

NSW Criminal Justice Aboriginal over-representation

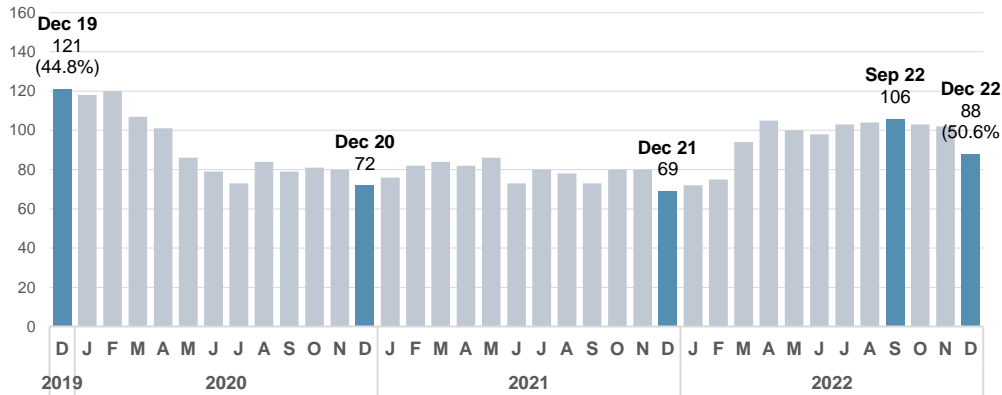
December 2022 – Aboriginal young people



1.1 Key indicator: Aboriginal young people in detention*

Sentenced and remand custody

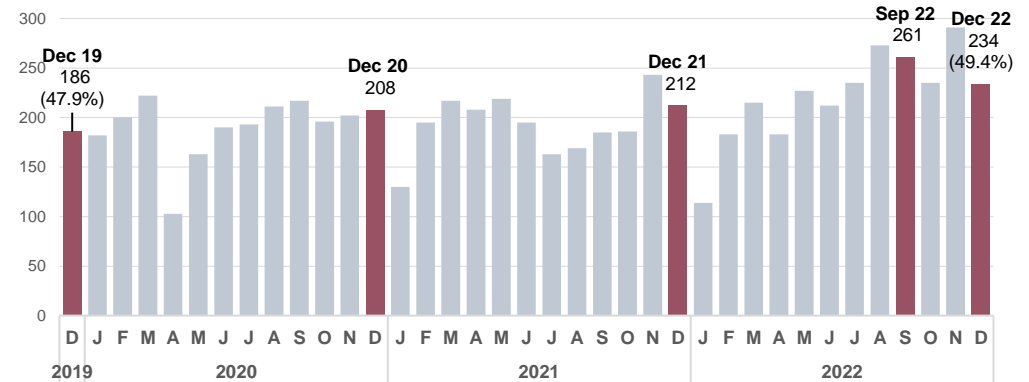
Up 22.2% From December 2020	↓ -18 From prior quarter	↑ +16 From same month 2020	88 Current quarter	72 Same month 2020	50.6% Current %
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2.1 Key indicator: Aboriginal young people in court

Children's, Local, District and Supreme Courts

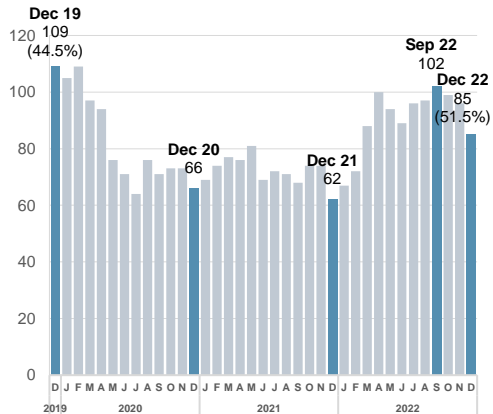
Up 14.7% From prior year	↓ -9 From prior quarter	↑ +341 From prior year	2,663 Current year	2,322 Last year	49.4% Current %
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1.2 Aboriginal young males in detention*

