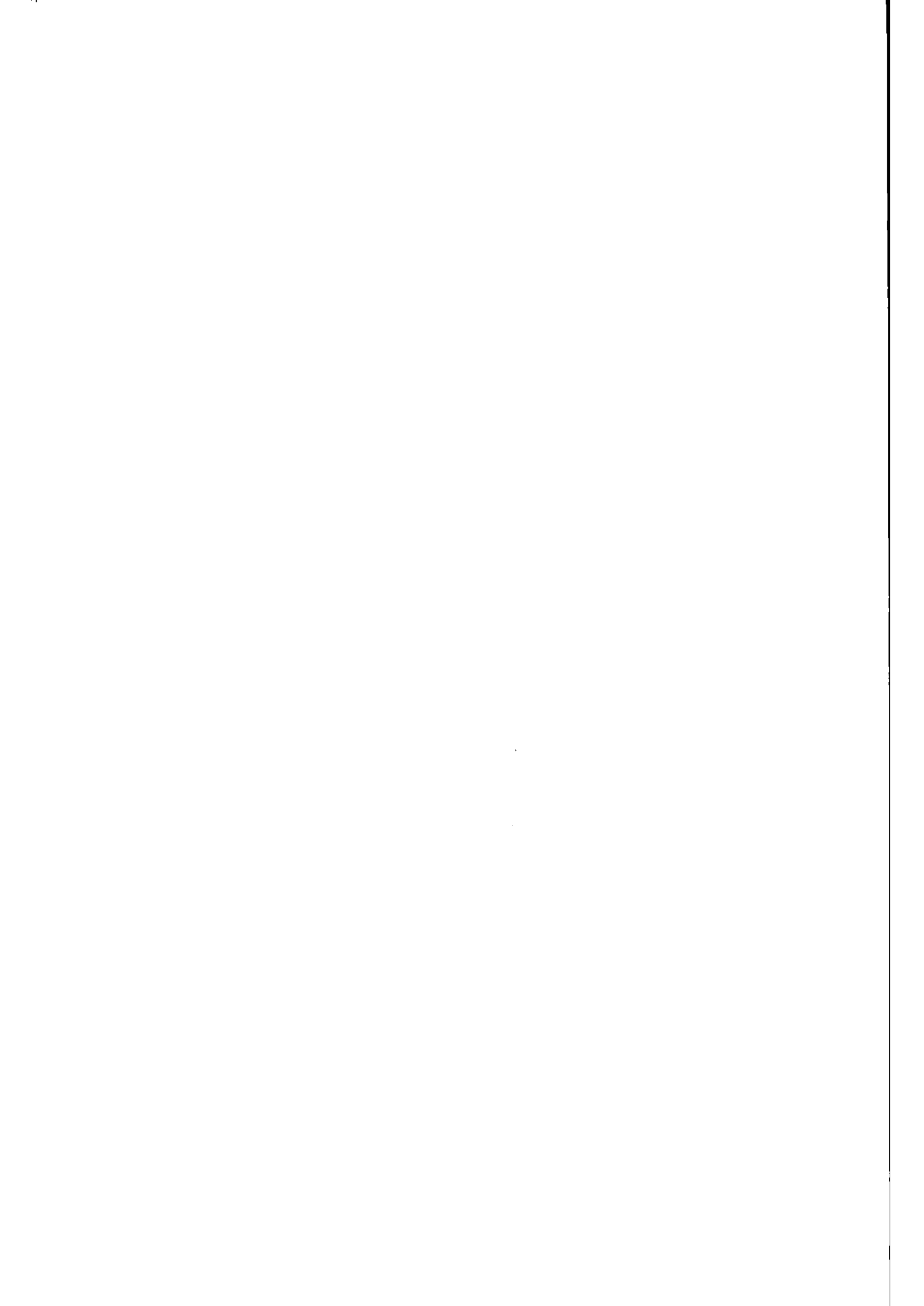


REPORT ON TRAINING PROJECT No. 2/2

ALTERNATIVES TO IMPRISONMENT

M.A. KINGSHOTT

AUSTRALIAN INSTITUTE OF CRIMINOLOGY



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Appendix (p.1-22):- Australian prison populations 1945 to 1976; a draft answer to a parliamentary question, by David Biles and Marjorie Johnson. Canberra, 1977. [Tables].

1. Sentences (Criminal procedure) - Australia.
2. Imprisonment - Australia.
3. Community-based corrections - Victoria.
4. Community-based corrections - Western Australia.
5. Prisoners - Australia - Statistics. I. Kingshott, Maureen A. II. Seminar on Alternatives to Imprisonment, Australian Institute of Criminology 1978. III. Biles, David, Australian prison populations 1945 to 1976. IV. Johnson, Marjorie, jt. author. Australian prison populations 1945 to 1976. V. Title. VI. Title: Australian prison populations 1945 to 1976. (Series)

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## INTRODUCTION

Involvement in discussions and study of viable alternatives to imprisonment began, for the Training Division of the Australian Institute of Criminology, with a seminar in February 1974 concerning 'Modern Developments in Sentencing', which was attended by 32 participants - Supreme Court Judges, District Court Judges and magistrates from Australian States and Territories, New Zealand and Papua New Guinea. The alternative sentences examined included community work orders in Tasmania, weekend detention in New South Wales, suspended sentences in South Australia, as well as fines, restitution and reparation. The seminar advocated an investigation of the utility of as many non-custodial methods as possible.

In addition to that sentencing seminar, the Research Division of the Australian Institute of Criminology is conducting a major long term study of the Principles of Sentencing, involving a detailed analysis of the reasons for sentences as enunciated by Australian Appeal Courts.

As an extension of these projects and in keeping with both the Australian Institute of Criminology's continuing interest in the subject of sentencing, and the general international trend towards deinstitutionalizing corrective services, a further seminar concerning 'Alternatives to Imprisonment' was held in March, 1978. This seminar - attended by Supreme Court Judges, District Court Judges and magistrates (including a magistrate from Papua New Guinea) from all Australian States and Territories indicated the concern felt by participants that alternatives to imprisonment be available on as broad a basis as possible in every Australian jurisdiction, and that organisations such as the Australian Institute of Criminology should involve themselves in educating the general public and the media as to the availability or lack of such alternatives, and the rationale for their use as alternatives to imprisoning offenders.

Participants were especially concerned at the effects of sensationalised press reports of sentences imposed - seemingly too lenient or harsh as the case may be - in individually reported cases, and expressed the opinion that such biased reporting could adversely affect the general public's support for and confidence in judicial decision making, and its tolerance of alternatives to prison sentences generally. It was apparent that the sentencers have become aware of a hardening attitude on the part of the public in most jurisdictions towards imprisonment of offenders, and are concerned that more balanced reporting of court decisions could restore a more harmonious relationship between the courts and the community. Another matter in which participants expressed considerable anxiety was the apparent breakdown of parole and probation services in the more populous States and the general lack of follow-up information available to sentencers once their task of imposing a sentence for an offence has been completed.

OPENING ADDRESS  
*Mr W. Clifford*

In his opening address, Mr Clifford anticipated many of the areas that received much of the participants' attention in later sessions of the seminar. He questioned the respective roles of legislators, judges, corrective services administrators, psychologists, and the public in the context of the sentencing and treatment of offenders and drew attention to the vacuum that now exists in many minds concerning the aims and philosophies of sentencing practice since the virtual collapse of the medical model of sentencing for treatment or rehabilitation of the offender. He pointed out that although modern attitudes have focused on the penalty being made to fit the offender - on the assumption that this would benefit him/her as well as society - results of recent studies comparing the different sentences and correctional regimes operating in the U.S.A. and the U.K. have indicated that regardless of the kind of prison and the attitudes of correctional administrators, recidivist rates remain unchanged, thus adding weight to proposals for a return to retributive sentencing and abandonment of 'rehabilitation' as an aim of sentencing.

Subsequent discussion during the seminar confirmed Mr Clifford's point that sentencers are in the position of having to balance the needs of society and the interests of the individual against what appears to be just and equitable in the circumstances of the case, and that in order to carry out this role effectively, there is an urgent need to record sentences systematically and make them known to others in the criminal justice system; to record the reasons for sentences given, for the guidance of the offender and other sentencers; to become more aware of the conscious and unconscious processes involved in choosing a sentence from the range of alternatives available; and to educate the public and consider the effects of the media - with a view to fostering a better understanding of the appropriateness or otherwise of sentences imposed, and engendering a more receptive atmosphere for keeping as many offenders out of prison as possible.

SETTING THE SCENE  
*Mr C.R. Bevan*

The latter theme of Mr Clifford's address was taken up by Mr Bevan in his explanation of the seminar programme and its aims.

He pointed out that the devising of viable alternatives to imprisonment of offenders has been prompted as much, or more, by economic considerations as by sociological or humanitarian thinking, and that the impetus for the search for alternatives is the economic need to reduce the prison population. In this context, the philosophies of some countries that have used imprisonment considerably less than others without experiencing higher than usual crime rates could well be investigated.

In the light of such thinking, Mr Bevan suggested that it is not surprising that people who are concerned with the containment of crime are turning their minds to measures which satisfy some of the punitive feelings of the community, and simultaneously are seen as punitive and retributive by offenders themselves. Alternatives to imprisonment such as attendance centres, community service orders and work release schemes impose restraint upon the liberty of the offender and cause him/her to make some reparation to the community for the offence, without the expense and possible harmful effects of incarceration.

He also made the point that as the drastic measure of imprisonment reaches so few of the real perpetrators of crime in our society, and can hardly be viewed as a means of reforming the offenders who are in fact detained, more organised and acceptable methods of making reparation to individual victims as well as assuaging the community's feelings of outrage, require urgent attention.

He cited an analysis of detention populations in the U.K. by a former probation officer, Geoffrey Wicks, showing that the prison population could be cut by 50% if offenders were reclassified into 4 groups, and suggested that Australian prison populations could certainly merit similar analyses. Wicks' four categories are:-

1. People who should not be in prison at all, consisting of -
  - (a) remand prisoners who are eventually found not guilty, or who receive a non-custodial sentence;
  - (b) lightly convicted juveniles in Borstal and detention centres;
  - (c) migrant civil prisoners; and
  - (d) juveniles remaining unsentenced in prison remand centres.
2. Those posing a relatively minor risk to the community, mainly -
  - (a) the group serving 18 months or less;
  - (b) lightly convicted young adult prisoners in Borstals, detention centres and other young offenders institutions; and
  - (c) maintenance defaulters.

Wicks has shown how the reduction in this group could be effected by increasing remissions and the development of alternatives.

3. Those posing some risk to society, namely, prisoners serving sentences of 18 months to four years, with possibly large sections of the detention centre and Borstal populations.

A reduction could here be effected by an increase in parole and remissions, shorter sentences and some alternatives to imprisonment.

4. Persons who pose a definite risk to society.

Wicks contends that even with this group there would seem to be scope for a reduction in the size of the population by shorter sentences and by the extension of parole.

In drawing the attention of participants to such matters Mr Bevan explained that the main aim of conducting the seminar was to provide opportunities for sentencers to learn from the people involved in the practical administration of the newer alternatives how the schemes are operating, and what happens to individuals sentenced to those alternatives.

#### THE CONCERN FOR ALTERNATIVES

*The Honourable Mr Justice Forster*

Mr Justice Forster began this introductory paper by expressing the view that regardless of which philosophical basis one used for sentencing - retribution, punishment, deterrence or most likely a combination of these concepts - bearing in mind the welfare of the offender's family and the expense to the State of his/her imprisonment - an increase in the availability of alternatives to imprisonment should increase the chance of a sentencer making the right decision in individual cases. The major alternative to imprisonment for offenders in the Northern Territory - apart from fines or bonds - is the recent provision for imposing a prison sentence combined with an order for immediate release upon entering into a bond - breach of which brings the offender back to court to be ordered to serve the whole or a part of the sentence originally imposed. The judge intimated that the availability of alternatives such as weekend detention, community service orders, etc. would be welcomed by the judiciary in the Territory.

As crimes and individual offenders vary infinitely, he suggested that a variety of sentencing options is highly desirable - and that so far from occasional breakdowns indicating that alternative schemes are failing, it is most likely that if systems are to be used to the full, occasional failures are inevitable.



In this context the judge introduced his concept of 'limit sentencing' - that is, that alternatives to imprisonment should be used to, or close to, their fullest possible extent to increase the possibility of sentencing being successful.

The availability of a more flexible range of sentencing options in the Northern Territory could also assist in overcoming problems posed by Aboriginal offenders - some of who seek imprisonment as a symbol of manhood and a 'badge of majority'. Mr Justice Forster suggested that consultation with Aboriginal groups and tribal elders in the different communities and localities could result in the formulation of alternative punishments which could carry with them a degree of shame and humiliation, and no aspect at all of success or achievement.

The discussion following Mr Justice Forster's address highlighted once again the problem of community education - engendering acceptance of alternatives to imprisonment especially where, in the case of tribal punishments, the white community may consider them barbarous and more severe than any punishment already available. One participant posed the question of determining who a 'tribal Aborigine' is, and once defined or determined, whether to allow such a person a choice of sentences available to whites as well as 'tribal Aborigines'.

