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MAGISTRATES COURTS OF SOUTH AUSTRALIA

Magistrates Courts of South Australia
1 January - 31 December 2003

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

| Offence Group | Committed for trial or sentence | Convicted | | | Acquitted on Major Charge | Not guilty: mentally incompetent | Major charge withdrawn | Major charge dismissed | Orders issued/ varied/ revoked | Withdrawn on completion of mental health diversion program | Other (eg. Defendant died) | Total | |
|---|---------------------------------|--------------|-----------------|---------------------------|---------------------------|----------------------------------|------------------------|------------------------|--------------------------------|--|----------------------------|--------|-------|
| | | With penalty | Without Penalty | Guilty without conviction | | | | | | | | No. | % |
| Offences against the person (excl. sexual offences) | 135 (7) | 1,160 | 61 | 411 | 5 | 14 | 927 (244) | 1,158 (229) | 0 | 4 | 4 | 3,879 | 13.3 |
| Sexual offences | 130 (2) | 66 | 3 | 19 | 1 | 5 | 32 (3) | 143 (10) | 0 | 0 | 1 | 400 | 1.4 |
| Robbery and extortion | 142 (7) | 4 | 1 | 1 | 0 | 1 | 6 | 134 (18) | 0 | 0 | 0 | 289 | 1.0 |
| Serious criminal trespass | 225 (5) | 442 | 3 | 21 | 1 (1) | 3 | 115 (37) | 583 (173) | 0 | 0 | 4 | 1,397 | 4.8 |
| Fraud and misappropriation | 15 | 386 | 10 | 97 | 0 | 0 | 148 (14) | 110 (9) | 0 | 1 | 1 | 768 | 2.6 |
| Larceny and receiving | 6 (1) | 1,633 | 141 | 812 | 2 | 3 (1) | 894 (247) | 301 (73) | 0 | 14 | 4 | 3,810 | 13.0 |
| Property damage and environmental offences | 9 | 653 | 37 | 256 | 0 | 8 | 325 (58) | 94 (16) | 0 | 3 | 2 | 1,387 | 4.7 |
| Offences against good order | 26 (2) | 2,609 | 759 | 1,252 | 1 | 3 | 895 (132) | 160 (15) | 0 | 7 | 0 | 5,712 | 19.6 |
| Drug offences | 285 (11) | 939 | 5 | 548 | 1 | 1 | 156 (47) | 245 (39) | 0 | 0 | 0 | 2,180 | 7.5 |
| Driving offences | 0 | 6,190 | 47 | 47 | 3 | 0 | 806 (153) | 62 (3) | 0 | 0 | 4 | 7,159 | 24.5 |
| Other offences | 11 | 336 | 86 | 50 | 0 | 0 | 212 (5) | 27 (2) | 0 | 0 | 1 | 723 | 2.5 |
| Non-offence matters | 0 | 0 | 0 | 0 | 0 | 0 | 165 | 79 | 1,257 | 0 | 1 | 1,502 | 5.1 |
| Total | 984 (35) | 14,418 | 1,153 | 3,514 | 14 (1) | 38 (1) | 4,681 (940) | 3,096 (587) | 1,257 | 29 | 22 | 29,206 | |
| Percentage | 3.4 | 49.4 | 3.9 | 12.0 | 0.0 | 0.1 | 16.0 | 10.6 | 4.3 | 0.1 | 0.1 | | 100.0 |

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

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

| Offence Group | Committed for trial or sentence | Convicted | | | Acquitted on Major Charge | Not guilty: mentally incompetent | Major charge withdrawn | Major charge dismissed | Orders issued/ varied/ revoked | Withdrawn on completion of mental health diversion program | Other (eg. Defendant died) | Total | |
|--|---------------------------------|--------------|-----------------|---------------------------|---------------------------|----------------------------------|------------------------|------------------------|--------------------------------|--|----------------------------|-------|------|
| | | With penalty | Without Penalty | Guilty without conviction | | | | | | | | No. | % |
| Murder | 25 (3) | 0 | 0 | 0 | 0 | 0 | 8 | 0 | 0 | 0 | 0 | 33 | 0.9 |
| Attempted murder | 13 (1) | 0 | 0 | 0 | 0 | 0 | 16 (3) | 0 | 0 | 0 | 0 | 29 | 0.7 |
| Conspiracy to murder | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Manslaughter | 1 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 2 | 0.1 |
| Driving causing death | 10 | 0 | 0 | 0 | 0 | 0 | 2 | 0 | 0 | 0 | 0 | 12 | 0.3 |
| Other homicide | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Assault occasioning grievous bodily harm | 25 (1) | 13 | 0 | 0 | 1 | 1 | 2 (1) | 70 (24) | 0 | 0 | 0 | 112 | 2.9 |
| Assault occasioning actual bodily harm | 2 | 245 | 3 | 27 | 4 | 3 | 56 (14) | 315 (50) | 0 | 0 | 1 | 656 | 16.9 |
| Other major assault | 18 | 6 | 0 | 0 | 0 | 1 | 3 (2) | 14 (5) | 0 | 0 | 0 | 42 | 1.1 |
| Common assault | | | | | | | | | | | | | |
| - of a male | 1 | 252 | 15 | 136 | 0 | 3 | 276 (42) | 38 (6) | 0 | 0 | 0 | 721 | 18.6 |
| - of a female | 0 | 145 | 11 | 94 | 0 | 0 | 203 (18) | 57 (4) | 0 | 1 | 1 | 512 | 13.2 |
| - sex of victim unspecified | 0 | 21 | 2 | 12 | 0 | 0 | 24 (5) | 9 | 0 | 0 | 0 | 68 | 1.8 |
| Common assault of family member | 0 | 183 | 13 | 64 | 0 | 0 | 155 (27) | 383 (66) | 0 | 0 | 1 | 799 | 20.6 |
| Other minor assault | 0 | 0 | 0 | 0 | 0 | 0 | 2 (2) | 0 | 0 | 0 | 0 | 2 | 0.1 |
| Assault police | 0 | 210 | 14 | 69 | 0 | 3 | 161 (112) | 19 (5) | 0 | 2 | 0 | 478 | 12.3 |
| Kidnapping and abduction | 7 | 0 | 0 | 0 | 0 | 0 | 1 (1) | 5 | 0 | 0 | 0 | 13 | 0.3 |
| Ill treatment of children | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Hijacking | 0 | 1 | 0 | 0 | 0 | 0 | 1 (1) | 0 | 0 | 0 | 0 | 2 | 0.1 |
| Defamation and libel | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Stalking | 0 | 1 | 0 | 0 | 0 | 0 | 1 (1) | 10 (1) | 0 | 0 | 0 | 12 | 0.3 |
| Other offences against the person | 33 (2) | 83 | 3 | 9 | 0 | 3 | 41 (18) | 212 (65) | 0 | 1 | 1 | 386 | 10.0 |
| Total | 135 (7) | 1,160 | 61 | 411 | 5 | 14 | 927 (244) | 1,158 (229) | 0 | 4 | 4 | 3,879 | |
| Percentage | 3.5 | 29.9 | 1.6 | 10.6 | 0.1 | 0.4 | 23.9 | 29.9 | 0 | 0.1 | 0.1 | 100.0 | |

Numbers in brackets indicate cases where the defendant was not found guilty of the major charge but was found guilty of another charge. The bracketed numbers are also included in the total alongside which they appear. Thus 10(1) would mean that of the 10 cases with a given outcome, 10 were not guilty of the major charge but in one case there was a finding of guilt for an offence which was not the major charge. Some of these other charges may be for offences in groups other than the major charge - e.g. a person charged with *assault* (an offence against the person) may eventually be found guilty and convicted of only *offensive language*. In such instances cases are shown in the penalty tables for the offence group for which they were convicted. Prior to 1992 *kidnapping* was included under *robbery & extortion*. Prior to 1994 *defamation and libel* was included under *offences against good order*. On June 1st 1994 it became an offence to stalk another person (*stalking*). *Hijacking* includes other acts endangering life involving transport. A new category of *common assault of a family member* was introduced in 1995. The way in which the data have been presented in this table differs from that used for the corresponding table in *Crime and Justice* reports prior to 1996 (see Appendix A for explanation). For more detail regarding cases found not guilty on the grounds of mental incompetence see Appendix A.

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TABLE 2.3 Case outcome by major offence charged. Sexual offences

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

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Numbers in brackets indicate cases where the defendant was not found guilty of the major charge but was found guilty of another charge. The bracketed numbers are also included in the total alongside which they appear. Thus 10(1) would mean that of the 10 cases with a given outcome, 10 were not guilty of the major charge but in one case there was a finding of guilt for an offence which was not the major charge. Some of these other charges may be for offences in groups other than the major charge - e.g. a person charged with *assault (an offence against the person)* may eventually be found guilty and convicted of only *offensive language*. In such instances cases are shown in the penalty tables for the offence group for which they were convicted. On July 28th 1994 the offence of *persistent sexual abuse of a child* was introduced. The way in which the data have been presented in this table differs from that used for the corresponding table in *Crime and Justice* reports prior to 1996 (see Appendix A for explanation). For more detail regarding cases found not guilty on the grounds of mental incompetence see Appendix A.

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

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

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Numbers in brackets indicate cases where the defendant was not found guilty of the major charge but was found guilty of another charge. The bracketed numbers are also included in the total alongside which they appear. Thus 10(1) would mean that of the 10 cases with a given outcome, 10 were not guilty of the major charge but in one case there was a finding of guilt for an offence which was not the major charge. Some of these other charges may be for offences in groups other than the major charge - e.g. a person charged with *assault* (an offence against the person) may eventually be found guilty and convicted of only *offensive language*. In such instances cases are shown in the penalty tables for the offence group for which they were convicted. On July 28th 1994 the offence of *persistent sexual abuse of a child* was introduced. The way in which the data have been presented in this table differs from that used for the corresponding table in *Crime and Justice* reports prior to 1996 (see Appendix A for explanation). For more detail regarding cases found not guilty the grounds of mental incompetence see Appendix A.

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

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

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Numbers in brackets indicate cases where the defendant was not found guilty of the major charge but was found guilty of another charge. The bracketed numbers are also included in the total alongside which they appear. Thus 10(1) would mean that of the 10 cases with a given outcome, 10 were not guilty of the major charge but in one case there was a finding of guilt for an offence which was not the major charge. Some of these other charges may be for offences in groups other than the major charge - e.g. a person charged with *assault* (an offence against the person) may eventually be found guilty and convicted of only *offensive language*. In such instances cases are shown in the penalty tables for the offence group for which they were convicted. On July 28th 1994 the offence of *persistent sexual abuse of a child* was introduced. The way in which the data have been presented in this table differs from that used for the corresponding table in *Crime and Justice* reports prior to 1996 (see Appendix A for explanation). For more detail regarding cases found not guilty on the grounds of mental incompetence see Appendix A.

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

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

Numbers in brackets indicate cases where the defendant was not found guilty of the major charge but was found guilty of another charge. The bracketed numbers are also included in the total alongside which they appear. Thus 10(1) would mean that of the 10 cases with a given outcome, 10 were not guilty of the major charge but in one case there was a finding of guilt for an offence which was not the major charge. Some of these other charges may be for offences in groups other than the major charge - e.g. a person charged with *assault (an offence against the person)* may eventually be found guilty and convicted of only *offensive language*. In such instances cases are shown in the penalty tables for the offence group for which they were convicted. On July 28th 1994 the offence of *persistent sexual abuse of a child* was introduced. The way in which the data have been presented in this table differs from that used for the corresponding table in *Crime and Justice* reports prior to 1996 (see Appendix A for explanation). For more detail regarding cases found not guilty on the grounds of mental incompetence see Appendix A.

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

| Offence Group | Committed for trial or sentence | Convicted | | | Acquitted on Major Charge | Not guilty: mentally incompetent | Major charge withdrawn | Major charge dismissed | Orders issued/ varied/ revoked | Withdrawn on completion of mental health diversion program | Other (eg. Defendant died) | Total | |
|----------------------------------|---------------------------------|--------------|-----------------|---------------------------|---------------------------|----------------------------------|------------------------|------------------------|--------------------------------|--|----------------------------|-------|-------|
| | | With penalty | Without Penalty | Guilty without conviction | | | | | | | | No. | % |
| Robbery with a firearm | | | | | | | | | | | | | |
| - financial institution | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| - other institution | 5 (1) | 0 | 0 | 0 | 0 | 0 | 2 | 8 (1) | 0 | 0 | 0 | 15 | 5.2 |
| Robbery with other weapon | | | | | | | | | | | | | |
| - financial institution | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| - other institution | 58 (2) | 0 | 0 | 0 | 0 | 0 | 1 | 25 (6) | 0 | 0 | 0 | 84 | 29.1 |
| Unarmed robbery with violence | | | | | | | | | | | | | |
| - financial institution | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| - other institution | 29 (3) | 0 | 0 | 0 | 0 | 0 | 2 | 34 (3) | 0 | 0 | 0 | 65 | 22.5 |
| Unarmed robbery with no violence | | | | | | | | | | | | | |
| - financial institution | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| - other institution | 50 (1) | 1 | 0 | 0 | 0 | 1 | 1 | 59 (5) | 0 | 0 | 0 | 112 | 38.8 |
| Extortion | 0 | 3 | 1 | 1 | 0 | 0 | 0 | 8 (3) | 0 | 0 | 0 | 13 | 4.5 |
| Total | 142 (7) | 4 | 1 | 1 | 0 | 1 | 6 | 134 (18) | 0 | 0 | 0 | 289 | |
| Percentage | 49.1 | 1.4 | 0.3 | 0.3 | 0 | 0.3 | 2.1 | 46.4 | 0 | | | | 100.0 |

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

Since 1992 *kidnapping* has been included under *offences against the person (excluding sexual offences)* (Table 2.2). The way in which the data have been presented in this table differs from that used for the corresponding table in *Crime and Justice* reports prior to 1996 (see Appendix A for explanation). For more detail regarding cases found not guilty on the grounds of mental incompetence see Appendix A.