Sentenced and remand custody

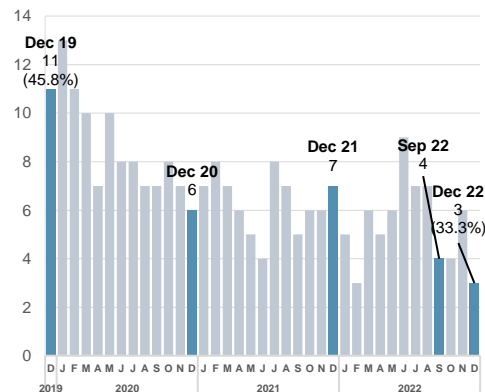
Up 28.8% From Dec 2020	↑ +19 From same month 2020	85 Current quarter	66 Same month 2020
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1.3 Aboriginal young females in detention*

Sentenced and remand custody

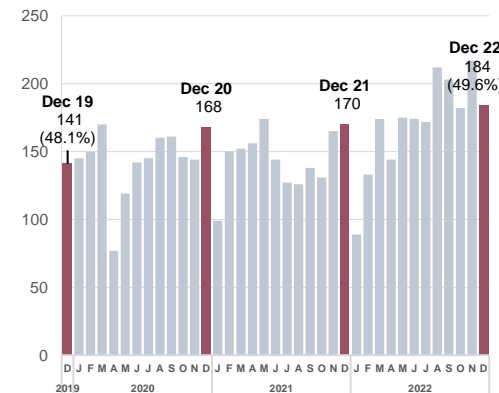
Stable From Sept 2020	↓ -3 From same month 2020	3 Current quarter	6 Same month 2020
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2.2 Aboriginal young males in court

Children's, Local, District and Supreme Courts

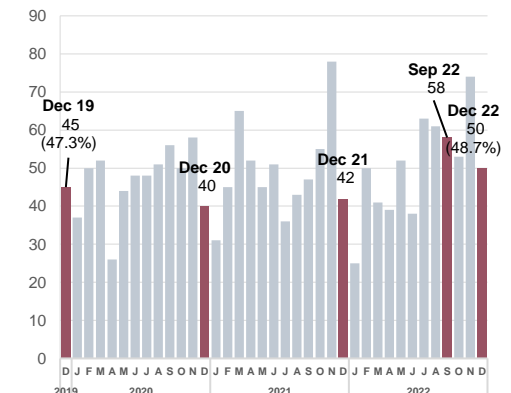
Up 18.9% From prior year	↑ +327 From prior year	2,059 Current year	1,732 Last year
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2.3 Aboriginal young females in court

Children's, Local, District and Supreme Courts

Up 2.4% From prior year	↑ +14 From prior year	604 Current year	590 Last year
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Note: data from March 2020 onwards have been impacted by COVID and may not represent a change in long term trend

*Custody population figures are counted as at midnight on the last day of the month (stock figures).

Aboriginal young people comprise 6.2% of the NSW population aged 10 to 17 years (2021 ABS Census)

NSW Criminal Justice Aboriginal over-representation

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December 2022 – Aboriginal young people



3. Police

3.1 Police court proceedings*

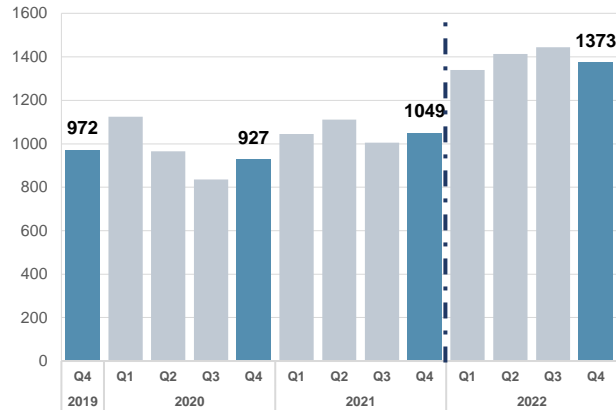
*excludes Aboriginal young people proceeded to court for breaching bail

Up 32.4%
From prior year

+1,362
From prior year

5,572
Current year

4,210
Last year



3.2 Diversion from court*

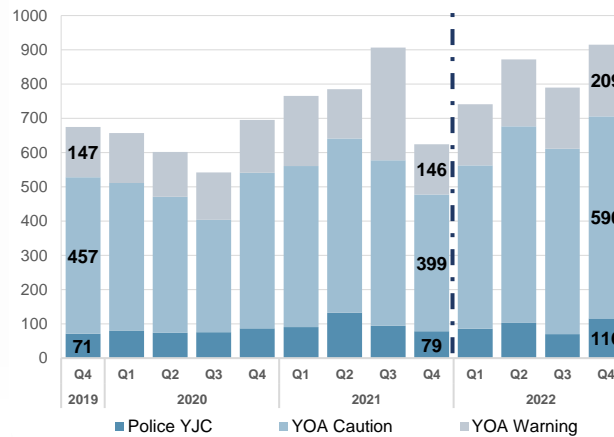
*Police Youth Justice Conference referrals, cautions/warnings under the Young Offenders Act.

