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# NEW SOUTH WALES CUSTODY STATISTICS

QUARTERLY UPDATE  
MARCH 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. 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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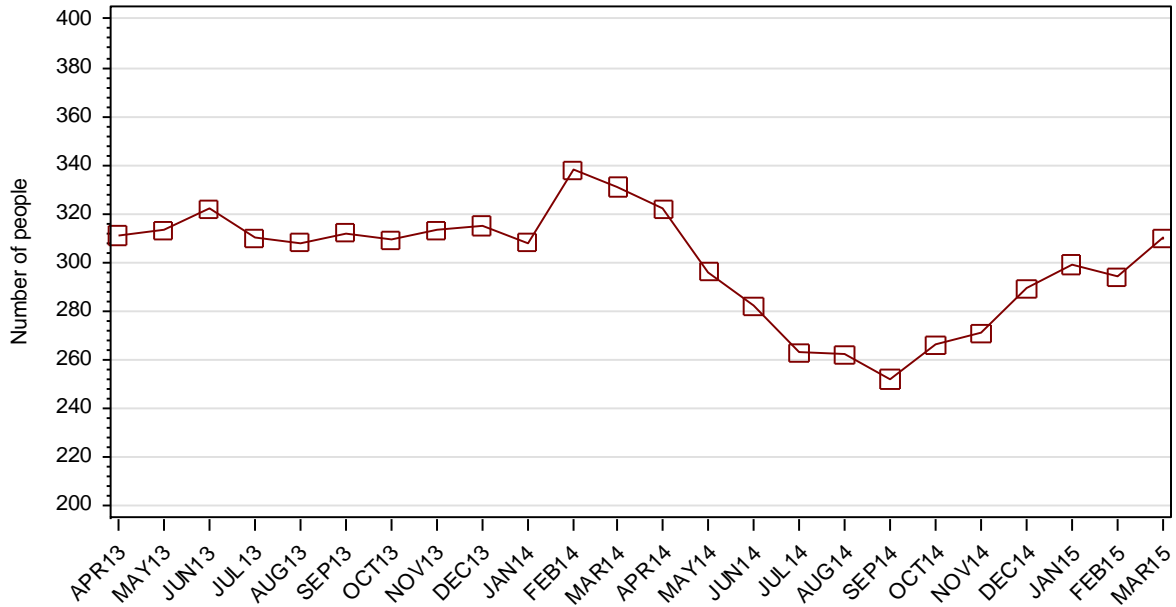
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# **Part 1 JUVENILES**

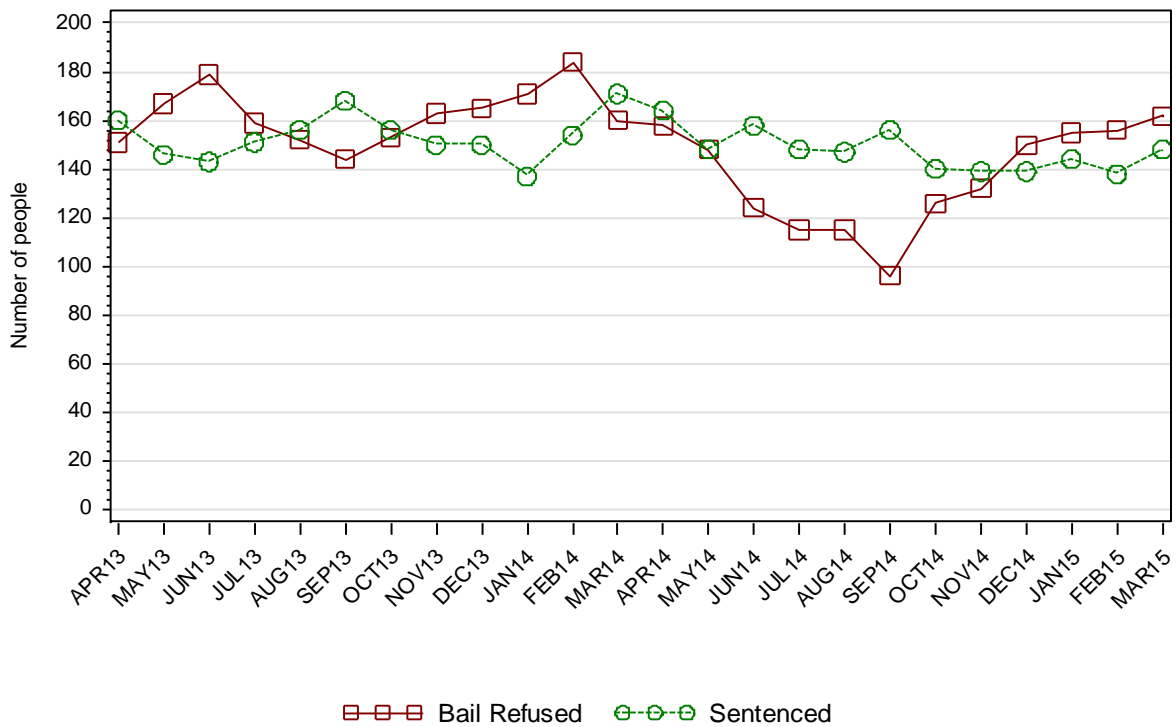
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## SECTION 1.1 JUVENILE CUSTODY POPULATION

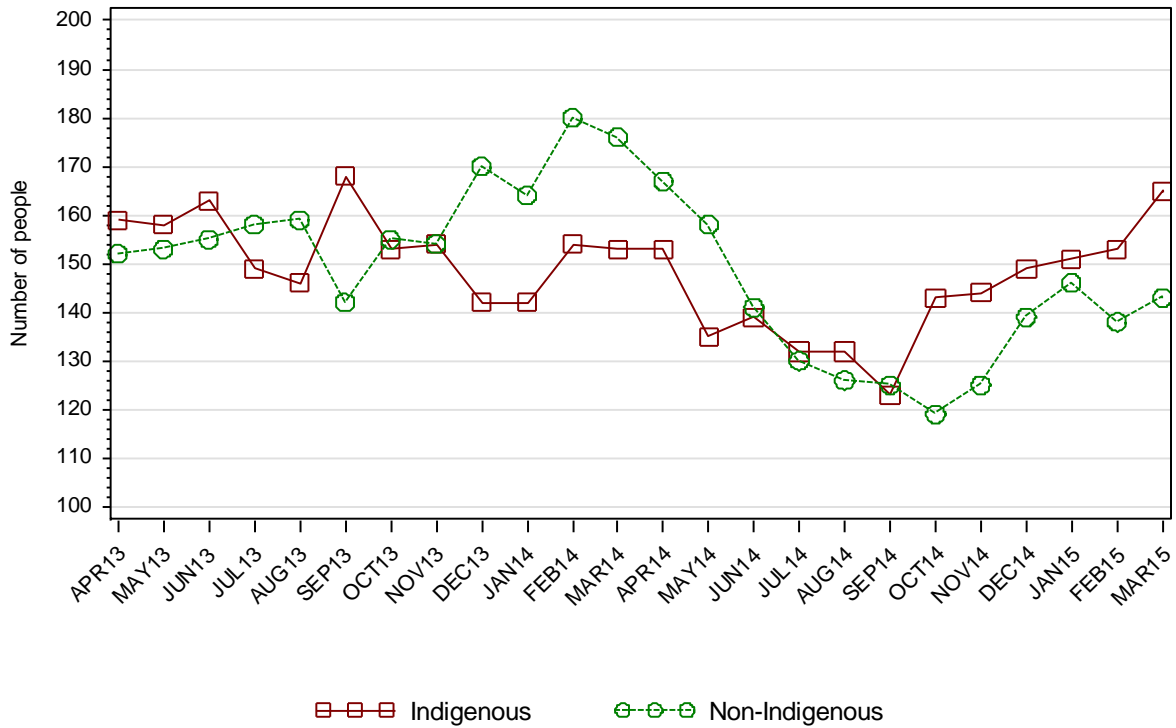
### 1.1.1 JUVENILE CUSTODY POPULATION AT END OF MONTH



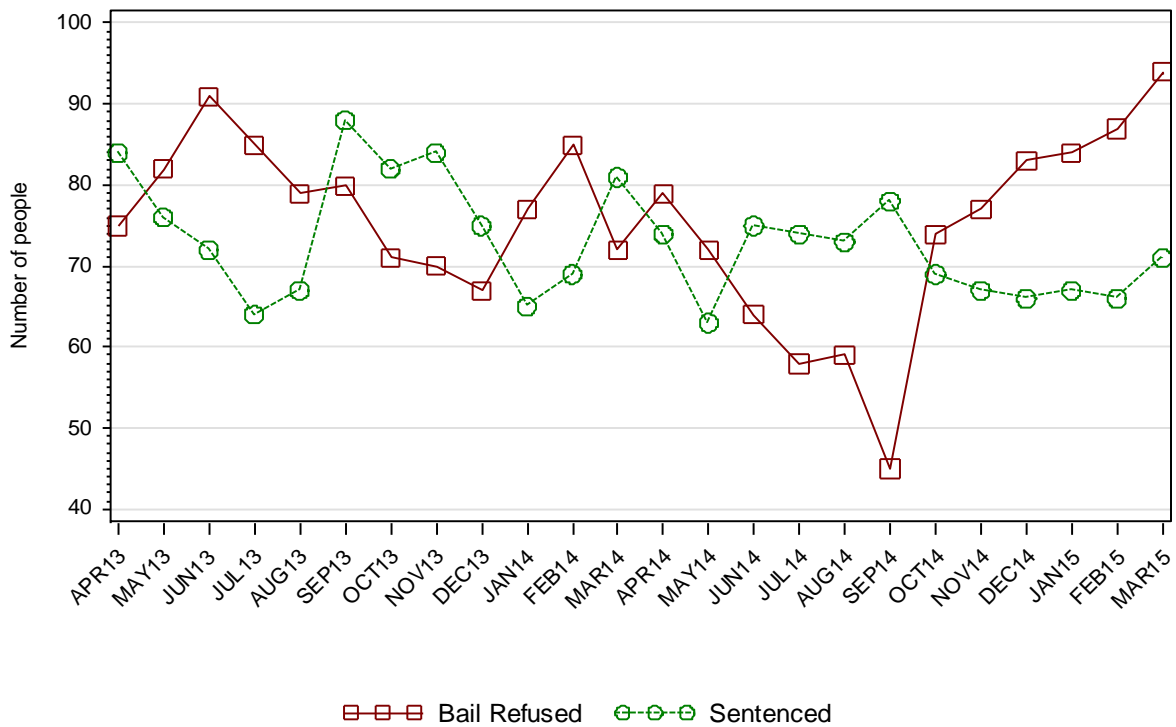
### 1.1.2 JUVENILE CUSTODY POPULATION BY LEGAL STATUS



### 1.1.3 JUVENILE CUSTODY POPULATION BY INDIGENOUS STATUS



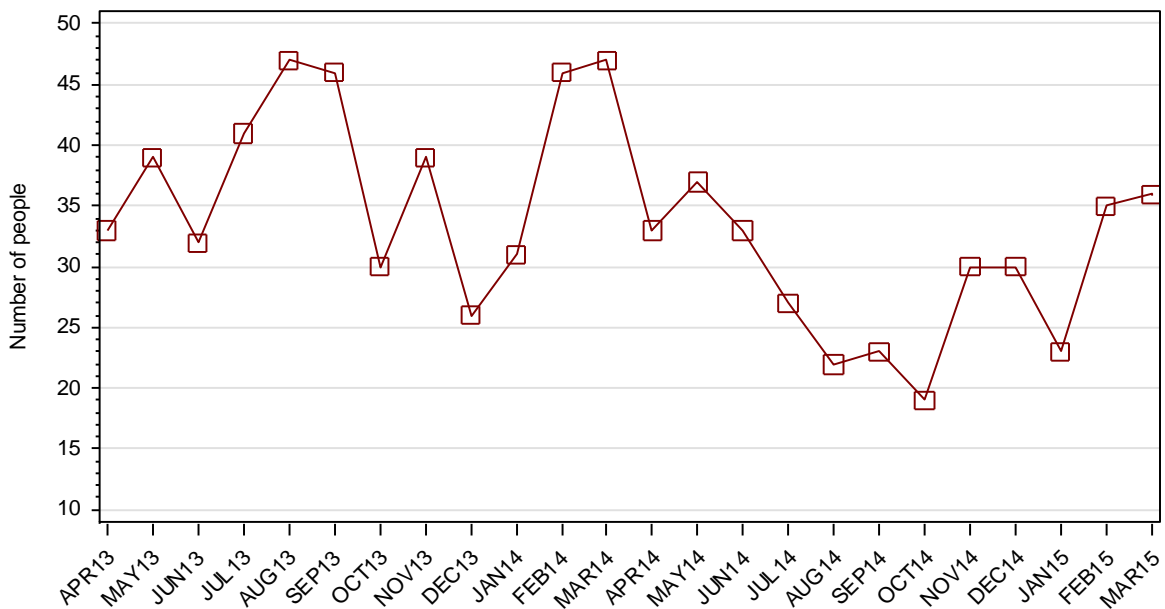
### 1.1.4 INDIGENOUS JUVENILE CUSTODY POPULATION BY LEGAL STATUS



**1.1.5 JUVENILE CUSTODY PROFILE AT END OF QUARTER**

		Police Bail Refused		Court Bail Refused		Sentenced		Total	
		DEC14	MAR15	DEC14	MAR15	DEC14	MAR15	DEC14	MAR15
Total Male	Count	5	2	130	142	137	141	272	285
	Avg Age	15.6	17.0	16.0	16.0	17.0	16.8	16.5	16.4
Total Female	Count	2	0	13	18	2	7	17	25
	Avg Age	15.0	.	15.7	15.7	17.5	16.6	15.8	15.9
Indigenous Male	Count	4	1	69	82	65	69	138	152
	Avg Age	15.5	17.0	15.8	15.8	16.5	16.3	16.1	16.0
Indigenous Female	Count	2	0	8	11	1	2	11	13
	Avg Age	15.0	.	15.3	15.7	18.0	15.5	15.5	15.7
Total	Count	7	2	143	160	139	148	289	310
	Avg Age	15.4	17.0	16.0	16.0	17.0	16.8	16.5	16.4

