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# **NEW SOUTH WALES CUSTODY STATISTICS**

QUARTERLY UPDATE  
JUNE 2014

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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.

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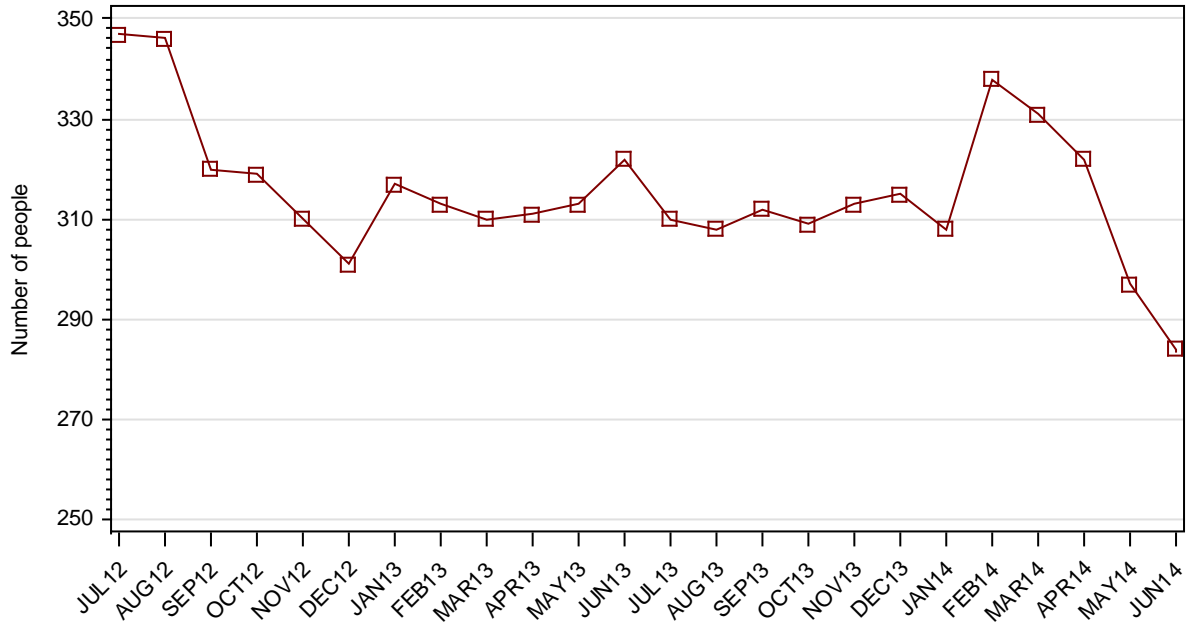
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# **Part 1 JUVENILES**

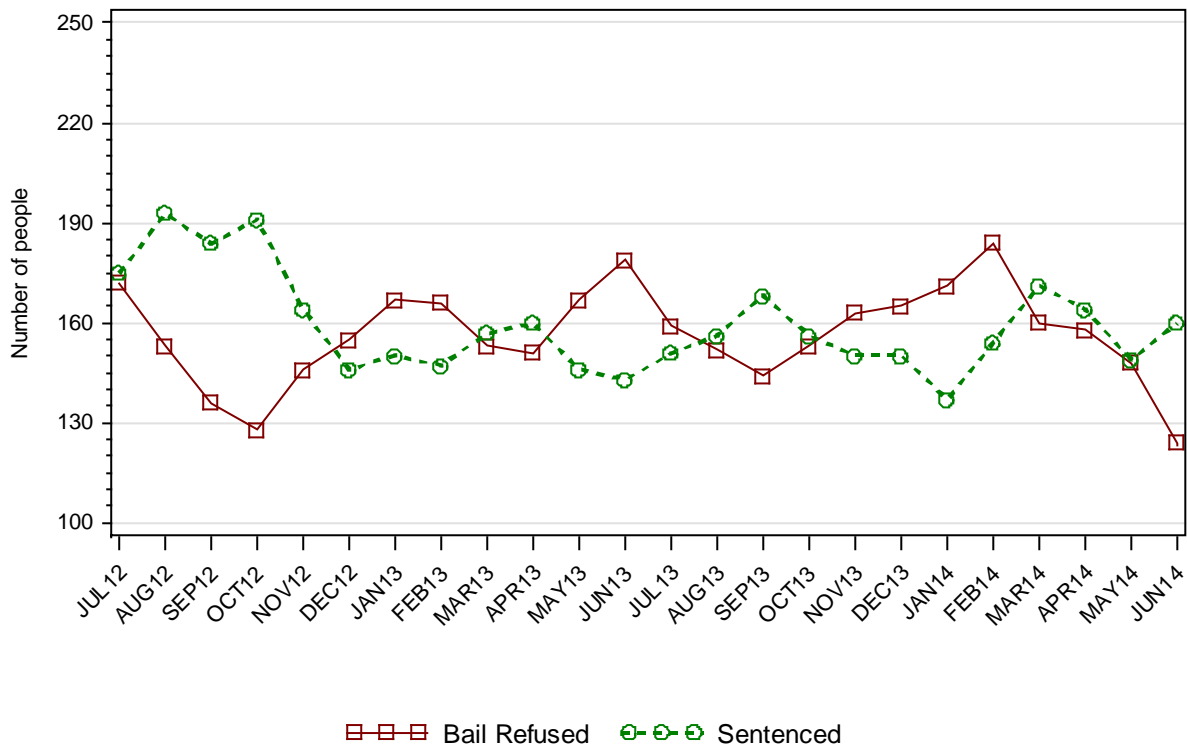
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## SECTION 1.1 JUVENILE CUSTODY POPULATION

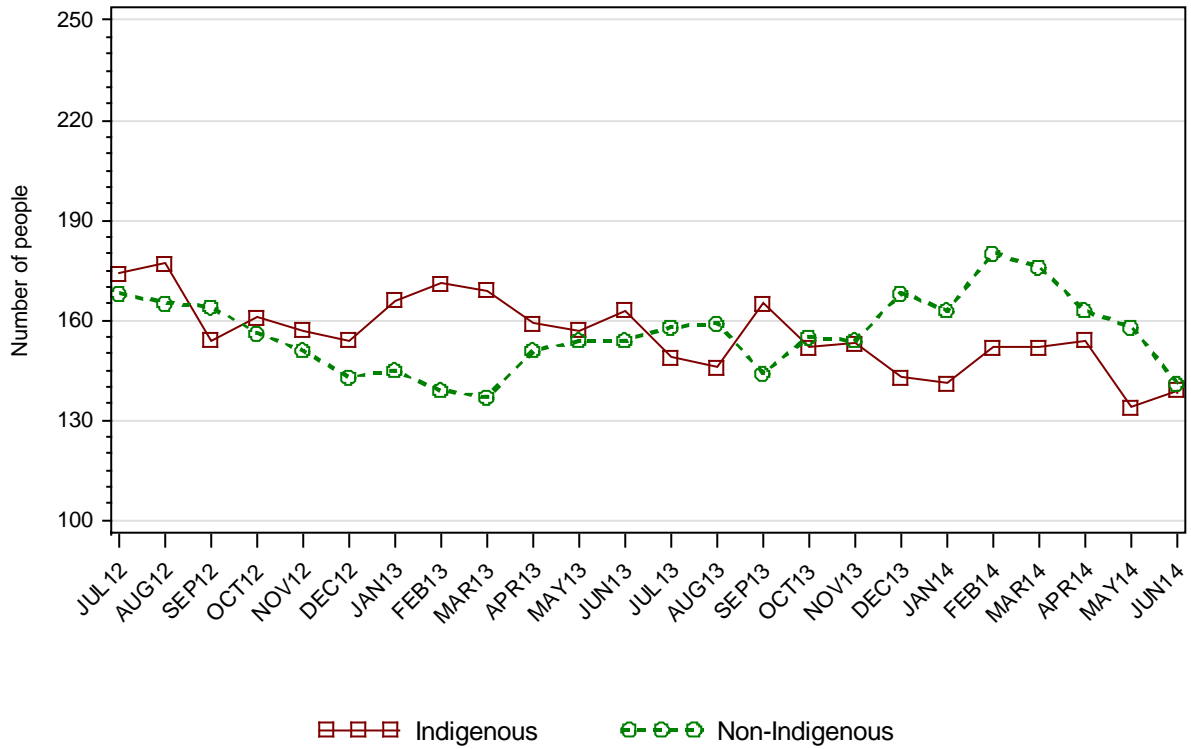
### 1.1.1 JUVENILE CUSTODY POPULATION AT END OF MONTH



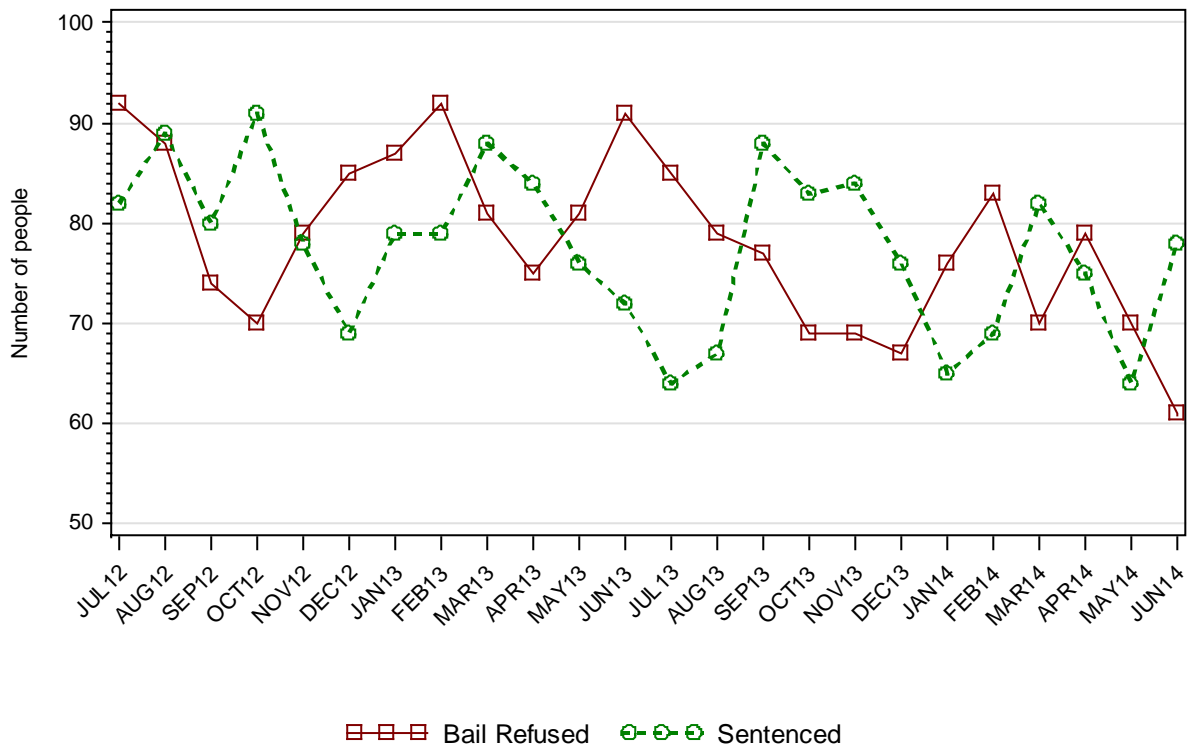
### 1.1.2 JUVENILE CUSTODY POPULATION BY LEGAL STATUS



