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SUPREME AND DISTRICT COURTS OF SOUTH AUSTRALIA

Supreme and District Courts of South Australia
1 January - 31 December 2003

TABLE 3.1 Case outcome by major offence charged. Summary of all offence groups

Offence group	Type of case, plea and outcome											Total charged		Where case heard	
	Guilty plea		Trial						Major charge dropped		Other outcome				
	Guilty as charged	Guilty of other offence	Pleads guilty	Guilty as charged	Guilty of lesser offence	Guilty of other offence	Not guilty: mentally incompetent	Acquitted	Guilty of other offence	No other charge guilty	No.	%	Supreme Court	District Court	
Offences against the person (excluding sexual offences)	50	16	6	19	3	3	9	15	5	29	0	155	14.7	39	116
Sexual offences	35	12	3	16	1	1	1	10	5	37	1	122	11.6	7	115
Robbery and extortion	67	16	3	6	0	1	2	7	2	10	1	115	10.9	2	113
Serious criminal trespass*	161	22	3	18	0	2	1	3	17	24	1	252	24.0	6	246
Fraud and misappropriation	10	1	0	1	0	1	0	0	3	3	2	21	2.0	1	20
Larceny and receiving	12	1	0	1	0	0	0	0	0	8	0	22	2.1	0	22
Property damage and environmental offences	3	0	1	1	0	0	0	0	0	1	0	6	0.6	0	6
Offences against good order	25	0	1	0	0	0	0	1	0	11	2	40	3.8	1	39
Drug offences	191	12	15	23	3	7	1	3	7	43	0	305	29.0	0	305
Other offences	10	0	0	0	0	0	0	0	0	4	0	14	1.3	0	14
Total	564	80	32	85	7	15	14	39	39	170	7	1,052		56	996
Percentage	53.6	7.6	3.0	8.1	0.7	1.4	1.3	3.7	3.7	16.2	0.7	100.0		5.3	94.7

For each court appearance which was finalised during the twelve-month period only the outcome for the major charge is presented here. Excluded are procedural hearings, appeals and applications. Each table refers to appearances by individual accused. For example, if four co-accused were tried and convicted jointly for an offence which they committed together, each would be recorded separately in the case outcome and sentencing tables. An individual tried or sentenced on two separate occasions within the same reporting period would be recorded twice.

The category 'pleads guilty' in the trial outcomes was introduced for the 1996 report. It covers cases in which there was a trial but the defendant pleaded guilty. In most instances, this was because the defendant changed plea to guilty after the trial had begun, but can also be where the trial was in relation to a count other than the major charge. Since the 1994 report these were grouped under 'guilty as charged' in the trial outcomes, whilst before that they were under the 'guilty plea - guilty as charged' heading.

The category 'major charge dropped' covers circumstances where the Director of Public Prosecutions either enters a *nolle prosequi*, does not proceed, withdraws the charge or declines to file an information. Prior to 1997 this was labelled '*nolle prosequi*'.

*The offences of *burglary and break and enter* were replaced by a new group of offences described as *serious criminal trespass*, taking effect on 25th December 1999.

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TABLE 3.2 Case outcome by major offence charged. Offences against the person (excluding sexual offences)

Offence group	Type of case, plea and outcome											Total charged		Where case heard	
	Guilty plea			Trial					Major charge dropped		Other outcome	No.	%	Supreme Court	District Court
	Guilty as charged	Guilty of other offence	Pleads guilty	Guilty as charged	Guilty of lesser offence	Guilty of other offence	Not guilty: mentally incompetent	Acquitted	Guilty of other offence	No other charge guilty					
Murder	1	0	1	2	0	0	4	3	1	0	0	12	7.7	12	0
Attempted murder	0	2	1	1	0	0	0	0	0	3	0	7	4.5	7	0
Conspiracy to murder	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter	10	0	2	0	0	0	0	1	0	1	0	14	9.0	13	1
Cause death by dangerous driving	5	1	0	4	0	1	0	2	0	1	0	14	9.0	0	14
Other homicide	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Assault occ. GBH															
- victim under 12	0	0	0	0	0	0	1	0	0	0	0	1	0.6	0	1
- victim over 12	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
- other	8	7	0	5	1	1	0	3	0	8	0	33	21.3	2	31
Assault, actual bodily harm	6	0	0	0	0	0	0	3	0	5	0	14	9.0	1	13
Other major assault	7	1	1	3	2	0	0	0	2	1	0	17	11.0	0	17
Minor assault	4	0	0	0	0	0	0	0	0	4	0	8	5.2	3	5
Assault police	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Kidnapping and abduction	0	1	0	1	0	0	1	0	0	0	0	3	1.9	0	3
Ill-treatment of children	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Hijacking	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Threats to kill	4	2	1	0	0	1	0	1	2	5	0	16	10.3	0	16
Threats to injure	1	0	0	2	0	0	0	0	0	0	0	3	1.9	0	3
Defamation and libel	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Other offences	4	2	0	1	0	0	3	2	0	1	0	13	8.4	1	12
Total	50	16	6	19	3	3	9	15	5	29	0	155		39	116
Percentage	32.3	10.3	3.9	12.3	1.9	1.9	5.8	9.7	3.2	18.7	0	0	100.0	25.2	74.8

For each court appearance which was finalised during the twelve-month period only the outcome for the major charge is presented here. Excluded are procedural hearings, appeals and applications. Each table refers to appearances by individual accused. For example, if four co-accused were tried and convicted jointly for an offence which they committed together, each would be recorded separately in the case outcome and sentencing tables. An individual tried or sentenced on two separate occasions within the same reporting period would be recorded twice. The category 'pleads guilty' in the trial outcomes was introduced for the 1996 report. It covers cases in which there was a trial but the defendant pleaded guilty. In most instances, this was because the defendant changed plea to guilty after the trial had begun, but can also be where the trial was in relation to a count other than the major charge. Since the 1994 report these were grouped under 'guilty as charged' in the trial outcomes, whilst before that they were under the 'guilty plea - guilty as charged' heading. The category *defamation and libel* was introduced in 1995. Previously such cases would have been grouped with other offences in this table. The category 'major charge dropped' covers circumstances where the Director of Public Prosecutions either enters a *nolle prosequi*, does not proceed, withdraws the charge or declines to file an information. Prior to 1997 this was labelled '*nolle prosequi*'.

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TABLE 3.3 Case outcome by major offence charged. Sexual offences

Offence group	Type of case, plea and outcome											Total charged		Where case heard	
	Guilty plea		Trial						Major charge dropped		Other outcome				
	Guilty as charged	Guilty of other offence	Pleads guilty	Guilty as charged	Guilty of lesser offence	Guilty of other offence	Not guilty: mentally incompetent	Acquitted	Guilty of other offence	No other charge guilty		No.	%	Supreme Court	District Court
Rape of female															
- Victim age under 17	0	0	0	1	0	0	0	1	0	0	0	2	1.6	0	2
- Victim age 17 or over	6	4	0	5	1	1	0	3	2	14	0	36	29.5	3	33
Rape of male															
- Victim age under 17	0	1	0	0	0	0	0	0	0	0	0	1	0.8	0	1
- Victim age 17 or over	0	0	0	0	0	0	0	0	0	2	0	2	1.6	0	2
Attempted rape of female															
- Victim age under 17	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
- Victim age 17 or over	0	0	0	0	0	0	0	1	0	0	0	1	0.8	0	0
Attempted rape of male															
- Victim age under 17	0	0	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	0	0
Indecent assault															
- Victim age under 12	2	0	0	1	0	0	0	0	0	1	0	4	3.3	1	3
- Victim age 12 to 16	1	4	0	2	0	0	0	0	1	2	0	10	8.2	0	10
- Victim age 17 or over	1	0	1	0	0	0	0	0	0	0	0	2	1.6	0	2
Unlawful sexual intercourse															
- Victim age under 12	10	3	1	5	0	0	1	3	2	8	1	34	27.9	3	31
- Victim age 12 to 16	14	0	1	2	0	0	0	1	0	6	0	24	19.7	0	24
- Other victim	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Attempted unlawful sexual intercourse															
- Victim age under 12	0	0	0	0	0	0	0	0	0	1	0	1	0.8	0	1
- Victim age 12 to 16	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
- Other victim	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Gross indecency, child victim	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Persistent sexual abuse of a child	0	0	0	0	0	0	0	1	0	2	0	3	2.5	0	3
Incest	1	0	0	0	0	0	0	0	0	1	0	2	1.6	0	2
Other sexual offences	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	35	12	3	16	1	1	1	10	5	37	1	122		7	115
Percentage	28.7	9.8	2.5	13.1	0.8	0.8	0.8	8.2	4.1	30.3	0.8	100.0		5.7	94.3

See footnotes to the other tables in the range 3.1 to 3.11

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TABLE 3.4 Case outcome by major offence charged. Robbery and extortion

Offence group	Type of case, plea and outcome											Total charged		Where case heard	
	Guilty plea			Trial					Major charge dropped		Other outcome				
	Guilty as charged	Guilty of other offence	Pleads guilty	Guilty as charged	Guilty of lesser offence	Guilty of other offence	Not guilty: mentally incompetent	Acquitted	Guilty of other offence	No other charge guilty	No.	%	Supreme Court	District Court	
Robbery with firearm															
- financial institution	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
- other location	5	0	2	3	0	0	0	1	0	1	0	12	10.4	0	12
Robbery with other weapon															
- financial institution	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
- other location	33	2	0	0	0	1	2	3	1	2	0	44	38.3	0	44
Unarmed robbery with violence															
- financial institution	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
- other location	9	8	0	2	0	0	0	1	1	2	0	23	20.0	1	22
Unarmed robbery, no violence															
- financial institution	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
- other location	20	6	1	1	0	0	0	2	0	5	1	36	31.3	1	35
Extortion	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	67	16	3	6	0	1	2	7	2	10	1	115		2	113
Percentage	58.3	13.9	2.6	5.2	0	0.9	1.7	6.1	1.7	8.7	0.9	100.0		1.7	98.3

For each court appearance which was finalised during the twelve-month period only the outcome for the major charge is presented here. Excluded are procedural hearings, appeals and applications. Each table refers to appearances by individual accused. For example, if four co-accused were tried and convicted jointly for an offence which they committed together, each would be recorded separately in the case outcome and sentencing tables. An individual tried or sentenced on two separate occasions within the same reporting period would be recorded twice. The category 'pleads guilty' in the trial outcomes was introduced for the 1996 report. It covers cases in which there was a trial but the defendant pleaded guilty. In most instances, this was because the defendant changed plea to guilty after the trial had begun, but can also be where the trial was in relation to a count other than the major charge. Since the 1994 report these were grouped under 'guilty as charged' in the trial outcomes, whilst before that they were under the 'guilty plea - guilty as charged' heading. The category 'major charge dropped' covers circumstances where the Director of Public Prosecutions either enters a *nolle prosequi*, does not proceed, withdraws the charge or declines to file an information. Prior to 1997 this was labelled '*nolle prosequi*'.

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TABLE 3.5 Case outcome by major offence charged. Serious criminal trespass offences*

Offence group	Type of case, plea and outcome											Total charged		Where case heard	
	Guilty plea		Trial						Major charge dropped		Other outcome				
	Guilty as charged	Guilty of other offence	Pleads guilty	Guilty as charged	Guilty of lesser offence	Guilty of other offence	Not guilty: mentally incompetent	Acquitted	Guilty of other offence	No other charge guilty		No.	%	Supreme Court	District Court
Burglary	2	0	0	0	0	0	0	0	0	0	0	2	0.8	0	2
Break and enter dwellings	2	0	0	0	0	0	0	0	0	0	0	2	0.8	0	2
Break and enter dwellings with intent	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Break and enter dwellings at night with intent	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Break and enter shops	1	0	0	0	0	0	0	0	0	0	0	1	0.4	0	1
Break and enter shops with intent	0	0	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	0	0
Break and enter schools with intent	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Break and enter other building	2	0	0	0	0	0	0	0	0	0	0	2	0.8	0	2
Break and enter other building with intent	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Offences related to break and enter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Serious criminal trespass															
- residence	14	1	0	0	0	1	0	1	1	6	0	24	9.5	1	23
- non-residence	8	1	0	0	0	0	0	0	1	1	0	11	4.4	1	10
Aggravated serious criminal trespass															
- residence	77	19	3	16	0	1	1	2	14	10	1	144	57.1	4	140
- non-residence	53	1	0	2	0	0	0	0	1	7	0	64	25.4	0	64
Other criminal trespass															
- residence	2	0	0	0	0	0	0	0	0	0	0	2	0.8	0	2
- non-residence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	161	22	3	18	0	2	1	3	17	24	1	252		6	246
Percentage	63.9	8.7	1.2	7.1	0	0.8	0.4	1.2	6.7	9.5	0.4		100.0	2.4	97.6

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*The offences of *burglary* and *break and enter* were replaced by a new group of offences described as *serious criminal trespass*, taking effect on 25th December 1999

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TABLE 3.6 Case outcome by major offence charged. Fraud and misappropriation

Offence group	Type of case, plea and outcome											Total charged		Where case heard	
	Guilty plea			Trial					Major charge dropped		Other outcome	No.	%	Supreme Court	District Court
	Guilty as charged	Guilty of other offence	Pleads guilty	Guilty as charged	Guilty of lesser offence	Guilty of other offence	Not guilty: mentally incompetent	Acquitted	Guilty of other offence	No other charge guilty					
False pretences, cards	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
False pretences, cheques (including forge and utter)	1	1	0	0	0	0	0	0	0	0	0	2	9.5	0	2
False pretences, other	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Forge and utter (not cheques)	1	0	0	0	0	0	0	0	2	0	0	3	14.3	1	2
Fraud, government benefits	0	0	0	0	0	0	0	0	0	0	1	1	4.8	0	1
Other fraud	6	0	0	0	0	0	0	0	0	2	0	8	38.1	0	8
Misappropriation															
- by director/trustees/partner	0	0	0	1	0	0	0	0	1	0	0	2	9.5	0	2
- by employees	2	0	0	0	0	1	0	0	0	1	1	5	23.8	0	5
Counterfeiting	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	10	1	0	1	0	1	0	0	3	3	2	21		1	20
Percentage	47.6	4.8	0	4.8	0	4.8	0	0	14.3	14.3	9.5		100.0	4.8	95.2

For each court appearance which was finalised during the twelve-month period only the outcome for the major charge is presented here. Excluded are procedural hearings, appeals and applications. Each table refers to appearances by individual accused. For example, if four co-accused were tried and convicted jointly for an offence which they committed together, each would be recorded separately in the case outcome and sentencing tables. An individual tried or sentenced on two separate occasions within the same reporting period would be recorded twice. The category 'pleads guilty' in the trial outcomes was introduced for the 1996 report. It covers cases in which there was a trial but the defendant pleaded guilty. In most instances, this was because the defendant changed plea to guilty after the trial had begun, but can also be where the trial was in relation to a count other than the major charge. Since the 1994 report these were grouped under 'guilty as charged' in the trial outcomes, whilst before that they were under the 'guilty plea - guilty as charged' heading. The category 'major charge dropped' covers circumstances where the Director of Public Prosecutions either enters a *nolle prosequi*, does not proceed, withdraws the charge or declines to file an information. Prior to 1997 this was labelled '*nolle prosequi*'.

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TABLE 3.7 Case outcome by major offence charged. Larceny and receiving

Offence group	Type of case, plea and outcome												Total charged		Where case heard	
	Guilty plea		Trial						Major charge dropped		Other outcome					
	Guilty as charged	Guilty of other offence	Pleads guilty	Guilty as charged	Guilty of lesser offence	Guilty of other offence	Not guilty: mentally incompetent	Acquitted	Guilty of other offence	No other charge guilty	No.	%	Supreme Court	District Court		
Receiving and unlawful possession	3	0	0	1	0	0	0	0	0	4	0	8	36.4	8	0	
Larceny of motor vehicle	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Illegal use, interference with motor vehicle	3	0	0	0	0	0	0	0	0	1	0	4	18.2	4	0	
Larceny, illegal use of other vehicle	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Larceny from the person	3	1	0	0	0	0	0	0	0	1	0	5	22.7	5	0	
Larceny of livestock	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Shop theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Other larceny	3	0	0	0	0	0	0	0	0	2	0	5	22.7	5	0	
Total	12	1	0	1	0	0	0	0	0	8	0	22		22	0	
Percentage	54.5	4.5	0	4.5	0	0	0	0	0	36.4	0	100.0		100.0	0	

For each court appearance which was finalised during the twelve-month period only the outcome for the major charge is presented here. Excluded are procedural hearings, appeals and applications.

Each table refers to appearances by individual accused. For example, if four co-accused were tried and convicted jointly for an offence which they committed together, each would be recorded separately in the case outcome and sentencing tables. An individual tried or sentenced on two separate occasions within the same reporting period would be recorded twice.

The category 'pleads guilty' in the trial outcomes was introduced for the 1996 report. It covers cases in which there was a trial but the defendant pleaded guilty. In most instances, this was because the defendant changed plea to guilty after the trial had begun, but can also be where the trial was in relation to a count other than the major charge. Since the 1994 report these were grouped under 'guilty as charged' in the trial outcomes, whilst before that they were under the 'guilty plea - guilty as charged' heading.

The category 'major charge dropped' covers circumstances where the Director of Public Prosecutions either enters a *nolle prosequi*, does not proceed, withdraws the charge or declines to file an information. Prior to 1997 this was labelled '*nolle prosequi*'.

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TABLE 3.8 Case outcome by major offence charged. Property damage and environmental offences

Offence group	Type of case, plea and outcome											Total charged		Where case heard	
	Guilty plea		Pleads guilty	Trial					Major charge dropped		Other outcome	No.	%	Supreme Court	District Court
	Guilty as charged	Guilty of other offence		Guilty as charged	Guilty of lesser offence	Guilty of other offence	Not guilty: mentally incompetent	Acquitted	Guilty of other offence	No other charge guilty					
Arson or damage to property by explosives:															
- value under \$2,500	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
- value \$2,500 - \$30,000	0	0	1	0	0	0	0	0	0	0	0	1	16.7	0	1
- value over \$30,000	2	0	0	0	0	0	0	0	0	0	0	2	33.3	0	2
- value not stated	0	0	0	1	0	0	0	0	0	1	0	2	33.3	0	2
Property damage other than by fire or explosives :															
- value under \$2500	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
- value \$2,500 - \$30,000	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
- value over \$30,000	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
- value not stated	1	0	0	0	0	0	0	0	0	0	0	1	16.7	0	1
Other property damage offences	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Environmental offences	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	3	0	1	1	0	0	0	0	0	1	0	6		0	6
Percentage	50.0	0	16.7	16.7	0	0	0	0	0	16.7	0	0	100.0	0	100.0

For each court appearance which was finalised during the twelve-month period only the outcome for the major charge is presented here. Excluded are procedural hearings, appeals and applications. Each table refers to appearances by individual accused. For example, if four co-accused were tried and convicted jointly for an offence which they committed together, each would be recorded separately in the case outcome and sentencing tables. An individual tried or sentenced on two separate occasions within the same reporting period would be recorded twice. The category 'pleads guilty' in the trial outcomes was introduced for the 1996 report. It covers cases in which there was a trial but the defendant pleaded guilty. In most instances, this was because the defendant changed plea to guilty after the trial had begun, but can also be where the trial was in relation to a count other than the major charge. Since the 1994 report these were grouped under 'guilty as charged' in the trial outcomes, whilst before that they were under the 'guilty plea - guilty as charged' heading. The category 'major charge dropped' covers circumstances where the Director of Public Prosecutions either enters a *nolle prosequi*, does not proceed, withdraws the charge or declines to file an information. Prior to 1997 this was labelled '*nolle prosequi*'.