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



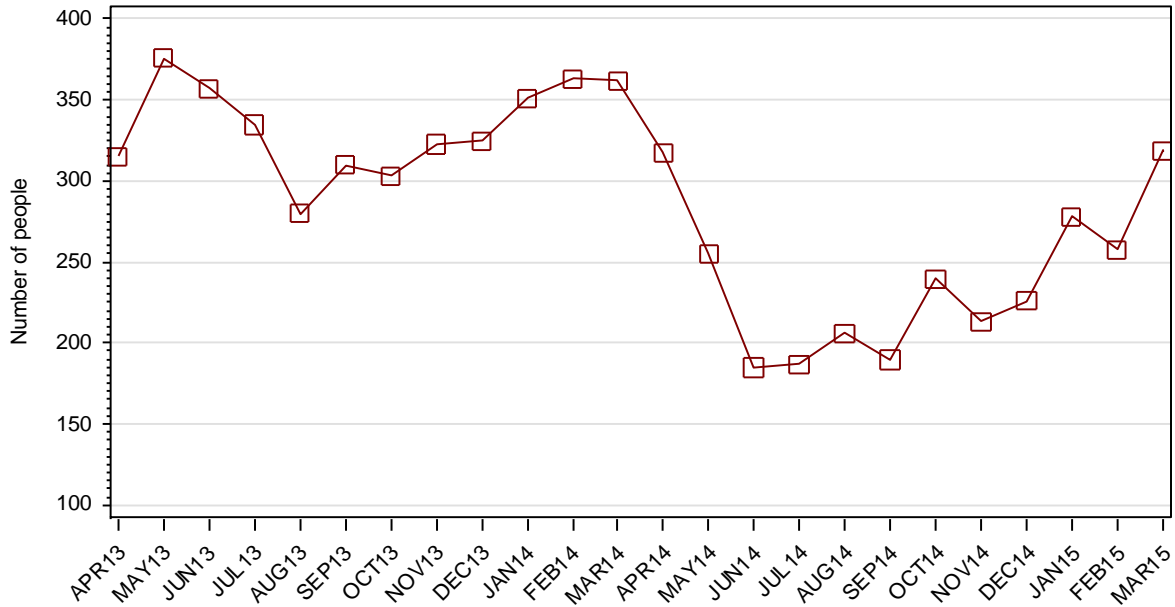




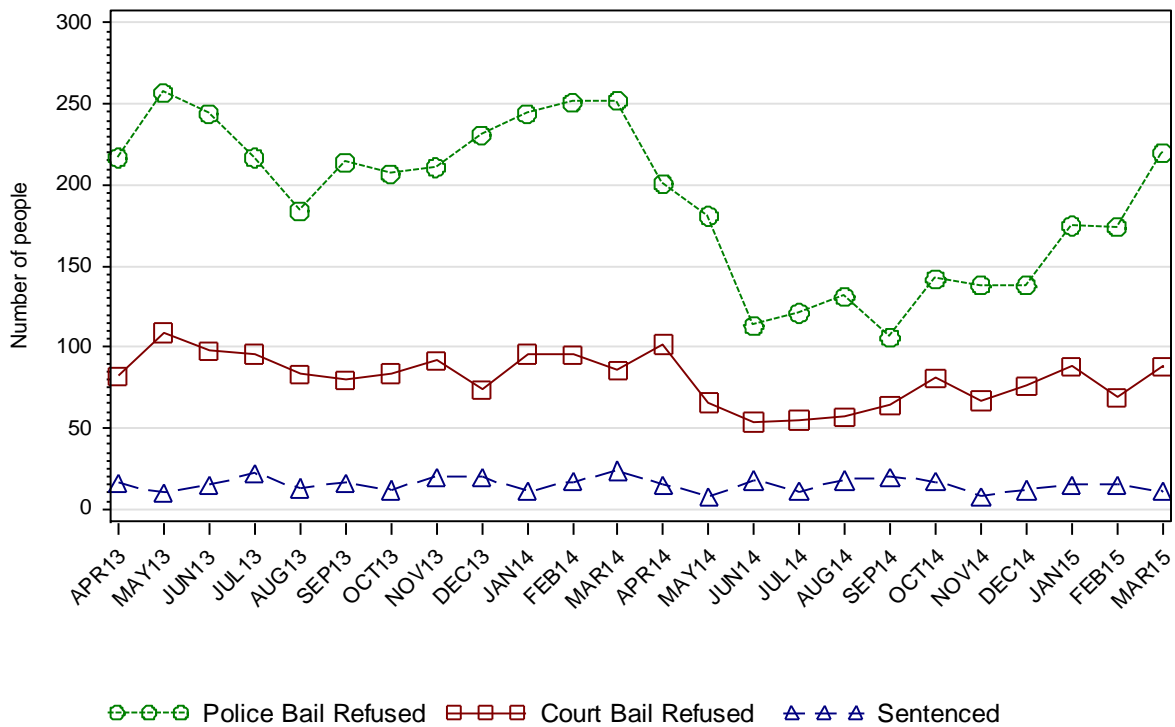


## SECTION 1.2 JUVENILE CUSTODY RECEPTIONS

### 1.2.1 JUVENILES RECEIVED INTO CUSTODY DURING MONTH

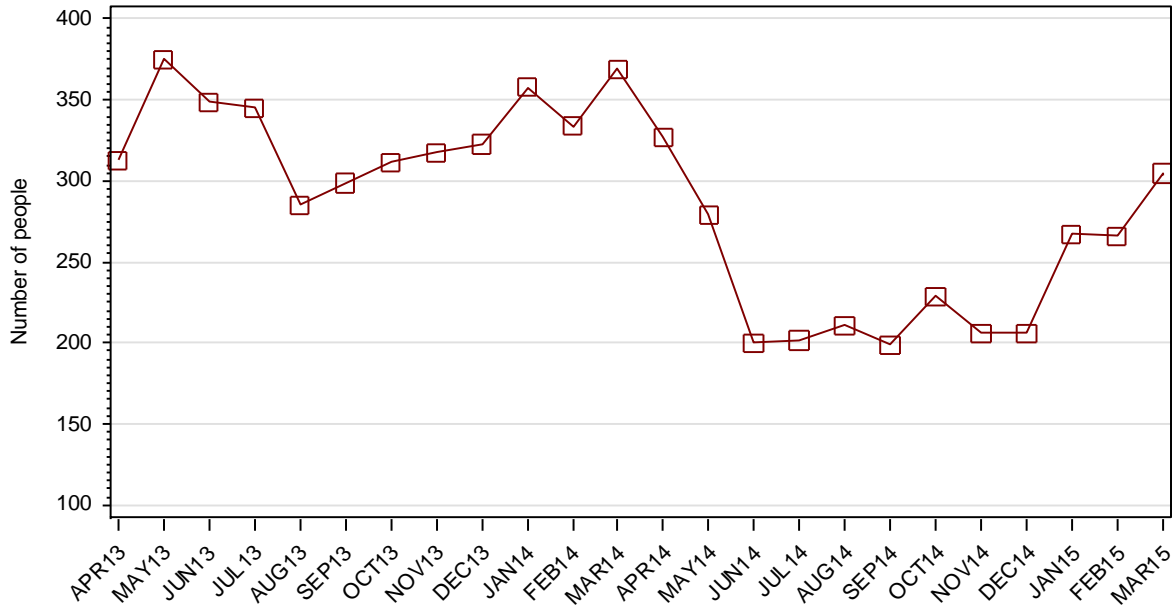


### 1.2.2 JUVENILES RECEIVED INTO CUSTODY BY LEGAL STATUS



## SECTION 1.3 JUVENILE CUSTODY DISCHARGES

### 1.3.1 JUVENILES DISCHARGED FROM CUSTODY DURING MONTH

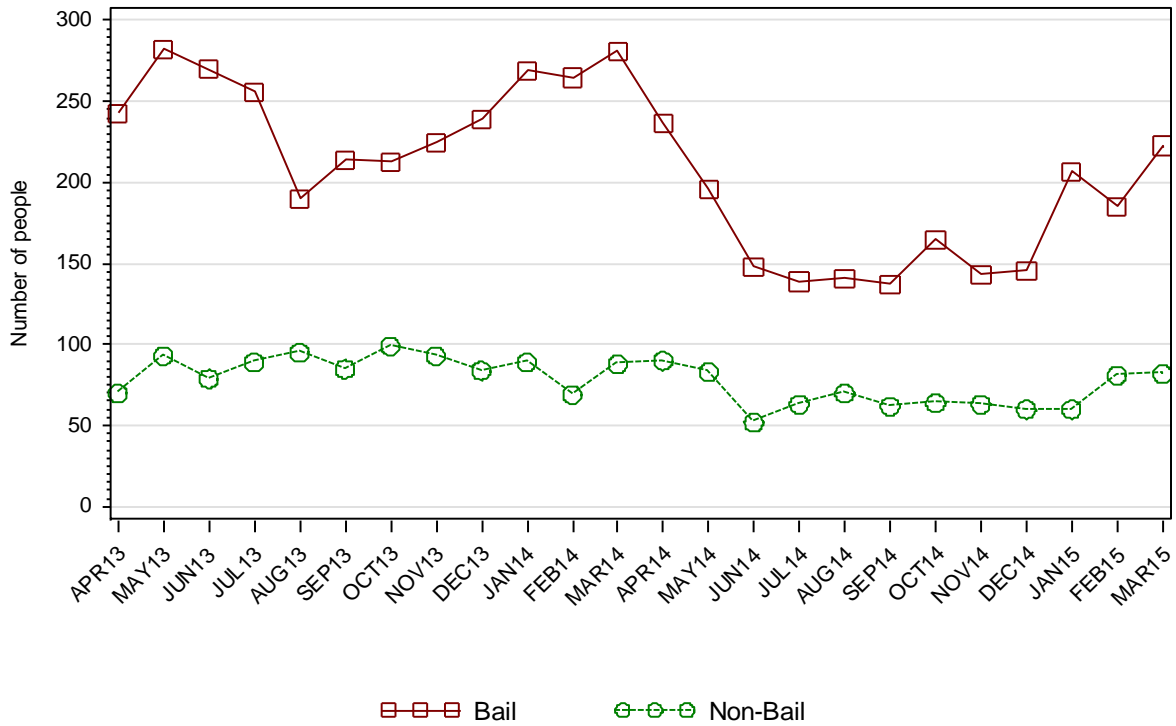


### 1.3.2 AVERAGE LENGTH OF STAY FOR JUVENILES DISCHARGED FROM CUSTODY EACH QUARTER

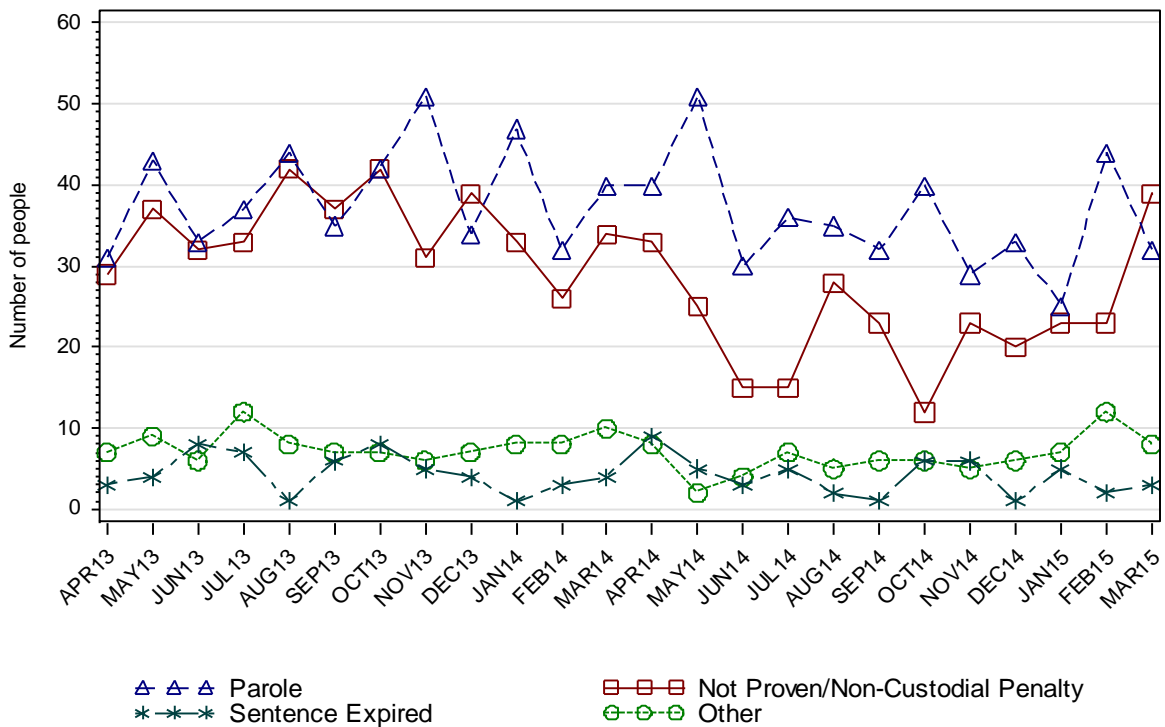
		Remand Custody Only		Sentenced Custody Only		Remand to Sentenced Custody	
		DEC14	MAR15	DEC14	MAR15	DEC14	MAR15
Total Male	Avg Days	8.0	9.7	85.7	112.2	159.7	200.7
	Number	404	562	41	44	70	75
Total Female	Avg Days	8.2	5.9	44.8	101.5	91.1	42.3
	Number	105	148	10	2	11	7
Indigenous Male	Avg Days	9.1	12.7	93.3	119.0	149.4	179.5
	Number	196	248	27	20	34	31
Indigenous Female	Avg Days	3.9	8.5	51.4	183.0	97.8	39.3
	Number	54	70	7	1	4	3
Total	Avg Days	8.0	8.9	77.6	111.7	150.4	187.2
	Number	509	710	51	46	81	82