### 1.1.3 JUVENILE CUSTODY POPULATION BY INDIGENOUS STATUS



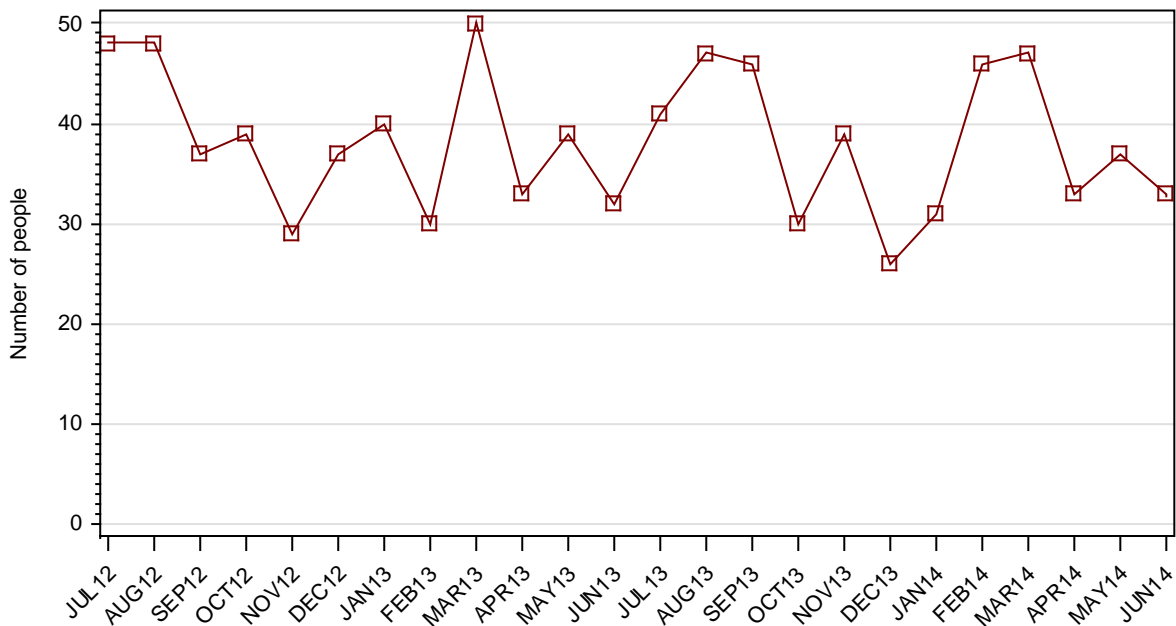
### 1.1.4 INDIGENOUS JUVENILE CUSTODY POPULATION BY LEGAL STATUS



1.1.5 JUVENILE CUSTODY PROFILE AT END OF QUARTER

		Police Bail Refused		Court Bail Refused		Sentenced		Total	
		MAR14	JUN14	MAR14	JUN14	MAR14	JUN14	MAR14	JUN14
Total Male	Count	5	0	142	112	162	153	309	265
	Avg Age	15.4	0	16.1	16.3	16.8	16.9	16.4	16.6
Total Female	Count	1	0	12	12	9	7	22	19
	Avg Age	14.0	0	15.4	15.2	16.8	15.6	15.9	15.3
Indigenous Male	Count	5	0	58	57	78	76	141	133
	Avg Age	15.4	0	15.7	16.2	16.5	16.5	16.1	16.4
Indigenous Female	Count	1	0	6	4	4	2	11	6
	Avg Age	14.0	0	15.2	16.3	16.5	16.0	15.5	16.2
Total	Count	6	0	154	124	171	160	331	284
	Avg Age	15.2	0	16.0	16.2	16.8	16.8	16.4	16.5

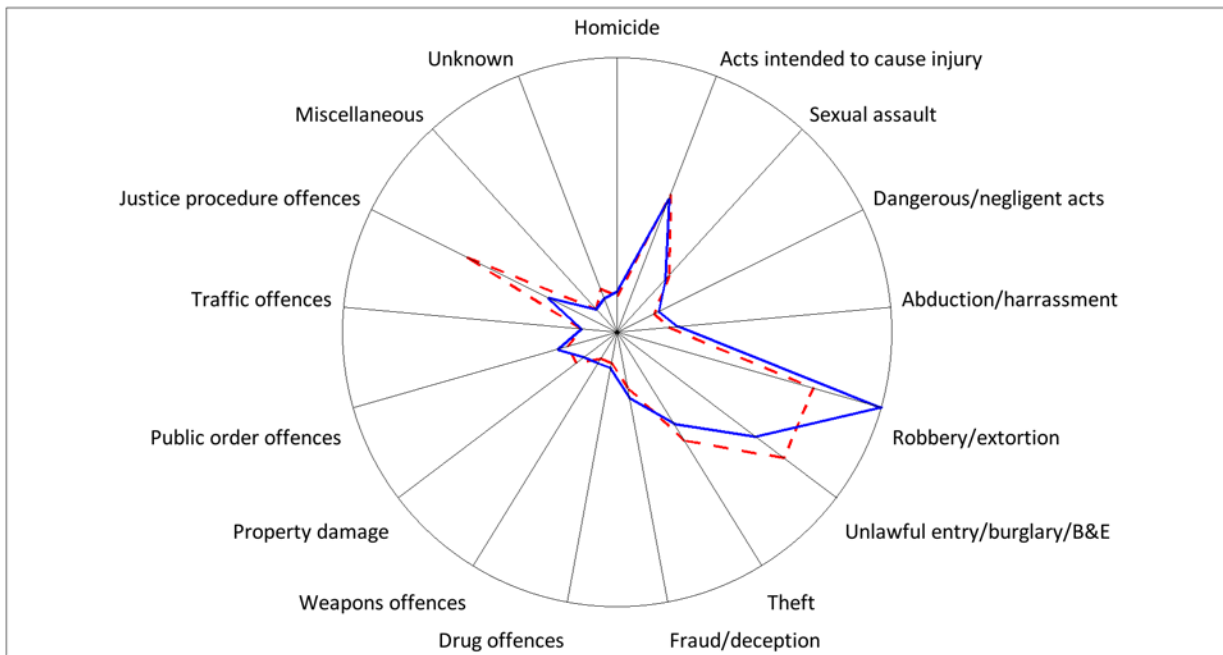
1.1.6 JUVENILES IN CUSTODY: NUMBER WHOSE LEGAL STATUS CHANGED DURING MONTH FROM REMAND TO SENTENCED







