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# **NEW SOUTH WALES CUSTODY STATISTICS**

QUARTERLY UPDATE  
SEPTEMBER 2015

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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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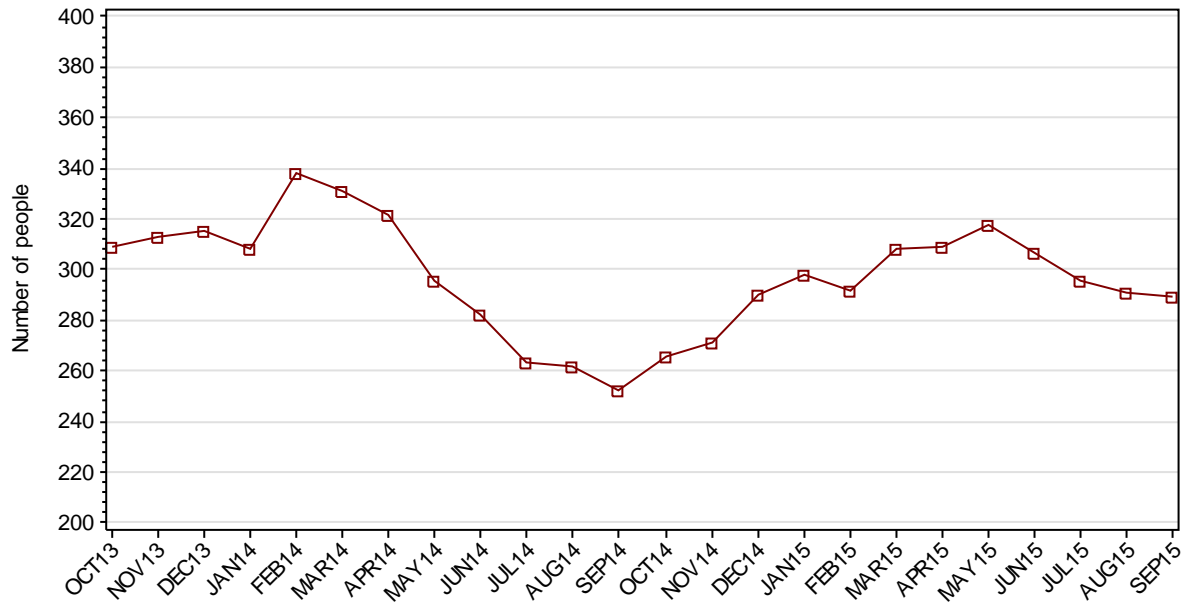
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## **Part 1 JUVENILES**

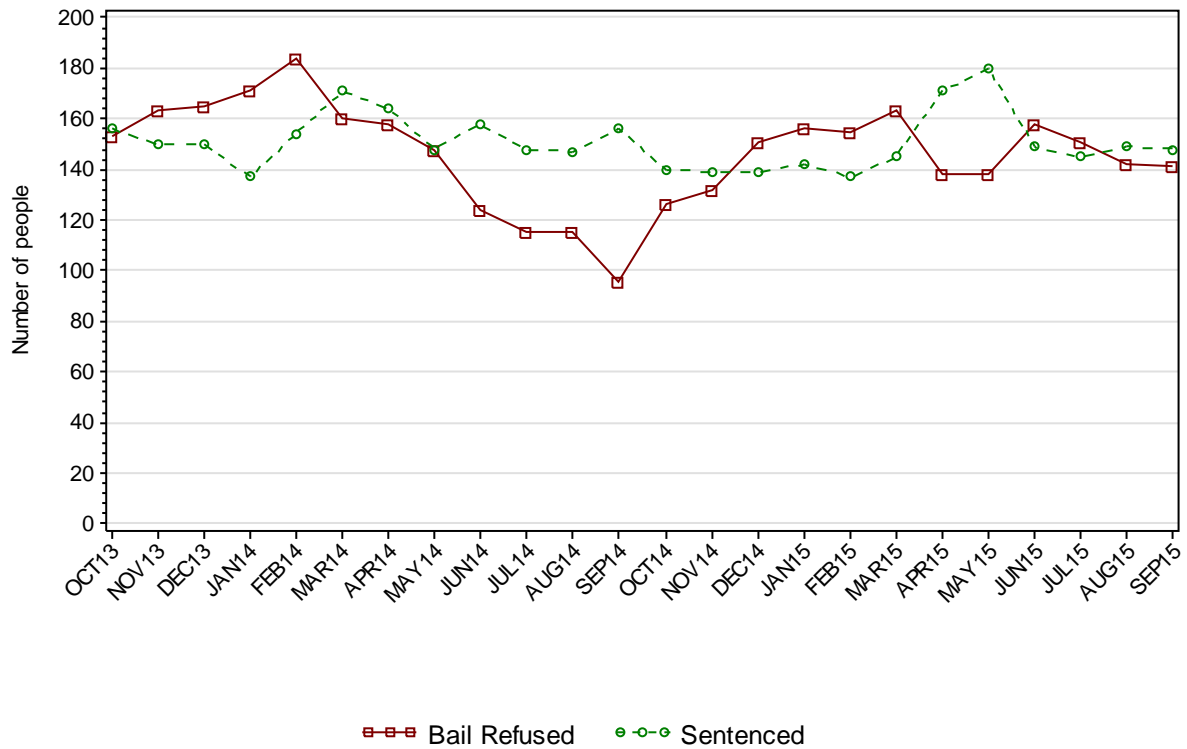
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## SECTION 1.1 JUVENILE CUSTODY POPULATION

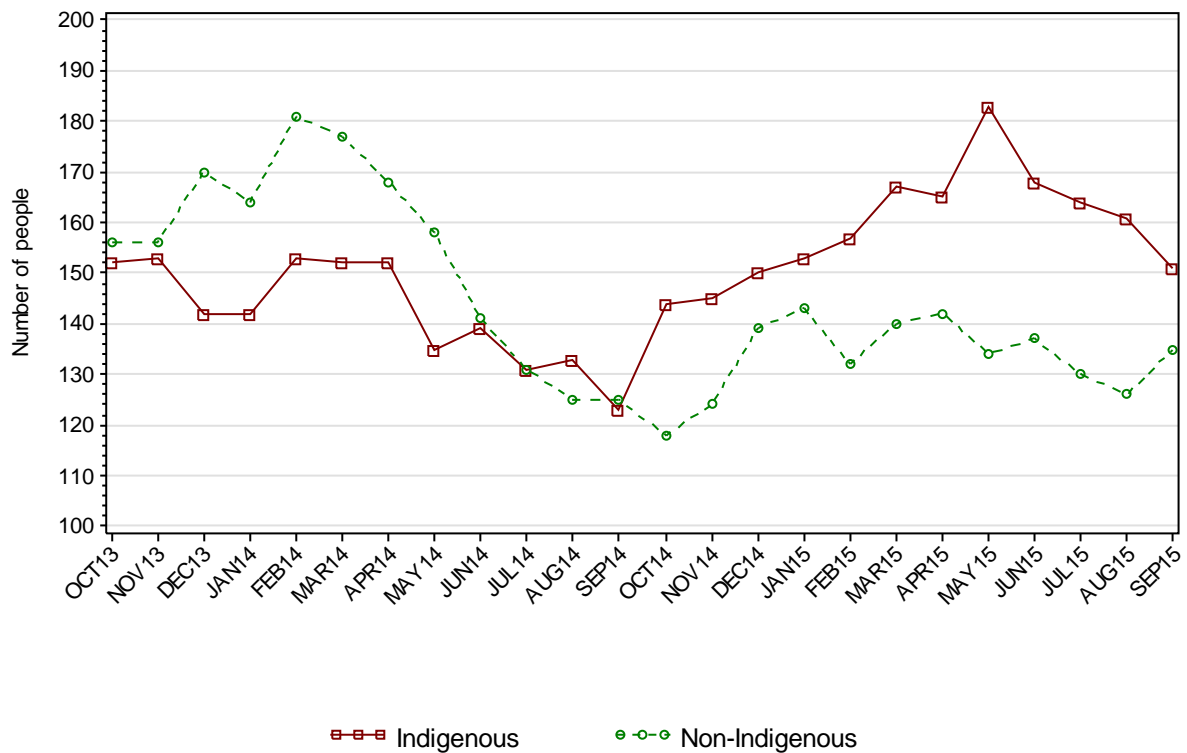
### 1.1.1 JUVENILE CUSTODY POPULATION AT END OF MONTH



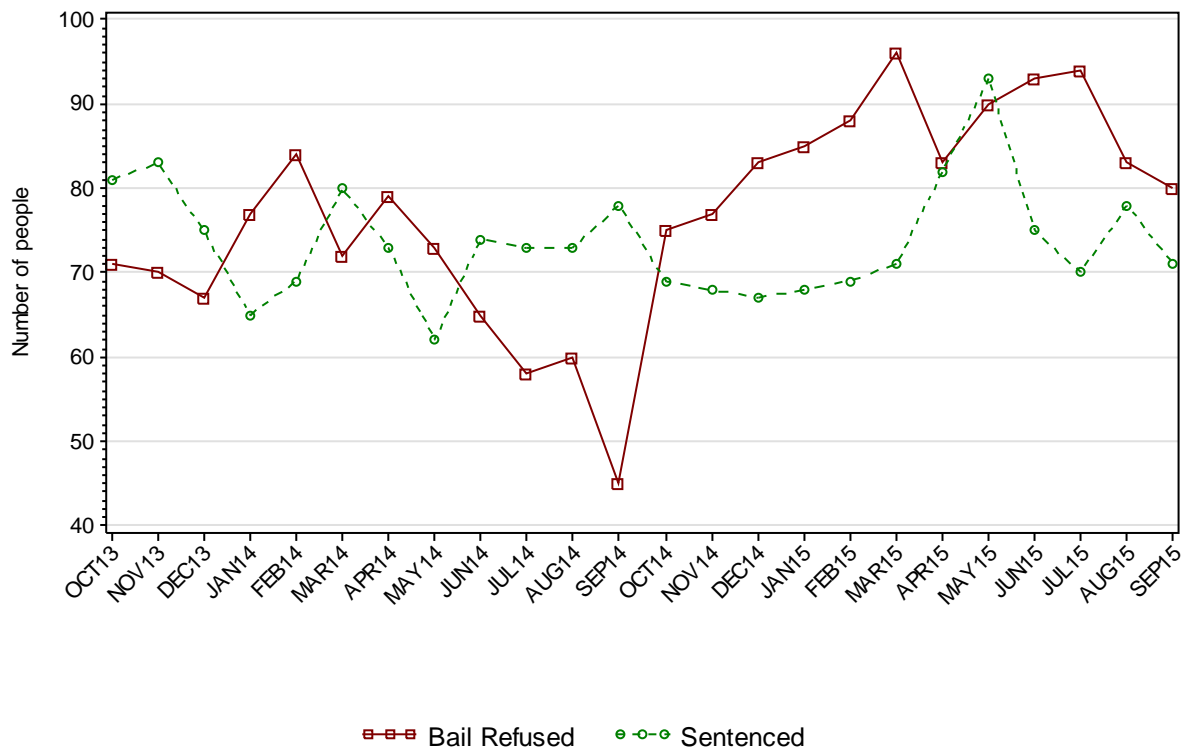
### 1.1.2 JUVENILE CUSTODY POPULATION BY LEGAL STATUS



