not be determined.

3 TOTAL HIGHER COURTS DEFENDANTS PROVEN GUILTY, Principal sentence type by age and sex

Sex and principal sentence type	Under 20	20-24	25-34	35-44	45+	Unknown	Total	Mean age (years)	Median age (years)
NUMBER									
Males									
Custodial orders									
Custody in corrections	642	1 611	2 331	1 209	852	252	6 897	31.6	28.9
Custody in the community	7	17	17	8	5	-	54	28.9	26.4
Fully suspended sentences	178	433	663	403	305	100	2 082	32.9	30.5
Total(a)	828	2 066	3 023	1 628	1 180	352	9 077	32.0	29.3
Non-custodial orders									
Community supervision/work orders									
Monetary orders	601	654	492	194	130	129	2 200	26.3	22.5
Other non-custodial orders	29	101	170	117	85	21	523	33.9	31.4
Total	55	93	124	80	55	18	425	31.9	28.9
Total	685	848	786	391	270	168	3 148	28.3	24.6
Unknown sentence type	4	3	17	14	9	-	47	36.5	34.5
Total	1 517	2 917	3 826	2 033	1 459	520	12 272	31.1	28.2
Females									
Custodial orders									
Custody in corrections	47	159	245	133	67	22	673	31.6	29.6
Custody in the community	-	2	3	3	1	-	9	np	np
Fully suspended sentences	22	65	137	74	41	26	365	32.2	31.1
Total(a)	69	230	385	216	111	48	1 059	31.9	30.1
Non-custodial orders									
Community supervision/work orders									
Monetary orders	84	145	175	64	26	38	532	27.9	25.9
Other non-custodial orders	5	13	24	12	11	6	71	33.6	31.9
Total	18	19	33	29	13	10	122	32.1	32.0
Total	107	177	232	105	50	54	725	29.2	26.9
Unknown sentence type	-	1	2	3	2	-	8	np	np
Total	176	408	619	324	163	102	1 792	30.8	29.1
Defendants(b)									
Custodial orders									
Custody in corrections	689	1 771	2 576	1 343	922	275	7 576	31.7	29.0
Custody in the community	7	19	20	11	6	-	63	29.8	27.0
Fully suspended sentences	200	498	800	477	347	126	2 448	32.8	30.5
Total(a)	897	2 297	3 408	1 845	1 295	401	10 143	32.0	29.4
Non-custodial orders									
Community supervision/work orders									
Monetary orders	685	799	667	258	156	167	2 732	26.6	23.1
Other non-custodial orders	34	114	194	129	96	28	595	33.9	31.5
Total	73	112	157	109	68	28	547	31.9	29.4
Total	792	1 025	1 018	496	320	223	3 874	28.5	25.0
Unknown sentence type	4	4	19	17	11	1	56	36.9	35.6
Total	1 693	3 326	4 445	2 358	1 626	625	14 073	31.0	28.3

np not available for publication but included in totals where applicable, unless otherwise indicated

(a) Includes defendants with custodial orders not further defined.
 (b) Includes organisations and persons with unknown sex.

3

TOTAL HIGHER COURTS DEFENDANTS PROVEN GUILTY, Principal sentence type by age and sex *continued*

Sex and principal sentence type	PROPORTION (%)						Total	Mean age (years)	Median age (years)
	Under 20	20-24	25-34	35-44	45+	Unknown			
Males									
Custodial orders									
Custody in corrections	42.3	55.2	60.9	59.5	58.4	48.5	56.2	..	..
Custody in the community	0.5	0.6	0.4	0.4	0.3	—	0.4	..	..
Fully suspended sentences	11.7	14.8	17.3	19.8	20.9	19.2	17.0	..	..
Total(a)	54.6	70.8	79.0	80.1	80.9	67.7	74.0	..	..
Non-custodial orders									
Community supervision/work orders	39.6	22.4	12.9	9.5	8.9	24.8	17.9	..	..
Monetary orders	1.9	3.5	4.4	5.8	5.8	4.0	4.3	..	..
Other non-custodial orders	3.6	3.2	3.2	3.9	3.8	3.5	3.5	..	..
Total	45.2	29.1	20.5	19.2	18.5	32.3	25.7	..	..
Unknown sentence type	0.3	0.1	0.4	0.7	0.6	—	0.4	..	..
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	..	..
Females									
Custodial orders									
Custody in corrections	26.7	39.0	39.6	41.0	41.1	21.6	37.6	..	..
Custody in the community	—	0.5	0.5	0.9	0.6	—	0.5	..	..
Fully suspended sentences	12.5	15.9	22.1	22.8	25.2	25.5	20.4	..	..
Total(a)	39.2	56.4	62.2	66.7	68.1	47.1	59.1	..	..
Non-custodial orders									
Community supervision/work orders	47.7	35.5	28.3	19.8	16.0	37.3	29.7	..	..
Monetary orders	2.8	3.2	3.9	3.7	6.7	5.9	4.0	..	..
Other non-custodial orders	10.2	4.7	5.3	9.0	8.0	9.8	6.8	..	..
Total	60.8	43.4	37.5	32.4	30.7	52.9	40.5	..	..
Unknown sentence type	—	0.2	0.3	0.9	1.2	—	0.4	..	..
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	..	..
Defendants(b)									
Custodial orders									
Custody in corrections	40.7	53.2	58.0	57.0	56.7	44.0	53.8	..	..
Custody in the community	0.4	0.6	0.4	0.5	0.4	—	0.4	..	..
Fully suspended sentences	11.8	15.0	18.0	20.2	21.3	20.2	17.4	..	..
Total(a)	53.0	69.1	76.7	78.2	79.6	64.2	72.1	..	..
Non-custodial orders									
Community supervision/work orders	40.5	24.0	15.0	10.9	9.6	26.7	19.4	..	..
Monetary orders	2.0	3.4	4.4	5.5	5.9	4.5	4.2	..	..
Other non-custodial orders	4.3	3.4	3.5	4.6	4.2	4.5	3.9	..	..
Total	46.8	30.8	22.9	21.0	19.7	35.7	27.5	..	..
Unknown sentence type	0.2	0.1	0.4	0.7	0.7	0.2	0.4	..	..
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	..	..

.. not applicable

— nil or rounded to zero (including null cells)

(a) Includes defendants with custodial orders not further defined.

(b) Includes organisations and persons with unknown sex.

4

TOTAL HIGHER COURTS DEFENDANTS PROVEN GUILTY, Principal offence by principal sentence type

ASOC Division and principal sentence type	NSW	Vic.	Qld	SA	WA	Tas.	NT	ACT	Aust.
NUMBER									
Homicide and related offences									
Custody in corrections/community	129	73	72	15	19	7	7	1	323
Fully suspended sentences	5	2	11	8	—	—	2	—	28
Non-custodial orders	7	2	7	—	3	—	—	—	19
<i>Total(a)</i>	144	78	90	23	22	7	9	1	374
Acts intended to cause injury									
Custody in corrections/community	267	159	700	44	139	59	30	10	1 408
Fully suspended sentences	56	80	306	57	47	11	10	3	570
Non-custodial orders	69	83	600	14	54	16	—	7	843
<i>Total(a)</i>	395	326	1 606	115	240	86	40	20	2 828
Sexual assault and related offences									
Custody in corrections/community	171	135	303	48	121	13	20	5	816
Fully suspended sentences	28	31	83	13	24	3	—	2	184
Non-custodial orders	33	25	89	4	35	3	—	—	189
<i>Total(a)</i>	237	191	475	65	180	19	20	7	1 194
Dangerous or negligent acts endangering persons									
Custody in corrections/community	30	11	75	—	59	—	4	—	179
Fully suspended sentences	7	5	51	—	4	1	5	—	73
Non-custodial orders	7	9	110	2	12	—	—	—	140
<i>Total(a)</i>	44	25	236	2	75	1	9	—	392
Abduction and related offences									
Custody in corrections/community	27	8	5	1	9	—	—	—	50
Fully suspended sentences	5	6	5	2	3	—	—	—	21
Non-custodial orders	2	8	9	—	6	—	—	—	25
<i>Total(a)</i>	34	22	19	3	18	—	—	—	96
Robbery, extortion and related offences									
Custody in corrections/community	598	332	272	67	144	37	16	9	1 475
Fully suspended sentences	68	44	52	24	24	2	1	3	218
Non-custodial orders	40	50	53	1	63	12	—	1	220
<i>Total(a)</i>	708	431	377	92	231	51	17	13	1 920
Unlawful entry with intent/burglary, break and enter									
Custody in corrections/community	224	54	351	39	328	33	18	7	1 054
Fully suspended sentences	34	10	137	38	53	7	3	2	284
Non-custodial orders	43	18	317	5	408	16	—	3	810
<i>Total(a)</i>	303	82	805	82	789	56	21	12	2 150
Theft and related offences									
Custody in corrections/community	64	30	159	15	51	13	2	3	337
Fully suspended sentences	9	14	68	6	14	2	—	5	118
Non-custodial orders	24	12	223	2	53	8	—	1	323
<i>Total(a)</i>	98	57	452	23	118	23	2	9	782
Deception and related offences									
Custody in corrections/community	91	46	224	15	46	5	5	9	441
Fully suspended sentences	16	40	168	3	16	3	1	5	252
Non-custodial orders	19	18	283	—	36	2	—	—	358
<i>Total(a)</i>	128	132	677	18	98	10	6	14	1 083

— nil or rounded to zero (including null cells)

(a) Total includes custodial orders not further defined and defendants proven guilty but for whom sentence type is not known.

4

TOTAL HIGHER COURTS DEFENDANTS PROVEN GUILTY, Principal offence by principal sentence type *continued*

ASOC Division and principal sentence type	NSW	Vic.	Qld	SA	WA	Tas.	NT	ACT	Aust.
NUMBER <i>cont.</i>									
Illicit drug offences									
Custody in corrections/community	381	128	230	88	138	6	17	6	994
Fully suspended sentences	87	50	127	133	56	11	19	7	490
Non-custodial orders	82	11	206	46	99	2	4	4	454
Total(a)	553	190	563	267	293	19	40	17	1 942
Weapons and explosives offences									
Custody in corrections/community	17	4	7	4	1	—	—	—	33
Fully suspended sentences	3	2	1	—	2	—	—	—	8
Non-custodial orders	5	—	7	—	2	—	—	—	14
Total(a)	25	6	15	4	5	—	—	—	55
Property damage and environmental pollution									
Custody in corrections/community	6	13	53	2	18	12	1	2	107
Fully suspended sentences	5	6	28	2	7	1	2	5	56
Non-custodial orders	4	15	128	4	25	5	—	2	183
Total(a)	15	34	209	8	50	18	3	9	346
Public order offences									
Custody in corrections/community	2	27	10	—	12	9	1	—	61
Fully suspended sentences	—	29	5	—	6	1	—	—	41
Non-custodial orders	12	23	22	1	19	5	1	—	83
Total(a)	14	83	37	1	37	15	2	—	189
Road traffic and motor vehicle regulatory									
Custody in corrections/community	—	—	—	—	—	—	—	—	—
Fully suspended sentences	—	—	—	—	—	—	1	—	1
Non-custodial orders	—	—	—	—	—	—	—	—	—
Total(a)	—	—	—	—	—	—	1	—	1
Offences against justice procedures, government security and government operations									
Custody in corrections/community	31	4	25	16	28	8	—	—	112
Fully suspended sentences	7	18	6	17	19	4	—	—	71
Non-custodial orders	8	9	13	3	43	6	—	—	82
Total(a)	46	32	44	36	90	18	—	—	266
Miscellaneous offences									
Custody in corrections/community	24	16	31	1	72	—	60	—	204
Fully suspended sentences	5	2	11	—	5	—	—	—	23
Non-custodial orders	11	5	56	1	22	—	—	—	95
Total(a)	40	32	98	2	99	—	60	—	331
Unknown									
Custody in corrections/community	3	2	39	—	—	—	1	—	45
Fully suspended sentences	—	1	9	—	—	—	—	—	10
Non-custodial orders	—	—	36	—	—	—	—	—	36
Total(a)	3	33	84	—	—	1	1	2	124
All offence categories									
Custody in corrections/community	2 065	1 042	2 556	355	1 185	202	182	52	7 639
Fully suspended sentences	335	340	1 068	303	280	46	44	32	2 448
Non-custodial orders	366	288	2 159	83	880	75	5	18	3 874
Total(a)	2 787	1 754	5 787	741	2 345	324	231	104	14 073

— nil or rounded to zero (including null cells)

(a) Total includes custodial orders not further defined and defendants proven guilty but for whom sentence type is not known.

4

TOTAL HIGHER COURTS DEFENDANTS PROVEN GUILTY, Principal offence by principal sentence type *continued*

ASOC Division and principal sentence type	NSW	Vic.	Qld	SA	WA	Tas.	NT	ACT	Aust.
PROPORTION (%)									
Homicide and related offences									
Custody in corrections/community	89.6	93.6	80.0	65.2	86.4	100.0	77.8	100.0	86.4
Fully suspended sentences	3.5	2.6	12.2	34.8	—	—	22.2	—	7.5
Non-custodial orders	4.9	2.6	7.8	—	13.6	—	—	—	5.1
Total(a)	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Acts intended to cause injury									
Custody in corrections/community	67.6	48.8	43.6	38.3	57.9	68.6	75.0	50.0	49.8
Fully suspended sentences	14.2	24.5	19.1	49.6	19.6	12.8	25.0	15.0	20.2
Non-custodial orders	17.5	25.5	37.4	12.2	22.5	18.6	—	35.0	29.8
Total(a)	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Sexual assault and related offences									
Custody in corrections/community	72.2	70.7	63.8	73.8	67.2	68.4	100.0	71.4	68.3
Fully suspended sentences	11.8	16.2	17.5	20.0	13.3	15.8	—	28.6	15.4
Non-custodial orders	13.9	13.1	18.7	6.2	19.4	15.8	—	—	15.8
Total(a)	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Dangerous or negligent acts endangering persons									
Custody in corrections/community	68.2	44.0	31.8	—	78.7	—	44.4	—	45.7
Fully suspended sentences	15.9	20.0	21.6	—	5.3	100.0	55.6	—	18.6
Non-custodial orders	15.9	36.0	46.6	100.0	16.0	—	—	—	35.7
Total(a)	100.0	100.0	100.0	100.0	100.0	100.0	100.0	—	100.0
Abduction and related offences									
Custody in corrections/community	79.4	36.4	26.3	33.3	50.0	—	—	—	52.1
Fully suspended sentences	14.7	27.3	26.3	66.7	16.7	—	—	—	21.9
Non-custodial orders	5.9	36.4	47.4	—	33.3	—	—	—	26.0
Total(a)	100.0	100.0	100.0	100.0	100.0	—	—	—	100.0
Robbery, extortion and related offences									
Custody in corrections/community	84.5	77.0	72.1	72.8	62.3	72.5	94.1	69.2	76.8
Fully suspended sentences	9.6	10.2	13.8	26.1	10.4	3.9	5.9	23.1	11.4
Non-custodial orders	5.6	11.6	14.1	1.1	27.3	23.5	—	7.7	11.5
Total(a)	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Unlawful entry with intent/burglary, break and enter									
Custody in corrections/community	73.9	65.9	43.6	47.6	41.6	58.9	85.7	58.3	49.0
Fully suspended sentences	11.2	12.2	17.0	46.3	6.7	12.5	14.3	16.7	13.2
Non-custodial orders	14.2	22.0	39.4	6.1	51.7	28.6	—	25.0	37.7
Total(a)	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Theft and related offences									
Custody in corrections/community	65.3	52.6	35.2	65.2	43.2	56.5	100.0	33.3	43.1
Fully suspended sentences	9.2	24.6	15.0	26.1	11.9	8.7	—	55.6	15.1
Non-custodial orders	24.5	21.1	49.3	8.7	44.9	34.8	—	11.1	41.3
Total(a)	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Deception and related offences									
Custody in corrections/community	71.1	34.8	33.1	83.3	46.9	50.0	83.3	64.3	40.7
Fully suspended sentences	12.5	30.3	24.8	16.7	16.3	30.0	16.7	35.7	23.3
Non-custodial orders	14.8	13.6	41.8	—	36.7	20.0	—	—	33.1
Total(a)	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

— nil or rounded to zero (including null cells)

(a) Total includes custodial orders not further defined and defendants proven guilty but for whom sentence type is not known.

4

TOTAL HIGHER COURTS DEFENDANTS PROVEN GUILTY, Principal offence by principal sentence type *continued*

ASOC Division and principal sentence type	NSW	Vic.	Qld	SA	WA	Tas.	NT	ACT	Aust.
PROPORTION (%) <i>cont.</i>									
Illicit drug offences									
Custody in corrections/community	68.9	67.4	40.9	33.0	47.1	31.6	42.5	35.3	51.2
Fully suspended sentences	15.7	26.3	22.6	49.8	19.1	57.9	47.5	41.2	25.2
Non-custodial orders	14.8	5.8	36.6	17.2	33.8	10.5	10.0	23.5	23.4
Total(a)	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Weapons and explosives offences									
Custody in corrections/community	68.0	66.7	46.7	100.0	20.0	—	—	—	60.0
Fully suspended sentences	12.0	33.3	6.7	—	40.0	—	—	—	14.5
Non-custodial orders	20.0	—	46.7	—	40.0	—	—	—	25.5
Total(a)	100.0	100.0	100.0	100.0	100.0	—	—	—	100.0
Property damage and environmental pollution									
Custody in corrections/community	40.0	38.2	25.4	25.0	36.0	66.7	33.3	22.2	30.9
Fully suspended sentences	33.3	17.6	13.4	25.0	14.0	5.6	66.7	55.6	16.2
Non-custodial orders	26.7	44.1	61.2	50.0	50.0	27.8	—	22.2	52.9
Total(a)	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Public order offences									
Custody in corrections/community	14.3	32.5	27.0	—	32.4	60.0	50.0	—	32.3
Fully suspended sentences	—	34.9	13.5	—	16.2	6.7	—	—	21.7
Non-custodial orders	85.7	27.7	59.5	100.0	51.4	33.3	50.0	—	43.9
Total(a)	100.0	100.0	100.0	100.0	100.0	100.0	100.0	—	100.0
Road traffic and motor vehicle regulatory									
Custody in corrections/community	—	—	—	—	—	—	—	—	—
Fully suspended sentences	—	—	—	—	—	—	100.0	—	100.0
Non-custodial orders	—	—	—	—	—	—	—	—	—
Total(a)	—	—	—	—	—	—	100.0	—	100.0
Offences against justice procedures, government security and government operations									
Custody in corrections/community	67.4	12.5	56.8	44.4	31.1	44.4	—	—	42.1
Fully suspended sentences	15.2	56.3	13.6	47.2	21.1	22.2	—	—	26.7
Non-custodial orders	17.4	28.1	29.5	8.3	47.8	33.3	—	—	30.8
Total(a)	100.0	100.0	100.0	100.0	100.0	100.0	—	—	100.0
Miscellaneous offences									
Custody in corrections/community	60.0	50.0	31.6	50.0	72.7	—	100.0	—	61.6
Fully suspended sentences	12.5	6.3	11.2	—	5.1	—	—	—	6.9
Non-custodial orders	27.5	15.6	57.1	50.0	22.2	—	—	—	28.7
Total(a)	100.0	100.0	100.0	100.0	100.0	—	100.0	—	100.0
Unknown									
Custody in corrections/community	100.0	6.1	46.4	—	—	—	100.0	—	36.3
Fully suspended sentences	—	3.0	10.7	—	—	—	—	—	8.1
Non-custodial orders	—	—	42.9	—	—	—	—	—	29.0
Total(a)	100.0	100.0	100.0	—	—	100.0	100.0	100.0	100.0
All offence categories									
Custody in corrections/community	74.1	59.4	44.2	47.9	50.5	62.3	78.8	50.0	54.3
Fully suspended sentences	12.0	19.4	18.5	40.9	11.9	14.2	19.0	30.8	17.4
Non-custodial orders	13.1	16.4	37.3	11.2	37.5	23.1	2.2	17.3	27.5
Total(a)	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

— nil or rounded to zero (including null cells)

(a) Total includes custodial orders not further defined and defendants proven guilty but for whom sentence type is not known.

<i>ASOC Division</i>	<i>NSW</i> (weeks)	<i>Vic.</i> (weeks)	<i>Qld</i> (weeks)	<i>SA</i> (weeks)	<i>WA</i> (weeks)	<i>Tas.</i> (weeks)	<i>NT</i> (weeks)	<i>ACT</i> (weeks)	<i>Aust.</i> (weeks)
Homicide and related offences	34.6	38.4	37.9	40.6	42.4	np	np	np	37.9
Acts intended to cause injury	21.6	26.9	20.1	24.0	29.4	23.3	21.6	32.0	21.9
Sexual assault and related offences	27.1	22.7	25.6	29.1	51.5	19.1	29.7	20.9	27.1
Dangerous or negligent acts endangering persons	26.4	21.4	19.3	np	7.9	np	np	np	17.4
Abduction and related offences	28.9	30.3	28.4	np	11.1	—	—	—	27.4
Robbery, extortion and related offences	17.4	14.7	18.4	22.1	13.9	10.1	16.2	35.2	16.4
Unlawful entry with intent/burglary, break and enter	14.1	14.9	15.7	19.4	9.0	15.6	11.4	13.4	12.0
Theft and related offences	24.1	22.3	17.7	26.4	12.0	16.1	np	44.0	18.2
Deception and related offences	20.6	25.3	18.9	16.1	12.7	28.4	np	16.6	20.1
Illicit drug offences	23.4	36.0	19.7	24.1	23.4	13.9	17.2	61.4	23.3
Weapons and explosives offences	22.1	np	17.5	np	np	np	—	—	22.9
Property damage and environmental pollution	25.4	22.9	13.4	33.1	13.4	9.6	np	np	14.9
Public order offences	25.3	26.9	16.9	np	9.5	np	np	—	21.0
Road traffic and motor vehicle regulatory offences	—	—	—	—	—	—	np	—	np
Offences against justice procedures, government security and government operations	18.7	31.9	16.0	12.8	8.9	12.0	—	—	13.2
Miscellaneous offences	23.4	38.1	18.9	np	12.1	—	14.6	—	16.4
Not able to be determined(b)	np	35.4	13.4	—	—	np	np	np	21.6
Total	21.4	23.3	19.3	23.8	12.3	17.6	17.0	34.9	19.6

np not available for publication but included in totals where applicable,
unless otherwise indicated

— nil or rounded to zero (including null cells)

(a) Duration from date of initiation to finalisation.

(b) Defendants for whom offence data were missing or a principal offence could not be determined.

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TOTAL HIGHER COURTS ADJUDICATED DEFENDANTS, Principal offence median duration by adjudication type(a)

<i>ASOC Division</i>	<i>Acquitted</i> (weeks)	<i>Guilty verdict</i> (weeks)	<i>Guilty plea</i> (weeks)	<i>Total</i> (weeks)
Homicide and related offences	37.9	47.1	28.9	37.9
Acts intended to cause injury	32.9	47.0	19.4	21.9
Sexual assault and related offences	38.1	45.1	20.8	27.1
Dangerous or negligent acts endangering persons	25.3	44.9	16.1	17.4
Abduction and related offences	52.1	44.7	23.0	27.4
Robbery, extortion and related offences	25.4	42.6	15.1	16.4
Unlawful entry with intent/burglary, break and enter	52.0	50.1	11.3	12.0
Theft and related offences	31.5	48.3	17.0	18.2
Deception and related offences	55.0	59.6	18.1	20.1
Illicit drug offences	32.9	51.6	20.1	23.3
Weapons and explosives offences	np	np	21.3	22.9
Property damage and environmental pollution	37.4	56.9	13.8	14.9
Public order offences	np	np	16.9	21.0
Road traffic and motor vehicle regulatory offences	—	—	np	np
Offences against justice procedures, government security and government operations	55.7	45.7	10.7	13.2
Miscellaneous offences	38.9	44.9	14.5	16.4
Not able to be determined(b)	43.9	43.5	14.8	21.6
Total	37.1	47.1	16.6	19.6

np not available for publication but included in totals where applicable, unless otherwise indicated

— nil or rounded to zero (including null cells)

(a) Duration from date of initiation to finalisation.

(b) Defendants for whom offence data were missing or a principal offence could not be determined.

TOTAL HIGHER COURTS ADJUDICATED DEFENDANTS, Initial and final plea status

<i>Initial and final pleas</i>	NSW	Vic.	Qld	SA	WA	Tas.	NT	ACT	Aust.
.....									
NUMBER									
No change in plea									
Not guilty	770	348	na	179	594	104	22	27	na
Guilty	1 292	934	na	196	1 513	81	21	57	na
Total	2 062	1 282	na	375	2 107	185	43	84	na
Change in plea									
Not guilty to guilty	1 090	613	na	426	462	168	198	37	na
Guilty to not guilty	15	—	na	1	16	—	—	—	na
Total	1 105	613	na	427	478	168	198	37	na
Total	3 167	1 895	6 065	802	2 585	353	241	121	15 229
.....									
PROPORTION (%)									
No change in plea									
Not guilty	24.3	18.4	na	22.3	23.0	29.5	9.1	22.3	na
Guilty	40.8	49.3	na	24.4	58.5	22.9	8.7	47.1	na
Total	65.1	67.7	na	46.8	81.5	52.4	17.8	69.4	na
Change in plea									
Not guilty to guilty	34.4	32.3	na	53.1	17.9	47.6	82.2	30.6	na
Guilty to not guilty	0.5	—	na	0.1	0.6	—	—	—	na
Total	34.9	32.3	na	53.2	18.5	47.6	82.2	30.6	na
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
.....									
MEDIAN DURATION (WEEKS) (a)									
No change in plea									
Not guilty	35.4	43.9	na	42.0	60.0	36.6	37.6	40.1	na
Guilty	14.0	13.9	na	12.4	8.9	6.6	6.6	14.9	na
Total	18.6	17.7	na	23.7	11.1	14.9	22.3	18.5	na
Change in plea									
Not guilty to guilty	26.4	34.0	na	24.1	23.5	19.1	16.9	70.0	na
Guilty to not guilty	26.0	—	na	np	61.4	—	—	—	na
Total	26.4	34.0	na	24.0	24.9	19.1	16.9	70.0	na
Total	21.4	23.3	19.3	23.8	12.3	17.6	17.0	34.9	19.6
.....									
—	nil or rounded to zero (including null cells)			np not available for publication but included in totals where applicable, unless otherwise indicated					
na	not available			(a) Duration from date of initiation to finalisation.					

TOTAL HIGHER COURTS FINALISED DEFENDANTS, Method of finalisation

<i>Method of finalisation</i>	NSW	Vic.	Qld	SA	WA	Tas.	NT	ACT	Aust.
NUMBER									
Adjudicated									
Acquitted	380	141	278	61	240	29	10	17	1 156
Proven guilty									
Guilty verdict	333	205	266	111	306	75	12	10	1 318
Guilty plea	2 454	1 549	5 521	630	2 039	249	219	94	12 755
Total	2 787	1 754	5 787	741	2 345	324	231	104	14 073
Total	3 167	1 895	6 065	802	2 585	353	241	121	15 229
Non-Adjudicated									
Bench warrant issued	115	32	na	51	211	23	5	6	443
Withdrawn	335	63	1 165	265	226	106	13	35	2 208
Other finalisation	37	3	—	13	48	4	3	9	117
Total	487	98	(a)1 165	329	485	133	21	50	(a)2 768
Total	3 654	1 993	(a)7 230	1 131	3 070	486	262	171	(a)17 997
PROPORTION (%)									
Adjudicated									
Acquitted	10.4	7.1	3.8	5.4	7.8	6.0	3.8	9.9	6.4
Proven guilty									
Guilty verdict	9.1	10.3	3.7	9.8	10.0	15.4	4.6	5.8	7.3
Guilty plea	67.2	77.7	76.4	55.7	66.4	51.2	83.6	55.0	70.9
Total	76.3	88.0	80.0	65.5	76.4	66.7	88.2	60.8	78.2
Total	86.7	95.1	83.9	70.9	84.2	72.6	92.0	70.8	84.6
Non-Adjudicated									
Bench warrant issued	3.1	1.6	na	4.5	6.9	4.7	1.9	3.5	2.5
Withdrawn	9.2	3.2	16.1	23.4	7.4	21.8	5.0	20.5	12.3
Other finalisation	1.0	0.2	—	1.1	1.6	0.8	1.1	5.3	0.7
Total	13.3	4.9	(a)16.1	29.1	15.8	27.4	8.0	29.2	(a)15.4
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.

TOTAL HIGHER COURTS FINALISED DEFENDANTS, Duration from initiation to finalisation

<i>Method of finalisation/duration (weeks)</i>	NSW	Vic.	Qld	SA	WA	Tas.	NT	ACT	Aust.
NUMBER									
Acquitted									
Under 13	48	—	38	3	5	5	1	—	100
13 and under 26	145	25	81	18	10	6	4	5	294
26 and under 39	73	40	70	14	12	5	2	4	220
39 and under 52	29	31	31	14	40	2	1	4	152
52 and over	85	45	58	12	173	11	2	4	390
<i>Total</i>	380	141	278	61	240	29	10	17	1 156
Mean duration (weeks)	39.9	46.7	36.4	38.5	62.0	43.9	40.2	58.5	44.7
Median duration (weeks)	25.6	40.1	28.9	33.1	60.0	36.0	25.1	38.1	37.1
Guilty verdict									
Under 13	4	1	28	2	4	8	—	—	47
13 and under 26	61	21	56	8	11	19	—	—	176
26 and under 39	78	43	56	23	36	12	5	3	256
39 and under 52	65	59	49	25	40	11	1	3	253
52 and over	125	81	77	53	215	25	6	4	586
<i>Total</i>	333	205	266	111	306	75	12	10	1 318
Mean duration (weeks)	57.7	52.3	42.5	56.7	63.1	46.3	66.2	58.2	54.4
Median duration (weeks)	43.0	46.6	37.9	49.3	61.9	37.7	50.3	48.6	47.1
Guilty plea									
Under 13	727	406	2 034	179	1 332	123	67	21	4 889
13 and under 26	914	582	1 666	230	377	69	91	26	3 955
26 and under 39	421	256	892	109	107	22	25	12	1 844
39 and under 52	170	141	393	55	84	14	11	8	876
52 and over	222	164	536	57	139	21	25	27	1 191
<i>Total</i>	2 454	1 549	5 521	630	2 039	249	219	94	12 755
Mean duration (weeks)	26.0	27.0	24.3	25.3	16.8	22.1	23.1	40.3	23.8
Median duration (weeks)	19.0	20.3	18.0	19.4	10.1	13.3	16.4	24.8	16.6
Other finalisation									
Under 13	128	11	159	161	159	31	6	7	662
13 and under 26	155	38	327	84	130	33	9	11	787
26 and under 39	93	22	286	44	56	28	2	13	544
39 and under 52	41	9	122	17	31	24	1	8	253
52 and over	70	18	271	23	109	17	3	11	522
<i>Total</i>	487	98	1 165	329	485	133	21	50	2 768
Mean duration (weeks)	32.4	33.1	43.0	21.7	30.9	31.8	30.5	39.4	35.5
Median duration (weeks)	21.1	24.5	28.9	13.9	20.7	26.7	17.9	32.2	24.4
Total defendants finalised									
Under 13	907	418	2 259	345	1 500	167	74	28	5 698
13 and under 26	1 275	666	2 130	340	528	127	104	42	5 212
26 and under 39	665	361	1 304	190	211	67	34	32	2 864
39 and under 52	305	240	595	111	195	51	14	23	1 534
52 and over	502	308	942	145	636	74	36	46	2 689
Total	3 654	1 993	7 230	1 131	3 070	486	262	171	17 997
Mean duration (weeks)	31.2	31.3	28.4	28.0	27.2	29.8	26.3	42.9	29.2
Median duration (weeks)	21.3	23.3	20.7	20.1	13.1	20.1	17.0	34.1	20.3

— nil or rounded to zero (including null cells)

continued

<i>Method of finalisation/duration (weeks)</i>	NSW	Vic.	Qld	SA	WA	Tas.	NT	ACT	Aust.
PROPORTION (%)									
Acquitted									
Under 13	12.6	—	13.7	4.9	2.1	17.2	10.0	—	8.7
13 and under 26	38.2	17.7	29.1	29.5	4.2	20.7	40.0	29.4	25.4
26 and under 39	19.2	28.4	25.2	23.0	5.0	17.2	20.0	23.5	19.0
39 and under 52	7.6	22.0	11.2	23.0	16.7	6.9	10.0	23.5	13.1
52 and over	22.4	31.9	20.9	19.7	72.1	37.9	20.0	23.5	33.7
<i>Total</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>
Guilty verdict									
Under 13	1.2	0.5	10.5	1.8	1.3	10.7	—	—	3.6
13 and under 26	18.3	10.2	21.1	7.2	3.6	25.3	—	—	13.4
26 and under 39	23.4	21.0	21.1	20.7	11.8	16.0	41.7	30.0	19.4
39 and under 52	19.5	28.8	18.4	22.5	13.1	14.7	8.3	30.0	19.2
52 and over	37.5	39.5	28.9	47.7	70.3	33.3	50.0	40.0	44.5
<i>Total</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>
Guilty plea									
Under 13	29.6	26.2	36.8	28.4	65.3	49.4	30.6	22.3	38.3
13 and under 26	37.2	37.6	30.2	36.5	18.5	27.7	41.6	27.7	31.0
26 and under 39	17.2	16.5	16.2	17.3	5.2	8.8	11.4	12.8	14.5
39 and under 52	6.9	9.1	7.1	8.7	4.1	5.6	5.0	8.5	6.9
52 and over	9.0	10.6	9.7	9.0	6.8	8.4	11.4	28.7	9.3
<i>Total</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>
Other finalisation									
Under 13	26.3	11.2	13.6	48.9	32.8	23.3	28.6	14.0	23.9
13 and under 26	31.8	38.8	28.1	25.5	26.8	24.8	42.9	22.0	28.4
26 and under 39	19.1	22.4	24.5	13.4	11.5	21.1	9.5	26.0	19.7
39 and under 52	8.4	9.2	10.5	5.2	6.4	18.0	4.8	16.0	9.1
52 and over	14.4	18.4	23.3	7.0	22.5	12.8	14.3	22.0	18.9
<i>Total</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>	<i>100.0</i>
Total defendants finalised									
Under 13	24.8	21.0	31.2	30.5	48.9	34.4	28.2	16.4	31.7
13 and under 26	34.9	33.4	29.5	30.1	17.2	26.1	39.7	24.6	29.0
26 and under 39	18.2	18.1	18.0	16.8	6.9	13.8	13.0	18.7	15.9
39 and under 52	8.3	12.0	8.2	9.8	6.4	10.5	5.3	13.5	8.5
52 and over	13.7	15.5	13.0	12.8	20.7	15.2	13.7	26.9	14.9
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