1.1.8 JUVENILE SENTENCED POPULATION BY MOST SERIOUS OFFENCE

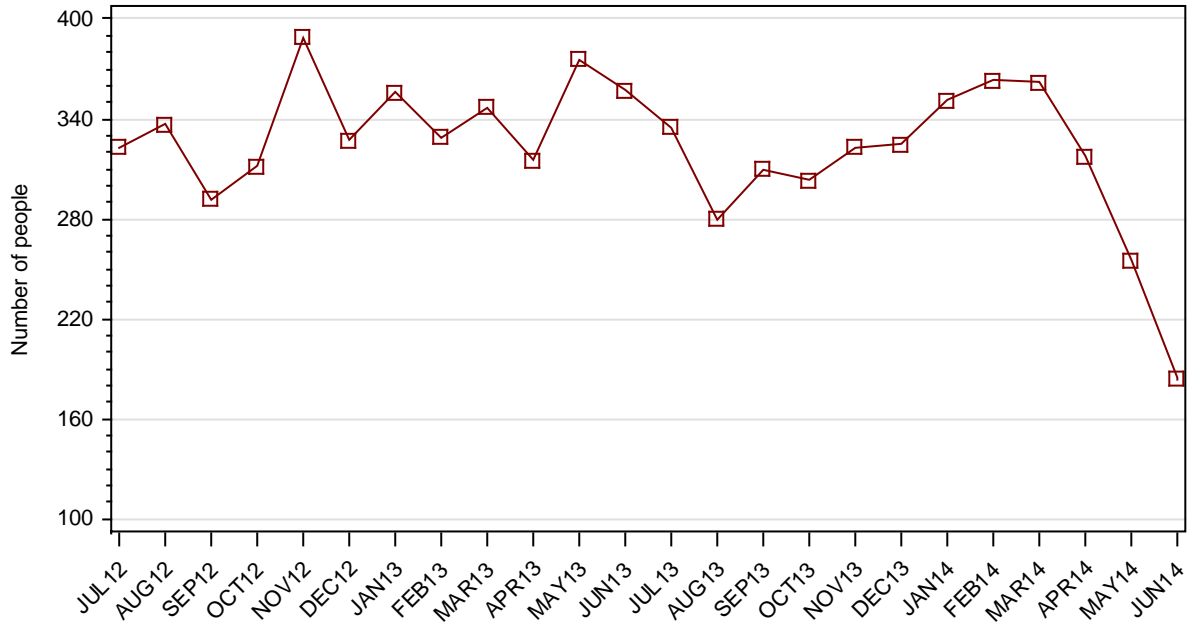


As At:     - - 31MAR14     30JUN14

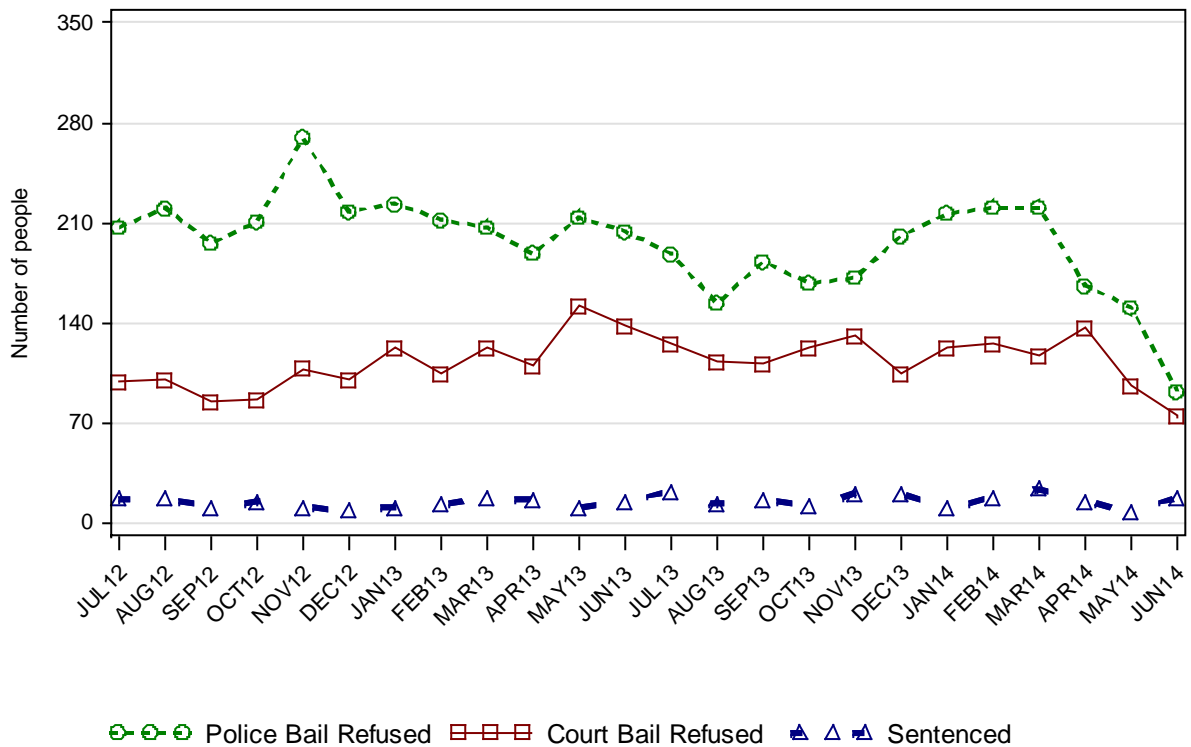
	31MAR14		30JUN14	
	Number	% of Total	Number	% of Total
Homicide	1	0.6	2	1.3
Acts intended to cause injury	20	11.6	22	13.8
Sexual assault	9	5.2	8	5.0
Dangerous/negligent acts	0	0.0	3	1.9
Abduction/harrassment	8	4.7	6	3.8
Robbery/extortion	40	23.3	48	30.0
Unlawful entry/burglary/B&E	47	27.3	28	17.5
Theft	16	9.3	15	9.4
Fraud/deception	6	3.5	7	4.4
Drug offences	0	0	1	0.6
Weapons offences	0	0	1	0.6
Property damage	5	2.9	2	1.3
Public order offences	3	1.7	6	3.8
Traffic offences	0	0.0	1	0.6
Justice procedure offences	14	8.1	9	5.6
Miscellaneous	0	0	0	0
Unknown	3	1.7	1	0.6
<b>Total</b>	<b>172</b>	<b>100.0</b>	<b>160</b>	<b>100.0</b>

## SECTION 1.2 JUVENILE CUSTODY RECEPTIONS

### 1.2.1 JUVENILES RECEIVED INTO CUSTODY DURING MONTH

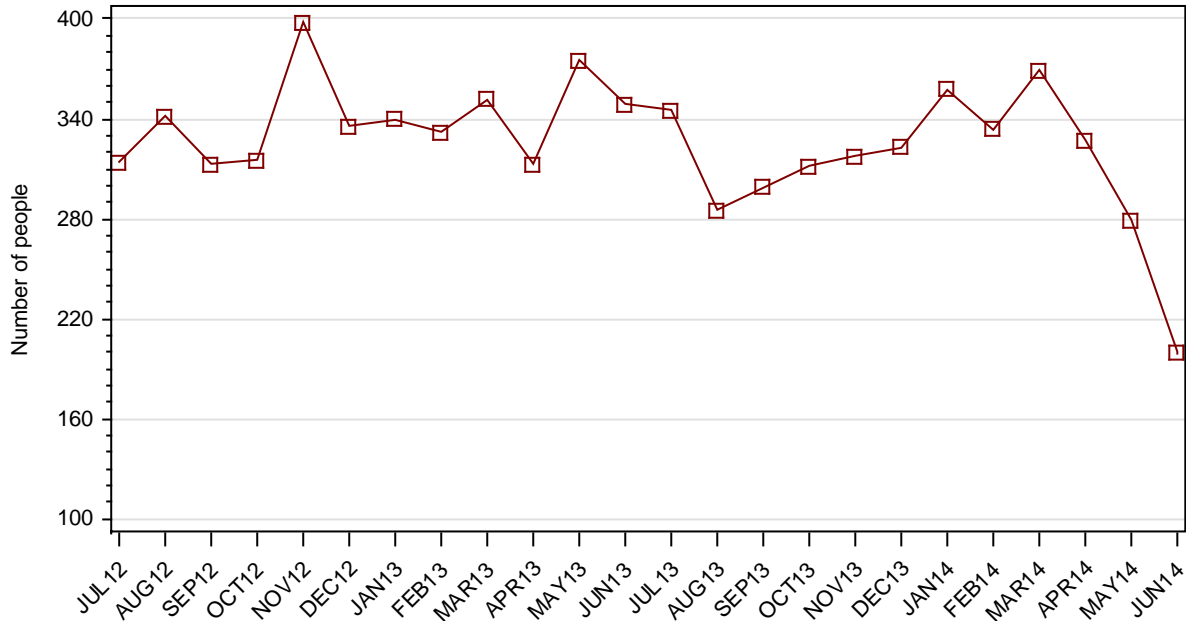


### 1.2.2 JUVENILES RECEIVED INTO CUSTODY BY LEGAL STATUS



## SECTION 1.3 JUVENILE CUSTODY DISCHARGES

### 1.3.1 JUVENILES DISCHARGED FROM CUSTODY DURING MONTH

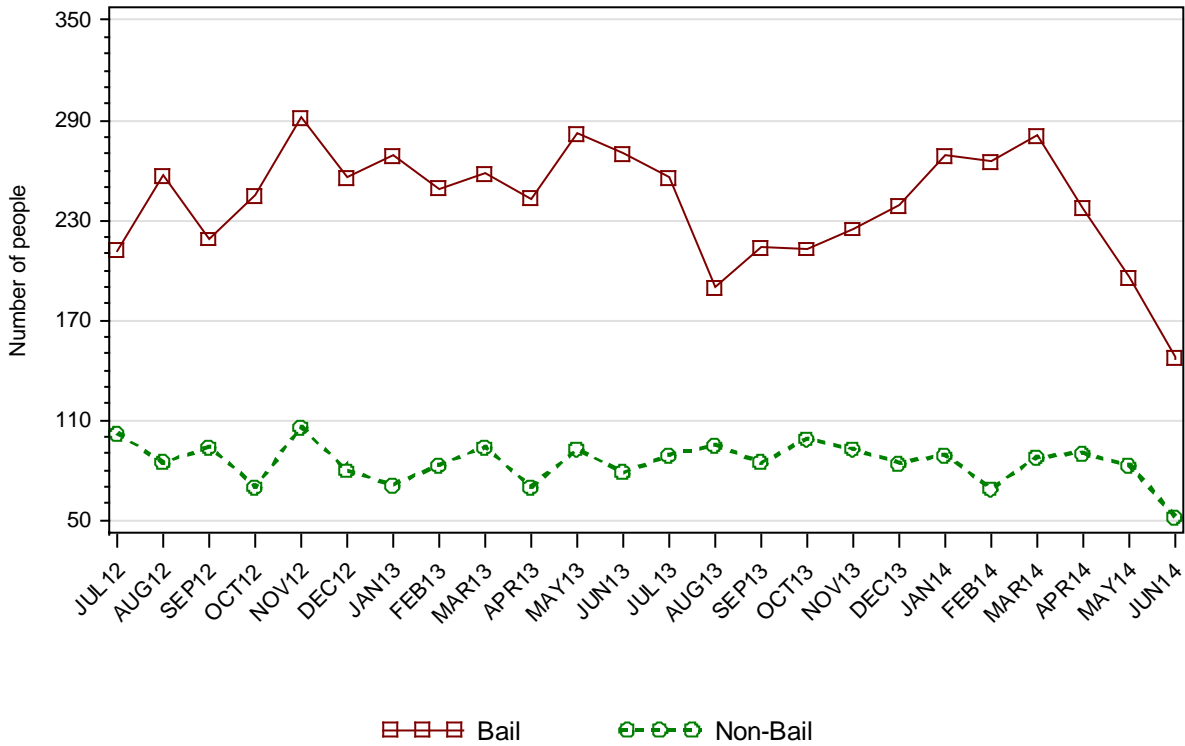


### 1.3.2 AVERAGE LENGTH OF STAY FOR JUVENILES DISCHARGED FROM CUSTODY EACH QUARTER

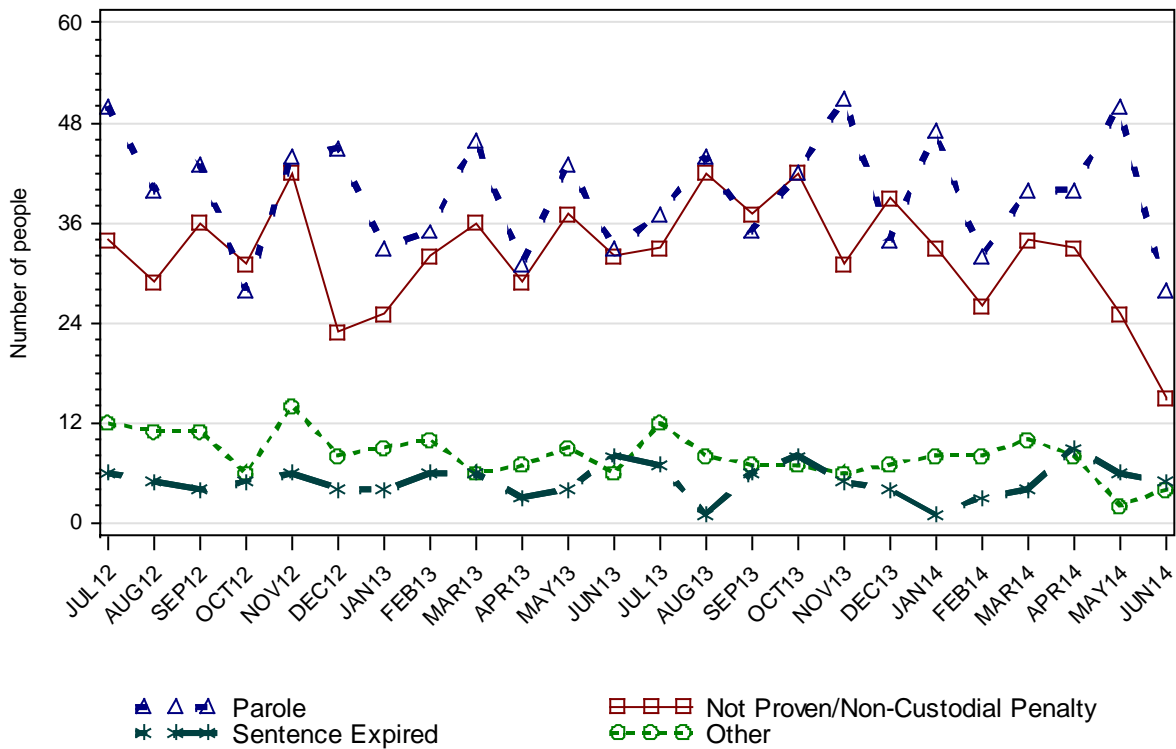
		Remand Custody Only		Sentenced Custody Only		Remand to Sentenced Custody	
		MAR14	JUN14	MAR14	JUN14	MAR14	JUN14
Total Male	Avg Days	8.6	12.7	124.5	76.9	182.3	156.2
	Number	712	499	45	49	87	97
Total Female	Avg Days	3.9	5.7	61.2	103.3	75.7	114.3
	Number	199	146	9	8	9	7
Indigenous Male	Avg Days	11.2	13.1	74.7	60.0	153.8	163.1
	Number	329	231	27	25	39	44
Indigenous Female	Avg Days	5.4	6.5	83.0	58.3	86.7	123.2
	Number	71	57	4	3	3	5
Total	Avg Days	7.6	11.1	114.0	80.6	172.3	153.4
	Number	911	645	54	57	96	104

