

2

MAGISTRATES COURTS OF SOUTH AUSTRALIA

Magistrates Courts of South Australia
1 January - 31 December 2001

TABLE 2.1 Case outcome by major offence charged. Summary of all offence groups

Offence Group	Committed for trial or sentence	Convicted		Guilty without conviction	Acquitted on Major Charge	Not guilty: mentally incompetent	Major charge withdrawn	Major charge dismissed	Orders issued/ varied/ revoked	Other (eg. Defendant died)	Total	
		With penalty	Without Penalty								No.	%
Offences against the person (excl. sexual offences)	163 (7)	1,129	44	397	5 (1)	6 (1)	956 (247)	1,010 (186)	0	0	3,710	13.8
Sexual offences	119 (3)	72	4	23	1	1	21 (3)	114 (9)	0	1	356	1.3
Robbery and extortion	131 (5)	2	0	0	0	1	9 (1)	108 (17)	0	0	251	0.9
Serious criminal trespass	244 (12)	478	8	17	0	4	140 (55)	585 (181)	0	2	1,478	5.5
Fraud and misappropriation	11	491	4	117	0	0	159 (13)	73 (11)	0	0	855	3.2
Larceny and receiving	12	1,711	101	874	0	5	889 (210)	253 (58)	0	3	3,848	14.3
Property damage and environmental offences	9	684	24	234	0	1	273 (49)	76 (17)	0	3	1,304	4.8
Offences against good order	25 (2)	2,328	509	1,186	1	5	707 (99)	115 (15)	0	1	4,877	18.1
Drug offences	252 (5)	867	9	319	0	0	277 (49)	195 (19)	0	0	1,919	7.1
Driving offences	0	5,482	29	39	0	0	712 (130)	70 (6)	0	3	6,335	23.5
Other offences	9 (1)	170	75	66	0	0	25 (3)	23 (1)	0	1	369	1.4
Non-offence matters	5	0	0	0	0	0	148	98	1,353	0	1,599	5.9
	0											
Total	975 (35)	13,414	807	3,272	7 (1)	23 (1)	4,316 (859)	2,720 (520)	1,353	14	26,901	
Percentage	3.6	49.9	3.0	12.2	0.0	0.1	16.0	10.1	5.0	0.1		100.0

These tables only deal with selected offences; many traffic offences, council matters and most regulations are not included. A number of additional offences were added to the 'other offences' category in 1995. Numbers in brackets indicate cases where the defendant was not found guilty of the major charge but was found guilty of another charge. The bracketed numbers are also included in the total alongside which they appear. Thus 10(1) would mean that of the 10 cases with a given outcome, 10 were not guilty of the major charge but in one case there was a finding of guilt for an offence which was not the major charge. Some of these other charges may be for offences in groups other than the major charge - e.g. a person charged with assault (an offence against the person) may eventually be found guilty and convicted of only offensive language. In such instances cases are shown in the penalty tables for the offence group for which they were convicted. The way in which the data have been presented in this table differs from that used for the corresponding table in Crime and Justice reports prior to 1996 (see Appendix A for explanation). For non-offence matters, matters previously recorded as 'Guilty without conviction' are now reported under 'Orders issued/varied/revoked'. For more detail regarding cases found not guilty on the grounds of mental incompetence see Appendix A.

Magistrates Courts of South Australia
1 January - 31 December 2001

TABLE 2.2 Case outcome by major offence charged. Offences against the person (excluding sexual offences)

Offence Group	Committed for trial or sentence	Convicted		Guilty without conviction	Acquitted on Major Charge	Not guilty: mentally incompetent	Major charge withdrawn	Major charge dismissed	Orders issued/ varied/ revoked	Other (eg. Defendant died)	Total	
		With penalty	Without Penalty								No.	%
Murder	22	0	0	0	0	0	0	14 (1)	0	0	36	1.0
Attempted murder	9 (1)	0	0	0	0	0	0	14 (2)	0	0	23	0.6
Conspiracy to murder	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter	1	0	0	0	0	0	0	0	0	0	1	0.0
Driving causing death	13	0	0	0	0	0	0	0	0	0	13	0.4
Other homicide	0	0	0	0	0	0	0	0	0	0	0	0
Assault occasioning grievous bodily harm	40 (1)	15	0	2	0	1	5 (1)	39 (3)	0	0	102	2.7
Assault occasioning actual bodily harm	4	228	0	23	2	2	47 (9)	262 (53)	0	0	568	15.3
Other major assault	8 (1)	8	0	0	0	0	5 (2)	10 (1)	0	0	31	0.8
Common assault												
- of a male	0	234	10	151	0	0	274 (35)	42 (1)	0	0	711	19.2
- of a female	0	143	1	78	1	0	212 (22)	53 (9)	0	0	488	13.2
- sex of victim unspecified	0	19	1	10	0	0	38 (5)	10	0	0	78	2.1
Common assault of family member	0	186	7	57	1	0	153 (27)	339 (46)	0	0	743	20.0
Other minor assault	0	1	0	0	0	0	0	0	0	0	1	0.0
Assault police	0	227	21	55	1 (1)	0	177 (128)	16 (5)	0	0	497	13.4
Kidnapping and abduction	6	0	0	0	0	0	1	9 (2)	0	0	16	0.4
Ill treatment of children	0	0	0	1	0	0	0	0	0	0	0	0
Hijacking	0	0	0	0	0	0	0	1	0	0	2	0.1
Defamation and libel	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	4	0	0	4	0.1
Other offences against the person	60 (4)	68	4	20	0	3 (1)	44 (18)	197 (63)	0	0	396	10.7
Total	163 (7)	1,129	44	397	5 (1)	6 (1)	956 (247)	1,010 (186)	0	0	3,710	
Percentage	4.4	30.4	1.2	10.7	0.1	0.2	25.8	27.2				100.0

Numbers in brackets indicate cases where the defendant was not found guilty of the major charge but was found guilty of another charge. The bracketed numbers are also included in the total alongside which they appear. Thus 10(1) would mean that of the 10 cases with a given outcome, 10 were not guilty of the major charge but in one case there was a finding of guilt for an offence which was not the major charge. Some of these other charges may be for offences in groups other than the major charge - e.g. a person charged with assault (an offence against the person) may eventually be found guilty and convicted of only offensive language. In such instances cases are shown in the penalty tables for the offence group for which they were convicted. Prior to 1992 kidnapping was included under Robbery & extortion. Prior to 1994 defamation and libel was included under offences against good order. On June 1st 1994 it became an offence to stalk another person (stalking). Hijacking includes other acts endangering life involving transport. A new category of common assault of a family member was introduced in 1995. The way in which the data have been presented in this table differs from that used for the corresponding table in Crime and Justice reports prior to 1996 (see Appendix A for explanation). For non-offence matters, matters previously recorded as 'Guilty without conviction' are now reported under 'Orders issued/varied/revoked'. For more detail regarding cases found not guilty on the grounds of mental incompetence see Appendix A.

Magistrates Courts of South Australia
1 January - 31 December 2001

TABLE 2.3 Case outcome by major offence charged. Sexual offences

Offence Group	Committed for trial or sentence	Convicted		Guilty without conviction	Acquitted on Major Charge	Not guilty: mentally incompetent	Major charge withdrawn	Major charge dismissed	Orders issued/ varied/ revoked	Other (eg. Defendant died)	Total	
		With penalty	Without Penalty								No.	%
Rape of female												
- Victim age under 12	2	0	0	0	0	0	0	3	0	0	5	1.4
- Victim age 12 to 16	10	0	0	0	0	0	0	5	0	0	15	4.2
- Victim age 17 or over	48 (1)	0	0	0	0	0	4	36 (1)	0	0	88	24.7
- Victim age unspecified	3	0	0	0	0	0	0	3	0	0	6	1.7
Attempted rape of female												
- Victim age under 12	0	0	0	0	0	0	0	0	0	0	0	0
- Victim age 12 to 16	0	0	0	0	0	0	0	0	0	0	0	0
- Victim age 17 or over	0	0	0	0	0	0	0	1	0	0	1	0.3
- Victim age unspecified	0	0	0	0	0	0	0	0	0	0	0	0
Rape of male												
- Victim age under 12	0	0	0	0	0	0	0	0	0	0	0	0
- Victim age 12 to 16	3	0	0	0	0	0	0	2	0	0	5	1.4
- Victim age 17 or over	4 (1)	0	0	0	0	0	0	6	0	0	10	2.8
- Victim age unspecified	1	0	0	0	0	0	0	0	0	0	1	0.3
Attempted rape of male												
- Victim age under 12	0	0	0	0	0	0	0	0	0	0	0	0
- Victim age 12 to 16	1	0	0	0	0	0	0	0	0	0	1	0.3
- Victim age 17 or over	0	0	0	0	0	0	0	0	0	0	0	0
- Victim age unspecified	0	0	0	0	0	0	0	0	0	0	0	0
Rape of victim sex and age unspecified	0	0	0	0	0	0	0	0	0	0	0	0
Attempted rape of victim sex and age unspecified	0	0	0	0	0	0	0	0	0	0	0	0

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Numbers in brackets indicate cases where the defendant was not found guilty of the major charge but was found guilty of another charge. The bracketed numbers are also included in the total alongside which they appear. Thus 10(1) would mean that of the 10 cases with a given outcome, 10 were not guilty of the major charge but in one case there was a finding of guilt for an offence which was not the major charge. Some of these other charges may be for offences in groups other than the major charge - e.g. a person charged with assault (an offence against the person) may eventually be found guilty and convicted of only offensive language. In such instances cases are shown in the penalty tables for the offence group for which they were convicted. On July 28th 1994 the offence of persistent sexual abuse of a child was introduced. The way in which the data have been presented in this table differs from that used for the corresponding table in Crime and Justice reports prior to 1996 (see Appendix A for explanation). For non-offence matters, matters previously recorded as 'Guilty without conviction' are now reported under 'Orders issued/varied/revoked'. For more detail regarding cases found not guilty on the grounds of mental incompetence see Appendix A.

Magistrates Courts of South Australia
1 January - 31 December 2001

TABLE 2.3 Case outcome by major offence charged. Sexual offences (continued)

Offence Group	Committed for trial or sentence	Convicted		Guilty without conviction	Acquitted on Major Charge	Not guilty: mentally incompetent	Major charge withdrawn	Major charge dismissed	Orders issued/ varied/ revoked	Other (eg. Defendant died)	Total			
		With penalty	Without Penalty								No.	%		
Indecent assault of female														
- Victim age under 12	2	8	0	1	1	0	2	11	(2)	0	0	25	7.0	
- Victim age 12 to 16	6	9	0	1	0	0	1	7		0	0	24	6.7	
- Victim age 17 or over	0	8	0	2	0	1	4	(2)	11	(2)	0	1	27	7.6
- Victim age unspecified	0	0	0	0	0	0	1	2		0	0	3	0.8	
Indecent assault of male														
- Victim age under 12	2	2	0	0	0	0	0	1		0	0	5	1.4	
- Victim age 12 to 16	3	4	0	2	0	0	0	2	(2)	0	0	11	3.1	
- Victim age 17 or over	0	2	0	0	0	0	1	2		0	0	5	1.4	
- Victim age unspecified	0	0	0	0	0	0	0	2	(1)	0	0	2	0.6	
Indecent assault of victim sex and age unspecified	0	1	0	0	0	0	0	0		0	0	1	0.3	
Unlawful sexual intercourse with female														
- Victim age under 12	12	(1)	0	0	0	0	0	7	(1)	0	0	19	5.3	
- Victim age 12 to 16	11		0	0	0	0	0	6		0	0	17	4.8	
- Victim age unspecified	0	0	0	0	0	0	0	0		0	0	0	0	
Unlawful sexual intercourse with female by teacher/guardian	1		0	0	0	0	0	0		0	0	1	0.3	
Unlawful sexual intercourse with female with intellectual disability	0		0	0	0	0	0	0		0	0	0	0	

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Numbers in brackets indicate cases where the defendant was not found guilty of the major charge but was found guilty of another charge. The bracketed numbers are also included in the total alongside which they appear. Thus 10(1) would mean that of the 10 cases with a given outcome, 10 were not guilty of the major charge but in one case there was a finding of guilt for an offence which was not the major charge. Some of these other charges may be for offences in groups other than the major charge - e.g. a person charged with assault (an offence against the person) may eventually be found guilty and convicted of only offensive language. In such instances cases are shown in the penalty tables for the offence group for which they were convicted. On July 28th 1994 the offence of persistent sexual abuse of a child was introduced. The way in which the data have been presented in this table differs from that used for the corresponding table in Crime and Justice reports prior to 1996 (see Appendix A for explanation). For non-offence matters, matters previously recorded as 'Guilty without conviction' are now reported under 'Orders issued/varied/revoked'. For more detail regarding cases found not guilty the grounds of mental incompetence see Appendix A.

