

NEW SOUTH WALES
CRIMINAL COURTS
STATISTICS 1998

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This report deals with criminal cases finalised by the NSW Local, District and Supreme Courts in 1998 and in Children's Courts in 1997/98. The report provides statistical information on all criminal matters finalised by the District and Supreme Courts in 1998. However, minor criminal matters heard in Local Courts, such as appeals against parking fines, are not included in the report.

Dr Don Weatherburn
Director

June 1999

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SUMMARY OF MAIN FEATURES

LOCAL COURTS

The number of criminal cases disposed of by NSW Local Courts increased by 4.3 per cent from 112,229 cases in 1997 to 117,053 cases in 1998.

Charges - Tables 1.1 and 1.2

Table 1.1 shows the number of persons charged (number of court appearances) and the number of charges finalised in 1998 by offence category. Note that for persons charged, the sub-totals and totals do not sum across offence categories (see *Explanatory Notes: Local Courts Tables* in this publication for further information). Finalised charges are those fully determined by the court, requiring no further court proceedings. In 1998, over one-third of all finalised charges were for driving offences (63,665 charges, 34.4%). The next largest categories of offence charged in 1998 were theft offences (35,415 charges, 19.1%) and offences against the person (26,322 charges, 14.2%). More than 55 per cent of the driving offences are listed in the 'other' sub-category which covers offences under the Traffic Act such as exceed speed limit, unlicensed driver, drive unregistered vehicle, drive whilst disqualified from holding licence and drive whilst licence cancelled/refused. In 1997, the proportions of charges in the three principal categories noted above were similar to those of 1998 (driving offences – 34.3%, theft offences – 19.3% and offences against the person – 15.1 %).¹

Most offence categories showed an increase between 1997 and 1998 in the number of charges finalised in NSW Local Courts. Increases are evident in the against good order, environmental, against justice procedures, drug, driving and theft offence categories (increases of 12.3%, 11.0%, 9.8%, 8.6%, 5.7% and 4.7% respectively). The large increase in 'other' offences against good order charges (up by 32.6%, from 3,976 to 5,272) was mainly due to new provisions of the *Summary Offences Act* prohibiting the carrying of knives. In the against good order offence category the number of charges for weapons offences fell by 9.0 per cent. The largest increase in the number of charges within the against justice procedures offence category was for breach of order (up by 11.6%, from 9,867 to 11,011). The number of charges for possession/use of opiates increased by 56.5 per cent (from 1,415 to 2,215) and of other drugs, by 24.1 per cent (from 1,670 to 2,072). There were decreases in the number of charges for some offences in the drug category. Dealing/trafficking in opiates fell 19.1 per cent and manufacturing/growing cannabis was down by 8.9 per cent. Within the driving category of offences the largest increase was in the number of charges for PCA, low range (up by 12.1% from 3,136 to 3,517). The largest increase for offences within the theft category was a 19.9 per cent increase in charges for unlawful possession (from 6,709 to 8,041) and a 12.0 per cent increase in other larceny (from 9,391 to 10,522). The number of fraud charges was down by 11.9 per cent (from 7,468 to 6,577).

The against the person offence category showed a slight decrease between 1997 and 1998 in the number of charges finalised in NSW Local Courts. The total number of charges fell by 0.7 per cent (from 26,512 to 26,322). The number of charges for sexual assault fell by 11.5 per cent (from 401 to 355). There were smaller falls in the numbers of 'other' assault and sexual offences against children charges (down 2.2% and 1.9% respectively).

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Table 1.2 shows the outcome of charges in appearances finalised in NSW Local Courts in 1998. The proportion of offences proven increased slightly between 1997 and 1998 from 81.5 per cent to 82.8 per cent of total offences proven.

Persons charged - Tables 1.3 to 1.6

Table 1.3 details the outcome of appearance for persons charged in Local Courts in 1998. The number of persons found guilty (including those who pleaded guilty) increased between 1997 and 1998 while the percentage of persons found guilty remained relatively stable. There were 100,934 persons (86.2%) found guilty in 1998 compared with 95,623 (85.2%) in 1997.

Table 1.4 details the outcome of appearance for persons who were charged in NSW Local Courts in 1998 and who identified themselves as Aboriginal people or Torres Strait Islanders. Overall, a smaller proportion of Aboriginal people and Torres Strait Islanders were found guilty compared with all persons, as shown in Table 1.3. In 1998, 83.1 per cent of all Aboriginal people and Torres Strait Islanders whose cases were finalised were found guilty (including those who pleaded guilty), compared with 86.2 per cent of all persons in NSW whose cases were finalised. A larger proportion of Aboriginal people or Torres Strait Islanders were convicted ex parte in 1998 (21.2% of finalisations, compared with 17.1% of finalisations for all NSW persons), but a smaller proportion pleaded guilty (52.5%, compared with 59.8% for all persons).

Table 1.5 shows the outcome of appearance by legal representation for persons charged in Local Court appearances finalised during 1998. In 1998, 54.9 per cent of all persons for whom charges were finalised in NSW Local Courts were known to have legal representation (64,291 persons) compared with 56.2 per cent (63,025 persons) in 1997, continuing a decrease from 1995 and 1996 (when 61.4% and 58.7% respectively had legal representation). In 1998, 86.1 per cent of persons with legal representation were found guilty (including those who pleaded guilty) compared with 85.6 per cent in 1997. For persons without legal representation, 86.6 per cent were found guilty (a large proportion of these were convicted ex parte) while in 1997, 85.0 per cent were found guilty.

Table 1.6 shows the bail status of all persons charged in Local Court appearances finalised in 1998. The proportion of persons for whom bail was refused increased slightly from 1997 to 1998, with 4.6 per cent of all persons charged in 1998 (5,374 persons) being refused bail, compared with 4.4 per cent (4,884 persons) in 1997 refused bail. In 1998, 24.6 per cent of persons were on bail and 67.8 per cent were appearing for summons cases or had bail dispensed with, compared with 24.1 per cent of persons on bail and 69.4 per cent summons cases or bail dispensed with in 1997.

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LOCAL COURTS *continued*

Penalties - Tables 1.7 to 1.12

Table 1.7 gives details of the numbers of penalties and **Tables 1.9** and **1.11** detail the percentage distribution of penalties imposed on the average duration or value, respectively, for the principal offence of those persons who were found guilty in Local Court appearances finalised in 1998. Imprisonment was imposed on 7.0 per cent of those found guilty in 1998, compared with 6.4 per cent in 1997 and 6.3 per cent in 1996. In terms of numbers of people, 6,612 persons were given a prison sentence in 1998, compared with 5,881 in 1997, an increase of 12.4 per cent.

The offences with the highest imprisonment rates in 1998 (that is, offences with the highest proportion of persons found guilty of the offence being sentenced to imprisonment) were break and enter (42.9% of guilty persons imprisoned in 1998 compared with 39.9% in 1997), dealing and trafficking in opiates (39.5% in 1998, 44.5% in 1997) and vehicle theft (34.0% in 1998, 39.8% in 1997).

The offences with the highest prevalence of imprisonment (that is, those offences which result in the largest numbers of persons found guilty being sentenced to imprisonment) in 1998 were breach of order (12.9% of all imprisonments in 1998 compared with 14.1% in 1997), break and enter (11.0% in 1998, 11.7% in 1997) and 'other' assault (10.7% in 1998, 11.1% in 1997).

The distribution of penalty imposition for principal offence, as shown in Table 1.9, remains essentially unchanged from 1997 to 1998. Fines were the principal penalty imposed for 58.5 per cent of Local Court appearances finalised in 1998 (compared with 58.7% in 1997), Community Service Orders for 5.7 per cent (5.3% in 1997) and recognizance for 20.8 per cent (20.9% in 1997).

The average duration of imprisonment, home detention, periodic detention, Community Service Order and recognizance penalties, and the average amount of fines are shown in Table 1.11. The average duration of imprisonment imposed on persons whose cases were finalised in the Local Courts in 1998 was 4.8 months, with the longest average sentences imposed on persons convicted of cause injury by driving (8.9 months), break and enter (7.6 months), 'other' offences against the person (7.2 months) and dealing and trafficking in opiates (6.9 months). The average duration of home detention imposed by the Local Courts in 1998 was 5.8 months, while the average duration of periodic detention was 6.1 months.

Table 1.8, 1.10 and 1.12 give details of the penalties imposed for the principal offence of those persons found guilty in Local Court appearances finalised in 1998 who identified themselves as Aboriginal people or Torres Strait Islanders. Imprisonment was imposed on 16.5 per cent of these persons who were found guilty in 1998 (15.9% in 1997) compared with 7.0 per cent of all NSW persons in 1998 (6.4% in 1997).

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LOCAL COURTS continued

Aboriginal people and Torres Strait Islanders were more likely than NSW persons overall (as shown in Table 1.8 and Table 1.12) to be sentenced to imprisonment after conviction for offences in almost all offence categories. For example, 21.7 per cent of Aboriginal people and Torres Strait Islanders who were found guilty of against the person offences (including assault occasioning actual bodily harm, sexual assault and sexual offences against children) were imprisoned (20.2% in 1997). The proportion of NSW persons overall was 9.1 per cent of all convictions for against the person offences (8.1% in 1997). Similarly, for theft offences, 29.4 per cent of Aboriginal people and Torres Strait Islanders, who were convicted, were sentenced to prison in 1998 (29.2% in 1997), compared with 16.2 per cent of convicted NSW persons overall (13.7% in 1997).

The offences with the highest prevalence of imprisonment (that is, those offences which result in the largest numbers of persons found guilty being sentenced to a term of imprisonment) in 1998 for Aboriginal people and Torres Strait Islanders were 'other' assault comprising 17.6 per cent of all imprisonments for Aboriginal people and Torres Strait Islanders compared with 10.7 per cent for NSW persons overall (18.5% for Aboriginal people and Torres Strait Islanders and 11.1% for NSW persons overall in 1997), breach of order (12.4% and 12.9%, respectively, in 1998, 11.6% and 14.1% in 1997), assault occasioning actual bodily harm (10.4% and 5.1% in 1998, compared with 10.3% and 5.3% in 1997) and break and enter offences (10.0% and 11% in 1998, 12.0% and 11.7% in 1997).

A comparison of Table 1.9 and Table 1.10 shows that, in the NSW Local Courts in 1998, convicted Aboriginal people and Torres Strait Islanders were more likely than convicted NSW persons overall to receive the penalties of imprisonment (16.5% for Aboriginal people and Torres Strait Islanders compared with 7.0% for NSW persons overall in 1998, 15.9% and 6.4% in 1997) or a Community Service Order (7.3% and 5.7%, respectively, in 1998, 7.2% and 5.3% in 1997). Fines were less likely to be imposed on Aboriginal people and Torres Strait Islanders than on NSW persons overall sentenced in NSW Local Courts (50.3% for Aboriginal people and Torres Strait Islanders compared with 58.5% for NSW persons overall in 1998, 51.1% and 58.7% in 1997). Note, however, that prior convictions have not been taken into account in this comparison. Note, further, that the Aboriginal and Torres Strait Islander defendants included in this table are only those who have been proceeded against by way of a charge or Court Attendance Notice rather than by a summons and therefore defendants with less serious offences may not be included.

Convicted persons, by age and gender - Tables 1.13 and 1.14

Tables 1.13, 1.13a and 1.13b detail the age and sex, by offence, of persons found guilty in Local Court appearances finalised in 1998, as well as the average age by offence type. Of all persons found guilty in the NSW Local Courts in 1998, 83.0 per cent were male and 17.0 per cent female. These proportions are similar to those in 1997 (83.8% male and 16.2% female).

Although 17 per cent of persons found guilty in NSW Local Courts in 1998 were female, the proportion of females found guilty of each particular offence varied

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LOCAL COURTS continued

greatly from this overall figure. Offences where the person found guilty was likely to be female in disproportionate numbers to the total number of females overall include prostitution (85.7% female), larceny by shop stealing (43.9%), fraud (31.8%), and 'other' larceny (28.6%). On the other hand, offences which show notably larger percentages of males being found guilty include sexual assault offences (98.3% male, compared with 83.0% males overall), sexual offences against children (96.9%), weapons offences (93.1%) and break and enter offences (91.7%).

The average age of persons found guilty in NSW Local Court appearances finalised in 1998 was 30.7 years. Convicted females were slightly older, with an average age of 30.9 years, compared with an average age of 30.6 years for males. The offence category for which the average age of convicted persons in the Local Courts was highest was that of environmental offences (with an average age of 36.0 years), followed by driving offences (average age of 35.3 years) and offences against the person (average age of 31.8 years). In particular, persons convicted of sexual offences against children had the highest average age of all specific offence categories (38.2 years). The lowest average age is for persons convicted of offences in the against good order category (27.8 years).

Table 1.14 shows the distribution of age by offence category for males and females found guilty in trial and sentence cases finalised in NSW Local Courts in 1998. For males found guilty in Local Court cases finalised in 1998, 12.2 per cent of cases involved persons under 20 years of age. This younger age group was over-represented in the specific offences of vehicle theft (28.0% aged under 20), arson (23.5% under 20), offensive behaviour (20.7% under 20) and break and enter (20.2% aged under 20 years). Only 7.0 per cent of finalised cases for males involved persons aged 50 years and over. Older males were over-represented in the specific offences of sexual offences against children (20.4% aged 50 years and over), sexual assault (19.3% aged 50 and over) and weapons offences (14.8% aged 50 and over).

For females found guilty in Local Court cases finalised in 1998, 10.5 per cent of cases involved persons under 20 years of age. This younger age group was over-represented in the specific offences of vehicle theft (24.4% aged under 20), dealing and trafficking in opiates (18.2% under 20) and break and enter (17.0% aged under 20 years). Only 5.8 per cent of finalised cases for females involved persons aged 50 years and over. Older females were over-represented in the specific offences of cause injury by driving (16.0% aged 50 years and over) and dangerous, reckless or negligent driving (16.0% aged 50 and over). (Note that the percentage calculations for convicted females in some offence groups are based on small numbers.)

Court delay - Table 1.15

Table 1.15 shows the median delay of cases in NSW Local Courts in 1998. From first court appearance to the determination of charges, the median delay decreased or was unchanged for all defendants on bail, and for total defendants overall, between 1997 and 1998. Overall, where the matter proceeded to a defended hearing, the median delay from first court appearance to determination fell from 100 to 96 days where all charges were dismissed, from 81 to 77 days for persons who were found

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guilty of at least one charge, and from 98 to 92 days for other defended hearings. The median delay also fell for those persons convicted *ex parte*, from 8 days in 1997 to no delay in 1998, and for those persons sentenced after a guilty plea from 85.5 to 83 days. However, there were increases in the median delay from first court appearance to determination for cases where the defendant was in a gaol or shelter at the time of finalisation, from 33 days to 63 days where all charges were dismissed after a defended hearing, from 25.5 to 29 days for persons who were found guilty of at least one charge at a defended hearing, from 40.5 days to 53 days where all charges were dismissed without hearing and from 5 to 7 days where the defendant was sentenced after a guilty plea.

Region - Tables 1.16 and 1.17

The numbers of Local Court appearances and rates per 100,000 population are shown by Statistical Division in NSW and Statistical Subdivision in Sydney in **Table 1.16**. Between 1997 and 1998, there were increases in the rate of court appearance in nine of the fourteen Statistical Subdivisions of Sydney. Five Statistical Subdivisions recorded increases of greater than 5 per cent: Outer South Western Sydney (18.7%), Blacktown – Baulkham Hills (18.4%), Central Western Sydney (11.6%), Canterbury – Bankstown (10.2%) and Outer Western Sydney (8.1%). There were falls in the rate of court appearance in four Statistical Subdivisions of Sydney: Northern Beaches (down by 9.3%), Hornsby – Ku-ring-gai (down by 7.4%), Gosford – Wyong (down by 6.9%) and Eastern Suburbs (down by 3.4%). Outside Sydney, there were increases in the rate of court appearance in seven of the eleven Statistical Divisions. The greatest increases were in the South Eastern (6.4%), Illawarra (6.2%), Central West (5.3%) and Northern Statistical Divisions (5.2%). There were substantial decreases in court appearance rates in the Murray (down by 9.1%) and Murrumbidgee Statistical Divisions (down by 4.3%) in country NSW.

Overall, the Statistical Subdivisions within Sydney had the lowest rates of court appearance in NSW. The Sydney Statistical Subdivisions with the highest Local Court appearance rates in 1998 were Inner Sydney (2,617.8), Outer South Western Sydney (2,401.4 per 100,000 population in 1998), Fairfield – Liverpool (2,078.4), and Blacktown – Baulkham Hills (1,938.4). Outside Sydney, the North Western Statistical Division had the highest rate of court appearances in 1998, also the highest in NSW (3,469.2 per 100,000 population), followed by the Far West (3,215.1).

Table 1.17 details court appearance rates by NSW Statistical Division of residence for selected offences. In 1998, court appearance rates for most categories of offence were highest in the country areas of NSW. The Far West and North Western Statistical Divisions of NSW had the highest Local Court appearance rates for against the person offences, property damage, against justice procedures and offences against good order. The North Western and Northern Statistical Divisions had the highest court appearance rates for driving offences. The court appearance rate for environmental

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LOCAL COURTS continued

offences was highest in the Far West Statistical Division. Court appearance rates for drug offences were highest in the Richmond – Tweed Statistical Division, followed by the Inner Sydney Statistical Subdivision. The only offence which showed highest appearance rate in the Sydney region was theft, with the highest rate of appearance occurring in the Inner Sydney Statistical Subdivision, followed by the North Western Statistical Division.

Apprehended Violence Orders - Table 1.18

Table 1.18 details the numbers of Apprehended Violence Orders (AVOs) granted in NSW Local Courts during 1998 and rates per 100,000 population for residence of applicant by Statistical Subdivision in Sydney and Statistical Division in country NSW. In total, 22,657 AVOs were granted in NSW Local Courts in 1998, 67.4 per cent of these for domestic violence and 32.6 per cent for personal violence.

When examined on a regional basis, AVOs for both domestic and personal violence are given far more frequently per capita in country areas of NSW than in the Sydney region. All country Statistical Divisions have rates above the average for NSW. The highest rates of domestic AVOs granted in 1998 occurred in the Far West (739.7 orders granted per 100,000 population in 1998), North Western (490.0) and Mid-North Coast (404.2) regions of country NSW. In the Sydney Statistical Division, two Statistical Subdivisions showed rates of domestic AVOs granted above the average NSW rate: Outer South Western Sydney (304.8 orders granted per 100,000 population) and Fairfield-Liverpool (262.5). All regions with rates below the average NSW rate for domestic AVOs granted in 1998 were in the Sydney Statistical Division, with the lowest rates occurring in Hornsby – Ku-ring-gai (73.1) and the Lower Northern Sydney Subdivision (99.3).

Country areas of NSW also had the highest rates of personal AVOs granted by NSW Local Courts in 1998. All Statistical Divisions had rates above the average NSW rate. In Sydney only one Statistical Subdivisions had a rate above the average NSW rate. Highest rates of personal AVOs granted occurred in the Far West Statistical Division (434.9 orders granted per 100,000 population), followed by North Western (309.0) and Murrumbidgee (255.0). In Sydney the highest rates were Inner Sydney Statistical Subdivision (139.1 orders granted per 100,000 population) and Outer South Western Sydney (113.1).

¹ Comparisons with data from previous years are made throughout the text. The source of these figures is the report: NSW Bureau of Crime Statistics and Research, 1998, *New South Wales Criminal Courts Statistics 1997*.

SUMMARY OF MAIN FEATURES

CHILDREN'S COURTS

Appearances and proven offences - Table 2.1

Table 2.1 shows the number of court appearances (number of persons charged) and the number of offences proven in 1997/98 by principal offence category. Of the 15,672 appearances, 11,991 resulted in at least one proven offence (76.5%). The number of criminal matters brought before NSW Children's Court decreased by 2.7 per cent between 1996/97 and 1997/98 (from 16,113 to 15,672 matters). For each matter brought before the court, only the most serious charge for an individual having multiple charges is counted in the table.

In 1997/98, 41.9 per cent of proven offences were in the theft category (5,027 charges). The next largest categories of offence proven in 1997/98 were offences against the person (1,798 charges, 15.0%) and offences against good order (1,139 offences, 9.5%). Assault was the most common offence (1,726 proven offences, 14.4% of proven offences overall). Within the theft category, the most common offences were break and enter (1,524 proven offences, 12.7% of proven offences overall), 'other' theft (1,466 offences, 12.2%) and motor vehicle theft (1,067 offences, 8.9%).

From July 1997 the Department of Juvenile Justice changed its method of categorising offences. For this reason it is not possible to simply compare offence counts from before and after this date (see *Explanatory Notes: Children's Court Tables* in this publication for further information).

Bail status of defendants, by gender - Table 2.2

Table 2.2 shows the bail status of defendants appearing before the Children's Courts in 1997/98 by the gender of the defendant. Males made up 82.5 per cent of persons appearing before the Children's Court (12,934 males of 15,672 persons overall). The proportion of male defendants is virtually unchanged from 1996/97 (82.4%). A large proportion of defendants presented to court by summons or court attendance notice (56.5%) or while on bail (28.7%). The number and proportion of persons in custody when appearing before the Children's Court fell between 1996/97 and 1997/98. In 1997/98, 972 persons (6.2%) were in custody compared with 1,163 persons (7.2%) in 1996/97.

Penalties - Table 2.3

Table 2.3 shows penalties for the principal offence charged in NSW Children's Courts for 1997/98, by offence category. Committals to prisons and institutions are included in the 'control order' category.