#### AUSTRALIAN PRISON TRENDS IN THE USE OF IMPRISONMENT

*Mr D. Biles*

The paper presented by Mr Biles involved a detailed analysis of national statistics concerning prison populations covering the thirty year period 1945 to 1976 and has been included as an Appendix to this report.

In analysing the figures presented, Mr Biles emphasised the fact that there appears to be no correlation between the incidence of crime and the rate of imprisonment, thus it is impossible to show that where there is a higher rate of incarceration, there is a lower rate of crime, and vice versa.

The following possible explanations for differences in the proportions of offenders imprisoned in one State or Territory compared with others were discussed:-

1. The higher ratios of prisoners per head of population in Queensland, Northern Territory and Western Australia is influenced by the numbers of Aboriginal offenders who are imprisoned in these jurisdictions.

2. The average length of sentences to imprisonment varies from one jurisdiction to another - for example South Australian and Victorian courts award shorter sentences than New South Wales courts.
3. Where a State has more psychiatric hospital accommodation available, it seems that fewer people are sentenced to imprisonment.
4. Where alternatives to imprisonment exist - for example efficient probation and parole services, community service orders, etc. fewer offenders are sentenced to imprisonment.
5. Community and judicial attitudes towards the deterrent effect of imprisonment may differ from one jurisdiction to another, thus affecting judicial attitudes towards sentencing.
6. Police effectiveness and/or enthusiasm in bringing offenders to trial could differ from one jurisdiction to another.

The comment was also made that although imprisonment rates are decreasing, alternative sentences such as community work orders affect only offenders who would otherwise have been sentenced to serve a short term of imprisonment, and it seems that courts are tending to award more lengthy sentences. These long term prisoners do not seem to be provided for in the current alternative schemes available. The consensus of the seminar participants was that most courts in Australian jurisdictions appear to be moving towards an era of greater severity as regards the length of sentences imposed, and that juries seem to be convicting more frequently.

One interesting hypothesis for the higher imprisonment figures in Western Australia and Queensland, as compared with other jurisdictions, was that justices of the peace in provincial areas of these States cannot order probation, thus making a fine the only alternative to a prison sentence - so that if the offender defaults in payment of the fine, he/she is imprisoned.

Mr Biles indicated to the seminar group that a study has begun to investigate these and similar speculations about the reasons for differences in Australian prison populations.

## ATTENDANCE CENTRES AND VICTORIAN ALTERNATIVES

*Mr D. Room*

Mr Room was directly involved in establishing Victorian Attendance Centres - the first formal alternative scheme to imprisonment presented for the attention of the seminar group. The first two Centres (one in Melbourne and one at Geelong) were opened in June 1976, and since then Mr Room has maintained close interest in their continuing operation and in the expansion of the scheme to other Melbourne suburbs.

The following summary may not do justice to his detailed, comprehensive description of the operation of Attendance Centres. However, it will establish the context of the ensuing seminar discussion of the scheme.

- The rationale for establishing Attendance Centres in Victoria was to provide courts with a sentencing alternative for offenders who would otherwise have been sentenced to periods of imprisonment between one and twelve months. Attendance Centres form a community-based correctional programme designed to bridge the gap between non-custodial forms of treatment and imprisonment.
- The legislation provides for a maximum attendance of 18 hours per week, involving the offender in counselling sessions on two evenings, as well as in one full day's work for individuals and charitable organisations within the community.
- The scheme incorporates most of the prevailing correctional philosophies, that is punishment, treatment, atonement, social growth, reparation and restitution. It makes sense economically, is a means of retribution and enables an offender to make a useful contribution to society. The element of punishment in the scheme consists of the loss of leisure time, and is therefore not necessarily related to the nature of the work undertaken by attendees.
- Local advisory panels of key personnel and citizens from relevant disciplines provide assistance needed to operate the Centres.
- Centres occupy rented buildings in buffer zones between residential and industrial areas which are easily accessible to public transport facilities, and are divided into three sections : offices, discussion areas, and workshops.

- Offenders may be committed to Attendance Centres in either of two ways:-
  - (a) directly by a sentence of any Magistrate's, County or Supreme Court in Victoria.
  - (b) While serving a term of imprisonment, by a transfer approved by the Minister for Social Welfare under a permit of the Director-General of Social Welfare from prison to an Attendance Centre to serve the unexpired portion of his/her sentence. Prisoners may apply to their prison governors for such a transfer.

Failure to comply with an Attendance Centre order could result in an attendee being required to serve the unexpired portion of his Attendance Centre sentence, in addition to a further penalty of 12 months or less, in either a prison or at an Attendance Centre.

- The relevant legislation stipulates that the offender should consent to being sentenced to an Attendance Centre; that the term of the sentence should be between one and 12 months; that the court should be satisfied that an offender is 'a fit and proper person to undergo attendance at an Attendance Centre'; and that appropriate facilities are reasonably available (Attendance Centres are limited to a maximum number of 40 attendees at any time at present).
- Attendance Centres are seen to provide the following social and economic advantages:
  - (a) an offender remains a member of the community, maintaining himself/herself and family while serving a sentence at the Centre, and consequently does not create a direct charge on public funds.
  - (b) A sentence to an Attendance Centre indicates the court's concern that an offender overcome the problems which may have caused the offence by self help - with the assistance of social welfare counsellors at the Centre - and its concern that reparation be made by the offender to the community by undertaking charitable service projects.
  - (c) The offender suffers little disruption to any educational or vocational training in which he/she is involved, and is not exposed to negative effects of a custodial sentence.

- Practical details of the way in which Attendance Centres function are as follows:-

- (a) *Staff*: Four full-time members - a superintendent, a welfare officer, a programme supervisor and a receptionist/typist. Four part-time work supervisors, who are responsible for the supervision of Saturday projects.
- (b) Practical operation of the Centres:
- (i) Client interview: each attendee undergoes an intensive initial interview to assess his/her history of education, employment, residence, contacts with the criminal justice system and also his/her problems, social, educational and vocational attitudes, needs and concerns.
- (ii) Formal agreement: from this initial analysis an individualised treatment plan is formulated and the attendee signs a written contract which outlines the minimum conditions he/she is required to fulfill in order to remain in the programme. This plan sets out both long and short term goals for the attendee. Specific needs and problems of the attendee are emphasised - e.g. obtaining food, shelter, clothing, counselling, training in financial management, drug/alcohol treatment, etc.
- (iii) Attendance pattern: attendance on two evenings per week for individual and/or group counselling, preparation for Saturday work, or other individual projects outlined in the attendee's treatment plan; involvement for a full day each Saturday without payment in a work project within the district - usually under the supervision of a local community service organisation. Such work may not involve the replacement of any other person who would usually be engaged in that employment 'for hire or reward'.
- (iv) Financial costs: comparative costs per offender per week were given as \$200 for maintaining a prisoner in a Victorian prison; \$70 for supervision of an attendee at an Attendance Centre; \$25 for supervision of a probationer by a probation officer. (Mr Room made the suggestion that Attendance Centre costs per attendee could be lowered if the maximum number of attendees allowed at any time were raised beyond 40).

- (v) Typical Attendees: most offenders are admitted to Attendance Centres directly by way of court sentences - in the majority of cases for motor traffic offences. Many drug users are also encountered.
- (vi) Liaison with courts: Attendance Centre staff are available at the Centres during normal office hours, and are usually available to visit courts and submit selection reports if a magistrate or judge requests them. There is an open invitation to all sentencers to visit the Centres and request progress information concerning attendees.
- (vii) Problems concerned with the general operation of the scheme: two major problems have arisen since the Attendance Centres began operating -
- (1) the scheme requires a large population in order to keep the Centres working to capacity, and as many attendees have been convicted of motor traffic offences, an efficient system of public transport is necessary. The programme thus cannot be readily converted to service the needs of rural communities.
  - (2) Full use of Attendance Centres is dependent on the awareness of local sentencers of their existence - if a Magistrate moves to another district, Attendance Centre orders seem to stop until the Centre Supervisor has time to meet the new Magistrate to explain the advantages of the scheme.
- (viii) Reactions to the scheme: Initial local reaction was poor or indifferent, but recent public comments have been favourable, and more encouragingly, police officers, who have always strongly supported it, have cooperated with local advisory panels, and on occasions have suggested to offenders that they apply for an Attendance Centre order.

- (ix) Suggestions for improvements: considerable discussion has taken place recently to determine a more effective utilisation of Attendance Centre premises. Suggestions include use of buildings as:
- (a) an after-care centre for ex-attendees and ex-prisoners;
  - (b) a rehabilitation centre for physically and socially handicapped members of the general community;
  - (c) a volunteer coordination centre and learning exchange;
  - (d) an aid centre for unemployed individuals;
  - (e) an office for the local Citizens' Advice Bureau.

The discussion following Mr Room's paper emphasised one problem that came to be seen by participants as fundamental to the entire debate concerning alternatives to imprisonment - should attendance centre orders in Victoria (and community service/work orders in Western Australia and Tasmania) only be possible after a sentencer has determined that imprisonment is appropriate for a particular offender? The majority of participants agreed that if sufficient guidelines could be set down, a court should be allowed the widest flexibility and discretion in sentencing from the whole range of alternatives available to it. Thus Attendance Centre orders should simply be added to the list of sentences or orders that can be made when a person is convicted of a crime, and should not be regarded as strict alternatives to sentences of imprisonment (as current legislation provides). Guidelines similar to those recommended by the Law Reform Commission of Canada were considered useful for this purpose, viz -

'Imprisonment is an exceptional sanction which should be used only:

- (a) to protect society by separating offenders who are a serious threat to the lives and personal security of members of the community, or
- (b) to denounce behaviour that society considers to be highly reprehensible and which constitutes a serious violation of basic values, or
- (c) to coerce offenders who wilfully refuse to submit to other sanctions'. (Dispositions and Sentences in the Criminal Process, Law Reform Commission of Canada, 1976, p.26).

One related area of major concern to seminar participants was the effect of an attendee's failure to comply with the court's order, which could result in the attendee being required to serve the unexpired portion of his Attendance Centre sentence in addition to a further penalty of a maximum of 12 months to be served in a prison or at an Attendance Centre. Thus, if the original sentence was ordered for a minor offence, breach of the order could lead to punishment by a lengthier sentence than that available for the original offence. Mr Room admitted that Victorian courts have recognised this problem, but that no solution has yet been evolved. It was suggested that such a situation can only arise if an Attendance Centre order is considered as a strict alternative to a prison sentence, rather than merely as one sentencing option available to a court from a wide range of such options. Similarly a sentencer's problem in ordering a specific number of hours of attendance to equate with a corresponding term of imprisonment only arises when one measure is considered to be strictly alternative to the other.

The problem of overcentralisation which Mr Room considered in his paper was discussed from two viewpoints - the under-utilisation of the actual facilities available at Attendance Centres, and the more disturbing point that the availability of the scheme is restricted to offenders who live nearby. This could lead to a real and justified grievance on the part of an offender who is sent to gaol because of the geographical accident of where he lives - that is, too far from an Attendance Centre. The social injustice of this situation was considered most disturbing, and discussion focussed on the extent to which the aims of the scheme could be achieved independently of a centre established in a particular building or a particular locality. It seemed to participants that the initial evaluation, and the counselling and supervision of attendees could be effected, for example, in the offices of welfare and probation officers; work projects and programmes for the constructive use of leisure time etc. could be successfully effected by using local recreational and educational facilities and on-site supervisors.

Other points discussed included -

- : the desirability or otherwise of the need for an offender's consent to serving an attendance centre or community service/work order.
- : whether the community would see any element of punishment in the community service orders - and whether the work project devised for each offender could utilise the individual's skills while making 'the punishment fit the crime'.
- : possible problems within some States regarding trade unions and the type of work projects that could be made available to offenders. It was reported that Victoria, Western Australia and Tasmania have been able to secure the cooperation of local trade unions in setting up their community service schemes.



: the possibility of devising a scheme that would incorporate the Tasmanian scheme's ease of decentralisation and the Victorian scheme's emphasis on counselling as well as community service.

ALTERNATIVES TO IMPRISONMENT: SOME NEW DIMENSIONS  
IN WESTERN AUSTRALIA  
Mr P.G. Eichfuss

This paper outlined the introduction and operation of Community Service Orders in Western Australia during 1977. In contrast to the Victorian scheme, the aim was to provide the courts with a viable, *but not necessarily exclusive*, alternative sentence to imprisonment in selected cases. It was considered desirable that probation counselling and supervision should be combined with community service orders in order to surmount difficulties experienced by volunteer supervisors being forced into a casework situation - as had been found in similar schemes overseas.

In Western Australia, community service orders are considered appropriate in the following situations (among others):-

- (1) where family considerations, the offender's youth or pattern of offending etc. render such an order more appropriate than the alternative of a short term of imprisonment;
- (2) where a short non-parole period (6 months or less) is being contemplated;
- (3) where a probation order has been breached - a community service order is considered more demanding than probation but less stringent than imprisonment;
- (4) where a community service order may conceivably break the pattern and effects of institutionalisation in cases of younger offenders;
- (5) where a mandatory penalty for second and subsequent road traffic offences stipulates imprisonment for between three months and two years.