Magistrates Courts of South Australia
1 January - 31 December 2001

TABLE 2.3 Case outcome by major offence charged. Sexual offences (continued)

Offence Group	Committed for trial or sentence	Convicted		Guilty without conviction	Acquitted on Major Charge	Not guilty: mentally incompetent	Major charge withdrawn	Major charge dismissed	Orders issued/ varied/ revoked	Other (eg. Defendant died)	Total	
		With penalty	Without Penalty								No.	%
Attempted unlawful sexual intercourse with female												
- Victim age under 12	0	0	0	0	0	0	0	0	0	0	0	0
- Victim age 12 to 16	0	0	0	0	0	0	0	0	0	0	0	0
- Victim age unspecified	0	0	0	0	0	0	0	0	0	0	0	0
Attempted unlawful sexual intercourse with female by teacher/guardian	0	0	0	0	0	0	0	0	0	0	0	0
Attempted unlawful sexual intercourse with female with intellectual disability	0	0	0	0	0	0	0	0	0	0	0	0
Unlawful sexual intercourse with male												
- Victim age under 12	4	0	0	0	0	0	0	2	0	0	6	1.7
- Victim age 12 to 16	4	0	0	0	0	0	0	0	0	0	4	1.1
- Victim age unspecified	0	0	0	0	0	0	0	0	0	0	0	0
Unlawful sexual intercourse with male by teacher/guardian	1	0	0	0	0	0	0	0	0	0	1	0.3
Unlawful sexual intercourse with male with intellectual disability	0	0	0	0	0	0	0	0	0	0	0	0
Attempted unlawful sexual intercourse with male												
- Victim age under 12	0	0	0	0	0	0	0	0	0	0	0	0
- Victim age 12 to 16	0	0	0	0	0	0	0	0	0	0	0	0
- Victim age unspecified	0	0	0	0	0	0	0	0	0	0	0	0

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Numbers in brackets indicate cases where the defendant was not found guilty of the major charge but was found guilty of another charge. The bracketed numbers are also included in the total alongside which they appear. Thus 10(1) would mean that of the 10 cases with a given outcome, 10 were not guilty of the major charge but in one case there was a finding of guilt for an offence which was not the major charge. Some of these other charges may be for offences in groups other than the major charge - e.g. a person charged with assault (an offence against the person) may eventually be found guilty and convicted of only offensive language. In such instances cases are shown in the penalty tables for the offence group for which they were convicted. On July 28th 1994 the offence of persistent sexual abuse of a child was introduced. The way in which the data have been presented in this table differs from that used for the corresponding table in Crime and Justice reports prior to 1996 (see Appendix A for explanation). For non-offence matters, matters previously recorded as 'Guilty without conviction' are now reported under 'Orders issued/varied/revoked'. For more detail regarding cases found not guilty on the grounds of mental incompetence see Appendix A.

Magistrates Courts of South Australia
1 January - 31 December 2001

TABLE 2.3 Case outcome by major offence charged. Sexual offences (continued)

Offence Group	Committed for trial or sentence	Convicted		Guilty without conviction	Acquitted on Major Charge	Not guilty: mentally incompetent	Major charge withdrawn	Major charge dismissed	Orders issued/ varied/ revoked	Other (eg. Defendant died)	Total			
		With penalty	Without Penalty								No.	%		
Attempted unlawful sexual intercourse with male by teacher/guardian	0	0	0	0	0	0	0	0	0	0	0	0		
Attempted unlawful sexual intercourse with male with intellectual disability	0	0	0	0	0	0	0	0	0	0	0	0		
Unlawful sexual intercourse with victim sex and age unspecified	0	0	0	0	0	0	0	0	0	0	0	0		
Unlawful sexual intercourse with victim sex and age unspecified by teacher/guardian	0	0	0	0	0	0	0	0	0	0	0	0		
Unlawful sexual intercourse with victim sex and age unspecified with intellectual disability	0	0	0	0	0	0	0	0	0	0	0	0		
Attempted unlawful sexual intercourse with victim sex and age unspecified	0	0	0	0	0	0	0	0	0	0	0	0		
Attempted unlawful sexual intercourse with victim sex and age unspecified by teacher/guardian	0	0	0	0	0	0	0	0	0	0	0	0		
Attempted unlawful sexual intercourse with victim sex and age unspecified with intellectual disability	0	0	0	0	0	0	0	0	0	0	0	0		
Incest	0	0	0	0	0	0	0	0	0	0	0	0		
Indecent behaviour/exposure	0	31	3	15	0	0	5	(1)	0	0	54	15.2		
Gross indecency	0	0	0	0	0	0	0	4	0	0	4	1.1		
Persistent sexual abuse of a child	1	0	0	0	0	0	0	0	0	0	1	0.3		
Other sexual offences	0	7	1	2	0	0	3	1	0	0	14	3.9		
Total	119	(3)	72	4	23	1	1	21	(3)	114	(9)	0	1	356
Percentage	33.4		20.2	1.1	6.5	0.3	0.3	5.9	32.0	0	0.3			100.0

Numbers in brackets indicate cases where the defendant was not found guilty of the major charge but was found guilty of another charge. The bracketed numbers are also included in the total alongside which they appear. Thus 10(1) would mean that of the 10 cases with a given outcome, 10 were not guilty of the major charge but in one case there was a finding of guilt for an offence which was not the major charge. Some of these other charges may be for offences in groups other than the major charge - e.g. a person charged with *assault* (an offence against the person) may eventually be found guilty and convicted of only *offensive language*. In such instances cases are shown in the penalty tables for the offence group for which they were convicted. On July 28th 1994 the offence of *persistent sexual abuse of a child* was introduced. The way in which the data have been presented in this table differs from that used for the corresponding table in *Crime and Justice* reports prior to 1996 (see Appendix A for explanation). For *non-offence matters*, matters previously recorded as 'Guilty without conviction' are now reported under 'Orders issued/varied/revoked'. For more detail regarding cases found not guilty on the grounds of mental incompetence see Appendix A.

Magistrates Courts of South Australia
1 January - 31 December 2001

TABLE 2.4 Case outcome by major offence charged. Robbery and extortion

Offence Group	Committed for trial or sentence	Convicted		Guilty without conviction	Acquitted on Major Charge	Not guilty: mentally incompetent	Major charge withdrawn	Major charge dismissed	Orders issued/ varied/ revoked	Other (eg. Defendant died)	Total	
		With penalty	Without Penalty								No.	%
Robbery with a firearm												
- financial institution	26	0	0	0	0	0	0	18	0	0	44	17.5
- other institution	0 (1)	0	0	0	0	0	0	0 (1)	0	0	0	0
Robbery with other weapon												
- financial institution	0	0	0	0	0	0	0	1	0	0	1	0.4
- other institution	54 (2)	0	0	0	0	1	0	19 (2)	0	0	74	29.5
Unarmed robbery with violence												
- financial institution	0	0	0	0	0	0	0	0	0	0	0	0
- other institution	18	0	0	0	0	0	1	34 (6)	0	0	53	21.1
Unarmed robbery with no violence												
- financial institution	1	0	0	0	0	0	0	0	0	0	1	0.4
- other institution	32 (2)	0	0	0	0	0	2	30 (7)	0	0	64	25.5
Extortion	0	2	0	0	0	0	6 (1)	6 (1)	0	0	14	5.6
Total	131 (5)	2	0	0	0	1	9 (1)	108 (17)	0	0	251	
Percentage	52.2	0.8	0	0	0	0.4	3.6	43.0	0	0		100.0

Numbers in brackets indicate cases where the defendant was not found guilty of the major charge but was found guilty of another charge. The bracketed numbers are also included in the total alongside which they appear. Thus 10(1) would mean that of the 10 cases with a given outcome, 10 were not guilty of the major charge but in one case there was a finding of guilt for an offence which was not the major charge. Some of these other charges may be for offences in groups other than the major charge - e.g. a person charged with *assault* (an offence against the person) may eventually be found guilty and convicted of only *offensive language*. In such instances cases are shown in the penalty tables for the offence group for which they were convicted. Since 1992 *kidnapping* has been included under *offences against the person (excluding sexual offences)* (Table 2.2). The way in which the data have been presented in this table differs from that used for the corresponding table in *Crime and Justice* reports prior to 1996 (see Appendix A for explanation). For *non-offence matters*, matters previously recorded as 'Guilty without conviction' are now reported under 'Orders issued/varied/revoked'. For more detail regarding cases found not guilty on the grounds of mental incompetence see Appendix A.

Magistrates Courts of South Australia
1 January - 31 December 2001

TABLE 2.5 Case outcome by major offence charged. Serious criminal trespass

Offence Group	Committed for trial or sentence	Convicted					Not guilty: mentally incompetent	Major charge withdrawn	Major charge dismissed	Orders issued/ varied/ revoked	Other (eg. Defendant died)	Total			
		With penalty	Without Penalty	Guilty without conviction	Acquitted on Major Charge	No.						%			
Burglary	1	0	0	0	0	0	2	0	0	0	3	0.2			
Break and enter dwellings	0	31	3	0	0	0	13	25	(6)	0	0	72	4.9		
Break and enter dwellings with intent	0	0	0	0	0	0	3	(1)	0	0	0	3	0.2		
Break and enter dwellings at night with intent	0	0	0	0	0	0	0	1	0	0	0	1	0.1		
Break and enter shops	0	6	0	1	0	0	2	3	0	0	0	12	0.8		
Break and enter shops with intent	0	1	0	0	0	0	1	0	0	0	0	2	0.1		
Break and enter schools	0	2	0	0	0	0	1	1	0	0	0	4	0.3		
Break and enter schools with intent	0	0	0	0	0	0	0	1	0	0	0	1	0.1		
Break and enter other building	2	18	1	2	0	0	13	(1)	7	(2)	0	43	2.9		
Break and enter other building with intent	0	0	0	0	0	0	0	1	0	0	0	1	0.1		
Non Aggravated serious criminal trespass															
- place of residence	22	(1)	211	1	2	0	2	34	(16)	185	(63)	0	1	458	31.0
- shops	1	(1)	40	0	1	0	0	3	(2)	22	(4)	0	0	67	4.5
- schools	4		18	1	1	0	0	2	(2)	8	(5)	0	0	34	2.3
- other buildings	5		100	1	5	0	1	23	(13)	75	(25)	0	0	210	14.2
Aggravated serious criminal trespass															
- place of residence	151	(8)	14	0	2	0	1	12	(5)	180	(50)	0	1	361	24.4
- shops	15	(1)	3	0	0	0	0	5	(3)	10	(2)	0	0	33	2.2
- schools	7		1	0	0	0	0	2	(2)	2	(2)	0	0	12	0.8
- other buildings	32	(1)	7	0	0	0	0	3	(2)	28	(10)	0	0	70	4.7
Other criminal trespass – place of residence	2		9	1	1	0	0	4	(3)	16	(5)	0	0	33	2.2
Offences related to break and enter	2		17	0	2	0	0	17	(5)	20	(7)	0	0	58	3.9
Total	244	(12)	478	8	17	0	4	140	(55)	585	(181)	0	2	1,478	
Percentage	16.5		32.3	0.5	1.2	0	0.3	9.5		39.6		0	0.1	100.0	

Numbers in brackets indicate cases where the defendant was not found guilty of the major charge but was found guilty of another charge. The bracketed numbers are also included in the total alongside which they appear. Thus 10(1) would mean that of the 10 cases with a given outcome, 10 were not guilty of the major charge but in one case there was a finding of guilt for an offence which was not the major charge. Some of these other charges may be for offences in groups other than the major charge

- e.g. a person charged with *assault* (an offence against the person) may eventually be found guilty and convicted of only *offensive language*. In such instances cases are shown in the penalty tables for the offence group for which they were convicted. The way in which the data have been presented in this table differs from that used for the corresponding table in *Crime and Justice* reports prior to 1996 (see Appendix A for explanation). For *non-offence matters*, matters previously recorded as 'Guilty without conviction' are now reported under 'Orders issued/varied/revoked'. On 25 December 1999 new legislation was proclaimed which replaced *break and enter* offences (other than *sacrilege*) with a range of *criminal trespass* offences. The *break and enter* figures cited for 2000 and onwards are therefore not directly comparable with those listed before 1999 (for more information see Appendix A). For more detail regarding cases found not guilty on the grounds of mental incompetence see Appendix A.

Magistrates Courts of South Australia 1 January - 31 December 2001

TABLE 2.6 Case outcome by major offence charged. Fraud and misappropriation

Offence Group	Committed for trial or sentence	Convicted		Guilty without conviction	Acquitted on Major Charge	Not guilty: mentally incompetent	Major charge withdrawn	Major charge dismissed	Orders issued/ varied/ revoked	Other (eg. Defendant died)	Total	
		With penalty	Without Penalty								No.	%
False pretences												
- credit/debit cards	0	13	0	2	0	0	2	1	0	0	18	2.1
- cheques	3	37	1	9	0	0	24	8 (2)	0	0	82	9.6
- other	0	66	0	32	0	0	39 (3)	18 (4)	0	0	155	18.1
Forge and utter (excluding cheques)	0	11	1	1	0	0	2 (1)	2 (1)	0	0	17	2.0
False statement												
- unemployment benefit	0	17	0	0	0	0	2	1	0	0	20	2.3
- other social security benefit	0	31	0	2	0	0	5 (1)	0	0	0	38	4.4
- unspecified government benefit	0	14	0	0	0	0	2	0	0	0	16	1.9
Other fraud with respect to government benefits	1	158	0	3	0	0	37 (3)	8 (1)	0	0	207	24.2
Other fraud	2	58	2	13	0	0	16	4	0	0	95	11.1
Misappropriation												
- by director/trustee/partner	1	28	0	4	0	0	13 (2)	9	0	0	55	6.4
- by employee	3	58	0	51	0	0	17 (3)	21 (2)	0	0	150	17.5
Counterfeiting	1	0	0	0	0	0	0	1 (1)	0	0	2	0.2
Total	11	491	4	117	0	0	159 (13)	73 (11)	0	0	855	
Percentage	1.3	57.4	0.5	13.7	0	0	18.6	8.5	0	0		100.0

Numbers in brackets indicate cases where the defendant was not found guilty of the major charge but was found guilty of another charge. The bracketed numbers are also included in the total alongside which they appear. Thus 10(1) would mean that of the 10 cases with a given outcome, 10 were not guilty of the major charge but in one case there was a finding of guilt for an offence which was not the major charge. Some of these other charges may be for offences in groups other than the major charge - e.g. a person charged with *assault* (an offence against the person) may eventually be found guilty and convicted of only *offensive language*. In such instances cases are shown in the penalty tables for the offence group for which they were convicted. The way in which the data have been presented in this table differs from that used for the corresponding table in *Crime and Justice* reports prior to 1996 (see Appendix A for explanation). For *non-offence matters*, matters previously recorded as 'Guilty without conviction' are now reported under 'Orders issued/varied/revoked'. For more detail regarding cases found not guilty on the grounds of mental incompetence see Appendix A.

