

Sentencing Snapshot

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

June 2009
No. 78

Obtaining property by deception

Introduction

This Sentencing Snapshot describes sentencing outcomes¹ for the offence of obtaining property by deception 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 by any deception dishonestly takes property belonging to another person with the intention of permanently depriving that person of the property is guilty of obtaining property by deception.⁴

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

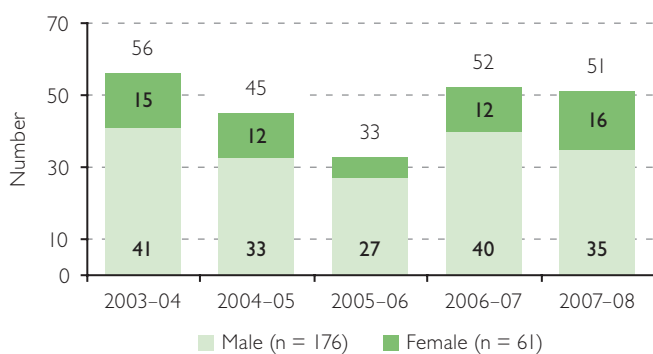
Obtaining property by deception was the principal offence in 2.2% of cases sentenced in the higher courts between 2003–04 and 2007–08.

People sentenced

Figure 1 shows the number of people sentenced for the principal proven offence of obtaining property by deception for the period 2003–04 to 2007–08. As shown, 237 people were sentenced for obtaining property by deception over the five-year period. There were 51 people sentenced for this offence in 2007–08, down by one person from the previous year.⁸

Over the five years depicted, the majority of those sentenced were men (74.3% or 176 of the 237 people), including 35 of the 51 people sentenced in 2007–08.

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



Sentence types and trends

Figure 2 shows the total number of people sentenced for obtaining property by deception and the number who received an immediate custodial sentence. An immediate custodial sentence is one that involves at least some element of immediate (as opposed to wholly suspended) imprisonment or detention.⁹ Over the five-year period, 55% of people were given an immediate custodial sentence. This peaked at 68% (34 of 50) in 2007–08 after a low of 45% (15 of 33) in 2005–06.

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

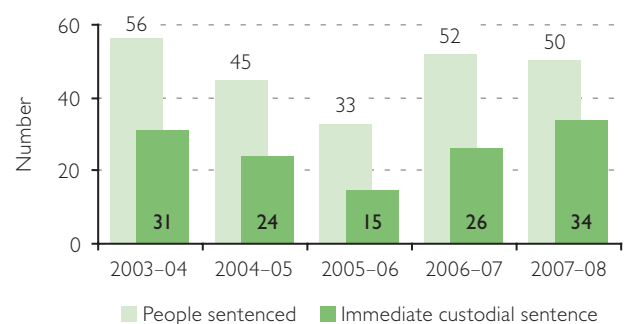


Table 1 shows the number of people sentenced for obtaining property by deception from 2003–04 to 2007–08 by the types of sentences imposed.

Over the five-year period, around four in ten people sentenced for obtaining property by deception received a period of imprisonment (38% or 91 of 237 people), while 28% received a wholly suspended sentence of imprisonment and 14% received a partially suspended sentence of imprisonment.

The number of people who were imprisoned decreased from 22 people in 2003–04 to 12 people in 2005–06 before increasing to 23 people in 2007–08.

The number and percentage of people who were given a wholly suspended sentence decreased to its lowest levels in 2007–08 (9 people or 18%).

Age and gender of people sentenced

Figure 3 shows the gender of people sentenced for obtaining property by deception grouped by their age¹⁰ between 2003–04 and 2007–08. The average age of people sentenced for obtaining property by deception was thirty-seven years and eleven months. Women sentenced over this period were slightly older than men (an average age of thirty-eight years and two months for women compared to thirty-seven years and ten months for men). There were no juveniles sentenced over this period.

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



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

Sentence type	2003–04	2004–05	2005–06	2006–07	2007–08
Imprisonment	22 (39%)	18 (40%)	12 (36%)	16 (31%)	23 (45%)
Wholly suspended sentence	17 (30%)	14 (31%)	11 (33%)	16 (31%)	9 (18%)
Partially suspended sentence	9 (16%)	6 (13%)	2 (6%)	6 (12%)	9 (18%)
Community-based order	1 (2%)	4 (9%)	4 (12%)	2 (4%)	1 (2%)
Intensive correction order	4 (7%)	0 (–)	0 (–)	2 (4%)	0 (–)
Fine	1 (2%)	0 (–)	2 (6%)	2 (4%)	1 (2%)
Aggregate imprisonment	0 (–)	0 (–)	0 (–)	4 (8%)	2 (4%)
Aggregate wholly suspended sentence	0 (–)	0 (–)	0 (–)	2 (4%)	3 (6%)
Mix (wholly suspended sentence and fine)	1 (2%)	1 (2%)	0 (–)	0 (–)	1 (2%)
Adjourned undertaking without conviction	1 (2%)	1 (2%)	0 (–)	1 (2%)	0 (–)
Adjourned undertaking with conviction	0 (–)	0 (–)	1 (3%)	0 (–)	1 (2%)
Youth training centre order	0 (–)	0 (–)	0 (–)	0 (–)	1 (2%)
Mix (partially suspended sentence and aggregate fine)	0 (–)	0 (–)	1 (3%)	0 (–)	0 (–)
Mix (community-based order and aggregate fine)	0 (–)	1 (2%)	0 (–)	0 (–)	0 (–)
Mix (aggregate fine and adjourned undertaking)	0 (–)	0 (–)	0 (–)	1 (2%)	0 (–)
People sentenced	56	45	33	52	51

