



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

**Report on Indigenous Defendants in the
Magistrates Court
of Western Australia
2018/19 to 2022/23**

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About this Report

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

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

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

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

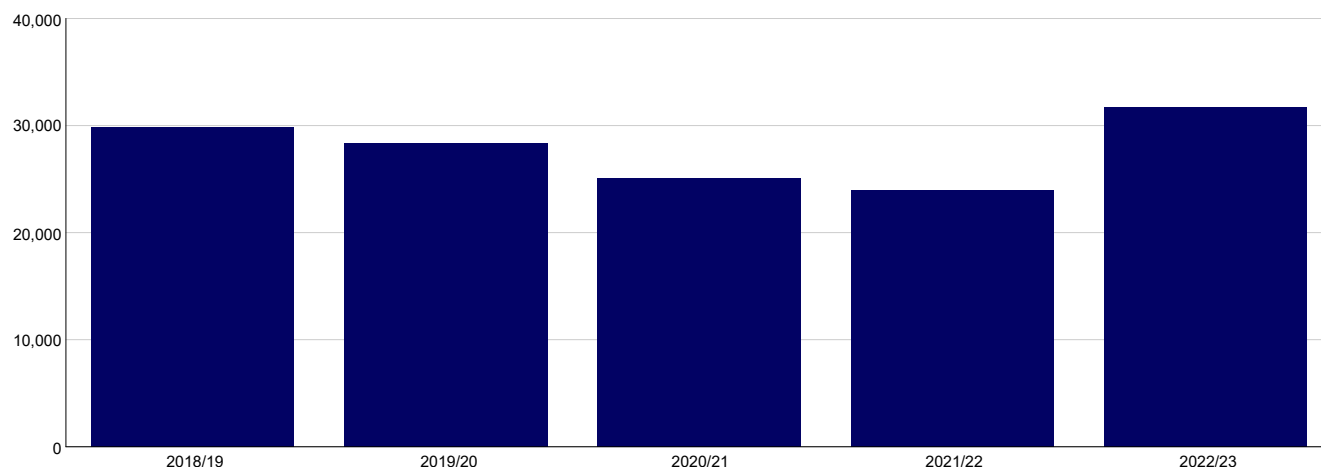
This version of the report was produced on 31 May 2024. Any variances between figures in this report and other publications may be due to differences in the date the report was produced, and the Department's commitment to the continual maintenance and improvement of data capture and storage.

Requests for additional data:

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

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

Criminal Case Lodgments



Case Lodgments by Offence Type (ANZSOC Division)

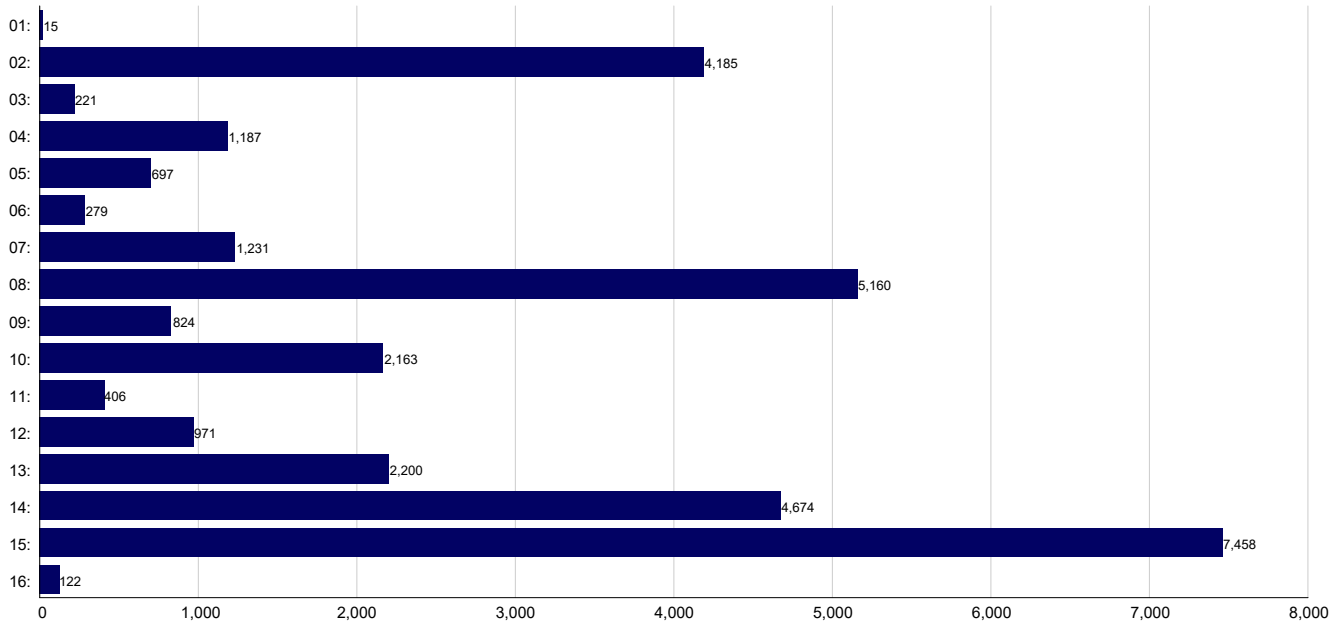
ANZSOC Offence	2018/19	2019/20	2020/21	2021/22	2022/23	% Change 1 Year	% Change 5 Years
01: Homicide and Related Offences	29	12	22	16	15	-6.2%	-48.3%
02: Acts Intended to Cause Injury	3,419	3,356	3,438	3,336	4,185	25.4%	22.4%
03: Sexual Assault and Related Offences	184	192	211	209	221	5.7%	20.1%
04: Dangerous or Negligent Acts Endangering Persons	1,052	1,101	1,182	1,096	1,187	8.3%	12.8%
05: Abduction, Harassment and Other Offences Against the Person	433	435	443	456	697	52.9%	61.0%
06: Robbery, Extortion and Related Offences	239	294	206	268	279	4.1%	16.7%
07: Unlawful Entry With Intent/Burglary, Break and Enter	982	1,003	727	912	1,231	35.0%	25.4%
08: Theft and Related Offences	3,838	3,721	2,591	3,143	5,160	64.2%	34.4%
09: Fraud, Deception and Related Offences	784	745	637	585	824	40.9%	5.1%
10: Illicit Drug Offences	2,855	2,673	2,281	1,669	2,163	29.6%	-24.2%
11: Prohibited and Regulated Weapons And Explosives Offences	453	394	309	238	406	70.6%	-10.4%
12: Property Damage and Environmental Pollution	992	903	887	830	971	17.0%	-2.1%
13: Public Order Offences	2,368	2,096	1,542	1,553	2,200	41.7%	-7.1%
14: Traffic and Vehicle Regulatory Offences	4,800	4,611	4,664	4,018	4,674	16.3%	-2.6%
15: Offences Against Justice Procedures, Government Security and Government Operations	7,412	6,801	5,953	5,562	7,458	34.1%	0.6%
16: Miscellaneous Offences	85	93	95	93	122	31.2%	43.5%
Total	29,925	28,430	25,188	23,984	31,793	32.6%	6.2%