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TABLE 3.9 Case outcome by major offence charged. Offences against good order

Offence group	Type of case, plea and outcome											Total charged		Where case heard	
	Guilty plea		Pleads guilty	Trial					Major charge dropped		Other outcome	No.	%	Supreme Court	District Court
	Guilty as charged	Guilty of other offence		Guilty as charged	Guilty of lesser offence	Guilty of other offence	Not guilty: mentally incompetent	Acquitted	Guilty of other offence	No other charge guilty					
Offences against government security and operations	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Contempt of court	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Perjury	2	0	0	0	0	0	0	0	0	0	0	2	5.0	0	2
Pervert the course of justice	2	0	0	0	0	0	0	0	0	1	0	3	7.5	0	3
Breach CSO, bond, parole, bail, court order	9	0	1	0	0	0	0	0	0	3	2	15	37.5	1	14
Escape custody (not gaol)	6	0	0	0	0	0	0	0	0	0	0	6	15.0	0	6
Conspiracy	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Offences against justice procedures and the enforcement of order	3	0	0	0	0	0	0	0	0	2	0	5	12.5	0	5
Other offences against good order	3	0	0	0	0	0	0	1	0	5	0	9	22.5	0	9
Total	25	0	1	0	0	0	0	1	0	11	2	40		1	39
Percentage	62.5	0	2.5	0	0	0	0	2.5	0	27.5	5.0	0	100.0	2.5	97.5

For each court appearance which was finalised during the twelve-month period only the outcome for the major charge is presented here. Excluded are procedural hearings, appeals and applications.

Each table refers to appearances by individual accused. For example, if four co-accused were tried and convicted jointly for an offence which they committed together, each would be recorded separately in the case outcome and sentencing tables. An individual tried or sentenced on two separate occasions within the same reporting period would be recorded twice.

The category 'pleads guilty' in the trial outcomes was introduced for the 1996 report. It covers cases in which there was a trial but the defendant pleaded guilty. In most instances, this was because the defendant changed plea to guilty after the trial had begun, but can also be where the trial was in relation to a count other than the major charge. Since the 1994 report these were grouped under 'guilty as charged' in the trial outcomes, whilst before that they were under the 'guilty plea - guilty as charged' heading.

The category 'major charge dropped' covers circumstances where the Director of Public Prosecutions either enters a *nolle prosequi*, does not proceed, withdraws the charge or declines to file an information. Prior to 1997 this was labelled '*nolle prosequi*'.

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TABLE 3.10 Case outcome by major offence charged. Drug offences

Offence group	Type of case, plea and outcome											Total charged		Where case heard	
	Guilty plea		Pleads guilty	Trial					Major charge dropped		Other outcome	No.	%	Supreme Court	District Court
	Guilty as charged	Guilty of other offence		Guilty as charged	Guilty of lesser offence	Guilty of other offence	Not guilty: mentally incompetent	Acquitted	Guilty of other offence	No other charge guilty					
Possess, use cannabis	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Possess, use other drug	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Import or export cannabis	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Import, export other drug	0	0	1	0	0	0	0	0	0	0	0	1	0.3	0	1
Sell, possess for sale cannabis	65	6	7	10	1	1	0	1	7	9	0	107	35.1	0	107
Sell, possess for sale other drug	67	5	3	7	2	3	1	0	0	16	0	104	34.1	0	104
Produce cannabis	49	0	1	3	0	0	0	0	0	5	0	58	19.0	0	58
Produce cannabis for own use	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Produce other drug	10	1	3	3	0	3	0	2	0	13	0	35	11.5	0	35
Other drug offences	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	191	12	15	23	3	7	1	3	7	43	0	305		0	305
Percentage	62.6	3.9	4.9	7.5	1.0	2.3	0.3	1.0	2.3	14.1	0	0	100.0	0	100.0

For each court appearance which was finalised during the twelve-month period only the outcome for the major charge is presented here. Excluded are procedural hearings, appeals and applications.

Each table refers to appearances by individual accused. For example, if four co-accused were tried and convicted jointly for an offence which they committed together, each would be recorded separately in the case outcome and sentencing tables. An individual tried or sentenced on two separate occasions within the same reporting period would be recorded twice.

The category 'pleads guilty' in the trial outcomes was introduced for the 1996 report. It covers cases in which there was a trial but the defendant pleaded guilty. In most instances, this was because the defendant changed plea to guilty after the trial had begun, but can also be where the trial was in relation to a count other than the major charge. Since the 1994 report these were grouped under 'guilty as charged' in the trial outcomes, whilst before that they were under the 'guilty plea - guilty as charged' heading.

As of the 1995 report, the distinctions between different drug amounts have been removed. These corresponded to the distinctions in the Controlled Substances Act which set different penalties depending on where the amount of drug fell in relation to these levels. The failure of court staff to nominate the levels set out in the Information laid by the DPP meant that the majority of cases were going into the 'amount unstated' category. Pending a satisfactory resolution of this, the sub-categories have been collapsed.

The category 'major charge dropped' covers circumstances where the Director of Public Prosecutions either enters a *nolle prosequi*, does not proceed, withdraws the charge or declines to file an information. Prior to 1997 this was labelled '*nolle prosequi*'.

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TABLE 3.11 Case outcome by major offence charged. Other offences

Offence group	Type of case, plea and outcome											Total charged		Where case heard	
	Guilty plea		Pleads guilty	Trial				Major charge dropped		Other outcome	No.	%	Supreme Court	District Court	
	Guilty as charged	Guilty of other offence		Guilty as charged	Guilty of lesser offence	Guilty of other offence	Not guilty: mentally incompetent	Acquitted	Guilty of other offence						No other charge guilty
Driving, motor vehicle, traffic offences	0	0	0	0	0	0	0	0	0	4	0	4	28.6	0	4
Company, banking, financial, insurance etc offences	2	0	0	0	0	0	0	0	0	0	0	2	14.3	0	2
Misc. state and territory legislation	6	0	0	0	0	0	0	0	0	0	0	6	42.9	0	6
Escape prison	2	0	0	0	0	0	0	0	0	0	0	2	14.3	0	2
Other offences by prisoners	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	10	0	0	0	0	0	0	0	0	4	0	14		0	14
Percentage	71.4	0	0	0	0	0	0	0	0	28.6	0	0	100.0	0	100.0

For each court appearance which was finalised during the twelve-month period only the outcome for the major charge is presented here. Excluded are procedural hearings, appeals and applications.

Each table refers to appearances by individual accused. For example, if four co-accused were tried and convicted jointly for an offence which they committed together, each would be recorded separately in the case outcome and sentencing tables. An individual tried or sentenced on two separate occasions within the same reporting period would be recorded twice.

The category 'pleads guilty' in the trial outcomes was introduced for the 1996 report. It covers cases in which there was a trial but the defendant pleaded guilty. In most instances, this was because the defendant changed plea to guilty after the trial had begun, but can also be where the trial was in relation to a count other than the major charge. Since the 1994 report these were grouped under 'guilty as charged' in the trial outcomes, whilst before that they were under the 'guilty plea - guilty as charged' heading.

The category 'major charge dropped' covers circumstances where the Director of Public Prosecutions either enters a *nolle prosequi*, does not proceed, withdraws the charge or declines to file an information. Prior to 1997 this was labelled '*nolle prosequi*'.

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TABLE 3.12 Major penalty for major charge found guilty. Summary of all offence groups

Offence group	Other penalty	Fine	Suspension of driver's licence	Rising of the court	Bond	C.S.O	Suspended imprisonment duration (months)				Immediate imprisonment: duration of sentence for major charge													Total
							No.	Min	Av.	Max	No.	Av. N.P.P.* (mths)	Av. sentence (mths)	Less than 6 mths	6 mths up to 1 yr	1 yr up to 2 yrs	2 yrs up to 3 yrs	3 yrs up to 4 yrs	4 yrs up to 5 yrs	5 yrs up to 10 yrs	10 yrs up to 15 yrs	15 yrs or more	Life	
Offences against the person (excluding sexual offences)	2	4	0	0	12	2	48	1	14.8	60	57	58.2	54.5	1	3	10	11	7	1	14	5	1	4	125
Sexual offences	0	0	0	0	4	1	18	3	21.4	45	50	49.6	79.5	0	1	5	7	6	3	15	10	3	0	73
Robbery and extortion	0	0	0	0	3	0	21	2	28.5	60	55	28.9	51.7	0	2	8	5	11	12	13	4	0	0	79
Serious criminal trespass	4	0	0	0	15	4	77	2	21.9	50	90	25.1	36.6	1	8	14	22	27	4	13	1	0	0	190
Fraud and misappropriation	0	0	0	0	0	0	1	7	7.0	7	13	26.5	43.8	0	3	1	1	3	2	2	1	0	0	14
Larceny and receiving	5	2	1	0	3	0	8	6	13.8	27	13	16.2	22.1	2	3	3	1	2	1	1	0	0	0	32
Property damage and environmental offences	1	0	0	0	0	0	7	4	19.0	48	4	32.3	47.0	0	0	0	0	2	1	1	0	0	0	12
Offences against good order	4	1	0	0	5	0	7	1	11.3	24	9	7.8	8.9	2	4	3	0	0	0	0	0	0	0	26
Drug offences	4	20	0	0	13	3	144	1	19.4	54	72	20.7	35.5	3	1	16	18	12	8	14	0	0	0	256
Other offences	1	2	3	0	0	0	3	5	13.7	24	6	1.7	6.8	1	4	1	0	0	0	0	0	0	0	15
Total	21	29	4	0	55	10	334	1	19.6	60	369	32.2	45.8	10	29	61	65	70	32	73	21	4	4	822
Percentage	2.6	3.5	0.5	0	6.7	1.2	40.6				44.9													100.0

* Average non-parole periods may occasionally exceed average sentence lengths where cases receive a sentence which is cumulative on another sentence or to be served at the expiration of another sentence.

