

# Crime and Justice Statistics

**Bureau Brief** 

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# The decline in unconditional release before trial

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**Aim**: To examine whether the reduction in the percentage of cases where bail is dispensed with (unconditional release) is due to a change in the profile of cases coming before the criminal courts or a general increase in the threshold for dispensing with bail.

**Method**: A series of statistical (logistic regression) models of the likelihood of unconditional release were constructed to see whether the fall in the likelihood of unconditional release over time remained significant after adjusting for other factors associated with the likelihood of unconditional release. Separate models were constructed for three offences: assault, property crime and property damage.

**Results**: The reduction in the probability of unconditional release over time remained significant even after controlling for a wide range of other bail-relevant factors.

**Conclusion**: The reduction in matters where bail is dispensed with is not accounted for by a change in the profile of cases coming before the courts. Instead, this appears to reflect an increase in the threshold for dispensing with bail.

# INTRODUCTION

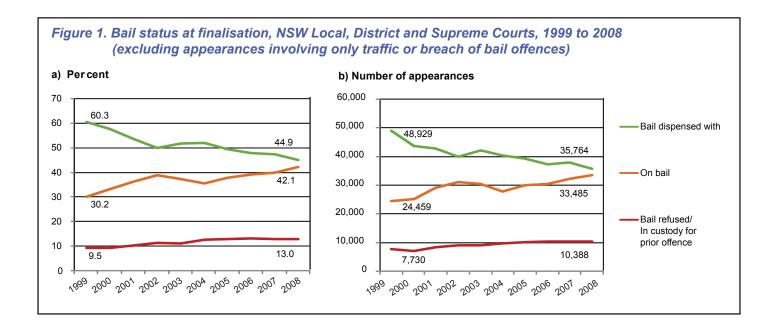
Defendants released on bail are generally required to abide by certain conditions. The conditions may include depositing some form of security with the court, reporting regularly to police, passport surrender, avoiding certain people or places and/or undergoing assessment for treatment. The options available to a court in relation to bail, however, are not limited to granting bail (i.e. conditional release) or refusing bail. Under section 10(1) of the *Bail Act 1978* (NSW), courts have the power to dispense with bail in any circumstance where they have the power to grant bail. In what follows we use the term 'unconditional release' synonymously with 'bail dispensed with'.

When defendants are unconditionally released, the possibility of re-arrest does not arise unless the defendant commits a further offence. When bail is granted, on the other hand, a defendant is vulnerable to arrest for any further offence and/or for any breach of bail conditions. Breach of bail, even if it involves no further offence, often results in remand. Other things being equal, the more people who are granted conditional release, the larger the pool of people vulnerable to being re-arrested and remanded in custody for breach of bail. In 2008, more than 82,000 (63 per cent) people facing criminal charges in NSW Local Courts had the requirement for bail dispensed with (NSW

Bureau of Crime Statistics and Research, 2010a). Slight changes in the percentage of cases where bail is dispensed with clearly have the potential to exert large effects on demand for court and correctional resources.

Over the last decade in NSW there has been a marked reduction in the number and percentage of cases where bail is dispensed with. Figure 1a shows the trend in the percentage of cases where bail is dispensed with, granted and refused. Figure 1b shows the trend in the number of cases where bail is dispensed with, granted or refused. The figures cover Local, District and Supreme Courts, but exclude matters involving only traffic offences or breach of bail.

Inspection of the figures shows that, while there has been some increase in the percentage (+ 3 percentage points) and number (+ 2,658) of defendants refused bail, the main change has been a rise in the number and proportion of defendants placed on bail rather than released unconditionally. As can be seen from Figure 1a, over the last ten years, the percentage of defendants released unconditionally has fallen from 60.3 per cent (in 1999) to 44.9 per cent (in 2008), a fall of 15 percentage points. Over the same period, the percentage on bail at finalisation rose from 30.2 per cent to 42.1 per cent, a rise of 12 percentage points. In numerical terms (see Figure 1b), these changes are



substantial. They mean that 13,165 fewer defendants were released unconditionally in 2008 than in 1999, while 9,026 more defendants were placed on bail in 2008 than were placed on bail in 1999.

