

NSW Criminal Justice Aboriginal over-representation

QUARTERLY REPORT

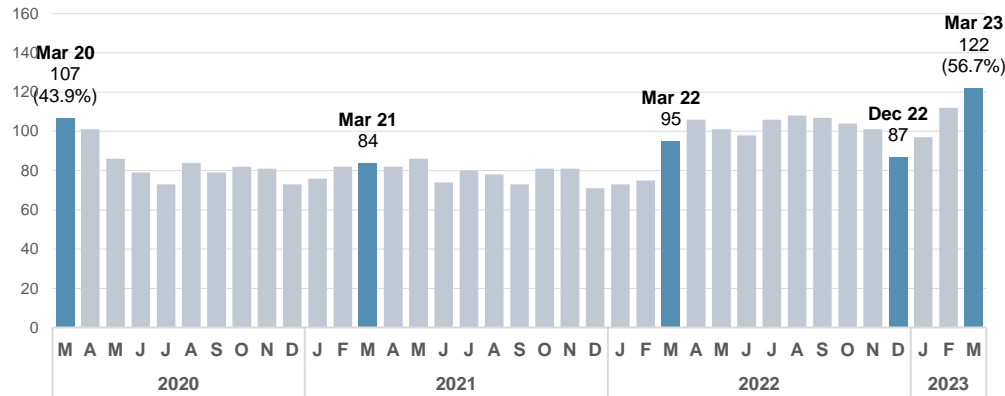
March 2023 – Aboriginal young people



1.1 Key indicator: Aboriginal young people in detention*

Sentenced and remand custody

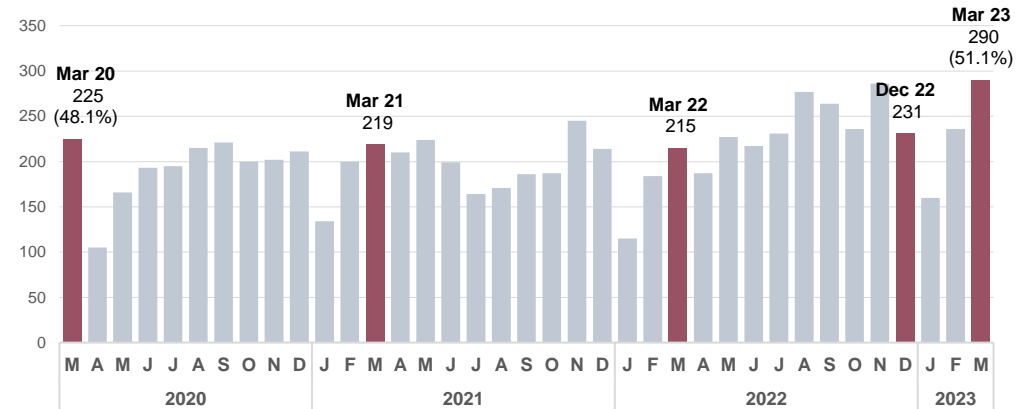
Up 45.2% From March 2021	↑ +35 From prior quarter	↑ +38 From same month 2021	122 Current quarter	84 Same month 2021	56.7% Current %
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2.1 Key indicator: Aboriginal young people in court

Children's, Local, District and Supreme Courts

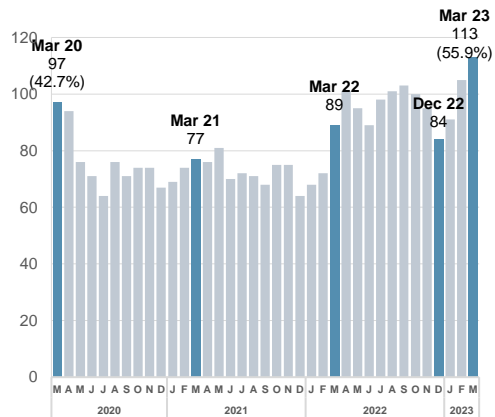
Up 22.8% From prior year	↓ -67 From prior quarter	↑ +528 From prior year	2,842 Current year	2,314 Last year	51.1% Current %
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1.2 Aboriginal young males in detention*

