

Sentencing Snapshot

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

June 2009
No. 76

Theft

Introduction

This Sentencing Snapshot describes sentencing outcomes¹ for the offence of theft and details the age and gender² of people sentenced for this offence in the County Court of Victoria between 2003–04 and 2007–08.³

A person who dishonestly appropriates any property belonging to another person with the intention of permanently depriving that person of the property is guilty of theft.⁴

Theft carries a maximum penalty of 10 years' imprisonment⁵ and/or a fine of 1200 penalty units.⁶ It is an indictable offence that is triable summarily in the Magistrates' Court if the property is below a certain value,⁷ the Magistrates' Court considers it appropriate and the defendant consents.

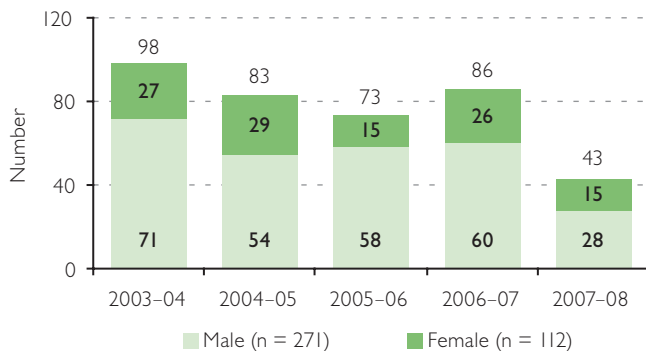
Theft was the principal offence in 3.6% of cases sentenced in the higher courts between 2003–04 and 2007–08.

People sentenced

Figure 1 shows the number of people sentenced for the principal proven offence of theft for the period 2003–04 to 2007–08. As shown, 383 people were sentenced for theft over the five-year period. There were 43 people sentenced for this offence in 2007–08, down by 43 people from the previous year.⁸

Over the five years depicted, the majority of those sentenced were men (70.8% or 271 of the 383 people), including 28 of the 43 people sentenced in 2007–08.

Figure 1: The number of people sentenced for theft by gender, 2003–04 to 2007–08



Sentence types and trends

Figure 2 shows the total number of people sentenced for theft 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.⁹ Over the five-year period, 53% of people were given an immediate custodial sentence. This peaked at 60% (26 of 43) in 2007–08 after a low of 49% (41 of 83) in 2004–05.

Figure 2: The number of people sentenced for theft and the number who received an immediate custodial sentence, 2003–04 to 2007–08

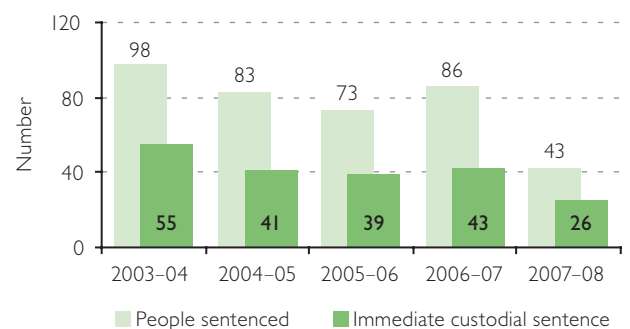


Table 1 shows the number of people sentenced for theft from 2003–04 to 2007–08 by the types of sentences imposed.

Over the five-year period, around four in ten people sentenced for theft received a period of imprisonment (39% or 151 of 383 people), while 27% received a wholly suspended sentence of imprisonment and 11% received a partially suspended sentence of imprisonment.

The percentage of people who received a period of imprisonment remained relatively stable over the five-year period, ranging from a low of 36% in 2004–05 to a high of 44% in 2007–08.

Age and gender of people sentenced

Figure 3 shows the gender of people sentenced for theft grouped by their age¹⁰ between 2003–04 and 2007–08. The average age of people sentenced for theft was thirty-nine years and nine months. Men sentenced over this period were older than women (an average age of forty years for men compared to thirty-nine years and one month for women). One male juvenile was sentenced over this period.

Figure 3: The number of people sentenced for theft by gender and age, 2003–04 to 2007–08

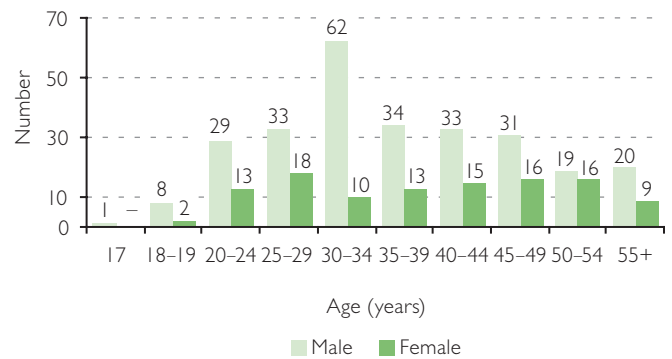


Table 1: The number and percentage of people sentenced for theft by sentence type, 2003–04 to 2007–08

Sentence type	2003–04	2004–05	2005–06	2006–07	2007–08
Imprisonment	40 (41%)	30 (36%)	27 (37%)	35 (41%)	19 (44%)
Wholly suspended sentence	28 (29%)	25 (30%)	23 (32%)	18 (21%)	10 (23%)
Partially suspended sentence	15 (15%)	8 (10%)	11 (15%)	4 (5%)	6 (14%)
Intensive correction order	8 (8%)	3 (4%)	1 (1%)	7 (8%)	1 (2%)
Community-based order	3 (3%)	7 (8%)	2 (3%)	4 (5%)	1 (2%)
Fine	0 (–)	5 (6%)	5 (7%)	4 (5%)	2 (5%)
Adjourned undertaking with conviction	1 (1%)	0 (–)	3 (4%)	2 (2%)	1 (2%)
Aggregate wholly suspended sentence	0 (–)	0 (–)	0 (–)	4 (5%)	1 (2%)
Aggregate imprisonment	0 (–)	0 (–)	0 (–)	4 (5%)	0 (–)
Adjourned undertaking without conviction	1 (1%)	1 (1%)	0 (–)	1 (1%)	0 (–)
Youth training centre order	0 (–)	3 (4%)	0 (–)	0 (–)	0 (–)
Mix (wholly suspended sentence and fine)	1 (1%)	0 (–)	0 (–)	1 (1%)	0 (–)
Convicted and discharged	1 (1%)	1 (1%)	0 (–)	0 (–)	0 (–)
Non-custodial supervision order	0 (–)	0 (–)	0 (–)	1 (1%)	0 (–)
Mix (imprisonment and community-based order)	0 (–)	0 (–)	0 (–)	0 (–)	1 (2%)
Mix (community-based order and fine)	0 (–)	0 (–)	0 (–)	0 (–)	1 (2%)
Combined custody and treatment order	0 (–)	0 (–)	1 (1%)	0 (–)	0 (–)
Aggregate fine	0 (–)	0 (–)	0 (–)	1 (1%)	0 (–)
People sentenced	98	83	73	86	43

Sentence types by gender

Figure 4 and Table 2 show the types of sentence imposed for theft grouped by gender. As shown, the sentence types imposed were relatively similar for both men and women. A higher percentage of men received a period of imprisonment (39.9% compared to 38.4% of women). Conversely, a higher percentage of women received a wholly suspended sentence of imprisonment (29.5% compared to 26.2% of men) and an aggregate wholly suspended sentence of imprisonment (2.7% compared to 0.7% of men).

Figure 4: The percentage of people sentenced for theft by sentence type and gender, 2003–04 to 2007–08

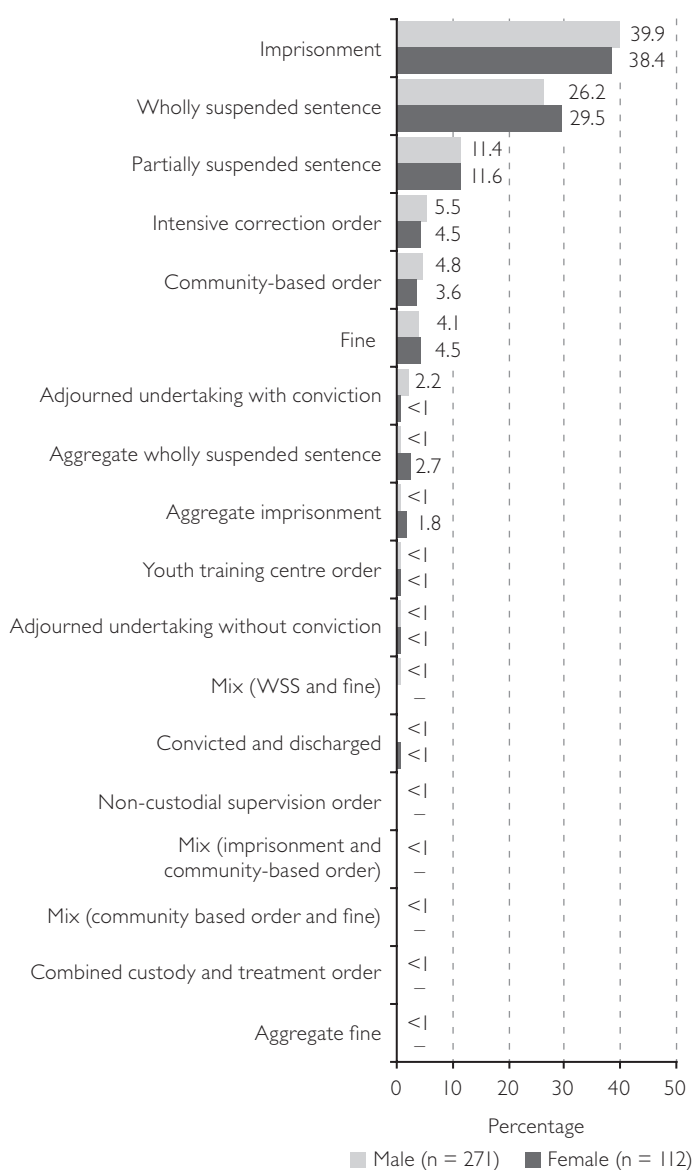


Table 2: The number and percentage breakdown by gender of people sentenced for theft, 2003–04 to 2007–08

