

NSW Closing the Gap Target 10 Quarterly Report

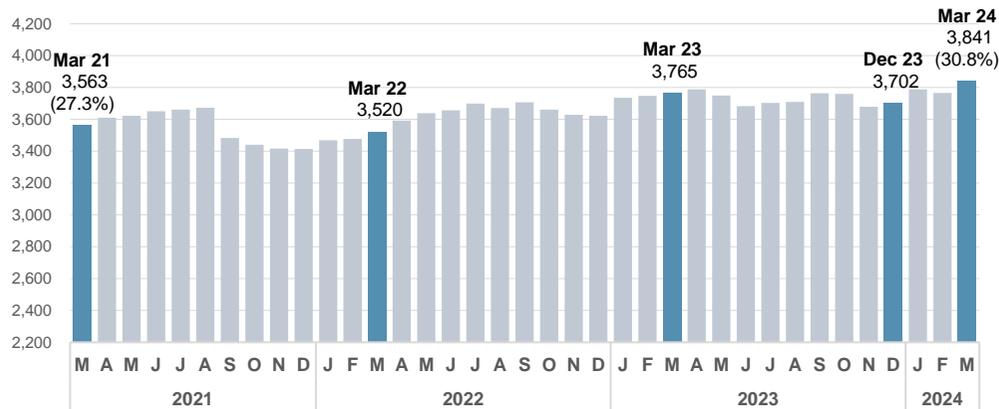
Aboriginal adults are not overrepresented in the criminal justice system

March 2024



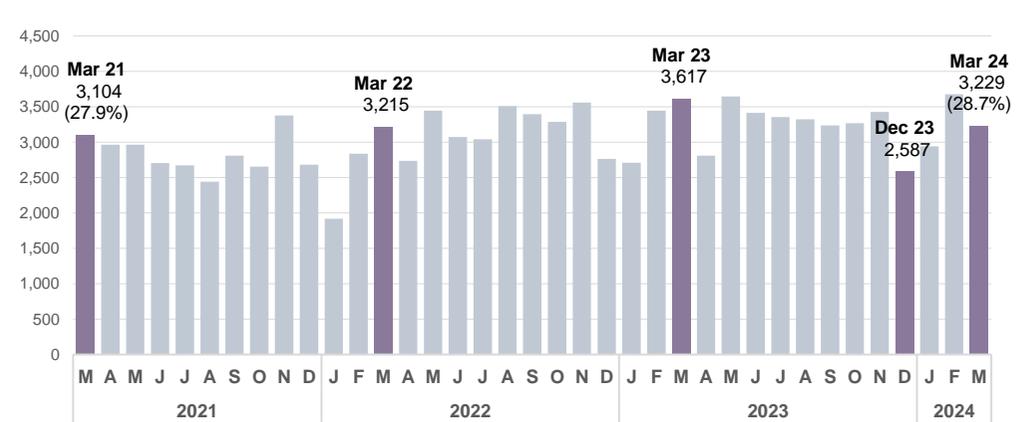
1.1 Key indicator: Aboriginal adults in prison*

Sentenced and remand custody



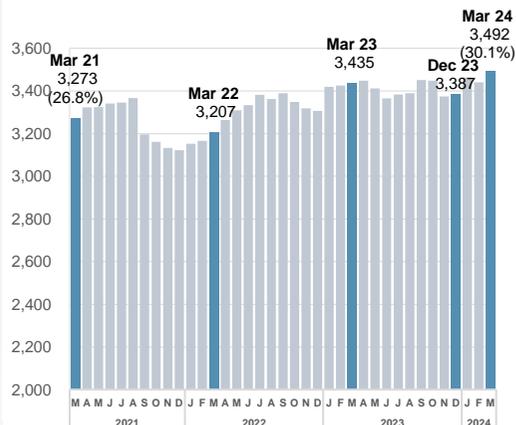
2.1 Key indicator – Aboriginal adults in court

Local, District and Supreme Courts



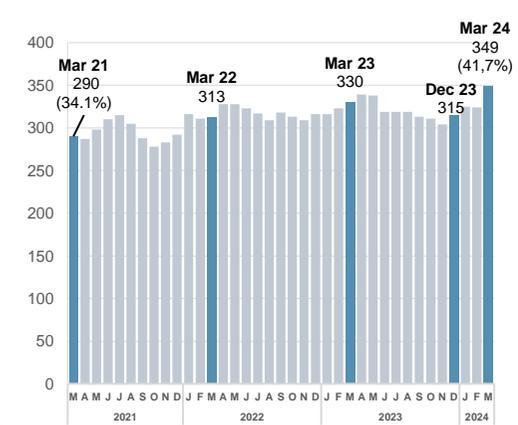
1.2 Aboriginal men in prison*

Sentenced and remand custody



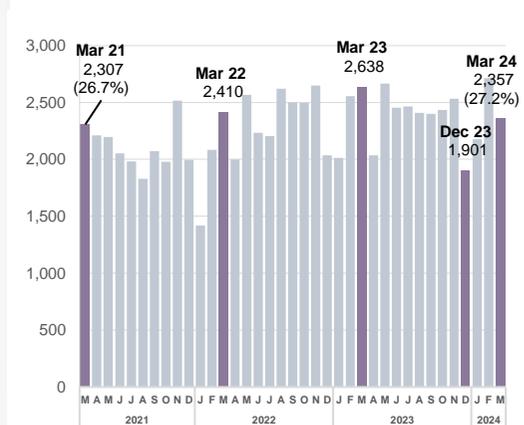
1.3 Aboriginal women in prison*

Sentenced and remand custody



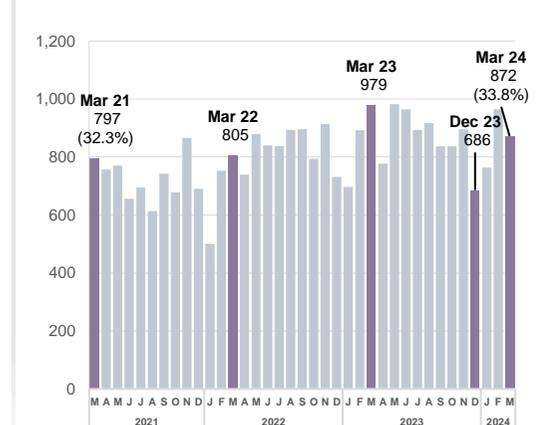
2.2 Aboriginal men in court

Local, District and Supreme Courts



2.3 Aboriginal women in court

Local, District and Supreme Courts



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 people comprise 3.4% of the adult NSW population (2021 ABS Census)