Sentence types by gender

Figure 4 and Table 2 show the types of sentence imposed for obtaining property by deception grouped by gender. As shown, a higher percentage of men received a period of imprisonment (42.6% compared to 26.2% of women) and a fine (3.4% compared to no women). Conversely, a higher percentage of women received a community-based order (9.8% compared to 3.4% of men) and a wholly suspended sentence of imprisonment (37.7% compared to 25.0%).

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

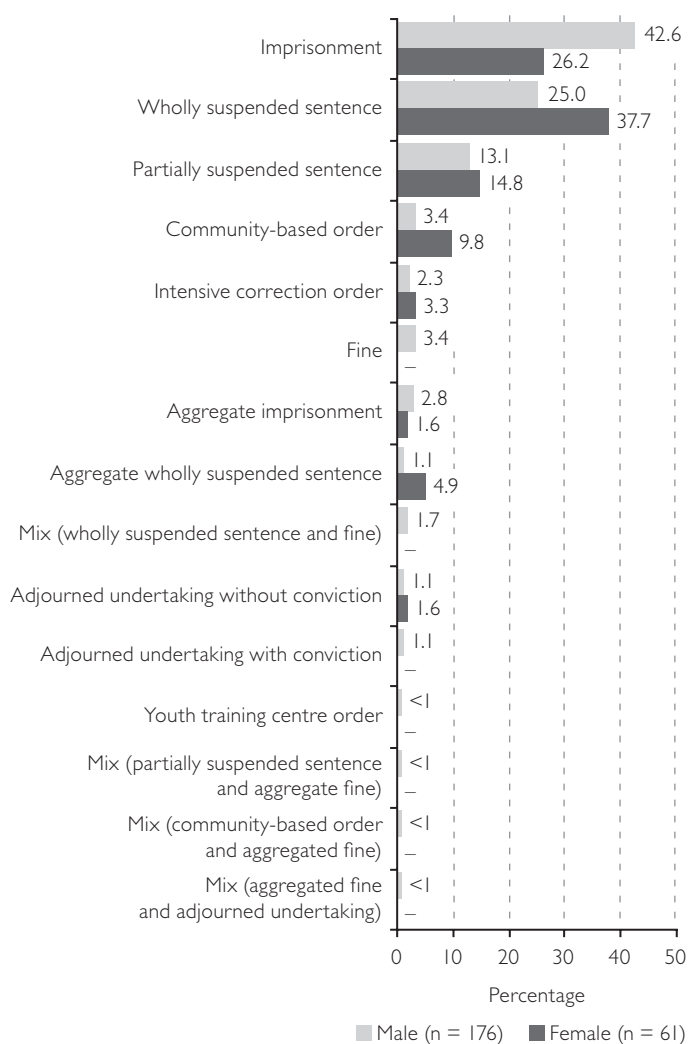


Table 2: The number and percentage breakdown by gender of people sentenced for obtaining property by deception, 2003–04 to 2007–08

Sentence type	Male	Female	Total
Imprisonment	75 (43%)	16 (26%)	91 (38%)
Wholly suspended sentence	44 (25%)	23 (38%)	67 (28%)
Partially suspended sentence	23 (13%)	9 (15%)	32 (14%)
Community-based order	6 (3%)	6 (10%)	12 (5%)
Intensive correction order	4 (2%)	2 (3%)	6 (3%)
Fine	6 (3%)	0 (—)	6 (3%)
Aggregate imprisonment	5 (3%)	1 (2%)	6 (3%)
Aggregate wholly suspended sentence	2 (1%)	3 (5%)	5 (2%)
Mix (wholly suspended sentence and fine)	3 (2%)	0 (—)	3 (1%)
Adjourned undertaking without conviction	2 (1%)	1 (2%)	3 (1%)
Adjourned undertaking with conviction	2 (1%)	0 (—)	2 (<1%)
Youth training centre order	1 (<1%)	0 (—)	1 (<1%)
Mix (partially suspended sentence and aggregate fine)	1 (<1%)	0 (—)	1 (<1%)
Mix (community-based order and aggregate fine)	1 (<1%)	0 (—)	1 (<1%)
Mix (aggregate fine and adjourned undertaking)	1 (<1%)	0 (—)	1 (<1%)
People sentenced	176	61	237

Sentence types by age

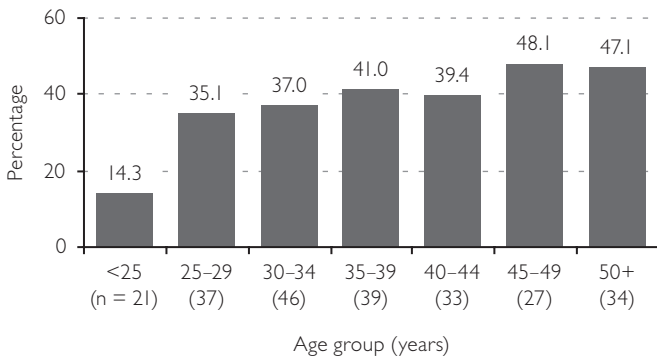
As shown in Table 2, the three most common sentence types were imprisonment, wholly suspended sentences of imprisonment and partially suspended sentences of imprisonment. The following analysis examines these sentence types by the offender's age group.