The scheme operates so that a court may make a community service order of between 40 and 240 hours for any offence punishable by imprisonment, where the offender is at least 17 years of age. The number of hours awarded must usually be completed within a period of 12 months, and the offender is in effect sentenced to the concept of a stipulated number of hours rather than any particular community service project.

The enabling legislation specifies the necessity for an offender's consent to a sentence of community service, as well as the court's consideration of a pre-sentence report from a probation officer concerning the suitability of such an order being made - in terms of the offender's personal suitability and the availability of relevant work for him/her to perform. In practice, the necessity for a pre-sentence report (with all its attendant delays) places the selection of 'suitable' offenders within the ambit of the probation officer concerned, while still leaving the court with discretion to decide which sentencing option will be exercised.

In the event of a breach of the order, a fine may be imposed (maximum \$200) without prejudicing the continuation of the order, or, if the offender consents, the community service order may be increased to an aggregate not exceeding 240 hours, or the court may deal with the offender as if he/she had just been convicted of the offence. One weak point in the scheme's operation is the legislation's omission of any guidance as to the effect on a community service order of a subsequent conviction for an offence committed during the course of that order.

#### Practical Operation of Community Service Orders:

(a) In general: Because of the scope and diversity of the scheme, and the geographical vastness of Western Australia, provision was made for area supervisors to liaise with volunteer supervisors, handle emergencies, keep a general surveillance on projects within their areas, and report to the Community Service Order Co-ordinator. As the success or failure of a placement can depend on the calibre and interest of a volunteer who supervises the offender's tasks, guidelines outlining duties and obligations involved in the scheme have been issued to all supervisors and offenders, and supervisors report regularly on the offender's performance and the number of hours worked.

At the completion of the hours ordered, or if a breakdown occurs, the volunteer supervisor, the community service order co-ordinator (or his/her representative), and the offender (if available) discuss the conduct of the community service placement and the extent of its mutual worth. A termination report is then made available to the sentencing authority.

In the year ending March 1st, 1978, 102 community service orders had been made involving 93 males and nine females. The majority of cases concerned offences against property, for which Mr Eichfuss speculated that imprisonment would most likely have followed conviction, had the alternative of community service orders not been available. To date, 20 of these orders have been completed, with the remainder still being served (the average order is 114 hours), and the general impression gained by probation and parole officers is that the judiciary have welcomed the scheme enthusiastically.

Major group projects have been avoided, because of experience elsewhere that suggests that shorter term projects which involve personal contact between offender, supervisor and/or recipient result in greater achievement. The aim is to try to match the offender's skills with the service he/she performs, and on a number of occasions offenders have remained at a project after completion of the hours ordered.

(b) In Aboriginal cases: Mr Eichfuss cited two instances of successful completion of community service orders by Aboriginal offenders in the Murchison District, and suggested that consideration be given to utilizing tribal advisory bodies and tribal elders to work out and supervise appropriate forms of community service to enhance the welfare of tribal communities and maintain the dignity of an Aboriginal offender. He also mentioned the scheme to train more Aboriginal Honorary Probation and Parole officers, following the apparent success of a pilot project whereby 12 Aborigines were trained in 1975 and subsequently appointed to the service throughout the State.

Mr Eichfuss emphasised the deliberately flexible nature of the Western Australian scheme, and during the discussion session following the presentation of his paper, he suggested that community service orders may provide a more appropriate form of sentence than imprisonment, even for a persistent offender. Similarly, although there appears to be a breakdown rate of approximately 10 per cent of offenders so sentenced, he suggested that this may be a function of those involved in administering the scheme (sentencers, probation officers etc.) being prepared to take greater risks, rather than an indication of inherent failures or weaknesses within the scheme itself.

The related point was also made that comparison of reconviction rates following different types of sentences is virtually impossible because the different forms of sentence are presumably awarded to different kinds of offenders. It was noted that although a British Home Office Report (1) found no evidence of any reduction in reconviction rates of community service order offenders, a Tasmanian study (2) completed in 1975 showed that short term prisoners were reconvicted more often than offenders who had been awarded community work orders.

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(1) British Home Office : Research Study No.39 'Community Service Assessed' March 1977.

(2) Mackay, J.G. and Rook, M.K. 'An Evaluative Survey of Tasmania's Work Order Scheme,' 1975.

Seminar participants expressed some concern that the criteria for a sentencer awarding community service orders in Western Australia appear somewhat vague, and additionally, that where an offence is one involving Commonwealth legislation, technically a community service order is precluded because no provision for this form of sentence has been included in federal legislation to date.

Some participants also felt that the maximum number of hours available for such a sentence (i.e. 240 hours) was insufficient, and that an extension of this upper limit may result in sentencers being more willing to use a community service order rather than a term of imprisonment. In this context, it was noted that the Supreme Court of Tasmania has determined that the maximum number of 25 days (cf. 240 hours in the Western Australian Scheme) may be awarded for each separate offence, hence if an offender is convicted of more than one offence he/she may be sentenced to the maximum number of days for each one - for example three convictions could result in a total sentence of 75 days of community work. Participants, in general, considered the Western Australian scheme preferable to those operating in Victoria and Tasmania because the Western Australian legislation does not stipulate the requirement that a community service order must be a strict alternative to imprisonment - that is, it is merely an alternative sentence available for the court's use as one of the range of options that may be utilised in any case.

ASPECTS OF DIVERSION - Comments on the Avoidance of Imprisonment  
*Dr J.A. Seymour*

Dr Seymour presented participants with a framework within which decisions for sentences could be analysed on a rational basis. To avoid detaining offenders in closed institutions he outlined arguments for removing certain types of offences from the ambit of the criminal law; for imposing shorter terms of imprisonment by means of the sentencer thinking in terms of weeks or months rather than years; and for thinking in positive terms about the objectives of different forms of sentencing options available to a court. The main thrust of his paper was that sentencers should analyse the predominant considerations on which their decisions are based, and then make a *positive* selection of a measure rather than simply imposing a prison term or seeking *any* available alternative to imprisonment. Dr Seymour then proceeded to analyse the major characteristics of differing forms of non-custodial penalties - for example,

- (a) those measures which emphasise *work* as their major focus, such as the Tasmanian community service order scheme and New Zealand's concept of periodic detention;
- (b) those measures which are obviously *punitive* in nature such as the fine;

- (c) those measures which offer *positive assistance* to an offender such as periodic detention in which group therapy is a concomitant - an example of which is the Victorian attendance centre sentence's combination of work and counselling;
- (d) use of the suspended sentence - which expresses society's disapproval but allows the offender another chance;
- (e) probationary supervision within the community - which can be viewed as a form of control, discipline, assistance, guidance and/or support for the offender.

Dr Seymour suggested that although each of these distinct measures can be termed punitive in that they impose restraints, they each allow the offender to continue living in the community at a significantly lower financial burden for the community than incarceration. More important than this, he argued, is the concept that each of these measures should be considered in its own right, with its own specific functions to perform, rather than being fused or confused within a general category of 'alternatives' to imprisonment.

The ensuing discussion involved a consideration of the philosophies inherent in sentencing. Participants debated the opposing views (a) that a sentence of imprisonment should only be awarded for a very good reason and (b) that where the penalty provided by a statute is imprisonment, an offender should be sent to gaol unless there are very good reasons against this. In this context it was suggested that sentencers should determine a sentence within the ambit of the relevant legislative provisions, which will allow sufficient discretion to co-workers in the criminal justice system (for example probation and parole officers) to try to assist the offender by means of specialised programs.

Another point of discussion focussed on the practicality of analysing a sentencer's motives for awarding a particular sentence. Some participants considered it irrelevant that the judge/magistrate/etc. may have deterrence or punishment or rehabilitation uppermost in his/her mind at the time of pronouncing a sentence, when the offender may be oblivious of this motivation, and the general community may be totally unaware of any aspect of the case other than those reported in a sensational manner by the popular press. Other participants considered that rational analysis of each sentence is imperative and that sentencers should give a written explanation for each sentence in order that the judge, the offender and, if relevant, the court of appeal should be left in no doubt of the sentencer's motives in each case. The role of the media in this regard was considered crucial in maintaining community support for judicial independence in awarding any of the variety of sentencing options available. If the press reports only the enormity

of a particular offence and omits to mention mitigating factors which may have strongly influenced the sentence awarded, a 'public outcry' (consisting of one or more letters to the editor) may ensue and thus result in the imposition of a more severe sentencing regime in future cases. It was suggested that a public seminar conducted under the auspices of the Australian Institute of Criminology and involving members of the general community, and of specific sectional interest groups could be held to enable such individuals to outline their attitudes about sentencing. A further suggestion was that the Australian Institute of Criminology should undertake a community education program which could serve to draw public and judicial attitudes concerning sentencing motives closer than they seem to be at present. Such a program could profitably stress the positive aspects of each of the available alternatives to imprisonment along the lines suggested by Dr Seymour.

ALTERNATIVES TO IMPRISONMENT FOR RELATIVELY SERIOUS  
CRIMES : DAY PAROLE AND SPLIT SENTENCES

*Mr F. Rinaldi*

Mr Rinaldi's exposition of the concepts of day parole and split sentencing proceeded on the premise that a sentencer must take into account our current understanding of 'punishment' as the basis for the community's approach to sentencing. This means that where serious crimes are involved, a minimum penalty of less than three years would not be acceptable for crimes in the first order of gravity such as kidnapping, armed robbery, rape, wounding with intent to cause grievous bodily harm, and large-scale importation of hard drugs. Having accepted full-time imprisonment for offenders in that category, Mr Rinaldi went on to suggest that for the 40 per cent of imprisoned offenders who are serving sentences of between six months and three years for crimes in the second order of gravity such as stealing, culpable driving, drug trafficking, non-custodial sentences such as fines, work orders, conditional discharges, etc. would not provide adequate punishment, community protection and general deterrence. Instead, he suggested that for a large majority of such offenders, a controlled system of part-time imprisonment would satisfy all the requirements of punishment, and would at the same time generate community advantages which are missing in total imprisonment - hence the idea of day parole, and split sentences.

(a) Day Parole - is a sentence awarded by a court and is designed to keep relatively serious offenders out of prison and to guide them in respecting society's norms.

It differs from work-release in that the latter is granted by prison authorities to long-term prisoners shortly before they are eligible for parole, in order to effect a less traumatic readmission to ordinary

community life. The advantages of day parole as an alternative to full-time imprisonment are seen to be that -

- (i) the offender retains his ties with the community and continues to support himself and his family;
- (ii) it lacks the stigma of imprisonment;
- (iii) it costs very little (it is self-supporting in some USA States);
- (iv) it is claimed to produce miracles in the reduction of recidivism;
- (v) appropriate legislation enabling day parole and setting up half way hostels for groups of up to twelve offenders for the practical operation of the scheme could be instigated relatively quickly and inexpensively.

(b) Split Sentences - afford a sentencer the option of splitting a long sentence into a term of total imprisonment and a period of 'community adjustment' during which a prisoner can receive moral and material assistance from social workers, parole officers, etc. In this way Mr Rinaldi sees split sentences - in the absence of a system of day parole - as a more responsible method of awarding punishment to serious offenders than through a system of parole boards, simply because this method returns full sentencing powers to trial judges, who in his view are the only persons competent to fix fair punishments. Where split sentences are available in Australia, they appear to be used almost exclusively for third-order criminals, for example where it is not possible to grant a completely suspended sentence. For this reason, Mr Rinaldi felt that a system of day parole for second order criminals would be more acceptable to the general public than split sentencing.

The ensuing discussion session highlighted participants' awareness of the fictional element involved in our criminal justice system where a judge may award a particular sentence - say 15 years imprisonment with a non-parole period of 10 years- and unknown to the public (because it is not reported subsequently unless a breakdown occurs) some other body such as a parole board or the corrective services department allows parole, work release, remissions, etc. so that the offender may only serve eight years or less in a gaol. It was suggested that this constituted both a fraud on the public and an intolerable psychological burden on a prisoner who may have no real idea of the length of time he/she will actually have to serve.

Another point discussed at some length was the different roles played by parole boards - in some jurisdictions boards exist as a mere rubber stamp to allow release of a prisoner as soon as the minimum period has been served, whereas in Queensland, Tasmania and Northern Territory

parole boards consider each case on its merits and parole must be earned, rather than received automatically.

The suggestion was made that the Australian Institute of Criminology should conduct a survey to determine the differences between sentences imposed by courts and the proportion of these sentences that offenders actually serve in prisons, so that the general public can be made aware of the real situation. Following such an educative process, most seminar participants considered that a concept such as day parole would be more acceptable to the general public, as it would be seen to meet an important need - that is in cases where the offence is such that a custodial sentence is deserved, but where the mitigating circumstances are such that the individual offender may be damaged by total imprisonment. It was also suggested that the concept may find more general acceptance if day parole could be related to restitution to victims of crime.

#### CLOSING SESSION

Participants reiterated the concern that had been expressed consistently during the course of the seminar that media reports of sentences awarded in particular cases should be more balanced in order to assist the public to understand the court's reasoning. It was suggested that a seminar providing sentencers and journalists with the opportunity to meet and discuss problems of sensationalised reports, balanced criticism, editorial policies, etc could be beneficial.