The fall in the number and percentage of cases where bail is dispensed with does not necessarily signify a toughening of police or court attitudes toward bail. With good reason, bail is more likely to be granted to some defendants than others (e.g. defendants charged with non-violent offences, defendants without a significant prior criminal record) (Snowball, Roth, & Weatherburn, 2010). By the same token, we would expect that it is more likely that bail would be dispensed with in some circumstances than others. If the profile of defendants reaching the criminal courts becomes more serious, we would expect fewer to have the requirement for bail dispensed with. A change of this sort could be described as a 'profile' effect (i.e. a change in the profile of defendants), as distinct from a threshold effect, that is, a change in the general threshold for granting or dispensing with bail.

This study examines the question of whether the reduction in unconditional release is a profile or threshold effect. The general strategy employed to answer this question is to build a series of statistical (logistic regression) models of the likelihood of unconditional release and to include within each model a variable capturing the year in which the bail decision was made. If the reduction in unconditional release is a threshold effect, we expect this variable to have a significant effect on the likelihood of bail being dispensed with, even after controlling for other factors associated with the likelihood of unconditional release. If the reduction in unconditional release is a profile effect, we expect the year variable to have no association with the likelihood of unconditional release, once we control for these factors.

# **METHODS**

#### **Data source**

Data for the present study were obtained from the Re-offending Database (ROD) developed and maintained by the NSW Bureau of Crime Statistics and Research. ROD contains records of all court appearances finalised in NSW courts since 1994. Further information about ROD can be found in Hua and Fitzgerald (2006). We extracted data relating to adult defendants who appeared in a Local, District or Supreme Court in the ten years from 1999 to 2008, and data on convictions within five years prior to these court appearances.

# Statistical analysis

Offence types were categorised according to the Australian Standard Offence Classification (ASOC) 2008 (Australian Bureau of Statistics, 2008). Trends of bail status at finalisation were examined at the subdivision level (three-digit code). Trends for the 12 most commonly presenting offence types (excluding traffic offences) are included in Figure A1 of the Appendix.

To determine whether the likelihood of unconditional release changed over the period 1999 to 2008, three separate logistic regression models were developed for cases involving assault, property (including break and enter, theft and receive or handle proceeds of crime), and property damage offences. These offence types were selected because they were associated with the greatest absolute and relative changes in unconditional release (see Figure A1 in the Appendix). The outcome of interest was whether defendants were unconditionally released at the time of their final court appearance, rather than being on bail or bail refused¹. Each of the three models examined year as the primary explanatory variable, while controlling for other factors associated with the likelihood of unconditional release. These factors related to defendant demographics

(e.g. sex, age, and Indigenous status), characteristics of the charges (e.g. number, type and severity of offences), and the criminal history of the defendant in the five years prior to the appearance (e.g. number and type of prior convictions, and whether the defendant had previously received a custodial sentence). As the factors included in each of the three models varied, they are not detailed here, but are included with the results displayed in the Appendix.

As defendants could have multiple finalised court appearances throughout the ten-year period, logistic regression models accordingly allowed for intra-individual correlation. Excluded were those defendants with unknown demographic information (e.g. sex, Indigenous status), and those who were charged with homicide (as these cases were rare and the likelihood of unconditional release minimal).

Odds ratios derived from logistic regression are not directly interpretable as risks. Therefore marginal effects were produced to examine the impact of year on the estimated probability of being unconditionally released, for defendants with specific characteristics.

### **RESULTS**

#### **Assault**

Over the period 1999 to 2008 the percentage of defendants facing an assault charge who were unconditionally released at the time of finalisation decreased from 36 to 22 per cent. While the number of matters before the courts involving assault charges increased over this period, the number of defendants unconditionally released decreased from 6,702 in 1999 to 5,195 in 2008.

Results of the logistic regression model examining the effects of year and other factors on the likelihood of unconditional release are presented in full in Table A1 of the Appendix.