### 1.1.3 JUVENILE CUSTODY POPULATION BY INDIGENOUS STATUS



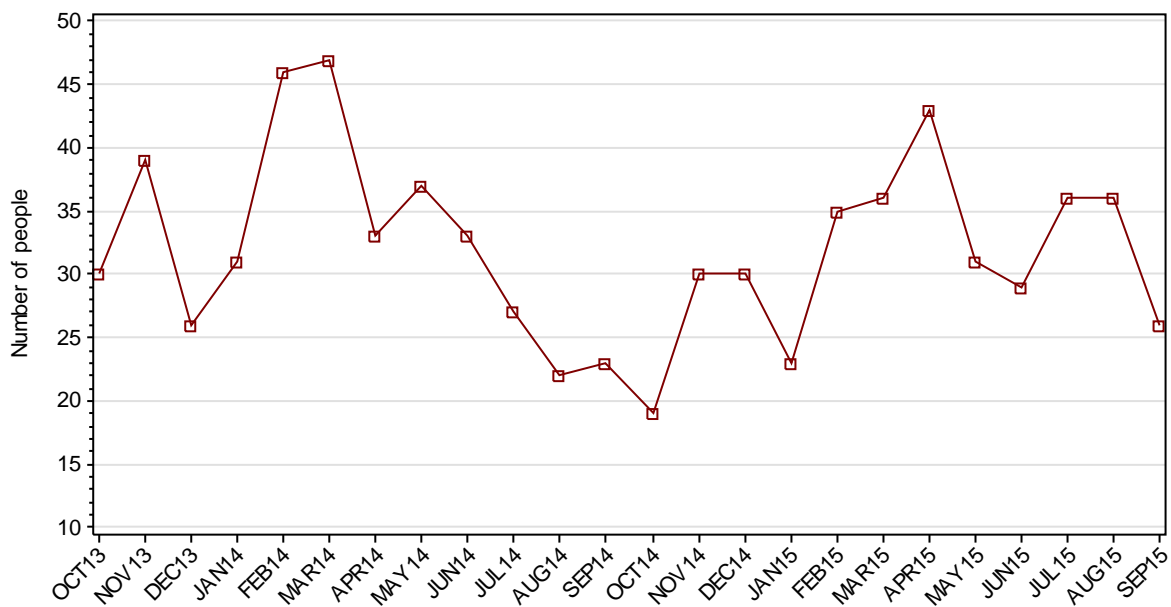
### 1.1.4 INDIGENOUS JUVENILE CUSTODY POPULATION BY LEGAL STATUS



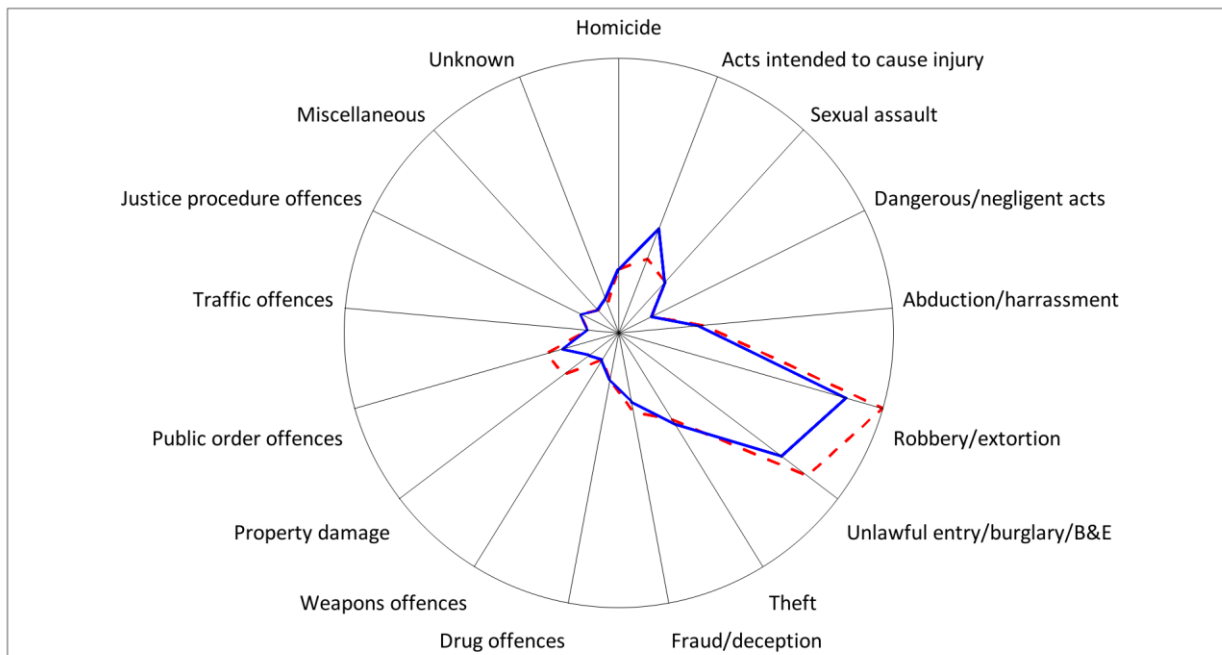
### 1.1.5 JUVENILE CUSTODY PROFILE AT END OF QUARTER

		Police Bail Refused		Court Bail Refused		Sentenced		Total	
		JUN15	SEP15	JUN15	SEP15	JUN15	SEP15	JUN15	SEP15
Total Male	Count	2	4	145	124	142	144	289	272
	Avg Age	14.0	15.0	16.1	16.2	17.0	16.8	16.6	16.5
Total Female	Count	1	1	10	12	7	4	18	17
	Avg Age	13.0	15.0	15.9	15.6	15.9	17.0	15.7	15.9
Indigenous Male	Count	2	2	84	68	69	68	155	138
	Avg Age	14.0	15.5	15.9	16.1	16.6	16.4	16.2	16.2
Indigenous Female	Count	0	0	7	10	6	3	13	13
	Avg Age	.	.	15.7	15.6	15.7	17.0	15.7	15.9
Total	Count	3	5	155	136	149	148	307	289
	Avg Age	13.7	15.0	16.1	16.1	17.0	16.8	16.5	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



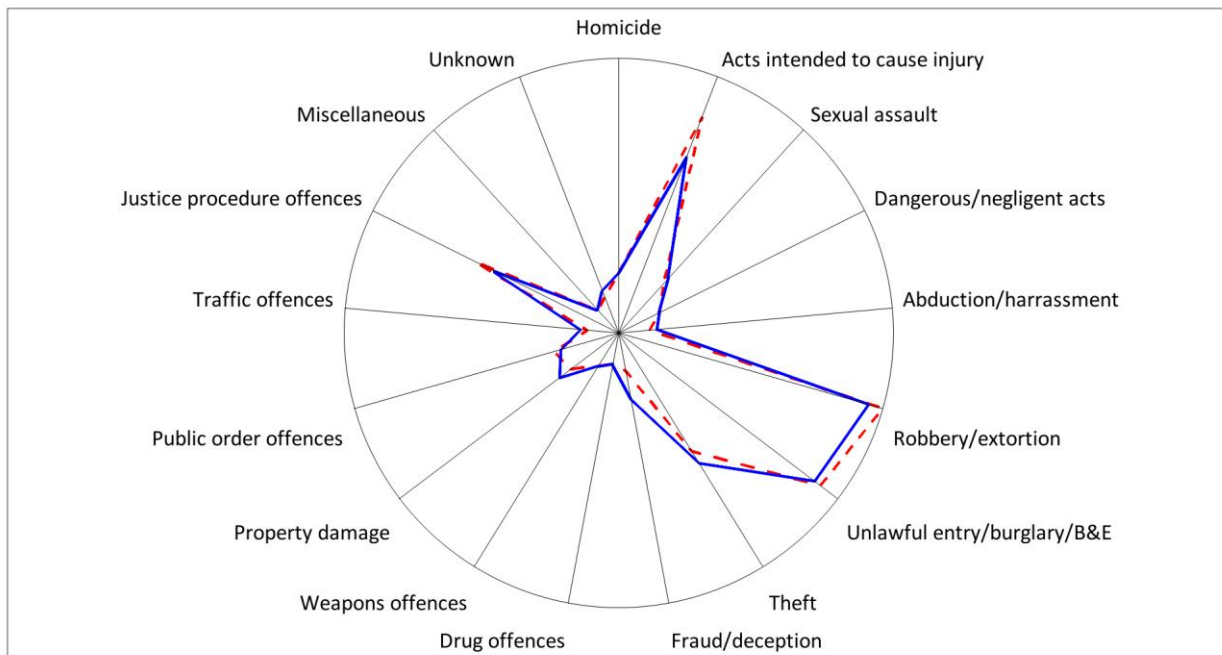
As At: - -30JUN15

— 30SEP15

	30JUN15		30SEP15	
	Number	% of Total	Number	% of Total
Homicide	6	3.8	6	4.3
Acts intended to cause injury	9	5.7	15	10.6
Sexual assault	7	4.4	7	5.0
Dangerous/negligent acts	1	0.6	1	0.7
Abduction/harrassment	10	6.3	9	6.4
Robbery/extortion	45	28.5	38	27.0
Unlawful entry/burglary/B&E	38	24.1	32	22.7
Theft	13	8.2	14	9.9
Fraud/deception	9	5.7	7	5.0
Drug offences	3	1.9	3	2.1
Weapons offences	0	0	0	0
Property damage	7	4.4	1	0.7
Public order offences	8	5.1	5	3.5
Traffic offences	0	0	0	0
Justice procedure offences	2	1.3	2	1.4
Miscellaneous	0	0	0	0
Unknown	0	0	1	0.7
<b>Total</b>	<b>158</b>	<b>100.0</b>	<b>141</b>	<b>100.0</b>



