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# **NEW SOUTH WALES CUSTODY STATISTICS**

QUARTERLY UPDATE  
DECEMBER 2016

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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 Integrated 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 Corrections Research, Evaluation and Statistics (CRES) section of CSNSW. BOCSAR 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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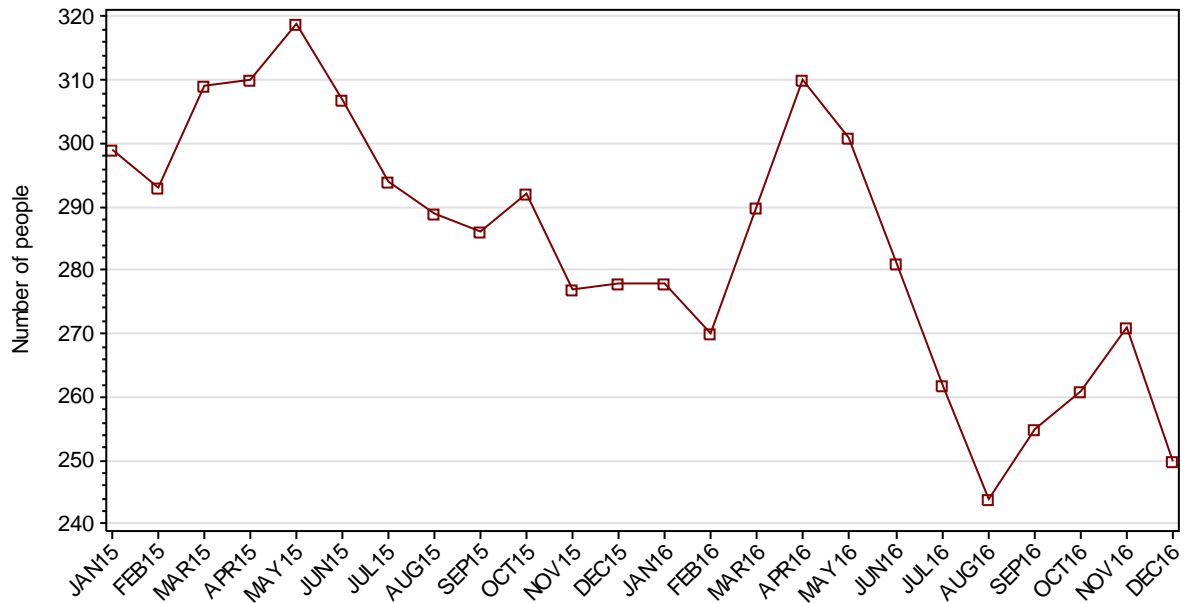
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## **Part 1 JUVENILES**

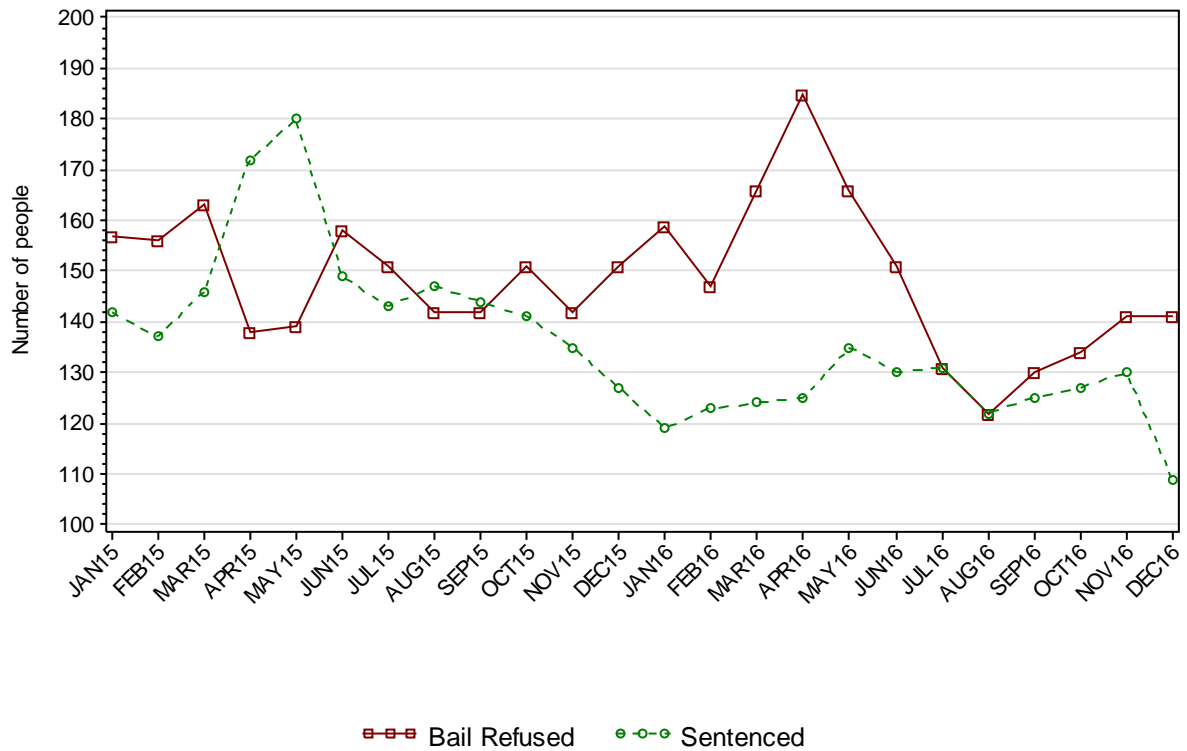
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## SECTION 1.1 JUVENILE CUSTODY POPULATION

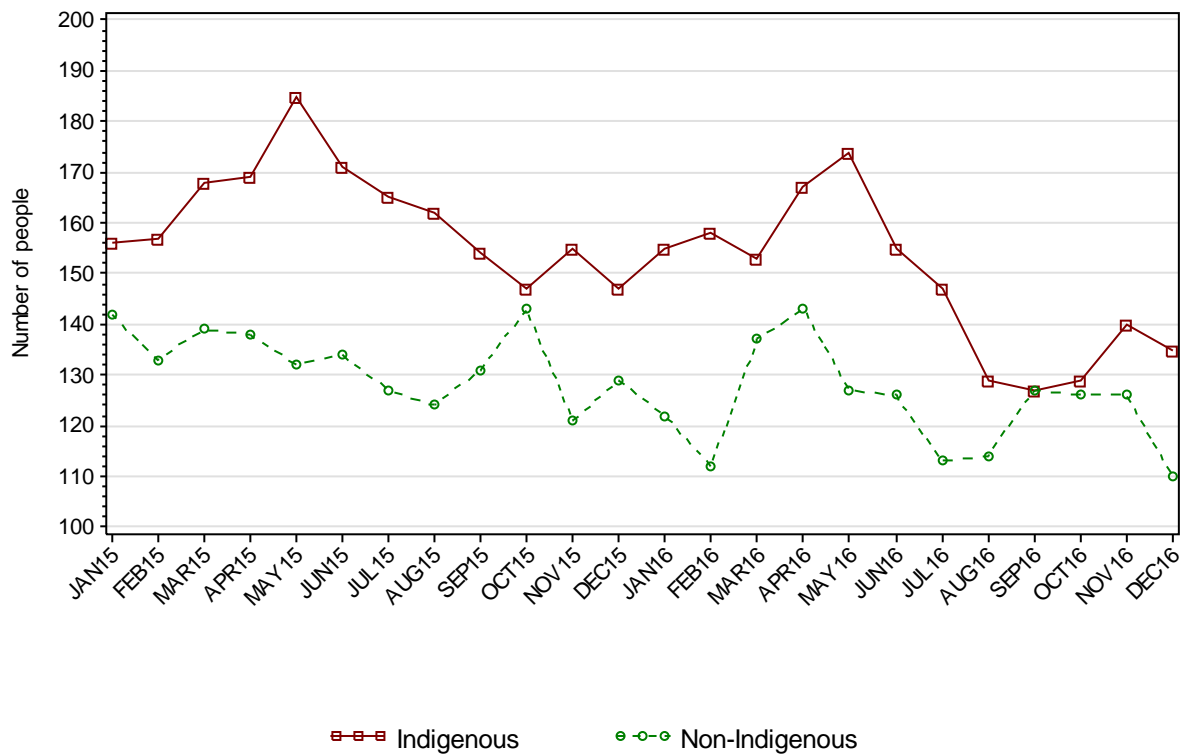
### 1.1.1 JUVENILE CUSTODY POPULATION AT END OF MONTH



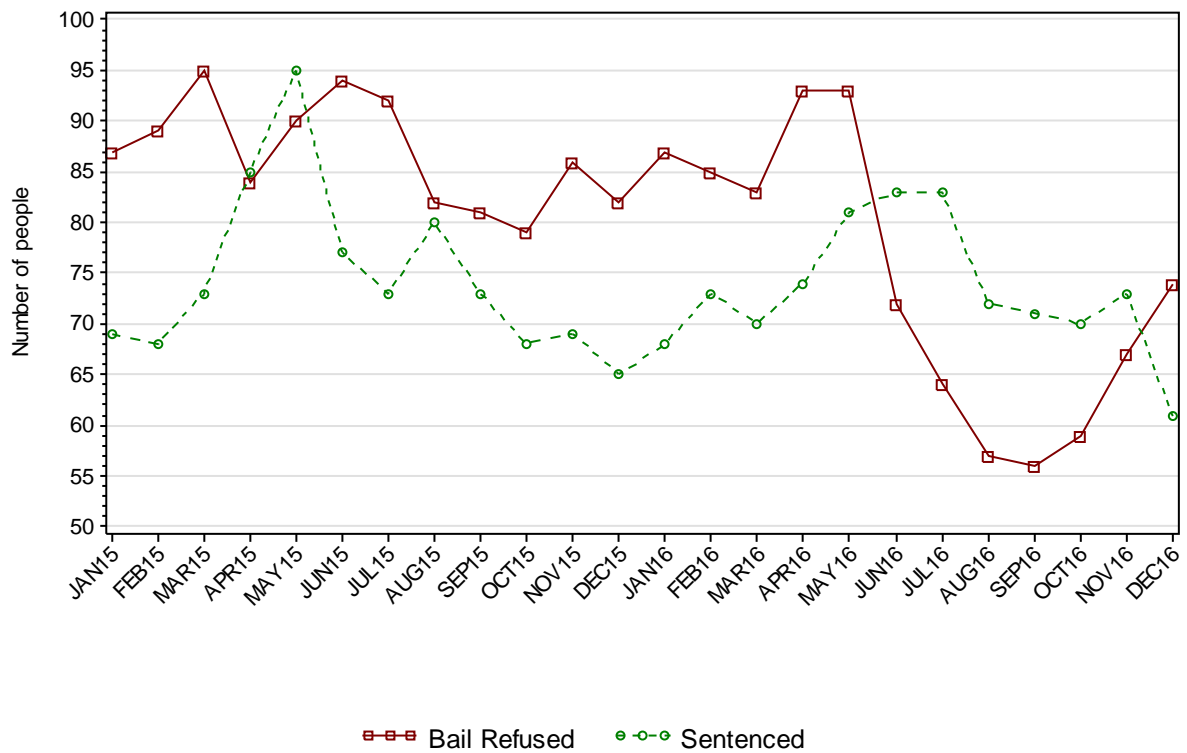
### 1.1.2 JUVENILE CUSTODY POPULATION BY LEGAL STATUS



