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# **NEW SOUTH WALES CUSTODY STATISTICS**

QUARTERLY UPDATE  
MARCH 2023

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## **CONTENTS**

This report presents 24 months of reception, discharge and custody population data and comparisons between the current and previous quarter for age, gender, Aboriginality, 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. An exception to this is the adult prison population forecast which does include these non-gazetted correctional centres.

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.

Due to delays in identification of Aboriginal status the number of Aboriginal persons in adult custody is potentially undercounted by 2% on average in more recent months.

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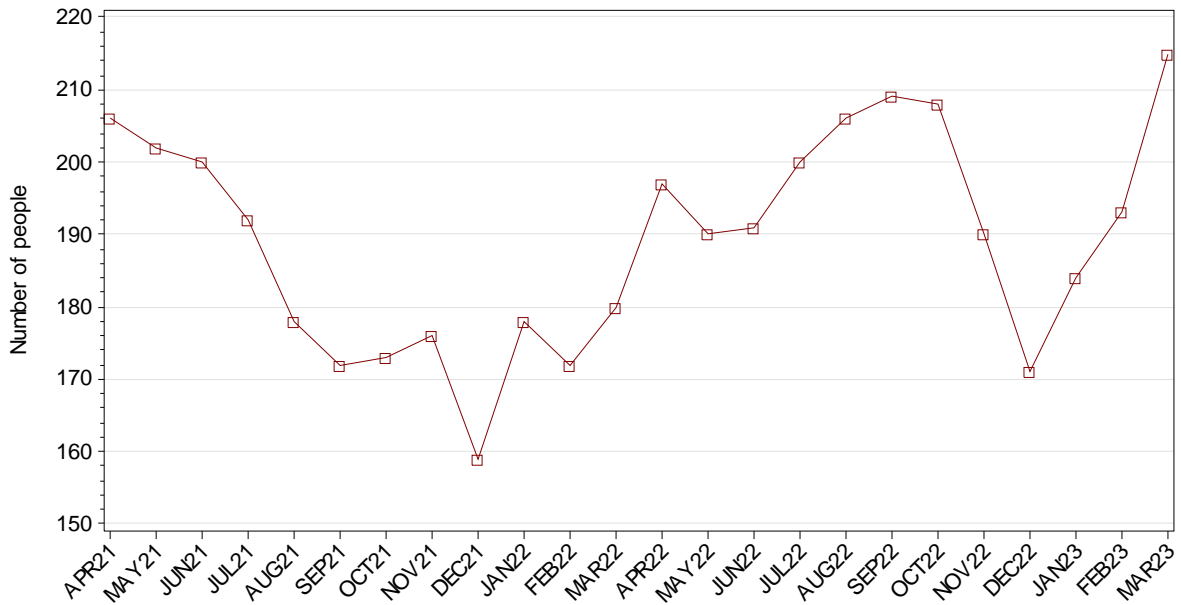
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# **Part 1 JUVENILES**

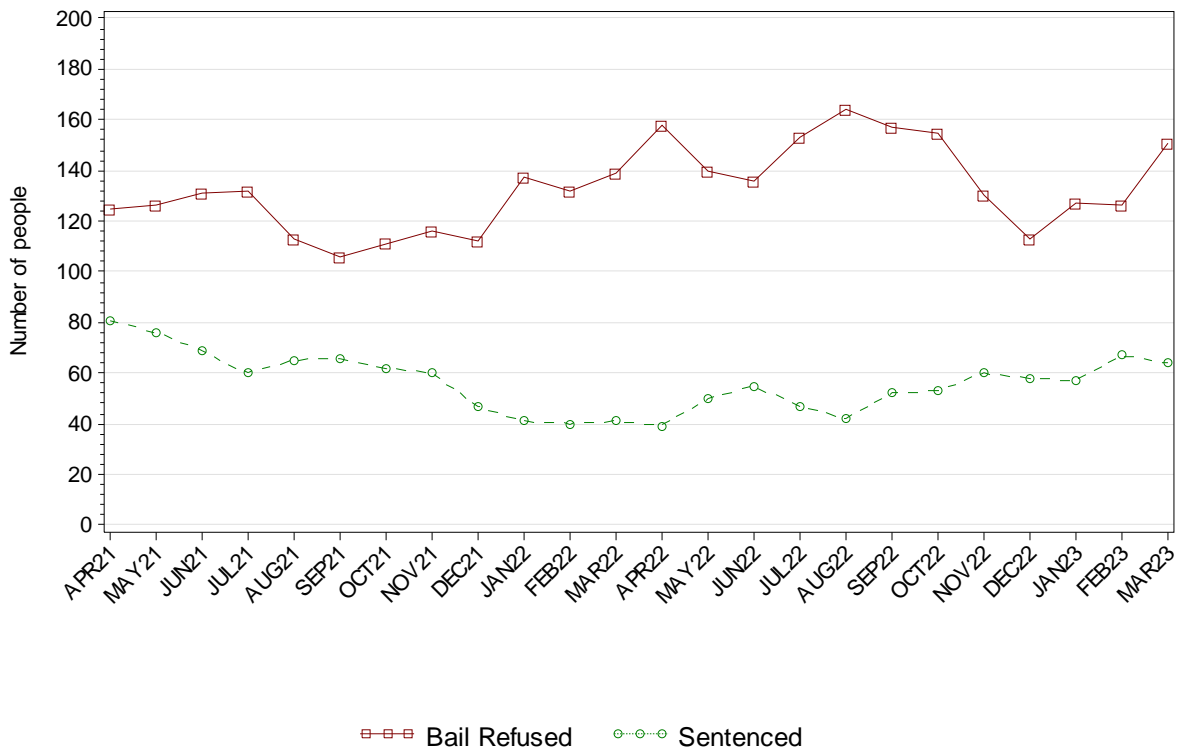
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## SECTION 1.1 JUVENILE CUSTODY POPULATION

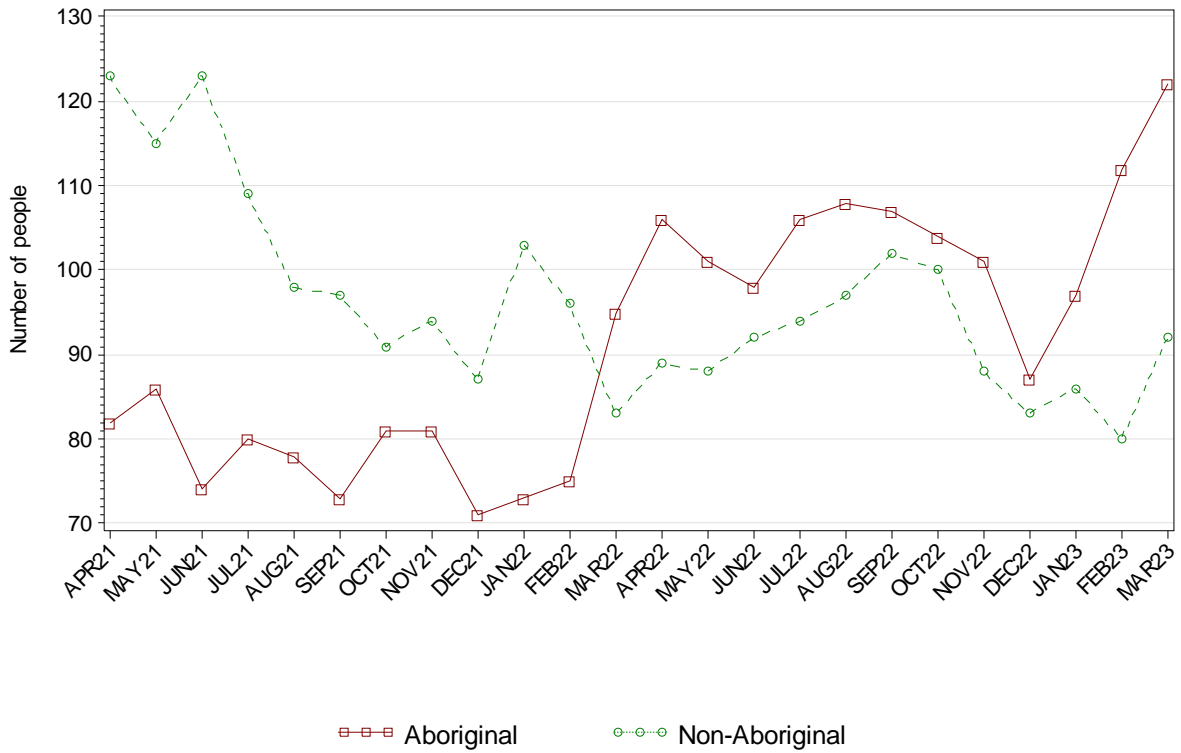
### 1.1.1 JUVENILE CUSTODY POPULATION AT END OF MONTH



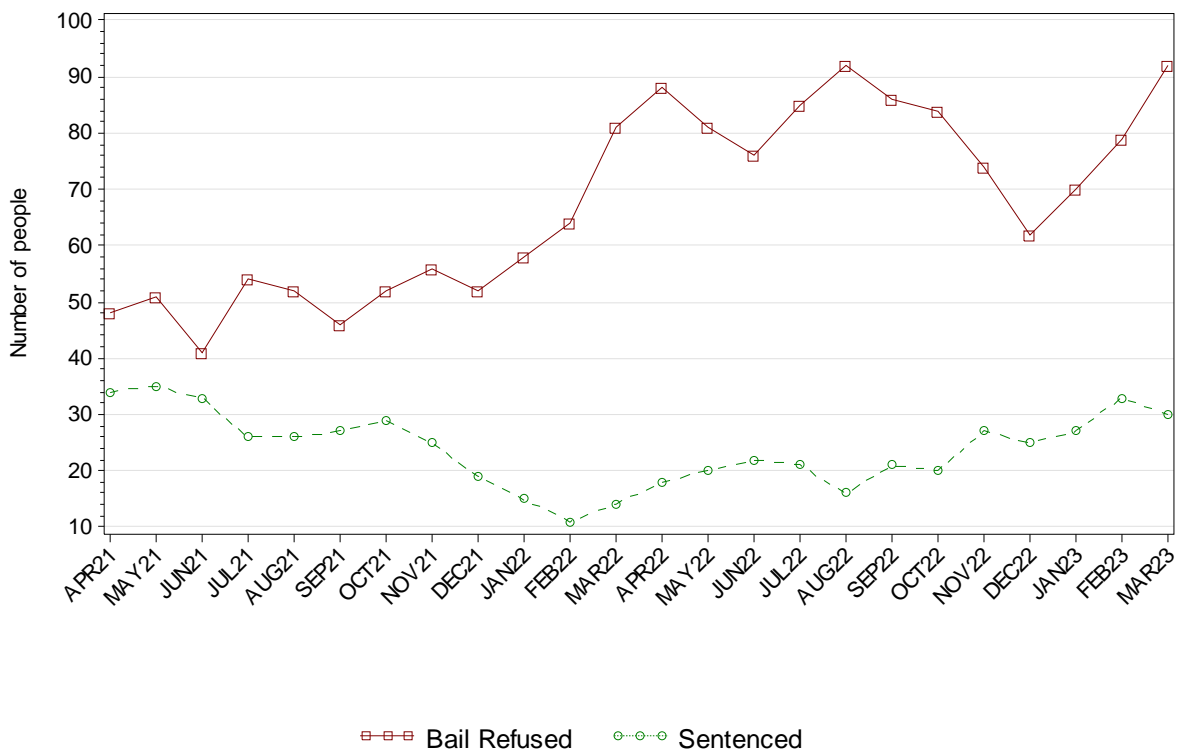
### 1.1.2 JUVENILE CUSTODY POPULATION BY LEGAL STATUS



### 1.1.3 JUVENILE CUSTODY POPULATION BY ABORIGINALITY



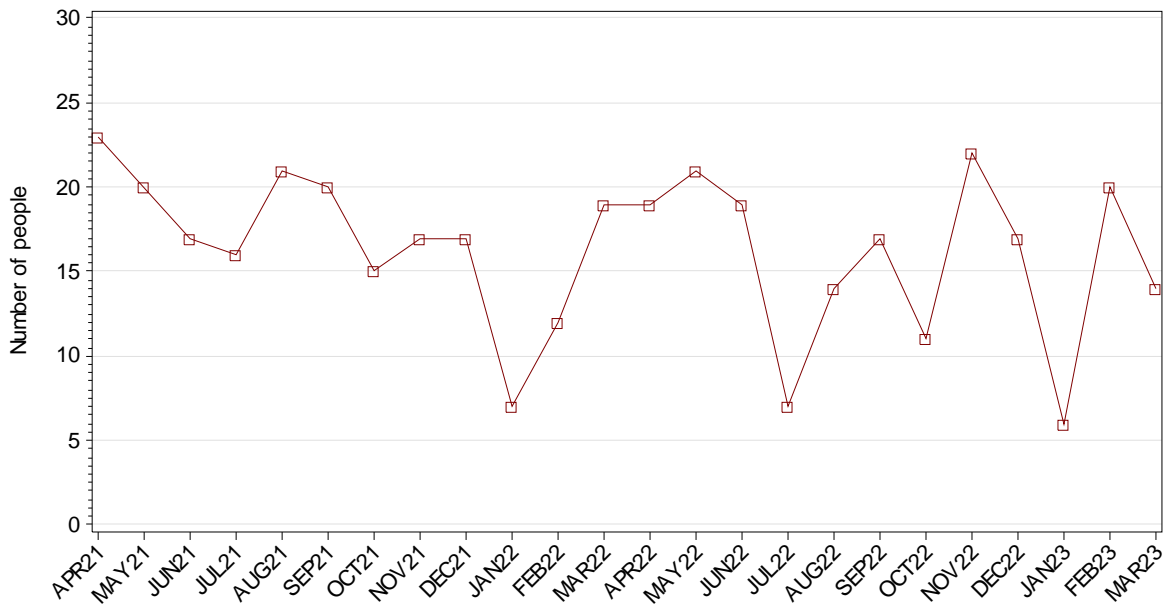
### 1.1.4 ABORIGINAL JUVENILE CUSTODY POPULATION BY LEGAL STATUS



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

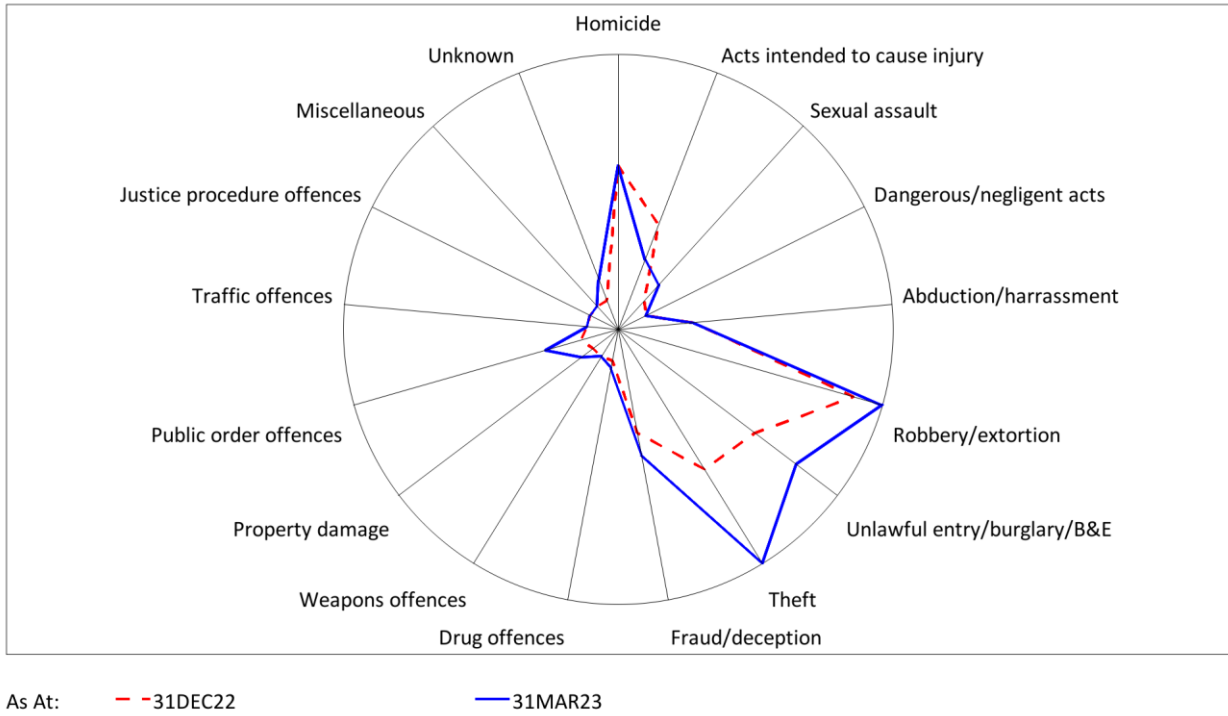
		Police Bail Refused		Court Bail Refused		Sentenced		Total	
		DEC22	MAR23	DEC22	MAR23	DEC22	MAR23	DEC22	MAR23
Total Male	Count	2	6	105	134	55	62	162	202
	Avg Age	13.5	14.7	16.1	16.1	17.2	17.1	16.4	16.4
Total Female	Count	0	1	6	10	3	2	9	13
	Avg Age	.	17.0	16.0	15.4	16.3	16.0	16.1	15.6
Aboriginal Male	Count	1	4	58	79	25	30	84	113
	Avg Age	12.0	14.5	15.8	15.8	16.0	16.2	15.8	15.9
Aboriginal Female	Count	0	1	3	8	0	0	3	9
	Avg Age	.	17.0	16.7	15.3	.	.	16.7	15.4
Total	Count	2	7	111	144	58	64	171	215
	Avg Age	13.5	15.0	16.1	16.1	17.1	17.1	16.4	16.3

