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# **NEW SOUTH WALES CUSTODY STATISTICS**

QUARTERLY UPDATE  
SEPTEMBER 2016

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NSW Bureau of Crime  
Statistics and Research

## **CONTENTS**

This report presents 24 months of reception, discharge and custody population data and comparisons between the current and previous quarter for age, gender, indigenous status, most serious offence and the average length of stay.

Separate figures are presented for juveniles and adults.

The counting unit is a custodial episode. An individual will be counted multiple times in a period if they have multiple custodial episodes in that period.

## **SCOPE**

The data in this report are extracted from the Corrective Services NSW (CSNSW) Offender Integrated Management System (OIMS) and the Juvenile Justice NSW (JJNSW) Client Information Management System (CIMS).

The adult custody population figures include only those persons held in gazetted correctional centres managed by CSNSW. This includes: persons managed as forensic patients, persons held after expiry of their sentence awaiting deportation and persons awaiting extradition to another jurisdiction. Persons in the Special Purpose Centre at Long Bay Correctional Centre are not included.

In addition to gazetted correctional centres, CSNSW manages a number of police/court cell complexes. This report excludes persons received into and then discharged from a CSNSW-managed 24 hour police/court cell complex without entering a gazetted correctional centre. Adults refused police bail but not held in a gazetted correctional centre are not included.

Custody population figures are counted as at midnight on the last day of the month or quarter as appropriate. Reception and discharge figures are those during each month or quarter as appropriate.

Refer to the Glossary at the back of the report for detailed descriptions of the terms used in the report.

## **ACKNOWLEDGEMENTS**

Juvenile custody data are provided by the Research and Information Section of JJNSW. Adult custody data are provided by the Corrections Research, Evaluation and Statistics (CRES) section of CSNSW. BOCSAR is grateful for the support provided by both areas in supplying the data for this report and advising on its interpretation.

## **NOTE**

The adult custody data presented in this report will differ from data reported by CSNSW due to data extract timing differences.

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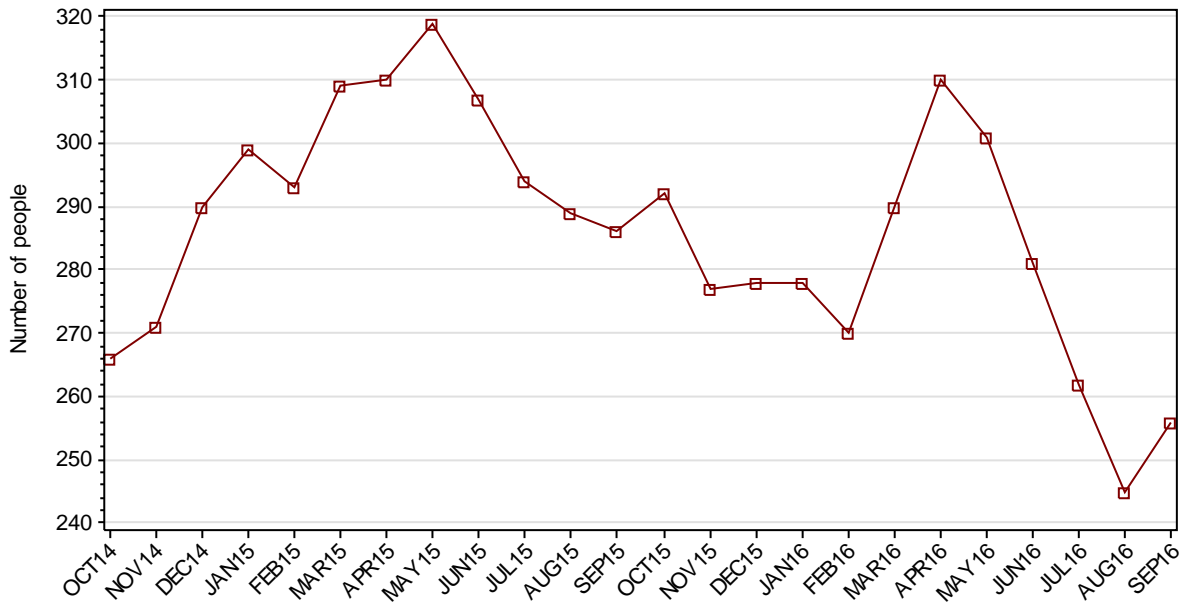
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# **Part 1 JUVENILES**

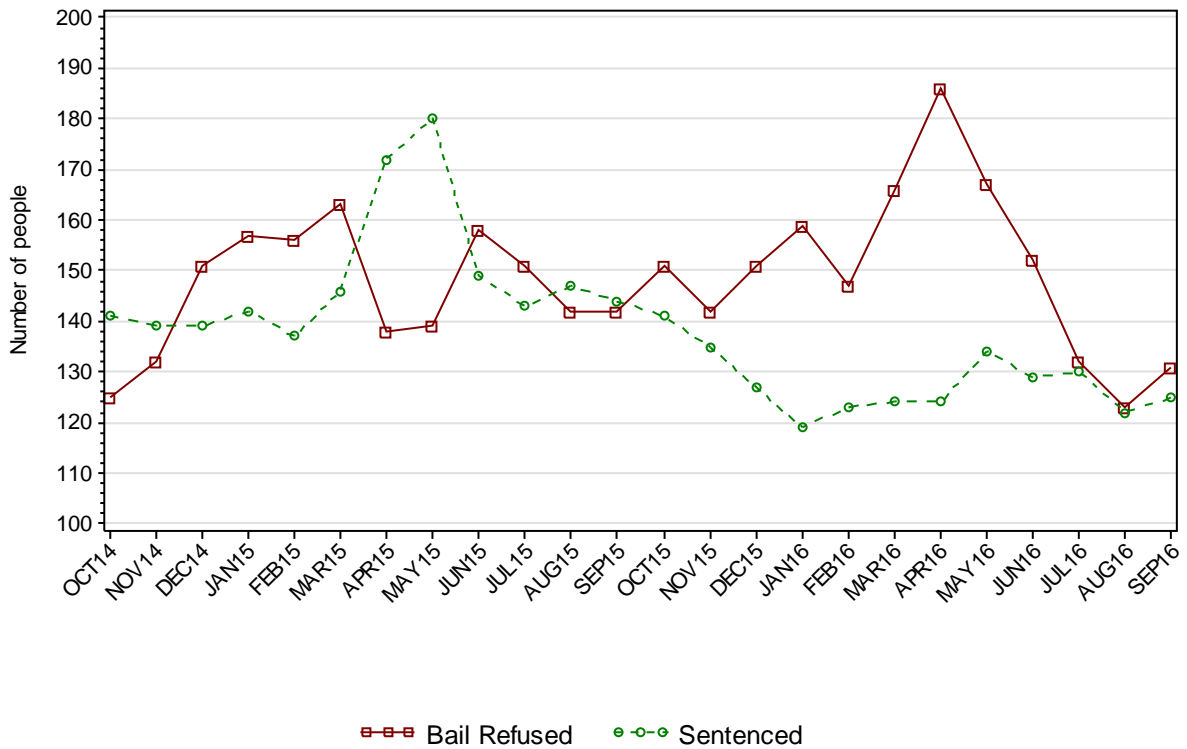
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## SECTION 1.1 JUVENILE CUSTODY POPULATION

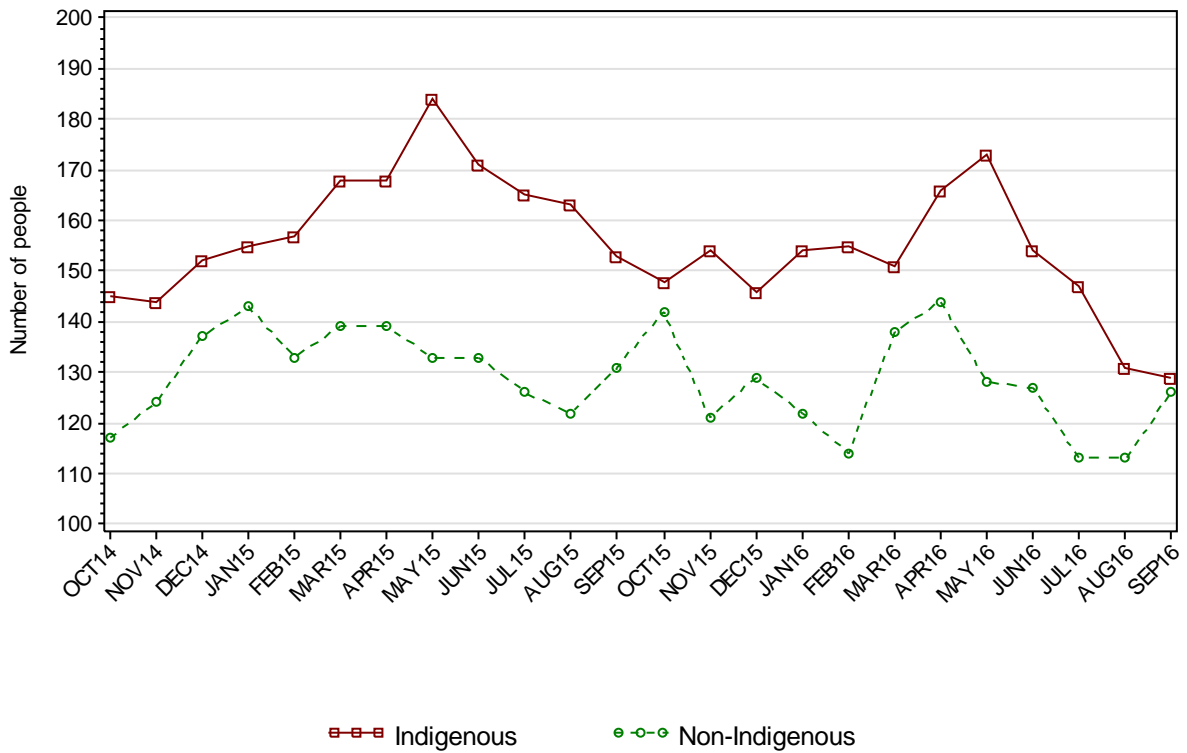
### 1.1.1 JUVENILE CUSTODY POPULATION AT END OF MONTH



