

Sentencing Snapshot

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

June 2009
No. 88

Sexual penetration of a child aged between 10 and 16

Introduction

This Sentencing Snapshot describes sentencing outcomes¹ for the offence of sexual penetration of a child aged between 10 and 16 and details the age and gender² of people sentenced for this offence in the County and Supreme Courts of Victoria between 2003–04 and 2007–08.³

A person who takes part in an act of sexual penetration with a child aged between 10 and 16 is guilty of an indictable offence.⁴ Indictable offences are more serious offences triable before a judge and jury in the County or Supreme Court. The maximum penalty for this offence is 10 years' imprisonment⁵ and/or a fine of 1200 penalty units.⁶

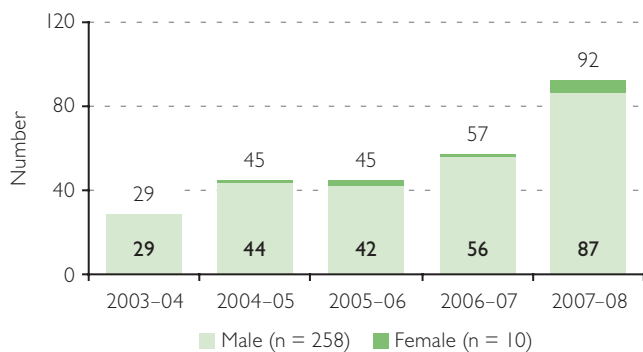
Sexual penetration of a child aged between 10 and 16 was the principal offence in 2.5% of cases sentenced in the higher courts between 2003–04 and 2007–08.

People sentenced

Figure 1 shows the number of people sentenced for the principal offence of sexual penetration of a child aged between 10 and 16 for the period 2003–04 to 2007–08. As shown, 268 people were sentenced for sexual penetration of a child aged between 10 and 16 over the five-year period. There were 92 people sentenced for this offence in 2007–08, up by 35 people from the previous year.

Over the five years depicted, the majority of those sentenced were men (96.3% or 258 of the 268 people), including 87 of the 92 people sentenced in 2007–08.

Figure 1: The number of people sentenced for sexual penetration of a child aged between 10 and 16 by gender, 2003–04 to 2007–08



Sentence types and trends

Figure 2 shows the total number of people sentenced for sexual penetration of a child aged between 10 and 16 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.⁷ Over the five-year period, 47% of people were given an immediate custodial sentence. This peaked at 62% (28 of 45) in 2005–06 after a low of 31% (9 of 29) in 2003–04. In 2007–08, 48% of people sentenced (44 of 92) were given an immediate custodial sentence.

Figure 2: The number of people sentenced for sexual penetration of a child aged between 10 and 16 and the number who received an immediate custodial sentence, 2003–04 to 2007–08

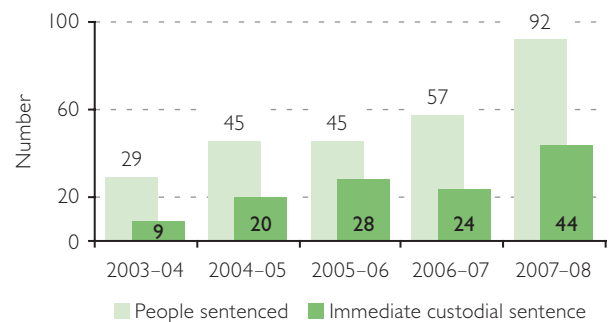


Table 1 shows the number of people sentenced for sexual penetration of a child aged between 10 and 16 from 2003–04 to 2007–08 by the types of sentences imposed.

Over the five-year period, around one third of the people sentenced for sexual penetration of a child aged between 10 and 16 received a period of imprisonment (35% or 95 of 268 people), while 22% received a wholly suspended sentence of imprisonment,⁸ 17% received a community-based order and 10% received a partially suspended sentence of imprisonment.

Over the five-year period, the percentage of people who were sentenced to imprisonment increased from 21% to 39%, while the percentage of people who were sentenced to a wholly suspended sentence of imprisonment decreased from 28% to 18%.

Age and gender of people sentenced

Figure 3 shows the gender of people sentenced for sexual penetration of a child aged between 10 and 16 grouped by their age⁹ between 2003–04 and 2007–08. The average age of people sentenced for sexual penetration of a child aged between 10 and 16 was thirty years and one month. Men sentenced over this period were older than women (an average age of thirty years and one month for men compared to twenty-nine years and seven months for women). One male juvenile was sentenced over this period.

