



Research Publication

Indigenous deaths in NSW Corrective Services Custody 1996-97 to 2006-07

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Table of Contents

Acknowledgements	i
Executive Summary	vii
Introduction	1
Aim of the Study	1
Method	2
Results	2
A. Prevalence of Indigenous and Non-Indigenous Deaths	2
B. Characteristics of Deceased Indigenous Offenders	8
Discussion	17
References	19
Appendix 1	20
Appendix 2	23

List of Tables

Table 1 : Deaths of Indigenous and Non-indigenous offenders in full-time custody (1996/97 to 2006/07).....	4
Table 2 : Causes of <i>apparent unnatural</i> deaths for Indigenous and Non-indigenous offenders (1996/97 to 2006/07).....	6
Table 3 : Suicides of Indigenous and Non-indigenous offenders in full-time custody (1996-07 and 2006/07).....	7
Table 4 : Demographics for deceased Indigenous offenders (1996-07 to 2006/07).....	9
Table 5 : Legal status at time of death for Indigenous offenders (1996-07 to 2006/07).....	10
Table 6 : Length of sentence for deceased Indigenous offenders (1996/97 to 2006/07).....	10
Table 7 : Security classification at time of death for deceased Indigenous offenders (1996/97 to 2006/07).....	11
Table 8 : Most serious offence for deceased Indigenous offenders (1996/97 to 2006/07).....	12
Table 9 : Incidents in custody for deceased Indigenous offenders (1996/97 to 2006/07).....	13
Table 10 : Number of sentences of full-time custody in the last five years for deceased Indigenous offenders (1996/97 to 2006/07).....	14
Table 11 : Accompanied or unaccompanied at the time of death of deceased Indigenous offenders (1996/97 to 2006/07).....	14
Table 12 : Time interval between commencement of sentence and death for Indigenous offenders (1996/97 to 2006/07).....	15
Table 13 : Length of time on remand for deceased Indigenous offenders (1996/97 to 2006/07).....	15
Table 14 : Date and location of death for Indigenous offenders (1996/97 to 2006/07).....	19
Table 15 : Location and date of death for Indigenous offenders (1996/97 to 2006/07).....	22

List of Charts

Chart 1: Rate of Indigenous and Non-indigenous deaths.....5

Chart 2: Rate of Indigenous and Non-indigenous suicides.....5

Executive Summary

This study seeks to establish the prevalence and causes of the deaths of Indigenous offenders in the full-time custody of the New South Wales Department of Corrective Services (NSWDCS) between 1996/97 and 2006/07. The study also describes the characteristics pertaining to the deceased Indigenous offenders.

KEY FINDINGS

Deaths overall

Between 1996/97 and 2006/07, there was a total of 226 deaths for all offenders, both Indigenous and Non-indigenous.

- 35 (15.5%) of the deaths were Indigenous deaths (including two offenders who died while on Home Detention Orders).
- 191 (84.5%) of the deaths were Non-indigenous deaths (including 10 offenders who died while on Home Detention Orders).

Caution needs to be exercised in interpreting the trends in deaths over the period due to their small numbers particularly in the case of Indigenous deaths. Nevertheless, the results suggest that there is a declining trend in death rates for both Indigenous and Non-indigenous offenders.

This study found that the average death rate for the eleven-year period was slightly lower for Indigenous offenders (0.24%) than Non-indigenous offenders (0.27%). Thus Indigenous offenders are not more likely to die in NSWDCS custody than Non-indigenous offenders.

The most common cause of death for both Indigenous and Non-indigenous groups was *apparent unnatural* (i.e., suicide, murder, overdose, accident or injury). Within the *apparent unnatural* category, suicide was the most common cause for both groups.

There was no statistically significant difference in the number of suicides between Indigenous and Non-indigenous deaths ($p < 0.05$).

Indigenous deaths

Pertaining to the 35 Indigenous deaths:

- Most occurred in the younger age groups (i.e., less than 45 years).
- The most common security classification at the time of death was *minimum* (n=14).
- The main 'most serious offence' categories were:
 - *assault* (n=11)
 - *property* (n=9)
 - *sexual offence* (n=5)
 - *murder/manslaughter* (n=3)
- Most (n=19) had breached internal regulations by committing a violent offence during an episode of full-time custody.
- Most (n=26) had not committed a previous act of self-harm in custody
- Sixteen (16) had two or more sentences of full-time custody in the last five years.

- Approximately half (n=18) were unaccompanied (or alone) at the time of their death. The rest were accompanied (i.e., with others or in hospital).

The majority of the Indigenous offenders (n=21) had been serving sentences at the time of death. Of these:

- eleven (11) were serving sentences of more than five years
- ten (10) had sentences of less than five years
- eight (8) were serving less than one year.

The majority (n=12) of the sentenced Indigenous offenders died within the first year of their sentence. Of the 14 Indigenous offenders on remand, the majority (n=9) died in their first month in custody.

Introduction

Deaths in custody, particularly Indigenous deaths, have been the subject of widespread public debate and concern for more than a decade since the undertaking of the Royal Commission into Aboriginal Deaths in Custody (RCAIDIC 1991) and the Waller Report on suicides and self-harm incidents in correctional centres (1993a).

