



# CHILDRENS COURT OF QUEENSLAND

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**TENTH ANNUAL REPORT  
2002 - 2003**

**Childrens Court of Queensland**

**10<sup>th</sup> Annual Report**

**2002-2003**

30 October 2003

The Honourable R.J. Welford M.P.  
Attorney-General and Minister for Justice  
GPO Box 149  
BRISBANE QLD 4001

Dear Attorney,

In accordance with the requirements of s.22 of the Childrens Court Act 1992, I am pleased to present the Tenth Annual Report of the Childrens Court of Queensland for 2002-2003.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'Kerry O'Brien', with a large initial 'K' and 'O'.

Judge Kerry O'Brien  
President of the Childrens Court of Queensland

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## Introduction

This is my first report as President of the Childrens Court of Queensland. In presenting this report it would be remiss of me not to acknowledge the contribution made to the Court by my predecessor Judge John Robertson. Judge Robertson was the second President of the Court and had the onerous task of following in the footsteps of the late Judge Fred McGuire A.M. Notwithstanding the difficulty of that task, Judge Robertson made his own mark on the Court during the four years of his Presidency. His commitment to juvenile justice was nowhere better demonstrated than in his tireless advocacy of the principle of restorative justice and through his contribution to the important legislative changes introduced by the *Juvenile Justice Amendment Act* of 2002.

## Juvenile Justice Trends

- There was an overall increase of 5.9% in the number of juveniles whose cases were disposed of in all Queensland from 7,709 in 2001-02 to 8,160 in 2002-03. Although there was a 22% increase in the number of young people coming before the Childrens Court of Queensland, this was more than offset by a decrease in the number appearing before the District Court, resulting in an overall decrease across the higher Courts of 1.8%.
- There was an overall increase in the number of charges against young people from 17,870 to 19,223, or 7.5%

- Males accounted for 80% of all defendants; while 60% were aged between 15 and 17. Young people appearing before the Childrens Court of Queensland were aged 16 years or older in 73.3% of cases.
- Theft and related offences and unlawful entry offences accounted for more than two thirds (69%) of all charges against juveniles.
- Detention orders decreased from 134 in 2001-02 to 133 in 2002-03, a decrease of 0.7%, while detention orders with immediate release orders decreased from 146 to 144. These most serious of penalties were awarded in only 4.0% of cases. Detention orders in the Childrens Court of Queensland increased from 19 to 22, probably as a reflection of the increase in numbers.
- Cautions administered by Police increased again, from 14,371 to 14,451 following a 0.6% increase in the previous year.
- The Magistrates Court disposed of 93.4% of juvenile cases in 2002-03.
- Community Service and Probation orders have had a high compliance rate of over 70%. Immediate release orders experienced the highest non-compliance rate of 44%.
- As in previous years, the victims of juvenile offenders are predominantly under 20 years of age (71.9% of those where age was recorded) and only 2.2% were 55 years or over.
- There was a 34.2% increase in the number of Youth Justice Conferences held during 2002-03. 54% of conferences were as a result of police referral, 29% were indefinite Court referrals, and 17% were pre-sentence Court referrals.

## Commentary on Juvenile Justice Trends

During the year the number of juvenile offenders appearing before the Court increased by 5.9% to 8,160. Notwithstanding this increase, the statistics do not indicate that we are in the midst of a juvenile crime explosion. The figure follows an overall decrease of 3.2% in the preceding year and represents an increase of 2.1% over the total figure for the 1998-99 year. Because of problems that have existed in the past with the gathering of reliable statistical information from the Higher Courts, it is difficult to make any meaningful assessment of future or even of emerging trends based on these figures.

A please feature has been the increase of 34.2% in the number of Youth Justice Conferences conducted during the year. The 767 referrals during the year provides a striking contrast with the total of 123 juveniles who were conferenced in the pilot program of 1998-99. Increased budget allocations have allowed for an expansion of conferencing services throughout the State, and the program continues to record very high participation and satisfaction rates.

It is encouraging to note the high compliance rate that continues to exist for community service and probation orders, though the non-compliance rate for immediate release orders remains in excess of 40%. Such orders are designed to be very intrusive and are often made as a sentence of last resort prior to the making of a detention order. The relatively high rate of non-compliance should not be seen as an indication of their lack of worth.

# Issues in Juvenile Justice

## A. Legislative Amendments

The *Juvenile Justice Amendment Act* of 2002 was proclaimed and assented to on 29 August 2003. Certain parts of the Act, including those sections dealing with publication orders, came into force on 16 December 2002, with the remaining provisions commencing on 1 July 2003.

The Act contains significant jurisdictional amendments which are likely to impact significantly upon the work loads of both the Childrens Court and the District Court. Generally all children committed to a Higher Court other than the Supreme Court, must now be committed to the Childrens Court. The District Court no longer has general criminal jurisdiction over a child offender. Exceptions to this general rule exist where a child is charged on an indictment in which the child is also charged as an adult with an offence, where the trial of a child is transferred to the District Court for the purpose of having the child tried on indictment with another person, or where a child who is appearing for sentence is also for sentence as an adult for another offence. An amendment to s.5 of the Childrens Court Act 1992 enables the Court to be constituted by a District Court Judge if a Childrens Court Judge is not available, having regard to the orderly and expeditious exercise of the jurisdiction of the District Court and Childrens Court.

These amendments are commendable, for, as my predecessors have argued in past reports, there is little point in a specialist Childrens Court which exercises jurisdiction only in respect of a limited number of juvenile offenders. The amendments also serve to achieve some measure of uniformity with other jurisdictions around Australia. The consequence will be a significant increase in the volume of work coming before the Childrens Court, although this should be accompanied by a corresponding decrease in the volume of work

flowing to the District Court. This may in due course create a need for additional Childrens Court commissions to be granted to Judges of the District Court.

Partly in anticipation of this increased work load I have made a number of changes to the procedures involved in the listing of matters coming before the Court. With the co-operation of the Chief Judge a centralised listing system has been set up within the Court and the listing of matters is now controlled through a system of regular call overs conducted by me or another Childrens Court Judge. This system operates quite separately and distinctly from the District Courts listing processes and has led to greater efficiencies in both the listing and disposition of Childrens Court matters. Court sittings are held on a monthly basis, although bail applications and other pressing matters can be dealt with at any time.

## **B. The Definition of Adulthood and Other Issues**

In February of this year Legal Aid Queensland hosted a Youth Justice Conference in Brisbane. The conference brought together a large number of individuals and organisations involved in various ways with youth justice throughout the State. One of the recommendations to emerge from the conference was that the Juvenile Justice Act be amended such that the age of a child for the purposes of the Act should be increased to 18 years. Section 6 of the Act does contain provision for the age of 18 to be fixed by regulation but this provision has never been utilised.

In Queensland, young people are not lawfully permitted to vote or to drink alcohol until they reach the age of 18, yet, at the age of 17, their offending exposes them to the full sanction of the adult criminal laws. There are I believe real concerns involved with the potential incarceration of 17 year olds with more seasoned and mature adult offenders. The United Nations Convention on the Rights of the Child considers a person as a child until

he/she reaches the age of 18 and other Australian States have adopted a similar approach. The recommendation deserves careful consideration.

The greater the length of my involvement with juvenile justice the greater becomes my awareness of the proliferation of agencies and organisations with involvement in this area. Another of the worthwhile recommendations emerging from the conference focussed upon the apparent lack of collaboration and co-ordination between some at least of the many government and community bodies involved in the youth justice system. The conference identified a need for a “whole of government” approach to juvenile justice.

The conference also considered the desirability of a specialist youth drug Court system in Queensland. Anyone with any length of association with juvenile justice – indeed with criminal justice generally – would be only too well aware of the role played by substance abuse in the commission of offences. The abuse of drugs, including alcohol, by young people should be a matter of great concern in today’s society. There are, of course, certain diversionary powers contained within Part 6 of the Act, but I am hopeful, over the next 12 months, of looking more carefully at the Youth Drug Court system as it operates, with apparent success, in New South Wales.

### **C. Community Conferencing**

I have commented above on the increased use of Youth Justice Conferencing during the year. The increasing use of such conferencing, both as a diversionary and as a pre-sentence option, provides a pleasing development given the emphasis placed by the legislation upon endeavouring to divert young offenders where possible from the criminal justice system. The figures reveal an increase of 62.8% in the number of referrals received since the last financial year. The figures also show a slight increase in the number of cautions administered by police during the year.

One of the concerns expressed at the Legal Aid Youth Justice Conference and by others to whom I have spoken during the year was that there may not yet be sufficient awareness among police and judicial officers of the importance and of the availability of such diversionary options. This, I should say, is consistent with my own observations as I have travelled around the State. The notions of restorative justice and the diversionary treatment of offenders are, however, relatively new concepts in a State where the criminal justice system has for so long been based upon traditional notions of retribution and punishment. It is to therefore be expected that acceptance and understanding of those new concepts will not occur overnight. The anecdotal evidence available to me, however, indicates that there is growing acceptance of community conferencing, and even in those areas where it has been introduced only in comparatively recent times, there is acknowledgment by both police and the Magistracy of its potential to reduce juvenile offending. The Childrens Court Magistrate in Brisbane, Mr. Tony Pascoe, reports continuing success with the conferencing of offenders, and in other busy centres, such as Townsville, where conferencing facilities have only more recently been established, the results are similarly encouraging.