— nil or rounded to zero (including null cells)

TOTAL HIGHER COURTS DEFENDANTS, Initiated, Finalised, Pending and duration

<i>Court level and state/territory</i>	1996-97	1997-98	1998-99	1999-2000	2000-01	2001-02
TOTAL INITIATED						
Supreme court						
NSW	112	125	108	98	112	111
Vic.	89	100	88	113	84	107
Qld	na	na	na	na	na	(a)567
SA	67	64	38	58	32	56
WA	254	218	243	206	204	239
Tas.	321	455	648	718	442	602
NT	286	250	281	315	365	263
ACT	175	148	227	196	168	146
Aust.	na	na	na	na	na	2 091
Intermediate court(b)						
NSW	3 896	4 073	3 565	3 338	3 341	3 802
Vic.	1 561	1 889	1 994	2 122	2 051	2 198
Qld	na	na	na	na	na	(a)5 371
SA	1 037	917	886	965	1 010	1 083
WA	2 220	2 571	2 951	2 878	2 902	3 093
Aust.	na	na	na	na	na	15 547
Total higher courts						
NSW	4 008	4 198	3 673	3 436	3 453	3 913
Vic.	1 650	1 989	2 082	2 235	2 135	2 305
Qld	5 688	6 229	6 545	5 985	r5 095	(a)5 938
SA	1 104	981	924	1 023	1 042	1 139
WA	2 474	2 789	3 194	3 084	3 106	3 332
Tas.	321	455	648	718	442	602
NT	286	250	281	315	365	263
ACT	175	148	227	196	168	146
Aust.	15 706	17 039	17 574	16 992	r15 806	17 638
TOTAL FINALISED						
Supreme court						
NSW	90	85	123	127	r146	136
Vic.	72	75	100	115	r92	91
Qld	743	813	776	856	785	754
SA	121	114	69	74	70	51
WA	298	263	238	213	r226	192
Tas.	322	337	611	749	r441	486
NT	206	311	288	268	r404	262
ACT	150	138	161	190	r205	171
Aust.	2 002	2 136	2 366	2 592	r2 369	2 143
Intermediate court(b)						
NSW	3 494	3 876	4 063	4 173	r3 771	3 518
Vic.	1 559	1 662	1 877	2 162	2 055	1 902
Qld	5 521	5 664	6 819	6 523	6 147	6 476
SA	1 178	890	874	862	r858	1 080
WA	1 930	2 455	2 655	2 900	r2 829	2 878
Aust.	13 682	14 547	16 288	16 620	r15 660	15 854
Total higher courts						
NSW	3 584	3 961	4 186	4 300	r3 917	3 654
Vic.	1 631	1 737	1 977	2 277	r2 147	1 993
Qld	6 264	6 477	7 595	7 379	6 932	7 230
SA	1 299	1 004	943	936	r928	1 131
WA	2 228	2 718	2 893	3 113	r3 055	3 070
Tas.	322	337	611	749	r441	486
NT	206	311	288	268	r404	262
ACT	150	138	161	190	r205	171
Aust.	15 684	16 683	18 654	19 212	r18 029	17 997

na not available

r revised

(a) Only includes committals to the Higher Courts.

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

Court level and state/territory 1996-97 1997-98 1998-99 1999-2000 2000-01 2001-02

PENDING AT END (a)

Supreme court

NSW	r175	r210	r193	r157	r125	100
Vic.	r65	r91	r77	r75	r72	89
Qld	na	na	na	na	na	na
SA	r65	r47	r40	r48	41	66
WA	r132	r78	r86	r93	r104	169
Tas.	r122	r240	r277	r246	r247	363
NT	r221	r160	r153	r200	r161	162
ACT	r106	r116	r182	r188	r151	126
Aust.	na	na	na	na	na	na

Intermediate court(b)

NSW	r3 445	r3 647	r3 151	r2 323	r1 891	2 175
Vic.	r984	r1 210	r1 329	r1 289	1 280	1 575
Qld	na	na	na	na	na	na
SA	r427	r422	r410	r489	r610	589
WA	r1 333	r1 458	r1 751	r1 715	r1 755	1 952
Aust.	na	na	na	na	na	na

Total higher courts

NSW	r3 620	r3 857	r3 344	r2 480	r2 016	2 275
Vic.	r1 049	r1 301	r1 406	r1 364	r1 352	1 664
Qld	na	na	na	na	na	na
SA	r492	r469	r450	r537	r651	655
WA	r1 465	r1 536	r1 837	r1 808	r1 859	2 121
Tas.	r122	r240	r277	r246	r247	363
NT	r221	r160	r153	r200	r161	162
ACT	r106	r116	r182	r188	r151	126
Aust.	na	na	na	na	na	na

PROPORTION OF ACTIVE FINALISED (%)

Supreme court

NSW	34.0	28.8	38.9	44.7	r53.9	57.6
Vic.	52.6	45.2	56.5	60.5	r56.1	50.6
Qld	na	na	na	na	na	na
SA	65.1	70.8	63.3	60.7	63.1	43.6
WA	69.3	77.1	73.5	69.6	r68.5	53.2
Tas.	72.5	58.4	68.8	75.3	r64.1	57.2
NT	48.2	66.0	65.3	57.3	r71.5	61.8
ACT	58.6	54.3	46.9	50.3	r57.6	57.6
Aust.	na	na	na	na	na	na

Intermediate court(b)

NSW	50.4	51.5	56.3	64.2	r66.6	61.8
Vic.	61.3	57.9	58.5	62.6	61.6	54.7
Qld	na	na	na	na	na	na
SA	73.4	67.8	68.1	63.8	r58.4	64.7
WA	59.1	62.7	60.3	62.8	r61.7	59.6
Aust.	na	na	na	na	na	na

Total higher courts

NSW	49.8	50.7	55.6	63.4	r66.0	61.6
Vic.	60.9	57.2	58.4	62.5	r61.4	54.5
Qld	na	na	na	na	na	na
SA	72.5	68.2	67.7	63.5	r58.8	63.3
WA	60.3	63.9	61.2	63.3	r62.2	59.1
Tas.	72.5	58.4	68.8	75.3	r64.1	57.2
NT	48.2	66.0	65.3	57.3	r71.5	61.8
ACT	58.6	54.3	46.9	50.3	r57.6	57.6
Aust.	na	na	na	na	na	na

r revised

na not available

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

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

Court level and state/territory 1996-97 1997-98 1998-99 1999-2000 2000-01 2001-02

FINALISED DEFENDANTS — MEDIAN DURATION (WEEKS) (a)

Supreme court

NSW	71.1	76.4	77.1	74.9	56.1	38.4
Vic.	28.9	41.8	40.1	34.6	41.6	35.7
Qld	26.0	21.6	19.4	20.9	20.9	22.4
SA	35.6	36.5	34.9	30.9	42.1	46.1
WA	16.4	15.1	14.9	15.7	14.3	17.1
Tas.	13.9	14.4	15.1	14.4	14.6	20.1
NT	21.1	31.8	21.4	18.1	18.1	17.0
ACT	16.6	21.8	26.9	33.1	33.1	34.1
Aust.	22.3	22.9	20.3	21.0	21.1	23.0

Intermediate court(b)

NSW	30.0	31.7	34.3	32.3	23.9	21.0
Vic.	22.0	20.4	22.3	22.6	21.9	23.0
Qld	16.4	18.9	19.0	20.6	21.9	20.4
SA	20.1	19.4	19.9	18.3	20.3	19.7
WA	12.4	12.1	12.7	14.6	14.7	13.0
Aust.	19.3	21.1	21.4	22.3	21.3	20.0

Total higher courts

NSW	30.7	32.3	35.3	33.0	24.4	21.3
Vic.	22.9	21.4	23.3	23.4	23.0	23.3
Qld	17.3	19.1	19.0	20.6	21.7	20.7
SA	20.9	20.3	21.0	19.3	21.3	20.1
WA	13.0	12.6	13.0	14.7	14.6	13.1
Tas.	13.9	14.1	15.1	14.4	14.6	20.1
NT	21.1	31.8	21.4	18.1	18.1	17.0
ACT	16.6	21.8	26.9	33.1	33.1	34.1
Aust.	19.7	21.3	21.3	22.1	21.3	20.3

PENDING AT END — MEDIAN ELAPSED TIME (WEEKS) (a)(c)

Supreme court

NSW	r41.0	r46.4	r52.4	r48.1	r28.7	27.9
Vic.	r17.9	r19.0	r21.4	r18.4	r18.7	19.9
Qld	na	na	na	na	na	na
SA	r27.6	r28.9	r45.0	r30.4	20.7	34.0
WA	r28.7	r8.3	r10.1	r8.4	r18.9	24.7
Tas.	r11.9	r12.7	r13.0	r13.3	r18.9	17.4
NT	r20.7	r23.2	r16.3	r14.3	r12.4	20.9
ACT	r19.0	r31.9	r21.9	r32.5	r32.7	32.6
Aust.	na	na	na	na	na	na

Intermediate court(b)

NSW	r24.9	r31.1	r32.3	r27.6	r15.9	16.4
Vic.	r17.0	r18.7	r17.1	r17.4	r17.3	17.9
Qld	na	na	na	na	na	na
SA	r17.6	r13.0	r14.4	r13.1	r14.7	19.6
WA	r16.1	r20.5	r22.0	r23.1	r20.7	22.4
Aust.	na	na	na	na	na	na

Total higher courts

NSW	r27.7	r31.9	r33.1	r28.6	r16.4	16.7
Vic.	r17.6	r18.7	r18.1	r17.4	r17.4	18.5
Qld	na	na	na	na	na	na
SA	r18.0	r14.0	r15.1	r13.4	r15.3	19.9
WA	r16.9	r19.8	r21.1	r22.1	r20.6	22.7
Tas.	r11.9	r12.7	r13.0	r13.3	r18.9	17.4
NT	r20.7	r23.2	r16.3	r14.3	r12.4	20.9
ACT	r19.0	r31.9	r21.9	r32.5	r32.7	32.6
Aust.	na	na	na	na	na	na

r revised

na not available

(a) Time from date of initiation.

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

(c) Data for defendants pending in Queensland are not available.

EXPLANATORY NOTES

INTRODUCTION

1 This publication presents information, relating to the criminal jurisdiction of the Higher Courts (Supreme and Intermediate Courts) and Magistrates' Courts in each state and territory, which is sourced from the national 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 organisations charged with criminal offences.

2 The aim of the Criminal Courts collection is to provide comparable statistics for the states and territories and for Australia on the characteristics of defendants dealt with by the Criminal Courts. This includes information on the offences and penalties associated with those defendants, as well as some general information on the management of court workloads.

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. The NCCSU is also supported by the Court Practitioners' Group.

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 Criminal Courts collection.

7 This publication presents results from the first, second and third stages of the collection. Stage 1 information relates to criminal cases heard in the Supreme and Intermediate Courts. This includes statistics on the number of defendants pending, initiated and finalised as well as information on the characteristics of defendants. Stage 2 information relates to offences and sentence types associated with adjudicated defendants in the Higher Criminal Courts. Stage 3 information, which currently is considered to be experimental (see paragraphs 49–52 for further information), relates to defendants finalised in the Magistrates' Criminal Courts and their characteristics, including offences and sentence types for adjudicated defendants.

DATA SOURCE

8 National statistics are derived from data in respect of each defendant provided to the ABS by the state and territory agencies responsible for courts administration. This is for defendants processed in the Higher Criminal and Magistrates' Criminal Courts. 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).

9 Higher Criminal Courts data was provided for the first time in a standardised format for the 2001–02 reference period by five states (Victoria, Queensland, South Australia, Western Australia and Tasmania) and the Australian

EXPLANATORY NOTES *continued*

DATA SOURCE *continued*

Capital Territory. Standardisation of data requires the states and territories to provide data fully coded according to national classifications and standards. For NSW and Northern Territory, and in previous years for all jurisdictions, the NCCSU received the data coded to local classifications and standards and it undertook the required processes to standardise these data.

10 For states and territories other than Victoria and Tasmania, data on offences and sentence types were obtained from the same source that supplied data on defendants. For Victoria, the offence and sentence type data for adjudicated defendants in the Higher Criminal Courts were derived from two additional sources. For defendants with offences proven guilty, the offence and sentence type information was derived from the Higher Courts sentencing database. Offence information for defendants finalised by acquittal was sourced from the Victorian Office of Public Prosecutions database. These data were matched to the defendant records obtained from the primary source for Victorian data. There was incomplete coverage of defendants proven guilty in the Victorian Higher Courts sentencing database, and therefore, offence details were unavailable for these defendants. Tasmanian Higher Criminal Courts offence and sentence type information was sourced from the Tasmanian sentencing database and matched back to the original source data.

SCOPE

Higher Criminal Courts

11 The scope of the data in this publication relating to defendants in the Higher Criminal Courts 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 2001–30 June 2002. Within a given reference period, the total population of defendants active in a particular court level consists of those finalised during the reference period together with those pending at the end of the reference period.

12 The scope of the Higher Criminal Courts data collected and presented for Queensland is restricted as the figures for the number of pending defendants are currently not available. The total figure for defendants initiated in Queensland only included defendants initiated by committal to the Higher Criminal Courts and has excluded other forms of initiation such as ex-officio indictment, bench warrants executed and transfers from other courts. Total figures for defendants finalised exclude defendants finalised by the issue of a bench warrant.

13 The Higher Criminal Courts section of the 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 finalisation for all defendants who enter the Higher Criminal Courts are presented. The details of finalisation include the date of finalisation, method of finalisation, the defendant's final plea, and offence and sentence type details for adjudicated defendants.

Magistrates' Criminal Court

14 Data on defendants finalised in the criminal jurisdiction of the Magistrates' Courts has been included for the first time in this publication. However, due to coverage and other data quality issues it has been labelled as 'experimental' in this issue (see paragraphs 49–52). This data includes all defendants finalised in the Magistrates' Criminal Courts in Victoria, Queensland, South Australia, Western Australia and the Northern Territory. Data on defendants finalised in the Magistrates' Criminal Court in Tasmania is restricted to Southern Tasmanian Magistrates' Criminal Courts for the reference period 1 March 2002–30 June 2002 (see paragraph 52). This is due to a major change in recording system that occurred from 1 March 2002 (Southern Tasmania accounts for approximately 50% of all Tasmanian Magistrates' Criminal Court cases).

15 Data on defendants finalised in the Magistrates' Criminal Courts in New South Wales and the Australian Capital Territory were not able to be extracted for inclusion in this issue of the publication. Hence, Magistrates' Criminal Court data is currently unavailable for an Australian total.

EXPLANATORY NOTES *continued*

<i>Exclusions</i>	<p>16 The Magistrates' Criminal Court and Higher Criminal Court data exclude 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, appeal cases and tribunal matters.</p> <p>17 The Magistrates' Criminal Court data excludes defendants finalised in the Children's Court, Drug Courts and Electronic Courts.</p>
REFERENCE PERIOD	<p>18 The statistics in this publication relate to defendants who had criminal cases active within the Higher Criminal Courts and/or were finalised within the Magistrates' Criminal Court during the reference period 1 July 2001–30 June 2002.</p> <p>19 A historical summary of the number of defendants initiated, finalised and pending in the Higher Criminal Courts for the years 1996–97 through to 2001–02 is provided in table 10. For these previous reference periods, revisions have been made to the number of defendants finalised and the number of defendants pending at end of period.</p>
COUNTING UNIT	<p>20 The principal counting unit for the Criminal Courts collection is the defendant. A defendant is a person or organisation 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 Criminal Courts collection does not enumerate individual persons or organisations. If a person or organisation is a defendant in a number of criminal cases active within the courts during the reference period, this person or organisation will be counted more than once within that reference period.</p>
CLASSIFICATIONS	<p>21 The national classifications used to collect and produce data on defendants in the Criminal Courts are:</p> <ul style="list-style-type: none">■ Method of initiation (see Appendix 2)■ Method of finalisation (see Appendix 3)■ Australian Standard Offence Classification (ASOC) (see Appendix 4)■ National Offence Index (see Appendix 6)■ Sentence type (see Appendix 7). <p>22 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.</p>
COUNTING METHODOLOGY	<p>23 Defendants who transfer from one Higher Criminal 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).</p>
<i>Transfer between Higher Criminal Court levels</i>	
<i>Transfer between Magistrates' Criminal and Higher Criminal Court levels</i>	<p>24 Defendants who transfer from the Magistrates' Criminal Court level to the Higher Criminal Court level are considered as initiated twice (once in each of these levels) and finalised twice (once in each level). Defendants may have some charges finalised in the Magistrates' Criminal Court whilst other charges are committed to the Higher Criminal Courts. A defendant in this situation would be counted in the Magistrates' Criminal Court data and the Higher Criminal Courts data.</p>

EXPLANATORY NOTES *continued*

Method of Initiation

25 Method of initiation describes how a criminal charge is introduced to a court level. For the purposes of this collection, only one method of initiation is applied to each defendant in the Magistrates' Criminal and Higher Criminal Courts.

Higher Criminal Courts

26 Where a defendant in a Higher Criminal Court has multiple charges and these have different methods of initiation, the defendant method of initiation code 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.

Magistrates' Criminal Court

27 Where a defendant in the Magistrates' Criminal Court has multiple charges and these have different methods of initiation, the defendant method of initiation code is determined by the following order of precedence:

- charges laid before Court of Summary Jurisdiction
- transfer from Intermediate or Supreme Court to Court of Summary Jurisdiction
- transfer between court levels n.e.c. (e.g. Drug Court, Children's Court).