Figure 3: The number of people sentenced for sexual penetration of a child aged between 10 and 16 by gender and age, 2003–04 to 2007–08

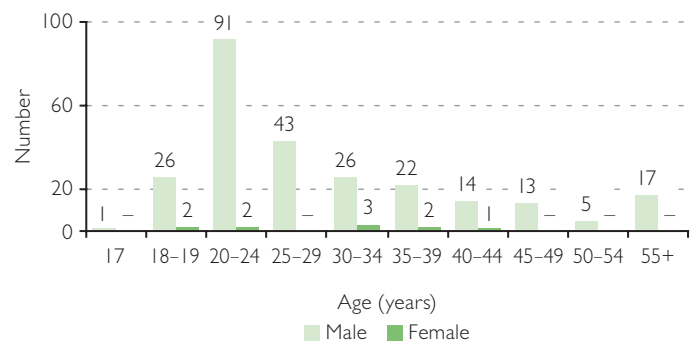


Table 1: The number and percentage of people sentenced for sexual penetration of a child aged between 10 and 16 by sentence type, 2003–04 to 2007–08

Sentence type	2003–04	2004–05	2005–06	2006–07	2007–08
Imprisonment	6 (21%)	14 (31%)	21 (47%)	18 (32%)	36 (39%)
Wholly suspended sentence	8 (28%)	13 (29%)	7 (16%)	14 (25%)	17 (18%)
Community-based order	6 (21%)	9 (20%)	5 (11%)	10 (18%)	15 (16%)
Partially suspended sentence	3 (10%)	5 (11%)	6 (13%)	5 (9%)	8 (9%)
Adjourned undertaking without conviction	3 (10%)	2 (4%)	3 (7%)	2 (4%)	5 (5%)
Adjourned undertaking with conviction	2 (7%)	1 (2%)	0 (–)	1 (2%)	5 (5%)
Mix (wholly suspended sentence and fine)	0 (–)	0 (–)	0 (–)	3 (5%)	1 (1%)
Intensive correction order	0 (–)	0 (–)	0 (–)	3 (5%)	1 (1%)
Mix (community-based order and fine)	0 (–)	0 (–)	1 (2%)	0 (–)	2 (2%)
Youth training centre order	0 (–)	1 (2%)	1 (2%)	0 (–)	0 (–)
Fine	1 (3%)	0 (–)	1 (2%)	0 (–)	0 (–)
Custodial supervision order	0 (–)	0 (–)	0 (–)	1 (2%)	0 (–)
Aggregate wholly suspended sentence	0 (–)	0 (–)	0 (–)	0 (–)	1 (1%)
Aggregate intensive correction order	0 (–)	0 (–)	0 (–)	0 (–)	1 (1%)
People sentenced	29	45	45	57	92

Sentence types by gender

Table 2 shows the types of sentence imposed for sexual penetration of a child aged between 10 and 16 grouped by gender. As shown, a higher percentage of men received a community-based order (17.4% compared to no women), a period of imprisonment (35.7% compared to 30.0%) and an adjourned undertaking with conviction (3.5% compared to no women). Conversely, a higher percentage of women received a wholly suspended sentence of imprisonment (40.0% compared to 21.3% of men) and an adjourned undertaking without conviction (20.0% compared to 5.0%).

Table 2: The number and percentage breakdown of people sentenced for sexual penetration of a child aged between 10 and 16 by gender, 2003–04 to 2007–08

Sentence type	Male	Female	Total
Imprisonment	92 (36%)	3 (30%)	95 (35%)
Wholly suspended sentence	55 (21%)	4 (40%)	59 (22%)
Community-based order	45 (17%)	0 (-)	45 (17%)
Partially suspended sentence	26 (10%)	1 (10%)	27 (10%)
Adjourned undertaking without conviction	13 (5%)	2 (20%)	15 (6%)
Adjourned undertaking with conviction	9 (3%)	0 (-)	9 (3%)
Mix (wholly suspended sentence and fine)	4 (2%)	0 (-)	4 (1%)
Intensive correction order	4 (2%)	0 (-)	4 (1%)
Mix (community-based order and fine)	3 (1%)	0 (-)	3 (1%)
Youth training centre order	2 (<1%)	0 (-)	2 (<1%)
Fine	2 (<1%)	0 (-)	2 (<1%)
Custodial supervision order	1 (<1%)	0 (-)	1 (<1%)
Aggregate wholly suspended sentence	1 (<1%)	0 (-)	1 (<1%)
Aggregate intensive correction order	1 (<1%)	0 (-)	1 (<1%)
People sentenced	258	10	268

Sentence types by age

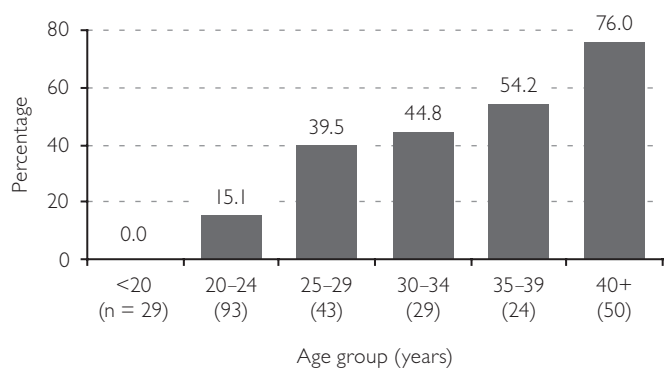
As shown in Table 2, the four most common sentence types were imprisonment, wholly suspended sentences of imprisonment, community-based orders and partially suspended sentences of imprisonment. The following analysis examines these sentence types by the offender's age group.

Imprisonment

Sentences of imprisonment were most likely to be given to people aged 40 years and older (76% or 38 of the 50 people in this age group).

Conversely, none of the 29 people aged under 20 years received a period of imprisonment.

Figure 4: The percentage of people who received a period of imprisonment for sexual penetration of a child aged between 10 and 16 by age group, 2003–04 to 2007–08

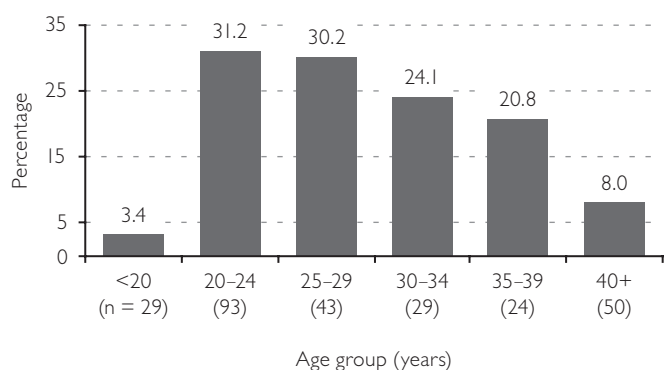


Wholly suspended sentences of imprisonment

Wholly suspended sentences of imprisonment were most likely to be given to people aged 20–24 years old (31% or 29 of the 93 people in this age group).

Conversely, wholly suspended sentences of imprisonment were least common for those aged under 20 years (3% or one of the 29 people in this age group).

Figure 5: The percentage of people who received a wholly suspended sentence of imprisonment for sexual penetration of a child aged between 10 and 16 by age group, 2003–04 to 2007–08

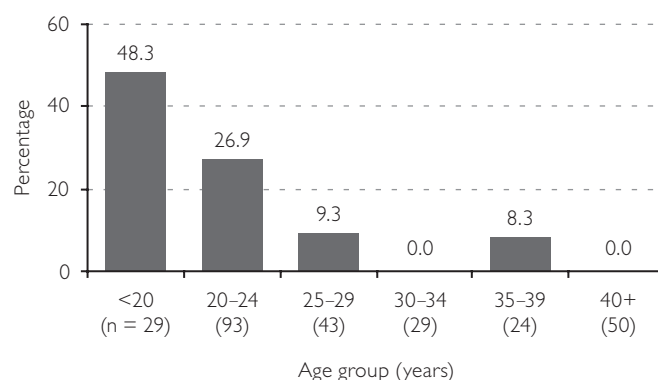


Community-based orders

Community-based orders were most likely to be given to people aged under 20 years (48% or 14 of the 29 people in this age group).

Conversely, none of the 29 people aged 30–34 years old and none of the 50 people aged 40 years and older received a community-based order.

Figure 6: The percentage of people who received a community-based order for sexual penetration of a child aged between 10 and 16 by age group, 2003–04 to 2007–08

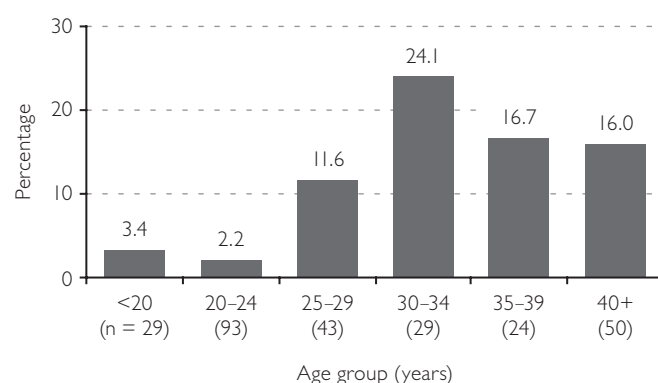


Partially suspended sentences of imprisonment

Partially suspended sentences of imprisonment were most likely to be given to people aged 30–34 years old (24% or 7 of the 29 people in this age group).

Conversely, partially suspended sentences of imprisonment were least common for those aged 20–24 years old (2% or 2 of the 93 people in this age group).

Figure 7: The percentage of people who received a partially suspended sentence of imprisonment for sexual penetration of a child aged between 10 and 16 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 sexual penetration of a child aged between 10 and 16 must be considered in this broader context. The following sections analyse the use of imprisonment for sexual penetration of a child aged between 10 and 16 over 2003–04 to 2007–08.

Principal sentence of imprisonment

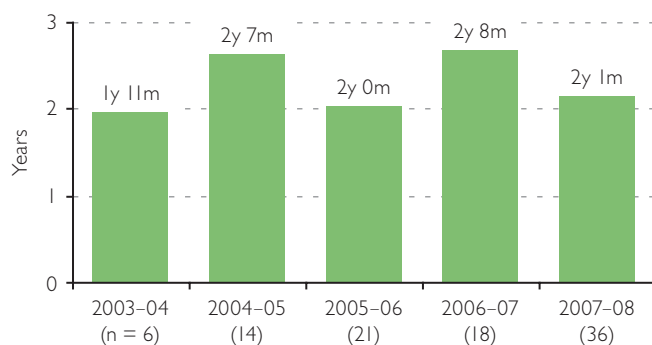
Figure 8 shows the number of people sentenced to imprisonment for sexual penetration of a child aged between 10 and 16 between 2003–04 and 2007–08 by the length of the imprisonment term. Imprisonment terms ranged from six months to five years, while the median length of imprisonment was two years (meaning that half of the imprisonment terms were shorter than two years and half were longer).

Figure 8: The number of people sentenced to imprisonment for sexual penetration of a child aged between 10 and 16 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 sexual penetration of a child aged between 10 and 16 ranged from one year and eleven months in 2003–04 to two years and eight months in 2006–07.

Figure 9: The average length of imprisonment term imposed on people sentenced for sexual penetration of a child aged between 10 and 16, 2003–04 to 2007–08

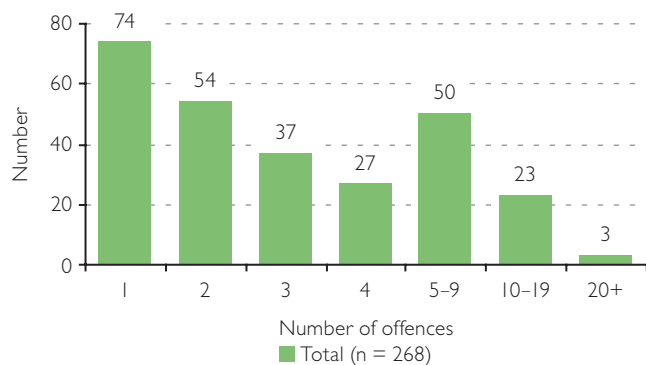


Other offences finalised at the same hearing

Often people prosecuted for sexual penetration of a child aged between 10 and 16 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 sexual penetration of a child aged between 10 and 16.

Figure 10 shows the number of people sentenced for the principal offence of sexual penetration of a child aged between 10 and 16 by the total number of offences for which sentences were set. The number of sentenced offences per person ranged from 1 to 25, while the median was 3 offences. There were 74 people (27.6%) sentenced for the single offence of sexual penetration of a child aged between 10 and 16 alone. The average number of offences per person sentenced for sexual penetration of a child aged between 10 and 16 was 4.13.

Figure 10: The number of people sentenced for the principal offence of sexual penetration of a child aged between 10 and 16 by the number of sentenced offences per person, 2003–04 to 2007–08



While Figure 10 presents the number of sentenced offences for those sentenced for sexual penetration of a child aged between 10 and 16, 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, 86 of the total 268 people (32.1%) also received sentences for indecent act with a child under 16. On average, they were sentenced for 3.37 counts of indecent act with a child under 16.

Table 3: The number and percentage of people sentenced for the principal offence of sexual penetration of a child aged between 10 and 16 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 sexual penetration of a child aged 10 to 16	268	100.0	2.62
2 indecent act with a child under 16	86	32.1	3.37
3 produce child pornography	14	5.2	1.14
4 indecent assault	9	3.4	3.33
5 possess child pornography	9	3.4	1.00
6 attempted offence	9	3.4	1.00
7 supply a drug of dependence to a child	4	1.5	1.00
8 possess a drug of dependence	3	1.1	2.00
9 making a threat to kill	3	1.1	1.67
10 false imprisonment	3	1.1	1.00
People sentenced	268	100.0	4.13

Total effective sentence of imprisonment

There were 95 people given a total effective sentence of imprisonment.¹⁰ Figure 11 shows the number of people sentenced to imprisonment for sexual penetration of a child aged between 10 and 16 between 2003–04 and 2007–08 by the length of their total effective sentence. The length of total effective sentences ranged from six months to nine years and two 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).

