



**MAGISTRATES
COURTS OF
SOUTH
AUSTRALIA**

Magistrates Courts of South Australia
1 January - 31 December 2005

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

Offence Group	Committed for trial or sentence	Convicted		Guilty without conviction	Acquitted on Major Charge	Not guilty: mentally incompetent	Major charge withdrawn	Major charge dismissed	Orders issued/ varied/ revoked	Withdrawn on completion of mental health diversion program	Other (eg. Defendant died)	Total	
		With penalty	Without Penalty									No.	%
Offences against the person (excl. sexual offences)	181 (2)	1,114	43	492	6	22	597 (126)	900 (176)	0	4 (1)	2	3,361	11.9
Sexual offences	157	55	3	28	0	3	11 (1)	181 (12)	0	0	1	439	1.6
Robbery and extortion	112 (6)	0	0	0	0	0	4	96 (9)	0	0	0	212	0.7
Serious criminal trespass	239 (8)	451	8	22	1	6	45 (13)	480 (111)	0	0	1	1,253	4.4
Fraud and misappropriation	13	366	3	64	0	3 (1)	118 (7)	74 (4)	0	1	1	643	2.3
Larceny and receiving	15	1,623	141	827	1	16	634 (127)	247 (46)	0	21 (2)	6	3,531	12.5
Property damage and environmental offences	11	605	34	255	0	7	199 (32)	65 (16)	0	4	2	1,182	4.2
Offences against good order	60 (2)	2,745	870	1,197	1	3	550 (106)	138 (19)	0	11 (1)	6	5,581	19.7
Drug offences	217 (3)	729	10	394	0	0	90 (22)	191 (15)	0	0	1	1,632	5.8
Driving offences	0	7,931	41	55	1	0	579 (123)	77 (7)	0	2	11	8,697	30.7
Other offences	7	251	104	27	0	0	59 (4)	25	0	0	0	473	1.7
Non-offence matters	0	0	0	0	0	0	125	95	1,084	0	0	1,304	4.6
Total	1,012 (21)	15,870	1,257	3,361	10	60 (1)	3,011 (561)	2,569 (415)	1,084	43 (4)	31	28,308	
Percentage	3.6	56.1	4.4	11.9	0.0	0.2	10.6	9.1	3.8	0.2	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		Guilty without conviction	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									No.	%
Murder	27	0	0	0	0	0	0	8	0	0	0	35	1.0
Attempted murder	16	0	0	0	0	0	0	22	0	0	0	38	1.1
Conspiracy to murder	2	0	0	0	0	0	0	1	0	0	0	3	0.1
Manslaughter	3	0	0	0	0	0	1	0	0	0	0	4	0.1
Driving causing death	10	0	0	0	0	0	1	3	0	0	0	14	0.4
Other homicide	0	0	0	0	0	0	0	0	0	0	0	0	0
Assault occasioning grievous bodily harm	25 (1)	27	0	0	1	0	5 (1)	51 (7)	0	0	0	109	3.2
Assault occasioning actual bodily harm	4 (1)	190	4	30	1	9	31 (5)	228 (42)	0	0	0	497	14.8
Other major assault	16	11	1	0	0	2	1 (1)	11 (4)	0	0	0	42	1.2
Common assault													
- of a male	0	267	13	167	3	2	200 (30)	44 (2)	0	1	0	697	20.7
- of a female	0	161	6	113	0	2	150 (13)	44 (5)	0	0	1	477	14.2
- sex of victim unspecified	0	23	1	16	0	0	14 (1)	4	0	0	0	58	1.7
Common assault of family member	0	192	8	91	1	1	100 (17)	298 (59)	0	1	0	692	20.6
Other minor assault	0	0	0	0	0	0	0	0	0	1	0	1	0.0
Assault police	0	168	8	66	0	5	71 (47)	13 (8)	0	1 (1)	1	333	9.9
Kidnapping and abduction	10	0	0	0	0	0	0	16 (1)	0	0	0	26	0.8
Ill treatment of children	0	0	0	0	0	0	0	0	0	0	0	0	0
Hijacking	0	0	0	0	0	0	0	0	0	0	0	0	0.0
Defamation and libel	0	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	1	1	0	0	0	0	1 (1)	4 (1)	0	0	0	7	0.2
Other offences against the person	67	74	2	9	0	1	22 (10)	153 (47)	0	0	0	328	9.8
Total	181 (2)	1,114	43	492	6	22	597 (126)	900 (176)	0	4 (1)	2	3,361	
Percentage	5.4	33.1	1.3	14.6	0.2	0.7	17.8	26.8	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		Guilty without conviction	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									No.	%
Rape of female													
- Victim age under 12	1	0	0	0	0	0	0	1	0	0	0	2	0.5
- Victim age 12 to 16	15	0	0	0	0	0	0	2 (1)	0	0	0	17	3.9
- Victim age 17 or over	43	0	0	0	0	0	0	49 (2)	0	0	0	92	21.0
- Victim age unspecified	11	0	0	0	0	0	0	9	0	0	0	20	4.6
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	0.2
- Victim age 17 or over	1	0	0	0	0	0	0	0	0	0	0	1	0.2
- Victim age unspecified	0	0	0	0	0	0	0	1	0	0	0	1	0.2
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	2	0	0	0	0	0	0	1	0	0	0	3	0.7
- Victim age 17 or over	0	0	0	0	0	0	0	5	0	0	0	5	1.1
- Victim age unspecified	0	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	0
- 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	1	0	0	0	1	0.2
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		Guilty without conviction	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									No.	%
Indecent assault of female													
- Victim age under 12	4	4	0	0	0	0	0	25 (1)	0	0	0	33	7.5
- Victim age 12 to 16	9	4	0	3	0	0	1	17 (1)	0	0	0	34	7.7
- Victim age 17 or over	5	9	0	4	0	3	1	27 (6)	0	0	1	50	11.4
- Victim age unspecified	5	3	0	0	0	0	1	7 (1)	0	0	0	16	3.6
Indecent assault of male													
- Victim age under 12	3	0	0	0	0	0	0	7	0	0	0	10	2.3
- Victim age 12 to 16	3	1	0	0	0	0	0	1	0	0	0	5	1.1
- Victim age 17 or over	1	1	0	0	0	0	0	1	0	0	0	3	0.7
- Victim age unspecified	3	1	0	0	0	0	0	5	0	0	0	9	2.1
Indecent assault of victim sex and age unspecified	1	1	0	0	0	0	1	2	0	0	0	5	1.1
Unlawful sexual intercourse with female													
- Victim age under 12	23	0	0	0	0	0	0	4	0	0	0	27	6.2
- Victim age 12 to 16	13	0	0	0	0	0	0	7	0	0	0	20	4.6
- 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	0	0	0	0	2	0.5
Unlawful sexual intercourse with female with intellectual disability	0	0	0	0	0	0	0	0	0	0	0	0	0
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

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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		Guilty without conviction	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									No.	%
Unlawful sexual intercourse with male													
- Victim age under 12	4	0	0	0	0	0	0	4	0	0	0	8	1.8
- Victim age 12 to 16	1	0	0	0	0	0	0	1	0	0	0	2	0.5
- Victim age unspecified	0	0	0	0	0	0	0	0	0	0	0	0	0
Unlawful sexual intercourse with male by teacher/guardian	1	0	0	0	0	0	0	0	0	0	0	1	0.2
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	0	0	0	0	0	0
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	2	0	0	0	0	0	0	0	0	0	0	2	0.5
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	0	0	0	0	0	0	0	0	0	0	0	0	0
Indecent behaviour/exposure	0	23	3	19	0	0	4	3	0	0	0	52	11.8
Gross indecency	0	2	0	1	0	0	2 (1)	0	0	0	0	5	1.1
Persistent sexual abuse of a child	0	0	0	0	0	0	0	0	0	0	0	0	0
Other sexual offences	3	6	0	1	0	0	1	1	0	0	0	12	2.7
Total	157	55	3	28	0	3	11 (1)	181 (12)	0	0	1	439	
Percentage	35.8	12.5	0.7	6.4	0	0.7	2.5	41.2	0	0	0.2		100.0

