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# **NEW SOUTH WALES CUSTODY STATISTICS**

QUARTERLY UPDATE  
JUNE 2017

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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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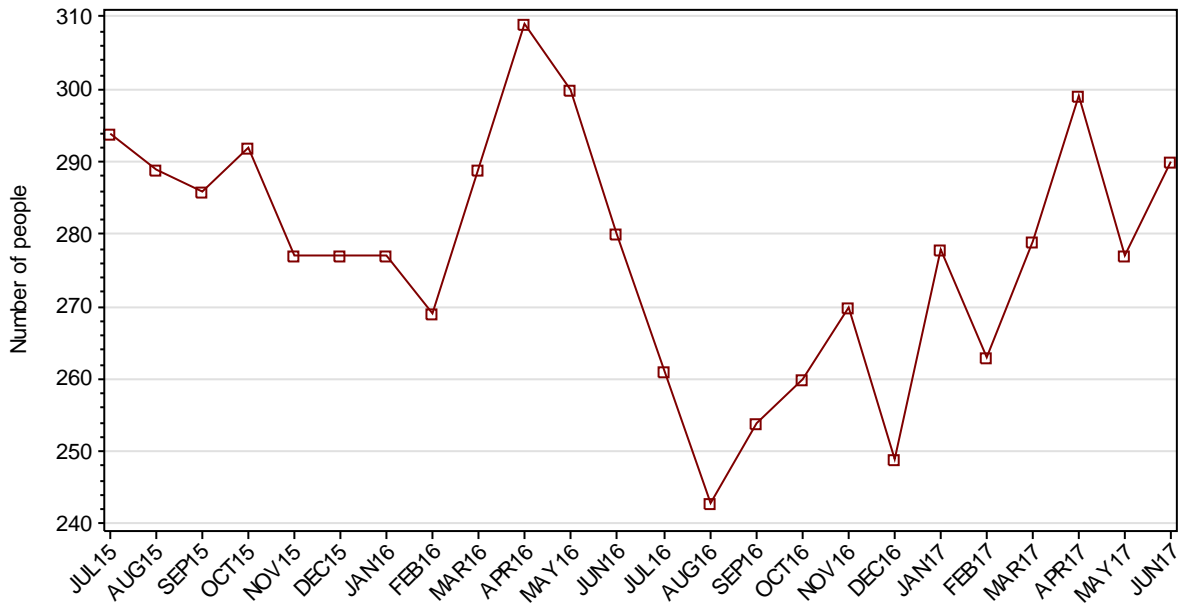
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# **Part 1 JUVENILES**

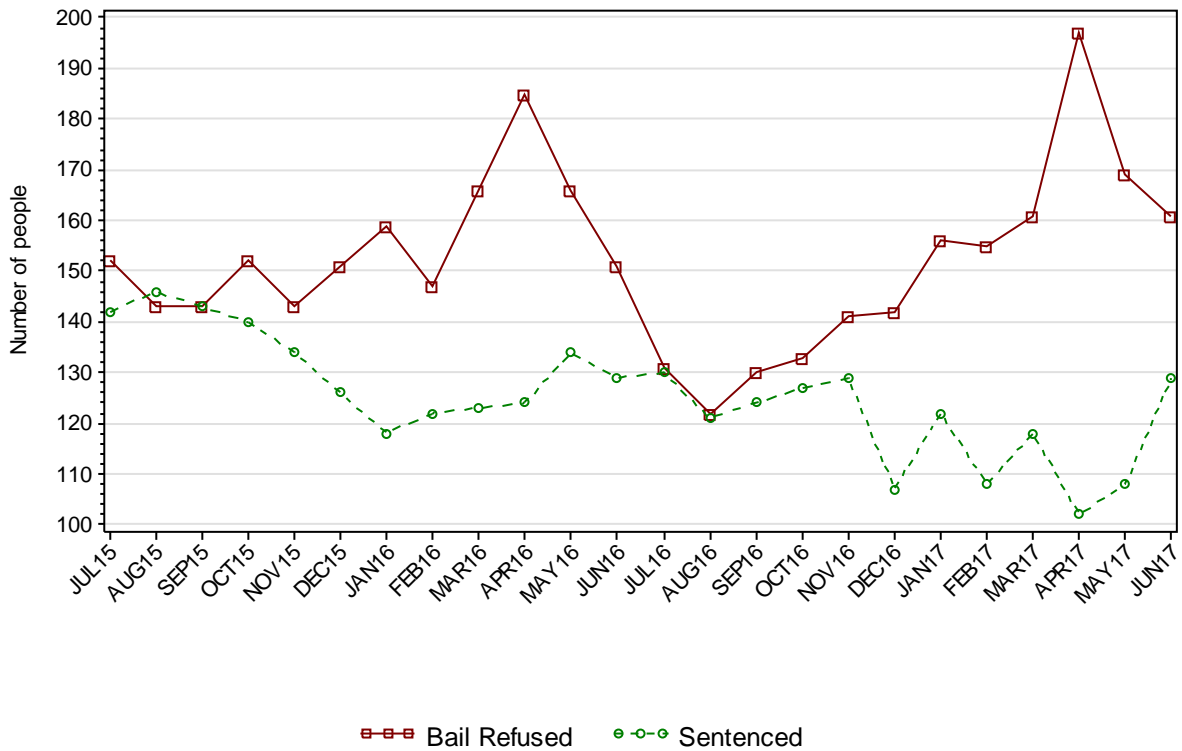
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## SECTION 1.1 JUVENILE CUSTODY POPULATION

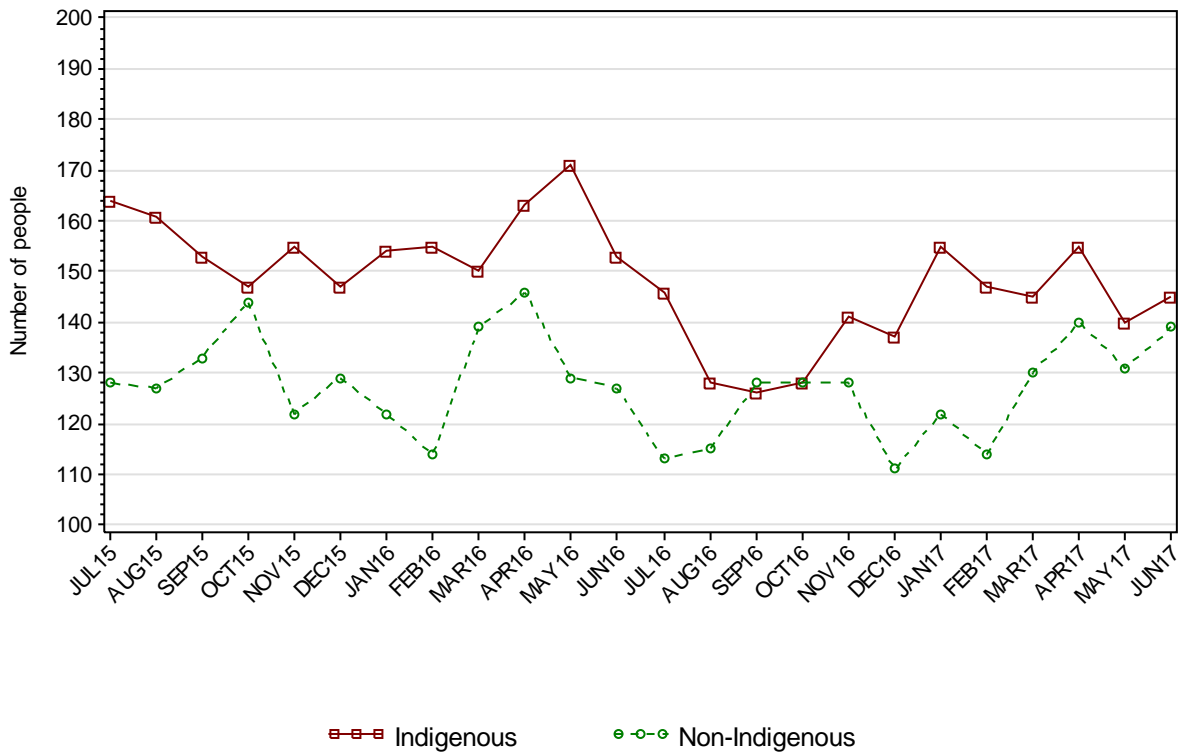
### 1.1.1 JUVENILE CUSTODY POPULATION AT END OF MONTH



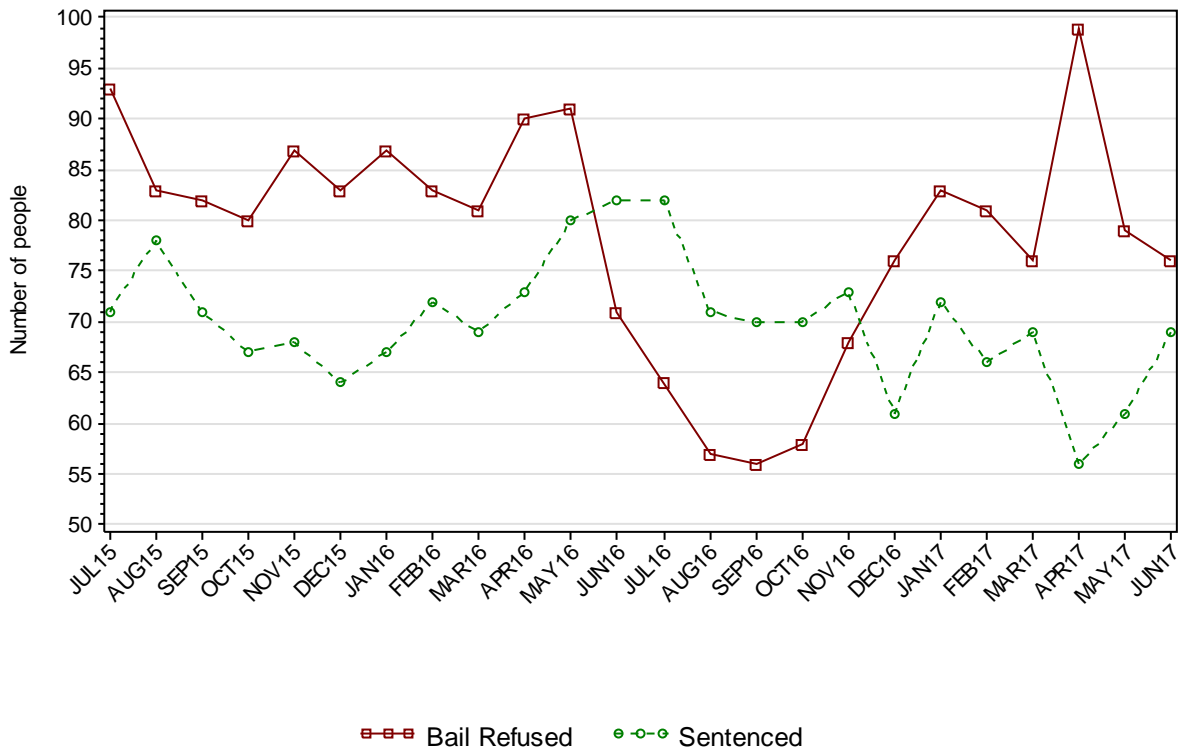
### 1.1.2 JUVENILE CUSTODY POPULATION BY LEGAL STATUS