NSW Closing the Gap Target 10 Quarterly Report

Aboriginal adults are not overrepresented in the criminal justice system

March 2024



3. Police

3.1 Police court proceedings*

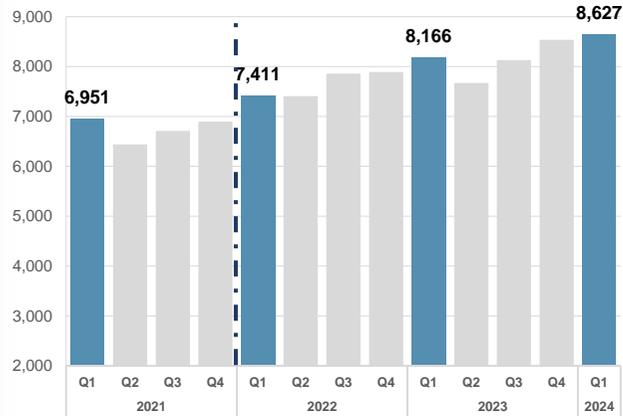
*excludes Aboriginal adults proceeded to court for breaching bail

Up 5.2%
From prior year

↑ +1,638
From prior year

32,955
Current year

31,317
Last year



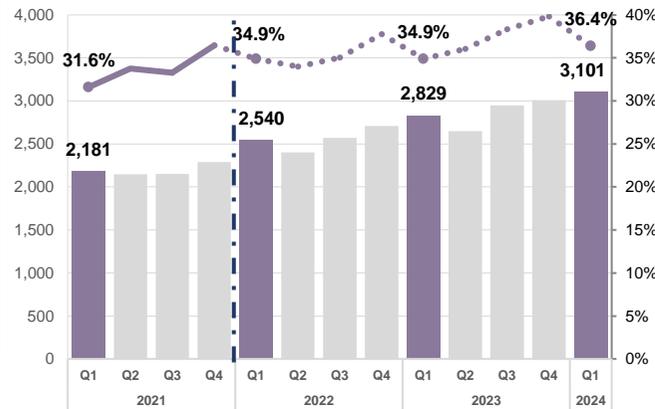
4.1 Refused bail by police

Up 11.4%
From prior year

↑ +1,196
From prior year

11,707
Current year

10,511
Last year



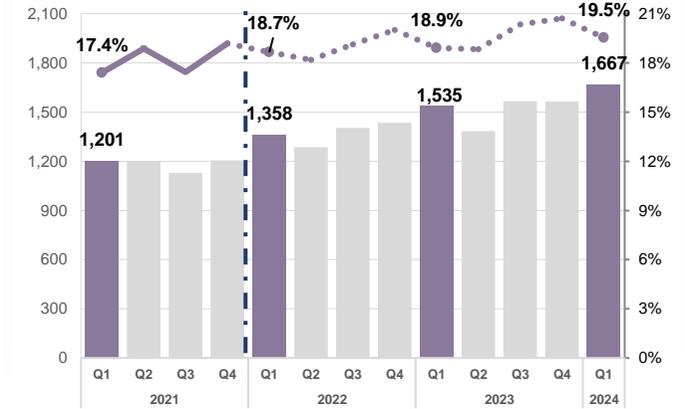
4.2 Refused bail by court

Up 9.2%
From prior year

↑ +522
From prior year

6,182
Current year

5,660
Last year



4. Bail

4.3 Bail revoked due to breach

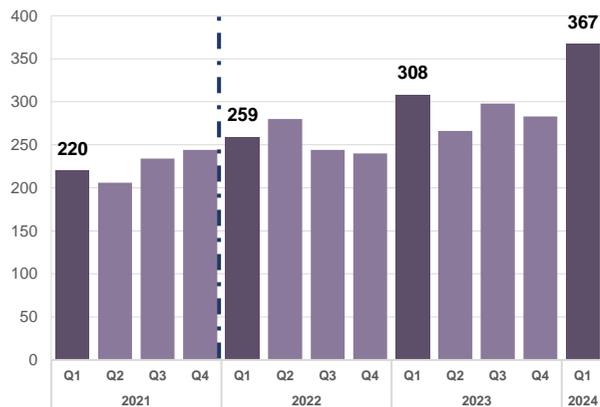
*breach of bail established in court

Up 13.2%
From prior year

↑ +142
From prior year

1,214
Current year

1,072
Last year



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

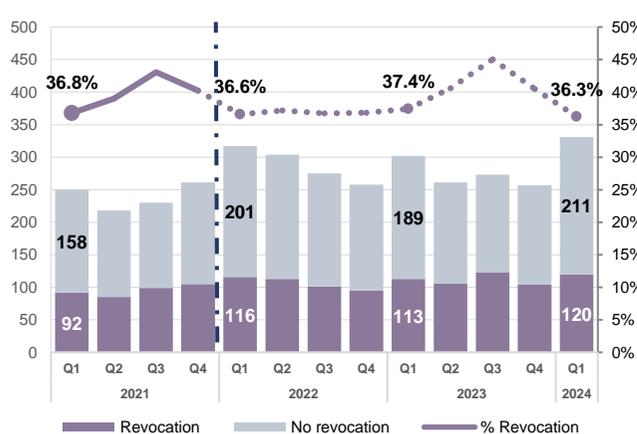
*breach of bail established in court

Up 7.3%
From prior year

↑ +31
From prior year

453
Current year

422
Last year



4.5 Reason for bail revocation – technical bail breach

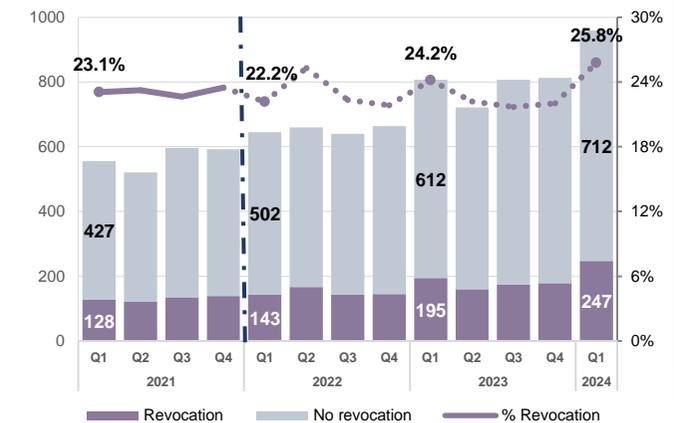
*breach of bail established in court

Up 17.1%
From prior year

↑ +111
From prior year

761
Current year

650
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.

