

# 2

# MAGISTRATES COURTS OF SOUTH AUSTRALIA



Magistrates Courts of South Australia  
1 January - 31 December 2006

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sentence	Convicted		Guilty without conviction	Acquitted on Major Charge	Not guilty: mentally incompetent	Major charge withdrawn	Major charge dismissed	Orders issued/ varied/ revoked	Withdrawn on completion of mental health diversion program	Other (eg.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)	175 (9)	1,162	48	486	4	32	620 (127)	1,007 (152)	0	4	6	3,544	10.9
Sexual offences	184 (2)	43	2	19	2	6	29 (2)	174 (10)	0	0	0	459	1.4
Robbery and extortion	109 (5)	0	0	1	0	0	2	127 (20)	0	0	0	239	0.7
Serious criminal trespass	226 (15)	459	6	21	0	10	64 (14)	406 (91)	0	0	2	1,194	3.7
Fraud and misappropriation	11	386	2	57	0	1	118 (10)	56 (4)	0	0	0	631	1.9
Larceny and receiving	19	1,758	125	952	3	18	860 (115)	257 (48)	0	9	4	4,005	12.3
Property damage and environmental offences	19	678	40	314	1	12	243 (32)	77 (12)	0	2	0	1,386	4.2
Offences against good order	89 (4)	3,308	1,120	1,569	1	11	756 (103)	183 (20)	0	6	4	7,047	21.6
Drug offences	286 (14)	863	8	368	0	1	167 (31)	268 (19)	0	1	1	1,963	6.0
Driving offences	0	9,214	44	47	1	7	948 (148)	89 (12)	0	0	10	10,360	31.8
Other offences	16	507	24	31	0	0	64 (5)	27 (2)	0	0	0	669	2.1
Non-offence matters	0	0	0	0	0	0	109	68	943	0	0	1,120	3.4
<b>Total</b>	<b>1,134 (49)</b>	<b>18,378</b>	<b>1,419</b>	<b>3,865</b>	<b>12</b>	<b>98</b>	<b>3,980 (587)</b>	<b>2,739 (390)</b>	<b>943</b>	<b>22</b>	<b>27</b>	<b>32,617</b>	
<b>Percentage</b>	<b>3.5</b>	<b>56.3</b>	<b>4.4</b>	<b>11.8</b>	<b>0.0</b>	<b>0.3</b>	<b>12.2</b>	<b>8.4</b>	<b>2.9</b>	<b>0.1</b>	<b>0.1</b>		<b>100.0</b>

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	16 (1)	0	0	0	0	0	3	13	0	0	0	32	0.9
Attempted murder	13	0	0	0	0	0	0	17	0	0	0	30	0.8
Conspiracy to murder	1 (1)	0	0	0	0	0	0	1	0	0	0	2	0.1
Manslaughter	3	0	0	0	0	0	0	1	0	0	0	4	0.1
Driving causing death	13	0	0	0	0	0	0	3	0	0	0	16	0.5
Other homicide	0	0	0	0	0	1	1	0	0	0	0	2	0.1
Assault occasioning grievous bodily harm	26 (2)	13	0	0	0	1	5 (1)	44 (5)	0	0	0	89	2.5
Assault occasioning actual bodily harm	0	179	0	28	1	6	46 (9)	213 (34)	0	0	4	477	13.5
Other major assault	48 (2)	19	2	3	0	0	9 (5)	46 (4)	0	0	0	127	3.6
Common assault													
- of a male	0	241	9	121	1	5	205 (30)	55 (3)	0	2	0	639	18.0
- of a female	0	134	4	107	0	2	136 (9)	43 (1)	0	1	1	428	12.1
- sex of victim unspecified	0	23	3	16	0	1	20 (2)	3	0	0	0	66	1.9
Common assault of family member	0	166	9	84	2	0	75 (16)	292 (42)	0	0	0	628	17.7
Other minor assault	0	134	3	50	0	2	23 (4)	57 (6)	0	0	0	269	7.6
Assault police	0	201	17	61	0	11	70 (43)	18 (8)	0	0	1	379	10.7
Kidnapping and abduction	8	0	0	0	0	0	1	16 (1)	0	0	0	25	0.7
Ill treatment of children	0	0	0	0	0	0	0	0	0	0	0	0	0
Hijacking	0	1	0	0	0	0	0	0	0	0	0	1	0.0
Defamation and libel	0	0	0	0	0	0	0	3	0	0	0	3	0.1
Stalking	0	0	0	0	0	1	1	5	0	0	0	7	0.2
Other offences against the person	47 (3)	51	1	16	0	2	25 (8)	177 (48)	0	1	0	320	9.0
Total	175 (9)	1,162	48	486	4	32	620 (127)	1,007 (152)	0	4	6	3,544	
Percentage	4.9	32.8	1.4	13.7	0.1	0.9	17.5	28.4	0	0.1	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. 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	2 (1)	0	0	0	0	0	0	6	0	0	0	8	1.7
- Victim age 12 to 16	16	0	0	0	0	0	0	9 (1)	0	0	0	25	5.4
- Victim age 17 or over	41	0	0	0	0	0	1	54 (2)	0	0	0	96	20.9
- Victim age unspecified	8 (1)	0	0	0	0	0	0	14	0	0	0	22	4.8
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	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 male													
- 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	2	0	0	0	0	0	0	3	0	0	0	5	1.1
- Victim age unspecified	2	0	0	0	0	0	0	0	0	0	0	2	0.4
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	1	0	0	0	0	0	0	0	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.	%
<b>Indecent assault of female</b>													
- Victim age under 12	19	1	0	0	0	0	0	7 (1)	0	0	0	27	5.9
- Victim age 12 to 16	6	3	0	1	1	0	2	4 (1)	0	0	0	17	3.7
- Victim age 17 or over	0	5	0	2	1	1	4	21 (1)	0	0	0	34	7.4
- Victim age unspecified	12	2	0	0	0	3	3 (2)	7	0	0	0	27	5.9
<b>Indecent assault of male</b>													
- Victim age under 12	2	1	0	0	0	0	1	4 (1)	0	0	0	8	1.7
- Victim age 12 to 16	2	0	0	0	0	0	1	3 (1)	0	0	0	6	1.3
- Victim age 17 or over	1	0	0	0	0	0	0	7 (1)	0	0	0	8	1.7
- Victim age unspecified	5	0	0	0	0	0	0	4	0	0	0	9	2.0
Indecent assault of victim sex and age unspecified	1	1	0	0	0	0	1	0	0	0	0	3	0.7
<b>Unlawful sexual intercourse with female</b>													
- Victim age under 12	24	0	0	0	0	0	0	9	0	0	0	33	7.2
- Victim age 12 to 16	18	0	0	0	0	0	0	2	0	0	0	20	4.4
- Victim age unspecified	0	0	0	0	0	0	0	1	0	0	0	1	0.2
Unlawful sexual intercourse with female by teacher/guardian	0	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	1	0	0	0	1	0.2
<b>Attempted unlawful sexual intercourse with female</b>													
- 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	3	0	0	0	0	0	0	2	0	0	0	5	1.1	
- Victim age 12 to 16	2	0	0	0	0	0	0	0	0	0	0	2	0.4	
- Victim age unspecified	0	0	0	0	0	0	0	0	0	0	0	0	0	
Unlawful sexual intercourse with male by teacher/guardian	0	0	0	0	0	0	0	0	0	0	0	0	0	
Unlawful sexual intercourse with male with intellectual disability	0	0	0	0	0	0	0	0	0	0	0	0	0	
Attempted unlawful sexual intercourse with male														
- Victim age under 12	0	0	0	0	0	0	0	0	0	0	0	0	0	
- Victim age 12 to 16	0	0	0	0	0	0	0	0	0	0	0	0	0	
- Victim age unspecified	0	0	0	0	0	0	0	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	1	0	0	0	3	0.7	
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	1	0	0	0	0	0	0	0	0	0	0	1	0.2	
Indecent behaviour/exposure	0	23	2	16	0	2	13	6	0	0	0	62	13.5	
Gross indecency	0	1	0	0	0	0	0	2	0	0	0	3	0.7	
Persistent sexual abuse of a child	0	0	0	0	0	0	0	1	0	0	0	1	0.2	
Other sexual offences	13	6	0	0	0	0	3	7 (1)	0	0	0	29	6.3	
Total	184 (2)	43	2	19	2	6	29 (2)	174 (10)	0	0	0	459		
Percentage	40.1	9.4	0.4	4.1	0.4	1.3	6.3	37.9	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. 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
- other institution	7	0	0	0	0	0	0	8	0	0	0	15	6.3
Robbery with other weapon													
- financial institution	0	0	0	0	0	0	0	0	0	0	0	0	0
- other institution	44 (4)	0	0	0	0	0	0	24 (2)	0	0	0	68	28.5
Unarmed robbery with violence													
- financial institution	0	0	0	0	0	0	0	0	0	0	0	0	0
- other institution	34	0	0	0	0	0	0	57 (10)	0	0	0	91	38.1
Unarmed robbery with no violence													
- financial institution	0	0	0	0	0	0	0	0	0	0	0	0	0
- other institution	21 (1)	0	0	1	0	0	1	33 (7)	0	0	0	56	23.4
Extortion	3	0	0	0	0	0	1	5 (1)	0	0	0	9	3.8
Total	109 (5)	0	0	1	0	0	2	127 (20)	0	0	0	239	
Percentage	45.6	0	0	0.4	0	0	0.8	53.1	0	0	0		100.0

