



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

# **Statistical Summary**

## **2012/13 to 2016/17**

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## About this Report

The following statistical summary includes some statistics for various criminal and civil courts and tribunals. Additions will be made to this summary as more information becomes available.

Detailed information about the Supreme Court can be found at: [www.supremecourt.wa.gov.au](http://www.supremecourt.wa.gov.au)

Detailed information about the District Court can be found at: [www.districtcourt.wa.gov.au](http://www.districtcourt.wa.gov.au)

Detailed information about the Magistrates Court can be found at: [www.magistratescourt.wa.gov.au](http://www.magistratescourt.wa.gov.au)

Detailed information about the Children's Court can be found at: [www.childrenscourt.wa.gov.au](http://www.childrenscourt.wa.gov.au)

Detailed information about the Family Court can be found at: [www.familycourt.wa.gov.au](http://www.familycourt.wa.gov.au)

Detailed information about the State Administrative Tribunal can be found at: [www.sat.justice.wa.gov.au](http://www.sat.justice.wa.gov.au)

Detailed information about the Sheriff's Office can be found at: [www.courts.dotag.wa.gov.au/S/sheriff\\_s\\_office.aspx](http://www.courts.dotag.wa.gov.au/S/sheriff_s_office.aspx)

## Criminal Cases and Charges Lodged

Part of the responsibilities of Western Australian courts is to hear the cases of people charged with criminal offences. The court in which a case is heard depends on the age of the accused and the seriousness of the alleged offence.

- People under the age of 10 cannot be charged with a criminal offence.
- People aged at least 10 years but less than 18 years at the time of the alleged offence have their case heard by the Children's Court, or by an adult court in limited circumstances.
- People aged 18 years or more at the time of commission of the alleged offence are heard by the Magistrates Court, District Court or Supreme Court, depending on the seriousness of the offence.

The following statistical summary provides a snapshot of the cases and charges dealt with by the District Court, Magistrates Court and the Children's Court.

- A case refers to an accused processed through the criminal jurisdiction of a court 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).

- 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 as a case can be made up of one or more charges. Only initial lodgments are counted, excluding all arrest warrant returns and reactivated charges.

- Comparisons against the appropriate population are also presented (i.e. 10 to 17 year olds for the Children's Court, and 18 years and older for all other courts). Population figures have been sourced from the Australian Bureau of Statistics. The estimated resident population used for each financial year (beginning 1 July) is the population as at the previous day (i.e. 30 June).

### District Court

	2012/13	2013/14	2014/15	2015/16	2016/17	% Change 1 Year	% Change 5 Years
Number of Cases	1,992	1,929	2,177	2,434	2,521	3.6%	26.6%
Number of Charges	6,906	7,167	7,072	8,058	7,530	-6.6%	9.0%
Cases lodged as a proportion of adult population	0.11%	0.10%	0.11%	0.12%	0.13%	n/a	n/a

### Magistrates Court

	2012/13	2013/14	2014/15	2015/16	2016/17	% Change 1 Year	% Change 5 Years
Number of Cases	91,144	88,730	98,415	101,129	106,337	5.1%	16.7%
Number of Charges	161,724	162,602	183,068	197,536	210,258	6.4%	30.0%
Cases lodged as a proportion of adult population	4.87%	4.57%	4.95%	5.06%	5.40%	n/a	n/a

### Children's Court

	2012/13	2013/14	2014/15	2015/16	2016/17	% Change 1 Year	% Change 5 Years
Number of Cases	7,231	6,671	6,382	6,681	7,130	6.7%	-1.4%
Number of Charges	16,387	15,641	15,253	15,570	17,184	10.4%	4.9%
Cases lodged as a proportion of juvenile population	2.97%	2.70%	2.56%	2.67%	2.90%	n/a	n/a

## Case Types

Cases are categorized by the most serious charge in the case. The offence related to each charge has been categorised according to the Australian and New Zealand Standard Offence Classification (ANZSOC) codes and the most serious charge in a case identified through application of the National Offence Index. The ANZSOC code comprises three levels of detail. The top level, or division has been used in the following tables.

