



Government of **Western Australia**  
Department of **Justice**

**Report on Indigenous Defendants in the  
Magistrates Court  
of Western Australia  
2013/14 to 2017/18**

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## About this Report

The Department has committed to regularly publishing a wide range of statistics relating to the operation of its various business areas.

The purpose of this report is to provide information about the work carried out by the Magistrates Court of Western Australia in instances where the accused has identified themselves as Indigenous. A number of different statistics have been included that illustrate different aspects of the criminal court process. Care must be taken in interpreting these statistics. It is NOT possible to compare one indicator with another as the methods of counting are not aligned.

Separate counting rules that best illustrate the work of the court are utilised for each statistic. Please read the counting rules on each page to help interpret the data.

Upon arrest or charge, the Police ask the accused the 'Standard Indigenous Question' developed by the Australian Bureau of Statistics. Responses to the question "Are you of Aboriginal or Torres Strait Islander origin?" are forwarded electronically to the court with the prosecution and charge details. For this report, a person is counted as Indigenous if they have ever identified themselves as Aboriginal, Torres Strait Islander or both, when being charged with an offence by Police.

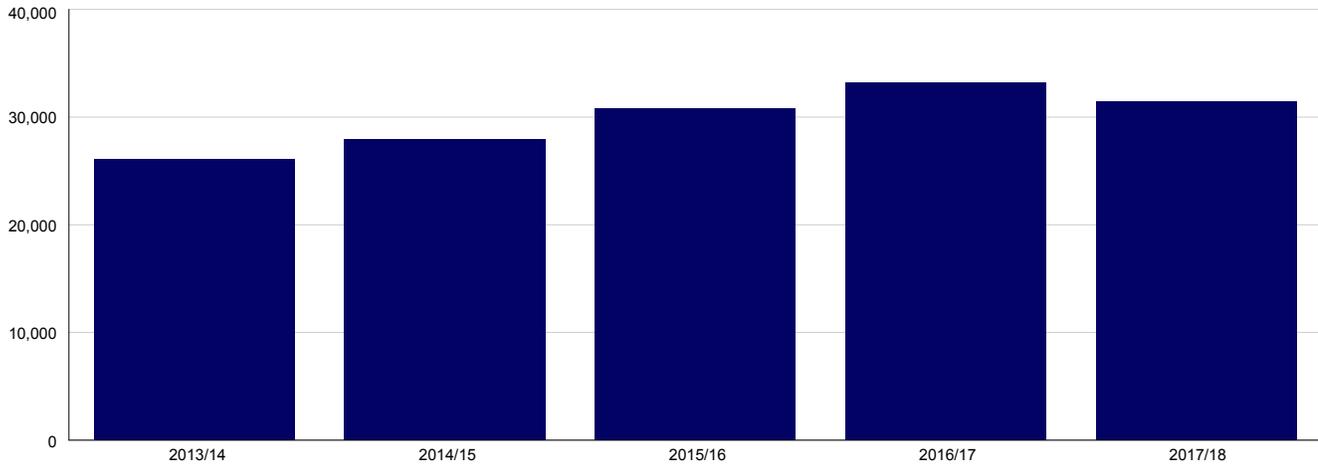
This version of the report was produced on 16 January 2019. Any variances between figures in this report and other publications may be due to differences in the date the report was produced, and the Department's commitment to the continual maintenance and improvement of data capture and storage.

### **Requests for additional data:**

The Department regularly receives requests from media outlets for customised statistics. All requests for customised figures are considered on a case by case basis. The Department will generally supply such information only where the:

- information is stored in a way that it is easily retrievable; and
- amount of work required to compile and supply customised information is reasonable.

## Criminal Case Lodgments



### Case Lodgments by Offence Type (ANZSOC Division)

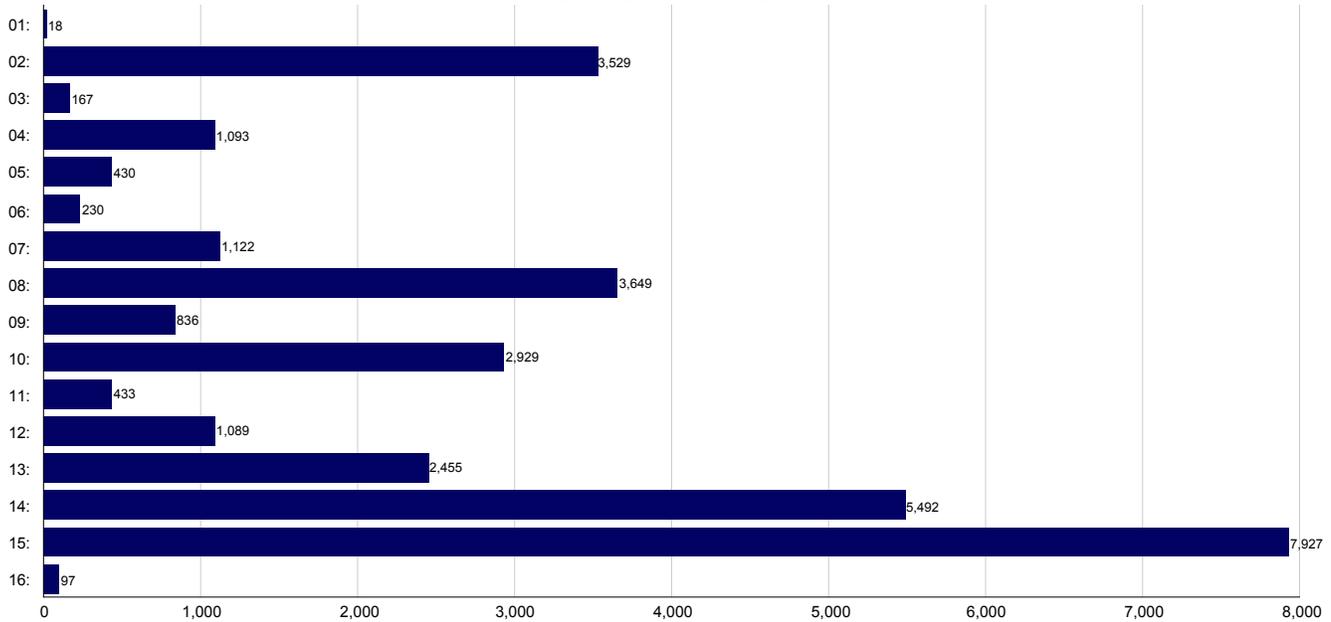
ANZSOC Offence	2013/14	2014/15	2015/16	2016/17	2017/18	% Change 1 Year	% Change 5 Years
01: Homicide and Related Offences	23	19	23	18	18	0.0%	-21.7%
02: Acts Intended to Cause Injury	2,857	2,736	3,202	3,896	3,529	-9.4%	23.5%
03: Sexual Assault and Related Offences	121	94	121	176	167	-5.1%	38.0%
04: Dangerous or Negligent Acts Endangering Persons	1,126	1,225	1,283	1,117	1,093	-2.1%	-2.9%
05: Abduction, Harassment and Other Offences Against the Person	209	286	346	414	430	3.9%	105.7%
06: Robbery, Extortion and Related Offences	192	147	180	196	230	17.3%	19.8%
07: Unlawful Entry With Intent/Burglary, Break and Enter	848	842	1,095	1,083	1,122	3.6%	32.3%
08: Theft and Related Offences	2,142	2,476	3,033	3,453	3,649	5.7%	70.4%
09: Fraud, Deception and Related Offences	354	450	560	686	836	21.9%	136.2%
10: Illicit Drug Offences	1,639	2,064	2,641	3,019	2,929	-3.0%	78.7%
11: Prohibited and Regulated Weapons And Explosives Offences	290	332	410	453	433	-4.4%	49.3%
12: Property Damage and Environmental Pollution	844	875	972	1,200	1,089	-9.2%	29.0%
13: Public Order Offences	3,674	3,593	3,039	2,982	2,455	-17.7%	-33.2%
14: Traffic and Vehicle Regulatory Offences	4,784	5,433	6,050	5,889	5,492	-6.7%	14.8%
15: Offences Against Justice Procedures, Government Security and Government Operations	7,022	7,318	7,853	8,603	7,927	-7.9%	12.9%
16: Miscellaneous Offences	48	87	95	75	97	29.3%	102.1%
<b>Total</b>	<b>26,173</b>	<b>27,977</b>	<b>30,903</b>	<b>33,260</b>	<b>31,496</b>	<b>-5.3%</b>	<b>20.3%</b>

