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# **NEW SOUTH WALES CUSTODY STATISTICS**

QUARTERLY UPDATE  
SEPTEMBER 2013

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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 Information 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 Corporate Research, Evaluation and Statistics (CRES) section of CSNSW. The Bureau 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.

For this edition of the report the Adult Population by Most Serious Offence charts and tables are not presented due to a data quality issue. They will be reinstated when the data quality issue is corrected.

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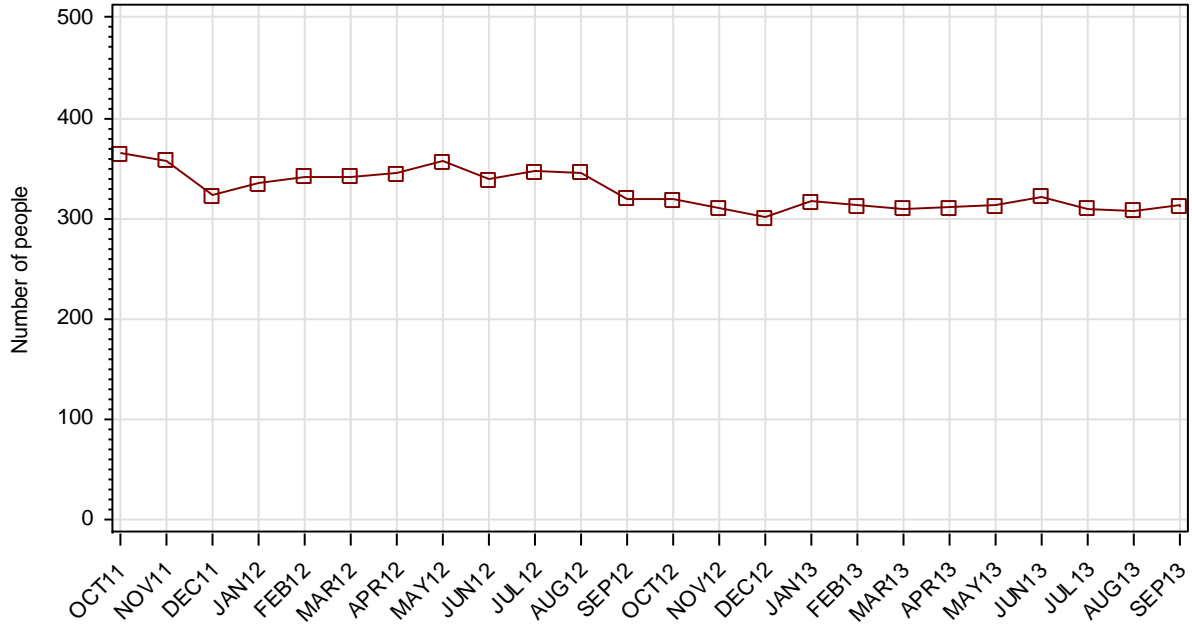
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# **Part 1 JUVENILES**

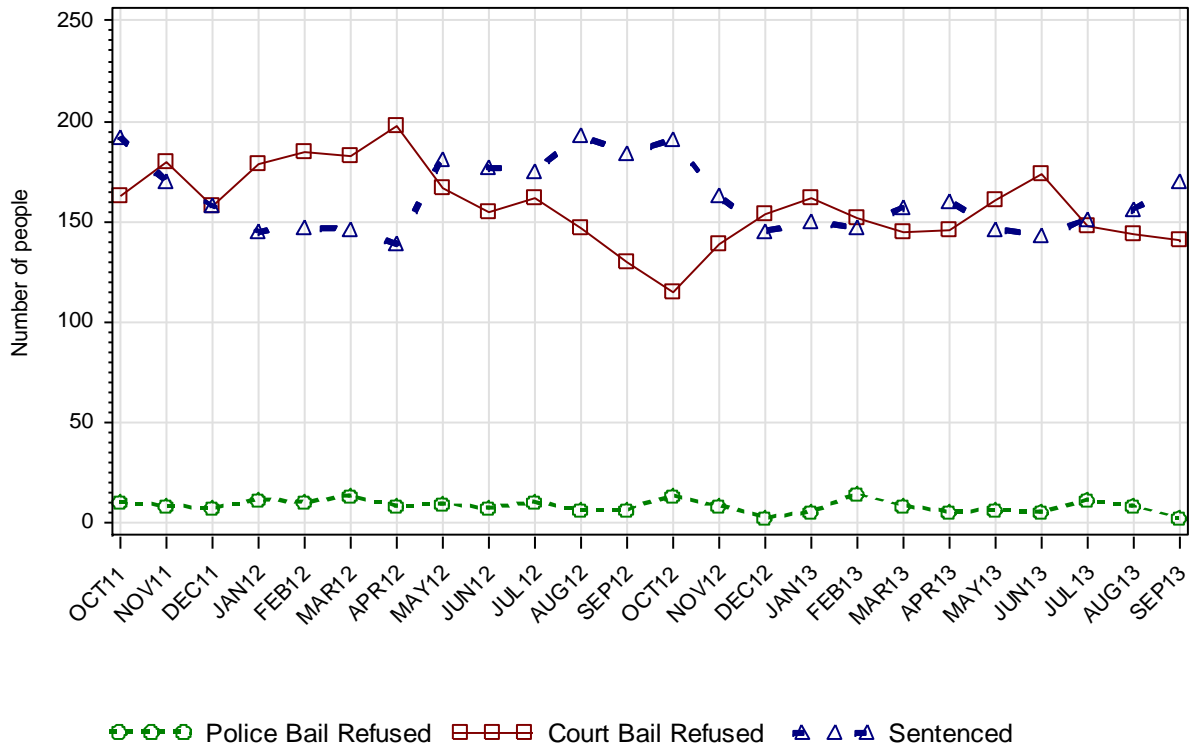
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## SECTION 1.1 JUVENILE CUSTODY POPULATION

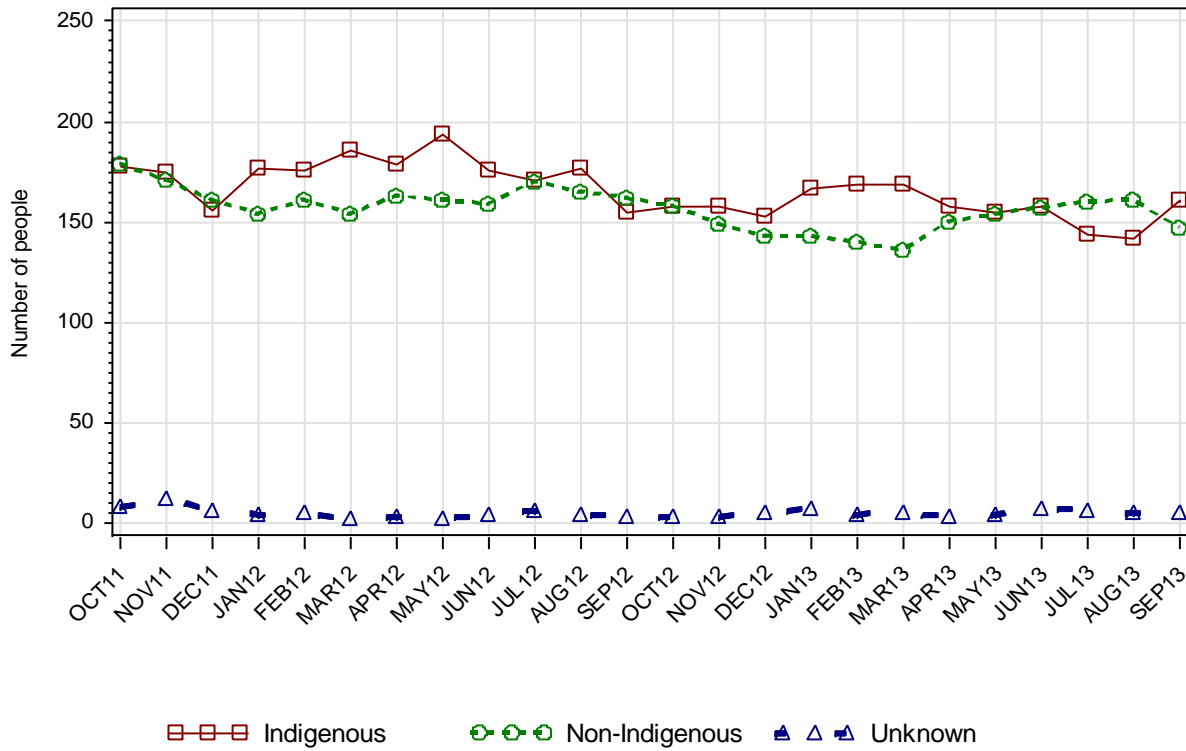
### 1.1.1 JUVENILE CUSTODY POPULATION AT END OF MONTH



