

# Sentencing Snapshot

Sentencing trends  
in the higher courts  
of Victoria  
2003–04 to 2007–08

June 2009  
No. 77

## Obtaining a financial advantage by deception

### Introduction

This Sentencing Snapshot describes sentencing outcomes<sup>1</sup> for the offence of obtaining a financial advantage by deception and details the age and gender<sup>2</sup> of people sentenced for this offence in the County and Supreme Courts of Victoria between 2003–04 and 2007–08.

A person who by any deception dishonestly obtains any financial advantage for him- or herself or for another person is guilty of obtaining financial advantage by deception.<sup>4</sup>

Obtaining financial advantage by deception carries a maximum penalty of 10 years' imprisonment<sup>5</sup> and/or a fine of 1200 penalty units.<sup>6</sup> It is an indictable offence that is triable summarily in the Magistrates' Court if the property is below a certain value,<sup>7</sup> the Magistrates' Court considers it appropriate and the defendant consents.

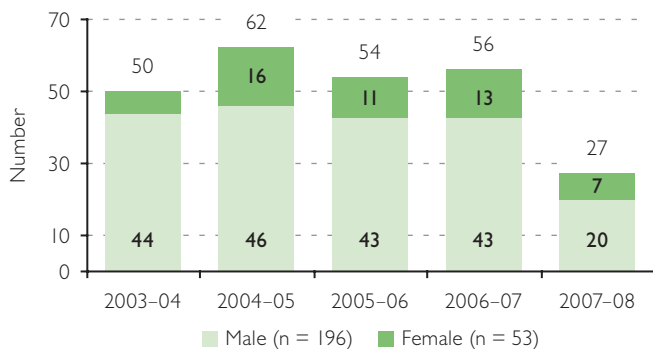
Obtaining a financial advantage by deception was the principal offence in 2.4% of cases sentenced in the higher courts between 2003–04 and 2007–08.

### People sentenced

Figure 1 shows the number of people sentenced for the principal offence of obtaining a financial advantage by deception for the period 2003–04 to 2007–08. As shown, 249 people were sentenced for obtaining a financial advantage by deception over the five-year period. There were 27 people sentenced for this offence in 2007–08, down by 29 people from the previous year.<sup>8</sup>

Over the five years depicted, the majority of those sentenced were men (78.7% or 196 of the 249 people), including 20 of the 27 people sentenced in 2007–08.

Figure 1: The number of people sentenced for obtaining a financial advantage by deception by gender, 2003–04 to 2007–08



### Sentence types and trends

Figure 2 shows the total number of people sentenced for obtaining a financial advantage by deception and the number who received an immediate custodial sentence. An immediate custodial sentence is one that involves at least some element of immediate (as opposed to wholly suspended) imprisonment or detention.<sup>9</sup> Over the five-year period, 44% of people were given an immediate custodial sentence. This peaked at 48% (27 of 56) in 2006–07 after a low of 40% (20 of 50) in 2003–04. In 2007–08, 44% of people sentenced (12 of 27) were given an immediate custodial sentence.

Figure 2: The number of people sentenced for obtaining a financial advantage by deception and the number who received an immediate custodial sentence, 2003–04 to 2007–08

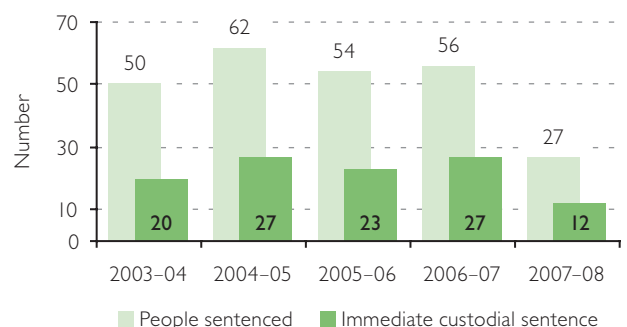


Table 1 shows the number of people sentenced for obtaining a financial advantage by deception from 2003–04 to 2007–08 by the types of sentences imposed.

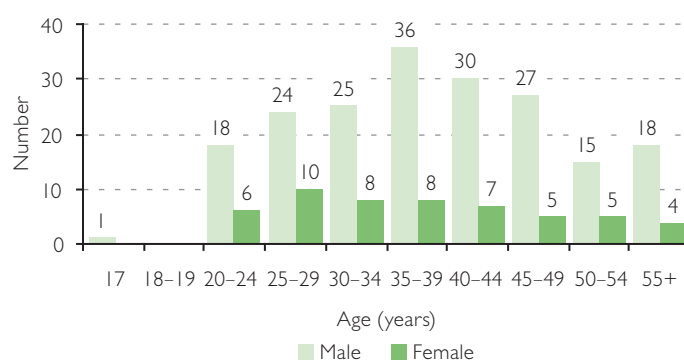
Over the five-year period, around one third of the people sentenced for obtaining a financial advantage by deception received a wholly suspended sentence of imprisonment (34% or 85 of 259 people), while 29% received a period of imprisonment and 11% received a partially suspended sentence of imprisonment.

The number of people who received a wholly suspended sentence of imprisonment decreased each year from 23 people in 2004–05 to 9 people in 2007–08. The number of people who were sentenced to a period of imprisonment increased from 13 in 2003–04 to 20 in 2005–06, before decreasing to 10 people in 2007–08.

## Age and gender of people sentenced

Figure 3 shows the gender of people sentenced for obtaining a financial advantage by deception grouped by their age<sup>10</sup> between 2003–04 and 2007–08. The average age of people sentenced for obtaining a financial advantage by deception was forty-five years. Men sentenced over this period were much older than women (an average age of forty-seven years for men compared to thirty-seven years and four months for women). One male juvenile was sentenced over this period.