Imprisonment

Sentences of imprisonment were most likely to be given to people aged 45–49 years old (48% or 13 of the 27 people in this age group).

Conversely, sentences of imprisonment were least common for those aged under 25 years (14% or 3 of the 21 people in this age group).

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

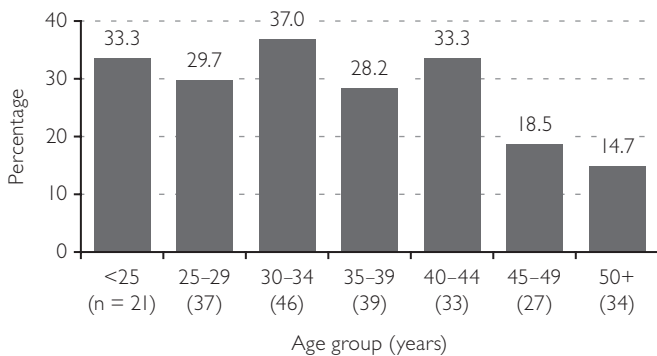


Wholly suspended sentences of imprisonment

Wholly suspended sentences of imprisonment were most likely to be given to people aged 30–34 years old (37% or 17 of the 46 people in this age group).

Conversely, wholly suspended sentences of imprisonment were least common for those aged 50 years and older (15% or 5 of the 34 people in this age group).

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

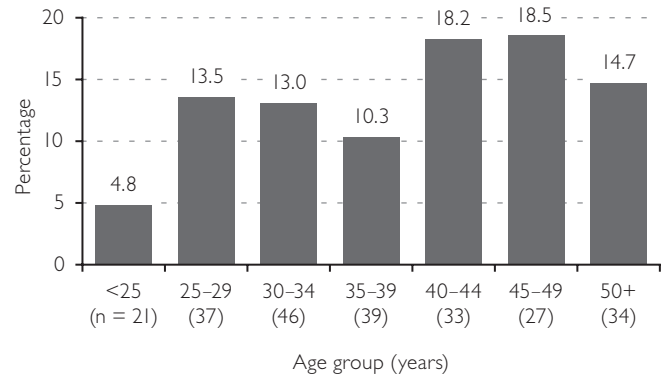


Partially suspended sentences of imprisonment

Partially suspended sentences of imprisonment were most likely to be given to people aged 45–49 years old (19% or 5 of the 27 people in this age group).

Conversely, partially suspended sentences of imprisonment were least common for those aged under 25 years (5% or one of the 21 people in this age group).

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



Principal and total effective sentences

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

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

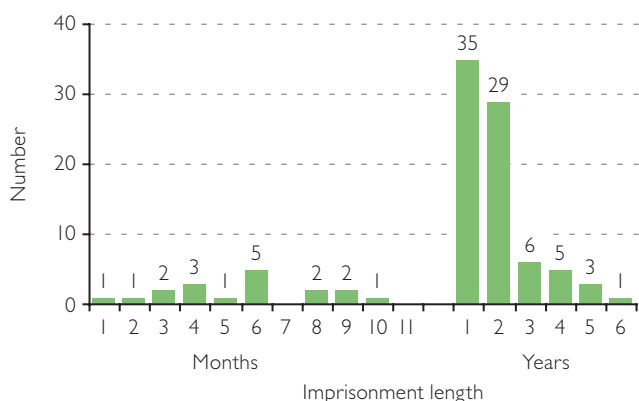
In many cases, the total effective sentence imposed on a person will be longer than individual principal sentences. Principal sentences for obtaining property by deception must be considered in this broader context. The following sections analyse the use of imprisonment for obtaining property by deception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

Principal sentence of imprisonment

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

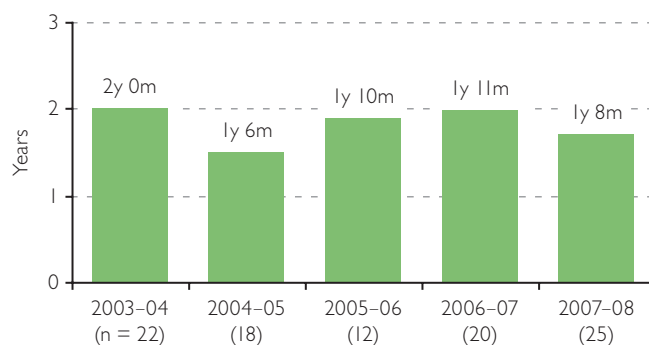
The most common length of imprisonment imposed was one year (35 people).

