

NEW SOUTH WALES

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**KEY TRENDS  
IN CRIMINAL JUSTICE  
NEW SOUTH WALES**

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**1994**

**NSW BUREAU OF CRIME STATISTICS AND RESEARCH**

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## PREFACE

The criminal justice system is made up of several criminal justice agencies including the police, the courts, and corrective services. Policy coordination among these agencies is essential for effective criminal justice administration. Effective planning and policy development of the criminal justice system, in turn, requires an understanding of the demands on each agency's services, the impact of these demands on each agency's performance, and an appreciation of how activities within one agency affect the functioning of other agencies within the system. In 1994, the Bureau released a new statistical report series *Key Trends in Crime and Justice*. The publication aims to provide an annual synthesis of the key trends in the NSW criminal justice system. The trends chosen for examination are those (a) regarded as central to criminal justice planning and policy, and (b) on which comparable and reliable data can be obtained.

This report is the second publication in this series. The first report presented crime trend information. However, in April 1994 a new computing database system came on line in the NSW Police Service which saw a major change in the way in which offences are recorded in NSW. Whilst the change will be beneficial in the long term, it has, unfortunately, resulted in the unavailability of crime data for the current report. Recorded crime statistics produced from April 1994 onwards are not comparable with earlier data, and the period April 1994 to June 1994 was considered too short for meaningful consideration. It is expected that the 1995 edition of *Key Trends* will once again include information on crime trends, albeit over a shorter period than the criminal justice trends which will be shown.

Consistent with *Key Trends in Crime and Justice 1993*, this report contains key trends in criminal court processes, correctional processes and juvenile justice. In addition, where appropriate and useful, trends are presented with a gender breakdown.

The trends have been tested for statistical significance. No attempt, however, has been made to offer detailed interpretation of each trend. This is because in most instances there are several possible explanations for the trend and insufficient data to test each possible explanation. The absence of detailed explanation should not alter the value of the data for planning and policy purposes. Often the nature and implications of a trend are more obvious or more interesting than its explanation.

Readers interested in seeing other trends included in subsequent reports are encouraged to contact the Bureau as soon as possible following publication of this report. It should be noted, however, that this report is not intended to serve as a sourcebook on criminal justice data. Requests for inclusion of a new trend should highlight the management or policy significance of the trend in question.

Dr Don Weatherburn

Director

February 1995

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**SECTION 1**

**TRENDS IN CRIMINAL  
COURT PROCESSES**

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## **SECTION 1: TRENDS IN CRIMINAL COURT PROCESSES**

### **INTRODUCTION**

This section presents trends in the Local, District and Supreme Courts of New South Wales (NSW) between January 1990 and June 1994. Each court trend has been tested for statistical significance using Kendall's rank order correlation test.<sup>1</sup> Where the results of the test indicated that there is a significant upward or downward trend, the percentage change between the first and the last twelve months of the trend period has been used to describe its magnitude.

The trends examined in each jurisdiction cover four aspects of that jurisdiction's functioning.

The first aspect of court functioning, examined in Figures 1.1, 1.20 and 1.35, is the trend in the number of new cases registered in each jurisdiction. These trends give some guide as to the overall level of demand in each jurisdiction for criminal court services. However, the number of new cases registered is not the sole determinant of the level of demand for criminal court services. When interpreting the trends it is important to remember that cases where the accused person pleads not guilty (i.e. defended matters) consume far more court time than cases where the accused pleads guilty to all charges (i.e. 'pleas') or cases which are dealt with by other means, for example *ex parte* (i.e. in the absence of the accused person).

The second aspect of court functioning, examined in Figures 1.2 to 1.15; 1.21 to 1.30 and 1.36, concerns trends in the frequency of different methods of disposal. Selected trends are presented with a gender breakdown for the Local and District Courts. Trends for the Supreme Court are not presented with a gender breakdown because a very small number of cases involve females. The primary focus of interest in all jurisdictions concerns the relative frequency of defended matters and pleas. (A plea refers to a guilty plea, a defended matter is a trial.) For Local Courts, trends are presented for matters finalised with a defended hearing, and other matters. The 'other' category includes matters dealt with by a guilty plea, as well as those finalised without a defended hearing for any other reason.<sup>2</sup>

A significant number of cases in the District and Supreme Courts are 'finalised' when all the charges are 'no-billed' or when the accused person absconds or dies.<sup>3</sup> Because cases in these individual categories are relatively small in number, they have been grouped together and shown as 'other' finalisations. It should be noted, nonetheless, that most cases finalised in the 'other' category in the District or Supreme Court involve cases where the charges have been 'no-billed'.

Trends in the relative frequency of defended matters and pleas tend to vary according to the type of offence. In order to assist in the interpretation of general trends in types of disposal, separate trends in the number of defended matters and pleas are presented for each major offence group dealt with by the Local Courts or the District Court. Separate trends in the number of defended matters and pleas for selected offences are not presented for the Supreme Court because it deals with too few cases to allow meaningful comparisons between offence types.

It should be noted that each person appearing before the criminal courts may have been charged with one or more offences. However, because each figure showing trends in methods of disposal (i.e. Figures 1.2 to 1.15; 1.21 to 1.30 and 1.36) is person-based, each figure presents a person only once regardless of the number of charges he or she had. That is, the method of disposal for only one charge per person is presented in each figure.

Figures 1.2 to 1.4; 1.21 to 1.23 and 1.36 examine the frequency of the different methods of disposal for all finalised matters. These trends are presented with a general breakdown for the Local and District Courts. In the Higher Courts, the method of disposal shown for each person in each figure has been selected using the following hierarchy of methods: defended hearing, sentenced after guilty plea, and 'other'. In the Local Courts, the order of selection is: defended hearing and 'other'. Hence, in all jurisdictions, if a person had a defended hearing for any charge, the method of disposal presented for the person would be a defended hearing.

Figures 1.5 to 1.15 and 1.24 to 1.30 each examine the frequency of methods of disposal for a different type of offence. A person is classified as belonging to a particular offence category if he or she was charged with an offence belonging to that category. Thus where defendants were charged with more than one type of offence, they will feature in more than one figure. For example, a person charged with a drug offence and a driving offence would appear once in the figure for drug offences and once in the figure for driving offences. Whenever a person had multiple charges of the same type of offence, the method of disposal shown in the figure for that offence was selected using the hierarchy of methods described in the previous paragraph.

The offence categories used in the trends showing methods of disposal are those employed in the Bureau's publication *New South Wales Criminal Courts Statistics 1993*. The reader is referred to the explanatory notes of that report for details of those offence categories. It should be noted that the category 'property damage' includes arson, the category 'justice procedures' includes any breach of a court order and the category 'offences against good order' includes weapons offences, betting and gaming offences, prostitution, liquor licensing offences, and offensive behaviour.

The third aspect of court functioning examined in this section of the report concerns the time it takes to finalise matters within each jurisdiction. This period is of particular concern for matters where the accused person pleads not guilty, that is, for defended matters. Figure 1.16 therefore shows the trend in the median time from first appearance to finalisation for defended matters disposed of in the Local Courts. Figures 1.31 and 1.37 show trends in the median delay between committal for trial and trial finalisation for the District and Supreme Courts.

The final aspect of court functioning examined in Section 1 concerns the penalties imposed on offenders convicted in the Local, District and Supreme Courts. Three dimensions of the penalties imposed on offenders are examined in each jurisdiction. They are, respectively, trends in the number of convicted persons given a prison sentence in each jurisdiction (shown in Figures 1.17, 1.32 and 1.38), trends in the percentage of convicted persons given a prison sentence in each jurisdiction (shown in Figures 1.18, 1.33 and 1.39) and trends in the average length of the minimum or fixed term of imprisonment imposed on those who are sentenced to a period of imprisonment (shown in Figures 1.19, 1.34, 1.40). These trends are presented with a gender breakdown for the Local and District Courts. The average number of women whose cases are dealt with in the Supreme Court is around 14 annually. This is insufficient for meaningful comparisons, and therefore no Supreme Court trends are presented by gender.

## LOCAL COURT TRENDS

### *Registrations*

Figure 1.1 shows a downward trend in the number of criminal cases registered in the Local Courts. This trend is statistically significant. The number of criminal cases registered fell by 10.6 per cent from the first to the last twelve months of the period.

### *Disposals*

Figure 1.2 shows the overall trends in the method of disposal of criminal matters finalised in the Local Courts. There is a statistically significant downward trend in the number of matters disposed of without a defended hearing. The decrease between the first and the last twelve months of the period was 9.2 per cent. Although the *number* of defended hearings did not change, this number represented a greater *proportion* of the finalised matters in the Local Courts by the end of the period. This is evident given that the decrease in guilty pleas over the period was not compensated by an increase in matters disposed of otherwise. The trends also indicate that the total number of cases disposed of decreased over the period.



Figure 1.3 shows the trends in cases finalised with a defended hearing for males and females. There are no statistically significant upward or downward trends in the number of cases disposed of by way of a defended hearing, for males or females.

Figure 1.4 shows the trends in cases finalised without a defended hearing for males and females. This includes among others, cases where the defendant has entered a guilty plea. There is a statistically significant downward trend for males in this category. The number of males whose cases were finalised without a defended hearing fell by 11.2 per cent from the first to the last twelve months of the period. There are no statistically significant upward or downward trends in the number of females whose matters were finalised without a defended hearing.

Figure 1.5 shows the trends in method of disposal for assault matters. There is a statistically significant downward trend in the number of matters finalised with a defended hearing. Between the first and the last twelve months of the period, the number of assault matters finalised with a defended hearing fell by 9.9 per cent.

Figure 1.6 shows the trends in method of disposal for matters involving break and enter. There are no statistically significant upward or downward trends in the method of disposal for such matters.

Figure 1.7 shows the trends in method of disposal for matters involving fraud. There are no statistically significant upward or downward trends in the method of disposal for such matters.

Figure 1.8 shows the trends in the method of disposal for matters involving larceny offences. There is a statistically significant downward trend in the number of matters disposed of by defended hearing. Between the first and the last twelve months of the period, the number of matters finalised by way of a defended hearing fell by 8.9 per cent.

Figure 1.9 shows the trends in the method of disposal for matters involving unlawful possession of stolen goods. There are statistically significant downward trends in the number of matters finalised with and without a defended hearing. Between the first and the last twelve months of the period the number of matters dealt with by a defended hearing fell by 18.2 per cent, and matters finalised in the 'other' category fell by 10.6 per cent.

Figure 1.10 shows the trends in method of disposal for matters involving motor vehicle theft. There are statistically significant downward trends in the number of matters finalised with and without a defended hearing. Between the first and the last twelve months of the period the number of matters dealt with by a defended hearing fell by 21.1 per cent, and matters finalised in the 'other' category fell by 13.0 per cent.

Figure 1.11 shows the trends in method of disposal for matters involving property damage. There are statistically significant downward trends in the number of matters finalised with and without a defended hearing. Between the first and the last twelve months of the period, the number of property damage matters finalised by way of a defended hearing fell by 18.1 per cent, and the number of matters finalised otherwise fell by 9.6 per cent.

Figure 1.12 shows the trends in the method of disposal for matters involving offences against justice procedures. There is no statistically significant trend for matters disposed of by way of a defended hearing. However 'other' matters finalised show a statistically significant upward trend. An increase of 10.9 per cent for such matters occurred between the first and last twelve months of the period.

Figure 1.13 shows the trends in the method of disposal for matters involving offences against good order. There are statistically significant downward trends in matters disposed of with and without a defended hearing. Between the first and the last twelve months of the period, the number of matters finalised by way of a defended hearing fell by 28.2 per cent and the number of matters finalised in the 'other' category fell by 34.0 per cent. The greater relative size of the decline in matters finalised without a defended hearing means that an increasing proportion of matters involving offences against good order were being finalised by way of a defended hearing towards the end of the period.

Figure 1.14 shows the trends in the method of disposal for matters involving drug offences. There is a statistically significant upward trend in the number of matters finalised by way of a defended hearing. Such matters increased by 10.9 per cent from the first to the last twelve months of the period.

Figure 1.15 shows the trends in the method of disposal for matters involving driving offences. There is a statistically significant upward trend in the number of matters involving driving offences, which were finalised by way of a defended hearing. These matters increased by 41.4 per cent between the first and the last twelve months of the period. There is a statistically significant downward trend in the number of matters finalised without a defended hearing. These fell by 11.7 per cent between the first and the last twelve months of the period.

### *Delay*

Figure 1.16 shows the trend in median delay between first appearance and determination for defended cases finalised within the Local Courts.<sup>4</sup> There is a statistically significant downward trend in this delay. Between the first and the last twelve months of the period it fell 29.3 per cent.

## *Sentencing*

Figure 1.17 shows the trend in the total number of persons, as well as the number of males and females, who were convicted in Local Courts and were sentenced to a period of imprisonment. There are no statistically significant upward or downward trends in the number of males or females when analysed separately. However, there is a statistically significant downward trend in the *total* number of persons sentenced to a period of imprisonment. This number fell by 5.8 per cent between the first and last twelve months of the period.

Figure 1.18 shows the trend in the percentage of males and females convicted in Local Courts who were sentenced to a period of imprisonment. The total percentage is not presented because, due to the small number of women concerned, it is substantially the same as the percentage for males. There is no statistically significant upward or downward trend in the percentage for females sentenced to imprisonment. However there is a statistically significant upward trend for males. The percentage of men convicted in Local Courts who were sentenced to a period of imprisonment increased by 4.6 per cent between the first and last twelve months of the period.

Figure 1.19 shows the trend in the average length of the minimum or fixed term of imprisonment imposed upon males and females sentenced to prison in the Local Courts. Again, due to the small number of women concerned, the figure for males is virtually identical to the overall average, hence the total is not presented in Figure 1.19. There is a statistically significant downward trend in the average length of the term of imprisonment imposed on men. The average length declined by 9.7 per cent from the first to the last twelve months of the period. There is no statistically significant upward or downward trend in the average length of the term of imprisonment imposed on women.

## **DISTRICT COURT TRENDS**

### *Registrations*

Figure 1.20 shows the number of criminal cases registered for trial or sentence in the District Criminal Court over the period January 1990 to June 1994. There is a statistically significant downward trend in the number of cases registered. From the first to the last twelve months of the period the number of cases registered declined 19.9 per cent.

### *Disposals*

Figures 1.21 to 1.23 concern overall trends in the method of disposal for matters finalised in the District Court. The sharp downward spikes occurring in January and

July in these and the following figures on District Court disposals arise because the District Court normally goes into recess in January and July each year.

Figure 1.21 shows the overall trends in matters finalised. There is no statistically significant upward or downward trend in the number of matters finalised on a plea of guilty. There are however statistically significant downward trends in the number of matters disposed of by way of a defended hearing, as well as those in the 'other' category. These fell by 13.2 per cent and 45.8 per cent, respectively, from the first to the last twelve months of the period.

Figure 1.22 shows the number of males and females whose cases were finalised as defended hearings in the District Court. There is a statistically significant downward trend for males. The number of men whose cases were dealt with by trial fell by 13.4 per cent between the first and the last twelve months of the period.

Figure 1.23 shows the number of males and females whose cases were finalised by a guilty plea. There are no statistically significant upward or downward trends for males or females.

Figure 1.24 shows the trends in the method of disposal for assault matters dealt with in the District Court. There are statistically significant downward trends in the number of assault matters disposed of in all categories. Those finalised by way of a defended hearing fell 38.7 per cent from the first to the last twelve months of the period, while those finalised by a guilty plea fell 27.5 per cent, and those in the 'other' category fell by 51.3 per cent.

Figure 1.25 shows the trends in method of disposal for sexual assault matters dealt with by the District Court. The only statistically significant trend is a downward trend in the number of sexual assault matters disposed of in the 'other' category, which fell by 42.8 per cent between the first and last twelve months of the period. This offence consumes a relatively high amount of court time, as it consistently has a high proportion of cases dealt with by way of a defended hearing, compared with other offences.

Figure 1.26 shows trends in robbery offences dealt with by the District Court. There is a statistically significant upward trend in the number of matters finalised on a plea of guilty. It rose 40.8 per cent from the first to the last twelve months of the period. The absence of any statistically significant upward or downward trend in the number of matters disposed of by way of a defended hearing or 'other' way, means that a declining proportion of District Court robbery matters were finalised as a defended hearing towards the end of the period.

Figure 1.27 shows the trends in the method of disposal for District Court matters involving break and enter. There are statistically significant downward trends in

the number of matters dealt with by a guilty plea and those in the 'other' category. These fell by 29.5 per cent and 36.7 per cent, respectively, between the first and last twelve months of the period.

Figure 1.28 shows the trends in the method of disposal for District Court matters involving fraud. There are no statistically significant upward or downward trends in the method of disposal for this offence.

Figure 1.29 shows the trends in motor vehicle theft matters dealt with by the District Court. There are statistically significant downward trends in the number of matters dealt with by a guilty plea and those in the 'other' category. These fell by 35.9 per cent and 50.5 per cent, respectively, between the first and last twelve months of the period.

Figure 1.30 shows the trends in method of disposal for District Court matters involving drug offences. There is a statistically significant upward trend in the number of matters finalised on a plea of guilty. It rose 67.3 per cent from the first to the last twelve months of the period. The absence of any statistically significant upward or downward trend in the number of matters disposed of as a defended matter or 'other' matter means that a declining proportion of District Court drug matters were finalised as a defended hearing towards the end of the period.

### *Delay*

Figure 1.31 shows a statistically significant downward trend in the median delay between committal and finalisation for District Court cases where the accused person proceeds to trial. The median delay fell 23.1 per cent from the first to the last twelve months of the period.

### *Sentencing*

Figure 1.32 shows the number of males and females convicted of one or more offences in the District Court who were sentenced to a term of imprisonment. The sharp downward trends in January and June reflect the influence of the January and June Law Vacations. There are no statistically significant upward or downward trends in the number of males or females sentenced to a term of imprisonment.

Figure 1.33 shows the percentage of males and females convicted of one or more offences in the District Court who were sentenced to a term of imprisonment. There is a statistically significant upward trend in the percentage of convicted men given a sentence of imprisonment. It rose 15.0 per cent from the first to the last twelve months of the period.

Figure 1.34 shows the average length of the minimum or fixed term of imprisonment imposed by the District Court on males and females sentenced to prison. There are

no statistically significant upward or downward trends in the average period of imprisonment imposed by the District Court for males or females.

## SUPREME COURT TRENDS

### *Registrations*

Figure 1.35 shows the trend in the number of criminal cases registered in the Supreme Court. There is a statistically significant downward trend in the number of cases registered. Between the first and the last twelve months of the period it fell by 50.7 per cent. Note, however, that the absolute number of cases involved is quite small.

### *Disposals*

Figure 1.36 shows the overall trends in the method of disposal for matters finalised in the Supreme Court. Due to the small number of matters dealt with by the Supreme Court there are marked month-to-month fluctuations in the number of matters disposed of in each category of disposal. There are statistically significant downward trends in the number of matters disposed of in all categories. The number of defended matters declined 37.7 per cent from the first to the last twelve months of the period. Matters finalised by way of a guilty plea and those in the 'other' category fell by 50.0 per cent and 66.7 per cent, respectively. While these percentage changes appear substantial, note that the absolute number of cases involved is small.

### *Delay*

Gaps in the trend line in Figure 1.37 indicate months in which no trial cases were dealt with in the Supreme Court. There is a statistically significant upward trend in the median delay between committal for trial and trial finalisation in the Supreme Court. This rose by 36.8 per cent between the first and last twelve months of the period.

### *Sentencing*

Gaps in the trend line in Figures 1.38 to 1.40 indicate either that no trial or sentence cases were dealt with, or that no-one was convicted.