Up 7.7%
From prior year

+238
From prior year

3,318
Current year

3,080
Last year



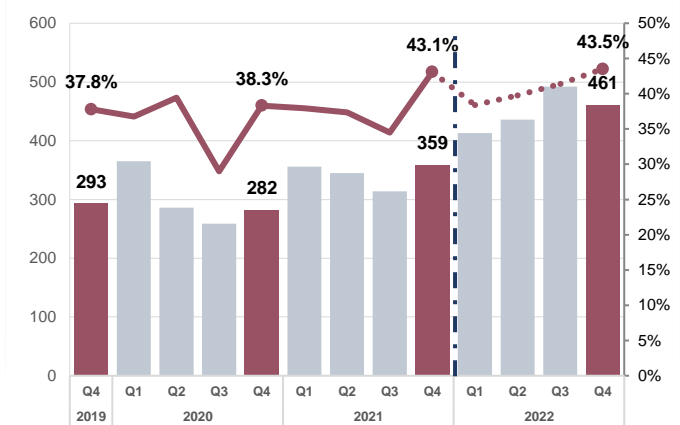
4.1 Refused bail by police

Up 31.1%
From prior year

+428
From prior year

1,802
Current year

1,374
Last year



4. Bail

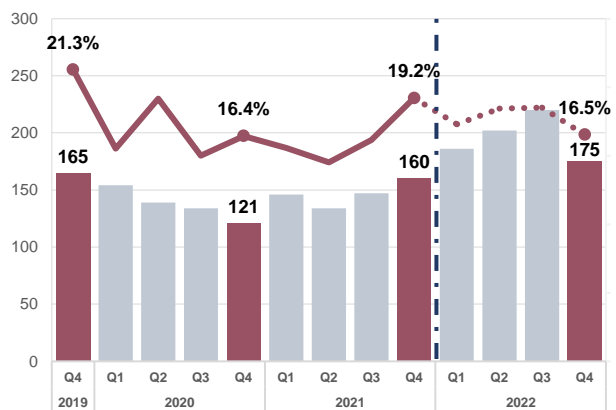
4.2 Refused bail by court

Up 33.4%
From prior year

+196
From prior year

783
Current year

587
Last year



4.3 Bail revocations following bail breach involving further offence*

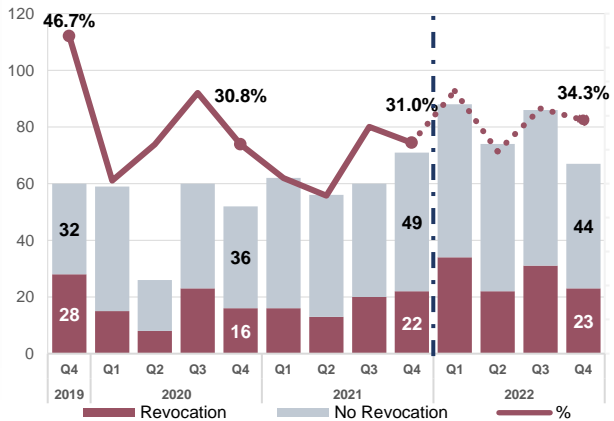
*breach of bail established in court

Up 54.9%
From prior year

+39
From prior year

110
Current year

71
Last year



4.4 Bail revocations from technical bail breach

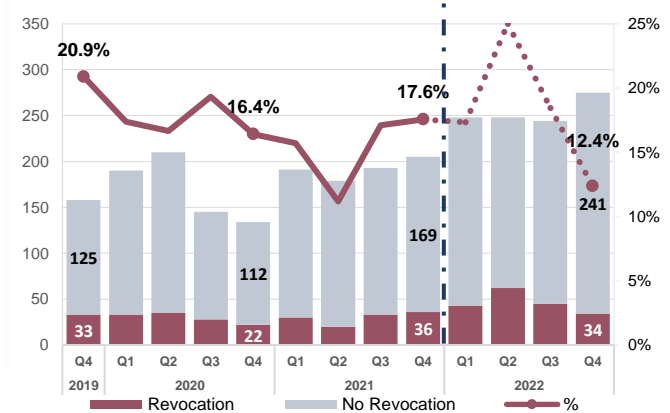
*breach of bail established in court

Up 54.6%
From prior year

+65
From prior year

184
Current year

119
Last year



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5. Criminal Courts