The penalty most frequently imposed in the NSW Children's Court in 1997/98 was a recognizance, which was imposed in 3,023¹ cases (25.2% of all cases in which the offence was proven). Other frequently imposed penalties were dismissed with caution (2,760 cases, 23.0%), fine (1,732 cases, 14.4%) and probation (1,673 cases, 14.0%). Control orders were most commonly imposed for against justice procedures offences (122 persons received a control order penalty representing 20.9% of all

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CHILDREN'S COURTS continued

penalties for proven offences of this type), break and enter (177 persons, 11.6%), motor vehicle theft (103 persons, 9.7%) and assault (160 persons, 9.3%).

Defendants, by age and gender - Table 2.4, 2.4a and 2.4b

Table 2.4 details the age of persons appearing in matters determined before the Children's Court in 1997/98 by type of offence. **Tables 2.4a and 2.4b** show the age of males and females respectively by offence type. Male defendants accounted for 82.5 per cent of all matters determined during 1997/98 (12,934 of the total 15,672 cases). The largest proportion of female defendants occurred in the 14 year age group, where females made up 23.1 per cent of all cases, compared with 17.5 per cent of persons overall. The proportion of female defendants was lowest in the youngest and oldest age groups, with 2 females out of a total of 35 defendants aged 10 years (accounting for 5.7% of all defendants in this age group), 10 out of 117 aged 11 years (8.5%), and 44 out of 289 aged 12 years (15.2%). In the older age groups, female defendants accounted for 15.3 per cent of the 17 year age group and 15.3 per cent of the 18 year and over age group. Overall, the percentage of total defendants from each age group grows steadily with increasing age up to 17 years, from 0.2 per cent of defendants aged 10 years, up to 28.3 per cent of defendants aged 17 years.

¹ Does not include 126 defendants who received a recognizance and a fine.

SUMMARY OF MAIN FEATURES

HIGHER COURTS

Registrations - Table 3.1

In 1998, there were 3,747 cases committed for trial or sentencing in the NSW Higher Courts, a decrease of 6.9 per cent from the total number of cases registered in 1997. The number of trial registrations decreased by 7.8 per cent between 1997 and 1998, while the number of sentence registrations decreased by 1.8 per cent during the same period. Of the total number of cases registered in 1998, 77.5 per cent were trial case registrations (compared with 78.2% in 1997 and 72.7% in 1996).

The Sydney West Registry continued to dominate case registrations in 1998, accounting for 34.6 per cent of total registrations (compared with 32.0% in 1997). The Sydney Registry had the next highest proportion of total case registrations (24.8%), followed by Newcastle (14.4%) and Wollongong (8.1%).

The total number of case registrations in the NSW Supreme Court increased by 8.7 per cent between 1997 and 1998 (from 92 to 100 cases). In the District Court, all registries other than the Wagga Wagga and Sydney West recorded a decrease in the total number of case registrations between 1997 and 1998. Wagga Wagga Registry recorded a 48.7 per cent increase in total registrations, while the total number of case registrations in the Sydney West Registry increased by 1.1 per cent.

Finalisations - Tables 3.2 to 3.6

Table 3.2 shows the method of finalisation for trial and sentence cases in the NSW Higher Criminal Courts in 1998. There was an 11.5 per cent increase in the total number of trial and sentence cases finalised, from 3,425 cases in 1997 to 3,818 in 1998. The total number of cases committed for trial which were finalised in the NSW Higher Courts in 1998 increased by 17.5 per cent (3,022 cases in 1998, compared with 2,571 in 1997), while the number of cases committed for sentence decreased by 6.8 per cent during this period (796 cases in 1998 compared with 854 in 1997).

The total number of trials held rose from 871 in 1997 to 938 in 1998, an increase of 7.7 per cent, while the total number of cases finalised in 1998 which had proceeded to sentence only increased by 11.7 per cent (2,200 in 1998 compared with 1,969 in 1997). The percentage of cases which proceeded to trial decreased slightly, from 25.4 per cent in 1997 to 24.6 per cent of all finalised cases in 1998.

Table 3.3 details the year of committal for cases finalised in NSW Higher Courts in 1998. A lower percentage of both trial and sentence cases were finalised in the same year as committal in 1998, compared with 1997. For trials, 29.7 per cent of cases finalised in 1998 had been committed in the same year (897 of 3,022 finalised cases), compared with 35.0 per cent (899 of 2,571 finalised trial cases) in 1997. For sentence cases, 66.7 per cent of those finalised in 1998 had been committed in the same year, compared with 59.1 per cent in 1997.

Table 3.4 details the total number of persons charged, and the total number of charges, in the NSW Higher Courts, by type of offence charged. Note that for

SUMMARY OF MAIN FEATURES

HIGHER COURTS continued

persons charged, the sub-totals and totals do not sum across offence categories (see *Explanatory Notes: Higher Courts Tables* in this publication for further information).

The most frequently charged offences in cases finalised in the Higher Courts in 1998 were against the person offences (3,064, or 42.1% of all charges). Within this category, the most frequently charged specific offence was assault, accounting for 13.3 per cent of all charges finalised in the Higher Courts in 1998. Theft offences were the next most frequently charged category of offence in cases finalised in 1998 (21.0% of all charges) followed by robbery offences (16.3%). Drug offences accounted for 10.0 per cent of all charges in 1998, the most prevalent category being dealing and trafficking offences (6.8%).

In 1998, 43.7 per cent of all *persons* charged in the Higher Courts were charged with an offence against the person, with 18.6 per cent of all persons charged with at least one assault offence. The next most frequently charged offence category for persons whose cases were finalised in the Higher Courts in 1998 was robbery and extortion (24.0% of persons charged). The third most frequently charged offence category was that of theft (23.7%). Of all persons charged in Higher Court cases finalised in 1998, 13.5 per cent were charged with at least one drug offence.

Table 3.5 shows the number of offences charged per person in trial and sentence cases finalised in the Higher Courts in 1998. Of 3,998 persons charged in finalised cases, 40.9 per cent were charged with only one offence and 31.8 per cent with two offences. In 1997, 38.9 per cent of persons were charged with one offence only and 31.9 per cent with two offences.

There was a small increase in the percentage of people who proceeded to trial, as shown in **Table 3.6**. In 1998, 24.3 per cent of all persons whose cases were finalised had proceeded to trial, compared with 25.4 per cent in 1997. In 1998, 57.5 per cent of all persons whose charges were finalised in the Higher Courts proceeded only to sentencing (57.4% in 1997).

Penalties - Tables 3.7 to 3.9

Table 3.7 shows that there were 2,753 persons found guilty (either by verdict or plea) in 1998, representing 68.9 per cent of all persons whose cases were finalised in that period. In 1997, in 2,563 or 70.7 per cent of all defendants in finalised cases were found guilty.

Tables 3.7 also gives details of the penalties imposed for the principal offence of those persons who were found guilty in trial and sentence cases finalised in NSW Higher Courts in 1998. The penalty most frequently imposed in 1998 was imprisonment, with 63.1 per cent of all persons found guilty sentenced to a period of imprisonment in 1998, compared with 61.9 per cent in 1997. A further 8.2 per cent of persons found guilty in 1998 were given a periodic detention and 10.2 per cent of guilty persons were given a Community Service Order. In terms of the numbers of persons imprisoned, there were 1,736 persons given prison sentences in 1998, compared with 1,558 in 1997.

SUMMARY OF MAIN FEATURES

HIGHER COURTS continued

Tables 3.8 and 3.9 provide further details of the penalties imposed in Higher Court cases finalised in 1998, by offence type. The average duration of imprisonment imposed on persons whose cases were finalised in the Higher Courts in 1998 was 28.0 months, with the longest average sentences imposed on persons convicted of murder, attempted murder, importing and exporting drugs, sexual assault, and sexual offences against children. The average duration of home detention imposed by the Higher Courts in 1998 was 10.9 months, while the average duration of periodic detention was 19.0 months.

Prior conviction - Table 3.10

Table 3.10 shows the incidence of prior conviction for persons who were found guilty in trial and sentence cases finalised in NSW Higher Courts in 1998, by category of principal offence. Across all offence categories, a total of 40.0 per cent of persons found guilty had no prior convictions in 1998, most commonly those persons convicted of driving charges (69.8% had no prior convictions), fraud charges (66.9%) and sex charges (50.2%). Comparable percentages in 1997 were 41.2 per cent having no prior convictions across all offence categories, with 65.1 per cent for driving charges, 62.4 per cent for driving charges and 53.2 per cent for sex offences.

Convicted persons, by age and gender - Tables 3.11 and 3.12

Tables 3.11, 3.11a and 3.11b detail the age and sex, by offence, of persons found guilty in trial and sentence cases finalised in Higher Courts in 1998, as well as the average age by offence type. Of all persons found guilty in the NSW Higher Courts in 1998, 91.2 per cent were male and 8.8 per cent female. These proportions are similar to those in 1997 (91.9% male and 8.1% female).

The average age of persons found guilty in NSW Higher Court appearances finalised in 1998 was 31.7 years. Convicted females were slightly older, with an average age of 32.9 years, compared with an average age of 31.6 years for males. The offence category for which the average age of convicted persons in the Higher Courts was highest was that of against the person offences. In particular, persons convicted of sexual offences against children had the highest average age of all specific offence categories (44.1 years). The lowest average age is for persons convicted of offences in the robbery and extortion category (25.2 years).

Table 3.12 shows the distribution of age by offence category for males and females found guilty in trial and sentence cases finalised in NSW Higher Courts in 1998. For males found guilty in Higher Court cases finalised in 1998, 11.1 per cent of cases involved persons under 20 years of age. This younger age group was over-represented in the specific offences of robbery (21.6% aged under 20 years), against good order (21.4%) and vehicle theft (20.0%). Only 8.8 per cent of finalised cases for males involved persons aged 50 years and over. Older males were over-represented in the specific offences of sexual offences against children (33.3% aged 50 years and over), fraud and misappropriation (23.1%) and dealing and trafficking in cannabis (20.0%). Note that the percentage calculations for convicted females are based on small numbers.

SUMMARY OF MAIN FEATURES

HIGHER COURTS continued

Bail status - Table 3.13

Table 3.13 shows the bail status at the time of the hearing which disposed of the matter for all persons charged in trial and sentence cases finalised in NSW Higher Courts in 1998. The proportion of persons in gaol with bail refused increased from 29.3 per cent of persons in 1997 (1,063 of 3,633 persons) to 33.2 per cent in 1998 (1,330 of 3,998 persons). Of these 1,330 persons in 1998, 9.2 per cent proceeded to trial and were found guilty of at least one charge, compared with 9.5 per cent in 1997. Most persons in gaol with bail refused (72.2%) proceeded to sentence only. Of those persons released on unconditional bail in 1998, 16.1 per cent were acquitted of all charges at trial, compared with 19.6 per cent in 1997.

Court delay - Table 3.14

Table 3.14 shows the median delay of cases in NSW Higher Courts in 1998, by bail status, for all Registries. The median delay from arrest to committal, where the accused was remanded in custody but eventually acquitted of all charges, decreased by 11.9 per cent, from 71.5 days in 1997 to 63 days in 1998. (The median delay was 84 days in 1994, 78.5 days in 1995 and 75 days in 1996).

The median delay from committal to outcome, where the accused was remanded in custody but eventually acquitted of all charges, increased by 18.3 per cent, from 219 days in 1997 to 259 days in 1998. (The median delay was 179 days in 1994, 183 days in 1995 and 196 days in 1996).

Tables 3.14a to 3.14h detail the median delays in 1998 for each Higher Court Registry in NSW. Median delays from arrest to committal, and from committal to outcome, for persons remanded in custody who were eventually acquitted of all charges varied considerably between Registries. The delays in the Supreme Court in 1998 were 177.5 and 436.0 days, respectively, compared with 120.0 and 427.0 days in 1997.

Appeals - Tables 3.15 and 3.16

Tables 3.15 and 3.16 detail the outcomes of appeals to the District Court against convictions or severity of sentences imposed in the Local Courts in 1998. There was a 1.3 per cent increase between 1997 and 1998 in the number appeals against conviction finalised, from 1,978 in 1997 to 2,004 in 1998. Of these 2,004 appeals in 1998, in 25.5 per cent of cases the appeal was upheld for all matters, and in 66.8 per cent the appeal was dismissed or withdrawn for all matters (25.5% and 68.4%, respectively, in 1997).

Between 1997 and 1998, there was a 10.7 per cent increase in the total number of appeals against sentence finalised, from 3,808 in 1997 to 4,217 in 1998. In 0.7 per cent of cases in 1998, the appeal was upheld for all matters and, in 95.3 per cent, the appeal was dismissed or withdrawn for all matters (1.0% and 95.3% in 1997).

NEW SOUTH WALES LOCAL COURTS

Explanatory notes and tables

EXPLANATORY NOTES: LOCAL COURTS TABLES

TABLE 1.1:
PERSONS CHARGED AND CHARGES

Charge

A charge refers to an instance of a particular type of offence being charged against a person. A *finalised* charge is one which has been fully determined by the court and for which no further court proceedings are required.

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

Persons charged

A *person charged* refers to a group of one or more charges, against a single individual, which are finalised by the court on a single day. Such a group of finalised charges against a single individual is also referred to as a *finalised court appearance*. (A company charged with an offence is treated as a person.)

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

Table 1.1 shows the numbers of persons charged with offences within particular offence groups. This table counts individuals more than once, in all cases where the accused was charged with more than one offence and those offences fall within different offence groups. However, individuals are counted only once in the overall total.

Type of offence

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

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

Sexual offences against children

In Table 1.1 and elsewhere in this section, the numbers of charges and persons charged for offences classified as *sexual offences against children* are shown separately from the general *sexual assault* category. Some charges which have been laid under Section 61I (*sexual intercourse without consent*) and Section 61L (*indecent assault*) of the *Crimes Act 1900*, however, may have involved child victims. Since such offences are counted in the *sexual assault* category in this report, the frequency within the *sexual offences against children* classification is subject to undercounting.

EXPLANATORY NOTES: LOCAL COURTS TABLES

TABLE 1.2:
OUTCOME OF CHARGE

Table 1.2 shows the court outcomes for all charges. Where a person was charged with more than one offence, each offence is counted separately. Those cases resulting in dismissal of the charge are separated from those in which the offence was proven. A charge can be dismissed by the court after a hearing, or where the prosecution elects to withdraw the charge due to insufficient evidence, or for some other reason, such as the death of the accused. A matter can also be stood out of the court list for various reasons; this outcome allows the prosecution to re-enter the matter at a later time.

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

TABLES 1.3 AND 1.4:
OUTCOME OF APPEARANCE

Table 1.3 presents the major outcome of the court process for individual persons charged. Table 1.4 presents this information for those persons who identified themselves as Aboriginal and/or Torres Strait Islanders. Note that, in general, defendants are only able to identify themselves as Aboriginal or Torres Strait Islanders if they have been proceeded against by way of a charge or Court Attendance Notice (rather than by a summons).

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

Proceeded to defended hearing

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

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

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

EXPANATORY NOTES: LOCAL COURTS TABLES

Convicted ex parte

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

All charges dismissed without hearing

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

Sentenced after guilty plea

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

All charges otherwise disposed of

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

TABLES 1.5 AND 1.6: LEGAL REPRESENTATION AND BAIL STATUS

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

Bail status

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

TABLES 1.7 TO 1.12: PENALTIES IMPOSED FOR PRINCIPAL OFFENCE

Persons found guilty

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

EXPLANATORY NOTES: LOCAL COURTS TABLES

Principal offence

Appendix 1 provides explanations of the penalty types used in the Local Courts. Penalties shown in the tables indicate the *principal penalty* imposed for the *principal offence*. The *principal offence* is defined to be that offence charged, which received the most serious penalty according to the following rules:

- (a) Where an offender was found guilty of more than one offence, that offence which received the most serious penalty type is the principal offence. Appendix 2 lists the hierarchy of penalty type seriousness used for this calculation.
- (b) Where there were two or more offences which received the same penalty type, that offence which received the greatest quantum of that penalty type is the principal offence. (Note that for this calculation, if multiple counts of the same offence type received different penalties, they are treated as separate offences.)
- (c) If there was more than one offence which received the same quantum of the same penalty type, the first of these offences recorded on the court file is selected as the principal offence.
- (d) Where an offence received more than one penalty, a *principal penalty* for that offence is first calculated following the rules set out above. The determination of principal offence is then calculated on the principal penalty for each offence.

Quantum of penalty

Table 1.11 shows the average duration of principal penalties which involve a time component and the average dollar amount of fines imposed, where a fine was the principal penalty. Table 1.12 presents this information for those persons who identified themselves as Aboriginal and/or Torres Strait Islanders.

Imprisonment

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

Community Service Order (CSO)

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

EXPLANATORY NOTES: LOCAL COURTS TABLES

**TABLE 1.15:
COURT DELAY**

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

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

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

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

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

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

**TABLE 1.18:
APPREHENDED VIOLENCE ORDERS**

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

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

TABLE 1.1

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

<i>Type of offence charged</i>	<i>Persons* charged</i>	<i>Charges</i>
	<i>Number</i>	<i>Number</i>
Against the person:		
Assault occasioning actual bodily harm	4,901	5,068
Other assault	17,201	18,998
Sexual assault	316	355
Sexual offences against children	347	467
Other	1,320	1,434
Total	21,745	26,322
Theft:		
Break and enter	3,502	3,999
Fraud	4,973	6,577
Larceny by shop stealing	3,177	3,393
Other larceny	9,356	10,522
Unlawful possession	6,876	8,041
Vehicle theft	2,694	2,883
Total	26,018	35,415
Property damage:		
Arson, damage by fire	183	194
Other	6,537	6,752
Total	6,704	6,946
Environmental	172	182
Against justice procedures:		
Breach of order	9,773	11,011
Other	6,473	6,898
Total	15,904	17,909
Against good order:		
Weapons	1,614	2,157
Betting and gaming	12	14
Prostitution	309	316
Liquor licensing	400	407
Offensive behaviour	7,209	7,656
Other	4,912	5,272
Total	13,909	15,822

TABLE 1.1 continued

<i>Type of offence charged</i>	<i>Persons*</i>	<i>Charges</i>
	<i>charged</i>	
	<i>Number</i>	<i>Number</i>
Drug:		
Possession and/or use:		
- opiates	1,927	2,215
- cannabis	6,780	8,163
- other drug	1,725	2,072
Dealing and trafficking:		
- opiates	273	305
- cannabis	497	521
- other drug	463	498
Manufacturing and/or growing:		
- cannabis	1,658	1,677
- other drug	54	55
Other	1,582	1,660
Total	11,866	17,166
Driving:		
Cause injury by driving	239	276
DUI drink/drug	1,092	1,102
PCA - high	5,977	6,043
PCA - medium	10,427	10,483
PCA - low	3,513	3,517
Dangerous, reckless or negligent driving	6,619	7,189
Other	23,963	35,055
Total	44,025	63,665
Other	1,291	1,683
Total	117,053	185,110

* 'Persons charged' counts the number of people charged with the specified offence. A person who is charged with more than one offence within an offence group (for example, a person charged with both break and enter and vehicle theft) is counted **only once** in the offence group total. Hence the numbers within an offence group do not sum to the offence group total. The grand total is a count of the total number of distinct persons charged in Local Court appearances. For 'charges', all totals simply sum over the categories.

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

Outcome of charge	Charges	
	<i>Number</i>	<i>%</i>
Dismissed:		
After hearing	8,293	4.5
No evidence offered	11,451	6.2
Non-appearance	772	0.4
Death of accused	291	0.2
Section 32, 33	611	0.3
Stood out of list*	10,448	5.6
Offence proven:		
Conviction ex parte, 80AA warrant issued	10,212	5.5
Other	143,032	77.3
Total	185,110	100.0

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

TABLE 1.3

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

Outcome of appearance	Persons charged	
	Number	%
Proceeded to defended hearing:		
All charges dismissed	5,271	4.5
Guilty of at least one charge	10,135	8.7
Other*	807	0.7
Convicted ex parte	20,033	17.1
All charges dismissed without hearing	6,648	5.7
Sentenced after guilty plea	69,959	59.8
All charges otherwise disposed of	4,200	3.6
Total	117,053	100.0

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

TABLE 1.4

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

Outcome of appearance	Persons charged	
	Number	%
Proceeded to defended hearing:		
All charges dismissed	527	5.3
Guilty of at least one charge	809	8.1
Other*	135	1.3
Convicted ex parte	2,122	21.2
All charges dismissed without hearing	511	5.1
Sentenced after guilty plea	5,268	52.5
All charges otherwise disposed of	657	6.6
Total	10,029	100.0

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

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

TABLE 1.5

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

<i>Outcome of appearance</i>	<i>Legal representation</i>							
	<i>Represented</i>		<i>Not represented</i>		<i>Unknown</i>		<i>Total</i>	
	<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>
Proceeded to defended hearing:								
All charges dismissed	3,989	6.2	1,201	2.4	81	3.6	5,271	4.5
Guilty of at least one charge	6,892	10.7	3,094	6.1	149	6.7	10,135	8.7
Other*	620	1.0	178	0.4	9	0.4	807	0.7
Convicted ex parte	2,620	4.1	16,873	33.4	540	24.2	20,033	17.1
All charges dismissed without hearing	3,754	5.8	2,653	5.3	241	10.8	6,648	5.7
Sentenced after guilty plea	45,226	70.3	23,628	46.8	1,105	49.5	69,959	59.8
All charges otherwise disposed of	1,190	1.9	2,904	5.7	106	4.8	4,200	3.6
Total	64,291	100.0	50,531	100.0	2,231	100.0	117,053	100.0

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

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

<i>Outcome of appearance</i>	<i>Bail status</i>											
	<i>Summons case or bail dispensed with</i>		<i>On bail</i>		<i>Refused</i>		<i>In custody, prior offence</i>		<i>Unknown</i>		<i>Total</i>	
	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>
Proceeded to defended hearing:												
All charges dismissed	2,685	3.4	2,206	7.6	187	3.5	48	4.3	145	6.1	5,271	4.5
Guilty of at least one charge	5,487	6.9	3,300	11.4	842	15.7	149	13.5	357	15.0	10,135	8.7
Other*	364	0.5	373	1.3	40	0.7	18	1.6	12	0.5	807	0.7
Convicted ex parte	15,472	19.5	3,897	13.5	148	2.8	24	2.2	492	20.6	20,033	17.1
All charges dismissed without hearing	3,696	4.7	2,274	7.9	312	5.8	79	7.2	287	12.0	6,648	5.7
Sentenced after guilty plea	49,704	62.6	14,792	51.3	3,667	68.2	740	67.0	1,056	44.3	69,959	59.8
All charges otherwise disposed of	1,933	2.4	2,009	7.0	178	3.3	46	4.2	34	1.4	4,200	3.6
Total	79,341	100.0	28,851	100.0	5,374	100.0	1,104	100.0	2,383	100.0	117,053	100.0

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

TABLE 1.7

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

Note: Excluded from this table are 459 cases which received no action taken on a breach of court orders, 5,647 cases which received a Section 80AA warrant, and 5 cases committed to a juvenile institution.