Plea

28 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
- the plea for a defendant is 'guilty' only when the plea to all charges is guilty.

29 The Criminal Courts collection records plea information at the initiation and finalisation of each case in the Magistrates' Criminal and Higher Criminal Courts levels. Initial 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

30 Method of finalisation describes how a criminal charge is concluded by a court level. For the purposes of the Criminal Courts collection, one method of finalisation is applied to each defendant within the Magistrates' Criminal Court and each defendant within the Higher Criminal Courts.

31 As part of the original ABS Higher Criminal Courts collection, the issuance of a bench warrant is considered a method of finalisation. However, in the expansion of this collection to the Magistrates' Criminal Court the issuance of a bench warrant is not considered a method of finalisation for a defendant in the Magistrates' Criminal Court.

Higher Criminal Courts

32 Where a defendant finalised in a Higher Criminal Court has multiple charges and these have different methods of finalisation, the defendant method of finalisation code is determined by the following order of precedence:

- defendant deceased
- bench warrant issued
- unfit to plead
- not guilty on grounds of insanity

EXPLANATORY NOTES *continued*

Higher Criminal Courts continued

- 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.

Magistrates' Criminal Court

33 Where a defendant finalised in the Magistrates' Criminal Court has multiple charges and these have different methods of finalisation, the defendant method of finalisation code is determined by the following order of precedence:

- defendant deceased
- 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
- committed for trial
- committed for sentence
- non-committed transfer from a Court of Summary Jurisdiction to a Higher Court
- other transfer between court levels
- withdrawn by the prosecution
- other non-adjudicated finalisation.

Merging counting units — Higher Criminal Courts

34 Where a person/organisation is a defendant in more than one case within the Higher Criminal Courts 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.

35 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 26).
- Where the method of finalisation varies, the order of precedence rules for coding method of finalisation are applied (see paragraph 32).

Merging counting units — Magistrates' Criminal Court

36 Where a person/organisation is a defendant in more than one case within the Magistrates' Criminal Court 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.

Principal offence adjudicated

37 Principal offence is only calculated for adjudicated defendants. The scope of charges considered for the purposes of determining the principal offence adjudicated are those where the defendant has pleaded guilty or the court has made a decision as to whether or not the defendant is guilty (i.e. charges that

EXPLANATORY NOTES *continued*

Principal offence adjudicated continued

have an adjudicated method of finalisation). Thus, charges that have been transferred to 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.

38 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.

39 Where a defendant has a single proven guilty or acquitted charge the principal offence is the relevant ASOC Code (see paragraph 41) associated with the adjudicated charge.

40 Where a defendant has a method of finalisation of proven guilty with multiple charges proven guilty, or where a defendant has a method of finalisation of acquitted with multiple charges acquitted, the principal offence is selected by applying the National Offence Index (see paragraph 42) to these charges. The principal offence is determined as the adjudicated charge with the highest ranked ASOC Group in the Index. Where the defendant has an adjudicated charge but is unable to receive an Index ranking (due to missing offence information or the offence mapped to an ASOC code not included in the index) the principal offence is coded to 'not able to be determined'.

Australian Standard Offence Classification (ASOC)

41 Offence data have been coded to the 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 Criminal 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.

National Offence Index (NOI)

42 The National Offence Index (see Appendix 6) is a ranking of all ASOC Groups and selected supplementary ASOC codes (ASOC Divisions and/or ASOC Subdivisions). This ranking is based on the concept of seriousness, with a ranking of 1 relating to the ASOC code containing the most serious offence. In developing this Index, the ranking of offences was analysed using the 2000–01 Higher Criminal Courts data. The results indicated that the Index produced principal offence output that aligned with that produced using the 2000–01 Principal Offence rules which were based on actual sentences handed down in the Higher Criminal Courts. In addition, the Index resulted in significant data quality improvements with the proportion of adjudicated defendants for whom a principal offence was unable to be determined reducing from a national average of 17% in 2000–01 to 3% using the Index.

43 The principal offence for each adjudicated defendant is aggregated and published at the ASOC Division level.

Principal sentence type

44 Within this publication, defendants who are proven guilty have sentence type information reported against them at the defendant level. This is usually, though not necessarily, the sentence associated with the principal offence. A defendant can receive a single sentence for a single offence proven guilty, a single sentence for multiple offences proven guilty, multiple sentences due to multiple offences proven guilty and/or multiple sentences assigned to the one offence proven guilty. Where a defendant has a single sentence this is the principal sentence recorded for that defendant. Where a defendant has multiple sentences the principal sentence type is selected by applying the hierarchy of the Sentence Type Classification (see Appendix 7).

EXPLANATORY NOTES *continued*

DATA COMPARABILITY

45 The merging of defendant records will result in adjustments to the counts of defendants pending, initiated, and finalised. For the Higher Criminal Courts, where the defendants with merged records were initiated in one reference period and finalised in the next reference period, the number of pending defendants at the end of the first period (which will include the multiple defendants whose records are later merged into one) will be higher than the number of defendants pending at the start of the next period (where only each single 'merged' defendant is counted). This will have an impact on elapsed time for pending cases and the duration of finalised cases.

46 The 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 states and territories. 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.

47 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.

48 Data quality control checks will continue to be reviewed and modified as the 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

49 The Magistrates' Criminal Court data included in 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 Magistrates' Criminal Court data into this national collection has focused on identifying the scope of defendants finalised in the Magistrates' Criminal Courts and characteristics of these defendants.

50 There are data quality issues which have impacted on the data published for the Magistrates' Criminal Courts. The first issue relates to the identification of the correct population for finalised defendants. Due to the large population of defendants finalised in the Magistrates' Criminal Courts, the ABS received aggregate data from providers which was pre-coded at source according to national standards and classifications. Receipt of the data in this format enabled the ABS to process this data more efficiently than if non-standardised data was received. However, it should be noted that due to the preliminary nature of this collection, a data quality framework has yet to be developed.

51 The second issue relates to the application of method of finalisation coding rules. Magistrates' Criminal Court procedures are not always able to clearly distinguish between a charge that is finalised as acquitted and a charge that is withdrawn. In particular, Queensland has a disproportionate number of defendants classified as acquitted compared to other states and the Northern

EXPLANATORY NOTES *continued*

EXPERIMENTAL DATA *continued*

Territory. Also, in concurring Victoria's codes to national classifications, one of the local codes was able to be applied as a method of finalisation for both proven guilty defendants and defendants appearing for committal hearings who were acquitted. For this publication Victoria was unable to disaggregate this local code to separate defendants proven guilty from those acquitted. As Victoria indicated that the local code was used primarily for defendants proven guilty, this code was mapped to proven guilty for the purposes of current publication output. The ABS will be investigating these issues further prior to the release of the next issue of this publication.

52 The third issue relates to the availability of Magistrates' Criminal Court data in Tasmania. Due to a change over of recording systems for this data in early 2002, Tasmania was only able to supply Magistrates' Criminal Court data for Southern Tasmanian Magistrates' Courts for the period 1 March 2002–30 June 2002.

RELATED PUBLICATIONS

ABS publications

53 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 (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

54 Current publications and other products released by the ABS are listed in the *Catalogue of Publications and Products* (cat. no. 1101.0). The Catalogue is available from any ABS office or the ABS web site <<http://www.abs.gov.au>>. The ABS also issues a daily Release Advice on the web site which details products to be released in the week ahead. The National Centre for Crime and Justice Statistics releases a biannual newsletter that is published on the ABS internet site. The Centre can be contacted by email <crime.justice@abs.gov.au>.

Non-ABS publications

55 Non-ABS sources of criminal court 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 and Research, 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*

EXPLANATORY NOTES *continued*

*Non-ABS publications
continued*

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
CRC	Crime Research Centre
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
NOI	National Offence Index
NSW	New South Wales
NT	Northern Territory
Qld	Queensland
SA	South Australia
Tas.	Tasmania
Vic.	Victoria
WA	Western Australia

APPENDIX 1 EXPERIMENTAL MAGISTRATES' COURTS DATA

INTRODUCTION

This appendix presents 5 tables containing experimental data for Magistrates' Criminal Courts:

- Table A1.1 Adjudicated defendants, Principal offence
- Table A1.2 Adjudicated defendants, Principal offence by adjudication type
- Table A1.3 Defendants proven guilty, Principal offence by principal sentence type
- Table A1.4 Finalised defendants, Duration from initiation to finalisation
- Table A1.5 Defendants proven guilty, Principal sentence type by age and sex.

MAGISTRATES' CRIMINAL COURT FINALISATIONS

Magistrates' Criminal Court data are currently unavailable for New South Wales and the Australian Capital Territory. Data on defendants finalised in the Magistrates' Criminal Court in Tasmania is restricted to Southern Tasmanian Magistrates' Criminal Court for the reference period 1 March 2002–30 June 2002. (Southern Tasmania accounts for approximately 50% of all Tasmanian Magistrates' Criminal Court cases.)

Caution should be taken regarding any analyses based on these incomplete data. 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 Magistrates' Criminal Court statistics.

There are significant differences between the states and territories in the way the Higher and Magistrates' Criminal Court systems are structured and how criminal cases are allocated between the court levels. Caution should therefore be taken when making comparisons between states and territories at the Magistrates' Criminal Court level.

ADJUDICATED DEFENDANTS — PRINCIPAL OFFENCE

The available data from the six state and territory Magistrates' Criminal Courts indicate that four principal offence categories accounted for the majority of adjudicated defendants who appeared in the Magistrates' Criminal Courts in 2001–02 (see table A1.1). These were: road traffic and motor vehicle regulatory offences (35%); dangerous or negligent acts endangering persons (10%); public order offences (10%) and offences related to theft (10%). Overall, 65% of defendants were adjudicated in the Magistrates' Criminal Courts with a principal offence that fell into one of these four offence categories.

Across all available states and territories, road traffic and motor vehicle regulatory offences were the most common principal offence in the Magistrates' Criminal Courts. The proportion of defendants in this principal offence category ranged from 69% in Tasmania (although this may have been influenced by the absence of an electronic court in this state to deal with these matters) and 47% in South Australia to 26% in Western Australia.

In Victoria, the other common principal offence categories in the Magistrates' Criminal Court included offences related to theft (13%) and public order offences (13%). Combined with the principal offence of road traffic and motor vehicle regulatory offences (29%), these offences were the principal offences for 54% of the 100,244 adjudicated defendants in the Magistrates' Criminal Court in Victoria.

In Queensland, 10% of adjudicated defendants in the Magistrates' Criminal Court had a principal offence of dangerous or negligent acts endangering persons and 10% had a principal offence of public order offences. Combined with the principal offence of road traffic and motor vehicle regulatory offences (40%), these offences were the principal offences for 59% of the 113,479 adjudicated defendants in the Magistrates' Criminal Court in Queensland.

APPENDIX 1 EXPERIMENTAL MAGISTRATES' COURTS DATA *continued*

ADJUDICATED DEFENDANTS
— PRINCIPAL OFFENCE
continued

In South Australia, there were 33,587 adjudicated defendants in the Magistrates' Criminal Court. Of these, 47% had a principal offence of road traffic and motor vehicle regulatory offences and a further 10% had a principal offence of public order offences.

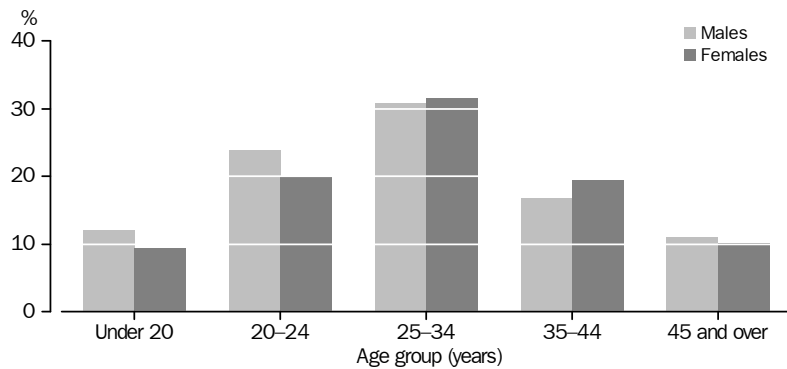
In Western Australia, the majority (57%) of the 58,455 adjudicated defendants in the Magistrates' Criminal Court fell within three principal offence categories. These were: road traffic and motor vehicle regulatory offences (26%); dangerous or negligent acts endangering persons (17%) and offences against justice procedures, government security and government operations (14%).

Seven in ten adjudicated defendants in the Tasmanian Magistrates' Criminal Court fell within the principal offence of road traffic and motor vehicle offences (69%). A further 7% had a principal offence of offences against justice procedures, government security and government operations.

In Northern Territory, of the 7,493 adjudicated defendants in the Magistrates' Criminal Court, 45% had a principal offence of road traffic and motor vehicle offences and a further 13% had a principal offence of acts intended to cause injury.

DEFENDANTS PROVEN
GUILTY
Age

DEFENDANTS PROVEN GUILTY(a), Age by sex



(a) Data not available for New South Wales, Australian Capital Territory and part of Tasmania.

For all available states and territories, on average over 95% of adjudicated defendants in the Magistrates' Criminal Court in 2001-02 were proven guilty (see table A1.2) and the majority (53%) of these were aged 20-34 years (see table A1.5). Males represented 78% of defendants proven guilty. Of all defendants proven guilty in the Magistrates' Criminal Court during 2001-02, 43% were males aged 20-34 years.

Principal sentence type

In contrast to the Higher Criminal Courts where one in two defendants received a custodial order to be served (excluding fully suspended sentences), for all available states and territories only 5% of defendants proven guilty in the Magistrates' Criminal Court were given a custodial order to be served (see table A1.3).

APPENDIX 1 EXPERIMENTAL MAGISTRATES' COURTS DATA *continued*

A1.1 ADJUDICATED DEFENDANTS, Principal offence

ASOC Division	NSW	Vic.	Qld	SA	WA	Tas. (a)	NT	ACT	Aust.
NUMBER									
Homicide and related offences	na	11	98	—	13	—	9	na	na
Acts intended to cause injury	na	7 092	5 780	2 068	3 712	143	985	na	na
Sexual assault and related offences	na	384	353	110	60	7	33	na	na
Dangerous or negligent acts endangering persons	na	7 899	11 356	2 197	9 982	35	725	na	na
Abduction and related offences	na	8	32	2	4	—	3	na	na
Robbery extortion and related offences	na	291	231	7	12	2	8	na	na
Unlawful entry with intent/burglary, break and enter	na	3 543	2 400	419	780	89	206	na	na
Theft and related offences	na	12 767	9 522	2 763	4 715	236	324	na	na
Deception and related offences	na	6 059	4 363	972	2 137	67	106	na	na
Illicit drug offences	na	5 079	8 978	1 673	4 772	37	202	na	na
Weapons and explosive offences	na	3 017	1 525	879	882	27	186	na	na
Property damage and environmental pollution	na	3 048	2 924	1 027	1 612	55	214	na	na
Public order offences	na	12 594	10 822	3 205	4 589	180	347	na	na
Road traffic and motor vehicle regulatory offences	na	28 707	45 035	15 886	15 131	3 108	3 371	na	na
Offences against justice procedures, government security and government operations	na	5 609	7 984	1 957	8 321	334	338	na	na
Miscellaneous offences	na	4 053	2 076	421	1 656	162	398	na	na
Not able to be determined	na	83	—	1	77	6	38	na	na
Total defendants	na	100 244	113 479	33 587	58 455	4 488	7 493	na	na
PROPORTION (%)									
Homicide and related offences	na	—	0.1	—	—	—	0.1	na	na
Acts intended to cause injury	na	7.1	5.1	6.2	6.4	3.2	13.1	na	na
Sexual assault and related offences	na	0.4	0.3	0.3	0.1	0.2	0.4	na	na
Dangerous or negligent acts endangering persons	na	7.9	10.0	6.5	17.1	0.8	9.7	na	na
Abduction and related offences	na	—	—	—	—	—	—	na	na
Robbery extortion and related offences	na	0.3	0.2	—	—	—	0.1	na	na
Unlawful entry with intent/burglary, break and enter	na	3.5	2.1	1.2	1.3	2.0	2.7	na	na
Theft and related offences	na	12.7	8.4	8.2	8.1	5.3	4.3	na	na
Deception and related offences	na	6.0	3.8	2.9	3.7	1.5	1.4	na	na
Illicit drug offences	na	5.1	7.9	5.0	8.2	0.8	2.7	na	na
Weapons and explosive offences	na	3.0	1.3	2.6	1.5	0.6	2.5	na	na
Property damage and environmental pollution	na	3.0	2.6	3.1	2.8	1.2	2.9	na	na
Public order offences	na	12.6	9.5	9.5	7.9	4.0	4.6	na	na
Road traffic and motor vehicle regulatory offences	na	28.6	39.7	47.3	25.9	69.3	45.0	na	na
Offences against justice procedures, government security and government operations	na	5.6	7.0	5.8	14.2	7.4	4.5	na	na
Miscellaneous offences	na	4.0	1.8	1.3	2.8	3.6	5.3	na	na
Not able to be determined	na	0.1	—	—	0.1	0.1	0.5	na	na
Total defendants	na	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) Restricted to Southern Tasmanian Magistrates' Courts for the reference period 1 March 2002–30 June 2002 (see Explanatory Notes paragraph 14).

