

NSW Criminal Justice Aboriginal over-representation QUARTERLY REPORT

June 2023 – Aboriginal adults



1.1 Key indicator: Aboriginal adults in prison*

Sentenced and remand custody

Stable
From June 2021

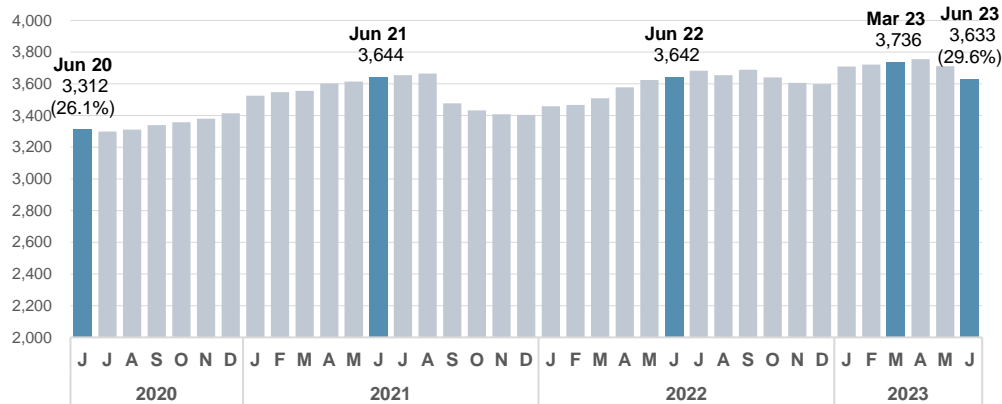
↓-103
From prior quarter

↓-11
From same month 2021

3,633
Current year

3,644
Same month 2021

29.6%
Current %



2.1 Key indicator – Aboriginal adults in court

Local, District and Supreme Courts

Up 16.4%
From prior year

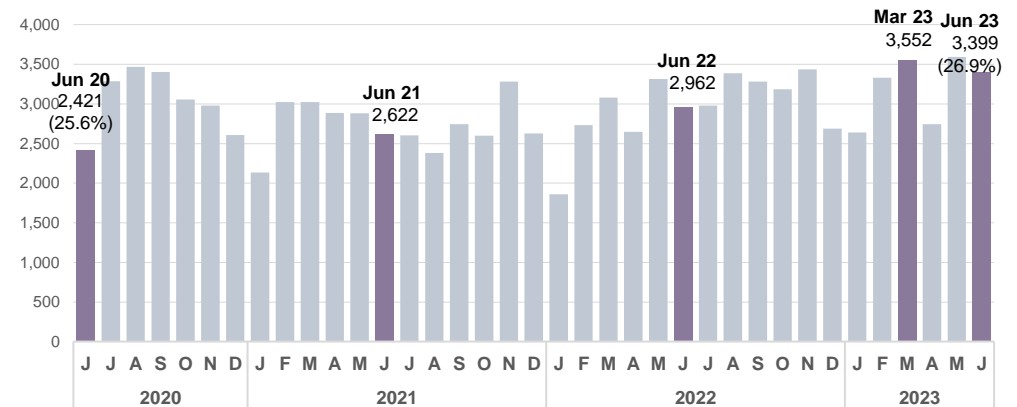
↑+215
From prior quarter

↑+5,382
From prior year

38,222
Current year

32,840
Last year

26.9%
Current %



1.2 Aboriginal men in prison*

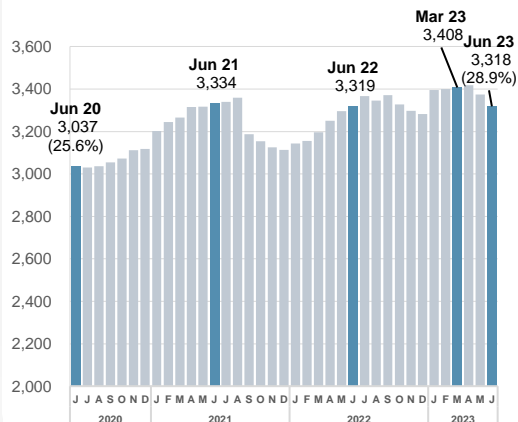
Sentenced and remand custody

Stable
From June 2021

↓-16
From same month 2021

3,318
Current year

3,334
Same month 2021



1.3 Aboriginal women in prison*

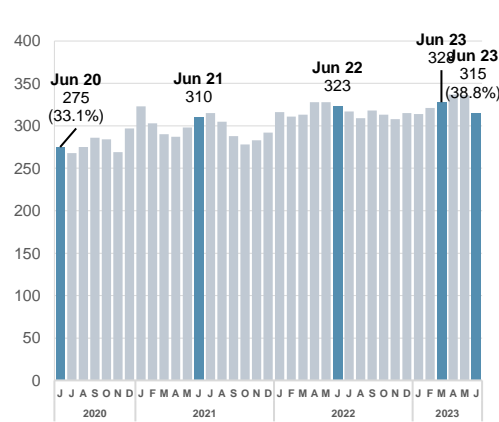
Sentenced and remand custody

Stable