### 1.1.3 JUVENILE CUSTODY POPULATION BY INDIGENOUS STATUS



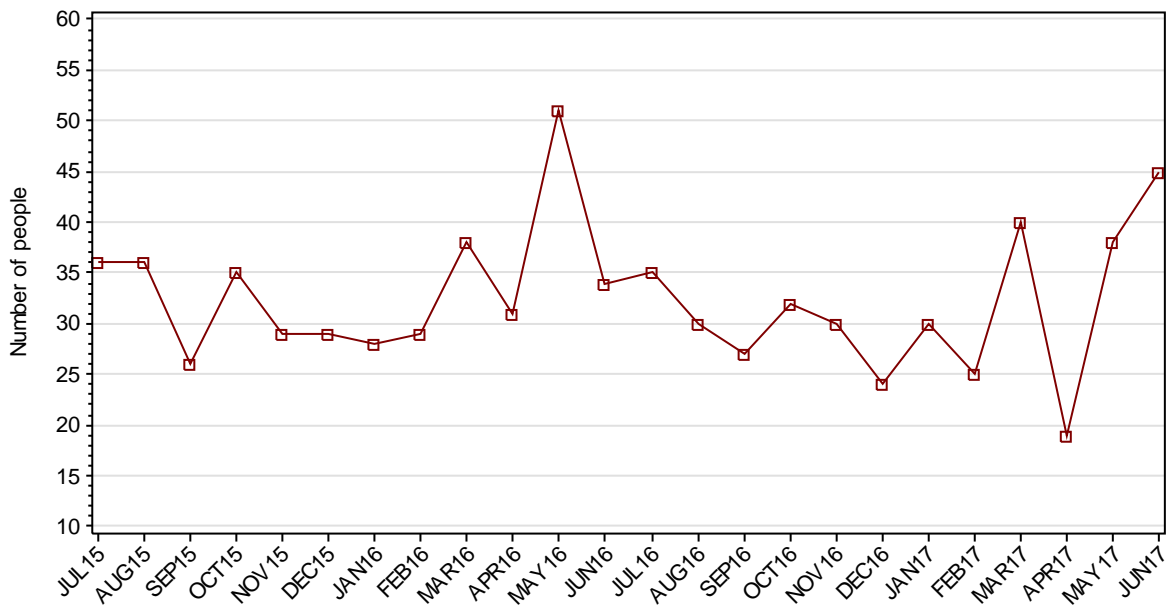
### 1.1.4 INDIGENOUS JUVENILE CUSTODY POPULATION BY LEGAL STATUS



**1.1.5 JUVENILE CUSTODY PROFILE AT END OF QUARTER**

		Police Bail Refused		Court Bail Refused		Sentenced		Total	
		MAR17	JUN17	MAR17	JUN17	MAR17	JUN17	MAR17	JUN17
Total Male	Count	1	3	149	146	110	120	260	269
	Avg Age	16.0	16.0	16.1	16.2	16.7	16.8	16.4	16.5
Total Female	Count	0	0	11	12	8	9	19	21
	Avg Age	.	.	15.6	15.8	16.6	15.6	16.1	15.7
Indigenous Male	Count	1	1	70	70	64	62	135	133
	Avg Age	16.0	16.0	15.8	16.1	16.6	16.6	16.2	16.4
Indigenous Female	Count	0	0	5	5	5	7	10	12
	Avg Age	.	.	16.0	15.4	16.4	15.4	16.2	15.4
Total	Count	1	3	160	158	118	129	279	290
	Avg Age	16.0	16.0	16.1	16.2	16.7	16.7	16.3	16.4

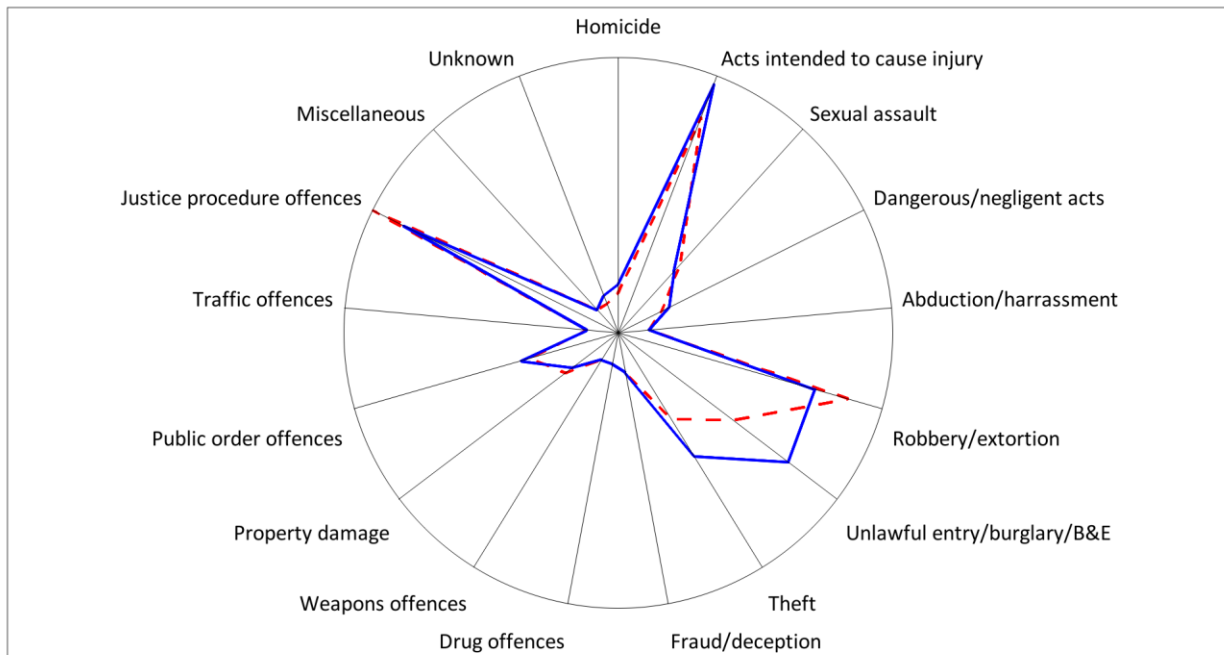
**1.1.6 JUVENILES IN CUSTODY: NUMBER WHOSE LEGAL STATUS CHANGED DURING MONTH FROM REMAND TO SENTENCED**







1.1.8 JUVENILE SENTENCED POPULATION BY MOST SERIOUS OFFENCE

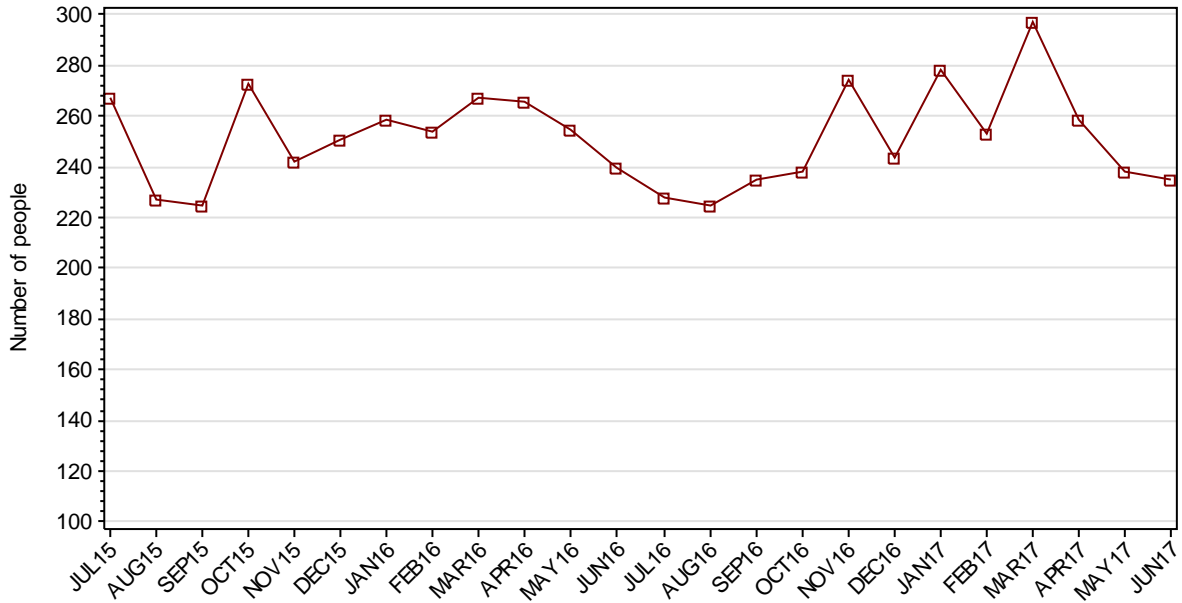


As At:

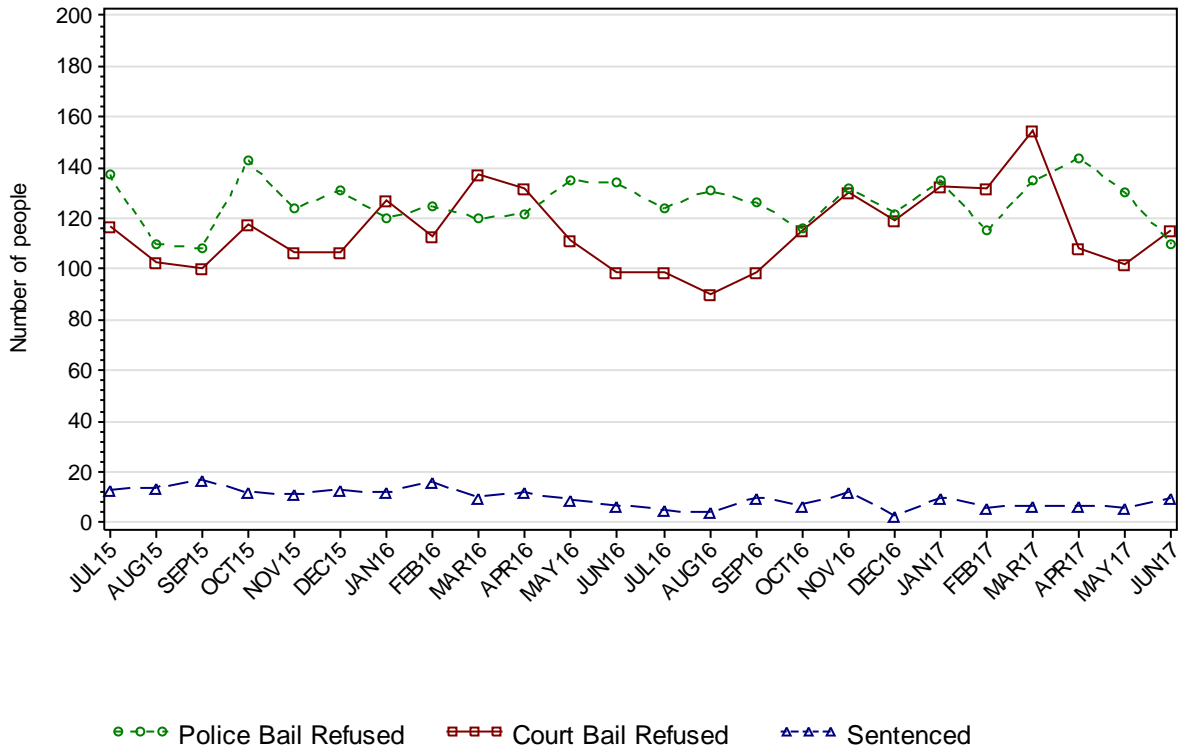
	31MAR17		30JUN17	
	Number	% of Total	Number	% of Total
Homicide	1	0.8	2	1.6
Acts intended to cause injury	23	19.5	27	20.9
Sexual assault	7	5.9	6	4.7
Dangerous/negligent acts	2	1.7	3	2.3
Abduction/harrassment	0	0	0	0
Robbery/extortion	24	20.3	20	15.5
Unlawful entry/burglary/B&E	13	11.0	21	16.3
Theft	8	6.8	13	10.1
Fraud/deception	1	0.8	1	0.8
Drug offences	0	0	0	0
Weapons offences	0	0	0	0
Property damage	4	3.4	3	2.3
Public order offences	7	5.9	8	6.2
Traffic offences	0	0	0	0
Justice procedure offences	28	23.7	24	18.6
Miscellaneous	0	0	0	0
Unknown	0	0	1	0.8
<b>Total</b>	<b>118</b>	<b>100.0</b>	<b>129</b>	<b>100.0</b>

## SECTION 1.2 JUVENILE CUSTODY RECEPTIONS

### 1.2.1 JUVENILES RECEIVED INTO CUSTODY DURING MONTH

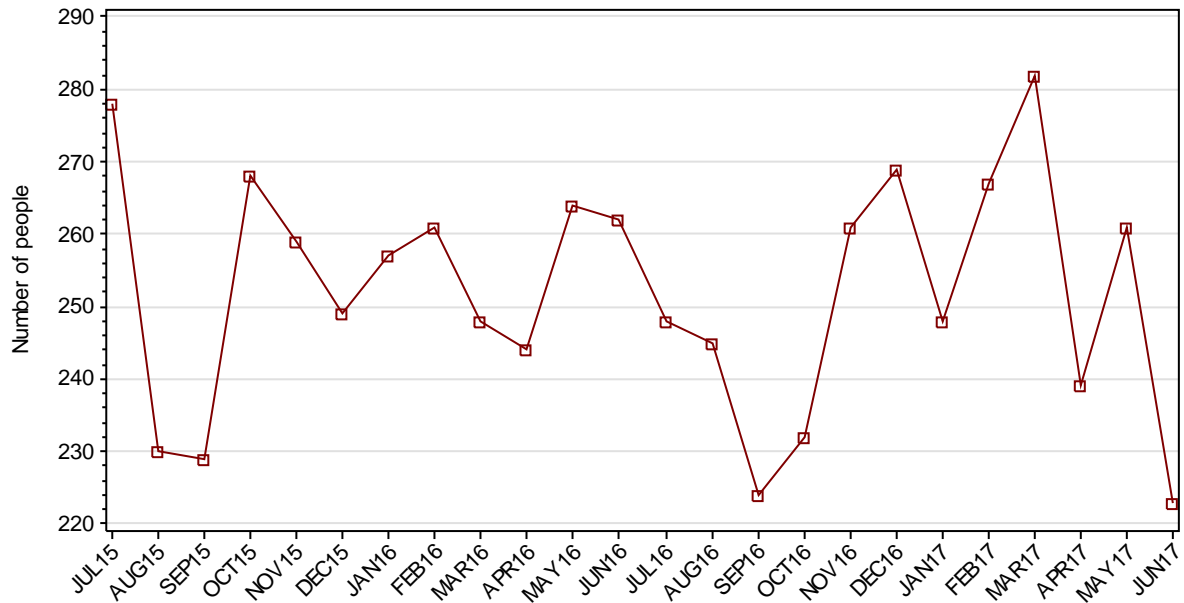


### 1.2.2 JUVENILES RECEIVED INTO CUSTODY BY LEGAL STATUS



## SECTION 1.3 JUVENILE CUSTODY DISCHARGES

### 1.3.1 JUVENILES DISCHARGED FROM CUSTODY DURING MONTH

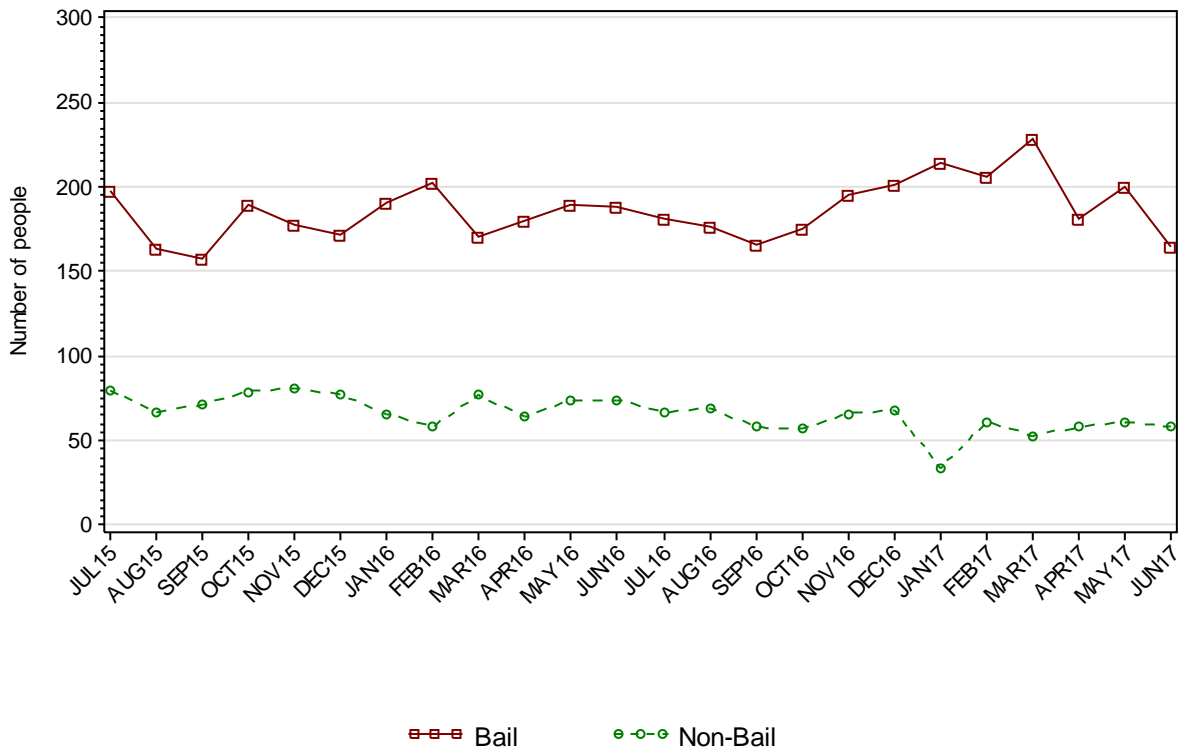


### 1.3.2 AVERAGE LENGTH OF STAY FOR JUVENILES DISCHARGED FROM CUSTODY EACH QUARTER

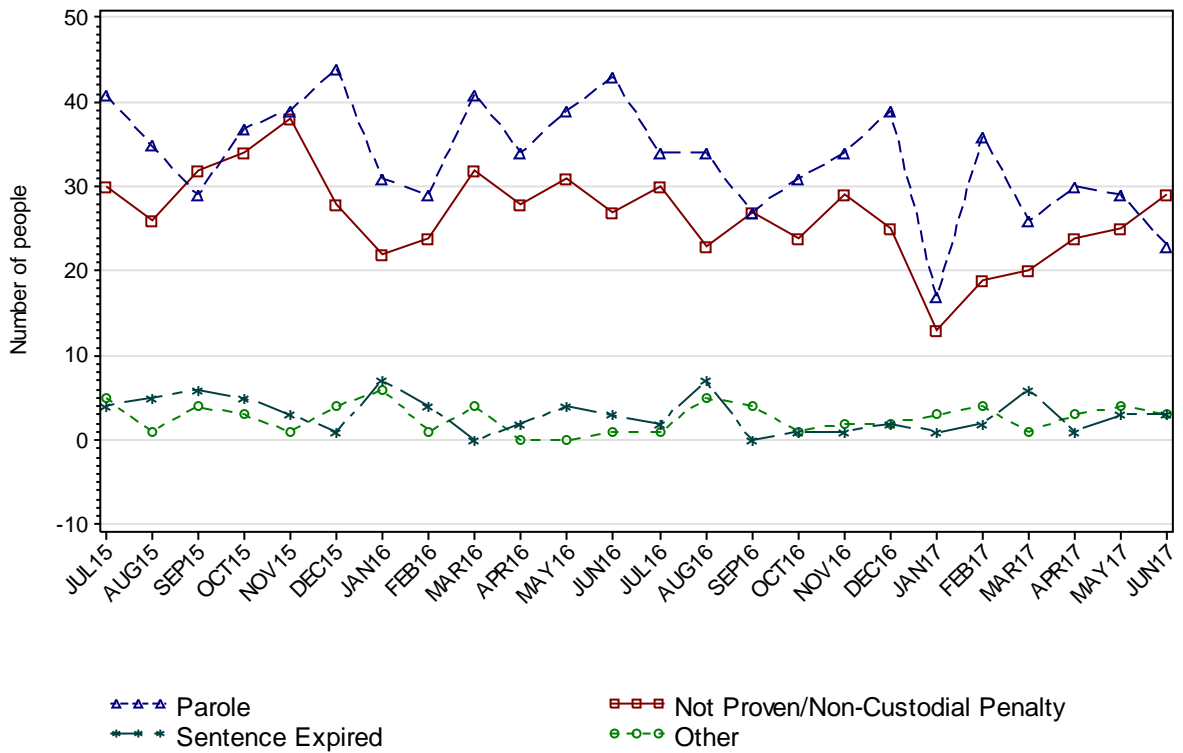
		Remand Custody Only		Sentenced Custody Only		Remand to Sentenced Custody	
		MAR17	JUN17	MAR17	JUN17	MAR17	JUN17
Total Male	Avg Days	9.9	12.3	95.7	161.1	174.9	147.7
	Number	562	493	17	18	84	84
Total Female	Avg Days	5.7	7.6	91.0	28.3	81.3	126.7
	Number	129	118	1	3	4	7
Indigenous Male	Avg Days	10.6	17.7	108.3	180.1	136.5	166.9
	Number	259	189	7	12	46	46
Indigenous Female	Avg Days	7.0	8.1	91.0	15.0	98.7	126.4
	Number	64	57	1	2	3	5
Total	Avg Days	9.1	11.4	95.4	142.1	170.6	146.1
	Number	691	611	18	21	88	91