APPENDIX 1 EXPERIMENTAL MAGISTRATES' COURTS DATA *continued*

A1.2 ADJUDICATED DEFENDANTS, Principal offence by adjudication type

ASOC Division and adjudication type	NSW	Vic.(a)	Qld(b)	SA	WA	Tas.(c)	NT	ACT	Aust.
NUMBER									
Homicide and related offences									
Acquitted	na	1	91	—	1	—	3	na	na
Proven guilty	na	10	7	—	12	—	6	na	na
<i>Total</i>	na	11	98	—	13	—	9	na	na
Acts intended to cause injury									
Acquitted	na	120	992	24	420	17	197	na	na
Proven guilty	na	6 972	4 788	2 044	3 292	126	788	na	na
<i>Total</i>	na	7 092	5 780	2 068	3 712	143	985	na	na
Sexual assault and related offences									
Acquitted	na	20	289	3	13	1	17	na	na
Proven guilty	na	364	64	107	47	6	16	na	na
<i>Total</i>	na	384	353	110	60	7	33	na	na
Dangerous or negligent acts endangering persons									
Acquitted	na	56	367	1	141	—	10	na	na
Proven guilty	na	7 843	10 989	2 196	9 841	35	715	na	na
<i>Total</i>	na	7 899	11 356	2 197	9 982	35	725	na	na
Abduction and related offences									
Acquitted	na	3	23	—	3	—	—	na	na
Proven guilty	na	5	9	2	1	—	3	na	na
<i>Total</i>	na	8	32	2	4	—	3	na	na
Robbery, extortion and related offences									
Acquitted	na	6	206	1	3	—	2	na	na
Proven guilty	na	285	25	6	9	2	6	na	na
<i>Total</i>	na	291	231	7	12	2	8	na	na
Unlawful entry with intent/burglary, break and enter									
Acquitted	na	12	535	4	46	3	24	na	na
Proven guilty	na	3 531	1 865	415	734	86	182	na	na
<i>Total</i>	na	3 543	2 400	419	780	89	206	na	na
Theft and related offences									
Acquitted	na	132	902	7	187	9	37	na	na
Proven guilty	na	12 635	8 620	2 756	4 528	227	287	na	na
<i>Total</i>	na	12 767	9 522	2 763	4 715	236	324	na	na
Deception and related offences									
Acquitted	na	91	562	1	121	1	4	na	na
Proven guilty	na	5 968	3 801	971	2 016	66	102	na	na
<i>Total</i>	na	6 059	4 363	972	2 137	67	106	na	na

na not available

— nil or rounded to zero (including null cells)

(a) Counts may be over enumerated (see Explanatory Notes paragraph 51).

(b) The number of defendants adjudicated as acquitted may include defendants who received the non-adjudicated method of finalisation of withdrawn (see Explanatory Notes paragraph 51).

(c) Restricted to Southern Tasmanian Magistrates' Courts for the reference period 1 March 2002–30 June 2002 (see Explanatory Notes paragraph 14).

APPENDIX 1 EXPERIMENTAL MAGISTRATES' COURTS DATA *continued*

A1.2 ADJUDICATED DEFENDANTS, Principal offence by adjudication type *continued*

ASOC Division and adjudication type	NSW	Vic.(a)	Qld(b)	SA	WA	Tas.(c)	NT	ACT	Aust.
NUMBER <i>cont.</i>									
Illicit drug offences									
Acquitted	na	29	561	3	50	—	15	na	na
Proven guilty	na	5 050	8 417	1 670	4 722	37	187	na	na
Total	na	5 079	8 978	1 673	4 772	37	202	na	na
Weapons and explosive offences									
Acquitted	na	24	73	—	32	1	7	na	na
Proven guilty	na	2 993	1 452	879	850	26	179	na	na
Total	na	3 017	1 525	879	882	27	186	na	na
Property damage and environmental pollution									
Acquitted	na	70	305	1	62	1	21	na	na
Proven guilty	na	2 978	2 619	1 026	1 550	54	193	na	na
Total	na	3 048	2 924	1 027	1 612	55	214	na	na
Public order offences									
Acquitted	na	1 774	362	2	153	6	37	na	na
Proven guilty	na	10 820	10 460	3 203	4 436	174	310	na	na
Total	na	12 594	10 822	3 205	4 589	180	347	na	na
Road traffic and motor vehicle regulatory offences									
Acquitted	na	624	1 249	6	511	55	62	na	na
Proven guilty	na	28 083	43 786	15 880	14 620	3 053	3 309	na	na
Total	na	28 707	45 035	15 886	15 131	3 108	3 371	na	na
Offences against justice procedures, government security and government operations									
Acquitted	na	92	829	3	397	8	22	na	na
Proven guilty	na	5 517	7 155	1 954	7 924	326	316	na	na
Total	na	5 609	7 984	1 957	8 321	334	338	na	na
Miscellaneous offences									
Acquitted	na	184	240	—	305	2	21	na	na
Proven guilty	na	3 869	1 836	421	1 351	160	377	na	na
Total	na	4 053	2 076	421	1 656	162	398	na	na
Not able to be determined									
Acquitted	na	2	—	—	16	1	5	na	na
Proven guilty	na	81	—	1	61	5	33	na	na
Total	na	83	—	1	77	6	38	na	na
Total defendants									
Acquitted Total	na	3 240	7 586	56	2 461	105	484	na	na
Proven guilty Total	na	97 004	105 893	33 531	55 994	4 383	7 009	na	na
Total defendants	na	100 244	113 479	33 587	58 455	4 488	7 493	na	na

na not available

— nil or rounded to zero (including null cells)

(a) Counts may be over enumerated (see Explanatory Notes paragraph 51).

(b) The number of defendants adjudicated as acquitted may include defendants who received the non-adjudicated method of finalisation of withdrawn (see Explanatory Notes paragraph 51).

(c) Restricted to Southern Tasmanian Magistrates' Courts for the reference period 1 March 2002–30 June 2002 (see Explanatory Notes paragraph 14).

APPENDIX 1 EXPERIMENTAL MAGISTRATES' COURTS DATA *continued*

A1.2 ADJUDICATED DEFENDANTS, Principal offence by adjudication type *continued*

ASOC Division and adjudication type	NSW	Vic.(a)	Qld(b)	SA	WA	Tas.(c)	NT	ACT	Aust.
PROPORTION (%)									
Homicide and related offences									
Acquitted	na	9.1	92.9	—	7.7	—	33.3	na	na
Proven guilty	na	90.9	7.1	—	92.3	—	66.7	na	na
<i>Total</i>	na	100.0	100.0	—	100.0	—	100.0	na	na
Acts intended to cause injury									
Acquitted	na	1.7	17.2	1.2	11.3	11.9	20.0	na	na
Proven guilty	na	98.3	82.8	98.8	88.7	88.1	80.0	na	na
<i>Total</i>	na	100.0	100.0	100.0	100.0	100.0	100.0	na	na
Sexual assault and related offences									
Acquitted	na	5.2	81.9	2.7	21.7	14.3	51.5	na	na
Proven guilty	na	94.8	18.1	97.3	78.3	85.7	48.5	na	na
<i>Total</i>	na	100.0	100.0	100.0	100.0	100.0	100.0	na	na
Dangerous or negligent acts endangering persons									
Acquitted	na	0.7	3.2	—	1.4	—	1.4	na	na
Proven guilty	na	99.3	96.8	100.0	98.6	100.0	98.6	na	na
<i>Total</i>	na	100.0	100.0	100.0	100.0	100.0	100.0	na	na
Abduction and related offences									
Acquitted	na	37.5	71.9	—	75.0	—	—	na	na
Proven guilty	na	62.5	28.1	100.0	25.0	—	100.0	na	na
<i>Total</i>	na	100.0	100.0	100.0	100.0	—	100.0	na	na
Robbery, extortion and related offences									
Acquitted	na	2.1	89.2	14.3	25.0	—	25.0	na	na
Proven guilty	na	97.9	10.8	85.7	75.0	100.0	75.0	na	na
<i>Total</i>	na	100.0	100.0	100.0	100.0	100.0	100.0	na	na
Unlawful entry with intent/burglary, break and enter									
Acquitted	na	0.3	22.3	1.0	5.9	3.4	11.7	na	na
Proven guilty	na	99.7	77.7	99.0	94.1	96.6	88.3	na	na
<i>Total</i>	na	100.0	100.0	100.0	100.0	100.0	100.0	na	na
Theft and related offences									
Acquitted	na	1.0	9.5	0.3	4.0	3.8	11.4	na	na
Proven guilty	na	99.0	90.5	99.7	96.0	96.2	88.6	na	na
<i>Total</i>	na	100.0	100.0	100.0	100.0	100.0	100.0	na	na
Deception and related offences									
Acquitted	na	1.5	12.9	0.1	5.7	1.5	3.8	na	na
Proven guilty	na	98.5	87.1	99.9	94.3	98.5	96.2	na	na
<i>Total</i>	na	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) Counts may be over enumerated (see Explanatory Notes paragraph 51).

(b) The number of defendants adjudicated as acquitted may include defendants who received the non-adjudicated method of finalisation of withdrawn (see Explanatory Notes paragraph 51).

(c) Restricted to Southern Tasmanian Magistrates' Courts for the reference period 1 March 2002–30 June 2002 (see Explanatory Notes paragraph 14).

APPENDIX 1 EXPERIMENTAL MAGISTRATES' COURTS DATA *continued*

A1.2 ADJUDICATED DEFENDANTS, Principal offence by adjudication type *continued*

ASOC Division and adjudication type	NSW	Vic.(a)	Qld(b)	SA	WA	Tas.(c)	NT	ACT	Aust.
PROPORTION (%) <i>cont.</i>									
Illicit drug offences									
Acquitted	na	0.6	6.2	0.2	1.0	—	7.4	na	na
Proven guilty	na	99.4	93.8	99.8	99.0	100.0	92.6	na	na
Total	na	100.0	100.0	100.0	100.0	100.0	100.0	na	na
Weapons and explosive offences									
Acquitted	na	0.8	4.8	—	3.6	3.7	3.8	na	na
Proven guilty	na	99.2	95.2	100.0	96.4	96.3	96.2	na	na
Total	na	100.0	100.0	100.0	100.0	100.0	100.0	na	na
Property damage and environmental pollution									
Acquitted	na	2.3	10.4	0.1	3.8	1.8	9.8	na	na
Proven guilty	na	97.7	89.6	99.9	96.2	98.2	90.2	na	na
Total	na	100.0	100.0	100.0	100.0	100.0	100.0	na	na
Public order offences									
Acquitted	na	14.1	3.3	0.1	3.3	3.3	10.7	na	na
Proven guilty	na	85.9	96.7	99.9	96.7	96.7	89.3	na	na
Total	na	100.0	100.0	100.0	100.0	100.0	100.0	na	na
Road traffic and motor vehicle regulatory offences									
Acquitted	na	2.2	2.8	—	3.4	1.8	1.8	na	na
Proven guilty	na	97.8	97.2	100.0	96.6	98.2	98.2	na	na
Total	na	100.0	100.0	100.0	100.0	100.0	100.0	na	na
Offences against justice procedures, government security and government operations									
Acquitted	na	1.6	10.4	0.2	4.8	2.4	6.5	na	na
Proven guilty	na	98.4	89.6	99.8	95.2	97.6	93.5	na	na
Total	na	100.0	100.0	100.0	100.0	100.0	100.0	na	na
Miscellaneous offences									
Acquitted	na	4.5	11.6	—	18.4	1.2	5.3	na	na
Proven guilty	na	95.5	88.4	100.0	81.6	98.8	94.7	na	na
Total	na	100.0	100.0	100.0	100.0	100.0	100.0	na	na
Not able to be determined									
Acquitted	na	2.4	—	—	20.8	16.7	13.2	na	na
Proven guilty	na	97.6	—	100.0	79.2	83.3	86.8	na	na
Total	na	100.0	—	100.0	100.0	100.0	100.0	na	na
Total defendants									
Acquitted Total	na	3.2	6.7	0.2	4.2	2.3	6.5	na	na
Proven guilty Total	na	96.8	93.3	99.8	95.8	97.7	93.5	na	na
Total defendants	na	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) Counts may be over enumerated (see Explanatory Notes paragraph 51).

(b) The number of defendants adjudicated as acquitted may include defendants who received the non-adjudicated method of finalisation of withdrawn (see Explanatory Notes paragraph 51).

(c) Restricted to Southern Tasmanian Magistrates' Courts for the reference period 1 March 2002–30 June 2002 (see Explanatory Notes paragraph 14).

APPENDIX 1 EXPERIMENTAL MAGISTRATES' COURTS DATA *continued*

A1.3 DEFENDANTS PROVEN GUILTY, Principal offence by principal sentence type

ASOC Division and principal sentence type	NSW	Vic. (a)	Qld	SA	WA	Tas. (b)	NT	ACT	Aust.
NUMBER									
Homicide and related offences									
Custodial order(c)	na	—	—	—	1	—	2	na	na
Other sentence type	na	2	7	—	11	—	1	na	na
Unknown sentence type	na	8	—	—	—	—	3	na	na
<i>Total</i>	na	10	7	—	12	—	6	na	na
Acts intended to cause injury									
Custodial order(c)	na	762	563	154	456	29	372	na	na
Other sentence type	na	5 137	4 225	1 890	2 836	97	389	na	na
Unknown sentence type	na	1 073	—	—	—	—	27	na	na
<i>Total</i>	na	6 972	4 788	2 044	3 292	126	788	na	na
Sexual assault and related offences									
Custodial order(c)	na	60	4	11	6	1	11	na	na
Other sentence type	na	249	60	96	41	5	4	na	na
Unknown sentence type	na	55	—	—	—	—	1	na	na
<i>Total</i>	na	364	64	107	47	6	16	na	na
Dangerous or negligent acts endangering persons									
Custodial order(c)	na	167	210	27	145	17	71	na	na
Other sentence type	na	6 706	10 779	2 169	9 696	18	639	na	na
Unknown sentence type	na	970	—	—	—	—	5	na	na
<i>Total</i>	na	7 843	10 989	2 196	9 841	35	715	na	na
Abduction and related offences									
Custodial order(c)	na	—	—	—	—	—	1	na	na
Other sentence type	na	2	9	2	1	—	2	na	na
Unknown sentence type	na	3	—	—	—	—	—	na	na
<i>Total</i>	na	5	9	2	1	—	3	na	na
Robbery, extortion and related offences									
Custodial order(c)	na	79	—	1	—	—	3	na	na
Other sentence type	na	129	25	5	9	2	2	na	na
Unknown sentence type	na	77	—	—	—	—	1	na	na
<i>Total</i>	na	285	25	6	9	2	6	na	na
Unlawful entry with intent/burglary, break and enter									
Custodial order(c)	na	964	419	96	258	58	97	na	na
Other sentence type	na	1 780	1 446	319	476	28	78	na	na
Unknown sentence type	na	787	—	—	—	—	7	na	na
<i>Total</i>	na	3 531	1 865	415	734	86	182	na	na
Theft and related offences									
Custodial order(c)	na	1 069	558	112	490	72	114	na	na
Other sentence type	na	8 923	8 062	2 644	4 038	155	166	na	na
Unknown sentence type	na	2 643	—	—	—	—	7	na	na
<i>Total</i>	na	12 635	8 620	2 756	4 528	227	287	na	na
Deception and related offences									
Custodial order(c)	na	452	290	183	211	24	34	na	na
Other sentence type	na	4 787	3 511	788	1 805	42	67	na	na
Unknown sentence type	na	729	—	—	—	—	1	na	na
<i>Total</i>	na	5 968	3 801	971	2 016	66	102	na	na

na not available

— nil or rounded to zero (including null cells)

(a) Counts may be over enumerated (see Explanatory Notes paragraph 51).

(b) Restricted to Southern Tasmanian Magistrates' Courts for the reference period 1 March 2002–30 June 2002 (see Explanatory Notes paragraph 14).

(c) Excludes fully suspended sentences (except for Tasmania). Fully suspended sentences are included in 'Other sentence type'.

APPENDIX 1 EXPERIMENTAL MAGISTRATES' COURTS DATA *continued*

A1.3 DEFENDANTS PROVEN GUILTY, Principal offence by principal sentence type

continued

ASOC Division and principal sentence type

	NSW	Vic.(a)	Qld	SA	WA	Tas.(b)	NT	ACT	Aust.
NUMBER <i>cont.</i>									
Illicit drug offences									
Custodial order(c)	na	453	271	5	148	3	23	na	na
Other sentence type	na	3 920	8 146	1 665	4 574	34	163	na	na
Unknown sentence type	na	677	—	—	—	—	1	na	na
Total	na	5 050	8 417	1 670	4 722	37	187	na	na
Weapons and explosive offences									
Custodial order(c)	na	299	78	42	39	2	30	na	na
Other sentence type	na	2 185	1 374	837	811	24	147	na	na
Unknown sentence type	na	509	—	—	—	—	2	na	na
Total	na	2 993	1 452	879	850	26	179	na	na
Property damage and environmental pollution									
Custodial order(c)	na	91	141	14	83	13	54	na	na
Other sentence type	na	2 259	2 478	1 012	1 467	41	134	na	na
Unknown sentence type	na	628	—	—	—	—	5	na	na
Total	na	2 978	2 619	1 026	1 550	54	193	na	na
Public order offences									
Custodial order(c)	na	84	151	13	129	6	23	na	na
Other sentence type	na	3 474	10 309	3 190	4 307	168	270	na	na
Unknown sentence type	na	7 262	—	—	—	—	17	na	na
Total	na	10 820	10 460	3 203	4 436	174	310	na	na
Road traffic and motor vehicle regulatory offences									
Custodial order(c)	na	328	396	133	626	119	136	na	na
Other sentence type	na	26 373	43 390	15 747	13 994	2 934	3 158	na	na
Unknown sentence type	na	1 382	—	—	—	—	15	na	na
Total	na	28 083	43 786	15 880	14 620	3 053	3 309	na	na
Offences against justice procedures, government security and government operations									
Custodial order(c)	na	185	336	32	655	115	84	na	na
Other sentence type	na	4 649	6 819	1 922	7 269	211	208	na	na
Unknown sentence type	na	683	—	—	—	—	24	na	na
Total	na	5 517	7 155	1 954	7 924	326	316	na	na
Miscellaneous offences									
Custodial order(c)	na	112	45	6	33	1	5	na	na
Other sentence type	na	3 449	1 791	415	1 318	159	369	na	na
Unknown sentence type	na	308	—	—	—	—	3	na	na
Total	na	3 869	1 836	421	1 351	160	377	na	na
Not able to be determined									
Custodial order(c)	na	5	—	—	5	1	3	na	na
Other sentence type	na	51	—	1	56	4	30	na	na
Unknown sentence type	na	25	—	—	—	—	—	na	na
Total	na	81	—	1	61	5	33	na	na
All offence categories									
Custodial order(c)	na	5 110	3 462	829	3 285	461	1 063	na	na
Other sentence type	na	74 075	102 431	32 702	52 709	3 922	5 827	na	na
Unknown sentence type	na	17 819	—	—	—	—	119	na	na
Total defendants	na	97 004	105 893	33 531	55 994	4 383	7 009	na	na

na not available

— nil or rounded to zero (including null cells)

(a) Counts may be over enumerated (see Explanatory Notes paragraph 51).