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

| Offence Group | Committed for trial or sentence | Convicted | | | Acquitted on Major Charge | Not guilty: mentally incompetent | Major charge withdrawn | Major charge dismissed | Orders issued/ varied/ revoked | Withdrawn on completion of mental health diversion program | Other (eg. Defendant died) | Total | |
|--|---------------------------------|--------------|-----------------|---------------------------|---------------------------|----------------------------------|------------------------|------------------------|--------------------------------|--|----------------------------|-------|-------|
| | | With penalty | Without Penalty | Guilty without conviction | | | | | | | | No. | % |
| Burglary | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 1 | 0.1 |
| Break and enter dwellings | 0 | 13 | 0 | 0 | 0 | 0 | 13 | 8 (1) | 0 | 0 | 1 | 35 | 2.5 |
| Break and enter dwellings with intent | 0 | 0 | 0 | 0 | 0 | 0 | 4 | 0 | 0 | 0 | 0 | 4 | 0.3 |
| Break and enter dwellings at night with intent | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Break and enter shops | 0 | 2 | 0 | 0 | 0 | 0 | 2 (1) | 1 | 0 | 0 | 0 | 5 | 0.4 |
| Break and enter shops with intent | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 2 | 0.1 |
| Break and enter schools | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 0 | 0 | 0 | 0 | 2 | 0.1 |
| Break and enter schools with intent | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Break and enter other building | 2 | 7 | 0 | 1 | 0 | 0 | 6 | 7 (1) | 0 | 0 | 0 | 23 | 1.6 |
| Break and enter other building with intent | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 2 | 1.1 |
| Non Aggravated serious criminal trespass | | | | | | | | | | | | | |
| - place of residence | 21 | 177 | 1 | 3 | 1 (1) | 1 | 37 (14) | 160 (69) | 0 | 0 | 1 | 402 | 28.8 |
| - shops | 0 | 40 | 0 | 2 | 0 | 0 | 4 (3) | 19 (9) | 0 | 0 | 0 | 65 | 4.7 |
| - schools | 0 | 13 | 0 | 1 | 0 | 0 | 2 (1) | 12 (1) | 0 | 0 | 0 | 28 | 2.0 |
| - other buildings | 1 | 132 | 0 | 2 | 0 | 1 | 12 (7) | 88 (29) | 0 | 0 | 2 | 238 | 17.0 |
| Aggravated serious criminal trespass | | | | | | | | | | | | | |
| - place of residence | 140 (3) | 16 | 0 | 4 | 0 | 1 | 14 (5) | 186 (33) | 0 | 0 | 0 | 361 | 25.8 |
| - shops | 21 | 7 | 0 | 1 | 0 | 0 | 2 | 10 (3) | 0 | 0 | 0 | 41 | 2.9 |
| - schools | 2 | 1 | 0 | 0 | 0 | 0 | 0 | 3 (1) | 0 | 0 | 0 | 6 | 0.4 |
| - other buildings | 36 (1) | 8 | 0 | 0 | 0 | 0 | 0 | 44 (5) | 0 | 0 | 0 | 88 | 6.3 |
| Other criminal trespass – place of residence | 2 (1) | 11 | 1 | 5 | 0 | 0 | 5 (2) | 21 (13) | 0 | 0 | 0 | 45 | 3.2 |
| Offences related to break and enter | 0 | 14 | 1 | 1 | 0 | 0 | 11 (4) | 22 (8) | 0 | 0 | 0 | 49 | 3.5 |
| Total | 225 (5) | 442 | 3 | 21 | 1 (1) | 3 | 115 (37) | 583 (173) | 0 | 0 | 4 | 1,397 | |
| Percentage | 16.1 | 31.6 | 0.2 | 1.5 | 0.1 | 0.2 | 8.2 | 41.7 | 0 | 0 | 0.3 | | 100.0 |

Numbers in brackets indicate cases where the defendant was not found guilty of the major charge but was found guilty of another charge. The bracketed numbers are also included in the total alongside which they appear. Thus 10(1) would mean that of the 10 cases with a given outcome, 10 were not guilty of the major charge but in one case there was a finding of guilt for an offence which was not the major charge. Some of these other charges may be for offences in groups other than the major charge - e.g. a person charged with *assault (an offence against the person)* may eventually be found guilty and convicted of only *offensive language*. In such instances cases are shown in the penalty tables for the offence group for which they were convicted. The way in which the data have been presented in this table differs from that used for the corresponding table in *Crime and Justice* reports prior to 1996 (see Appendix A for explanation). On 25 December 1999 new legislation was proclaimed which replaced *break and enter* offences (other than *sacrilège*) with a range of *criminal trespass* offences. The *break and enter* figures cited for 2000 and onwards are therefore not directly comparable with those listed before 1999 (for more information see Appendix A). For more detail regarding cases found not guilty on the grounds of mental incompetence see Appendix A.

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

| Offence Group | Committed for trial or sentence | Convicted | | | Acquitted on Major Charge | Not guilty: mentally incompetent | Major charge withdrawn | Major charge dismissed | Orders issued/ varied/ revoked | Withdrawn on completion of mental health diversion program | Other (eg. Defendant died) | Total | |
|---|---------------------------------|--------------|-----------------|---------------------------|---------------------------|----------------------------------|------------------------|------------------------|--------------------------------|--|----------------------------|-------|-------|
| | | With penalty | Without Penalty | Guilty without conviction | | | | | | | | No. | % |
| False pretences | | | | | | | | | | | | | |
| - credit/debit cards | 0 | 17 | 0 | 7 | 0 | 0 | 8 (2) | 2 | 0 | 0 | 0 | 34 | 4.4 |
| - cheques | 2 | 34 | 0 | 7 | 0 | 0 | 30 (2) | 15 (2) | 0 | 0 | 0 | 88 | 11.5 |
| - other | 1 | 52 | 3 | 24 | 0 | 0 | 31 (3) | 14 | 0 | 0 | 0 | 125 | 16.3 |
| Forge and utter (excluding cheques) | 4 | 4 | 0 | 1 | 0 | 0 | 2 | 10 (4) | 0 | 0 | 0 | 21 | 2.7 |
| False statement | | | | | | | | | | | | | |
| - unemployment benefit | 0 | 23 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 24 | 3.1 |
| - other social security benefit | 0 | 33 | 0 | 0 | 0 | 0 | 5 | 1 | 0 | 0 | 0 | 39 | 5.1 |
| - unspecified government benefit | 0 | 49 | 0 | 2 | 0 | 0 | 5 | 2 | 0 | 0 | 0 | 58 | 7.6 |
| Other fraud with respect to government benefits | 0 | 55 | 0 | 5 | 0 | 0 | 15 (3) | 16 | 0 | 1 | 0 | 92 | 12.0 |
| Other fraud | 6 | 30 | 6 | 10 | 0 | 0 | 26 (2) | 7 | 0 | 0 | 0 | 85 | 11.1 |
| Misappropriation | | | | | | | | | | | | | |
| - by director/trustee/partner | 0 | 26 | 0 | 9 | 0 | 0 | 16 (2) | 14 | 0 | 0 | 0 | 65 | 8.5 |
| - by employee | 2 | 63 | 1 | 32 | 0 | 0 | 7 | 29 (3) | 0 | 0 | 1 | 135 | 17.6 |
| Counterfeiting | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 0 | 0 | 0 | 0 | 2 | 0.3 |
| Total | 15 | 386 | 10 | 97 | 0 | 0 | 148 (14) | 110 (9) | 0 | 1 | 1 | 768 | |
| Percentage | 2.0 | 50.3 | 1.3 | 12.6 | 0 | 0 | 19.3 | 14.3 | 0 | 0.1 | 0.1 | | 100.0 |

Numbers in brackets indicate cases where the defendant was not found guilty of the major charge but was found guilty of another charge. The bracketed numbers are also included in the total alongside which they appear. Thus 10(1) would mean that of the 10 cases with a given outcome, 10 were not guilty of the major charge but in one case there was a finding of guilt for an offence which was not the major charge. Some of these other charges may be for offences in groups other than the major charge - e.g. a person charged with *assault (an offence against the person)* may eventually be found guilty and convicted of only *offensive language*. In such instances cases are shown in the penalty tables for the offence group for which they were convicted. The way in which the data have been presented in this table differs from that used for the corresponding table in *Crime and Justice* reports prior to 1996 (see Appendix A for explanation). For more detail regarding cases found not guilty on the grounds of mental incompetence see Appendix A.

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

| Offence Group | Committed for trial or sentence | Convicted | | | Acquitted on Major Charge | Not guilty: mentally incompetent | Major charge withdrawn | Major charge dismissed | Orders issued/ varied/ revoked | Withdrawn on completion of mental health diversion program | Other (eg. Defendant died) | Total | |
|---|---------------------------------|--------------|-----------------|---------------------------|---------------------------|----------------------------------|------------------------|------------------------|--------------------------------|--|----------------------------|-------|-------|
| | | With penalty | Without Penalty | Guilty without conviction | | | | | | | | No. | % |
| Receiving | 0 | 119 | 6 | 35 | 0 | 0 | 134 (76) | 74 (33) | 0 | 0 | 0 | 368 | 9.7 |
| Unlawful possession of stolen goods | 0 | 160 | 17 | 64 | 0 | 0 | 179 (40) | 22 (5) | 0 | 0 | 0 | 442 | 11.6 |
| Handling of stolen goods – other | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Larceny of a motor vehicle | 0 | 15 | 0 | 3 | 0 | 0 | 11 (5) | 20 (5) | 0 | 0 | 0 | 49 | 1.3 |
| Illegal use of a motor vehicle | 0 | 168 | 3 | 17 | 0 | 1 (1) | 127 (38) | 52 (8) | 0 | 0 | 0 | 368 | 9.7 |
| Interfere with a motor vehicle | 0 | 45 | 2 | 6 | 0 | 0 | 32 (15) | 17 (4) | 0 | 0 | 0 | 102 | 2.7 |
| Larceny or illegal use of other vehicle | 0 | 20 | 4 | 10 | 0 | 0 | 20 (10) | 8 (2) | 0 | 0 | 0 | 62 | 1.6 |
| Larceny from the person | 4 (1) | 0 | 0 | 0 | 0 | 0 | 0 | 4 (1) | 0 | 0 | 0 | 8 | 0.2 |
| Larceny of livestock | 0 | 1 | 1 | 0 | 0 | 0 | 2 (1) | 1 | 0 | 0 | 0 | 5 | 0.1 |
| Larceny from shops | 2 | 625 | 72 | 434 | 0 | 2 | 170 (11) | 32 (3) | 0 | 14 | 2 | 1,353 | 35.5 |
| Other larceny | 0 | 480 | 36 | 243 | 2 | 0 | 219 (51) | 71 (12) | 0 | 0 | 2 | 1,053 | 27.6 |
| Total | 6 (1) | 1,633 | 141 | 812 | 2 | 3 (1) | 894 (247) | 301 (73) | 0 | 14 | 4 | 3,810 | |
| Percentage | 0.2 | 42.9 | 3.7 | 21.3 | 0.1 | 0.1 | 23.5 | 7.9 | 0 | 0.4 | 0.1 | | 100.0 |

Numbers in brackets indicate cases where the defendant was not found guilty of the major charge but was found guilty of another charge. The bracketed numbers are also included in the total alongside which they appear. Thus 10(1) would mean that of the 10 cases with a given outcome, 10 were not guilty of the major charge but in one case there was a finding of guilt for an offence which was not the major charge. Some of these other charges may be for offences in groups other than the major charge - e.g. a person charged with *assault* (an offence against the person) may eventually be found guilty and convicted of only *offensive language*. In such instances cases are shown in the penalty tables for the offence group for which they were convicted. Due to some problems in the coding of offences in the 'Larceny from shops, and 'Other larceny' categories offence details on court files which involved these types of larceny were compared, where possible, with offence details on the apprehension report. Where discrepancies were identified, the offence codes on the apprehension report were substituted on the court file (see Appendix A for further details). The way in which the data have been presented in this table differs from that used for the corresponding table in *Crime and Justice* reports prior to 1996 (see Appendix A for explanation). For more detail regarding cases found not guilty on the grounds of mental incompetence see Appendix A.

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

| Offence Group | Committed for trial or sentence | Convicted | | | Acquitted on Major Charge | Not guilty: mentally incompetent | Major charge withdrawn | Major charge dismissed | Orders issued/ varied/ revoked | Withdrawn on completion of mental health diversion program | Other (eg. Defendant died) | Total | |
|---|---------------------------------|--------------|-----------------|---------------------------|---------------------------|----------------------------------|------------------------|------------------------|--------------------------------|--|----------------------------|-------|-------|
| | | With penalty | Without Penalty | Guilty without conviction | | | | | | | | No. | % |
| Arson or damage by explosives | | | | | | | | | | | | | |
| - dwellings | 5 | 1 | 0 | 2 | 0 | 1 | 1 | 3 (1) | 0 | 0 | 0 | 13 | 0.9 |
| - shops | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0.1 |
| - schools | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| - factory/warehouse | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| - motor vehicle | 0 | 2 | 0 | 0 | 0 | 0 | 1 (1) | 3 | 0 | 0 | 0 | 6 | 0.4 |
| - other/not known | 2 | 4 | 1 | 5 | 0 | 0 | 3 | 5 (1) | 0 | 0 | 0 | 20 | 1.4 |
| Property damage (not arson or explosives) | | | | | | | | | | | | | |
| - dwellings | 0 | 166 | 10 | 56 | 0 | 1 | 80 (14) | 18 (1) | 0 | 0 | 1 | 332 | 23.9 |
| - shops | 0 | 45 | 0 | 26 | 0 | 0 | 19 (8) | 4 | 0 | 0 | 0 | 94 | 6.8 |
| - schools | 1 | 5 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 7 | 0.5 |
| - factory/warehouse | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0.1 |
| - motor vehicle | 0 | 174 | 10 | 80 | 0 | 3 | 104 (17) | 16 (5) | 0 | 2 | 0 | 389 | 28.0 |
| - other/not known | 0 | 242 | 16 | 83 | 0 | 3 | 110 (17) | 29 (3) | 0 | 0 | 1 | 484 | 34.9 |
| Other property damage offences | 0 | 6 | 0 | 1 | 0 | 0 | 2 | 14 (5) | 0 | 0 | 0 | 23 | 1.7 |
| Environmental offences | 0 | 7 | 0 | 3 | 0 | 0 | 4 (1) | 2 | 0 | 1 | 0 | 17 | 1.2 |
| Total | 9 | 653 | 37 | 256 | 0 | 8 | 325 (58) | 94 (16) | 0 | 3 | 2 | 1,387 | |
| Percentage | 0.6 | 47.1 | 2.7 | 18.5 | 0 | 0.6 | 23.4 | 6.8 | 0 | 0.2 | 0.1 | | 100.0 |

Numbers in brackets indicate cases where the defendant was not found guilty of the major charge but was found guilty of another charge. The bracketed numbers are also included in the total alongside which they appear. Thus 10(1) would mean that of the 10 cases with a given outcome, 10 were not guilty of the major charge but in one case there was a finding of guilt for an offence which was not the major charge. Some of these other charges may be for offences in groups other than the major charge - e.g. a person charged with *assault (an offence against the person)* may eventually be found guilty and convicted of only *offensive language*. In such instances cases are shown in the penalty tables for the offence group for which they were convicted. The way in which the data have been presented in this table differs from that used for the corresponding table in *Crime and Justice* reports prior to 1996 (see Appendix A for explanation). For more detail regarding cases found not guilty on the grounds of mental incompetence see Appendix A.

