

Sentencing Snapshot

Sentencing trends in
the higher courts of
Victoria
2008–09 to 2012–13

June 2014
No. 154

Burglary

Introduction

This Sentencing Snapshot describes sentencing outcomes¹ for the offence of burglary and details the age and gender² of people sentenced for this offence in the County Court of Victoria between 2008–09 and 2012–13.³ Except where otherwise noted, the data represent sentences imposed at first instance.

A person who enters a building or part of a building as a trespasser and who intends to steal, assault a person in the building, or damage the building or property in the building is guilty of burglary. Burglary is an indictable offence that carries a maximum penalty of 10 years' imprisonment and/or a fine of up to 1,200 penalty units. Indictable offences are more serious offences triable before a judge and jury in the County or Supreme Court. Burglary can also be tried summarily by the Magistrates' Court, if it involves an intent to steal property below a certain value, the Magistrates' Court considers it appropriate, and the defendant consents.

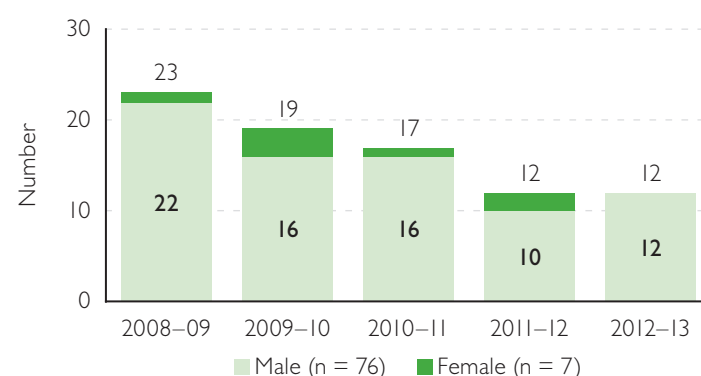
Burglary was the principal offence⁴ in 0.9% of cases sentenced in the higher courts between 2008–09 and 2012–13.

People sentenced

From 2008–09 to 2012–13, 83 people were sentenced in the higher courts for a principal offence of burglary. These people are the focus of this Snapshot. However, an additional 168 people were sentenced in cases that involved burglary but where some other offence was the principal offence. In total, 251 people were sentenced in the higher courts for 882 charges of burglary.

Figure 1 shows the number of people sentenced for the principal offence of burglary by gender. Over the five years depicted, the majority of those sentenced were men (91.6% or 76 of the 83 people), including all of the 12 people sentenced in 2012–13.

Figure 1: The number of people sentenced for burglary by gender, 2008–09 to 2012–13



Sentence types and trends

Figure 2 shows the total number of people sentenced for burglary 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.⁵ Over the five-year period, 74% of people were given an immediate custodial sentence. This peaked at 83% (10 of 12) in 2011–12 after a low of 63% (12 of 19) in 2009–10. In 2012–13, 75% of people sentenced (9 of 12) were given an immediate custodial sentence.

Table 1 shows the number of people sentenced for burglary from 2008–09 to 2012–13 by the types of sentences imposed.

Over the five-year period, the majority of people sentenced for burglary received a period of imprisonment (65% or 54 of 83 people), while 12% received a wholly suspended sentence of imprisonment.

The number of people receiving a sentence of imprisonment was lowest during 2012–13 (6 people) and highest during 2008–09 (16 people). The percentage of people receiving a sentence of imprisonment was highest during 2011–12 (10 of 12 people or 83%) and lowest during 2012–13 (6 of 12 people or 50%).

The number and percentage of people receiving a wholly suspended sentence of imprisonment were lowest during 2012–13 (0 people or 0.0%) and highest during 2009–10 (4 of 19 people or 21.1%).

Figure 2: The number of people sentenced for burglary and the number who received an immediate custodial sentence, 2008–09 to 2012–13

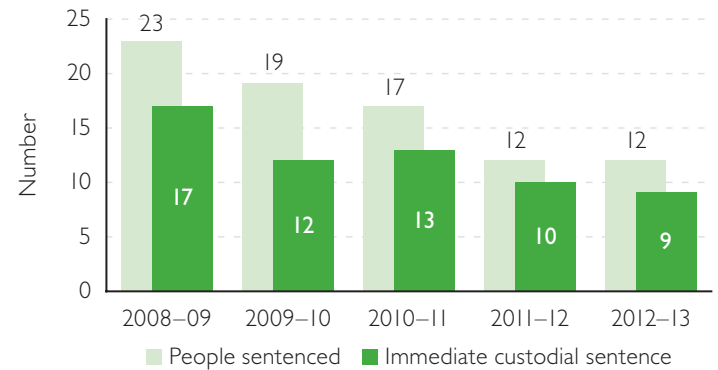


Table 1: The number and percentage of people sentenced for burglary by sentence type, 2008–09 to 2012–13

