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# **NEW SOUTH WALES CUSTODY STATISTICS**

QUARTERLY UPDATE  
SEPTEMBER 2014

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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 Information 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 Corporate Research, Evaluation and Statistics (CRES) section of CSNSW. The Bureau 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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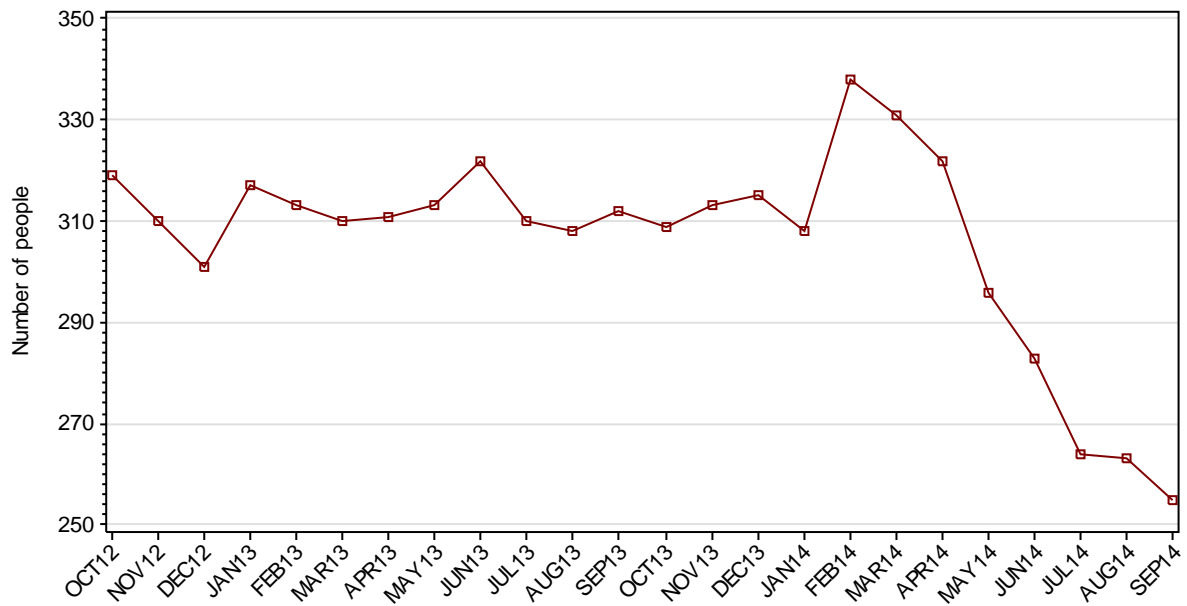
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## **Part 1 JUVENILES**

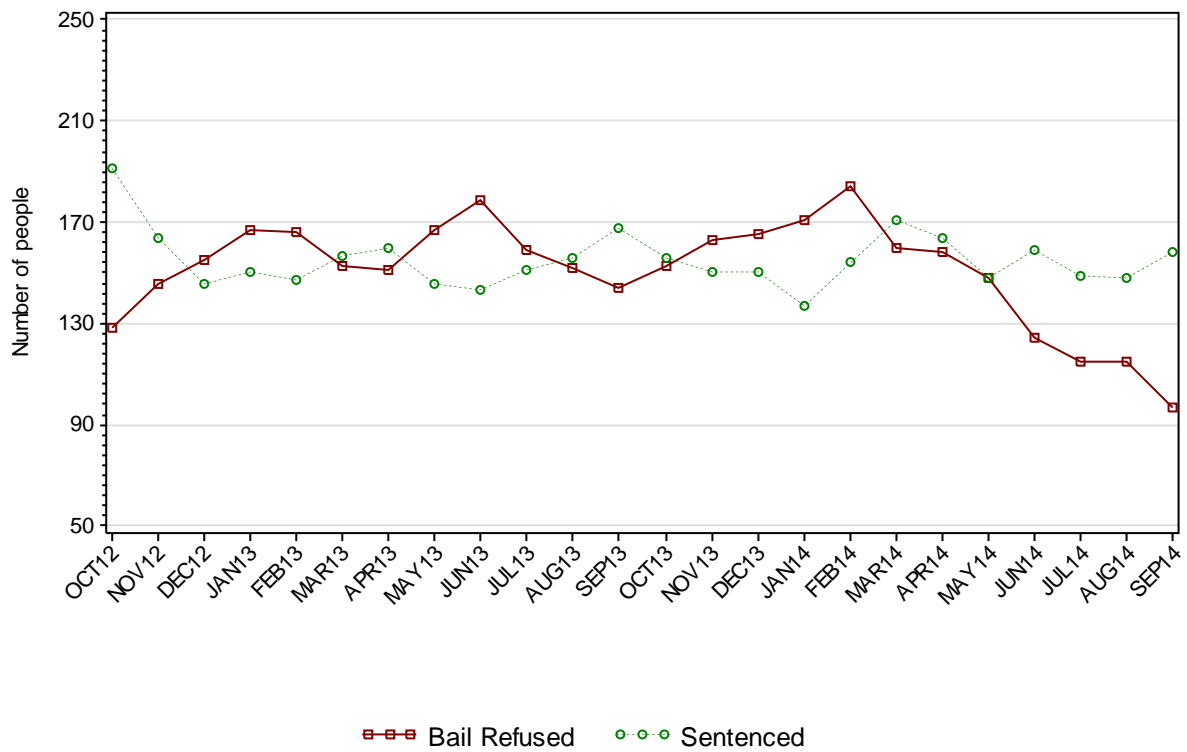
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## SECTION 1.1 JUVENILE CUSTODY POPULATION

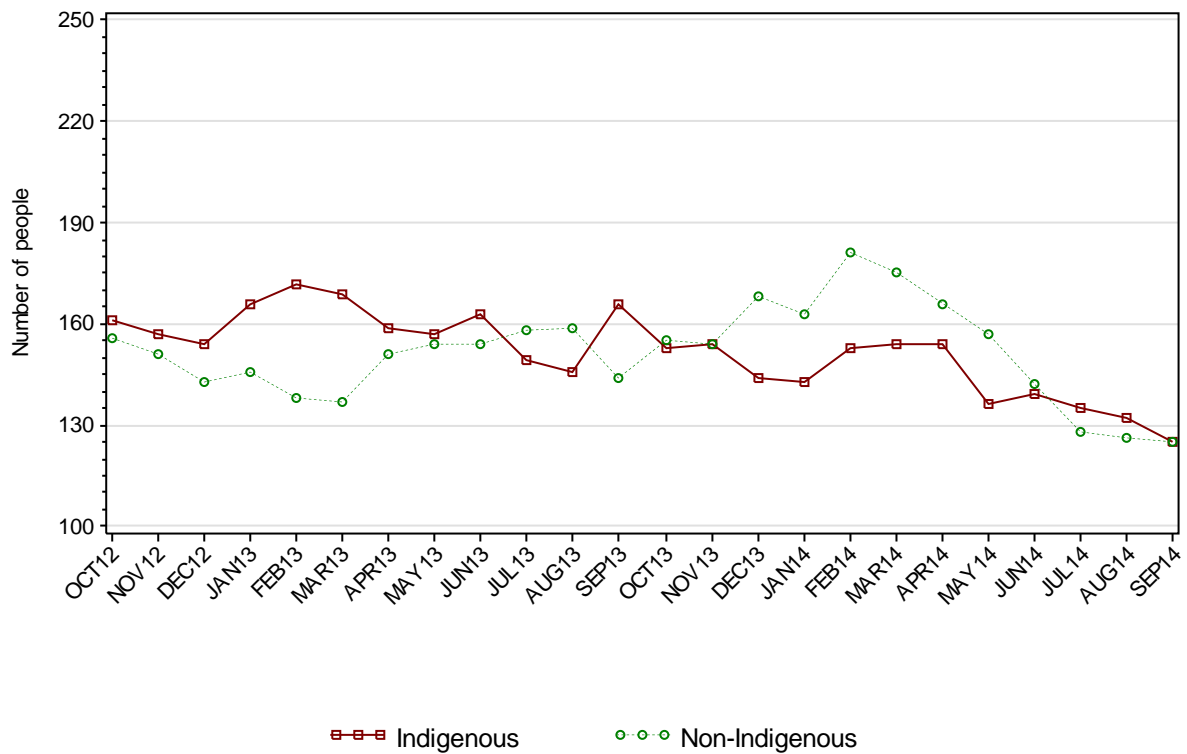
### 1.1.1 JUVENILE CUSTODY POPULATION AT END OF MONTH



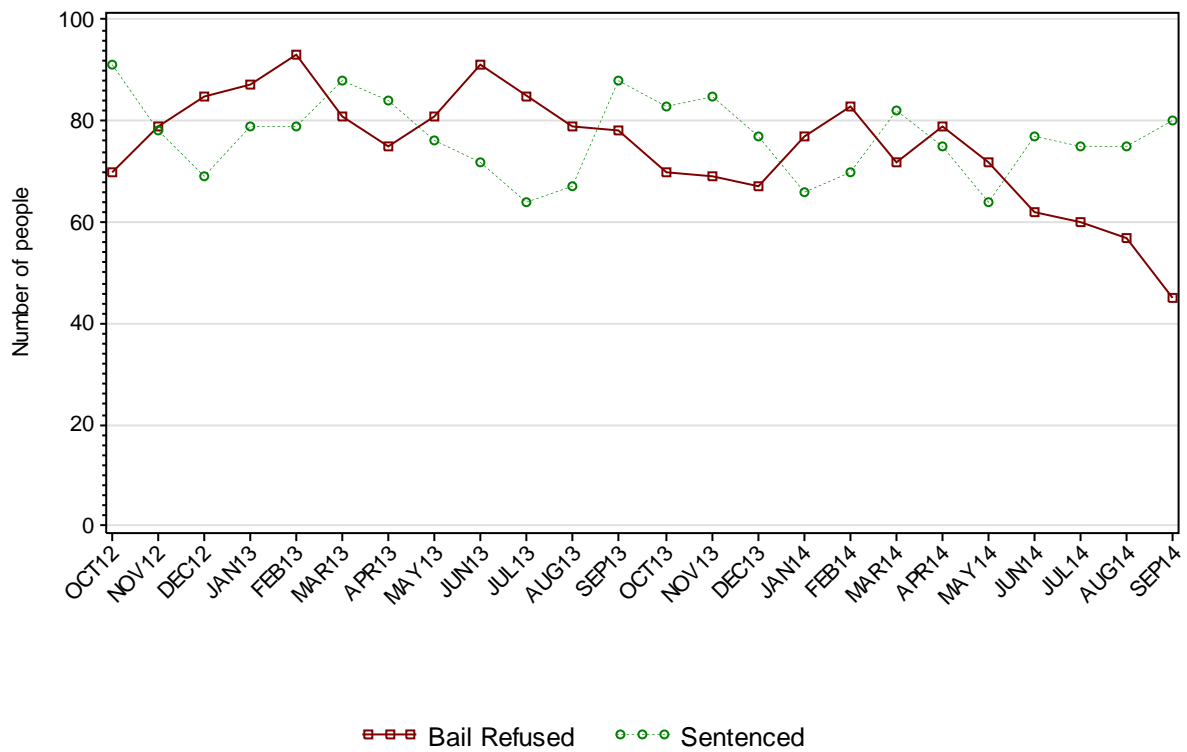
### 1.1.2 JUVENILE CUSTODY POPULATION BY LEGAL STATUS