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



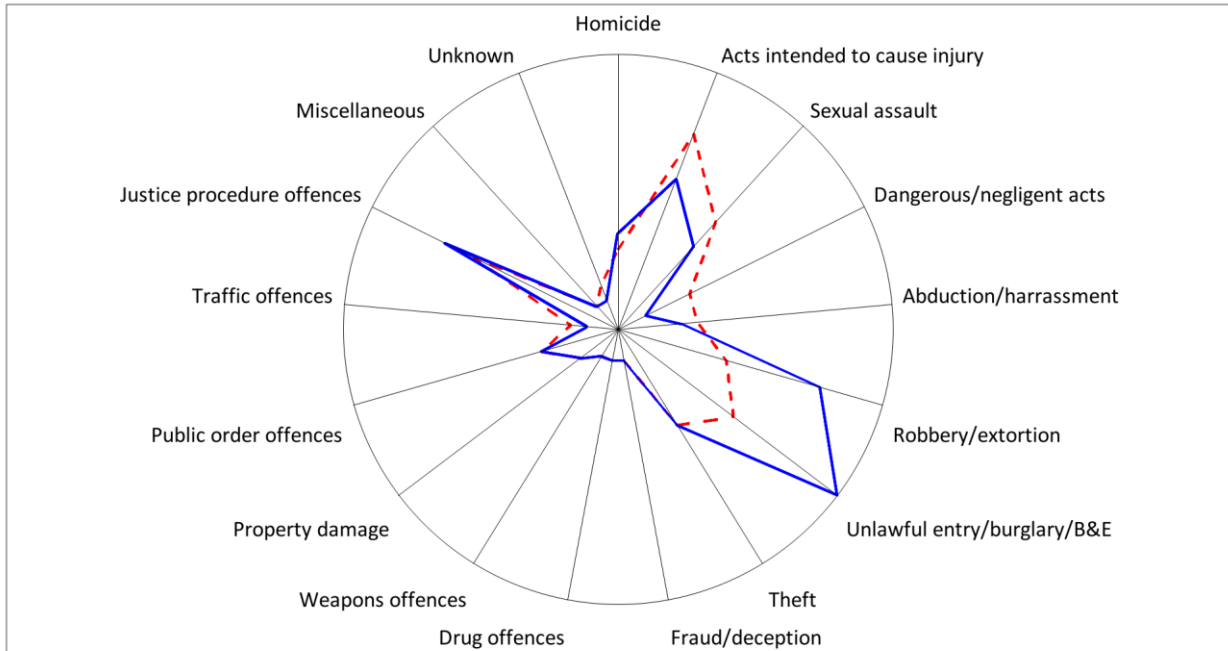


1.1.7 JUVENILE REMAND POPULATION BY MOST SERIOUS OFFENCE



	31DEC22		31MAR23	
	Number	% of Total	Number	% of Total
Homicide	18	15.9	18	11.9
Acts intended to cause injury	11	9.7	6	4.0
Sexual assault	1	0.9	4	2.6
Dangerous/negligent acts	0	0	0	0
Abduction/harrassment	6	5.3	6	4.0
Robbery/extortion	29	25.7	33	21.9
Unlawful entry/burglary/B&E	19	16.8	26	17.2
Theft	18	15.9	33	21.9
Fraud/deception	10	8.8	13	8.6
Drug offences	0	0	1	0.7
Weapons offences	0	0	0	0
Property damage	0	0	2	1.3
Public order offences	1	0.9	6	4.0
Traffic offences	0	0	0	0
Justice procedure offences	0	0	0	0
Miscellaneous	0	0	0	0
Unknown	0	0	3	2.0
<b>Total</b>	<b>113</b>	<b>100.0</b>	<b>151</b>	<b>100.0</b>

### 1.1.8 JUVENILE SENTENCED POPULATION BY MOST SERIOUS OFFENCE



As At: - -31DEC22                          —31MAR23

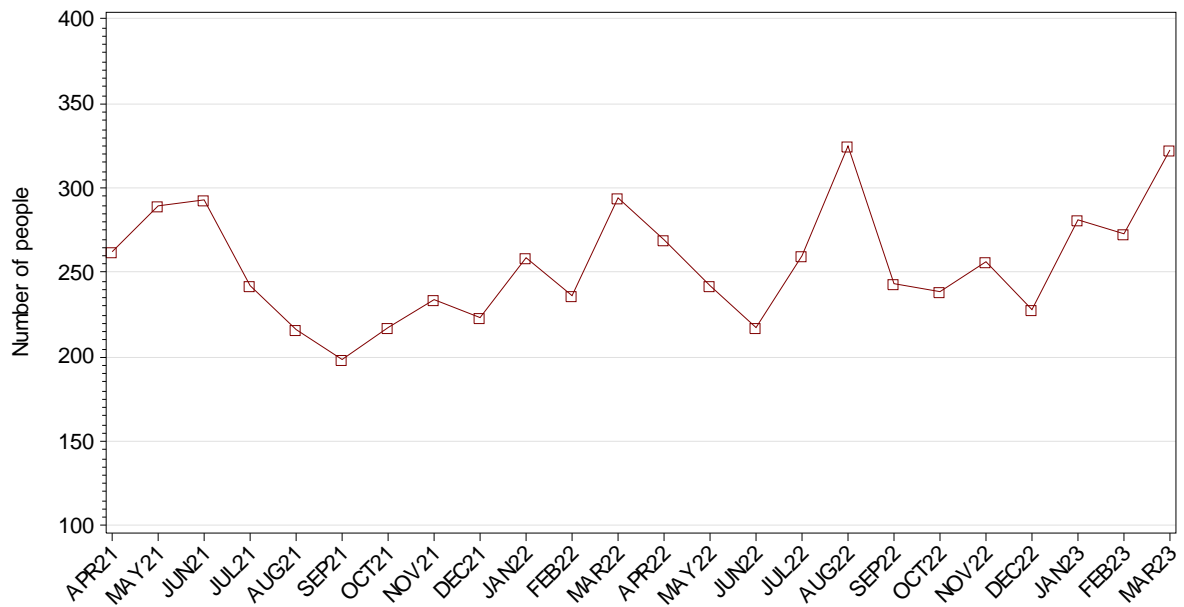
	31DEC22		31MAR23	
	Number	% of Total	Number	% of Total
Homicide	3	5.2	4	6.3
Acts intended to cause injury	11	19.0	8	12.5
Sexual assault	7	12.1	5	7.8
Dangerous/negligent acts	3	5.2	0	0
Abduction/harrassment	3	5.2	2	3.1
Robbery/extortion	5	8.6	11	17.2
Unlawful entry/burglary/B&E	7	12.1	15	23.4
Theft	5	8.6	5	7.8
Fraud/deception	0	0	0	0
Drug offences	0	0	0	0
Weapons offences	0	0	0	0
Property damage	1	1.7	1	1.6
Public order offences	3	5.2	3	4.7
Traffic offences	1	1.7	0	0
Justice procedure offences	8	13.8	10	15.6
Miscellaneous	0	0	0	0
Unknown	1	1.7	0	0
<b>Total</b>	<b>58</b>	<b>100.0</b>	<b>64</b>	<b>100.0</b>

### **1.1.9 JUVENILE CUSTODY FORECAST**

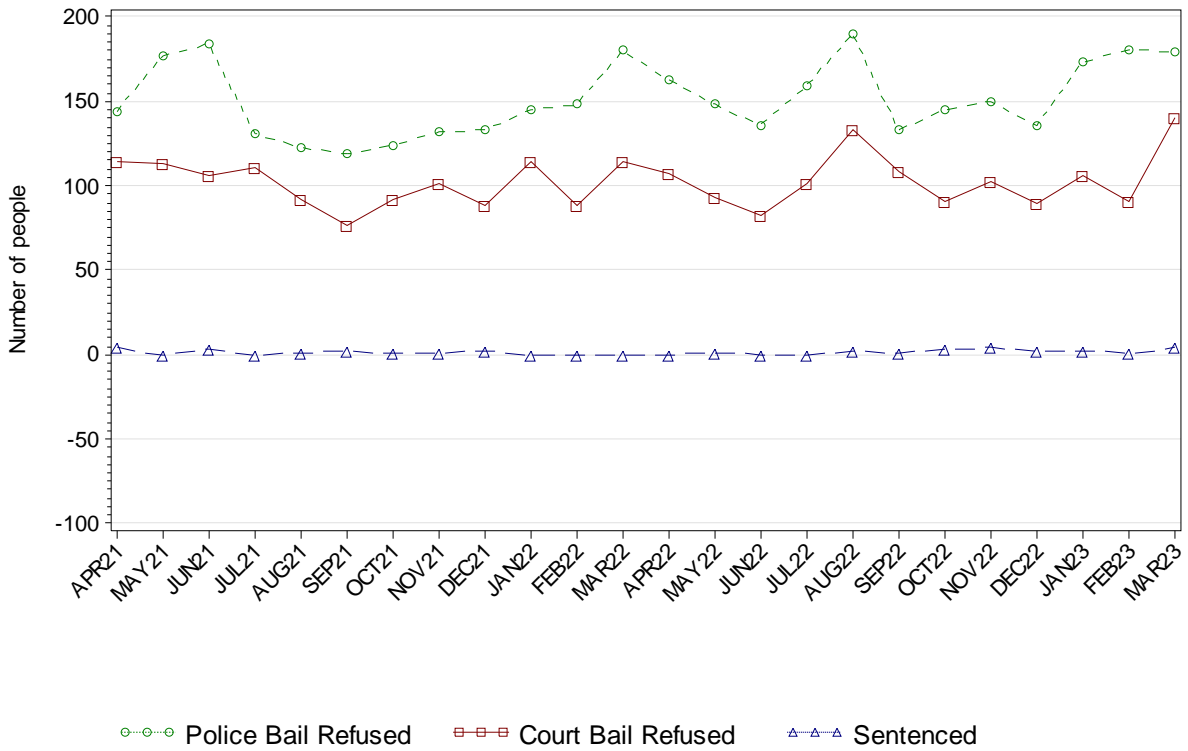
Due to the COVID-19 pandemic and the unprecedented impact it is having on the criminal justice system, custody population forecasts are unavailable at this time. For further details please contact our information officers at [bcsl@justice.nsw.gov.au](mailto:bcsl@justice.nsw.gov.au).

## SECTION 1.2 JUVENILE CUSTODY RECEPTIONS

### 1.2.1 JUVENILES RECEIVED INTO CUSTODY DURING MONTH

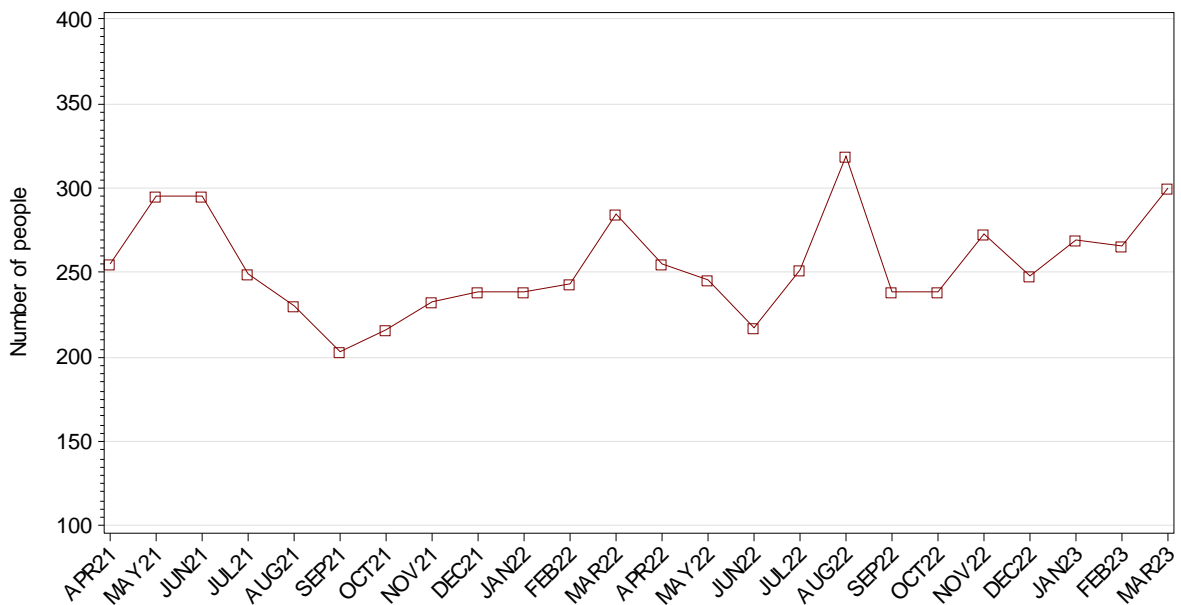


### 1.2.2 JUVENILES RECEIVED INTO CUSTODY BY LEGAL STATUS



## SECTION 1.3 JUVENILE CUSTODY DISCHARGES

### 1.3.1 JUVENILES DISCHARGED FROM CUSTODY DURING MONTH

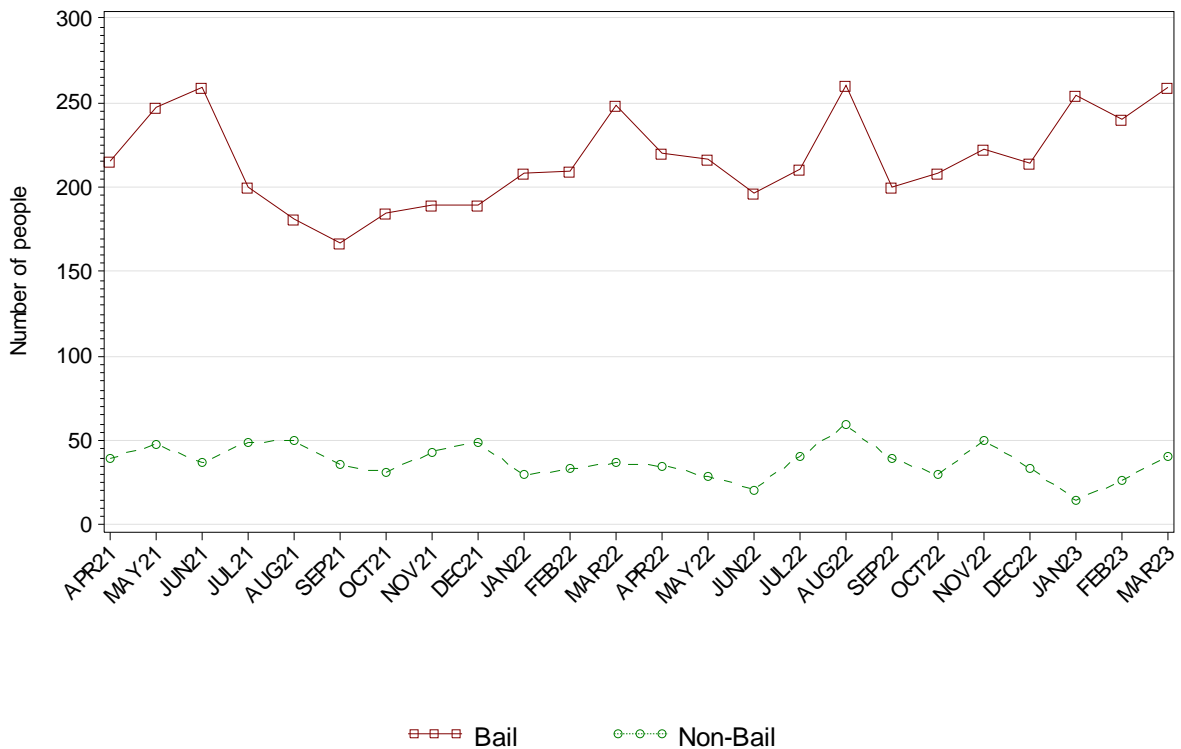


**1.3.2 AVERAGE LENGTH OF STAY FOR JUVENILES DISCHARGED FROM CUSTODY EACH QUARTER**

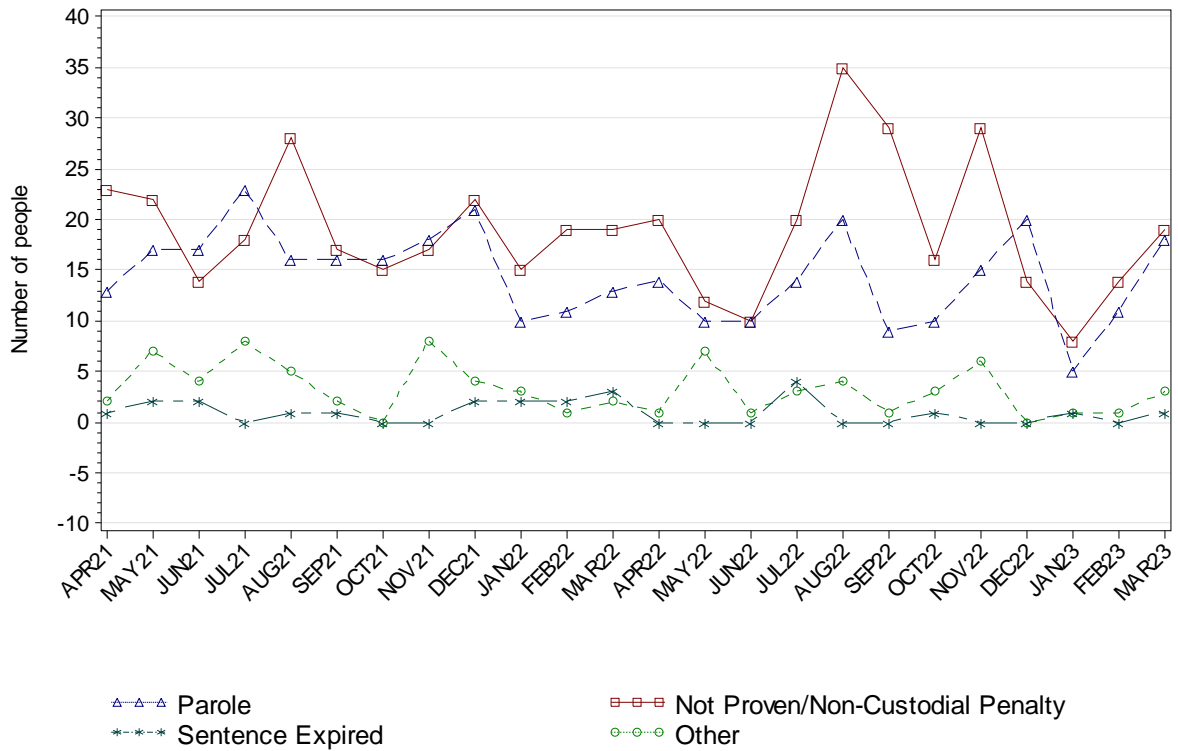
		Remand Custody Only		Sentenced Custody Only		Remand to Sentenced Custody	
		DEC22	MAR23	DEC22	MAR23	DEC22	MAR23
Total Male	Avg Days	11.5	8.6	17.3	125.8	209.1	210.8
	Number	570	609	4	5	49	37
Total Female	Avg Days	4.2	3.7	.	.	80.0	135.7
	Number	133	179	.	.	1	3
Aboriginal Male	Avg Days	11.2	10.9	1.0	.	156.6	191.9
	Number	325	355	1	.	32	20
Aboriginal Female	Avg Days	4.1	3.6	.	.	.	136.0
	Number	80	91	.	.	.	1
Total	Avg Days	10.1	7.5	17.3	125.8	206.5	205.1
	Number	706	790	4	5	50	40

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

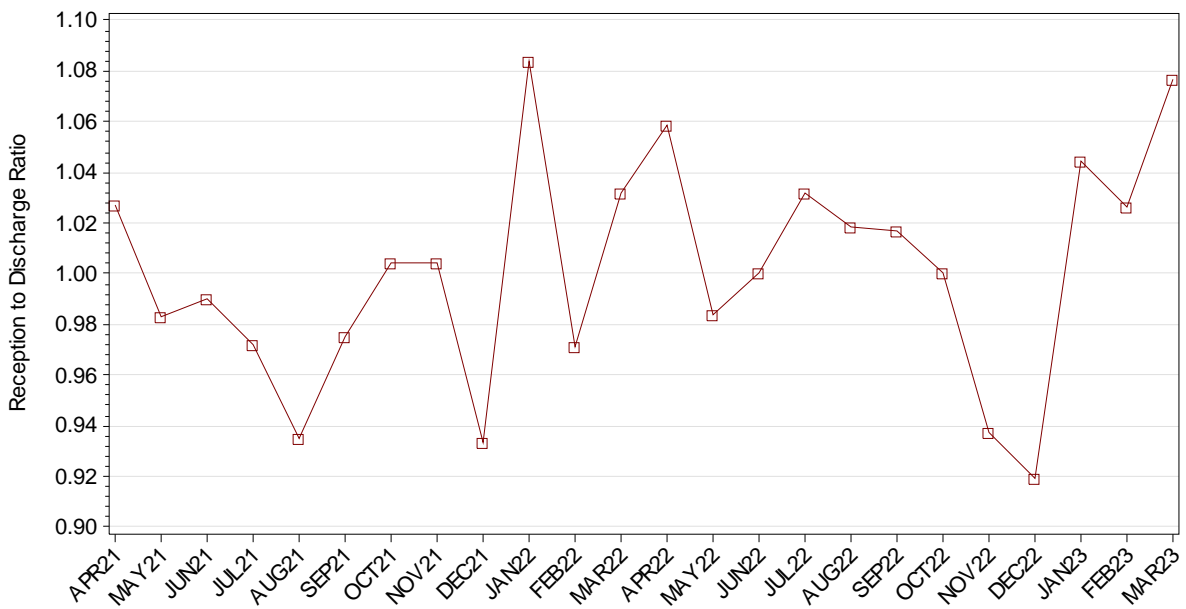
**1.3.3 JUVENILES BY DISCHARGE TYPE**



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



### 1.3.5 RATIO OF JUVENILE RECEPTIONS TO DISCHARGES





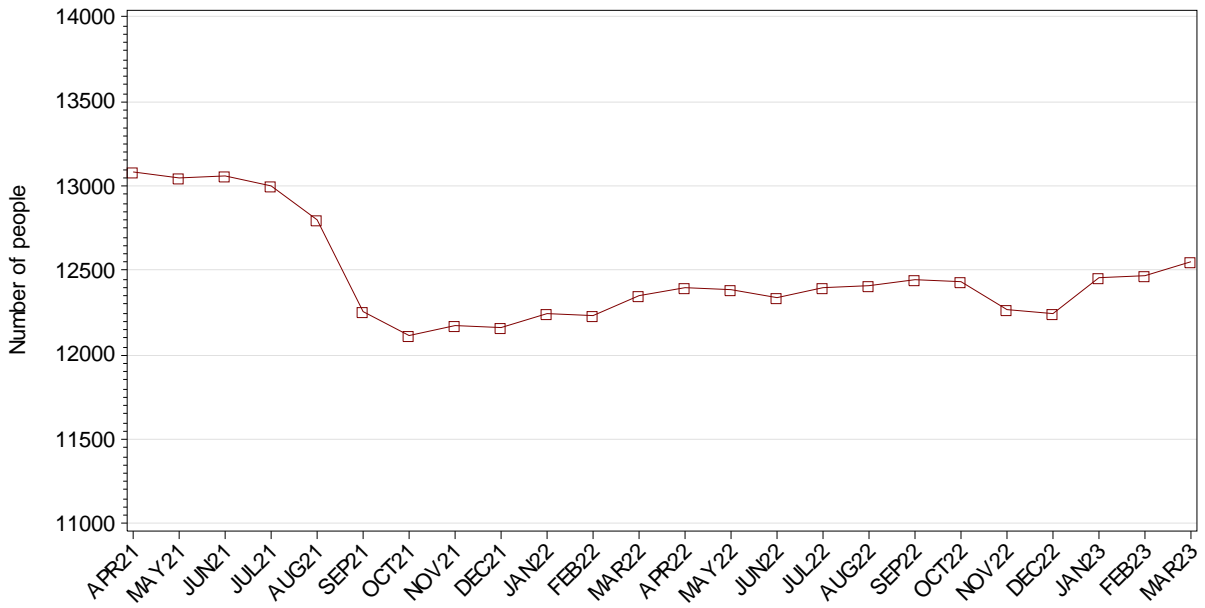
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## **Part 2 ADULTS**

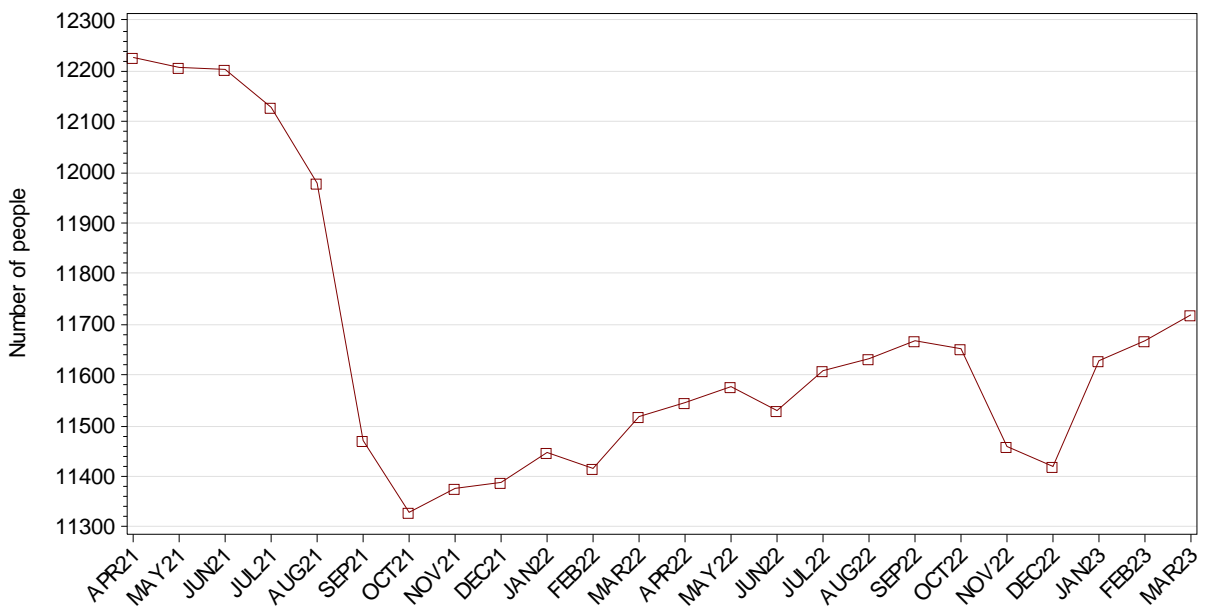
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## SECTION 2.1 ADULT CUSTODY POPULATION

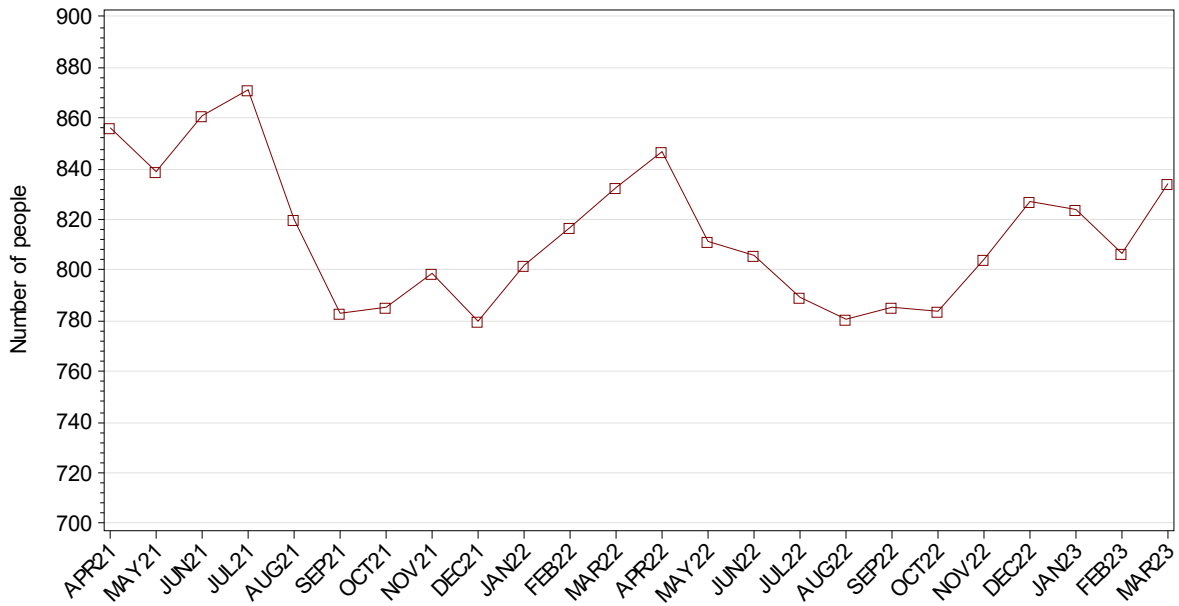
### 2.1.1 ADULT CUSTODY POPULATION AT END OF MONTH



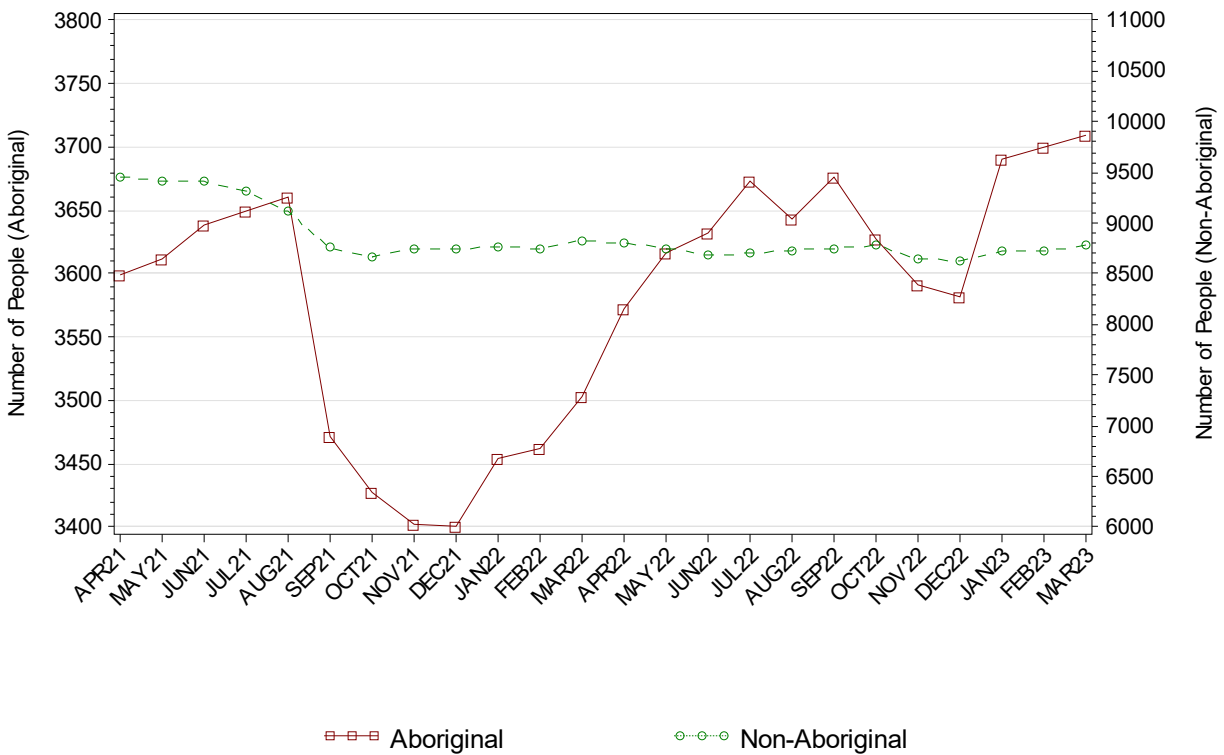
### 2.1.2 ADULT MALE CUSTODY POPULATION AT END OF MONTH



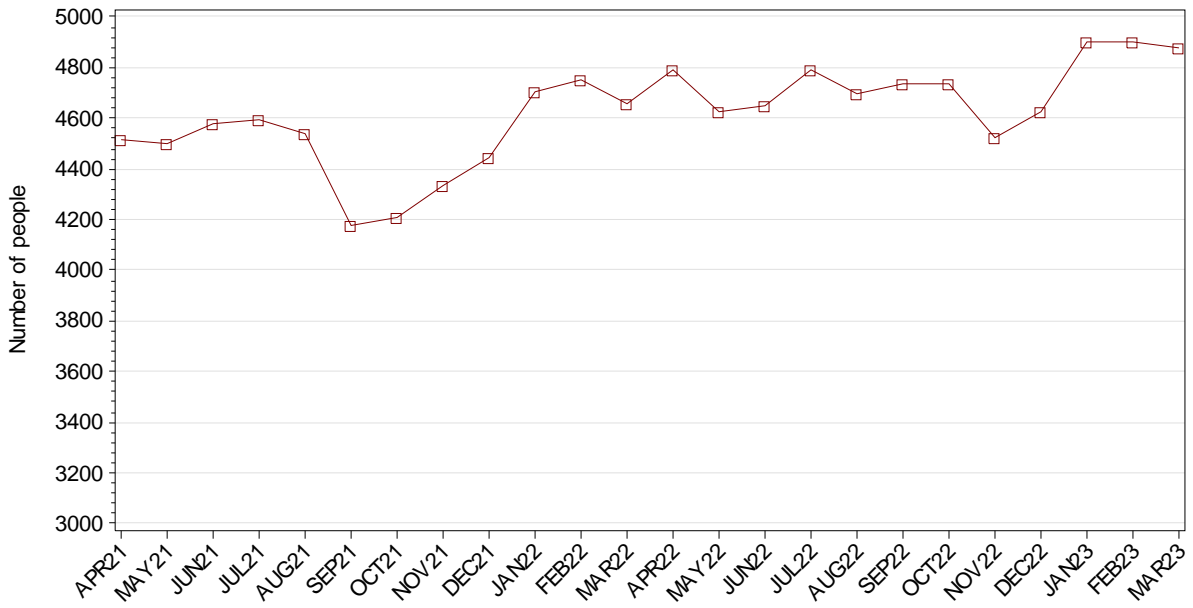
**2.1.3 ADULT FEMALE CUSTODY POPULATION AT END OF MONTH**



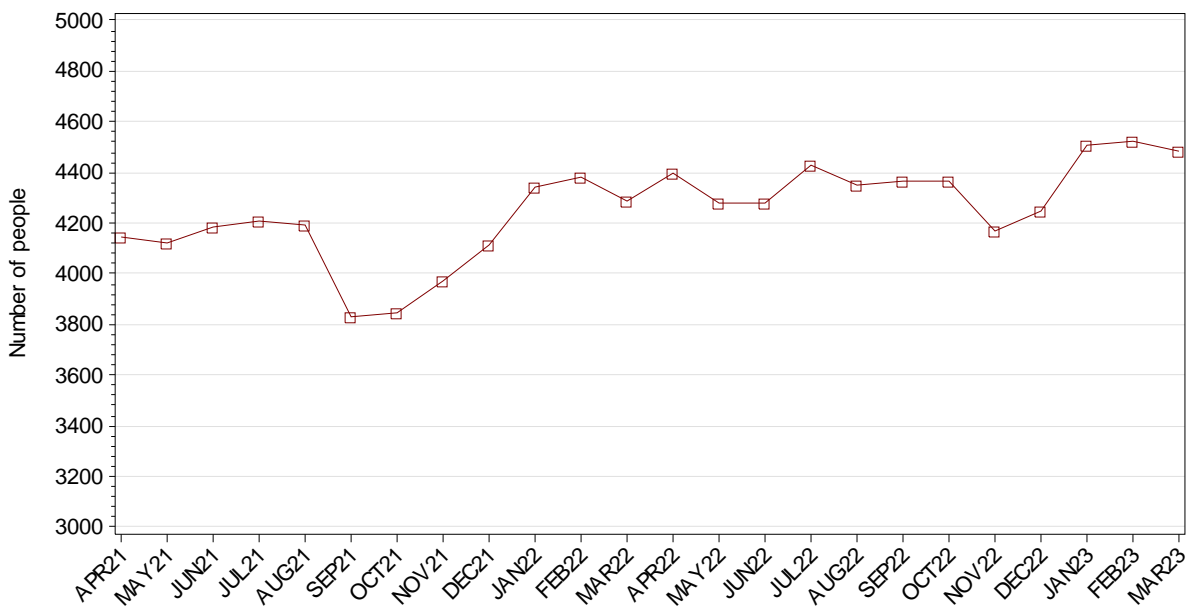
**2.1.4 ADULT CUSTODY POPULATION BY ABORIGINALITY**



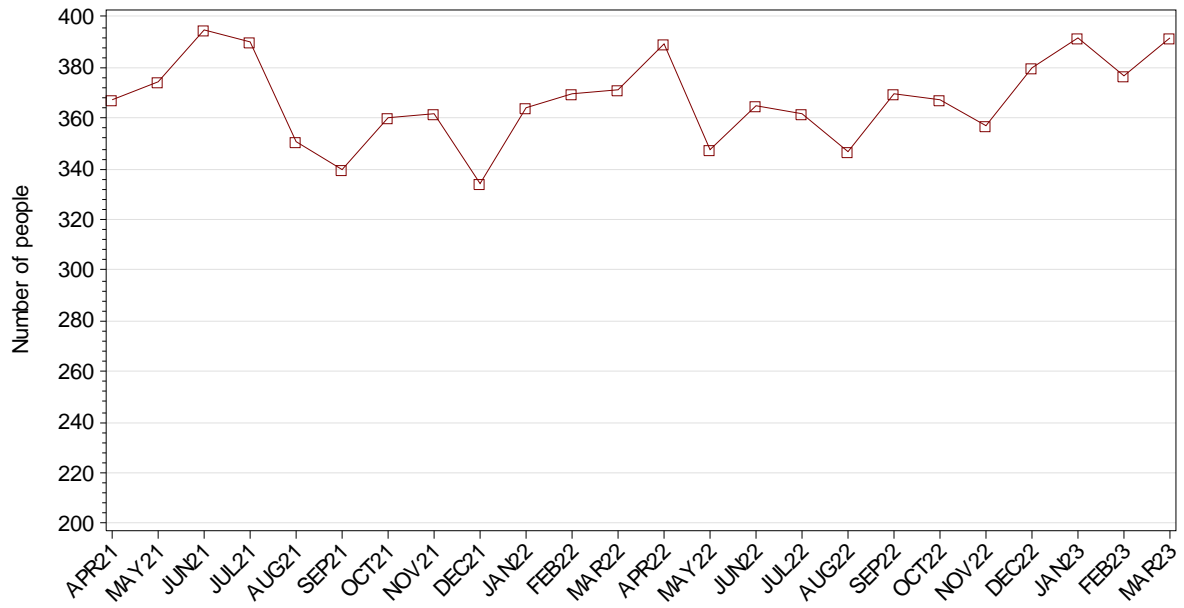
### 2.1.5 ADULT REMAND POPULATION



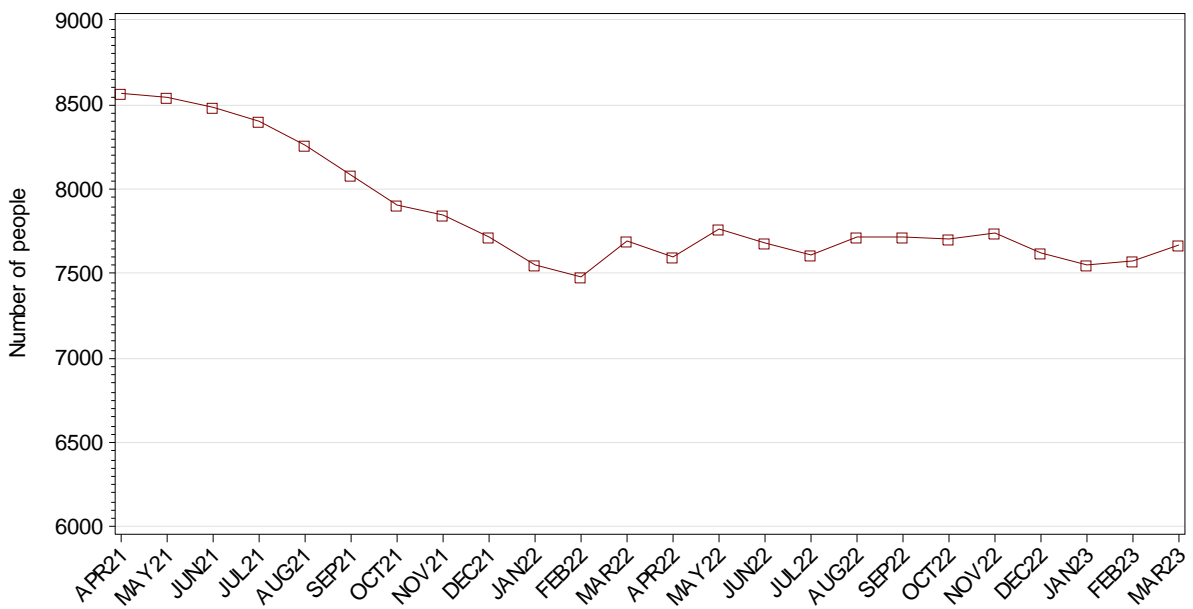
### 2.1.6 ADULT MALE REMAND POPULATION



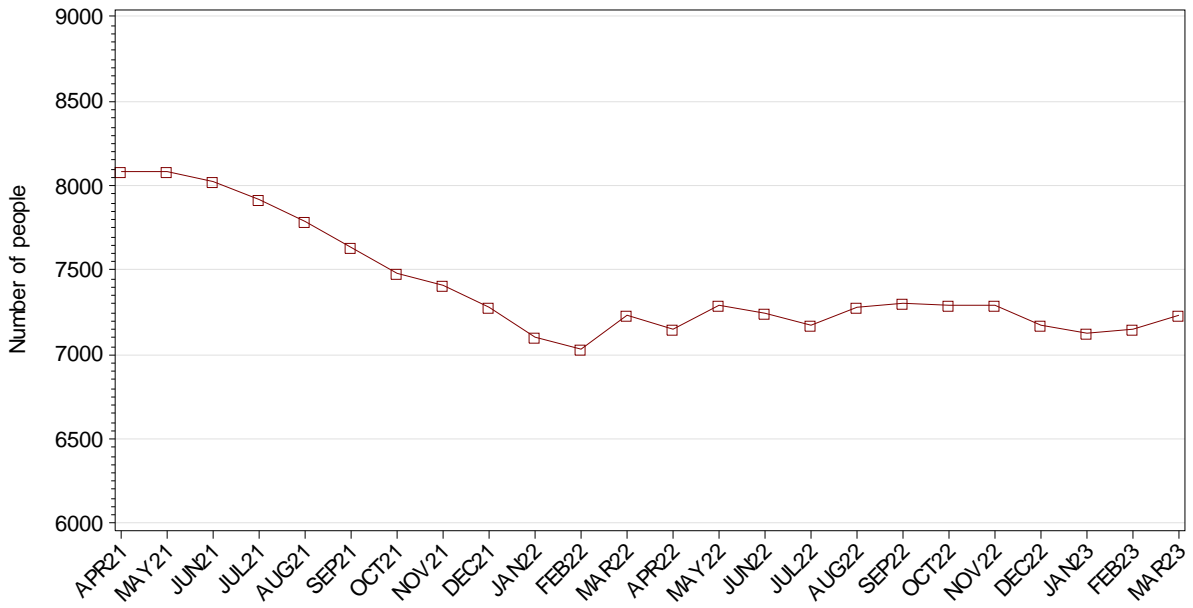
**2.1.7 ADULT FEMALE REMAND POPULATION**



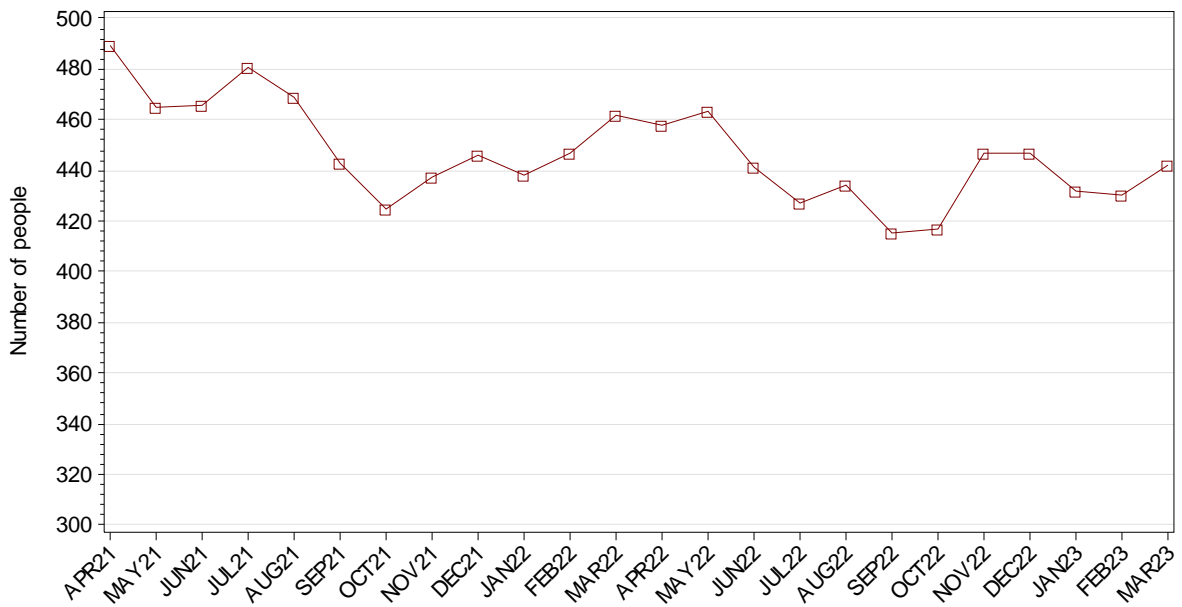
**2.1.8 ADULT SENTENCED POPULATION**



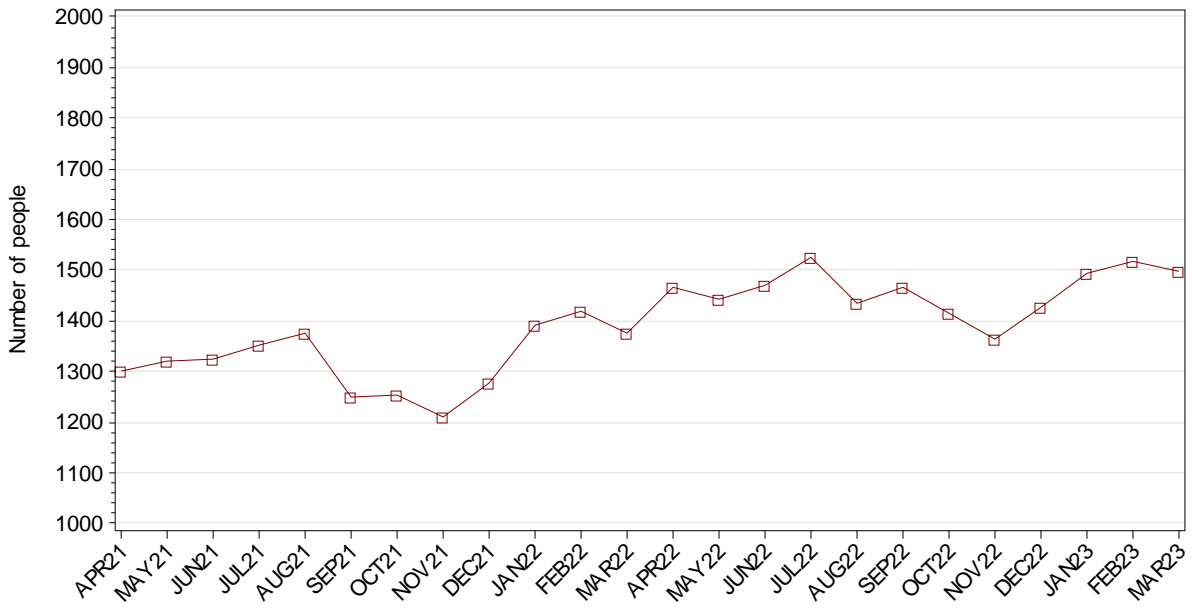
**2.1.9 ADULT MALE SENTENCED POPULATION**



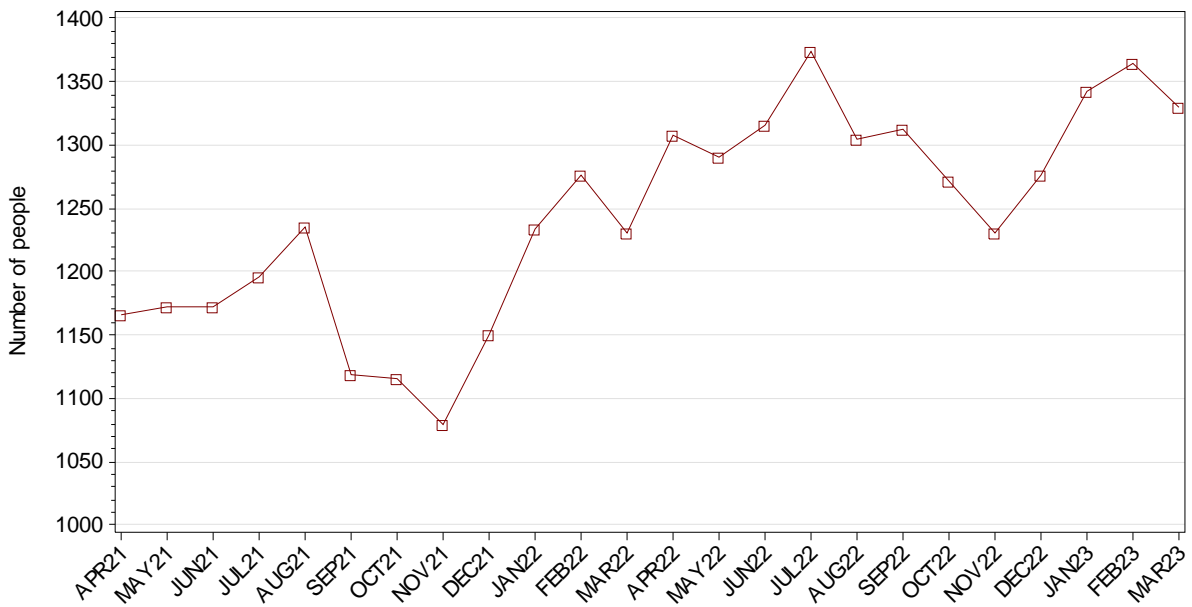
**2.1.10 ADULT FEMALE SENTENCED POPULATION**



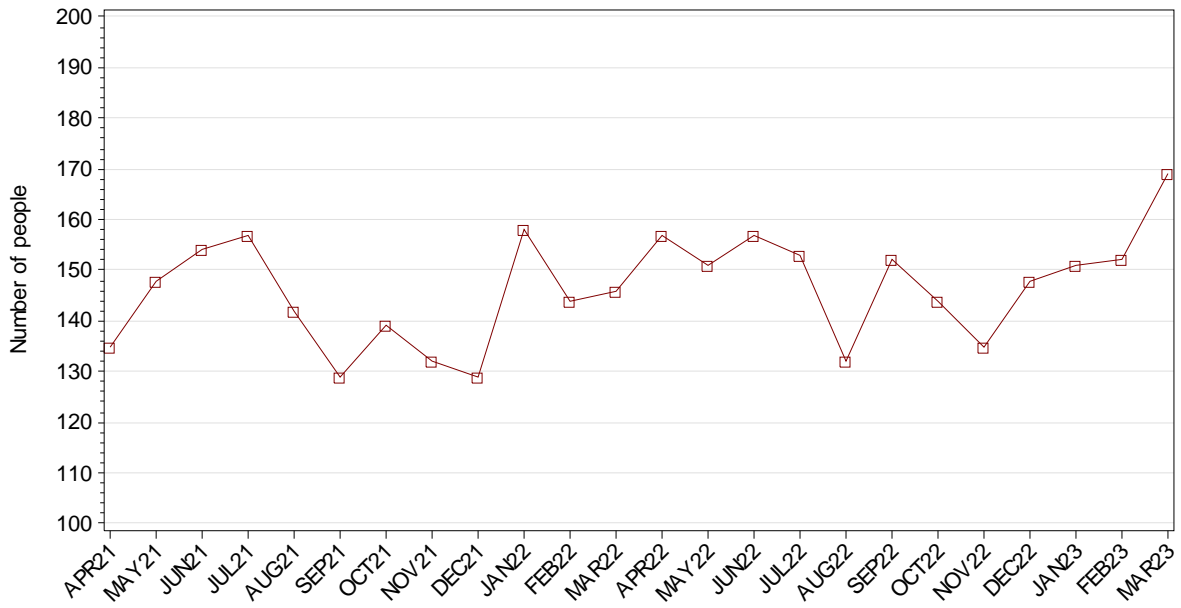
**2.1.11 ABORIGINAL ADULT REMAND POPULATION**



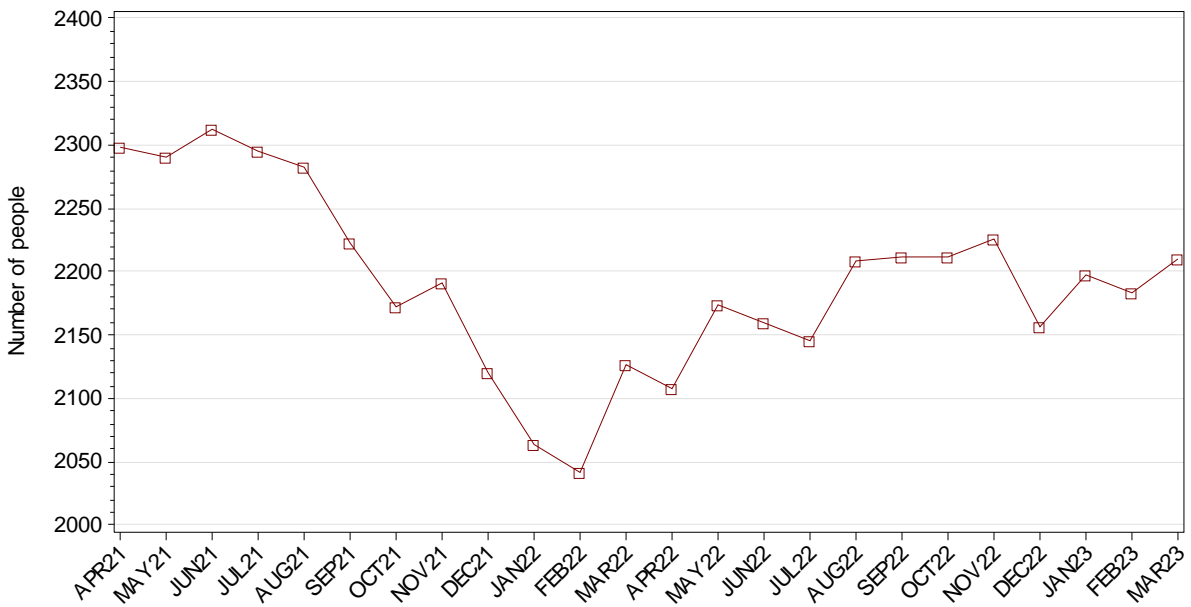
**2.1.12 ABORIGINAL ADULT MALE REMAND POPULATION**



**2.1.13 ABORIGINAL ADULT FEMALE REMAND POPULATION**

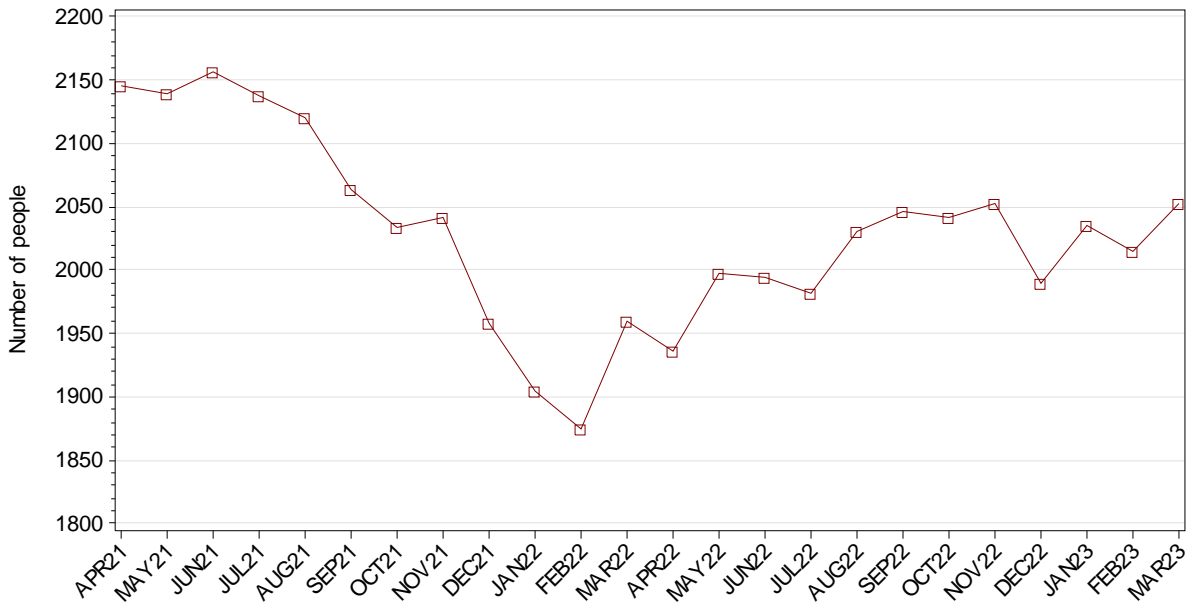


**2.1.14 ABORIGINAL ADULT SENTENCED POPULATION**

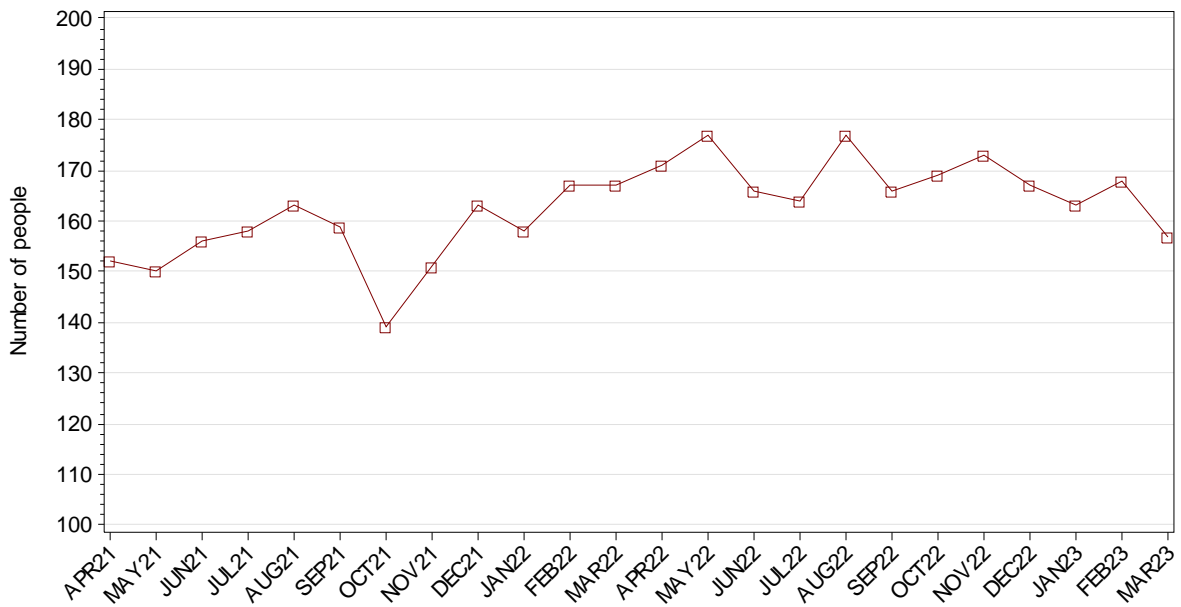




**2.1.15 ABORIGINAL ADULT MALE SENTENCED POPULATION**



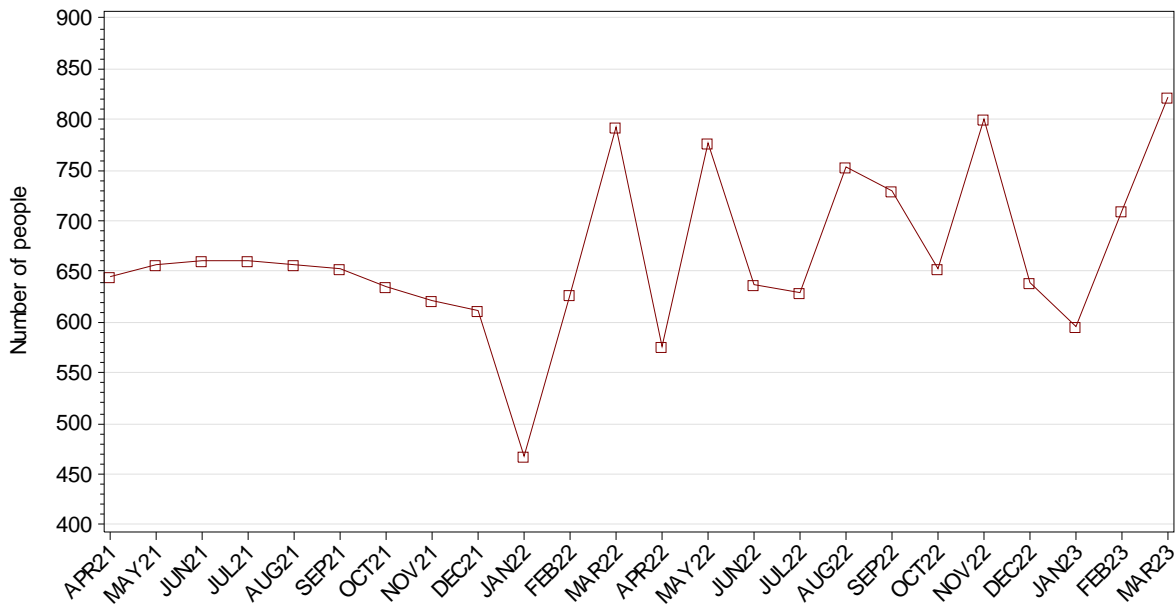
**2.1.16 ABORIGINAL ADULT FEMALE SENTENCED POPULATION**