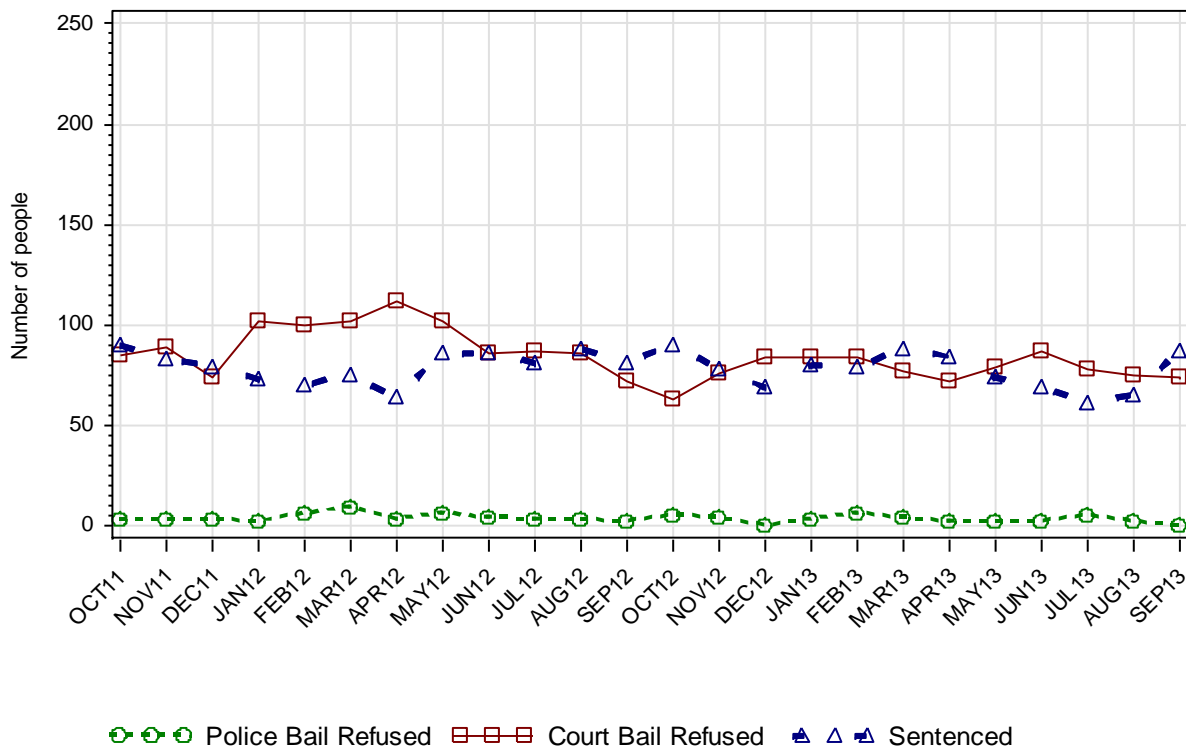
### 1.1.2 JUVENILE CUSTODY POPULATION BY LEGAL STATUS



### 1.1.3 JUVENILE CUSTODY POPULATION BY INDIGENOUS STATUS



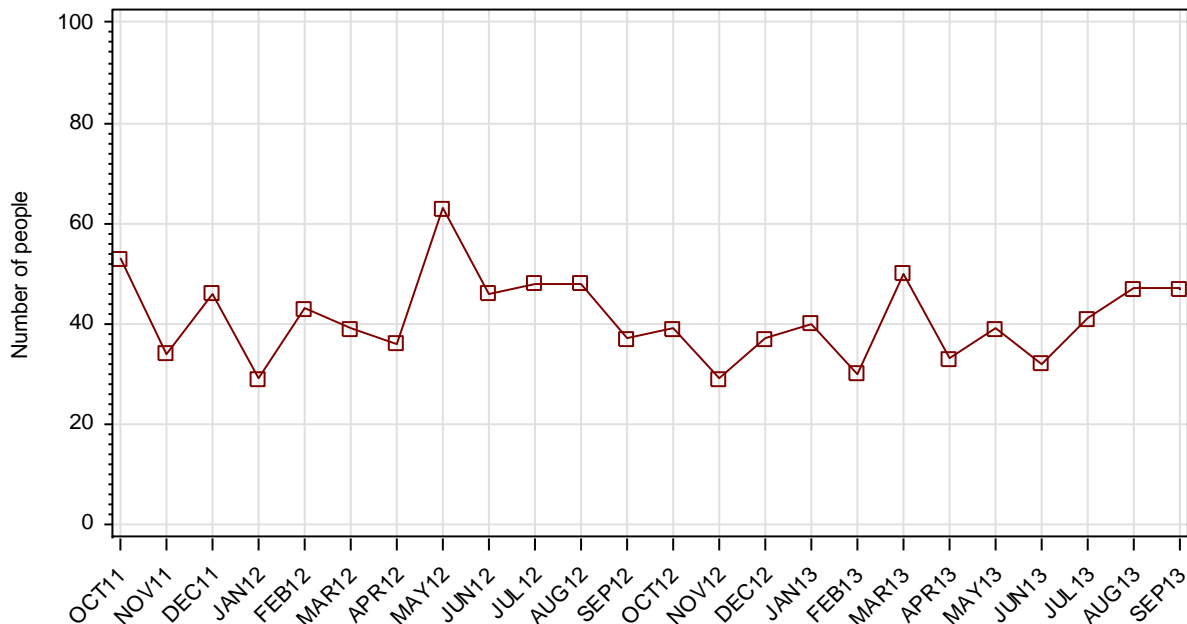
### 1.1.4 INDIGENOUS JUVENILE CUSTODY POPULATION BY LEGAL STATUS



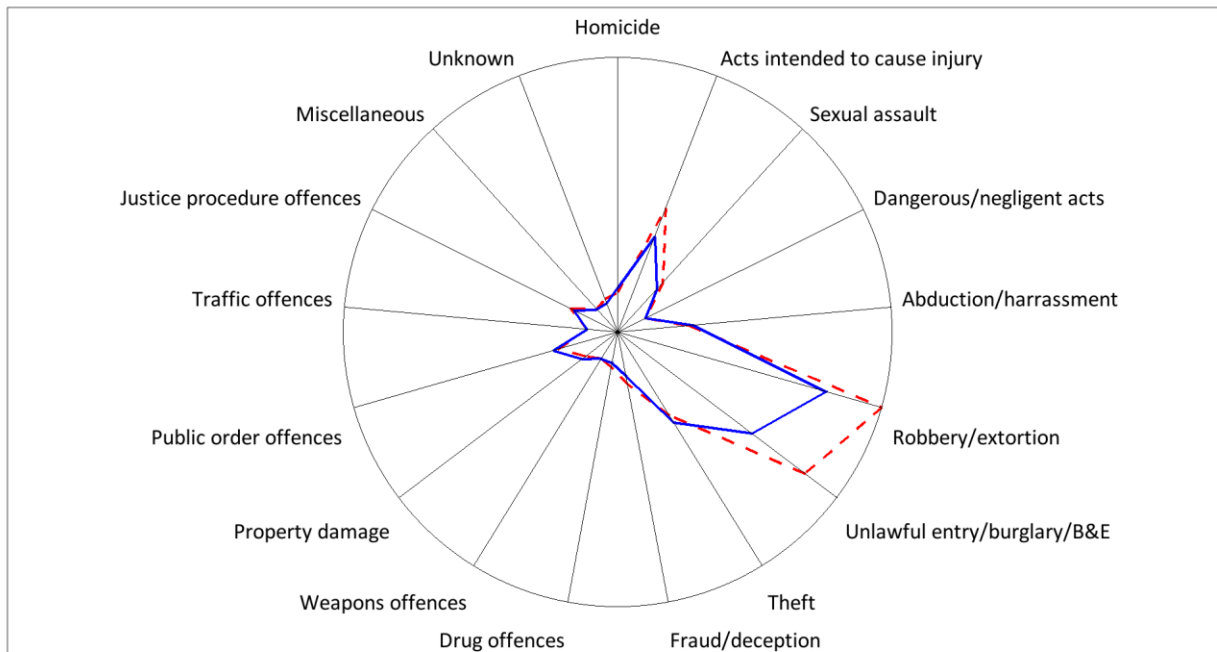
1.1.5 JUVENILE CUSTODY PROFILE AT END OF QUARTER

		Police Bail Refused		Court Bail Refused		Sentenced		Total	
		JUN13	SEP13	JUN13	SEP13	JUN13	SEP13	JUN13	SEP13
<b>Total Male</b>	<b>Count</b>	2	2	161	129	130	157	293	288
	<b>Avg Age</b>	15.5	16.5	16.1	16.0	17.0	16.9	16.5	16.5
<b>Total Female</b>	<b>Count</b>	3	--	13	12	13	13	29	25
	<b>Avg Age</b>	14.7	--	15.5	15.7	17.2	17.3	16.2	16.5
<b>Indigenous Male</b>	<b>Count</b>	1	--	83	66	64	82	148	148
	<b>Avg Age</b>	15.0	--	15.9	15.8	16.6	16.7	16.2	16.3
<b>Indigenous Female</b>	<b>Count</b>	1	--	4	8	5	5	10	13
	<b>Avg Age</b>	16.0	--	15.3	16.0	16.2	16.8	15.8	16.3
<b>Total</b>	<b>Count</b>	5	2	174	141	143	170	322	313
	<b>Avg Age</b>	15.0	16.5	16.0	16.0	17.0	16.9	16.5	16.5

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**

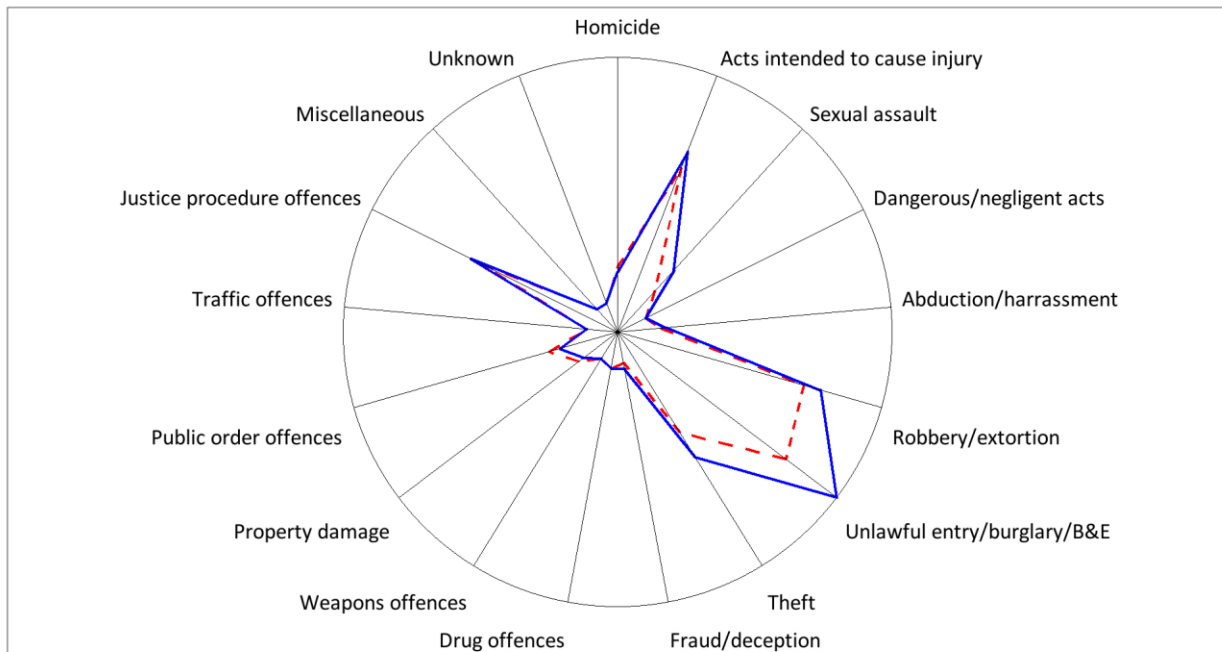


As At: -- 30JUN13 — 30SEP13

	30JUN13		30SEP13	
	Number	% of Total	Number	% of Total
Homicide	2	1.1	3	2.1
Acts intended to cause injury	23	12.8	16	11.2
Sexual assault	8	4.5	6	4.2
Dangerous/negligent acts	0	0.0	0	0.0
Abduction/harrassment	9	5.0	10	7.0
Robbery/extortion	55	30.7	42	29.4
Unlawful entry/burglary/B&E	46	25.7	31	21.7
Theft	15	8.4	17	11.9
Fraud/deception	5	2.8	3	2.1
Drug offences	1	0.6	0	0.0
Weapons offences	0	0.0	0	0.0
Property damage	2	1.1	3	2.1
Public order offences	7	3.9	8	5.6
Traffic offences	0	0.0	0	0.0
Justice procedure offences	5	2.8	4	2.8
Miscellaneous	0	0.0	0	0.0
Unknown	1	0.6	0	0.0