Sentence type	Male	Female	Total
Imprisonment	108 (40%)	43 (38%)	151 (39%)
Wholly suspended sentence	71 (26%)	33 (29%)	104 (27%)
Partially suspended sentence	31 (11%)	13 (12%)	44 (11%)
Intensive correction order	15 (6%)	5 (4%)	20 (5%)
Community-based order	13 (5%)	4 (4%)	17 (4%)
Fine	11 (4%)	5 (4%)	16 (4%)
Adjourned undertaking with conviction	6 (2%)	1 (<1%)	7 (2%)
Aggregate wholly suspended sentence	2 (<1%)	3 (3%)	5 (1%)
Aggregate imprisonment	2 (<1%)	2 (2%)	4 (1%)
Youth training centre order	2 (<1%)	1 (<1%)	3 (<1%)
Adjourned undertaking with out conviction	2 (<1%)	1 (<1%)	3 (<1%)
Mix (wholly suspended sentence and fine)	2 (<1%)	0 (-)	2 (<1%)
Convicted and discharged	1 (<1%)	1 (<1%)	2 (<1%)
Non-custodial supervision order	1 (<1%)	0 (-)	1 (<1%)
Mix (imprisonment and community-based order)	1 (<1%)	0 (-)	1 (<1%)
Mix (community-based order and fine)	1 (<1%)	0 (-)	1 (<1%)
Combined custody and treatment order	1 (<1%)	0 (-)	1 (<1%)
Aggregate fine	1 (<1%)	0 (-)	1 (<1%)
People sentenced	271	112	383

Sentence types by age

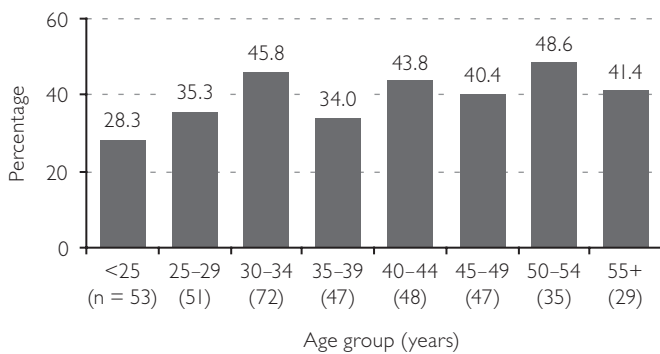
As shown in Table 2 above, the three most common sentence types were imprisonment, wholly suspended sentences of imprisonment and partially suspended sentences of imprisonment. The following analysis examines these sentence types by the offender's age group.

Imprisonment

Sentences of imprisonment were most likely to be given to people aged 50–54 years old (49% or 17 of the 35 people in this age group).

Conversely, sentences of imprisonment were least common for those aged under 25 years (28% or 15 of the 53 people in this age group).

Figure 5: The percentage of people who received a period of imprisonment for theft by age group, 2003–04 to 2007–08

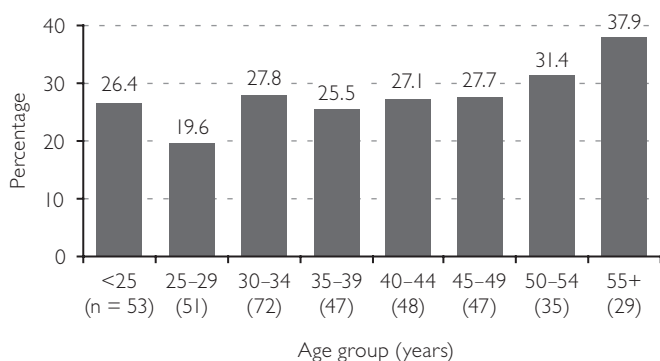


Wholly suspended sentences of imprisonment

Wholly suspended sentences of imprisonment were most likely to be given to people aged 55 years and older (38% or 11 of the 29 people in this age group).

Conversely, wholly suspended sentences of imprisonment were least common for those aged 25–29 years old (20% or 10 of the 51 people in this age group).

Figure 6: The percentage of people who received a wholly suspended sentence of imprisonment for theft by age group, 2003–04 to 2007–08

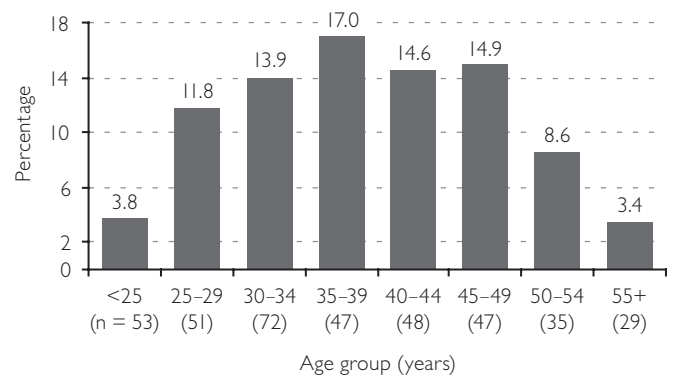


Partially suspended sentences of imprisonment

Partially suspended sentences of imprisonment were most likely to be given to people aged 35–39 years old (17% or 8 of the 47 people in this age group).

Conversely, partially suspended sentences of imprisonment were least common for those aged 55 years and older (3% or one of the 29 people in this age group).

Figure 7: The percentage of people who received a partially suspended sentence of imprisonment for theft 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.