Numbers in brackets indicate cases where the defendant was not found guilty of the major charge but was found guilty of another charge. The bracketed numbers are also included in the total alongside which they appear. Thus 10(1) would mean that of the 10 cases with a given outcome, 10 were not guilty of the major charge but in one case there was a finding of guilt for an offence which was not the major charge. Some of these other charges may be for offences in groups other than the major charge - e.g. a person charged with *assault* (an offence against the person) may eventually be found guilty and convicted of only *offensive language*. In such instances cases are shown in the penalty tables for the offence group for which they were convicted. 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		Guilty without conviction	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									No.	%	
Robbery with a firearm														
- financial institution	0	0	0	0	0	0	0	0	0	0	0	0	0	0
- other institution	8	0	0	0	0	0	0	5	0	0	0	0	13	6.1
Robbery with other weapon														
- financial institution	0	0	0	0	0	0	0	0	0	0	0	0	0	0
- other institution	49 (2)	0	0	0	0	0	0	30 (3)	0	0	0	0	79	37.3
Unarmed robbery with violence														
- financial institution	0	0	0	0	0	0	0	0	0	0	0	0	0	0
- other institution	35 (2)	0	0	0	0	0	1	38	0	0	0	0	74	34.9
Unarmed robbery with no violence														
- financial institution	0	0	0	0	0	0	0	0	0	0	0	0	0	0
- other institution	17 (2)	0	0	0	0	0	1	17 (5)	0	0	0	0	35	16.5
Extortion	3	0	0	0	0	0	2	6 (1)	0	0	0	0	11	5.2
Total	112 (6)	0	0	0	0	0	4	96 (9)	0	0	0	0	212	
Percentage	52.8	0	0	0	0	0	1.9	45.3	0	0	0	0		100.0

Numbers in brackets indicate cases where the defendant was not found guilty of the major charge but was found guilty of another charge. The bracketed numbers are also included in the total alongside which they appear. Thus 10(1) would mean that of the 10 cases with a given outcome, 10 were not guilty of the major charge but in one case there was a finding of guilt for an offence which was not the major charge. Some of these other charges may be for offences in groups other than the major charge - e.g. a person charged with *assault* (an offence against the person) may eventually be found guilty and convicted of only *offensive language*. In such instances cases are shown in the penalty tables for the offence group for which they were convicted. Since 1992 *kidnapping* has been included under *offences against the person (excluding sexual offences)* (Table 2.2). The way in which the data have been presented in this table differs from that used for the corresponding table in *Crime and Justice* reports prior to 1996 (see Appendix A for explanation). For 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		Guilty without conviction	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									No.	%
Burglary	0	0	0	0	0	0	0	1	0	0	0	1	0.1
Break and enter dwellings	0	4	0	0	0	0	0	4 (1)	0	0	0	8	0.6
Break and enter dwellings with intent	0	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	0
Break and enter shops	0	1	0	0	0	0	1	2 (2)	0	0	0	4	0.3
Break and enter shops with intent	0	0	0	0	0	0	0	0	0	0	0	0	0
Break and enter schools	0	0	0	0	0	0	0	0	0	0	0	0	0
Break and enter schools with intent	0	0	0	0	0	0	1	0	0	0	0	1	0.1
Break and enter other building	2	6	0	0	0	0	1	5	0	0	0	14	1.1
Break and enter other building with intent	0	0	0	0	0	0	0	0	0	0	0	0	0
Non Aggravated serious criminal trespass													
- place of residence	17	176	2	9	1	5	15 (5)	124 (46)	0	0	0	349	27.9
- shops	4	50	1	1	0	1	3 (1)	22 (6)	0	0	0	82	6.5
- schools	1	6	0	0	0	0	0	3 (1)	0	0	0	10	0.8
- other buildings	1	162	2	5	0	0	8 (2)	64 (17)	0	0	1	243	19.4
Aggravated serious criminal trespass													
- place of residence	150 (3)	8	0	0	0	0	3	177 (26)	0	0	0	338	27.0
- shops	15 (2)	8	1	0	0	0	0	16 (1)	0	0	0	40	3.2
- schools	8 (2)	4	0	1	0	0	0	4 (1)	0	0	0	17	1.4
- other buildings	41 (1)	9	0	0	0	0	3 (2)	40 (3)	0	0	0	93	7.4
Other criminal trespass – place of residence	0	11	2	6	0	0	5	13 (4)	0	0	0	37	3.0
Offences related to break and enter	0	6	0	0	0	0	5 (3)	5 (3)	0	0	0	16	1.3
Total	239 (8)	451	8	22	1	6	45 (13)	480 (111)	0	0	1	1,253	
Percentage	19.1	36.0	0.6	1.8	0.1	0.5	3.6	38.3	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. 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 *sacrilege*) with a range of *criminal trespass* offences. The *break and enter* figures cited for 2000 and onwards are therefore not directly comparable with those listed before 1999 (for more information see Appendix A). For more detail regarding cases found not guilty on the grounds of mental incompetence see Appendix A.

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

Offence Group	Committed for trial or sentence	Convicted		Guilty without conviction	Acquitted on Major Charge	Not guilty: mentally incompetent	Major charge withdrawn	Major charge dismissed	Orders issued/ varied/ revoked	Withdrawn on completion of mental health diversion program	Other (eg. Defendant died)	Total	
		With penalty	Without Penalty									No.	%
False pretences													
- credit/debit cards	0	5	0	3	0	0	2	0	0	0	0	10	1.6
- cheques	0	18	0	6	0	2 (1)	14 (1)	8	0	0	0	48	7.5
- other	4	60	1	20	0	1	27 (2)	22 (1)	0	0	0	135	21.0
Forge and utter (excluding cheques)	1	4	1	1	0	0	4	2	0	0	0	13	2.0
False statement													
- unemployment benefit	0	50	0	0	0	0	5	0	0	0	0	55	8.6
- other social security benefit	0	48	0	2	0	0	12	1	0	0	0	63	9.8
- unspecified government benefit	0	52	0	1	0	0	8	0	0	0	0	61	9.5
Other fraud with respect to government benefits	0	79	0	5	0	0	26	7 (1)	0	0	1	118	18.4
Other fraud	8	26	1	19	0	0	13 (3)	17	0	1	0	85	13.2
Misappropriation													
- by director/trustee/partner	0	4	0	2	0	0	3 (1)	6	0	0	0	15	2.3
- by employee	0	16	0	5	0	0	3	11 (2)	0	0	0	35	5.4
Counterfeiting	0	4	0	0	0	0	1	0	0	0	0	5	0.8
Total	13	366	3	64	0	3 (1)	118 (7)	74 (4)	0	1	1	643	
Percentage	2.0	56.9	0.5	10.0	0	0.5	18.4	11.5	0	0.2	0.2		100.0

Numbers in brackets indicate cases where the defendant was not found guilty of the major charge but was found guilty of another charge. The bracketed numbers are also included in the total alongside which they appear. Thus 10(1) would mean that of the 10 cases with a given outcome, 10 were not guilty of the major charge but in one case there was a finding of guilt for an offence which was not the major charge. Some of these other charges may be for offences in groups other than the major charge - e.g. a person charged with *assault (an offence against the person)* may eventually be found guilty and convicted of only *offensive language*. In such instances cases are shown in the penalty tables for the offence group for which they were convicted. The way in which the data have been presented in this table differs from that used for the corresponding table in *Crime and Justice* reports prior to 1996 (see Appendix A for explanation). For 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		Guilty without conviction	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									No.	%
Receiving	2	46	2	14	0	1	41 (18)	17 (7)	0	0	0	123	3.5
Unlawful possession of stolen goods	4	186	12	59	0	0	120 (18)	29 (5)	0	0	0	410	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	5	12	0	0	0	0	9 (3)	21 (6)	0	0	0	47	1.3
Illegal use of a motor vehicle	0	133	0	10	0	1	92 (15)	49 (9)	0	0	1	286	8.1
Interfere with a motor vehicle	0	38	1	11	0	1	20 (11)	7 (2)	0	0	0	78	2.2
Larceny or illegal use of other vehicle	1	24	2	6	0	1	10 (3)	13 (2)	0	0	1	58	1.6
Larceny from the person	0	0	0	0	0	0	0	0	0	0	0	0	0
Larceny of livestock	0	1	0	1	0	0	0	0	0	0	0	2	0.1
Larceny from shops	0	601	73	421	1	3	111 (13)	24 (1)	0	8	3	1,245	35.3
Other larceny	3	582	51	305	0	9	231 (46)	87 (14)	0	13 (2)	1	1,282	36.3
Total	15	1,623	141	827	1	16	634 (127)	247 (46)	0	21 (2)	6	3,531	
Percentage	0.4	46.0	4.0	23.4	0.0	0.5	18.0	7.0	0	0.6	0.2		100.0