(b) Restricted to Southern Tasmanian Magistrates' Courts for the reference period 1 March 2002–30 June 2002 (see Explanatory Notes paragraph 14).

(c) Excludes fully suspended sentences (except for Tasmania). Fully suspended sentences are included in 'Other sentence type'.

APPENDIX 1 EXPERIMENTAL MAGISTRATES' COURTS DATA *continued*

A1.3 DEFENDANTS PROVEN GUILTY, Principal offence by principal sentence type
continued

ASOC Division and principal sentence type	NSW	Vic. (a)	Qld	SA	WA	Tas. (b)	NT	ACT	Aust.
PROPORTION (%)									
Homicide and related offences									
Custodial order(c)	na	—	—	—	8.3	—	33.3	na	na
Other sentence type	na	20.0	100.0	—	91.7	—	16.7	na	na
Unknown sentence type	na	80.0	—	—	—	—	50.0	na	na
<i>Total</i>	na	100.0	100.0	—	100.0	—	100.0	na	na
Acts intended to cause injury									
Custodial order(c)	na	10.9	11.8	7.5	13.9	23.0	47.2	na	na
Other sentence type	na	73.7	88.2	92.5	86.1	77.0	49.4	na	na
Unknown sentence type	na	15.4	—	—	—	—	3.4	na	na
<i>Total</i>	na	100.0	100.0	100.0	100.0	100.0	100.0	na	na
Sexual assault and related offences									
Custodial order(c)	na	16.5	6.3	10.3	12.8	16.7	68.8	na	na
Other sentence type	na	68.4	93.8	89.7	87.2	83.3	25.0	na	na
Unknown sentence type	na	15.1	—	—	—	—	6.3	na	na
<i>Total</i>	na	100.0	100.0	100.0	100.0	100.0	100.0	na	na
Dangerous or negligent acts endangering persons									
Custodial order(c)	na	2.1	1.9	1.2	1.5	48.6	9.9	na	na
Other sentence type	na	85.5	98.1	98.8	98.5	51.4	89.4	na	na
Unknown sentence type	na	12.4	—	—	—	—	0.7	na	na
<i>Total</i>	na	100.0	100.0	100.0	100.0	100.0	100.0	na	na
Abduction and related offences									
Custodial order(c)	na	—	—	—	—	—	33.3	na	na
Other sentence type	na	40.0	100.0	100.0	100.0	—	66.7	na	na
Unknown sentence type	na	60.0	—	—	—	—	—	na	na
<i>Total</i>	na	100.0	100.0	100.0	100.0	—	100.0	na	na
Robbery, extortion and related offences									
Custodial order(c)	na	27.7	—	16.7	—	—	50.0	na	na
Other sentence type	na	45.3	100.0	83.3	100.0	100.0	33.3	na	na
Unknown sentence type	na	27.0	—	—	—	—	16.7	na	na
<i>Total</i>	na	100.0	100.0	100.0	100.0	100.0	100.0	na	na
Unlawful entry with intent/burglary, break and enter									
Custodial order(c)	na	27.3	22.5	23.1	35.1	67.4	53.3	na	na
Other sentence type	na	50.4	77.5	76.9	64.9	32.6	42.9	na	na
Unknown sentence type	na	22.3	—	—	—	—	3.8	na	na
<i>Total</i>	na	100.0	100.0	100.0	100.0	100.0	100.0	na	na
Theft and related offences									
Custodial order(c)	na	8.5	6.5	4.1	10.8	31.7	39.7	na	na
Other sentence type	na	70.6	93.5	95.9	89.2	68.3	57.8	na	na
Unknown sentence type	na	20.9	—	—	—	—	2.4	na	na
<i>Total</i>	na	100.0	100.0	100.0	100.0	100.0	100.0	na	na
Deception and related offences									
Custodial order(c)	na	7.6	7.6	18.8	10.5	36.4	33.3	na	na
Other sentence type	na	80.2	92.4	81.2	89.5	63.6	65.7	na	na
Unknown sentence type	na	12.2	—	—	—	—	1.0	na	na
<i>Total</i>	na	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) Counts may be over enumerated (see Explanatory Notes paragraph 51).

(b) Restricted to Southern Tasmanian Magistrates' Courts for the reference period 1 March 2002–30 June 2002 (see Explanatory Notes paragraph 14).

(c) Excludes fully suspended sentences (except for Tasmania). Fully suspended sentences are included in 'Other sentence type'.

APPENDIX 1 EXPERIMENTAL MAGISTRATES' COURTS DATA *continued*

A1.3 DEFENDANTS PROVEN GUILTY, Principal offence by principal sentence type *continued*

ASOC Division and principal sentence type	NSW	Vic.(a)	Qld	SA	WA	Tas.(b)	NT	ACT	Aust.
PROPORTION (%) <i>cont.</i>									
Illicit drug offences									
Custodial order(c)	na	9.0	3.2	0.3	3.1	8.1	12.3	na	na
Other sentence type	na	77.6	96.8	99.7	96.9	91.9	87.2	na	na
Unknown sentence type	na	13.4	—	—	—	—	0.5	na	na
Total	na	100.0	100.0	100.0	100.0	100.0	100.0	na	na
Weapons and explosive offences									
Custodial order(c)	na	10.0	5.4	4.8	4.6	7.7	16.8	na	na
Other sentence type	na	73.0	94.6	95.2	95.4	92.3	82.1	na	na
Unknown sentence type	na	17.0	—	—	—	—	1.1	na	na
Total	na	100.0	100.0	100.0	100.0	100.0	100.0	na	na
Property damage and environmental pollution									
Custodial order(c)	na	3.1	5.4	1.4	5.4	24.1	28.0	na	na
Other sentence type	na	75.9	94.6	98.6	94.6	75.9	69.4	na	na
Unknown sentence type	na	21.1	—	—	—	—	2.6	na	na
Total	na	100.0	100.0	100.0	100.0	100.0	100.0	na	na
Public order offences									
Custodial order(c)	na	0.8	1.4	0.4	2.9	3.4	7.4	na	na
Other sentence type	na	32.1	98.6	99.6	97.1	96.6	87.1	na	na
Unknown sentence type	na	67.1	—	—	—	—	5.5	na	na
Total	na	100.0	100.0	100.0	100.0	100.0	100.0	na	na
Road traffic and motor vehicle regulatory offences									
Custodial order(c)	na	1.2	0.9	0.8	4.3	3.9	4.1	na	na
Other sentence type	na	93.9	99.1	99.2	95.7	96.1	95.4	na	na
Unknown sentence type	na	4.9	—	—	—	—	0.5	na	na
Total	na	100.0	100.0	100.0	100.0	100.0	100.0	na	na
Offences against justice procedures, government security and government operations									
Custodial order(c)	na	3.4	4.7	1.6	8.3	35.3	26.6	na	na
Other sentence type	na	84.3	95.3	98.4	91.7	64.7	65.8	na	na
Unknown sentence type	na	12.4	—	—	—	—	7.6	na	na
Total	na	100.0	100.0	100.0	100.0	100.0	100.0	na	na
Miscellaneous offences									
Custodial order(c)	na	2.9	2.5	1.4	2.4	0.6	1.3	na	na
Other sentence type	na	89.1	97.5	98.6	97.6	99.4	97.9	na	na
Unknown sentence type	na	8.0	—	—	—	—	0.8	na	na
Total	na	100.0	100.0	100.0	100.0	100.0	100.0	na	na
Not able to be determined									
Custodial order(c)	na	6.2	—	—	8.2	20.0	9.1	na	na
Other sentence type	na	63.0	—	100.0	91.8	80.0	90.9	na	na
Unknown sentence type	na	30.9	—	—	—	—	—	na	na
Total	na	100.0	—	100.0	100.0	100.0	100.0	na	na
All offence categories									
Custodial order(c)	na	5.3	3.3	2.5	5.9	10.5	15.2	na	na
Other sentence type	na	76.4	96.7	97.5	94.1	89.5	83.1	na	na
Unknown sentence type	na	18.4	—	—	—	—	1.7	na	na
Total defendants	na	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) Counts may be over enumerated (see Explanatory Notes paragraph 51).

(b) Restricted to Southern Tasmanian Magistrates' Courts for the reference period 1 March 2002–30 June 2002 (see Explanatory Notes paragraph 14).

(c) Excludes fully suspended sentences (except for Tasmania). Fully suspended sentences are included in 'Other sentence type'.

APPENDIX 1 EXPERIMENTAL MAGISTRATES' COURTS DATA *continued*

A1.4 FINALISED DEFENDANTS, Duration from initiation to finalisation

Method of finalisation/duration (weeks)	NSW	Vic.	Qld(a)	SA	WA	Tas.(b)	NT	ACT	Aust.
NUMBER									
Acquitted									
Under 6 weeks	na	na	1 593	2	680	14	85	na	na
6 and under 13	na	na	1 487	2	595	7	95	na	na
13 and under 20	na	na	1 374	9	428	6	53	na	na
20 and under 26	na	na	856	9	224	8	45	na	na
26 and under 39	na	na	1 098	7	311	43	63	na	na
39 and under 52	na	na	640	10	106	7	41	na	na
52 and over	na	na	525	17	117	17	102	na	na
Unknown	na	na	13	—	—	3	—	na	na
Total	na	na	7 586	56	2 461	105	484	na	na
Proven guilty									
Under 6 weeks	na	na	78 932	8 905	42 339	724	2 270	na	na
6 and under 13	na	na	14 390	12 981	5 804	611	2 432	na	na
13 and under 20	na	na	5 147	4 195	2 802	1 132	693	na	na
20 and under 26	na	na	2 084	2 009	1 521	757	333	na	na
26 and under 39	na	na	2 097	1 670	1 837	772	417	na	na
39 and under 52	na	na	1 168	1 453	724	130	258	na	na
52 and over	na	na	1 373	2 318	967	176	606	na	na
Unknown	na	na	702	—	—	81	—	na	na
Total	na	na	105 893	33 531	55 994	4 383	7 009	na	na
Transfer to other court levels									
Under 6 weeks	na	na	145	55	703	13	29	na	na
6 and under 13	na	na	1 486	323	789	11	41	na	na
13 and under 20	na	na	1 393	325	371	9	17	na	na
20 and under 26	na	na	757	131	136	5	15	na	na
26 and under 39	na	na	810	84	144	6	25	na	na
39 and under 52	na	na	316	45	69	3	13	na	na
52 and over	na	na	186	43	54	6	30	na	na
Unknown	na	na	—	—	—	1	—	na	na
Total	na	na	5 093	1 006	2 266	54	170	na	na
Non-Adjudicated charge finalisation									
Under 6 weeks	na	na	1 780	1 275	398	164	365	na	na
6 and under 13	na	na	533	2 240	152	182	484	na	na
13 and under 20	na	na	311	1 805	94	133	151	na	na
20 and under 26	na	na	160	1 225	45	85	81	na	na
26 and under 39	na	na	184	1 281	55	110	111	na	na
39 and under 52	na	na	118	1 067	15	30	70	na	na
52 and over	na	na	99	2 896	30	55	212	na	na
Unknown	na	na	4	—	—	3	—	na	na
Total	na	na	3 189	11 789	789	762	1 474	na	na
Total defendants(c)									
Under 6 weeks	na	na	82 450	10 237	44 181	915	2 755	na	na
6 and under 13	na	na	17 896	15 547	7 388	811	3 056	na	na
13 and under 20	na	na	8 225	6 334	3 714	1 280	917	na	na
20 and under 26	na	na	3 857	3 374	1 945	855	478	na	na
26 and under 39	na	na	4 189	3 042	2 365	931	625	na	na
39 and under 52	na	na	2 242	2 576	923	170	392	na	na
52 and over	na	na	2 183	5 274	1 183	254	1 035	na	na
Unknown	na	na	719	—	—	88	—	na	na
Total	na	na	121 761	46 384	61 699	5 304	9 258	na	na

na not available

— nil or rounded to zero (including null cells)

(a) The number of defendants adjudicated as acquitted may include defendants who received the non-adjudicated method of finalisation of withdrawn (see Explanatory Notes paragraph 51).

(b) Restricted to Southern Tasmanian Magistrates' Courts for the reference period 1 March 2002–30 June 2002 (see Explanatory Notes paragraph 14).

(c) Total defendants includes defendants with an unknown method of finalisation.

APPENDIX 1 EXPERIMENTAL MAGISTRATES' COURTS DATA *continued*

A1.4 FINALISED DEFENDANTS, Duration from initiation to finalisation *continued*

<i>Method of finalisation/duration (weeks)</i>	<i>NSW</i>	<i>Vic.</i>	<i>Qld(a)</i>	<i>SA</i>	<i>WA</i>	<i>Tas.(b)</i>	<i>NT</i>	<i>ACT</i>	<i>Aust.</i>
PROPORTION (%)									
Acquitted									
Under 6 weeks	na	na	21.0	3.6	27.6	13.3	17.6	na	na
6 and under 13	na	na	19.6	3.6	24.2	6.7	19.6	na	na
13 and under 20	na	na	18.1	16.1	17.4	5.7	11.0	na	na
20 and under 26	na	na	11.3	16.1	9.1	7.6	9.3	na	na
26 and under 39	na	na	14.5	12.5	12.6	41.0	13.0	na	na
39 and under 52	na	na	8.4	17.9	4.3	6.7	8.5	na	na
52 and over	na	na	6.9	30.4	4.8	16.2	21.1	na	na
Unknown	na	na	0.2	—	—	2.9	—	na	na
Total	na	na	100.0	100.0	100.0	100.0	100.0	na	na
Proven guilty									
Under 6 weeks	na	na	74.5	26.6	75.6	16.5	32.4	na	na
6 and under 13	na	na	13.6	38.7	10.4	13.9	34.7	na	na
13 and under 20	na	na	4.9	12.5	5.0	25.8	9.9	na	na
20 and under 26	na	na	2.0	6.0	2.7	17.3	4.8	na	na
26 and under 39	na	na	2.0	5.0	3.3	17.6	5.9	na	na
39 and under 52	na	na	1.1	4.3	1.3	3.0	3.7	na	na
52 and over	na	na	1.3	6.9	1.7	4.0	8.6	na	na
Unknown	na	na	0.7	—	—	1.8	—	na	na
Total	na	na	100.0	100.0	100.0	100.0	100.0	na	na
Transfer to other court levels									
Under 6 weeks	na	na	2.8	5.5	31.0	24.1	17.1	na	na
6 and under 13	na	na	29.2	32.1	34.8	20.4	24.1	na	na
13 and under 20	na	na	27.4	32.3	16.4	16.7	10.0	na	na
20 and under 26	na	na	14.9	13.0	6.0	9.3	8.8	na	na
26 and under 39	na	na	15.9	8.3	6.4	11.1	14.7	na	na
39 and under 52	na	na	6.2	4.5	3.0	5.6	7.6	na	na
52 and over	na	na	3.7	4.3	2.4	11.1	17.6	na	na
Unknown	na	na	—	—	—	1.9	—	na	na
Total	na	na	100.0	100.0	100.0	100.0	100.0	na	na
Non-Adjudicated charge finalisation									
Under 6 weeks	na	na	55.8	10.8	50.4	21.5	24.8	na	na
6 and under 13	na	na	16.7	19.0	19.3	23.9	32.8	na	na
13 and under 20	na	na	9.8	15.3	11.9	17.5	10.2	na	na
20 and under 26	na	na	5.0	10.4	5.7	11.2	5.5	na	na
26 and under 39	na	na	5.8	10.9	7.0	14.4	7.5	na	na
39 and under 52	na	na	3.7	9.1	1.9	3.9	4.7	na	na
52 and over	na	na	3.1	24.6	3.8	7.2	14.4	na	na
Unknown	na	na	0.1	—	—	0.4	—	na	na
Total	na	na	100.0	100.0	100.0	100.0	100.0	na	na
Total defendants(c)									
Under 6 weeks	na	na	67.7	22.1	71.6	17.3	29.8	na	na
6 and under 13	na	na	14.7	33.5	12.0	15.3	33.0	na	na
13 and under 20	na	na	6.8	13.7	6.0	24.1	9.9	na	na
20 and under 26	na	na	3.2	7.3	3.2	16.1	5.2	na	na
26 and under 39	na	na	3.4	6.6	3.8	17.6	6.8	na	na
39 and under 52	na	na	1.8	5.6	1.5	3.2	4.2	na	na
52 and over	na	na	1.8	11.4	1.9	4.8	11.2	na	na
Unknown	na	na	0.6	—	—	1.7	—	na	na
Total	na	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) The number of defendants adjudicated as acquitted may include defendants who received the non-adjudicated method of finalisation of withdrawn (see Explanatory Notes paragraph 51).

