

ESTIMATES COMMITTEE

Question Taken on Notice

Question Number: 5.7

Output Number: Opening Statement

Date: 16/06/2025

From: Mr Chansey Paech

To: Hon Marie-Clare Boothby

Portfolio: Attorney-General

Agency: Attorney-General's Department

Subject: Prison time served versus time served on remand

QUESTION:

Can the Attorney-General provide information or data in relation to time served versus the amount of time people have been on remand? Is the data telling you how long and whether or not their time on remand is accounting for time served?

ANSWER:

Time served is not a specific sentence, but a circumstance in which an individual receives a custodial sentence with no further time left to serve, as the portion to serve has already been spent on remand. If the person is in custody on the date of sentencing, they are released.

The data needed to identify individuals released on time served comes from both Courts and Corrections, and because it is not recorded specifically for this purpose, the records are not always consistent. Assessment of multiple data sources indicates that between 1 July 2024 and 31 March 2025, there were 1495 occasions on which individuals who had spent time on remand received a custodial order with no further time to serve in custody (unless the order is later breached). This does not include fully suspended sentences without time on remand counted towards the sentence.

In these circumstances, the time served is the time spent on remand. The time served may include a single period of remand or multiple periods of remand. The time served may be the complete sentence, or it may be the required custodial period of a partially suspended sentence, or a period of custody associated with an intensive community custody order.

Comparable information for the previous period:

1 July 2023 – 31 March 2024: there were 976 occasions on which individuals who had spent time on remand received a custodial order with no further time to serve in custody.