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

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

Continued on the next page

Numbers in brackets indicate cases where the defendant was not found guilty of the major charge but was found guilty of another charge. The bracketed numbers are also included in the total alongside which they appear. Thus 10(1) would mean that of the 10 cases with a given outcome, 10 were not guilty of the major charge but in one case there was a finding of guilt for an offence which was not the major charge. Some of these other charges may be for offences in groups other than the major charge - e.g. a person charged with *assault (an offence against the person)* may eventually be found guilty and convicted of only *offensive language*. In such instances cases are shown in the penalty tables for the offence group for which they were convicted. As of July 2nd 1992 *restraint orders* became known as *summary protection orders*. On August 1st 1994 *summary protection orders* became known as *restraining orders* and *domestic violence restraining orders* were introduced. Breaches of orders refer to the nature of the original order, rather than the circumstances of the breach. *Breach court order* does not include breaches of bonds or CSO. As from 1994 *defamation and libel* has been included under *offences against the person (excluding sexual offences)* (Table 2.2). The way in which the data have been presented in this table differs from that used for the corresponding table in *Crime and Justice* reports prior to 1996 (see Appendix A for explanation). For more detail regarding cases found not guilty on the grounds of mental incompetence see Appendix A.

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

| Offence Group | Committed for trial or sentence | Convicted | | | Acquitted on Major Charge | Not guilty: mentally incompetent | Major charge withdrawn | Major charge dismissed | Orders issued/ varied/ revoked | Withdrawn on completion of mental health diversion program | Other (eg. Defendant died) | Total | |
|-------------------------------------|---------------------------------|--------------|-----------------|---------------------------|---------------------------|----------------------------------|------------------------|------------------------|--------------------------------|--|----------------------------|-------|-------|
| | | With penalty | Without Penalty | Guilty without conviction | | | | | | | | No. | % |
| Consorting | 0 | 0 | 0 | 0 | 0 | 0 | 3 | 0 | 0 | 0 | 0 | 3 | 0.1 |
| Prostitution offences | 1 | 10 | 1 | 1 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 14 | 0.2 |
| Found with intent to commit a crime | 0 | 3 | 0 | 0 | 0 | 0 | 2 (1) | 2 | 0 | 0 | 0 | 7 | 0.1 |
| Indecent/offensive language | 0 | 88 | 42 | 43 | 0 | 0 | 24 | 5 | 0 | 0 | 0 | 202 | 3.5 |
| Disorderly behaviour | 0 | 494 | 207 | 353 | 0 | 0 | 188 (19) | 21 | 0 | 4 | 0 | 1,267 | 22.2 |
| Offensive behaviour | 0 | 12 | 1 | 11 | 0 | 0 | 4 | 1 | 0 | 1 | 0 | 30 | 0.5 |
| Loitering | 0 | 118 | 47 | 149 | 0 | 0 | 38 | 4 | 0 | 0 | 0 | 356 | 6.2 |
| Urinating/defecating in public | 0 | 230 | 33 | 67 | 0 | 0 | 15 | 0 | 0 | 0 | 0 | 345 | 6.0 |
| Graffiti and related offences | 0 | 44 | 1 | 24 | 0 | 0 | 6 | 1 | 0 | 0 | 0 | 76 | 1.3 |
| Other offences | 0 | 5 | 6 | 4 | 0 | 0 | 8 (1) | 3 | 0 | 0 | 0 | 26 | 0.5 |
| Total | 26 (2) | 2,609 | 759 | 1,252 | 1 | 3 | 895 (132) | 160 (15) | 0 | 7 | 0 | 5,712 | |
| Percentage | 0.5 | 45.7 | 13.3 | 21.9 | 0.0 | 0.1 | 15.7 | 2.8 | 0 | 0.1 | 0 | | 100.0 |

Numbers in brackets indicate cases where the defendant was not found guilty of the major charge but was found guilty of another charge. The bracketed numbers are also included in the total alongside which they appear. Thus 10(1) would mean that of the 10 cases with a given outcome, 10 were not guilty of the major charge but in one case there was a finding of guilt for an offence which was not the major charge. Some of these other charges may be for offences in groups other than the major charge - e.g. a person charged with *assault* (an offence against the person) may eventually be found guilty and convicted of only *offensive language*. In such instances cases are shown in the penalty tables for the offence group for which they were convicted. As of July 2nd 1992 *restraint orders* became known as *summary protection orders*. On August 1st 1994 *summary protection orders* became known as *restraining orders* and *domestic violence restraining orders* were introduced. Breaches of orders refer to the nature of the original order, rather than the circumstances of the breach. *Breach court order* does not include breaches of bonds or CSO. As from 1994 *defamation and libel* has been included under *offences against the person (excluding sexual offences)* (Table 2.2). The way in which the data have been presented in this table differs from that used for the corresponding table in *Crime and Justice* reports prior to 1996 (see Appendix A for explanation). For more detail regarding cases found not guilty on the grounds of mental incompetence see Appendix A.

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TABLE 2.10 Case outcome by major offence charged. Drug offences

| Offence Group | Committed for trial or sentence | Convicted | | | Acquitted on Major Charge | Not guilty: mentally incompetent | Major charge withdrawn | Major charge dismissed | Orders issued/ varied/ revoked | Withdrawn on completion of mental health diversion program | Other (eg. Defendant died) | Total | |
|----------------------------------|---------------------------------|--------------|-----------------|---------------------------|---------------------------|----------------------------------|------------------------|------------------------|--------------------------------|--|----------------------------|-------|-------|
| | | With penalty | Without Penalty | Guilty without conviction | | | | | | | | No. | % |
| Possess/use cannabis | 0 | 51 | 1 | 33 | 0 | 0 | 9 (1) | 3 (1) | 0 | 0 | 0 | 97 | 4.4 |
| Possess/use other drug | 0 | 47 | 1 | 10 | 0 | 0 | 24 (1) | 6 | 0 | 0 | 0 | 88 | 4.0 |
| Import/export cannabis | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Import/export other drug | 3 | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 0 | 0 | 0 | 5 | 0.2 |
| Sell/possess for sale cannabis | 100 (4) | 107 | 0 | 22 | 1 | 0 | 53 (39) | 59 (9) | 0 | 0 | 0 | 342 | 15.7 |
| Sell/possess for sale other drug | 98 (5) | 0 | 0 | 0 | 0 | 0 | 3 (1) | 104 (19) | 0 | 0 | 0 | 205 | 9.4 |
| Produce/manufacture cannabis | 48 (1) | 696 | 1 | 467 | 0 | 1 | 56 (5) | 30 (4) | 0 | 0 | 0 | 1,299 | 59.6 |
| Produce/manufacture other drug | 36 (1) | 10 | 0 | 5 | 0 | 0 | 2 | 38 (3) | 0 | 0 | 0 | 91 | 4.2 |
| Other drug offences | 0 | 28 | 2 | 11 | 0 | 0 | 9 | 3 (3) | 0 | 0 | 0 | 53 | 2.4 |
| Total | 285 (11) | 939 | 5 | 548 | 1 | 1 | 156 (47) | 245 (39) | 0 | 0 | 0 | 2,180 | |
| Percentage | 13.1 | 43.1 | 0.2 | 25.1 | 0.0 | 0.0 | 7.2 | 11.2 | 0 | 0 | 0 | | 100.0 |

Numbers in brackets indicate cases where the defendant was not found guilty of the major charge but was found guilty of another charge. The bracketed numbers are also included in the total alongside which they appear. Thus 10(1) would mean that of the 10 cases with a given outcome, 10 were not guilty of the major charge but in one case there was a finding of guilt for an offence which was not the major charge. Some of these other charges may be for offences in groups other than the major charge - e.g. a person charged with *assault (an offence against the person)* may eventually be found guilty and convicted of only *offensive language*. In such instances cases are shown in the penalty tables for the offence group for which they were convicted. With effect from 1995, a breakdown of the quantities of drugs involved has been omitted from this table, since information on quantity of drugs was rarely available. Further information may be obtained from the Office of Crime Statistics and Research on request. The way in which the data have been presented in this table differs from that used for the corresponding table in *Crime and Justice* reports prior to 1996 (see Appendix A for explanation). For more detail regarding cases found not guilty on the grounds of mental incompetence see Appendix A.

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TABLE 2.11 Case outcome by major offence charged. Driving offences

| Offence Group | Committed for trial or sentence | Convicted | | | Acquitted on Major Charge | Not guilty: mentally incompetent | Major charge withdrawn | Major charge dismissed | Orders issued/ varied/ revoked | Withdrawn on completion of mental health diversion program | Other (eg. Defendant died) | Total | |
|--|---------------------------------|--------------|-----------------|---------------------------|---------------------------|----------------------------------|------------------------|------------------------|--------------------------------|--|----------------------------|-------|-------|
| | | With penalty | Without Penalty | Guilty without conviction | | | | | | | | No. | % |
| Driving under the influence of alcohol/drugs | 685 | 0 | 0 | 1 | 0 | 0 | 187 (122) | 7 (1) | 0 | 0 | 0 | 880 | 12.3 |
| Exceed prescribed concentration of alcohol | | | | | | | | | | | | | |
| .001 to .049 | 9 | 0 | 0 | 0 | 0 | 0 | 2 | 0 | 0 | 0 | 0 | 11 | 0.2 |
| .050 to .079 | 34 | 1 | 0 | 8 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 44 | 0.6 |
| .080 to .149 | 2,296 | 1 | 0 | 7 | 0 | 0 | 106 | 16 | 0 | 0 | 1 | 2,427 | 33.9 |
| .150 or more | 872 | 0 | 0 | 4 | 0 | 0 | 62 | 9 | 0 | 0 | 1 | 948 | 13.2 |
| Unknown | 4 | 0 | 0 | 0 | 0 | 0 | 3 | 1 | 0 | 0 | 0 | 8 | 0.1 |
| Refuse to supply blood sample | 4 | 0 | 0 | 0 | 0 | 0 | 2 | 0 | 0 | 0 | 0 | 6 | 0.1 |
| Refuse breath/alcotest | 99 | 1 | 0 | 0 | 0 | 0 | 26 | 5 | 0 | 0 | 0 | 131 | 1.8 |
| Dangerous or reckless driving | 639 | 0 | 0 | 3 | 1 | 0 | 209 (16) | 14 (2) | 0 | 0 | 0 | 866 | 12.1 |
| Driving while licence suspended or cancelled | 1,543 | 42 | 0 | 23 | 2 | 0 | 208 (15) | 10 | 0 | 0 | 2 | 1,830 | 25.6 |
| Driving without a licence | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Other driving licence offences | 5 | 2 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 8 | 0.1 |
| Total | 6,190 | 47 | 0 | 47 | 3 | 0 | 806 (153) | 62 (3) | 0 | 0 | 4 | 7,159 | |
| Percentage | 86.5 | 0.7 | 0 | 0.7 | 0.0 | 0 | 11.3 | 0.9 | 0 | 0 | 0.1 | | 100.0 |

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

Exceed prescribed content of alcohol .001 to .049 relates specifically to drivers on a P-plate licence as it is an offence for such licence holders to drive with any concentration of alcohol in their blood. This category also includes P-plate drivers charged with *driving under the influence of alcohol*. The category of *negligent driving* has been omitted from this table with effect from 1995, since this offence falls outside Office of Crime Statistics and Research collection boundaries. The way in which the data have been presented in this table differs from that used for the corresponding table in *Crime and Justice* reports prior to 1996 (see Appendix A for explanation). For more detail regarding cases found not guilty on the grounds of mental incompetence see Appendix A.

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TABLE 2.12 Case outcome by major offence charged. Other offences

| Offence Group | Committed for trial or sentence | Convicted | | | Acquitted on Major Charge | Not guilty: mentally incompetent | Major charge withdrawn | Major charge dismissed | Orders issued/ varied/ revoked | Withdrawn on completion of mental health diversion program | Other (eg. Defendant died) | Total | |
|--|---------------------------------|--------------|-----------------|---------------------------|---------------------------|----------------------------------|------------------------|------------------------|--------------------------------|--|----------------------------|-------|-------|
| | | With penalty | Without Penalty | Guilty without conviction | | | | | | | | No. | % |
| Banking, financial and insurance offences | 2 | 144 | 1 | 1 | 0 | 0 | 127 (1) | 3 | 0 | 0 | 0 | 278 | 38.5 |
| Taxation and stamp duty (excluding excise) | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Posts, telegraphs and telecommunications | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0.1 |
| Customs, excise, imports/exports (non-drugs) | 2 | 22 | 0 | 2 | 0 | 0 | 1 (1) | 2 | 0 | 0 | 0 | 29 | 4.0 |
| Immigration, passports, etc. | 1 | 1 | 0 | 0 | 0 | 0 | 9 | 11 | 0 | 0 | 0 | 22 | 3.0 |
| Electoral offences | 0 | 3 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 3 | 0.4 |
| Air navigation, airports and aircraft operations | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Health, mental health, quarantine, food standards etc. | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Bankruptcy | 0 | 3 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 4 | 0.6 |
| Copyright and patents | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Offences in custody (against prison rules) | 6 | 1 | 0 | 0 | 0 | 0 | 1 | 2 (2) | 0 | 0 | 0 | 10 | 1.4 |
| Other offences | 0 | 161 | 85 | 47 | 0 | 0 | 74 (3) | 8 | 0 | 0 | 1 | 376 | 52.0 |
| Total | 11 | 336 | 86 | 50 | 0 | 0 | 212 (5) | 27 (2) | 0 | 0 | 1 | 723 | |
| Percentage | 1.5 | 46.5 | 11.9 | 6.9 | 0 | 0 | 29.3 | 3.7 | 0 | 0 | 0.1 | | 100.0 |

Numbers in brackets indicate cases where the defendant was not found guilty of the major charge but was found guilty of another charge. The bracketed numbers are also included in the total alongside which they appear. Thus 10(1) would mean that of the 10 cases with a given outcome, 10 were not guilty of the major charge but in one case there was a finding of guilt for an offence which was not the major charge. Some of these other charges may be for offences in groups other than the major charge - e.g. a person charged with *assault (an offence against the person)* may eventually be found guilty and convicted of only *offensive language*. In such instances cases are shown in the penalty tables for the offence group for which they were convicted. A number of additional offences were added to the *other offences* category of this table in 1995. Further details may be obtained from the Office of Crime Statistics. The way in which the data have been presented in this table differs from that used for the corresponding table in *Crime and Justice* reports prior to 1996 (see Appendix A for explanation). For more detail regarding cases found not guilty on the grounds of mental incompetence see Appendix A.