Sentenced and remand custody

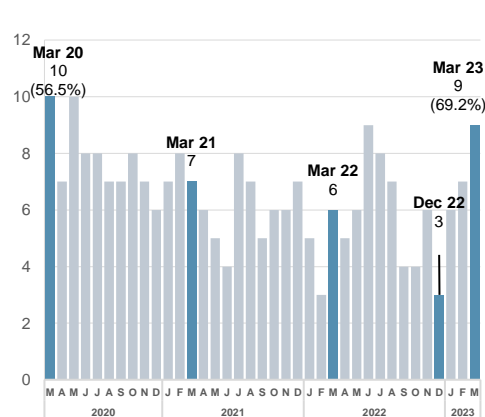
Up 46.8% From Mar 21	↑ +36 From same month 2021	113 Current quarter	77 Same month 2021
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1.3 Aboriginal young females in detention*

Sentenced and remand custody

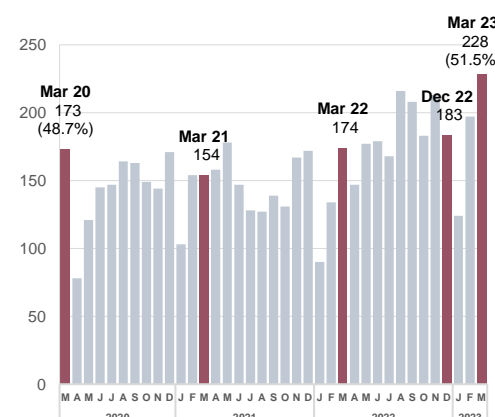
Stable From Mar 21	↑ +2 From same month 2021	9 Current quarter	7 Same month 2021
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2.2 Aboriginal young males in court

Children's, Local, District and Supreme Courts

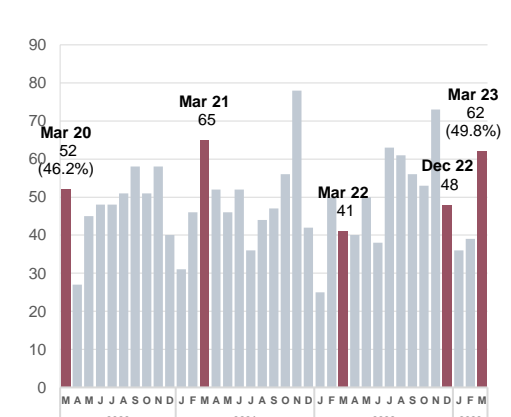
Up 27.4% From prior year	↑ +478 From prior year	2,223 Current year	1,745 Last year
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2.3 Aboriginal young females in court

Children's, Local, District and Supreme Courts

Up 8.8% From prior year	↑ +50 From prior year	619 Current year	569 Last year
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Note: data from March 2020 onwards have been impacted by COVID and may not represent a change in long term trend

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

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

3. Police

3.1 Police court proceedings*

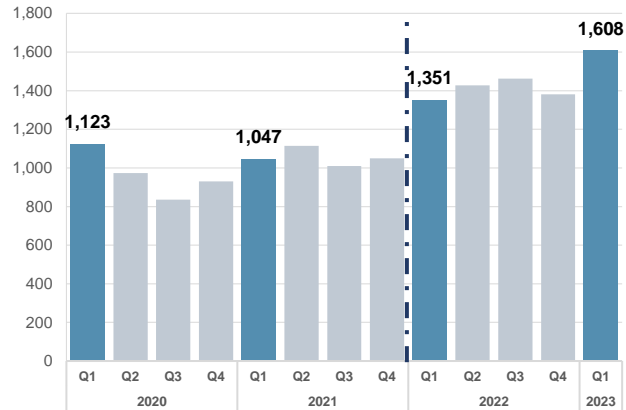
*excludes Aboriginal young people proceeded to court for breaching bail

Up 30.0%
From prior year

↑ +1,356
From prior year

5,880
Current year

4,524
Last year



3.2 Diversion from court*

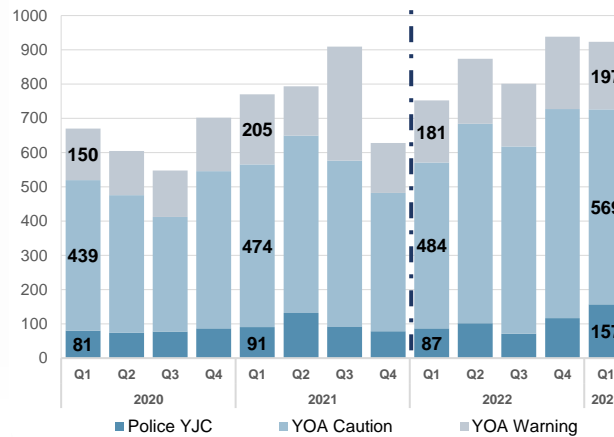
*Police Youth Justice Conference referrals, cautions/warnings under the Young Offenders Act.