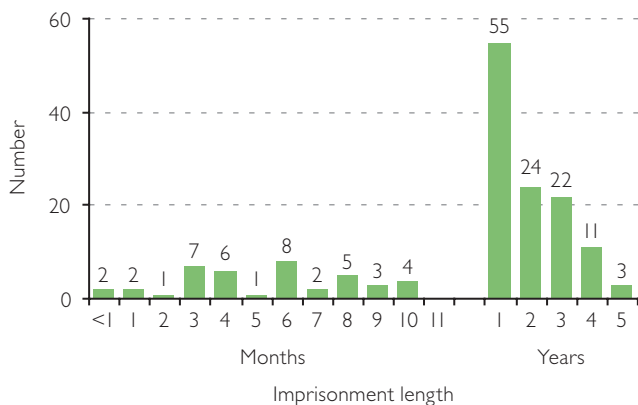
The *principal sentence* is the individual sentence imposed for a single charge. When imposing a sentence for multiple charges, the court imposes a *total effective sentence*. The total effective sentence aggregates the principal sentence handed down for each charge, and takes into account whether sentences 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 theft must be considered in this broader context. The following sections analyse the use of imprisonment for theft over 2003–04 to 2007–08.

Principal sentence of imprisonment

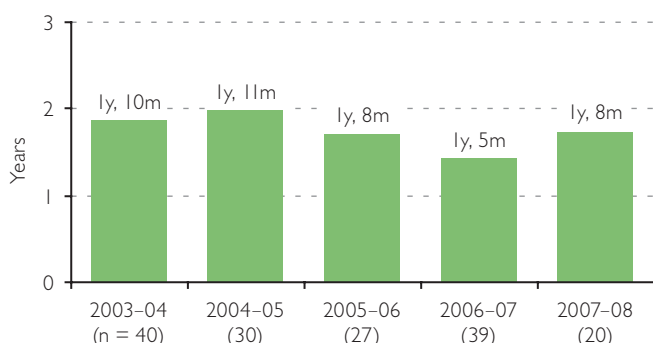
Figure 8 shows the number of people sentenced to imprisonment for theft between 2003–04 and 2007–08 by the length of the imprisonment term. Imprisonment terms ranged from one day to five years, while the median length of imprisonment was one year and six months (meaning that half of the imprisonment terms were shorter than one year and six months and half were longer).

Figure 8: The number of people sentenced to imprisonment for theft by length of imprisonment term, 2003–04 to 2007–08



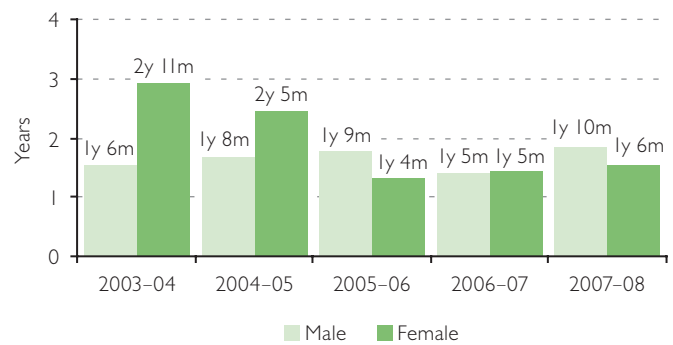
As shown in Figure 9, the average length of imprisonment term imposed on people sentenced for theft ranged from one year and five months in 2006–07 to one year and eleven months in 2004–05.

Figure 9: The average length of imprisonment term imposed on people sentenced for theft, 2003–04 to 2007–08



From 2003–04 to 2007–08, the majority of those people who received a term of imprisonment for theft were men (111 people or 71.2%). Figure 10 shows that over the five-year period, men received a shorter average term of imprisonment (one year and seven months compared to two years for women).

Figure 10: The average period of imprisonment imposed on people sentenced for theft by gender, 2003–04 to 2007–08

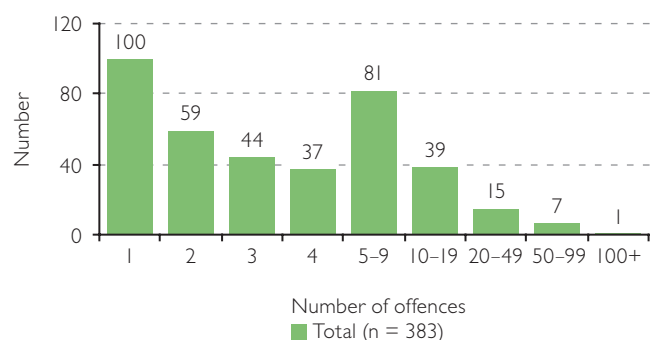


Other offences finalised at the same hearing

Often people prosecuted for theft 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 theft.

Figure 11 shows the number of people sentenced for the principal offence of theft by the total number of offences for which sentences were set. The number of sentenced offences per person ranged from 1 to 118, while the median was 3 offences. There were 100 people (26.1%) sentenced for the single offence of theft alone. The average number of offences per person sentenced for theft was 6.72.

Figure 11: The number of people sentenced for the principal offence of theft by the number of sentenced offences per person, 2003–04 to 2007–08



While Figure 11 presents the number of sentenced offences for those sentenced for theft, 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, 29 of the total 383 people (7.6%) also received sentences for obtaining property by deception. On average, they were sentenced for 2.93 counts of obtaining property by deception. The first row indicates that the average number of charges of theft sentenced per person was 5.20.

Total effective sentence of imprisonment

There were 151 people given a total effective sentence of imprisonment.¹¹ Figure 12 shows the number of people sentenced to imprisonment for theft between 2003–04 and 2007–08 by the length of their total effective sentence. The length of total effective sentences ranged from one day to eight years and six months, while the median total effective length of imprisonment was two years and six months (meaning that half of the total effective sentence lengths were below two years and six months and half were above).