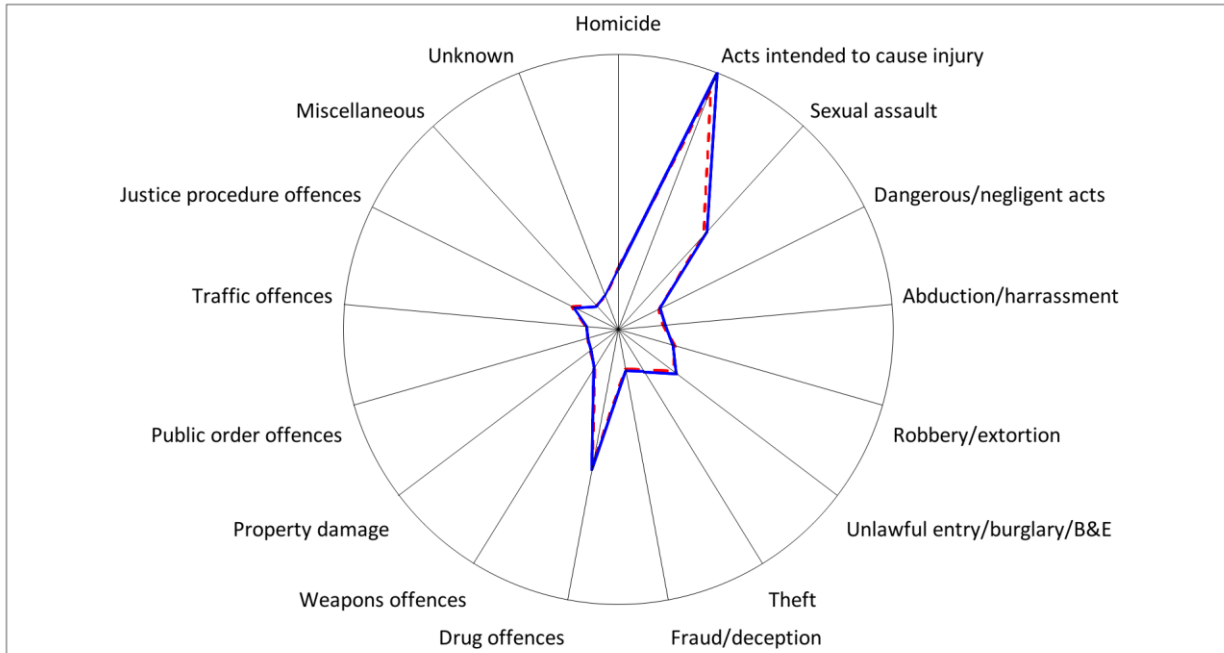
**2.1.17 ADULT CUSTODY PROFILE AT END OF QUARTER**

		Remand		Sentenced		Total	
		DEC22	MAR23	DEC22	MAR23	DEC22	MAR23
Total Male	Count	4249	4487	7171	7234	11420	11721
	Avg Age	36.6	36.7	39.8	39.8	38.6	38.6
Total Female	Count	380	392	447	442	827	834
	Avg Age	35.5	35.4	37.2	37.6	36.4	36.6
Aboriginal Male	Count	1277	1330	1990	2053	3267	3383
	Avg Age	33.5	33.1	34.9	34.9	34.3	34.2
Aboriginal Female	Count	148	169	167	157	315	326
	Avg Age	33.2	33.7	34.4	34.7	33.8	34.2
Total	Count	4629	4879	7618	7676	12247	12555
	Avg Age	36.5	36.6	39.6	39.7	38.4	38.5

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



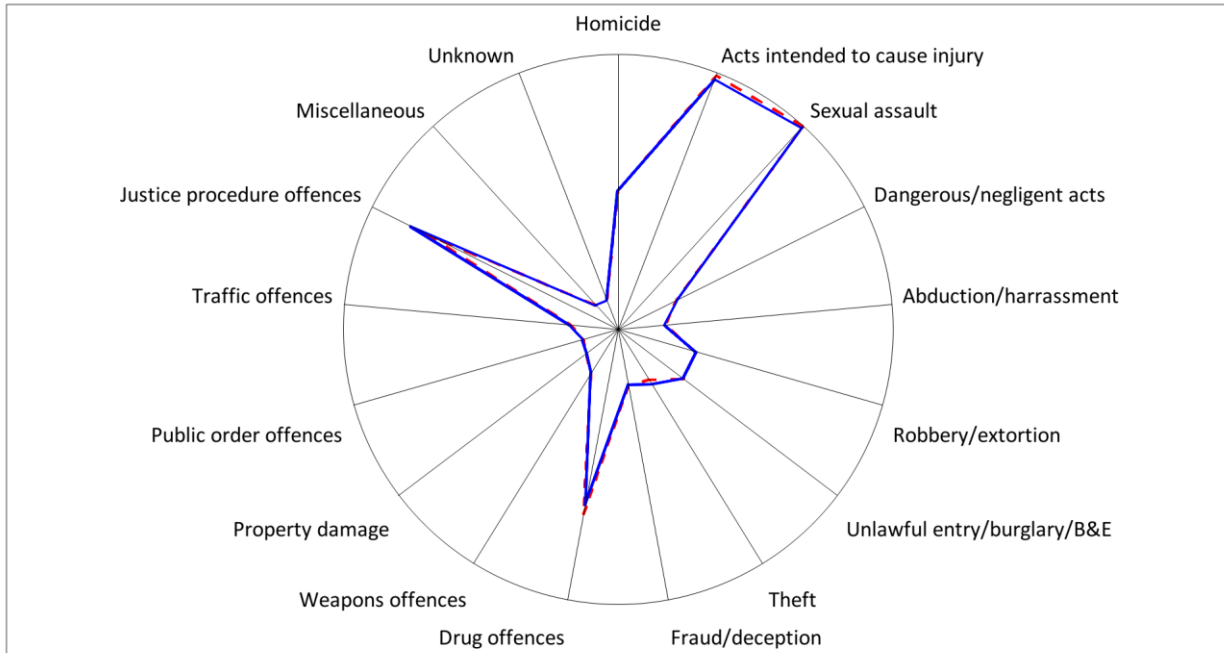
2.1.19 ADULT REMAND POPULATION BY MOST SERIOUS OFFENCE



As At: --- 31DEC22 — 31MAR23

	31DEC22		31MAR23	
	Number	% of Total	Number	% of Total
Homicide	228	4.9	216	4.4
Acts intended to cause injury	1624	35.1	1750	35.9
Sexual assault	695	15.0	733	15.0
Dangerous/negligent acts	114	2.5	126	2.6
Abduction/harrassment	112	2.4	130	2.7
Robbery/extortion	214	4.6	200	4.1
Unlawful entry/burglary/B&E	280	6.0	315	6.5
Theft	128	2.8	142	2.9
Fraud/deception	72	1.6	88	1.8
Drug offences	775	16.7	806	16.5
Weapons offences	101	2.2	114	2.3
Property damage	38	0.8	31	0.6
Public order offences	13	0.3	12	0.2
Traffic offences	18	0.4	13	0.3
Justice procedure offences	158	3.4	138	2.8
Miscellaneous	20	0.4	16	0.3
Unknown	39	0.8	49	1.0
<b>Total</b>	<b>4629</b>	<b>100.0</b>	<b>4879</b>	<b>100.0</b>

2.1.20 ADULT SENTENCED POPULATION BY MOST SERIOUS OFFENCE



As At:     — 31DEC22   — 31MAR23

	31DEC22		31MAR23	
	Number	% of Total	Number	% of Total
Homicide	691	9.1	691	9.0
Acts intended to cause injury	1543	20.3	1518	19.8
Sexual assault	1560	20.5	1551	20.2
Dangerous/negligent acts	217	2.8	225	2.9
Abduction/harrassment	107	1.4	99	1.3
Robbery/extortion	317	4.2	322	4.2
Unlawful entry/burglary/B&E	327	4.3	323	4.2
Theft	178	2.3	211	2.7
Fraud/deception	164	2.2	158	2.1
Drug offences	1005	13.2	942	12.3
Weapons offences	132	1.7	132	1.7
Property damage	58	0.8	53	0.7
Public order offences	34	0.4	36	0.5
Traffic offences	103	1.4	112	1.5
Justice procedure offences	1168	15.3	1286	16.8
Miscellaneous	12	0.2	14	0.2
Unknown	2	0.0	3	0.0
<b>Total</b>	<b>7618</b>	<b>100.0</b>	<b>7676</b>	<b>100.0</b>

#### **2.1.21 MALE PRISON POPULATION\* FORECAST**

Due to the COVID-19 pandemic and the unprecedented impact it is having on the criminal justice system, custody population forecasts are unavailable at this time. For further details please contact our information officers at [bcsr@justice.nsw.gov.au](mailto:bcsr@justice.nsw.gov.au).

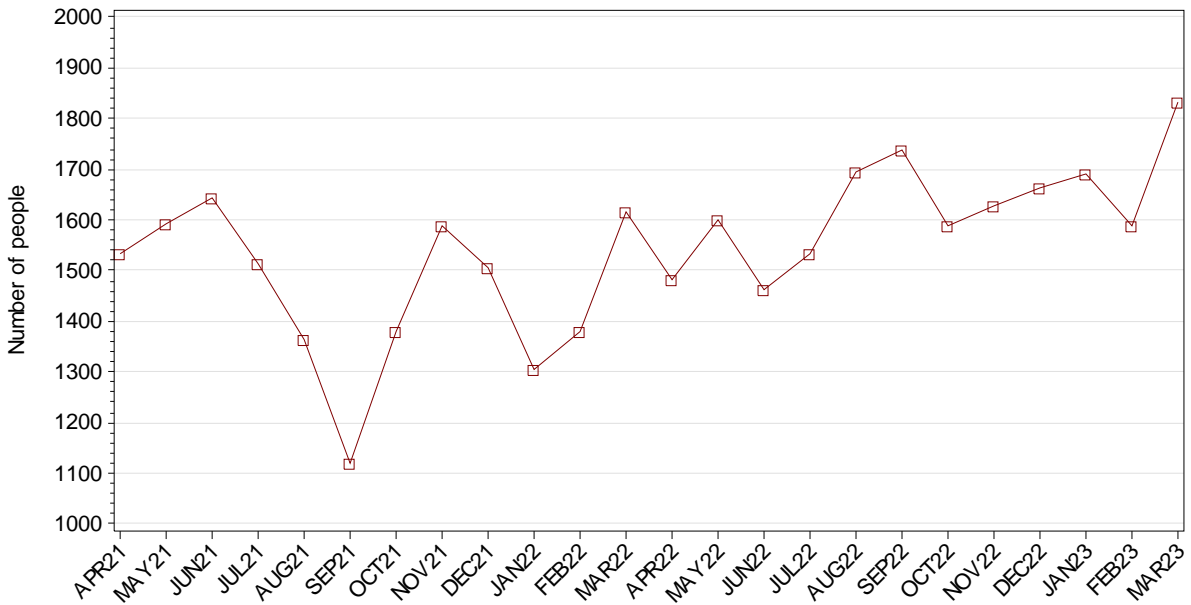
#### **2.1.22 FEMALE PRISON POPULATION\* FORECAST**

Due to the COVID-19 pandemic and the unprecedented impact it is having on the criminal justice system, custody population forecasts are unavailable at this time. For further details please contact our information officers at [bcsr@justice.nsw.gov.au](mailto:bcsr@justice.nsw.gov.au).

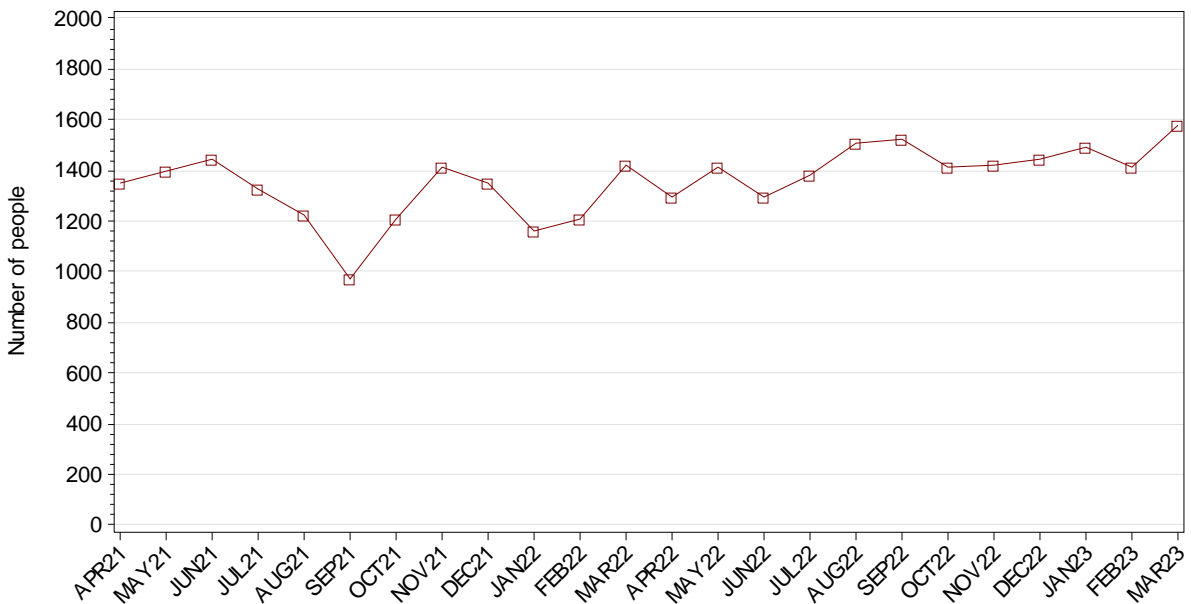
\*Includes adults held in 24 hour police/court cell complexes managed by CSNSW

## SECTION 2.2 ADULT CUSTODY RECEPTIONS

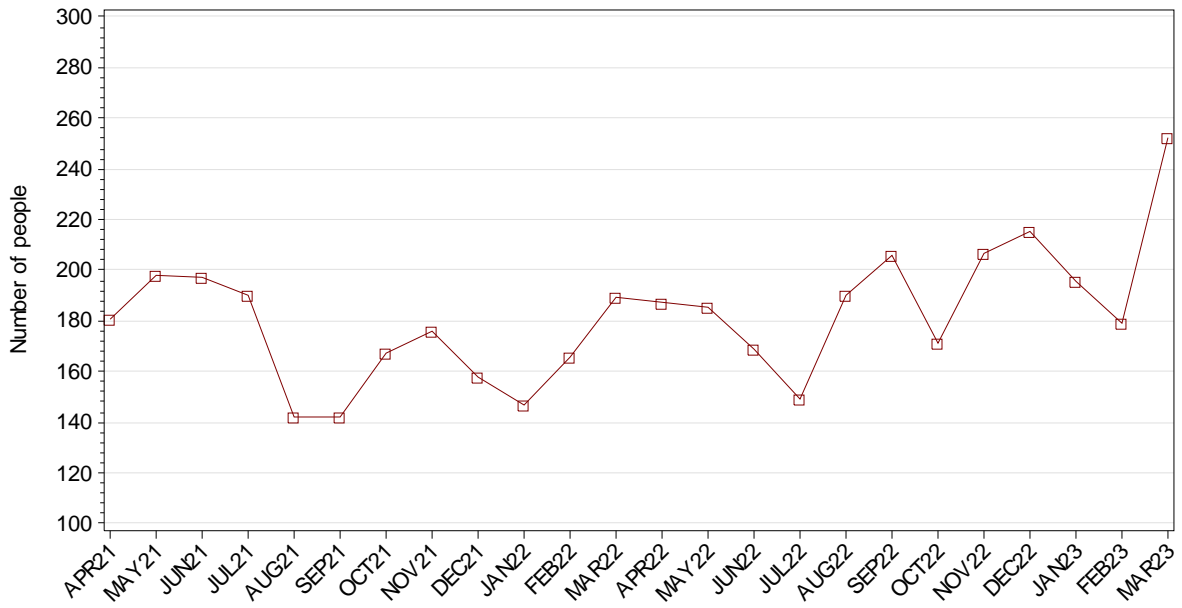
### 2.2.1 ADULTS RECEIVED INTO CUSTODY DURING MONTH