- For further information on ANZSOC see <http://www.abs.gov.au/ausstats/abs@.nsf/mf/1234.0>

- For further information on the National Offence Index see <http://www.abs.gov.au/ausstats/abs@.nsf/Products/1234.0.55.001~2009~Main+Features~Historical+development+of+NOI?OpenDocument>

### District Court

Top Three	2012/13	2013/14	2014/15	2015/16	2016/17
Most Common Case Type	Illicit Drug Offences	Illicit Drug Offences	Illicit Drug Offences	Illicit Drug Offences	Illicit Drug Offences
Second Most Common Case Type	Acts Intended to Cause Injury	Sexual Assault and Related Offences	Sexual Assault and Related Offences	Sexual Assault and Related Offences	Sexual Assault and Related Offences
Third Most Common Case Type	Sexual Assault and Related Offences	Acts Intended to Cause Injury	Unlawful Entry With Intent/Burglary, Break and Enter	Unlawful Entry With Intent/Burglary, Break and Enter	Unlawful Entry With Intent/Burglary, Break and Enter

### Magistrates Court

Top Three	2012/13	2013/14	2014/15	2015/16	2016/17
Most Common Case Type	Traffic and Vehicle Regulatory Offences	Traffic and Vehicle Regulatory Offences	Traffic and Vehicle Regulatory Offences	Traffic and Vehicle Regulatory Offences	Traffic and Vehicle Regulatory Offences
Second Most Common Case Type	Offences Against Justice Procedures, Government Security and Government Operations	Offences Against Justice Procedures, Government Security and Government Operations	Offences Against Justice Procedures, Government Security and Government Operations	Offences Against Justice Procedures, Government Security and Government Operations	Offences Against Justice Procedures, Government Security and Government Operations
Third Most Common Case Type	Public Order Offences	Illicit Drug Offences	Illicit Drug Offences	Illicit Drug Offences	Illicit Drug Offences

### Children's Court

Top Three	2012/13	2013/14	2014/15	2015/16	2016/17
Most Common Case Type	Theft and Related Offences	Unlawful Entry With Intent/Burglary, Break and Enter	Unlawful Entry With Intent/Burglary, Break and Enter	Unlawful Entry With Intent/Burglary, Break and Enter	Unlawful Entry With Intent/Burglary, Break and Enter
Second Most Common Case Type	Unlawful Entry With Intent/Burglary, Break and Enter	Theft and Related Offences	Theft and Related Offences	Theft and Related Offences	Theft and Related Offences
Third Most Common Case Type	Traffic and Vehicle Regulatory Offences	Traffic and Vehicle Regulatory Offences	Traffic and Vehicle Regulatory Offences	Traffic and Vehicle Regulatory Offences	Acts Intended to Cause Injury

## Cases Finalised

A finalised case comprises one or more charges finalised on the one day in the one court location for a single defendant. Cases can be finalised by a number of ways, and the Method of Finalisation used by the Australian Bureau of Statistics in the publication: Criminal Courts, Australia has been used here to classify finalisations in each of the courts. The categories below are a summarised version of the Methods of Finalisation.

The following statistical summary provides a snapshot of the cases and charges finalised in the District Court, Magistrates Court and the Children's Court.

- A finalisation is defined as the determination of a charge or charges in court in the criminal jurisdiction and involves any action, activity or court order that renders the charge 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 charge by the prosecution.

- 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.

- Only the initial finalisation of a case is counted here. 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.

- See <http://www.abs.gov.au/ausstats/abs@.nsf/Lookup/4513.0Appendix32012-13> for a full list of the specific Methods of Finalisation for each of the three categories.

