SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS COMMONWEALTH DIRECTOR OF PUBLIC PROSECUTIONS

Question No. SBE15/052

Senator McKim asked the following question at the hearing on 20 October 2015:

For the financial year 2014/15, please provide a breakdown of the sentencing outcomes of recipients convicted (for tax fraud offences) by the CDPP by type of sentence (e.g. custodial sentence, good behaviour bond, community service order, etc.). Please provide a breakdown of sentencing outcomes by:

- Gender
- b. Age
- c. State and Territory, and
- Indigenous/non-Indigenous background

The answer to the honourable senator's question is as follows:

Breakdown for period of 2014-15 financial year in sentencing outcomes of recipients convicted (Tax fraud*) by the CDPP by type of sentencing by:

a. Gender

Gender	Highest penalty	2014-15
Female	Gaol	8
	Gaol (Fully Suspended)	2
	Fine	7
	Recog Order	5
	Female Total	22
Male	Gaol	24
	Gaol (Fully Suspended)	10
	Fine	20
	CSO/CBO	4
	Recog Order	14
	Male Total	72
Company	Fine	6
	Company Total	6
Total		100

^{*}Tax fraud convictions are defined as those matters referred to the CDPP by the Australian Taxation Office or sourced from the Australian Taxation Office. 'Highest penalty' is calculated by taking the most severe penalty imposed on the defendant. For example, if a defendant received a fully suspended gaol sentence as well as a fine, only the fully suspended gaol sentence will be captured in this table. In this regard, the table is a count of defendants sentenced for tax fraud offences, not actual penalties imposed.

b. Age

Age (years)	Highest penalty	2014-15
20-29	Gaol	3
	Fine	2

Recog Order 2 20-29 Total 8 30-39 Gaol 7 Gaol (Fully Suspended) 1 Fine 3 CSO/CBO 2 Recog Order 4 30-39 Total 17 40-49 Gaol (Fully Suspended) 7 Fine 4 CSO/CBO 1 Recog Order 7 40-49 Total 28 50-59 Gaol (Fully Suspended) 3 Fine 11 Recog Order 5 50-59 Total 26 60-69 Gaol (Fully Suspended) 1 Fine 7 Recog Order 1 60-69 Total 14 70 years or over Gaol 1 Tous of the component of the compo	5	CCO/CDO	•
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Gaol (Fully Suspended) 3			28
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60-69 Gaol 5 Gaol (Fully Suspended) 1 Fine 7 Recog Order 1 60-69 Total 14 70 years or over Gaol 1 To years or over Total 1 Unknown Fine 6		Recog Order	5
Gaol (Fully Suspended) 1		50-59 Total	26
Fine 7 Recog Order 1 60-69 Total 14 70 years or over Gaol 1 70 years or over Total 1 Unknown Fine 6	60-69	Gaol	5
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70 years or over Gaol 1 70 years or over Total 1 Unknown Fine 6		Recog Order	1
To years or over Total 1 Unknown Fine 6		60-69 Total	14
To years or over Total 1 Unknown Fine 6	70 years or over	Gaol	1
Unknown Fine 6		70 years or over Total	1
	Unknown		6
	*	Unknown Total	6
Total 100	Total		100

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c. State and Territory

State/Territory	Highest penalty	2014-15
NSW	Gaol	13
	Gaol (Fully Suspended)	2
	Fine	10
	CSO/CBO	2
	Recog Order	12
	NSW Total	39
Vic.	Gaol	5
	Gaol (Fully Suspended)	1

2	Fine	1
	CSO/CBO	1
n a	Recog Order	1
	Vic. Total	9
Qld.	Gaol	10
	Gaol (Fully Suspended)	7
0	Fine	7
×	Recog Order	4
	Qld. Total	28
WA	Gaol	3
	Fine	7
	WA Total	10
SA	Gaol	1
	Gaol (Fully Suspended)	1
*	Fine	2
	Recog Order	1
	SA Total	5
Tas.	Fine	1
	Tas. Total	1
ACT	Gaol (Fully Suspended)	1
	Fine	5
	CSO/CBO	1
	Recog Order	1
	ACT Total	8
Total		100

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d. Indigenous/non-Indigenous background

Indigenous/non- Indigenous	Highest penalty	2014-15
Indigenous	Gaol	1
	Indigenous Total	1
Non-Indigenous	Gaol	19
	Gaol (Fully Suspended)	5
	Fine	14
	CSO/CBO	2
	Recog Order	10
	Non-Indigenous Total	50
Unknown	Gaol	12
	Gaol (Fully Suspended)	7
	Fine	19
	CSO/CBO	2

9	Recog Order	9
	Unknown Total	49
Total		100

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Note: All figures have been extracted from the CDPP database on 11.11.2015.