Aboriginal people comprise 3.4% of the adult NSW population (2021 ABS Census)

NSW Closing the Gap Target 10 Quarterly Report

Aboriginal adults are not overrepresented in the criminal justice system

March 2024



5. Criminal Courts

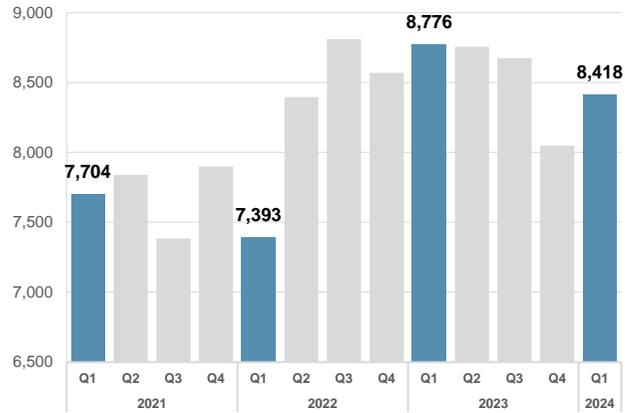
5.1 Found guilty in court

Stable
From prior year

↓-655
From prior year

33,897
Current year

34,552
Last year



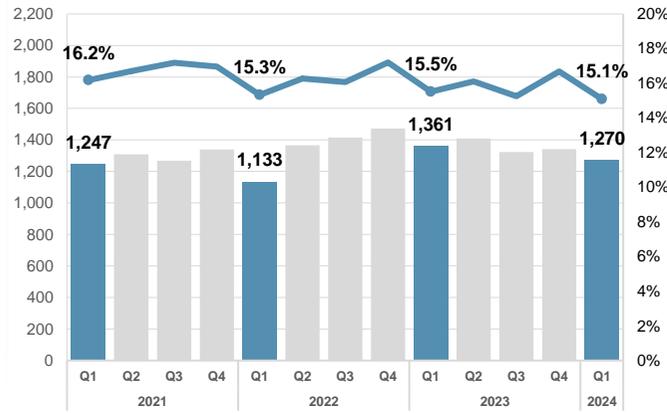
5.2 Sentenced to prison

Down 4.8%
From prior year

↓-271
From prior year

5,345
Current year

5,616
Last year



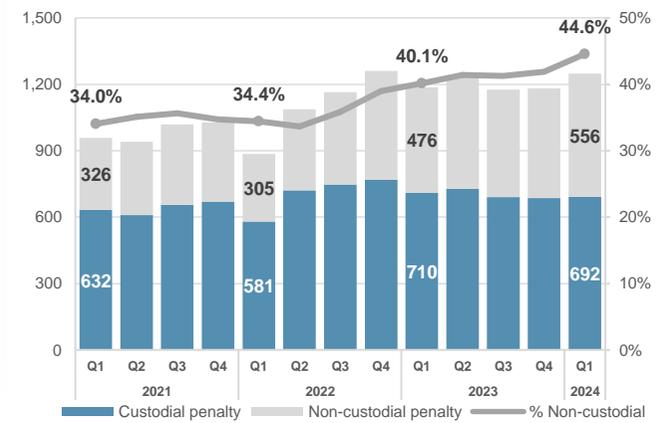
5.3 Sentenced to custody from remand

Down 5.1%
From prior year

↓-149
From prior year

2,798
Current year

2,947
Last year



6. Custody

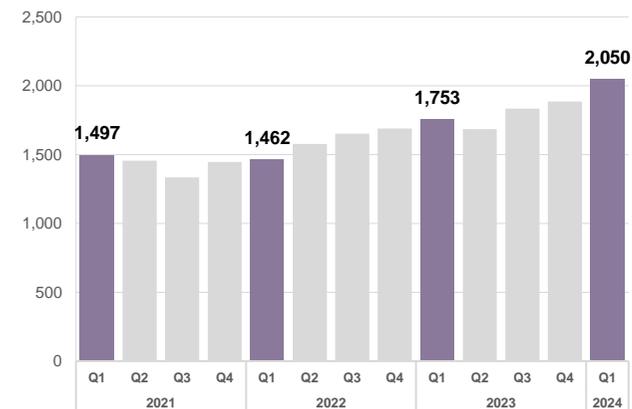
6.1 Entering custody

Up 30.8%
From March 2022

↑+1,401
From 2022

7,457
Current year

5,701
2022



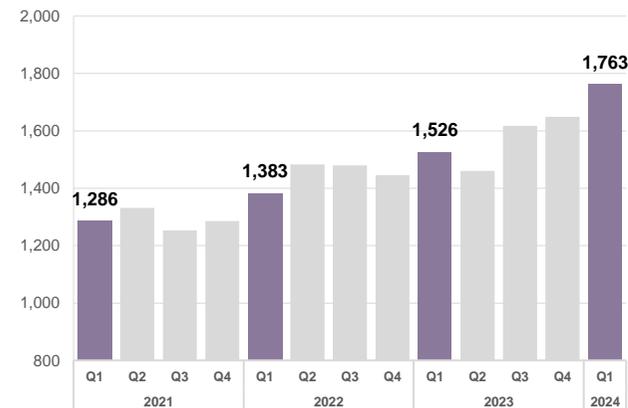
6.2 Remand custody population*

Up 27.5%
From March 2022

↑+380
From same qtr 2022

1,763
Current quarter

1,383
Same qtr 2022



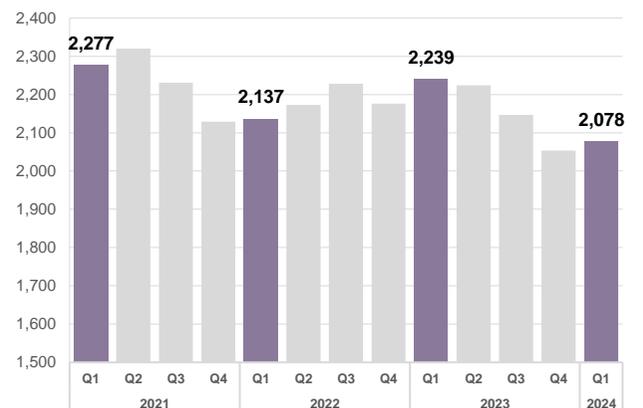
6.3 Sentenced custody population*

Stable
From March 2022

↓-59
From same qtr 2022

2,078
Current quarter

2,137
Same qtr 2022



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 people comprise 3.4% of the adult NSW population (2021 ABS Census)