### 1.1.8 JUVENILE SENTENCED POPULATION BY MOST SERIOUS OFFENCE

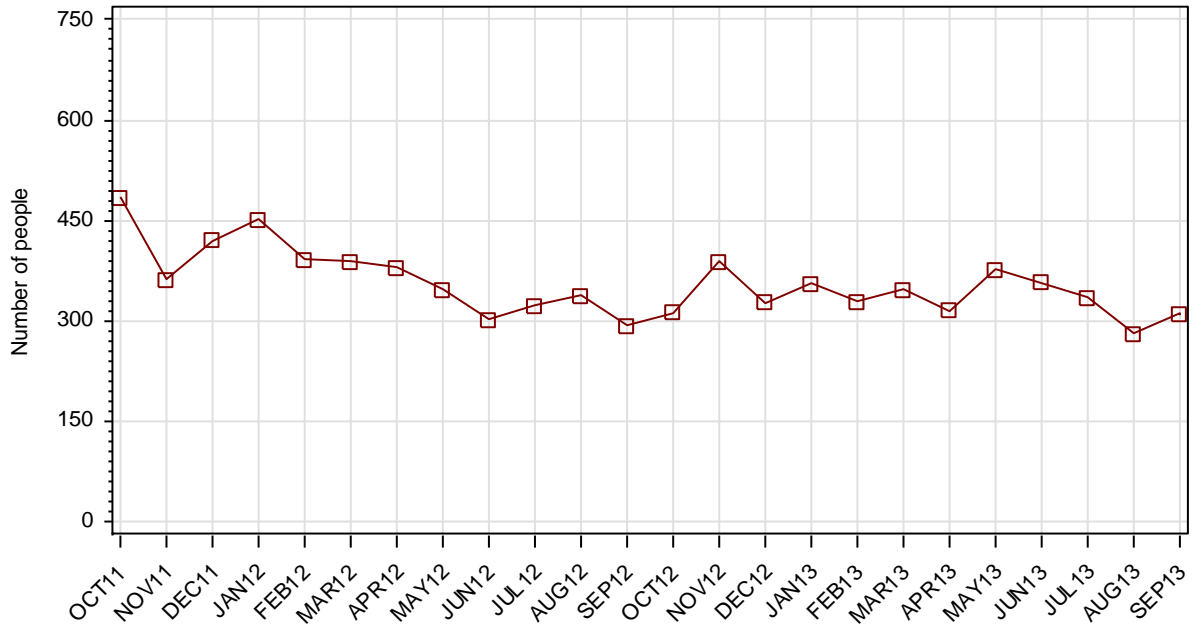


As At:     - - 30JUN13                                 — 30SEP13

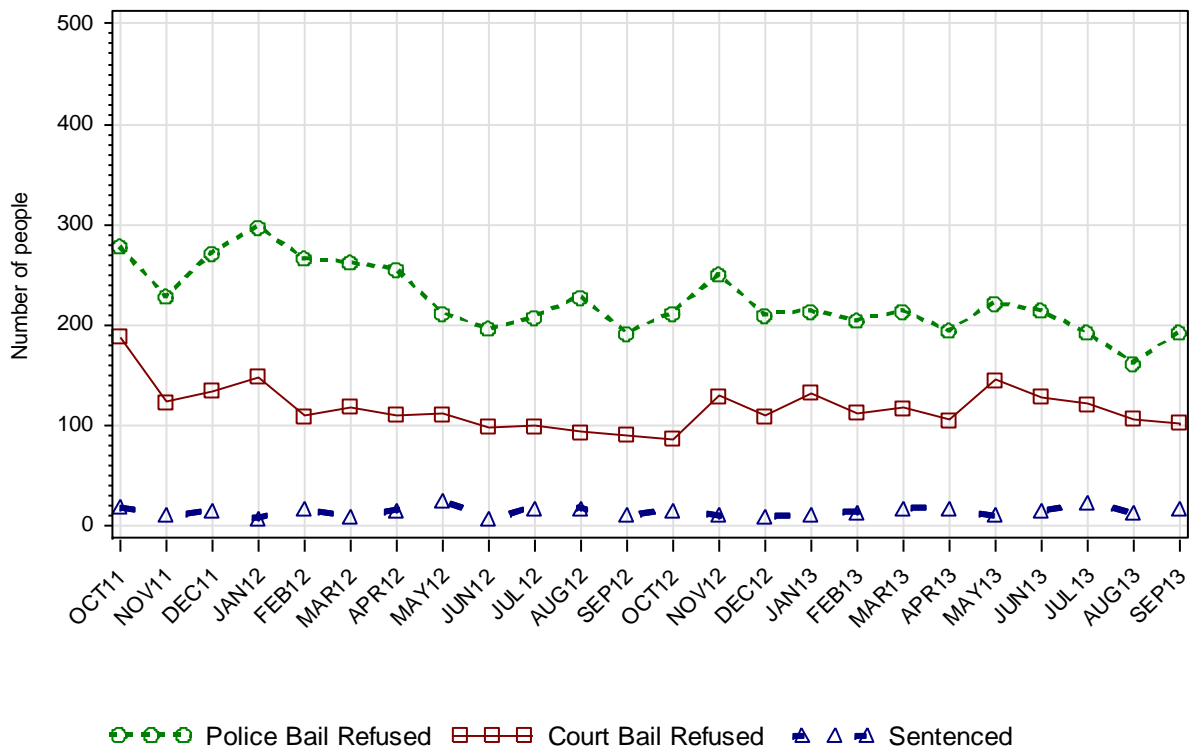
	30JUN13		30SEP13	
	Number	% of Total	Number	% of Total
<b>Homicide</b>	6	4.2	5	2.9
<b>Acts intended to cause injury</b>	25	17.5	28	16.5
<b>Sexual assault</b>	4	2.8	9	5.3
<b>Dangerous/negligent acts</b>	0	0.0	0	0.0
<b>Abduction/harrassment</b>	2	1.4	3	1.8
<b>Robbery/extortion</b>	28	19.6	31	18.2
<b>Unlawful entry/burglary/B&amp;E</b>	31	21.7	42	24.7
<b>Theft</b>	15	10.5	20	11.8
<b>Fraud/deception</b>	0	0.0	1	0.6
<b>Drug offences</b>	1	0.7	1	0.6
<b>Weapons offences</b>	0	0.0	0	0.0
<b>Property damage</b>	3	2.1	2	1.2
<b>Public order offences</b>	7	4.9	5	2.9
<b>Traffic offences</b>	0	0.0	0	0.0
<b>Justice procedure offences</b>	21	14.7	23	13.5
<b>Miscellaneous</b>	0	0.0	0	0.0
<b>Unknown</b>	0	0.0	0	0.0