#### Counting Rules:

- (a) These are the number of criminal cases against Indigenous Australians lodged in Magistrates Court in Western Australia, broken down by offence type.
- (b) The Australian and New Zealand Standard Offence Classification (ANZSOC) has been used to group offences. ANZSOC is a national standard developed by the Australian Bureau of Statistics. For more detail, please refer to [www.abs.gov.au/ausstats/abs@.nsf/cat/1234.0](http://www.abs.gov.au/ausstats/abs@.nsf/cat/1234.0)
- (c) 'Case' refers to an offender processed through the Magistrates Criminal jurisdiction with one or more charges lodged on any one occasion (e.g. an offender with 16 charges lodged on 14 February and same offender with a further 8 new charges lodged the following day but all heard together in Court on 15 March counts as two cases, not one case or 24 cases).
- (d) Offence descriptions used here are based on the ANZSOC Division (the top level of the 3 level ANZSOC hierarchy).
- (e) Excludes all civil cases, Extraordinary Driver's Licence applications, Restraining Order applications and Protection and Care applications.
- (f) If 'n/a' is present in the % Change column, the values of the columns in the table being compared are less than or equal to 10. It is not appropriate to make statistical comparisons for variables with values this low.

## Criminal Case Lodgments by Offence Type

**Cases lodged by Offence type 2017/18**



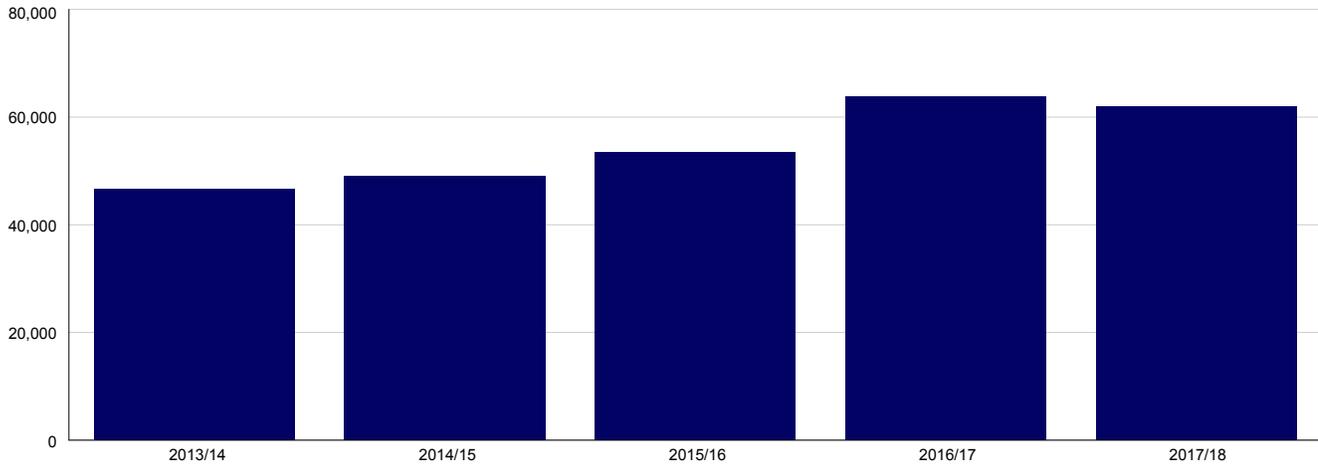
**Case Lodgments by Offence Type (ANZSOC Division)--Percentage of cases within each year**

ANZSOC Offence	2013/14	2014/15	2015/16	2016/17	2017/18	% Change 1 Year	% Change 5 Years
01: Homicide and Related Offences	0.1%	0.1%	0.1%	0.1%	0.1%	n/a	n/a
02: Acts Intended to Cause Injury	10.9%	9.8%	10.4%	11.7%	11.2%	-4.3%	2.6%
03: Sexual Assault and Related Offences	0.5%	0.3%	0.4%	0.5%	0.5%	n/a	n/a
04: Dangerous or Negligent Acts Endangering Persons	4.3%	4.4%	4.2%	3.4%	3.5%	n/a	n/a
05: Abduction, Harassment and Other Offences Against the Person	0.8%	1.0%	1.1%	1.2%	1.4%	n/a	n/a
06: Robbery, Extortion and Related Offences	0.7%	0.5%	0.6%	0.6%	0.7%	n/a	n/a
07: Unlawful Entry With Intent/Burglary, Break and Enter	3.2%	3.0%	3.5%	3.3%	3.6%	n/a	n/a
08: Theft and Related Offences	8.2%	8.9%	9.8%	10.4%	11.6%	11.6%	n/a
09: Fraud, Deception and Related Offences	1.4%	1.6%	1.8%	2.1%	2.7%	n/a	n/a
10: Illicit Drug Offences	6.3%	7.4%	8.5%	9.1%	9.3%	n/a	n/a
11: Prohibited and Regulated Weapons And Explosives Offences	1.1%	1.2%	1.3%	1.4%	1.4%	n/a	n/a
12: Property Damage and Environmental Pollution	3.2%	3.1%	3.1%	3.6%	3.5%	n/a	n/a
13: Public Order Offences	14.0%	12.8%	9.8%	9.0%	7.8%	n/a	n/a
14: Traffic and Vehicle Regulatory Offences	18.3%	19.4%	19.6%	17.7%	17.4%	-1.5%	-4.6%
15: Offences Against Justice Procedures, Government Security and Government Operations	26.8%	26.2%	25.4%	25.9%	25.2%	-2.7%	-6.2%
16: Miscellaneous Offences	0.2%	0.3%	0.3%	0.2%	0.3%	n/a	n/a

**Counting Rules:**

- (a) These are the proportion of criminal cases against Indigenous Australians lodged in the Magistrates Court in Western Australia, broken down by offence type.
- (b) The Australian and New Zealand Standard Offence Classification (ANZSOC) has been used to group offences. ANZSOC is a national standard used to group offences in a 3 level hierarchy.
- (c) Offence descriptions used here are based on the ANZSOC Division (the top level of the ANZSOC hierarchy) . See appendix for more details.
- (d) If 'n/a' is present in the % Change column, the values of the columns in the table being compared are less than or equal to 10. It is not appropriate to make statistical comparisons for variables with values this low.