### 1.1.3 JUVENILE CUSTODY POPULATION BY INDIGENOUS STATUS



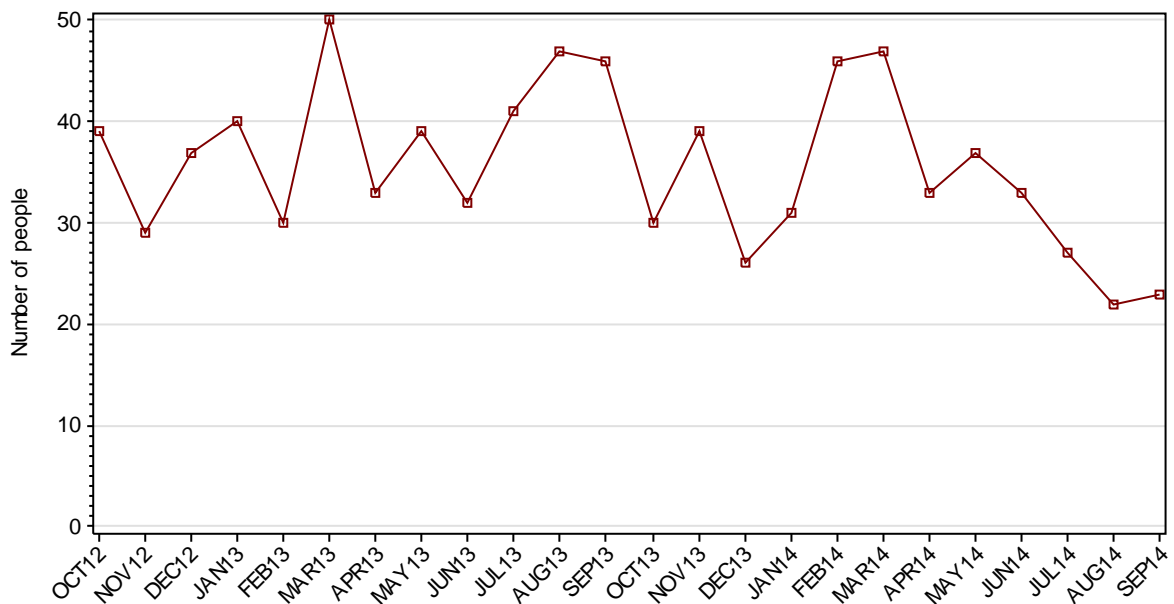
### 1.1.4 INDIGENOUS JUVENILE CUSTODY POPULATION BY LEGAL STATUS



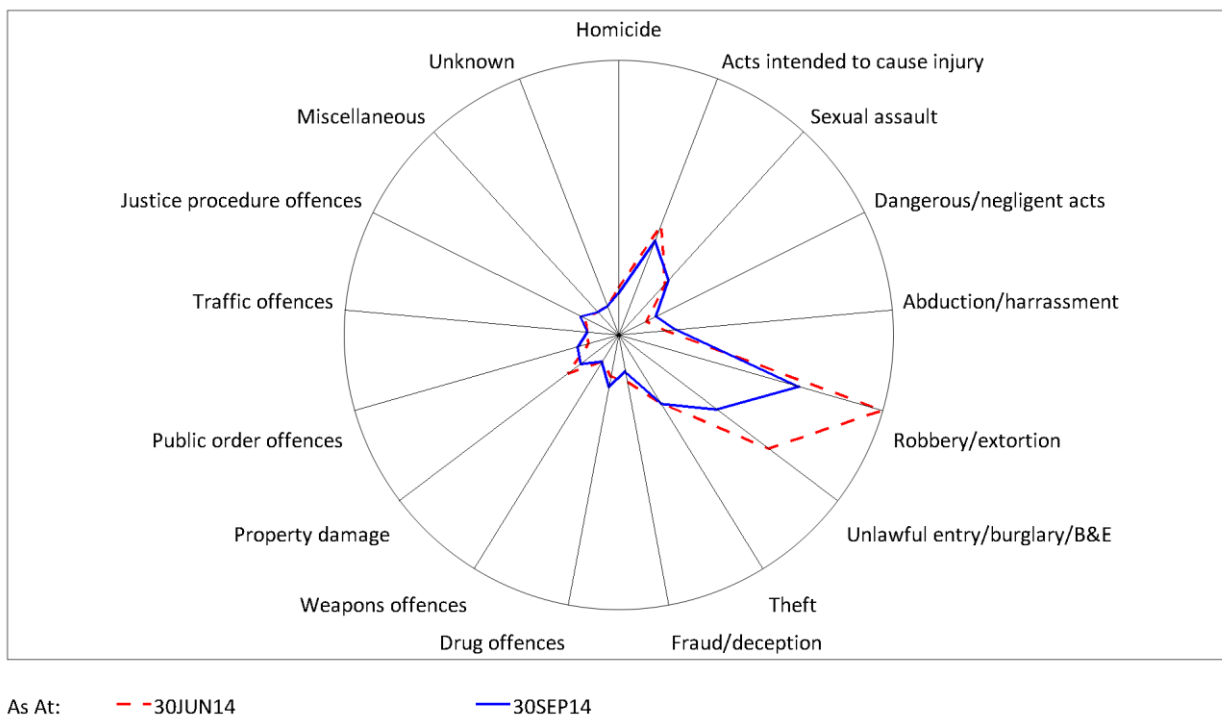
### 1.1.5 JUVENILE CUSTODY PROFILE AT END OF QUARTER

		Police Bail Refused		Court Bail Refused		Sentenced		Total	
		JUN14	SEP14	JUN14	SEP14	JUN14	SEP14	JUN14	SEP14
Total Male	Count	0	2	112	86	153	146	265	234
	Avg Age	0	15.0	16.3	16.3	16.9	16.7	16.6	16.5
Total Female	Count	0	0	12	9	6	12	18	21
	Avg Age	0	0	15.2	15.9	15.5	16.4	15.3	16.2
Indigenous Male	Count	0	1	58	43	76	74	134	118
	Avg Age	0	14.0	16.2	16.1	16.5	16.3	16.4	16.2
Indigenous Female	Count	0	0	4	1	1	6	5	7
	Avg Age	0	0	16.3	16.0	16.0	16.5	16.2	16.4
Total	Count	0	2	124	95	159	158	283	255
	Avg Age	0	15.0	16.2	16.3	16.8	16.7	16.5	16.5

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



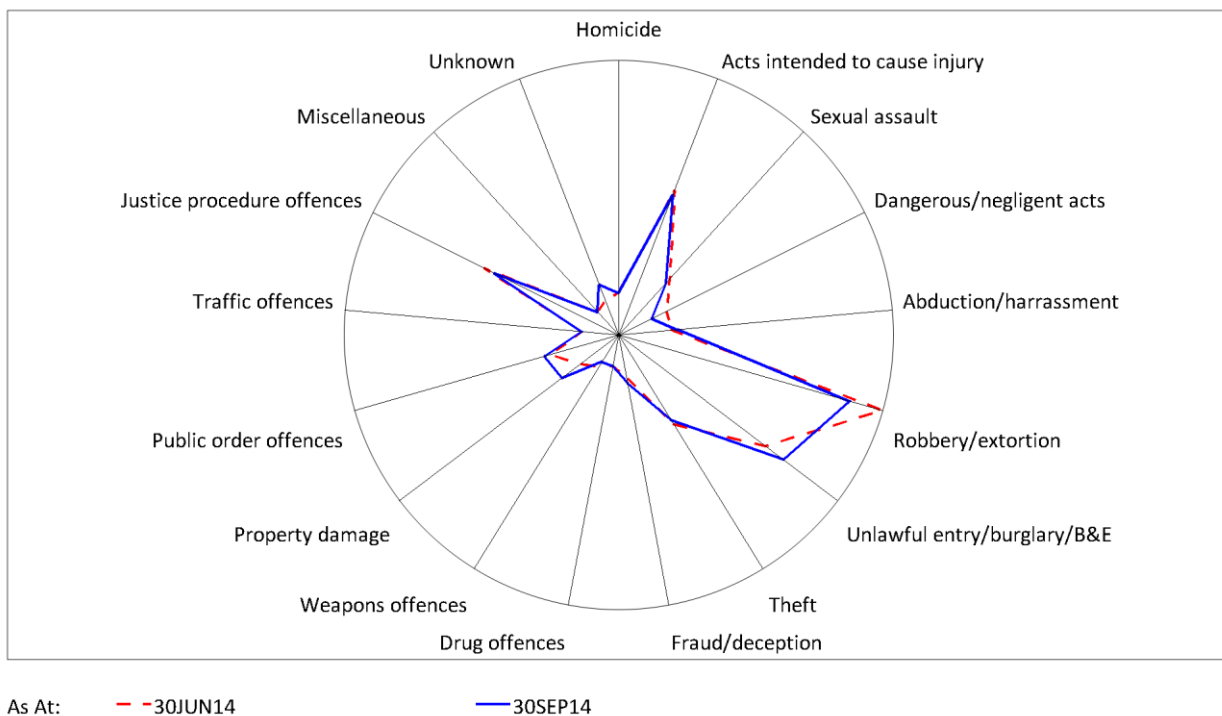
## 1.1.7 JUVENILE REMAND POPULATION BY MOST SERIOUS OFFENCE



	30JUN14		30SEP14	
	Number	% of Total	Number	% of Total
Homicide	3	2.4	2	2.1
Acts intended to cause injury	16	12.9	13	13.4
Sexual assault	7	5.6	8	8.2
Dangerous/negligent acts	0	0	2	2.1
Abduction/harrassment	3	2.4	5	5.2
Robbery/extortion	45	36.3	29	29.9
Unlawful entry/burglary/B&E	29	23.4	17	17.5
Theft	9	7.3	9	9.3
Fraud/deception	3	2.4	1	1.0
Drug offences	2	1.6	4	4.1
Weapons offences	0	0	0	0
Property damage	6	4.8	3	3.1
Public order offences	0	0	2	2.1
Traffic offences	0	0	0	0
Justice procedure offences	1	0.8	2	2.1
Miscellaneous	0	0	0	0
Unknown	0	0	0	0
<b>Total</b>	<b>124</b>	<b>100.0</b>	<b>97</b>	<b>100.0</b>