**Figure 3:** The number of people sentenced for obtaining a financial advantage by deception by gender and age, 2003–04 to 2007–08



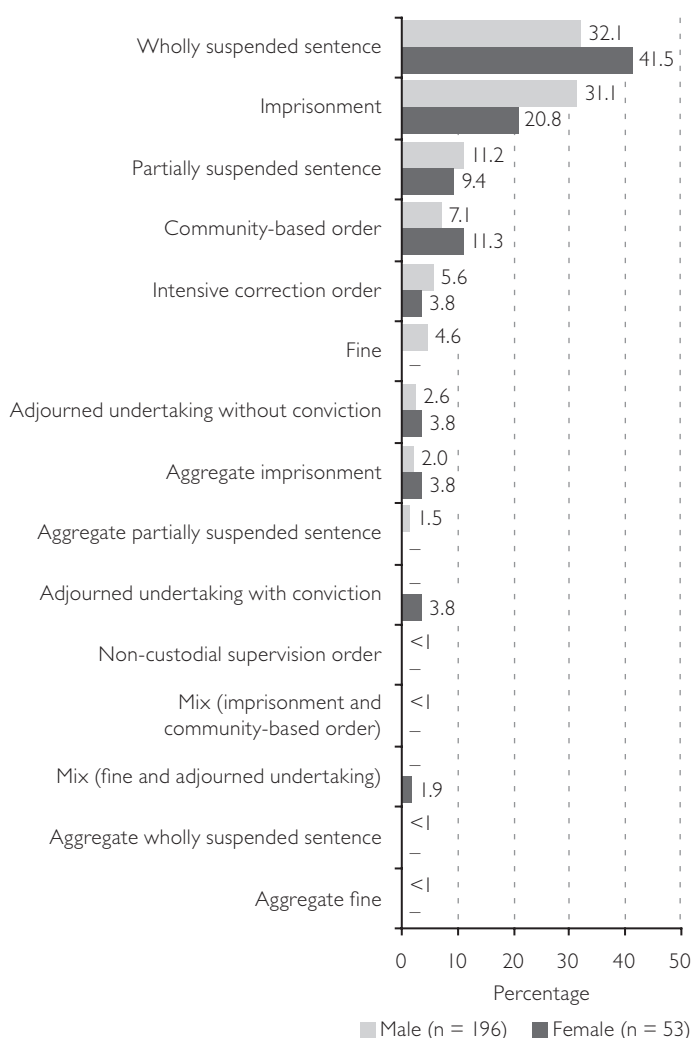
**Table 1:** The number and percentage of people sentenced for obtaining a financial advantage by deception by sentence type, 2003–04 to 2007–08

Sentence type	2003–04	2004–05	2005–06	2006–07	2007–08
Wholly suspended sentence	21 (42%)	23 (37%)	19 (35%)	13 (23%)	9 (33%)
Imprisonment	13 (26%)	17 (27%)	20 (37%)	12 (21%)	10 (37%)
Partially suspended sentence	6 (12%)	10 (16%)	3 (6%)	6 (11%)	2 (7%)
Community-based order	1 (2%)	6 (10%)	3 (6%)	8 (14%)	2 (7%)
Intensive correction order	6 (12%)	2 (3%)	0 (–)	4 (7%)	1 (4%)
Fine	2 (4%)	2 (3%)	3 (6%)	1 (2%)	1 (4%)
Adjourned undertaking without conviction	0 (–)	0 (–)	5 (9%)	1 (2%)	1 (4%)
Aggregate imprisonment	0 (–)	0 (–)	0 (–)	6 (11%)	0 (–)
Aggregate partially suspended sentence	0 (–)	0 (–)	0 (–)	3 (5%)	0 (–)
Adjourned undertaking with conviction	0 (–)	0 (–)	1 (2%)	1 (2%)	0 (–)
Non-custodial supervision order	0 (–)	1 (2%)	0 (–)	0 (–)	0 (–)
Mix (imprisonment and community-based order)	1 (2%)	0 (–)	0 (–)	0 (–)	0 (–)
Mix (fine and adjourned undertaking)	0 (–)	1 (2%)	0 (–)	0 (–)	0 (–)
Aggregate wholly suspended sentence	0 (–)	0 (–)	0 (–)	0 (–)	1 (4%)
Aggregate fine	0 (–)	0 (–)	0 (–)	1 (2%)	0 (–)
<b>People sentenced</b>	<b>50</b>	<b>62</b>	<b>54</b>	<b>56</b>	<b>27</b>

## Sentence types by gender

Figure 4 and Table 2 show the types of sentence imposed for obtaining a financial advantage by deception grouped by gender. As shown, a higher percentage of men received a period of imprisonment (31.1% compared to 20.8% of women) and a fine (4.6% compared to no women). Conversely, a higher percentage of women received a wholly suspended sentence of imprisonment (41.5% compared to 32.1% of men), a community-based order (11.3% compared to 7.1%) and an adjourned undertaking with conviction (3.8% compared to no men).

**Figure 4:** The percentage of people sentenced for obtaining a financial advantage by deception by sentence type and gender, 2003–04 to 2007–08



**Table 2:** The number and percentage breakdown by gender of people sentenced for obtaining a financial advantage by deception, 2003–04 to 2007–08

Sentence type	Male	Female	Total
Wholly suspended sentence	63 (32%)	22 (42%)	85 (34%)
Imprisonment	61 (31%)	11 (21%)	72 (29%)
Partially suspended sentence	22 (11%)	5 (9%)	27 (11%)
Community-based order	14 (7%)	6 (11%)	20 (8%)
Intensive correction order	11 (6%)	2 (4%)	13 (5%)
Fine	9 (5%)	0 (—)	9 (4%)
Adjourned undertaking without conviction	5 (3%)	2 (4%)	7 (3%)
Aggregate imprisonment	4 (2%)	2 (4%)	6 (2%)
Aggregate partially suspended sentence	3 (2%)	0 (—)	3 (1%)
Adjourned undertaking with conviction	0 (—)	2 (4%)	2 (<1%)
Non-custodial supervision order	1 (<1%)	0 (—)	1 (<1%)
Mix (imprisonment and community-based order)	1 (<1%)	0 (—)	1 (<1%)
Mix (fine and adjourned undertaking)	0 (—)	1 (2%)	1 (<1%)
Aggregate wholly suspended sentence	1 (<1%)	0 (—)	1 (<1%)
Aggregate fine	1 (<1%)	0 (—)	1 (<1%)
<b>People sentenced</b>	<b>196</b>	<b>53</b>	<b>249</b>

## Sentence types by age

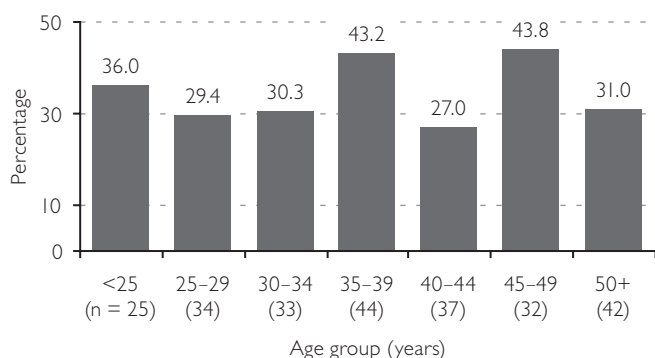
As shown in Table 2, the four most common sentence types were wholly suspended sentences of imprisonment, imprisonment, partially suspended sentences of imprisonment and community-based orders. The following analysis examines these sentence types by the offender's age group.