Figure 12: The number of people sentenced to imprisonment for theft by total effective length of imprisonment term, 2003–04 to 2007–08

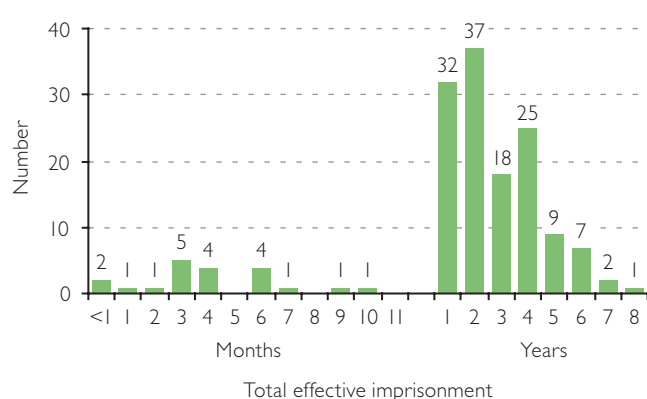


Table 3: The number and percentage of people sentenced for the principal offence of theft by the most common offences that were sentenced and the average number of those offences that were sentenced, 2003–04 to 2007–08

Offence	No.	%	Avg.
1 theft	383	100.0	5.20
2 obtain property by deception	29	7.6	2.93
3 handling stolen goods	26	6.8	3.04
4 burglary	22	5.7	2.45
5 obtain financial advantage by deception	17	4.4	3.12
6 falsify any document for any accounting purpose	16	4.2	2.06
7 intentionally destroy/damage property (criminal damage)	12	3.1	4.00
8 possess a drug of dependence	12	3.1	1.42
9 attempted theft	10	2.6	2.70
10 attempt to obtain property by deception	8	2.1	1.88
People sentenced	383	100.0	6.72

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 theft. Sentences and non-parole periods must be considered in this broader context.

Of the 151 people who were sentenced to imprisonment for theft, 131 were eligible to have a non-parole period fixed.¹² Of these people, 125 were given a non-parole period (95%).¹³ Figure 13 shows the number of people sentenced to imprisonment for theft between 2003–04 and 2007–08 by the length of their non-parole period. Non-parole periods ranged from three months and fifteen days to five years and nine months, while the median length of the non-parole period was one year and six months (meaning that half of the non-parole periods were below one year and six months and half were above).

Figure 13: The number of people sentenced to imprisonment for theft by length of non-parole period, 2003–04 to 2007–08



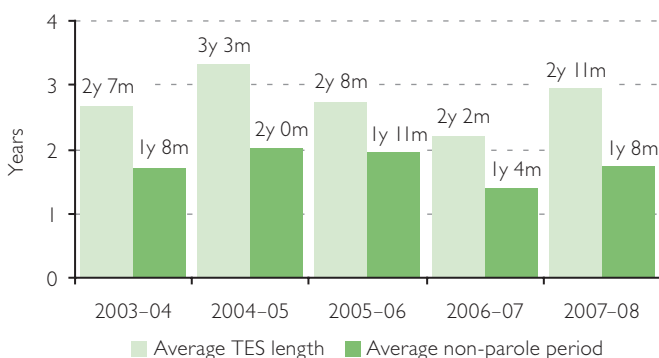
Note: No NPP refers to sentences of imprisonment that had no non-parole period fixed.

Total effective sentences of imprisonment and non-parole periods

Figures 14 to 16 present the average length of total effective sentences of imprisonment compared to the average length of non-parole periods for all people (Figure 14), for men (Figure 15) and for women (Figure 16) from 2003–04 to 2007–08.

From 2003–04 to 2007–08, the average length of total effective sentences for all people ranged from two years and two months in 2006–07 to three years and three months in 2004–05. Over the same period, the average length of non-parole periods ranged from one year and four months in 2006–07 to two years in 2004–05.

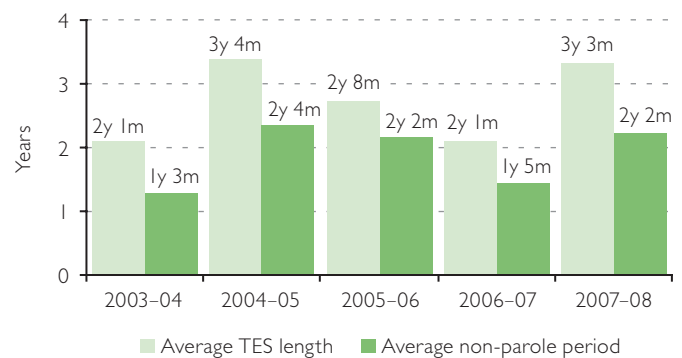
Figure 14: The average total effective sentence and the average non-parole period imposed on people sentenced to imprisonment for theft, 2003–04 to 2007–08



Figures 15 and 16 show the average lengths of total effective sentences of imprisonment compared to the average length of non-parole periods imposed on men and women for theft between 2003–04 and 2007–08.

