

Childrens Court of Queensland

12<sup>th</sup> Annual Report

2004-2005

9 November 2005

The Honourable L. Lavarch 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 Twelfth Annual Report of the Childrens Court of Queensland for 2004-2005.

Yours sincerely,

Judge K.J. O'Brien  
President of the Childrens Court of Queensland

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## **Judges of the District Court**

During the year under report the Judges were:

**President** His Honour Judge Kerry John O'Brien  
**Judge** His Honour Senior Judge Gilbert Trafford-Walker  
His Honour Judge Anthony Joesph Healy Q.C  
His Honour Judge John Elwell Newton  
His Honour Judge Peter James White  
His Honour Judge Philip Grahame Nase  
His Honour Judge John Mervyn Robertson  
His Honour Judge Clive Frederick Wall R.F.D.,E.D.  
His Honour Judge Robert Douglas Pack  
His Honour Judge Nicholas Samios  
His Honour Judge Grant Thomas Britton S.C  
Her Honour Judge Deborah Richards  
Her Honour Judge Sarah Bradley  
His Honour Judge Michael John Shanahan  
Her Honour Judge Julie Maree Dick SC  
His Honour Judge Alan Muir Wilson SC  
His Honour Judge Walter Henry Tutt  
His Honour Judge Milton Griffin SC

## Overview

This is the twelfth annual report of the Childrens Court of Queensland. The past year has been a significant one for the Court in that it has seen the full implementation of the changes brought about by the *Juvenile Justice Amendment Act 2002*. As a consequence of those changes, all young persons committed for trial or sentence before a higher court other than the Supreme Court must now be committed to the Children's Court. Although the *Act* allows for certain limited exceptions, the District Court no longer has general criminal jurisdiction over juvenile offenders.

The real impact of this change is reflected in the fact that during 2004 – 05 there was an increase of 66.4 % in the number of young persons coming before the Childrens Court of Queensland. Although this increase was accompanied by a corresponding decrease in the number appearing before the District Court in its general criminal jurisdiction, the result has been a significant increase in work load for those judges who hold commissions in the Childrens Court. The increase in the volume of work has been reflected not only in the number of cases being determined in the court but also in the increased number of hearings involving affected child witnesses. Those hearings involved the pre recording of the evidence of certain children in a design to preserve the integrity of the child's evidence and to ensure that the evidence is taken in an environment that limits the distress that might otherwise be experienced by the child when giving evidence.

The emergence of what has now become a specialist youth court jurisdiction in this State and the increasing work load imposed on that jurisdiction may require in the

future that there should be a court consisting of “full time” judges and magistrates who sit in a discrete court complex physically separate from existing adult courts and operating with their own registry and court staff.

While this may represent the future of the court, it operates at present on a system which ensures that a District Court judge who holds a commission as a Childrens Court Judge is available to sit regularly in the jurisdiction throughout the year. It might however be confidently predicted that additional sittings will be required in the forthcoming year and that additional Childrens Court Commissions will need to be granted to judges of the District Court to accommodate the increasing work load of the court both in Brisbane and in regional centres throughout the State.

### Juvenile Justice Trends

- Following a decrease from 2002-03 to 2003-04, there was an overall decrease of 6.2% in the number of juveniles whose cases were disposed of in all Queensland Courts from 7405 in 2003-04 to 6948 in 2004-05.
- there was a 22 percent increase in the number of youth justice conferences held during 2004-05, with the state wide expansion program for Youth Justice Conferencing now fully implemented. 51 % of conferences were as a result of police referral, 36 % were indefinite court referrals and 13 % were pre sentence court referrals.

- Although there was a 66.4 % increase in the number of young people becoming before the Childrens Court of Queensland, there was a 61 % decrease in the number appearing before the District and Supreme Courts, resulting in an overall increase across the higher courts of 25.7 %.
- There was an overall decrease in the number of charges against young people from 16,947 to 16,627 or 1.9 %.
- Males accounted for 79.5 %, while 15-16 year olds represented 57.9% of juvenile defendants. Young people appearing before the District and Supreme Courts were aged 16 years or older in 71.4% of cases.
- As in the previous year, theft and related offences and unlawful entry within intent offences accounted for almost half of all charges against juveniles. These offences saw a combined decrease of only 0.2% since 2003-04.
- Detention orders decreased from 135 in 2003-04 to 118 in 2004-05, a decrease of 12.6%, while detention orders with immediate/conditional release orders increased 10.1% from 129 to 142. These most serious of penalties were awarded in only 4.5% of cases. Detention orders in the Childrens Court of Queensland decreased from 32 to 27 however immediate/conditional release orders in that court saw a huge increase of 207.1% since 2003-04, from 14 to 43.

- Cautions administered by police decreased this year, from 14,296 to 13,361 following a decrease in the previous year.
- The Magistrate Courts disposed of 85.3% juvenile cases in 2004-05
- Probation and Community Service Orders have had a high completion rate of 80.3% and 74.9% respectively. Immediate/Conditional Release and Intensive Supervision Orders once again experienced the highest non-compliance rate of 50% each.
- As in previous years the majority of victims of juvenile offenders were aged under 20 years of age (64.9% of those where age was recorded) and only 2.9% were aged 55 years and over. Assault victims accounted for 67.4% of all victims of juvenile offenders, with 28.6% of those victims aged between 10-14 years.

### Comments on Juvenile Justice Trends

It is again pleasing to note that there has been a continuing overall decline in the number of juvenile offenders coming before the court from 7405 in 2003-04 to 6948 in 2004-05. Given that the number of referrals to Youth Justice Conferencing in 2004-05 (2064) was about the same as it was in 2003-04 (2059), this decrease should be seen as encouraging. Again the figures give no indication of any increase in juvenile crime rates.



As noted above, the increase of 66.4% in the number of young people coming before the Childrens Court of Queensland was attributable largely to the transfer of jurisdiction to that court from the District Court. The increase was accompanied by an associated decrease of 62.2% in the number of matters coming before the District Court.

It is encouraging to note the continued use of Youth Justice Conferencing both as a diversionary and as a sentencing option. The legislative changes have clearly resulted in the increased use of such conferences and have consequently placed greater demands on departmental resources. In 2002-03 there were only 767 referrals with a total of 522 conferences. In the past year this had increased to a total of 2064 referrals and 1755 conferences. The participant satisfaction rate, including victims of crime, remains at a very high level of about 98%.

## Issues in Juvenile Justice

### **A. Youth Drug Court**

In the eleventh annual report of this court I recommended that consideration is given to the establishment in this State of a specialist Youth Drug Court operating at Magisterial level along the lines of the New South Wales model. In recent times the Australian Institute of Criminology has released a report (“Alcohol Drugs and Crime: a study of juveniles in detention”) which provides useful insight into the impact of alcohol and drug abuse on young persons and their offending behaviour. The study which provides the basis for the report confirms that juveniles in detention have extensive offending and drug use histories, in terms of both violent and property

crime, and regularly use alcohol, cannabis and, to a lesser extent amphetamines. One of the most important conclusions reached by the authors of the report is that, generally, the earlier that young people first use substances and engage in crime, the worse their criminal and substance abuse behaviour will become. The authors also conclude that the problems associated with juvenile substance abuse and offending require the involvement of a whole range of agencies not normally associated with the criminal justice system.

I regard these findings as confirming the need for a specialist Youth Drug Court capable of providing intensive supervision and case management aimed at addressing not only the legal aspects of the offending behaviour but also the accumulation of other underlying factors that have contributed to the young person's substance abuse and offending behaviour.

## **B. Some Legislative Matters**

- Pre-Sentence Reports

The *Juvenile Justice Act* provides that before sentencing a child found guilty of an offence, the court may order the Chief Executive to give to the court a pre-sentence report concerning a child. If the court is to make a detention order, then it is mandatory that such a report be obtained and considered. Regulations contained in the *Juvenile Justice Regulation 2003* set out those matters which must be included in the report and section 151 (3) of the *Act* expressly provides that the court “may request that the report contained specified information, assessments and reports relating to the child or the child's family or other matters”.

In general, it is desirable, that any sentencing court should have as much information concerning an offender as can possibly be obtained. This is particularly so in the case of children where rehabilitation is a factor of particular importance. Often, a sentencing court will benefit through having access to certain information or assessments concerning the child or the child's family. That information or those assessments may fall outside the scope of those matters set out in the regulations. The view has been expressed however that because the legislation uses the word "request" in section 151 (3) there is not necessarily any obligation on the Chief Executive to provide such additional information that might be sought by the sentencing court. Such an interpretation would not seem consistent with other provisions of the *Act* including section 150 (3) and it would be, at very least, an unsatisfactory situation if the provision of such additional information required by the sentencing tribunal should be left to the discretion of the Chief Executive. I would accordingly recommend that the legislation be amended to remove any uncertainty that might exist with the interpretation of section 151 (3). This could be achieved simply by substituting the word 'direct' for the word 'request'.