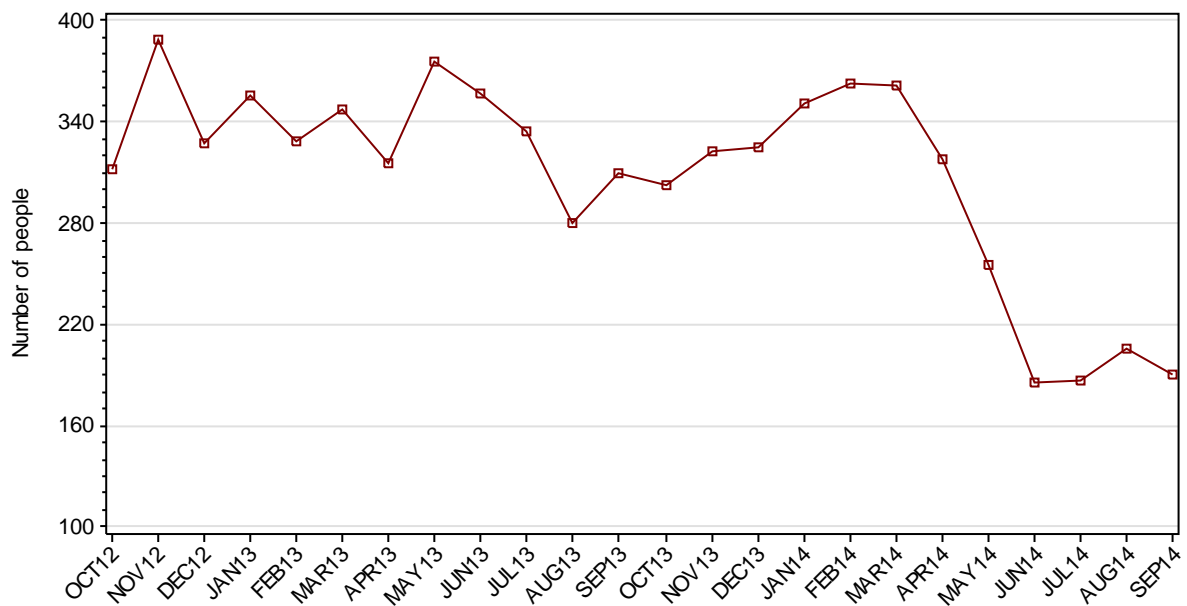
## 1.1.8 JUVENILE SENTENCED POPULATION BY MOST SERIOUS OFFENCE



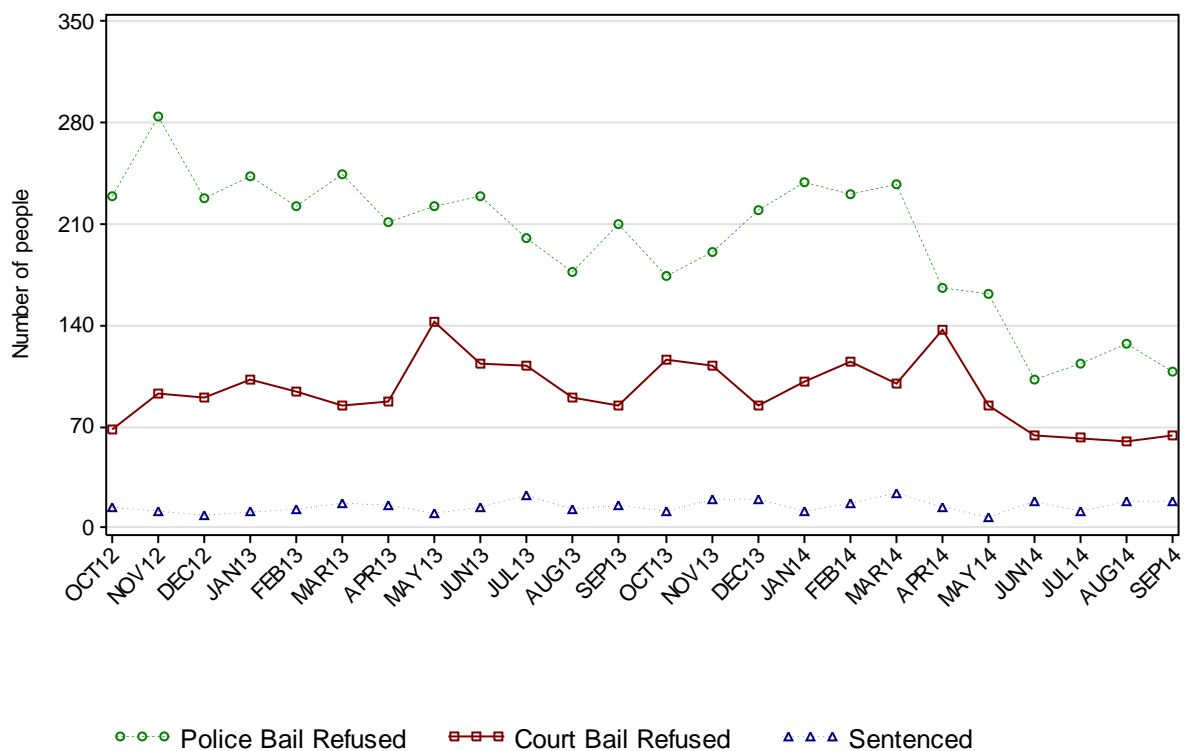
	30JUN14		30SEP14	
	Number	% of Total	Number	% of Total
Homicide	2	1.3	2	1.3
Acts intended to cause injury	22	13.8	21	13.3
Sexual assault	8	5.0	7	4.4
Dangerous/negligent acts	4	2.5	1	0.6
Abduction/harrassment	4	2.5	5	3.2
Robbery/extortion	43	27.0	37	23.4
Unlawful entry/burglary/B&E	27	17.0	31	19.6
Theft	13	8.2	12	7.6
Fraud/deception	2	1.3	3	1.9
Drug offences	0	0	0	0
Weapons offences	1	0.6	0	0
Property damage	3	1.9	7	4.4
Public order offences	7	4.4	8	5.1
Traffic offences	1	0.6	1	0.6
Justice procedure offences	21	13.2	19	12.0
Miscellaneous	0	0	0	0
Unknown	1	0.6	4	2.5
<b>Total</b>	<b>159</b>	<b>100.0</b>	<b>158</b>	<b>100.0</b>