<i>Type of principal offence</i>	<i>Penalty for principal offence</i>												<i>Total</i>
	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	
Against the person:													
Assault occasioning actual bodily harm	340	1	83	336	363	595	218	610	-	2	14	51	2,613
Other assault	708	3	137	588	1,024	1,830	1,176	3,032	-	4	80	518	9,100
Sexual assault	14	-	7	16	23	29	5	19	-	-	2	2	117
Sexual offences against children	20	-	10	15	22	18	4	9	-	-	-	1	99
Other	64	1	9	36	45	83	46	315	-	7	1	47	654
Total	1,146	5	246	991	1,477	2,555	1,449	3,985	-	13	97	619	12,583
Theft:													
Break and enter	727	21	88	318	222	198	33	71	-	4	6	8	1,696
Fraud	264	22	66	453	146	495	145	1,442	-	24	15	85	3,157
Larceny by shop stealing	194	13	38	92	136	130	189	1,306	-	4	16	179	2,297
Other larceny	677	14	90	424	499	524	449	2,597	-	25	37	275	5,611
Unlawful possession	454	8	75	215	231	299	126	1,350	-	10	26	56	2,850
Vehicle theft	410	11	61	193	107	155	46	197	-	2	8	15	1,205
Total	2,726	89	418	1,695	1,341	1,801	988	6,963	-	69	108	618	16,816
Property damage:													
Arson, damage by fire	7	-	1	14	11	11	9	30	-	1	2	6	92
Other	128	1	22	136	219	376	317	1,974	-	79	16	204	3,472
Total	135	1	23	150	230	387	326	2,004	-	80	18	210	3,564
Environmental	4	-	-	1	1	1	1	75	-	1	-	10	94
Against justice procedures:													
Breach of order	856	12	159	490	516	687	180	1,204	1	5	149	195	4,454
Other	224	4	50	164	110	225	98	1,764	-	4	13	100	2,756
Total	1,080	16	209	654	626	912	278	2,968	1	9	162	295	7,210

Against good order:													
Weapons	40	-	8	23	27	71	66	430	-	-	12	121	798
Betting and gaming	-	-	-	-	-	1	2	6	-	-	-	-	9
Prostitution	2	-	-	-	2	1	1	244	-	-	4	11	265
Liquor licensing	-	-	-	-	3	1	11	149	-	-	-	25	189
Offensive behaviour	41	-	9	43	62	100	196	3,166	-	3	22	486	4,128
Other	158	1	24	55	65	115	55	1,562	-	1	21	155	2,212
Total	241	1	41	121	159	289	331	5,557	-	4	59	798	7,601
Drug:													
Possession and/or use:													
- opiates	56	-	13	10	80	82	38	885	-	-	12	44	1,220
- cannabis	81	2	11	52	109	143	299	2,769	-	1	19	369	3,855
- other drug	33	-	5	22	59	45	68	634	-	-	14	62	942
Dealing and trafficking:													
- opiates	51	1	17	10	23	17	2	8	-	-	-	-	129
- cannabis	52	3	31	64	27	31	5	37	-	-	1	5	256
- other drug	30	-	16	48	19	33	4	26	-	-	-	2	178
Manufacturing and/or growing:													
- cannabis	27	2	16	101	84	194	81	626	-	-	3	55	1,189
- other drug	2	-	1	1	4	-	-	15	-	-	-	-	23
Other	12	1	3	12	17	17	20	181	-	-	3	30	296
Total	344	9	113	320	422	562	517	5,181	-	1	52	567	8,088
Driving:													
Cause injury by driving	18	5	8	15	6	13	5	56	-	-	-	7	133
DUI drink/drug	42	6	5	31	51	28	49	467	3	-	-	10	692
PCA - high	178	26	85	330	302	402	302	3,654	9	-	2	31	5,321
PCA - medium	74	11	51	227	164	317	1,413	6,988	13	-	1	299	9,558
PCA - low	2	-	-	10	7	17	561	2,161	-	-	3	283	3,044
Dangerous, reckless or negligent driving	100	4	22	94	55	105	83	2,795	9	-	4	452	3,723
Other	505	32	228	718	219	601	301	11,992	28	-	28	879	15,531
Total	919	84	399	1,425	804	1,483	2,714	28,113	62	-	38	1,961	38,002
Other	17	-	2	11	3	36	23	662	-	4	4	103	865
Total	6,612	205	1,451	5,368	5,063	8,026	6,627	55,508	63	181	538	5,181	94,823

TABLE 1.8

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

Note: Excluded from this table are 30 cases which received no action taken on a breach of court orders, 792 cases which received a Section 80AA warrant.

<i>Type of principal offence</i>	<i>Penalty for principal offence</i>												<i>Total</i>
	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	
Against the person:													
Assault occasioning actual bodily harm	129	1	14	56	55	63	13	55	-	-	5	1	392
Other assault	218	-	12	120	171	215	71	415	-	-	18	24	1,264
Sexual assault	4	-	-	-	1	4	-	-	-	-	-	-	9
Sexual offences against children	2	-	1	1	2	-	-	1	-	-	-	-	7
Other	20	-	1	6	5	4	3	7	-	-	-	-	46
Total	373	1	28	183	234	286	87	478	-	-	23	25	1,718
Theft:													
Break and enter	124	1	6	36	31	20	-	8	-	-	2	-	228
Fraud	16	1	2	8	6	17	5	29	-	-	-	1	85
Larceny by shop stealing	31	1	4	12	5	12	5	133	-	1	-	5	209
Other larceny	114	-	10	25	45	31	5	196	-	2	10	7	445
Unlawful possession	74	-	10	15	30	32	14	141	-	1	3	5	325
Vehicle theft	57	-	4	22	11	13	1	16	-	-	-	-	124
Total	416	3	36	118	128	125	30	523	-	4	15	18	1,416
Property damage:													
Arson, damage by fire	2	-	-	2	2	1	-	6	-	-	1	-	14
Other	24	-	5	17	27	59	20	291	-	6	5	14	468
Total	26	-	5	19	29	60	20	297	-	6	6	14	482
Environmental	-	-	-	-	-	-	-	1	-	-	-	-	1

Against justice procedures:													
Breach of order	154	1	4	53	56	65	13	122	-	1	19	11	499
Other	42	-	1	27	23	26	9	195	-	-	2	4	329
Total	196	1	5	80	79	91	22	317	-	1	21	15	828
Against good order:													
Weapons	3	-	-	1	3	4	1	14	-	-	-	2	28
Betting and gaming	-	-	-	-	-	-	-	2	-	-	-	-	2
Prostitution	-	-	-	-	-	-	-	26	-	-	1	-	27
Liquor licensing	-	-	-	-	1	.	.	50	-	-	-	3	54
Offensive behaviour	20	-	-	11	13	31	13	655	-	-	7	66	816
Other	24	-	1	6	9	13	5	131	-	-	7	5	201
Total	47	-	1	18	26	48	19	878	-	-	15	76	1,128
Drug:													
Possession and/or use:													
- opiates	6	-	2	-	2	1	1	43	-	-	1	-	56
- cannabis	10	-	-	6	4	11	6	189	-	-	1	10	237
- other drug	4	-	-	-	2	2	1	24	-	-	2	1	36
Dealing and trafficking:													
- opiates	6	-	-	1	-	-	-	-	-	-	-	-	7
- cannabis	1	-	5	4	1	2	-	2	-	-	-	1	16
- other drug	1	-	-	3	-	3	-	-	-	-	-	-	7
Manufacturing and/or growing:													
- cannabis	2	-	1	6	4	5	5	27	-	-	-	1	51
- other drug	-	-	-	-	-	-	-	1	-	-	-	-	1
Other	1	-	-	-	3	1	-	10	-	-	-	-	15
Total	31	-	8	20	16	25	13	296	-	-	4	13	426
Driving:													
Cause injury by driving	-	-	-	-	-	-	-	-	-	-	-	-	0
DUI drink/drug	5	-	-	1	3	2	-	11	-	-	-	-	22
PCA - high	43	3	6	30	25	29	11	228	3	-	-	1	379
PCA - medium	10	-	4	19	8	15	27	300	2	-	-	4	389
PCA - low	-	-	-	-	-	2	10	72	-	-	-	5	89
Dangerous, reckless or negligent driving	19	-	-	4	2	2	-	17	-	-	-	-	44
Other	74	2	19	54	28	28	8	352	-	-	4	10	579
Total	151	5	29	108	66	78	56	980	5	-	4	20	1,502
Other	2	-	-	-	1	-	-	7	-	-	1	-	11
Total	1,242	10	112	546	579	713	247	3,777	5	11	89	181	7,512

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

TABLE 1.9

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

<i>Type of principal offence</i>	<i>Penalty for principal offence</i>							<i>All penalties</i>
	<i>Imprisonment</i>	<i>Home detention</i>	<i>Periodic detention</i>	<i>Community Service Order</i>	<i>Recognizance</i>	<i>Fine</i>	<i>Other</i>	
	%	%	%	%	%	%	%	%
Against the person:								
Assault occasioning actual bodily harm	13.0	0.0	3.2	12.9	45.0	23.3	2.6	100.0
Other assault	7.8	0.0	1.5	6.5	44.3	33.3	6.6	100.0
Sexual assault	12.0	-	6.0	13.7	48.7	16.2	3.4	100.0
Sexual offences against children	20.2	-	10.1	15.2	44.4	9.1	1.0	100.0
Other	9.8	0.2	1.4	5.5	26.6	48.2	8.4	100.0
All offences	9.1	0.0	2.0	7.9	43.6	31.7	5.8	100.0
Theft:								
Break and enter	42.9	1.2	5.2	18.8	26.7	4.2	1.1	100.0
Fraud	8.4	0.7	2.1	14.3	24.9	45.7	3.9	100.0
Larceny by shop stealing	8.4	0.6	1.7	4.0	19.8	56.9	8.7	100.0
Other larceny	12.1	0.2	1.6	7.6	26.2	46.3	6.0	100.0
Unlawful possession	15.9	0.3	2.6	7.5	23.0	47.4	3.2	100.0
Vehicle theft	34.0	0.9	5.1	16.0	25.6	16.3	2.1	100.0
All offences	16.2	0.5	2.5	10.1	24.6	41.4	4.7	100.0
Property damage:								
Arson, damage by fire	7.6	-	1.1	15.2	33.7	32.6	9.8	100.0
Other	3.7	0.0	0.6	3.9	26.3	56.9	8.6	100.0
Total	3.8	0.0	0.6	4.2	26.5	56.2	8.6	100.0
Environmental	4.3	-	-	1.1	3.2	79.8	11.7	100.0

Against justice procedures:								
Breach of order	19.2	0.3	3.6	11.0	31.1	27.0	7.9	100.0
Other	8.1	0.1	1.8	6.0	15.7	64.0	4.2	100.0
All offences	15.0	0.2	2.9	9.1	25.2	41.2	6.5	100.0
Against the person:								
Weapons	5.0	-	1.0	2.9	20.6	53.9	16.7	100.0
Betting and gaming	-	-	-	-	33.3	66.7	-	100.0
Prostitution	0.8	-	-	-	1.5	92.1	5.7	100.0
Liquor licensing	-	-	-	-	7.9	78.8	13.2	100.0
Offensive behaviour	1.0	-	0.2	1.0	8.7	76.7	12.4	100.0
Other	7.1	0.0	1.1	2.5	10.6	70.6	8.0	100.0
All offences	3.2	0.0	0.5	1.6	10.2	73.1	11.3	100.0
Drug:								
Possession and/or use:								
- opiates	4.6	-	1.1	0.8	16.4	72.5	4.6	100.0
- cannabis	2.1	0.1	0.3	1.3	14.3	71.8	10.1	100.0
- other drug	3.5	-	0.5	2.3	18.3	67.3	8.1	100.0
Dealing and trafficking:								
- opiates	39.5	0.8	13.2	7.8	32.6	6.2	-	100.0
- cannabis	20.3	1.2	12.1	25.0	24.6	14.5	2.3	100.0
- other drug	16.9	-	9.0	27.0	31.5	14.6	1.1	100.0
Manufacturing and/or growing:								
- cannabis	2.3	0.2	1.3	8.5	30.2	52.6	4.9	100.0
- other drug	8.7	-	4.3	4.3	17.4	65.2	-	100.0
Other	4.1	0.3	1.0	4.1	18.2	61.1	11.1	100.0
All offences	4.3	0.1	1.4	4.0	18.6	64.1	7.7	100.0
Driving:								
Cause injury by driving	13.5	3.8	6.0	11.3	18.0	42.1	5.3	100.0
DUI drink/drug	6.1	0.9	0.7	4.5	18.5	67.5	1.9	100.0
PCA - high	3.3	0.5	1.6	6.2	18.9	68.7	0.8	100.0
PCA - medium	0.8	0.1	0.5	2.4	19.8	73.1	3.3	100.0
PCA - low	0.1	-	-	0.3	19.2	71.0	9.4	100.0
Dangerous, reckless or negligent driving	2.7	0.1	0.6	2.5	6.5	75.1	12.5	100.0
Other	3.3	0.2	1.5	4.6	7.2	77.2	6.0	100.0
All offences	2.4	0.2	1.0	3.7	13.2	74.0	5.4	100.0
Other	2.0	.	0.2	1.3	7.2	76.5	12.8	100.0
All offences	7.0	0.2	1.5	5.7	20.8	58.5	6.3	100.0

TABLE 1.10

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

<i>Type of principal offence</i>	<i>Penalty for principal offence</i>							
	<i>Imprisonment</i>	<i>Home detention</i>	<i>Periodic detention</i>	<i>Community Service Order</i>	<i>Recognizance</i>	<i>Fine</i>	<i>Other</i>	<i>All penalties</i>
	%	%	%	%	%	%	%	%
Against the person:								
Assault occasioning actual bodily harm	32.9	0.3	3.6	14.3	33.4	14.0	1.5	100.0
Other assault	17.2	-	0.9	9.5	36.2	32.8	3.3	100.0
Sexual assault	44.4	-	-	-	55.6	-	-	100.0
Sexual offences against children	28.6	-	14.3	14.3	28.6	14.3	-	100.0
Other	43.5	-	2.2	13.0	26.1	15.2	-	100.0
All offences	21.7	0.1	1.6	10.7	35.3	27.8	2.8	100.0
Theft:								
Break and enter	54.4	0.4	2.6	15.8	22.4	3.5	0.9	100.0
Fraud	18.8	1.2	2.4	9.4	32.9	34.1	1.2	100.0
Larceny by shop stealing	14.8	0.5	1.9	5.7	10.5	63.6	2.9	100.0
Other larceny	25.6	-	2.2	5.6	18.2	44.0	4.3	100.0
Unlawful possession	22.8	-	3.1	4.6	23.4	43.4	2.8	100.0
Vehicle theft	46.0	-	3.2	17.7	20.2	12.9	-	100.0
All offences	29.4	0.2	2.5	8.3	20.0	36.9	2.6	100.0
Property damage:								
Arson, damage by fire	14.3	-	-	14.3	21.4	42.9	7.1	100.0
Other	5.1	-	1.1	3.6	22.6	62.2	5.3	100.0
All offences	5.4	-	1.0	3.9	22.6	61.6	5.4	100.0
Environmental	-	-	-	-	-	100.0	-	100.0

Against justice procedures:									
Breach of order	30.9	0.2	0.8	10.6	26.9	24.4	6.2	100.0	
Other	12.8	-	0.3	8.2	17.6	59.3	1.8	100.0	
Total	23.7	0.1	0.6	9.7	23.2	38.3	4.5	100.0	
Against the person:									
Weapons	10.7	-	-	3.6	28.6	50.0	7.1	100.0	
Betting and gaming	-	-	-	-	-	100.0	-	100.0	
Prostitution	-	-	-	-	-	96.3	3.7	100.0	
Liquor licensing	-	-	-	-	1.9	92.6	5.6	100.0	
Offensive behaviour	2.5	-	-	1.3	7.0	80.3	8.9	100.0	
Other	11.9	-	0.5	3.0	13.4	65.2	6.0	100.0	
All offences	4.2	-	0.1	1.6	8.2	77.8	8.1	100.0	
Drug:									
Possession and/or use:									
- opiates	10.7	-	3.6	-	7.1	76.8	1.8	100.0	
- cannabis	4.2	-	-	2.5	8.9	79.7	4.6	100.0	
- other drug	11.1	-	-	-	13.9	66.7	8.3	100.0	
Dealing and trafficking:									
- opiates	85.7	-	-	14.3	-	-	-	100.0	
- cannabis	6.3	-	31.3	25.0	18.8	12.5	6.3	100.0	
- other drug	14.3	-	-	42.9	42.9	-	-	100.0	
Manufacturing and/or growing:									
- cannabis	3.9	-	2.0	11.8	27.5	52.9	2.0	100.0	
- other drug	-	-	-	-	-	100.0	-	100.0	
Other	6.7	-	-	-	26.7	66.7	-	100.0	
All offences	7.3	-	1.9	4.7	12.7	69.5	4.0	100.0	
Driving:									
Cause injury by driving	-	-	-	-	-	-	0.0	100.0	
DUI drink/drug	22.7	-	-	4.5	22.7	50.0	-	100.0	
PCA - high	11.3	0.8	1.6	7.9	17.2	60.2	1.1	100.0	
PCA - medium	2.6	-	1.0	4.9	12.9	77.1	1.5	100.0	
PCA - low	-	-	-	-	13.5	80.9	5.6	100.0	
Dangerous, reckless or negligent driving	43.2	-	-	9.1	9.1	38.6	-	100.0	
Other	12.8	0.3	3.3	9.3	11.1	60.8	2.4	100.0	
All offences	10.1	0.3	1.9	7.2	13.3	65.2	1.9	100.0	
Other	18.2	-	-	-	9.1	63.6	9.1	100.0	
All offences	16.5	0.1	1.5	7.3	20.5	50.3	3.8	100.0	

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

TABLE 1.11

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

Type of principal offence	Penalty for principal offence						Average \$
	Imprisonment	Home detention	Periodic detention	Community Service Order	Recognition	Fine	
	Average months	Average months	Average months	Average hours	Average months	Average months	Average \$
Against the person:							
Assault occasioning actual bodily harm	5.2	2.0	6.6	156.4	19.9	19.9	657
Other assault	4.2	5.3	6.2	138.0	17.7	17.7	418
Sexual assault	6.8	-	7.7	184.4	23.1	23.1	863
Sexual offences against children	6.7	-	8.7	196.7	27.1	27.1	363
Other	7.2	6.0	5.6	148.3	19.0	19.0	376
All offences	4.8	4.8	6.5	146.3	18.3	18.3	453
Theft:							
Break and enter	7.6	8.3	8.1	171.9	23.2	23.2	627
Fraud	5.1	6.4	7.2	172.2	23.7	23.7	795
Larceny by shop stealing	3.3	5.4	5.0	101.9	17.4	17.4	348
Other larceny	4.5	5.3	6.2	134.8	19.1	19.1	407
Unlawful possession	4.2	4.8	5.3	117.6	20.2	20.2	390
Vehicle theft	6.7	7.0	7.6	145.2	20.8	20.8	611
All offences	5.6	6.4	6.7	149.0	20.5	20.5	481
Property damage:							
Arson, damage by fire	5.8	-	6.0	168.0	24.6	24.6	294
Other	3.0	6.0	5.3	111.3	17.0	17.0	350
All offences	3.1	6.0	5.3	116.6	17.3	17.3	349
Environmental	6.0	-	-	250.0	28.0	28.0	760