Up 14.7%
From prior year

↑ +454
From prior year

3,536
Current year

3,082
Last year



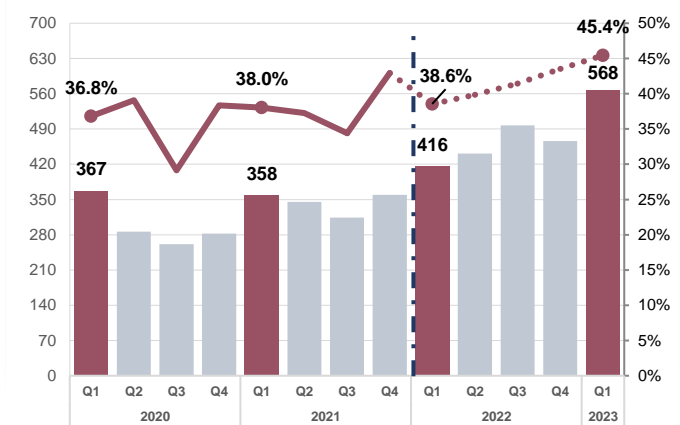
4.1 Refused bail by police

Up 37.5%
From prior year

↑ +538
From prior year

1,972
Current year

1,434
Last year



4. Bail

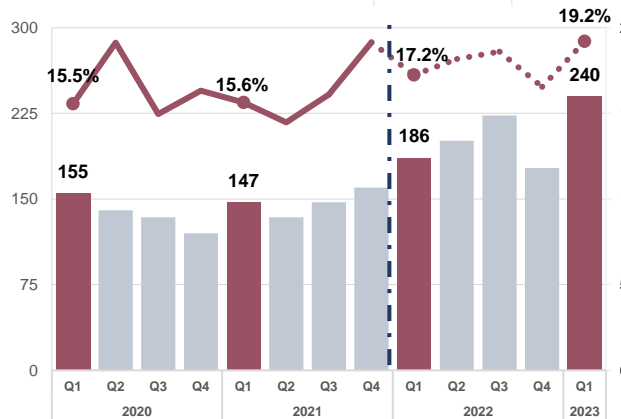
4.2 Refused bail by court

Up 34.1%
From prior year

↑ +214
From prior year

841
Current year

627
Last year



4.3 Bail revocations following bail breach involving further offence*

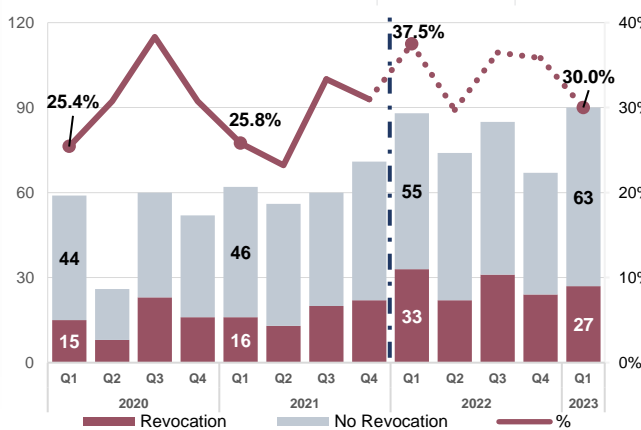
*breach of bail established in court

Up 18.2%
From prior year

↑ +16
From prior year

104
Current year

88
Last year



4.4 Bail revocations from technical bail breach

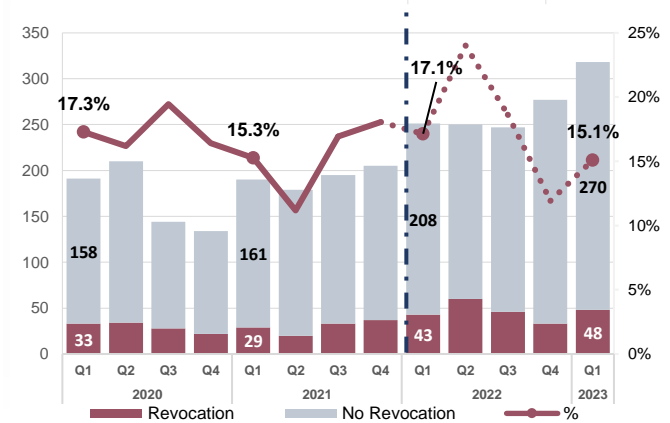
*breach of bail established in court

Up 40.6%
From prior year

↑ +54
From prior year

187
Current year

133
Last year