NSW Closing the Gap Target 10 Quarterly Report

Aboriginal adults are not overrepresented in the criminal justice system

March 2024



6. Custody

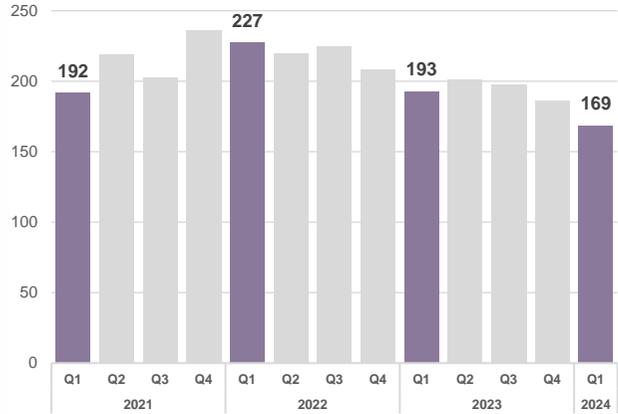
6.4 Length of stay in custody

Average number of days for persons discharged by discharge date

Down 10.7% ↓ -23 days
From prior year

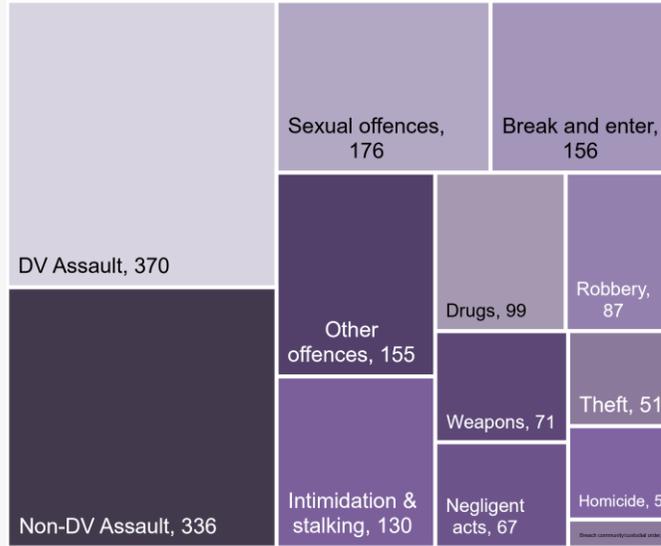
188 days Current 12-month average

211 days 12-month average last year



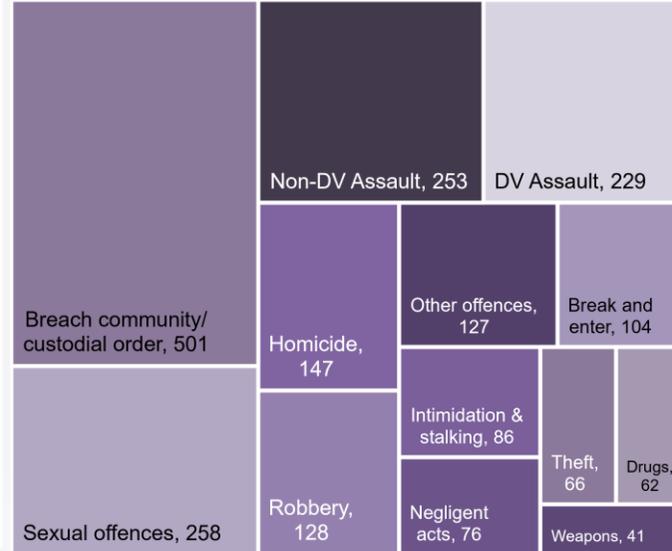
6.5 Remandee's most serious offence

Aboriginal remand population Mar 2024 = 1,763



6.6 Sentenced prisoner's most serious offence

Aboriginal sentenced population Mar 2024 = 2,078



7. Reoffending

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

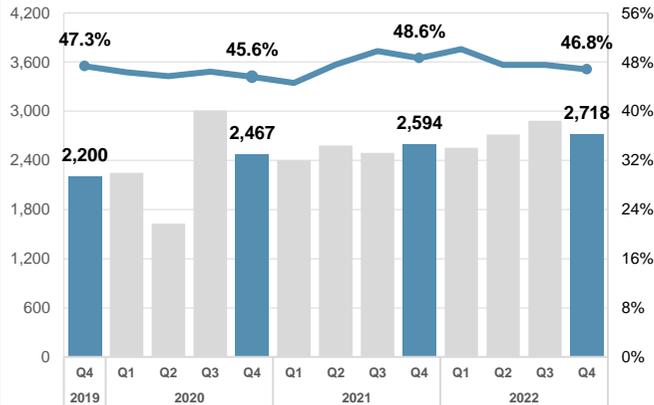
Quarterly cohort reoffending rate - Any new proven offence committed within 12 months

Up 124 Change year to year

46.8% Current rate

2,718 Current year

2,594 Last year



7.2 Reoffending among Aboriginal adults exiting custody – new proven offence

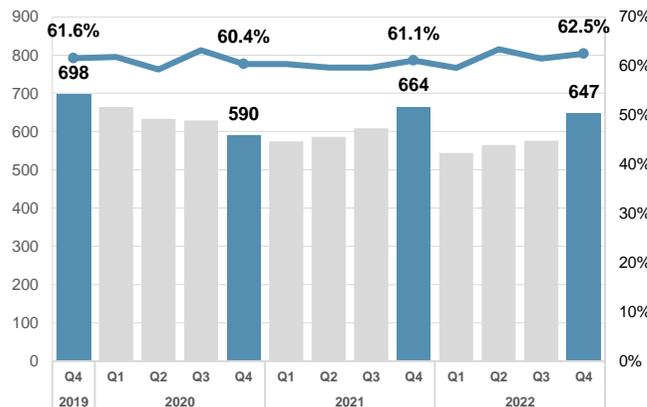
Quarterly cohort reoffending rate - Any new proven offence committed within 12 months

Down 17 Change year to year

62.5% Current rate

647 Current year

664 Last year



7.3 Reoffending among Aboriginal adults exiting custody – return to custody

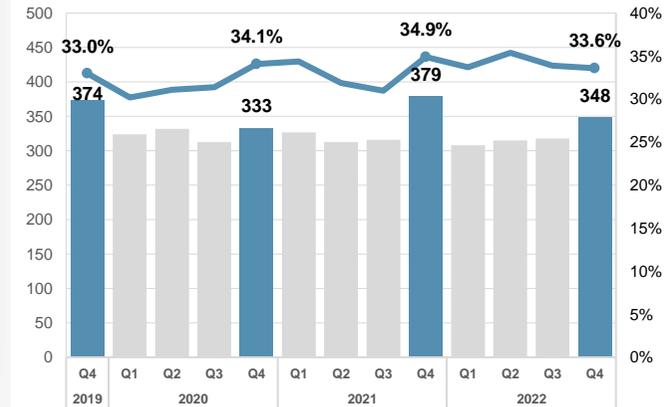
Quarterly cohort reoffending rate - Return to custody for a further offence committed within 12 months

Down 31 Change year to year

33.6% Current rate

348 Current year

379 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..