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



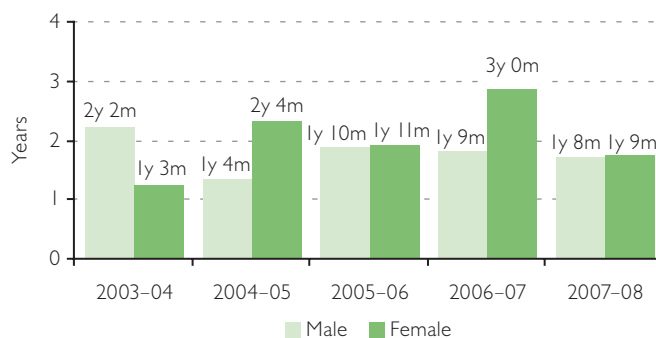
As shown in Figure 9, the average length of imprisonment term imposed on people sentenced for obtaining property by deception ranged from one year and six months in 2004–05 to two years in 2003–04.

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



From 2003–04 to 2007–08, the majority of those people who received a term of imprisonment for obtaining property by deception were men (80 people or 82.5%). Figure 10 shows that over the five-year period, men received a shorter average term of imprisonment (one year and nine months compared to one year and eleven months for women).

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

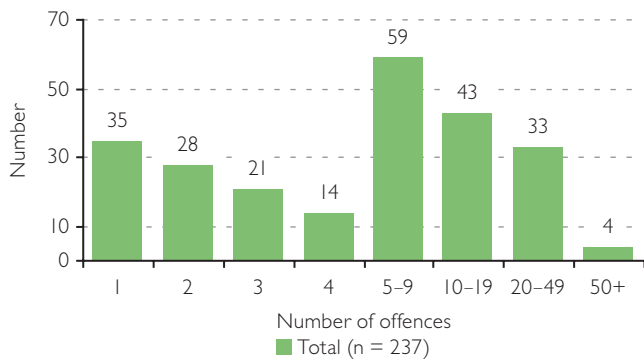


Other offences finalised at the same hearing

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

Figure 11 shows the number of people sentenced for the principal offence of obtaining property by deception by the total number of offences for which sentences were set. The number of sentenced offences per person ranged from one to 67, while the median was 6 offences. There were 35 people (14.8%) sentenced for the single offence of obtaining property by deception alone. The average number of offences per person sentenced for obtaining property by deception was 9.68.

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



While Figure 11 presents the number of sentenced offences for those sentenced for obtaining property by deception, Table 3 shows what the accompanying offences were. It shows the number and percentage of people sentenced for the ten most common offences. The last column sets out the average number of offences sentenced per person. For example, 55 of the total 237 people (23.2%) also received sentences for obtaining a financial advantage by deception. On average, they were sentenced for 4.62 counts of obtaining a financial advantage by deception.

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

Offence	No.	%	Avg.
1 obtaining property by deception	237	100.0	6.54
2 obtaining a financial advantage by deception	55	23.2	4.62
3 attempt to obtain property by deception	51	21.5	2.49
4 theft	47	19.8	2.34
5 handling stolen goods	20	8.4	3.15
6 attempt to obtain financial advantage by deception	12	5.1	2.33
7 make false document to prejudice of other	10	4.2	2.20
8 deal with property suspected of being proceeds of crime	7	3.0	2.86
9 Use false document to prejudice of other	6	2.5	3.17
10 possess a drug of dependence	4	1.7	1.75
People sentenced	237	100.0	9.68

Total effective sentence of imprisonment

There were 90 people given a total effective sentence of imprisonment.¹¹ Figure 12 shows the number of people sentenced to imprisonment for obtaining property by deception between 2003–04 and 2007–08 by the length of their total effective sentence. The length of total effective sentences ranged from three months to eleven years and two months,¹² while the median total effective length of imprisonment was two years and six months (meaning that half of the total effective sentence lengths were below two years and six months and half were above).

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



Non-parole period

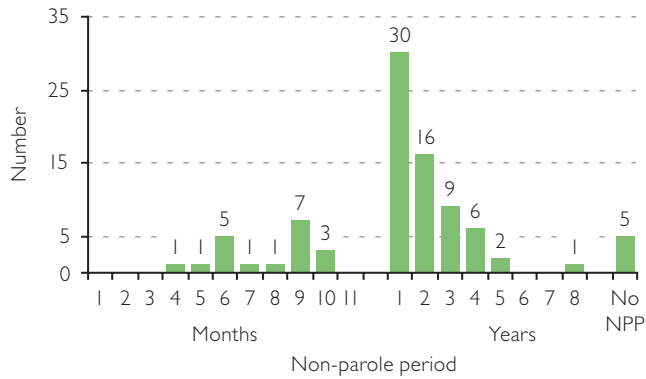
When a person is sentenced to a term of immediate imprisonment of one year or more, the court has the discretion to fix a non-parole period. Where a non-parole period is fixed, the person must serve that period before becoming eligible for parole. Where no non-parole period is set by the court, the person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

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

Of the 90 people who were sentenced to imprisonment for obtaining property by deception, 88 were eligible to have a non-parole period fixed.¹³ Of these people, 83 were given a non-parole period (94%).¹⁴ Figure 13 shows the number of people sentenced to imprisonment for obtaining property by deception between 2003–04 and 2007–08 by the length of their non-parole period. Non-parole periods ranged from four months to eight years, while the median length of the non-parole period was one year and six months (meaning that half of the non-parole periods were below one year and six months and half were above).

