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**44**

## **Deaths in custody in Australia 2022–23**

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*Celebrating*  
**50** years

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# Acronyms and abbreviations

ABS	Australian Bureau of Statistics
AIC	Australian Institute of Criminology
MSO	most serious offence
NCIS	National Coronial Information System
NDICP	National Deaths in Custody Program
RCIADIC	Royal Commission into Aboriginal Deaths in Custody

# Abstract

The National Deaths in Custody Program has monitored the extent and nature of deaths occurring in prison, police custody and youth detention in Australia since 1980. The Australian Institute of Criminology has coordinated the program since its establishment in 1992, the result of a recommendation made the previous year by the Royal Commission into Aboriginal Deaths in Custody. In 2022–23, there were 110 deaths in custody: 70 in prison custody and 40 in police custody or custody-related operations. In total, there were 31 Indigenous deaths and 79 non-Indigenous deaths in custody. This report contains detailed information on these deaths and compares the findings with longer term trends.



# Introduction

The National Deaths in Custody Program (NDICP) monitors the extent and nature of deaths occurring in prison, police custody and youth detention in Australia. The NDICP was established at the Australian Institute of Criminology (AIC) in 1992 in response to recommendation 41 of the Royal Commission into Aboriginal Deaths in Custody (RCIADIC):

“

that statistics and other information on Aboriginal and non-Aboriginal deaths in prison, police custody and juvenile detention centres, and related matters, be monitored nationally on an ongoing basis...within the Australian Institute of Criminology.

The final report of the RCIADIC (1991, recommendation 41) outlined the types of deaths that would require notification to the NDICP. They are:

- a death, wherever occurring, of a person who is in prison custody, police custody or youth detention;
- a death, wherever occurring, of a person whose death is caused or contributed to by traumatic injuries sustained, or by lack of proper care, while in such custody or detention;
- a death, wherever occurring, of a person who dies, or is fatally injured, in the process of police or prison officers attempting to detain that person; or
- a death, wherever occurring, of a person attempting to escape from prison, police custody or youth detention.

Between 1 July 1991 and 30 June 2023, the NDICP has recorded 545 Indigenous deaths in custody (ie prison custody, police custody and custody-related operations and youth detention; see Table B2).

This report examines the number and nature of deaths occurring in prison and police custody and custody-related operations between 1 July 2022 and 30 June 2023. The supplementary data tables (Tables C1–C25 and Tables D1–D30) are available online: [Appendix C](#) and [Appendix D](#).

## Definition of a death in custody

NDICP definitions of a death in prison custody or in police custody and custody-related operations are shown in Box 1. There are several key differences between the scope of the NDICP and legislated definitions of deaths in custody for coronial purposes. Thus, deaths that may require notification to the coroner under state or territory legislation may not fall within the scope of the NDICP.

### Box 1: Definitions of deaths in custody

#### Deaths in prison custody

Deaths in prison custody include deaths that occur in prison or youth detention facilities. This also includes the deaths that occur during transfer to or from prison or youth detention centres, or in medical facilities following transfer from adult or youth detention centres (RCIADIC 1991).

#### Deaths in police custody

Deaths in police custody are divided into two main categories:<sup>a</sup>

##### Category 1

- (a) Deaths in institutional settings (eg police stations or lock-ups, police vehicles, during transfer to or from such an institution, or in hospitals following transfer from an institution).
- (b) Other deaths in police operations where officers were in close contact with the deceased. This would include most raids and shootings by police. However, it would not include most sieges where a perimeter was established around a premises but officers did not have such close contact with the person to be able to significantly influence or control the person's behaviour.

##### Category 2

Other deaths during custody-related police operations. This would cover situations where officers did not have such close contact with the person to be able to significantly influence or control the person's behaviour. It would include most sieges, as described above, and most cases where officers were attempting to detain a person—for example, a pursuit.

a: This definition of a 'death in police custody' is based on a 1994 resolution of the Australasian Police Ministers' Council. Category 1(a) deaths have been included in the NDICP since 1980, whereas data on police operational deaths (category 1(b) and category 2 deaths) have been collected by the NDICP since 1990

## Data collection

The NDICP holds data on deaths in prison custody and police custody and custody-related operations since 1979–80. The information held in the NDICP database comes from two main sources:

- NDICP notification forms completed by all state and territory police services, correctional departments and youth justice agencies in Australia; and
- coronial records, such as police narratives, toxicology reports, autopsy reports, and coronial findings from the National Coronial Information System (NCIS).

Data from notification forms are cross-referenced with coronial records sourced from the NCIS. The AIC has access to open cases (those for which the coronial investigation has not been finalised) and closed cases (those for which the coronial investigation has been finalised and the coroner has made a finding) from all jurisdictions.

NDICP data are verified twice during the reporting cycle. Key data items published on the Deaths in custody in Australia quarterly dashboard (<https://www.aic.gov.au/statistics/deaths-custody-australia-quarterly>) are cross-referenced with available information on the NCIS and verified with data providers at the end of each quarter. NDICP data are further verified with NCIS records and data providers at the end of the financial year in preparation for the annual report.

For more information on the data items used in this report, please see *Appendix A* on page 34.

## Scope

The NDICP collects information about the incidence and circumstances of deaths of people who are detained, who are in the process of being detained or who are escaping or have escaped. Therefore, the NDICP only monitors deaths of people who are in custody or who are alleged offenders. The NDICP uses the definition of a death in custody recommended by the RCIADIC in determining whether cases should or should not be included in the NDICP database. For the purposes of the NDICP, a person is considered to be in custody when they are under arrest or not free to leave the detention of police or correctional officers. As outlined in Box 1, this includes deaths that occur in a hospital if the injury or illness suffered while in custody caused or contributed to that death. In cases where police were clearly in the process of detaining or attempting to detain a person immediately prior to their death, such as during shootings, sieges, raids and pursuits, the person is considered to have been in custody at the time of death. In all cases, the question of inclusion centres on whether the deceased was in custody at the time of death.

### *Borderline cases*

While most cases are straightforward and clearly fall within the definition, every year there are some cases where it is unclear whether the death should be classified as a death in custody. These deaths are classified as borderline cases and are excluded from analysis pending their coronial outcome. This can mean a delay of several years before data on those particular cases are included, as it may take months or years for a case to be heard in the relevant coroner's court. Despite this, relying on coronial decisions ensures the integrity and reliability of the NDICP over the longer term, as coronial findings are legally binding determinations based on all available evidence. It is important to note that this means the total number of deaths may be revised in future reports as the inclusion or exclusion of borderline cases is resolved.

In 2022–23, 11 cases reported to the NDICP were classified as borderline. These deaths are not included in the data presented in this report. Borderline cases will be classified as in-scope or out-of-scope when coronial findings become available.

### *Out-of-scope deaths*

The program does not include deaths of people who are clients of police services or innocent bystanders who die in the course of a police operation. Consequently, deaths in the following circumstances are not recorded in the NDICP as a death in police custody:

- deaths during operations such as search and rescue, and evacuations, where the deceased was not being detained or in the process of being detained for breaching the law;
- deaths during operations to prevent a suicide, where the purpose was not to detain the deceased due to a breach of the law—for example, where police were responding to a concern for welfare notice and were attempting to stop a person suiciding, and the person was not threatening harm to others or not otherwise being sought by police; and
- deaths of innocent bystanders killed during a police operation (eg a pedestrian or passenger the police were not seeking to detain who dies as a result of a motor vehicle pursuit). If the deceased passenger was involved in committing an offence such as an armed robbery or motor vehicle theft prior to the pursuit commencing, the death falls within the scope of the NDICP.

In 2022–23, 15 deaths reported to the NDICP were classified as out-of-scope.

## Considerations

The purpose of the NDICP is to monitor annual and trend information on the nature and extent of deaths in Australian prison and police custody. This function is performed through the collation and cross-referencing of quantitative data from police services, correctional departments and the NCIS on the characteristics of the deceased and the circumstances of the death. Compiling qualitative data from coronial findings sits outside the scope of the NDICP and these data are not routinely reported in the *Deaths in custody in Australia* series. These contextual data are instead collated for individual studies examining specific population groups or categories of deaths.

The annual *Deaths in custody in Australia* Statistical Report is released within six months of the end of the reference period to meet government and community expectations around the timeliness of deaths in custody data. This time frame can limit the availability of coronial records to the NDICP, and consequently the completeness of data items such as cause and manner of death. Data may be missing at the time of reporting or are preliminary and subject to change once coronial findings are released. Historical data are reviewed and updated annually.

The publication time frame also affects the availability of contextual information, such as the nature of health care and medical intervention preceding natural cause deaths, which is largely derived from coronial findings. The initiation and length of coronial inquiries vary but it may be a number of years before a coronial finding is available. As such, material from coronial findings is not captured in the NDICP for annual reporting but may be examined in separate studies.

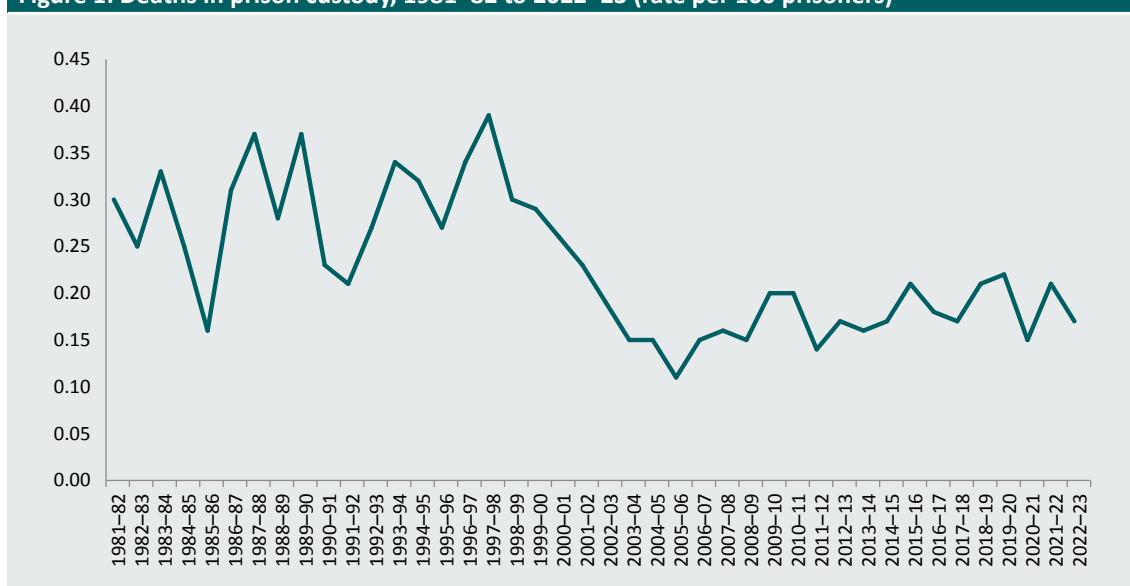
# Deaths in custody 2022–23

There were 110 deaths in prison custody and police custody and custody-related operations in 2022–23. No deaths occurred in youth detention.

## Deaths in prison custody

Between 1 July 2022 and 30 June 2023 there were 70 deaths in prison custody, 14 fewer than in 2021–22 (see Table B1). The death rate decreased from 0.21 per 100 prisoners in 2021–22 to 0.17 in 2022–23 (see Figure 1).