## 1.1.8 JUVENILE SENTENCED POPULATION BY MOST SERIOUS OFFENCE



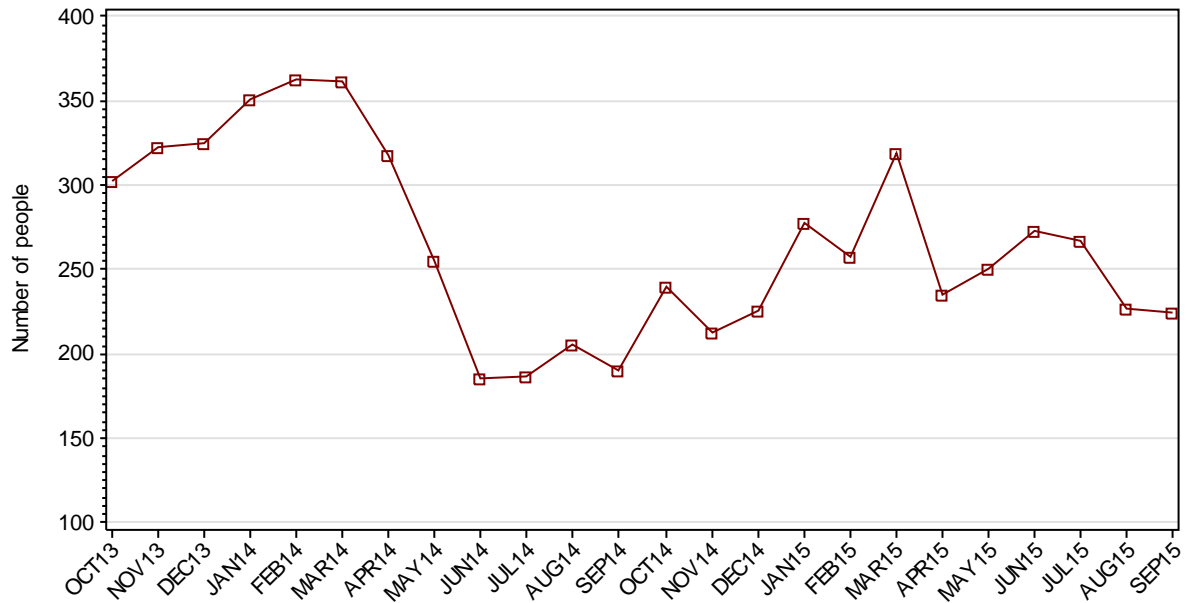
As At: - -30JUN15

— 30SEP15

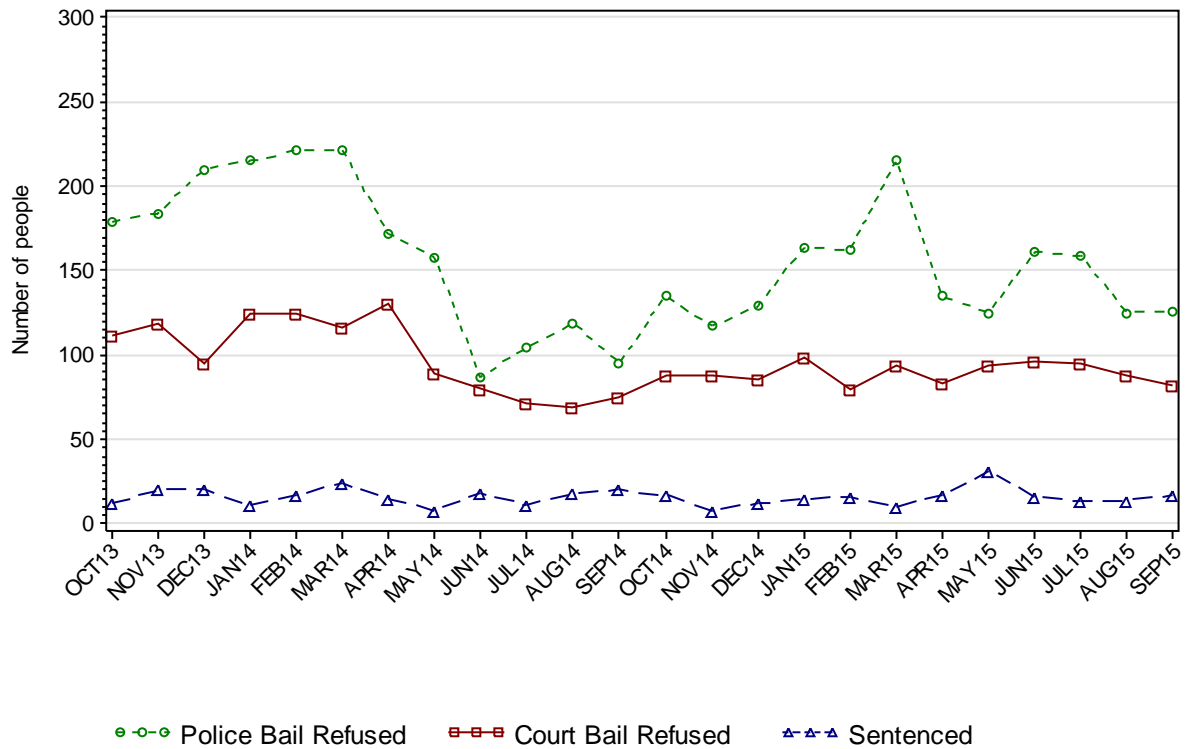
	30JUN15		30SEP15	
	Number	% of Total	Number	% of Total
Homicide	4	2.7	4	2.7
Acts intended to cause injury	28	18.8	22	14.9
Sexual assault	5	3.4	6	4.1
Dangerous/negligent acts	2	1.3	2	1.4
Abduction/harrassment	0	0	1	0.7
Robbery/extortion	34	22.8	32	21.6
Unlawful entry/burglary/B&E	31	20.8	30	20.3
Theft	15	10.1	17	11.5
Fraud/deception	1	0.7	5	3.4
Drug offences	0	0	0	0
Weapons offences	1	0.7	1	0.7
Property damage	4	2.7	6	4.1
Public order offences	5	3.4	4	2.7
Traffic offences	0	0	1	0.7
Justice procedure offences	18	12.1	15	10.1
Miscellaneous	0	0	0	0
Unknown	1	0.7	2	1.4
<b>Total</b>	<b>149</b>	<b>100.0</b>	<b>148</b>	<b>100.0</b>