## Criminal Charge Lodgments



### Charge Lodgments by Offence Type (ANZSOC Division)

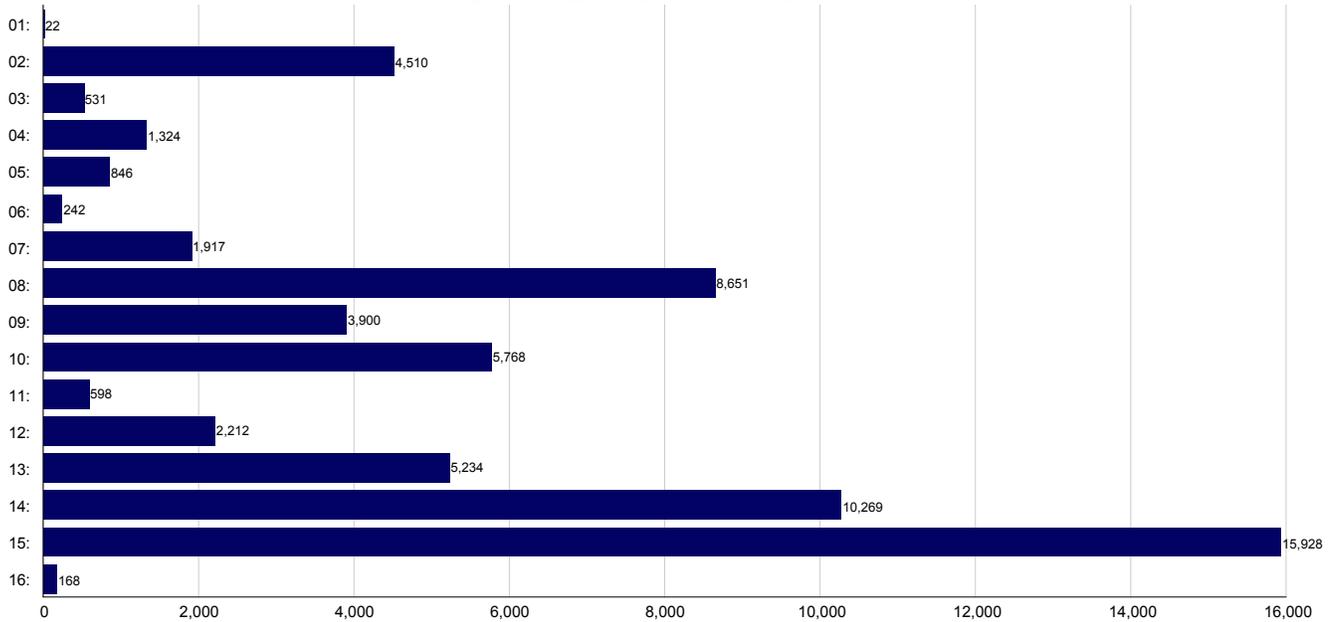
ANZSOC Offence	2013/14	2014/15	2015/16	2016/17	2017/18	% Change 1 Year	% Change 5 Years
01: Homicide and Related Offences	28	16	25	21	22	4.8%	-21.4%
02: Acts Intended to Cause Injury	3,791	3,268	3,472	4,468	4,510	0.9%	19.0%
03: Sexual Assault and Related Offences	297	204	243	455	531	16.7%	78.8%
04: Dangerous or Negligent Acts Endangering Persons	1,307	1,418	1,487	1,353	1,324	-2.1%	1.3%
05: Abduction, Harassment and Other Offences Against the Person	404	436	555	765	846	10.6%	109.4%
06: Robbery, Extortion and Related Offences	253	199	217	291	242	-16.8%	-4.3%
07: Unlawful Entry With Intent/Burglary, Break and Enter	1,650	1,422	1,589	1,995	1,917	-3.9%	16.2%
08: Theft and Related Offences	5,914	5,867	6,790	8,817	8,651	-1.9%	46.3%
09: Fraud, Deception and Related Offences	1,383	2,330	2,253	3,107	3,900	25.5%	182.0%
10: Illicit Drug Offences	3,092	3,620	4,825	6,161	5,768	-6.4%	86.5%
11: Prohibited and Regulated Weapons And Explosives Offences	426	463	515	714	598	-16.2%	40.4%
12: Property Damage and Environmental Pollution	1,584	1,524	1,789	2,176	2,212	1.7%	39.6%
13: Public Order Offences	5,700	5,612	5,187	5,982	5,234	-12.5%	-8.2%
14: Traffic and Vehicle Regulatory Offences	9,076	10,258	11,386	11,399	10,269	-9.9%	13.1%
Offences Against Justice Procedures, Government Security and Government Operations	11,753	12,418	13,070	16,142	15,928	-1.3%	35.5%
16: Miscellaneous Offences	113	183	258	158	168	6.3%	48.7%
<b>Total</b>	<b>46,771</b>	<b>49,238</b>	<b>53,661</b>	<b>64,004</b>	<b>62,120</b>	<b>-2.9%</b>	<b>32.8%</b>

#### Counting Rules:

- (a) These are the number of criminal charges against Indigenous Australians lodged in the Magistrates Court in Western Australia.
- (b) A charge is a single allegation that an accused has breached a provision of the criminal law. A charge is not counted as a case. A case can be made up of one or more charges.
- (c) Only initial lodgments are counted, excluding all arrest warrant returns and reactivated charges.
- (d) Excludes all civil cases, Extraordinary Driver's Licence applications, Restraining Order applications and Protection and Care applications.
- (e) If 'n/a' is present in the % Change column, the values of the columns in the table being compared are less than or equal to 10. It is not appropriate to make statistical comparisons for variables with values this low.

# Criminal Charge Lodgments

## Charges Lodged by Offence Type 2017/18



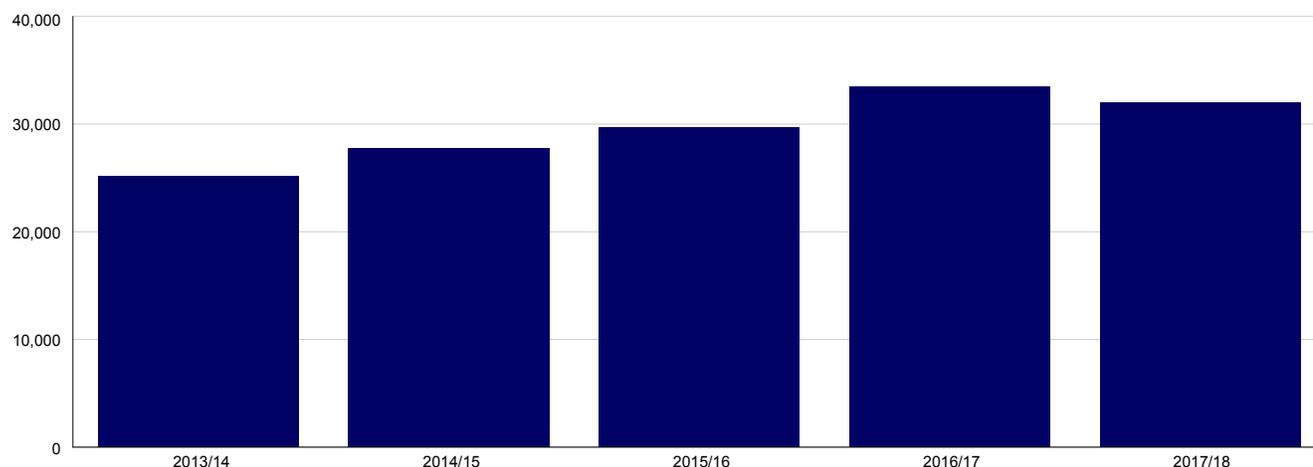
## Charge Lodgments by Offence Type (ANZSOC Division)--Percentage of cases within each year

ANZSOC Offence	2013/14	2014/15	2015/16	2016/17	2017/18	% Change 1 Year	% Change 5 Years
01: Homicide and Related Offences	0.1%	0.0%	0.0%	0.0%	0.0%	n/a	n/a
02: Acts Intended to Cause Injury	8.1%	6.6%	6.5%	7.0%	7.3%	n/a	n/a
03: Sexual Assault and Related Offences	0.6%	0.4%	0.5%	0.7%	0.9%	n/a	n/a
04: Dangerous or Negligent Acts Endangering Persons	2.8%	2.9%	2.8%	2.1%	2.1%	n/a	n/a
05: Abduction, Harassment and Other Offences Against the Person	0.9%	0.9%	1.0%	1.2%	1.4%	n/a	n/a
06: Robbery, Extortion and Related Offences	0.5%	0.4%	0.4%	0.5%	0.4%	n/a	n/a
07: Unlawful Entry With Intent/Burglary, Break and Enter	3.5%	2.9%	3.0%	3.1%	3.1%	n/a	n/a
08: Theft and Related Offences	12.6%	11.9%	12.7%	13.8%	13.9%	1.1%	10.1%
09: Fraud, Deception and Related Offences	3.0%	4.7%	4.2%	4.9%	6.3%	n/a	n/a
10: Illicit Drug Offences	6.6%	7.4%	9.0%	9.6%	9.3%	n/a	n/a
11: Prohibited and Regulated Weapons And Explosives Offences	0.9%	0.9%	1.0%	1.1%	1.0%	n/a	n/a
12: Property Damage and Environmental Pollution	3.4%	3.1%	3.3%	3.4%	3.6%	n/a	n/a
13: Public Order Offences	12.2%	11.4%	9.7%	9.3%	8.4%	n/a	n/a
14: Traffic and Vehicle Regulatory Offences	19.4%	20.8%	21.2%	17.8%	16.5%	-7.2%	-14.8%
15: Offences Against Justice Procedures, Government Security and Government Operations	25.1%	25.2%	24.4%	25.2%	25.6%	1.7%	2.0%
16: Miscellaneous Offences	0.2%	0.4%	0.5%	0.2%	0.3%	n/a	n/a