#### **D. Sentence Reviews**

The sentence review provisions of the legislation provide a relatively quick and inexpensive means of reviewing a sentence order without the formality of an appeal under the provisions of the *Justices Act*. A Children's Court Judge can review a sentence imposed by a Magistrate irrespective of whether there has been an error of principle or mistake of law or of fact. I have during the year encouraged the bringing of these applications, where possible, before Judges who hold Children's Court commissions in the major regional centres. I acknowledge however that it is not always appropriate or convenient to bring such reviews in other centres, and I acknowledge also the availability of specialist youth advocacy groups in Brisbane that are not always available in

regional centres. Although these applications are frequently brought on behalf of young offenders, a matter of some surprise to me has been that they are so infrequently, if ever, brought on behalf of a complainant or the prosecuting authority. The Act clearly recognises the right of such parties to bring review applications and it may be that prosecuting authorities across the State need to have a greater awareness of that right.

#### **E. General**

There are a great many groups and organisations who are so very committed to the welfare of our youth. I have during the year been able to meet with a number of those groups. The past 12 months have, however, represented something of a learning curve for me, and I hope during the forthcoming year to meet more frequently with those involved in the whole area of youth welfare and offending.

I have, during my initial year, been most impressed with the dedication of those who appear regularly in the Children's Court and who therefore contribute to the orderly and efficient operation of the Court. I should acknowledge also the assistance and co-operation of the Department of Families. As Judge Robertson has noted in an earlier report, the role of the Court and the philosophy of the legislation is such that it is of importance that lines of communication between the Court's President and the Department should be maintained. Judge Robertson did much to establish the necessary professional relationship with the Department and I hope during the forthcoming year to have regular meetings with the officers of the Department and with other user groups involved in the operation of the Court.

# Statistical Tables and Analysis

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## INTRODUCTION

For a proper understanding of this section, reference should be made to *A Case Restated for the Third Time* (p. 9 in the third annual report), where the court structure is explained. It may also be helpful to refer back to the first annual report under the rubric *Statistical Tables* (pp. 128–46) for some of the underlying assumptions and general principles which govern the compilation of the statistical data. It should be borne in mind that an unknown number of crimes committed by children are not reflected in this report. This is because these crimes are either not reported or not detected.

There has been a change in the scope of the court statistics, and caution should be used in comparing the data in this report to those published in previous reports. Defendants appearing for resentencing due to breach of juvenile justice orders have been excluded from the data, as such breaches are not criminal offences according to the Juvenile Justice Act. However, breaches of justice orders from other legislation have been included (for example those related to escaping custody, breach of bail or Domestic Violence Protection Orders).

## EXPLANATORY NOTES

### *Reference period*

The statistics in this report focus on the financial year 1 July 2002 to 30 June 2003. Where possible, data from the previous financial year are provided for comparison.

### *Data collection*

Statistical information used in this report has been collected and prepared by the Office of Economic and Statistical Research (OESR) from data collected by court staff in all criminal courts in Queensland.

### *Symbols used in tables*

— nil  
.. not applicable

## DEFINITIONS

### *Caution*

an official warning given at police discretion to juveniles as an alternative to charging.

### *Charge*

a formal accusation of an offence.

### *Child*

see juvenile.

### *Childrens Court of Queensland*

an intermediate court created to deal with juveniles charged with serious offences. It is presided over by a Childrens Court judge.

### *Committal*

referral of a case from a Magistrates Court to a higher court for trial or sentence.

### *Court of Appeal*

the Supreme Court sitting in judgement on an appeal.

### *Defendant*

a juvenile charged with a criminal offence. A juvenile is counted as a defendant more than once if disposed of more than once during the reference period.

<b><i>Disposal</i></b>	the ultimate finalisation and clearing of all matters to do with a defendant (for instance by a guilty finding and sentence, discharge or withdrawal, but not by transfer to another court).
<b><i>District Court of Queensland</i></b>	a court constituted by a District Court judge (see <i>Right of Election</i> , p. 9; 4 <sup>th</sup> annual report).
<b><i>ex officio indictment</i></b>	an indictment presented to a higher court by the Director of Prosecutions without a committal.
<b><i>guilty finding</i></b>	a determination by the court or as a result of a guilty plea that a defendant is legally responsible for an offence.
<b><i>Juvenile</i></b>	a person who has not turned 17 years. (A person who has attained 17 years of age may be dealt with as a juvenile if the offence with which he or she is charged was committed before the age of 17 years.)
<b><i>Magistrates Court</i></b>	a court of summary jurisdiction constituted by a magistrate or, in some circumstances, by two justices of the peace.
<b><i>Offence</i></b>	an act or omission which renders the person doing the act or making the omission liable to punishment.
<b><i>offence type</i></b>	a category within a classification describing the nature of the offence; the Queensland extension of the Australian Standard Offence Code is used in this report.
<b><i>Offender</i></b>	a juvenile who has been found or has pleaded guilty of an offence.
<b><i>Penalty</i></b>	a term of imprisonment or detention, fine or other payment, community service or supervision, surrender of licence or other imposition ordered by the court as part of the punishment of an offender after a guilty finding.  <i>detention order</i> a custodial penalty placing a juvenile in a youth detention centre.  <i>immediate release order</i> suspension by the sentencing court of a detention order against a juvenile offender conditional on participation in a program of up to three months.  <i>community service order</i> a supervision penalty requiring an offender to perform a specified number of hours of unpaid community work.  <i>probation order</i> a penalty allowing freedom under supervision for a specified period, conditional upon compliance with the terms of the order.  <i>fine</i> a monetary penalty requiring an offender to make a payment of a specified sum to the Crown.  <i>good behaviour order</i> a penalty where an offender is ordered to be of good behaviour for a specified period and where a breach thereof may be taken into account if the juvenile reoffends during the period of the order.  <i>reprimand</i> a formal reproof given by the court to a juvenile offender upon a guilty finding.

<b><i>Sentence</i></b>	the determination by a court of the punishment to be imposed on a person who has been found guilty or has pleaded guilty.
<b><i>serious offence</i></b>	an offence that, if committed by an adult, would make the adult liable to imprisonment for life or for 14 years or more ( <i>Juvenile Justice Act 1992</i> , s. 8).
<b><i>Supreme Court of Queensland</i></b>	the highest court in the Queensland judicial system (with unlimited jurisdiction and dealing with murder, attempted murder, manslaughter and the most serious drug offences).
<b><i>trial (criminal)</i></b>	a hearing (in a District or Supreme Court) before a judge sitting with a jury or (in the Childrens Court of Queensland) by a judge alone to determine the guilt of a defendant charged with an offence.
<b><i>Youth Justice Conferencing</i></b>	a diversionary option based on restorative justice principles whereby firstly the police can divert young offenders from the court system, and then the court can either divert or order a pre-sentence conference or indefinite referral as a method of dealing with a charge. The victim of an offence has the right to veto any conference.
<b><i>Data Issues</i></b>	There has been a change in the scope of the court statistics, and caution should be used in comparing the data in this report to those published in previous reports. (See below for more detail.)
<b><i>Breach of juvenile justice orders</i></b>	<p>A juvenile found to have breached the conditions of a juvenile justice order (ie immediate release, probation, community service and good behaviour orders) will appear in court for resentencing for the offence for which the order was originally made (<i>Juvenile Justice Act 1992</i> sections 129, 135, 154 and 185). Therefore, as such breaches are not criminal offences, juveniles appearing for resentencing have been excluded from the data in this report. Previous reports of the Childrens Court of Queensland have included such breaches</p> <p>In 2002–03, 516 defendants appeared in Queensland courts for breach of juvenile justice orders compared to 8,160 appearing for criminal offences.</p> <p>Breach of justice orders which are criminal offences have been included in the court statistics (for example those related to escaping custody, breach of bail or Domestic Violence Protection Orders).</p>
<b><i>Recording of ages</i></b>	Where possible, age has been calculated from the date of birth of the defendant to the date of finalisation.
<b><i>Most serious penalty</i></b>	Offenders may receive more than one type of penalty. Tables in this report show the number of offenders by their most serious penalty. For example, a person ordered to be detained and also placed on probation is placed in the “Detention” row only, because it is the more serious penalty.
<b><i>Percentage totals</i></b>	In tables in this report constituent percentages may not add to 100% due to rounding to one decimal place.

### ***Classification of offences***

This report shows the classification of charges by “Offence type”. The offence classification used is based on the Australian Standard Offence Classification Queensland Extension (QASOC). Offences are first classified into one of sixteen divisions shown in order of seriousness. These divisions are further broken down into offence types.

Detailed tables contain figures for all offence types. Summary tables in the body of the text give figures for all categories at the higher level and those at the lower level that are of significant interest.

Miscellaneous offences contains those that involve the breach of statutory rules or regulation that are not explicitly dealt with in any other division, for example harassment, public health and safety offences, or commercial regulations.

### ***Cautions***

Only one caution is counted for each different offence type on a crime report. Thus a person cautioned for three property damage offences will only be counted once for that offence type, and a person cautioned for one burglary offence and one property damage offence will be counted twice, once for each offence type.

The total number of cautions recorded is therefore less than the total number of offences for which offenders were cautioned.

### ***Imprisonment***

As a general rule, there is no power of imprisonment as opposed to detention under the *Juvenile Justice Act 1992*. In rare cases, however, the power of imprisonment exists. For example, if a person commits a crime as a child, absconds and is arrested pursuant to warrant after attaining the age of 18, the court is empowered in an appropriate case to impose imprisonment by way of penalty (see *Juvenile Justice Act 1992*, s.105).

## Summary

### *Juvenile defendants by court level*

There were 8,160 juveniles whose cases were disposed in all Queensland courts in 2002–03, an increase of 5.9% from 7,709 in 2001–02. Overall the number of juvenile defendants in higher courts (Childrens Court of Queensland, District and Supreme) decreased 1.8%, whereas defendants in the Magistrates Court increased 6.4%.

In 2002–03, Magistrates Courts disposed 93.4% of juvenile defendants, the Childrens Court of Queensland 2.0%, the District Court 4.5% and the Supreme Court 0.1%.