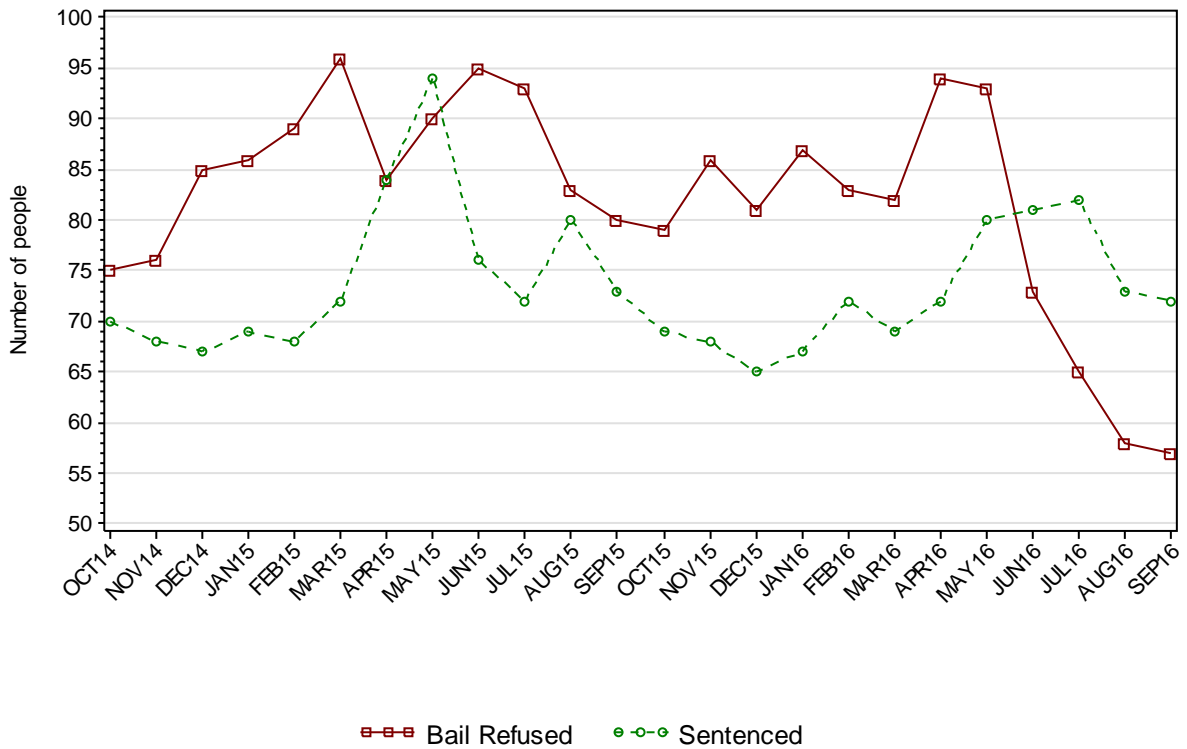
### 1.1.2 JUVENILE CUSTODY POPULATION BY LEGAL STATUS



### 1.1.3 JUVENILE CUSTODY POPULATION BY INDIGENOUS STATUS



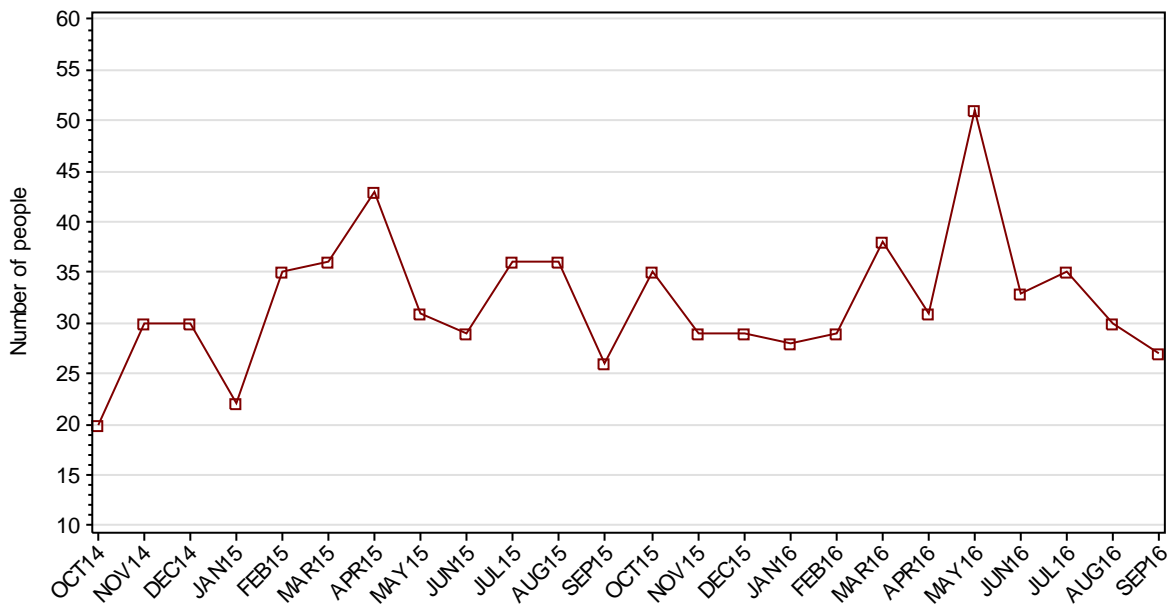
### 1.1.4 INDIGENOUS JUVENILE CUSTODY POPULATION BY LEGAL STATUS



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

		Police Bail Refused		Court Bail Refused		Sentenced		Total	
		JUN16	SEP16	JUN16	SEP16	JUN16	SEP16	JUN16	SEP16
Total Male	Count	5	4	133	113	122	121	260	238
	Avg Age	16.6	16.8	16.2	16.4	16.7	17.0	16.4	16.7
Total Female	Count	2	0	12	14	7	4	21	18
	Avg Age	15.5	.	15.1	15.8	17.3	17.3	15.9	16.1
Indigenous Male	Count	0	0	67	51	79	69	146	120
	Avg Age	.	.	15.9	16.4	16.5	16.7	16.2	16.6
Indigenous Female	Count	0	0	6	6	2	3	8	9
	Avg Age	.	.	14.7	15.0	18.0	16.7	15.5	15.6
Total	Count	7	4	145	127	129	125	281	256
	Avg Age	16.3	16.8	16.1	16.4	16.7	17.0	16.4	16.7

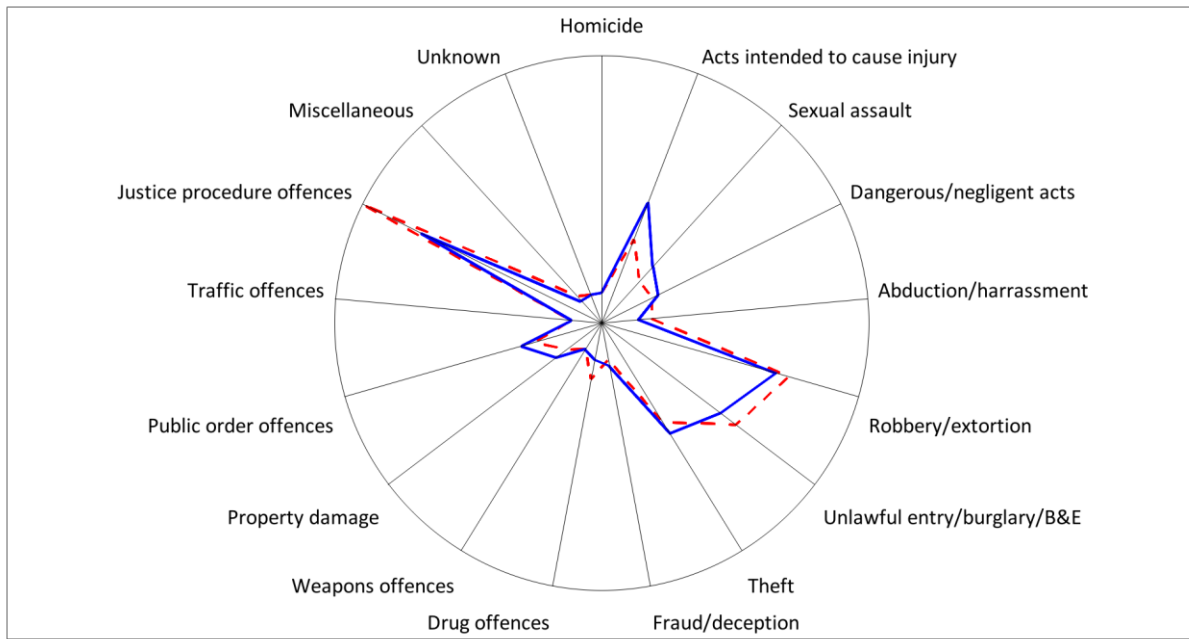
**1.1.6 JUVENILES IN CUSTODY: NUMBER WHOSE LEGAL STATUS CHANGED DURING MONTH FROM REMAND TO SENTENCED**







1.1.8 JUVENILE SENTENCED POPULATION BY MOST SERIOUS OFFENCE

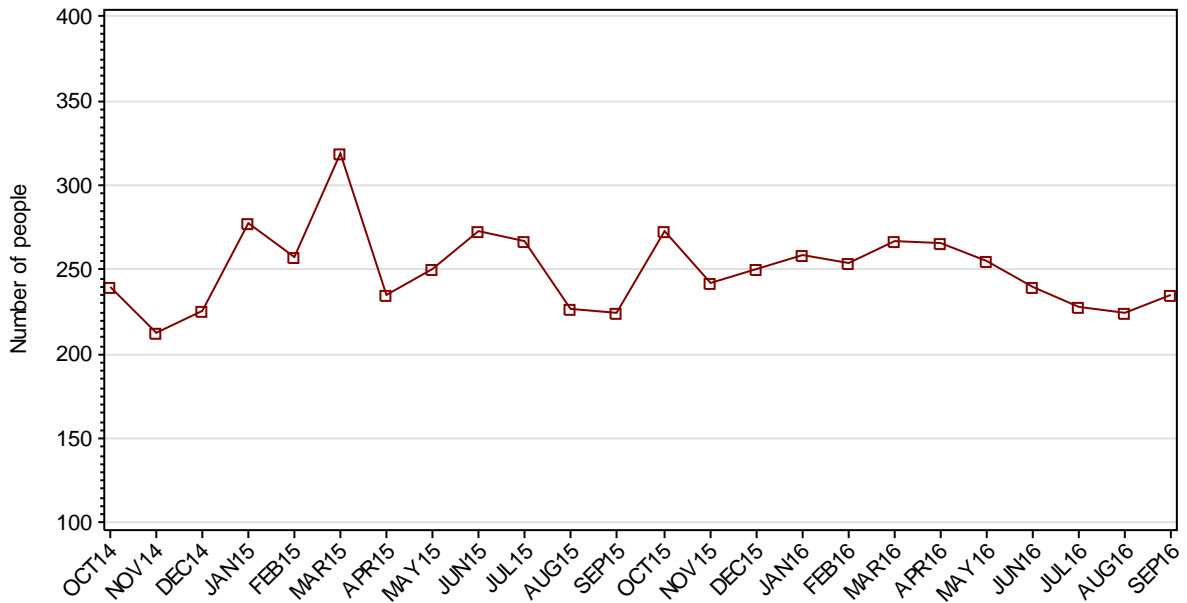


As At:

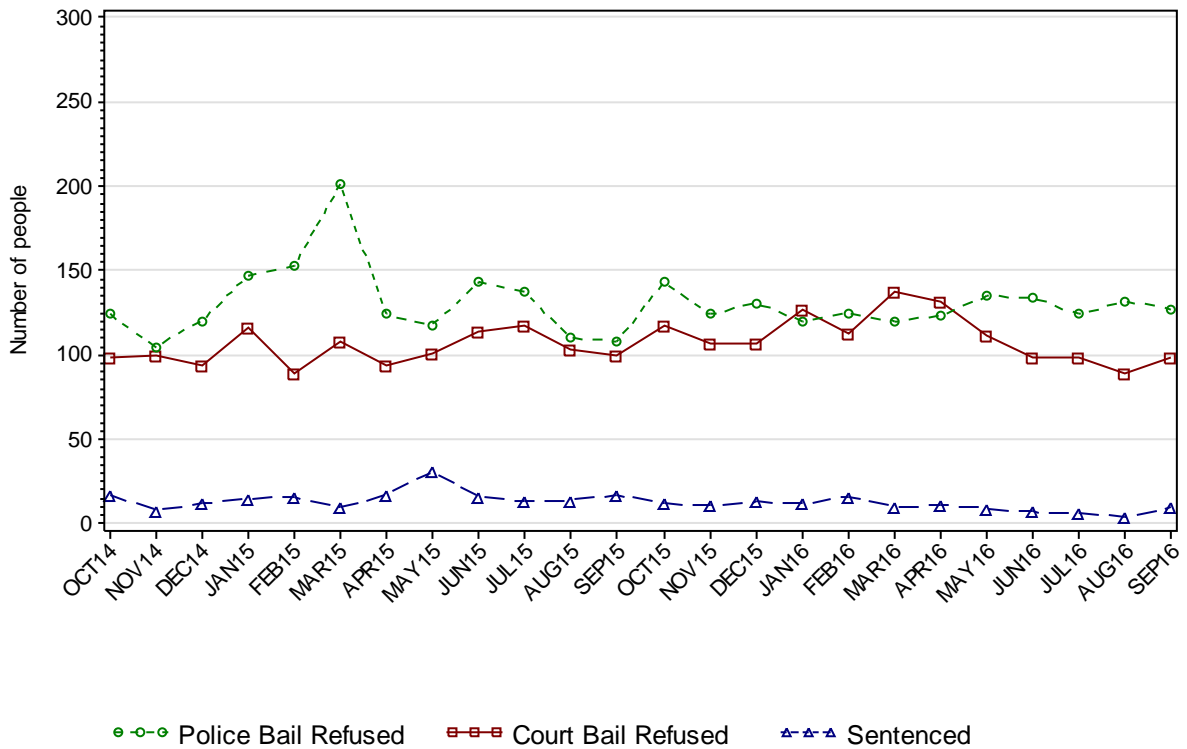
	30JUN16		30SEP16	
	Number	% of Total	Number	% of Total
Homicide	0	0	0	0
Acts intended to cause injury	9	7.0	15	12.0
Sexual assault	4	3.1	7	5.6
Dangerous/negligent acts	4	3.1	5	4.0
Abduction/harrasment	3	2.3	1	0.8
Robbery/extortion	25	19.4	23	18.4
Unlawful entry/burglary/B&E	21	16.3	18	14.4
Theft	13	10.1	15	12.0
Fraud/deception	1	0.8	2	1.6
Drug offences	4	3.1	1	0.8
Weapons offences	0	0	0	0
Property damage	2	1.6	4	3.2
Public order offences	6	4.7	8	6.4
Traffic offences	0	0	0	0
Justice procedure offences	36	27.9	26	20.8
Miscellaneous	1	0.8	0	0
Unknown	0	0	0	0
<b>Total</b>	<b>129</b>	<b>100.0</b>	<b>125</b>	<b>100.0</b>

## SECTION 1.2 JUVENILE CUSTODY RECEPTIONS

### 1.2.1 JUVENILES RECEIVED INTO CUSTODY DURING MONTH

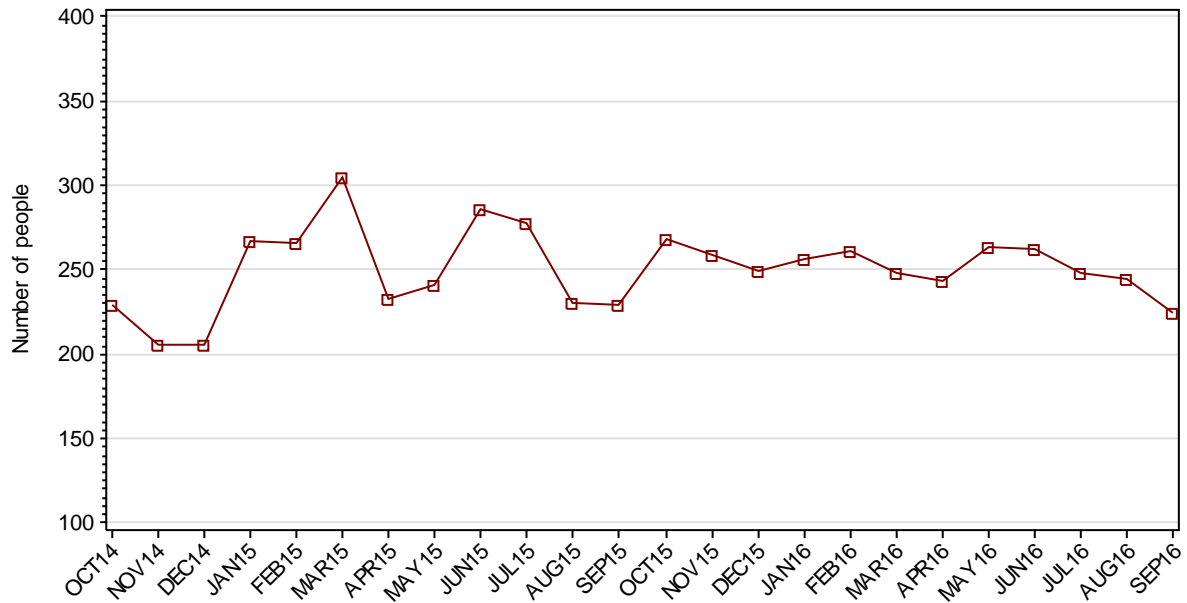


### 1.2.2 JUVENILES RECEIVED INTO CUSTODY BY LEGAL STATUS



## SECTION 1.3 JUVENILE CUSTODY DISCHARGES

### 1.3.1 JUVENILES DISCHARGED FROM CUSTODY DURING MONTH

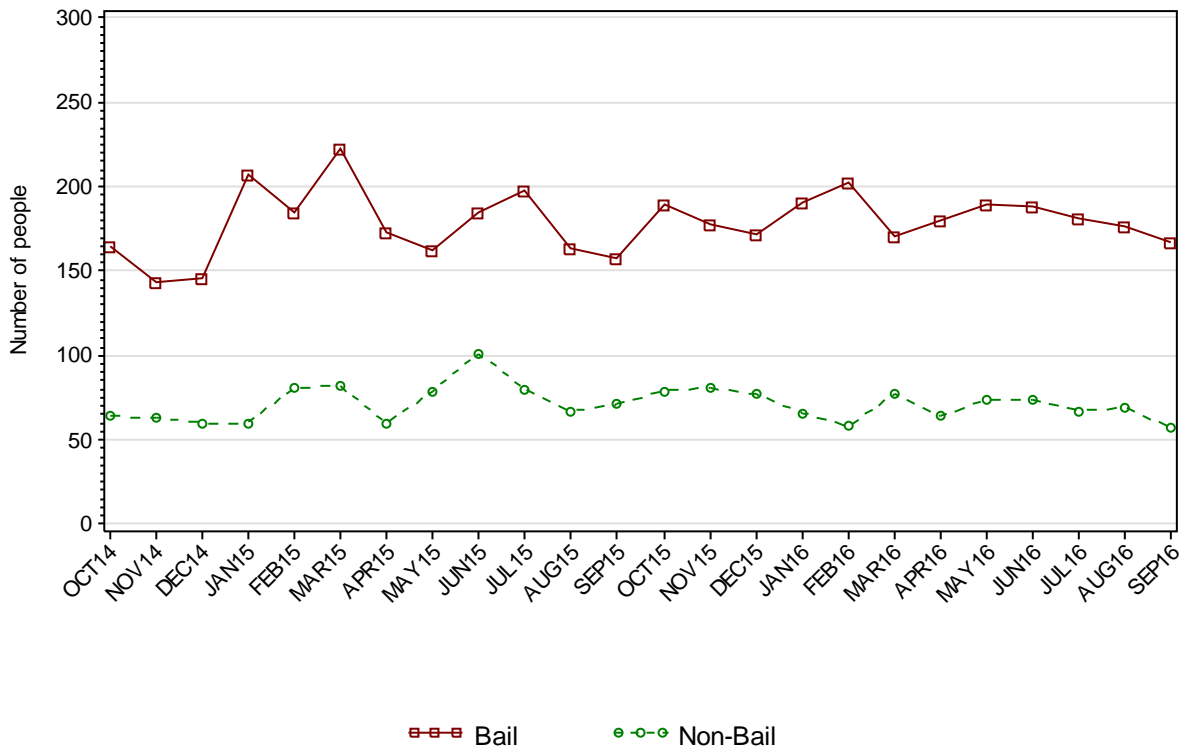


### 1.3.2 AVERAGE LENGTH OF STAY FOR JUVENILES DISCHARGED FROM CUSTODY EACH QUARTER

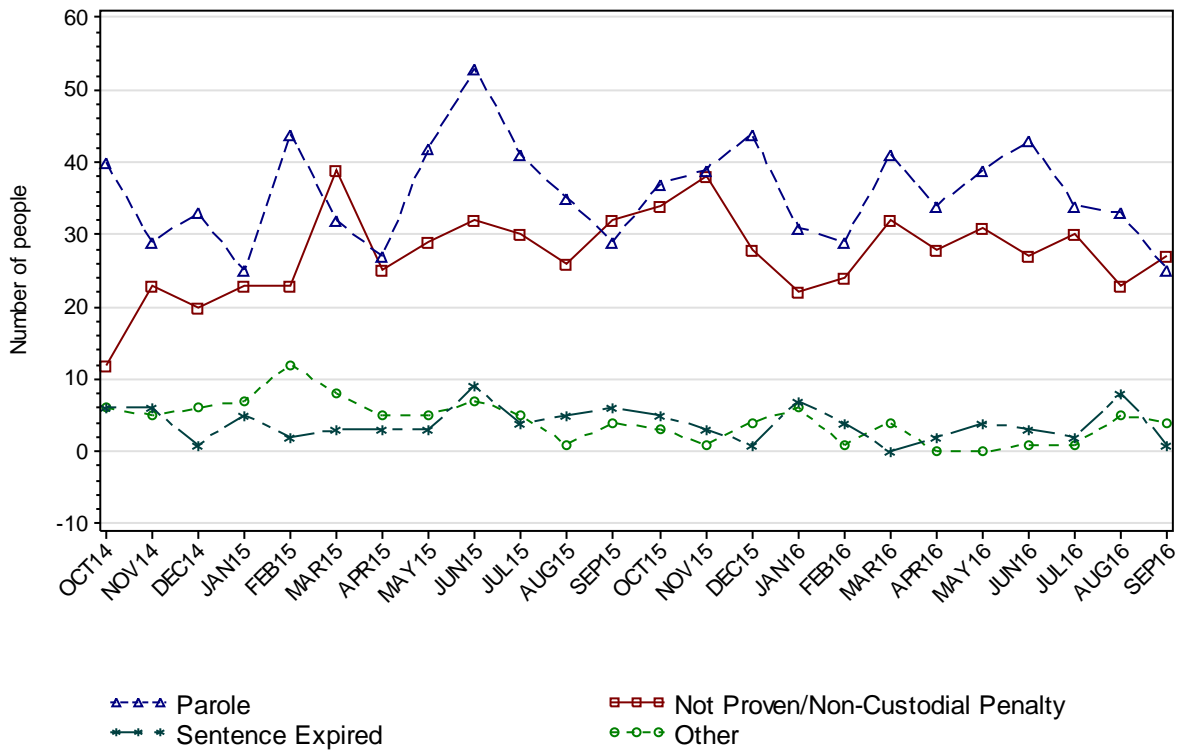
		Remand Custody Only		Sentenced Custody Only		Remand to Sentenced Custody	
		JUN16	SEP16	JUN16	SEP16	JUN16	SEP16
Total Male	Avg Days	9.5	10.8	100.8	98.4	160.2	171.9
	Number	489	455	33	20	94	88
Total Female	Avg Days	7.7	7.2	50.3	77.0	107.0	89.9
	Number	141	143	4	3	9	8
Indigenous Male	Avg Days	12.2	13.0	91.4	107.0	172.3	190.0
	Number	172	169	20	13	50	53
Indigenous Female	Avg Days	9.5	8.6	13.5	90.0	99.0	114.0
	Number	58	65	2	1	6	2
Total	Avg Days	9.1	10.0	95.4	95.6	155.5	165.1
	Number	630	598	37	23	103	96

