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# **NEW SOUTH WALES CUSTODY STATISTICS**

QUARTERLY UPDATE  
JUNE 2016

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NSW Bureau of Crime  
Statistics and Research

## **CONTENTS**

This report presents 24 months of reception, discharge and custody population data and comparisons between the current and previous quarter for age, gender, indigenous status, most serious offence and the average length of stay.

Separate figures are presented for juveniles and adults.

The counting unit is a custodial episode. An individual will be counted multiple times in a period if they have multiple custodial episodes in that period.

## **SCOPE**

The data in this report are extracted from the Corrective Services NSW (CSNSW) Offender Integrated Management System (OIMS) and the Juvenile Justice NSW (JJNSW) Client Information Management System (CIMS).

The adult custody population figures include only those persons held in gazetted correctional centres managed by CSNSW. This includes: persons managed as forensic patients, persons held after expiry of their sentence awaiting deportation and persons awaiting extradition to another jurisdiction. Persons in the Special Purpose Centre at Long Bay Correctional Centre are not included.

In addition to gazetted correctional centres, CSNSW manages a number of police/court cell complexes. This report excludes persons received into and then discharged from a CSNSW-managed 24 hour police/court cell complex without entering a gazetted correctional centre. Adults refused police bail but not held in a gazetted correctional centre are not included.

Custody population figures are counted as at midnight on the last day of the month or quarter as appropriate. Reception and discharge figures are those during each month or quarter as appropriate.

Refer to the Glossary at the back of the report for detailed descriptions of the terms used in the report.

## **ACKNOWLEDGEMENTS**

Juvenile custody data are provided by the Research and Information Section of JJNSW. Adult custody data are provided by the Corrections Research, Evaluation and Statistics (CRES) section of CSNSW. BOCSAR is grateful for the support provided by both areas in supplying the data for this report and advising on its interpretation.

## **NOTE**

The adult custody data presented in this report will differ from data reported by CSNSW due to data extract timing differences.

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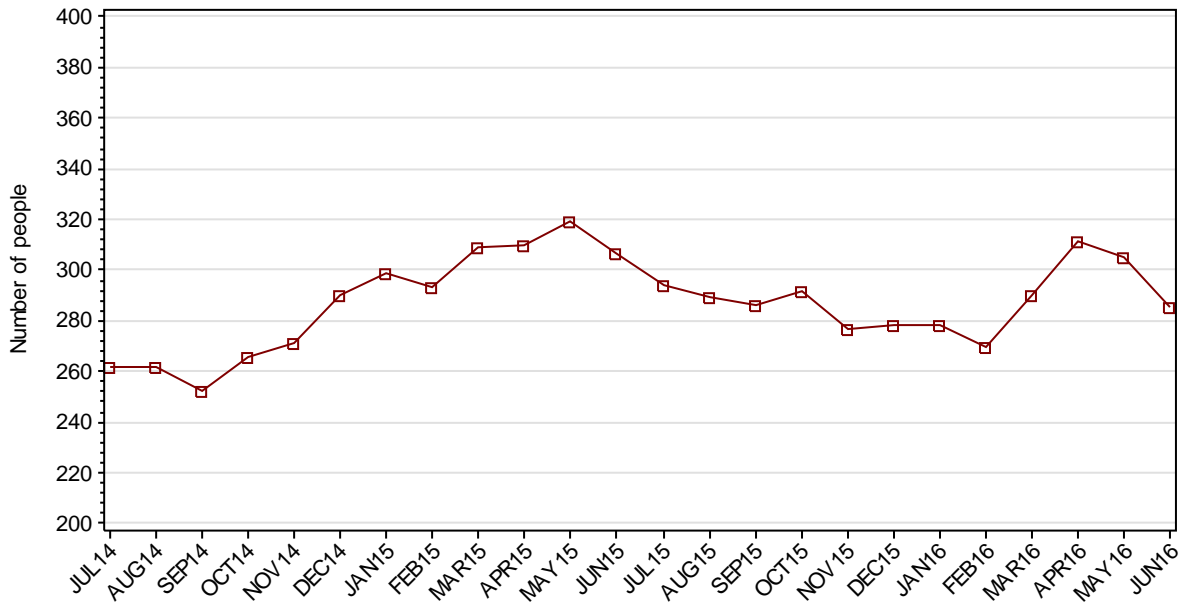
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# **Part 1 JUVENILES**

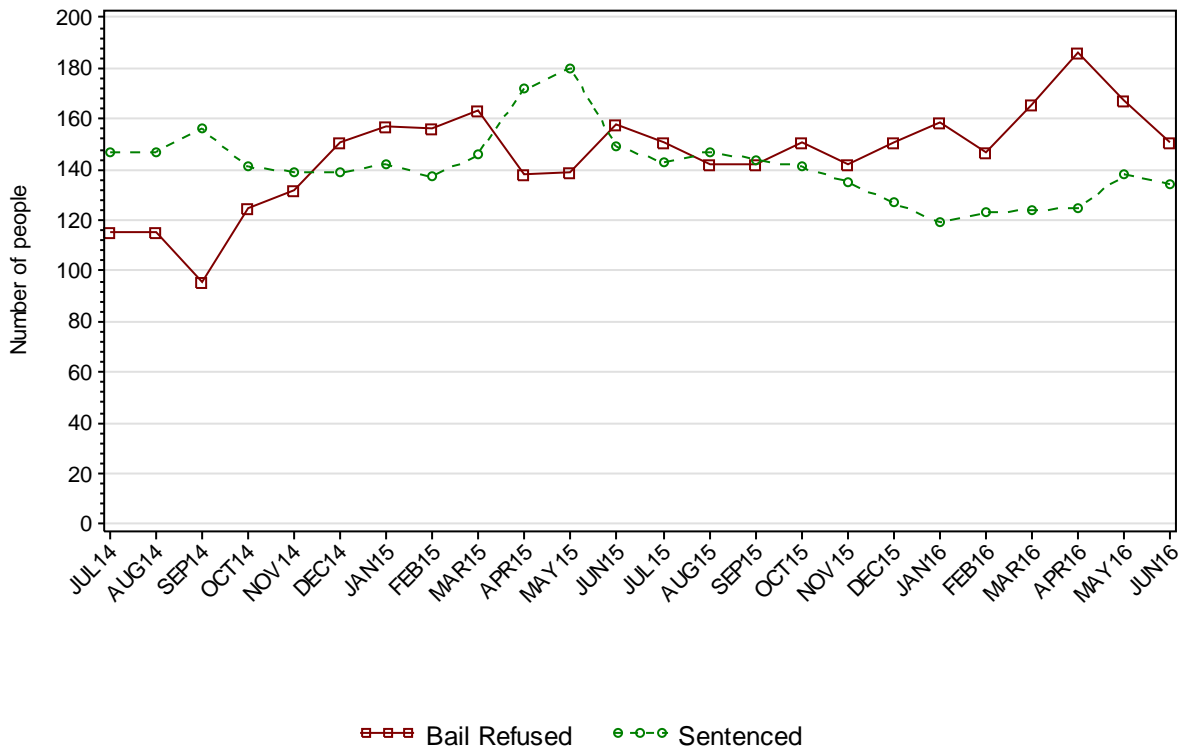
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## SECTION 1.1 JUVENILE CUSTODY POPULATION

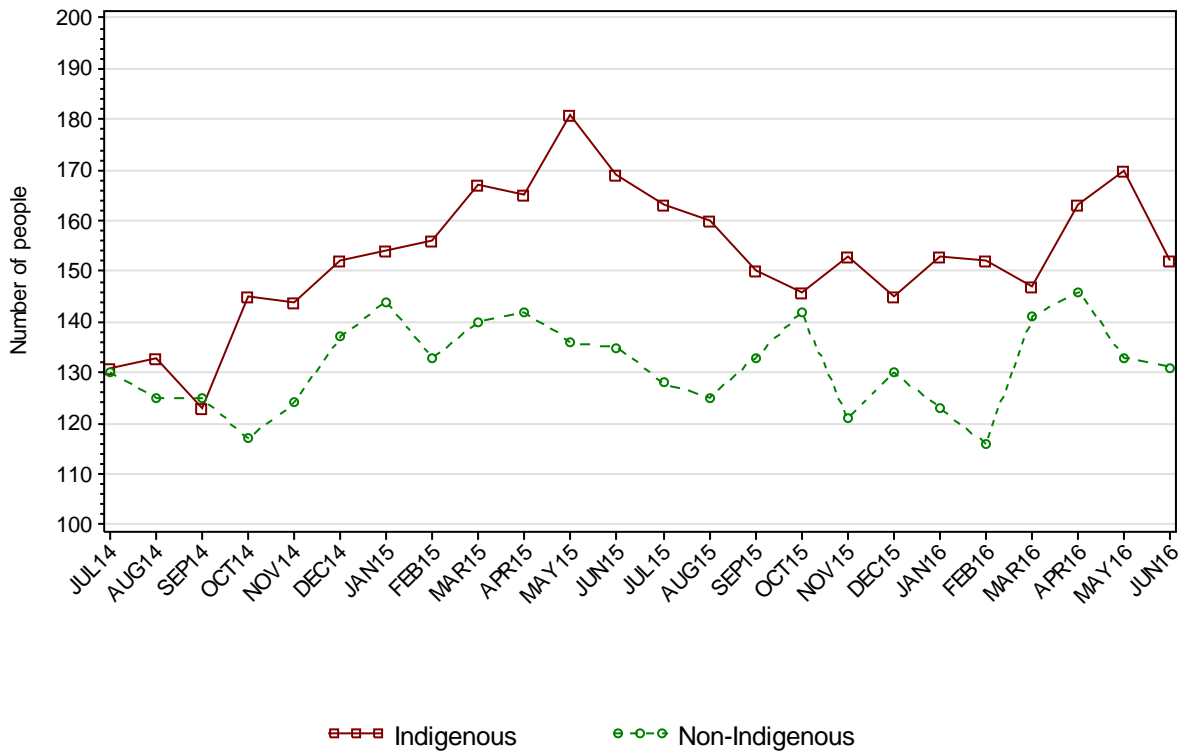
### 1.1.1 JUVENILE CUSTODY POPULATION AT END OF MONTH



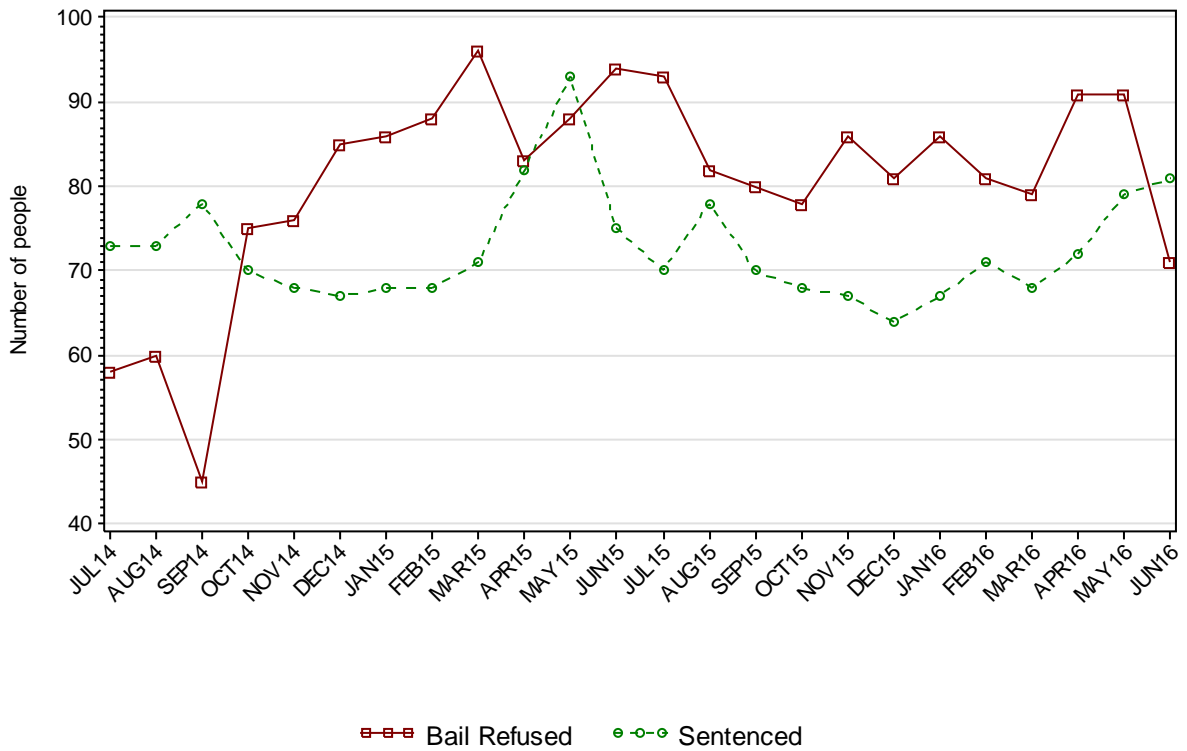
### 1.1.2 JUVENILE CUSTODY POPULATION BY LEGAL STATUS