From June 2021

↑+5
From same month 2021

315
Current year

310
Same month 2021



2.2 Aboriginal men in court

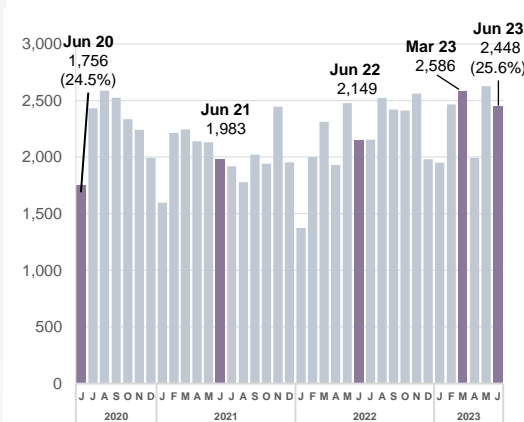
Local, District and Supreme Courts

Up 15.7%
From prior year

↑+3,820
From prior year

28,118
Current year

24,298
Last year



2.3 Aboriginal women in court

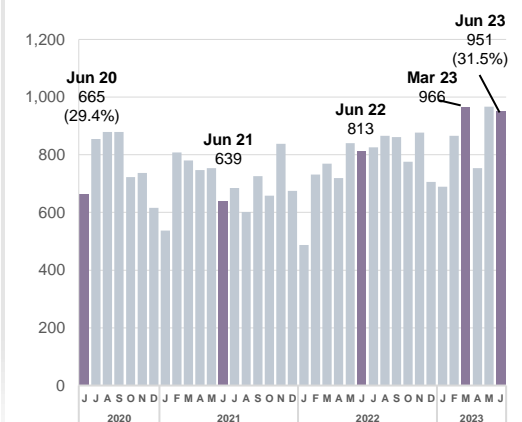
Local, District and Supreme Courts

Up 18.3%
From prior year

↑+1,562
From prior year

10,104
Current year

8,542
Last year



Note: data from March 2020 onwards have been impacted by COVID and may not represent a change in long term trend

*Custody population figures are counted as at midnight on the last day of the month (stock figures).

Aboriginal people comprise 2.7% of the adult NSW population (2021 ABS Census)

3. Police

3.1 Police court proceedings*

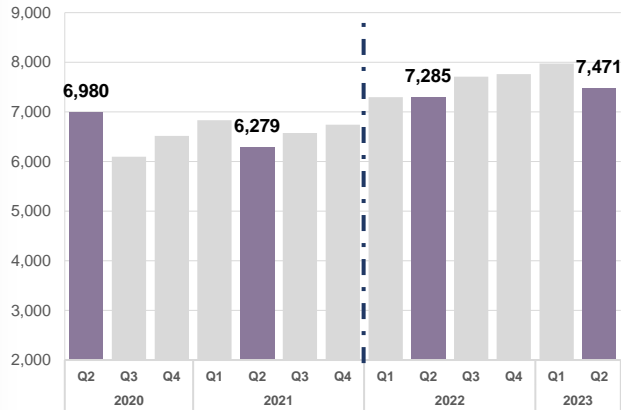
*excludes Aboriginal adults proceeded to court for breaching bail