Magistrates Courts of South Australia
1 January - 31 December 2001

TABLE 2.7 Case outcome by major offence charged. Larceny and receiving

Offence Group	Committed for trial or sentence	Convicted		Guilty without conviction	Acquitted on Major Charge	Not guilty: mentally incompetent	Major charge withdrawn	Major charge dismissed	Orders issued/ varied/ revoked	Other (eg. Defendant died)	Total	
		With penalty	Without Penalty								No.	%
Receiving	1	158	4	23	0	0	121 (61)	68 (19)	0	0	375	9.7
Unlawful possession of stolen goods	0	171	13	61	0	1	164 (29)	9 (1)	0	0	419	10.9
Handling of stolen goods – other	0	0	0	0	0	0	0	0	0	0	0	0
Larceny of a motor vehicle	1	13	1	1	0	0	16 (4)	20 (5)	0	0	52	1.4
Illegal use of a motor vehicle	0	178	1	11	0	1	102 (24)	48 (9)	0	2	343	8.9
Interfere with a motor vehicle	0	62	0	8	0	0	39 (9)	12 (3)	0	0	121	3.1
Larceny or illegal use of other vehicle	0	35	3	19	0	0	13 (2)	13 (5)	0	0	83	2.2
Larceny from the person	9	0	0	0	0	0	0	7 (2)	0	0	16	0.4
Larceny of livestock	0	7	0	1	0	0	1	0	0	0	9	0.2
Larceny from shops	0	597	44	487	0	0	186 (15)	19 (3)	0	1	1,334	34.7
Other larceny	1	490	35	263	0	3	247 (66)	57 (11)	0	0	1,096	28.5
Total	12	1,711	101	874	0	5	889 (210)	253 (58)	0	3	3,848	
Percentage	0.3	44.5	2.6	22.7	0	0.1	23.1	6.6	0	0.1		100.0

Numbers in brackets indicate cases where the defendant was not found guilty of the major charge but was found guilty of another charge. The bracketed numbers are also included in the total alongside which they appear. Thus 10(1) would mean that of the 10 cases with a given outcome, 10 were not guilty of the major charge but in one case there was a finding of guilt for an offence which was not the major charge. Some of these other charges may be for offences in groups other than the major charge - e.g. a person charged with *assault* (an offence against the person) may eventually be found guilty and convicted of only *offensive language*. In such instances cases are shown in the penalty tables for the offence group for which they were convicted. Due to some problems in the coding of offences in the 'Larceny from shops, and 'Other larceny' categories offence details on court files which involved these types of *larceny* were compared, where possible, with offence details on the apprehension report. Where discrepancies were identified, the offence codes on the apprehension report were substituted on the court file (see Appendix A for further details). The way in which the data have been presented in this table differs from that used for the corresponding table in *Crime and Justice* reports prior to 1996 (see Appendix A for explanation). For *non-offence matters*, matters previously recorded as 'Guilty without conviction' are now reported under 'Orders issued/varied/revoked'. For more detail regarding cases found not guilty on the grounds of mental incompetence see Appendix A.

Magistrates Courts of South Australia
1 January - 31 December 2001

TABLE 2.8 Case outcome by major offence charged. Property damage and environmental offences

Offence Group	Committed for trial or sentence	Convicted		Guilty without conviction	Acquitted on Major Charge	Not guilty: mentally incompetent	Major charge withdrawn	Major charge dismissed	Orders issued/ varied/ revoked	Other (eg. Defendant died)	Total	
		With penalty	Without Penalty								No.	%
Arson or damage by explosives												
- dwellings	3	5	0	1	0	0	2	4	0	0	15	1.2
- shops	0	0	0	0	0	0	0	0	0	0	0	0
- schools	1	0	0	0	0	0	0	0	0	0	1	0.1
- factory/warehouse	0	0	0	0	0	0	0	0	0	0	0	0
- motor vehicle	0	3	0	2	0	0	3 (2)	3 (1)	0	0	11	0.8
- other/not known	4	8	0	4	0	0	4 (1)	5 (2)	0	0	25	1.9
Property damage (not arson or explosives)												
- dwellings	0	174	6	41	0	0	66 (11)	22 (4)	0	0	309	23.7
- shops	1	64	2	20	0	0	20 (7)	3 (1)	0	1	111	8.5
- schools	0	7	0	1	0	0	3 (1)	0	0	1	12	0.9
- factory/warehouse	0	1	0	0	0	0	0	0	0	0	1	0.1
- motor vehicle	0	160	3	74	0	0	71 (14)	11 (2)	0	0	319	24.5
- other/not known	0	253	12	90	0	1	100 (13)	18 (3)	0	0	474	36.3
Other property damage offences	0	5	1	1	0	0	2	10 (4)	0	1	20	1.5
Environmental offences	0	4	0	0	0	0	2	0	0	0	6	0.5
Total	9	684	24	234	0	1	273 (49)	76 (17)	0	3	1,304	
Percentage	0.7	52.5	1.8	17.9	0	0.1	20.9	5.8	0	0.2		100.0

Numbers in brackets indicate cases where the defendant was not found guilty of the major charge but was found guilty of another charge. The bracketed numbers are also included in the total alongside which they appear. Thus 10(1) would mean that of the 10 cases with a given outcome, 10 were not guilty of the major charge but in one case there was a finding of guilt for an offence which was not the major charge. Some of these other charges may be for offences in groups other than the major charge - e.g. a person charged with *assault* (an offence against the person) may eventually be found guilty and convicted of only *offensive language*. In such instances cases are shown in the penalty tables for the offence group for which they were convicted. The way in which the data have been presented in this table differs from that used for the corresponding table in *Crime and Justice* reports prior to 1996 (see Appendix A for explanation). For *non-offence matters*, matters previously recorded as 'Guilty without conviction' are now reported under 'Orders issued/varied/revoked'. For more detail regarding cases found not guilty on the grounds of mental incompetence see Appendix A.

Magistrates Courts of South Australia
1 January - 31 December 2001

TABLE 2.9 Case outcome by major offence charged. Offences against good order

Offence Group	Committed for trial or sentence	Convicted		Guilty without conviction	Acquitted on Major Charge	Not guilty: mentally incompetent	Major charge withdrawn	Major charge dismissed	Orders issued/ varied/ revoked	Other (eg. Defendant died)	Total	
		With penalty	Without Penalty								No.	%
Offences against govt. security and operations	1	2	0	1	0	0	1	0	0	0	5	0.1
Contempt of court	0	0	0	0	0	0	0	0	0	0	0	0
Perjury	0	1	0	0	0	0	0	0	0	0	1	0.0
Pervert the course of justice	8	3	0	1	0	0	1	9 (2)	0	0	22	0.5
Breach court order (parole, bail, etc.)	0	126	100	29	0	4	69 (16)	8 (1)	0	0	336	6.9
Breach restraining/summary protection order	0	39	16	32	0	1	34 (3)	7	0	0	129	2.6
Breach domestic violence restraining order	0	84	30	31	0	0	68 (1)	4	0	0	217	4.4
Escape from custody (excluding prisons)	10 (1)	1	1	0	0	0	0	7 (2)	0	0	19	0.4
Resist/hinder police	0	468	77	184	1	0	120 (41)	8 (3)	0	0	858	17.6
Conspiracy	1	0	0	0	0	0	0	9 (2)	0	0	10	0.2
Offences against justice procedures	3	66	5	23	0	0	26 (4)	11 (2)	0	0	134	2.7
Possession/use of firearms	0	163	3	42	0	0	38 (7)	7 (1)	0	0	253	5.2
Possession/use of bombs	0	0	0	0	0	0	0	0	0	0	0	0
Possession/use of other weapons	0	202	4	83	0	0	90 (11)	12 (1)	0	1	392	8.0
Other weapon offences	0	21	1	11	0	0	5	1	0	0	39	0.8
Pornography and censorship offences	0	7	0	5	0	0	0	0	0	0	12	0.2
Liquor licensing offences	0	51	15	38	0	0	10	1	0	0	115	2.4
Betting and gaming offences	0	0	0	0	0	0	3	0	0	0	3	0.1
Trespassing offences	0	123	28	83	0	0	68 (5)	7	0	0	309	6.3

Continued on the next page

Numbers in brackets indicate cases where the defendant was not found guilty of the major charge but was found guilty of another charge. The bracketed numbers are also included in the total alongside which they appear. Thus 10(1) would mean that of the 10 cases with a given outcome, 10 were not guilty of the major charge but in one case there was a finding of guilt for an offence which was not the major charge. Some of these other charges may be for offences in groups other than the major charge - e.g. a person charged with *assault* (an offence against the person) may eventually be found guilty and convicted of only *offensive language*. In such instances cases are shown in the penalty tables for the offence group for which they were convicted. As of July 2nd 1992 *restraint orders* became known as *summary protection orders*. On August 1st 1994 *summary protection orders* became known as *restraining orders* and *domestic violence restraining orders* were introduced. Breaches of orders refer to the nature of the original order, rather than the circumstances of the breach. *Breach court order* does not include breaches of bonds or CSO.

As from 1994 *defamation and libel* has been included under *offences against the person (excluding sexual offences)* (Table 2.2). The way in which the data have been presented in this table differs from that used for the corresponding table in *Crime and Justice* reports prior to 1996 (see Appendix A for explanation). For *non-offence matters*, matters previously recorded as 'Guilty without conviction' are now reported under 'Orders issued/varied/revoked'. For more detail regarding cases found not guilty on the grounds of mental incompetence see Appendix A.

Magistrates Courts of South Australia
1 January - 31 December 2001

TABLE 2.9 Case outcome by major offence charged. Offences against good order (continued)

Offence Group	Committed for trial or sentence	Convicted		Guilty without conviction	Acquitted on Major Charge	Not guilty: mentally incompetent	Major charge withdrawn	Major charge dismissed	Orders issued/ varied/ revoked	Other (eg. Defendant died)	Total	
		With penalty	Without Penalty								No.	%
Consorting	0	0	0	0	0	0	3	0	0	0	3	0.1
Prostitution offences	0	7	3	8	0	0	2 (2)	0	0	0	20	0.4
Found with intent to commit a crime	2 (1)	0	0	0	0	0	1 (1)	5	0	0	8	0.2
Indecent/offensive language	0	119	32	56	0	0	10	2	0	0	219	4.5
Disorderly behaviour	0	472	140	313	0	0	85 (7)	7	0	0	1,017	20.9
Offensive behaviour	0	18	1	16	0	0	4 (1)	0	0	0	39	0.8
Loitering	0	90	30	141	0	0	28	3	0	0	292	6.0
Urinating/defecating in public	0	216	20	75	0	0	22	0	0	0	333	6.8
Graffiti and related offences	0	39	2	11	0	0	4	0	0	0	56	1.1
Other offences	0	10	1	3	0	0	15	7 (1)	0	0	36	0.7
Total	25 (2)	2,328	509	1,186	1	5	707 (99)	115 (15)	0	1	4,877	
Percentage	0.5	47.7	10.4	24.3	0.0	0.1	14.5	2.4	0	0.0		100.0

Numbers in brackets indicate cases where the defendant was not found guilty of the major charge but was found guilty of another charge. The bracketed numbers are also included in the total alongside which they appear. Thus 10(1) would mean that of the 10 cases with a given outcome, 10 were not guilty of the major charge but in one case there was a finding of guilt for an offence which was not the major charge. Some of these other charges may be for offences in groups other than the major charge - e.g. a person charged with *assault* (an offence against the person) may eventually be found guilty and convicted of only *offensive language*. In such instances cases are shown in the penalty tables for the offence group for which they were convicted.

As of July 2nd 1992 *restraint orders* became known as *summary protection orders*. On August 1st 1994 *summary protection orders* became known as *restraining orders* and *domestic violence restraining orders* were introduced. Breaches of orders refer to the nature of the original order, rather than the circumstances of the breach. *Breach court order* does not include breaches of bonds or CSO.

As from 1994 *defamation and libel* has been included under *offences against the person (excluding sexual offences)* (Table 2.2). The way in which the data have been presented in this table differs from that used for the corresponding table in *Crime and Justice* reports prior to 1996 (see Appendix A for explanation). For *non-offence matters*, matters previously recorded as 'Guilty without conviction' are now reported under 'Orders issued/varied/revoked'.

For more detail regarding cases found not guilty on the grounds of mental incompetence see Appendix A.