Counting Rules:

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

Criminal Case Lodgments by Offence Type

Cases lodged by Offence type 2022/23



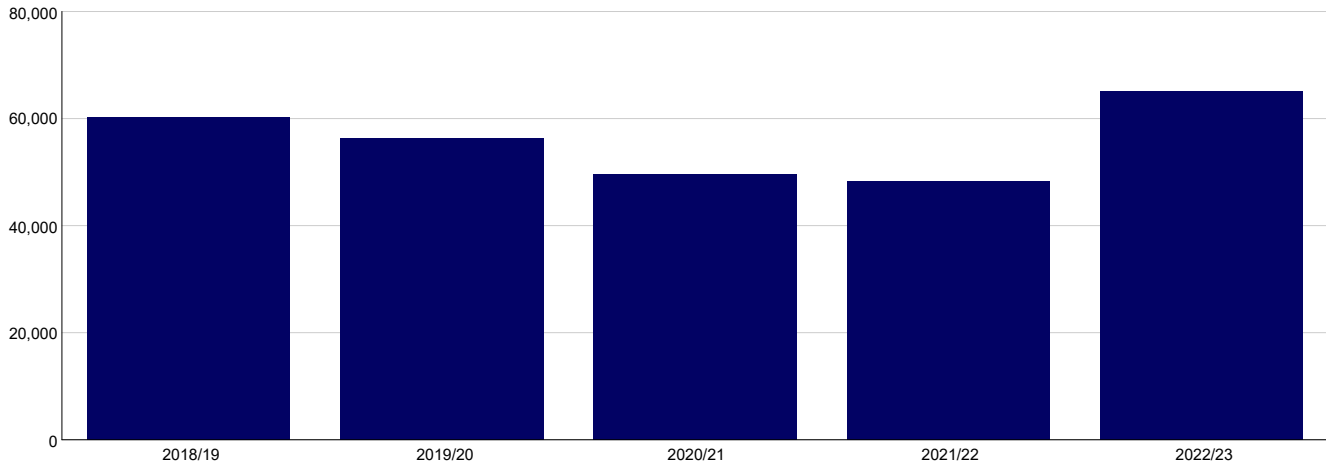
Case Lodgments by Offence Type (ANZSOC Division)--Percentage of cases within each year