The sentence length shown in the average sentence length column is the sentence for the major charge found guilty alone, and thus excludes sentences of imprisonment applying to other charges in the case, whereas non-parole periods are set in relation to the total sentence for all offences convicted. Average sentence length excludes indeterminate sentences such as life imprisonment or indefinite detention, but average non-parole period includes data from cases with life sentences, so the numbers of cases on which these two averages are based may differ.

Major penalty is the most serious penalty handed down. Major charge found guilty is the charge receiving the most serious penalty. (See Appendix A for more details.)

**The offences of *break and enter* were replaced with a new group of offences described as *serious criminal trespass*, taking effect on 25th December 1999.

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TABLE 3.13 Major penalty for major charge found guilty. Offences against the person (excluding sexual offences)

Offence group	Other penalty	Fine	Suspension of driver's licence	Rising of the court	Bond	C.S.O	Suspended imprisonment duration (months)				Immediate imprisonment : duration of sentence for major charge														Total	
							No.	Min	Av.	Max	No.	Av. N.P.P.* (mths)	Av. sentence (mths)	Less than 6 mths	6 mths up to 1 yr	1 yr up to 2 yrs	2 yrs up to 3 yrs	3 yrs up to 4 yrs	4 yrs up to 5 yrs	5 yrs up to 10 yrs	10 yrs up to 15 yrs	15 yrs or more	Life			
Murder	0	0	0	0	0	0	0	-	-	-	4	267.0	-	0	0	0	0	0	0	0	0	0	0	0	4	4
Attempted murder	0	0	0	0	0	0	0	-	-	-	2	90.0	132.0	0	0	0	0	0	0	0	0	2	0	0	0	2
Conspiracy to murder	0	0	0	0	0	0	0	-	-	-	0	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Manslaughter	0	0	0	0	0	0	0	-	-	-	12	63.3	96.2	0	0	0	0	1	0	8	3	0	0	0	0	12
Cause death by dangerous driving	0	0	0	0	0	0	1	18	18.0	18	8	37.0	29.4	0	0	0	6	2	0	0	0	0	0	0	0	9
Other homicide	0	0	0	0	0	0	0	-	-	-	0	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Assault occ. GBH																										
- Victim under 12	0	0	0	0	0	0	2	7	12.5	18	1	7.0	24.0	0	0	0	1	0	0	0	0	0	0	0	0	3
- Victim over 12	0	0	0	0	0	0	0	-	-	-	0	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
- Other victim	0	0	0	0	1	0	6	5	24.0	60	10	50.5	75.2	0	0	1	2	0	1	5	0	1	0	1	0	17
Assault, actual bodily harm	1	2	0	0	1	0	10	2	9.2	19	7	14.0	13.7	0	1	6	0	0	0	0	0	0	0	0	0	21
Other major assault	0	0	0	0	0	0	8	18	20.1	30	4	14.3	29.5	0	0	1	1	2	0	0	0	0	0	0	0	12
Minor assault	1	2	0	0	6	2	4	3	4.8	6	3	65.3	6.3	1	2	0	0	0	0	0	0	0	0	0	0	18
Assault police	0	0	0	0	0	0	1	10	10.0	10	0	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1
Kidnapping and abduction	0	0	0	0	0	0	2	12	24.0	36	0	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2
Ill-treatment of children	0	0	0	0	0	0	0	-	-	-	0	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Hijacking	0	0	0	0	0	0	0	-	-	-	0	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Threats to kill	0	0	0	0	0	0	5	4	12.6	24	3	17.7	29.0	0	0	1	1	1	0	0	0	0	0	0	0	8
Threats to injure	0	0	0	0	2	0	5	1	10.6	26	1	8.0	18.0	0	0	1	0	0	0	0	0	0	0	0	0	8
Defamation and libel	0	0	0	0	0	0	0	-	-	-	0	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Other offences	0	0	0	0	2	0	4	4	19.8	39	2	46.5	60.0	0	0	0	0	1	0	1	0	0	0	0	0	8
Total	2	4	0	0	12	2	48	1	14.8	60	57	58.2	54.5	1	3	10	11	7	1	14	5	1	4	4	125	
Percentage	1.6	3.2	0	0	9.6	1.6	38.4				45.6															100.0

* Average non-parole periods may occasionally exceed average sentence lengths where cases receive a sentence which is cumulative on another sentence or to be served at the expiration of another sentence. The sentence length shown in the average sentence length column is the sentence for the major charge found guilty alone, and thus excludes sentences of imprisonment applying to other charges in the case, whereas non-parole periods are set in relation to the total sentence for all offences convicted. Average sentence length excludes indeterminate sentences such as life imprisonment or indefinite detention, but average non-parole period includes data from cases with life sentences, so the numbers of cases on which these two averages are based may differ. Major penalty is the most serious penalty handed down. Major charge found guilty is the charge receiving the most serious penalty. (See Appendix A for more details.) The category *defamation and libel* was introduced in 1995. Previously such cases would have been grouped with *other offences* in this table.

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TABLE 3.14 Major penalty for major charge found guilty. Sexual offences

Offence group	Other penalty	Fine	Suspension of driver's licence	Rising of the court	Bond	C.S.O	Suspended imprisonment duration (months)			Immediate imprisonment : duration of sentence for major charge													Total		
							No.	Min	Av.	Max	No.	Av. N.P.P.* (mths)	Av. sentence (mths)	Less than 6 mths	6 mths up to 1 yr	1 yr up to 2 yrs	2 yrs up to 3 yrs	3 yrs up to 4 yrs	4 yrs up to 5 yrs	5 yrs up to 10 yrs	10 yrs up to 15 yrs	15 yrs or more		Life	
Rape of female																									
- Victim age under 17	0	0	0	0	0	0	0	-	-	-	1	108.0	144.0	0	0	0	0	0	0	0	1	0	0	1	
- Victim age 17 or over	0	0	0	0	0	0	2	36	36.0	36	9	80.1	118.2	0	0	0	0	2	0	3	2	2	0	11	
Rape of male																									
- Victim age under 17	0	0	0	0	0	0	0	-	-	-	0	-	-	-	-	-	-	-	-	-	-	-	-	0	
- Victim age 17 or over	0	0	0	0	0	0	0	-	-	-	0	-	-	-	-	-	-	-	-	-	-	-	-	0	
Attempted rape of female																									
- Victim age under 17	0	0	0	0	0	0	0	-	-	-	0	-	-	-	-	-	-	-	-	-	-	-	-	0	
- Victim age 17 or over	0	0	0	0	0	0	0	-	-	-	1	27.0	45.0	0	0	0	0	1	0	0	0	0	0	0	1
Attempted rape of male																									
- Victim age under 17	0	0	0	0	0	0	0	-	-	-	0	-	-	-	-	-	-	-	-	-	-	-	-	0	
- Victim age 17 or over	0	0	0	0	0	0	0	-	-	-	0	-	-	-	-	-	-	-	-	-	-	-	-	0	
Indecent assault																									
- Victim age under 12	0	0	0	0	0	0	0	-	-	-	4	41.5	67.5	0	1	0	1	0	0	1	1	0	0	4	
- Victim age 12 to 16	0	0	0	0	1	0	2	16	20.0	24	4	45.0	72.8	0	0	0	0	1	1	1	1	0	0	7	
- Victim age 17 or over	0	0	0	0	0	0	1	3	3.0	3	4	16.0	19.3	0	0	3	1	0	0	0	0	0	0	5	
Unlawful sexual intercourse																									
- Victim age under 12	0	0	0	0	0	0	0	-	-	-	16	53.8	91.7	0	0	1	1	1	2	6	4	1	0	16	
- Victim age 12 to 16	0	0	0	0	3	1	13	7	20.8	45	10	29.1	52.3	0	0	1	4	1	0	3	1	0	0	27	
- Other victim	0	0	0	0	0	0	0	-	-	-	0	-	-	-	-	-	-	-	-	-	-	-	-	0	
Attempted unlawful sexual intercourse																									
- Victim age under 12	0	0	0	0	0	0	0	-	-	-	0	-	-	-	-	-	-	-	-	-	-	-	-	0	
- Victim age 12 to 16	0	0	0	0	0	0	0	-	-	-	0	-	-	-	-	-	-	-	-	-	-	-	-	0	
- Other victim	0	0	0	0	0	0	0	-	-	-	0	-	-	-	-	-	-	-	-	-	-	-	-	0	
Gross indecency, child victim	0	0	0	0	0	0	0	-	-	-	0	-	-	-	-	-	-	-	-	-	-	-	-	0	
Persistent sexual abuse of a child	0	0	0	0	0	0	0	-	-	-	0	-	-	-	-	-	-	-	-	-	-	-	-	0	
Incest	0	0	0	0	0	0	0	-	-	-	1	60.0	96.0	0	0	0	0	0	0	1	0	0	0	1	
Other sexual offences	0	0	0	0	0	0	0	-	-	-	0	-	-	-	-	-	-	-	-	-	-	-	-	0	
Total	0	0	0	0	4	1	18	3	21.4	45	50	49.6	79.5	0	1	5	7	6	3	15	10	3	0	73	
Percentage	0	0	0	0	5.5	1.4	24.7				68.5													100.0	

