

Sentencing Snapshot

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

August 2012
No. 135

Affray

Introduction

This Sentencing Snapshot describes sentencing outcomes¹ for the offence of affray and details the age and gender² of people sentenced for this offence in the County and Supreme Courts of Victoria between 2006–07 and 2010–11.³

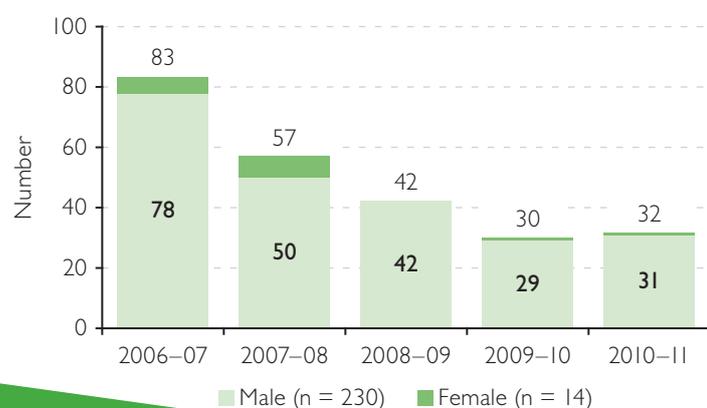
A person who is involved in unlawful fighting, violence or a display of force that might cause fear to an innocent member of the public is guilty of the offence of affray. This offence does not require a member of the public actually to be present, but rather that the fighting, violence or display of force was of a magnitude that a person, if present, would have been afraid.⁴ Affray is an indictable offence that carries a maximum penalty of 5 years' imprisonment⁵ and/or a fine of 600 penalty units.⁶ Indictable offences are more serious offences triable before a judge and jury in the County or Supreme Court. From 1 July 2007, affray can also be tried summarily by the Magistrates' Court⁷ if the Magistrates' Court considers it appropriate and the defendant consents.⁸ Affray was the principal offence in 2.4% of cases sentenced in the higher courts between 2006–07 and 2010–11.

As with previous publications in this series, this report presents a snapshot of first instance sentences in the higher courts of Victoria. The Council is now collecting data on all sentence appeals. A section on appeals has been included immediately before the Summary section of this report. Information on sentences that have changed on appeal is also noted in other sections of this report. Unless otherwise noted, the data represent sentences imposed at first instance.

People sentenced

Figure 1 shows the number of people sentenced for the principal offence of affray for the period 2006–07 to 2010–11. As shown, 244 people were sentenced for affray over the five-year period. There were 83 people sentenced for affray in 2006–07 although this number decreased in the following years. The decrease over time in the number of people sentenced for affray may be attributable to legislative changes taking effect on 1 July 2007 that allowed the Magistrates' Court to hear less severe cases of affray. Over the five years depicted, the majority of those sentenced were men (94.3% or 230 of the 244 people), including 31 of the 32 people sentenced in 2010–11.

Figure 1: The number of people sentenced for affray by gender, 2006–07 to 2010–11



Sentence types and trends

Figure 2 shows the total number of people sentenced for affray 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, 16% of people were given an immediate custodial sentence. This peaked at 22% (7 of 32) in 2010–11 after a low of 12% (10 of 83) in 2006–07.

Figure 2: The number of people sentenced for affray and the number who received an immediate custodial sentence, 2006–07 to 2010–11

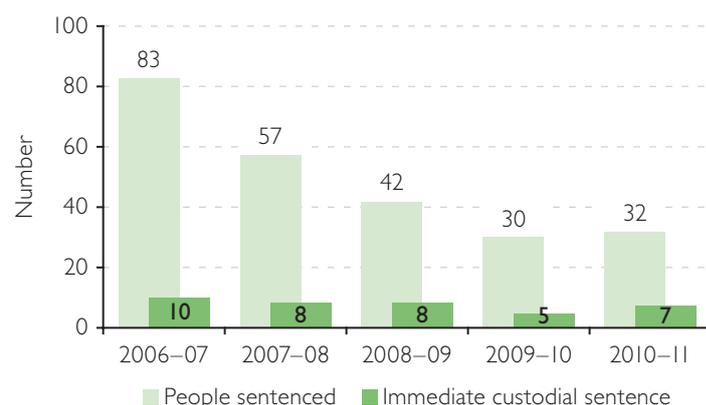


Table 1 shows the number of people sentenced for affray from 2006–07 to 2010–11 by the types of sentences imposed.

Over the five-year period, around one-third of the people sentenced for affray received a community-based order (31% or 76 of 244 people), while 25% received a wholly suspended sentence of imprisonment,¹⁰ 10% received a fine and 9% received a period of imprisonment.

The number and percentage of people given a community-based order were lowest during 2008–09 (8 of 42 people, or 19%). The number given a community-based order was highest in 2006–07 (24 people) while the percentage was highest during 2009–10 (12 of 30 people, or 40%).

The number of people given a wholly suspended sentence of imprisonment was lowest during 2009–10 (7 people) and highest during 2006–07 (21 people). The percentage of people given a wholly suspended sentence of imprisonment was lowest during both 2007–08 and 2009–10 (23% each) and highest during 2010–11 (9 of 32 people, or 28%).

The number and percentage of people receiving a fine were lowest during 2010–11 (1 of 32 people, or 3%). The number was highest during 2006–07 (9 people) while the percentage was highest during 2008–09 (8 of 42 people, or 19%).

The number and percentage of people receiving a sentence of imprisonment were lowest during 2009–10 (1 of 30 people, or 3%) and highest during 2008–09 (7 of 42 people, or 17%).

