

**NEW SOUTH WALES
CRIMINAL COURTS
STATISTICS 1997**

NSW Bureau of Crime Statistics and Research

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INTRODUCTION

This report deals with criminal cases finalised by the NSW Local, District and Supreme Courts in 1997 and in Children's Courts in 1996/97. The report provides statistical information on all criminal matters finalised by the District and Supreme Courts in 1997. However, minor criminal matters heard in Local Courts, such as appeals against parking fines, are not included in the report.

This year, for the first time, the report includes separate tables showing outcome and penalty information for Aboriginal and Torres Strait Islander defendants in the Local Courts.

Dr Don Weatherburn

Director

June 1998

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The data for most Local Courts were provided by the Clerks of the Court who completed and returned coding forms for each person appearing before the Local Courts on criminal charges. For those Local Courts on the GLC (General Local Courts) computer system, data were obtained from this system with the assistance and co-operation of the information technology support team in Local Courts Administration.

The data for the Higher Courts were obtained from the Case Tracking System, an administrative computer system used by District Courts Registry staff. The Bureau would like to express its gratitude for the assistance provided by the Information Technology Branch and the District Court Criminal Registry in obtaining the information from the computer system.

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SUMMARY OF MAIN FEATURES

LOCAL COURTS

Charges

1. The number of criminal cases disposed of by NSW Local Courts increased by 1.1 per cent from 111,045 cases in 1996 to 112,229 cases in 1997.
2. Table 1.1 shows the number of persons charged (number of court appearances) and the number of charges finalised in 1997 by offence category. Finalised charges are those fully determined by the court, requiring no further court proceedings. In 1997, over one-third (34.3%) of all finalised charges were for driving offences (60,216 charges). The next largest categories of offence charged in 1997 were theft offences (33,822 charges, being 19.3% of all charges) and offences against the person (26,512 or 15.1%). More than half of the charges for 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 1996, the proportions of charges in the three principal categories noted above were similar to those of 1997 (34.6% of charges were for driving offences, 18.9% for theft offences and 14.3% for offences against the person).¹
3. Several major offence categories showed an increase between 1996 and 1997 in the number of charges finalised in NSW Local Courts. Increases are evident in the against the person, theft, environmental, against justice procedures and driving offence categories (increases of 8.3%, 4.6%, 3.8%, 2.7% and 1.7%, respectively, between 1996 and 1997). The largest increases in specific against the person offences were in charges for sexual offences against children (up by 22.4%, from 389 in 1996 to 476 in 1997) and assault occasioning actual bodily harm (an increase of 7.1%, from 4,583 charges in 1996 to 4,910 in 1997).² The largest increase in the number of charges within the theft category was for fraud, which increased by 22.8 per cent between 1996 and 1997 (from 6,081 charges to 7,468). The number of charges for unlawful possession increased by 9.7 per cent, and for vehicle theft, by 8.9 per cent. Within the against justice procedures category of offences, the number of charges for breach of order increased by 6.2 per cent from 9,290 in 1996 to 9,867 in 1997. The largest increases for offences within the driving offences category were a 14.0 per cent increase in charges for cause injury by driving (from 228 in 1996 to 260 in 1997) and a 9.0 per cent increase in 'other' driving offences (from 29,535 charges in 1996 to 32,200 charges in 1997). The total number of charges for driving with high, medium or low Prescribed Concentration of Alcohol, however, decreased by 9.1 per cent, from 20,648 finalised charges in 1996 to 18,771 in 1997.
4. Three major offence categories showed a decrease between 1996 and 1997 in the number of charges finalised in NSW Local Courts. The largest decrease was in the number of criminal charges for drug offences dealt with by NSW Local Courts in 1997, which decreased by 4.7 per cent (from 16,596 in 1996 to 15,809 in 1997). Within this category, the number of charges for possession and/or use, the most common category of drug offence finalised in the Local Courts, decreased by 3.3 per cent (from 11,138 to 10,770), charges for dealing and trafficking decreased by 14.9 per cent (from 1,601 to 1,363), and charges for manufacture decreased by 7.3 per cent (from 2,048 to 1,898). 'Other' drug charges decreased by 1.7 per cent between 1996 and 1997 (from 1,809 to 1,778).

SUMMARY OF MAIN FEATURES

LOCAL COURTS continued

- Table 1.2 shows the outcome of charges in appearances finalised in NSW Local Courts in 1997. The proportion of offences proven decreased slightly between 1996 and 1997 with 81.5 per cent of offences proven in 1997, compared with 82.9 per cent in 1996.

Persons charged

- Table 1.3 details the outcome of appearance for persons charged in Local Courts in 1997. Both the number of people found guilty (including those who pleaded guilty) and the percentage of people found guilty remained relatively stable between 1996 and 1997. There were 95,623 persons found guilty in 1997 compared with 95,992 in 1996. This represented 85.2 per cent of all persons whose cases were finalised in 1997, compared with 86.4 per cent of all persons whose cases were finalised in 1996 being found guilty. From 1996 to 1997, there was a 6.1 per cent increase in the number of people who proceeded to a defended hearing in the Local Courts. In 1997, 16,676 persons charged (14.9% of all persons charged) proceeded to a defended hearing, compared with 15,710 persons (14.1% of the total) in 1996.
- Table 1.3a details the outcome of appearance for persons who were charged in NSW Local Courts in 1997 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 1997, 82.5 per cent of all Aboriginal people and Torres Strait Islanders whose cases were finalised in 1997 were found guilty (including those who pleaded guilty), compared with 85.2 per cent of all persons in NSW whose cases were finalised. Note that a larger proportion of Aboriginal people or Torres Strait Islanders were convicted *ex parte* in 1997 (18.0% of finalisations, compared with 14.1% of finalisations for all NSW persons), but a smaller proportion pleaded guilty (54.5%, compared with 61.5% for all persons). There were 112,229 persons charged in Local Court appearances finalised in 1997, representing a court appearance rate of 1.9 per cent of the total NSW resident population. The 8,346 Aboriginal and Torres Strait Islander persons shown in Table 1.3a represent a court appearance rate of 8.2 per cent of the total NSW Aboriginal and Torres Strait Islander population.³
- Table 1.4 shows the outcome of appearance by legal representation for persons charged in Local Court appearances finalised during 1997. In 1997, 56.2 per cent of all persons for whom charges were finalised in NSW Local Courts were known to have legal representation (63,025 persons) compared with 58.7 per cent (a total of 65,204 persons) in 1996, continuing a decrease from 1995 (when 61.4% or 62,996 persons had legal representation). In 1997, 85.6 per cent of persons with legal representation were found guilty (including those who pleaded guilty) compared with 86.9 per cent in 1996. For persons without legal representation, 85.0 per cent were found guilty (a large proportion of these were convicted *ex parte*) while in 1996, 85.8 per cent were found guilty.
- Table 1.5 shows the bail status of all persons charged in Local Court appearances finalised in 1997. The proportion of persons for whom bail was refused increased slightly from 1996 to 1997, with 4.4 per cent of all persons charged in 1997 (4,884 persons) being refused bail, compared with 4.1 per cent (4,581 persons) in 1996 refused bail. In 1997, 24.1 per cent of persons were on bail and 69.4 per cent were summons cases or had bail dispensed with, compared with 37.3 per cent of persons on bail and 56.2 per cent summons cases or bail dispensed with in 1996.

SUMMARY OF MAIN FEATURES

LOCAL COURTS continued

Penalties

1. Table 1.6 gives details of the penalties imposed for the principal offence of those persons who were found guilty in Local Court appearances finalised in 1997. Imprisonment was imposed on 6.4 per cent of those found guilty in 1997, compared with 6.3 per cent in 1996 and 6.5 per cent in 1995. However, in terms of numbers of people, there were 5,881 persons given a prison sentence in 1997, compared with 5,816 in 1996, an increase of 1.1 per cent.
2. The offences with the highest imprisonment rates in 1997 (that is, offences with the highest proportion of persons found guilty of the offence being sentenced to imprisonment) were dealing and trafficking in opiates (44.5% of persons found guilty were imprisoned in 1997, 45.9% in 1996), break and enter (39.9% of guilty persons imprisoned in 1997, 39.8% in 1996) and vehicle theft (39.8% imprisoned in 1997, 33.0% in 1996).
3. 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 1997 were breaches of order (14.1% of all imprisonments in 1997 were for this offence, compared with 13.6% in 1996), break and enter (11.7% of all imprisonments in 1997, 12.9% in 1996) and 'other' assault (11.1% in 1997, 10.8% in 1996).
4. The distribution of penalty imposition for principal offence, as shown in Table 1.6, remains essentially unchanged from 1996 to 1997. Fines were the principal penalty imposed for 58.7 per cent of Local Court appearances finalised in 1997 (compared with 60.0% in 1996), Community Service Orders for 5.3 per cent of finalised appearances in 1997 (5.4% in 1996) and recognizance for 20.9 per cent of finalised appearances in 1997 (20.3% in 1996). Details of the levels of penalty imposed within each of these three categories are shown in Tables 1.7, 1.8 and 1.9 respectively.
5. Table 1.6a gives details of the penalties imposed for the principal offence of those persons found guilty in Local Court appearances finalised in 1997 who identified themselves as Aboriginal people or Torres Strait Islanders. Imprisonment was imposed on 15.9 per cent of these persons who were found guilty in 1997, compared with 6.4 per cent of all NSW persons in 1997.
6. Aboriginal people and Torres Strait Islanders were more likely than NSW persons overall (as shown in Table 1.6) to be sentenced to imprisonment for conviction of almost all offence categories detailed in Table 1.6a. For example, while 20.2 per cent of Aboriginal people or 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, the corresponding proportion for NSW persons overall was just 8.1 per cent. Similarly, for theft offences, the proportion of convicted Aboriginal people or Torres Strait Islanders who were sentenced to prison was 29.2 per cent in 1997, compared with 13.7 per cent of convicted NSW persons overall.
7. 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 1997 for Aboriginal people and Torres Strait Islanders were 'other' assault (18.5% of all imprisonments for Aboriginal people and Torres Strait Islanders were for this offence in 1997, compared with 11.1% for NSW persons overall), break and enter (12.0% and 11.7% respectively), breach of order (11.6% compared with 14.1%) and assault occasioning actual bodily harm (10.3% and 5.3%).

SUMMARY OF MAIN FEATURES

LOCAL COURTS continued

8. A comparison of Tables 1.6 and 1.6a shows that, in the NSW Local Courts in 1997, convicted Aboriginal people and Torres Strait Islanders were more likely than overall convicted persons to receive the penalties of imprisonment (15.9% compared with 6.4%), a Community Service Order (7.2% compared with 5.3%), or a recognizance with supervision (6.7% compared with 5.0%). Penalties which were less likely to be imposed on Aboriginal people and Torres Strait Islanders than on the general population sentenced in NSW Local Courts include a recognizance without conviction (3.1% compared with 7.0%), a fine (51.1% compared with 58.7%) or the outcome no conviction recorded (3.0% compared with 6.3%). 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.
9. Tables 1.10 and 1.11 detail the terms of imprisonment for fixed term and minimum plus additional term penalties, respectively. For cases where a fixed term was imposed, there was little change in the percentage of relatively short term prison sentences imposed: the percentage of sentences of less than three months was 30.9 per cent in 1997, compared with 31.9 per cent in 1996. For cases where a minimum and additional term was imposed, the percentage of sentences of less than twelve months was 71.0 per cent in 1997, compared with 72.7 per cent in 1996.

Persons found guilty

1. Tables 1.12, 1.12a and 1.12b detail, by offence type, the age and sex of persons found guilty in Local Court appearances finalised in 1997. Of all persons found guilty in NSW Local Courts in 1997, 83.8 per cent were male and 16.2 per cent female. These proportions are essentially unchanged from 1996 (83.9% male and 16.1% female).
2. Although approximately 16 per cent of persons found guilty in NSW Local Courts in 1997 were female, the proportion of females found guilty of each particular offence varied greatly from this overall figure. Offences where the person found guilty was likely to be female in disproportionate numbers to the number of females overall include prostitution (84.6% female), larceny by shop stealing (44.9%), other larceny (28.0%), and fraud (26.7%). On the other hand, offences which show notably larger percentages of males being found guilty include sexual assault offences (99.2% male, compared with 83.8% overall), weapons offences (95.5% of all guilty persons in 1997 were male), sexual offences against children (95.4% male), vehicle theft (91.9%), and break and enter (91.3%).
3. The majority of persons found guilty in NSW Local Court appearances finalised in 1997 were aged between 20 and 39 years, the largest proportion being in the 30-39 year age group. In 1997, 24.5 per cent of all persons found guilty were aged 30-39 years, 23.8 per cent aged 20-24 years and a further 18.6 per cent were in the 25-29 year age group. For males, the percentages within these age groups in 1997 were 24.1 per cent aged 30-39, 24.2 per cent aged 20-24 and 18.5 per cent aged 25-29. For females found guilty of offences in the local court, the percentages were 26.9 per cent aged 30-39 years, 22.1 per cent 20-24 and 18.9 per cent aged 25-29 years.

SUMMARY OF MAIN FEATURES

LOCAL COURTS continued

4. The age distribution of persons found guilty in NSW Local Courts as described above is, however, not uniform across offences. For males, some offences contain disproportionate numbers of young persons being found guilty. For example, for males found guilty of vehicle theft, 62.7 per cent were under 25 years of age (compared with 35.8% of total males found guilty belonging to this age group), while only 3.1 per cent were aged 40 years and over (compared with 19.6% of males across all offences). Similarly, for break and enter, 60.6 per cent of males found guilty of this offence were aged under 25 years and 4.6 per cent aged 40 years and over. Other offences with high proportions of young males include offensive behaviour (53.2% under 25 years, 10.5% 40 years and over) and some drug offences, for example, 47.0% and 49.5% of males found guilty of possession and/or use of opiates and possession and/or use of cannabis, respectively, were aged under 25 years, compared with 8.1% and 8.5%, respectively, aged 40 years and over.
5. Similarly, some offences show considerably larger than expected proportions of older persons being found guilty when compared with the age distribution aggregated across all offences. For males found guilty in NSW Local Courts in 1997, the offences which showed disproportionate numbers of older persons involved include sexual assault (40.8% aged 40 years and over, compared with 19.6% of males found guilty of any offence in this age group, overall), sexual offences against children (39.5% aged 40 years and over), weapons offences (33.1% in the older age group) and fraud (26.2%).
6. Young females who were found guilty in Local Court appearances finalised in 1997 are over-represented in offences such as vehicle theft (61.7% of females found guilty of this offence were aged under 25 years, compared with 32.0% of females overall, while only 6.4% were aged 40 years and over, compared with 19.5% overall), possession and/or use of opiates (44.8% aged under 25 years and 1.7% aged 40 and over) and break and enter offences (45.7% under 25 years and 4.6% aged 40 and over).

Court delay

1. Table 1.13 shows the median duration of cases in the NSW Local Courts in 1997. From first court appearance to the determination of charges, the median duration increased overall between 1996 and 1997 for each outcome category which had proceeded to a defended hearing: from 88 to 100 days where all charges were dismissed at a defended hearing (an increase of 13.6%), from 77 to 81 days for persons who were found guilty of at least one charge (representing a 5.2% increase), and from 79 to 98 days for other defended hearings (up by 24.1%). For those on bail, the respective percentage increases were 13.3 per cent, 7.6 per cent and 24.7 per cent. However, there was a 16.5 per cent decrease in the median duration for cases where the defendant was in a gaol or shelter at the time of finalisation, but for whom all charges were subsequently dismissed, from 39.5 days in 1996 to 33 days in 1997.

Region

1. 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 1.14. Between 1996 and 1997, there were few increases in the rate of court appearance in any region of Sydney. The Outer Western Sydney Statistical Subdivision recorded a 10.1 per cent increase in the rate of court appearances between 1996 and 1997, in the Fairfield-Liverpool

SUMMARY OF MAIN FEATURES

LOCAL COURTS continued

Subdivision there was a 2.7 per cent increase and in the Central Western Sydney Statistical Subdivision, a 1.7 per cent increase. All other Statistical Subdivisions within Sydney showed a stable or decreased rate with the largest percentage decreases occurring in the Lower Northern Sydney Subdivision (down by 11.9%) and the Northern Beaches Subdivision (down by 9.7%). Outside Sydney, there was a 15.9 per cent increase in the rate of court appearances in the Murrumbidgee Statistical Division, a 12.7 per cent increase in the Northern Division and an 11.5 per cent increase in the Far West Statistical Division. There were no substantial decreases in court appearances in any country region of NSW.

2. Overall, the Statistical Subdivisions within Sydney had the lowest rates of court appearance in NSW. The Inner Sydney Statistical Subdivision generally has high court appearance rates because the resident population of the area (used in the rate calculation) is low, relative to the numbers of people in the area for business and entertainment. Apart from the Inner Sydney Subdivision, the Sydney Subdivisions with the highest Local Court appearance rates in 1997 were Fairfield–Liverpool (2,024.3 per 100,000 population), Outer South Western Sydney (2,022.7 per 100,000 population in 1997), and Gosford–Wyong (1,748.4 per 100,000 population). Outside Sydney, the North Western Statistical Division had the highest rate of court appearances in 1997, also the highest in NSW (3,308.2 per 100,000 population), followed by the Far West Statistical Division (3,117.2 per 100,000 population).
3. Table 1.15 details court appearance rates by NSW Statistical Division of residence for selected offences. In 1997, 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, environmental offences, property damage, against justice procedures and offences against good order. In addition, the North Western Statistical Division and the Murrumbidgee Division had the highest court appearance rates for driving offences. Court appearance rates for drug offences were highest in the Richmond–Tweed Statistical Division, followed by the Mid-North Coast. The only offence which showed highest appearance rates in the Sydney region was theft, with the highest rate of appearance occurring in the Inner Sydney Statistical Subdivision, followed by the Fairfield–Liverpool and Outer South Western Sydney Subdivisions.