### **Juvenile defendants by court level of final disposal<sup>(a)</sup>, Queensland, 2001–02 and 2002–03**

Court level	2001–02 <sup>(b)</sup>		2002–03		Change
	No.	%	No.	%	%
Magistrates	7,163	92.9	7,624	93.4	6.4
Childrens Court of Queensland	132	1.7	161	2.0	22.0
District	406	5.3	366	4.5	-9.9
Supreme	8	0.1	9	0.1	12.5
<b>Total</b>	<b>7,709</b>	<b>100.0</b>	<b>8,160</b>	<b>100.0</b>	<b>5.9</b>

- (a) A defendant is disposed when all the charges against him or her are proved or dismissed or withdrawn. Juveniles committed from a Magistrates Court are disposed at a higher court and are counted here only at that level.  
 (b) Revised.

In a pattern almost identical to the previous year, males accounted for 80.3% of all defendants in 2002–03. Some 35.8% of defendants were 16 years of age with a further 22.9% aged 15 years. (For more detail refer to Table 8.)

### *Charges against juveniles by court level*

Although the number of defendants in the Childrens Court of Queensland increased 22.0% in 2002–03, charges heard increased 75.8%, due to a small number of offenders committing a large proportion of the offences. Charges against juveniles in the District Court decreased in line with the decrease in number of defendants whereas both defendant and charge numbers increased at similar rates in the Magistrates and Supreme Courts.

The offence categories with the largest number of charges were theft (except motor vehicles) with 3,539 charges (18.4%), unlawful entry with intent 3,257 charges (16.9%) and motor vehicle theft 2,053 charges (10.7%). In total, theft and related offences and unlawful entry offences represented almost half of all charges against juveniles (49.6%). (For more detail refer to Table 1.)

### Charges against juveniles by court level of final disposal<sup>(a)</sup>, Queensland, 2001–02 and 2002–03

Court level	2001–02 <sup>(b)</sup>		2002–03		Change
	No.	%	No.	%	%
Magistrates	15,252	85.3	16,364	85.1	7.3
Childrens Court of Queensland	674	3.8	1,185	6.2	75.8
District	1,914	10.7	1,634	8.5	-14.6
Supreme	30	0.2	40	0.2	33.3
<b>Total</b>	<b>17,870</b>	<b>100.0</b>	<b>19,223</b>	<b>100.0</b>	<b>7.5</b>

(a) Charges against juveniles committed from a Magistrates Court are disposed at a higher court and are counted here only at that level.

(b) Revised.

### *Penalties received by juvenile offenders*

In 2002–03, 85.2% (6,949) of the 8,160 juvenile defendants in Queensland's courts were either found guilty or pleaded guilty.

### Juvenile offenders by most serious penalty, Queensland, 2001–02 and 2002–03

Penalty <sup>(a)</sup>	2001–02 <sup>(b)</sup>	2002–03	Change %
Detention	134	133	-0.7
Immediate release	146	144	-1.4
Community service	1,060	1,151	8.6
Probation	980	1,050	7.1
Fine	525	501	-4.6
Compensation	208	241	15.9
Good behaviour order	1,421	1,530	7.7
Disqualification of licence	63	87	38.1
Reprimand <sup>(c)</sup>	2,052	2,112	2.9
<b>Total</b>	<b>6,589</b>	<b>6,949</b>	<b>5.5</b>

(a) In decreasing order of seriousness.

(b) Revised.

(c) Including other minor penalties such as convicted not punished.

Of those found guilty in 2002–03, 133 (or 1.9%) were sentenced to detention, and a further 144 (or 2.1%) received an immediate release order.

Reprimands and other minor penalties were ordered for 2,112 juveniles (30.4%). The next largest group of 1,530 (22.0%) received good behaviour orders as their most serious penalty and 1,151 (16.6%) received community service orders, followed closely by 1,050 receiving probation (15.1%).

## CAUTIONS

Data provided by the Queensland Police Service showed that 14,451 juvenile offenders were administered cautions in 2002–03, an increase of 0.6% from 2001–02. In comparison 19,223 charges were disposed against juveniles in court in the last year.

As in 2001–02, almost half of the cautions were administered for theft and related offences (6,576 or 45.5% of all cautions) in 2002–03. Another 1,994 juveniles received cautions for property damage (13.8%) and 1,447 for unlawful entry with intent (10.0%).

### Juvenile offenders proceeded against by caution<sup>(a)</sup> by offence type, Queensland, 2001–02 and 2002–03

Offence type <sup>(b)</sup>	2001–02	2002–03	Change %
Homicide & related offences	—	—	..
Acts intended to cause injury	662	613	-7.4
Sexual assault & related offences	130	217	66.9
Robbery & extortion	33	32	-3.0
Unlawful entry with intent	1,559	1,447	-7.2
Theft & related offences	6,878	6,576	-4.4
[Motor vehicle theft]	795	1,030	29.6
[Other theft]	5,646	5,276	-6.6
[Receiving & handling]	325	270	-16.9
Deception & related offences	284	246	-13.4
Illicit drug offences	1,345	1,338	-0.5
Property damage	1,838	1,994	8.5
Road traffic offences	31	10	-67.7
Other offences <sup>(c)</sup>	1,483	1,789	20.6
Inadequate data provided	128	189	47.7
<b>Total</b>	<b>14,371</b>	<b>14,451</b>	<b>0.6</b>

(a) A person is counted as an offender more than once if he or she has been cautioned for more than one type of offence, or for offences against more than one victim, or for offences during more than one incident.

(b) Only selected offence types are shown [in brackets] at the more detailed level.

(c) Other offences = *Dangerous or negligent acts + abduction & related offences + weapons & explosive offences + public order offences + justice & government offences + miscellaneous offences.*

Source: Queensland Police Service

**OFFENCES BEFORE THE  
COURTS**

**CHILDRENS COURT OF  
QUEENSLAND**

The Childrens Court of Queensland, comprising courts at Brisbane, Ipswich, Southport, Rockhampton, Townsville and Cairns, disposed 1,185 charges against 161 defendants in 2002–03, an increase of 22.0% in defendants from 2001–02. This increase followed a 29.4% increase from 102 juveniles in 2000–01.

**DEFENDANTS IN THE CHILDRENS COURT OF QUEENSLAND**

The majority of defendants in 2002–03 were aged 16 years or older (118 or 73.3%), with more than half of these aged 17 or over appearing for offences committed before the age of 17. Only 5.0% of defendants were aged less than 14 years.

**Childrens Court of Queensland: Juvenile defendants disposed by age, Queensland, 2001–02 and 2002–03**

Age	2001–02	2002–03	Change %
10	—	—	..
11	1	1	—
12	2	3	50.0
13	5	4	-20.0
14	20	15	-25.0
15	21	19	-9.5
16	38	52	36.8
17 & over <sup>(a)</sup>	44	66	50.0
Unknown	1	1	—
<b>Total</b>	<b>132</b>	<b>161</b>	<b>22.0</b>

(a) A person may be dealt with as a juvenile if the offence with which he or she is charged was committed before the age of 17 years.

## CHARGES AGAINST JUVENILES IN THE CHILDRENS COURT OF QUEENSLAND

The Childrens Court of Queensland dealt with 1,185 charges in 2002–03, an increase of 75.8% from the previous year. The average number of charges per defendant increased from 5.1 in 2001–02 to 7.4 in 2002–03.

Contributing to this year's higher rate were 3 defendants who appeared for a total of 163 charges of unlawful entry with intent.

### Childrens Court of Queensland: Charges against juveniles disposed by offence type, Queensland, 2001–02 and 2002–03

Offence type <sup>(a)</sup>	2001–02	2002–03	Change %
Homicide & related offences	—	—	. .
Acts intended to cause injury	89	78	-12.4
Sexual assault & related offences	19	83	336.8
Robbery & extortion	52	100	92.3
Unlawful entry with intent	89	495	456.2
Theft & related offences	220	324	47.3
[Motor vehicle theft]	133	207	55.6
[Other theft]	72	106	47.2
[Receiving & handling]	15	11	-26.7
Deception & related offences	5	9	80.0
Illicit drug offences	—	—	. .
Property damage	56	73	30.4
Road traffic offences	—	—	. .
Other offences <sup>(b)</sup>	20	23	15.0
Inadequate data provided	124	—	. .
<b>Total</b>	<b>674</b>	<b>1,185</b>	<b>75.8</b>

(a) Only selected offence types are shown [in brackets] at the more detailed level. For more detail refer to Table 1.

(b) Other offences = *Dangerous or negligent acts + abduction & related offences + weapons & explosive offences + public order offences + justice & government offences + miscellaneous offences.*

Unlawful entry with intent accounted for 41.8% of all charges, with more than half (268) of those offences committed by only 6 offenders.

Theft and related offences accounted for 27.3% of charges, with motor vehicle theft (17.5%) and other theft (8.9%) representing almost all charges.

**PENALTIES RECEIVED BY JUVENILE OFFENDERS BEFORE THE CHILDRENS COURT OF QUEENSLAND**

Of the 161 juveniles before the Childrens Court of Queensland in 2002–03, 135 (83.9%) were found guilty or pleaded guilty. Of these, 22 juvenile offenders (16.3%) received detention as their most serious penalty, with a further 24 (17.8%) receiving an immediate release order. The most common penalties were probation (32.6%) and community service orders (29.6%).

**Childrens Court of Queensland: Juvenile offenders by most serious penalty, Queensland, 2001–02 and 2002–03**

Penalty <sup>(a)</sup>	2001–02	2002–03	Change %
Detention	19	22	15.8
Immediate release	15	24	60.0
Community service	35	40	14.3
Probation	37	44	18.9
Fine	—	—	..
Compensation	—	—	..
Good behaviour order	6	1	-83.3
Disqualification of licence	—	—	..
Reprimand <sup>(b)</sup>	6	4	-33.3
<b>Total</b>	<b>118</b>	<b>135</b>	<b>14.4</b>

(a) In decreasing order of seriousness.