Figure 11: The number of people sentenced to imprisonment for sexual penetration of a child aged between 10 and 16 by total effective length of imprisonment term, 2003–04 to 2007–08



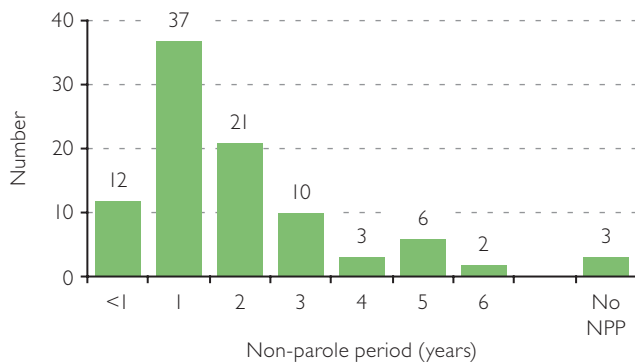
Non-parole period

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 sentence 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 sexual penetration of a child aged between 10 and 16. Sentences and non-parole periods must be considered in this broader context.

Of the 95 people who were sentenced to imprisonment for sexual penetration of a child aged between 10 and 16, 92 were eligible to have a non-parole period fixed.¹¹ Of these people, 91 were given a non-parole period (99%).¹² Figure 12 shows the number of people sentenced to imprisonment for sexual penetration of a child aged between 10 and 16 between 2003–04 and 2007–08 by the length of their non-parole period. Non-parole periods ranged from six months to six years and two months, while the median length of the non-parole period was one year and eight months (meaning that half of the non-parole periods were below one year and eight months and half were above).

Figure 12: The number of people sentenced to imprisonment for sexual penetration of a child aged between 10 and 16 by length of non-parole period, 2003–04 to 2007–08



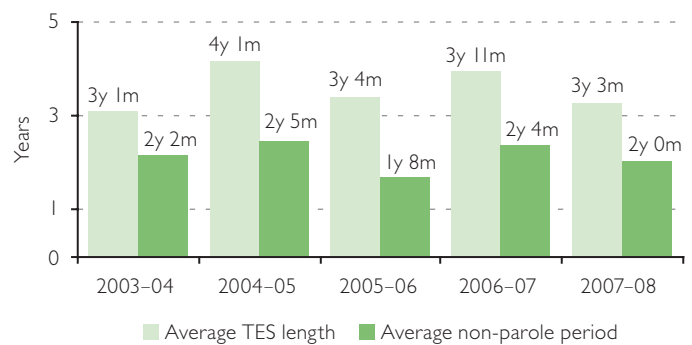
Note: No NPP refers to sentences of imprisonment that had no non-parole period fixed.

Total effective sentences of imprisonment and non-parole periods

Figure 13 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 2007–08.¹³

From 2003–04 to 2007–08, the average length of total effective sentences for all people ranged from three years and one month in 2003–04 to four years and one month in 2004–05. Over the same period, the average length of non-parole periods ranged from one year and eight months in 2005–06 to two years and five months in 2004–05.

Figure 13: The average total effective sentence and the average non-parole period imposed on people sentenced to imprisonment for sexual penetration of a child aged between 10 and 16, 2003–04 to 2007–08

