



No. 103

Prison Homicide in Australia: 1980 to 1998

Vicki Dalton

This paper documents 56 homicides that have occurred in Australian prisons since 1980. The Deaths in Custody program at the Australian Institute of Criminology monitors all prison deaths, and while these 56 homicides comprise only 7 per cent of all prison inmate deaths, the area is worthy of study. It confirms the violent nature of prisons in that the homicide rate per 1000 prisoners is up to 7 times higher than the homicide rate in the comparable non-prison community.

This Trends and Issues paper contains preliminary analysis of ongoing work in the area of prison homicides, and further detailed analysis and research will tease out some of these findings, specifically addressing issues of apparent motives leading to prison homicide such as victim impulsiveness, gang issues and responses by authorities.

Adam Graycar
Director

While the issue of deaths in custody has been the subject of considerable research, little specific analysis has focused on prison homicide. Prisoners are at much greater risk of being a victim of homicide than are members of the general population. This paper presents an analysis of the characteristics of homicide victims within Australia's correctional facilities. The analysis is based on 19 years' data from the AIC's National Deaths in Custody Monitoring and Research Program database spanning the period 1 January 1980 to 31 December 1998.

During this period 62 inmates died as a result of homicide; 56 inflicted by other inmate(s), and 6 by prison or police officers during escape attempts. The 56 inmate-to-inmate homicides varied from 0 to 8 in any one year. The number and rate of these deaths varied between Australia's eight States and Territories, with all of the deaths occurring in 5 of the 8 jurisdictions. There has been an increase in both the number and rate of prison homicides over the last 19 years. Over the same period the national average daily prison population has increased by 76 per cent while the national average rate of imprisonment has increased by 85 per cent.

Definition of inmate homicide

The definition of an inmate homicide used by the AIC is: "the intentional, accidental or justifiable killing of an inmate detained in prison custody within the prison environment". This will include:

- (i) Homicide—unlawful (murder or manslaughter), 56 cases;
- (ii) Homicide—justifiable (in circumstances authorised by law, for example, killing by officers or in self-defence), 6 cases.

This report will be limited to the 56 unlawful inmate-to-inmate homicides occurring between 1980 and 1998. Despite allegations over the years, at no time during the period covered by this report has any correctional officer been found guilty of the unlawful homicide of an inmate.

The 56 homicide deaths of prison inmates may be an understatement of the real number. Under-reporting is possible for a number of reasons. First, it is assumed that this possibility was much more likely during the pre-1990 period, given that any deaths that have occurred since have been the subject of significant scrutiny and investigation following the findings and

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Australian Institute
of Criminology
GPO Box 2944
Canberra ACT 2601

Tel: 02 6260 9200

Fax: 02 6260 9201

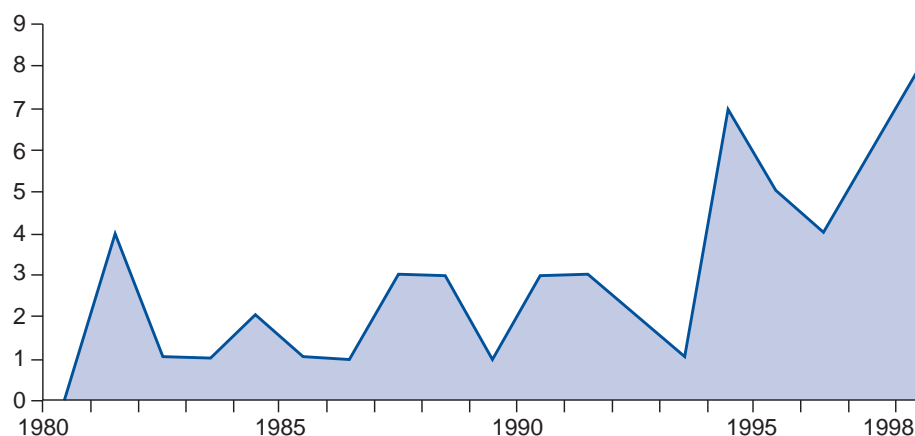
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FIGURE 1

Australian Prison Homicides 1 January 1980 to 31 December 1998 (n=56)*



* excludes 6 deaths where inmates died from gunshot wounds during escape attempts

recommendations emanating from the Royal Commission into Aboriginal Deaths in Custody in the late 1980s. Secondly, there would be a tendency to err on the side of caution when the details of a death may be fuzzy and may result in a Coronial finding of suicide, accident or otherwise unknown cause of death resulting from some form of misadventure.