## SECTION 1.2 JUVENILE CUSTODY RECEPTIONS

### 1.2.1 JUVENILES RECEIVED INTO CUSTODY DURING MONTH

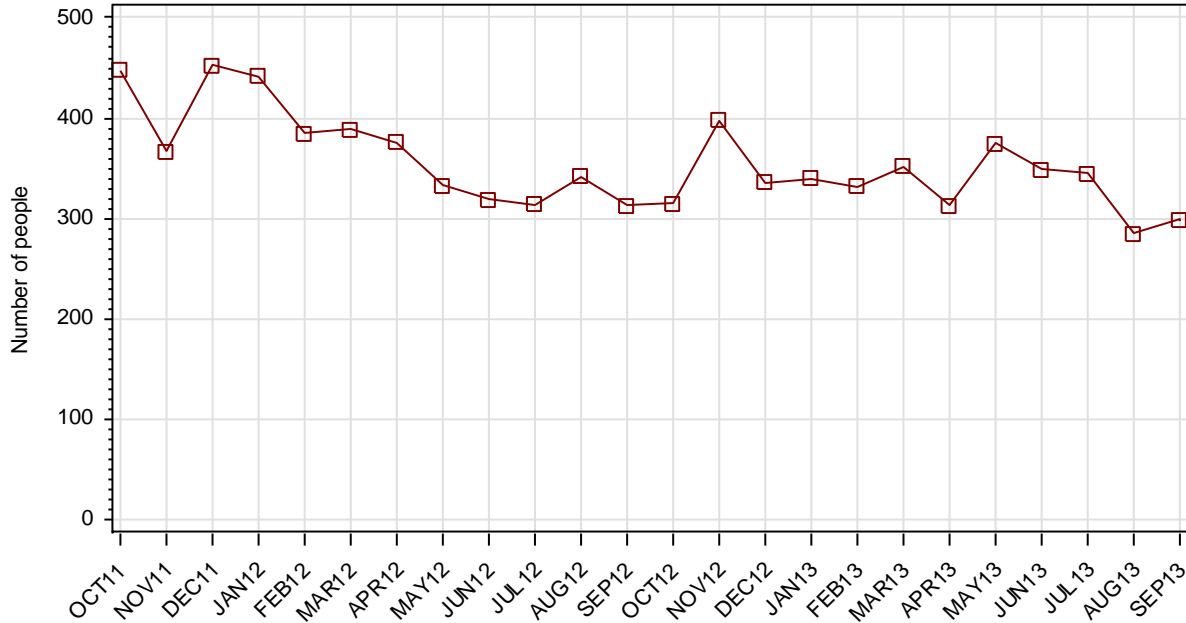


### 1.2.2 JUVENILES RECEIVED INTO CUSTODY BY LEGAL STATUS



## SECTION 1.3 JUVENILE CUSTODY DISCHARGES

### 1.3.1 JUVENILES DISCHARGED FROM CUSTODY DURING MONTH

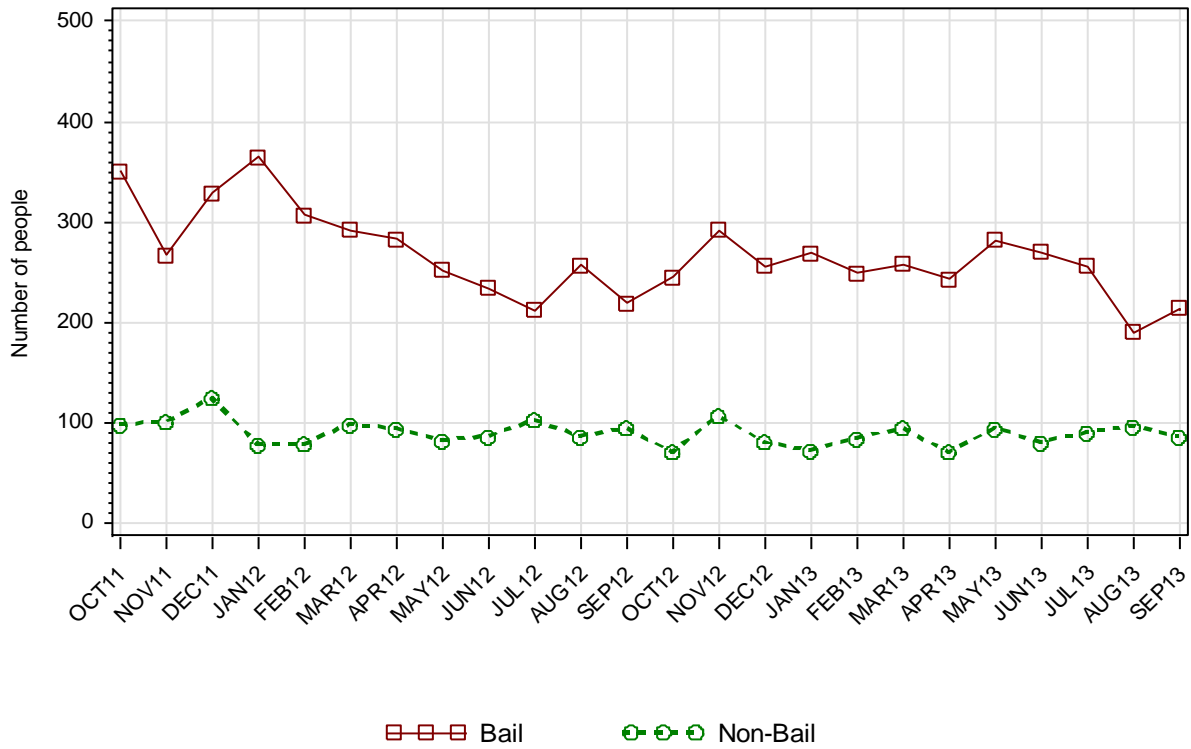


### 1.3.2 AVERAGE LENGTH OF STAY FOR JUVENILES DISCHARGED FROM CUSTODY EACH QUARTER

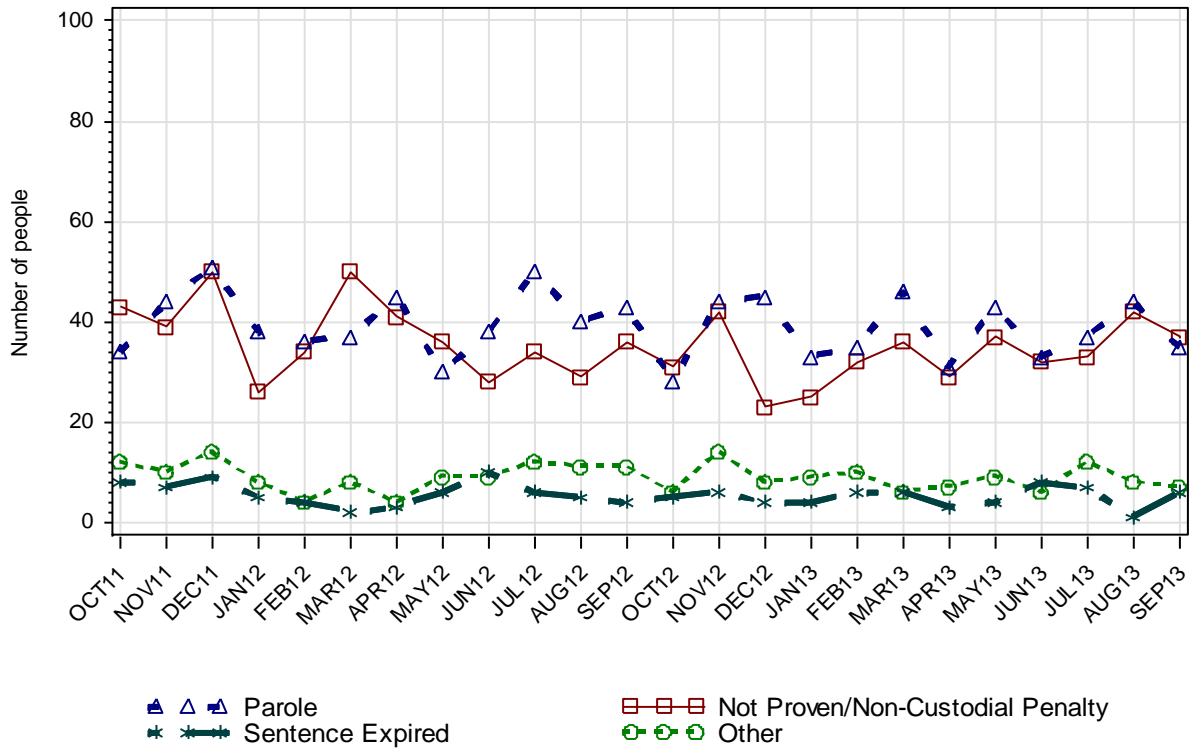
		Remand Custody Only		Sentenced Custody Only		Remand to Sentenced Custody	
		JUN13	SEP13	JUN13	SEP13	JUN13	SEP13
<b>Total Male</b>	<b>Avg Days</b>	8.0	10.4	89.5	81.5	157.5	160.9
	<b>Number</b>	678	596	35	32	105	101
<b>Total Female</b>	<b>Avg Days</b>	2.7	6.2	61.7	86.6	81.2	95.5
	<b>Number</b>	201	180	7	7	11	13
<b>Indigenous Male</b>	<b>Avg Days</b>	11.4	10.9	106.7	85.5	135.8	151.1
	<b>Number</b>	280	229	21	17	54	62
<b>Indigenous Female</b>	<b>Avg Days</b>	4.7	7.7	20.5	88.0	104.0	184.0
	<b>Number</b>	67	64	2	3	4	3
<b>Total</b>	<b>Avg Days</b>	6.8	9.4	84.9	82.4	150.3	153.4
	<b>Number</b>	879	776	42	39	116	114

