

NSW Closing the Gap Target 10 Quarterly Report

Aboriginal adults are not overrepresented in the criminal justice system

September 2024



1.1 Key indicator: Aboriginal adults in prison*

Sentenced and remand custody

Up 10.4%
From September 2022

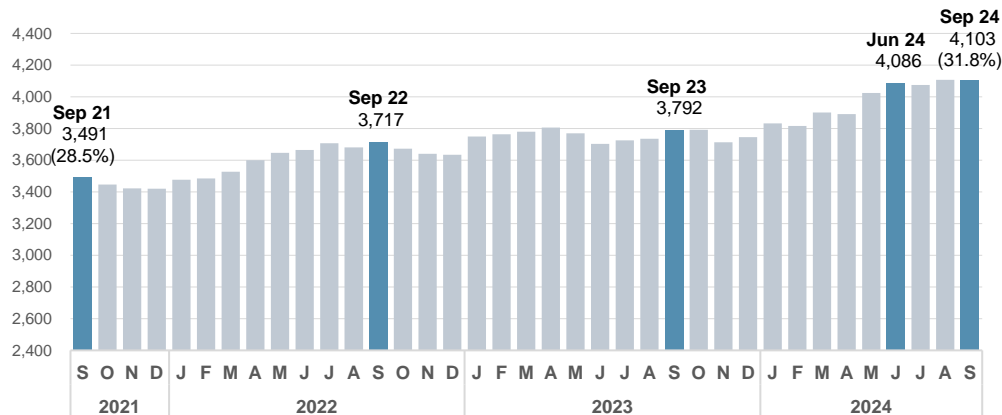
↑ +17
From prior quarter

↑ +386
From same month 2022

4,103
Current year

3,717
Same month 2022

31.8%
% Aboriginal



2.1 Key indicator – Aboriginal adults in court

Local, District and Supreme Courts

Stable
From prior year

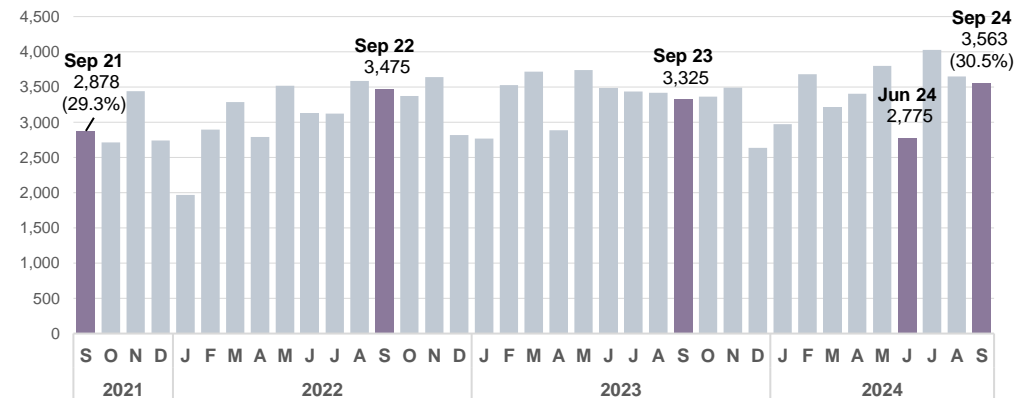
↑ +1,261
From prior quarter

↑ +423
From prior year

40,584
Current year

40,161
Last year

30.0%
% Aboriginal



1.2 Aboriginal men in prison*

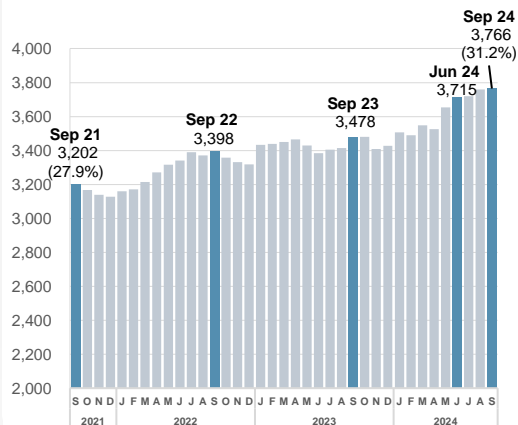
Sentenced and remand custody

Up 10.8%
From September 2022

↑ +368
From same month 2022

3,766
Current year

3,398