### 1.1.3 JUVENILE CUSTODY POPULATION BY INDIGENOUS STATUS



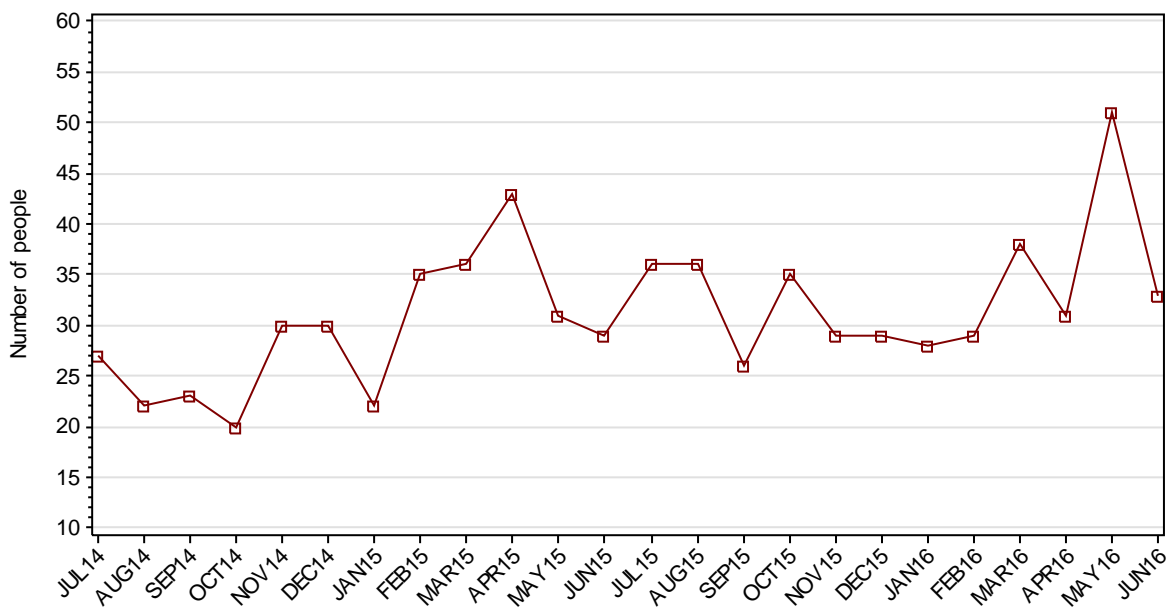
### 1.1.4 INDIGENOUS JUVENILE CUSTODY POPULATION BY LEGAL STATUS



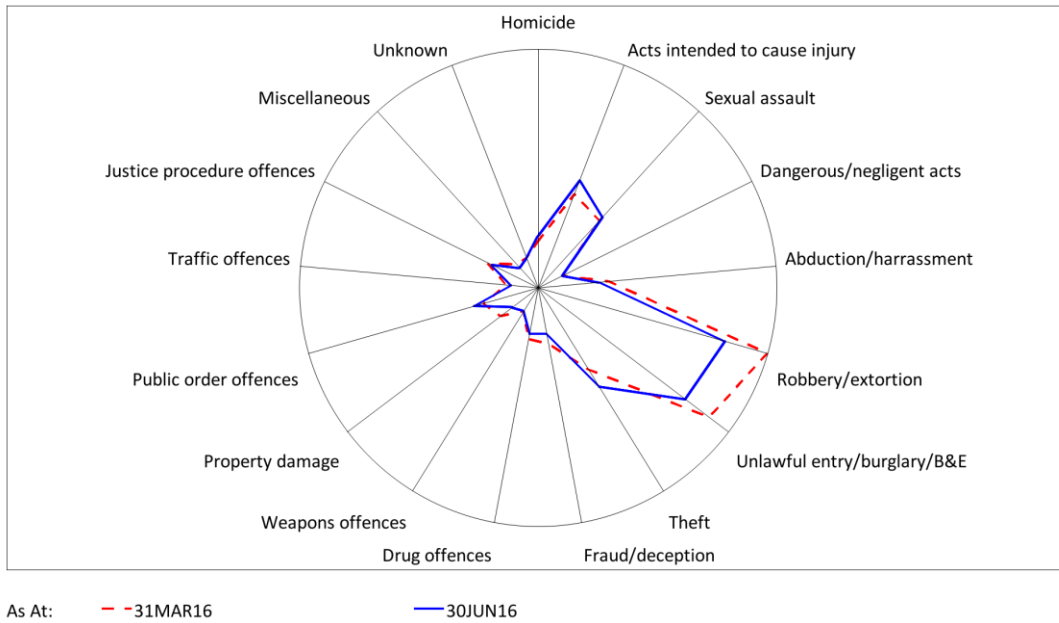
1.1.5 JUVENILE CUSTODY PROFILE AT END OF QUARTER

		Police Bail Refused		Court Bail Refused		Sentenced		Total	
		MAR16	JUN16	MAR16	JUN16	MAR16	JUN16	MAR16	JUN16
Total Male	Count	4	6	142	131	117	127	263	264
	Avg Age	16.5	16.7	16.1	16.2	16.7	16.7	16.4	16.4
Total Female	Count	3	2	17	12	7	7	27	21
	Avg Age	14.3	15.5	15.4	15.1	16.3	17.3	15.5	15.9
Indigenous Male	Count	0	0	72	65	65	79	137	144
	Avg Age	.	.	15.9	16.0	16.7	16.5	16.2	16.3
Indigenous Female	Count	1	0	6	6	3	2	10	8
	Avg Age	13.0	.	15.2	14.7	16.3	18.0	15.3	15.5
Total	Count	7	8	159	143	124	134	290	285
	Avg Age	15.6	16.4	16.0	16.1	16.7	16.7	16.3	16.4

1.1.6 JUVENILES IN CUSTODY: NUMBER WHOSE LEGAL STATUS CHANGED DURING MONTH FROM REMAND TO SENTENCED



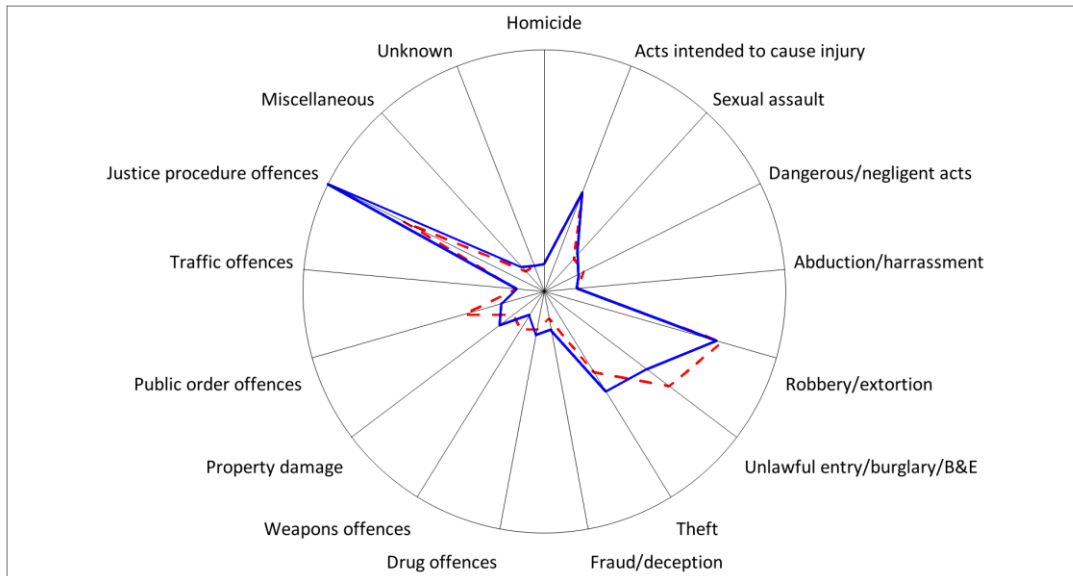
1.1.7 JUVENILE REMAND POPULATION BY MOST SERIOUS OFFENCE



	31MAR16		30JUN16	
	Number	% of Total	Number	% of Total
Homicide	4	2.4	5	3.3
Acts intended to cause injury	15	9.0	18	11.9
Sexual assault	13	7.8	14	9.3
Dangerous/negligent acts	0	0	0	0
Abduction/harrassment	9	5.4	7	4.6
Robbery/extortion	43	25.9	34	22.5
Unlawful entry/burglary/B&E	38	22.9	32	21.2
Theft	14	8.4	18	11.9
Fraud/deception	6	3.6	4	2.6
Drug offences	5	3.0	4	2.6
Weapons offences	0	0	0	0
Property damage	4	2.4	1	0.7
Public order offences	6	3.6	8	5.3
Traffic offences	1	0.6	0	0
Justice procedure offences	6	3.6	5	3.3
Miscellaneous	1	0.6	0	0
Unknown	1	0.6	1	0.7
<b>Total</b>	<b>166</b>	<b>100.0</b>	<b>151</b>	<b>100.0</b>