## SECTION 1.2 JUVENILE CUSTODY RECEPTIONS

### 1.2.1 JUVENILES RECEIVED INTO CUSTODY DURING MONTH

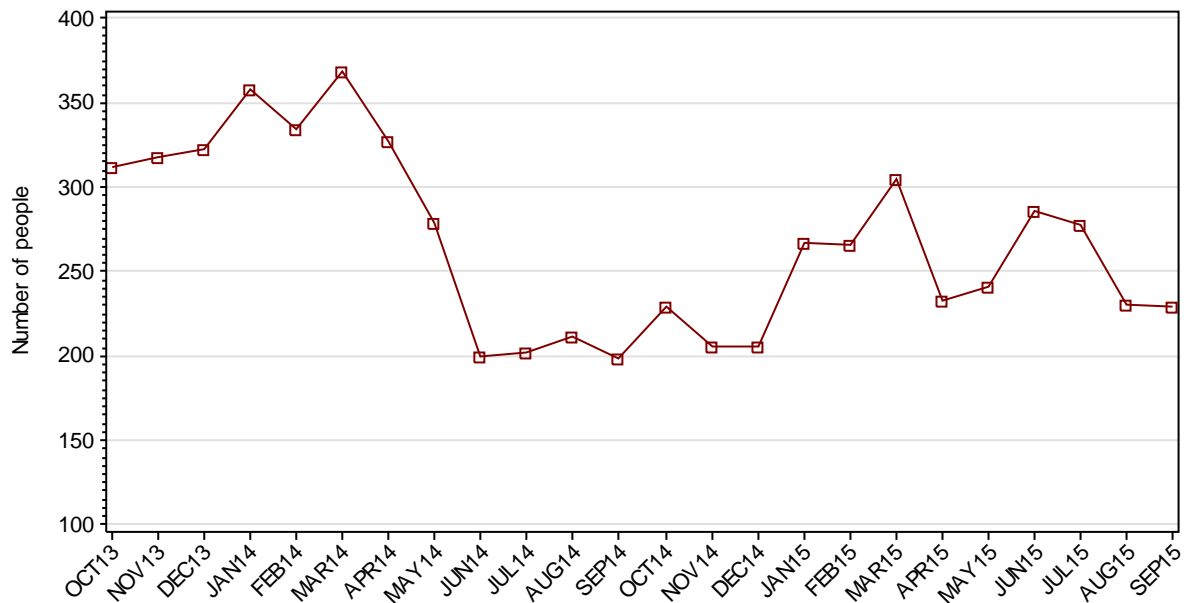


### 1.2.2 JUVENILES RECEIVED INTO CUSTODY BY LEGAL STATUS



## SECTION 1.3 JUVENILE CUSTODY DISCHARGES

### 1.3.1 JUVENILES DISCHARGED FROM CUSTODY DURING MONTH

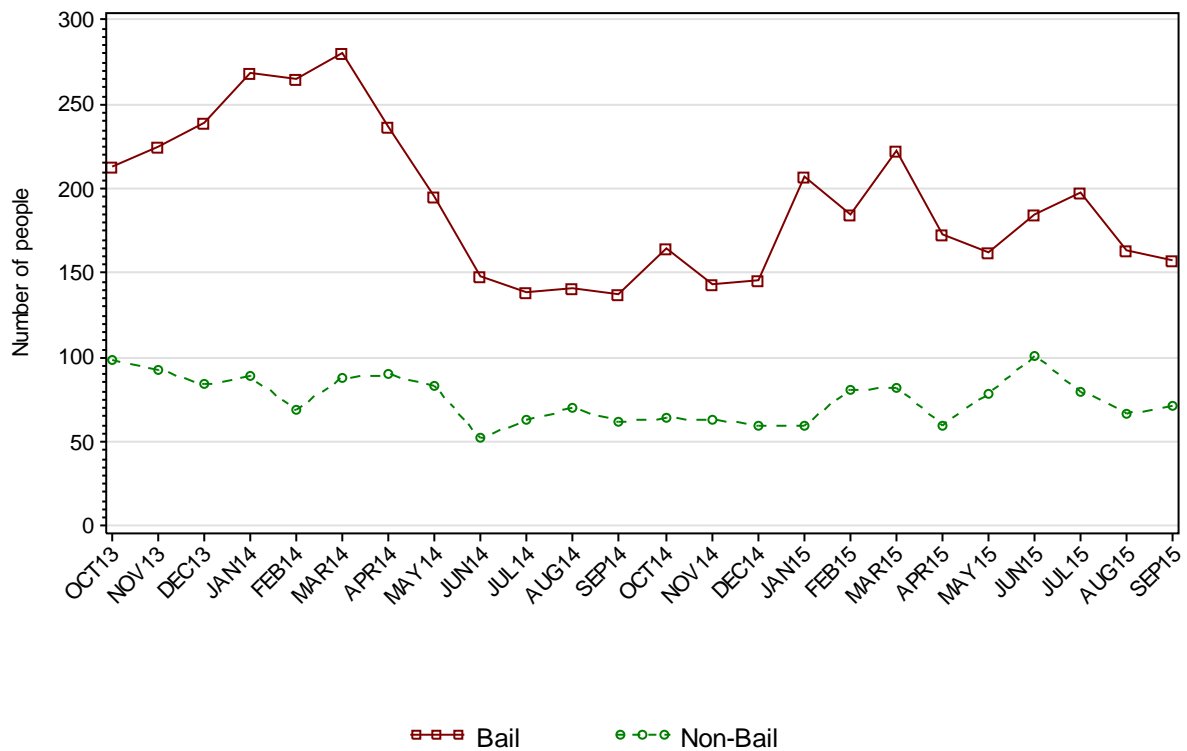


### 1.3.2 AVERAGE LENGTH OF STAY FOR JUVENILES DISCHARGED FROM CUSTODY EACH QUARTER

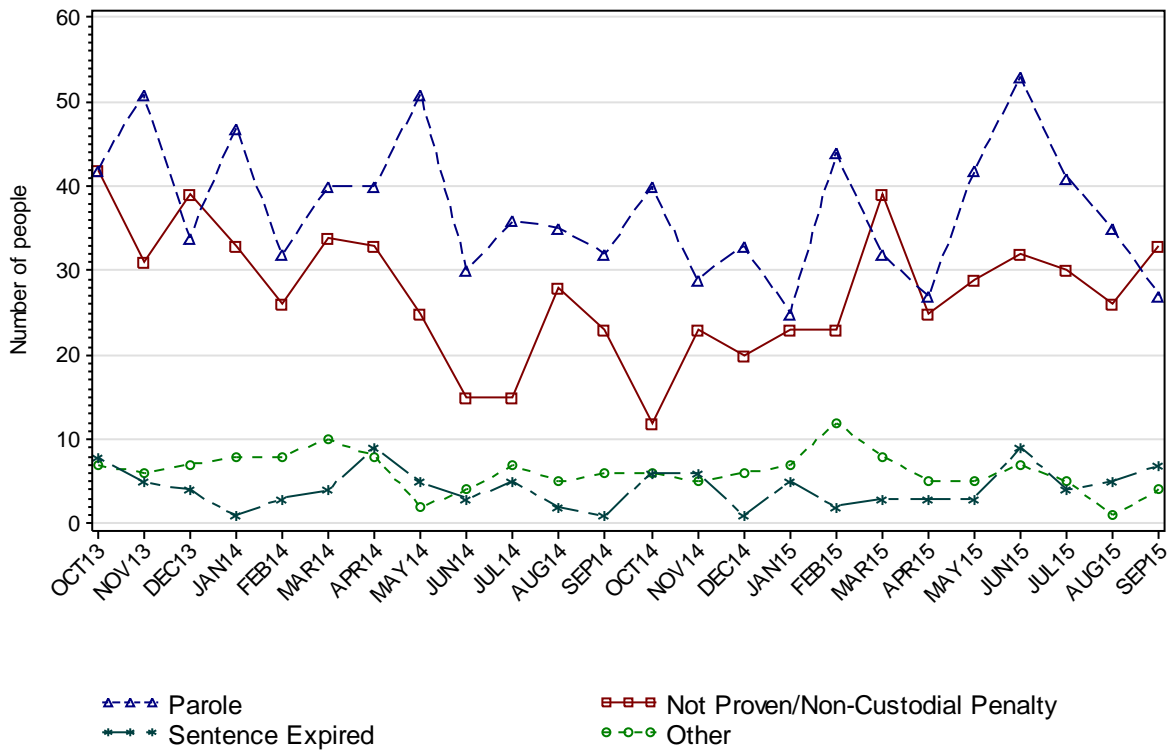
		Remand Custody Only		Sentenced Custody Only		Remand to Sentenced Custody	
		JUN15	SEP15	JUN15	SEP15	JUN15	SEP15
Total Male	Avg Days	9.9	12.8	65.7	103.8	156.1	203.0
	Number	462	444	39	48	115	79
Total Female	Avg Days	6.4	4.5	35.0	23.6	94.5	115.8
	Number	132	149	1	5	11	12
Indigenous Male	Avg Days	14.9	17.1	64.9	131.2	148.6	190.3
	Number	186	183	22	27	63	47
Indigenous Female	Avg Days	8.0	6.7	35.0	23.6	78.9	103.9
	Number	60	76	1	5	7	8
Total	Avg Days	9.2	10.7	64.9	96.2	150.8	191.5
	Number	594	593	40	53	126	91

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

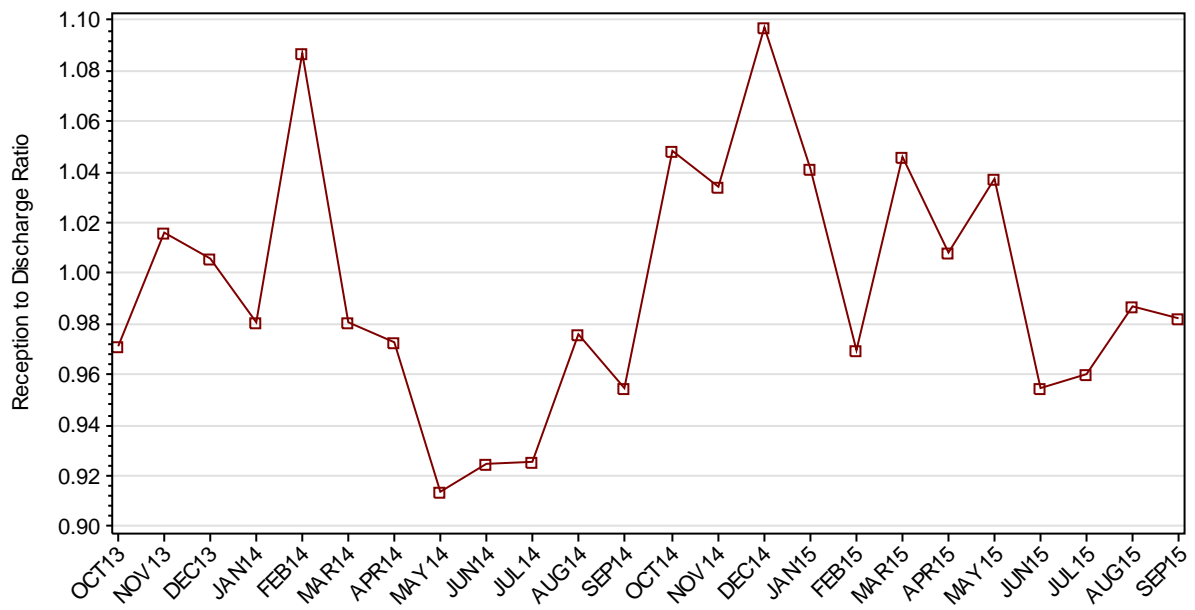
### 1.3.3 JUVENILES BY DISCHARGE TYPE



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



### 1.3.5 RATIO OF JUVENILE RECEPTIONS TO DISCHARGES



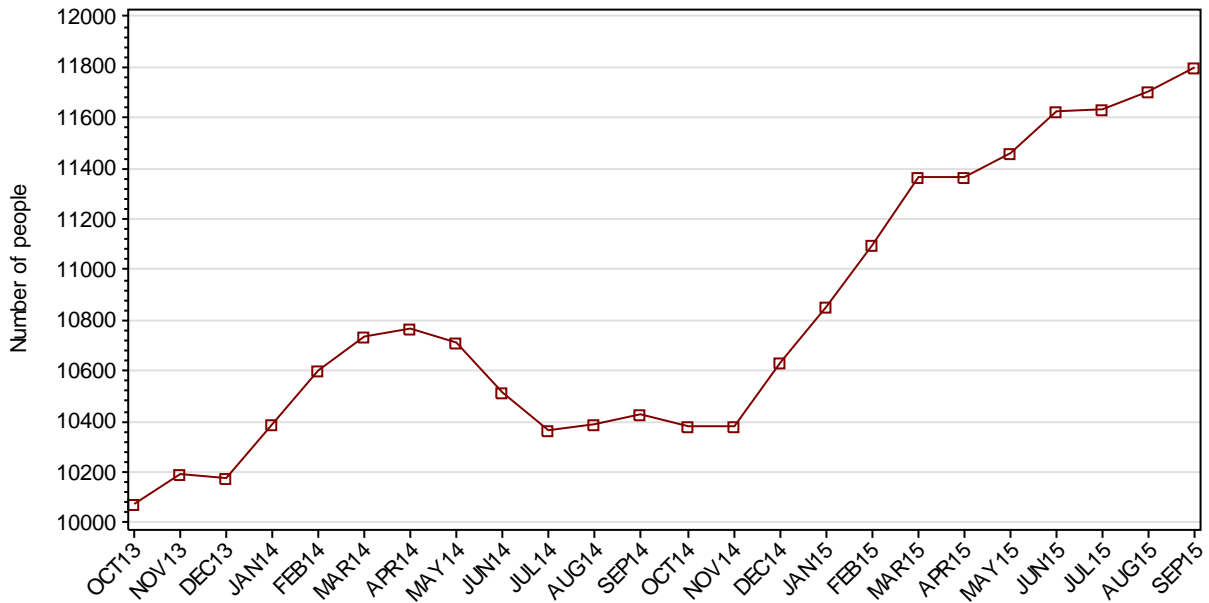
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## **Part 2 ADULTS**

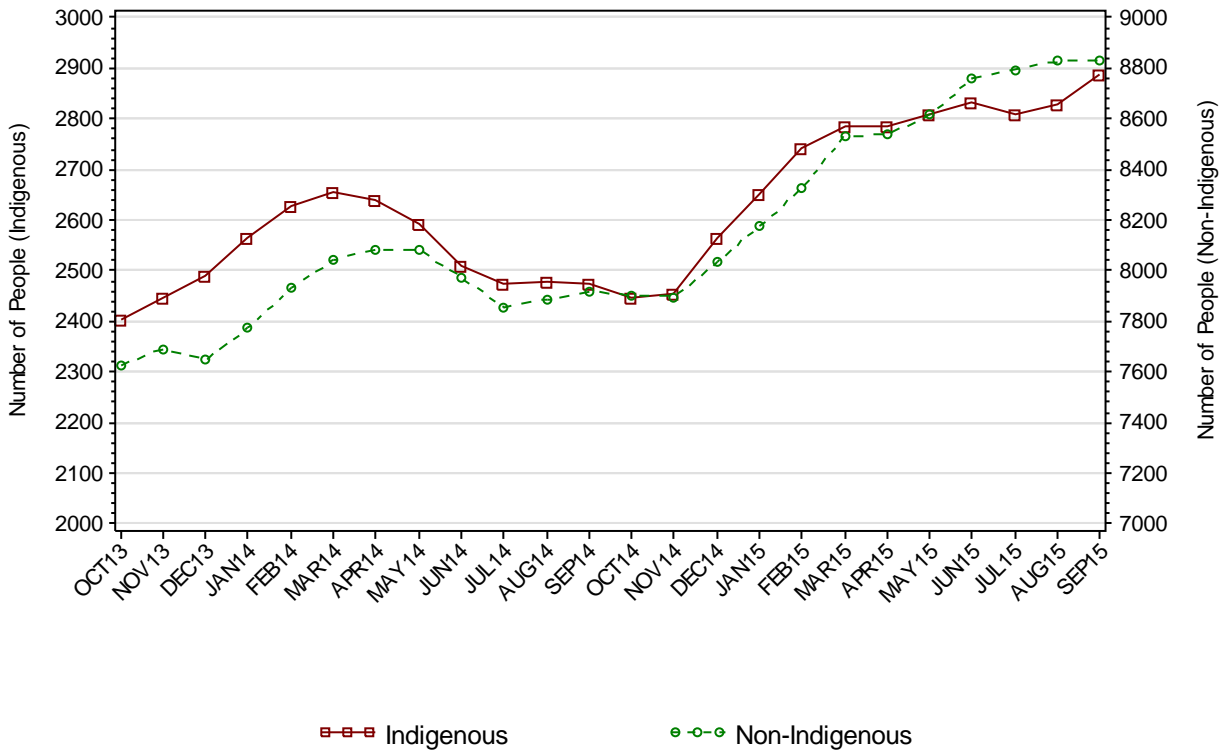
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## SECTION 2.1 ADULT CUSTODY POPULATION