Magistrates Courts of South Australia
1 January - 31 December 2001

TABLE 2.10 Case outcome by major offence charged. Drug offences

Offence Group	Committed for trial or sentence	Convicted		Guilty without conviction	Acquitted on Major Charge	Not guilty: mentally incompetent	Major charge withdrawn	Major charge dismissed	Orders issued/ varied/ revoked	Other (eg. Defendant died)	Total	
		With penalty	Without Penalty								No.	%
Possess/use cannabis	0	70	1	40	0	0	53 (1)	3	0	0	167	8.7
Possess/use other drug	0	108	6	16	0	0	67 (2)	4	0	0	201	10.5
Import/export cannabis	0	0	0	0	0	0	0	0	0	0	0	0
Import/export other drug	2	0	0	0	0	0	0	8	0	0	10	0.5
Sell/possess for sale cannabis	92 (1)	154	0	35	0	0	54 (33)	63 (13)	0	0	398	20.7
Sell/possess for sale other drug	73 (4)	13	0	2	0	0	4 (1)	77 (3)	0	0	169	8.8
Produce/manufacture cannabis	63	484	0	213	0	0	61 (10)	21 (3)	0	0	842	43.9
Produce/manufacture other drug	22	4	0	3	0	0	2 (1)	15	0	0	46	2.4
Other drug offences	0	34	2	10	0	0	36 (1)	4	0	0	86	4.5
Total	252 (5)	867	9	319	0	0	277 (49)	195 (19)	0	0	1,919	
Percentage	13.1	45.2	0.5	16.6	0	0	14.4	10.2	0	0		100.0

Numbers in brackets indicate cases where the defendant was not found guilty of the major charge but was found guilty of another charge. The bracketed numbers are also included in the total alongside which they appear. Thus 10(1) would mean that of the 10 cases with a given outcome, 10 were not guilty of the major charge but in one case there was a finding of guilt for an offence which was not the major charge. Some of these other charges may be for offences in groups other than the major charge - e.g. a person charged with *assault* (an offence against the person) may eventually be found guilty and convicted of only *offensive language*. In such instances cases are shown in the penalty tables for the offence group for which they were convicted. With effect from 1995, a breakdown of the quantities of drugs involved has been omitted from this table, since information on quantity of drugs was rarely available. Further information may be obtained from the Office of Crime Statistics on request. The way in which the data have been presented in this table differs from that used for the corresponding table in *Crime and Justice* reports prior to 1996 (see Appendix A for explanation). For *non-offence matters*, matters previously recorded as 'Guilty without conviction' are now reported under 'Orders issued/varied/revoked'. For more detail regarding cases found not guilty on the grounds of mental incompetence see Appendix A.

Magistrates Courts of South Australia
1 January - 31 December 2001

TABLE 2.11 Case outcome by major offence charged. Driving offences

Offence Group	Committed for trial or sentence	Convicted		Guilty without conviction	Acquitted on Major Charge	Not guilty: mentally incompetent	Major charge withdrawn	Major charge dismissed	Orders issued/ varied/ revoked	Other (eg. Defendant died)	Total	
		With penalty	Without Penalty								No.	%
Driving under the influence of alcohol/drugs	0	626	0	0	0	0	146 (102)	8 (3)	0	1	781	12.3
Exceed prescribed concentration of alcohol												
.001 to .049	0	2	0	0	0	0	2	0	0	0	4	0.1
.050 to .079	0	24	1	8	0	0	5	1	0	0	39	0.6
.080 to .149	0	2,133	0	9	0	0	87	6	0	0	2,235	35.3
.150 or more	0	920	1	2	0	0	69	9	0	1	1,002	15.8
Unknown	0	2	0	1	0	0	6	3	0	0	12	0.2
Refuse to supply blood sample	0	4	0	0	0	0	1	0	0	0	5	0.1
Refuse breath/alcotest	0	59	0	0	0	0	14	2	0	0	75	1.2
Dangerous or reckless driving	0	530	0	3	0	0	175 (11)	11	0	0	719	11.3
Driving while licence suspended or cancelled	0	1,180	27	15	0	0	207 (17)	30 (3)	0	1	1,460	23.0
Driving without a licence	0	2	0	1	0	0	0	0	0	0	3	0.0
Other driving licence offences	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	5,482	29	39	0	0	712 (130)	70 (6)	0	3	6,335	
Percentage	0	86.5	0.5	0.6	0	0	11.2	1.1	0	0.0		100.0

Numbers in brackets indicate cases where the defendant was not found guilty of the major charge but was found guilty of another charge. The bracketed numbers are also included in the total alongside which they appear. Thus 10(1) would mean that of the 10 cases with a given outcome, 10 were not guilty of the major charge but in one case there was a finding of guilt for an offence which was not the major charge. Some of these other charges may be for offences in groups other than the major charge - e.g. a person charged with *assault* (an offence against the person) may eventually be found guilty and convicted of only *offensive language*. In such instances cases are shown in the penalty tables for the offence group for which they were convicted. *Exceed prescribed content of alcohol :001 to .049* relates specifically to drivers on a P-plate licence as it is an offence for such licence holders to drive with any concentration of alcohol in their blood. This category also includes P-plate drivers charged with *driving under the influence of alcohol*. The category of *negligent driving* has been omitted from this table with effect from 1995, since this offence falls outside Office of Crime Statistics collection boundaries. The way in which the data have been presented in this table differs from that used for the corresponding table in *Crime and Justice* reports prior to 1996 (see Appendix A for explanation). For *non-offence matters*, matters previously recorded as 'Guilty without conviction' are now reported under 'Orders issued/varied/revoked'. For more detail regarding cases found not guilty on the grounds of mental incompetence see Appendix A.

Magistrates Courts of South Australia
1 January - 31 December 2001

TABLE 2.12 Case outcome by major offence charged. Other offences

Offence Group	Committed for trial or sentence	Convicted		Guilty without conviction	Acquitted on Major Charge	Not guilty: mentally incompetent	Major charge withdrawn	Major charge dismissed	Orders issued/ varied/ revoked	Other (eg. Defendant died)	Total	
		With penalty	Without Penalty								No.	%
Banking, financial and insurance offences	2	2	0	1	0	0	0	1	0	0	6	1.6
Taxation and stamp duty (excluding excise)	0	1	0	0	0	0	0	0	0	0	1	0.3
Posts, telegraphs and telecommunications	0	0	0	0	0	0	0	0	0	0	0	0
Customs, excise, imports/exports (non-drugs)	0	17	1	6	0	0	1 (1)	0	0	0	25	6.8
Immigration, passports, etc.	0	4	0	1	0	0	0	3	0	0	8	2.2
Electoral offences	0	0	0	0	0	0	0	0	0	0	0	0
Air navigation, airports and aircraft operations	0	1	0	1	0	0	0	0	0	0	2	0.5
Health, mental health, quarantine, food standards etc.	0	3	0	1	0	0	0	2	0	0	6	1.6
Bankruptcy	0	0	0	0	0	0	0	0	0	0	0	0
Copyright and patents	0	0	0	0	0	0	0	0	0	0	0	0
Offences in custody (against prison rules)	7 (1)	4	0	0	0	0	0	5 (1)	0	0	16	4.3
Other offences	0	138	74	56	0	0	24 (2)	12	0	1	305	82.7
Total	9 (1)	170	75	66	0	0	25 (3)	23 (1)	0	1	369	
Percentage	2.4	46.1	20.3	17.9	0	0	6.8	6.2	0	0.3		100.0

Numbers in brackets indicate cases where the defendant was not found guilty of the major charge but was found guilty of another charge. The bracketed numbers are also included in the total alongside which they appear. Thus 10(1) would mean that of the 10 cases with a given outcome, 10 were not guilty of the major charge but in one case there was a finding of guilt for an offence which was not the major charge. Some of these other charges may be for offences in groups other than the major charge - e.g. a person charged with *assault* (an offence against the person) may eventually be found guilty and convicted of only *offensive language*. In such instances cases are shown in the penalty tables for the offence group for which they were convicted. A number of additional offences were added to the *other offences* category of this table in 1995. Further details may be obtained from the Office of Crime Statistics. The way in which the data have been presented in this table differs from that used for the corresponding table in *Crime and Justice* reports prior to 1996 (see Appendix A for explanation). For *non-offence matters*, matters previously recorded as 'Guilty without conviction' are now reported under 'Orders issued/varied/revoked'. For more detail regarding cases found not guilty on the grounds of mental incompetence see Appendix A.

Magistrates Courts of South Australia
1 January - 31 December 2001

TABLE 2.13a Case outcome by major offence charged. Non-offence matters

Offence Group	Order issued	Order varied	Order revoked/ cancelled	Application withdrawn	Application dismissed	Application refused	No action/ no case	Total	
								No.	%
RESTRAINING ORDERS									
Application for issuance of restraining order - court application	501	95	26	61	28	4	7	722	45.2
Application for issuance of restraining order - telephone application	6	0	2	0	1	0	0	9	0.6
Application to vary/revoke restraining order	0	0	3	3	0	0	2	8	0.5
Registration interstate/foreign restraining order	2	0	0	0	0	0	0	2	0.1
Application to vary/cancel registration of interstate/foreign restraining order	0	0	0	0	0	0	0	0	0
DOMESTIC VIOLENCE RESTRAINING ORDERS									
Application for issuance of domestic violence restraining order - court application	494	154	47	77	42	3	6	823	51.5
Application for issuance of domestic violence restraining order - telephone application	7	6	0	2	1	0	0	16	1.0
Application to vary/revoke domestic violence restraining order	0	1	1	1	1	1	2	7	0.4
Registration foreign domestic violence restraining order	5	0	0	0	0	0	0	5	0.3
Application to vary/cancel registration of foreign domestic violence restraining order	0	0	0	0	0	0	0	0	0
PAEDOPHILE RESTRAINING ORDERS									
Application for issuance of paedophile restraining order - court application	3	0	0	4	0	0	0	7	0.4
Application for issuance of paedophile restraining order - telephone application	0	0	0	0	0	0	0	0	0
Total	1,018	256	79	148	73	8	17	1,599	
Percentage	63.7	16.0	4.9	9.3	4.6	0.5	1.1		100.0
Orders issued under s.19A of the Criminal Law (Sentencing) Act	10	0	0	0	0	0	0	10	

With effect from 1995, this table has been expanded to provide more detailed information regarding applications for restraining orders. The information relates to final orders only. Interim orders are excluded. Where an interim order is varied or revoked at the final hearing, it is included in the 'order varied' or 'order revoked' category, rather than the 'order issued' category. On August 1st 1994 *domestic violence restraining orders* were introduced (Domestic Violence Act). This Act also amended the Criminal Law (Sentencing) Act by inserting section 19A, whereby a Magistrates Court may issue a restraining order under the Domestic Violence or Summary Procedure Act on finding a defendant guilty of an offence or on sentencing a defendant for an offence. The table above provides figures based only on major outcome for major offence charged. On October 30th 1995 *paedophile restraining orders* were introduced. Breaches of orders are included under *offences against good order* (Table 2.9).

Magistrates Courts of South Australia
1 January - 31 December 2001

TABLE 2.13b Disposition of cases involving persons declared to be liable to supervision on grounds of mental incompetence: Release and detention orders issued

Offence Group	Unconditional release	Conditional Release			Detention			Total No.		
		No.	Min	Av	Max	No.	Min		Av	Max
Assault GBH	0	1	52	52	52	0	-	-	-	1
Assault ABH	0	2	52	65	78	0	-	-	-	2
Common assault, male victim	0	1	26	26	26	0	-	-	-	1
Common assault, female victim	0	1	78	78	78	0	-	-	-	1
Common assault, victim sex unspec.	0	1	78	78	78	0	-	-	-	1
Indecent assault of female 17 or over	0	1	52	52	52	0	-	-	-	1
Non aggravated serious criminal trespass - place of residence	0	2	52	65	78	0	-	-	-	2
Unlawful possession of stolen goods	0	1	104	104	104	0	-	-	-	1
Larceny from shops	0	1	52	52	52	0	-	-	-	1
Other larceny	0	2	52	52	52	0	-	-	-	2
Property damage - dwellings	1	0	-	-	-	0	-	-	-	1
Property damage - schools	0	1	52	52	52	0	-	-	-	1
Property damage -other/not known	0	1	52	52	52	0	-	-	-	1
Breach parole, bail, court order	1	1	52	52	52	1	8	8	8	3
Breach restraining order	1	0	-	-	-	0	-	-	-	1
Resist/hinder police	0	3	26	37	52	0	-	-	-	3
Disorderly behaviour	0	1	52	52	52	0	-	-	-	1
Driving while licence suspended/cancelled	0	1	78	78	78	0	-	-	-	1
Total	3	21	26	57	104	1	8	8	8	25

For more detail regarding cases found not guilty on the grounds of mental incompetence see Appendix A.

*The total in this table (n=25) is slightly higher than the total number of cases listed in Table 2.1 as not guilty on grounds of mental incompetence (n=23) because this table considers the disposition of all offences within the case whereas Table 2.1 considers only the disposition of the major charge.