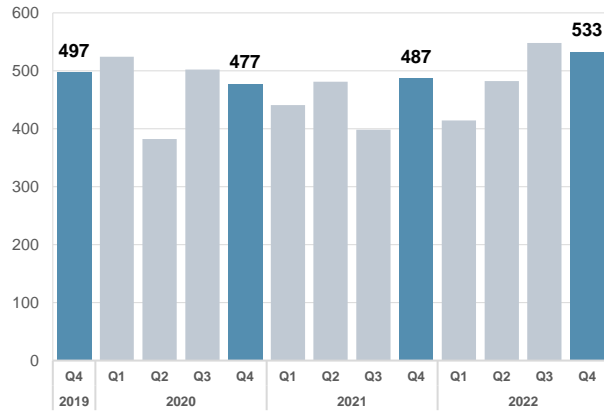
5.1 Found guilty in court

Up 9.4%
From prior year

↑+170
From prior year

1,977
Current year

1,807
Last year



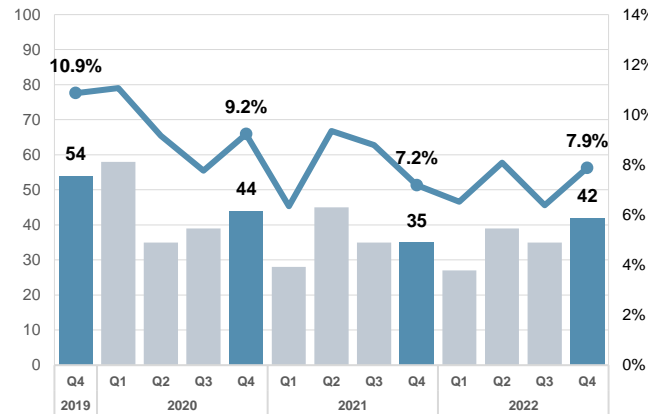
5.2 Sentenced to custody

Stable
From prior year

+0
From prior year

143
Current year

143
Last year



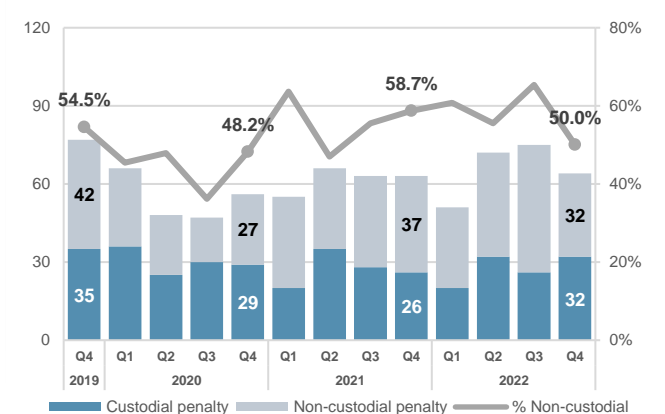
5.3 Sentenced to custody from remand

Up 0.9%
From prior year

↑+1
From prior year

110
Current year

109
Last year



6. Custody

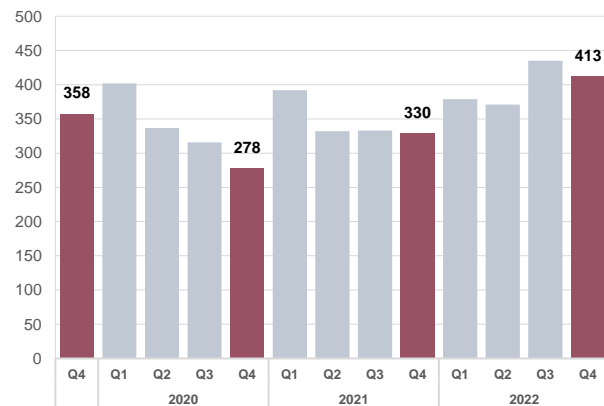
6.1 Entering custody

Up 19.9%
From Dec 2020

↑+265
From same qtr 2020

1,598
Current year

1,333
Same qtr 2020



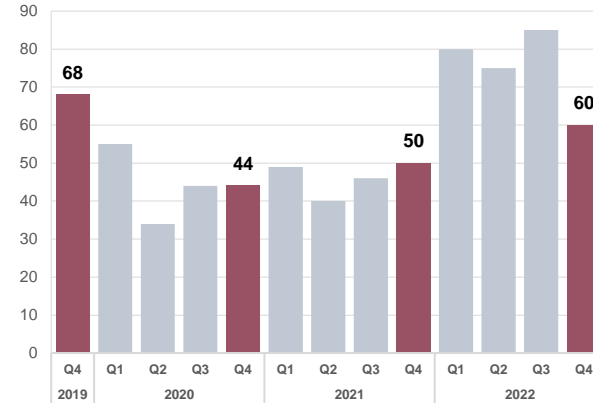
6.2 Remand custody population*

Up 36.4%
From Dec 2020

↑+16
From same qtr 2020

60
Current quarter

44
Same qtr 2020



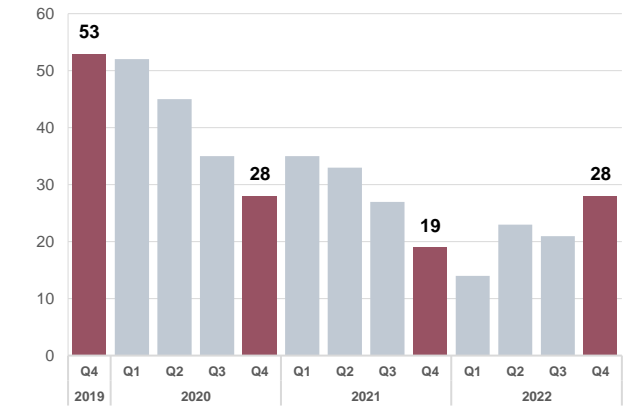
6.3 Sentenced custody population*