Same month 2022



1.3 Aboriginal women in prison*

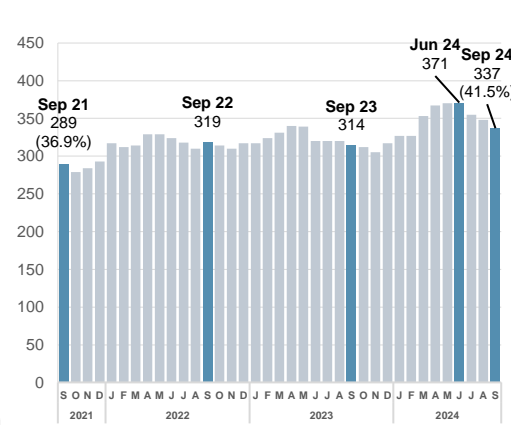
Sentenced and remand custody

Up 5.6%
From September 2022

↑ +18
From same month 2022

337
Current year

319
Same month 2022



2.2 Aboriginal men in court

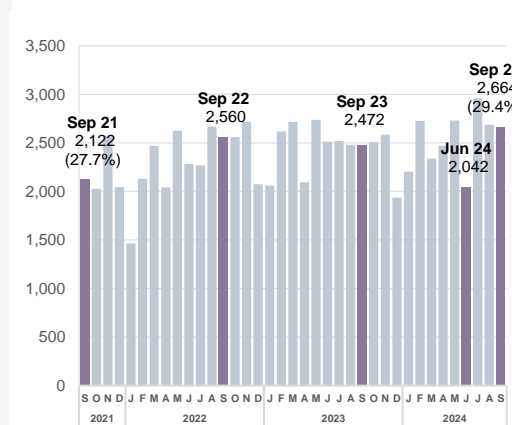
Local, District and Supreme Courts

Stable
From prior year

↑ +281
From prior year

29,847
Current year

29,566
Last year



2.3 Aboriginal women in court

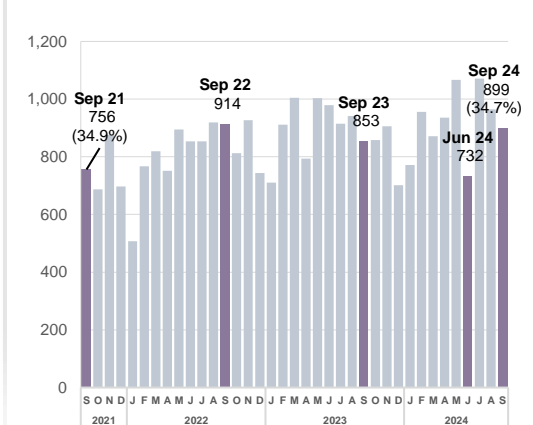
Local, District and Supreme Courts

Stable
From prior year

↑ +141
From prior year

10,732
Current year

10,591
Last year



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).

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3. Police

3.1 Police court proceedings*

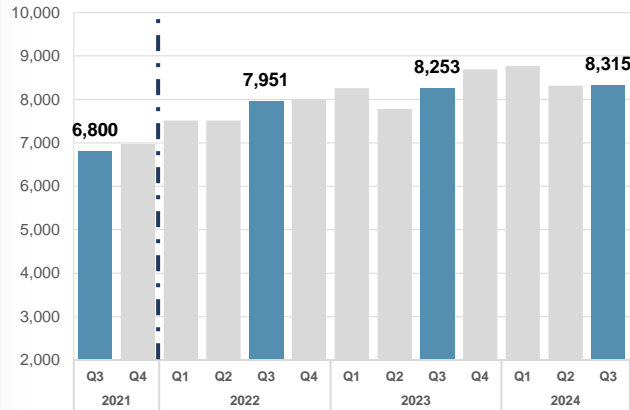
*excludes Aboriginal adults proceeded to court for breaching bail