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

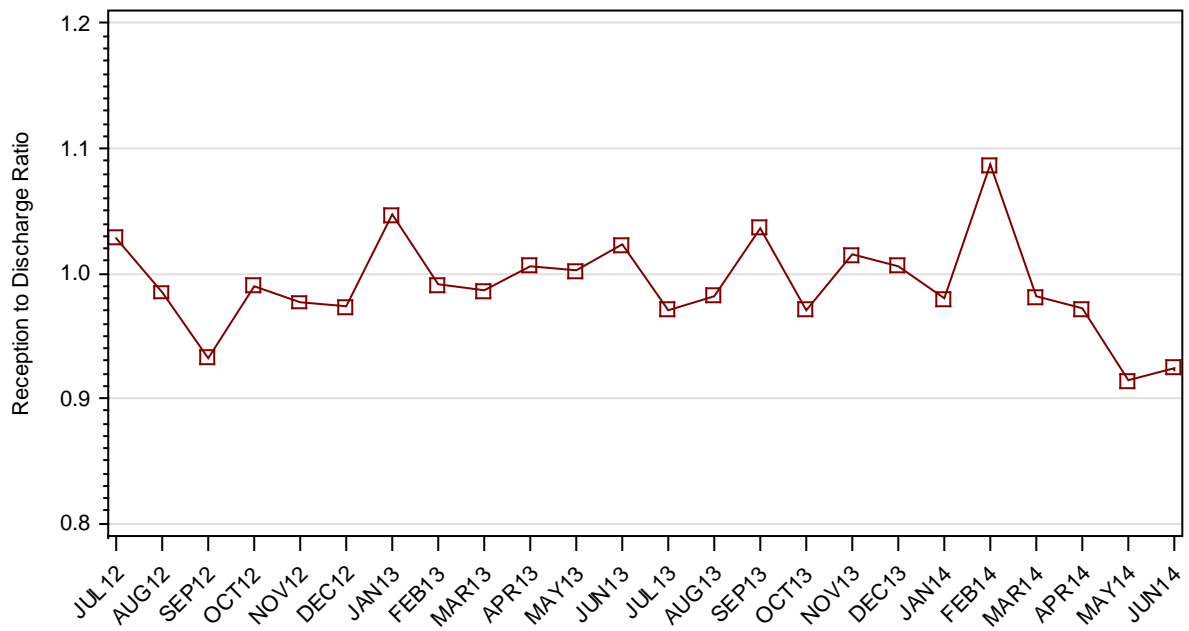
### 1.3.3 JUVENILES BY DISCHARGE TYPE



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



### 1.3.5 RATIO OF JUVENILE RECEPTIONS TO DISCHARGES



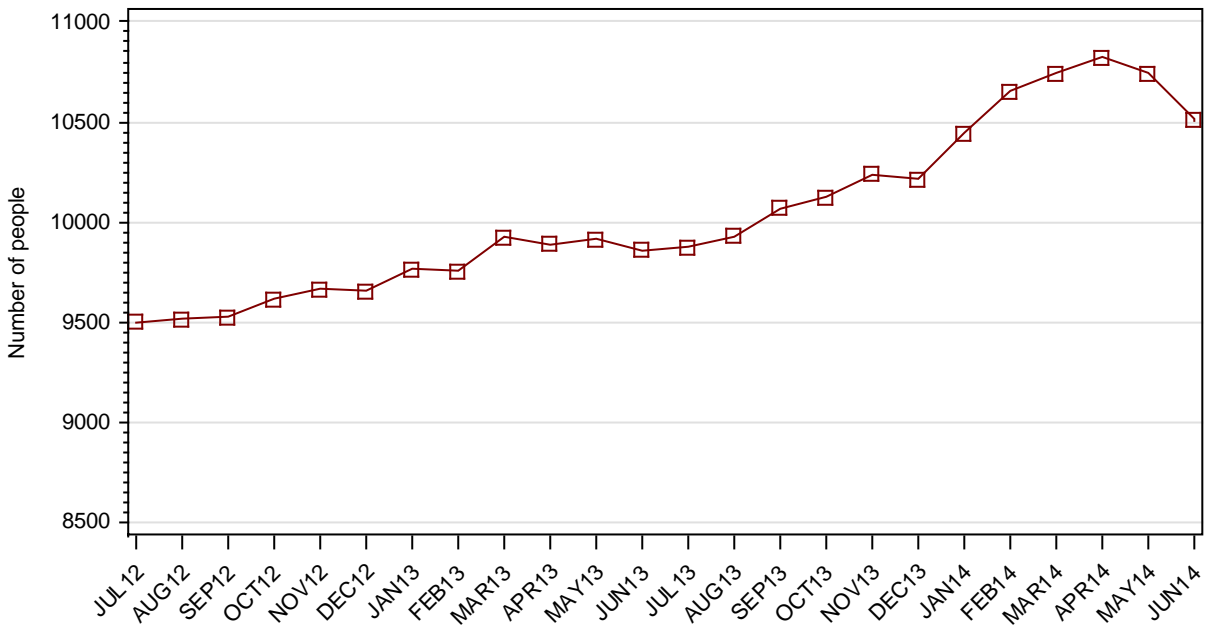
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## **Part 2 ADULTS**

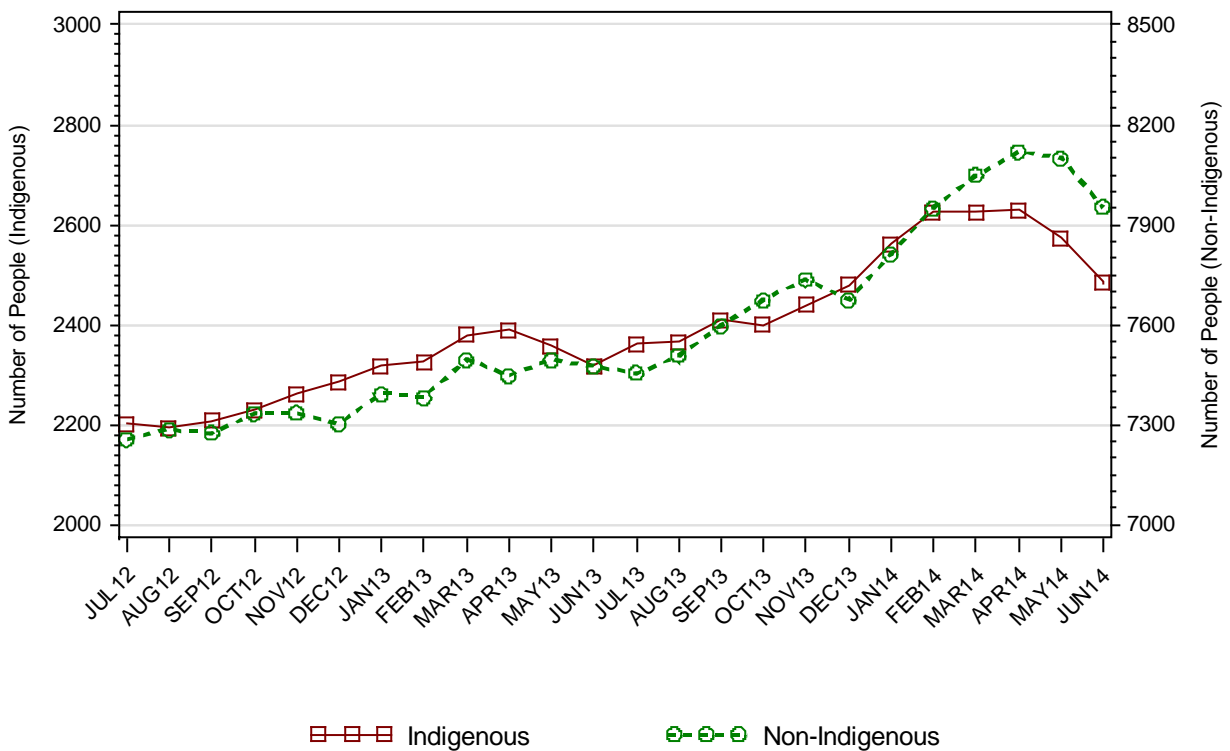
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## SECTION 2.1 ADULT CUSTODY POPULATION

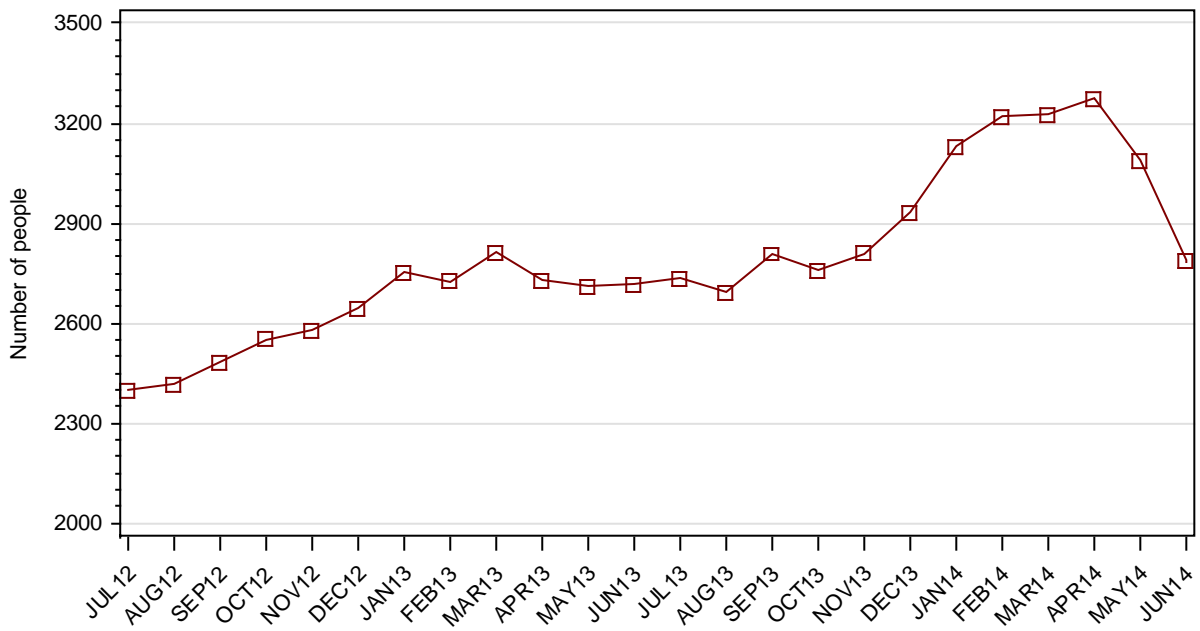
### 2.1.1 ADULT CUSTODY POPULATION AT END OF MONTH