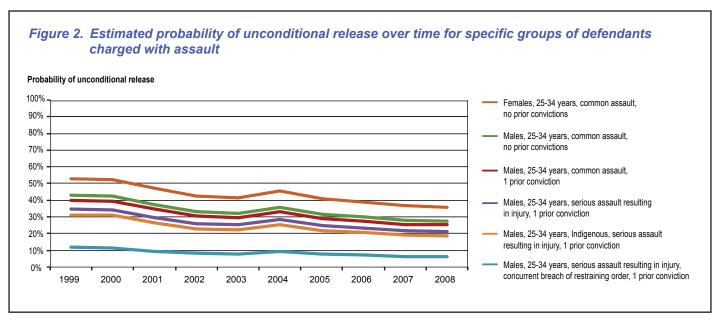
In summary, unconditional release was less likely for defendants who were male, Indigenous, had a greater number of prior convictions, had received a custodial sentence in the previous five years, and was associated with the seriousness of the assault and the number of charges. In addition, those who had concurrent charges relating to property, property damage, drugs, harassment and private nuisance, stalking, disorderly conduct, and breach of restraining order, were less likely to be unconditionally released.

Table 1 shows the effects of year on the likelihood of unconditional release, after adjusting for these factors. The odds of being unconditionally released decreased steadily between 1999 and 2008. By 2008 the odds of being unconditionally released were 0.51 times the odds of being unconditionally released in 1999.

Table 1. Adjusted effects of year on the likelihood of unconditional release, relating to assault charges (N=201,642)

	Odds ratio	
Year	(95% confidence interval)	p
2000 vs 1999	0.983 (0.938, 1.031)	.488
2001 vs 1999	0.792 (0.756, 0.831)	< .001
2002 vs 1999	0.658 (0.627, 0.691)	< .001
2003 vs 1999	0.634 (0.604, 0.666)	< .001
2004 vs 1999	0.748 (0.713, 0.785)	< .001
2005 vs 1999	0.614 (0.585, 0.645)	< .001
2006 vs 1999	0.570 (0.543, 0.599)	< .001
2007 vs 1999	0.517 (0.492, 0.542)	< .001
2008 vs 1999	0.513 (0.488, 0.538)	< .001

Figure 2 shows the effect of year on the probability of unconditional release for specific groups of defendants. The top line in the figure, for example, shows the change in the probability of unconditional release for a female charged with common assault, who is aged between 25 and 34 years of age and has no prior convictions or concurrent offences.



The probability of such a defendant being unconditionally released decreased from 53 per cent in 1999 to 36 per cent in 2008. The remaining curves show the change in the probability of unconditional release for a range of other case types/characteristics. The pattern is much the same. Apart from a slight increase in the probability of unconditional release in 2004, the probability of unconditional release steadily declines for all types of case between 1999 to 2008.

# **Property**

Over the period 1999 to 2008 the percentage of defendants facing a property charge who were unconditionally released at the time of finalisation decreased from 55 to 35 per cent. The number of appearances in which defendants were unconditionally released decreased from 10,372 in 1999 to 4,429 in 2008.

Results of the logistic regression model examining the effects of year and other factors on the likelihood of unconditional release, for those facing charges relating to property offences are presented in Table A2 of the Appendix. Consistent with the results for assault, defendants who were male, Indigenous, had a greater number of prior convictions and had received a custodial sentence in the previous five years were less likely to be unconditionally released. The likelihood of unconditional release was also associated with the type and number of property offence charges, with the number and type of concurrent charges and with prior convictions for property offences and breach of bail.

Table 2 shows the effects of year on the likelihood of unconditional release, after adjusting for these factors. The odds of being unconditionally released decreased over the period 1999 to 2008. By 2008 the odds of being unconditionally released were 0.42 times the odds of being unconditionally released in 1999.