### 1.1.3 JUVENILE CUSTODY POPULATION BY INDIGENOUS STATUS



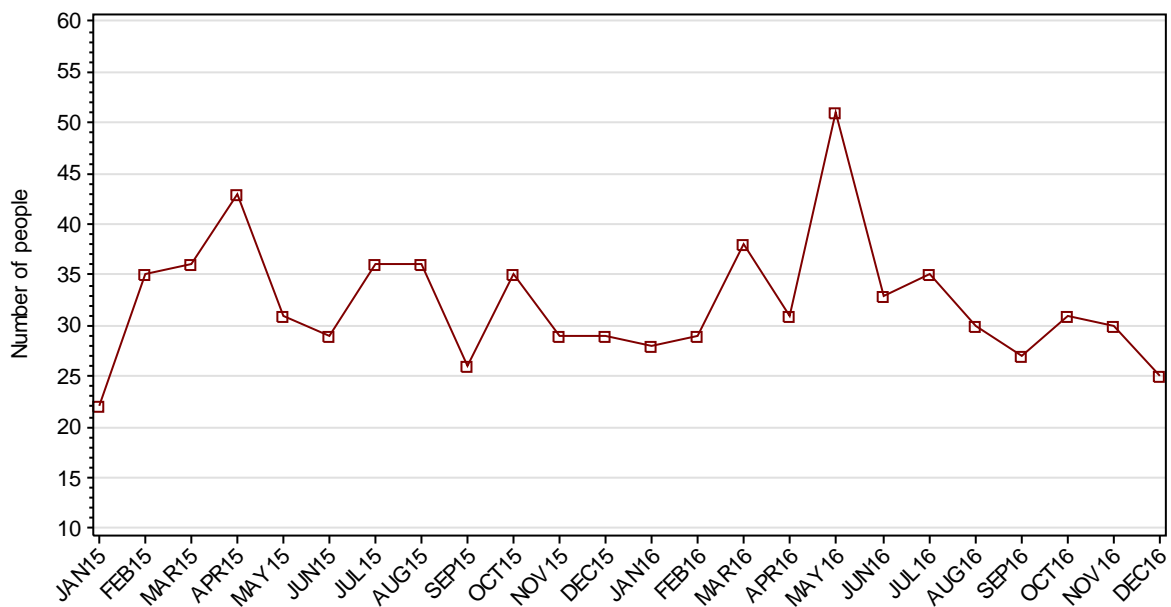
### 1.1.4 INDIGENOUS JUVENILE CUSTODY POPULATION BY LEGAL STATUS



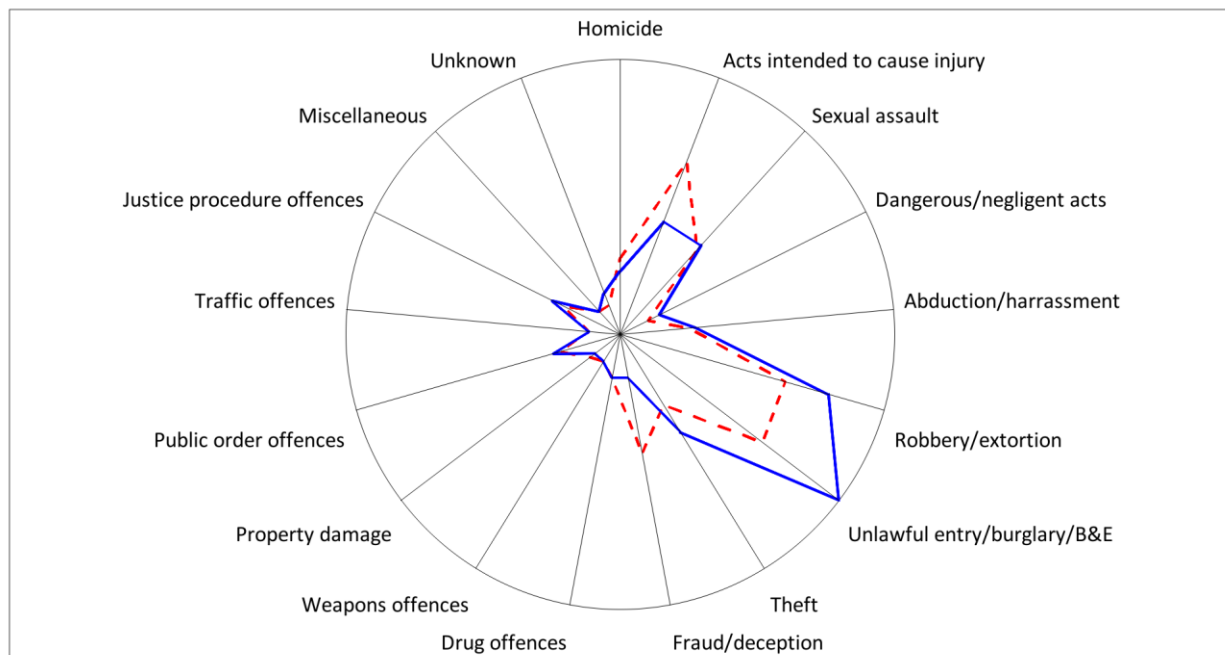
### 1.1.5 JUVENILE CUSTODY PROFILE AT END OF QUARTER

		Police Bail Refused		Court Bail Refused		Sentenced		Total	
		SEP16	DEC16	SEP16	DEC16	SEP16	DEC16	SEP16	DEC16
Total Male	Count	3	3	113	124	122	104	238	231
	Avg Age	17.0	13.7	16.4	16.2	16.9	17.0	16.7	16.5
Total Female	Count	0	1	14	13	3	5	17	19
	Avg Age	.	15.0	15.8	15.3	17.3	16.0	16.1	15.5
Indigenous Male	Count	0	2	50	62	69	58	119	122
	Avg Age	.	13.5	16.4	16.2	16.7	16.7	16.6	16.4
Indigenous Female	Count	0	1	6	9	2	3	8	13
	Avg Age	.	15.0	15.0	14.9	16.5	16.3	15.4	15.2
Total	Count	3	4	127	137	125	109	255	250
	Avg Age	17.0	14.0	16.4	16.1	17.0	17.0	16.7	16.5

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



## 1.1.7 JUVENILE REMAND POPULATION BY MOST SERIOUS OFFENCE



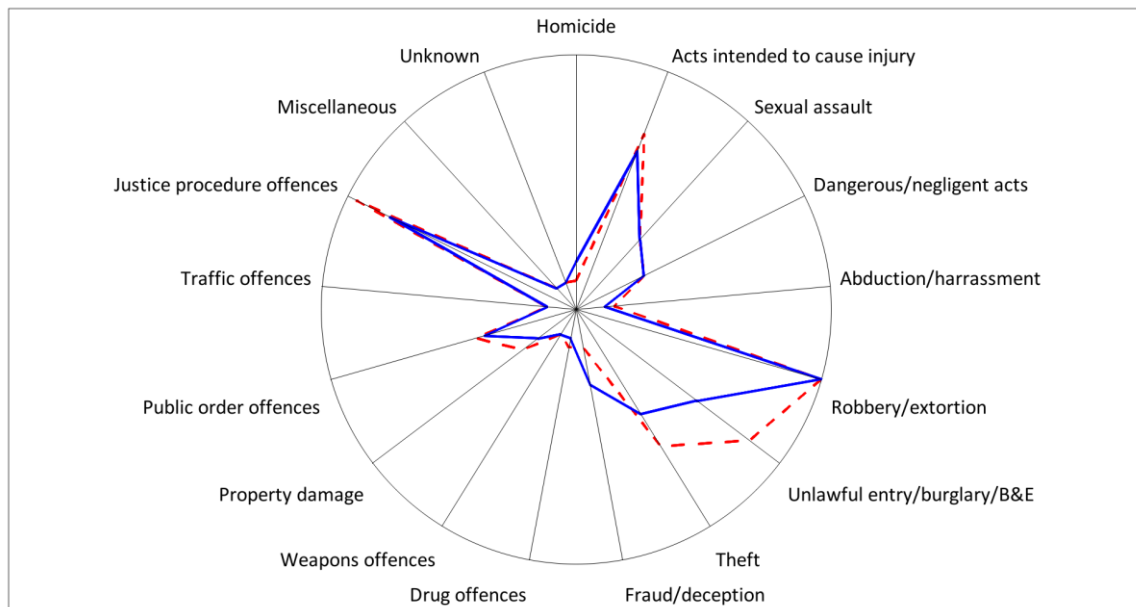
As At: - -30SEP16

— 31DEC16

	30SEP16		31DEC16	
	Number	% of Total	Number	% of Total
Homicide	7	5.4	5	3.5
Acts intended to cause injury	24	18.5	14	9.9
Sexual assault	13	10.0	14	9.9
Dangerous/negligent acts	0	0	2	1.4
Abduction/harrassment	6	4.6	7	5.0
Robbery/extortion	22	16.9	29	20.6
Unlawful entry/burglary/B&E	23	17.7	38	27.0
Theft	8	6.2	13	9.2
Fraud/deception	14	10.8	2	1.4
Drug offences	2	1.5	2	1.4
Weapons offences	0	0	0	0
Property damage	1	0.8	0	0
Public order offences	5	3.8	6	4.3
Traffic offences	0	0	0	0
Justice procedure offences	5	3.8	7	5.0
Miscellaneous	0	0	0	0
Unknown	0	0	2	1.4
<b>Total</b>	<b>130</b>	<b>100.0</b>	<b>141</b>	<b>100.0</b>