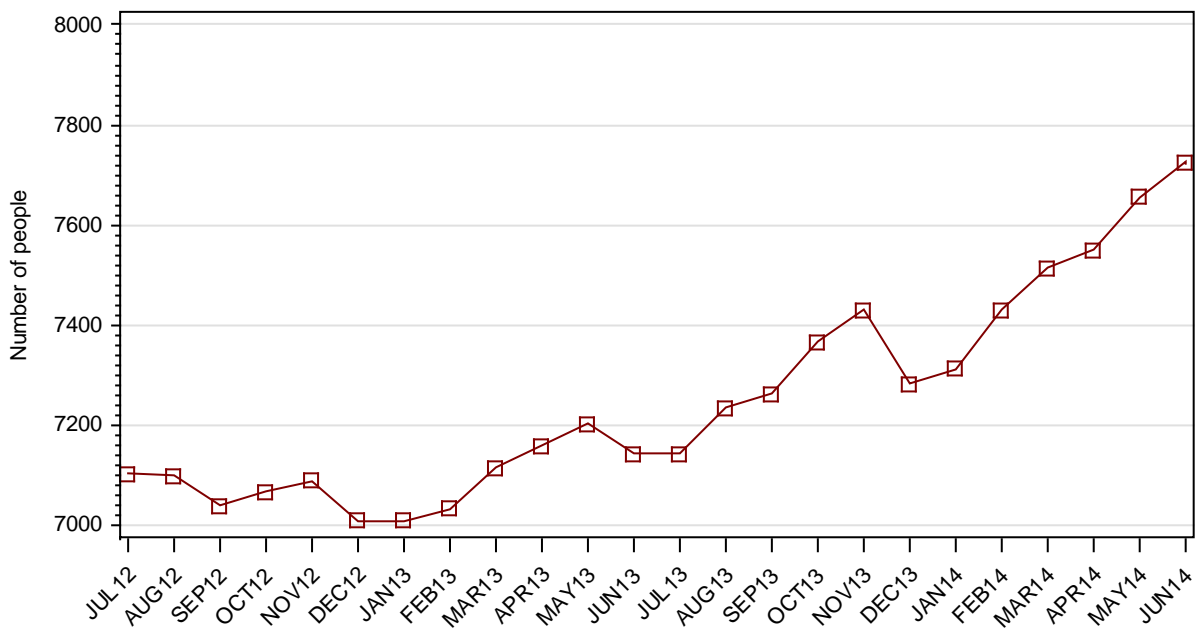
### 2.1.2 ADULT CUSTODY POPULATION BY INDIGENOUS STATUS



### 2.1.3 ADULT REMAND POPULATION

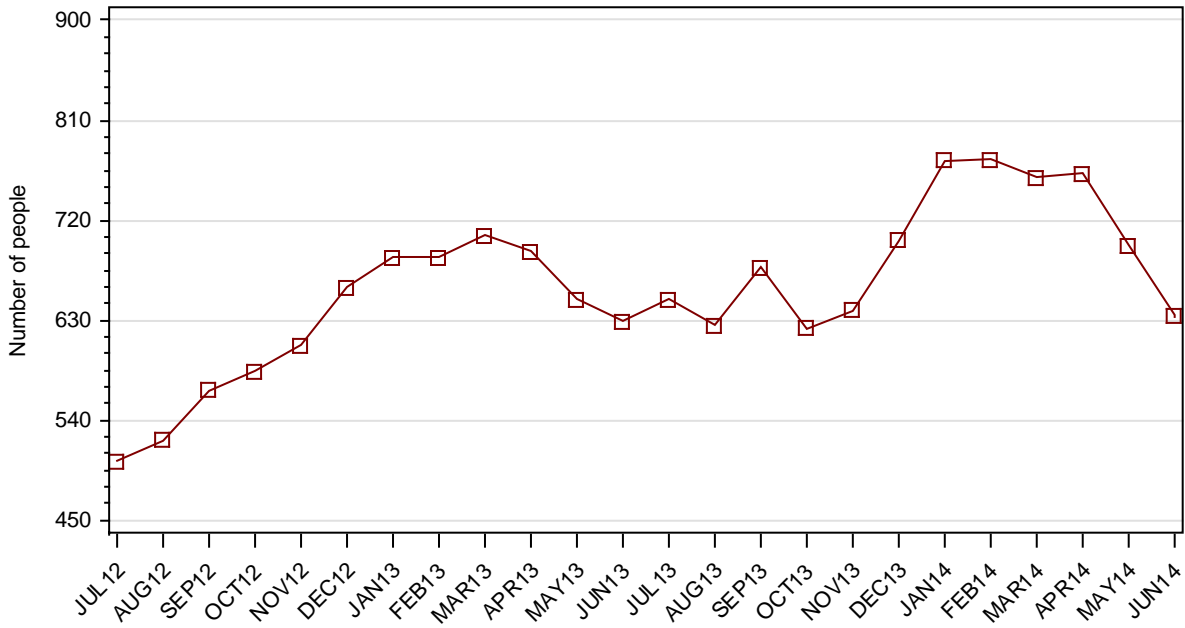


### 2.1.4 ADULT SENTENCED POPULATION

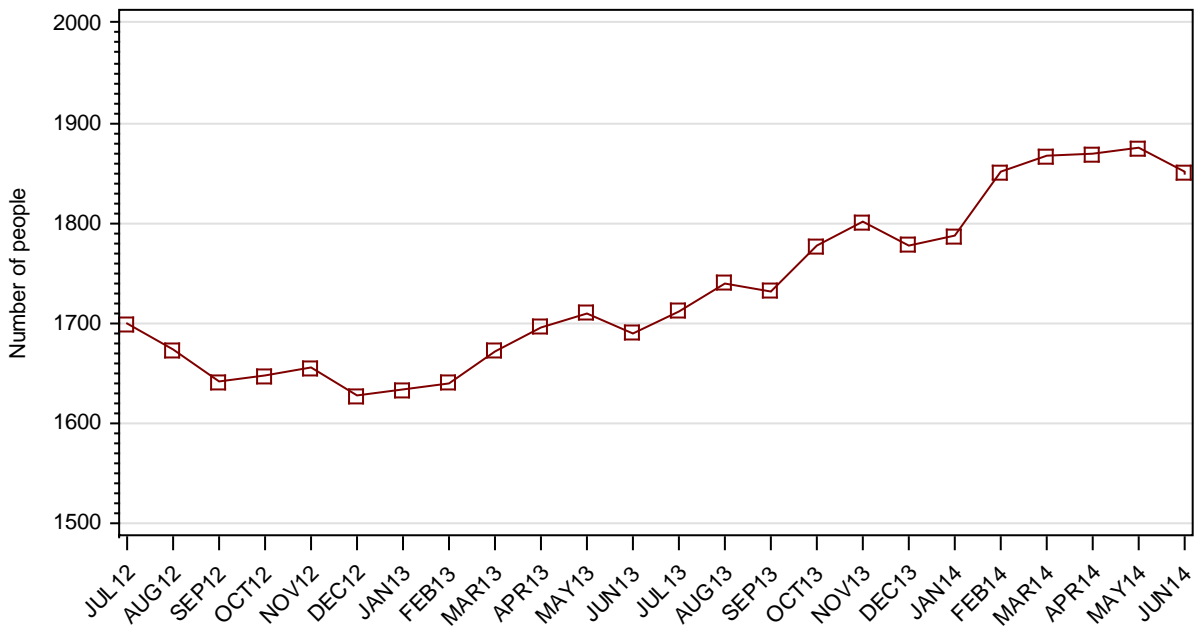




**2.1.5 INDIGENOUS ADULT REMAND POPULATION**



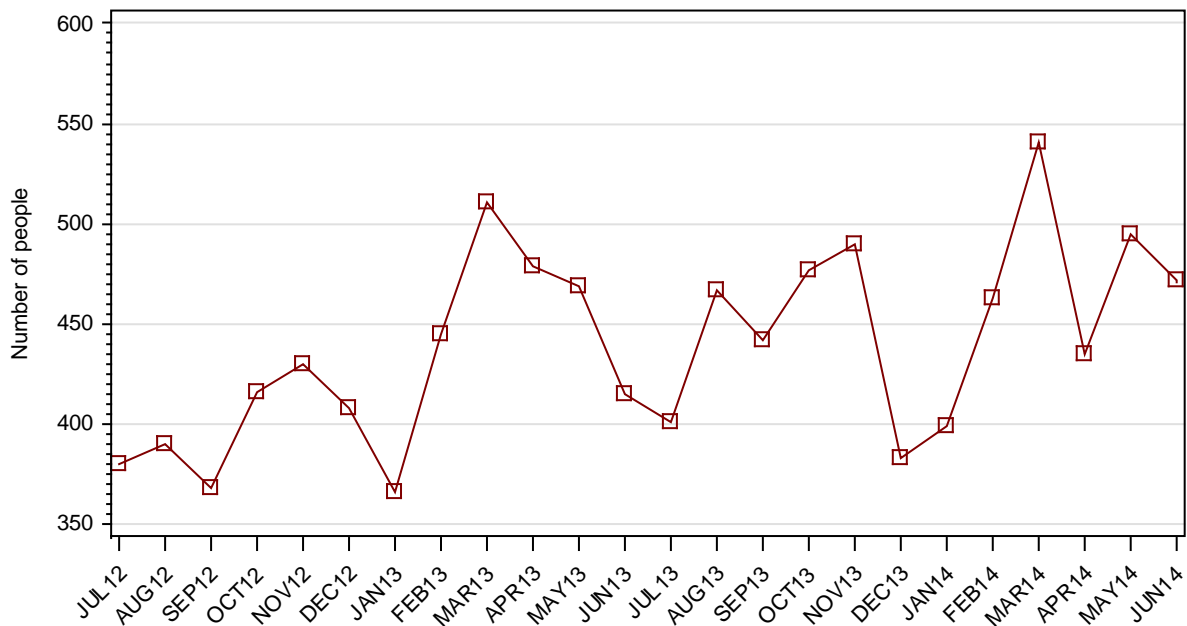
**2.1.6 INDIGENOUS ADULT SENTENCED POPULATION**