Up 10.8%
From prior year

↑ +3,014
From prior year

30,912
Current year

27,898
Last year



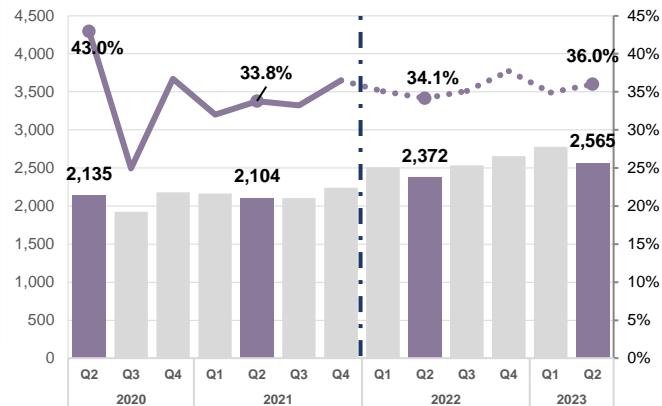
4.1 Refused bail by police

Up 14.1%
From prior year

↑ +1,303
From prior year

10,531
Current year

9,228
Last year



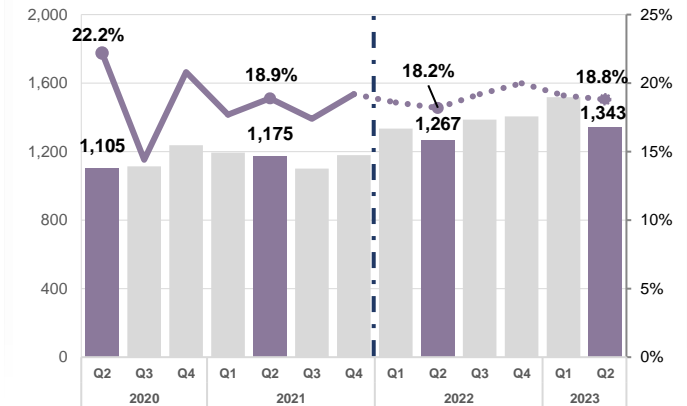
4.2 Refused bail by court

Up 15.8%
From prior year

↑ +770
From prior year

5,653
Current year

4,883
Last year



4. Bail

4.3 Bail revoked due to breach

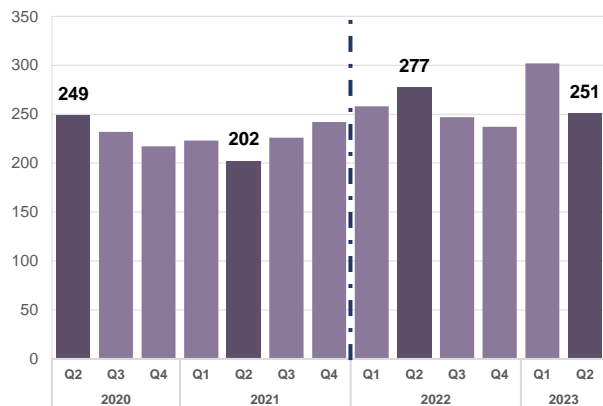
*breach of bail established in court

Up 3.4%
From prior year

↑ +34
From prior year

1,037
Current year

1,003
Last year



4.4 Reason for bail revocation – bail breach involving further offence*

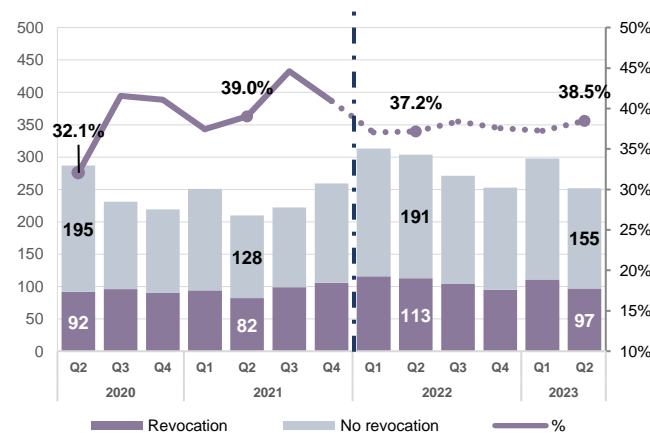
*breach of bail established in court

Down 6.2%
From prior year