- Supervision of Probation Orders

A further potential problem that emerged during the year concerned the Department's ability to properly supervise certain probation orders in which the court has imposed a residential condition on a child who is also the subject of an order made under the provisions of the *Child Protection Act 1999*. The difficulty arises specifically, it would seem, in the situation in which the court imposes a condition that the child reside at such place that may be approved by the Department of Communities. Such a condition could be authorised under section 193 (2) of the *Act* but because of the division of responsibility between the Department of Communities and the

Department of Child Safety, the Department of Communities has apparently experienced difficulties in supervising such a condition in the case of a child who is the subject of an order under the *Child Protection Act*.

There is no doubt that there are many cases in which a clear need exists for the Department responsible for the supervision of Probation Orders to monitor and control the residential requirements of young persons who have been placed on probation. In the case of *R v T* Childrens Court of Queensland no. 332/2004 (23 March 2005) His Honour Judge Shanahan considered that it would be “inappropriate” to restrict the range of conditions that might be imposed pursuant to the sentencing provision of the *Juvenile Justice Act* because of the division of the responsibilities between the two departments. I agree with those observations and would urge that appropriate measures be put in place to ensure that any administrative difficulties that exist with the supervision of these orders might be overcome.

- Section 93A of the Evidence Act 1977

Section 93A of the Evidence Act provides a mechanism whereby a statement made by a child (or an intellectually impaired person) may become admissible in a subsequent proceeding as evidence of the facts set out in that statement. In general terms the purpose of section 93A is to provide some special protection and assistance for children (and intellectually impaired persons) in the unfamiliar and potentially stressful circumstances of giving evidence in court and to minimize the risk that they may not give their best evidence because of fear, shyness or lack of understanding.

In *R v GR* (2005) QCA 146 the Court of Appeal held that a statement cannot be tendered under section 93A unless the maker of the statement is a child as defined for

the purposes of that section (or an intellectually impaired person) at the time of the proceeding.

There are many cases in which through no fault of the prosecuting authority, the witness is no longer a child as relevantly defined at the time of the hearing and to overcome the difficulties that thereby arise and to preserve the legislative intent that led to the enacting of the section, I would urge that consideration be given to amending s.93A to ensure that the statement remains admissible even though the witness may no longer be a child for the purposes of the section at the time of the hearing.

### **C. General**

During the year I have continued to meet whenever possible with individuals and agencies involved with issues of juvenile justice throughout the state. I have had the opportunity to attend training programs and conferences conducted by the Department of Child Safety and by the Department of Communities. In July 2005 I was fortunate to be able to attend the annual meeting of the South Pacific Council of Youth and Childrens Court held in Suva. This very worthwhile conference provides a forum for an exchange of views and a discussion of developments in other Youth Justice Jurisdictions throughout the Pacific region. The Council now comprises the heads of jurisdiction from all Australian States and Territories, New Zealand, Fiji, Western Samoa, Papua New Guinea, and for the first time this year, Kiribati, Solomon Islands, and Vanuatu. A central feature of this year's meeting was the adoption of a number of key purposes or principles which reaffirmed the Council's commitment to assist all

nations in the region to develop culturally appropriate child protection systems for children and young persons.

A number of these nations have no specific youth justice legislation and there exists a real need for more developed countries to play a role in the establishment and development of appropriate youth justice systems in those countries. The Council has been able to obtain the support of organisations such as UNICEF and AUSAID and I have no doubt that real opportunities exist for the various jurisdictions in this country to stay a role in the development of those systems.

Finally, I would acknowledge the valuable contribution that has been made to the operation of the Court throughout the year, not only by the Judges and the Court and Departmental staff across the state, but also by agencies such as the Legal Aid office, the Youth Advocacy Centre and the Director of Public Prosecutions office which have all demonstrated an ongoing commitment to youth justice. They have all contributed to the orderly and efficient operation of the Court throughout the State.

## 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 2004 to 30 June 2005. 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.

### ***Children’s Court of Queensland***

an intermediate court created to deal with juveniles charged with serious offences. It is presided over by a Children’s 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.



<i>disposal</i>	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).
<i>District Court of Queensland</i>	a court constituted by a District Court judge (see <i>Right of Election</i> , p. 9; 4 <sup>th</sup> annual report).
<i>ex officio indictment</i>	an indictment presented to a higher court by the Director of Prosecutions without a committal.
<i>guilty finding</i>	a determination by the court or as a result of a guilty plea that a defendant is legally responsible for an offence.
<i>juvenile</i>	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.)
<i>Magistrates Court</i>	a court of summary jurisdiction constituted by a magistrate or, in some circumstances, by two justices of the peace.
<i>offence</i>	an act or omission which renders the person doing the act or making the omission liable to punishment.
<i>offence type</i>	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.
<i>offender</i>	a juvenile who has been found or has pleaded guilty of an offence.
<i>penalty</i>	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>conditional 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.
<i>sentence</i>	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 Children’s 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>Data Issues</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 conditional 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. Earlier reports of the Children’s Court of Queensland have included such breaches.</p> <p>In 2004–05, 231 defendants appeared in Queensland courts for breach of juvenile justice orders compared to 7,292 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 6,948 juveniles whose cases were disposed in all Queensland courts in 2004–05, a decrease of 6.2% from 7,405 in 2003–04. Overall the number of juvenile defendants in District, Supreme and Magistrate’s Courts decreased 8.4%, whereas defendants in the Children’s Court of Queensland increased by 66.4%.

In 2004–05, Magistrates Courts disposed 93.0% of juvenile defendants, the Children’s Court of Queensland 5.3%, the District Court 1.6% and the Supreme Court 0.1%.

### **Juvenile defendants by court level of final disposal<sup>(a)</sup>, Queensland, 2003–04 and 2004–05**

Court level	2003–04 <sup>(b)</sup>		2004–05		Change
	No.	%	No.	%	%
Magistrates	6,880	92.9	6,463	93.0	-6.1
Children’s Court of Queensland	220	3.0	366	5.3	66.4
District	299	4.0	113	1.6	-62.2
Supreme	6	.1	6	.1	—
<b>Total</b>	<b>7,405</b>	<b>100.0</b>	<b>6,948</b>	<b>100.0</b>	<b>-6.2</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. Similarly, those defendants who are indefinitely referred to Youth Justice Conferencing are also not counted here.

(b) Revised.

Following the pattern of previous years, males accounted for 79.5% of all defendants in 2004–05. Fifteen to sixteen year olds represented 57.9% of juvenile defendants, with a further 16.0% aged 17 years and over. (For more detail refer to Table 8.)

### *Charges against juveniles by court level*

While the number of defendants in the Children’s Court of Queensland increased 66.4% in 2004–05, charges heard increased by 84.1%, due to the number of charges per defendant increasing by 10.0%, from 5.0 to 5.5. Charges against juveniles in the Supreme Court decreased by 40.9%, whereas the number of defendants remained the same. Both defendant and charge numbers decreased at similar rates in the Magistrates and District Courts in 2004–05.

The offence categories with the largest number of charges were unlawful entry with intent with 2,937 charges (17.7%), theft (except motor vehicles) 2,550 charges (15.3%) and motor vehicle theft 1,747 charges (10.5%). As in 2003–04, in total, theft and related offences and unlawful entry offences represented almost half of all charges against juveniles (46.9%). (For more detail refer to Table 1.)

**Charges against juveniles by court level of final disposal<sup>(a)</sup>,  
Queensland, 2003–04 and 2004–05**

Court level	2003–04 <sup>(b)</sup>		2004–05		Change
	No.	%	No.	%	%
Magistrates	14,633	86.3	14,175	85.3	-3.1
Children's Court of Queensland	1,097	6.5	2,020	12.1	84.1
District	1,195	7.1	419	2.5	-64.9
Supreme	22	0.1	13	0.1	-40.9
<b>Total</b>	<b>16,947</b>	<b>100.0</b>	<b>16,627</b>	<b>100.0</b>	<b>-1.9</b>

(a) Charges against juveniles committed from a Magistrates Court are disposed at a higher court and are counted here only at that level. Similarly, those defendants who are indefinitely referred to Youth Justice Conferencing are also not counted here.

(b) Revised.

***Penalties received by juvenile offenders***

In 2004–05, 82.9% (5,949) of the 7,179 juvenile defendants in Queensland's courts were either found guilty or pleaded guilty.

**Juvenile offenders by most serious penalty, Queensland, 2003–04 and 2004–05**

Penalty <sup>(a)</sup>	2003–04 <sup>(b)</sup>	2004–05	Change %
Detention <sup>(c)</sup>	135	118	-12.6
Immediate/Conditional release <sup>(d)</sup>	129	142	10.1
Intensive Correction Order	—	1	..
Community service	976	970	-0.6
Probation	947	992	4.8
Fine	462	421	-8.9
Compensation	131	140	6.9
Good behaviour order	1,411	1,239	-12.2
Disqualification of licence	59	36	-39.0
Reprimand <sup>(e)</sup>	1,943	1,752	-9.8
<b>Total</b>	<b>6,193</b>	<b>5,811</b>	<b>-6.2</b>

(a) In decreasing order of seriousness.

(b) Revised.

(c) Includes imprisonment and intensive supervision orders (1 each in 2004-5).

(d) Includes suspended imprisonment (2 in 2004-5).