### Counting Rules:

- These are the proportion of criminal charges against Indigenous Australians lodged in the Magistrates Court in Western Australia, broken down by offence type.
- The Australian and New Zealand Standard Offence Classification (ANZSOC) has been used to group offences. ANZSOC is a national standard used to group offences in a 3 level hierarchy.
- Offence descriptions used here are based on the ANZSOC Division (the top level of the ANZSOC hierarchy). See appendix for more details.
- If 'n/a' is present in the % Change column, the values of the columns in the table being compared are less than or equal to 10. It is not appropriate to make statistical comparisons for variables with values this low.

## Criminal Case Finalisations



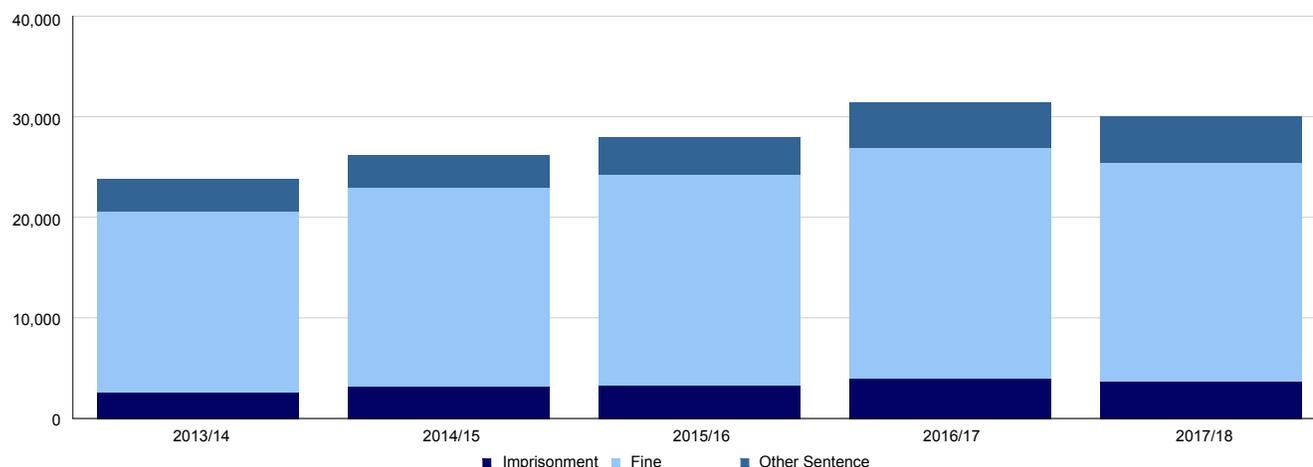
### Criminal Cases Finalised by Method of Finalisation

Method of Finalisation	2013/14	2014/15	2015/16	2016/17	2017/18	% Change 1 Year	% Change 5 Years
<b>Adjudicated finalisation</b>							
(Charge proven n.f.d.)	305	7				n/a	n/a
Guilty finding by court	252	175	152	147	123	-16.3%	-51.2%
Guilty plea by defendant	18,973	19,213	20,559	23,584	21,922	-7.0%	15.5%
Guilty ex-parte	4,328	6,882	7,293	7,808	8,098	3.7%	87.1%
Acquitted by court	426	240	165	160	203	26.9%	-52.3%
Not guilty by reason of mental illness/condition			1			n/a	n/a
<b>Transfer between court levels</b>							
Committed for trial	121	139	244	274	320	16.8%	164.5%
Committed for sentence	287	378	444	478	394	-17.6%	37.3%
Transfer from a Magistrates'/Childrens' Court to a higher court n.e.c.	157	105	32	38	31	-18.4%	-80.3%
Other transfers between court levels n.e.c.	2	2			1	n/a	n/a
<b>Non-adjudicated finalisation</b>							
Defendant Deceased	30	1		5	8	n/a	n/a
Unfit to plead		5			12	n/a	n/a
Withdrawn by prosecution	362	663	857	1,056	955	-9.6%	163.8%
Transfer to non-court agency	2					n/a	n/a
Other non-adjudicated finalisation n.e.c.	16	19	16	16	16	0.0%	0.0%
<b>Total</b>	<b>25,261</b>	<b>27,829</b>	<b>29,763</b>	<b>33,566</b>	<b>32,083</b>	<b>-4.4%</b>	<b>27.0%</b>

#### Counting Rules:

- (a) Counts the number of criminal cases against Indigenous Australians finalised by the Magistrates Court in Western Australia. A case is only counted the first time it is finalised. Cases that have previously been finalised then reactivated and finalised once more have been excluded from this count.
- (b) Finalisation is defined as the determination of a case in the Magistrates Court Criminal jurisdiction and involves any action, activity or court order that renders the case unable to proceed any further in that jurisdiction. Examples of finalising actions are the imposition of a sentence, a finding of not-guilty following a trial or the withdrawal of the case by the prosecution.
- (c) The issue of an arrest warrant for failure to attend court when required to do so is not considered a finalisation, even though it renders the case unable to proceed.
- (d) Under some circumstances, a criminal case will be reactivated (for example: to make a minor order for the destruction of drugs or for the return of stolen property where that order had not been sought at the time of sentence) but they are generally consequential to the initial method of finalisation.
- (e) The 'Method of Finalisation' used in the table above has been developed by the Australian Bureau of Statistics to assist with the comparison of court outcomes across Australia. Please refer to the appendix for more detail.
- (f) If 'n/a' is present in the % Change column, the values of the columns in the table being compared are less than or equal to 10. It is not appropriate to make statistical comparisons for variables with values this low.

## Sentencing



## Sentences Imposed

Sentence Group	2013/14	2014/15	2015/16	2016/17	2017/18	% Change 1 Year	% Change 5 Years
Imprisonment	2,590	3,168	3,340	4,013	3,747	-6.6%	44.7%
Conditional Suspended Imprisonment	1		1	13	285	2,092.3%	n/a
Suspended Imprisonment	787	862	965	1,078	1,056	-2.0%	34.2%
Juvenile Conditional Release Order		1	1			n/a	n/a
Intensive Supervision Order	456	415	423	679	601	-11.5%	31.8%
Intensive Youth Supervision Order	1					n/a	n/a
Commonwealth Order and Recognisance	2	9	2	5	4	n/a	n/a
Community Based Order	1,236	1,271	1,527	1,823	1,776	-2.6%	43.7%
Youth Community Based Order		2	2			n/a	n/a
Fine	18,042	19,776	20,935	22,952	21,712	-5.4%	20.3%
Suspended Fine					25	n/a	n/a
Conditional Release Order	516	456	414	377	271	-28.1%	-47.5%
Juvenile Good Behaviour Bond			1			n/a	n/a
No Punishment	194	226	276	318	439	38.1%	126.3%
Work and Development (in lieu of Fine)	10	20	10	56	19	-66.1%	n/a
Reparation Order	13	49	95	204	212	3.9%	1,530.8%
<b>Total</b>	<b>23,848</b>	<b>26,255</b>	<b>27,992</b>	<b>31,518</b>	<b>30,147</b>	<b>-4.3%</b>	<b>26.4%</b>

