

NSW Closing the Gap Target 11 Quarterly Report

Aboriginal young people are not overrepresented in the criminal justice system

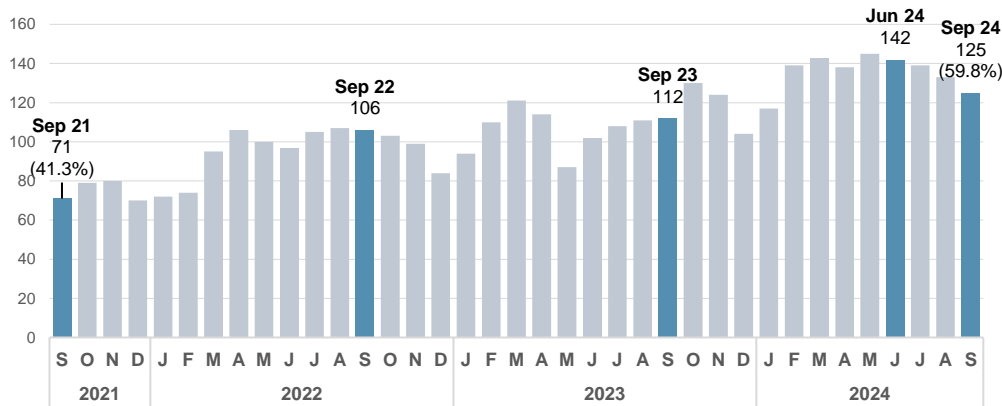
September 2024



1.1 Key indicator: Aboriginal young people in detention*

Sentenced and remand custody

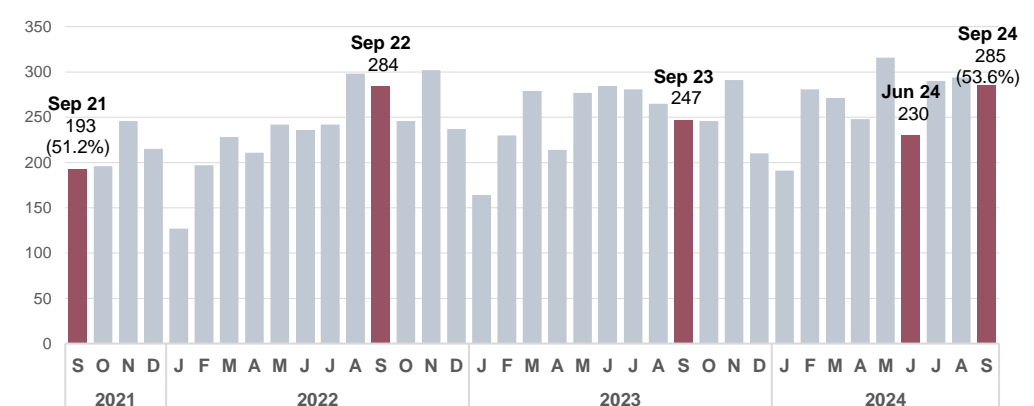
Up 17.9% From September 2022	↓ -17 From prior quarter	↑ +19 From same month 2022	125 Current quarter	106 Same month 2022	59.8% % Aboriginal
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2.1 Key indicator: Aboriginal young people in court

Children's, Local, District and Supreme Courts

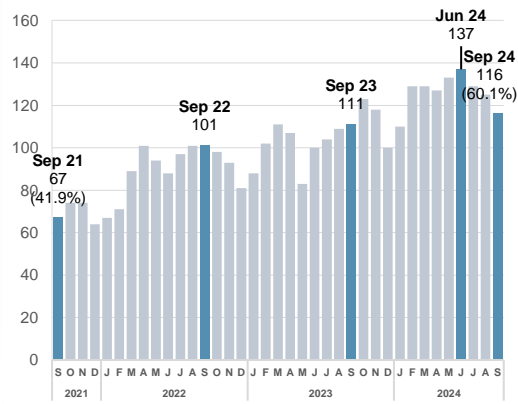
Up 4.2% From prior year	↑ +75 From prior quarter	↑ +127 From prior year	3,153 Current year	3,026 Last year	54.5% % Aboriginal
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1.2 Aboriginal young males in detention*