Table 2. Adjusted effects of year on the likelihood of unconditional release, relating to property charges (N=158,126)

	Odds ratio	
Year	(95% confidence interval)	p
2000 vs 1999	0.881 (0.835, 0.930)	< .001
2001 vs 1999	0.708 (0.671, 0.747)	< .001
2002 vs 1999	0.583 (0.552, 0.615)	< .001
2003 vs 1999	0.570 (0.539, 0.603)	< .001
2004 vs 1999	0.632 (0.597, 0.670)	< .001
2005 vs 1999	0.503 (0.474, 0.533)	< .001
2006 vs 1999	0.490 (0.462, 0.519)	< .001
2007 vs 1999	0.499 (0.471, 0.529)	< .001
2008 vs 1999	0.416 (0.392, 0.443)	< .001

Figure 3 shows the effect of year on the probability of unconditional release for defendants with specific characteristics charged with property offences. The effects mirror those in Figure 2 but are rather more pronounced. In 1999 a male charged with theft aged 25 to 34 years, who had two prior convictions and one concurrent offence would have had a 66 per cent chance of unconditional release. By 2008 that chance had fallen to 44 per cent. Again, apart from an unexpected increase in 2004, the general pattern is one of declining probabilities of unconditional release between 1999 and 2008.

# **Property damage**

Over the period 1999 to 2008 the percentage of defendants charged with property damage offences who were unconditionally released at the time of finalisation decreased from 53 to 32 per cent. While the total number of matters before the courts involving property damage charges increased, the number of defendants unconditionally released decreased from 3,326 in 1999 to 2,859 in 2008.

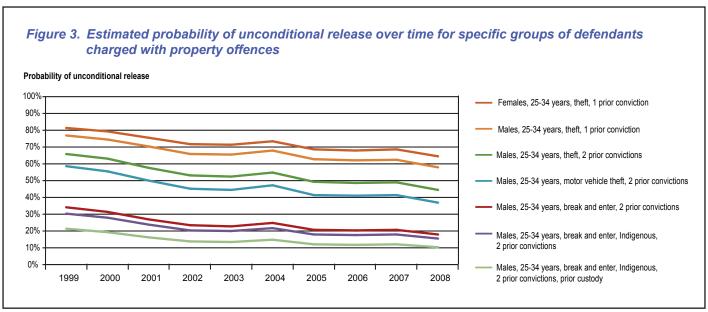


Table A3 in the Appendix includes results of the logistic regression model examining the effects of year and other factors on the likelihood of unconditional release for defendants charged with property damage offences. Consistent with the results for assault and property offences the likelihood of unconditional release was less likely for defendants who were male, Indigenous, had a greater number of prior convictions, and had received a custodial sentence in the previous five years. Furthermore, those who had concurrent charges relating to property, assault, harassment and private nuisance, disorderly conduct, and breach of restraining order, were less likely to be released unconditionally, as were those with prior convictions for property damage, property, assault, breach of bail and breach of restraining order offences.

Table 3 shows the effects of year on the likelihood of unconditional release, after adjusting for these factors. With the exception of 2004, the odds of being unconditionally released decreased every year between 1999 and 2008. By 2008 the odds of being unconditionally released were 0.38 times the odds of being unconditionally released in 1999.

Table 3. Adjusted effects of year on the likelihood of unconditional release, relating to property damage charges (N=73,155)

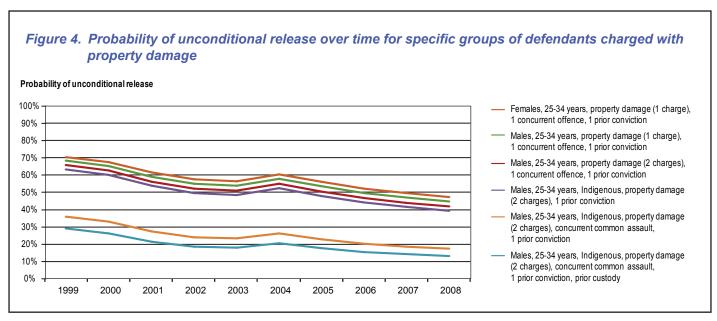
	Odds ratio	
Year	(95% confidence interval)	р
2000 vs 1999	0.874 (0.803, 0.951)	.002
2001 vs 1999	0.670 (0.618, 0.727)	< .001
2002 vs 1999	0.565 (0.520, 0.613)	< .001
2003 vs 1999	0.543 (0.500, 0.589)	< .001
2004 vs 1999	0.637 (0.587, 0.692)	< .001
2005 vs 1999	0.532 (0.491, 0.577)	< .001
2006 vs 1999	0.455 (0.419, 0.493)	< .001
2007 vs 1999	0.409 (0.378, 0.443)	< .001
2008 vs 1999	0.376 (0.347, 0.408)	< .001