### Counting Rules:

- Counts only those finalised cases against Indigenous Australians where a sentence was imposed by the Magistrates Court.
- Imprisonment means a term to be served in a prison.
- Suspended Imprisonment means that a term of imprisonment has been ordered, but that the offender is released without having to serve the sentence in a prison provided that they do not reoffend.
- Intensive Supervision Orders and Community Based Orders usually have a community work component as well as a supervision component and may require the offender to comply with a programme condition (for example anger management, alcohol abuse treatment, etc) and may also require the offender to comply with a curfew condition. In addition to this order the court may require the offender to pay the costs of bringing the case to court or to pay a victim compensation.
- A Fine order may include an order requiring the offender to pay the costs of bringing the case to court or to pay a victim compensation.
- A Conditional Release Order and Good Behaviour Bond are orders that the offender agree to be of good behaviour for a defined period of time with the condition that if they fail to do so, will forfeit a set amount of money. In addition to this order the court may require the offender to pay the costs of bringing the case to court or to pay a victim compensation.
- A Work and Development Order is imposed by the court when a fine would normally be imposed but the offender has no means to pay the fine so they are ordered to perform community work in lieu of the fine.
- No Punishment is an order by the court that the offender be release without a formal sentence being imposed. No punishment orders are generally only used for first time offenders or where the court is satisfied that the offender has been punished by some other means. In addition to this order the court may require the offender to pay the costs of bringing the case to court or to pay a victim compensation.
- If 'n/a' is present in the % Change column, the values of the columns in the table being compared are less than or equal to 10. It is not appropriate to make statistical comparisons for variables with values this low.

# Custodial Sentences

## Custodial Sentences Imposed by Offence Type

ANZSOC Offence Type	2013/14	2014/15	2015/16	2016/17	2017/18	% Change 1 Year	% Change 5 Years
<b>Acts Intended to Cause Injury</b>							
Serious assault resulting in injury	353	395	417	474	417	-12.0%	18.1%
Serious assault not resulting in injury	290	324	327	446	387	-13.2%	33.4%
Common Assault	75	76	91	112	127	13.4%	69.3%
Stalking	2	2	2	5	7	n/a	n/a
Other acts intended to cause injury, nec	1				1	n/a	n/a
<b>Sexual Assault and Related Offences</b>							
Aggravated sexual assault	6	1	3	2	2	n/a	n/a
Non-aggravated sexual assault		3	7	2	9	n/a	n/a
Non-assaultive sexual offences against a child		1		1		n/a	n/a
<b>Dangerous or Negligent Acts Endangering Persons</b>							
Driving under the influence of alcohol or other substance	88	136	106	76	94	23.7%	6.8%
Dangerous or negligent operation (driving) of a vehicle	114	130	177	192	197	2.6%	72.8%
Other dangerous or negligent acts endangering persons, nec	4	7	10	18	20	11.1%	n/a
<b>Abduction, Harassment and Other Offences Against the Person</b>							
Harassment and private nuisance			3	1		n/a	n/a
Threatening behaviour	43	57	69	79	97	22.8%	125.6%
<b>Robbery, Extortion and Related Offences</b>							
Aggravated robbery					1	n/a	n/a
<b>Unlawful Entry With Intent/Burglary, Break and Enter</b>							
Unlawful entry with intent/burglary, break and enter	376	428	399	541	527	-2.6%	40.2%
<b>Theft and Related Offences</b>							
Theft of a motor vehicle	135	135	187	192	180	-6.2%	33.3%
Theft from a person (excluding by force)	1	1	1			n/a	n/a
Theft (except motor vehicles), nec	36	49	43	43	52	20.9%	44.4%
Receive or handle proceeds of crime	59	52	85	128	109	-14.8%	84.7%
<b>Fraud, Deception and Related Offences</b>							
Obtain benefit by deception	64	147	105	187	185	-1.1%	189.1%
Misrepresentation of professional status		1				n/a	n/a
Other fraud and deception offences, nec	2	4	3			n/a	n/a
<b>Illicit Drug Offences</b>							
Deal or traffic in illicit drugs - commercial quantity	16	27	27	45	30	-33.3%	87.5%
Deal or traffic in illicit drugs - non-commercial quantity		1				n/a	n/a
Manufacture illicit drugs	1					n/a	n/a
Cultivate illicit drugs	1				1	n/a	n/a
Possess illicit drugs	19	21	30	38	23	-39.5%	21.1%
Other illicit drug offences, nec	3	3	3	9	5	n/a	n/a
<b>Prohibited and Regulated Weapons And Explosives Offences</b>							
Sell, possess and/or use prohibited weapons/explosives	10	9	13	14	14	0.0%	n/a
Prohibited weapons/explosives offences, nec	2	1			1	n/a	n/a
Unlawfully obtain or possess regulated weapons/explosives	11	9	10	21	13	-38.1%	18.2%
Misuse of regulated weapons/explosives	2	2	1		1	n/a	n/a
Regulated weapons/explosives offences, nec	1	1	3	3		n/a	n/a
<b>Property Damage and Environmental Pollution</b>							
Graffiti				1	2	n/a	n/a
Property damage, nec	75	109	124	130	122	-6.2%	62.7%
<b>Public Order Offences</b>							

# Custodial Sentences

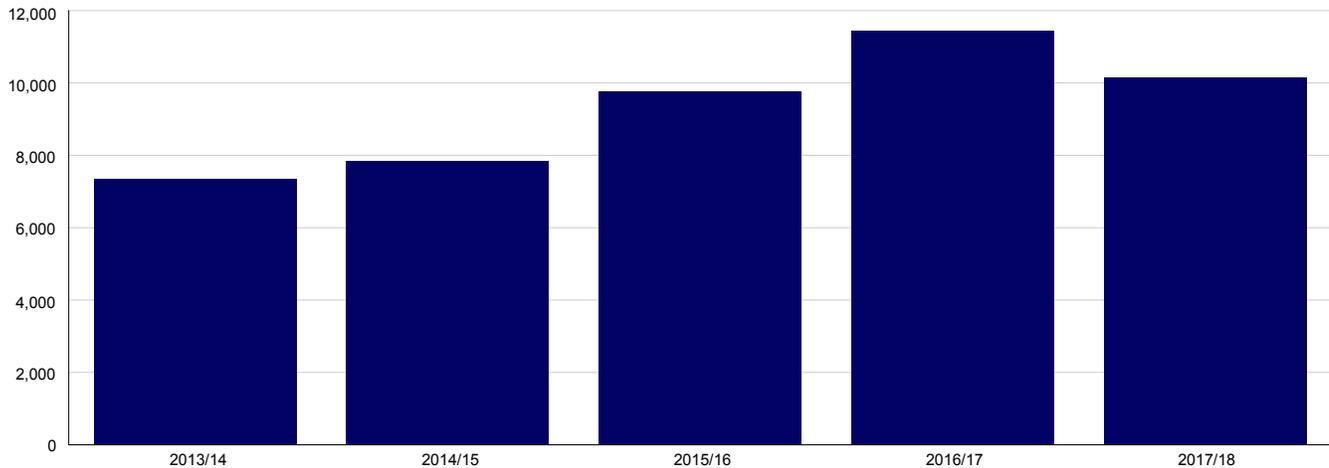
## Custodial Sentences Imposed by Offence Type