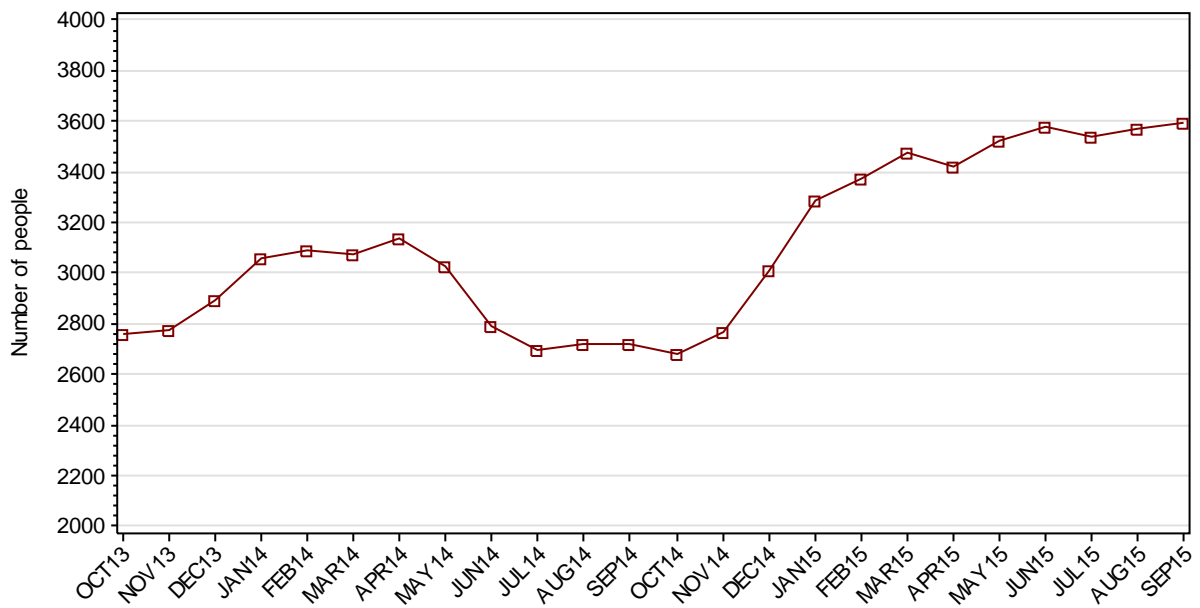
### 2.1.1 ADULT CUSTODY POPULATION AT END OF MONTH



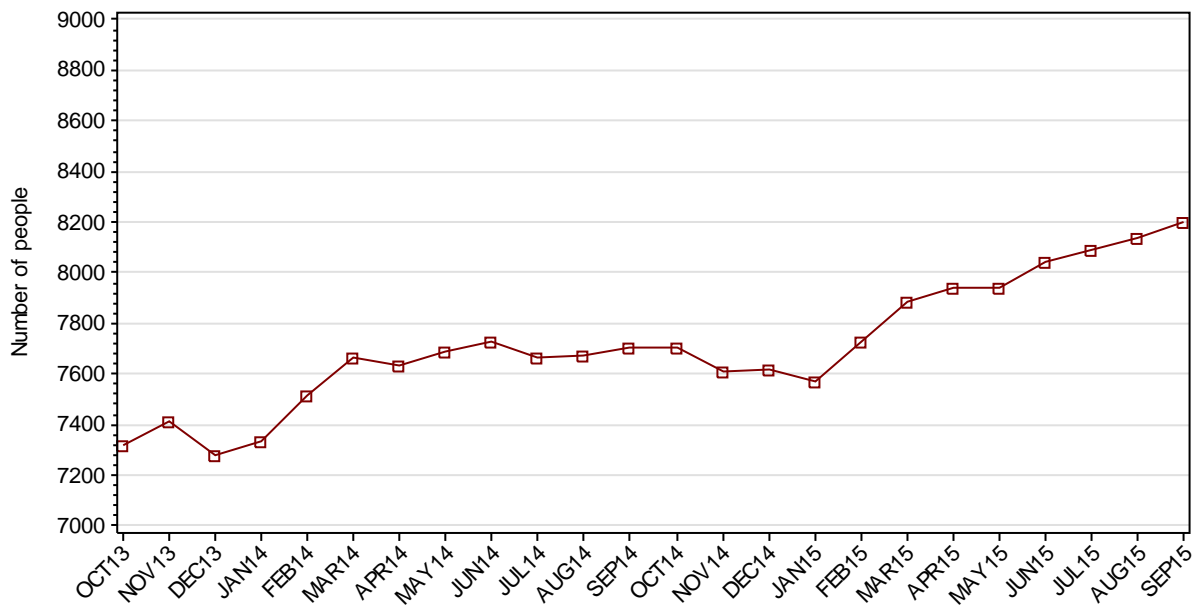
### 2.1.2 ADULT CUSTODY POPULATION BY INDIGENOUS STATUS



### 2.1.3 ADULT REMAND POPULATION

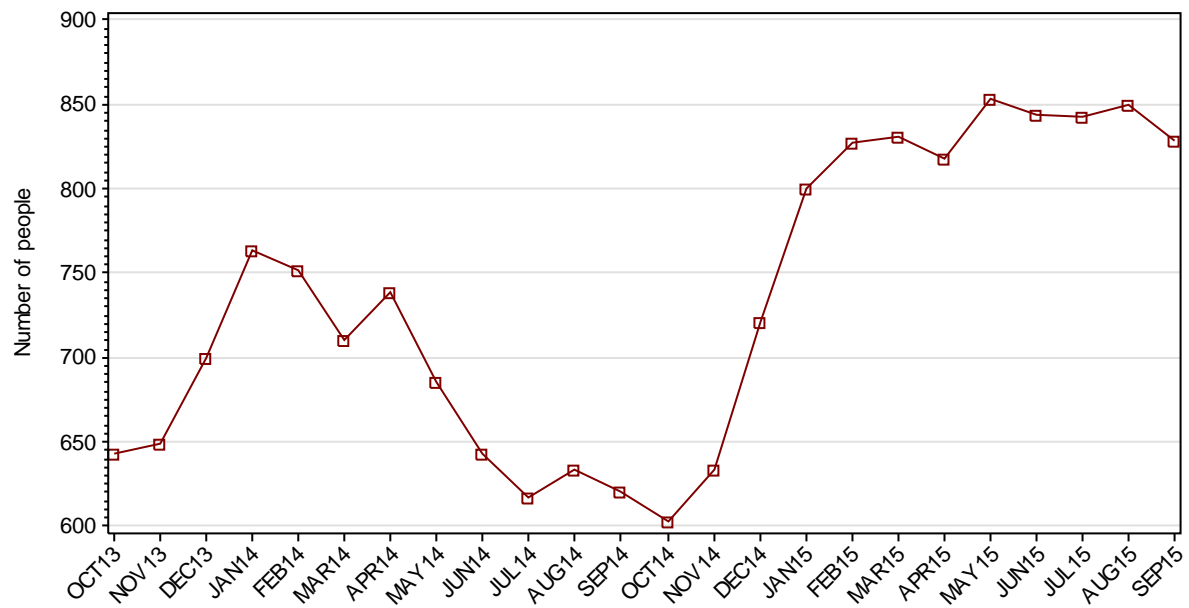


### 2.1.4 ADULT SENTENCED POPULATION

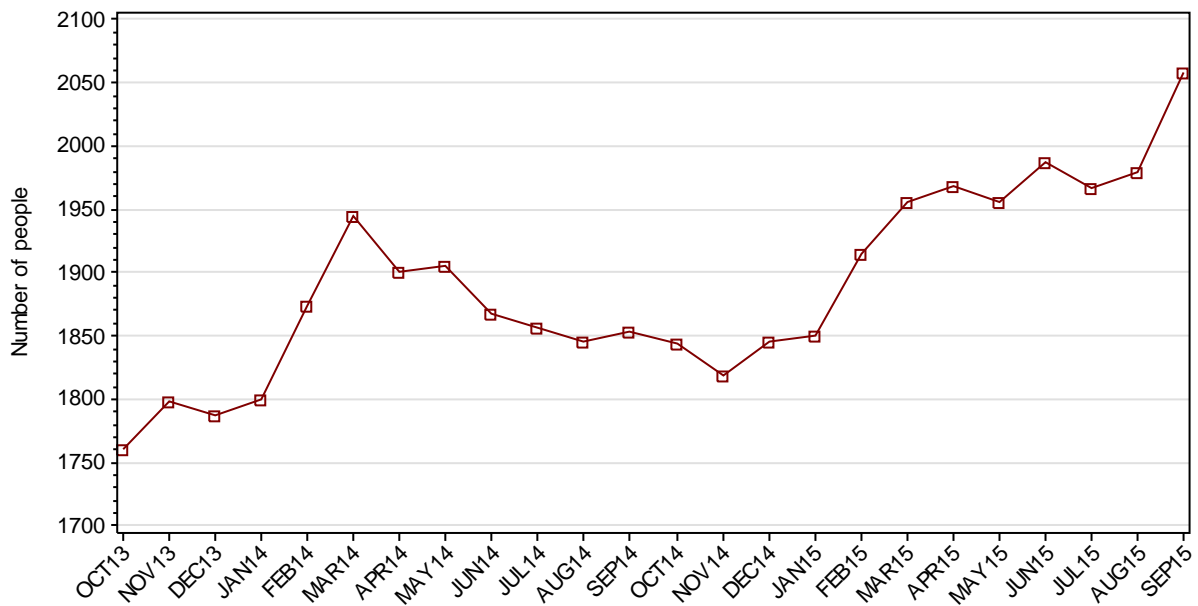




### 2.1.5 INDIGENOUS ADULT REMAND POPULATION



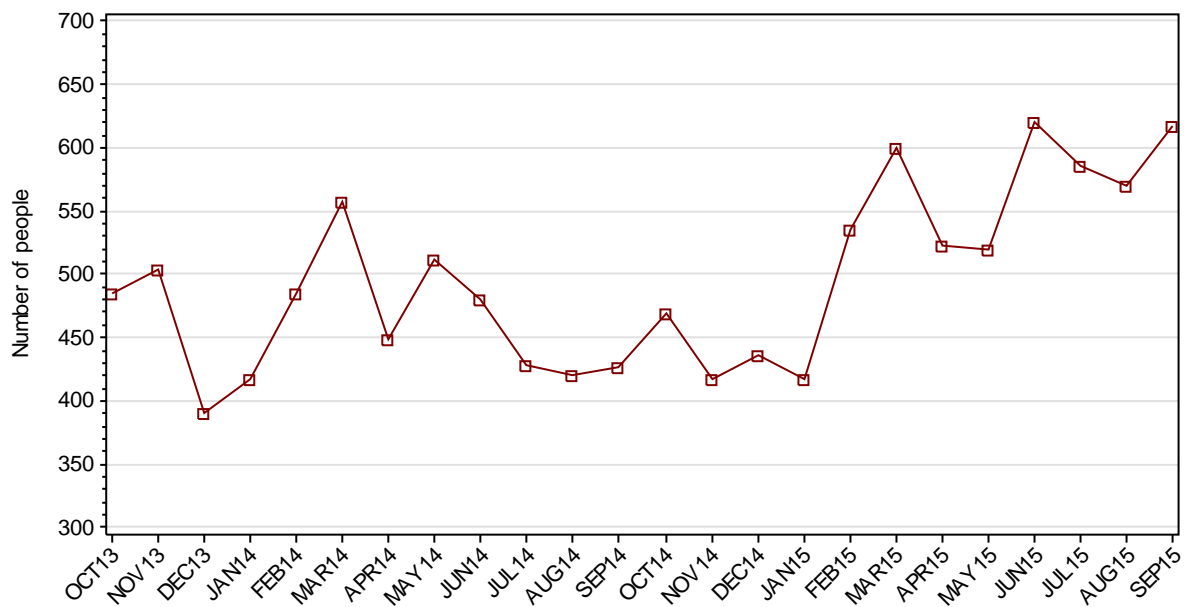
### 2.1.6 INDIGENOUS ADULT SENTENCED POPULATION