Although the seminar group realised that it did not in any way constitute a deliberative body able to pass resolutions or make specific recommendations, participants agreed that any reports issuing as a result of the seminar should express their general concern for -

- (1) the failure on the part of media representatives to give balanced, unsensational reports of court sentences and the reasons underlying them;
- (2) the lack of alternative measures to imprisonment available within the varying Australian jurisdictions;
- (3) the apparent breakdown of most parole and probation services within our national criminal justice system.

#### CONCLUSION

The need for sentencing options other than, or alternative to, imprisonment has been raised and discussed many times before the occurrence of the seminar now being reported. It is hoped that



the enthusiasm generated among participants and the urgency expressed at the seminar did not evaporate with its conclusion. In addition to the suggestions made concerning the Australian Institute of Criminology's role in public education within this sphere, it also seems timely that relevant State authorities provide liaison between their own criminal justice departments and media representatives, as well as studying as a matter of high priority the feasibility of legislating to provide as many additional sentencing alternatives as appear relevant within their State or Territory.

## LIST OF PARTICIPANTS

|   |  |
|---|--|
| Mr J. B. Anton, SM                          | Court House<br>Midland, Western Australia                              |
| The Honourable<br>Mr Justice R.A. Blackburn | Chief Judge<br>Supreme Court<br>Australian Capital Territory           |
| Mr C.R.Briese, SM                           | Central Court of Petty Sessions<br>Sydney, New South Wales             |
| The Honourable<br>Mr Justice J.D.Dunn       | Supreme Court of<br>Queensland   |
| Mr P.G. Eichfuss                            | Supervisor<br>Probation and Parole Service<br>Perth, Western Australia |
| The Honourable<br>Mr Justice W.E.S.Forster  | Chief Judge<br>Supreme Court of Northern<br>Territory                  |
| The Honourable<br>Mr Justice G.S.M. Green   | Chief Justice of Tasmania  |
| Mr F. Iramu                                 | Senior Magistrate<br>Lae, Papua New Guinea                             |
| The Honourable<br>Mr Justice K.J.Jenkinson  | Supreme Court of Victoria  |
| Mr C.F. Kilduff, CM                         | Court of Petty Sessions<br>Australian Capital Territory                |
| The Honourable<br>Mr Justice L.J.King       | Supreme Court<br>Adelaide, South Australia                             |
| The Honourable<br>Mr Justice J.A.Lee        | Supreme Court<br>Sydney, New South Wales                               |

|   |  |
|---|--|
| His Honour<br>Judge A.K. McCracken          | District Court<br>Brisbane, Queensland   |
| Mr J. G. Mackay                             | Principal Probation and Parole<br>Officer, Hobart, Tasmania  |
| Mr V.C. Matison, CM                         | Adelaide, South Australia  |
| Mr J.P. Morris, SM                          | Attorney-General's Department<br>Magisterial Branch, Hobart  |
| Mr T.I. Pauling, SM                         | Magistrate's Court<br>Darwin, Northern Territory   |
| His Honour<br>Judge W.P. Pidgeon            | Chairman of Judges, Judges'<br>Chambers, District Court of<br>Western Australia  |
| Mr F. Rinaldi                               | Senior Lecturer<br>Faculty of Law<br>Australian National University<br>Canberra  |
| Mr D. Room                                  | Supervisor<br>Classification and Treatment,<br>Division of Correctional Services,<br>Social Welfare Department, Victoria |
| Mr J. Rutherford, SM                        | Southport Magistrates' Court<br>Southport, Queensland  |
| Mr D.B. Scully, SM                          | Melbourne Magistrates' Court<br>Victoria   |
| His Honour Judge G.H. Spence                | County Court, Melbourne, Victoria  |
| Her Honour Judge I.E.<br>Stevens            | Judges' Chambers<br>Local and District Criminal Court<br>Adelaide, South Australia                                       |
| His Honour Judge<br>W.D.T. Ward             | District Court<br>Sydney, New South Wales  |
| The Honourable<br>Mr Justice J.L.C. Wickham | Supreme Court<br>Perth, Western Australia  |

## INSTITUTE STAFF

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| Mr C.R. Bevan     | Assistant Director<br>(Training)   |
| Mr D. Biles       | Assistant Director<br>(Research)   |
| Mr W. Clifford    | Director                           |
| Mr M.C. Filan     | Senior Training Officer            |
| Ms M.A. Kingshott | Senior Training Officer            |
| Mr I. Potas       | Senior Research Officer<br>(Legal) |
| Dr J. Seymour     | Senior Criminologist<br>(Legal)    |

APPENDIX

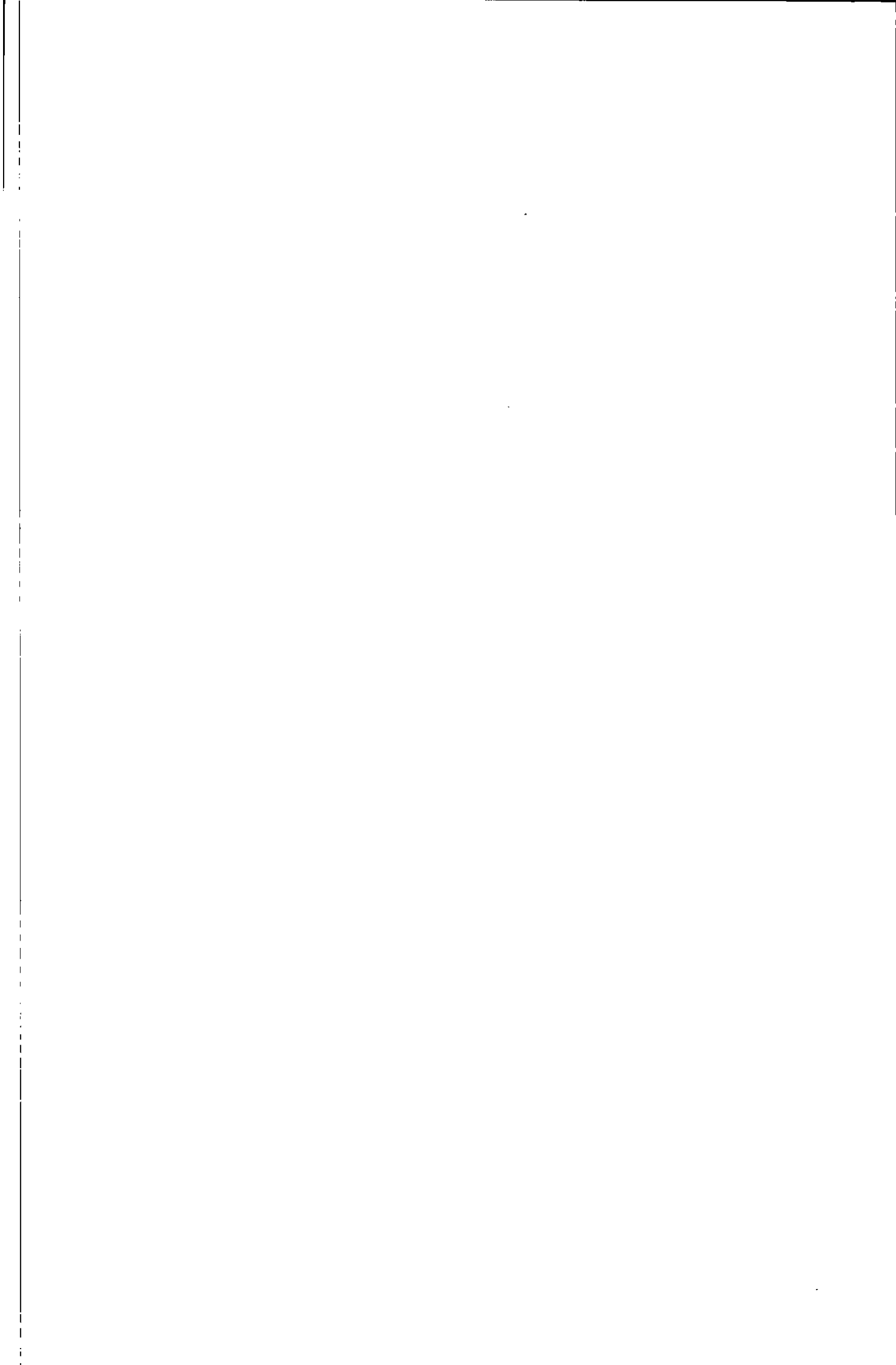
AUSTRALIAN PRISON POPULATIONS 1945 to 1976

A Draft Answer to a Parliamentary

Question

Prepared by - David Biles and  
Marjorie Johnson

Australian Institute of Criminology  
November 1977



AUSTRALIAN PRISON POPULATIONS 1945 TO 1976

The House of Representatives Notice Paper No. 42 of 21 September 1977 included the following Question :

\*1532: To ask the Minister representing the Attorney-General-

- (1) Is the Attorney-General able to say how many (a) male and (b) female prisoners were confined to penal institutions in (i) each State and Territory and (ii) Australia during each of the years since World War II.
- (2) What percentage of the total population did these figures represent in (a) each State and Territory and (b) Australia during each of the same years.
- (3) What was the percentage increase or decrease of each of these figures over those of the previous year.
- (4) What was the percentage increase in total population in (a) each State and Territory and (b) Australia during each of the same years.

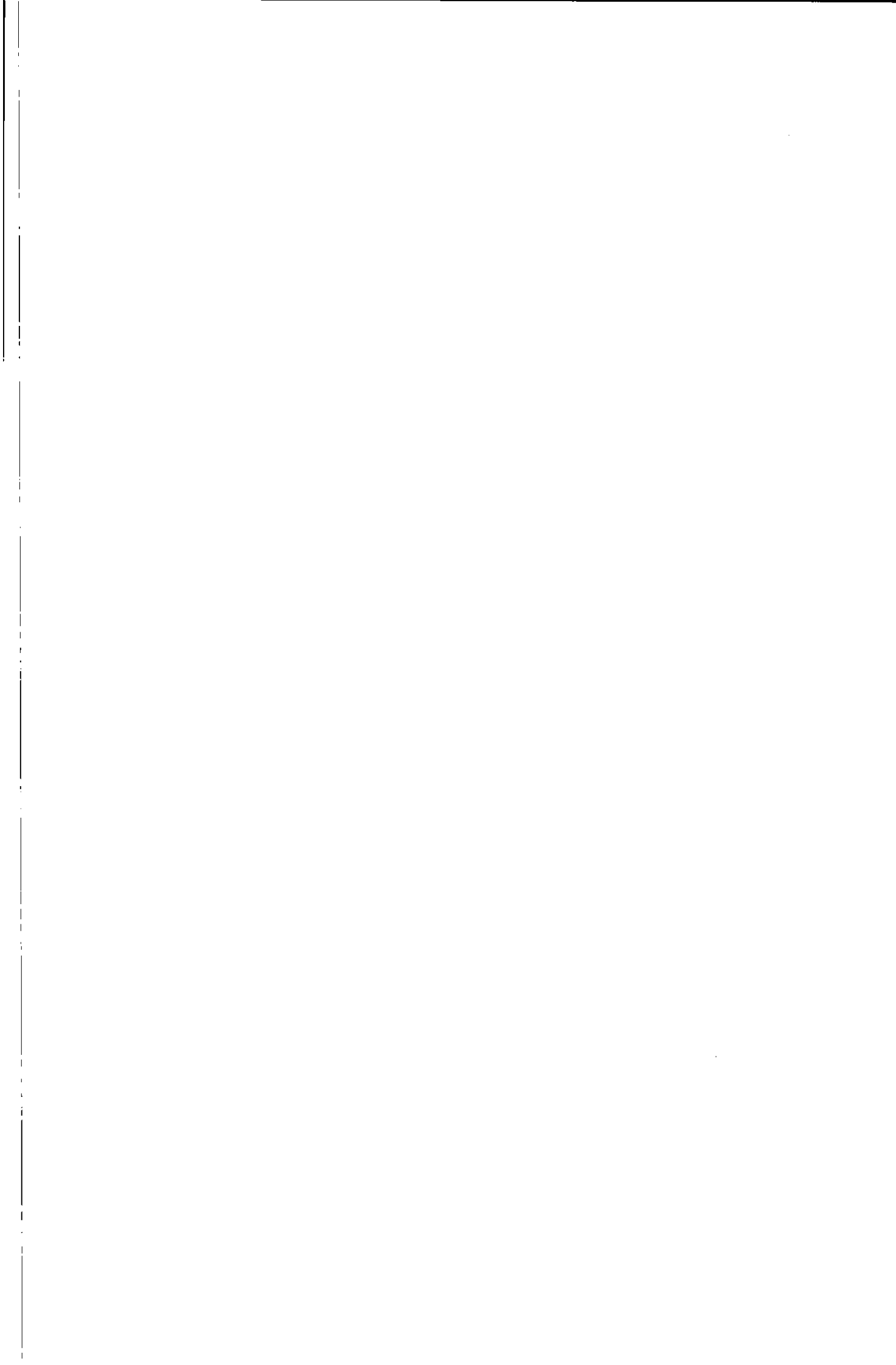
An extract from this Notice Paper was received at the Institute of Criminology on 9 November 1977 with a request for assistance in the preparation of material to be used by the Attorney-General in his answer. This paper is in response to that request.