Numbers in brackets indicate cases where the defendant was not found guilty of the major charge but was found guilty of another charge. The bracketed numbers are also included in the total alongside which they appear. Thus 10(1) would mean that of the 10 cases with a given outcome, 10 were not guilty of the major charge but in one case there was a finding of guilt for an offence which was not the major charge. Some of these other charges may be for offences in groups other than the major charge - e.g. a person charged with *assault* (an offence against the person) may eventually be found guilty and convicted of only *offensive language*. In such instances cases are shown in the penalty tables for the offence group for which they were convicted. 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		Guilty without conviction	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									No.	%
Arson or damage by explosives													
- dwellings	4	3	0	0	0	1	0	0	0	0	0	8	0.7
- 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	1	3 (1)	5 (2)	0	0	0	11	0.9
- other/not known	5	9	0	1	0	0	1	5	0	1	0	21	1.8
Property damage (not arson or explosives)													
- dwellings	0	151	8	66	0	0	48 (6)	12 (4)	0	0	1	286	24.2
- shops	0	54	1	14	0	1	15 (1)	3 (2)	0	0	0	88	7.4
- schools	0	3	0	1	0	0	0	0	0	0	0	4	0.3
- factory/warehouse	0	1	0	0	0	0	0	0	0	0	0	1	0.1
- motor vehicle	0	181	8	77	0	2	56 (12)	17 (3)	0	3	1	345	29.2
- other/not known	1	186	15	94	0	2	71 (19)	19 (3)	0	1	0	389	32.9
Other property damage offences	0	3	1	1	0	0	3 (2)	4 (2)	0	0	0	12	1.0
Environmental offences	0	12	1	1	0	0	2 (1)	0	0	0	0	16	1.4
Total	11	605	34	255	0	7	199 (32)	65 (16)	0	4	2	1,182	
Percentage	0.9	51.2	2.9	21.6	0	0.6	16.8	5.5	0	0.3	0.2	100.0	

Numbers in brackets indicate cases where the defendant was not found guilty of the major charge but was found guilty of another charge. The bracketed numbers are also included in the total alongside which they appear. Thus 10(1) would mean that of the 10 cases with a given outcome, 10 were not guilty of the major charge but in one case there was a finding of guilt for an offence which was not the major charge. Some of these other charges may be for offences in groups other than the major charge - e.g. a person charged with *assault (an offence against the person)* may eventually be found guilty and convicted of only *offensive language*. In such instances cases are shown in the penalty tables for the offence group for which they were convicted. The way in which the data have been presented in this table differs from that used for the corresponding table in *Crime and Justice* reports prior to 1996 (see Appendix A for explanation). For 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		Guilty without conviction	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									No.	%
Offences against govt. security and operations	1	0	0	0	0	0	3	3	0	0	0	7	0.1
Contempt of court	0	0	0	0	0	0	2	0	0	0	0	2	0.0
Perjury	0	1	0	2	0	0	1	1	0	0	0	5	0.1
Pervert the course of justice	7(2)	0	0	0	0	0	2 (1)	11 (2)	0	0	0	20	0.4
Breach court order (parole, bail, etc.)	0	515	395	77	0	1	99 (15)	20 (1)	0	4 (1)	0	1,111	19.9
Breach restraining/summary protection order	0	42	13	17	0	0	21 (2)	4	0	1	0	98	1.8
Breach domestic violence restraining order	0	73	22	44	0	0	42	13	0	1	0	195	3.5
Escape from custody (excluding prisons)	4	1	0	0	0	0	0	4 (3)	0	0	0	9	0.2
Resist/hinder police	0	418	123	234	0	1	64 (28)	14 (6)	0	1	3	858	15.4
Conspiracy	0	0	0	0	0	0	0	2 (1)	0	0	0	2	0.0
Offences against justice procedures	3	60	5	22	0	0	23 (8)	7 (2)	0	0	0	120	2.2
Possession/use of firearms	42	170	4	68	0	0	29 (7)	18	0	0	0	331	5.9
Possession/use of bombs	0	0	0	0	0	0	0	0	0	0	0	0	0
Possession/use of other weapons	0	215	14	76	0	1	43 (8)	6	0	0	0	355	6.4
Other weapon offences	0	25	0	19	0	0	15 (4)	0	0	0	0	59	1.1
Pornography and censorship offences	2	15	0	3	0	0	6	1	0	0	0	27	0.5
Liquor licensing offences	0	64	11	20	0	0	16	2	0	0	0	113	2.0
Betting and gaming offences	0	0	0	0	0	0	1	0	0	0	0	1	0.0
Trespassing offences	0	128	37	82	0	0	40 (7)	8	0	0	1	296	5.3
Consorting	0	1	0	0	0	0	0	0	0	0	0	1	0.0
Prostitution offences	0	20	3	1	0	0	0	0	0	0	0	24	0.4
Found with intent to commit a crime	1	25	2	2	1	0	18 (8)	14 (2)	0	0	0	63	1.1
Indecent/offensive language	0	74	18	32	0	0	7 (1)	1	0	0	0	132	2.4
Disorderly behaviour	0	541	162	296	0	0	74 (16)	5 (1)	0	4	2	1,084	19.4
Offensive behaviour	0	21	3	6	0	0	4	0	0	0	0	34	0.6
Loitering	0	79	37	96	0	0	10 (1)	3	0	0	0	225	4.0
Urinating/defecating in public	0	196	13	54	0	0	9	0	0	0	0	272	4.9
Graffiti and related offences	0	49	1	40	0	0	14	0	0	0	0	104	1.9
Other offences	0	12	7	6	0	0	7	1	0	0	0	33	0.6
Total	60(2)	2,745	870	1,197	1	3	550 (106)	138 (19)	0	11 (1)	6	5,581	
Percentage	1.1	49.2	15.6	21.4	0.0	0.1	9.9	2.5	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. 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	44	1	24	0	0	7 (2)	1	0	0	0	77	4.7
Possess/use other drug	0	52	5	5	0	0	6 (1)	2	0	0	1	71	4.4
Import/export cannabis	0	0	0	0	0	0	1	0	0	0	0	1	0.1
Import/export other drug	0	0	0	0	0	0	0	0	0	0	0	0	0
Sell/possess for sale cannabis	63	82	0	15	0	0	27 (14)	33 (7)	0	0	0	220	13.5
Sell/possess for sale other drug	87 (2)	2	0	1	0	0	0	100 (6)	0	0	0	190	11.6
Produce/manufacture cannabis	45 (1)	517	1	335	0	0	42 (5)	27	0	0	0	967	59.3
Produce/manufacture other drug	22	5	0	5	0	0	4	26	0	0	0	62	3.8
Other drug offences	0	27	3	9	0	0	3	2 (2)	0	0	0	44	2.7
Total	217 (3)	729	10	394	0	0	90 (22)	191 (15)	0	0	1	1,632	
Percentage	13.3	44.7	0.6	24.1	0	0	5.5	11.7	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. 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		Guilty without conviction	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									No.	%
Driving under the influence of alcohol/drugs	0	640	2	4	0	0	123 (84)	7 (4)	0	0	3	779	9.0
Exceed prescribed concentration of alcohol													
.001 to .049	0	21	1	0	0	0	3	0	0	0	0	25	0.3
.050 to .079	0	136	0	5	0	0	11	0	0	0	0	152	1.7
.080 to .149	0	3,443	0	5	0	0	82 (1)	16	0	0	1	3,547	40.8
.150 or more	0	1,154	0	1	0	0	50	9	0	0	3	1,217	14.0
Unknown	0	21	0	0	0	0	3	1	0	0	0	25	0.3
Refuse to supply blood sample	0	5	0	0	0	0	1	0	0	0	0	6	0.1
Refuse breath/alcotest	0	120	0	0	0	0	20	2	0	0	1	143	1.6
Dangerous or reckless driving	0	677	0	6	1	0	89 (15)	18 (2)	0	0	2	793	9.1
Driving while licence suspended or cancelled	0	1,714	38	34	0	0	197 (23)	24 (1)	0	2	1	2,010	23.1
Driving without a licence	0	0	0	0	0	0	0	0	0	0	0	0	0
Other driving licence offences	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	7,931	41	55	1	0	579 (123)	77 (7)	0	2	11	8,697	
Percentage	0	91.2	0.5	0.6	0.0	0.0	6.7	0.9	0	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		Guilty without conviction	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									No.	%
Banking, financial and insurance offences	2	12	0	1	0	0	1	3	0	0	0	19	4.0
Taxation and stamp duty (excluding excise)	0	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	0	1	0.2
Customs, excise, imports/exports (non-drugs)	1	30	0	2	0	0	0	3	0	0	0	36	7.6
Immigration, passports, etc.	0	16	0	1	0	0	4	12	0	0	0	33	7.0
Electoral offences	0	0	0	0	0	0	0	0	0	0	0	0	0
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	1	0	0	0	0	0	0	0	0	0	1	0.2
Bankruptcy	0	7	0	0	0	0	0	1	0	0	0	8	1.7
Copyright and patents	0	1	0	0	0	0	0	0	0	0	0	1	0.2
Offences in custody (against prison rules)	4	0	0	0	0	0	0	0	0	0	0	4	0.8
Other offences	0	184	104	23	0	0	53 (4)	6	0	0	0	370	78.2
Total	7	251	104	27	0	0	59 (4)	25	0	0	0	473	
Percentage	1.5	53.1	22.0	5.7	0	0	12.5	5.3	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. 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	387	76	14	69	28	4	13	591	45.3
Application for issuance of restraining order - telephone application	0	7	0	0	2	2	0	0	11	0.8
Application to vary/revoke restraining order	0	0	1	3	1	2	0	2	9	0.7
Registration interstate/foreign restraining order	0	3	0	0	0	0	0	1	4	0.3
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	0	404	144	22	47	25	3	5	650	49.8
Application for issuance of domestic violence restraining order - telephone application	0	7	5	0	2	0	1	0	15	1.2
Application to vary/revoke domestic violence restraining order	0	0	1	4	2	1	1	4	13	1.0
Registration foreign domestic violence restraining order	0	2	0	0	0	0	0	1	3	0.2
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	0	0	2	1	0	1	8	0.6
Application for issuance of paedophile restraining order - telephone application	0	0	0	0	0	0	0	0	0	0
Total	0	814	227	43	125	59	9	27	1,304	
Percentage	0	62.4	17.4	3.3	9.6	4.5	0.7	2.1		100.0
Orders issued under s.19A of the Criminal Law (Sentencing) Act	0	32	0	0	0	0	0	0	32	