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5. Criminal Courts

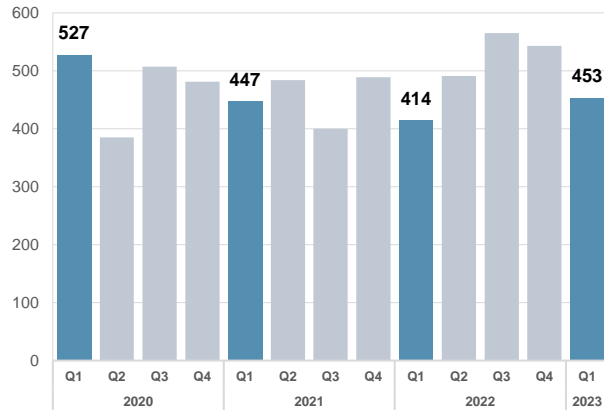
5.1 Found guilty in court

Up 14.8%
From prior year

↑ +265
From prior year

2,052
Current year

1,787
Last year



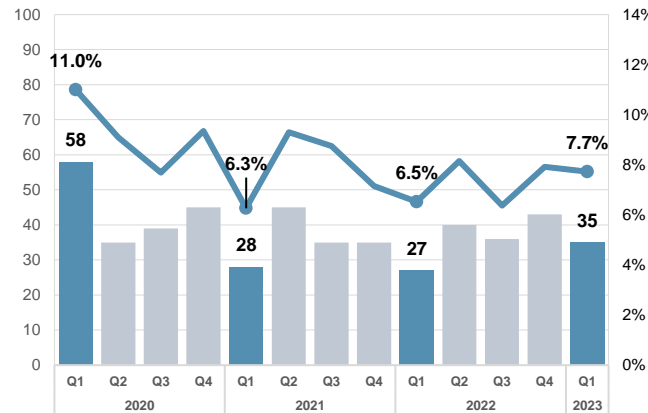
5.2 Sentenced to custody

Up 8.5%
From prior year

↑ +12
From prior year

154
Current year

142
Last year



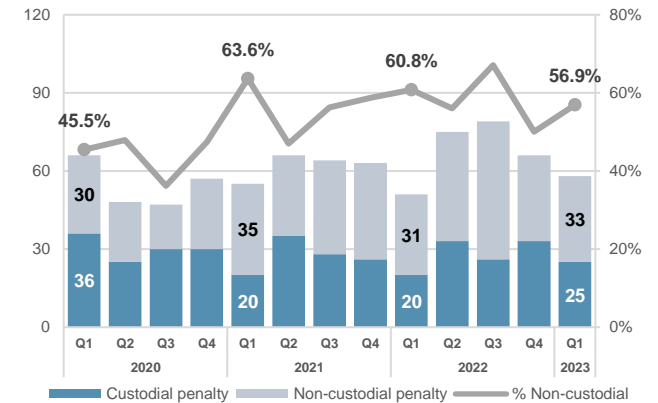
5.3 Sentenced to custody from remand

Stable
From prior year

↑ +8
From prior year

117
Current year

109
Last year



6. Custody

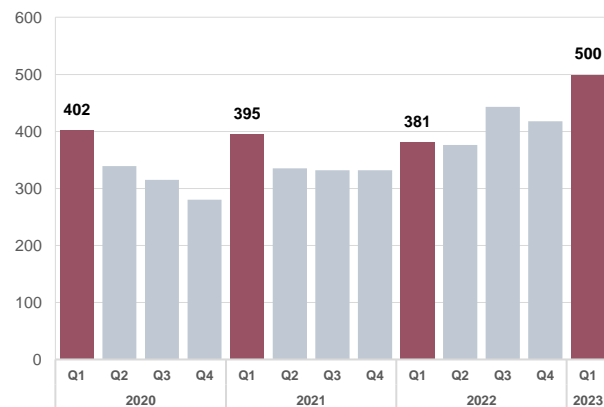
6.1 Entering custody

Up 30.7%
From Mar 2021

↑ +408
From same qtr 2021

1,737
Current year

1,329
Same qtr 2021



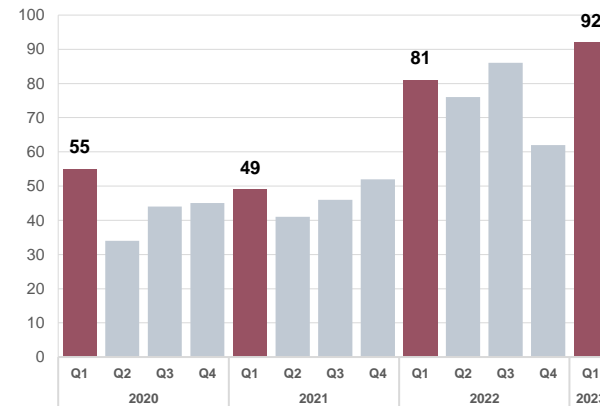
6.2 Remand custody population*

Up 87.8%
From Dec 2021

↑ +43
From same qtr 2021

92
Current quarter

49
Same qtr 2021