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

| Offence Group | Accused died | Order issued | Order varied | Order revoked/ cancelled | Application withdrawn | Application dismissed | Application refused | No action/ no case | Total | |
|---|--------------|--------------|--------------|-----------------------------|-----------------------|-----------------------|---------------------|-----------------------|-------|-------|
| | | | | | | | | | No. | % |
| RESTRAINING ORDERS | | | | | | | | | | |
| Application for issuance of restraining order - court application | 0 | 447 | 98 | 25 | 84 | 35 | 4 | 6 | 699 | 46.5 |
| Application for issuance of restraining order - telephone application | 0 | 7 | 4 | 4 | 4 | 0 | 0 | 0 | 19 | 1.3 |
| Application to vary/revoke restraining order | 0 | 0 | 0 | 2 | 1 | 0 | 0 | 0 | 3 | 0.2 |
| Registration interstate/foreign restraining order | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0.1 |
| Application to vary/cancel registration of interstate/foreign restraining order | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| DOMESTIC VIOLENCE RESTRAINING ORDERS | | | | | | | | | | |
| Application for issuance of domestic violence restraining order - court application | 1 | 467 | 135 | 39 | 68 | 20 | 4 | 4 | 738 | 49.1 |
| Application for issuance of domestic violence restraining order - telephone application | 0 | 13 | 3 | 1 | 4 | 2 | 0 | 0 | 23 | 1.5 |
| Application to vary/revoke domestic violence restraining order | 0 | 0 | 2 | 4 | 4 | 1 | 0 | 3 | 14 | 0.9 |
| Registration foreign domestic violence restraining order | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Application to vary/cancel registration of foreign domestic violence restraining order | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| PAEDOPHILE RESTRAINING ORDERS | | | | | | | | | | |
| Application for issuance of paedophile restraining order - court application | 0 | 4 | 1 | 0 | 0 | 0 | 0 | 0 | 5 | 0.3 |
| Application for issuance of paedophile restraining order - telephone application | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total | 1 | 939 | 243 | 75 | 165 | 58 | 8 | 13 | 1,502 | |
| Percentage | 0.1 | 62.5 | 16.2 | 5.0 | 11.0 | 3.9 | 0.5 | 0.9 | | 100.0 |
| Orders issued under s.19A of the Criminal Law (Sentencing) Act | 0 | 8 | 0 | 0 | 0 | 0 | 0 | 0 | 8 | |

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

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

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

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

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

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

| Offence Group | No penalty | Restraining order | Other order | Rising of the court | Fine (\$) | | | | Suspension of driver's licence | Bond | Community service order | Suspended imprisonment | Imprisonment (weeks) | | | | Total | |
|---|------------|-------------------|-------------|---------------------|-----------|-----|-----|-------|--------------------------------|-------|-------------------------|------------------------|----------------------|-----|-----|-----|--------|-------|
| | | | | | No. | Min | Av | Max | | | | | No. | Min | Av | Max | No. | % |
| Offences against the person (excl. sexual offences) | 135 | 5 | 11 | 0 | 447 | 40 | 325 | 1,500 | 12 | 551 | 77 | 384 | 149 | 1 | 25 | 104 | 1,771 | 8.6 |
| Sexual offences | 7 | 0 | 0 | 0 | 18 | 50 | 197 | 500 | 1 | 32 | 3 | 28 | 7 | 13 | 100 | 195 | 96 | 0.5 |
| Robbery and extortion | 1 | 0 | 0 | 0 | 2 | 100 | 125 | 150 | 0 | 1 | 0 | 1 | 1 | 17 | 17 | 17 | 6 | 0.0 |
| Serious criminal trespass | 9 | 0 | 2 | 0 | 6 | 200 | 333 | 500 | 0 | 47 | 14 | 228 | 173 | 1 | 77 | 455 | 479 | 2.3 |
| Fraud and misappropriation | 22 | 0 | 16 | 0 | 76 | 30 | 409 | 4,800 | 0 | 148 | 14 | 203 | 44 | 2 | 44 | 303 | 523 | 2.5 |
| Larceny and receiving | 300 | 1 | 45 | 0 | 920 | 30 | 199 | 1,500 | 53 | 697 | 195 | 419 | 239 | 1 | 28 | 156 | 2,869 | 13.9 |
| Property damage and environmental offences | 81 | 3 | 177 | 0 | 365 | 40 | 205 | 1,000 | 7 | 212 | 81 | 61 | 34 | 1 | 21 | 90 | 1,021 | 4.9 |
| Offences against good order | 1,558 | 1 | 123 | 0 | 2,724 | 10 | 181 | 2,000 | 94 | 389 | 200 | 111 | 57 | 1 | 11 | 104 | 5,257 | 25.5 |
| Drug offences | 8 | 0 | 45 | 0 | 1,375 | 11 | 277 | 2,000 | 5 | 41 | 38 | 30 | 2 | 8 | 56 | 104 | 1,544 | 7.5 |
| Driving offences | 63 | 0 | 0 | 0 | 568 | 50 | 295 | 1,500 | 4,874 | 99 | 214 | 579 | 183 | 1 | 8 | 61 | 6,580 | 31.9 |
| Other offences | 99 | 0 | 3 | 0 | 338 | 20 | 456 | 6,000 | 2 | 37 | 21 | 2 | 1 | 10 | 10 | 10 | 503 | 2.4 |
| Non-offence matters | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 |
| Total | 2,283 | 10 | 422 | 0 | 6,839 | 10 | 239 | 6,000 | 5,048 | 2,254 | 857 | 2,046 | 890 | 1 | 33 | 455 | 20,649 | |
| Percentage | 11.1 | 0.0 | 2.0 | 0 | 33.1 | | | | 24.4 | 10.9 | 4.2 | 9.9 | 4.3 | | | | | 100.0 |

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

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

| Offence Group | No penalty | Restraining order | Other order | Rising of the court | Fine (\$) | | | | Suspension of driver's licence | Bond | Community Service Order | Suspended imprisonment | Imprisonment (weeks) | | | | Total | |
|--|------------|-------------------|-------------|---------------------|-----------|-----|-----|-------|--------------------------------|------|-------------------------|------------------------|----------------------|-----|----|-----|-------|-------|
| | | | | | No. | Min | Av | Max | | | | | No. | Min | Av | Max | No. | % |
| Murder | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 |
| Attempted murder | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 |
| Conspiracy to murder | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 |
| Manslaughter | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 |
| Driving causing death | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 |
| Other homicide | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 |
| Assault occasioning grievous bodily harm | 0 | 0 | 0 | 0 | 1 | 40 | 40 | 40 | 0 | 0 | 0 | 10 | 5 | 13 | 54 | 86 | 16 | 0.9 |
| Assault occasioning actual bodily harm | 4 | 0 | 0 | 0 | 37 | 150 | 501 | 1,400 | 1 | 56 | 9 | 141 | 47 | 4 | 32 | 104 | 295 | 16.7 |
| Other major assault | 0 | 0 | 0 | 0 | 1 | 450 | 450 | 450 | 0 | 0 | 0 | 2 | 3 | 39 | 69 | 91 | 6 | 0.3 |
| Common assault | | | | | | | | | | | | | | | | | | |
| - of a male | 38 | 1 | 3 | 0 | 187 | 50 | 312 | 1,500 | 3 | 135 | 24 | 40 | 19 | 1 | 11 | 34 | 450 | 25.4 |
| - of a female | 25 | 2 | 1 | 0 | 77 | 50 | 254 | 1,500 | 1 | 114 | 12 | 32 | 8 | 4 | 12 | 21 | 272 | 15.4 |
| - sex of victim unspecified | 6 | 0 | 1 | 0 | 10 | 50 | 280 | 500 | 1 | 16 | 2 | 1 | 0 | - | - | - | 37 | 2.1 |
| Common assault of family member | 24 | 2 | 2 | 0 | 32 | 90 | 306 | 1,000 | 0 | 135 | 10 | 61 | 14 | 2 | 10 | 30 | 280 | 15.8 |
| Other minor assault | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 |
| Assault police | 32 | 0 | 4 | 0 | 97 | 50 | 341 | 1,500 | 6 | 59 | 16 | 63 | 35 | 1 | 14 | 60 | 312 | 17.6 |
| Kidnapping and abduction | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 |
| Ill treatment of children | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 |
| Hijacking | 0 | 0 | 0 | 0 | 1 | 500 | 500 | 500 | 0 | 0 | 0 | 1 | 0 | - | - | - | 2 | 0.1 |
| Defamation and libel | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 |
| Stalking | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 | 0 | 1 | 0 | - | - | - | 1 | 0.1 |
| Other offences against the person | 6 | 0 | 0 | 0 | 4 | 200 | 575 | 1,500 | 0 | 36 | 4 | 32 | 18 | 1 | 43 | 104 | 100 | 5.6 |
| Total | 135 | 5 | 11 | 0 | 447 | 40 | 325 | 1,500 | 12 | 551 | 77 | 384 | 149 | 1 | 25 | 104 | 1,771 | |
| Percentage | 7.6 | 0.3 | 0.6 | 0 | 25.2 | | | | 0.7 | 31.1 | 4.3 | 21.7 | 8.4 | | | | | 100.0 |

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

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

| Offence Group | No penalty | 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 | 1 | 0 | 4 | 1 | 52 | 52 | 52 | 6 | 6.3 |
| - Victim age 12 to 16 | 0 | 0 | 0 | 0 | 1 | 400 | 400 | 400 | 0 | 2 | 0 | 5 | 0 | - | - | - | 8 | 8.3 |
| - Victim age 17 or over | 0 | 0 | 0 | 0 | 3 | 200 | 233 | 300 | 0 | 4 | 1 | 6 | 0 | - | - | - | 14 | 14.6 |
| - Victim age unspecified | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 1 | 0 | 4 | 4 | 13 | 104 | 195 | 9 | 9.4 |
| Indecent assault of male | | | | | | | | | | | | | | | | | | |
| - Victim age under 12 | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 1 | 0 | 1 | 0 | - | - | - | 2 | 2.1 |
| - Victim age 12 to 16 | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 |
| - Victim age 17 or over | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 | 0 | 1 | 0 | - | - | - | 1 | 1.0 |
| - Victim age unspecified | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 |
| Indecent assault of victim sex and age unspecified | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 | 0 | 0 | 1 | 156 | 156 | 156 | 1 | 1.0 |
| Unlawful sexual intercourse with female | | | | | | | | | | | | | | | | | | |
| - Victim age under 12 | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 |
| - Victim age 12 to 16 | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 |
| - Victim age unspecified | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 |
| Unlawful sexual intercourse with female by teacher/guardian | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 |
| Unlawful sexual intercourse with female with intellectual disability | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 |

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

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

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

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 July 28th 1994 the offence of *persistent sexual abuse of a child* was introduced. *Restraining orders* as the major penalty were added from 1996 onwards.

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

| Offence Group | No penalty | Restraining order | Other order | Rising of the court | Fine (\$) | | | | Suspension of driver's licence | Bond | Community Service Order | Suspended imprisonment | Imprisonment (weeks) | | | | Total | |
|--|------------|-------------------|-------------|---------------------|-------------|-----------|------------|------------|--------------------------------|-------------|-------------------------|------------------------|----------------------|-----------|------------|------------|-----------|--------------|
| | | | | | No. | Min | Av | Max | | | | | No. | Min | Av | Max | No. | % |
| Attempted unlawful sexual intercourse with male by teacher/guardian | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 |
| Attempted unlawful sexual intercourse with male with intellectual disability | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 |
| Unlawful sexual intercourse with victim age and sex unspecified | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 |
| Unlawful sexual intercourse with victim sex and age unspecified by teacher/guardian | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 |
| Unlawful sexual intercourse with victim sex and age unspecified with intellectual disability | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 |
| Attempted unlawful sexual intercourse with victim age and sex unspecified | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 |
| Attempted unlawful sexual intercourse with victim sex and age unspecified by teacher/guardian | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 |
| Attempted unlawful sexual intercourse with victim sex and age unspecified with intellectual disability | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 |
| Incest | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 |
| Indecent behaviour/exposure | 7 | 0 | 0 | 0 | 11 | 50 | 186 | 500 | 1 | 17 | 2 | 2 | 0 | - | - | - | 40 | 41.7 |
| Gross indecency | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 1 | 0 | 3 | 0 | - | - | - | 4 | 4.2 |
| Persistent sexual abuse of a child | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 |
| Other sexual offences | 0 | 0 | 0 | 0 | 3 | 100 | 133 | 200 | 0 | 5 | 0 | 2 | 1 | 78 | 78 | 78 | 11 | 11.5 |
| Total | 7 | 0 | 0 | 0 | 18 | 50 | 197 | 500 | 1 | 32 | 3 | 28 | 7 | 13 | 100 | 195 | 96 | |
| Percentage | 7.3 | 0 | 0 | 0 | 18.8 | | | | 1.0 | 33.3 | 3.1 | 29.2 | 7.3 | | | | | 100.0 |