The other category of prison homicide—homicide of correctional officers has been excluded from this report due to the extremely small numbers (2) involved.

Causes of death in prison

Table 1 displays the causes of all deaths for those who died in prison custody during the period under review. It can be seen that death resulting from inmate-inmate violence represents approximately 7.25 per cent of all prison deaths.

Table 1: Australian Deaths in Prison Custody, 1980–98, Cause of Death

Cause	Total	%
Self-inflicted	364	47.15
Natural	254	32.90
Accident (e.g. drugs)	86	11.14
Inmate-inmate homicide	56	7.25
Inmate shootings	6	0.78
Other	6	0.78
Not known	10	
Total	782	100.0

The incidence and trends in prison homicide

Figure 1 shows prison homicide remained fairly stable between 1980 and 1993. However there has been a noticeable increase in the number of prison homicides since 1994. In 1998 there were 8 homicides, a greater number than in any other 12-month period since reporting commenced.

Table 2 shows that over the 19-year period three-quarters of the homicides have taken place in NSW and Queensland.

The 30 prison homicides in New South Wales represent more than half (53.6 per cent) of all Australia's 56 prison homicides during the period, followed by Queensland with 19.6 per cent of the total. (In NSW, there were 7 homicides in 1998, the highest one-year figure for any jurisdiction.) The proportion of homicides occurring in most jurisdictions is consistent with what would be expected given each jurisdiction's proportion of total prison deaths, though NSW had an "over-representation" and WA an "under-representation" of homicides when compared with all prison deaths.

Table 3 lists all correctional facilities where homicides have occurred.

While the annual average number of prison homicides over the 19-year period was 2.95, Figure 1 shows that there were 8 homicide deaths in 1998. The 7 deaths in 1998 in NSW prisons is significantly above that jurisdiction's average of 1.58 homicide deaths per year.

The greatest number of homicides to occur in New South Wales have occurred at the Goulburn Correctional Centre (n=7) and all deaths have occurred since 1995. Focusing on this post-1995 period, Lithgow Correctional Centre has had 3 homicides, followed by the Metropolitan Remand and Reception Prison with 2 homicides since its opening in 1997, and there has been one homicide each at Bathurst, Grafton, Junee (privately-managed), Long Bay and Silverwater.

Queensland recorded the second largest number of prison homicides in recent years (both overall as well as since 1995). Victoria has had one

TABLE 2: Australian Prison Deaths and Prison Homicides by Jurisdiction 1 January 1980 to 31 December 1998

Jurisdiction	Prison Deaths				Prison Homicides			
	No.	% of all national prison deaths	Annual average	Rate per 100,000	No.	% of all prison homicides	Annual average	Rate per 100,000
NSW	296	37.9	15.56	319.51	30	53.6	1.58	32.44
Vic.	130	16.6	6.84	316.09	8	14.3	0.42	19.41
Qld	157	20.1	8.26	343.35	11	19.6	0.58	24.11
WA	93	11.9	4.90	276.12	2	3.6	0.11	6.20
SA	69	8.8	3.63	357.91	5	8.9	0.26	25.64
Tas.	20	2.6	1.05	411.40	0	0	0	0
NT	14	1.8	0.74	183.30	0	0	0	0
ACT	3	0.4	0.16	291.72	0	0	0	0
Aust.	782	100.0	41.16	317.75	56	100.0	2.95	22.77

TABLE 3: *Australian Deaths in Custody 1 January 1980 to 31 December 1998 Prison Homicides by Jurisdiction and Correctional Centre*