This study aims:

- (1) to quantify the level of Indigenous offenders deaths in full-time custody of the NSWDCS for the period 1996/97 to 2006/07; and
- (2) to detail some of the characteristics of the deceased Indigenous offenders.

Deaths in custody are treated in a very serious manner. Inquests by the State Coroner or Deputy State Coroner are mandatory for all deaths which occur in custody in NSW (*Section 13A Coroners Act 1980*). The reasons for this are stated most cogently by Kevin Waller, a former NSW State Coroner:

Society owes a duty to offenders...of ensuring that their punishment is restricted to the loss of liberty, and it is not exacerbated by ill-treatment or privation while awaiting trial or serving their sentences.

...[By providing] a full public enquiry into deaths in prisons and police cells the government provides a positive incentive to custodians to treat their prisoners in a humane fashion, and satisfies the community that deaths in such

places are properly investigated (Waller 1993b, p.28).

The State Coroner is required to report deaths in custody annually to the NSW Attorney General who is responsible for tabling the report in Parliament (*Sections 12A (4), (5) & (6) Coroners Act 1980*).

The deaths in this study are deaths that occur among offenders in the full-time custody of NSWDCS. Therefore this study includes deaths that occur:

- in NSW correctional centres
- in court cells which are under NSWDCS custody
- during transfer to or from NSW correctional centres
- in medical facilities following transfer from NSW correctional centres
- to offenders subject to a NSW Home Detention Order
- while attempting to escape from NSWDCS custody.

Aim of the Study

This study seeks to establish the prevalence and causes of the deaths of Indigenous offenders in the full-time custody of the New South Wales Department of Corrective Services (NSWDCS), between 1996/97 and 2006/07. This information includes:

- Comparisons between Indigenous and Non-Indigenous deaths:
 - prevalence of deaths over time including rate per 100 inmates
 - cause of death
 - number of suicides over time including rate per 100 inmates.

- The characteristics of the deceased Indigenous offenders including:
 - demographic characteristics
 - sentence and offence details
 - incidents during sentence (i.e., violent offences and acts of self-harm).
 - total episodes of full-time custody
 - associated factors at time of death (i.e., alone or with company and time interval between sentence commencement and date of death).
- Case summaries for deaths across the time period including date, location and cause of death.

Method

Data

All data used in this study was extracted from electronic records maintained within NSWDCS including the Offender Integrated Management System (OIMS).

Data modifications

Some data modification as described below was undertaken in order that the results could be presented in comprehensible tables.

Two offenders in the sample self-identified as *transgender*. For this study, *transgender* was classified as *male*.

For purposes of this study, deaths as a result of an accident or injury were categorised as part of the *apparent*

unnatural deaths classification, in addition to murder, suicide and overdose. [In this study, there were no indigenous deaths as a result of injury or accident. In contrast, there were six (6) Non-Indigenous deaths attributed to *accident or injury*. One of these was an offender serving a Home Detention Order.]

Analyses

As the number of deaths is small, particularly for Indigenous deaths, the statistical analyses in this study are principally a description of the prevalence, profile and circumstances of Indigenous deaths.

Death rates and suicide rates in this report are calculated using the 'daily average full-time prisoner population' averaged across a year.

Results

A. Prevalence of Indigenous and Non-indigenous deaths

Overall from 1996/97 to 2006/07, 226 offenders died while in full-time custody in NSW. This number includes twelve (12) offenders who died while serving Home Detention Orders.

- Of the total number of deaths:
- 35 (15.5%) were Indigenous deaths (including two in Home Detention)
- 191 (84.5%) were Non-indigenous deaths (including 10 in Home Detention).

Death rates and suicide rates featured in the tables in this section were calculated using the *daily average full-*

time prisoner population. As the *daily average prisoner population* does not include offenders serving Home Detention Orders, offenders serving these orders were not included in the Tables in this section.

Cause of death

Table 1 presents a breakdown of the causes of Indigenous and Non-indigenous deaths for the years between 1996/97 and 2006/07 (except the 12 deaths during Home Detention).

It can be seen in Table 1 that for both Indigenous and Non-indigenous groups the major cause of death was deemed to be *apparent unnatural*. *Apparent unnatural deaths* include suicide, murder, overdose, accidents, and death from injury etc. Of the 33 Indigenous deaths, 21 (63.6%) were *apparent unnatural* compared to 109 (60.2%) *apparent unnatural* deaths for Non-indigenous offenders.

Death rates

Also shown in Table 1 is the death rate per 100 inmates for both Indigenous and Non-indigenous offenders. It can be seen that:

- the rate of Indigenous deaths has declined since a peak in 1999/00 of 0.61% per hundred inmates.
- the rate of Non-indigenous deaths has been declining since a peak of 0.48% in 1996/97.

The average death rate for the eleven year period was slightly lower for Indigenous offenders (0.24%) than Non-indigenous offenders (0.27%).

As can be seen in Chart 1 for most of the eleven years, the Non-indigenous death rate was higher than the Indigenous death rate. The Indigenous death rate exceeded the Non-indigenous death rate for four of the 11 years. These years were 1999/00, 2000/01, 2004/05, and 2006/07.