Age and gender of people sentenced

Figure 3 shows the gender of people sentenced for affray grouped by their age¹¹ between 2006–07 and 2010–11. The average age of people sentenced for affray was 24 years and 9 months. Women sentenced over this period were much older than men (an average age of 29 years and 3 months for women compared with 24 years and 6 months for men). There were no juveniles sentenced over this period.¹²

Figure 3: The number of people sentenced for affray by gender and age, 2006–07 to 2010–11

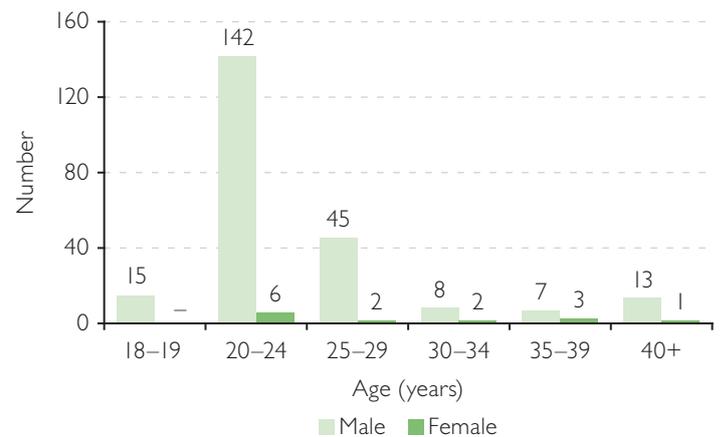


Table 1: The number and percentage of people sentenced for affray by sentence type, 2006–07 to 2010–11

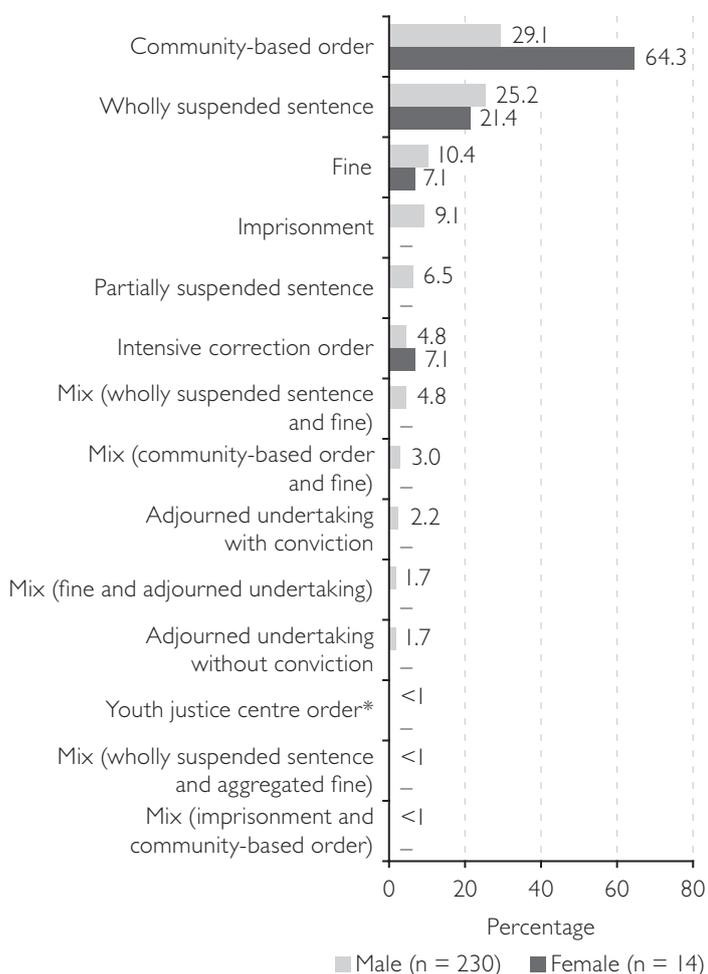
Sentence type	2006–07	2007–08	2008–09	2009–10	2010–11
Community-based order	24 (29%)	21 (37%)	8 (19%)	12 (40%)	11 (34%)
Wholly suspended sentence	21 (25%)	13 (23%)	11 (26%)	7 (23%)	9 (28%)
Fine	9 (11%)	4 (7%)	8 (19%)	3 (10%)	1 (3%)
Imprisonment	5 (6%)	5 (9%)	7 (17%)	1 (3%)	3 (9%)
Partially suspended sentence	5 (6%)	2 (4%)	0 (–)	4 (13%)	4 (13%)
Intensive correction order	3 (4%)	0 (–)	7 (17%)	2 (7%)	0 (–)
Mix (wholly suspended sentence and fine)	10 (12%)	1 (2%)	0 (–)	0 (–)	0 (–)
Mix (community-based order and fine)	1 (1%)	5 (9%)	0 (–)	0 (–)	1 (3%)
Adjourned undertaking with conviction	3 (4%)	1 (2%)	0 (–)	0 (–)	1 (3%)
Mix (fine and adjourned undertaking)	0 (–)	4 (7%)	0 (–)	0 (–)	0 (–)
Adjourned undertaking without conviction	1 (1%)	0 (–)	0 (–)	1 (3%)	2 (6%)
Youth justice centre order*	0 (–)	1 (2%)	0 (–)	0 (–)	0 (–)
Mix (wholly suspended sentence and aggregated fine)	1 (1%)	0 (–)	0 (–)	0 (–)	0 (–)
Mix (imprisonment and community-based order)	0 (–)	0 (–)	1 (2%)	0 (–)	0 (–)
People sentenced	83	57	42	30	32

*Prior to 23 April 2007, a youth justice centre order was referred to as a youth training centre order.