**Figure 1: Deaths in prison custody, 1981–82 to 2022–23 (rate per 100 prisoners)**



Note: Rates were calculated using *Prisoners in Australia* data (ABS 2000–2020) for the years 1981–82 to 2019–20 and *Corrective services, Australia – June quarter data* (ABS 2021, 2022, 2023a) for the years 2020–21, 2021–22 and 2022–23

Source: AIC NDICP 1981–2023 [computer file]; see [Appendix C](#), Table C4

The largest number of deaths in prison custody occurred in New South Wales and Queensland ( $n=17$  each), followed by Victoria ( $n=12$ ; see Table B4). At June 2023, New South Wales ( $n=12,593$ ) and Queensland ( $n=10,289$ ) had the largest prison populations in Australia, followed by Western Australia ( $n=6,623$ ) and Victoria ( $n=6,486$ ; ABS 2023a). There were 11 deaths in prison custody in Western Australia, 10 in South Australia and one each in Tasmania, the Australian Capital Territory and the Northern Territory. The prison death rate in 2022–23 was highest in South Australia (0.33 per 100 prisoners).

Between 2021–22 and 2022–23, there was an increase in the number of deaths in prison custody in Queensland (+8) and South Australia (+4) and a decrease in the number of deaths in New South Wales (–17), Victoria (–6), Western Australia (–2) and Tasmania (–1). The decrease in deaths in New South Wales prison custody is the second largest single year change since 1979–80 (see Table B4). The number of deaths remained the same in the Australian Capital Territory and the Northern Territory.

Sixty-six male prisoners (94%) and four female prisoners (6%) died in prison custody in 2022–23 (see [Appendix C](#), Table C3). This represented a death rate of 0.17 and 0.12 per 100 prisoners respectively (see Table C5). Males comprised 92 percent of persons in full-time custody at June 2023 and females comprised eight percent (ABS 2023a). Between 2021–22 and 2022–23, the death rate decreased for male prisoners (from 0.21 to 0.17 per 100 prisoners) while staying relatively similar for female prisoners (from 0.13 to 0.12 per 100 prisoners; see Table C5).

The median age at time of death for prisoners in 2022–23 was 57.0 years (range: 19–90). This is a slight increase from 54.5 years in 2021–22 and higher than the median age of deaths in prison custody since 1979–80 (42.0 years). Death rates by age were not calculated for this report due to a lack of available prison population data (see *Appendix A* on page 37 for more detail).

In 2022–23, 59 percent ( $n=41$ ) of deaths in prison custody were of sentenced prisoners (see Table C10). This is a decline from the average (69%) since 1979–80. A higher proportion of deaths in 2022–23 were of unsentenced prisoners (39%,  $n=27$ ) compared with most previous financial years. Since 1979–80, 30 percent of prison custody deaths were unsentenced prisoners, an average of 15 deaths a year. Two deaths in prison custody in 2022–23 were of prisoners classified as ‘other’—for example, those serving a detention order. The proportion of sentenced and unsentenced prisoners who died in custody in 2022–23 was similar to the proportion of sentenced and unsentenced prisoners at 1 June 2023 (61%,  $n=25,788$  and 39%,  $n=16,348$  respectively; ABS 2023a).

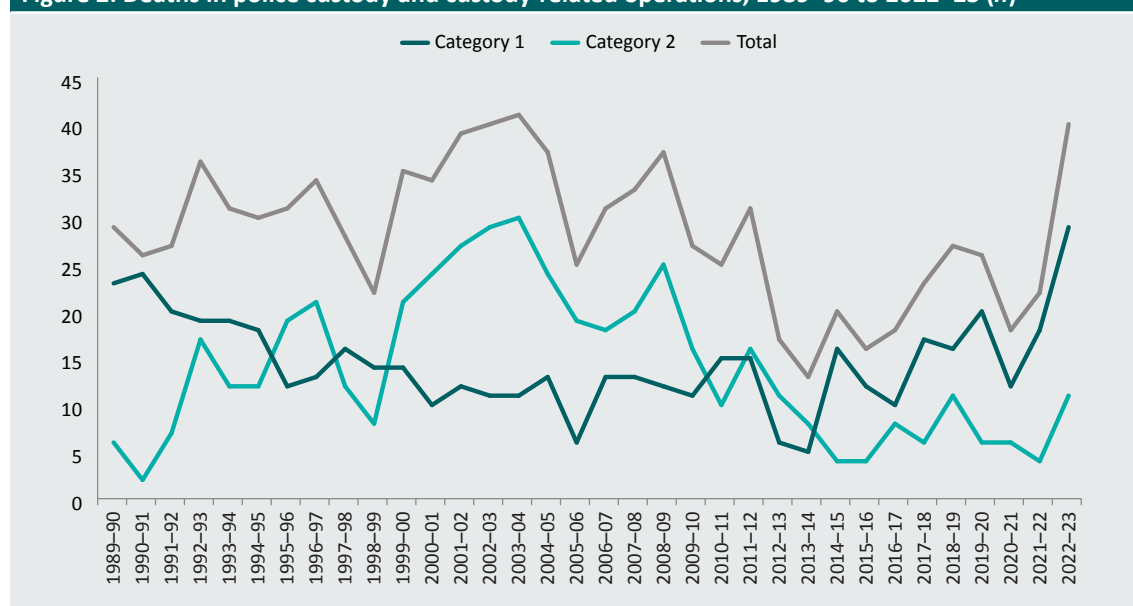
## Deaths in police custody and custody-related operations

There were 40 deaths in police custody and custody-related operations (hereafter referred to as police custody) in 2022–23 (see Table B1). This was one of the highest numbers of deaths in police custody recorded since 1989–90 (see Figure 2). This is also an increase of 18 deaths from 2021–22—the largest single year difference since 1989–90 (see Table B1). Typically, the number of deaths in police custody fluctuates annually due to the small number of deaths overall.

There were 38 male deaths and two female deaths in police custody in 2022–23. The number of male deaths increased by 18 from the previous year. In 2022–23, the median age at time of death in police custody was 39.0 years (range: 24–95).

Twenty-nine of the 40 deaths in police custody were category 1 deaths (see Figure 2 and [Appendix D](#), Table D3). Category 1 deaths are those occurring during close police contact where the police significantly influence or control the person’s behaviour. (See *Introduction* for further information on classification.) The remaining 11 deaths in police custody in 2022–23 were category 2 deaths, as they occurred during non-close police contact.

**Figure 2: Deaths in police custody and custody-related operations, 1989–90 to 2022–23 (n)**



Note: For a definition of these categories, see Box 1 in the *Introduction*

Source: AIC NDICP 1989–2023 [computer file]; see [Appendix D](#), Table D3



# INDIGENOUS DEATHS IN CUSTODY 2022–23

**31** DEATHS IN  
CUSTODY



## 21 DEATHS IN PRISON CUSTODY



**43** MEDIAN AGE (years)

**19** MALE **2** FEMALE

**11** UNSENTENCED

**8** NATURAL CAUSE  
DEATHS

**5** SELF-INFLICTED  
DEATHS

Manner of death was known for  
15 of the deaths



### DEATH RATE INCREASED

from 2.96 to 3.79 per 100,000 between 2021–22 and 2022–23



## 10 DEATHS IN POLICE CUSTODY AND CUSTODY-RELATED OPERATIONS



**39** MEDIAN AGE (years)

**10** MALE **0** FEMALE

**8** WHILE BEING  
DETAINED

**6** DUE TO POLICE  
SHOOTING

**9** SUSPECTED OF A  
VIOLENT OFFENCE



### DEATH RATE INCREASED

from 1.16 to 1.42 per 100,000 between 2021–22 and 2022–23

# Indigenous deaths in custody 2022–23

There were 31 deaths of Aboriginal and Torres Strait Islander people in custody between 1 July 2022 and 30 June 2023 (see Table B2). Aboriginal and Torres Strait Islander people accounted for 28 percent of all deaths in custody in 2022–23.

## Indigenous deaths in prison custody

Aboriginal and Torres Strait Islander people comprise three percent of the Australian population (ABS 2023b) but made up 33 percent ( $n=14,011$ ) of the average daily Australian prisoner population in the June quarter 2023 (ABS 2023a).

In 2022–23, there were 21 Aboriginal and Torres Strait Islander deaths in prison custody (see Table 1), the highest number of Indigenous deaths in prison custody since 1979–80 (see Table B2). Aboriginal and Torres Strait Islander prisoner deaths accounted for 30 percent of deaths in prison custody over the 12-month period, greater than the average (18%) recorded since 1979–80. In the 32 years since the RCIADIC (1 July 1991 to 30 June 2023), the NDICP has recorded 354 Indigenous deaths in prison custody (see Table B2).

The highest number of Indigenous deaths in prison custody in 2022–23 occurred in New South Wales and Queensland ( $n=6$  each; see Table B5). There were five Indigenous deaths in Western Australia, three in Victoria and one in the Northern Territory. Queensland ( $n=3,811$ ) and New South Wales ( $n=3,712$ ) had the largest Indigenous prison populations in Australia, followed by Western Australia ( $n=2,821$ ; ABS 2023a). No Indigenous deaths in prison custody occurred in South Australia, Tasmania or the Australian Capital Territory.

The death rate among the Indigenous prisoner population in 2022–23 was 0.15 per 100 Indigenous prisoners (see Table 1), an increase from the death rate of 0.12 per 100 prisoners in 2021–22 (see Figure 3 and [Appendix C](#), Table C4). The death rate of Indigenous prisoners was highest in Victoria (0.37 per 100 prisoners), followed by Western Australia (0.18 per 100 prisoners), New South Wales (0.16 per 100 prisoners) and Queensland (0.16 per 100 prisoners; see Table 1). The death rate among Indigenous prisoners has varied over the 42-year period between 1981–82 and 2022–23 but has been consistently lower in the most recent two decades.

The prison custody death rate among the Aboriginal and Torres Strait Islander population aged 18 years and over (at 30 June 2022) also increased from the previous year. In 2022–23, the death rate was 3.79 per 100,000 population compared with 2.96 per 100,000 in 2021–22 (see Figure 3). In the past decade, the imprisonment rate per 100,000 Aboriginal and Torres Strait Islander population aged 18 years and over has increased (ABS 2023c). The death rate in prison custody per relevant 100,000 population has been variable in the same time frame (see Figure 3).

**Figure 3: Indigenous deaths in prison custody, 1981–82 to 2022–23**



Note: Rates per 100 prisoners were calculated using *Prisoners in Australia* data (ABS 2000–2020) for the years 1981–82 to 2019–20 and *Corrective services, Australia – June quarter data* (ABS 2021, 2022, 2023a) for the years 2020–21, 2021–22 and 2022–23. Rates per relevant 100,000 population were calculated using population data from *National, state and territory population* (ABS 2023b) and *Estimates and projections, Aboriginal and Torres Strait Islander Australians* (ABS 2019). Relevant Indigenous population data are not available for years prior to 2006–07

Source: AIC NDICP 1981–2023 [computer file]

## Sex and age

Nineteen male Indigenous prisoners and two female Indigenous prisoners died in prison custody in 2022–23. This represents a death rate of 0.15 per 100 for both male and female Indigenous prisoners (see Table 1). The death rate for male and female Indigenous prisoners increased from the death rate per 100 prisoners in 2021–22 (0.13 and 0.08 respectively).

The prison death rate among the Indigenous population was 6.96 per 100,000 Aboriginal and Torres Strait Islander males aged 18 years and over and 0.71 per 100,000 Aboriginal and Torres Strait Islander females aged 18 years and over (at 30 June 2022; see [Appendix C](#), Table C1). This was an increase from 5.63 and 0.36 per relevant 100,000 in 2021–22.

Indigenous male deaths in prison custody accounted for 27 percent of all deaths in prison custody in 2022–23 (see [Appendix C](#), Table C3). This is an increase from the average proportion of Indigenous male deaths in prison custody since 1979–80 (17%,  $n=9$ ). The proportion of Indigenous male deaths has varied between 1979–80 and 2022–23, ranging from five to 30 percent of all deaths in prison custody (see Table C3).