1.1.8 JUVENILE SENTENCED POPULATION BY MOST SERIOUS OFFENCE

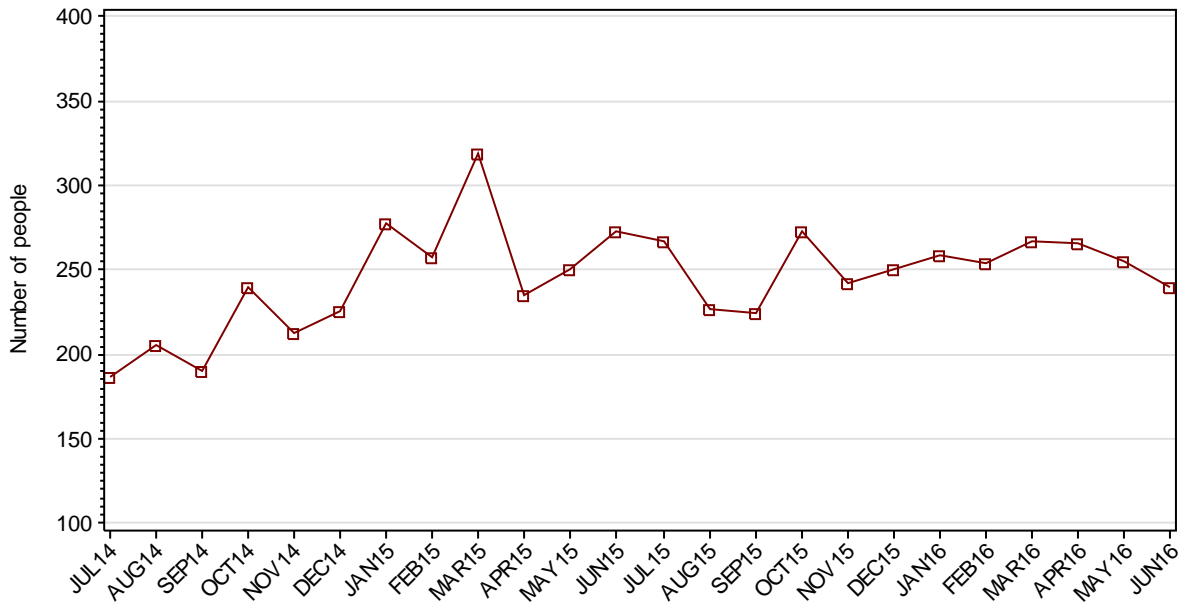


As At:    - - - 31MAR16                                    — 30JUN16

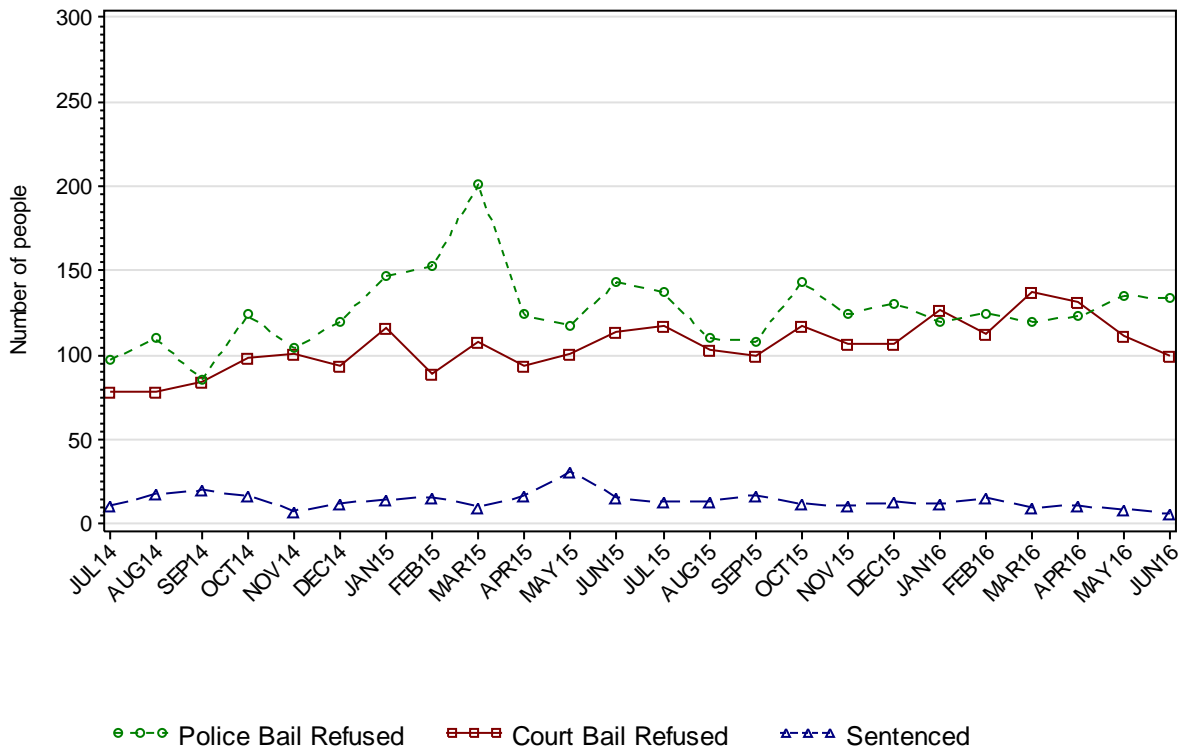
	31MAR16		30JUN16	
	Number	% of Total	Number	% of Total
Homicide	0	0	0	0
Acts intended to cause injury	14	11.3	14	10.4
Sexual assault	3	2.4	4	3.0
Dangerous/negligent acts	3	2.4	2	1.5
Abduction/harrassment	1	0.8	1	0.7
Robbery/extortion	28	22.6	27	20.1
Unlawful entry/burglary/B&E	23	18.5	18	13.4
Theft	12	9.7	16	11.9
Fraud/deception	0	0	2	1.5
Drug offences	2	1.6	3	2.2
Weapons offences	3	2.4	0	0
Property damage	2	1.6	5	3.7
Public order offences	10	8.1	3	2.2
Traffic offences	0	0	0	0
Justice procedure offences	23	18.5	38	28.4
Miscellaneous	0	0	1	0.7
Unknown	0	0	0	0
<b>Total</b>	<b>124</b>	<b>100.0</b>	<b>134</b>	<b>100.0</b>

## SECTION 1.2 JUVENILE CUSTODY RECEPTIONS

### 1.2.1 JUVENILES RECEIVED INTO CUSTODY DURING MONTH

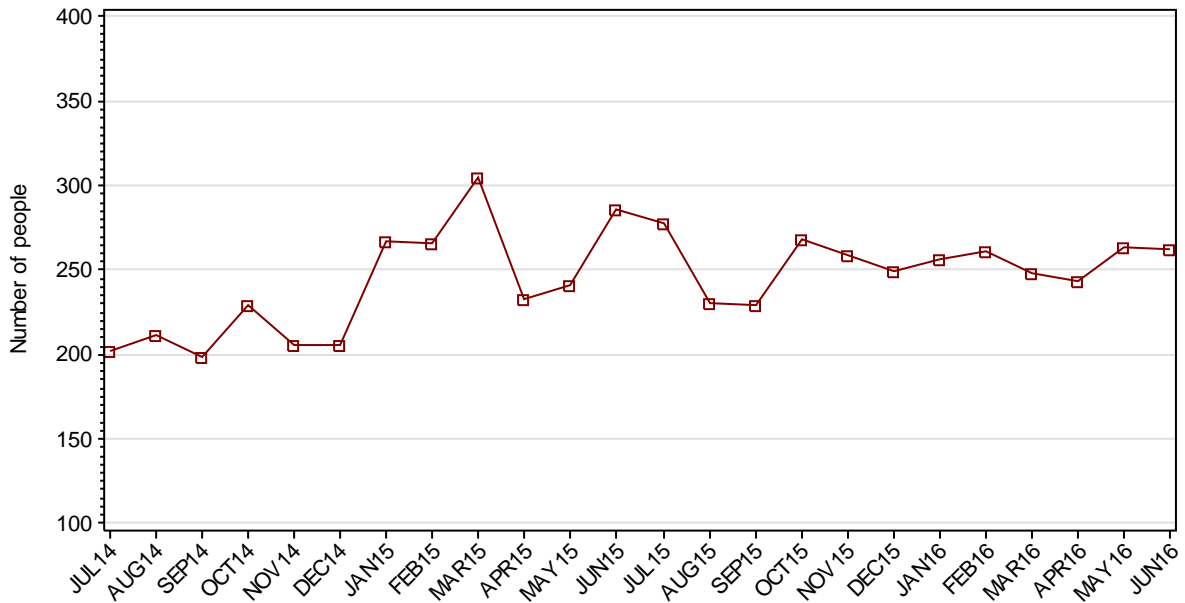


### 1.2.2 JUVENILES RECEIVED INTO CUSTODY BY LEGAL STATUS



## SECTION 1.3 JUVENILE CUSTODY DISCHARGES

### 1.3.1 JUVENILES DISCHARGED FROM CUSTODY DURING MONTH

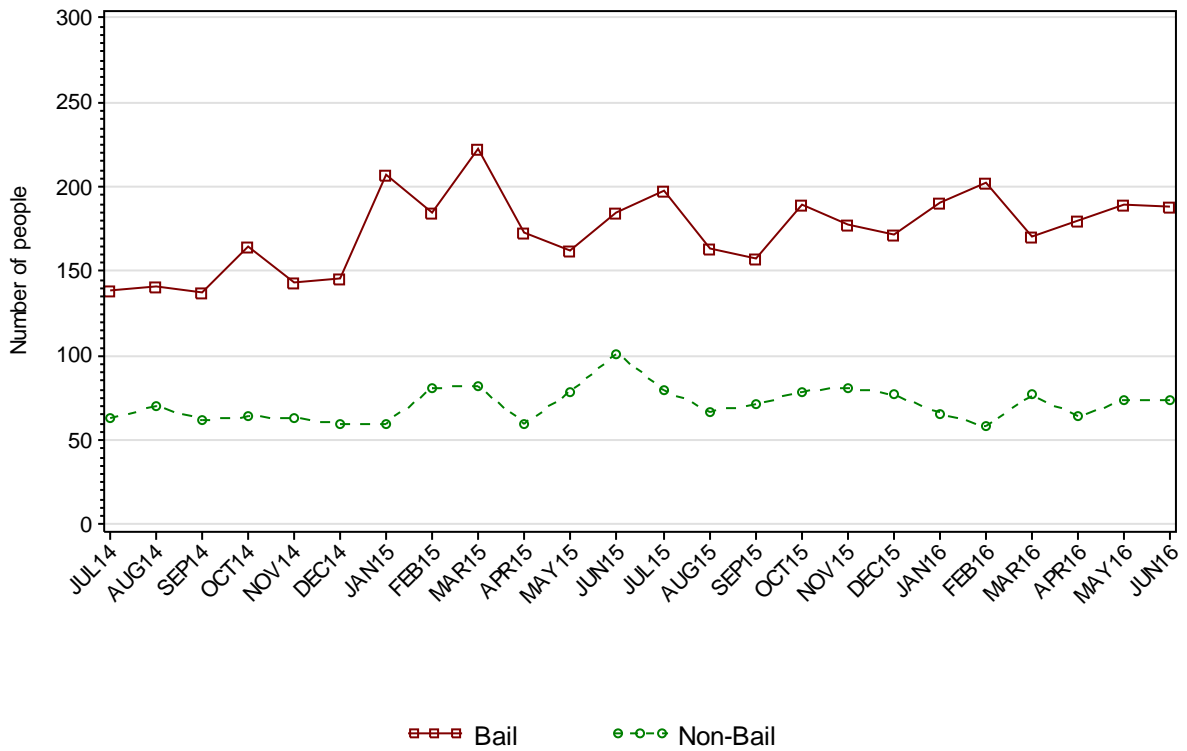


### 1.3.2 AVERAGE LENGTH OF STAY FOR JUVENILES DISCHARGED FROM CUSTODY EACH QUARTER

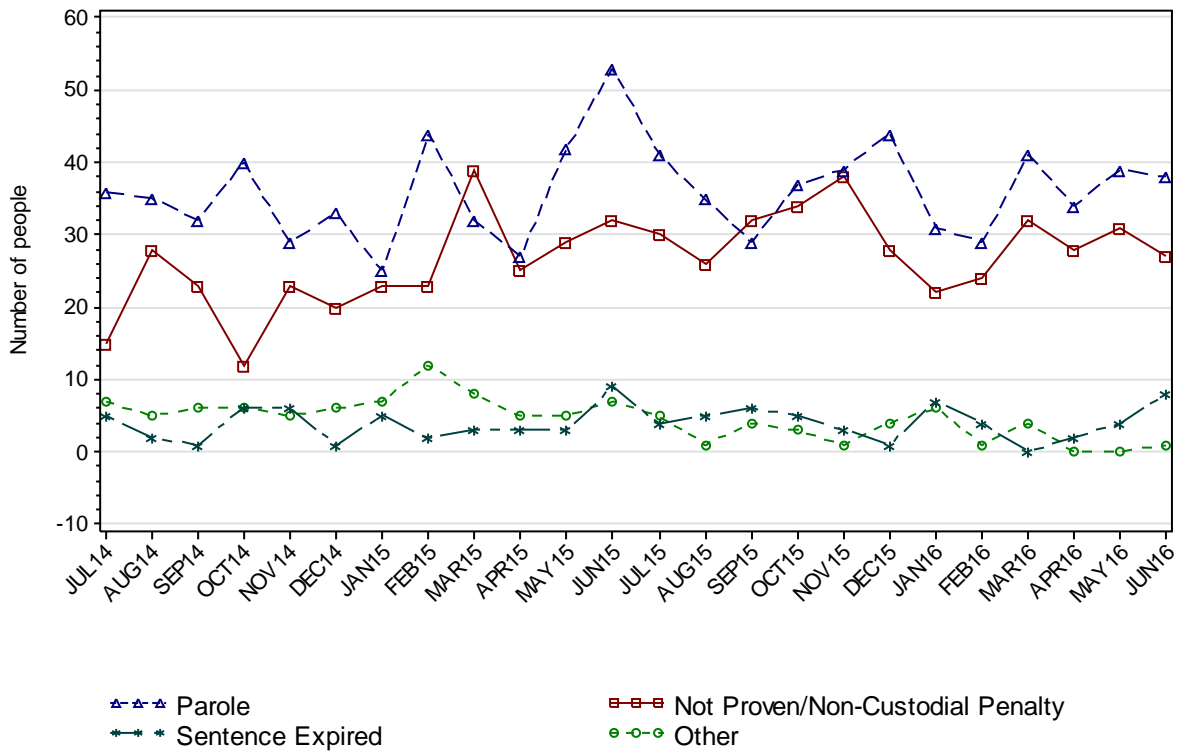
		Remand Custody Only		Sentenced Custody Only		Remand to Sentenced Custody	
		MAR16	JUN16	MAR16	JUN16	MAR16	JUN16
Total Male	Avg Days	11.7	9.5	86.8	100.8	207.9	160.2
	Number	491	489	35	33	93	94
Total Female	Avg Days	5.8	7.7	35.3	50.3	106.7	107.0
	Number	137	141	4	4	6	9
Indigenous Male	Avg Days	15.7	11.6	74.1	94.6	141.7	177.6
	Number	220	165	24	19	52	48
Indigenous Female	Avg Days	7.1	9.7	34.0	13.5	89.5	99.0
	Number	68	56	3	2	4	6
Total	Avg Days	10.4	9.1	81.5	95.4	201.8	155.5
	Number	628	630	39	37	99	103

Note: Length of Stay for Remand to Sentenced Custody is from the date of reception on remand to date of discharge after serving sentence.