## SECTION 1.2 JUVENILE CUSTODY RECEPTIONS

### 1.2.1 JUVENILES RECEIVED INTO CUSTODY DURING MONTH

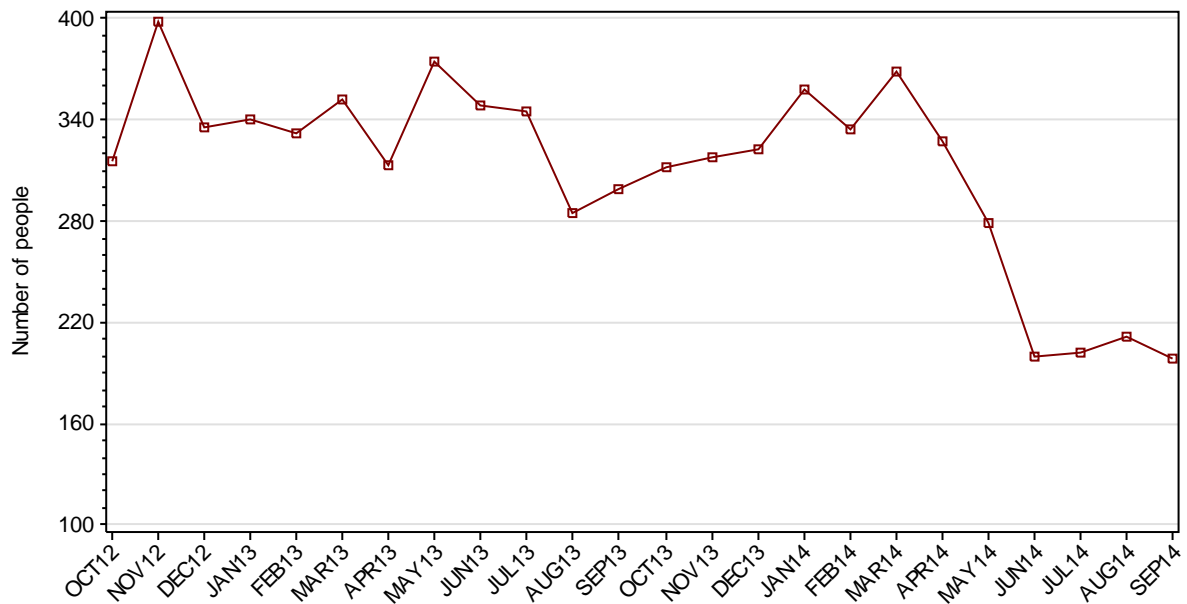


### 1.2.2 JUVENILES RECEIVED INTO CUSTODY BY LEGAL STATUS



## SECTION 1.3 JUVENILE CUSTODY DISCHARGES

### 1.3.1 JUVENILES DISCHARGED FROM CUSTODY DURING MONTH

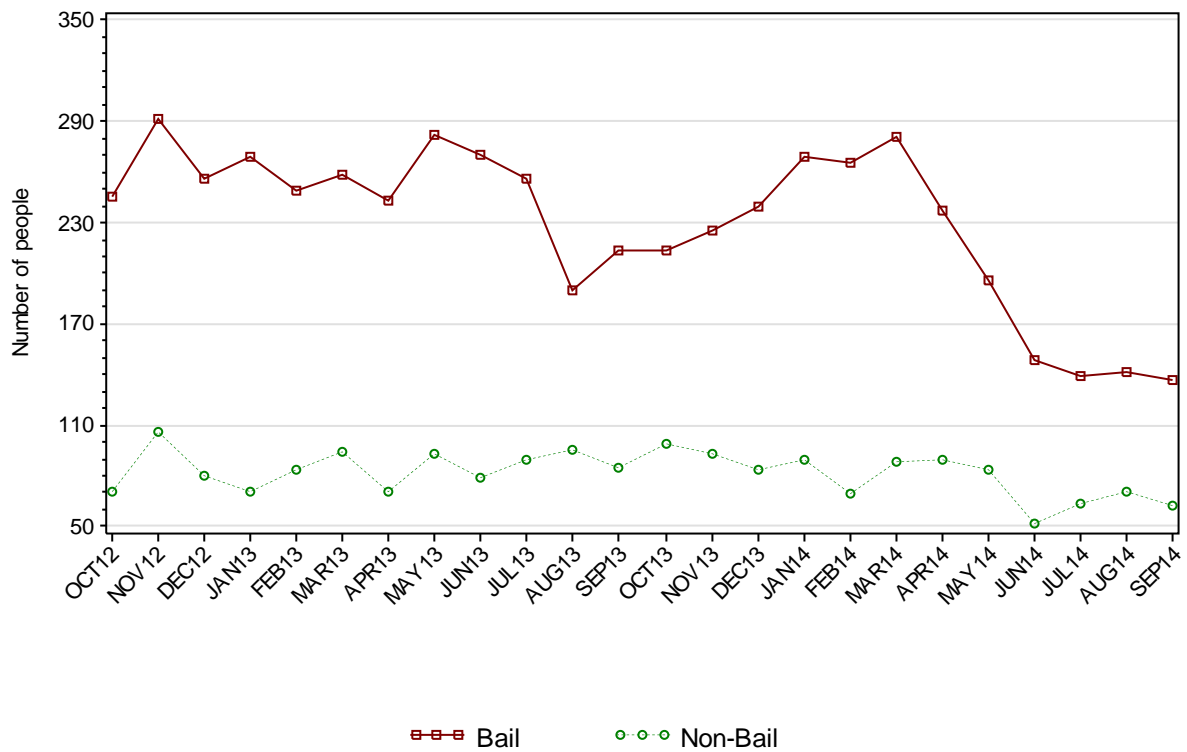


### 1.3.2 AVERAGE LENGTH OF STAY FOR JUVENILES DISCHARGED FROM CUSTODY EACH QUARTER

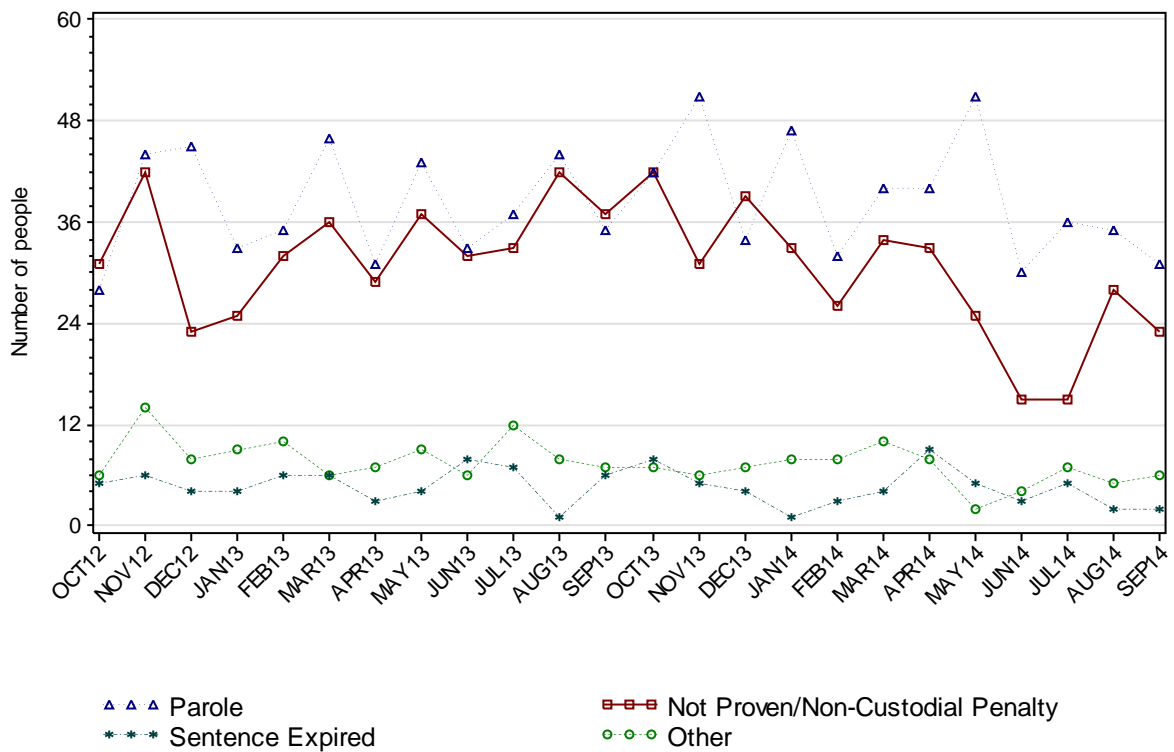
		Remand Custody Only		Sentenced Custody Only		Remand to Sentenced Custody	
		JUN14	SEP14	JUN14	SEP14	JUN14	SEP14
Total Male	Avg Days	12.7	12.7	76.9	83.3	156.2	195.5
	Number	499	381	49	32	97	85
Total Female	Avg Days	5.7	8.7	103.3	31.4	114.3	100.2
	Number	146	104	8	5	7	5
Indigenous Male	Avg Days	12.8	12.6	60.0	87.8	163.1	170.7
	Number	235	203	25	18	44	44
Indigenous Female	Avg Days	6.5	14.6	58.3	25.7	123.2	0
	Number	57	42	3	3	5	0
Total	Avg Days	11.1	11.9	80.6	76.3	153.4	190.2
	Number	645	485	57	37	104	90

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

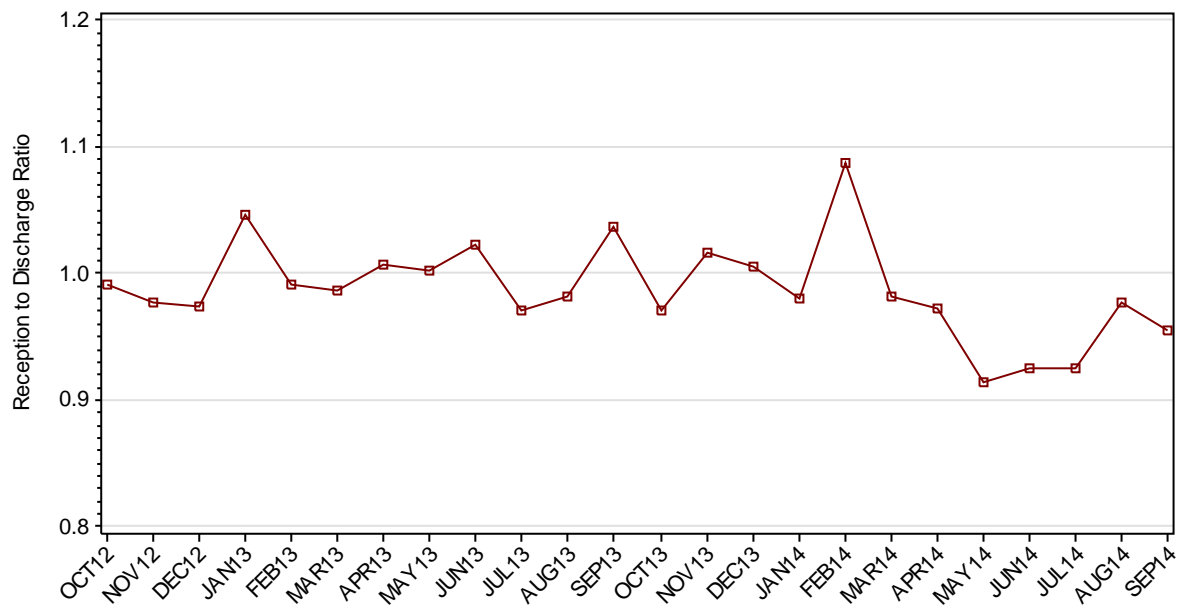
### 1.3.3 JUVENILES BY DISCHARGE TYPE



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



### 1.3.5 RATIO OF JUVENILE RECEPTIONS TO DISCHARGES



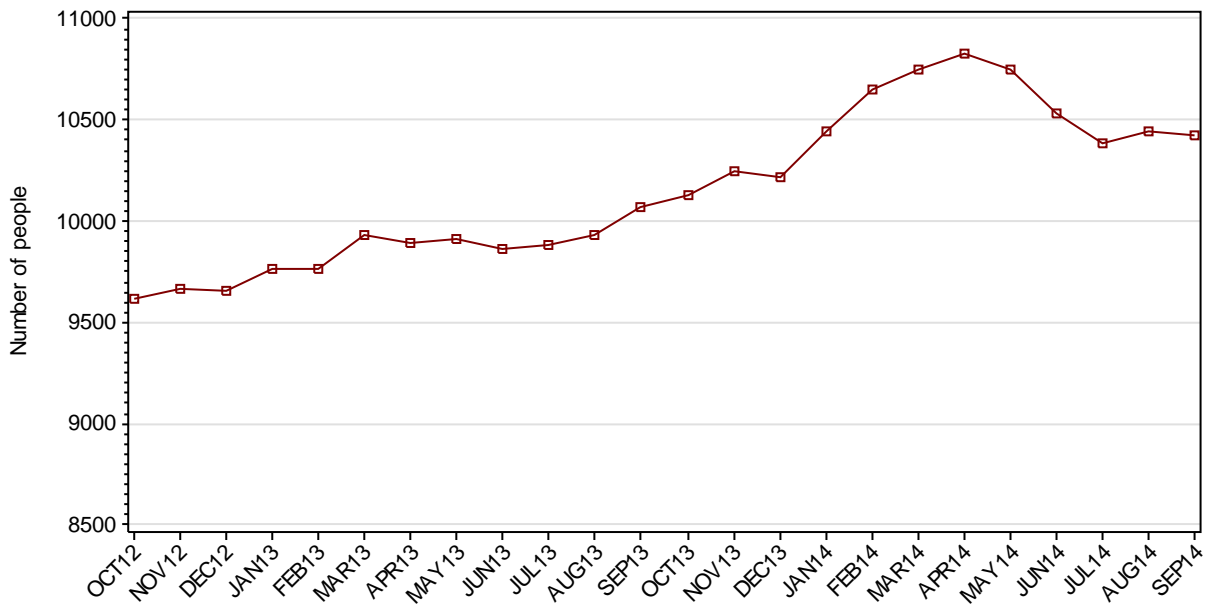
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## **Part 2 ADULTS**

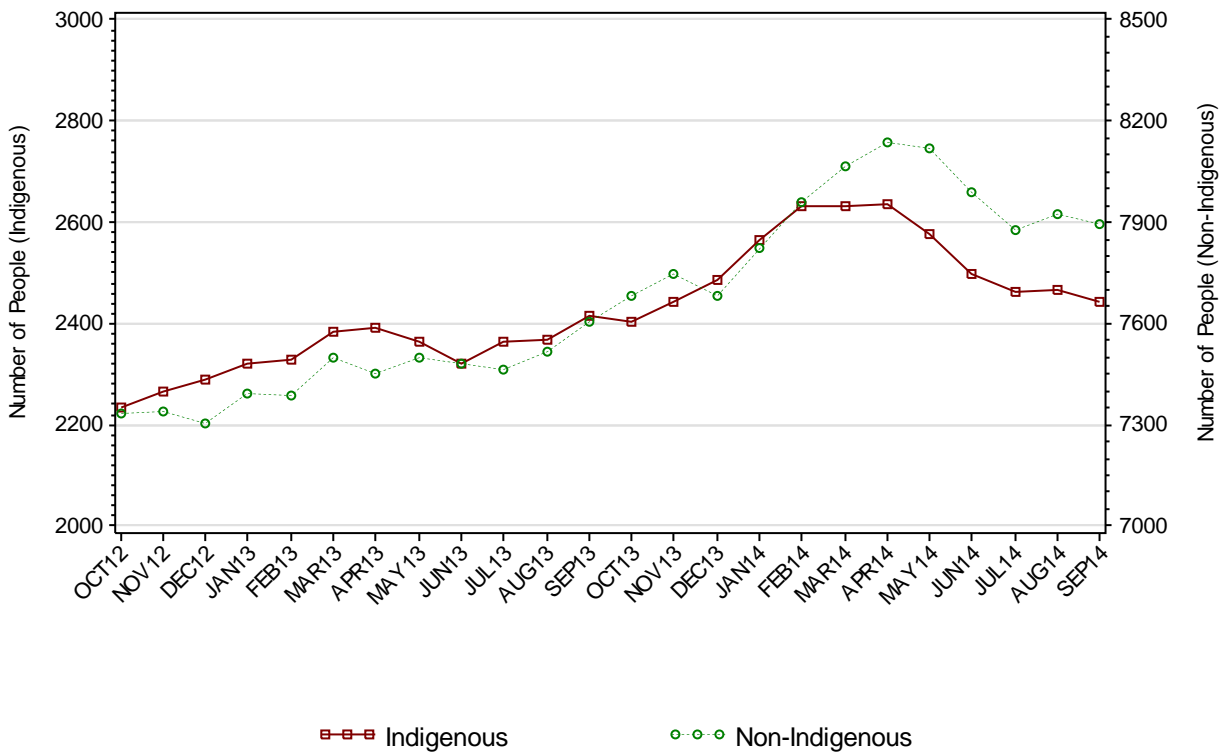
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## SECTION 2.1 ADULT CUSTODY POPULATION