(b) Including other minor penalties such as convicted not punished.

*Magistrates Courts*

**JUVENILE DEFENDANTS IN MAGISTRATES COURTS**

In 2002–03, 8,086 juvenile defendants were finalised in Magistrates Courts in Queensland, an increase of 5.7% from 7,648 in the previous year. Of these, 462 were committed to a higher court for trial or sentence and 7,624 were disposed, either by a guilty finding (6,541 or 85.8%) or by discharge (1,083 or 14.2%).

### Magistrates Courts: Juvenile defendants by method of finalisation, Queensland, 2001–02 and 2002–03

Method of finalisation	2001–02 <sup>(a)</sup>	2002–03	Change %
Committed	485	462	-4.7
Disposed	7,163	7,624	6.4
Found guilty	6,117	6,541	6.9
Discharged <sup>(b)</sup>	1,046	1,083	3.5
<b>Total</b>	<b>7,648</b>	<b>8,086</b>	<b>5.7</b>

(a) Revised.

(b) Where all charges against the defendant were dismissed or withdrawn.

The difference between the 462 defendants committed to the higher court and the 536 disposed in the Childrens, District and Supreme Courts in 2002–03 is accounted for by ex officio indictments and committals to the higher court made in 2001–02 and being disposed in 2002–03. Figures are also influenced by committals made in 2002–03 being disposed in 2003–04.

#### Charges against juveniles in Magistrates Courts

Of the 17,640 charges against juveniles in Magistrates Courts in 2002–03, 16,364 (92.8%) were disposed in the Magistrates Courts and the remaining 1,276 (7.2%) were committed to a higher court for trial or sentence.

### Magistrates Courts: Charges against juveniles by method of finalisation, Queensland, 2001–02 and 2002–03

Method of finalisation	2001–02 <sup>(a)</sup>	2002–03	Change %
Committed	1,461	1,276	-12.7
Disposed	15,252	16,364	7.3
<b>Total</b>	<b>16,713</b>	<b>17,640</b>	<b>5.5</b>

(a) Revised.

#### CHARGES AGAINST JUVENILES DISPOSED IN MAGISTRATES COURTS

In 2002–03 16,364 charges were disposed in the Magistrates Courts.

The largest number of charges disposed were for theft and related offences (5,465 or 33.4%), unlawful entry with intent (2,256 or 13.8%) and road traffic offences (1,886 or 11.5%).

In total, theft and related offences and unlawful entry with intent accounted for 47.2% of all charges disposed in the Magistrates Court.

**Magistrates Courts: Charges against juveniles disposed by offence type, Queensland, 2001–02 and 2002–03**

Offence type <sup>(a)</sup>	2001–02 <sup>(b)</sup>	2002–03	Change %
Homicide & related offences	3	4	33.3
Acts intended to cause injury	689	784	13.8
Sexual assault & related offences	86	85	-1.2
Robbery & extortion	61	82	34.4
Unlawful entry with intent	2,207	2,256	2.2
Theft & related offences	4,948	5,465	10.4
[Motor vehicle theft]	1,346	1,579	17.3
[Other theft]	3,008	3,250	8.0
[Receiving & handling]	594	636	7.1
Deception & related offences	507	564	11.2
Illicit drug offences	634	578	-8.8
Property damage	1,284	1,412	10.0
Road traffic offences	1,777	1,886	0.6
Other offences <sup>(c)</sup>	3,056	3,248	6.3
Inadequate data provided	—	—	..
<b>Total</b>	<b>15,252</b>	<b>16,364</b>	<b>7.3</b>

- (a) Only selected offence types are shown [in brackets] at the more detailed level. For more detail refer to Table 1.
- (b) Revised.
- (c) Other offences = *Dangerous or negligent acts + abduction & related offences + weapons & explosive offences + public order offences + justice & government offences + miscellaneous offences.*

**PENALTIES RECEIVED BY JUVENILE OFFENDERS BEFORE MAGISTRATES COURTS**

Of the 7,624 juvenile defendants disposed in Magistrates Court in 2002–03, 6,541 (85.8%) were found guilty or pleaded guilty. Of these, 74 offenders (1.1%) received detention as the most serious penalty, with a further 72 (1.1%) receiving an immediate release order. Almost one third of juveniles received reprimands (32.2%) as their most serious penalty, 23.3% received good behaviour orders and 15.5% community service orders.

**Magistrates Courts: Juvenile offenders by most serious penalty, Queensland, 2001–02 and 2002–03**

Penalty <sup>(a)</sup>	2001–02 <sup>(b)</sup>	2002–03	Change %
Detention	74	74	—
Immediate release	83	72	-13.3
Community service	882	1,017	15.3
Probation	844	925	9.6
Fine	523	500	-4.4
Compensation	206	238	15.5
Good behaviour order	1,401	1,521	8.6
Disqualification of licence	63	87	38.1
Reprimand <sup>(c)</sup>	2,041	2,107	3.2
<b>Total</b>	<b>6,117</b>	<b>6,541</b>	<b>6.9</b>

(a) In decreasing order of seriousness.

(b) Revised.

(c) Including other minor penalties such as convicted not punished.

***District and Supreme Courts***

In 2002–03, District and Supreme Courts disposed 1,674 charges against 375 juveniles. This was a decrease of 9.4% in the number of defendants from 2001–02.

THE SUPREME COURT DISPOSED A SMALL PROPORTION OF THE CHARGES AND DEFENDANTS. IN 2002–03, THERE WERE 40 CHARGES AGAINST 9 DEFENDANTS DISPOSED IN THE SUPREME COURT, COMPARED WITH 1,634 CHARGES AGAINST 366 DEFENDANTS DISPOSED IN THE DISTRICT COURT.

**DEFENDANTS IN DISTRICT AND SUPREME COURTS**

In 2002–03, 47.2% of juvenile defendants before the District and Supreme Courts were aged 15 or 16 years, with a further 38.9% aged 17 or over. The majority of defendants were male (86.9%) (For more detail refer to Table 5.)

**District and Supreme Courts: Juvenile defendants disposed by age, Queensland, 2001–02 and 2002–03**

Age	2001–02 <sup>(a)</sup>	2002–03	Change %
10	—	—	..
11	1	2	100.0
12	6	3	-50.0
13	13	10	-23.1
14	29	34	17.2
15	94	50	-46.8
16	147	127	-13.6
17 & over <sup>(b)</sup>	122	146	19.7
Unknown	2	3	50.0
<b>Total</b>	<b>414</b>	<b>375</b>	<b>-9.4</b>

<sup>(a)</sup> Revised.

<sup>(b)</sup> A person may be dealt with as a juvenile if the offence with which he or she is charged was committed before the age of 17 years.

**CHARGES AGAINST JUVENILES IN DISTRICT AND SUPREME COURTS**

Of the 1,674 charges before District and Supreme Courts, unlawful entry with intent accounted for the largest number with 506 charges or 30.2% of the total. Within theft and related offences, the largest numbers of charges were for motor vehicle theft (267 or 15.9%) and other theft (183 or 10.9%). Assault accounted for 182 charges (10.9%).

**District and Supreme Courts: Charges against juveniles disposed by offence type, Queensland, 2001–02 and 2002–03**

Offence type <sup>(a)</sup>	2001–02 <sup>(b)</sup>	2002–03	Change %
Homicide & related offences	—	5	..
Acts intended to cause injury	258	182	-29.5
Sexual assault & related offences	93	133	43.0
Robbery & extortion	82	61	-25.6
Unlawful entry with intent	488	506	3.7
Theft & related offences	623	481	-22.8
[Motor vehicle theft]	296	267	-9.8
[Other theft]	274	183	-33.2
[Receiving & handling]	53	31	-41.5
Deception & related offences	16	23	43.8
Illicit drug offences	13	31	138.5
Property damage	167	160	-4.2
Road traffic offences	10	15	50.0
Other offences <sup>(c)</sup>	96	77	-19.8
Inadequate data provided	98	—	..
<b>Total</b>	<b>1,944</b>	<b>1,674</b>	<b>-13.9</b>

- (a) Only selected offence types are shown [in brackets] at the more detailed level. For more detail refer to Table 1.
- (b) Revised.
- (c) Other offences = *Dangerous or negligent acts + abduction & related offences + weapons & explosive offences + public order offences + justice & government offences + miscellaneous offences.*

**PENALTIES RECEIVED BY JUVENILE OFFENDERS BEFORE DISTRICT AND SUPREME COURTS**

Of the 375 juveniles before the District and Supreme Courts in 2002–03, 273 (72.8%) were found guilty or had pleaded guilty. Of these, 37 (or 13.6%) received detention as their most serious penalty, 48 (17.6%) received an immediate release order, 94 (34.4%) received community service orders and 81 (29.7%) received probation.

### District and Supreme Courts: Juvenile offenders by most serious penalty, Queensland, 2001–02 and 2002–03

Penalty <sup>(a)</sup>	2001–02	2002–03	Change %
Detention	41	37	-9.8
Immediate release	48	48	—
Community service	143	94	-34.3
Probation	99	81	-18.2
Fine	2	1	-50.0
Compensation	2	3	50.0
Good behaviour order	14	8	-42.9
Disqualification of licence	—	—	..
Reprimand <sup>(c)</sup>	5	1	-80.0
<b>Total</b>	<b>354</b>	<b>273</b>	<b>-22.9</b>

(a) In decreasing order of seriousness.

(b) Including other minor penalties such as convicted not punished.

## COMPLIANCE WITH COURT ORDERS

The Juvenile Justice Program, Department of Families, Youth and Community Care supervises juveniles on community correction orders (i.e. probation, immediate release and community service orders). The following information has been extracted from their Families and Youth Justice Information System.