Up 5.6%
From prior year

↑ +1,812
From prior year

34,093
Current year

32,281
Last year



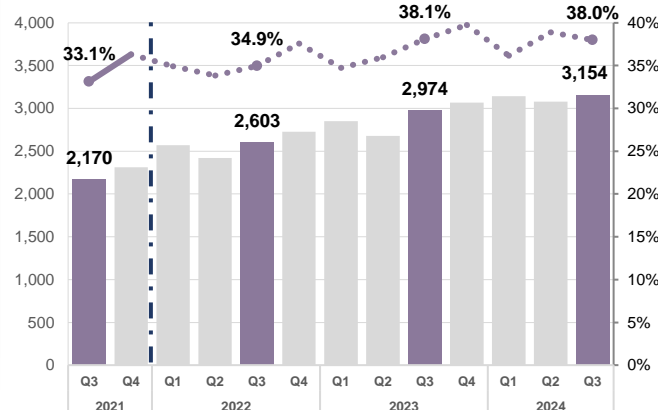
4.1 Refused bail by police

Up 10.8%
From prior year

↑ +1,209
From prior year

12,440
Current year

11,231
Last year



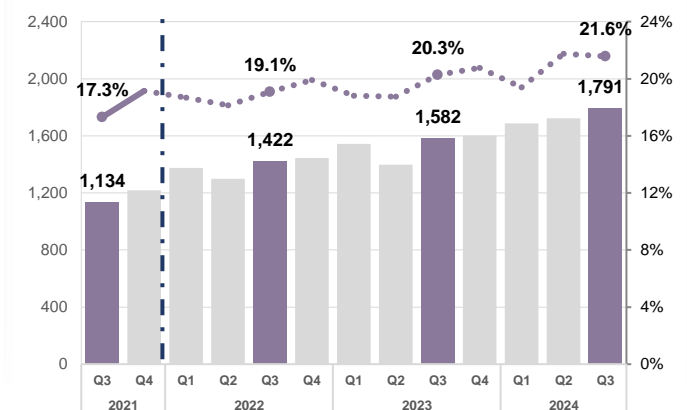
4.2 Refused bail by court

Up 14.0%
From prior year

↑ +834
From prior year

6,801
Current year

5,967
Last year



4. Bail

4.3 Bail revoked due to breach

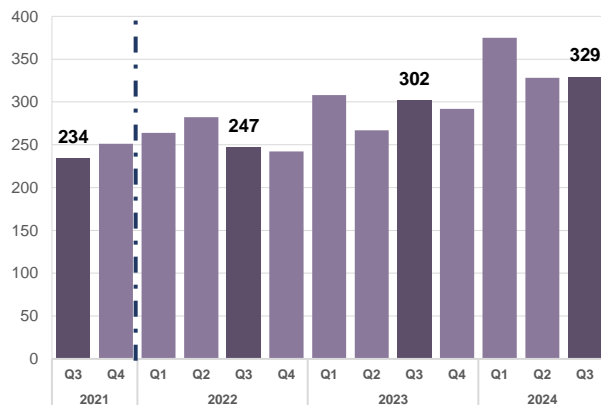
*breach of bail established in court

Up 18.3%
From prior year

↑ +205
From prior year

1,324
Current year

1,119
Last year



4.4 Reason for bail revocation – bail breach involving further offence*

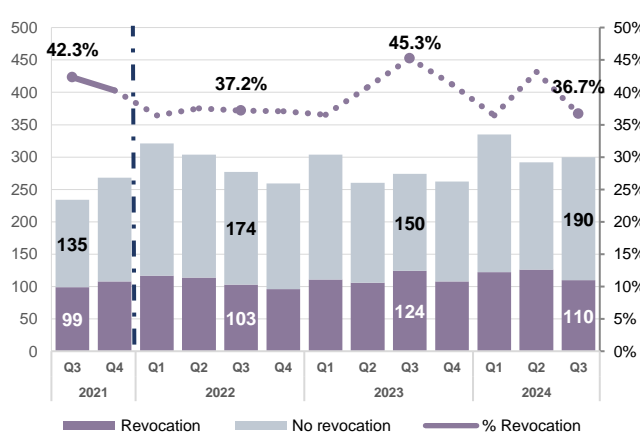
*breach of bail established in court

Up 6.6%
From prior year

↑ +29
From prior year

466