Apprehended Violence Orders

1. Table 1.16 details the numbers of Apprehended Violence Orders (AVOs) granted in NSW Local Courts during 1997 and rates per 100,000 population for residence of applicant by NSW Statistical Division. In total, 23,589 AVOs were granted in NSW Local Courts in 1997, 71.0 per cent of these for domestic violence and 29.0 per cent for personal violence. Between 1996 and 1997, there was a 15.4 per cent increase in the total number of AVOs granted in NSW, the larger increase being for domestic violence (an 18.5% increase), compared with an 8.6% increase in personal AVOs.
2. 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. The highest rates of domestic AVOs granted in 1997 occurred in the Far West Statistical Division of NSW (831.5 orders granted per 100,000 population), an increase of 53.4 per cent compared with 1996 (542.1 per 100,000 population in 1996), the North Western

SUMMARY OF MAIN FEATURES

LOCAL COURTS continued

Statistical Division (481.2 per 100,000 population, an increase of 18.0%), followed by the Northern (382.1) and Central West (369.8) regions of country NSW. In the Sydney Statistical Division, three Statistical Subdivisions showed rates of domestic AVOs granted above the average NSW rate: Outer South Western Sydney (350.2 per 100,000 population, an increase of 21.0% compared with 1996), Fairfield–Liverpool (312.5) and Inner Sydney (278.0). All regions with rates below the average NSW rate for domestic AVOs granted in 1997 were in the Sydney Statistical Division, with the lowest rates occurring in Hornsby–Ku-ring-gai (95.6 per 100,000 population) and the Lower Northern Sydney Subdivision (98.9 per 100,000 population).

3. Country areas of NSW also had the highest rates of personal AVOs granted by NSW Local Courts in 1997. In fact, no area in the Sydney Statistical Subdivision had a rate above the average NSW rate. Highest rates of personal AVOs granted occurred in the North Western Statistical Division of NSW (299.8 per 100,000 population, an increase of 6.0%), followed by the Far West, Mid-North Coast and Murrumbidgee Statistical Divisions.

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 1997, *New South Wales Criminal Courts Statistics 1996*.

2 Note that some sexual offences against children have been classified as sexual assault, resulting in undercounting for the former offence. For more details, see Explanatory Notes.

3 Rate calculations are based on the 1996 Census estimated resident population data for NSW provided by the Australian Bureau of Statistics. Note that there may be undercounting of Aboriginal and Torres Strait Islander defendants because only those proceeded against by way of a charge or Court Attendance Notice can be counted.

SUMMARY OF MAIN FEATURES

CHILDREN'S COURTS

Appearances and determinations

1. Table 2.1 shows the number of criminal matters brought before NSW Children's Courts between 1991/92 and 1996/97, by offence category. The total number of criminal matters disposed of by the Children's Courts increased by 9.2 per cent between 1995/96 and 1996/97 (from 14,759 to 16,113 matters). For each matter brought before the Children's Courts, only the most serious charge for an individual having multiple charges is counted in the table.
2. The category which has consistently had the largest number of appearances before the NSW Children's Courts since 1993/94 is that of against the person offences which includes the offences of homicide, attempted homicide and all categories of non-sexual assault. In 1996/97, this category accounted for 22.6 per cent of all appearances. Of the 3,645 appearances for this offence, 2,494 (68.4%) were for assault and a further 1,046 (28.7%) for serious assault.⁴ There was a 21.1 per cent increase in the total number of appearances for against the person offences in the Children's Courts between 1995/96 and 1996/97. This category has shown an increase in the annual number of appearances each year since 1992/93.
3. Other offence categories with large numbers of appearances in the Children's Courts during 1996/97 were the categories break and enter (accounting for 12.6% of all juvenile appearances), motor vehicle theft (9.1%) and 'other theft' (10.6%). The motor vehicle theft category includes the offences steal motor vehicle, take/use motor vehicle and ride in stolen motor vehicle. There was a 2.7 per cent decrease in the number of appearances for this category of offence between 1995/96 and 1996/97, following a similar decrease from the previous year. There was a 5.2 per cent increase in the number of break and enter appearances between 1995/96 and 1996/97, following a 1.0 per cent increase from the previous year. The number of appearances for 'other theft', which covers stealing offences other than shoplifting and motor vehicle theft, increased by 3.7 per cent from 1995/96 to 1996/97, after having increased by 8.4 per cent between 1994/95 and 1995/96.
4. The largest percentage increase in the number of appearances over the two-year period 1995/96 to 1996/97 occurred in the category of against the person offences, as noted above. Sizeable increases over this period also occurred in a number of other offence categories. Appearances before NSW Children's Courts for sexual assault increased by 17.1 per cent between 1995/96 and 1996/97. Note, however, that the annual number of such offences coming before the Children's Courts is still relatively low at 137 matters (or 0.9% of all appearances) in 1996/97. Other offences which showed a large percentage increase in the number of appearances between 1995/96 and 1996/97 include unlawful possession offences, with a 14.5 per cent increase over this period, and property damage offences, which showed a 12.4 per cent increase over this period.

SUMMARY OF MAIN FEATURES

CHILDREN'S COURTS continued

5. While most offence categories listed in Table 2.1 showed an increase in the number of Children's Court appearances between 1995/96 and 1996/97, decreases were noted for the categories of shoplifting, which decreased by 6.6 per cent, fraud (down by 3.0%), motor vehicle theft (down by 2.7%) and serious driving offences (a decrease of 1.3%). Aside from fraud, each of these categories had also recorded a decrease in the number of appearances between 1994/95 and 1995/96.
6. Table 2.5 shows the distribution of appearances and determinations in 1996/97 across categories of drug offence. Between 1995/96 and 1996/97, there was a 6.8 per cent increase in the number of appearances in the Children's Courts for drug offences (from 821 matters in 1995/96 to 877 in 1996/97). The most notable increases occurred in the number of appearances for possession and/or use of opiates (from 65 appearances in 1995/96 to 110 in 1996/97) and for charges of possession and/or use of other drugs (from 128 appearances in 1995/96 to 163 in 1996/97).
7. Table 2.6 details the age and sex of defendants in matters determined before the Children's Courts in 1996/97. Male defendants accounted for 82.4 per cent of all matters determined during 1996/97 (11,260 of the total 13,659 cases). The largest proportion of female defendants occurred in the 14 year age group, where females made up 23.2 per cent of all cases, compared with 17.6 per cent of persons overall. The proportion of female defendants was lowest in the youngest and oldest age groups, with no females aged 10 years, 7 out of 89 aged 11 years (accounting for 7.9% of all defendants in this age group), and 33 aged 12 years (making up 13.7% of the total 241). In the older age groups, female defendants accounted for 15.4 per cent of the 17 year age group and 13.4 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 29.0 per cent of defendants aged 17 years.
8. Table 2.7 details offence type by sex of defendant for matters determined before the Children's Courts in 1996/97. For both males and females, the most common offence type was an offence against the person, accounting for 19.0 per cent of determined criminal matters for males, and 32.3 per cent for females. Break and enter was the next most common offence for males, accounting for 14.2 per cent of determined matters, followed by 'other theft' (11.2%) and motor vehicle theft (9.7%). The pattern was different for females, with only one other predominant category, shoplifting, which accounted for 11.3 per cent of determined criminal matters in 1996/97. The overall pattern for both sexes combined follows that for males because the majority of defendants are male.
9. Table 2.8 shows the bail status of defendants appearing before the Children's Courts in 1996/97. A large proportion of defendants presented to court by summons/court attendance notice (54.4%) or while on bail (31.0%).

SUMMARY OF MAIN FEATURES

CHILDREN'S COURTS continued

Outcomes and penalties

1. Table 2.3 shows outcomes for the principle offence charged in NSW Children's Courts from 1991/92 to 1996/97, by offence category. Both outcome and penalty are shown. Prior to 1995/96, 'no penalty' cases include both those where the offence was proven but dismissed, and those where charges were dismissed. Committals to prisons and institutions are included in the 'control order' category. The percentage of cases resulting in a penalty showed a slight decrease over the six-year period, from 66.7 per cent of cases in 1991/92 to 64.3 per cent in 1996/97 (10,366 of the total 16,113 cases in 1996/97).
2. The penalty most frequently imposed in NSW Children's Courts in recent years is a recognizance, which in 1996/97 was imposed in 3,119 cases (24.5% of all cases in which the outcome was a penalty or dismissed with caution). This compares with 23.5 per cent of such cases in 1995/96 and 25.2 per cent in 1994/95. Other penalties frequently imposed in 1996/97 were dismissed with caution (2,360 or 18.5% of penalty or dismissed with caution outcomes), a fine (2,283 or 17.9%) and probation (1,828 or 14.4%).
3. Details of outcomes of charges are shown by offence category for 1996/97 in Table 2.4. For matters before the Children's Courts where the outcome was a penalty or dismissed with caution, penalties imposed differ by the seriousness of the offence. For example, in 1996/97, 32.4 per cent of shoplifting offences resulted in a fine, 28.0 per cent were dismissed with caution, and 26.6 per cent resulted in a recognizance. For the more serious offence of break and enter, 32.4 per cent of charges resulted in a recognizance, 21.9 per cent in probation and 14.9 per cent in a control order. The most common penalty for robbery, however, the most serious of these three offences, was a Community Service Order (given in 26.6% of penalised cases), followed by a control order (25.8%) and probation (23.8%).

⁴ NSW Department of Juvenile Justice 1997: *Annual Children's Court Statistics, Criminal Matters 1996/97*, Table 8, NSW Department of Juvenile Justice, Sydney.

SUMMARY OF MAIN FEATURES

HIGHER COURTS

Registrations

1. The total number of cases registered in NSW Higher Criminal Courts increased by 13.0 per cent between 1996 and 1997, from 3,563 cases in 1996 to 4,025 cases in 1997, reflecting an overall increase in the number of trial registrations. The number of trial registrations increased by 21.6 per cent between 1996 and 1997, while the number of sentence registrations decreased by 9.9 per cent during the same period. Of the total number of cases registered in 1997, 78.2 per cent were trial case registrations, while, in 1996, 72.7 per cent were trial registrations (72.4% in 1995).
2. Table 3.1 shows the number of registrations by type of committal in the Supreme Court and in the District Court Registries of NSW in 1997. Between 1996 and 1997, there was an overall increase in total registrations in each Higher Court Registry in NSW. Each Registry showed an increase in the number of trial registrations between 1996 and 1997, while only the Wollongong, Sydney and Dubbo Registries reported increases in the number of sentence registrations during this time period.
3. The largest increases in total registrations between 1996 and 1997 occurred in the District Court Registries of Wollongong, Sydney and Dubbo. Total registrations in the Wollongong Registry increased by 38.5 per cent between 1996 and 1997 (from 257 to 356 cases), representing a 55.8 per cent increase in trial registrations and an increase of 11.9 per cent in sentence registrations. In the Sydney Registry, the overall increase was 24.6 per cent (from 879 cases in 1996 to 1,095 cases in 1997), comprised of a 30.5 per cent increase in trial case registrations and a 7.8 per cent increase in sentence case registrations. The Dubbo Registry recorded increases in total, trial and sentence case registrations of 15.7 per cent, 15.6 per cent and 15.8 per cent, respectively. The Supreme Court Registry showed an 8.2 per cent increase in total registrations, with an 11.1 per cent increase in trial case registrations (from 81 cases in 1996 to 90 cases in 1997).
4. Table 3.1 shows the percentage distribution of trial and sentence registrations across the Registries of NSW. The Sydney West Registry continued to dominate case registrations, accounting for 32.0 per cent of total registrations in 1997 (34.7% in 1996), 32.9 per cent of trial registrations and 28.9 per cent of sentence registrations. The Sydney Registry had the next highest proportion of total case registrations in 1997 (27.2%), followed by Newcastle (14.1%) and Wollongong (8.8%).

Finalisations

1. Table 3.2 shows the method of finalisation of trial and sentence cases in the NSW Higher Criminal Courts in 1997. There was a 3.3 per cent decrease in the total number of trial and sentence cases finalised, from 3,542 in 1996 to 3,425 in 1997. This follows an 8.6 per cent decrease between 1995 and 1996. The number of trials held increased from 848 in 1996 to 871 in 1997, an increase of 2.7 per cent. The percentage of cases which proceeded to trial increased, from 23.9 per cent in 1996 to 25.4 per cent of all finalised cases in 1997.
2. Table 3.3 details the year of committal for cases finalised in the NSW Higher Courts in 1997. A higher percentage of both trial and sentence cases finalised in 1997 had been committed in the same year, compared with 1996. For trials, 35.0 per cent of cases finalised in 1997 had been committed in the same year (899 of 2,571 finalised cases), compared with 32.9 per cent (839 of 2,551 finalised trial cases) in 1996. For sentence cases, 69.6 per cent of those finalised in 1997 had been committed in the same year, compared with 66.7 per cent in 1996.

SUMMARY OF MAIN FEATURES

HIGHER COURTS continued

3. The total number of charges finalised, as shown in Table 3.4, increased by 4.6 per cent from 7,802 in 1996 to 8,159 in 1997. There was an increase in the number of charges finalised between 1996 and 1997 for offences against the person (up by 15.7%), robbery and extortion (up by 13.7%) and property damage (an increase of 11.9%). Each other major offence category showed a decrease in the number of charges finalised between 1996 and 1997, ranging from a 14.0 per cent decrease in the number of finalised drug offences, to a 2.4 per cent decrease in the number of finalisations for theft offences. Driving offence charges finalised in the NSW Higher Courts decreased by 6.8 per cent between 1996 and 1997, following a 24.7 per cent decrease between 1995 and 1996 (from 194 charges in 1995, to 146 in 1996, down to 136 in 1997).
4. Of all offences charged in cases finalised in the Higher Courts in 1997, as shown in Table 3.4, against the person offences were most frequent (3,445 or 42.2% of all charges). Within this category, the most frequently charged offence was assault, accounting for 13.0 per cent of all charges finalised. Against the person offence charges comprised 38.2 per cent of total charges in 1996. Theft offences were the next most frequently charged category of offence in cases finalised in the Higher Courts in 1997 (20.7% of all charges in 1997) followed by robbery and extortion offences (14.5% of all charges finalised in the Higher Courts in 1997). Drug offences accounted for 11.2 per cent of all charges in 1997, the most prevalent category being dealing and trafficking offences (7.7% of all charges in 1997).
5. Table 3.5 shows the number of offences charged per person in trial and sentence cases finalised in the Higher Courts in 1997. Of 3,663 persons charged in finalised cases, 38.9 per cent were charged with only one offence and 31.9 per cent with two offences. In 1996, 43.2 per cent of persons were charged with one offence only and 32.0 per cent with two offences.
6. There was a small increase in the percentage of people who proceeded to trial, as shown in Table 3.6. In 1997, 25.4 per cent of all persons whose cases were finalised had proceeded to trial, compared with 24.3 per cent in 1996. In 1997, 57.4 per cent of all persons whose charges were finalised proceeded to sentence only, compared with 60.9 per cent in 1996.

Penalties

1. There were 2,567 persons found guilty (either by verdict or plea) in 1997, 70.7 per cent of all persons whose cases were finalised. In 1996, in 2,743 or 72.3 per cent of all finalised cases, the defendant was found guilty.
2. Table 3.7 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 1997. The penalty most frequently imposed in 1997 was imprisonment, with 61.9 per cent of all persons found guilty sentenced to prison, compared with 60.8 per cent in 1996 (and 54.0% in 1995). A further 10.8 per cent of those found guilty in 1997 were given a Community Service Order, the second most frequent penalty imposed (compared with 10.9% in 1996), and 9.6 per cent of guilty persons in 1997 were given a periodic detention (10.1% in 1996). In terms of the numbers of people, there were 1,588 persons given a prison sentence in 1997, compared with 1,669 in 1996.

SUMMARY OF MAIN FEATURES

HIGHER COURTS continued

3. An imprisonment penalty of less than two years for the principal offence was imposed in the majority of cases receiving imprisonment in 1997 (847 cases or 56.6% of all imprisonment penalties). In 1996, 895 cases, or 57.0 per cent of all imprisonment penalties were of less than two years duration.

Persons found guilty

1. Table 3.11 shows the incidence of prior conviction for persons who were found guilty in trial and sentence cases finalised in the NSW Higher Courts in 1997, by category of principal offence. Across all offence categories, a total of 41.2 per cent of persons found guilty had no prior convictions in 1997, most commonly those persons convicted of driving charges (65.1% had no prior conviction), fraud charges (62.4% with no prior convictions) and sex charges (53.2%). Comparable percentages in 1996 were 42.0 per cent having no prior convictions across all offence categories, with 66.2 per cent for driving charges, 68.6 per cent for fraud charges and 61.2 per cent for sex offences.
2. Tables 3.12, 3.12a and 3.12b detail age and sex, by offence, of persons found guilty in trial and sentence cases finalised in the Higher Courts in 1997. Of all persons found guilty in the NSW Higher Courts in 1997, 91.9 per cent were male and 8.1 per cent female. These proportions are essentially unchanged from 1996 (91.4% male and 8.6% female).
3. Although 91.9 per cent of persons found guilty in the NSW Higher Courts in 1997 were male, the proportion of males found guilty of each particular offence varied from this overall figure. Offences where the person found guilty was likely to be male in disproportionate numbers to the total number of males overall include sexual offences against children (99.5% male), sexual assault (98.8% male), weapons offences (97.1% male) and unlawful possession (96.7% male).
4. The majority of persons found guilty in NSW Higher Court appearances finalised in 1997 were aged between 20 and 39 years. In 1997, 24.4 per cent of all persons found guilty were aged 30-39 years, 24.3 per cent were aged 20-24 years and a further 16.9 per cent were in the 25-29 year age group. For males, the percentages within these age groups in 1997 were 23.7 per cent, 24.6 per cent and 17.3 per cent respectively, and, for females found guilty of offences in the Higher Courts, the percentages (based on small numbers) were 33.0 per cent aged 30-39 years, 21.5 per cent aged 20-24 years and 11.5 per cent aged 25-29 years.
5. The age distribution of persons found guilty in the NSW Higher Courts as described above is, however, not uniform across offences. For males, some offences contain disproportionate numbers of young persons being found guilty. For example, for males found guilty of robbery offences, 62.2 per cent were under 25 years of age (compared with 36.4% of all males found guilty, irrespective of the offence), while only 5.0 per cent were aged 40 years and over (compared with 21.6% of males across all offences). Similarly, for vehicle theft, 70.5 per cent of males found guilty of this offence were aged under 25 years and none were aged 40 years and over. Other offences with high proportions of young males include break and enter (51.7% under 25 years, 5.3% aged 40 years and over) and assault (39.7% under 25 years, 17.9% aged 40 years and over).