In 2001–02 there were 2,940 admissions to these types of orders. Of these, 1,585 (53.9%) were probation, 1,183 (40.2%) were community service orders and 172 (5.9%) were immediate release orders.

### Orders breached

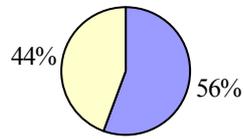
Probation and immediate release orders can be breached either by the juvenile re-offending during the period of the order or by not meeting other conditions of the order.

The majority of orders made in 2001–02 had been complied with and completed by 30 June 2003, with community service and probation orders having compliance rates of over 70.0%. The largest non-compliance rate (where a breach action had been initiated and/or finalised) was for immediate release orders (44.0%), compared with 17.0% for probation and community service orders.

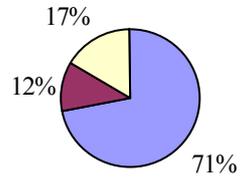
Of community service orders from 2001–02, 11.7% were still in effect 12 months after the end of that year, and of probation orders 8.1% were still in effect. Probation orders may be up to three years in length. The length of time within which community service orders should be completed is twelve months, but longer periods may be due to subsequent variations to the original order, including extension of orders or those which are not administratively closed after the specified date. Immediate release orders are a maximum of three months in duration.

**Admissions to orders against juveniles in 2001–02: Type of order by completion status at 30 June 2003, Queensland**

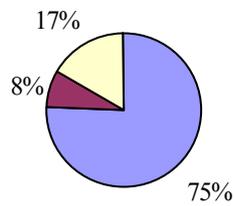
**Immediate Release**



**Community Service**



**Probation**



- Order completed
- Order still current
- Breach action initiated

Source: Families and Youth Justice Information System, Department of Families, Youth and Community Care

## **VICTIMS OF JUVENILE OFFENDERS**

The Queensland Police Service provided information about the victims of juvenile offenders. Data was extracted from the statistical system for incidents where at least one of the offenders identified was under the age of 17 years. The incidents were restricted to those involving an offence against the person and where the age and sex of the victim were recorded and the age of the offender was known.

Of the 2,469 victims of juvenile offenders in 2002–03, the majority were aged under 20 years (71.9% of those where age and sex were recorded), with 36.7% aged 10 to 14 years and 25.4% aged 15 to 19 years. Only 2.2% of victims were aged 55 years or over.

Victims aged under 10 years accounted for 42.5% of victims of sexual offences by juvenile offenders, and a further 40.8% were aged 10 to 14 years.

For offences committed by juveniles, 58.5% of victims were male. Males comprised 64.0% of robbery victims and 61.4% of assaults, whereas 59.0% of victims of sexual offences were female.

## YOUTH JUSTICE CONFERENCING

During the fiscal year 2002-03 Youth Justice Conferencing (formerly community conferencing) has continued to be provided through services covering the regions of Ipswich and Logan, Brisbane City, Gold Coast, and Cairns. The 2002-03 State Budget allocated an additional \$2.4 million over two financial years to allow for the expansion of conferencing across the State. In 2002-03 four new services were established, covering the Sunshine Coast, Caboolture and Redcliffe Peninsula, North Queensland, Central Queensland, and Far North Queensland (Cape/Torres) regions. In 2003-04 services will be established in Toowoomba and South West, Mackay and Whitsunday and Wide Bay and Burnett regions.

A total of 767 referrals were received for the year with 522 conferences held. This represents a 62.8% increase in referrals received since the last fiscal year and an increase of 34.2% in the number of conferences held. 414 police referrals were received (54%), 219 indefinite court referrals (29%) and 134 pre-sentence referrals (17%). Of young people conferenced, 79% were males. 24% of referrals were for young people of Aboriginal or Torres Strait Islander descent, compared to 21% for the previous financial year.

The conferencing program continues to record very high participant satisfaction rates on evaluation forms completed by all participants in conferences. Overall, the level of participant satisfaction achieved for the year 2002-03, was 98%. Results from participants, including victims of crime, who participated in a conference in the year, indicate that 98.6% believed the conference was fair, 97.7% were satisfied with the agreement reached and 96.6% would advise a friend to proceed via a conference.

The increased use of conferencing has enabled more young people, victims and families to participate in a process that promotes the reparation of the effects of crime. Conferencing provides an opportunity for the young person to admit the offence and accept responsibility for their actions. It also allows them to understand the consequences of their actions upon others so that they may begin to make amends. For victims and families, the process provides them with an opportunity to be heard, to tell their story and to be involved in decision making about the offending behaviour.

**Offences for which juvenile offenders were proceeded against by Youth Justice Conference, by offence type, Queensland, 2001–02 and 2002–03**

Offence type <sup>(a)</sup>	2001–02	2002–03	Change %
Homicide, etc.	—		
Assaults (inc. sexual offences), etc.	74	129	74.3
[Major assault]	37	40	8.1
[Minor assault]	29	53	82.8
Robbery & extortion	5	11	120.0
Fraud and Misappropriation	39	50	28.2
Theft, breaking & entering, etc.	453	574	26.7
[Motor vehicle theft]	57	116	103.5
[Other theft]	165	238	44.2
[Receiving, unlawful possession]	22	30	36.4
[Breaking and entering] <sup>(b)</sup>	209	190	-9.1
Property damage	156	227	45.5
Driving, traffic & related offences	15	25	66.7
Other offences	78	117	50.0
[Drug offences] <sup>(c)</sup>	24	26	8.3
<b>Total</b>	<b>820</b>	<b>1,133</b>	<b>38.2</b>

(a) Queensland Offence Classification. Only selected offence types are shown [in brackets] at the more detailed level.

(b) Breaking and entering = *burglary and housebreaking + other breaking and entering*.

(c) Drug offences = *possession or use of drugs + dealing and trafficking in drugs + manufacturing and growing drugs + other drug offences*.

Source: Youth Justice Operations Unit, Department of Families

## **DETAILED TABLES**

*TABLE 1*

**Summary**, Queensland, 2001–02 and 2002–03

All Courts: Charges against juveniles disposed by offence type and court

*TABLE 2*

**Magistrates Courts (committals)**, Queensland, 2001–02 and 2002–03

Juvenile defendants and charges committed for sentence or trial by court location