<i>Jurisdiction and Correctional Centre</i>	<i>Total</i>	<i>Dates</i>
New South Wales		
Hospital ex unknown facility	1	8/1/87
Bathurst	1	4/2/95
Cessnock	1	1/5/94
Goulburn	7	23/9/95, 23/11/95, 13/2/96, 29/10/97, 20/12/97, 1/8/98, 24/8/98
Grafton	1	10/9/96
Junee (private prison)	2	10/5/94, 17/9/98
Long Bay	5	27/11/83, 15/11/85, 17/8/86, 21/3/94, 5/7/98
Lithgow	3	12/6/96, 29/7/96, 23/8/97
Maitland	1	2/6/87
MRRC	2	21/2/98, 28/4/98
Parramatta	4	18/9/81, 14/3/81, 18/5/81, 4/1/82
Silverwater	2	27/8/84, 1/7/98
Total	30	
Victoria		
Barwon	1	2/3/98
Bendigo	1	9/3/92
Geelong	1	7/7/87
Pentridge	5	30/4/81, 5/7/84, 1/8/88, 6/5/90, 15/5/91
Total	8	
Queensland		
Brisbane Women's	1	8/1/90
Lotus Glen	1	12/9/94
Rockhampton	1	3/12/88
Sir David Longlands	5	26/1/90, 24/3/93, 28/9/94, 30/6/95, 2/2/97
Townsville	1	28/10/91
Woodford	2	12/9/97, 24/10/97
Total	11	
Western Australia		
Canningvale	1	22/1/94
Casuarina	1	21/7/94
Total	2	
South Australia		
Cadell Training Centre	2	29/12/91, 1/12/92
James Nash House	1	13/7/88
Yatala Labour Prison	2	12/10/89, 16/1/95
Total	5	

prison homicide in recent years—at Barwon in 1998. The most recent prison homicide to take place in South Australia occurred in January 1995, and in Western Australia in July 1994.

Demographics

Table 4 displays the characteristics for those people who died in prison custody during the period under review.

- 55 of the 56 prison homicides were of males. Only one female has been murdered in prison in the last 19 years and this death occurred at the Brisbane Women's Correctional Centre on 8 January 1990. The 30-year-old died as a result of a massive internal haemorrhage from stab wounds to the chest and neck. She was being held on remand for the alleged offence of trafficking in drugs. On

30 July 1990 a female inmate was convicted in the Supreme Court, Brisbane, of the murder.

- Those inmates who were killed in prison were relatively young. They ranged in age from 19 to 57 years, with a mean age of 33 years and a median age of 31 years.
- The proportion of prison homicides involving Indigenous victims (7.1 per cent) is less than the proportion of the total prison population who are Indigenous (approximately 15 per cent). Four prison homicides were of Indigenous people. Three of these deaths occurred in New South Wales and one in Western Australia. All were aged between 20 and 35 years.

When do people die?

The distribution of homicides reveals little variation in relation to what month or season such incidents are likely to occur, with slightly more deaths taking place in winter. This is consistent with the overall pattern when all deaths in prison custody are considered. On the other hand, considerable differences were noted in relation to the day of the week, a significantly greater number of homicides occurred on a Monday. This pattern is noticeably different from that observed when all prison deaths are considered which revealed relatively little difference in day of week. One could speculate that reasons for such incidents occurring on a Monday are in many cases related to the fact that prisoners receive greater numbers of visitors over the weekend, therefore increasing opportunities for the transfer of weapons (or materials for their construction), the passing of drugs, or passing information on particular individuals' movements, or their reasons for being in prison (for example, sex offender).

The most likely time of a homicide incident is between midday and 6.00 pm when interpersonal contact is greater, with nearly two-thirds of homicides occurring during these hours. As would be expected, this pattern was significantly different to the general pattern of all prison deaths.

The 56 prison homicides

Bearing in mind that death resulting from inmate violence involves a unique set of variables, Table 5

TABLE 4: *Australian Deaths in Custody 1 January 1980 to 31 December 1998*
All Prison Deaths and Prison Homicides by Gender, Age, Aboriginality
Time, Day, Month and Season