Figure 1.38 shows the trend in the number of persons convicted in the Supreme Court who were sentenced to a term of imprisonment. The downward trend is statistically significant. The number of persons sentenced to a term of imprisonment fell by 37.9 per cent between the first and last twelve months of the period.<sup>5</sup>

Figure 1.39 shows the trend in the percentage of persons convicted in the Supreme Court who were sentenced to a term of imprisonment. The upward trend is statistically significant. The percentage of persons sentenced to a term of imprisonment rose by 15.5 per cent between the first and last twelve months of the period.<sup>6</sup>

Figure 1.40 shows the trend in the average length of the minimum or fixed term of imprisonment imposed on persons sentenced to imprisonment in the Supreme Court. The upward trend is statistically significant. The average length increased by 22.0 per cent between the first and last twelve months of the period.<sup>7</sup>

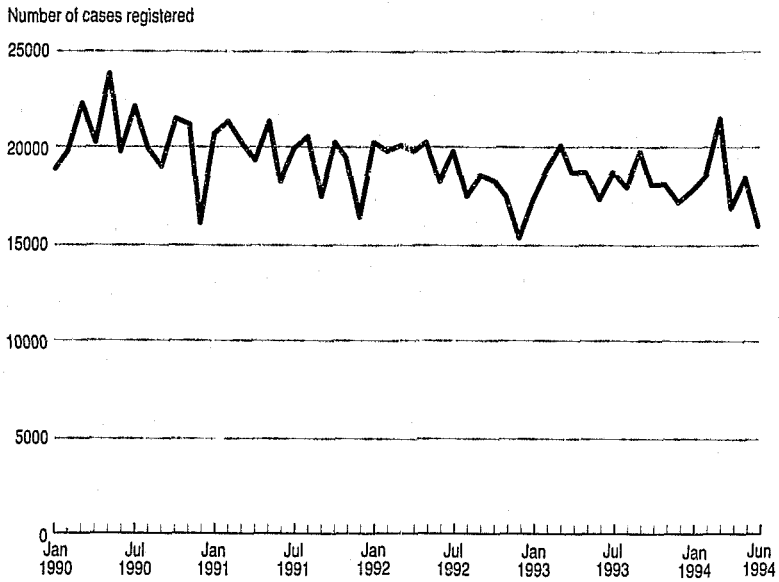
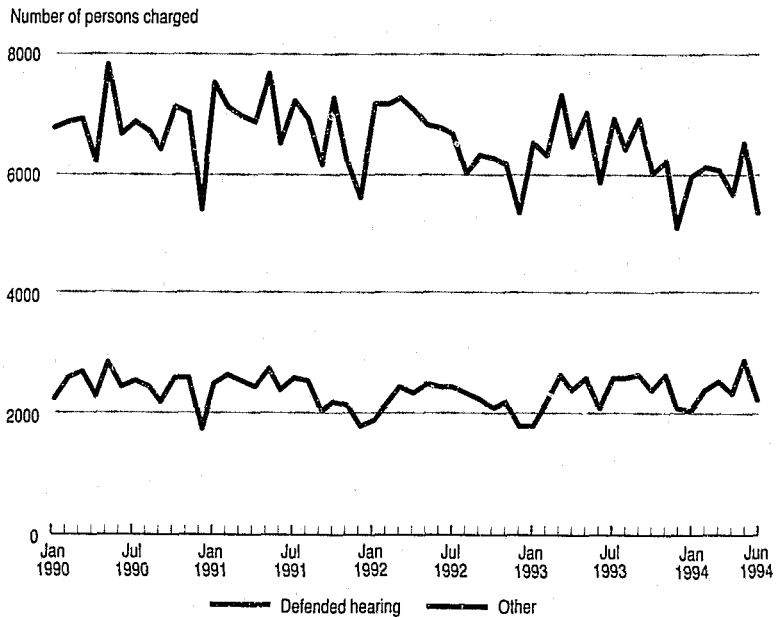
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## **TRENDS IN CRIMINAL COURT PROCESSES**

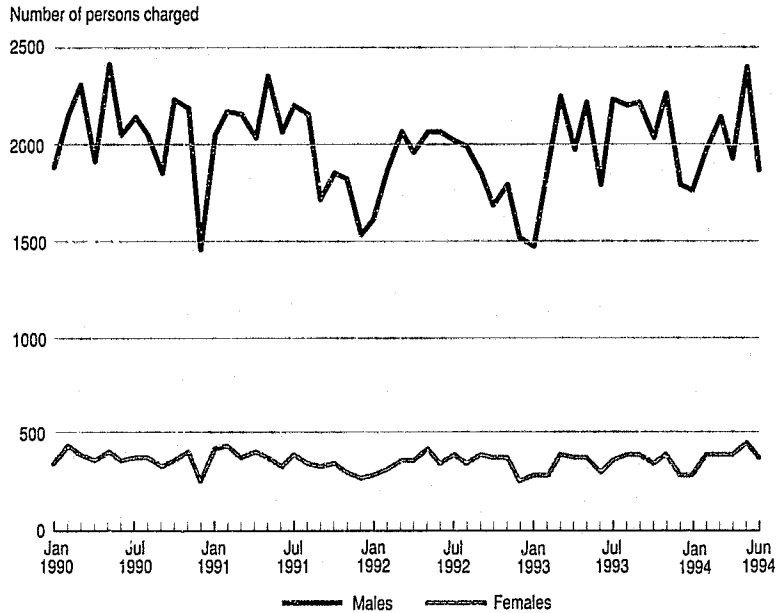
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### **FIGURES**

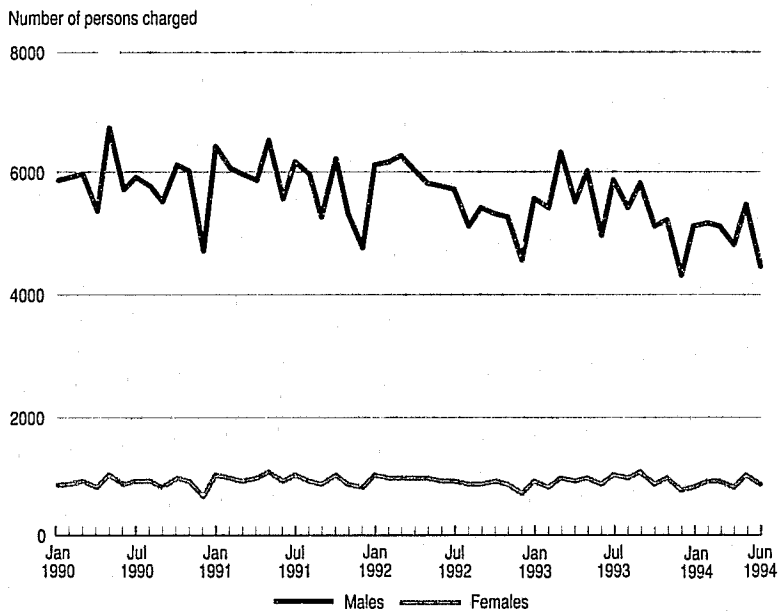


**Figure 1.1: Cases registered in Local Courts****Figure 1.2: Method of disposal for cases finalised in Local Courts**

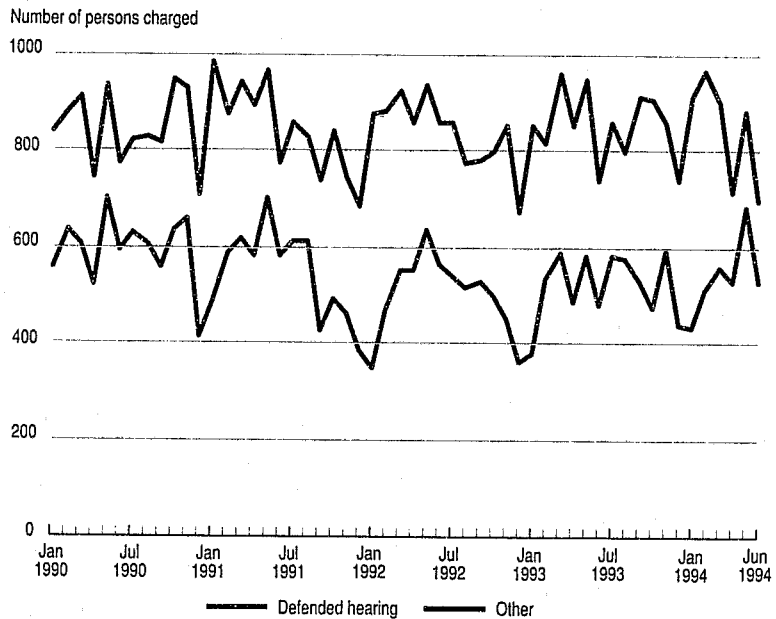
**Figure 1.3: Persons whose cases were finalised by defended hearing, by gender of person charged, Local Courts**



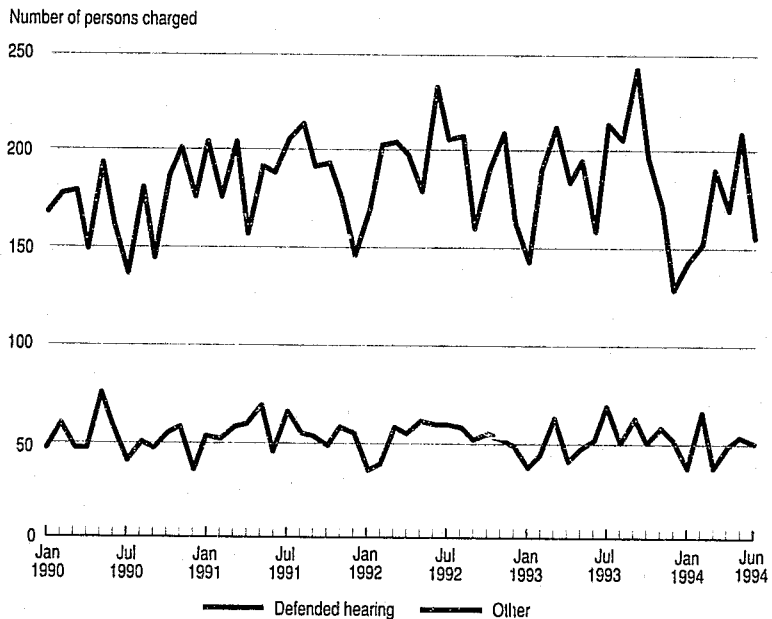
**Figure 1.4: Persons whose cases were finalised without a defended hearing, by gender of person charged, Local Courts**



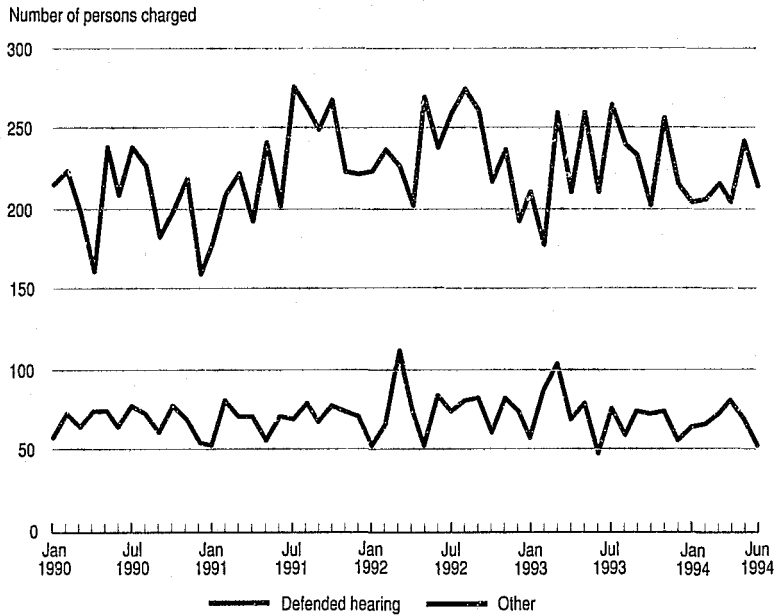
**Figure 1.5: Persons charged with assault**  
Method of disposal for cases finalised in Local Courts



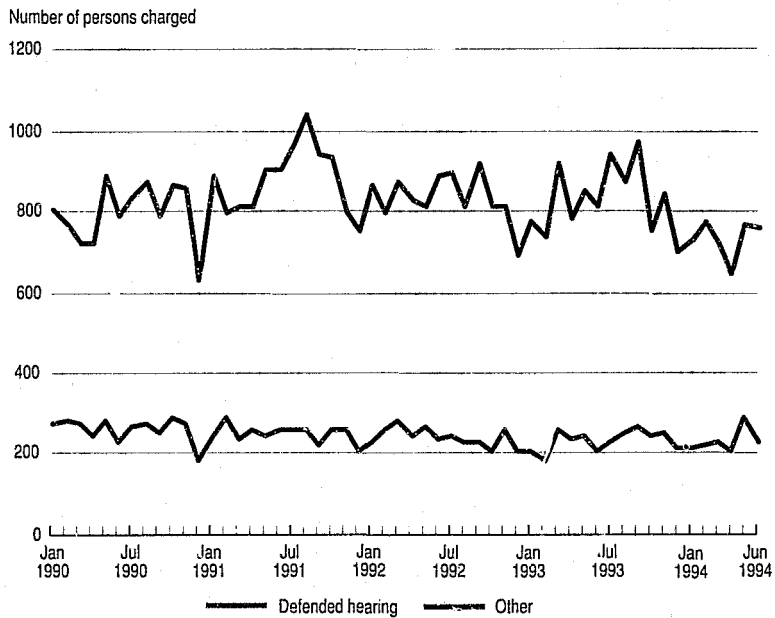
**Figure 1.6: Persons charged with break and enter**  
Method of disposal for cases finalised in Local Courts



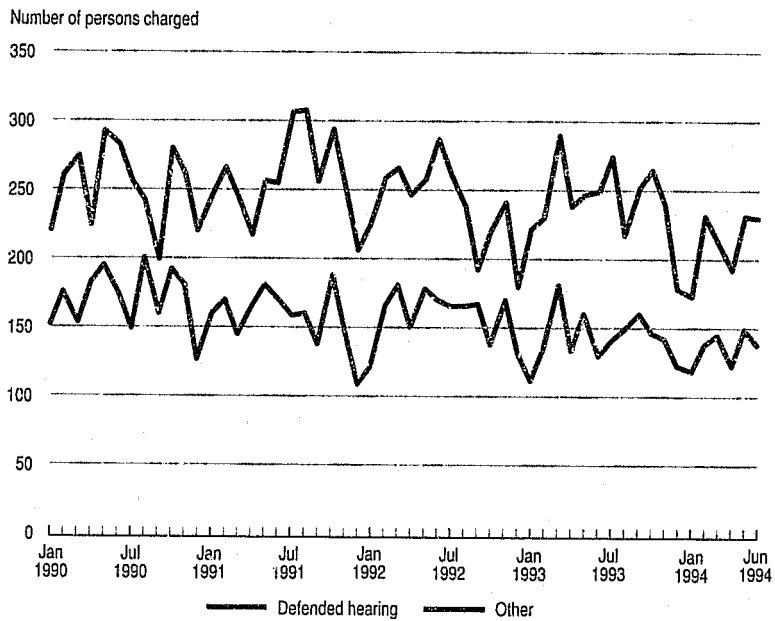
**Figure 1.7: Persons charged with fraud**  
**Method of disposal for cases finalised in Local Courts**



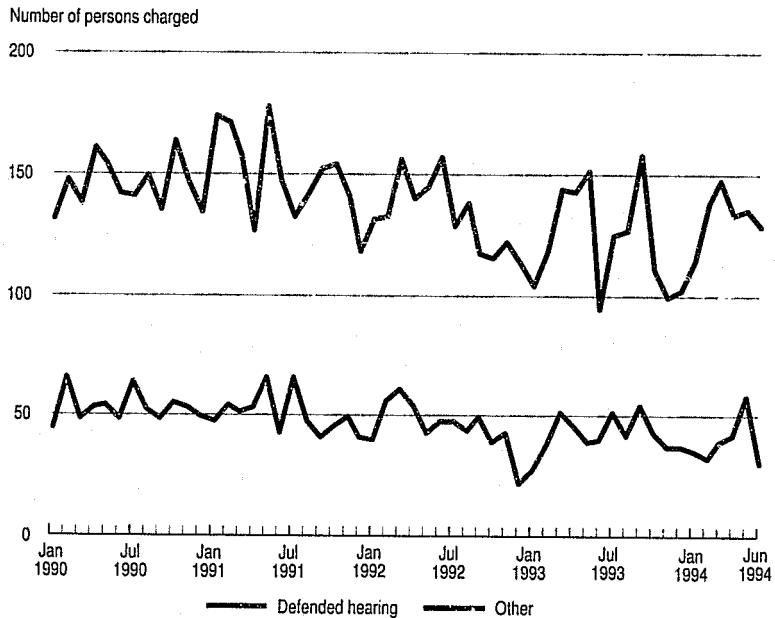
**Figure 1.8: Persons charged with larceny offences**  
**Method of disposal for cases finalised in Local Courts**



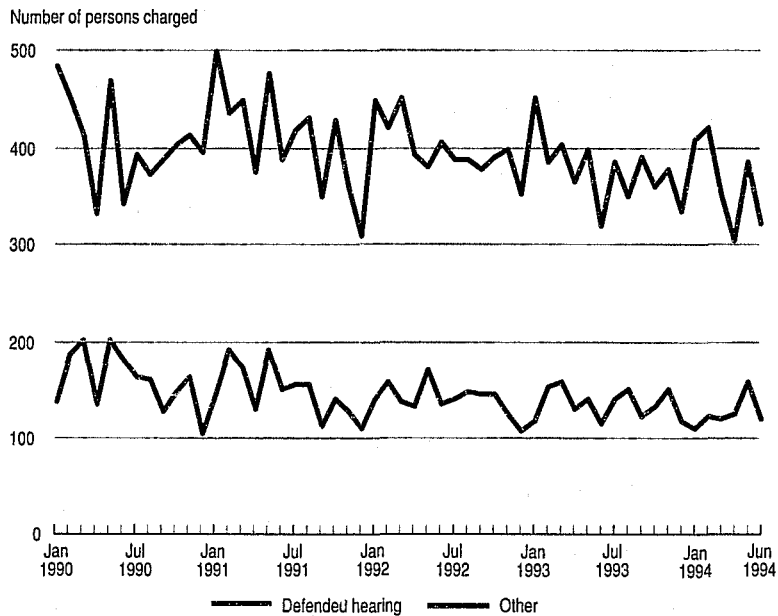
**Figure 1.9: Persons charged with unlawful possession**  
Method of disposal for cases finalised in Local Courts



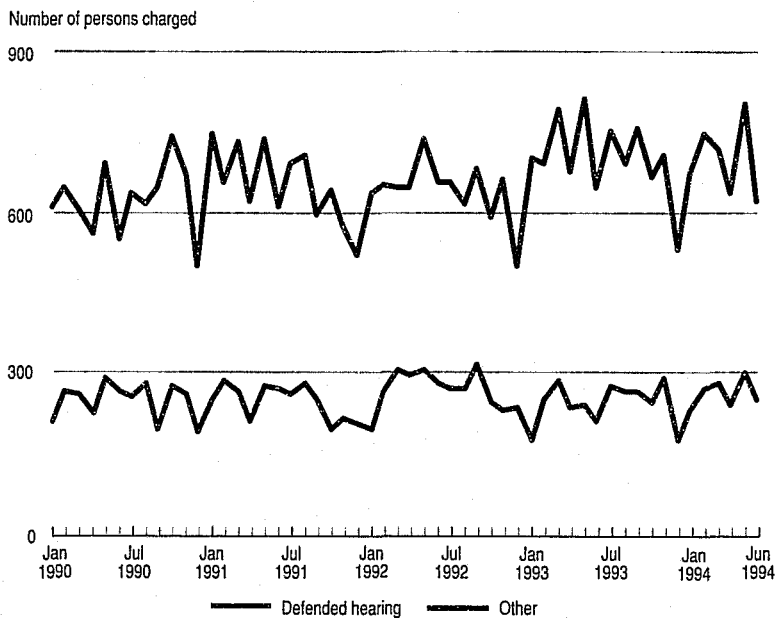
**Figure 1.10: Persons charged with motor vehicle theft**  
Method of disposal for cases finalised in Local Courts



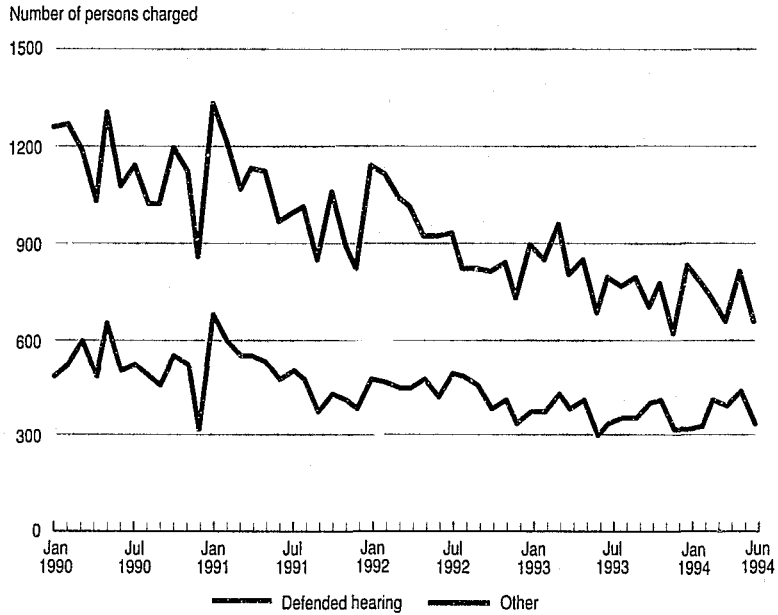
**Figure 1.11: Persons charged with property damage**  
Method of disposal for cases finalised in Local Courts