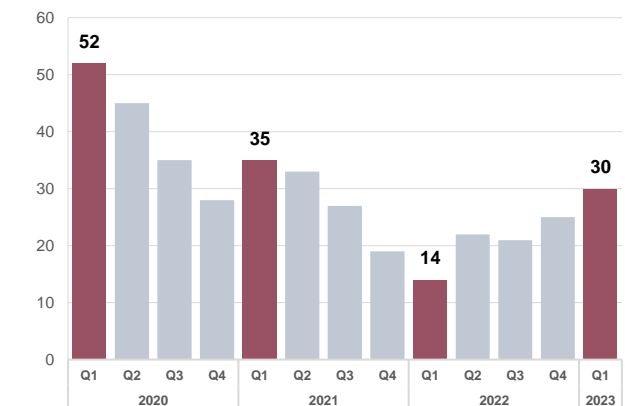
6.3 Sentenced custody population*

Down 14.3%
From Dec 2021

↓ -5
From same qtr 2021

30
Current quarter

35
Same qtr 2021



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

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

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

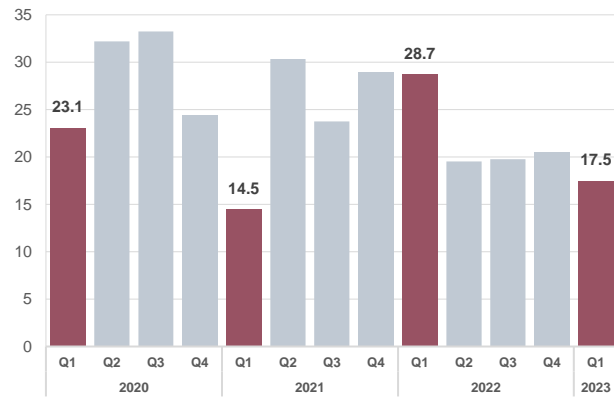
6. Custody

6.4 Length of stay in custody*

*Average number of days for persons discharged by discharge date

Down 32.2% **↓-9.2 days**
From prior year From prior year

19.3 days **28.5 days**
Current 12-month average 12-month average last year

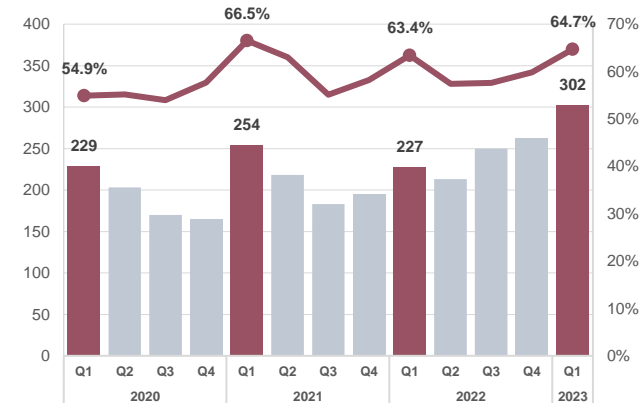


6.5 Short-term remand*

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

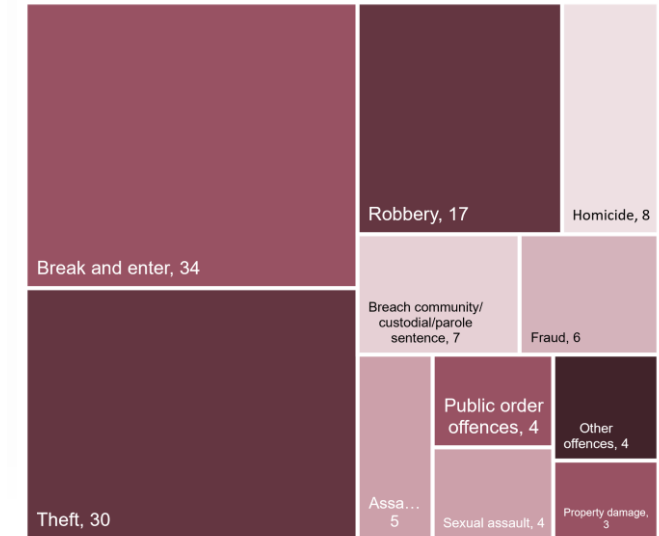
Up 24.8% **↑+204**
From prior year From prior year

1,027 **823**
Current year Last year



6.6 Detainee's most serious offence