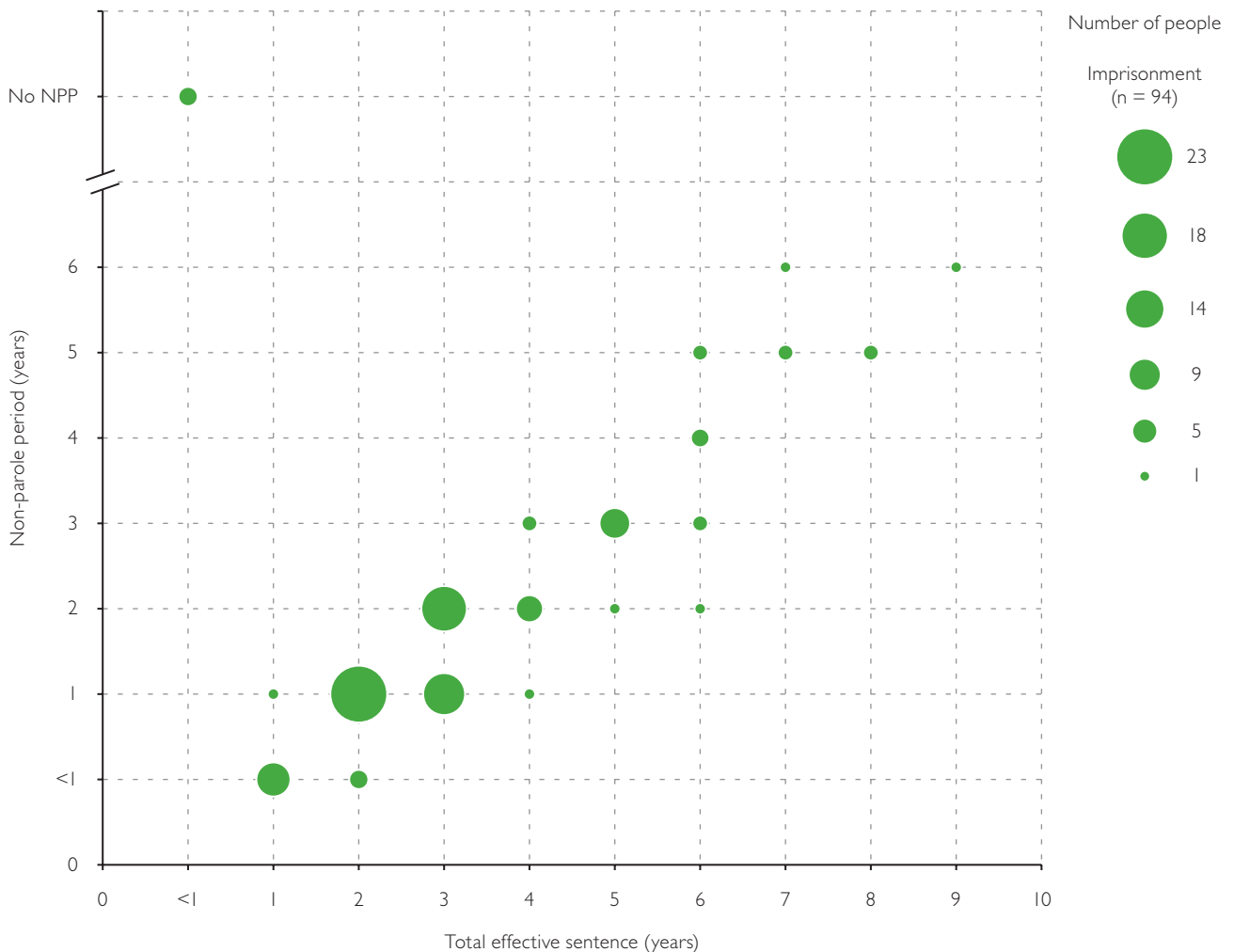


Total effective sentence of imprisonment by non-parole period

While Figures 11 and 12 present the lengths of the total effective sentences and non-parole periods separately, Figure 14 combines the two methods of describing sentence lengths in the one diagram. It shows the total effective sentence and non-parole period for sexual penetration of a child aged between 10 and 16 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 (23 people – as represented by the largest 'bubble' on the chart). The length of imprisonment ranged from six months with no non-parole period to nine years and two months with a non-parole period of six years and two months.

Figure 14: The number of people sentenced to imprisonment for sexual penetration of a child aged between 10 and 16 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.