Numbers in brackets indicate cases where the defendant was not found guilty of the major charge but was found guilty of another charge. The bracketed numbers are also included in the total alongside which they appear. Thus 10(1) would mean that of the 10 cases with a given outcome, 10 were not guilty of the major charge but in one case there was a finding of guilt for an offence which was not the major charge. Some of these other charges may be for offences in groups other than the major charge - e.g. a person charged with *assault* (an offence against the person) may eventually be found guilty and convicted of only *offensive language*. In such instances cases are shown in the penalty tables for the offence group for which they were convicted. 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	9 (1)	1	0	0	0	14	1.2
Break and enter dwellings with intent	0	0	0	0	0	0	1	0	0	0	0	1	0.1
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	4	0	0	0	0	2	1 (1)	0	0	0	7	0.6
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	0	0	0	0	0	0	0
Break and enter other building	3 (1)	1	1	0	0	0	10	11 (2)	0	0	0	26	2.2
Break and enter other building with intent	0	0	0	0	0	0	0	1	0	0	0	1	0.1
Non Aggravated serious criminal trespass													
- place of residence	23 (1)	190	1	7	0	7	14 (3)	94 (26)	0	0	1	337	28.2
- shops	1 (1)	42	0	0	0	0	4 (1)	15 (3)	0	0	0	62	5.2
- schools	0	16	0	0	0	0	0	1	0	0	0	17	1.4
- other buildings	5 (1)	167	2	2	0	1	14 (9)	51 (14)	0	0	0	242	20.3
Aggravated serious criminal trespass													
- place of residence	160 (5)	9	0	0	0	0	2	163 (25)	0	0	0	334	28.0
- shops	9 (1)	2	0	0	0	0	1	8 (1)	0	0	0	20	1.7
- schools	5	2	0	0	0	0	0	1 (1)	0	0	0	8	0.7
- other buildings	20 (5)	2	0	3	0	0	5	43 (11)	0	0	1	74	6.2
Other criminal trespass – place of residence	0	17	2	8	0	2	1	14 (7)	0	0	0	44	3.7
Offences related to break and enter	0	3	0	1	0	0	1	1	0	0	0	6	0.5
<b>Total</b>	<b>226 (15)</b>	<b>459</b>	<b>6</b>	<b>21</b>	<b>0</b>	<b>10</b>	<b>64 (14)</b>	<b>406 (91)</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>1,194</b>	
Percentage	18.9	38.4	0.5	1.8	0	0.8	5.4	34.0	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. 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	8	0	0	0	0	4 (1)	2	0	0	0	14	2.2
- cheques	0	13	0	3	0	0	13 (1)	3 (1)	0	0	0	32	5.1
- other	5	76	1	24	0	1	36 (3)	20	0	0	0	163	25.8
Forge and utter (excluding cheques)	1	5	0	0	0	0	1	2	0	0	0	9	1.4
False statement													
- unemployment benefit	0	63	0	1	0	0	5	0	0	0	0	69	10.9
- other social security benefit	0	35	0	2	0	0	4	1	0	0	0	42	6.7
- unspecified government benefit	0	37	0	0	0	0	3	0	0	0	0	40	6.3
Other fraud with respect to government benefits	0	98	0	5	0	0	16	3	0	0	0	122	19.3
Other fraud	4	33	1	19	0	0	18 (3)	14 (2)	0	0	0	89	14.1
Misappropriation													
- by director/trustee/partner	1	5	0	1	0	0	8 (1)	4	0	0	0	19	3.0
- by employee	0	9	0	2	0	0	6	3 (1)	0	0	0	20	3.2
Counterfeiting	0	4	0	0	0	0	4 (1)	4	0	0	0	12	1.9
<b>Total</b>	<b>11</b>	<b>386</b>	<b>2</b>	<b>57</b>	<b>0</b>	<b>1</b>	<b>118 (10)</b>	<b>56 (4)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>631</b>	
<b>Percentage</b>	<b>2.0</b>	<b>56.9</b>	<b>0.5</b>	<b>10.0</b>	<b>0</b>	<b>0.5</b>	<b>18.4</b>	<b>11.5</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>100.0</b>	

Numbers in brackets indicate cases where the defendant was not found guilty of the major charge but was found guilty of another charge. The bracketed numbers are also included in the total alongside which they appear. Thus 10(1) would mean that of the 10 cases with a given outcome, 10 were not guilty of the major charge but in one case there was a finding of guilt for an offence which was not the major charge. Some of these other charges may be for offences in groups other than the major charge - e.g. a person charged with *assault (an offence against the person)* may eventually be found guilty and convicted of only *offensive language*. In such instances cases are shown in the penalty tables for the offence group for which they were convicted. 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	0	35	2	7	0	0	32 (6)	11 (3)	0	1	0	88	2.2
Unlawful possession of stolen goods	1	180	17	62	2	0	143 (17)	28 (5)	0	0	0	433	10.8
Handling of stolen goods – other	0	0	0	0	0	0	0	0	0	0	0	0	0
Larceny of a motor vehicle	3	35	0	4	0	0	15 (3)	15 (5)	0	0	0	72	1.8
Illegal use of a motor vehicle	0	130	0	14	0	0	116 (22)	57 (9)	0	1	0	318	7.9
Interfere with a motor vehicle	0	43	0	11	0	4	33 (12)	7 (1)	0	0	0	98	2.4
Larceny or illegal use of other vehicle	4	32	2	9	0	0	15 (3)	16 (4)	0	0	0	78	1.9
Larceny from the person	0	0	0	0	0	0	0	0	0	0	0	0	0
Larceny of livestock	0	0	0	2	0	0	5 (3)	0	0	0	0	7	0.2
Larceny from shops	0	741	69	562	1	9	205 (10)	31 (4)	0	7	1	1,626	40.6
Other larceny	11	562	35	281	0	5	296 (39)	92 (17)	0	0 (2)	3	1,285	32.1
Total	19	1,758	125	952	3	18	860 (115)	257 (48)	0	9 (2)	4	4,005	
Percentage	0.5	43.9	3.1	23.8	0.1	0.4	21.5	6.4	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. 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.	%
<b>Arson or damage by explosives</b>													
- dwellings	11	3	0	1	0	0	0	2	0	0	0	17	1.2
- shops	0	0	0	1	0	0	0	0	0	0	0	1	0.1
- schools	0	1	0	0	0	0	0	0	0	0	0	1	0.1
- factory/warehouse	0	0	0	0	0	0	0	0	0	0	0	0	0.4
- motor vehicle	2	0	0	0	0	0	1	2 (1)	0	0	0	5	0.4
- other/not known	3	5	1	4	0	1	5	6 (1)	0	0	0	25	1.8
<b>Property damage (not arson or explosives)</b>													
- dwellings	2	213	17	78	1	1	68 (10)	16 (3)	0	1	0	397	28.6
- shops	0	61	0	27	0	1	19 (2)	3	0	0	0	111	8.0
- schools	0	2	0	3	0	0	2 (1)	0	0	1	0	8	0.6
- factory/warehouse	0	0	0	0	0	0	0	0	0	0	0	0	0
- motor vehicle	1	191	5	94	0	2	69 (8)	16 (1)	0	0	0	378	27.3
- other/not known	0	191	16	100	0	7	73 (9)	23 (4)	0	0	0	410	29.6
Other property damage offences	0	2	0	3	0	0	3 (1)	5 (2)	0	0	0	13	0.9
Environmental offences	0	9	1	3	0	0	3 (1)	4	0	0	0	20	1.4
<b>Total</b>	<b>19</b>	<b>678</b>	<b>40</b>	<b>314</b>	<b>1</b>	<b>12</b>	<b>243 (32)</b>	<b>77 (12)</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>1,386</b>	
<b>Percentage</b>	<b>1.4</b>	<b>48.9</b>	<b>2.9</b>	<b>22.7</b>	<b>0.1</b>	<b>0.9</b>	<b>17.5</b>	<b>5.6</b>	<b>0</b>	<b>0.1</b>	<b>0</b>	<b>100.0</b>	<b>100.0</b>