Figure 4 shows the effect of year on the probability of unconditional release for groups of defendants charged with property damage offences. For a female, aged between 25 and 34 years, with one concurrent offence and one prior conviction, the estimated probability of unconditional release decreased from 71 per cent in 1999 to 48 per cent in 2008. For a male aged 25 to 34 years, with one concurrent offence and one prior conviction, the estimated probability of unconditional release decreased from 69 per cent in 1999 to 45 per cent in 2008. The pattern in Figure 4 mirrors that in Figures 2 and 3. While the chance of unconditional release varies markedly as a function of the individual defendant characteristics, there has been a general reduction over time in the likelihood of unconditional release for all types of defendant.

#### DISCUSSION

The aim of this study was to determine whether the decline in unconditional release is the result of a change in the profile of defendants coming before the criminal courts or an increase in the threshold for unconditional release. On the evidence examined here there is little doubt that it is a threshold effect. The likelihood of unconditional release varies markedly according to the defendant age, gender, Indigenous status, offence seriousness, prior criminal record, court jurisdiction, prior imprisonment and prior breach of court orders. Even after controlling for these factors, however, there are substantial differences in the likelihood of unconditional release depending upon the year in which the bail decision was made. The likelihood of unconditional release has been steadily declining since 1999.

It is difficult to be sure about the reason for the decline. In theory, police and courts can choose to dispense with bail in any circumstance where they have the power to grant bail. Successive amendments to the *Bail Act 1978* (NSW) have increased the number of offences where there is a



presumption against bail. Indeed, in some cases bail may now only be granted in exceptional circumstances (Snowball, Roth, & Weatherburn, 2010). It seems unlikely, however, that courts were once dispensing with bail in cases where there is now a presumption against bail or where bail can now only be granted in exceptional circumstances. A more likely explanation for the general decline in unconditional release is that the general toughening of bail laws has reduced the willingness of police and courts to dispense with bail.

Whatever the reason for reduction in the unconditional release, the present findings provide some explanation for the rise over the last decade in the number of cases where bail has been breached. Between 1999 and 2008, the number of recorded cases of bail breach rose by more than 400 per cent (NSW Bureau of Crime Statistics and Research, 2010b). Some of the increase may have been due to more aggressive enforcement of bail provisions by the NSW Police. Some of it, however, may also have been due to the fact that the population of defendants on bail has grown quite rapidly over the last ten years. Even if the proportion breaching bail had not changed, the absolute number of bail breaches would have increased. The decrease in unconditional release may therefore have indirectly contributed to the growth in the NSW remand population over the last ten years (Australian Bureau of Statistics, 2009).

# **ACKNOWLEDGEMENTS**

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#### **NOTES**

1 In the version of ROD used for this study, those in custody for a prior offence at the time of finalisation could not be separated from those bail refused at the time of finalisation. Thus, they could not be excluded from this study.

#### **REFERENCES**

Australian Bureau of Statistics. (2008). *Australian Standard Offence Classification (ASOC), 2008* (2nd ed.) (Cat. No. 1234.0). Canberra: Australian Bureau of Statistics.

Australian Bureau of Statistics. (2009). *Prisoners in Australia* (Cat. No. 4517.0). Canberra: Australian Bureau of Statistics.

Hua, J., & Fitzgerald, J. (2006). Matching court records to measure re-offending. *Crime and Justice Bulletin* (No. 95). Sydney: NSW Bureau of Crime Statistics and Research.

NSW Bureau of Crime Statistics and Research. (2010a). Criminal Court Statistics 2009. Sydney: NSW Bureau of Crime Statistics and Research. Unpublished data available upon request.

NSW Bureau of Crime Statistics and Research. (2010b). Recorded Crime Statistics 2009. Sydney: NSW Bureau of Crime Statistics and Research. Unpublished data available upon request.