Sentence types by gender

Figure 4 and Table 2 show the types of sentences imposed for affray grouped by gender. As shown, a higher percentage of men received a period of imprisonment (9.1% compared with no women) or a partially suspended sentence of imprisonment (6.5% compared with no women). Conversely, a higher percentage of women received a community-based order (64.3% compared with 29.1% of men). A similar percentage of men and women received a wholly suspended sentence (25.2% of men compared with 21.4% of women) or a fine (10.4% of men compared with 7.1% of women).

Figure 4: The percentage of people sentenced for affray by sentence type and gender, 2006–07 to 2010–11



*Prior to 23 April 2007, a youth justice centre order was referred to as a youth training centre order.

Table 2: The number and percentage of people sentenced for affray by sentence type and gender, 2006–07 to 2010–11

Sentence type	Male	Female	Total
Community-based order	67 (29%)	9 (64%)	76 (31%)
Wholly suspended sentence	58 (25%)	3 (21%)	61 (25%)
Fine	24 (10%)	1 (7%)	25 (10%)
Imprisonment	21 (9%)	0 (-)	21 (9%)
Partially suspended sentence	15 (7%)	0 (-)	15 (6%)
Intensive correction order	11 (5%)	1 (7%)	12 (5%)
Mix (wholly suspended sentence and fine)	11 (5%)	0 (-)	11 (5%)
Mix (community-based order and fine)	7 (3%)	0 (-)	7 (3%)
Adjourned undertaking with conviction	5 (2%)	0 (-)	5 (2%)
Mix (fine and adjourned undertaking)	4 (2%)	0 (-)	4 (2%)
Adjourned undertaking without conviction	4 (2%)	0 (-)	4 (2%)
Youth justice centre order*	1 (<1%)	0 (-)	1 (<1%)
Mix (wholly suspended sentence and aggregated fine)	1 (<1%)	0 (-)	1 (<1%)
Mix (imprisonment and community-based order)	1 (<1%)	0 (-)	1 (<1%)
People sentenced	230	14	244

*Prior to 23 April 2007, a youth justice centre order was referred to as a youth training centre order.

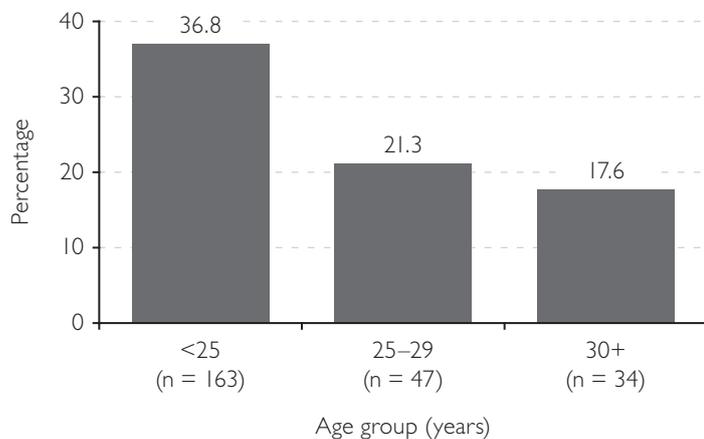
Sentence types by age

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

Community-based orders

As shown in Figure 5, community-based orders were most likely to be given to people aged under 25 years (37% or 60 of the 163 people in this age group). Conversely, community-based orders were least common for those aged 30 years and older (18% or 6 of the 34 people in this age group).

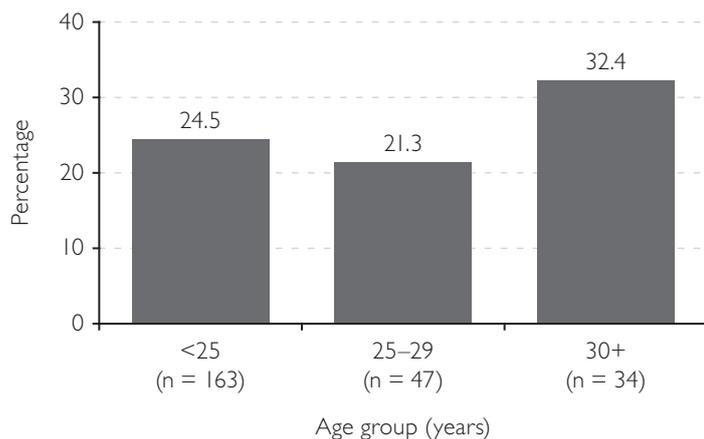
Figure 5: The percentage of people who received a community-based order for affray by age group, 2006–07 to 2010–11



Wholly suspended sentences of imprisonment

As shown in Figure 6, wholly suspended sentences of imprisonment were most likely to be given to people aged 30 years and older (32% or 11 of the 34 people in this age group). Conversely, wholly suspended sentences of imprisonment were least common for those aged 25–29 years (21% or 10 of the 47 people in this age group).

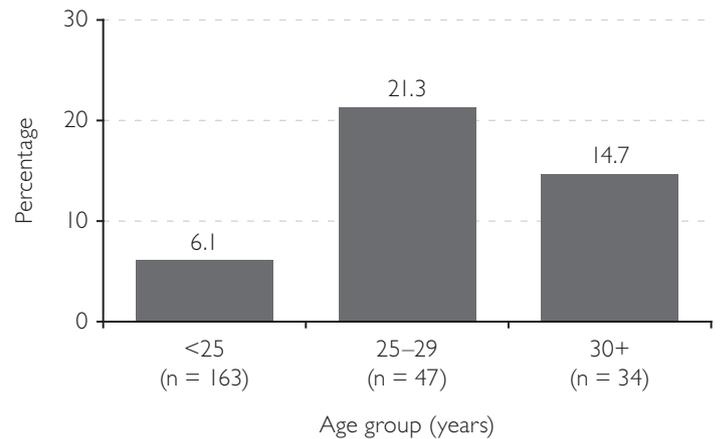
Figure 6: The percentage of people who received a wholly suspended sentence of imprisonment for affray by age group, 2006–07 to 2010–11



Fines

As shown in Figure 7, fines were most likely to be given to people aged 25–29 years (21% or 10 of the 47 people in this age group). Conversely, fines were least common for those aged under 25 years (6% or 10 of the 163 people in this age group).