Numbers in brackets indicate cases where the defendant was not found guilty of the major charge but was found guilty of another charge. The bracketed numbers are also included in the total alongside which they appear. Thus 10(1) would mean that of the 10 cases with a given outcome, 10 were not guilty of the major charge but in one case there was a finding of guilt for an offence which was not the major charge. Some of these other charges may be for offences in groups other than the major charge - e.g. a person charged with *assault* (an offence against the person) may eventually be found guilty and convicted of only *offensive language*. In such instances cases are shown in the penalty tables for the offence group for which they were convicted. 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									Total		
		With penalty	Without Penalty	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)	No.	%
Offences against govt. security and operations	1	1	0	0	0	0	0	2	0	0	0	4	0.1
Contempt of court	0	1	0	1	0	0	0	0	0	0	0	2	0.0
Perjury	0	0	0	1	0	0	0	0	0	0	0	1	0.0
Pervert the course of justice	13 (1)	1	1	1	0	0	2	11	0	0	0	29	0.4
Breach court order (parole, bail, etc.)	0	777	540	108	0	6	144 (23)	36 (5)	0	1	2	1,614	22.9
Breach restraining/summary protection order	0	39	9	13	0	1	33 (2)	5	0	0	1	100	1.4
Breach domestic violence restraining order	0	94	20	45	1	0	57	6	0	0	0	224	3.2
Escape from custody (excluding prisons)	11	1	0	0	0	0	1	8 (5)	0	0	0	21	0.3
Resist/hinder police	0	483	110	286	0	1	85 (19)	7 (1)	0	1	0	973	13.8
Conspiracy	1	0	0	0	0	0	0	4	0	0	0	5	0.1
Offences against justice procedures	8	63	5	38	0	0	18	13 (1)	0	0	0	145	2.1
Possession/use of firearms	47 (2)	165	2	78	0	0	36 (8)	16 (4)	0	0	0	344	4.9
Possession/use of bombs	0	0	0	0	0	0	0	0	0	0	0	0	0
Possession/use of other weapons	0	256	9	118	0	1	88 (10)	11	0	0	0	483	6.9
Other weapon offences	3	37	0	17	0	0	1 (1)	3	0	0	0	61	0.9
Pornography and censorship offences	5 (1)	11	0	5	0	0	5	4	0	0	0	30	0.4
Liquor licensing offences	0	68	21	54	0	0	29	11	0	0	0	183	2.6
Betting and gaming offences	0	17	1	14	0	0	22 (20)	0	0	0	0	54	0.8
Trespassing offences	0	142	42	86	0	1	52 (4)	8	0	3	1	335	4.8
Consorting	0	3	0	0	0	0	1	0	0	0	0	4	0.1
Prostitution offences	0	8	4	1	0	0	3	4	0	0	0	20	0.3
Found with intent to commit a crime	0	18	1	3	0	0	11 (5)	13 (3)	0	0	0	46	0.7
Indecent/offensive language	0	75	28	37	0	0	21	1	0	0	0	162	2.3
Disorderly behaviour	0	662	263	381	0	0	75 (8)	9 (1)	0	1	0	1,391	19.7
Offensive behaviour	0	20	2	17	0	0	5 (1)	0	0	0	0	44	0.6
Loitering	0	99	38	124	0	0	12	3	0	0	0	276	3.9
Urinating/defecating in public	0	175	18	88	0	0	35	3	0	0	0	319	4.5
Graffiti and related offences	0	84	0	50	0	0	10 (2)	0	0	0	0	144	2.0
Other offences	0	8	6	3	0	1	10	5	0	0	0	33	0.5
Total	89 (4)	3,308	1,120	1,569	1	11	756 (103)	183 (20)	0	6	4	7,047	
Percentage	1.3	46.9	15.9	22.3	0.0	0.2	10.7	2.6	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. 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		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.	%
Possess/use cannabis	0	59	0	33	0	0	5	0	0	0	0	97	4.9
Possess/use other drug	0	53	2	8	0	0	36 (1)	0	0	0	0	99	5.0
Import/export cannabis	0	0	0	0	0	0	0	0	0	0	0	0	0
Import/export other drug	1	0	0	0	0	0	0	1	0	0	0	2	0.1
Sell/possess for sale cannabis	66 (2)	99	0	13	0	0	35 (20)	65 (6)	0	0	1	279	14.2
Sell/possess for sale other drug	128 (6)	1	0	0	0	0	12 (2)	129 (9)	0	0	0	270	13.8
Produce/manufacture cannabis	44 (3)	603	5	290	0	1	61 (6)	26 (1)	0	1	0	1,031	52.5
Produce/manufacture other drug	47 (3)	0	0	1	0	0	0	45 (3)	0	0	0	93	4.7
Other drug offences	0	48	1	23	0	0	18 (2)	2	0	0	0	92	4.7
<b>Total</b>	<b>286 (14)</b>	<b>863</b>	<b>8</b>	<b>368</b>	<b>0</b>	<b>1</b>	<b>167 (31)</b>	<b>268 (19)</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>1,963</b>	
Percentage	14.6	44.0	0.4	18.7	0	0.1	8.5	13.7	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. 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 (72)	629	0	1	0	0	146 (72)	9 (2)	0	0	0	785	7.6
Exceed prescribed concentration of alcohol													
.001 to .049	0	28	0	1	0	0	6	0	0	0	0	35	0.3
.050 to .079	0	193	0	1	0	0	5	2	0	0	0	201	1.9
.080 to .149	0 (1)	4,108	0	5	0	0	232 (1)	19	0	0	3	4,367	42.2
.150 or more	0	1,499	0	1	0	0	97	5	0	0	1	1,603	15.5
Unknown	0	14	0	1	0	0	3	0	0	0	0	18	0.2
Refuse to supply blood sample	0	6	0	0	0	0	1	1	0	0	0	8	0.1
Refuse breath/alcotest	0	200	0	0	0	0	31	4	0	0	1	236	2.3
Dangerous or reckless driving	0 (32)	623	1	5	0	2	141 (32)	11 (1)	0	0	3	786	7.6
Driving while licence suspended or cancelled	0	1,914	43	32	1	5	286 (43)	38 (9)	0	0	2	2,321	22.4
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
<b>Total</b>	<b>0</b>	<b>9,214</b>	<b>44</b>	<b>47</b>	<b>1</b>	<b>7</b>	<b>948 (148)</b>	<b>89 (12)</b>	<b>0</b>	<b>0</b>	<b>10</b>	<b>10,360</b>	
Percentage	0	88.9	0.4	0.5	0.0	0.1	9.2	0.9	0	0	0.1		100.0

Numbers in brackets indicate cases where the defendant was not found guilty of the major charge but was found guilty of another charge. The bracketed numbers are also included in the total alongside which they appear. Thus 10(1) would mean that of the 10 cases with a given outcome, 10 were not guilty of the major charge but in one case there was a finding of guilt for an offence which was not the major charge. Some of these other charges may be for offences in groups other than the major charge - e.g. a person charged with *assault (an offence against the person)* may eventually be found guilty and convicted of only *offensive language*. In such instances cases are shown in the penalty tables for the offence group for which they were convicted. *Exceed prescribed content of alcohol .001 to .049* relates specifically to drivers on a P-plate licence as it is an offence for such licence holders to drive with any concentration of alcohol in their blood. This category also includes P-plate drivers charged with *driving under the influence of alcohol*. The category of *negligent driving* has been omitted from this table with effect from 1995, since this offence falls outside Office of Crime Statistics and Research collection boundaries. The way in which the data have been presented in this table differs from that used for the corresponding table in *Crime and Justice* reports prior to 1996 (see Appendix A for explanation). For more detail regarding cases found not guilty on the grounds of mental incompetence see Appendix A.