Deaths of offenders serving Home Detention Orders

There were a total of 12 offenders serving Home Detention Orders who died during the period under study. Of these:

- Two (2) of the deceased offenders were Indigenous. These were classified as *apparent unnatural deaths (suicides)*.
- Ten (10) of the deceased offenders were Non-indigenous. Four (4) of these deaths were classified as *natural* while six (6) were classified as *apparent unnatural*.

Table 1: Deaths of Indigenous and Non-indigenous offenders in full-time custody (1996/97 to 2006/07)

Year	INDIGENOUS					NON-INDIGENOUS				
	Cause of Death			Total Indigenous	Rate per 100 inmates	Cause of Death			Total Non-indigenous	Rate per 100 inmates
	Natural	Apparent Unnatural ¹	Unknown			Natural	Apparent Unnatural ¹	Unknown		
N	N	N	N	%	N	N	N	N	%	
1996/97		3		3	0.33	13	12	1 ²	26	0.48
1997/98		3		3	0.31	7	17	1 ²	25	0.46
1998/99	1	3		4	0.34	2	20		22	0.38
1999/00	2	5		7	0.61	3	12		15	0.24
2000/01	2	2		4	0.34	4	9		13	0.21
2001/02			1 ²	1	0.08	6	8	1	15	0.24
2002/03	1	1		2	0.14	6	8		14	0.22
2003/04					0.00	4	9		13	0.20
2004/05	1	2	1 ²	4	0.23	6	5		11	0.16
2005/06					0.00	5	5		10	0.14
2006/07	2	2	1	5	0.25	10	4	3	17	0.23
Total	9	21	3	33	0.24	66	109	6	181	0.27

Notes:

¹The *apparent unnatural* deaths category in this table includes *suicide, murder, drug overdose, accidents, death from injury etc.*

²Coroner was unable to determine the cause of death. Cases where the NSW Coroner has yet to determine the cause of death are classified under their apparent cause. Cases in which the apparent cause is unclear are classified under unknown.

The death rate is calculated as the number of deaths per annum, divided by the daily average inmate (Indigenous and Non-indigenous) population x 100.

There were 12 Home Detention deaths that were not included in this table. Two of these were Indigenous deaths and 10 were Non-indigenous deaths.

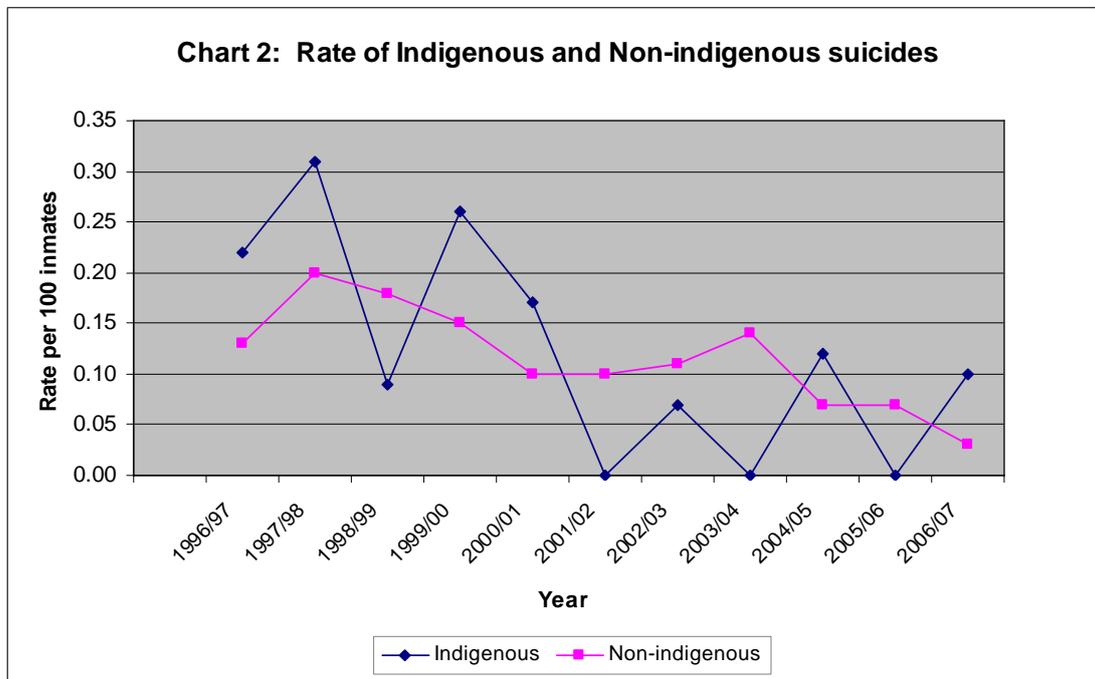
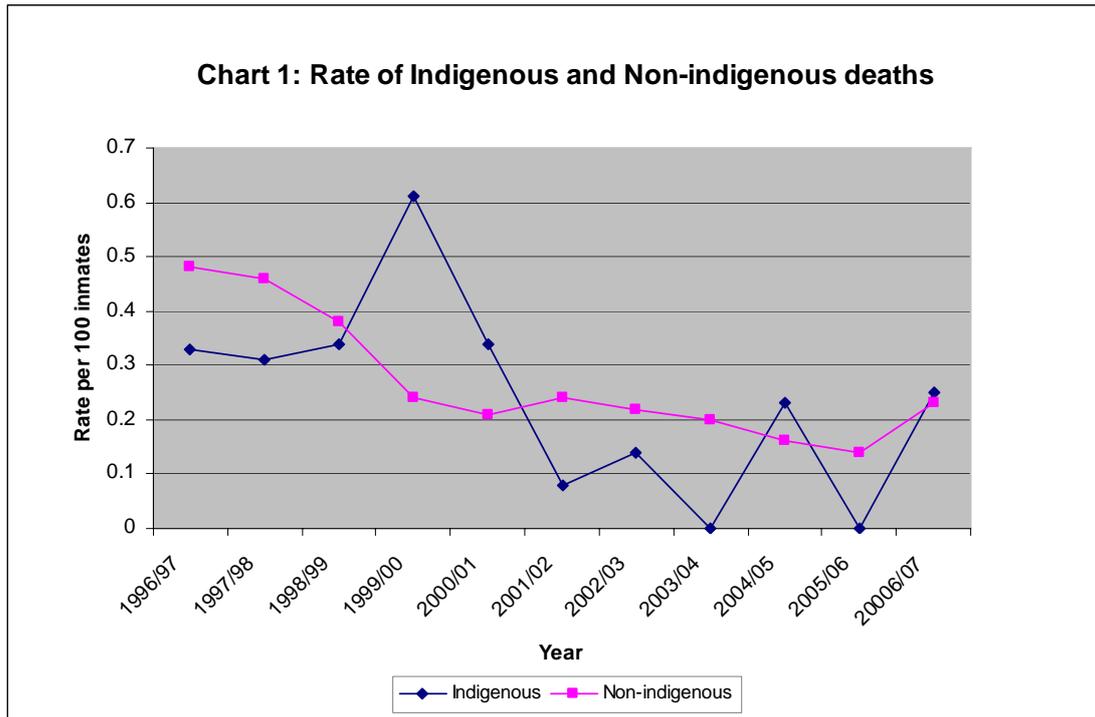