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

Of those found guilty in 2004–05, 118 (or 2.0%) were sentenced to detention, and a further 142 (or 2.4%) received immediate/conditional release orders.

Reprimands and other minor penalties were ordered for 1,752 juveniles (30.1%). The next largest group of 1,239 (21.3%) received good behaviour orders as their most serious penalty with 992 receiving probation (17.1%),

followed closely by 970 (16.7%) receiving community service orders.

## Cautions

Data provided by the Queensland Police Service showed that 13,361 juvenile offenders were administered cautions in 2004–05, a decrease of 6.5% from 2003–04. In comparison 16,627 charges were disposed against juvenile offenders in court in the last year.

As in 2003–04, the greatest number of cautions were administered for theft and related offences (4,912 or 36.8% of all cautions) in 2004–05. Another 2,064 juveniles received cautions for property damage (15.4%) and 1,564 for unlawful entry with intent (11.7%).

### Juvenile offenders proceeded against by caution<sup>(a)</sup> by offence type, Queensland, 2003–04 and 2004–05

Offence type <sup>(b)</sup>	2003–04 <sup>(c)</sup>	2004–05	Change %
Homicide & related offences	—	—	—
Acts intended to cause injury	756	723	-4.4
Sexual assault & related offences	174	163	-6.3
Robbery & extortion	29	29	—
Unlawful entry with intent	1,533	1,564	2.0
Theft & related offences	6,094	4,912	-19.4
<i>[Motor vehicle theft]</i>	844	757	-10.3
<i>[Other theft]</i>	4,900	3,865	-21.1
<i>[Receiving &amp; handling]</i>	350	290	-17.1
Deception & related offences	438	329	-24.9
Illicit drug offences	1,257	1,316	4.7
Property damage	1,965	2,064	5.0
Road traffic offences	22	32	45.5
Other offences <sup>(d)</sup>	2,028	2,229	9.9
<b>Total</b>	<b>14,296</b>	<b>13,361</b>	<b>-6.5</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) Revised.

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

## Offences before the courts

### *Children's Court of Queensland*

The Children's Court of Queensland disposed 2,020 charges against 366 defendants in 2004–05, an increase of 66.4% defendants since 2003–04. This increase followed a 36.6% increase from 161 juvenile defendants in 2002–03.

### **Defendants in the Children's Court of Queensland**

The majority of defendants in 2004–05 were aged 15 years or older (305 or 83.3%), with 42.3% of these aged 17 years or older appearing for offences committed before the age of 17. Only 7.4% of defendants were aged less than 14 years.

### **Children's Court of Queensland: Juvenile defendants disposed by age, Queensland, 2003–04 and 2004–05**

Age	2003–04 <sup>(a)</sup>	2004–05	Change %
10	—	—	—
11	—	3	..
12	4	6	50.0
13	7	18	157.1
14	19	34	78.9
15	58	80	37.9
16	55	96	74.5
17 & over <sup>(b)</sup>	77	129	67.5
<b>Total</b>	<b>220</b>	<b>366</b>	<b>66.4</b>

(a) Revised

(b) 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 Children's Court of Queensland

The Children's Court of Queensland dealt with 2,020 charges in 2004–05, an increase of 84.1% from the previous year. The average number of charges per defendant increased from 5.0 in 2003–04 to 5.5 in 2004–05.

### Children's Court of Queensland: Charges against juveniles disposed<sup>(a)</sup> by offence type, Queensland, 2003–04 and 2004–05

Offence type <sup>(b)</sup>	2003–04 <sup>(c)</sup>	2004–05	Change %
Homicide & related offences	—	3	..
Acts intended to cause injury	91	202	122.0
Sexual assault & related offences	65	182	180.0
Robbery & extortion	77	159	106.5
Unlawful entry with intent	404	677	67.6
Theft & related offences	331	508	53.5
<i>[Motor vehicle theft]</i>	185	237	28.1
<i>[Other theft]</i>	99	230	132.3
<i>[Receiving &amp; handling]</i>	47	37	-21.3
Deception & related offences	4	8	100.0
Illicit drug offences	4	9	125.0
Property damage	77	199	158.4
Road traffic offences	8	11	37.5
Other offences <sup>(d)</sup>	40	70	75.0
<b>Total</b>	<b>1,097</b>	<b>2,020</b>	<b>84.1</b>

- (a) Defendants who are indefinitely referred to Youth Justice Conferencing are not counted here.
- (b) Only selected offence types are shown [in brackets] at the more detailed level. For more detail refer to Table 1.
- (c) Revised.
- (d) 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 33.5% of all charges.

Theft and related offences accounted for 25.1% of charges, with motor vehicle theft and other theft each representing around 45% of these.



### Penalties received by juvenile offenders before the Children's Court of Queensland

Of the 366 juveniles before the Children's Court of Queensland in 2004–05, 301 (82.2%) were found guilty or pleaded guilty. Of these, 27 juvenile offenders (9.0%) received a custodial sentence as their most serious penalty, with a further 43 (14.3%) receiving a suspended sentence. The most common penalties were probation (40.9%) and community service orders (30.6%).

### Children's Court of Queensland: Juvenile offenders by most serious penalty, Queensland, 2003–04 and 2004–05

Penalty <sup>(a)</sup>	2003–04 <sup>(b)</sup>	2004–05	Change %
Detention <sup>(c)</sup>	32	27	-15.6
Immediate/Conditional release <sup>(d)</sup>	14	43	207.1
Intensive correction order	—	1	..
Community service	47	92	95.7
Probation	84	123	46.4
Fine	—	1	..
Compensation	1	2	100.0
Good behaviour order	2	6	200.0
Reprimand <sup>(e)</sup>	3	6	100.0
<b>Total</b>	<b>183</b>	<b>301</b>	<b>65.0</b>

(a) In decreasing order of seriousness.

(b) Revised.

(c) Includes imprisonment (1 in 2004-5).

(d) Includes suspended imprisonment (1 in 2004-5).

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

### Magistrates Courts

#### Juvenile defendants in Magistrates Courts

In 2004–05, 6,807 juvenile defendants were finalised in Magistrates Courts in Queensland, a decrease of 6.6% from 7,291 in the previous year. Of these, 344 were committed to a higher court for trial or sentence and 6,463 were disposed, either by a guilty finding (5,419 or 83.8%) or by discharge (1,044 or 16.2%).

**Magistrates Courts: Juvenile defendants by method of finalisation, Queensland, 2003–04 and 2004–05**

Method of finalisation	2003–04 <sup>(a)</sup>	2004–05	Change %
Committed	411	344	-16.3
Disposed <sup>(b)</sup>	6,880	6,463	-6.1
<i>Found guilty</i>	5,767	5,419	-6.0
<i>Discharged<sup>(c)</sup></i>	1,113	1,044	-6.2
<b>Total</b>	<b>7,291</b>	<b>6,807</b>	<b>-6.6</b>

(a) Revised.

(b) Defendants who are indefinitely referred to Youth Justice Conferencing are not counted here.

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

The difference between the 344 defendants committed to the higher court and the 485 disposed in the Children’s Court of Queensland, District and Supreme Courts in 2004–05 is accounted for by *ex officio* indictments and matters committed to the higher court in 2003–04 and being disposed in 2004–05. Figures are also influenced by committals made in 2004–05 being disposed in 2004–05.

**Charges against juveniles in Magistrates Courts**

Of the 15,338 charges against juveniles in Magistrates Courts in 2004–05, 14,175 (92.4%) were disposed in the Magistrates Courts and the remaining 1,163 (7.6%) were committed to a higher court for trial or sentence.

**Magistrates Courts: Charges against juveniles by method of finalisation, Queensland, 2003–04 and 2004–05**

Method of finalisation	2003–04 <sup>(a)</sup>	2004–05	Change %
Committed	1,175	1,163	-1.0
Disposed <sup>(b)</sup>	14,633	14,175	-3.1
<b>Total</b>	<b>15,808</b>	<b>15,338</b>	<b>-3.0</b>

(a) Revised.

(b) Charges of defendants who are indefinitely referred to Youth Justice Conferencing are not counted here.

**Charges against juveniles disposed in Magistrates Courts**

In 2004–05 14,175 charges were disposed in the Magistrates Courts.

The largest number of charges disposed were for theft and related offences (4,274 or 30.2%), unlawful entry with intent (2,136 or 15.1%) and road traffic offences (1,587 or 11.2%).

In total, theft and related offences and unlawful entry with intent accounted for 45.2% of all charges disposed in the Magistrates Court.