The most common non-parole period imposed was one year (30 people).

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



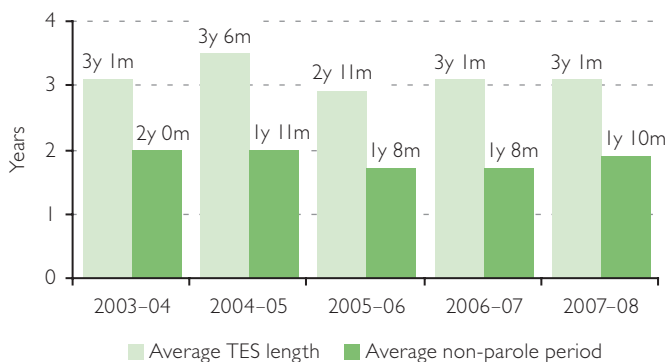
Note: No NPP refers to sentences of imprisonment that had no non-parole period fixed.

Total effective sentences of imprisonment and non-parole periods

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

From 2003–04 to 2007–08, the average length of total effective sentences for all people ranged from two years and eleven months in 2005–06 to three years and six months in 2004–05. Over the same period, the average length of non-parole periods ranged from one year and eight months in 2005–06 and 2006–07 to two years in 2003–04.

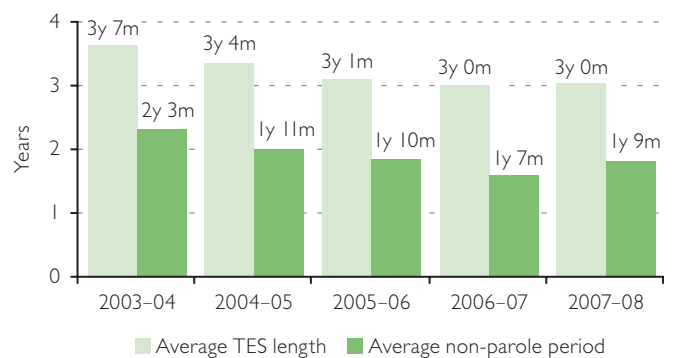
Figure 14: The average total effective sentence and the average non-parole period imposed on people sentenced to imprisonment for obtaining property by deception, 2003–04 to 2007–08



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

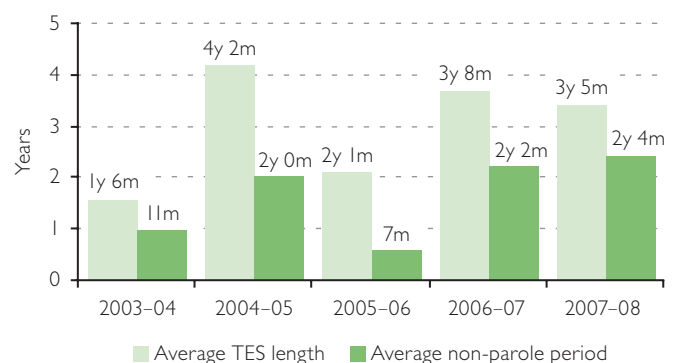
From 2003–04 to 2007–08, the average length of total effective sentences for men ranged from three years in 2006–07 and 2007–08 to three years and seven months in 2003–04. Over the same period, the average length of non-parole periods for men ranged from one year and seven months in 2006–07 to two years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

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



The average length of total effective sentences for women ranged from one year and six months in 2003–04 to four years and two months in 2004–05. Over the same period, the average length of non-parole periods for women ranged from seven months in 2005–06 to two years and four months in 2007–08.

