

# 2

# MAGISTRATES COURTS OF SOUTH AUSTRALIA



Magistrates Courts of South Australia  
1 January - 31 December 2003

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

Offence Group	Committed for trial or sentence	Convicted			Acquitted on Major Charge	Not guilty: mentally incompetent	Major charge withdrawn	Major charge dismissed	Orders issued/ varied/ revoked	Withdrawn on completion of mental health diversion program	Other (eg. Defendant died)	Total	
		With penalty	Without Penalty	Guilty without conviction								No.	%
Offences against the person (excl. sexual offences)	135 (7)	1,160	61	411	5	14	927 (244)	1,158 (229)	0	4	4	3,879	13.3
Sexual offences	130 (2)	66	3	19	1	5	32 (3)	143 (10)	0	0	1	400	1.4
Robbery and extortion	142 (7)	4	1	1	0	1	6	134 (18)	0	0	0	289	1.0
Serious criminal trespass	225 (5)	442	3	21	1 (1)	3	115 (37)	583 (173)	0	0	4	1,397	4.8
Fraud and misappropriation	15	386	10	97	0	0	148 (14)	110 (9)	0	1	1	768	2.6
Larceny and receiving	6 (1)	1,633	141	812	2	3 (1)	894 (247)	301 (73)	0	14	4	3,810	13.0
Property damage and environmental offences	9	653	37	256	0	8	325 (58)	94 (16)	0	3	2	1,387	4.7
Offences against good order	26 (2)	2,609	759	1,252	1	3	895 (132)	160 (15)	0	7	0	5,712	19.6
Drug offences	285 (11)	939	5	548	1	1	156 (47)	245 (39)	0	0	0	2,180	7.5
Driving offences	0	6,190	47	47	3	0	806 (153)	62 (3)	0	0	4	7,159	24.5
Other offences	11	336	86	50	0	0	212 (5)	27 (2)	0	0	1	723	2.5
Non-offence matters	0	0	0	0	0	0	165	79	1,257	0	1	1,502	5.1
Total	984 (35)	14,418	1,153	3,514	14 (1)	38 (1)	4,681 (940)	3,096 (587)	1,257	29	22	29,206	
Percentage	3.4	49.4	3.9	12.0	0.0	0.1	16.0	10.6	4.3	0.1	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.

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

Offence Group	Committed for trial or sentence	Convicted			Acquitted on Major Charge	Not guilty: mentally incompetent	Major charge withdrawn	Major charge dismissed	Orders issued/ varied/ revoked	Withdrawn on completion of mental health diversion program	Other (eg. Defendant died)	Total	
		With penalty	Without Penalty	Guilty without conviction								No.	%
Murder	25 (3)	0	0	0	0	0	8	0	0	0	0	33	0.9
Attempted murder	13 (1)	0	0	0	0	0	16 (3)	0	0	0	0	29	0.7
Conspiracy to murder	0	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter	1	0	0	0	0	0	1	0	0	0	0	2	0.1
Driving causing death	10	0	0	0	0	0	2	0	0	0	0	12	0.3
Other homicide	0	0	0	0	0	0	0	0	0	0	0	0	0
Assault occasioning grievous bodily harm	25 (1)	13	0	0	1	1	2 (1)	70 (24)	0	0	0	112	2.9
Assault occasioning actual bodily harm	2	245	3	27	4	3	56 (14)	315 (50)	0	0	1	656	16.9
Other major assault	18	6	0	0	0	1	3 (2)	14 (5)	0	0	0	42	1.1
Common assault													
- of a male	1	252	15	136	0	3	276 (42)	38 (6)	0	0	0	721	18.6
- of a female	0	145	11	94	0	0	203 (18)	57 (4)	0	1	1	512	13.2
- sex of victim unspecified	0	21	2	12	0	0	24 (5)	9	0	0	0	68	1.8
Common assault of family member	0	183	13	64	0	0	155 (27)	383 (66)	0	0	1	799	20.6
Other minor assault	0	0	0	0	0	0	2 (2)	0	0	0	0	2	0.1
Assault police	0	210	14	69	0	3	161 (112)	19 (5)	0	2	0	478	12.3
Kidnapping and abduction	7	0	0	0	0	0	1 (1)	5	0	0	0	13	0.3
Ill treatment of children	0	0	0	0	0	0	0	0	0	0	0	0	0
Hijacking	0	1	0	0	0	0	1 (1)	0	0	0	0	2	0.1
Defamation and libel	0	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	0	1	0	0	0	0	1 (1)	10 (1)	0	0	0	12	0.3
Other offences against the person	33 (2)	83	3	9	0	3	41 (18)	212 (65)	0	1	1	386	10.0
Total	135 (7)	1,160	61	411	5	14	927 (244)	1,158 (229)	0	4	4	3,879	
Percentage	3.5	29.9	1.6	10.6	0.1	0.4	23.9	29.9	0	0.1	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. 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 more detail regarding cases found not guilty on the grounds of mental incompetence see Appendix A.

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TABLE 2.3 Case outcome by major offence charged. Sexual offences

Offence Group	Committed for trial or sentence	Convicted			Acquitted on Major Charge	Not guilty: mentally incompetent	Major charge withdrawn	Major charge dismissed	Orders issued/ varied/ revoked	Withdrawn on completion of mental health diversion program	Other (eg. Defendant died)	Total	
		With penalty	Without Penalty	Guilty without conviction								No.	%
Rape of female													
- Victim age under 12	2	0	0	0	0	0	4	0	0	0	0	6	1.5
- Victim age 12 to 16	3	0	0	0	0	0	7	0	0	0	0	10	2.5
- Victim age 17 or over	37 (1)	0	0	0	0	0	33 (1)	0	0	0	0	70	17.5
- Victim age unspecified	6	0	0	0	0	0	6 (1)	0	0	0	0	13	3.3
Attempted rape of female													
- Victim age under 12	0	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	0	1	0.3
- Victim age 17 or over	3	0	0	0	0	0	2	0	0	0	0	5	1.3
- Victim age unspecified	0	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	0
- Victim age 12 to 16	0	0	0	0	0	0	0	0	0	0	0	0	0
- Victim age 17 or over	4	0	0	0	0	0	1	4	0	0	0	9	2.3
- Victim age unspecified	1	0	0	0	0	0	0	0	0	0	0	1	0.3
Attempted rape of male													
- Victim age under 12	1	0	0	0	0	0	0	0	0	0	0	1	0.3
- Victim age 12 to 16	0	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	0
- Victim age unspecified	0	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	0
Attempted rape of victim sex and age unspecified	0	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 more detail regarding cases found not guilty on the grounds of mental incompetence see Appendix A.

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

Offence Group	Committed for trial or sentence	Convicted			Acquitted on Major Charge	Not guilty: mentally incompetent	Major charge withdrawn	Major charge dismissed	Orders issued/ varied/ revoked	Withdrawn on completion of mental health diversion program	Other (eg. Defendant died)	Total	
		With penalty	Without Penalty	Guilty without conviction								No.	%
Indecent assault of female													
- Victim age under 12	2	5	0	0	0	0	0	16 (2)	0	0	0	23	5.8
- Victim age 12 to 16	5	7	0	1	0	0	1 (1)	6 (1)	0	0	0	20	5.0
- Victim age 17 or over	1	10	0	3	0	3	6 (1)	10 (1)	0	0	0	33	8.3
- Victim age unspecified	2	9	0	0	1	0	0	8	0	0	0	20	5.0
Indecent assault of male													
- Victim age under 12	1	2	0	0	0	0	1	4 (1)	0	0	0	8	2.0
- Victim age 12 to 16	2	0	0	0	0	0	0	1	0	0	0	3	0.8
- Victim age 17 or over	1	1	0	0	0	0	1	9	0	0	0	12	3.0
- Victim age unspecified	1	0	0	0	0	1	1	2	0	0	0	5	1.3
Indecent assault of victim sex and age unspecified	1	1	0	0	0	0	0	4	0	0	0	6	1.5
Unlawful sexual intercourse with female													
- Victim age under 12	31 (1)	0	0	0	0	0	1	10 (2)	0	0	0	42	10.5
- Victim age 12 to 16	12	0	0	0	0	0	1	9	0	0	0	22	5.5
- Victim age unspecified	0	0	0	0	0	0	0	0	0	0	0	0	0
Unlawful sexual intercourse with female by teacher/guardian	2	0	0	0	0	0	0	1	0	0	0	3	0.8
Unlawful sexual intercourse with female with intellectual disability	0	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 more detail regarding cases found not guilty the grounds of mental incompetence see Appendix A.