**Magistrates Courts: Charges against juveniles disposed by offence type, Queensland, 2003–04 and 2004–05**

Offence type <sup>(a)</sup>	2003–04 <sup>(b)</sup>	2004–05	Change %
Homicide & related offences	10	3	-70.0
Acts intended to cause injury	682	731	7.2
Sexual assault & related offences	319	57	-82.1
Robbery & extortion	77	90	16.9
Unlawful entry with intent	1,979	2,136	7.9
Theft & related offences	4,385	4,274	-2.5
<i>[Motor vehicle theft]</i>	1,278	1,476	15.5
<i>[Other theft]</i>	2,486	2,287	-8.0
<i>[Receiving &amp; handling]</i>	621	506	-18.5
Deception & related offences	505	516	2.2
Illicit drug offences	604	586	-3.0
Property damage	1,341	1,067	-20.4
Road traffic offences	1,517	1,587	4.6
Other offences <sup>(c)</sup>	3,214	3,128	-2.7
<b>Total</b>	<b>14,633</b>	<b>14,175</b>	<b>-3.1</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 6,463 juvenile defendants disposed in Magistrates Court in 2004–05, 5,419 (83.8%) were found guilty or pleaded guilty. Of these, 82 offenders (1.5) received a custodial sentence as their most serious penalty, with a further 91(1.7%) receiving immediate/conditional release orders. Almost one third of juveniles (32.2%) received a reprimand, 1,231 (22.7%) received a good behaviour order, 848 (15.6%) received a community service order and 827 (15.3%) received probation as their most serious penalty.

**Magistrates Courts: Juvenile offenders by most serious penalty, Queensland, 2003–04 and 2004–05**

Penalty <sup>(a)</sup>	2003–04 <sup>(b)</sup>	2004–05	Change %
Detention <sup>(c)</sup>	75	82	9.3
Immediate/conditional release <sup>(d)</sup>	89	91	2.2
Community service	827	848	2.5
Probation	796	827	3.9
Fine	460	420	-8.7
Compensation	129	138	7.0
Good behaviour order	1,400	1,231	-12.1
Disqualification of licence	59	36	-39.0
Reprimand <sup>(e)</sup>	1,932	1,746	-9.6
<b>Total</b>	<b>5,767</b>	<b>5,419</b>	<b>-6.0</b>

(a) In decreasing order of seriousness.

(b) Revised.

(c) Includes intensive supervision orders (1 in 2004-5).

(d) Includes suspended imprisonment (1 in 2004-5).

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

***District and Supreme Courts***

In 2004–05, District and Supreme Courts disposed 432 charges against 119 juveniles. This was a decrease of 61.0% in the number of defendants from 2003–04, corresponding with a large increase in defendants and charges dealt with in the Children’s Court of Queensland.

The Supreme Court disposed a small proportion of the charges and defendants. In 2004–05, there were 13 charges against 6 defendants disposed in the Supreme Court, compared with 419 charges against 113 defendants disposed in the District Court.

**Defendants in District and Supreme Courts**

In 2004–05, 71.4% of juvenile defendants before the District and Supreme Courts were aged 16 years and older, with a further 15.1% aged 15 years. The majority of defendants were male (87.4%). (For more detail refer to Table 5.)

**District and Supreme Courts: Juvenile defendants disposed by age, Queensland, 2003–04 and 2004–05**

Age	2003–04 <sup>(a)</sup>	2004–05	Change %
10	—	—	—
11	1	1	—
12	2	1	-50.0
13	6	5	-16.7
14	23	9	-60.9
15	47	18	-61.7
16	103	20	-80.6
17 & over <sup>(b)</sup>	123	65	-47.2
<b>Total</b>	<b>305</b>	<b>119</b>	<b>-61.0</b>

(a) Revised.

(b) 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 432 charges before District and Supreme Courts, unlawful entry with intent accounted for the largest number with 124 charges or 28.7% of the total. Within theft and related offences (19.0% of the total), the largest number of charges were for other theft (36 or 43.9 %) and motor vehicle theft (34 or 41.5%). Assault accounted for 72 charges (16.7%).

**District and Supreme Courts: Charges against juveniles disposed by offence type, Queensland, 2003–04 and 2004–05**

Offence type <sup>(a)</sup>	2003–04 <sup>(b)</sup>	2004–05	Change %
Homicide & related offences	3	2	-33.3
Acts intended to cause injury	185	72	-61.1
Sexual assault & related offences	60	36	-40.0
Robbery & extortion	63	26	-58.7
Unlawful entry with intent	311	124	-60.1
Theft & related offences	406	82	-79.8
<i>[Motor vehicle theft]</i>	233	34	-85.4
<i>[Other theft]</i>	147	36	-75.5
<i>[Receiving &amp; handling]</i>	24	10	-58.3
Deception & related offences	6	2	-66.7
Illicit drug offences	15	18	20.0
Property damage	109	38	-65.1
Road traffic offences	3	—	-100.0
Other offences <sup>(c)</sup>	56	32	-42.9
<b>Total</b>	<b>1,217</b>	<b>432</b>	<b>-64.5</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 119 juveniles before the District and Supreme Courts in 2004–05, 91 (76.5%) were found guilty or had pleaded guilty. Of these, 9 (or 9.9%) received detention as their most serious penalty, 8 (8.8%) received an immediate/conditional release order, 30 (33.0%) received a community service order and 42 (46.2%) received probation.

**District and Supreme Courts: Juvenile offenders by most serious penalty, Queensland, 2003–04 and 2004–05**

Penalty <sup>(a)</sup>	2003–04 <sup>(b)</sup>	2004–05	Change %
Detention	28	9	-67.9
Immediate/conditional release	26	8	-69.2
Community service	102	30	-70.6
Probation	67	42	-37.3
Fine	2	—	-100.0
Compensation	1	—	-100.0
Good behaviour order	9	2	-77.8
Reprimand <sup>(c)</sup>	8	—	-100.04
<b>Total</b>	<b>243</b>	<b>91</b>	<b>-62.6</b>

(a) In decreasing order of seriousness.

(b) Revised.

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

**Compliance with court orders**

The Juvenile Justice Program, Department Communities, supervises juveniles on community correction orders (i.e. probation, conditional release, community service and intensive supervision orders). The following information has been extracted from the Families and Youth Justice Database.

In 2003–04 there were 2,866 admissions to these types of orders. Of these, 1,481 (26.7%) were probation, 1,219 (42.5%) were community service orders, 162 (5.7%) were conditional release orders and 4 (0.1%) were intensive supervision orders.

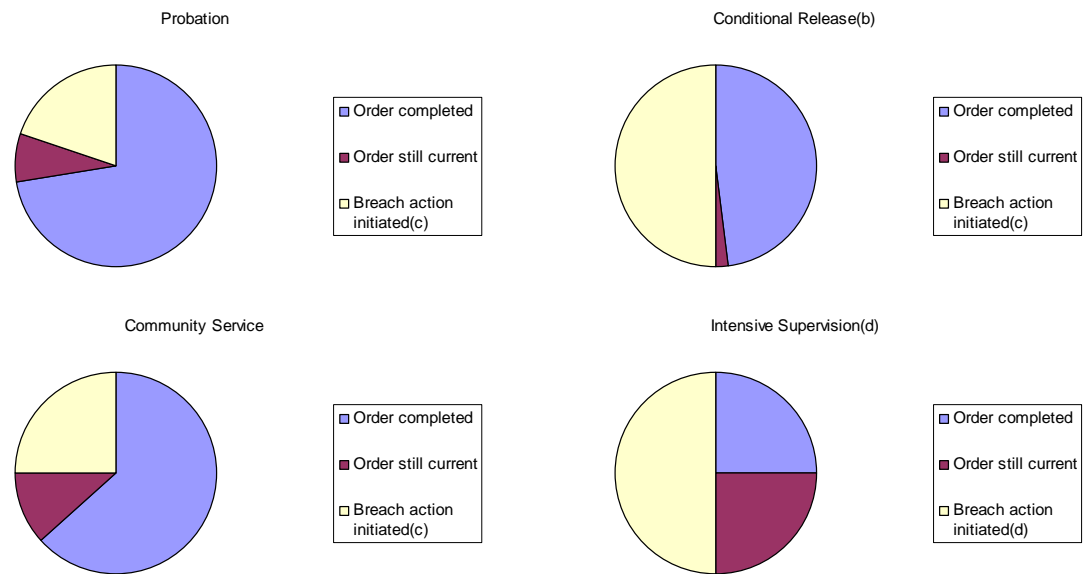
**Orders breached**

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 (67.1%) of orders made in 2003–04 had been complied with and completed by 30 June 2005, with community service and probation orders having compliance rates of 68.3%. Conditional release orders and intensive supervision orders each had a 50.0% non-compliance rate (where a breach action had been initiated and/or finalised), compared with 13.8% for probation and community service orders.

Of community service orders from 2003–04, 11.5% were still in effect 12 months after the end of that year, and of probation orders 19.7% 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. Longer periods may be due to subsequent variations to the original order, including extension of orders and 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 2004–05: Type of order by completion status at 30 June 2005, Queensland <sup>(a)</sup>**



- (a) Admissions orders are counted once for each type of order made in the same court on the same day. Admissions to combined orders are counted under the main order category (e.g., a probation/community service order is counted as a probation order).
- (b) Formerly "Immediate Release Orders".
- (c) Intensive Supervision Orders (ISOs) are a sentencing option for young people aged between 10 and 12 years where the court considers that the child, unless subject to an intensive period of supervision and support in the community, is likely to commit further offences. ISOs can only be ordered in cases where the young person has been found guilty of an offence that if committed by an adult would make the adult liable to imprisonment.
- (d) If an order has had a breach action initiated, it will not be counted as being completed or still current, even if the order had been completed or was still current (at 30 June 2005) as a result of the action.