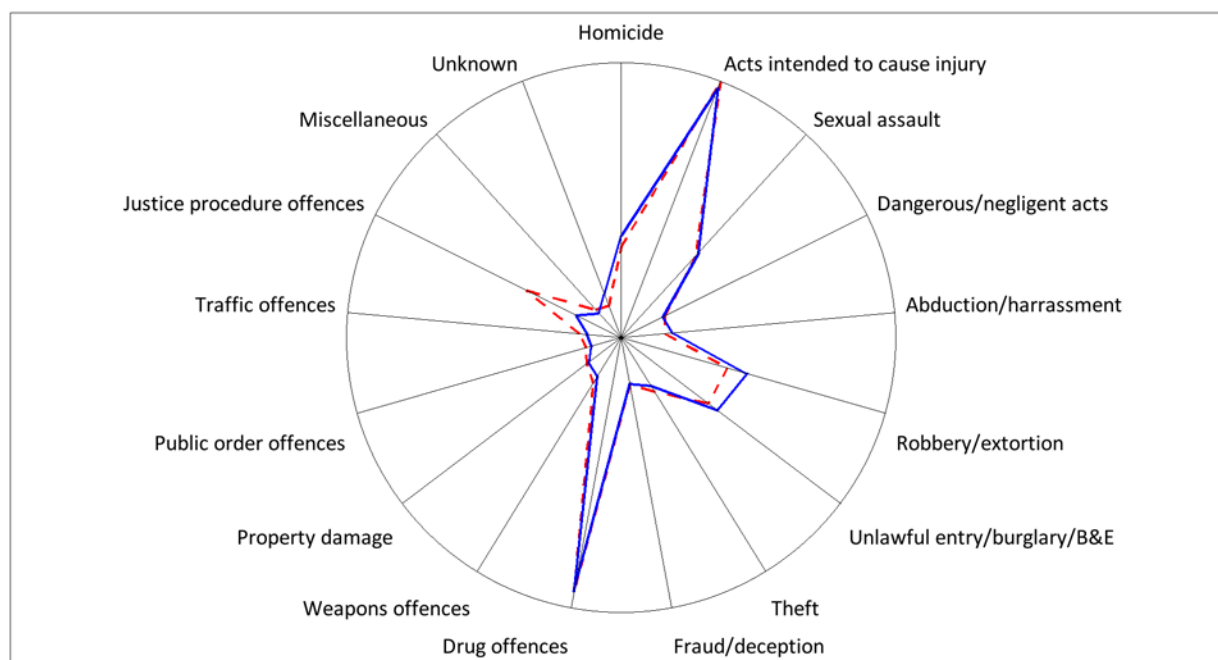
**2.1.7 ADULT CUSTODY PROFILE AT END OF QUARTER**

		Remand		Sentenced		Total	
		MAR14	JUN14	MAR14	JUN14	MAR14	JUN14
Total Male	Count	2939	2567	7031	7231	9970	9798
	Avg Age	33.7	34.0	36.3	36.5	35.5	35.8
Total Female	Count	289	222	482	495	771	717
	Avg Age	33.9	33.8	36.9	37.4	35.8	36.3
Indigenous Male	Count	658	565	1706	1688	2364	2253
	Avg Age	30.5	30.5	32.0	32.2	31.6	31.7
Indigenous Female	Count	101	70	161	163	262	233
	Avg Age	33.0	32.0	33.3	33.4	33.2	33.0
Total	Count	3228	2789	7513	7726	10741	10515
	Avg Age	33.7	34.0	36.4	36.5	35.6	35.8

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



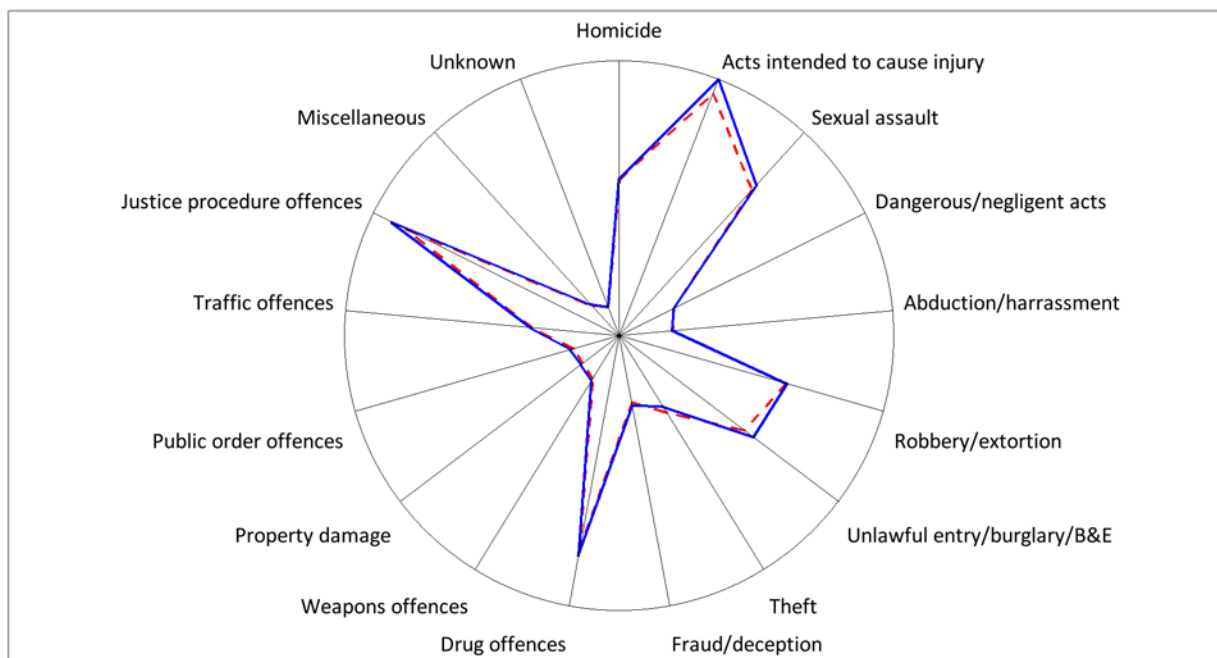
### 2.1.9 ADULT REMAND POPULATION BY MOST SERIOUS OFFENCE



As At: - - 16MAR14 — 30JUN14

	31MAR14		30JUN14	
	Number	% of Total	Number	% of Total
Homicide	186	5.9	207	7.4
Acts intended to cause injury	777	24.7	668	24.0
Sexual assault	240	7.6	242	8.7
Dangerous/negligent acts	55	1.7	51	1.8
Abduction/harrassment	51	1.6	65	2.3
Robbery/extortion	228	7.2	287	10.3
Unlawful entry/burglary/B&E	278	8.8	257	9.2
Theft	119	3.8	79	2.8
Fraud/deception	73	2.3	51	1.8
Drug offences	664	21.1	641	23.0
Weapons offences	74	2.3	49	1.8
Property damage	52	1.7	35	1.3
Public order offences	31	1.0	9	0.3
Traffic offences	50	1.6	17	0.6
Justice procedure offences	239	7.6	62	2.2
Miscellaneous	20	0.6	16	0.6
Unknown	12	0.4	53	1.9
<b>Total</b>	<b>3149</b>	<b>100.0</b>	<b>2789</b>	<b>100.0</b>

2.1.10 ADULT SENTENCED POPULATION BY MOST SERIOUS OFFENCE

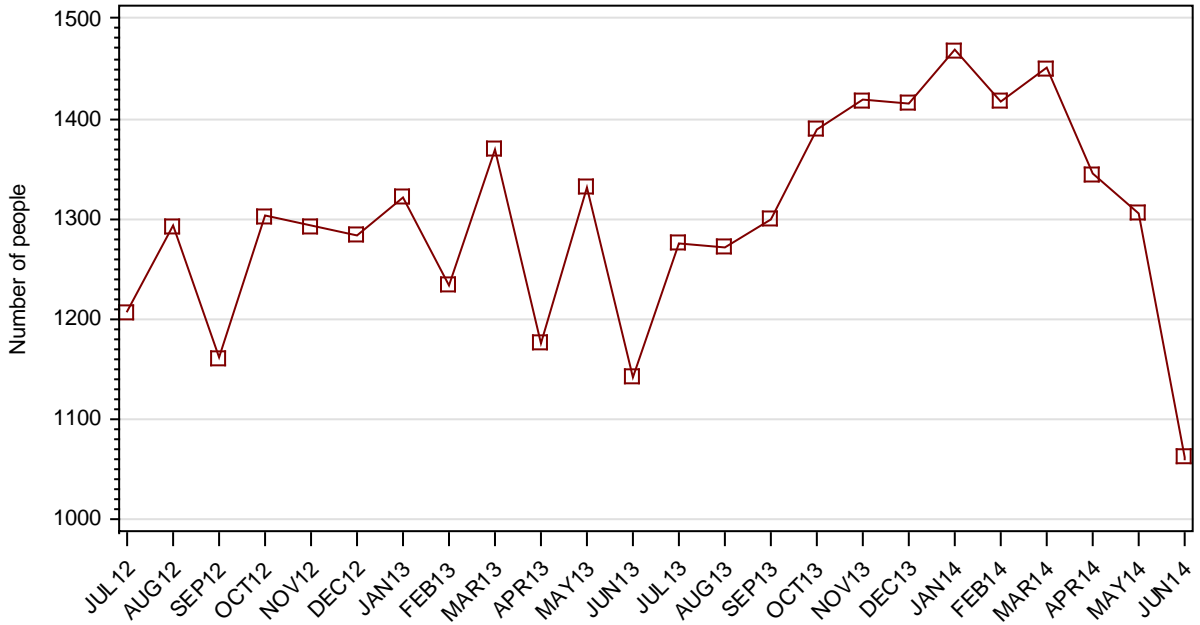


As At: - - 16MAR14 — 30JUN14

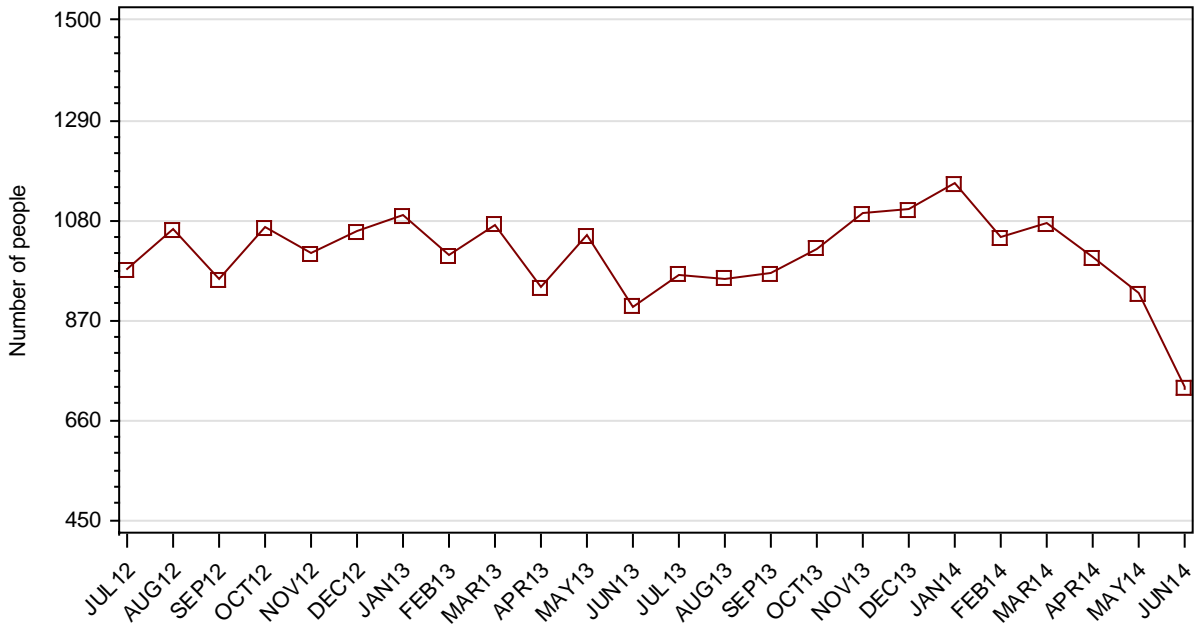
	31MAR14		30JUN14	
	Number	% of Total	Number	% of Total
Homicide	644	8.3	645	8.3
Acts intended to cause injury	1202	15.8	1247	16.1
Sexual assault	862	11.4	885	11.5
Dangerous/negligent acts	155	2.0	153	2.0
Abduction/harrassment	117	1.5	112	1.4
Robbery/extortion	730	9.6	733	9.5
Unlawful entry/burglary/B&E	676	8.9	700	9.1
Theft	313	4.1	267	3.5
Fraud/deception	201	2.6	203	2.6
Drug offences	950	12.5	984	12.7
Weapons offences	100	1.3	112	1.4
Property damage	83	1.1	86	1.1
Public order offences	94	1.2	99	1.3
Traffic offences	303	4.0	299	3.9
Justice procedure offences	1124	14.8	1145	14.8
Miscellaneous	49	0.6	56	0.7
Unknown	0	0	0	0
<b>Total</b>	<b>7592</b>	<b>100.0</b>	<b>7726</b>	<b>100.0</b>