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

Offence Group	Committed for trial or sentence	Convicted			Acquitted on Major Charge	Not guilty: mentally incompetent	Major charge withdrawn	Major charge dismissed	Orders issued/ varied/ revoked	Withdrawn on completion of mental health diversion program	Other (eg. Defendant died)	Total	
		With penalty	Without Penalty	Guilty without conviction								No.	%
Attempted unlawful sexual intercourse with female													
- Victim age under 12	0	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	0
- Victim age unspecified	0	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	0
Attempted unlawful sexual intercourse with female with intellectual disability	0	0	0	0	0	0	0	0	0	0	0	0	0
Unlawful sexual intercourse with male													
- Victim age under 12	6	0	0	0	0	0	0	1	0	0	0	7	1.8
- Victim age 12 to 16	1	0	0	0	0	0	0	0	0	0	0	1	0.3
- Victim age unspecified	0	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	0
Unlawful sexual intercourse with male with intellectual disability	0	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	0
- Victim age 12 to 16	0	0	0	0	0	0	0	0	0	0	0	0	0
- Victim age unspecified	0	0	0	0	0	0	0	1	0	0	1	2	0.5

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

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

Offence Group	Committed for trial or sentence	Convicted			Acquitted on Major Charge	Not guilty: mentally incompetent	Major charge withdrawn	Major charge dismissed	Orders issued/ varied/ revoked	Withdrawn on completion of mental health diversion program	Other (eg. Defendant died)	Total			
		With penalty	Without Penalty	Guilty without conviction								No.	%		
Attempted unlawful sexual intercourse with male by teacher/guardian	0	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	0		
Unlawful sexual intercourse with victim sex and age unspecified	0	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	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	0		
Attempted unlawful sexual intercourse with victim sex and age unspecified	0	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	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	0		
Incest	2	0	0	0	0	0	0	1	0	0	0	3	0.8		
Indecent behaviour/exposure	0	20	3	12	0	0	14	1	0	0	0	50	12.5		
Gross indecency	0	2	0	1	0	0	0	2 (1)	0	0	0	5	1.3		
Persistent sexual abuse of a child	2	0	0	0	0	0	0	0	0	0	0	2	0.5		
Other sexual offences	0	9	0	2	0	1	4 (1)	1	0	0	0	17	4.3		
<b>Total</b>	<b>130</b>	<b>(2)</b>	<b>66</b>	<b>3</b>	<b>19</b>	<b>1</b>	<b>5</b>	<b>32</b>	<b>(3)</b>	<b>143</b>	<b>(10)</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>400</b>
<b>Percentage</b>	<b>32.5</b>		<b>16.5</b>	<b>0.8</b>	<b>4.8</b>	<b>0.3</b>	<b>1.3</b>	<b>8.0</b>		<b>35.8</b>		<b>0</b>	<b>0</b>	<b>0.3</b>	<b>100.0</b>

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



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

Offence Group	Committed for trial or sentence	Convicted			Acquitted on Major Charge	Not guilty: mentally incompetent	Major charge withdrawn	Major charge dismissed	Orders issued/ varied/ revoked	Withdrawn on completion of mental health diversion program	Other (eg. Defendant died)	Total	
		With penalty	Without Penalty	Guilty without conviction								No.	%
Robbery with a firearm													
- financial institution	0	0	0	0	0	0	0	0	0	0	0	0	0
- other institution	5 (1)	0	0	0	0	0	2	8 (1)	0	0	0	15	5.2
Robbery with other weapon													
- financial institution	0	0	0	0	0	0	0	0	0	0	0	0	0
- other institution	58 (2)	0	0	0	0	0	1	25 (6)	0	0	0	84	29.1
Unarmed robbery with violence													
- financial institution	0	0	0	0	0	0	0	0	0	0	0	0	0
- other institution	29 (3)	0	0	0	0	0	2	34 (3)	0	0	0	65	22.5
Unarmed robbery with no violence													
- financial institution	0	0	0	0	0	0	0	0	0	0	0	0	0
- other institution	50 (1)	1	0	0	0	1	1	59 (5)	0	0	0	112	38.8
Extortion	0	3	1	1	0	0	0	8 (3)	0	0	0	13	4.5
Total	142 (7)	4	1	1	0	1	6	134 (18)	0	0	0	289	
Percentage	49.1	1.4	0.3	0.3	0	0.3	2.1	46.4	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 more detail regarding cases found not guilty on the grounds of mental incompetence see Appendix A.

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

Offence Group	Committed for trial or sentence	Convicted			Acquitted on Major Charge	Not guilty: mentally incompetent	Major charge withdrawn	Major charge dismissed	Orders issued/ varied/ revoked	Withdrawn on completion of mental health diversion program	Other (eg. Defendant died)	Total	
		With penalty	Without Penalty	Guilty without conviction								No.	%
Burglary	0	0	0	0	0	0	1	0	0	0	0	1	0.1
Break and enter dwellings	0	13	0	0	0	0	13	8 (1)	0	0	1	35	2.5
Break and enter dwellings with intent	0	0	0	0	0	0	4	0	0	0	0	4	0.3
Break and enter dwellings at night with intent	0	0	0	0	0	0	0	0	0	0	0	0	0
Break and enter shops	0	2	0	0	0	0	2 (1)	1	0	0	0	5	0.4
Break and enter shops with intent	0	0	0	1	0	0	0	1	0	0	0	2	0.1
Break and enter schools	0	0	0	0	0	0	2	0	0	0	0	2	0.1
Break and enter schools with intent	0	0	0	0	0	0	0	0	0	0	0	0	0
Break and enter other building	2	7	0	1	0	0	6	7 (1)	0	0	0	23	1.6
Break and enter other building with intent	0	1	0	0	0	0	0	1	0	0	0	2	1.1
Non Aggravated serious criminal trespass													
- place of residence	21	177	1	3	1 (1)	1	37 (14)	160 (69)	0	0	1	402	28.8
- shops	0	40	0	2	0	0	4 (3)	19 (9)	0	0	0	65	4.7
- schools	0	13	0	1	0	0	2 (1)	12 (1)	0	0	0	28	2.0
- other buildings	1	132	0	2	0	1	12 (7)	88 (29)	0	0	2	238	17.0
Aggravated serious criminal trespass													
- place of residence	140 (3)	16	0	4	0	1	14 (5)	186 (33)	0	0	0	361	25.8
- shops	21	7	0	1	0	0	2	10 (3)	0	0	0	41	2.9
- schools	2	1	0	0	0	0	0	3 (1)	0	0	0	6	0.4
- other buildings	36 (1)	8	0	0	0	0	0	44 (5)	0	0	0	88	6.3
Other criminal trespass – place of residence	2 (1)	11	1	5	0	0	5 (2)	21 (13)	0	0	0	45	3.2
Offences related to break and enter	0	14	1	1	0	0	11 (4)	22 (8)	0	0	0	49	3.5
Total	225 (5)	442	3	21	1 (1)	3	115 (37)	583 (173)	0	0	4	1,397	
Percentage	16.1	31.6	0.2	1.5	0.1	0.2	8.2	41.7	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. 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). On 25 December 1999 new legislation was proclaimed which replaced *break and enter* offences (other than *sacrilège*) 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.

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

Offence Group	Committed for trial or sentence	Convicted			Acquitted on Major Charge	Not guilty: mentally incompetent	Major charge withdrawn	Major charge dismissed	Orders issued/ varied/ revoked	Withdrawn on completion of mental health diversion program	Other (eg. Defendant died)	Total	
		With penalty	Without Penalty	Guilty without conviction								No.	%
False pretences													
- credit/debit cards	0	17	0	7	0	0	8 (2)	2	0	0	0	34	4.4
- cheques	2	34	0	7	0	0	30 (2)	15 (2)	0	0	0	88	11.5
- other	1	52	3	24	0	0	31 (3)	14	0	0	0	125	16.3
Forge and utter (excluding cheques)	4	4	0	1	0	0	2	10 (4)	0	0	0	21	2.7
False statement													
- unemployment benefit	0	23	0	0	0	0	1	0	0	0	0	24	3.1
- other social security benefit	0	33	0	0	0	0	5	1	0	0	0	39	5.1
- unspecified government benefit	0	49	0	2	0	0	5	2	0	0	0	58	7.6
Other fraud with respect to government benefits	0	55	0	5	0	0	15 (3)	16	0	1	0	92	12.0
Other fraud	6	30	6	10	0	0	26 (2)	7	0	0	0	85	11.1
Misappropriation													
- by director/trustee/partner	0	26	0	9	0	0	16 (2)	14	0	0	0	65	8.5
- by employee	2	63	1	32	0	0	7	29 (3)	0	0	1	135	17.6
Counterfeiting	0	0	0	0	0	0	2	0	0	0	0	2	0.3
Total	15	386	10	97	0	0	148 (14)	110 (9)	0	1	1	768	
Percentage	2.0	50.3	1.3	12.6	0	0	19.3	14.3	0	0.1	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 more detail regarding cases found not guilty on the grounds of mental incompetence see Appendix A.