The data used in the bulk of this paper are extracted from successive volumes of the Official Year Book of Australia published by the Australian Bureau of Statistics, and the direct assistance of Bureau staff in supplying data for recent years is gratefully acknowledged.

The Year Book includes a statistical table showing the total number of convicted prisoners held as at 30 June of each year for each State and the Northern Territory and for Australia. This is the main source of information used in this paper, and it suffers from a number of limitations or qualifications that should be borne in mind when reading the tables that follow.

These are :

- (a) The number of convicted prisoners held at 30 June of any year is not as stable a statistic as is the daily average number of prisoners and is likely to be subject to random variation.





- (b) These data exclude unconvicted prisoners held on remand, and recent estimates indicate that remandees comprise approximately 10 per cent of Australian prison populations. There is, however, considerable variation between jurisdictions in this regard.
- (c) The data available do not differentiate between male and female convicted prisoners.
- (d) Prisoners from the Australian Capital Territory are held in New South Wales prisons (except for remand prisoners since September 1976) and hence Table 1 shows New South Wales and the Australian Capital Territory prison and population statistics combined. Tables 9 and 10 give details of population growth separately for New South Wales and the Australian Capital Territory.
- (e) Up to and including 1961, statistics of convicted prisoners exclude Aborigines. Hence the apparent dramatic increase in the number of prisoners from 1961 to 1962. This applies especially to Western Australia, South Australia and the Northern Territory.
- (f) Population statistics up to and including 1962 also exclude Aborigines.

Since May 1976 the Australian Institute of Criminology has collected monthly prison statistics with the cooperation of all Australian prison administrators. This exercise has resulted in a monthly publication entitled Australian Prison Trends. The data used in this exercise are based on daily average prison populations, include prisoners on remand and differentiate between males and females. A summary of this information is given in Tables 11 to 18, but for the reasons given above, these data may not be compared with those given in Tables 1 to 8. Since June 1977, Australian Prison Trends has included data indicating the proportion of all prisoners who were on remand on the first day of each month. This information is summarised in Table 19.

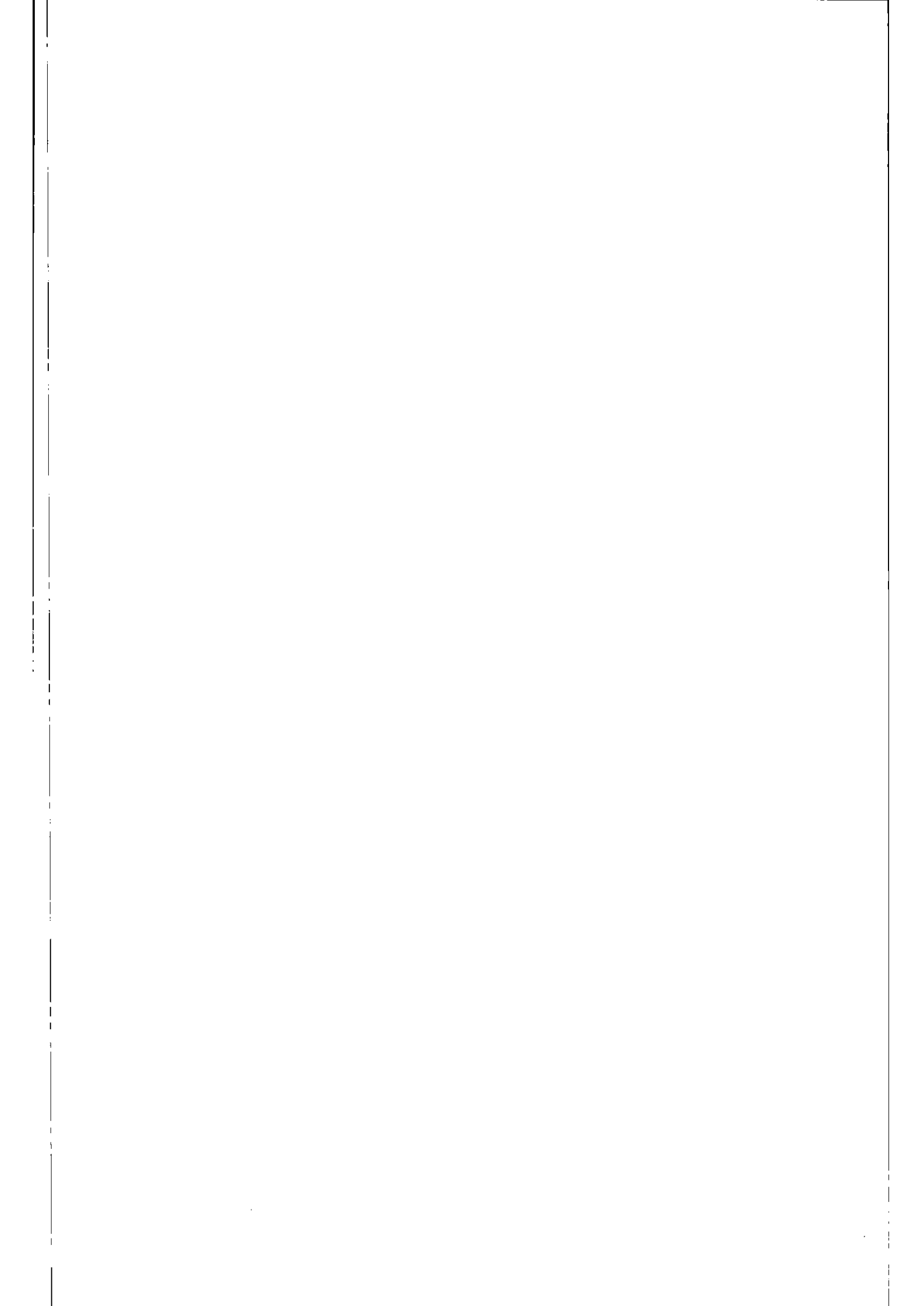


Table 1

## NEW SOUTH WALES (including A.C.T.)

| Year | Total Convicted Prisoners as at 30 June | Annual % Change | Total Population | Annual % Change | Prisoners as a Percentage of Total Population |
|------|---|-----------------|------------------|-----------------|---|
| 1945 | 1684                                    |                 | 2,948,430        |                 | 0.0571  |
| 1946 | 1847                                    | + 9.68          | 2,978,778        | + 1.03          | 0.0620  |
| 1947 | 1587                                    | -14.08          | 3,020,214        | + 1.39          | 0.0525  |
| 1948 | 1715                                    | + 8.07          | 3,067,596        | + 1.57          | 0.0559  |
| 1949 | 1853                                    | + 8.05          | 3,171,883        | + 3.40          | 0.0584  |
| 1950 | 1885                                    | + 1.73          | 3,264,636        | + 2.92          | 0.0577  |
| 1951 | 2070                                    | + 9.81          | 3,339,566        | + 2.30          | 0.0620  |
| 1952 | 2070                                    | -               | 3,395,760        | + 1.68          | 0.0610  |
| 1953 | 2135                                    | + 3.14          | 3,438,723        | + 1.27          | 0.0621  |
| 1954 | 2155                                    | + 0.94          | 3,493,619        | + 1.60          | 0.0617  |
| 1955 | 2238                                    | + 3.85          | 3,559,883        | + 1.90          | 0.0629  |
| 1956 | 2860                                    | +27.79          | 3,625,172        | + 1.83          | 0.0789  |
| 1957 | 3050                                    | + 6.64          | 3,702,018        | + 2.12          | 0.0824  |
| 1958 | 3126                                    | + 2.49          | 3,771,753        | + 1.88          | 0.0829  |
| 1959 | 2895                                    | - 7.39          | 3,844,027        | + 1.92          | 0.0753  |
| 1960 | 2903                                    | + 0.28          | 3,932,533        | + 2.30          | 0.0738  |
| 1961 | 3086                                    | + 6.30          | 4,011,511        | + 2.01          | 0.0769  |
| 1962 | 3051                                    | - 1.13          | 4,088,951        | + 1.93          | 0.0746  |
| 1963 | 3043                                    | - 0.26          | 4,155,018        | + 1.62          | 0.0732  |
| 1964 | 3090                                    | + 1.55          | 4,226,646        | + 1.72          | 0.0731  |
| 1965 | 2957                                    | - 4.30          | 4,303,847        | + 1.83          | 0.0687  |
| 1966 | 3140                                    | + 6.19          | 4,373,356        | + 1.62          | 0.0718  |
| 1967 | 3334                                    | + 6.18          | 4,434,161        | + 1.39          | 0.0752  |
| 1968 | 3292                                    | - 1.26          | 4,517,816        | + 1.89          | 0.0729  |
| 1969 | 3327                                    | + 1.06          | 4,617,525        | + 2.21          | 0.0721  |
| 1970 | 3429                                    | + 3.07          | 4,711,297        | + 2.03          | 0.0728  |
| 1971 | 3493                                    | + 1.87          | 4,872,747        | + 3.43          | 0.0717  |
| 1972 | 3641                                    | + 4.24          | 4,935,034        | + 1.28          | 0.0738  |
| 1973 | 3399                                    | - 6.65          | 4,990,182        | + 1.12          | 0.0681  |
| 1974 | 2696                                    | -20.68          | 5,063,398        | + 1.47          | 0.0532  |
| 1975 | 3009                                    | +11.61          | 5,096,114        | + 0.65          | 0.0590  |
| 1976 | 3221                                    | + 7.05          | 5,139,156        | + 0.85          | 0.0627  |