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

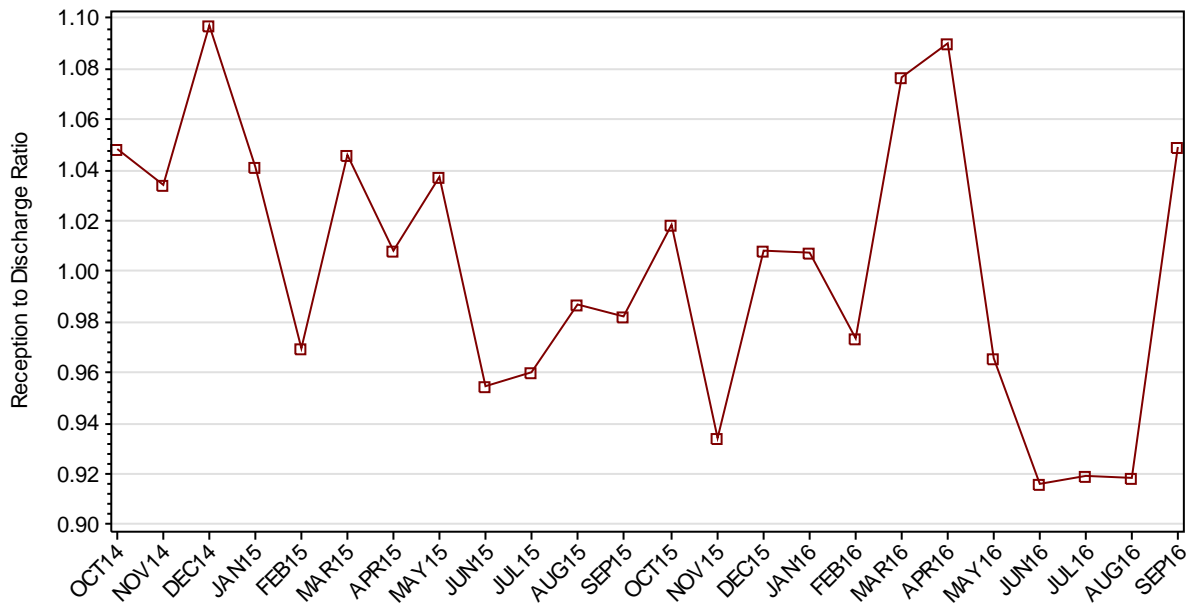
### 1.3.3 JUVENILES BY DISCHARGE TYPE



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



### 1.3.5 RATIO OF JUVENILE RECEPTIONS TO DISCHARGES



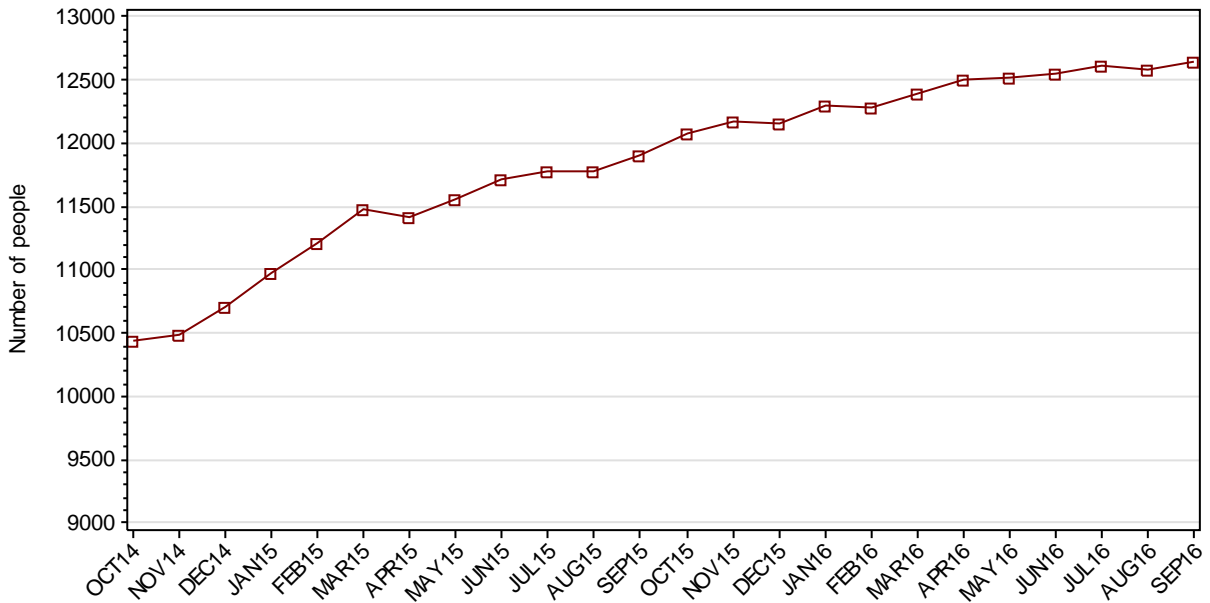
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## **Part 2 ADULTS**

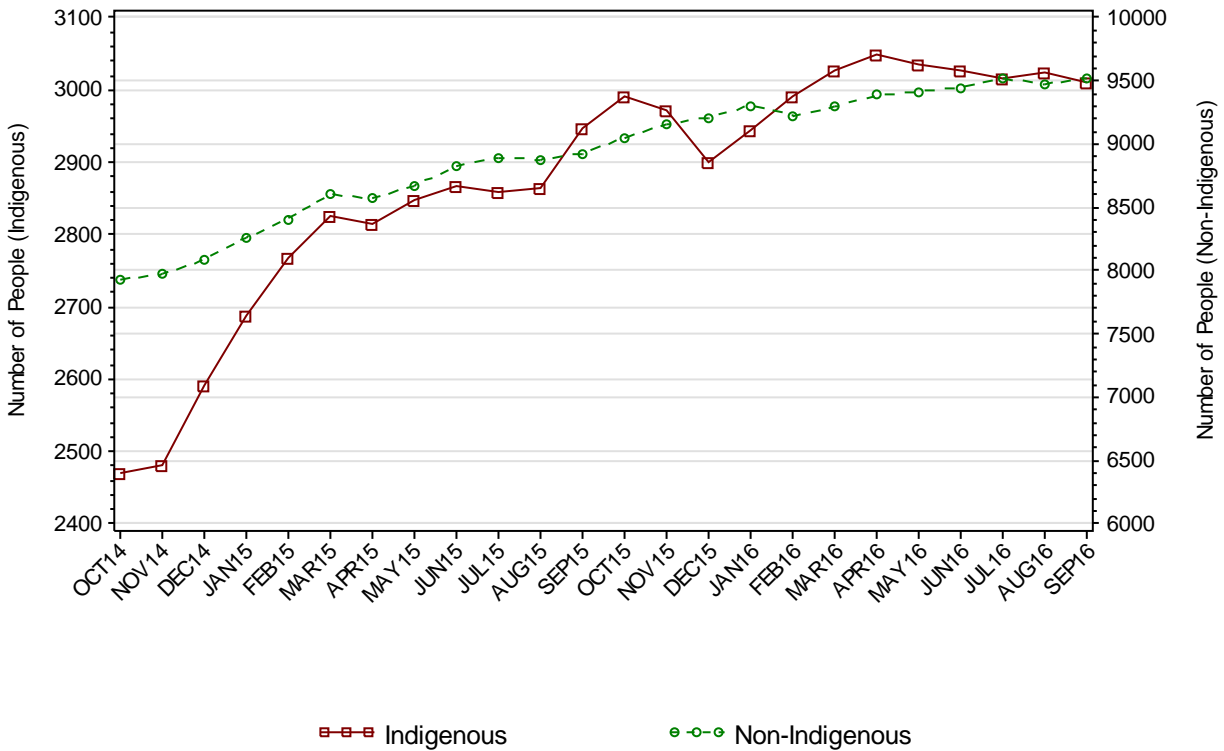
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## SECTION 2.1 ADULT CUSTODY POPULATION

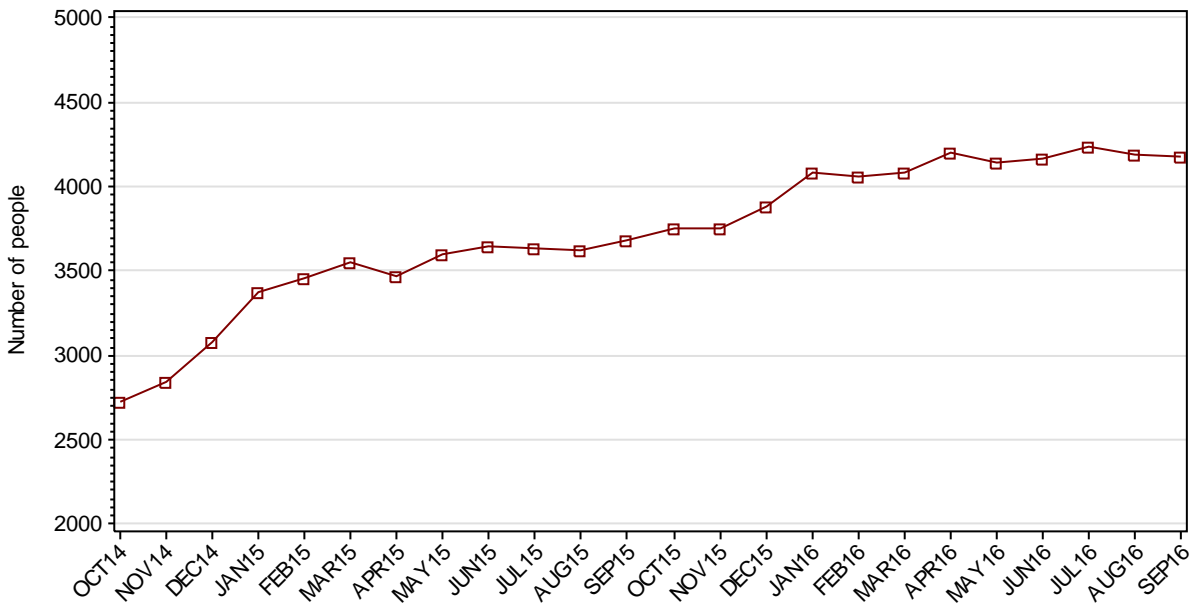
### 2.1.1 ADULT CUSTODY POPULATION AT END OF MONTH