## 1.1.8 JUVENILE SENTENCED POPULATION BY MOST SERIOUS OFFENCE



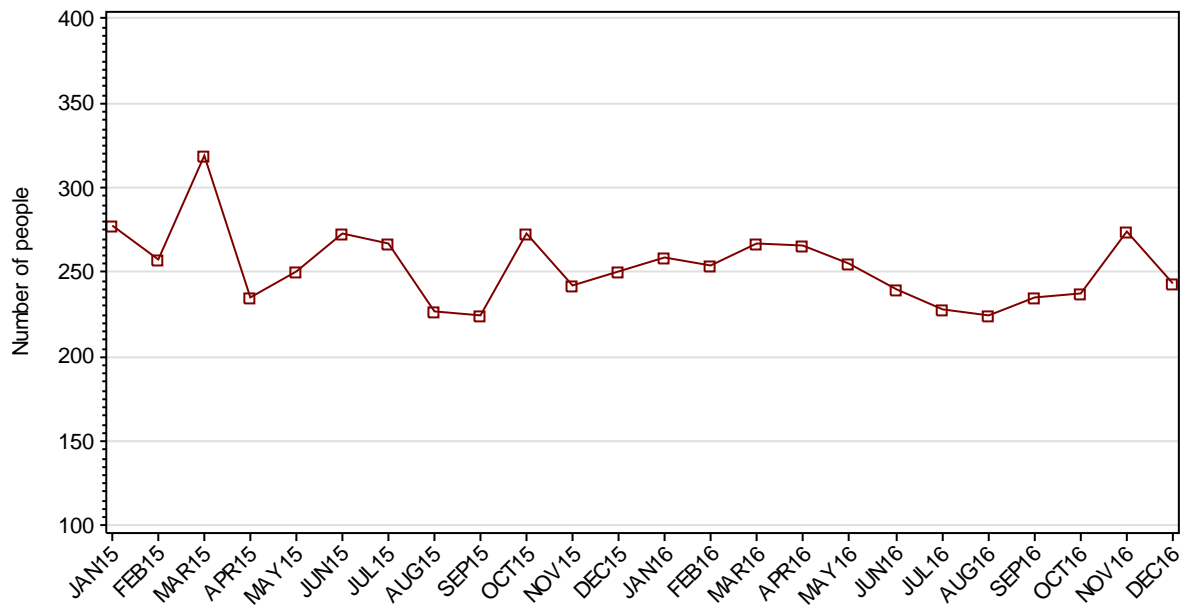
As At: - -30SEP16

—31DEC16

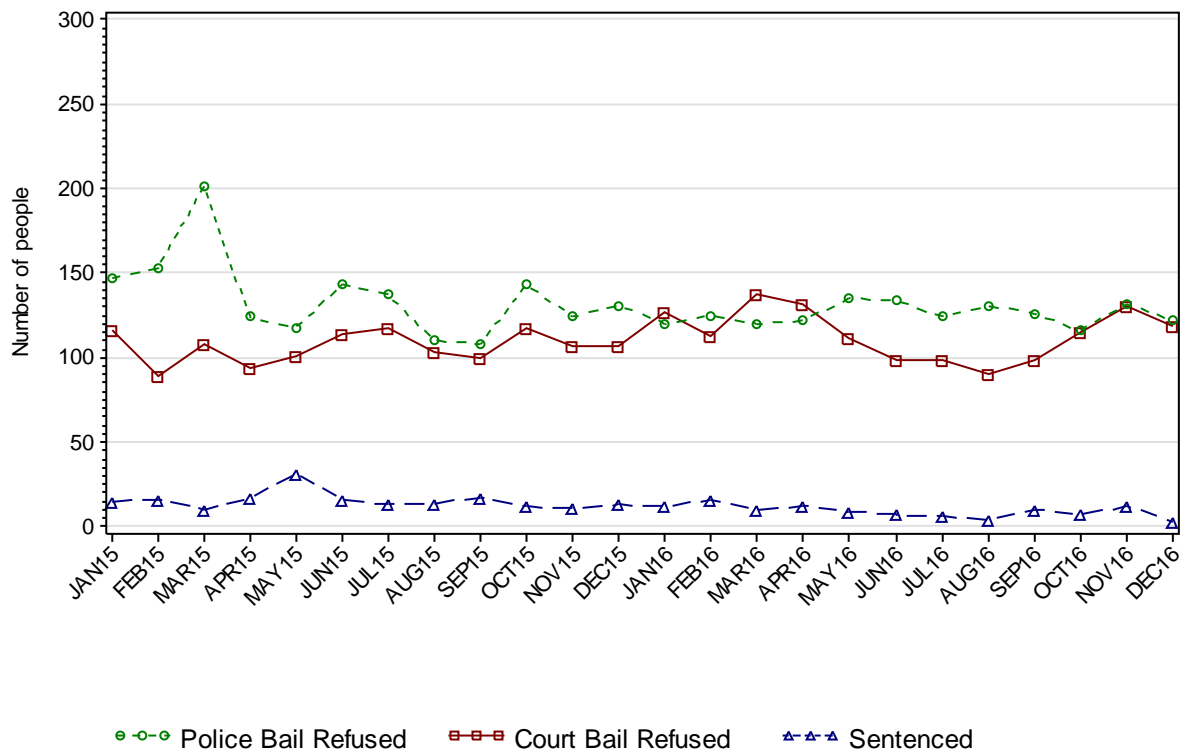
	30SEP16		31DEC16	
	Number	% of Total	Number	% of Total
Homicide	0	0	2	1.8
Acts intended to cause injury	17	13.6	15	13.8
Sexual assault	7	5.6	7	6.4
Dangerous/negligent acts	5	4.0	5	4.6
Abduction/harrassment	1	0.8	0	0
Robbery/extortion	24	19.2	24	22.0
Unlawful entry/burglary/B&E	20	16.0	13	11.9
Theft	14	11.2	10	9.2
Fraud/deception	1	0.8	5	4.6
Drug offences	1	0.8	0	0
Weapons offences	0	0	0	0
Property damage	4	3.2	2	1.8
Public order offences	8	6.4	7	6.4
Traffic offences	0	0	0	0
Justice procedure offences	23	18.4	19	17.4
Miscellaneous	0	0	0	0
Unknown	0	0	0	0
Total	125	100.0	109	100.0

## SECTION 1.2 JUVENILE CUSTODY RECEPTIONS

### 1.2.1 JUVENILES RECEIVED INTO CUSTODY DURING MONTH

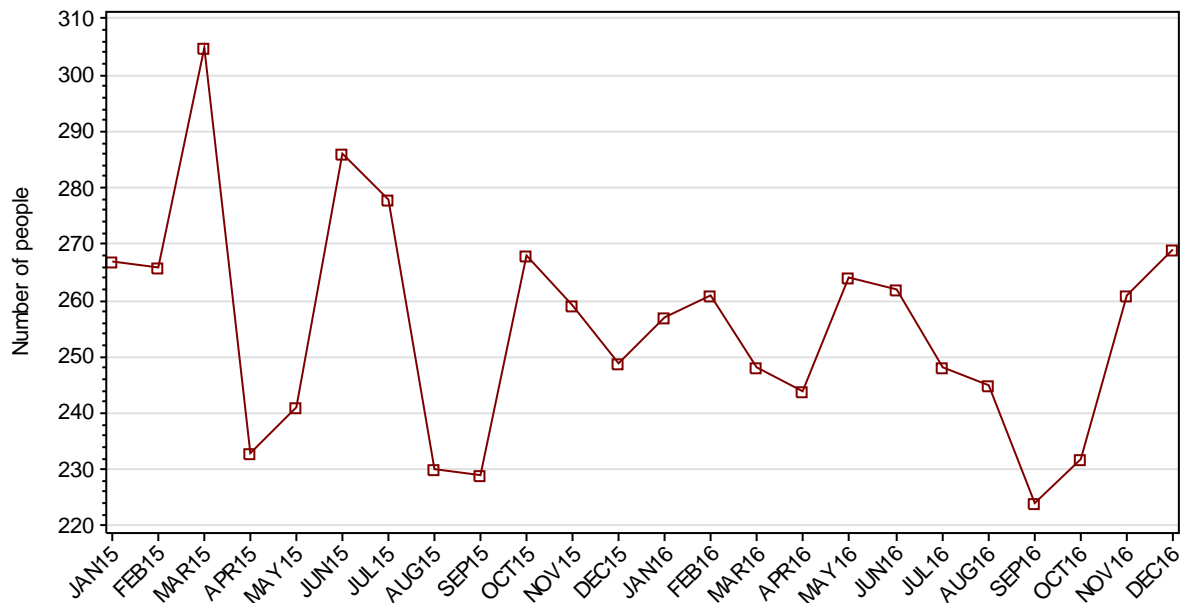


### 1.2.2 JUVENILES RECEIVED INTO CUSTODY BY LEGAL STATUS



## SECTION 1.3 JUVENILE CUSTODY DISCHARGES

### 1.3.1 JUVENILES DISCHARGED FROM CUSTODY DURING MONTH

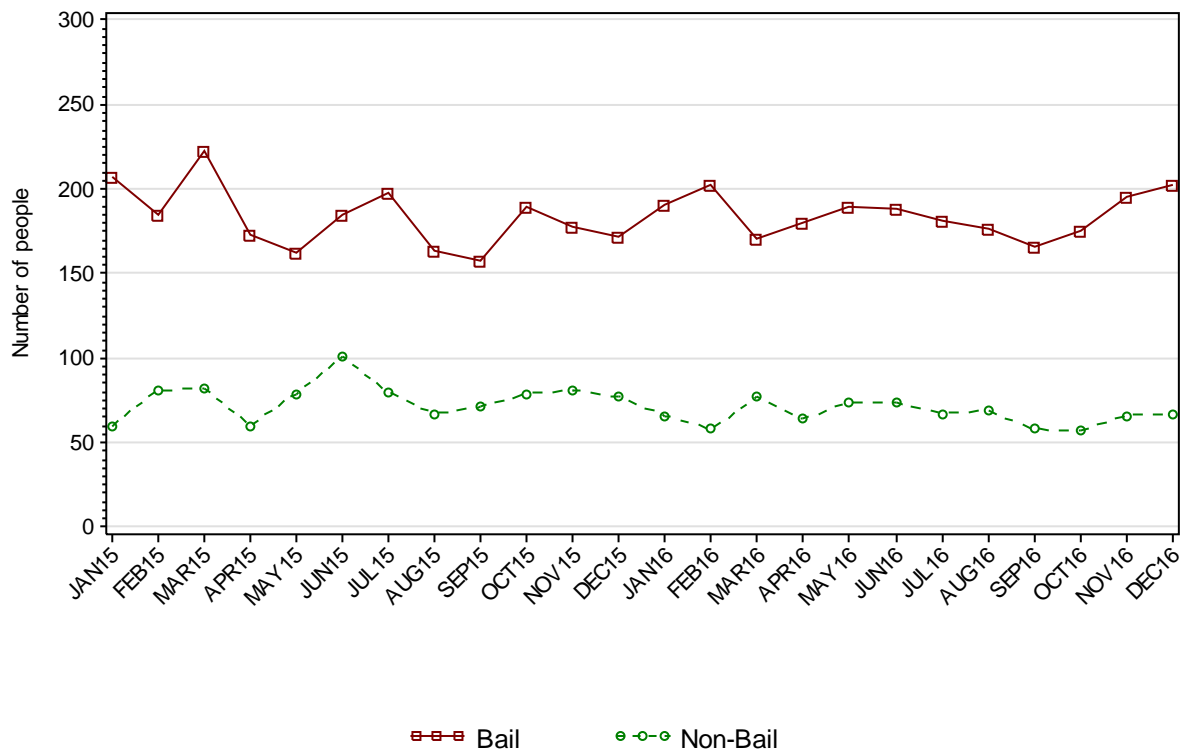


### 1.3.2 AVERAGE LENGTH OF STAY FOR JUVENILES DISCHARGED FROM CUSTODY EACH QUARTER

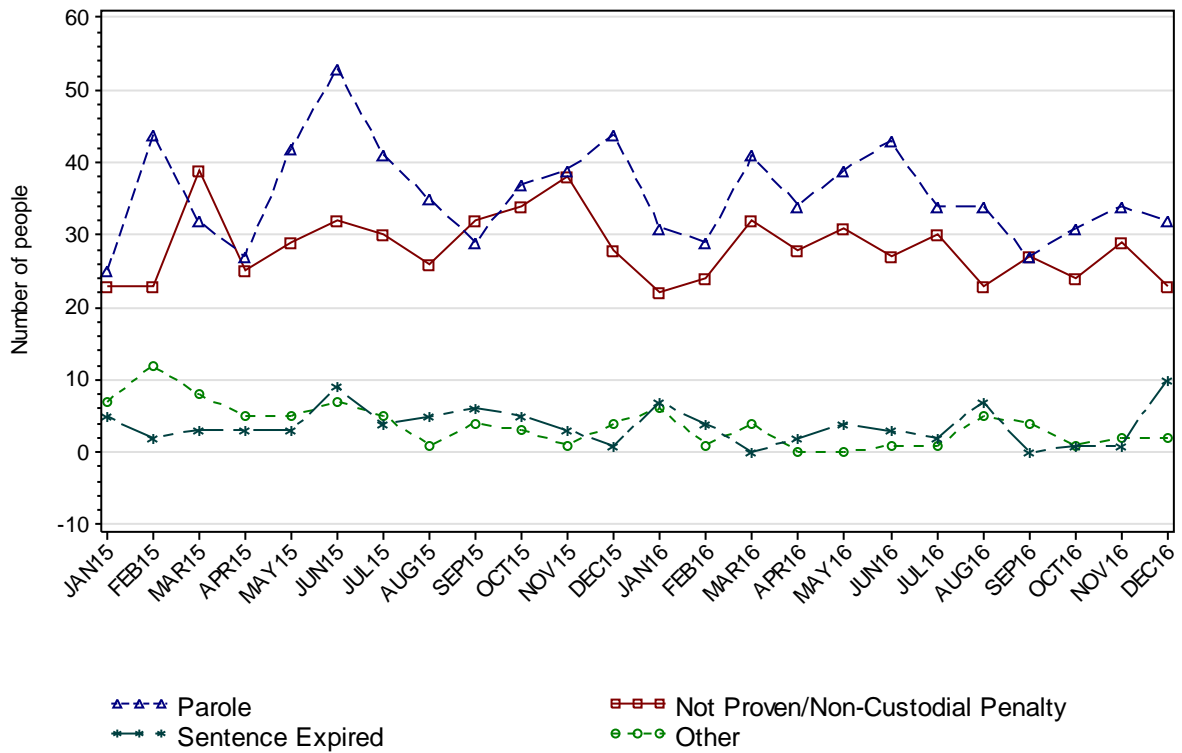
		Remand Custody Only		Sentenced Custody Only		Remand to Sentenced Custody	
		SEP16	DEC16	SEP16	DEC16	SEP16	DEC16
Total Male	Avg Days	10.8	9.6	98.4	121.9	171.9	196.9
	Number	455	504	20	22	88	94
Total Female	Avg Days	7.2	8.3	77.0	43.5	89.9	212.8
	Number	143	134	3	2	8	6
Indigenous Male	Avg Days	12.6	11.2	107.0	76.0	189.8	204.2
	Number	176	211	13	14	54	49
Indigenous Female	Avg Days	8.7	12.3	90.0	74.0	114.0	69.5
	Number	64	57	1	1	2	2
Total	Avg Days	10.0	9.4	95.6	115.4	165.1	197.8
	Number	598	638	23	24	96	100