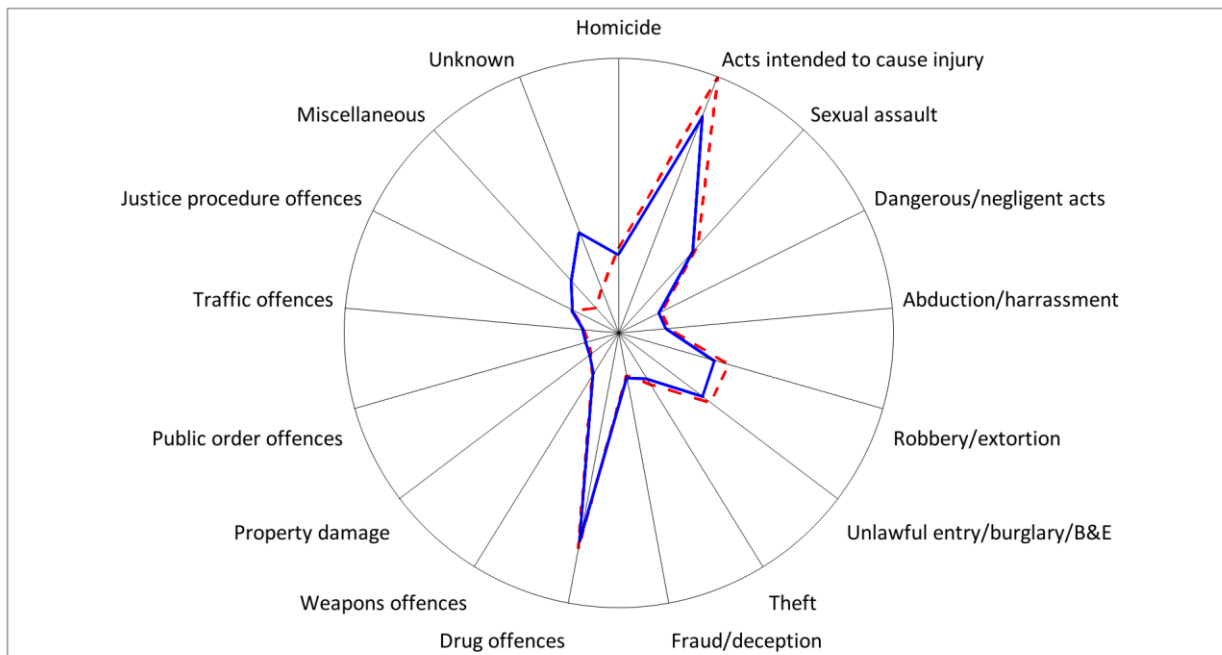
## 2.1.7 ADULT CUSTODY PROFILE AT END OF QUARTER

		Remand		Sentenced		Total	
		JUN15	SEP15	JUN15	SEP15	JUN15	SEP15
Total Male	Count	3297	3329	7480	7628	10777	10957
	Avg Age	34.0	34.3	36.6	36.7	35.8	36.0
Total Female	Count	285	268	562	576	847	844
	Avg Age	32.2	33.4	37.3	36.9	35.6	35.8
Indigenous Male	Count	743	747	1801	1854	2544	2601
	Avg Age	31.1	31.4	32.4	32.6	32.0	32.3
Indigenous Female	Count	101	82	186	205	287	287
	Avg Age	31.3	31.6	33.3	33.5	32.6	33.0
Total	Count	3582	3597	8042	8204	11624	11801
	Avg Age	33.8	34.3	36.6	36.7	35.8	36.0

## 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

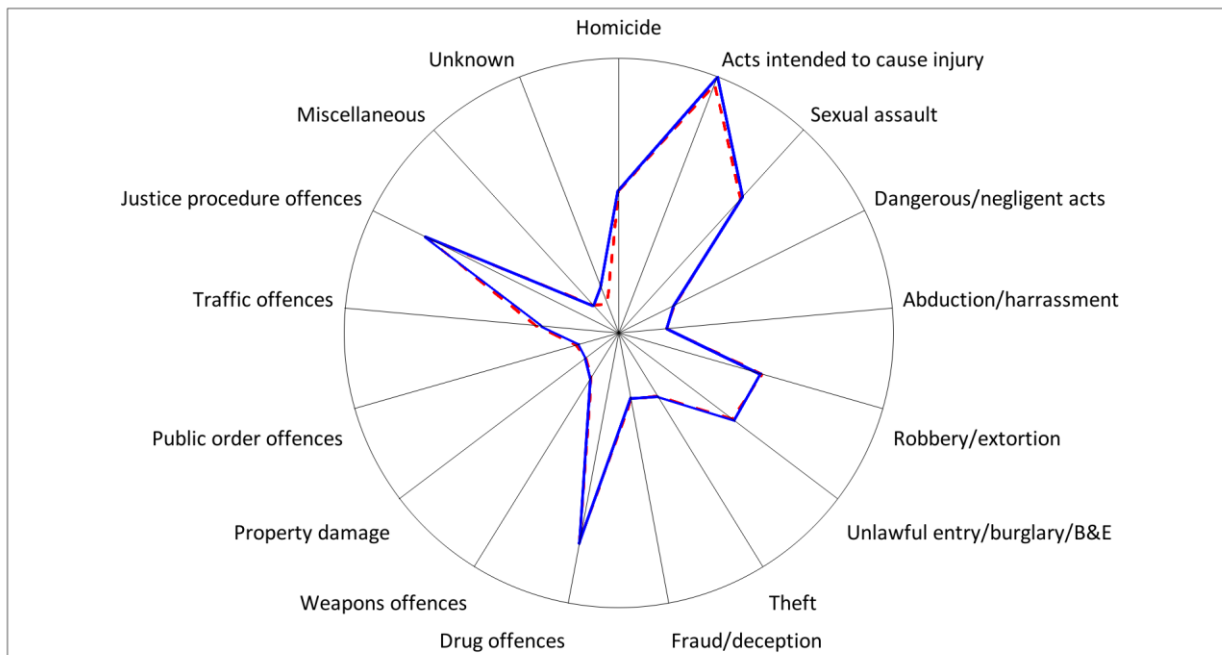


As At: - 30JUN15

— 30SEP15

	30JUN15		30SEP15	
	Number	% of Total	Number	% of Total
Homicide	219	6.1	194	5.4
Acts intended to cause injury	958	26.7	794	22.1
Sexual assault	346	9.7	318	8.8
Dangerous/negligent acts	75	2.1	64	1.8
Abduction/harrassment	84	2.3	74	2.1
Robbery/extortion	334	9.3	277	7.7
Unlawful entry/burglary/B&E	337	9.4	300	8.3
Theft	122	3.4	95	2.6
Fraud/deception	55	1.5	63	1.8
Drug offences	742	20.7	714	19.8
Weapons offences	82	2.3	74	2.1
Property damage	21	0.6	29	0.8
Public order offences	9	0.3	19	0.5
Traffic offences	22	0.6	26	0.7
Justice procedure offences	86	2.4	89	2.5
Miscellaneous	20	0.6	160	4.4
Unknown	70	2.0	307	8.5
Total	3582	100.0	3597	100.0

## 2.1.10 ADULT SENTENCED POPULATION BY MOST SERIOUS OFFENCE



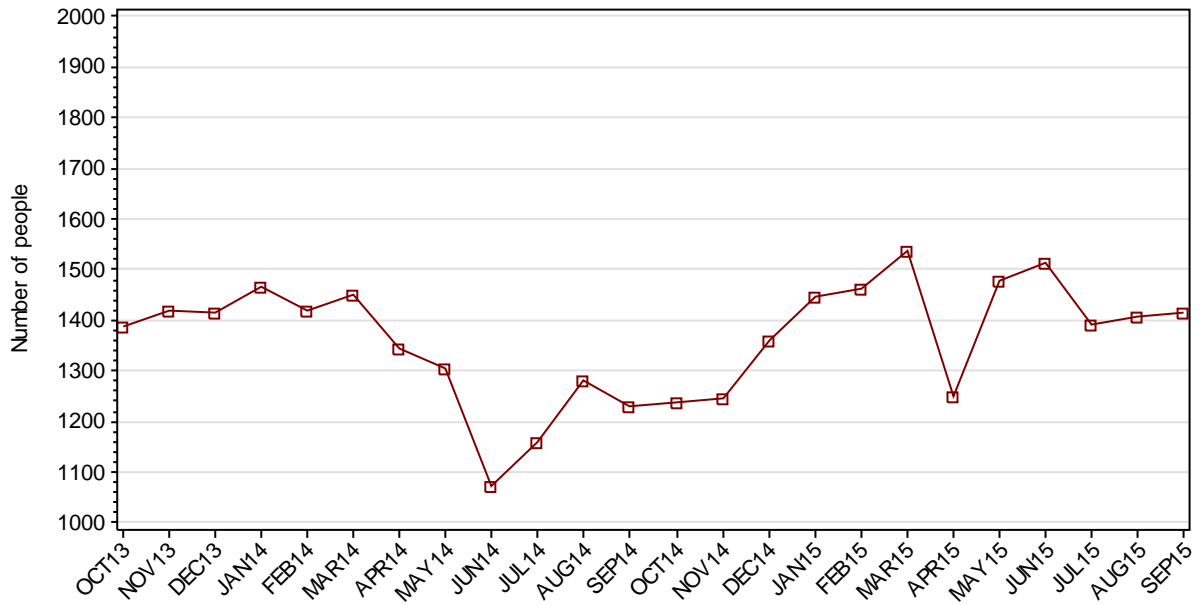
As At: - 30JUN15

— 30SEP15

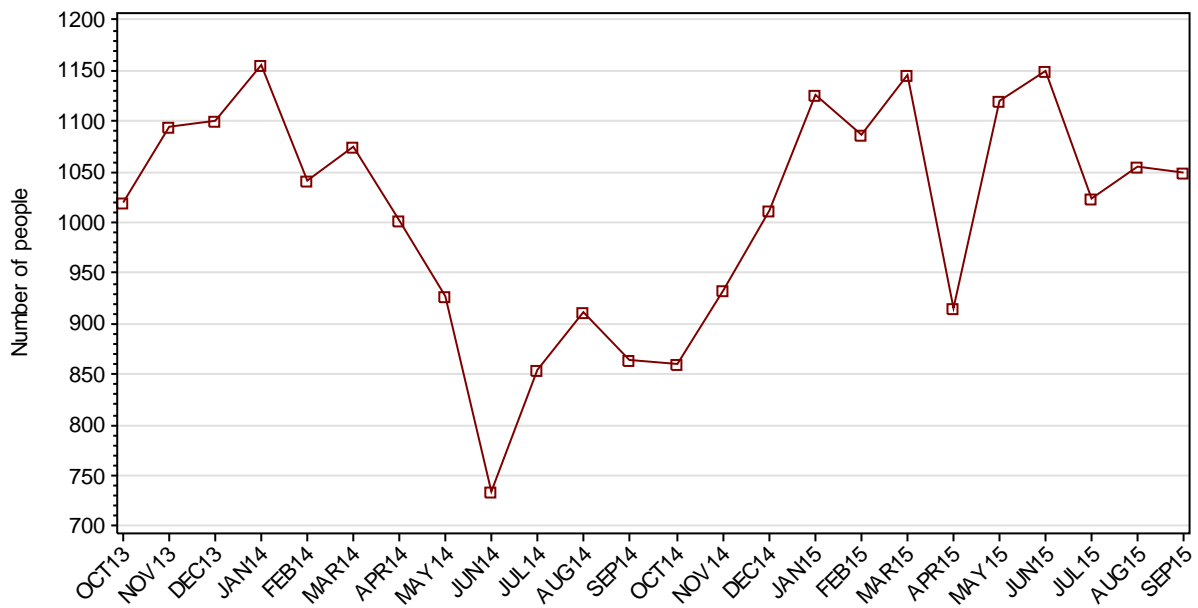
	30JUN15		30SEP15	
	Number	% of Total	Number	% of Total
Homicide	673	8.4	678	8.3
Acts intended to cause injury	1417	17.6	1464	17.8
Sexual assault	907	11.3	926	11.3
Dangerous/negligent acts	196	2.4	192	2.3
Abduction/harrassment	111	1.4	113	1.4
Robbery/extortion	715	8.9	707	8.6
Unlawful entry/burglary/B&E	675	8.4	691	8.4
Theft	266	3.3	268	3.3
Fraud/deception	227	2.8	216	2.6
Drug offences	1089	13.5	1103	13.4
Weapons offences	133	1.7	145	1.8
Property damage	69	0.9	70	0.9
Public order offences	85	1.1	69	0.8
Traffic offences	321	4.0	284	3.5
Justice procedure offences	1102	13.7	1114	13.6
Miscellaneous	47	0.6	45	0.5
Unknown	9	0.1	119	1.5
<b>Total</b>	<b>8042</b>	<b>100.0</b>	<b>8204</b>	<b>100.0</b>