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

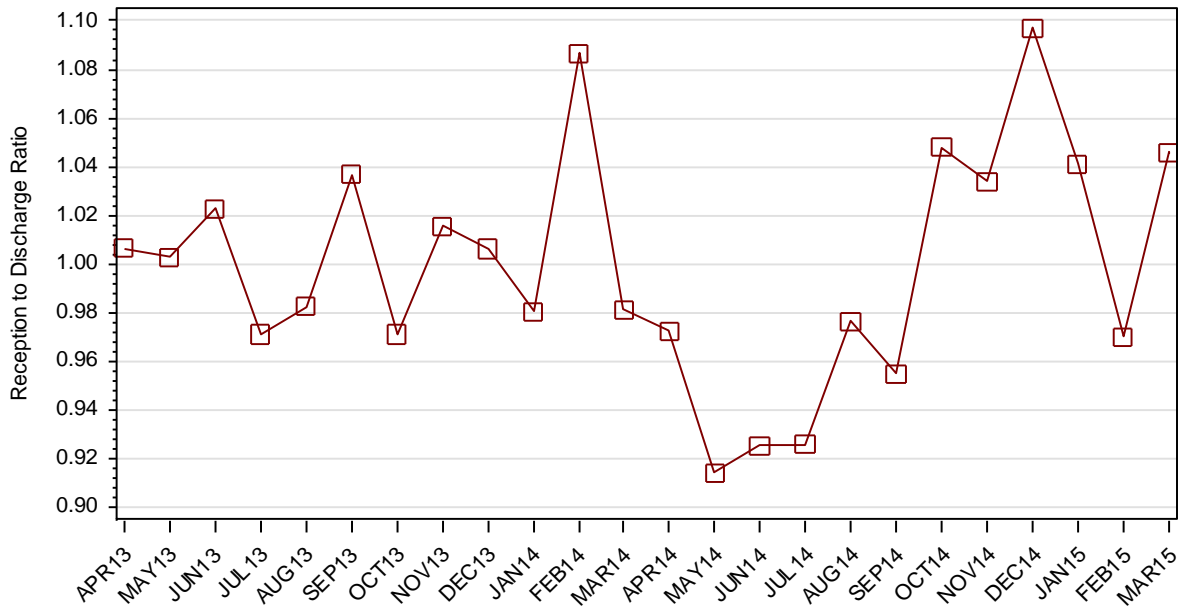
### 1.3.3 JUVENILES BY DISCHARGE TYPE



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



### 1.3.5 RATIO OF JUVENILE RECEPTIONS TO DISCHARGES



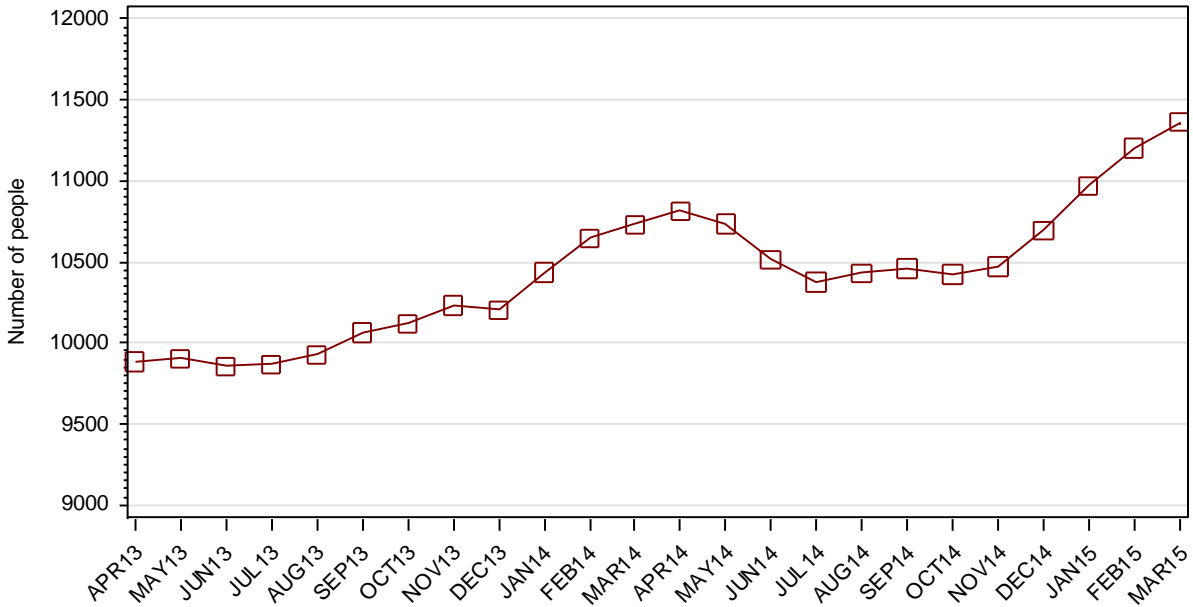
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## **Part 2 ADULTS**

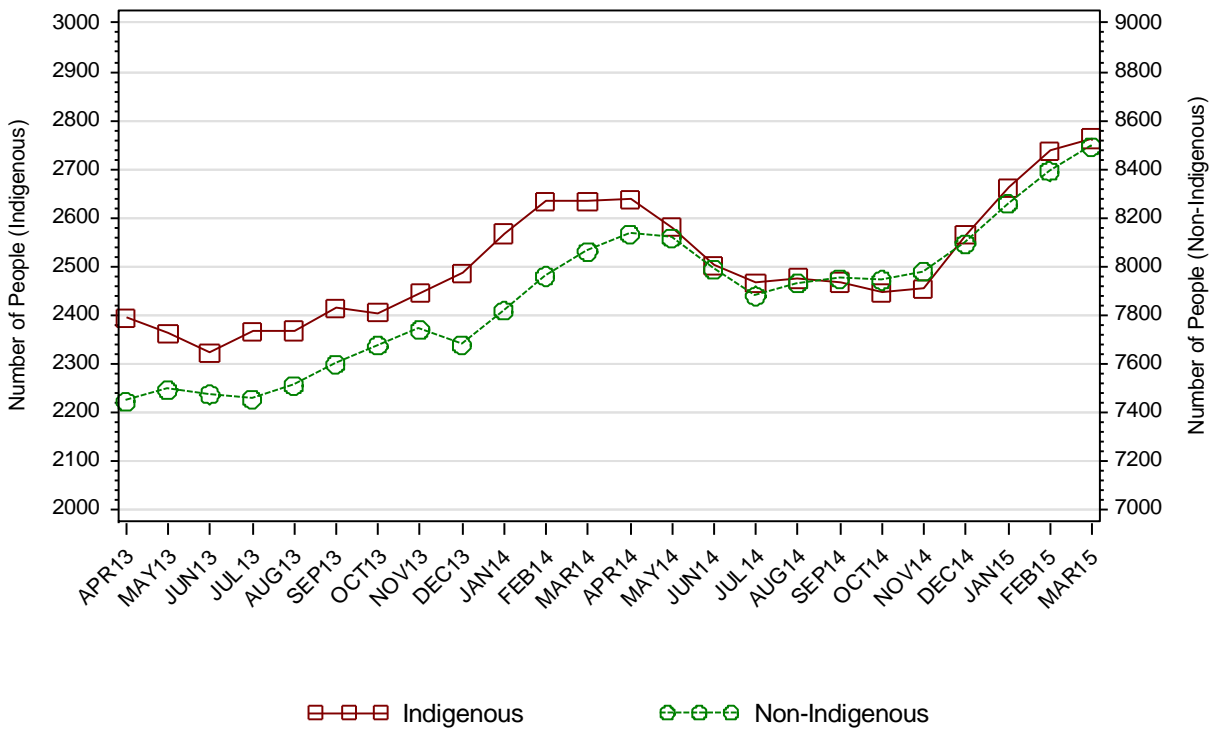
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## SECTION 2.1 ADULT CUSTODY POPULATION