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

Offence Group	Committed for trial or sentence	Convicted			Acquitted on Major Charge	Not guilty: mentally incompetent	Major charge withdrawn	Major charge dismissed	Orders issued/ varied/ revoked	Withdrawn on completion of mental health diversion program	Other (eg. Defendant died)	Total	
		With penalty	Without Penalty	Guilty without conviction								No.	%
Receiving	0	119	6	35	0	0	134 (76)	74 (33)	0	0	0	368	9.7
Unlawful possession of stolen goods	0	160	17	64	0	0	179 (40)	22 (5)	0	0	0	442	11.6
Handling of stolen goods – other	0	0	0	0	0	0	0	0	0	0	0	0	0
Larceny of a motor vehicle	0	15	0	3	0	0	11 (5)	20 (5)	0	0	0	49	1.3
Illegal use of a motor vehicle	0	168	3	17	0	1 (1)	127 (38)	52 (8)	0	0	0	368	9.7
Interfere with a motor vehicle	0	45	2	6	0	0	32 (15)	17 (4)	0	0	0	102	2.7
Larceny or illegal use of other vehicle	0	20	4	10	0	0	20 (10)	8 (2)	0	0	0	62	1.6
Larceny from the person	4 (1)	0	0	0	0	0	0	4 (1)	0	0	0	8	0.2
Larceny of livestock	0	1	1	0	0	0	2 (1)	1	0	0	0	5	0.1
Larceny from shops	2	625	72	434	0	2	170 (11)	32 (3)	0	14	2	1,353	35.5
Other larceny	0	480	36	243	2	0	219 (51)	71 (12)	0	0	2	1,053	27.6
Total	6 (1)	1,633	141	812	2	3 (1)	894 (247)	301 (73)	0	14	4	3,810	
Percentage	0.2	42.9	3.7	21.3	0.1	0.1	23.5	7.9	0	0.4	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 more detail regarding cases found not guilty on the grounds of mental incompetence see Appendix A.

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

Offence Group	Committed for trial or sentence	Convicted			Acquitted on Major Charge	Not guilty: mentally incompetent	Major charge withdrawn	Major charge dismissed	Orders issued/ varied/ revoked	Withdrawn on completion of mental health diversion program	Other (eg. Defendant died)	Total	
		With penalty	Without Penalty	Guilty without conviction								No.	%
Arson or damage by explosives													
- dwellings	5	1	0	2	0	1	1	3 (1)	0	0	0	13	0.9
- shops	1	0	0	0	0	0	0	0	0	0	0	1	0.1
- schools	0	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	0
- motor vehicle	0	2	0	0	0	0	1 (1)	3	0	0	0	6	0.4
- other/not known	2	4	1	5	0	0	3	5 (1)	0	0	0	20	1.4
Property damage (not arson or explosives)													
- dwellings	0	166	10	56	0	1	80 (14)	18 (1)	0	0	1	332	23.9
- shops	0	45	0	26	0	0	19 (8)	4	0	0	0	94	6.8
- schools	1	5	0	0	0	0	1	0	0	0	0	7	0.5
- factory/warehouse	0	1	0	0	0	0	0	0	0	0	0	1	0.1
- motor vehicle	0	174	10	80	0	3	104 (17)	16 (5)	0	2	0	389	28.0
- other/not known	0	242	16	83	0	3	110 (17)	29 (3)	0	0	1	484	34.9
Other property damage offences	0	6	0	1	0	0	2	14 (5)	0	0	0	23	1.7
Environmental offences	0	7	0	3	0	0	4 (1)	2	0	1	0	17	1.2
Total	9	653	37	256	0	8	325 (58)	94 (16)	0	3	2	1,387	
Percentage	0.6	47.1	2.7	18.5	0	0.6	23.4	6.8	0	0.2	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 more detail regarding cases found not guilty on the grounds of mental incompetence see Appendix A.

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

Offence Group	Committed for trial or sentence	Convicted			Acquitted on Major Charge	Not guilty: mentally incompetent	Major charge withdrawn	Major charge dismissed	Orders issued/ varied/ revoked	Withdrawn on completion of mental health diversion program	Other (eg. Defendant died)	Total	
		With penalty	Without Penalty	Guilty without conviction								No.	%
Offences against govt. security and operations	1	0	0	0	0	0	0	2	0	0	0	3	0.1
Contempt of court	0	0	0	0	0	0	0	0	0	0	0	0	0
Perjury	4	1	0	1	0	0	0	0	0	0	0	6	0.1
Pervert the course of justice	5 (1)	1	0	1	0	0	1	18 (1)	0	0	0	26	0.5
Breach court order (parole, bail, etc.)	1	292	193	57	0	1	102 (20)	16 (1)	0	0	0	662	11.6
Breach restraining/summary protection order	0	41	16	11	0	0	46 (2)	4	0	0	0	118	2.1
Breach domestic violence restraining order	0	69	26	30	0	1	56 (2)	8 (2)	0	0	0	190	3.3
Escape from custody (excluding prisons)	3	2	1	0	0	0	1 (1)	6 (1)	0	0	0	13	0.2
Resist/hinder police	0	491	110	213	0	0	140 (48)	16 (2)	0	1	0	971	17.0
Conspiracy	0	0	0	0	0	0	0	0	0	0	0	0	0
Offences against justice procedures	11 (1)	84	12	40	1	0	32 (4)	14 (2)	0	0	0	194	3.4
Possession/use of firearms	0	171	6	33	0	0	43 (10)	22 (6)	0	0	0	275	4.8
Possession/use of bombs	0	0	0	0	0	0	0	0	0	0	0	0	0
Possession/use of other weapons	0	206	10	78	0	0	93 (10)	10	0	0	0	397	7.0
Other weapon offences	0	45	2	11	0	0	5 (2)	0	0	0	0	63	1.1
Pornography and censorship offences	0	18	0	5	0	0	5 (3)	0	0	0	0	28	0.5
Liquor licensing offences	0	61	15	33	0	0	13	4	0	0	0	126	2.2
Betting and gaming offences	0	1	0	1	0	0	0	0	0	0	0	2	0.0
Trespassing offences	0	122	30	86	0	1	69 (9)	3	0	1	0	312	5.5

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

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

Offence Group	Committed for trial or sentence	Convicted			Acquitted on Major Charge	Not guilty: mentally incompetent	Major charge withdrawn	Major charge dismissed	Orders issued/ varied/ revoked	Withdrawn on completion of mental health diversion program	Other (eg. Defendant died)	Total	
		With penalty	Without Penalty	Guilty without conviction								No.	%
Consorting	0	0	0	0	0	0	3	0	0	0	0	3	0.1
Prostitution offences	1	10	1	1	0	0	1	0	0	0	0	14	0.2
Found with intent to commit a crime	0	3	0	0	0	0	2 (1)	2	0	0	0	7	0.1
Indecent/offensive language	0	88	42	43	0	0	24	5	0	0	0	202	3.5
Disorderly behaviour	0	494	207	353	0	0	188 (19)	21	0	4	0	1,267	22.2
Offensive behaviour	0	12	1	11	0	0	4	1	0	1	0	30	0.5
Loitering	0	118	47	149	0	0	38	4	0	0	0	356	6.2
Urinating/defecating in public	0	230	33	67	0	0	15	0	0	0	0	345	6.0
Graffiti and related offences	0	44	1	24	0	0	6	1	0	0	0	76	1.3
Other offences	0	5	6	4	0	0	8 (1)	3	0	0	0	26	0.5
<b>Total</b>	26 (2)	2,609	759	1,252	1	3	895 (132)	160 (15)	0	7	0	5,712	
Percentage	0.5	45.7	13.3	21.9	0.0	0.1	15.7	2.8	0	0.1	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 more detail regarding cases found not guilty on the grounds of mental incompetence see Appendix A.