Aboriginal people comprise 3.4% of the adult NSW population (2021 ABS Census)

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.

NSW Closing the Gap Target 11 Quarterly Report

Aboriginal young people are not overrepresented in the criminal justice system

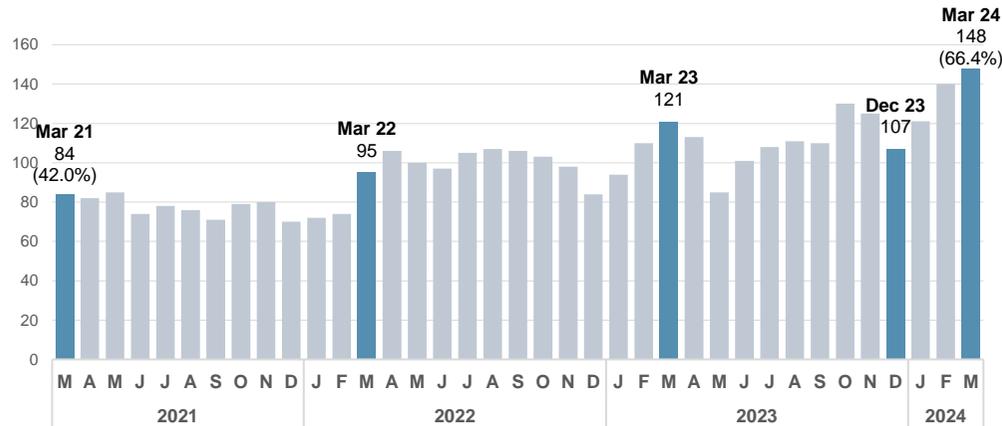
March 2024



1.1 Key indicator: Aboriginal young people in detention*

Sentenced and remand custody

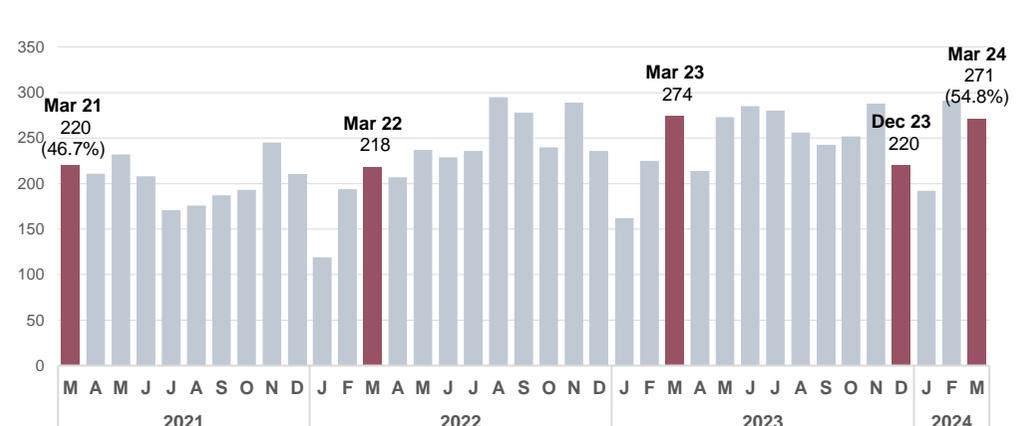
Up 55.8% From March 2022	↑+41 From prior quarter	↑+53 From same month 2022	148 Current quarter	95 Same month 2022	66.4% % Aboriginal
------------------------------------	-----------------------------------	-------------------------------------	-------------------------------	------------------------------	------------------------------



2.1 Key indicator: Aboriginal young people in court

Children's, Local, District and Supreme Courts

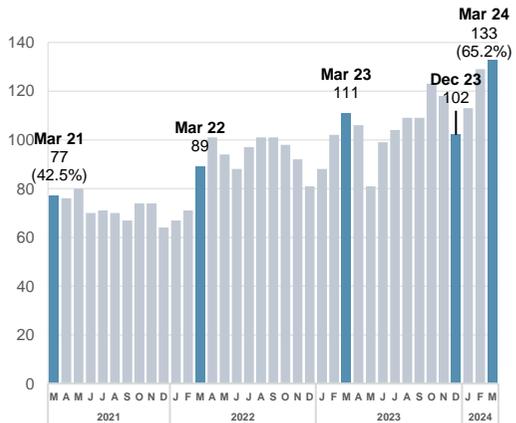
Up 5.4% From prior year	↓-6 From prior quarter	↑+157 From prior year	3,065 Current year	2,908 Last year	54.8% % Aboriginal
-----------------------------------	----------------------------------	---------------------------------	------------------------------	---------------------------	------------------------------



1.2 Aboriginal young males in detention*

Sentenced and remand custody

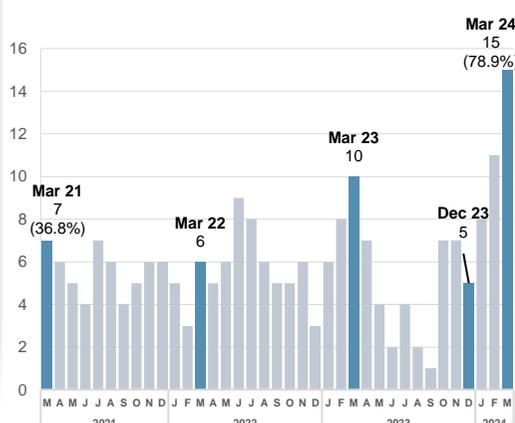
Up 49.4% From March 2022	↑+44 From same month 2022	133 Current quarter	89 Same month 2022
------------------------------------	-------------------------------------	-------------------------------	------------------------------



1.3 Aboriginal young females in detention*

Sentenced and remand custody

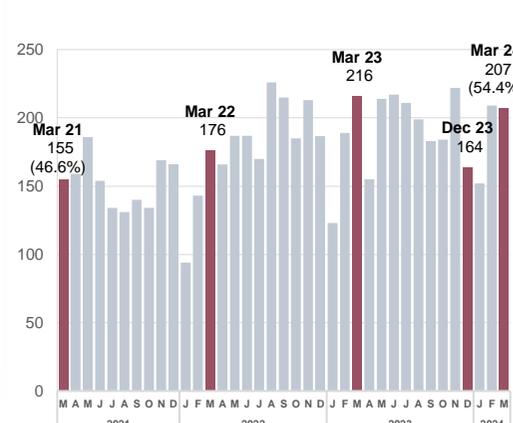
Stable From March 2022	↑+9 From same month 2022	15 Current quarter	6 Same month 2022
----------------------------------	------------------------------------	------------------------------	-----------------------------