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

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

| Offence Group | No penalty | Restraining order | Other order | Rising of the court | Fine (\$) | | | | Suspension of driver's licence | Bond | Community Service Order | Suspended imprisonment | Imprisonment (weeks) | | | | Total | |
|----------------------------------|------------|-------------------|-------------|---------------------|-----------|-----|-----|-----|--------------------------------|------|-------------------------|------------------------|----------------------|-----|----|-----|-------|-------|
| | | | | | No. | Min | Av | Max | | | | | No. | Min | Av | Max | No. | % |
| Robbery with a firearm | | | | | | | | | | | | | | | | | | |
| - financial institution | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 |
| - other institution | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 |
| Robbery with other weapon | | | | | | | | | | | | | | | | | | |
| - financial institution | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 |
| - other institution | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 |
| Unarmed robbery with violence | | | | | | | | | | | | | | | | | | |
| - financial institution | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 |
| - other institution | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 |
| Unarmed robbery with no violence | | | | | | | | | | | | | | | | | | |
| - financial institution | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 |
| - other institution | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 1 | 0 | 0 | 0 | - | - | - | 1 | 16.7 |
| Extortion | 1 | 0 | 0 | 0 | 2 | 100 | 125 | 150 | 0 | 0 | 0 | 1 | 1 | 17 | 17 | 17 | 5 | 83.3 |
| Total | 1 | 0 | 0 | 0 | 2 | 100 | 125 | 150 | 0 | 1 | 0 | 1 | 1 | 7 | 17 | 17 | 6 | |
| Percentage | 16.7 | 0 | 0 | 0 | 33.3 | | | | 0 | 16.7 | 0 | 16.7 | 16.7 | | | | | 100.0 |

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

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

| Offence Group | No penalty | Restraining order | Other order | Rising of the court | Fine (\$) | | | | Suspension of driver's licence | Bond | Community Service Order | Suspended imprisonment | Imprisonment (weeks) | | | | Total | |
|--|------------|-------------------|-------------|---------------------|-----------|-----|-----|-----|--------------------------------|------|-------------------------|------------------------|----------------------|-----|-----|-----|-------|-------|
| | | | | | No. | Min | Av | Max | | | | | No. | Min | Av | Max | No. | % |
| Burglary | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 |
| Break and enter dwellings | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 | 0 | 8 | 5 | 26 | 58 | 130 | 13 | 2.7 |
| Break and enter dwellings with intent | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 |
| Break and enter dwellings at night with intent | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 |
| Break and enter shops | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 | 0 | 2 | 0 | - | - | - | 2 | 0.4 |
| Break and enter shops with intent | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 | 1 | 0 | 0 | - | - | - | 1 | 0.2 |
| Break and enter schools | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 |
| Break and enter schools with intent | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 |
| Break and enter other building | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 2 | 0 | 5 | 2 | 26 | 65 | 104 | 9 | 1.9 |
| Break and enter other building with intent | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 | 0 | 0 | 1 | 65 | 65 | 65 | 1 | 0.2 |
| Non aggravated serious criminal trespass | | | | | | | | | | | | | | | | | | |
| - place of residence | 1 | 0 | 1 | 0 | 2 | 500 | 500 | 500 | 0 | 15 | 1 | 81 | 83 | 4 | 86 | 334 | 184 | 38.4 |
| - shops | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 3 | 0 | 24 | 17 | 8 | 61 | 156 | 44 | 9.2 |
| - school | 0 | 0 | 0 | 0 | 1 | 200 | 200 | 200 | 0 | 1 | 1 | 9 | 3 | 8 | 37 | 78 | 15 | 3.1 |
| - other building | 0 | 0 | 0 | 0 | 2 | 250 | 250 | 250 | 0 | 12 | 8 | 74 | 42 | 1 | 71 | 260 | 138 | 28.8 |
| Aggravated serious criminal trespass | | | | | | | | | | | | | | | | | | |
| - place of residence | 4 | 0 | 0 | 0 | 0 | - | - | - | 0 | 2 | 1 | 7 | 6 | 52 | 131 | 455 | 20 | 4.2 |
| - shops | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 1 | 1 | 4 | 2 | 60 | 78 | 95 | 8 | 1.7 |
| - school | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 | 0 | 0 | 1 | 78 | 78 | 78 | 1 | 0.2 |
| - other building | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 | 1 | 5 | 2 | 13 | 33 | 52 | 8 | 1.7 |
| Other criminal trespass -place of residence | 3 | 0 | 0 | 0 | 1 | 300 | 300 | 300 | 0 | 8 | 0 | 4 | 3 | 6 | 39 | 60 | 19 | 4.0 |
| Offences related to break and enter | 1 | 0 | 1 | 0 | 0 | - | - | - | 0 | 3 | 0 | 5 | 6 | 26 | 56 | 156 | 16 | 3.3 |
| Total | 9 | 0 | 2 | 0 | 6 | 200 | 333 | 500 | 0 | 47 | 14 | 228 | 173 | 1 | 77 | 455 | 479 | |
| Percentage | 1.9 | | 0.4 | | 1.3 | | | | | 9.8 | 2.9 | 47.6 | 36.1 | | | | | 100.0 |

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

On 25th December 1999 new legislation was proclaimed which replaced *break and enter offences* (other than sacrilege) with a range of *criminal trespass offences* (for more details see Appendix A).

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

| Offence Group | No penalty | Restraining order | Other order | Rising of the court | Fine (\$) | | | Suspension of driver's licence | Bond | Community Service Order | Suspended imprisonment | Imprisonment (weeks) | | | | Total | | |
|---|------------|-------------------|-------------|---------------------|-----------|-------|-------|--------------------------------|------|-------------------------|------------------------|----------------------|-----|-----|-----|-------|-----|-------|
| | | | | | No. | Min | Av | | | | | Max | No. | Min | Av | Max | No. | % |
| False pretences | | | | | | | | | | | | | | | | | | |
| - credit/debit cards | 0 | 0 | 1 | 0 | 3 | 120 | 307 | 500 | 0 | 8 | 3 | 8 | 2 | 39 | 46 | 52 | 25 | 4.8 |
| - cheques | 2 | 0 | 1 | 0 | 6 | 100 | 279 | 500 | 0 | 15 | 3 | 17 | 2 | 13 | 124 | 234 | 46 | 8.8 |
| - other | 10 | 0 | 4 | 0 | 20 | 40 | 222 | 1,000 | 0 | 25 | 2 | 24 | 8 | 2 | 13 | 26 | 93 | 17.8 |
| Forge and utter (excluding cheques) | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 3 | 0 | 1 | 1 | 91 | 91 | 91 | 5 | 1.0 |
| False statement | | | | | | | | | | | | | | | | | | |
| - unemployment benefit | 0 | 0 | 0 | 0 | 2 | 350 | 1,425 | 2,500 | 0 | 3 | 0 | 14 | 4 | 4 | 13 | 26 | 23 | 4.4 |
| - other social security benefit | 0 | 0 | 0 | 0 | 1 | 300 | 300 | 300 | 0 | 9 | 0 | 18 | 5 | 13 | 22 | 39 | 33 | 6.3 |
| - unspecified govt. benefit | 0 | 0 | 0 | 0 | 1 | 1,000 | 1,000 | 1,000 | 0 | 17 | 1 | 30 | 5 | 13 | 39 | 65 | 54 | 10.3 |
| Other fraud with respect to government benefits | 0 | 0 | 0 | 0 | 2 | 600 | 2,700 | 4,800 | 0 | 18 | 0 | 36 | 6 | 8 | 25 | 65 | 62 | 11.9 |
| Other fraud | 8 | 0 | 9 | 0 | 13 | 30 | 263 | 850 | 0 | 8 | 1 | 5 | 6 | 13 | 30 | 78 | 50 | 9.6 |
| Misappropriation | | | | | | | | | | | | | | | | | | |
| - by director/trustee/partner | 0 | 0 | 0 | 0 | 6 | 80 | 272 | 700 | 0 | 13 | 2 | 12 | 1 | 52 | 52 | 52 | 34 | 6.5 |
| - by employee | 2 | 0 | 1 | 0 | 22 | 75 | 428 | 1,500 | 0 | 29 | 2 | 38 | 4 | 4 | 161 | 303 | 98 | 18.7 |
| Counterfeiting | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 44 | 303 | 0 | 0 |
| Total | 22 | 0 | 16 | 0 | 76 | 30 | 409 | 4,800 | 0 | 148 | 14 | 203 | 44 | 39 | 46 | 52 | 523 | |
| Percentage | 4.2 | 0 | 3.1 | 0 | 14.5 | | | | 0 | 28.3 | 2.7 | 38.8 | 8.4 | | | | | 100.0 |

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

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

| Offence Group | No penalty | Restraining order | Other order | Rising of the court | Fine (\$) | | | Suspension of driver's licence | Bond | Community Service Order | Suspended imprisonment | Imprisonment (weeks) | | | | Total | | |
|---|------------|-------------------|-------------|---------------------|------------|-----------|------------|--------------------------------|-----------|-------------------------|------------------------|----------------------|------------|----------|-----------|------------|--------------|-------|
| | | | | | No. | Min | Av | | | | | Max | No. | Min | Av | Max | No. | % |
| Receiving | 11 | 0 | 1 | 0 | 37 | 60 | 296 | 1,000 | 1 | 49 | 15 | 66 | 24 | 8 | 58 | 146 | 204 | 7.1 |
| Unlawful possession of stolen goods | 41 | 0 | 10 | 0 | 141 | 50 | 279 | 1,500 | 3 | 75 | 36 | 55 | 28 | 1 | 13 | 69 | 389 | 13.6 |
| Handling of stolen goods - other | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 |
| Larceny of a motor vehicle | 0 | 0 | 0 | 0 | 3 | 200 | 200 | 200 | 0 | 3 | 1 | 8 | 4 | 6 | 54 | 130 | 19 | 0.7 |
| Illegal use of a motor vehicle | 3 | 0 | 0 | 0 | 1 | 50 | 50 | 50 | 20 | 38 | 15 | 78 | 61 | 4 | 28 | 86 | 216 | 7.5 |
| Interfere with a motor vehicle | 3 | 0 | 0 | 0 | 1 | 400 | 400 | 400 | 8 | 12 | 4 | 16 | 17 | 4 | 23 | 104 | 61 | 2.1 |
| Larceny or illegal use of other vehicle | 8 | 0 | 1 | 0 | 13 | 80 | 218 | 500 | 2 | 5 | 2 | 7 | 4 | 1 | 25 | 39 | 42 | 1.5 |
| Larceny from the person | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 |
| Larceny of livestock | 1 | 0 | 0 | 0 | 1 | 150 | 150 | 150 | 0 | 0 | 0 | 0 | 0 | - | - | - | 2 | 0.1 |
| Larceny from shops | 156 | 0 | 14 | 0 | 477 | 30 | 168 | 1,000 | 5 | 305 | 64 | 77 | 42 | 1 | 20 | 117 | 1,140 | 39.7 |
| Other larceny | 77 | 1 | 19 | 0 | 246 | 40 | 196 | 750 | 14 | 210 | 58 | 112 | 59 | 1 | 30 | 156 | 796 | 27.7 |
| Total | 300 | 1 | 45 | 0 | 920 | 30 | 199 | 1,500 | 53 | 697 | 195 | 419 | 239 | 1 | 28 | 156 | 2,869 | |
| Percentage | 10.5 | 0.0 | 1.6 | 0 | 32.1 | | | | 1.8 | 24.3 | 6.8 | 14.6 | 8.3 | | | | | 100.0 |

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

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

| Offence Group | No penalty | Restraining order | Other order | Rising of the court | Fine (\$) | | | | Suspension of driver's licence | Bond | Community service order | Suspended imprisonment | Imprisonment (weeks) | | | | Total | | |
|--------------------------------|------------|-------------------|-------------|---------------------|-------------|-----------|------------|--------------|--------------------------------|-------------|-------------------------|------------------------|----------------------|----------|-----------|-----------|--------------|--------------|--|
| | | | | | No. | Min | Av | Max | | | | | No. | Min | Av | Max | No. | % | |
| Arson or damage by explosives | | | | | | | | | | | | | | | | | | | |
| - dwellings | 0 | 0 | 0 | 0 | 2 | 200 | 200 | 200 | 0 | 0 | 1 | 0 | 1 | 34 | 34 | 34 | 4 | 0.4 | |
| - shops | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 | |
| - schools | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 | |
| - factory/warehouse | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 | |
| - motor vehicle | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 | 0 | 2 | 1 | 30 | 30 | 30 | 3 | 0.3 | |
| - other/not known | 1 | 0 | 1 | 0 | 3 | 100 | 150 | 200 | 0 | 0 | 5 | 1 | 0 | - | - | - | 11 | 1.1 | |
| Property damage (not arson) | | | | | | | | | | | | | | | | | | | |
| - dwellings | 25 | 3 | 44 | 0 | 91 | 40 | 178 | 500 | 0 | 54 | 26 | 9 | 8 | 3 | 23 | 90 | 260 | 25.5 | |
| - shops | 4 | 0 | 20 | 0 | 33 | 50 | 197 | 800 | 0 | 14 | 2 | 2 | 2 | 8 | 8 | 8 | 77 | 7.5 | |
| - schools | 0 | 0 | 1 | 0 | 1 | 100 | 100 | 100 | 0 | 0 | 1 | 2 | 0 | - | - | - | 5 | 0.5 | |
| - factory/warehouse | 0 | 0 | 1 | 0 | 0 | - | - | - | 0 | 0 | 0 | 0 | 0 | - | - | - | 1 | 0.1 | |
| - motor vehicle | 16 | 0 | 50 | 0 | 98 | 40 | 218 | 600 | 4 | 73 | 21 | 19 | 6 | 1 | 26 | 60 | 287 | 28.1 | |
| - other/not known | 32 | 0 | 60 | 0 | 132 | 50 | 215 | 1,000 | 3 | 67 | 24 | 24 | 14 | 1 | 18 | 78 | 356 | 34.9 | |
| Other property damage offences | 1 | 0 | 0 | 0 | 1 | 200 | 200 | 200 | 0 | 2 | 0 | 1 | 2 | 4 | 15 | 26 | 7 | 0.7 | |
| Environmental offences | 2 | 0 | 0 | 0 | 4 | 100 | 275 | 400 | 0 | 2 | 1 | 1 | 0 | - | - | - | 10 | 1.0 | |
| Total | 81 | 3 | 177 | 0 | 365 | 40 | 205 | 1,000 | 7 | 212 | 81 | 61 | 34 | 1 | 21 | 90 | 1,021 | | |
| Percentage | 7.9 | 0.3 | 17.3 | 0 | 35.7 | | | | 0.7 | 20.8 | 7.9 | 6.0 | 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. *Restraining orders* as the major penalty were added from 1996 onwards.