Against justice procedures:						
Breach of order	3.3	4.4	5.2	110.5	19.0	331
Other	4.2	2.8	4.9	124.5	19.0	527
All offences	3.5	4.0	5.1	114.0	19.0	448
Against the person:						
Weapons	5.7	-	6.4	148.9	17.3	414
Betting and gaming	-	-	-	-	20.0	1,175
Prostitution	6.0	-	-	-	15.0	269
Liquor licensing	-	-	-	-	17.2	259
Offensive behaviour	3.8	-	6.9	112.9	14.8	204
Other	4.8	9.0	5.7	133.7	17.8	320
All offences	4.8	9.0	6.1	129.2	16.3	258
Drug:						
Possession and/or use:						
- opiates	2.7	-	5.1	80.0	20.5	359
- cannabis	2.8	5.5	4.4	132.2	16.3	276
- other drug	3.8	-	5.2	102.8	17.1	330
Dealing and trafficking:						
- opiates	6.9	6.0	7.7	180.0	28.1	603
- cannabis	6.1	6.0	6.7	170.6	23.6	517
- other drug	5.0	-	7.2	176.1	22.3	892
Manufacturing and/or growing:						
- cannabis	5.7	4.5	7.8	178.3	20.0	516
- other drug	6.0	-	6.0	100.0	15.0	511
Other	3.9	6.0	8.7	101.0	19.7	206
All offences	4.4	5.6	6.6	157.6	18.8	329
Driving:						
Cause injury by driving	8.9	9.0	9.4	192.0	21.5	671
DUI drink/drug	4.3	4.8	5.4	115.0	22.0	528
PCA - high	5.0	6.6	6.7	144.0	26.7	767
PCA - medium	3.6	4.8	5.1	110.0	19.7	500
PCA - low	4.5	-	-	110.0	14.5	309
Dangerous, reckless or negligent driving	4.8	6.8	6.0	139.9	23.4	322
Other	4.0	4.2	5.0	100.3	20.5	365
All offences	4.4	5.5	5.5	115.9	20.9	446
Other	2.8	-	3.5	103.6	19.8	577
All offences	4.8	5.8	6.1	134.5	19.4	420

TABLE 1.12

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

<i>Type of principal offence</i>	<i>Penalty for principal offence</i>					
	<i>Imprisonment</i>	<i>Home detention</i>	<i>Periodic detention</i>	<i>Community Service Order</i>	<i>Recognizance</i>	<i>Fine</i>
	<i>Average months</i>	<i>Average months</i>	<i>Average months</i>	<i>Average hours</i>	<i>Average months</i>	<i>Average \$</i>
Against the person:						
Assault occasioning actual bodily harm	5.8	2.0	8.1	160.0	9.0	596
Other assault	5.2	-	6.5	143.7	9.3	396
Sexual assault	6.3	-	-	-	10.0	-
Sexual offences against children	4.5	-	6.0	200.0	2.0	500
Other	5.5	-	4.0	191.7	12.3	387
All offences	5.4	2.0	7.2	150.6	9.2	419
Theft:						
Break and enter	7.2	4.0	5.5	172.1	7.3	544
Fraud	4.8	3.0	9.0	102.5	10.0	302
Larceny by shop stealing	4.3	6.0	3.5	108.8	8.5	364
Other larceny	5.7	-	4.9	123.8	9.1	619
Unlawful possession	4.5	-	4.7	106.3	8.5	395
Vehicle theft	6.0	-	6.8	130.9	10.4	566
All offences	5.8	4.3	5.2	134.7	8.8	474
Property damage:						
Arson, damage by fire	8.5	-	-	100.0	13.0	283
Other	5.7	-	5.4	106.5	10.2	335
All offences	5.9	-	5.4	105.8	10.3	334
Environmental	-	-	-	-	-	50

Against justice procedures:						
Breach of order	5.7	3.0	5.5	113.1	9.3	291
Other	5.0	-	2.0	109.4	10.4	307
All offences	5.6	3.0	4.8	111.9	9.6	301
Against the person:						
Weapons	3.3	-	-	100.0	7.0	393
Betting and gaming	-	-	-	-	-	175
Prostitution	-	-	-	-	-	271
Liquor licensing	-	-	-	-	12.0	229
Offensive behaviour	5.6	-	-	131.8	9.7	199
Other	4.8	-	6.0	138.3	8.8	298
All offences	5.0	-	6.0	132.2	9.2	221
Drug:						
Possession and/or use:						
- opiates	7.7	-	3.5	-	11.0	336
- cannabis	5.6	-	-	101.3	8.9	258
- other drug	4.0	-	-	-	10.0	304
Dealing and trafficking:						
- opiates	5.7	-	-	100.0	-	-
- cannabis	6.0	-	9.2	212.5	12.7	13
- other drug	6.0	-	-	183.3	5.7	-
Manufacturing and/or growing:						
- cannabis	15.0	-	8.0	229.2	7.3	643
- other drug	-	-	-	-	-	2,000
Other	9.0	-	-	-	8.3	136
All offences	6.5	-	7.6	174.2	8.7	311
Driving:						
Cause injury by driving	-	-	-	-	-	-
DUI drink/drug	4.2	-	-	100.0	2.2	441
PCA - high	5.7	7.0	7.3	125.0	6.5	694
PCA - medium	6.5	-	4.0	93.6	8.0	492
PCA - low	-	-	-	-	9.9	312
Dangerous, reckless or negligent driving	5.3	-	-	102.5	8.5	474
Other	4.3	6.5	5.2	109.2	7.2	385
All offences	5.0	6.8	5.4	110.5	7.3	486
Other	2.0	-	-	-	18.0	35
All offence	5.5	5.2	5.9	132.2	9.0	373

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

TABLE 1.13

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

SEX, TYPE OF PRINCIPAL OFFENCE, AGE

Note: Excluded from this table are 328 companies (included in Table 1.7) and 5,647 persons for whom a Section 80AA warrant was issued.

<i>Type of principal offence</i>	<i>Sex: Total male and female</i>												<i>Average age</i>
	<i>Age (years)</i>												
	<i>Under 18</i>	<i>18</i>	<i>19</i>	<i>20-24</i>	<i>25-29</i>	<i>30-39</i>	<i>40-49</i>	<i>50-59</i>	<i>60-65</i>	<i>Over 65</i>	<i>Unknown</i>	<i>Total</i>	
	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>Years</i>
Against the person:													
Assault occasioning actual bodily harm	4	109	131	644	607	695	308	83	13	13	6	2,613	30.5
Other assault	11	313	384	1,981	1,812	2,789	1,245	417	74	48	23	9,097	31.9
Sexual assault	-	2	4	19	15	32	22	15	4	3	1	117	37.4
Sexual offences against children	-	3	2	12	18	27	15	8	2	9	2	98	38.2
Other	1	26	28	97	126	158	104	43	9	14	43	649	34.1
Total	16	453	549	2,753	2,578	3,701	1,694	566	102	87	75	12,574	31.8
Theft:													
Break and enter	3	150	185	611	370	304	64	7	1	1	1	1,697	25.8
Fraud	2	61	86	425	501	719	471	214	31	23	394	2,927	34.4
Larceny by shop stealing	1	155	166	502	454	531	257	126	49	52	4	2,297	31.9
Other larceny	20	449	431	1,566	1,096	1,257	502	190	41	41	18	5,611	29.2
Unlawful possession	6	196	247	889	629	612	217	38	9	3	4	2,850	27.7
Vehicle theft	4	153	175	394	243	183	46	6	-	-	1	1,205	25.1
Total	36	1,164	1,290	4,387	3,293	3,606	1,557	581	131	120	422	16,587	29.5
Property damage:													
Arson, damage by fire	-	7	12	26	17	19	6	3	-	2	-	92	28.9
Other	12	266	273	1,055	688	763	296	85	13	14	8	3,473	28.3
Total	12	273	285	1,081	705	782	302	88	13	16	8	3,565	28.4
Environmental	-	2	3	3	5	11	6	1	1	2	46	80	36.0

Against justice procedures:													
Breach of order	1	81	165	1,017	1,016	1,608	681	228	30	36	49	4,912	32.5
Other	31	170	205	710	501	573	243	88	26	12	172	2,731	29.3
Total	32	251	370	1,727	1,517	2,181	924	316	56	48	221	7,643	31.4
Against good order:													
Weapons	-	29	50	136	141	188	135	80	18	16	4	797	34.9
Betting and gaming	-	1	-	3	2	2	-	1	-	-	-	9	28.8
Prostitution	-	9	11	91	58	79	12	4	-	-	1	265	28.1
Liquor licensing	-	17	7	38	38	57	21	8	1	-	2	189	30.7
Offensive behaviour	17	387	416	1,282	804	804	289	95	9	15	10	4,128	27.5
Other	12	221	235	624	451	459	147	31	5	5	22	2,212	27.2
Total	29	664	719	2,174	1,494	1,589	604	219	33	36	39	7,600	28.3
Drug:													
Possession and/or use:													
- opiates	-	76	81	385	279	291	96	9	-	2	1	1,220	27.9
- cannabis	6	304	311	1,173	760	927	307	39	8	8	12	3,855	27.9
- other drug	5	61	62	304	226	209	67	7	-	-	1	942	27.5
Dealing and trafficking:													
- opiates	-	11	9	33	36	29	7	1	1	2	-	129	28.3
- cannabis	-	9	15	63	49	72	36	7	4	1	-	256	31.0
- other drug	-	10	11	53	31	44	21	5	-	1	2	178	29.4
Manufacturing and/or growing:													
- cannabis	-	29	43	229	219	390	211	57	4	6	1	1,189	32.9
- other drug	-	-	1	5	5	9	1	1	-	-	1	23	30.4
Other	-	14	24	99	68	62	23	4	-	-	2	296	27.8
Total	11	514	557	2,344	1,673	2,033	769	130	17	20	20	8,088	28.7
Driving:													
Cause injury by driving	3	3	14	34	22	27	11	9	1	9	.	133	32.8
DUI drink/drug	9	18	25	163	138	202	97	26	6	5	3	692	31.8
PCA - high	29	78	138	827	892	1,721	1,027	450	86	67	6	5,321	35.4
PCA - medium	140	336	428	2,099	1,705	2,335	1,483	706	151	165	10	9,558	33.2
PCA - low	51	129	163	706	510	691	450	220	59	63	2	3,044	33.0
Dangerous, reckless or negligent driving	132	234	262	783	568	743	454	292	79	137	39	3,723	33.0
Other	299	649	743	3,322	2,988	4,048	2,121	898	156	132	153	15,509	31.9
Total	663	1,447	1,773	7,934	6,823	9,767	5,643	2,601	538	578	213	37,980	32.9
Other	5	12	22	117	108	180	124	63	19	16	176	842	35.8
Total	804	4,780	5,568	22,520	18,196	23,850	11,623	4,565	910	923	1,220	94,959	31.2

TABLE 1.13a

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

SEX, TYPE OF PRINCIPAL OFFENCE, AGE

Note: Excluded from this table are 4,582 males for whom a Section 80AA warrant was issued.

<i>Type of principal offence</i>	<i>Sex: Male</i>											<i>Average age</i>	
	<i>Age (years)</i>										<i>Total</i>		<i>Years</i>
	<i>Under 18</i>	<i>18</i>	<i>19</i>	<i>20-24</i>	<i>25-29</i>	<i>30-39</i>	<i>40-49</i>	<i>50-59</i>	<i>60-65</i>	<i>Over 65</i>			
<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	
Against the person:													
Assault occasioning actual bodily harm	4	97	116	585	536	627	280	78	12	12	6	2,353	30.5
Other assault	10	259	315	1,637	1,548	2,351	1,101	368	66	46	20	7,721	32.1
Sexual assault	-	2	4	19	14	31	22	15	4	3	1	115	37.4
Sexual offences against children	-	3	2	12	18	24	15	8	2	9	2	95	38.3
Other	1	21	23	75	94	121	71	35	9	10	25	485	34.0
Total	15	382	460	2,328	2,210	3,154	1,489	504	93	80	54	10,769	32.0
Theft:													
Break and enter	2	144	168	571	340	264	58	6	1	1	1	1,556	25.7
Fraud	1	42	53	283	318	491	339	159	25	18	267	1,996	34.9
Larceny by shop stealing	1	99	101	289	244	296	135	67	28	28	1	1,289	31.5
Other larceny	18	340	329	1,155	798	877	324	114	24	20	10	4,009	28.5
Unlawful possession	6	151	186	692	461	478	165	31	7	2	4	2,183	27.8
Vehicle theft	3	139	158	350	221	157	40	5	-	-	1	1,074	25.0
Total	31	915	995	3,340	2,382	2,563	1,061	382	85	69	284	12,107	29.0
Property damage:													
Arson, damage by fire	-	7	12	22	15	16	5	2	-	2	-	81	28.6
Other	11	244	252	954	595	644	248	74	12	14	8	3,056	28.1
Total	11	251	264	976	610	660	253	76	12	16	8	3,137	28.1
Environmental	-	1	3	3	4	9	6	1	1	1	43	72	35.3

Against justice procedures:													
Breach of order	1	72	145	918	867	1,396	607	214	28	35	41	4,324	32.6
Other	27	149	175	572	388	438	182	70	22	8	120	2,151	29.0
Total	28	221	320	1,490	1,255	1,834	789	284	50	43	161	6,475	31.4
Against good order:													
Weapons	-	28	48	126	125	172	130	75	18	16	4	742	35.1
Betting and gaming	-	1	-	3	2	2	-	1	-	-	-	9	28.8
Prostitution	-	2	-	8	6	15	7	-	-	-	-	38	32.0
Liquor licensing	-	13	5	36	33	43	13	6	1	-	1	151	30.1
Offensive behaviour	16	332	356	1,103	656	608	228	87	9	14	7	3,416	27.3
Other	11	186	195	548	399	402	130	27	3	5	18	1,924	27.3
Total	27	562	604	1,824	1,221	1,242	508	196	31	35	30	6,280	28.3
Drug:													
Possession and/or use:													
- opiates	-	55	63	306	233	240	78	8	-	1	1	985	28.0
- cannabis	6	270	277	1,063	632	765	251	31	8	5	10	3,318	27.6
- other drug	4	54	52	252	182	179	53	6	-	-	1	783	27.4
Dealing and trafficking:													
- opiates	-	10	6	29	30	22	6	1	1	2	-	107	28.4
- cannabis	-	8	12	54	40	62	27	7	4	-	-	214	30.9
- other drug	-	9	9	41	25	36	19	5	-	1	2	147	29.9
Manufacturing and/or growing:													
- cannabis	-	26	37	196	189	297	173	48	3	4	1	974	32.7
- other drug	-	-	-	4	4	9	1	-	-	-	1	19	30.4
Other	-	11	20	77	57	40	15	2	-	-	1	223	27.0
Total	10	443	476	2,022	1,392	1,650	623	108	16	13	17	6,770	28.5
Driving:													
Cause injury by driving	1	3	13	27	19	20	10	7	1	7	-	108	32.6
DUI drink/drug	7	14	22	151	119	169	84	21	5	4	2	598	31.5
PCA - high	24	67	126	738	783	1,425	875	412	81	60	4	4,595	35.4
PCA - medium	120	295	369	1,788	1,425	1,898	1,231	615	134	151	8	8,034	33.3
PCA - low	42	107	136	597	432	582	375	200	55	62	2	2,590	33.3
Dangerous, reckless or negligent driving	115	205	239	688	485	624	357	247	62	111	31	3,164	32.6
Other	4	12	18	99	82	139	100	54	18	12	125	663	35.9
Total	590	1,276	1,566	6,928	5,867	8,112	4,727	2,307	482	512	174	32,541	32.9
Other	4	12	18	99	82	139	100	54	22	8	125	663	35.4
Total	716	4,063	4,706	19,010	15,023	19,363	9,556	3,912	788	781	896	78,814	31.1

TABLE 1.13b

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

Note: Excluded from this table are 1,065 females for whom a Section 80AA warrant was issued.

SEX, TYPE OF PRINCIPAL OFFENCE, AGE

<i>Type of principal offence</i>	<i>Sex: Female</i>												<i>Average age</i> Years
	<i>Age (years)</i>												
	<i>Under 18</i>	<i>18</i>	<i>19</i>	<i>20-24</i>	<i>25-29</i>	<i>30-39</i>	<i>40-49</i>	<i>50-59</i>	<i>60-65</i>	<i>Over 65</i>	<i>Unknown</i>	<i>Total</i>	
	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	
Against the person:													
Assault occasioning actual bodily harm	-	12	15	59	71	68	28	5	1	1	-	260	29.9
Other assault	1	54	69	344	264	438	144	49	8	2	3	1,376	30.6
Sexual assault	-	-	-	-	1	1	-	-	-	-	-	2	32.6
Sexual offences against children	-	-	-	-	-	3	-	-	-	-	-	3	35.9
Other	-	5	5	22	32	37	33	8	-	4	18	164	34.4
Total	1	71	89	425	368	547	205	62	9	7	21	1,805	30.8
Theft:													
Break and enter	1	6	17	40	30	40	6	1	-	-	-	141	27.1
Fraud	1	19	33	142	183	228	132	55	6	5	127	931	33.3
Larceny by shop stealing	-	56	65	213	210	235	122	59	21	24	3	1,008	32.4
Other larceny	2	109	102	411	298	380	178	76	17	21	8	1,602	30.8
Unlawful possession	-	45	61	197	168	134	52	7	2	1	-	667	27.7
Vehicle theft	1	14	17	44	22	26	6	1	-	-	-	131	25.9
Total	5	249	295	1,047	911	1,043	496	199	46	51	138	4,480	30.9
Property damage:													
Arson, damage by fire	-	-	-	4	2	3	1	1	-	-	-	11	31.7
Other	1	22	21	101	93	119	48	11	1	-	-	417	29.9
Total	1	22	21	105	95	122	49	12	1	-	-	428	30.0
Environmental	-	1	-	-	1	2	-	-	-	1	3	8	40.1

Against justice procedures:													
Breach of order	-	9	20	99	149	212	74	14	2	1	8	588	31.7
Other	4	21	30	138	113	135	61	18	4	4	52	580	30.4
Total	4	30	50	237	262	347	135	32	6	5	60	1,168	31.1
Against good order:													
Weapons	-	1	2	10	16	16	5	5	-	-	-	55	32.2
Betting and gaming	-	-	-	-	-	-	-	-	-	-	-	-	0
Prostitution	-	7	11	83	52	64	5	4	-	-	1	227	27.4
Liquor licensing	-	4	2	2	5	14	8	2	-	-	1	38	33.4
Offensive behaviour	1	55	60	179	148	196	61	8	-	1	3	712	28.5
Other	1	35	40	76	52	57	17	4	2	-	4	288	26.6
Total	2	102	115	350	273	347	96	23	2	1	9	1,320	28.2
Drug:													
Possession and/or use:													
- opiates	-	21	18	79	46	51	18	1	-	1	-	235	27.6
- cannabis	-	34	34	110	128	162	56	8	-	3	2	537	29.7
- other drug	1	7	10	52	44	30	14	1	-	-	-	159	27.5
Dealing and trafficking:													
- opiates	-	1	3	4	6	7	1	-	-	-	-	22	27.8
- cannabis	-	1	3	9	9	10	9	-	-	1	-	42	31.8
- other drug	-	1	2	12	6	8	2	-	-	-	-	31	27.3
Manufacturing and/or growing:													
- cannabis	-	3	6	33	30	93	38	9	1	2	-	215	34.2
- other drug	-	-	1	1	1	-	-	1	-	-	-	4	30.3
Other	-	3	4	22	11	22	8	2	-	-	1	73	30.2
Total	1	71	81	322	281	383	146	22	1	7	3	1,318	29.8
Driving:													
Cause injury by driving	2	-	1	7	3	7	1	2	-	2	-	25	33.7
DUI drink/drug	2	4	3	12	19	33	13	5	1	1	1	94	33.3
PCA - high	5	11	12	89	109	296	152	38	5	7	2	726	35.1
PCA - medium	20	41	59	311	280	437	252	91	17	14	2	1,524	33.0
PCA - low	9	22	27	109	78	109	75	20	4	1	-	454	31.1
Dangerous, reckless or negligent driving	17	29	23	95	83	119	97	45	17	26	8	559	35.4
Other	18	64	82	383	384	654	326	93	12	15	26	2,057	32.5
Total	73	171	207	1,006	956	1,655	916	294	56	66	39	5,439	33.2
Other	1	-	4	18	26	41	24	9	1	4	51	179	35.4
Total	88	717	862	3,510	3,173	4,487	2,067	653	122	142	324	16,145	31.4

TABLE 1.14
**AGE DISTRIBUTION* OF PERSONS FOUND GUILTY IN LOCAL COURT APPEARANCES FINALISED:
SEX, TYPE OF PRINCIPAL OFFENCE, AGE**

<i>Type of principal offence</i>	<i>Sex: Male</i>						<i>Sex: Female</i>					
	<i>Age (years)</i>											
	<i>Under 20</i>	<i>20 - 24</i>	<i>25 - 29</i>	<i>30 - 49</i>	<i>50 and over</i>	<i>Total</i>	<i>Under 20</i>	<i>20 - 24</i>	<i>25 - 29</i>	<i>30 - 49</i>	<i>50 and over</i>	<i>Total</i>
	%	%	%	%	%	%	%	%	%	%	%	%
Against the person:												
Assault occasioning actual bodily harm	9.2	24.9	22.8	38.6	4.3	100.0	10.4	22.7	27.3	36.9	2.7	100.0
Other assault	7.6	21.3	20.1	44.8	6.2	100.0	9.0	25.1	19.2	42.4	4.3	100.0
Sexual assault	5.3	16.7	12.3	46.5	19.3	100.0	-	-	50.0	50.0	-	100.0
Sexual offences against children	5.4	12.9	19.4	41.9	20.4	100.0	-	-	-	100.0	-	100.0
Other	9.8	16.3	20.4	41.7	11.7	100.0	6.8	15.1	21.9	47.9	8.2	100.0
All offences	8.0	21.7	20.6	43.3	6.3	100.0	9.0	23.8	20.6	42.2	4.4	100.0
Theft:												
Break and enter	20.2	36.6	22.0	20.7	0.5	100.0	17.0	28.4	21.3	32.6	0.7	100.0
Fraud	5.6	16.4	18.4	48.0	11.7	100.0	6.6	17.7	22.8	44.8	8.2	100.0
Larceny by shop stealing	15.6	22.4	18.9	33.5	9.5	100.0	12.0	21.2	20.9	35.5	10.3	100.0
Other larceny	17.2	28.9	20.0	30.0	4.0	100.0	13.4	25.7	18.8	35.0	7.2	100.0
Unlawful possession	15.7	31.7	21.2	29.5	1.8	100.0	15.9	29.5	25.2	27.9	1.5	100.0
Vehicle theft	28.0	32.6	20.6	18.4	0.5	100.0	24.4	33.6	16.8	24.4	0.8	100.0
All offences	16.4	28.2	20.2	30.7	4.5	100.0	12.6	24.1	21.0	35.4	6.8	100.0
Property damage:												
Arson, damage by fire	23.5	27.2	18.5	25.9	4.9	100.0	-	36.4	18.2	36.4	9.1	100.0
Other	16.6	31.3	19.5	29.3	3.3	100.0	10.6	24.2	22.3	40.0	2.9	100.0
All offences	16.8	31.2	19.5	29.2	3.3	100.0	10.3	24.5	22.2	40.0	3.0	100.0
Environmental	13.8	10.3	13.8	51.7	10.3	100.0	20.0	-	20.0	40.0	20.0	100.0