Current year

437
Last year



4.5 Reason for bail revocation – technical bail breach

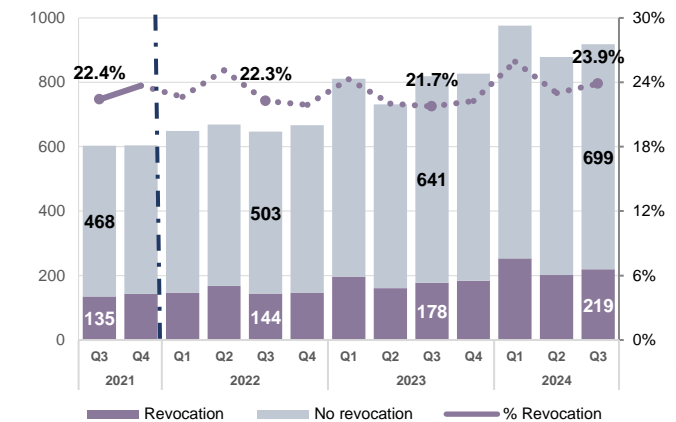
*breach of bail established in court

Up 25.8%
From prior year

↑ +176
From prior year

858
Current year

682
Last year



Note: data from March 2020 onwards have been impacted by COVID and may not represent a change in long term trend. In Jan 2022 it became mandatory for NSW Police to ask all offenders if they identify as Aboriginal.

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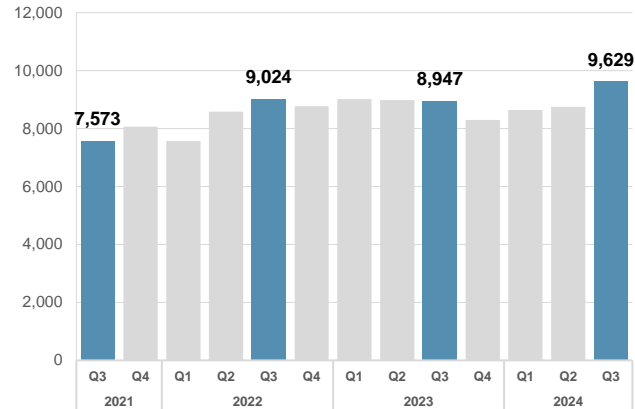
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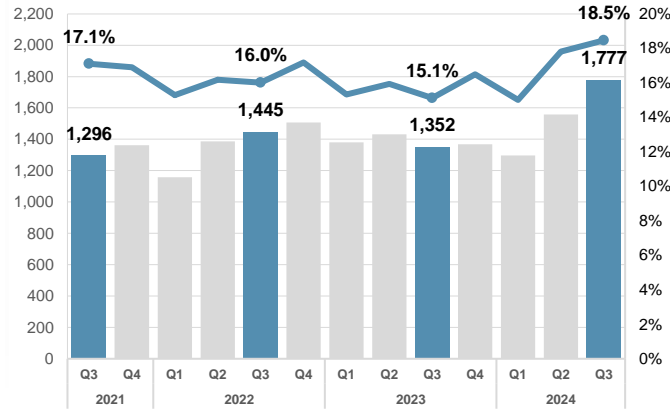
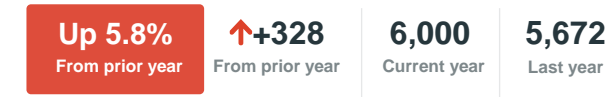


5. Criminal Courts

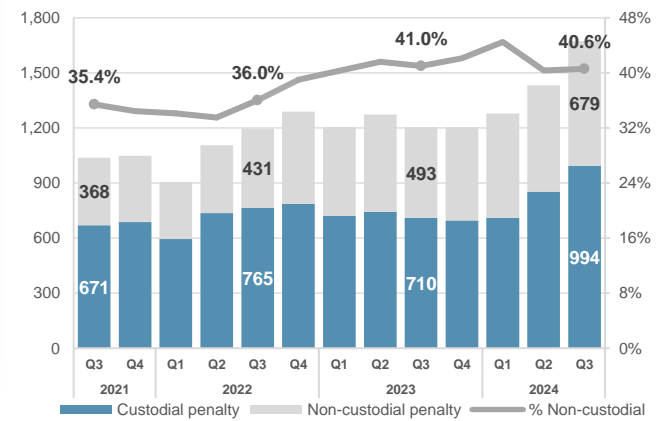
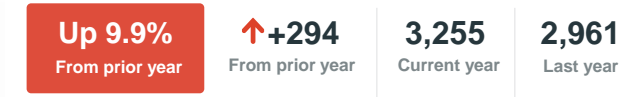
5.1 Found guilty in court



