

Answers to Questions on Notice from hearing on 12 August 2015
with the Office of the Director of Public Prosecutions

Information sought by the Committee:

- a. The number of prosecutions under section 221 of the Criminal Code for family violence or murders, for the past three years .
- b. The number of prosecutions which have resulted in conviction in relation to family violence–related crimes, for the past three years.
- c. The number of family violence–related crimes which did not result in conviction due to insufficient evidence or inefficient police investigations, for the past three years .

Answers provided by the ODPP:

- a. According to the ODPP database, of the matters reviewed to date the number of prosecutions involving an RO s4 domestic relationship for the period 01.07.2012 – 12.08.2015 is as follows :

S279	Murder	53 out of 106 prosecutions
S280	Manslaughter	20 out of 45 prosecutions
S281	Unlawful Assault Causing Death	3 out of 9 prosecutions
S283	Attempt to Unlawfully Kill	15 out of 26 prosecutions
S284	Driving (not a Motor Vehicle) Causing Death or GBH	0 out of 1 prosecution
S288	Procuring Suicide	0 out of 0 prosecutions
S290	Preventing the birth of a child	0 out of 0 prosecutions
S291	Concealing the birth of a dead child	1 out of 1 prosecution
S292	disabling to Commit an Indictable Offence	0 out of 3 prosecutions
S293	Stupefying to Commit an Indictable Offence	1 out of 2 prosecutions
S294	Acts Causing GBH or Preventing Arrest	37 out of 115 prosecutions
S294A	Dangerous Goods on an Aircraft	0 out of 0 prosecutions
S295	Preventing Escape from a Wreck	0 out of 0 prosecutions
S297	Grievous Bodily Harm (GBH)	102 out of 120 prosecutions
S301	Wounding	44 out of 69 prosecutions
S305	Setting dangerous things	0 out of 0 prosecutions
S305A	Intoxication by Deception	0 out of 0 prosecutions
S306	Female Genital Mutilation	1 out of 1 prosecution
S317A	Assault with Intent	4 out of 5 prosecutions
S318	Serious Assault (Assault Public Officers)	0 out of 131 prosecutions
S318A	Assault Aircraft Crew	0 out of 0 prosecutions
S332	Kidnapping	1 out of 17 prosecutions
S336	Procuring apprehension or detention of persons not suffering from mental illness or impairment	0 out of 0 prosecutions
S337	Unlawful detention or custody of person who is mentally ill or impaired	0 out of 0 prosecutions
S338E	Stalking	19 out of 23 prosecutions
S343	Child stealing	6 out of 13 prosecutions
S344	Deserting a Child u/16	0 out of 0 prosecutions
S345	Criminal defamation	0 out of 0 prosecutions

- b. According to the ODPP database, of the matters reviewed to date the number of convictions involving an RO s4 domestic relationship for the period 01.07.2012 – 12.08.2015 is as follows :

S279	Murder	20 convictions, 16 yet to be determined
S280	Manslaughter	14 convictions, 4 yet to be determined
S281	Unlawful Assault Causing Death	2 convictions
S283	Attempt to Unlawfully Kill	2 convictions, 2 yet to be determined
S284	Driving (not a Motor Vehicle) Causing Death or GBH	0
S288	Procuring Suicide	0
S290	Preventing the birth of a child	0
S291	Concealing the birth of a dead child	0 convictions
S292	Disabling to Commit an Indictable Offence	0
S293	Stupefying to Commit an Indictable Offence	1 conviction
S294	Acts Causing GBH or Preventing Arrest	14 convictions, 9 yet to be determined
S294A	Dangerous Goods on an Aircraft	0
S295	Preventing Escape from a Wreck	0
S297	Grievous Bodily Harm (GBH)	60 convictions, 22 yet to be determined
S301	Wounding	25 convictions 8, yet to be determined
S305	Setting dangerous things	0
S305A	Intoxication by Deception	0
S306	Female Genital Mutilation	0 convictions
S317A	Assault with Intent	1 conviction, 2 yet to be determined
S318	Serious Assault (Assault Public Officers)	0
S318A	Assault Aircraft Crew	0
S332	Kidnapping	0 Convictions
S336	Procuring apprehension or detention of persons not suffering from mental illness or impairment	0
S337	Unlawful detention or custody of person who is mentally ill or impaired	0
S338E	Stalking	4 convictions, 3 yet to be determined
S343	Child stealing	3 convictions, 1 yet to be determined
S344	Deserting a Child u/16	0
S345	Criminal defamation	0

- c. Of all matters reviewed to date, we are able to identify only 4 that have been discontinued due to insufficient evidence, namely:

