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In reply please quote:

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MEDIA RELEASE

NSW Criminal Courts Statistics 1998

There have been significant increases in the number of people brought before the Local Court on criminal charges, according to the annual court statistics report of the NSW Bureau of Crime Statistics and Research.

The Local Court in New South Wales deals with the vast majority of criminal charges laid by police.

According to the report there have been increases in appearances for offences in the categories of: good order (+12.3%), environmental (+11.0%), against justice procedures (+9.8%), drug (+8.6%), driving (+5.7%), and theft (+4.7%).

There was a particularly large increase (+32.6%) in the number of appearances for 'other offences against good order'. This was mainly due to new provisions in the Summary Offences Act which prohibit the carrying of knives.

The figures also show a significant increase in the number of Aboriginal or Torres Strait Islander (ATSI) people charged with criminal offences. In 1997, 8,346 ATSI people were dealt with by NSW Local Courts. In 1998 this figure rose to 10,029, an increase of more than 20 per cent.

ATSI offenders are much more likely to be imprisoned than non-ATSI offenders for the same kinds of offence. For example, 21.7 per cent of ATSI offenders found guilty of offences against the person were imprisoned, compared with 9.1 per cent of offenders overall found guilty of offences against the person.

The use of imprisonment also appears to have increased in the Local Court.

In 1997, 5,881 people (6.4 % of those found guilty) were sentenced to a term of imprisonment by a Local Court. In 1998, the number of people given a sentence of imprisonment by a Local Court rose by 12.4 per cent, to 6,612 people (or 7.0% of those found guilty).

The number of persons brought before the NSW Higher Criminal Courts did not increase between 1997 and 1998. However the use of imprisonment did increase.

In 1997, 1,588 people (61.9% of those convicted) had a sentence of imprisonment imposed on them by the District or Supreme Court. In 1998, this figure rose by about nine per cent, to 1,736 people (or 63.1% of convicted offenders)

Commenting on the imprisonment figures, the Director of the Bureau said that they do not necessarily reflect a tougher sentencing policies, although this could not be ruled out.

'They may also reflect a combination of changing police practices and changes in the kinds of matter being brought before the Local and District Courts.'

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‘Police have been targeting repeat offenders with the aim of reducing the crime rate. Their tactic has been to arrest repeat offenders even if they only commit relatively minor offences. Many offenders, for example, have been charged with failing to comply with court orders for earlier offences.’

‘People with a criminal record are much more likely to have a prison sentence imposed on them if they are convicted of a minor offence than people who commit minor offences but have no significant criminal record.’

‘There has also been a progressive shift of less serious offences out of the District Court and into the Local Court. This has the effect of making a prison sentence more likely in the District Court because it is now dealing with a more serious profile of cases.’

‘Paradoxically it may also increase the likelihood of imprisonment in the Local Court because the cases they are dealing with are now more serious, by Local Court standards, than they have been in the past.’

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