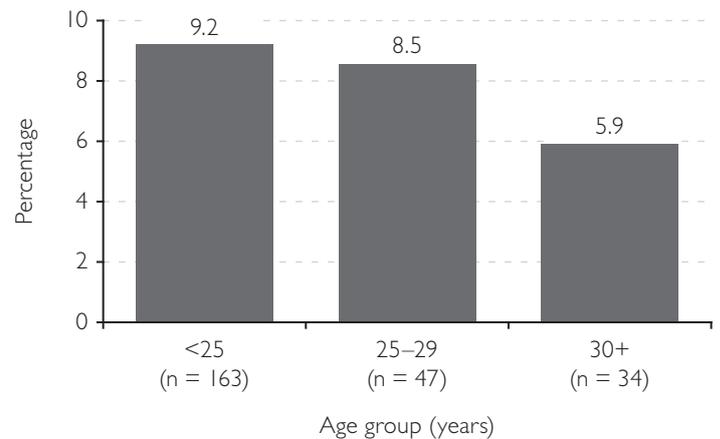
Figure 7: The percentage of people who received a fine for affray by age group, 2006–07 to 2010–11



Imprisonment

As shown in Figure 8, sentences of imprisonment were most likely to be given to people aged under 25 years (9% or 15 of the 163 people in this age group) followed by people aged 25–29 years (9% or 4 of the 47 people in this age group). Conversely, sentences of imprisonment were least common for those aged 30 years and older (6% or 2 of the 34 people in this age group).

Figure 8: The percentage of people who received a period of imprisonment for affray by age group, 2006–07 to 2010–11



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.

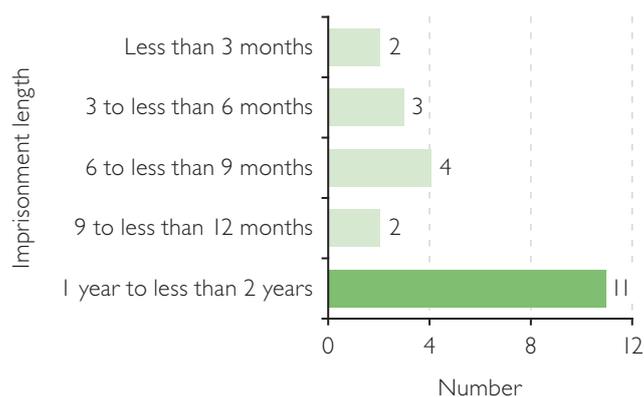
In many cases, the total effective sentence imposed on a person will be longer than individual principal sentences. Principal sentences for affray must be considered in this broader context. The following sections analyse the use of imprisonment for the offence of affray from 2006–07 to 2010–11.

Principal sentence of imprisonment

Figure 9 shows the number of people sentenced to imprisonment for affray between 2006–07 and 2010–11 by the length of the imprisonment term.¹³ Imprisonment terms ranged from 1 month to 1 year, 8 months and 12 days, while the median length of imprisonment was 11 months.

Half the imprisonment lengths given for affray were for periods of less than 1 year (11 people), while the other half were for periods of 1 year to less than 2 years (11 people).

Figure 9: The number of people sentenced to imprisonment for affray by length of imprisonment term, 2006–07 to 2010–11



As shown in Figure 10, the average length of imprisonment term imposed on people sentenced for affray ranged from 7 months in 2007–08 to 1 year and 3 months in 2010–11. All of the 22 people who received a term of imprisonment during this period were men.

Figure 10: The average length of imprisonment term imposed on people sentenced for affray, 2006–07 to 2010–11

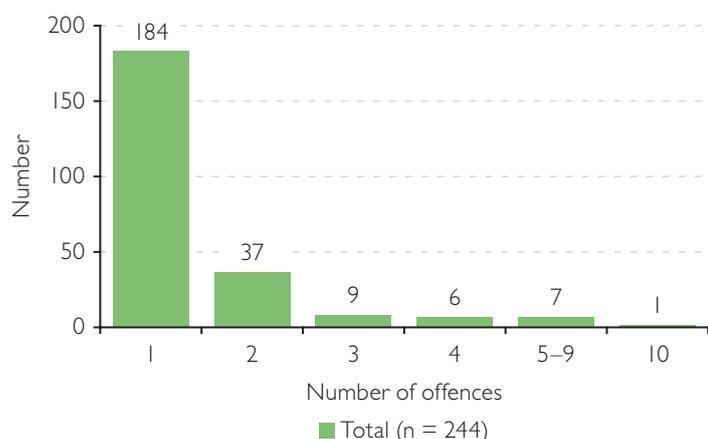


Other offences finalised at the same hearing

Often people prosecuted for affray 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 affray.

Figure 11 shows the number of people sentenced for the principal offence of affray by the total number of offences for which sentences were set. The number of sentenced offences per person ranged from 1 to 10, while the median was 1 offence. There were 184 people (75.4%) sentenced for the single offence of affray. The average number of offences per person sentenced for affray was 1.48.

Figure 11: The number of people sentenced for the principal offence of affray by the number of sentenced offences per person, 2006–07 to 2010–11



While Figure 11 presents the number of sentenced offences for those sentenced for affray, 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, 31 of the total 244 people (12.7%) also received sentences for causing injury. On average, they were sentenced for 1.19 counts of causing injury.