<i>Gender</i>	<i>Total Prison Deaths</i>		<i>Prison Homicides</i>	
	<i>No.</i>	<i>% of total deaths</i>	<i>No.</i>	<i>% of total homicides</i>
Male	751	96.0	55	98.2
Female	31	4.0	1	1.8
Total	782	100.0	56	100.0
<i>Aboriginality</i>	<i>No. % of total deaths</i>		<i>No. % of total homicides</i>	
	<i>No.</i>	<i>% of total deaths</i>	<i>No.</i>	<i>% of total homicides</i>
Aboriginal & TSI	119	15.2	4	7.1
Non-Aboriginal	663	84.8	52	92.9
Total	782	100.0	56	100.0
<i>Age</i>	<i>No. % of total deaths</i>		<i>No. % of total homicides</i>	
	<i>No.</i>	<i>% of total deaths</i>	<i>No.</i>	<i>% of total homicides</i>
Mean age	35		33	
15-19	58	7.7	1	1.8
20-24	145	19.1	10	17.9
25-29	141	18.6	11	19.6
30-34	110	14.5	11	19.6
35-39	66	8.7	11	19.6
40-44	53	7.0	3	5.4
45-49	51	6.7	7	12.5
50-54	44	5.8		
55-59	32	4.2	2	3.6
60-64	18	2.4		
65+	40	5.3		
Not known	24			
Total	782	100.0	56	100.0
<i>Time of day</i>	<i>No. % of total deaths</i>		<i>No. % of total homicides</i>	
	<i>No.</i>	<i>% of total deaths</i>	<i>No.</i>	<i>% of total homicides</i>
Midnight to 6.00 a.m.	118	19.1	Nil	Nil
6.00 a.m. to midday	190	30.8	12	23.5
Midday to 6.00 p.m.	158	25.6	32	62.7
6.00 p.m. to midnight	151	24.4	7	13.7
Not known	165		5	
Total	782	100.0	56	100.0
<i>Weekday</i>	<i>No. % of total deaths</i>		<i>No. % of total homicides</i>	
	<i>No.</i>	<i>% of total deaths</i>	<i>No.</i>	<i>% of total homicides</i>
Monday	116	15.3	13	23.2
Tuesday	98	12.9	7	12.5
Wednesday	104	13.7	7	12.5
Thursday	107	14.1	7	12.5
Friday	106	14.0	6	10.7
Saturday	109	14.4	9	16.1
Sunday	119	15.7	7	12.5
Not known	23			
Total	782	100.0	56	100.0
<i>Season</i>	<i>No. % of total deaths</i>		<i>No. % of total homicides</i>	
	<i>No.</i>	<i>% of total deaths</i>	<i>No.</i>	<i>% of total homicides</i>
Summer	189	24.9	14	25.0
Autumn	184	24.2	12	21.4
Winter	200	26.3	16	28.6
Spring	186	24.5	14	25.0
Not known	23			
Total	782	100.0	56	100.0

concentrates on the demographics of the prison homicides themselves without providing comparisons with the overall patterns for all prison deaths.

Where do prison homicides occur?

Almost half (46.9 per cent) of prison homicide victims die in their cells (before medical intervention arrives). Slightly more than one-quarter of the inmates died in hospital following transfer from the correctional facility. The remainder of deaths took place in another custodial environment (such as the exercise yard, gymnasium, or kitchen).

Legal status and offence leading to prison homicide victims' imprisonment

Forty-nine (or 87.5 per cent) of prison homicide victims were sentenced prisoners. The remaining 7 victims were remand prisoners. Table 5 provides information on the most serious offence relating to the final period of custody of the deceased. The inmate who dies a violent death at the hands of another is significantly more likely to be serving a sentence for a violent crime himself. 68 per cent of all homicide victims were incarcerated for either homicide, assault, a sex offence or armed robbery. Sex offenders comprised 25 per cent of all victims, as did armed robbers. Another 12.5 per cent of victims were themselves homicide perpetrators. The other high ranking group of homicide victims were those serving sentences for drug offences (14.3 per cent).

Length of victims' sentences, time spent in prison before homicide, and time remaining to be served

Since 1990 data has been collected on the total length of sentence being served by the deceased. In 28 of the 39 deaths since 1990, victims committed serious, violent crimes, and were serving lengthy periods of imprisonment. In fact, more than three-quarters (78.6 per cent) had received sentences in excess of 3 years. Of these, 6 were sentenced to more than 10 years or life imprisonment. (In the remaining 11 cases since 1990 information was either missing or not applicable because the prisoner was on remand at the time of death.)