Sentenced and remand custody

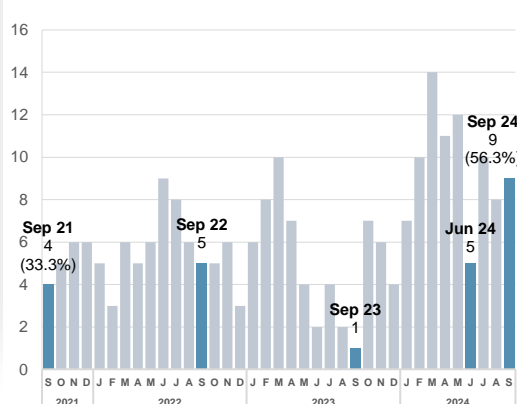
Up 14.9% From September 2022	↑ +15 From same month 2022	116 Current quarter	101 Same month 2022
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1.3 Aboriginal young females in detention*

Sentenced and remand custody

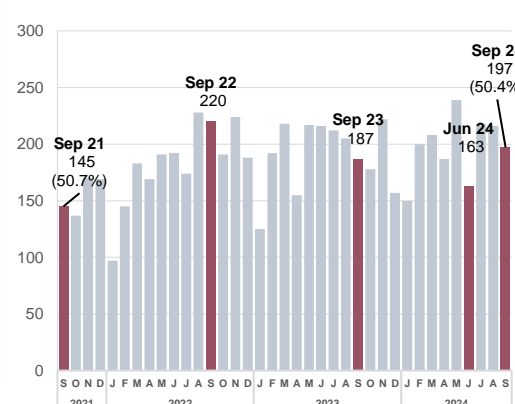
Up 80.0% From September 2022	↑ +4 From same month 2022	9 Current quarter	5 Same month 2022
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2.2 Aboriginal young males in court

Children's, Local, District and Supreme Courts

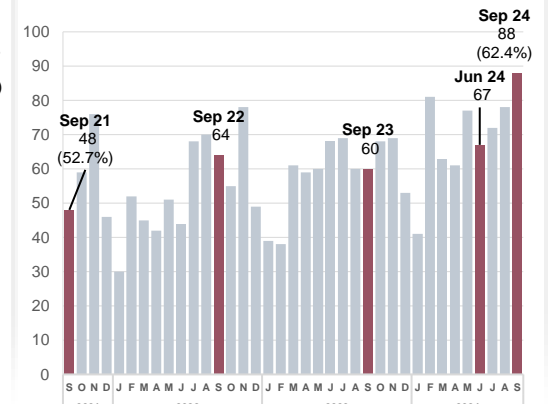
Stable From prior year	↑ +5 From prior quarter	2,335 Current year	2,330 Last year
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2.3 Aboriginal young females in court

Children's, Local, District and Supreme Courts

Up 17.5% From prior year	↑ +122 From prior quarter	818 Current year	696 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 7.6% of the NSW population aged 10 to 17 years (2021 ABS Estimated Resident Population)

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3. Police

3.1 Police court proceedings*

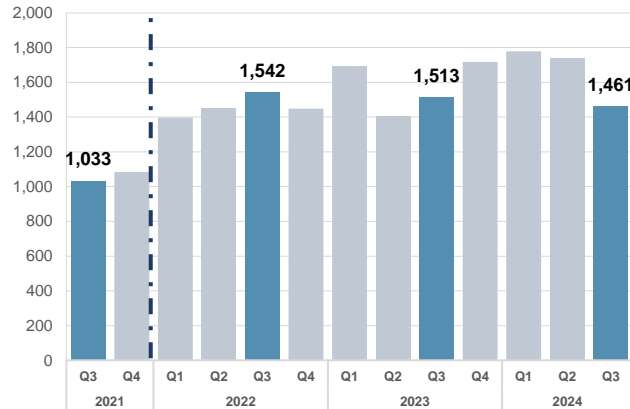
*excludes Aboriginal young people proceeded to court for breaching bail

Up 10.6%
From prior year

↑ +639
From prior year

6,695
Current year

6,056
Last year



3.2 Diversion from court*

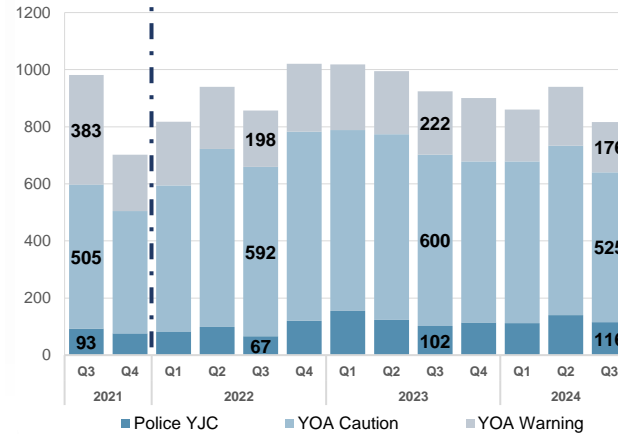
*Police Youth Justice Conference referrals, cautions/warnings under the Young Offenders Act.