Table 3: The number and percentage of people sentenced for the principal offence of affray by the most common offences that were sentenced and the average number of those offences that were sentenced, 2006–07 to 2010–11

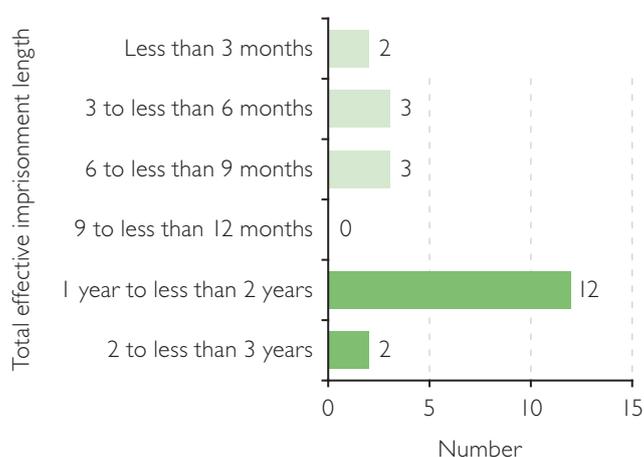
Offence	No.	%	Avg.
1 Affray	244	100.0	1.00
2 Causing injury	31	12.7	1.19
3 Intentionally destroy/damage property (criminal damage)	13	5.3	1.31
4 Common law assault	12	4.9	1.08
5 Causing serious injury recklessly	6	2.5	1.67
6 Possess a drug of dependence	5	2.0	1.00
7 Possess prohibited weapon without exemption	4	1.6	1.25
8 Aggravated burglary	4	1.6	1.00
9 Making a threat to kill	3	1.2	1.67
10 Carry unregistered general category handgun	2	0.8	2.00
People sentenced	244	100.0	1.48

Total effective sentence of imprisonment

There were 22 people given a total effective sentence of imprisonment.¹⁴ Figure 12 shows the number of people sentenced to imprisonment for affray between 2006–07 and 2010–11 by length of total effective sentence. The lengths of total effective sentences ranged from 1 month to 2 years, while the median total effective length of imprisonment was 1 year and 2 months (meaning that half of the total effective sentence lengths were below 1 year and 2 months and half were above).

The most common total effective imprisonment length was 1 year to less than 2 years (12 people).

Figure 12: The number of people sentenced to imprisonment for affray by length of total effective imprisonment term, 2006–07 to 2010–11



Non-parole period

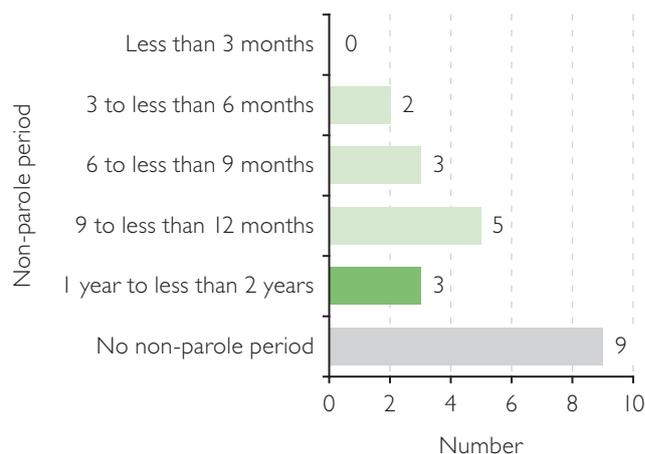
When a person is sentenced to a term of immediate imprisonment of one year or more, the court has the discretion to fix a non-parole period. Where a non-parole period is fixed, the person must serve that period before becoming eligible for parole. Where no non-parole period is set by the court, the person 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 affray. Sentences and non-parole periods must be considered in this broader context.

Of the 22 people who were sentenced to imprisonment for affray, 14 were eligible to have a non-parole period fixed.¹⁵ Of these people, 13 were given a non-parole period (93%). Figure 13 shows the number of people sentenced to imprisonment for affray between 2006–07 and 2010–11 by length of non-parole period. Non-parole periods ranged from 3 months to 1 year and 6 months, while the median length of the non-parole period was 9 months (meaning that half of the non-parole periods were below 9 months and half were above).

The most common non-parole period imposed was 9 months to less than 12 months (5 people).

Figure 13: The number of people sentenced to imprisonment for affray by length of non-parole period, 2006–07 to 2010–11