(b) Restricted to Southern Tasmanian Magistrates' Courts for the reference period 1 March 2002–30 June 2002 (see Explanatory Notes paragraph 14).

(c) Total defendants includes defendants with an unknown method of finalisation.

APPENDIX 1 EXPERIMENTAL MAGISTRATES' COURTS DATA *continued*

A1.5 DEFENDANTS PROVEN GUILTY, Principal sentence type by age and sex

Type of sentence and age	NSW	Vic. (a)	Qld	SA	WA	Tas. (b)	NT	ACT	Aust.
NUMBER									
Males									
Custodial order(c)									
Under 20	na	148	304	33	71	16	16	na	na
20-24	na	1 138	784	122	639	143	209	na	na
25-34	na	2 038	1 205	363	1 353	149	434	na	na
35-44	na	863	605	163	578	55	257	na	na
45+	na	316	218	56	87	37	81	na	na
Unknown	na	28	4	12	56	—	8	na	na
Total	na	4 531	3 120	749	2 784	400	1 005	na	na
Other sentence type									
Under 20	na	6 307	13 299	1 855	3 429	235	113	na	na
20-24	na	13 650	17 827	6 268	10 381	723	831	na	na
25-34	na	17 328	21 387	8 923	13 688	865	1 400	na	na
35-44	na	9 674	11 696	5 503	6 996	411	922	na	na
45+	na	7 605	8 957	3 082	3 210	369	656	na	na
Unknown	na	3 828	5 919	374	1 832	152	165	na	na
Total	na	58 392	79 085	26 005	39 536	2 755	4 087	na	na
Unknown sentence type	na	14 757	—	—	—	—	100	na	na
Total									
Under 20	na	9 280	13 603	1 888	3 500	251	129	na	na
20-24	na	18 456	18 611	6 390	11 020	866	1 058	na	na
25-34	na	23 318	22 592	9 286	15 041	1 014	1 876	na	na
35-44	na	12 680	12 301	5 666	7 574	466	1 211	na	na
45+	na	9 345	9 175	3 138	3 297	406	745	na	na
Unknown	na	4 601	5 923	386	1 888	152	173	na	na
Total	na	77 680	82 205	26 754	42 320	3 155	5 192	na	na
Females									
Custodial order(c)									
Under 20	na	14	37	4	18	—	1	na	na
20-24	na	176	64	13	127	15	6	na	na
25-34	na	250	135	25	194	36	29	na	na
35-44	na	100	82	18	66	10	18	na	na
45+	na	38	22	13	17	—	2	na	na
Unknown	na	1	—	—	9	—	2	na	na
Total	na	579	340	73	431	61	58	na	na
Other sentence type									
Under 20	na	1 064	2 916	373	766	32	30	na	na
20-24	na	2 644	3 961	1 260	2 644	200	257	na	na
25-34	na	4 230	5 873	2 253	4 229	314	525	na	na
35-44	na	2 741	3 786	1 446	2 359	211	279	na	na
45+	na	1 778	2 231	664	733	122	174	na	na
Unknown	na	1 651	3 122	69	526	153	79	na	na
Total	na	14 108	21 889	6 065	11 257	1 032	1 344	na	na
Unknown sentence type	na	3 050	—	—	—	—	18	na	na
Total									
Under 20	na	1 488	2 953	377	784	32	31	na	na
20-24	na	3 473	4 025	1 273	2 771	215	267	na	na
25-34	na	5 372	6 008	2 278	4 423	350	560	na	na
35-44	na	3 468	3 868	1 464	2 425	221	302	na	na
45+	na	2 200	2 253	677	750	122	178	na	na
Unknown	na	1 736	3 122	69	535	153	82	na	na
Total	na	17 737	22 229	6 138	11 688	1 093	1 420	na	na

na not available

— nil or rounded to zero (including null cells)

(a) Counts may be over enumerated (see Explanatory Notes paragraph 51).

(b) Restricted to Southern Tasmanian Magistrates' Courts for the reference period 1 March 2002–30 June 2002 (see Explanatory Notes paragraph 14).

(c) Excludes fully suspended sentences (except for Tasmania). Fully suspended sentences are included in 'Other sentence type'.

APPENDIX 1 EXPERIMENTAL MAGISTRATES' COURTS DATA *continued*

A1.5 DEFENDANTS PROVEN GUILTY, Principal sentence type by age and sex

continued

Type of sentence and age	NSW	Vic.(a)	Qld	SA	WA	Tas.(b)	NT	ACT	Aust.
NUMBER <i>cont.</i>									
Persons									
Custodial order(c)									
Under 20	na	162	341	37	89	16	17	na	na
20-24	na	1 314	848	135	766	158	215	na	na
25-34	na	2 288	1 340	388	1 547	185	463	na	na
35-44	na	963	687	181	644	65	275	na	na
45+	na	354	240	69	104	37	83	na	na
Unknown	na	29	4	12	65	—	10	na	na
Total	na	5 110	3 460	822	3 215	461	1 063	na	na
Other sentence type									
Under 20	na	7 371	16 215	2 228	4 195	267	143	na	na
20-24	na	16 294	21 788	7 528	13 025	923	1 088	na	na
25-34	na	21 558	27 260	11 176	17 917	1 179	1 925	na	na
35-44	na	12 415	15 482	6 949	9 355	622	1 201	na	na
45+	na	9 383	11 188	3 746	3 943	491	830	na	na
Unknown	na	5 479	9 041	443	2 358	305	244	na	na
Total	na	72 500	100 974	32 070	50 793	3 787	5 431	na	na
Unknown sentence type	na	17 807	—	—	—	—	118	na	na
Total									
Under 20	na	10 768	16 556	2 265	4 284	283	160	na	na
20-24	na	21 929	22 636	7 663	13 791	1 081	1 325	na	na
25-34	na	28 690	28 600	11 564	19 464	1 364	2 436	na	na
35-44	na	16 148	16 169	7 130	9 999	687	1 513	na	na
45+	na	11 545	11 428	3 815	4 047	528	923	na	na
Unknown	na	6 337	9 045	455	2 423	305	255	na	na
Total	na	95 417	104 434	32 892	54 008	4 248	6 612	na	na
Organisations/unknown	na	1 587	1 459	639	1 986	135	397	na	na
Total defendants	na	97 004	105 893	33 531	55 994	4 383	7 009	na	na

na not available

— nil or rounded to zero (including null cells)

(a) Counts may be over enumerated (see Explanatory Notes paragraph 51).

(b) Restricted to Southern Tasmanian Magistrates' Courts for the reference period 1 March 2002-30 June 2002 (see Explanatory Notes paragraph 14).

(c) Excludes fully suspended sentences (except for Tasmania). Fully suspended sentences are included in 'Other sentence type'.

APPENDIX 1 EXPERIMENTAL MAGISTRATES' COURTS DATA *continued*

A1.5 DEFENDANTS PROVEN GUILTY, Principal sentence type by age and sex

continued

Type of sentence and age	NSW	Vic. (a)	Qld	SA	WA	Tas. (b)	NT	ACT	Aust.
PROPORTION (%)									
Males									
Custodial order(c)									
Under 20	na	3.3	9.7	4.4	2.6	4.0	1.6	na	na
20–24	na	25.1	25.1	16.3	23.0	35.8	20.8	na	na
25–34	na	45.0	38.6	48.5	48.6	37.3	43.2	na	na
35–44	na	19.0	19.4	21.8	20.8	13.8	25.6	na	na
45+	na	7.0	7.0	7.5	3.1	9.3	8.1	na	na
Unknown	na	0.6	0.1	1.6	2.0	—	0.8	na	na
Total	na	100.0	100.0	100.0	100.0	100.0	100.0	na	na
Other sentence type									
Under 20	na	10.8	16.8	7.1	8.7	8.5	2.8	na	na
20–24	na	23.4	22.5	24.1	26.3	26.2	20.3	na	na
25–34	na	29.7	27.0	34.3	34.6	31.4	34.3	na	na
35–44	na	16.6	14.8	21.2	17.7	14.9	22.6	na	na
45+	na	13.0	11.3	11.9	8.1	13.4	16.1	na	na
Unknown	na	6.6	7.5	1.4	4.6	5.5	4.0	na	na
Total	na	100.0	100.0	100.0	100.0	100.0	100.0	na	na
Total									
Under 20	na	11.9	16.5	7.1	8.3	8.0	2.5	na	na
20–24	na	23.8	22.6	23.9	26.0	27.4	20.4	na	na
25–34	na	30.0	27.5	34.7	35.5	32.1	36.1	na	na
35–44	na	16.3	15.0	21.2	17.9	14.8	23.3	na	na
45+	na	12.0	11.2	11.7	7.8	12.9	14.3	na	na
Unknown	na	5.9	7.2	1.4	4.5	4.8	3.3	na	na
Total	na	100.0	100.0	100.0	100.0	100.0	100.0	na	na
Females									
Custodial order(c)									
Under 20	na	2.4	10.9	5.5	4.2	—	1.7	na	na
20–24	na	30.4	18.8	17.8	29.5	24.6	10.3	na	na
25–34	na	43.2	39.7	34.2	45.0	59.0	50.0	na	na
35–44	na	17.3	24.1	24.7	15.3	16.4	31.0	na	na
45+	na	6.6	6.5	17.8	3.9	—	3.4	na	na
Unknown	na	0.2	—	—	2.1	—	3.4	na	na
Total	na	100.0	100.0	100.0	100.0	100.0	100.0	na	na
Other sentence type									
Under 20	na	7.5	13.3	6.2	6.8	3.1	2.2	na	na
20–24	na	18.7	18.1	20.8	23.5	19.4	19.1	na	na
25–34	na	30.0	26.8	37.1	37.6	30.4	39.1	na	na
35–44	na	19.4	17.3	23.8	21.0	20.4	20.8	na	na
45+	na	12.6	10.2	10.9	6.5	11.8	12.9	na	na
Unknown	na	11.7	14.3	1.1	4.7	14.8	5.9	na	na
Total	na	100.0	100.0	100.0	100.0	100.0	100.0	na	na
Total									
Under 20	na	8.4	13.3	6.1	6.7	2.9	2.2	na	na
20–24	na	19.6	18.1	20.7	23.7	19.7	18.8	na	na
25–34	na	30.3	27.0	37.1	37.8	32.0	39.4	na	na
35–44	na	19.6	17.4	23.9	20.7	20.2	21.3	na	na
45+	na	12.4	10.1	11.0	6.4	11.2	12.5	na	na
Unknown	na	9.8	14.0	1.1	4.6	14.0	5.8	na	na
Total	na	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) Counts may be over enumerated (see Explanatory Notes paragraph 51).

(b) Restricted to Southern Tasmanian Magistrates' Courts for the reference period 1 March 2002–30 June 2002 (see Explanatory Notes paragraph 14).

(c) Excludes fully suspended sentences (except for Tasmania). Fully suspended sentences are included in 'Other sentence type'.

APPENDIX 1 EXPERIMENTAL MAGISTRATES' COURTS DATA *continued*

DEFENDANTS PROVEN GUILTY, Principal sentence type by age and sex

A1.5 *continued*

Type of sentence and age	NSW	Vic.(a)	Qld	SA	WA	Tas.(b)	NT	ACT	Aust.
PROPORTION (%) <i>cont.</i>									
Persons									
Custodial order(c)									
Under 20	na	3.2	9.9	4.5	2.8	3.5	1.6	na	na
20-24	na	25.7	24.5	16.4	23.8	34.3	20.2	na	na
25-34	na	44.8	38.7	47.2	48.1	40.1	43.6	na	na
35-44	na	18.8	19.9	22.0	20.0	14.1	25.9	na	na
45+	na	6.9	6.9	8.4	3.2	8.0	7.8	na	na
Unknown	na	0.6	0.1	1.5	2.0	—	0.9	na	na
Total	na	100.0	100.0	100.0	100.0	100.0	100.0	na	na
Other sentence type									
Under 20	na	10.2	16.1	6.9	8.3	7.1	2.6	na	na
20-24	na	22.5	21.6	23.5	25.6	24.4	20.0	na	na
25-34	na	29.7	27.0	34.8	35.3	31.1	35.4	na	na
35-44	na	17.1	15.3	21.7	18.4	16.4	22.1	na	na
45+	na	12.9	11.1	11.7	7.8	13.0	15.3	na	na
Unknown	na	7.6	9.0	1.4	4.6	8.1	4.5	na	na
Total	na	100.0	100.0	100.0	100.0	100.0	100.0	na	na
Total									
Under 20	na	11.3	15.9	6.9	7.9	6.7	2.4	na	na
20-24	na	23.0	21.7	23.3	25.5	25.4	20.0	na	na
25-34	na	30.1	27.4	35.2	36.0	32.1	36.8	na	na
35-44	na	16.9	15.5	21.7	18.5	16.2	22.9	na	na
45+	na	12.1	10.9	11.6	7.5	12.4	14.0	na	na
Unknown	na	6.6	8.7	1.4	4.5	7.2	3.9	na	na
Total	na	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) Counts may be over enumerated (see Explanatory Notes paragraph 51).

(b) Restricted to Southern Tasmanian Magistrates' Courts for the reference period 1 March 2002-30 June 2002 (see Explanatory Notes paragraph 14).

(c) Excludes fully suspended sentences (except for Tasmania). Fully suspended sentences are included in 'Other sentence type'.

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

Code	Division/Subdivision
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 operations 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 explosive 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 road worthiness offences
143	Regulatory driving offences
144	Pedestrian offences

APPENDIX 4 AUSTRALIAN STANDARD OFFENCE CLASSIFICATION *continued*

continued

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
-

APPENDIX 5 NATIONAL OFFENCE INDEX - TECHNICAL PAPER

INTRODUCTION

1 In the 2000–01 Higher Criminal Courts publication, the National Criminal Courts Statistics Unit (NCCSU) developed and applied a set of national counting rules to produce principal offence information for adjudicated defendants. These rules were developed to overcome the different practices in the states and territories associated with recording offences and /or identifying a single offence to report against a defendant.

2 Principal offence information for adjudicated defendants was published in experimental tables in the appendixes of the 2000–01 publication. However, there were several issues that arose from the application of these rules.

- They were complex and difficult to apply, with some data providers unable to apply the rules to their own data
- They resulted in an unsatisfactory proportion of defendants for which the principal offence was unable to be determined (up to 30%)
- There was greater scope for error in the determination of the principal offence due to the complex nature of the rules and the reliance on at least three different data items (offence, penalty type and penalty quantum)
- They cannot be applied to police/crime data as the rules are based on actual penalties handed down at a criminal court sentence hearing.

3 As part of the quality improvement processes for the representation of offence information in crime and justice collections, the National Centre for Crime and Justice Statistics (NCCJS) has developed a National Offence Index (NOI). The NOI is a ranking of offence categories of the Australian Standard Offence Classification (ASOC) according to their level of seriousness. The ASOC was used to ensure that offence statistics were reported according to a standard classification. This overcomes different ways of categorising offence information across the states and territories reflecting their different legislative frameworks.

4 The purpose of the NOI is to enable the representation of a defendant by a single offence. Therefore, where a defendant has two or more offences in different output offence categories (for this publication the output offence category is the ASOC division) the most serious offence is chosen to represent that defendant. For the purposes of this publication, categorisation by a single principal offence provides an important and useful way of understanding the types of criminal cases finalised in the Magistrates' and Higher Criminal Courts. It also provides a mechanism for associating offence information with a range of data variables linked to the defendant.

NATIONAL OFFENCE INDEX (NOI) DEVELOPMENT

5 The NOI is based on the Offence Seriousness Index developed by the Crime Research Centre (CRC) in Western Australia. The CRC Index was developed using two methodologies: research on public perception of offence seriousness and consideration of legislated sentences. The Index was developed in 1991, and subsequently reviewed in 1998 following the introduction of the ASOC. The review in 1998 ranked all ASOC groups (4 digit codes), though no supplementary codes were included. The ABS has used the 1998 version of the CRC Index as a base Index for the NOI.

6 Evaluation of the CRC Index was conducted utilising data from the ABS' Higher Criminal Courts collection for the period 1 July 2000 to 30 June 2001. Data on the most serious offence using the CRC Index was compared with the ABS' principal offence data from this collection. All adjudicated offences were mapped to the ASOC. The Principal Offence Rules determined principal offence based on severity of sentences handed down to defendants (sentence type followed by sentence quantum).

7 The results indicated that the output from the two methods were similar, with the most notable differences occurring in the ASOC divisions: 2 — Acts intended to cause injury; 6 — Robbery, extortion and related offences; 7 — Unlawful entry with intent; 8 — Theft and related offences; and, 10 — Illicit drug and related offences. Also, the proportion of defendants for whom principal offence could not be determined, although

NATIONAL OFFENCE INDEX
(NOI) DEVELOPMENT *continued*

lower than that using the principal offence rules (national average of 17%), was still quite high (national average of 12%). The main explanation for the figure of 12% was that offence information in the Higher Criminal Courts collection included supplementary ASOC codes (i.e. division and subdivision codes). These codes were not included in the CRC Index and therefore were unable to be ranked and subsequently the defendant was unable to be allocated a principal offence.