Stable
From Dec 2020

+0
From same qtr 2020

28
Current quarter

28
Same qtr 2020



Note: data from March 2020 onwards have been impacted by COVID and may not represent a change in long term trend

*Custody population figures are counted as at midnight on the last day of the month (stock figures).

Aboriginal young people comprise 6.2% of the NSW population aged 10 to 17 years (2021 ABS Census)

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6. Custody

6.4 Length of stay in custody*

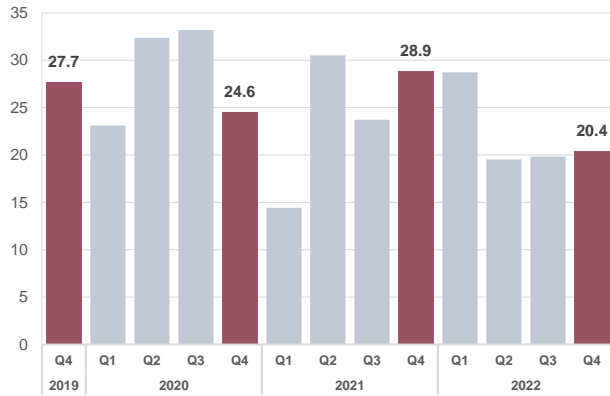
*Average number of days for persons discharged by discharge date

Down 9.6%
From prior year

↓ -2.4 days
From prior year

22.3 days
Current 12-month average

24.7 days
12-month average last year



6.5 Short-term remand*

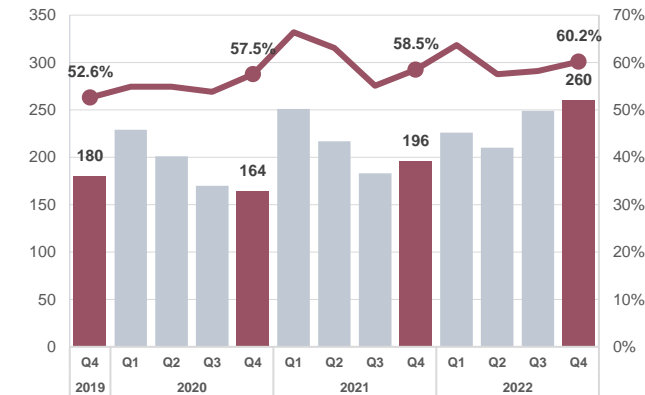
*Number of persons that spent less than 2 days spent in custody by discharge date