ANZSOC Offence Type	2013/14	2014/15	2015/16	2016/17	2017/18	% Change 1 Year	% Change 5 Years
Trespass	23	35	42	61	53	-13.1%	130.4%
Criminal Intent	16	24	24	35	24	-31.4%	50.0%
Riot and affray				2		n/a	n/a
Disorderly conduct, nec		2	1	1	1	n/a	n/a
Offences against public order sexual standards	1	2	2	4	12	n/a	n/a
Cruelty to animals		1	1			n/a	n/a
<b>Traffic and Vehicle Regulatory Offences</b>							
Drive while licence disqualified or suspended	187	266	202	142	123	-13.4%	-34.2%
Drive without a licence		1	68	114	130	14.0%	n/a
Registration offences					1	n/a	n/a
Exceed the prescribed content of alcohol or other substance limit	1					n/a	n/a
Regulatory driving offences, nec	2	2	7	7	3	n/a	n/a
<b>Offences Against Justice Procedures, Government Security and Government Operations</b>							
Breach of custodial order offences	16	12	14	9	13	n/a	-18.8%
Breach of parole					2	n/a	n/a
Breach of bail	375	416	428	520	401	-22.9%	6.9%
Breach of community-based order, nec	7	13	7	13	7	n/a	n/a
Breach of violence order	100	150	194	232	229	-1.3%	129.0%
Resist or hinder govt official (excluding police officer, justice official or govt security officer)		1		3	2	n/a	n/a
Offences against government operations, nec	32	38	53	52	59	13.5%	84.4%
Resist or hinder police officer or justice official	21	38	23	26	21	-19.2%	0.0%
Prison regulation offences		1	1	4	3	n/a	n/a
Offences against justice procedures, nec	17	33	26	27	37	37.0%	117.6%
<b>Miscellaneous Offences</b>							
Disease prevention offences				1		n/a	n/a
Licit drug offences					1	n/a	n/a
Commercial/industry/financial regulation	1					n/a	n/a
Environmental regulation offences		1				n/a	n/a
Other miscellaneous offences, nec	1		1		1	n/a	n/a
<b>Total</b>	<b>2,590</b>	<b>3,168</b>	<b>3,340</b>	<b>4,013</b>	<b>3,747</b>	<b>-6.6%</b>	<b>44.7%</b>

### Counting Rules:

- (a) Counts those cases against Indigenous Australians that received a custodial sentence in the Magistrates Court, broken down by the most serious offence on the case.
- (b) As a case may have more than one charge, the most serious offence for which the offender has been sentenced is shown above. The most serious offence is derived by applying the National Offence Index, which ranks the ANZSOC offences from least serious to most serious.
- (c) The Australian and New Zealand Standard Offence Classification (ANZSOC) has been used to group offences. ANZSOC is a national standard developed by the Australian Bureau of Statistics. For more detail, please refer to [www.abs.gov.au/ausstats/abs@.nsf/cat/1234.0](http://www.abs.gov.au/ausstats/abs@.nsf/cat/1234.0)
- (d) If 'n/a' is present in the % Change column, the values of the columns in the table being compared are less than or equal to 10. It is not appropriate to make statistical comparisons for variables with values this low.

## Arrest Warrants Issued

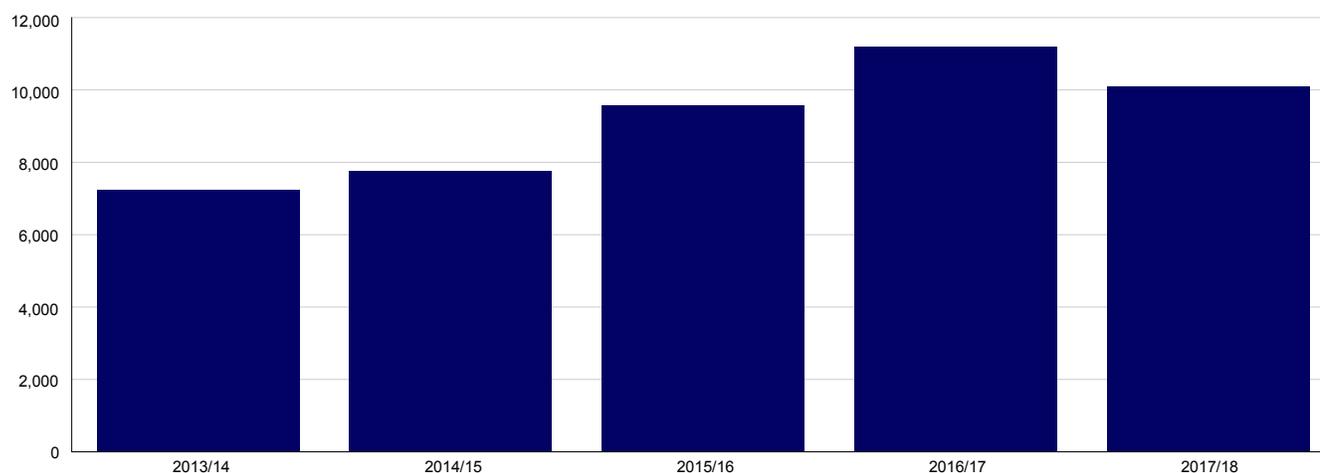


ANZSOC Division	2013/14	2014/15	2015/16	2016/17	2017/18	% Change 1 Year	% Change 5 Years
01: Homicide and Related Offences					3	n/a	n/a
02: Acts Intended to Cause Injury	1,453	1,347	1,585	2,151	1,724	-19.9%	12.6%
03: Sexual Assault and Related Offences	23	29	37	48	46	-4.2%	47.9%
04: Dangerous or Negligent Acts Endangering Persons	343	382	408	345	347	0.6%	1.2%
05: Abduction, Harassment and Other Offences Against the Person	97	117	185	234	221	-5.6%	53.0%
06: Robbery, Extortion and Related Offences	49	45	48	58	44	-24.1%	-8.6%
07: Unlawful Entry With Intent/Burglary, Break and Enter	378	450	523	614	571	-7.0%	31.4%
08: Theft and Related Offences	1,059	1,309	1,922	2,160	2,097	-2.9%	48.1%
09: Fraud, Deception and Related Offences	211	268	386	499	555	11.2%	68.9%
10: Illicit Drug Offences	186	233	413	443	344	-22.3%	35.7%
11: Prohibited and Regulated Weapons And Explosives Offences	69	67	109	129	131	1.6%	48.1%
12: Property Damage and Environmental Pollution	282	291	353	512	385	-24.8%	20.1%
13: Public Order Offences	464	402	438	517	369	-28.6%	-18.4%
14: Traffic and Vehicle Regulatory Offences	426	555	506	500	461	-7.8%	7.0%
Offences Against Justice Procedures, Government Security and Government Operations	2,320	2,364	2,855	3,259	2,879	-11.7%	17.2%
16: Miscellaneous Offences	3	7	9		5	n/a	n/a
<b>Total</b>	<b>7,363</b>	<b>7,866</b>	<b>9,777</b>	<b>11,469</b>	<b>10,182</b>	<b>-11.2%</b>	<b>24.6%</b>

### Counting Rules:

- (a) These are the number of warrants against Indigenous Australians issued by the Magistrates Court in Western Australia for failure to attend court when required to do so, broken down by the most serious offence on the case.
- (b) The Australian and New Zealand Standard Offence Classification (ANZSOC) has been used to group offences. ANZSOC is a national standard developed by the Australian Bureau of Statistics. For more detail, please refer to [www.abs.gov.au/ausstats/abs@.nsf/cat/1234.0](http://www.abs.gov.au/ausstats/abs@.nsf/cat/1234.0)
- (c) An arrest warrant is issued for failure to attend court whilst on bail or when summoned.
- (d) A warrant counted here relates to one person with one or more charges having an order for a warrant to issue on the same date.
- (e) If 'n/a' is present in the % Change column, the values of the columns in the table being compared are less than or equal to 10. It is not appropriate to make statistical comparisons for variables with values this low.