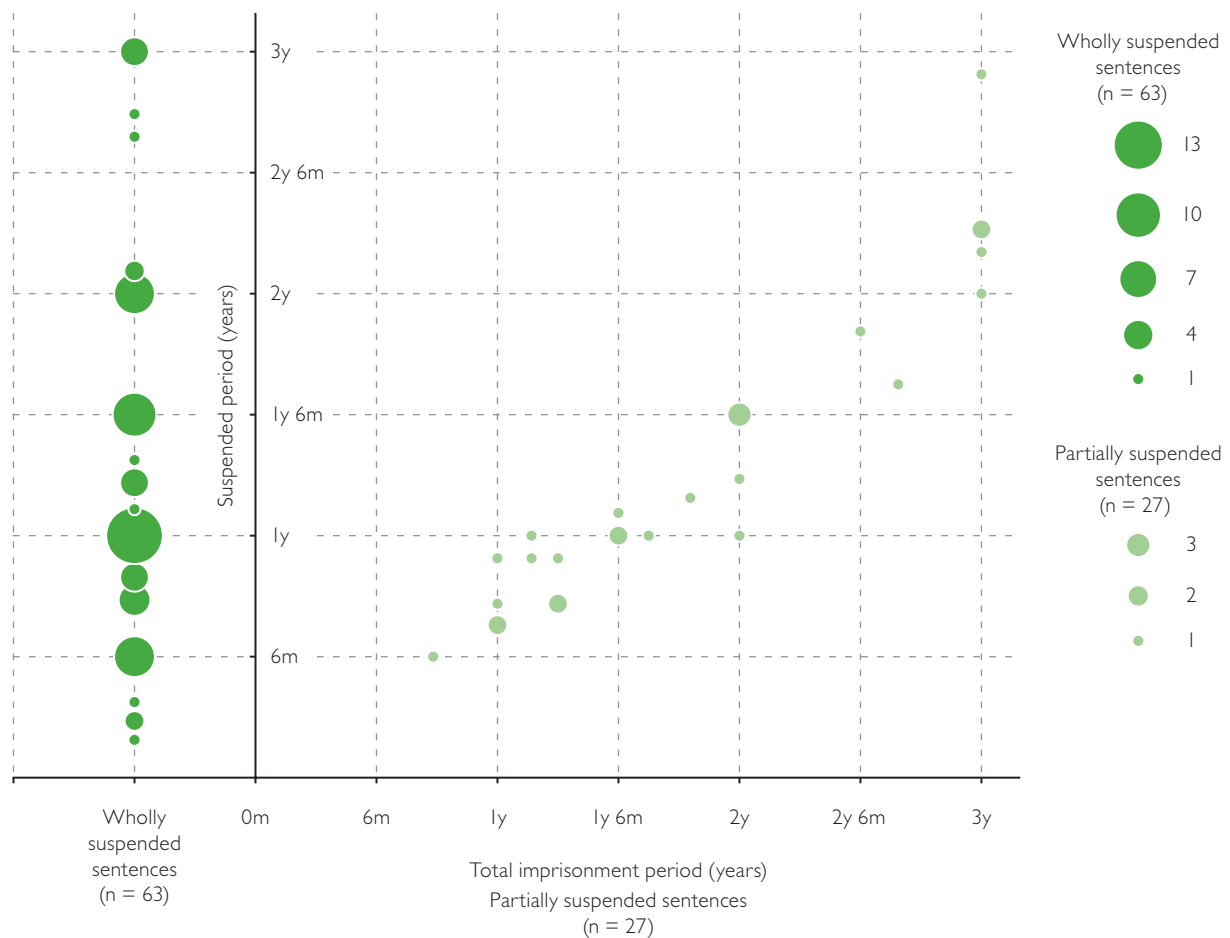
Suspended sentences of imprisonment

There were 90 people given a suspended sentence of imprisonment as their total effective sentence. Of these, 63 people had their prison sentence wholly suspended and 27 received a partially suspended sentence of imprisonment. Figure 15 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 (13 people – as represented by the largest dark green 'bubble' on the chart).

The most common partially suspended sentence combination was two years with one year and six months suspended (3 people – as represented by the largest light green 'bubble' on the chart).

Figure 15: The number of people given a wholly or partially suspended sentence of imprisonment for sexual penetration of a child aged between 10 and 16 by sentence type and length, 2003–04 to 2007–08

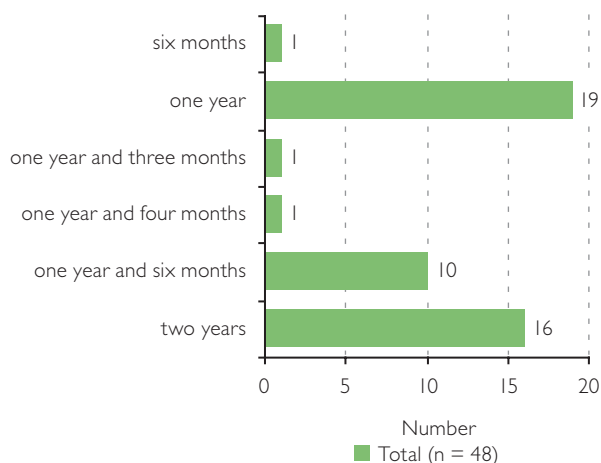


Community-based orders

There were 48 people given a community-based order as their total effective sentence.

The length of community-based orders for sexual penetration of a child aged between 10 and 16 ranged from six months to two years, while the most common length was one year (19 people).

Figure 16: The number of people sentenced to a community-based order for sexual penetration of a child aged between 10 and 16 by length of order imposed, 2003–04 to 2007–08

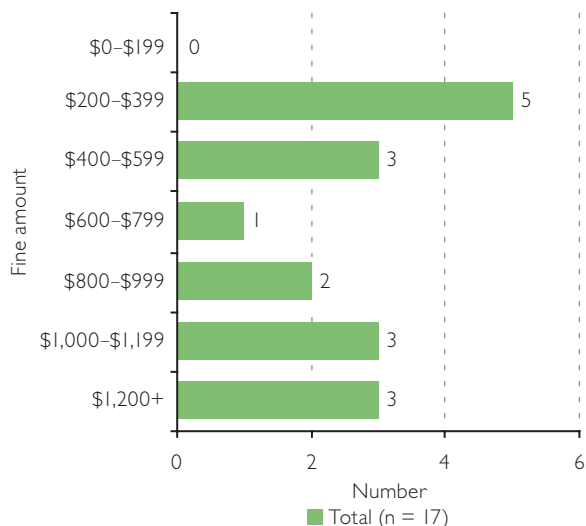


Fines

This analysis includes all fines that were imposed for cases where sexual penetration of a child aged between 10 and 16 was the principal offence. Fines were imposed on 17 people.

The fine amount imposed ranged from \$175 to \$5,000, with a median of \$600 (meaning that half of the values fell below \$600 and half of the values were above \$600).