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	No Penalty	Unconditional release	Conditional Release (weeks)				Detention (weeks)				Total	
			No.	Min	Av	Max	No.	Min	Av	Max	No.	%
Assault occasioning actual bodily harm	0	0	5	52	83	104	0	-	-	-	6	9.2
Common assault, female victim	0	0	1	17	17	17	0	-	-	-	1	1.5
Common assault, family member	0	1	0				0	-	-	-	1	1.5
Assault Police	0	0	5	52	52	52	0	-	-	-	5	7.7
Other offences against the person	0	0	1	52	52	52	0	-	-	-	1	1.5
Indecent assault, female victim, age 17 or over	0	0	2	52	65	78	0	-	-	-	2	3.1
Other sexual offences	0	0	1	52	52	52	0	-	-	-	1	1.5
Other criminal trespass-place of residence	0	0	1	65	65	65	0	-	-	-	1	1.5
False pretences, cheques (inc Forge and Utter)	0	0	1	78	78	78	0	-	-	-	1	1.5
Unlawful possession of stolen goods	0	0	5	26	41	73	0	-	-	-	5	7.7
Illegal use of a motor vehicle	0	0	1	104	104	104	0	-	-	-	1	1.5
Interfere with motor vehicle	0	0	1	52	52	52	1	4	4	4	2	3.1
Larceny, illegal use of other vehicle	0	1	0				0	-	-	-	1	1.5
Larceny from shops	0	0	1	52	52	52	0	-	-	-	2	3.1
Other larceny	0	0	7	26	61	104	0	-	-	-	7	10.8
Arson,expl-other/not known	0	0	1	78	78	78	0	-	-	-	1	1.5
Property damage - shops	0	0	1	26	26	26	0	-	-	-	1	1.5
Property damage - motor vehicle	0	0	1	78	78	78	0	-	-	-	1	1.5
Property damage -other/not known	0	0	0				0	-	-	-	1	1.5
Breach court order (parole, bail, etc)	0	0	3	52	81	104	0	-	-	-	4	6.2
Resist/hinder police	0	2	7	26	59	156	1	4	4	4	10	15.4
Offences against justice procedures	0	1	0	-	-	-	0	-	-	-	1	1.5
Possession/use of other weapons	0	0	3	52	61	78	0	-	-	-	3	4.6
Trespassing offences	0	0	1	26	26	26	0	-	-	-	1	1.5
Found with intent to commit a crime	0	1	0	-	-	-	0	-	-	-	1	1.5
Disorderly behaviour	0	0	2	26	39	52	0	-	-	-	2	3.1
Dangerous or reckless driving	0	0	1	52	52	52	0	-	-	-	1	1.5
Drive while licence suspended or cancelled	0	0	1	52	52	52	0	-	-	-	1	1.5
Total	0	6	53	17	59	156	2	4	4	4	65	
Percentage	0	9.2	81.5				3.1	-	-	-	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=65) is slightly higher than the total number of cases listed in Table 2.1 as not guilty on grounds of mental incompetence (n=60) 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)	111	26	9	0	419	50	350	1,500	7	601	88	350	135	1	29	228	1,746	8.1
Sexual offences	4	0	0	0	26	50	307	750	0	28	2	23	7	13	50	164	90	0.4
Robbery and extortion	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Serious criminal trespass	9	1	1	0	6	200	692	2,000	1	48	10	238	180	1	77	535	494	2.3
Fraud and misappropriation	11	0	7	0	56	50	383	2,000	1	134	7	198	28	1	38	195	442	2.1
Larceny and receiving	283	0	72	0	916	15	214	2,500	47	707	134	362	180	1	31	182	2,701	12.6
Property damage and environmental offences	64	2	159	0	386	20	225	1,000	2	210	63	48	15	1	14	104	949	4.4
Offences against good order	1,458	5	121	0	2,695	10	200	5,000	104	439	193	139	94	1	11	164	5,248	24.4
Drug offences	16	0	42	0	983	50	302	1,500	1	62	16	27	5	4	18	52	1,152	5.4
Driving offences	53	0	0	0	707	42	342	1,800	6,399	108	181	662	154	1	10	87	8,264	38.5
Other offences	110	0	4	0	237	30	1,652	10,000	2	29	6	12	4	13	20	26	404	1.9
Non-offence matters	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	2,119	34	415	0	6,431	10	300	10,000	6,564	2,366	700	2,059	802	1	35	535	21,490	
Percentage	9.9	0.2	1.9	0	29.9				30.5	11.0	3.3	9.6	3.7					100.0