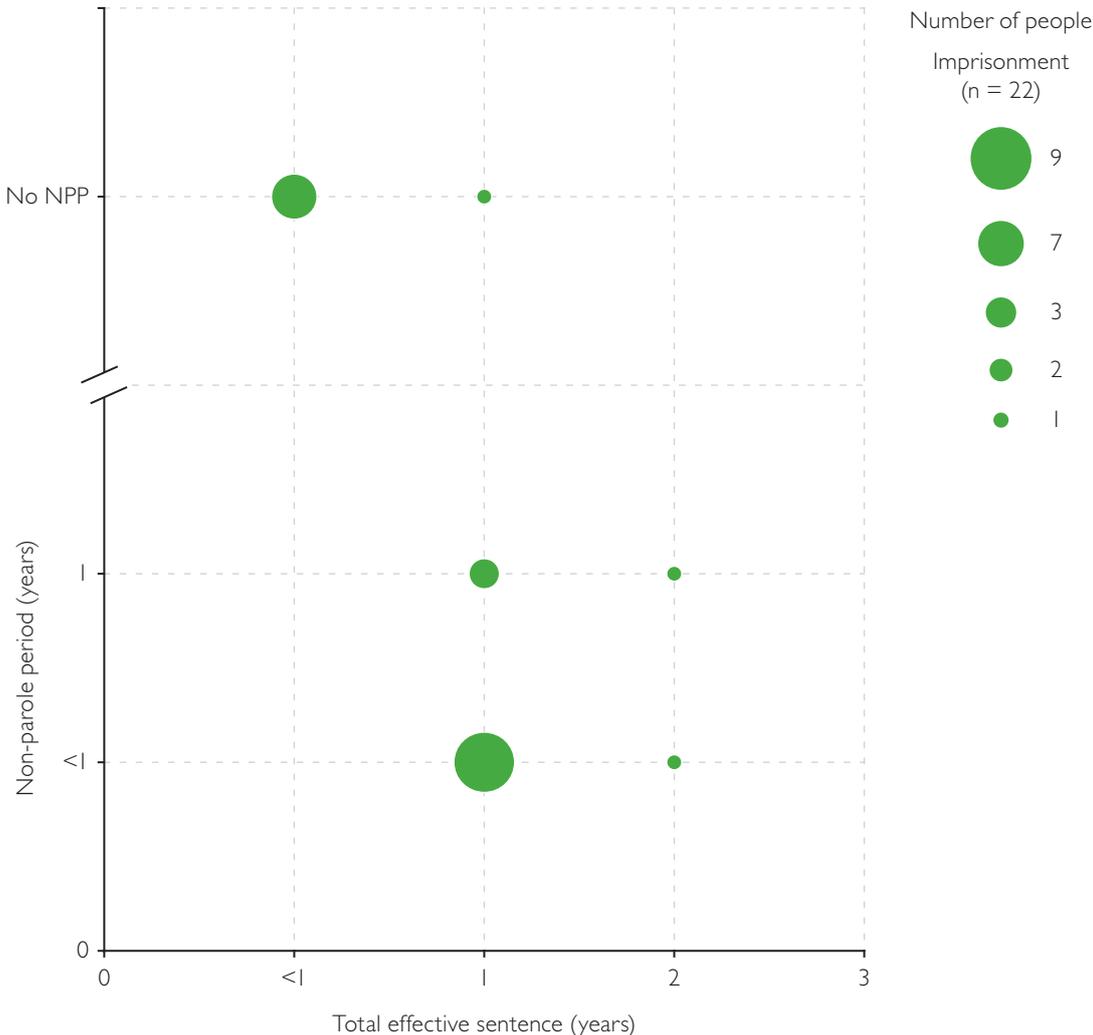
Total effective sentence of imprisonment by non-parole period

While Figures 12 and 13 present the lengths of the total effective sentences and non-parole periods separately, Figure 14 combines the two methods of describing sentence lengths in the one diagram. It shows the total effective sentence and non-parole period for affray 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 one 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 14.

As shown, the most common combination of imprisonment length and non-parole period imposed was 1 year with a non-parole period of less than 1 year (9 people – as represented by the largest bubble on the chart). The length of imprisonment ranged from 1 month with no non-parole period to 2 years with a non-parole period of 1 year and 6 months.

Figure 14: The number of people sentenced to imprisonment for affray by the total effective sentence and the non-parole period imposed, 2006–07 to 2010–11