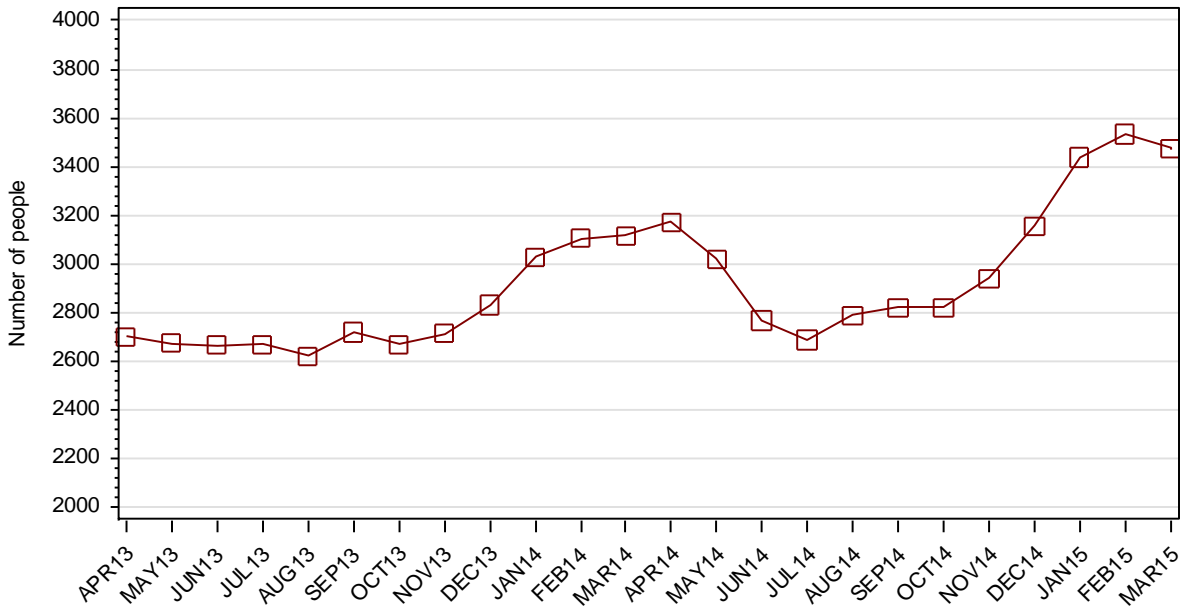
### 2.1.1 ADULT CUSTODY POPULATION AT END OF MONTH



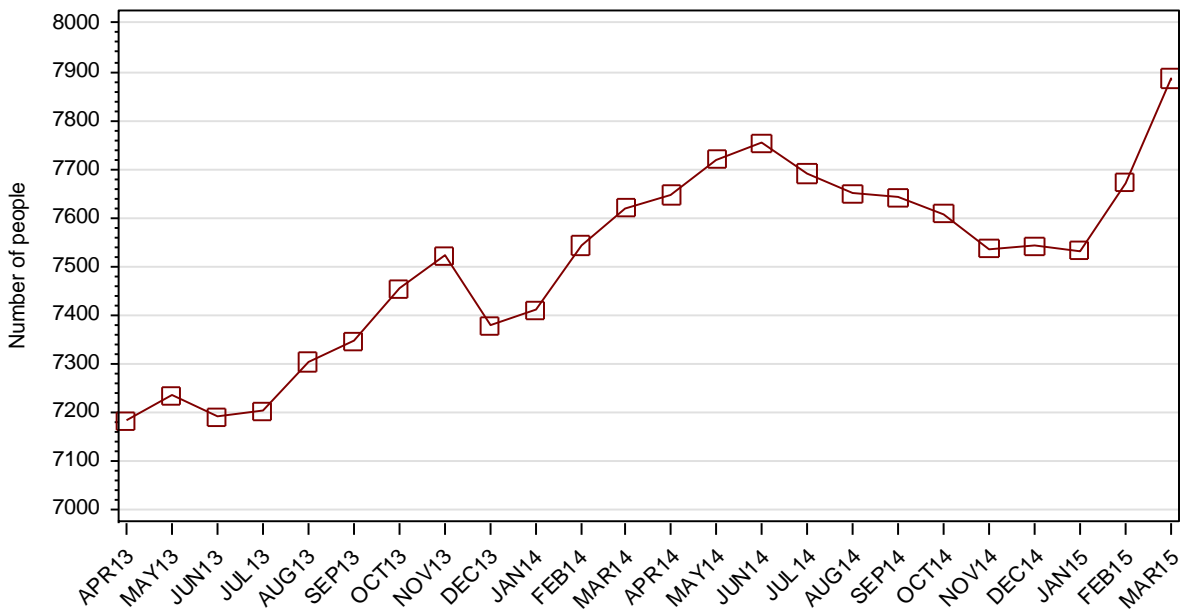
### 2.1.2 ADULT CUSTODY POPULATION BY INDIGENOUS STATUS