SUMMARY OF MAIN FEATURES

HIGHER COURTS continued

6. Similarly, some offences show considerably larger than expected proportions of older persons being found guilty when compared with the age distribution aggregated across all offences. For males found guilty in the NSW Higher Courts in 1997, the offences which showed disproportionate numbers of older persons involved were sexual assault (33.8% aged 40 years and over, compared with 21.6 per cent of males found guilty of any offence in this age group, overall), sexual offences against children (55.1% aged 40 years and over), fraud and misappropriation (38.9% in the older age group) and total drug offences (29.3% aged 40 years and over, compared with 20.7% aged under 25 years). Furthermore, for the category of sexual assault, 18.8 per cent of males found guilty of this offence were aged 50 years and over, compared with 8.6 per cent of males found guilty of any offence in the Higher Courts in 1997 being in this age range, and for sexual offences against children, 33.3 per cent of guilty males were 50 years and over.
7. Although based on small numbers, it can be seen that young females found guilty in the NSW Higher Courts in 1997 are over-represented in offences such as robbery (60.0% of females found guilty of this offence were aged under 25 years, compared with 35.4% of females overall, while none was aged 40 years and over, compared with 17.7% overall), and break and enter (61.5% under 25 years and none aged 40 years and over). In 1997, a larger than average proportion of females aged 40 years and over were found guilty of fraud (50.0% aged 40 and over, 6.3% under 25 years).

Bail status

1. Table 3.13 shows the bail status of all persons charged in trial and sentence cases finalised in the NSW Higher Courts in 1997 at the time of the hearing which disposed of the matter. The proportion of persons in gaol with bail refused increased slightly from 28.3 per cent of persons in 1996 (1,075 of 3,792 persons) to 29.3 per cent in 1997 (1,063 of 3,633 persons). Of these 1,063 cases in 1997, 9.5 per cent proceeded to trial and were found guilty of at least one charge, compared with 8.7 per cent in 1996. Of those persons released on unconditional bail in 1997, 19.6 per cent were acquitted of all charges at trial, compared with 16.8 per cent in 1996.

Court delay

1. Table 3.14 shows the median duration of cases in the NSW Higher Courts in 1997, 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 4.7 per cent, from 75 days in 1996 to 71.5 days in 1997. (The median delay was 102 days in 1993, 84 days in 1994 and 78.5 days in 1995).
2. The median delay from committal to outcome, where the accused was remanded in custody but eventually acquitted of all charges, increased by 11.7 per cent, from 196 days in 1996 to 219 days in 1997. (The median delay was 195 days in 1993, 179 days in 1994 and 183 days in 1995). The median delay from committal to outcome where the accused was on bail, but was eventually acquitted of all charges, increased by 7.9 per cent, from 349.5 days in 1996 to 377 days in 1997. (The median delay in 1995 was 344 days).

SUMMARY OF MAIN FEATURES

HIGHER COURTS continued

3. Tables 3.14a to 3.14h detail median delays in 1997 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. However, note that the number of such persons on which the median delay calculation is based is fewer than ten for each Registry other than Sydney and Sydney West. The delays in the Sydney Registry were 106.5 and 162 days, respectively, compared with 43 and 151.5 days in 1996, and in the Sydney West Registry were 54 and 229 days in 1997 (44.5 and 233 days in 1996).

Appeals

1. 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 1997. There was a 9.7 per cent decrease in the number of appeals against conviction finalised, from 2,191 in 1996 to 1,978 in 1997. Of these 1,978 appeals, in 25.5 per cent of cases the appeal was upheld for all matters, and in 68.4 per cent the appeal was dismissed or withdrawn for all matters (26.1% and 67.6%, respectively, in 1996).
2. Between 1996 and 1997, the total number of appeals against sentence finalised remained steady (a total of 3,808 appeals in 1997, compared with 3,774 in 1996). In 1.0 per cent of cases in 1997, the appeal was upheld for all matters and, in 95.3 per cent, the appeal was dismissed or withdrawn for all matters (0.9% and 95.0% in 1996).

NEW SOUTH WALES LOCAL COURTS

Explanatory notes and tables

EXPLANATORY NOTES: LOCAL COURTS TABLES

Explanatory notes are given for data items in the order in which they first appear in the 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.

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.

EXPLANATORY NOTES: LOCAL COURTS TABLES

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.

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. Charges can be dismissed by the court after a hearing, or where the prosecution elect 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.

TABLE 1.3 AND 1.3a: OUTCOME OF APPEARANCE

Table 1.3 presents the major outcome of the court process for individual persons charged. Table 1.3a 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.

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.

EXPLANATORY NOTES: LOCAL COURTS TABLES

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.

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 1.4 AND 1.5: LEGAL REPRESENTATION AND BAIL STATUS

Tables 1.4 and 1.5 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 duration table, Table 1.13.)

EXPLANATORY NOTES: LOCAL COURTS TABLES

TABLES 1.6 TO 1.11: 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.

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 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. (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 last 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.

Amount of fine

Table 1.7 shows the dollar amount of fines imposed, where a fine was the principal penalty imposed for the principal offence.

Duration of Community Service Order (CSO)

Table 1.8 shows the duration of CSOs imposed, where a CSO was the principal penalty imposed for the principal offence. Note that a maximum of 500 hours of community service can be imposed on any one occasion.

Duration of recognizance

Table 1.9 shows the duration of recognizance, where a recognizance was the principal penalty imposed for the principal offence.

Duration of fixed term imprisonment

Table 1.10 shows the duration of fixed term imprisonment, where a fixed term was the principal penalty imposed for the principal offence. As imprisonment is the most serious penalty which can be imposed, this table and Table 1.11 show all cases where imprisonment was imposed. Note that 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

EXPLANATORY NOTES: LOCAL COURTS TABLES

why a fixed term, rather than a minimum term and additional term is being applied. Cumulative terms of imprisonment are excluded from this table and from Table 1.11. In those cases where a cumulative term was imposed, only the penalty for the principal offence is shown.

Duration of minimum term

Table 1.11 shows the duration of the minimum term of imprisonment, where a minimum plus additional term was the principal penalty imposed for the principal offence. Note that a maximum of two years of imprisonment can be imposed in the Local Courts for any one offence.

TABLE 1.13: DURATION OF PROCEEDINGS

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 duration is used in preference to the average duration because there may be a small number of cases with very long durations. (The definition of median is such that half the cases had durations less than the median value and the other half had longer durations.) Where a person's bail status changed in the course of the proceedings the duration 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 1.14 AND 1.15: 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 also shown, to provide more detail. In these tables, appearances are excluded if the accused was interstate, overseas, in an institution, of no fixed place of abode, or if the area of residence was unknown.

Table 1.14 shows the number and rate per 100,000 population of Local Court appearances by the area of residence of the accused.

Table 1.15 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 1.16: APPREHENDED VIOLENCE ORDERS

Table 1.16 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 1.16, 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	4,752	4,910
Other assault	17,699	19,424
Sexual assault	359	401
Sexual offences against children	363	476
Other	1,159	1,301
Theft:		
Break and enter	3,336	3,789
Fraud	5,837	7,468
Larceny by shop stealing	3,525	3,741
Other larceny	8,306	9,391
Unlawful possession	5,713	6,709
Vehicle theft	2,562	2,724
Property damage:		
Arson, damage by fire	271	283
Other	6,413	6,661
Environmental		
	137	164
Against justice procedures:		
Breach of order	8,769	9,867
Other	6,058	6,446
Against good order:		
Weapons	1,671	2,370
Betting and gaming	13	15
Prostitution	331	339
Liquor licensing	376	389
Offensive behaviour	6,561	6,995
Other	3,688	3,976

TABLE 1.1 continued

<i>Type of offence charged</i>	<i>Persons charged</i>	<i>Charges</i>
	<i>Number</i>	<i>Number</i>
Drug:		
Possession and/or use:		
- opiates	1,191	1,415
- cannabis	6,238	7,685
- other drug	1,413	1,670
Dealing and trafficking:		
- opiates	338	379
- cannabis	462	500
- other drug	449	484
Manufacturing and/or growing:		
- cannabis	1,816	1,840
- other drug	58	58
Other	1,691	1,778
Driving:		
Cause injury by driving	218	260
DUI drink/drug	1,090	1,104
PCA - high	5,932	5,985
PCA - medium	9,603	9,650
PCA - low	3,126	3,136
Dangerous, reckless or negligent driving	7,234	7,881
Other	22,756	32,200
Other	1,249	1,563

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

<i>Outcome of charge</i>	<i>Charges</i>	
	<i>Number</i>	<i>%</i>
Dismissed:		
After hearing	9,356	5.3
No evidence offered	10,463	6.0
Non-appearance	771	0.4
Death of accused	292	0.2
Section 32, 33	735	0.4
Stood out of list*	10,785	6.1
Offence proven:		
Conviction ex parte, 80AA warrant issued	6,611	3.8
Other	136,414	77.8
Total	175,427	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**

<i>Outcome of appearance</i>	<i>Persons charged</i>	
	<i>Number</i>	<i>%</i>
Proceeded to defended hearing:		
All charges dismissed	5,918	5.3
Guilty of at least one charge	9,799	8.7
Other*	959	0.9
Convicted ex parte	15,794	14.1
All charges dismissed without hearing	6,355	5.7
Sentenced after guilty plea	69,071	61.5
All charges otherwise disposed of	4,333	3.9
Total	112,229	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 1.3a

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

<i>Outcome of appearance</i>	<i>Persons charged</i>	
	<i>Number</i>	<i>%</i>
Proceeded to defended hearing:		
All charges dismissed	507	6.1
Guilty of at least one charge	705	8.4
Other*	132	1.6
Convicted ex parte	1,503	18.0
All charges dismissed without hearing	380	4.6
Sentenced after guilty plea	4,546	54.5
All charges otherwise disposed of	573	6.9
Total	8,346	100.0

** This table only includes those persons who identify themselves as Aboriginals and/or Torres Strait Islanders.

* 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

**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	4,568	7.2	1,230	2.6	120	4.5	5,918	5.3
Guilty of at least one charge	6,691	10.6	2,915	6.3	193	7.2	9,799	8.7
Other*	735	1.2	210	0.5	14	0.5	959	0.9
Convicted ex parte	2,182	3.5	13,049	28.1	563	20.9	15,794	14.1
All charges dismissed without hearing	3,209	5.1	2,830	6.1	316	11.7	6,355	5.7
Sentenced after guilty plea	44,366	70.4	23,339	50.2	1,366	50.7	69,071	61.5
All charges otherwise disposed of	1,274	2.0	2,935	6.3	124	4.6	4,333	3.9
Total	63,025	100.0	46,508	100.0	2,696	100.0	112,229	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 1.5

**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	3,012	3.9	2,596	9.6	186	3.8	39	4.0	85	5.8	5,918	5.3
Guilty of at least one charge	5,710	7.3	3,097	11.4	686	14.0	112	11.4	194	13.2	9,799	8.7
Other*	415	0.5	477	1.8	48	1.0	10	1.0	9	0.6	959	0.9
Convicted ex parte	12,834	16.5	2,556	9.4	84	1.7	4	0.4	316	21.6	15,794	14.1
All charges dismissed without hearing	3,818	4.9	1,952	7.2	290	5.9	55	5.6	240	16.4	6,355	5.7
Sentenced after guilty plea	49,923	64.1	14,480	53.5	3,332	68.2	727	74.1	609	41.5	69,071	61.5
All charges otherwise disposed of	2,120	2.7	1,908	7.0	258	5.3	34	3.5	13	0.9	4,333	3.9
Total	77,832	100.0	27,066	100.0	4,884	100.0	981	100.0	1,466	100.0	112,229	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 1.6

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

Note: Excluded from this table are 490 cases which received no action taken on a breach of court orders, 3,592 cases which received a Section 80AA warrant, and 14 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	310	-	76	262	315	724	256	624	-	3	11	63	2,644
Other assault	652	3	131	535	898	2,038	1,192	3,275	-	9	73	675	9,481
Sexual assault	17	-	5	18	22	37	7	21	-	-	1	3	131
Sexual offences against children	25	-	6	22	23	21	4	32	-	-	-	5	138
Other	43	1	9	24	36	102	34	233	-	2	2	39	525
Theft:													
Break and enter	690	5	83	313	249	226	41	82	-	6	10	25	1,730
Fraud	172	4	65	358	148	507	169	2,362	-	27	24	114	3,950
Larceny by shop stealing	180	3	28	118	167	164	270	1,536	-	4	16	250	2,736
Other larceny	541	2	87	398	413	533	473	2,461	-	24	24	343	5,299
Unlawful possession	319	2	56	206	183	281	101	1,094	-	4	14	64	2,324
Vehicle theft	462	3	40	173	115	160	29	136	-	1	10	32	1,161
Property damage:													
Arson, damage by fire	15	-	1	17	14	18	10	48	-	2	1	5	131
Other	117	-	22	121	222	311	315	2,027	-	90	19	225	3,469
Environmental	1	-	2	1	-	2	2	83	-	-	-	6	97

Against justice procedures:													
Breach of order	832	11	175	404	426	590	142	1,045	1	5	167	196	3,994
Other	163	-	37	102	95	174	89	1,553	-	1	20	115	2,349
Against good order:													
Weapons	41	1	16	37	36	51	72	533	-	-	6	125	918
Betting and gaming	-	-	-	-	1	2	-	4	-	-	-	1	8
Prostitution	4	-	-	1	3	7	3	231	-	-	5	26	280
Liquor licensing	-	-	-	-	-	2	6	171	-	-	2	30	211
Offensive behaviour	29	-	6	35	55	94	142	2,990	-	2	35	495	3,883
Other	103	2	10	38	79	84	76	796	-	6	13	165	1,372
Drug:													
Possession and/or use:													
- opiates	55	1	10	20	42	34	27	411	-	-	9	16	625
- cannabis	77	-	13	48	86	130	215	2,536	-	-	18	276	3,399
- other drug	35	-	4	10	41	40	48	508	-	-	7	44	737
Dealing and trafficking:													
- opiates	94	-	20	26	17	45	-	8	-	-	1	-	211
- cannabis	49	2	20	59	37	53	5	38	-	-	-	2	265
- other drug	54	-	16	44	25	31	5	24	-	1	2	1	203
Manufacturing and/or growing:													
- cannabis	16	-	16	93	91	227	62	720	-	-	5	68	1,298
- other drug	3	-	-	2	1	3	1	22	-	-	-	1	33
Other	11	-	3	6	25	18	14	127	-	-	3	14	221
Driving:													
Cause injury by driving	5	-	4	26	4	17	6	57	-	-	-	1	120
DUI drink/drug	33	-	10	32	35	41	41	507	2	-	2	13	716
PCA - high	161	6	82	347	305	439	336	3,664	7	-	-	35	5,382
PCA - medium	80	3	65	195	167	228	1,383	6,385	6	-	2	335	8,849
PCA - low	3	-	1	3	10	24	461	2,003	1	-	1	267	2,774
Dangerous, reckless or negligent driving	84	4	38	94	43	125	69	3,096	8	1	6	563	4,131
Other	395	18	170	633	172	523	257	11,659	27	-	19	1,042	14,915
Other	10	-	6	9	6	29	27	639	-	6	-	85	817
Total	5,881	71	1,333	4,830	4,607	8,135	6,390	53,741	52	194	528	5,765	91,527

* Home detention is a new penalty only available since February 1997. For details, see Appendix 1.

Against justice procedures:													
Breach of order	118	1	11	51	46	43	6	106	-	-	22	11	415
Other	26	-	2	10	16	19	8	161	-	-	2	8	252
Against good order:													
Weapons	4	-	-	3	1	3	1	20	-	-	-	2	34
Betting and gaming	-	-	-	-	1	-	-	-	-	-	-	-	1
Prostitution	-	-	-	-	1	-	-	19	-	-	1	1	22
Liquor licensing	-	-	-	-	-	-	-	53	-	-	1	1	55
Offensive behaviour	12	-	1	4	4	18	12	523	-	-	4	53	631
Other	15	1	-	2	4	8	4	79	-	-	3	5	121
Drug:													
Possession and/or use:													
- opiates	4	-	-	-	2	-	1	11	-	-	1	-	19
- cannabis	9	-	1	2	2	5	4	176	-	-	2	8	209
- other drug	3	-	-	-	1	2	1	15	-	-	2	2	26
Dealing and trafficking:													
- opiates	1	-	-	-	-	-	-	-	-	-	-	-	1
- cannabis	3	-	1	3	2	8	-	1	-	-	-	-	18
- other drug	3	-	-	2	3	1	1	2	-	-	-	-	12
Manufacturing and/or growing:													
- cannabis	1	-	1	2	4	6	-	32	-	-	-	3	49
- other drug	-	-	-	-	-	-	-	-	-	-	-	-	0
Other	-	-	-	-	-	1	-	11	-	-	-	-	12
Driving:													
Cause injury by driving	-	-	-	2	-	-	-	-	-	-	-	-	2
DUI drink/drug	4	-	2	2	1	3	1	12	-	-	-	-	25
PCA - high	39	-	7	39	16	19	7	243	-	-	-	-	370
PCA - medium	12	-	2	12	10	12	24	267	-	-	-	6	345
PCA - low	-	-	-	-	1	-	2	66	-	-	-	3	72
Dangerous, reckless or negligent driving	6	-	1	6	2	4	-	26	1	-	-	-	46
Other	56	1	13	54	11	31	5	239	2	-	3	10	425
Other	1	-	-	-	1	1	1	9	-	-	-	-	13
Total	1,015	6	88	461	430	648	198	3,256	3	10	69	194	6,378

* This table only includes those persons who identify themselves as Aboriginals and/or Torres Strait Islanders. * Home detention is a new penalty only available since February 1997. For details, see Appendix 1.