*TABLE 3*

**Magistrates Courts (disposals)**, Queensland, 2001–02 and 2002–03

Juvenile defendants disposed by age and sex

*FIGURE 1*

Juvenile defendants disposed by age

*TABLE 4*

Juvenile offenders by most serious penalty and sex

*FIGURE 2*

Juvenile offenders by most serious penalty

**District and Supreme Courts**, Queensland, 2001–02 and 2002–03

*TABLE 5*

Juvenile defendants disposed by age and sex

*FIGURE 3*

Juvenile defendants disposed by age

*TABLE 6*

Juvenile defendants and charges disposed by court location

*TABLE 7*

Juvenile offenders by most serious penalty and sex

*FIGURE 4*

Juvenile offenders by most serious penalty

**All Courts**, Queensland, 2001–02 and 2002–03

*TABLE 8*

Juvenile defendants disposed by age and sex

*FIGURE 5*

Juvenile defendants disposed by age

Table 1

## All Courts: Charges against juveniles disposed by offence type and court type, Queensland, 2001-02 and 2002-03

Offence type	2001-02 (a)				2002-03			
	Magistrates Courts <sup>(b)</sup>	Childrens Court of Qld	District & Supreme Courts	Total	Magistrates Courts <sup>(a)</sup>	Childrens Court of Qld	District & Supreme Courts	Total
<b>Homicide &amp; related offences</b>	<b>3</b>	—	—	<b>3</b>	<b>4</b>	—	<b>5</b>	<b>9</b>
Murder	—	—	—	—	2	—	1	3
Conspiracy to murder	—	—	—	—	—	—	—	—
Attempted murder	3	—	—	3	2	—	2	4
Manslaughter	—	—	—	—	—	—	—	—
Driving causing death	—	—	—	—	—	—	2	2
<b>Acts intended to cause injury</b>	<b>689</b>	<b>89</b>	<b>258</b>	<b>1,036</b>	<b>784</b>	<b>78</b>	<b>182</b>	<b>1,044</b>
Assault	689	89	258	1,036	781	78	182	1,041
Acts intended to cause injury, nec	—	—	—	—	3	—	—	3
<b>Sexual assault &amp; related offences</b>	<b>86</b>	<b>19</b>	<b>93</b>	<b>198</b>	<b>85</b>	<b>83</b>	<b>133</b>	<b>301</b>
Sexual assault	76	18	91	185	77	76	133	286
Non-assaultive sexual offences	10	1	2	13	8	7	—	15
<b>Dangerous or negligent acts</b>	<b>174</b>	<b>10</b>	<b>27</b>	<b>211</b>	<b>212</b>	<b>16</b>	<b>23</b>	<b>251</b>
Dangerous operation of a vehicle	104	8	19	131	127	14	13	154
Other dangerous or negligent acts	70	2	8	80	85	2	10	97
<b>Abduction &amp; related offences</b>	<b>13</b>	<b>1</b>	<b>3</b>	<b>17</b>	<b>21</b>	<b>3</b>	<b>6</b>	<b>30</b>
<b>Robbery &amp; extortion</b>	<b>61</b>	<b>52</b>	<b>82</b>	<b>195</b>	<b>82</b>	<b>100</b>	<b>61</b>	<b>243</b>
Robbery	59	52	81	192	79	100	61	240
Blackmail & extortion	2	—	1	3	3	—	—	3
<b>Unlawful entry with intent</b>	<b>2,207</b>	<b>89</b>	<b>488</b>	<b>2,784</b>	<b>2,256</b>	<b>495</b>	<b>506</b>	<b>3,257</b>
<b>Theft &amp; related offences<sup>(c)</sup></b>	<b>4,948</b>	<b>220</b>	<b>623</b>	<b>5,791</b>	<b>5,465</b>	<b>324</b>	<b>481</b>	<b>6,270</b>
Motor vehicle theft & related offences	1,346	133	296	1,775	1,579	207	267	2,053
Other theft & related offences	3,005	72	266	3,343	3,248	106	181	3,535
Receiving or handling proceeds of crime	594	15	53	662	636	11	31	678
Illegal use of property (except motor vehicles)	3	—	2	5	2	—	2	4
<b>Deception &amp; related offences</b>	<b>505</b>	<b>5</b>	<b>16</b>	<b>526</b>	<b>564</b>	<b>9</b>	<b>23</b>	<b>596</b>
Fraud, forgery or false instruments	358	—	5	363	403	—	8	411
Dishonest conversion	141	5	11	157	147	9	15	171
Bribery	—	—	—	—	—	—	—	—
Other deception offences	6	—	—	6	14	—	—	14
<b>Illicit drug offences</b>	<b>634</b>	—	<b>13</b>	<b>647</b>	<b>578</b>	—	<b>31</b>	<b>609</b>
Import or export illicit drugs	—	—	—	—	—	—	—	—
Deal or traffic in illicit drugs	32	—	6	38	20	—	27	47
Manufacture or cultivate illicit drugs	27	—	—	27	37	—	1	38
Possess &/or use illicit drugs	281	—	6	287	257	—	2	259
Other illicit drug offences	294	—	1	295	264	—	1	265
<b>Weapons &amp; explosives offences</b>	<b>108</b>	—	<b>2</b>	<b>110</b>	<b>130</b>	—	<b>1</b>	<b>131</b>
<b>Property damage</b>	<b>1,284</b>	<b>56</b>	<b>167</b>	<b>1,507</b>	<b>1,412</b>	<b>73</b>	<b>160</b>	<b>1,645</b>
Property damage	1,284	56	167	1,507	1,412	73	160	1,645
Environmental pollution	—	—	—	—	—	—	—	—
<b>Public order offences</b>	<b>1,595</b>	<b>6</b>	<b>50</b>	<b>1,651</b>	<b>1,649</b>	<b>1</b>	<b>23</b>	<b>1,673</b>
<b>Road traffic offences</b>	<b>1,777</b>	—	<b>10</b>	<b>1,787</b>	<b>1,886</b>	—	<b>15</b>	<b>1,901</b>
<b>Justice &amp; government offences</b>	<b>1,071</b>	—	<b>10</b>	<b>1,081</b>	<b>1,112</b>	<b>3</b>	<b>6</b>	<b>1,121</b>
Breach of justice order <sup>(d)</sup>	291	—	1	292	298	2	1	301
Other offences against justice	753	—	9	762	801	1	5	807
Offences against government	27	—	—	27	13	—	—	13
<b>Miscellaneous offences</b>	<b>97</b>	<b>3</b>	<b>4</b>	<b>104</b>	<b>124</b>	—	<b>18</b>	<b>142</b>
<b>Inadequate data provided</b>	—	<b>124</b>	<b>98</b>	<b>222</b>	—	—	—	—
<b>Total</b>	<b>15,252</b>	<b>674</b>	<b>1,944</b>	<b>17,870</b>	<b>16,364</b>	<b>1,185</b>	<b>1,674</b>	<b>19,223</b>

(a) Revised.

(b) Charges are disposed at Magistrates Court level by conviction, dismissal or withdrawal, but not by committal.

(c) Includes charges with insufficient information to classify further (District Court 2001-02).

(d) Includes offences such as breach of bail, breach of Domestic Violence Protection Order, and escape custody.

Table 2

## Magistrates courts: Juvenile charges committed for sentence or trial by court location, Queensland, 2001-02 and 2002-03

Statistical division and court location <sup>(a)</sup>	2001-02 <sup>(b)</sup>			2002-03			Percentage change	
	Defendants	Charges	Charges per defendant	Defendants	Charges	Charges per defendant	Defendants	Charges
<b>Brisbane</b>								
<b>Brisbane City</b>								
Brisbane Childrens Court	88	199	2.26	78	238	3.05	-11.4	19.6
Holland Park	14	28	2.00	3	19	6.33	-78.6	-32.1
Inala	22	74	3.36	19	33	1.74	-13.6	-55.4
Sandgate	8	18	2.25	15	47	3.13	87.5	161.1
Wynnum	2	7	3.50	7	9	1.29	250.0	28.6
<b>Remainder of Brisbane</b>								
Beenleigh	11	32	2.91	19	64	3.37	72.7	100.0
Caboolture	21	55	2.62	11	46	4.18	-47.6	-16.4
Cleveland	8	29	3.63	8	14	1.75	—	-51.7
Ipswich	63	213	3.38	50	134	2.68	-20.6	-37.1
Petrie	6	10	1.67	6	17	2.83	—	70.0
Redcliffe	20	94	4.70	18	51	2.83	-10.0	-45.7
<b>Moreton</b>								
Gatton	—	—	..	1	6	6.00	..	..
Maroochydore	17	67	3.94	26	79	3.04	52.9	17.9
Noosa	2	4	2.00	4	7	1.75	100.0	75.0
Southport	27	90	3.33	8	13	1.63	-70.4	-85.6
Toogoolawah	1	1	1.00	—	—	..	-100.0	-100.0
<b>Wide Bay – Burnett</b>								
Bundaberg	10	27	2.70	6	15	2.50	-40.0	-44.4
Gympie	1	3	3.00	2	5	2.50	100.0	66.7
Hervey Bay	14	98	7.00	12	21	1.75	-14.3	-78.6
Kingaroy	5	9	1.80	1	2	2.00	-80.0	-77.8
Maryborough	9	32	3.56	4	5	1.25	-55.6	-84.4
Murgon	1	9	9.00	6	11	1.83	500.0	22.2
Nanango	2	4	2.00	—	—	..	-100.0	-100.0
<b>Darling Downs</b>								
Chinchilla	—	—	..	1	2	..	..	..
Dalby	3	28	9.33	6	11	1.83	100.0	-60.7
Goondiwindi	—	—	..	1	4	..	..	..
Toowoomba	18	37	2.06	10	30	3.00	-44.4	-18.9
<b>South West</b>								
Charleville	—	—	..	2	6	3.00	..	..
Quilpie	—	—	..	1	4	4.00	..	..
St George	—	—	..	3	4	..	..	..
Roma	1	1	1.00	1	6	6.00	—	500.0
<b>Fitzroy</b>								
Biloela	2	7	3.50	—	—	..	-100.0	-100.0
Blackwater	1	1	1.00	—	—	..	-100.0	-100.0
Gladstone	9	21	2.33	6	15	2.50	-33.3	-28.6
Rockhampton	9	37	4.11	10	39	3.90	11.1	5.4
Yeppoon	1	1	1.00	1	5	5.00	—	400.0
<b>Central West</b>								
<b>Mackay</b>								
Mackay	8	17	2.13	11	16	1.45	37.5	-5.9
Proserpine	—	—	..	1	1	1.00	..	..
Woorabinda	—	—	..	1	2	..	..	..
<b>Northern</b>								
Ayr	3	5	1.67	2	10	5.00	-33.3	100.0
Bowen	1	1	1.00	2	2	1.00	100.0	100.0
Charters Towers	11	16	1.45	10	11	1.10	-9.1	-31.3
Ingham	2	3	1.50	—	—	..	-100.0	-100.0
Great Palm Island	—	—	..	2	2	1.00	..	..
Townsville	32	107	3.34	42	143	3.40	31.3	33.6

Table 2

Continued

Statistical division and court location <sup>(a)</sup>	2001-02 <sup>(b)</sup>			2002-03			Percentage change	
	Defendants	Charges	Charges per defendant	Defendants	Charges	Charges per defendant	Defendants	Charges
<b>Far North</b>								
Atherton	2	8	4.00	3	6	2.00	50.0	-25.0
Aurukun	6	8	1.33	—	—	..	-100.0	-100.0
Bamaga	—	—	—	3	4	..	—	—
Cairns	12	24	2.00	16	67	4.19	33.3	179.2
Cooktown <sup>(c)</sup>	—	—	—	—	1	..	—	—
Innisfail	1	1	1.00	2	9	4.50	100.0	800.0
Mareeba	1	3	3.00	4	4	1.00	300.0	33.3
Mossman	—	—	—	3	13	4.33	—	—
Thursday Island	2	3	1.50	3	5	1.67	50.0	66.7
Tully	2	6	3.00	—	—	..	-100.0	-100.0
<b>North West</b>								
Doomadgee	1	2	2.00	—	—	..	-100.0	-100.0
Kowanyama	2	7	3.50	3	3	1.00	50.0	-57.1
Mount Isa	2	13	6.50	7	14	2.00	250.0	7.7
Normanton	1	1	1.00	1	1	1.00	—	—
<b>Total</b>	<b>485</b>	<b>1,461</b>	<b>3.01</b>	<b>462</b>	<b>1,276</b>	<b>2.76</b>	<b>-4.7</b>	<b>-12.7</b>

(a) Magistrates courts not shown did not commit any juveniles during the relevant years.

(b) Revised.

(c) Single charge in 2002-03 shows no corresponding defendant as only those defendants whose most serious outcome was a committal are included in this report.

