

Question on Notice

No. 632

Asked on 10 May 2011

MR BLEIJIE asked the Deputy Premier and Attorney-General, Minister for Local Government and Special Minister of State (MR LUCAS)—

QUESTION:

With reference to sentencing and imprisonment—

- (1) How many defendants were sentenced for an offence of unarmed robbery and armed robbery in 2008-09, 2009-10 and 2010-11 (reported separately for each year and separately for each offence type for each year)?
- (2) How many defendants sentenced in (1) were sentenced to more than five years actual imprisonment (reported separately for each year and separately for each offence type for each year)?
- (3) How many defendants in (1) received the maximum penalty?

ANSWER:

I thank the Honourable Member for Kawana for his question.

The Queensland Criminal Code includes one offence of ‘robbery’ (s409), which is generally punishable by a maximum sentence of 14 years imprisonment (s 411).

However, under the Code, if the offender is or pretends to be armed, is in company with another person, or uses violence, the offender is liable to imprisonment for life (s 411). This is a circumstance of aggravation and covers what is referred to as ‘armed robbery’.

This maximum penalty demonstrates the Queensland Government’s tough stance on crime. In comparison, Victoria and New South Wales have a maximum penalty of 25 years imprisonment for armed robbery.

- (1) The number of defendants sentenced for the offence of robbery in 2008-09, 2009-10 and 2010-11 (reported separately for each year and separately for offences involving a circumstance of aggravation) is shown below.

	2008-09	2009-10	2010-11 (as at 15 April 2011)
Robbery	149	151	143
Robbery (with circumstance of aggravation)	293	340	273

- (2) The number of defendants in (1) sentenced to more than five years actual imprisonment (reported separately for each year and separately for offences involving a circumstance of aggravation) is shown below.

	2008-09	2009-10	2010-11 (as at 15 April 2011)
Robbery	10	8	1
Robbery (with circumstance of aggravation)	42	33	36

- (3) Nil

The offence of robbery includes a wide range of offending conduct. For example, robbery might involve:

- an unarmed offender threatening to damage someone's property if they do not hand it over to them; or
- the offender threatening to push a person over if they are blocking their exit.

Robbery with a circumstance of aggravation might include:

- minimal force such as pushing a person over;
- an offender brandishing a toy pistol;
- two unarmed robbers; or
- more severe offending conduct such as an offender brandishing a knife, syringe, or firearm.

When sentencing an offender for any crime, the court must have regard to the circumstances of the individual offence and the offender.

I am advised that the rate of people committing robberies in Southeast Queensland has reduced by about 40 percent over the past 10 years. Over the same period, the overall crime rate in Queensland has dropped dramatically. Since 2000-01 the overall crime rate has dropped by nearly 30 percent.

While crime rates have been steadily decreasing, imprisonment rates have increased significantly and there are more offenders in Queensland prisons than ever before. The State reached a record average daily prison population of 5,655 in December 2010, up from an average daily prison population of 4,709 in 1998. Queensland has more people in secure custody than any other state, except New South Wales.

Note:

Section 410 of the Criminal Code ('Loaded Arms') was repealed in 2008.

1. These figures are extracted from the Queensland Wide Interlinked Courts (QWIC) database. As there is no unique identifier enabling the identification and subsequent reporting of unique defendants, defendants have been identified based on the national Report on Government Services counting methodology i.e. same surname, first name, date of birth, and date the offence was registered within QWIC.

2. To ensure data integrity, the courts analyse the accuracy of data on a continual basis. As a result, it is possible that figures will vary slightly over time as input errors are detected and corrected retrospectively.