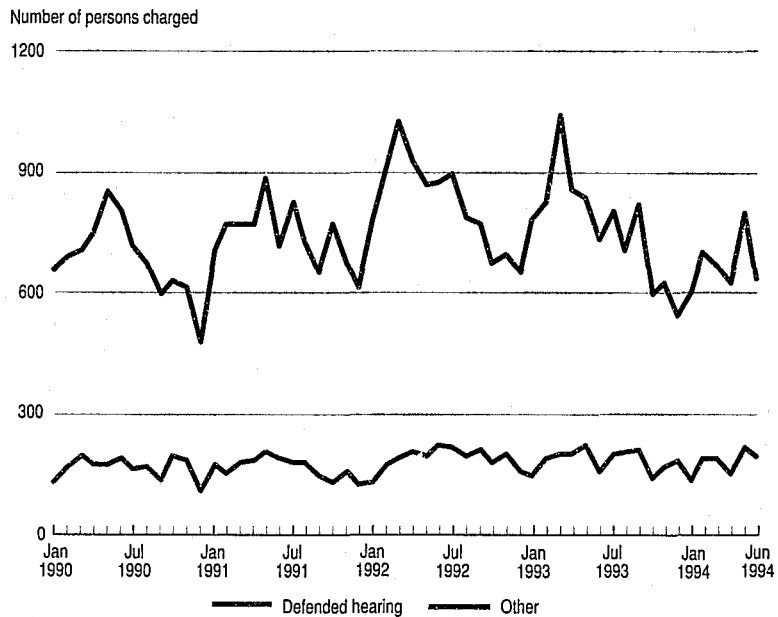
**Figure 1.12: Persons charged with offences against justice procedures**  
Method of disposal for cases finalised in Local Courts



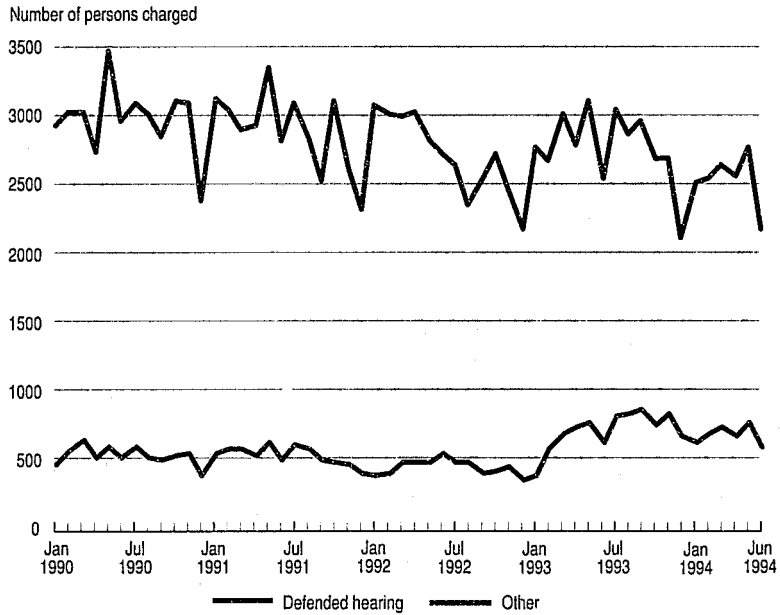
**Figure 1.13: Persons charged with offences against good order**  
**Method of disposal for cases finalised in Local Courts**



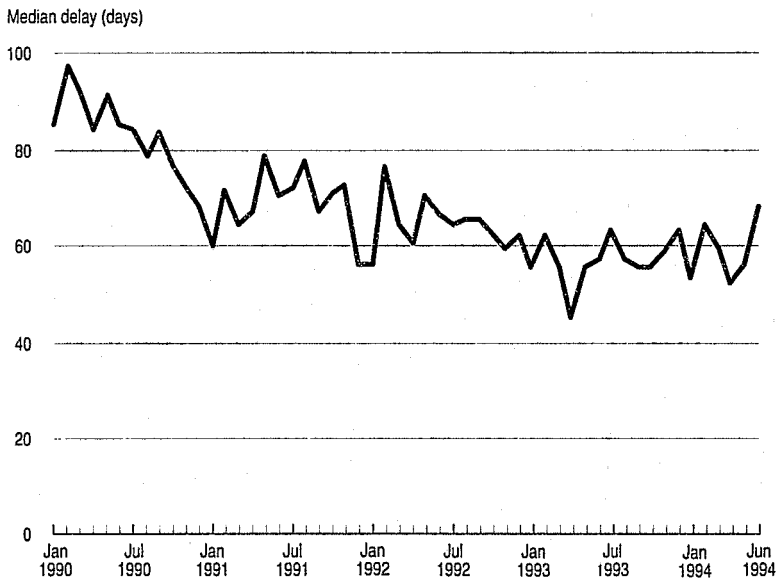
**Figure 1.14: Persons charged with drug offences**  
**Method of disposal for cases finalised in Local Courts**



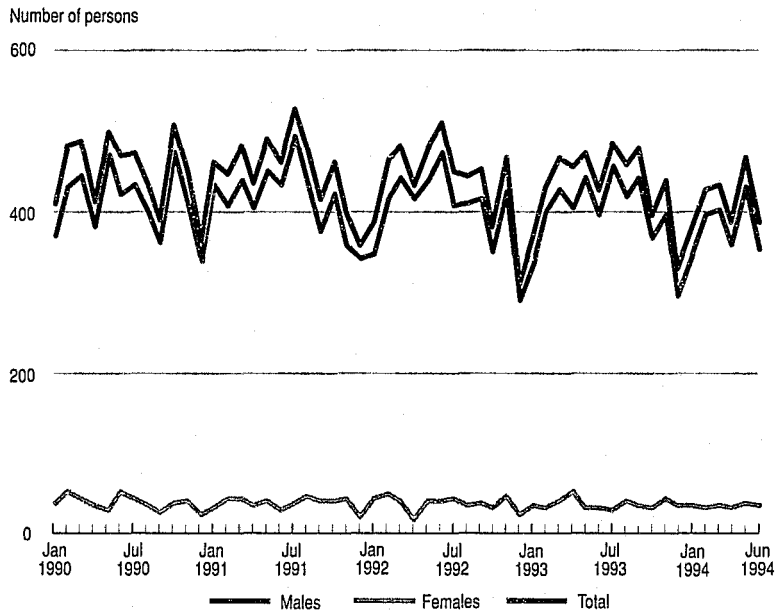
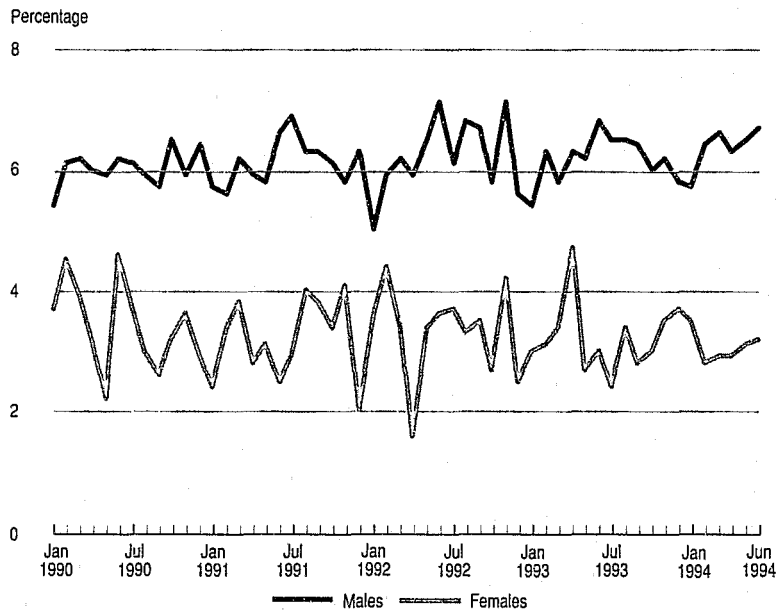
**Figure 1.15: Persons charged with driving offences**  
**Method of disposal for cases finalised in Local Courts**



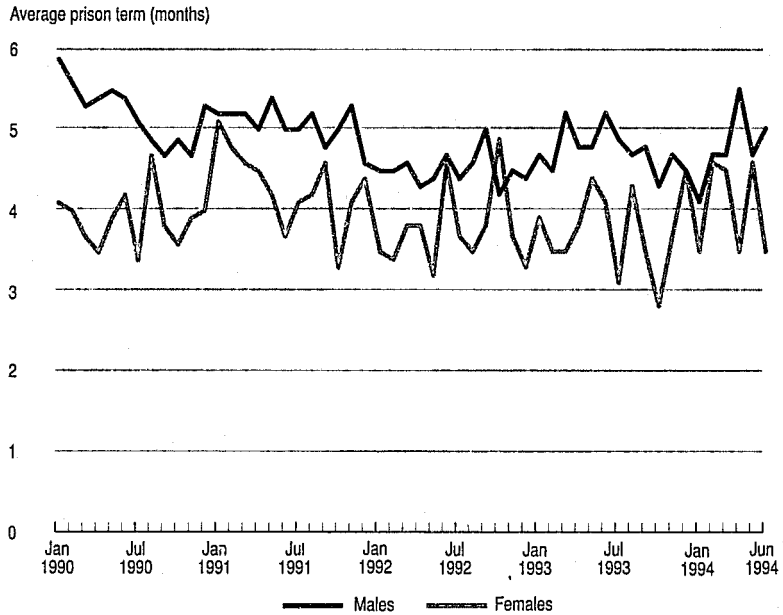
**Figure 1.16: Median delay (from first appearance to determination) for defended cases finalised in Local Courts**



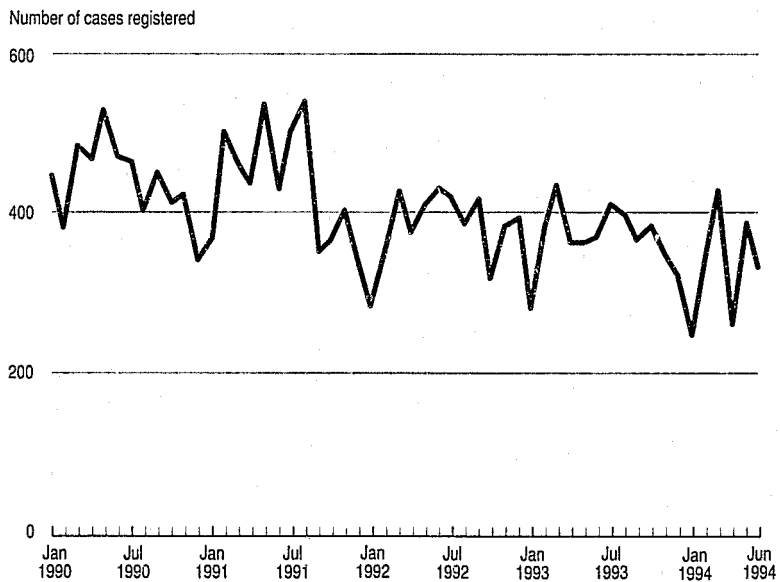


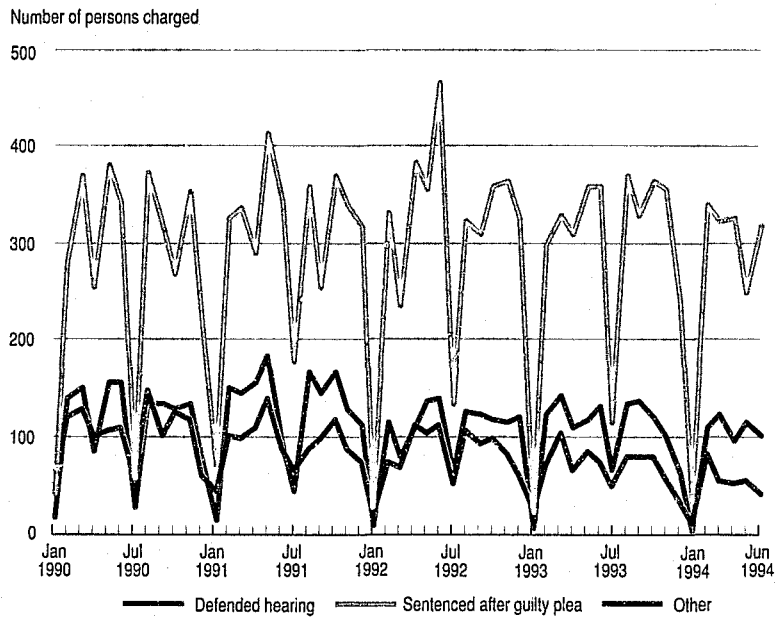
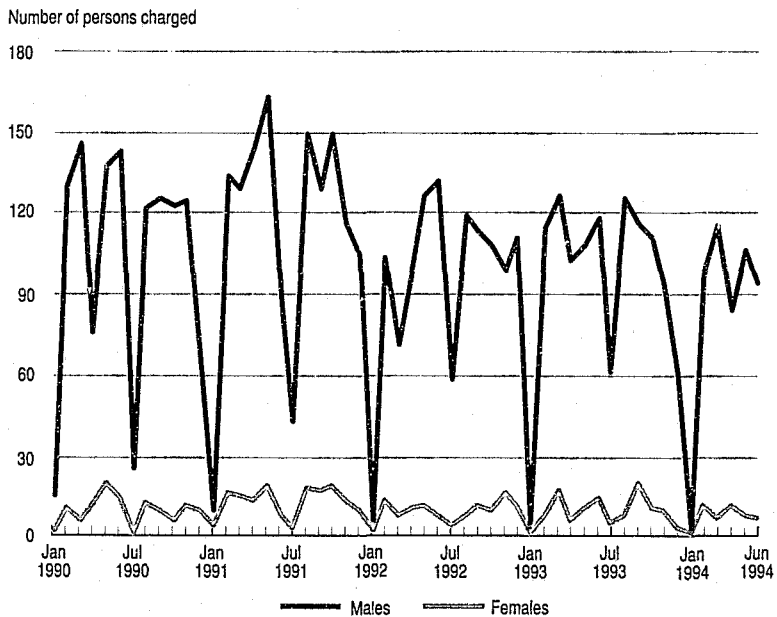
**Figure 1.17: Persons sentenced to prison, by gender, Local Courts****Figure 1.18: Persons sentenced to prison as a percentage of all persons convicted, by gender, Local Courts**

**Figure 1.19: Average length of minimum/fixed term of imprisonment for persons sentenced to prison, by gender, Local Courts**

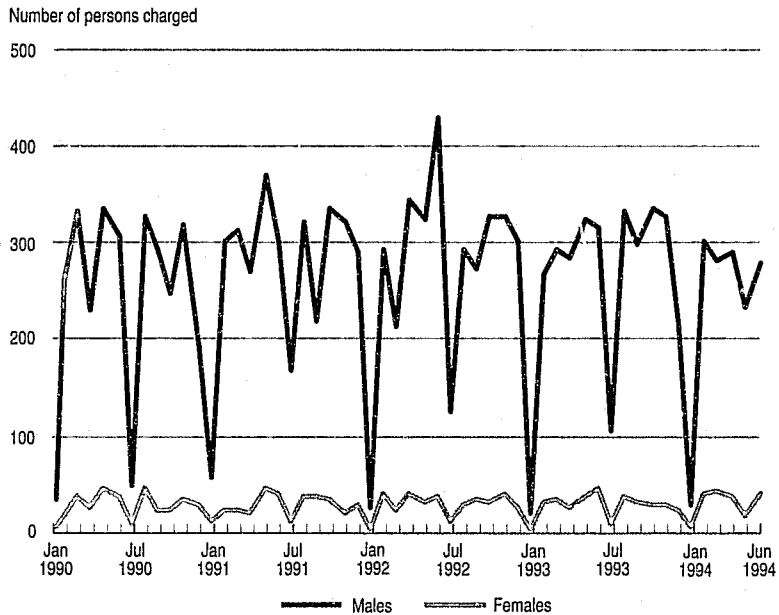


**Figure 1.20: Cases registered in the District Court**

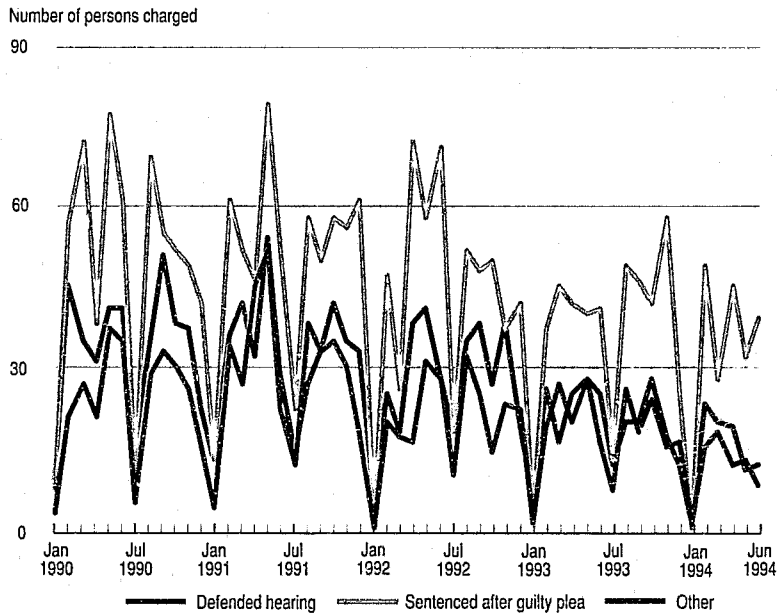


**Figure 1.21: Method of disposal for cases finalised in the District Court****Figure 1.22: Persons whose cases were finalised as defended hearings, by gender of person charged, District Court**

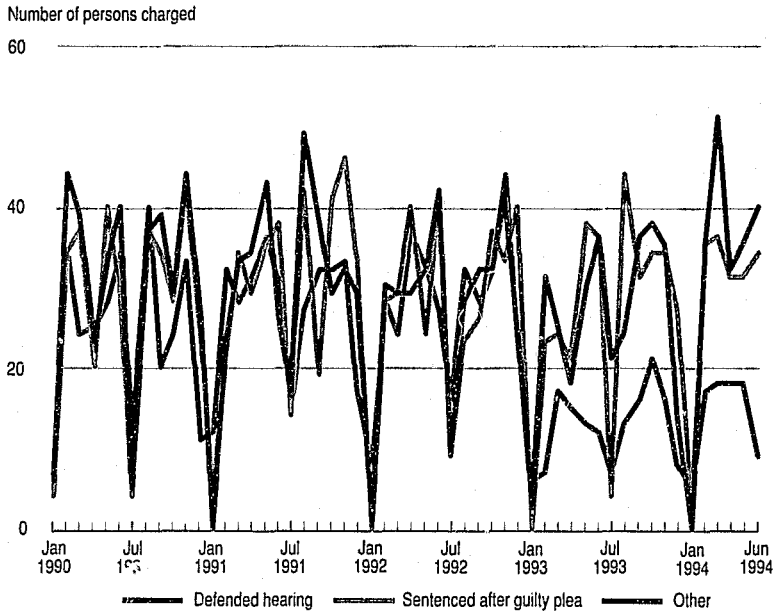
**Figure 1.23: Persons whose cases were finalised by guilty plea, by gender of person charged, District Court**



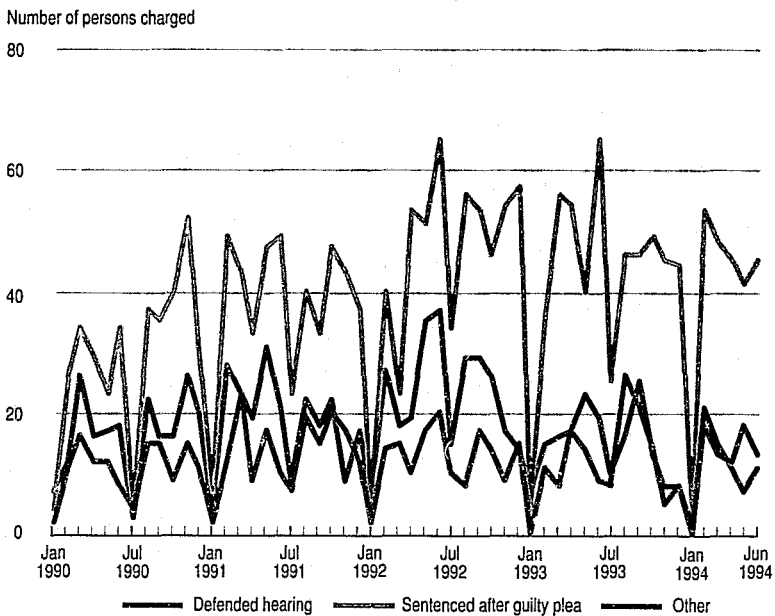
**Figure 1.24: Persons charged with assault  
Method of disposal for cases finalised in the District Court**