2.2 Aboriginal young males in court

Children's, Local, District and Supreme Courts

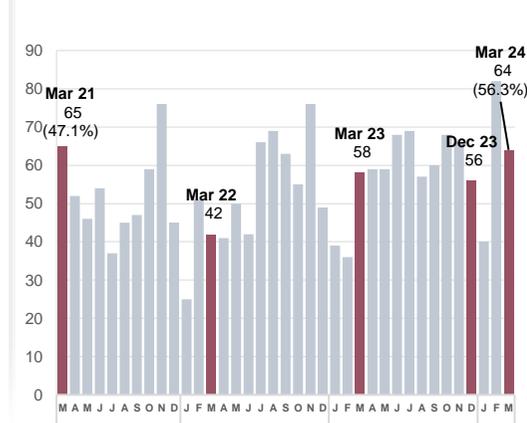
Up 2.3% From prior year	↑+53 From prior year	2,317 Current year	2,264 Last year
-----------------------------------	--------------------------------	------------------------------	---------------------------



2.3 Aboriginal young females in court

Children's, Local, District and Supreme Courts

Up 16.1% From prior year	↑+104 From prior year	748 Current year	644 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).

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

NSW Closing the Gap Target 11 Quarterly Report

Aboriginal young people are not overrepresented in the criminal justice system

March 2024



3. Police

3.1 Police court proceedings*

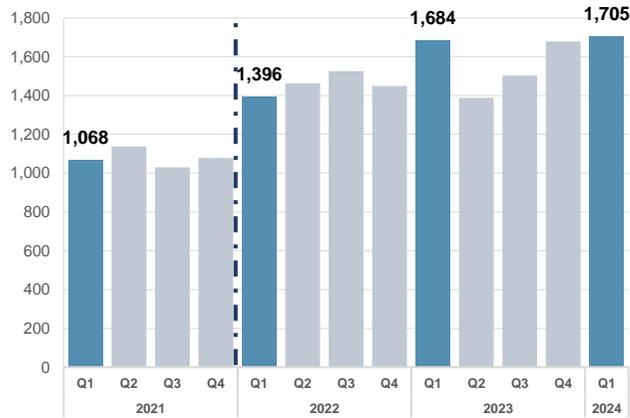
*excludes Aboriginal young people proceeded to court for breaching bail

Up 2.5%
From prior year

↑ +153
From prior year

6,274
Current year

6,121
Last year



3.2 Diversion from court*

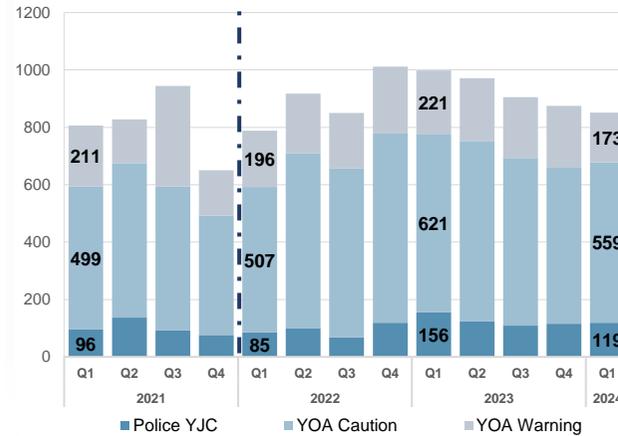
*Police Youth Justice Conference referrals, cautions/warnings under the Young Offenders Act.