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

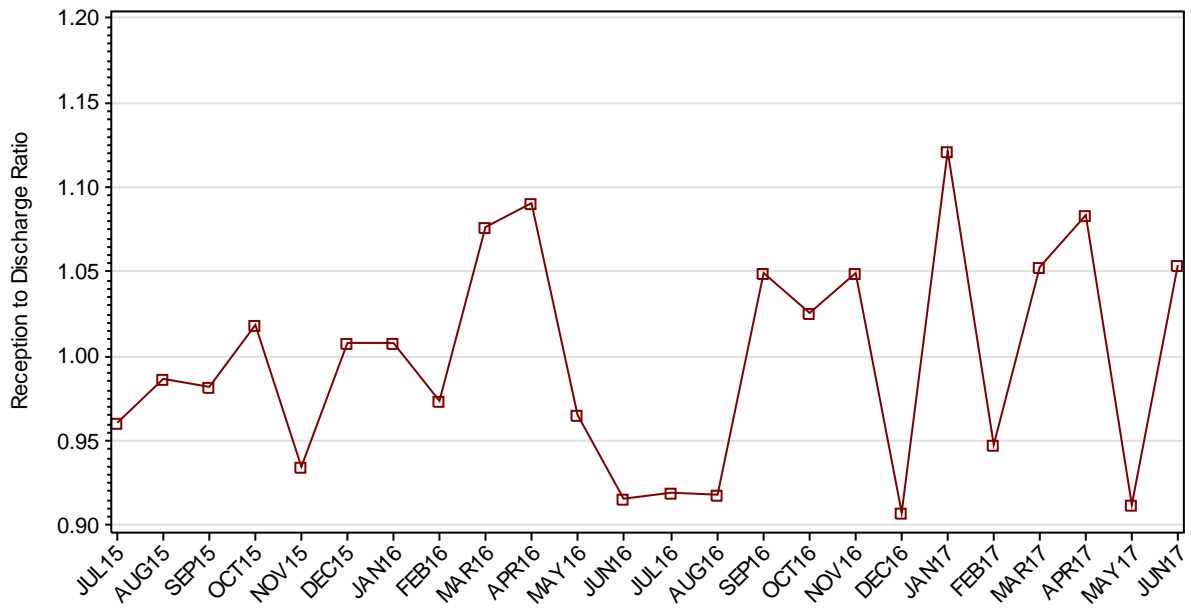
### 1.3.3 JUVENILES BY DISCHARGE TYPE



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



### 1.3.5 RATIO OF JUVENILE RECEPTIONS TO DISCHARGES



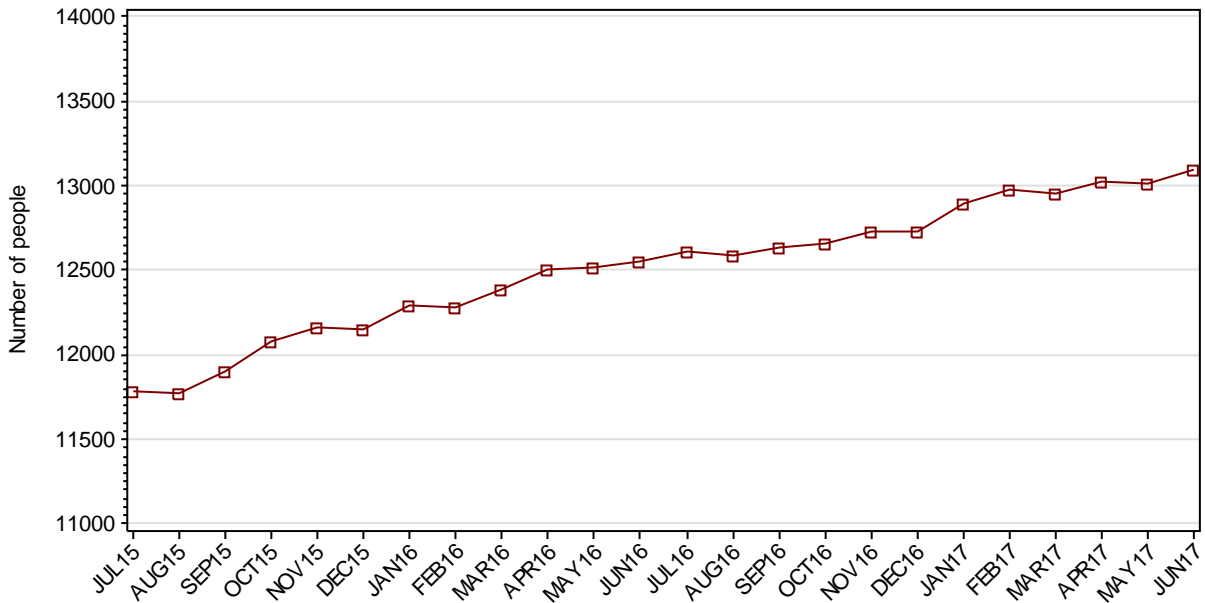
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## **Part 2 ADULTS**

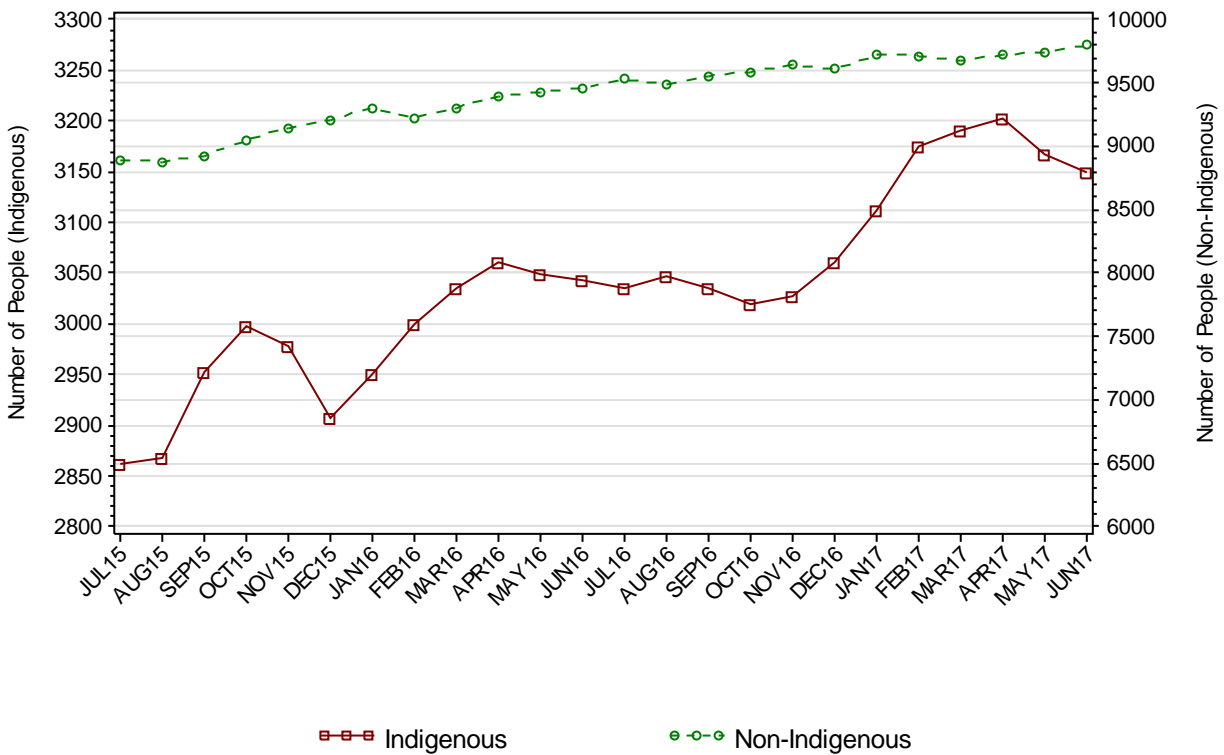
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## SECTION 2.1 ADULT CUSTODY POPULATION

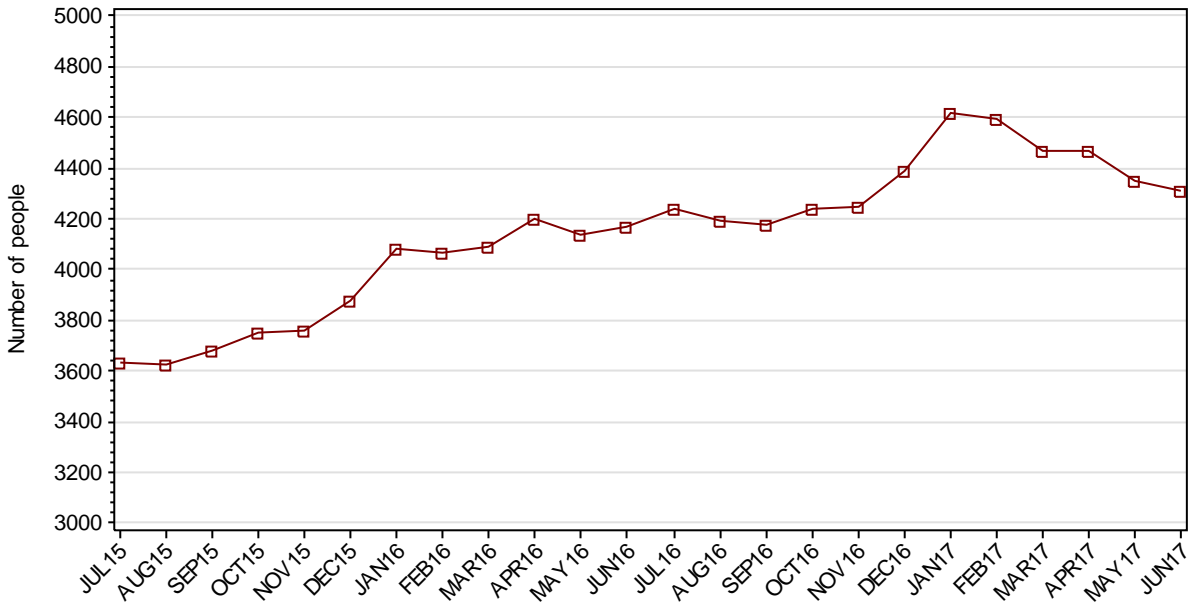
### 2.1.1 ADULT CUSTODY POPULATION AT END OF MONTH