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

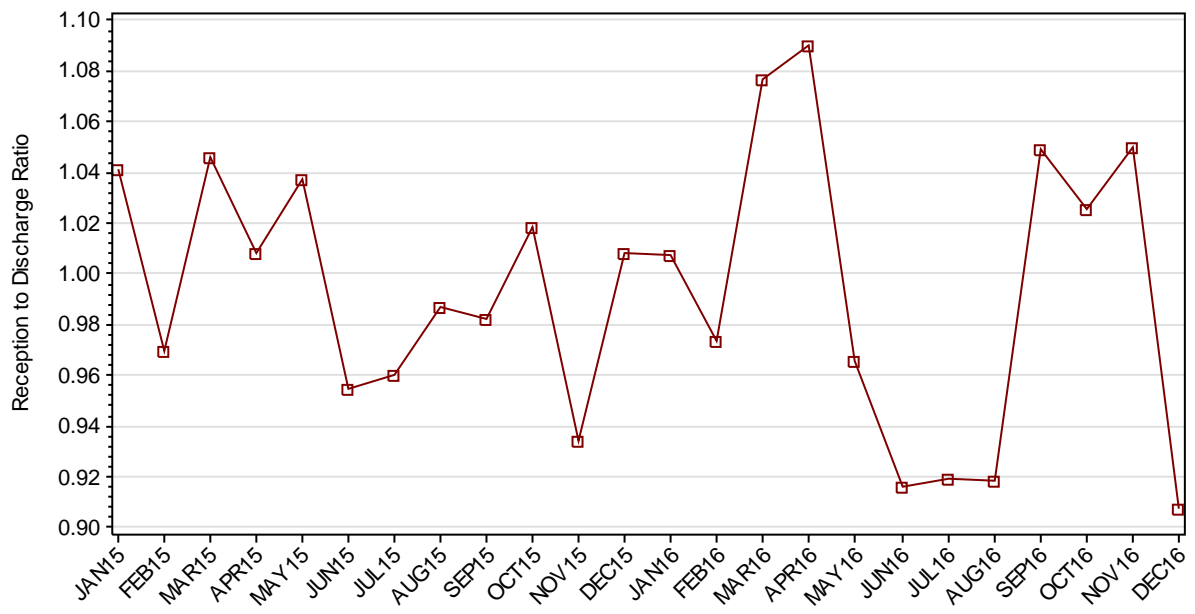
### 1.3.3 JUVENILES BY DISCHARGE TYPE



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



### 1.3.5 RATIO OF JUVENILE RECEPTIONS TO DISCHARGES



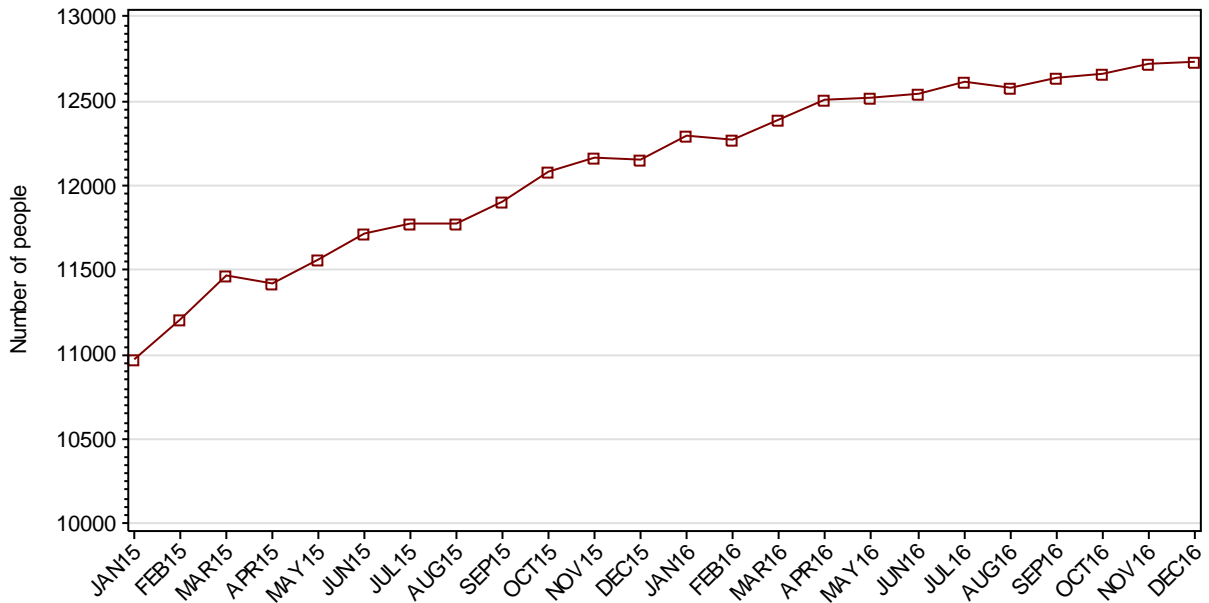
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## **Part 2 ADULTS**

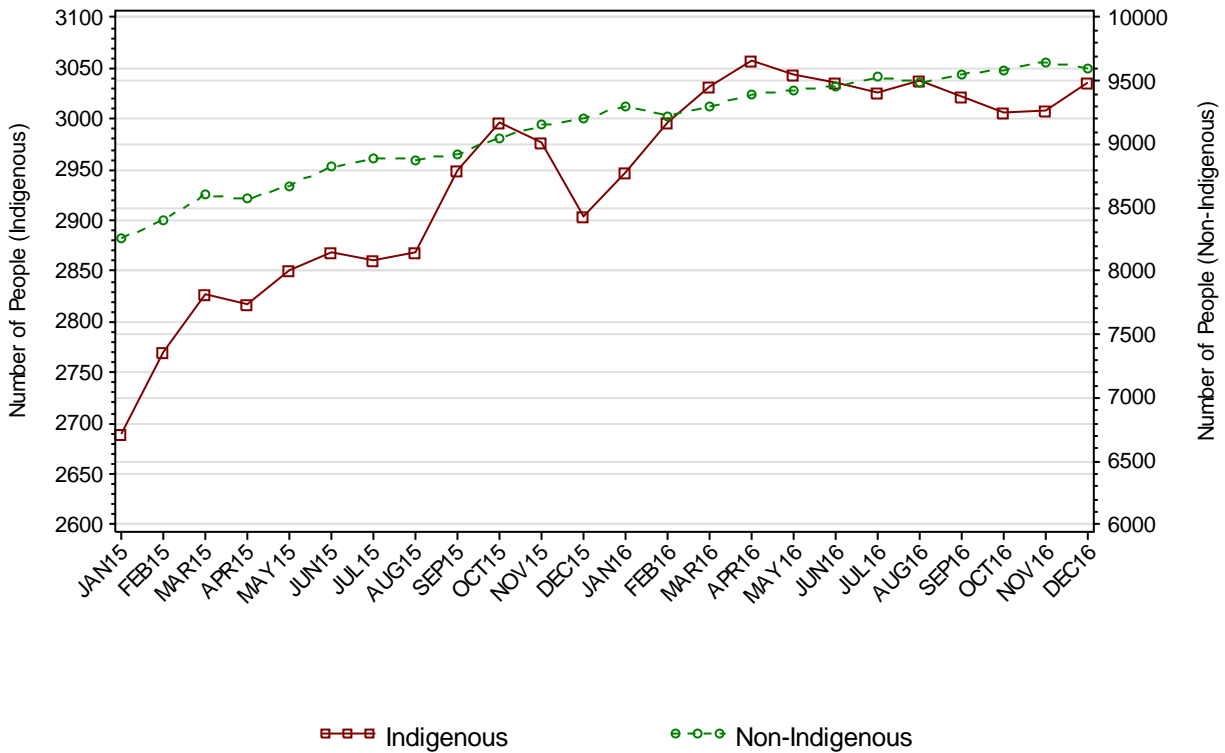
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## SECTION 2.1 ADULT CUSTODY POPULATION

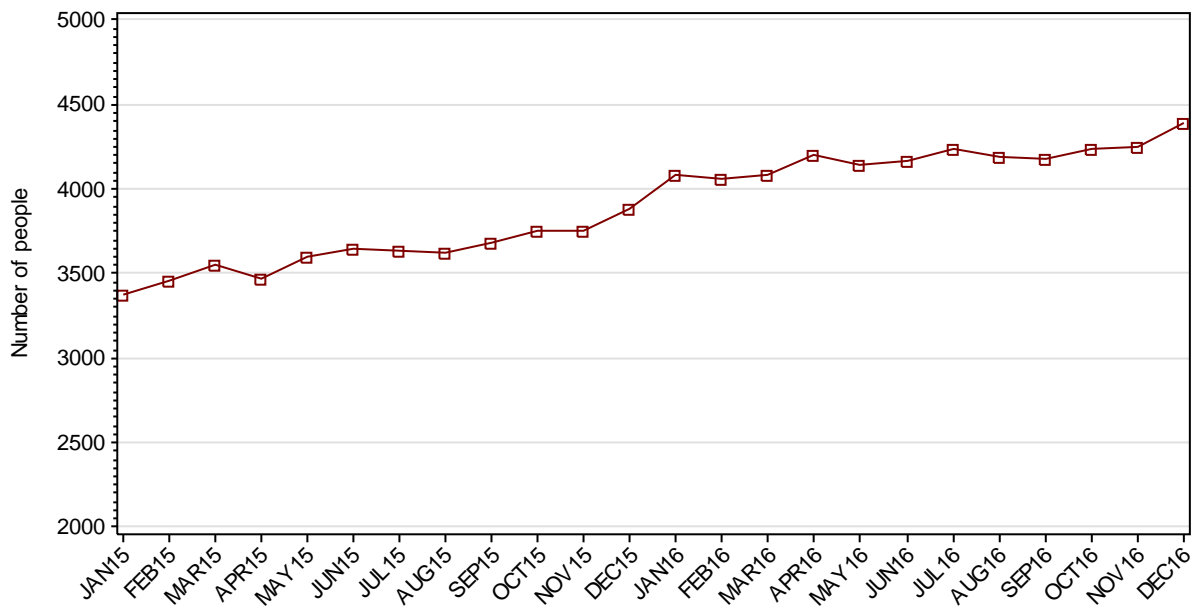
### 2.1.1 ADULT CUSTODY POPULATION AT END OF MONTH