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

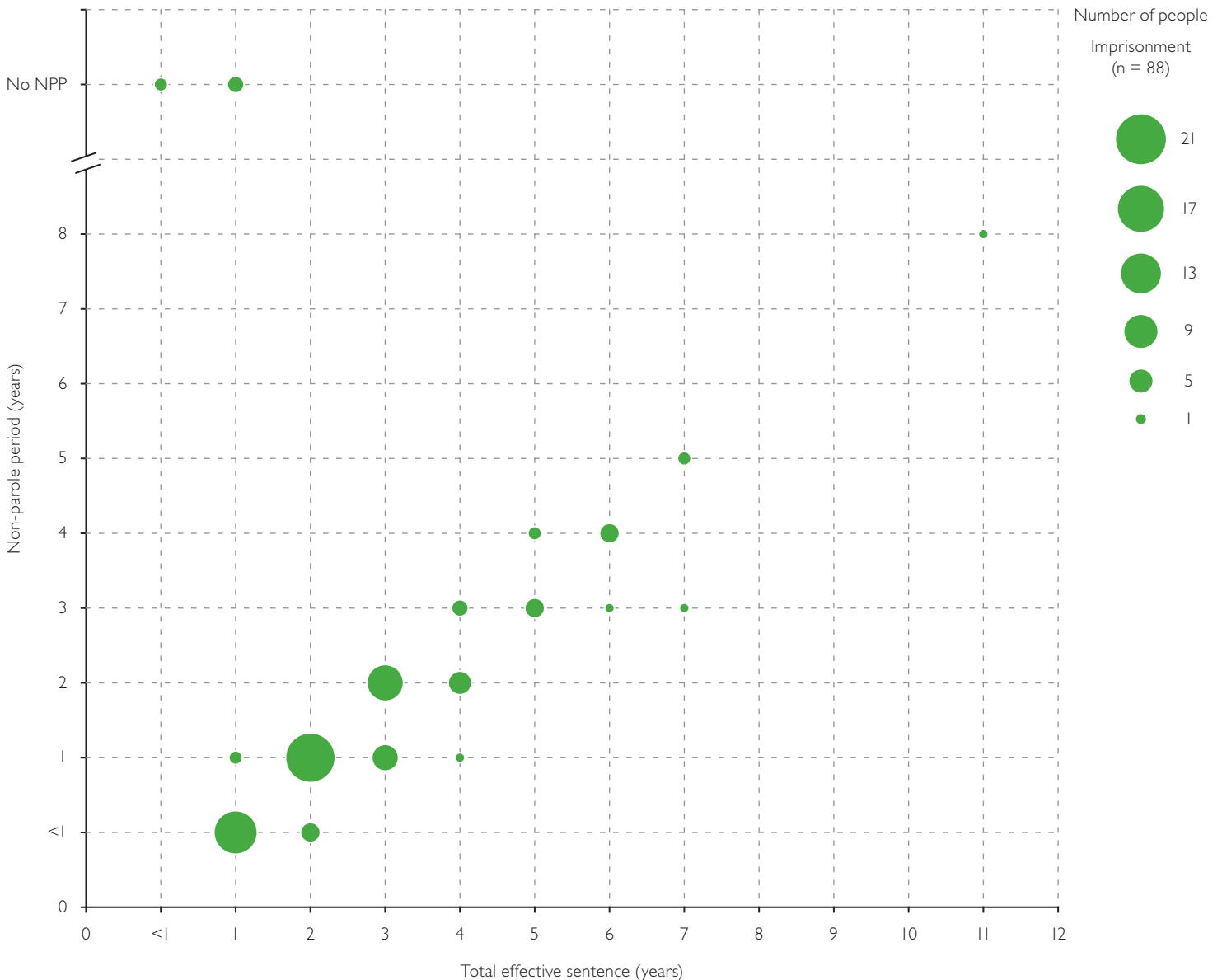


Total effective sentence of imprisonment by non-parole period

While Figures 12 and 13 present the lengths of the total effective sentences and non-parole periods separately, Figure 17 combines the two methods of describing sentence lengths in the one diagram. It shows the total effective sentence and non-parole period for obtaining property by deception for each individual person.

The centre of each 'bubble' on the chart represents a combination of imprisonment length and non-parole period, while the size of the 'bubble' reflects the number of people who received that particular combination.¹⁵ 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 (21 people – as represented by the largest 'bubble' on the chart). The length of imprisonment ranged from three months with no non-parole period to eleven years and two months with a non-parole period of eight years.¹⁶

Figure 17: The number of people sentenced to imprisonment for obtaining property by deception by the total effective sentence and the non-parole period imposed, 2003–04 to 2007–08¹⁷