Down 11.1%
From prior year

↓ -441
From prior year

3,517
Current year

3,958
Last year



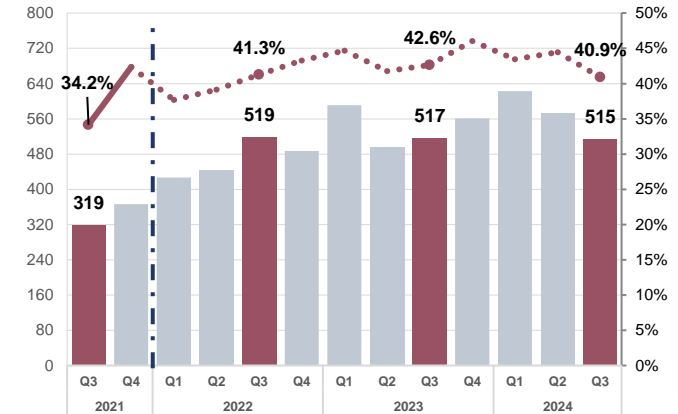
4.1 Refused bail by police

Up 8.7%
From prior year

↑ +181
From prior year

2,273
Current year

2,092
Last year



4. Bail

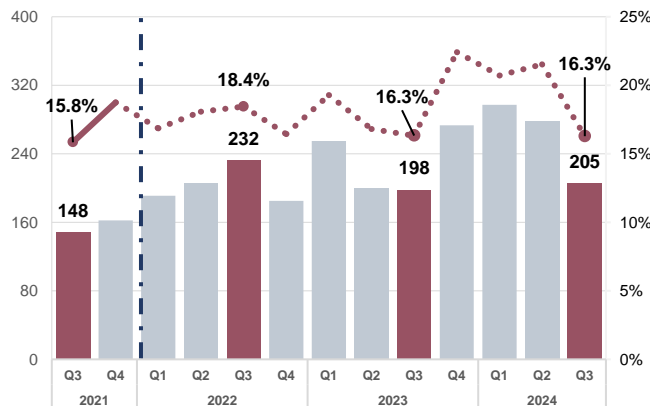
4.2 Refused bail by court

Up 25.7%
From prior year

↑ +215
From prior year

1,053
Current year

838
Last year



4.3 Bail revocations following bail breach involving further offence*

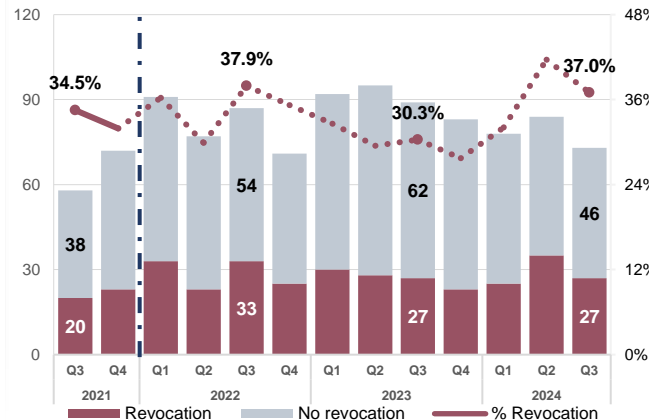
*breach of bail established in court

Stable
From prior year

0
From prior year

110
Current year

110
Last year



4.4 Bail revocations from technical bail breach

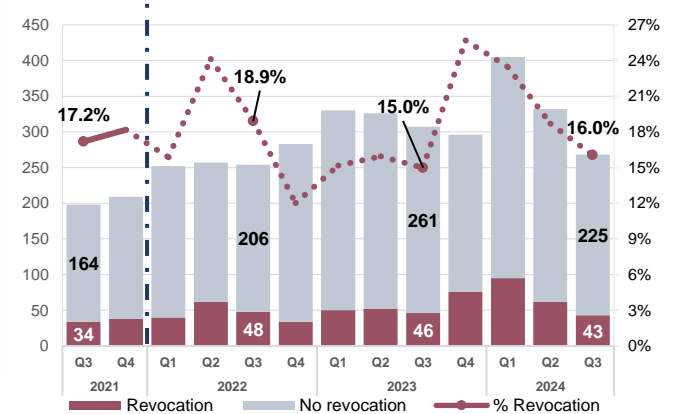
*breach of bail established in court

Up 51.6%
From prior year

↑ +94
From prior year

276
Current year

182
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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5. Criminal Courts