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TABLE 2.10 Case outcome by major offence charged. Drug offences

Offence Group	Committed for trial or sentence	Convicted			Acquitted on Major Charge	Not guilty: mentally incompetent	Major charge withdrawn	Major charge dismissed	Orders issued/ varied/ revoked	Withdrawn on completion of mental health diversion program	Other (eg. Defendant died)	Total	
		With penalty	Without Penalty	Guilty without conviction								No.	%
Possess/use cannabis	0	51	1	33	0	0	9 (1)	3 (1)	0	0	0	97	4.4
Possess/use other drug	0	47	1	10	0	0	24 (1)	6	0	0	0	88	4.0
Import/export cannabis	0	0	0	0	0	0	0	0	0	0	0	0	0
Import/export other drug	3	0	0	0	0	0	0	2	0	0	0	5	0.2
Sell/possess for sale cannabis	100 (4)	107	0	22	1	0	53 (39)	59 (9)	0	0	0	342	15.7
Sell/possess for sale other drug	98 (5)	0	0	0	0	0	3 (1)	104 (19)	0	0	0	205	9.4
Produce/manufacture cannabis	48 (1)	696	1	467	0	1	56 (5)	30 (4)	0	0	0	1,299	59.6
Produce/manufacture other drug	36 (1)	10	0	5	0	0	2	38 (3)	0	0	0	91	4.2
Other drug offences	0	28	2	11	0	0	9	3 (3)	0	0	0	53	2.4
<b>Total</b>	<b>285 (11)</b>	<b>939</b>	<b>5</b>	<b>548</b>	<b>1</b>	<b>1</b>	<b>156 (47)</b>	<b>245 (39)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2,180</b>	
Percentage	13.1	43.1	0.2	25.1	0.0	0.0	7.2	11.2	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. 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 and Research 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 more detail regarding cases found not guilty on the grounds of mental incompetence see Appendix A.



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TABLE 2.11 Case outcome by major offence charged. Driving offences

Offence Group	Committed for trial or sentence	Convicted			Acquitted on Major Charge	Not guilty: mentally incompetent	Major charge withdrawn	Major charge dismissed	Orders issued/ varied/ revoked	Withdrawn on completion of mental health diversion program	Other (eg. Defendant died)	Total	
		With penalty	Without Penalty	Guilty without conviction								No.	%
Driving under the influence of alcohol/drugs	685	0	0	1	0	0	187 (122)	7 (1)	0	0	0	880	12.3
Exceed prescribed concentration of alcohol													
.001 to .049	9	0	0	0	0	0	2	0	0	0	0	11	0.2
.050 to .079	34	1	0	8	0	0	1	0	0	0	0	44	0.6
.080 to .149	2,296	1	0	7	0	0	106	16	0	0	1	2,427	33.9
.150 or more	872	0	0	4	0	0	62	9	0	0	1	948	13.2
Unknown	4	0	0	0	0	0	3	1	0	0	0	8	0.1
Refuse to supply blood sample	4	0	0	0	0	0	2	0	0	0	0	6	0.1
Refuse breath/alcotest	99	1	0	0	0	0	26	5	0	0	0	131	1.8
Dangerous or reckless driving	639	0	0	3	1	0	209 (16)	14 (2)	0	0	0	866	12.1
Driving while licence suspended or cancelled	1,543	42	0	23	2	0	208 (15)	10	0	0	2	1,830	25.6
Driving without a licence	0	0	0	0	0	0	0	0	0	0	0	0	0
Other driving licence offences	5	2	0	1	0	0	0	0	0	0	0	8	0.1
Total	6,190	47	0	47	3	0	806 (153)	62 (3)	0	0	4	7,159	
Percentage	86.5	0.7	0	0.7	0.0	0	11.3	0.9	0	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.

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

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TABLE 2.12 Case outcome by major offence charged. Other offences

Offence Group	Committed for trial or sentence	Convicted			Acquitted on Major Charge	Not guilty: mentally incompetent	Major charge withdrawn	Major charge dismissed	Orders issued/ varied/ revoked	Withdrawn on completion of mental health diversion program	Other (eg. Defendant died)	Total	
		With penalty	Without Penalty	Guilty without conviction								No.	%
Banking, financial and insurance offences	2	144	1	1	0	0	127 (1)	3	0	0	0	278	38.5
Taxation and stamp duty (excluding excise)	0	0	0	0	0	0	0	0	0	0	0	0	0
Posts, telegraphs and telecommunications	0	1	0	0	0	0	0	0	0	0	0	1	0.1
Customs, excise, imports/exports (non-drugs)	2	22	0	2	0	0	1 (1)	2	0	0	0	29	4.0
Immigration, passports, etc.	1	1	0	0	0	0	9	11	0	0	0	22	3.0
Electoral offences	0	3	0	0	0	0	0	0	0	0	0	3	0.4
Air navigation, airports and aircraft operations	0	0	0	0	0	0	0	0	0	0	0	0	0
Health, mental health, quarantine, food standards etc.	0	0	0	0	0	0	0	0	0	0	0	0	0
Bankruptcy	0	3	0	0	0	0	0	1	0	0	0	4	0.6
Copyright and patents	0	0	0	0	0	0	0	0	0	0	0	0	0
Offences in custody (against prison rules)	6	1	0	0	0	0	1	2 (2)	0	0	0	10	1.4
Other offences	0	161	85	47	0	0	74 (3)	8	0	0	1	376	52.0
Total	11	336	86	50	0	0	212 (5)	27 (2)	0	0	1	723	
Percentage	1.5	46.5	11.9	6.9	0	0	29.3	3.7	0	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. 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 more detail regarding cases found not guilty on the grounds of mental incompetence see Appendix A.

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

Offence Group	Accused died	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	0	447	98	25	84	35	4	6	699	46.5
Application for issuance of restraining order - telephone application	0	7	4	4	4	0	0	0	19	1.3
Application to vary/revoke restraining order	0	0	0	2	1	0	0	0	3	0.2
Registration interstate/foreign restraining order	0	1	0	0	0	0	0	0	1	0.1
Application to vary/cancel registration of interstate/foreign restraining order	0	0	0	0	0	0	0	0	0	0
DOMESTIC VIOLENCE RESTRAINING ORDERS										
Application for issuance of domestic violence restraining order - court application	1	467	135	39	68	20	4	4	738	49.1
Application for issuance of domestic violence restraining order - telephone application	0	13	3	1	4	2	0	0	23	1.5
Application to vary/revoke domestic violence restraining order	0	0	2	4	4	1	0	3	14	0.9
Registration foreign domestic violence restraining order	0	0	0	0	0	0	0	0	0	0
Application to vary/cancel registration of foreign domestic violence restraining order	0	0	0	0	0	0	0	0	0	0
PAEDOPHILE RESTRAINING ORDERS										
Application for issuance of paedophile restraining order - court application	0	4	1	0	0	0	0	0	5	0.3
Application for issuance of paedophile restraining order - telephone application	0	0	0	0	0	0	0	0	0	0
Total	1	939	243	75	165	58	8	13	1,502	
Percentage	0.1	62.5	16.2	5.0	11.0	3.9	0.5	0.9		100.0
Orders issued under s.19A of the Criminal Law (Sentencing) Act	0	8	0	0	0	0	0	0	8	

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).

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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 (weeks)				Detention (weeks)				Total	
		No.	Min	Av	Max	No.	Min	Av	Max	No.	%
Assault occasioning grievous bodily harm	0	1	78	78	78	0	-	-	-	1	2.4
Assault occasioning actual bodily harm	0	1	78	78	78	0	-	-	-	1	2.4
Common assault, male victim	1	5	8	44	104	0	-	-	-	6	14.6
Common assault, female victim	0	2	69	87	104	0	-	-	-	2	4.9
Assault Police	0	3	26	43	52	0	-	-	-	3	7.3
Other offences against the person	0	1	78	78	78	0	-	-	-	1	2.4
Indecent assault, female victim , age 17 or over	0	1	78	78	78	0	-	-	-	1	2.4
Indecent behaviour/exposure	0	1	52	52	52	0	-	-	-	1	2.4
Other sexual offences	1	0	-	-	-	0	-	-	-	1	2.4
Interfere with a motor vehicle	0	1	52	52	52	0	-	-	-	1	2.4
Larceny from the person	0	1	104	104	104	0	-	-	-	1	2.4
Larceny from shops	0	1	78	78	78	0	-	-	-	1	2.4
Other larceny	0	2	52	65	78	0	-	-	-	2	4.9
Property damage – motor vehicle	0	1	52	52	52	0	-	-	-	1	2.4
Property damage -other/not known	0	1	65	65	65	0	-	-	-	1	2.4
Breach court order (parole, bail , etc)	0	4	43	56	78	0	-	-	-	4	9.8
Breach domestic violence restraining order	0	1	1	1	1	0	-	-	-	1	2.4
Resist/hinder police	0	7	13	56	104	0	-	-	-	7	17.1
Possession/use of other weapons	0	2	78	78	78	0	-	-	-	2	4.9
Disorderly behaviour	0	1	52	52	52	0	-	-	-	1	2.4
Produce/manufacture cannabis	1	0	-	-	-	0	-	-	-	1	2.4
Drive while licence suspended or cancelled	0	1	52	52	52	0	-	-	-	1	2.4
<b>Total</b>	<b>3</b>	<b>38</b>	<b>1</b>	<b>59</b>	<b>104</b>	<b>0</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>41</b>	
Percentage	7.3	92.7				0					100.0

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.