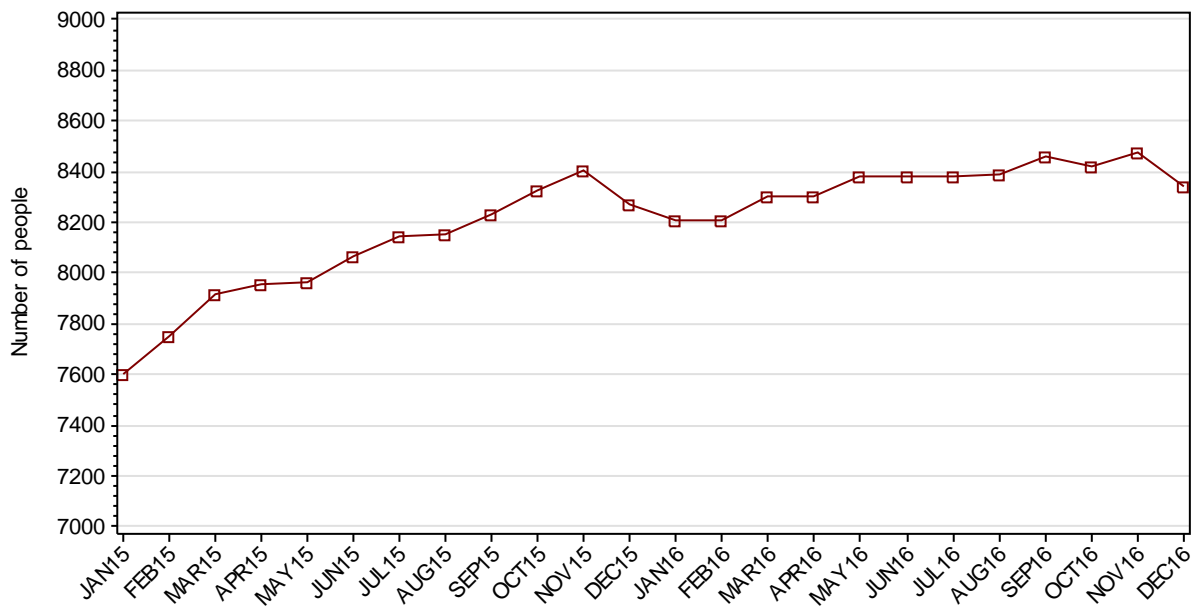
### 2.1.2 ADULT CUSTODY POPULATION BY INDIGENOUS STATUS



### 2.1.3 ADULT REMAND POPULATION

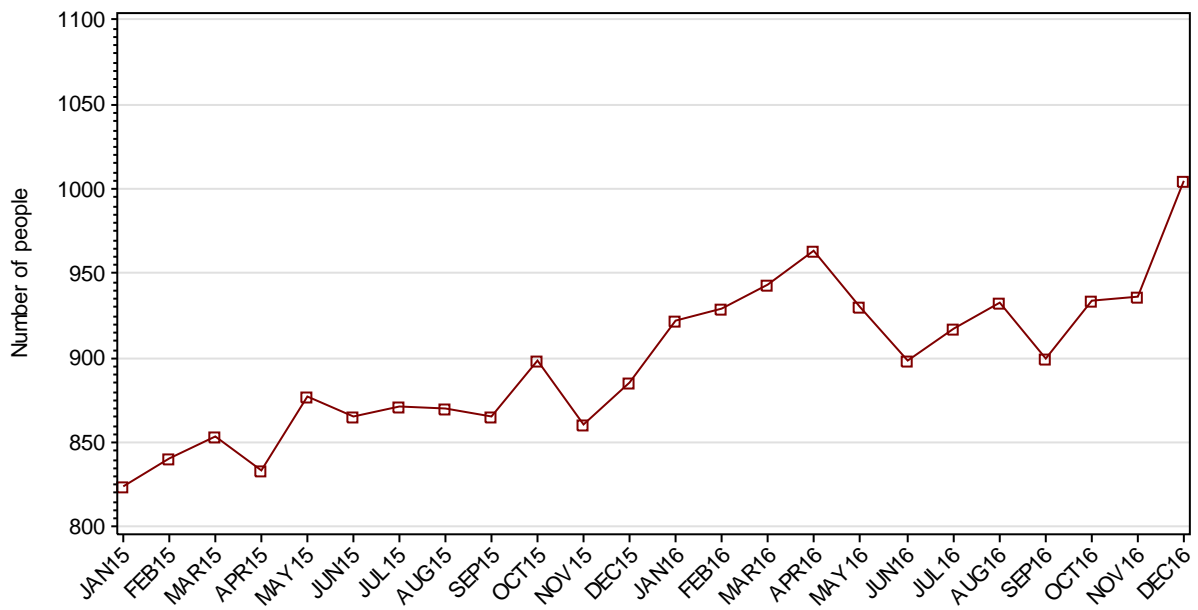


### 2.1.4 ADULT SENTENCED POPULATION

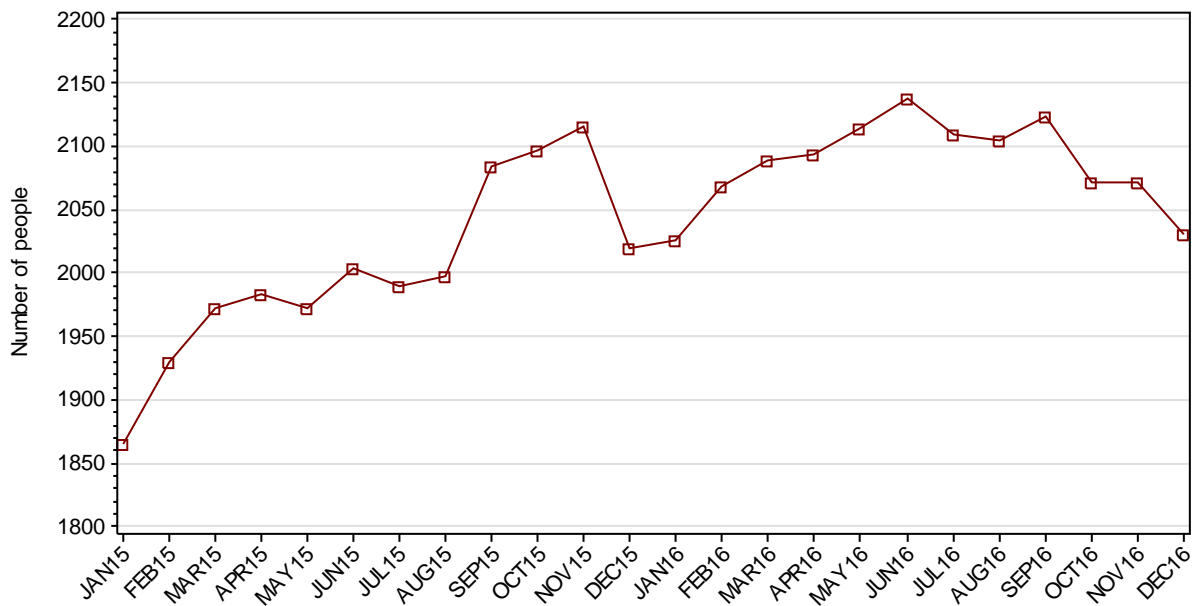




### 2.1.5 INDIGENOUS ADULT REMAND POPULATION



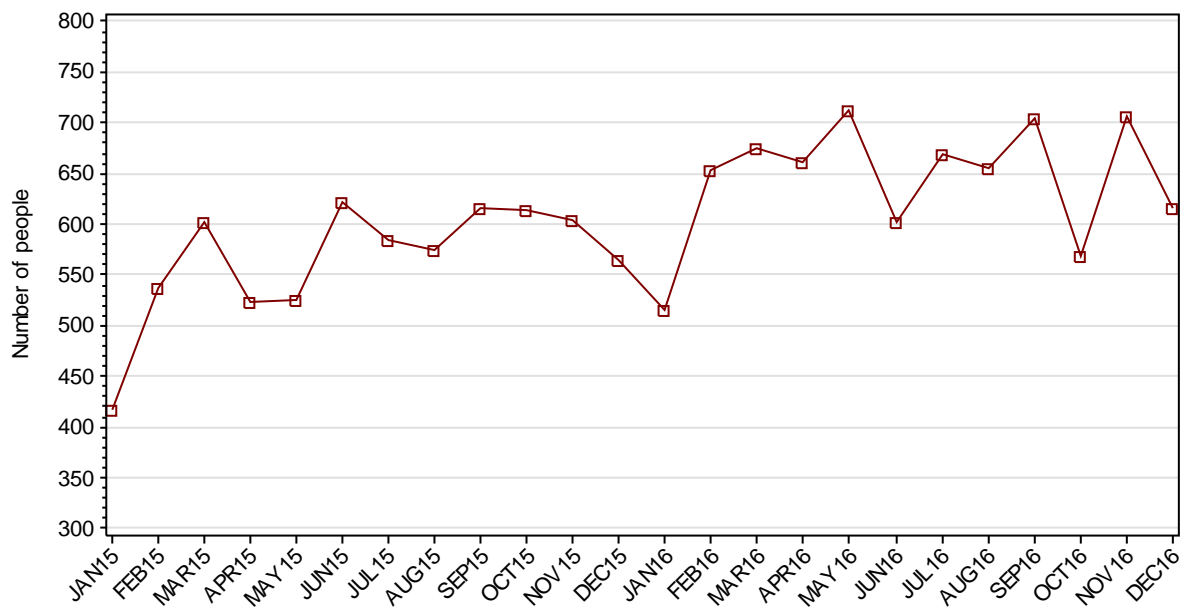
### 2.1.6 INDIGENOUS ADULT SENTENCED POPULATION



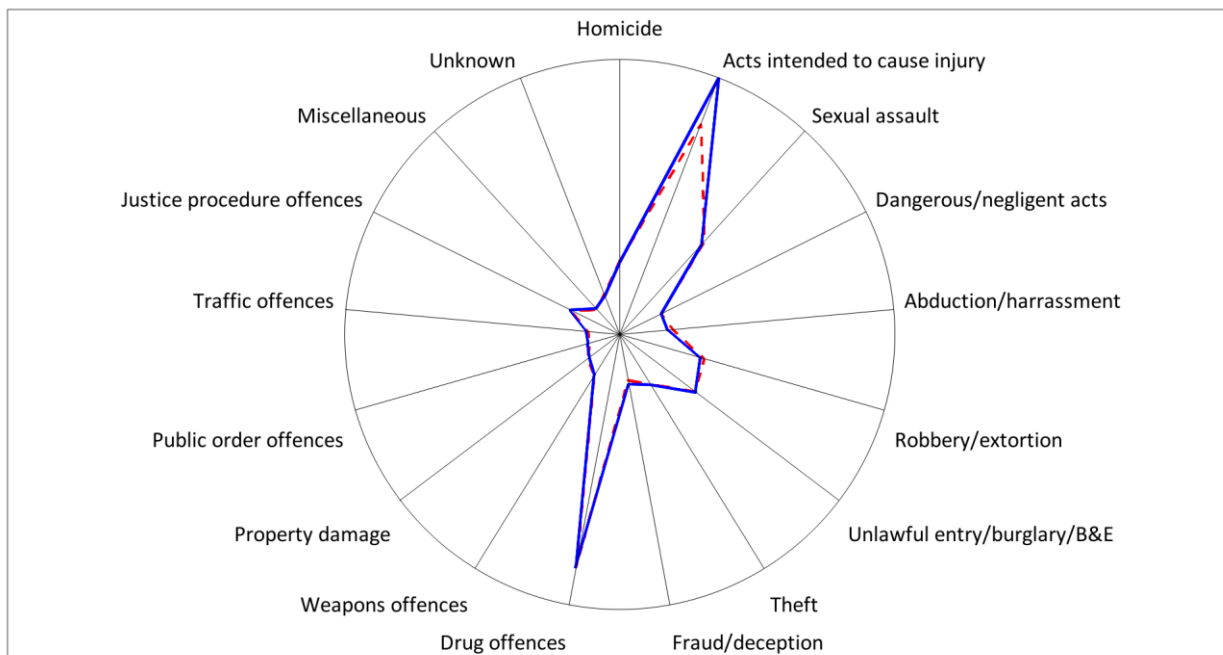
## 2.1.7 ADULT CUSTODY PROFILE AT END OF QUARTER