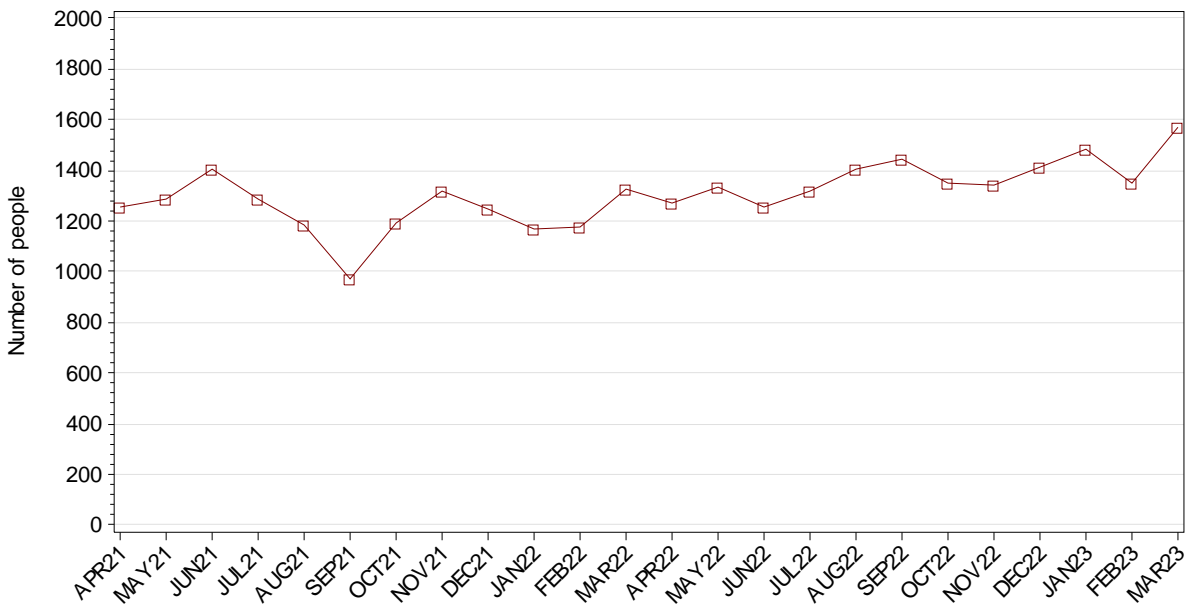
### 2.2.2 ADULT MALES RECEIVED INTO CUSTODY DURING MONTH



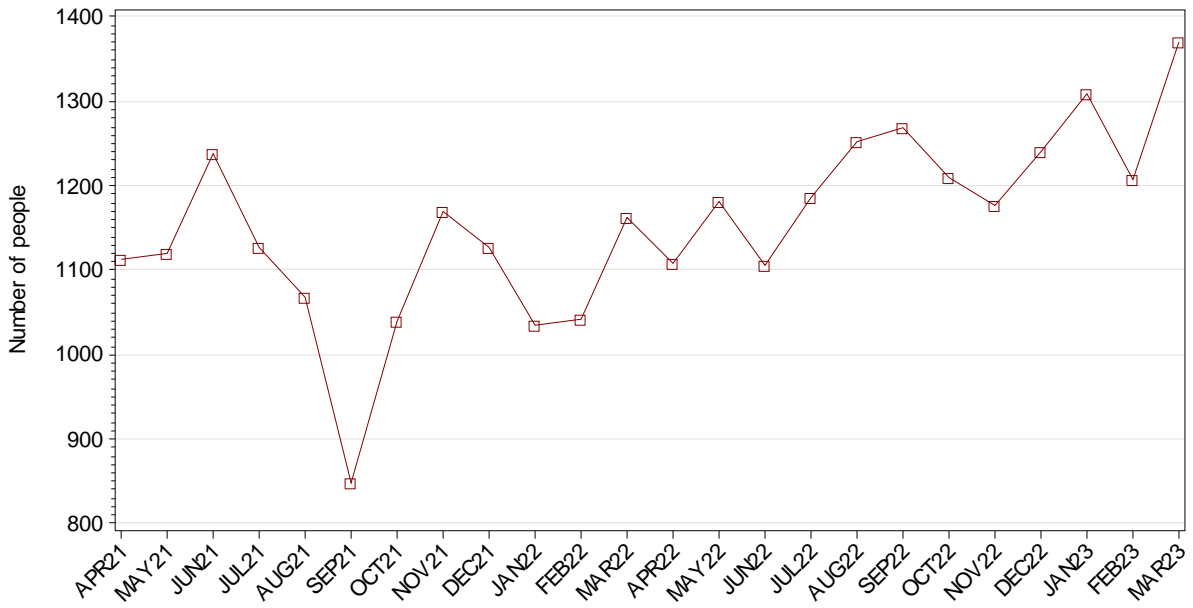
**2.2.3 ADULT FEMALES RECEIVED INTO CUSTODY DURING MONTH**



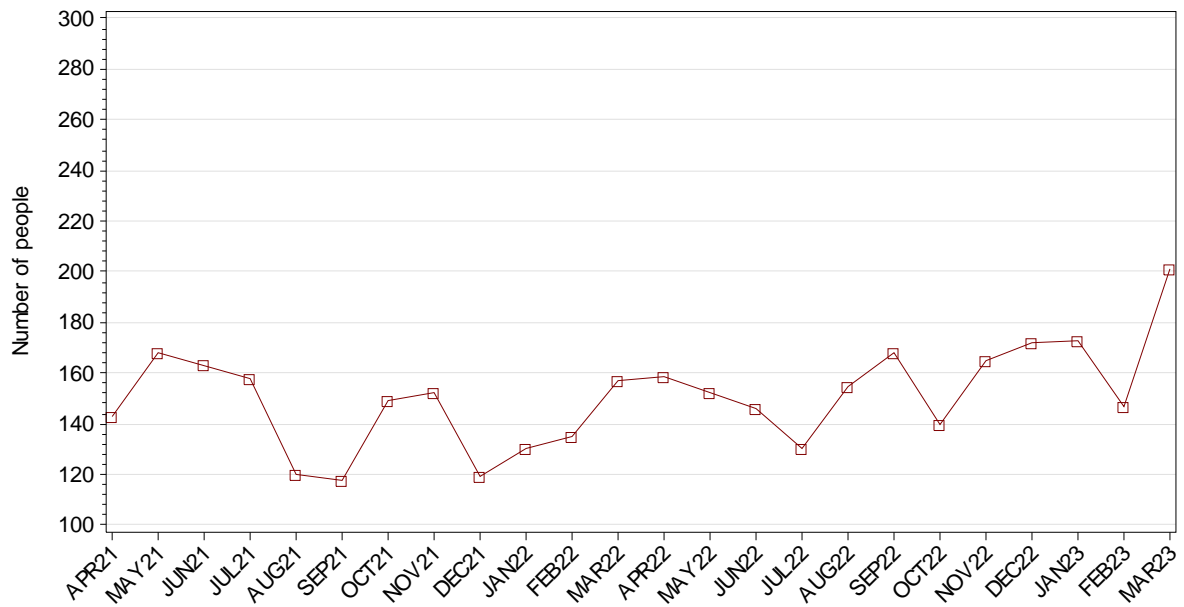
**2.2.4 ADULT REMAND RECEPTIONS**



### 2.2.5 ADULT MALE REMAND RECEPTIONS

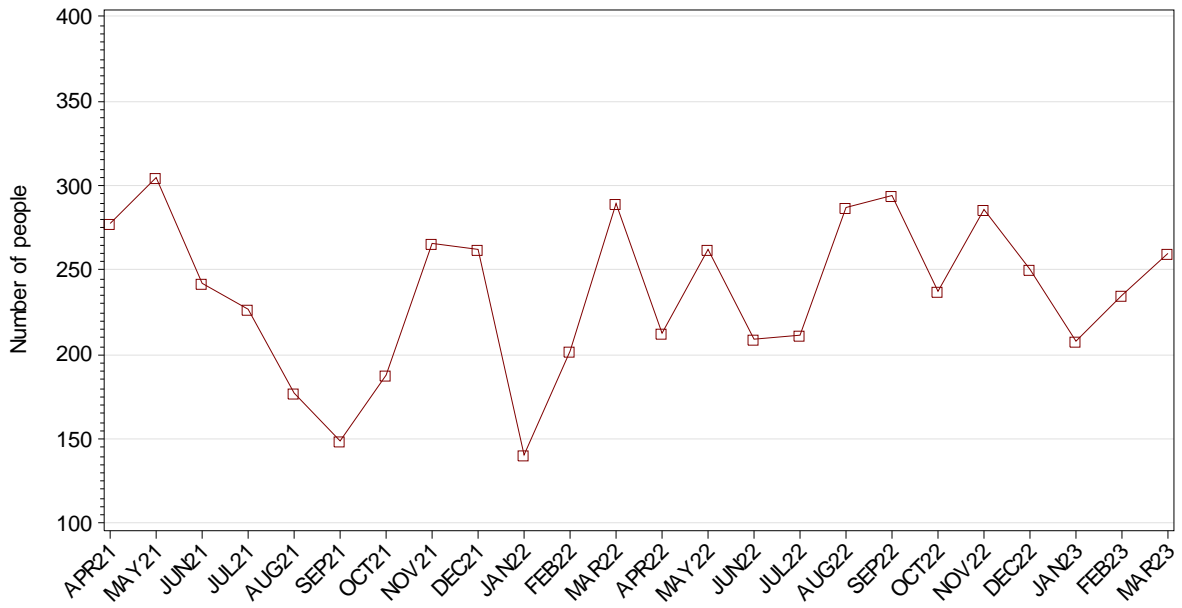


### 2.2.6 ADULT FEMALE REMAND RECEPTIONS

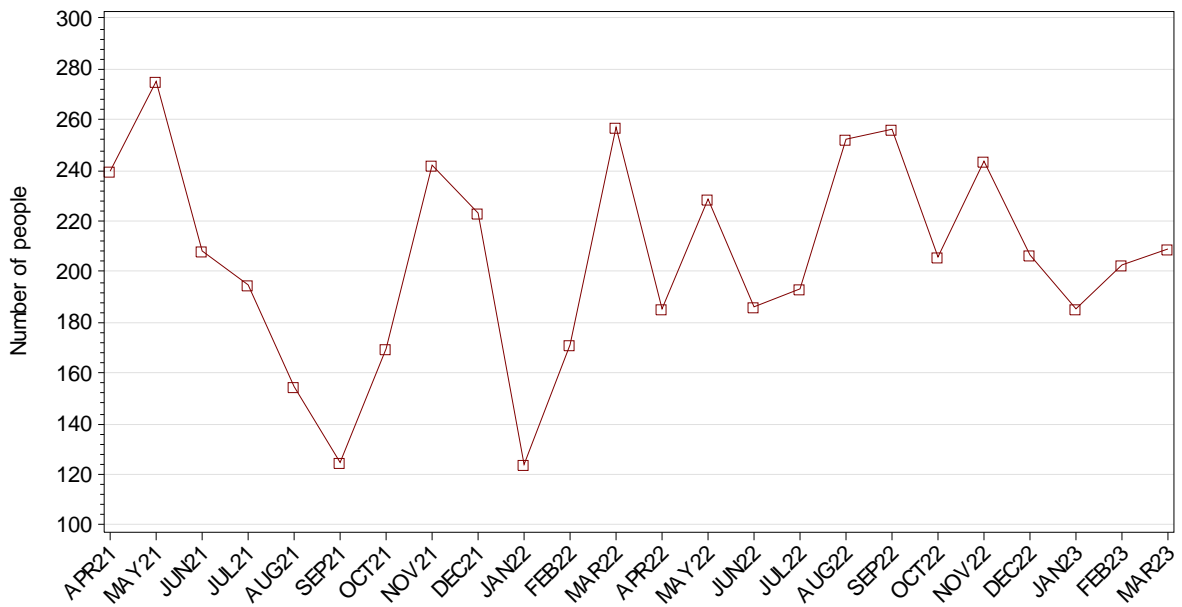




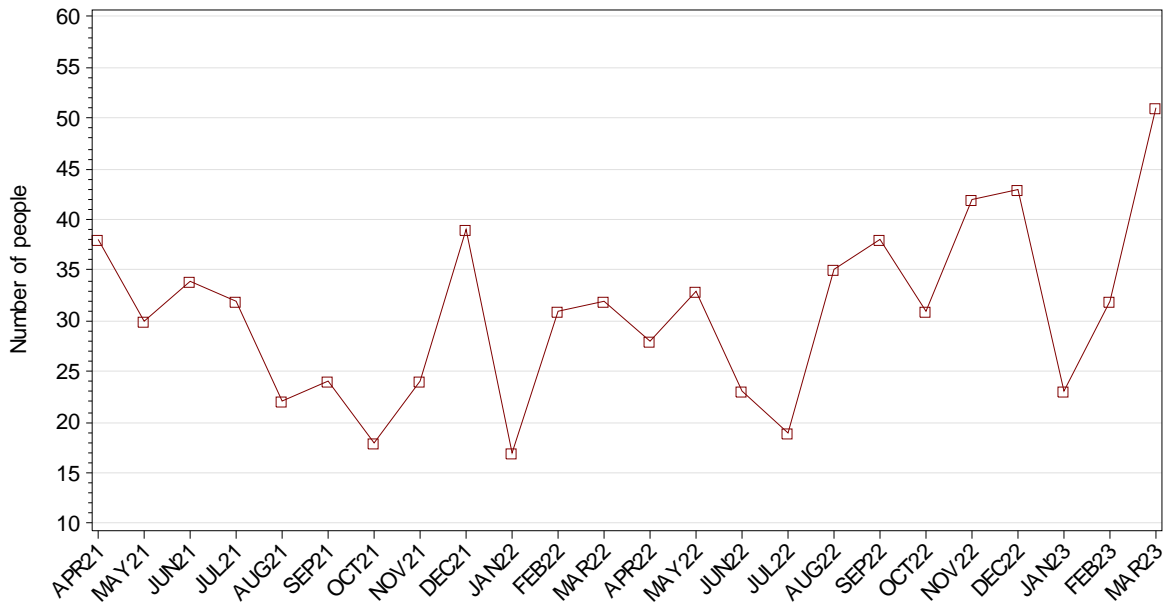
**2.2.7 ADULT SENTENCED RECEPTIONS**



**2.2.8 ADULT MALE SENTENCED RECEPTIONS**

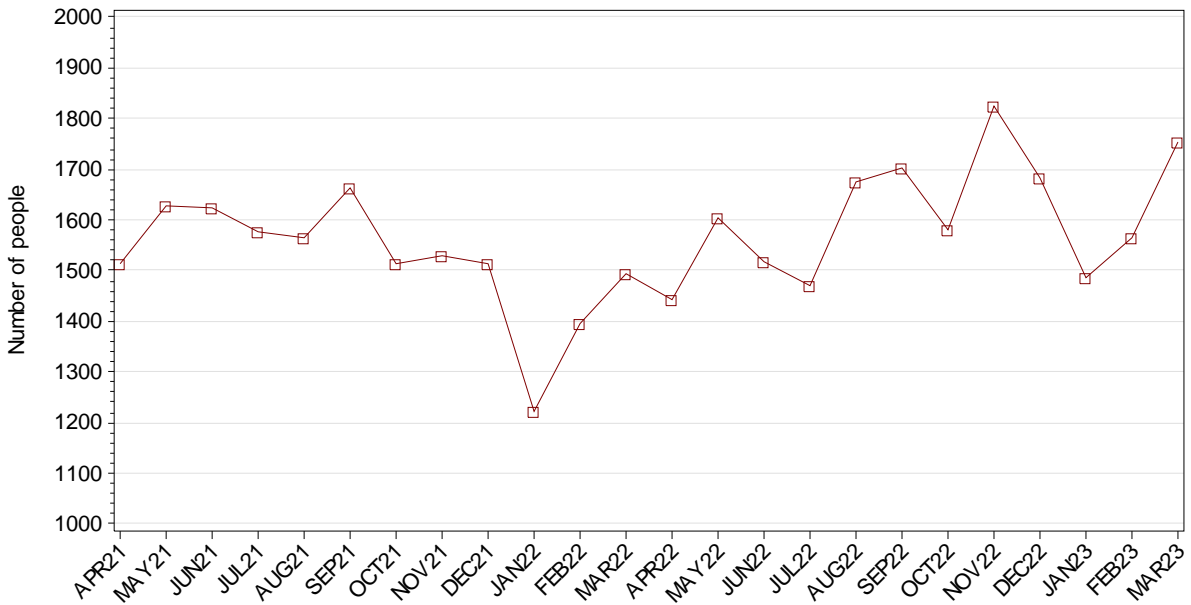


### 2.2.9 ADULT FEMALE SENTENCED RECEPTIONS

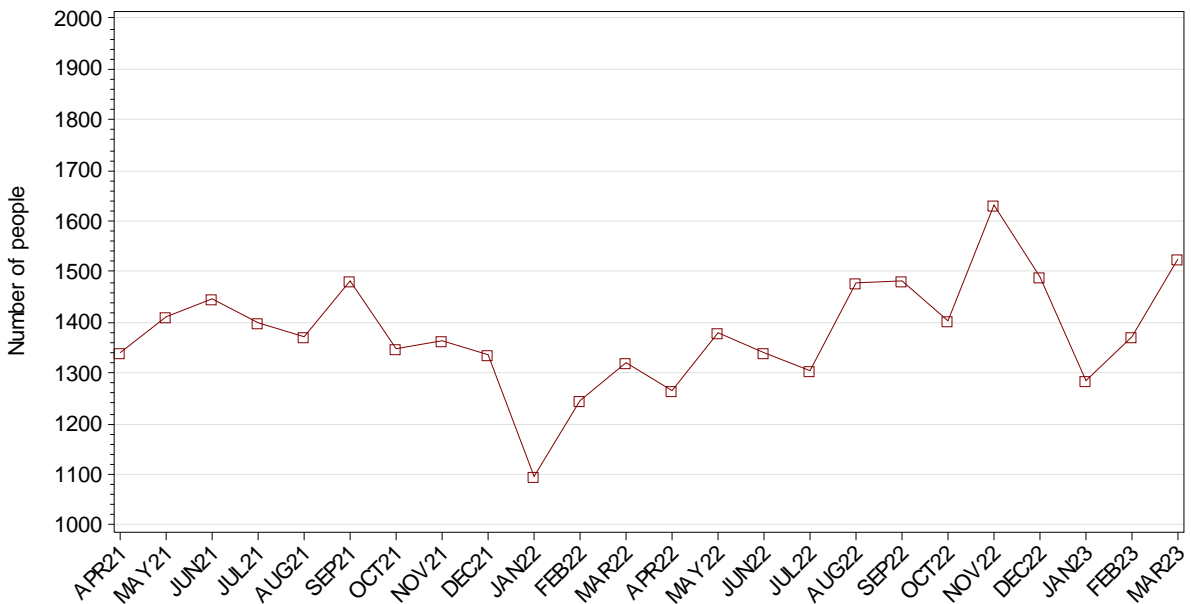


## SECTION 2.3 ADULT CUSTODY DISCHARGES

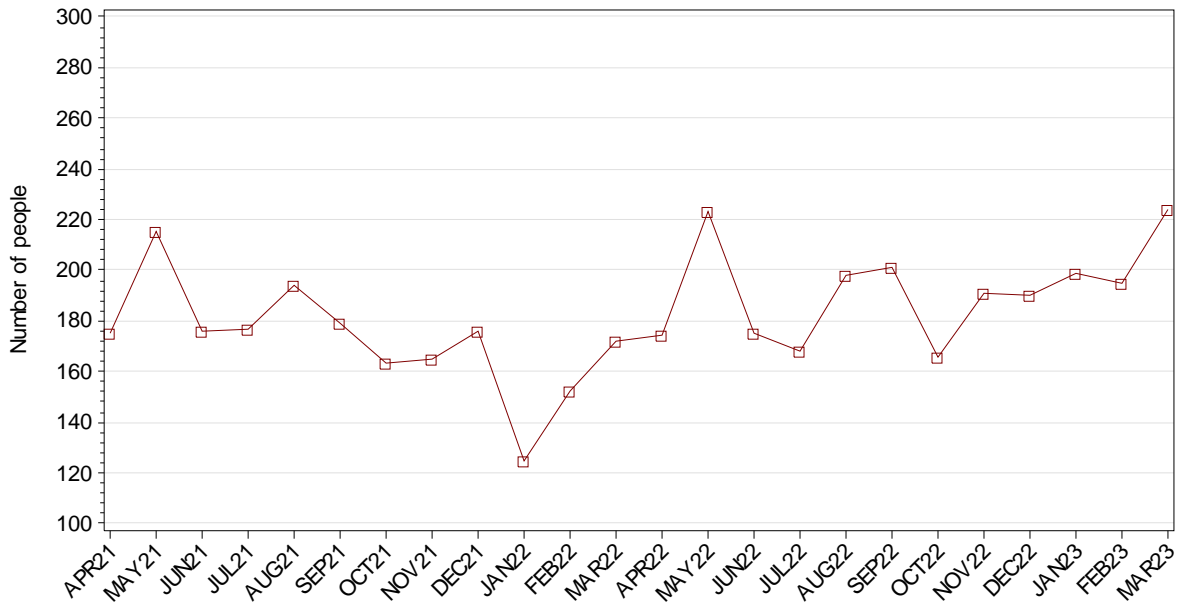
### 2.3.1 ADULTS DISCHARGED FROM CUSTODY DURING MONTH



### 2.3.2 ADULT MALES DISCHARGED FROM CUSTODY DURING MONTH



**2.3.3 ADULT FEMALES DISCHARGED FROM CUSTODY DURING MONTH**

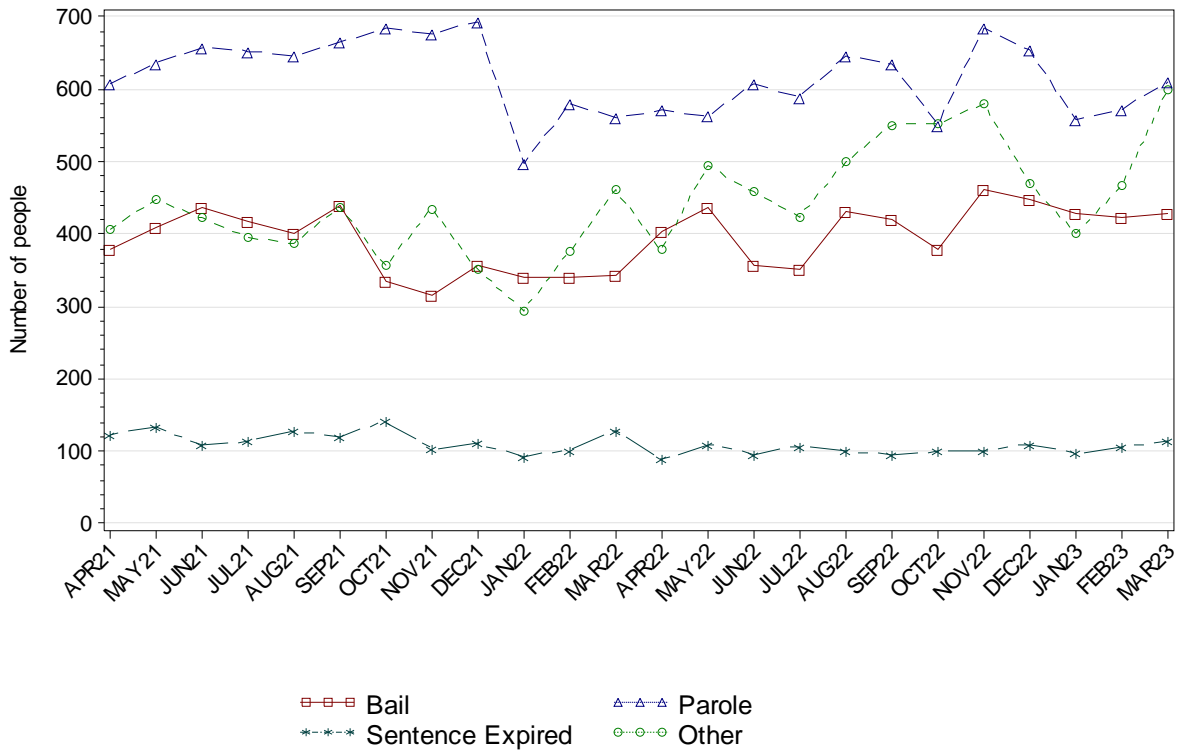


**2.3.4 AVERAGE LENGTH OF STAY FOR ADULTS DISCHARGED FROM CUSTODY EACH QUARTER**

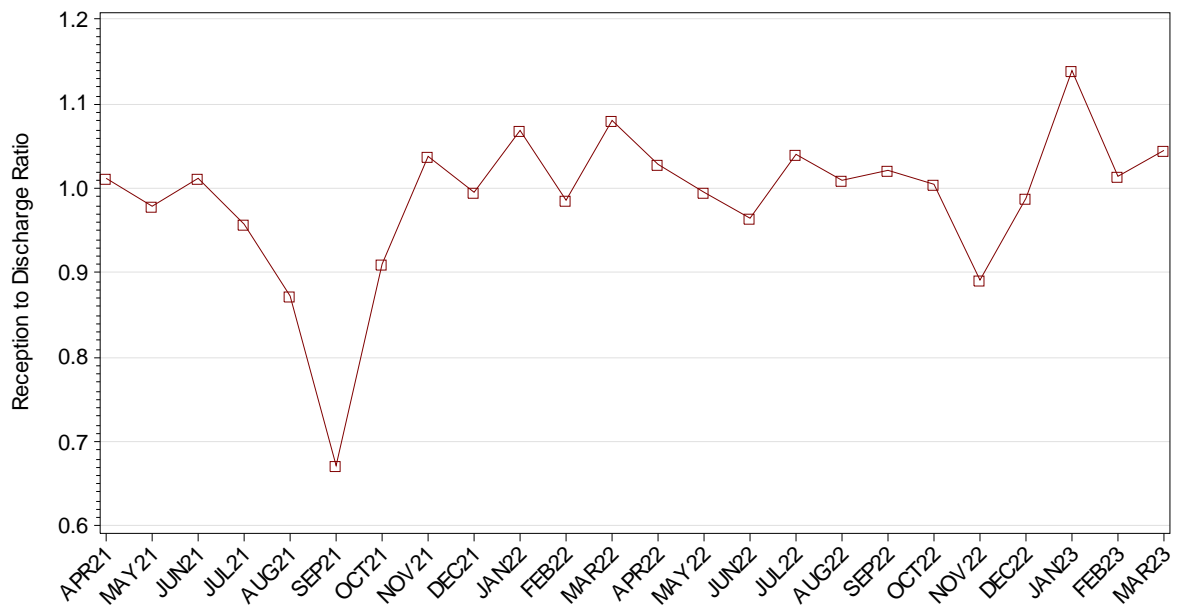
		Remand Custody Only		Sentenced Custody Only		Remand to Sentenced Custody	
		DEC22	MAR23	DEC22	MAR23	DEC22	MAR23
Total Male	Avg Days	62.7	56.2	219.0	200.0	444.3	432.4
	Number	1787	1745	697	627	2043	1808
Total Female	Avg Days	48.6	49.7	144.6	119.9	260.1	246.9
	Number	288	337	85	114	174	167
Aboriginal Male	Avg Days	64.7	60.0	217.4	170.8	342.1	346.0
	Number	525	523	257	203	731	615
Aboriginal Female	Avg Days	54.2	50.5	113.8	99.7	207.7	237.9
	Number	132	131	41	59	87	79
Total	Avg Days	60.7	55.1	210.9	187.7	429.8	416.8
	Number	2079	2082	782	741	2217	1975

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

### 2.3.5 ADULTS BY DISCHARGE TYPE



### 2.3.6 RATIO OF ADULT RECEPTIONS TO DISCHARGES



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## **Part 3 GLOSSARY**

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## **Aboriginality**

Aboriginality 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 Aboriginal if they have identified as such in the current or any previous custodial episode. Aboriginality is unknown for a small proportion of people.

Due to delays in identification of Aboriginal status the number of Aboriginal persons in adult custody is potentially undercounted by 2% on average in more recent months.

## **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 Kariong 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 2013*, 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 Department of Justice with responsibilities including the supervision of people remanded in custody pending the finalisation of criminal charges and offenders sentenced to a custodial order.

See <http://www.correctiveservices.nsw.gov.au/> for further information.

The Corrections Research, Evaluation and Statistics (CRES) section of CSNSW have provided the adult custody data for this report and advised on its interpretation.

## **Court bail refused**

See Bail