The most serious offence for which a person is detained

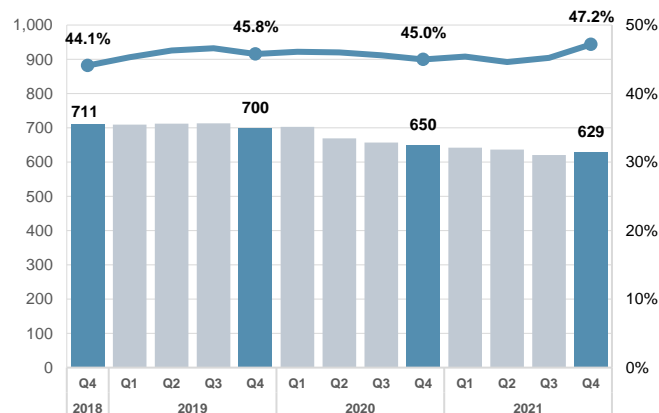


7. Reoffending

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

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

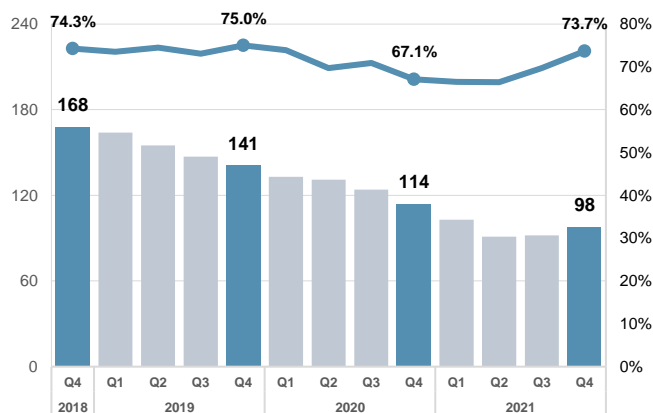
Down 21 **47.2%** **629** **650**
Change year to year Current rate Current year Last year



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

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

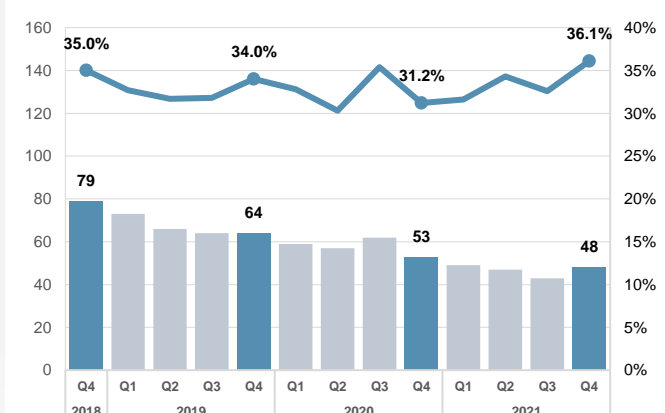
Down 16 **73.7%** **98** **114**
Change year to year Current rate Current year Last year



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

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

Down 5 **36.1%** **48** **53**
Change year to year Current rate Current year Last year



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