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

| Offence Group | No penalty | Restraining order | Other order | Rising of the court | Fine (\$) | | | Suspension of driver's licence | Bond | Community service order | Suspended imprisonment | Imprisonment (weeks) | | | | Total | | |
|---|------------|-------------------|-------------|---------------------|-----------|-----|-----|--------------------------------|------|-------------------------|------------------------|----------------------|-----|-----|----|-------|-------|------|
| | | | | | No. | Min | Av | | | | | Max | No. | Min | Av | Max | No. | % |
| Offences against government security and operations | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 |
| Contempt of court | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 |
| Perjury | 0 | 0 | 0 | 0 | 3 | 200 | 733 | 1,500 | 0 | 0 | 0 | 0 | 0 | - | - | - | 3 | 0.1 |
| Pervert the course of justice | 0 | 0 | 0 | 0 | 1 | 100 | 100 | 100 | 0 | 0 | 0 | 1 | 0 | - | - | - | 2 | 0.0 |
| Breach court order (parole, bail, etc.) | 273 | 0 | 6 | 0 | 193 | 40 | 206 | 1,050 | 18 | 42 | 31 | 26 | 26 | 1 | 4 | 17 | 615 | 11.7 |
| Breach restraining order | 22 | 0 | 0 | 0 | 27 | 50 | 174 | 500 | 0 | 17 | 3 | 4 | 3 | 7 | 12 | 22 | 76 | 1.4 |
| Breach domestic violence restraining order | 49 | 0 | 0 | 0 | 48 | 40 | 216 | 800 | 1 | 29 | 5 | 7 | 2 | 17 | 17 | 17 | 141 | 2.7 |
| Escape from custody (excluding prisons) | 1 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 | 1 | 0 | 1 | 9 | 9 | 9 | 3 | 0.1 |
| Resist/hinder police | 282 | 0 | 4 | 0 | 523 | 25 | 212 | 2,000 | 52 | 62 | 58 | 27 | 5 | 1 | 4 | 8 | 1,013 | 19.3 |
| Conspiracy | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 |
| Offences against justice procedures | 16 | 0 | 11 | 0 | 55 | 50 | 254 | 1,000 | 2 | 42 | 6 | 9 | 3 | 4 | 11 | 26 | 144 | 2.7 |
| Possession/use of firearms | 7 | 0 | 23 | 0 | 165 | 30 | 343 | 2,000 | 1 | 6 | 11 | 10 | 7 | 2 | 35 | 104 | 230 | 4.4 |
| Possession/use of bombs | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 |
| Possession/use of other weapons | 26 | 0 | 63 | 0 | 233 | 15 | 191 | 1,000 | 9 | 28 | 13 | 1 | 2 | 17 | 28 | 39 | 375 | 7.1 |
| Other weapon offences | 4 | 0 | 3 | 0 | 54 | 20 | 236 | 1,500 | 0 | 0 | 1 | 0 | 0 | - | - | - | 62 | 1.2 |
| Pornography and censorship offences | 0 | 0 | 0 | 0 | 15 | 100 | 923 | 2,000 | 0 | 5 | 1 | 3 | 0 | - | - | - | 24 | 0.5 |
| Liquor licensing offences | 33 | 0 | 0 | 0 | 77 | 20 | 129 | 500 | 1 | 4 | 1 | 0 | 0 | - | - | - | 116 | 2.2 |
| Betting and gaming offences | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 2 | 0 | 0 | 0 | - | - | - | 2 | 0.0 |

Continued on the next page

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

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

| Offence Group | No penalty | Restraining order | Other order | Rising of the court | Fine (\$) | | | Suspension of driver's licence | Bond | Community service order | Suspended imprisonment | Imprisonment (weeks) | | | | Total | | |
|-------------------------------------|--------------|-------------------|-------------|---------------------|--------------|-----------|------------|--------------------------------|-----------|-------------------------|------------------------|----------------------|-----------|----------|-----------|------------|--------------|-------|
| | | | | | No. | Min | Av | | | | | Max | No. | Min | Av | Max | No. | % |
| Trespassing offences | 88 | 1 | 2 | 0 | 114 | 50 | 220 | 1,000 | 1 | 56 | 19 | 12 | 3 | 13 | 22 | 26 | 296 | 5.6 |
| Consorting | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 |
| Prostitution offences | 2 | 0 | 0 | 0 | 9 | 50 | 71 | 100 | 0 | 1 | 0 | 0 | 0 | - | - | - | 12 | 0.2 |
| Found with intent to commit a crime | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 1 | 0 | 2 | 0 | - | - | - | 3 | 0.1 |
| Indecent/offensive language | 76 | 0 | 1 | 0 | 110 | 30 | 139 | 400 | 3 | 6 | 3 | 2 | 1 | 1 | 1 | 1 | 202 | 3.8 |
| Disorderly behaviour | 449 | 0 | 5 | 0 | 599 | 25 | 145 | 500 | 6 | 67 | 31 | 5 | 3 | 4 | 5 | 8 | 1,165 | 22.2 |
| Offensive behaviour | 9 | 0 | 0 | 0 | 14 | 50 | 141 | 300 | 0 | 4 | 1 | 0 | 0 | - | - | - | 28 | 0.5 |
| Loitering | 157 | 0 | 0 | 0 | 160 | 30 | 125 | 500 | 0 | 6 | 2 | 0 | 0 | - | - | - | 325 | 6.2 |
| Urinating/defecating in public | 56 | 0 | 0 | 0 | 277 | 10 | 57 | 200 | 0 | 0 | 1 | 0 | 0 | - | - | - | 334 | 6.4 |
| Graffiti and related offences | 2 | 0 | 5 | 0 | 44 | 20 | 174 | 500 | 0 | 6 | 10 | 1 | 1 | 1 | 1 | 1 | 69 | 1.3 |
| Other offences against good order | 6 | 0 | 0 | 0 | 3 | 50 | 108 | 175 | 0 | 5 | 2 | 1 | 0 | - | - | - | 17 | 0.3 |
| Total | 1,558 | 1 | 123 | 0 | 2,724 | 10 | 181 | 2,000 | 94 | 389 | 200 | 111 | 57 | 1 | 11 | 104 | 5,257 | |
| Percentage | 29.6 | 0.0 | 2.3 | 0 | 51.8 | | | | 1.8 | 7.4 | 3.8 | 2.1 | 1.1 | | | | | 100.0 |

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

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

| Offence Group | No penalty | Restraining order | Other order | Rising of the court | Fine (\$) | | | | Suspension of driver's licence | Bond | Community service order | Suspended imprisonment | Imprisonment (weeks) | | | | Total | |
|----------------------------------|------------|-------------------|-------------|---------------------|-----------|-----|-----|-------|--------------------------------|------|-------------------------|------------------------|----------------------|-----|-----|-----|-------|-------|
| | | | | | No. | Min | Av | Max | | | | | No. | Min | Av | Max | No. | % |
| Possess/use cannabis | 3 | 0 | 9 | 0 | 83 | 25 | 185 | 600 | 1 | 1 | 5 | 1 | 0 | - | - | - | 103 | 6.7 |
| Possess/use other drug | 1 | 0 | 7 | 0 | 51 | 40 | 222 | 500 | 2 | 2 | 1 | 0 | 0 | - | - | - | 64 | 4.1 |
| Import/export cannabis | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 |
| Import/export other drug | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 |
| Sell/possess for sale cannabis | 0 | 0 | 5 | 0 | 89 | 50 | 383 | 1,500 | 1 | 9 | 7 | 19 | 1 | 8 | 8 | 8 | 131 | 8.5 |
| Sell/possess for sale other drug | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 |
| Produce/manufacture cannabis | 1 | 0 | 21 | 0 | 1,116 | 11 | 279 | 2,000 | 0 | 22 | 22 | 6 | 1 | 104 | 104 | 104 | 1,189 | 77.0 |
| Produce/manufacture other drug | 0 | 0 | 0 | 0 | 14 | 40 | 281 | 800 | 0 | 1 | 1 | 0 | 0 | - | - | - | 16 | 1.0 |
| Other drug offences | 3 | 0 | 3 | 0 | 22 | 50 | 210 | 500 | 1 | 6 | 2 | 4 | 0 | - | - | - | 41 | 2.7 |
| Total | 8 | 0 | 45 | 0 | 1,375 | 11 | 277 | 2,000 | 5 | 41 | 38 | 30 | 2 | 8 | 56 | 104 | 1,544 | |
| Percentage | 0.5 | 0 | 2.9 | 0 | 89.1 | | | | 0.3 | 2.7 | 2.5 | 1.9 | 0.1 | | | | | 100.0 |

More than one penalty type may be imposed per major charge, but only the most severe penalty is shown in this table. With effect from 1995, a breakdown of the quantities of drugs involved has been omitted from this table, since information on quantity of drugs was seldom available. Further information may be obtained from the Office of Crime Statistics on request. *Restraining orders* as the major penalty were added from 1996 onwards.

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

| Offence Group | No penalty | Restraining order | Other order | Rising of the court | Fine (\$) | | | | Suspension of driver's licence | Bond | Community service order | Suspended imprisonment | Imprisonment (weeks) | | | | Total | |
|---|------------|-------------------|-------------|---------------------|------------|-----------|------------|--------------|--------------------------------|-----------|-------------------------|------------------------|----------------------|----------|----------|-----------|--------------|-------|
| | | | | | No. | Min | Av | Max | | | | | No. | Min | Av | Max | No. | % |
| Driving under the influence of alcohol or drugs | 0 | 0 | 0 | 0 | 10 | 50 | 253 | 500 | 653 | 4 | 31 | 9 | 4 | 1 | 5 | 13 | 711 | 10.8 |
| Exceed prescribed concentration of alcohol | | | | | | | | | | | | | | | | | | |
| .001 to .049 | 0 | 0 | 0 | 0 | 8 | 100 | 259 | 500 | 2 | 0 | 0 | 0 | 0 | - | - | - | 10 | 0.2 |
| .050 to .079 | 1 | 0 | 0 | 0 | 42 | 100 | 226 | 600 | 3 | 0 | 0 | 0 | 0 | - | - | - | 46 | 0.7 |
| .080 to .149 | 1 | 0 | 0 | 0 | 20 | 75 | 211 | 500 | 2,323 | 2 | 37 | 1 | 0 | - | - | - | 2,384 | 36.2 |
| .150 or more | 0 | 0 | 0 | 0 | 2 | 400 | 550 | 700 | 916 | 3 | 28 | 1 | 0 | - | - | - | 950 | 14.4 |
| Unknown | 0 | 0 | 0 | 0 | 0 | - | - | - | 4 | 0 | 0 | 0 | 0 | - | - | - | 4 | 0.1 |
| Refuse to supply blood sample | 0 | 0 | 0 | 0 | 1 | 150 | 150 | 150 | 4 | 0 | 0 | 0 | 0 | - | - | - | 5 | 0.1 |
| Refuse breath/alcotest | 1 | 0 | 0 | 0 | 0 | - | - | - | 113 | 0 | 2 | 0 | 0 | - | - | - | 116 | 1.8 |
| Dangerous or reckless driving | 0 | 0 | 0 | 0 | 5 | 125 | 241 | 330 | 657 | 1 | 7 | 1 | 0 | - | - | - | 671 | 10.2 |
| Driving while licence suspended or cancelled | 56 | 0 | 0 | 0 | 477 | 50 | 307 | 1,500 | 195 | 89 | 109 | 567 | 179 | 1 | 8 | 61 | 1,672 | 25.4 |
| Driving without a licence | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 |
| Other driving licence offences | 4 | 0 | 0 | 0 | 3 | 50 | 233 | 500 | 4 | 0 | 0 | 0 | 0 | - | - | - | 11 | 0.2 |
| Total | 63 | 0 | 0 | 0 | 568 | 50 | 295 | 1,500 | 4,874 | 99 | 214 | 579 | 183 | 1 | 8 | 61 | 6,580 | |
| Percentage | 1.0 | 0 | 0 | 0 | 8.6 | | | | 74.1 | 1.5 | 3.3 | 8.8 | 2.8 | | | | | 100.0 |

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

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

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

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

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

| Offence Group | No penalty | Restraining order | Other order | Rising of the court | Fine (\$) | | | Suspension of driver's licence | Bond | Community service order | Suspended imprisonment | Imprisonment (weeks) | | | | Total | | |
|--|------------|-------------------|-------------|---------------------|-----------|-----|-----|--------------------------------|------|-------------------------|------------------------|----------------------|-----|-----|----|-------|-----|-------|
| | | | | | No. | Min | Av | | | | | Max | No. | Min | Av | Max | No. | % |
| Banking, financial and insurance offences | 1 | 0 | 0 | 0 | 144 | 150 | 370 | 1,600 | 0 | 0 | 2 | 0 | 0 | - | - | - | 147 | 29.2 |
| Taxation and stamp duty (excluding excise) | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 |
| Posts, telegraphs and telecommunications | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 1 | 0 | 0 | 0 | - | - | - | 1 | 0.2 |
| Customs, excise, imports/exports (non-drugs) | 0 | 0 | 0 | 0 | 16 | 250 | 869 | 3,000 | 0 | 4 | 5 | 0 | 0 | - | - | - | 25 | 5.0 |
| Immigration, passports, etc | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 | 0 | 1 | 0 | - | - | - | 1 | 0.2 |
| Electoral offences | 0 | 0 | 0 | 0 | 3 | 20 | 32 | 50 | 0 | 0 | 0 | 0 | 0 | - | - | - | 3 | 0.6 |
| Air navigation, airports and aircraft operations | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 |
| Health, mental health, quarantine, food standards etc. | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 0 |
| Bankruptcy | 0 | 0 | 0 | 0 | 1 | 200 | 200 | 200 | 0 | 1 | 1 | 0 | 0 | - | - | - | 3 | 0.6 |
| Copyright and patents | | 0 | | 0 | | | | | | | | | | | | | | |
| Offences in custody (against prison rule) | 0 | 0 | 0 | 0 | 0 | - | - | - | 0 | 1 | 0 | 0 | 1 | 10 | 10 | 10 | 2 | 0.4 |
| Other offences | 98 | 0 | 3 | 0 | 174 | 25 | 497 | 6,000 | 2 | 30 | 13 | 1 | 0 | - | - | - | 321 | 63.8 |
| Total | 99 | 0 | 3 | 0 | 338 | 20 | 456 | 6,000 | 2 | 37 | 21 | 2 | 1 | 10 | 10 | 10 | 503 | |
| Percentage | 19.7 | | 0.6 | | 67.2 | | | | 0.4 | 7.4 | 4.2 | 0.4 | 0.2 | | | | | 100.0 |