## **Custodial episode**

A custodial episode is the time between the reception into and discharge from custody. An individual may have multiple custodial episodes within the reporting period. A change in legal status between the reception and discharge date, for example changing from being bail refused to being sentenced to a custodial order, does not count as a new custodial episode.

## **Custodial sentence**

Courts may impose a custodial sentence for a proven offence. For adults this is a term of imprisonment under the *Crimes (Sentencing Procedure) Act 1999*. For young people this is a control order of up to two years duration or a term of imprisonment to be served partly or wholly as a juvenile under the *Children (Criminal Proceedings) Act 1987*. A person may be given custodial sentences for multiple proven offences.

While the majority of persons held under sentence in a correctional centre are sentenced under the *Crimes (Sentencing Procedure) Act 1999*, offenders whose parole has been revoked by the State Parole Authority, persons sentenced under the *Commonwealth Crimes Act 1914*, those sentenced under the *Mental Health (Forensic Provision) Act 1990*, small numbers of persons held under immigration orders awaiting deportation following expiry of their sentence and persons sentenced under legislation in other states or territories are also managed by CSNSW.

## **Custody population**

Persons held in custody in a JJNSW juvenile justice centre or a CSNSW gazetted correctional centre, whether remanded or sentenced. Custody population figures are counted as at midnight on the last day of the month or quarter as appropriate. Persons held in a CSNSW managed police/court cell complex at midnight on the last day of the month but later transferred to a gazetted correctional centre are included in custody population figures for that month.

## **Discharge type**

The type of reason why persons were discharged from custody:

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

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

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

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

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

## Discharges

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

## Forecast

The male and female prison population forecasts are generated using an autoregressive integrated moving average (ARIMA) model (Athanasopoulos & Weatherburn, 2018). The forecast is calculated from the average monthly prison population data from January 2001 to the current month. Please note that this forecast includes adults held in 24 hour police/court cell complexes.

The juvenile custody population forecast is generated using an exponential smoothing model. The model is estimated using a Holt-Winters additive method. The forecast is calculated from the average monthly juvenile custody population from January 2011 to the current month.

## Imprisonment

See Custodial sentence

## 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 Department of 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 (with the exception of the adult prison forecast) excludes persons received and then discharged from a CSNSW-managed 24 hour police/court cell complex without entering a gazetted correctional centre.