TABLE 5: Australian Deaths in Custody 1 January 1980 to 31 December 1998
Prison Homicides by Location, Legal Status, Time Spent in Prison prior to Murder and Offence Leading to Imprisonment

Location of death	Prison Homicides No.	%
Public hospital	14	28.6
Prison hospital/clinic	2	4.1
Cell - single or shared	23	46.9
Other custodial setting, i.e. yard, gym	8	16.3
Other	2	4.1
Not known	7	
Total	56	100.0
Offence leading to imprisonment	No.	%
Homicide	7	12.5
Assault	3	5.4
Sex offences	14	25.0
Robbery	14	25.0
Break & Enter	4	7.1
Fraud	1	1.8
B&E, F&T, not elsewhere classified	1	1.8
Justice procedures	1	1.8
Other good order	1	1.8
Drug offences	8	14.3
Drink driving/other traffic	2	3.6
Total.	56	100.0
Legal Status	No.	%
Remand	7	12.5
Sentenced	49	87.5
Total	56	100.0
Time spent in custody prior to murder	No.	%
Mean time spent in custody	2.77 years	
Median time spent in custody	20 months	
<24 hours	1	1.9
1 week & < 1 month	4	7.5
1 month & < 6 months	9	17.0
6 months & 12 months	9	17.0
1 years & < 3 years	13	24.5
3 years & < 5 years	7	13.2
> 5 years	10	18.9
Not known/not applicable	3	
Total	56	100.0
Time remaining to be served till release	No.	%
Mean time till release	3.4 years	
Median time till release	2.5 years	
< 1 week	1	2.2
1 week & < 1 month	4	8.9
1 month & < 6 months	8	17.8
6 months & < 12 months	1	2.2
1 year & < 3 years	13	28.9
3 years & < 5 years	4	8.9
5 years & < 10 years	11	24.4
> 10 years	2	4.4
Life/other indeterminate sentence	1	2.2
Not known/not applicable	11	
Total	56	100.0
Total sentence length	No.	%
<3 months	1	3.6
3 & < 12 months	3	10.7
1 year & < 3 years	2	7.1
3 years & < 10 years	16	57.1
> 10 years	5	17.9
Life/other indeterminate sentence	1	3.6
Not known/not applicable before 1990	17	
Not known/not applicable after 1990	11	
Total	56	100.0

The length of time prison homicide victims had spent in prison before death ranged from less than one day to a maximum period of 4453 days (12.19 years). On average, inmates had served 1010 days (2.77 years) before death. The median period served was 607 days (1.67 years).

A large variation was observed in relation to the amount of time inmate homicide victims had remaining to serve until their earliest estimated date of release. Times remaining ranged from 7 days to 4654 days (12.74 years). The mean length of time remaining to be served was calculated to be 1259 days (3.4 years) and the median was 895 days (2.45 years).

A number of homicide victims were killed just prior to, or nearing, release. In one case the homicide victim had only 7 days remaining to be served before release; another 4 inmates died with less than one month of their sentences remaining to be completed. The inmate who died seven days before release had served in excess of 12 years and the other four inmates had served periods ranging between 44 days and 4.46 years before death occurred.

Means of deaths

Table 6 provides information on how inmates died during the course of violent assaults. Analysis in Tables 6 and 7 is based only on the 39 deaths that have taken place since 1990 as much detail on earlier homicide deaths was incomplete. Stabbing is the most frequently used method leading to death of inmates, with most victims assaulted with prison-constructed weapons; others have been attacked with kitchen knives, scissors or screwdrivers. Many of the victims died from repeated vicious penetrations to numerous parts of the body including the brain, heart, lungs, kidneys, or genitals.

Other common methods of assault include physical bashings/assaults with fists or a weapon such as a bar-bell or other gymnasium equipment; strangulation with fists or cord/rope, or in one case, being injected with heroin.