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TABLE 2.12 Case outcome by major offence charged. Other offences

Offence Group	Committed for trial or sentence	Convicted		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	35	0	7	0	0	22 (5)	5 (1)	0	0	0	71	10.6
Taxation and stamp duty (excluding excise)	0	1	0	0	0	0	0	0	0	0	0	1	0.1
Posts, telegraphs and telecommunications	0	0	0	0	0	0	0	0	0	0	0	0	0
Customs, excise, imports/exports (non-drugs)	3	22	0	3	0	0	4	4	0	0	0	36	5.4
Immigration, passports, etc.	0	5	0	2	0	0	1	4	0	0	0	12	1.8
Electoral offences	0	1	0	0	0	0	0	0	0	0	0	1	0.1
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	1	0	0	0	1	0	0	0	3	0.4
Bankruptcy	0	12	0	0	0	0	3	0	0	0	0	15	2.2
Copyright and patents	0	0	0	0	0	0	0	0	0	0	0	0	0
Offences in custody (against prison rules)	6	1	0	0	0	0	1	0	0	0	0	8	1.2
Other offences	5	429	24	18	0	0	33	13 (1)	0	0	0	522	78.0
<b>Total</b>	<b>16</b>	<b>507</b>	<b>24</b>	<b>31</b>	<b>0</b>	<b>0</b>	<b>64 (5)</b>	<b>27 (2)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>669</b>	
<b>Percentage</b>	<b>2.4</b>	<b>75.8</b>	<b>3.6</b>	<b>4.6</b>	<b>0</b>	<b>0</b>	<b>9.6</b>	<b>4.0</b>	<b>0</b>	<b>0</b>	<b>0</b>		<b>100.0</b>

Numbers in brackets indicate cases where the defendant was not found guilty of the major charge but was found guilty of another charge. The bracketed numbers are also included in the total alongside which they appear. Thus 10(1) would mean that of the 10 cases with a given outcome, 10 were not guilty of the major charge but in one case there was a finding of guilt for an offence which was not the major charge. Some of these other charges may be for offences in groups other than the major charge - e.g. a person charged with *assault (an offence against the person)* may eventually be found guilty and convicted of only *offensive language*. In such instances cases are shown in the penalty tables for the offence group for which they were convicted. 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	331	67	10	40	25	1	3	477	42.6
Application for issuance of restraining order - telephone application	0	2	1	0	1	0	0	0	4	0.4
Application to vary/ revoke restraining order	0	0	1	2	1	1	0	1	6	0.5
Registration interstate/foreign restraining order	0	2	0	0	0	0	0	0	2	0.2
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	362	116	22	59	19	3	5	586	52.3
Application for issuance of domestic violence restraining order - telephone application	0	8	0	0	2	1	0	0	11	1.0
Application to vary/ revoke domestic violence restraining order	0	0	4	3	5	3	0	5	20	1.8
Registration foreign domestic violence restraining order	0	4	0	0	0	0	0	0	4	0.4
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	5	3	0	1	0	1	0	10	0.9
Application for issuance of paedophile restraining order - telephone application	0	0	0	0	0	0	0	0	0	0
Total	0	714	192	37	109	49	5	14	1,120	
Percentage	0	63.8	17.1	3.3	9.7	4.4	0.4	1.3		100.0
Orders issued under s.19A of the Criminal Law (Sentencing) Act	0	23	0	0	0	0	0	0	23	

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)				Supervision order- detention then release on licence(269)	Detention (weeks)				Total	
			No.	Min	Av	Max		No.	Min	Av	Max	No.	%
Other Homicide	0	0	1	95	95	95	0	0	-	-	-	1	1.1
Assault occasioning actual bodily harm	0	1	2	52	52	52	0	1	17	17	17	4	4.4
Common assault, male victim	0	3	1	60	60	60	0	0	-	-	-	4	4.4
Common assault, female victim	0	0	2	26	39	52	0	0	-	-	-	2	2.2
Common assault, victim sex unspecified	0	1	0	-	-	-	0	0	-	-	-	1	1.1
Other minor assault	0	0	2	13	13	13	0	0	26	26	26	2	2.2
Assault Police	0	1	5	6	30	60	0	1	-	-	-	7	7.7
Other offences against the person	0	1	1	52	52	52	0	0	-	-	-	2	2.2
Indecent assault, female victim, age unspecified	0	0	2	52	78	104	0	0	-	-	-	2	2.2
Indecent behaviour/exposure	0	1	1	39	39	39	0	0	43	43	43	2	2.2
Misappropriation by partners etc	0	0	0	-	-	-	0	1	-	-	-	1	1.1
Interfere with motor vehicle	0	0	3	39	52	65	0	0	-	-	-	3	3.3
Larceny from shops	0	2	4	26	40	52	0	0	-	-	-	6	6.6
Other larceny	0	0	2	52	61	69	0	0	-	-	-	2	2.2
Arson,expl-other/not known	0	0	1	13	13	13	0	0	-	-	-	1	1.1
Property damage - dwellings	0	0	1	52	52	52	0	0	-	-	-	1	1.1
Property damage - motor vehicle	0	0	1	26	26	26	0	0	-	-	-	1	1.1
Property damage -other/not known	0	0	3	78	78	78	0	0	-	-	-	3	3.3
Breach court order (parole, bail , etc)	0	0	13	13	30	52	1	0	-	-	-	14	15.4
Breach restraining order	0	0	2	13	49	156	0	0	-	-	-	2	2.2
Breach domestic violence retraining order	0	1	1	26	26	26	0	0	-	-	-	2	2.2
Resist/hinder police	0	4	3	52	52	52	0	1	52	52	52	8	8.8
Offences against justice procedures	0	0	1	26	42	73	0	0	-	-	-	1	1.1
Possession/use of other weapons	0	0	3	39	39	39	0	0	-	-	-	3	3.3
Liquor licensing offences	0	0	1	26	39	52	0	0	-	-	-	1	1.1
Trespassing offences	0	0	2	52	52	52	0	0	-	-	-	2	2.2
Indecent/offensive language	0	0	1	104	104	104	0	1	60	60	60	2	2.2
Disorderly behaviour	0	2	0	-	-	-	1	0	-	-	-	3	3.3
Offensive behaviour	0	0	1	26	26	26	0	0	-	-	-	1	1.1
Other good order offences	0	0	1	34	34	34	0	0	-	-	-	1	1.1
Driving under the influence	0	0	1	26	26	26	0	0	-	-	-	1	1.1
Dangerous or reckless driving	0	0	1	26	26	26	0	0	-	-	-	1	1.1
Drive while licence suspended or cancelled	0	0	4	17	24	26	0	0	-	-	-	4	4.4
Total	0	17	67	6	43	156	2	5	17	40	60	91	
Percentage	0	18.7	73.6					5.5	-	-	-		100.0

For more detail regarding cases found not guilty on the grounds of mental incompetence see Appendix A. The total in this table is different to the total number of cases listed in Table 2.1 as not guilty on grounds of mental incompetence because:

1. This table considers the disposition of all offences within the case whereas Table 2.1 considers only the disposition of the major charge
2. This table includes only matters found not guilty under section 269 of the Criminal Law Consolidation Act whereas Table 2.1 also includes matters with an outcome under section 19c of the Criminal Law Consolidation Act.

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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)	121	13	5	0	480	20	389	1,800	5	637	75	347	109	1	26	156	1,792	7.3
Sexual offences	3	0	0	0	29	140	481	1,800	0	22	0	9	4	39	56	78	67	0.3
Robbery and extortion	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	1	0.0
Serious criminal trespass	8	0	5	0	13	100	469	1,000	1	49	11	262	150	4	93	411	499	2.0
Fraud and misappropriation	12	0	4	0	63	40	807	18,000	1	136	6	183	45	4	33	190	450	1.8
Larceny and receiving	301	0	70	0	995	15	222	2,000	65	810	106	393	194	1	28	156	2,934	11.9
Property damage and environmental offences	72	1	181	0	446	40	373	32,000	6	222	69	53	17	1	14	52	1,067	4.3
Offences against good order	1,831	6	132	0	3,385	10	202	3,500	119	494	211	133	128	1	8	62	6,439	26.1
Drug offences	14	0	40	0	1,093	40	310	4,500	0	65	23	32	7	1	14	52	1,274	5.2
Driving offences	54	0	1	0	793	50	369	2,000	7,534	180	157	709	152	1	11	130	9,580	38.8
Other offences	35	0	4	0	487	5	2,956	16,000	1	20	19	2	17	3	12	17	585	2.4
Non-offence matters	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Total</b>	<b>2,451</b>	<b>20</b>	<b>442</b>	<b>0</b>	<b>7,784</b>	<b>5</b>	<b>437</b>	<b>32,000</b>	<b>7,732</b>	<b>2,636</b>	<b>677</b>	<b>2,123</b>	<b>823</b>	<b>1</b>	<b>33</b>	<b>411</b>	<b>24,688</b>	
Percentage	9.9	0.1	1.8	0	31.5				31.3	10.7	2.7	8.6	3.3					100.0