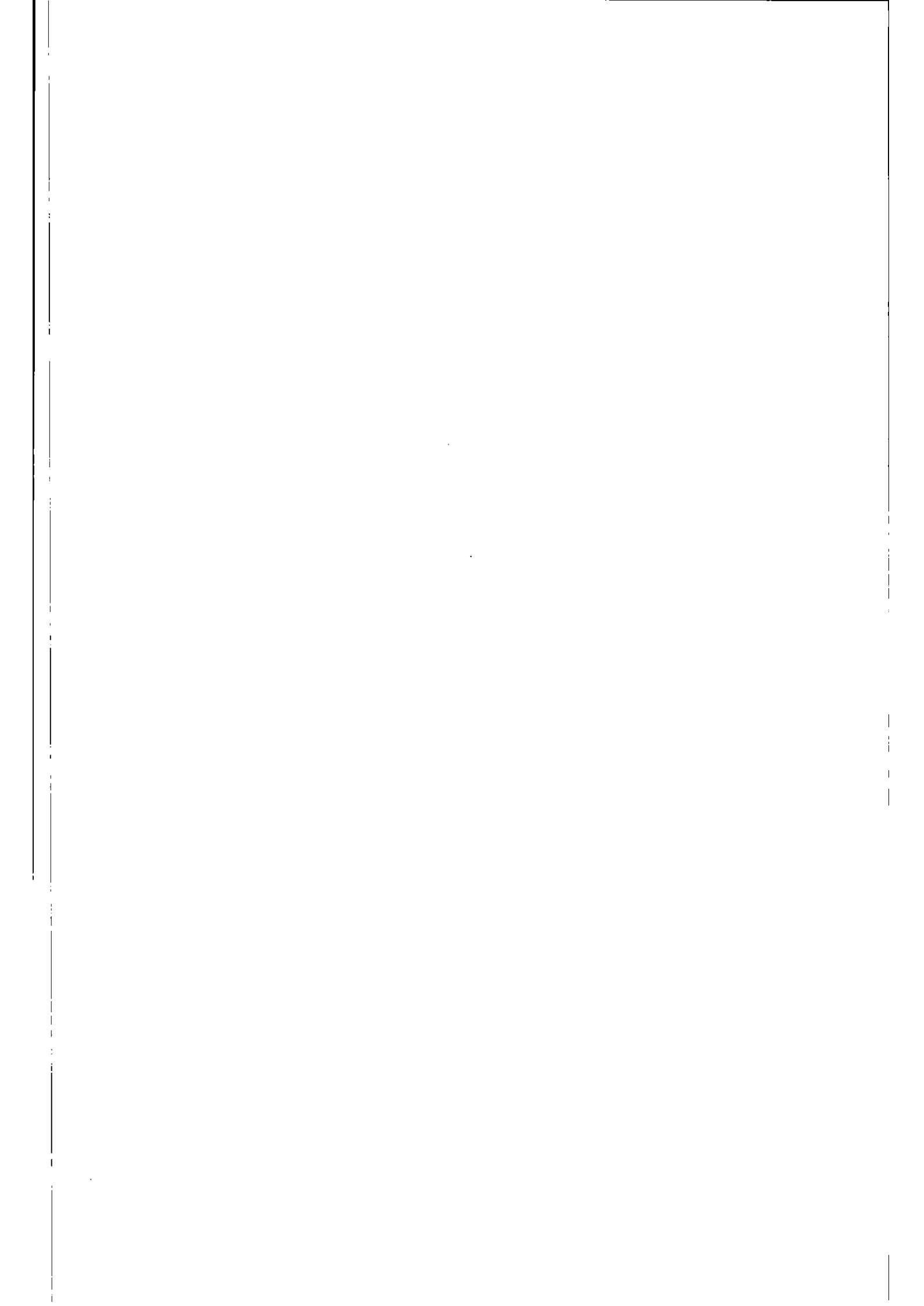


Table 2

VICTORIA

| Year | Total Convicted Prisoners as at 30 June | Annual % Change | Total Population | Annual % Change | Prisoners as a Percentage of Total Population |
|------|---|-----------------|------------------|-----------------|---|
| 1945 | 966                                     |                 | 2,015,107        |                 | 0.0479  |
| 1946 | 952                                     | - 1.45          | 2,039,769        | + 1.22          | 0.0467  |
| 1947 | 915                                     | - 3.89          | 2,062,709        | + 1.13          | 0.0444  |
| 1948 | 912                                     | - 0.33          | 2,108,125        | + 2.20          | 0.0433  |
| 1949 | 993                                     | + 8.88          | 2,168,884        | + 2.88          | 0.0458  |
| 1950 | 981                                     | - 1.21          | 2,237,182        | + 3.15          | 0.0439  |
| 1951 | 1048                                    | + 6.83          | 2,299,538        | + 2.79          | 0.0456  |
| 1952 | 1248                                    | +19.08          | 2,366,719        | + 2.92          | 0.0527  |
| 1953 | 1173                                    | - 6.01          | 2,416,035        | + 2.08          | 0.0486  |
| 1954 | 1108                                    | - 5.54          | 2,480,877        | + 2.68          | 0.0447  |
| 1955 | 1229                                    | +10.92          | 2,555,021        | + 2.99          | 0.0481  |
| 1956 | 1462                                    | +18.96          | 2,632,623        | + 3.04          | 0.0555  |
| 1957 | 1441                                    | - 1.44          | 2,680,555        | + 1.82          | 0.0538  |
| 1958 | 1397                                    | - 3.05          | 2,745,165        | + 2.41          | 0.0509  |
| 1959 | 1539                                    | +10.17          | 2,811,429        | + 2.41          | 0.0547  |
| 1960 | 1678                                    | + 9.03          | 2,888,290        | + 2.73          | 0.0581  |
| 1961 | 1827                                    | + 8.88          | 2,950,790        | + 2.16          | 0.0619  |
| 1962 | 1844                                    | + 0.93          | 3,010,130        | + 2.01          | 0.0613  |
| 1963 | 1942                                    | + 5.32          | 3,071,046        | + 2.02          | 0.0632  |
| 1964 | 1981                                    | + 2.01          | 3,137,921        | + 2.18          | 0.0631  |
| 1965 | 1879                                    | - 5.15          | 3,195,860        | + 1.85          | 0.0588  |
| 1966 | 1872                                    | - 0.37          | 3,249,870        | + 1.69          | 0.0576  |
| 1967 | 1994                                    | + 6.52          | 3,301,736        | + 1.60          | 0.0604  |
| 1968 | 2103                                    | + 5.47          | 3,356,827        | + 1.67          | 0.0626  |
| 1969 | 2199                                    | + 4.57          | 3,421,178        | + 1.92          | 0.0643  |
| 1970 | 2178                                    | - 0.96          | 3,482,031        | + 1.78          | 0.0626  |
| 1971 | 2276                                    | + 4.50          | 3,549,527        | + 1.94          | 0.0641  |
| 1972 | 2192                                    | - 3.69          | 3,604,092        | + 1.54          | 0.0608  |
| 1973 | 2096                                    | - 4.38          | 3,651,465        | + 1.31          | 0.0574  |
| 1974 | 1568                                    | -25.19          | 3,706,064        | + 1.50          | 0.0423  |
| 1975 | 1488                                    | - 5.10          | 3,730,279        | + 0.65          | 0.0399  |
| 1976 | 1490                                    | + 0.13          | 3,764,853        | + 0.93          | 0.0396  |

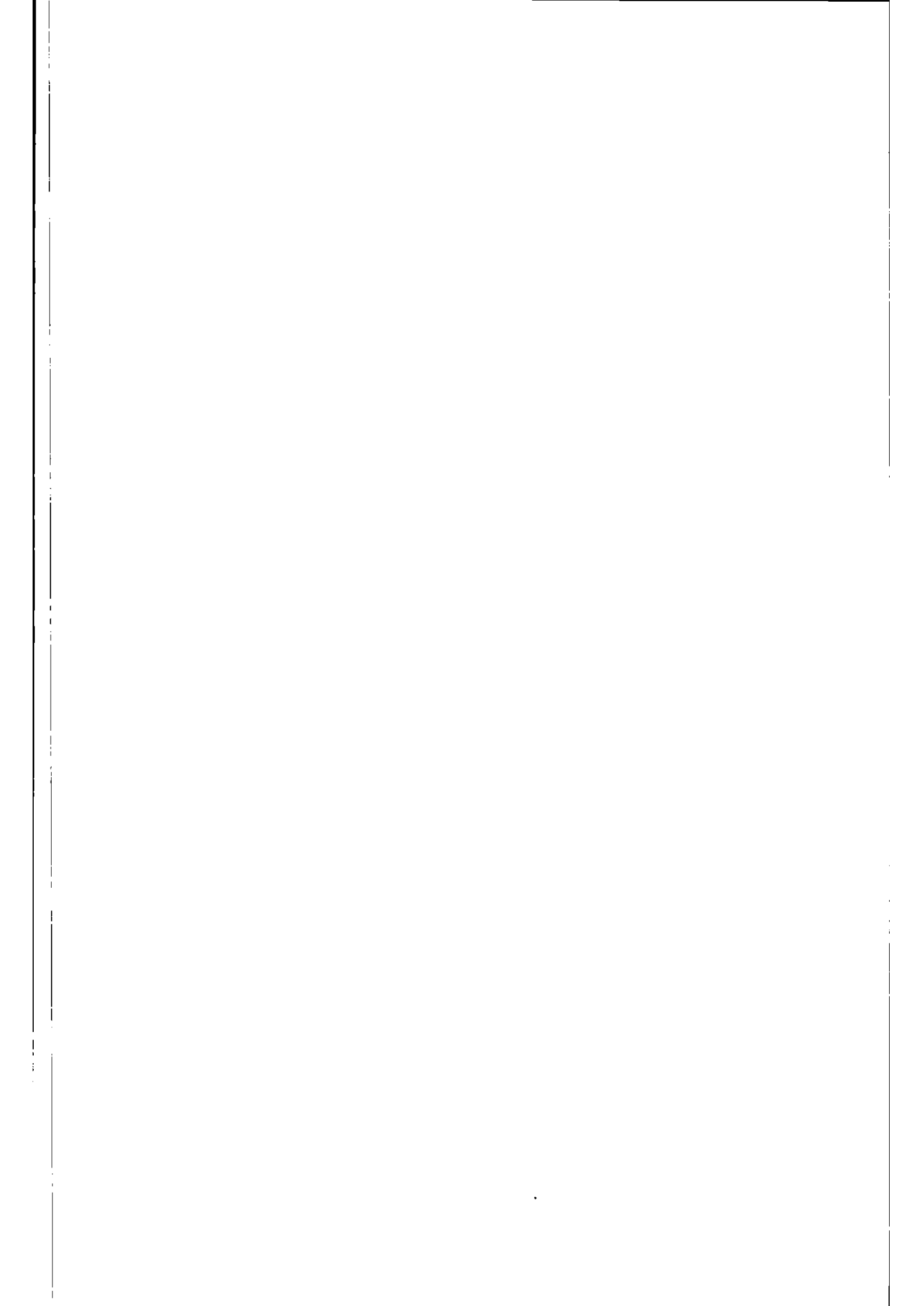


Table 3

QUEENSLAND

| Year | Total Convicted Prisoners as at 30 June | Annual % Change | Total Population | Annual % Change | Prisoners as a Percentage of Total Population |
|------|---|-----------------|------------------|-----------------|---|
| 1945 | 493                                     |                 | 1,084,864        |                 | 0.0454  |
| 1946 | 356                                     | -27.79          | 1,096,831        | + 1.10          | 0.0325  |
| 1947 | 359                                     | + 0.84          | 1,112,818        | + 1.46          | 0.0323  |
| 1948 | 376                                     | + 4.74          | 1,138,544        | + 2.31          | 0.0330  |
| 1949 | 406                                     | + 7.98          | 1,170,319        | + 2.79          | 0.0347  |
| 1950 | 454                                     | +11.82          | 1,205,418        | + 3.00          | 0.0377  |
| 1951 | 472                                     | + 3.97          | 1,238,278        | + 2.73          | 0.0381  |
| 1952 | 472                                     | -               | 1,271,256        | + 2.66          | 0.0371  |
| 1953 | 538                                     | +13.98          | 1,298,420        | + 2.14          | 0.0414  |
| 1954 | 606                                     | +12.64          | 1,322,752        | + 1.87          | 0.0458  |
| 1955 | 580                                     | - 4.29          | 1,350,684        | + 2.11          | 0.0429  |
| 1956 | 612                                     | + 5.52          | 1,378,947        | + 2.09          | 0.0444  |
| 1957 | 680                                     | +11.11          | 1,420,501        | + 3.01          | 0.0479  |
| 1958 | 799                                     | +17.50          | 1,449,337        | + 2.03          | 0.0551  |
| 1959 | 868                                     | + 8.64          | 1,477,161        | + 1.92          | 0.0588  |
| 1960 | 865                                     | - 0.35          | 1,502,286        | + 1.70          | 0.0576  |
| 1961 | 877                                     | + 1.39          | 1,525,278        | + 1.53          | 0.0575  |
| 1962 | 846                                     | - 3.54          | 1,552,875        | + 1.81          | 0.0545  |
| 1963 | 890                                     | + 5.20          | 1,595,446        | + 2.74          | 0.0558  |
| 1964 | 801                                     | -10.00          | 1,626,525        | + 1.95          | 0.0492  |
| 1965 | 949                                     | +18.48          | 1,659,423        | + 2.02          | 0.0572  |
| 1966 | 995                                     | + 4.85          | 1,687,882        | + 1.72          | 0.0590  |
| 1967 | 1021                                    | + 2.61          | 1,714,687        | + 1.59          | 0.0595  |
| 1968 | 958                                     | - 6.17          | 1,747,724        | + 1.93          | 0.0548  |
| 1969 | 1065                                    | +11.17          | 1,779,690        | + 1.83          | 0.0598  |
| 1970 | 1104                                    | + 3.66          | 1,812,784        | + 1.86          | 0.0609  |
| 1971 | 1142                                    | + 3.44          | 1,906,591        | + 5.18          | 0.0599  |
| 1972 | 1313                                    | +14.97          | 1,962,225        | + 2.92          | 0.0669  |
| 1973 | 1414                                    | + 7.69          | 2,019,428        | + 2.92          | 0.0700  |
| 1974 | 1224                                    | -13.44          | 2,073,994        | + 2.70          | 0.0590  |
| 1975 | 1305                                    | + 6.62          | 2,102,204        | + 1.36          | 0.0621  |
| 1976 | 1399                                    | + 7.20          | 2,121,569        | + 0.92          | 0.0659  |