### 2.1.3 ADULT REMAND POPULATION

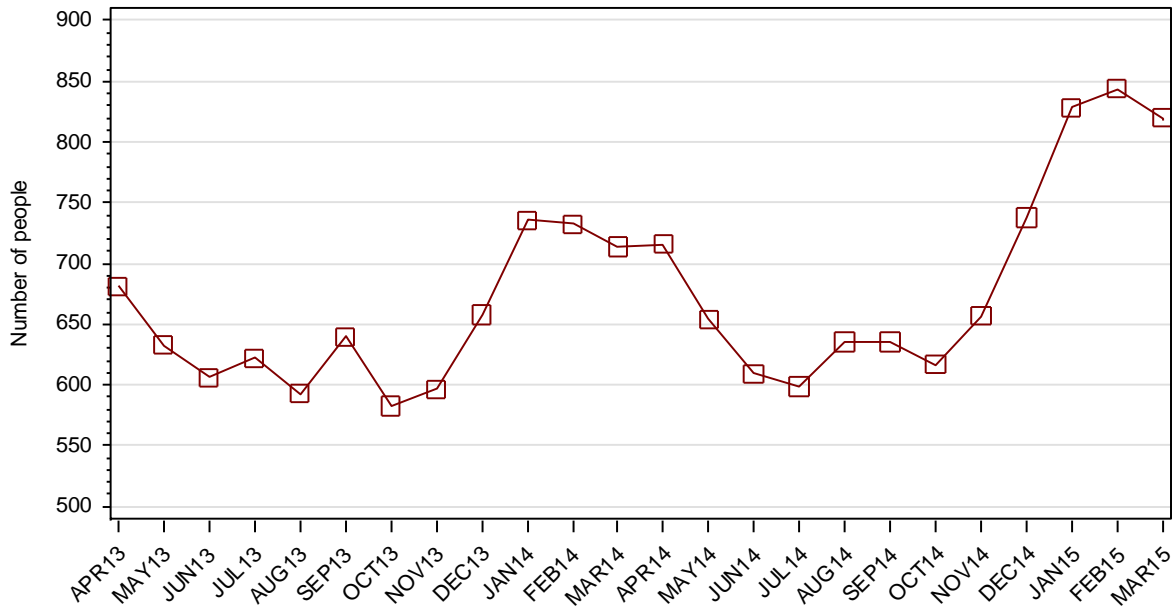


### 2.1.4 ADULT SENTENCED POPULATION

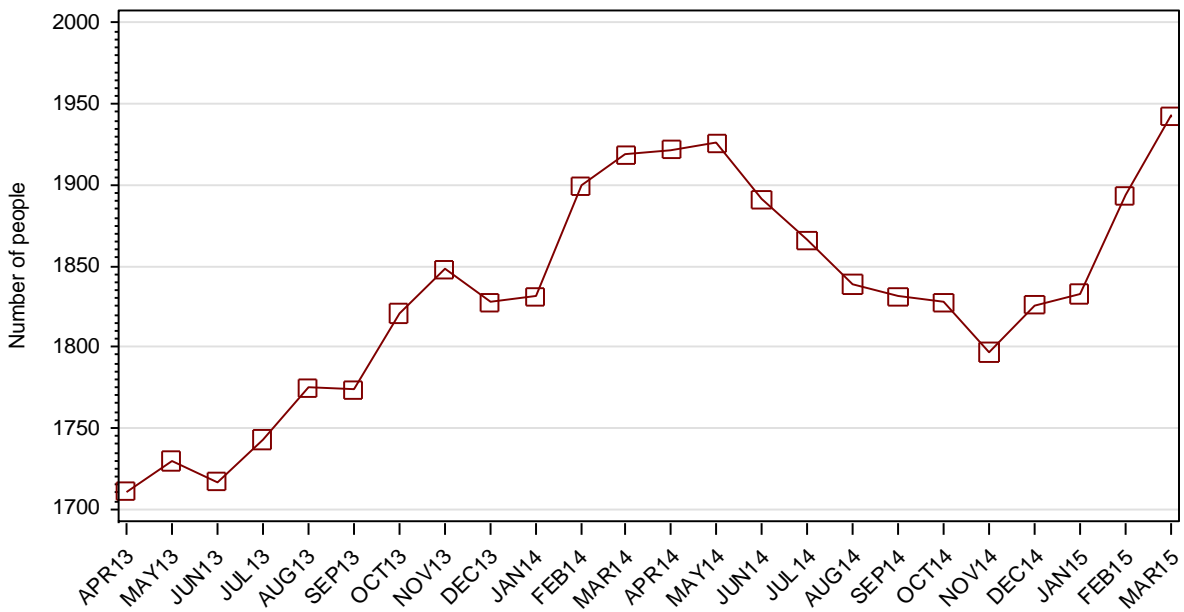




**2.1.5 INDIGENOUS ADULT REMAND POPULATION**



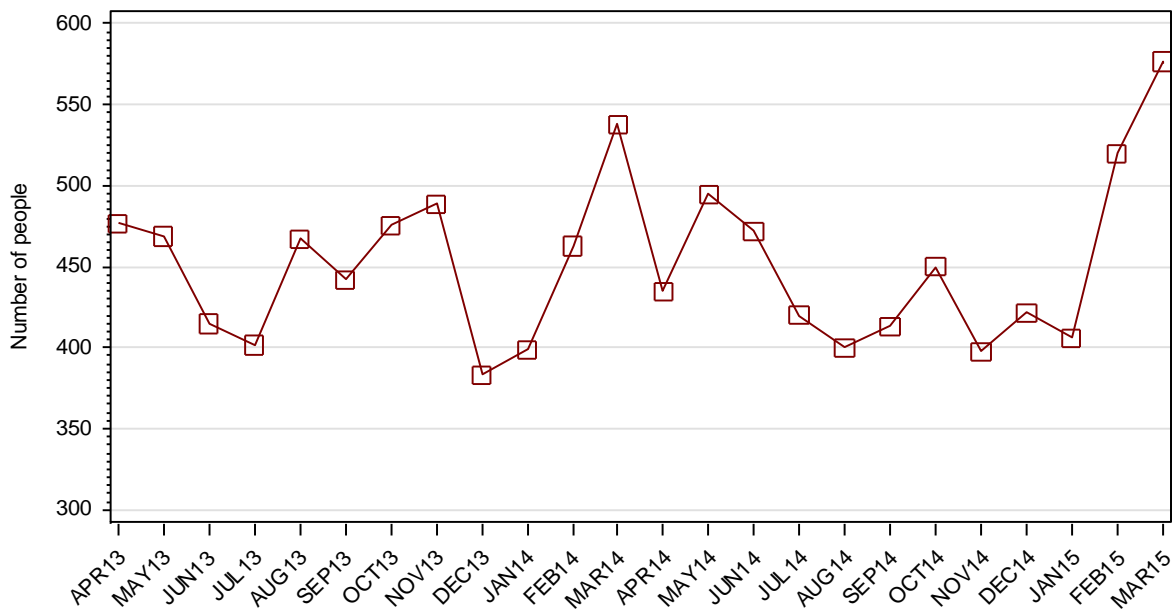
**2.1.6 INDIGENOUS ADULT SENTENCED POPULATION**



**2.1.7 ADULT CUSTODY PROFILE AT END OF QUARTER**

		Remand		Sentenced		Total	
		DEC14	MAR15	DEC14	MAR15	DEC14	MAR15
Total Male	Count	2893	3191	7053	7359	9946	10550
	Avg Age	33.9	33.8	36.7	36.5	35.9	35.7
Total Female	Count	264	285	488	528	752	813
	Avg Age	34.0	33.5	37.5	37.2	36.3	35.9
Indigenous Male	Count	651	721	1673	1771	2324	2492
	Avg Age	31.1	30.4	32.2	32.3	31.9	31.7
Indigenous Female	Count	87	99	153	172	240	271
	Avg Age	32.3	32.8	33.5	32.9	33.0	32.9
Total	Count	3157	3476	7541	7887	10698	11363
	Avg Age	33.9	33.8	36.8	36.5	35.9	35.7