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

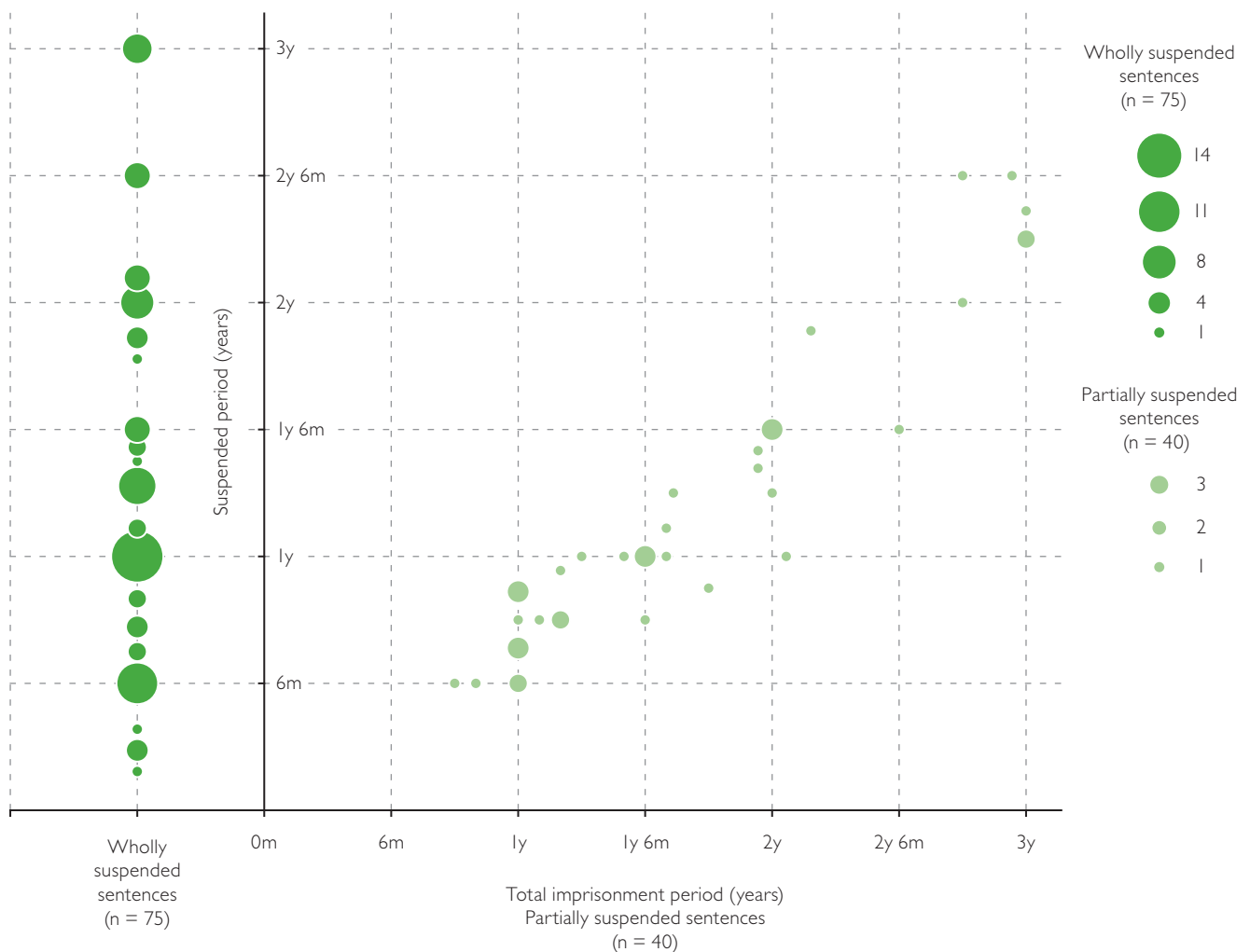
Suspended sentences of imprisonment

There were 115 people given a suspended sentence of imprisonment as their total effective sentence. Of these, 75 people had their prison sentence wholly suspended and 40 received a partially suspended sentence of imprisonment. Figure 18 shows the number of people with a suspended sentence of imprisonment as their total effective sentence by the suspended sentence type and length of sentence. The dark green 'bubbles' to the left of the vertical axis show the lengths of the wholly suspended sentences, while the light green 'bubbles' to the right of the vertical axis show the combination of total imprisonment length and the suspended period for those sentenced to a partially suspended sentence. The size of the bubble reflects the number of people who received either the wholly or partially suspended prison term.

Wholly suspended sentence lengths ranged from two months to three years. The most common wholly suspended sentence length was one year (14 people – as represented by the largest dark green 'bubble' on the chart).

The most common partially suspended sentence combinations were one year with eight months suspended, one year with ten months suspended, one year and six months with one year suspended and two years with one year and six months suspended (3 people each – as represented by the four largest light green 'bubbles' on the chart).

Figure 18: The number of people given a wholly or partially suspended sentence of imprisonment for obtaining property by deception by sentence type and length, 2003–04 to 2007–08

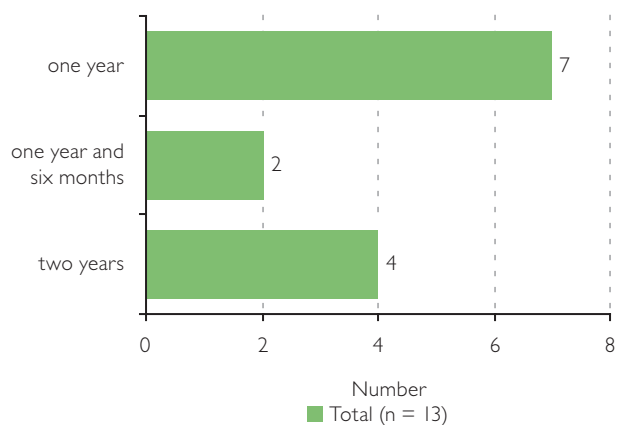


Community-based orders

There were 13 people given a community-based order as their total effective sentence.

The length of community-based orders for obtaining property by deception ranged from one year to two years, while the most common length was one year (7 people).

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



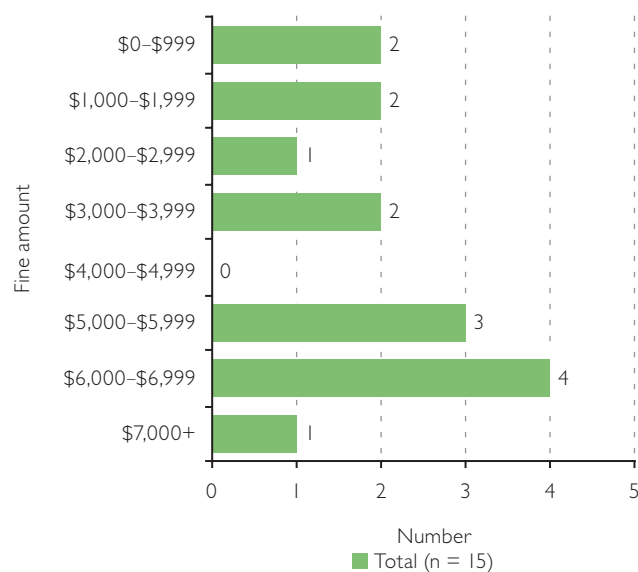
Fines

This analysis includes all fines that were imposed for cases where obtaining property by deception was the principal offence. Fines were imposed on 15 people.