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

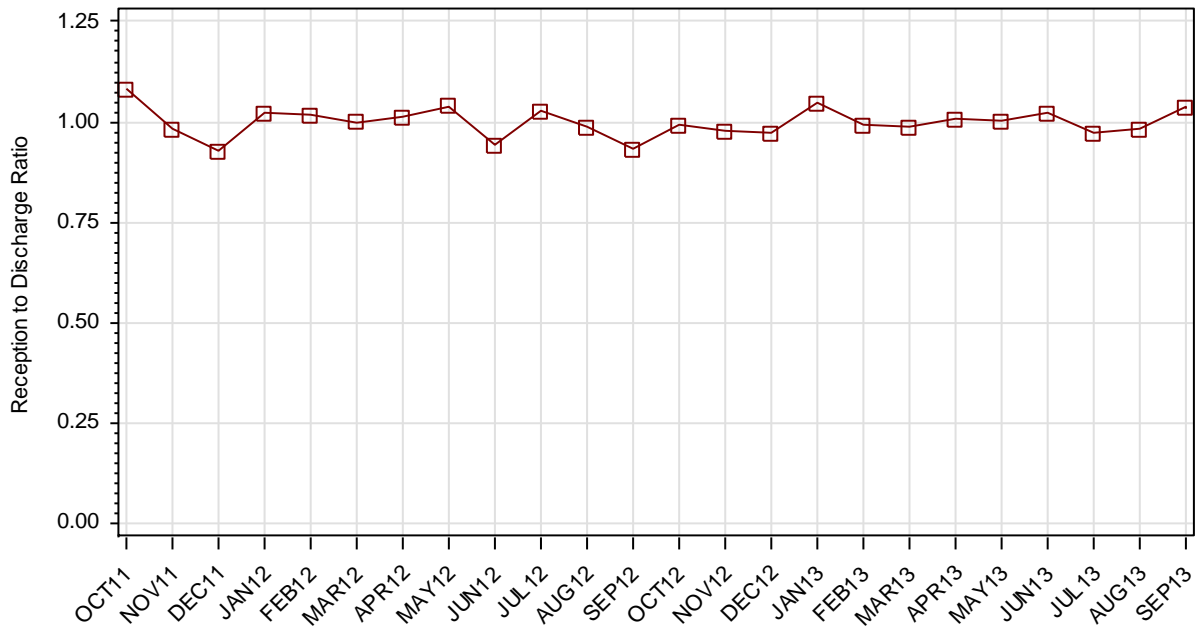
### 1.3.3 JUVENILES BY DISCHARGE TYPE



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



### 1.3.5 RATIO OF JUVENILE RECEPTIONS TO DISCHARGES



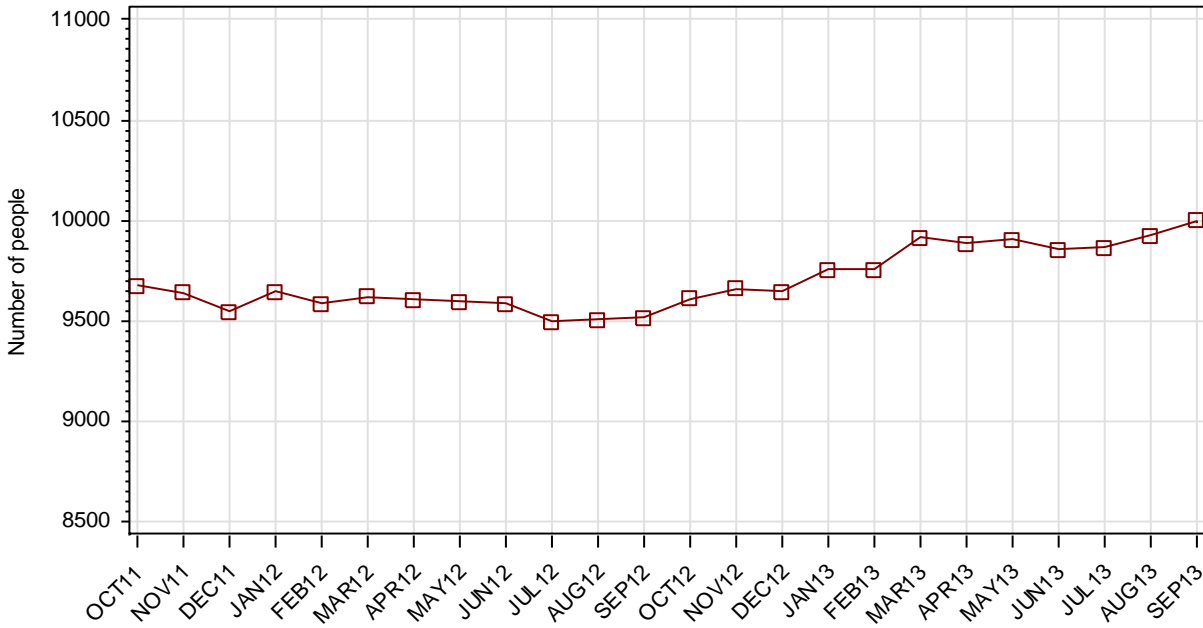
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## **Part 2 ADULTS**

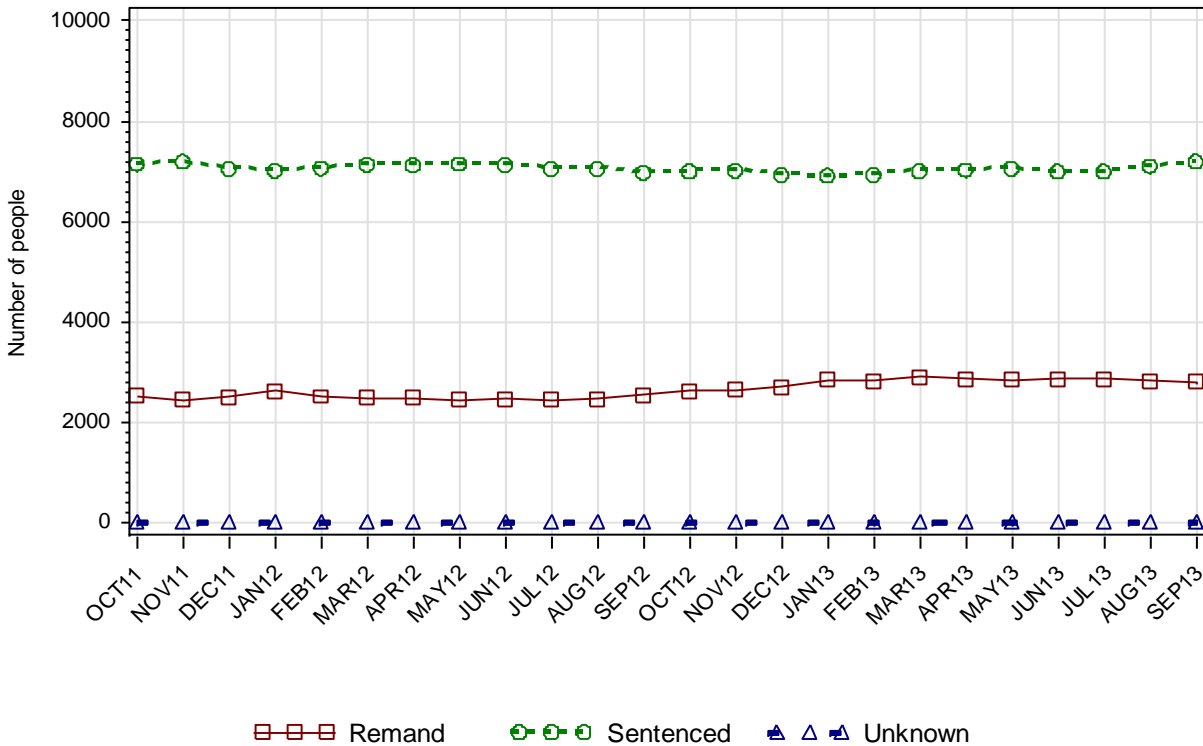
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## SECTION 2.1 ADULT CUSTODY POPULATION

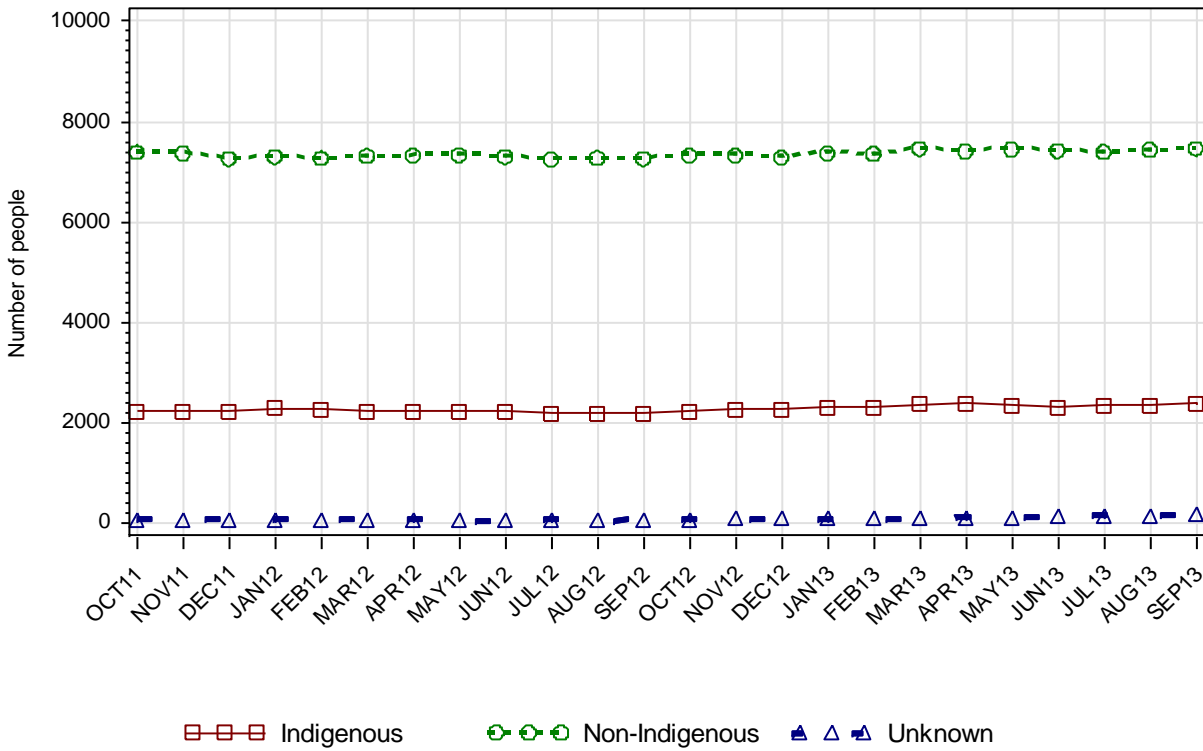
### 2.1.1 ADULT CUSTODY POPULATION AT END OF MONTH



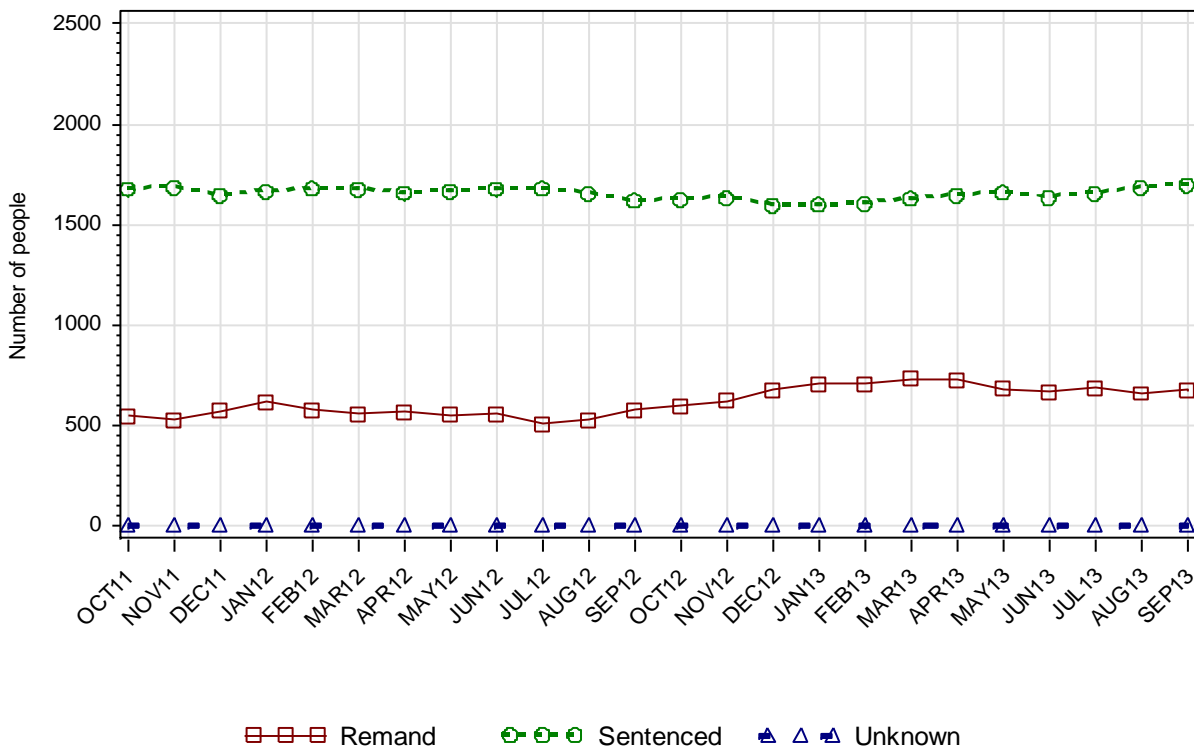
### 2.1.2 ADULT CUSTODY POPULATION BY LEGAL STATUS