ANZSOC Offence	2018/19	2019/20	2020/21	2021/22	2022/23	% Change 1 Year	% Change 5 Years
01: Homicide and Related Offences	0.1%	0.0%	0.1%	0.1%	0.0%	n/a	n/a
02: Acts Intended to Cause Injury	11.4%	11.8%	13.6%	13.9%	13.2%	-5.4%	15.2%
03: Sexual Assault and Related Offences	0.6%	0.7%	0.8%	0.9%	0.7%	n/a	n/a
04: Dangerous or Negligent Acts Endangering Persons	3.5%	3.9%	4.7%	4.6%	3.7%	n/a	n/a
05: Abduction, Harassment and Other Offences Against the Person	1.4%	1.5%	1.8%	1.9%	2.2%	n/a	n/a
06: Robbery, Extortion and Related Offences	0.8%	1.0%	0.8%	1.1%	0.9%	n/a	n/a
07: Unlawful Entry With Intent/Burglary, Break and Enter	3.3%	3.5%	2.9%	3.8%	3.9%	n/a	n/a
08: Theft and Related Offences	12.8%	13.1%	10.3%	13.1%	16.2%	23.8%	26.5%
09: Fraud, Deception and Related Offences	2.6%	2.6%	2.5%	2.4%	2.6%	n/a	n/a
10: Illicit Drug Offences	9.5%	9.4%	9.1%	7.0%	6.8%	n/a	n/a
11: Prohibited and Regulated Weapons And Explosives Offences	1.5%	1.4%	1.2%	1.0%	1.3%	n/a	n/a
12: Property Damage and Environmental Pollution	3.3%	3.2%	3.5%	3.5%	3.1%	n/a	n/a
13: Public Order Offences	7.9%	7.4%	6.1%	6.5%	6.9%	n/a	n/a
14: Traffic and Vehicle Regulatory Offences	16.0%	16.2%	18.5%	16.8%	14.7%	-12.2%	-8.3%
15: Offences Against Justice Procedures, Government Security and Government Operations	24.8%	23.9%	23.6%	23.2%	23.5%	1.2%	-5.3%
16: Miscellaneous Offences	0.3%	0.3%	0.4%	0.4%	0.4%	n/a	n/a

Counting Rules:

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

Criminal Charge Lodgments



Charge Lodgments by Offence Type (ANZSOC Division)

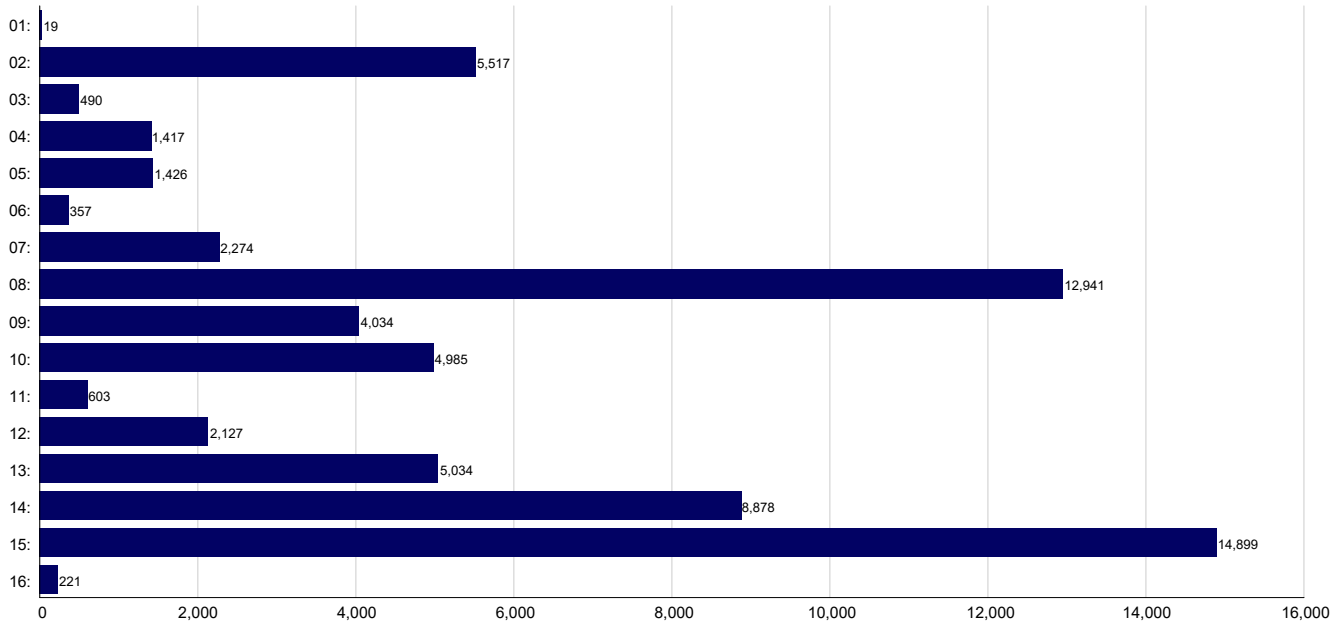
ANZSOC Offence	2018/19	2019/20	2020/21	2021/22	2022/23	% Change 1 Year	% Change 5 Years
01: Homicide and Related Offences	30	13	22	20	19	-5.0%	-36.7%
02: Acts Intended to Cause Injury	4,051	4,079	4,409	4,280	5,517	28.9%	36.2%
03: Sexual Assault and Related Offences	337	507	600	580	490	-15.5%	45.4%
04: Dangerous or Negligent Acts Endangering Persons	1,347	1,383	1,407	1,371	1,417	3.4%	5.2%
05: Abduction, Harassment and Other Offences Against the Person	809	875	912	891	1,426	60.0%	76.3%
06: Robbery, Extortion and Related Offences	326	376	284	329	357	8.5%	9.5%
07: Unlawful Entry With Intent/Burglary, Break and Enter	1,791	1,837	1,398	1,828	2,274	24.4%	27.0%
08: Theft and Related Offences	9,676	9,093	6,771	8,152	12,941	58.7%	33.7%
09: Fraud, Deception and Related Offences	4,322	3,558	3,350	3,183	4,034	26.7%	-6.7%
10: Illicit Drug Offences	5,930	5,654	4,833	3,437	4,985	45.0%	-15.9%
11: Prohibited and Regulated Weapons And Explosives Offences	665	607	473	370	603	63.0%	-9.3%
12: Property Damage and Environmental Pollution	1,937	1,768	1,845	1,753	2,127	21.3%	9.8%
13: Public Order Offences	4,740	4,392	3,476	3,549	5,034	41.8%	6.2%
14: Traffic and Vehicle Regulatory Offences	9,171	8,679	8,477	7,692	8,878	15.4%	-3.2%
15: Offences Against Justice Procedures, Government Security and Government Operations	15,010	13,370	11,295	10,728	14,899	38.9%	-0.7%
16: Miscellaneous Offences	175	337	209	216	221	2.3%	26.3%
Total	60,317	56,528	49,761	48,379	65,222	34.8%	8.1%