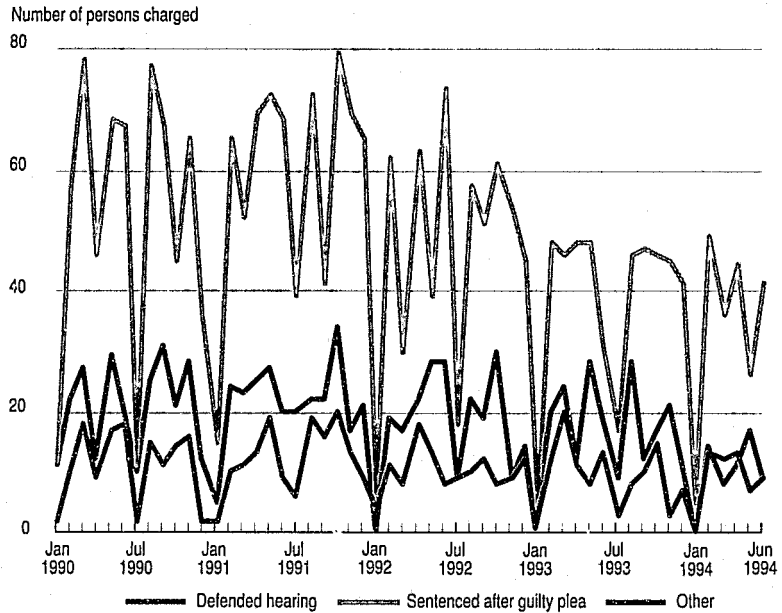
**Figure 1.25: Persons charged with sexual assault**  
**Method of disposal for cases finalised in the District Court**



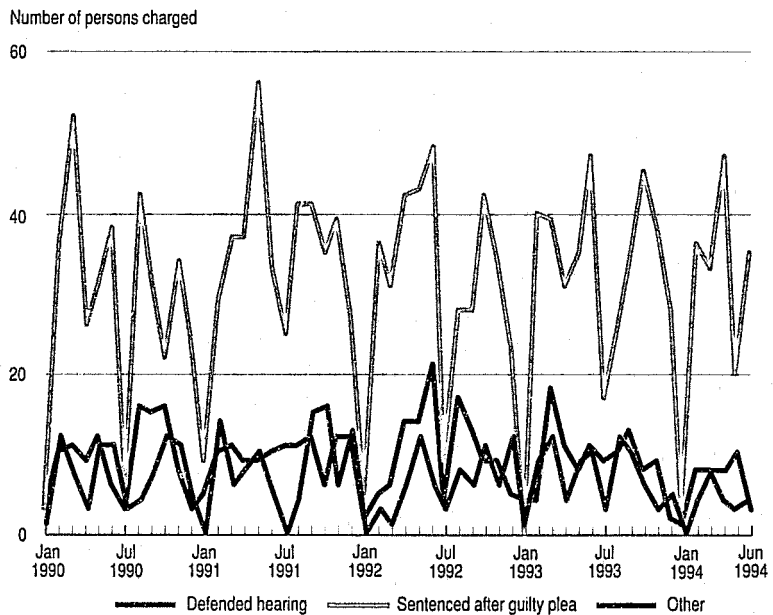
**Figure 1.26: Persons charged with robbery**  
**Method of disposal for cases finalised in the District Court**



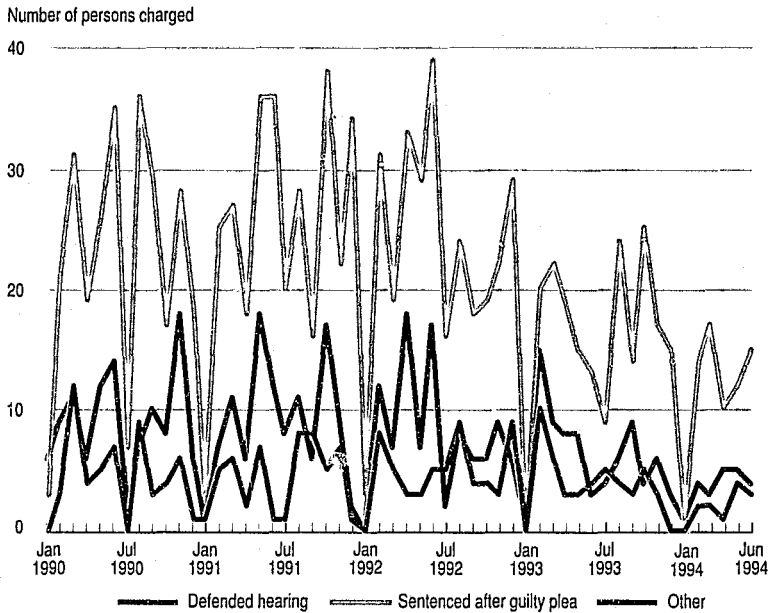
**Figure 1.27: Persons charged with break and enter**  
Method of disposal for cases finalised in the District Court



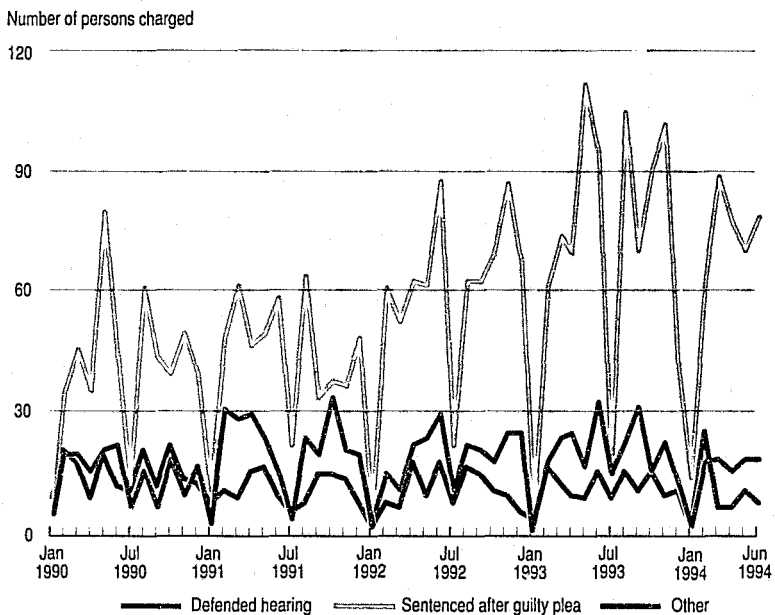
**Figure 1.28: Persons charged with fraud**  
Method of disposal for cases finalised in the District Court



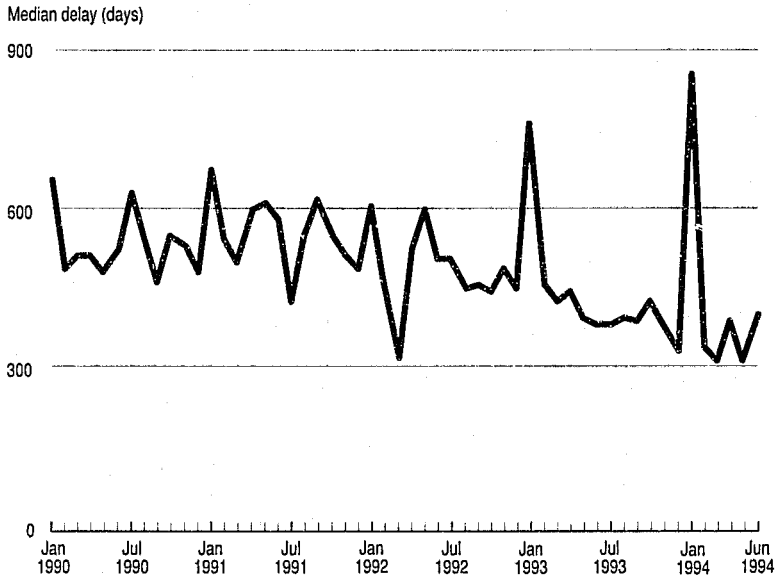
**Figure 1.29: Persons charged with motor vehicle theft**  
**Method of disposal for cases finalised in the District Court**



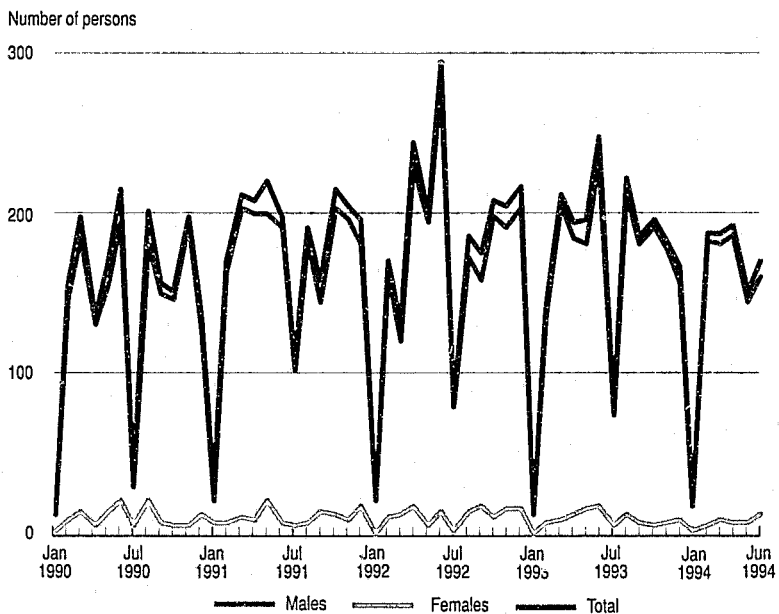
**Figure 1.30: Persons charged with drug offences**  
**Method of disposal for cases finalised in the District Court**



**Figure 1.31: Median delay (from committal to outcome) for trials finalised in the District Court**

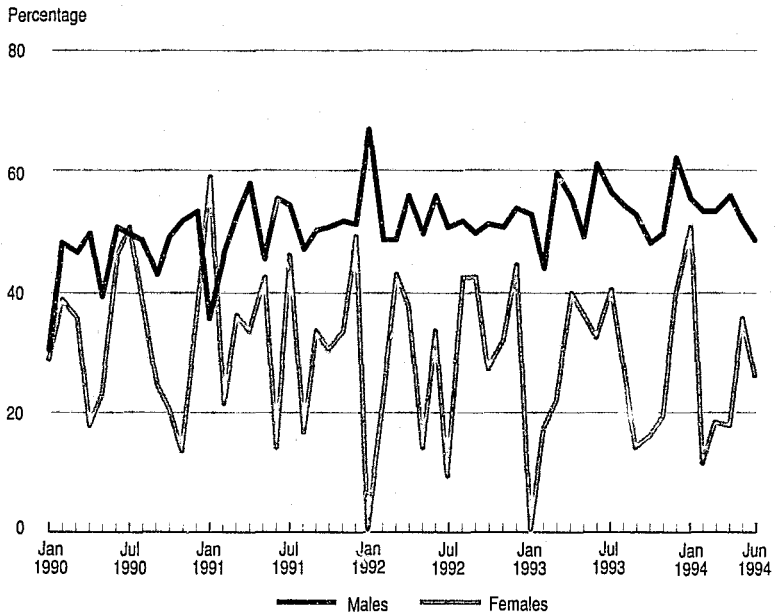


**Figure 1.32: Persons sentenced to prison, by gender, District Court**

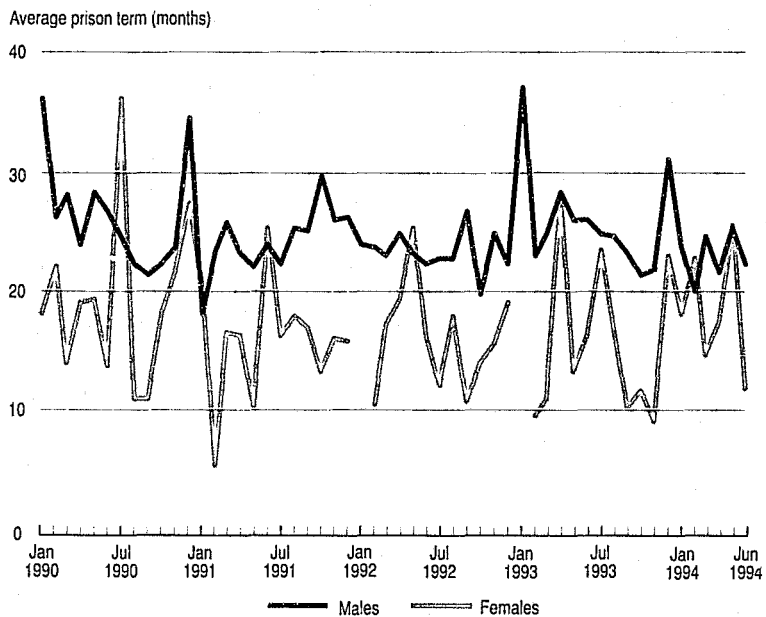




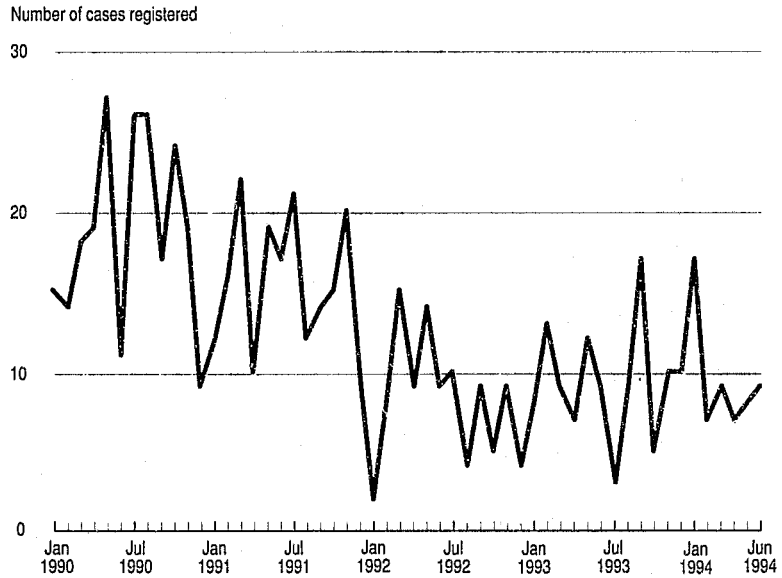
**Figure 1.33: Persons sentenced to prison as a percentage of all persons convicted, by gender, District Court**



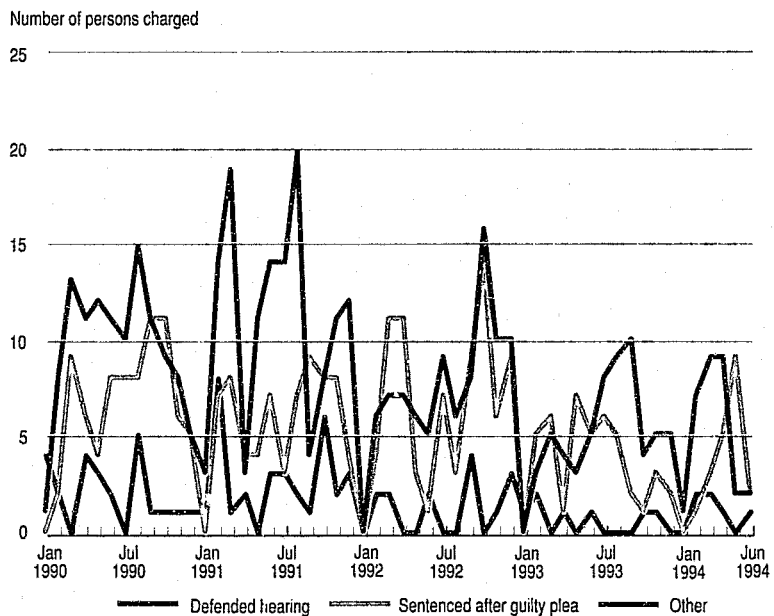
**Figure 1.34: Average length of minimum/fixed term of imprisonment for persons sentenced to prison, by gender, District Court**



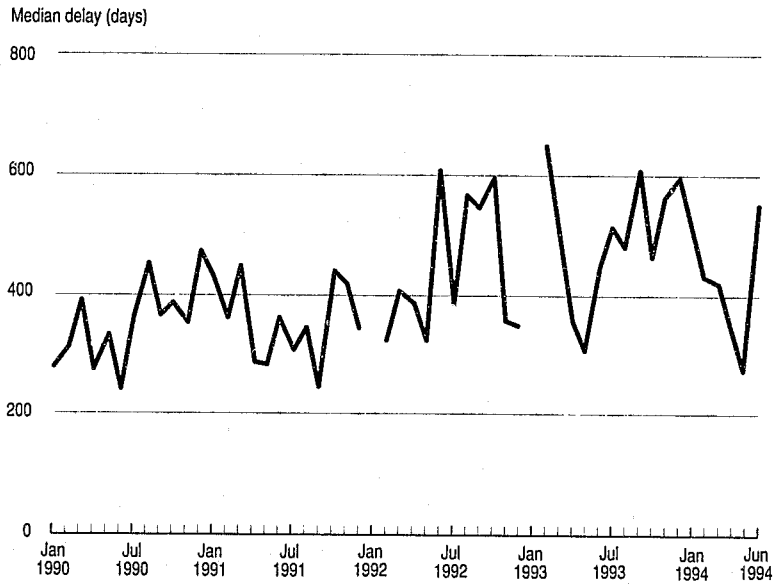
**Figure 1.35: Cases registered in the Supreme Court**



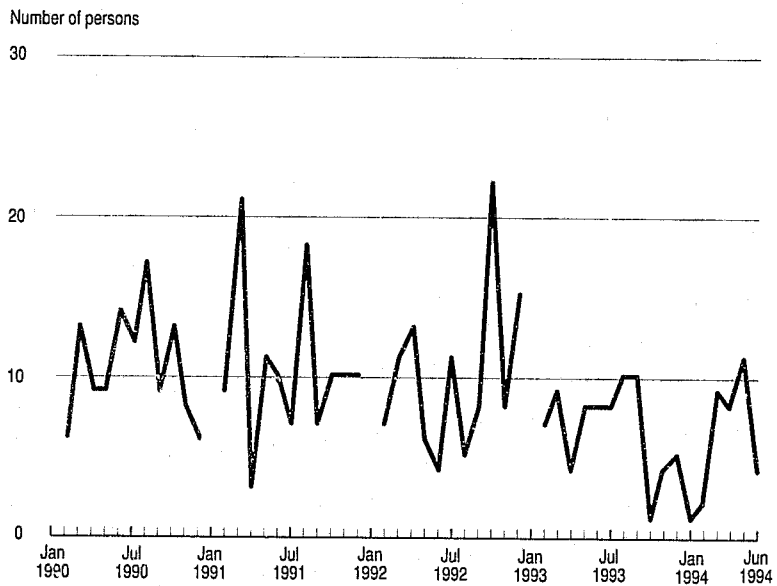
**Figure 1.36: Method of disposal for cases finalised in the Supreme Court**



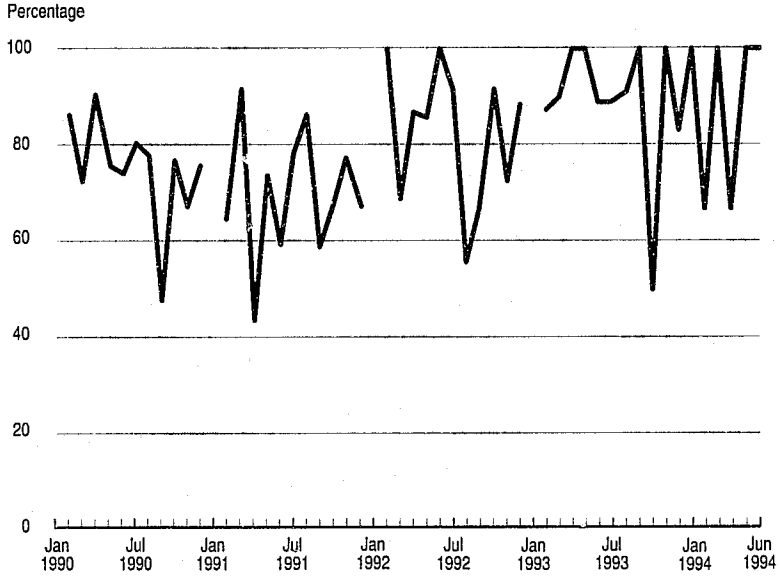
**Figure 1.37: Median delay (from committal to outcome) for trials finalised in the Supreme Court**



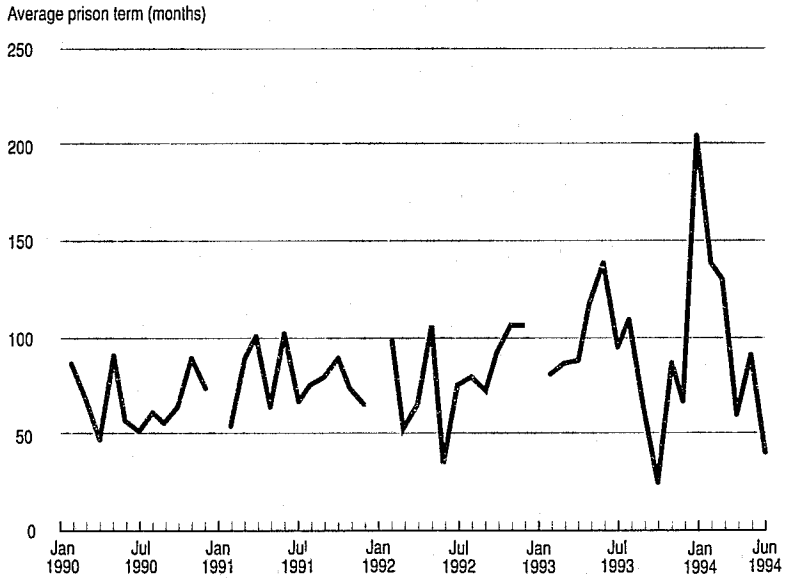
**Figure 1.38: Persons sentenced to prison in the Supreme Court**



**Figure 1.39: Persons sentenced to prison as a percentage of all persons convicted in the Supreme Court**



**Figure 1.40: Average length of minimum/fixed term of imprisonment for persons sentenced to prison in the Supreme Court**



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**SECTION 2**

**TRENDS IN  
CORRECTIONAL PROCESSES**

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## **SECTION 2: TRENDS IN CORRECTIONAL PROCESSES**

### **INTRODUCTION**

This section presents trends in correctional processes in NSW.<sup>8</sup> The majority of trends cover the period January 1990 to June 1994. As with the courts data, each trend has been tested for statistical significance. For those trends which show a statistically significant upward or downward trend, the percentage change between the first and the last twelve months of the trend period has been used to describe the magnitude of the change.