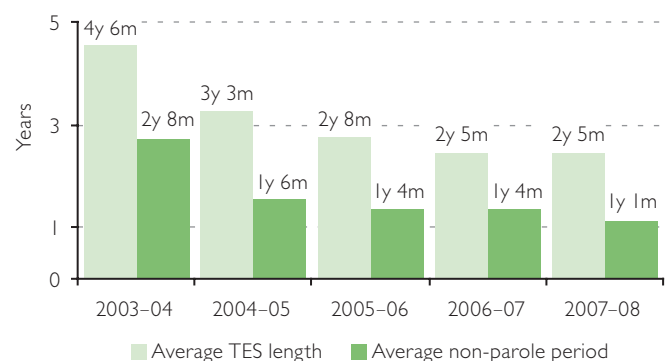
From 2003–04 to 2007–08, the average length of total effective sentences for men ranged from two years and one month in 2003–04 and 2006–07 to three years and four months in 2004–05. Over the same period, the average length of non-parole periods for men ranged from one year and three months in 2003–04 to two years and four months in 2004–05.

Figure 15: The average total effective sentence and the average non-parole period imposed on men sentenced to imprisonment for theft, 2003–04 to 2007–08



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

Figure 16: The average total effective sentence and the average non-parole period imposed on women sentenced to imprisonment for theft, 2003–04 to 2007–08

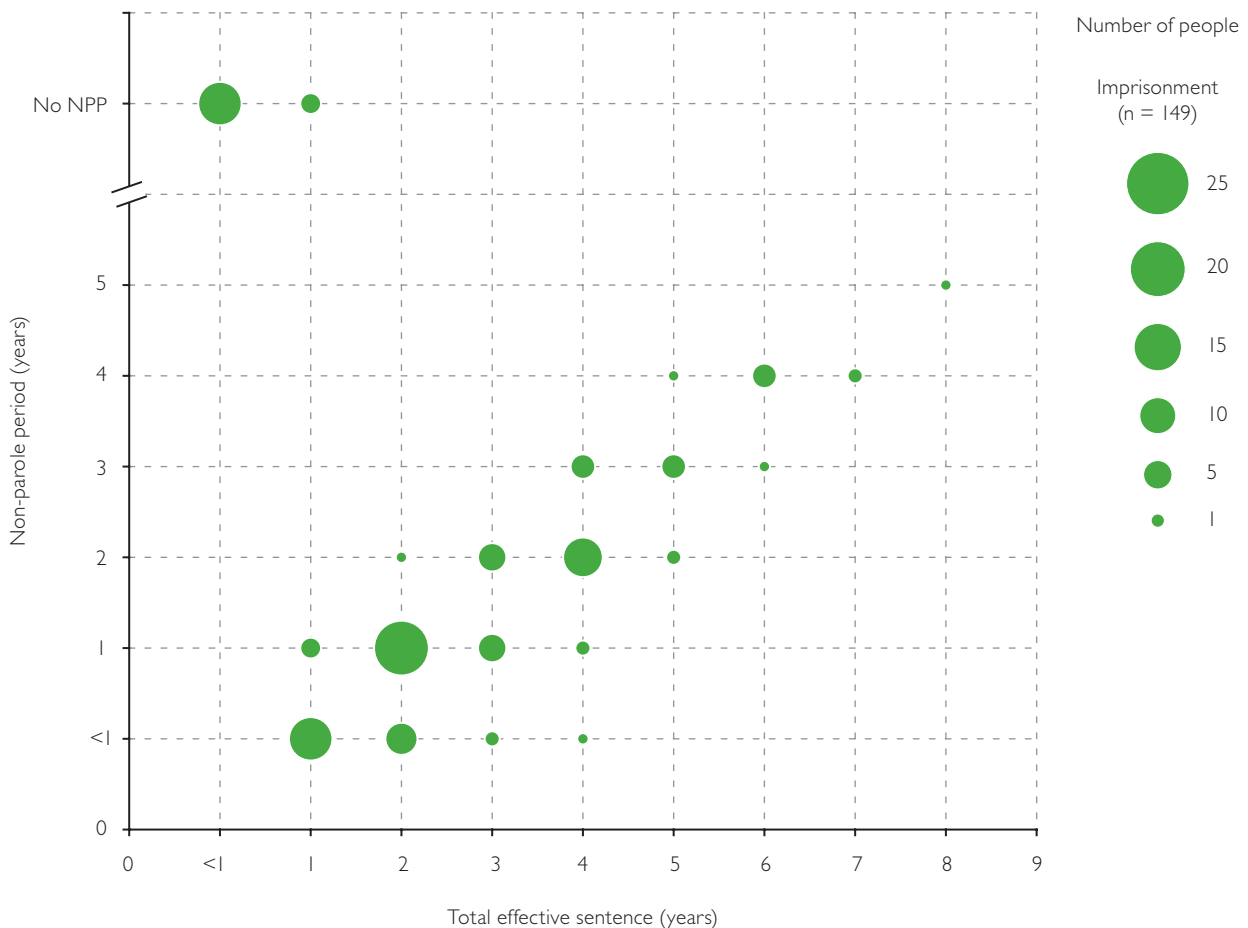


Total effective sentence of imprisonment by non-parole period

While Figures 12 and 13 present the lengths of the total effective sentences and non-parole periods separately, Figure 17 combines the two methods of describing sentence lengths in the one diagram. It shows the total effective sentence and non-parole period for theft 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.¹⁴ 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 (25 people – as represented by the largest 'bubble' on the chart). The length of imprisonment ranged from one day with no non-parole period to eight years and six months with a non-parole period of five years and nine months.