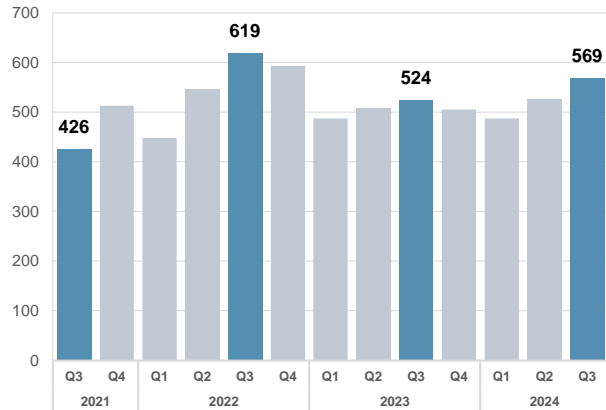
5.1 Found guilty in court

Stable
From prior year

↓ -25
From prior year

2,087
Current year

2,112
Last year



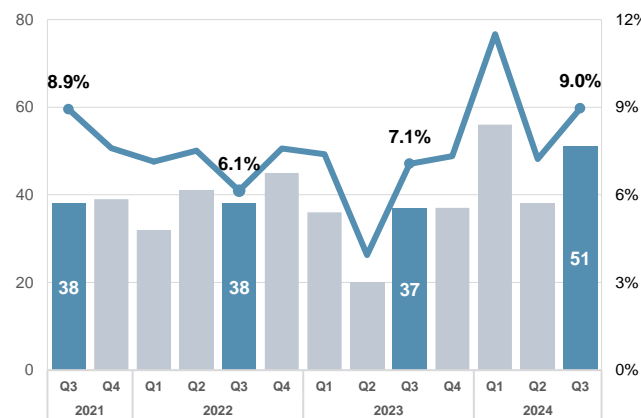
5.2 Sentenced to custody

Up 31.9%
From prior year

↑ +44
From prior year

182
Current year

138
Last year



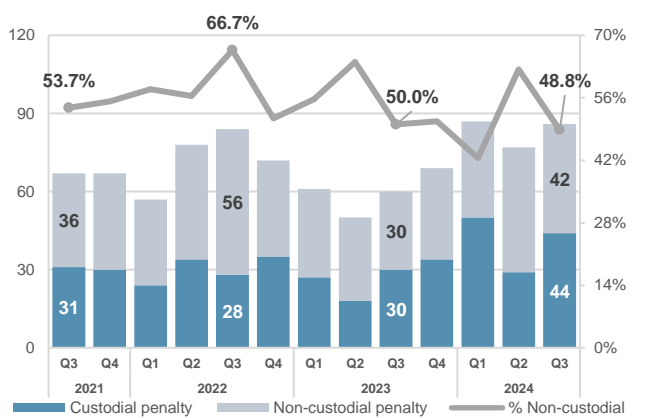
5.3 Sentenced to custody from remand

Up 42.7%
From prior year

↑ +47
From prior year

157
Current year

110
Last year



6. Custody

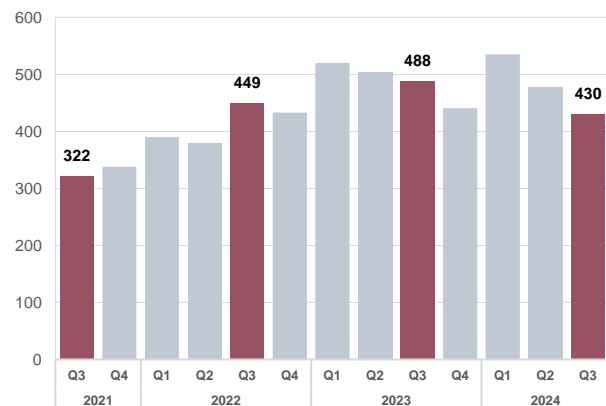
6.1 Entering custody

Up 21.0%
From September 2022

↑ +327
From 2022

1,884
Current year

1,557
2022



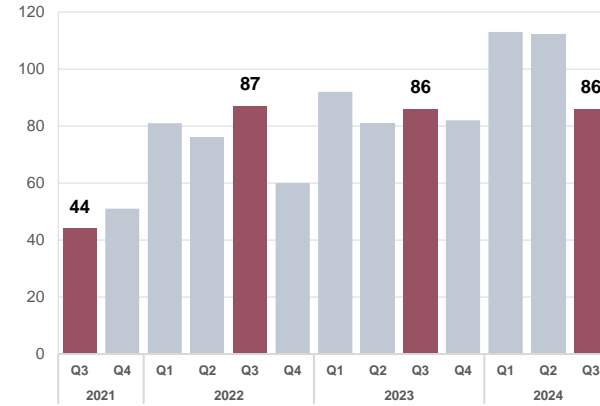
6.2 Remand custody population*

Stable