Down 4.6%
From prior year

↓ -174
From prior year

3,602
Current year

3,776
Last year



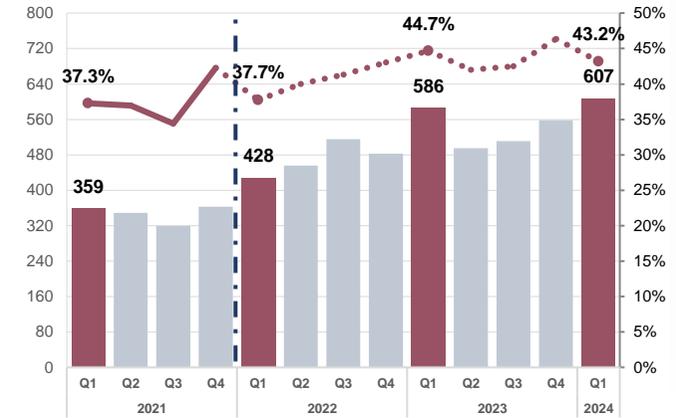
4.1 Refused bail by police

Up 6.4%
From prior year

↑ +274
From prior year

2,171
Current year

2,040
Last year



4. Bail

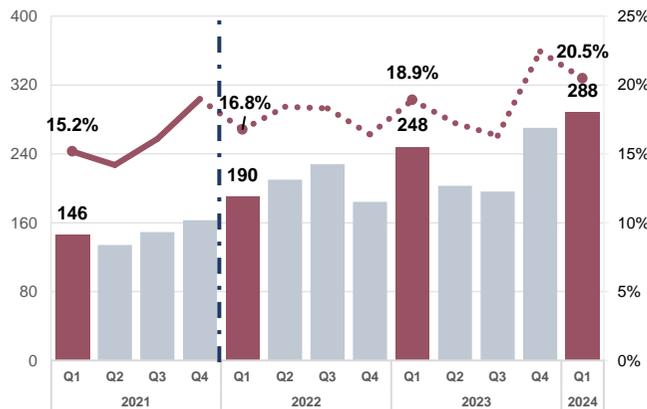
4.2 Refused bail by court

Up 10.0%
From prior year

↑ +87
From prior year

957
Current year

870
Last year



4.3 Bail revocations following bail breach involving further offence*

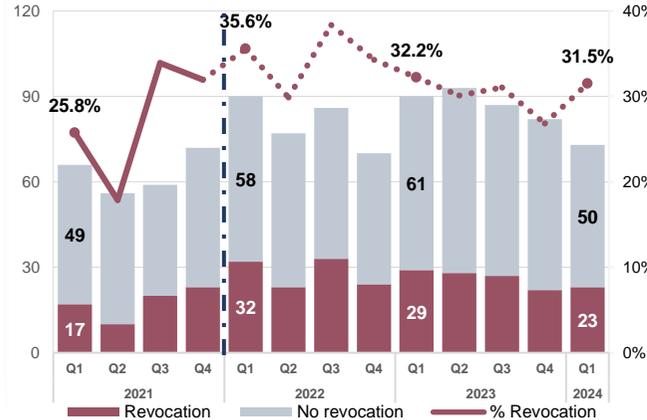
*breach of bail established in court

Down 8.3%
From prior year

↓ -9
From prior year

100
Current year

109
Last year



4.4 Bail revocations from technical bail breach

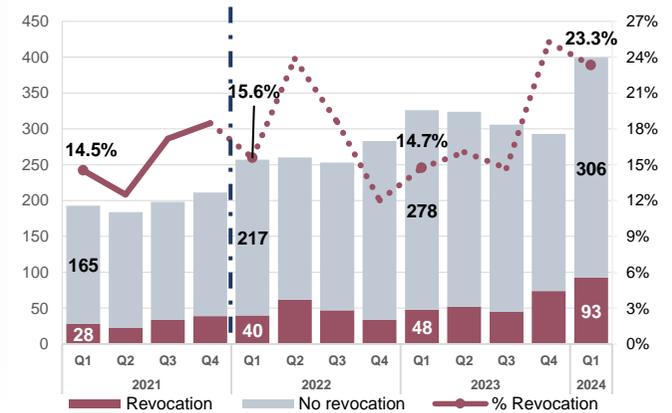
*breach of bail established in court

Up 38.2%
From prior year

↑ +73
From prior year

264
Current year

191
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.

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

NSW Closing the Gap Target 11 Quarterly Report

Aboriginal young people are not overrepresented in the criminal justice system

March 2024



5. Criminal Courts

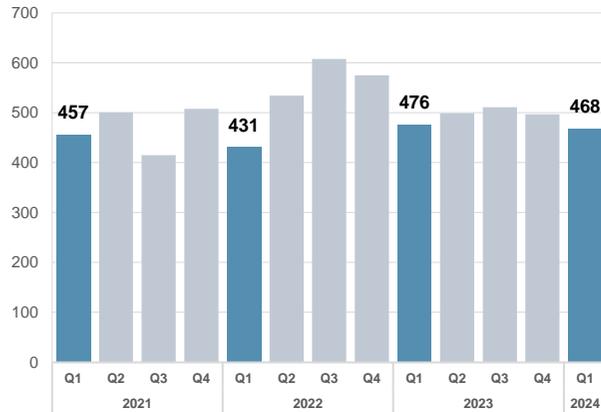
5.1 Found guilty in court

Down 9.9%
From prior year

↓-218
From prior year

1,975
Current year

2,193
Last year



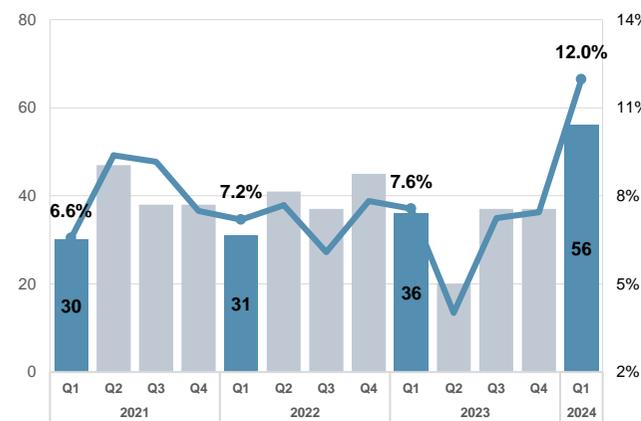
5.2 Sentenced to custody

Down 5.7%
From prior year

↓-9
From prior year

150
Current year

159
Last year



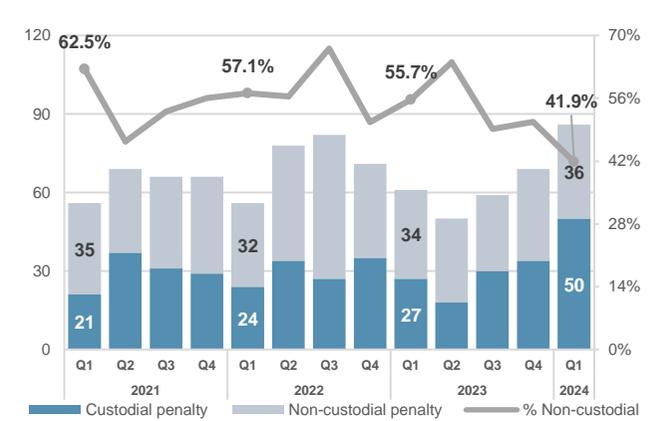
5.3 Sentenced to custody from remand

Stable
From prior year

↑+9
From prior year

132
Current year

123
Last year



6. Custody

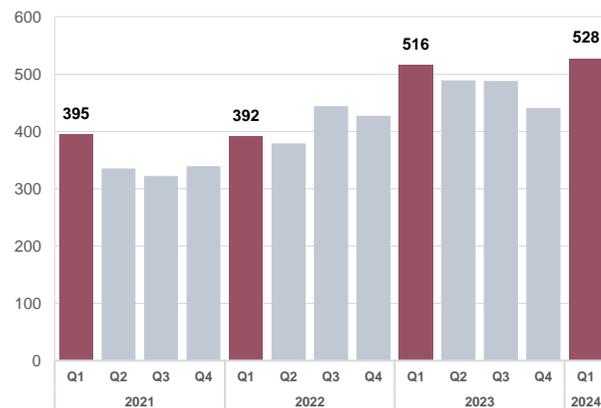
6.1 Entering custody

Up 40.2%
From March 2022

↑+558
From 2022

1,946
Current year

1,388
2022



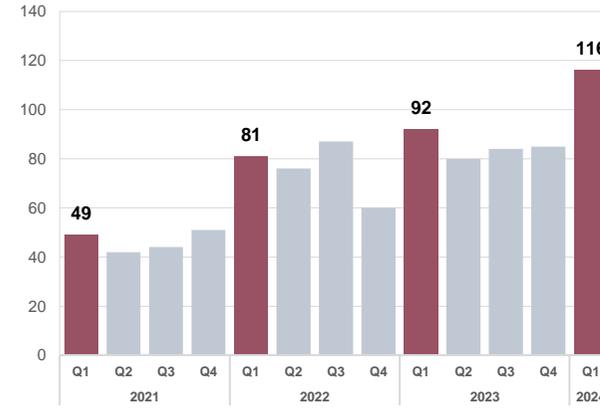
6.2 Remand custody population*

Up 43.2%
From March 2022

↑+35
From same qtr 2022

116
Current quarter

81
Same qtr 2022



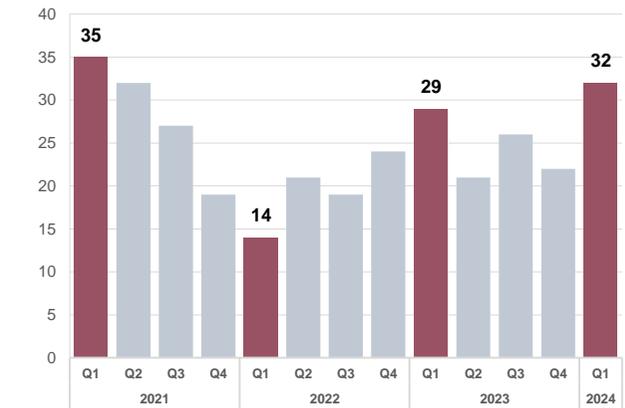
6.3 Sentenced custody population*

Up 128.6%
From March 2022

↑+18
From same qtr 2022

32
Current quarter

14
Same qtr 2022



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)