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

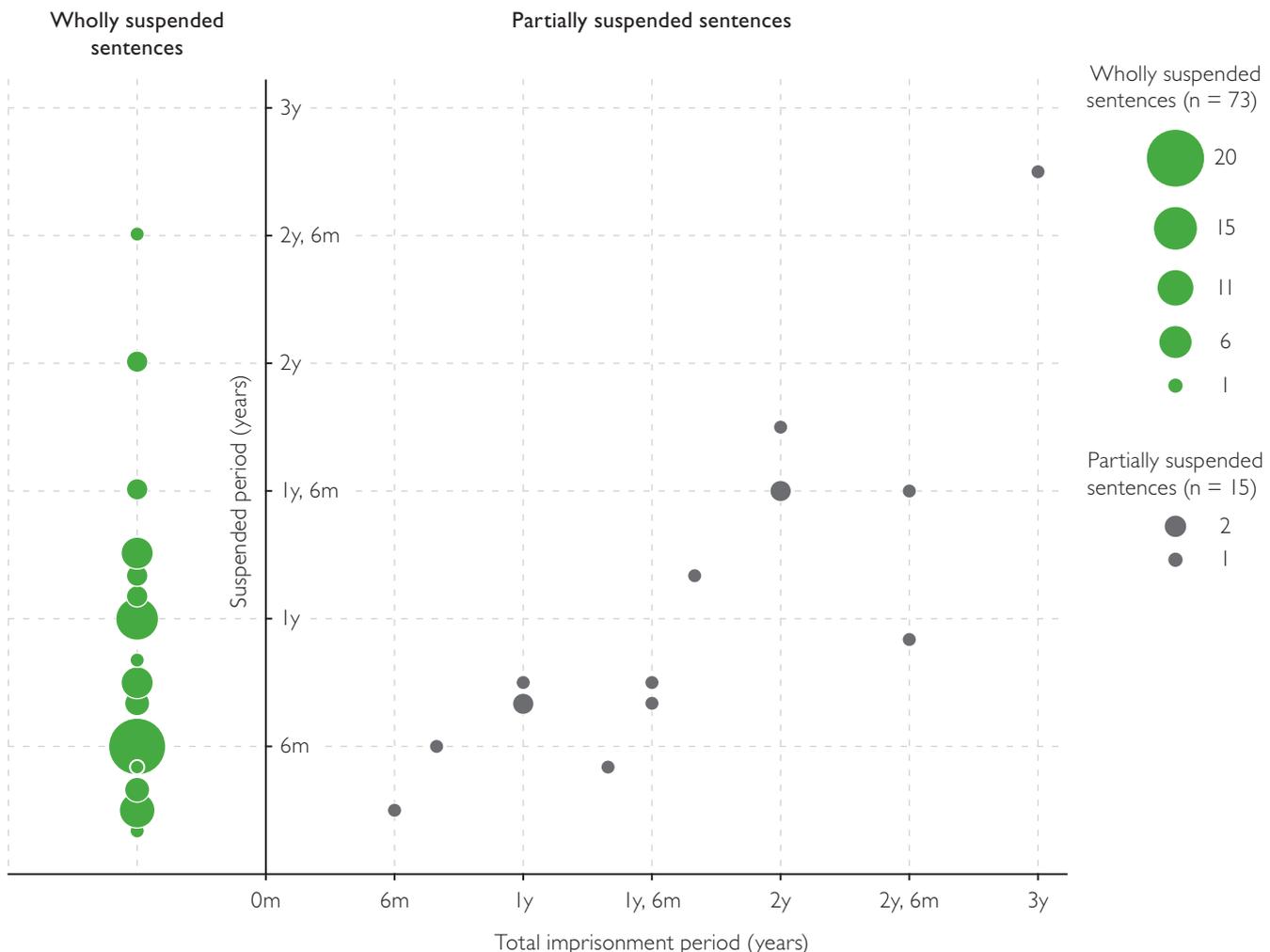
Suspended sentences of imprisonment

There were 88 people given a suspended sentence of imprisonment as their total effective sentence. Of these, 73 people had their prison sentence wholly suspended and 15 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 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 15.

Wholly suspended sentence lengths ranged from 2 months to 2 years and 6 months. The most common wholly suspended sentence length was 6 months (20 people – as represented by the largest green bubble on the chart).

Partially suspended sentence lengths ranged from 6 months' imprisonment with 3 months suspended to 3 years' imprisonment with 2 years and 9 months' suspended. The most common partially suspended sentence combinations were 1 year with 8 months suspended and 2 years with 1 year and 6 months suspended (2 people each – as represented by the 2 largest grey bubbles on the chart).

Figure 15: The number of people given a wholly or partially suspended sentence of imprisonment for affray by sentence type and length, 2006–07 to 2010–11

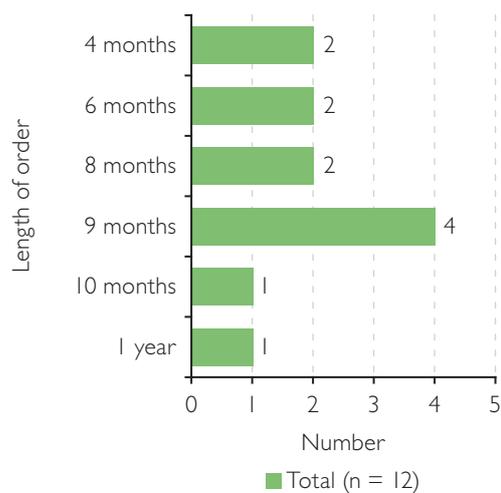


Intensive correction orders

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

The length of intensive correction orders for affray ranged from 4 months to 1 year, while the most common length was 9 months (4 people).

Figure 16: The number of people sentenced to an intensive correction order for affray by length of order imposed, 2006–07 to 2010–11

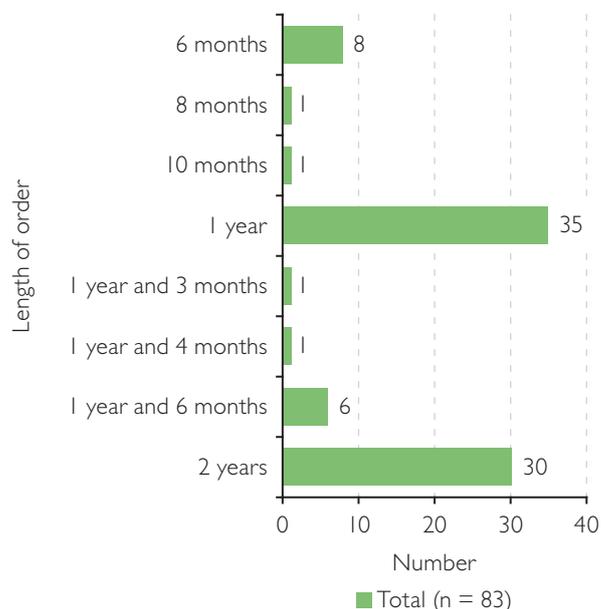


Community-based orders

There were 83 people given a community-based order as their total effective sentence.

The length of community-based orders for affray ranged from 6 months to 2 years, while the most common length was 1 year (35 people).

Figure 17: The number of people sentenced to a community-based order for affray by length of order imposed, 2006–07 to 2010–11



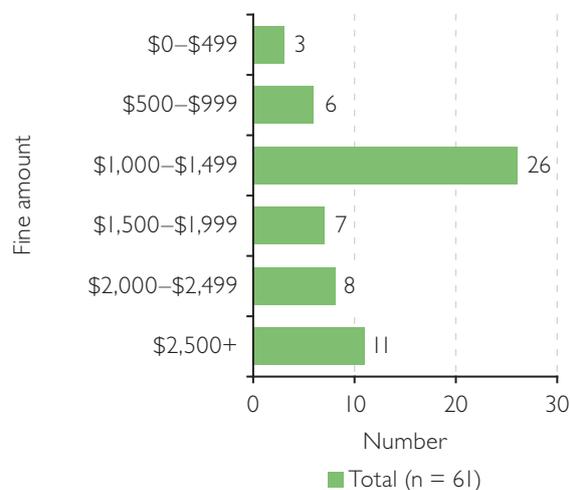
Fines

This analysis includes all fines that were imposed for cases where affray was the principal offence. Fines were imposed on 61 people.