The fine amount imposed ranged from \$400 to \$10,000, with a median of \$5,000 (meaning that half of the values fell below \$5,000 and half of the values were above \$5,000).

The average fine amount was \$4,033. Fines were only imposed against men.

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



Summary

Between 2003–04 and 2007–08, 237 people were sentenced for the principal proven offence of obtaining property by deception in the higher courts. Over this period, the majority of those sentenced were men (74%), while 65% were between the age of 25 and 45 years.

Around four in ten people sentenced for obtaining property by deception received a period of imprisonment (38%), while 28% received a wholly suspended sentence of imprisonment and 14% received a partially suspended sentence of imprisonment.

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

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

Each of the 237 people was sentenced for an average of 9.68 offences, including 6.54 offences of obtaining property by deception. The most common offence finalised in conjunction with obtaining property by deception was obtaining a financial advantage by deception (23.2% of all cases). The number and range of offences for which people with a principal offence of obtaining property by deception were sentenced helps explain why imprisonment sentence lengths were longer for the total effective sentence than for the principal sentence. The median total effective imprisonment length was two years and six months, while the median principal imprisonment length was one year and six months.

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

The most common partially suspended sentence lengths were one year with eight months suspended, one year with ten months suspended, one year and six months with one year suspended and two years with one year and six months suspended, while the most common wholly suspended sentence length was one year.

1. This report presents sentencing outcomes for people sentenced for the principal offence of obtaining property by deception in the County and Supreme Courts of Victoria. The principal offence describes the offence proven that attracted the most serious sentence according to the sentencing hierarchy. The analysis will therefore exclude people sentenced for obtaining property by deception who received a more serious sentence for another offence forming part of the same presentment. There were 483 people sentenced from 2003–04 to 2007–08 for 2,480 offences of obtaining property by deception. Obtaining property by deception was the principal proven offence for 237 of these people.

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

This Sentencing Snapshot is an update of Sentencing Snapshot No. 19, which described sentencing trends for obtaining property by deception between 2001–02 and 2005–06.

2. The information source for sentencing outcomes for obtaining property by deception only contains information on age and gender characteristics. No other demographic analysis is possible.
3. The statistical information presented here was provided by Court Services, Department of Justice (Vic). While every effort is made to ensure that the data analysed in this report are accurate, the data are subject to revision.
4. *Crimes Act 1958* (Vic) s 81.
5. *Crimes Act 1958* (Vic) s 81(1).
6. The value of a penalty unit changes each year and can be found in the Victorian Government Gazette and on the Office of the Chief Parliamentary Counsel website <www.ocpc.vic.gov.au>.
7. From 1 July 2007, the value increased from \$25,000 to \$100,000.
8. Section 22(3)(a) of the *Courts Legislation (Jurisdiction) Act 2006* (Vic) amended Schedule 4 of the *Magistrates' Court Act 1989* (Vic) to increase the jurisdiction of the Magistrates' Court to hear charges of obtaining property by deception involving property up to \$100,000 in value. This change applies to any proceedings after 1 July 2007 irrespective of when the offence is alleged to have been committed or when the proceeding commenced. Prior to that date, charges involving property between \$25,000 and \$100,000 could be heard only in the higher courts.
9. Immediate custodial sentence includes imprisonment, partially suspended sentence, aggregate imprisonment and mix (partially suspended sentence and aggregate fine).
10. Age is as at the time of sentencing.
11. Of the 97 people who were given a principal sentence of imprisonment, 89 were also given a total effective sentence of imprisonment. There were seven people who were given imprisonment as the principal sentence for obtaining property by deception and a partially suspended sentence as a total effective sentence.
12. In 2006–07, a 46 year-old male was sentenced for 49 counts of obtaining property by deception. He received a total effective sentence of 11 years and two months with a non-parole period of eight years.
13. Two people were not eligible for parole because they were given a total effective sentence length of less than one year.
14. Two people were not given a non-parole period relating to that case alone, but a non-parole period that also related to other cases. It is not possible to determine the length of the non-parole period that relates to these cases. The non-parole periods for these people are excluded from the analysis. A non-parole period was not set for three people who were eligible for a non-parole period.
15. Sentence lengths that are longer than one year are rounded down to the nearest year of imprisonment, while sentence lengths of less than one year are grouped into the '<1 year' category.
16. Refer to note 11.
17. This graph includes the 88 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
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- 85 Manslaughter
- 84 Murder
- 83 Rape
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- 81 Indecent act with a child under 16
- 80 Indecent assault
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- 78 Obtaining property by deception
- 77 Obtaining a financial advantage by deception
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- 74 Unlicensed driving
- 73 Driving while suspended
- 72 Driving while disqualified
- 71 Trafficking heroin
- 70 Trafficking ecstasy
- 69 Trafficking cannabis
- 68 Trafficking amphetamines
- 67 Possessing heroin
- 66 Possessing ecstasy
- 65 Possessing cannabis
- 64 Possessing amphetamines
- 63 Causing injury recklessly
- 62 Causing injury intentionally

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

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

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

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

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

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