## Arrest Warrants Returned



ANZSOC Division	2013/14	2014/15	2015/16	2016/17	2017/18	% Change 1 Year	% Change 5 Years
01: Homicide and Related Offences			1		3	n/a	n/a
02: Acts Intended to Cause Injury	1,459	1,343	1,538	2,096	1,729	-17.5%	18.5%
03: Sexual Assault and Related Offences	25	27	33	41	54	31.7%	116.0%
04: Dangerous or Negligent Acts Endangering Persons	331	376	406	335	350	4.5%	5.7%
05: Abduction, Harassment and Other Offences Against the Person	91	114	184	215	223	3.7%	145.1%
06: Robbery, Extortion and Related Offences	48	44	53	57	43	-24.6%	-10.4%
07: Unlawful Entry With Intent/Burglary, Break and Enter	392	449	484	617	549	-11.0%	40.1%
08: Theft and Related Offences	1,036	1,267	1,885	2,074	2,077	0.1%	100.5%
09: Fraud, Deception and Related Offences	194	271	383	497	538	8.2%	177.3%
10: Illicit Drug Offences	172	219	398	443	341	-23.0%	98.3%
11: Prohibited and Regulated Weapons And Explosives Offences	68	68	105	127	118	-7.1%	73.5%
12: Property Damage and Environmental Pollution	292	287	355	490	390	-20.4%	33.6%
13: Public Order Offences	479	413	422	504	391	-22.4%	-18.4%
14: Traffic and Vehicle Regulatory Offences	439	493	558	496	455	-8.3%	3.6%
15: Offences Against Justice Procedures, Government Security and Government Operations	2,218	2,405	2,780	3,208	2,849	-11.2%	28.4%
16: Miscellaneous Offences	3	7	8	2	5	n/a	n/a
<b>Total</b>	<b>7,247</b>	<b>7,783</b>	<b>9,593</b>	<b>11,202</b>	<b>10,115</b>	<b>-9.7%</b>	<b>39.6%</b>

### Counting Rules:

(a) These are the number of warrants against Indigenous Australians returned to a Magistrates Court in Western Australia, broken down by the most serious offence on the case.

(b) The Australian and New Zealand Standard Offence Classification (ANZSOC) has been used to group offences. ANZSOC is a national standard developed by the Australian Bureau of Statistics. For more detail, please refer to [www.abs.gov.au/ausstats/abs@.nsf/cat/1234.0](http://www.abs.gov.au/ausstats/abs@.nsf/cat/1234.0)

(c) An arrest warrant is returned to court following the arrest of the accused and subsequent appearance in the court, or the relisting of the charge or charges before the court to have the warrant cancelled.

(d) A warrant counted here relates to one person with one or more charges being returned to court following the arrest of an accused or the relisted of warrant charges on the same date.

(e) Warrants issued and warrants returned should not be compared. Because the count of warrants issued and warrants returned is based on a count of an individual at a court sitting on a particular date, the number of charges involved may be different. It is common for warrants to be issued on a number of different occasions but once the accused is apprehended and brought to court, all the charges from the different warrant issue occasions are put before the court on the same day.

(f) If 'n/a' is present in the % Change column, the values of the columns in the table being compared are less than or equal to 10. It is not appropriate to make statistical comparisons for variables with values this low.

## Appendix One--ABS Method of Finalisation

The Method of Finalisation classification has been developed by the Australian Bureau of Statistics and refers to the process which leads to the completion of a case or cases for a person as an item of business in a particular jurisdiction. A person undergoing court proceedings is considered to be finalised when all charges against that person have been processed to completion within a jurisdiction

### Classification structure

The Method of Finalisation classification has three major categories distinguishing between finalisations which are adjudicated, transferred between court levels or non-adjudicated.

Division	Sub-Division	Code
100	Adjudicated finalisation n.f.d	
	110	Charge proven n.f.d.
		111 Guilty finding by court
		112 Guilty plea by defendant
		113 Guilty ex-parte
	120	Charge unproven n.f.d
		121 Acquitted by court
		122 Not guilty by reason of mental illness/condition
		123 No case to answer at committal
		129 Charge unproven n.e.c.
200	Finalisation by transfer of charges between court levels n.f.d.	
	210	Transfer from a Magistrates' Court to a higher court n.f.d.
		211 Committed for trial
		212 Committed for sentence
		219 Transfer from a Magistrates' Court to a higher court n.e.c.
	220	Transfer from a higher court to a Magistrates' Court
	230	Transfer from an intermediate court to a Supreme Court n.f.d.
		231 Transfer from an intermediate court to a Supreme Court for trial
		232 Transfer from an intermediate court to a Supreme Court for sentence
	240	Transfer from a Supreme Court to an intermediate court n.f.d.
		241 Transfer from a Supreme Court to an intermediate court for trial
		242 Transfer from a Supreme Court to an intermediate court for sentence
	250	Transfer from a Children's Court to a Magistrates' Court
	290	Other transfers between court levels n.e.c.
300	Non-adjudicated finalisation n.f.d.	
	310	Defendant deceased
	330	Unfit to plead
	340	Withdrawn by prosecution
	350	Transfer to non-court agency
	390	Other non-adjudicated finalisation n.e.c
900	Method of finalisation unknown/not stated	

**NB** n.f.d. – not further defined

n.e.c. – not elsewhere classified

Intermediate Court -- in Western Australia refers to the District Court

For more details of the ABS Method of Finalisation, please refer to the publication, Criminal Courts Australia (ABS Catalogue number 4513.0)<http://www.abs.gov.au/ausstats/abs@.nsf/Products/4513.0~2007-08~Appendix~METHOD+OF+FINALISATION+CLASSIFICATION+%28Appendix%29?OpenDocument>

## Appendix Two--Australian and New Zealand Standard Offence Classification (ANZSOC) 2011

The Australian and New Zealand Standard Offence Classification (ANZSOC) 2008 has been developed by the Australian Bureau of Statistics in order to make it easier to report offence type information and to enable comparison between jurisdictions across Australia. The current version of the ANZSOC was released in 2008, and the name changed from ASOC to ANZSOC in 2011. All offence types in the WA criminal court systems have been mapped to an ANZSOC code.

### Classification structure

The ANZSOC is a three level hierarchy: There are 16 divisions, each with one or more sub-Divisions and each of these has one or more groups. Here is a summary of the types of offences included in each of ANZSOC Divisions.

#### Division 01: Homicide and Related Offences

Murder, Attempted Murder, Manslaughter, infanticide, accelerate death and dangerous driving causing death.

#### Division 02: Acts intended to cause injury

Serious assaults resulting in injury (grievous bodily harm, actual bodily harm, wounding, deliberate transmission of a grievous bodily disease).

Serious assaults NOT resulting in injury (committed in company, use of a weapon, committed against a vulnerable victim, pregnant female, prison officer, police officer or other justice official, involving more than one victim, part of planned or organised criminal activity or any other aggravating circumstances that do not involve serious bodily harm or injury).

Common assault, stalking, administer illicit drugs, administer poison, drink/food spiking, set mantraps, stupefy a victim and administer sedative or hypnotic drug.

#### Division 03: Sexual Assault and Related Offences

Aggravated sexual assault (sexual intercourse, inflict injury or violence, possession of a weapon, consent proscribed/committed against a child or in company).

Non-aggravated sexual assault (indecent assault that does not involve any aggravating circumstances, threat of sexual assault).

Non-assaultive sexual offences against a child (including grooming offences, procuring a child for prostitution and forcing a minor to witness an act of sexual intercourse), child pornography offences, sexual servitude offences (debt bondage, operating a sexual servitude business, people trafficking involving sexual servitude and coercive behaviour such as threat of deportation if person refuses sexual services).

#### Division 04: Dangerous or Negligent acts endangering persons

Driving under the influence of alcohol or other substance, dangerous or negligent operation of a vehicle (dangerous, negligent, careless or reckless driving, fail to have proper control of a vehicle, speeding in dangerous or negligent manner, road racing and culpable navigation), neglect or ill-treatment of person under care (including child neglect), cause grievous bodily harm by negligent act or omission and unlawful interference with aviation (damage equipment or instruments, unlawfully interfere with pilot).

#### Division 05: Abduction, Harassment and Other offences against the person

Abduction and kidnapping, deprivation of liberty/false imprisonment and harassment and threatening behaviour (nuisance phone calls, sexual harassment not amounting to assault, sexual assault or stalking and threats to kill, cause fire or explosion or destroy or damage property).