Magistrates Courts of South Australia
1 January - 31 December 2001

TABLE 2.14 Major penalty for major charge convicted or found guilty. Summary of all offence groups

Offence Group	No penalty	Restraining order	Other order	Rising of the court	Fine (\$)				Suspension of driver's licence	Bond	Community service order	Suspended imprisonment	Imprisonment (weeks)			Total		
					No.	Min	Av	Max					No.	Min	Av	Max	No.	%
Offences against the person (excl. sexual offences)	114	10	9	0	457	50	275	1,500	11	496	130	382	123	1	22	156	1,732	9.2
Sexual offences	6	0	0	0	28	50	247	500	0	21	1	36	10	4	29	78	102	0.5
Robbery and extortion	0	0	0	0	0	-	-	-	0	1	0	2	1	21	21	21	4	0.0
Serious criminal trespass	13	0	1	0	13	50	252	600	1	33	11	294	169	2	63	208	535	2.8
Fraud and misappropriation	11	0	21	0	102	10	275	1,500	1	146	50	250	66	2	43	468	647	3.4
Larceny and receiving	248	0	35	0	1,006	20	183	3,000	56	589	255	502	245	1	25	208	2,936	15.5
Property damage and environmental offences	57	2	176	0	388	20	304	50,000	7	175	87	83	26	1	18	78	1,001	5.3
Offences against good order	1,112	2	104	0	2,654	10	161	2,000	67	296	210	95	44	1	11	61	4,584	24.2
Drug offences	19	0	40	0	1,050	40	283	2,000	4	50	47	25	7	8	51	182	1,242	6.6
Driving offences	38	0	1	0	389	40	295	1,000	4,397	34	266	453	211	1	8	69	5,789	30.6
Other offences	97	0	1	0	174	30	645	14,000	1	31	23	2	8	1	6	8	337	1.8
Non-offence matters	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Total	1,715	14	388	0	6,261	10	226	50,000	4,545	1,872	1,080	2,124	910	1	28	468	18,909	
Percentage	9.1	0.1	2.1	0	33.1				24.0	9.9	5.7	11.2	4.8					100.0

More than one penalty type may be imposed per major charge, but only the most severe penalty is shown in this table. A number of additional offences were added to the *other offences* category in 1995. *Restraining orders* as the major penalty were added from 1996 onwards.

Magistrates Courts of South Australia
1 January - 31 December 2001

TABLE 2.15 Major penalty for major charge convicted or found guilty. Offences against the person (excluding sexual offences)

Offence Group	No penalty	Restraining order	Other order	Rising of the court	Fine (\$)			Suspension of driver's licence	Bond	Community Service Order	Suspended imprisonment	Imprisonment (weeks)				Total		
					No.	Min	Av					Max	No.	Min	Av	Max	No.	%
Murder	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Attempted murder	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Conspiracy to murder	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Manslaughter	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Driving causing death	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Other homicide	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Assault occasioning grievous bodily harm	0	0	0	0	0	-	-	-	0	2	0	11	6	4	64	156	19	1.1
Assault occasioning actual bodily harm	1	0	0	0	42	50	427	1,500	0	52	18	123	34	2	33	104	270	15.6
Other major assault	0	0	0	0	0	-	-	-	1	0	0	6	1	52	52	52	8	0.5
Common assault														-	-	-		
- of a male	36	3	4	0	181	50	257	1,000	3	123	32	50	19	1	12	39	451	26.0
- of a female	20	2	1	0	76	50	232	800	0	100	20	24	10	3	13	47	253	14.6
- sex of victim unspecified	4	0	1	0	16	75	273	700	0	9	0	4	1	1	1	1	35	2.0
Common assault of family member	12	5	0	0	47	50	258	600	0	114	19	62	8	4	23	78	267	15.4
Other minor assault	0	0	0	0	0	-	-	-	0	1	0	0	0	-	-	-	1	0.1
Assault police	36	0	1	0	87	50	284	1,000	6	57	37	68	31	1	10	56	323	18.6
Kidnapping and abduction	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Ill treatment of children	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Hijacking	0	0	0	0	0	-	-	-	0	1	0	0	0	-	-	-	1	0.1
Defamation and libel	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Stalking	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Other offences against the person	5	0	2	0	8	100	294	500	1	37	4	34	13	4	25	86	104	6.0
Total	114	10	9	0	457	50	275	1,500	11	496	130	382	123	1	22	156	1,732	
Percentage	6.6	0.6	0.5	0	26.4				0.6	28.6	7.5	22.1	7.1					100.0

More than one penalty type may be imposed per major charge, but only the most severe penalty is shown in this table. Prior to 1992 kidnapping was included under robbery and extortion. Prior to 1994 defamation and libel was included under offences against good order. On June 1st 1994 it became an offence to stalk another person (stalking). Hijacking includes other acts endangering life involving transport. A new category of common assault of a family member was introduced in 1995. Restraining orders as the major penalty were added from 1996 onwards.

Magistrates Courts of South Australia
1 January - 31 December 2001

TABLE 2.16 Major penalty for major charge convicted or found guilty. Sexual offences

Offence Group	No penalty	Restraining order	Other order	Rising of the court	Fine (\$)				Suspension of driver's licence	Bond	Community Service Order	Suspended imprisonment	Imprisonment (weeks)				Total	
					No.	Min	Av	Max					No.	Min	Av	Max	No.	%
Rape of female																		
- Victim age under 12	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
- Victim age 12 to 16	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
- Victim age 17 or over	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
- Victim age unspecified	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Attempted rape of female																		
- Victim age under 12	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
- Victim age 12 to 16	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
- Victim age 17 or over	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
- Victim age unspecified	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Rape of male																		
- Victim age under 12	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
- Victim age 12 to 16	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
- Victim age 17 or over	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
- Victim age unspecified	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Attempted rape of male																		
- Victim age under 12	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
- Victim age 12 to 16	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
- Victim age 17 or over	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
- Victim age unspecified	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Rape of victim sex and age unspecified	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Attempted rape of victim sex and age unspecified	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0

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More than one penalty type may be imposed per major charge, but only the most severe penalty is shown in this table. On July 28th 1994 the offence of *persistent sexual abuse of a child* was introduced. *Restraining orders* as the major penalty were added from 1996 onwards.

Magistrates Courts of South Australia
1 January - 31 December 2001

TABLE 2.16 Major penalty for major charge convicted or found guilty. Sexual offences (continued)

Offence Group	No penalty	Restraining order	Other order	Rising of the court	Fine (\$)				Suspension of driver's licence	Bond	Community Service Order	Suspended imprisonment	Imprisonment (weeks)				Total	
					No.	Min	Av	Max					No.	Min	Av	Max	No.	%
Indecent assault of female																		
- Victim age under 12	0	0	0	0	0	-	-	-	0	1	0	9	0	-	-	-	10	9.8
- Victim age 12 to 16	0	0	0	0	0	-	-	-	0	2	0	5	3	13	43	78	10	9.8
- Victim age 17 or over	0	0	0	0	1	400	400	400	0	1	0	7	1	4	4	4	10	9.8
- Victim age unspecified	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Indecent assault of male																		
- Victim age under 12	0	0	0	0	0	-	-	-	0	0	0	1	1	65	65	65	2	2.0
- Victim age 12 to 16	0	0	0	0	0	-	-	-	0	3	0	2	1	17	17	17	6	5.9
- Victim age 17 or over	0	0	0	0	0	-	-	-	0	0	0	2	0	-	-	-	2	2.0
- Victim age unspecified	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	-	-
Indecent assault of victim sex and age unspecified	0	0	0	0	0	-	-	-	0	0	0	1	0	-	-	-	1	1.0
Unlawful sexual intercourse with female																		
- Victim age under 12	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
- Victim age 12 to 16	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
- Victim age unspecified	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Unlawful sexual intercourse with female by teacher/guardian	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Unlawful sexual intercourse with female with intellectual disability	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0

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More than one penalty type may be imposed per major charge, but only the most severe penalty is shown in this table. On July 28th 1994 the offence of *persistent sexual abuse of a child* was introduced. *Restraining orders* as the major penalty were added from 1996 onwards.

Magistrates Courts of South Australia
1 January - 31 December 2001

TABLE 2.16 Major penalty for major charge convicted or found guilty. Sexual offences (continued)

Offence Group	No penalty	Restraining order	Other order	Rising of the court	Fine (\$)			Suspension of driver's licence	Bond	Community Service Order	Suspended imprisonment	Imprisonment (weeks)				Total		
					No.	Min	Av					Max	No.	Min	Av	Max	No.	%
Attempted unlawful sexual intercourse with female																		
- Victim age under 12	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
- Victim age 12 to 16	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
- Victim age unspecified	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Attempted unlawful sexual intercourse with female by teacher/guardian	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Attempted unlawful sexual intercourse with female with intellectual disability	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Unlawful sexual intercourse with male																		
- Victim age under 12	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
- Victim age 12 to 16	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
- Victim age unspecified	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Unlawful sexual intercourse with male by teacher/guardian	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Unlawful sexual intercourse with male with intellectual disability	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Attempted unlawful sexual intercourse with male																		
- Victim age under 12	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
- Victim age 12 to 16	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
- Victim age unspecified	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0

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More than one penalty type may be imposed per major charge, but only the most severe penalty is shown in this table. On July 28th 1994 the offence of *persistent sexual abuse of a child* was introduced. *Restraining orders* as the major penalty were added from 1996 onwards.

Magistrates Courts of South Australia
1 January - 31 December 2001

TABLE 2.16 Major penalty for major charge convicted or found guilty. Sexual offences (continued)

Offence Group	No penalty	Restraining order	Other order	Rising of the court	Fine (\$)				Suspension of driver's licence	Bond	Community Service Order	Suspended imprisonment	Imprisonment (weeks)				Total	
					No.	Min	Av	Max					No.	Min	Av	Max	No.	%
Attempted unlawful sexual intercourse with male by teacher/guardian	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Attempted unlawful sexual intercourse with male with intellectual disability	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Unlawful sexual intercourse with victim age and sex unspecified	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Unlawful sexual intercourse with victim sex and age unspecified by teacher/guardian	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Unlawful sexual intercourse with victim sex and age unspecified with intellectual disability	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Attempted unlawful sexual intercourse with victim age and sex unspecified	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Attempted unlawful sexual intercourse with victim sex and age unspecified by teacher/guardian	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Attempted unlawful sexual intercourse with victim sex and age unspecified with intellectual disability	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Incest	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Indecent behaviour/exposure	4	0	0	0	26	50	236	500	0	12	1	5	2	13	15	17	50	49.0
Gross indecency	0	0	0	0	0	-	-	-	0	0	0	1	0	-	-	-	1	1.0
Persistent sexual abuse of a child	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Other sexual offences	2	0	0	0	1	400	400	400	0	2	0	3	2	4	24	43	10	9.8
Total	6	0	0	0	28	50	247	500	0	21	1	36	10	4	29	78	102	
Percentage	5.9	0	0	0	27.5				0	20.6	1.0	35.3	9.8					100.0

More than one penalty type may be imposed per major charge, but only the most severe penalty is shown in this table. On July 28th 1994 the offence of *persistent sexual abuse of a child* was introduced. *Restraining orders* as the major penalty were added from 1996 onwards.

Magistrates Courts of South Australia
1 January - 31 December 2001

TABLE 2.17 Major penalty for major charge convicted or found guilty. Robbery and extortion

Offence Group	No penalty	Restraining order	Other order	Rising of the court	Fine (\$)				Suspension of driver's licence	Bond	Community Service Order	Suspended imprisonment	Imprisonment (weeks)				Total	
					No.	Min	Av	Max					No.	Min	Av	Max	No.	%
Robbery with a firearm																		
- financial institution	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
- other institution	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Robbery with other weapon																		
- financial institution	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
- other institution	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Unarmed robbery with violence																		
- financial institution	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
- other institution	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Unarmed robbery with no violence																		
- financial institution	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
- other institution	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Extortion	0	0	0	0	0	-	-	-	0	1	0	2	1	21	21	21	4	100.0
Total	0	0	0	0	0	-	-	-	0	1	0	2	1	21	21	21	4	
Percentage	0	0	0	0	0	-	-	-	0	25.0	0	50.0	25.0					100.0

More than one penalty type may be imposed per major charge, but only the most severe penalty is shown in this table. *Restraining orders* as the major penalty were added from 1996 onwards.

Magistrates Courts of South Australia
1 January - 31 December 2001

TABLE 2.18 Major penalty for major charge convicted or found guilty. Serious criminal trespass

Offence Group	No penalty	Restraining order	Other order	Rising of the court	Fine (\$)				Suspension of driver's licence	Bond	Community Service Order	Suspended imprisonment	Imprisonment (weeks)				Total	
					No.	Min	Av	Max					No.	Min	Av	Max	No.	%
Burglarv	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Break and enter dwellings	3	0	0	0	1	250	250	250	0	3	1	20	8	26	59	104	36	6.7
Break and enter dwellings with intent	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Break and enter dwellings at night with intent	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Break and enter shops	0	0	0	0	0	-	-	-	0	2	0	4	0	-	-	-	6	1.1
Break and enter shops with intent	0	0	0	0	0	-	-	-	0	0	0	1	0	-	-	-	1	0.2
Break and enter schools	0	0	0	0	0	-	-	-	0	1	0	1	0	-	-	-	2	0.4
Break and enter schools with intent	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Break and enter other building	1	0	0	0	1	450	450	450	0	1	0	11	8	4	31	65	22	4.1
Break and enter other building with intent	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Non aggravated serious criminal trespass																		
- place of residence	1	0	0	0	1	80	80	80	1	11	2	120	81	8	68	190	217	40.6
- shops	0	0	0	0	2	200	200	200	0	1	2	31	10	4	53	123	46	8.6
- school	1	0	0	0	0	-	-	-	0	2	0	15	2	26	39	52	20	3.7
- other building	2	0	0	0	4	300	413	600	0	6	1	65	42	2	63	156	120	22.4
Aggravated serious criminal trespass																		
- place of residence	0	0	1	0	1	150	150	150	0	0	0	8	6	26	94	208	16	3.0
- shops	0	0	0	0	0	-	-	-	0	0	0	1	2	13	33	52	3	0.6
- school	0	0	0	0	0	-	-	-	0	0	0	1	0	-	-	-	1	0.2
- other building	0	0	0	0	0	-	-	-	0	1	0	3	3	30	62	104	7	1.3
Other criminal trespass –place of residence	5	0	0	0	2	50	125	200	0	4	3	3	1	26	26	26	18	3.4
Offences related to break and enter	0	0	0	0	1	50	50	50	0	1	2	10	6	8	61	157	20	3.7
Total	13	0	1	0	13	50	252	600	1	33	11	294	169	2	63	208	535	
Percentage	2.4	0	0.2	0	2.4				0.2	6.2	2.1	55.0	31.6					100.0

More than one penalty type may be imposed per major charge, but only the most severe penalty is shown in this table. *Restraining orders* as the major penalty were added from 1996 onwards. On 25th December 1999 new legislation was proclaimed which replaced *break and enter offences* (other than sacrilege) with a range of *criminal trespass* offences (for more details see Appendix A).