TABLE 1.7

PERSONS FINED AS PRINCIPAL PENALTY FOR PRINCIPAL OFFENCE IN LOCAL COURT APPEARANCES FINALISED:
TYPE OF PRINCIPAL OFFENCE, AMOUNT OF FINE

<i>Type of principal offence</i>	<i>Amount of fine</i>									<i>Total</i>
	<i>Less than \$250</i>	<i>\$250 to \$499</i>	<i>\$500 to \$749</i>	<i>\$750 to \$999</i>	<i>\$1000 to \$1499</i>	<i>\$1500 to \$1999</i>	<i>\$2000 to \$2999</i>	<i>\$3000 to \$3999</i>	<i>\$4000 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>	
Against the person:										
Assault occasioning actual bodily harm	56	181	215	65	73	18	13	-	3	624
Other assault	817	1,403	712	170	138	14	21	-	-	3,275
Sexual assault	-	2	5	4	3	2	5	-	-	21
Sexual offences against children	7	13	5	3	2	-	2	-	-	32
Other	110	69	38	6	7	-	3	-	-	233
Theft:										
Break and enter	21	20	27	7	6	1	-	-	-	82
Fraud	440	742	473	169	255	92	98	36	57	2,362
Larceny by shop stealing	602	665	207	32	26	3	1	-	-	1,536
Other larceny	747	1,013	477	100	104	14	6	-	-	2,461
Unlawful possession	219	534	279	25	27	4	3	2	1	1,094
Vehicle theft	24	34	44	14	14	2	4	-	-	136
Property damage:										
Arson, damage by fire	17	19	9	-	3	-	-	-	-	48
Other	817	837	274	46	43	5	4	-	1	2,027
Environmental	18	15	19	8	11	9	1	1	1	83

Against justice procedures:										
Breach of order	411	389	179	32	26	4	3	1	-	1,045
Other	519	547	240	52	94	19	52	10	20	1,553
Against good order:										
Weapons	213	203	79	12	15	4	6	1	-	533
Betting and gaming	-	-	-	-	-	-	4	-	-	4
Prostitution	144	77	9	1	-	-	-	-	-	231
Liquor licensing	122	37	7	3	1	-	1	-	-	171
Offensive behaviour	2,192	669	113	9	6	-	-	1	-	2,990
Other	421	259	94	5	13	2	1	-	1	796
Drug:										
Possession and/or use:										
- opiates	162	162	67	13	7	-	-	-	-	411
- cannabis	1,429	813	208	36	42	8	-	-	-	2,536
- other drug	238	187	56	11	12	3	1	-	-	508
Dealing and trafficking:										
- opiates	-	1	3	-	4	-	-	-	-	8
- cannabis	13	11	8	1	3	-	1	1	-	38
- other drug	2	5	9	4	4	-	-	-	-	24
Manufacturing and/or growing:										
- cannabis	162	282	161	44	47	9	10	2	3	720
- other drug	1	10	3	3	2	1	1	-	1	22
Other	83	37	5	-	-	-	-	2	-	127
Driving:										
Cause injury by driving	3	12	25	9	4	1	2	1	-	57
DUI drink/drug	36	190	196	58	27	-	-	-	-	507
PCA - high	68	482	1,412	1,013	623	62	4	-	-	3,664
PCA - medium	421	3,123	2,390	345	105	1	-	-	-	6,385
PCA - low	682	1,169	129	14	8	-	1	-	-	2,003
Dangerous, reckless or negligent driving	1,737	772	346	126	102	12	1	-	-	3,096
Other	4,843	4,471	1,745	333	253	10	4	-	-	11,659
Other	263	148	102	35	51	7	16	7	10	639
Total	18,060	19,603	10,370	2,808	2,161	307	269	65	98	53,741

Against justice procedures:											
Breach of order	110	149	69	54	10	10	-	2	-	-	404
Other	20	43	21	14	3	1	-	-	-	-	102
Against good order:											
Weapons	8	11	4	8	2	3	1	-	-	-	37
Betting and gaming	-	-	-	-	-	-	-	-	-	-	0
Prostitution	-	1	-	-	-	-	-	-	-	-	1
Liquor licensing	-	-	-	-	-	-	-	-	-	-	0
Offensive behaviour	7	22	4	1	1	-	-	-	-	-	35
Other	11	10	9	6	2	-	-	-	-	-	38
Drug:											
Possession and/or use:											
- opiates	4	11	2	1	-	-	-	1	-	1	20
- cannabis	14	19	7	5	1	-	-	2	-	-	48
- other drug	3	3	3	1	-	-	-	-	-	-	10
Dealing and trafficking:											
- opiates	1	6	1	12	2	4	-	-	-	-	26
- cannabis	4	13	11	15	7	4	-	5	-	-	59
- other drug	3	13	12	8	4	4	-	-	-	-	44
Manufacturing and/or growing:											
- cannabis	9	28	23	23	-	5	1	2	-	2	93
- other drug	-	-	2	-	-	-	-	-	-	-	2
Other	2	3	-	1	-	-	-	-	-	-	6
Driving:											
Cause injury by driving	2	4	3	7	4	4	-	1	-	1	26
DUI drink/drug	3	22	4	1	1	1	-	-	-	-	32
PCA - high	22	133	105	80	3	3	-	-	-	1	347
PCA - medium	13	150	16	10	5	1	-	-	-	-	195
PCA - low	1	1	1	-	-	-	-	-	-	-	3
Dangerous, reckless or negligent driving	6	39	17	19	3	5	1	1	1	2	94
Other	69	501	37	19	3	2	-	1	-	1	633
Other	1	3	1	3	-	1	-	-	-	-	9
Total	632	2,154	804	788	161	192	15	58	3	23	4,830

TABLE 1.9

PERSONS RECEIVING A RECOGNIZANCE AS PRINCIPAL PENALTY FOR PRINCIPAL OFFENCE
IN LOCAL COURT APPEARANCES FINALISED:
TYPE OF PRINCIPAL OFFENCE, DURATION OF RECOGNIZANCE

<i>Type of principal offence</i>	<i>Duration of recognizance</i>									<i>Total</i>
	<i>Less than 6 months</i>	<i>6 months to under 12 months</i>	<i>12 months to under 18 months</i>	<i>18 months to under 24 months</i>	<i>24 months to under 30 months</i>	<i>30 months to under 36 months</i>	<i>36 months to under 42 months</i>	<i>48 months to under 54 months</i>	<i>60 months 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>	
Against the person:										
Assault occasioning actual bodily harm	6	52	496	158	412	-	160	5	6	1,295
Other assault	17	244	1,962	449	1,099	-	339	8	10	4,128
Sexual assault	-	-	11	8	26	-	18	1	2	66
Sexual offences against children	-	2	9	3	13	-	14	3	4	48
Other	-	7	55	24	66	-	19	-	1	172
Theft:										
Break and enter	2	6	128	71	179	-	123	4	3	516
Fraud	2	21	222	78	302	-	167	17	15	824
Larceny by shop stealing	1	46	276	64	153	-	59	1	1	601
Other larceny	4	86	539	171	448	-	158	2	11	1,419
Unlawful possession	3	12	193	66	215	-	73	2	1	565
Vehicle theft	-	6	91	36	116	-	53	1	1	304
Property damage:										
Arson, damage by fire	-	2	10	6	19	-	4	-	1	42
Other	3	72	416	93	208	-	54	-	2	848
Environmental	-	-	3	-	1	-	-	-	-	4

Against justice procedures:										
Breach of order	8	47	465	144	350	-	131	6	7	1,158
Other	1	24	159	42	96	1	33	2	-	358
Against good order:										
Weapons	-	14	70	13	46	-	13	-	3	159
Betting and gaming	-	-	-	-	1	-	2	-	-	3
Prostitution	-	1	7	-	5	-	-	-	-	13
Liquor licensing	-	3	4	-	1	-	-	-	-	8
Offensive behaviour	5	44	154	26	50	-	9	-	3	291
Other	17	22	93	26	54	-	26	-	1	239
Drug:										
Possession and/or use:										
- opiates	-	5	35	12	37	-	13	-	1	103
- cannabis	2	42	224	38	90	-	33	1	1	431
- other drug	-	10	58	14	35	-	11	-	1	129
Dealing and trafficking:										
- opiates	-	1	3	3	30	-	25	-	-	62
- cannabis	-	2	17	10	41	-	21	2	2	95
- other drug	-	-	15	7	23	-	16	-	-	61
Manufacturing and/or growing:										
- cannabis	1	6	126	40	141	-	61	4	1	380
- other drug	-	-	2	-	3	-	-	-	-	5
Other	-	1	23	6	23	-	4	-	-	57
Driving:										
Cause injury by driving	-	-	9	3	8	-	7	-	-	27
DUI drink/drug	-	5	32	13	36	-	27	2	2	117
PCA - high	1	27	195	103	328	-	377	20	29	1,080
PCA - medium	7	99	755	170	433	2	293	12	7	1,778
PCA - low	3	70	286	42	67	-	25	2	-	495
Dangerous, reckless or negligent driving	3	12	72	33	48	-	58	6	5	237
Other	6	56	318	114	281	-	156	12	9	952
Other	1	-	28	5	23	-	5	-	-	62
Total	93	1,047	7,561	2,091	5,507	3	2,587	113	130	19,132

TABLE 1.10

**PERSONS RECEIVING A FIXED TERM OF IMPRISONMENT AS PRINCIPAL PENALTY FOR PRINCIPAL OFFENCE
IN LOCAL COURT APPEARANCES FINALISED:**

TYPE OF PRINCIPAL OFFENCE, DURATION OF FIXED TERM IMPRISONMENT

<i>Type of principal offence</i>	<i>Duration of fixed term imprisonment</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>No.</i>	
	<i>Less than 1 month</i>	<i>1 month to under 2 months</i>	<i>2 months to under 3 months</i>	<i>3 months to under 4 months</i>	<i>4 months to under 5 months</i>	<i>5 months to under 6 months</i>	<i>6 months to under 7 months</i>	<i>7 months to under 8 months</i>	<i>8 months to under 9 months</i>	<i>9 months to under 10 months</i>	<i>10 months to under 11 months</i>	<i>11 months to under 12 months</i>	<i>12 months and over</i>	
Against the person:														
Assault occasioning actual bodily harm	5	18	30	60	29	15	56	-	-	6	-	-	9	228
Other assault	47	96	85	140	59	14	104	1	-	7	-	-	9	562
Sexual assault	-	1	-	2	1	1	4	-	-	-	-	-	-	9
Sexual offences against children	-	1	1	3	2	-	2	-	-	1	-	-	2	12
Other	3	2	6	4	3	2	8	-	-	-	-	-	-	28
Theft:														
Break and enter	5	20	24	69	42	12	151	1	5	12	1	-	44	386
Fraud	8	16	12	31	18	5	38	-	-	1	-	-	9	138
Larceny by shop stealing	9	29	25	36	23	2	40	-	-	-	-	-	1	165
Other larceny	30	60	58	106	63	8	111	-	-	4	-	-	16	456
Unlawful possession	11	30	44	78	44	6	73	-	1	3	-	1	5	296
Vehicle theft	6	8	23	44	46	14	111	-	1	19	-	1	26	299
Property damage:														
Arson, damage by fire	1	1	1	4	2	1	2	-	-	1	-	-	-	13
Other	16	22	17	29	7	2	15	-	1	-	-	-	-	109
Environmental	-	-	-	-	-	-	-	-	-	1	-	-	-	1

Against justice procedures:														
Breach of order	104	149	96	178	77	11	134	2	1	5	-	-	6	763
Other	18	33	16	30	14	4	27	-	-	3	-	-	4	149
Against good order:														
Weapons	-	2	3	6	4	-	11	-	1	-	-	-	4	31
Betting and gaming	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Prostitution	-	-	2	-	2	-	-	-	-	-	-	-	-	4
Liquor and licensing	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Offensive behaviour	6	7	5	3	1	1	5	-	1	-	-	-	-	29
Other	1	10	9	16	8	3	27	-	-	3	-	-	-	77
Drug:														
Possession and/or use:														
- opiates	1	8	10	17	4	-	10	-	-	-	-	-	-	50
- cannabis	14	25	12	9	4	-	9	-	1	-	-	-	2	76
- other drug	2	11	3	10	1	-	7	-	-	-	-	-	-	34
Dealing and trafficking:														
- opiates	1	1	-	8	4	2	24	-	3	2	-	-	-	45
- cannabis	2	2	5	6	4	1	10	-	-	3	-	-	2	35
- other drug	1	9	6	6	3	1	10	-	-	-	-	-	2	38
Manufacturing and/or growing:														
- cannabis	-	6	1	3	1	-	2	-	-	-	-	-	-	13
- other drug	-	-	1	-	-	-	-	-	-	-	-	-	-	1
Other	1	-	1	3	2	-	3	-	-	-	-	-	-	10
Driving:														
Cause injury by driving	-	-	-	-	-	-	2	-	-	-	-	-	-	2
DUI drink/drug	-	2	2	7	9	1	11	-	1	-	-	-	-	33
PCA - high	1	7	10	38	28	3	53	-	2	3	-	-	1	146
PCA - medium	3	4	13	15	20	2	22	-	-	-	-	-	1	80
PCA - low	1	-	-	-	1	-	1	-	-	-	-	-	-	3
Dangerous, reckless or negligent driving	-	1	6	17	12	-	35	-	-	2	-	-	2	75
Other	18	23	36	100	59	13	137	-	-	-	-	-	-	386
Other	-	-	-	4	-	-	3	-	-	-	-	-	1	8
Total	315	604	563	1,082	597	124	1,258	4	18	76	1	2	146	4,790

Against justice procedures:									
Breach of order	14	14	18	13	8	2	-	-	69
Other	3	-	1	6	3	1	-	-	14
Against good order:									
Weapons	-	-	2	5	2	-	-	1	10
Betting and gaming	-	-	-	-	-	-	-	-	0
Prostitution	-	-	-	-	-	-	-	-	0
Liquor licensing	-	-	-	-	-	-	-	-	0
Offensive behaviour	-	-	-	-	-	-	-	-	0
Other	2	2	3	10	8	1	-	-	26
Drug:									
Possession and/or use:									
- opiates	2	-	1	1	1	-	-	-	5
- cannabis	-	-	1	-	-	-	-	-	1
- other drug	-	-	-	-	1	-	-	-	1
Dealing and trafficking:									
- opiates	2	1	17	14	13	2	-	-	49
- cannabis	1	4	4	2	2	-	1	-	14
- other drug	1	3	3	4	4	-	1	-	16
Manufacturing and/or growing:									
- cannabis	-	-	2	1	-	-	-	-	3
- other drug	-	-	-	2	-	-	-	-	2
Other	1	-	-	-	-	-	-	-	1
Driving:									
Cause injury by driving	-	-	1	2	-	-	-	-	3
DUI drink/drug	-	-	-	-	-	-	-	-	0
PCA - high	1	5	2	7	-	-	-	-	15
PCA - medium	-	-	-	-	-	-	-	-	0
PCA - low	-	-	-	-	-	-	-	-	0
Dangerous, reckless or negligent driving	-	-	3	4	1	-	1	-	9
Other	-	3	4	1	1	-	-	-	9
Other	-	-	2	-	-	-	-	-	2
Total	77	147	204	347	200	46	68	2	1,091

TABLE 1.12

PERSONS FOUND GUILTY IN LOCAL COURT APPEARANCES FINALISED:

SEX, TYPE OF PRINCIPAL OFFENCE, AGE

Note: Excluded from this table are 389 companies (included in Table 1.6) and 3,592 cases for which a Section 80AA warrant was issued.

Type of principal offence	Sex: Total male and female											Total
	Age (years)										Unknown	
	Under 18	18	19	20-24	25-29	30-39	40-49	50-59	60-65	Over 65		
Against the person:												
Assault occasioning actual bodily harm	9	90	143	705	536	717	312	88	14	14	16	2,644
Other assault	13	328	371	2,071	1,954	2,771	1,325	421	99	68	62	9,483
Sexual assault	-	1	4	21	16	34	29	15	7	2	2	131
Sexual offences against children	-	4	6	14	12	37	24	16	3	7	7	130
Other	1	15	25	90	94	126	105	25	9	8	26	524
Theft:												
Break and enter	12	204	202	609	330	292	69	10	1	-	2	1,731
Fraud	3	53	65	432	469	828	582	262	52	35	840	3,621
Larceny by shop stealing	4	181	202	612	482	607	357	175	55	55	7	2,737
Other larceny	25	431	465	1,493	982	1,098	445	231	53	47	30	5,300
Unlawful possession	4	157	218	701	517	506	158	35	11	10	8	2,325
Vehicle theft	8	170	155	394	238	154	35	3	1	-	3	1,161
Property damage:												
Arson, damage by fire	1	12	5	37	25	29	10	6	3	3	-	131
Other	10	265	291	1,092	714	732	267	60	13	9	16	3,469
Environmental	-	2	1	12	7	9	6	7	-	1	36	81

Against justice procedures:												
Breach of order	8	60	177	1,015	969	1,357	601	175	28	30	64	4,484
Other	27	141	139	595	418	518	217	89	17	8	174	2,343
Against good order:												
Weapons	1	26	49	191	118	214	165	89	30	20	15	918
Betting and gaming	-	-	-	-	1	1	-	5	-	-	1	8
Prostitution	-	9	16	88	67	69	26	1	1	-	3	280
Liquor licensing	-	2	7	44	37	79	25	4	2	-	11	211
Offensive behaviour	19	348	343	1,281	685	787	298	90	11	6	15	3,883
Other	11	151	155	423	242	243	97	26	7	5	10	1,370
Drug:												
Possession and/or use:												
- opiates	1	36	39	215	142	148	43	-	-	-	1	625
- cannabis	16	270	298	1,040	664	795	263	35	3	3	12	3,399
- other drug	3	58	85	210	176	173	28	3	-	-	1	737
Dealing and trafficking:												
- opiates	-	15	12	68	28	66	19	2	-	-	1	211
- cannabis	-	12	16	69	34	76	45	9	1	3	-	265
- other drug	-	11	14	59	46	34	27	9	-	1	3	204
Manufacturing and/or growing:												
- cannabis	2	41	44	274	259	406	207	48	10	5	2	1,298
- other drug	-	1	-	3	7	17	3	1	-	-	1	33
Other	1	16	22	63	39	55	20	3	1	-	1	221
Driving:												
Cause injury by driving	5	10	6	32	22	19	10	8	3	5	-	120
DUI drink/drug	8	28	37	166	129	186	102	37	8	11	4	716
PCA - high	21	66	84	893	991	1,648	1,062	457	93	59	8	5,382
PCA - medium	112	278	382	2,010	1,610	2,219	1,323	610	144	142	20	8,850
PCA - low	51	115	172	597	459	641	411	210	50	57	11	2,774
Dangerous, reckless or negligent driving	127	276	244	938	641	818	505	276	98	162	48	4,133
Other	303	573	618	3,169	2,798	3,849	2,129	966	190	127	183	14,905
Other	3	17	17	118	84	124	87	47	14	6	287	804
Total	809	4,473	5,129	21,844	17,042	22,482	11,437	4,554	1,032	909	1,931	91,642

TABLE 1.12a

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

Note: Excluded from this table are 2,946 males for whom a Section 80AA warrant was issued.