Against justice procedures:												
Breach of order	5.1	21.4	20.3	46.8	6.5	100.0	5.0	17.1	25.5	49.5	2.9	100.0
Other	17.3	28.1	19.2	30.5	4.9	100.0	10.4	26.1	21.4	37.1	4.9	100.0
All offences	9.0	23.5	19.9	41.5	6.0	100.0	7.6	21.4	23.6	43.6	3.9	100.0
Against good order:												
Weapons	10.3	17.1	16.9	40.9	14.8	100.0	5.5	18.2	29.1	38.2	9.1	100.0
Betting and gaming	11.1	33.3	22.2	22.2	11.1	100.0	-	-	-	-	-	100.0
Prostitution	5.3	21.1	15.8	57.9	-	100.0	8.0	36.7	23.0	30.5	1.8	100.0
Liquor licensing	12.0	24.0	22.0	37.3	4.7	100.0	16.2	5.4	13.5	59.5	5.4	100.0
Offensive behaviour	20.7	32.3	19.2	24.6	3.2	100.0	16.4	25.1	21.0	36.2	1.3	100.0
Other	20.6	28.8	20.9	27.9	1.8	100.0	26.8	26.8	18.3	26.1	2.1	100.0
All offences	19.1	29.2	19.5	28.0	4.2	100.0	16.7	26.6	20.9	33.8	2.0	100.0
Drug:												
Possession and/or use:												
- opiates	12.0	31.1	23.7	32.3	0.9	100.0	16.6	33.6	19.6	29.4	0.9	100.0
- cannabis	16.7	32.1	19.1	30.7	1.3	100.0	12.7	20.6	23.9	40.7	2.1	100.0
- other drug	14.1	32.2	23.3	29.7	0.8	100.0	11.3	32.7	27.7	27.7	0.6	100.0
Dealing and trafficking:												
- opiates	15.0	27.1	28.0	26.2	3.7	100.0	18.2	18.2	27.3	36.4	-	100.0
- cannabis	9.3	25.2	18.7	41.6	5.1	100.0	9.5	21.4	21.4	45.2	2.4	100.0
- other drug	12.4	28.3	17.2	37.9	4.1	100.0	9.7	38.7	19.4	32.3	-	100.0
Manufacturing and/or growing:												
- cannabis	6.5	20.1	19.4	48.3	5.7	100.0	4.2	15.3	14.0	60.9	5.6	100.0
- other drug	-	22.2	22.2	55.6	-	100.0	25.0	25.0	25.0	-	25.0	100.0
Other	14.0	34.7	25.7	24.8	0.9	100.0	9.7	30.6	15.3	41.7	2.8	100.0
All offences	13.8	29.9	20.6	33.7	2.0	100.0	11.6	24.5	21.4	40.2	2.3	100.0
Driving:												
Cause injury by driving	15.7	25.0	17.6	27.8	13.9	100.0	12.0	28.0	12.0	32.0	16.0	100.0
DUI drink/drug	7.2	25.3	20.0	42.4	5.0	100.0	9.7	12.9	20.4	49.5	7.5	100.0
PCA - high	4.7	16.1	17.1	50.1	12.0	100.0	3.9	12.3	15.1	61.9	6.9	100.0
PCA - medium	9.8	22.3	17.8	39.0	11.2	100.0	7.9	20.4	18.4	45.3	8.0	100.0
PCA - low	11.0	23.0	16.7	37.0	12.2	100.0	12.8	24.0	17.2	40.5	5.5	100.0
Dangerous, reckless or negligent driving	17.8	21.9	15.5	31.3	13.4	100.0	12.5	17.2	15.1	39.2	16.0	100.0
Other	11.5	22.1	19.5	38.9	8.0	100.0	8.1	18.9	18.9	48.3	5.9	100.0
All offences	10.6	21.4	18.1	39.7	10.2	100.0	8.4	18.6	17.7	47.6	7.7	100.0
Other	6.3	18.4	15.2	44.4	15.6	100.0	3.9	14.1	20.3	50.8	10.9	100.0
All offences	12.2	24.4	19.3	37.1	7.0	100.0	10.5	22.2	20.1	41.4	5.8	100.0

* Based on numbers in Tables 1.13a and 1.13b.

TABLE 1.15

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

a Total includes 145 persons for whom bail status was unknown.
b Total includes 357 persons for whom bail status was unknown.
c Total includes 12 persons for whom bail status was unknown.
d Total includes 492 persons for whom bail status was unknown.

e Total includes 287 persons for whom bail status was unknown.
f Total includes 1,056 persons for whom bail status was unknown.
g Total includes 34 persons for whom bail status was unknown.

Note: There were 1,104 persons excluded from this table who were in prison for a previous offence.

Outcome of appearance	Bail status								
	On bail			In gaol/shelter			Total		
	Persons charged	Court delay		Persons charged	Court delay		Persons charged	Court delay	
	Offence to first appearance	First appearance to determination		Offence to first appearance	First appearance to determination		Offence to first appearance	First appearance to determination	
	Number	Median delay (days)		Number	Median delay (days)		Number	Median delay (days)	
Proceeded to defended hearing:									
All charges dismissed	4,891	39.0	97.0	187	19.0	63.0	5,223 ^a	38.0	96.0
Guilty of at least one charge	8,787	42.0	83.0	842	62.0	29.0	9,986 ^b	43.0	77.0
Other*	737	28.0	92.0	40	21.0	43.5	789 ^c	28.0	92.0
Convicted ex parte	19,369	30.0	0.0	148	153.5	6.0	20,009 ^d	30.0	0.0
All charges dismissed without hearing	5,970	48.0	86.0	312	23.0	53.0	6,569 ^e	49.0	83.0
Sentenced after guilty plea	64,496	28.0	0.0	3,667	26.0	7.0	69,219 ^f	28.0	0.0
All charges otherwise disposed of	3,942	35.0	14.0	178	21.0	36.0	4,154 ^g	35.0	14.0

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

TABLE 1.16

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

<i>Statistical Division of residence</i>	<i>Persons charged</i>	
	<i>Number</i>	<i>Rate per 100,000 population</i>
Sydney:		
Inner Sydney	7,376	2,617.8
Eastern Suburbs	3,148	1,292.0
St George – Sutherland	5,449	1,294.4
Canterbury – Bankstown	4,955	1,607.3
Fairfield – Liverpool	6,817	2,078.4
Outer South Western Sydney	5,349	2,401.4
Inner Western Sydney	1,890	1,193.8
Central Western Sydney	5,227	1,815.9
Outer Western Sydney	5,116	1,660.2
Blacktown – Baulkham Hills	7,343	1,938.4
Lower Northern Sydney	2,568	897.8
Hornsby – Ku-ring-gai	1,772	696.7
Northern Beaches	2,667	1,177.2
Gosford – Wyong	4,578	1,627.7
Hunter	8,924	1,573.1
Illawarra	6,107	1,604.3
Richmond – Tweed	4,225	2,043.5
Mid-North Coast	5,919	2,202.9
Northern	4,405	2,504.5
North Western	4,064	3,469.2
Central West	3,812	2,206.1
South Eastern	3,793	2,100.3
Murrumbidgee	3,092	2,074.6
Murray	1,894	1,700.1
Far West	791	3,215.1

Note: Excluded from this table are 3,384 people whose residence was recorded as interstate or overseas, 1,285 people whose residence was unknown/no fixed abode, and 1,103 people who were institutionalised. The population data used to calculate rates are preliminary estimates of population as at 30 June 1998 from the Australian Bureau of Statistics publication, **Population, New South Wales, 30 June 1998**, Catalogue No. 3234.1.

TABLE 1.17

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

<i>Statistical Division of residence</i>	<i>Type of principal offence</i>								
	<i>Against the person</i>	<i>Theft</i>	<i>Property damage</i>	<i>Environmental</i>	<i>Against justice procedures</i>	<i>Against good order</i>	<i>Drug</i>	<i>Driving</i>	<i>Other</i>
	<i>Rate</i>	<i>Rate</i>	<i>Rate</i>	<i>Rate</i>	<i>Rate</i>	<i>Rate</i>	<i>Rate</i>	<i>Rate</i>	<i>Rate</i>
Sydney:									
Inner Sydney	239.6	578.9	67.1	2.5	147.3	187.0	207.3	527.4	18.1
Eastern Suburbs	117.0	219.6	30.0	0.4	68.1	51.3	87.4	452.3	4.5
St George – Sutherland	143.0	196.2	33.0	1.0	68.2	62.0	81.7	463.9	8.6
Canterbury – Bankstown	140.8	259.8	28.5	1.0	89.5	83.7	100.9	500.5	12.3
Fairfield – Liverpool	171.0	340.3	39.0	1.5	138.7	141.5	179.9	646.4	16.2
Outer South Western Sydney	231.7	342.5	67.3	1.3	164.8	140.1	140.5	818.0	13.9
Inner Western Sydney	101.1	212.9	23.4	-	70.7	57.5	80.2	420.0	6.9
Central Western Sydney	170.2	267.5	50.4	0.3	114.6	98.0	126.5	588.5	7.6
Outer Western Sydney	139.2	214.5	44.5	1.6	108.4	84.0	123.3	604.6	8.4
Blacktown – Baulkham Hills	189.8	262.4	54.6	0.3	122.5	99.0	124.9	638.3	10.0
Lower Northern Sydney	66.4	128.7	19.9	1.0	44.1	31.1	50.7	408.0	7.7
Hornsby – Ku-ring-gai	48.4	83.0	17.7	0.4	26.7	38.1	54.6	311.8	6.3
Northern Beaches	102.8	152.3	32.2	1.8	48.1	39.3	51.2	603.4	4.9
Gosford – Wyong	166.0	223.3	53.3	2.5	127.3	72.5	103.5	570.7	12.1

Hunter	202.2	235.1	53.8	1.1	121.6	73.3	95.7	528.8	12.7
Illawarra	199.7	226.7	58.8	1.1	121.6	79.3	106.1	518.0	15.2
Richmond – Tweed	249.1	257.8	68.2	2.4	113.2	152.4	213.8	697.5	8.7
Mid-North Coast	314.5	271.7	100.1	1.1	166.4	182.7	186.1	647.9	18.6
Northern	334.9	268.4	96.7	0.6	171.7	250.2	127.9	739.1	23.3
North Western	526.7	367.9	122.1	1.7	236.5	465.2	147.7	826.3	18.8
Central West	286.5	269.7	79.9	1.7	141.2	211.2	158.0	691.6	11.6
South Eastern	283.5	220.9	99.7	0.6	135.1	207.6	166.1	694.9	34.9
Murrumbidgee	241.5	192.6	88.6	1.3	132.9	203.3	117.4	707.9	18.8
Murray	218.1	153.5	54.8	0.9	123.9	187.6	105.9	539.5	12.6
Far West	650.3	235.7	162.6	12.2	296.7	406.5	174.8	666.6	32.5
New South Wales	191.2	248.0	53.9	1.2	113.2	115.0	119.6	572.3	12.5

Note: Excluded from this table are 2,945 people whose residence was recorded as interstate or overseas, 918 people whose residence was unknown/no fixed abode, and 928 people who were institutionalised.

The population data used to calculate rates are preliminary estimates of population as at 30 June 1998 from the Australian Bureau of Statistics publication, **Population, New South Wales, 30 June 1998**, Catalogue No. 3234.1.

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

<i>Statistical Division of residence of protected person</i>	<i>Domestic</i>		<i>Personal</i>	
	<i>Number</i>	<i>Rate per 100,000 population</i>	<i>Number</i>	<i>Rate per 100,000 population</i>
Sydney:				
Inner Sydney	674	239.2	392	139.1
Eastern Suburbs	394	161.7	168	68.9
St George – Sutherland	780	185.3	237	56.3
Canterbury – Bankstown	476	154.4	133	43.1
Fairfield – Liverpool	861	262.5	297	90.6
Outer South Western Sydney	679	304.8	252	113.1
Inner Western Sydney	206	130.1	56	35.4
Central Western Sydney	546	189.7	188	65.3
Outer Western Sydney	716	232.3	292	94.8
Blacktown – Baulkham Hills	860	227.0	316	83.4
Lower Northern Sydney	284	99.3	107	37.4
Hornsby – Ku-ring-gai	186	73.1	52	20.4
Northern Beaches	240	105.9	90	39.7
Gosford – Wyong	641	227.9	236	83.9
Hunter	1,705	300.5	969	170.8
Illawarra	1,121	294.5	469	123.2
Richmond – Tweed	700	338.6	452	218.6
Mid-North Coast	1,086	404.2	642	238.9
Northern	515	292.8	323	183.6
North Western	574	490.0	362	309.0
Central West	523	302.7	302	174.8
South Eastern	489	270.8	366	202.7
Murrumbidgee	457	306.6	380	255.0
Murray	299	268.4	174	156.2
Far West	182	739.7	107	434.9
New South Wales	15,194	239.6	7,362	116.1

Note: Excluded from this table are 59 orders where the residence of the person was interstate and 42 where the residence was unknown. The population data used to calculate rates are preliminary estimates of population as at 30 June 1998 from the Australian Bureau of Statistics publication, *Population, New South Wales, 30 June 1998*, Catalogue No. 3234.1.

NEW SOUTH WALES CHILDREN'S COURTS

Explanatory notes and tables

EXPLANATORY NOTES: CHILDREN'S COURTS TABLES

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

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

TABLE 2.1:
APPEARANCES AND OFFENCES PROVEN, BY PRINCIPAL OFFENCE

Table 2.1 provides information on the numbers of criminal matters before the Children's Court 1997/1998.

Appearance

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

Offence proven

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

Type of offence

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

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

EXPLANATORY NOTES: CHILDREN'S COURTS TABLES

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

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

TABLE 2.2:
BAIL STATUS AT FINAL APPEARANCE, SEX

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

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

Penalties

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

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

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

EXPLANATORY NOTES: CHILDREN'S COURTS TABLES

'Recognizance' includes recognizance, deferred sentence (s. 55.8), suspended committal and conditional discharge, with supervision and without supervision.

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

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

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

These tables detail the age and gender of all defendants appearing before the Children's Court including both proven and unproven outcome. The age category '18 years and over' which appears in these tables, refers to those alleged offenders who were under 18 years at the time of the alleged offence, but were 18 years or over at the time of the finalisation of the matter.

TABLE 2.1

**PERSONS CHARGED IN CHILDREN'S COURT APPEARANCES
FINALISED, 1997/98:
TYPE OF PRINCIPAL OFFENCE**

<i>Type of principal offence</i>	<i>Persons appearing</i>		<i>Persons with offence proven*</i>	
	<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>
Homicide and related:				
Murder	8	0.1	4	0.0
Attempted murder	8	0.1	8	0.1
Manslaughter	2	0.0	1	0.0
Driving causing death	7	0.0	3	0.0
Total	25	0.2	16	0.1
Other against the person:				
Assault	2,363	15.1	1,726	14.4
Sexual offences	117	0.7	62	0.5
Abduction and related	15	0.1	6	0.1
Other	7	0.0	4	0.0
Total	2,502	16.0	1,798	15.0
Robbery and extortion:				
Robbery	579	3.7	382	3.2
Blackmail and extortion	1	0.0	1	0.0
Total	580	3.7	383	3.2
Theft:				
Break and enter	1,891	12.1	1,524	12.7
Motor vehicle theft	1,314	8.4	1,067	8.9
Theft from a person	120	0.8	88	0.7
Theft from retail premises	516	3.3	437	3.6
Other	1,814	11.6	1,466	12.2
Receiving or handling proceeds of crime	654	4.2	445	3.7
Total	6,309	40.3	5,027	41.9
Fraud/deception	174	1.1	146	1.2
Property damage:				
Property damage by fire or explosion	54	0.3	36	0.3
Other	986	6.3	790	6.6
Environmental pollution	2	0.0	1	0.0
Total	1,042	6.6	827	6.9
Against justice procedures	939	6.0	585	4.9
Against good order	1,375	8.8	1,139	9.5
Drug:				
Possess/use illicit drugs	786	5.0	711	5.9
Deal or traffic in illicit drugs	161	1.0	132	1.1
Manufacture or cultivate illicit drugs	47	0.3	43	0.4
Other	13	0.1	6	0.1
Total	1,007	6.4	892	7.4

TABLE 2.1 cont.

<i>Type of principal offence</i>	<i>Persons appearing</i>		<i>Persons with offence proven*</i>	
	<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>
Driving:				
Driving under the influence of alcohol or drugs	23	0.1	21	0.2
Dangerous or negligent driving	320	2.0	255	2.1
Road, traffic and motor vehicle regulation	330	2.1	315	2.6
Total	673	4.3	591	4.9
Weapons and explosives	150	9.6	117	1.0
Other	896	5.7	470	3.9
Total	15,672	100.0	11,991	100.0

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

TABLE 2.2

**PERSONS CHARGED IN CHILDREN'S COURT APPEARANCES
FINALISED, 1997/98:
BAIL STATUS AT FINAL APPEARANCE, SEX**

<i>Bail status at final appearance</i>	Sex					
	<i>Male</i>		<i>Female</i>		<i>Total</i>	
	<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>
Bail refused	869	6.7	103	3.8	972	6.2
On bail	3,767	29.1	725	26.5	4,492	28.7
Bail dispensed with	216	1.7	31	1.1	247	1.6
Unknown bail status	909	7.0	193	7.0	1,102	7.0
Summons or court attendance notice	7,173	55.5	1,686	61.6	8,859	56.5
Total	12,934	100.0	2,738	100.0	15,672	100.0

TABLE 2.3

**PERSONS WITH OFFENCE PROVEN IN CHILDREN'S COURT APPEARANCES FINALISED, 1997/98:
TYPE OF PRINCIPAL OFFENCE, PENALTY FOR PRINCIPAL OFFENCE**

<i>Type of principal offence</i>	<i>Penalty for principal offence</i>									
	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>Total</i>
Homicide and related:										
Murder	-	-	-	-	-	-	-	-	-	4
Attempted murder	-	1	-	-	-	1	-	-	-	8
Manslaughter	-	-	-	-	-	-	-	-	1	1
Driving causing death	2	-	-	-	-	-	-	-	1	3
Total	2	1	-	-	-	1	-	-	12	16
Other against the person:										
Assault	160	156	339	36	132	549	304	50	58	1,726
Sexual offences	3	1	27	-	-	18	6	7	-	62
Abduction and related	1	3	-	-	-	-	1	1	-	6
Other	-	2	-	-	1	1	-	-	-	4
Total	164	162	366	36	133	568	311	58	58	1,798
Robbery and extortion:										
Robbery	80	116	107	1	-	52	10	16	-	382
Blackmail and extortion	-	-	-	-	-	1	-	-	-	1
Total	80	116	107	1	-	53	10	16	-	383

Theft:	177	216	341	11	31	471	227	50	1,524
Break and enter	103	97	155	15	55	351	257	34	1,067
Motor vehicle theft	10	8	19	1	5	31	10	4	88
Theft from a person	6	7	48	4	91	107	150	24	437
Theft from retail premises	61	57	201	17	222	430	431	47	1,466
Other	15	24	66	9	96	122	104	9	445
Receiving or handling proceeds of crime	372	409	830	57	500	1,512	1,179	168	5,027
Total	1	7	13	5	23	47	43	7	146
Fraud/deception									
Property:									
Property damage by fire or explosion	2	5	2	-	1	16	7	3	36
Other	21	36	72	3	141	232	213	72	790
Environmental pollution	-	-	-	-	-	-	1	-	1
Total	23	41	74	3	142	248	221	75	827
Against justice procedures	122	34	81	4	83	77	144	40	585
Against good order	10	24	48	7	446	195	390	19	1,139
Drug:									
Possess/use illicit drugs	11	7	50	4	227	127	277	8	711
Deal or traffic in illicit drugs	15	16	27	2	5	42	24	1	132
Manufacture or cultivate illicit drugs	1	3	3	-	10	12	14	-	43
Other	-	-	-	-	4	-	2	-	6
Total	27	26	80	6	246	181	317	9	892
Driving:									
Driving under the influence of alcohol or drugs	1	1	4	1	1	4	3	6	21
Dangerous or negligent driving	42	36	44	2	22	49	23	37	255
Road, traffic and motor vehicle regulation	2	9	5	2	92	36	49	120	315
Total	45	46	53	5	115	89	75	163	591
Weapons and explosives	6	6	10	2	19	35	38	1	117
Other	20	1	11	-	25	17	32	364	470
Total	872	873	1,673	126	1,732	3,023	2,760	932	11,991