| Sentence type | 2008–09 | 2009–10 | 2010–11 | 2011–12 | 2012–13 | Total |
|---------------------------------------|-----------|-----------|-----------|-----------|-----------|-----------|
| Imprisonment | 16 (70%) | 10 (53%) | 12 (71%) | 10 (83%) | 6 (50%) | 54 (65%) |
| Wholly suspended sentence | 3 (13%) | 4 (21%) | 2 (12%) | 1 (8%) | 0 (–) | 10 (12%) |
| Partially suspended sentence | 0 (–) | 2 (11%) | 0 (–) | 0 (–) | 3 (25%) | 5 (6%) |
| Community-based order | 1 (4%) | 2 (11%) | 1 (6%) | 0 (–) | 0 (–) | 4 (5%) |
| Intensive correction order | 1 (4%) | 1 (5%) | 0 (–) | 0 (–) | 0 (–) | 2 (2%) |
| Aggregate wholly suspended sentence | 0 (–) | 0 (–) | 0 (–) | 1 (8%) | 1 (8%) | 2 (2%) |
| Youth justice centre order | 0 (–) | 0 (–) | 1 (6%) | 0 (–) | 0 (–) | 1 (1%) |
| Fine | 0 (–) | 0 (–) | 0 (–) | 0 (–) | 1 (8%) | 1 (1%) |
| Community correction order | 0 (–) | 0 (–) | 0 (–) | 0 (–) | 1 (8%) | 1 (1%) |
| Aggregate intensive correction order | 1 (4%) | 0 (–) | 0 (–) | 0 (–) | 0 (–) | 1 (1%) |
| Aggregate imprisonment | 1 (4%) | 0 (–) | 0 (–) | 0 (–) | 0 (–) | 1 (1%) |
| Adjourned undertaking with conviction | 0 (–) | 0 (–) | 1 (6%) | 0 (–) | 0 (–) | 1 (1%) |
| Total | 23 | 19 | 17 | 12 | 12 | 83 |

Age and gender of people sentenced

Figure 3 shows the gender of people sentenced for burglary grouped by age⁶ between 2008–09 and 2012–13. The average (mean) age of people sentenced for burglary was 32 years. The average age for males was 31 years and 11 months, while the average for females was 32 years and 6 months. There were no juveniles sentenced over this period.⁷

Sentence types by gender

Table 2 shows the types of sentences imposed for burglary grouped by gender. As shown, a higher percentage of men received a period of imprisonment (65.8% compared with 57.1% of women) and a partially suspended sentence of imprisonment (6.6% compared with no women). Conversely, a higher percentage of women received a community-based order (28.6% compared with 2.6% of men).

Figure 3: The number of people sentenced for burglary by gender and age, 2008–09 to 2012–13

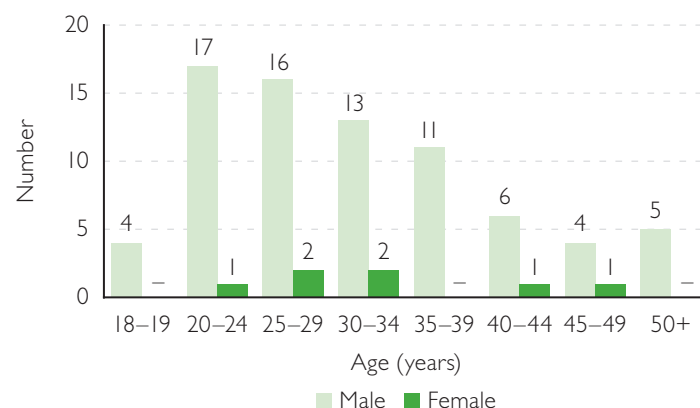


Table 2: The number and percentage of people sentenced for burglary by sentence type and gender, 2008–09 to 2012–13

| Sentence type | Male | Female |
|---------------------------------------|-----------|----------|
| Imprisonment | 50 (66%) | 4 (57%) |
| Wholly suspended sentence | 9 (12%) | 1 (14%) |
| Partially suspended sentence | 5 (7%) | 0 (–) |
| Community-based order | 2 (3%) | 2 (29%) |
| Intensive correction order | 2 (3%) | 0 (–) |
| Aggregate wholly suspended sentence | 2 (3%) | 0 (–) |
| Youth justice centre order | 1 (1%) | 0 (–) |
| Fine | 1 (1%) | 0 (–) |
| Community correction order | 1 (1%) | 0 (–) |
| Aggregate intensive correction order | 1 (1%) | 0 (–) |
| Aggregate imprisonment | 1 (1%) | 0 (–) |
| Adjourned undertaking with conviction | 1 (1%) | 0 (–) |
| Total | 76 | 7 |

Sentence types by age

As shown in Table 1, the two most common sentence types were imprisonment and wholly suspended sentences of imprisonment. The following analysis examines these sentence types by the offenders' age group. Figures 4 and 5 show the percentage of each total age group that are given sentences of imprisonment or wholly suspended sentences of imprisonment, respectively.

Imprisonment

As shown in Figure 4, sentences of imprisonment were most likely to be given to people aged 35–39 years (91% or 10 of the 11 people in this age group).

Conversely, sentences of imprisonment were least common for those aged 25–29 years (44% or 8 of the 18 people in this age group).

Wholly suspended sentences of imprisonment

As shown in Figure 5, wholly suspended sentences of imprisonment were most likely to be given to people aged 25–29 years (28% or 5 of the 18 people in this age group).

Conversely, wholly suspended sentences of imprisonment were least common for those aged 40 years and older (6% or 1 of the 17 people in this age group).