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TABLE 3.15 Major penalty for major charge found guilty. Robbery and extortion

Offence group	Other penalty	Fine	Suspension of driver's licence	Rising of the court	Bond	C.S.O	Suspended imprisonment duration (months)			Immediate imprisonment : duration of sentence for major charge													Total		
							No.	Min	Av.	Max	No.	Av. N.P.P.* (mths)	Av. sentence (mths)	Less than 6 mths	6 mths up to 1 yr	1 yr up to 2 yrs	2 yrs up to 3 yrs	3 yrs up to 4 yrs	4 yrs up to 5 yrs	5 yrs up to 10 yrs	10 yrs up to 15 yrs	15 yrs or more		Life	
Robbery with firearm																									
- financial institution	0	0	0	0	0	0	0	-	-	-	0	-	-	-	-	-	-	-	-	-	-	-	-	-	0
- other location	0	0	0	0	0	0	0	-	-	-	10	43.4	75.5	0	0	0	1	1	1	5	2	0	0	0	10
Robbery with other weapon																									
- financial institution	0	0	0	0	0	0	0	-	-	-	0	-	-	-	-	-	-	-	-	-	-	-	-	-	0
- other location	0	0	0	0	1	0	7	12	36.6	60	24	27.1	54.8	0	1	0	2	5	8	7	1	0	0	0	32
Unarmed robbery with violence																									
- financial institution	0	0	0	0	0	0	0	-	-	-	0	-	-	-	-	-	-	-	-	-	-	-	-	-	0
- other location	0	0	0	0	0	0	4	18	36.0	48	6	23.7	42.2	0	0	2	1	1	1	1	0	0	0	0	10
Unarmed robbery, no violence																									
- financial institution	0	0	0	0	0	0	0	-	-	-	0	-	-	-	-	-	-	-	-	-	-	-	-	-	0
- other location	0	0	0	0	2	0	9	2	18.8	48	14	24.6	36.6	0	0	6	1	4	2	0	1	0	0	0	25
Extortion																									
	0	0	0	0	0	0	1	30	30.0	30	1	22.0	8.0	0	1	0	0	0	0	0	0	0	0	0	2
Total	0	0	0	0	3	0	21	2	28.5	60	55	28.9	51.7	0	2	8	5	11	12	13	4	0	0	0	79
Percentage	0	0	0	0	3.8	0	26.6				69.6														100.0

* Average non-parole periods may occasionally exceed average sentence lengths where cases receive a sentence which is cumulative on another sentence or to be served at the expiration of another sentence. The sentence length shown in the average sentence length column is the sentence for the major charge found guilty alone, and thus excludes sentences of imprisonment applying to other charges in the case, whereas non-parole periods are set in relation to the total sentence for all offences convicted. Average sentence length excludes indeterminate sentences such as life imprisonment or indefinite detention, but average non-parole period includes data from cases with life sentences, so the numbers of cases on which these two averages are based may differ. Sentences of indefinite detention are included with life sentences. Major penalty is the most serious penalty handed down. Major charge found guilty is the charge receiving the most serious penalty. (See Appendix A for more details.)

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TABLE 3.16 Major penalty for major charge found guilty. Serious criminal trespass offences

Offence group	Suspended imprisonment duration (months)									Immediate imprisonment : duration of sentence for major charge												Total		
	Other penalty	Fine	Suspension of driver's licence	Rising of the court	Bond	C.S.O.	No.	Min	Av	Max	No.	Av. N.P.P.* (mths)	Av. sentence (mths)	Less than 6 mths	6 mths up to 1 yr	1 yr up to 2 yrs	2 yrs up to 3 yrs	3 yrs up to 4 yrs	4 yrs up to 5 yrs	5 yrs up to 10 yrs	10 yrs up to 15 yrs		15 yrs or more	Life
Burglary	0	0	0	0	0	0	0	-	-	-	0	-	-	-	-	-	-	-	-	-	-	-	-	0
Break and enter dwellings	0	0	0	0	1	0	1	42	42.0	42	1	8.0	9.0	0	1	0	0	0	0	0	0	0	0	3
Break and enter dwellings with intent	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
Break and enter shops	1	0	0	0	0	0	0	-	-	-	0	-	-	-	-	-	-	-	-	-	-	-	-	1
Break and enter shops with intent	0	0	0	0	0	0	0	-	-	-	0	-	-	-	-	-	-	-	-	-	-	-	-	0
Break and enter schools	0	0	0	0	0	0	0	-	-	-	0	-	-	-	-	-	-	-	-	-	-	-	-	0
Break and enter schools with intent	0	0	0	0	0	0	0	-	-	-	0	-	-	-	-	-	-	-	-	-	-	-	-	0
Break and enter other building	0	0	0	0	0	0	0	-	-	-	1	36.0	84.0	0	0	0	0	0	0	1	0	0	0	1
Break and enter other building with intent	0	0	0	0	0	0	0	-	-	-	0	-	-	-	-	-	-	-	-	-	-	-	-	0
Offences related to break and enter	0	0	0	0	0	0	0	-	-	-	1	3.0	6.0	0	1	0	0	0	0	0	0	0	0	1
Serious criminal trespass																								
- residence	1	0	0	0	2	0	4	9	13.3	20	13	18.8	25.2	1	1	3	4	3	1	0	0	0	0	20
- non-residence	0	0	0	0	0	1	5	9	22.0	36	5	20.6	25.4	0	0	1	3	1	0	0	0	0	0	11
Aggravated serious criminal trespass																								
- residence	2	0	0	0	5	0	41	7	24.1	50	47	31.2	45.3	0	3	6	7	17	1	12	1	0	0	95
- non-residence	0	0	0	0	5	3	24	2	19.8	40	22	18.0	27.8	0	2	4	8	6	2	0	0	0	0	54
Other criminal trespass																								
- residence	0	0	0	0	2	0	2	4	9.5	15	0	-	-	-	-	-	-	-	-	-	-	-	-	4
- non-residence	0	0	0	0	0	0	0	-	-	-	0	-	-	-	-	-	-	-	-	-	-	-	-	0
Total	4	0	0	0	15	4	77	2	21.9	50	90	25.1	36.6	1	8	14	22	27	4	13	1	0	0	190
Percentage	2.1	0	0	0	7.9	2.1	40.5				47.4													100.0

* Average non-parole periods may occasionally exceed average sentence lengths where cases receive a sentence which is cumulative on another sentence or to be served at the expiration of another sentence. The sentence length shown in the average sentence length column is the sentence for the major charge found guilty alone, and thus excludes sentences of imprisonment applying to other charges in the case, whereas non-parole periods are set in relation to the total sentence for all offences convicted. Average sentence length excludes indeterminate sentences such as life imprisonment or indefinite detention, but average non-parole period includes data from cases with life sentences, so the numbers of cases on which these two averages are based may differ. Sentences of indefinite detention are included with life sentences.

Major penalty is the most serious penalty handed down. Major charge found guilty is the charge receiving the most serious penalty. (See Appendix A for more details.)

The offences of *burglary* and *break and enter* were replaced by a new group of offences described as *serious criminal trespass*, taking effect on 25th December 1999.

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TABLE 3.17 Major penalty for major charge found guilty. Fraud and misappropriation

Offence group	Other penalty	Fine	Suspension of driver's licence	Rising of the court	Bond	C.S.O	Suspended imprisonment duration (months)				Immediate imprisonment: duration of sentence for major charge													Total	
							No.	Min	Av.	Max	No.	Av. N.P.P.* (mths)	Av. sentence (mths)	Less than 6 mths	6 mths up to 1 yr	1 yr up to 2 yrs	2 yrs up to 3 yrs	3 yrs up to 4 yrs	4 yrs up to 5 yrs	5 yrs up to 10 yrs	10 yrs up to 15 yrs	15 yrs or more	Life		
False pretences, cards	0	0	0	0	0	0	0	-	-	-	0	-	-	-	-	-	-	-	-	-	-	-	-	-	0
False pretences, cheques (including forge and utter)	0	0	0	0	0	0	0	-	-	-	2	61.5	99.0	0	0	0	0	0	1	0	1	0	0	0	2
False pretences, other	0	0	0	0	0	0	0	-	-	-	0	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Forge and utter (not cheques)	0	0	0	0	0	0	0	-	-	-	1	27.0	40.0	0	0	0	0	1	0	0	0	0	0	0	1
Fraud, government benefits	0	0	0	0	0	0	0	-	-	-	0	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Other fraud	0	0	0	0	0	0	1	7	7.0	7	5	9.6	14.0	0	3	1	0	1	0	0	0	0	0	0	6
Misappropriation																									
- by director/trustees/partner	0	0	0	0	0	0	0	-	-	-	3	28.0	56.0	0	0	0	1	0	0	2	0	0	0	0	3
- by employees	0	0	0	0	0	0	0	-	-	-	2	31.5	47.0	0	0	0	0	1	1	0	0	0	0	0	2
Counterfeiting	0	0	0	0	0	0	0	-	-	-	0	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Total	0	0	0	0	0	0	1	7	7.0	7	13	26.5	43.8	0	3	1	1	3	2	2	1	0	0	0	14
Percentage	0	0	0	0	0	0	7.1				92.9														100.0

* Average non-parole periods may occasionally exceed average sentence lengths where cases receive a sentence which is cumulative on another sentence or to be served at the expiration of another sentence. The sentence length shown in the average sentence length column is the sentence for the major charge found guilty alone, and thus excludes sentences of imprisonment applying to other charges in the case, whereas non-parole periods are set in relation to the total sentence for all offences convicted. Average sentence length excludes indeterminate sentences such as life imprisonment or indefinite detention, but average non-parole period includes data from cases with life sentences, so the numbers of cases on which these two averages are based may differ. Sentences of indefinite detention are included with life sentences.