More than one penalty type may be imposed per major charge, but only the most severe penalty is shown in this table. 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	1,500	1,500	1,500	0	1	0	12	13	13	62	104	27	1.5
Assault occasioning actual bodily harm	4	1	0	0	25	100	496	1,000	0	40	8	106	44	4	27	69	228	13.1
Other major assault	1	0	0	0	1	500	500	500	1	0	0	6	5	3	34	121	14	0.8
Common assault																		
- of a male	39	7	1	0	174	50	360	1,400	0	158	25	55	19	2	13	52	478	27.4
- of a female	20	9	2	0	86	80	299	1,000	1	134	17	28	8	3	11	21	305	17.5
- sex of victim unspecified	5	0	2	0	22	60	291	600	0	10	1	3	1	8	8	8	44	2.5
Common assault of family member	23	7	0	0	42	100	331	1,000	0	150	16	47	19	1	38	228	304	17.4
Other minor assault	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Assault police	17	0	4	0	62	100	355	1,000	3	80	18	56	14	2	12	26	254	14.5
Kidnapping and abduction	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Ill treatment of children	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Hijacking	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Defamation and libel	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Stalking	0	0	0	0	0	-	-	-	0	1	0	0	0	-	-	-	1	0.1
Other offences against the person	2	2	0	0	6	100	258	400	2	27	3	37	12	4	38	86	91	5.2
Total	111	26	9	0	419	50	350	1,500	7	601	88	350	135	1	29	228	1,746	
Percentage	6.4	1.5	0.5	0	24.0				0.4	34.4	5.0	20.0	7.7					100.0

More than one penalty type may be imposed per major charge, but only the most severe penalty is shown in this table. 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	Restraining order	Other order	Rising of the court	Fine (\$)			Suspension of driver's licence	Bond	Community Service Order	Suspended imprisonment	Imprisonment (weeks)			Total			
					No.	Min	Av					Max	No.	Min	Av	Max	No.	%
Rape of female																		
- Victim age under 12	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
- Victim age 12 to 16	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
- Victim age 17 or over	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
- Victim age unspecified	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Attempted rape of female																		
- Victim age under 12	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
- Victim age 12 to 16	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
- Victim age 17 or over	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
- Victim age unspecified	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Rape of male																		
- Victim age under 12	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
- Victim age 12 to 16	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
- Victim age 17 or over	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
- Victim age unspecified	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Attempted rape of male																		
- Victim age under 12	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
- Victim age 12 to 16	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
- Victim age 17 or over	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
- Victim age unspecified	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Rape of victim sex and age unspecified																		
- Victim age unspecified	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Attempted rape of victim sex and age unspecified																		
- 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.	%
Indecent assault of female																		
- Victim age under 12	0	0	0	0	0	-	-	-	0	0	0	1	3	26	72	164	4	4.4
- Victim age 12 to 16	0	0	0	0	2	200	475	750	0	2	0	3	0	-	-	-	7	7.8
- Victim age 17 or over	0	0	0	0	2	300	350	400	0	3	0	7	1	34	34	34	13	14.4
- Victim age unspecified	0	0	0	0	0	-	-	-	0	1	0	1	1	60	60	60	3	3.3
Indecent assault 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	1	0	-	-	-	1	1.1
- Victim age 17 or over	0	0	0	0	0	-	-	-	0	1	0	0	0	-	-	-	1	1.1
- Victim age unspecified	0	0	0	0	0	-	-	-	0	1	0	1	0	-	-	-	2	2.2
Indecent assault of victim sex and age unspecified	0	0	0	0	0	-	-	-	0	0	0	1	0	-	-	-	1	1.1
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	4	0	0	0	18	50	255	500	0	18	2	5	0	-	-	-	47	52.2
Gross indecency	0	0	0	0	0	-	-	-	0	1	0	1	2	13	20	26	4	4.4
Persistent sexual abuse of a child	0	0	0	0	0	-	-	-	0	0	0	0	-	-	-	-	0	0
Other sexual offences	0	0	0	0	4	240	435	600	0	1	0	2	0	-	-	-	7	7.8
Total	4	0	0	0	26	50	307	750	0	28	2	23	7	13	50	164	90	
Percentage	4.4	0	0	0	28.9				0	31.1	2.2	25.6	7.8					100.0

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

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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	0	0	0	0	-	-	-	0	0
Extortion	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Total	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	
Percentage	0	0	0	0	0				0	0	0	0	0					100.0

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

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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	
Break and enter dwellings	0	0	0	0	0	-	-	-	0	1	0	2	1	65	65	65	4	0.8
Break and enter dwellings with intent	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	
Break and enter shops	0	0	0	0	0	-	-	-	0	0	0	1	0	-	-	-	1	0.2
Break and enter shops with intent	0	0	0	0	0	-	-	-	0	0	0	0	-	-	-	0	0	
Break and enter schools	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	
Break and enter other building	0	0	0	0	1	400	400	400	0	1	0	3	1	34	34	34	6	1.2
Break and enter other building with intent	0	0	0	0	0	-	-	-	0	0	0	0	-	-	-	0	0	
Non aggravated serious criminal trespass																		
- place of residence	2	0	0	0	0	-	-	-	0	17	1	85	84	4	89	535	189	38.3
- shops	1	0	0	0	1	800	800	800	0	3	4	25	21	13	70	260	55	11.1
- school	0	0	0	0	0	-	-	-	0	0	0	7	1	52	52	52	8	1.6
- other building	3	0	0	0	1	200	200	200	0	16	4	91	59	1	69	208	174	35.2
Aggravated serious criminal trespass																		
- place of residence	0	0	0	0	0	-	-	-	0	1	0	4	3	26	74	104	8	1.6
- shops	1	0	0	0	0	-	-	-	0	0	0	4	4	26	58	73	9	1.8
- school	0	0	0	0	0	-	-	-	0	0	0	3	1	52	52	52	4	0.8
- other building	0	0	0	0	0	-	-	-	0	0	0	6	3	39	56	78	9	1.8
Other criminal trespass –place of residence	2	1	0	0	1	300	300	300	0	7	1	7	2	4	15	26	21	4.3
Offences related to break and enter	0	0	1	0	2	450	1,225	2,000	1	2	0	0	-	-	-	-	6	1.2
Total	9	1	1	0	6	200	692	2,000	1	48	10	238	180	1	77	535	494	
Percentage	1.8	0.2	0.2	0	1.2				0.2	9.7	2.0	48.2	36.4					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.
On 25th December 1999 new legislation was proclaimed which replaced *break and enter offences* (other than sacrilege) with a range of *criminal trespass* offences (for more details see Appendix A).

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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	0	0	3	50	183	400	0	1	2	2	2	52	65	78	10	2.3
- cheques	1	0	2	0	6	100	250	500	0	4	0	12	0	-	-	-	25	5.7
- other	3	0	1	0	15	100	347	2,000	0	26	2	30	6	4	39	117	83	18.8
Forge and utter (excluding cheques)	1	0	0	0	0	-	-	-	0	2	0	2	1	195	195	195	6	1.4
False statement																		
- unemployment benefit	0	0	0	0	3	400	567	900	0	14	0	29	5	4	13	17	51	11.5
- other social security benefit	0	0	0	0	1	450	450	450	0	17	2	29	1	4	4	4	50	11.3
- unspecified govt. benefit	0	0	0	0	3	400	633	750	0	25	0	23	3	8	24	52	54	12.2
Other fraud with respect to government benefits	0	0	0	0	2	450	725	1,000	0	20	0	57	6	4	19	65	85	19.2
Other fraud	5	0	4	0	12	50	308	700	1	15	1	4	4	1	66	117	46	10.4
Misappropriation																		
- by director/trustee/partner	0	0	0	0	2	100	300	500	0	3	0	2	0	-	-	-	7	1.6
- by employee	1	0	0	0	6	50	342	650	0	6	0	8	0	-	-	-	21	4.8
Counterfeiting	0	0	0	0	3	100	783	2,000	0	1	0	0	0	-	-	-	4	0.9
Total	11	0	7	0	56	50	383	2,000	1	134	7	198	28	1	38	195	442	
Percentage	2.5	0	1.6	0	12.7				0.2	30.3	1.6	44.8	6.3					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.