Figure 4: The percentage of people who received a period of imprisonment for burglary by age group, 2008–09 to 2012–13

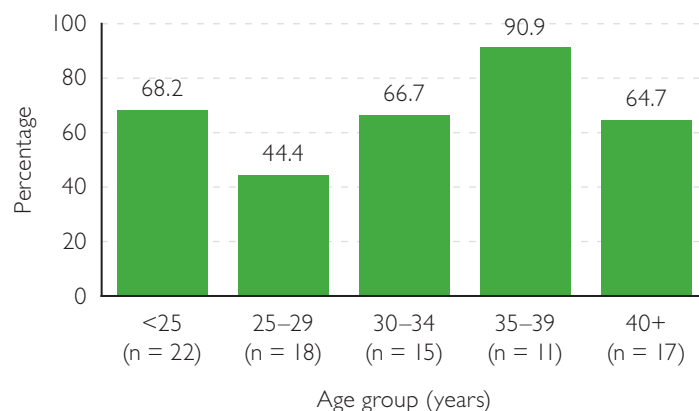
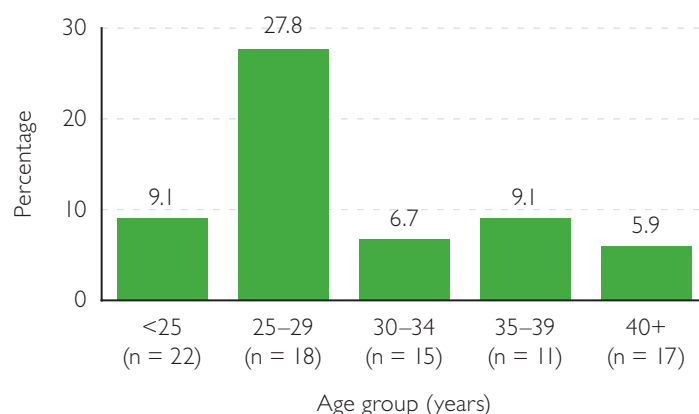


Figure 5: The percentage of people who received a wholly suspended sentence of imprisonment for burglary by age group, 2008–09 to 2012–13



Principal and total effective sentences

Two methods for describing sentence types and lengths are examined in this section. One relates to the principal sentence and examines sentences for the offence at a charge level. The other relates to the total effective sentence and examines sentences for the offence at a case level.

The principal sentence is the individual sentence imposed for the charge that is the principal offence.⁸

The total effective sentence in a case with a single charge is the principal sentence. The total effective sentence in a case with multiple charges is the sentence that results from the court ordering the individual sentences for each charge to be served concurrently (at the same time) or wholly or partially cumulatively (one after the other).

In many cases, the total effective sentence imposed on a person will be longer than the principal sentence. Principal sentences for burglary must be considered in this broader context. The following sections analyse the use of imprisonment for the offence of burglary from 2008–09 to 2012–13.

Principal sentence of imprisonment

A total of 54 people received a principal sentence of imprisonment for burglary between 2008–09 and 2012–13.

Figure 6 shows these people by length of imprisonment term.⁹ Imprisonment terms ranged from 2 months to 3 years, while the median length of imprisonment was 1 year and 6 months (meaning that half of the imprisonment terms were shorter than 1 year and 6 months and half were longer).

The most common range of imprisonment length imposed was 2 to less than 3 years (22 people).

Expanding the analysis from principal sentences of imprisonment to all charges that received imprisonment, there were 703 charges of burglary sentenced to imprisonment between 2008–09 and 2012–13. Imprisonment lengths ranged from 1 day to 3 years while the median was 1 year and the most common range of imprisonment length was 1 year to less than 2 years (345 people).

Returning to principal sentences of imprisonment, as shown in Figure 7, the average (mean) length of imprisonment term imposed on people sentenced for burglary ranged from 1 year and 4 months in 2010–11 and 2011–12 to 1 year and 11 months in 2012–13.

Over the period from 2008–09 to 2012–13, the majority of people who received imprisonment for burglary were men (50 of 54 people or 92.6%).

Due to the very small number of women (4) who received imprisonment as a principal sentence for burglary, data on average imprisonment length by gender are not presented.

Figure 6: The number of people sentenced to imprisonment for burglary by length of imprisonment term, 2008–09 to 2012–13

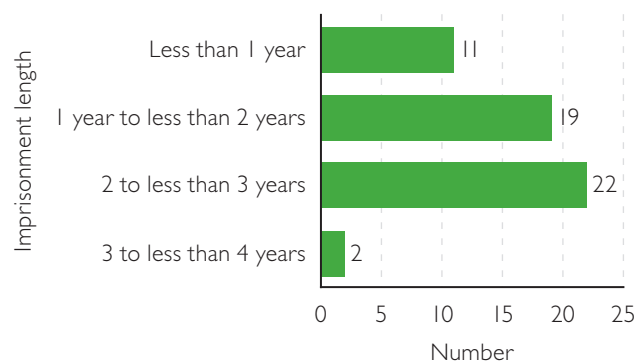
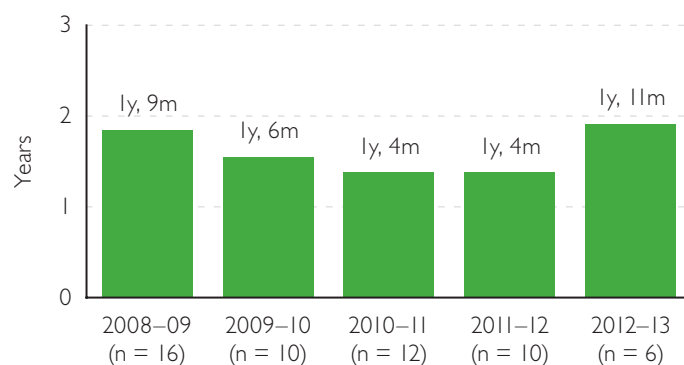


Figure 7: The average length of imprisonment term imposed on people sentenced for burglary, 2008–09 to 2012–13



Other offences finalised at the same hearing

Often people prosecuted for burglary 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 burglary.