Type of principal offence	Sex: Male											Total
	Age (years)										Unknown	
	Under 18	18	19	20-24	25-29	30-39	40-49	50-59	60-65	Over 65		
Against the person:												
Assault occasioning actual bodily harm	9	77	120	640	472	652	287	84	13	14	14	2,382
Other assault	9	269	304	1,754	1,701	2,384	1,180	383	93	61	53	8,191
Sexual assault	-	1	4	20	16	34	29	15	7	2	2	130
Sexual offences against children	-	4	6	13	10	37	23	16	3	7	5	124
Other	1	14	24	68	71	92	79	20	9	7	22	407
Theft:												
Break and enter	12	187	191	568	293	254	62	10	1	-	2	1,580
Fraud	2	34	46	284	333	609	416	212	36	31	652	2,655
Larceny by shop stealing	2	112	120	360	277	301	180	80	35	37	5	1,509
Other larceny	21	341	372	1,107	699	758	286	148	38	30	14	3,814
Unlawful possession	4	125	182	565	411	382	123	31	11	10	5	1,849
Vehicle theft	8	153	145	363	222	140	30	3	-	-	3	1,067
Property damage:												
Arson, damage by fire	1	12	4	36	22	25	8	5	3	3	-	119
Other	8	237	268	988	625	622	226	52	13	9	14	3,062
Environmental	-	2	1	11	7	7	6	5	-	1	33	73

Against justice procedures:												
Breach of order	7	59	162	891	850	1,191	532	154	26	26	51	3,949
Other	23	117	115	488	325	388	169	67	16	8	123	1,839
Against good order:												
Weapons	1	26	47	182	112	204	157	86	28	19	15	877
Betting and gaming	-	-	-	-	-	1	-	5	-	-	1	7
Prostitution	-	-	2	12	15	9	3	1	-	-	1	43
Liquor licensing	-	1	7	39	34	63	21	4	1	-	8	178
Offensive behaviour	19	303	313	1,133	569	629	253	79	11	5	9	3,323
Other	11	141	135	378	215	211	82	20	6	4	8	1,211
Drug:												
Possession and/or use:												
- opiates	1	25	34	179	116	112	41	-	-	-	1	509
- cannabis	13	234	281	921	569	651	212	31	2	3	8	2,925
- other drug	3	48	69	168	142	142	24	3	-	-	1	600
Dealing and trafficking:												
- opiates	-	13	10	58	26	51	16	2	-	-	-	176
- cannabis	-	12	14	60	30	62	31	7	1	2	-	219
- other drug	-	7	14	49	38	31	18	8	-	1	3	169
Manufacturing and/or growing:												
- cannabis	2	36	37	236	213	319	173	42	8	5	1	1,072
- other drug	-	1	-	1	6	15	1	1	-	-	1	26
Other	1	13	21	49	28	38	15	3	1	-	-	169
Driving:												
Cause injury by driving	2	4	5	26	18	15	8	8	1	4	-	91
DUI drink/drug	8	27	34	151	111	153	87	30	8	11	4	624
PCA - high	17	58	69	789	851	1,396	901	409	86	55	5	4,636
PCA - medium	99	234	339	1,726	1,375	1,884	1,110	553	131	134	15	7,600
PCA - low	45	101	149	502	385	521	355	183	46	52	10	2,349
Dangerous, reckless or negligent driving	119	238	221	841	561	691	418	225	77	126	37	3,554
Other	277	522	545	2,811	2,426	3,306	1,836	864	177	118	169	13,051
Other	-	11	11	88	64	102	63	45	11	4	235	634
Total	725	3,799	4,421	18,555	14,238	18,482	9,461	3,894	899	789	1,530	76,793

TABLE 1.12b

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

Note: Excluded from this table are 646 females for whom a Section 80AA warrant was issued.

Type of principal offence	Sex: Female											Total
	Age (years)										Unknown	
	Under 18	18	19	20-24	25-29	30-39	40-49	50-59	60-65	Over 65		
Against the person:												
Assault occasioning actual bodily harm	-	13	23	65	64	65	25	4	1	-	2	262
Other assault	4	59	67	317	253	387	145	38	6	7	9	1,292
Sexual assault	-	-	-	1	-	-	-	-	-	-	-	1
Sexual offences against children	-	-	-	1	2	-	1	-	-	-	2	6
Other	-	1	1	22	23	34	26	5	-	1	4	117
Theft:												
Break and enter	-	17	11	41	37	38	7	-	-	-	-	151
Fraud	1	19	19	148	136	219	166	50	16	4	188	966
Larceny by shop stealing	2	69	82	252	205	306	177	95	20	18	2	1,228
Other larceny	4	90	93	386	283	340	159	83	15	17	16	1,486
Unlawful possession	-	32	36	136	106	124	35	4	-	-	3	476
Vehicle theft	-	17	10	31	16	14	5	-	1	-	-	94
Property damage:												
Arson, damage by fire	-	-	1	1	3	4	2	1	-	-	-	12
Other	2	28	23	104	89	110	41	8	-	-	2	407
Environmental												
	-	-	-	1	-	2	-	2	-	-	3	8

Against justice procedures:												
Breach of order	1	1	15	124	119	166	69	21	2	4	13	535
Other	4	24	24	107	93	130	48	22	1	-	51	504
Against good order:												
Weapons	-	-	2	9	6	10	8	3	2	1	-	41
Betting and gaming	-	-	-	-	1	-	-	-	-	-	-	1
Prostitution	-	9	14	76	52	60	23	-	1	-	2	237
Liquor licensing	-	1	-	5	3	16	4	-	1	-	3	33
Offensive behaviour	-	45	30	148	116	158	45	11	-	1	6	560
Other	-	10	20	45	27	32	15	6	1	1	2	159
Drug:												
Possession and/or use:												
- opiates	-	11	5	36	26	36	2	-	-	-	-	116
- cannabis	3	36	17	119	95	144	51	4	1	-	4	474
- other drug	-	10	16	42	34	31	4	-	-	-	-	137
Dealing and trafficking:												
- opiates	-	2	2	10	2	15	3	-	-	-	1	35
- cannabis	-	-	2	9	4	14	14	2	-	1	-	46
- other drug	-	4	-	10	8	3	9	1	-	-	-	35
Manufacturing and/or growing:												
- cannabis	-	5	7	38	46	87	34	6	2	-	1	226
- other drug	-	-	-	2	1	2	2	-	-	-	-	7
Other	-	3	1	14	11	17	5	-	-	-	1	52
Driving:												
Cause injury by driving	3	6	1	6	4	4	2	-	2	1	-	29
DUI drink/drug	-	1	3	15	18	33	15	7	-	-	-	92
PCA - high	4	8	15	104	140	252	161	48	7	4	3	746
PCA - medium	13	44	43	284	235	335	213	57	13	8	5	1,250
PCA - low	6	14	23	95	74	120	56	27	4	5	1	425
Dangerous, reckless or negligent driving	8	38	23	97	80	127	87	51	21	36	11	579
Other	26	51	73	358	372	543	293	102	13	9	14	1,854
Other	3	6	6	30	20	22	24	2	3	2	52	170
Total	84	674	708	3,289	2,804	4,000	1,976	660	133	120	401	14,849

TABLE 1.13

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

a Total includes 85 persons for whom bail status was unknown.
b Total includes 194 persons for whom bail status was unknown.
c Total includes 9 persons for whom bail status was unknown.
d Total includes 316 persons for whom bail status was unknown.

e Total includes 240 persons for whom bail status was unknown.
f Total includes 609 persons for whom bail status was unknown.
g Total includes 13 persons for whom bail status was unknown.

Note: There were 981 persons excluded from this table who were in prison for a previous offence.

Outcome of appearance	Bail status								
	On bail			In gaol/shelter			Total		
	<i>Persons charged</i>	<i>Duration of proceedings</i>		<i>Persons charged</i>	<i>Duration of proceedings</i>		<i>Persons charged</i>	<i>Duration of proceedings</i>	
	<i>Offence to first appearance</i>	<i>First appearance to determination</i>		<i>Offence to first appearance</i>	<i>First appearance to determination</i>		<i>Offence to first appearance</i>	<i>First appearance to determination</i>	
	Number	Median duration (days)		Number	Median duration (days)		Number	Median duration (days)	
Proceeded to defended hearing:									
All charges dismissed	5,608	39.0	102.0	186	22.0	33.0	5,879 ^a	38.0	100.0
Guilty of at least one charge	8,807	52.0	85.0	686	56.0	25.5	9,687 ^b	53.0	81.0
Other*	892	27.0	101.0	48	19.5	79.0	949 ^c	27.0	98.0
Convicted ex parte	15,390	37.0	11.0	84	145.0	15.0	15,790 ^d	38.0	8.0
All charges dismissed without hearing	5,770	52.0	91.0	290	29.0	40.5	6,300 ^e	53.5	85.5
Sentenced after guilty plea	64,403	29.0	0.0	3,332	25.0	5.0	68,344 ^f	28.0	0.0
All charges otherwise disposed of	4,028	34.0	14.0	258	6.0	38.5	4,299 ^g	33.0	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 1.14

**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	7,027	2,549.8
Eastern Suburbs	3,258	1,337.0
St George – Sutherland	5,309	1,273.5
Canterbury – Bankstown	4,461	1,458.0
Fairfield – Liverpool	6,491	2,024.3
Outer South Western Sydney	4,430	2,022.7
Inner Western Sydney	1,806	1,153.3
Central Western Sydney	4,607	1,627.7
Outer Western Sydney	4,685	1,535.1
Blacktown – Baulkham Hills	6,079	1,636.6
Lower Northern Sydney	2,497	881.8
Hornsby – Ku-ring-gai	1,897	752.4
Northern Beaches	2,922	1,297.8
Gosford – Wyong	4,829	1,748.4
Hunter	8,904	1,584.8
Illawarra	5,698	1,510.9
Richmond – Tweed	4,207	2,065.2
Mid-North Coast	5,578	2,103.2
Northern	4,218	2,380.4
North Western	3,884	3,308.2
Central West	3,616	2,095.7
South Eastern	3,551	1,974.4
Murrumbidgee	3,233	2,168.6
Murray	2,072	1,869.8
Far West	776	3,117.2

Note: Excluded from this table are 3,775 people whose residence was recorded as interstate or overseas, 1,442 people whose residence was unknown/no fixed abode, and 977 people who were institutionalised. The population data used to calculate rates are preliminary estimates of population as at 30 June 1997 from the Australian Bureau of Statistics publication, *Population, New South Wales, 30 June 1997, 1996 Final and 1997 Preliminary*, Cat. No. 3234.1.

TABLE 1.15

**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>
	Rate	Rate	Rate	Rate	Rate	Rate	Rate	Rate	Rate
Sydney:									
Inner Sydney	279.4	582.4	72.2	1.8	157.8	169.8	169.8	505.8	16.7
Eastern Suburbs	150.6	229.8	41.4	0.8	67.7	50.9	60.3	470.3	6.2
St George – Sutherland	145.8	200.8	33.3	0.2	66.9	60.7	63.8	459.3	3.8
Canterbury – Bankstown	152.0	220.9	32.0	0.3	94.1	60.5	84.3	478.8	8.5
Fairfield – Liverpool	200.2	339.6	43.3	2.2	131.6	90.4	153.1	603.5	21.5
Outer South Western Sydney	259.8	320.5	72.6	0.5	130.1	101.4	86.3	661.6	13.2
Inner Western Sydney	126.4	199.2	35.1	-	51.7	35.8	60.0	387.0	7.7
Central Western Sydney	157.9	262.9	44.5	0.4	114.8	59.4	91.5	557.2	11.3
Outer Western Sydney	139.6	213.6	41.3	2.3	85.8	62.3	96.3	566.9	12.1
Blacktown – Baulkham Hills	161.8	252.8	48.5	1.1	99.9	60.8	90.7	591.5	8.3
Lower Northern Sydney	68.9	145.8	26.8	1.1	30.7	32.8	52.6	381.4	5.3
Hornsby – Ku-ring-gai	58.7	122.6	15.9	0.8	33.7	22.6	51.6	334.0	2.0
Northern Beaches	129.7	172.3	30.2	0.9	41.7	64.0	56.0	617.8	3.6
Gosford – Wyong	185.0	278.4	57.2	1.4	109.0	84.4	93.8	665.1	10.1

Hunter	200.6	245.6	61.4	0.9	104.7	90.1	103.1	522.4	17.8
Illawarra	183.5	237.6	67.9	2.9	107.7	68.1	90.4	485.0	23.1
Richmond – Tweed	249.9	251.8	56.9	-	113.4	139.4	218.0	694.1	11.3
Mid-North Coast	292.6	278.6	81.1	3.0	128.2	133.5	194.9	656.5	12.1
Northern	357.8	249.4	96.5	0.6	142.2	238.2	115.7	678.9	13.0
North Western	564.7	281.9	127.8	3.4	209.5	453.1	135.4	842.4	17.0
Central West	255.6	274.7	83.5	0.6	107.2	179.1	125.8	703.0	5.8
South Eastern	260.8	211.3	82.8	0.6	110.6	219.1	179.0	640.0	37.3
Murrumbidgee	297.8	249.5	87.2	1.3	126.8	223.4	108.0	737.8	9.4
Murray	245.5	267.1	68.6	1.8	138.1	152.5	120.9	614.5	23.5
Far West	751.2	277.2	184.8	4.0	305.3	301.3	152.6	602.6	20.1
New South Wales	198.5	253.2	55.2	1.2	101.1	101.1	104.9	557.3	12.4

Note: Excluded from this table are 3,273 people whose residence was recorded as interstate or overseas, 1,011 people whose residence was unknown/no fixed abode, and 850 people who were institutionalised.

The population data used to calculate rates are preliminary estimates of population as at 30 June 1997 from the Australian Bureau of Statistics publication, **Population, New South Wales, 30 June 1997, 1996 Final and 1997 Preliminary**, Catalogue No. 3234.1.

TABLE 1.16**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	766	278.0	290	105.2
Eastern Suburbs	432	177.3	110	45.1
St George – Sutherland	918	220.2	158	37.9
Canterbury – Bankstown	552	180.4	118	38.6
Fairfield – Liverpool	1,002	312.5	269	83.9
Outer South Western Sydney	767	350.2	212	96.8
Inner Western Sydney	291	185.8	43	27.5
Central Western Sydney	692	244.5	114	40.3
Outer Western Sydney	761	249.4	289	94.7
Blacktown – Baulkham Hills	967	260.3	335	90.2
Lower Northern Sydney	280	98.9	59	20.8
Hornsby – Ku-ring-gai	241	95.6	54	21.4
Northern Beaches	271	120.4	129	57.3
Gosford – Wyong	695	251.6	265	95.9
Hunter	1,909	339.8	930	165.5
Illawarra	1,165	308.9	475	126.0
Richmond – Tweed	634	311.2	415	203.7
Mid-North Coast	956	360.5	635	239.4
Northern	677	382.1	352	198.7
North Western	565	481.2	352	299.8
Central West	638	369.8	295	171.0
South Eastern	501	278.6	321	178.5
Murrumbidgee	455	305.2	310	207.9
Murray	325	293.3	193	174.2
Far West	207	831.5	74	297.3
New South Wales	16,667	265.6	6,797	108.3

Note: Excluded from this table are 47 orders where the residence of the person was interstate and 78 where the residence was unknown.

The population data used to calculate rates are preliminary estimates of population as at 30 June 1997 from the Australian Bureau of Statistics publication, **Population, New South Wales, 30 June 1997, 1996 Final and 1997 Preliminary**, 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, 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: TRENDS IN APPEARANCES

Table 2.1 provides information on the numbers of criminal matters before the Children's Courts over a six-year period.

Appearance

An appearance is defined as a group of one or more charges against an individual, disposed of by the Children's Courts. For juveniles with multiple charges only one charge, the most serious, is presented in these tables.

An appearance is defined to be 'determined' if the charges are dealt with by the court. An appearance is defined to be 'not determined' if the charges are not dealt with by the court, for example, if the juvenile absconds or dies, or the charges are referred to a different jurisdiction. In the 1995/96 and 1996/97 statistics 'determined' has a narrower definition, only applying to proven cases.

Type of offence

In this and subsequent tables, the type of offence charged is the principal offence charged. The principal offence charged is defined as the most serious charge laid against an individual at the court appearance.

EXPANATORY NOTES: CHILDREN'S COURTS TABLES

The offence classification system is based on the Australian National Classification of Offences (ANCO) issued by the Australian Bureau of Statistics (ABS 1985, Cat. No. 1234.0). The following notes provide more information on the categorisation used:

1. The category 'against the person' includes homicides, attempted homicides and non-sexual assaults.
2. The 'serious driving' category includes drink/driving offences and dangerous or negligent driving.
3. The 'motor vehicle theft' category includes steal motor vehicle, take/use motor vehicle and ride in stolen motor vehicle.
4. The category 'other' includes offences against good order and other offences not elsewhere classified.

TABLE 2.2: TRENDS IN DETERMINED OFFENCES

Table 2.2 presents information for a six-year period, on the number of criminal matters before the Children's Courts which were determined; that is, where at least one charge was proven, or where all charges were dismissed, with or without a court hearing.

TABLE 2.3 and 2.4: OUTCOME OF CHARGE

Table 2.3 presents information for a six-year period on the outcome for the principal offence charged. Where there were other charges against an individual with different outcomes to that for the principal offence charged, the outcomes of these charges are not shown in the table. The outcome classification used is based on draft national standards developed by the Australian Bureau of Statistics. Note that *outcome of charge* in these tables includes both outcome and penalty. Appendix 1 provides a description of the major types of penalty used by the Local, Children's and Higher Courts.

The 'control order' category includes the categories 'committed to prison' and 'committed to institution'. The grouped outcome 'other' includes the following categories: rising of the court, compensation, and other proven outcomes.

Table 2.4 presents information on court outcomes for the principal offence charged, for each type of offence.

EXPLANATORY NOTES: CHILDREN'S COURT TABLES

TABLE 2.5: APPEARANCES AND OFFENCES DETERMINED FOR DRUG MATTERS

Table 2.5 shows information on the number of court appearances and determined offences for different types of drug offence. Note that the more serious drug offences are committed to the District Court.