### Wholly suspended sentences of imprisonment

Wholly suspended sentences of imprisonment were most likely to be given to people aged 45–49 years old (44% or 14 of the 32 people in this age group).

Conversely, wholly suspended sentences of imprisonment were least common for those aged 40–44 years old (27% or 10 of the 37 people in this age group).

**Figure 5:** The percentage of people who received a wholly suspended sentence of imprisonment for obtaining a financial advantage by deception by age group, 2003–04 to 2007–08

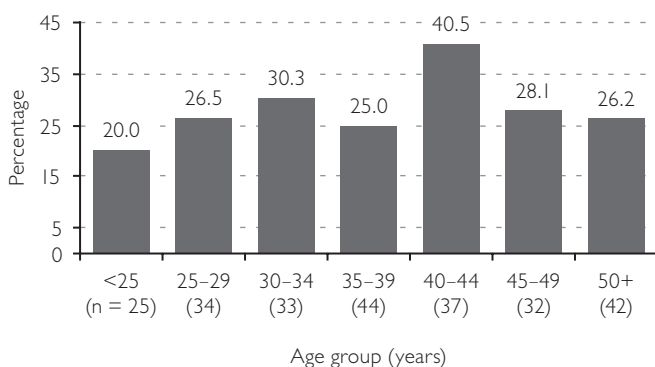


## Imprisonment

Sentences of imprisonment were most likely to be given to people aged 40–44 years old (41% or 15 of the 37 people in this age group).

Conversely, sentences of imprisonment were least common for those aged under 25 years (20% or five of the 25 people in this age group).

**Figure 6:** The percentage of people who received a period of imprisonment for obtaining a financial advantage by deception by age group, 2003–04 to 2007–08

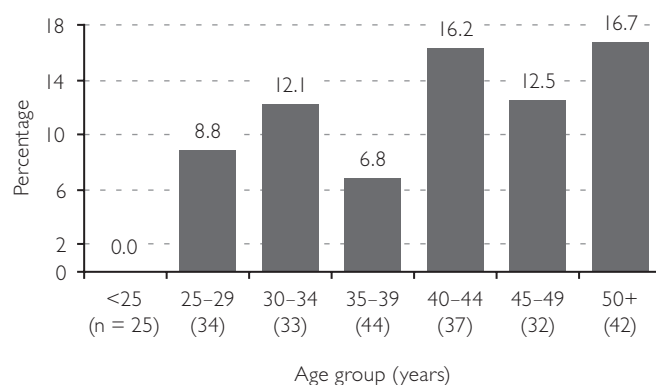


## Partially suspended sentences of imprisonment

Partially suspended sentences of imprisonment were most likely to be given to people aged 50 years and older (17% or seven of the 42 people in this age group).

Conversely, none of the 25 people aged under 25 years received a partially suspended sentence of imprisonment.

**Figure 7:** The percentage of people who received a partially suspended sentence of imprisonment for obtaining a financial advantage by deception by age group, 2003–04 to 2007–08

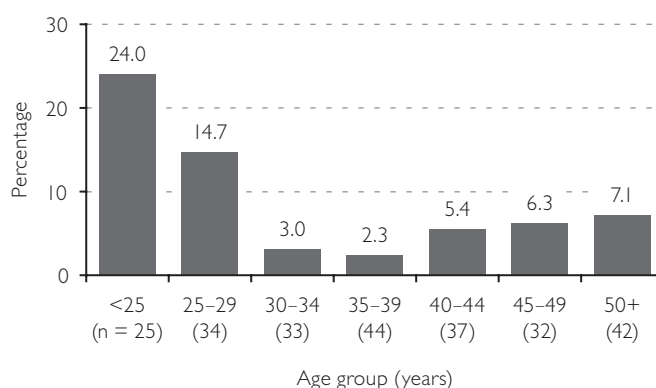


## Community-based orders

Community-based orders were most likely to be given to people aged under 25 years (24% or six of the 25 people in this age group).

Conversely, community-based orders were least common for those aged 35–39 years old (2% or one of the 44 people in this age group).

**Figure 8:** The percentage of people who received a community-based order for obtaining a financial advantage by deception by age group, 2003–04 to 2007–08



### Principal and total effective sentences

There are two methods for describing sentence types and lengths – the principal sentence and the total effective sentence.

The *principal sentence* is the individual sentence imposed for a single charge. When imposing a sentence for multiple charges, the court imposes a *total effective sentence*. The total effective sentence aggregates the principal sentence handed down for each charge, and takes into account whether sentences are ordered by the court to be served concurrently (at the same time) or cumulatively.

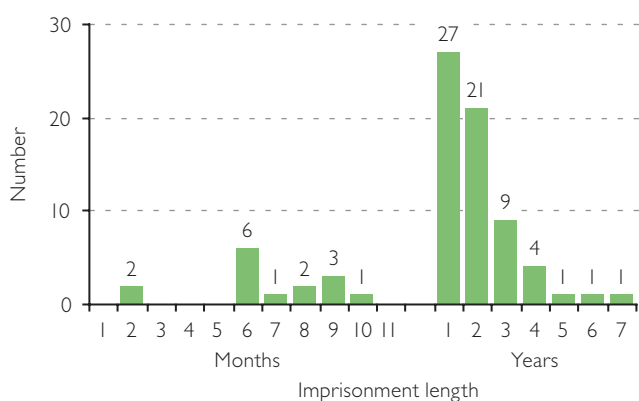
In many cases, the total effective sentence imposed on a person will be longer than individual principal sentences. Principal sentences for obtaining a financial advantage by deception must be considered in this broader context. The following sections analyse the use of imprisonment for obtaining a financial advantage by deception over 2003–04 to 2007–08.

### Principal sentence of imprisonment

Figure 9 shows the number of people sentenced to imprisonment for obtaining a financial advantage by deception between 2003–04 and 2007–08 by the length of the imprisonment term. Imprisonment terms ranged from two months to seven years, while the median length of imprisonment was one year and eight months (meaning that half of the imprisonment terms were shorter than one year and eight months and half were longer).