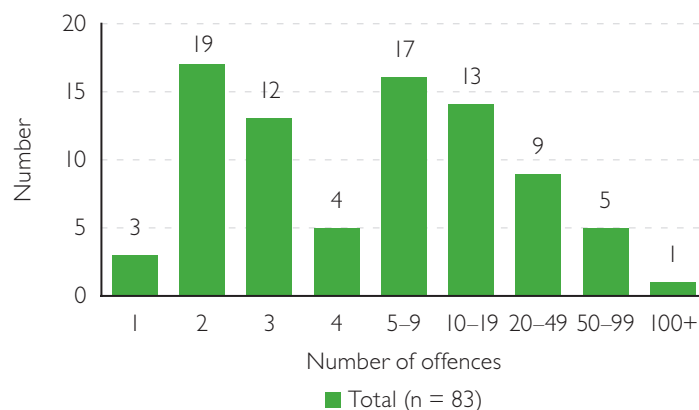
Figure 8 shows the number of people sentenced for the principal offence of burglary by the total number of offences for which sentences were set. The number of sentenced offences per person ranged from 1 to 102, while the median was 6 offences. There were 3 people (3.6%) sentenced for the single offence of burglary. The average (mean) number of offences per person sentenced for the principal offence of burglary was 12.78.

While Figure 8 presents the number of sentenced offences for those sentenced for burglary, Table 3 shows what the accompanying offences were. It shows the number and percentage of people sentenced for the 10 most common offences. The last column sets out the average number of offences sentenced per person. For example, 67 of the total 83 people (80.7%) also received sentences for theft. On average, they were sentenced for 5.70 counts of theft.

Table 3: The number and percentage of people sentenced for the principal offence of burglary by the most common offences that were sentenced and the average number of those offences that were sentenced, 2008–09 to 2012–13

| Offence | Number | % | Average |
|---|-----------|--------------|--------------|
| 1 Burglary | 83 | 100.0 | 5.00 |
| 2 Theft | 67 | 80.7 | 5.70 |
| 3 Intentionally damage/destroy property | 16 | 19.3 | 3.44 |
| 4 Handle/receive/dispose of stolen goods | 16 | 19.3 | 1.63 |
| 5 Obtain property by deception | 9 | 10.8 | 5.11 |
| 6 Possess a drug of dependence | 9 | 10.8 | 3.11 |
| 7 Attempted burglary | 7 | 8.4 | 4.57 |
| 8 Attempted theft | 6 | 7.2 | 1.83 |
| 9 Attempt to obtain property by deception | 3 | 3.6 | 5.00 |
| 10 Make threat to kill | 3 | 3.6 | 1.00 |
| People sentenced | 83 | 100.0 | 12.78 |

Figure 8: The number of people sentenced for the principal offence of burglary by the number of sentenced offences per person, 2008–09 to 2012–13



Total effective sentence of imprisonment

There were 53 people given a total effective sentence of imprisonment.¹⁰ Figure 9 shows the number of people sentenced to imprisonment for burglary between 2008–09 and 2012–13 by length of total effective sentence. The length of total effective sentences ranged from 2 months and 19 days to 7 years and 6 months, while the median total effective length of imprisonment was 3 years and 4 months (meaning that half of the total effective sentence lengths were below 3 years and 4 months and half were above). After appeals have been taken into account, the longest total effective sentence of imprisonment was 7 years.¹¹

The most common range of total effective imprisonment length was 4 to less than 5 years (15 people).

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

Of the 53 people who were sentenced to imprisonment for burglary, 46 were eligible to have a non-parole period fixed.¹² Of these people, 43 were given a non-parole period (93%).¹³ Figure 10 shows the number of people sentenced to imprisonment for burglary between 2008–09 and 2012–13 by length of non-parole period. Non-parole periods ranged from 4 months to 5 years, while the median length of the non-parole period was 2 years (meaning that half of the non-parole periods were below 2 years and half were above).

The most common range of non-parole period imposed was 1 year to less than 2 years (16 people).

Total effective sentences of imprisonment and non-parole periods

Figure 11 presents the average (mean) length of total effective sentences of imprisonment compared with the average length of non-parole periods for all people from 2008–09 to 2012–13.¹⁴

From 2008–09 to 2012–13, the average length of total effective sentences for all people ranged from 2 years and 6 months in 2011–12 to 3 years and 6 months in 2009–10. Over the same period, the average length of non-parole periods ranged from 1 year and 9 months in 2011–12 to 2 years and 2 months in 2008–09.

Over the five-year period, the majority of people receiving a total effective sentence of imprisonment were men (49 of 53 people or 92.5%). Due to the very small number of women who received a total effective sentence of imprisonment (4), data on average total effective sentence length and average non-parole period by gender are not shown.