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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	7	0	0	0	19	100	333	800	0	14	6	15	6	17	34	69	67	2.5
Unlawful possession of stolen goods	24	0	18	0	124	50	298	1,000	2	89	23	36	15	1	15	34	331	12.3
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	1	500	500	500	0	3	0	7	1	78	78	78	12	0.4
Illegal use of a motor vehicle	0	0	0	0	0	-	-	-	27	27	12	53	40	4	24	112	159	5.9
Interfere with a motor vehicle	1	0	0	0	1	350	350	350	12	14	1	15	13	4	20	69	57	2.1
Larceny or illegal use of other vehicle	2	0	0	0	8	100	261	500	0	11	1	4	6	8	75	182	32	1.2
Larceny from the person	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Larceny of livestock	1	0	0	0	0	-	-	-	0	1	0	0	0	-	-	-	2	0.1
Larceny from shops	152	0	31	0	439	35	174	1,000	2	296	41	94	36	1	20	104	1,091	40.4
Other larceny	96	0	23	0	324	15	227	2,500	4	252	50	138	63	1	43	182	950	35.2
Total	283	0	72	0	916	15	214	2,500	47	707	134	362	180	1	31	182	2,701	
Percentage	10.5	0	2.7	0	33.9				1.7	26.2	5.0	13.4	6.7					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. 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	1	0	0	-	-	-	0	1	0	1	0	-	-	-	3	0.3
- 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	1	250	250	250	0	0	0	1	0	-	-	-	2	0.2
- other/not known	0	0	2	0	3	100	233	400	0	4	1	1	1	13	13	13	12	1.3
Property damage (not arson)																		
- dwellings	16	1	42	0	96	50	204	600	0	50	16	11	3	1	6	13	235	24.8
- shops	4	0	14	0	34	50	240	500	0	11	7	2	2	1	2	3	74	7.8
- schools	0	0	2	0	1	1,000	1,000	1,000	0	1	0	1	0	-	-	-	5	0.5
- factory/warehouse	0	0	0	0	2	300	300	300	0	1	0	0	0	-	-	-	3	0.3
- motor vehicle	15	1	43	0	118	50	262	800	2	75	16	13	5	1	6	17	288	30.3
- other/not known	27	0	55	0	123	20	196	500	0	62	20	18	4	1	37	104	309	32.6
Other property damage offences																		
	1	0	0	0	0	-	-	-	0	2	1	0	0	-	-	-	4	0.4
Environmental offences																		
	1	0	0	0	8	100	175	500	0	3	2	0	0	-	-	-	14	1.5
Total																		
	64	2	159	0	386	20	225	1,000	2	210	63	48	15	1	14	104	949	
Percentage																		
	6.7	0.2	16.8	0	40.7				0.2	22.1	6.6	5.1	1.6					100.0

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

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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	1	0	0	0	-	-	-	1	0.0
Contempt of court	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Perjury	0	0	0	0	3	300	350	400	0	1	0	0	0	-	-	-	3	0.1
Pervert the course of justice	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Breach court order (parole, bail, etc.)	492	1	10	0	291	10	213	1,500	38	76	54	58	59	1	13	164	1,079	20.6
Breach restraining order	17	0	1	0	27	60	277	1,000	0	23	3	4	3	13	14	17	78	1.5
Breach domestic violence restraining order	40	0	0	0	53	50	227	500	1	47	2	6	4	1	7	13	153	2.9
Escape from custody (excluding prisons)	0	0	0	0	0	-	-	-	0	0	0	1	0	-	-	-	1	0.0
Resist/hinder police	254	1	5	0	450	40	233	1,000	43	86	29	13	8	1	4	8	889	16.9
Conspiracy	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Offences against justice procedures	11	0	7	0	41	50	301	1,500	4	21	7	4	1	17	17	17	96	1.8
Possession/use of firearms	9	0	24	0	194	40	334	5,000	0	12	5	3	2	26	33	39	249	4.7
Possession/use of bombs	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Possession/use of other weapons	20	0	67	0	190	15	207	1,400	9	33	12	6	4	1	5	13	341	6.5
Other weapon offences	0	0	2	0	42	50	332	2,500	0	2	1	0	0	-	-	-	47	0.9
Pornography and censorship offences	0	0	0	0	6	300	1,417	4,500	0	2	0	9	1	17	17	17	18	0.3
Liquor licensing offences	22	0	0	0	74	10	139	1,000	0	0	1	0	0	-	-	-	97	1.8
Betting and gaming offences	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0

Continued on the next page

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

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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	66	0	1	0	126	25	229	800	1	53	12	9	2	4	9	13	270	5.1
Consorting	0	0	0	0	1	300	300	300	0	0	0	0	0	-	-	-	1	0.0
Prostitution offences	3	0	0	0	18	50	117	400	0	2	0	1	0	-	-	-	24	0.5
Found with intent to commit a crime	2	0	0	0	3	180	327	550	0	6	2	17	2	4	6	8	32	0.6
Indecent/offensive language	42	0	0	0	84	25	141	400	2	3	6	0	0	-	-	-	137	2.6
Disorderly behaviour	342	1	0	0	660	10	162	700	5	55	32	2	5	1	3	10	1,102	21.0
Offensive behaviour	4	0	0	0	24	50	174	400	1	3	2	0	0	-	-	-	34	0.6
Loitering	96	0	0	0	111	25	143	500	0	8	1	0	1	1	1	1	217	4.1
Urinating/defecating in public	28	0	0	0	236	20	75	300	0	0	0	0	0	-	-	-	264	5.0
Graffiti and related offences	1	0	4	0	48	50	202	500	0	6	24	6	1	13	13	13	90	1.7
Other offences against good order	9	2	0	0	13	50	260	2,000	0	0	0	0	1	13	13	13	25	0.5
Total	1,458	5	121	0	2,695	10	200	5,000	104	439	193	139	94	1	11	164	5,248	
Percentage	27.8	0.1	2.3	0	51.4				2.0	8.4	3.7	2.6	1.8					100.0

More than one penalty type may be imposed per major charge, but only the most severe penalty is shown in this table. On 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	2	0	5	0	70	50	233	600	0	2	1	0	0	-	-	-	80	6.9
Possess/use other drug	5	0	11	0	43	50	200	500	0	3	0	0	0	-	-	-	62	5.4
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	1	0	60	125	482	1,500	0	15	5	16	1	4	4	4	98	8.5
Sell/possess for sale other drug	0	0	0	0	1	150	150	150	0	1	0	1	0	-	-	-	3	0.3
Produce/manufacture cannabis	4	0	19	0	784	50	301	1,500	0	29	9	9	3	4	24	52	857	74.4
Produce/manufacture other drug	0	0	1	0	6	100	217	300	0	3	0	0	0	-	-	-	10	0.9
Other drug offences	5	0	5	0	19	50	323	800	1	9	1	1	1	13	13	13	42	3.6
Total	16	0	42	0	983	50	302	1,500	1	62	16	27	5	4	18	52	1,152	
Percentage	1.4	0	3.6	0	85.3				0.1	5.4	1.4	2.3	0.4					100.0

More than one penalty type may be imposed per major charge, but only the most severe penalty is shown in this table. 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 and Research 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	2	0	0	0	10	50	209	450	609	2	24	12	5	2	6	8	664	8.0
Exceed prescribed concentration of alcohol																		
.001 to .049	1	0	0	0	16	50	339	700	5	0	0	0	0	-	-	-	22	0.3
.050 to .079	1	0	0	0	57	42	278	750	86	0	3	0	0	-	-	-	147	1.8
.080 to .149	0	0	0	0	13	100	288	700	3,461	2	49	0	0	-	-	-	3,525	42.7
.150 or more	0	0	0	0	0	-	-	-	1,186	1	23	0	0	-	-	-	1,210	14.6
Unknown	0	0	0	0	6	100	283	500	16	0	1	0	0	-	-	-	23	0.3
Refuse to supply blood sample	0	0	0	0	0	-	-	-	5	0	0	0	0	-	-	-	5	0.1
Refuse breath/alcotest	0	0	0	0	0	-	-	-	133	0	5	0	0	-	-	-	138	1.7
Dangerous or reckless driving	0	0	0	0	5	150	330	600	691	3	6	1	1	4	4	4	707	8.6
Driving while licence suspended or cancelled	49	0	0	0	600	60	353	1,800	207	100	70	649	148	1	10	87	1,823	22.1
Driving without a licence	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Other driving licence offences	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Total	53	0	0	0	707	42	342	1,800	6,399	108	181	662	154	1	10	87	8,264	
Percentage	0.6	0	0	0	8.6				77.4	1.3	2.2	8.0	1.9					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 and Research 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	0	0	0	0	9	400	1,078	3,000	0	2	0	2	1	26	26	26	14	3.5
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	0	0	0	0	-	-	-	0	0
Customs, excise, imports/exports (non-drugs)	0	0	0	0	23	200	1,104	4,500	0	3	1	5	0	-	-	-	32	7.9
Immigration, passports, etc	0	0	0	0	0	-	-	-	0	14	0	3	0	-	-	-	17	4.2
Electoral offences	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
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	1	1,000	1,000	1,000	0	0	0	0	0	-	-	-	1	0.2
Bankruptcy	0	0	0	0	5	200	310	500	0	1	1	0	0	-	-	-	7	1.7
Copyright and patents	0	0	0	0	1	750	750	750	0	0	0	0	0	-	-	-	1	0.2
Offences in custody (against prison rule)	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Other offences	110	0	4	0	198	30	1,783	10,000	2	9	4	2	3	13	17	26	332	82.2
Total	110	0	4	0	237	30	1,652	10,000	2	29	6	12	4	13	20	26	404	
Percentage	27.2	0	1.0	0	58.7				0.5	7.2	1.5	3.0	1.0					100.0