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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)	135	5	11	0	447	40	325	1,500	12	551	77	384	149	1	25	104	1,771	8.6
Sexual offences	7	0	0	0	18	50	197	500	1	32	3	28	7	13	100	195	96	0.5
Robbery and extortion	1	0	0	0	2	100	125	150	0	1	0	1	1	17	17	17	6	0.0
Serious criminal trespass	9	0	2	0	6	200	333	500	0	47	14	228	173	1	77	455	479	2.3
Fraud and misappropriation	22	0	16	0	76	30	409	4,800	0	148	14	203	44	2	44	303	523	2.5
Larceny and receiving	300	1	45	0	920	30	199	1,500	53	697	195	419	239	1	28	156	2,869	13.9
Property damage and environmental offences	81	3	177	0	365	40	205	1,000	7	212	81	61	34	1	21	90	1,021	4.9
Offences against good order	1,558	1	123	0	2,724	10	181	2,000	94	389	200	111	57	1	11	104	5,257	25.5
Drug offences	8	0	45	0	1,375	11	277	2,000	5	41	38	30	2	8	56	104	1,544	7.5
Driving offences	63	0	0	0	568	50	295	1,500	4,874	99	214	579	183	1	8	61	6,580	31.9
Other offences	99	0	3	0	338	20	456	6,000	2	37	21	2	1	10	10	10	503	2.4
Non-offence matters	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Total	2,283	10	422	0	6,839	10	239	6,000	5,048	2,254	857	2,046	890	1	33	455	20,649	
Percentage	11.1	0.0	2.0	0	33.1				24.4	10.9	4.2	9.9	4.3					100.0

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

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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	1	40	40	40	0	0	0	10	5	13	54	86	16	0.9
Assault occasioning actual bodily harm	4	0	0	0	37	150	501	1,400	1	56	9	141	47	4	32	104	295	16.7
Other major assault	0	0	0	0	1	450	450	450	0	0	0	2	3	39	69	91	6	0.3
Common assault																		
- of a male	38	1	3	0	187	50	312	1,500	3	135	24	40	19	1	11	34	450	25.4
- of a female	25	2	1	0	77	50	254	1,500	1	114	12	32	8	4	12	21	272	15.4
- sex of victim unspecified	6	0	1	0	10	50	280	500	1	16	2	1	0	-	-	-	37	2.1
Common assault of family member	24	2	2	0	32	90	306	1,000	0	135	10	61	14	2	10	30	280	15.8
Other minor assault	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Assault police	32	0	4	0	97	50	341	1,500	6	59	16	63	35	1	14	60	312	17.6
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	1	500	500	500	0	0	0	1	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	0	1	0	-	-	-	1	0.1
Other offences against the person	6	0	0	0	4	200	575	1,500	0	36	4	32	18	1	43	104	100	5.6
Total	135	5	11	0	447	40	325	1,500	12	551	77	384	149	1	25	104	1,771	
Percentage	7.6	0.3	0.6	0	25.2				0.7	31.1	4.3	21.7	8.4					100.0

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

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

Offence Group	No penalty	Restrain- ing 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.

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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	4	1	52	52	52	6	6.3
- Victim age 12 to 16	0	0	0	0	1	400	400	400	0	2	0	5	0	-	-	-	8	8.3
- Victim age 17 or over	0	0	0	0	3	200	233	300	0	4	1	6	0	-	-	-	14	14.6
- Victim age unspecified	0	0	0	0	0	-	-	-	0	1	0	4	4	13	104	195	9	9.4
Indecent assault of male																		
- Victim age under 12	0	0	0	0	0	-	-	-	0	1	0	1	0	-	-	-	2	2.1
- Victim age 12 to 16	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-		0
- Victim age 17 or over	0	0	0	0	0	-	-	-	0	0	0	1	0	-	-	-	1	1.0
- Victim age unspecified	0	0	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	0	1	156	156	156	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.



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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.

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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	7	0	0	0	11	50	186	500	1	17	2	2	0	-	-	-	40	41.7
Gross indecency	0	0	0	0	0	-	-	-	0	1	0	3	0	-	-	-	4	4.2
Persistent sexual abuse of a child	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Other sexual offences	0	0	0	0	3	100	133	200	0	5	0	2	1	78	78	78	11	11.5
Total	7	0	0	0	18	50	197	500	1	32	3	28	7	13	100	195	96	
Percentage	7.3	0	0	0	18.8				1.0	33.3	3.1	29.2	7.3					100.0

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

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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	1	0	0	0	-	-	-	1	16.7
Extortion	1	0	0	0	2	100	125	150	0	0	0	1	1	17	17	17	5	83.3
Total	1	0	0	0	2	100	125	150	0	1	0	1	1	7	17	17	6	
Percentage	16.7	0	0	0	33.3				0	16.7	0	16.7	16.7					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.

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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.	%
Burglary	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Break and enter dwellings	0	0	0	0	0	-	-	-	0	0	0	8	5	26	58	130	13	2.7
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	0	0	2	0	-	-	-	2	0.4
Break and enter shops with intent	0	0	0	0	0	-	-	-	0	0	1	0	0	-	-	-	1	0.2
Break and enter schools	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Break and enter schools with intent	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Break and enter other building	0	0	0	0	0	-	-	-	0	2	0	5	2	26	65	104	9	1.9
Break and enter other building with intent	0	0	0	0	0	-	-	-	0	0	0	0	1	65	65	65	1	0.2
Non aggravated serious criminal trespass																		
- place of residence	1	0	1	0	2	500	500	500	0	15	1	81	83	4	86	334	184	38.4
- shops	0	0	0	0	0	-	-	-	0	3	0	24	17	8	61	156	44	9.2
- school	0	0	0	0	1	200	200	200	0	1	1	9	3	8	37	78	15	3.1
- other building	0	0	0	0	2	250	250	250	0	12	8	74	42	1	71	260	138	28.8
Aggravated serious criminal trespass																		
- place of residence	4	0	0	0	0	-	-	-	0	2	1	7	6	52	131	455	20	4.2
- shops	0	0	0	0	0	-	-	-	0	1	1	4	2	60	78	95	8	1.7
- school	0	0	0	0	0	-	-	-	0	0	0	0	1	78	78	78	1	0.2
- other building	0	0	0	0	0	-	-	-	0	0	1	5	2	13	33	52	8	1.7
Other criminal trespass -place of residence	3	0	0	0	1	300	300	300	0	8	0	4	3	6	39	60	19	4.0
Offences related to break and enter	1	0	1	0	0	-	-	-	0	3	0	5	6	26	56	156	16	3.3
Total	9	0	2	0	6	200	333	500	0	47	14	228	173	1	77	455	479	
Percentage	1.9		0.4		1.3					9.8	2.9	47.6	36.1					100.0

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

On 25<sup>th</sup> 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).