Source: *Families and Youth Justice Database Department of Communities, preliminary data current as at 31 August 2005.*



### **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 2,663 victims of juvenile offenders in 2004–05, the majority were aged under 20 years (64.9% of those where age was recorded), with 29.6% aged 10 to 14 years and 25.5% aged 15 to 19 years. Only 2.9% of victims were aged 55 years or over.

Assault victims accounted for 67.4% of all victims of juvenile offenders, with 28.6% of those victims aged between 10 and 14 years and a further 21.8% aged between 25 and 39 years.

Victims aged under 10 years accounted for 45.3% of victims of sexual offences by juvenile offenders, and a further 37.8% were aged 10 to 14 years.

For offences committed by juveniles, 55.1% of victims were male. Males comprised 70.4% of robbery victims and 59.1% of assault victims, whereas 71.3% of victims of sexual offences were female. All of the victims of homicide and related offences committed by juveniles were male.

## **Youth Justice Conferencing**

Youth Justice Conferencing has been expanded across the State to encourage more offenders to take responsibility for their actions by meeting with victims, with a view to decreasing the number of repeat offenders. The statewide expansion program for Youth Justice Conferencing has now been fully implemented and services are currently being delivered from twelve discrete service locations.

The availability of conferencing services in all areas of the State fulfils an undertaking made in the 2002-03 State Budget, where an allocation of \$2.4 million was made available over two years for this initiative. The Youth Justice Conferencing program won the 2003 Premier's Award for Excellence in Public Sector Management in the category "Focussing on our People".

A total\* of 2,064 referrals were received for the year with 1,755 conferences held. This is comparable to the previous year of 2,059 referrals and a 22% increase in the number of conferences held (1,438). 1,052 police referrals were received (51%), 739 indefinite court referrals (36%) and 273 presentence referrals (13%). Of the referrals received over this period 37% were for Indigenous young people. Male offenders comprised 80% of all referrals.

The conferencing program continues to record very high participant satisfaction rates on evaluation forms completed by participants in conferences. Overall, the level of participant satisfaction achieved for the year 2004-2005, was 98.3%. Results from participants, including victims of crime, who participated in a conference in the year, indicate that 98.7% believed the conference was fair, 98.5% were satisfied with the agreement reached and 97.8% would advise a friend to proceed via a conference.

The continued high level of referrals to 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 impact 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. Conferences result in the reaching of an agreement about how the young person may repair the harm caused. In 2004/05, 176 conference agreements included direct restitution to victims and 155 included the young person performing direct work for the victim.

**Offences for which young people were conferenced, by offence type, in Queensland, 2003-04 and 2004-05\***

Offence type <sup>(a)</sup>	2003-04	2004-05	Change %
Homicide, etc. (b)	1	1	..
Assaults (inc. sexual offences), etc.	311	415	33.4
<i>[Major assault]</i>	133	149	12.0
<i>[Minor assault]</i>	152	266	75.0
Robbery & extortion	39	58	48.7
Fraud and Misappropriation	136	104	-23.5
Theft, breaking & entering, etc.	1,813	2,277	25.6
<i>[Theft / Unlawful Use of MV]</i>	390	470	20.5
<i>[Other theft]</i>	710	843	18.7
<i>[Receiving, unlawful possession]</i>	98	85	-13.3
<i>[Breaking and entering]<sup>(c)</sup></i>	615	879	42.9
Property damage	920	1,293	40.5
Driving, traffic & related offences	76	100	31.6
Other offences <sup>(d)</sup>	604	591	-2.2
<i>[Drug offences]<sup>(e)</sup></i>	68	70	2.9
<b>Total</b>	<b>3,900</b>	<b>4,839</b>	<b>24.1</b>

\*NB: all data valid as at 10 August 2005

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

(b) Includes *manslaughter + dangerous driving causing death*.

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

(d) Other offences = *drunkenness + offensive behaviour + trespassing & vagrancy + weapons offences + environmental offences + liquor offences + enforcement of orders + Other + drug offences + possession or use of drugs + dealing and trafficking in drugs + manufacturing and growing drugs + other drug offences*.

(e) Drug offences = *possession or use of drugs + dealing & trafficking in drugs + manufacturing & growing drugs + other drug offences*

NB – Total offences (4,839) differs from the number of conferences held (1,755) as multiple offences may be handled in one conference.

Source: Youth Justice Operations Unit, Department of Communities

**Detailed Tables**

**Summary, Queensland, 2003–04 and 2004–05**

*Table 1* All Courts: Charges against juveniles disposed by offence type and court

**Magistrates Courts (committals), Queensland, 2003–04 and 2004–05**

*Table 2* Juvenile defendants and charges committed for sentence or trial by court location

**Magistrates Courts (disposals), Queensland, 2003–04 and 2004–05**

*Table 3* 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, 2003–04 and 2004–05**

*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, 2003–04 and 2004–05**

*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, 2003-04 and 2004-05

Offence type	2003-04 <sup>(b)</sup>				2004-05			
	Magistrates Courts <sup>(a)</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>10</b>	—	<b>3</b>	<b>13</b>	<b>3</b>	<b>3</b>	<b>2</b>	<b>8</b>
Murder	—	—	1	1	—	1	1	2
Conspiracy to murder	—	—	—	—	—	—	—	—
Attempted murder	7	—	—	7	3	—	—	3
Manslaughter	—	—	2	2	—	—	1	1
Driving causing death	3	—	—	3	—	2	—	2
<b>Acts intended to cause injury</b>	<b>682</b>	<b>91</b>	<b>185</b>	<b>958</b>	<b>731</b>	<b>202</b>	<b>72</b>	<b>1,005</b>
Assault	676	91	185	952	729	201	72	1,002
Acts intended to cause injury, nec	6	—	—	6	2	1	—	3
<b>Sexual assault &amp; related offences</b>	<b>319</b>	<b>65</b>	<b>60</b>	<b>444</b>	<b>57</b>	<b>182</b>	<b>36</b>	<b>275</b>
Sexual assault	286	62	59	407	53	150	35	238
Non-assaultive sexual offences	33	3	1	37	4	32	1	37
<b>Dangerous or negligent acts</b>	<b>195</b>	<b>14</b>	<b>10</b>	<b>219</b>	<b>209</b>	<b>21</b>	<b>4</b>	<b>234</b>
Dangerous operation of a vehicle	122	14	7	143	130	14	1	145
Other dangerous or negligent acts	73	—	3	76	79	7	3	89
<b>Abduction &amp; related offences</b>	<b>14</b>	<b>1</b>	<b>7</b>	<b>22</b>	<b>35</b>	<b>9</b>	<b>2</b>	<b>46</b>
<b>Robbery &amp; extortion</b>	<b>77</b>	<b>77</b>	<b>63</b>	<b>217</b>	<b>90</b>	<b>159</b>	<b>26</b>	<b>275</b>
Robbery	77	76	63	216	90	157	20	267
Blackmail & extortion	—	1	—	1	—	2	6	8
<b>Unlawful entry with intent</b>	<b>1,979</b>	<b>404</b>	<b>311</b>	<b>2,694</b>	<b>2,136</b>	<b>677</b>	<b>124</b>	<b>2,937</b>
<b>Theft &amp; related offences<sup>(c)</sup></b>	<b>4,385</b>	<b>331</b>	<b>406</b>	<b>5,122</b>	<b>4,274</b>	<b>508</b>	<b>82</b>	<b>4,864</b>
Motor vehicle theft & related offences	1,278	185	233	1,696	1,476	237	34	1,747
Other theft & related offences	2,486	99	147	2,732	2,284	230	36	2,550
Receiving or handling proceeds of crime	621	47	24	692	506	37	10	553
Illegal use of property (except motor vehicles)	—	—	2	2	5	1	2	8
<b>Deception &amp; related offences</b>	<b>505</b>	<b>4</b>	<b>6</b>	<b>515</b>	<b>516</b>	<b>8</b>	<b>2</b>	<b>526</b>
Fraud, forgery or false instruments	387	—	4	391	377	3	2	382
Dishonest conversion	103	4	2	109	138	5	—	143
Bribery	1	—	—	1	—	—	—	1
Other deception offences	14	—	—	14	1	—	—	15
<b>Illicit drug offences</b>	<b>604</b>	<b>4</b>	<b>15</b>	<b>623</b>	<b>586</b>	<b>9</b>	<b>18</b>	<b>613</b>
Import or export illicit drugs	—	—	—	—	—	—	—	—
Deal or traffic in illicit drugs	38	—	11	49	66	—	8	74
Manufacture or cultivate illicit drugs	45	—	—	45	28	—	—	28
Possess &/or use illicit drugs	263	—	3	266	229	5	7	241
Other illicit drug offences	258	4	1	263	263	4	3	270
<b>Weapons &amp; explosives offences</b>	<b>135</b>	<b>1</b>	<b>—</b>	<b>136</b>	<b>131</b>	<b>2</b>	<b>3</b>	<b>136</b>
<b>Property damage</b>	<b>1,341</b>	<b>77</b>	<b>109</b>	<b>1,527</b>	<b>1,067</b>	<b>199</b>	<b>38</b>	<b>1,304</b>
Property damage	1,341	77	109	1,527	1,067	199	38	1,304
Environmental pollution	—	—	—	—	—	—	—	—
<b>Public order offences</b>	<b>1,484</b>	<b>9</b>	<b>17</b>	<b>1,510</b>	<b>1,467</b>	<b>14</b>	<b>13</b>	<b>1,494</b>
<b>Road traffic offences</b>	<b>1,517</b>	<b>8</b>	<b>3</b>	<b>1,528</b>	<b>1,587</b>	<b>11</b>	<b>—</b>	<b>1,598</b>
<b>Justice &amp; government offences</b>	<b>1,276</b>	<b>7</b>	<b>11</b>	<b>1,294</b>	<b>1,187</b>	<b>12</b>	<b>8</b>	<b>1,207</b>
Breach of justice order <sup>(d)</sup>	531	—	2	533	453	3	2	458
Other offences against justice	725	7	9	741	723	9	6	738
Offences against government	20	—	—	20	11	—	—	11
<b>Miscellaneous offences</b>	<b>110</b>	<b>4</b>	<b>11</b>	<b>125</b>	<b>99</b>	<b>4</b>	<b>2</b>	<b>105</b>
<b>Total</b>	<b>14,633</b>	<b>1,097</b>	<b>1,217</b>	<b>16,947</b>	<b>14,175</b>	<b>2,020</b>	<b>432</b>	<b>16,627</b>