Table 2: Causes of ‘apparent unnatural deaths’ for Indigenous and Non-indigenous offenders (1996/97 to 2006/07)

Cause of death	INDIGENOUS		NON-INDIGENOUS		Total
	Male	Female	Male	Female	
	N	N	N	N	N
<i>Suicide</i>	13	2	70	3	88
<i>Murder</i>	3		14	1	18
<i>Overdose</i>	3		16		19
<i>Other (injury, accident etc)</i>			4	1	5
Total	19	2	104	5	130

Note:

There were eight (8) *apparent unnatural* deaths in Home Detention that were **not** included in this table.

Table 2 contains the cause of the 130 *apparent unnatural* deaths.

As can be seen in Table 2 the *apparent unnatural* deaths were attributed to:

- 67.6% (n=88) suicide
- 14.6% (n=19) overdose
- 13.8% (n=18) murder
- 3.8% (n=5) accident or injury.

Of the 21 Indigenous *apparent unnatural* deaths, 15 (71.4%) were as a result of suicide. On the other hand, of the 109 Non-indigenous *apparent unnatural* deaths, 73 (66.9%) were a result of suicide.

The deaths by suicide for each year are in Table 3. Of the 88 deaths by suicide:

- 17.0% (n=15) were by Indigenous offenders
- 82.9% (n=73) were by Non-indigenous offenders.

The 15 Indigenous suicides represented 45.5% of all the Indigenous deaths (n=33). The 73 Non-indigenous suicides represented 40.3% of all the Non-indigenous deaths (n=181). However, when a Chi-Square test was conducted there was no statistically significant difference in suicide numbers between Indigenous and Non-indigenous deaths as a proportion of the overall number of deaths for these groups ($p < 0.05$).

Table 3: Suicides of Indigenous and Non-indigenous offenders in full-time custody (1996/97 to 2006/07)

Year	INDIGENOUS			NON-INDIGENOUS		
	Male	Female	Rate per 100 inmates	Male	Female	Rate per 100 inmates
	N	N	%	N	N	%
1996/97	2		0.22	7		0.13
1997/98	2		0.31	11		0.20
1998/99	1		0.09	10		0.18
1999/00	3		0.26	7	1	0.15
2000/01	2		0.17	5		0.10
2001/02			0.00	5	1	0.10
2002/03	1		0.07	5	1	0.11
2003/04			0.00	8		0.14
2004/05		2	0.12	5		0.07
2005/06			0.00	5		0.07
2006/07	2		0.10	2		0.03
Total	13	2	0.12	70	3	0.12

Notes:
 The suicide rate is calculated as the number of deaths by suicide per annum, divided by the daily average inmate (Indigenous and Non-indigenous), population x 100.
 The six suicides which occurred during Home Detention are not included in this table.
 Drug overdose is not included in suicides unless the Coroner has determined that it was suicide.