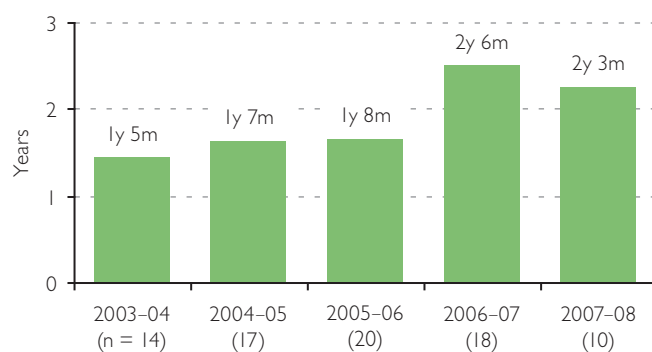
The most common length of imprisonment imposed was one year (27 people).

**Figure 9:** The number of people sentenced to imprisonment for obtaining a financial advantage by deception by length of imprisonment term, 2003–04 to 2007–08



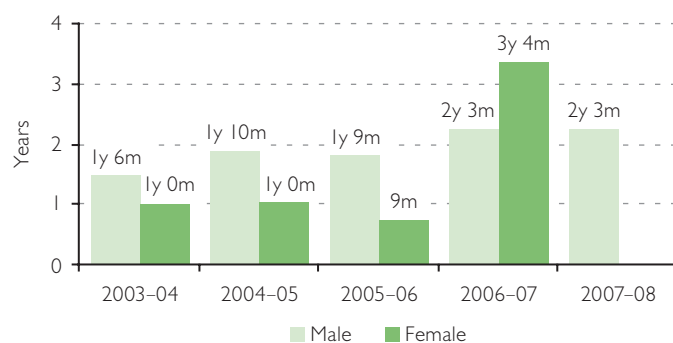
As shown in Figure 10, the average length of imprisonment term imposed on people sentenced for obtaining a financial advantage by deception ranged from one year and five months in 2003–04 to two years and six months in 2006–07.

**Figure 10:** The average length of imprisonment term imposed on people sentenced for obtaining a financial advantage by deception, 2003–04 to 2007–08



From 2003–04 to 2007–08, the majority of those people who received a term of imprisonment for obtaining a financial advantage by deception were men (66 people or 83.5%). Figure 11 shows that over the five-year period, men received a longer average term of imprisonment (one year and eleven months compared to one year and eight months for women).

**Figure 11:** The average period of imprisonment imposed on people sentenced for obtaining a financial advantage by deception by gender, 2003–04 to 2007–08

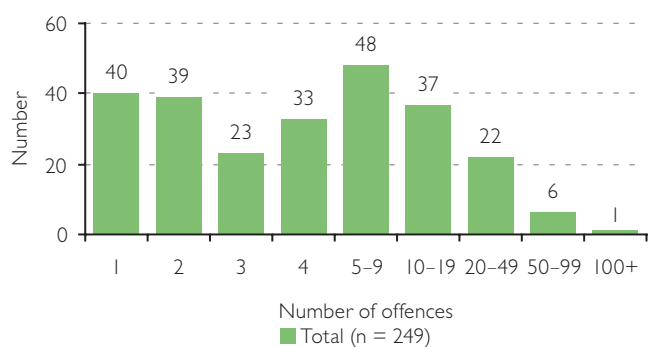


### Other offences finalised at the same hearing

Often people prosecuted for obtaining a financial advantage by deception face multiple charges, which are finalised at the same hearing. This section looks at the range of offences for which offenders have been sentenced at the same time as being sentenced for the principal offence of obtaining a financial advantage by deception.

Figure 12 shows the number of people sentenced for the principal offence of obtaining a financial advantage by deception by the total number of offences for which sentences were set. The number of sentenced offences per person ranged from 1 to 184, while the median was 4 offences. There were 40 people (16.1%) sentenced for the single offence of obtaining a financial advantage by deception alone. The average number of offences per person sentenced for obtaining a financial advantage by deception was 9.02.

**Figure 12:** The number of people sentenced for the principal offence of obtaining a financial advantage by deception by the number of sentenced offences per person, 2003–04 to 2007–08



While Figure 12 presents the number of sentenced offences for those sentenced for obtaining a financial advantage by deception, Table 3 shows what the accompanying offences were. It shows the number and percentage of people sentenced for the ten most common offences. The last column sets out the average number of offences sentenced per person. For example, 58 of the total 249 people (23.3%) also received sentences for attempt to obtain financial advantage by deception. On average, they were sentenced for 2.79 counts of attempt to obtain financial advantage by deception.

**Table 3:** The number and percentage of people sentenced for the principal offence of obtaining a financial advantage by deception by the most common offences that were sentenced and the average number of those offences that were sentenced, 2003–04 to 2007–08

Offence	No.	%	Avg.
1 obtaining a financial advantage by deception	249	100.0	5.39
2 attempt to obtain financial advantage by deception	65	26.1	2.49
3 obtaining property by deception	46	18.5	7.63
4 theft	32	12.9	5.25
5 make false document to prejudice of other	13	5.2	1.54
6 Use false document to prejudice of other	12	4.8	1.92
7 handling stolen goods	9	3.6	6.11
8 attempt to obtain property by deception	9	3.6	2.78
9 falsify any document for any accounting purpose	8	3.2	1.25
10 possess a drug of dependence	6	2.4	2.67
<b>People sentenced</b>	<b>249</b>	<b>100.0</b>	<b>9.02</b>

### Total effective sentence of imprisonment

There were 76 people given a total effective sentence of imprisonment.<sup>11</sup> Figure 13 shows the number of people sentenced to imprisonment for obtaining a financial advantage by deception between 2003–04 and 2007–08 by the length of their total effective sentence. The length of total effective sentences ranged from two months to eleven years and four months, while the median total effective length of imprisonment was three years (meaning that half of the total effective sentence lengths were below three years and half were above).

The most common total effective imprisonment length was two years (20 people).