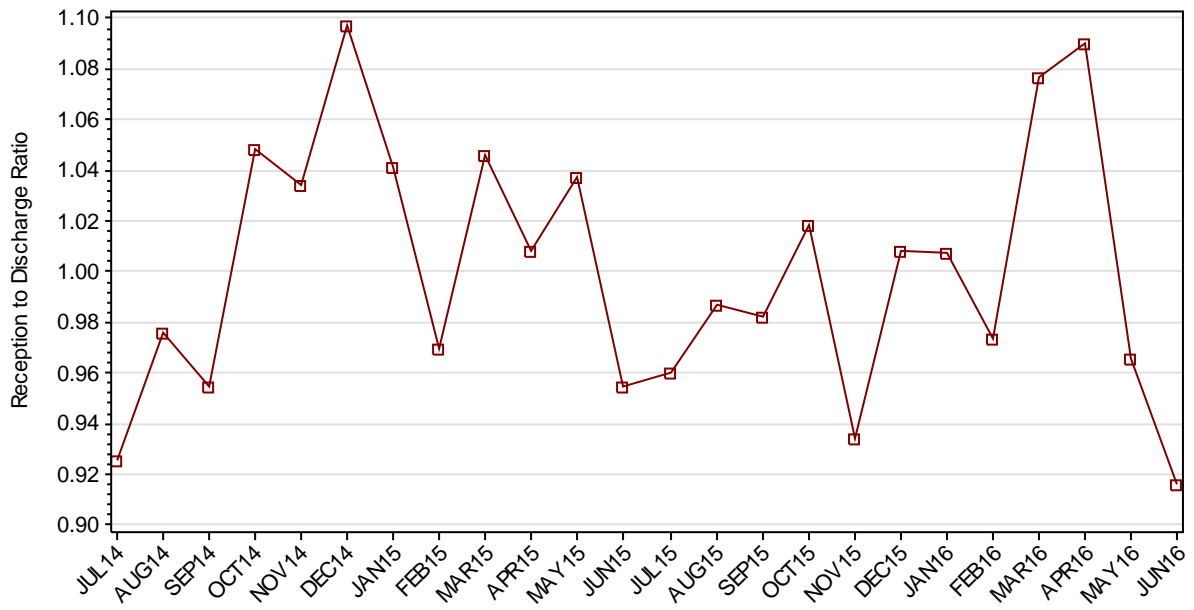
### 1.3.3 JUVENILES BY DISCHARGE TYPE



### 1.3.4 JUVENILES BY DISCHARGE TYPE (EXCLUDING BAIL)



### 1.3.5 RATIO OF JUVENILE RECEPTIONS TO DISCHARGES



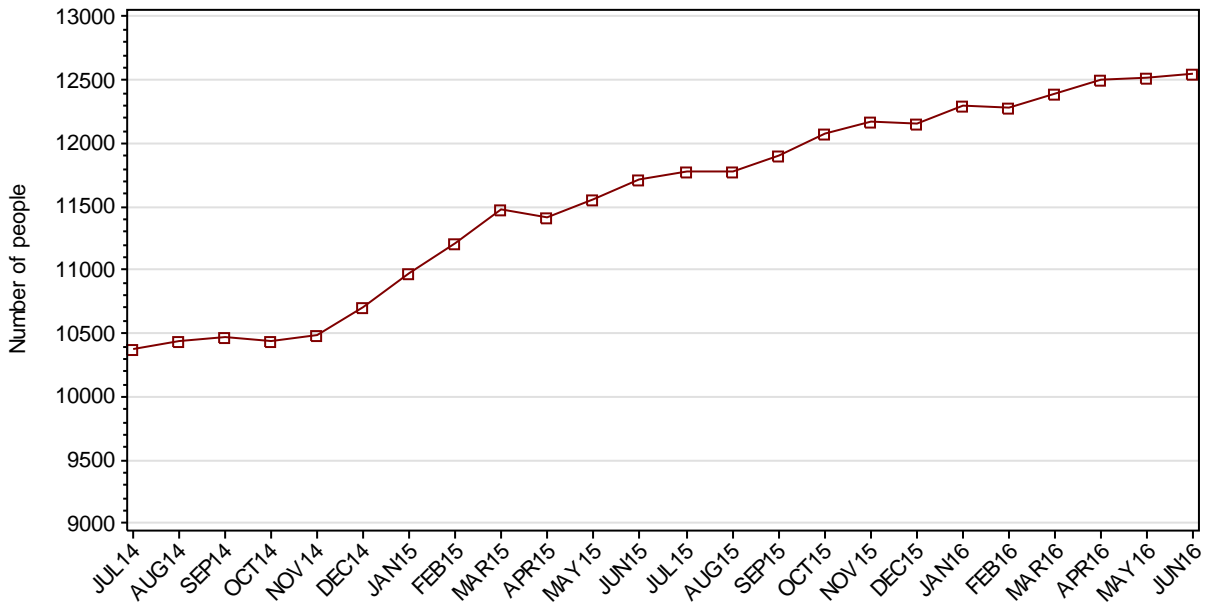
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## **Part 2 ADULTS**

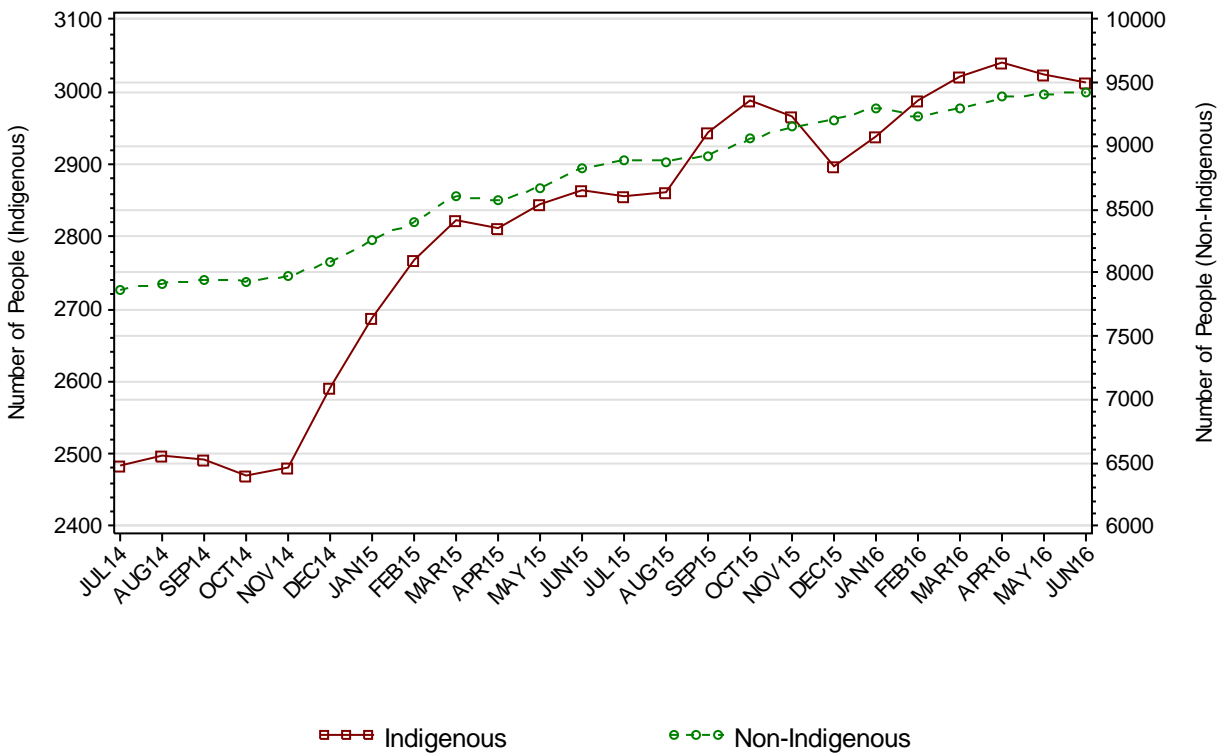
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## SECTION 2.1 ADULT CUSTODY POPULATION

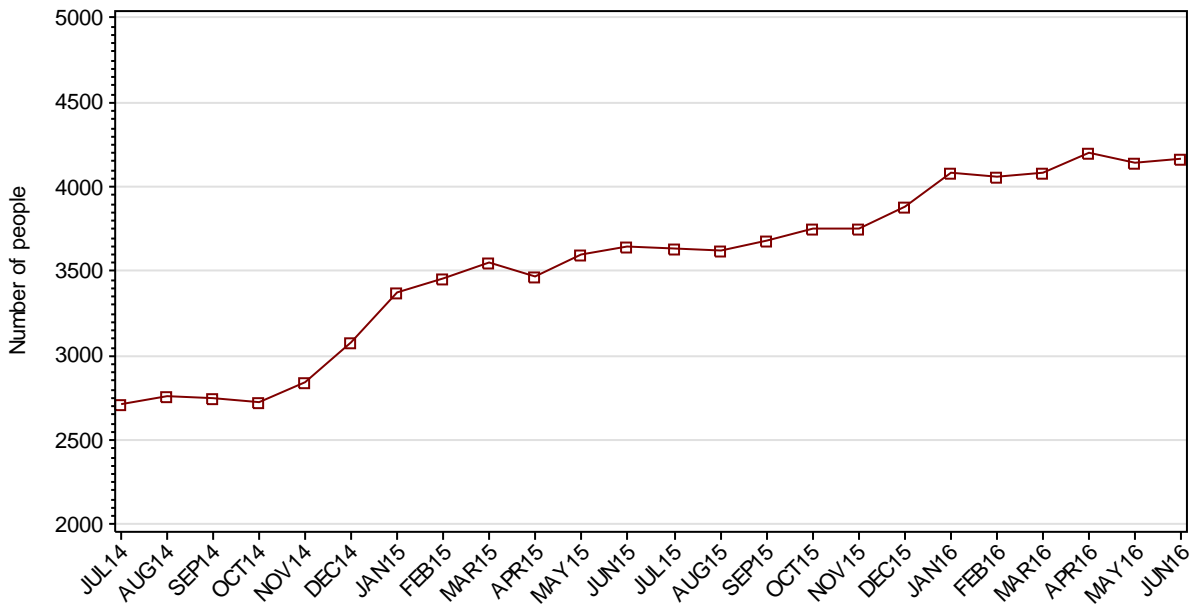
### 2.1.1 ADULT CUSTODY POPULATION AT END OF MONTH



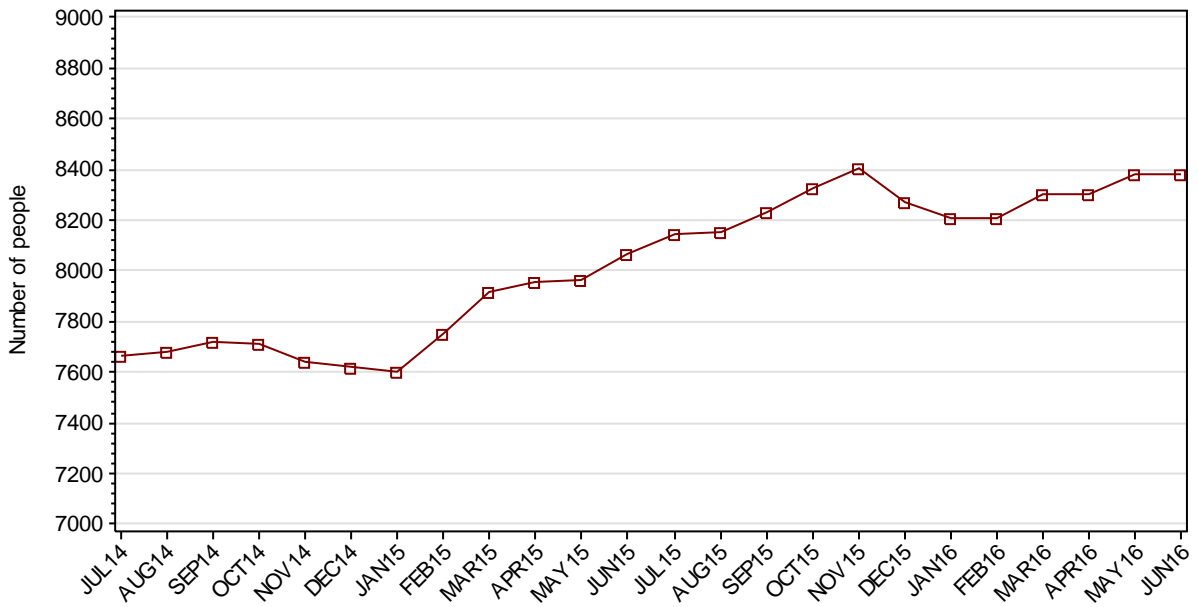
### 2.1.2 ADULT CUSTODY POPULATION BY INDIGENOUS STATUS