The median age at time of death for Indigenous prisoners in 2022–23 was 43.0 years (range: 25–81; see Table 1). Almost half of Indigenous deaths in prison custody (48%,  $n=10$ ) were of prisoners aged 40 to 54 years. Twenty-nine percent ( $n=6$ ) of Indigenous prisoners were aged 25 to 39 years, followed by prisoners aged 55 years or over (24%,  $n=5$ ). No Indigenous prisoners aged under 25 years died in custody in 2022–23. Since 1979–80, 40 percent ( $n=162$ ) of Indigenous deaths in prison custody were of prisoners aged 25 to 39 years, followed by prisoners aged 40 to 54 years (30%,  $n=119$ ; see Table C7).

### *Legal status and time spent in custody*

In 2022–23, a similar proportion of Indigenous deaths in prison custody were of sentenced and unsentenced prisoners (48%,  $n=10$  vs 52%,  $n=11$  respectively; see Table 1). The number of unsentenced Indigenous prisoner deaths is the highest recorded between 1979–80 and 2022–23 (see Table C10). Twenty-eight percent ( $n=113$ ) of Indigenous prison custody deaths since 1979–80 were of unsentenced prisoners. Where data were provided, the median length of time spent in prison custody prior to death was approximately two years and six months for sentenced prisoners (mean=4 years and 1 month). Among unsentenced prisoners, the median length of time spent in prison custody prior to death was approximately seven months. The mean amount of time in custody was eight months.

The death rate of sentenced Indigenous prisoners in 2022–23 was 0.12 per 100 Indigenous prison population, lower than the death rate of 0.19 per 100 Indigenous prison population for unsentenced Indigenous prisoners (see Table 1).

### *Most serious offence*

The NDICP collects information on the most serious offence (MSO) leading to the most recent period of custody (see [Appendix A](#) on page 35 for details of the offence categories).

The MSO was recorded for all Indigenous prisoners who died in prison custody in 2022–23. Most had been incarcerated for a violent offence (81%,  $n=17$ ; see Table 1). Of those incarcerated for a violent offence, 10 (59%) were sentenced prisoners and seven (41%) were unsentenced prisoners. Three Indigenous prisoners (14%) were incarcerated for theft-related offences and one (5%) had been incarcerated for a good order offence. Since 1979–80, just over two-thirds of Indigenous prisoners who died in prison custody were incarcerated for a violent offence (69%,  $n=276$ ; see Table C22). Seventy-one percent ( $n=197$ ) of Indigenous prisoners incarcerated for a violent offence since 1979–80 had been sentenced.

### *Cause of death*

Cause of death relates to the direct cause of death certified by the coroner or recorded by the custodial authority. See *Appendix A* for further information on verification of cause of death data.

Information on cause of death was available at the time of reporting for 15 of the 21 Indigenous deaths in prison custody. Of these, eight (53%) were due to natural causes (see Table 1). Five deaths (33%) were due to hanging and related complications. The cause of the remaining two deaths (13%) was unable to be ascertained at autopsy. Sixty-one percent ( $n=236$ ) of Indigenous deaths in prison custody since 1979–80 were due to natural causes (see [Appendix C](#), Table C13). Fifty percent of these natural cause deaths ( $n=113$ ) were due to ischaemic and other forms of heart disease.

In 2022–23, cause of death information was available for nine of the 10 deaths of sentenced prisoners. Six of these deaths were due to natural causes. This represented a death rate of 0.07 per 100 sentenced Indigenous prisoners. Of the remaining three deaths, two were due to hanging and related complications and the other could not be ascertained at autopsy.

Cause of death information was available for six of the 11 unsentenced prisoners. Three of the deaths with a known cause were due to hanging and related complications. The hanging death rate for unsentenced prisoners exceeded that of sentenced prisoners (0.05 per 100 unsentenced prisoners and 0.02 per 100 sentenced prisoners respectively). Two deaths of unsentenced prisoners were due to natural causes. The cause of death for one unsentenced prisoner was unable to be ascertained at autopsy.

### *Manner of death*

Manner of death refers to the accountability or responsibility for the death and is determined by the coroner. In the absence of a coronial finding, manner of death is provisionally based on information from the custodial authority and available coronial documents on NCIS. See *Cause versus manner of death* in *Appendix A* on page 34 for further information.

In 2022–23, the manner of death was recorded for 15 of the 21 Indigenous deaths in prison custody. Of these, the manner of death was natural causes for eight deaths (53%) and self-inflicted for five deaths (33%; see Table 1). All five self-inflicted deaths were due to hanging and related complications (see Table C2). The rate of natural cause deaths was 0.06 per 100 Indigenous prisoners and 0.04 per 100 Indigenous prisoners for self-inflicted deaths (see Table 1). The manner of two deaths was not determined as the cause of death was unable to be ascertained at autopsy. The manner of death for 60 percent ( $n=234$ ) of Indigenous deaths in prison custody since 1979–80 was determined to be natural causes (see Table C18). Approximately one-third (31%,  $n=122$ ) were determined to be self-inflicted.

Table 1: Indigenous deaths in prison custody, 2022–23			
	<i>n</i>	%	Rate per 100 prisoners
Jurisdiction			
NSW	6	29	0.16
Vic	3	14	0.37
Qld	6	29	0.16
WA	5	24	0.18
SA	0	0	0.00
Tas	0	0	0.00
ACT	0	0	0.00
NT	1	5	0.05
Sex			
Male	19	90	0.15
Female	2	10	0.15
Age group (years)			
18–24	0	0	–
25–39	6	29	–
40–54	10	48	–
55+	5	24	–
Median (mean)	43.0 (46.8)		
Legal status			
Sentenced	10	48	0.12
Unsentenced	11	52	0.19
Other	0	0	–
Most serious offence			
Violent	17	81	–
Theft-related	3	14	–
Drug-related	0	0	–
Traffic-related	0	0	–
Good order	1	5	–
Other	0	0	–

Table 1: Indigenous deaths in prison custody, 2022–23 (cont.)			
	<i>n</i>	%	Rate per 100 prisoners
<b>Cause of death<sup>a</sup></b>			
Natural causes	8	53	0.06
Hanging	5	33	0.04
Head injury	0	0	0.00
External trauma	0	0	0.00
Gunshot	0	0	0.00
Alcohol/drugs	0	0	0.00
Other/multiple	0	0	0.00
Unascertained	2	13	0.01
<b>Manner of death<sup>b</sup></b>			
Natural causes	8	53	0.06
Self-inflicted	5	33	0.04
Unlawful homicide	0	0	0.00
Justifiable homicide	0	0	0.00
Accident	0	0	0.00
Other	0	0	0.00
Not determined	2	13	0.01
<b>Location of death</b>			
Cell	13	62	–
Other custodial setting	0	0	–
Public hospital	5	24	–
Prison hospital	2	10	–
Psychiatric hospital	0	0	–
Public place	0	0	–
Other	1	5	–
<b>Type of prison</b>			
Private	2	10	–
Government	19	90	–
<b>Total</b>	<b>21</b>		<b>0.15</b>

a: Excludes 6 cases where cause of death information was not available

b: Excludes 6 cases where manner of death information was not available

Note: Rates (unless otherwise specified) have been calculated using *Corrective services, Australia* – June quarter 2023 data (ABS 2023a)

Source: AIC NDICP 2022–23 [computer file]

## Indigenous deaths in police custody and custody-related operations

There were 10 deaths of Indigenous people in police custody in 2022–23 (see Figure 4 and Table 2). This is the highest number recorded since 2004–05 (see Table B2) and higher than the average recorded since 1989–90 ( $n=6$ ).

Half of the deaths ( $n=5$ ) occurred in Queensland, four in New South Wales, and one in South Australia (see Table B8). No Indigenous deaths in police custody occurred in the other states and territories. The death rate of Indigenous people in police custody was 1.42 per 100,000 Aboriginal and Torres Strait Islander population aged 10 years and over (at 30 June 2022; see [Appendix D](#), Table D1), an increase from 1.16 per 100,000 relevant population ( $n=8$  deaths) in 2021–22.

In the 32 years since the RCIADIC (1 July 1991 to 30 June 2023), the NDICP has recorded 187 Aboriginal and Torres Strait Islander deaths in police custody and custody-related operations (see Table B2).

**Figure 4: Indigenous deaths in police custody and custody-related operations, 2000–01 to 2022–23**



Note: Rates per relevant 100,000 population were calculated using population data from *National, state and territory population* (ABS 2023b) and *Estimates and projections, Aboriginal and Torres Strait Islander Australians* (ABS 2019)

Source: AIC NDICP 2000–2023 [computer file]

### Sex and age

All Indigenous deaths in police custody in 2022–23 were of males (see Table 2). This represented a death rate of 2.87 per 100,000 male population aged 10 years and over (see Table D1) compared with 2.35 per 100,000 male population in 2021–22. Males comprised almost nine in 10 Indigenous deaths in police custody since 1989–90 (87%,  $n=174$  vs 13%,  $n=25$  for Indigenous females; see Table D5).



The median age of Indigenous people who died in police custody in 2022–23 was 39.0 years (range: 27–51; see Table 2). An equal number of deaths of Indigenous people were of individuals aged 25 to 39 years and 40 to 54 years (50%;  $n=5$  for each age group). This represented death rates of 2.61 and 3.88 per 100,000 relevant population respectively (see [Appendix D](#), Table D1). There were no Indigenous deaths in police custody of people aged under 25 years or 55 years and over. Thirty-nine percent ( $n=78$ ) of Indigenous deaths in police custody since 1989–90 were of individuals aged 25 to 39 years, followed by 37 percent ( $n=73$ ) aged less than 25 years (see Table D7).

### *Most serious offence*

Nine of the Indigenous persons who died in police custody in 2022–23 (90%) were suspected of having committed a violent offence and one (10%) of a drug-related offence (see Table 2). Since 1989–90, over one-third of Indigenous people who died in police custody were suspected of committing a theft-related offence (34%,  $n=55$ ; see Table D16) and 31 percent ( $n=51$ ) were suspected of committing a violent offence.

### *Circumstances of custodial period*

Deaths in police custody can occur in institutional settings, such as a police station, during transfer to or between facilities, or while police are detaining or attempting to detain the person.

Eight of the 10 Indigenous police custody deaths in 2022–23 occurred while police were detaining or attempting to detain the person (see Table 2). Three (38%) of these deaths occurred during a siege, one (13%) during a motor vehicle pursuit and four (50%) from ‘other’ methods of detainment, which included three police shootings. Since 1989–90, 44 percent ( $n=54$ ) of deaths where police were attempting to detain the person occurred during a motor vehicle pursuit, 19 percent ( $n=23$ ) occurred during an ‘other’ pursuit and 10 percent ( $n=12$ ) occurred during a siege (see Table D25). Twenty-seven percent of deaths ( $n=33$ ) occurred during an ‘other’ circumstance, 13 of which were police shootings.

In 2022–23, two police custody deaths occurred in institutional settings (20%). Sixty-two percent of Indigenous deaths in police custody since 1989–90 have occurred while police were detaining or attempting to detain the person ( $n=124$ ; see Table D22), while 32 percent ( $n=63$ ) took place in institutional settings.

### *Cause of death*

The cause of death was available at the time of reporting for nine of the 10 Indigenous deaths in police custody in 2022–23 (see Table 2). Of these, six (67%) were due to gunshot wounds. On average, 12 percent of Indigenous deaths in police custody each year since 1989–90 have been due to gunshot wounds. Two deaths (22%) in 2022–23 were due to external trauma, and one (11%) to hanging and related complications (see Table 2). Approximately one-third of Indigenous deaths in police custody since 1989–90 have been due to external trauma (31%,  $n=61$ ; see [Appendix D](#), Table D10). Three-quarters (74%,  $n=40$ ) of deaths due to external trauma occurred during a motor vehicle pursuit.

### *Manner of death*

In 2022–23, manner of death information was available for nine of the 10 Indigenous deaths in police custody (see Table 2). Six of the deaths (67%) were determined to be justifiable homicides (all police shootings). Three police shootings occurred during a siege situation and three during an ‘other’ method of detainment. Two deaths (22%) were self-inflicted and one was due to accident or misadventure (11%).