Magistrates Courts of South Australia
1 January - 31 December 2001

TABLE 2.19 Major penalty for major charge convicted or found guilty. Fraud and misappropriation

Offence Group	No penalty	Restraining order	Other order	Rising of the court	Fine (\$)				Suspension of driver's licence	Bond	Community Service Order	Suspended imprisonment	Imprisonment (weeks)				Total	
					No.	Min	Av	Max					No.	Min	Av	Max	No.	%
False pretences																		
- credit/debit cards	0	0	0	0	0	-	-	-	0	7	0	7	3	6	24	52	17	2.6
- cheques	3	0	3	0	8	100	263	500	0	9	1	20	6	5	37	138	50	7.7
- other	1	0	2	0	26	75	218	500	0	34	8	29	14	2	34	104	114	17.6
Forge and utter (excluding cheques)	1	0	0	0	2	300	400	500	0	4	1	4	1	13	13	13	13	2.0
False statement																		
- unemployment benefit	0	0	0	0	1	300	300	300	0	3	3	10	2	4	6	8	19	2.9
- other social security benefit	1	0	0	0	1	500	500	500	0	6	3	21	2	4	6	8	34	5.3
- unspecified govt. benefit	0	0	0	0	0	-	-	-	0	3	1	8	3	3	9	17	15	2.3
Other fraud with respect to government benefits	0	0	0	0	9	10	490	1,500	0	21	6	108	20	2	16	52	164	25.3
Other fraud	3	0	14	0	30	25	200	600	1	9	7	9	4	4	125	312	77	11.9
Misappropriation																		
- by director/trustee/partner	0	0	1	0	5	300	480	1,000	0	9	5	9	6	8	89	182	35	5.4
- by employee	2	0	1	0	20	100	291	750	0	41	15	25	5	13	133	468	109	16.8
Counterfeiting	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Total	11	0	21	0	102	10	275	1,500	1	146	50	250	66	2	43	468	647	
Percentage	1.7	0	3.2	0	15.8				0.2	22.6	7.7	38.6	10.2					100.0

More than one penalty type may be imposed per major charge, but only the most severe penalty is shown in this table. *Restraining orders* as the major penalty were added from 1996 onwards.

Magistrates Courts of South Australia
1 January - 31 December 2001

TABLE 2.20 Major penalty for major charge convicted or found guilty. Larceny and receiving

Offence Group	No penalty	Restraining order	Other order	Rising of the court	Fine (\$)				Suspension of driver's licence	Bond	Community Service Order	Suspended imprisonment	Imprisonment (weeks)				Total	
					No.	Min	Av	Max					No.	Min	Av	Max	No.	%
Receiving	7	0	4	0	44	50	373	1,500	0	37	26	84	32	4	42	182	234	8.0
Unlawful possession of stolen goods	30	0	9	0	114	50	308	3,000	4	74	34	46	33	1	17	52	344	11.7
Handling of stolen goods - other	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Larceny of a motor vehicle	1	0	0	0	2	200	350	500	0	2	1	6	4	8	48	78	16	0.5
Illegal use of a motor vehicle	1	0	0	0	1	100	100	100	18	33	15	91	61	1	27	121	220	7.5
Interfere with a motor vehicle	2	0	0	0	2	200	275	350	23	5	11	29	13	4	22	39	85	2.9
Larceny or illegal use of other vehicle	6	0	0	0	19	20	196	800	1	14	3	12	5	13	30	65	60	2.0
Larceny from the person	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Larceny of livestock	1	0	0	0	5	120	344	850	0	2	0	0	0	-	-	-	8	0.3
Larceny from shops	122	0	7	0	529	20	144	500	3	259	97	86	34	1	12	52	1,137	38.7
Other larceny	78	0	15	0	290	20	171	800	7	163	68	148	63	2	26	208	832	28.3
Total	248	0	35	0	1,006	20	183	3,000	56	589	255	502	245	1	25	208	2,936	
Percentage	8.4	0	1.2	0	34.3				1.9	20.1	8.7	17.1	8.3					100.0

More than one penalty type may be imposed per major charge, but only the most severe penalty is shown in this table. *Restraining orders* as the major penalty were added from 1996 onwards. Due to some problems in the coding of offences in the 'Larceny from shops', and 'Other larceny' categories offence details on court files which involved these types of larceny were compared, where possible, with offence details on the apprehension report. Where discrepancies were identified, the offence codes on the apprehension report were substituted on the court file (see Appendix A for further details).

Magistrates Courts of South Australia
1 January - 31 December 2001

TABLE 2.21 Major penalty for major charge convicted or found guilty. Property damage and environmental offences

Offence Group	No penalty	Restraining order	Other order	Rising of the court	Fine (\$)				Suspension of driver's licence	Bond	Community service order	Suspended imprisonment	Imprisonment (weeks)				Total	
					No.	Min	Av	Max					No.	Min	Av	Max	No.	%
Arson or damage by explosives																		
- dwellings	0	0	0	0	1	150	150	150	0	2	1	2	0	-	-	-	6	0.6
- shops	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
- schools	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
- factory/warehouse	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
- motor vehicle	0	0	0	0	2	75	238	400	0	2	0	1	0	-	-	-	5	0.5
- other/not known	2	0	0	0	1	450	450	450	0	5	1	4	0	-	-	-	13	1.3
Property damage (not arson)																		
- dwellings	13	2	36	0	104	25	149	500	3	44	13	13	8	1	6	13	236	23.6
- shops	4	0	12	0	45	50	168	500	0	9	8	8	0	-	-	-	86	8.6
- schools	1	0	0	0	3	100	167	200	0	0	3	3	0	-	-	-	10	1.0
- factory/warehouse	0	0	0	0	1	100	100	100	0	0	0	0	0	-	-	-	1	0.1
- motor vehicle	13	0	54	0	89	20	211	600	2	49	22	20	6	4	25	52	255	25.5
- other/not known	23	0	74	0	137	30	176	600	2	61	38	29	11	1	23	78	375	37.5
Other property damage offences	1	0	0	0	1	450	450	450	0	2	1	2	1	26	26	26	8	0.8
Environmental offences	0	0	0	0	4	50	12,550	50,000	0	1	0	1	0	-	-	-	6	0.6
Total	57	2	176	0	388	20	304	50,000	7	175	87	83	26	1	18	78	1,001	
Percentage	5.7	0.2	17.6	0	38.8				0.7	17.5	8.7	8.3	2.6					100.0

More than one penalty type may be imposed per major charge, but only the most severe penalty is shown in this table. *Restraining orders* as the major penalty were added from 1996 onwards.

Magistrates Courts of South Australia
1 January - 31 December 2001

TABLE 2.22 Major penalty for major charge convicted or found guilty. Offences against good order

Offence Group	No penalty	Restraining order	Other order	Rising of the court	Fine (\$)				Suspension of driver's licence	Bond	Community service order	Suspended imprisonment	Imprisonment (weeks)				Total	
					No.	Min	Av	Max					No.	Min	Av	Max	No.	%
Offences against government security and operations	1	0	0	0	1	600	600	600	0	0	0	1	0	-	-	-	3	0.1
Contempt of court	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Perjury	0	0	0	0	1	2,000	2,000	2,000	0	0	0	0	0	-	-	-	1	0.0
Pervert the course of justice	1	0	0	0	1	250	250	250	0	1	0	1	0	-	-	-	4	0.1
Breach court order (parole, bail, etc.)	142	1	2	0	95	50	170	500	7	25	7	15	21	1	11	39	315	6.9
Breach restraining order	32	0	1	0	31	50	170	400	0	17	5	4	2	4	33	61	92	2.0
Breach domestic violence restraining order	51	0	1	0	55	50	203	600	0	30	7	13	5	1	9	21	162	3.5
Escape from custody (excluding prisons)	1	0	0	0	0	-	-	-	0	0	0	1	0	-	-	-	2	0.0
Resist/hinder police	191	0	2	0	551	25	182	1,100	36	65	64	16	3	3	5	8	928	20.2
Conspiracy	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Offences against justice procedures	8	0	9	0	40	75	326	1,000	3	24	15	3	1	4	4	4	103	2.2
Possession/use of firearms	9	0	29	0	161	40	315	2,000	0	9	8	7	3	13	14	17	226	4.9
Possession/use of bombs				0		-	-	-										
Possession/use of other weapons	17	0	48	0	237	20	183	1,000	6	12	16	2	3	1	2	4	341	7.4
Other weapon offences	3	0	3	0	27	50	138	400	0	1	2	0	0	-	-	-	36	0.8
Pornography and censorship offences	0	0	0	0	7	400	829	2,000	0	2	1	2	0	-	-	-	12	0.3
Liquor licensing offences	30	0	0	0	71	30	134	600	0	2	1	0	0	-	-	-	104	2.3
Betting and gaming offences	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0

Continued on the next page

More than one penalty type may be imposed per major charge, but only the most severe penalty is shown in this table. On August 1st 1994 *domestic violence restraining orders* were introduced. *Breach court order* does not include breach of bond or CSO. As from 1994 *defamation and libel* has been included under *offences against the person (excluding sexual offences)* (Table 2.15). *Restraining orders* as the major penalty were added from 1996 onwards.

Magistrates Courts of South Australia
1 January - 31 December 2001

TABLE 2.22 Major penalty for major charge convicted or found guilty. Offences against good order (continued)

Offence Group	No penalty	Restraining order	Other order	Rising of the court	Fine (\$)				Suspension of driver's licence	Bond	Community service order	Suspended imprisonment	Imprisonment (weeks)				Total	
					No.	Min	Av	Max					No.	Min	Av	Max	No.	%
Trespassing offences	69	1	5	0	119	20	177	600	2	48	19	14	5	4	15	26	282	6.2
Consorting	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Prostitution offences	4	0	0	0	13	50	125	500	0	1	0	0	0	-	-	-	18	0.4
Found with intent to commit a crime	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Indecent/offensive language	63	0	0	0	157	25	116	300	2	5	2	3	0	-	-	-	232	5.1
Disorderly behaviour	316	0	1	0	602	10	132	600	11	40	47	8	1	1	1	1	1,026	22.4
Offensive behaviour	5	0	1	0	28	50	117	250	0	2	0	0	0	-	-	-	36	0.8
Loitering	118	0	0	0	147	25	117	400	0	4	7	0	0	-	-	-	276	6.0
Urinating/defecating in public	44	0	0	0	269	10	56	250	0	0	2	0	0	-	-	-	315	6.9
Graffiti and related offences	5	0	2	0	31	50	217	500	0	6	7	5	0	-	-	-	56	1.2
Other offences against good order	2	0	0	0	10	75	151	500	0	2	0	0	0	-	-	-	14	0.3
Total	1,112	2	104	0	2,654	10	161	2,000	67	296	210	95	44	1	11	61	4,584	
Percentage	24.3	0.0	2.3	0	57.9				1.5	6.5	4.6	2.1	1.0					100.0

More than one penalty type may be imposed per major charge, but only the most severe penalty is shown in this table. On August 1st 1994 *domestic violence restraining orders* were introduced. *Breach court order* does not include breach of bond or CSO. As from 1994 *defamation and libel* has been included under *offences against the person (excluding sexual offences)* (Table 2.15). *Restraining orders* as the major penalty were added from 1996 onwards.

Magistrates Courts of South Australia
1 January - 31 December 2001

TABLE 2.23 Major penalty for major charge convicted or found guilty. Drug offences

Offence Group	No penalty	Restraining order	Other order	Rising of the court	Fine (\$)				Suspension of driver's licence	Bond	Community service order	Suspended imprisonment	Imprisonment (weeks)				Total	
					No.	Min	Av	Max					No.	Min	Av	Max	No.	%
Possess/use cannabis	3	0	4	0	115	40	180	800	3	2	4	1	0	-	-	-	132	10.6
Possess/use other drug	8	0	15	0	97	50	222	500	0	4	5	2	1	8	8	8	132	10.6
Import/export cannabis	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Import/export other drug	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Sell/possess for sale cannabis	1	0	6	0	136	75	363	1,500	0	15	16	11	4	8	32	78	189	15.2
Sell/possess for sale other drug	0	0	1	0	9	100	289	500	0	2	2	1	0	-	-	-	15	1.2
Produce/manufacture cannabis	3	0	7	0	660	50	296	2,000	0	17	20	8	2	39	111	182	717	57.7
Produce/manufacture other drug	0	0	0	0	7	150	307	500	0	0	0	0	0	-	-	-	7	0.6
Other drug offences	4	0	7	0	26	50	214	500	1	10	0	2	0	-	-	-	50	4.0
Total	19	0	40	0	1,050	40	283	2,000	4	50	47	25	7	8	51	182	1,242	
Percentage	1.5	0	3.2	0	84.5				0.3	4.0	3.8	2.0	0.6					100.0

More than one penalty type may be imposed per major charge, but only the most severe penalty is shown in this table. With effect from 1995, a breakdown of the quantities of drugs involved has been omitted from this table, since information on quantity of drugs was seldom available.