		Remand		Sentenced		Total	
		SEP16	DEC16	SEP16	DEC16	SEP16	DEC16
Total Male	Count	3772	3951	7869	7764	11641	11715
	Avg Age	34.5	34.5	37.1	37.4	36.3	36.4
Total Female	Count	405	437	595	577	1000	1014
	Avg Age	33.7	33.8	35.9	35.9	35.0	35.0
Indigenous Male	Count	778	869	1902	1817	2680	2686
	Avg Age	31.3	31.6	33.1	33.2	32.6	32.7
Indigenous Female	Count	122	136	221	214	343	350
	Avg Age	31.4	31.4	33.3	33.2	32.6	32.5
Total	Count	4177	4388	8464	8341	12641	12729
	Avg Age	34.4	34.4	37.0	37.3	36.2	36.3

## 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

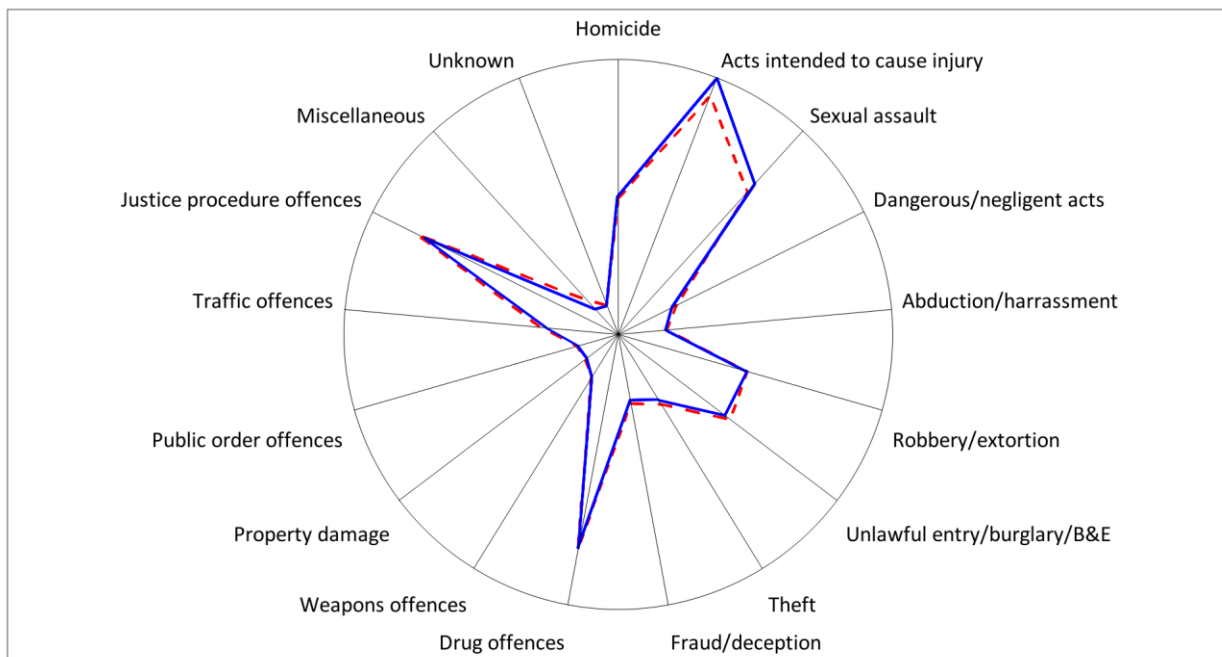


As At: - 30SEP16

— 31DEC16

	30SEP16		31DEC16	
	Number	% of Total	Number	% of Total
Homicide	220	5.3	215	4.9
Acts intended to cause injury	983	23.5	1228	28.0
Sexual assault	486	11.6	463	10.6
Dangerous/negligent acts	87	2.1	88	2.0
Abduction/harrassment	124	3.0	97	2.2
Robbery/extortion	294	7.0	275	6.3
Unlawful entry/burglary/B&E	329	7.9	333	7.6
Theft	148	3.5	148	3.4
Fraud/deception	88	2.1	105	2.4
Drug offences	1028	24.6	1037	23.6
Weapons offences	95	2.3	93	2.1
Property damage	52	1.2	44	1.0
Public order offences	11	0.3	19	0.4
Traffic offences	13	0.3	21	0.5
Justice procedure offences	127	3.0	130	3.0
Miscellaneous	23	0.6	30	0.7
Unknown	69	1.7	62	1.4
Total	4177	100.0	4388	100.0

## 2.1.10 ADULT SENTENCED POPULATION BY MOST SERIOUS OFFENCE

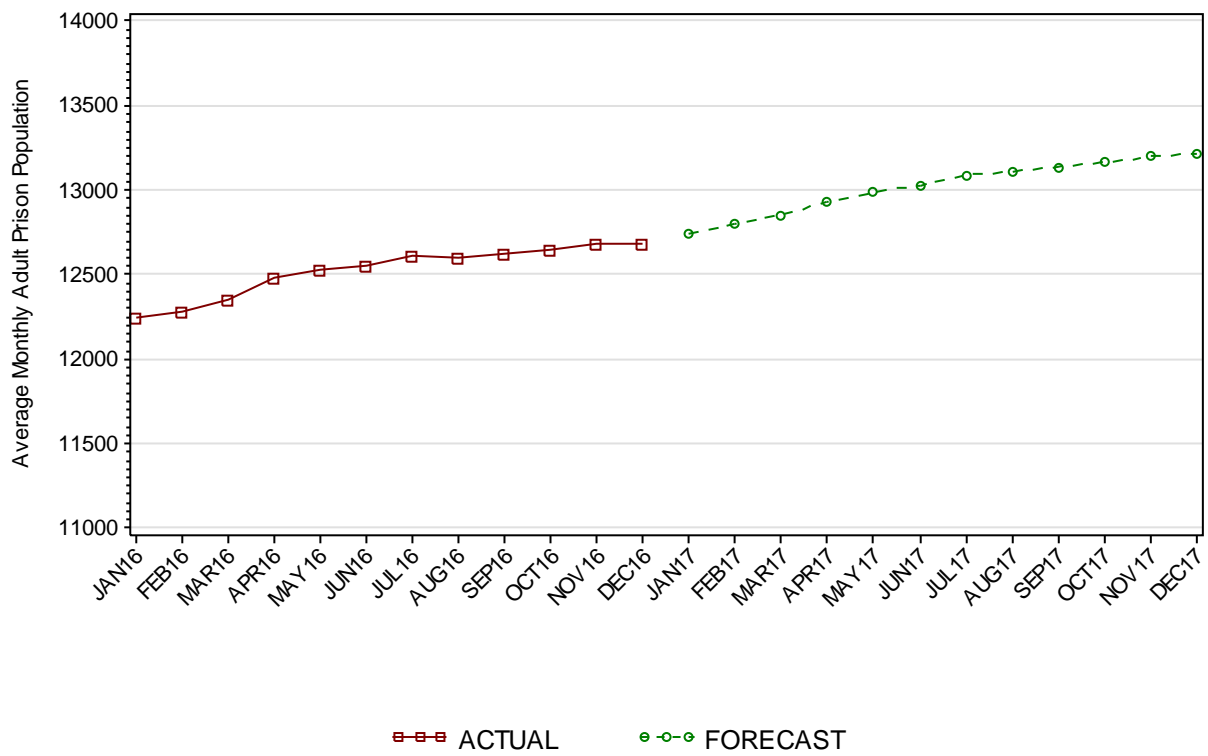


As At: - -30SEP16

— 31DEC16

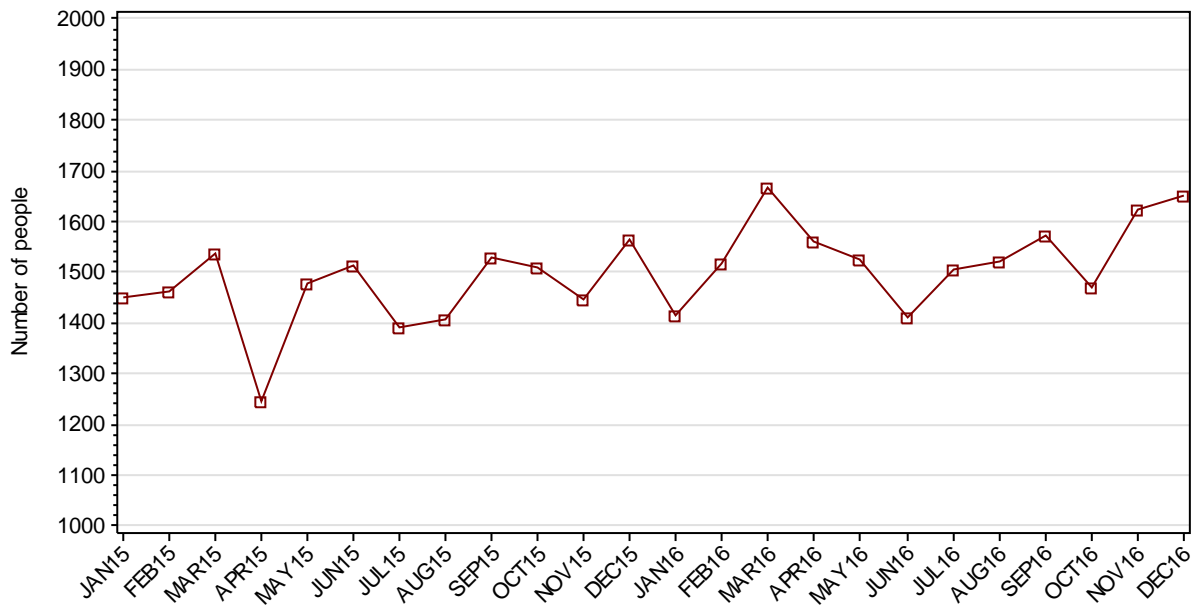
	30SEP16		31DEC16	
	Number	% of Total	Number	% of Total
Homicide	665	7.9	681	8.2
Acts intended to cause injury	1411	16.7	1529	18.3
Sexual assault	1017	12.0	1086	13.0
Dangerous/negligent acts	223	2.6	193	2.3
Abduction/harrassment	122	1.4	117	1.4
Robbery/extortion	655	7.7	655	7.9
Unlawful entry/burglary/B&E	695	8.2	654	7.8
Theft	327	3.9	293	3.5
Fraud/deception	252	3.0	230	2.8
Drug offences	1169	13.8	1168	14.0
Weapons offences	132	1.6	128	1.5
Property damage	72	0.9	61	0.7
Public order offences	81	1.0	74	0.9
Traffic offences	301	3.6	265	3.2
Justice procedure offences	1223	14.4	1165	14.0
Miscellaneous	106	1.3	31	0.4
Unknown	13	0.2	11	0.1
Total	8464	100.0	8341	100.0