5.2 Sentenced to prison

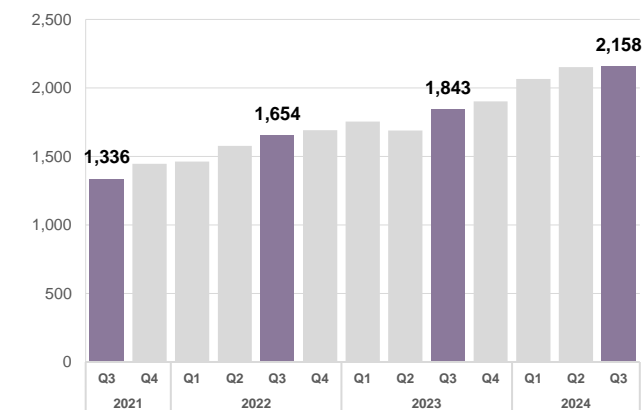


5.3 Sentenced to custody from remand

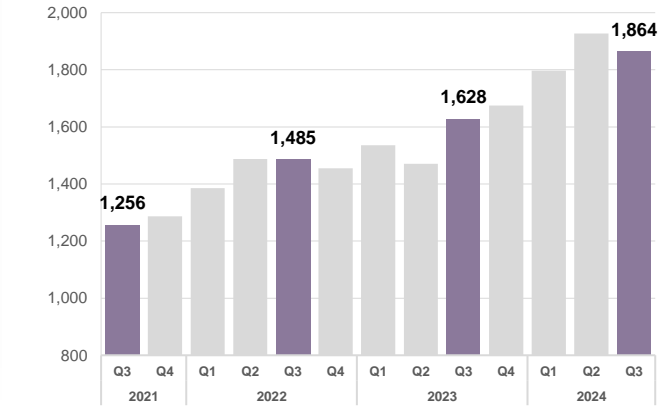
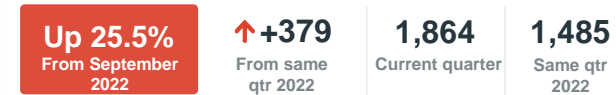


6. Custody

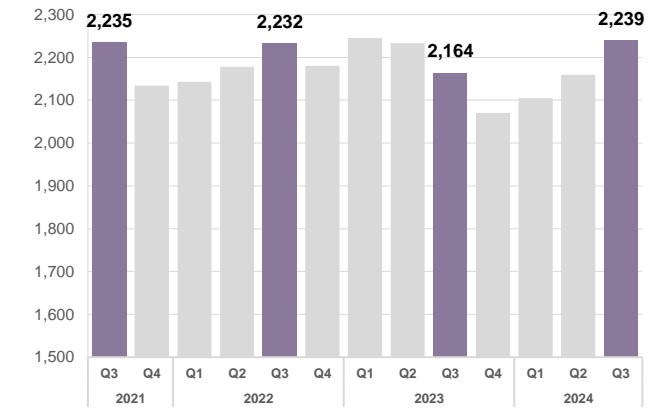
6.1 Entering custody



6.2 Remand custody population*



6.3 Sentenced custody population*



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).