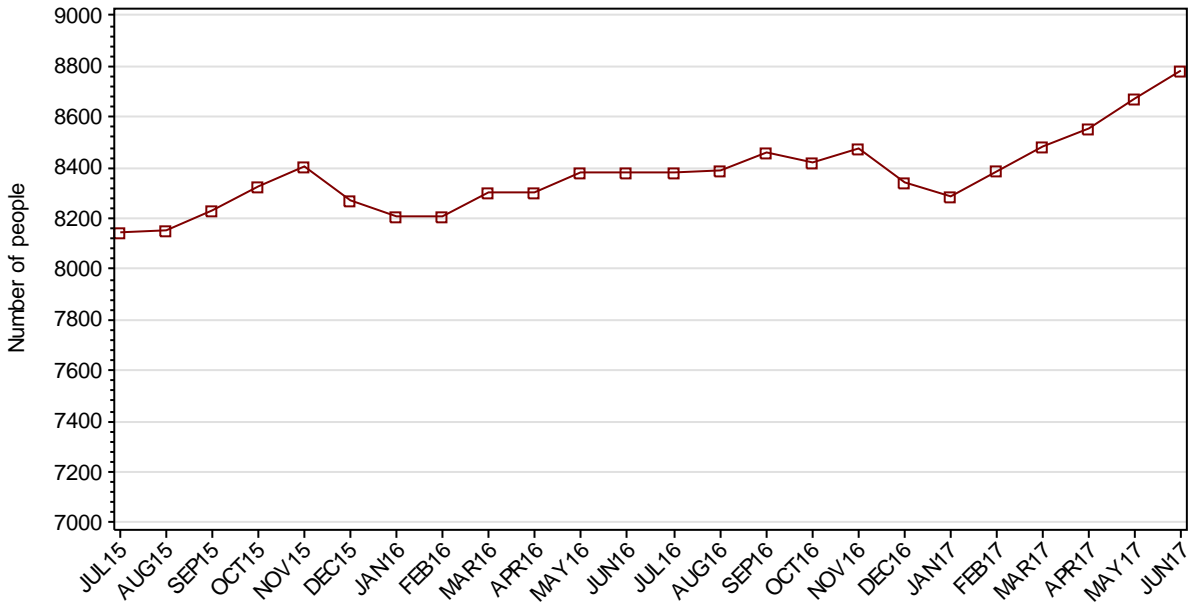
### 2.1.2 ADULT CUSTODY POPULATION BY INDIGENOUS STATUS



### 2.1.3 ADULT REMAND POPULATION

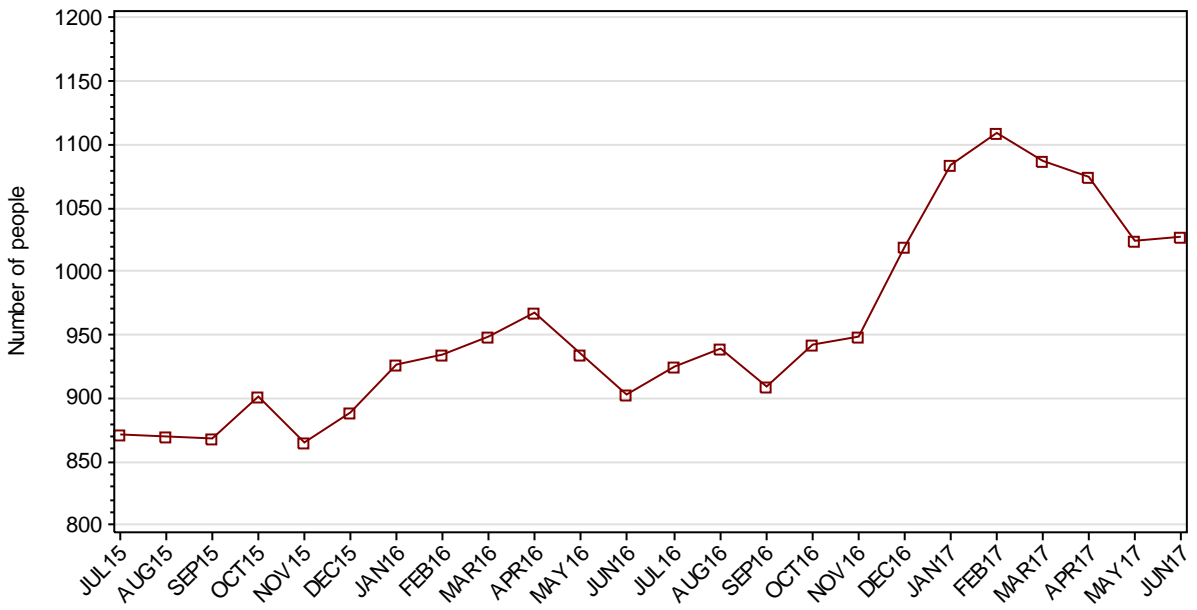


### 2.1.4 ADULT SENTENCED POPULATION

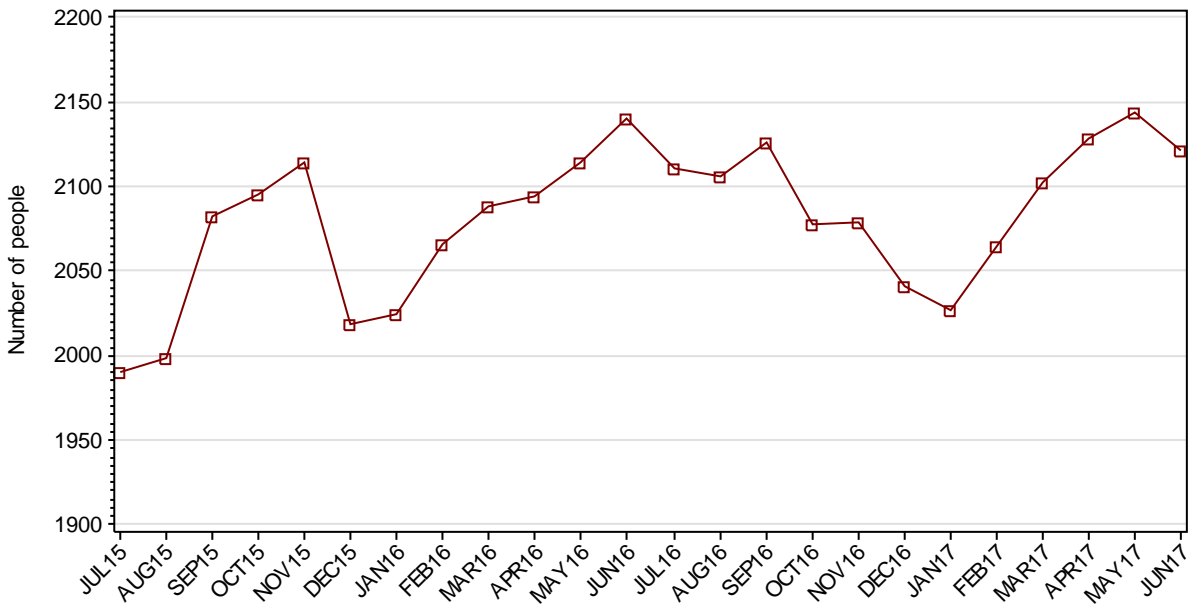




### 2.1.5 INDIGENOUS ADULT REMAND POPULATION



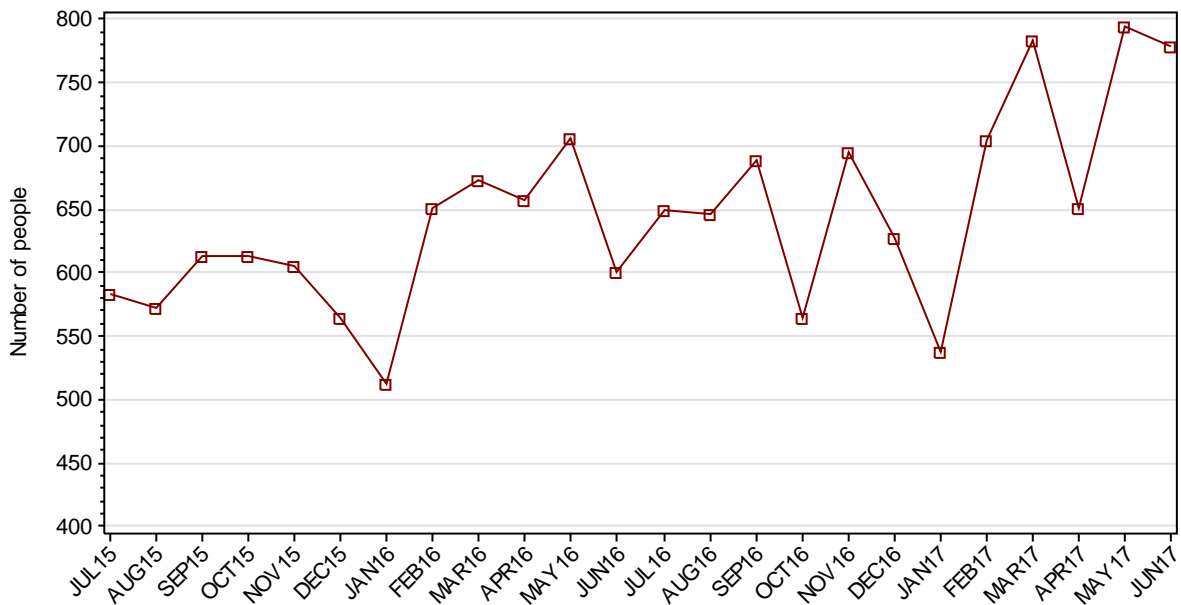
### 2.1.6 INDIGENOUS ADULT SENTENCED POPULATION