**Figure 13:** The number of people sentenced to imprisonment for obtaining a financial advantage by deception by total effective length of imprisonment term, 2003–04 to 2007–08



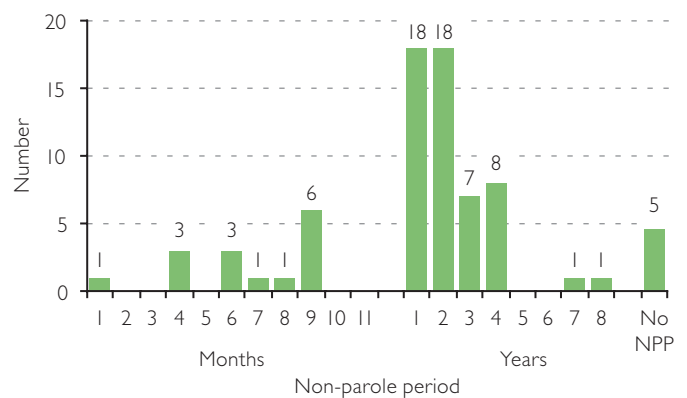
### Non-parole period

When a person is sentenced to a term of immediate imprisonment of one year or more, the court has the discretion to fix a non-parole period. Where a non-parole period is fixed, the person must serve that period before becoming eligible for parole. Where no non-parole period is set by the court, the person must serve the entirety of the imprisonment term.

Under section 11(4) of the *Sentencing Act 1991* (Vic), if a court sentences an offender to imprisonment in respect of more than one offence, the non-parole period set by the court must be in respect of the total effective sentence of imprisonment that the offender is liable to serve under all the sentences imposed. In many cases, the non-parole period will be longer than the individual principal sentence for obtaining a financial advantage by deception. Sentences and non-parole periods must be considered in this broader context.

Of the 76 people who were sentenced to imprisonment for obtaining a financial advantage by deception, 73 were eligible to have a non-parole period fixed.<sup>12</sup> Of these people, 68 were given a non-parole period (93%).<sup>13</sup> Figure 14 shows the number of people sentenced to imprisonment for obtaining a financial advantage by deception between 2003–04 and 2007–08 by the length of their non-parole period. Non-parole periods ranged from one month and fourteen days to eight years and six months, while the median length of the non-parole period was two years (meaning that half of the non-parole periods were below two years and half were above).

**Figure 14:** The number of people sentenced to imprisonment for obtaining a financial advantage by deception by length of non-parole period, 2003–04 to 2007–08



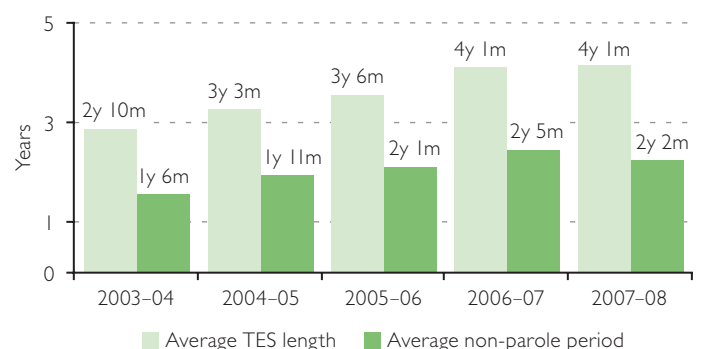
Note: No NPP refers to sentences of imprisonment that had no non-parole period fixed.

### Total effective sentences of imprisonment and non-parole periods

Figure 15 presents the average length of total effective sentences of imprisonment compared to the average length of non-parole periods for all people from 2003–04 to 2007–08.<sup>14</sup>

From 2003–04 to 2007–08, the average length of total effective sentences for all people ranged from two years and ten months in 2003–04 to four years and one month in 2006–07 and 2007–08. Over the same period, the average length of non-parole periods ranged from one year and six months in 2003–04 to two years and five months in 2006–07.

**Figure 15:** The average total effective sentence and the average non-parole period imposed on people sentenced to imprisonment for obtaining a financial advantage by deception, 2003–04 to 2007–08