Snowball, L., Roth, L., & Weatherburn, D. (2010). Bail presumptions and the risk of bail refusal: An analysis of the NSW Bail Act. *Bureau Brief* (No. 49). Sydney: NSW Bureau of Crime Statistics and Research.

Number

2,000 1,000

5,000 4,000 3,000

6,000

h) Possess and/or use illicit drugs d) Theft (except motor vehicles) ₹00₹ 500⊄ Offensive conduct Bail refused/In custody for prior offence (%) Bail refused/In custody for prior offence (n) 30 Per cent Per cent Per cent Number Number Number 1,500 2,000 1,000 3,000 1,500 1,000 2,500 1,400 2,500 2,000 1,000 1,200 ,600 c) Unlawful entry with intent/burglary, 500⊄ k) Disorderly conduct break and enter Other fraud 6 0 On bail (%) On bail (n) Per cent Per cent Per cent Number Number Number 5,000 4,000 3,000 2,000 1,000 1,000 2,000 1,500 1,000 7,000 6,000 5,000 4,000 3,000 2,000 NSW Local, District and Supreme Courts, 1999 to 2008 f) Obtain benefit by deception Bail dispensed with (%) ₹00₹ 500⊄ 700₹ b) Dangerous or negligent operation of a vehicle Property damage ا 666 666 l 80 70 60 60 50 40 Per cent Per cent Per cent Number Number 12,000 16,000 14,000 10,000 1,200 1,000 1,500 2,000 1,000 8,000 6,000 4,000 2,000 3,500 3,000 2,500 Z00Z e) Receive or handle proceeds of crime 500₹ ) Deal or traffic in illicit drugs 700₹ Per cent Per cent Per cent

Number

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Bail dispensed with (n)

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7,000

6,000

Trends in bail status at finalisation, by offence type (grouped according to subdivisions of ASOC 2008), Figure A1.

Table A1. Logistic regression results, modeling the likelihood of unconditional release for defendants charged with assault (N=201,642)

		Odds ratio	(95% confidence interval)	р
Year	2000 vs 1999	0.983	(0.938, 1.031)	.488
	2001 vs 1999	0.792	(0.756, 0.831)	< .001
	2002 vs 1999	0.658	(0.627, 0.691)	< .001
	2003 vs 1999	0.634	(0.604, 0.666)	< .001
	2004 vs 1999	0.748	(0.713, 0.785)	< .001
	2005 vs 1999	0.614	(0.585, 0.645)	< .001
	2006 vs 1999	0.570	(0.543, 0.599)	< .001
	2007 vs 1999	0.517	(0.492, 0.542)	< .001
	2008 vs 1999	0.513	(0.488, 0.538)	< .001
Sex	Male vs female	0.671	(0.651, 0.691)	< .001
Indigenous status	Indigenous vs non-Indigenous	0.852	(0.827, 0.878)	< .001
Age group	21-24 vs 18-20 years	0.914	(0.878, 0.951)	< .001
	25-34 vs 18-20 years	0.693	(0.669, 0.719)	< .001
	35-54 vs 18-20 years	0.569	(0.549, 0.590)	< .001
	55+ vs 18-20 years	0.647	(0.605, 0.691)	< .001
Serious assault causing injury	1 charge vs 0	0.857	(0.804, 0.913)	< .001
	2+ charges vs 0	0.604	(0.547, 0.667)	< .001
Serious assault not causing injury	1 charge vs 0	1.738	(1.653, 1.827)	< .001
	2+ charges vs 0	1.330	(1.191, 1.484)	< .001
Common assault	1 charge vs 0	0.750	(0.720, 0.781)	< .001
	2+ charges vs 0	0.637	(0.590, 0.687)	< .001
Concurrent stalking	Yes vs no	0.558	(0.506, 0.616)	< .001
Concurrent harassment and private nuisance	Yes vs no	0.563	(0.499, 0.635)	< .001
Concurrent theft	Yes vs no	0.800	(0.746, 0.857)	< .001
Concurrent break and enter	Yes vs no	0.563	(0.491, 0.646)	< .001
Concurrent drugs	Yes vs no	0.817	(0.752, 0.889)	< .001
Concurrent property damage	Yes vs no	0.748	(0.720, 0.778)	< .001
Concurrent disorderly conduct	Yes vs no	0.916	(0.861, 0.975)	.006
Concurrent offensive conduct	Yes vs no	1.496	(1.430, 1.564)	< .001
Concurrent breach of restraining order	Yes vs no	0.254	(0.238, 0.270)	< .001
Number of concurrent offences	2 vs 0/1	0.841	(0.806, 0.877)	< .001
	3 vs 0/1	0.635	(0.599, 0.674)	< .001
	4+ vs 0/1	0.412	(0.379, 0.448)	< .001
Minimum Median Severity Ranking for appearance (continuous)		1.012	(1.010, 1.013)	< .001
Jurisdiction	Higher vs Local	0.040	(0.031, 0.052)	< .001
Number of prior court convictions (continuous, 0 to 8+)		0.913	(0.906, 0.920)	< .001
Prior breach of bail	Yes vs no	0.771	(0.710, 0.838)	< .001
Prior breach of restraining order	Yes vs no	0.897	(0.854, 0.942)	< .001
Prior custodial sentence	Yes vs no	0.711	(0.679, 0.746)	< .001