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

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

Offence Group	No penalty	Restraining order	Other order	Rising of the court	Fine (\$)			Suspension of driver's licence	Bond	Community Service Order	Suspended imprisonment	Imprisonment (weeks)				Total		
					No.	Min	Av					Max	No.	Min	Av	Max	No.	%
Murder	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Attempted murder	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Conspiracy to murder	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Manslaughter	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Driving causing death	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Other homicide	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Assault occasioning grievous bodily harm	0	0	0	0	0	-	-	-	0	1	0	8	4	17	55	73	13	0.7
Assault occasioning actual bodily harm	2	0	0	0	34	100	540	1,800	0	57	5	99	24	4	40	117	221	12.3
Other major assault	2	0	0	0	4	300	350	400	0	2	0	8	9	4	27	95	25	1.4
Common assault																		
- of a male	26	4	2	0	161	50	358	1,000	1	126	15	52	13	2	26	156	400	22.3
- of a female	22	3	1	0	70	80	324	1,000	0	118	14	26	7	4	19	56	261	14.6
- sex of victim unspecified	6	0	0	0	16	140	446	1,200	0	13	2	4	1	8	8	8	42	2.3
Common assault of family member	22	2	0	0	32	50	409	1,500	0	146	8	51	10	4	13	32	271	15.1
Other minor assault	9	2	1	0	51	20	392	1,500	0	77	9	27	13	7	23	78	189	10.5
Assault police	30	0	1	0	95	50	391	1,800	4	72	19	47	25	1	14	52	293	16.4
Kidnapping and abduction	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Ill treatment of children	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Hijacking	0	0	0	0	1	750	750	750	0	0	0	0	0	-	-	-	1	0.1
Defamation and libel	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Stalking	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Other offences against the person	2	2	0	0	16	100	534	1,000	0	25	3	25	3	4	58	109	76	4.2
Total	121	13	5	0	480	20	389	1,800	0	637	75	347	109	1	26	156	1,792	
Percentage	6.8	0.7	0.3	0	26.8				0.3	35.5	4.2	19.4	6.1				100.0	

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

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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	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Attempted rape of victim sex and age unspecified	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0

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

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

Offence Group	No penalty	Restraining order	Other order	Rising of the court	Fine (\$)			Suspension of driver's licence	Bond	Community Service Order	Suspended imprisonment	Imprisonment (weeks)				Total		
					No.	Min	Av					Max	No.	Min	Av	Max	No.	%
Indecent assault of female																		
- Victim age under 12	0	0	0	0	0	-	-	-	0	0	0	1	0	-	-	-	1	1.5
- Victim age 12 to 16	0	0	0	0	2	1,500	1,650	1,800	0	0	0	1	1	43	43	43	4	6.0
- Victim age 17 or over	0	0	0	0	2	400	950	1,500	0	1	0	2	2	39	52	65	7	10.4
- Victim age unspecified	0	0	0	0	0	-	-	-	0	2	0	1	0	-	-	-	3	4.5
Indecent assault of male																		
- Victim age under 12	0	0	0	0	0	-	-	-	0	0	0	0	1	78	78	78	1	1.5
- 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	1	0	-	-	-	1	1.5
Indecent assault of victim sex and age unspecified																		
	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Unlawful sexual intercourse with female																		
- Victim age under 12	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
- Victim age 12 to 16	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
- Victim age unspecified	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Unlawful sexual intercourse with female by teacher/guardian																		
	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Unlawful sexual intercourse with female with intellectual disability																		
	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0

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

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

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

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

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

Offence Group	No penalty	Restraining order	Other order	Rising of the court	Fine (\$)				Suspension of driver's licence	Bond	Community Service Order	Suspended imprisonment	Imprisonment (weeks)				Total	
					No.	Min	Av	Max					No.	Min	Av	Max	No.	%
Attempted unlawful sexual intercourse with male by teacher/guardian	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Attempted unlawful sexual intercourse with male with intellectual disability	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Unlawful sexual intercourse with victim age and sex unspecified	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Unlawful sexual intercourse with victim sex and age unspecified by teacher/guardian	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Unlawful sexual intercourse with victim sex and age unspecified with intellectual disability	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Attempted unlawful sexual intercourse with victim age and sex unspecified	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Attempted unlawful sexual intercourse with victim sex and age unspecified by teacher/guardian	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Attempted unlawful sexual intercourse with victim sex and age unspecified with intellectual disability	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Incest	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Indecent behaviour/exposure	3	0	0	0	23	140	343	600	0	16	0	0	0	-	-	-	42	62.7
Gross indecency	0	0	0	0	0	-	-	-	0	0	0	2	0	-	-	-	2	3.0
Persistent sexual abuse of a child	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Other sexual offences	0	0	0	0	2	400	425	450	0	3	0	1	0	-	-	-	6	9.0
<b>Total</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>29</b>	<b>140</b>	<b>481</b>	<b>1,800</b>	<b>0</b>	<b>22</b>	<b>2</b>	<b>9</b>	<b>4</b>	<b>39</b>	<b>56</b>	<b>78</b>	<b>67</b>	
Percentage	4.5	0	0	0	43.3				0	32.8	2.2	13.4	6.0					100.0

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



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

Offence Group	No penalty	Restraining order	Other order	Rising of the court	Fine (\$)				Suspension of driver's licence	Bond	Community Service Order	Suspended imprisonment	Imprisonment (weeks)				Total	
					No.	Min	Av	Max					No.	Min	Av	Max	No.	%
Robbery with a firearm																		
- financial institution	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
- other institution	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Robbery with other weapon																		
- financial institution	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
- other institution	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Unarmed robbery with violence																		
- financial institution	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
- other institution	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Unarmed robbery with no violence																		
- financial institution	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
- other institution	0	0	0	0	0	-	-	-	0	1	0	0	0	-	-	-	1	100.0
Extortion																		
	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Total	0	0	0	0	0	-	-	-	0	1	0	0	0	-	-	-	1	
Percentage	0	0	0	0	0				0	100.0	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	0	
Break and enter dwellings	0	0	0	0	0	-	-	-	0	1	0	3	1	52	52	52	4	0.8	
Break and enter dwellings with intent	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0	
Break and enter dwellings at night with intent	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0	
Break and enter shops	0	0	0	0	0	-	-	-	0	1	0	2	0	-	-	-	4	0.8	
Break and enter shops with intent	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	
Break and enter schools with intent	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0	
Break and enter other building	1	0	0	0	0	-	-	-	0	0	0	1	0	-	-	-	2	0.4	
Break and enter other building with intent	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0	
Non aggravated serious criminal trespass																			
- place of residence	1	0	1	0	0	450	683	1,000	0	20	1	99	76	4	108	411	200	40.1	
- shops	0	0	0	0	0	-	-	-	0	0	0	26	17	8	64	203	44	8.8	
- school	0	0	0	0	0	-	-	-	0	1	0	14	2	68	85	104	17	3.4	
- other building	2	0	1	0	0	200	260	1,000	1	15	6	100	49	17	82	260	176	35.3	
Aggravated serious criminal trespass																			
- place of residence	0	0	0	0	0	-	-	-	0	1	2	4	4	52	94	208	9	1.8	
- shops	0	0	0	0	0	100	393	1,000	0	1	0	1	0	-	-	-	2	0.4	
- school	0	0	0	0	0	-	-	-	0	0	0	2	0	-	-	-	2	0.4	
- other building	0	0	0	0	0	-	-	-	0	1	0	2	0	-	-	-	5	1.0	
Other criminal trespass –place of residence	4	0	0	0	7	-	-	-	0	8	1	8	1	26	26	26	29	5.8	
Offences related to break and enter	0	0	3	0	1	100	100	100	0	0	1	0	0	-	-	-	5	1.0	
<b>Total</b>	<b>8</b>	<b>0</b>	<b>5</b>	<b>0</b>	<b>13</b>	<b>200</b>	<b>692</b>	<b>2,000</b>	<b>1</b>	<b>49</b>	<b>11</b>	<b>262</b>	<b>150</b>	<b>4</b>	<b>93</b>	<b>411</b>	<b>499</b>		
Percentage	1.6	0	1.0	0	2.6				0.2	9.8	2.2	52.5	30.1					100.0	