NSW Closing the Gap Target 11 Quarterly Report

Aboriginal young people are not overrepresented in the criminal justice system

March 2024



6. Custody

6.4 Length of stay in custody*

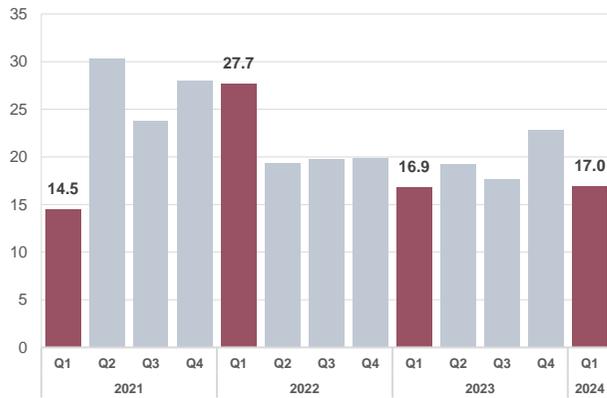
*Average number of days for persons discharged by discharge date

Stable
From prior year

↑+0.2 days
From prior year

19.1 days
Current 12-month average

18.9 days
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 5.7%
From prior year

↑+60
From prior year

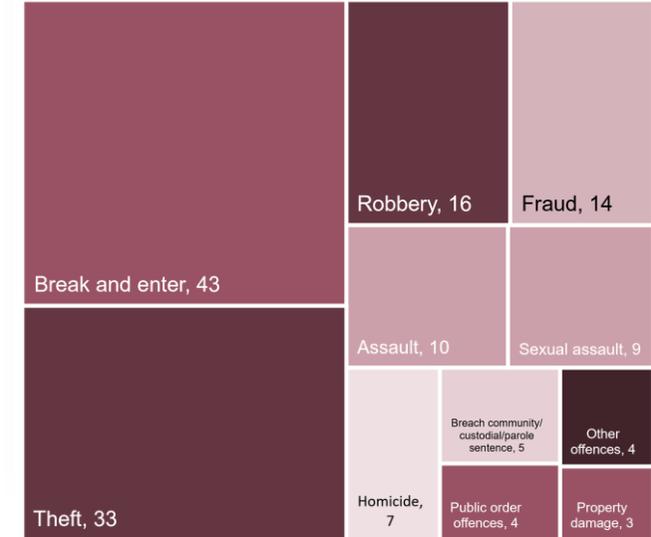
1,112
Current year

1,052
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

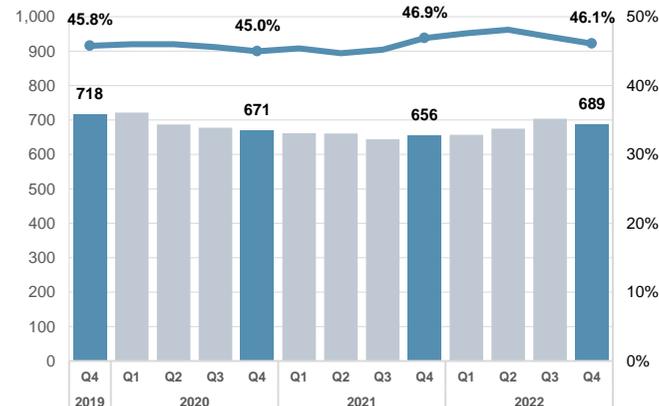
Annual cohort reoffending rate - Any new proven offence committed within 12 months

Up 33
Change year to year

46.1%
Current rate

689
Current year

656
Last year



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

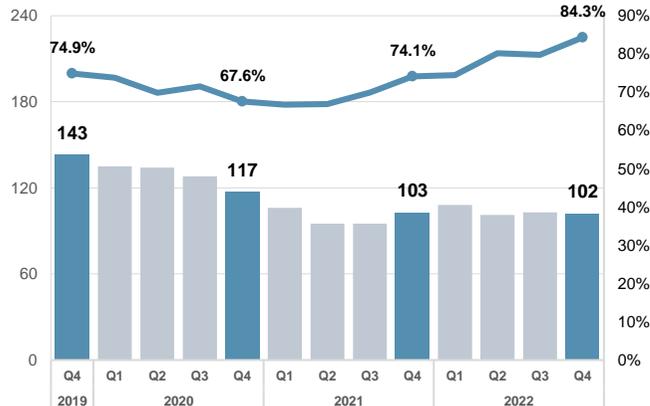
Annual cohort reoffending rate - Any new proven offence committed within 12 months

Down 1
Change year to year

84.3%
Current rate

102
Current year

103
Last year



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

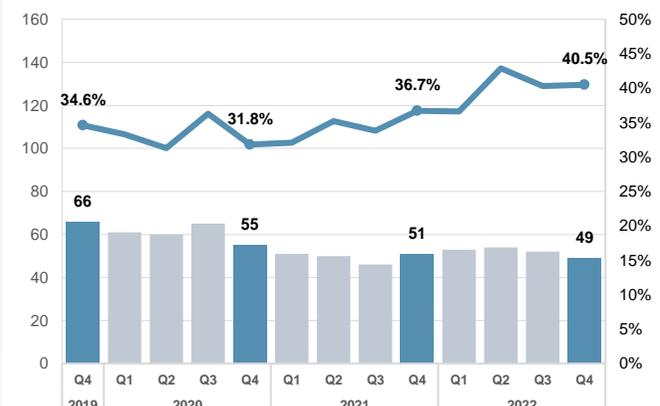
Annual cohort reoffending rate - Return to custody for a new offence committed within 12 months

Down 2
Change year to year

40.5%
Current rate

49
Current year

51
Last year



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

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

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.