Also shown in Table 3 is the suicide rate per 100 inmates for both Indigenous and Non-indigenous offenders. Whilst caution needs to be exercised in interpreting these numbers as they are very small, it can be seen that the rate for both Indigenous and Non-indigenous suicides has declined since 1997/98.

Whilst the absolute numbers of Indigenous suicides were small (i.e.,

not exceeding three in any year), it can be seen in Chart 2 that in six of the eleven years the Indigenous suicide rate exceeded the Non-indigenous suicide rate. These years were 1996/97, 1997/98, 1999/00, 2000/01, 2004/05, and 2006/07.

B. Characteristics of deceased Indigenous offenders

This section relates solely to **Indigenous deaths**. The two Indigenous deaths that occurred in Home Detention are included in the tables in this section.

Demographic characteristics of deceased Indigenous offenders

The age of the deceased Indigenous offenders ranged from 18 to 55 years with a mean of 32 years. As seen in Table 4, (in the Total column) the highest number of deaths were in both the 25<35 and 35<45 age categories, with 11 deaths in each of these categories. The lowest number of deaths was in the 45+ category with four deaths all from natural causes.

The *apparent unnatural* deaths was highest in the two youngest age categories <25 and 25<35—with seven (7) and ten (10) deaths respectively (including one female).

The number of suicides are in brackets under the *apparent unnatural* category. It can be seen that most of the *apparent unnatural* deaths are suicides. Suicides are most common in the two youngest age categories—with six (6) in the <25 group and seven (7) in the 25<35 group (including one female).

As can also be seen in Table 4, majority (n=18) of the Indigenous offenders were *not married* at the time of their death.

Sentence details of deceased Indigenous offenders

Table 5 contains the 'legal status' of offenders at the time of their death. As can be seen, the majority of the offenders (n=21) had been *sentenced* at the time of their death.

The 'sentence length' categories are in Table 6. It can be seen that the most common sentence length for the deceased offenders was for those serving sentences of *less than one year* (n=8) or *10+ years* (n=6). The next highest was *5<10 years*, with five deaths occurring in this category.

The security classification of offenders at the time of death is in Table 7. It can be seen that the highest number of deaths (n=14) was recorded for the *minimum security category*.

Table 8 contains the 'most serious offence' categories for which sentenced offenders had been convicted or remanded at the time of their death. It can be seen that the most common 'most serious offence' category was *assault* (n=11). The two next most common offence categories were *property* (n=9) and *sexual offence* (n=5).

Table 4: Demographics for deceased Indigenous offenders (1996/97 to 2006/07)

Factor	MALE			FEMALE		Total
	Natural	Apparent Unnatural*	Unknown	Natural	Apparent Unnatural*	
Age	N	N	N	N	N	N
<25		7 (6)	2			9
25<35	1	9 (6)			1 (1)	11
35<45	4	5 (3)	1		1 (1)	11
45+	4					4
Total	9	21 (15)	3		2 (2)	35
Marital status						
<i>Married</i>	3	9 (6)				12
<i>Not married</i>	4	9 (6)	3		2 (2)	18
<i>Divorced Separated</i>	1	1 (1)				2
<i>Widowed</i>	1					1
<i>Unknown</i>		2 (2)				2
Total	9	21 (15)	3		2 (2)	35
<p>Note:</p> <p>Marital status in this table is that at commencement of the sentence (or remand period) in which the death occurred.</p> <p>*The number of <i>apparent unnatural</i> deaths that resulted from suicide in each category is presented in brackets.</p> <p>Home Detention deaths (n=2) are included in this table.</p>						

Table 5: Legal status at time of death for Indigenous offenders (1996/97 to 2006/07)

Sentence status	MALE			FEMALE		Total
	Natural	Apparent Unnatural*	Unknown	Natural	Apparent Unnatural*	
	N	N	N	N	N	N
<i>Remand</i>	1	9 (6)	2		2 (2)	14
<i>Sentenced</i>	8	12 (9)	1			21
Total	9	21 (15)	3		2 (2)	35

Note:
 *The number of the *apparent unnatural* deaths that resulted from **suicide** in each category is presented in brackets.
 Home Detention deaths (n=2) are included in this table.

Table 6: Length of sentence for deceased Indigenous offenders (1996/97 to 2006/07)

Sentence length	MALE			FEMALE		Total
	Natural	Apparent Unnatural*	Unknown	Natural	Apparent Unnatural*	
	N	N	N	N	N	N
<i>< One year</i>	2	6 (6)				8
<i>1 < 3 years</i>		2 (1)				2
<i>3 < 5 years</i>						
<i>5 < 10 years</i>	2	2 (2)	1			5
<i>10+</i>	4	2				6
Total	8	12 (9)	1			21

Note:
 This table includes sentenced offenders only (n=21). Females were not included in this table as they had not been sentenced.
 * The number of the *apparent unnatural* deaths that resulted from **suicide** in each category is presented in brackets.
 Home Detention deaths (n=2) are included in this table.