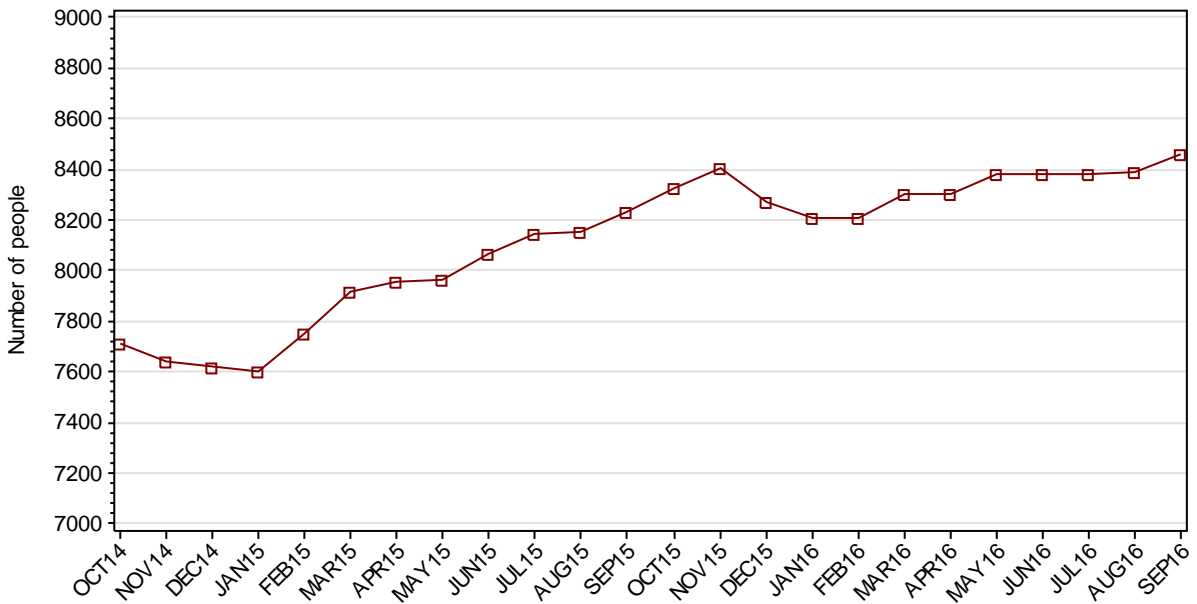
### 2.1.2 ADULT CUSTODY POPULATION BY INDIGENOUS STATUS



### 2.1.3 ADULT REMAND POPULATION

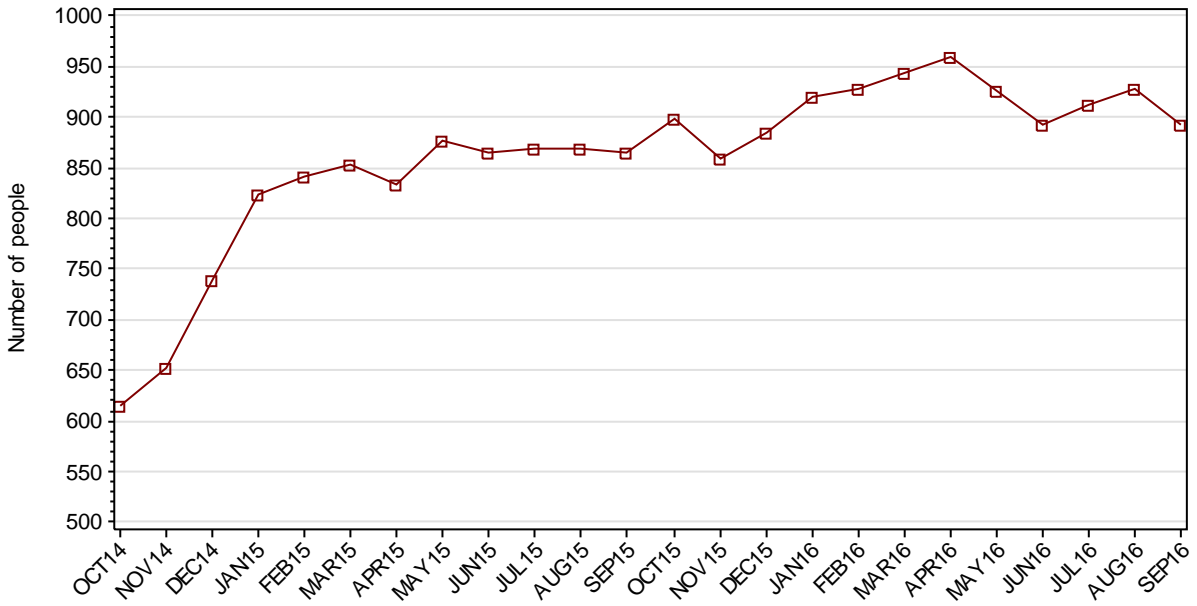


### 2.1.4 ADULT SENTENCED POPULATION

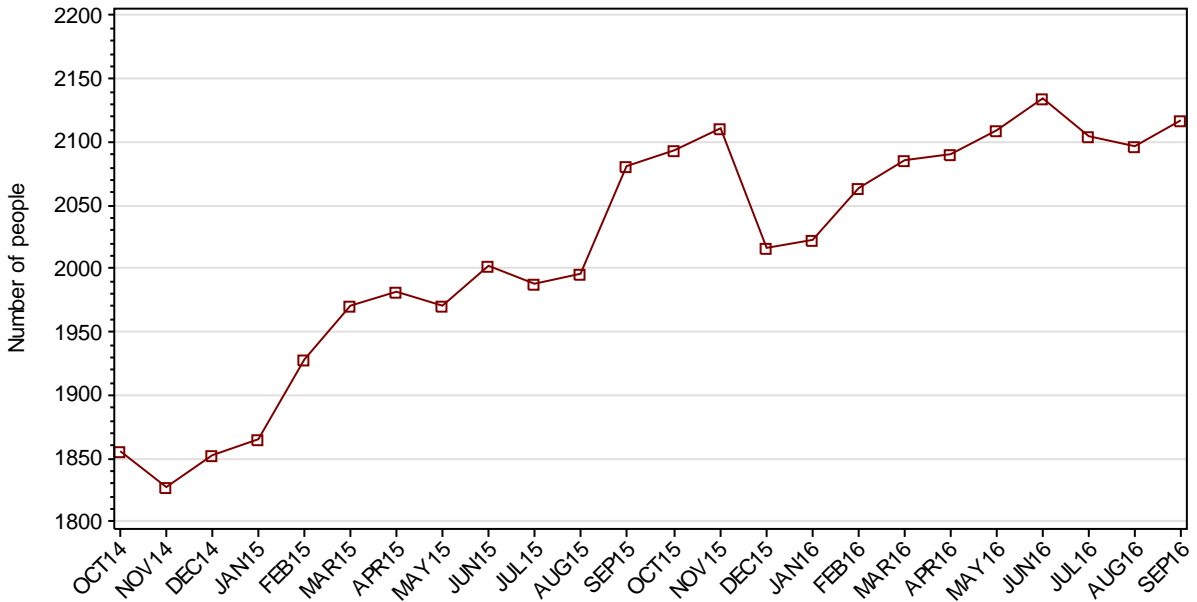




### 2.1.5 INDIGENOUS ADULT REMAND POPULATION



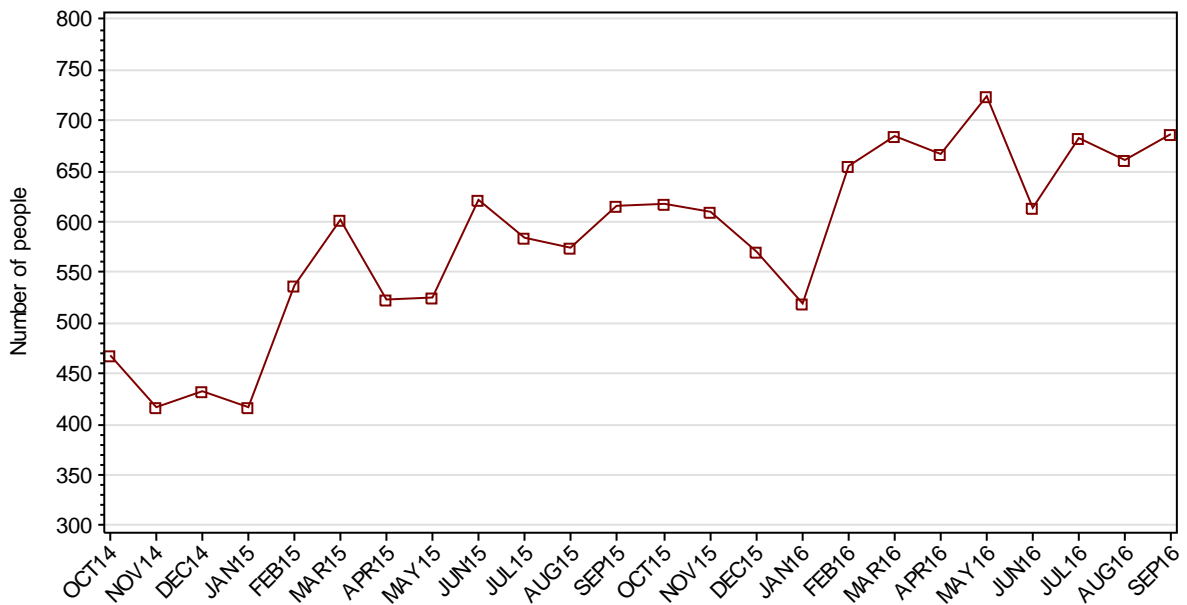
### 2.1.6 INDIGENOUS ADULT SENTENCED POPULATION



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

		Remand		Sentenced		Total	
		JUN16	SEP16	JUN16	SEP16	JUN16	SEP16
Total Male	Count	3774	3772	7844	7869	11618	11641
	Avg Age	34.4	34.5	36.9	37.1	36.1	36.3
Total Female	Count	396	405	536	595	932	1000
	Avg Age	33.6	33.7	35.8	35.9	34.9	35.0
Indigenous Male	Count	784	771	1939	1896	2723	2667
	Avg Age	31.1	31.3	33.0	33.1	32.4	32.6
Indigenous Female	Count	109	122	195	221	304	343
	Avg Age	31.9	31.4	32.5	33.3	32.3	32.6
Total	Count	4170	4177	8380	8464	12550	12641
	Avg Age	34.4	34.4	36.8	37.0	36.0	36.2