Figure 9: The number of people sentenced to imprisonment for burglary by length of total effective imprisonment term, 2008–09 to 2012–13

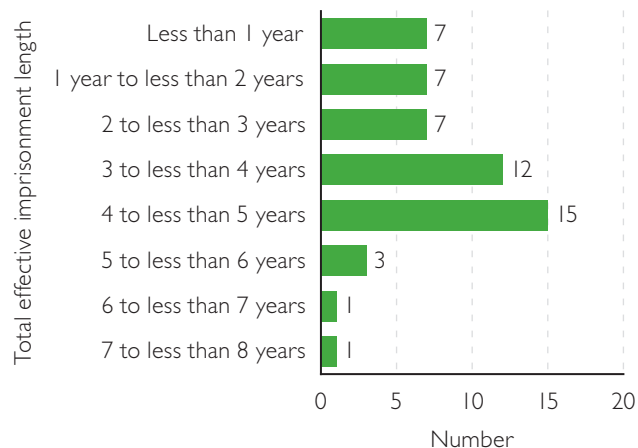


Figure 10: The number of people sentenced to imprisonment for burglary by length of non-parole period, 2008–09 to 2012–13

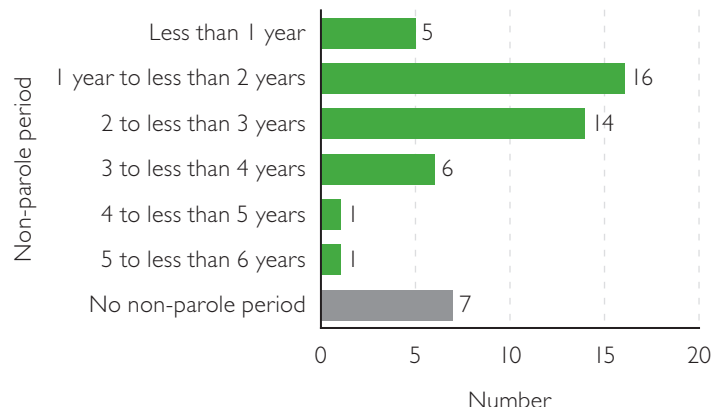
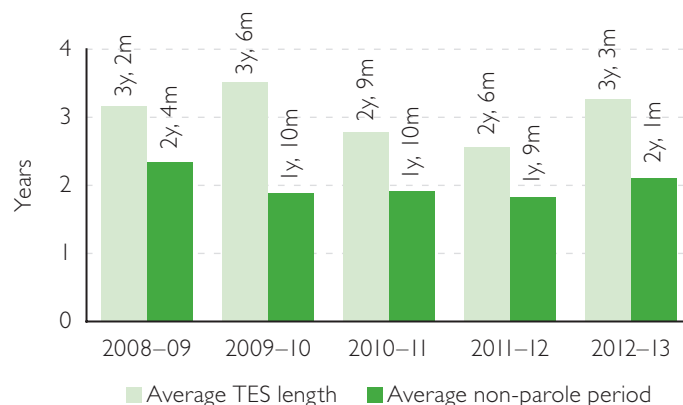


Figure 11: The average total effective sentence and the average non-parole period imposed on people sentenced to imprisonment for burglary, 2008–09 to 2012–13



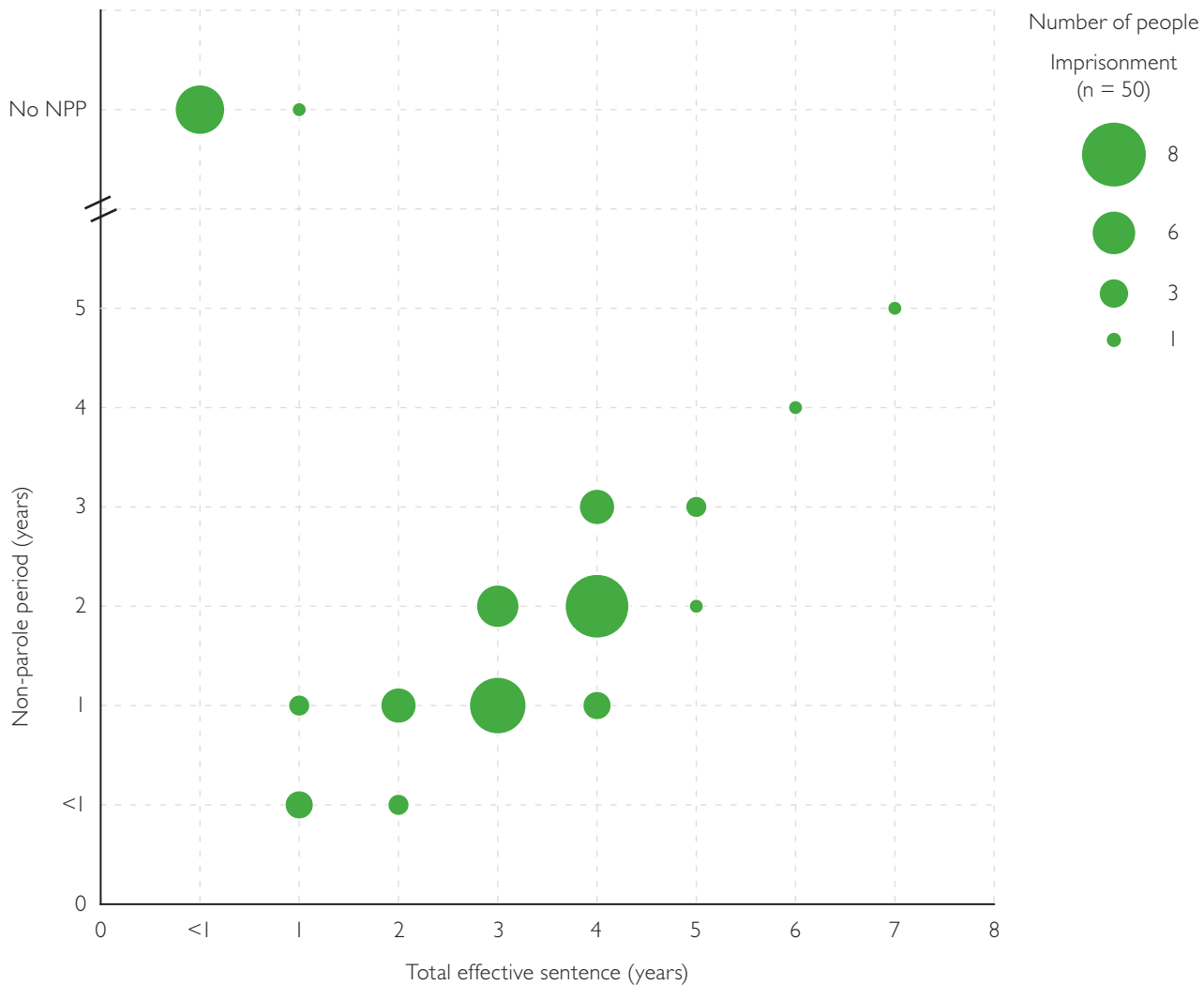
Total effective sentence of imprisonment by non-parole period