Counting Rules:

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

Criminal Charge Lodgments

Charges Lodged by Offence Type 2022/23



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

ANZSOC Offence	2018/19	2019/20	2020/21	2021/22	2022/23	% Change 1 Year	% Change 5 Years
01: Homicide and Related Offences	0.0%	0.0%	0.0%	0.0%	0.0%	n/a	n/a
02: Acts Intended to Cause Injury	6.7%	7.2%	8.9%	8.8%	8.5%	n/a	n/a
03: Sexual Assault and Related Offences	0.6%	0.9%	1.2%	1.2%	0.8%	n/a	n/a
04: Dangerous or Negligent Acts Endangering Persons	2.2%	2.4%	2.8%	2.8%	2.2%	n/a	n/a
05: Abduction, Harassment and Other Offences Against the Person	1.3%	1.5%	1.8%	1.8%	2.2%	n/a	n/a
06: Robbery, Extortion and Related Offences	0.5%	0.7%	0.6%	0.7%	0.5%	n/a	n/a
07: Unlawful Entry With Intent/Burglary, Break and Enter	3.0%	3.2%	2.8%	3.8%	3.5%	n/a	n/a
08: Theft and Related Offences	16.0%	16.1%	13.6%	16.9%	19.8%	17.8%	23.7%
09: Fraud, Deception and Related Offences	7.2%	6.3%	6.7%	6.6%	6.2%	n/a	n/a
10: Illicit Drug Offences	9.8%	10.0%	9.7%	7.1%	7.6%	n/a	n/a
11: Prohibited and Regulated Weapons And Explosives Offences	1.1%	1.1%	1.0%	0.8%	0.9%	n/a	n/a
12: Property Damage and Environmental Pollution	3.2%	3.1%	3.7%	3.6%	3.3%	n/a	n/a
13: Public Order Offences	7.9%	7.8%	7.0%	7.3%	7.7%	n/a	n/a
14: Traffic and Vehicle Regulatory Offences	15.2%	15.4%	17.0%	15.9%	13.6%	-14.4%	-10.5%
15: Offences Against Justice Procedures, Government Security and Government Operations	24.9%	23.7%	22.7%	22.2%	22.8%	3.0%	-8.2%
16: Miscellaneous Offences	0.3%	0.6%	0.4%	0.4%	0.3%	n/a	n/a

Counting Rules:

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

Criminal Case Finalisations



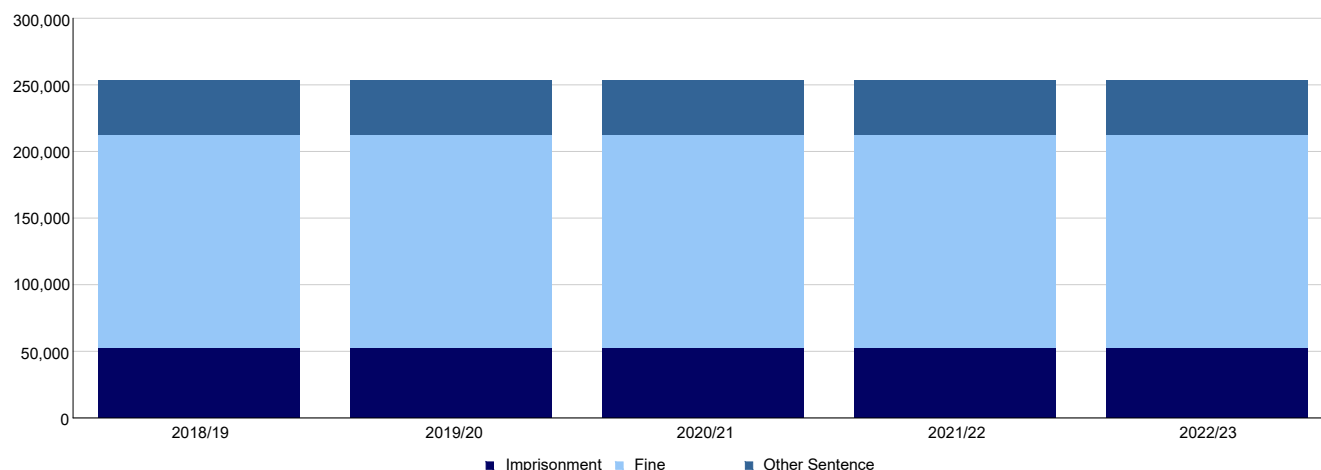
Criminal Cases Finalised by Method of Finalisation

Method of Finalisation	2018/19	2019/20	2020/21	2021/22	2022/23	% Change 1 Year	% Change 5 Years
Adjudicated finalisation							
Guilty finding by court	575	449	504	414	460	11.1%	-20.0%
Guilty plea by defendant	47,239	43,751	37,517	36,760	45,776	24.5%	-3.1%
Guilty ex-parte	9,776	9,256	8,408	7,221	8,144	12.8%	-16.7%
Acquitted by court	299	312	298	400	379	-5.2%	26.8%
Not guilty by reason of mental illness/condition				10		n/a	n/a
Transfer between court levels							
Committed for trial	894	700	840	915	808	-11.7%	-9.6%
Committed for sentence	1,408	840	756	657	518	-21.2%	-63.2%
Transfer from a Magistrates'/Childrens' Court to a higher court n.e.c.	144	127	68	40	82	105.0%	-43.1%
Other transfers between court levels n.e.c.	1				2	n/a	n/a
Non-adjudicated finalisation							
Defendant Deceased	60	52	42	39	48	23.1%	-20.0%
Unfit to plead	59	33	107	38	72	89.5%	22.0%
Withdrawn by prosecution	1,493	1,281	1,391	1,376	1,859	35.1%	24.5%
Other non-adjudicated finalisation n.e.c.	15		5	2	23	n/a	53.3%
Total	61,963	56,801	49,936	47,872	58,171	21.5%	-6.1%

Counting Rules:

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

Sentencing



Sentences Imposed

Sentence Group	2018/19	2019/20	2020/21	2021/22	2022/23	% Change 1 Year	% Change 5 Years
Imprisonment	52,691	52,670	52,555	52,637	52,663	0.0%	-0.1%
Conditional Suspended Imprisonment	6,424	6,446	6,311	6,506	6,453	-0.8%	0.5%
Suspended Imprisonment	8,280	8,336	8,357	8,295	8,322	0.3%	0.5%
Intensive Supervision Order	4,719	4,671	4,722	4,794	4,746	-1.0%	0.6%
Commonwealth Order and Recognisance	151	149	14			n/a	n/a
Community Based Order	17,339	17,285	17,299	17,326	17,296	-0.2%	-0.2%
Fine	160,125	160,108	160,206	160,083	160,242	0.1%	0.1%
Suspended Fine	2,025	2,091	2,108	2,088	2,178	4.3%	7.6%
Conditional Release Order	696	670	657	601	643	7.0%	-7.6%
No Punishment	1,423	1,389	1,426	1,383	1,281	-7.4%	-10.0%
Work and Development (in lieu of Fine)	65	61	10	10		n/a	n/a
Reparation Order	256	265	274	204	273	33.8%	6.6%
					1	n/a	n/a
Total	254,194	254,141	253,939	253,927	254,098	0.1%	0.0%

Counting Rules:

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

Custodial Sentences

Custodial Sentences Imposed by Offence Type

ANZSOC Offence Type	2018/19	2019/20	2020/21	2021/22	2022/23	% Change 1 Year	% Change 5 Years
Homicide and Related Offences							
Driving causing death					4	n/a	n/a
Acts Intended to Cause Injury							
Serious assault resulting in injury	4,211	4,212	4,211	4,211	4,211	0.0%	0.0%
Serious assault not resulting in injury	4,509	4,519	4,508	4,519	4,519	0.0%	0.2%
Common Assault	1,329	1,321	1,321	1,321	1,316	-0.4%	-1.0%
Stalking	232	232	232	232	232	0.0%	0.0%
Other acts intended to cause injury, nec	9				9	n/a	n/a
Sexual Assault and Related Offences							
Aggravated sexual assault	41	50	41	41	41	0.0%	0.0%
Non-aggravated sexual assault	130	130	132	130	132	1.5%	1.5%
Non-assaultive sexual offences against a child	6				6	n/a	n/a
Non-assaultive sexual offences, nec				12	12	0.0%	n/a
Dangerous or Negligent Acts Endangering Persons							
Driving under the influence of alcohol or other substance	517	509	517	509	509	0.0%	-1.5%
Dangerous or negligent operation (driving) of a vehicle	4,259	4,259	4,259	4,259	4,259	0.0%	0.0%
Other dangerous or negligent acts endangering persons, nec	353	353	358	353	353	0.0%	0.0%
Abduction, Harassment and Other Offences Against the Person							
Harassment and private nuisance		24	24	24	24	0.0%	n/a
Threatening behaviour	1,528	1,531	1,519	1,519	1,528	0.6%	0.0%
Robbery, Extortion and Related Offences							
Blackmail and extortion				3		n/a	n/a
Unlawful Entry With Intent/Burglary, Break and Enter							
Unlawful entry with intent/burglary, break and enter	11,112	11,112	11,048	11,112	11,112	0.0%	0.0%
Theft and Related Offences							
Theft of a motor vehicle	3,629	3,629	3,629	3,629	3,629	0.0%	0.0%
Theft from a person (excluding by force)	60	60	60	60	60	0.0%	0.0%
Theft (except motor vehicles), nec	1,232	1,173	1,219	1,219	1,221	0.2%	-0.9%
Receive or handle proceeds of crime	1,475	1,472	1,468	1,428	1,428	0.0%	-3.2%
Fraud, Deception and Related Offences							
Obtain benefit by deception	5,083	5,052	5,055	5,052	5,052	0.0%	-0.6%
Forgery of documents		48		48	48	0.0%	n/a
Dishonest conversion	1					n/a	n/a
Other fraud and deception offences, nec		4				n/a	n/a
Illicit Drug Offences							
Deal or traffic in illicit drugs - commercial quantity	670	664	670	664	664	0.0%	-0.9%
Deal or traffic in illicit drugs - non-commercial quantity				5		n/a	n/a
Possess illicit drugs	270	270	270	270	270	0.0%	0.0%
Other illicit drug offences, nec	22	22	22		22	n/a	0.0%
Prohibited and Regulated Weapons And Explosives Offences							
Sell, possess and/or use prohibited weapons/explosives	191	191	191	191	191	0.0%	0.0%
Prohibited weapons/explosives offences, nec					2	n/a	n/a
Unlawfully obtain or possess regulated weapons/explosives	116	116	116	116	116	0.0%	0.0%
Misuse of regulated weapons/explosives	63	63	63	63	63	0.0%	0.0%
Regulated weapons/explosives offences, nec	47		47	47	47	0.0%	0.0%
Property Damage and Environmental Pollution							
Graffiti	36	34	34	34	34	0.0%	-5.6%

Custodial Sentences

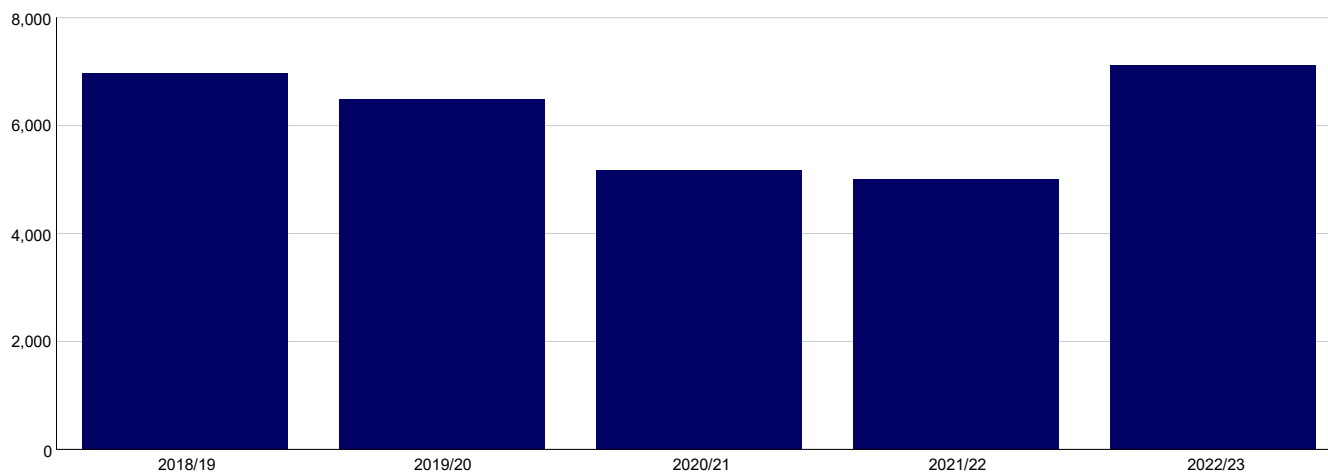
Custodial Sentences Imposed by Offence Type

