

Question on Notice
No. 903
Asked on Wednesday, 19 August 2004

Mr SPRINGBORG asked the Attorney-General and Minister for Justice (Mr Welford) –

QUESTION:

For each of 2002-03, 2003-04 and 2004-05 year to date (reported separately) what is the number of convictions:

- (a) for arson offences in Queensland and how many offenders received the maximum sentence;
- (b) for setting fire to crops offences in Queensland and how many offenders received the maximum sentence; and
- (c) of juveniles for setting fire to crops offences in Queensland and how many offenders received the maximum sentence?

ANSWER:

I see you have followed the lead of the Member for Bulimba, Pat Purcell, who asked this question last year (refer to Question on Notice 1479 asked on Wednesday 15 October 2003) and the Member for Mirani, Ted Malone, who asked this question in 2002 (refer to Question on Notice 1787 asked on 28 November 2002). You also asked about maximum penalties for arson on 31 October 2001 (refer to Question on Notice 600 of 2001)

Given your continuing interest in these statistics, I am pleased to provide the following:

- (a) The numbers of convictions for arson, which is an offence under section 461 of the Criminal Code, are set out below.

	Financial Year		
	2002-2003	2003-2004	1/7/04 to 25/8/04
Total Number of Convictions	120	100	5

Due to its seriousness, the charge of arson is dealt with by the District or Supreme Courts. The figures provided only include offences heard in those Supreme and District Courts which have computerised information systems. The computerised system had a staggered implementation from July 2002 with all courts using the computerised system from 1 July 2004. Manual searches of all criminal files in regional centres prior to the implementation of the computer information system have not been conducted due to the resources required to conduct this task.

The maximum penalty for the offence of arson is life imprisonment. No offender convicted of arson during the periods in question has been sentenced to the maximum penalty.

The judiciary in all states, including Queensland, is bound by principles authoritatively stated by the High Court of Australia regarding the imposition of maximum penalties. Specifically, a maximum sentence should only be imposed in the very worst category of cases.

- (b) The numbers of convictions for setting fire to crops, which is an offence under section 463 of the Criminal Code, are set out below.

	Financial Year		
	2002-2003	2003 -2004	1/7/04 to 25/8/04
Total Number of Convictions	1	2	0

The figures provided represent Supreme and District Courts which have computerised information systems, as discussed in section (a).

No offender convicted of setting fire to crops during the periods in question has been sentenced to the maximum penalty.

- (c) The numbers of juveniles convicted of setting fire to crops, which is an offence under section 463 of the Criminal Code, are set out below.

	Financial Year		
	2002-2003	2003 -2004	1/7/04 to 25/8/04
Total Number of Convictions	1	0	0

The sole juvenile offender convicted of setting fire to crops in 2002-03 was not sentenced to the maximum penalty.