Strictly speaking, the correctional population consists of all those persons who are currently subject to some form of legal supervision consequent upon being charged with or convicted of a criminal offence. This would include those on remand awaiting trial, those presently serving a term of imprisonment and those serving some form of community-based sentencing order, such as a Community Service Order. In practice, only limited statistical information is available on those under community-based correctional orders. For this reason the trends which appear in this section deal mainly with those held in custody.

Among the population of those held in custody it is convenient to distinguish between different classes of sentenced and unsentenced (i.e. remand) prisoners. Sentenced prisoners are persons who have been sentenced to a term of imprisonment. Fine defaulters (persons held in custody only for non-payment of a fine), appellants (persons appealing against their conviction or sentence), and periodic detainees (persons with a detention order to be placed in custody for two days of each week for the duration of their sentence) are different sub-categories of sentenced prisoner. Remand prisoners are unconvicted persons who are held in custody while awaiting their court hearing, or the results of a court hearing.

At any given time, the size of any category of prisoner population (and therefore the overall size of the prisoner population) is determined by two factors. The first factor is the rate at which individuals in that category enter prison. The second factor is the average length of time prisoners in that category remain in prison.

Ideally in a publication of this type, data on the size of each type of prisoner population as well as on the factors which determine the size of that population should be presented. Unfortunately, not all the relevant data are available. Specifically, monthly figures are not available on the size of the fine defaulter

population for the period January 1990 to October 1991. Population data on periodic detainees are not available for the period January 1990 to February 1991. Data on the actual time served by prisoners released each month do not exist, nor do monthly prison reception data exist for remandees.

Given these limitations, the following monthly trends have been presented. Figures 2.1 to 2.6 present trends in prisoner populations.<sup>9</sup> Periodic detainees are not included in the figures which show the total and sentenced prisoner populations. Periodic detainees have been examined separately because their demands on prison accommodation are different from those of other prisoners.

The trend in the total number of NSW prisoners in custody over the period January 1990 to June 1994 is shown in Figure 2.1.<sup>10</sup> Figures 2.2 and 2.3 show trends in the two types of prisoner which make up the total prison population (shown in Figure 2.1), namely remand and sentenced prisoners, respectively. The monthly numbers of fine defaulters in custody, who are included in the sentenced prisoner population in Figure 2.3, are shown separately in Figure 2.4 for the period November 1991 to June 1994. Figure 2.5 presents the trend in the monthly number of appellants in custody between January 1990 and June 1994.

Figure 2.6 presents the trend in the monthly number of periodic detainees in custody between March 1991 and June 1994.

Trends in Figures 2.7 and 2.8 are concerned with prisoner receptions.<sup>11</sup> Figure 2.7 shows three trends in sentenced prisoner receptions for the period July 1989 to June 1994: sentenced prisoner receptions including fine defaulters, sentenced prisoner receptions excluding fine defaulters, and fine defaulters only. For the reason mentioned earlier, sentenced prisoner receptions do not include periodic detainee receptions.

Figure 2.8 presents the trend in the monthly number of periodic detainees received between July 1989 and June 1994.

Figure 2.9 is concerned with community-based corrections.<sup>12</sup> It presents the trend in the number of persons in the community under supervision for the period January 1990 to June 1994.

## TRENDS IN PRISONER POPULATIONS

Population data are available for males and females, therefore trends for each, as well as for the overall totals, are discussed.

The monthly totals of NSW prisoners held in custody between January 1990 and June 1994 are shown in **Figure 2.1**. The upward trends for the total and for male prisoners are statistically significant. The total prisoner population rose 18.9 per cent from the first to the last twelve months of the period, while the male prisoner population rose 20.4 per cent. There is a statistically significant downward trend for female prisoners over the period. The total female prisoner population fell by 5.4 per cent from the first to the last twelve months of the period.

**Figure 2.2** shows the trend in the monthly remand prisoner population. There are statistically significant downward trends for the total and for female remand prisoners, the populations falling by 2.3 per cent and 31.8 per cent, respectively, from the first to the last twelve months of the period. There is no statistically significant upward or downward trend for male remandees over the period.

**Figure 2.3** shows the trend in the monthly sentenced prisoner population. The upward trends for total and for male sentenced prisoners, including fine defaulters and appellants, are statistically significant. The total sentenced prisoner population rose 35.8 per cent from the first to the last twelve months of the period, while the sentenced male prisoner population rose 36.8 per cent. There is no statistically significant upward or downward trend for female sentenced prisoners. The increase in the male sentenced prisoner population over the period January 1990 to June 1994 was responsible for the increases in the overall prisoner population and the total male prisoner population during this time (see **Figure 2.1**).

**Figure 2.4** shows the trend in the number of fine defaulters held in custody between November 1991 and June 1994. The figure shows a sharp fall after March 1994. This is due to a moratorium on the execution of fine default warrants in NSW, which took effect on 1 April 1994. Prior to the moratorium however, there were statistically significant downward trends in the total and the male fine defaulter prisoner populations. These populations fell by 17.9 and 17.4 per cent, respectively, between the first and last twelve months of the period November 1991 and March 1994. This may be partly due to a change in the fine 'cut-out' rate (the rate of time to serve per dollar of fine) which occurred in November 1992. The rate was increased from \$50 to \$100 per day, allowing fine defaulters to settle fines in less time. There is no upward or downward trend in the female fine defaulter prison population.

**Figure 2.5** shows the trend in the monthly appellant population. There are statistically significant upward trends for both male and female appellants, and thereby also for the total appellant population. The increase from the first to the last twelve months of the period was similar for males and females, being 41.1 and 41.3 per cent, respectively, resulting in an overall increase of 41.1 per cent over the period.



The trend in the monthly periodic detainee population for the period March 1991 to June 1994 is shown in **Figure 2.6**. Although there are no statistically significant upward or downward trends in the periodic detainee population for males or females when analysed separately, there is in fact a statistically significant upward trend for the total population. The total periodic detainee population rose by 4.3 per cent from the first to the last twelve months of the period.

## TRENDS IN PRISONER RECEPTIONS

Trends discussed below are for total prisoners. Reception data are not available for males and females separately.

**Figure 2.7** shows monthly prisoner receptions between July 1989 and June 1994 for fine defaulters, sentenced prisoners excluding fine defaulters, and all sentenced prisoners. It can be seen that there was a steady increase in the number of fine defaulter prisoner receptions and all sentenced prisoner receptions over this period, with a sharp fall in the number of receptions occurring at the end of the period. The upward trends in fine defaulter and total sentenced prisoner receptions are statistically significant. Total sentenced prisoner receptions rose 46.3 per cent from the first to the last twelve months of the period. Fine defaulter receptions rose by 509.4 per cent over the same period. This percentage increase is very large because the numbers at the beginning of the period were very small, due to an earlier moratorium on the execution of fine default warrants in NSW which had been in place during January 1988. From 1 April to 30 June 1994, there was another moratorium, resulting in a sharp fall in the numbers of fine defaulters and total sentenced prisoners received into custody during the last three months of the period.

Although the numbers of fine defaulters received increased over the period, the population of fine defaulters actually fell (see **Figure 2.4**). This suggests that there was a reduction in the average time served by fine defaulters. As previously mentioned, in November 1992, the fine 'cut-out' rate was changed from \$50 to \$100 per day. This change may be responsible for a reduction in time served. However, it may also have contributed to the increase in fine defaulter receptions, as offenders may be more willing to settle fines with shorter sentences.

There is no statistically significant upward or downward trend in the number of receptions of sentenced prisoners when fine defaulters are excluded. Thus, the increase in the total number of sentenced prisoners received into custody over the period was due to an increase in the number of fine defaulters received.

The monthly trend in periodic detainee receptions for the period July 1989 to June 1994 is shown in **Figure 2.8**. There is a statistically significant upward trend in the

number of periodic detainees received over the period. The number of receptions rose 33.5 per cent between the first and the last twelve months of the period.

### **TREND IN COMMUNITY-BASED CORRECTIONS**

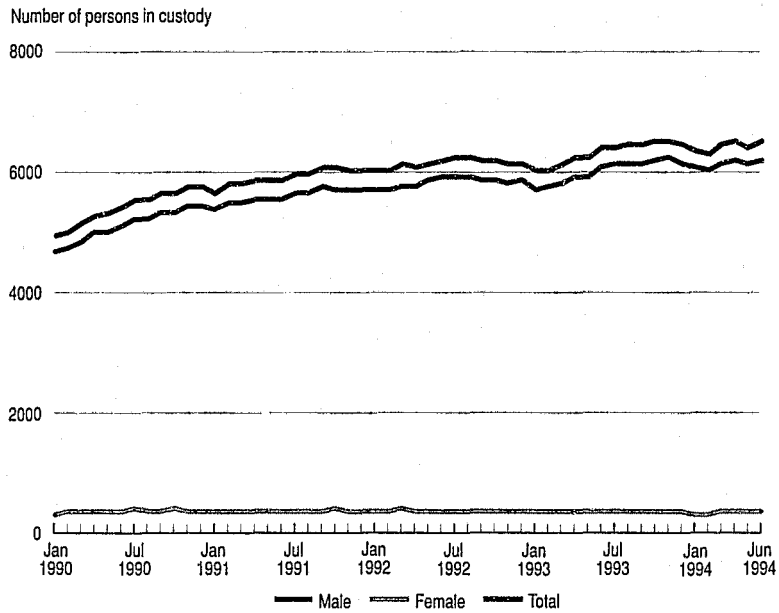
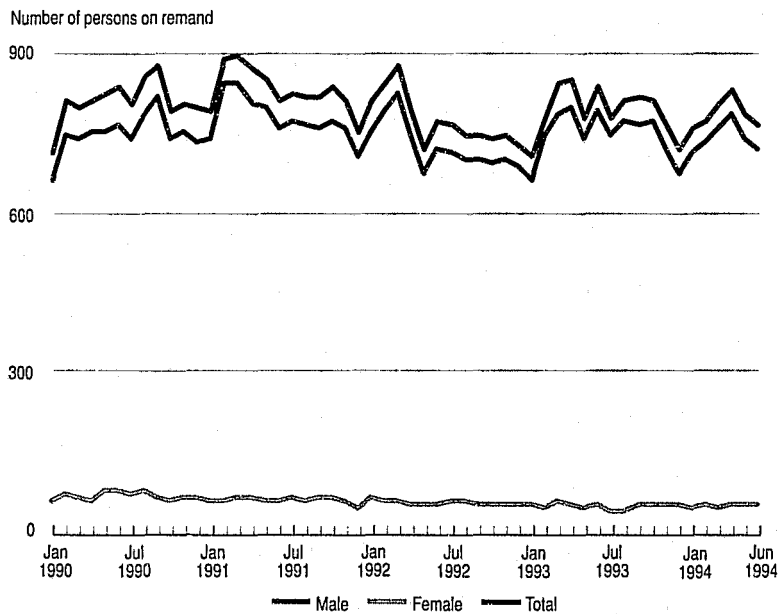
Figure 2.9 shows the trends in the population of persons under community supervision for the period January 1990 to June 1994. There are no statistically significant upward or downward trends.

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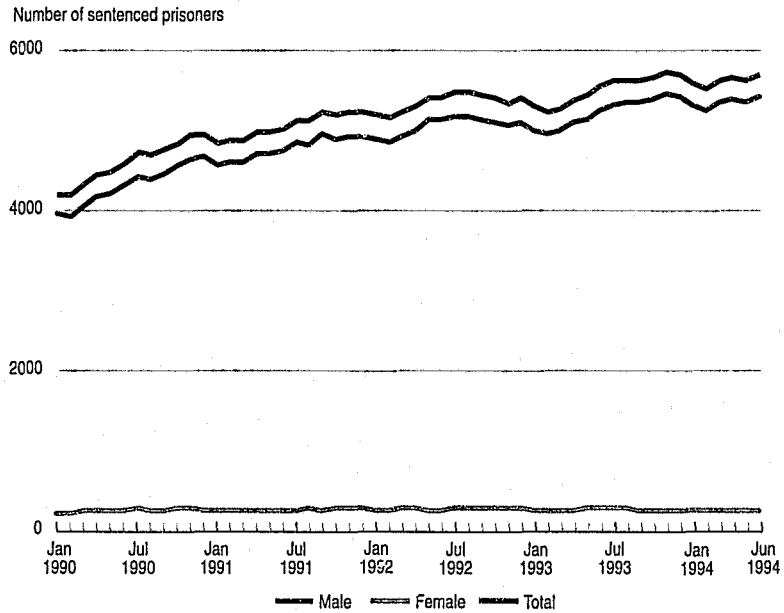
## **TRENDS IN CORRECTIONAL PROCESSES**

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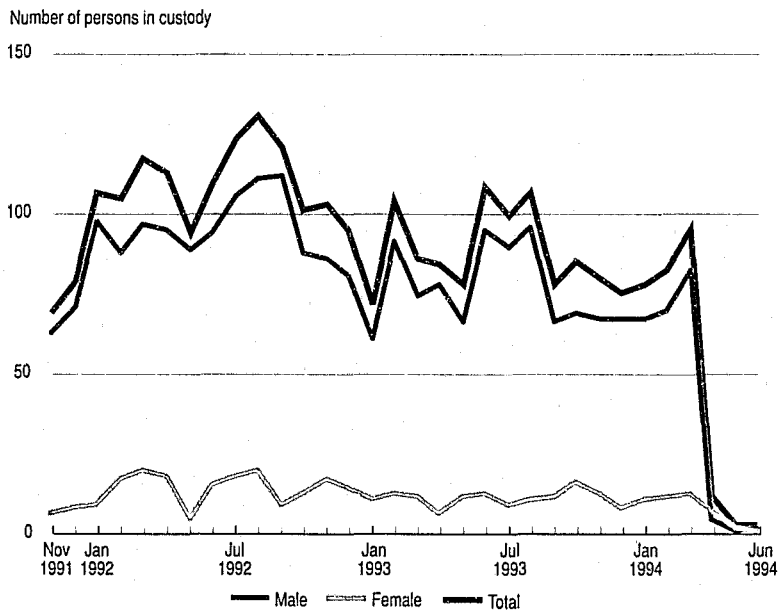
### **FIGURES**

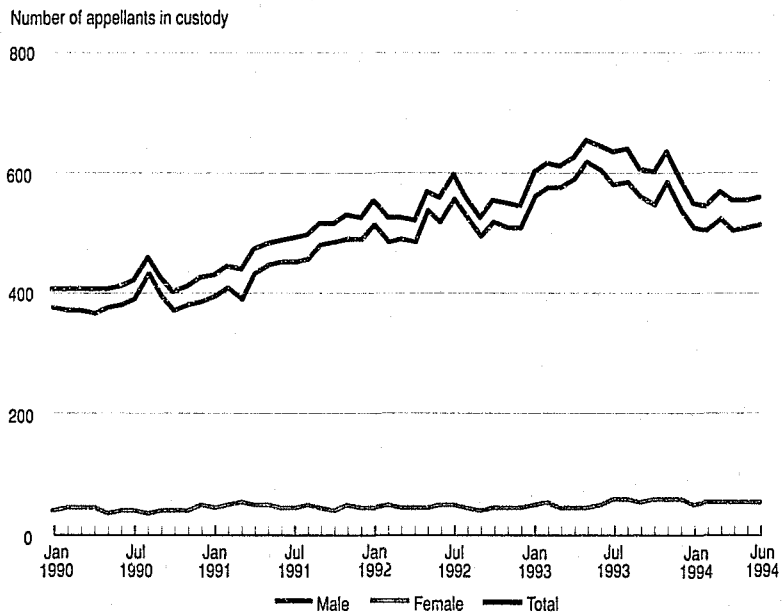
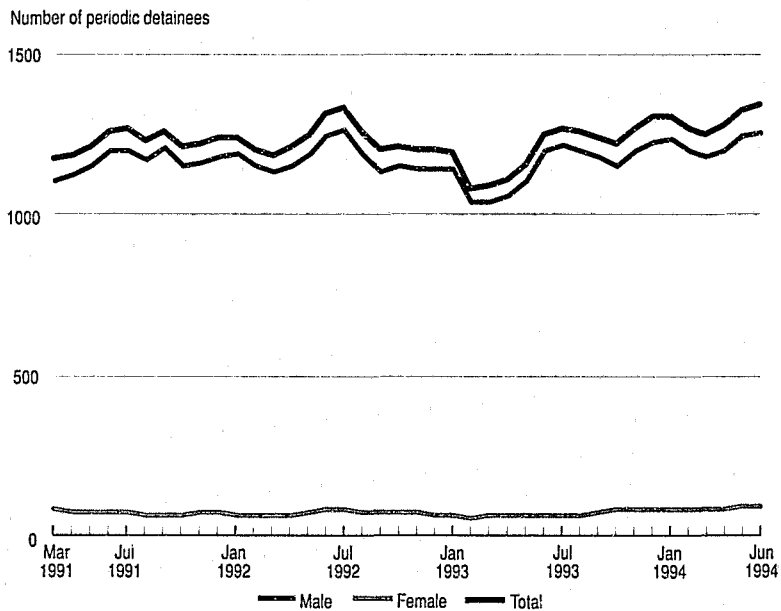
**Figure 2.1: Total prisoner population****Figure 2.2: Remand population\***