Table A2. Logistic regression results, modeling the likelihood of unconditional release for defendants charged with property offences (N=158,126)

		Odds ratio	(95% confidence interval)	р
Year	2000 vs 1999	0.881	(0.835, 0.930)	< .001
	2001 vs 1999	0.708	(0.671, 0.747)	< .001
	2002 vs 1999	0.583	(0.552, 0.615)	< .001
	2003 vs 1999	0.570	(0.539, 0.603)	< .001
	2004 vs 1999	0.632	(0.597, 0.670)	< .001
	2005 vs 1999	0.503	(0.474, 0.533)	< .001
	2006 vs 1999	0.490	(0.462, 0.519)	< .001
	2007 vs 1999	0.499	(0.471, 0.529)	< .001
	2008 vs 1999	0.416	(0.392, 0.443)	< .001
Sex	Male vs female	0.766	(0.742, 0.791)	< .001
Indigenous status	Indigenous vs non-Indigenous	0.839	(0.809, 0.870)	< .001
Age	21-24 vs 18-20 years	0.770	(0.738, 0.803)	< .001
	25-34 vs 18-20 years	0.641	(0.616, 0.666)	< .001
	35-44 vs 18-20 years	0.689	(0.658, 0.720)	< .001
	45-54 vs 18-20 years	0.793	(0.746, 0.843)	< .001
	55+ vs 18-20 years	1.135	(1.030, 1.250)	.010
Break and enter	1 charge vs 0	0.495	(0.470, 0.522)	< .001
	2+ charges vs 0	0.423	(0.378, 0.474)	< .001
Theft	2+ charges vs 0/1	0.562	(0.528, 0.598)	< .001
Motor vehicle theft	1 charge vs 0	0.733	(0.696, 0.772)	< .001
	2+ charges vs 0	0.618	(0.526, 0.725)	< .001
Receive or handle proceeds of crime	2+ charges vs 0/1	0.743	(0.699, 0.790)	< .001
Number of concurrent offences	1 vs 0	0.652	(0.629, 0.677)	< .001
	2 vs 0	0.499	(0.475, 0.524)	< .001
	3 vs 0	0.392	(0.369, 0.416)	< .001
	4+ vs 0	0.249	(0.232, 0.267)	< .001
Concurrent assault	Yes vs no	0.490	(0.459, 0.523)	< .001
Concurrent robbery	Yes vs no	0.312	(0.226, 0.431)	< .001
Concurrent drugs	Yes vs no	0.724	(0.687, 0.762)	< .001
Concurrent property damage	Yes vs no	0.848	(0.787, 0.913)	< .001
Concurrent disorderly conduct	Yes vs no	0.812	(0.766, 0.860)	< .001
Concurrent breach of restraining order	Yes vs no	0.280	(0.230, 0.342)	< .001
Minimum Median Severity Ranking for appearance	e (continuous)	1.020	(1.020, 1.021)	< .001
Jurisdiction	Higher vs Local	0.059	(0.048, 0.072)	< .001
Number of prior court convictions (continuous, 0 to	0 8+)	0.889	(0.882, 0.897)	< .001
Prior robbery	Yes vs no	0.755	(0.699, 0.816)	< .001
Prior theft	Yes vs no	0.766	(0.740, 0.792)	< .001
Prior motor vehicle theft	Yes vs no	0.854	(0.812, 0.897)	< .001
Prior break and enter	Yes vs no	0.949	(0.906, 0.994)	.026
Prior receive or handle proceeds of crime	Yes vs no	0.744	(0.716, 0.773)	< .001
Prior breach of bail	Yes vs no	0.763	(0.715, 0.815)	< .001
Prior custodial sentence	Yes vs no	0.628	(0.601, 0.656)	< .001