More than one penalty type may be imposed per major charge, but only the most severe penalty is shown in this table. 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
	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	13	454	1	1	0	0	0	0	0	1	0	0	0	0	14.7	0	3	0	0	0	0	15
.050 to .079	49	327	10	2	0	0	0	0	0	2	0	0	0	0	7.7	0	14	0	1	0	0	52
.080 to .099	1,178	536	17	1,108	44	8	0	1	0	3	0	0	0	0	6.1	0	1,181	1	10	0	0	1,190
.100 to .149	1,934	606	10	1,102	719	119	4	0	4	7	0	0	0	0	7.1	1	1,966	1	32	0	0	1,970
.150 to .199	786	780	3	4	6	596	137	42	8	2	0	0	0	0	12.7	0	798	0	10	0	0	798
.200 to .249	175	878	1	0	0	46	74	50	8	4	0	0	0	0	15.2	0	183	1	5	0	0	183
.250 and over	33	933	0	0	0	2	9	15	10	2	0	0	0	0	18.6	0	38	0	4	0	0	38
Unknown	19	612	1	7	1	1	3	0	0	0	0	0	0	0	8.2	0	13	0	0	0	0	19
Total	4,187	629	43	2,224	770	772	227	108	30	21	0	0	0	0	8.3	1	4,196	3	62	0	0	4,265
Percentage	98.2																98.4	0.1	1.5	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
	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	243	2	0	0	0	0	0	0	0	0	0	0	0	3.0	0	2	0	0	0	0	7
.050 to .079	91	450	60	10	1	0	0	0	1	0	0	0	0	0	3.6	1	73	0	2	0	0	95
.080 to .099	100	751	0	19	2	63	4	2	8	2	0	0	0	0	12.4	4	104	0	3	0	0	104
.100 to .149	257	817	1	17	30	101	46	23	16	6	2	0	0	0	13.5	19	261	0	4	0	0	261
.150 to .199	130	1,188	0	0	1	21	9	3	2	80	8	0	0	0	30.0	8	132	0	2	0	0	132
.200 to .249	50	1,250	0	0	0	2	4	4	1	30	8	0	0	0	32.6	3	52	0	1	0	0	52
.250 and over	6	1,563	0	0	0	1	0	0	1	1	3	0	1	0	39.0	0	7	0	1	0	0	7
Unknown	2	1,200	0	0	0	1	2	0	0	1	0	0	0	0	18.8	0	4	0	1	0	0	4
Total	643	865	63	46	34	189	65	32	29	120	21	0	1	0	17.4	35	635	0	14	0	0	662
Percentage	97.1														5.3	95.9	0	2.1	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								Average age (years)	Total with age information		Total males	
	18-19	20-24	25-29	30-34	35-39	40-49	50-59	60 and over		Available	Not available	Number	Percentage
Offences against the person (excl. sexual offences)	295	626	474	471	399	433	140	36	31.5	2,874	2	2,876	12.5
Sexual offences	33	53	67	72	78	68	34	25	35.7	430	1	431	1.9
Robbery and extortion	44	60	41	27	13	6	2	0	25.6	193	0	193	0.8
Serious criminal trespass	160	324	218	198	120	97	18	2	28.1	1,137	1	1,138	4.9
Fraud and misappropriation	24	84	87	67	57	63	28	9	32.9	419	0	419	1.8
Larceny and receiving	380	496	382	354	292	288	96	69	30.9	2,357	3	2,360	10.2
Property damage and environmental offences	151	261	165	129	125	99	36	6	29.1	972	3	975	4.2
Offences against good order	662	1,158	726	640	559	647	207	79	30.5	4,678	4	4,682	20.3
Drug offences	40	154	195	282	208	266	95	39	35.5	1,279	1	1,280	5.5
Driving offences	719	1,959	1,257	972	705	1,059	436	178	31.3	7,285	7	7,292	31.6
Other offences	26	65	50	57	34	42	26	8	32.9	308	16	324	1.4
Non-offence matters	38	125	170	209	177	252	87	28	35.9	1,086	19	1,105	4.8
Total	2,572	5,365	3,832	3,478	2,767	3,320	1,205	479	31.4	23,018	57	23,075	
Percentage	11.2	23.3	16.6	15.1	12.0	14.4	5.2	2.1					100.0
Rate per 1,000 adult population	120.0	99.4	78.5	66.4	51.0	29.1	11.9	3.4		39.2			

In Tables 2.28 - 2.31 there is one entry for each finalised appearance by a defendant. These background items refer to the status of the defendant at the time of apprehension. Rates per 1,000 adult population have been derived from Catalogue no. 3201.0 30th June 2005. There were 91 cases where the sex of the defendant was not recorded

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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 age information		Total females	
	18-19	20-24	25-29	30-34	35-39	40-49	50-59	60 and over		Available	Not available	Number	Percentage
Offences against the person (excl. sexual offences)	64	89	83	92	65	71	17	3	30.8	484	9.5	484	9.4
Sexual offences	1	1	0	4	1	1	0	0	30.9	8	0.2	8	0.2
Robbery and extortion	3	5	4	3	2	1	1	0	28.6	19	0.4	19	0.4
Serious criminal trespass	12	20	24	30	11	16	1	1	30.0	115	2.2	115	2.2
Fraud and misappropriation	15	48	45	29	23	47	14	3	32.7	224	4.4	224	4.4
Larceny and receiving	145	216	193	175	146	179	70	41	32.6	1,165	22.7	1,170	22.8
Property damage and environmental offences	27	45	40	35	23	20	10	6	30.7	206	4.0	207	4.0
Offences against good order	101	180	141	153	129	159	21	5	31.0	889	17.4	889	17.3
Drug offences	14	45	57	52	63	84	29	6	35.5	350	6.8	351	6.8
Driving offences	117	332	230	202	185	240	68	26	31.9	1,400	27.3	1,403	27.3
Other offences	4	12	20	17	11	10	1	0	31.0	75	1.5	77	1.5
Non-offence matters	12	19	35	28	32	34	15	11	36.2	186	3.6	195	3.8
Total	515	1,012	872	820	691	862	247	102	32.1	5,121		5,142	
Percentage	10.1	19.8	17.0	16.0	13.5	16.8	4.8	2.0					100.0
Rate per 1,000 adult population	25.1	20.0	19.3	16.0	12.9	7.5	2.4	0.6		8.4			

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 2005. There were 91 cases where the sex of the defendant was not recorded.