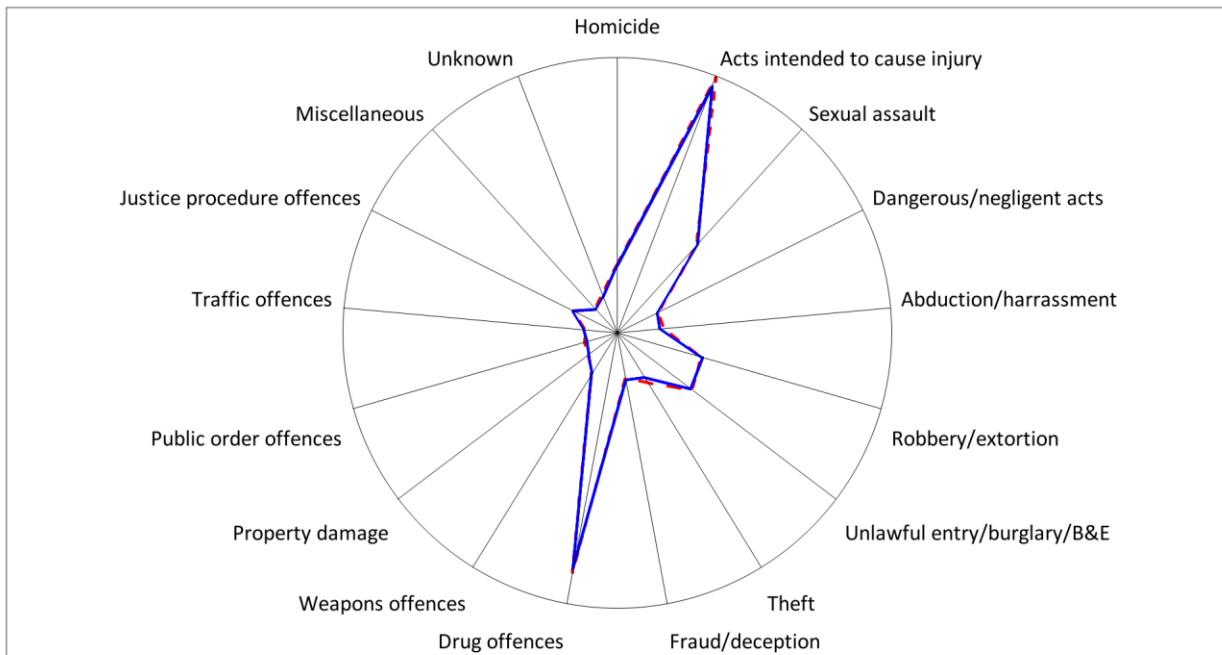
**2.1.7 ADULT CUSTODY PROFILE AT END OF QUARTER**

		Remand		Sentenced		Total	
		MAR17	JUN17	MAR17	JUN17	MAR17	JUN17
Total Male	Count	4048	3916	7891	8175	11939	12091
	Avg Age	34.7	34.9	37.3	37.3	36.4	36.5
Total Female	Count	421	393	595	608	1016	1001
	Avg Age	33.3	33.5	35.7	36.3	34.7	35.2
Indigenous Male	Count	939	910	1904	1926	2843	2836
	Avg Age	31.9	32.4	33.2	33.1	32.8	32.8
Indigenous Female	Count	149	118	199	195	348	313
	Avg Age	31.6	31.8	32.8	33.9	32.3	33.1
Total	Count	4469	4309	8486	8783	12955	13092
	Avg Age	34.6	34.8	37.2	37.3	36.3	36.4

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



### 2.1.9 ADULT REMAND POPULATION BY MOST SERIOUS OFFENCE

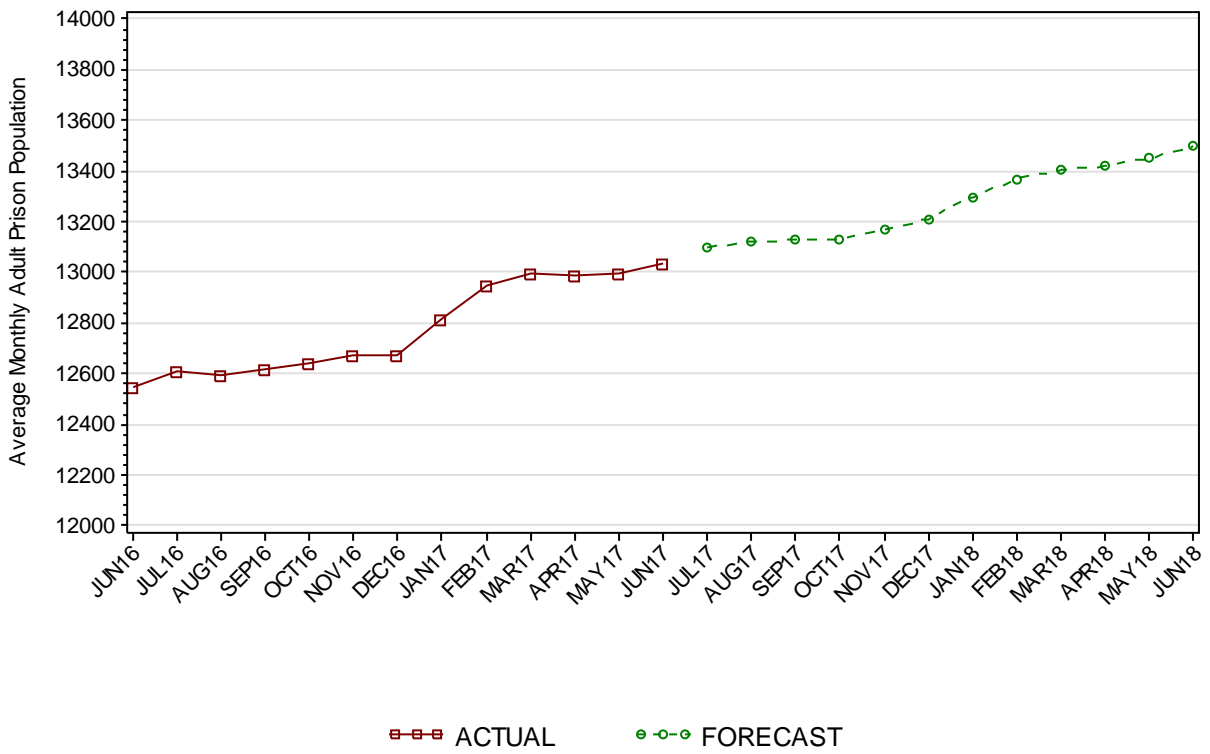


As At: — 31MAR17 — 30JUN17

	31MAR17		30JUN17	
	Number	% of Total	Number	% of Total
Homicide	205	4.6	197	4.6
Acts intended to cause injury	1247	27.9	1194	27.7
Sexual assault	455	10.2	466	10.8
Dangerous/negligent acts	93	2.1	86	2.0
Abduction/harrassment	98	2.2	78	1.8
Robbery/extortion	301	6.7	310	7.2
Unlawful entry/burglary/B&E	337	7.5	327	7.6
Theft	154	3.4	121	2.8
Fraud/deception	90	2.0	98	2.3
Drug offences	1091	24.4	1068	24.8
Weapons offences	108	2.4	98	2.3
Property damage	38	0.9	39	0.9
Public order offences	31	0.7	17	0.4
Traffic offences	19	0.4	26	0.6
Justice procedure offences	107	2.4	109	2.5
Miscellaneous	25	0.6	21	0.5
Unknown	70	1.6	54	1.3
<b>Total</b>	<b>4469</b>	<b>100.0</b>	<b>4309</b>	<b>100.0</b>