## 2.1.11 PRISON POPULATION FORECAST

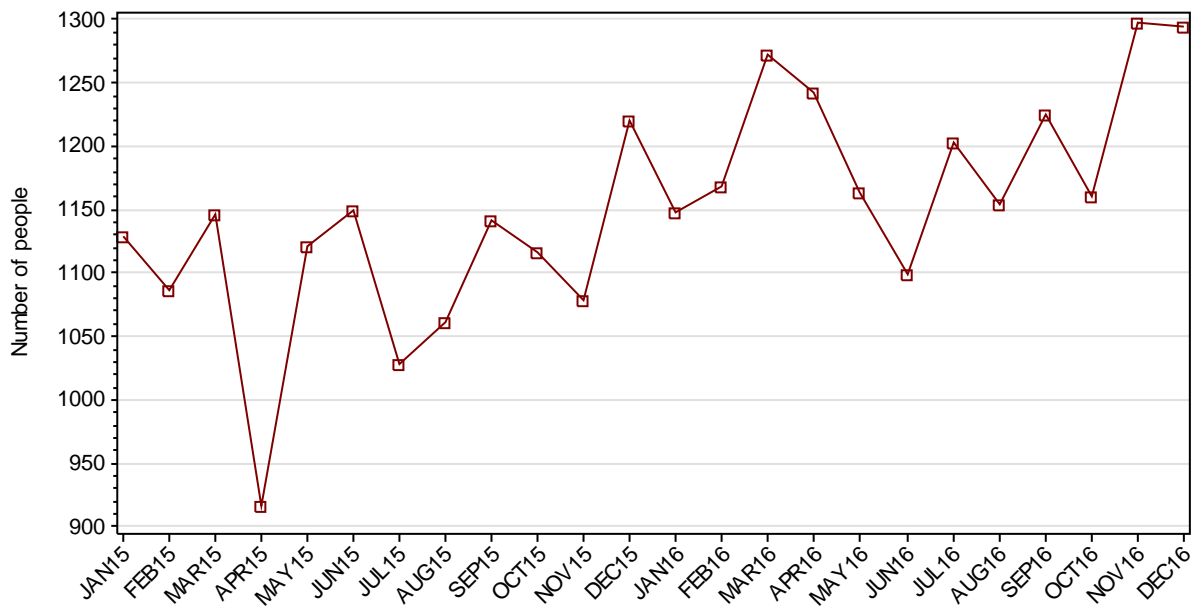


## SECTION 2.2 ADULT CUSTODY RECEPTIONS

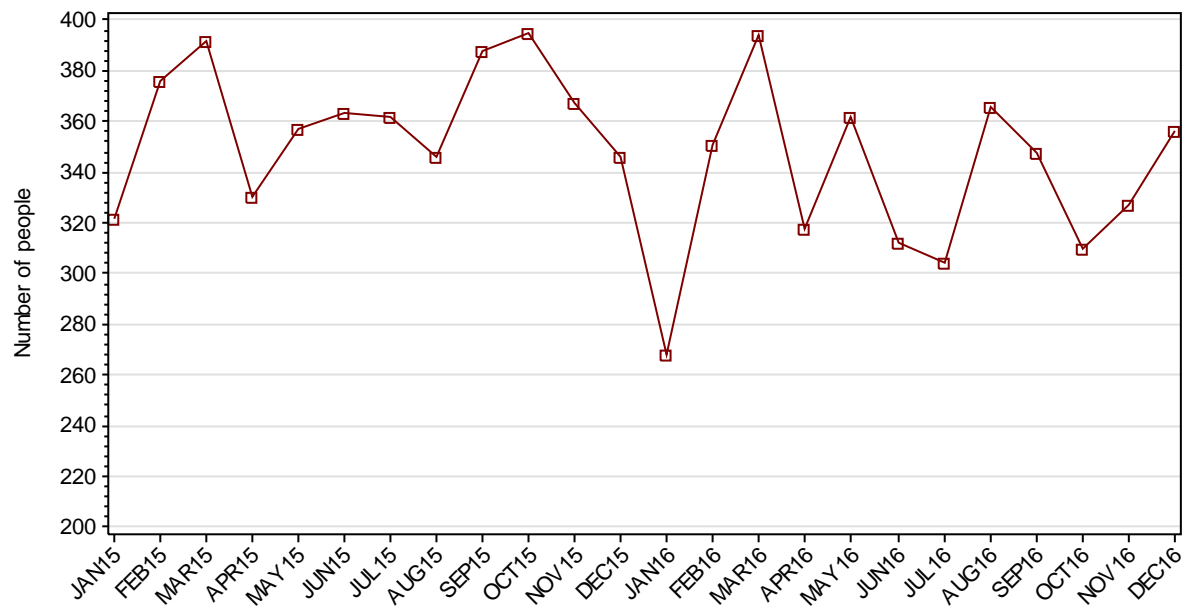
### 2.2.1 ADULTS RECEIVED INTO CUSTODY DURING MONTH



### 2.2.2 ADULT REMAND RECEPTIONS

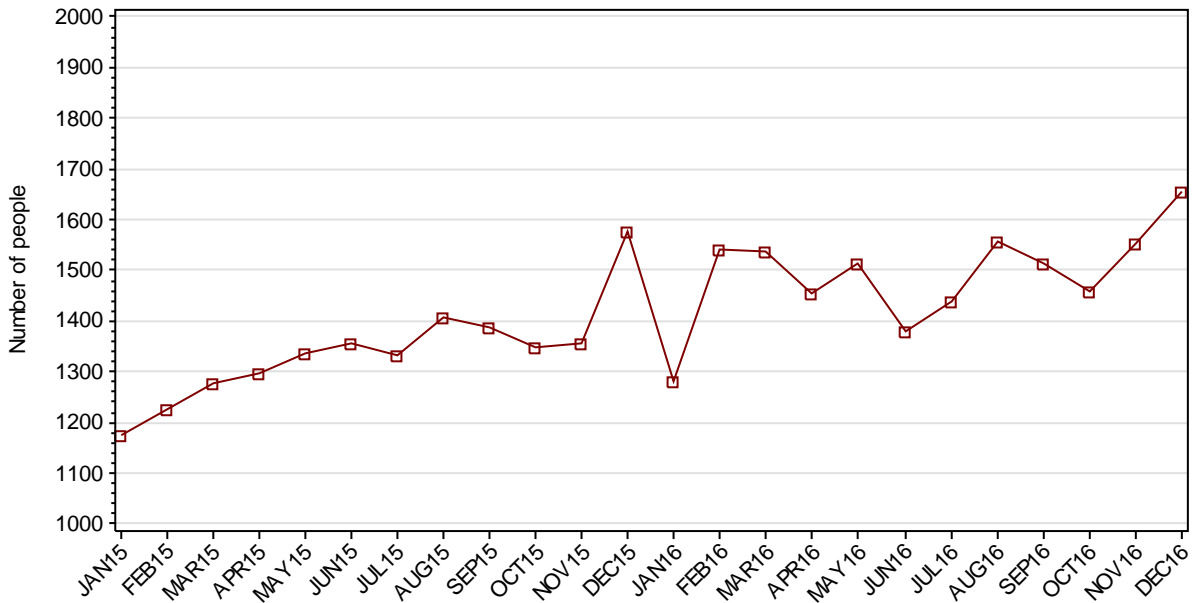


### 2.2.3 ADULT SENTENCED RECEPTIONS



## SECTION 2.3 ADULT CUSTODY DISCHARGES

### 2.3.1 ADULTS DISCHARGED FROM CUSTODY DURING MONTH



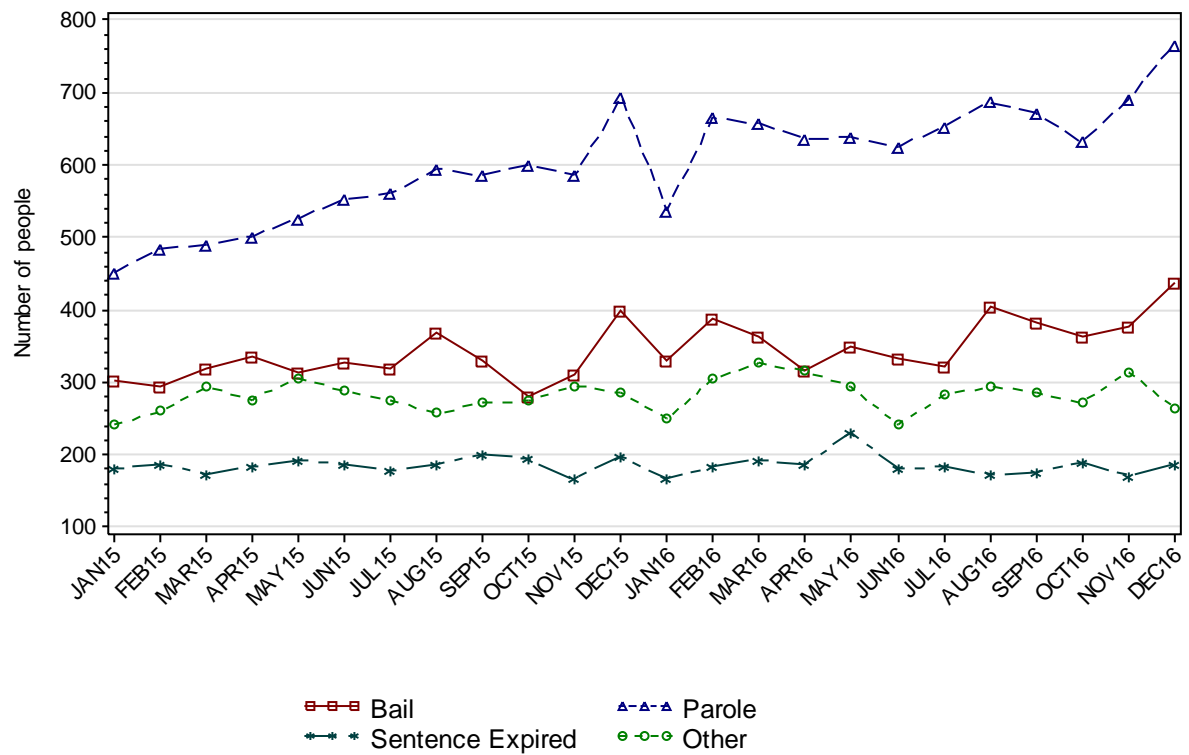
### 2.3.2 AVERAGE LENGTH OF STAY FOR ADULTS DISCHARGED FROM CUSTODY EACH QUARTER

		Remand Custody Only		Sentenced Custody Only		Remand to Sentenced Custody	
		SEP16	DEC16	SEP16	DEC16	SEP16	DEC16
Total Male	Avg Days	58.1	50.7	233.8	225.5	461.8	444.9
	Number	1333	1342	886	950	1726	1743
Total Female	Avg Days	45.8	34.7	132.0	163.7	235.2	216.5
	Number	259	303	120	131	187	188
Indigenous Male	Avg Days	56.8	44.4	270.1	207.9	360.1	374.1
	Number	345	343	262	266	501	501
Indigenous Female	Avg Days	44.9	35.9	114.1	109.9	175.9	149.6
	Number	84	106	51	59	86	70
Total	Avg Days	56.1	47.8	221.6	218.0	439.6	422.7
	Number	1592	1645	1006	1081	1913	1931