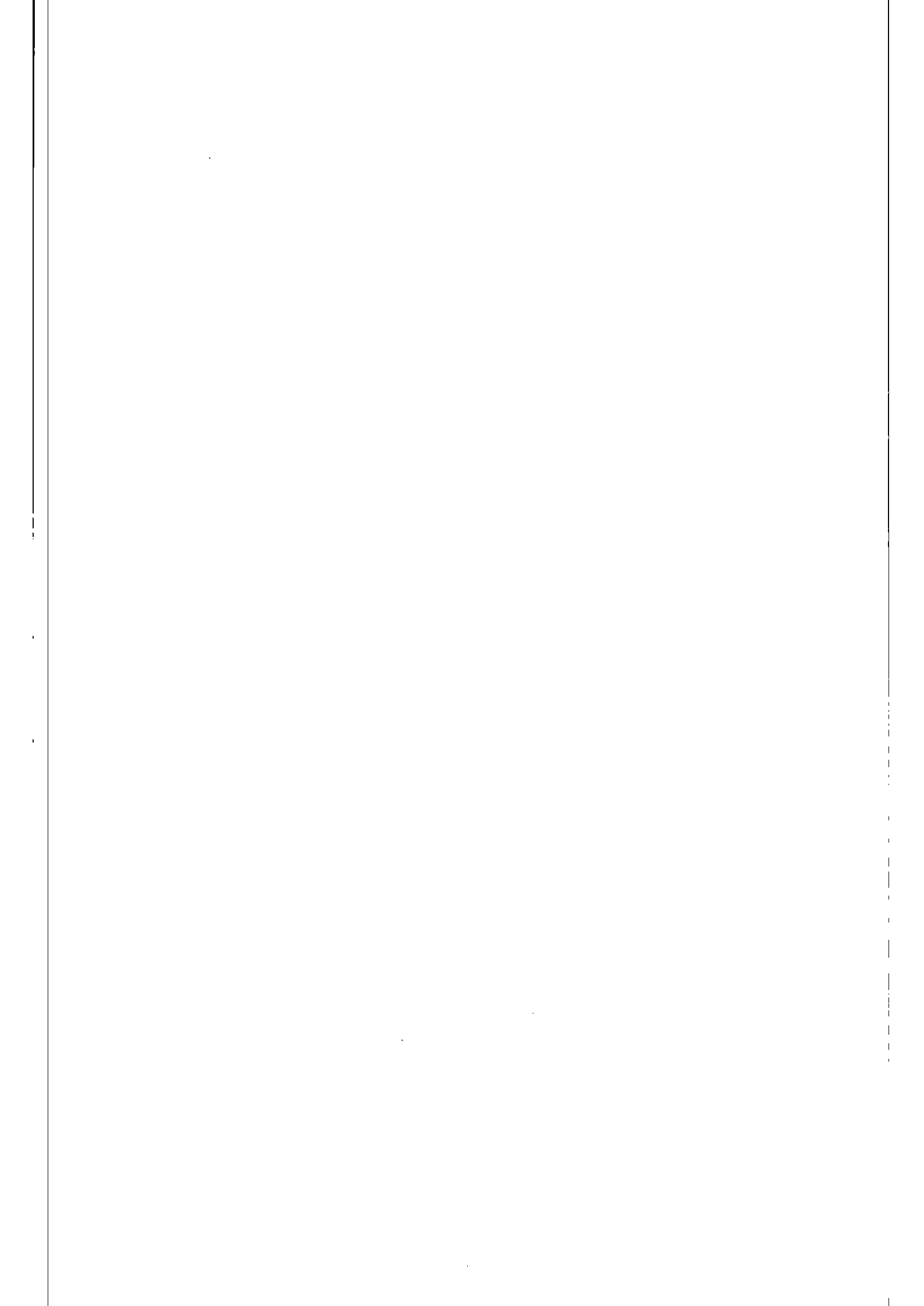




Table 4

SOUTH AUSTRALIA

| Year | Total Convicted Prisoners as at 30 June | Annual % Change | Total Population | Annual % Change | Prisoners as a Percentage of Total Population |
|------|---|-----------------|------------------|-----------------|---|
| 1945 | 213                                     |                 | 630,882          |                 | 0.0338  |
| 1946 | 250                                     | +17.37          | 640,418          | + 1.51          | 0.0390  |
| 1947 | 267                                     | + 6.80          | 654,632          | + 2.22          | 0.0408  |
| 1948 | 230                                     | -13.89          | 670,615          | + 2.44          | 0.0343  |
| 1949 | 234                                     | + 1.74          | 695,618          | + 3.73          | 0.0336  |
| 1950 | 261                                     | +11.54          | 722,843          | + 3.88          | 0.0361  |
| 1951 | 316                                     | +21.07          | 743,785          | + 2.90          | 0.0425  |
| 1952 | 437                                     | +38.29          | 768,570          | + 3.33          | 0.0569  |
| 1953 | 413                                     | - 5.49          | 785,665          | + 2.22          | 0.0526  |
| 1954 | 377                                     | - 8.72          | 808,243          | + 2.87          | 0.0466  |
| 1955 | 413                                     | + 9.55          | 834,635          | + 3.27          | 0.0495  |
| 1956 | 457                                     | +10.65          | 861,912          | + 3.27          | 0.0530  |
| 1957 | 569                                     | +24.51          | 886,252          | + 2.82          | 0.0642  |
| 1958 | 526                                     | - 7.56          | 908,053          | + 2.46          | 0.0579  |
| 1959 | 577                                     | + 9.70          | 934,497          | + 2.91          | 0.0617  |
| 1960 | 570                                     | - 1.21          | 957,022          | + 2.41          | 0.0596  |
| 1961 | 592                                     | + 3.86          | 980,755          | + 2.48          | 0.0604  |
| 1962 | 701                                     | +18.41          | 995,491          | + 1.50          | 0.0704  |
| 1963 | 749                                     | + 6.85          | 1,022,387        | + 2.70          | 0.0733  |
| 1964 | 726                                     | - 3.07          | 1,051,954        | + 2.89          | 0.0690  |
| 1965 | 796                                     | + 9.64          | 1,082,958        | + 2.95          | 0.0735  |
| 1966 | 818                                     | + 2.76          | 1,104,590        | + 2.00          | 0.0741  |
| 1967 | 866                                     | + 5.87          | 1,115,644        | + 1.00          | 0.0776  |
| 1968 | 926                                     | + 6.93          | 1,132,137        | + 1.48          | 0.0818  |
| 1969 | 884                                     | - 4.54          | 1,149,375        | + 1.52          | 0.0769  |
| 1970 | 836                                     | - 5.43          | 1,170,230        | + 1.81          | 0.0714  |
| 1971 | 854                                     | + 2.15          | 1,195,384        | + 2.15          | 0.0714  |
| 1972 | 816                                     | - 4.45          | 1,209,501        | + 1.18          | 0.0675  |
| 1973 | 675                                     | -17.28          | 1,227,209        | + 1.46          | 0.0550  |
| 1974 | 665                                     | - 1.48          | 1,253,556        | + 2.15          | 0.0530  |
| 1975 | 632                                     | - 4.96          | 1,257,298        | + 0.30          | 0.0503  |
| 1976 | 594                                     | - 6.01          | 1,268,785        | + 0.91          | 0.0468  |

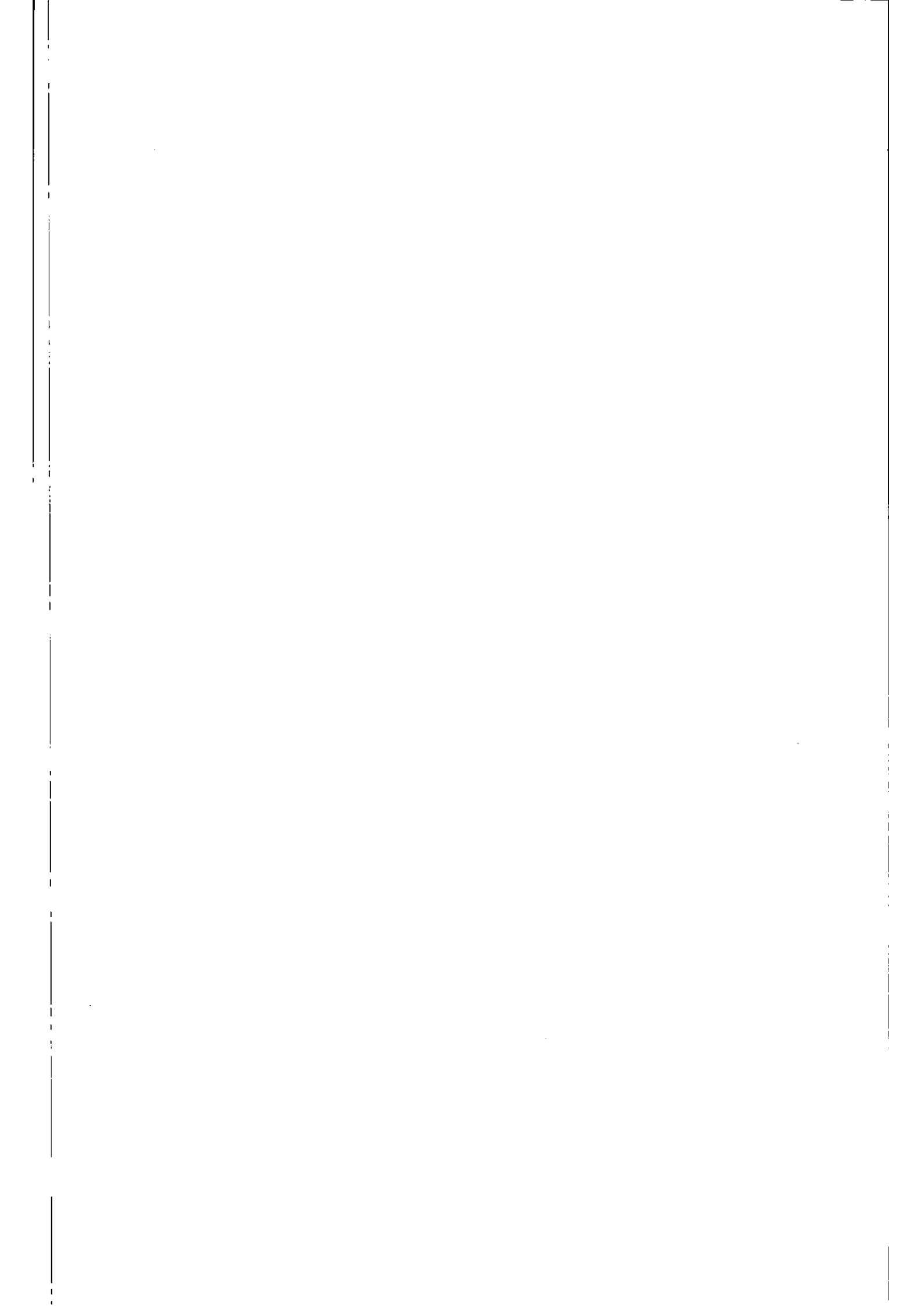


Table 5

WESTERN AUSTRALIA

| Year | Total Convicted Prisoners as at 30 June | Annual % Change | Total Population | Annual % Change | Prisoners as a Percentage of Total Population |
|------|---|-----------------|------------------|-----------------|---|
| 1945 | 279                                     |                 | 490,088          |                 | 0.0569  |
| 1946 | 290                                     | + 3.94          | 496,973          | + 1.41          | 0.0584  |
| 1947 | 281                                     | - 3.10          | 508,762          | + 2.37          | 0.0552  |
| 1948 | 314                                     | +11.74          | 521,999          | + 2.60          | 0.0602  |
| 1949 | 333                                     | + 6.05          | 544,184          | + 4.25          | 0.0612  |
| 1950 | 342                                     | + 2.70          | 572,649          | + 5.23          | 0.0597  |
| 1951 | 362                                     | + 5.85          | 590,339          | + 3.09          | 0.0613  |
| 1952 | 362                                     | -               | 612,935          | + 3.83          | 0.0591  |
| 1953 | 374                                     | + 3.32          | 631,743          | + 3.07          | 0.0592  |
| 1954 | 360                                     | - 3.74          | 649,415          | + 2.80          | 0.0554  |
| 1955 | 386                                     | + 7.22          | 670,750          | + 3.29          | 0.0575  |
| 1956 | 482                                     | +24.87          | 684,835          | + 2.10          | 0.0704  |
| 1957 | 488                                     | + 1.25          | 695,234          | + 1.52          | 0.0702  |
| 1958 | 527                                     | + 7.99          | 707,196          | + 1.72          | 0.0745  |
| 1959 | 477                                     | - 9.49          | 718,691          | + 1.63          | 0.0664  |
| 1960 | 526                                     | +10.27          | 731,033          | + 1.72          | 0.0720  |
| 1961 | 526                                     | -               | 746,205          | + 2.08          | 0.0705  |
| 1962 | 708                                     | +34.60          | 766,385          | + 2.70          | 0.0924  |
| 1963 | 774                                     | + 9.32          | 798,895          | + 4.24          | 0.0969  |
| 1964 | 825                                     | + 6.59          | 818,121          | + 2.41          | 0.1008  |
| 1965 | 803                                     | - 2.67          | 838,248          | + 2.46          | 0.0958  |
| 1966 | 863                                     | + 7.47          | 862,685          | + 2.92          | 0.1000  |
| 1967 | 1137                                    | +31.75          | 896,056          | + 3.87          | 0.1269  |
| 1968 | 1150                                    | + 1.14          | 937,800          | + 4.66          | 0.1226  |
| 1969 | 1214                                    | + 5.57          | 976,620          | + 4.14          | 0.1243  |
| 1970 | 1174                                    | - 3.30          | 1,014,052        | + 3.83          | 0.1158  |
| 1971 | 1261                                    | + 7.41          | 1,059,733        | + 4.51          | 0.1190  |
| 1972 | 1269                                    | + 0.63          | 1,080,872        | + 2.00          | 0.1174  |
| 1973 | 1105                                    | -12.92          | 1,103,233        | + 2.07          | 0.1002  |
| 1974 | 915                                     | -17.20          | 1,137,849        | + 3.14          | 0.0804  |
| 1975 | 869                                     | - 5.03          | 1,159,031        | + 1.86          | 0.0750  |
| 1976 | 873                                     | + 0.46          | 1,183,693        | + 2.13          | 0.0738  |