From September 2022

↓ -1
From same qtr 2022

86
Current quarter

87
Same qtr 2022



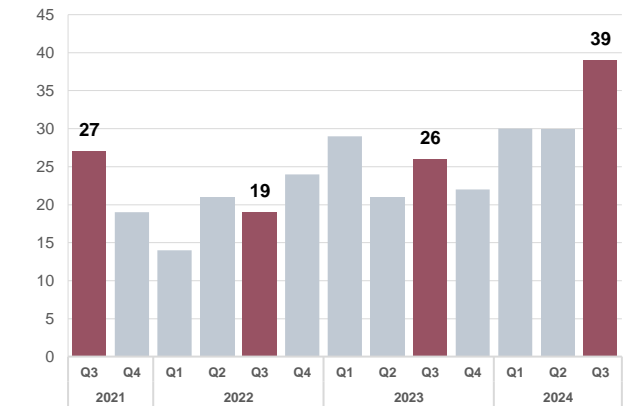
6.3 Sentenced custody population*

Up 105.3%
From September 2022

↑ +20
From same qtr 2022

39
Current quarter

19
Same qtr 2022



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

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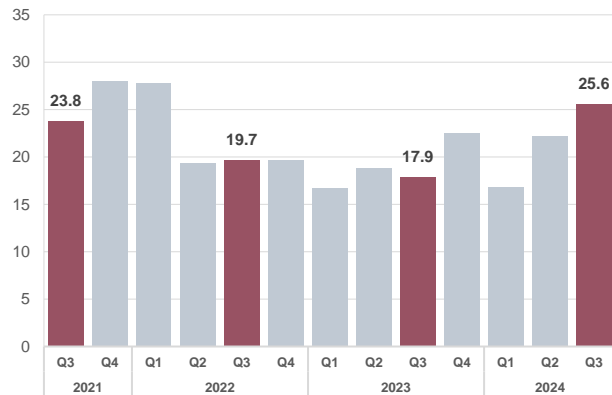


6. Custody

6.4 Length of stay in custody*

*Average number of days for persons discharged by discharge date

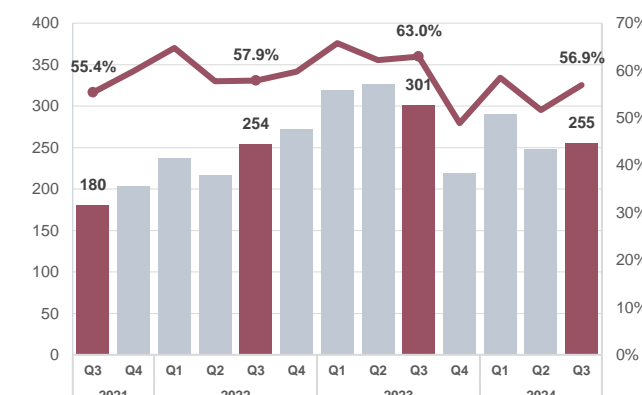
Up 21.2% **↑+3.9 days** **22.1 days** **18.2 days**
 From prior year From prior year Current 12-month average 12-month average last year