Almost half of all Indigenous deaths in police custody since 1989–90 were due to accident or misadventure (45%,  $n=88$ ; see Table D13). One-fifth were due to natural causes (21%,  $n=41$ ) or were self-inflicted (17%,  $n=34$ ). Since 1989–90, eight percent of Indigenous deaths in police custody ( $n=16$ ) were justifiable homicides.

### *Location of death*

Location of death relates to the location at time of death only. It therefore does not capture the location of any events that preceded the death, if this differs from where the individual ultimately died. For example, where a person is shot on private property and later dies in a public hospital as a result of the gunshot wound, the location of death is recorded as public hospital. In 2022–23, five Indigenous deaths in police custody (50%) occurred on private property, three occurred in a public place and two in a public hospital (see Table 2). Most Indigenous deaths in police custody since 1989–90 occurred in either a public place (38%,  $n=76$ ) or a public hospital (35%,  $n=70$ ; see Table D19). Of the deaths that occurred in a public place and cause of death was known, 52 percent ( $n=39$ ) were due to external trauma.

Table 2: Indigenous deaths in police custody and custody-related operations, 2022–23		
	<i>n</i>	%
<b>Jurisdiction</b>		
NSW	4	40
Vic	0	0
Qld	5	50
WA	0	0
SA	1	10
Tas	0	0
ACT	0	0
NT	0	0
<b>Category of death</b>		
Category 1	9	90
Category 2	1	10
<b>Sex</b>		
Male	10	100
Female	0	0
<b>Age group (years)</b>		
10 <sup>a</sup> –24	0	0
25–39	5	50
40–54	5	50
55+	0	0
Median (mean)	39.0 (39.5)	
<b>Most serious offence</b>		
Violent	9	90
Theft-related	0	0
Drug-related	1	10
Traffic-related	0	0
Good order	0	0
Other	0	0
<b>Circumstances of custodial period</b>		
Institution	2	20
Detaining	8	80
Escaping	0	0
Other/marginal	0	0

Table 2: Indigenous deaths in police custody and custody-related operations, 2022–23 (cont.)		
	<i>n</i>	%
<b>Cause of death<sup>b</sup></b>		
Natural causes	0	0
Hanging	1	11
Head injury	0	0
External trauma	2	22
Gunshot	6	67
Alcohol/drugs	0	0
Other/multiple	0	0
Unascertained	0	0
<b>Manner of death<sup>c</sup></b>		
Natural causes	0	0
Self-inflicted	2	22
Unlawful homicide	0	0
Justifiable homicide	6	67
Accident	1	11
Other	0	0
Not determined	0	0
<b>Location of death</b>		
Cell	0	0
Other custodial setting	0	0
Public hospital	2	20
Prison hospital	0	0
Psychiatric hospital	0	0
Private property	5	50
Public place	3	30
Other	0	0
<b>Total</b>	<b>10</b>	

a: The legal age of criminal responsibility

b: Excludes 1 case where cause of death information was not available

c: Excludes 1 case where manner of death information was not available

Source: AIC NDICP 2022–23 [computer file]

# NON-INDIGENOUS DEATHS IN CUSTODY 2022–23

**79** DEATHS IN  
CUSTODY



## 49 DEATHS IN PRISON CUSTODY



**67** MEDIAN AGE (years)

**47** MALE **2** FEMALE

**16** UNSENTENCED

**34** NATURAL CAUSE  
DEATHS

**7** SELF-INFLICTED  
DEATHS

Manner of death was known for  
43 of the deaths



### DEATH RATE DECREASED

from 0.35 to 0.25 per 100,000 between 2021–22 and 2022–23



## 30 DEATHS IN POLICE CUSTODY AND CUSTODY-RELATED OPERATIONS



**39** MEDIAN AGE (years)

**28** MALE **2** FEMALE

**24** WHILE BEING  
DETAINED

**11** DUE TO POLICE  
SHOOTING

**17** SUSPECTED OF A  
VIOLENT OFFENCE



### DEATH RATE INCREASED

from 0.06 to 0.14 per 100,000 between 2021–22 and 2022–23

# Non-Indigenous deaths in custody 2022–23

There were 79 deaths of non-Indigenous people in custody between 1 July 2022 and 30 June 2023 (see Table B3). Non-Indigenous deaths accounted for 72 percent of all deaths in custody in 2022–23.

## Non-Indigenous deaths in prison custody

In 2022–23, there were 49 non-Indigenous deaths in prison custody (see Table 3), accounting for 70 percent of deaths in prison custody over the 12-month period. This is lower than the proportion of prison custody deaths reported in 2021–22 (81%,  $n=68$ ; see Table B6).

The highest number of non-Indigenous deaths in prison custody in 2022–23 occurred in New South Wales and Queensland ( $n=11$  each; see Table 3). This is the lowest number of non-Indigenous deaths in New South Wales prison custody since 2007–08 (see Table B6). New South Wales had the largest non-Indigenous prison population as of 30 June 2023 ( $n=8,881$ ), followed by Queensland ( $n=6,478$ ) and Victoria ( $n=5,675$ ; ABS 2023a). There were 10 deaths in South Australia, which was the equal highest number of prison custody deaths in this jurisdiction since 1979–80. This is more than double the South Australian average between 1979–80 and 2022–23 ( $n=4$ ). Of the remaining non-Indigenous deaths in prison custody, nine were in Victoria, six in Western Australia and one in each of Tasmania and the Australian Capital Territory. No non-Indigenous deaths occurred in prison custody in the Northern Territory.

The death rate of non-Indigenous prisoners was 0.17 per 100 non-Indigenous prisoners, a decrease from the death rate of 0.24 per 100 in 2021–22 (see Figure 5 and [Appendix C, Table C4](#)). There was a decrease in the rate of prison custody deaths per 100 non-Indigenous prisoners from 2021–22 in all jurisdictions except South Australia, which recorded the highest rate of death per 100 prisoners in 2022–23 (0.44 in 2022–23 vs 0.17 in 2021–22), Queensland (0.17 in 2022–23 vs 0.09 in 2021–22), and the Australian Capital Territory (0.37 in 2022–23 vs 0.35 in 2021–22). The lowest death rate for non-Indigenous prisoners was in New South Wales (0.12 per 100 prisoners).

The prison custody death rate among the non-Indigenous population also decreased from 0.35 per 100,000 relevant population aged 18 years and over in 2021–22 to 0.25 in 2022–23 (at 30 June 2022; see Figure 5). The death rate for non-Indigenous prisoners per 100,000 population has varied since 2006–07, from 0.21 in 2006–07, to 0.40 in 2019–20.

The rate of imprisonment per 100,000 non-Indigenous population has increased slightly over the last decade (ABS 2023c). The increase in the rate of non-Indigenous deaths in prison custody per 100,000 population aged 18 years and over largely coincides with the increase in the rate of imprisonment.

**Figure 5: Non-Indigenous deaths in prison custody, 1981–82 to 2022–23**



Note: Rates per 100 prisoners were calculated using *Prisoners in Australia* data (ABS 2000–2020) for the years 1981–82 to 2019–20 and *Corrective services, Australia – June quarter data* (ABS 2021, 2022, 2023a) for the years 2020–21, 2021–22 and 2022–23. Rates per relevant 100,000 population were calculated using population data from *National, state and territory population* (ABS 2023b) and *Estimates and projections, Aboriginal and Torres Strait Islander Australians* (ABS 2019). Relevant Indigenous population data are not available for years prior to 2006–07  
Source: AIC NDICP 1981–2023 [computer file]

### Sex and age

Forty-seven male and two female non-Indigenous prisoners died in prison custody in 2022–23. This represents a death rate of 0.18 and 0.11 per 100 non-Indigenous male and female prisoners respectively (see Table 3) or 0.48 and 0.02 per 100,000 relevant non-Indigenous population aged 18 years and over respectively (at 30 June 2022; see [Appendix C, Table C1](#)). Each of these rates is a decrease from the corresponding rate recorded in 2021–22.

The median age at time of death for non-Indigenous prisoners in 2022–23 was 67.0 years (range: 19–90; see Table 3). Approximately two-thirds (65%,  $n=32$ ) of non-Indigenous deaths were of prisoners aged 55 years and over, compared with just over half of non-Indigenous deaths in 2021–22 (54%,  $n=37$ ). Sixteen percent ( $n=8$ ) of non-Indigenous deaths in prison custody were of prisoners aged 40 to 54 years, 14 percent ( $n=7$ ) were 25 to 39 years and four percent ( $n=2$ ) were under 25 years. Since 1979–80, one-third (33%,  $n=601$ ) of non-Indigenous deaths in prison custody have been of prisoners aged 55 years and over, followed by prisoners aged 25 to 39 years (31%,  $n=558$ ; see [Appendix C](#), Table C8).

### *Legal status and time spent in custody*

In 2022–23, 63 percent ( $n=31$ ) of non-Indigenous deaths in prison custody were of sentenced prisoners (see Table 3). The proportion of deaths of sentenced prisoners recorded in 2021–22 was 69 percent ( $n=47$ ; see Table C10). Since 1979–80, around two-thirds (69%,  $n=1,245$ ) of non-Indigenous prison custody deaths have been of sentenced prisoners. In 2022–23, the median length of time these prisoners spent in custody was approximately five years. The mean length of time spent in custody was seven years and eight months.

A third (33%,  $n=16$ ) of non-Indigenous prisoners who died in prison custody in 2022–23 were unsentenced. This is consistent with the total proportion of unsentenced prisoners, accounting for one-third of non-Indigenous prison custody deaths since 1979–80 (31%,  $n=559$ ). Among these unsentenced non-Indigenous prisoners who died in 2022–23, the median length of time spent in custody was approximately two months (54 days) and the mean was approximately five months.

In 2022–23, the death rate of sentenced non-Indigenous prisoners was higher than that of unsentenced prisoners (0.18 and 0.15 per 100 respectively; see Table 3). There were two non-Indigenous deaths in prison custody where the individual was serving a continuing detention order and their legal status was ‘other’.

### *Most serious offence*

The majority of non-Indigenous prisoners who died in prison custody in 2022–23 had been incarcerated for a violent offence (80%,  $n=39$ ; see Table 3). Of those incarcerated for a violent offence, the majority were sentenced prisoners (62%,  $n=24$ ). Six non-Indigenous prisoners (12%) were incarcerated for a theft-related offence, while four (8%) were incarcerated for a good order offence. Since 1979–80, most non-Indigenous prisoners who died in prison custody were incarcerated for a violent offence (68%,  $n=1,223$ ; see Table C23).

### *Cause of death*

The cause of death was available at the time of reporting for 41 of the 49 non-Indigenous deaths in prison custody in 2022–23. Of these, 83 percent ( $n=34$ ) were due to natural causes (see Table 3). Where the natural cause was known ( $n=19$ ), cancer was the most common cause of death (32%,  $n=6$ ). This was followed by a disease of the circulatory system (21%,  $n=4$ ) and multiple causes (21%,  $n=4$ ), then an ‘other’ disease (11%,  $n=2$ ). Of the remaining three deaths, one was respiratory-related, one was due to a stroke and one was of an undetermined cause.



Six deaths (15%) were due to hanging and related complications, the lowest number of hanging deaths among non-Indigenous prisoners since 2007–08 (see [Appendix C](#), Table C14). The remaining death for which cause of death was recorded was due to external trauma (2%).

Most natural cause deaths in 2022–23 were of prisoners aged 55 years and over (88%,  $n=30$ ), following the trend since 1979–80 where the majority of deaths among this age group have been attributed to natural causes (88%,  $n=527$ ). Half of the deaths attributed to hanging and related complications were of prisoners aged 25 to 39 years (50%,  $n=3$ ), following the trend since 1979–80 of hanging deaths comprising the largest proportion of deaths of those in this age group (46%,  $n=250$ ). Since 1979–80, half (53%,  $n=411$ ) of non-Indigenous deaths in prison custody of those aged under 40 years were caused by hanging and related complications. In the same time period three-quarters (77%,  $n=781$ ) of non-Indigenous prisoners aged 40 years and over died from natural causes.