## SECTION 2.2 ADULT CUSTODY RECEPTIONS

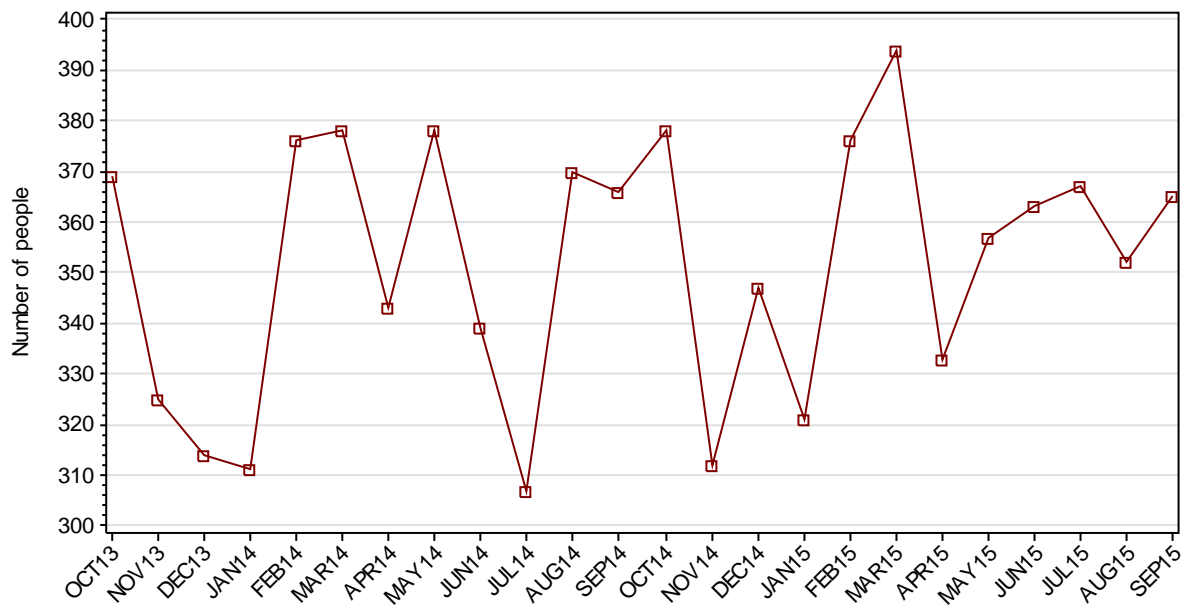
### 2.2.1 ADULTS RECEIVED INTO CUSTODY DURING MONTH



## 2.2.2 ADULT REMAND RECEPTIONS

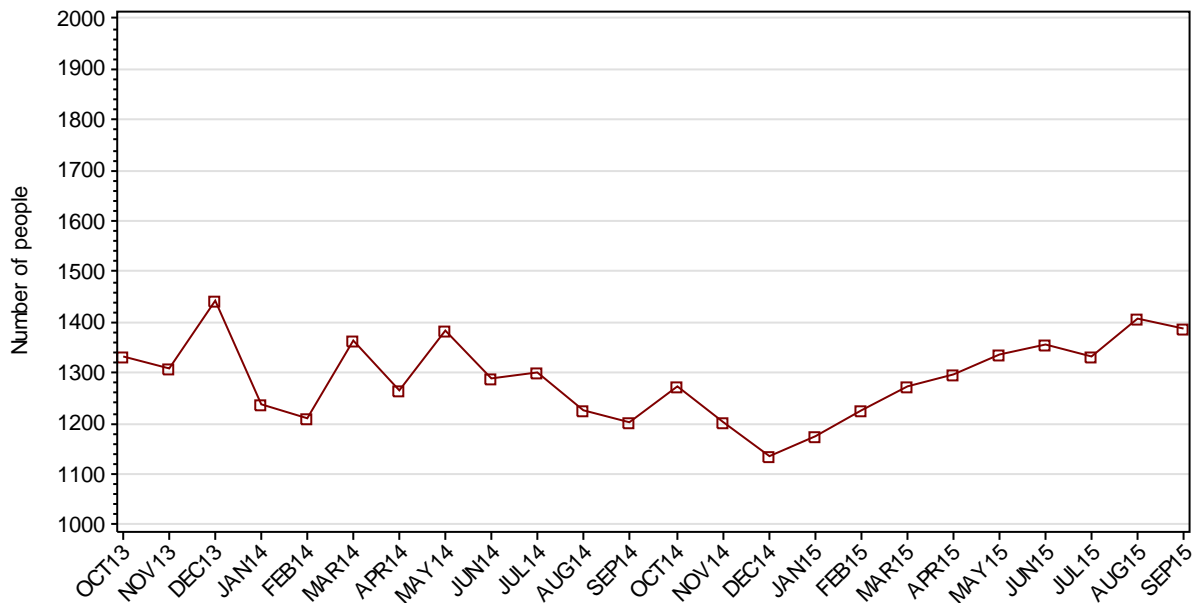


## 2.2.3 ADULT SENTENCED RECEPTIONS



## SECTION 2.3 ADULT CUSTODY DISCHARGES

### 2.3.1 ADULTS DISCHARGED FROM CUSTODY DURING MONTH

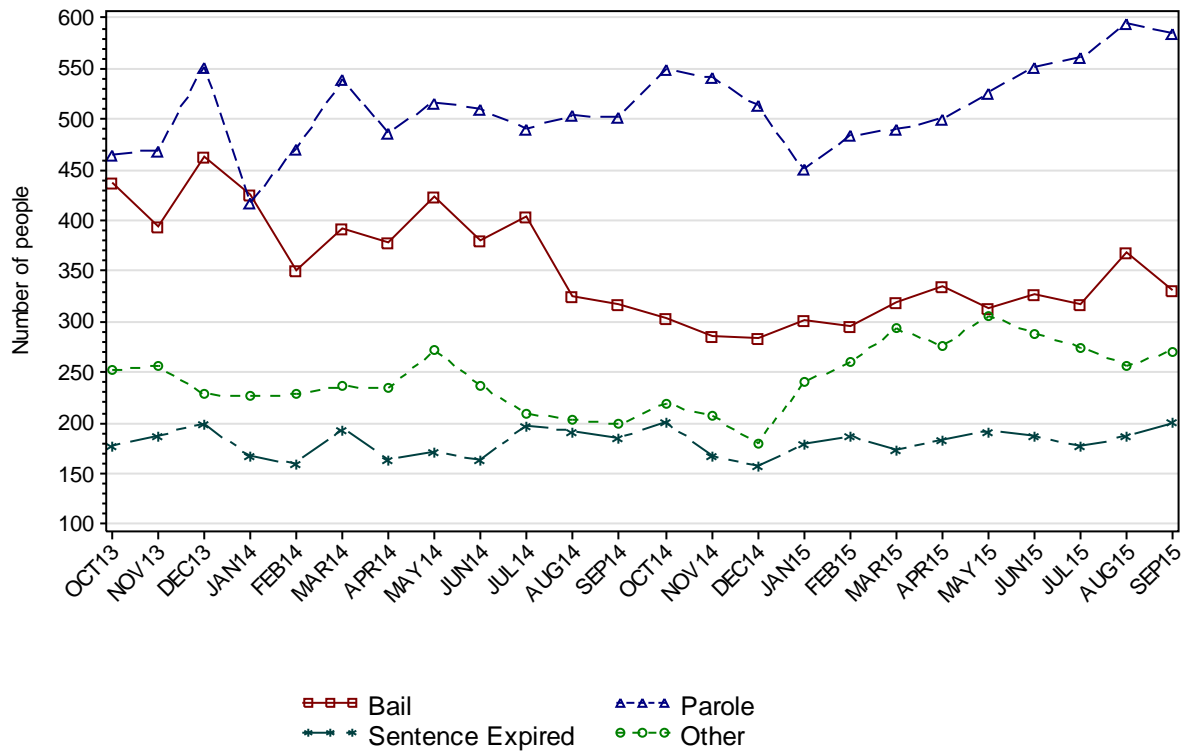


### 2.3.2 AVERAGE LENGTH OF STAY FOR ADULTS DISCHARGED FROM CUSTODY EACH QUARTER

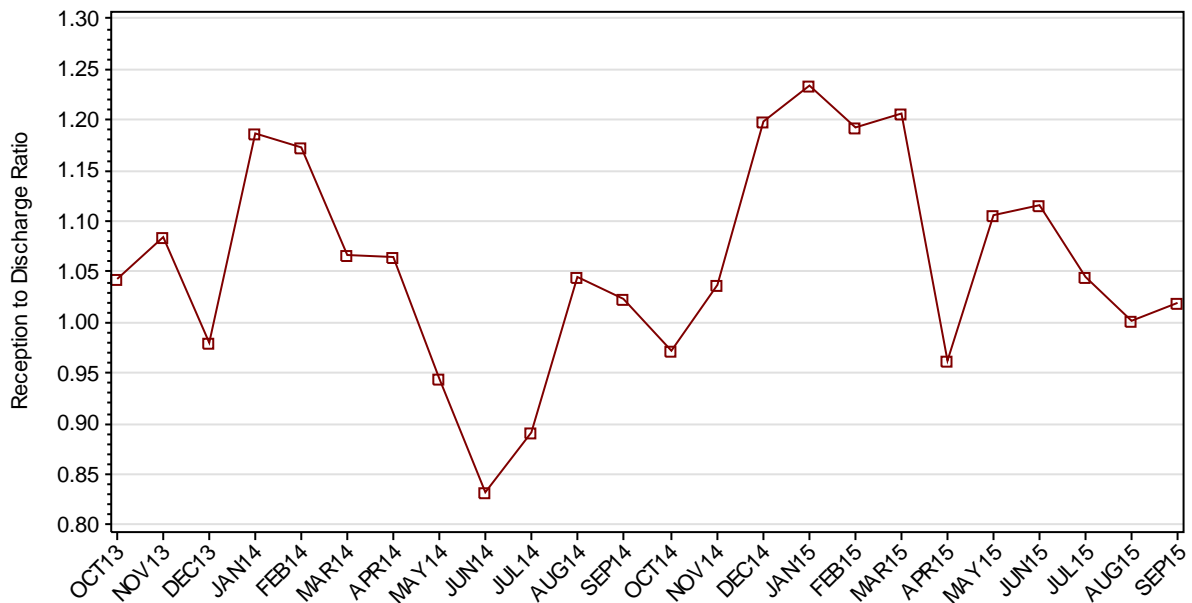
		Remand Custody Only		Sentenced Custody Only		Remand to Sentenced Custody	
		JUN15	SEP15	JUN15	SEP15	JUN15	SEP15
Total Male	Avg Days	50.0	55.4	248.7	214.8	433.4	395.8
	Number	1257	1214	932	965	1318	1415
Total Female	Avg Days	36.1	40.3	144.3	133.4	260.9	255.5
	Number	215	230	112	137	155	165
Indigenous Male	Avg Days	40.4	52.6	256.4	230.5	355.5	317.0
	Number	355	302	283	265	376	397
Indigenous Female	Avg Days	33.3	47.7	145.5	103.2	235.1	189.9
	Number	76	86	38	44	79	67
Total	Avg Days	47.9	53.0	237.5	204.7	415.3	381.2
	Number	1472	1444	1044	1102	1473	1580

