



Aboriginal Over-representation in the Justice System

Supplementary questions
NSW Bureau of Crime Statistics and Research
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Question 1. Data on bail refusal by police, for Indigenous and non-Indigenous adults and youth.

Aboriginality	Age	Police Bail refusal	2013	2014	2015	2016	2017	2018	2019
Aboriginal	Young people	Bail refused	975	1038	1058	999	1127	1190	1185
		Total proceeded against to court	2672	2966	3157	2935	3039	3106	2879
		% police bail refused	36.49%	35.00%	33.51%	34.04%	37.08%	38.31%	41.16%
	Adult	Bail refused	4110	4283	5555	6098	6391	7144	8522
		Total proceeded against to court	11265	13020	14775	15737	15536	16834	18556
		% police bail refused	36.48%	32.90%	37.60%	38.75%	41.14%	42.44%	45.93%
Non-Aboriginal	Young people	Bail refused	1664	1159	1200	1214	1299	1274	1428
		Total proceeded against to court	6043	5241	5319	5158	5125	4826	4741
		% police bail refused	27.54%	22.11%	22.56%	23.54%	25.35%	26.40%	30.12%
	Adult	Bail refused	14633	13674	15621	17926	17569	18687	20917
		Total proceeded against to court	74052	79965	83102	87135	82425	82899	83926
		% police bail refused	19.76%	17.10%	18.80%	20.57%	21.32%	22.54%	24.92%

- **Young people**

- In 2019, 41% of Aboriginal youth people were refused bail by the police. By comparison, 30% of non-Aboriginal young people were refused bail by the police in 2019.
- The proportion of Aboriginal young people refused bail by police has increased from 36% in 2013 to 41% in 2019.

- **Adults**

- In 2019, 46% of Aboriginal adults were refused bail by the police. By comparison, 25% of non-Aboriginal adults were refused bail by the police in 2019.
- The proportion of Aboriginal adults refused bail by police has increased from 36% in 2013 to 46% in 2019.



Question 2. Data on bail refusal by the courts, for Indigenous and non-Indigenous adults and youth.

Aboriginality	Age	First court bail decision	2013	2014	2015	2016	2017	2018	2019
Aboriginal	Young people	Bail refused	597	647	701	592	639	661	603
		Total proceeded against to court	2672	2966	3157	2935	3039	3106	2879
		% court bail refused	22.34%	21.81%	22.20%	20.17%	21.03%	21.28%	20.94%
	Adult	Bail refused	2525	2613	3553	3827	4017	4204	4985
		Total proceeded against to court	11265	13020	14775	15737	15536	16834	18556
		% court bail refused	22.41%	20.07%	24.05%	24.32%	25.86%	24.97%	26.86%
Non-Aboriginal	Young people	Bail refused	828	644	621	596	661	539	571
		Total proceeded against to court	6043	5241	5319	5158	5125	4826	4741
		% court bail refused	13.70%	12.29%	11.68%	11.55%	12.90%	11.17%	12.04%
	Adult	Bail refused	7551	7508	9392	10240	9857	10527	11111
		Total proceeded against to court	74052	79965	83102	87135	82425	82899	83926
		% court bail refused	10.20%	9.39%	11.30%	11.75%	11.96%	12.70%	13.24%

• Young people

- In 2019, 21% of Aboriginal youth people were refused bail by the courts at their first bail hearing. By comparison, 12% of non-Aboriginal young people were refused bail by the courts in 2019.
- The proportion of Aboriginal young people refused bail by the courts at their first bail decision has decreased slightly from 22% in 2013 to 21% in 2019.

• Adults

- In 2019, 27% of Aboriginal adults were refused bail by the courts at their first bail hearing. By comparison, 13% of non-Aboriginal adults were refused bail by the courts in 2019.
- The proportion of Aboriginal adults refused bail by the courts at their first bail decision has increased from 22% in 2013 to 27% in 2019.



Supplementary data – Agreement between police and first court decision, for Indigenous and non-Indigenous adults and youth.

Aboriginality	Age	Police Bail refusal	Court bail refusal decision	2013	2014	2015	2016	2017	2018	2019
Aboriginal	Young people	Police Bail refused	Bail refused	496	538	592	501	567	579	539
			On bail	402	452	413	449	517	549	580
			Bail dispensed with	77	48	53	49	43	62	66
			Total proceeded against to court	975	1038	1058	999	1127	1190	1185
			% agreement between police and first court decision - bail refused	50.87%	51.83%	55.95%	50.15%	50.31%	48.66%	45.49%
	Adult	Police Bail refused	Bail refused	2272	2348	3243	3494	3760	3960	4726
			On bail	1468	1589	1769	2088	2050	2518	3029
			Bail dispensed with	370	346	543	516	581	666	767
			Total proceeded against to court	4110	4283	5555	6098	6391	7144	8522
			% agreement between police and first court decision - bail refused	55.28%	54.82%	58.38%	57.30%	58.83%	55.43%	55.46%
Non-Aboriginal	Young people	Police Bail refused	Bail refused	710	532	522	520	578	491	525
			On bail	802	546	599	626	652	712	808
			Bail dispensed with	152	81	79	68	69	71	95
			Total proceeded against to court	1664	1159	1200	1214	1299	1274	1428
			% agreement between police and first court decision - bail refused	42.67%	45.90%	43.50%	42.83%	44.50%	38.54%	36.76%
	Adult	Police Bail refused	Bail refused	6817	6710	8514	9363	9166	9924	10517
			On bail	6399	5615	5518	6868	6637	6981	8390
			Bail dispensed with	1417	1349	1589	1695	1766	1782	2010
			Total proceeded against to court	14633	13674	15621	17926	17569	18687	20917
			% agreement between police and first court decision - bail refused	46.59%	49.07%	54.50%	52.23%	52.17%	53.11%	50.28%