TABLE 2.4

PERSONS CHARGED IN CHILDREN'S COURT APPEARANCES FINALISED, 1997/98:
SEX, TYPE OF PRINCIPAL OFFENCE, AGE

<i>Type of principal offence</i>	<i>Sex: Total male and female</i>									
	<i>Age (years)</i>									<i>Total</i>
	<i>10</i>	<i>11</i>	<i>12</i>	<i>13</i>	<i>14</i>	<i>15</i>	<i>16</i>	<i>17</i>	<i>18 and over</i>	
	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>
Homicide and related:										
Murder	-	-	-	-	-	-	-	7	1	8
Attempted murder	-	-	-	-	-	3	2	2	1	8
Manslaughter	-	-	-	-	-	-	1	-	1	2
Driving causing death	-	-	-	-	2	-	-	1	4	7
Total	-	-	-	-	2	3	3	10	7	25
Other against the person:										
Assault	5	15	49	94	233	441	555	647	324	2,363
Sexual offences	1	1	-	5	15	24	23	19	29	117
Abduction and related	-	-	-	-	-	2	3	6	4	15
Other	-	-	-	-	-	1	3	2	1	7
Total	6	16	49	99	248	468	584	674	358	2,502
Robbery and extortion:										
Robbery	1	1	7	19	79	105	150	147	70	579
Blackmail and extortion	-	-	-	-	-	1	-	-	-	1
Total	1	1	7	19	79	106	150	147	70	580

Theft offences:										
Break and enter	8	19	54	102	270	384	444	434	176	1,891
Motor vehicle theft	-	8	13	61	162	287	340	341	102	1,314
Theft from a person	1	2	5	5	6	25	24	29	23	120
Theft from retail premises	2	3	12	45	94	98	103	125	34	516
Other	6	18	53	122	251	370	413	429	152	1,814
Receiving or handling proceeds of crime	-	2	7	17	65	111	157	207	88	654
Total	17	52	144	352	848	1,275	1,481	1,565	575	6,309
Fraud/deception	-	-	-	-	5	25	31	66	47	174
Property damage:										
Property damage by fire or explosion	2	2	3	1	7	11	15	11	2	54
Other	4	12	32	48	120	190	223	253	104	986
Environmental pollution	-	-	-	-	-	-	1	1	-	2
Total	6	14	35	49	127	201	239	265	106	1,042
Against justice procedures	-	4	13	15	52	120	183	259	293	939
Against good order	4	8	10	40	123	254	353	459	124	1,375
Drug:										
Possess/use illicit drugs	-	-	5	19	49	119	198	317	79	786
Deal or traffic in illicit drugs	-	-	2	3	10	31	49	41	25	161
Manufacture or cultivate illicit drugs	-	-	-	1	3	3	9	28	3	47
Other	-	-	-	-	3	-	3	6	1	13
Total	-	-	7	23	65	153	259	392	108	1,007
Driving:										
Driving under the influence of alcohol or drugs	-	-	-	1	-	2	7	8	5	23
Dangerous or negligent driving	-	-	1	10	23	68	61	116	41	320
Road, traffic and motor vehicle regulation	1	-	-	-	15	34	75	165	40	330
Total	1	-	1	11	38	104	143	289	86	673
Weapons and explosives	-	2	1	3	10	35	35	52	12	150
Other	-	20	22	65	102	177	209	260	41	896
Total	35	117	289	676	1,699	2,921	3,670	4,438	1,827	15,672

TABLE 2.4a

**PERSONS CHARGED IN CHILDREN'S COURT APPEARANCES FINALISED, 1997/98:
SEX, TYPE OF PRINCIPAL OFFENCE, AGE**

<i>Type of principal offence</i>	<i>Sex: Male</i>									
	<i>Age (years)</i>									
	<i>10</i>	<i>11</i>	<i>12</i>	<i>13</i>	<i>14</i>	<i>15</i>	<i>16</i>	<i>17</i>	<i>18 and over</i>	<i>Total</i>
	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>
Homicide and related:										
Murder	-	-	-	-	-	-	-	7	1	8
Attempted murder	-	-	-	-	-	3	2	2	1	8
Manslaughter	-	-	-	-	-	-	1	-	1	2
Driving causing death	-	-	-	-	2	-	-	1	4	7
Total	-	-	-	-	2	3	3	10	7	25
Other against the person:										
Assault	5	15	38	81	141	318	426	505	263	1,792
Sexual offences	1	1	-	4	15	24	22	19	29	115
Abduction and related	-	-	-	-	-	2	3	5	4	14
Other	-	-	-	-	-	-	3	2	1	6
Total	6	16	38	85	156	344	454	531	297	1,927
Robbery and extortion:										
Robbery	1	1	6	16	56	83	129	129	67	488
Blackmail and extortion	-	-	-	-	-	1	-	-	-	1
Total	1	1	6	16	56	84	129	129	67	489

Theft:										
Break and enter	8	18	53	86	248	352	401	403	164	1,733
Motor vehicle theft	-	8	13	51	129	229	300	310	95	1,135
Theft from a person	1	2	4	4	6	21	24	28	20	110
Theft from retail premises	1	3	7	27	55	59	72	89	20	333
Other	6	17	49	88	195	296	335	340	125	1,451
Receiving or handling proceeds of crime	-	2	7	12	60	94	125	168	77	545
Total	16	50	133	268	693	1,051	1,257	1,338	501	5,307
Fraud/deception	-	-	-	-	3	17	17	43	22	102
Property damage:										
Property damage by fire or explosion	2	2	2	1	7	9	15	10	2	50
Other	3	11	28	40	99	161	201	219	92	854
Environmental pollution	-	-	-	-	-	-	1	1	-	2
Total	5	13	30	41	106	170	217	230	94	906
Against justice procedures	-	4	9	15	36	91	151	210	240	756
Against good order	4	8	9	32	97	209	286	396	107	1,148
Drug:										
Possess/use illicit drugs	-	-	4	14	40	100	170	280	64	672
Deal or traffic in illicit drugs	-	-	2	2	8	25	42	38	22	139
Manufacture or cultivate illicit drugs	-	-	-	1	2	3	7	25	2	40
Other	-	-	-	-	2	-	2	5	1	10
Total	-	-	6	17	52	128	221	348	89	861
Driving:										
Driving under the influence of alcohol or drugs	-	-	-	-	-	2	6	8	5	21
Dangerous or negligent driving	-	-	1	9	22	65	53	108	36	294
Road, traffic and motor vehicle regulation	1	-	-	-	14	30	68	154	37	304
Total	1	-	1	9	36	97	127	270	78	619
Weapons and explosives	-	2	1	2	10	33	34	50	12	144
Other	-	13	12	46	60	137	145	203	34	650
Total	33	107	245	531	1,307	2,364	3,041	3,758	1,548	12,934

TABLE 2.4b

PERSONS CHARGED IN CHILDREN'S COURT APPEARANCES FINALISED, 1997/98:
SEX, TYPE OF PRINCIPAL OFFENCE, AGE

<i>Type of principal offence</i>	<i>Sex: Female</i>									
	<i>Age (years)</i>									
	<i>10</i>	<i>11</i>	<i>12</i>	<i>13</i>	<i>14</i>	<i>15</i>	<i>16</i>	<i>17</i>	<i>18 and over</i>	<i>Total</i>
	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>
Homicide and related:										
Murder	-	-	-	-	-	-	-	-	-	0
Attempted murder	-	-	-	-	-	-	-	-	-	0
Manslaughter	-	-	-	-	-	-	-	-	-	0
Driving causing death	-	-	-	-	-	-	-	-	-	0
Total	-	-	-	-	-	-	-	-	-	0
Other against the person:										
Assault	-	-	11	13	92	123	129	142	61	571
Sexual offences	-	-	-	1	-	-	1	-	-	2
Abduction and related	-	-	-	-	-	-	-	1	-	1
Other against the person	-	-	-	-	-	1	-	-	-	1
Total	-	-	11	14	92	124	130	143	61	575
Robbery and extortion:										
Robbery	-	-	1	3	23	22	21	18	3	91
Blackmail and extortion	-	-	-	-	-	-	-	-	-	0
Total	-	-	1	3	23	22	21	18	3	91

Theft:										
Break and enter	-	1	1	16	22	32	43	31	12	158
Motor vehicle theft	-	-	-	10	33	58	40	31	7	179
Theft from a person	-	-	1	1	-	4	-	1	3	10
Theft from retail premises	1	-	5	18	39	39	31	36	14	183
Other theft	-	1	4	34	56	74	78	89	27	363
Receiving or handling proceeds of crime	-	-	-	5	5	17	32	39	11	109
Total	1	2	11	84	155	224	224	227	74	1,002
Fraud/deception	-	-	-	-	2	8	14	23	25	72
Property damage:										
Property damage by fire or explosion	-	-	1	-	-	2	-	1	-	4
Other	1	1	4	8	21	29	22	34	12	132
Environmental pollution	-	-	-	-	-	-	-	-	-	0
Total	1	1	5	8	21	31	22	35	12	136
Against justice procedures	-	-	4	-	16	29	32	49	53	183
Against good order	-	-	1	8	26	45	67	63	17	227
Drug:										
Possess/use illicit drugs	-	-	1	5	9	19	28	37	15	114
Deal or traffic in illicit drugs	-	-	-	1	2	6	7	3	3	22
Manufacture or cultivate illicit drugs	-	-	-	-	1	-	2	3	1	7
Other	-	-	-	-	1	-	1	1	-	3
Total	-	-	1	6	13	25	38	44	19	146
Driving:										
Driving under the influence of alcohol or drugs	-	-	-	1	-	-	1	-	-	2
Dangerous or negligent driving	-	-	-	1	1	3	8	8	5	26
Road, traffic and motor vehicle regulation	-	-	-	-	1	4	7	11	3	26
Total	-	-	-	2	2	7	16	19	8	54
Weapons and explosives	-	-	-	1	-	2	1	2	-	6
Other	-	7	10	19	42	40	64	57	7	246
Total	2	10	44	145	392	557	629	680	279	2,738

NEW SOUTH WALES HIGHER COURTS

Explanatory notes and tables

EXPLANATORY NOTES: HIGHER COURTS TABLES

TABLES 3.1 AND 3.2: CASES APPEARING IN HIGHER CRIMINAL COURTS

Jurisdiction

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

Registry

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

Case

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

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

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

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

Committal

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

EXPANATORY NOTES: HIGHER COURTS TABLES

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

Persons charged

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

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

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

Year of committal

Year of committal is included to provide some indication of the length of time cases normally require to be processed in the Higher Courts. More detailed information on this subject is provided in Tables 3.14a to 3.14h.

Type of offence

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

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

- a) *Sexual offences against children* are shown separately from the general *sexual assault* category. Some charges which have been laid under Section 61I (*sexual intercourse without consent*) and Section 61L (*indecent assault*) of the *Crimes Act 1900*, however, may have involved child victims. Since such offences are counted in the *sexual assault* category in this report, the frequency within the *sexual offences against children* classification is subject to undercounting.
- b) The drug offence categories include substance type as a part of the offence category. This is so that sentences for offences involving different drug types can be separately examined.

EXPANATORY NOTES: HIGHER COURTS TABLES

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

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

TABLE 3.5:
NUMBER OF OFFENCES CHARGED

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

TABLE 3.6:
OUTCOME OF CHARGE

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

Proceeded to trial

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

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

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

EXPLANATORY NOTES: HIGHER COURTS TABLES

Proceeded to sentence only

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

No charges proceeded with

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

All charges otherwise disposed of

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

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

Persons found guilty

Persons found guilty are those persons who, for at least one offence charged, either pleaded guilty or were found guilty by trial.

Principal offence

Appendix 1 provides explanations of the penalty types. Penalties shown in the tables indicate the *principal penalty* imposed on the *principal offence*. The *principal offence* is defined to be that offence charged which received the most serious penalty according to the following rules:

- a) Where an offender was found guilty of more than one offence, that offence which received the most serious penalty type is the principal offence. Appendix 2 lists the hierarchy of penalty type seriousness used for this calculation.
- b) Where there were two or more offences which received the same penalty type, that offence which received the greatest quantum of that penalty type is the principal offence.
- c) If there was more than one offence which received the same quantum of the same penalty type, the last of these offences recorded on the indictment is selected as the principal offence.
- d) Where an offence received more than one penalty, a *principal penalty* for that offence is first calculated following the rules set out above. The determination of principal offence is thus calculated on the principal penalty for each offence.

EXPLANATORY NOTES: HIGHER COURTS TABLES

Quantum of penalty

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

Duration of imprisonment

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

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

TABLE: 3.10:
PRIOR CONVICTIONS

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

No prior convictions

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

Prior convictions, not of the same type

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

Prior convictions of the same type

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

Prior convictions of the same type, with imprisonment

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

EXPLANATORY NOTES: HIGHER COURTS TABLES

**TABLE 3.13:
BAIL STATUS**

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

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

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

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

Arrest to committal

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

Committal to outcome

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

Outcome to sentence

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

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

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

EXPANATORY NOTES: HIGHER COURTS TABLES

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

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

The appeal outcome categories are as follows:

Appeal upheld for all matters

This category indicates that:

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

Appeal dismissed/withdrawn for all matters

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

Appeal upheld for some matters

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

Other

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

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

<i>Registry</i>	<i>Type of committal</i>					
	<i>Committed for trial</i>		<i>Committed for sentence</i>		<i>Total</i>	
	<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>
Supreme Court	98	3.4	2	0.2	100	2.7
District Court:						
Dubbo	156	5.4	33	3.8	189	5.0
Lismore	188	6.5	33	3.8	221	5.9
Newcastle	416	14.3	125	14.5	541	14.4
Sydney	672	23.1	261	30.3	933	24.8
Sydney West	1,006	34.7	298	34.6	1,304	34.6
Wagga Wagga	138	4.8	33	3.8	171	4.5
Wollongong	229	7.9	77	8.9	306	8.1
Total	2,903	100.0	862	100.0	3,765	100.0

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

<i>Registry, Type of committal</i>		<i>Method of finalisation</i>									
		<i>Proceeded to trial</i>		<i>Proceeded to sentence only</i>		<i>No charges proceeded with</i>		<i>All charges otherwise disposed of</i>		<i>Total</i>	
		<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>
Supreme Court	- committed for trial	61	61.0	30	30.0	6	6.0	3	3.0	100	100.0
	- committed for sentence	-	-	1	100.0	-	-	-	-	1	100.0
District Court											
Dubbo	- committed for trial	76	42.9	77	43.5	13	7.3	11	6.2	177	100.0
	- committed for sentence	-	-	24	85.7	1	3.6	3	10.7	28	100.0
Lismore	- committed for trial	55	23.7	116	50.0	39	16.8	22	9.5	232	100.0
	- committed for sentence	-	-	27	93.1	-	-	2	6.9	29	100.0
Newcastle	- committed for trial	143	32.4	214	48.4	52	11.8	33	7.5	442	100.0
	- committed for sentence	-	-	122	97.6	-	-	3	2.4	125	100.0
Sydney	- committed for trial	268	34.7	334	43.3	100	13.0	70	9.1	772	100.0
	- committed for sentence	-	-	235	95.1	-	-	12	4.9	247	100.0
Sydney West	- committed for trial	266	26.3	517	51.1	135	13.4	93	9.2	1,011	100.0
	- committed for sentence	-	-	247	94.6	-	-	14	5.4	261	100.0
Wagga Wagga	- committed for trial	20	23.3	51	59.3	12	14.0	3	3.5	86	100.0
	- committed for sentence	-	-	23	100.0	-	-	-	-	23	100.0
Wollongong	- committed for trial	49	24.3	107	53.0	27	13.4	19	9.4	202	100.0
	- committed for sentence	-	-	75	91.5	-	-	7	8.5	82	100.0
All Registries	- committed for trial	938	31.0	1,446	47.8	384	12.7	254	8.4	3,022	100.0
	- committed for sentence	-	-	754	94.7	1	0.1	41	5.2	796	100.0
Total		938	24.6	2,200	57.6	385	10.1	295	7.7	3,818	100.0

TABLE 3.3

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

<i>Year of committal</i>	<i>Jurisdiction</i>											
	<i>Supreme Court</i>				<i>District Court</i>				<i>Total</i>			
	<i>Type of committal</i>											
	<i>Committed for trial</i>		<i>Committed for sentence</i>		<i>Committed for trial</i>		<i>Committed for sentence</i>		<i>Committed for trial</i>		<i>Committed for sentence</i>	
	<i>Cases finalised</i>	<i>Persons charged</i>	<i>Cases finalised</i>	<i>Persons charged</i>	<i>Cases finalised</i>	<i>Persons charged</i>	<i>Cases finalised</i>	<i>Persons charged</i>	<i>Cases finalised</i>	<i>Persons charged</i>	<i>Cases finalised</i>	<i>Persons charged</i>
1994 or earlier	2	2	0	0	57	64	2	2	59	66	2	2
1995	11	13	0	0	101	112	4	4	112	125	4	4
1996	32	38	0	0	358	391	5	5	390	429	5	5
1997	49	53	1	1	1,511	1,586	253	261	1,560	1,639	254	262
1998	6	8	0	0	891	918	531	536	897	926	531	536
Unknown	0	0	0	0	4	4	0	0	4	4	0	0
Total	100	114	1	1	2,922	3,075	795	808	3,022	3,189	796	809

TABLE 3.4

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

<i>Type of offence charged</i>	<i>Persons* charged</i>	<i>Charges</i>
	<i>Number</i>	<i>Number</i>
Against the person:		
Murder	96	99
Manslaughter	57	57
Attempt, intent to murder	49	49
Assault	744	965
Sexual assault	571	852
Sexual offences against children	479	910
Other	126	132
Total	1,747	3,064
Robbery and extortion:		
Robbery	922	1,135
Blackmail and extortion	53	54
Total	960	1,189
Theft:		
Break and enter	449	588
Fraud and misappropriation	250	451
Unlawful possession	123	144
Vehicle theft	194	212
Other	122	133
Total	946	1,528
Property damage	99	111
Against justice procedures	210	228
Weapons	114	157
Against good order	57	63

TABLE 3.4 continued

<i>Type of offence charged</i>	<i>Persons*</i>	<i>Charges</i>
	<i>Number</i>	<i>Number</i>
Drug:		
Possession and/or use:		
- opiates	5	5
- cannabis	17	18
- other drug	19	20
Dealing and trafficking:		
- opiates	118	151
- cannabis	79	89
- other drug	206	255
Manufacturing and/or growing:		
- cannabis	62	67
- other drug	12	14
Import/export	96	104
Other	2	2
Total	539	725
Driving:		
Cause death by driving	98	111
Cause injury by driving	13	14
Other	14	19
Total	114	144
Against prison rules	35	35
Other	20	39
Total	3,998	7,283

* 'Persons charged' counts the number of people charged with the specified offence. A person who is charged with more than one offence within an offence group (for example, a person charged with both break and enter and vehicle theft) is counted **only once** in the offence group total. Hence the numbers within an offence group do not sum to the offence group total. The grand total is a count of the total number of distinct persons charged in Local Court appearances. For 'charges', all totals simply sum over the categories.