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

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

| Blood alcohol level | Fine | | Duration of licence suspension (months) | | | | | | | | | | | | | Av. | Until further order | Total licence suspension | Bond | CSO | Suspended imprisonment | Direct imprisonment | Total convicted |
|---------------------|-------|--------|---|-------|------|-------|-------|-------|-------|-------|-------|-------|-------|-----|------|------|---------------------|--------------------------|------|-----|------------------------|---------------------|-----------------|
| | No. | Av. \$ | 1-3 | 4-6 | 7-9 | 10-12 | 13-15 | 16-18 | 19-24 | 25-36 | 37-48 | 49-60 | 61-72 | 73+ | | | | | | | | | |
| .001 to .049 | 7 | 254 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 6.0 | 0 | 1 | 0 | 0 | 0 | 0 | 7 | |
| .050 to .079 | 39 | 237 | 1 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 3.5 | 0 | 2 | 0 | 0 | 0 | 0 | 40 | |
| .080 to .099 | 756 | 531 | 10 | 700 | 37 | 5 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 6.1 | 0 | 753 | 0 | 5 | 0 | 0 | 766 | |
| .100 to .149 | 1,314 | 594 | 8 | 865 | 387 | 65 | 4 | 3 | 0 | 0 | 0 | 0 | 0 | 0 | 6.8 | 0 | 1,332 | 1 | 23 | 0 | 0 | 1,340 | |
| .150 to .199 | 576 | 764 | 2 | 9 | 8 | 462 | 84 | 23 | 4 | 2 | 0 | 0 | 0 | 0 | 12.5 | 0 | 594 | 2 | 14 | 0 | 0 | 594 | |
| .200 to .249 | 140 | 806 | 0 | 1 | 3 | 62 | 41 | 33 | 7 | 0 | 0 | 0 | 0 | 0 | 14.2 | 0 | 147 | 0 | 7 | 0 | 0 | 148 | |
| .250 and over | 26 | 846 | 0 | 1 | 0 | 3 | 8 | 12 | 3 | 3 | 1 | 0 | 0 | 0 | 18.6 | 0 | 31 | 1 | 4 | 0 | 0 | 31 | |
| Unknown | 4 | 588 | 0 | 4 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 6.0 | 0 | 4 | 0 | 0 | 0 | 0 | 4 | |
| Total | 2,862 | 619 | 21 | 1,582 | 435 | 597 | 137 | 71 | 14 | 5 | 1 | 1 | 0 | 0 | 8.3 | 0 | 2,864 | 4 | 53 | 0 | 0 | 2,930 | |
| Percentage | 97.7 | | 0.7 | 54.0 | 14.8 | 20.4 | 4.7 | 2.4 | 0.5 | 0.2 | 0.0 | 0.0 | 0 | 0 | 0 | 97.7 | 0.1 | 1.8 | 0 | 0 | 0 | 100.0 | |

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

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

| Blood alcohol level | Fine (\$) | | Duration of licence suspension (months) | | | | | | | | | | | | | Av. | Until further order | Total licence suspension | Bond | CSO | Suspended Imprisonment | Direct Imprisonment | Total convicted |
|---------------------|-----------|--------|---|-----|-----|-------|-------|-------|-------|-------|-------|-------|-------|-----|------|------|---------------------|--------------------------|------|-----|------------------------|---------------------|-----------------|
| | No. | Av. \$ | 1-3 | 4-6 | 7-9 | 10-12 | 13-15 | 16-18 | 19-24 | 25-36 | 37-48 | 49-60 | 61-72 | 73+ | | | | | | | | | |
| .001 to .049 | 3 | 500 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 12.0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 3 |
| .050 to .079 | 6 | 309 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1.0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 6 |
| .080 to .099 | 78 | 717 | 0 | 20 | 2 | 44 | 5 | 3 | 4 | 0 | 0 | 0 | 0 | 0 | 11.3 | 3 | 81 | 0 | 3 | 0 | 0 | 0 | 81 |
| .100 to .149 | 188 | 804 | 1 | 24 | 13 | 80 | 44 | 15 | 8 | 5 | 0 | 0 | 0 | 0 | 12.9 | 7 | 197 | 2 | 6 | 1 | 0 | 0 | 197 |
| .150 to .199 | 114 | 1,150 | 0 | 1 | 0 | 19 | 7 | 2 | 1 | 72 | 4 | 2 | 0 | 0 | 30.3 | 10 | 118 | 0 | 2 | 0 | 0 | 0 | 119 |
| .200 to .249 | 46 | 1,188 | 0 | 0 | 0 | 2 | 4 | 1 | 4 | 28 | 5 | 0 | 0 | 0 | 32.3 | 3 | 47 | 1 | 0 | 1 | 0 | 0 | 47 |
| .250 and over | 10 | 1,160 | 0 | 0 | 0 | 0 | 1 | 1 | 1 | 4 | 2 | 0 | 0 | 0 | 30.8 | 2 | 11 | 0 | 1 | 0 | 0 | 0 | 11 |
| Unknown | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total | 445 | 916 | 2 | 45 | 15 | 146 | 61 | 22 | 18 | 109 | 11 | 2 | 0 | 0 | 19.3 | 25 | 456 | 3 | 12 | 2 | 0 | 0 | 464 |
| Percentage | 95.9 | | 0.4 | 9.7 | 3.2 | 31.5 | 13.1 | 4.7 | 3.9 | 23.5 | 2.4 | 0.4 | 0 | 0 | 5.4 | 98.3 | 0.6 | 2.6 | 0.4 | 0 | 0 | 0 | 100.0 |

This table gives the penalties for defendants with one or more prior convictions for drink driving offences within the last five years. Although the Road Traffic Act sets different penalties for first offenders and those with prior drink-driving convictions within the last five years, before 1995 this table did not distinguish between convictions more and less recent than five years prior. Recent system enhancements have now made this distinction possible. *Exceed prescribed content of alcohol .001 to .049* relates specifically to drivers on a P-plate licence as it is an offence for such licence holders to drive with any concentration of alcohol in their blood. This category also includes P-plate drivers charged with *driving under the influence of alcohol*. Average duration of licence suspension excludes the 'Until further order' category. Because up to three penalties per case are counted, the percentages listed in the last row of the table exceed 100.0%.

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TABLE 2.28a Age by major offence charged. Male defendants

| Offence Group | Age of males in years | | | | | | | | | Total with information available | | Information not available |
|---|-----------------------|-------|-------|-------|-------|-------|-------|-------------|---------------------|----------------------------------|------------|---------------------------|
| | 18-19 | 20-24 | 25-29 | 30-34 | 35-39 | 40-49 | 50-59 | 60 and over | Average age (years) | Number | Percentage | |
| Offences against the person (excl. sexual offences) | 302 | 638 | 609 | 547 | 500 | 530 | 161 | 37 | 31.9 | 3,324 | 13.8 | 11 |
| Sexual offences | 22 | 57 | 54 | 65 | 65 | 74 | 32 | 24 | 35.9 | 393 | 1.6 | 1 |
| Robbery and extortion | 63 | 96 | 40 | 26 | 11 | 9 | 3 | 2 | 24.9 | 250 | 1.0 | 3 |
| Serious criminal trespass | 218 | 278 | 250 | 223 | 127 | 110 | 7 | 2 | 27.9 | 1,215 | 5.1 | 4 |
| Fraud and misappropriation | 30 | 76 | 81 | 81 | 59 | 104 | 30 | 19 | 34.6 | 480 | 2.0 | 1 |
| Larceny and receiving | 467 | 584 | 512 | 392 | 289 | 287 | 96 | 55 | 29.7 | 2,682 | 11.2 | 8 |
| Property damage and environmental offences | 208 | 293 | 206 | 174 | 134 | 129 | 41 | 8 | 28.9 | 1,193 | 5.0 | 1 |
| Offences against good order | 758 | 1,207 | 773 | 650 | 548 | 617 | 196 | 65 | 29.9 | 4,814 | 20.0 | 11 |
| Drug offences | 64 | 235 | 319 | 356 | 322 | 357 | 97 | 51 | 34.8 | 1,801 | 7.5 | 1 |
| Driving offences | 706 | 1,610 | 1,003 | 799 | 662 | 893 | 345 | 123 | 31.0 | 6,141 | 25.5 | 10 |
| Other offences | 31 | 55 | 72 | 86 | 55 | 117 | 73 | 17 | 37.1 | 506 | 2.1 | 16 |
| Non-offence matters | 37 | 142 | 156 | 224 | 243 | 297 | 108 | 37 | 36.6 | 1,244 | 5.2 | 22 |
| Total | 2,906 | 5,271 | 4,075 | 3,623 | 3,015 | 3,524 | 1,189 | 440 | 31.3 | 24,043 | | 89 |
| Percentage | 12.1 | 21.9 | 16.9 | 15.1 | 12.5 | 14.7 | 4.9 | 1.8 | | | 100.0 | |
| Rate per 1,000 adult population | 133.7 | 102.4 | 83.8 | 66.4 | 54.8 | 31.2 | 12.1 | 3.3 | | 41.7 | | |

In Tables 2.28 - 2.31 there is one entry for each finalised appearance by a defendant. These background items refer to the status of the defendant at the time of apprehension. Rates per 1,000 adult population have been derived from Catalogue no. 3201.0 30th June 2003.

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TABLE 2.28b Age by major offence charged. Female defendants

| Offence Group | Age of females in years | | | | | | | | Average age (years) | Total with information available | | Information not available |
|---|-------------------------|-------|-------|-------|-------|-------|-------|-------------|------------------------|-------------------------------------|------------|------------------------------|
| | 18-19 | 20-24 | 25-29 | 30-34 | 35-39 | 40-49 | 50-59 | 60 and over | | Number | Percentage | |
| Offences against the person (excl. sexual offences) | 55 | 106 | 90 | 110 | 60 | 88 | 24 | 5 | 31.4 | 538 | 10.8 | 2 |
| Sexual offences | 1 | 0 | 1 | 1 | 0 | 3 | 0 | 0 | 34.8 | 6 | 0.1 | 0 |
| Robbery and extortion | 9 | 11 | 3 | 4 | 5 | 4 | 0 | 0 | 27.0 | 36 | 0.7 | 0 |
| Serious criminal trespass | 16 | 40 | 45 | 35 | 29 | 9 | 3 | 0 | 28.9 | 177 | 3.5 | 1 |
| Fraud and misappropriation | 24 | 60 | 50 | 51 | 32 | 48 | 13 | 6 | 32.1 | 284 | 5.7 | 2 |
| Larceny and receiving | 135 | 215 | 188 | 176 | 135 | 171 | 60 | 33 | 32.1 | 1,113 | 22.3 | 5 |
| Property damage and environmental offences | 21 | 35 | 31 | 35 | 28 | 34 | 5 | 1 | 31.4 | 190 | 3.8 | 1 |
| Offences against good order | 78 | 175 | 171 | 161 | 129 | 133 | 24 | 10 | 31.2 | 881 | 17.7 | 3 |
| Drug offences | 20 | 61 | 61 | 80 | 59 | 67 | 24 | 6 | 33.6 | 378 | 7.6 | 0 |
| Driving offences | 61 | 229 | 149 | 176 | 123 | 199 | 53 | 18 | 32.9 | 1,008 | 20.2 | 0 |
| Other offences | 14 | 15 | 23 | 33 | 16 | 35 | 17 | 9 | 36.6 | 162 | 3.2 | 6 |
| Non-offence matters | 15 | 23 | 32 | 39 | 28 | 51 | 23 | 3 | 35.5 | 214 | 4.3 | 17 |
| Total | 449 | 970 | 844 | 901 | 644 | 842 | 246 | 91 | 32.3 | 4,987 | | 37 |
| Percentage | 9.0 | 19.5 | 16.9 | 18.1 | 12.9 | 16.9 | 4.9 | 1.8 | | | 100.0 | |
| Rate per 1,000 adult population | 21.6 | 20.0 | 18.2 | 16.8 | 11.8 | 7.4 | 2.5 | 0.6 | | 8.3 | | |

In Tables 2.28 - 2.31 there is one entry for each finalised appearance by a defendant. These background items refer to the status of the defendant at the time of apprehension. Rates per 1,000 adult population have been derived from Catalogue no. 3101.0 30th June 2003.

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TABLE 2.28c Age by major offence charged. All defendants

| Offence Group | Age of all defendants in years | | | | | | | | Average age (years) | Total with information available | | Information not available |
|---|--------------------------------|--------------|--------------|--------------|--------------|--------------|--------------|-------------|------------------------|-------------------------------------|------------|------------------------------|
| | 18-19 | 20-24 | 25-29 | 30-34 | 35-39 | 40-49 | 50-59 | 60 and over | | Number | Percentage | |
| Offences against the person (excl. sexual offences) | 357 | 744 | 700 | 659 | 560 | 618 | 186 | 42 | 31.9 | 3,866 | 13.3 | 13 |
| Sexual offences | 23 | 57 | 55 | 66 | 65 | 77 | 32 | 24 | 35.9 | 399 | 1.4 | 1 |
| Robbery and extortion | 72 | 107 | 43 | 30 | 16 | 13 | 3 | 2 | 25.1 | 286 | 1.0 | 3 |
| Serious criminal trespass | 234 | 318 | 295 | 258 | 156 | 119 | 10 | 2 | 28.1 | 1,392 | 4.8 | 5 |
| Fraud and misappropriation | 54 | 136 | 131 | 133 | 91 | 152 | 43 | 25 | 33.6 | 765 | 2.6 | 3 |
| Larceny and receiving | 602 | 800 | 700 | 568 | 424 | 458 | 156 | 88 | 30.4 | 3,796 | 13.1 | 14 |
| Property damage and environmental offences | 229 | 328 | 237 | 210 | 162 | 163 | 46 | 9 | 29.3 | 1,384 | 4.8 | 3 |
| Offences against good order | 836 | 1,382 | 944 | 811 | 677 | 750 | 220 | 75 | 30.1 | 5,695 | 19.6 | 17 |
| Drug offences | 84 | 296 | 380 | 436 | 381 | 424 | 121 | 57 | 34.5 | 2,179 | 7.5 | 1 |
| Driving offences | 767 | 1,839 | 1,152 | 975 | 785 | 1,092 | 398 | 141 | 31.3 | 7,149 | 24.6 | 10 |
| Other offences | 45 | 72 | 95 | 122 | 73 | 157 | 92 | 27 | 37.1 | 683 | 2.4 | 40 |
| Non-offence matters | 52 | 165 | 188 | 263 | 271 | 349 | 131 | 40 | 36.4 | 1,459 | 5.0 | 43 |
| Total | 3,355 | 6,244 | 4,920 | 4,531 | 3,661 | 4,372 | 1,438 | 532 | 31.5 | 29,053 | | 153 |
| Percentage | 11.5 | 21.5 | 16.9 | 15.6 | 12.6 | 15.0 | 4.9 | 1.8 | | | 100.0 | |
| Rate per 1,000 adult population | 79.0 | 62.5 | 51.8 | 41.9 | 33.4 | 19.2 | 7.3 | 1.8 | | 24.7 | | |

In Tables 2.28 - 2.31 there is one entry for each finalised appearance by a defendant. These background items refer to the status of the defendant at the time of apprehension. Rates per 1,000 adult population have been derived from Catalogue no. 3201.0 30th June 2003. The totals in this table may be slightly greater than the sum of male and female totals because sex is not always known, even though age may be known. The 153 cases where information was not available were either company names or related to non-offence matters, such as restraining order applications.