Major penalty is the most serious penalty handed down. Major charge found guilty is the charge receiving the most serious penalty. (See Appendix A for more details.)

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TABLE 3.18 Major penalty for major charge found guilty. Larceny and receiving

Offence group	Other penalty	Fine	Suspension of driver's licence	Rising of the court	Bond	C.S.O	Suspended imprisonment duration (months)				Immediate imprisonment : duration of sentence for major charge													Total	
							No.	Min	Av.	Max	No.	Av. N.P.P.* (mths)	Av. sentence (mths)	Less than 6 mths	6 mths up to 1 yr	1 yr up to 2 yrs	2 yrs up to 3 yrs	3 yrs up to 4 yrs	4 yrs up to 5 yrs	5 yrs up to 10 yrs	10 yrs up to 15 yrs	15 yrs or more	Life		
Receiving and unlawful possession	0	1	0	0	0	0	2	6	6.0	6	6	24.5	37.3	0	1	0	1	2	1	1	0	0	0	0	9
Larceny of motor vehicle	0	0	0	0	0	0	0	-	-	-	0	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Illegal use, interference with motor vehicle	2	0	1	0	1	0	0	-	-	-	2	13.5	6.0	1	1	0	0	0	0	0	0	0	0	0	6
Larceny, illegal use of other vehicle	0	0	0	0	1	0	0	-	-	-	3	10.7	10.0	1	0	2	0	0	0	0	0	0	0	0	4
Larceny from the person	0	0	0	0	0	0	2	12	17.0	22	1	4.0	15.0	0	0	1	0	0	0	0	0	0	0	0	3
Larceny of livestock	0	0	0	0	0	0	0	-	-	-	0	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Shop theft	1	1	0	0	0	0	0	-	-	-	0	-	-	-	-	-	-	-	-	-	-	-	-	-	2
Other larceny	2	0	0	0	1	0	4	6	16.0	27	1	0.0	6.0	0	1	0	0	0	0	0	0	0	0	0	8
Total	5	2	1	0	3	0	8	6	13.8	27	13	16.2	22.1	2	3	3	1	2	1	1	0	0	0	0	32
Percentage	15.6	6.3	3.1	0	9.4	0	25.0				40.6														100.0

* Average non-parole periods may occasionally exceed average sentence lengths where cases receive a sentence which is cumulative on another sentence or to be served at the expiration of another sentence. The sentence length shown in the average sentence length column is the sentence for the major charge found guilty alone, and thus excludes sentences of imprisonment applying to other charges in the case, whereas non-parole periods are set in relation to the total sentence for all offences convicted. Average sentence length excludes indeterminate sentences such as life imprisonment or indefinite detention, but average non-parole period includes data from cases with life sentences, so the numbers of cases on which these two averages are based may differ. Sentences of indefinite detention are included with life sentences.

Major penalty is the most serious penalty handed down. Major charge found guilty is the charge receiving the most serious penalty. (See Appendix A for more details.)

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TABLE 3.19 Major penalty for major charge found guilty. Property damage and environmental offences

Offence group	Other penalty	Fine	Suspension of driver's licence	Rising of the court	Bond	C.S.O	Suspended imprisonment duration (months)				Immediate imprisonment : duration of sentence for major charge													Total		
							No.	Min	Av.	Max	No.	Av. N.P.P.* (mths)	Av. sentence (mths)	Less than 6 mths	6 mths up to 1 yr	1 yr up to 2 yrs	2 yrs up to 3 yrs	3 yrs up to 4 yrs	4 yrs up to 5 yrs	5 yrs up to 10 yrs	10 yrs up to 15 yrs	15 yrs or more	Life			
Arson or damage to property by explosives:																										
- value under \$2,500	0	0	0	0	0	0	0	-	-	-	0	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
- value \$2,500 - \$30,000	0	0	0	0	0	0	1	48	48.0	48	0	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1
- value over \$30,000	0	0	0	0	0	0	1	36	36.0	36	1	18.0	42.0	0	0	0	0	1	0	0	0	0	0	0	0	2
- value not stated	0	0	0	0	0	0	0	-	-	-	1	45.0	60.0	0	0	0	0	0	0	1	0	0	0	0	0	1
Property damage other than by fire or explosives :																										
- value under \$2,500	0	0	0	0	0	0	0	-	-	-	0	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
- value \$2,500 - \$30,000	0	0	0	0	0	0	0	-	-	-	0	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
- value over \$30,000	0	0	0	0	0	0	0	-	-	-	0	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
- value not stated	1	0	0	0	0	0	4	4	9.3	18	2	33.0	43.0	0	0	0	0	1	1	0	0	0	0	0	0	7
Other property damage offences	0	0	0	0	0	0	1	12	12.0	12	0	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1
Environmental offences	0	0	0	0	0	0	0	-	-	-	0	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Total	1	0	0	0	0	0	7	4	19.0	48	4	32.3	47.0	0	0	0	0	2	1	1	0	0	0	0	0	12
Percentage	8.3	0	0	0	0	0	58.3				33.3															100.0

* Average non-parole periods may occasionally exceed average sentence lengths where cases receive a sentence which is cumulative on another sentence or to be served at the expiration of another sentence. The sentence length shown in the average sentence length column is the sentence for the major charge found guilty alone, and thus excludes sentences of imprisonment applying to other charges in the case, whereas non-parole periods are set in relation to the total sentence for all offences convicted. Average sentence length excludes indeterminate sentences such as life imprisonment or indefinite detention, but average non-parole period includes data from cases with life sentences, so the numbers of cases on which these two averages are based may differ. Sentences of indefinite detention are included with life sentences.

Major penalty is the most serious penalty handed down. Major charge found guilty is the charge receiving the most serious penalty. (See Appendix A for more details.)

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TABLE 3.20 Major penalty for major charge found guilty. Offences against good order

Offence group	Other penalty	Fine	Suspension of driver's licence	Rising of the court	Bond	C.S.O	Suspended imprisonment duration (months)				Immediate imprisonment : duration of sentence for major charge													Total		
							No.	Min	Av.	Max	No.	Av. N.P.P.* (mths)	Av. sentence (mths)	Less than 6 mths	6 mths up to 1 yr	1 yr up to 2 yrs	2 yrs up to 3 yrs	3 yrs up to 4 yrs	4 yrs up to 5 yrs	5 yrs up to 10 yrs	10 yrs up to 15 yrs	15 yrs or more	Life			
Offences against government security and operations	0	0	0	0	0	0	0	-	-	-	0	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Contempt of court	0	0	0	0	0	0	0	-	-	-	0	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Perjury	0	0	0	0	0	0	1	6	6.0	6	1	7.0	16.0	0	0	1	0	0	0	0	0	0	0	0	0	2
Pervert the course of justice	0	0	0	0	0	0	1	1	1.0	1	1	9.0	10.0	0	1	0	0	0	0	0	0	0	0	0	0	2
Breach CSO, bond, parole, bail, court order	3	0	0	0	1	0	0	-	-	-	1	10.0	8.0	0	1	0	0	0	0	0	0	0	0	0	0	5
Escape custody (not gaol)	0	0	0	0	0	0	1	5	5.0	5	5	8.8	9.0	1	2	2	0	0	0	0	0	0	0	0	0	6
Conspiracy	0	0	0	0	0	0	0	-	-	-	0	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Offences against justice procedures and the enforcement of order	0	0	0	0	4	0	2	16	20.0	24	0	-	-	-	-	-	-	-	-	-	-	-	-	-	-	6
Other offences against good order	1	1	0	0	0	0	2	9	13.5	18	1	0.0	1.0	1	0	0	0	0	0	0	0	0	0	0	0	5
Total	4	1	0	0	5	0	7	1	11.3	24	9	7.8	8.9	2	4	3	0	0	0	0	0	0	0	0	0	26
Percentage	15.4	3.8	0	0	19.2	0	26.9				34.6															100.0

* Average non-parole periods may occasionally exceed average sentence lengths where cases receive a sentence which is cumulative on another sentence or to be served at the expiration of another sentence. The sentence length shown in the average sentence length column is the sentence for the major charge found guilty alone, and thus excludes sentences of imprisonment applying to other charges in the case, whereas non-parole periods are set in relation to the total sentence for all offences convicted. Average sentence length excludes indeterminate sentences such as life imprisonment or indefinite detention, but average non-parole period includes data from cases with life sentences, so the numbers of cases on which these two averages are based may differ. Sentences of indefinite detention are included with life sentences.

Major penalty is the most serious penalty handed down. Major charge found guilty is the charge receiving the most serious penalty. (See Appendix A for more details.)