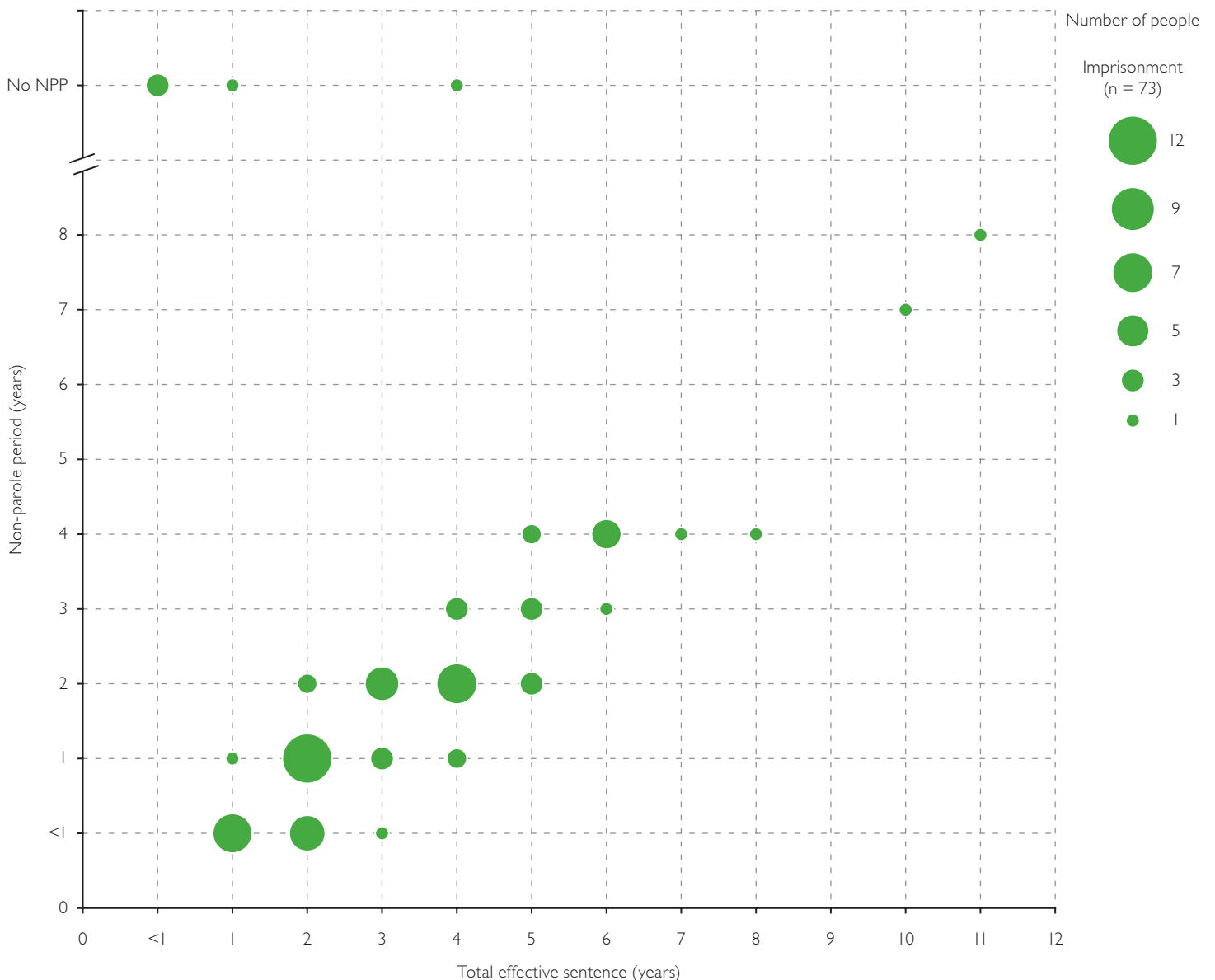


### Total effective sentence of imprisonment by non-parole period

While Figures 13 and 14 present the lengths of the total effective sentences and non-parole periods separately, Figure 16 combines the two methods of describing sentence lengths in the one diagram. It shows the total effective sentence and non-parole period for obtaining a financial advantage by deception for each individual person.

The centre of each 'bubble' on the chart represents a combination of imprisonment length and non-parole period, while the size of the 'bubble' reflects the number of people who received that particular combination.<sup>15</sup> As shown, the most common combination of imprisonment length and non-parole period imposed was two years with a non-parole period of one year (12 people – as represented by the largest 'bubble' on the chart). The length of imprisonment ranged from two months with no non-parole period to eleven years and four months with a non-parole period of eight years and six months.

**Figure 16:** The number of people sentenced to imprisonment for obtaining a financial advantage by deception by the total effective sentence and the non-parole period imposed, 2003–04 to 2007–08<sup>16</sup>



Note: No NPP refers to no non-parole period.

### Suspended sentences of imprisonment

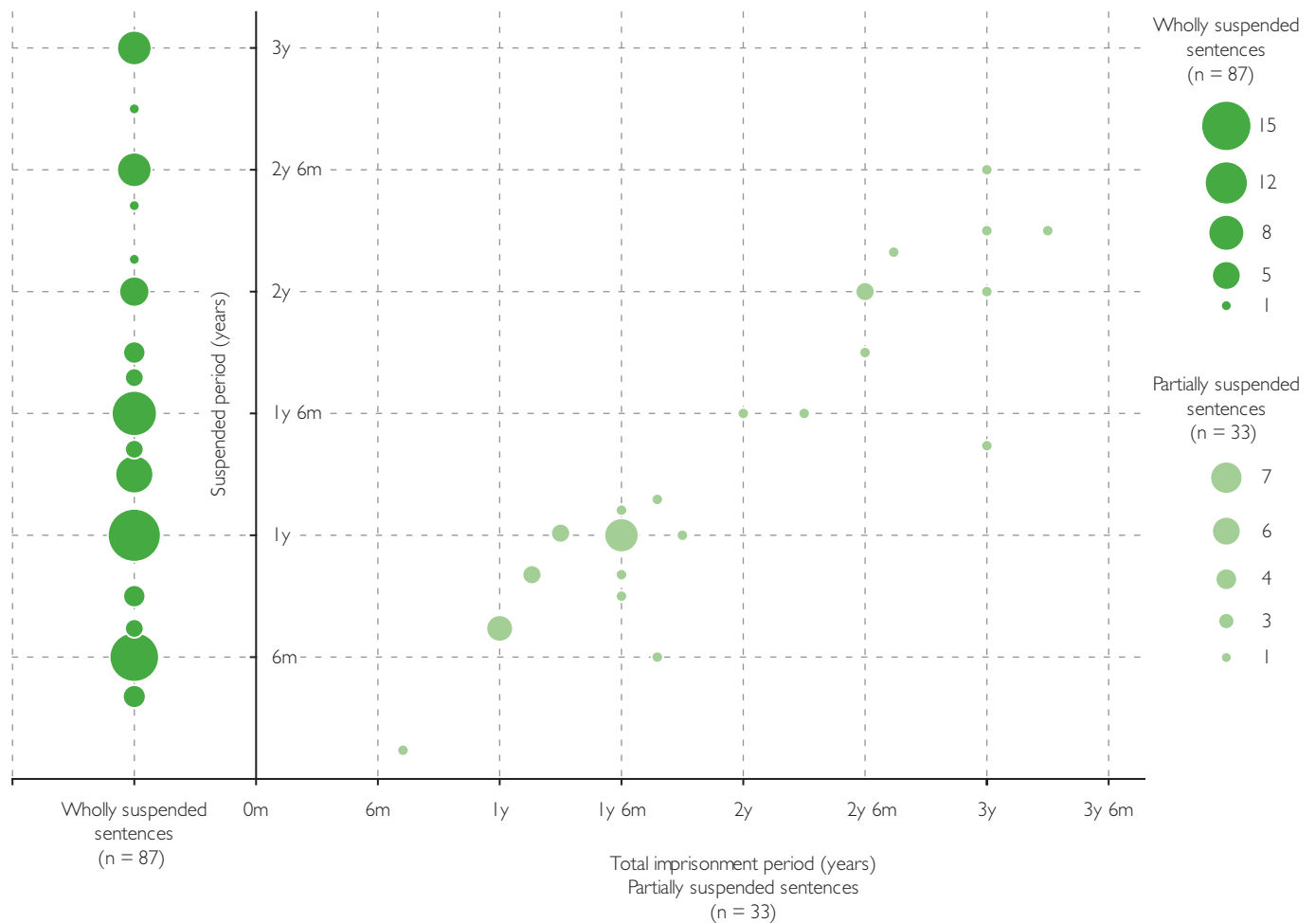
There were 120 people given a suspended sentence of imprisonment as their total effective sentence. Of these, 87 people had their prison sentence wholly suspended and 33 received a partially suspended sentence of imprisonment. Figure 17 shows the number of people with a suspended sentence of imprisonment as their total effective sentence by the suspended sentence type and length of sentence. The dark green 'bubbles' to the left of the vertical axis show the lengths of the wholly suspended sentences, while the light green 'bubbles' to the right of the vertical axis show the combination of total imprisonment length and the suspended period for those

sentenced to a partially suspended sentence. The size of the bubble reflects the number of people who received either the wholly or partially suspended prison term.