↓ -27
From prior year

407
Current year

434
Last year



4.5 Reason for bail revocation – technical bail breach

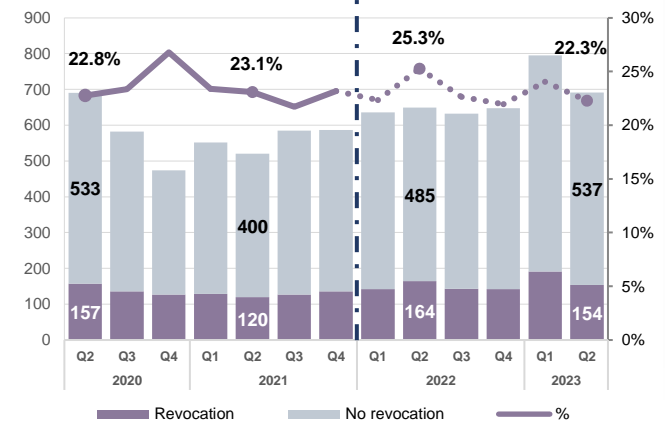
*breach of bail established in court

Up 10.7%
From prior year

↑ +61
From prior year

630
Current year

569
Last year



5. Criminal Courts

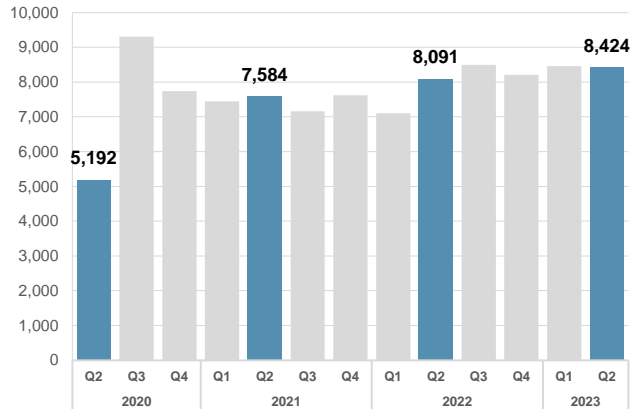
5.1 Found guilty in court

Up 12.1%
From prior year

↑+3,620
From prior year

33,596
Current year

29,976
Last year



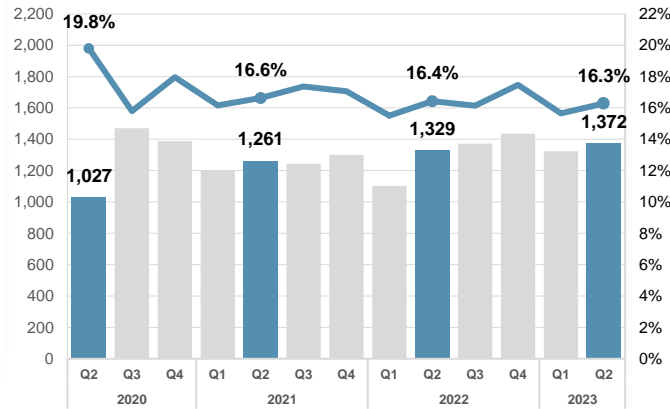
5.2 Sentenced to prison

Up 10.7%
From prior year

↑+530
From prior year

5,504
Current year

4,974
Last year



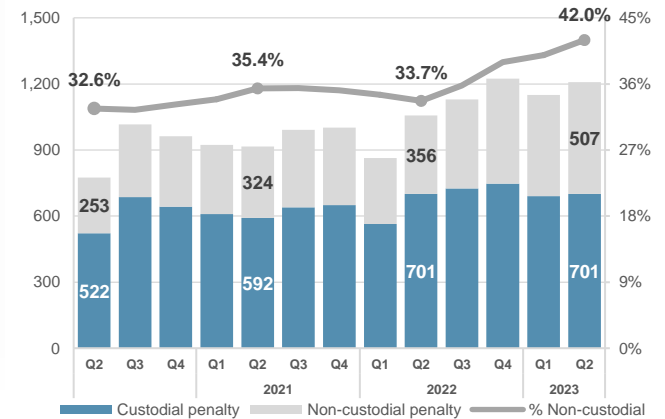
5.3 Sentenced to custody from remand

Up 12.1%
From prior year

↑+308
From prior year

2,864
Current year

2,556
Last year



6. Custody