*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	
OCT13	309	144	9	156	152	156	1	69	2	81	30
NOV13	313	159	4	150	153	156	4	69	1	83	39
DEC13	315	155	10	150	142	170	3	65	2	75	26
JAN14	308	167	4	137	142	164	2	74	3	65	31
FEB14	338	179	5	154	153	181	4	82	2	69	46
MAR14	331	154	6	171	152	177	2	66	6	80	47
APR14	322	156	2	164	152	168	2	78	1	73	33
MAY14	296	143	5	148	135	158	3	72	1	62	37
JUN14	282	124	0	158	139	141	2	65	0	74	33
JUL14	263	115	0	148	131	131	1	58	0	73	27
AUG14	262	110	5	147	133	125	4	58	2	73	22
SEP14	252	93	3	156	123	125	4	44	1	78	23
OCT14	266	125	1	140	144	118	4	74	1	69	19
NOV14	271	130	2	139	145	124	2	76	1	68	30
DEC14	290	144	7	139	150	139	1	77	6	67	30
JAN15	298	150	6	142	153	143	2	83	2	68	23
FEB15	292	151	4	137	157	132	3	86	2	69	35
MAR15	308	160	3	145	167	140	1	94	2	71	36
APR15	309	137	1	171	165	142	2	82	1	82	43
MAY15	318	133	5	180	183	134	1	87	3	93	31
JUN15	307	155	3	149	168	137	2	91	2	75	29
JUL15	296	147	4	145	164	130	2	93	1	70	36
AUG15	291	139	3	149	161	126	4	80	3	78	36
SEP15	289	136	5	148	151	135	3	78	2	71	26

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	
OCT13	303	112	179	12	112	187	4	312	213	42	7	42	8	132	175	5	0.97
NOV13	323	119	184	20	138	174	11	318	225	31	6	51	5	137	173	8	1.02
DEC13	325	95	210	20	141	178	6	323	239	39	7	34	4	152	165	6	1.01
JAN14	351	125	215	11	157	185	9	358	269	33	8	47	1	157	190	11	0.98
FEB14	363	125	221	17	180	178	5	334	265	26	8	32	3	169	162	3	1.09
MAR14	362	116	222	24	156	195	11	369	281	34	10	40	4	157	199	13	0.98
APR14	318	131	172	15	155	159	4	327	237	33	8	40	9	155	168	4	0.97
MAY14	255	89	158	8	120	129	6	279	196	25	2	51	5	136	138	5	0.91
JUN14	185	80	87	18	97	84	4	200	148	15	4	30	3	94	101	5	0.93
JUL14	187	71	105	11	99	84	4	202	139	15	7	36	5	106	92	4	0.93
AUG14	206	69	119	18	114	87	5	211	141	28	5	35	2	114	94	3	0.98
SEP14	190	75	95	20	98	88	4	199	137	23	6	32	1	108	87	4	0.95
OCT14	240	88	135	17	136	101	3	229	165	12	6	40	6	115	111	3	1.05
NOV14	213	88	117	8	112	98	3	206	143	23	5	29	6	111	90	5	1.03
DEC14	226	85	129	12	110	111	5	206	146	20	6	33	1	104	96	6	1.10
JAN15	278	99	164	15	130	143	5	267	207	23	7	25	5	125	138	4	1.04
FEB15	258	80	162	16	125	126	7	266	185	23	12	44	2	122	138	6	0.97
MAR15	319	94	215	10	144	165	10	305	223	39	8	32	3	136	157	12	1.05
APR15	235	83	135	17	105	126	4	233	173	25	5	27	3	106	124	3	1.01
MAY15	250	94	125	31	121	120	9	241	162	29	5	42	3	104	127	10	1.04
JUN15	273	96	161	16	114	149	10	286	185	32	7	53	9	129	148	9	0.95
JUL15	267	95	159	13	125	137	5	278	198	30	5	41	4	128	145	5	0.96
AUG15	227	88	125	14	105	112	10	230	163	26	1	35	5	106	116	8	0.99
SEP15	225	82	126	17	99	119	7	229	158	33	4	27	7	112	109	8	0.98

Adult	1.In Custody								Remand to Sent
	Total	Legal Status		Indigenous			Indigenous Legal Status		
		Remand	Sent	Yes	No	Unk	Remand	Sent	
OCT13	10076	2757	7319	2403	7626	47	643	1760	485
NOV13	10191	2775	7416	2447	7692	52	649	1798	504
DEC13	10178	2897	7281	2488	7647	43	700	1788	391
JAN14	10390	3058	7332	2564	7774	52	764	1800	418
FEB14	10604	3090	7514	2626	7929	49	752	1874	485
MAR14	10738	3074	7664	2655	8041	42	710	1945	558
APR14	10766	3135	7631	2640	8085	41	739	1901	449
MAY14	10715	3027	7688	2591	8084	40	685	1906	511
JUN14	10515	2789	7726	2511	7973	31	643	1868	480
JUL14	10363	2699	7664	2473	7857	33	617	1856	428
AUG14	10393	2717	7676	2480	7885	28	634	1846	420
SEP14	10426	2719	7707	2473	7917	36	620	1853	426
OCT14	10382	2681	7701	2447	7904	31	603	1844	469
NOV14	10380	2767	7613	2453	7897	30	634	1819	418
DEC14	10630	3014	7616	2566	8034	30	721	1845	436
JAN15	10857	3284	7573	2651	8174	32	800	1851	418
FEB15	11101	3377	7724	2742	8324	35	827	1915	536
MAR15	11363	3476	7887	2787	8533	43	831	1956	600
APR15	11366	3424	7942	2787	8537	42	818	1969	522
MAY15	11463	3524	7939	2809	8614	40	853	1956	520
JUN15	11624	3582	8042	2831	8758	35	844	1987	621
JUL15	11635	3542	8093	2810	8792	33	843	1967	585
AUG15	11707	3573	8134	2830	8827	50	850	1980	570
SEP15	11801	3597	8204	2888	8830	83	829	2059	617

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	
OCT13	1389	1020	369	396	948	45	1332	437	252	466	177	405	873	54	1.04
NOV13	1419	1094	325	413	945	61	1308	394	257	470	187	371	880	57	1.08
DEC13	1415	1101	314	435	920	60	1443	463	228	552	200	393	983	67	0.98
JAN14	1467	1156	311	425	981	61	1237	425	227	418	167	344	842	51	1.19
FEB14	1418	1042	376	422	948	48	1209	350	228	471	160	356	805	48	1.17
MAR14	1452	1074	378	403	997	52	1362	393	236	539	194	403	894	65	1.07
APR14	1345	1002	343	368	943	34	1264	379	234	487	164	363	872	29	1.06
MAY14	1306	928	378	326	942	38	1384	423	272	517	172	384	958	42	0.94
JUN14	1074	735	339	284	765	25	1291	380	237	510	164	363	892	36	0.83
JUL14	1161	854	307	331	804	26	1302	404	209	491	198	367	912	23	0.89
AUG14	1281	911	370	379	870	32	1225	326	203	504	192	368	820	37	1.05
SEP14	1231	865	366	342	859	30	1204	318	199	502	185	348	836	20	1.02
OCT14	1238	860	378	340	867	31	1274	304	219	549	202	360	875	39	0.97
NOV14	1246	934	312	354	860	32	1201	286	207	541	167	345	827	29	1.04
DEC14	1359	1012	347	397	939	23	1134	283	180	514	157	286	822	26	1.20
JAN15	1447	1126	321	431	980	36	1173	302	240	451	180	332	808	33	1.23
FEB15	1463	1087	376	418	1010	35	1226	295	260	484	187	335	862	29	1.19
MAR15	1539	1145	394	420	1076	43	1275	319	293	490	173	365	872	38	1.21
APR15	1248	915	333	377	837	34	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	437	1043	32	1355	328	288	552	187	419	893	43	1.12
JUL15	1390	1023	367	387	963	40	1331	318	275	561	177	398	898	35	1.04
AUG15	1408	1056	352	400	971	37	1407	368	257	595	187	397	987	23	1.00
SEP15	1415	1050	365	410	950	55	1388	331	271	585	201	366	996	26	1.02

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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.

## **Discharge type**

The type of reason why persons were discharged from custody:

Bail - courts granted the person bail pending the finalisation of their criminal charge(s).

Parole - the person was released to parole after serving the non-parole period of custodial sentence(s).

Sentence expired - the person was released after serving the entire period of all custodial sentence(s) imposed. This includes some persons who served both the non-parole and parole components of their sentence(s) in custody.

Not proven / non-custodial penalty - juvenile data only - the person was released after criminal charges were not proven or after the court imposed a non-custodial penalty for a proven offence, e.g. good behaviour bond.

Other - includes persons transferred to the NSW Drug Court, interstate or from a juvenile to an adult prison or vice versa and deceased persons. Includes adults released after criminal charges were not proven, after the court imposed a non-custodial penalty for a proven offence and where the specific nature of the court's final non-custodial disposal is unknown.

## **Discharges**

Persons legally discharged from JJNSW or CSNSW custody in accordance with a court order (including any State Parole Authority order). For example - to parole, on expiry of a sentence or having been granted bail. Note that persons whose legal status changed from remand to sentenced or the reverse are not counted as discharges as they have not been discharged from custody.

## **Imprisonment**

See Custodial sentence.

## **Indigenous status**

Indigenous status as self-reported on reception into custody. Persons may identify as being Aboriginal or Torres Strait Islander, neither Aboriginal nor Torres Strait Islander or may not provide this information. An inmate is recorded as indigenous if they have identified as such in the current or any previous custodial episode. Indigenous status is unknown for a small proportion of people.

## Juvenile

A person held in custody in a juvenile justice centre. These centres are managed by Juvenile Justice NSW (JJNSW). A young person in juvenile custody may have been refused bail by police, refused bail by the court or sentenced to a custodial sentence.

All young persons refused bail by police must be taken to a juvenile justice centre to be held in custody pending their court appearance. Young persons refused police bail cannot be held in a police or court cell.

Note: a small number of 16 and 17 year old males are held in 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.