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6. Custody

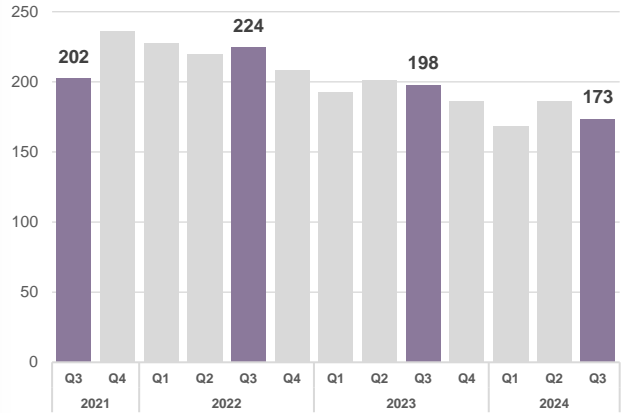
6.4 Length of stay in custody

Average number of days for persons discharged by discharge date

Down 10.5% ↓ -21 days
From prior year

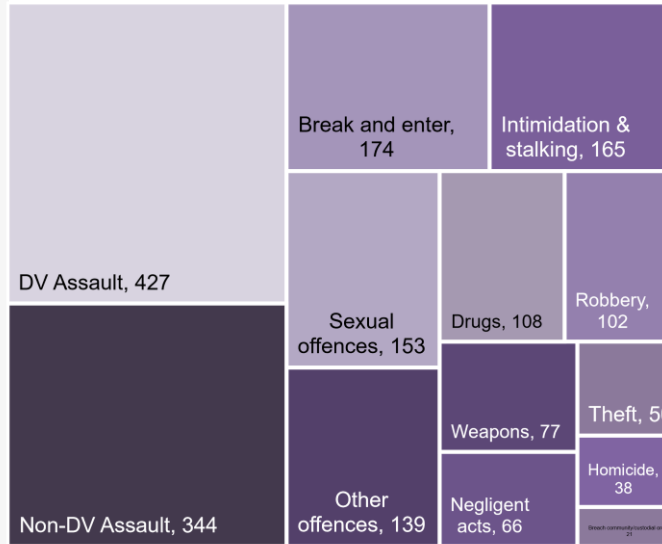
179 days Current 12-month average

200 days 12-month average last year



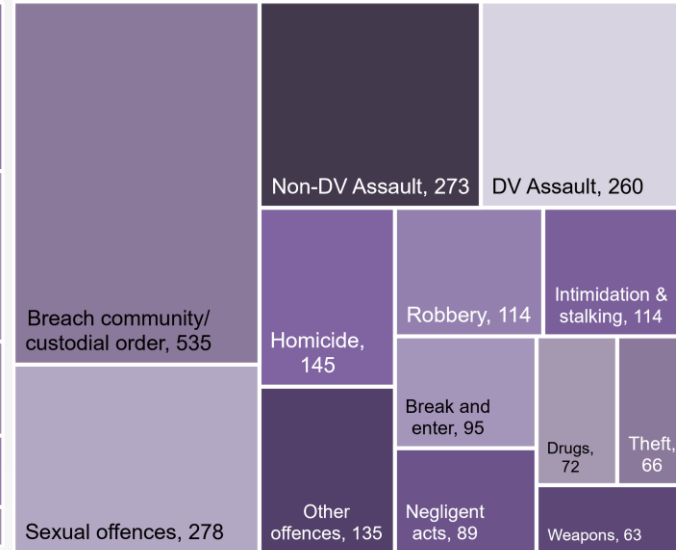
6.5 Remandee's most serious offence

Aboriginal remand population Sep 2024 = 1,864



6.6 Sentenced prisoner's most serious offence

Aboriginal sentenced population Sep 2024 = 2,239



7. Reoffending

7.1 Reoffending among Aboriginal adults guilty in court – new proven offence

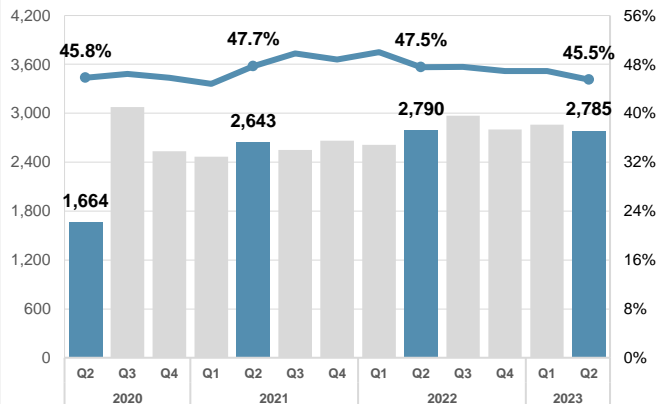
Quarterly cohort reoffending rate - Any new proven offence committed within 12 months

Down 5 Change year to year

45.5% Current rate

2,785 Current year

2,790 Last year



7.2 Reoffending among Aboriginal adults exiting custody – new proven offence

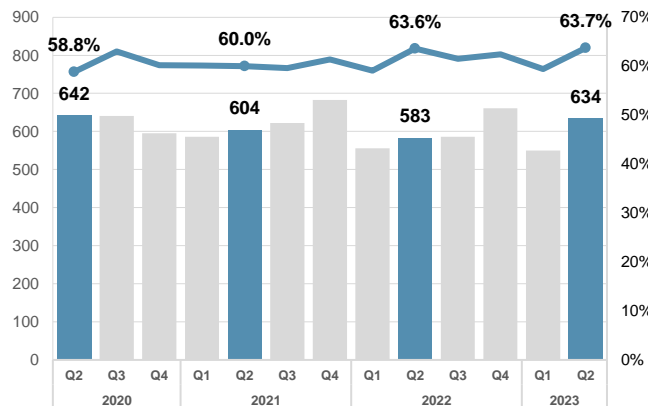
Quarterly cohort reoffending rate - Any new proven offence committed within 12 months