6.5 Short-term remand*

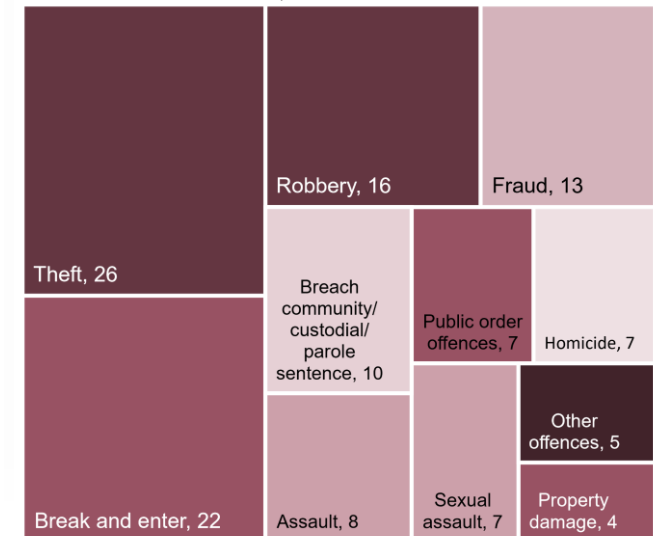
*Number of persons that spent less than 2 days spent in custody by discharge date

Down 16.9% **↓-206** **1,012** **1,218**
 From prior year From prior year Current year Last year



6.6 Detainee's most serious offence

The most serious offence for which a person is detained

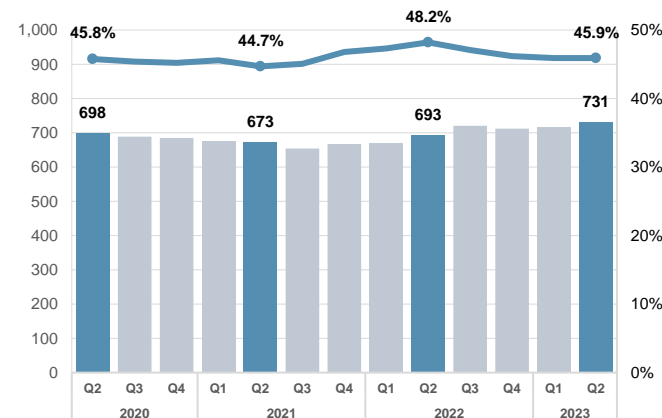


7. Reoffending

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

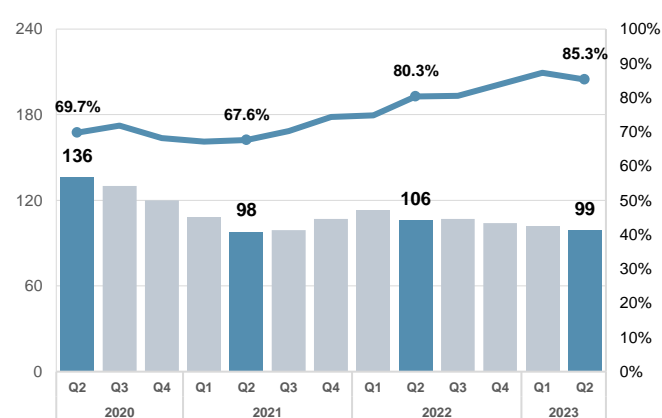
Up 38 **45.9%** **731** **693**
 Change year to year Current rate Current year Last year



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

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

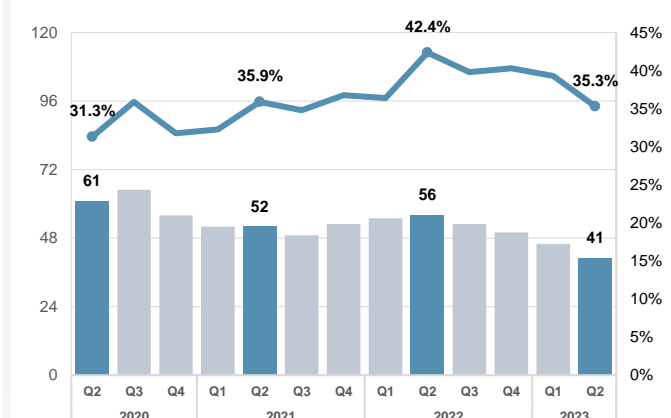
Down 7 **85.3%** **99** **106**
 Change year to year Current rate Current year Last year



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 15 **35.3%** **41** **56**
 Change year to year Current rate Current year Last year



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Glossary

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.