### 2.1.3 ADULT REMAND POPULATION

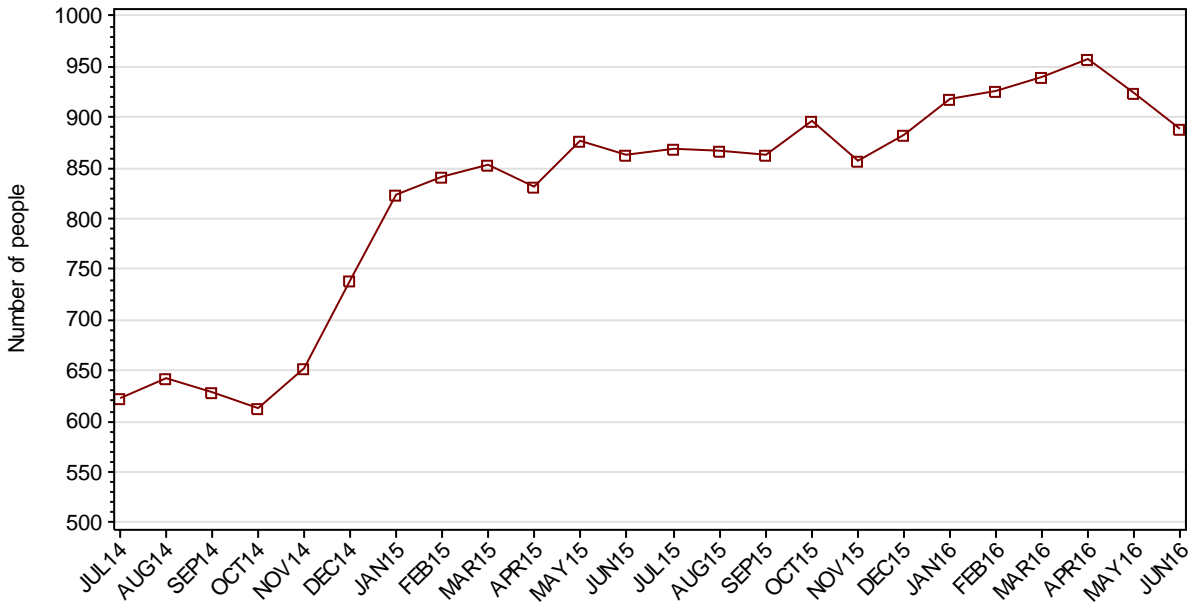


### 2.1.4 ADULT SENTENCED POPULATION

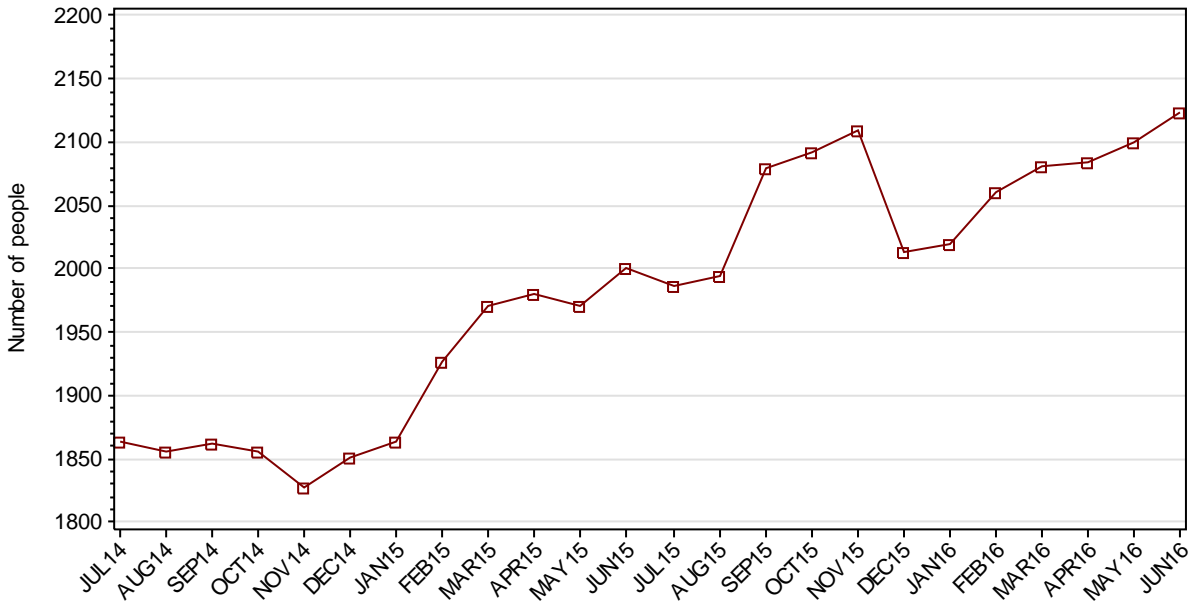




### 2.1.5 INDIGENOUS ADULT REMAND POPULATION



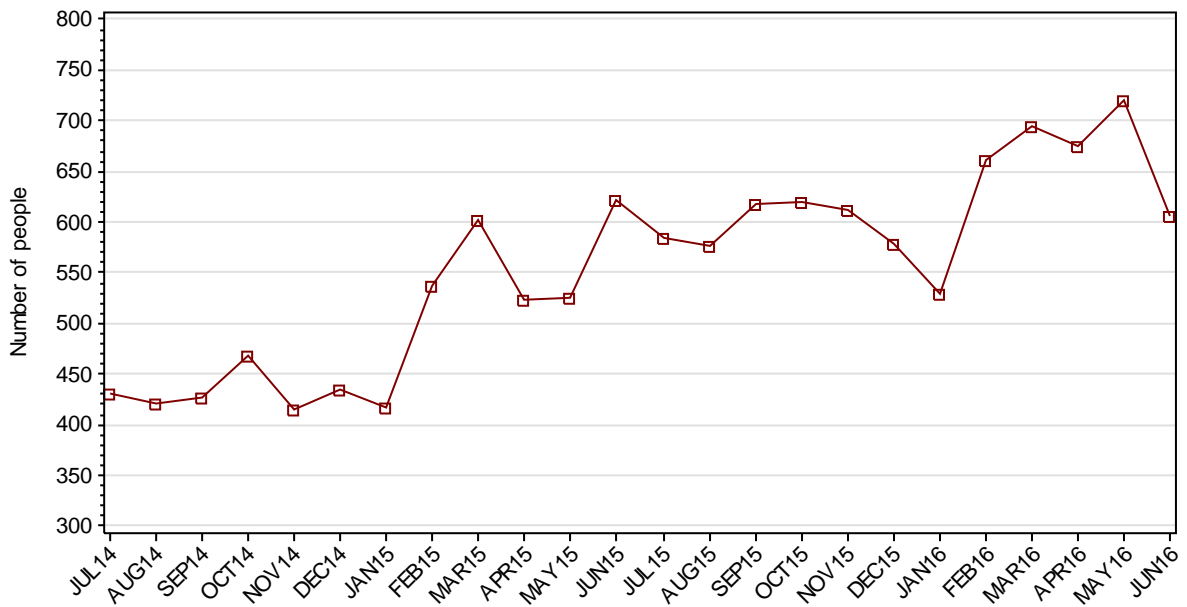
### 2.1.6 INDIGENOUS ADULT SENTENCED POPULATION



**2.1.7 ADULT CUSTODY PROFILE AT END OF QUARTER**

		Remand		Sentenced		Total	
		MAR16	JUN16	MAR16	JUN16	MAR16	JUN16
Total Male	Count	3709	3774	7762	7844	11471	11618
	Avg Age	34.4	34.4	36.8	36.9	36.0	36.1
Total Female	Count	381	396	538	536	919	932
	Avg Age	33.5	33.6	36.4	35.8	35.2	34.9
Indigenous Male	Count	816	781	1907	1929	2723	2710
	Avg Age	31.0	31.1	32.9	33.0	32.3	32.4
Indigenous Female	Count	124	107	174	195	298	302
	Avg Age	31.4	31.8	32.6	32.5	32.1	32.3
Total	Count	4090	4170	8300	8380	12390	12550
	Avg Age	34.3	34.4	36.8	36.8	35.9	36.0

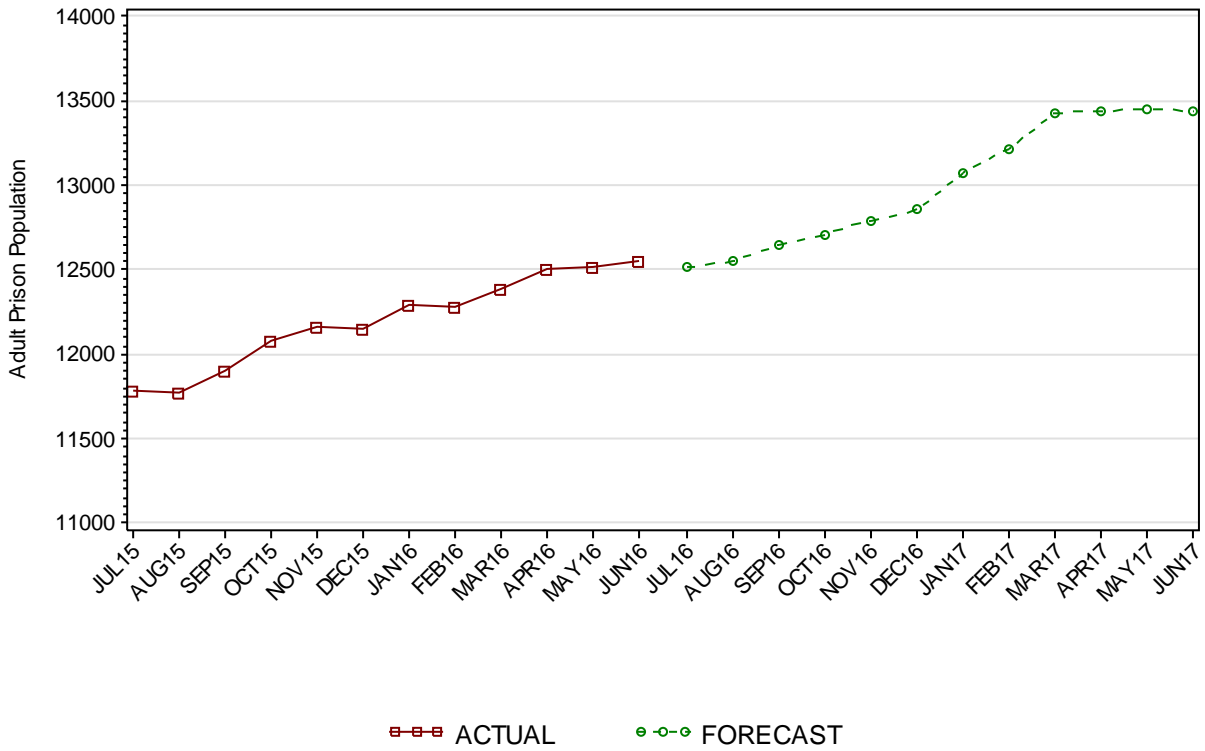
**2.1.8 ADULTS IN CUSTODY: NUMBER WHOSE LEGAL STATUS CHANGED DURING MONTH FROM REMAND TO SENTENCED**