Figure 17: The number of people sentenced to imprisonment for theft by the total effective sentence and the non-parole period imposed, 2003-04 to 2007-08¹⁵



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

Suspended sentences of imprisonment

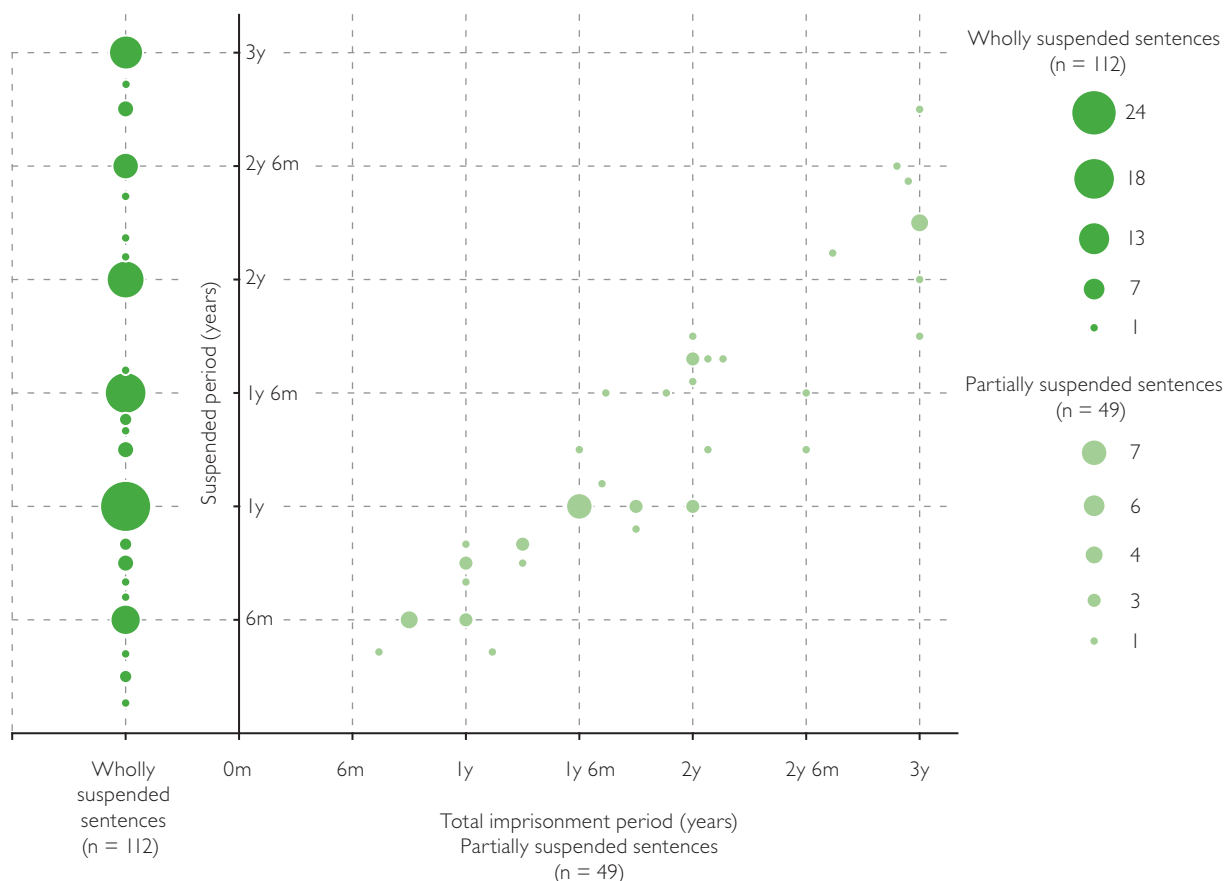
There were 161 people given a suspended sentence of imprisonment as their total effective sentence. Of these, 112 people had their prison sentence wholly suspended and 49 received a partially suspended sentence of imprisonment. Figure 18 shows the number of people with a suspended sentence of imprisonment 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 two months to three years. The most common wholly suspended sentence length was one year (24 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 18: The number of people given a wholly or partially suspended sentence of imprisonment for theft by sentence type and length, 2003–04 to 2007–08

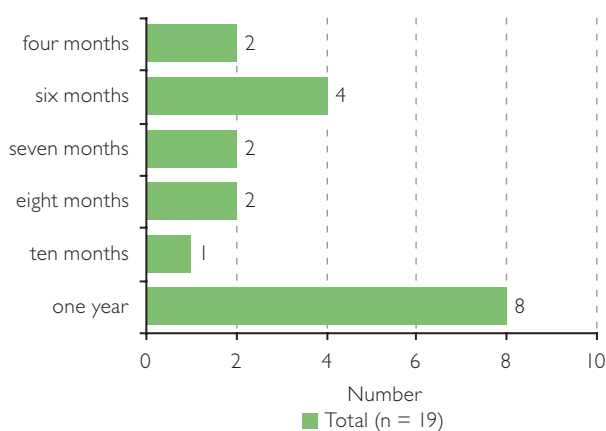


Intensive correction orders

There were 19 people given an intensive correction order as their total effective sentence.

The length of intensive correction orders for theft ranged from four months to one year, while the median length was eight months (meaning that half of the lengths were shorter than or equal to eight months and half were longer than or equal to eight months). The most common length of intensive correction order was one year (8 people).