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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	1	0	3	120	307	500	0	8	3	8	2	39	46	52	25	4.8
- cheques	2	0	1	0	6	100	279	500	0	15	3	17	2	13	124	234	46	8.8
- other	10	0	4	0	20	40	222	1,000	0	25	2	24	8	2	13	26	93	17.8
Forge and utter (excluding cheques)	0	0	0	0	0	-	-	-	0	3	0	1	1	91	91	91	5	1.0
False statement																		
- unemployment benefit	0	0	0	0	2	350	1,425	2,500	0	3	0	14	4	4	13	26	23	4.4
- other social security benefit	0	0	0	0	1	300	300	300	0	9	0	18	5	13	22	39	33	6.3
- unspecified govt. benefit	0	0	0	0	1	1,000	1,000	1,000	0	17	1	30	5	13	39	65	54	10.3
Other fraud with respect to government benefits	0	0	0	0	2	600	2,700	4,800	0	18	0	36	6	8	25	65	62	11.9
Other fraud	8	0	9	0	13	30	263	850	0	8	1	5	6	13	30	78	50	9.6
Misappropriation																		
- by director/trustee/partner	0	0	0	0	6	80	272	700	0	13	2	12	1	52	52	52	34	6.5
- by employee	2	0	1	0	22	75	428	1,500	0	29	2	38	4	4	161	303	98	18.7
Counterfeiting	0	0	0	0	0	0	0	0	0	0	0	0	0	2	44	303	0	0
Total	22	0	16	0	76	30	409	4,800	0	148	14	203	44	39	46	52	523	
Percentage	4.2	0	3.1	0	14.5				0	28.3	2.7	38.8	8.4					100.0

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

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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	11	0	1	0	37	60	296	1,000	1	49	15	66	24	8	58	146	204	7.1
Unlawful possession of stolen goods	41	0	10	0	141	50	279	1,500	3	75	36	55	28	1	13	69	389	13.6
Handling of stolen goods - other	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Larceny of a motor vehicle	0	0	0	0	3	200	200	200	0	3	1	8	4	6	54	130	19	0.7
Illegal use of a motor vehicle	3	0	0	0	1	50	50	50	20	38	15	78	61	4	28	86	216	7.5
Interfere with a motor vehicle	3	0	0	0	1	400	400	400	8	12	4	16	17	4	23	104	61	2.1
Larceny or illegal use of other vehicle	8	0	1	0	13	80	218	500	2	5	2	7	4	1	25	39	42	1.5
Larceny from the person	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Larceny of livestock	1	0	0	0	1	150	150	150	0	0	0	0	0	-	-	-	2	0.1
Larceny from shops	156	0	14	0	477	30	168	1,000	5	305	64	77	42	1	20	117	1,140	39.7
Other larceny	77	1	19	0	246	40	196	750	14	210	58	112	59	1	30	156	796	27.7
<b>Total</b>	<b>300</b>	<b>1</b>	<b>45</b>	<b>0</b>	<b>920</b>	<b>30</b>	<b>199</b>	<b>1,500</b>	<b>53</b>	<b>697</b>	<b>195</b>	<b>419</b>	<b>239</b>	<b>1</b>	<b>28</b>	<b>156</b>	<b>2,869</b>	
Percentage	10.5	0.0	1.6	0	32.1				1.8	24.3	6.8	14.6	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).

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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	2	200	200	200	0	0	1	0	1	34	34	34	4	0.4
- 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	0	-	-	-	0	0	0	2	1	30	30	30	3	0.3
- other/not known	1	0	1	0	3	100	150	200	0	0	5	1	0	-	-	-	11	1.1
Property damage (not arson)																		
- dwellings	25	3	44	0	91	40	178	500	0	54	26	9	8	3	23	90	260	25.5
- shops	4	0	20	0	33	50	197	800	0	14	2	2	2	8	8	8	77	7.5
- schools	0	0	1	0	1	100	100	100	0	0	1	2	0	-	-	-	5	0.5
- factory/warehouse	0	0	1	0	0	-	-	-	0	0	0	0	0	-	-	-	1	0.1
- motor vehicle	16	0	50	0	98	40	218	600	4	73	21	19	6	1	26	60	287	28.1
- other/not known	32	0	60	0	132	50	215	1,000	3	67	24	24	14	1	18	78	356	34.9
Other property damage offences	1	0	0	0	1	200	200	200	0	2	0	1	2	4	15	26	7	0.7
Environmental offences	2	0	0	0	4	100	275	400	0	2	1	1	0	-	-	-	10	1.0
<b>Total</b>	<b>81</b>	<b>3</b>	<b>177</b>	<b>0</b>	<b>365</b>	<b>40</b>	<b>205</b>	<b>1,000</b>	<b>7</b>	<b>212</b>	<b>81</b>	<b>61</b>	<b>34</b>	<b>1</b>	<b>21</b>	<b>90</b>	<b>1,021</b>	
<b>Percentage</b>	<b>7.9</b>	<b>0.3</b>	<b>17.3</b>	<b>0</b>	<b>35.7</b>				<b>0.7</b>	<b>20.8</b>	<b>7.9</b>	<b>6.0</b>	<b>3.3</b>					<b>100.0</b>

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.

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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	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Contempt of court	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Perjury	0	0	0	0	3	200	733	1,500	0	0	0	0	0	-	-	-	3	0.1
Pervert the course of justice	0	0	0	0	1	100	100	100	0	0	0	1	0	-	-	-	2	0.0
Breach court order (parole, bail, etc.)	273	0	6	0	193	40	206	1,050	18	42	31	26	26	1	4	17	615	11.7
Breach restraining order	22	0	0	0	27	50	174	500	0	17	3	4	3	7	12	22	76	1.4
Breach domestic violence restraining order	49	0	0	0	48	40	216	800	1	29	5	7	2	17	17	17	141	2.7
Escape from custody (excluding prisons)	1	0	0	0	0	-	-	-	0	0	1	0	1	9	9	9	3	0.1
Resist/hinder police	282	0	4	0	523	25	212	2,000	52	62	58	27	5	1	4	8	1,013	19.3
Conspiracy	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Offences against justice procedures	16	0	11	0	55	50	254	1,000	2	42	6	9	3	4	11	26	144	2.7
Possession/use of firearms	7	0	23	0	165	30	343	2,000	1	6	11	10	7	2	35	104	230	4.4
Possession/use of bombs	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Possession/use of other weapons	26	0	63	0	233	15	191	1,000	9	28	13	1	2	17	28	39	375	7.1
Other weapon offences	4	0	3	0	54	20	236	1,500	0	0	1	0	0	-	-	-	62	1.2
Pornography and censorship offences	0	0	0	0	15	100	923	2,000	0	5	1	3	0	-	-	-	24	0.5
Liquor licensing offences	33	0	0	0	77	20	129	500	1	4	1	0	0	-	-	-	116	2.2
Betting and gaming offences	0	0	0	0	0	-	-	-	0	2	0	0	0	-	-	-	2	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.



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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	88	1	2	0	114	50	220	1,000	1	56	19	12	3	13	22	26	296	5.6
Consorting	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Prostitution offences	2	0	0	0	9	50	71	100	0	1	0	0	0	-	-	-	12	0.2
Found with intent to commit a crime	0	0	0	0	0	-	-	-	0	1	0	2	0	-	-	-	3	0.1
Indecent/offensive language	76	0	1	0	110	30	139	400	3	6	3	2	1	1	1	1	202	3.8
Disorderly behaviour	449	0	5	0	599	25	145	500	6	67	31	5	3	4	5	8	1,165	22.2
Offensive behaviour	9	0	0	0	14	50	141	300	0	4	1	0	0	-	-	-	28	0.5
Loitering	157	0	0	0	160	30	125	500	0	6	2	0	0	-	-	-	325	6.2
Urinating/defecating in public	56	0	0	0	277	10	57	200	0	0	1	0	0	-	-	-	334	6.4
Graffiti and related offences	2	0	5	0	44	20	174	500	0	6	10	1	1	1	1	1	69	1.3
Other offences against good order	6	0	0	0	3	50	108	175	0	5	2	1	0	-	-	-	17	0.3
<b>Total</b>	<b>1,558</b>	<b>1</b>	<b>123</b>	<b>0</b>	<b>2,724</b>	<b>10</b>	<b>181</b>	<b>2,000</b>	<b>94</b>	<b>389</b>	<b>200</b>	<b>111</b>	<b>57</b>	<b>1</b>	<b>11</b>	<b>104</b>	<b>5,257</b>	
Percentage	29.6	0.0	2.3	0	51.8				1.8	7.4	3.8	2.1	1.1					100.0

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

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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	9	0	83	25	185	600	1	1	5	1	0	-	-	-	103	6.7
Possess/use other drug	1	0	7	0	51	40	222	500	2	2	1	0	0	-	-	-	64	4.1
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	0	0	5	0	89	50	383	1,500	1	9	7	19	1	8	8	8	131	8.5
Sell/possess for sale other drug	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Produce/manufacture cannabis	1	0	21	0	1,116	11	279	2,000	0	22	22	6	1	104	104	104	1,189	77.0
Produce/manufacture other drug	0	0	0	0	14	40	281	800	0	1	1	0	0	-	-	-	16	1.0
Other drug offences	3	0	3	0	22	50	210	500	1	6	2	4	0	-	-	-	41	2.7
Total	8	0	45	0	1,375	11	277	2,000	5	41	38	30	2	8	56	104	1,544	
Percentage	0.5	0	2.9	0	89.1				0.3	2.7	2.5	1.9	0.1					100.0