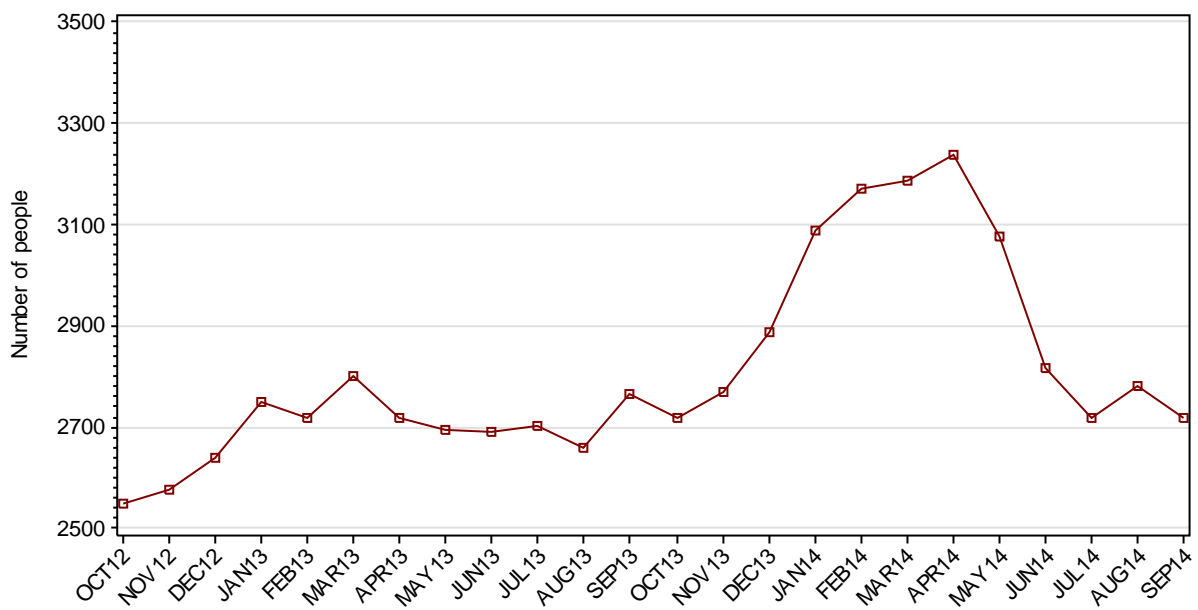
### 2.1.1 ADULT CUSTODY POPULATION AT END OF MONTH



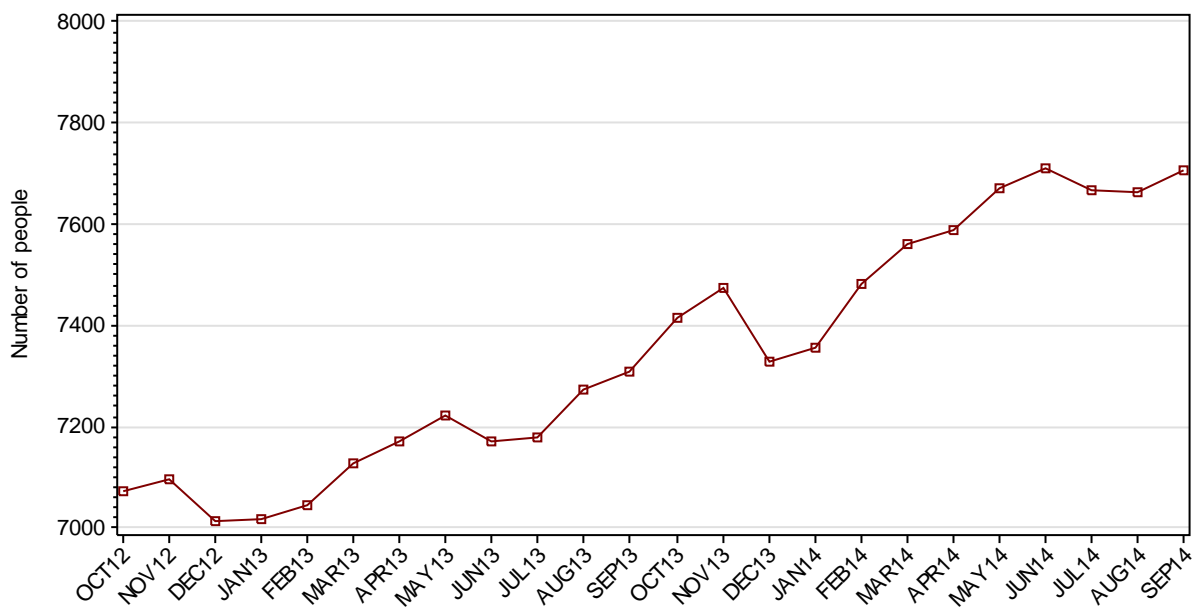
### 2.1.2 ADULT CUSTODY POPULATION BY INDIGENOUS STATUS



### 2.1.3 ADULT REMAND POPULATION

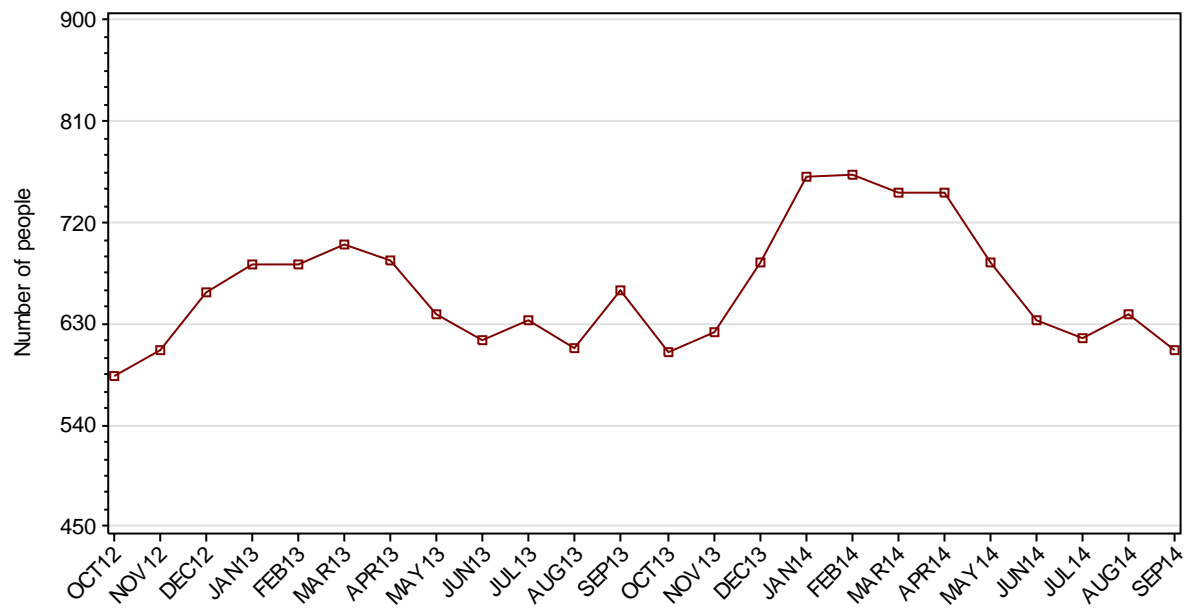


### 2.1.4 ADULT SENTENCED POPULATION

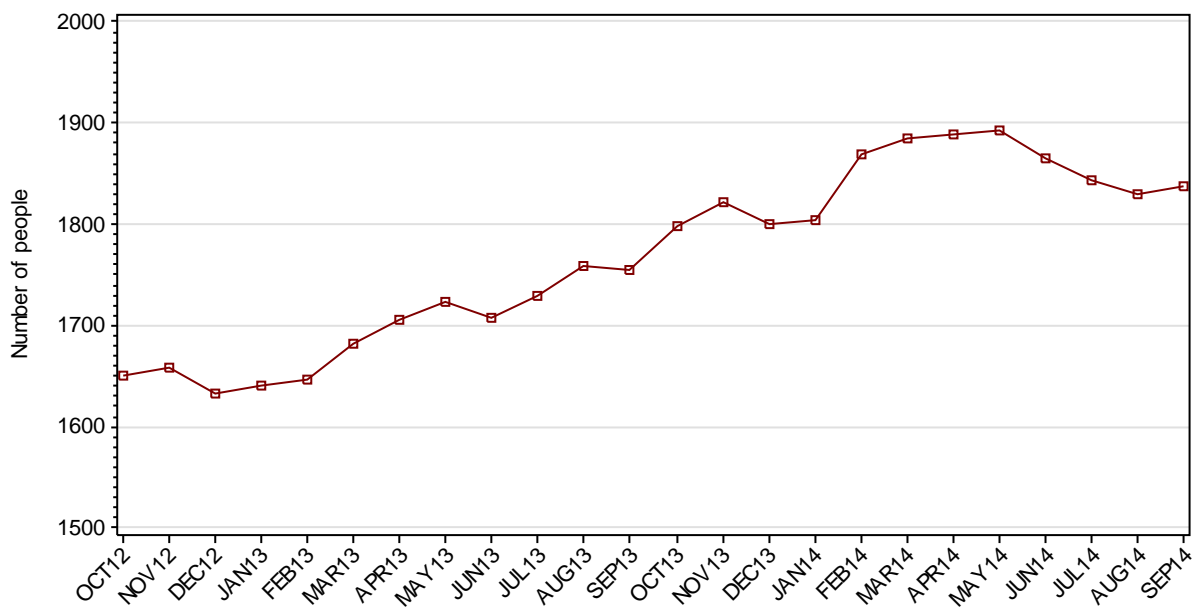




### 2.1.5 INDIGENOUS ADULT REMAND POPULATION



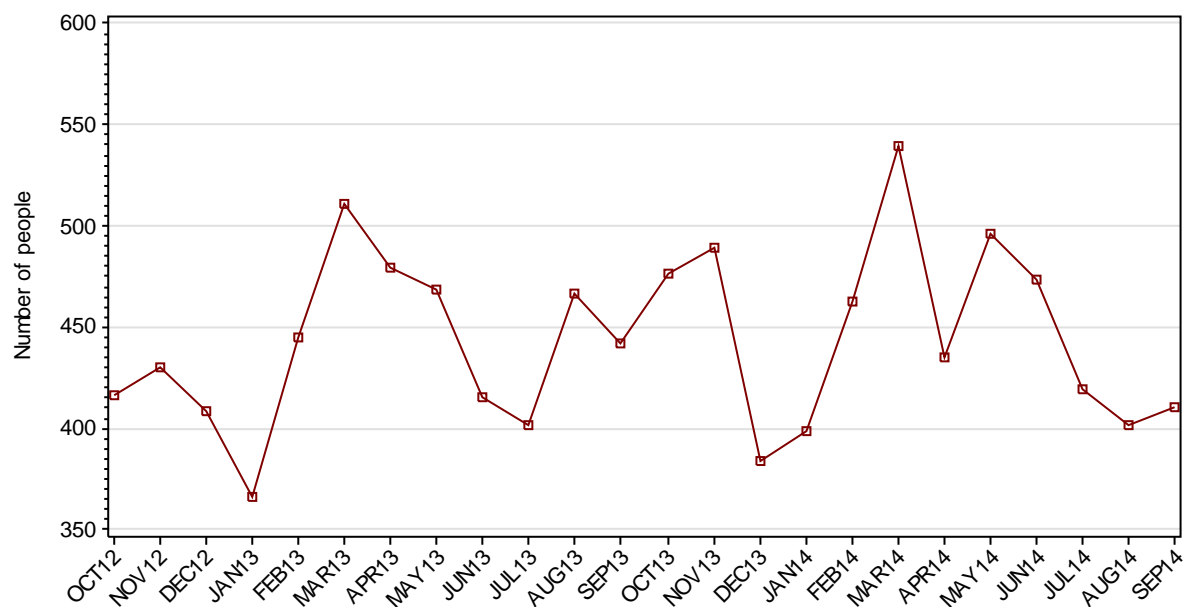
### 2.1.6 INDIGENOUS ADULT SENTENCED POPULATION