Up 51 Change year to year

63.7% Current rate

634 Current year

583 Last year



7.3 Reoffending among Aboriginal adults exiting custody – return to custody

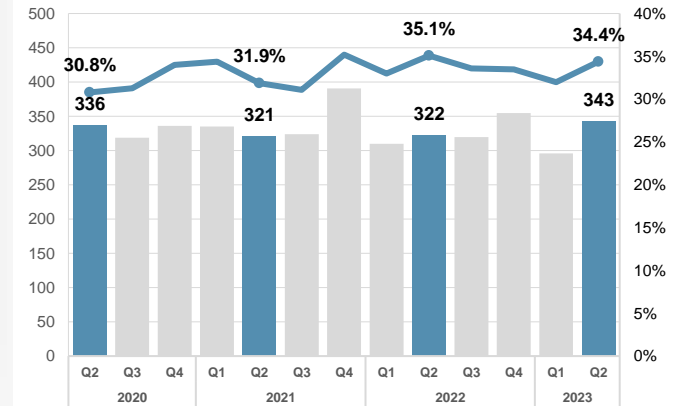
Quarterly cohort reoffending rate - Return to custody for a further offence committed within 12 months

Up 21 Change year to year

34.4% Current rate

343 Current year

322 Last year



Note: data from March 2020 onwards have been impacted by COVID and may not represent a change in long term trend
 ^Q2 2020 cohort - the number of criminal matters finalised in NSW Courts was lower than average due to the disruption to court operations in due to COVID-19. In Q3 2020 the number of criminal matters finalised was higher due to a surge in court activity to address this disruption..

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Glossary

Measure	Definition
1.1, 1.2, 1.3 Aboriginal adults in prison	Number of Aboriginal adults held in custody, 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 adults in court	Number of Aboriginal adults 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 Local, District and Supreme Courts.
3.1 Police court proceedings	Number of Aboriginal adults proceeded against to court by NSW Police. This measure excludes Aboriginal adults 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.
4.1 Refused bail by police	Number and proportion of Aboriginal adults refused bail by the police.
4.2 Refused bail by court	Number and proportion of Aboriginal adults refused bail at their first court bail appearance.
4.3, 4.4, 4.5 Bail breaches	Number of Aboriginal adults whose bail was revoked due to a bail breach. 4.4 and 4.5 are a subset of 4.3 and show the reason for the bail breach, 4.4 where the offender committed a new offence, 4.5 a technical bail breach, such as reporting to police, curfew and residence.
5.1 Found guilty in court	Number of Aboriginal adults found guilty in finalised criminal court appearances.
5.2 Sentenced to prison	Number and proportion of Aboriginal adults sentenced to custody.
5.3 Sentenced to custody from remand	Number and proportion of Aboriginal adults refused bail at court finalisation by whether they received a custodial or non-custodial penalty.
6.1 Entering custody	Number of Aboriginal adults received into custody. Excludes those held in police/court cell complexes.
6.2, 6.3 Remand and sentenced prisoners	Remand – Aboriginal adults 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 adults discharged from custody.
6.5, 6.6 Prisoner's most serious offence	The most serious offence type for which each adults is in custody (remand and sentenced custody shown separately). Data is shown for the most recent month.
7.1 Reoffending among Aboriginal adults guilty in court	Reoffending is defined as a further offence committed within 12 months of a proven court appearance and finalised by court appearance within 15 months (excludes those who received a custodial penalty). The quarterly reoffending rate is the proportion of Aboriginal adult offenders with a proven court appearance in a given three-month period that went on to commit a further proven offence within 12 months of the court appearance.
7.2 Reoffending among Aboriginal adults 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 within 15 months. The quarterly reoffending rate is the proportion of Aboriginal adult offenders released from sentenced custody in a given three-month period that went on to commit a further proven offence within 12 months of release.
7.3 Reoffending among Aboriginal adults 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. The quarterly reoffending rate is the proportion of Aboriginal adult offenders released from sentenced custody in a given three-month period that went on to commit a further proven offence within 12 months of release and received a subsequent custodial penalty (only counts those 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.