Up 11.6%
From prior year

+98
From prior year

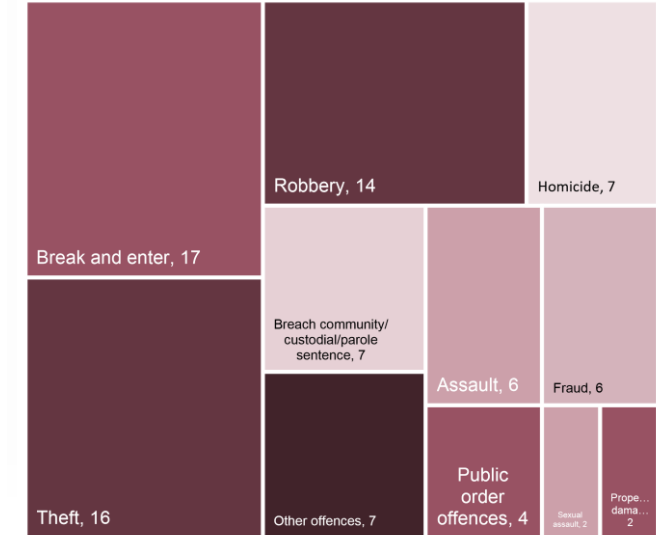
945
Current year

847
Last year



6.6 Detainee's most serious offence

The most serious offence for which a person is detained



7. Reoffending

7.1 Reoffending among Aboriginal young people guilty in court or dealt with by YJC

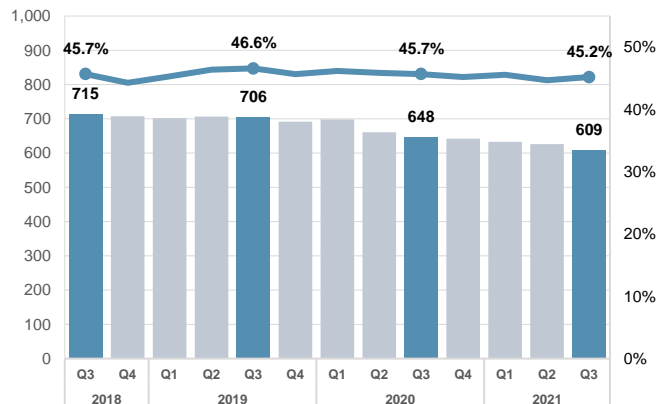
Annual cohort reoffending rate - Any new proven offence committed within 12 months

Down 39
Change year to year

45.2%
Current rate

609
Current year

648
Last year



7.2 Reoffending among Aboriginal young people exiting custody – new proven offence

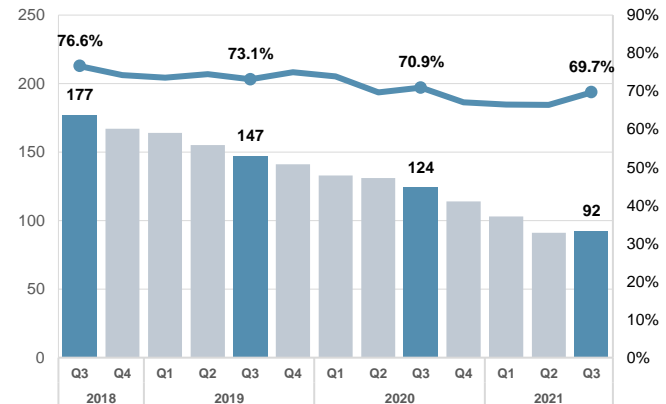
Annual cohort reoffending rate - Any new proven offence committed within 12 months

Down 32
Change year to year

69.7%
Current rate

92
Current year

124
Last year



7.3 Reoffending among Aboriginal young people exiting custody – return to custody

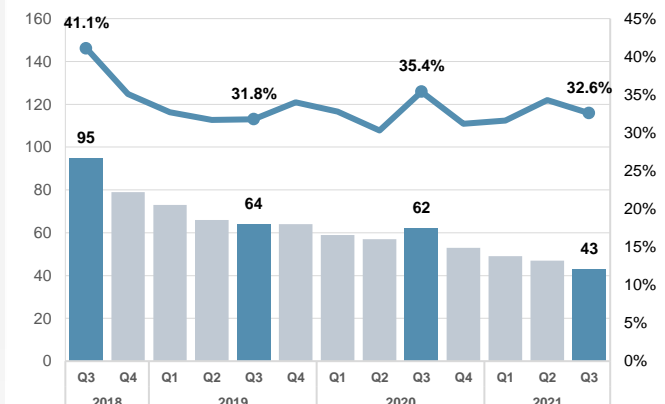
Annual cohort reoffending rate - Return to custody for a new offence committed within 12 months