## SECTION 2.2 ADULT CUSTODY RECEPTIONS

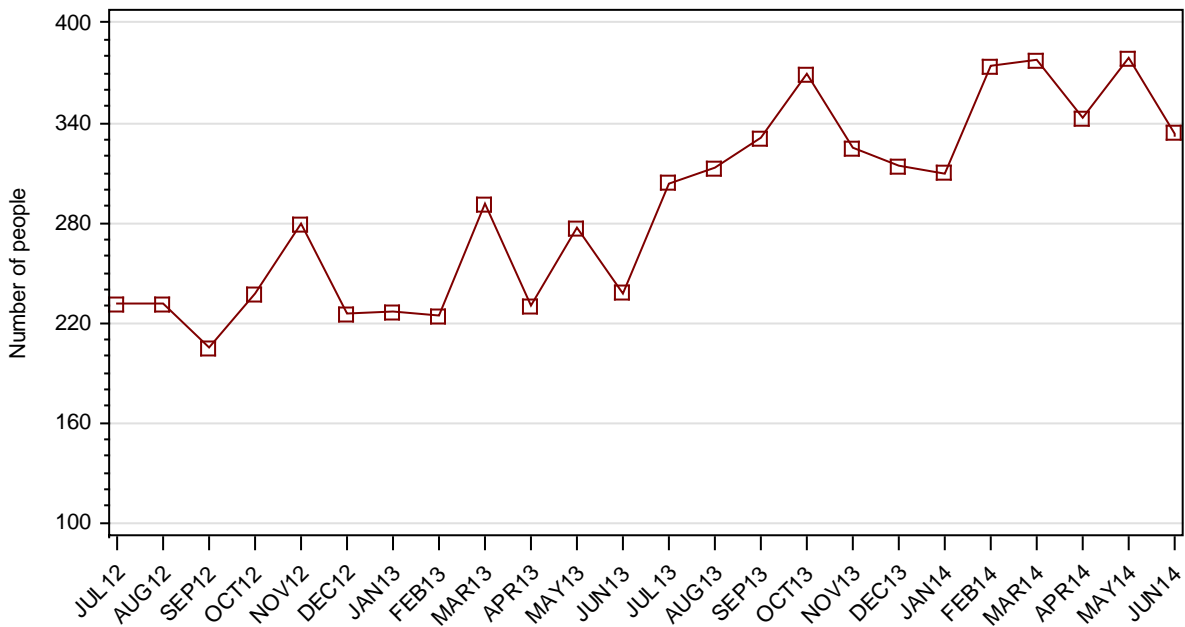
### 2.2.1 ADULTS RECEIVED INTO CUSTODY DURING MONTH