\* Excludes appellants, includes deportees

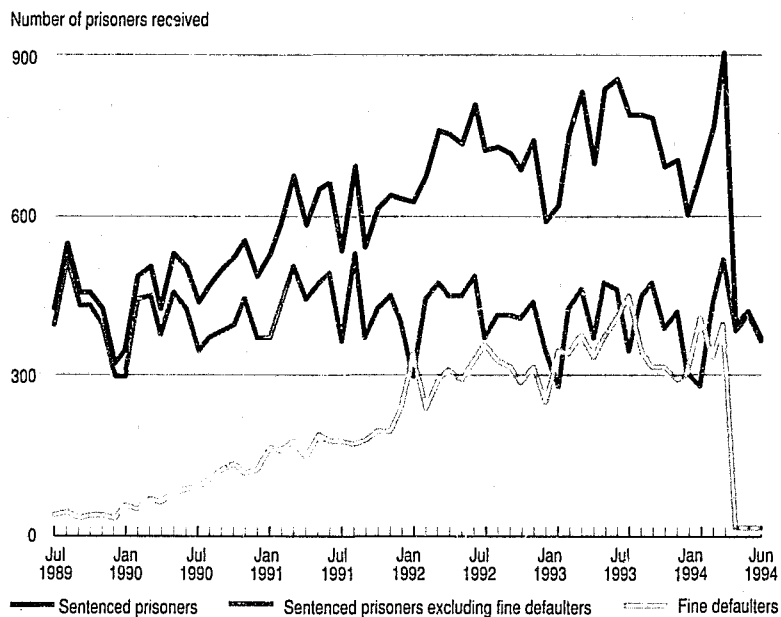
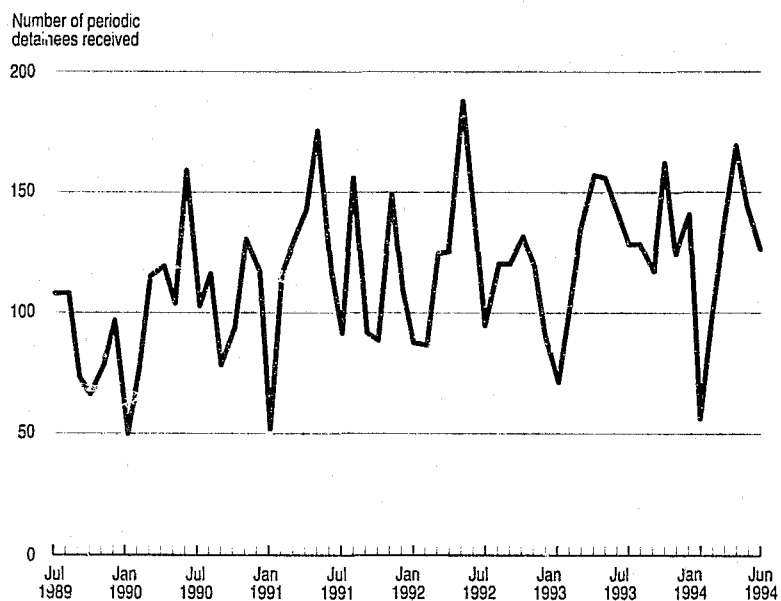
**Figure 2.3: Sentenced prisoner population\***

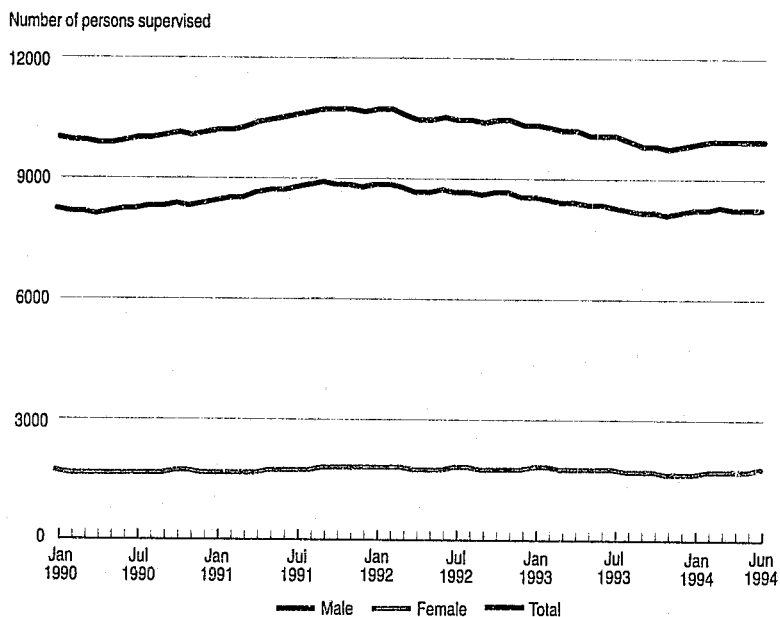
\* Includes fine defaulters and appellants

**Figure 2.4: Fine defaulter prison population**

**Figure 2.5: Appellant population****Figure 2.6: Periodic detainee population**

Note: Periodic detainee population figures are as at 1st Sunday each month, except April 1994. These are as at the last Sunday in March 1994.

**Figure 2.7: Sentenced prisoner receptions****Figure 2.8: Periodic detainee receptions**

**Figure 2.9: Persons under community supervision**



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**SECTION 3**

**TRENDS IN  
JUVENILE JUSTICE**

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## SECTION 3: TRENDS IN JUVENILE JUSTICE

### INTRODUCTION

This section examines trends in juvenile justice in NSW, covering the period January 1990 to June 1994. All of the data are shown disaggregated by gender, except **Figure 3.1**, for which separate data were unavailable. As is the case with other jurisdictions, the majority of juvenile offenders in every offence category are male. However, fraud and shoplifting are two offences in which female offenders are involved in relatively large numbers.

Two aspects of the Children's Courts functioning are examined. The first aspect is the volume, and type, of criminal matters dealt with by the courts. Figures 3.1 and 3.2 are concerned with the number of persons registered to appear in the Children's Courts on criminal charges, and the number of persons whose appearances were finalised over the period. Figures 3.3 to 3.16 present trends in specified criminal offences for which juveniles were charged. These figures are person-based, so that each figure presents a juvenile only once, regardless of the number of charges involved.<sup>13</sup> The second aspect of Children's Courts functioning concerns outcome. Figures 3.17 to 3.28 present information on key outcomes for all matters finalised in the Children's Courts. The outcomes examined are: control orders (i.e. committed to a juvenile justice centre), Community Service Orders (CSOs), supervised orders (e.g. probation), unsupervised orders (e.g. recognizance where no supervision is stipulated), fines, and matters proved and dismissed. Outcomes are classified according to the most serious penalty imposed. As elsewhere in the report, the juvenile justice trends have been tested for significance using Kendall's rank order correlation test.

### TREND IN REGISTRATIONS

**Figure 3.1** shows the trend in the number of juveniles registered to appear each month in the Children's Courts. The downward trend is statistically significant. Registrations fell by 9.0 per cent between the first and last twelve months of the period.

### TREND IN DISPOSALS

**Figure 3.2** shows the trend in the number of finalised criminal appearances in the Children's Courts. There are statistically significant downward trends for both males

and females over the period January 1990 to June 1994, and thus also for the total number of appearances. Between the first and last twelve months of the period, there was a 15.9 per cent decrease for males, and a 4.0 per cent decrease for females, resulting in an overall decrease of 14.2 per cent.

### **TRENDS IN DISPOSALS<sup>14</sup> BY OFFENCE TYPE**

Figure 3.3 presents the trends in the monthly number of juveniles charged with assault, whose cases were finalised over the period. There are no statistically significant upward or downward trends.

The number of male juveniles who appeared on charges of sexual offences is shown in Figure 3.4. There is no statistically significant upward or downward trend. The trend for females is not presented because over the entire five year period, there were only five females who appeared before Children's Courts on charges of sexual offences.

Figure 3.5 presents the trends in the number of court appearances finalised for juveniles charged with robbery. There are statistically significant upward trends for total disposals and for those involving male juveniles. Total disposals increased by 75.1 per cent and those involving males increased by 76.1 per cent, from the first twelve months of the period to the last.

Finalised court appearances for the number of juveniles charged with break and enter are presented in Figure 3.6. There are significant downward trends for both males and females, and thereby also for the total. The decreases from the first twelve months of the period to the last, were 14.4 per cent for males and 22.1 per cent for females, resulting in an overall decrease of 14.9 per cent.

Figure 3.7 shows the number of finalised cases for juveniles charged with fraud. There are no statistically significant upward or downward trends for this offence.

Figure 3.8 presents the trends in shoplifting cases. There are statistically significant upward trends for both males and females, and thereby also for the total. The increases between the first and last twelve months of the period were 37.3 per cent for males and 49.2 per cent for females, resulting in an overall increase of 41.3 per cent.

Figure 3.9 shows the number of finalised cases for juveniles charged with unlawful possession of stolen goods. There are statistically significant downward trends for both males and females, and thereby also for the total. The number of finalised cases for male juveniles charged with this offence decreased by 23.4 per cent over the period, and for females the decrease was 27.5 per cent. The overall decrease was 24.0 per cent.

The trends in motor vehicle theft cases are shown in **Figure 3.10**. The downward trends for the total and for male juveniles are statistically significant. There was an overall decrease of 17.5 per cent from the first to the last twelve months of the period, the decrease for males alone being 20.1 per cent. Although the trend test show a general decrease over the period January 1990 to June 1994, it is clear from **Figure 3.10** that finalised cases for this offence have been increasing since January 1993. There is no statistically significant trend for females charged with this offence.

**Figure 3.11** shows the number of juveniles appearing on charges of theft. (This does not include shoplifting or motor vehicle theft, which are treated separately above.) The downward trends for both males and females, and therefore also the total, are statistically significant. Cases involving males decreased over the period by 26.9 per cent, while cases for females decreased by 24.6 per cent, resulting in an overall decrease of 26.6 per cent. Again, **Figure 3.11** shows that despite the general decrease from January 1990 to June 1994, the last eighteen months show an upward trend.

The trends in finalised cases for offences involving property damage are shown in **Figure 3.12**. There are statistically significant downward trends for the total and for males. The overall decrease from the first to the last twelve months of the period was 17.7 per cent. Cases involving males alone decreased by 17.6 per cent. There is no statistically significant trend in cases involving females for this offence.

**Figure 3.13** presents finalised cases for offences against justice procedures (i.e. any breach of a court order). The downward trends for the total and for males are statistically significant. There was an overall decrease of 17.1 per cent over the period. The decrease for cases involving males alone was 21.0 per cent. There is no statistically significant trend in cases involving females for this offence.

The trends in finalised cases for offences against good order (for example, weapons offences, prostitution, offensive behaviour) are shown in **Figure 3.14**. The downward trends for the total, and for both males and females, are statistically significant. The overall decrease between the first and last twelve months of the period was 46.5 per cent. For males and females separately, the decreases were 45.3 per cent and 52.3 per cent, respectively.

**Figure 3.15** shows the trends in finalised cases for drug offences. There are no statistically significant upward or downward trends.

The trends in finalised cases for driving offences are presented in **Figure 3.16**. There are statistically significant downward trends for both males and females, and thereby also for the total. The number of cases for male juveniles charged with this offence decreased by 52.1 per cent over the period, and for females the decrease was 20.4 per cent, resulting in an overall decrease of 49.0 per cent.

## TRENDS IN OUTCOMES

Figure 3.17 shows the trends in the number of juveniles given a control order as their most serious penalty. (A control order is a committal to a juvenile justice centre.) The downward trends for the total and for males are statistically significant. The overall decrease between the first and last twelve months of the period was 13.6 per cent. The decrease in males given a control order was 11.8 per cent. There is no statistically significant trend for females. The trends in the percentage of finalised matters which resulted in a control order are shown in Figure 3.18. There are no statistically significant upward or downward trends.

Figure 3.19 shows the trends in the number of juveniles given a CSO (Community Service Order) as their most serious penalty. There are no statistically significant upward or downward trends. The trends in the percentage of finalised matters which resulted in a CSO are shown in Figure 3.20. The upward trend for male juveniles is statistically significant. The percentage of finalised matters which resulted in a CSO for male juveniles increased by 24.2 per cent between the first and the last twelve months of the period.

Figure 3.21 shows the trends in the number of juveniles given a supervised order as their most serious penalty. There are no statistically significant upward or downward trends. The trends in the percentage of finalised matters which resulted in a supervised order are shown in Figure 3.22. The upward trend for male juveniles is statistically significant. The percentage of finalised matters which resulted in a supervised order for male juveniles increased by 19.3 per cent between the first and the last twelve months of the period.

Figure 3.23 shows the trends in the number of juveniles given an unsupervised order as their most serious penalty. (An unsupervised order is probation or a recognizance order where supervision has not been stipulated.) There are statistically significant downward trends for the total and for both males and females. The overall decrease in this outcome was 28.9 per cent between the first and last twelve months of the period. The number of males receiving an unsupervised order fell by 29.8 per cent over the period, while for females the decrease was 24.1 per cent. The trends in the percentage of finalised matters which resulted in an unsupervised order are shown in Figure 3.24. The downward trends for male and female juveniles are statistically significant. The percentage of finalised matters which resulted in an unsupervised order for male juveniles decreased by 16.2 per cent, and those for female juveniles decreased by 20.3 per cent, between the first and the last twelve months of the period.

Figure 3.25 shows the trends in the number of juveniles given a fine as their most serious penalty. The downward trends for the total and for males are statistically

significant. The number of juveniles whose most serious penalty was a fine decreased by 23.4 per cent over the period. The decrease for male juveniles was 26.3 per cent. There is no statistically significant trend for females whose most serious penalty was a fine. The trends in the percentage of finalised matters which resulted in a fine are shown in **Figure 3.26**. The downward trend for male juveniles is statistically significant. The percentage of finalised matters which resulted in a fine for male juveniles decreased by 12.6 per cent between the first and the last twelve months of the period.

**Figure 3.27** shows the trends in the number of juveniles whose cases were proven and dismissed. There are statistically significant downward trends in the total number, and in the number of males, whose cases were proven and dismissed. There was an overall decrease of 19.3 per cent for this outcome, the corresponding decrease for males being 22.3 per cent over the period. There is no statistically significant trend in the number of females whose cases were proven and dismissed. The trends in the percentage of finalised matters which were proven and dismissed are shown in **Figure 3.28**. The downward trend for male juveniles is statistically significant. The percentage of finalised matters which were proven and dismissed for male juveniles decreased by 7.6 per cent between the first and the last twelve months of the period.

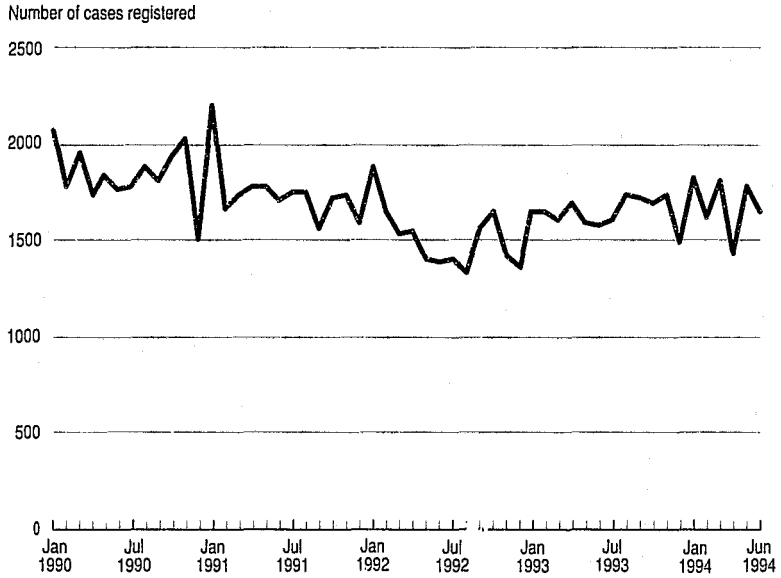
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## **TRENDS IN JUVENILE JUSTICE**

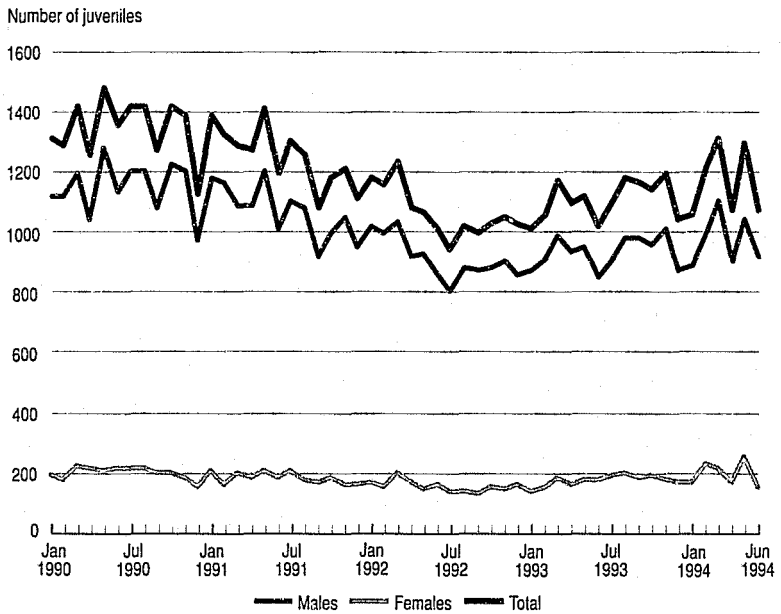
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### **FIGURES**

**Figure 3.1: Cases registered in Children's Courts**

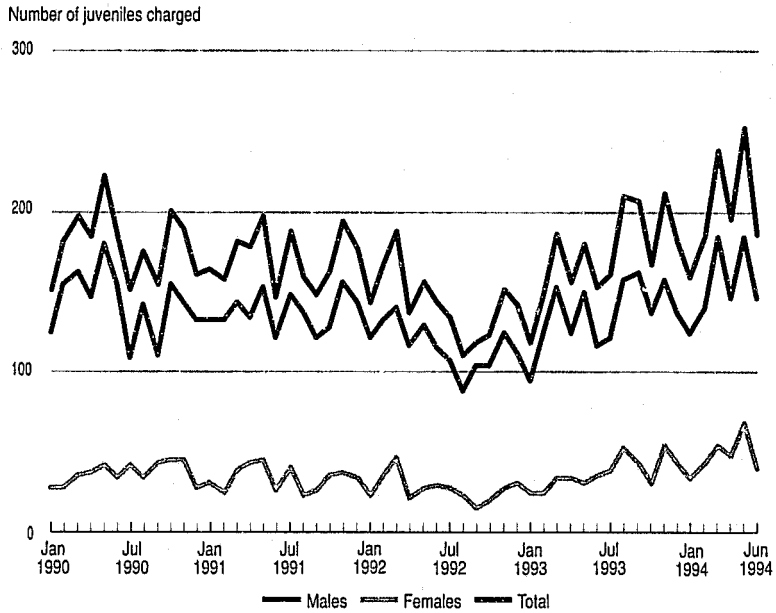


**Figure 3.2: Finalised appearances in Children's Courts**

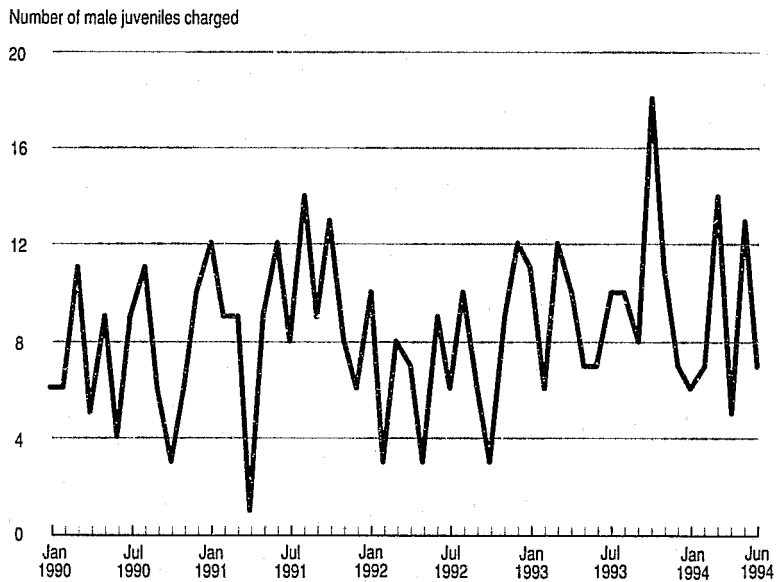




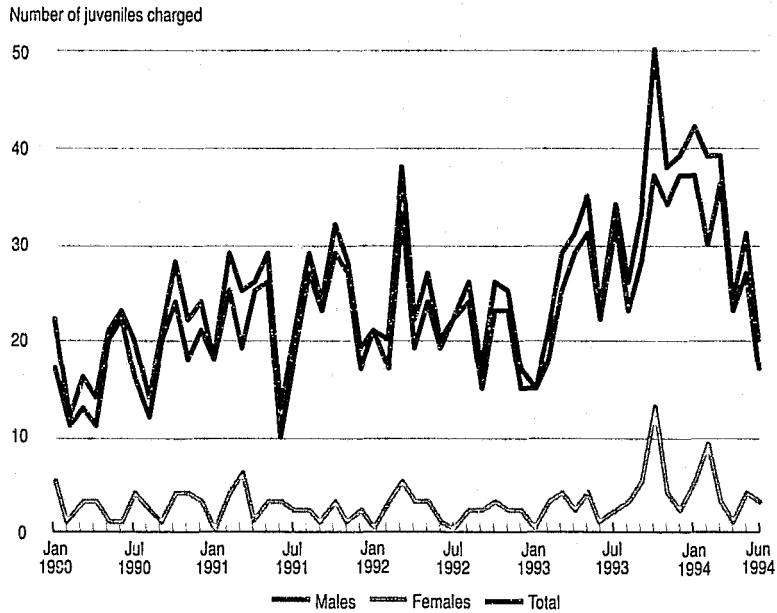
**Figure 3.3: Juveniles charged with assault, by gender, finalised appearances in Children's Courts**