Further information may be obtained from the Office of Crime Statistics on request. *Restraining orders* as the major penalty were added from 1996 onwards.

Magistrates Courts of South Australia
1 January - 31 December 2001

TABLE 2.24 Major penalty for major charge convicted or found guilty. Driving offences

Offence Group	No penalty	Restraining order	Other order	Rising of the court	Fine (\$)				Suspension of driver's licence	Bond	Community service order	Suspended imprisonment	Imprisonment (weeks)				Total	
					No.	Min	Av	Max					No.	Min	Av	Max	No.	%
Driving under the influence of alcohol or drugs	0	0	0	0	3	150	200	250	584	0	33	23	7	1	7	17	650	11.2
Exceed prescribed concentration of alcohol																		
.001 to .049	0	0	0	0	0	-	-	-	2	0	1	0	0	-	-	-	3	0.1
.050 to .079	1	0	0	0	29	100	170	400	4	0	1	0	0	-	-	-	35	0.6
.080 to .149	0	0	0	0	15	72	178	500	2,138	1	52	0	0	-	-	-	2,206	38.1
.150 or more	3	0	0	0	2	100	100	100	936	3	50	0	0	-	-	-	994	17.2
Unknown	0	0	0	0	1	120	120	120	2	0	0	0	0	-	-	-	3	0.1
Refuse to supply blood sample	0	0	0	0	0	-	-	-	3	0	1	0	0	-	-	-	4	0.1
Refuse breath/alcotest	0	0	0	0	0	-	-	-	66	0	2	0	0	-	-	-	68	1.2
Dangerous or reckless driving	0	0	0	0	12	150	269	500	531	2	13	1	0	-	-	-	559	9.7
Driving while licence suspended or cancelled	34	0	1	0	324	40	316	1,000	131	28	113	429	204	1	8	69	1,264	21.8
Driving without a licence	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Other driving licence offences	0	0	0	0	3	150	250	400	0	0	0	0	0	-	-	-	3	0.1
Total	38	0	1	0	389	40	295	1,000	4,397	34	266	453	211	1	8	69	5,789	
Percentage	0.7	0	0.0	0	6.7				76.0	0.6	4.6	7.8	3.6					100.0

More than one penalty type may be imposed per major charge, but only the most severe penalty is shown in this table.

Exceed prescribed content of alcohol .001 to .049 relates specifically to drivers on a P-plate licence as it is an offence for such licence holders to drive with any concentration of alcohol in their blood. This category also includes P-plate drivers charged with *driving under the influence of alcohol*.

The category of *negligent driving* has been omitted from this table with effect from 1995, since this offence falls outside Office of Crime Statistics collection boundaries.

Restraining orders as the major penalty were added from 1996 onwards.

Magistrates Courts of South Australia
1 January - 31 December 2001

TABLE 2.25 Major penalty for major charge convicted or found guilty. Other offences

Offence Group	No penalty	Restraining order	Other order	Rising of the court	Fine (\$)				Suspension of driver's licence	Bond	Community service order	Suspended imprisonment	Imprisonment (weeks)				Total	
					No.	Min	Av	Max					No.	Min	Av	Max	No.	%
Banking, financial and insurance offences	0	0	0	0	0	-	-	-	0	2	0	1	0	-	-	-	3	0.9
Taxation and stamp duty (excluding excise)	0	0	0	0	1	10,000	10,000	10,000	0	0	0	0	0	-	-	-	1	0.3
Posts, telegraphs and telecommunications	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Customs, excise, imports/exports (non-drugs)	3	0	0	0	15	100	1,543	14,000	0	6	2	0	0	-	-	-	26	7.7
Immigration, passports, etc	0	0	0	0	0	-	-	-	0	1	0	0	4	8	8	8	5	1.5
Electoral offences	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Air navigation, airports and aircraft operations	0	0	0	0	1	500	500	500	0	1	0	0	0	-	-	-	2	0.6
Health, mental health, quarantine, food standards etc.	0	0	0	0	3	400	633	750	0	1	0	0	0	-	-	-	4	1.2
Bankruptcy	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Copyright and patents	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Offences in custody (against prison rule)	0	0	0	0	2	400	400	400	0	0	0	0	2	3	5	6	4	1.2
Other offences	94	0	1	0	152	30	499	10,000	1	20	21	1	2	1	5	8	292	86.6
Total	97	0	1	0	174	30	645	14,000	1	31	23	2	8	1	6	8	337	
Percentage	28.8	0	0.3	0	51.6				0.3	9.2	6.8	0.6	2.4					100.0

More than one penalty type may be imposed per major charge, but only the most severe penalty is shown in this table. A number of additional offences were added to the *other offences* category in 1995. *Restraining orders* as the major penalty were added from 1996 onwards.

Magistrates Courts of South Australia
1 January - 31 December 2001

TABLE 2.26 Penalties imposed for cases involving offenders convicted or found guilty of driving with more than the prescribed content of alcohol (PCA) and who have no previous convictions for such an offence within the last five years, by PCA level

Blood alcohol level	Fine		Duration of licence suspension (months)													Av.	Until further order	Total licence suspension	Bond	CSO	Suspended imprisonment	Direct imprisonment	Total convicted
	No.	Av. \$	1-3	4-6	7-9	10-12	13-15	16-18	19-24	25-36	37-48	49-60	61-72	73+									
.001 to .049	1	300	1	0	0	0	0	0	0	0	0	0	0	0	1.0	0	1	0	1	0	0	2	
.050 to .079	30	199	3	0	0	0	0	0	0	0	0	0	0	0	2.0	0	3	0	0	0	0	31	
.080 to .099	665	531	9	611	48	3	2	0	0	1	0	0	0	0	6.1	0	674	0	15	0	0	682	
.100 to .149	1,219	587	2	695	476	57	5	4	0	0	0	0	0	0	6.9	1	1,240	1	25	0	0	1,247	
.150 to .199	550	760	5	7	5	416	104	27	4	3	2	0	0	0	12.7	0	573	2	24	0	0	577	
.200 to .249	169	868	1	0	0	45	62	50	16	1	0	1	0	0	15.7	1	177	0	7	0	0	178	
.250 and over	30	894	0	0	1	3	10	10	9	1	1	1	0	0	19.4	0	36	1	5	0	0	36	
Unknown	3	340	0	1	0	1	0	0	0	0	0	0	0	0	9.0	0	2	0	0	0	0	3	
Total	2,667	625	21	1,314	530	525	183	91	29	6	3	2	0	0	8.7	2	2,706	4	77	0	0	2,756	
Percentage	96.8		0.8	47.7	19.2	19.0	6.6	3.3	1.1	0.2	0.1	0.1	0	0	0.1	98.2	0.1	2.8	0	0	0	100.0	

This table gives the penalties for defendants with no prior convictions for drink driving offences within the last five years, while Table 2.27 focuses on defendants with one or more prior convictions within the last five years. Although the Road Traffic Act sets different penalties for first offenders and those with prior drink-driving convictions within the last five years, before 1995 this table did not distinguish between convictions more and less recent than five years prior. Recent system enhancements have now made this distinction possible.

Exceed prescribed content of alcohol '.001 to .049' relates specifically to drivers on a P-plate licence as it is an offence for such licence holders to drive with any concentration of alcohol in their blood. This category also includes P-plate drivers charged with *driving under the influence of alcohol*.

Average duration of licence suspension excludes the 'Until further order' category. Because up to three penalties per case are counted, the percentages listed in the last row of the table exceed 100.0%.

Magistrates Courts of South Australia
1 January - 31 December 2001

TABLE 2.27 Penalties imposed for cases involving offenders convicted or found guilty of driving with more than the prescribed content of alcohol (PCA) and who have one or more previous convictions for such an offence within the last five years, by PCA level

Blood alcohol level	Fine (\$)		Duration of licence suspension (months)												Av.	Until further order	Total licence suspension	Bond	CSO	Suspended Imprisonment	Direct Imprisonment	Total convicted
	No.	Av. \$	1-3	4-6	7-9	10-12	13-15	16-18	19-24	25-36	37-48	49-60	61-72	73+								
.001 to .049	1	350	1	0	0	0	0	0	0	0	0	0	0	0	3.0	0	1	0	0	0	0	1
.050 to .079	3	253	0	1	0	0	0	0	0	0	0	0	0	0	4.0	0	1	0	1	0	0	4
.080 to .099	88	760	1	13	1	48	9	6	3	2	0	0	0	0	12.3	7	90	0	2	0	0	90
.100 to .149	177	808	0	12	21	74	41	11	7	6	0	0	0	0	13.1	15	187	0	10	0	0	187
.150 to .199	136	1157	0	1	0	22	11	6	2	85	10	2	0	0	29.8	9	148	1	12	0	0	148
.200 to .249	41	1313	0	0	0	1	3	4	1	17	9	1	0	0	33.4	6	42	0	1	0	0	42
.250 and over	12	1313	0	0	0	0	1	0	0	8	1	0	0	0	34.5	3	13	0	1	0	0	13
Unknown	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	458	956	2	27	22	145	65	27	13	118	20	3	0	0	20.3	40	482	1	27	0	0	485
Percentage	94.4		0.4	5.6	4.5	29.9	13.4	5.6	2.7	24.3	4.1	0.6	0	0	8.2	99.4	0.2	5.6	0	0	100.0	

This table gives the penalties for defendants with one or more prior convictions for drink driving offences within the last five years. Although the Road Traffic Act sets different penalties for first offenders and those with prior drink-driving convictions within the last five years, before 1995 this table did not distinguish between convictions more and less recent than five years prior. Recent system enhancements have now made this distinction possible. *Exceed prescribed content of alcohol .001 to .049* relates specifically to drivers on a P-plate licence as it is an offence for such licence holders to drive with any concentration of alcohol in their blood. This category also includes P-plate drivers charged with *driving under the influence of alcohol*.

Average duration of licence suspension excludes the 'Until further order' category. Because up to three penalties per case are counted, the percentages listed in the last row of the table exceed 100.0%.

Magistrates Courts of South Australia
1 January - 31 December 2001

TABLE 2.28a Age by major offence charged. Male defendants

Offence Group	Age of males in years								Average age (years)	Total with information available		Information not available
	18-19	20-24	25-29	30-34	35-39	40-49	50-59	60 and over		Number	Percentage	
Offences against the person (excl. sexual offences)	275	651	556	605	477	448	151	44	31.7	3,207	14.4	10
Sexual offences	25	30	70	57	50	74	27	16	35.8	349	1.6	0
Robbery and extortion	48	51	42	36	14	13	3	0	26.4	207	0.9	0
Serious criminal trespass	236	320	290	212	118	90	13	5	27.3	1,284	5.8	9
Fraud and misappropriation	37	100	113	88	79	102	28	11	32.8	558	2.5	7
Larceny and receiving	506	644	504	403	249	263	94	60	29.2	2,723	12.3	7
Property damage and environmental offences	195	271	177	183	124	130	40	9	29.3	1,129	5.1	4
Offences against good order	689	1,064	722	606	466	445	156	50	29.3	4,198	18.9	10
Drug offences	54	234	295	314	279	262	91	31	33.8	1,560	7.0	0
Driving offences	587	1,270	946	826	599	750	301	123	31.4	5,402	24.3	24
Other offences	30	46	68	39	28	31	13	8	31.6	263	1.2	10
Non-offence matters	41	146	192	288	266	275	102	23	35.5	1,333	6.0	36
Total	2,723	4,827	3,975	3,657	2,749	2,883	1,019	380	30.9	22,213		117
Percentage	12.3	21.7	17.9	16.5	12.4	13.0	4.6	1.7			100.0	
Rate per 1,000 adult population	134.3	103.5	83.5	70.1	50.7	26.9	11.5	3.1		41.2		

In Tables 2.28 - 2.31 there is one entry for each finalised appearance by a defendant. These background items refer to the status of the defendant at the time of apprehension. Rates per 1,000 adult population have been derived from Australian Bureau of Statistics 2001 Census data.