TABLE 2.6: AGE AND SEX OF PERSONS FOR WHOM CRIMINAL MATTERS WERE DETERMINED

The age category '18 years and over' which appears in this and subsequent 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 2.8: BAIL AT FINAL APPEARANCE

Table 2.8 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 2.1

**TRENDS IN APPEARANCES FOR CRIMINAL MATTERS BEFORE THE CHILDREN'S COURTS, 1991/92 TO 1996/97:
TYPE OF OFFENCE CHARGED, YEAR OF APPEARANCE**

<i>Type of offence charged</i>	<i>Year of appearance</i>											
	<i>1991/92</i>		<i>1992/93</i>		<i>1993/94</i>		<i>1994/95</i>		<i>1995/96</i>		<i>1996/97</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>
Against the person	1,951	14.2	1,790	14.3	2,447	17.6	2,802	19.6	3,010	20.4	3,645	22.6
Robbery and extortion	300	2.2	293	2.3	425	3.1	348	2.4	490	3.3	522	3.2
Sexual assault	98	0.7	102	0.8	121	0.9	116	0.8	117	0.8	137	0.9
Fraud	406	3.0	378	3.0	388	2.8	279	2.0	334	2.3	324	2.0
Break and enter	2,250	16.4	2,132	17.0	2,017	14.5	1,914	13.4	1,933	13.1	2,033	12.6
Larceny:												
Motor vehicle theft	1,366	9.9	1,164	9.3	1,503	10.8	1,547	10.8	1,502	10.2	1,461	9.1
Shoplifting	639	4.6	985	7.9	999	7.2	989	6.9	849	5.8	793	4.9
Other theft	1,874	13.6	1,400	11.2	1,618	11.6	1,519	10.6	1,646	11.2	1,707	10.6
Unlawful possession	668	4.9	620	4.9	713	5.1	639	4.5	750	5.1	859	5.3
Serious driving	364	2.6	259	2.1	264	1.9	316	2.2	298	2.0	294	1.8
Firearms and weapons	171	1.2	170	1.4	133	1.0	217	1.5	199	1.3	206	1.3
Property damage	1,024	7.4	959	7.6	985	7.1	1,090	7.6	1,003	6.8	1,127	7.0
Offensive behaviour	723	5.3	526	4.2	530	3.8	662	4.6	553	3.7	552	3.4
Drug	667	4.8	753	6.0	680	4.9	663	4.6	821	5.6	877	5.4
Other	1,252	9.1	1,006	8.0	1,089	7.8	1,168	8.2	1,254	8.5	1,576	9.8
Total	13,753	100.0	12,537	100.0	13,912	100.0	14,269	100.0	14,759	100.0	16,113	100.0

TABLE 2.2
**TRENDS IN OFFENCES DETERMINED* FOR CRIMINAL MATTERS BEFORE THE CHILDREN'S COURTS,
1991/92 TO 1996/97:**

TYPE OF OFFENCE CHARGED, YEAR OF APPEARANCE

Type of offence charged	Year of appearance											
	1991/92		1992/93		1993/94		1994/95		1995/96*		1996/97*	
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
Against the person	1,726	13.6	1,531	13.4	2,074	16.6	2,348	18.4	2,470	19.3	2,917	21.4
Robbery and extortion	267	2.1	246	2.2	367	2.9	305	2.4	421	3.3	420	3.1
Sexual assault	83	0.7	82	0.7	98	0.8	88	0.7	89	0.7	98	0.7
Fraud	377	3.0	349	3.1	353	2.8	254	2.0	306	2.4	295	2.2
Break and enter	2,112	16.7	1,937	17.0	1,833	14.7	1,728	13.6	1,698	13.2	1,742	12.8
Larceny:												
Motor vehicle theft	1,285	10.2	1,076	9.4	1,377	11.0	1,401	11.0	1,331	10.4	1,264	9.3
Shoplifting	603	4.8	929	8.2	934	7.5	925	7.3	791	6.2	724	5.3
Other theft	1,736	13.7	1,283	11.3	1,470	11.8	1,384	10.9	1,462	11.4	1,476	10.8
Unlawful possession	597	4.7	550	4.8	630	5.1	537	4.2	609	4.8	687	5.0
Serious driving	346	2.7	238	2.1	249	2.0	301	2.4	263	2.1	271	2.0
Firearms and weapons	158	1.2	159	1.4	122	1.0	197	1.5	166	1.3	175	1.3
Property damage	937	7.4	893	7.8	901	7.2	1,001	7.9	891	7.0	990	7.2
Offensive behaviour	698	5.5	508	4.5	516	4.1	635	5.0	529	4.1	516	3.8
Drug	636	5.0	714	6.3	639	5.1	625	4.9	749	5.8	802	5.9
Other	1,099	8.7	896	7.9	912	7.3	999	7.8	1,044	8.1	1,282	9.4
Total	12,660	100.0	11,391	100.0	12,475	100.0	12,728	100.0	12,819	100.0	13,659	100.0

* Numbers of offences determined in 1995/96 and 1996/97 are not comparable with previous years. Since 1995/96, only proven matters are included, whereas in previous years some dismissed matters which were unproven could not be separately identified and were also counted.

TABLE 2.3**TRENDS IN OUTCOMES OF CHARGES FOR CRIMINAL MATTERS BEFORE THE CHILDREN'S COURTS,
1991/92 TO 1996/97:****OUTCOME OF CHARGE, YEAR OF APPEARANCE**

<i>Outcome of charge</i>	<i>Year of appearance</i>											
	<i>1991/92</i>		<i>1992/93</i>		<i>1993/94</i>		<i>1994/95</i>		<i>1995/96*</i>		<i>1996/97*</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>
Not determined	1,093	7.9	1,146	9.1	1,437	10.3	1,541	10.8	1,940	13.1	2,454	15.2
No penalty	1,135	8.3	1,126	9.0	1,352	9.7	1,453	10.2	967	6.6	933	5.8
Dismissed and cautioned	2,347	17.1	2,037	16.2	1,933	13.9	1,908	13.4	2,190	14.8	2,360	14.6
Recognizance	2,770	20.1	2,744	21.9	2,793	20.1	2,839	19.9	2,786	18.9	3,119	19.4
Probation	2,371	17.2	1,894	15.1	2,190	15.7	1,826	12.8	1,775	12.0	1,828	11.3
Fine	1,945	14.1	1,790	14.3	1,862	13.4	2,125	14.9	2,205	14.9	2,283	14.2
Community Service Order	878	6.4	726	5.8	779	5.6	763	5.3	922	6.2	992	6.2
Control order	851	6.2	769	6.1	870	6.3	975	6.8	1,018	6.9	1,098	6.8
Other	363	2.6	305	2.4	696	5.0	839	5.9	956	6.5	1,046	6.5
Total	13,753	100.0	12,537	100.0	13,912	100.0	14,269	100.0	14,759	100.0	16,113	100.0

* The outcomes included in the categories 'not determined' and 'no penalty' in 1995/96 and 1996/97 are different from those included in these categories in earlier years. Since 1995/96 the category 'no penalty' includes people who were found guilty but received no penalty. For the years prior to 1995/96, it also included those who were acquitted and those for whom all charges were dropped. These two groups are now included in the outcome category 'not determined'.

TABLE 2.4

**CHARGES FOR CRIMINAL MATTERS BEFORE THE CHILDREN'S COURTS, 1996/97:
OUTCOME OF CHARGE, TYPE OF OFFENCE CHARGED**

<i>Outcome of charge</i>	<i>Type of offence charged</i>									
	<i>Against the person</i>		<i>Robbery and extortion</i>		<i>Sexual assault</i>		<i>Fraud</i>		<i>Break and enter</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>
Not determined	728	20.0	102	19.5	39	28.5	29	9.0	291	14.3
No penalty *	349	9.6	33	6.3	10	7.3	7	2.2	46	2.3
Dismissed and cautioned	304	8.3	18	3.4	7	5.1	57	17.6	204	10.0
Recognizance	559	15.3	55	10.5	30	21.9	83	25.6	549	27.0
Probation	359	9.8	92	17.6	27	19.7	45	13.9	371	18.2
Fine	291	8.0	8	1.5	0	0.0	69	21.3	46	2.3
Community Service Order	169	4.6	103	19.7	4	2.9	13	4.0	245	12.1
Control order	199	5.5	100	19.2	8	5.8	15	4.6	253	12.4
Other	687	18.8	11	2.1	12	8.8	6	1.9	28	1.4
Total	3,645	100.0	522	100.0	137	100.0	324	100.0	2,033	100.0

* This category only includes proven matters. Prior to 1995/96, it also included those matters resulting in acquittal and those where all charges were dropped. These matters are now included in the category 'not determined'.

TABLE 2.4 continued

**CHARGES FOR CRIMINAL MATTERS BEFORE THE CHILDREN'S COURTS, 1996/97:
OUTCOME OF CHARGE, TYPE OF OFFENCE CHARGED**

<i>Outcome of charge</i>	<i>Type of offence charged</i>									
	<i>Motor vehicle theft</i>		<i>Shoplifting</i>		<i>Other theft</i>		<i>Unlawful possession</i>		<i>Serious driving</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>
Not determined	197	13.5	69	8.7	231	13.5	172	20.0	23	7.8
No penalty *	81	5.5	17	2.1	60	3.5	47	5.5	9	3.1
Dismissed and cautioned	164	11.2	198	25.0	351	20.6	123	14.3	17	5.8
Recognizance	415	28.4	188	23.7	406	23.8	158	18.4	33	11.2
Probation	229	15.7	46	5.8	198	11.6	115	13.4	6	2.0
Fine	88	6.0	229	28.9	272	15.9	122	14.2	46	15.6
Community Service Order	134	9.2	18	2.3	96	5.6	34	4.0	6	2.0
Control order	127	8.7	19	2.4	68	4.0	74	8.6	14	4.8
Other	26	1.8	9	1.1	25	1.5	14	1.6	140	47.6
Total	1,461	100.0	793	100.0	1,707	100.0	859	100.0	294	100.0

* This category only includes proven matters. Prior to 1995/96, it also included those matters resulting in acquittal and those where all charges were dropped. These matters are now included in the category 'not determined'.

TABLE 2.4 continued

CHARGES FOR CRIMINAL MATTERS BEFORE THE CHILDREN'S COURTS, 1996/97:
OUTCOME OF CHARGE, TYPE OF OFFENCE CHARGED

<i>Outcome of charge</i>	<i>Type of offence charged</i>											
	<i>Firearms and weapons</i>		<i>Property damage</i>		<i>Offensive behaviour</i>		<i>Drug</i>		<i>Other</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>
Not determined	31	15.0	137	12.2	36	6.5	75	8.6	294	18.7	2,454	15.2
No penalty *	8	3.9	47	4.2	15	2.7	17	1.9	187	11.9	933	5.8
Dismissed and cautioned	54	26.2	220	19.5	169	30.6	226	25.8	248	15.7	2,360	14.6
Recognizance	34	16.5	253	22.4	39	7.1	143	16.3	174	11.0	3,119	19.4
Probation	11	5.3	86	7.6	15	2.7	88	10.0	140	8.9	1,828	11.3
Fine	44	21.4	218	19.3	272	49.3	272	31.0	306	19.4	2,283	14.2
Community Service Order	14	6.8	76	6.7	5	0.9	22	2.5	53	3.4	992	6.2
Control order	10	4.9	36	3.2	1	0.2	31	3.5	143	9.1	1,098	6.8
Other	0	0.0	54	4.8	0	0.0	3	0.3	31	2.0	1,046	6.5
Total	206	100.0	1,127	100.0	552	100.0	877	100.0	1,576	100.0	16,113	100.0

* This category only includes proven matters. Prior to 1995/96, it also included those matters resulting in acquittal and those where all charges were dropped. These matters are now included in the category 'not determined'.

TABLE 2.5**APPEARANCES AND OFFENCES DETERMINED* FOR DRUG MATTERS BEFORE THE CHILDREN'S COURTS, 1996/97:****TYPE OF OFFENCE CHARGED**

<i>Type of offence charged</i>	<i>Appearances</i>		<i>Offences determined</i>	
	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>
Possession and/or use:				
- cannabis	389	44.4	368	45.9
- opiates	110	12.5	83	10.3
- stimulants	7	0.8	4	0.5
- other drug	163	18.6	151	18.8
Dealing and trafficking:				
- cannabis	42	4.8	41	5.1
- opiates	44	5.0	36	4.5
- stimulants	5	0.6	5	0.6
- other drug	12	1.4	11	1.4
Other	105	12.0	103	12.8
Total	877	100.0	802	100.0

* Numbers of determined offences in this table are not comparable with years prior to 1995/96. Since 1995/96, only proven matters are included.

TABLE 2.6**PERSONS FOR WHOM CRIMINAL MATTERS WERE DETERMINED* BEFORE THE CHILDREN'S COURTS, 1996/97:****AGE, SEX**

<i>Age</i>	<i>Sex</i>					
	<i>Male</i>		<i>Female</i>		<i>Total</i>	
	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>
10 years	33	0.3	0	0.0	33	0.2
11 years	82	0.7	7	0.3	89	0.7
12 years	208	1.8	33	1.4	241	1.8
13 years	618	5.5	132	5.5	750	5.5
14 years	1,186	10.5	359	15.0	1,545	11.3
15 years	1,999	17.8	512	21.3	2,511	18.4
16 years	2,629	23.3	566	23.6	3,195	23.4
17 years	3,351	29.8	611	25.5	3,962	29.0
18 years & over	1,154	10.2	179	7.5	1,333	9.8
Total	11,260	100.0	2,399	100.0	13,659	100.0

* Numbers of determined offences in this table are not comparable with years prior to 1995/96. Since 1995/96, only proven matters are included.

TABLE 2.7

**PERSONS FOR WHOM CRIMINAL MATTERS WERE DETERMINED*
BEFORE THE CHILDREN'S COURTS, 1996/97:
TYPE OF OFFENCE CHARGED, SEX**

<i>Type of offence charged</i>	Sex					
	<i>Male</i>		<i>Female</i>		<i>Total</i>	
	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>
Against the person	2,142	19.0	775	32.3	2,917	21.4
Robbery and extortion	356	3.2	64	2.7	420	3.1
Sexual assault	96	0.9	2	0.1	98	0.7
Fraud	201	1.8	94	3.9	295	2.2
Break and enter	1,597	14.2	145	6.0	1,742	12.8
Larceny:						
Motor vehicle theft	1,091	9.7	173	7.2	1,264	9.3
Shoplifting	453	4.0	271	11.3	724	5.3
Other theft	1,266	11.2	210	8.8	1,476	10.8
Unlawful possession	578	5.1	109	4.5	687	5.0
Serious driving	239	2.1	32	1.3	271	2.0
Firearms and weapons	168	1.5	7	0.3	175	1.3
Property damage	872	7.7	118	4.9	990	7.2
Offensive behaviour	410	3.6	106	4.4	516	3.8
Drug	706	6.3	96	4.0	802	5.9
Other	1,085	9.6	197	8.2	1,282	9.4
Total	11,260	100.0	2,399	100.0	13,659	100.0

* Numbers of determined offences in this table are not comparable with years prior to 1995/96. Since 1995/96, only proven matters are included.

TABLE 2.8

**APPEARANCES FOR CRIMINAL MATTERS
BEFORE THE CHILDREN'S COURTS, 1996/97:
BAIL STATUS**

<i>Bail status</i>	<i>No.</i>	<i>%</i>
In custody	1,163	7.2
On bail	5,001	31.0
Bail dispensed with	273	1.7
Unknown bail status	908	5.6
Summons or court attendance	8,768	54.4
Total	16,113	100.0

NEW SOUTH WALES HIGHER COURTS

Explanatory notes and tables

EXPLANATORY NOTES: HIGHER COURTS TABLES

Explanatory notes are given for data items in the order in which they first appear in the 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. 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 where 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 finalised case is a case where one or more charges against one or more accused were 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 would be 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.

EXPLANATORY 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.

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.
- 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.

EXPLANATORY NOTES: HIGHER COURTS TABLES

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.

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.

EXPLANATORY NOTES: HIGHER COURTS TABLES

TABLES 3.7 TO 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. (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 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.

Amount of fine

Table 3.8 shows the dollar amount of fines imposed, where a fine was the principal penalty imposed for the principal offence. Note that where imprisonment or a recognizance were imposed in addition to a fine, the fine amount is not included in this table.

Duration of imprisonment

Duration of imprisonment in Table 3.9 is the length of time in years 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 3.9 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.

Table 3.9 does not report on cases where the prison sentence was not imposed under the *Sentencing Act 1989*.

EXPLANATORY NOTES: HIGHER COURTS TABLES

TABLE 3.10: DURATION OF AGGREGATE SENTENCE AND MINIMUM/FIXED TERMS

Table 3.10 shows the minimum or fixed term of imprisonment imposed (or the aggregate of these terms where more than one prison term was imposed) against this minimum/fixed term plus the relevant additional term. Note that under the Sentencing Act 1989, each offence must receive either a fixed term or a minimum and additional term. Where imprisonment penalties are made cumulative, the relevant additional term is that imposed on the minimum term which expires on the latest date. Where the imprisonment term with the latest date is a fixed term of imprisonment, there will be no additional term to be served. Table 3.10 thus provides information on the total sentence to be served by an individual, with the time to be served in prison shown separately from the time to be served on parole. As the aggregate sentence can include cumulative imprisonment penalties, the maximum durations for cases in this table can be greater than in Table 3.9.

Excluded from this table are cases where the penalty imposed was not under the Sentencing Act 1989, where life imprisonment was imposed or where the defendant was serving an existing gaol term. For this reason, some durations from Table 3.9 are missing from this table.

TABLE 3.11: PRIOR CONVICTIONS

Table 3.11 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: DURATION OF PROCEEDINGS

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 duration is used in preference to the average duration because there may be a small number of cases with very long duration times. (The definition of median is such that half the cases had duration times less than the median duration time and the other half of the cases had longer duration times.) 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.

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 duration 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.