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

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

Offence Group	No penalty	Restraining order	Other order	Rising of the court	Fine (\$)			Suspension of driver's licence	Bond	Community Service Order	Suspended imprisonment	Imprisonment (weeks)				Total		
					No.	Min	Av					Max	No.	Min	Av	Max	No.	%
False pretences																		
- credit/debit cards	0	0	0	0	1	150	150	150	0	2	0	4	1	43	43	43	8	1.8
- cheques	2	0	0	0	2	700	850	1,000	0	6	0	7	2	26	52	78	19	4.2
- other	3	0	4	0	23	100	281	800	0	29	1	22	20	4	38	190	102	22.7
Forge and utter (excluding cheques)	0	0	0	0	0	-	-	-	1	4	0	0	0	-	-	-	5	1.1
False statement																		
- unemployment benefit	0	0	0	0	7	400	1,629	3,000	0	16	4	35	2	4	6	8	64	14.2
- other social security benefit	0	0	0	0	0	-	-	-	0	15	0	22	0	-	-	-	37	8.2
- unspecified govt. benefit	0	0	0	0	0	-	-	-	0	12	0	22	3	8	14	26	37	8.2
Other fraud with respect to government benefits	0	0	0	0	3	400	767	1,000	0	31	1	56	13	4	26	166	104	23.1
Other fraud	6	0	0	0	22	40	1,241	18,000	0	12	0	10	3	13	43	104	53	11.8
Misappropriation																		
- by director/trustee/partner	0	0	0	0	1	500	500	500	0	2	0	2	1	52	52	52	6	1.3
- by employee	1	0	0	0	0	-	-	-	0	7	0	3	0	-	-	-	11	2.4
Counterfeiting	0	0	0	0	4	50	263	500	0	0	0	0	0	-	-	-	4	0.9
Total	12	0	4	0	63	40	807	18,000	1	136	6	183	45	4	33	190	450	
Percentage	2.7	0	0.9	0	14.0				0.2	30.2	1.3	40.7	10.0					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 2.20 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	3	0	1	0	12	100	338	600	1	15	0	12	7	8	36	65	51	1.7
Unlawful possession of stolen goods	34	0	16	0	113	50	327	2,000	6	77	10	43	17	1	17	86	316	10.8
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	2	300	300	300	0	11	1	18	10	17	41	78	42	1.4
Illegal use of a motor vehicle	0	0	1	0	0	-	-	-	33	26	8	45	45	3	29	122	158	5.4
Interfere with a motor vehicle	0	0	0	0	1	80	80	80	16	18	2	14	8	4	23	78	59	2.0
Larceny or illegal use of other vehicle	3	0	1	0	7	75	175	300	0	13	3	14	2	21	28	34	43	1.5
Larceny from the person	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Larceny of livestock	0	0	0	0	1	100	100	100	0	1	0	0	0	-	-	-	2	0.1
Larceny from shops	175	0	31	0	601	15	186	1,000	2	387	43	97	29	1	20	156	1,365	46.5
Other larceny	86	0	20	0	258	50	257	2,000	7	262	39	150	76	1	32	156	898	30.6
Total	301	0	70	0	995	15	222	2,000	65	810	106	393	194	1	28	156	2,934	
Percentage	10.3	0	2.4	0	33.9				2.2	27.6	3.6	13.4	6.6					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. Due to some problems in the coding of offences in the 'Larceny from shops', and 'Other larceny' categories offence details on court files which involved these types of *larceny* were compared, where possible, with offence details on the apprehension report. Where discrepancies were identified, the offence codes on the apprehension report were substituted on the court file (see Appendix A for further details).

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

Offence Group	No penalty	Restraining order	Other order	Rising of the court	Fine (\$)			Suspension of driver's licence	Bond	Community service order	Suspended imprisonment	Imprisonment (weeks)				Total		
					No.	Min	Av					Max	No.	Min	Av	Max	No.	%
Arson or damage by explosives																		
- dwellings	0	0	0	0	1	300	300	300	0	1	0	2	0	-	-	-	4	0.4
- shops	0	0	0	0	0	-	-	-	0	1	0	0	0	-	-	-	1	0.1
- schools	0	0	0	0	0	-	-	-	0	1	0	0	0	-	-	-	1	0.1
- factory/warehouse	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
- motor vehicle	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
- other/not known	1	0	0	0	2	650	650	650	0	3	0	3	0	-	-	-	9	0.8
Property damage (not arson)																		
- dwellings	24	1	57	0	139	50	215	1,000	1	58	24	11	6	4	19	43	321	30.1
- shops	1	0	27	0	38	40	205	500	0	15	6	5	2	4	28	52	94	8.8
- schools	0	0	0	0	2	50	525	1,000	0	3	0	0	0	-	-	-	5	0.5
- factory/warehouse	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
- motor vehicle	13	0	46	0	120	75	274	800	2	74	21	17	4	1	8	21	297	27.8
- other/not known	29	0	51	0	135	40	223	1,000	3	61	18	14	5	1	7	17	316	29.6
Other property damage offences	0	0	0	0	2	80	240	400	0	2	0	1	0	-	-	-	5	0.5
Environmental offences	4	0	0	0	7	100	8,950	32,000	0	3	0	0	0	-	-	-	14	1.3
Total	72	1	181	0	446	40	373	32,000	6	222	69	53	17	1	14	52	1,067	
Percentage	6.7	0.1	17.0	0	41.8				0.6	20.8	6.5	5.0	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	2	1,000	1,000	1,000	0	0	0	0	0	-	-	-	2	0.0
Perjury	0	0	0	0	1	200	200	200	0	0	0	0	0	-	-	-	1	0.0
Pervert the course of justice	1	0	0	0	3	300	667	1,200	0	0	0	0	0	-	-	-	4	0.1
Breach court order (parole, bail, etc.)	669	1	16	0	454	30	223	1,000	67	108	64	78	84	1	8	62	1,541	23.9
Breach restraining order	17	0	0	0	23	50	223	500	0	14	3	5	4	1	7	13	66	1.0
Breach domestic violence restraining order	41	0	0	0	65	25	221	500	1	52	6	4	3	1	3	4	172	2.7
Escape from custody (excluding prisons)	0	0	0	0	0	-	-	-	0	1	0	0	0	-	-	-	1	0.0
Resist/hinder police	266	0	6	0	549	25	227	800	40	73	40	10	5	1	2	4	989	15.4
Conspiracy	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Offences against justice procedures	13	0	7	0	50	50	280	2,000	3	26	6	5	2	1	3	4	112	1.7
Possession/use of firearms	8	0	15	0	211	40	306	2,000	0	11	6	4	3	4	20	52	258	4.0
Possession/use of bombs	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Possession/use of other weapons	18	0	66	0	266	40	185	650	2	34	12	5	5	1	2	8	408	6.3
Other weapon offences	3	0	4	0	51	30	359	2,000	0	1	0	0	0	-	-	-	59	0.9
Pornography and censorship offences	0	0	0	0	4	350	1,213	3,000	0	6	0	4	2	8	13	17	16	0.2
Liquor licensing offences	41	0	1	0	102	10	158	650	0	4	2	0	0	-	-	-	150	2.3
Betting and gaming offences	2	0	0	0	49	50	108	700	0	1	0	0	0	-	-	-	52	0.8

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	84	2	3	0	135	50	229	1,500	2	44	11	5	6	1	3	8	292	4.5
Consorting	0	0	0	0	3	200	400	600	0	0	0	0	0	-	-	-	3	0.0
Prostitution offences	5	0	0	0	8	50	106	200	0	0	0	0	0	-	-	-	13	0.2
Found with intent to commit a crime	1	0	1	0	6	250	675	1,000	1	10	0	6	5	17	26	34	30	0.5
Indecent/offensive language	45	0	0	0	84	30	164	500	0	9	4	0	2	1	1	1	144	2.2
Disorderly behaviour	446	3	5	0	816	25	171	1,000	3	66	26	4	6	1	2	4	1,375	21.4
Offensive behaviour	6	0	0	0	29	15	235	1,000	0	3	2	0	0	-	-	-	40	0.6
Loitering	114	0	0	0	145	25	134	400	0	6	3	0	0	-	-	-	268	4.2
Urinating/defecating in public	40	0	0	0	245	20	76	300	0	1	0	0	0	-	-	-	286	4.4
Graffiti and related offences	2	0	8	0	79	40	267	1,100	0	21	26	2	0	-	-	-	138	2.1
Other offences against good order	9	0	0	0	5	50	850	3,500	0	2	0	1	1	26	26	26	18	0.3
Total	1,831	6	132	0	3,385	10	202	3,500	119	494	211	133	128	1	8	62	6,439	
Percentage	28.4	0.1	2.1	0	52.6				1.8	7.7	3.3	2.1	2.0					100.0