### District Court

Finalisation	2012/13	2013/14	2014/15	2015/16	2016/17	% Change 1 Year	% Change 5 Years
Guilty Plea/Finding	80.4%	81.9%	81.8%	78.5%	79.2%	0.9%	-1.4%
Acquitted by court	6.4%	6.8%	6.4%	7.6%	6.5%	n/a	n/a
Withdrawn by prosecution	9.2%	7.9%	7.4%	10.5%	10.6%	0.3%	n/a
Transfer between court levels	3.5%	3.1%	3.9%	3.2%	3.2%	n/a	n/a
Other Finalisation	0.5%	0.3%	0.5%	0.1%	0.5%	n/a	n/a

### Magistrates Court

Finalisation	2012/13	2013/14	2014/15	2015/16	2016/17	% Change 1 Year	% Change 5 Years
Guilty Plea/Finding	93.7%	93.7%	93.7%	93.3%	93.5%	n/a	-0.2%
Acquitted by court	3.9%	2.4%	1.0%	0.7%	0.6%	n/a	n/a
Withdrawn by prosecution	0.1%	1.6%	2.9%	3.6%	3.7%	n/a	n/a
Transfer between court levels	2.1%	2.2%	2.3%	2.5%	2.2%	n/a	n/a
Other Finalisation	0.2%	0.1%	0.1%	0.0%	0.0%	n/a	n/a

### Children's Court

Finalisation	2012/13	2013/14	2014/15	2015/16	2016/17	% Change 1 Year	% Change 5 Years
Guilty Plea/Finding	79.8%	80.1%	77.1%	77.8%	77.5%	-0.4%	-2.9%
Acquitted by court	3.9%	3.3%	1.8%	2.1%	1.8%	n/a	n/a
Withdrawn by prosecution	0.5%	2.4%	3.5%	4.0%	4.7%	n/a	n/a
Transfer between court levels	0.5%	0.3%	0.4%	0.2%	0.3%	n/a	n/a
Other Finalisation	15.2%	13.9%	17.2%	15.9%	15.8%	-0.8%	3.5%

## Sentences Imposed

The following statistical summary provides a snapshot of the sentences imposed by the District Court, Magistrates Court and the Children's Court.

Cases are counted where a sentence was imposed by the court. In the event that multiple sentences are imposed, the most serious sentence is selected.

- 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.
- 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.
- For the Supreme Court and District Court, other sentences include (but are not limited to) fines, intensive supervision orders, community based orders or good behaviour bonds.
- For the Magistrates Court, other sentences include (but are not limited to) suspended imprisonment orders, intensive supervision orders, community based orders, good behaviour bonds or sentencing without imposing a penalty.
- For the Children's Court, other sentences include (but are not limited to) suspended imprisonment orders, fine orders, good behaviour bonds or sentencing without imposing a penalty.

### District Court

Sentence Group	2012/13	2013/14	2014/15	2015/16	2016/17	% Change 1 Year	% Change 5 Years
Imprisonment	67.4%	73.4%	75.8%	72.6%	71.6%	-1.4%	6.3%
Detention				0.1%		n/a	n/a
Conditional Suspended Imprisonment	15.0%	14.0%	12.6%	13.6%	15.7%	14.8%	4.7%
Suspended Imprisonment	5.9%	4.2%	4.9%	5.6%	5.5%	n/a	n/a
Juvenile Conditional Release Order	0.1%			0.1%		n/a	n/a
Intensive Supervision Order	5.4%	3.8%	3.2%	3.9%	4.5%	n/a	n/a
Intensive Youth Supervision Order	0.1%	0.1%		0.1%		n/a	n/a
Commonwealth Order and Recognisance	0.7%	0.5%	0.5%	0.7%	0.2%	n/a	n/a
Community Based Order	2.0%	1.4%	0.9%	1.0%	0.8%	n/a	n/a
Fine	2.7%	1.9%	1.4%	1.0%	0.9%	n/a	n/a
Conditional Release Order	0.1%	0.4%	0.1%	0.2%	0.1%	n/a	n/a
No Punishment	0.7%	0.3%	0.2%	1.1%	0.7%	n/a	n/a
Reparation Order	0.1%	0.1%	0.4%	0.2%	0.1%	n/a	n/a