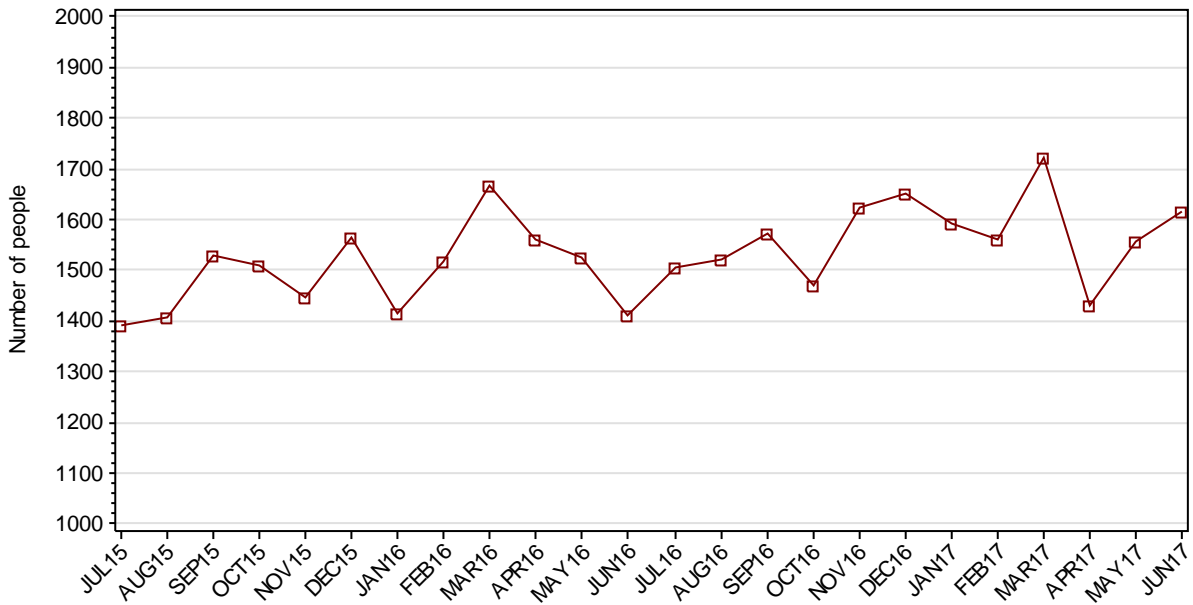


### 2.1.11 PRISON POPULATION FORECAST

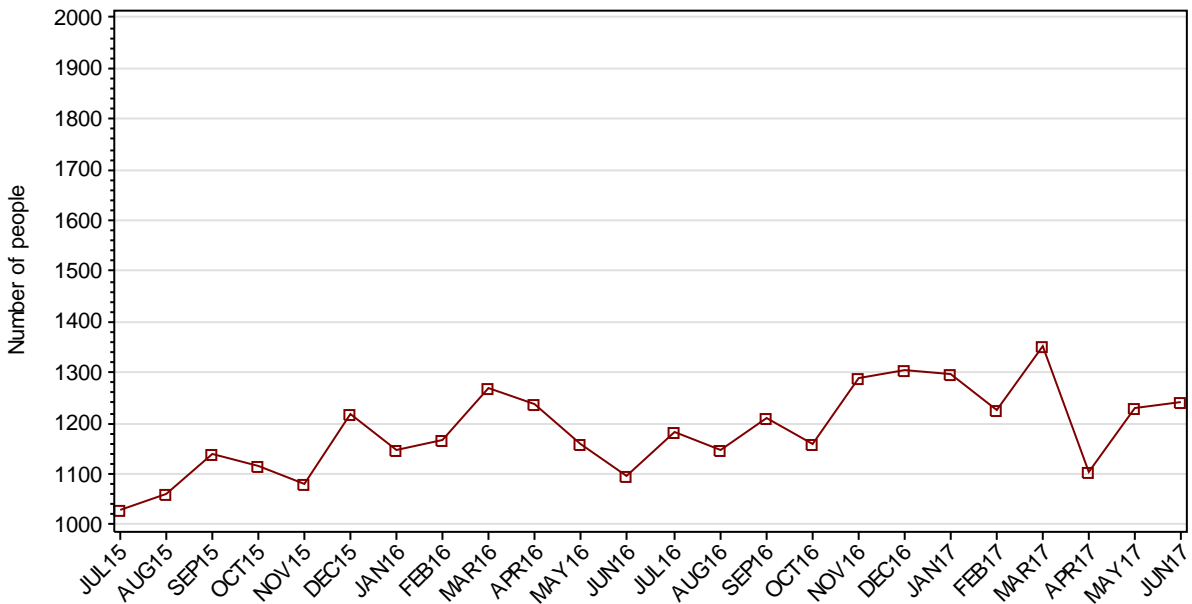


## SECTION 2.2 ADULT CUSTODY RECEPTIONS

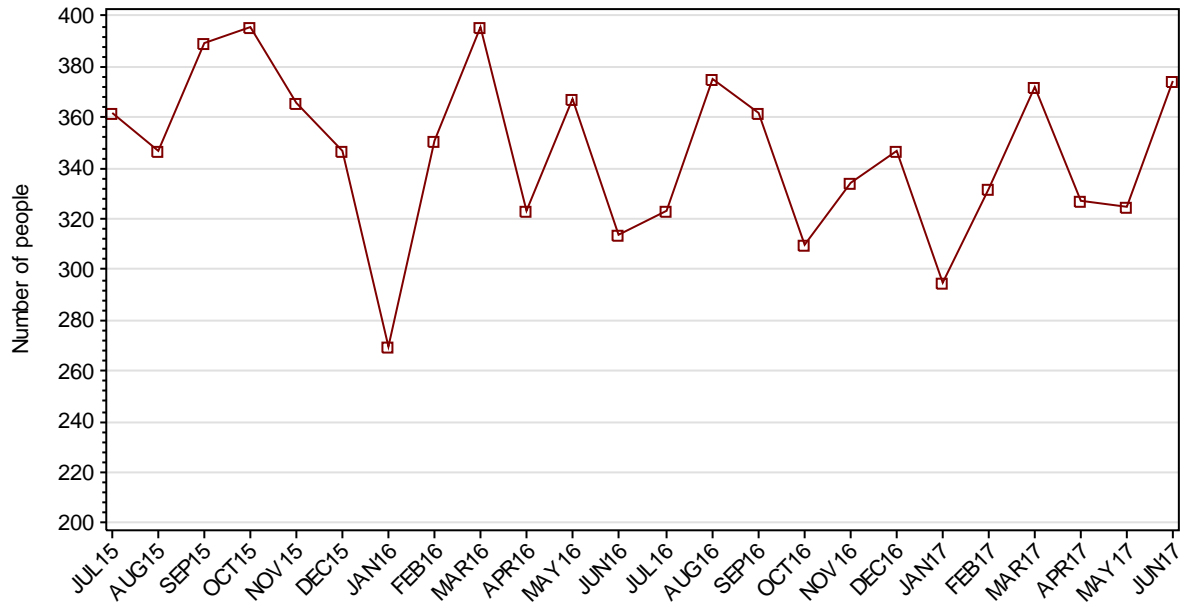
### 2.2.1 ADULTS RECEIVED INTO CUSTODY DURING MONTH



### 2.2.2 ADULT REMAND RECEPTIONS

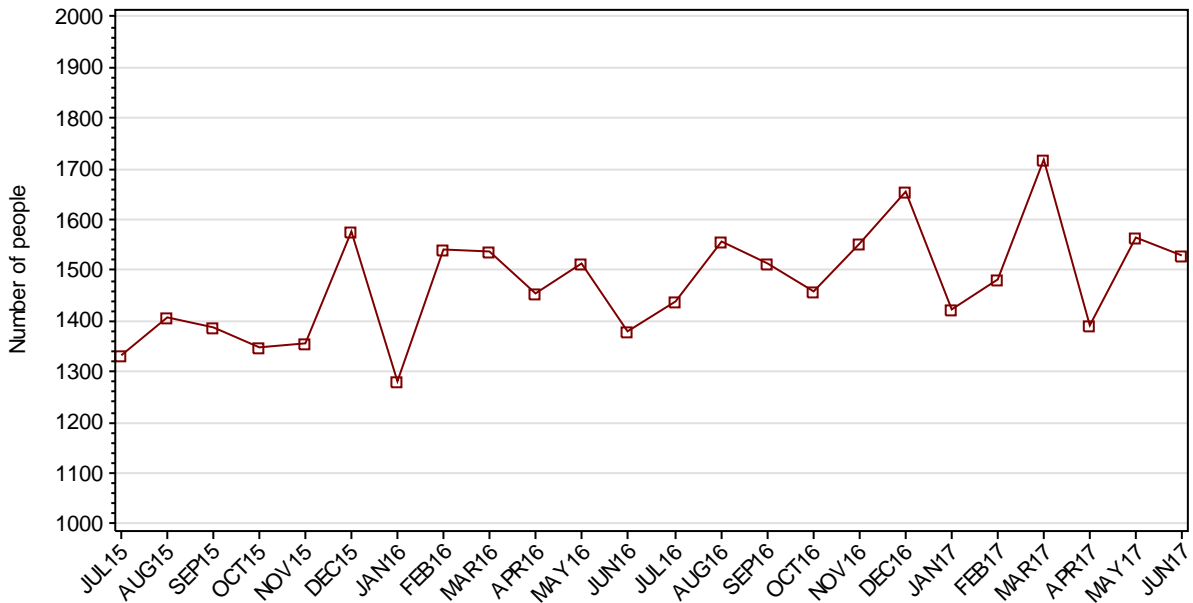


### 2.2.3 ADULT SENTENCED RECEPTIONS



## SECTION 2.3 ADULT CUSTODY DISCHARGES

### 2.3.1 ADULTS DISCHARGED FROM CUSTODY DURING MONTH



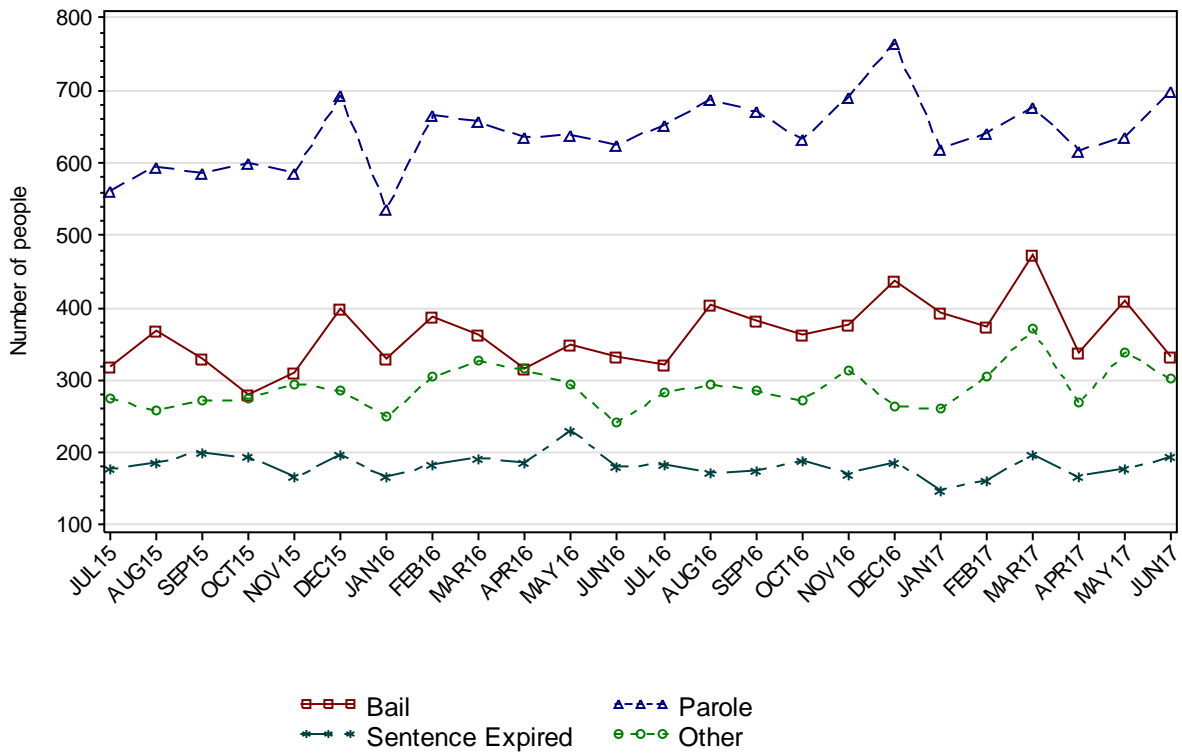
### 2.3.2 AVERAGE LENGTH OF STAY FOR ADULTS DISCHARGED FROM CUSTODY EACH QUARTER

		Remand Custody Only		Sentenced Custody Only		Remand to Sentenced Custody	
		MAR17	JUN17	MAR17	JUN17	MAR17	JUN17
Total Male	Avg Days	49.5	53.2	218.4	216.4	439.3	436.2
	Number	1469	1230	846	878	1631	1694
Total Female	Avg Days	41.7	36.3	159.7	145.3	259.5	244.5
	Number	331	343	138	132	205	207
Indigenous Male	Avg Days	43.5	57.2	214.3	209.3	345.3	349.3
	Number	349	284	247	262	446	478
Indigenous Female	Avg Days	38.4	36.2	166.7	138.1	205.4	194.5
	Number	113	129	66	59	86	98
Total	Avg Days	48.1	49.5	210.1	207.1	419.2	415.4
	Number	1800	1573	984	1010	1836	1901

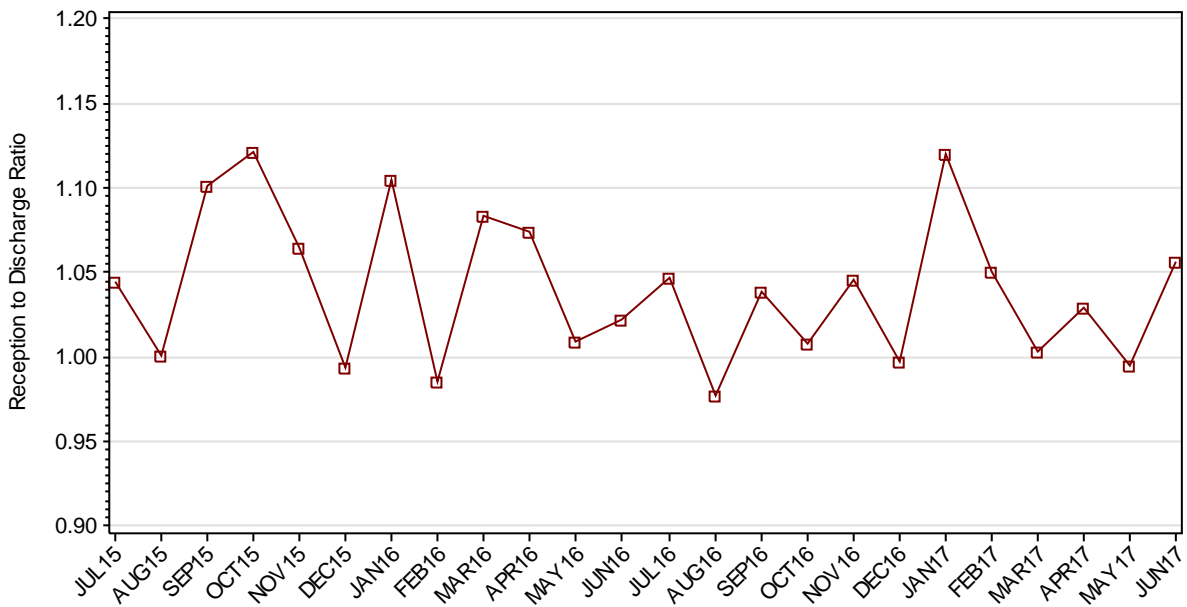
Note: length of Stay for Remand to Sentenced Custody is from the date of reception on remand to date of discharge after serving sentence.