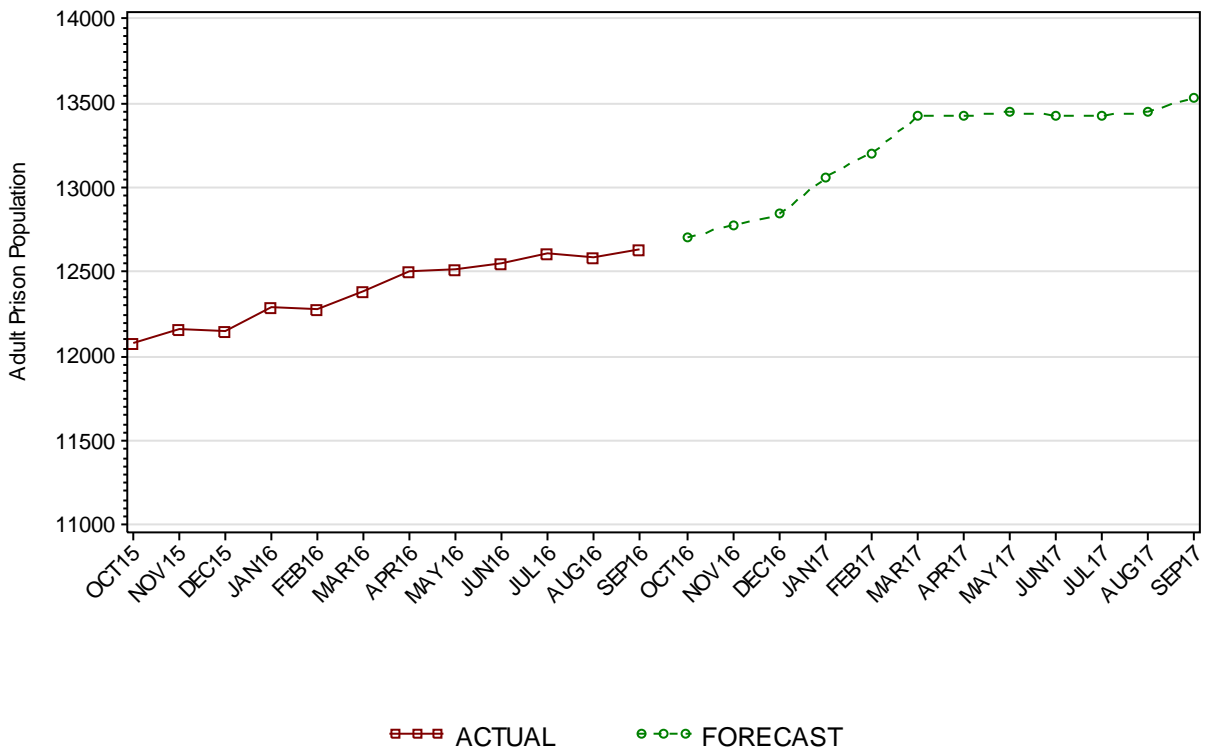
**2.1.8 ADULTS IN CUSTODY: NUMBER WHOSE LEGAL STATUS CHANGED DURING MONTH FROM REMAND TO SENTENCED**





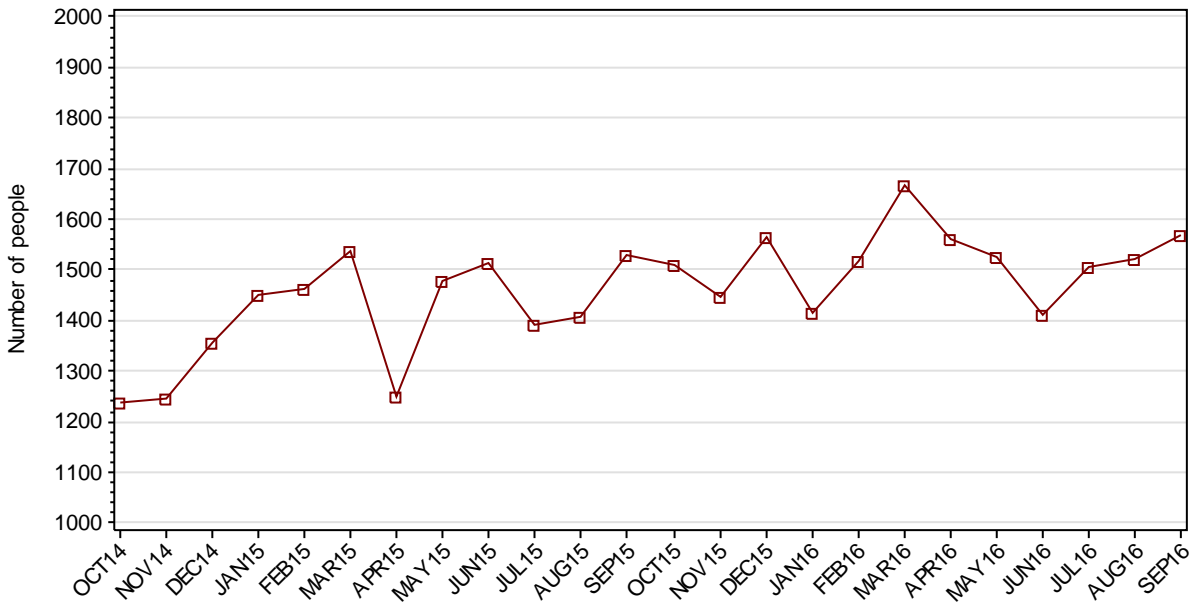


### 2.1.11 PRISON POPULATION FORECAST

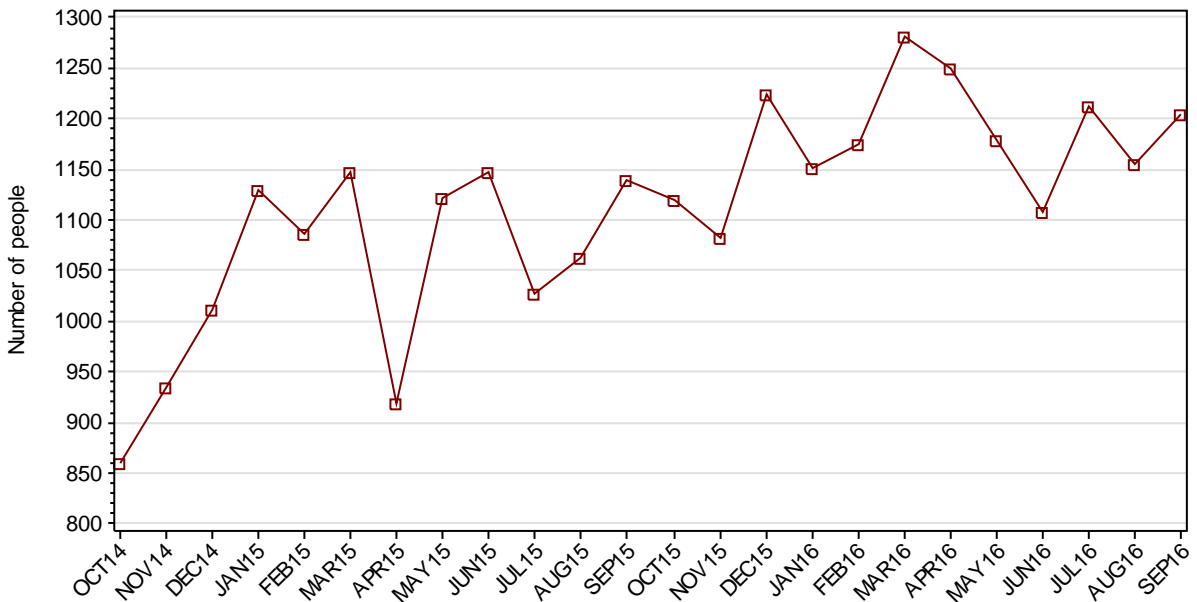


## SECTION 2.2 ADULT CUSTODY RECEPTIONS

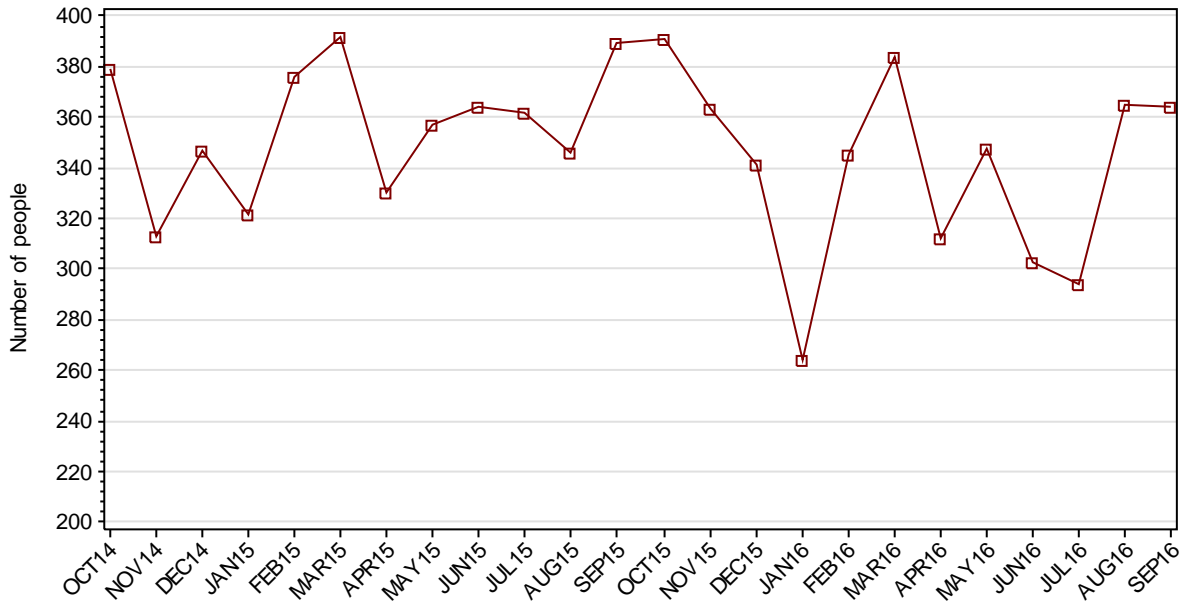
### 2.2.1 ADULTS RECEIVED INTO CUSTODY DURING MONTH