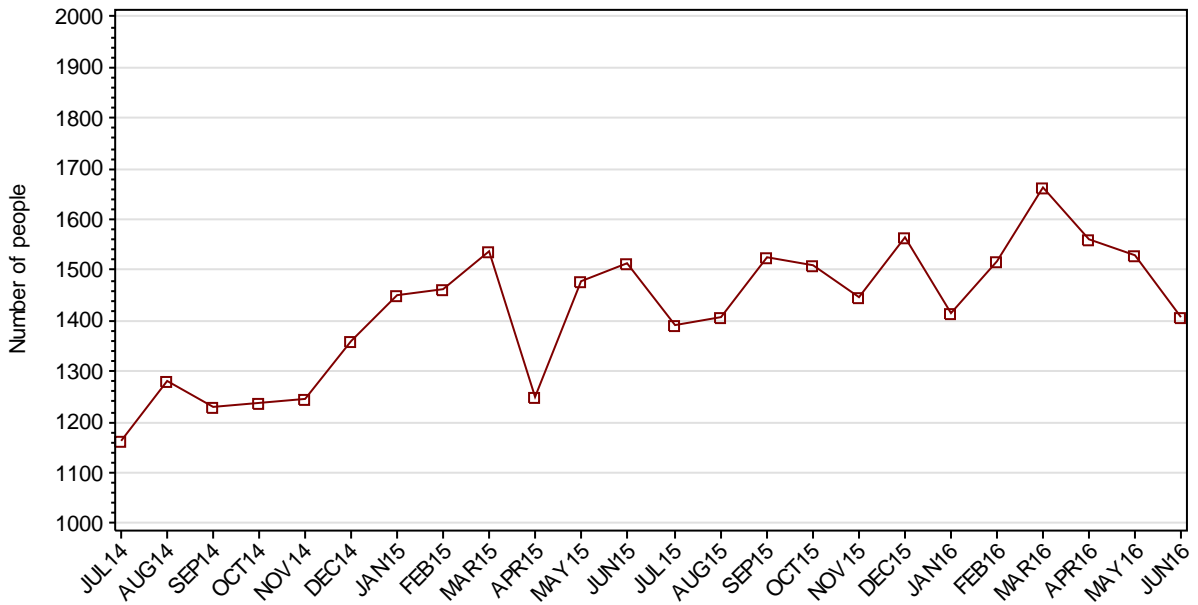


### 2.1.11 ADULT PRISON POPULATION FORECAST

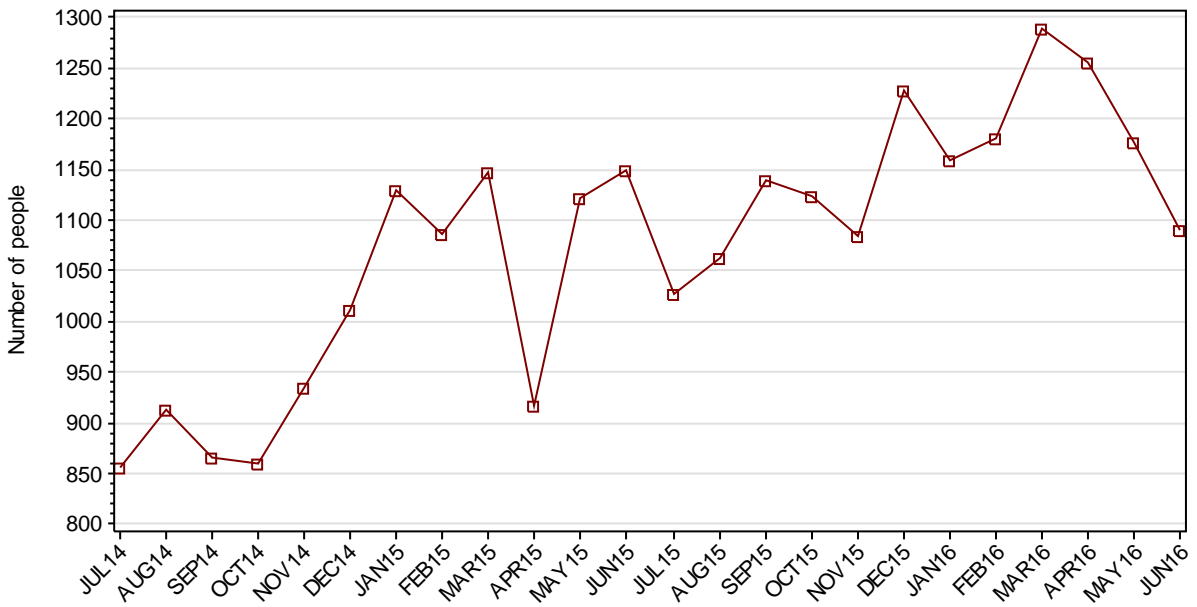


## SECTION 2.2 ADULT CUSTODY RECEPTIONS

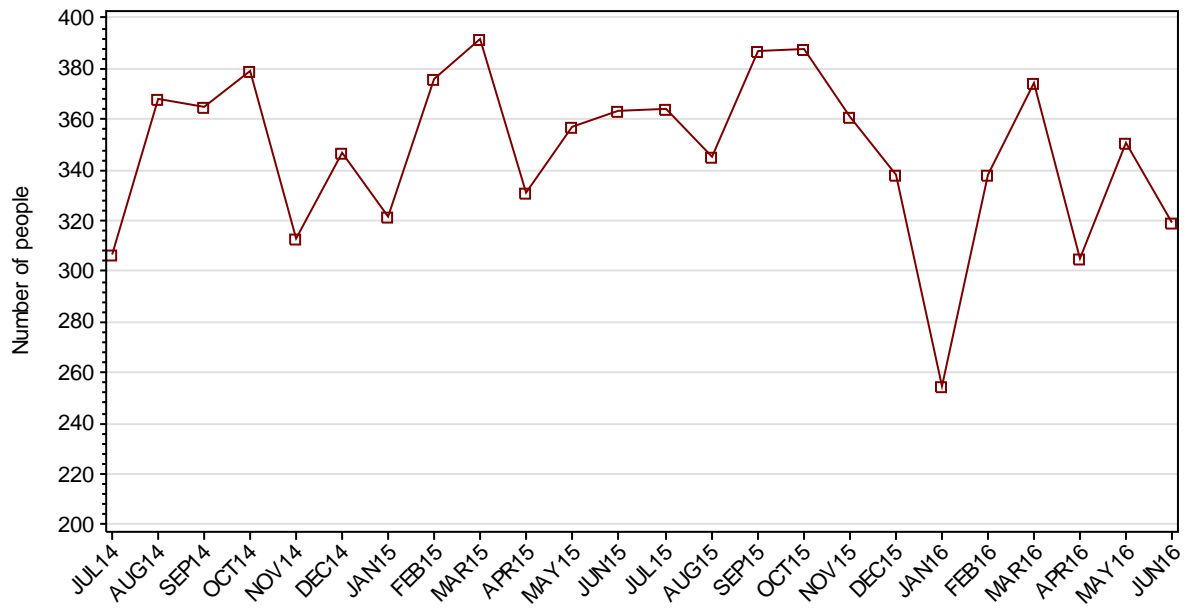
### 2.2.1 ADULTS RECEIVED INTO CUSTODY DURING MONTH



### 2.2.2 ADULT REMAND RECEPTIONS

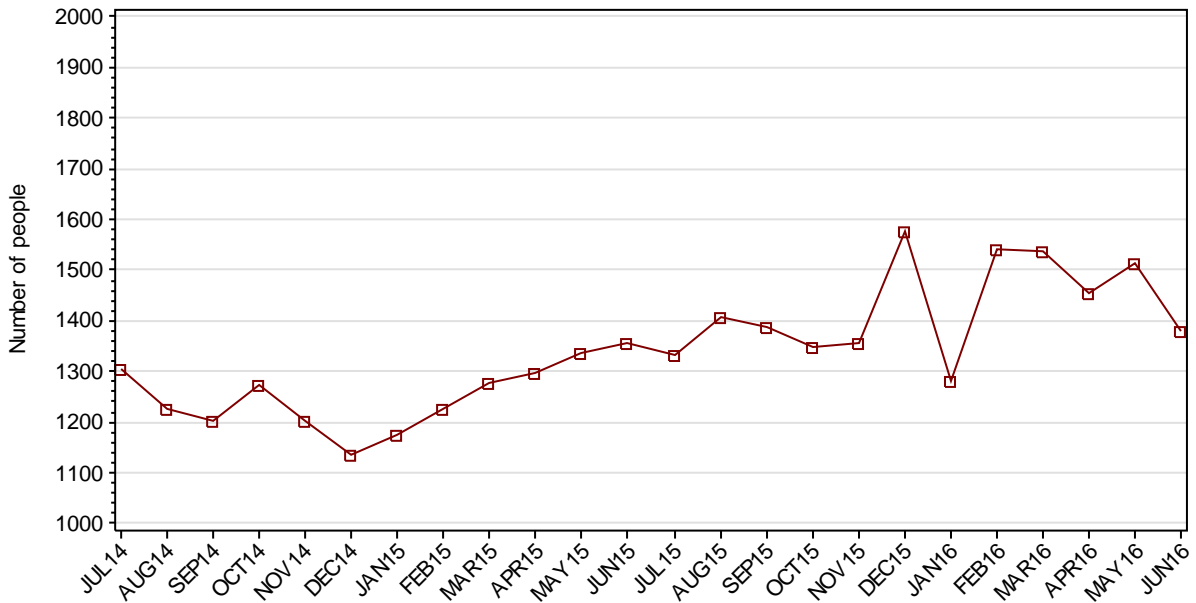


### 2.2.3 ADULT SENTENCED RECEPTIONS



## SECTION 2.3 ADULT CUSTODY DISCHARGES

### 2.3.1 ADULTS DISCHARGED FROM CUSTODY DURING MONTH



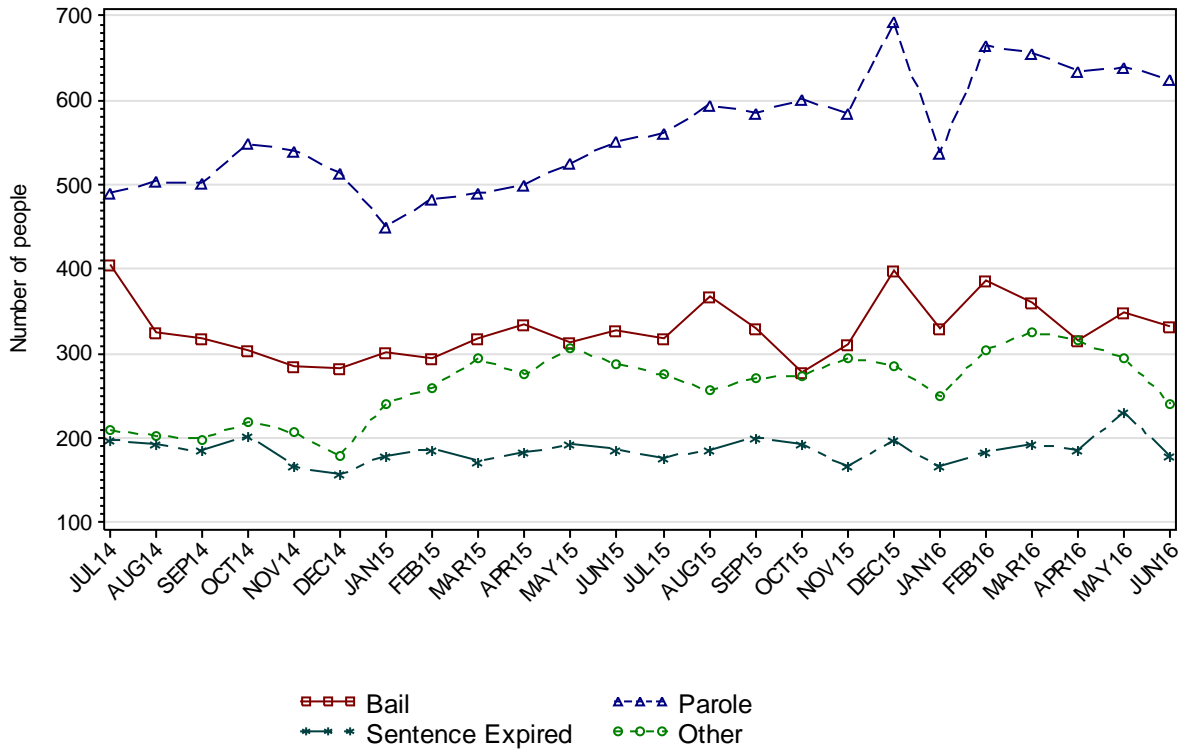
### 2.3.2 AVERAGE LENGTH OF STAY FOR ADULTS DISCHARGED FROM CUSTODY EACH QUARTER

		Remand Custody Only		Sentenced Custody Only		Remand to Sentenced Custody	
		MAR16	JUN16	MAR16	JUN16	MAR16	JUN16
Total Male	Avg Days	49.5	55.2	199.6	245.9	422.8	443.7
	Number	1314	1216	934	935	1532	1584
Total Female	Avg Days	33.9	41.3	154.4	157.6	296.1	250.5
	Number	255	276	141	122	185	208
Indigenous Male	Avg Days	43.4	57.6	186.8	235.2	370.8	325.1
	Number	312	271	261	267	454	451
Indigenous Female	Avg Days	39.7	43.2	124.6	133.3	251.7	253.5
	Number	77	88	46	44	84	86
Total	Avg Days	47.0	52.6	193.7	235.7	409.1	421.3
	Number	1569	1492	1075	1057	1717	1792