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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 age information		Total	
	18-19	20-24	25-29	30-34	35-39	40-49	50-59	60 and over		Available	Not available	Number	Percentage
Offences against the person (excl. sexual offences)	359	715	557	564	464	504	157	39	31.4	3,359	2	3,361	11.9
Sexual offences	34	54	67	76	79	69	34	25	35.6	438	1	439	1.6
Robbery and extortion	47	65	45	30	15	7	3	0	25.9	212	0	212	0.7
Serious criminal trespass	172	344	242	228	131	113	19	3	28.3	1,252	1	1,253	4.4
Fraud and misappropriation	39	132	132	96	80	110	42	12	32.8	643	0	643	2.3
Larceny and receiving	525	712	575	529	439	467	166	110	31.5	3,523	8	3,531	12.5
Property damage and environmental offences	178	306	205	164	148	119	46	12	29.4	1,178	4	1,182	4.2
Offences against good order	763	1,338	870	793	688	806	228	84	30.6	5,570	11	5,581	19.7
Drug offences	54	199	252	334	271	351	124	45	35.5	1,630	2	1,632	5.8
Driving offences	836	2,291	1,487	1,175	890	1,299	504	204	31.4	8,686	11	8,697	30.7
Other offences	32	93	81	87	52	59	29	10	32.4	443	30	473	1.7
Non-offence matters	50	144	205	238	209	286	102	39	35.9	1,273	31	1,304	4.6
Total	3,089	6,393	4,718	4,314	3,466	4,190	1,454	583	31.5	28,207	101	28,308	
Percentage	11.0	22.7	16.7	15.3	12.3	14.9	5.2	2.1					100.0
Rate per 1,000 adult population	73.6	61.1	50.2	41.7	32.1	18.3	7.1	1.9		23.6			

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 2005.

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 106 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	Percentage of Aboriginals per offence group	Information not available
	Aboriginal	Non-Aboriginal			
Offences against the person (excl. sexual offences)	716	2,575	3,291	21.8	70
Sexual offences	40	384	424	9.4	15
Robbery and extortion	48	164	212	22.6	0
Serious criminal trespass	217	1,031	1,248	17.4	5
Fraud and misappropriation	19	473	492	3.9	151
Larceny and receiving	384	3,003	3,387	11.3	144
Property damage and environmental offences	240	902	1,142	21.0	40
Offences against good order	1,120	4,294	5,414	20.7	167
Drug offences	32	1,505	1,537	2.1	95
Driving offences	515	7,390	7,905	6.5	792
Other offences	198	133	331	4.2	142
Non-offence matters	110	959	1,069	10.3	235
Total	3,639	22,813	26,452	14.0	1,856
Percentage	13.8	86.2			
Rate per 1,000 adult population	282.3	20.5	23.5		100.0

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 1,856 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								One or more previous imprisonments		Total
	Number of prior criminal convictions							Percentage with prior convictions per offence group	Number	Percentage with prior imprisonment per offence group	
	No prior convictions	1	2-4	5-9	10-49	50 or more	Average				
Offences against the person (excl. sexual offences)	811	204	529	432	1,100	285	15.4	75.9	760	22.6	3,361
Sexual offences	156	35	62	71	87	28	10.4	64.5	76	17.3	439
Robbery and extortion	33	7	17	21	81	53	30.8	84.4	91	42.9	212
Serious criminal trespass	143	54	116	153	487	300	32.1	88.6	562	44.9	1,253
Fraud and misappropriation	246	27	99	107	137	27	10.6	61.7	84	13.1	643
Larceny and receiving	952	218	440	383	1,120	418	18.9	73.0	879	24.9	3,531
Property damage and environmental offences	306	65	195	175	357	84	13.9	74.1	230	19.5	1,182
Offences against good order	1,368	367	872	694	1,680	600	17.5	75.5	1,241	22.2	5,581
Drug offences	410	125	328	255	444	70	10.8	74.9	250	15.3	1,632
Driving offences	2,984	824	1,597	1,203	1,816	273	8.2	65.7	892	10.3	8,697
Other offences	210	27	46	51	113	26	10.5	55.6	47	9.9	473
Non-offence matters	426	79	213	174	349	63	11.1	67.3	205	15.7	1,304
Total	8,045	2,032	4,514	3,719	7,771	2,227	14.1	71.6	5,317	18.8	28,308
Percentage	28.4	7.2	15.9	13.1	27.5	7.9					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.

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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	
	Bail not required	Bail granted	In custody	Bail not required	Bail Granted	In custody	Bail not required	Bail Granted	In custody	Available	Not available
Offences against the person (excl. sexual offences)	326	0	0	626	1,901	318	0	119	62	3,352	9
Sexual offences	20	0	0	42	192	27	0	134	23	438	1
Robbery and extortion	2	0	0	4	59	30	0	62	49	206	6
Serious criminal trespass	59	0	0	59	621	266	0	165	74	1,244	9
Fraud and misappropriation	58	0	0	303	227	41	0	13	0	642	1
Larceny and receiving	862	0	0	927	1,331	379	0	10	5	3,514	17
Property damage and environmental offences	333	0	0	316	417	101	0	6	5	1,178	4
Offences against good order	2,530	0	1	901	1,587	481	0	50	10	5,560	21
Drug offences	573	0	1	388	405	48	0	207	10	1,632	0
Driving offences	3,526	1	1	3,464	1,404	299	0	0	0	8,695	2
Other offences	221	0	0	189	43	13	0	3	4	473	0
Non-offence matters	81	0	0	1,083	116	21	0	0	0	1,301	3
Total	8,591	1	3	8,302	8,303	2,024	0	769	242	28,235	73
Percentage	30.4	0.0	0.0	29.4	29.4	7.2	0	2.7	0.9	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	
	Duty solicitor	Other legal representation	No legal representation	Duty solicitor	Other legal representation	No legal representation	Duty solicitor	Other legal representation	No legal representation	Available	Not available
Offences against the person (excl. sexual offences)	8	107	112	81	2,102	340	5	165	6	2,926	435
Sexual offences	0	4	6	10	211	20	0	147	6	404	35
Robbery and extortion	0	0	1	1	85	4	4	105	2	202	10
Serious criminal trespass	2	35	11	20	808	48	2	223	7	1,156	97
Fraud and misappropriation	0	14	21	8	410	55	0	13	0	521	122
Larceny and receiving	26	159	378	96	1,723	468	0	13	2	2,865	666
Property damage and environmental offences	14	71	133	37	453	168	0	10	0	886	296
Offences against good order	116	542	973	132	1,763	607	0	53	3	4,189	1,392
Drug offences	9	106	294	19	566	135	3	191	11	1,334	298
Driving offences	31	616	1,847	96	2,848	1,301	0	0	0	6,739	1,958
Other offences	4	100	17	4	148	18	0	6	1	298	175
Non-offence matters	1	14	20	14	315	319	0	0	0	683	621
Total	211	1,768	3,813	518	11,432	3,483	14	926	38	22,203	6,105
Percentage	1.0	8.0	17.2	2.3	51.5	15.7	0.1	4.2	0.2	100.0	

The term 'Duty solicitor' refers to solicitors rostered to service courts under the Law Society's Duty Solicitor Scheme, and to solicitors from Legal Services Commission and the Aboriginal Legal Rights Movement who also provide a duty solicitor service. 'Other' legal representation refers to private solicitors and to solicitors from legal aid organisations appearing on occasions other than as duty solicitors.

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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	
	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>	Available	Not available
Offences against the person (excl. sexual offences)	1,548	1	214	1,417	0	0	0	9	162	10	0	0	3,361	0
Sexual offences	77	0	25	180	0	0	0	14	136	7	0	0	439	0
Robbery and extortion	0	0	1	99	0	0	0	20	89	3	0	0	212	0
Serious criminal trespass	473	0	34	507	0	0	0	39	190	10	0	0	1,253	0
Fraud and misappropriation	420	0	23	187	0	0	0	4	9	0	0	0	643	0
Larceny and receiving	2,310	4	117	1,085	0	0	0	3	12	0	0	0	3,531	0
Property damage and environmental offences	797	1	28	345	0	0	0	2	8	1	0	0	1,182	0
Offences against good order	4,127	74	76	1,244	0	0	0	24	33	3	0	0	5,581	0
Drug offences	1,042	8	9	356	0	0	0	32	175	10	0	0	1,632	0
Driving offences	7,658	6	99	933	0	1	0	0	0	0	0	0	8,697	0
Other offences	278	6	12	170	0	0	0	0	7	0	0	0	473	0
Non-offence matters	5	0	21	2	1,276	0	0	0	0	0	0	0	1,304	0
Total	18,735	100	659	6,525	1,276	1	0	147	821	44	0	0	28,308	0
Percentage	66.2	0.4	2.3	23.1	4.5	0.0	0	0.5	2.9	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.