ANZSOC Offence Type	2018/19	2019/20	2020/21	2021/22	2022/23	% Change 1 Year	% Change 5 Years
Property damage, nec	1,080	1,083	1,085	1,085	1,083	-0.2%	0.3%
Public Order Offences							
Trespass	951	951	951	951	951	0.0%	0.0%
Criminal Intent	253	253	254	250	250	0.0%	-1.2%
Riot and affray	3				3	n/a	n/a
Disorderly conduct, nec	5	5		5		n/a	n/a
Liquor and tobacco offences		10				n/a	n/a
Offences against public order sexual standards	195	189	189	195	189	-3.1%	-3.1%
Cruelty to animals	3					n/a	n/a
Traffic and Vehicle Regulatory Offences							
Drive while licence disqualified or suspended	1,147	1,138	1,147	1,138	1,140	0.2%	-0.6%
Drive without a licence	946	953	953	953	946	-0.7%	0.0%
Driver licence offences, nec		5		5		n/a	n/a
Roadworthiness offences			11			n/a	n/a
Regulatory driving offences, nec	141	141	141	141	141	0.0%	0.0%
Offences Against Justice Procedures, Government Security and Government Operations							
Escape custody offences	125	127	125	125	126	0.8%	0.8%
Breach of suspended sentence	14	14	14	14		n/a	n/a
Breach of parole	184	184	184	184	184	0.0%	0.0%
Breach of bail	2,510	2,511	2,502	2,502	2,502	0.0%	-0.3%
Breach of community-based order, nec	138	138	145	138	138	0.0%	0.0%
Breach of violence order	3,030	3,030	3,010	3,035	3,030	-0.2%	0.0%
Resist or hinder govt official (excluding police officer, justice official or govt security officer)	349	345	344	353	344	-2.5%	-1.4%
Offences against government operations, nec	2					n/a	n/a
Subvert the course of justice		7	7			n/a	n/a
Resist or hinder police officer or justice official	81	79	79	79	79	0.0%	-2.5%
Prison regulation offences	3	3				n/a	n/a
Offences against justice procedures, nec	400	400	400	400	400	0.0%	0.0%
Miscellaneous Offences							
Offences against privacy		41			41	n/a	n/a
Disease prevention offences					2	n/a	n/a
Licit drug offences		13		13		n/a	n/a
Total	52,691	52,670	52,555	52,637	52,663	0.0%	-0.1%

Counting Rules:

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

Arrest Warrants Issued

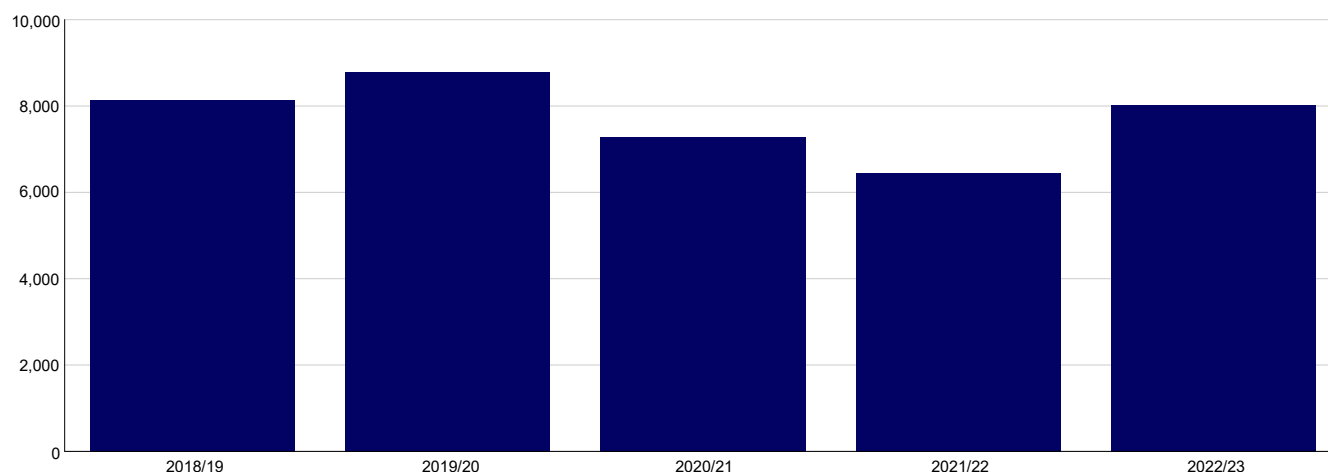


ANZSOC Division	2018/19	2019/20	2020/21	2021/22	2022/23	% Change 1 Year	% Change 5 Years
01: Homicide and Related Offences	1	1		2	1	n/a	n/a
02: Acts Intended to Cause Injury	984	890	891	773	1,049	35.7%	8.4%
03: Sexual Assault and Related Offences	30	33	45	30	40	33.3%	33.3%
04: Dangerous or Negligent Acts Endangering Persons	129	115	111	112	97	-13.4%	-28.6%
05: Abduction, Harassment and Other Offences Against the Person	145	177	147	158	218	38.0%	46.2%
06: Robbery, Extortion and Related Offences	39	38	25	50	68	36.0%	58.0%
07: Unlawful Entry With Intent/Burglary, Break and Enter	191	206	139	175	210	20.0%	10.9%
08: Theft and Related Offences	1,817	1,792	1,093	1,228	1,939	57.9%	9.9%
09: Fraud, Deception and Related Offences	320	308	267	225	296	31.6%	-10.7%
10: Illicit Drug Offences	354	297	234	167	282	68.9%	-43.1%
11: Prohibited and Regulated Weapons And Explosives Offences	58	54	34	23	56	143.5%	-8.7%
12: Property Damage and Environmental Pollution	323	274	291	274	324	18.2%	0.4%
13: Public Order Offences	484	376	334	275	480	74.5%	-1.5%
14: Traffic and Vehicle Regulatory Offences	411	404	377	299	373	24.7%	-12.7%
Offences Against Justice Procedures, Government Security and Government Operations	1,686	1,509	1,183	1,212	1,687	39.2%	0.1%
16: Miscellaneous Offences	11	22	13	13	20	53.8%	69.2%
Total	6,983	6,496	5,184	5,016	7,140	42.3%	3.1%

Counting Rules:

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

Arrest Warrants Returned



ANZSOC Division	2018/19	2019/20	2020/21	2021/22	2022/23	% Change 1 Year	% Change 5 Years
01: Homicide and Related Offences	1	2		3	1	n/a	n/a
02: Acts Intended to Cause Injury	1,164	1,155	1,100	951	1,221	28.4%	4.9%
03: Sexual Assault and Related Offences	43	42	54	47	44	-6.4%	2.3%
04: Dangerous or Negligent Acts Endangering Persons	231	194	181	159	158	-0.6%	-31.6%
05: Abduction, Harassment and Other Offences Against the Person	152	186	154	162	211	30.2%	38.8%
06: Robbery, Extortion and Related Offences	55	95	91	100	86	-14.0%	56.4%
07: Unlawful Entry With Intent/Burglary, Break and Enter	355	421	346	330	324	-1.8%	-8.7%
08: Theft and Related Offences	1,881	2,244	1,608	1,361	1,977	45.3%	5.1%
09: Fraud, Deception and Related Offences	260	323	253	231	265	14.7%	1.9%
10: Illicit Drug Offences	351	339	282	194	270	39.2%	-23.1%
11: Prohibited and Regulated Weapons And Explosives Offences	59	66	38	32	48	50.0%	-18.6%
12: Property Damage and Environmental Pollution	367	419	375	367	393	7.1%	7.1%
13: Public Order Offences	766	793	673	568	693	22.0%	-9.5%
14: Traffic and Vehicle Regulatory Offences	732	687	591	475	576	21.3%	-21.3%
15: Offences Against Justice Procedures, Government Security and Government Operations	1,715	1,818	1,528	1,467	1,754	19.6%	2.3%
16: Miscellaneous Offences	12	16	14	22	17	-22.7%	41.7%
Total	8,144	8,800	7,288	6,469	8,038	24.3%	-1.3%

Counting Rules:

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

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

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

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

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

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

Appendix One--ABS Method of Finalisation

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

Classification structure

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

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

NB n.f.d. – not further defined

n.e.c. – not elsewhere classified

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

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

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

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

Classification structure

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

Division 01: Homicide and Related Offences

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

Division 02: Acts intended to cause injury

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

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

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

Division 03: Sexual Assault and Related Offences

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

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

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

Division 04: Dangerous or Negligent acts endangering persons

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

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

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

Division 06: Robbery, Extortion and Related Offences

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

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

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

Division 08: Theft and Related Offences

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

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

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

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

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

Division 09: Fraud, Deception and Related Offences

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

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

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

Division 10: Illicit Drug Offences

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

Division 11: Prohibited and Regulated Weapons and Explosives Offences

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

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

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

Division 12: Property Damage and Environmental Pollution

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

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

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

Division 13: Public Order Offences

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

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

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

Division 14: Traffic and Vehicle Regulatory Offences

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

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

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

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

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

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

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

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

Division 16: Miscellaneous Offences

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

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

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

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

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