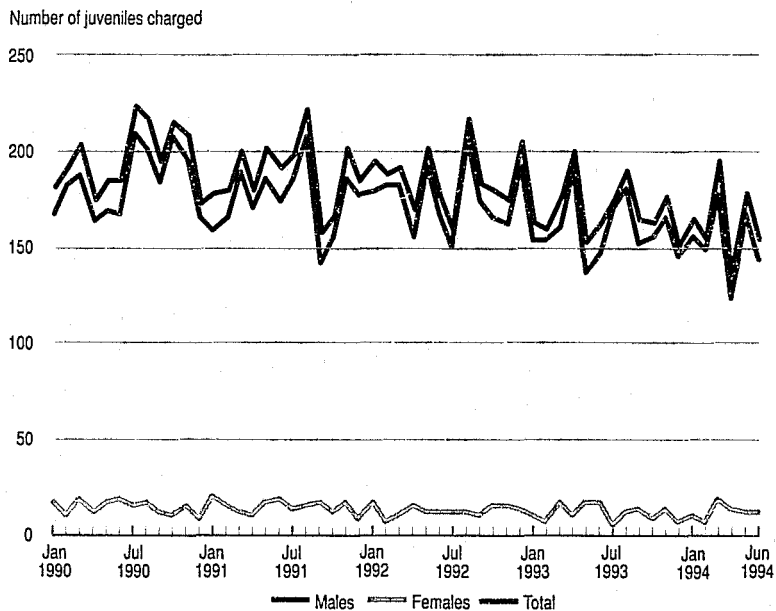
**Figure 3.4: Male juveniles charged with sexual offences for appearances finalised in Children's Courts**



**Figure 3.5: Juveniles charged with robbery, by gender, finalised appearances in Children's Courts**

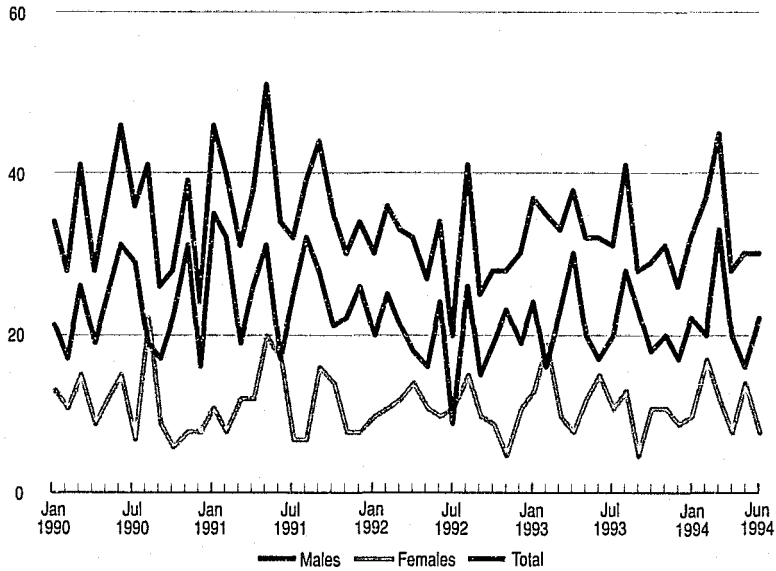


**Figure 3.6: Juveniles charged with break and enter, by gender, finalised appearances in Children's Courts**



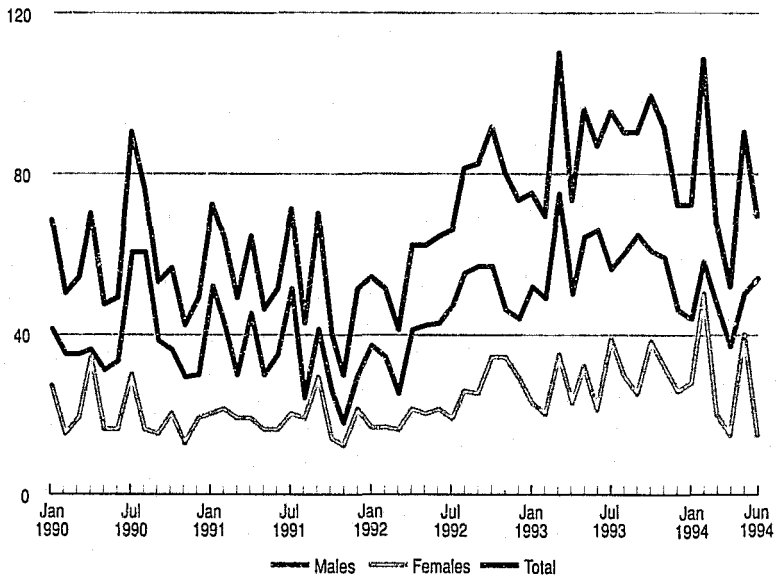
**Figure 3.7: Juveniles charged with fraud, by gender, finalised appearances in Children's Courts**

Number of juveniles charged

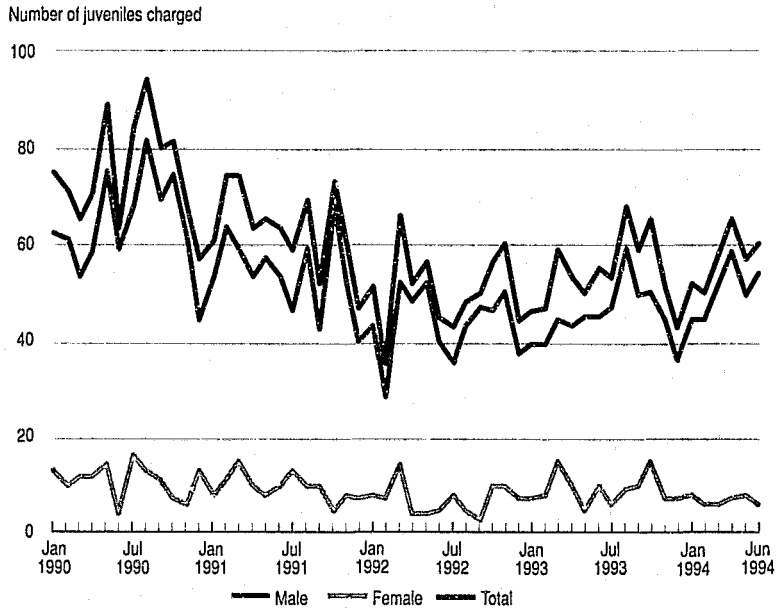


**Figure 3.8: Juveniles charged with shoplifting, by gender, finalised appearances in Children's Courts**

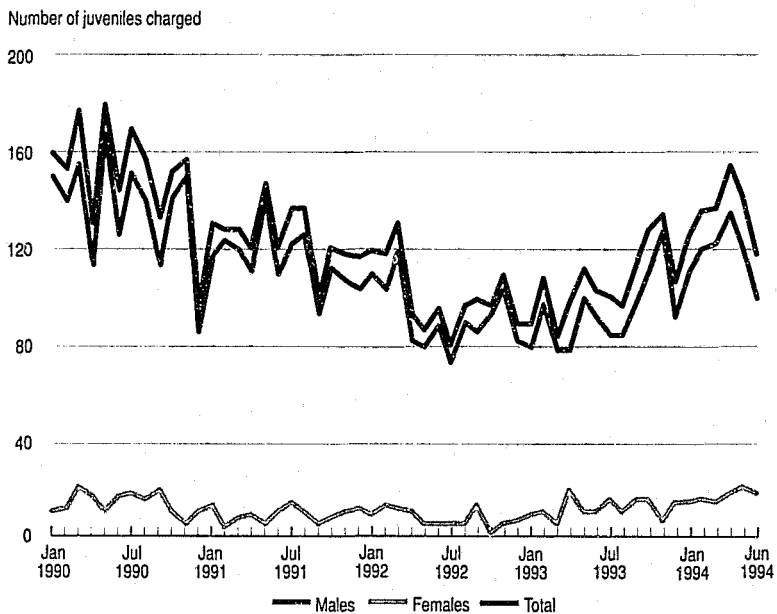
Number of juveniles charged



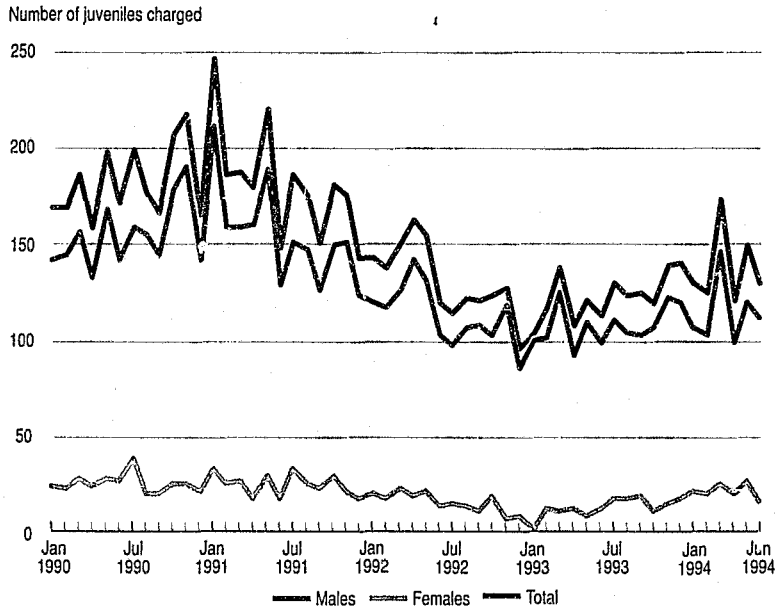
**Figure 3.9: Juveniles charged with unlawful possession, by gender, finalised appearances in Children's Courts**



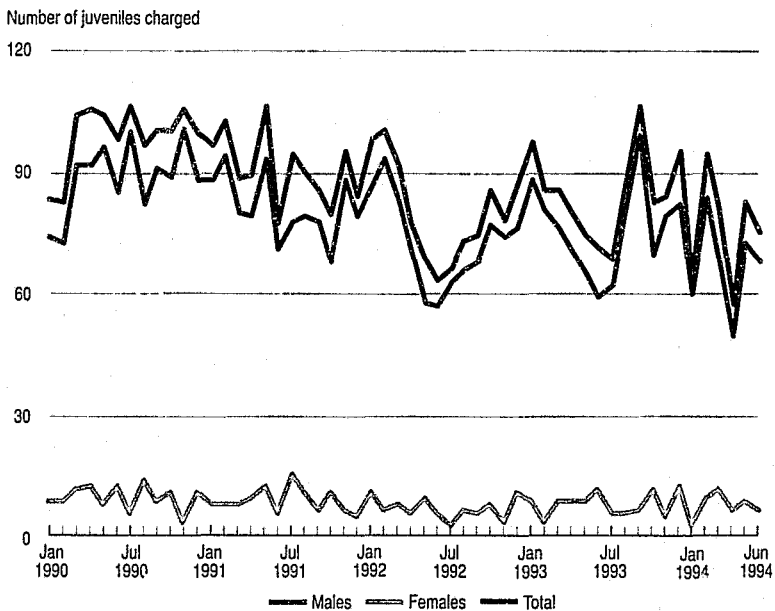
**Figure 3.10: Juveniles charged with motor vehicle theft, by gender, finalised appearances in Children's Courts**



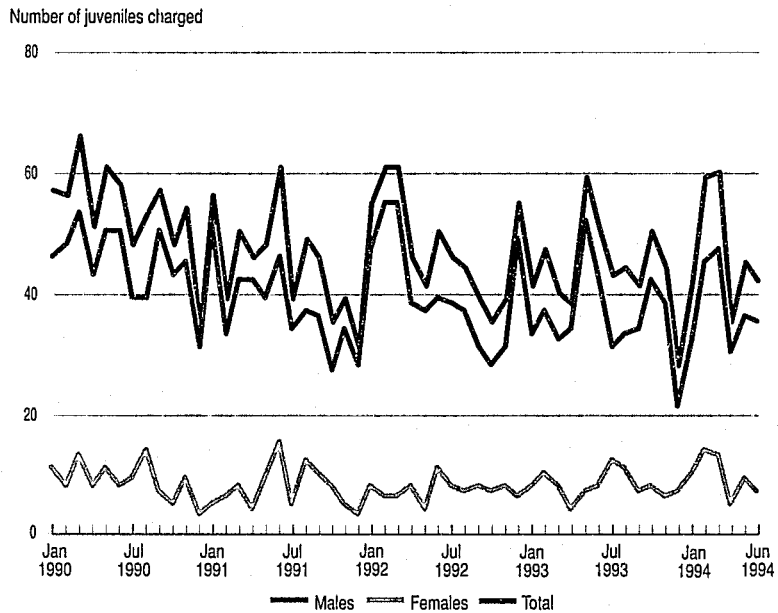
**Figure 3.11: Juveniles charged with theft, by gender, finalised appearances in Children's Courts**



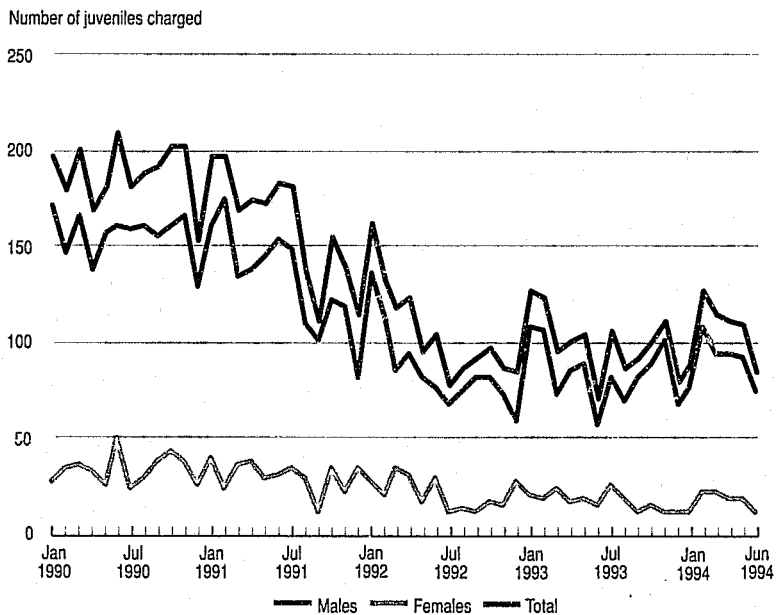
**Figure 3.12: Juveniles charged with property damage, by gender, finalised appearances in Children's Courts**



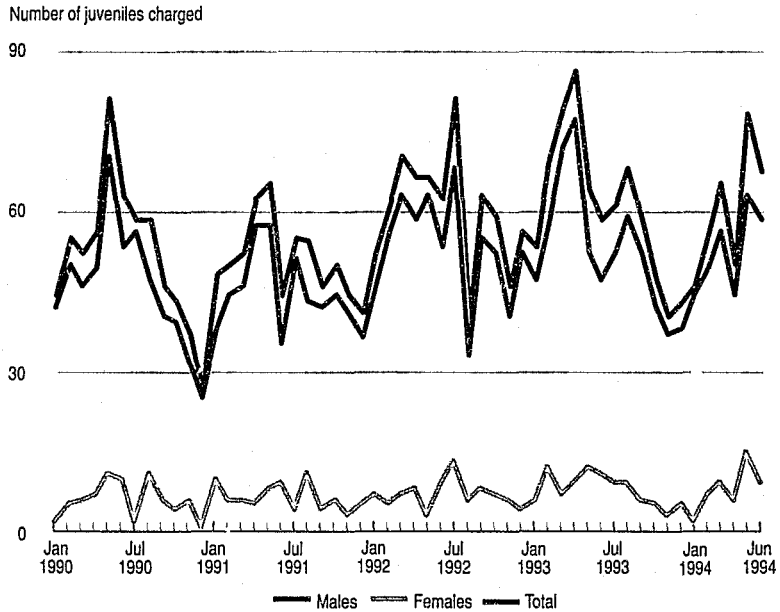
**Figure 3.13: Juveniles charged with offences against justice procedures, by gender, finalised appearances in Children's Courts**



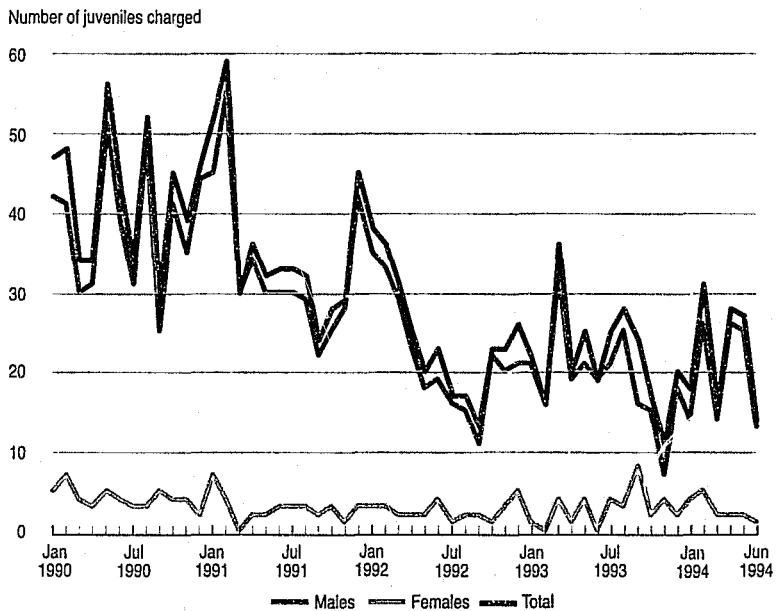
**Figure 3.14: Juveniles charged with offences against good order, by gender, finalised appearances in Children's Courts**



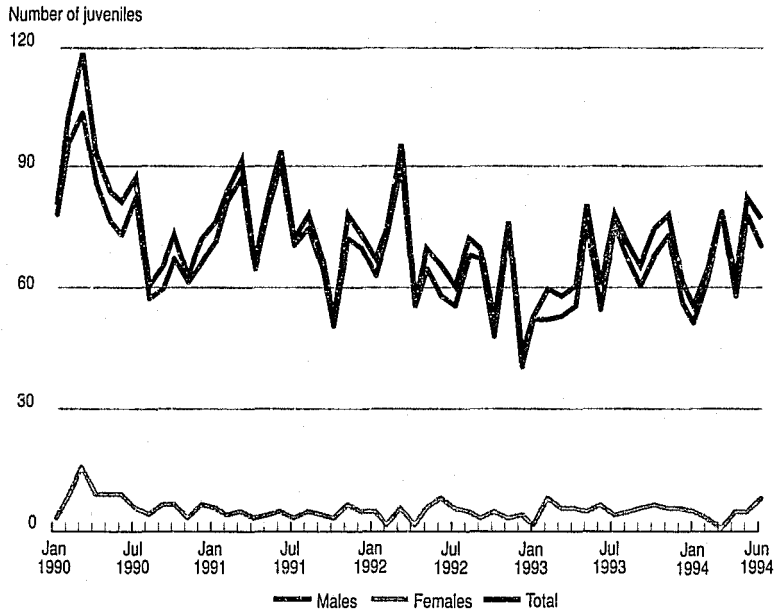
**Figure 3.15: Juveniles charged with drug offences, by gender, finalised appearances in Children's Courts**



