

Question on Notice

No. 201

Asked on Thursday, 23 April 2009

Mr Powell asked the Attorney-General and Minister for Industrial Relations (Mr CR Dick) -

QUESTION:

With reference to offences of assault occasioning bodily harm, grievous bodily harm, unlawful wounding and indecent treatment of a child under 12 –

- (1) How many people were found guilty for such offences in 2006-07, 2007-08 and 2008-09 to date (reported separately by offence and each year)?
- (2) How many people found guilty of these offences in 2006-07, 2007-08 and 2008-09 to date were sentenced to an actual term of imprisonment, suspended sentence, or community based order/fine (reported by offence, sentence type and year)?
- (3) How many people convicted of these offences were sentenced to an actual term of imprisonment of three years or more reported by offence type and for years 2006-07, 2007-08 and 2008-09 to date separately)?

ANSWER:

Queensland's higher courts remain some of the toughest in the country when it comes to punishing serious criminal activity. According to Australia Bureau of Statistics data released in February this year (4513.0 – Criminal Courts, Australia, 2007-08), only the Northern Territory and New South Wales sentence a higher proportion of criminal offenders to custodial sentences. With respect to the offences in question, the data demonstrates that rates of custodial sentences in Queensland's higher courts are consistently in excess of the national average.

The figures used below are extracted from the Queensland Wide Integrated Courts (QWIC) database and relate to persons "found guilty". Persons who *pleaded guilty* to any charges in the relevant sections referred to, have not been included.

As there is no unique identifier enabling the identification and subsequent reporting of unique persons/defendants, defendants have been identified based on the national *Report on Government Services* counting methodology i.e. same surname, first name, date of birth, court location and date the offence was registered within the courts criminal information system.

The number of offenders found guilty in 2006-07, 2007-08 and 2008-09, as at 14 April 2009, on the specified offence groupings stated in the question are set out below. Where a person has been found guilty of charges in more than one offence grouping, they are counted as one in each relevant group.

Assault occasioning bodily harm
2006-07: 63
2007-08: 58
2008-09 (as at 14 April 2009): 47

Grievous bodily harm
2006-07: 10

2007-08: 7
2008-09 (as at 14 April 2009): 13

Unlawful wounding

2006-07: 4
2007-08: 3
2008-09 (as at 14 April 2009): 2

Indecent treatment of a child under 12

2006-07: 28
2007-08: 29
2008-09 (as at 14 April 2009): 17

The following results summarise the sentences that were imposed in relation to the offenders referred to in part (1).

Assault occasioning bodily harm

2006-07: Imprisonment (excluding wholly suspended custodial sentences or intensive correction orders): 27
Wholly suspended custodial sentence or intensive correction order: 5
Community based order/fine: 31
2007-08: Imprisonment (excluding wholly suspended custodial sentences or intensive correction orders): 19
Wholly suspended custodial sentence or intensive correction order: 15
Community based order/fine: 23
2008-09 (as at 14 April 2009): Imprisonment (excluding wholly suspended custodial sentences or intensive correction orders): 13
Wholly suspended custodial sentence or intensive correction order: 7
Community based order/fine: 27

Grievous bodily harm

2006-07: Imprisonment (excluding wholly suspended custodial sentences or intensive correction orders): 10
Wholly suspended custodial sentence or intensive correction order: 0
Community based order/fine: 0
2007-08: Imprisonment (excluding wholly suspended custodial sentences or intensive correction orders): 7
Wholly suspended custodial sentence or intensive correction order: 0
Community based order/fine: 0
2008-09 (as at 14 April 2009): Imprisonment (excluding wholly suspended custodial sentences or intensive correction orders): 13
Wholly suspended custodial sentence or intensive correction order: 0
Community based order/fine: 0

Unlawful wounding

2006-07: Imprisonment (excluding wholly suspended custodial sentences or intensive correction orders): 3
Wholly suspended custodial sentence or intensive correction order: 1
Community based order/fine: 0
2007-08: Imprisonment (excluding wholly suspended custodial sentences or intensive correction orders): 2

Wholly suspended custodial sentence or intensive correction order: 0
Community based order/fine: 1
2008-09 (as at 14 April 2009): Imprisonment (excluding wholly suspended custodial sentences or intensive correction orders): 2
Wholly suspended custodial sentence or intensive correction order: 0
Community based order/fine: 0

Indecent treatment of a child under 12

2006-07: Imprisonment (excluding wholly suspended custodial sentences or intensive correction orders): 22
Wholly suspended custodial sentence or intensive correction order: 3
Community based order/fine: 3
2007-08: Imprisonment (excluding wholly suspended custodial sentences or intensive correction orders): 23
Wholly suspended custodial sentence or intensive correction order: 3
Community based order/fine: 3
2008-09 (as at 14 April 2009): Imprisonment (excluding wholly suspended custodial sentences or intensive correction orders): 14
Wholly suspended custodial sentence or intensive correction order: 2
Community based order/fine: 1

The number of offenders that were sentenced to a term of imprisonment of three years or more are as follows:

Assault occasioning bodily harm

2006-07: 3
2007-08: 1
2008-09 (as at 14 April 2009): 1

Grievous bodily harm

2006-07: 7
2007-08: 6
2008-09 (as at 14 April 2009): 11

Unlawful wounding

2006-07: 1
2007-08: 0
2008-09 (as at 14 April 2009): 0

Indecent treatment of a child under 12

2006-07: 3
2007-08: 3
2008-09 (as at 14 April 2009): 4