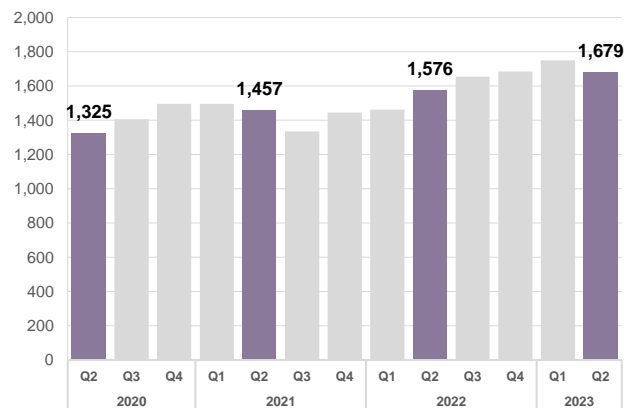
6.1 Entering custody

Up 15.6%
From June 2021

↑+913
From same qtr 2021

6,769
Current year

5,856
Same qtr 2021



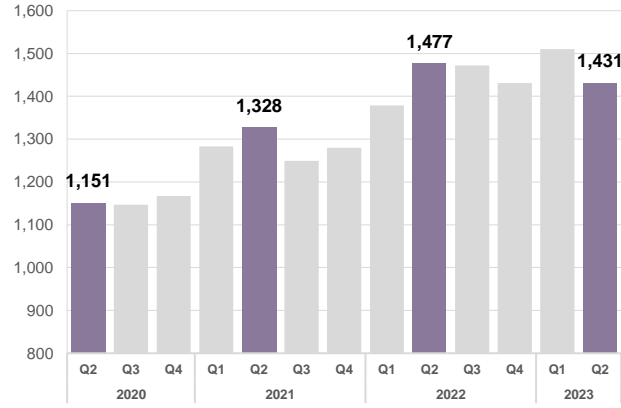
6.2 Remand custody population*

Up 7.8%
From June 2021

↑+103
From same qtr 2021

1,431
Current quarter

1,328
Same qtr 2021



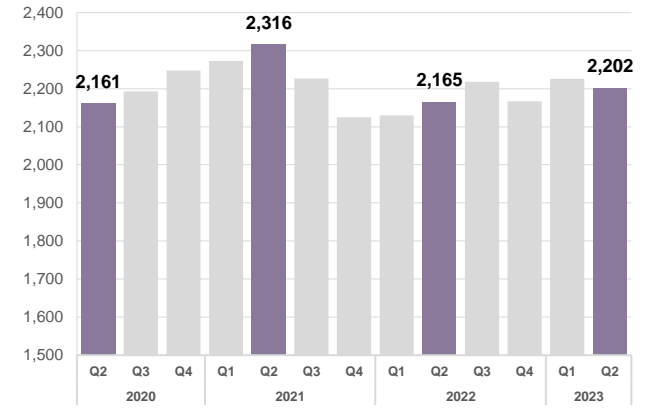
6.3 Sentenced custody population*

Down 4.9%
From June 2021

↓-114
From same qtr 2021

2,202
Current quarter

2,
Same qtr 2021



Note: data from March 2020 onwards have been impacted by COVID and may not represent a change in long term trend

*Custody population figures are counted as at midnight on the last day of the month (stock figures).

Aboriginal people comprise 2.7% of the adult NSW population (2021 ABS Census)