### 2.2.2 ADULT REMAND RECEPTIONS

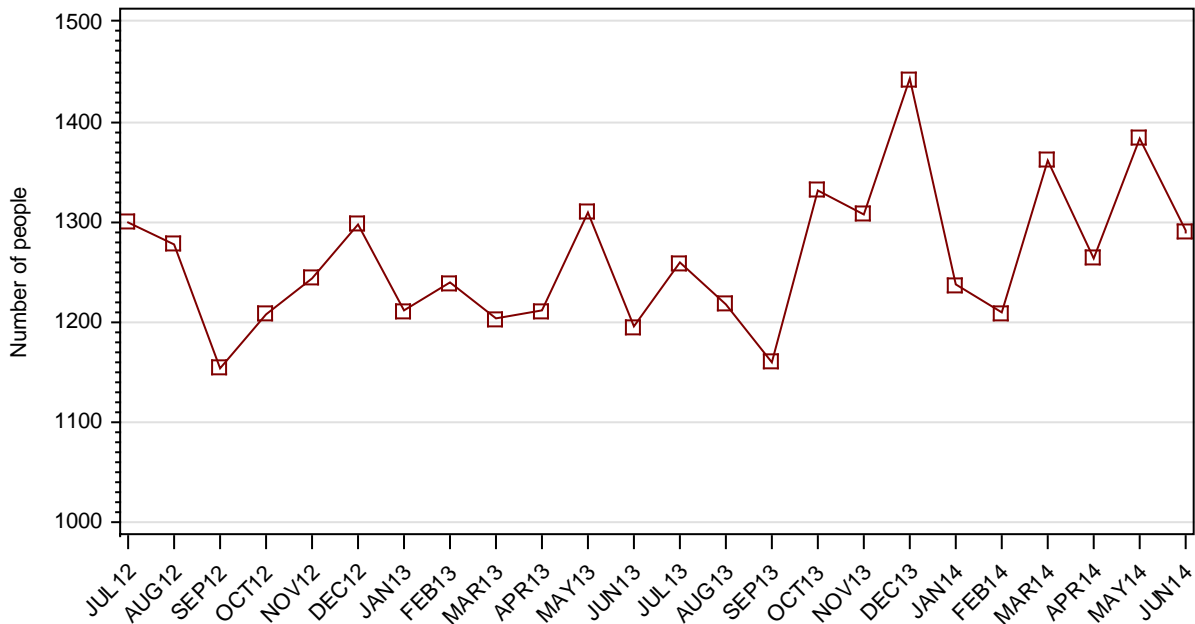


### 2.2.3 ADULT SENTENCED RECEPTIONS



## SECTION 2.3 ADULT CUSTODY DISCHARGES

### 2.3.1 ADULTS DISCHARGED FROM CUSTODY DURING MONTH

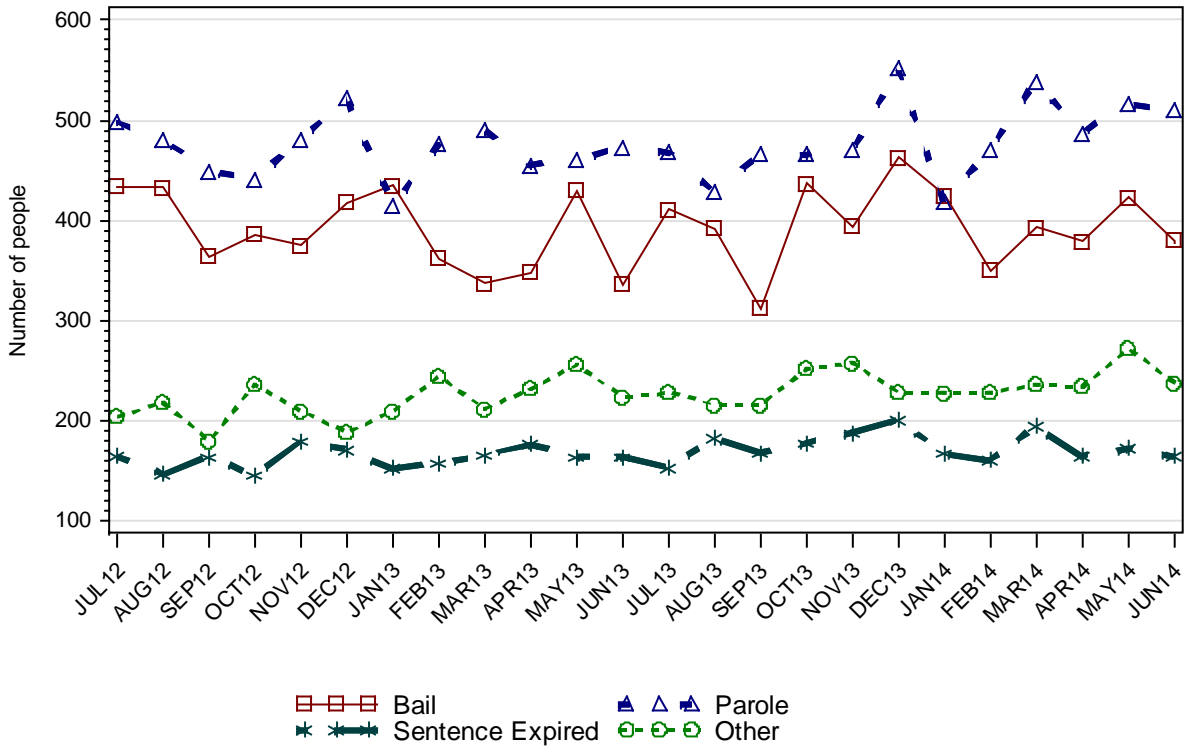


### 2.3.2 AVERAGE LENGTH OF STAY FOR ADULTS DISCHARGED FROM CUSTODY EACH QUARTER

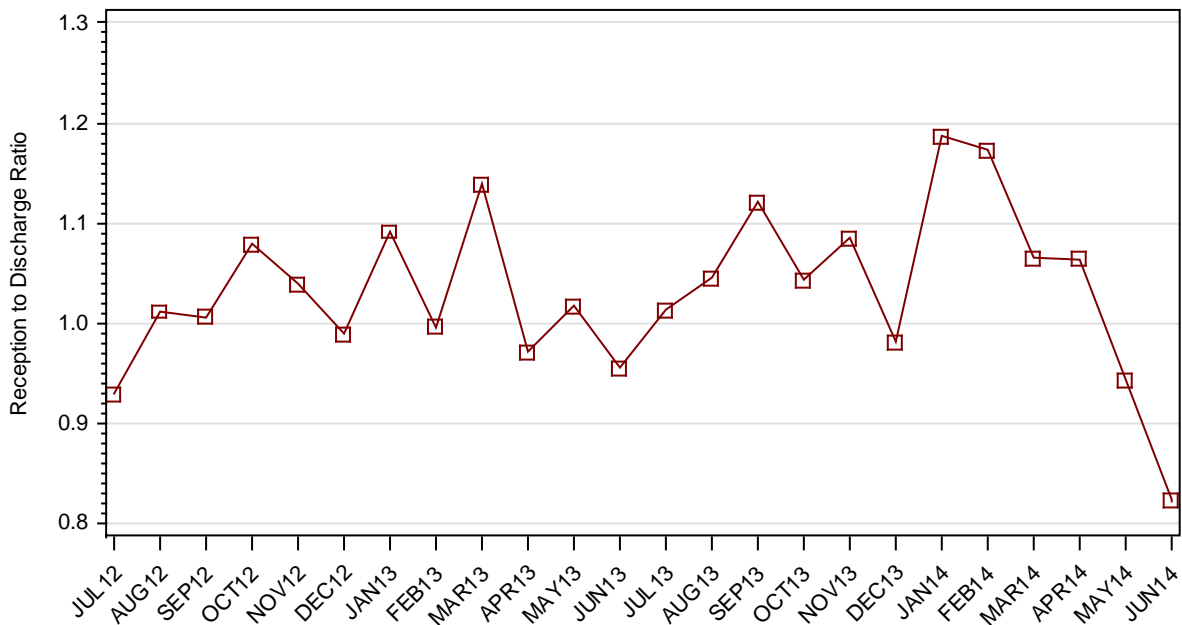
		Remand Custody Only		Sentenced Custody Only		Remand to Sentenced Custody	
		MAR14	JUN14	MAR14	JUN14	MAR14	JUN14
Total Male	Avg Days	40.6	52.8	218.3	207.7	429.1	463.3
	Number	1354	1371	828	891	1119	1187
Total Female	Avg Days	29.8	42.0	173.8	111.6	255.3	281.4
	Number	270	237	111	116	126	137
Indigenous Male	Avg Days	42.0	58.3	206.5	173.4	356.8	372.8
	Number	344	306	244	270	323	354
Indigenous Female	Avg Days	25.5	38.9	124.1	95.9	185.1	205.8
	Number	94	72	40	45	58	63
Total	Avg Days	38.8	51.2	213.0	196.6	411.5	444.5
	Number	1624	1608	939	1007	1245	1324

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	
JUL12	347	164	8	175	174	168	5	89	3	82	48
AUG12	346	148	5	193	177	165	4	85	3	89	48
SEP12	320	132	4	184	154	164	2	72	2	80	37
OCT12	319	115	13	191	161	156	2	64	6	91	39
NOV12	310	139	7	164	157	151	2	76	3	78	29
DEC12	301	153	2	146	154	143	4	85	0	69	37
JAN13	317	160	7	150	166	145	6	83	4	79	40
FEB13	313	156	10	147	171	139	3	88	4	79	30
MAR13	310	146	7	157	169	137	4	77	4	88	50
APR13	311	148	3	160	159	151	1	73	2	84	33
MAY13	313	159	8	146	157	154	2	78	3	76	39
JUN13	322	174	5	143	163	154	5	88	3	72	32
JUL13	310	151	8	151	149	158	3	81	4	64	41
AUG13	308	144	8	156	146	159	3	76	3	67	47
SEP13	312	142	2	168	165	144	3	76	1	88	46
OCT13	309	145	8	156	152	155	2	67	2	83	30
NOV13	313	159	4	150	153	154	6	68	1	84	39
DEC13	315	158	7	150	143	168	4	66	1	76	26
JAN14	308	167	4	137	141	163	4	73	3	65	31
FEB14	338	179	5	154	152	180	6	81	2	69	46
MAR14	331	154	6	171	152	176	3	64	6	82	47
APR14	322	155	3	164	154	163	5	78	1	75	33
MAY14	297	145	3	149	134	158	5	69	1	64	37
JUN14	284	124	0	160	139	141	4	61	0	78	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	
JUL12	323	99	207	17	141	175	7	314	212	34	12	50	6	145	164	5	1.03
AUG12	337	100	220	17	175	157	5	342	257	29	11	40	5	174	162	6	0.99
SEP12	292	85	196	11	130	151	11	313	219	36	11	43	4	150	150	13	0.93
OCT12	312	86	211	15	143	164	5	315	245	31	6	28	5	137	173	5	0.99
NOV12	389	108	270	11	185	194	10	398	292	42	14	44	6	189	199	10	0.98
DEC12	327	100	218	9	152	170	5	336	256	23	8	45	4	154	179	3	0.97
JAN13	356	122	223	11	150	196	10	340	269	25	9	33	4	139	193	8	1.05
FEB13	329	104	212	13	158	167	4	332	249	32	10	35	6	153	172	7	0.99
MAR13	347	123	207	17	148	191	8	352	258	36	6	46	6	151	194	7	0.99
APR13	315	110	189	16	129	181	5	313	243	29	7	31	3	139	166	8	1.01
MAY13	376	152	214	10	142	227	7	375	282	37	9	43	4	145	224	6	1.00
JUN13	357	138	204	15	153	195	9	349	270	32	6	33	8	147	196	6	1.02
JUL13	335	125	188	22	142	186	7	345	256	33	12	37	7	155	181	9	0.97
AUG13	280	113	154	13	131	146	3	285	190	42	8	44	1	135	147	3	0.98
SEP13	310	111	183	16	133	173	4	299	214	37	7	35	6	109	186	4	1.04
OCT13	303	123	168	12	111	186	6	312	213	42	7	42	8	128	177	7	0.97
NOV13	323	131	172	20	134	176	13	318	225	31	6	51	5	133	176	9	1.02
DEC13	325	104	201	20	137	180	8	323	239	39	7	34	4	147	167	9	1.01
JAN14	351	123	217	11	151	189	11	358	269	33	8	47	1	153	193	12	0.98
FEB14	363	125	221	17	178	175	10	334	265	26	8	32	3	167	159	8	1.09
MAR14	362	117	221	24	153	198	11	369	281	34	10	40	4	153	202	14	0.98
APR14	318	137	166	15	152	159	7	327	237	33	8	40	9	150	172	5	0.97
MAY14	255	96	151	8	110	134	11	279	196	25	2	50	6	129	139	11	0.91
JUN14	185	75	92	18	89	88	8	200	148	15	4	28	5	86	105	9	0.93

Adult	1.In Custody										Remand to Sent
	Total	Legal Status			Indigenous			Indigenous Legal Status			
		Remand	Sent	Unk	Yes	No	Unk	Remand	Sent	Unk	
<b>JUL12</b>	9500	2397	7103	0	2202	7257	41	503	1699	0	380
<b>AUG12</b>	9515	2416	7099	0	2195	7285	35	522	1673	0	390
<b>SEP12</b>	9522	2485	7037	0	2208	7276	38	567	1641	0	368
<b>OCT12</b>	9617	2552	7065	0	2231	7335	51	584	1647	0	416
<b>NOV12</b>	9666	2578	7088	0	2263	7336	67	608	1655	0	430
<b>DEC12</b>	9652	2644	7008	0	2287	7303	62	660	1627	0	408
<b>JAN13</b>	9763	2755	7008	0	2319	7391	53	686	1633	0	366
<b>FEB13</b>	9758	2726	7032	0	2326	7381	51	686	1640	0	445
<b>MAR13</b>	9925	2811	7113	1	2380	7495	50	707	1672	1	511
<b>APR13</b>	9890	2730	7157	3	2390	7447	53	692	1696	2	479
<b>MAY13</b>	9912	2709	7203	0	2359	7494	59	649	1710	0	469
<b>JUN13</b>	9859	2718	7141	0	2319	7475	65	629	1690	0	415
<b>JUL13</b>	9876	2733	7143	0	2361	7456	59	649	1712	0	401
<b>AUG13</b>	9930	2695	7235	0	2365	7509	56	625	1740	0	467
<b>SEP13</b>	10070	2809	7261	0	2409	7597	64	677	1732	0	442
<b>OCT13</b>	10128	2761	7367	0	2400	7673	55	623	1777	0	477
<b>NOV13</b>	10239	2810	7429	0	2440	7737	62	639	1801	0	490
<b>DEC13</b>	10212	2931	7281	0	2480	7674	58	702	1778	0	383
<b>JAN14</b>	10443	3131	7312	0	2561	7812	70	774	1787	0	399
<b>FEB14</b>	10652	3222	7430	0	2626	7949	77	775	1851	0	463
<b>MAR14</b>	10741	3228	7513	0	2626	8050	65	759	1867	0	541
<b>APR14</b>	10822	3273	7549	0	2631	8120	71	762	1869	0	435
<b>MAY14</b>	10744	3088	7656	0	2573	8099	72	698	1875	0	495
<b>JUN14</b>	10515	2789	7726	0	2486	7954	75	635	1851	0	472

Adult	2.Receptions							3.Discharges							Ratio Rec/ Dis	
	Tot	Legal Status			Indigenous			Tot	Legal Status				Indigenous			
		Remand	Sent	Unk	Yes	No	Unk		Bail	Other	Parole	Sent Exp	Yes	No		Unk
JUL12	1207	976	231	0	332	847	28	1300	434	204	498	164	373	903	24	0.93
AUG12	1293	1062	231	0	353	916	24	1278	433	218	481	146	360	888	30	1.01
SEP12	1161	955	205	1	336	799	26	1154	364	179	448	163	323	808	23	1.01
OCT12	1303	1064	237	2	394	863	46	1208	386	236	441	145	371	804	33	1.08
NOV12	1293	1012	279	2	386	870	37	1244	375	209	481	179	354	869	21	1.04
DEC12	1284	1056	225	3	390	850	44	1298	418	188	522	170	366	883	49	0.99
JAN13	1322	1091	227	4	392	893	37	1211	435	209	415	152	360	805	46	1.09
FEB13	1234	1007	224	3	370	835	29	1239	362	244	476	157	363	845	31	1.00
MAR13	1370	1071	291	8	404	934	32	1203	337	211	490	165	350	820	33	1.14
APR13	1176	938	230	8	355	787	34	1211	348	232	455	176	345	835	31	0.97
MAY13	1332	1048	277	7	384	908	40	1310	430	256	461	163	415	861	34	1.02
JUN13	1142	899	238	5	304	796	42	1195	336	223	473	163	344	815	36	0.96
JUL13	1276	967	304	5	397	832	47	1259	411	228	468	152	355	851	53	1.01
AUG13	1272	958	313	1	365	864	43	1218	392	215	429	182	361	811	46	1.04
SEP13	1300	969	331	0	390	876	34	1160	312	215	466	167	346	788	26	1.12
OCT13	1390	1021	369	0	396	949	45	1332	437	252	466	177	405	873	54	1.04
NOV13	1419	1094	325	0	411	944	64	1308	394	257	470	187	371	880	57	1.08
DEC13	1416	1102	314	0	433	920	63	1443	463	228	552	200	393	983	67	0.98
JAN14	1468	1158	310	0	425	980	63	1237	425	227	418	167	344	842	51	1.19
FEB14	1418	1044	374	0	421	942	55	1209	350	228	471	160	356	805	48	1.17
MAR14	1451	1073	378	0	403	995	53	1362	393	236	539	194	403	894	65	1.07
APR14	1345	1002	343	0	368	942	35	1264	379	234	487	164	363	872	29	1.06
MAY14	1306	927	379	0	326	937	43	1384	423	272	517	172	384	958	42	0.94
JUN14	1062	728	334	0	276	747	39	1291	380	237	510	164	363	892	36	0.82

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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 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 Kariong Juvenile Correctional Centre which is managed by CSNSW. As Kariong 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 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 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.