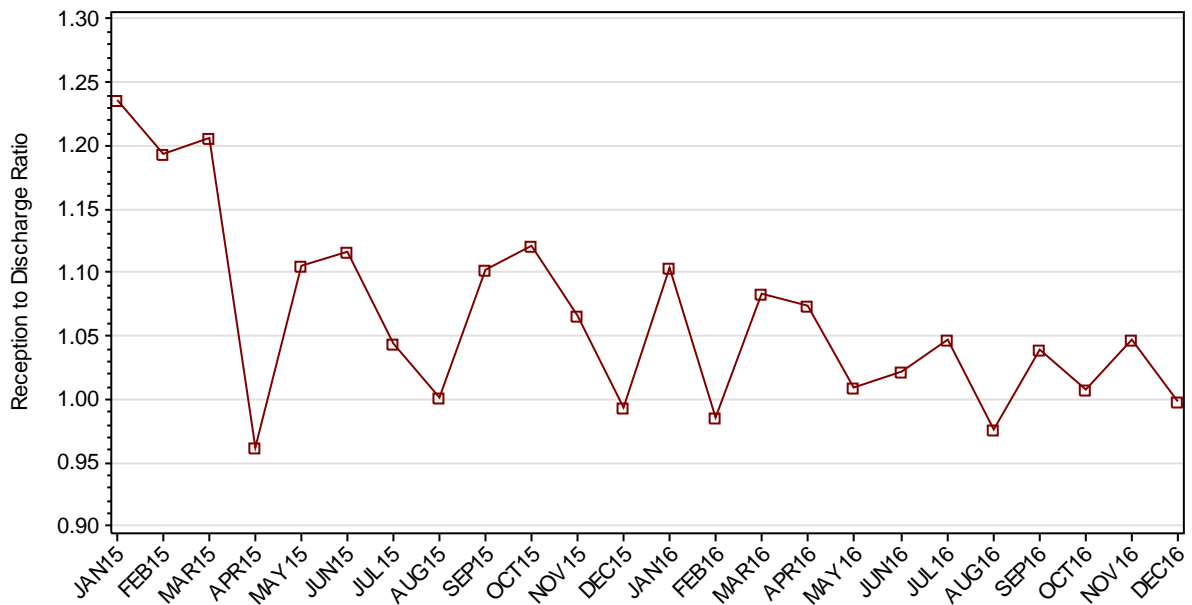
*Note: length of Stay for Remand to Sentenced Custody is from the date of reception on remand to date of discharge after serving sentence.*



### 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	
JAN15	299	156	1	142	156	142	1	86	1	69	22
FEB15	293	151	5	137	157	133	3	87	2	68	35
MAR15	309	159	4	146	168	139	2	92	3	73	36
APR15	310	137	1	172	169	138	3	83	1	85	43
MAY15	319	135	4	180	185	132	2	88	2	95	31
JUN15	307	155	3	149	171	134	2	92	2	77	29
JUL15	294	147	4	143	165	127	2	91	1	73	36
AUG15	289	139	3	147	162	124	3	79	3	80	36
SEP15	286	137	5	144	154	131	1	79	2	73	26
OCT15	292	150	1	141	147	143	2	79	0	68	35
NOV15	277	135	7	135	155	121	1	80	6	69	29
DEC15	278	146	5	127	147	129	2	79	3	65	29
JAN16	278	157	2	119	155	122	1	86	1	68	28
FEB16	270	145	2	123	158	112	0	85	0	73	29
MAR16	290	159	7	124	153	137	0	81	2	70	38
APR16	310	179	6	125	167	143	0	91	2	74	31
MAY16	301	160	6	135	174	127	0	90	3	81	51
JUN16	281	144	7	130	155	126	0	72	0	83	33
JUL16	262	129	2	131	147	113	2	64	0	83	35
AUG16	244	112	10	122	129	114	1	53	4	72	30
SEP16	255	127	3	125	127	127	1	56	0	71	27
OCT16	261	132	2	127	129	126	6	58	1	70	31
NOV16	271	134	7	130	140	126	5	63	4	73	30
DEC16	250	137	4	109	135	110	5	71	3	61	25

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	
JAN15	278	116	147	15	132	143	3	267	207	23	7	25	5	126	138	3	1.04
FEB15	258	89	153	16	128	125	5	266	185	23	12	44	2	128	135	3	0.97
MAR15	319	108	201	10	152	158	9	305	223	39	8	32	3	143	152	10	1.05
APR15	235	94	124	17	113	120	2	233	173	25	5	27	3	111	121	1	1.01
MAY15	250	101	118	31	124	117	9	241	162	29	5	42	3	109	122	10	1.04
JUN15	273	114	143	16	120	148	5	286	185	32	7	53	9	134	147	5	0.95
JUL15	267	117	137	13	125	140	2	278	198	30	5	41	4	128	148	2	0.96
AUG15	227	103	110	14	110	108	9	230	163	26	1	35	5	111	111	8	0.99
SEP15	225	100	108	17	107	115	3	229	158	32	4	29	6	118	106	5	0.98
OCT15	273	118	143	12	124	145	4	268	189	34	3	37	5	131	134	3	1.02
NOV15	242	107	124	11	132	106	4	259	178	38	1	39	3	125	129	5	0.93
DEC15	251	107	131	13	107	138	6	249	172	28	4	44	1	114	130	5	1.01
JAN16	259	127	120	12	129	124	6	257	191	22	6	31	7	120	130	7	1.01
FEB16	254	113	125	16	135	108	11	261	203	24	1	29	4	133	116	12	0.97
MAR16	267	137	120	10	122	138	7	248	171	32	4	41	0	126	115	7	1.08
APR16	266	132	122	12	106	151	9	244	180	28	0	34	2	91	144	9	1.09
MAY16	255	111	135	9	110	136	9	264	190	31	0	39	4	107	148	9	0.97
JUN16	240	99	134	7	102	132	6	262	188	27	1	43	3	120	136	6	0.92
JUL16	228	98	124	6	106	111	11	248	181	30	1	34	2	114	125	9	0.92
AUG16	225	90	131	4	87	130	8	245	176	23	5	34	7	105	131	9	0.92
SEP16	235	99	126	10	89	139	7	224	166	27	4	27	0	91	126	7	1.05
OCT16	238	115	116	7	94	129	15	232	175	24	1	31	1	92	130	10	1.03
NOV16	274	130	132	12	128	128	18	261	195	29	2	34	1	116	126	19	1.05
DEC16	244	119	122	3	119	110	15	269	202	23	2	32	10	126	128	15	0.91

Adult	1.In Custody								Remand to Sent
	Total	Legal Status		Indigenous			Indigenous Legal Status		
		Remand	Sent	Yes	No	Unk	Remand	Sent	
JAN15	10976	3372	7604	2690	8255	31	824	1866	416
FEB15	11207	3456	7751	2771	8400	36	841	1930	537
MAR15	11472	3553	7919	2827	8605	40	854	1973	602
APR15	11422	3466	7956	2817	8568	37	833	1984	523
MAY15	11562	3601	7961	2850	8674	38	877	1973	526
JUN15	11721	3651	8070	2869	8824	28	865	2004	621
JUL15	11781	3633	8148	2861	8892	28	871	1990	585
AUG15	11777	3625	8152	2868	8878	31	870	1998	575
SEP15	11908	3677	8231	2950	8925	33	866	2084	615
OCT15	12081	3751	8330	2996	9050	35	899	2097	614
NOV15	12166	3757	8409	2976	9150	40	861	2115	605
DEC15	12150	3881	8269	2905	9208	37	885	2020	565
JAN16	12297	4085	8212	2948	9302	47	922	2026	515
FEB16	12276	4065	8211	2997	9224	55	929	2068	654
MAR16	12390	4090	8300	3033	9301	56	944	2089	675
APR16	12509	4204	8305	3057	9394	58	963	2094	662
MAY16	12522	4141	8381	3044	9424	54	930	2114	712
JUN16	12550	4170	8380	3036	9458	56	898	2138	602
JUL16	12616	4236	8380	3026	9529	61	917	2109	669
AUG16	12584	4194	8390	3037	9490	57	933	2104	655
SEP16	12641	4177	8464	3023	9558	60	900	2123	705
OCT16	12659	4240	8419	3006	9589	64	934	2072	568
NOV16	12726	4248	8478	3008	9650	68	936	2072	707
DEC16	12729	4388	8341	3036	9603	90	1005	2031	616

Adult	2.Receptions						3.Discharges									Ratio Rec/ Dis
	Tot	Legal Status		Indigenous			Tot	Legal Status				Indigenous				
		Remand	Sent	Yes	No	Unk		Bail	Other	Parole	Sent Exp	Yes	No	Unk		
JAN15	1451	1129	322	432	984	35	1174	302	241	451	180	332	809	33	1.24	
FEB15	1463	1087	376	418	1010	35	1226	295	260	484	187	335	862	29	1.19	
MAR15	1539	1147	392	421	1076	42	1276	319	294	490	173	365	872	39	1.21	
APR15	1247	917	330	378	837	32	1297	336	276	501	184	387	877	33	0.96	
MAY15	1478	1121	357	434	1011	33	1337	313	306	526	192	401	903	33	1.11	
JUN15	1512	1149	363	438	1042	32	1355	328	288	552	187	419	893	43	1.12	
JUL15	1390	1028	362	388	966	36	1331	318	275	561	177	398	898	35	1.04	
AUG15	1408	1062	346	402	981	25	1407	368	257	595	187	397	987	23	1.00	
SEP15	1529	1141	388	453	1049	27	1388	331	271	585	201	366	996	26	1.10	
OCT15	1511	1116	395	423	1061	27	1348	279	274	601	194	385	938	25	1.12	
NOV15	1446	1079	367	393	1027	26	1357	311	295	585	166	411	926	20	1.07	
DEC15	1566	1220	346	422	1111	33	1575	398	286	693	198	492	1047	36	0.99	
JAN16	1416	1148	268	437	946	33	1282	329	249	538	166	395	865	22	1.10	
FEB16	1519	1168	351	448	1023	48	1541	387	305	665	184	400	1101	40	0.99	
MAR16	1666	1272	394	481	1130	55	1538	362	326	657	193	439	1047	52	1.08	
APR16	1561	1243	318	428	1101	32	1454	317	315	635	187	407	1018	29	1.07	
MAY16	1526	1164	362	416	1078	32	1512	349	294	639	230	426	1051	35	1.01	
JUN16	1411	1099	312	369	1010	32	1380	333	241	626	180	374	974	32	1.02	
JUL16	1507	1203	304	417	1054	36	1440	322	282	652	184	428	981	31	1.05	
AUG16	1521	1155	366	459	1033	29	1557	403	294	687	173	451	1073	33	0.98	
SEP16	1573	1225	348	435	1111	27	1514	382	286	671	175	450	1040	24	1.04	
OCT16	1470	1160	310	422	1006	42	1458	364	272	632	190	439	982	37	1.01	
NOV16	1624	1297	327	470	1120	34	1552	376	314	691	171	465	1058	29	1.05	
DEC16	1651	1295	356	470	1106	75	1655	437	265	766	187	441	1153	61	1.00	

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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 Corrections 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. Persons held in a CSNSW managed police/court cell complex at midnight on the last day of the month but later transferred to a gazetted correctional centre are included in custody population figures for that month.

## **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.

## **Forecast**

The prison population forecast is generated using an autoregressive integrated moving average (ARIMA) model. The model is estimated following the Box-Jenkins approach. The forecast is calculated from the average monthly prison population data from January 2011 to the current month.

## **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 Kariiong Juvenile Correctional Centre which is managed by CSNSW. As Kariiong 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 BOCSAR 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 BOCSAR'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.