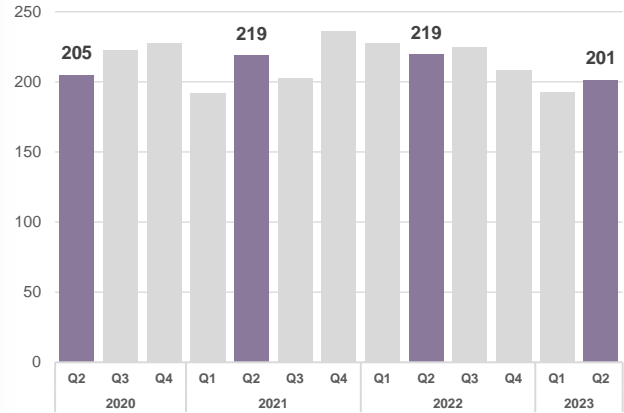
June 2023 – Aboriginal adults

6. Custody

6.4 Length of stay in custody

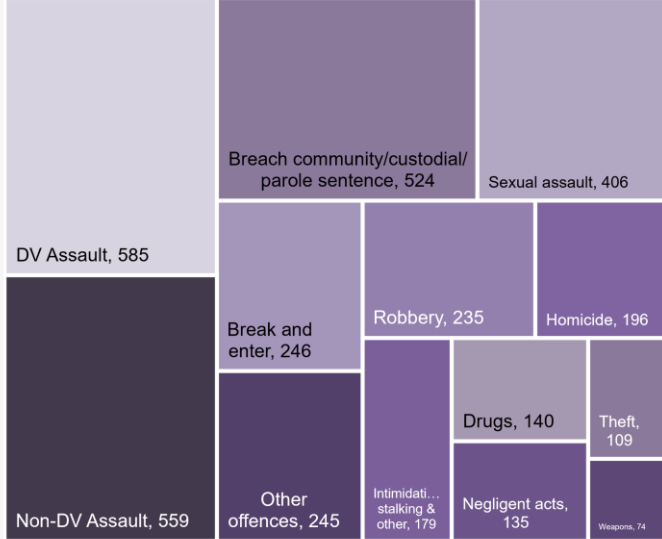
Average number of days for persons discharged by discharge date

Down 6.7% **↓ -15 days** **206 days** **221 days**
 From prior year From prior year Current 12-month average 12-month average last year



6.5 Prisoner's most serious offence

The most serious offence for which a person is imprisoned

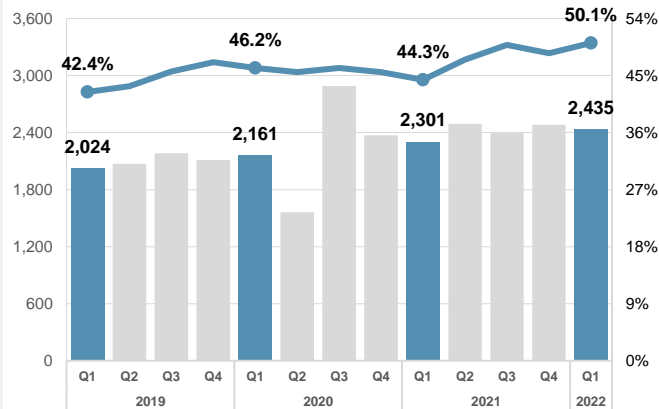


7. Reoffending

7.1 Reoffending among Aboriginal adults guilty in court – new proven offence

Quarterly cohort reoffending rate - Any new proven offence committed within 12 months

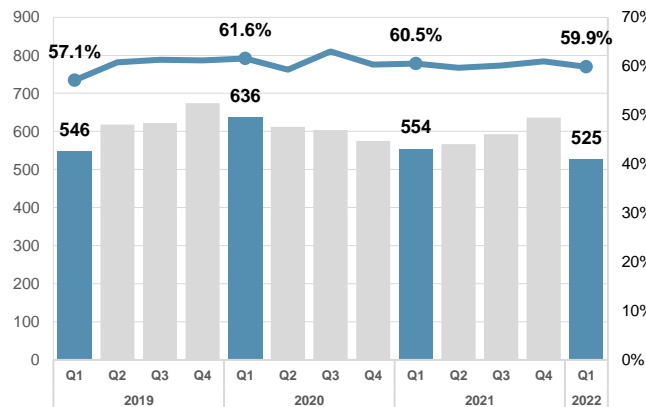
Up 134 **50.1%** **2,435** **2,301**
 Change year to year Current rate Current year Last year



7.2 Reoffending among Aboriginal adults exiting custody – new proven offence

Quarterly cohort reoffending rate - Any new proven offence committed within 12 months

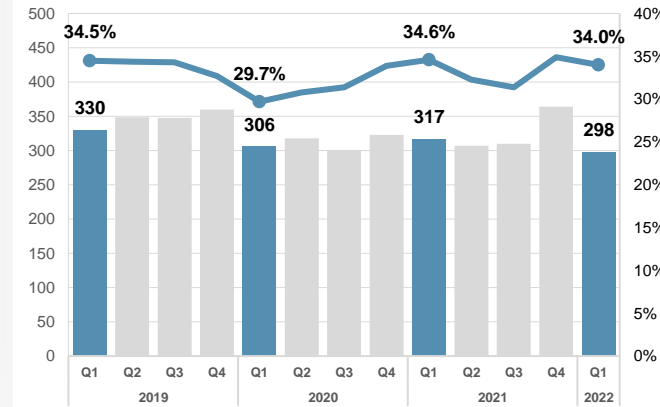
Down 29 **59.9%** **525** **554**
 Change year to year Current rate Current year Last year