### 2.1.3 ADULT CUSTODY POPULATION BY INDIGENOUS STATUS



### 2.1.4 INDIGENOUS ADULT CUSTODY POPULATION BY LEGAL STATUS

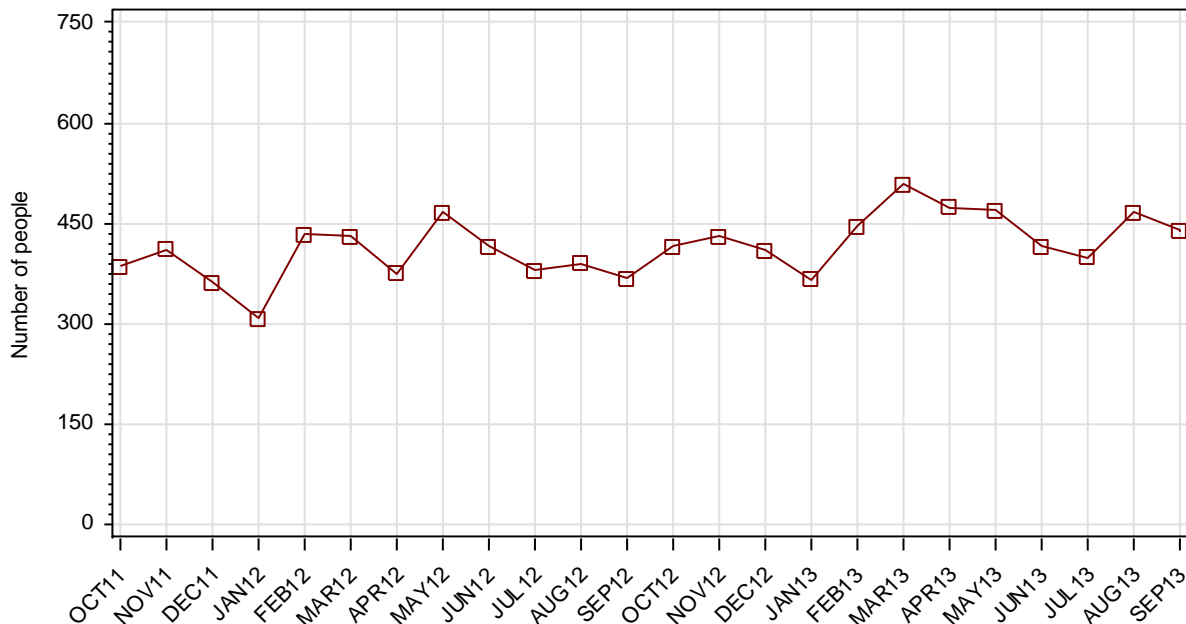




2.1.5 ADULT CUSTODY PROFILE AT END OF QUARTER

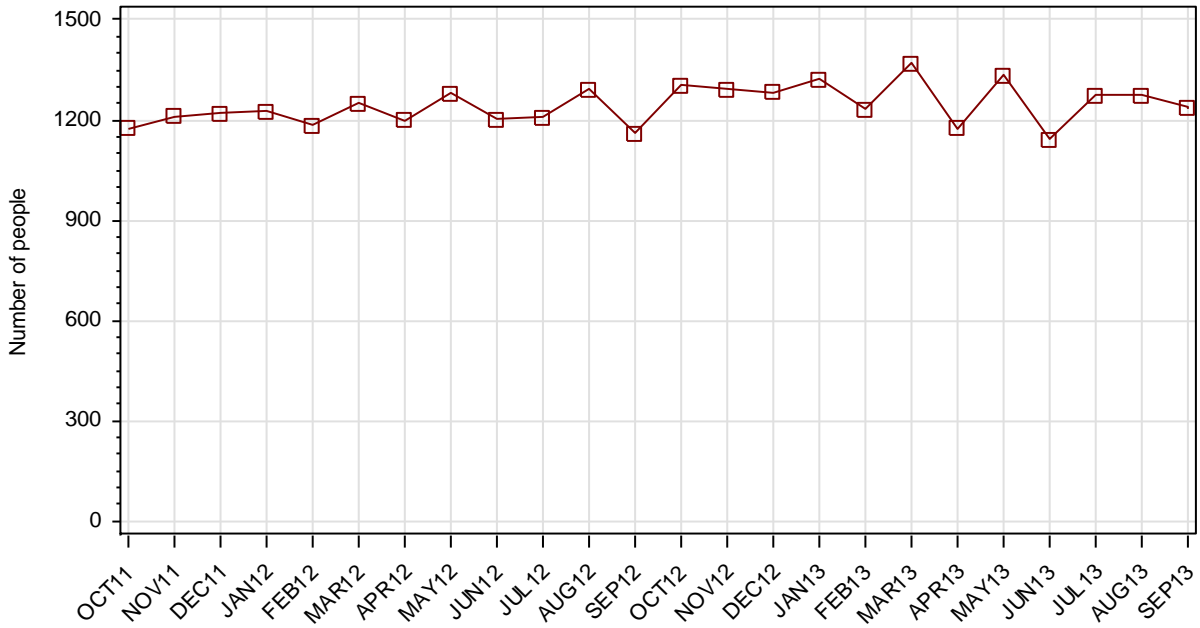
		Remand		Sentenced		Total	
		JUN13	SEP13	JUN13	SEP13	JUN13	SEP13
<b>Total Male</b>	<b>Count</b>	2632	2559	6548	6748	9180	9307
	<b>Avg Age</b>	33.3	33.5	36.3	36.3	35.4	35.5
<b>Total Female</b>	<b>Count</b>	224	246	448	447	672	693
	<b>Avg Age</b>	34.2	33.6	37.6	36.8	36.5	35.7
<b>Indigenous Male</b>	<b>Count</b>	589	575	1514	1574	2103	2149
	<b>Avg Age</b>	29.9	29.5	31.9	32.1	31.3	31.4
<b>Indigenous Female</b>	<b>Count</b>	76	97	119	123	195	220
	<b>Avg Age</b>	33.4	32.6	33.3	32.9	33.3	32.8
<b>Total</b>	<b>Count</b>	2856	2805	6996	7195	9852	10000
	<b>Avg Age</b>	33.4	33.5	36.4	36.3	35.5	35.5