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

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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	1	0	7	0	95	40	215	750	0	4	1	0	0	-	-	-	108	8.5
Possess/use other drug	2	0	11	0	46	60	222	1,000	0	7	1	0	0	-	-	-	67	5.3
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	3	0	67	50	515	2,000	0	15	3	18	6	1	17	52	112	8.8
Sell/possess for sale other drug	0	0	0	0	1	400	400	400	0	0	0	0	0	-	-	-	1	0.1
Produce/manufacture cannabis	7	0	12	0	834	50	314	4,500	0	28	15	11	1	1	1	1	908	71.3
Produce/manufacture other drug	0	0	0	0	2	250	300	350	0	0	0	0	0	-	-	-	2	0.2
Other drug offences	4	0	7	0	48	50	240	500	0	11	3	3	0	-	-	-	76	6.0
Total	14	0	40	0	1,093	40	310	4,500	0	65	23	32	7	1	14	52	1,274	
Percentage	1.1	0	3.1	0	85.8				0	5.1	1.8	2.5	0.5					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	0	0	0	0	6	100	188	250	626	0	15	19	3	8	46	117	669	7.0
Exceed prescribed concentration of alcohol																		
.001 to .049	0	0	0	0	15	75	235	500	16	0	0	0	0	-	-	-	31	0.3
.050 to .079	1	0	0	0	59	100	358	800	138	0	0	0	0	-	-	-	198	2.1
.080 to .149	0	0	0	0	10	100	315	600	4,137	6	38	1	0	-	-	-	4,192	43.8
.150 or more	0	0	0	0	1	400	400	400	1,523	3	28	1	0	-	-	-	1,556	16.2
Unknown	0	0	0	0	2	75	163	250	13	1	0	0	0	-	-	-	16	0.2
Refuse to supply blood sample	0	0	0	0	0	-	-	-	6	0	0	0	0	-	-	-	6	0.1
Refuse breath/alcotest	0	0	0	0	2	90	95	100	219	2	6	1	0	-	-	-	230	2.4
Dangerous or reckless driving	1	0	0	0	2	150	225	300	605	7	11	11	8	6	18	34	645	6.7
Driving while licence suspended or cancelled	52	0	1	0	696	50	377	2,000	251	161	59	676	141	1	10	130	2,037	21.3
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
<b>Total</b>	<b>54</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>793</b>	<b>50</b>	<b>369</b>	<b>2,000</b>	<b>7,534</b>	<b>180</b>	<b>157</b>	<b>709</b>	<b>152</b>	<b>1</b>	<b>11</b>	<b>130</b>	<b>9,580</b>	
Percentage	0.6	0	0.0	0	8.3				78.6	1.9	1.6	7.4	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.

*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	4	0	0	0	38	90	1,200	8,400	0	3	0	0	0	-	-	-	45	7.7
Taxation and stamp duty (excluding excise)	0	0	0	0	1	10,000	10,000	10,000	0	0	0	0	0	-	-	-	1	0.2
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	21	100	819	5,000	0	1	2	1	0	-	-	-	25	4.3
Immigration, passports, etc	0	0	0	0	0	-	-	-	0	5	1	0	1	17	17	17	7	1.2
Electoral offences	0	0	0	0	1	25	25	25	0	0	0	0	0	-	-	-	1	0.2
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.	1	0	0	0	0	-	-	-	0	1	0	0	0	-	-	-	2	0.3
Bankruptcy	0	0	0	0	10	50	246	1,000	0	1	0	1	0	-	-	-	12	2.1
Copyright and patents	0	0	0	0	0	-	-	-	0	0	0	0	0	-	-	-	0	0
Offences in custody (against prison rule)	0	0	0	0	0	-	-	-	0	0	0	0	1	4	4	4	1	0.2
Other offences	30	0	4	0	416	5	3,280	16,000	1	9	16	0	15	3	12	17	491	83.9
Total	35	0	4	0	487	5	2,956	16,000	1	20	19	2	17	3	12	17	585	
Percentage	6.0	0	0.7	0	83.2				0.2	3.4	3.2	0.3	2.9					100.0

More than one penalty type may be imposed per major charge, but only the most severe penalty is shown in this table. 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	410	1	3	0	0	1	0	0	2	0	0	0	0	15.1	0	7	0	0	0	0	13
.050 to .079	38	343	4	1	0	0	0	0	0	0	0	0	0	0	3.6	0	5	0	0	0	0	38
.080 to .099	1,443	533	19	1,341	72	10	1	2	0	2	0	0	0	0	6.1	0	1,447	1	8	0	0	1,454
.100 to .149	2,306	604	19	1,401	772	134	5	2	0	2	1	0	0	0	6.9	1	2,337	3	24	0	0	2,339
.150 to .199	961	773	5	14	2	758	141	42	6	10	0	0	0	0	12.7	0	978	0	17	0	0	979
.200 to .249	249	860	1	4	2	66	99	69	10	4	0	0	0	0	14.9	0	255	1	3	0	0	255
.250 and over	44	883	1	0	0	6	5	13	15	4	0	0	0	0	18.9	0	44	0	0	0	0	44
Unknown	13	613	0	4	1	5	0	2	0	0	0	0	0	0	10.5	0	12	1	0	0	0	14
Total	5,067	629	50	2,768	849	979	252	130	31	24	1	0	0	0	8.3	1	5,085	6	52	0	0	5,136
Percentage	98.6																99.0	0.1	1.0	0	0	100.0

This table gives the penalties for defendants with no prior convictions for drink driving offences within the last five years, while Table 2.27 focuses on defendants with one or more prior convictions within the last five years. Although the Road Traffic Act sets different penalties for first offenders and those with prior drink-driving convictions within the last five years, before 1995 this table did not distinguish between convictions more and less recent than five years prior. Recent system enhancements have now made this distinction possible. *Exceed prescribed content of alcohol .001 to .049* relates specifically to drivers on a P-plate licence as it is an offence for such licence holders to drive with any concentration of alcohol in their blood. This category also includes P-plate drivers charged with *driving under the influence of alcohol*. Average duration of licence suspension excludes the 'Until further order' category. Because up to three penalties per case are counted, the percentages listed in the last row of the table exceed 100.0%.

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

Blood alcohol level	Fine (\$)		Duration of licence suspension (months)													Av.	Until further order	Total licence suspension	Bond	CSO	Suspended Imprisonment	Direct Imprisonment	Total
	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	17	288	8	1	0	0	0	0	0	0	0	0	0	0	3.0	0	9	0	0	0	0	18	
.050 to .079	159	463	113	10	2	3	0	0	1	3	0	0	0	0	4.2	1	133	0	0	0	0	160	
.080 to .099	117	738	0	22	5	72	9	2	4	4	0	0	0	0	12.2	4	123	0	3	0	0	125	
.100 to .149	267	805	2	27	29	105	59	16	11	7	0	0	0	0	12.8	19	274	3	3	1	0	274	
.150 to .199	183	1,196	0	2	0	21	10	3	7	118	8	1	0	0	31.0	8	189	1	5	0	0	189	
.200 to .249	73	1,275	0	0	0	2	5	5	3	47	8	2	0	0	33.5	3	77	2	2	1	0	77	
.250 and over	11	1,341	0	0	0	0	0	0	1	6	4	0	0	0	38.9	0	12	0	1	0	0	12	
Unknown	2	750	0	1	0	0	0	1	0	0	0	0	0	0	12.0	0	2	0	0	0	0	2	
Total	829	854	123	63	36	203	83	27	27	185	20	3	0	0	17.4	35	819	6	14	2	0	857	
Percentage	96.7														5.3	95.6	0	1.6	0.2	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	612	476	495	440	490	172	42	32.1	3,022	0	3,022	11.4
Sexual offences	28	84	56	68	61	91	39	21	35.5	448	2	450	1.7
Robbery and extortion	45	60	35	31	20	15	0	0	26.5	206	0	206	0.8
Serious criminal trespass	170	267	212	166	128	115	15	3	28.4	1,076	2	1,078	4.1
Fraud and misappropriation	23	71	90	66	59	76	26	3	32.9	414	1	415	1.6
Larceny and receiving	387	607	459	413	303	329	124	82	30.9	2,704	2	2,706	10.2
Property damage and environmental offences	191	282	203	170	123	140	39	16	29.6	1,164	0	1,164	4.4
Offences against good order	821	1,513	927	778	731	802	273	91	30.4	5,936	5	5,941	22.4
Drug offences	47	226	255	279	252	328	134	56	35.7	1,577	0	1,577	5.9
Driving offences	764	2,233	1,509	1,101	911	1,297	588	206	31.9	8,609	3	8,612	32.5
Other offences	25	73	70	56	50	58	28	10	33.0	370	25	395	1.5
Non-offence matters	24	112	121	181	168	246	64	40	36.7	956	9	965	3.6
Total	2,820	6,140	4,413	3,804	3,246	3,987	1,502	570	31.7	26,482	49	26,531	
Percentage	10.6	23.2	16.7	14.4	12.3	15.1	5.7	2.2					100.0
Rate per 1,000 adult population	133.0	111.8	89.1	74.7	58.7	34.9	14.6	3.9		44.6			

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 2006. There were 158 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									Total with age information		Total females	
	18-19	20-24	25-29	30-34	35-39	40-49	50-59	60 and over	Average age (years)	Available	Not available	Number	Percentage
Offences against the person (excl. sexual offences)	56	82	88	113	75	89	15	4	31.7	522	0	522	9.0
Sexual offences	1	2	1	2	0	3	0	0	30.7	9	0	9	0.2
Robbery and extortion	9	8	1	7	5	3	0	0	27.7	33	0	33	0.6
Serious criminal trespass	13	19	23	29	14	15	3	0	30.3	116	0	116	2.0
Fraud and misappropriation	13	46	49	28	23	45	7	3	32.2	214	0	214	3.7
Larceny and receiving	158	276	196	174	151	201	94	48	32.6	1,298	0	1,298	22.3
Property damage and environmental offences	31	43	33	40	22	40	6	1	30.7	216	0	216	3.7
Offences against good order	118	221	175	176	161	177	49	7	31.4	1,084	0	1,084	18.6
Drug offences	20	59	78	67	41	81	31	8	34.5	385	1	386	6.6
Driving offences	143	398	292	246	206	322	115	25	32.4	1,747	0	1,747	30.0
Other offences	2	6	15	11	6	8	6	0	33.9	54	0	54	0.9
Non-offence matters	4	16	19	24	25	48	7	4	36.6	147	4	151	2.6
Total	568	1,176	970	917	729	1,032	333	100	32.3	5,825	5	5,830	
Percentage	9.7	20.2	16.6	15.7	12.5	17.7	5.7	1.7					100.0
Rate per 1,000 adult population	28.1	22.8	21.1	18.5	13.4	9.0	3.1	0.6		9.5			

