

Question on Notice

No. 1074

Asked on Tuesday, 1 September 2009

Mr SPRINGBORG asked the Attorney-General and Minister for Industrial Relations (Mr C R Dick) -

QUESTION:

With reference to the detailed response to Question on Notice No. 1154 of 2008, will the Minister provide updated figures on -

- (1) How many people were found guilty of or pleaded guilty to the offence of possession of a knife in a public place under Section 51(1) of the *Weapons Act* in 2008-09 and 2009-10 (reported separately)?
- (2) How many people in (1) were sentenced to an actual term of imprisonment (report separately by year and total)?

ANSWER:

The offence of possession of a knife in a public place or school is defined in section 51(1) of the *Weapons Act 1990* and states that "*A person must not physically possess a knife in a public place or a school, unless the person has a reasonable excuse.*"

I am advised that this offence does not involve actual physical or psychological injury to person or persons. If such an injury or injuries were to be inflicted, depending on their gravity, other offences under the *Criminal Code Act 1899* would be committed ranging from attempted assault or assault to wounding or grievous bodily harm.

Statistics have been collated based on the national *Report on Government Services* counting methodology. The data provided in response to Question on Notice No. 1154 of 2008 was compiled based on the counting methodology used by the Australian Bureau of Statistics for the *Criminal Courts, Australia* publication. Therefore the following data are not comparable to the data previously provided in the answer to Question on Notice No. 1154 of 2008.

- (1) There were 1,249 defendants in 2008-09 and 116 defendants in 2009-10 (as at 31 July 2009) who were found guilty of, or pleaded guilty to the offence of possession of a knife in a public place pursuant to Section 51(1) of the *Weapons Act 1990*.
- (2) There were 111 defendants in 2008-09 and 2009-10 (as at 31 July 2009) who were sentenced to a term of imprisonment for the offence of possession of a knife in a public place pursuant to Section 51(1) of the *Weapons Act 1990* (100 in 2008-09 and 11 in 2009-10 as at 31 July 2009).