Wholly suspended sentence lengths ranged from four months to three years. The most common wholly suspended sentence length was one year (15 people – as represented by the largest dark green 'bubble' on the chart).

The most common partially suspended sentence combination was one year and six months with one year suspended (7 people – as represented by the largest light green 'bubble' on the chart).

Figure 17: The number of people given a wholly or partially suspended sentence of imprisonment for obtaining a financial advantage by deception by sentence type and length, 2003–04 to 2007–08

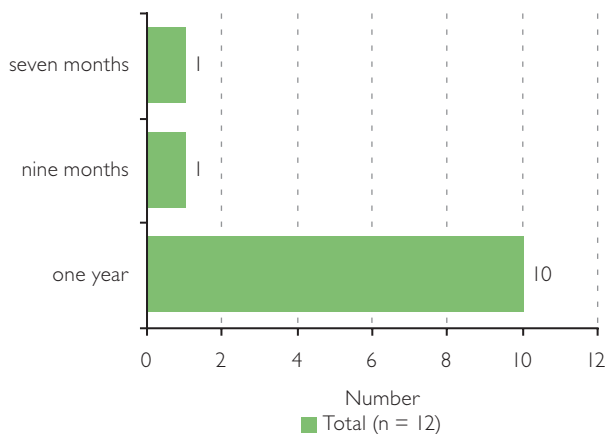


### Intensive correction orders

There were 12 people given an intensive correction order as their total effective sentence.

The length of intensive correction orders for obtaining a financial advantage by deception ranged from seven months to one year, while the most common length was one year (10 people).

**Figure 18:** The number of people sentenced to an intensive correction order for obtaining a financial advantage by deception by length of order imposed, 2003–04 to 2007–08

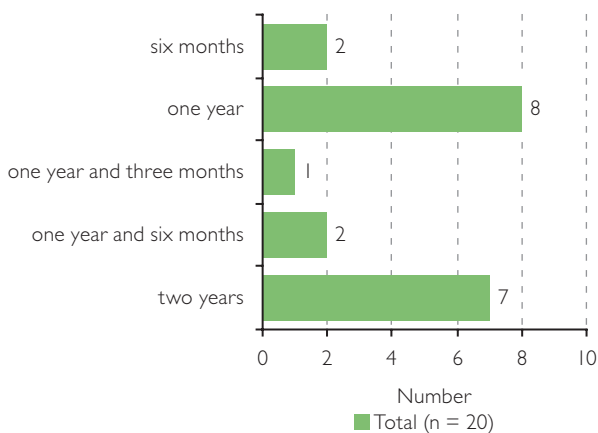


### Community-based orders

There were 20 people given a community-based order as their total effective sentence.

The length of community-based orders for obtaining a financial advantage by deception ranged from six months to two years, while the most common length was one year (8 people).

**Figure 19:** The number of people sentenced to a community-based order for obtaining a financial advantage by deception by length of order imposed, 2003–04 to 2007–08



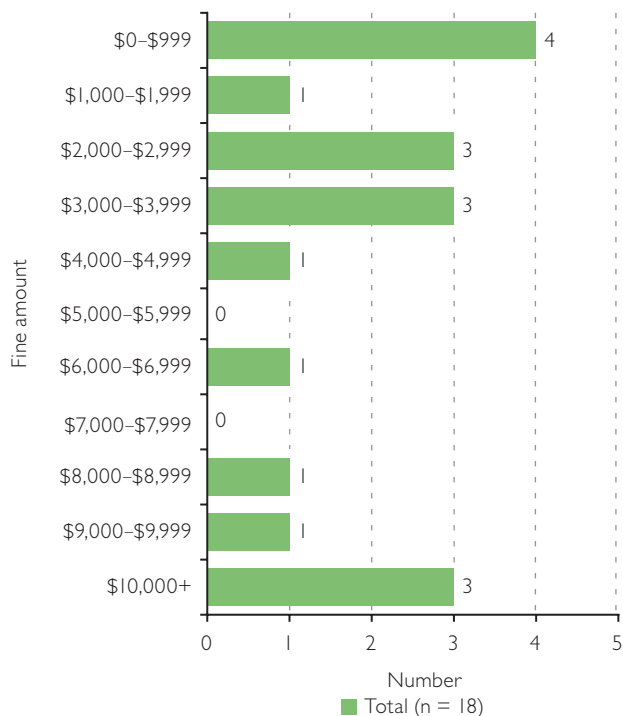
### Fines

This analysis includes all fines that were imposed for cases where obtaining a financial advantage by deception was the principal offence. Fines were imposed on 18 people.

The fine amount imposed ranged from \$100 to \$55,000, with a median of \$3,000 (meaning that half of the values fell below \$3,000 and half of the values were above \$3,000).

The average fine amount was \$6,792. The average fine amount imposed against the 15 males was \$7,250, much higher than the average fine for the 3 females (\$4,500).

**Figure 20:** The number of people who received a fine for obtaining a financial advantage by deception by fine amount, 2003–04 to 2007–08



## Summary

Between 2003–04 and 2007–08, 249 people were sentenced for obtaining a financial advantage by deception in the higher courts. Over this period, the majority of those sentenced were men (79%), while 73% were between the age of 25 and 50 years.

Around one third of the people sentenced for obtaining a financial advantage by deception received a wholly suspended sentence of imprisonment (34%), while 29% received a period of imprisonment, 11% received a partially suspended sentence of imprisonment and 8% received a community-based order.

Men were more likely than women to be sentenced to a period of imprisonment. Conversely, women were more likely to be sentenced to a wholly suspended sentence of imprisonment.

Wholly suspended sentences of imprisonment were more common for those aged between 35 and 50 years of age, imprisonment was more common for those aged between 40 and 45 years of age and partially suspended sentences of imprisonment were more common for those older than 40 years of age.

Each of the 249 people was sentenced for an average of 9.02 offences, including 5.39 offences of obtaining a financial advantage by deception. The most common offence finalised in conjunction with obtaining a financial advantage by deception was attempt to obtain financial advantage by deception (26.1% of all cases). The number and range of offences for which people with a principal offence of obtaining a financial advantage by deception were sentenced help explain why imprisonment sentence lengths were longer for the total effective sentence than for the principal sentence. The median total effective imprisonment length was three years, while the median principal imprisonment length was one year and eight months.