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

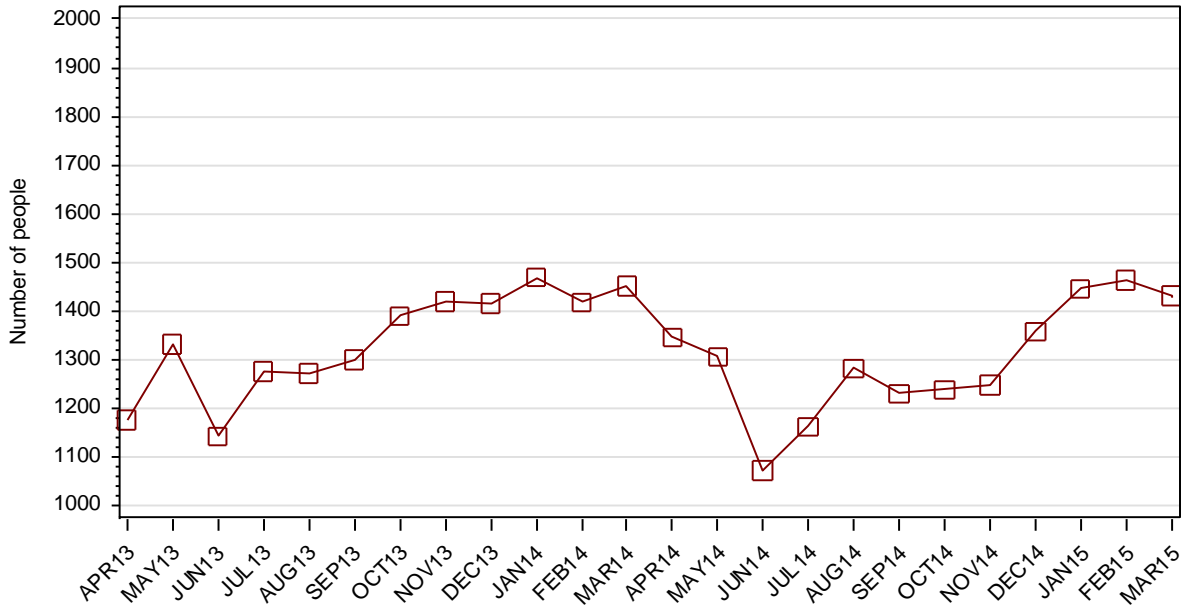




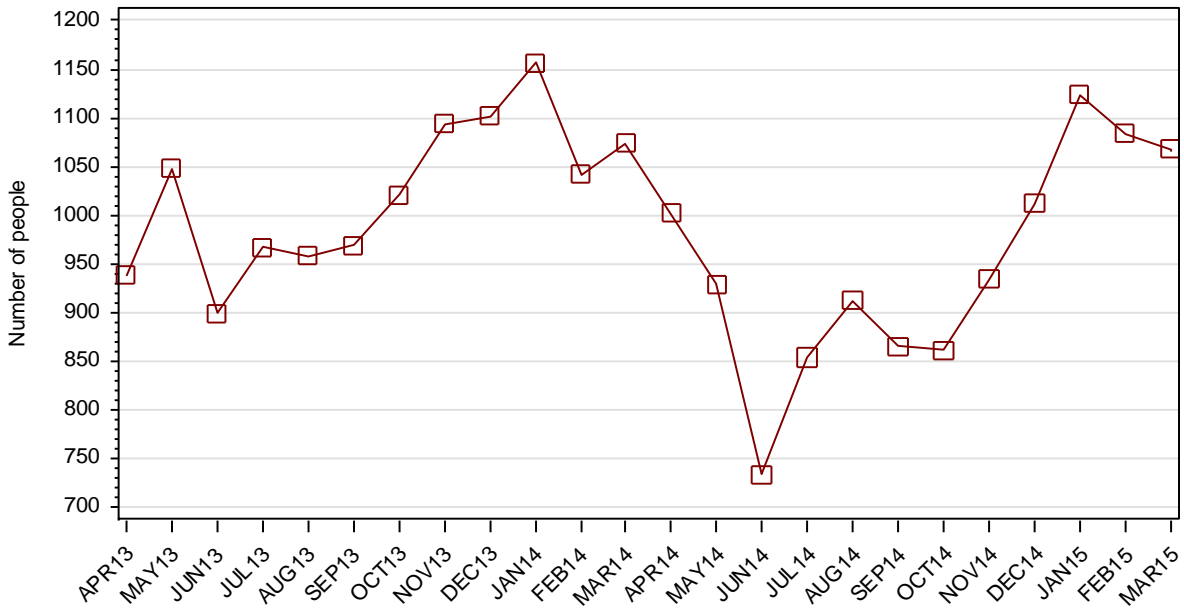


## SECTION 2.2 ADULT CUSTODY RECEPTIONS

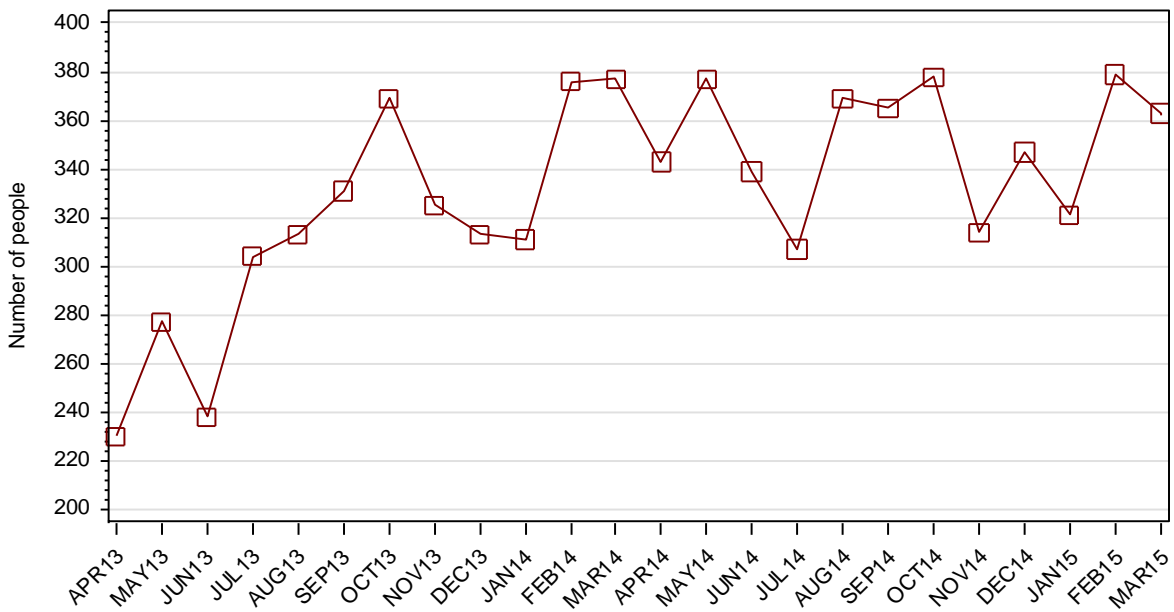
### 2.2.1 ADULTS RECEIVED INTO CUSTODY DURING MONTH



### 2.2.2 ADULT REMAND RECEPTIONS

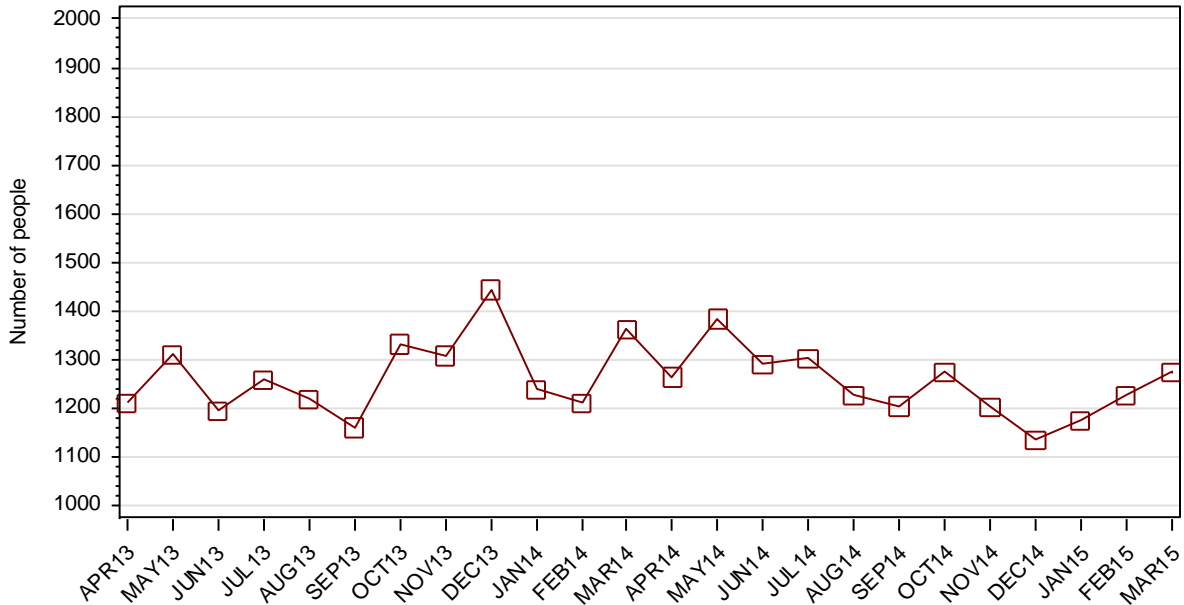


### 2.2.3 ADULT SENTENCED RECEPTIONS



## SECTION 2.3 ADULT CUSTODY DISCHARGES

### 2.3.1 ADULTS DISCHARGED FROM CUSTODY DURING MONTH

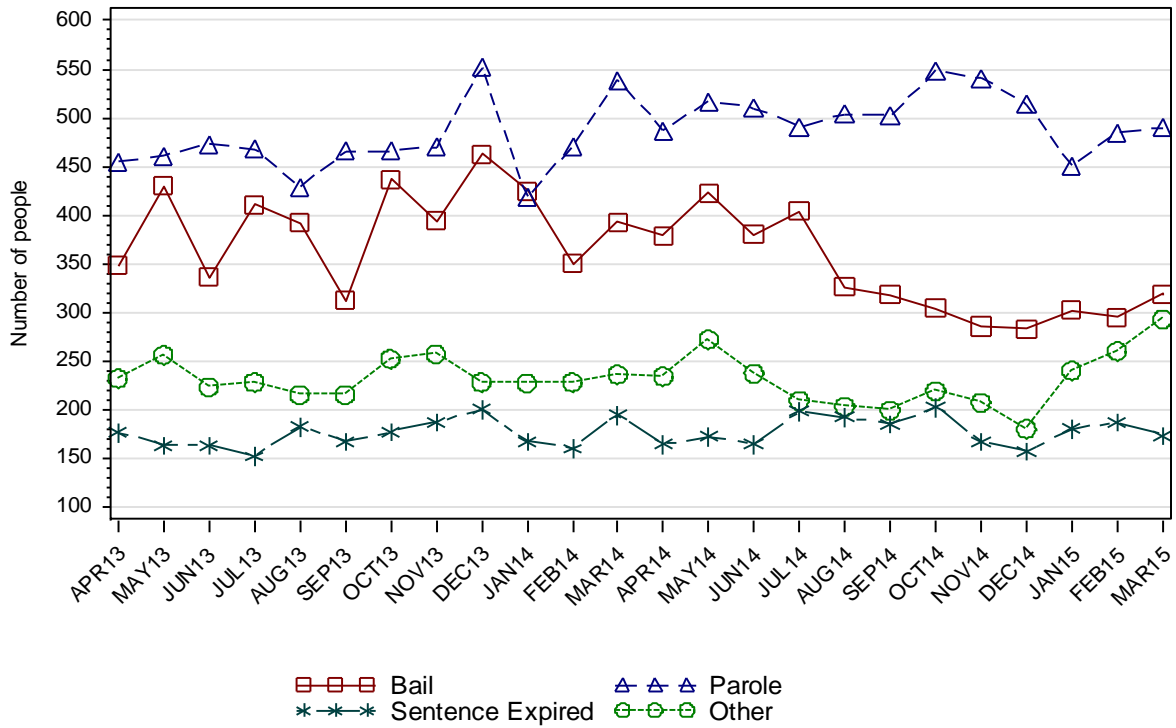


### 2.3.2 AVERAGE LENGTH OF STAY FOR ADULTS DISCHARGED FROM CUSTODY EACH QUARTER

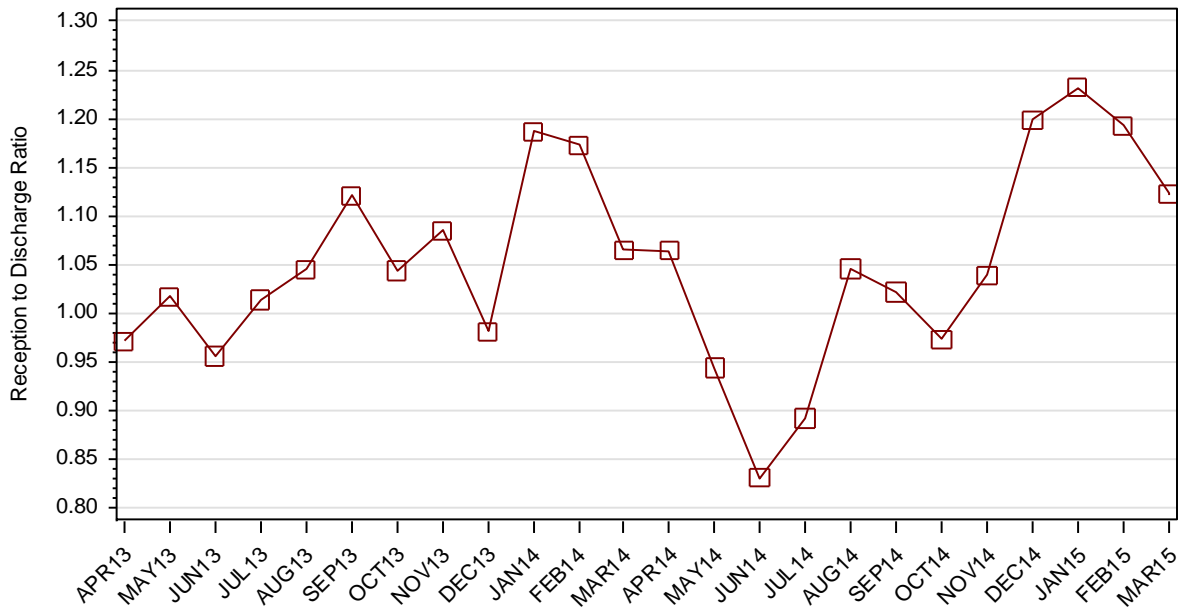
		Remand Custody Only		Sentenced Custody Only		Remand to Sentenced Custody	
		DEC14	MAR15	DEC14	MAR15	DEC14	MAR15
Total Male	Avg Days	52.0	42.5	219.8	219.9	506.2	484.5
	Number	1023	1145	957	880	1182	1169
Total Female	Avg Days	34.2	29.4	141.1	132.5	300.1	272.5
	Number	192	232	124	106	131	142
Indigenous Male	Avg Days	50.1	45.2	188.8	227.0	430.5	394.8
	Number	232	306	250	238	331	325
Indigenous Female	Avg Days	36.0	31.1	140.3	152.3	230.2	194.1
	Number	68	70	52	35	58	58
Total	Avg Days	49.2	40.3	210.8	210.5	485.6	461.6
	Number	1215	1377	1081	986	1313	1311