In 2022–23, cause of death information was available for 26 of the 31 deaths of sentenced prisoners. Of these, 25 (96%) were due to natural causes and one (4%) was due to hanging and related complications. The rate of natural cause deaths among sentenced prisoners decreased from 0.22 in 2021–22 to 0.14 per 100 prisoners in 2022–23. Similar rates of death as a result of hanging and related complications were recorded in 2022–23 and 2021–22 (0.01 vs 0.03 per 100 prisoners respectively).

Cause of death information was available for 13 of the 16 deaths of unsentenced prisoners. Seven (54%) were due to natural causes and five (38%) were due to hanging and related complications. This represented a death rate of 0.07 and 0.05 per 100 prisoners respectively. The death rates for natural cause and hanging related deaths of unsentenced prisoners were similar to those of 2021–22 (0.06 per 100 prisoners each). One death of an unsentenced prisoner was due to external trauma. The two deaths where legal status was ‘other’ were due to natural causes.

### *Manner of death*

Manner of death refers to the accountability or responsibility for the death and is determined by the coroner. In the absence of a coronial finding, manner of death is provisionally based on information from the custodial authority and available coronial documents on NCIS. See *Cause versus manner of death* in *Appendix A* on page 34 for further information.

In 2022–23, the manner of death was recorded for 43 of the 49 non-Indigenous deaths in prison custody. Of these, natural causes were the most common manner of death (79%,  $n=34$ ), exceeding self-inflicted deaths (16%,  $n=7$ ) and deaths as a result of unlawful homicide (5%,  $n=2$ ; see Table 3). The death rate was also highest for natural cause deaths (0.12 per 100 prisoners), exceeding that of self-inflicted deaths (0.02 per 100) and deaths as a result of unlawful homicide (0.01 per 100; see Table 3). Natural causes have been the most common manner of death of non-Indigenous prisoners since 1979–80, accounting for half of all deaths in prison custody (50%,  $n=904$ ). This is followed by self-inflicted deaths (37%,  $n=658$ ; see Table C19).

Of the seven self-inflicted deaths in 2022–23, six were due to hanging and related complications and one was due to external trauma (see Table C2).

**Table 3: Non-Indigenous deaths in prison custody, 2022–23**

	<i>n</i>	%	Rate per 100 prisoners
Jurisdiction			
NSW	11	22	0.12
Vic	9	18	0.16
Qld	11	22	0.17
WA	6	12	0.16
SA	10	20	0.44
Tas	1	2	0.18
ACT	1	2	0.37
NT	0	0	0.00
Sex			
Male	47	96	0.18
Female	2	4	0.11
Age group (years)			
18–24	2	4	–
25–39	7	14	–
40–54	8	16	–
55+	32	65	–
Median (mean)	67.0 (61.6)		
Legal status			
Sentenced	31	63	0.18
Unsentenced	16	33	0.15
Other	2	4	–
Most serious offence			
Violent	39	80	–
Theft-related	6	12	–
Drug-related	0	0	–
Traffic-related	0	0	–
Good order	4	8	–
Other	0	0	–

Table 3: Non-Indigenous deaths in prison custody, 2022–23 (cont.)			
	<i>n</i>	%	Rate per 100 prisoners
<b>Cause of death<sup>a</sup></b>			
Natural causes	34	83	0.12
Hanging	6	15	0.02
Head injury	0	0	0.00
External trauma	1	2	<0.01
Gunshot	0	0	0.00
Alcohol/drugs	0	0	0.00
Other/multiple	0	0	0.00
Unascertained	0	0	0.00
<b>Manner of death<sup>b</sup></b>			
Natural causes	34	79	0.12
Self-inflicted	7	16	0.02
Unlawful homicide	2	5	<0.01
Justifiable homicide	0	0	0.00
Accident	0	0	0.00
Other	0	0	0.00
Not determined	0	0	0.00
<b>Location of death</b>			
Cell	21	43	–
Other custodial environment	1	2	–
Public hospital	16	33	–
Prison hospital	11	22	–
Psychiatric hospital	0	0	–
Public place	0	0	–
Other	0	0	–
<b>Type of prison<sup>c</sup></b>			
Private	12	25	–
Government	36	75	–
<b>Total</b>	<b>49</b>		<b>0.17</b>

a: Excludes 8 cases where cause of death was unknown

b: Excludes 6 cases where manner of death was unknown

c: Excludes 1 case where type of prison was unknown

Note: Rates (unless otherwise specified) have been calculated using *Corrective services, Australia* – June quarter 2023 data (ABS 2023a)

Source: AIC NDICP 2022–23 [computer file]

## Non-Indigenous deaths in police custody and custody-related operations

There were 30 non-Indigenous deaths in police custody in 2022–23, the highest number recorded since 2003–04 (see Table 4 and Table B3) and higher than the average since 1989–90 ( $n=23$ ). The death rate of non-Indigenous people in police custody was 0.14 per 100,000 relevant population aged 10 years and over (at 30 June 2022; see Figure 6 and [Appendix D](#), Table D1), more than double the rate recorded for 2021–22 (0.06 per 100,000 relevant population). Twelve of the 30 non-Indigenous deaths in police custody were in New South Wales and 10 in Queensland. This was the highest number of non-Indigenous police custody deaths in New South Wales since 2001–02, and the highest number in Queensland since 1989–90 (see Table B9). There were three non-Indigenous police custody deaths in Victoria, two in Western Australia, two in Tasmania and one in South Australia.

Compared to 2021–22, the number of non-Indigenous deaths in police custody increased in New South Wales (+9), Queensland (+7), Tasmania (+2) and Western Australia (+1; see Table B9). The number of deaths in police custody decreased in Victoria (–2) and remained the same in South Australia ( $n=1$ ). There were no police custody deaths in the Northern Territory or the Australian Capital Territory, the same as in 2021–22.

**Figure 6: Non-Indigenous deaths in police custody and custody related operations, 2000–01 to 2022–23**



Note: Rates per relevant 100,000 population were calculated using population data from *National, state and territory population* (ABS 2023b) and *Estimates and projections, Aboriginal and Torres Strait Islander Australians* (ABS 2019)

Source: AIC NDICP 2000–2023 [computer file]

### *Sex and age*

In 2022–23, 28 of the 30 non-Indigenous deaths in police custody were of males and two were of females (see Table 4). The death rate of non-Indigenous males increased from 0.10 per 100,000 relevant population in 2021–22 to 0.26 in 2022–23. The death rate of non-Indigenous females was 0.02 per 100,000 relevant population (see [Appendix D](#), Table D1), the same as in 2021–22.

The median age at time of death was 38.5 years (range: 24–95; see Table 4), a decline from 2021–22 (41.0 years). Non-Indigenous deaths in police custody in 2022–23 most commonly involved people aged 40 to 54 years (40%,  $n=12$ ), representing a death rate among this age group of 0.25 per 100,000 relevant population. This is the highest number of deaths involving non-Indigenous people aged 40 to 54 years since 1989–90 (see Table D8). Eleven non-Indigenous police custody deaths (37%) involved people aged 25 to 39 years. Of the further seven deaths, four were of individuals aged under 25 years, and three were of individuals aged 55 years and over.

Between 1989–90 and 2022–23, one-quarter (25%,  $n=195$ ) of non-Indigenous police custody deaths involved individuals aged 40 to 54 years, compared with 43 percent ( $n=329$ ) which involved individuals aged 25 to 39 years (see Table D8).

### *Most serious offence*

Information on the MSO the deceased was suspected of committing was available for 28 of the 30 non-Indigenous deaths in police custody. Seventeen people (61%) were suspected of having committed a violent offence (homicide, assault or other; see Table 4). Three people (11%) were suspected of committing a theft-related offence, three (11%) of a good order offence, three (11%) of an 'other' offence and two (7%) of a drug-related offence (see Table 4). Overall, violent offences have been the most commonly suspected offence type for non-Indigenous police custody deaths since 1989–90 (47%,  $n=321$ ), followed by traffic offences (16%,  $n=109$ ; see Table D17).

### *Circumstances of custodial period*

Twenty-four of the 30 non-Indigenous deaths in police custody in 2022–23 occurred while police were detaining or attempting to detain the person (see Table 4). Six police custody deaths occurred in an institutional setting. This was the highest number of police custody deaths in an institutional setting since 1998–99 (see Table D23).

In 2022–23, the majority (63%) of deaths that occurred while the person was being detained occurred during an 'other' method of detainment (eg police shooting;  $n=15$ ). Forty percent ( $n=241$ ) of detaining deaths since 1989–90 occurred during an 'other' method of detainment (see Table D26). Of the remaining nine deaths in 2022–23 that occurred while police were attempting to detain the individual, four occurred during a motor vehicle pursuit, four during a siege and one during an 'other' pursuit.

Fifteen non-Indigenous deaths in police custody in 2022–23 (50%) occurred following a shooting. This was the equal highest number of shooting deaths in police custody, along with 1993–94 and 1999–2000. Eleven non-Indigenous deaths in police custody (37%) occurred following a police shooting and three (10%) were self-inflicted shootings (see [Appendix D, Table D30](#)). The circumstances of one shooting death were still to be determined at the time of reporting. Police shootings account for 22 percent ( $n=172$ ) of all non-Indigenous deaths in police custody since 1989–90.

In 2022–23, four detaining deaths resulted from motor vehicle pursuits (17%; see Table D26). The number of motor vehicle pursuit deaths of non-Indigenous people in 2022–23 is the highest in a decade. Since 1989–90, almost one-third of non-Indigenous police custody detaining deaths occurred during motor vehicle pursuits (31%,  $n=183$ ).

### *Cause of death*

The cause of death was available at the time of reporting for 21 of the 30 non-Indigenous deaths in police custody in 2022–23. Fifteen (71%) were due to gunshot wounds and one each (5%) to hanging and related complications, alcohol or drugs and external trauma (see Table 4). Two (10%) were due to other or multiple causes. The cause of one death was not ascertained at autopsy. Since 1989–90, 38 percent ( $n=283$ ) of non-Indigenous deaths in police custody were due to gunshot wounds and 29 percent ( $n=216$ ) to external trauma (see Table D11).

### *Manner of death*

Manner of death information was available for 22 of the 30 non-Indigenous deaths in police custody. Eleven (50%) were recorded as justifiable homicides, all caused by gunshot wounds from police shootings (see Table 4). This is the equal second highest number of deaths as a result of justifiable homicide in a single financial year since 1989–90 (see Table D14).

Five deaths (23%) were self-inflicted, and three of these were due to gunshot wounds, one due to hanging and related complications and one due to alcohol or drugs (see Table D2). Four non-Indigenous deaths in police custody (18%) were due to accident or misadventure. Thirty-three percent of non-Indigenous deaths in police custody since 1989–90 ( $n=250$ ) were due to accident or misadventure (see Table D14), and a similar proportion were self-inflicted (32%,  $n=239$ ). Justifiable homicides accounted for approximately one-quarter (23%,  $n=170$ ) of non-Indigenous deaths in police custody since 1989–90.

### *Location of death*

Location of death relates to the location at time of death only. It therefore does not capture the location of any events that caused the death if this differs from where the individual ultimately died. For example, where a person experiences a medical event while housed at the watch house and later dies in a public hospital as a result of the event, the location of death is recorded as public hospital.