(a) Charges are disposed at Magistrates Court level by conviction, dismissal or withdrawal, but not by committal or referral to Youth Justice Conference.

(b) Revised

(c) Total includes offences not further disaggregated.

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

Statistical division and court location <sup>(b)</sup>	2003–04 <sup>(a)</sup>			2004–05			Percentage change	
	Defendants <sup>(c)</sup>	Charges	Charges per defendant	Defendants <sup>(c)</sup>	Charges	Charges per defendant	Defendants <sup>(c)</sup>	Charges
<b>Brisbane</b>								
<b>Brisbane City</b>								
Brisbane Childrens Court	83	220	2.65	50	206	4.12	-39.8	-6.4
Holland Park	4	9	2.25	3	8	2.67	-25.0	-11.1
Inala	19	63	3.32	16	35	2.19	-15.8	-44.4
Sandgate	11	46	4.18	16	62	3.88	45.5	34.8
Wynnum	1	1	1.00	3	26	8.67	200.0	2,500.0
<b>Remainder of Brisbane</b>			..			..		
Beenleigh	30	79	2.63	27	92	3.41	-10.0	16.5
Caboolture	13	23	1.77	17	69	4.06	30.8	200.0
Cleveland	1	1	1.00	3	8	2.67	200.0	700.0
Ipswich	52	156	3.00	19	34	1.79	-63.5	-78.2
Petrie	11	22	2.00	2	20	10.00	-81.8	-9.1
Redcliffe	13	22	1.69	11	25	2.27	-15.4	13.6
<b>Moreton</b>								
Beaudesert	—	—	..	8	23	2.88	..	..
Maroochydore	26	74	2.85	15	47	3.13	-42.3	-36.5
Noosa	3	5	1.67	2	2	1.00	-33.3	-60.0
Southport	15	39	2.60	22	65	2.95	46.7	66.7
<b>Wide Bay – Burnett</b>			..			..		
Bundaberg	4	6	1.50	8	11	1.38	100.0	83.3
Gympie	1	6	6.00	2	8	4.00	100.0	33.3
Hervey Bay	10	45	4.50	10	25	2.50	—	-44.4
Kingaroy	13	46	3.54	1	3	3.00	-92.3	-93.5
Maryborough	12	27	2.25	16	54	3.38	33.3	100.0
Murgon	5	11	2.20	—	—	..	-100.0	-100.0
Nanango	1	1	1.00	1	1	1.00	—	—
<b>Darling Downs</b>								
Chinchilla	1	2	2.00	—	—	..	-100.0	-100.0
Dalby	1	1	1.00	9	45	5.00	800.0	4,400.0
Goondiwindi	1	2	2.00	1	1	1.00	—	-50.0
Toowoomba	12	19	1.58	6	10	1.67	-50.0	-47.4
Warwick	5	13	2.60	3	3	1.00	-40.0	-76.9
<b>South West</b>								
Charleville	2	7	3.50	1	1	1.00	-50.0	-85.7
Cunnamulla	2	6	3.00	—	—	..	-100.0	-100.0
Dirranbandi	—	—	..	1	1	1.00	..	..
Roma	2	2	1.00	1	1	1.00	-50.0	-50.0
<b>Fitzroy</b>								
Gladstone	8	27	3.38	2	4	2.00	-75.0	-85.2
Rockhampton	13	34	2.62	17	42	2.47	30.8	23.5
Yeppoon	1	1	1.00	—	—	..	-100.0	-100.0
<b>Central West</b>								
<b>Mackay</b>								
Mackay	12	27	2.25	15	61	4.07	25.0	125.9
Proserpine	—	—	..	1	1	1.00	..	..
Woorabinda	—	—	..	6	7	1.17	..	..
<b>Northern</b>								
Bowen	—	—	..	1	3	3.00	..	..
Charters Towers	7	8	1.14	3	3	1.00	-57.1	-62.5
Great Palm Island	1	4	4.00	8	8	1.00	700.0	100.0
Townsville	22	52	2.36	16	44	2.75	-27.3	-15.4

Table 2

Continued

Statistical division and court location <sup>(b)</sup>	2003-04 <sup>(a)</sup>			2004-05			Percentage change	
	Defendants	Charges	Charges per defendant	Defendants	Charges	Charges per defendant	Defendants	Charges
<b>Far North</b>								
Atherton	1	1	1.00	—	—	..	-100.0	-100.0
Aurukun	1	1	1.00	2	2	1.00	100.0	100.0
Cairns	10	32	3.20	18	66	3.67	80.0	106.3
Coen	—	—	..	1	2	2.00	..	..
Cooktown	2	3	1.50	1	1	1.00	-50.0	-66.7
Innisfail	1	1	1.00	1	4	4.00	—	300.0
Lockhart River	—	—	..	2	4	2.00	..	..
Mareeba	6	9	1.50	—	—	..	-100.0	-100.0
Mossman	1	3	3.00	—	—	..	-100.0	-100.0
Thursday Island	—	—	..	2	6	3.00	..	..
Tully	2	2	1.00	1	6	6.00	-50.0	200.0
Yarrabah	2	4	2.00	—	—	..	-100.0	-100.0
<b>North West</b>								
Doomadgee	—	—	..	1	1	1.00	..	..
Kowanyama	2	2	1.00	1	2	2.00	-50.0	—
Mount Isa	2	10	5.00	5	9	1.80	150.0	-10.0
Pormpuraaw	—	—	..	1	1	1.00	..	..
<b>Total</b>	<b>448</b>	<b>1,175</b>	<b>2.62</b>	<b>379</b>	<b>1,163</b>	<b>3.07</b>	<b>-15.4</b>	<b>-1.0</b>

(a) Revised

(b) Magistrates courts not shown did not commit any juveniles during the relevant year(s).

(c) Defendants here include those whose appearance resulted in a committal to a higher court for sentence or trial, regardless of whether or not this was their most serious outcome.

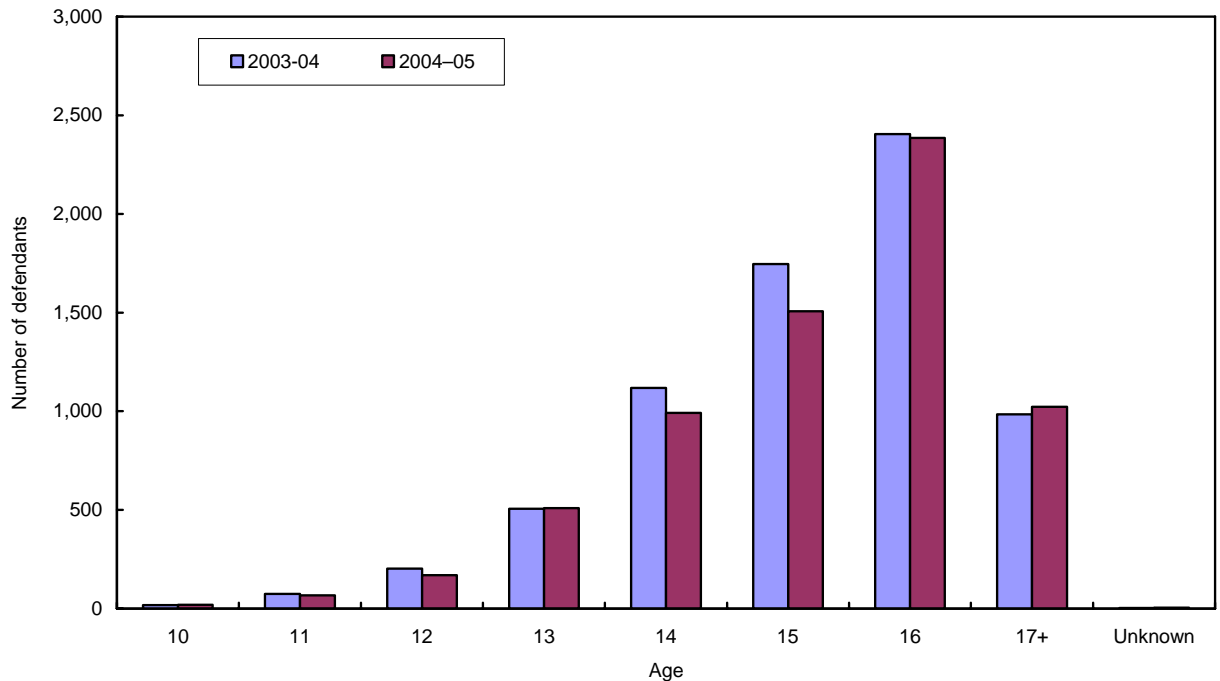
**Table 3** Magistrates Courts: Juvenile defendants disposed by age and sex, Queensland, 2003–04 and 2004–05