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	
APR13	311	147	4	160	159	152	0	73	2	84	33
MAY13	313	159	8	146	158	153	2	79	3	76	39
JUN13	322	173	6	143	163	155	4	88	3	72	32
JUL13	310	150	9	151	149	158	3	81	4	64	41
AUG13	308	143	9	156	146	159	3	76	3	67	47
SEP13	312	141	3	168	168	142	2	80	0	88	46
OCT13	309	145	8	156	153	155	1	69	2	82	30
NOV13	313	159	4	150	154	154	5	69	1	84	39
DEC13	315	156	9	150	142	170	3	64	3	75	26
JAN14	308	166	5	137	142	164	2	73	4	65	31
FEB14	338	179	5	154	154	180	4	83	2	69	46
MAR14	331	154	6	171	153	176	2	66	6	81	47
APR14	322	155	3	164	153	167	2	78	1	74	33
MAY14	296	144	4	148	135	158	3	71	1	63	37
JUN14	282	124	0	158	139	141	2	64	0	75	33
JUL14	263	114	1	148	132	130	1	58	0	74	27
AUG14	262	109	6	147	132	126	4	56	3	73	22
SEP14	252	93	3	156	123	125	4	44	1	78	23
OCT14	266	125	1	140	143	119	4	73	1	69	19
NOV14	271	130	2	139	144	125	2	76	1	67	30
DEC14	289	143	7	139	149	139	1	77	6	66	30
JAN15	299	150	5	144	151	146	2	83	1	67	23
FEB15	294	152	4	138	153	138	3	86	1	66	35
MAR15	310	160	2	148	165	143	2	93	1	71	36

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	
APR13	315	82	217	16	129	181	5	313	243	29	7	31	3	138	168	7	1.01
MAY13	376	109	257	10	141	228	7	375	282	37	9	43	4	143	227	5	1.00
JUN13	357	98	244	15	151	198	8	349	270	32	6	33	8	146	197	6	1.02
JUL13	335	96	217	22	142	188	5	345	256	33	12	37	7	155	184	6	0.97
AUG13	280	83	184	13	131	146	3	285	190	42	8	44	1	135	147	3	0.98
SEP13	310	80	214	16	137	170	3	299	214	37	7	35	6	110	185	4	1.04
OCT13	303	84	207	12	111	188	4	312	213	42	7	42	8	130	177	5	0.97
NOV13	323	92	211	20	137	174	12	318	225	31	6	51	5	136	174	8	1.02
DEC13	325	74	231	20	140	178	7	323	239	39	7	34	4	152	163	8	1.01
JAN14	351	96	244	11	157	185	9	358	269	33	8	47	1	157	190	11	0.98
FEB14	363	95	251	17	179	176	8	334	265	26	8	32	3	167	161	6	1.09
MAR14	362	86	252	24	152	199	11	369	281	34	10	40	4	153	203	13	0.98
APR14	318	102	201	15	152	162	4	327	237	33	8	40	9	152	171	4	0.97
MAY14	255	66	181	8	118	131	6	279	196	25	2	51	5	135	139	5	0.91
JUN14	185	54	113	18	96	84	5	200	148	15	4	30	3	93	101	6	0.93
JUL14	187	55	121	11	98	85	4	202	139	15	7	36	5	104	94	4	0.93
AUG14	206	57	131	18	114	86	6	211	141	28	5	35	2	116	91	4	0.98
SEP14	190	64	106	20	96	89	5	199	137	23	6	32	1	105	89	5	0.95
OCT14	240	81	142	17	130	105	5	229	165	12	6	40	6	110	114	5	1.05
NOV14	213	67	138	8	112	98	3	206	143	23	5	29	6	111	90	5	1.03
DEC14	226	76	138	12	107	114	5	206	146	20	6	33	1	101	99	6	1.10
JAN15	278	88	175	15	128	143	7	267	207	23	7	25	5	124	137	6	1.04
FEB15	258	69	174	15	124	126	8	266	185	23	12	44	2	123	136	7	0.97
MAR15	319	88	220	11	136	167	16	305	223	39	8	32	3	126	162	17	1.05

Adult	1.In Custody										Remand to Sent
	Total	Legal Status			Indigenous			Indigenous Legal Status			
		Remand	Sent	Unk	Yes	No	Unk	Remand	Sent	Unk	
<b>APR13</b>	9886	2700	7183	3	2394	7443	49	681	1711	2	477
<b>MAY13</b>	9908	2673	7235	0	2363	7490	55	633	1730	0	469
<b>JUN13</b>	9855	2665	7190	0	2323	7472	60	606	1717	0	415
<b>JUL13</b>	9872	2670	7202	0	2365	7453	54	622	1743	0	402
<b>AUG13</b>	9926	2622	7304	0	2368	7508	50	593	1775	0	467
<b>SEP13</b>	10066	2720	7346	0	2414	7596	56	640	1774	0	442
<b>OCT13</b>	10124	2670	7454	0	2404	7673	47	583	1821	0	476
<b>NOV13</b>	10235	2713	7522	0	2445	7738	52	597	1848	0	489
<b>DEC13</b>	10207	2830	7377	0	2486	7676	45	658	1828	0	383
<b>JAN14</b>	10438	3029	7409	0	2567	7816	55	736	1831	0	399
<b>FEB14</b>	10647	3104	7543	0	2633	7959	55	733	1900	0	463
<b>MAR14</b>	10736	3116	7620	0	2633	8061	42	714	1919	0	538
<b>APR14</b>	10817	3170	7647	0	2638	8132	47	716	1922	0	435
<b>MAY14</b>	10739	3019	7720	0	2580	8116	43	654	1926	0	495
<b>JUN14</b>	10520	2767	7753	0	2501	7987	32	610	1891	0	472
<b>JUL14</b>	10379	2688	7691	0	2465	7878	36	599	1866	0	420
<b>AUG14</b>	10435	2786	7649	0	2475	7928	32	636	1839	0	400
<b>SEP14</b>	10461	2819	7642	0	2467	7949	45	636	1831	0	413
<b>OCT14</b>	10426	2818	7608	0	2445	7943	38	617	1828	0	450
<b>NOV14</b>	10473	2937	7536	0	2454	7976	43	657	1797	0	398
<b>DEC14</b>	10698	3157	7541	0	2564	8092	42	738	1826	0	422
<b>JAN15</b>	10970	3438	7532	0	2662	8256	52	829	1833	0	406
<b>FEB15</b>	11207	3535	7672	0	2738	8391	78	844	1894	0	520
<b>MAR15</b>	11363	3476	7887	0	2763	8493	107	820	1943	0	577

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
APR13	1176	938	230	8	356	786	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	364	866	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	1094	325	0	412	945	62	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	982	61	1237	425	227	418	167	344	842	51	1.19
FEB14	1418	1042	376	0	422	948	48	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	368	943	34	1264	379	234	487	164	363	872	29	1.06
MAY14	1306	929	377	0	326	942	38	1384	423	272	517	172	384	958	42	0.94
JUN14	1072	733	339	0	284	763	25	1291	380	237	510	164	363	892	36	0.83
JUL14	1161	854	307	0	331	803	27	1302	404	209	491	198	367	912	23	0.89
AUG14	1281	912	369	0	378	870	33	1225	326	203	504	192	368	820	37	1.05
SEP14	1230	865	365	0	340	857	33	1204	318	199	502	185	348	836	20	1.02
OCT14	1239	861	378	0	338	869	32	1274	304	219	549	202	360	875	39	0.97
NOV14	1248	934	314	0	354	860	34	1201	286	207	541	167	345	827	29	1.04
DEC14	1359	1012	347	0	396	938	25	1134	283	180	514	157	286	822	26	1.20
JAN15	1445	1124	321	0	430	972	43	1173	302	240	451	180	332	808	33	1.23
FEB15	1463	1084	379	0	411	997	55	1226	295	260	484	187	335	862	29	1.19
MAR15	1431	1068	363	0	390	974	67	1275	319	293	490	173	365	872	38	1.12

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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 Kariong Juvenile Correctional Centre which is managed by CSNSW. As Kariong 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.