Table 7: Security classification at time of death for deceased Indigenous offenders (1996 07 to 2006/07)

Sentence classification	MALE			FEMALE		Total
	Natural	Apparent Unnatural*	Unknown	Natural	Apparent Unnatural*	
	N	N	N	N	N	N
<i>Maximum</i>		7 (1)	1			8
<i>Medium</i>	4	4 (4)	1		1 (1)	10
<i>Minimum</i>	5	7 (7)	1		1 (1)	14
<i>Home detention</i>		2 (2)				2
<i>Missing</i>		1 (1)				1
Total	9	21 (15)	3		2 (2)	35

Note:
 *The number of the *apparent unnatural* deaths that resulted from **suicide** in each category is presented in brackets.
 Home Detention deaths (n=2) are included in this table.

Incidents during custody related to deceased Indigenous offenders

The number of 'violent offences in custody' and the number of 'acts of self-harm' committed during this or any previous full-time custody episode are in Table 9. As can be seen in Table 9:

- 16 offenders had not committed a violent offence in custody
- 19 offenders had committed one or more violent offences whilst in custody.

Also in Table 9 are 'acts of self-harm'. It can be seen that the majority (n=26) of the offenders had not committed an 'act of self-harm'. Nine offenders had committed one or more. Most of the 15 male offenders that had suicided had not previously committed an act of self-harm (n=10).

Offending history of deceased Indigenous offenders

As can be seen in Table 10 whilst 10 offenders had not had a full-time custodial sentence in the past five years the majority of the offenders (n=25) had one or more episodes.

Associated factors at time of death

The information presented in Table 11 describes whether the deceased offenders were alone or with company at the time of their death. It can be seen that the *alone* category was the largest category (n=18). The *apparent unnatural* male deaths had a higher number (n=14) that were *alone* at the time of death than the '*with others*' group (n=7). Of the 18 that were alone

at the time of death 13 were suicides (12 males and one female).

Table 12 contains the time interval between the commencement of a sentence and the date of death. As can be seen in this table, three (3) offenders died less than three months into their sentence and nine (9) offenders died between three months and one year into their sentence. Thus, 12 offenders died in the first year of their sentence.

Looking at the *apparent unnatural* deaths, it can be seen that nine (9) offenders died within the first year of their sentence. Of these, eight (8) offenders committed suicide.

As can be seen in Table 13, the deaths of the offenders on remand were most likely to occur within one month of admission to full-time custody.

Table 8: Most serious offence for deceased Indigenous offenders (1996/97 to 2006/07)

Most serious offence	MALE			FEMALE		Total
	Natural	Apparent Unnatural*	Unknown	Natural	Apparent Unnatural*	
	N	N	N	N	N	N
<i>Murder / Manslaughter</i>	2	1 (1)				3
<i>Sexual offence</i>	2	3 (1)				5
<i>Assault</i>	1	7 (5)	2		1(1)	11
<i>Robbery</i>	1	1				2
<i>Property</i>	1	6 (5)	1		1(1)	9
<i>Drugs</i>	1					1
<i>Driving/Traffic</i>	1	1 (1)				2
<i>Offences against order</i>		2 (2)				2
Total	9	21 (15)	3		2	35

Notes:

*The number of the *apparent unnatural* deaths that resulted from suicide in each category is presented in brackets.

Home Detention deaths (n=2) are included in this table.

Table 9: Incidents in custody involving deceased Indigenous offenders (1996/97 to 2006/07)

Number of Violent offences	MALE			FEMALE		Total
	Natural	Apparent Unnatural*	Unknown	Natural	Apparent Unnatural	
	N	N	N	N	N	N
<i>None</i>	4	9 (8)	2		1(1)	16
<i>One</i>	2	4 (3)				6
<i>2<5</i>		5 (2)	1			6
<i>5<10</i>	3	3 (2)				6
<i>10<20</i>						
<i>20+</i>					1(1)	1
Total	9	21 (15)	3		2 (2)	35
Acts of self-harm	N	N	N	N	N	N
<i>None</i>	9	15 (10)	2			26
<i>One</i>		2 (1)	1		1 (1)	4
<i>2<5</i>		2 (2)				2
<i>5<10</i>		1 (1)			1 (1)	2
<i>10+</i>		1 (1)				1
Total	9	21 (15)	3		2 (2)	35
Note:						
<p><i>Violent offences</i> are those that were dealt with as a breach of internal regulations. Violent offences which involved a police investigation are not included in this table. Both the number of violent offences and acts of self-harm are the total from all sentence episodes including the one in which the death occurred.</p> <p>*The number of the <i>apparent unnatural</i> deaths that resulted from suicide in each category is presented in brackets.</p> <p>Home Detention deaths (n=2) are included in this table.</p>						

Table 10: Number of sentences of full-time custody in the last five years for deceased Indigenous offenders (1996/97 to 2006/07)

Number of custody episodes	MALE			FEMALE		Total
	Natural	Apparent Unnatural*	Unknown	Natural	Apparent Unnatural*	
	N	N	N	N	N	N
None	4	4 (4)	1		1 (1)	10
1	5	4 (3)				9
2<5	0	6 (3)	1			7
5+		7 (5)	1		1(1)	9
Total	9	21 (15)	3		2 (2)	35

Note:
 *The number of the *apparent unnatural* deaths that resulted from **suicide** in each category is presented in brackets.
 These episodes of full-time custody include the sentence the offender was serving when they died.
 Home Detention deaths (n=2) are included in this table.