Down 19
Change year to year

32.6%
Current rate

43
Current year

62
Last year



Note: data from March 2020 onwards have been impacted by COVID and may not represent a change in long term trend

Aboriginal young people comprise 6.2% of the NSW population aged 10 to 17 years (2021 ABS Census)

Measure	Definition
1.1, 1.2, 1.3 Aboriginal young people in detention	Number of Aboriginal young people held in juvenile detention, whether remanded or sentenced. Custody population figures are counted as at midnight on the last day of the month.
2.1, 2.2, 2.3 Aboriginal young people in court	Number of Aboriginal young people appearing in finalised criminal court appearances. A finalised appearance is one which has been fully determined by the court and for which no further court proceedings are required. Counts appearances finalised in the Children's, Local, District and Supreme Courts.
3.1 Police court proceedings	Number of Aboriginal young people proceeded against to court by NSW Police. This measure excludes Aboriginal young people proceeded against for a breach of bail. Due to improvement in police recording of Aboriginality since Jan 2022, the number of persons with a recorded Aboriginal status has increased
3.1 Diversions from court	Number of Aboriginal young people proceeded against by NSW Police via a Youth Justice Conference referral or a caution or warning under the Young Offenders Act. Fare evasion offences have been excluded from these proceedings as they are regarded as a diversion from an infringement notice, and not directly a diversion from court. Due to improvement in police recording of Aboriginality since Jan 2022, the number of persons with a recorded Aboriginal status has increased
4.1 Refused bail by police	Number and proportion of Aboriginal young people refused bail by the police.
4.2 Refused bail by court	Number and proportion of Aboriginal young people refused bail at their first court bail appearance.
4.3, 4.4 Bail breaches	Number of Aboriginal young people whose bail was revoked due to a bail breach. 4.4 shows breaches where the offender committed a new offence, 4.5 shows a technical bail breach, such as reporting to police, curfew and residence.
5.1 Found guilty in court	Number of Aboriginal young people found guilty in finalised criminal court appearances.
5.2 Sentenced to prison	Number and proportion of Aboriginal young people sentenced to juvenile detention.
5.3 Sentenced to custody from remand	Number and proportion of Aboriginal young people refused bail at court finalisation by whether they received a custodial penalty or not.
6.1 Entering custody	Number of Aboriginal young people received into custody. Excludes those held in police/court cell complexes.
6.2, 6.3 Remand and sentenced population	Remand – Aboriginal young people refused bail (and small numbers granted bail but unable to meet conditions) are remanded in custody pending future court action. Sentenced - the courts have imposed custodial sentence for a proven offence.
6.4 Length of stay in custody	The average number of days spent in custody for Aboriginal young people discharged from custody.
6.5 Short-term remand	The number and proportion of Aboriginal young people discharged from custody that spent less than 2 days in custody
6.6 Detainee's most serious offence	The most serious offence type for which each person is in custody (remand and sentenced custody). Data is shown for the most recent month.
7.1 Reoffending among Aboriginal young people guilty in court or dealt with by YJC	Reoffending is defined as a further offence committed within 12 months of a Youth Justice Conference or proven court appearance and finalised by court appearance or Youth Justice Conference within 15 months (excludes those who received a custodial penalty). Data is presented for a 12-month period (annual cohort) ending with the relevant quarter.
7.2 Reoffending among Aboriginal young people exiting custody – new proven offence	Reoffending is defined as a further offence committed within 12 months of release from sentenced custody and finalised by court appearance or Youth Justice Conference within 15 months. Data is presented for a 12-month period (annual cohort) ending with the relevant quarter.
7.3 Reoffending among Aboriginal young people exiting custody – return to custody	Reoffending is defined as a further offence committed within 12 months of release from sentenced custody and finalised by court appearance within 15 months where the offender received a subsequent custodial penalty. Data is presented for a 12-month period (annual cohort) ending with the relevant quarter. This measure counts only those offenders who committed a new proven offence not parole revocations or bail refusal. 7.3 is a subset of 7.2 and shows those who were returned to custody.