Age	2003–04 <sup>(a)</sup>			2004–05			Percentage change		
	Male	Female	Total <sup>(b)</sup>	Male	Female	Total <sup>(b)</sup>	Male	Female	Total
10	18	—	18	18	1	19	—	..	5.6
11	70	5	75	56	11	67	-20.0	120.0	-10.7
12	168	34	202	137	32	169	-18.5	-5.9	-16.3
13	395	111	506	381	128	509	-3.5	15.3	0.6
14	850	268	1,118	741	251	992	-12.8	-6.3	-11.3
15	1,353	394	1,747	1,147	360	1,507	-15.2	-8.6	-13.7
16	1,967	437	2,405	1,947	437	2,385	-1.0	—	-0.8
17+	816	168	984	848	175	1,023	3.9	4.2	4.0
Unknown	3	—	3	4	1	5	33.3	..	66.7
<b>Total</b>	<b>5,640</b>	<b>1,417</b>	<b>7,058</b>	<b>5,279</b>	<b>1,396</b>	<b>6,676</b>	<b>-6.4</b>	<b>-1.5</b>	<b>-5.4</b>

(a) Revised.

(b) Includes persons with sex not recorded (1 each in 2003-04 and 2004-05).

**Figure 1** Magistrates Courts: Juvenile defendants disposed by age, Queensland, 2003–04 and 2004–05





**Table 4**

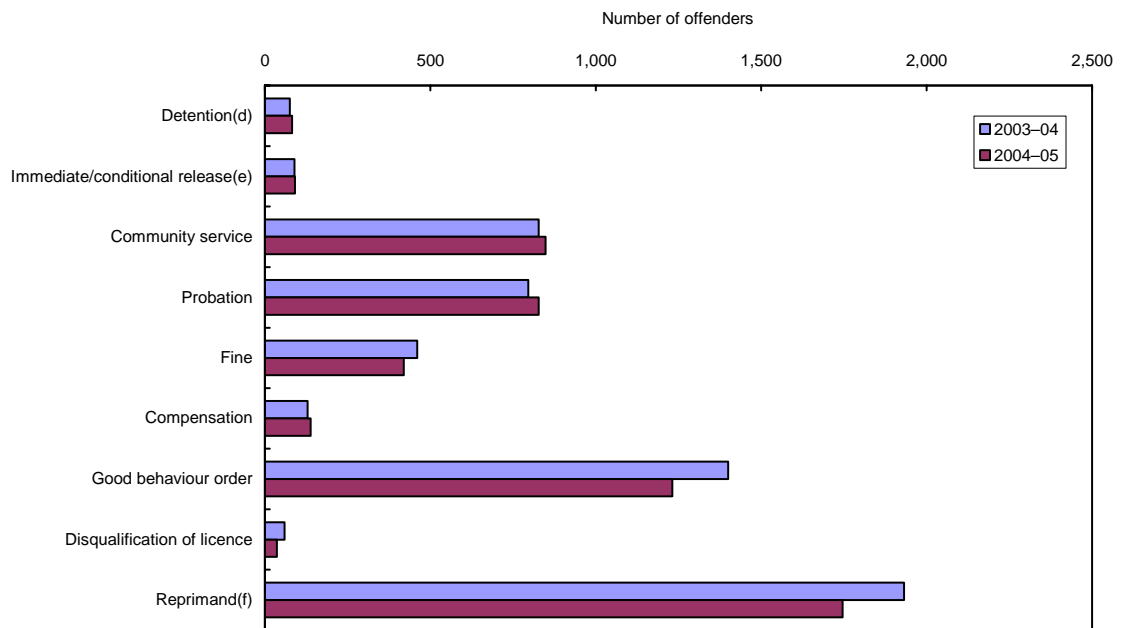
**Magistrates Courts: Juvenile offenders by most serious penalty and sex, Queensland, 2003–04 and 2004–05**

Penalty <sup>(a)</sup>	2003–04 <sup>(b)</sup>			2004–05			Percentage change		
	Male	Female	Total <sup>(c)</sup>	Male	Female	Total <sup>(c)</sup>	Male	Female	Total
Detention <sup>(d)</sup>	68	7	75	78	4	82	14.7	-42.9	9.3
Immediate/conditional release <sup>(e)</sup>	80	9	89	79	12	91	-1.3	33.3	2.2
Community service	734	93	827	730	118	848	-0.5	26.9	2.5
Probation	648	148	796	625	202	827	-3.5	36.5	3.9
Fine	401	59	460	377	42	420	-6.0	-28.8	-8.7
Compensation	104	25	129	106	32	138	1.9	28.0	7.0
Good behaviour order	1,072	328	1,400	887	344	1,231	-17.3	4.9	-12.1
Disqualification of licence	51	8	59	31	5	36	-39.2	-37.5	-39.0
Reprimand <sup>(f)</sup>	1,440	492	1,932	1,324	422	1,746	-8.1	-14.2	-9.6
<b>Total</b>	<b>4,598</b>	<b>1,169</b>	<b>5,767</b>	<b>4,237</b>	<b>1,181</b>	<b>5,419</b>	<b>-7.9</b>	<b>1.0</b>	<b>-6.0</b>

- (a) In decreasing order of seriousness.
- (b) Revised.
- (c) Includes offenders with sex not recorded (1 in 2004-05).
- (d) Includes intensive supervision (1 in 2004-05).
- (e) Includes suspended imprisonment (1 in 2004-05).
- (f) Includes other minor penalties such as convicted not punished.

**Figure 2**

**Magistrates Courts: Juvenile offenders by most serious penalty, Queensland, 2003–04 and 2004–05**

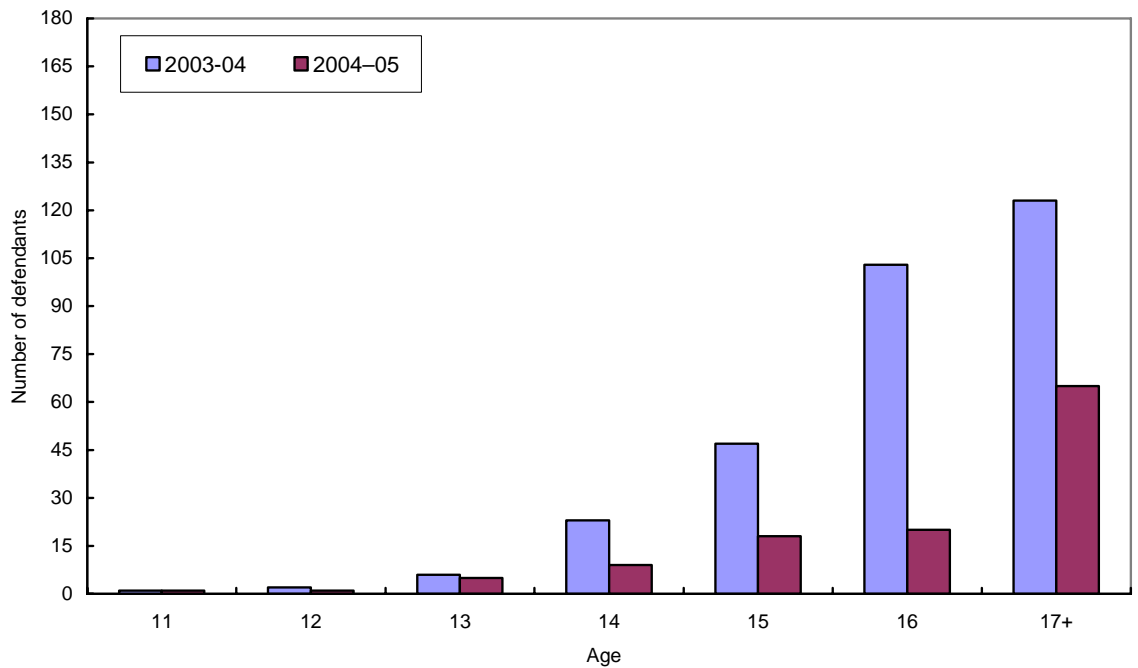


**Table 5** District and Supreme Courts: Juvenile defendants disposed by age and sex, Queensland, 2003–04 and 2004–05

Age	2003–04 <sup>(a)</sup>			2004–05			Percentage change		
	Male	Female	Total	Male	Female	Total	Male	Female	Total
10	—	—	—	—	—	—	..	..	..
11	1	—	1	1	—	1	—	..	—
12	2	—	2	1	—	1	-50.0	..	-50.0
13	6	—	6	4	1	5	-33.3	..	-16.7
14	18	5	23	7	2	9	-61.1	-60.0	-60.9
15	35	12	47	15	3	18	-57.1	-75.0	-61.7
16	85	18	103	16	4	20	-81.2	-77.8	-80.6
17+	116	7	123	60	5	65	-48.3	-28.6	-47.2
<b>Total</b>	<b>263</b>	<b>42</b>	<b>305</b>	<b>104</b>	<b>15</b>	<b>119</b>	<b>-60.5</b>	<b>-64.3</b>	<b>-61.0</b>

(a) Revised.