Magistrates Courts of South Australia
1 January - 31 December 2001

TABLE 2.28b Age by major offence charged. Female defendants

Offence Group	Age of females in years								Average age (years)	Total with information available		Information not available
	18-19	20-24	25-29	30-34	35-39	40-49	50-59	60 and over		Number	Percentage	
Offences against the person (excl. sexual offences)	57	74	106	99	80	54	17	3	30.8	490	10.9	3
Sexual offences	0	1	1	1	2	2	0	0	35.4	7	0.2	0
Robbery and extortion	6	14	14	6	2	1	0	0	25.5	43	1.0	1
Serious criminal trespass	23	46	50	39	18	8	1	0	27.3	185	4.1	0
Fraud and misappropriation	25	50	76	36	33	42	18	0	31.4	280	6.3	4
Larceny and receiving	141	230	182	148	149	152	70	39	32.2	1,111	24.8	6
Property damage and environmental offences	13	38	37	33	20	25	4	0	30.3	170	3.8	0
Offences against good order	75	143	131	120	83	83	25	2	30.1	662	14.8	2
Drug offences	25	74	68	75	57	37	16	4	31.5	356	7.9	1
Driving offences	66	189	151	154	131	168	38	11	32.4	908	20.3	1
Other offences	6	11	25	13	3	9	3	0	30.1	70	1.6	4
Non-offence matters	11	20	42	33	35	35	16	5	35.1	197	4.4	26
Total	448	890	883	757	613	616	208	64	31.4	4,479		48
Percentage	10.0	19.9	19.7	16.9	13.7	13.8	4.6	1.4			100.0	
Rate per 1,000 adult population	23.2	20.1	18.9	14.5	11.1	5.6	2.3	0.4		7.9		

In Tables 2.28 - 2.31 there is one entry for each finalised appearance by a defendant. These background items refer to the status of the defendant at the time of apprehension. Rates per 1,000 adult population have been derived from Australian Bureau of Statistics 2001 Census data.

Magistrates Courts of South Australia
1 January - 31 December 2001

TABLE 2.28c Age by major offence charged. All defendants

Offence Group	Age of all defendants in years								Average age (years)	Total with information available		Information not available
	18-19	20-24	25-29	30-34	35-39	40-49	50-59	60 and over		Number	Percentage	
Offences against the person (excl. sexual offences)	332	725	662	704	557	502	168	47	31.6	3,697	13.8	13
Sexual offences	25	31	71	58	52	76	27	16	35.8	356	1.3	0
Robbery and extortion	54	65	56	42	16	14	3	0	26.3	250	0.9	1
Serious criminal trespass	259	366	340	251	136	98	14	5	27.3	1,469	5.5	9
Fraud and misappropriation	62	152	189	124	114	145	46	11	32.3	843	3.2	12
Larceny and receiving	647	875	686	551	398	415	164	99	30.0	3,835	14.4	13
Property damage and environmental offences	208	309	214	216	144	155	44	9	29.4	1,299	4.9	5
Offences against good order	764	1,207	854	726	549	529	181	52	29.4	4,862	18.2	15
Drug offences	79	308	363	389	336	300	107	35	33.4	1,917	7.2	2
Driving offences	653	1,459	1,097	980	730	918	339	134	31.6	6,310	23.6	25
Other offences	36	58	95	54	32	44	16	8	31.4	343	1.3	26
Non-offence matters	52	166	234	321	303	310	118	28	35.5	1,532	5.7	67
Total	3,171	5,721	4,861	4,416	3,367	3,506	1,227	444	31.0	26,713		188
Percentage	11.9	21.4	18.2	16.5	12.6	13.1	4.6	1.7			100.0	
Rate per 1,000 adult population	77.6	58.0	46.4	41.7	29.4	15.9	6.9	1.6		23.3		

In Tables 2.28 - 2.31 there is one entry for each finalised appearance by a defendant. These background items refer to the status of the defendant at the time of apprehension. Rates per 1,000 adult population have been derived from Australian Bureau of Statistics 2001 Census data. The totals in this table may be slightly greater than the sum of male and female totals because sex is not always known, even though age may be known. The 188 cases where information was not available were either company names or related to non-offence matters, such as restraining order applications.

Magistrates Courts of South Australia
1 January - 31 December 2001

TABLE 2.29 Racial appearance of defendant by major offence charged

Offence Group	Racial appearance		Total with information available		Information not available
	Aboriginal	Non-Aboriginal	Number	Percentage	
Offences against the person (excl. sexual offences)	625	2,965	3,590	14.4	120
Sexual offences	24	318	342	1.4	14
Robbery and extortion	53	195	248	1.0	3
Serious criminal trespass	249	1,211	1,460	5.9	18
Fraud and misappropriation	46	602	648	2.6	207
Larceny and receiving	336	3,341	3,677	14.8	171
Property damage and environmental offences	207	1,051	1,258	5.1	46
Offences against good order	784	3,890	4,674	18.8	203
Drug offences	43	1,748	1,791	7.2	128
Driving offences	353	5,247	5,600	22.5	735
Other offences	131	152	283	1.1	86
Non-offence matters	117	1,178	1,295	5.2	304
Total	2,968	21,898	24,866		2,035
Percentage	11.9	88.1	22.4	100.0	
Rate per 1,000 adult population	229.5	20.6			

In Tables 2.28 - 2.31 there is one entry for each finalised appearance by a defendant. Racial appearance, derived from police apprehension reports, reflects the opinion of the apprehending police officer.

Rates per 1,000 adult population have been derived from Australian Bureau of Statistics 2001 Census data.

The 2,035 cases where information was not available were either company names or related to non-offence matters, such as restraining order applications.

Magistrates Courts of South Australia
1 January - 31 December 2001

TABLE 2.30 Prior criminal convictions and prior imprisonments of defendant by major offence charged

Offence Group	Prior criminal record											
	Number of prior criminal convictions							One or more previous imprisonments		Total with information available		
	No prior convictions	1	2-4	5-9	10-49	50 or more	Average	Number	Percentage of offence group	Number	Percentage	Information not available
Offences against the person (excl. sexual offences)	962	246	574	579	1,114	235	13.2	822	22.2	3,710	13.8	0
Sexual offences	125	25	71	46	76	13	9.3	75	21.1	356	1.3	0
Robbery and extortion	52	9	24	24	109	33	22.3	109	43.4	251	0.9	0
Serious criminal trespass	241	83	180	158	599	217	22.5	608	41.1	1,478	5.5	0
Fraud and misappropriation	369	57	110	110	170	36	8.9	128	15.0	852	3.2	3
Larceny and receiving	1,205	239	496	438	1,174	294	14.7	951	24.7	3,846	14.3	2
Property damage and environmental offences	349	90	209	196	385	74	12.3	291	22.3	1,303	4.8	1
Offences against good order	1,435	357	749	668	1,344	323	13.1	976	20.0	4,876	18.1	1
Drug offences	573	159	314	310	493	70	9.8	332	17.3	1,919	7.1	0
Driving offences	2,106	560	1,171	930	1,358	210	8.7	892	14.1	6,335	23.6	0
Other offences	139	21	43	42	94	22	11.7	65	18.0	361	1.3	8
Non-offence matters	524	119	263	236	387	56	9.3	262	16.5	1,585	5.9	14
Total	8,080	1,965	4,204	3,737	7,303	1,583	12.2	5,511		26,872		29
Percentage	30.1	7.3	15.6	13.9	27.2	5.9		20.5			100.0	

Prior to 1994 defendants with 100 or more previous convictions were recorded as 99. From 1994 onwards all previous convictions have been recorded.

A defendant's previous convictions include both adult and juvenile offences in South Australia, and, if the South Australian Police are advised of them, interstate and Commonwealth offences.

In 1996 this table was modified to bring the data in line with the counting rules used for other tables in this report. The statistics provided relate to the number of *counts* of offences previously convicted.

In addition, in 1996 defendants with suspended imprisonments were excluded from the number of defendants with one or more previous imprisonments. Convictions quashed by appeal or re-hearing were also excluded in 1996. The 29 individuals where information was not available were either company names or related to non-offence matters, such as restraining order applications.

Magistrates Courts of South Australia
1 January - 31 December 2001

TABLE 2.31 Bail status at final court appearance by major offence charged

Offence Group	One court hearing			Two or more court hearings			Committed for trial or sentence			Total with Information available		Information not available
	Bail not required	Bail granted	In custody	Bail not required	Bail Granted	In custody	Bail not required	Bail Granted	In custody	Number	Percentage	
Offences against the person (excl. sexual offences)	395	0	45	726	2,002	379	0	112	51	3,710	13.8	0
Sexual offences	26	0	3	42	143	23	0	98	21	356	1.3	0
Robbery and extortion	2	0	1	3	74	40	0	62	69	251	0.9	0
Serious criminal trespass	47	0	18	63	709	397	0	167	77	1,478	5.5	0
Fraud and misappropriation	133	0	7	356	281	67	0	9	2	855	3.2	0
Larceny and receiving	868	0	109	901	1,353	605	0	6	6	3,848	14.3	0
Property damage and environmental offences	344	0	31	332	443	145	0	7	2	1,304	4.8	0
Offences against good order	2,185	0	167	842	1,250	408	0	12	13	4,877	18.1	0
Drug offences	546	1	10	552	469	89	0	228	24	1,919	7.1	0
Driving offences	2,382	0	33	2,459	1,117	344	0	0	0	6,335	23.5	0
Other offences	177	0	2	137	26	18	0	2	7	369	1.4	0
Non-offence matters	106	0	4	1,313	137	39	0	0	0	1,599	5.9	0
Total	7,211	1	430	7,726	8,004	2,554	0	703	272	26,901		0
Percentage	26.8	0.0	1.6	28.7	29.8	9.5	0.0	2.6	1.0		100.0	

For defendants with only one court hearing, *bail status* refers to police bail. For those with two or more hearings the *bail status* has been determined by the court.

Magistrates Courts of South Australia
1 January - 31 December 2001

TABLE 2.32 Legal representation at final court appearance by major offence charged

Offence Group	One court hearing			Two or more court hearings			Committed for trial or sentence			Total with information available		Information not available
	Duty solicitor	Other legal representation	No legal representation	Duty solicitor	Other legal representation	No legal representation	Duty solicitor	Other legal representation	No legal representation	Number	Percentage	
Offences against the person (excl. sexual offences)	12	147	140	100	2,159	408	6	146	6	3,124	15.1	586
Sexual offences	1	11	10	8	151	22	1	111	3	318	1.5	38
Robbery and extortion	0	2	0	2	99	8	4	117	9	241	1.2	10
Serious criminal trespass	6	35	13	44	948	62	13	215	8	1,344	6.5	134
Fraud and misappropriation	1	48	49	16	536	78	0	8	3	739	3.6	116
Larceny and receiving	49	186	456	125	1,823	497	0	12	0	3,148	15.2	700
Property damage and environmental offences	11	73	174	35	477	215	1	8	0	994	4.8	310
Offences against good order	65	373	1,048	110	1,345	574	0	23	1	3,539	17.1	1,338
Drug offences	10	123	226	22	708	192	2	230	11	1,524	7.4	395
Driving offences	42	423	1,028	106	2,007	972	0	0	0	4,578	22.1	1,757
Other offences	2	52	66	1	97	46	0	8	1	273	1.3	96
Non-offence matters	1	9	51	12	324	471	0	0	0	868	4.2	731
Total	200	1,482	3,261	581	10,674	3,545	27	878	42	20,690		6,211
Percentage	1.0	7.2	15.8	2.8	51.6	17.1	0.1	4.2	0.2		100.0	

The term 'Duty solicitor' refers to solicitors rostered to service courts under the Law Society's Duty Solicitor Scheme, and to solicitors from Legal Services Commission and the Aboriginal Legal Rights Movement who also provide a duty solicitor service.

'Other' legal representation refers to private solicitors and to solicitors from legal aid organisations appearing on occasions other than as duty solicitors.

Magistrates Courts of South Australia
1 January - 31 December 2001

TABLE 2.33 Plea at final court appearance by major offence charged

Offence Group	Finalised in summary court							Committed for trial or sentence					Total with information available		
	Guilty	Guilty 3	Not guilty	No plea	Plea not applicable	Defence reserved	<i>Ex parte</i>	Guilty	Not guilty	No plea	Defence reserved	<i>Ex parte</i>	Number	Percentage	Unknown
Offences against the person (excl. sexual offences)	1,465	0	127	1,955	0	0	0	9	147	6	1	0	3,710	13.8	0
Sexual offences	90	0	11	136	0	0	0	12	103	4	0	0	356	1.3	0
Robbery and extortion	1	0	0	119	0	0	0	19	101	8	3	0	251	0.9	0
Serious criminal trespass	465	0	25	744	0	0	0	52	183	9	0	0	1,478	5.5	0
Fraud and misappropriation	562	5	13	264	0	0	0	4	7	0	0	0	855	3.2	0
Larceny and receiving	2,442	1	64	1,329	0	0	0	1	10	1	0	0	3,848	14.3	0
Property damage and environmental offences	862	1	17	415	0	0	0	0	9	0	0	0	1,304	4.8	0
Offences against good order	3,428	76	39	1,309	0	0	0	9	14	2	0	0	4,877	18.1	0
Drug offences	1,081	4	7	575	0	0	0	41	202	9	0	0	1,919	7.1	0
Driving offences	5,325	2	53	955	0	0	0	0	0	0	0	0	6,335	23.5	0
Other offences	213	1	2	144	0	0	0	4	5	0	0	0	369	1.4	0
Non-offence matters	8	0	7	0	1,584	0	0	0	0	0	0	0	1,599	5.9	0
Total	15,942	90	365	7,945	1,584	0	0	151	781	39	4	0	26,901		0
Percentage	59.3	0.3	1.4	29.5	5.9	0	0	0.6	2.9	0.1	0.0	0		100.0	

In 1994 a new plea of '*not applicable*' was introduced by courts. This applies to cases where the defendant is not required to enter a plea.

In 1994 '*Guilty 3*' replaced '*Guilty 4A*' whereby a defendant charged with a summary offence not punishable by imprisonment may plead guilty to the charge without attending the court or engaging a solicitor to attend.

For *non-offence matters* (restraining orders), a plea of not guilty may be entered where the defendant wishes to contest the order.