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TABLE 2.29 Racial appearance of defendant by major offence charged

| Offence Group | Racial appearance | | Total with information available | | Information not available |
|---|-------------------|----------------|----------------------------------|------------|---------------------------|
| | Aboriginal | Non-Aboriginal | Number | Percentage | |
| Offences against the person (excl. sexual offences) | 710 | 3,063 | 3,773 | 13.8 | 106 |
| Sexual offences | 30 | 358 | 388 | 1.4 | 12 |
| Robbery and extortion | 42 | 245 | 287 | 1.1 | 2 |
| Serious criminal trespass | 218 | 1,167 | 1,385 | 5.1 | 12 |
| Fraud and misappropriation | 33 | 615 | 648 | 2.4 | 120 |
| Larceny and receiving | 387 | 3,284 | 3,671 | 13.5 | 139 |
| Property damage and environmental offences | 217 | 1,113 | 1,330 | 4.9 | 57 |
| Offences against good order | 1,000 | 4,539 | 5,539 | 20.3 | 173 |
| Drug offences | 43 | 2,022 | 2,065 | 7.6 | 115 |
| Driving offences | 372 | 6,109 | 6,481 | 23.8 | 678 |
| Other offences | 220 | 224 | 444 | 1.6 | 279 |
| Non-offence matters | 94 | 1,154 | 1,248 | 4.6 | 254 |
| Total | 3,366 | 23,893 | 27,259 | | 1,947 |
| Percentage | 12.3 | 87.7 | | 100.0 | |
| Rate per 1,000 adult population | 260.3 | 22.5 | 24.5 | | |

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

Rates per 1,000 adult population have been derived from ABS 2001 Census.

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

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

| Offence Group | Prior criminal record | | | | | | | | | | | |
|---|--------------------------------------|-------|-------|-------|-------|------------|---------|------------------------------------|-----------------------------|----------------------------------|------------|---------------------------|
| | Number of prior criminal convictions | | | | | | | One or more previous imprisonments | | Total with information available | | |
| | No prior convictions | 1 | 2-4 | 5-9 | 10-49 | 50 or more | Average | Number | Percentage of offence group | Number | Percentage | Information not available |
| Offences against the person (excl. sexual offences) | 977 | 266 | 534 | 559 | 1,247 | 295 | 15.0 | 901 | 23.2 | 3,878 | 13.3 | 1 |
| Sexual offences | 158 | 41 | 52 | 48 | 85 | 16 | 9.2 | 74 | 18.5 | 400 | 1.4 | 0 |
| Robbery and extortion | 53 | 17 | 48 | 36 | 102 | 33 | 19.2 | 98 | 33.9 | 289 | 1.0 | 0 |
| Serious criminal trespass | 216 | 56 | 142 | 137 | 590 | 256 | 26.6 | 580 | 41.5 | 1,397 | 4.8 | 0 |
| Fraud and misappropriation | 303 | 57 | 103 | 82 | 168 | 54 | 11.6 | 125 | 16.3 | 767 | 2.6 | 1 |
| Larceny and receiving | 1,083 | 245 | 482 | 408 | 1,187 | 405 | 17.4 | 1,019 | 26.7 | 3,810 | 13.1 | 0 |
| Property damage and environmental offences | 411 | 93 | 195 | 184 | 406 | 97 | 14.0 | 277 | 20.0 | 1,386 | 4.8 | 1 |
| Offences against good order | 1,603 | 388 | 819 | 720 | 1,666 | 514 | 15.8 | 1,244 | 21.8 | 5,710 | 19.6 | 2 |
| Drug offences | 562 | 208 | 377 | 378 | 564 | 91 | 10.4 | 355 | 16.3 | 2,180 | 7.5 | 0 |
| Driving offences | 2,380 | 672 | 1,326 | 994 | 1,544 | 242 | 8.8 | 894 | 12.5 | 7,158 | 24.5 | 1 |
| Other offences | 316 | 70 | 116 | 62 | 123 | 18 | 6.8 | 64 | 9.1 | 705 | 2.4 | 18 |
| Non-offence matters | 483 | 114 | 250 | 199 | 378 | 69 | 10.9 | 266 | 17.8 | 1,493 | 5.1 | 9 |
| Total | 8,545 | 2,227 | 4,444 | 3,807 | 8,060 | 2,090 | 13.6 | 5,897 | 100.0 | 29,173 | | 33 |
| Percentage | 29.3 | 7.6 | 15.2 | 13.0 | 27.6 | 7.2 | | | | | 100.0 | |

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

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

In 1996 this table was modified to bring the data in line with the counting rules used for other tables in this report. The statistics provided relate to the number of *counts* of offences previously convicted. In addition, in 1996 defendants with suspended imprisonments were excluded from the number of defendants with one or more previous imprisonments. Convictions quashed by appeal or re-hearing were also excluded in 1996. The 33 individuals where information was not available were either company names or related to *non-offence matters*, such as *restraining order* applications.

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

| Offence Group | One court hearing | | | Two or more court hearings | | | Committed for trial or sentence | | | Total with Information available | | Information not available |
|---|-------------------|--------------|------------|----------------------------|--------------|------------|---------------------------------|--------------|------------|----------------------------------|------------|---------------------------|
| | Bail not required | Bail granted | In custody | Bail not required | Bail Granted | In custody | Bail not required | Bail Granted | In custody | Number | Percentage | |
| Offences against the person (excl. sexual offences) | 413 | 0 | 2 | 772 | 2,195 | 351 | 0 | 97 | 38 | 3,868 | 13.3 | 11 |
| Sexual offences | 33 | 0 | 0 | 50 | 160 | 27 | 0 | 113 | 17 | 400 | 1.4 | 0 |
| Robbery and extortion | 6 | 0 | 0 | 5 | 92 | 40 | 0 | 87 | 55 | 285 | 1.0 | 4 |
| Serious criminal trespass | 66 | 0 | 0 | 89 | 710 | 289 | 0 | 158 | 67 | 1,379 | 4.7 | 18 |
| Fraud and misappropriation | 113 | 0 | 0 | 311 | 265 | 64 | 0 | 13 | 2 | 768 | 2.6 | 0 |
| Larceny and receiving | 980 | 2 | 2 | 859 | 1,437 | 512 | 0 | 5 | 1 | 3,798 | 13.0 | 12 |
| Property damage and environmental offences | 394 | 0 | 1 | 353 | 475 | 151 | 0 | 7 | 2 | 1,383 | 4.7 | 4 |
| Offences against good order | 2,844 | 0 | 1 | 964 | 1,432 | 426 | 0 | 21 | 5 | 5,693 | 19.5 | 19 |
| Drug offences | 848 | 0 | 0 | 445 | 523 | 78 | 0 | 262 | 23 | 2,179 | 7.5 | 1 |
| Driving offences | 2,724 | 0 | 0 | 2,820 | 1,274 | 337 | 0 | 0 | 0 | 7,155 | 24.6 | 4 |
| Other offences | 457 | 0 | 0 | 172 | 71 | 12 | 0 | 4 | 7 | 723 | 2.5 | 0 |
| Non-offence matters | 80 | 0 | 0 | 1,263 | 145 | 13 | 0 | 0 | 0 | 1,501 | 5.2 | 1 |
| Total | 8,958 | 2 | 6 | 8,103 | 8,779 | 2,300 | 0 | 767 | 217 | 29,132 | | 74 |
| Percentage | 30.7 | 0.0 | 0.0 | 27.8 | 30.1 | 7.9 | 0.0 | 2.6 | 0.7 | | 100.0 | |

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

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

| Offence Group | One court hearing | | | Two or more court hearings | | | Committed for trial or sentence | | | Total with information available | | Information not available |
|---|-------------------|----------------------------|-------------------------|----------------------------|----------------------------|-------------------------|---------------------------------|----------------------------|-------------------------|----------------------------------|------------|---------------------------|
| | Duty solicitor | Other legal representation | No legal representation | Duty solicitor | Other legal representation | No legal representation | Duty solicitor | Other legal representation | No legal representation | Number | Percentage | |
| Offences against the person (excl. sexual offences) | 20 | 144 | 158 | 131 | 2,382 | 411 | 2 | 123 | 4 | 3,375 | 14.5 | 504 |
| Sexual offences | 0 | 13 | 15 | 4 | 194 | 24 | 2 | 124 | 2 | 378 | 1.6 | 22 |
| Robbery and extortion | 1 | 4 | 1 | 4 | 114 | 10 | 3 | 134 | 4 | 275 | 1.2 | 14 |
| Serious criminal trespass | 2 | 40 | 7 | 33 | 924 | 69 | 7 | 204 | 14 | 1,300 | 5.6 | 97 |
| Fraud and misappropriation | 6 | 39 | 46 | 22 | 458 | 82 | 1 | 11 | 1 | 666 | 2.9 | 102 |
| Larceny and receiving | 83 | 193 | 452 | 181 | 1,848 | 416 | 0 | 6 | 0 | 3,179 | 13.7 | 631 |
| Property damage and environmental offences | 17 | 71 | 197 | 59 | 537 | 228 | 0 | 9 | 0 | 1,118 | 4.8 | 269 |
| Offences against good order | 149 | 534 | 1,317 | 165 | 1,518 | 663 | 0 | 22 | 1 | 4,369 | 18.8 | 1,343 |
| Drug offences | 15 | 149 | 465 | 28 | 710 | 183 | 3 | 250 | 24 | 1,827 | 7.9 | 353 |
| Driving offences | 46 | 490 | 1,442 | 118 | 2,373 | 1,159 | 0 | 0 | 0 | 5,628 | 24.2 | 1,531 |
| Other offences | 2 | 89 | 52 | 2 | 110 | 53 | 0 | 10 | 0 | 318 | 1.4 | 405 |
| Non-offence matters | 4 | 18 | 23 | 18 | 354 | 386 | 0 | 0 | 0 | 803 | 3.5 | 699 |
| Total | 345 | 1,784 | 4,175 | 765 | 11,522 | 3,684 | 18 | 893 | 50 | 23,236 | | 5,970 |
| Percentage | 1.5 | 7.7 | 18.0 | 3.3 | 49.6 | 15.9 | 0.1 | 3.8 | 0.2 | | 100.0 | |

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

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TABLE 2.33 Plea at final court appearance by major offence charged

| Offence Group | Finalised in summary court | | | | | | | Committed for trial or sentence | | | | | Total with information available | | |
|---|----------------------------|----------|------------|---------|---------------------|------------------|-----------------|---------------------------------|------------|---------|------------------|-----------------|----------------------------------|------------|---------|
| | Guilty | Guilty 3 | Not guilty | No plea | Plea not applicable | Defence reserved | <i>Ex parte</i> | Guilty | Not guilty | No plea | Defence reserved | <i>Ex parte</i> | Number | Percentage | Unknown |
| Offences against the person (excl. sexual offences) | 1,551 | 0 | 174 | 2,019 | 0 | 0 | 0 | 7 | 114 | 14 | 0 | 0 | 3,879 | 13.3 | 0 |
| Sexual offences | 79 | 0 | 15 | 176 | 0 | 0 | 0 | 9 | 118 | 3 | 0 | 0 | 400 | 1.4 | 0 |
| Robbery and extortion | 7 | 0 | 2 | 138 | 0 | 0 | 0 | 27 | 109 | 6 | 0 | 0 | 289 | 1.0 | 0 |
| Serious criminal trespass | 448 | 0 | 24 | 700 | 0 | 0 | 0 | 33 | 181 | 11 | 0 | 0 | 1,397 | 4.8 | 0 |
| Fraud and misappropriation | 473 | 0 | 19 | 261 | 0 | 0 | 0 | 2 | 13 | 0 | 0 | 0 | 768 | 2.6 | 0 |
| Larceny and receiving | 2,391 | 2 | 83 | 1,328 | 0 | 0 | 0 | 3 | 2 | 1 | 0 | 0 | 3,810 | 13.0 | 0 |
| Property damage and environmental offences | 874 | 1 | 30 | 473 | 0 | 0 | 0 | 1 | 8 | 0 | 0 | 0 | 1,387 | 4.7 | 0 |
| Offences against good order | 3,894 | 118 | 67 | 1,607 | 0 | 0 | 0 | 6 | 18 | 2 | 0 | 0 | 5,712 | 19.6 | 0 |
| Drug offences | 1,395 | 5 | 11 | 484 | 0 | 0 | 0 | 42 | 224 | 19 | 0 | 0 | 2,180 | 7.5 | 0 |
| Driving offences | 6,018 | 4 | 74 | 1,063 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 7,159 | 24.5 | 0 |
| Other offences | 255 | 13 | 4 | 440 | 0 | 0 | 0 | 5 | 6 | 0 | 0 | 0 | 723 | 2.5 | 0 |
| Non-offence matters | 5 | 0 | 13 | 0 | 1,484 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1,502 | 5.1 | 0 |
| Total | 17,390 | 143 | 516 | 8,689 | 1,484 | 0 | 0 | 135 | 793 | 56 | 0 | 0 | 29,206 | | 0 |
| Percentage | 59.5 | 0.5 | 1.8 | 29.8 | 5.1 | 0 | 0 | 0.5 | 2.7 | 0.2 | 0 | 0 | | 100.0 | |

In 1994 a new plea of 'not applicable' was introduced by courts. This applies to cases where the defendant is not required to enter a plea. In 1994 'Guilty 3' replaced 'Guilty 4A' whereby a defendant charged with a summary offence not punishable by imprisonment may plead guilty to the charge without attending the court or engaging a solicitor to attend. For non-offence matters (restraining orders), a plea of not guilty may be entered where the defendant wishes to contest the order.