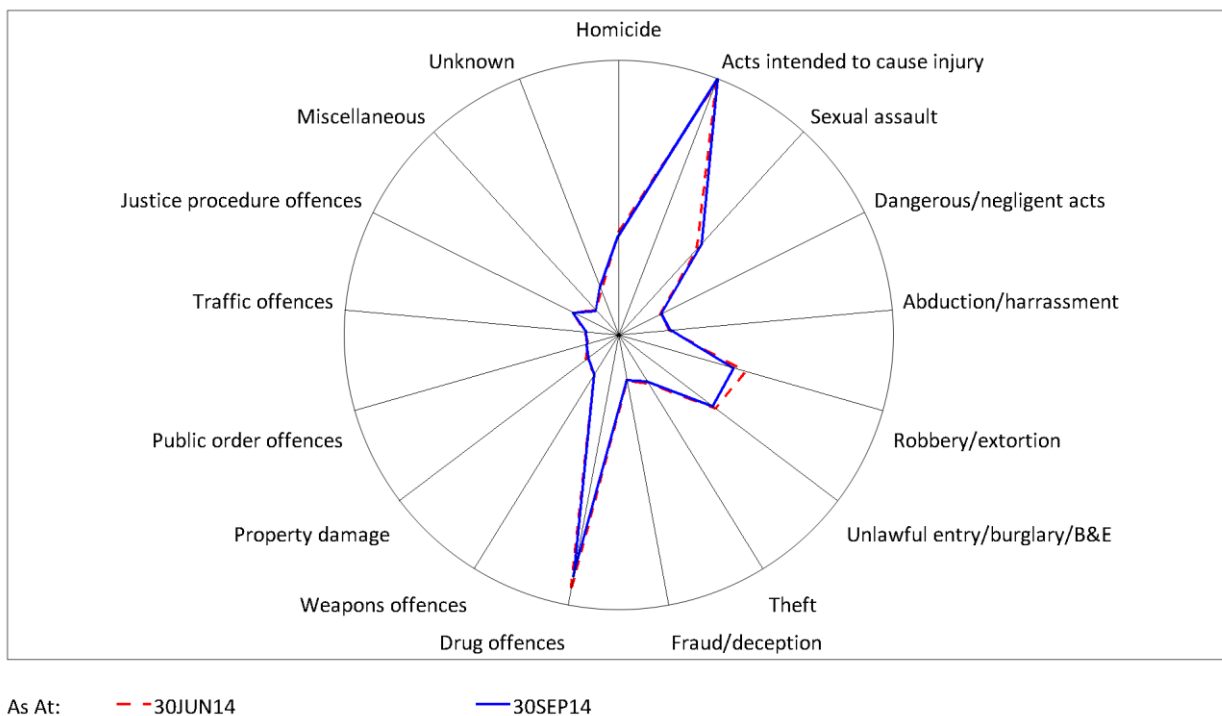
## 2.1.7 ADULT CUSTODY PROFILE AT END OF QUARTER

		Remand		Sentenced		Total	
		JUN14	SEP14	JUN14	SEP14	JUN14	SEP14
Total Male	Count	2592	2496	7221	7219	9813	9715
	Avg Age	34.1	34.2	36.4	36.4	35.8	35.9
Total Female	Count	225	224	491	487	716	711
	Avg Age	33.6	34.5	37.6	37.1	36.3	36.3
Indigenous Male	Count	562	536	1703	1662	2265	2198
	Avg Age	30.8	31.1	32.1	32.1	31.7	31.9
Indigenous Female	Count	72	71	162	175	234	246
	Avg Age	31.7	32.6	33.6	33.2	33.0	33.0
Total	Count	2817	2720	7712	7706	10529	10426
	Avg Age	34.1	34.2	36.5	36.5	35.8	35.9

## 2.1.8 ADULTS IN CUSTODY: NUMBER WHOSE LEGAL STATUS CHANGED DURING MONTH FROM REMAND TO SENTENCED

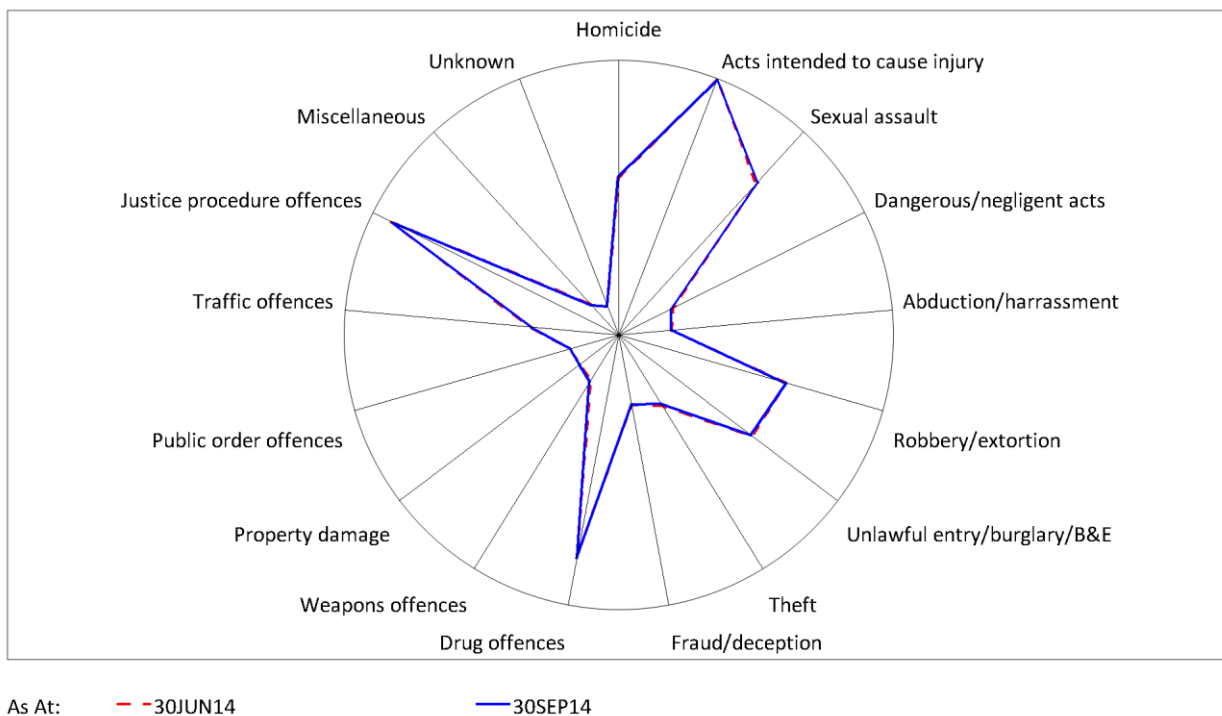


## 2.1.9 ADULT REMAND POPULATION BY MOST SERIOUS OFFENCE



	30JUN14		30SEP14	
	Number	% of Total	Number	% of Total
Homicide	207	7.4	197	7.2
Acts intended to cause injury	668	24.0	678	24.9
Sexual assault	242	8.7	264	9.7
Dangerous/negligent acts	51	1.8	55	2.0
Abduction/harrassment	65	2.3	68	2.5
Robbery/extortion	287	10.3	252	9.3
Unlawful entry/burglary/B&E	257	9.2	247	9.1
Theft	79	2.8	72	2.6
Fraud/deception	51	1.8	48	1.8
Drug offences	641	23.0	597	21.9
Weapons offences	49	1.8	49	1.8
Property damage	35	1.3	26	1.0
Public order offences	9	0.3	13	0.5
Traffic offences	17	0.6	12	0.4
Justice procedure offences	62	2.2	62	2.3
Miscellaneous	16	0.6	16	0.6
Unknown	53	1.9	64	2.4
<b>Total</b>	<b>2789</b>	<b>100.0</b>	<b>2720</b>	<b>100.0</b>

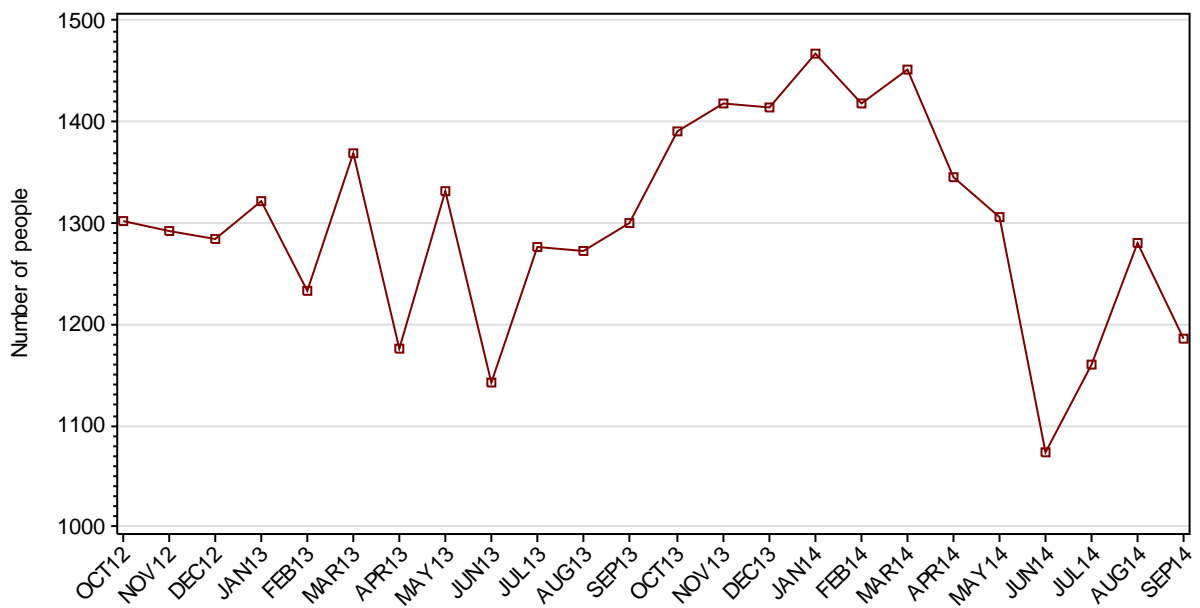
## 2.1.10 ADULT SENTENCED POPULATION BY MOST SERIOUS OFFENCE