**Figure 3** District and Supreme Courts: Juvenile defendants disposed by age, Queensland, 2003–04 and 2004–05



Statistical division and court location <sup>(b)</sup>	2003–04 <sup>(a)</sup>			2004–05			Percentage change	
	Defendants	Charges	Charges per defendant	Defendants	Charges	Charges per defendant	Defendants	Charges
<b>Brisbane</b>								
Brisbane Supreme	4	11	2.75	2	7	3.50	-50.0	-36.4
Brisbane	66	265	4.02	15	57	3.80	-77.3	-78.5
Beenleigh	15	143	9.53	1	1	1.00	-93.3	-99.3
Ipswich	27	94	3.48	4	10	2.50	-85.2	-89.4
<b>Moreton</b>								
Maroochydore	33	135	4.09	11	56	5.09	-66.7	-58.5
Southport	10	69	6.90	6	24	4.00	-40.0	-65.2
<b>Wide Bay – Burnett</b>								
Bundaberg	7	24	3.43	—	—	..	-100.0	-100.0
Gympie	—	—	..	2	4	2.00	..	..
Kingaroy	19	47	2.47	9	23	2.56	-52.6	-51.1
Maryborough	17	46	2.71	16	43	2.69	-5.9	-6.5
<b>Darling Downs</b>								
Dalby	2	40	20.00	1	1	1.00	-50.0	-97.5
Goondiwindi	1	4	4.00	—	—	..	-100.0	-100.0
Toowoomba	6	8	1.33	2	4	2.00	-66.7	-50.0
Toowoomba Supreme	—	—	..	1	1	1.00	..	..
Warwick	1	3	3.00	1	11	11.00	—	266.7
<b>South West</b>								
Charleville	5	19	3.80	—	—	..	-100.0	-100.0
Roma	—	—	..	4	8	2.00	..	..
<b>Fitzroy</b>								
Gladstone	15	50	3.33	8	68	8.50	-46.7	36.0
Rockhampton	10	21	2.10	8	17	2.13	-20.0	-19.0
Rockhampton Supreme	—	—	..	3	5	1.67	..	..
<b>Mackay</b>								
Mackay	15	35	2.33	3	8	2.67	-80.0	-77.1
Mackay Supreme	1	10	10.00	—	—	..	-100.0	-100.0
<b>Northern</b>								
Bowen	—	—	..	1	1	1.00	..	..
Charters Towers	5	6	1.20	—	—	..	-100.0	-100.0
Townsville	31	154	4.97	5	21	4.20	-83.9	-86.4
<b>Far North</b>								
Cairns Supreme	1	1	1.00	—	—	..	-100.0	-100.0
Cairns	7	22	3.14	5	11	2.20	-28.6	-50.0
Innisfail	1	3	3.00	2	11	5.50	100.0	266.7
<b>North West</b>								
Mount Isa	6	7	1.17	8	40	5.00	33.3	471.4
<b>Total</b>	<b>305</b>	<b>1,217</b>	<b>3.99</b>	<b>118</b>	<b>432</b>	<b>3.66</b>	<b>-61.3</b>	<b>-64.5</b>

(a) Revised.

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

**Table 7** District and Supreme Courts: Juvenile offenders by most serious penalty and sex, Queensland, 2003–04 and 2004–05

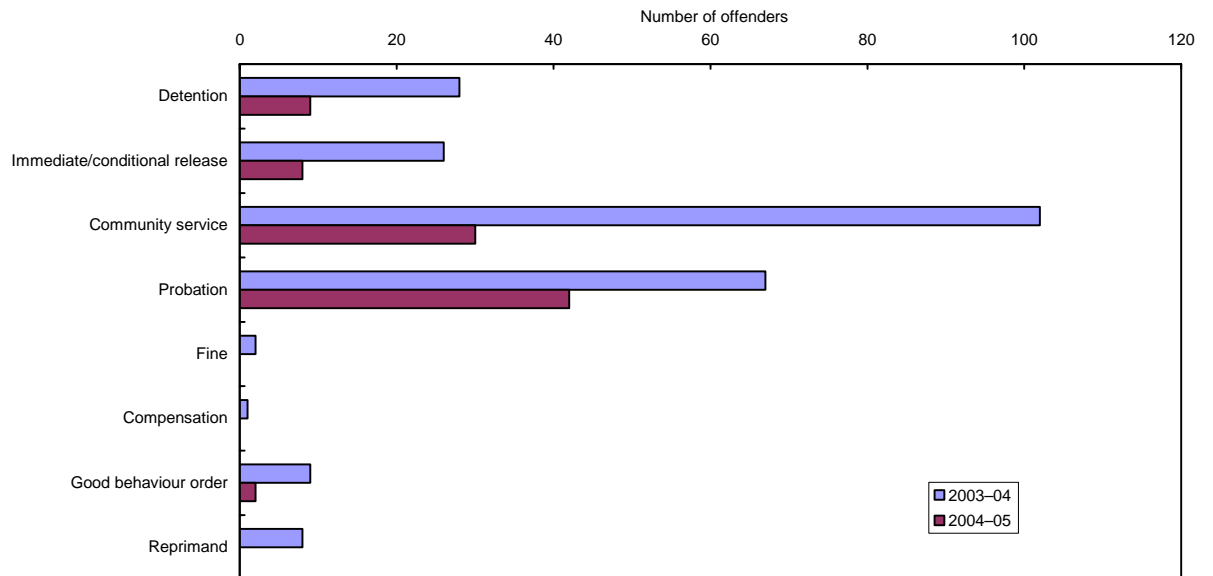
Penalty <sup>(a)</sup>	2003–04 <sup>(b)</sup>			2004–05			Percentage change		
	Male	Female	Total	Male	Female	Total	Male	Female	Total
Detention	28	—	28	8	1	9	-71.4	..	-67.9
Immediate/conditional release	23	3	26	8	—	8	-65.2	-100.0	-69.2
Community service	92	10	102	29	1	30	-68.5	-90.0	-70.6
Probation	56	11	67	33	9	42	-41.1	-18.2	-37.3
Fine	2	—	2	—	—	—	-100.0	..	-100.0
Compensation	1	—	1	—	—	—	-100.0	..	-100.0
Good behaviour order	4	5	9	1	1	2	-75.0	-80.0	-77.8
Reprimand <sup>(c)</sup>	5	3	8	—	—	—	-100.0	-100.0	-100.0
<b>Total</b>	<b>211</b>	<b>32</b>	<b>243</b>	<b>79</b>	<b>12</b>	<b>91</b>	<b>-62.6</b>	<b>-62.5</b>	<b>-62.6</b>

(a) In decreasing order of seriousness.

(b) Revised.

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

**Figure 4** District and Supreme Courts: Juvenile offenders by most serious penalty, Queensland, 2003–04 and 2004–05



**Table 8 All Courts: Juvenile defendants disposed by age and sex, Queensland, 2003–04 and 2004–05**

Age	2003–04 <sup>(a)</sup>			2004–05			Percentage change		
	Male	Female	Total <sup>(b)</sup>	Male	Female	Total <sup>(b)</sup>	Male	Female	Total
10	18	—	18	18	1	19	—	..	5.6
11	71	5	76	60	11	71	-15.5	120.0	-6.6
12	171	35	206	142	32	174	-17.0	-8.6	-15.5
13	400	112	512	396	132	528	-1.0	17.9	3.1
14	876	273	1,149	760	254	1,014	-13.2	-7.0	-11.7
15	1,408	409	1,817	1,197	373	1,570	-15.0	-8.8	-13.6
16	2,059	454	2,514	2,014	437	2,452	-2.2	-3.7	-2.5
17+	940	170	1,110	933	182	1,115	-0.7	7.1	0.5
Unknown	3	—	3	4	1	5	33.3	..	66.7
<b>Total ©</b>	<b>5,946</b>	<b>1,458</b>	<b>7,405</b>	<b>5,524</b>	<b>1,423</b>	<b>6,948</b>	<b>-7.1</b>	<b>-2.4</b>	<b>-6.2</b>

(a) Revised

(b) Includes persons with sex not recorded (1 each in 2003-04 and 2004-05).

(c) Includes charges disposed at Magistrates Court level by conviction, dismissal or withdrawal, but not by committal or referral to conference.

**Figure 5 All Courts: Juvenile defendants disposed by age, Queensland, 2003–04 and 2004–05**