EXPLANATORY 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	90	2.9	2	0.2	92	2.3
District Court:						
Dubbo	207	6.6	44	5.0	251	6.2
Lismore	214	6.8	43	4.9	257	6.4
Newcastle	418	13.3	151	17.2	569	14.1
Sydney	847	26.9	248	28.2	1,095	27.2
Sydney West	1,036	32.9	254	28.9	1,290	32.0
Wagga Wagga	92	2.9	23	2.6	115	2.9
Wollongong	243	7.7	113	12.9	356	8.8
Total	3,147	100.0	878	100.0	4,025	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	43	58.1	25	33.8	5	6.8	1	1.4	74	100.0
	- committed for sentence	-	-	1	50.0	-	-	1	50.0	2	100.0
District Court											
Dubbo	- committed for trial	77	45.6	60	35.5	17	10.1	15	8.9	169	100.0
	- committed for sentence	-	-	42	93.3	-	-	3	6.7	45	100.0
Lismore	- committed for trial	51	29.0	78	44.3	34	19.3	13	7.4	176	100.0
	- committed for sentence	-	-	47	92.2	1	2.0	3	5.9	51	100.0
Newcastle	- committed for trial	124	34.3	171	47.2	47	13.0	20	5.5	362	100.0
	- committed for sentence	-	-	142	96.6	-	-	5	3.4	147	100.0
Sydney	- committed for trial	247	36.1	285	41.7	101	14.8	51	7.5	684	100.0
	- committed for sentence	-	-	182	95.3	2	1.0	7	3.7	191	100.0
Sydney West	- committed for trial	250	28.5	438	49.9	115	13.1	75	8.5	878	100.0
	- committed for sentence	-	-	267	95.4	1	0.4	12	4.3	280	100.0
Wagga Wagga	- committed for trial	25	31.6	36	45.6	11	13.9	7	8.9	79	100.0
	- committed for sentence	-	-	26	86.7	1	3.3	3	10.0	30	100.0
Wollongong	- committed for trial	54	36.2	64	43.0	25	16.8	6	4.0	149	100.0
	- committed for sentence	-	-	105	97.2	-	-	3	2.8	108	100.0
All Registries	- committed for trial	871	33.9	1,157	45.0	355	13.8	188	7.3	2,571	100.0
	- committed for sentence	-	-	812	95.1	5	0.6	37	4.3	854	100.0
Total		871	25.4	1,969	57.5	360	10.5	225	6.6	3,425	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>
1993 or earlier	2	2	0	0	47	50	2	2	49	52	2	2
1994	2	3	0	0	76	96	0	0	78	99	0	0
1995	30	37	0	0	335	372	8	8	365	409	8	8
1996	33	37	1	1	1,147	1,227	248	261	1,180	1,264	249	262
1997	7	7	1	1	892	919	593	609	899	926	594	610
Unknown	0	0	0	0	0	0	1	1	0	0	1	1
Total	74	86	2	2	2,497	2,664	852	881	2,571	2,750	854	883

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	77	83
Manslaughter	41	51
Attempt, intent to murder	55	58
Assault	720	1,063
Sexual assault	618	1,046
Sexual offences against children	426	987
Other	134	157
Robbery and extortion:		
Robbery	784	1,128
Blackmail and extortion	51	57
Theft:		
Break and enter	415	563
Fraud and misappropriation	267	535
Unlawful possession	150	192
Vehicle theft	206	235
Other	147	164
Property damage	108	132
Against justice procedures	226	278
Weapons	137	199
Against good order	80	83
Drug:		
Possession and/or use:		
- opiates	8	9
- cannabis	14	18
- other drug	23	23
Dealing and trafficking:		
- opiates	123	172
- cannabis	103	124
- other drug	231	329
Manufacturing and/or growing:		
- cannabis	86	95
- other drug	32	42
Import/export	78	95
Other	4	4

TABLE 3.4 continued

<i>Type of offence charged</i>	<i>Persons charged</i>	
	<i>Number</i>	<i>Charges</i>
	<i>Number</i>	<i>Number</i>
Driving:		
Cause death by driving	84	97
Cause injury by driving	17	21
Other	13	18
Against prison rules	53	56
Other	33	45

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	1,412	38.9
2	1,159	31.9
3	504	13.9
4	280	7.7
5	124	3.4
6	69	1.9
7	27	0.7
8	26	0.7
9	7	0.2
10 or more	25	0.7

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	16	18.2	426	12.0	442	12.2
Found guilty of at least one charge	31	35.2	399	11.3	430	11.8
Other*	1	1.1	49	1.4	50	1.4
Proceeded to sentence only	33	37.5	2,054	57.9	2,087	57.4
No charges proceeded with	5	5.7	386	10.9	391	10.8
All charges otherwise disposed of	2	2.3	231	6.5	233	6.4
Total	88	100.0	3,545	100.0	3,633	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

<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>	
Against the person:												
Murder	28	-	-	-	-	-	-	-	-	-	-	28
Manslaughter	27	-	-	1	-	-	-	-	-	-	-	28
Attempt, intent to murder	4	-	-	-	1	-	1	-	-	-	-	6
Assault	168	1	3	30	36	50	30	4	1	-	2	325
Sexual assault	115	-	5	10	12	8	9	1	-	-	2	162
Sexual offences against children	128	-	2	26	18	14	13	-	-	-	7	208
Other	18	-	-	1	3	1	1	-	-	-	-	24
Total	488	1	10	68	70	73	54	5	1	-	11	781
Robbery and extortion:												
Robbery	378	1	10	39	37	23	6	1	-	-	-	495
Blackmail and extortion	17	-	-	2	4	1	-	-	-	-	-	24
Total	395	1	10	41	41	24	6	1	-	-	-	519
Theft:												
Break and enter	143	-	1	14	17	31	12	1	-	1	-	220
Fraud and misappropriation	87	3	-	32	27	13	17	1	1	-	-	181
Unlawful possession	30	-	-	2	10	10	7	-	-	1	-	60
Vehicle theft	31	-	-	1	4	7	2	-	1	-	-	46
Other	19	-	-	5	6	9	1	-	-	-	-	40
Total	310	3	1	54	64	70	39	2	2	2	-	547

Property damage	17	-	-	2	6	16	7	-	-	-	-	48
Against justice procedures	45	-	-	6	11	15	15	1	-	1	1	95
Weapons	18	-	-	2	8	4	-	1	-	1	-	34
Against good order	3	-	-	-	3	1	1	1	-	-	-	9
Drug:												
Possession and/or use:												
- opiates	1	-	-	-	-	-	-	-	-	-	-	1
- cannabis	-	-	-	-	-	1	-	-	-	-	-	1
- other drug	-	-	-	-	-	-	1	1	2	-	-	4
Dealing and trafficking:												
- opiates	70	2	-	15	4	8	1	-	-	-	-	100
- cannabis	34	1	-	3	11	3	5	-	-	-	-	57
- other drug	68	2	-	29	29	11	5	-	-	-	-	144
Manufacturing and/or growing:												
- cannabis	20	1	-	10	16	2	6	1	2	-	-	58
- other drug	11	2	-	-	2	4	-	-	-	-	-	19
Import/export	54	-	-	1	-	1	-	-	-	-	-	56
Other	-	-	-	-	-	-	-	-	1	-	-	1
Total	258	8	-	58	62	30	18	2	5	-	-	441
Driving:												
Cause death by driving	27	2	-	12	9	-	1	-	-	-	1	52
Cause injury by driving	2	1	-	1	1	1	2	-	-	-	-	8
Other	-	-	-	-	-	-	-	-	2	-	1	3
Total	29	3	-	13	10	1	3	-	2	-	2	63
Against prison rules	20	-	-	-	-	1	-	-	-	-	1	22
Other	5	-	-	2	1	-	-	-	-	-	-	8
Total	1,588	16	21	246	276	235	143	13	10	4	15	2,567

* Home detention is a new penalty only available since February 1997. For details, see Appendix 1.

TABLE 3.8

**PERSONS FINED AS PRINCIPAL PENALTY FOR PRINCIPAL OFFENCE
IN TRIAL AND SENTENCE CASES FINALISED:
TYPE OF PRINCIPAL OFFENCE, AMOUNT OF FINE**

<i>Type of principal offence</i>	<i>Amount of fine</i>								<i>Total</i>
	<i>\$150</i>	<i>\$300</i>	<i>\$500</i>	<i>\$1,200</i>	<i>\$1,500</i>	<i>\$2,000</i>	<i>\$4,000</i>	<i>\$5,000</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	-	-	1	-	-	-	-	-	1
Theft:									
Fraud and misappropriation	-	-	-	-	-	-	1	-	1
Vehicle theft	-	-	1	-	-	-	-	-	1
Drug:									
Possession and/or use:									
- other drug	-	1	-	-	-	1	-	-	2
Manufacturing and growing:									
- cannabis	-	-	-	-	1	-	-	1	2
Other	1	-	-	-	-	-	-	-	1
Driving									
Other	-	-	1	1	-	-	-	-	2
Total	1	1	3	1	1	1	1	1	10

Note: The principal offence categories in this table are the same as in Table 3.7 but are excluded if there were no fines.

TABLES

continue on the next page...

Property damage	4	9	3	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	17
Against justice procedures	17	13	7	2	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	40
Weapons	4	11	2	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	18
Against good order	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2
Drug:																				
Possession and/or use:																				
- opiates	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1
- cannabis	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
- other drug	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Dealing and trafficking:																				
- opiates	15	20	12	11	2	4	1	-	1	-	1	-	-	2	-	-	-	-	-	69
- cannabis	9	19	6	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	34
- other drug	18	32	7	4	2	1	-	-	-	-	-	-	-	-	-	-	-	-	-	64
Manufacturing and/or growing:																				
- cannabis	7	6	2	1	-	-	3	-	1	-	-	-	-	-	-	-	-	-	-	20
- other drug	-	2	3	2	2	-	-	1	1	-	-	-	-	-	-	-	-	-	-	11
Import/export	-	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1
Total	50	79	30	18	7	5	4	1	3	-	1	-	-	2	-	-	-	-	-	200
Driving:																				
Cause death by driving	3	11	9	4	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	27
Cause injury by driving	1	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2
Total	4	11	9	5	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	29
Against prison rules	13	4	2	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	20
Other	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2
Total	336	511	284	144	74	43	42	9	12	8	9	5	5	4	1	3	2	1	3	1,496

TABLE 3.10

**PERSONS SENTENCED TO PRISON IN TRIAL AND SENTENCE CASES FINALISED:
DURATION OF AGGREGATE SENTENCE, DURATION OF MINIMUM/FIXED TERM**

Note: Excluded from this table are three people who received life imprisonment and 92 people who received an imprisonment penalty which was not under the Sentencing Act 1989.

<i>Duration of aggregate sentence</i>	<i>Duration of minimum/fixd term</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>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	<i>No.</i>	
Under 1 year	94	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	94
1 year, under 2 years	108	79	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	187
2 years, under 3 years	105	149	41	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	295
3 years, under 4 years	18	192	62	3	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	275
4 years, under 5 years	2	71	107	38	5	-	-	-	-	-	-	-	-	-	-	-	-	-	-	223
5 years, under 6 years	4	7	57	56	14	1	-	-	-	-	-	-	-	-	-	-	-	-	-	139
6 years, under 7 years	-	3	17	37	33	3	2	-	-	-	-	-	-	-	-	-	-	-	-	95
7 years, under 8 years	-	-	2	5	23	8	-	-	-	-	-	-	-	-	-	-	-	-	-	38
8 years, under 9 years	-	-	-	2	5	24	21	-	-	-	-	-	-	-	-	-	-	-	-	52
9 years, under 10 years	-	-	-	-	-	4	12	2	-	-	-	-	-	-	-	-	-	-	-	18
10 years, under 11 years	-	-	-	-	-	3	8	5	4	-	1	-	-	-	-	-	-	-	-	21
11 years, under 12 years	-	-	-	-	-	-	-	1	1	1	-	-	-	-	-	-	-	-	-	3
12 years, under 13 years	-	-	-	-	-	-	1	2	5	3	1	-	-	-	-	-	-	-	-	12
13 years, under 14 years	-	-	-	-	-	1	-	-	1	4	1	-	-	-	-	-	-	-	-	7
14 years, under 15 years	-	-	-	-	-	-	-	-	-	1	3	1	-	-	-	-	-	-	-	5
15 years, under 16 years	-	-	-	-	-	-	-	-	1	1	2	1	-	-	-	-	-	-	-	5
16 years, under 17 years	-	-	-	-	-	-	-	-	-	-	1	4	1	-	-	-	-	-	-	6
17 years, under 18 years	-	-	-	-	-	-	-	-	-	-	-	-	2	1	-	-	-	-	-	3
18 years, under 19 years	-	-	-	-	-	-	-	-	-	-	-	-	2	3	-	-	-	-	-	5
19 years, under 20 years	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	1
20 years, under 21 years	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	2	-	-	-	3
21 years, under 22 years	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	1
22 years, under 23 years	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	1
24 years, under 25 years	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2	-	2
25 years, under 26 years	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	1	-	2
Total	331	501	286	141	80	44	44	10	12	10	10	6	5	4	1	4	1	2	1	1,493

TABLE 3.11

**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	318	34.2	232	24.9	211	22.7	169	18.2	930	100.0
Driving	41	65.1	5	7.9	16	25.4	1	1.6	63	100.0
Drug	187	44.3	88	20.9	90	21.3	57	13.5	422	100.0
Fraud	113	62.4	21	11.6	30	16.6	17	9.4	181	100.0
Property	123	29.7	31	7.5	114	27.5	146	35.3	414	100.0
Sex	197	53.2	113	30.5	26	7.0	34	9.2	370	100.0
Other	79	42.2	108	57.8	-	-	-	-	187	100.0
Total	1,058	41.2	598	23.3	487	19.0	424	16.5	2,567	100.0

TABLE 3.12

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

Type of principal offence	Sex: Total male and female											Total
	Age (years)										Unknown	
	Under 18	18	19	20-24	25-29	30-39	40-49	50-59	60-65	Over 65		
Against the person:												
Murder	2	1	1	9	3	6	4	-	2	-	-	28
Manslaughter	-	1	1	6	4	10	5	1	-	-	-	28
Attempt, intent to murder	-	1	1	2	1	1	-	-	-	-	-	6
Assault	5	12	20	90	53	84	47	9	1	3	1	325
Sexual assault	7	3	6	19	32	40	24	21	4	6	-	162
Sexual offences against children	5	5	5	13	15	50	46	46	9	14	-	208
Other	2	2	1	5	3	7	2	2	-	-	-	24
Total	21	25	35	144	111	198	128	79	16	23	1	781
Robbery and extortion:												
Robbery	14	55	73	165	91	74	21	2	-	-	-	495
Blackmail and extortion	-	-	2	7	3	9	3	-	-	-	-	24
Total	14	55	75	172	94	83	24	2	-	-	-	519
Theft:												
Break and enter	-	7	13	95	47	46	6	5	-	-	1	220
Fraud and misappropriation	-	1	1	22	12	48	43	16	7	8	23	181
Unlawful possession	1	1	2	19	11	18	3	4	-	1	-	60
Vehicle theft	-	4	7	22	8	5	-	-	-	-	-	46
Other	1	4	1	11	9	11	2	1	-	-	-	40
Total	2	17	24	169	87	128	54	26	7	9	24	547

Property damage	3	2	4	13	8	10	7	1	-	-	-	48
Against justice procedures	-	2	5	26	16	22	14	7	-	1	2	95
Weapons	-	1	1	9	6	10	7	-	-	-	-	34
Against good order	1	-	-	1	3	3	-	-	-	-	1	9
Drug:												
Possession and/or use:												
- opiates	-	-	-	-	-	1	-	-	-	-	-	1
- cannabis	-	-	-	-	1	-	-	-	-	-	-	1
- other drug	-	-	1	1	2	-	-	-	-	-	-	4
Dealing and trafficking:												
- opiates	-	-	3	21	21	29	22	3	1	-	-	100
- cannabis	-	-	1	10	14	13	14	3	1	-	1	57
- other drug	-	2	4	38	29	48	19	4	-	-	-	144
Manufacturing and/or growing:												
- cannabis	-	-	1	2	5	29	12	7	1	1	-	58
- other drug	-	-	-	1	3	5	6	4	-	-	-	19
Import/export	-	1	1	4	9	16	17	7	1	-	-	56
Other	-	-	-	-	1	-	-	-	-	-	-	1
Total	-	3	11	77	85	141	90	28	4	1	1	441
Driving:												
Cause death by driving	-	-	4	12	11	15	5	4	1	-	-	52
Cause injury by driving	-	-	-	-	3	4	-	1	-	-	-	8
Other	-	-	-	-	2	-	-	1	-	-	-	3
Total	-	-	4	12	16	19	5	6	1	-	-	63
Against prison rules	1	1	-	1	6	11	2	-	-	-	-	22
Other	-	-	-	1	1	2	1	2	1	-	-	8
Total	42	106	159	625	433	627	332	151	29	34	29	2,567

TABLE 3.12a

**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>Total</i>
	<i>Age (years)</i>										<i>Unknown</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>		
Against the person:												
Murder	2	1	1	7	3	4	3	-	2	-	-	23
Manslaughter	-	1	1	5	4	8	5	1	-	-	-	25
Attempt, intent to murder	-	-	1	2	1	1	-	-	-	-	-	5
Assault	4	12	18	88	51	78	44	7	1	3	1	307
Sexual assault	7	2	6	19	32	40	24	21	4	5	-	160
Sexual offences against children	5	5	5	13	15	50	45	46	9	14	-	207
Other	2	2	-	3	3	5	1	2	-	-	-	18
Total	20	23	32	137	109	186	122	77	16	22	1	745
Robbery and extortion:												
Robbery	13	52	69	152	85	66	21	2	-	-	-	460
Blackmail and extortion	-	-	2	7	3	7	3	-	-	-	-	22
Total	13	52	71	159	88	73	24	2	-	-	-	482
Theft:												
Break and enter	-	7	11	89	46	42	6	5	-	-	1	207
Fraud and misappropriation	-	1	-	21	10	40	33	13	6	6	19	149
Unlawful possession	1	1	2	19	10	17	3	4	-	1	-	58
Vehicle theft	-	3	7	21	8	5	-	-	-	-	-	44
Other	1	3	1	10	9	7	2	1	-	-	-	34
Total	2	15	21	160	83	111	44	23	6	7	20	492

Property damage	-	1	3	12	8	9	6	1	-	-	-	40
Against justice procedures	-	2	3	21	15	18	13	6	-	1	2	81
Weapons	-	1	-	9	6	10	7	-	-	-	-	33
Against good order	1	-	-	1	3	2	-	-	-	-	1	8
Drug:												
Possession and/or use:												
- opiates	-	-	-	-	-	1	-	-	-	-	-	1
- cannabis	-	-	-	-	1	-	-	-	-	-	-	1
- other drug	-	-	1	1	2	-	-	-	-	-	-	4
Dealing and trafficking:												
- opiates	-	-	2	17	19	26	21	3	1	-	-	89
- cannabis	-	-	1	9	12	11	13	3	1	-	-	50
- other drug	-	1	4	35	25	37	16	4	-	-	-	122
Manufacturing and/or growing:												
- cannabis	-	-	1	2	5	26	11	7	1	1	-	54
- other drug	-	-	-	1	2	4	6	4	-	-	-	17
Import/export	-	1	1	4	9	16	16	6	1	-	-	54
Total	-	2	10	69	75	121	83	27	4	1	-	392
Driving:												
Cause death by driving	-	-	4	10	10	12	4	4	1	-	-	45
Cause injury by driving	-	-	-	-	3	3	-	1	-	-	-	7
Other	-	-	-	-	2	-	-	1	-	-	-	3
Total	-	-	4	10	15	15	4	6	1	-	-	55
Against prison rules	1	1	-	1	6	11	2	-	-	-	-	22
Other	-	-	-	1	1	2	1	2	1	-	-	8
Total	37	97	144	580	409	558	306	144	28	31	24	2,358