Table A3. Logistic regression results, modeling the likelihood of unconditional release for defendants charged with property damage offences (N=73,155)

		Odds ratio	(95% confidence interval)	р
Year	2000 vs 1999	0.874	(0.803, 0.951)	.002
	2001 vs 1999	0.670	(0.618, 0.727)	< .001
	2002 vs 1999	0.565	(0.520, 0.613)	< .001
	2003 vs 1999	0.543	(0.500, 0.589)	< .001
	2004 vs 1999	0.637	(0.587, 0.692)	< .001
	2005 vs 1999	0.532	(0.491, 0.577)	< .001
	2006 vs 1999	0.455	(0.419, 0.493)	< .001
	2007 vs 1999	0.409	(0.378, 0.443)	< .001
	2008 vs 1999	0.376	(0.347, 0.408)	< .001
Sex	Male vs female	0.902	(0.856, 0.951)	< .001
Indigenous status	Indigenous vs non-Indigenous	0.903	(0.862, 0.946)	< .001
Age	21-24 vs 18-20 years	0.792	(0.751, 0.836)	< .001
	25-34 vs 18-20 years	0.562	(0.534, 0.591)	< .001
	35-54 vs 18-20 years	0.465	(0.441, 0.492)	< .001
	55+ vs 18-20 years	0.667	(0.579, 0.770)	< .001
Graffiti	1+ charges vs 0	2.261	(1.832, 2.790)	< .001
Property damage	2+ charges vs 0/1	0.889	(0.815, 0.969)	.014
Number of concurrent offences	1 vs 0	0.622	(0.590, 0.656)	< .001
	2 vs 0	0.551	(0.512, 0.593)	< .001
	3 vs 0	0.479	(0.436, 0.525)	< .001
	4+ vs 0	0.333	(0.296, 0.376)	< .001
Concurrent assault	Yes vs no	0.486	(0.461, 0.513)	< .001
Concurrent harassment and private nuisance	Yes vs no	0.576	(0.469, 0.708)	< .001
Concurrent theft	Yes vs no	0.865	(0.795, 0.940)	.001
Concurrent disorderly conduct	Yes vs no	0.888	(0.822, 0.959)	.003
Concurrent breach of restraining order	Yes vs no	0.197	(0.176, 0.220)	< .001
Minimum Median Severity Ranking for appearance (co	ontinuous)	1.019	(1.018, 1.020)	< .001
Jurisdiction	Higher vs Local	0.059	(0.035, 0.100)	< .001
Number of prior court convictions (continuous, 0 to 8-	+)	0.926	(0.914, 0.939)	< .001
Prior property damage	Yes vs no	0.938	(0.892, 0.986)	.013
Prior assault	Yes vs no	0.904	(0.862, 0.949)	< .001
Prior theft	Yes vs no	0.803	(0.761, 0.847)	< .001
Prior breach of bail	Yes vs no	0.853	(0.765, 0.952)	.005
Prior breach of restraining order	Yes vs no	0.852	(0.791, 0.917)	< .001
Prior custodial sentence	Yes vs no	0.729	(0.682, 0.779)	< .001