#### Division 06: Robbery, Extortion and Related Offences

Robbery (aggravated and non-aggravated), blackmail and extortion.

#### Division 07: Unlawful entry with intent/Burglary, Break and Enter

Break, enter and steal, burglary, unlawful entry to a structure with intent, ram raid, smash and grab, home invasion (not involving an assault).

#### Division 08: Theft and Related Offences

Theft of motor vehicle, illegal use of motor vehicle, theft of motor vehicle parts, theft from person (excluding by force--pick pocketing, bag snatching, passport theft, theft of deeds or bill of sale, theft of cheques or credit cards and EFTPOS cards and theft from residential premises where entry was lawfully gained).

Theft of intellectual property (computer hacking, copyright infringement, computer software piracy, industrial espionage).

Shoplifting, theft from market stalls, theft from wholesale or factory retail outlets, theft of retail goods, leave restaurant without paying, illicit drug theft, theft of weapons or explosives, fare evasion, fuel drive-offs, theft of electricity, gas or water, evade payment for services, theft of animals/livestock and theft of a tram, train, vessel or other vehicle not defined as motor vehicle.

Receive, handle or possess money or goods taken or obtained illegally (includes money laundering, possess stolen goods and possess money from sale of illicit drugs).

Illegal use of property (except motor vehicles--includes illegal use of non-motorised vehicle and illegal use of tools and/or equipment).

#### Division 09: Fraud, Deception and Related Offences

Offences involving a dishonest act or omission carried out with the purpose of deceiving to obtain a benefit (identity fraud, create fictitious identity, cheque/credit card fraud, prescription drug fraud, false name/address, false representation, social security fraud, phishing, sales tax fraud, fraud against insurance companies and computer hacking involving fraud).

Forgery and counterfeiting--create false documents, forge passport or visa, forge birth certificate, forge Commonwealth document, forge bill of sale, share certificate, supply false documentation to get a weapons, explosives licence or permit, forge signature and forge motor vehicle registration certificate.

Possess equipment to make false/illegal instrument, fraudulent trade practices, misrepresentation of professional status and acts intended to obtain financial gain or advantage through dishonest or unscrupulous means not involving fraud (such as selective supply (or non-supply) of a product or acceptance of solicitation of a 'gazumping' offer).

#### Division 10: Illicit Drug Offences

Import or export illicit drugs, deal or traffic in illicit drugs (commercial and non-commercial quantities), manufacture or cultivate illicit drugs, possess equipment with intent to manufacture or cultivate illicit drugs, possess and/or use illicit drugs, possess money with intent to obtain drugs, possess utensils for using illicit drugs, permit premises to be used to take, sell or distribute drugs and fail to keep register for drugs of addiction.

#### Division 11: Prohibited and Regulated Weapons and Explosives Offences

Import or export prohibited weapons/explosives, sell, possess and/or use prohibited weapons/explosives and manufacture or modify prohibited weapons/explosives.

Unlawfully obtain or possess regulated weapons/explosives, misuse of regulated weapons/explosives (discharging offences, storage offences, unlawful use, lending a weapon to minor/unlicensed person and unlawfully modify regulated weapon). Deal or traffic in regulated weapons/explosives, registration offences by licensed owner, registration offences by dealer, dealer's licence offences and offences related to the manufacture or modification of regulated weapons/explosives.

## Appendix Two--Australian and New Zealand Standard Offence Classification (ANZSOC) 2011

### Division 12: Property Damage and Environmental Pollution

Arson, malicious property damage by fire or explosion, graffiti/deface building, bill posting.

Vandalism, sacrilege, kill/injure animals, damage/obstruct mines, tamper with motor vehicle (where no property is taken), malicious property damage (not by fire/explosion), contaminate commercial goods and computer hacking involving property damage.

Air pollution offences, water pollution offences, noise pollution offences, soil pollution offences and environmental pollution offences.

### Division 13: Public Order Offences

Trespass (unlawfully on premises, trespass without intent to commit crime and enter restricted areas at major events), criminal intent (go equipped to steal, possess instruments used for theft or burglary, possess articles of disguise, possess any object with intent to destroy or damage property), riot and affray and disorderly conduct (disorderly behaviour in a public place, desecrate graves/interfere with corpse, throw stones not causing injury and hoaxes causing public nuisance).

Regulated public order offences--betting and gambling offences, liquor and tobacco offences, censorship offences (excluding child pornography), prostitution offences, offences against public order sexual standards, consumption of legal substances in regulated places and other offences such as breach of euthanasia legislation not amounting to murder, manslaughter, attempted murder or assault and advertise/seek out a surrogate mother.

Offensive conduct--offensive language, vagrancy, begging, public drunkenness, coarse forms of gesticulation, engage in intercourse in front of minor/child (unless there is an intent to force the child to watch), vilify or incite hatred and cruelty to animals.

### Division 14: Traffic and Vehicle Regulatory Offences

Driver licence offences--drive while licence disqualified or suspended, drive without a licence, drive contrary to conditions of a licence, L or P plate licence offences and fail to produce licence on demand.

Vehicle registration and roadworthiness offences--driving unregistered vehicle, number plates obscured/missing, fail to transfer vehicle ownership, drive an uninsured vehicle, faulty or no lights, defective vehicle, drive an unroadworthy vehicle, motor vehicle pollution and cause excessive noise or smoke.

Regulatory driving offences--drive a vehicle or ride bicycle, horse, skateboard, etc while exceeding the prescribed content of alcohol (not including driving under the influence), speeding, parking offences and other regulated offences such as fail to wear seatbelts, fail to provide life jackets, drive while using a mobile phone, fail to stop after an accident, fail to wear bicycle helmet, refuse preliminary breath test, fail to give way or stop, fail to keep left of double lines and pedestrian offences.

### Division 15: Offences against Justice Procedures, Government Security and Government Operations

Breaches of custodial order offences (escape custody, breach of home detention, breach of suspended sentence).

Breach of community-based orders (breaches of ISO, IYSO, CBO, YCBO, WDO, bail, surety recognisance, parole, etc) and breach of violence and non-violence orders (breaches of VRO and MRO).

Offences against government operations (resist government officials (not police), hinder emergency services, bribery involving government officials, immigration offences, fail to complete census forms, fail to lodge taxation forms, fail to vote, hoax calls to emergency services and postal offences).

Offences against government security (resist or hinder government officer concerned with government security, sedition, mutiny, aid piracy, conspiracy, terrorism offences, incite mutiny). Offences against justice procedures (subvert the course of justice, resist/hinder police officer or justice official, prison regulation offences, contempt of court, fail to attend court, false report and accessory after the fact).

### Division 16: Miscellaneous Offences

Defamation and libel and offences against privacy (actions intended to invade the privacy of an individual or company, such as opening mail, phone tapping--other than phone tapping for espionage purposes--and computer hacking not involving the theft of intellectual property, fraud, property damage or breach of government security).

Public health and safety offences (sanitation offences, disease prevention offences, occupational health and safety offences, transport regulation offences, dangerous substances offences, licit drug offences and public health and safety offences).

Commercial/Industry/Financial regulation--breaches of regulations designed to protect an industrial, commercial or financial activity, comprising acts that are harmful to persons, or acquisitive or deceptive, and that are not directed at health and safety and pollution control, such as restrictive trade/industry practices and foreign boats fishing in Australian fishing zones unlawfully.

Environmental regulation offences such as disobey rules of parks/crown land, littering, possess native game/animals illegally, total fire ban breaches, flora and fauna offences and personal illegal fishing offences, bribery involving an official other than a government official, quarantine offences, import/export regulation offences such as failing to declare goods, procuring or committing an illegal abortion and any other miscellaneous offence not categorised elsewhere within this classification.

For more details of the Australian and New Zealand Standard Offence Classification (ANZSOC), please refer to the ABS Website (ABS Catalogue number 1234.0)[www.abs.gov.au/ausstats/abs@.nsf/cat/1234.0](http://www.abs.gov.au/ausstats/abs@.nsf/cat/1234.0)