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TABLE 3.21 Major penalty for major charge found guilty. Drug offences

Offence group	Other penalty	Fine	Suspension of driver's licence	Rising of the court	Bond	C.S.O	Suspended imprisonment duration (months)				Immediate imprisonment : duration of sentence for major charge														Total	
							No.	Min	Av.	Max	No.	Av. N.P.P.* (mths)	Av. sentence (mths)	Less than 6 mths	6 mths up to 1 yr	1 yr up to 2 yrs	2 yrs up to 3 yrs	3 yrs up to 4 yrs	4 yrs up to 5 yrs	5 yrs up to 10 yrs	10 yrs to 15 yrs	15 yrs or more	Life			
Possess, use cannabis	0	1	0	0	1	0	0	-	-	-	0	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2
Possess, use other drug	3	1	0	0	2	0	3	9	12.0	15	3	17.3	18.3	0	1	0	2	0	0	0	0	0	0	0	0	12
Import or export cannabis	0	0	0	0	0	0	0	-	-	-	0	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Import, export other drug	0	0	0	0	0	0	0	-	-	-	1	36.0	60.0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sell, possess for sale cannabis	0	4	0	0	3	1	58	4	19.0	36	16	16.3	31.1	0	0	4	7	3	0	2	0	0	0	0	0	82
Sell, possess for sale other drug	1	3	0	0	0	1	38	4	23.0	54	32	23.0	40.6	2	0	6	5	5	5	9	0	0	0	0	0	75
Produce cannabis	0	11	0	0	7	1	36	1	16.6	40	11	11.0	21.4	1	0	5	4	1	0	0	0	0	0	0	0	66
Produce cannabis for own use	0	0	0	0	0	0	0	-	-	-	0	-	-	-	-	-	-	-	-	-	-	-	-	-	0	
Produce other drug	0	0	0	0	0	0	9	10	20.7	30	9	31.7	45.8	0	0	1	0	3	3	2	0	0	0	0	0	18
Other drug offences	0	0	0	0	0	0	0	-	-	-	0	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Total	4	20	0	0	13	3	144	1	19.4	54	72	20.7	35.5	3	1	16	18	12	8	14	0	0	0	0	0	256
Percentage	1.6	7.8	0	0	5.1	1.2	56.3				28.1															100.0

* Average non-parole periods may occasionally exceed average sentence lengths where cases receive a sentence which is cumulative on another sentence or to be served at the expiration of another sentence. The sentence length shown in the average sentence length column is the sentence for the major charge found guilty alone, and thus excludes sentences of imprisonment applying to other charges in the case, whereas non-parole periods are set in relation to the total sentence for all offences convicted. Average sentence length excludes indeterminate sentences such as life imprisonment or indefinite detention, but average non-parole period includes data from cases with life sentences, so the numbers of cases on which these two averages are based may differ. Sentences of indefinite detention are included with life sentences.

Major penalty is the most serious penalty handed down. Major charge found guilty is the charge receiving the most serious penalty. (See Appendix A for more details.)

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TABLE 3.22 Major penalty for major charge found guilty. Other offences

Offence group	Other penalty	Fine	Suspended imprisonment of driver's licence	Rising of the court	Bond	C.S.O	Suspended imprisonment duration (months)				Immediate imprisonment: duration of sentence for major charge													Total		
							No.	Min	Av.	Max	No.	Av. N.P.P.* (mths)	Av. sentence (mths)	Less than 6 mths	6 mths up to 1 yr	1 yr up to 2 yrs	2 yrs up to 3 yrs	3 yrs up to 4 yrs	4 yrs up to 5 yrs	5 yrs up to 10 yrs	10 yrs up to 15 yrs	15 yrs or more	Life			
Driving, motor vehicle, traffic offences	0	1	3	0	0	0	0	-	-	-	1	0.0	2.0	1	0	0	0	0	0	0	0	0	0	0	0	5
Company, banking, financial, insurance etc offences	0	0	0	0	0	0	1	24	24.0	24	1	0.0	6.0	0	1	0	0	0	0	0	0	0	0	0	0	2
Misc. state and territory legislation	0	1	0	0	0	0	2	5	8.5	12	3	0.0	6.0	0	3	0	0	0	0	0	0	0	0	0	0	6
Escape prison	1	0	0	0	0	0	0	-	-	-	1	10.0	15.0	0	0	1	0	0	0	0	0	0	0	0	0	2
Other offences by prisoners	0	0	0	0	0	0	0	-	-	-	0	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Total	1	2	3	0	0	0	3	5	13.7	24	6	1.7	6.8	1	4	1	0	0	0	0	0	0	0	0	0	15
Percentage	6.7	13.3	20.0	0	0	0	20.0				40.0															100.0

* Average non-parole periods may occasionally exceed average sentence lengths where cases receive a sentence which is cumulative on another sentence or to be served at the expiration of another sentence. The sentence length shown in the average sentence length column is the sentence for the major charge found guilty alone, and thus excludes sentences of imprisonment applying to other charges in the case, whereas non-parole periods are set in relation to the total sentence for all offences convicted. Average sentence length excludes indeterminate sentences such as life imprisonment or indefinite detention, but average non-parole period includes data from cases with life sentences, so the numbers of cases on which these two averages are based may differ. Sentences of indefinite detention are included with life sentences. Major penalty is the most serious penalty handed down. Major charge found guilty is the charge receiving the most serious penalty. (See Appendix A for more details.)

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TABLE 3.23 Total head sentence and non-parole period for all imprisonments (including cumulative imprisonment penalties)

Non-parole period	Duration of sentence													Total	Average head sentence (months)
	Up to 1 year	1 year up to 2 years	2 years up to 3 years	3 years up to 4 years	4 years up to 5 years	5 years up to 6 years	6 years up to 7 years	7 years up to 8 years	8 years up to 9 years	9 years up to 10 years	10 years up to 15 years	15 years or more	Life		
Not specified	12	0	5	0	0	0	1	0	0	1	0	0	0	19	20.2
Less than 6 months	1	9	2	1	1	0	0	0	0	0	0	0	0	14	20.4
6 months up to 1 year	0	34	16	3	1	0	0	0	0	0	0	1	0	55	25.1
1 year up to 2 years	0	7	42	44	12	2	0	0	0	0	1	0	0	108	36.2
2 years up to 3 years	0	0	1	17	26	10	8	1	1	0	0	0	0	64	55.0
3 years up to 4 years	0	0	0	0	4	18	14	4	0	1	0	0	0	41	69.4
4 years up to 5 years	0	0	0	0	0	0	10	5	3	0	0	0	0	18	81.8
5 years up to 6 years	0	0	0	0	0	0	0	4	4	4	1	0	0	13	100.4
6 years up to 7 years	0	0	0	0	0	0	0	0	0	4	4	0	0	8	116.3
7 years up to 8 years	0	0	0	0	0	0	0	0	0	0	8	0	0	8	129.0
8 years up to 9 years	0	0	0	0	0	0	0	0	0	0	4	0	0	4	147.8
9 years up to 10 years	0	0	0	0	0	0	0	0	0	0	5	1	0	6	165.5
10 years up to 15 years	0	0	0	0	0	0	0	0	0	0	1	2	1	4	172.0
15 years or more	0	0	0	0	0	0	0	0	0	0	0	2	5	7	356.0
Total	13	50	66	65	44	30	33	14	8	10	24	6	6	369	54.8
Average non-parole period (months)	3.0	7.8	13.4	18.4	24.4	33.2	40.0	49.9	54.1	64.0	88.8	142.7	242.2	34.0	

The average head sentence excludes cases sentenced to life imprisonment and the average non-parole period excludes cases where a non-parole period was not set. Indefinite detention is grouped with life imprisonment for the purposes of this table. The number of life sentences shown in this table may exceed the number in Table 3.12 as that table shows new life sentences only for the major charge found guilty, whereas the present table includes persons already serving life sentences who have received additional penalties for fresh offences, since the total effective head sentence includes existing sentences.

The ranges specified in the table do not include the upper value mentioned. Thus '1 year up to 2 years' begins at one year exactly and goes up to but does not include 2 years.

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TABLE 3.24a Age by major offence charged. Male defendants

Offence group	Age of males									Average age (years)	Total with information available		Information not available
	10-17	18 - 19	20 - 24	25 - 29	30 - 34	35 - 39	40 - 49	50 - 59	60 plus		Number	Percentage	
Offences against the person (excluding sexual offences)	4	16	31	22	25	16	16	6	3	30.4	139	15.2	0
Sexual offences	0	8	21	15	16	30	18	7	7	34.8	122	13.4	0
Robbery and extortion	2	29	37	17	9	6	5	0	0	24.1	105	11.5	0
Serious criminal trespass*	3	45	59	46	32	19	23	1	1	27.4	229	25.1	0
Fraud and misappropriation	0	3	0	0	3	3	5	3	0	38.3	17	1.9	0
Larceny and receiving	0	1	7	3	3	1	0	0	0	26.1	15	1.6	0
Property damage and environmental	0	1	2	0	0	0	1	2	0	36.2	6	0.7	0
Offences against good order	2	4	6	6	5	2	2	0	0	26.8	27	3.0	0
Drug offences	0	6	36	48	42	33	48	19	7	35.2	239	26.2	0
Other offences	0	1	5	1	1	1	3	1	0	30.9	13	1.4	0
Total	11	114	204	158	136	111	121	39	18	30.8	912		0
Percentage	1.2	12.5	22.4	17.3	14.9	12.2	13.3	4.3	2.0			100.0	
Rate per 1,000 adult population		5.2	4.0	3.2	2.5	2.0	1.1	0.4	0.1		1.6		

Age is at date of offence.

Rate per 1,000 adult population is based on the preliminary estimated resident population at 30 June 2003 (Australian Bureau of Statistics, catalogue no. 3201.0, *Population by Age and Sex, Australian States and Territories*).

*The offences of *burglary and break and enter* were replaced by a new group of offences described as *serious criminal trespass*, taking effect on 25th December 1999.