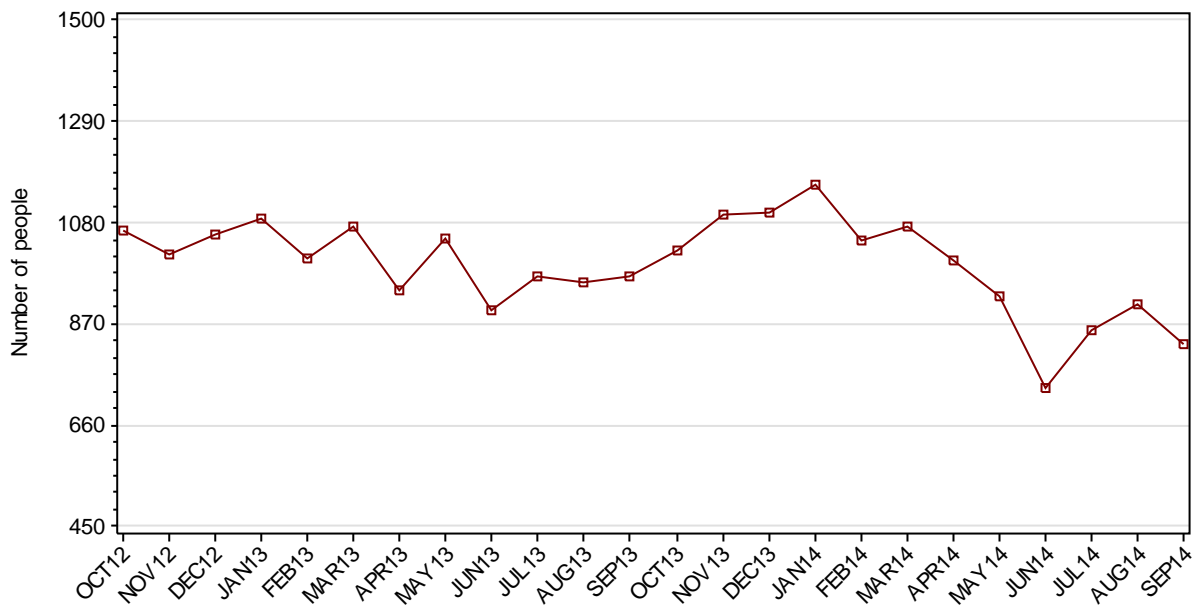
	30JUN14		30SEP14	
	Number	% of Total	Number	% of Total
Homicide	645	8.3	654	8.5
Acts intended to cause injury	1247	16.1	1243	16.1
Sexual assault	885	11.5	900	11.7
Dangerous/negligent acts	153	2.0	140	1.8
Abduction/harrassment	112	1.4	113	1.5
Robbery/extortion	733	9.5	733	9.5
Unlawful entry/burglary/B&E	700	9.1	690	9.0
Theft	267	3.5	253	3.3
Fraud/deception	203	2.6	200	2.6
Drug offences	984	12.7	1001	13.0
Weapons offences	112	1.4	121	1.6
Property damage	86	1.1	91	1.2
Public order offences	99	1.3	96	1.2
Traffic offences	299	3.9	287	3.7
Justice procedure offences	1145	14.8	1135	14.7
Miscellaneous	56	0.7	49	0.6
Unknown	0	0	0	0
<b>Total</b>	<b>7726</b>	<b>100.0</b>	<b>7706</b>	<b>100.0</b>

## SECTION 2.2 ADULT CUSTODY RECEPTIONS

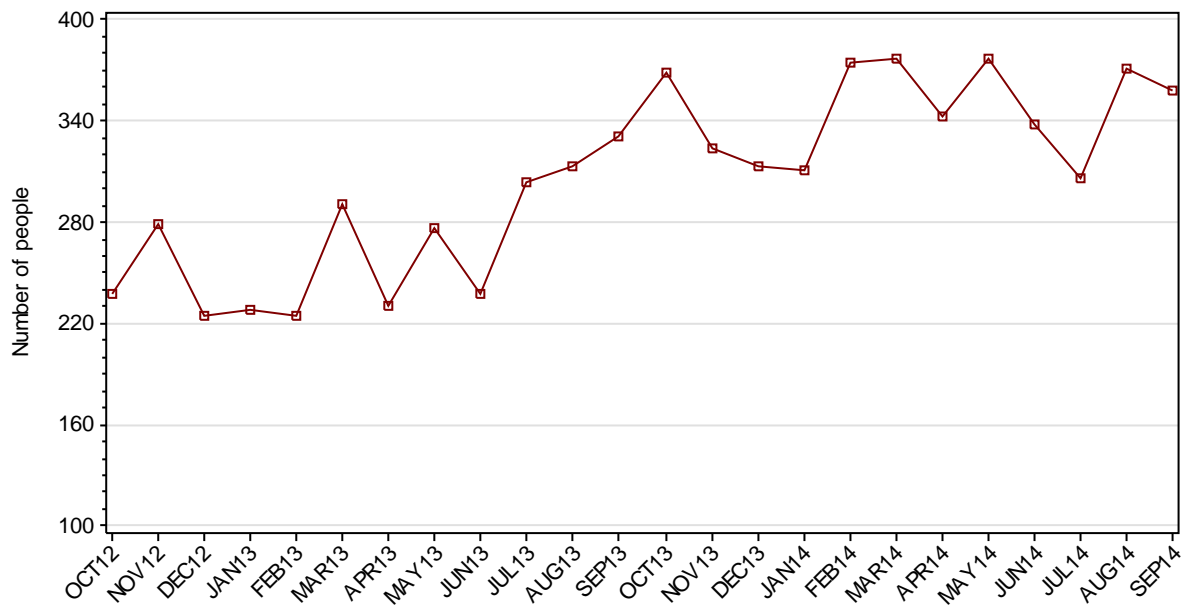
### 2.2.1 ADULTS RECEIVED INTO CUSTODY DURING MONTH