Table 11: Accompanied or unaccompanied at the time of death for Indigenous offenders (1996/97 to 2006/07)

	MALE			FEMALE		Total
	Natural	Apparent Unnatural*	Unknown	Natural	Apparent Unnatural*	
	N	N	N	N	N	N
Alone	2	14 (12)	1		1 (1)	18
With others	4	7 (3)	1		1 (1)	13
In hospital	3		1			4
Total	9	21 (15)	3		2(2)	35

Notes:
 *The number of the *apparent unnatural* deaths that resulted from **suicide** in each category is presented in brackets.
 Home Detention deaths (n=2) are included in this table.

Table 12: Time interval between commencement of sentence and death for Indigenous offenders (1996/97 to 2006/07)

Time interval	MALE			FEMALE		Total
	Natural	Apparent Unnatural*	Unknown	Natural	Apparent Unnatural	
	N	N	N	N	N	N
< 3 months		3 (3)				3
3 months < 1 yr	2	6 (5)	1			9
1 < 3 years	1					1
3 < 5 years	1	1				2
5 < 10 years	3	1 (1)				4
10+	1	1				2
Total	8	12 (9)	1			21

Note:

This table includes sentenced offenders only (n=21). Two Indigenous deceased females in the study were not sentenced so therefore were not included in this table.

*The number of the *apparent unnatural* deaths that resulted from **suicide** in each category is presented in brackets.

Home Detention deaths (n=2) are included in this table.

Table 13: Length of time on remand for deceased Indigenous offenders (1996/97 to 2006/07)

Length of time	MALE			FEMALE		Total
	Natural	Apparent Unnatural*	Unknown	Natural	Apparent Unnatural	
	N	N	N	N	N	N
< one month		6 (5)	1		2	9
1 – 3 months	1	1(1)	1			3
10 11 months		2				2
Total	1	9 (6)	2		2	14

Note:

*The number of the *apparent unnatural* deaths that resulted from **suicide** in each category is presented in brackets.

Home Detention deaths (n=2) are included in this table.

Discussion

Overall the number of deaths in NSWDCS custody has been trending downwards. This is particularly the case for *apparent unnatural* deaths. Most *apparent unnatural* deaths are suicides, and these have been declining since the rate peaked in 1997/98. This downward trend in suicides may reflect the implementation by NSWDCS of improved strategies to assess and manage the suicide risk among offenders (Barton 2005: 7). These strategies include strategic collaboration with Justice Health on reception, screening and induction procedures, the introduction of Risk Intervention Teams (RIT's) and the expansion of the number of Acute Crisis Management Units (ACMU's) etc. [For a more detailed account of strategies implemented in NSWDCS to reduce suicide, see Barton (2005: 21).]

The number of Indigenous and Non-indigenous deaths in NSWDCS custody needs to be understood within the context of higher mortality rates for these groups in the general community. A number of studies have found that offenders have higher mortality rates than non-offenders (Hainsworth 2006, Hobbs et al 2006, Kariminia et al 2006, Stewart et al 2006).

A recent NSW study into offender mortality (Kariminia et al 2006) undertook a retrospective study using information on 85,203 offenders who had spent time in full-time custody in NSW over a fifteen-year period. Deaths of offenders in custody and deaths of offenders in the general

community were included. The study found that the offender population has a higher level of mortality than the general NSW population, particularly in the younger age groups. Female offenders had double the mortality rates of male offenders. The study also found that offenders are far more likely to die whilst residing in the general community than in custody. Often these offender deaths in the general community were due to drug overdoses.

Kariminia et al (2006) also found that Indigenous offenders had higher levels of mortality than Non-indigenous offenders. It would appear that post-release Indigenous offender death rates reflect the disadvantage of belonging to both the offender and Indigenous populations. This pattern of higher Indigenous death rates was not found in this present study of deaths in NSWDCS custody.

In the general community, suicide rates have been found to be higher for the general Indigenous population than the general Non-indigenous population (SCRGSP 2005). However, as seen in Table 3, suicide rates in NSWDCS custody varied considerably from year to year. There was no consistent pattern of Indigenous suicide rates exceeding Non-indigenous rates. In addition, there was no statistically significant difference in suicides as a proportion of the overall number of Indigenous and Non-indigenous deaths in NSWDCS custody for the period.

The level of deaths in NSWDCS custody found in this present study does not suggest that Indigenous offenders are at greater risk of dying in custody than Non-indigenous

offenders. This was also a finding in the RCIADC report (1991).

In the general community, Indigenous death rates exceed those of the Non-indigenous population and Indigenous offender death rates exceed those of the Non-indigenous offenders. However, this is not the case with regard to deaths in NSWDCS custody.

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Legislation

Coroners Act 1980.

Appendix 1

Table 14 contains case summaries including the date, location and cause of death. Location of death refers to the specific location at which the death occurred.