Figure 19: The number of people sentenced to an intensive correction order for theft by length of order imposed, 2003–04 to 2007–08

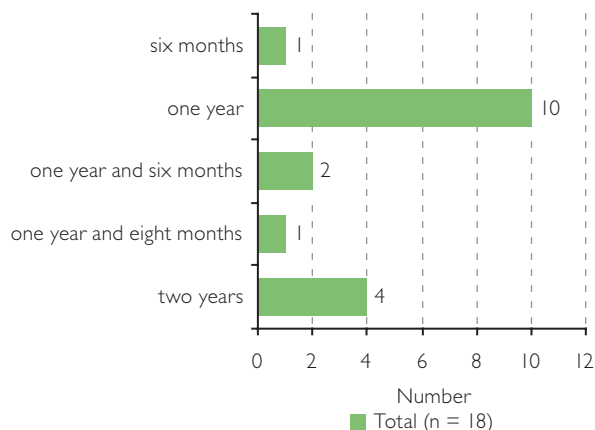


Community-based orders

There were 18 people given a community-based order as their total effective sentence.

The length of community-based orders for theft ranged from six months to two years, while the median length was one year (meaning that half of the lengths were shorter than or equal to one year and half were longer than or equal to one year). The most common length of community-based orders was one year (10 people).

Figure 20: The number of people sentenced to a community-based order for theft by length of order imposed, 2003–04 to 2007–08



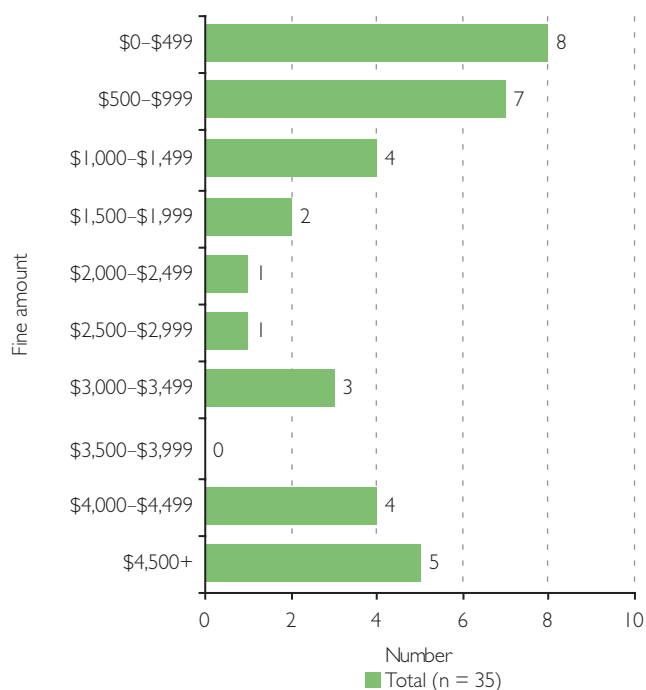
Fines

This analysis includes all fines that were imposed for cases where theft was the principal offence. Fines were imposed on 35 people.

The fine amount imposed ranged from \$100 to \$6,000, with a median of \$1,000 (meaning that half of the values fell below \$1,000 and half of the values were above \$1,000).

The average fine amount was \$1,977. The average fine amount imposed against the 8 females was \$2,813, much higher than the average fine for the 27 males (\$1,730).

Figure 21: The number of people who received a fine for theft by fine amount, 2003–04 to 2007–08



Summary

Between 2003–04 and 2007–08, 383 people were sentenced for the principal proven offence of theft in the higher courts. Over this period, the majority of those sentenced were men (71%), while 32% were between the age of 25 and 35 years.

Around four in ten people sentenced for theft received a period of imprisonment (39%), while 27% received a wholly suspended sentence of imprisonment and 11% received a partially suspended sentence of imprisonment.

Imprisonment was more common for those aged between 30 and 55 years of age, wholly suspended sentences of imprisonment were more common for those older than 55 years of age and partially suspended sentences of imprisonment were more common for those aged between 35 and 40 years of age.

Each of the 383 people was sentenced for an average of 6.72 offences, including 5.20 offences of theft. The most common offence finalised in conjunction with theft was obtaining property by deception (7.6% of all cases). The number and range of offences for which people with a principal offence of theft were sentenced helps explain why imprisonment sentence lengths were longer for the total effective sentence than for the principal sentence. The median total effective imprisonment length was two years and six months, while the median principal imprisonment length was one year and six months.

Total effective imprisonment lengths ranged from one day with no non-parole period to eight years and six months with a non-parole period of five years and nine 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.

1. This report presents sentencing outcomes for people sentenced for the principal offence of theft in the County Court 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 theft who received a more serious sentence for another offence forming part of the same presentment. There were 1,845 people sentenced from 2003–04 to 2007–08 for 5,983 offences of theft. Theft was the principal proven offence for 383 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. 17, which described sentencing trends for theft between 2001–02 and 2005–06.

2. The information source for sentencing outcomes for theft 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 72.
5. *Crimes Act 1958* (Vic) s 74.
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>.
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 theft 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 of theft 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, youth training centre order, mix (imprisonment and community-based order) and combined custody and treatment order.
10. Age is as at the time of sentencing.
11. Of the 156 people who were given a principal sentence of imprisonment, 151 were also given a total effective sentence of imprisonment. There were five people who were given imprisonment as the principal sentence for theft and a partially suspended sentence as a total effective sentence.
12. A total of 20 people were not eligible for parole because they were given a total effective sentence length of less than one year.
13. Two 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 four people who were eligible for a non-parole period.
14. 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.
15. This graph includes the 149 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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