### Magistrates Court

Sentence	2012/13	2013/14	2014/15	2015/16	2016/17	% Change 1 Year	% Change 5 Years
Imprisonment	4.4%	5.2%	6.0%	6.2%	6.9%	n/a	n/a
Detention	0.0%	0.0%				n/a	n/a
Conditional Suspended Imprisonment		0.0%	0.0%	0.0%		n/a	n/a
Suspended Imprisonment	2.7%	1.9%	2.1%	2.4%	3.3%	n/a	n/a
Juvenile Conditional Release Order				0.0%		n/a	n/a
Intensive Supervision Order	1.0%	0.9%	1.1%	1.4%	2.0%	n/a	n/a
Intensive Youth Supervision Order		0.0%				n/a	n/a
Commonwealth Order and Recognisance	0.0%	0.1%	0.1%	0.1%	0.1%	n/a	n/a
Community Based Order	3.5%	2.6%	3.4%	3.7%	5.2%	n/a	n/a
Youth Community Based Order			0.0%	0.0%	0.0%	n/a	n/a
Fine	85.4%	86.8%	84.9%	83.8%	79.9%	-4.7%	-6.5%
Conditional Release Order	2.5%	2.2%	1.9%	1.7%	1.5%	n/a	n/a
Juvenile Good Behaviour Bond				0.0%		n/a	n/a
No Punishment	0.5%	0.4%	0.4%	0.5%	0.5%	n/a	n/a
Work and Development (in lieu of Fine)	0.0%	0.0%	0.0%	0.0%	0.1%	n/a	n/a
Reparation Order	0.0%	0.0%	0.2%	0.3%	0.5%	n/a	n/a

## Sentences Imposed

### Children's Court

Sentence	2012/13	2013/14	2014/15	2015/16	2016/17	% Change 1 Year	% Change 5 Years
Imprisonment	1.0%	0.9%	1.1%	1.5%	1.2%	n/a	n/a
Detention	7.0%	9.1%	12.6%	9.7%	9.6%	n/a	n/a
Conditional Suspended Imprisonment	0.3%	0.1%	0.2%	0.1%	0.2%	n/a	n/a
Suspended Imprisonment	0.1%	0.1%	0.3%	0.1%	0.3%	n/a	n/a
Juvenile Conditional Release Order		2.3%	5.8%	5.4%	5.9%	n/a	n/a
Intensive Supervision Order	0.7%	0.4%	0.5%	0.3%	0.7%	n/a	n/a
Intensive Youth Supervision Order	10.2%	8.7%	8.5%	10.0%	11.7%	n/a	14.7%
Commonwealth Order and Recognisance	0.0%					n/a	n/a
Community Based Order	1.5%	1.1%	1.3%	1.4%	2.6%	n/a	n/a
Youth Community Based Order	21.1%	20.9%	19.5%	19.8%	18.3%	-7.8%	-13.3%
Fine	15.6%	14.4%	12.6%	13.1%	10.5%	-19.6%	-32.2%
Conditional Release Order	9.4%	5.7%	1.6%	2.1%	2.2%	n/a	n/a
Juvenile Good Behaviour Bond	10.2%	9.2%	9.6%	8.5%	10.0%	n/a	n/a
No Punishment	22.9%	27.0%	26.4%	27.9%	26.7%	-4.5%	16.3%
Work and Development (in lieu of Fine)					0.0%	n/a	n/a
Reparation Order			0.0%	0.1%	0.1%	n/a	n/a

## Civil Cases Lodged

Part of the responsibilities of Western Australian courts and tribunals is to hear the cases of civil disputes between people. The court or tribunal in which a case is heard depends on the nature of the case, and the monetary value of the claim.

- The Supreme Court's civil jurisdiction is for claims with liquidated sums over \$750,000. The Court also has jurisdiction in claims regarding probate (including disputes over wills), admiralty (disputes involving ships), disputed elections and applications under the Corporations Act, as well as civil property possession applications (this includes, but is not limited to a mortgagee claiming delivery of possession and/or the payment of money secured by a mortgage).
- The District Court's civil jurisdiction is for claims with liquidated sums up to \$750,000. The Court has unlimited jurisdiction in claims for damages for personal injury and exclusive jurisdiction for damages claims for injuries sustained in motor vehicle accidents.
- The Magistrates Court's civil jurisdiction is for claims for debt or damages up to \$75,000. The Court also has jurisdiction over consumer/trader claims over the sale, supply or hire of goods or services; residential tenancy matters involving amounts up to \$10,000; as well as non-offence based matters such as extraordinary drivers licence applications, dividing fences and restraining order applications.
- The Children's Court's civil jurisdiction handles protection and care applications for children under the age of 18 years, as well as restraining order applications.
- The Family Court handles matters of family law and deals with divorce, property of a marriage or de facto relationship, parenting orders and other matters relating to children, maintenance, adoptions and surrogacy.
- The State Administrative Tribunal makes and reviews a range of administrative decisions. These range from reviews of multi-million dollar tax judgments, dog destruction orders, disciplinary proceedings, guardianship questions, town planning and compensation issues.