### 2.2.2 ADULT REMAND RECEPTIONS

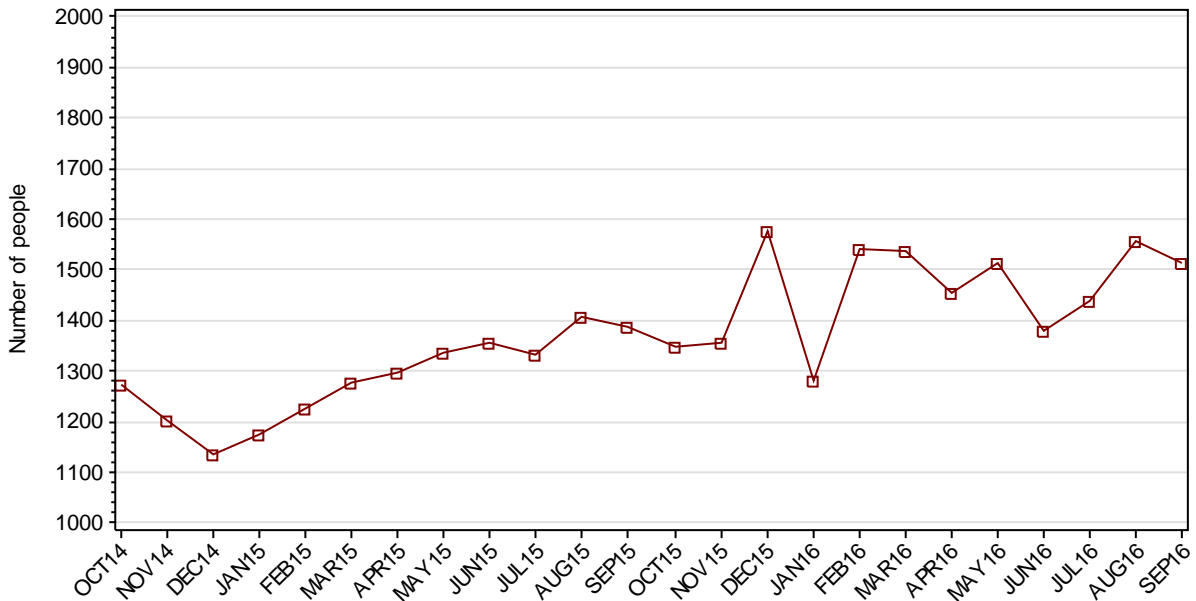


### 2.2.3 ADULT SENTENCED RECEPTIONS



## SECTION 2.3 ADULT CUSTODY DISCHARGES

### 2.3.1 ADULTS DISCHARGED FROM CUSTODY DURING MONTH



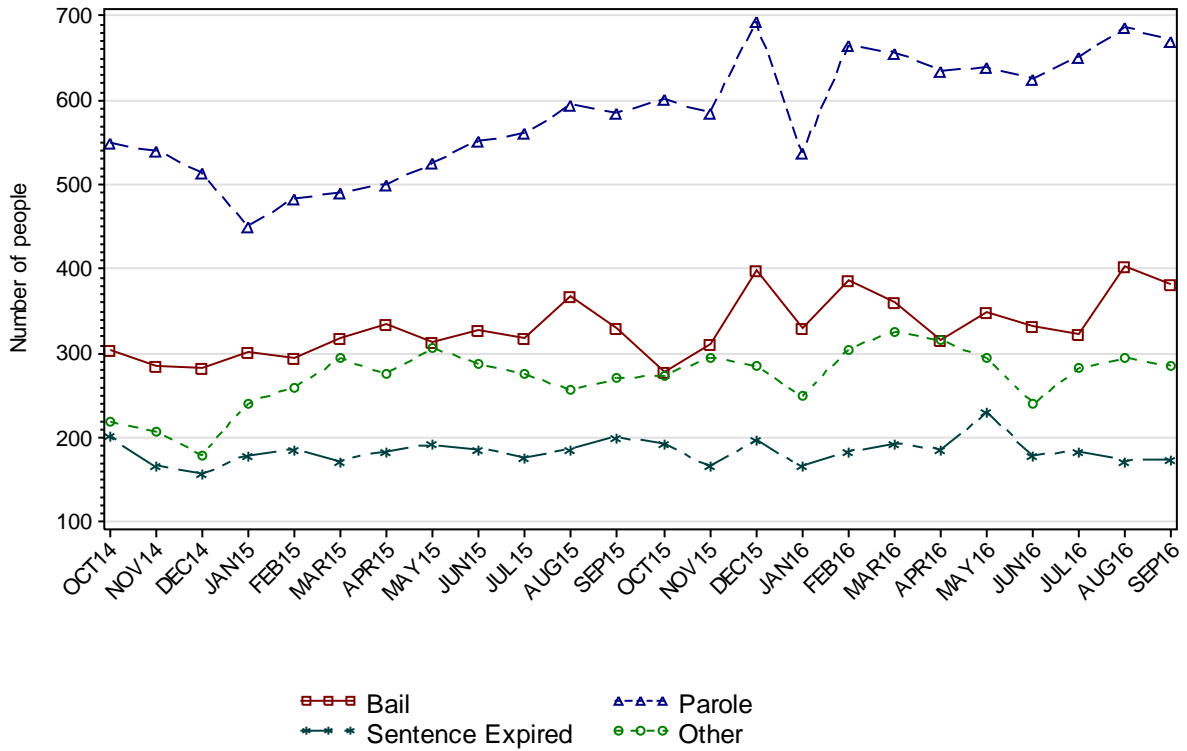
### 2.3.2 AVERAGE LENGTH OF STAY FOR ADULTS DISCHARGED FROM CUSTODY EACH QUARTER

		Remand Custody Only		Sentenced Custody Only		Remand to Sentenced Custody	
		JUN16	SEP16	JUN16	SEP16	JUN16	SEP16
Total Male	Avg Days	55.2	58.1	245.9	233.8	443.7	461.8
	Number	1216	1333	935	886	1584	1726
Total Female	Avg Days	41.3	45.8	157.6	132	250.5	235.2
	Number	276	259	122	120	208	187
Indigenous Male	Avg Days	57.6	56.8	235.2	270.1	325.1	360.1
	Number	271	345	267	262	451	501
Indigenous Female	Avg Days	43.2	44.9	133.3	114.1	253.5	175.9
	Number	88	84	44	51	86	86
Total	Avg Days	52.6	56.1	235.7	221.6	421.3	439.6
	Number	1492	1592	1057	1006	1792	1913

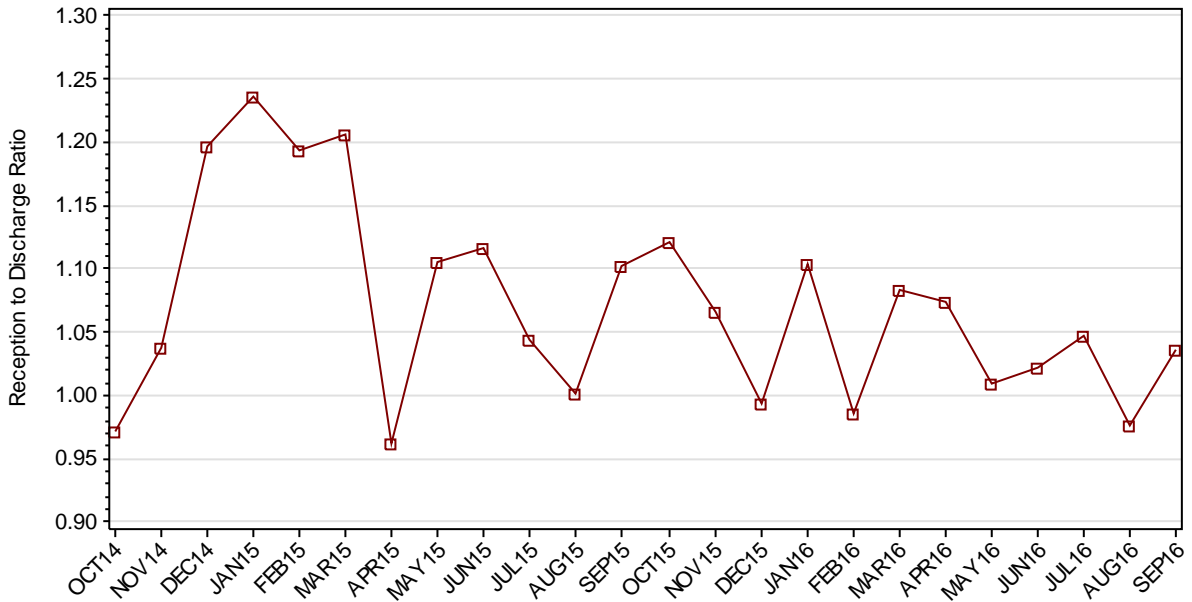
Note: length of Stay for Remand to Sentenced Custody is from the date of reception on remand



### 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	
OCT14	266	124	1	141	145	117	4	74	1	70	20
NOV14	271	131	1	139	144	124	3	76	0	68	30
DEC14	290	145	6	139	152	137	1	79	6	67	30
JAN15	299	156	1	142	155	143	1	85	1	69	22
FEB15	293	152	4	137	157	133	3	87	2	68	35
MAR15	309	159	4	146	168	139	2	93	3	72	36
APR15	310	137	1	172	168	139	3	83	1	84	43
MAY15	319	136	3	180	184	133	2	89	1	94	31
JUN15	307	157	1	149	171	133	3	95	0	76	29
JUL15	294	147	4	143	165	126	3	92	1	72	36
AUG15	289	139	3	147	163	122	4	80	3	80	36
SEP15	286	137	5	144	153	131	2	78	2	73	26
OCT15	292	150	1	141	148	142	2	79	0	69	35
NOV15	277	138	4	135	154	121	2	82	4	68	29
DEC15	278	144	7	127	146	129	3	79	2	65	29
JAN16	278	157	2	119	154	122	2	86	1	67	28
FEB16	270	145	2	123	155	114	1	83	0	72	29
MAR16	290	160	6	124	151	138	1	81	1	69	38
APR16	310	180	6	124	166	144	0	92	2	72	31
MAY16	301	161	6	134	173	128	0	90	3	80	51
JUN16	281	145	7	129	154	127	0	73	0	81	33
JUL16	262	130	2	130	147	113	2	65	0	82	35
AUG16	245	113	10	122	131	113	1	54	4	73	30
SEP16	256	127	4	125	129	126	1	57	0	72	27

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	
OCT14	240	99	124	17	138	100	2	229	165	12	6	40	6	117	110	2	1.05
NOV14	213	100	105	8	113	98	2	206	143	23	5	29	6	114	89	3	1.03
DEC14	226	94	120	12	114	108	4	206	146	20	6	33	1	105	95	6	1.10
JAN15	278	116	147	15	132	143	3	267	207	23	7	25	5	127	137	3	1.04
FEB15	258	89	153	16	128	125	5	266	185	23	12	44	2	127	136	3	0.97
MAR15	319	108	201	10	152	158	9	305	223	39	8	32	3	143	152	10	1.05
APR15	235	94	124	17	113	120	2	233	173	25	5	27	3	112	120	1	1.01
MAY15	250	101	118	31	124	117	9	241	162	29	5	42	3	109	122	10	1.04
JUN15	273	114	143	16	120	147	6	286	185	32	7	53	9	133	148	5	0.95
JUL15	267	117	137	13	124	141	2	278	198	30	5	41	4	127	149	2	0.96
AUG15	227	103	110	14	110	108	9	230	163	26	1	35	5	110	112	8	0.99
SEP15	225	100	108	17	104	117	4	229	158	32	4	29	6	117	106	6	0.98
OCT15	273	118	143	12	124	145	4	268	189	34	3	37	5	129	135	4	1.02
NOV15	242	107	124	11	131	106	5	259	178	38	1	39	3	126	128	5	0.93
DEC15	251	107	131	13	107	138	6	249	172	28	4	44	1	114	130	5	1.01
JAN16	259	127	120	12	127	125	7	257	191	22	6	31	7	118	131	8	1.01
FEB16	254	113	125	16	133	110	11	261	203	24	1	29	4	133	116	12	0.97
MAR16	267	137	120	10	121	138	8	248	171	32	4	41	0	124	116	8	1.08
APR16	266	132	123	11	105	151	10	244	180	28	0	34	2	90	143	11	1.09
MAY16	255	111	135	9	106	140	9	264	190	31	0	39	4	102	153	9	0.97
JUN16	240	99	134	7	98	134	8	262	188	27	1	43	3	116	138	8	0.92
JUL16	228	98	124	6	103	113	12	248	181	30	1	34	2	110	128	10	0.92
AUG16	225	89	132	4	88	129	8	245	176	23	5	33	8	105	131	9	0.92
SEP16	235	98	127	10	86	140	9	224	167	27	4	25	1	88	127	9	1.05