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 2006. There were 158 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)	351	694	564	608	515	579	187	46	32.1	3,544	0	3,544	10.9
Sexual offences	29	86	57	70	61	94	39	21	35.4	457	2	459	1.4
Robbery and extortion	54	68	36	38	25	18	0	0	26.6	239	2	241	0.7
Serious criminal trespass	183	286	235	195	142	130	18	3	28.6	1,192	0	1,192	3.7
Fraud and misappropriation	36	117	139	95	82	121	33	6	32.6	629	2	631	1.9
Larceny and receiving	545	883	655	587	454	530	218	130	31.5	4,002	3	4,005	12.3
Property damage and environmental offences	222	325	236	210	145	180	45	17	29.7	1,380	6	1,386	4.2
Offences against good order	939	1,734	1,102	954	892	979	322	98	30.6	7,020	27	7,047	21.6
Drug offences	67	285	333	346	293	409	165	64	35.5	1,962	1	1,963	6.0
Driving offences	907	2,631	1,801	1,348	1,117	1,619	703	231	32.0	10,357	3	10,360	31.8
Other offences	39	126	124	95	70	78	38	10	31.8	580	89	669	2.0
Non-offence matters	28	128	140	205	193	294	71	44	36.7	1,103	17	1,120	3.4
Total	3,400	7,363	5,422	4,751	3,989	5,031	1,839	670	31.8	32,465	152	32,617	
Percentage	10.5	22.7	16.7	14.6	12.3	15.5	5.7	2.1					100.0
Rate per 1,000 adult population	82.0	69.0	56.7	47.3	36.4	21.9	8.8	2.1		26.8			

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 2006.

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 152 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)	669	2,785	3,454	11.4	90
Sexual offences	44	409	453	1.5	6
Robbery and extortion	43	196	239	0.8	0
Serious criminal trespass	218	970	1,188	3.9	6
Fraud and misappropriation	25	498	523	1.7	108
Larceny and receiving	369	3,479	3,848	12.7	157
Property damage and environmental offences	226	1,122	1,348	4.4	38
Offences against good order	1,361	5,440	6,801	22.4	246
Drug offences	41	1,825	1,866	6.2	97
Driving offences	521	8,908	9,429	31.1	931
Other offences	90	155	245	0.8	424
Non-offence matters	96	846	942	3.1	178
Total	3,703	26,633	30,336	100.0	2,281
Percentage	12.2	87.8			
Rate per 1,000 adult population	255.6	24.1	27.1		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 2006 Census.

The 2,281 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							Average	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						
Offences against the person (excl. sexual offences)	854	216	530	489	1,115	340	16.6	75.9	737	20.8	3,544	
Sexual offences	163	34	87	59	97	19	9.1	64.5	72	15.7	459	
Robbery and extortion	46	15	31	29	85	33	21.8	80.8	83	34.7	239	
Serious criminal trespass	166	49	103	103	478	295	32.4	86.1	497	41.6	1,194	
Fraud and misappropriation	200	42	108	73	161	47	13.1	68.3	102	16.2	631	
Larceny and receiving	1,203	239	490	419	1,178	476	18.4	70.0	890	22.2	4,005	
Property damage and environmental offences	365	99	189	200	407	126	15.7	73.7	258	18.6	1,386	
Offences against good order	1,736	439	997	908	2,150	817	18.6	75.4	1,564	22.2	7,047	
Drug offences	457	125	342	337	586	116	12.8	76.7	348	17.7	1,963	
Driving offences	3,485	943	1,969	1,554	2,111	298	8.1	66.4	1,012	9.8	10,360	
Other offences	449	23	63	38	77	19	5.0	32.9	48	7.2	669	
Non-offence matters	355	91	160	152	299	63	11.7	68.3	172	15.4	1,120	
<b>Total</b>	<b>9,479</b>	<b>2,315</b>	<b>5,069</b>	<b>4,361</b>	<b>8,744</b>	<b>2,649</b>	<b>14.3</b>	<b>70.9</b>	<b>5,783</b>	<b>17.7</b>	<b>32,617</b>	
Percentage	29.1	7.1	15.5	13.4	26.8	8.1					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)	363	0	0	644	2,020	332	0	124	51	3,534	10.9
Sexual offences	31	0	0	31	193	20	0	163	21	459	1.4
Robbery and extortion	3	0	0	3	82	40	0	68	41	237	0.7
Serious criminal trespass	46	0	0	58	632	217	0	185	39	1,177	3.6
Fraud and misappropriation	56	0	0	283	212	68	0	11	0	630	1.9
Larceny and receiving	978	0	0	1,144	1,378	474	0	14	5	3,993	12.3
Property damage and environmental offences	415	0	0	330	483	134	0	12	7	1,381	4.2
Offences against good order	3,244	1	0	1,301	1,800	576	0	74	15	7,011	21.6
Drug offences	648	0	0	453	504	71	0	264	22	1,962	6.0
Driving offences	4,223	1	0	4,042	1,748	342	0	0	0	10,356	31.8
Other offences	447	0	0	145	44	17	0	11	5	669	2.1
Non-offence matters	89	0	0	910	108	10	0	0	0	1,117	3.4
Total	10,543	2	0	9,344	9,204	2,301	0	926	206	32,526	100.0
Percentage	32.4	0.0	0.0	28.7	28.3	7.1	0	2.8	0.6		

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)	10	121	133	53	2,188	279	1	162	7	2,954	590
Sexual offences	0	10	11	6	194	11	5	168	8	413	46
Robbery and extortion	2	0	0	0	111	5	3	101	4	226	13
Serious criminal trespass	1	21	10	16	778	42	0	208	14	1,090	104
Fraud and misappropriation	0	22	9	7	395	38	0	10	0	481	150
Larceny and receiving	32	183	398	90	1,703	416	0	16	1	2,839	1,166
Property damage and environmental offences	20	84	173	24	487	211	0	18	1	1,018	368
Offences against good order	134	745	1,184	139	2,002	675	0	83	3	4,965	2,082
Drug offences	5	121	320	17	656	154	1	258	16	1,548	415
Driving offences	54	675	2,149	101	2,988	1,540	0	0	0	7,507	2,853
Other offences	12	320	25	6	112	18	0	13	3	509	160
Non-offence matters	3	10	1	6	260	107	0	0	0	387	733
<b>Total</b>	<b>273</b>	<b>2,312</b>	<b>4,413</b>	<b>465</b>	<b>11,874</b>	<b>3,496</b>	<b>10</b>	<b>1,037</b>	<b>57</b>	<b>23,937</b>	<b>8,680</b>
Percentage	1.1	9.7	18.4	1.9	49.6	14.6	0.0	4.3	0.2		

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)	1,598	1	257	1,513	0	0	0	12	156	7	0	0	3,544	0
Sexual offences	57	0	26	192	0	0	0	14	161	9	0	0	459	0
Robbery and extortion	2	0	3	125	0	0	0	13	90	6	0	0	239	0
Serious criminal trespass	469	0	39	460	0	0	0	31	184	11	0	0	1,194	0
Fraud and misappropriation	418	0	13	189	0	0	0	2	9	0	0	0	631	0
Larceny and receiving	2,547	4	106	1,329	0	0	0	6	12	1	0	0	4,005	0
Property damage and environmental offences	938	2	33	394	0	0	0	0	17	2	0	0	1,386	0
Offences against good order	5,107	86	86	1,679	0	0	0	25	63	1	0	0	7,047	0
Drug offences	1,137	3	14	523	0	0	0	49	225	12	0	0	1,963	0
Driving offences	8,929	9	110	1,312	0	0	0	0	0	0	0	0	10,360	0
Other offences	465	1	5	182	0	0	0	4	12	0	0	0	669	0
Non-offence matters	10	0	20	3	1,087	0	0	0	0	0	0	0	1,120	0
Total	21,677	106	712	7,901	1,087	0	0	156	929	49	0	0	32,617	0
Percentage	66.5	0.3	2.2	24.2	3.3	0	0	0.5	2.8	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.