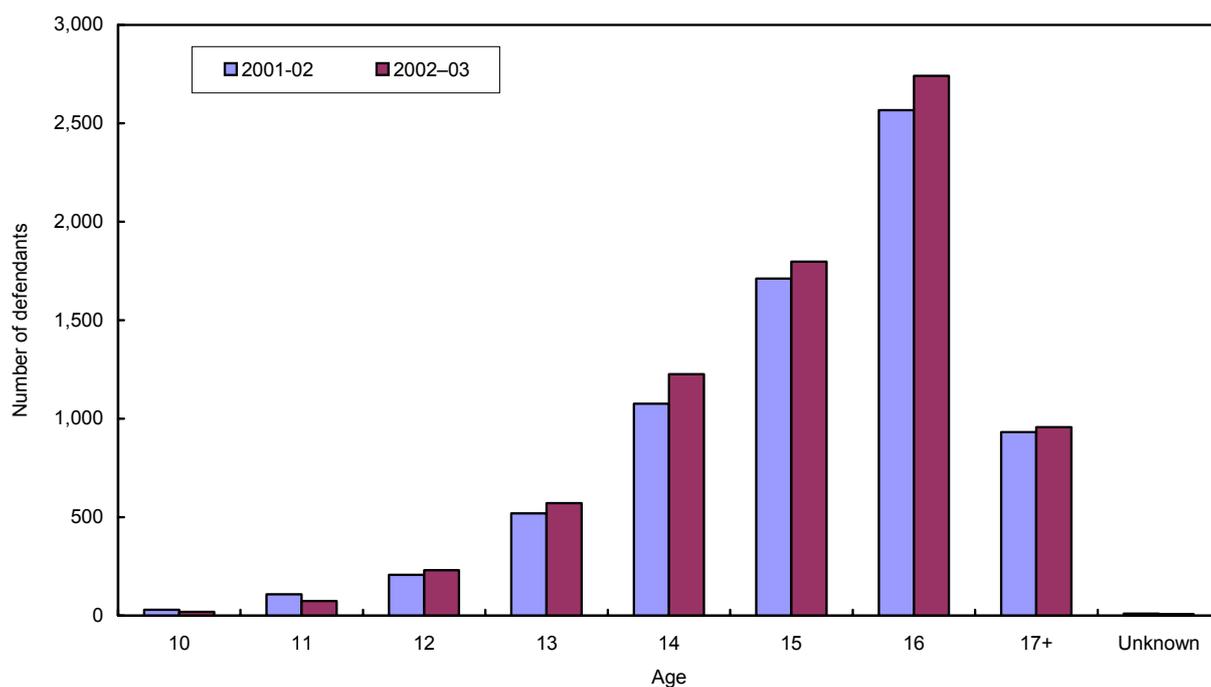
**Table 3 Magistrates Courts: Juvenile defendants disposed by age and sex, Queensland, 2001-02 and 2002-03**

Age	2001-02 <sup>(a)</sup>			2002-03			Percentage change		
	Male	Female	Total <sup>(b)</sup>	Male	Female	Total <sup>(b)</sup>	Male	Female	Total
10	29	1	30	18	1	19	-37.9	—	-36.7
11	101	8	109	61	13	74	-39.6	62.5	-32.1
12	158	49	207	186	44	230	17.7	-10.2	11.1
13	419	100	519	444	127	572	6.0	27.0	10.2
14	810	263	1,076	926	300	1,226	14.3	14.1	13.9
15	1,378	333	1,712	1,413	385	1,798	2.5	15.6	5.0
16	2,042	525	2,567	2,229	510	2,741	9.2	-2.9	6.8
17+	786	146	932	798	157	957	1.5	7.5	2.7
Unknown	10	1	11	6	1	7	-40.0	—	-36.4
<b>Total</b>	<b>5,733</b>	<b>1,426</b>	<b>7,163</b>	<b>6,081</b>	<b>1,538</b>	<b>7,624</b>	<b>6.1</b>	<b>7.9</b>	<b>6.4</b>

(a) Revised.

(b) Includes persons with sex not recorded (4 in 2001-02, 5 in 2002-03).

**Figure 1 Magistrates Courts: Juvenile defendants disposed by age, Queensland, 2001-02 and 2002-03**



**Table 4**

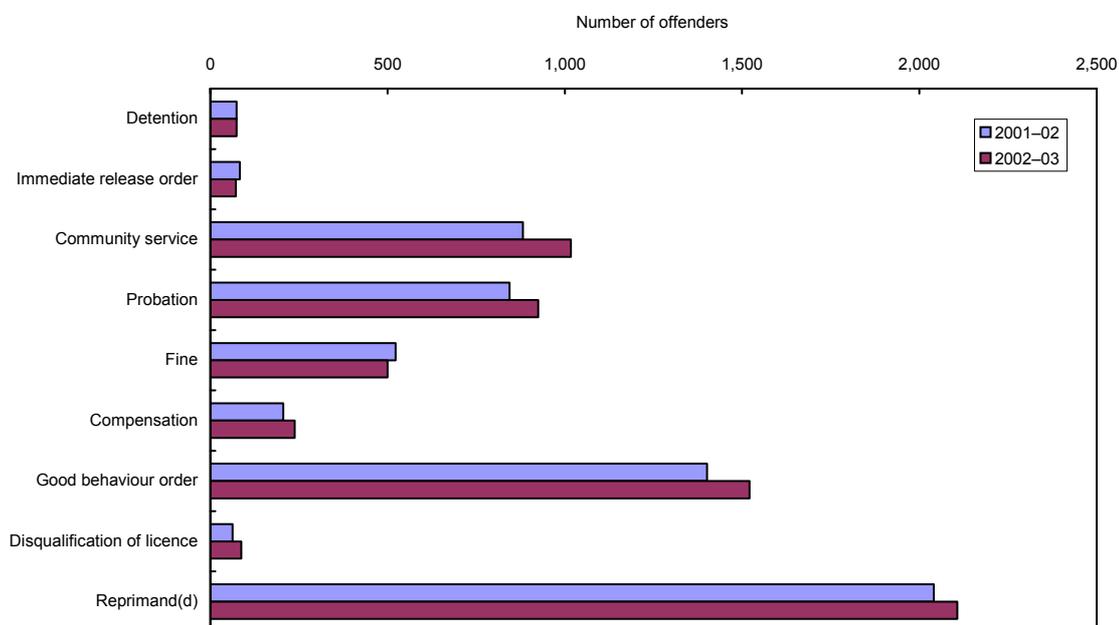
**Magistrates Courts: Juvenile offenders by most serious penalty and sex, Queensland, 2001-02 and 2002-03**

Penalty <sup>(a)</sup>	2001-02 <sup>(b)</sup>			2002-03			Percentage change		
	Male	Female	Total <sup>(c)</sup>	Male	Female	Total <sup>(c)</sup>	Male	Female	Total
Detention	70	4	74	72	2	74	2.9	-50.0	—
Immediate release order	75	8	83	68	4	72	-9.3	-50.0	-13.3
Community service	780	102	882	894	123	1,017	14.6	20.6	15.3
Probation	655	189	844	718	207	925	9.6	9.5	9.6
Fine	470	53	523	442	57	500	-6.0	7.5	-4.4
Compensation	164	41	206	189	49	238	15.2	19.5	15.5
Good behaviour order	1,084	316	1,401	1,203	318	1,521	11.0	0.6	8.6
Disqualification of licence	53	10	63	74	13	87	39.6	30.0	38.1
Reprimand <sup>(d)</sup>	1,543	497	2,041	1,559	546	2,107	1.0	9.9	3.2
<b>Total</b>	<b>4,894</b>	<b>1,220</b>	<b>6,117</b>	<b>5,219</b>	<b>1,319</b>	<b>6,541</b>	<b>6.6</b>	<b>8.1</b>	<b>6.9</b>

- (a) In decreasing order of seriousness.
- (b) Revised.
- (c) Includes offenders with sex not recorded (3 in each period).
- (d) Includes other minor penalties such as convicted not punished.

**Figure 2**

**Magistrates Courts: Juvenile offenders by most serious penalty, Queensland, 2001-02 and 2002-03**



**Table 5 District and Supreme Courts: Juvenile defendants disposed by age and sex, Queensland, 2001–02 and 2002–03**

Age	2001–02 <sup>(a)</sup>			2002–03			Percentage change		
	Male	Female	Total	Male	Female	Total	Male	Female	Total
10	—	—	—	—	—	—	..	..	..
11	1	—	1	2	—	2	100.0	..	100.0
12	6	—	6	3	—	3	-50.0	..	-50.0
13	13	—	13	9	1	10	-30.8	..	-23.1
14	24	5	29	30	4	34	25.0	-20.0	17.2
15	76	18	94	40	10	50	-47.4	-44.4	-46.8
16	131	16	147	111	16	127	-15.3	—	-13.6
17+	107	15	122	128	18	146	19.6	20.0	19.7
Unknown	1	1	2	3	—	3	200.0	-100.0	50.0
<b>Total</b>	<b>359</b>	<b>55</b>	<b>414</b>	<b>326</b>	<b>49</b>	<b>375</b>	<b>-9.2</b>	<b>-10.9</b>	<b>-9.4</b>

(a) Revised.