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TABLE 3.24b Age by major offence charged. Female defendants

Offence group	Age of females									Average age (years)	Total with information available		Information not available
	10-17	18 - 19	20 - 24	25 - 29	30 - 34	35 - 39	40 - 49	50 - 59	60 plus		Number	Percentage	
Offences against the person (excluding sexual offences)	0	3	3	2	4	2	2	0	0	28.8	16	11.4	0
Sexual offences	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery and extortion	0	2	1	1	2	3	1	0	0	30.0	10	7.1	0
Serious criminal trespass*	0	2	5	4	6	5	1	0	0	29.1	23	16.4	0
Fraud and misappropriation	0	0	0	1	1	1	1	0	0	35.8	4	2.9	0
Larceny and receiving	0	1	0	4	2	0	0	0	0	26.7	7	5.0	0
Property damage and environmental	0	0	0	0	0	0	0	0	0	0	0	0	0
Offences against good order	0	2	2	7	0	1	1	0	0	26.6	13	9.3	0
Drug offences	0	7	9	11	12	6	10	7	4	35.4	66	47.1	0
Other offences	0	0	0	1	0	0	0	0	0	28.0	1	0.7	0
Total	0	17	20	31	27	18	16	7	4	31.9	140		0
Percentage	0	12.1	14.3	22.1	19.3	12.9	11.4	5.0	2.9			100.0	
Rate per 1,000 adult population		0.8	0.4	0.7	0.5	0.3	0.1	0.1	0.0		0.2		

Age is at date of offence.

Rate per 1,000 adult population is based on the preliminary estimated resident population at 30 June 2003 (Australian Bureau of Statistics, catalogue no. 3201.0, *Population by Age and Sex, Australian States and Territories*).

*The offences of *burglary and break and enter* were replaced by a new group of offences described as *serious criminal trespass*, taking effect on 25th December 1999.

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TABLE 3.24c Age by major offence charged. All defendants *

Offence group	Age of all accused									Average age (years)	Total with information available		Information not available
	10-17	18 - 19	20 - 24	25 - 29	30 - 34	35 - 39	40 - 49	50 - 59	60 plus		Number	Percentage	
Offences against the person (excluding sexual offences)	4	19	34	24	29	18	18	6	3	30.2	155	14.7	0
Sexual offences	0	8	21	15	16	30	18	7	7	34.8	122	11.6	0
Robbery and extortion	2	31	38	18	11	9	6	0	0	24.6	115	10.9	0
Serious criminal trespass**	3	47	64	50	38	24	24	1	1	27.6	252	24.0	0
Fraud and misappropriation	0	3	0	1	4	4	6	3	0	37.8	21	2.0	0
Larceny and receiving	0	2	7	7	5	1	0	0	0	26.3	22	2.1	0
Property damage and environmental	0	1	2	0	0	0	1	2	0	36.2	6	0.6	0
Offences against good order	2	6	8	13	5	3	3	0	0	26.7	40	3.8	0
Drug offences	0	13	45	59	54	39	58	26	11	35.2	305	29.0	0
Other offences	0	1	5	2	1	1	3	1	0	30.7	14	1.3	0
Total	11	131	224	189	163	129	137	46	22	30.9	1,052		0
Percentage	1.0	12.5	21.3	18.0	15.5	12.3	13.0	4.4	2.1			100.0	
Rate per 1,000 adult population		3.1	2.2	2.0	1.5	1.2	0.6	0.2	0.1		0.9		

*The total in this table may be slightly greater than the sum of the male and female totals as sex is not always known even though age may be known. Corporate bodies are in the 'Information not available' category. Age is at date of offence.

Rate per 1,000 adult population is based on the preliminary estimated resident population at 30 June 2003 (Australian Bureau of Statistics, catalogue no. 3201.0, *Population by Age and Sex, Australian States and Territories*).

**The offences of *burglary and break and enter* were replaced by a new group of offences described as *serious criminal trespass*, taking effect on 25th December 1999.

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TABLE 3.25 Racial appearance of defendant by major offence charged

Offence group	Racial appearance		Total with information available		Information not available
	Aboriginal	Non-Aboriginal	Number	Percentage	
Offences against the person (excluding sexual offences)	22	128	150	14.6	5
Sexual offences	9	113	122	11.9	0
Robbery and extortion	20	95	115	11.2	1
Serious criminal trespass*	42	209	251	24.4	4
Fraud and misappropriation	0	17	17	1.7	0
Larceny and receiving	1	21	22	2.1	0
Damage property and environmental offences	0	6	6	0.6	0
Offences against good order	4	32	36	3.5	4
Drug offences	2	295	297	28.9	8
Other offences	3	10	13	1.3	1
Total	103	926	1,029		23
Percentage	10.0	90.0		100.0	
Rate per 1,000 population	8.0	0.9	0.9		

Racial appearance is derived from police Apprehension Reports, which reflect the opinion of the apprehending police officer.

Rate per 1,000 population is based on the 2001 Census figures for resident persons aged 18 years and older. (Australian Bureau of Statistics catalogue no. 2002.0, *Indigenous Profile*)

*The offences of *burglary and break and enter* were replaced by a new group of offences described as *serious criminal trespass*, taking effect on 25th December 1999.

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TABLE 3.26 Prior criminal convictions and prior imprisonments of defendant by major offence charged

Offence group	Number of prior convictions as juvenile or adult							One or more previous imprisonments		Total with information available		Information not available
	No prior convictions	1	2 - 4	5 - 9	10 - 49	50 or more	Average	Number	Percentage of offence group	Number	Percentage	
Offences against the person (excluding sexual offences)	32	11	29	20	49	14	15.7	50	32.3	155	14.7	0
Sexual offences	32	8	26	28	27	1	8.6	28	23.0	122	11.6	0
Robbery and extortion	14	9	16	10	46	20	27.1	55	47.8	115	10.9	0
Serious criminal trespass*	26	8	30	31	109	48	27.2	108	42.9	252	24.0	0
Fraud and misappropriation	7	2	4	2	6	0	7.6	5	23.8	21	2.0	0
Larceny and receiving	0	1	2	5	14	0	17.4	9	40.9	22	2.1	0
Property damage and environmental	1	0	0	1	4	0	13.7	4	66.7	6	0.6	0
Offences against good order	6	1	5	2	22	4	22.8	18	45.0	40	3.8	0
Drug offences	92	24	53	36	93	7	10.3	63	20.7	305	29.0	0
Other offences	7	1	0	0	3	3	20.4	5	35.7	14	1.3	0
Total	217	65	165	135	373	97	17.5	345	32.3	1,052		0
Percentage	20.6	6.2	15.7	12.8	35.5	9.2					100.0	

*The offences of *burglary and break and enter* were replaced by a new group of offences described as *serious criminal trespass*, taking effect on 25th December 1999.

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TABLE 3.27 Bail status following the final committal hearing by
major offence charged

Offence group	On bail	In custody	Total with information available		Information not available
			Number	Percentage	
Offences against the person (excluding sexual offences)	100	49	149	15.1	0
Sexual offences	88	34	122	12.4	0
Robbery and extortion	49	60	109	11.1	0
Serious criminal trespass*	132	93	225	22.8	0
Fraud and misappropriation	19	1	20	2.0	0
Larceny and receiving	15	5	20	2.0	0
Property damage and environmental	5	1	6	0.6	0
Offences against good order	21	11	32	3.2	0
Drug offences	270	21	291	29.5	0
Other offences	4	7	11	1.1	0
Total	703	282	985		0
Percentage	71.4	28.6		100.0	

*The offences of *burglary and break and enter* were replaced by a new group of offences described as *serious criminal trespass*, taking effect on 25th December 1999.

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TABLE 3.28 Final plea of defendant by major offence charged

Offence group	Final plea			Total	
	Guilty	Not guilty	No plea	Number	Percentage
Offences against the person (excluding sexual offences)	44	89	22	155	14.7
Sexual offences	28	73	21	122	11.6
Robbery and extortion	44	40	31	115	10.9
Serious criminal trespass*	115	53	84	252	24.0
Fraud and misappropriation	8	7	6	21	2.0
Larceny and receiving	5	4	13	22	2.1
Property damage and environmental	1	2	3	6	0.6
Offences against good order	12	6	22	40	3.8
Drug offences	165	95	45	305	29.0
Other offences	6	0	8	14	1.3
Total	428	369	255	1,052	
Percentage	40.7	35.1	24.2		100.0

*The offences of *burglary and break and enter* were replaced by a new group of offences described as *serious criminal trespass*, taking effect on 25th December 1999.

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TABLE 3.29 Month case finalised by final plea, Supreme Court

Final plea	Month case finalised												Total	
	January	February	March	April	May	June	July	August	September	October	November	December	Number	Percentage
Guilty	0	2	3	3	0	3	3	3	1	1	1	1	21	37.5
Not guilty	3	2	4	0	0	2	5	1	1	0	0	3	21	37.5
No plea	2	2	0	0	1	0	6	1	0	1	0	1	14	25.0
Total	5	6	7	3	1	5	14	5	2	2	1	5	56	
Percentage	8.9	10.7	12.5	5.4	1.8	8.9	25.0	8.9	3.6	3.6	1.8	8.9		100.0

TABLE 3.30 Month case finalised by final plea, District Court

Final plea	Month case finalised												Total	
	January	February	March	April	May	June	July	August	September	October	November	December	Number	Percentage
Guilty	19	21	33	39	34	41	48	32	43	38	25	34	407	40.9
Not guilty	23	30	33	21	28	30	30	26	38	24	35	30	348	34.9
No plea	24	19	11	25	20	23	18	25	31	11	22	12	241	24.2
Total	66	70	77	85	82	94	96	83	112	73	82	76	996	
Percentage	6.6	7.0	7.7	8.5	8.2	9.4	9.6	8.3	11.2	7.3	8.2	7.6		100.0