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

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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	10	50	253	500	653	4	31	9	4	1	5	13	711	10.8
Exceed prescribed concentration of alcohol																		
.001 to .049	0	0	0	0	8	100	259	500	2	0	0	0	0	-	-	-	10	0.2
.050 to .079	1	0	0	0	42	100	226	600	3	0	0	0	0	-	-	-	46	0.7
.080 to .149	1	0	0	0	20	75	211	500	2,323	2	37	1	0	-	-	-	2,384	36.2
.150 or more	0	0	0	0	2	400	550	700	916	3	28	1	0	-	-	-	950	14.4
Unknown	0	0	0	0	0	-	-	-	4	0	0	0	0	-	-	-	4	0.1
Refuse to supply blood sample	0	0	0	0	1	150	150	150	4	0	0	0	0	-	-	-	5	0.1
Refuse breath/alcotest	1	0	0	0	0	-	-	-	113	0	2	0	0	-	-	-	116	1.8
Dangerous or reckless driving	0	0	0	0	5	125	241	330	657	1	7	1	0	-	-	-	671	10.2
Driving while licence suspended or cancelled	56	0	0	0	477	50	307	1,500	195	89	109	567	179	1	8	61	1,672	25.4
Driving without a licence	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Other driving licence offences	4	0	0	0	3	50	233	500	4	0	0	0	0	-	-	-	11	0.2
<b>Total</b>	<b>63</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>568</b>	<b>50</b>	<b>295</b>	<b>1,500</b>	<b>4,874</b>	<b>99</b>	<b>214</b>	<b>579</b>	<b>183</b>	<b>1</b>	<b>8</b>	<b>61</b>	<b>6,580</b>	
Percentage	1.0	0	0	0	8.6				74.1	1.5	3.3	8.8	2.8					100.0

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

*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.

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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	1	0	0	0	144	150	370	1,600	0	0	2	0	0	-	-	-	147	29.2
Taxation and stamp duty (excluding excise)	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Posts, telegraphs and telecommunications	0	0	0	0	0	-	-	-	0	1	0	0	0	-	-	-	1	0.2
Customs, excise, imports/exports (non-drugs)	0	0	0	0	16	250	869	3,000	0	4	5	0	0	-	-	-	25	5.0
Immigration, passports, etc	0	0	0	0	0	-	-	-	0	0	0	1	0	-	-	-	1	0.2
Electoral offences	0	0	0	0	3	20	32	50	0	0	0	0	0	-	-	-	3	0.6
Air navigation, airports and aircraft operations	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Health, mental health, quarantine, food standards etc.	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Bankruptcy	0	0	0	0	1	200	200	200	0	1	1	0	0	-	-	-	3	0.6
Copyright and patents		0		0														
Offences in custody (against prison rule)	0	0	0	0	0	-	-	-	0	1	0	0	1	10	10	10	2	0.4
Other offences	98	0	3	0	174	25	497	6,000	2	30	13	1	0	-	-	-	321	63.8
Total	99	0	3	0	338	20	456	6,000	2	37	21	2	1	10	10	10	503	
Percentage	19.7		0.6		67.2				0.4	7.4	4.2	0.4	0.2					100.0

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

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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	7	254	0	1	0	0	0	0	0	0	0	0	0	0	6.0	0	1	0	0	0	0	7	
.050 to .079	39	237	1	1	0	0	0	0	0	0	0	0	0	0	3.5	0	2	0	0	0	0	40	
.080 to .099	756	531	10	700	37	5	0	0	0	0	0	1	0	0	6.1	0	753	0	5	0	0	766	
.100 to .149	1,314	594	8	865	387	65	4	3	0	0	0	0	0	0	6.8	0	1,332	1	23	0	0	1,340	
.150 to .199	576	764	2	9	8	462	84	23	4	2	0	0	0	0	12.5	0	594	2	14	0	0	594	
.200 to .249	140	806	0	1	3	62	41	33	7	0	0	0	0	0	14.2	0	147	0	7	0	0	148	
.250 and over	26	846	0	1	0	3	8	12	3	3	1	0	0	0	18.6	0	31	1	4	0	0	31	
Unknown	4	588	0	4	0	0	0	0	0	0	0	0	0	0	6.0	0	4	0	0	0	0	4	
Total	2,862	619	21	1,582	435	597	137	71	14	5	1	1	0	0	8.3	0	2,864	4	53	0	0	2,930	
Percentage	97.7		0.7	54.0	14.8	20.4	4.7	2.4	0.5	0.2	0.0	0.0	0	0	0	97.7	0.1	1.8	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%.

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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	3	500	0	0	0	1	0	0	0	0	0	0	0	0	12.0	0	1	0	0	0	0	0	3
.050 to .079	6	309	1	0	0	0	0	0	0	0	0	0	0	0	1.0	0	1	0	0	0	0	0	6
.080 to .099	78	717	0	20	2	44	5	3	4	0	0	0	0	0	11.3	3	81	0	3	0	0	0	81
.100 to .149	188	804	1	24	13	80	44	15	8	5	0	0	0	0	12.9	7	197	2	6	1	0	0	197
.150 to .199	114	1,150	0	1	0	19	7	2	1	72	4	2	0	0	30.3	10	118	0	2	0	0	0	119
.200 to .249	46	1,188	0	0	0	2	4	1	4	28	5	0	0	0	32.3	3	47	1	0	1	0	0	47
.250 and over	10	1,160	0	0	0	0	1	1	1	4	2	0	0	0	30.8	2	11	0	1	0	0	0	11
Unknown	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	445	916	2	45	15	146	61	22	18	109	11	2	0	0	19.3	25	456	3	12	2	0	0	464
Percentage	95.9		0.4	9.7	3.2	31.5	13.1	4.7	3.9	23.5	2.4	0.4	0	0	5.4	98.3	0.6	2.6	0.4	0	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%.

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TABLE 2.28a Age by major offence charged. Male defendants

Offence Group	Age of males in 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	Average age (years)	Number	Percentage	
Offences against the person (excl. sexual offences)	302	638	609	547	500	530	161	37	31.9	3,324	13.8	11
Sexual offences	22	57	54	65	65	74	32	24	35.9	393	1.6	1
Robbery and extortion	63	96	40	26	11	9	3	2	24.9	250	1.0	3
Serious criminal trespass	218	278	250	223	127	110	7	2	27.9	1,215	5.1	4
Fraud and misappropriation	30	76	81	81	59	104	30	19	34.6	480	2.0	1
Larceny and receiving	467	584	512	392	289	287	96	55	29.7	2,682	11.2	8
Property damage and environmental offences	208	293	206	174	134	129	41	8	28.9	1,193	5.0	1
Offences against good order	758	1,207	773	650	548	617	196	65	29.9	4,814	20.0	11
Drug offences	64	235	319	356	322	357	97	51	34.8	1,801	7.5	1
Driving offences	706	1,610	1,003	799	662	893	345	123	31.0	6,141	25.5	10
Other offences	31	55	72	86	55	117	73	17	37.1	506	2.1	16
Non-offence matters	37	142	156	224	243	297	108	37	36.6	1,244	5.2	22
Total	2,906	5,271	4,075	3,623	3,015	3,524	1,189	440	31.3	24,043		89
Percentage	12.1	21.9	16.9	15.1	12.5	14.7	4.9	1.8			100.0	
Rate per 1,000 adult population	133.7	102.4	83.8	66.4	54.8	31.2	12.1	3.3		41.7		

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 Catalogue no. 3201.0 30th June 2003.

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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)	55	106	90	110	60	88	24	5	31.4	538	10.8	2
Sexual offences	1	0	1	1	0	3	0	0	34.8	6	0.1	0
Robbery and extortion	9	11	3	4	5	4	0	0	27.0	36	0.7	0
Serious criminal trespass	16	40	45	35	29	9	3	0	28.9	177	3.5	1
Fraud and misappropriation	24	60	50	51	32	48	13	6	32.1	284	5.7	2
Larceny and receiving	135	215	188	176	135	171	60	33	32.1	1,113	22.3	5
Property damage and environmental offences	21	35	31	35	28	34	5	1	31.4	190	3.8	1
Offences against good order	78	175	171	161	129	133	24	10	31.2	881	17.7	3
Drug offences	20	61	61	80	59	67	24	6	33.6	378	7.6	0
Driving offences	61	229	149	176	123	199	53	18	32.9	1,008	20.2	0
Other offences	14	15	23	33	16	35	17	9	36.6	162	3.2	6
Non-offence matters	15	23	32	39	28	51	23	3	35.5	214	4.3	17
Total	449	970	844	901	644	842	246	91	32.3	4,987		37
Percentage	9.0	19.5	16.9	18.1	12.9	16.9	4.9	1.8			100.0	
Rate per 1,000 adult population	21.6	20.0	18.2	16.8	11.8	7.4	2.5	0.6		8.3		

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 Catalogue no. 3101.0 30th June 2003.



