

# Understanding the decline in Aboriginal young people in custody in NSW from 2015 to 2019

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## SUMMARY

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### BACKGROUND

In recent years, there has been a steady decline in the number of Aboriginal young people in custody in New South Wales (NSW). In December 2015, 145 young Aboriginal people were in custody in NSW, but this dropped to 137 in December 2018 and decreased further to 121 in December 2019. Over the same period the number of non-Aboriginal young people in custody remained stable.

Various factors related to the imprisonment of young Aboriginal people in NSW are examined to help understand drivers of the recent downward trend in the youth Aboriginal custody population. These include:

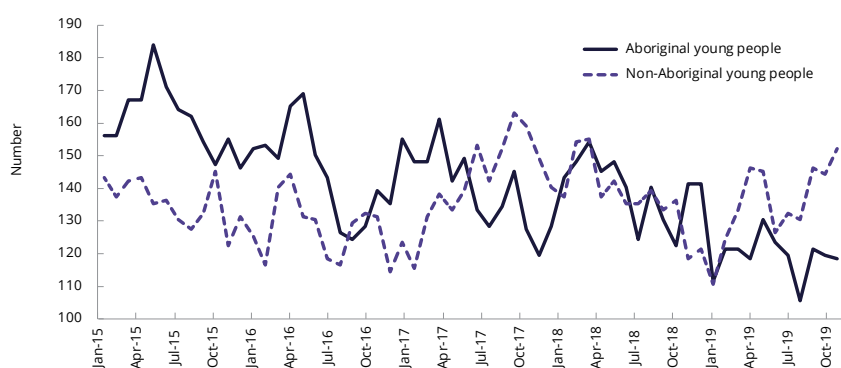
- the number of young people proceeded against by the police;
- the seriousness of young people's offending;
- the rate at which young people are refused bail by police and courts;
- the level of bail revocations due to bail breaches, and;
- sentences imposed by the Children's Court and Higher Courts.

### KEYWORDS

Aboriginality young people  
custody bail refused  
sentenced control order

### KEY FINDINGS

#### Youth custody population at end of the month



Crime and justice data for Aboriginal young people in NSW were examined between January 2015 and December 2019. The analyses found:

- a decline in both Aboriginal young people in remand (average annual percentage decline of 5.9%) and in sentenced custody (average annual percentage decline of 8.2%);
- a drop in the number of Aboriginal young people proceeded against to court by police (from 3,685 to 3,324), especially for high volume property offences, property damage and traffic matters;
- an increase in both the number and volume of young Aboriginal people refused bail by police but no overall change in the ultimate bail refusal rate because court bail refusal rates remained stable;
- an increase in the proportion of Aboriginal young people serving periods of short-term remand of one day or less (from 51.8% to 61.3%) due to higher police bail refusal rates but no change in the length of stay for other Aboriginal detainees;
- a fall in the rate of bail revocations (from 37.5% to 22.5%) despite a rise in bail breaches involving Aboriginal young people;
- a decline in the number of Aboriginal young people sentenced to a control order, due to fewer convictions in court (from 2,896 to 2,198) and a fall in the percentage receiving a control order (from 14.0% to 10.1%), particularly for breach of community-based order offences.

### CONCLUSION

The recent drop in the number of young Aboriginal people in custody appears to be due to both a decline in the number of Aboriginal young people appearing in court and fewer control orders being imposed.