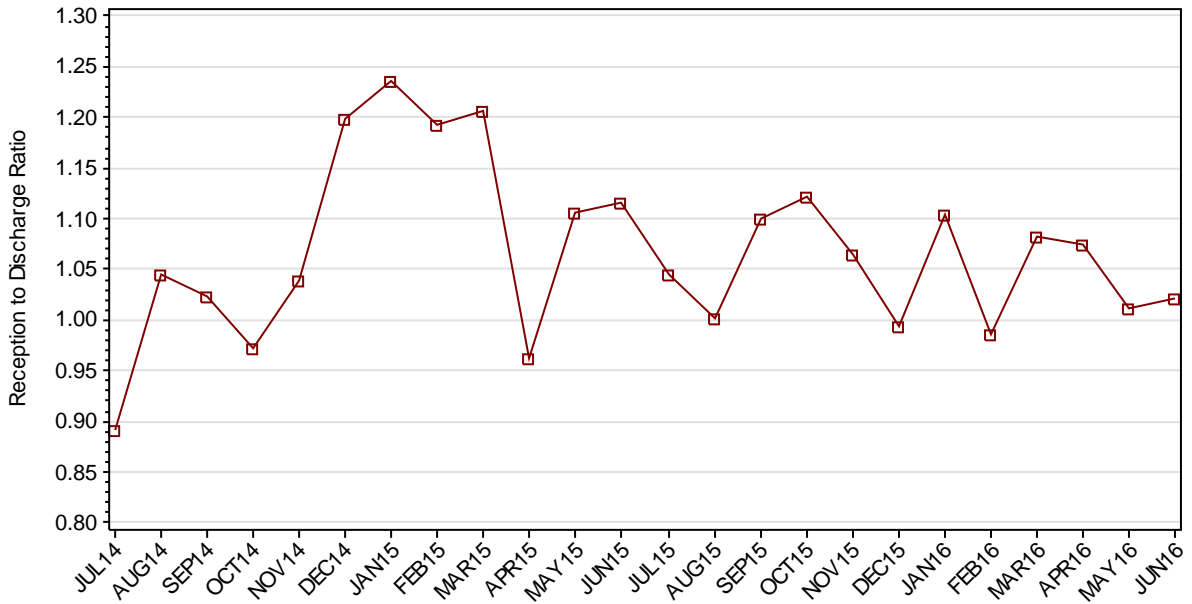
Note: length of stay for Remand to Sentenced Custody is from the date of reception on remand to date of discharge after serving sentence.



### 2.3.3 ADULTS BY DISCHARGE TYPE



### 2.3.4 RATIO OF ADULT RECEPTIONS TO DISCHARGES



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## **Part 3 DATA TABLES**

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Juvenile	1.In Custody										Remand to Sent
	Total	Legal Status			Indigenous			Indigenous Legal Status			
		Court Bail Ref.	Police Bail Ref.	Sent	Yes	No	Unk	Court Bail Ref.	Police Bail Ref.	Sent	
JUL14	262	115	0	147	131	130	1	58	0	73	27
AUG14	262	111	4	147	133	125	4	58	2	73	22
SEP14	252	93	3	156	123	125	4	44	1	78	23
OCT14	266	124	1	141	145	117	4	74	1	70	20
NOV14	271	131	1	139	144	124	3	76	0	68	30
DEC14	290	145	6	139	152	137	1	79	6	67	30
JAN15	299	154	3	142	154	144	1	84	2	68	22
FEB15	293	152	4	137	156	133	4	86	2	68	35
MAR15	309	159	4	146	167	140	2	93	3	71	36
APR15	310	136	2	172	165	142	3	81	2	82	43
MAY15	319	136	3	180	181	136	2	87	1	93	31
JUN15	307	157	1	149	169	135	3	94	0	75	29
JUL15	294	147	4	143	163	128	3	92	1	70	36
AUG15	289	138	4	147	160	125	4	79	3	78	36
SEP15	286	137	5	144	150	133	3	78	2	70	26
OCT15	292	149	2	141	146	142	4	77	1	68	35
NOV15	277	138	4	135	153	121	3	82	4	67	29
DEC15	278	143	8	127	145	130	3	79	2	64	29
JAN16	278	157	2	119	153	123	2	85	1	67	28
FEB16	270	144	3	123	152	116	2	80	1	71	29
MAR16	290	159	7	124	147	141	2	78	1	68	38
APR16	311	182	4	125	163	146	2	91	0	72	31
MAY16	305	160	7	138	170	133	2	88	3	79	51
JUN16	285	143	8	134	152	131	2	71	0	81	33

Juvenile	2.Receptions							3.Discharges									Ratio Rec/ Dis
	Tot	Legal Status			Indigenous			Tot	Legal Status					Indigenous			
		Court Bail Ref.	Police Bail Ref.	Sent	Yes	No	Unk		Bail	Not Proven Non-Cust.	Other	Parole	Sent Exp	Yes	No	Unk	
JUL14	187	79	97	11	101	82	4	202	139	15	7	36	5	108	90	4	0.93
AUG14	206	78	110	18	114	88	4	211	141	28	5	35	2	114	95	2	0.98
SEP14	190	84	86	20	98	88	4	199	137	23	6	32	1	108	87	4	0.95
OCT14	240	99	124	17	136	102	2	229	165	12	6	40	6	114	113	2	1.05
NOV14	213	101	104	8	111	99	3	206	143	23	5	29	6	112	90	4	1.03
DEC14	226	94	120	12	114	108	4	206	146	20	6	33	1	105	95	6	1.10
JAN15	278	116	147	15	132	142	4	267	207	23	7	25	5	128	135	4	1.04
FEB15	258	89	153	16	127	124	7	266	185	23	12	44	2	126	136	4	0.97
MAR15	319	108	201	10	151	159	9	305	223	39	8	32	3	142	152	11	1.05
APR15	235	94	124	17	111	122	2	233	173	25	5	27	3	112	120	1	1.01
MAY15	250	101	118	31	124	117	9	241	162	29	5	42	3	109	122	10	1.04
JUN15	273	114	143	16	119	144	10	286	185	32	7	53	9	131	146	9	0.95
JUL15	267	117	137	13	124	139	4	278	198	30	5	41	4	127	147	4	0.96
AUG15	227	103	110	14	109	109	9	230	163	26	1	35	5	110	112	8	0.99
SEP15	225	100	108	17	102	117	6	229	158	32	4	29	6	115	107	7	0.98
OCT15	273	118	143	12	122	146	5	268	189	34	3	37	5	126	138	4	1.02
NOV15	242	107	124	11	130	106	6	259	178	38	1	39	3	124	128	7	0.93
DEC15	251	107	131	13	107	137	7	249	172	28	4	44	1	114	128	7	1.01
JAN16	259	127	120	12	124	126	9	257	191	22	6	31	7	115	132	10	1.01
FEB16	254	113	125	16	131	111	12	261	203	24	1	29	4	133	116	12	0.97
MAR16	267	137	120	10	119	136	12	248	171	32	4	41	0	123	113	12	1.08
APR16	266	132	123	11	103	152	11	244	180	28	0	34	2	87	146	11	1.09
MAY16	255	111	135	9	102	141	12	264	190	31	0	39	4	98	154	12	0.97
JUN16	240	100	134	6	93	130	17	262	188	27	1	38	8	111	134	17	0.92

Adult	1.In Custody								Remand to Sent
	Total	Legal Status		Indigenous			Indigenous Legal Status		
		Remand	Sent	Yes	No	Unk	Remand	Sent	
<b>JUL14</b>	10384	2716	7668	2485	7866	33	622	1863	430
<b>AUG14</b>	10444	2760	7684	2498	7919	27	643	1855	420
<b>SEP14</b>	10471	2754	7717	2491	7944	36	629	1862	427
<b>OCT14</b>	10435	2720	7715	2470	7935	30	614	1856	468
<b>NOV14</b>	10481	2843	7638	2480	7970	31	653	1827	415
<b>DEC14</b>	10704	3083	7621	2590	8085	29	739	1851	435
<b>JAN15</b>	10976	3372	7604	2688	8257	31	824	1864	416
<b>FEB15</b>	11207	3456	7751	2768	8403	36	841	1927	538
<b>MAR15</b>	11472	3553	7919	2824	8608	40	854	1970	602
<b>APR15</b>	11422	3466	7956	2813	8570	39	832	1981	523
<b>MAY15</b>	11562	3601	7961	2846	8676	40	876	1970	525
<b>JUN15</b>	11721	3651	8070	2865	8825	31	864	2001	622
<b>JUL15</b>	11781	3633	8148	2856	8894	31	869	1987	584
<b>AUG15</b>	11777	3625	8152	2862	8881	34	867	1995	577
<b>SEP15</b>	11908	3677	8231	2944	8928	36	864	2080	617
<b>OCT15</b>	12081	3751	8330	2988	9055	38	896	2092	619
<b>NOV15</b>	12166	3757	8409	2967	9156	43	857	2110	611
<b>DEC15</b>	12150	3881	8269	2896	9211	43	882	2014	578
<b>JAN16</b>	12297	4085	8212	2938	9306	53	919	2019	529
<b>FEB16</b>	12276	4065	8211	2987	9228	61	927	2060	661
<b>MAR16</b>	12390	4090	8300	3021	9297	72	940	2081	694
<b>APR16</b>	12509	4204	8305	3041	9387	81	957	2084	674
<b>MAY16</b>	12522	4141	8381	3024	9411	87	924	2100	720
<b>JUN16</b>	12550	4170	8380	3012	9430	108	888	2124	606

Adult	2.Receptions						3.Discharges								Ratio Rec/ Dis
	Tot	Legal Status		Indigenous			Tot	Legal Status				Indigenous			
		Remand	Sent	Yes	No	Unk		Bail	Other	Parole	Sent Exp	Yes	No	Unk	
<b>JUL14</b>	1162	855	307	331	805	26	1303	405	209	491	198	367	913	23	0.89
<b>AUG14</b>	1281	913	368	379	870	32	1225	326	203	504	192	368	820	37	1.05
<b>SEP14</b>	1231	866	365	343	858	30	1204	318	199	502	185	348	836	20	1.02
<b>OCT14</b>	1239	860	379	342	866	31	1275	305	219	549	202	361	875	39	0.97
<b>NOV14</b>	1247	934	313	354	861	32	1201	286	207	541	167	345	827	29	1.04
<b>DEC14</b>	1359	1012	347	398	938	23	1134	283	180	514	157	286	822	26	1.20
<b>JAN15</b>	1451	1129	322	432	984	35	1174	302	241	451	180	332	809	33	1.24
<b>FEB15</b>	1463	1087	376	418	1010	35	1226	295	260	484	187	335	862	29	1.19
<b>MAR15</b>	1539	1147	392	421	1076	42	1276	319	294	490	173	365	872	39	1.21
<b>APR15</b>	1248	917	331	377	837	34	1297	336	276	501	184	387	877	33	0.96
<b>MAY15</b>	1478	1121	357	434	1011	33	1337	313	306	526	192	401	903	33	1.11
<b>JUN15</b>	1512	1149	363	438	1042	32	1355	328	288	552	187	419	893	43	1.12
<b>JUL15</b>	1391	1027	364	387	968	36	1331	318	275	561	177	398	898	35	1.05
<b>AUG15</b>	1408	1063	345	401	982	25	1407	368	257	595	187	397	987	23	1.00
<b>SEP15</b>	1527	1140	387	453	1047	27	1388	331	271	585	201	366	996	26	1.10
<b>OCT15</b>	1511	1123	388	423	1061	27	1348	279	274	601	194	385	938	25	1.12
<b>NOV15</b>	1445	1084	361	392	1027	26	1357	311	295	585	166	411	926	20	1.06
<b>DEC15</b>	1566	1228	338	422	1108	36	1575	398	286	693	198	492	1047	36	0.99
<b>JAN16</b>	1415	1160	255	435	947	33	1282	329	249	538	166	395	865	22	1.10
<b>FEB16</b>	1519	1181	338	448	1024	47	1541	387	305	665	184	400	1101	40	0.99
<b>MAR16</b>	1664	1290	374	479	1120	65	1538	362	326	657	193	439	1047	52	1.08
<b>APR16</b>	1561	1256	305	424	1098	39	1454	317	315	635	187	407	1018	29	1.07
<b>MAY16</b>	1528	1177	351	413	1074	41	1512	349	294	639	230	426	1051	35	1.01
<b>JUN16</b>	1409	1090	319	364	995	50	1380	333	241	626	180	374	974	32	1.02

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## **Part 4 GLOSSARY**

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## Adult

A person held in custody in a gazetted correctional centre managed by Corrective Services NSW (CSNSW). Persons may have been remanded in custody after being refused bail or sentenced to a custodial order for a proven offence.