**Figure 3 District and Supreme Courts: Juvenile defendants disposed by age, Queensland, 2001–02 and 2002–03**

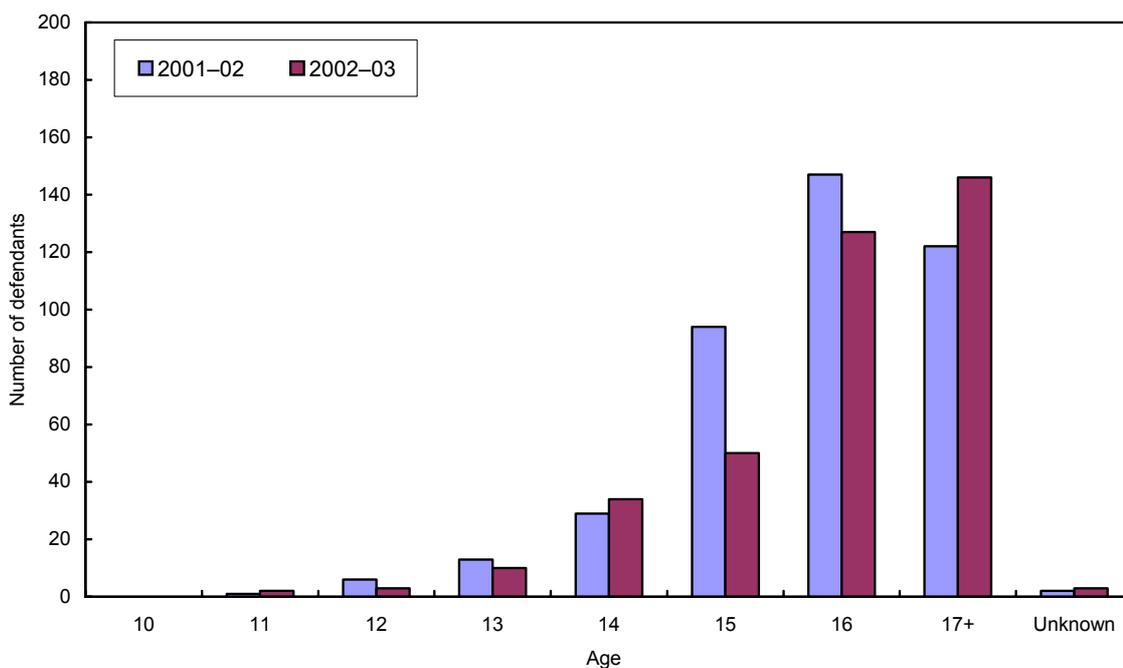


Table 6

## District and Supreme Courts: Juvenile defendants and charges disposed by court location, Queensland, 2001–02 and 2002–03

Statistical division and court location <sup>(a)</sup>	2001–02 <sup>(b)</sup>			2002–03			Percentage change	
	Defendants	Charges	Charges per defendant	Defendants	Charges	Charges per defendant	Defendants	Charges
<b>Brisbane</b>								
Brisbane Supreme	5	25	5.00	8	39	4.88	60.0	56.0
Brisbane	117	549	4.69	132	563	4.27	12.8	2.6
Beenleigh	15	143	9.53	10	52	5.20	-33.3	-63.6
Ipswich	49	132	2.69	36	169	4.69	-26.5	28.0
<b>Moreton</b>								
Maroochydore	15	159	10.60	25	180	7.20	66.7	13.2
Southport	19	65	3.42	11	39	3.55	-42.1	-40.0
<b>Wide Bay – Burnett</b>								
Bundaberg	4	4	1.00	4	5	1.25	—	25.0
Gympie	2	6	3.00	1	4	4.00	-50.0	-33.3
Kingaroy	8	80	10.00	7	29	4.14	-12.5	-63.8
Maryborough Supreme	—	—	..	1	1	1.00	..	..
Maryborough	20	200	10.00	19	58	3.05	-5.0	-71.0
<b>Darling Downs</b>								
Dalby	3	8	2.67	2	8	4.00	-33.3	—
Goondiwindi	—	—	..	1	2	2.00	..	..
Stanthorpe	1	1	1.00	—	—	..	-100.0	-100.0
Toowoomba	3	3	1.00	1	1	1.00	-66.7	-66.7
<b>South West</b>								
Charleville	2	2	1.00	—	—	..	-100.0	-100.0
<b>Fitzroy</b>								
Emerald	1	5	5.00	1	2	2.00	—	-60.0
Gladstone	38	127	3.34	24	147	6.13	-36.8	15.7
Rockhampton Supreme	1	2	2.00	—	—	..	-100.0	-100.0
Rockhampton	17	86	5.06	11	30	2.73	-35.3	-65.1
<b>Mackay</b>								
Mackay Supreme	1	1	1.00	—	—	..	-100.0	-100.0
Mackay	—	—	..	2	4	2.00	..	..
<b>Northern</b>								
Bowen	—	—	..	3	3	1.00	..	..
Townsville	61	250	4.10	42	225	5.36	-31.1	-10.0
<b>Far North</b>								
Cairns Supreme	1	2	2.00	—	—	..	-100.0	-100.0
Cairns	24	68	2.83	23	86	3.74	-4.2	26.5
Innisfail	4	9	2.25	—	—	..	-100.0	-100.0
Thursday Island	—	—	..	3	4	1.33	..	..
<b>North West</b>								
Mount Isa	3	17	5.67	8	23	2.88	166.7	35.3
<b>Total</b>	<b>414</b>	<b>1,944</b>	<b>4.70</b>	<b>375</b>	<b>1,674</b>	<b>4.46</b>	<b>-9.4</b>	<b>-13.9</b>

(a) District Courts unless otherwise indicated. Courts not shown did not dispose any juveniles during the relevant year.

(b) Revised.

**Table 7**

**District and Supreme Courts: Juvenile offenders by most serious penalty and sex, Queensland, 2001–02 and 2002–03**

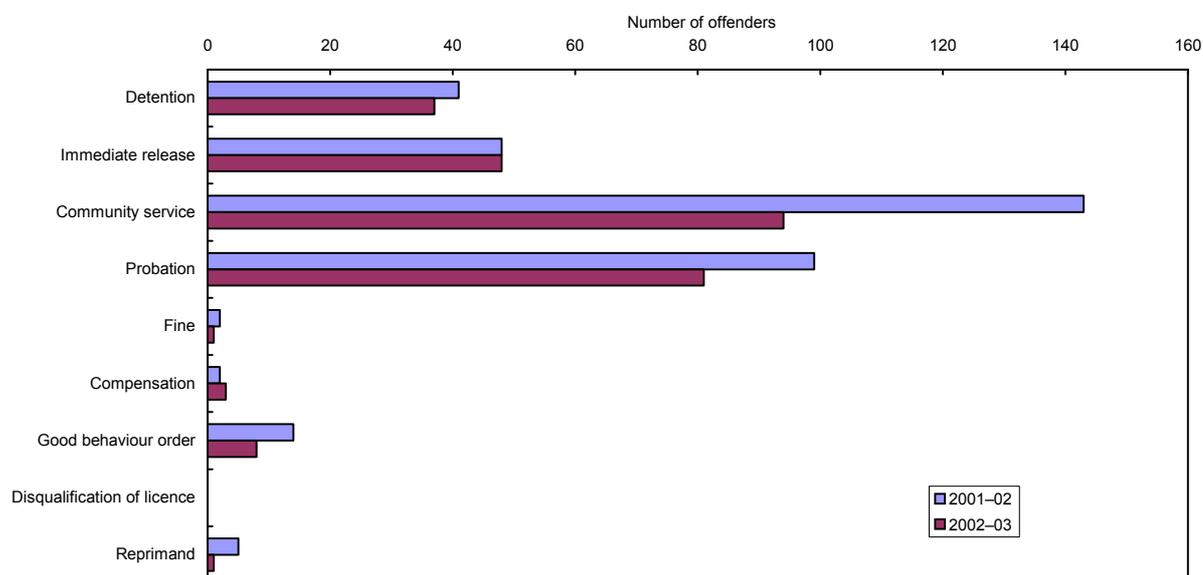
Penalty <sup>(a)</sup>	2001–02			2002–03			Percentage change		
	Male	Female	Total	Male	Female	Total	Male	Female	Total
Detention	41	—	41	37	—	37	-9.8	..	-9.8
Immediate release	47	1	48	38	10	48	-19.1	900.0	—
Community service	124	19	143	83	11	94	-33.1	-42.1	-34.3
Probation	79	20	99	71	10	81	-10.1	-50.0	-18.2
Fine	2	—	2	1	—	1	-50.0	..	-50.0
Compensation	2	—	2	1	2	3	-50.0	..	50.0
Good behaviour order	11	3	14	5	3	8	-54.5	—	-42.9
Disqualification of licence	—	—	—	—	—	—	..	..	..
Reprimand <sup>(b)</sup>	1	4	5	1	—	1	—	-100.0	-80.0
<b>Total</b>	<b>307</b>	<b>47</b>	<b>354</b>	<b>237</b>	<b>36</b>	<b>273</b>	<b>-22.8</b>	<b>-23.4</b>	<b>-22.9</b>

(a) In decreasing order of seriousness.

(b) Includes other minor penalties such as convicted not punished.

**Figure 4**

**District and Supreme Courts: Juvenile offenders by most serious penalty, Queensland, 2001–02 and 2002–03**



**Table 8 All Courts: Juvenile defendants disposed by age and sex, Queensland, 2001–02 and 2002–03**

Age	2001–02 <sup>(a)(b)</sup>			2002–03 <sup>(b)</sup>			Percentage change		
	Male	Female	Total <sup>(c)</sup>	Male	Female	Total <sup>(c)</sup>	Male	Female	Total
10	29	1	30	18	1	19	-37.9	—	-36.7
11	103	8	111	63	14	77	-38.8	75.0	-30.6
12	166	49	215	192	44	236	15.7	-10.2	9.8
13	436	101	537	457	128	586	4.8	26.7	9.1
14	850	272	1,125	969	306	1,275	14.0	12.5	13.3
15	1,471	355	1,827	1,472	395	1,867	0.1	11.3	2.2
16	2,207	545	2,752	2,385	533	2,920	8.1	-2.2	6.1
17+	933	165	1,098	987	180	1,169	5.8	9.1	6.5
Unknown	12	2	14	10	1	11	-16.7	-50.0	-21.4
<b>Total</b>	<b>6,207</b>	<b>1,498</b>	<b>7,709</b>	<b>6,553</b>	<b>1,602</b>	<b>8,160</b>	<b>5.6</b>	<b>6.9</b>	<b>5.9</b>

(a) Revised.

(b) Includes charges disposed at Magistrates Court level by conviction, dismissal or withdrawal, but not by committal.

(c) Includes persons with gender not recorded (4 in 2001-02, 5 in 2002-03).

**Figure 5 All Courts: Juvenile defendants disposed by age, Queensland, 2001–02 and 2002–03**