Figure 17: The number of people who received a fine for sexual penetration of a child aged between 10 and 16 by fine amount, 2003–04 to 2007–08



Summary

Between 2003–04 and 2007–08, 268 people were sentenced for sexual penetration of a child aged between 10 and 16 in the higher courts. Over this period, the majority of those sentenced were men (96%), while 45% were between the age of 18 and 25 years.

Around one third of the people sentenced for sexual penetration of a child aged between 10 and 16 received a period of imprisonment (35%), while 22% received a wholly suspended sentence of imprisonment, 17% received a community-based order and 10% received a partially suspended sentence of imprisonment.

Men were more likely than women to be sentenced to a community-based order or a period of imprisonment. Conversely, women were more likely to be sentenced to a wholly suspended sentence of imprisonment or an adjourned undertaking without conviction.

Imprisonment was more common for those older than 40 years of age, wholly suspended sentences of imprisonment were more common for those aged between 20 and 30 years of age, community-based orders were more common for those younger than 20 years of age and partially suspended sentences of imprisonment were more common for those aged between 30 and 35 years of age.

Each of the 268 people was sentenced for an average of 4.13 offences, including 2.62 offences of sexual penetration of a child aged 10 to 16. The most common offence finalised in conjunction with sexual penetration of a child aged between 10 and 16 was indecent act with a child under 16 (32.1% of all cases). The number and range of offences for which people with a principal offence of sexual penetration of a child aged between 10 and 16 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 three years, while the median principal imprisonment length was two years.

Total effective imprisonment lengths ranged from six months with no non-parole period to nine years and two months with a non-parole period of six years and two 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 two years with one year and six months 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 sexual penetration of a child aged between 10 and 16 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 sexual penetration of a child aged between 10 and 16 who received a more serious sentence for another offence forming part of the same presentment.

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. 31, which described sentencing trends for sexual penetration of a child aged between 10 and 16 between 2001–02 and 2005–06.

The Sentencing Advisory Council has also released a statistical report on sentencing for sexual penetration offences. This report is available for download from the Council's website <www.sentencingcouncil.vic.gov.au>.

2. The information source for sentencing outcomes for sexual penetration of a child aged between 10 and 16 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.

The sentencing database used for this analysis was compiled using conviction returns. Due to incomplete offence information regarding sexual penetration offences on the conviction returns, a further classification exercise was undertaken to determine the specific offence types. This involved reading the sentencing remarks of the particular cases and determining if the offence was 'Sexual penetration of a child aged between 10 and 16', 'Sexual penetration of a child under care' or 'Sexual penetration of a child aged under 10'. In total, there were 415 people sentenced for the principal proven offence of sexual penetration of a child over the five-year period 2003–04 to 2007–08. Sentencing remarks were located for 398 offences. The remaining 17 cases were excluded from the analysis because the offence could not be categorised adequately.

4. *Crimes Act 1958* (Vic) s 45(1) and 45(2)(c). Sexual penetration includes oral, anal and vaginal penetration (*Crimes Act 1958* (Vic) s 35).
5. *Crimes Act 1958* (Vic) s 45(2)(c). Separate penalties apply if the child is under 10 or if the child is under the care, supervision or authority of the accused (see Sentencing Snapshot No. 89 and No. 90).
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. Immediate custodial sentence includes imprisonment, partially suspended sentence, youth training centre order and custodial supervision order.
8. The *Sentencing (Suspended Sentences) Act 2006* (Vic) s 4(2) amended the *Sentencing Act 1991* (Vic) s 26(2B) to restrict the use of wholly suspended sentences for serious offences to cases involving exceptional circumstances. This legislation commenced on 1 November 2006. There were 36 individuals who received a wholly suspended sentence for the principal proven offence of sexual penetration of a child aged between 10 and 16 in 2007–08. All but four of these offenders committed the offences prior to this legislative change.
9. Age is as at the time of sentencing.
10. All of the 95 people who were sentenced to imprisonment as the principal sentence were also given imprisonment as the total effective sentence.
11. Three people were not eligible for parole because they were given a total effective sentence length of less than one year.
12. One person was 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 this case. The non-parole period for this person is excluded from the analysis.
13. Due to the low number of women (3) who were imprisoned with a non-parole period, average lengths of imprisonment and non-parole periods by gender are not shown.
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 94 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
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- 66 Possessing ecstasy
- 65 Possessing cannabis
- 64 Possessing amphetamines
- 63 Causing injury recklessly
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- 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
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Published by the Sentencing Advisory Council, Melbourne Victoria Australia.

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ISSN 1832-6153 (Print)
1836-6384 (Online)

Authorised by the Sentencing Advisory Council, Level 4, 436 Lonsdale Street, Melbourne.
Printed by BigPrint, 50 Lonsdale Street, Melbourne.

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