### 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	
JUL15	294	148	4	142	164	128	2	92	1	71	36
AUG15	289	139	4	146	161	127	1	79	4	78	36
SEP15	286	138	5	143	153	133	0	80	2	71	26
OCT15	292	151	1	140	147	144	1	80	0	67	35
NOV15	277	138	5	134	155	122	0	82	5	68	29
DEC15	277	145	6	126	147	129	1	80	3	64	29
JAN16	277	157	2	118	154	122	1	86	1	67	28
FEB16	269	144	3	122	155	114	0	82	1	72	29
MAR16	289	160	6	123	150	139	0	79	2	69	38
APR16	309	177	8	124	163	146	0	88	2	73	31
MAY16	300	161	5	134	171	129	0	89	2	80	51
JUN16	280	145	6	129	153	127	0	71	0	82	34
JUL16	261	130	1	130	146	113	2	64	0	82	35
AUG16	243	112	10	121	128	115	0	53	4	71	30
SEP16	254	126	4	124	126	128	0	56	0	70	27
OCT16	260	132	1	127	128	128	4	57	1	70	32
NOV16	270	133	8	129	141	128	1	63	5	73	30
DEC16	249	137	5	107	137	111	1	72	4	61	24
JAN17	278	154	2	122	155	122	1	83	0	72	30
FEB17	263	152	3	108	147	114	2	79	2	66	25
MAR17	279	160	1	118	145	130	4	75	1	69	40
APR17	299	188	9	102	155	140	4	96	3	56	19
MAY17	277	164	5	108	140	131	6	79	0	61	38
JUN17	290	158	3	129	145	139	6	75	1	69	45

Juvenile	2.Receptions							3.Discharges									Ratio Rec/ Dis
	Tot	Legal Status			Indigenous			Tot	Discharge Type					Indigenous			
		Court Bail Ref.	Police Bail Ref.	Sent	Yes	No	Unk		Bail	Not Proven Non-Cust.	Other	Parole	Sent Exp	Yes	No	Unk	
JUL15	267	117	137	13	127	139	1	278	198	30	5	41	4	131	146	1	0.96
AUG15	227	103	110	14	110	110	7	230	163	26	1	35	5	111	111	8	0.99
SEP15	225	100	108	17	108	114	3	229	158	32	4	29	6	119	106	4	0.98
OCT15	273	118	143	12	125	145	3	268	189	34	3	37	5	131	135	2	1.02
NOV15	242	107	124	11	133	106	3	259	178	38	1	39	3	126	129	4	0.93
DEC15	251	107	131	13	110	136	5	249	172	28	4	44	1	116	129	4	1.01
JAN16	259	127	120	12	129	124	6	257	191	22	6	31	7	121	130	6	1.01
FEB16	254	113	125	16	135	109	10	261	203	24	1	29	4	135	115	11	0.97
MAR16	267	137	120	10	122	139	6	248	171	32	4	41	0	126	116	6	1.08
APR16	266	132	122	12	107	153	6	244	180	28	0	34	2	93	145	6	1.09
MAY16	255	111	135	9	111	139	5	264	190	31	0	39	4	107	152	5	0.97
JUN16	240	99	134	7	104	131	5	262	188	27	1	43	3	121	136	5	0.92
JUL16	228	99	124	5	106	115	7	248	181	30	1	34	2	113	130	5	0.92
AUG16	225	90	131	4	88	132	5	245	176	23	5	34	7	106	132	7	0.92
SEP16	235	99	126	10	93	138	4	224	166	27	4	27	0	95	125	4	1.05
OCT16	238	115	116	7	90	135	13	232	175	24	1	31	1	88	135	9	1.03
NOV16	274	130	132	12	131	133	10	261	195	29	2	34	1	117	131	13	1.05
DEC16	244	119	122	3	117	116	11	269	201	25	2	39	2	123	135	11	0.91
JAN17	278	133	135	10	134	140	4	248	214	13	3	17	1	115	129	4	1.12
FEB17	253	132	115	6	118	122	13	267	206	19	4	36	2	126	129	12	0.95
MAR17	297	155	135	7	136	149	12	282	229	20	1	26	6	139	133	10	1.05
APR17	259	108	144	7	116	133	10	239	181	24	3	30	1	106	123	10	1.08
MAY17	238	102	130	6	98	125	15	261	200	25	4	29	3	114	134	13	0.91
JUN17	235	115	110	10	96	129	10	223	165	29	3	23	3	91	122	10	1.05

Adult	1.In Custody								Remand to Sent
	Total	Legal Status		Indigenous			Indigenous Legal Status		
		Remand	Sent	Yes	No	Unk	Remand	Sent	
<b>JUL15</b>	11781	3633	8148	2861	8893	27	871	1990	584
<b>AUG15</b>	11777	3625	8152	2868	8879	30	870	1998	572
<b>SEP15</b>	11908	3677	8231	2952	8925	31	869	2083	614
<b>OCT15</b>	12081	3751	8330	2998	9050	33	902	2096	613
<b>NOV15</b>	12166	3757	8409	2979	9149	38	865	2114	605
<b>DEC15</b>	12150	3881	8269	2908	9209	33	889	2019	564
<b>JAN16</b>	12297	4085	8212	2951	9303	43	926	2025	513
<b>FEB16</b>	12276	4065	8211	3000	9225	51	934	2066	651
<b>MAR16</b>	12390	4090	8300	3036	9306	48	948	2088	673
<b>APR16</b>	12509	4204	8305	3061	9398	50	967	2094	658
<b>MAY16</b>	12522	4141	8381	3049	9427	46	935	2114	707
<b>JUN16</b>	12550	4170	8380	3043	9459	48	903	2140	600
<b>JUL16</b>	12616	4236	8380	3036	9528	52	925	2111	649
<b>AUG16</b>	12584	4194	8390	3046	9489	49	940	2106	647
<b>SEP16</b>	12641	4177	8464	3035	9556	50	909	2126	689
<b>OCT16</b>	12659	4240	8419	3020	9588	51	942	2078	565
<b>NOV16</b>	12726	4248	8478	3027	9645	54	948	2079	695
<b>DEC16</b>	12729	4388	8341	3061	9606	62	1020	2041	627
<b>JAN17</b>	12901	4614	8287	3111	9721	69	1084	2027	537
<b>FEB17</b>	12978	4591	8387	3175	9716	87	1110	2065	704
<b>MAR17</b>	12955	4469	8486	3191	9677	87	1088	2103	784
<b>APR17</b>	13022	4470	8552	3203	9724	95	1075	2128	651
<b>MAY17</b>	13018	4348	8670	3168	9745	105	1024	2144	794
<b>JUN17</b>	13092	4309	8783	3149	9799	144	1028	2121	778

Adult	2.Receptions						3.Discharges								Ratio Rec/ Dis
	Tot	Legal Status		Indigenous			Tot	Discharge Type				Indigenous			
		Remand	Sent	Yes	No	Unk		Bail	Other	Parole	Sent Exp	Yes	No	Unk	
JUL15	1390	1028	362	386	968	36	1331	318	275	561	177	398	898	35	1.04
AUG15	1408	1061	347	402	981	25	1407	368	257	595	187	397	987	23	1.00
SEP15	1528	1139	389	454	1048	26	1388	331	271	585	201	366	996	26	1.10
OCT15	1511	1115	396	423	1061	27	1348	279	274	601	194	385	938	25	1.12
NOV15	1445	1079	366	393	1026	26	1357	311	295	585	166	411	926	20	1.06
DEC15	1566	1219	347	422	1113	31	1575	398	286	693	198	492	1047	36	0.99
JAN16	1416	1146	270	437	946	33	1282	329	249	538	166	395	865	22	1.10
FEB16	1519	1168	351	448	1022	49	1541	387	305	665	184	400	1101	40	0.99
MAR16	1666	1270	396	481	1134	51	1538	362	326	657	193	439	1047	52	1.08
APR16	1561	1238	323	428	1101	32	1454	317	315	635	187	407	1018	29	1.07
MAY16	1525	1158	367	417	1076	32	1512	349	294	639	230	426	1051	35	1.01
JUN16	1411	1097	314	370	1009	32	1380	333	241	626	180	374	974	32	1.02
JUL16	1507	1184	323	420	1052	35	1440	322	282	652	184	428	981	31	1.05
AUG16	1521	1146	375	458	1034	29	1557	403	294	687	173	451	1073	33	0.98
SEP16	1573	1211	362	436	1111	26	1514	382	286	671	175	450	1040	24	1.04
OCT16	1469	1159	310	424	1006	39	1458	364	272	632	190	439	982	37	1.01
NOV16	1624	1290	334	474	1117	33	1552	376	314	691	171	465	1058	29	1.05
DEC16	1651	1304	347	473	1117	61	1655	437	265	766	187	441	1153	61	1.00
JAN17	1593	1298	295	477	1069	47	1422	394	260	619	149	424	958	40	1.12
FEB17	1559	1227	332	478	1026	55	1484	374	305	642	163	416	1030	38	1.05
MAR17	1724	1352	372	487	1179	58	1718	473	370	678	197	467	1193	58	1.00
APR17	1432	1105	327	404	988	40	1392	339	268	618	167	395	965	32	1.03
MAY17	1555	1230	325	428	1082	45	1563	410	339	636	178	462	1065	36	0.99
JUN17	1616	1242	374	450	1092	74	1529	334	301	700	194	453	1041	35	1.06

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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 2013*, 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 an autoregressive integrated moving average (ARIMA) model. The model is estimated following the Box-Jenkins approach. The forecast is calculated from the average monthly prison population data from January 2011 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.