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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)	357	744	700	659	560	618	186	42	31.9	3,866	13.3	13
Sexual offences	23	57	55	66	65	77	32	24	35.9	399	1.4	1
Robbery and extortion	72	107	43	30	16	13	3	2	25.1	286	1.0	3
Serious criminal trespass	234	318	295	258	156	119	10	2	28.1	1,392	4.8	5
Fraud and misappropriation	54	136	131	133	91	152	43	25	33.6	765	2.6	3
Larceny and receiving	602	800	700	568	424	458	156	88	30.4	3,796	13.1	14
Property damage and environmental offences	229	328	237	210	162	163	46	9	29.3	1,384	4.8	3
Offences against good order	836	1,382	944	811	677	750	220	75	30.1	5,695	19.6	17
Drug offences	84	296	380	436	381	424	121	57	34.5	2,179	7.5	1
Driving offences	767	1,839	1,152	975	785	1,092	398	141	31.3	7,149	24.6	10
Other offences	45	72	95	122	73	157	92	27	37.1	683	2.4	40
Non-offence matters	52	165	188	263	271	349	131	40	36.4	1,459	5.0	43
<b>Total</b>	<b>3,355</b>	<b>6,244</b>	<b>4,920</b>	<b>4,531</b>	<b>3,661</b>	<b>4,372</b>	<b>1,438</b>	<b>532</b>	<b>31.5</b>	<b>29,053</b>		<b>153</b>
Percentage	11.5	21.5	16.9	15.6	12.6	15.0	4.9	1.8			100.0	
Rate per 1,000 adult population	79.0	62.5	51.8	41.9	33.4	19.2	7.3	1.8		24.7		

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 Catalogue no. 3201.0 30th June 2003. 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 153 cases where information was not available were either company names or related to non-offence matters, such as restraining order applications.

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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)	710	3,063	3,773	13.8	106
Sexual offences	30	358	388	1.4	12
Robbery and extortion	42	245	287	1.1	2
Serious criminal trespass	218	1,167	1,385	5.1	12
Fraud and misappropriation	33	615	648	2.4	120
Larceny and receiving	387	3,284	3,671	13.5	139
Property damage and environmental offences	217	1,113	1,330	4.9	57
Offences against good order	1,000	4,539	5,539	20.3	173
Drug offences	43	2,022	2,065	7.6	115
Driving offences	372	6,109	6,481	23.8	678
Other offences	220	224	444	1.6	279
Non-offence matters	94	1,154	1,248	4.6	254
Total	3,366	23,893	27,259		1,947
Percentage	12.3	87.7		100.0	
Rate per 1,000 adult population	260.3	22.5	24.5		

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 ABS 2001 Census.

The 1,947 cases where information was not available were either company names or related to non-offence matters, such as restraining order applications.

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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)	977	266	534	559	1,247	295	15.0	901	23.2	3,878	13.3	1
Sexual offences	158	41	52	48	85	16	9.2	74	18.5	400	1.4	0
Robbery and extortion	53	17	48	36	102	33	19.2	98	33.9	289	1.0	0
Serious criminal trespass	216	56	142	137	590	256	26.6	580	41.5	1,397	4.8	0
Fraud and misappropriation	303	57	103	82	168	54	11.6	125	16.3	767	2.6	1
Larceny and receiving	1,083	245	482	408	1,187	405	17.4	1,019	26.7	3,810	13.1	0
Property damage and environmental offences	411	93	195	184	406	97	14.0	277	20.0	1,386	4.8	1
Offences against good order	1,603	388	819	720	1,666	514	15.8	1,244	21.8	5,710	19.6	2
Drug offences	562	208	377	378	564	91	10.4	355	16.3	2,180	7.5	0
Driving offences	2,380	672	1,326	994	1,544	242	8.8	894	12.5	7,158	24.5	1
Other offences	316	70	116	62	123	18	6.8	64	9.1	705	2.4	18
Non-offence matters	483	114	250	199	378	69	10.9	266	17.8	1,493	5.1	9
Total	8,545	2,227	4,444	3,807	8,060	2,090	13.6	5,897	100.0	29,173		33
Percentage	29.3	7.6	15.2	13.0	27.6	7.2					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 33 individuals where information was not available were either company names or related to *non-offence matters*, such as *restraining order* applications.

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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)	413	0	2	772	2,195	351	0	97	38	3,868	13.3	11
Sexual offences	33	0	0	50	160	27	0	113	17	400	1.4	0
Robbery and extortion	6	0	0	5	92	40	0	87	55	285	1.0	4
Serious criminal trespass	66	0	0	89	710	289	0	158	67	1,379	4.7	18
Fraud and misappropriation	113	0	0	311	265	64	0	13	2	768	2.6	0
Larceny and receiving	980	2	2	859	1,437	512	0	5	1	3,798	13.0	12
Property damage and environmental offences	394	0	1	353	475	151	0	7	2	1,383	4.7	4
Offences against good order	2,844	0	1	964	1,432	426	0	21	5	5,693	19.5	19
Drug offences	848	0	0	445	523	78	0	262	23	2,179	7.5	1
Driving offences	2,724	0	0	2,820	1,274	337	0	0	0	7,155	24.6	4
Other offences	457	0	0	172	71	12	0	4	7	723	2.5	0
Non-offence matters	80	0	0	1,263	145	13	0	0	0	1,501	5.2	1
Total	8,958	2	6	8,103	8,779	2,300	0	767	217	29,132		74
Percentage	30.7	0.0	0.0	27.8	30.1	7.9	0.0	2.6	0.7		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.

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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)	20	144	158	131	2,382	411	2	123	4	3,375	14.5	504
Sexual offences	0	13	15	4	194	24	2	124	2	378	1.6	22
Robbery and extortion	1	4	1	4	114	10	3	134	4	275	1.2	14
Serious criminal trespass	2	40	7	33	924	69	7	204	14	1,300	5.6	97
Fraud and misappropriation	6	39	46	22	458	82	1	11	1	666	2.9	102
Larceny and receiving	83	193	452	181	1,848	416	0	6	0	3,179	13.7	631
Property damage and environmental offences	17	71	197	59	537	228	0	9	0	1,118	4.8	269
Offences against good order	149	534	1,317	165	1,518	663	0	22	1	4,369	18.8	1,343
Drug offences	15	149	465	28	710	183	3	250	24	1,827	7.9	353
Driving offences	46	490	1,442	118	2,373	1,159	0	0	0	5,628	24.2	1,531
Other offences	2	89	52	2	110	53	0	10	0	318	1.4	405
Non-offence matters	4	18	23	18	354	386	0	0	0	803	3.5	699
Total	345	1,784	4,175	765	11,522	3,684	18	893	50	23,236		5,970
Percentage	1.5	7.7	18.0	3.3	49.6	15.9	0.1	3.8	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.

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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)	1,551	0	174	2,019	0	0	0	7	114	14	0	0	3,879	13.3	0
Sexual offences	79	0	15	176	0	0	0	9	118	3	0	0	400	1.4	0
Robbery and extortion	7	0	2	138	0	0	0	27	109	6	0	0	289	1.0	0
Serious criminal trespass	448	0	24	700	0	0	0	33	181	11	0	0	1,397	4.8	0
Fraud and misappropriation	473	0	19	261	0	0	0	2	13	0	0	0	768	2.6	0
Larceny and receiving	2,391	2	83	1,328	0	0	0	3	2	1	0	0	3,810	13.0	0
Property damage and environmental offences	874	1	30	473	0	0	0	1	8	0	0	0	1,387	4.7	0
Offences against good order	3,894	118	67	1,607	0	0	0	6	18	2	0	0	5,712	19.6	0
Drug offences	1,395	5	11	484	0	0	0	42	224	19	0	0	2,180	7.5	0
Driving offences	6,018	4	74	1,063	0	0	0	0	0	0	0	0	7,159	24.5	0
Other offences	255	13	4	440	0	0	0	5	6	0	0	0	723	2.5	0
Non-offence matters	5	0	13	0	1,484	0	0	0	0	0	0	0	1,502	5.1	0
Total	17,390	143	516	8,689	1,484	0	0	135	793	56	0	0	29,206		0
Percentage	59.5	0.5	1.8	29.8	5.1	0	0	0.5	2.7	0.2	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.