While Figures 9 and 10 present the lengths of the total effective sentences and non-parole periods separately, Figure 12 combines the two methods of describing sentence lengths in the one diagram. It shows the total effective sentence and non-parole period for burglary 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. Sentence lengths and non-parole periods that are longer than one year are rounded down to the nearest year of imprisonment, while sentence lengths and non-parole periods of less than 1 year are grouped into the '<1 year' category. For example, a sentence length of 2 years and 6 months would be included as a sentence length of 2 years for the purposes of Figure 12.

As shown, the most common combination of imprisonment length and non-parole period imposed was 4 years with a non-parole period of 2 years (8 people – as represented by the largest bubble on the chart). The length of imprisonment ranged from 2 months and 19 days with no non-parole period to 7 years and 6 months with a non-parole period of 5 years.

Figure 12: The number of people sentenced to imprisonment for burglary by the total effective sentence and the non-parole period imposed, 2008–09 to 2012–13



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

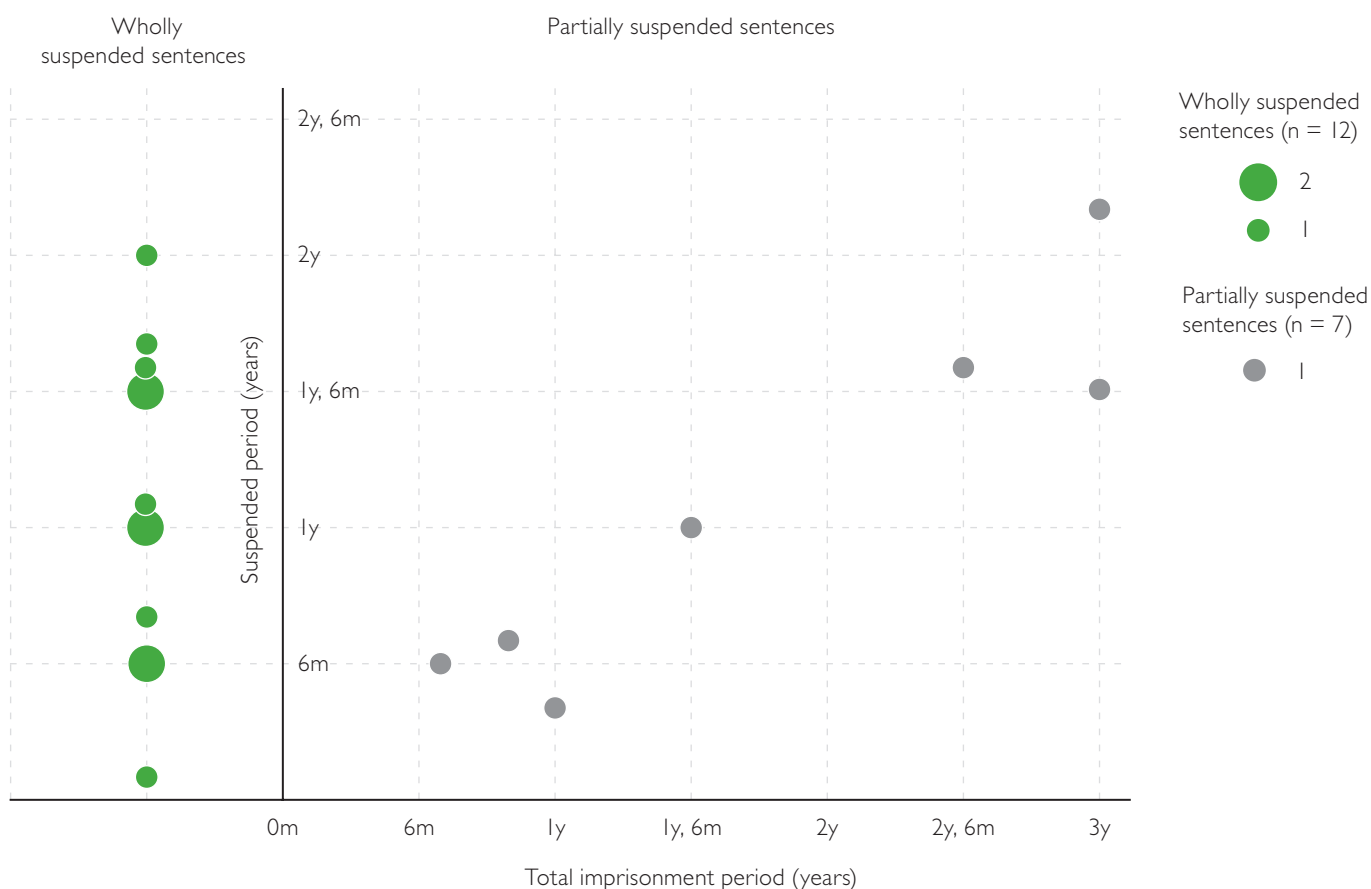
Suspended sentences of imprisonment

There were 19 people given a suspended sentence of imprisonment as their total effective sentence. Of these, 12 people had their prison sentence wholly suspended and 7 received a partially suspended sentence of imprisonment. Figure 13 shows the number of people with a suspended sentence of imprisonment as the total effective sentence by the suspended sentence type and length of sentence. The green 'bubbles' to the left of the vertical axis show the lengths of the wholly suspended sentences, while the grey 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 the partially suspended prison term. Imprisonment lengths and suspended periods that end part way through a month are rounded down to the nearest complete month. For example, a wholly suspended sentence of 6 months and 12 days would be included as a sentence length of 6 months for the purposes of Figure 13.

Wholly suspended sentence lengths ranged from 1 month to 2 years. Three wholly suspended sentence lengths were the most common: 6 months, 1 year, and 1 year and 6 months (2 people each – as represented by the 3 largest green bubbles on the chart).

Partially suspended sentence combinations were evenly distributed with 1 person sentenced each to combinations of between 7 months with 6 months suspended and 3 years with 2 years and 2 months suspended.

Figure 13: The number of people given a wholly or partially suspended sentence of imprisonment for burglary by sentence type and length, 2008–09 to 2012–13



Community Correction Orders

Community correction orders were introduced in early 2012 to replace community-based orders and intensive correction orders. A feature of community correction orders is that the sentence length of the order can be as high as the statutory maximum of the offence being sentenced.

From 2008–09 to 2012–13, one person sentenced for the principal offence of burglary was given a community correction order as their total effective sentence. The length of the community correction order was 2 years.