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

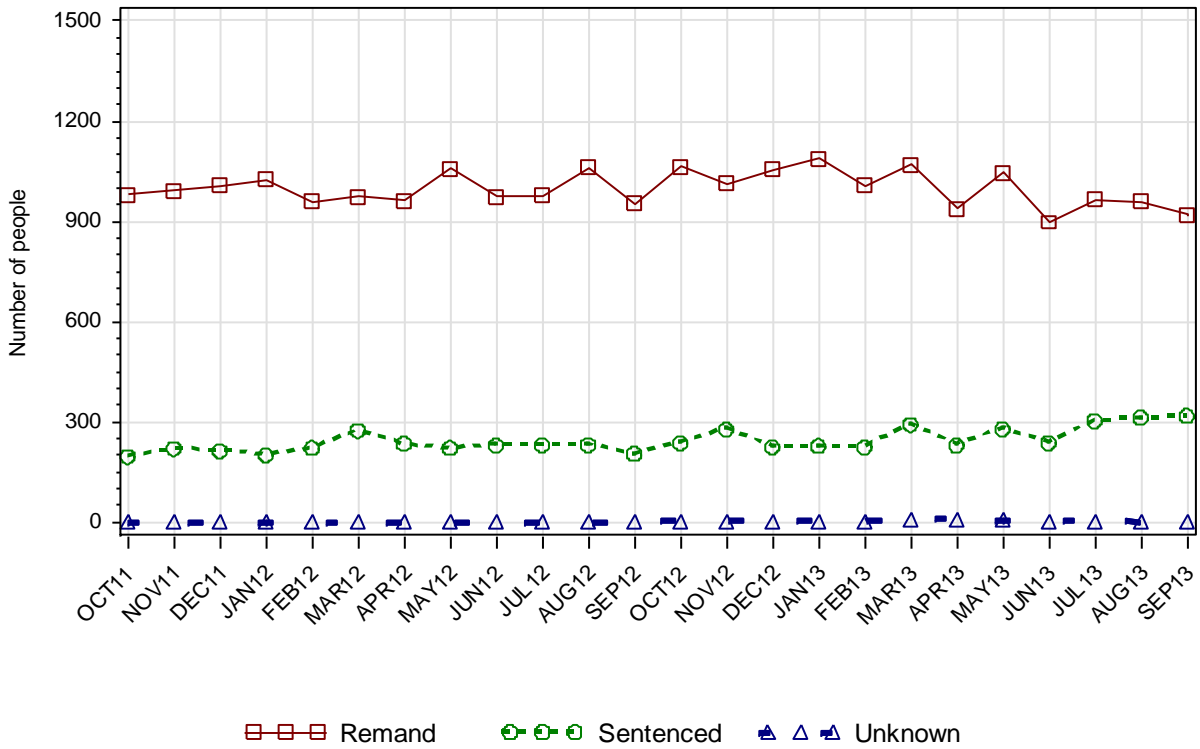


## SECTION 2.2 ADULT CUSTODY RECEPTIONS

### 2.2.1 ADULTS RECEIVED INTO CUSTODY DURING MONTH

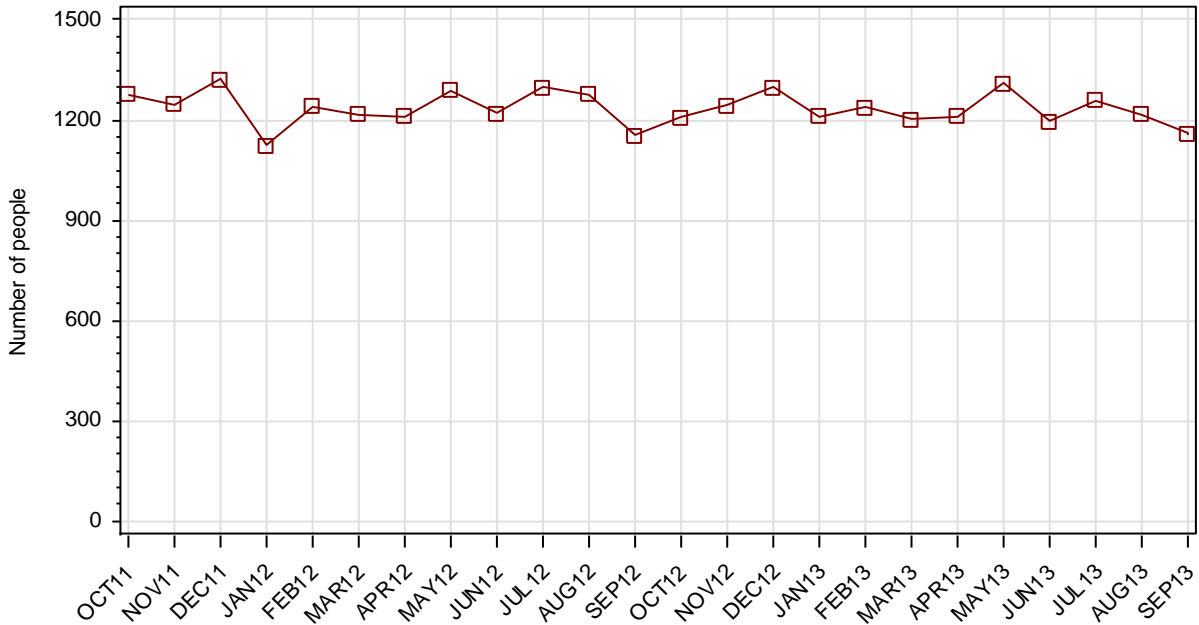


### 2.2.2 ADULTS RECEIVED INTO CUSTODY BY LEGAL STATUS



## SECTION 2.3 ADULT CUSTODY DISCHARGES

### 2.3.1 ADULTS DISCHARGED FROM CUSTODY DURING MONTH

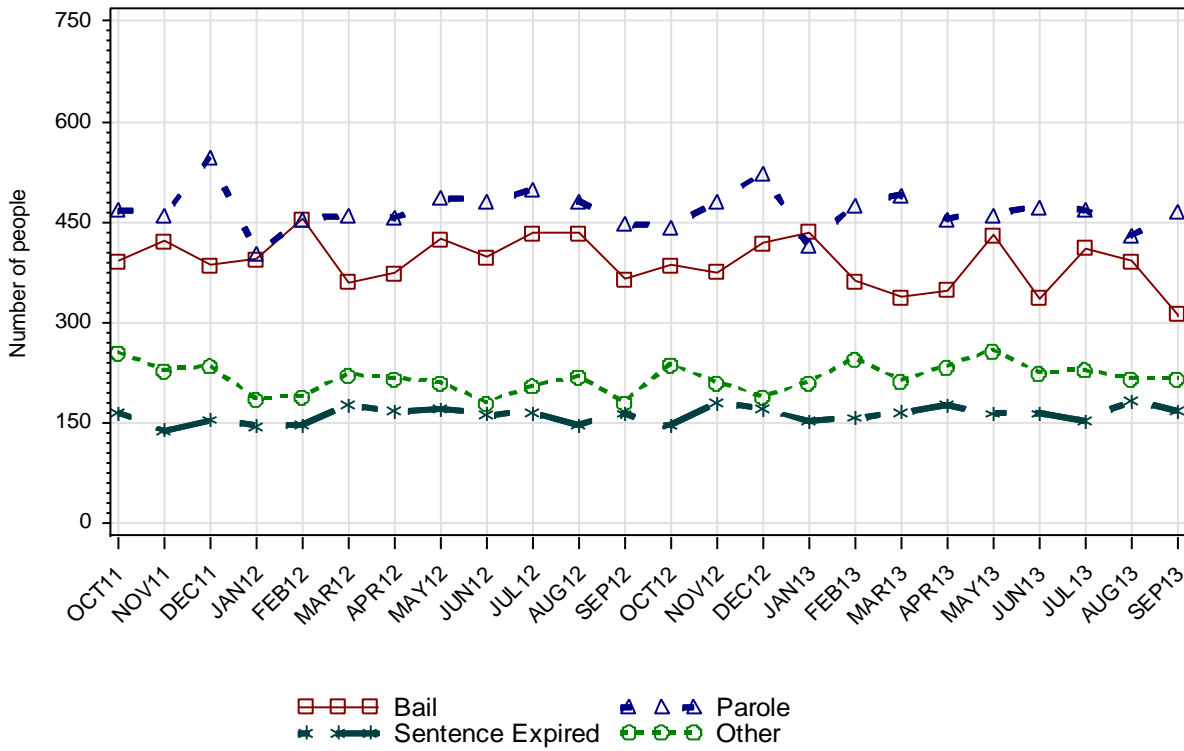


### 2.3.2 AVERAGE LENGTH OF STAY FOR ADULTS DISCHARGED FROM CUSTODY EACH QUARTER

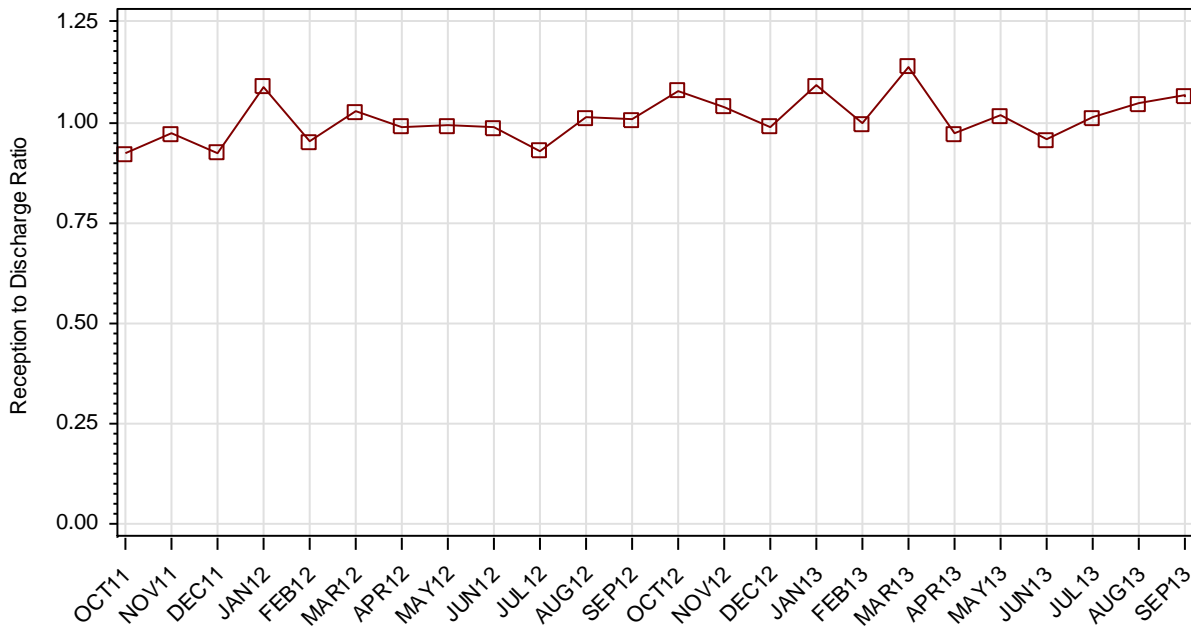
		Remand Custody Only		Sentenced Custody Only		Remand to Sentenced Custody	
		JUN13	SEP13	JUN13	SEP13	JUN13	SEP13
<b>Total Male</b>	<b>Avg Days</b>	44.4	42.4	205.2	223.0	478.8	449.3
	<b>Number</b>	1267	1234	688	708	1295	1210
<b>Total Female</b>	<b>Avg Days</b>	35.1	29.2	149.6	151.7	263.7	392.5
	<b>Number</b>	246	244	89	92	131	149
<b>Indigenous Male</b>	<b>Avg Days</b>	46.5	40.5	171.7	202.9	367.6	297.1
	<b>Number</b>	339	319	170	208	419	358
<b>Indigenous Female</b>	<b>Avg Days</b>	32.8	33.0	102.1	109.2	171.2	376.7
	<b>Number</b>	97	87	37	25	42	65
<b>Total</b>	<b>Avg Days</b>	42.9	40.2	198.8	214.8	459.1	443.1
	<b>Number</b>	1513	1478	777	800	1426	1359