TABLE 3.5

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

<i>Number of offences charged</i>	<i>Persons charged</i>	
	<i>Number</i>	<i>%</i>
1	1,637	40.9
2	1,271	31.8
3	588	14.7
4	242	6.1
5	134	3.4
6	56	1.4
7	26	0.7
8	15	0.4
9	9	0.2
10 or more	20	0.5

TABLE 3.6

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

<i>Outcome of charge</i>	<i>Jurisdiction</i>					
	<i>Supreme Court</i>		<i>District Court</i>		<i>Total</i>	
	<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>
Proceeded to trial:						
Acquitted of all charges	20	17.4	497	12.8	517	12.9
Found guilty of at least one charge	37	32.2	379	9.8	416	10.4
Other*	5	4.3	35	0.9	40	1.0
Proceeded to sentence only	36	31.3	2,261	58.2	2,297	57.5
No charges proceeded with	13	11.3	407	10.5	420	10.5
All charges otherwise disposed of	4	3.5	304	7.8	308	7.7
Total	115	100.0	3,883	100.0	3,998	100.0

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

TABLE 3.7

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

Type of principal offence	Penalty for principal offence														Total
	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	
	Imprisonment	Home detention	Detention in juvenile institution	Periodic detention	Community Service Order	Recognition with supervision	Recognition without supervision	Recognition without conviction	Fine	Rising of the court	No conviction recorded				
Against the person:															
Murder	31	-	-	-	-	-	-	-	-	-	-	-	-	31	
Manslaughter	32	-	3	-	-	1	-	-	-	-	-	-	-	36	
Attempt, intent to murder	5	-	-	-	-	-	-	-	-	-	-	-	-	5	
Assault	159	4	5	40	42	55	41	8	3	4	3	-	-	364	
Sexual assault	116	-	1	10	17	9	7	-	1	-	6	-	-	167	
Sexual offences against children	152	-	2	22	16	25	12	1	-	-	5	-	-	235	
Other	26	-	-	3	6	3	-	-	-	-	-	-	-	38	
Total	521	4	11	75	81	93	60	9	4	4	14	-	-	876	
Robbery and extortion:															
Robbery	494	3	12	26	48	36	8	-	-	-	-	-	-	627	
Blackmail and extortion	17	-	-	1	5	4	1	-	-	-	-	-	-	28	
Total	511	3	12	27	53	40	9	-	-	-	-	-	-	655	
Theft:															
Break and enter	191	2	1	16	26	23	7	-	-	1	-	-	-	267	
Fraud and misappropriation	72	9	-	28	30	13	21	2	3	-	-	-	-	178	
Unlawful possession	35	2	-	3	9	9	6	1	-	1	-	-	-	66	
Vehicle theft	16	-	-	1	2	4	3	-	-	-	-	-	-	26	
Other	17	-	-	1	5	6	5	-	-	-	-	-	-	34	
Total	331	13	1	49	72	55	42	3	3	2	-	-	-	571	

Property damage	13	-	-	5	6	9	4	-	-	-	1	38
Against justice procedures	49	-	-	8	11	15	12	1	-	-	1	97
Weapons	21	-	-	1	2	9	3	-	-	-	-	36
Against good order	7	-	-	3	1	3	1	-	-	-	-	15
Drug:												
Possession and/or use:												
- opiates	-	-	-	-	-	-	-	-	-	-	-	0
- cannabis	-	-	-	-	-	-	-	-	-	-	-	0
- other drug	-	-	-	-	-	1	1	-	-	1	-	3
Dealing and trafficking:												
- opiates	74	-	-	7	7	5	2	-	-	-	-	95
- cannabis	16	-	-	12	8	6	3	-	-	-	-	45
- other drug	55	1	-	21	23	18	6	-	1	-	-	125
Manufacturing and/or growing:												
- cannabis	14	1	-	5	7	2	1	-	-	-	-	30
- other drug	3	-	-	1	1	1	2	-	1	-	-	9
Import/export	71	-	-	2	-	-	-	-	-	-	-	73
Other	-	-	-	-	-	-	-	-	-	-	-	0
Total	233	2	-	48	46	33	15	-	2	1	-	380
Driving:												
Cause death by driving	31	4	2	10	7	-	1	-	-	-	-	55
Cause injury by driving	-	-	-	-	1	1	2	-	-	-	-	4
Other	-	-	-	-	-	-	1	1	1	-	1	4
Total	31	4	2	10	8	1	4	1	1	-	1	63
Against prison rules	13	-	-	-	-	-	-	-	-	-	-	13
Other	6	-	-	1	1	-	-	1	-	-	-	9
Total	1,736	26	26	227	281	258	150	15	10	7	17	2,753

TABLE 3.8

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

<i>Type of principal offence</i>	<i>Penalty for principal offence</i>								
	<i>Imprisonment</i>	<i>Home detention</i>	<i>Detention in juvenile institution</i>	<i>Periodic detention</i>	<i>Community Service Order</i>	<i>Recognizance</i>	<i>Fine</i>	<i>Other</i>	<i>All penalties</i>
	%	%	%	%	%	%	%	%	%
Against the person:									
Murder	100.0	-	-	-	-	-	-	-	100.0
Manslaughter	88.9	-	8.3	-	-	2.8	-	-	100.0
Attempt, intent to murder	100.0	-	-	-	-	-	-	-	100.0
Assault	43.7	1.1	1.4	11.0	11.5	28.6	0.8	1.9	100.0
Sexual assault	69.5	-	0.6	6.0	10.2	9.6	0.6	3.6	100.0
Sexual offences against children	64.7	-	0.9	9.4	6.8	16.2	-	2.1	100.0
Other	68.4	-	-	7.9	15.8	7.9	-	-	100.0
All offences	59.5	0.5	1.3	8.6	9.2	18.5	0.5	2.1	100.0
Robbery and extortion:									
Robbery	78.8	0.5	1.9	4.1	7.7	7.0	-	-	100.0
Blackmail and extortion	60.7	-	-	3.6	17.9	17.9	-	-	100.0
All offences	78.0	0.5	1.8	4.1	8.1	7.5	-	-	100.0
Theft:									
Break and enter	71.5	0.7	0.4	6.0	9.7	11.2	-	0.4	100.0
Fraud and misappropriation	40.4	5.1	-	15.7	16.9	20.2	1.7	-	100.0
Unlawful possession	53.0	3.0	-	4.5	13.6	24.2	-	1.5	100.0
Vehicle theft	61.5	-	-	3.8	7.7	26.9	-	-	100.0
Other	50.0	-	-	2.9	14.7	32.4	-	-	100.0
All offences	58.0	2.3	0.2	8.6	12.6	17.5	0.5	0.4	100.0

Property damage	34.2	-	-	13.2	15.8	34.2	-	2.6	100.0
Against justice procedures	50.5	-	-	8.2	11.3	28.9	-	1.0	100.0
Weapons	58.3	-	-	2.8	5.6	33.3	-	-	100.0
Against good order	46.7	-	-	20.0	6.7	26.7	-	-	100.0
Drug:									
Possession and/or use:									
- opiates	-	-	-	-	-	-	-	-	-
- cannabis	-	-	-	-	-	-	-	-	-
- other drug	-	-	-	-	-	66.7	-	33.3	100.0
Dealing and trafficking:									
- opiates	77.9	-	-	7.4	7.4	7.4	-	-	100.0
- cannabis	35.6	-	-	26.7	17.8	20.0	-	-	100.0
- other drug	44.0	0.8	-	16.8	18.4	19.2	0.8	-	100.0
Manufacturing and/or growing:									
- cannabis	46.7	3.3	-	16.7	23.3	10.0	-	-	100.0
- other drug	33.3	-	-	11.1	11.1	33.3	11.1	-	100.0
Import/export	97.3	-	-	2.7	-	-	-	-	100.0
Other	-	-	-	-	-	-	-	-	-
All offences	61.3	0.5	-	12.6	12.1	12.6	0.5	0.3	100.0
Driving:									
Cause death by driving	56.4	7.3	3.6	18.2	12.7	1.8	-	-	100.0
Cause injury by driving	-	-	-	-	25.0	75.0	-	-	100.0
Other	-	-	-	-	-	50.0	25.0	25.0	100.0
All offences	49.2	6.3	3.2	15.9	12.7	9.5	1.6	1.6	100.0
Against prison rules	100.0	-	-	-	-	-	-	-	100.0
Other	66.7	-	-	11.1	11.1	11.1	-	-	100.0
All offences	63.1	0.9	0.9	8.2	10.2	15.4	0.4	0.9	100.0

TABLE 3.9

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

<i>Type of principal offence</i>	<i>Penalty for principal offence</i>						
	<i>Imprisonment</i>	<i>Home detention</i>	<i>Detention in juvenile institution</i>	<i>Periodic detention</i>	<i>Community Service Order</i>	<i>Recognizance</i>	<i>Fine</i>
	<i>Average months</i>	<i>Average months</i>	<i>Average months</i>	<i>Average months</i>	<i>Average hours</i>	<i>Average months</i>	<i>Average \$</i>
Against the person:							
Murder	154.7	-	-	-	-	-	-
Manslaughter	54.5	-	51.7	-	-	36.0	-
Attempt, intent to murder	69.0	-	-	-	-	-	-
Assault	20.6	14.0	7.8	17.4	283.3	28.5	1,667
Sexual assault	36.2	-	36.0	21.6	350.6	28.5	300
Sexual offences against children	31.5	-	15.0	21.9	328.1	37.9	-
Other	25.2	-	-	12.0	308.3	36.0	-
All offences	37.3	14.0	23.6	19.1	308.1	30.9	1,325
Robbery and extortion:							
Robbery	26.7	7.3	15.1	21.7	357.8	31.8	-
Blackmail and extortion	24.8	-	-	24.0	390.0	24.0	-
All offences	26.6	7.3	15.1	21.8	360.8	31.0	-
Theft:							
Break and enter	20.2	5.0	18.0	16.0	319.2	29.0	-
Fraud and misappropriation	24.9	12.8	-	17.3	325.0	34.1	44,912
Unlawful possession	16.0	6.0	-	16.0	300.0	27.0	-
Vehicle theft	21.6	-	-	24.0	375.0	25.7	-
Other	12.1	-	-	36.0	220.0	22.9	-
All offences	20.2	10.5	18.0	17.3	313.9	29.6	44,912

Property damage	10.4	-	-	23.4	383.3	34.2	-
Against justice procedures	17.3	-	-	14.4	345.5	31.5	-
Weapons	20.0	-	-	24.0	500.0	34.0	-
Against good order	13.3	-	-	12.0	300.0	36.0	-
Drug:							
Possession and/or use:							
- opiates	-	-	-	-	-	-	-
- cannabis	-	-	-	-	-	-	-
- other drug	-	-	-	-	-	15.0	-
Dealing and trafficking:							
- opiates	27.5	-	-	16.6	414.3	27.4	-
- cannabis	15.8	-	-	19.3	368.8	29.3	-
- other drug	21.4	9.0	-	19.1	319.6	32.0	2,000
Manufacturing and/or growing:							
- cannabis	22.1	9.0	-	18.2	351.4	34.0	-
- other drug	24.0	-	-	18.0	250.0	32.0	200
Import/export	45.0	-	-	21.0	-	-	-
Other	-	-	-	-	-	-	-
All offences	23.8	9.0	-	18.8	345.9	30.3	1,100
Driving:							
Cause death by driving	30.4	12.8	22.5	22.5	352.7	36.0	-
Cause injury by driving	-	-	-	-	300.0	36.0	-
Other	-	-	-	-	-	12.0	500
All offences	30.4	12.8	22.5	22.5	346.1	28.0	500
Against prison rules	11.1	-	-	-	-	-	-
Other	21.7	-	-	24.0	300.0	12.0	-
All offences	28.0	10.9	19.4	19.0	331.2	30.7	14,274

TABLE 3.10**PERSONS FOUND GUILTY IN TRIAL AND SENTENCE CASES FINALISED:
TYPE OF PRINCIPAL OFFENCE, PRIOR CONVICTIONS**

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

<i>Type of principal offence</i>	<i>Prior convictions</i>									
	<i>No prior convictions</i>		<i>Prior convictions not of same type</i>		<i>Prior convictions of same type</i>		<i>Prior convictions of same type with imprisonment</i>		<i>Total</i>	
	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>
Against the person	385	34.1	289	25.6	267	23.6	188	16.7	1,129	100.0
Driving	44	69.8	5	7.9	14	22.2	-	-	63	100.0
Drug	185	49.9	64	17.3	83	22.4	39	10.5	371	100.0
Fraud	119	66.9	31	17.4	14	7.9	14	7.9	178	100.0
Property	94	21.8	25	5.8	106	24.6	206	47.8	431	100.0
Sex	202	50.2	133	33.1	24	6.0	43	10.7	402	100.0
Other	71	39.7	108	60.3	-	-	-	-	179	100.0
Total	1,100	40.0	655	23.8	508	18.5	490	17.8	2,753	100.0

TABLES

continue on the next page...

TABLE 3.11

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

<i>Type of principal offence</i>	<i>Sex: Total male and female</i>												<i>Average age</i> Years
	<i>Age (years)</i>												
	<i>Under 18</i>	<i>18</i>	<i>19</i>	<i>20-24</i>	<i>25-29</i>	<i>30-39</i>	<i>40-49</i>	<i>50-59</i>	<i>60-65</i>	<i>Over 65</i>	<i>Unknown</i>	<i>Total</i>	
	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	
Against the person:													
Murder	2	3	2	5	3	9	5	1	-	1	-	31	31.3
Manslaughter	3	3	5	7	3	6	4	3	-	2	-	36	31.9
Attempt, intent to murder	-	-	-	2	-	3	-	-	-	-	-	5	29.8
Assault	9	35	23	106	56	85	32	12	4	2	-	364	28.9
Sexual assault	5	4	6	13	19	44	45	22	3	6	-	167	38.7
Sexual offences against children	5	7	4	9	13	50	74	37	18	18	-	235	44.1
Other	-	1	2	3	9	17	6	-	-	-	-	38	32.4
Total	24	53	42	145	103	214	166	75	25	29	-	876	35.2
Robbery and extortion:													
Robbery	32	63	73	202	128	113	14	1	1	-	-	627	25.0
Blackmail and extortion	-	3	4	5	6	6	3	1	-	-	-	28	28.2
Total	32	66	77	207	134	119	17	2	1	-	-	655	25.2
Theft:													
Break and enter	3	14	19	78	67	62	22	2	-	-	-	267	27.8
Fraud and misappropriation	-	1	1	10	31	44	33	32	4	9	13	178	40.6
Unlawful possession	-	1	4	14	19	14	10	4	-	-	-	66	31.6
Vehicle theft	1	3	1	7	5	7	2	-	-	-	-	26	27.0
Other	4	1	2	11	6	7	2	1	-	-	-	34	27.4
Total	8	20	27	120	128	134	69	39	4	9	13	571	32.0

Property damage	-	1	4	7	8	13	3	-	1	1	-	38	31.1
Against justice procedures	-	5	9	24	12	26	14	3	2	1	1	97	31.5
Weapons	-	3	2	6	10	9	3	1	2	-	-	36	31.1
Against good order	-	2	1	-	4	4	3	1	-	-	-	15	32.2
Drug:													
Possession and/or use:													
- opiates	-	-	-	-	-	-	-	-	-	-	-	0	-
- cannabis	-	-	-	-	-	-	-	-	-	-	-	0	-
- other drug	-	-	-	2	1	-	-	-	-	-	-	3	23.2
Dealing and trafficking:													
- opiates	-	1	-	11	15	40	21	6	-	-	1	95	35.3
- cannabis	-	1	-	2	9	22	5	6	-	-	-	45	36.1
- other drug	-	5	5	25	27	34	25	4	-	-	-	125	31.9
Manufacturing and/or growing:													
- cannabis	-	1	-	-	5	10	12	1	1	-	-	30	38.8
- other drug	-	-	-	-	1	4	4	-	-	-	-	9	38.5
Import/export	-	-	2	11	18	22	9	7	2	1	1	73	34.6
Other	-	-	-	-	-	-	-	-	-	-	-	0	-
Total	-	8	7	51	76	132	76	24	3	1	2	380	34.4
Driving:													
Cause death by driving	4	1	5	12	9	10	9	4	-	1	-	55	31.8
Cause injury by driving	-	-	-	4	-	-	-	-	-	-	-	4	23.1
Other	-	-	-	-	-	2	1	1	-	-	-	4	44.9
Total	4	1	5	16	9	12	10	5	-	1	-	63	32.1
Against prison rules	-	-	-	3	5	4	1	-	-	-	-	13	30.4
Other	-	-	1	-	-	2	4	-	-	-	2	9	40.3
Total	68	159	175	579	489	669	366	150	38	42	18	2,753	31.7

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

TABLE 3.11a

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

<i>Type of principal offence</i>	<i>Sex: Male</i>											<i>Average age</i> Years	
	<i>Age (years)</i>												
	<i>Under 18</i>	<i>18</i>	<i>19</i>	<i>20-24</i>	<i>25-29</i>	<i>30-39</i>	<i>40-49</i>	<i>50-59</i>	<i>60-65</i>	<i>Over 65</i>	<i>Unknown</i>		<i>Total</i>
	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>		<i>No.</i>
Against the person:													
Murder	2	2	2	5	3	9	5	1	-	1	-	30	31.7
Manslaughter	2	3	4	7	1	5	3	2	-	1	-	28	30.5
Attempt, intent to murder	-	-	-	2	-	2	-	-	-	-	-	4	28.9
Assault	9	34	20	102	54	76	28	11	3	2	-	339	28.6
Sexual assault	5	4	6	13	19	44	45	22	3	6	-	167	38.7
Sexual offences against children	5	7	4	9	13	50	73	37	18	18	-	234	44.2
Other	-	1	2	3	6	15	6	-	-	-	-	33	32.8
Total	23	51	38	141	96	201	160	73	24	28	-	835	35.3
Robbery and extortion:													
Robbery	31	60	68	192	115	101	13	1	1	-	-	582	24.9
Blackmail and extortion	-	3	4	5	5	6	3	1	-	-	-	27	28.2
Total	31	63	72	197	120	107	16	2	1	-	-	609	25.0
Theft:													
Break and enter	2	13	18	74	63	57	22	2	-	-	-	251	27.9
Fraud and misappropriation	-	1	1	8	24	33	25	23	1	4	10	130	39.0
Unlawful possession	-	1	2	12	17	13	9	3	-	-	-	57	31.7
Vehicle theft	1	3	1	7	5	6	2	-	-	-	-	25	26.7
Other	4	1	2	10	6	7	2	1	-	-	-	33	27.6
Total	7	19	24	111	115	116	60	29	1	4	10	496	31.0

Property damage	-	1	3	6	7	13	3	-	1	1	-	35	31.9
Against justice procedures	-	3	7	16	8	22	13	3	2	1	1	76	33.1
Weapons	-	3	2	5	10	9	3	-	2	-	-	34	30.8
Against good order	-	2	1	-	4	3	3	1	-	-	-	14	32.3
Drug:													
Possession and/or use:													
- opiates	-	-	-	-	-	-	-	-	-	-	-	0	-
- cannabis	-	-	-	-	-	-	-	-	-	-	-	0	-
- other drug	-	-	-	2	1	-	-	-	-	-	-	3	23.2
Dealing and trafficking:													
- opiates	-	1	-	10	11	37	17	6	-	-	1	83	35.6
- cannabis	-	1	-	2	8	19	4	6	-	-	-	40	36.1
- other drug	-	3	5	24	22	30	22	4	-	-	-	110	32.1
Manufacturing and/or growing:													
- cannabis	-	1	-	-	5	10	12	1	1	-	-	30	38.8
- other drug	-	-	-	-	1	4	4	-	-	-	-	9	38.5
Import/export	-	-	1	10	17	18	8	7	1	1	1	64	34.7
Other	-	-	-	-	-	-	-	-	-	-	-	0	-
Total	-	6	6	48	65	118	67	24	2	1	2	339	34.6
Driving:													
Cause death by driving	4	1	5	8	8	7	8	3	-	-	-	44	30.8
Cause injury by driving	-	-	-	4	-	-	-	-	-	-	-	4	23.1
Other	-	-	-	-	-	2	-	1	-	-	-	3	44.9
Total	4	1	5	12	8	9	8	4	-	-	-	51	31.0
Against prison rules	-	-	-	3	5	3	1	-	-	-	-	12	30.1
Other	-	-	1	-	-	2	4	-	-	-	2	9	40.3
Total	65	149	159	539	438	603	338	136	33	35	15	2,510	31.6

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

TABLE 3.11b

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

<i>Type of principal offence</i>	Sex: Female											Average age Years	
	Age (years)												
	Under 18	18	19	20-24	25-29	30-39	40-49	50-59	60-65	Over 65	Unknown		Total
	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.		No.
Against the person:													
Murder	-	1	-	-	-	-	-	-	-	-	-	1	18.9
Manslaughter	1	-	1	-	2	1	1	1	-	1	-	8	36.8
Attempt, intent to murder	-	-	-	-	-	1	-	-	-	-	-	1	33.2
Assault	-	1	3	4	2	9	4	1	1	-	-	25	32.5
Sexual assault	-	-	-	-	-	-	-	-	-	-	-	0	-
Sexual offences against children	-	-	-	-	-	-	1	-	-	-	-	1	42.4
Other	-	-	-	-	3	2	-	-	-	-	-	5	30.1
Total	1	2	4	4	7	13	6	2	1	1	-	41	33.0
Robbery and extortion:													
Robbery	1	3	5	10	13	12	1	-	-	-	-	45	27.0
Blackmail and extortion	-	-	-	-	1	-	-	-	-	-	-	1	27.0
Total	1	3	5	10	14	12	1	-	-	-	-	46	27.0
Theft:													
Break and enter	1	1	1	4	4	5	-	-	-	-	-	16	26.5
Fraud and misappropriation	-	-	-	2	7	11	8	9	3	5	3	48	44.7
Unlawful possession	-	-	2	2	2	1	1	1	-	-	-	9	30.9
Vehicle theft	-	-	-	-	-	1	-	-	-	-	-	1	34.8
Other	-	-	-	1	-	-	-	-	-	-	-	1	20.9
Total	1	1	3	9	13	18	9	10	3	5	3	75	38.5

Property damage	-	-	1	1	1	-	-	-	-	-	-	3	21.5
Against justice procedures	-	2	2	8	4	4	1	-	-	-	-	21	26.0
Weapons	-	-	-	1	-	-	-	1	-	-	-	2	37.4
Against good order	-	-	-	-	-	1	-	-	-	-	-	1	31.2
Drug:													
Possession and/or use:													
- opiates	-	-	-	-	-	-	-	-	-	-	-	0	-
- cannabis	-	-	-	-	-	-	-	-	-	-	-	0	-
- other drug	-	-	-	-	-	-	-	-	-	-	-	0	-
Dealing and trafficking:													
- opiates	-	-	-	1	4	3	4	-	-	-	-	12	33.6
- cannabis	-	-	-	-	1	3	1	-	-	-	-	5	36.7
- other drug	-	2	-	1	5	4	3	-	-	-	-	15	30.5
Manufacturing and/or growing:													
- cannabis	-	-	-	-	-	-	-	-	-	-	-	0	-
- other drug	-	-	-	-	-	-	-	-	-	-	-	0	-
Import/export	-	-	1	1	1	4	1	-	1	-	-	9	34.1
Other	-	-	-	-	-	-	-	-	-	-	-	0	-
Total	-	2	1	3	11	14	9	-	1	-	-	41	33.0
Driving:													
Cause death by driving	-	-	-	4	1	3	1	1	-	1	-	11	35.8
Cause injury by driving	-	-	-	-	-	-	-	-	-	-	-	0	-
Other	-	-	-	-	-	-	1	-	-	-	-	1	44.9
Total	-	-	-	4	1	3	2	1	-	1	-	12	36.6
Against prison rules	-	-	-	-	-	1	-	-	-	-	-	1	33.3
Other	-	-	-	-	-	-	-	-	-	-	-	0	-
Total	3	10	16	40	51	66	28	14	5	7	3	243	32.9