In 2022–23, the largest proportion of non-Indigenous deaths in police custody occurred in a public place (43%,  $n=13$ ; see Table 4). This is the highest number of non-Indigenous deaths occurring in a public place since 2011–12 (see [Appendix D](#), Table D20). Since 1989–90, 40 percent ( $n=308$ ) of non-Indigenous deaths in police custody occurred in a public place. Twenty-seven percent ( $n=8$ ) of deaths in 2022–23 occurred on private property, followed by deaths that occurred in a public hospital (20%,  $n=6$ ). Two deaths occurred in a cell and one in another custodial setting (see Table 4).

Table 4: Non-Indigenous deaths in police custody and custody related operations, 2022–23		
	<i>n</i>	%
<b>Jurisdiction</b>		
NSW	12	40
Vic	3	10
Qld	10	33
WA	2	7
SA	1	3
Tas	2	7
ACT	0	0
NT	0	0
<b>Category of death</b>		
Category 1	20	67
Category 2	10	33
<b>Sex</b>		
Male	28	93
Female	2	7
<b>Age group (years)</b>		
10 <sup>a</sup> –24	4	13
25–39	11	37
40–54	12	40
55+	3	10
Median (mean)	38.5 (41.1)	
<b>Most serious offence<sup>b</sup></b>		
Violent	17	61
Theft-related	3	11
Drug-related	2	7
Traffic-related	0	0
Good order	3	11
Other	3	11

Table 4: Non-Indigenous deaths in police custody and custody related operations, 2022–23 (cont.)		
	<i>n</i>	%
<b>Circumstances of custodial period</b>		
Institution	6	20
Detaining	24	80
Escaping	0	0
Other/marginal	0	0
<b>Cause of death<sup>c</sup></b>		
Natural causes	0	0
Hanging	1	5
Head injury	0	0
External trauma	1	5
Gunshot	15	71
Drugs/alcohol	1	5
Other/multiple	2	10
Unascertained	1	5
<b>Manner of death<sup>d</sup></b>		
Natural causes	0	0
Self-inflicted	5	23
Justifiable homicide	11	50
Accident	4	18
Other	1	5
Not determined	1	5
<b>Location</b>		
Cell	2	7
Other custodial setting	1	3
Public hospital	6	20
Prison hospital	0	0
Psychiatric hospital	0	0
Private property	8	27
Public place	13	43
Other	0	0
<b>Total</b>	<b>30</b>	

a: The legal age of criminal responsibility

b: Excludes 2 cases where most serious offence was unknown

c: Excludes 9 cases where cause of death was unknown

d: Excludes 8 cases where manner of death was unknown

Source: AIC NDICP 2022–23 [computer file]



# References

*URLs correct as at November 2023*

Australian Bureau of Statistics (ABS) 2023a. *Corrective services, Australia – June quarter 2023*. Canberra: ABS. <https://www.abs.gov.au/statistics/people/crime-and-justice/corrective-services-australia/latest-release>

Australian Bureau of Statistics 2023b. *National, state and territory population*. Canberra: ABS. <https://www.abs.gov.au/statistics/people/population/national-state-and-territory-population/latest-release>

Australian Bureau of Statistics 2023c. *Prisoners in Australia, 2022*. Canberra: ABS. <https://www.abs.gov.au/statistics/people/crime-and-justice/prisoners-australia/latest-release>

Australian Bureau of Statistics 2022. *Corrective services, Australia – June quarter 2022*. Canberra: ABS. <https://www.abs.gov.au/statistics/people/crime-and-justice/corrective-services-australia/jun-quarter-2022>

Australian Bureau of Statistics 2021. *Corrective services, Australia – June quarter 2021*. Canberra: ABS. <https://www.abs.gov.au/statistics/people/crime-and-justice/corrective-services-australia/jun-quarter-2021>

Australian Bureau of Statistics 2019. *Estimates and projections, Aboriginal and Torres Strait Islander Australians*. Canberra: ABS. <https://www.abs.gov.au/statistics/people/aboriginal-and-torres-strait-islander-peoples/estimates-and-projections-aboriginal-and-torres-strait-islander-australians/latest-release>

Australian Bureau of Statistics 2011. *Australian and New Zealand Standard Offence Classification (ANZSOC)*, 3rd ed. Canberra: ABS. <https://www.abs.gov.au/ausstats/abs@.nsf/mf/1234.0>

Australian Bureau of Statistics 2000–2020. *Prisoners in Australia* (various issues). Canberra: ABS. <https://www.abs.gov.au/statistics/people/crime-and-justice/prisoners-australia>

Royal Commission into Aboriginal Deaths in Custody (RCIADIC) 1991. *National report volume 1*. Canberra: Australian Government Publishing Service. <https://www.austlii.edu.au/au/other/IndigLRes/rciadic>

# Appendix A: Methodology

## Data items and coding

The following describes some of the data items and methods of coding used in this report. The categories used to describe cause of death, manner of death, method of detainment and most serious offence were derived at the inception of the National Deaths in Custody Program (NDICP) and have been retained to allow trend analysis. The Indigenous status variable was revised to meet the Indigenous status standard developed by the Australian Bureau of Statistics (ABS).

### *Indigenous status*

Indigenous status is classified as Aboriginal, Torres Strait Islander, Aboriginal and Torres Strait Islander, or neither Aboriginal nor Torres Strait Islander. This information is cross-referenced with Indigenous status and Indigenous origin fields recorded on the National Coronial Information System (NCIS). This Indigenous origin field is completed based on the police report to the coroner and Indigenous status, introduced in 2019, from Births, Deaths and Marriages records. Where Indigenous status information from data providers and the NCIS do not correspond, the Australian Institute of Criminology engages with the data provider to determine evidence of Indigenous status. Where these data cannot be reconciled, Indigenous status is reported as not stated or unknown.

### *Cause versus manner of death*

The NDICP collects information on both the cause and manner of each death. Cause of death information relates to the direct cause of death as reported by the coroner or by police and prison authorities. Cause of death is categorised in the NDICP as:

- natural causes;
- hanging (which includes strangulation) and associated complications;
- head injury;
- gunshot;
- other external trauma/multiple trauma;
- alcohol and/or drugs;
- other/multiple causes;
- unascertained (could not be determined at autopsy); or
- unknown (no available information at the time of reporting).

These terms have been used since the establishment of the NDICP and are retained to enable trend analysis.

Manner of death is a related variable, but it refers to the accountability or responsibility for the death as determined by the coroner. In the absence of a coronial finding, manner of death is provisionally based on information from the custodial authority and available coronial documents on NCIS. Various factors can contribute to but not necessarily result in the death. Manner is categorised in the NDICP as:

- natural causes;
- self-inflicted;
- homicide (justifiable, excusable, or unlawful);
- accident (or misadventure);
- other/not determined; or
- not stated or unknown.

These categories were derived at the inception of the NDICP based on coronial terminology. In some cases, cause and manner can correspond. In other cases, cause and manner of death will differ.

### *Most serious offence*

The NDICP collects information on the most serious offence (MSO) leading to custody. The Australian and New Zealand Standard Offence Classification (ABS 2011) is used to group offences into six categories. In order from most to least serious, these are: violent, theft-related, drug-related, traffic, good order and other/unknown offences. Where information on more than one offence is provided, only the most serious of those is assigned to the case. Therefore, if a person has been charged with a violent offence and a theft-related offence, the violent offence will take precedence. For the purposes of the NDICP, these categories are defined as follows:

- violent offence—includes homicide, assault, sex offences, other offences against the person and robbery;
- theft-related offence—includes break and enter, other theft, property damage and fraud;
- drug-related offence—includes possessing, using, dealing, trafficking or manufacturing/growing drugs;
- traffic offence—includes road traffic, driving and licence offences;
- good order offence—includes public drunkenness, protective custody for intoxication (in a jurisdiction where public drunkenness is not an offence), justice procedure offences, breaches of sentencing (including fine default) and other offences against good order (eg betting and gambling, disorderly conduct, vagrancy or offensive behaviour); and
- other—includes offences not elsewhere classified (eg weapons offences).

Historical checks to MSO data in the NDICP were undertaken prior to preparing this Statistical Report. These checks ensured all MSO data were aligned with the current Australian and New Zealand Standard Offence Classification (ABS 2011). As such, numbers and proportions of MSO data presented in this report may not be comparable to those presented in other reports.

### *Type of custody*

Type of custody categories are based on the types of death requiring notification to the NDICP, as recommended by the Royal Commission into Aboriginal Deaths in Custody (see *Introduction*). They are:

- institutional—deaths that occur in prisons, youth detention facilities, police stations or lock-ups, during transfer to or from such an institution, or in medical facilities following transfer from an institution;
- escaping—deaths that occur while the person is in the process of escaping or attempting to escape from prison, a youth detention facility or police custody;
- detaining—deaths that occur during the process of police detaining or attempting to detain the person; and
- other—all other deaths not elsewhere classified.

### **Data revisions**

NDICP data are verified quarterly with data providers and cross-referenced against the NCIS at the end of each quarter and at the end of the financial year to ensure the database is accurate and reliable. Where data are missing from the NDICP database, these are checked against coronial findings and other available data, and any necessary revisions are made. Consequently, numbers and rates may differ between reports.

In 2021, the Australian Institute of Criminology began working with data providers in each state and territory to reconcile historical Indigenous status data and ensure that data held in the NDICP were consistent with agency records. At the time of publication, this process had been finalised with:

- corrections departments in Victoria, Queensland, Western Australia, South Australia, Tasmania, the Northern Territory and the Australian Capital Territory; and
- Western Australia Police Force.

## Calculation of death rates and population rates

Before 2021, death rates were calculated using the *Prisoners in Australia* data (ABS 2000–20), which counts all prisoners in legal custody in each jurisdiction as at midnight on 30 June each year. As of 2020–21, *Deaths in custody in Australia* reports are published within six months of the end of the financial year. This change in the timing of the publication means the ABS *Prisoners in Australia* data cannot be used to calculate rates as these data are not publicly available during the preparation of reports. As such, rates of death in prison custody by prison population have been calculated using the *Corrective services, Australia – June quarter data* (ABS 2021, 2022, 2023a). These data are provided to the ABS by corrective services agencies in each state and territory and refer to the average daily prisoner population throughout the month of June, or the prisoner population on 1 June. Death rates are calculated using this measure as it is currently the only information available. These data include a breakdown by legal status, custody type, Indigenous status and sex but not age. As such, death rates for prison population by age group could not be calculated for this report. For these reasons, care should be taken when comparing rates of death over time.

Where trends in rates of death are presented, the rates are calculated back to 1982, as prison census data were not available until that year. The prison population is the standard denominator for calculating death rates in prison custody, reflecting changes in prison demographic composition. Rates of death in police custody are not presented in this report because there is no reliable data source for the number of people placed into police custody each year or who come into contact with police in custody-related operations.

Population rates are presented for deaths in prison and police custody. Population rates are calculated using June 2022 population data from the *National, state and territory population* (ABS 2023b) and *Estimates and projections, Aboriginal and Torres Strait Islander Australians* (ABS 2019). Rates of death in prison custody are calculated using the population aged 18 years and over, as no deaths occurred in youth justice in 2022–23. Rates of death in police custody and custody-related operations are calculated based on the population aged 10 years and over (the legal age of criminal responsibility in all jurisdictions in 2022–23).