The following statistical summary provides a snapshot of the cases dealt with by the District Court, Family Court and the State Administrative Tribunal.

### District Court

	2012/13	2013/14	2014/15	2015/16	2016/17	% Change 1 Year	% Change 5 Years
Number of Cases	4,652	4,776	5,075	4,979	5,395	8.36%	16.0%
Cases lodged as a proportion of population	0.19%	0.19%	0.20%	0.19%	0.21%	n/a	n/a

### Family Court

	2012/13	2013/14	2014/15	2015/16	2016/17	% Change 1 Year	% Change 5 Years
Number of Matters	14,918	15,013	15,575	16,308	16,256	-0.32%	9.0%
Matters lodged as a proportion of population	0.61%	0.60%	0.61%	0.63%	0.64%	n/a	n/a

### State Administrative Tribunal

	2012/13	2013/14	2014/15	2015/16	2016/17	% Change 1 Year	% Change 5 Years
Number of Cases	7,344	7,734	8,338	8,094	6,864	-15.2%	-6.5%
Cases lodged as a proportion of population	0.30%	0.31%	0.32%	0.31%	0.27%	n/a	n/a



## Civil Finalisations by Trial

When parties to a civil dispute are not able to resolve their case by alternative dispute resolution or other means, the case will progress to a trial where the evidence and law are heard and considered in court by a judicial officer and a decision is made to resolve the case.

Civil cases finalised in each court can be defined by whether a trial proceeded or not for the case.

The following statistical summary provides a snapshot of the proportion of civil cases requiring a trial by the District Court and the number of final orders requiring a trial by the Family Court.

### District Court

Label	2012/13	2013/14	2014/15	2015/16	2016/17	% Change 1 Year	% Change 5 Years
% cases finalised by trial	1.3%	1.5%	1.5%	1.5%	1.6%	7.5%	25.8%

### Family Court

Label	2012/13	2013/14	2014/15	2015/16	2016/17	% Change 1 Year	% Change 5 Years
% final orders finalised by trial	10.1%	11.5%	12.6%	11.7%	12.1%	4.1%	20.2%

## Fines Enforcement Registry

Referred to as the Sheriff of the Supreme Court, Marshal of the Family Court and Marshal of the Federal Court of Australia, the Sheriff is also an officer of the District Court and the Magistrates Court and has the same functions in respect of those courts as in respect of the Supreme Court.

Enforcement services encompass the serving of documents, which include summons for witnesses for the State and the execution of writs, warrants and orders to recover unpaid fines or judgment debts. Execution of orders can lead to the seizure and sale of goods and land if the warrant is not immediately satisfied. The Sheriff is also responsible for the appointment of bailiffs throughout Western Australia who serve and enforce matters on behalf of the Sheriff.

The Fines Enforcement Registry (FER) enforces fines imposed in WA courts and those arising from unpaid infringement notices. The registrar uses the suspension of driver's and motor vehicle licences to help enforce the payment of fines and infringement notices. The registrar also uses other enforcement options, namely the vehicle immobilisation, seizure of property, community work, and imprisonment (for court fines).

Registrations are fines and infringements that various prosecuting authorities refer to the FER for enforcement. - A single count consists of one unpaid case lodged with the FER. This counts number of fines/infringements lodged with the FER, not people.

### Registrations Lodged

Registrations	2012/13	2013/14	2014/15	2015/16	2016/17	% Change 1 Year	% Change 5 Years
Registrations	440,715	453,876	456,850	464,523	461,089	-0.7%	4.6%
Registrations lodged as a proportion of population	18.12%	18.02%	17.75%	17.93%	18.02%	0.48%	-0.5%