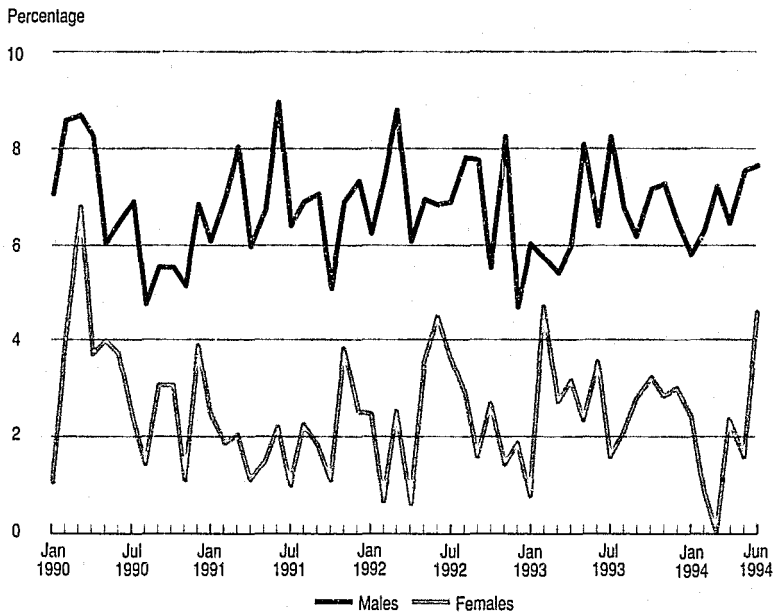
**Figure 3.16: Juveniles charged with driving offences, by gender, finalised appearances in Children's Courts**



**Figure 3.17: Juveniles given control orders as most serious penalty, Children's Courts**

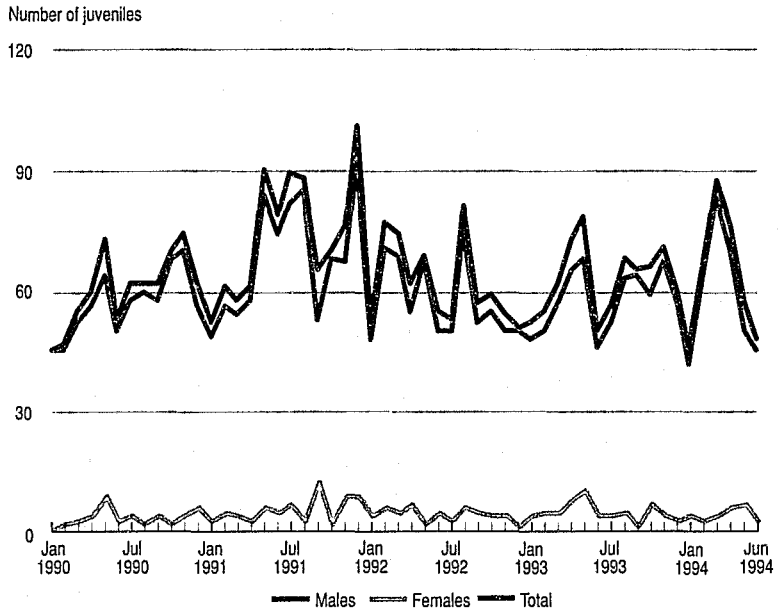


**Figure 3.18: Percentage of all finalised appearances in Children's Courts where the most serious penalty was a control order**

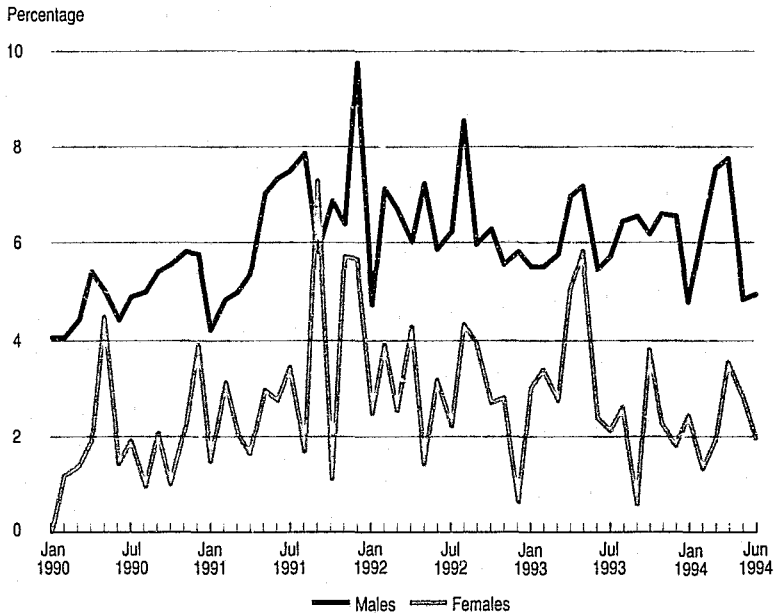




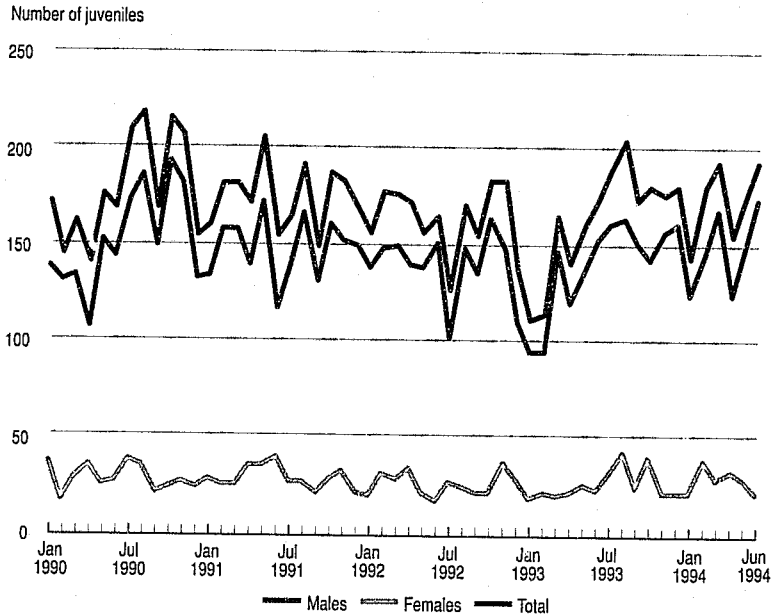
**Figure 3.19: Juveniles given CSOs as most serious penalty, Children's Courts**



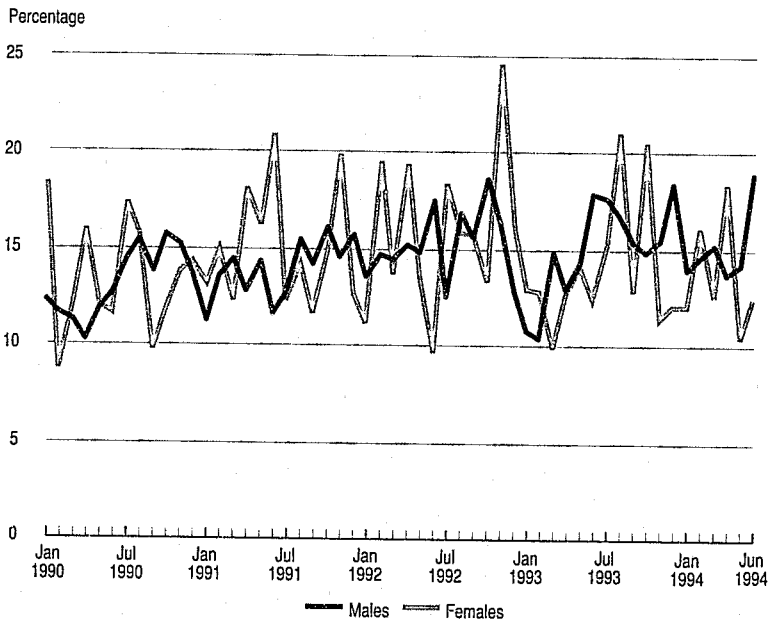
**Figure 3.20: Percentage of all finalised appearances in Children's Courts where the most serious penalty was a CSO**



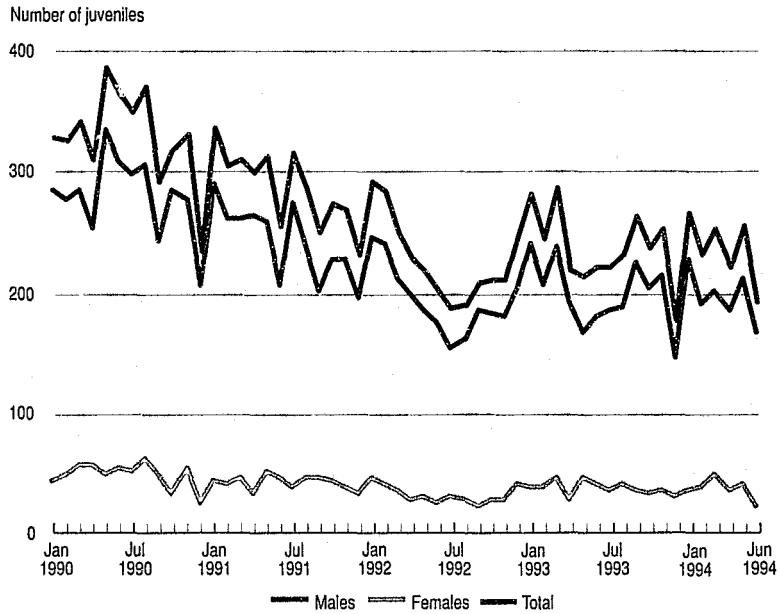
**Figure 3.21: Juveniles given supervised orders as most serious penalty, Children's Courts**



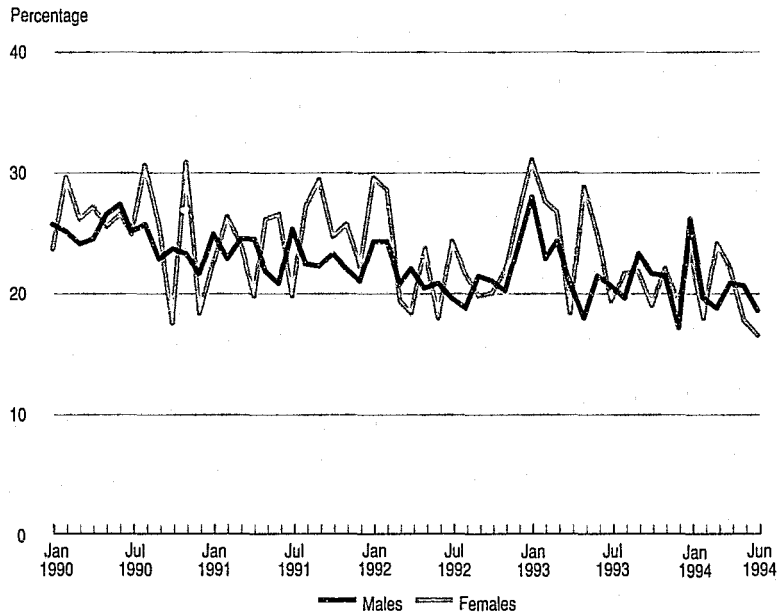
**Figure 3.22: Percentage of all finalised appearances in Children's Courts where the most serious penalty was a supervised order**

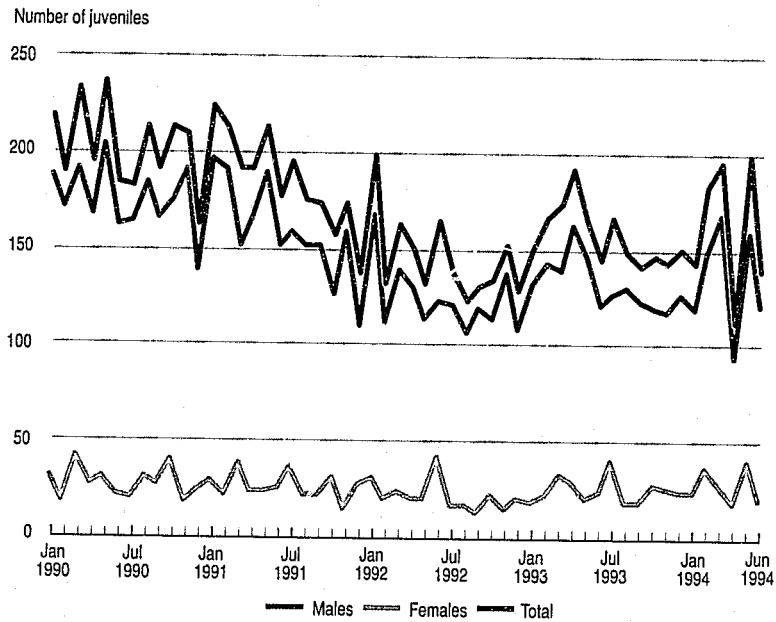
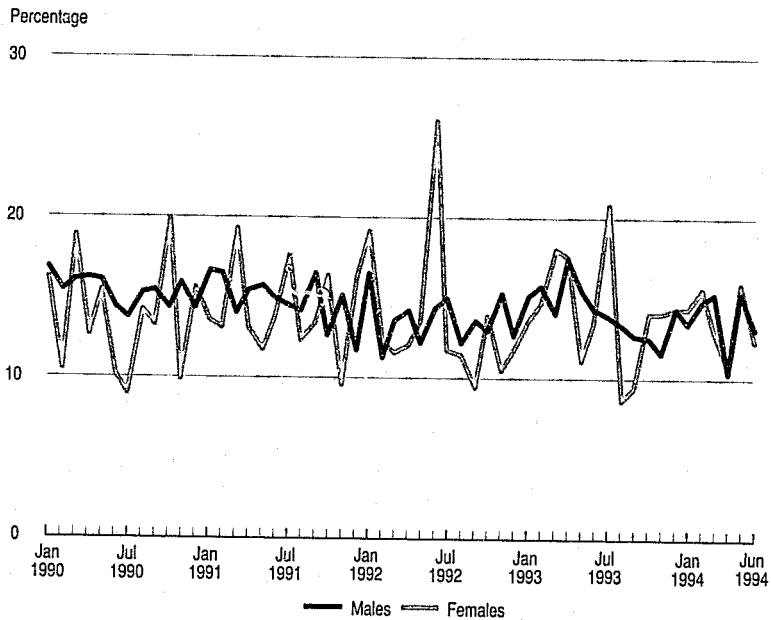


**Figure 3.23: Juveniles given probation/recognizance orders without supervision as most serious penalty**

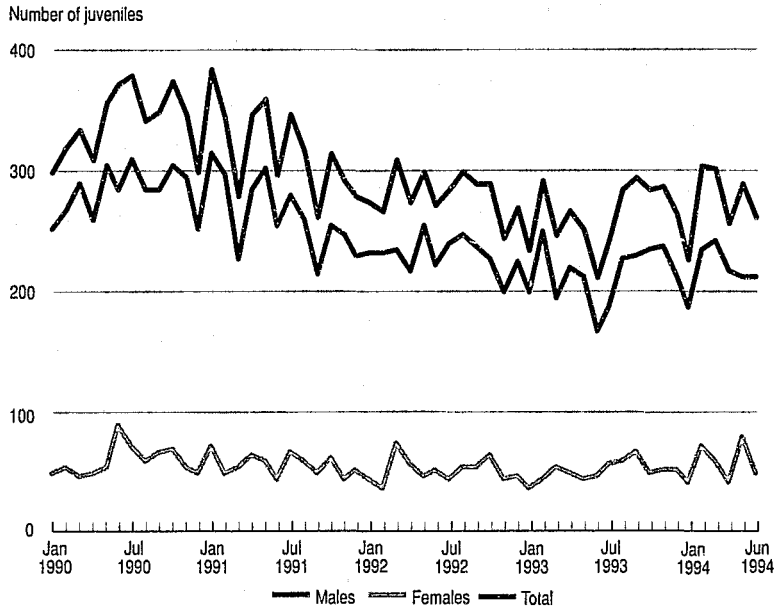


**Figure 3.24: Percentage of all finalised appearances in Children's Courts where the most serious penalty was a probation/recognizance order without supervision**

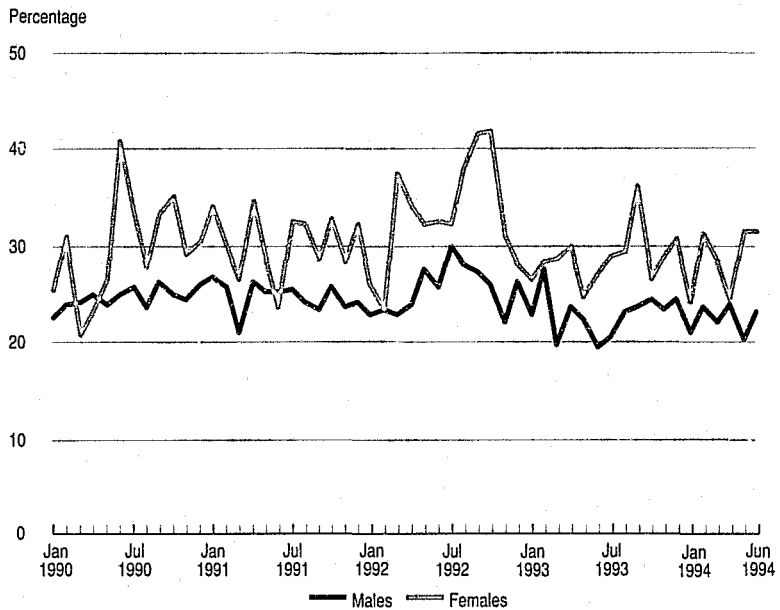


**Figure 3.25: Juveniles fined as most serious penalty, Children's Courts****Figure 3.26: Percentage of all finalised appearances in Children's Courts where the most serious penalty was a fine**

**Figure 3.27: Juveniles dismissed for proven offence, Children's Courts**



**Figure 3.28: Percentage of all finalised appearances in Children's Courts where the case was proven and dismissed**



## NOTES

<sup>1</sup> See, for example, Conover, W.J. 1971, *Practical Non-Parametric Tests*, 2nd edn, John Wiley and Sons, pp. 256-260. A two-tailed test was used to determine whether there was an increasing or decreasing trend in the data. The test for trend is not sensitive to seasonal variations; it is sensitive only to a generally increasing or decreasing trend over the time period examined.

<sup>2</sup> Other reasons include cases where: all charges were dismissed without a defended hearing; the charges were stood out of list; the recognizance was forfeited; the accused died prior to finalisation of the case.

<sup>3</sup> A case is 'no-billed' when the Director of Public Prosecutions does not proceed with the charges against the accused person.

<sup>4</sup> In 1994, there was a change in the way defended cases were identified, which resulted in an apparent increase in the number of defended cases. The median delay figures therefore differ from those found in Bureau publications prior to 1995.

<sup>5</sup> Because of gaps in the trend line, the magnitude of the trend has been calculated between the first and last twelve months of the period, excluding the month of January in each case. The percentage change is therefore actually based on data from eleven months.

<sup>6</sup> See note 5.

<sup>7</sup> See note 5.

<sup>8</sup> The Department of Corrective Services also publishes information on trends in correctional processes. See their publications *'Inmate Statistics'* (published annually) and *'Visualising the Trends'* (June 1993).

<sup>9</sup> Monthly prisoner population data are based on the number of prisoners in custody on the first Sunday of each month.

<sup>10</sup> The total NSW prisoner population excludes Australian Capital Territory (ACT) prisoners who are housed in NSW prisons. ACT prisoners are managed in NSW prisons and generally appear in NSW prison statistics. However, the housing of ACT prisoners occurs at no expense to NSW because the NSW Department of Corrective Services receives funding from the ACT to accommodate these prisoners. For this reason ACT prisoners have been excluded from the present NSW prisoner population. Due to data unavailability, ACT prisoners have not been excluded from Figures 2.4, 2.5 and 2.6.

<sup>11</sup> Monthly prisoner reception data are based on the number of persons received into custody during each month. These data include ACT prisoner receptions.

<sup>12</sup> Monthly community-based correction data are based on the number of persons under supervision on the first day of each month.

<sup>13</sup> Appearances are classified on the basis of the principal offence with which each juvenile was charged, for each matter finalised.

<sup>14</sup> The term 'disposal' and 'appearance' as used here are synonymous.

## **DATA SOURCES**

### **Section 1:**

Figure 1.1 - Data supplied by the Courts Statistics Unit, NSW Department of Courts Administration.

Figures 1.2 to 1.40 - NSW Bureau of Crime Statistics and Research, unpublished data. Data for the Local Courts were provided by the Clerks of the Court who completed and returned coding forms for each person appearing before the Local Courts on criminal charges. Data for the Higher Courts were obtained from the Case Tracking System, an administrative computer system maintained by the Department of Courts Administration.

### **Section 2:**

Figures 2.1 to 2.9 - Data supplied by NSW Department of Corrective Services.

### **Section 3:**

Figure 3.1 - Data supplied by the Courts Statistics Unit, NSW Department of Courts Administration.

Figures 3.2 to 3.28 - Data extracted from the Children's Court Information System and supplied by the Office of Juvenile Justice in New South Wales.