The adult figures in this report include the small number of 16 and 17 year old males held in the Kariiong Juvenile Correctional Centre.

## ANZSOC

The Australian Bureau of Statistics Australian and New Zealand Standard Offence Classification (ANZSOC) groups criminal offences into 16 broad divisions:

1. Homicide and related offences
2. Acts intended to cause injury
3. Sexual assault and related offences
4. Dangerous or negligent acts endangering persons
5. Abduction, harassment and other offences against the person
6. Robbery, extortion and related offences
7. Unlawful entry with intent/burglary, break and enter
8. Theft and related offences
9. Fraud, deception and related offences
10. Illicit drug offences
11. Prohibited and regulated weapons and explosives offences
12. Property damage and environmental pollution
13. Public order offences
14. Traffic and vehicle regulatory offences
15. Offences against justice procedures, government security and government operations
16. Miscellaneous offences

For further information see:

<http://www.abs.gov.au/AUSSTATS/abs@.nsf/DetailsPage/1234.02011>

Note that shortened titles are used in this report.

## Average length of stay

The length of stay is the duration of the custodial episode, from the date of reception to the date of discharge.

The average length of stay (in days) is presented for three types of custodial episodes:

Remand custody only - the person entered custody after being refused bail and was then discharged from custody without having been sentenced. Most commonly discharged after being granted bail, other reasons include criminal charges not proven, receiving a non-custodial penalty for a proven offence or being transferred interstate or from a juvenile to an adult prison or vice versa.

Sentenced custody only - persons who entered custody only after being sentenced to a custodial penalty by a court. These persons had either been granted bail, or bail had been dispensed with, pending finalisation of their charges.



Remand to sentenced custody - persons who had been remanded in custody prior to having a custodial sentence imposed by a court. The length of stay for these people is the entire time from reception on remand to discharge after serving the custodial sentence.

Note: Persons initially remanded in custody but then granted bail prior to having a custodial penalty imposed by a court are counted as two custodial episodes: one of remand custody only and one of sentenced custody only.

## **Bail**

Under the provisions of the *Bail Act 1978*, police and courts may grant or refuse to grant bail to alleged offenders. The grant of bail takes into consideration the alleged offence and offender. Bail is granted at the offence level and so a person may be granted bail for one offence and refused bail for another offence.

Persons refused bail (and small numbers granted bail but unable to meet the bail conditions set by a court) are remanded into custody pending further court action.

Juvenile custody population data in this report disaggregates persons remanded into custody into those refused police bail and refused court bail. This is because all juveniles refused police bail are held in Juvenile Justice centres whereas not all adults refused police bail are held in gazetted correctional centres or 24 hour police cell complexes.

## **Control order**

See Custodial sentence

## **Corrective Services NSW**

Corrective Services NSW (CSNSW) is part of the NSW Department of Attorney General and Justice with responsibilities including the supervision of people remanded in custody pending the finalisation of criminal charges and offenders sentenced to a custodial order.

See <http://www.correctiveservices.nsw.gov.au/> for further information.

The Corrections Research, Evaluation and Statistics (CRES) section of CSNSW have provided the adult custody data for this report and advised on its interpretation.

## **Court bail refused**

See Bail

## **Custodial episode**

A custodial episode is the time between the reception into and discharge from custody. An individual may have multiple custodial episodes within the reporting period. A change in legal status between the reception and discharge date, for example changing from being bail refused to being sentenced to a custodial order, does not count as a new custodial episode.

## **Custodial sentence**

Courts may impose a custodial sentence for a proven offence. For adults this is a term of imprisonment under the *Crimes (Sentencing Procedure) Act 1999*. For young people this is a control order of up to two years duration or a term of imprisonment to be served partly or wholly as a juvenile under the *Children (Criminal Proceedings) Act 1987*. A person may be given custodial sentences for multiple proven offences.

While the majority of persons held under sentence in a correctional centre are sentenced under the *Crimes (Sentencing Procedure) Act 1999*, offenders whose parole has been revoked by the State Parole Authority, persons sentenced under the *Commonwealth Crimes Act 1914*, those sentenced under the *Mental Health (Forensic Provision) Act 1990*, small numbers of persons held under immigration orders awaiting deportation following expiry of their sentence and persons sentenced under legislation in other states or territories are also managed by CSNSW.

## **Custody population**

Persons held in custody in a JJNSW juvenile justice centre or a CSNSW gazetted correctional centre, whether remanded or sentenced. Custody population figures are counted as at midnight on the last day of the month or quarter as appropriate. Persons held in a CSNSW managed police/court cell complex at midnight on the last day of the month but later transferred to a gazetted correctional centre are included in custody population figures for that month.

## **Discharge type**

The type of reason why persons were discharged from custody:

Bail - courts granted the person bail pending the finalisation of their criminal charge(s).

Parole - the person was released to parole after serving the non-parole period of custodial sentence(s).

Sentence expired - the person was released after serving the entire period of all custodial sentence(s) imposed. This includes some persons who served both the non-parole and parole components of their sentence(s) in custody.

Not proven / non-custodial penalty - juvenile data only - the person was released after criminal charges were not proven or after the court imposed a non-custodial penalty for a proven offence, e.g. good behaviour bond.

Other - includes persons transferred to the NSW Drug Court, interstate or from a juvenile to an adult prison or vice versa and deceased persons. Includes adults released after criminal charges were not proven, after the court imposed a non-custodial penalty for a proven offence and where the specific nature of the court's final non-custodial disposal is unknown.

## **Discharges**

Persons legally discharged from JJNSW or CSNSW custody in accordance with a court order (including any State Parole Authority order). For example - to parole, on expiry of a sentence or having been granted bail. Note that persons whose legal status changed from remand to sentenced or the reverse are not counted as discharges as they have not been discharged from custody.

## **Forecast**

The prison population forecast is generated using the Holt-winters method. This exponential smoothing method was chosen to handle the seasonal trends in the prison population. The forecast is calculated from the monthly prison population data from March 2013 to the current month.

## **Imprisonment**

See Custodial sentence.

## Indigenous status

Indigenous status as self-reported on reception into custody. Persons may identify as being Aboriginal or Torres Strait Islander, neither Aboriginal nor Torres Strait Islander or may not provide this information. An inmate is recorded as indigenous if they have identified as such in the current or any previous custodial episode. Indigenous status is unknown for a small proportion of people.

## Juvenile

A person held in custody in a juvenile justice centre. These centres are managed by Juvenile Justice NSW (JJNSW). A young person in juvenile custody may have been refused bail by police, refused bail by the court or sentenced to a custodial sentence.

All young persons refused bail by police must be taken to a juvenile justice centre to be held in custody pending their court appearance. Young persons refused police bail cannot be held in a police or court cell.

Note: a small number of 16 and 17 year old males are held in Kariiong Juvenile Correctional Centre which is managed by CSNSW. As Kariiong is a gazetted correctional centre, these young persons are counted in the adult figures in this report.

## Juvenile Justice NSW

Juvenile Justice NSW (JJNSW) is part of the NSW Department of Attorney General and Justice with responsibilities including the supervision of young people remanded in custody pending the finalisation of criminal charges and young offenders sentenced to a control order/imprisonment.

See <http://www.djj.nsw.gov.au/> for further information.

The Research and Information Section of JJNSW have provided the juvenile data for this report and advised on its interpretation.

## Legal status

The legal status of persons received into or held in custody:

Remand (Juvenile) - Juveniles refused bail (and small numbers granted bail but unable to meet conditions) are remanded into custody pending future court action.

Juvenile remand figures are disaggregated into:

- Police bail refused - Police have refused to grant bail to a juvenile. All juveniles refused bail by police are held in custody in a juvenile justice centre pending future court action.
- Court bail refused - the courts have refused to grant bail to a juvenile pending future court action.

Remand (Adult) - adults refused bail (and small numbers granted bail but unable to meet conditions) are remanded in custody pending future court action. Includes a small number of persons refused police bail and remanded in custody in a gazetted correctional centre. Includes persons on remand who are being managed as correctional patients under the *Mental Health (Forensic Provisions) Act 1990*.

Sentenced - the courts have imposed custodial sentence(s) for proven offence(s). This category includes persons returned to custody after breaching parole. Includes forensic

patients as per the *Mental Health (Forensic Provisions) Act 1990* (ie persons found unfit to be tried and persons found not guilty due to mental illness). Persons on remand for one or more offences and sentenced for one or more offences have a legal status of sentenced.

Unknown - adults whose legal status was not recorded at the time of admission.

### **Legal status changed from remand to sentenced**

Persons whose legal status changed from remand to sentenced upon the imposition of a custodial sentence by a court. This report shows the numbers of persons during each month who changed from being on remand to being sentenced.

### **Most serious offence**

The most serious offence type for which each person is in custody. The offence type categories in this report are the sixteen ANZSOC Divisions, with shortened titles (See ANZSOC).

Most serious offence data is presented in a radar chart and a data table. The radar chart consists of a circle with a series of 'spokes' running from the centre of the circle to the perimeter. Each spoke represents a different offence type. The radar chart is constructed by placing a point on each spoke marking the proportion of prisoners with that offence type as their most serious offence. The higher the proportion, the closer the point to the perimeter. The points are then connected and the resulting figure inside the circle gives a picture of the distribution of most serious offence type across prisoners. A different type/colour of line is used for each quarter, making changes from quarter to quarter apparent. Note that offence types with no observations are plotted a short distance from the zero radius so that the numbers for every offence type can be observed.

The data table displays the number and proportion of persons in custody for each of the most serious offence types. The data is presented separately for sentenced persons and persons on remand:

#### Most Serious Offence – Adults:

The most serious offence for adults is as provided by CSNSW.

A person's most serious offence may change over the course of their custodial episode depending on offences for which they are in custody at any one time. The Most Serious Offence data presented in this report are stock data and are sourced from data extracts run two to three weeks after the end of the quarter.

The data for the previous quarter is as at the previous quarter's custody report.

Extracting the data after the same time lag each quarter reduces variability due to extract timing and so is indicative of a change in the broad offence profile of persons in custody between the end of the current and previous quarters.

Due to the way that MSO is recorded and the data extracted, it is not available for receptions or discharge data.

#### Most Serious Offence – Juveniles:

Most serious offence for juveniles is compiled by matching custody order records from JJNSW with sentencing and bail refused orders sourced from the JusticeLink system used by the NSW criminal courts. Data is matched using JusticeLink Proceeding Number, a unique offence identifier which is available in the JJNSW data from January 2011.

- The most serious offence for juveniles remanded in custody is the offence with the highest Median Sentence Ranking (MSR). The MSR is a ranking of ANZSOC codes and was developed by BOCSAR using data on sentences imposed in the NSW criminal courts. The MSR can be used to select the most serious offence when sentencing data is not available and to select most serious offence when multiple offences have the same custodial order duration. For further information see the BOCSAR's Crime and Justice Bulletin No.142 "Measuring Offence Seriousness": [www.bocsar.nsw.gov.au/lawlink/bocsar/ll\\_bocsar.nsf/vwFiles/CJB142.pdf/\\$file/CJB142.pdf](http://www.bocsar.nsw.gov.au/lawlink/bocsar/ll_bocsar.nsf/vwFiles/CJB142.pdf/$file/CJB142.pdf)
- The most serious offence for sentenced juveniles is the offence with the longest custodial order. For juveniles with more than one offence type with the same custodial order duration, the offence with the highest Median Sentence Ranking is selected as the most serious offence.
- Juveniles sentenced to a custodial order after breaching a non-custodial penalty (eg a suspended sentence, Community Service Order or good behaviour bond) have a most serious offence type of *Justice procedure offence* rather than the type of offence for which the non-custodial penalty was originally imposed (eg robbery/extortion, drug offences).

Note: this differs from the definition of most serious offence used in the Australian Bureau of Statistics Prisoners in Australia publication series (*ABS cat.no.4517.0*)

### **Police bail refused**

See Bail.

### **Receptions**

Persons received into Juvenile Justice custody or a gazetted correctional centre. Gazetted correctional centres are managed by CSNSW. Persons received into CSNSW custody and managed only in CSNSW 24-hour police/court cell complexes are excluded.

### **Ratio of receptions to discharges**

The ratio of receptions to discharges. A ratio greater than 1 means there were more receptions than discharges during the month; a ratio less than 1 means there were more discharges than receptions during the month.

### **Remand**

See Legal status.

### **Sentenced**

See Legal status.

### **24 hour police/court cell complexes**

In addition to gazetted correctional centres, CSNSW manage a number of police/court cell complexes. This report excludes persons received and then discharged from a CSNSW-managed 24 hour police/court cell complex without entering a gazetted correctional centre.