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	
OCT11	365	163	10	192	178	179	8	85	3	90	53
NOV11	358	180	8	170	175	171	12	89	3	83	34
DEC11	323	158	7	158	156	161	6	74	3	79	46
JAN12	335	179	11	145	177	154	4	102	2	73	29
FEB12	342	185	10	147	176	161	5	100	6	70	43
MAR12	342	183	13	146	186	154	2	102	9	75	39
APR12	345	198	8	139	179	163	3	112	3	64	36
MAY12	357	167	9	181	194	161	2	102	6	86	63
JUN12	339	155	7	177	176	159	4	86	4	86	46
JUL12	347	162	10	175	171	170	6	87	3	81	48
AUG12	346	147	6	193	177	165	4	86	3	88	48
SEP12	320	130	6	184	155	162	3	72	2	81	37
OCT12	319	115	13	191	158	158	3	63	5	90	39
NOV12	310	139	8	163	158	149	3	76	4	78	29
DEC12	301	154	2	145	153	143	5	84	0	69	37
JAN13	317	162	5	150	167	143	7	84	3	80	40
FEB13	313	152	14	147	169	140	4	84	6	79	30
MAR13	310	145	8	157	169	136	5	77	4	88	50
APR13	311	146	5	160	158	150	3	72	2	84	33
MAY13	313	161	6	146	155	154	4	79	2	74	39
JUN13	322	174	5	143	158	157	7	87	2	69	32
JUL13	310	148	11	151	144	160	6	78	5	61	41
AUG13	308	144	8	156	142	161	5	75	2	65	47
SEP13	313	141	2	170	161	147	5	74	0	87	47

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	
OCT11	484	188	278	18	207	271	6	448	351	43	12	34	8	179	262	7	1.08
NOV11	361	123	228	10	144	205	12	367	267	39	10	44	7	146	213	8	0.98
DEC11	420	134	271	15	190	218	12	453	329	50	14	51	9	208	227	18	0.93
JAN12	452	148	297	7	218	227	7	442	365	26	8	38	5	199	234	9	1.02
FEB12	391	109	266	16	166	215	10	385	307	34	4	36	4	167	209	9	1.02
MAR12	389	118	262	9	167	212	10	389	292	50	8	37	2	157	219	13	1.00
APR12	380	110	255	15	180	195	5	376	283	41	4	45	3	186	186	4	1.01
MAY12	346	111	211	24	161	179	6	333	252	36	9	30	6	145	181	7	1.04
JUN12	301	98	196	7	131	163	7	319	234	28	9	38	10	149	165	5	0.94
JUL12	323	99	207	17	141	175	7	314	212	34	12	50	6	147	162	5	1.03
AUG12	337	93	227	17	174	157	6	342	257	29	11	40	5	170	164	8	0.99
SEP12	292	90	191	11	130	150	12	313	219	36	11	43	4	149	151	13	0.93
OCT12	312	86	211	15	136	171	5	315	245	31	6	28	5	134	176	5	0.99
NOV12	389	129	250	10	176	198	15	398	292	42	14	44	6	176	207	15	0.98
DEC12	327	109	209	9	142	178	7	336	256	23	8	45	4	146	185	5	0.97
JAN13	356	132	213	11	145	201	10	340	269	25	9	33	4	132	200	8	1.05
FEB13	329	112	204	13	150	174	5	332	249	32	10	35	6	148	176	8	0.99
MAR13	347	117	213	17	146	192	9	352	258	36	6	46	6	147	197	8	0.99
APR13	315	105	194	16	125	183	7	313	243	29	7	31	3	136	168	9	1.01
MAY13	376	145	221	10	141	226	9	375	282	37	9	43	4	145	222	8	1.00
JUN13	357	128	214	15	150	196	11	349	270	32	6	33	8	147	194	8	1.02
JUL13	335	121	192	22	135	191	9	345	256	33	12	37	7	148	187	10	0.97
AUG13	280	106	161	13	125	150	5	285	190	42	8	44	1	128	151	6	0.98
SEP13	310	102	192	16	125	180	5	299	214	37	7	35	6	102	192	5	1.04

Adult	1.In Custody										Remand to Sent
	Total	Legal Status			Indigenous			Indigenous Legal Status			
		Remand	Sent	Unknown	Yes	No	Unk	Remand	Sent	Unknown	
<b>OCT11</b>	9676	2525	7151	0	2227	7394	55	549	1678	0	386
<b>NOV11</b>	9641	2446	7195	0	2211	7373	57	526	1685	0	411
<b>DEC11</b>	9542	2489	7053	0	2217	7267	58	571	1646	0	361
<b>JAN12</b>	9643	2621	7022	0	2278	7306	59	613	1665	0	308
<b>FEB12</b>	9585	2516	7069	0	2253	7273	59	574	1679	0	433
<b>MAR12</b>	9619	2479	7140	0	2235	7319	65	559	1676	0	430
<b>APR12</b>	9607	2482	7125	0	2226	7328	53	568	1658	0	375
<b>MAY12</b>	9598	2446	7152	0	2217	7337	44	551	1666	0	467
<b>JUN12</b>	9583	2451	7132	0	2232	7305	46	554	1678	0	416
<b>JUL12</b>	9492	2439	7053	0	2189	7252	51	509	1680	0	380
<b>AUG12</b>	9508	2457	7051	0	2182	7280	46	528	1654	0	390
<b>SEP12</b>	9514	2532	6982	0	2196	7267	51	576	1620	0	368
<b>OCT12</b>	9610	2609	7001	0	2219	7327	64	595	1624	0	416
<b>NOV12</b>	9659	2639	7020	0	2251	7328	80	620	1631	0	430
<b>DEC12</b>	9645	2715	6930	0	2273	7288	84	677	1596	0	409
<b>JAN13</b>	9756	2839	6917	0	2303	7372	81	704	1599	0	366
<b>FEB13</b>	9751	2821	6930	0	2308	7360	83	705	1603	0	445
<b>MAR13</b>	9918	2914	7003	1	2362	7467	89	731	1630	1	509
<b>APR13</b>	9882	2848	7031	3	2371	7414	97	723	1646	2	474
<b>MAY13</b>	9905	2843	7062	0	2340	7453	112	681	1659	0	470
<b>JUN13</b>	9852	2856	6996	0	2298	7428	126	665	1633	0	415
<b>JUL13</b>	9868	2871	6997	0	2339	7395	134	685	1654	0	399
<b>AUG13</b>	9923	2813	7110	0	2343	7441	139	659	1684	0	466
<b>SEP13</b>	10000	2805	7195	0	2369	7470	161	672	1697	0	440



Adult	2.Receptions							3.Discharges							Ratio Rec/ Dis	
	Tot	Legal Status			Indigenous			Tot	Legal Status				Indigenous			
		Remand	Sent	Unknown	Yes	No	Unk		Bail	Other	Parole	Sent Exp	Yes	No		Unk
<b>OCT11</b>	1176	979	197	0	329	822	25	1277	391	254	468	164	337	911	29	0.92
<b>NOV11</b>	1212	991	221	0	328	865	19	1247	422	227	460	138	344	886	17	0.97
<b>DEC11</b>	1222	1007	214	1	373	830	19	1321	386	234	547	154	367	936	18	0.93
<b>JAN12</b>	1227	1026	201	0	380	817	30	1126	394	184	404	144	319	778	29	1.09
<b>FEB12</b>	1183	960	222	1	348	802	33	1241	454	188	453	146	373	835	33	0.95
<b>MAR12</b>	1251	975	275	1	344	869	38	1217	360	220	461	176	362	823	32	1.03
<b>APR12</b>	1199	964	235	0	351	834	14	1211	373	215	456	167	360	825	26	0.99
<b>MAY12</b>	1281	1059	222	0	350	910	21	1290	425	209	486	170	359	901	30	0.99
<b>JUN12</b>	1204	973	230	1	331	838	35	1219	398	178	481	162	316	870	33	0.99
<b>JUL12</b>	1209	978	231	0	330	850	29	1300	434	204	498	164	373	903	24	0.93
<b>AUG12</b>	1294	1062	232	0	353	916	25	1278	433	218	481	146	360	888	30	1.01
<b>SEP12</b>	1160	954	205	1	337	795	28	1154	364	179	448	163	323	808	23	1.01
<b>OCT12</b>	1304	1065	237	2	394	864	46	1208	386	236	441	145	371	804	33	1.08
<b>NOV12</b>	1293	1013	278	2	386	870	37	1244	375	209	481	179	354	869	21	1.04
<b>DEC12</b>	1284	1056	225	3	388	843	53	1298	418	188	522	170	366	883	49	0.99
<b>JAN13</b>	1322	1090	228	4	390	889	43	1211	435	209	415	152	360	805	46	1.09
<b>FEB13</b>	1234	1007	224	3	368	833	33	1239	362	244	476	157	363	845	31	1.00
<b>MAR13</b>	1370	1069	293	8	404	927	39	1203	337	211	490	165	350	820	33	1.14
<b>APR13</b>	1175	937	230	8	354	782	39	1211	348	232	455	176	345	835	31	0.97
<b>MAY13</b>	1333	1047	279	7	384	900	49	1310	430	256	461	163	415	861	34	1.02
<b>JUN13</b>	1142	899	238	5	302	790	50	1195	336	223	473	163	344	815	36	0.96
<b>JUL13</b>	1275	966	304	5	396	818	61	1259	411	228	468	152	355	851	53	1.01
<b>AUG13</b>	1273	959	313	1	365	857	51	1218	392	215	429	182	361	811	46	1.05
<b>SEP13</b>	1237	919	318	0	372	817	48	1160	312	215	466	167	346	788	26	1.07

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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 Kariong 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 Corporate 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.

### **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.

### **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 comprises multiple spokes, each one representing an offence type category. The numbers of persons in custody at the end of the current and previous quarter are plotted on the spoke representing their most serious offence type. The data points for each quarter are connected. 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.

Most serious offence data is compiled by matching custody order records from JJNSW and CSNSW with sentencing and bail refused orders sourced from the JusticeLink system used by the NSW Children's, Local, District and Supreme Courts. Data is matched using JusticeLink Proceeding Number, a unique offence identifier which is available in the JJNSW data from January 2011 and CSNSW data for orders created from January 2012. CSNSW records without a valid proceeding number are matched against the court orders using police charge number if available and, failing that, on name, court date and Central Names Index (CNI) - a unique person identifier assigned by NSW Police. For this reason, reliable data on most serious offence is not available prior to 31 December 2012.

The data is presented separately for sentenced persons and persons on remand:

- The most serious offence for persons 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 the Bureau of Crime Statistics and Research 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 Bureau'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 persons is the offence with the longest custodial order. For persons 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.
- Persons 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 CSNSW publications and 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.