- 8** The analyses above indicated two key areas to be investigated further:
- the investigation of the ASOC divisions which showed the greatest differences between the two methods
 - the possible inclusion of supplementary codes into the Index.

9 An analysis of co-occurring ASOC divisions was conducted. This analysis indicated that the ASOC divisions most likely to co-occur were the same ASOC divisions indicated in paragraph 7 above. Therefore, for offences that most often co-occur it is more likely that there will be differences in their selection as a principal offence using the Principal Offence Rules versus the CRC Index. Following this analysis and consultation with the practitioner and advisory groups in crime, courts and corrections, changes were made to the ranking of selected offences. These changes were:

- specific placement of aggravated robbery (ASOC group 0611) above aggravated assault (ASOC group 0211)
- specific placement of theft from a person (ASOC group 0821) above theft of motor vehicle parts/contents (ASOC group 0813)
- general placement of sexual and related offences (ASOC division 3) above illicit drug and related offences (ASOC division 10)
- general placement of deception and related offences (ASOC division 9) above theft and related offences (ASOC division 8).

10 Separate analysis of the offence data in the Higher Criminal Courts collection for 2000–01 indicated that around 10% of all adjudicated offences for adjudicated defendants had supplementary ASOC codes that were not included in the CRC Index. In developing the NOI, these ASOC codes were allocated an Index ranking where possible. There were three scenarios for this:

- Where all the offences at the same division level were grouped together in the NOI it was possible to insert the division code below these group level codes (i.e. keep all the offences in the same division together);
- Where all the offences at the same subdivision level were grouped together in the NOI it was possible to insert the subdivision code below these group level codes (i.e. keep all the offences in the same subdivision together); or
- Where ASOC groups in the same ASOC subdivision or division were not grouped together the insertion of relevant ASOC division or subdivision codes was considered on a case-by-case basis in consultation with the practitioner and advisory groups, taking into account the types of offences that separate the relevant ASOC codes and whether they are likely to co-occur with the subdivision and/or division codes that are being considered.

11 The inclusion of selected ASOC supplementary codes reduced the national proportion of adjudicated offences for adjudicated defendants unable to be ranked from around 10% to less than 2%.

12 The NOI was used to produce principal offence output from the 2000–01 Higher Criminal Courts collection, which was then compared with the principal offence output produced using the Principal Offence Rules. The analysis indicated:

- the proportion of adjudicated defendants for whom a principal offence was unable to be determined reduced from a national average of 17% to 3% using the NOI

NATIONAL OFFENCE INDEX
(NOI) DEVELOPMENT *continued*

- the distribution of offences using the NOI is similar to that produced using the Principal Offence Rules and as included in the experimental tables in the ABS' Higher Criminal Courts publication for 2000–01.

13 The application of the NOI is simple compared with the Principal Offence Rules as the NOI only requires valid ASOC codes, whilst the Principal Offence Rules require valid ASOC codes, sentence type and sentence quantum. In addition, the NOI is more robust because it deals with situations such as global sentencing (a single sentence given for multiple offences), which has a large impact on the output in some States and Territories. Added to this, there is scope for greater usage due to decreased burden on data providers, and usage can extend across police, courts and corrections agencies as the NOI does not require sentencing information.

APPLICATION OF THE
NATIONAL OFFENCE INDEX

14 The NOI has been used to produce the principal offence information in this publication for the defendants finalised by adjudication in the Higher Criminal Courts and Magistrates' Criminal Courts.

15 The NOI is only applied to adjudicated offences for adjudicated defendants — i.e. those proven guilty [Guilty verdict/Guilty plea] or acquitted — and is determined according to the following rules:

- Where a defendant has one adjudicated offence, that offence is the principal offence (the NOI does not need to be applied).
- Where a defendant has multiple offences with some adjudicated as guilty and some acquitted, offences proven guilty take precedence over offences acquitted.
- If there is one offence adjudicated as guilty, that offence is the principal offence for the defendant (the NOI does not need to be applied).
- Where there are multiple offences adjudicated as guilty, apply the NOI to those offences to determine the principal offence for the defendant.
- Where multiple offences are all adjudicated as acquitted, apply the NOI to determine the principal offence for the defendant.

CONSIDERATIONS WHEN
USING THE NATIONAL
OFFENCE INDEX (NOI)

16 The assumptions and rules underpinning the NOI, in particular, defining 'offence seriousness' and the subsequent impact of this definition on the ranking of offences, need to be kept in mind when using the principal offence data in this publication. However, it is important to note that these technical issues are only of practical significance where a choice must be made between output categories, which for this publication are the ASOC divisions (see Appendix 4). For example, although some sexual and related offences are ranked ahead of drug and related offences, they are unlikely to co-occur.

17 For defendants adjudicated in the Higher Criminal Courts and Magistrates' Criminal Courts in Australia, the majority of these defendants have one offence adjudicated, or offences within the one ASOC division (69%). Therefore, these defendants do not require the application of the NOI.

18 The application of the NOI is currently being investigated further for the ABS Prisoners in Australia collection and collections currently under development. Therefore, the Index may change over time.

APPENDIX 6 NATIONAL OFFENCE INDEX

<i>Index</i>	<i>ASOC</i>
1	0111 Murder
2	0110 Murder
3	0122 Attempted Murder
4	0121 Conspiracy to Murder
5	0120 Conspiracies and attempts to murder
6	0131 Manslaughter
7	0130 Manslaughter and driving causing death
8	0132 Driving Causing Death
9	0100 Homicide and related offences
10	0311 Aggravated Sexual Assault
11	0321 Non-Assaultive Sexual Offences Against a Child
12	0312 Non-Aggravated Sexual Assault
13	0329 Non-Assaultive Sexual Offences, n.e.c.
14	0300 Sexual assault and related offences
15	1011 Import Illicit Drugs
16	1012 Export Illicit Drugs
17	1010 Import or Export of Illicit Drugs
18	1021 Deal or Traffic in Illicit Drugs — Commercial Quantity
19	1022 Deal or Traffic in Illicit Drugs — Non-Commercial Quantity
20	1020 Deal or Traffic in Illicit Drugs
21	1031 Manufacture or Cultivate Illicit Drugs
22	1030 Manufacture or Cultivate Illicit Drugs
23	0611 Aggravated Robbery
24	0211 Aggravated Assault
25	0511 Abduction and Kidnapping
26	0510 Abduction and Kidnapping
27	0521 Deprivation of Liberty/False Imprisonment
28	0520 Deprivation of Liberty/False Imprisonment
29	0500 Abduction and Related Offences
30	0212 Non-Aggravated Assault
31	0290 Acts Intended to Cause Injury
32	0299 Acts Intended to Cause Injury, n.e.c.
33	0491 Neglect of Person Under Care
34	0490 Other Dangerous or Negligent Acts Endangering Persons
35	0499 Other Dangerous or Negligent Acts Endangering Persons, n.e.c.
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37	0621 Blackmail and Extortion
38	0620 Blackmail and Extortion
39	1611 Harassment and Private Nuisance
40	1613 Threatening Behaviour
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42	1211 Property Damage by Fire or Explosion
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156	9998 No data provided
157	9999 Inadequately described

APPENDIX 7 SENTENCE TYPE CLASSIFICATION

<i>Code</i>	<i>Division/Subdivision/Item</i>
1	Custodial Orders
11	Custody in a Correctional Institution
111	Life and Indeterminate Imprisonment
112	Imprisonment with Determined Term
113	Periodic Detention
12	Custody in the Community
121	Intensive Corrections Order
122	Home Detention
129	Other Custody in the Community n.e.c.
13	Suspended Sentence
131	Suspended Sentence
2	Non-Custodial Orders
21	Community Supervision or Work Orders
211	Community Service Orders
212	Probation Orders
213	Treatment Orders
22	Monetary Orders
221	Fine
222	Orders as Recompense to Victim
229	Other Monetary Orders
29	Other Non-Custodial Orders
291	Good Behaviour Bond/Recognisance Orders
292	Licence Disqualification/Suspension/Amendment
293	Forfeiture of Property Order
294	Nominal Penalty
299	Other Non-Custodial Orders n.e.c.

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 courts at some point during the reference period. The active workload for a reference period consists of the number of defendants finalised during the reference period together with the number of defendants pending at the end of 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.
Age	Age is calculated at a defendants date of finalisation within a court level. A defendants age is the time elapsed (in years) between a defendants date of birth and their date of finalisation.
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 in the Higher Criminal Courts 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. This is considered a method of finalisation in the Higher Criminal Courts.
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 organisation 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 Criminal 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 Criminal Court to be sentenced. This process is regarded as a method of finalisation for the Magistrates' Criminal Court and a method of initiation into a Higher Criminal Court level.

GLOSSARY *continued*

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 Criminal Court to stand trial. This process is regarded as a method of finalisation for the Magistrates' Criminal Court and a method of initiation into a Higher Criminal Court level.
Community Service Orders	An order requiring a person to undertake a specified number of hours of unpaid work for the community.
Community Supervision or Work Orders	Non-custodial orders that require a person to perform work within the community or report to a person nominated by the court (for example a corrections officer). Examples of sentence types included in this category are: Community Service Orders, Probation Orders and Treatment Orders.
County Court	See Intermediate Court.
Court level	Separate tiers of the court system which are established under legislation and have 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 varies 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 try and sentence matters relating to summary offences. Under some circumstances, this court level may also deal with 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.
Custody in a Correctional Institution	An order requiring a person to be detained within a facility built especially for the purpose of incarceration. Includes Life and Indeterminate Imprisonment, Imprisonment with Determined Term and Periodic Detention.
Custody in the Community	An order requiring a person to have restricted liberty for a specified period of time while living within the community. Includes Intensive Corrections Orders, Home Detention and Community Custody Centres.
Custodial Order	An order requiring a person to have restricted liberty for a specified period of time either through detainment in an institution/home or being subject to regular supervision while residing within the community. Includes Custody in a Correctional Institution, Custody in the Community and Suspended Sentences. Within this publication, reference has been made in some tables to 'custodial orders to be served' (i.e. custodial orders excluding fully suspended sentences). This concept was previously known as 'imprisonment' in the experimental tables of the 2000–01 Higher Criminal Courts publication.
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 Criminal 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 courts and the defendant ceases to be an active unit of work to be dealt with by the courts.

GLOSSARY *continued*

Date of initiation	The date on which a defendant is regarded as having started within the Higher Criminal Courts as a new item of work. For defendants who were committed for trial or sentence from a Court of Summary Jurisdiction to a Higher Criminal Court, 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.
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	A person or organisation 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. It should be noted that the Criminal Courts collection does not enumerate distinct persons or organisations. If a person or organisation is a defendant in a number of criminal cases active within the courts during the reference period, such a person or organisation 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 date of initiation 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 Criminal Court, by the Director of Public Prosecutions or the Attorney-General. This process is regarded as a method of initiation into the Higher Criminal Courts.
Final plea	The last plea entered by a defendant in relation to a criminal charge that is laid against him/her in a court.
Finalised defendant	A person or organisation 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 courts.
Fine	A monetary penalty where the offender is required to pay a sum of money to the 'Crown'.
Forfeiture of Property Order	The deprivation of a person of his/her property as a penalty for some act or omission.
Fully suspended sentence	A custodial order which provides that all of the sentence not be served, subject to the person being of good behaviour for the length of the sentence.
Good Behaviour Bond/Recognisance Orders	An obligation, with or without sureties, aimed at securing the performance of some act by the person bound by the undertaking.
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.

GLOSSARY *continued*

Guilty verdict	An outcome of a trial in which a court determines that the criminal charge against a defendant has been proven.
Higher Criminal Court	The criminal jurisdiction of an Intermediate Court or Supreme Court.
Home Detention	An order in which a person serves part of a sentence of imprisonment at home or at another approved place that is not a correctional institution.
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	See Custodial order.
Imprisonment with Determined Term	An order requiring a person to be detained for a specified period of time within a facility built especially for the purpose of incarceration.
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 Criminal 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 court. For charges that were committed to a Higher Criminal Court from a Court of Summary Jurisdiction, this corresponds to the plea at committal.
Initiated defendant	A person or organisation for whom at least one criminal charge has been formally started within a court so that the defendant is regarded as a new item of work to be dealt with by that court.
Intensive Corrections Order	An order that has a component of restricted liberty and requires a person to report to a correctional services officer on a specified basis.
Intermediate Court	A Higher Court level (known either as the District Court or County Court) which has legal powers that are 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. Note: As Tasmania, the Northern Territory and the Australian Capital Territory do not have an Intermediate Court, all indictable offences are heard in the Supreme Court.
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.
Licence Disqualification, Suspension, Amendment	An order relating to the cancellation/suspension or amendment of a licence/permit, or the review or modification of conditions associated with it.
Life and Indeterminate Imprisonment	The most serious sentence of imprisonment.

GLOSSARY *continued*

Life and Indeterminate Imprisonment <i>continued</i>	<p>Life — This does not necessarily mean that the person will be held in custody for the term of his/her natural life. In some states or territories a minimum time to serve in custody is specified by the court, while in others an administrative body such as a Parole Board makes this decision.</p> <p>Indeterminate — Persons declared as habitual criminals, persons who are either permanently or temporarily deemed not responsible for their actions because of a mental disorder or intellectual disability and prisoners who are sentenced to imprisonment but have not had a release date set. The prisoner may be released, at any time, at the discretion of the administrative body within each jurisdiction responsible for making that decision.</p>
Local Court	See Court of Summary Jurisdiction.
Magistrates' Criminal Court	A Court of Summary Jurisdiction, which for the purposes of this collection includes only the adult criminal Magistrates' Court. Where used in this publication, the term 'Magistrates' Court' includes the Court of Petty Sessions. Of the six states and territories included in this publication, Victoria, Queensland, South Australia, Tasmania and the Northern Territory have Magistrates' Courts, while Western Australia has a Court of Petty Sessions. Excluded from this collection are the other Courts of Summary Jurisdiction, including Childrens' Courts, Electronic Courts and Drug Courts.
Mean	The average of a set of population values.
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 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 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).
Minor Indictable offence	See Triable either way offence.
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).
Monetary Orders	Includes Fines, Orders as Recompense to Victim (includes restitution orders and compensation orders) and Other Monetary Orders.
National Offence Index	The National Offence Index (NOI) is a seriousness ranking of the ASOC and is used to determine a principal offence when a defendant has multiple adjudicated charges. For defendants proven guilty, the Index is applied to the associated charges proven guilty. For acquitted defendants, the Index is applied to all acquitted charges. These charges are allocated an Index and the highest ranking charge for each adjudicated defendant is taken as the principal offence (see Appendix 6).
Nominal Penalty	Release of a defendant without an order following sentence which may or may not have conditions attached. Includes Rising of the Court and Discharge/Dismissal.
Non-adjudicated finalisation	A method of finalisation whereby a charge is considered completed and ceases to be active in a 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. For the purposes of this collection, bench warrants are considered a method of finalisation only for the Higher Criminal Courts.

GLOSSARY *continued*

Non-Custodial Orders	Sentences imposed on an offender that do not involve custody. Includes Community Supervision or Work Orders, Monetary Orders and Other Non-Custodial Orders.
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 procedures, government security and government operations	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).
Orders as Recompense to Victim	A sentence order which requires the offender to pay a sum of money for a purpose other than fine, usually in relation to reparation to a victim. Includes Restitution and Compensation orders.
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 Criminal Court.
Pending defendant	A defendant who has been initiated in a court and has at least one charge that has not been finalised at a particular date.
Periodic Detention	Persons given periodic detention are in custody for two consecutive days in a week (e.g. weekends) and remain at liberty during the rest of the week.
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 (see National Offence Index).
Principal sentence type	The main sentence type for a defendant based on the hierarchy of the Sentence Type Classification (see Appendix 7).
Probation Orders	An order which requires an offender to be released to the supervision of an authorised officer. Includes any order which requires an offender to report periodically to an authorised officer but does not include any period of restricted liberty. Excludes Intensive Supervision orders and Intensive Corrections Orders that contain periods of restricted liberty.
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.

GLOSSARY *continued*

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 regulatory 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).
Robbery, extortion and related offences	Acts intended to unlawfully gain money, property or any 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 type	A penalty or punishment imposed by a court upon a defendant who is proven guilty of a criminal offence.
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 Criminal Court. In some states and territories, a defendant against whom summary charges are laid may be transferred to a Higher Criminal 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 a Court of Summary Jurisdiction or the Intermediate Court.
Suspended Sentence	A custodial order which provides that all or part of the sentence not be served, subject to the person being of good behaviour for the length of the suspended part.
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).

GLOSSARY *continued*

Transfer between court levels	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. 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).
Treatment Orders	An order requiring a person to undertake a specified rehabilitation program aimed at behavioural or attitudinal modification.
Triable either way offence	An indictable offence which a defendant can elect to have heard either in a Court of Summary Jurisdiction before a Magistrate or in a Higher Criminal Court before a Judge and jury.
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 Criminal Court for trial. In the Higher Criminal 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 Criminal Courts.
Unfit to plead	An outcome of court proceedings in which a court determines that a defendant's mental status is such that he/she is unfit to plead in relation to the charge against him/her. For the purposes of this collection, this process is regarded as a non-adjudicated method of finalisation.
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 (071).
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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