Adult	1.In Custody								Remand to Sent
	Total	Legal Status		Indigenous			Indigenous Legal Status		
		Remand	Sent	Yes	No	Unk	Remand	Sent	
<b>OCT14</b>	10435	2720	7715	2471	7934	30	615	1856	468
<b>NOV14</b>	10481	2843	7638	2481	7969	31	653	1828	416
<b>DEC14</b>	10704	3083	7621	2591	8084	29	739	1852	432
<b>JAN15</b>	10976	3372	7604	2689	8256	31	824	1865	416
<b>FEB15</b>	11207	3456	7751	2769	8402	36	841	1928	538
<b>MAR15</b>	11472	3553	7919	2825	8607	40	854	1971	602
<b>APR15</b>	11422	3466	7956	2815	8568	39	833	1982	524
<b>MAY15</b>	11562	3601	7961	2848	8674	40	877	1971	525
<b>JUN15</b>	11721	3651	8070	2867	8824	30	865	2002	621
<b>JUL15</b>	11781	3633	8148	2858	8893	30	870	1988	585
<b>AUG15</b>	11777	3625	8152	2865	8879	33	869	1996	575
<b>SEP15</b>	11908	3677	8231	2947	8926	35	866	2081	615
<b>OCT15</b>	12081	3751	8330	2991	9053	37	898	2093	617
<b>NOV15</b>	12166	3757	8409	2971	9153	42	860	2111	610
<b>DEC15</b>	12150	3881	8269	2900	9210	40	884	2016	570
<b>JAN16</b>	12297	4085	8212	2943	9304	50	921	2022	519
<b>FEB16</b>	12276	4065	8211	2992	9226	58	928	2064	656
<b>MAR16</b>	12390	4090	8300	3028	9298	64	943	2085	684
<b>APR16</b>	12509	4204	8305	3050	9388	71	960	2090	668
<b>MAY16</b>	12522	4141	8381	3035	9413	74	926	2109	724
<b>JUN16</b>	12550	4170	8380	3027	9447	76	893	2134	613
<b>JUL16</b>	12616	4236	8380	3016	9516	84	912	2104	682
<b>AUG16</b>	12584	4194	8390	3025	9476	83	928	2097	662
<b>SEP16</b>	12641	4177	8464	3010	9523	108	893	2117	687

Adult	2.Receptions						3.Discharges								Ratio Rec/ Dis
	Tot	Legal Status		Indigenous			Tot	Legal Status				Indigenous			
		Remand	Sent	Yes	No	Unk		Bail	Other	Parole	Sent Exp	Yes	No	Unk	
<b>OCT14</b>	1239	860	379	342	866	31	1275	305	219	549	202	361	875	39	0.97
<b>NOV14</b>	1247	934	313	354	861	32	1201	286	207	541	167	345	827	29	1.04
<b>DEC14</b>	1358	1011	347	398	937	23	1134	283	180	514	157	286	822	26	1.20
<b>JAN15</b>	1451	1129	322	432	984	35	1174	302	241	451	180	332	809	33	1.24
<b>FEB15</b>	1463	1087	376	418	1010	35	1226	295	260	484	187	335	862	29	1.19
<b>MAR15</b>	1539	1147	392	421	1076	42	1276	319	294	490	173	365	872	39	1.21
<b>APR15</b>	1248	918	330	378	836	34	1297	336	276	501	184	387	877	33	0.96
<b>MAY15</b>	1478	1121	357	434	1011	33	1337	313	306	526	192	401	903	33	1.11
<b>JUN15</b>	1512	1148	364	438	1043	31	1355	328	288	552	187	419	893	43	1.12
<b>JUL15</b>	1390	1028	362	387	967	36	1331	318	275	561	177	398	898	35	1.04
<b>AUG15</b>	1408	1062	346	402	981	25	1407	368	257	595	187	397	987	23	1.00
<b>SEP15</b>	1529	1140	389	452	1050	27	1388	331	271	585	201	366	996	26	1.10
<b>OCT15</b>	1511	1120	391	423	1061	27	1348	279	274	601	194	385	938	25	1.12
<b>NOV15</b>	1446	1083	363	393	1027	26	1357	311	295	585	166	411	926	20	1.07
<b>DEC15</b>	1566	1225	341	422	1110	34	1575	398	286	693	198	492	1047	36	0.99
<b>JAN16</b>	1416	1152	264	437	946	33	1282	329	249	538	166	395	865	22	1.10
<b>FEB16</b>	1519	1174	345	448	1024	47	1541	387	305	665	184	400	1101	40	0.99
<b>MAR16</b>	1666	1282	384	481	1125	60	1538	362	326	657	193	439	1047	52	1.08
<b>APR16</b>	1561	1249	312	426	1098	37	1454	317	315	635	187	407	1018	29	1.07
<b>MAY16</b>	1526	1178	348	415	1073	38	1512	349	294	639	230	426	1051	35	1.01
<b>JUN16</b>	1411	1108	303	369	1011	31	1380	333	241	626	180	374	974	32	1.02
<b>JUL16</b>	1507	1213	294	416	1052	39	1440	322	282	652	184	428	981	31	1.05
<b>AUG16</b>	1521	1156	365	457	1032	32	1557	403	294	687	173	451	1073	33	0.98
<b>SEP16</b>	1569	1205	364	434	1086	49	1514	382	286	671	175	450	1040	24	1.04

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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 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 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. 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.

## **Imprisonment**

See Custodial sentence.

## **Indigenous status**

Indigenous status as self-reported on reception into custody. Persons may identify as being Aboriginal or Torres Strait Islander, neither Aboriginal nor Torres Strait Islander or may not provide this information. An inmate is recorded as indigenous if they have identified as such

in the current or any previous custodial episode. Indigenous status is unknown for a small proportion of people.

## Juvenile

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

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

Note: a small number of 16 and 17 year old males are held in Kariiong Juvenile Correctional Centre which is managed by CSNSW. As Kariiong is a gazetted correctional centre, these young persons are counted in the adult figures in this report.

## Juvenile Justice NSW

Juvenile Justice NSW (JJNSW) is part of the NSW Department of Attorney General and Justice with responsibilities including the supervision of young people remanded in custody pending the finalisation of criminal charges and young offenders sentenced to a control order/imprisonment.

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

The Research and Information Section of JJNSW have provided the juvenile data for this report and advised on its interpretation.

## Legal status

The legal status of persons received into or held in custody:

Remand (Juvenile) - Juveniles refused bail (and small numbers granted bail but unable to meet conditions) are remanded into custody pending future court action.

Juvenile remand figures are disaggregated into:

- Police bail refused - Police have refused to grant bail to a juvenile. All juveniles refused bail by police are held in custody in a juvenile justice centre pending future court action.
- Court bail refused - the courts have refused to grant bail to a juvenile pending future court action.

Remand (Adult) - adults refused bail (and small numbers granted bail but unable to meet conditions) are remanded in custody pending future court action. Includes a small number of persons refused police bail and remanded in custody in a gazetted correctional centre. Includes persons on remand who are being managed as correctional patients under the *Mental Health (Forensic Provisions) Act 1990*.

Sentenced - the courts have imposed custodial sentence(s) for proven offence(s). This category includes persons returned to custody after breaching parole. Includes forensic patients as per the *Mental Health (Forensic Provisions) Act 1990* (ie persons found unfit to be tried and persons found not guilty due to mental illness). Persons on remand for one or more offences and sentenced for one or more offences have a legal status of sentenced.

Unknown - adults whose legal status was not recorded at the time of admission.

## Legal status changed from remand to sentenced

Persons whose legal status changed from remand to sentenced upon the imposition of a custodial sentence by a court. This report shows the numbers of persons during each month who changed from being on remand to being sentenced.

## Most serious offence

The most serious offence type for which each person is in custody. The offence type categories in this report are the sixteen ANZSOC Divisions, with shortened titles (See ANZSOC).

Most serious offence data is presented in a radar chart and a data table. The radar chart consists of a circle with a series of 'spokes' running from the centre of the circle to the perimeter. Each spoke represents a different offence type. The radar chart is constructed by placing a point on each spoke marking the proportion of prisoners with that offence type as their most serious offence. The higher the proportion, the closer the point to the perimeter. The points are then connected and the resulting figure inside the circle gives a picture of the distribution of most serious offence type across prisoners. A different type/colour of line is used for each quarter, making changes from quarter to quarter apparent. Note that offence types with no observations are plotted a short distance from the zero radius so that the numbers for every offence type can be observed.

The data table displays the number and proportion of persons in custody for each of the most serious offence types. The data is presented separately for sentenced persons and persons on remand:

### Most Serious Offence – Adults:

The most serious offence for adults is as provided by CSNSW.

A person's most serious offence may change over the course of their custodial episode depending on offences for which they are in custody at any one time. The Most Serious Offence data presented in this report are stock data and are sourced from data extracts run two to three weeks after the end of the quarter.

The data for the previous quarter is as at the previous quarter's custody report.

Extracting the data after the same time lag each quarter reduces variability due to extract timing and so is indicative of a change in the broad offence profile of persons in custody between the end of the current and previous quarters.

Due to the way that MSO is recorded and the data extracted, it is not available for receptions or discharge data.

### Most Serious Offence – Juveniles:

Most serious offence for juveniles is compiled by matching custody order records from JJNSW with sentencing and bail refused orders sourced from the JusticeLink system used by the NSW criminal courts. Data is matched using JusticeLink Proceeding Number, a unique offence identifier which is available in the JJNSW data from January 2011.

- The most serious offence for juveniles remanded in custody is the offence with the highest Median Sentence Ranking (MSR). The MSR is a ranking of ANZSOC codes and was developed by BOCSAR using data on sentences imposed in the NSW criminal courts. The MSR can be used to select the most serious offence when sentencing data is not available and to select most serious offence when multiple

offences have the same custodial order duration. For further information see the BOCSAR's Crime and Justice Bulletin No.142 "Measuring Offence Seriousness": [www.bocsar.nsw.gov.au/lawlink/bocsar/ll\\_bocsar.nsf/vwFiles/CJB142.pdf/\\$file/CJB142.pdf](http://www.bocsar.nsw.gov.au/lawlink/bocsar/ll_bocsar.nsf/vwFiles/CJB142.pdf/$file/CJB142.pdf)

- The most serious offence for sentenced juveniles is the offence with the longest custodial order. For juveniles with more than one offence type with the same custodial order duration, the offence with the highest Median Sentence Ranking is selected as the most serious offence.
- Juveniles sentenced to a custodial order after breaching a non-custodial penalty (eg a suspended sentence, Community Service Order or good behaviour bond) have a most serious offence type of *Justice procedure offence* rather than the type of offence for which the non-custodial penalty was originally imposed (eg robbery/extortion, drug offences).

Note: this differs from the definition of most serious offence used in the Australian Bureau of Statistics Prisoners in Australia publication series (*ABS cat.no.4517.0*)

### **Police bail refused**

See Bail.

### **Receptions**

Persons received into Juvenile Justice custody or a gazetted correctional centre. Gazetted correctional centres are managed by CSNSW. Persons received into CSNSW custody and managed only in CSNSW 24-hour police/court cell complexes are excluded.

### **Ratio of receptions to discharges**

The ratio of receptions to discharges. A ratio greater than 1 means there were more receptions than discharges during the month; a ratio less than 1 means there were more discharges than receptions during the month.

### **Remand**

See Legal status.

### **Sentenced**

See Legal status.

### **24 hour police/court cell complexes**

In addition to gazetted correctional centres, CSNSW manage a number of police/court cell complexes. This report excludes persons received and then discharged from a CSNSW-managed 24 hour police/court cell complex without entering a gazetted correctional centre.