Appeals

A sentence imposed on a person may be appealed¹⁵ by that person or by the Crown. A person sentenced may also appeal against his or her conviction. All appeals made in relation to people sentenced in the higher courts are determined by the Court of Appeal.

To June 2013, the total effective sentence and/or the non-parole period changed for 6 people sentenced for a principal offence of burglary in the period 2008–09 to 2012–13. Four of these appeals were made by the person sentenced and resulted in a sentence reduction. The longest total effective imprisonment term to be reduced was a sentence of 7 years and 6 months, which decreased to 5 years.¹⁶ The same case also included the longest non-parole period to be reduced (5 years to 3 years).

Two successful appeals against sentence were made by the Crown and resulted in an increase in total effective sentence and/or non-parole period. The longest total effective imprisonment sentence to be increased had a five-year term with a non-parole period of 2 years and 1 month. Following appeal, this was increased to 7 years' imprisonment with a non-parole period of 5 years.¹⁷

The principal sentence changed for 3 people as a result of a successful appeal. The longest principal sentence of imprisonment to be reduced was 3 years, which decreased to 2 years. No principal sentences increased as a result of an appeal.

With the original sentencing data revised to incorporate appeal outcomes, the adjusted longest total effective imprisonment term changed to 7 years (from 7 years and 6 months) while the adjusted non-parole period was unchanged at 5 years. The adjusted longest principal sentence of imprisonment was unchanged at 3 years.

Summary

Between 2008–09 and 2012–13, 83 people were sentenced for burglary in the higher courts. Over this period, the majority of people sentenced were men (92%), while 94% were between the age of 18 and 50 years.

The majority of people sentenced for burglary received a period of imprisonment (65%), while 12% received a wholly suspended sentence of imprisonment.

Men were more likely than women to be sentenced to a period of imprisonment or a partially suspended sentence of imprisonment. Conversely, women were more likely to be sentenced to a community-based order.

Imprisonment was more common for those aged between 35 and 40 years and wholly suspended sentences of imprisonment were more common for those aged between 25 and 30 years.

Each of the 83 people was sentenced for an average (mean) of 12.92 offences, including 5 offences of burglary. The most common offence finalised in conjunction with burglary was theft (80.7% of all cases). The number and range of offences for which people with a principal offence of burglary 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 3 years and 4 months, while the median principal imprisonment length was 1 year and 6 months.

Total effective imprisonment lengths ranged from 2 months and 19 days with no non-parole period to 7 years and 6 months with a non-parole period of 5 years. The most common sentence of imprisonment was 4 years with a non-parole period of 2 years.