## 2.2.2 ADULT REMAND RECEPTIONS

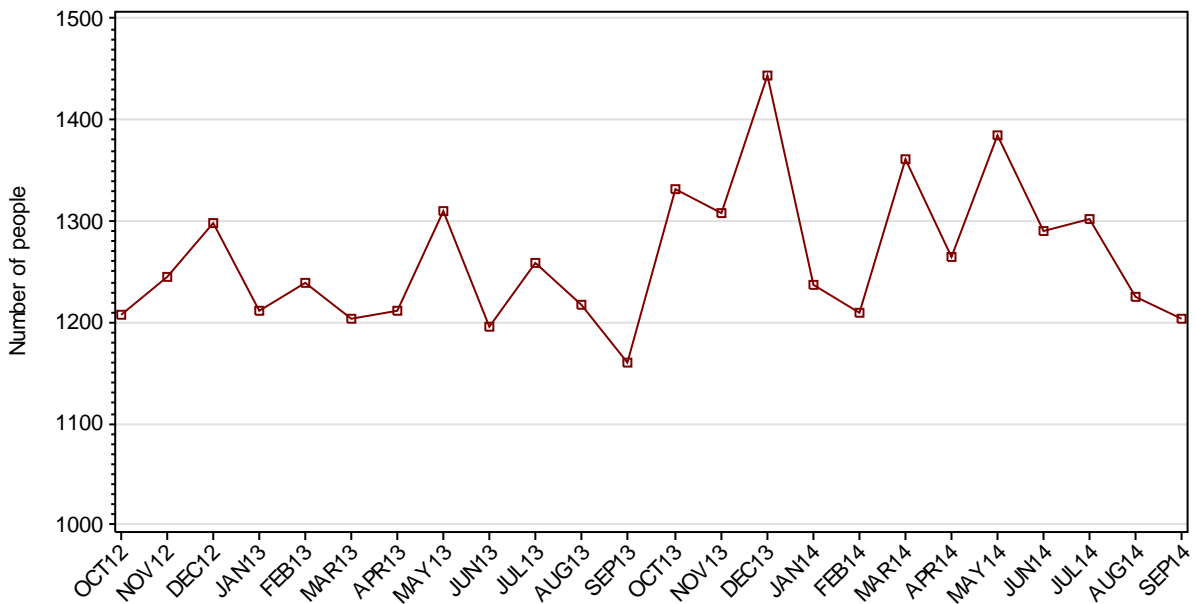


## 2.2.3 ADULT SENTENCED RECEPTIONS



## SECTION 2.3 ADULT CUSTODY DISCHARGES

### 2.3.1 ADULTS DISCHARGED FROM CUSTODY DURING MONTH

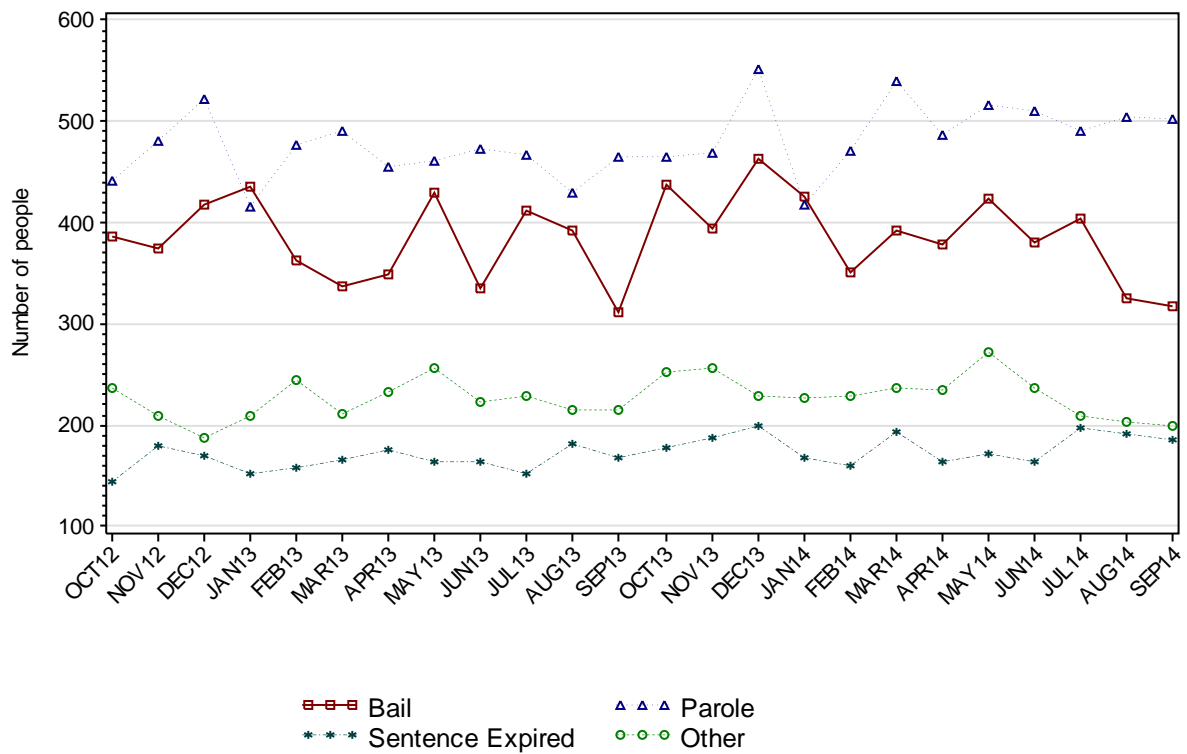


### 2.3.2 AVERAGE LENGTH OF STAY FOR ADULTS DISCHARGED FROM CUSTODY EACH QUARTER

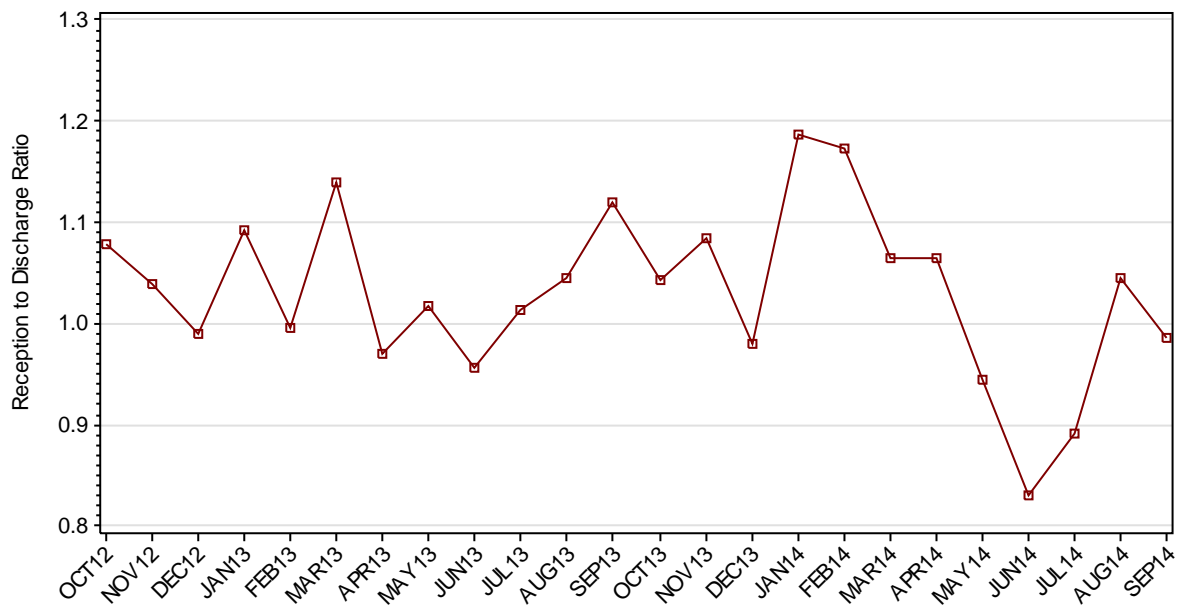
		Remand Custody Only		Sentenced Custody Only		Remand to Sentenced Custody	
		JUN14	SEP14	JUN14	SEP14	JUN14	SEP14
Total Male	Avg Days	52.8	53.0	207.7	208.3	463.3	450.8
	Number	1371	1136	891	915	1187	1225
Total Female	Avg Days	42.0	33.4	111.6	170.4	281.4	252.6
	Number	237	198	116	118	137	139
Indigenous Male	Avg Days	58.3	48.1	173.4	190.3	372.8	344.7
	Number	306	276	270	271	354	375
Indigenous Female	Avg Days	38.9	33.0	95.9	166.3	205.8	190.9
	Number	72	65	45	48	63	48
Total	Avg Days	51.2	50.1	196.6	204.0	444.5	430.6
	Number	1608	1334	1007	1033	1324	1364

*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	
OCT12	319	117	11	191	161	156	2	65	5	91	39
NOV12	310	137	9	164	157	151	2	74	5	78	29
DEC12	301	152	3	146	154	143	4	85	0	69	37
JAN13	317	160	7	150	166	146	5	84	3	79	40
FEB13	313	155	11	147	172	138	3	88	5	79	30
MAR13	310	145	8	157	169	137	4	77	4	88	50
APR13	311	147	4	160	159	151	1	73	2	84	33
MAY13	313	157	10	146	157	154	2	76	5	76	39
JUN13	322	172	7	143	163	154	5	87	4	72	32
JUL13	310	150	9	151	149	158	3	80	5	64	41
AUG13	308	142	10	156	146	159	3	75	4	67	47
SEP13	312	143	1	168	166	144	2	77	1	88	46
OCT13	309	145	8	156	153	155	1	68	2	83	30
NOV13	313	159	4	150	154	154	5	68	1	85	39
DEC13	315	158	7	150	144	168	3	66	1	77	26
JAN14	308	167	4	137	143	163	2	74	3	66	31
FEB14	338	179	5	154	153	181	4	81	2	70	46
MAR14	331	154	6	171	154	175	2	66	6	82	47
APR14	322	155	3	164	154	166	2	78	1	75	33
MAY14	296	145	3	148	136	157	3	71	1	64	37
JUN14	283	124	0	159	139	142	2	62	0	77	33
JUL14	264	114	1	149	135	128	1	60	0	75	27
AUG14	263	110	5	148	132	126	5	56	1	75	22
SEP14	255	95	2	158	125	125	5	44	1	80	23

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	
OCT12	312	68	229	15	143	164	5	315	245	31	6	28	5	137	173	5	0.99
NOV12	389	93	285	11	185	194	10	398	292	42	14	44	6	189	199	10	0.98
DEC12	327	90	228	9	152	170	5	336	256	23	8	45	4	154	179	3	0.97
JAN13	356	102	243	11	152	195	9	340	269	25	9	33	4	141	191	8	1.05
FEB13	329	94	222	13	160	165	4	332	249	32	10	35	6	154	172	6	0.99
MAR13	347	85	245	17	149	190	8	352	258	36	6	46	6	153	192	7	0.99
APR13	315	88	211	16	130	180	5	313	243	29	7	31	3	140	165	8	1.01
MAY13	376	143	223	10	142	227	7	375	282	37	9	43	4	145	224	6	1.00
JUN13	357	113	229	15	154	194	9	349	270	32	6	33	8	148	195	6	1.02
JUL13	335	112	201	22	144	186	5	345	256	33	12	37	7	157	181	7	0.97
AUG13	280	90	177	13	131	146	3	285	190	42	8	44	1	135	147	3	0.98
SEP13	310	84	210	16	135	172	3	299	214	37	7	35	6	110	185	4	1.04
OCT13	303	117	174	12	112	186	5	312	213	42	7	42	8	129	177	6	0.97
NOV13	323	112	191	20	136	175	12	318	225	31	6	51	5	135	175	8	1.02
DEC13	325	85	220	20	138	180	7	323	239	39	7	34	4	148	167	8	1.01
JAN14	351	101	239	11	155	187	9	358	269	33	8	47	1	156	191	11	0.98
FEB14	363	115	231	17	177	178	8	334	265	26	8	32	3	167	161	6	1.09
MAR14	362	100	238	24	154	195	13	369	281	34	10	40	4	153	201	15	0.98
APR14	318	137	166	15	151	163	4	327	237	33	8	40	9	151	172	4	0.97
MAY14	255	85	162	8	113	133	9	279	196	25	2	51	5	130	141	8	0.91
JUN14	185	64	103	18	90	88	7	200	148	15	4	30	3	88	104	8	0.93
JUL14	187	62	114	11	100	83	4	202	139	15	7	36	5	103	95	4	0.93
AUG14	206	60	128	18	105	88	13	211	141	28	5	35	2	110	91	10	0.98
SEP14	190	64	108	18	90	89	11	199	137	23	6	31	2	97	91	11	0.95

Adult	1.In Custody										Remand to Sent
	Total	Legal Status			Indigenous			Indigenous Legal Status			
		Remand	Sent	Unk	Yes	No	Unk	Remand	Sent	Unk	
OCT12	9621	2550	7071	0	2234	7336	51	583	1651	0	416
NOV12	9670	2575	7095	0	2266	7337	67	607	1659	0	430
DEC12	9656	2641	7015	0	2290	7306	60	658	1632	0	408
JAN13	9767	2749	7018	0	2322	7394	51	682	1640	0	366
FEB13	9762	2719	7043	0	2329	7385	48	682	1647	0	445
MAR13	9929	2801	7127	1	2383	7499	47	701	1681	1	511
APR13	9894	2719	7172	3	2393	7451	50	686	1705	2	479
MAY13	9916	2694	7222	0	2362	7498	56	639	1723	0	469
JUN13	9863	2691	7172	0	2322	7480	61	615	1707	0	415
JUL13	9880	2701	7179	0	2364	7461	55	634	1730	0	402
AUG13	9934	2659	7275	0	2368	7515	51	609	1759	0	467
SEP13	10074	2766	7308	0	2414	7603	57	659	1755	0	442
OCT13	10132	2718	7414	0	2404	7680	48	605	1799	0	476
NOV13	10243	2769	7474	0	2444	7745	54	622	1822	0	489
DEC13	10215	2887	7328	0	2485	7683	47	684	1801	0	384
JAN14	10446	3088	7358	0	2566	7822	58	761	1805	0	399
FEB14	10655	3173	7482	0	2631	7961	63	762	1869	0	463
MAR14	10744	3185	7559	0	2631	8063	50	746	1885	0	539
APR14	10825	3238	7587	0	2635	8135	55	746	1889	0	435
MAY14	10747	3077	7670	0	2578	8117	52	685	1893	0	496
JUN14	10529	2817	7712	0	2499	7988	42	634	1865	0	473
JUL14	10388	2720	7668	0	2462	7875	51	618	1844	0	419
AUG14	10444	2781	7663	0	2468	7925	51	639	1829	0	402
SEP14	10426	2720	7706	0	2444	7894	88	607	1837	0	410

Adult	2.Receptions							3.Discharges							Ratio Rec/ Dis	
	Tot	Legal Status			Indigenous			Tot	Legal Status				Indigenous			
		Remand	Sent	Unk	Yes	No	Unk		Bail	Other	Parole	Sent Exp	Yes	No		Unk
OCT12	1303	1064	237	2	394	863	46	1208	386	236	441	145	371	804	33	1.08
NOV12	1293	1012	279	2	386	870	37	1244	375	209	481	179	354	869	21	1.04
DEC12	1284	1056	225	3	390	852	42	1298	418	188	522	170	366	883	49	0.99
JAN13	1322	1090	228	4	392	893	37	1211	435	209	415	152	360	805	46	1.09
FEB13	1234	1007	224	3	370	836	28	1239	362	244	476	157	363	845	31	1.00
MAR13	1370	1071	291	8	404	934	32	1203	337	211	490	165	350	820	33	1.14
APR13	1176	938	230	8	355	787	34	1211	348	232	455	176	345	835	31	0.97
MAY13	1332	1048	277	7	384	908	40	1310	430	256	461	163	415	861	34	1.02
JUN13	1142	899	238	5	304	797	41	1195	336	223	473	163	344	815	36	0.96
JUL13	1276	967	304	5	397	832	47	1259	411	228	468	152	355	851	53	1.01
AUG13	1272	958	313	1	365	865	42	1218	392	215	429	182	361	811	46	1.04
SEP13	1300	969	331	0	392	876	32	1160	312	215	466	167	346	788	26	1.12
OCT13	1390	1021	369	0	395	950	45	1332	437	252	466	177	405	873	54	1.04
NOV13	1419	1095	324	0	411	945	63	1308	394	257	470	187	371	880	57	1.08
DEC13	1415	1102	313	0	434	921	60	1443	463	228	552	200	393	983	67	0.98
JAN14	1468	1157	311	0	425	981	62	1237	425	227	418	167	344	842	51	1.19
FEB14	1418	1043	375	0	421	944	53	1209	350	228	471	160	356	805	48	1.17
MAR14	1451	1074	377	0	403	996	52	1362	393	236	539	194	403	894	65	1.07
APR14	1345	1002	343	0	367	944	34	1264	379	234	487	164	363	872	29	1.06
MAY14	1306	929	377	0	327	940	39	1384	423	272	517	172	384	958	42	0.94
JUN14	1073	735	338	0	284	763	26	1291	380	237	510	164	363	892	36	0.83
JUL14	1161	855	306	0	330	799	32	1302	404	209	491	198	367	912	23	0.89
AUG14	1281	910	371	0	374	870	37	1225	326	203	504	192	368	820	37	1.05
SEP14	1186	828	358	0	324	805	57	1204	318	199	502	185	348	836	20	0.99

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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 Corporate 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 the Bureau of Crime Statistics and Research 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 Bureau'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.