One sentenced child sex offender who was stabbed repeatedly to the neck and throat with a prison-made cutlery knife. Reports reveal that the deceased's head had almost been severed in the attack. The victim has been sentenced to almost 10 years' imprisonment for numerous sex offences, including indecent assault on a child—his assailant's son. His

TABLE 6: Australian Deaths in Custody 1 January 1990 to 31 December 1998
Prison Homicides by Method/Weapon

Method/Weapon	No.	%
Stabbing	23	59.0
Bashing	10	25.6
Strangulation	5	12.8
Drugs	1	2.6
Total	39	100.0

TABLE 7: Australian Deaths in Custody 1 January 1990 to 31 December 1998
Prison Homicides by Motive

Motive	No.	%
Revenge	2	9.5
Informant	1	4.8
Drugs	7	33.3
Altercation	2	9.5
Sex offender	4	19.0
Homosexual affair	1	4.8
Debts	1	4.8
Other	3	14.3
Unknown	18	
Total	39	100.0

assailant was nearing the end of a 12-year sentence for armed robbery.

At the Coronial Inquest it was noted that restrictions on identifying child sex victims allowed the father to be placed in the same prison as the man who had raped his son. The assailant had been transferred to the same prison only 3 days earlier. The Coroner found that the courts and police should have been required to provide information to the Justice Ministry on the offender's victim which would then have prevented the two males being placed at the same prison. "Protocols should be established between the police service and the Ministry of Justice so the section would have information of relatively high quality relating to potential conflict between prisoners, particularly resulting from sexual offences committed against family members."

Apparent motives leading to prison homicide

What motivates inmates to assault other inmates? In many cases this is an easy question to answer but, in some cases, there is no way of knowing given the substantial difficulty in reconstructing not only the incident itself, but any escalation, over time, of events that may have led to the incident. Given that many of the

assailants go unidentified it is often impossible to determine the motive. In some cases there may be no motive. It is possible, given the types of individuals in prisons, that an unpredictable situation could be triggered by something perhaps as simple as a wrong look or terse word. Inmates are reluctant to provide information on such incidents, fearing the consequences.

Prison overcrowding is cited as one of the main contributors to the high and increasing level of prison violence. Other explanations include: the changing composition of the prison population; larger numbers of violent offenders, including a greater number of people entering the system with drug habits; increasing numbers of persons with mental illness; the escalating problem of inter-racial conflicts; and conflict relating to gangs.

In cases where a motive was established, at least one-third (and possibly more) were drug-related homicides, followed by punishment directed towards sex offenders. Drug-motivated homicides ranged from those that were revenge-driven (for example, the assailant getting revenge because the deceased had provided drugs to a relative who had died) to those that were gang-driven (in one case the deceased was a suspect in the murders of NSW MP John Newman and street gang leader Tri Min Tran). This raises the question of the level of security and supervision required for some inmates. Similarly, child sex offenders require a high level of protection.

Common victim characteristics

At least 29 of the 39 victims had extensive criminal records and had served previous periods of incarceration. Seven of the remaining 10 victims had no known previous criminal history. In the other 3 cases this information was unavailable.

Offender characteristics

In 13 of the 39 homicides since 1990, the prison assailant or assailants were unable to be identified at the time of the incidents. Just under half (12) of the remaining 26 inmates who died were the victim of a single assailant. The other 14 inmates died at the hands of multiple assailants—in some cases more than 3 other assailants.

Conclusion

Prison violence—and the possibility of such violence resulting in death—is a significant concern for prison administrators. Correctional officers and other professional staff working in prisons are faced with such incidents on a daily basis. Individual violent assaults are commonplace, directed either at staff, or other inmates. Large-scale riots can also occur.

Improved technological and architectural advancements have had a positive effect on the security and management of prisons. The availability of education, training, work and behavioural programs (for example, anti-violence programs) are contributing towards the rehabilitation of many inmates. On the other hand, Australia's prisons are faced with a massive overcrowding problem, and an increase in the number of more dangerous, disturbed and drug-affected inmates.

Prison administrations and managers face many challenges in addressing the increasing level of violence in our prisons, not the least of which will be ensuring that they have the right staff with the appropriate training and commitment to address the challenge.

More detailed analysis of prison homicides will be presented in a forthcoming Trends and Issues which will include a case-by-case study of the prison homicides analysed in this report, outlining both victim and offender details on criminal history, offence details, sentence information, weapon, motive, and case description.

Vicki Dalton is a Research Analyst with the Australian Institute of Criminology



General Editor, Trends and Issues in Crime and Criminal Justice series:
Dr Adam Graycar, Director
Australian Institute of Criminology
GPO Box 2944
Canberra ACT 2601 Australia

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