The fine amount imposed ranged from \$107 to \$10,000, 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 \$1,665. The average fine amount imposed against the 2 females was \$2,000, higher than the average fine for the 59 males (\$1,654).

Figure 18: The number of people who received a fine for affray by fine amount, 2006–07 to 2010–11



Appeals

A sentence imposed on a person may be appealed¹⁶ by that person or by the Crown. A person sentenced may also appeal against their conviction. All appeals made in relation to people sentenced in the higher courts are determined by the Court of Appeal.

Up to June 2011, one person sentenced for a principal offence of affray in the period 2006–07 to 2010–11 successfully appealed their conviction. The person had originally received a fine of \$1,000 but was acquitted on appeal. Thus, the number of people sentenced from 2006–07 to 2010–11 for a principal offence of affray is reduced to 243 people once appeals are considered.

There were no successful appeals that changed the length or type of sentence for the principal proven offence of affray from 2006–07 to 2010–11.

Summary

Between 2006–07 and 2010–11, 244 people were sentenced for affray in the higher courts. Over this period, the majority of people sentenced were men (94%), while 61% were between the ages of 20 and 24.

Around one-third of the people sentenced for affray received a community-based order (31%), while 25% received a wholly suspended sentence of imprisonment, 10% received a fine and 9% received a period 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. A similar percentage of men and women was likely to receive a wholly suspended sentence of imprisonment or a fine.

Community-based orders were more common for those younger than 25 years, wholly suspended sentences of imprisonment were more common for those older than 30 years and fines were more common for those aged between 25 and 29 years.

Each of the 244 people was sentenced for an average of 1.48 offences, including 1.00 offence of affray. The most common offence finalised in conjunction with affray was causing injury (12.7% of all cases). The number and range of offences for which people with a principal offence of affray 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 1 year and 2 months, while the median principal imprisonment length was 11 months.

Total effective imprisonment lengths ranged from 1 month with no non-parole period to 2 years with a non-parole period of 1 year and 6 months. The most common sentence of imprisonment was 1 year with a non-parole period of less than 1 year.

The most common wholly suspended sentence length was 6 months.

One person was able to successfully appeal against his conviction. There were no successful appeals that changed the length or type of sentence for affray during this period.

Endnotes

1. This report presents sentencing outcomes for people sentenced for the principal offence of affray 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 affray who received a more serious sentence for another offence forming part of the same presentment or indictment. There were 480 people sentenced from 2006–07 to 2010–11 for 492 offences of affray. Affray was the principal proven offence for 244 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 report as they are an important form of disposition of criminal charges.

This Sentencing Snapshot is an update of Sentencing Snapshot no. 96, which describes sentencing trends for affray between 2004–05 and 2008–09.

2. The information source for sentencing outcomes for affray 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.
4. *Taylor v DPP* [1973] 57 Cr App R 915, 924–925.
5. *Crimes Act 1958* (Vic) s 320.
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. *Criminal Procedure Act 2009* (Vic) s 28. Prior to the *Criminal Procedure Act 2009* (Vic) coming into effect, section 53 of the *Magistrates' Court Act 1989* (Vic) provided similar powers to allow the Magistrates' Court to hear this offence summarily.
8. *Criminal Procedure Act 2009* (Vic) s 29. Prior to the *Criminal Procedure Act 2009* (Vic) coming into effect, section 53 of the *Magistrates' Court Act 1989* (Vic) provided similar powers to allow the Magistrates' Court to hear this offence summarily.
9. Immediate custodial sentence includes imprisonment, partially suspended sentence, youth justice centre order and mix (imprisonment and community-based order).
10. Affray is not defined as a 'serious offence' or a 'significant offence' for the purposes of section 27(2B) of the *Sentencing Act 1991* (Vic). Section 27(2B) of the *Sentencing Act 1991* (Vic) states that courts cannot impose a suspended sentence for a 'serious offence' or a 'significant offence' committed on or after 1 May 2011.
11. Age is at the time of sentencing.
12. 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.
13. Data presented in this section do not include imprisonment lengths for people who received an aggregate sentence of imprisonment. Sentence lengths for aggregate sentences of imprisonment apply to the whole case, while Figure 9 only deals with sentences of imprisonment for the principal proven offence of affray. However, no one received an aggregate form of imprisonment for affray during the period from 2006–07 to 2010–11.
14. All of the 22 people who were sentenced to imprisonment as the principal sentence were also given imprisonment as the total effective sentence.
15. A total of 8 people were not eligible for parole because they were given a total effective sentence length of less than 1 year.
16. 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>.

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

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

- 135 Affray
- 134 Incest
- 133 Cultivating a commercial quantity of narcotic plants
- 132 Cultivating a non-commercial quantity of narcotic plants
- 131 Trafficking in a large commercial quantity of drugs
- 130 Trafficking in a commercial quantity of drugs
- 129 Trafficking in a non-commercial quantity of drugs
- 128 Causing injury intentionally
- 127 Causing injury recklessly
- 126 Causing serious injury recklessly
- 125 Causing serious injury intentionally
- 124 Aggravated burglary
- 123 Burglary
- 122 Armed robbery
- 121 Robbery

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

- 120 Arson
- 119 Sexual penetration of a child aged under 10
- 118 Sexual penetration of a child under care
- 117 Rape
- 116 Maintaining a sexual relationship with a child under 16
- 115 Indecent assault
- 114 Sexual penetration of a child aged between 10 and 16
- 113 Indecent act with a child under 16
- 112 Making a threat to kill
- 111 Culpable driving causing death
- 110 Manslaughter
- 109 Murder
- 108 Obtaining property by deception
- 107 Obtaining a financial advantage by deception
- 106 Theft
- 105 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

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