# Appendix B: Data tables

**Table B1: Deaths in custody by custodial authority, 1979–80 to 2022–23 (*n*)**

	Prison	Police <sup>a</sup>	Youth justice	Other	Total
1979–80	15	5	1	0	21
1980–81	28	12	1	0	41
1981–82	29	15	0	0	44
1982–83	25	22	0	0	47
1983–84	32	14	1	0	47
1984–85	27	21	0	0	48
1985–86	18	20	0	0	38
1986–87	37	42	1	0	80
1987–88	45	23	2	0	70
1988–89	36	29	0	0	65
1989–90	53	29	1	0	83
1990–91	35	26	1	0	62
1991–92	32	27	0	0	59
1992–93	43	36	0	0	79
1993–94	57	31	2	0	90
1994–95	55	30	0	0	85
1995–96	49	31	2	0	82
1996–97	65	34	1	0	100
1997–98	78	28	0	0	106
1998–99	64	22	1	1	88
1999–2000	64	35	1	0	100
2000–01	58	34	1	1	94
2001–02	52	39	0	1	92
2002–03	44	40	0	0	84
2003–04	37	41	0	0	78
2004–05	39	37	0	0	76

Table B1: Deaths in custody by custodial authority, 1979–80 to 2022–23 (n)					
	Prison	Police <sup>a</sup>	Youth justice	Other	Total
2005–06	28	25	1	1	55
2006–07	41	31	0	0	72
2007–08	45	33	0	0	78
2008–09	43	37	0	0	80
2009–10	58	27	0	0	85
2010–11	58	25	1	0	84
2011–12	42	31	0	0	73
2012–13	53	17	0	0	70
2013–14	54	13	0	0	67
2014–15	61	20	0	0	81
2015–16	83	16	0	0	99
2016–17	74	18	0	0	92
2017–18	72	23	0	0	95
2018–19	89	27	0	0	116
2019–20	89	26	0	0	115
2020–21	66	18	0	0	84
2021–22	84	22	0	0	106
2022–23	70	40	0	0	110
<b>Total</b>	<b>2,227</b>	<b>1,172</b>	<b>18</b>	<b>4</b>	<b>3,421</b>

a: Category 1(a) deaths have been included in the NDICP since 1980, whereas police operational deaths (category 1(b) and category 2 deaths) have been collected by the NDICP only since 1990. For more detail, see *Introduction*

Note: Includes 672 Indigenous deaths in custody, 2,743 non-Indigenous deaths in custody and 6 deaths where Indigenous status was not stated or unknown

Source: AIC NDICP 1979–2023 [computer file]

Table B2: Indigenous deaths in custody by custodial authority, 1979–80 to 2022–23 (n)					
	Prison	Police <sup>a</sup>	Youth justice	Other	Total
1979–80	4	1	1	0	6
1980–81	2	7	1	0	10
1981–82	3	2	0	0	5
1982–83	4	5	0	0	9
1983–84	2	3	0	0	5
1984–85	5	8	0	0	13
1985–86	4	5	0	0	9
1986–87	2	15	1	0	18
1987–88	4	6	1	0	11
1988–89	5	10	0	0	15
1989–90	9	9	0	0	18
1990–91	5	3	0	0	8
1991–92	4	7	0	0	11
1992–93	5	3	0	0	8
1993–94	12	3	0	0	15
1994–95	12	3	0	0	15
1995–96	13	6	0	0	19
1996–97	10	8	0	0	18
1997–98	11	5	0	0	16
1998–99	10	7	1	0	18
1999–2000	14	4	1	0	19
2000–01	14	7	0	0	21
2001–02	6	7	0	0	13
2002–03	13	12	0	0	25
2003–04	6	11	0	0	17
2004–05	8	11	0	0	19
2005–06	3	8	1	0	12
2006–07	8	3	0	0	11
2007–08	6	5	0	0	11
2008–09	7	8	0	0	15
2009–10	14	6	0	0	20
2010–11	12	7	1	0	20
2011–12	6	2	0	0	8
2012–13	8	4	0	0	12
2013–14	10	1	0	0	11



Table B2: Indigenous deaths in custody by custodial authority, 1979–80 to 2022–23 (n) (cont.)					
	Prison	Police <sup>a</sup>	Youth justice	Other	Total
2014–15	15	3	0	0	18
2015–16	19	3	0	0	22
2016–17	15	8	0	0	23
2017–18	16	4	0	0	20
2018–19	16	6	0	0	22
2019–20	12	3	0	0	15
2020–21	12	4	0	0	16
2021–22	16	8	0	0	24
2022–23	21	10	0	0	31
<b>Total since the Royal Commission into Aboriginal Deaths in Custody (1991–92 to 2022–23)</b>					
Total	354	187	4	0	545
<b>Total for all years of data collection (1979–80 to 2022–23)</b>					
Total	403	261	8	0	672

a: Category 1(a) deaths have been included in the NDICP since 1980, whereas police operational deaths (category 1(b) and category 2 deaths) have been collected by the NDICP only since 1990. For more detail, see *Introduction*  
Source: AIC NDICP 1979–2023 [computer file]

Table B3: Non-Indigenous deaths in custody by custodial authority, 1979–80 to 2022–23 (n)					
	Prison	Police <sup>a</sup>	Youth justice	Other	Total
1979–80	11	4	0	0	15
1980–81	26	5	0	0	31
1981–82	26	13	0	0	39
1982–83	21	17	0	0	38
1983–84	30	11	1	0	42
1984–85	22	13	0	0	35
1985–86	14	15	0	0	29
1986–87	35	27	0	0	62
1987–88	41	17	1	0	59
1988–89	31	19	0	0	50
1989–90	44	20	1	0	65
1990–91	30	23	1	0	54
1991–92	28	20	0	0	48
1992–93	38	33	0	0	71
1993–94	45	28	2	0	75
1994–95	43	27	0	0	70
1995–96	36	25	2	0	63
1996–97	55	26	1	0	82

Table B3: Non-Indigenous deaths in custody by custodial authority, 1979–80 to 2022–23 (n) (cont.)					
	Prison	Police <sup>a</sup>	Youth justice	Other	Total
1997–98	67	23	0	0	90
1998–99	54	15	0	1	70
1999–2000	50	31	0	0	81
2000–01	44	27	1	1	73
2001–02	46	32	0	1	79
2002–03	31	28	0	0	59
2003–04	31	30	0	0	61
2004–05	31	26	0	0	57
2005–06	25	17	0	1	43
2006–07	33	28	0	0	61
2007–08	39	28	0	0	67
2008–09	36	29	0	0	65
2009–10	44	21	0	0	65
2010–11	46	18	0	0	64
2011–12	36	29	0	0	65
2012–13	44	13	0	0	57
2013–14	44	12	0	0	56
2014–15	46	17	0	0	63
2015–16	64	13	0	0	77
2016–17	59	10	0	0	69
2017–18	56	18	0	0	74
2018–19	73	21	0	0	94
2019–20	76	21	0	0	97
2020–21	54	14	0	0	68
2021–22	68	13	0	0	81
2022–23	49	30	0	0	79
<b>Total</b>	<b>1,822</b>	<b>907</b>	<b>10</b>	<b>4</b>	<b>2,743</b>

a: Category 1(a) deaths have been included in the NDICP since 1980, whereas police operational deaths (category 1(b) and category 2 deaths) have been collected by the NDICP only since 1990. For more detail, see *Introduction*

Source: AIC NDICP 1979–2023 [computer file]

Table B4: Deaths in prison custody by jurisdiction, 1979–80 to 2022–23 (n)									
	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Total
1979–80	3	2	3	1	5	0	0	1	15
1980–81	8	6	8	3	3	0	0	0	28
1981–82	7	7	8	5	1	1	0	0	29
1982–83	5	4	5	5	6	0	0	0	25
1983–84	12	14	4	2	0	0	0	0	32
1984–85	10	5	5	5	2	0	0	0	27
1985–86	6	2	7	1	0	0	0	2	18
1986–87	17	7	7	3	2	0	0	1	37
1987–88	13	18	6	3	2	2	1	0	45
1988–89	7	11	5	6	1	4	0	2	36
1989–90	28	4	12	3	5	1	0	0	53
1990–91	18	2	4	6	3	1	0	1	35
1991–92	6	3	11	4	5	3	0	0	32
1992–93	20	6	6	6	4	0	0	1	43
1993–94	29	5	11	2	6	3	0	1	57
1994–95	22	7	12	6	7	0	0	1	55
1995–96	18	5	10	6	6	2	1	1	49
1996–97	30	5	13	9	7	1	0	0	65
1997–98	29	13	11	16	4	1	1	3	78
1998–99	27	9	19	6	1	1	0	1	64
1999–2000	23	3	14	15	4	5	0	0	64
2000–01	18	11	11	9	7	0	0	2	58
2001–02	18	6	14	10	2	1	0	1	52
2002–03	16	5	7	8	5	1	0	2	44
2003–04	13	4	13	4	2	0	0	1	37
2004–05	15	4	4	7	6	2	0	1	39
2005–06	10	5	2	6	3	1	0	1	28
2006–07	22	3	6	3	4	2	0	1	41
2007–08	11	13	8	8	4	1	0	0	45
2008–09	15	8	9	4	5	1	1	0	43
2009–10	21	8	10	8	5	3	1	2	58
2010–11	20	10	11	5	4	2	0	6	58
2011–12	18	4	6	7	4	1	0	2	42
2012–13	19	13	9	10	0	1	0	1	53
2013–14	13	11	11	7	4	1	2	5	54

**Table B4: Deaths in prison custody by jurisdiction, 1979–80 to 2022–23 (n) (cont.)**

	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Total
2014–15	21	15	7	4	7	3	1	3	61
2015–16	23	19	10	11	13	2	1	4	83
2016–17	21	20	12	14	2	1	1	3	74
2017–18	27	17	11	11	2	1	0	3	72
2018–19	33	19	11	15	6	2	0	3	89
2019–20	42	13	11	12	7	0	0	4	89
2020–21	29	10	9	13	4	0	0	1	66
2021–22	34	18	9	13	6	2	1	1	84
2022–23	17	12	17	11	10	1	1	1	70
<b>Total</b>	<b>814</b>	<b>386</b>	<b>399</b>	<b>313</b>	<b>186</b>	<b>54</b>	<b>12</b>	<b>63</b>	<b>2,227</b>

Note: Includes 403 Indigenous deaths in custody and 1,822 non-Indigenous deaths in custody and two deaths where Indigenous status was unknown. Excludes 18 deaths that occurred in youth justice

Source: AIC NDICP 1979–2023 [computer file]

**Table B5: Indigenous deaths in prison custody by jurisdiction, 1979–80 to 2022–23 (n)**

	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Total
1979–80	1	0	1	1	0	0	0	1	4
1980–81	0	0	1	0	1	0	0	0	2
1981–82	0	0	0	3	0	0	0	0	3
1982–83	1	0	0	1	2	0	0	0	4
1983–84	1	0	0	1	0	0	0	0	2
1984–85	1	0	1	3	0	0	0	0	5
1985–86	0	0	2	1	0	0	0	1	4
1986–87	0	0	1	1	0	0	0	0	2
1987–88	1	0	1	1	1	0	0	0	4
1988–89	1	0	1	1	0	0	0	2	5
1989–90	5	0	2	0	2	0	0	0	9
1990–91	3	0	1	1	0	0	0	0	5
1991–92	1	0	1	1	0	1	0	0	4
1992–93	2	1	2	0	0	0	0	0	5
1993–94	4	1	3	2	1	0	0	1	12
1994–95	5	0	3	0	3	0	0	1	12
1995–96	4	0	3	2	3	0	0	1	13
1996–97	3	0	4	2	1	0	0	0	10
1997–98	3	0	1	4	1	0	0	2	11
1998–99	4	1	4	0	0	0	0	1	10
1999–2000	7	0	1	6	0	0	0	0	14