The most common wholly suspended sentence lengths were 6 months, 1 year, and 1 year and 2 months.

A small number of people were able to successfully appeal against their sentences. When the results of the appeal outcomes are incorporated into the original sentencing data, the range of total effective imprisonment lengths was from 2 months to 7 years while range of principal imprisonment sentence lengths was unchanged.

Endnotes

1. 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 report as they are an important form of disposition of criminal charges.

This Sentencing Snapshot is an update of Sentencing Snapshot no. 123, which describes sentencing trends for burglary between 2004–05 and 2008–09.
2. The information source for sentencing outcomes for burglary only contains information on age and gender characteristics. No other demographic analysis is possible using this data source.
3. The source data for the statistical information presented in this Snapshot were provided by the Business Intelligence area of the Courts and Tribunals unit within the Department of Justice (Vic). The Sentencing Advisory Council regularly undertakes extensive quality control measures for current and historical data. While every effort is made to ensure that the data analysed in this report are accurate, the data are subject to revision. From 2008–09 to 2012–13, all cases with at least one count of burglary were sentenced in the County Court of Victoria.
4. If a person is sentenced for a case with a single charge, the offence for that charge is the principal offence. If a person is sentenced for more than one charge in a single case, the principal offence is the offence for the charge that attracted the most serious sentence according to the sentencing hierarchy.
5. Immediate custodial sentence includes imprisonment, partially suspended sentence, youth justice centre order and aggregate imprisonment.
6. Age is as at the time of sentencing.
7. Some defendants who were under the age of 18 at the time of committing the alleged offence and who were not 19 years or older at the time proceedings commenced may have been dealt with in the Children's Court of Victoria.
8. Refer to endnote 4.
9. Data presented in this section excludes aggregate terms of imprisonment, as these apply across multiple charges. During the 2008–09 to 2012–13 period, one person received an aggregate form of imprisonment.
10. Of the 54 people who were given a principal sentence of imprisonment, 52 were also given a total effective sentence of imprisonment. There were 2 people who were given imprisonment as the principal sentence for burglary and a partially suspended sentence as a total effective sentence. In addition, one person given a principal sentence of aggregate imprisonment was given a total effective sentence of imprisonment.
11. In 2011, 1 of 3 co-offenders appealed their sentence, while the other 2 co-offenders had their sentence appealed by the Crown. All appeals were successful. The person who successfully appealed their sentence originally had the longest total effective sentence for burglary of 7 years and 6 months. The person's sentence was reduced on appeal to 5 years. One of the co-offenders whose sentence was successfully appealed by the Crown had their total effective imprisonment term increased from 5 years to 7 years, which became the new longest imprisonment sentence for burglary.
12. A total of 7 people were not eligible for parole because they were given a total effective sentence length of less than one year.
13. A total of 3 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 one person who was eligible for a non-parole period.
14. Due to the low number of women (4) who were imprisoned with a non-parole period, average lengths of imprisonment and non-parole periods by gender are not shown.
15. Appeals data were collected by the Sentencing Advisory Council from transcripts of sentencing remarks of criminal appeals on the Australasian Legal Information Institute's website (www.austlii.gov.au).
16. Refer to endnote 11 for details of appeal.
17. Refer to endnote 11 for details of appeal.

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

Sentencing trends in the higher courts, 2008–09 to 2012–13

- I55 Aggravated burglary
- I54 Burglary
- I53 Armed Robbery
- I52 Robbery

Sentencing trends in the higher courts, 2007–08 to 2011–12

- I51 Sexual penetration of a child under care
- I50 Sexual penetration of a child aged between 12 and 16
- I49 Sexual penetration of a child aged under 12
- I48 Persistent sexual abuse of a child under 16
- I47 Indecent act with a child under 16
- I46 Indecent assault
- I45 Rape
- I44 Arson
- I43 Making a threat to kill
- I42 Culpable driving causing death
- I41 Manslaughter
- I40 Murder
- I39 Obtaining property by deception
- I38 Obtaining a financial advantage by deception
- I37 Theft
- I36 Handling stolen goods

Sentencing trends in the higher courts, 2006–07 to 2010–11

- I35 Affray
- I34 Incest
- I33 Cultivating a commercial quantity of narcotic plants
- I32 Cultivating a non-commercial quantity of narcotic plants

- I31 Trafficking in a large commercial quantity of drugs
- I30 Trafficking in a commercial quantity of drugs
- I29 Trafficking in a non-commercial quantity of drugs
- I28 Causing injury intentionally
- I27 Causing injury recklessly
- I26 Causing serious injury recklessly
- I25 Causing serious injury intentionally
- I24 Aggravated burglary
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- I21 Robbery

Sentencing trends in the higher courts, 2005–06 to 2009–10

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- I19 Sexual penetration of a child aged under 10
- I18 Sexual penetration of a child under care
- I17 Rape
- I16 Maintaining a sexual relationship with a child under 16
- I15 Indecent assault
- I14 Sexual penetration of a child aged between 10 and 16
- I13 Indecent act with a child under 16
- I12 Making a threat to kill
- I11 Culpable driving causing death
- I10 Manslaughter
- I09 Murder
- I08 Obtaining property by deception
- I07 Obtaining a financial advantage by deception
- I06 Theft
- I05 Handling stolen goods

Authored by Zsombor Bathy, Data Analyst, Sentencing Advisory Council.
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