TABLE 3.12b

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

<i>Type of principal offence</i>	<i>Sex: Female</i>											<i>Total</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>	
Against the person:												
Murder	-	-	-	2	-	2	1	-	-	-	-	5
Manslaughter	-	-	-	1	-	2	-	-	-	-	-	3
Attempt, intent to murder	-	1	-	-	-	-	-	-	-	-	-	1
Assault	1	-	2	2	2	6	3	2	-	-	-	18
Sexual assault	-	1	-	-	-	-	-	-	-	1	-	2
Sexual offences against children	-	-	-	-	-	-	1	-	-	-	-	1
Other	-	-	1	2	-	2	1	-	-	-	-	6
Total	1	2	3	7	2	12	6	2	-	1	-	36
Robbery and extortion:												
Robbery	1	3	4	13	6	8	-	-	-	-	-	35
Blackmail and extortion	-	-	-	-	-	2	-	-	-	-	-	2
Total	1	3	4	13	6	10	-	-	-	-	-	37
Theft:												
Break and enter	-	-	2	6	1	4	-	-	-	-	-	13
Fraud and misappropriation	-	-	1	1	2	8	10	3	1	2	4	32
Unlawful possession	-	-	-	-	1	1	-	-	-	-	-	2
Vehicle theft	-	1	-	1	-	-	-	-	-	-	-	2
Other	-	1	-	1	-	4	-	-	-	-	-	6
Total	-	2	3	9	4	17	10	3	1	2	4	55

Property damage	3	1	1	1	-	1	1	-	-	-	-	8
Against justice procedures	-	-	2	5	1	4	1	1	-	-	-	14
Weapons	-	-	1	-	-	-	-	-	-	-	-	1
Against good order	-	-	-	-	-	1	-	-	-	-	-	1
Drug:												
Possession and/or use:												
- opiates	-	-	-	-	-	-	-	-	-	-	-	0
- cannabis	-	-	-	-	-	-	-	-	-	-	-	0
- other drug	-	-	-	-	-	-	-	-	-	-	-	0
Dealing and trafficking:												
- opiates	-	-	1	4	2	3	1	-	-	-	-	11
- cannabis	-	-	-	1	2	2	1	-	-	-	1	7
- other drug	-	1	-	3	4	11	3	-	-	-	-	22
Manufacturing and/or growing:												
- cannabis	-	-	-	-	-	3	1	-	-	-	-	4
- other drug	-	-	-	-	1	1	-	-	-	-	-	2
Import/export	-	-	-	-	-	-	1	1	-	-	-	2
Other	-	-	-	-	1	-	-	-	-	-	-	1
Total	-	1	1	8	10	20	7	1	-	-	1	49
Driving:												
Cause death by driving	-	-	-	2	1	3	1	-	-	-	-	7
Cause injury by driving	-	-	-	-	-	1	-	-	-	-	-	1
Total	-	-	-	2	1	4	1	-	-	-	-	8
Against prison rules	-	-	-	-	-	-	-	-	-	-	-	0
Other	-	-	-	-	-	-	-	-	-	-	-	0
Total	5	9	15	45	24	69	26	7	1	3	5	209

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	23	15.8	4	12.1	52	4.9	296	14.4	53	19.6	-	-	14	22.6	442	12.2
Found guilty of at least one charge	10	6.8	5	15.2	101	9.5	275	13.4	36	13.3	-	-	3	4.8	430	11.8
Other*	7	4.8	-	-	9	0.8	30	1.5	4	1.5	-	-	-	-	50	1.4
Proceeded to sentence only	81	55.5	21	63.6	834	78.5	993	48.4	129	47.8	4	66.7	25	40.3	2,087	57.4
No charges proceeded with	21	14.4	1	3.0	40	3.8	285	13.9	35	13.0	1	16.7	8	12.9	391	10.8
All charges otherwise disposed of	4	2.7	2	6.1	27	2.5	174	8.5	13	4.8	1	16.7	12	19.4	233	6.4
Total	146	100.0	33	100.0	1,063	100.0	2,053	100.0	270	100.0	6	100.0	62	100.0	3,633	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 DURATION OF PROCEEDINGS: REGISTRY, OUTCOME OF CHARGE, BAIL STATUS

a Total includes 14 people for whom bail status was unknown.
 b Total includes 3 people for whom bail status was unknown.
 c Total includes 25 people for whom bail status was unknown.
 d Total includes 8 people for whom bail status was unknown.
 e Total includes 12 people for whom bail status was unknown.

	All Registries											
	Bail status											
	On bail				In gaol/shelter				Total			
	Persons charged	Duration of proceedings			Persons charged	Duration of proceedings			Persons charged	Duration of proceedings		
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	
Outcome of charge	No.	Median duration (days)			No.	Median duration (days)			No.	Median duration (days)		
Proceeded to trial:												
Acquitted of all charges	372	147.0	377.0	-	56	71.5	219.0	-	442 ^a	139.0	349.0	-
Found guilty of at least one charge	321	153.0	399.0	38.0	106	109.0	248.0	42.0	430 ^b	141.0	358.0	38.0
Other*	41	143.0	286.0	20.5	9	49.0	212.5	7.0	50	126.0	252.0	16.0
Proceeded to sentence only	1,203	96.0	176.5	3.0	859	46.0	98.0	2.0	2,087 ^c	72.0	139.0	3.0
No charges proceeded with	341	128.5	286.0	-	42	50.0	175.5	-	391 ^d	121.0	282.0	-
All charges otherwise disposed of	191	100.0	162.0	-	30	62.0	118.5	-	233 ^e	98.0	151.0	-

* 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
DURATION OF PROCEEDINGS:
REGISTRY, OUTCOME OF CHARGE, BAIL STATUS**

Registry: Supreme Court														
Bail status														
On bail														
In gaol/shelter														
Total														
<i>Duration of proceedings</i>														
Persons charged	<i>Duration of proceedings</i>				Persons charged	<i>Duration of proceedings</i>				Persons charged	<i>Duration of proceedings</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>	
Outcome of charge	No.	Median duration (days)			No.	Median duration (days)			No.	Median duration (days)				
Proceeded to trial:														
Acquitted of all charges	10	165.5	604.0	-	6	120.0	427.0	-	16	160.0	588.0	-		
Found guilty of at least one charge	12	198.0	667.0	12.0	19	182.0	550.0	20.0	31	190.0	577.0	15.0		
Other*	1	127.0	556.0	18.0	-	-	-	-	1	127.0	556.0	18.0		
Proceeded to sentence only	12	181.0	544.5	26.5	21	167.0	401.0	22.5	33	167.0	480.0	22.5		
No charges proceeded with	4	186.5	692.5	-	1	95.0	-	-	5	176.0	692.5	-		
All charges otherwise disposed of	1	5.0	65.0	-	1	102.0	16.0	-	2	53.5	40.5	-		

* 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
DURATION OF PROCEEDINGS:
REGISTRY, OUTCOME OF CHARGE, BAIL STATUS**

a Total includes 3 people for whom bail status was unknown.
b Total includes 3 people for whom bail status was unknown.
c Total includes 3 people for whom bail status was unknown.
d Total includes 3 people for whom bail status was unknown.

Registry: Dubbo												
Bail status												
	On bail				In gaol/shelter				Total			
	Persons charged	Duration of proceedings			Persons charged	Duration of proceedings			Persons charged	Duration of proceedings		
	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
Outcome of charge	Median duration (days)				Median duration (days)				Median duration (days)			
Proceeded to trial:												
Acquitted of all charges	40	154.0	548.0	-	1	56.0	728.0	-	44 ^a	148.5	544.5	-
Found guilty of at least one charge	33	141.0	514.0	29.0	8	28.0	163.5	42.5	41	130.0	345.0	29.0
Other*	2	298.0	321.0	128.5	1	28.0	182.0	0.0	3	275.0	298.0	1.0
Proceeded to sentence only	71	122.0	287.0	2.0	36	57.0	139.5	1.0	110 ^b	91.0	216.0	2.0
No charges proceeded with	14	160.0	409.5	-	1	211.0	106.0	-	18 ^c	201.5	350.0	-
All charges otherwise disposed of	14	138.5	273.0	-	1	40.0	256.0	-	18 ^d	119.0	271.0	-

* 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
DURATION OF PROCEEDINGS:
REGISTRY, OUTCOME OF CHARGE, BAIL STATUS**

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

Registry: Lismore												
Bail status												
On bail												
In gaol/shelter												
Total												
Outcome of charge	Persons charged	Duration of proceedings			Persons charged	Duration of proceedings			Persons charged	Duration of proceedings		
		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 duration (days)			No.	Median duration (days)			No.	Median duration (days)		
Proceeded to trial:												
Acquitted of all charges	24	134.0	531.5	-	4	93.0	314.0	-	28	119.0	489.5	-
Found guilty of at least one charge	18	132.0	361.5	8.0	5	70.0	444.0	1.0	23	118.5	398.0	7.0
Other*	3	238.5	287.0	0.0	-	-	-	-	3	238.5	287.0	0.0
Proceeded to sentence only	95	105.0	232.0	2.0	41	48.0	118.0	2.0	136	76.0	192.5	2.0
No charges proceeded with	30	102.5	272.0	-	7	29.0	85.0	-	37	98.0	204.0	-
All charges otherwise disposed of	12	94.0	153.5	-	3	44.0	118.0	-	17 ^a	77.0	162.0	-

* 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 DURATION OF PROCEEDINGS: REGISTRY, OUTCOME OF CHARGE, BAIL STATUS

a Total includes 2 people for whom bail status was unknown.
b Total includes 1 person for whom bail status was unknown.
c Total includes 6 people for whom bail status was unknown.
d Total includes 2 people for whom bail status was unknown.

Registry: Newcastle												
Bail status												
Outcome of charge	On bail				In gaol/shelter				Total			
	Persons charged	Duration of proceedings			Persons charged	Duration of proceedings			Persons charged	Duration of proceedings		
		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 duration (days)			No.	Median duration (days)			No.	Median duration (days)		
Proceeded to trial:												
Acquitted of all charges	58	140.5	418.0	-	8	54.5	127.0	-	68 ^a	129.0	321.0	-
Found guilty of at least one charge	48	118.0	394.0	17.0	5	109.0	209.5	0.5	54 ^b	118.0	370.0	14.0
Other*	6	94.0	325.0	35.0	-	-	-	-	6	94.0	325.0	35.0
Proceeded to sentence only	178	93.5	178.0	4.0	135	39.0	72.0	0.0	319 ^c	62.0	113.5	1.0
No charges proceeded with	44	106.5	290.5	-	5	81.0	293.0	-	51 ^d	101.0	297.0	-
All charges otherwise disposed of	20	98.0	265.5	-	6	39.5	232.0	-	26	86.5	265.5	-

* 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 3.14e

PERSONS CHARGED IN TRIAL AND SENTENCE CASES FINALISED AND DURATION OF PROCEEDINGS: REGISTRY, OUTCOME OF CHARGE, BAIL STATUS

a Total includes 4 people for whom bail status was unknown.
 b Total includes 2 people for whom bail status was unknown.
 c Total includes 3 people for whom bail status was unknown.
 d Total includes 3 people for whom bail status was unknown.
 e Total includes 3 people for whom bail status was unknown.

Registry: Sydney												
Bail status												
On bail												
In gaol/shelter												
Total												
Outcome of charge	Persons charged	Duration of proceedings			Persons charged	Duration of proceedings			Persons charged	Duration of proceedings		
		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 duration (days)			No.	Median duration (days)			No.	Median duration (days)		
Proceeded to trial:												
Acquitted of all charges	107	164.0	348.0	-	18	106.5	162.0	-	129 ^a	154.0	290.0	-
Found guilty of at least one charge	88	187.0	433.5	48.5	34	67.0	224.0	46.0	124 ^b	149.0	359.0	48.5
Other*	10	160.5	279.0	38.0	5	59.0	238.0	10.0	15	89.0	238.0	32.0
Proceeded to sentence only	258	108.0	143.0	28.5	248	48.0	88.0	6.0	509 ^c	71.0	110.5	14.5
No charges proceeded with	100	156.0	288.0	-	14	45.0	150.5	-	117 ^d	140.0	282.0	-
All charges otherwise disposed of	53	163.5	198.0	-	7	53.0	105.0	-	63 ^e	146.0	167.0	-

* 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 DURATION OF PROCEEDINGS: REGISTRY, OUTCOME OF CHARGE, BAIL STATUS

a Total includes 4 people for whom bail status was unknown.
 b Total includes 3 people for whom bail status was unknown.
 c Total includes 3 people for whom bail status was unknown.

Registry: Sydney West												
Bail status												
Outcome of charge	On bail				In gaol/shelter				Total			
	Persons charged	<i>Duration of proceedings</i>			Persons charged	<i>Duration of proceedings</i>			Persons charged	<i>Duration of proceedings</i>		
		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
<i>No.</i>	<i>Median duration (days)</i>			<i>No.</i>	<i>Median duration (days)</i>			<i>No.</i>	<i>Median duration (days)</i>			
Proceeded to trial:												
Acquitted of all charges	94	135.0	340.0	-	13	54.0	229.0	-	111 ^a	119.5	319.0	-
Found guilty of at least one charge	96	155.0	384.5	44.0	28	86.0	239.0	71.0	124	147.0	322.0	48.0
Other*	16	146.5	205.5	39.0	3	39.0	265.5	202.5	19	134.0	205.5	39.0
Proceeded to sentence only	440	88.0	168.0	16.5	295	48.0	113.0	26.0	738 ^b	70.0	144.0	23.0
No charges proceeded with	108	114.5	270.5	-	13	50.0	189.0	-	121	107.0	254.5	-
All charges otherwise disposed of	78	84.0	125.5	-	7	126.0	120.5	-	88 ^c	92.5	119.0	-

* 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 3.14g

PERSONS CHARGED IN TRIAL AND SENTENCE CASES FINALISED AND DURATION OF PROCEEDINGS: REGISTRY, OUTCOME OF CHARGE, BAIL STATUS

a Total includes 3 people for whom bail status was unknown.
b Total includes 1 person for whom bail status was unknown.

Registry: Wagga Wagga												
Bail status												
	On bail				In gaol/shelter				Total			
	<i>Duration of proceedings</i>				<i>Duration of proceedings</i>				<i>Duration of proceedings</i>			
	<i>Persons charged</i>	<i>Arrest to committal</i>	<i>Committal to outcome</i>	<i>Outcome to sentence</i>	<i>Persons charged</i>	<i>Arrest to committal</i>	<i>Committal to outcome</i>	<i>Outcome to sentence</i>	<i>Persons charged</i>	<i>Arrest to committal</i>	<i>Committal to outcome</i>	<i>Outcome to sentence</i>
Outcome of charge	<i>No.</i>	<i>Median duration (days)</i>			<i>No.</i>	<i>Median duration (days)</i>			<i>No.</i>	<i>Median duration (days)</i>		
Proceeded to trial:												
Acquitted of all charges	13	177.0	360.0	-	4	123.0	266.0	-	17	177.0	292.0	-
Found guilty of at least one charge	5	99.0	441.0	1.0	5	43.0	169.0	1.0	10	81.5	241.0	1.0
Other*	-	-	-	-	-	-	-	-	-	-	-	-
Proceeded to sentence only	37	126.0	177.0	1.0	28	37.5	85.0	0.0	68 ^a	86.0	126.0	0.0
No charges proceeded with	16	159.0	275.5	-	1	35.0	113.0	-	17	150.0	266.0	-
All charges otherwise disposed of	6	61.5	174.0	-	3	145.0	119.0	-	10 ^b	67.5	121.5	-

* 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 3.14h

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

*a Total includes 1 person for whom bail status was unknown.
b Total includes 7 people for whom bail status was unknown.*

Registry: Wollongong												
Bail status												
	On bail				In gaol/shelter				Total			
	Persons charged	<i>Duration of proceedings</i>			Persons charged	<i>Duration of proceedings</i>			Persons charged	<i>Duration of proceedings</i>		
		Arrest to committal	Committal to outcome	Outcome to sentence		Arrest to committal	Committal to outcome	Outcome to sentence		Arrest to committal		
Outcome of charge	<i>No.</i>	<i>Median duration (days)</i>			<i>No.</i>	<i>Median duration (days)</i>			<i>No.</i>	<i>Median duration (days)</i>		
Proceeded to trial:												
Acquitted of all charges	26	99.0	380.5	-	2	137.5	528.0	-	29 ^a	92.0	398.0	-
Found guilty of at least one charge	21	116.0	309.0	7.0	2	55.5	230.0	0.0	23	111.0	302.0	6.5
Other*	3	70.0	113.0	7.0	-	-	-	-	3	70.0	113.0	7.0
Proceeded to sentence only	112	99.0	167.0	0.0	55	32.0	98.0	0.0	174 ^b	69.5	142.0	0.0
No charges proceeded with	25	128.0	226.0	-	-	-	-	-	25	128.0	226.0	-
All charges otherwise disposed of	7	84.0	108.0	-	2	60.0	78.0	-	9	84.0	106.5	-

* 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 3.15**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	469	26.7	23	12.2	12	35.3	504	25.5
Appeal dismissed/withdrawn for all matters	1,177	67.1	153	81.0	22	64.7	1,352	68.4
Appeal upheld for some matters	57	3.2	7	3.7	-	-	64	3.2
Other	52	3.0	6	3.2	-	-	58	2.9
Total	1,755	100.0	189	100.0	34	100.0	1,978	100.0

TABLE 3.16**APPEALS AGAINST SENTENCE 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	27	1.0	9	0.8	1	2.0	37	1.0
Appeal dismissed/withdrawn for all matters	2,462	94.7	1,117	96.5	50	98.0	3,629	95.3
Appeal upheld for some matters	10	0.4	11	1.0	-	-	21	0.6
Other	101	3.9	20	1.7	-	-	121	3.2
Total	2,600	100.0	1,157	100.0	51	100.0	3,808	100.0

APPENDIX 1

NOTES ON PENALTIES

As well as 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

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. Penalties applicable to both adults and children are shown in the hierarchy. 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