Table14: Date and location of death for Indigenous offenders (1996/97 to 2006/07)								
Date of death	Location	Cause						
		Natural	Apparent unnatural				Unknown	
			Suicide	Overdose	Murder	Other (accident, injury, etc.)	Awaiting coroners determination	Coroner unable to determine
		N	N	N	N	N	N	N
03 Jul 1996	Bathurst		1					
02 Jan 1997	Goulburn			1				
06 Feb 1997	Long Bay Hospital		1					
27 Oct 1997	Home Detention		1					
13 Nov 1997	Tamworth		1					
21 Feb 1998	Metro. Remand & Reception Centre				1			
24 May 1998	Court Complex		1					
11 Sep 1998	Cessnock		1					
11 Jan 1999	Metro. Remand & Reception Centre			1				
13 Mar 1999	Long Bay Hospital	1						

Table14: Date and location of death for Indigenous offenders (1996/97 to 2006/07)

Date of death	Location	Cause						
		Natural	Apparent unnatural				Unknown	
			Suicide	Overdose	Murder	Other (accident, injury, etc.)	Awaiting coroners determination	Coroner unable to determine
09 Apr 1999	Lithgow				1			
11 Sep 1999	Bathurst	1						
22 Sep 1999	Lithgow				1			
26 Oct 1999	Bathurst	1						
03 Dec 1999	Metro. Medical Transient Centre		1					
27 Jan 2000	Tamworth		1					
03 Mar 2000	Cessnock		1					
26 Apr 2000	Metro. Remand & Reception Centre			1				
08 Nov 2000	Tamworth		1					
17 Jan 2001	Tamworth	1						
05 Apr 2001	Parramatta		1					
08 May 2001	Bathurst	1						
14 Nov 2001	Grafton							1
28 Jul 2002	Grafton	1						
26 Nov 2002	Home Detention		1					

Indigenous Deaths in NSW Corrective Services Custody (1996/97 to 2006/07)

Table14: Date and location of death for Indigenous offenders (1996/97 to 2006/07)								
Date of death	Location	Cause						
		Natural	Apparent unnatural				Unknown	
			Suicide	Overdose	Murder	Other (accident, injury, etc.)	Awaiting coroners determination	Coroner unable to determine
22 Jan 2003	John Morony		1					
09 Sep 2004	Grafton	1						
03 Oct 2004	Mulawa		1					
23 Mar 2005	Bathurst		1					
02 May 2005	Metro. Remand & Reception Centre							1
23 Jul 2006	Metropolitan Special Programs Centre	1						
28 Jul 2006	Metropolitan Special Programs Centre						1	
03 Oct 2006	Grafton		1					
21 May 2007	Kirkconnell		1					
17 Jun 2007	Long Bay Hospital	1						
Total		9	17	3	3	0	1	2

Appendix 2

Table 15 contains case summaries including the location, date and cause of death. Location of death refers to the specific location at which the death occurred.

Location	Date	CAUSE						
		Natural	Apparent unnatural				Not known	
			Suicide	Overdose	Murder	Other (accident, injury, etc)	Awaiting coroner's determination	Coroner unable to determine
		N	N	N	N	N	N	N
Bathurst	03 Jul 1996		1					
	11 Sep 1999	1						
	26 Oct 1999	1						
	08 May 2001	1						
	23 Mar 2005		1					
Cessnock	11 Sep 1998		1					
	03 Mar 2000		1					
Court Complex	24 May 1998		1					
Goulburn	02 Jan 1997			1				
Grafton	14 Nov 2001							1

Table 15: Location and date of death for Indigenous offenders (1996/97 to 2006/07)

Location	Date	CAUSE						
		Natural	Apparent unnatural				Not known	
			Suicide	Overdose	Murder	Other (accident, injury, etc)	Awaiting coroner's determination	Coroner unable to determine
Grafton (continued)	28 Jul 2002	1						
	09 Sep 2004	1						
	03 Oct 2006		1					
Home Detention	27 Oct 1997		1					
	26 Nov 2002		1					
Kirkconnell	21 May 2007		1					
John Morony	22 Jan 2003		1					
Lithgow	09 Apr 1999				1			
	22 Sep 1999				1			
Long Bay Hospital	06 Feb 1997		1					
	13 Mar 1999	1						
	17 Jun 2007	1						
Metro. Medical Transient Centre	03 Dec 1999		1					
Metro. Remand & Reception Centre	21 Feb 1998				1			

Table 15: Location and date of death for Indigenous offenders (1996/97 to 2006/07)

Location	Date	CAUSE						
		Natural	Apparent unnatural				Not known	
			Suicide	Overdose	Murder	Other (accident, injury, etc)	Awaiting coroner's determination	Coroner unable to determine
MRRC (continued)	11 Jan 1999			1				
	26 Apr 2000			1				
	02 May 2005							1
Metro. Special Programs Centre	23 Jul 2006	1						
	28 Jul 2006						1	
Mulawa	03 Oct 2004		1					
Parramatta	05 Apr 2001		1					
Tamworth	13 Nov 1997		1					
	27 Jan 2000		1					
	08 Nov 2000		1					
	17 Jan 2001	1						
Total		9	17	3	3	0	1	2



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