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

TABLE 3.12

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

<i>Type of principal offence</i>	<i>Sex: Male</i>						<i>Sex: Female</i>					
	<i>Age (years)</i>											
	<i>Under 20</i>	<i>20 - 24</i>	<i>25 - 29</i>	<i>30 - 49</i>	<i>50 and over</i>	<i>Total</i>	<i>Under 20</i>	<i>20 - 24</i>	<i>25 - 29</i>	<i>30 - 49</i>	<i>50 and over</i>	<i>Total</i>
	%	%	%	%	%	%	%	%	%	%	%	%
Against the person:												
Murder	20.0	16.7	10.0	46.7	6.7	100.0	100.0	-	-	-	-	100.0
Manslaughter	32.1	25.0	3.6	28.6	10.7	100.0	25.0	-	25.0	25.0	25.0	100.0
Attempt, intent to murder	-	50.0	-	50.0	-	100.0	-	-	-	100.0	-	100.0
Assault	18.6	30.1	15.9	30.7	4.7	100.0	16.0	16.0	8.0	52.0	8.0	100.0
Sexual assault	9.0	7.8	11.4	53.3	18.6	100.0	-	-	-	-	-	100.0
Sexual offences against children	6.8	3.8	5.6	52.6	31.2	100.0	-	-	-	100.0	-	100.0
Other	9.1	9.1	18.2	63.6	-	100.0	-	-	60.0	40.0	-	100.0
All offences	13.4	16.9	11.5	43.2	15.0	100.0	17.1	9.8	17.1	46.3	9.8	100.0
Robbery and extortion:												
Robbery	27.3	33.0	19.8	19.6	0.3	100.0	20.0	22.2	28.9	28.9	-	100.0
Blackmail and extortion	25.9	18.5	18.5	33.3	3.7	100.0	-	-	100.0	-	-	100.0
All offences	27.3	32.3	19.7	20.2	0.5	100.0	19.6	21.7	30.4	28.3	-	100.0
Theft:												
Break and enter	13.1	29.5	25.1	31.5	0.8	100.0	18.8	25.0	25.0	31.3	-	100.0
Fraud and misappropriation	1.7	6.7	20.0	48.3	23.3	100.0	-	4.4	15.6	42.2	37.8	100.0
Unlawful possession	5.3	21.1	29.8	38.6	5.3	100.0	22.2	22.2	22.2	22.2	11.1	100.0
Vehicle theft	20.0	28.0	20.0	32.0	-	100.0	-	-	-	100.0	-	100.0
Other	21.2	30.3	18.2	27.3	3.0	100.0	-	100.0	-	-	-	100.0
All offences	10.3	22.8	23.7	36.2	7.0	100.0	6.9	12.5	18.1	37.5	25.0	100.0

Property damage	11.4	17.1	20.0	45.7	5.7	100.0	33.3	33.3	33.3	-	-	100.0
Against justice procedures	13.3	21.3	10.7	46.7	8.0	100.0	19.0	38.1	19.0	23.8	-	100.0
Weapons	14.7	14.7	29.4	35.3	5.9	100.0	-	50.0	-	-	50.0	100.0
Against good order	21.4	-	28.6	42.9	7.1	100.0	-	-	-	100.0	-	100.0
Drug:												
Possession and/or use:												
- opiates	-	-	-	-	-	-	-	-	-	-	-	-
- cannabis	-	-	-	-	-	-	-	-	-	-	-	-
- other drug	-	66.7	33.3	-	-	100.0	-	-	-	-	-	-
Dealing and trafficking:												
- opiates	1.2	12.2	13.4	65.9	7.3	100.0	-	8.3	33.3	58.3	-	100.0
- cannabis	2.5	5.0	20.0	57.5	15.0	100.0	-	-	20.0	80.0	-	100.0
- other drug	7.3	21.8	20.0	47.3	3.6	100.0	13.3	6.7	33.3	46.7	-	100.0
Manufacturing and/or growing:												
- cannabis	3.3	-	16.7	73.3	6.7	100.0	-	-	-	-	-	-
- other drug	-	-	11.1	88.9	-	100.0	-	-	-	-	-	-
Import/export	1.6	15.9	27.0	41.3	14.3	100.0	11.1	11.1	11.1	55.6	11.1	100.0
Other	-	-	-	-	-	-	-	-	-	-	-	-
All offences	3.6	14.2	19.3	54.9	8.0	100.0	7.3	7.3	26.8	56.1	2.4	100.0
Driving:												
Cause death by driving	22.7	18.2	18.2	34.1	6.8	100.0	-	36.4	9.1	36.4	18.2	100.0
Cause injury by driving	-	100.0	-	-	-	100.0	-	-	-	-	-	100.0
Other	-	-	-	66.7	33.3	100.0	-	-	-	100.0	-	100.0
All offences	19.6	23.5	15.7	33.3	7.8	100.0	-	33.3	8.3	41.7	16.7	100.0
Against prison rules	-	25.0	41.7	33.3	-	100.0	-	-	-	100.0	-	100.0
Other	14.3	-	-	85.7	-	100.0	-	-	-	-	-	-
All offences	14.9	21.6	17.6	37.7	8.2	100.0	12.1	16.7	21.3	39.2	10.8	100.0

* Based on numbers in Tables 3.11a and 3.11b.

TABLE 3.13

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

<i>Outcome of charge</i>	<i>Bail status</i>															
	<i>Bail dispensed with</i>		<i>In gaol bail not met</i>		<i>In gaol bail refused</i>		<i>On bail conditional</i>		<i>On bail unconditional</i>		<i>Shelter</i>		<i>Unknown</i>		<i>Total</i>	
	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>
Proceeded to trial:																
Acquitted of all charges	31	18.1	4	12.9	107	8.0	332	15.2	36	16.1	-	-	7	14.6	517	12.9
Found guilty of at least one charge	13	7.6	3	9.7	123	9.2	245	11.2	25	11.2	1	12.5	6	12.5	416	10.4
Other*	4	2.3	-	-	13	1.0	21	1.0	2	0.9	-	-	-	-	40	1.0
Proceeded to sentence only	89	52.0	16	51.6	967	72.7	1,074	49.1	123	54.9	7	87.5	21	43.8	2,297	57.5
No charges proceeded with	28	16.4	3	9.7	63	4.7	292	13.4	26	11.6	-	-	8	16.7	420	10.5
All charges otherwise disposed of	6	3.5	5	16.1	57	4.3	222	10.2	12	5.4	-	-	6	12.5	308	7.7
Total	171	100.0	31	100.0	1,330	100.0	2,186	100.0	224	100.0	8	100.0	48	100.0	3,998	100.0

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

TABLE 3.14

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

a Total includes 7 people for whom bail status was unknown.
b Total includes 6 people for whom bail status was unknown.
c Total includes 21 people for whom bail status was unknown.
d Total includes 8 people for whom bail status was unknown.
e Total includes 6 people for whom bail status was unknown.

<i>Outcome of charge</i>	<i>All Registries</i>											
	<i>Bail status</i>											
	<i>On bail</i>				<i>In gaol/shelter</i>				<i>Total</i>			
	<i>Persons charged</i>	<i>Court delay</i>			<i>Persons charged</i>	<i>Court delay</i>			<i>Persons charged</i>	<i>Court delay</i>		
	<i>Arrest to committal</i>	<i>Committal to outcome</i>	<i>Outcome to sentence</i>		<i>Arrest to committal</i>	<i>Committal to outcome</i>	<i>Outcome to sentence</i>		<i>Arrest to committal</i>	<i>Committal to outcome</i>	<i>Outcome to sentence</i>	
	<i>No.</i>	<i>Median delay (days)</i>			<i>No.</i>	<i>Median delay (days)</i>			<i>No.</i>	<i>Median delay (days)</i>		
Proceeded to trial:												
Acquitted of all charges	399	117.0	358.0	-	111	63.0	259.0	-	517 ^a	103.0	333.0	-
Found guilty of at least one charge	283	114.0	415.0	49.0	127	78.0	211.5	42.0	416 ^b	102.0	353.0	46.5
Other*	27	169.5	372.0	1.0	13	72.0	264.0	16.0	40	143.0	362.5	7.0
Proceeded to sentence only	1,286	97.0	195.0	9.0	990	50.5	99.0	11.0	2,297 ^c	74.0	150.0	10.0
No charges proceeded with	346	111.5	322.0	-	66	59.5	220.0	-	420 ^d	103.0	299.0	-
All charges otherwise disposed of	240	96.0	196.0	-	62	68.5	141.5	-	308 ^e	90.0	178.0	-

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

TABLE 3.14a

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

Registry: Supreme Court												
Bail status												
Outcome of charge	On bail				In gaol/shelter				Total			
	Persons charged	Court delay			Persons charged	Court delay			Persons charged	Court delay		
	No.	Arrest to committal	Committal to outcome	Outcome to sentence	No.	Arrest to committal	Committal to outcome	Outcome to sentence	No.	Arrest to committal	Committal to outcome	Outcome to sentence
Median delay (days)												
Proceeded to trial:												
Acquitted of all charges	6	237.0	830.0	-	14	177.5	436.0	-	20	200.0	508.0	-
Found guilty of at least one charge	13	184.0	593.0	23.0	24	159.5	604.5	58.0	37	168.0	594.0	45.0
Other*	-	-	-	-	5	142.0	507.0	51.0	5	142.0	507.0	51.0
Proceeded to sentence only	6	158.0	340.5	16.0	30	165.5	428.0	63.0	36	164.0	408.0	35.0
No charges proceeded with	10	232.0	797.0	-	3	59.0	217.5	-	13	212.0	648.0	-
All charges otherwise disposed of	3	90.0	258.0	-	1	81.0	155.0	-	4	85.5	206.5	-

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

TABLE 3.14b

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

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

Registry: Dubbo												
Bail status												
Outcome of charge	On bail				In gaol/shelter				Total			
	Persons charged	Court delay			Persons charged	Court delay			Persons charged	Court delay		
		Arrest to committal	Committal to outcome	Outcome to sentence		Arrest to committal	Committal to outcome	Outcome to sentence		Arrest to committal	Committal to outcome	Outcome to sentence
No.	Median delay (days)			No.	Median delay (days)			No.	Median delay (days)			
Proceeded to trial:												
Acquitted of all charges	38	99.0	516.5	-	6	37.0	199.0	-	46 ^a	89.0	505.0	-
Found guilty of at least one charge	28	164.5	599.0	57.0	6	41.5	181.0	0.0	34	126.0	590.0	36.0
Other*	2	167.0	1072.5	29.5	-	-	-	-	2	167.0	1072.5	29.5
Proceeded to sentence only	70	113.5	290.0	3.0	34	48.5	105.0	2.0	104	92.5	231.0	2.0
No charges proceeded with	12	89.5	467.5	-	2	98.5	140.0	-	14	89.5	383.5	-
All charges otherwise disposed of	11	129.0	251.0	-	3	139.0	294.0	-	14	131.5	251.0	-

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

TABLE 3.14c

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

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

Registry: Lismore																					
Bail status																					
On bail																					
In gaol/shelter																					
Total																					
Court delay																					
Outcome of charge	Persons charged	Arrest to committal			Committal to outcome			Outcome to sentence			Persons charged	Arrest to committal			Committal to outcome			Outcome to sentence			
	No.	Median delay (days)			Median delay (days)			Median delay (days)			No.	Median delay (days)			Median delay (days)			Median delay (days)			
Proceeded to trial:																					
Acquitted of all charges	28	143.0	241.5	-	6	29.5	347.0	-	34	100.0	260.0	-									
Found guilty of at least one charge	14	81.5	331.5	15.0	3	62.0	225.0	1.0	18 ^a	81.5	325.0	5.0									
Other*	7	161.5	440.0	0.0	-	-	-	-	7	161.5	440.0	0.0									
Proceeded to sentence only	98	93.0	202.0	2.0	51	52.0	116.5	8.5	150^b	77.0	167.0	2.0									
No charges proceeded with	35	105.0	267.0	-	8	384.5	270.0	-	43	130.0	267.0	-									
All charges otherwise disposed of	17	116.0	235.0	-	5	87.0	399.0	-	24^c	111.0	222.0	-									

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

TABLE 3.14d

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

a Total includes 4 people for whom bail status was unknown.
b Total includes 1 person for whom bail status was unknown.
c Total includes 9 people for whom bail status was unknown.
d Total includes 1 person for whom bail status was unknown.
e Total includes 1 person for whom bail status was unknown.

Registry: Newcastle												
Bail status												
Outcome of charge	On bail				In gaol/shelter				Total			
	Persons charged	Court delay			Persons charged	Court delay			Persons charged	Court delay		
		Arrest to committal	Committal to outcome	Outcome to sentence		Arrest to committal	Committal to outcome	Outcome to sentence		Arrest to committal	Committal to outcome	Outcome to sentence
No.	Median delay (days)			No.	Median delay (days)			No.	Median delay (days)			
Proceeded to trial:												
Acquitted of all charges	55	113.5	424.5	-	14	62.0	150.0	-	73 ^a	99.0	325.0	-
Found guilty of at least one charge	45	90.0	321.0	35.0	22	52.0	201.0	46.0	68 ^b	79.0	248.0	39.5
Other*	4	193.0	362.0	2.0	1	18.0	91.0	7.0	5	178.0	318.0	4.0
Proceeded to sentence only	207	90.0	194.0	4.0	140	42.0	86.0	3.0	356 ^c	66.0	133.0	3.0
No charges proceeded with	49	94.0	234.0	-	4	52.0	111.0	-	54 ^d	88.0	234.0	-
All charges otherwise disposed of	30	92.5	285.0	-	7	31.0	122.0	-	38 ^e	83.0	234.0	-

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

TABLE 3.14e

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

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

b Total includes 4 people for whom bail status was unknown.

c Total includes 5 people for whom bail status was unknown.

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

Outcome of charge	Registry: Sydney											
	Bail status											
	On bail				In gaol/shelter				Total			
	Persons charged	Court delay			Persons charged	Court delay			Persons charged	Court delay		
Arrest to committal		Committal to outcome	Outcome to sentence	Arrest to committal		Committal to outcome	Outcome to sentence	Arrest to committal		Committal to outcome	Outcome to sentence	
	No.	Median delay (days)			No.	Median delay (days)			No.	Median delay (days)		
Proceeded to trial:												
Acquitted of all charges	102	144.0	320.5	-	37	73.0	182.0	-	139	117.0	309.0	-
Found guilty of at least one charge	80	134.0	454.0	52.5	50	83.0	166.0	42.0	132 ^a	105.0	329.0	49.0
Other*	6	186.5	325.5	0.0	4	88.0	260.0	45.0	10	153.0	271.5	16.0
Proceeded to sentence only	311	110.0	182.0	29.0	286	61.0	89.5	26.5	601 ^b	83.0	135.0	28.0
No charges proceeded with	92	149.0	432.0	-	16	65.5	198.5	-	113 ^c	135.5	405.0	-
All charges otherwise disposed of	71	106.0	229.0	-	17	97.0	106.0	-	89 ^d	98.0	180.0	-

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

TABLE 3.14f

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

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

Registry: Sydney West												
Bail status												
Outcome of charge	On bail				In gaol/shelter				Total			
	Persons charged	Court delay			Persons charged	Court delay			Persons charged	Court delay		
		Arrest to committal	Committal to outcome	Outcome to sentence		Arrest to committal	Committal to outcome	Outcome to sentence		Arrest to committal	Committal to outcome	Outcome to sentence
No.	Median delay (days)			No.	Median delay (days)			No.	Median delay (days)			
Proceeded to trial:												
Acquitted of all charges	140	104.0	333.0	-	29	44.0	240.5	-	170 ^a	90.5	315.0	-
Found guilty of at least one charge	71	95.0	361.0	57.0	19	44.0	192.5	66.5	91 ^b	84.0	351.5	57.0
Other*	8	130.0	345.0	99.0	3	69.0	231.0	7.0	11	128.0	337.0	57.0
Proceeded to sentence only	447	93.0	183.0	46.5	341	45.5	111.0	37.5	791 ^c	69.0	153.0	42.0
No charges proceeded with	110	99.0	315.5	-	31	44.0	222.0	-	143 ^d	91.5	274.0	-
All charges otherwise disposed of	85	78.0	134.0	-	24	53.0	153.5	-	110 ^e	77.0	138.5	-

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

TABLE 3.14g

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

<i>Registry: Wagga Wagga</i>												
<i>Bail status</i>												
<i>Outcome of charge</i>	<i>On bail</i>				<i>In gaol/shelter</i>				<i>Total</i>			
	<i>Persons charged</i>	<i>Court delay</i>			<i>Persons charged</i>	<i>Court delay</i>			<i>Persons charged</i>	<i>Court delay</i>		
		<i>Arrest to committal</i>	<i>Committal to outcome</i>	<i>Outcome to sentence</i>		<i>Arrest to committal</i>	<i>Committal to outcome</i>	<i>Outcome to sentence</i>		<i>Arrest to committal</i>	<i>Committal to outcome</i>	<i>Outcome to sentence</i>
<i>No.</i>	<i>Median delay (days)</i>			<i>No.</i>	<i>Median delay (days)</i>			<i>No.</i>	<i>Median delay (days)</i>			
Proceeded to trial:												
Acquitted of all charges	12	92.0	306.0	-	-	-	-	-	12	92.0	306.0	-
Found guilty of at least one charge	8	115.5	398.5	35.0	2	77.5	198.0	98.0	10	99.5	321.0	46.0
Other*	-	-	-	-	-	-	-	-	-	-	-	-
Proceeded to sentence only	36	125.5	166.5	3.0	38	50.5	82.0	1.0	74	73.0	97.0	1.0
No charges proceeded with	12	79.5	256.0	-	1	46.0	220.0	-	13	76.0	253.0	-
All charges otherwise disposed of	2	111.5	206.5	-	1	0.0	88.0	-	3	79.0	174.0	-

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

TABLE 3.14h

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

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

b Total includes 4 people for whom bail status was unknown.

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

Registry: Wollongong												
Bail status												
Outcome of charge	On bail				In gaol/shelter				Total			
	Persons charged	Court delay			Persons charged	Court delay			Persons charged	Court delay		
		Arrest to committal	Committal to outcome	Outcome to sentence		Arrest to committal	Committal to outcome	Outcome to sentence		Arrest to committal	Committal to outcome	Outcome to sentence
No.	Median delay (days)			No.	Median delay (days)			No.	Median delay (days)			
Proceeded to trial:												
Acquitted of all charges	18	107.0	358.0	-	5	90.0	238.0	-	23	106.0	358.0	-
Found guilty of at least one charge	24	77.0	352.0	46.5	1	52.0	135.0	14.0	26 ^a	72.0	352.0	44.5
Other*	-	-	-	-	-	-	-	-	-	-	-	-
Proceeded to sentence only	111	80.0	216.0	1.5	70	51.0	85.5	0.0	185 ^b	64.0	176.0	1.0
No charges proceeded with	26	79.5	211.5	-	1	1.0	190.0	-	27	78.0	200.0	-
All charges otherwise disposed of	21	111.0	311.0	-	4	24.0	116.5	-	26 ^c	86.0	270.0	-

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

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

<i>Outcome of appeal</i>	<i>Bail status</i>							
	<i>On bail</i>		<i>In gaol/shelter</i>		<i>Unknown</i>		<i>Total</i>	
	<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>
Appeal upheld for all matters	464	27.5	42	15.0	6	15.4	512	25.5
Appeal dismissed/withdrawn for all matters	1,095	65.0	212	75.7	32	82.1	1,339	66.8
Appeal upheld for some matters	72	4.3	8	2.9	1	2.6	81	4.0
Other	54	3.2	18	6.4	-	-	72	3.6
Total	1,685	100.0	280	100.0	39	100.0	2,004	100.0

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

Outcome of appeal	Bail status							
	On bail		In gaol/shelter		Unknown		Total	
	<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>	<i>Number</i>	<i>%</i>
Appeal upheld for all matters	25	0.9	5	0.3	-	-	30	0.7
Appeal dismissed/withdrawn for all matters	2,535	94.7	1,420	96.3	63	96.9	4,018	95.3
Appeal upheld for some matters	11	0.4	19	1.3	-	-	30	0.7
Other	107	4.0	30	2.0	2	3.1	139	3.3
Total	2,678	100.0	1,474	100.0	65	100.0	4,217	100.0

APPENDIX 1

NOTES ON PENALTIES

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

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

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

Home detention

The *Home Detention Act 1996* and *Home Detention Regulation 1997* came into effect on 21 February 1997, establishing a Home Detention Order as an alternative means of serving sentences of full-time imprisonment of up to 18 months. The conditions of the Order constrain the offender's liberty to an extent that approximates confinement in minimum security custody with access to day release programs.

Periodic detention

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

Community Service Order

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

Recognizance

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

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

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

APPENDIX 1 continued

S.20 (Commonwealth) Conditional release after sentence

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

Deferred sentences

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

556A dismissal/recognizance

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

Rising of the Court

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

APPENDIX 2

PENALTY HIERACHY FOR PRINCIPAL OFFENCE

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

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

APPENDIX 3

DISTRICT COURTS IN REGISTRY REGIONS

1. Sydney Registry

Sydney District Court

2. Sydney West Registry

Campbelltown District Court

Lithgow District Court

Liverpool District Court

Parramatta District Court

Penrith District Court

Katoomba District Court

3. Newcastle Registry

Cessnock District Court

East Maitland District Court

Gosford District Court

Gunnedah District Court

Moree District Court

Muswellbrook District Court

Narrabri District Court

Newcastle District Court

Port Macquarie District Court

Singleton District Court

Tamworth District Court

Taree District Court

4. Wollongong Registry

Bega District Court

Cooma District Court

Goulburn District Court

Moruya District Court

Moss Vale District Court

Nowra District Court

Queanbeyan District Court

Wollongong District Court

5. Lismore Registry

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

6. Dubbo Registry

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

7. Wagga Wagga Registry

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