7.3 Reoffending among Aboriginal adults exiting custody – return to custody

Quarterly cohort reoffending rate - Return to custody for a further offence committed within 12 months

Down 19 **34.0%** **298** **317**
 Change year to year Current rate Current year Last year



Note: data from March 2020 onwards have been impacted by COVID and may not represent a change in long term trend
 ^Q2 2020 cohort - the number of criminal matters finalised in NSW Courts was lower than average due to the disruption to court operations in due to COVID-19. In Q3 2020 the number of criminal matters finalised was higher due to a surge in court activity to address this disruption..

Aboriginal people comprise 2.7% of the adult NSW population (2021 ABS Census)

Measure	Definition
1.1, 1.2, 1.3 Aboriginal adults in prison	Number of Aboriginal adults held in custody, whether remanded or sentenced. Custody population figures are counted as at midnight on the last day of the month.
2.1, 2.2, 2.3 Aboriginal adults in court	Number of Aboriginal adults appearing in finalised criminal court appearances. A finalised appearance is one which has been fully determined by the court and for which no further court proceedings are required. Counts appearances finalised in the Local, District and Supreme Courts.
3.1 Police court proceedings	Number of Aboriginal adults proceeded against to court by NSW Police. This measure excludes Aboriginal adults proceeded against for a breach of bail. Due to improvement in police recording of Aboriginality since Jan 2022, the number of persons with a recorded Aboriginal status has increased.
4.1 Refused bail by police	Number and proportion of Aboriginal adults refused bail by the police.
4.2 Refused bail by court	Number and proportion of Aboriginal adults refused bail at their first court bail appearance.
4.3, 4.4, 4.5 Bail breaches	Number of Aboriginal adults whose bail was revoked due to a bail breach. 4.4 and 4.5 are a subset of 4.3 and show the reason for the bail breach, 4.4 where the offender committed a new offence, 4.5 a technical bail breach, such as reporting to police, curfew and residence.
5.1 Found guilty in court	Number of Aboriginal adults found guilty in finalised criminal court appearances.
5.2 Sentenced to prison	Number and proportion of Aboriginal adults sentenced to custody.
5.3 Sentenced to custody from remand	Number and proportion of Aboriginal adults refused bail at court finalisation by whether they received a custodial or non-custodial penalty.
6.1 Entering custody	Number of Aboriginal adults received into custody. Excludes those held in police/court cell complexes.
6.2, 6.3 Remand and sentenced prisoners	Remand – Aboriginal adults refused bail (and small numbers granted bail but unable to meet conditions) are remanded in custody pending future court action. Sentenced - the courts have imposed custodial sentence for a proven offence.
6.4 Length of stay in custody	The average number of days spent in custody for Aboriginal young people discharged from custody.
6.5 Prisoner's most serious offence	The most serious offence type for which each young person is in custody (remand and sentenced custody). Data is shown for the most recent month.
7.1 Reoffending among Aboriginal adults guilty in court	Reoffending is defined as a further offence committed within 12 months of a proven court appearance and finalised by court appearance within 15 months (excludes those who received a custodial penalty). The quarterly reoffending rate is the proportion of Aboriginal adult offenders with a proven court appearance in a given three-month period that went on to commit a further proven offence within 12 months of the court appearance.
7.2 Reoffending among Aboriginal adults exiting custody – new proven offence	Reoffending is defined as a further offence committed within 12 months of release from sentenced custody and finalised by court appearance within 15 months. The quarterly reoffending rate is the proportion of Aboriginal adult offenders released from sentenced custody in a given three-month period that went on to commit a further proven offence within 12 months of release.
7.3 Reoffending among Aboriginal adults exiting custody – return to custody	Reoffending is defined as a further offence committed within 12 months of release from sentenced custody and finalised by court appearance within 15 months where the offender received a subsequent custodial penalty. The quarterly reoffending rate is the proportion of Aboriginal adult offenders released from sentenced custody in a given three-month period that went on to commit a further proven offence within 12 months of release and received a subsequent custodial penalty (only counts those who committed a new proven offence not parole revocations or bail refusal). 7.3 is a subset of 7.2 and shows those who were returned to custody.