Table B5: Indigenous deaths in prison custody by jurisdiction, 1979–80 to 2022–23 (n) (cont.)									
	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Total
2000–01	5	1	1	3	2	0	0	2	14
2001–02	1	0	3	2	0	0	0	0	6
2002–03	2	0	3	5	1	0	0	2	13
2003–04	0	0	5	0	0	0	0	1	6
2004–05	4	0	0	3	0	0	0	1	8
2005–06	0	1	0	1	0	0	0	1	3
2006–07	4	0	1	2	0	0	0	1	8
2007–08	1	0	1	4	0	0	0	0	6
2008–09	1	0	2	3	1	0	0	0	7
2009–10	4	1	4	4	0	0	0	1	14
2010–11	1	1	1	2	1	1	0	5	12
2011–12	1	0	2	2	0	0	0	1	6
2012–13	1	1	2	2	0	1	0	1	8
2013–14	1	0	4	1	0	0	0	4	10
2014–15	5	1	3	1	1	0	1	3	15
2015–16	2	1	3	6	3	0	1	3	19
2016–17	1	1	4	5	1	0	0	3	15
2017–18	5	3	3	3	0	0	0	2	16
2018–19	4	2	2	5	0	0	0	3	16
2019–20	4	1	2	3	1	0	0	1	12
2020–21	5	1	1	5	0	0	0	0	12
2021–22	5	1	4	3	2	0	0	1	16
2022–23	6	3	6	5	0	0	0	1	21
<b>Total</b>	<b>110</b>	<b>22</b>	<b>90</b>	<b>101</b>	<b>28</b>	<b>3</b>	<b>2</b>	<b>47</b>	<b>403</b>

Note: Excludes 8 deaths that occurred in youth justice

Source: AIC NDICP 1979–2023 [computer file]

Table B6: Non-Indigenous deaths in prison custody by jurisdiction, 1979–80 to 2022–23 (n)									
	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Total
1979–80	2	2	2	0	5	0	0	0	11
1980–81	8	6	7	3	2	0	0	0	26
1981–82	7	7	8	2	1	1	0	0	26
1982–83	4	4	5	4	4	0	0	0	21
1983–84	11	14	4	1	0	0	0	0	30
1984–85	9	5	4	2	2	0	0	0	22
1985–86	6	2	5	0	0	0	0	1	14
1986–87	17	7	6	2	2	0	0	1	35
1987–88	12	18	5	2	1	2	1	0	41
1988–89	6	11	4	5	1	4	0	0	31
1989–90	23	4	10	3	3	1	0	0	44
1990–91	15	2	3	5	3	1	0	1	30
1991–92	5	3	10	3	5	2	0	0	28
1992–93	18	5	4	6	4	0	0	1	38
1993–94	25	4	8	0	5	3	0	0	45
1994–95	17	7	9	6	4	0	0	0	43
1995–96	14	5	7	4	3	2	1	0	36
1996–97	27	5	9	7	6	1	0	0	55
1997–98	26	13	10	12	3	1	1	1	67
1998–99	23	8	15	6	1	1	0	0	54
1999–2000	16	3	13	9	4	5	0	0	50
2000–01	13	10	10	6	5	0	0	0	44
2001–02	17	6	11	8	2	1	0	1	46
2002–03	14	5	4	3	4	1	0	0	31
2003–04	13	4	8	4	2	0	0	0	31
2004–05	11	4	4	4	6	2	0	0	31
2005–06	10	4	2	5	3	1	0	0	25
2006–07	18	3	5	1	4	2	0	0	33
2007–08	10	13	7	4	4	1	0	0	39
2008–09	14	8	7	1	4	1	1	0	36
2009–10	17	7	6	4	5	3	1	1	44
2010–11	19	9	10	3	3	1	0	1	46
2011–12	17	4	4	5	4	1	0	1	36
2012–13	17	12	7	8	0	0	0	0	44
2013–14	12	11	7	6	4	1	2	1	44

Table B6: Non-Indigenous deaths in prison custody by jurisdiction, 1979–80 to 2022–23 (n) (cont.)									
	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Total
2014–15	16	14	4	3	6	3	0	0	46
2015–16	21	18	7	5	10	2	0	1	64
2016–17	20	19	8	9	1	1	1	0	59
2017–18	22	14	8	8	2	1	0	1	56
2018–19	29	17	9	10	6	2	0	0	73
2019–20	37	12	9	9	6	0	0	3	76
2020–21	24	9	8	8	4	0	0	1	54
2021–22	29	17	5	10	4	2	1	0	68
2022–23	11	9	11	6	10	1	1	0	49
<b>Total</b>	<b>702</b>	<b>364</b>	<b>309</b>	<b>212</b>	<b>158</b>	<b>51</b>	<b>10</b>	<b>16</b>	<b>1,822</b>

Note: Excludes 10 deaths that occurred in youth justice

Source: AIC NDICP 1979–2023 [computer file]

Table B7: Deaths in police custody and custody-related operations by jurisdiction, 1989–90 to 2022–23 (n)									
	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Total <sup>a</sup>
1989–90	5	7	7	5	2	1	1	1	29
1990–91	3	9	6	4	2	0	0	2	26
1991–92	5	9	5	1	2	3	1	1	27
1992–93	15	14	3	0	4	0	0	0	36
1993–94	8	10	7	0	1	2	1	2	31
1994–95	14	5	4	3	1	1	0	1	30
1995–96	9	7	5	4	1	3	1	1	31
1996–97	16	2	2	6	2	1	0	5	34
1997–98	14	8	1	3	0	0	0	2	28
1998–99	6	4	6	3	1	0	0	2	22
1999–2000	11	4	4	5	6	0	0	4	35
2000–01	17	4	3	4	5	0	0	1	34
2001–02	13	12	3	5	1	0	0	5	39
2002–03	14	6	7	6	3	1	0	3	40
2003–04	14	6	9	6	2	0	1	3	41
2004–05	10	7	10	7	2	0	0	0	37
2005–06	7	2	4	6	4	0	1	1	25
2006–07	11	6	4	4	4	0	1	1	31
2007–08	6	8	5	4	4	1	0	5	33
2008–09	6	3	8	8	6	0	1	5	37
2009–10	5	6	6	3	1	1	1	4	27

**Table B7: Deaths in police custody and custody-related operations by jurisdiction, 1989–90 to 2022–23 (n) (cont.)**

	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Total <sup>a</sup>
2010–11	6	1	7	6	2	2	1	0	25
2011–12	11	3	7	5	3	0	0	2	31
2012–13	6	2	2	6	1	0	0	0	17
2013–14	1	5	3	1	2	0	0	1	13
2014–15	7	2	5	3	1	0	0	2	20
2015–16	5	1	3	2	3	1	0	1	16
2016–17	6	1	2	2	5	0	0	2	18
2017–18	7	5	5	3	2	0	1	0	23
2018–19	5	6	7	6	2	1	0	0	27
2019–20	7	6	7	2	0	2	0	2	26
2020–21	7	4	5	0	1	1	0	0	18
2021–22	9	5	6	1	1	0	0	0	22
2022–23	16	3	15	2	2	2	0	0	40
<b>Total</b>	<b>302</b>	<b>183</b>	<b>183</b>	<b>126</b>	<b>79</b>	<b>23</b>	<b>11</b>	<b>59</b>	<b>969</b>

a: Includes 3 deaths categorised as 'Other Commonwealth'

Note: Includes 199 Indigenous deaths in police custody, 766 non-Indigenous deaths in police custody and 4 deaths where Indigenous status was not stated or unknown

Source: AIC NDICP 1989–2023 [computer file]

**Table B8: Indigenous deaths in police custody and custody-related operations by jurisdiction, 1989–90 to 2022–23 (n)**

	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Total
1989–90	0	1	2	4	1	0	0	1	9
1990–91	0	0	2	1	0	0	0	0	3
1991–92	1	2	2	1	1	0	0	0	7
1992–93	2	0	1	0	0	0	0	0	3
1993–94	0	0	1	0	0	1	0	1	3
1994–95	0	1	0	1	1	0	0	0	3
1995–96	2	0	1	2	0	0	0	1	6
1996–97	2	0	0	3	0	1	0	2	8
1997–98	2	0	0	2	0	0	0	1	5
1998–99	2	0	2	1	0	0	0	2	7
1999–2000	0	0	1	2	1	0	0	0	4
2000–01	2	0	0	2	2	0	0	1	7
2001–02	1	0	0	1	0	0	0	5	7
2002–03	3	0	1	4	1	0	0	3	12
2003–04	3	1	1	3	0	0	0	3	11



**Table B8: Indigenous deaths in police custody and custody-related operations by jurisdiction, 1989–90 to 2022–23 (n) (cont.)**

	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Total
2004–05	1	1	2	6	1	0	0	0	11
2005–06	1	1	1	3	1	0	0	1	8
2006–07	0	1	1	0	0	0	0	1	3
2007–08	0	0	1	0	2	0	0	2	5
2008–09	0	0	1	1	2	0	0	4	8
2009–10	2	0	0	2	0	0	0	2	6
2010–11	1	0	1	5	0	0	0	0	7
2011–12	0	0	0	0	0	0	0	2	2
2012–13	0	0	0	3	1	0	0	0	4
2013–14	0	0	0	0	0	0	0	1	1
2014–15	0	0	0	1	0	0	0	2	3
2015–16	0	0	0	1	1	0	0	1	3
2016–17	3	1	0	1	2	0	0	1	8
2017–18	1	1	1	0	1	0	0	0	4
2018–19	1	0	2	3	0	0	0	0	6
2019–20	0	0	0	1	0	0	0	2	3
2020–21	2	0	2	0	0	0	0	0	4
2021–22	5	0	3	0	0	0	0	0	8
2022–23	4	0	5	0	1	0	0	0	10
<b>Total</b>	<b>41</b>	<b>10</b>	<b>34</b>	<b>54</b>	<b>19</b>	<b>2</b>	<b>0</b>	<b>39</b>	<b>199</b>

Source: AIC NDICP 1989–2023 [computer file]

**Table B9: Non-Indigenous deaths in police custody and custody-related operations by jurisdiction, 1989–90 to 2022–23 (n)**

	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Total
1989–90	5	6	5	1	1	1	1	0	20
1990–91	3	9	4	3	2	0	0	2	23
1991–92	4	7	3	0	1	3	1	1	20
1992–93	13	14	2	0	4	0	0	0	33
1993–94	8	10	6	0	1	1	1	1	28
1994–95	14	4	4	2	0	1	0	1	26
1995–96	7	7	4	2	1	3	1	0	25
1996–97	14	2	2	3	2	0	0	3	26
1997–98	12	8	1	1	0	0	0	1	23
1998–99	4	4	4	2	1	0	0	0	15
1999–2000	11	4	3	3	5	0	0	4	30

Table B9: Non-Indigenous deaths in police custody and custody-related operations by jurisdiction, 1989–90 to 2022–23 (n) (cont.)									
	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Total
2000–01	15	4	3	2	3	0	0	0	27
2001–02	12	12	3	4	1	0	0	0	32
2002–03	11	6	6	2	2	1	0	0	28
2003–04	11	5	8	3	2	0	1	0	30
2004–05	9	6	8	1	1	0	0	0	25
2005–06	6	1	3	3	3	0	1	0	17
2006–07	11	5	3	4	4	0	1	0	28
2007–08	6	8	4	4	2	1	0	3	28
2008–09	6	3	7	7	4	0	1	1	29
2009–10	3	6	6	1	1	1	1	2	21
2010–11	5	1	6	1	2	2	1	0	18
2011–12	11	3	7	5	3	0	0	0	29
2012–13	6	2	2	3	0	0	0	0	13
2013–14	1	5	3	1	2	0	0	0	12
2014–15	7	2	5	2	1	0	0	0	17
2015–16	5	1	3	1	2	1	0	0	13
2016–17	3	0	2	1	3	0	0	1	10
2017–18	5	4	4	3	1	0	1	0	18
2018–19	4	6	5	3	2	1	0	0	21
2019–20	7	6	6	1	0	1	0	0	21
2020–21	5	4	3	0	1	1	0	0	14
2021–22	3	5	3	1	1	0	0	0	13
2022–23	12	3	10	2	1	2	0	0	30
<b>Total</b>	<b>259</b>	<b>173</b>	<b>148</b>	<b>72</b>	<b>60</b>	<b>20</b>	<b>11</b>	<b>20</b>	<b>763</b>

Note: Excludes 3 cases categorised as 'Other Commonwealth'

Source: AIC NDICP 1989–2023 [computer file]

AIC reports

# Statistical Report

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