Total effective imprisonment lengths ranged from two months with no non-parole period to eleven years and four months with a non-parole period of eight years and six months. The most common sentence of imprisonment was two years with a one year non-parole period.

The most common partially suspended sentence length was one year and six months with one year suspended, while the most common wholly suspended sentence length was one year. The most common length of community-based order was one year.

1. This report presents sentencing outcomes for people sentenced for the principal offence of obtaining a financial advantage by deception in the County and Supreme Courts of Victoria. The principal offence describes the offence proven that attracted the most serious sentence according to the sentencing hierarchy. The analysis will therefore exclude people sentenced for obtaining a financial advantage by deception who received a more serious sentence for another offence forming part of the same presentment. There were 401 people sentenced from 2003–04 to 2007–08 for 1,910 offences of obtaining a financial advantage by deception. Obtaining a financial advantage by deception was the principal proven offence for 249 of these people.

This series of reports includes custodial and non-custodial supervision orders imposed under Part 5 of the *Crimes (Mental Impairment and Unfitness to be Tried) Act 1997 (Vic)* as sentencing orders and in the count of people sentenced. These orders are not sentencing orders, as they are imposed in cases where the defendant is not guilty because of mental impairment. However, they are included in this series as they are an important form of disposition of criminal charges.

This Sentencing Snapshot is an update of Sentencing Snapshot No. 18, which described sentencing trends for obtaining a financial advantage by deception between 2001–02 and 2005–06.

2. The information source for sentencing outcomes for obtaining a financial advantage by deception only contains information on age and gender characteristics. No other demographic analysis is possible.
3. The statistical information presented here was provided by Court Services, Department of Justice (Vic). While every effort is made to ensure that the data analysed in this report are accurate, the data are subject to revision.
4. *Crimes Act 1958 (Vic)* s 82.
5. *Crimes Act 1958 (Vic)* s 82(1).
6. The value of a penalty unit changes each year and can be found in the Victorian Government Gazette and on the Office of the Chief Parliamentary Counsel website <[www.ocpc.vic.gov.au](http://www.ocpc.vic.gov.au)>.
7. From 1 July 2007, the value increased from \$25,000 to \$100,000.
8. Section 22(3)(a) of the *Courts Legislation (Jurisdiction) Act 2006 (Vic)* amended Schedule 4 of the *Magistrates' Court Act 1989 (Vic)* to increase the jurisdiction of the Magistrates' Court to hear charges of obtaining a financial advantage involving property up to \$100,000 in value. This change applies to any proceedings after 1 July 2007 irrespective of when the offence is alleged to have been committed or when the proceeding commenced. Prior to that date, charges involving property between \$25,000 and \$100,000 could be heard only in the higher courts.
9. Immediate custodial sentence includes imprisonment, partially suspended sentence, aggregate imprisonment, aggregate partially suspended sentence and mix (imprisonment and community-based order).
10. Age is as at the time of sentencing.
11. Of the 79 people who were given a principal sentence of imprisonment, 75 were also given a total effective sentence of imprisonment. There were three people who were given imprisonment as the principal sentence for obtaining a financial advantage by deception and a partially suspended sentence as a total effective sentence.
12. Three people were not eligible for parole because they were given a total effective sentence length of less than one year.
13. Three people were not given a non-parole period relating to that case alone, but a non-parole period that also related to other cases. It is not possible to determine the length of the non-parole period that relates to these cases. The non-parole periods for these people are excluded from the analysis. A non-parole period was not set for two people who were eligible for a non-parole period.
14. Due to the low number of women (10) who were imprisoned with a non-parole period, average lengths of imprisonment and non-parole periods by gender are not shown.
15. Sentence lengths that are longer than one year are rounded down to the nearest year of imprisonment, while sentence lengths of less than one year are grouped into the '<1 year' category.
16. This graph includes the 73 people who were given a total effective sentence and a non-parole period that related to this case only.

## Sentencing Snapshots is a series presenting summary information on sentencing trends in Victoria

### *Sentencing trends in the higher courts, 2003–04 to 2007–08*

- 90 Sexual penetration of a child aged under 10
- 89 Sexual penetration of a child under care, supervision or authority
- 88 Sexual penetration of a child aged between 10 and 16
- 87 Making a threat to kill
- 86 Culpable driving causing death
- 85 Manslaughter
- 84 Murder
- 83 Rape
- 82 Maintain a sexual relationship with a child under 16
- 81 Indecent act with a child under 16
- 80 Indecent assault
- 79 Arson
- 78 Obtaining property by deception
- 77 Obtaining a financial advantage by deception
- 76 Theft
- 75 Handling stolen goods

### *Sentencing trends in the Magistrates' Court, 2004–05 to 2007–08*

- 74 Unlicensed driving
- 73 Driving while suspended
- 72 Driving while disqualified
- 71 Trafficking heroin
- 70 Trafficking ecstasy
- 69 Trafficking cannabis
- 68 Trafficking amphetamines
- 67 Possessing heroin
- 66 Possessing ecstasy
- 65 Possessing cannabis
- 64 Possessing amphetamines
- 63 Causing injury recklessly
- 62 Causing injury intentionally

- 61 Causing serious injury recklessly
- 60 Going equipped to steal
- 59 Handling stolen goods
- 58 Aggravated burglary
- 57 Burglary
- 56 Other theft
- 55 Theft of a bicycle
- 54 Theft from a shop
- 53 Theft from a motor vehicle
- 52 Theft of a motor vehicle

### *Sentencing trends in the Magistrates' Court, 2004–05 to 2006–07*

- 51 Knowingly possess child pornography
- 50 Indecent act with a child under 16
- 49 Indecent Assault

### *Sentencing trends in the higher courts, 2002–03 to 2006–07*

- 48 Cultivating a commercial quantity of narcotic plants
- 47 Cultivating narcotic plants
- 46 Trafficking in a large commercial quantity of drugs
- 45 Trafficking in a commercial quantity of drugs
- 44 Trafficking in a non-commercial quantity of drugs
- 43 Incest
- 42 Affray
- 41 Causing injury intentionally or recklessly
- 40 Causing serious injury recklessly
- 39 Causing serious injury intentionally
- 38 Aggravated burglary
- 37 Burglary
- 36 Attempted armed robbery
- 35 Armed robbery
- 34 Robbery

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#### Disclaimer:

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