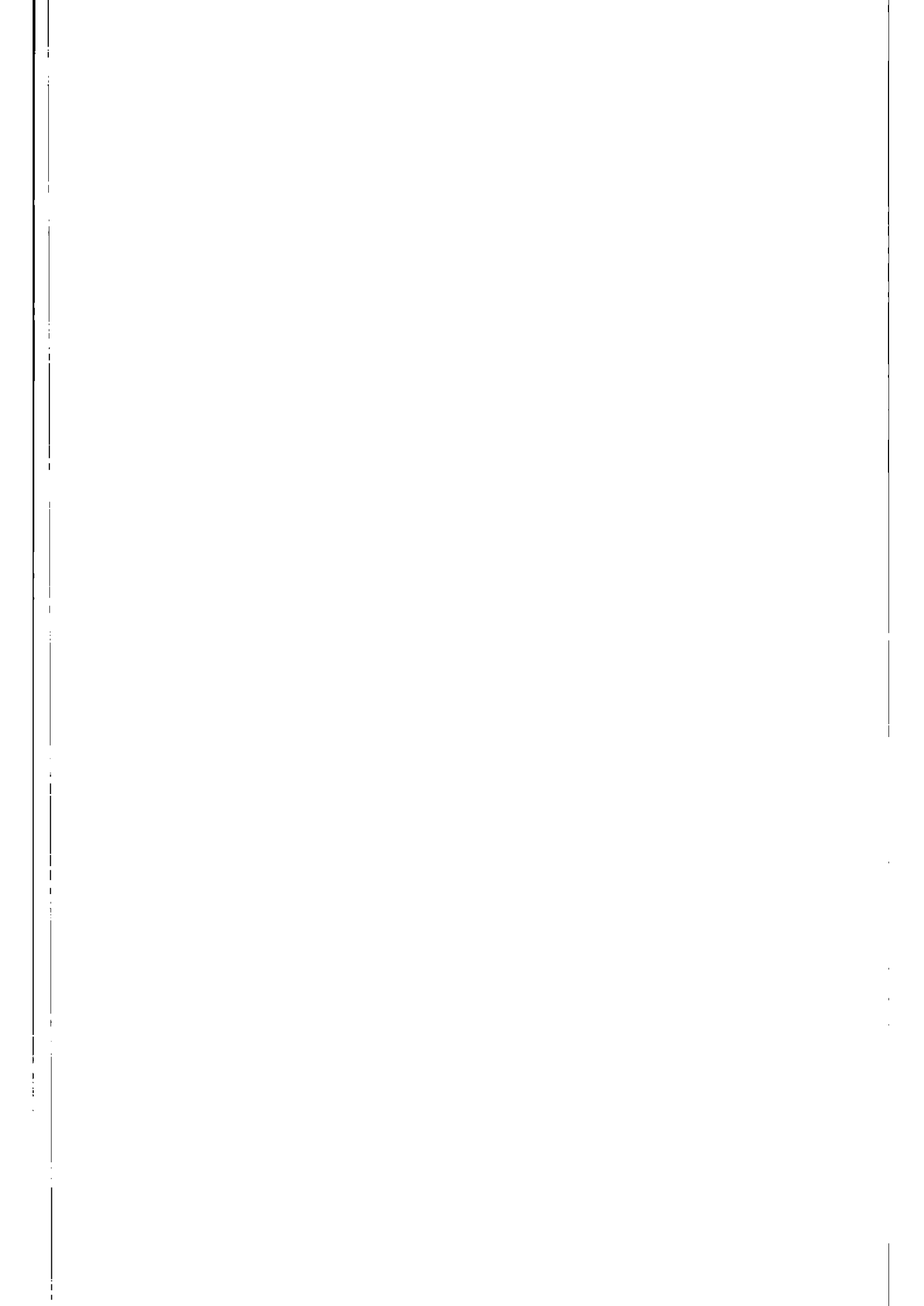


Table 6

TASMANIA

| Year | Total Convicted Prisoners as at 30 June | Annual % Change | Total Population | Annual % Change | Prisoners as a Percentage of Total Population |
|------|---|-----------------|------------------|-----------------|---|
| 1945 | 96                                      |                 | 250,280          |                 | 0.0384  |
| 1946 | 120                                     | +25.00          | 254,570          | + 1.71          | 0.0471  |
| 1947 | 100                                     | -16.67          | 267,936          | + 5.25          | 0.0373  |
| 1948 | 93                                      | - 7.00          | 273,401          | + 2.04          | 0.0340  |
| 1949 | 122                                     | +31.18          | 281,343          | + 2.91          | 0.0434  |
| 1950 | 114                                     | - 6.56          | 290,333          | + 3.20          | 0.0393  |
| 1951 | 142                                     | +24.56          | 301,787          | + 3.95          | 0.0471  |
| 1952 | 142                                     | -               | 309,558          | + 2.58          | 0.0459  |
| 1953 | 154                                     | + 8.45          | 316,465          | + 2.23          | 0.0487  |
| 1954 | 152                                     | - 1.30          | 319,511          | + 0.96          | 0.0476  |
| 1955 | 163                                     | + 7.24          | 325,801          | + 1.97          | 0.0500  |
| 1956 | 149                                     | - 8.59          | 332,810          | + 2.15          | 0.0448  |
| 1957 | 162                                     | + 8.73          | 338,807          | + 1.80          | 0.0478  |
| 1958 | 196                                     | +20.99          | 343,898          | + 1.50          | 0.0570  |
| 1959 | 223                                     | +13.78          | 351,349          | + 2.17          | 0.0635  |
| 1960 | 195                                     | -12.56          | 355,969          | + 1.32          | 0.0548  |
| 1961 | 237                                     | +21.54          | 364,134          | + 2.29          | 0.0651  |
| 1962 | 207                                     | -12.66          | 358,019          | - 1.68          | 0.0578  |
| 1963 | 231                                     | +11.59          | 362,799          | + 1.34          | 0.0637  |
| 1964 | 232                                     | + 0.43          | 366,508          | + 1.02          | 0.0633  |
| 1965 | 210                                     | - 9.48          | 369,608          | + 0.85          | 0.0568  |
| 1966 | 259                                     | +23.33          | 373,905          | + 1.16          | 0.0693  |
| 1967 | 275                                     | + 6.18          | 377,680          | + 1.01          | 0.0728  |
| 1968 | 281                                     | + 2.18          | 383,055          | + 1.42          | 0.0734  |
| 1969 | 331                                     | +17.79          | 386,998          | + 1.03          | 0.0855  |
| 1970 | 327                                     | - 1.21          | 390,253          | + 0.84          | 0.0838  |
| 1971 | 352                                     | + 7.65          | 391,699          | + 0.37          | 0.0899  |
| 1972 | 339                                     | - 3.69          | 394,001          | + 0.59          | 0.0860  |
| 1973 | 332                                     | - 2.07          | 397,197          | + 0.81          | 0.0836  |
| 1974 | 346                                     | + 4.22          | 402,459          | + 1.33          | 0.0860  |
| 1975 | 361                                     | + 4.34          | 406,565          | + 1.02          | 0.0888  |
| 1976 | 297                                     | -17.73          | 409,252          | + 0.66          | 0.0726  |

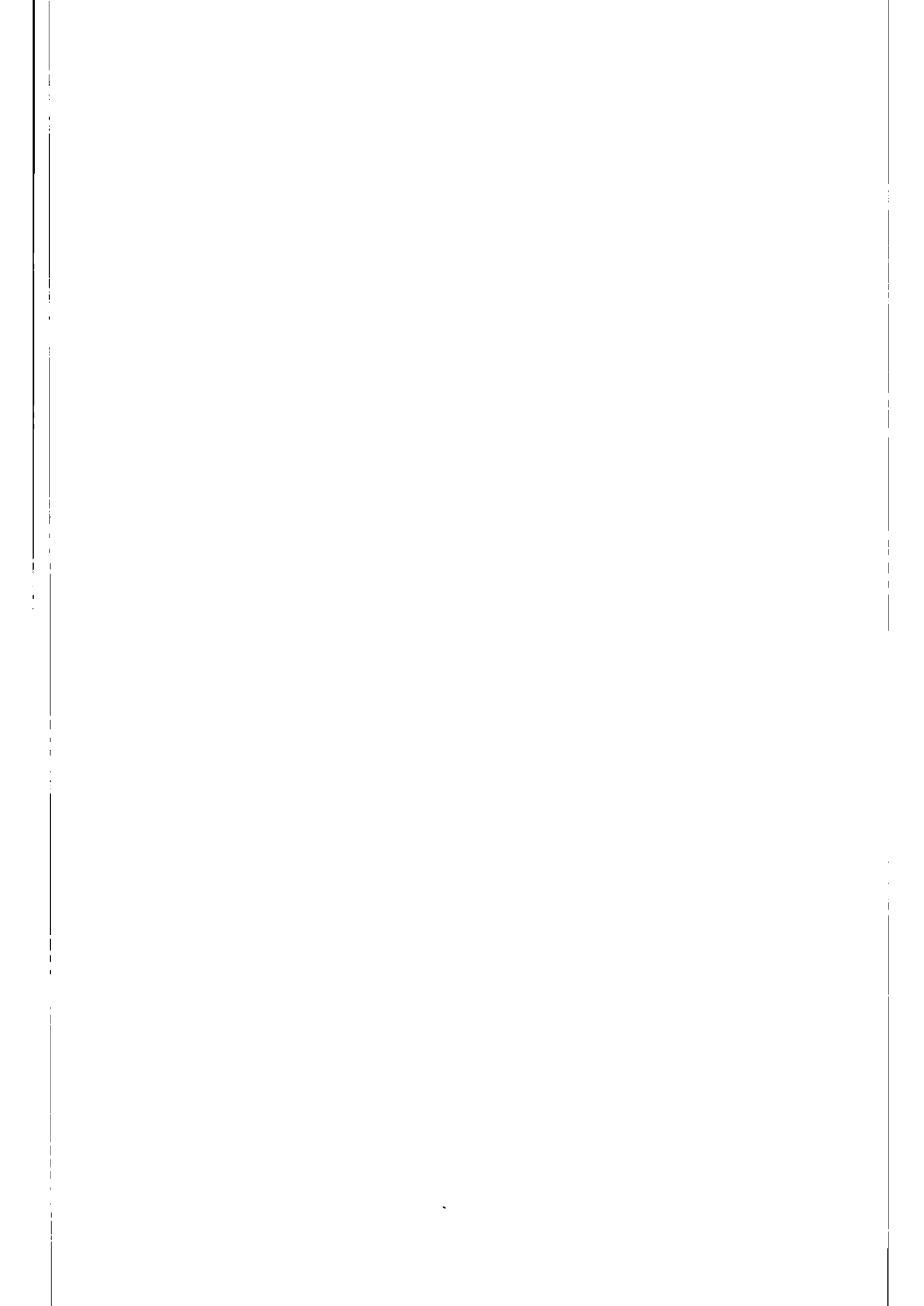


Table 7

NORTHERN TERRITORY

| Year | Total Convicted Prisoners as at 30 June | Annual % Change | Total Population | Annual % Change | Prisoners as a Percentage of Total Population |
|------|---|-----------------|------------------|-----------------|---|
| 1945 | 4                                       |                 | 10,546           |                 | 0.0379  |
| 1946 | 19                                      | +375.00         | 10,642           | + 0.91          | 0.1785  |
| 1947 | 32                                      | + 68.42         | 10,892           | + 2.35          | 0.2938  |
| 1948 | 40                                      | + 25.00         | 12,185           | +11.87          | 0.3283  |
| 1949 | 41                                      | + 2.50          | 13,339           | + 9.47          | 0.3074  |
| 1950 | 52                                      | + 26.83         | 14,420           | + 8.10          | 0.3606  |
| 1951 | 34                                      | - 34.62         | 14,614           | + 1.35          | 0.2327  |
| 1952 | 34                                      | -               | 14,771           | + 1.07          | 0.2302  |
| 1953 | 44                                      | + 29.41         | 15,635           | + 5.85          | 0.2814  |
| 1954 | 47                                      | + 6.82          | 16,140           | + 3.23          | 0.2912  |
| 1955 | 50                                      | + 6.38          | 17,007           | + 5.37          | 0.2940  |
| 1956 | 21                                      | - 58.00         | 17,853           | + 4.97          | 0.1176  |
| 1957 | 29                                      | + 38.10         | 20,720           | +16.06          | 0.1400  |
| 1958 | 32                                      | + 10.35         | 21,956           | + 5.97          | 0.1457  |
| 1959 | 28                                      | - 12.50         | 23,814           | + 8.46          | 0.1176  |
| 1960 | 26                                      | - 7.14          | 24,787           | + 4.09          | 0.1049  |
| 1961 | 41                                      | + 57.69         | 25,258           | + 1.90          | 0.1623  |
| 1962 | 58                                      | + 41.46         | 28,623           | +13.32          | 0.2026  |
| 1963 | 66                                      | + 13.79         | 49,891           | +74.30          | 0.1323  |
| 1964 | 74                                      | + 12.12         | 52,754           | + 5.74          | 0.1403  |
| 1965 | 129                                     | + 74.32         | 55,464           | + 5.14          | 0.2326  |
| 1966 | 107                                     | - 17.05         | 58,099           | + 4.75          | 0.1842  |
| 1967 | 112                                     | + 4.67          | 64,138           | +10.39          | 0.1746  |
| 1968 | 120                                     | + 7.14          | 70,223           | + 9.49          | 0.1709  |
| 1969 | 177                                     | + 47.50         | 75,831           | + 7.99          | 0.2334  |
| 1970 | 198                                     | + 11.86         | 82,822           | + 9.22          | 0.2391  |
| 1971 | 166                                     | - 16.16         | 94,362           | +13.93          | 0.1759  |
| 1972 | 252                                     | + 51.81         | 98,167           | + 4.03          | 0.2567  |
| 1973 | 282                                     | + 11.91         | 101,839          | + 3.74          | 0.2769  |
| 1974 | 144                                     | - 48.94         | 72,145           | -29.16          | 0.1996  |
| 1975 | 158                                     | + 9.72          | 97,798           | +35.56          | 0.1616  |
| 1976 | 160                                     | + 1.27          | 103,886          | + 6.23          | 0.1540  |

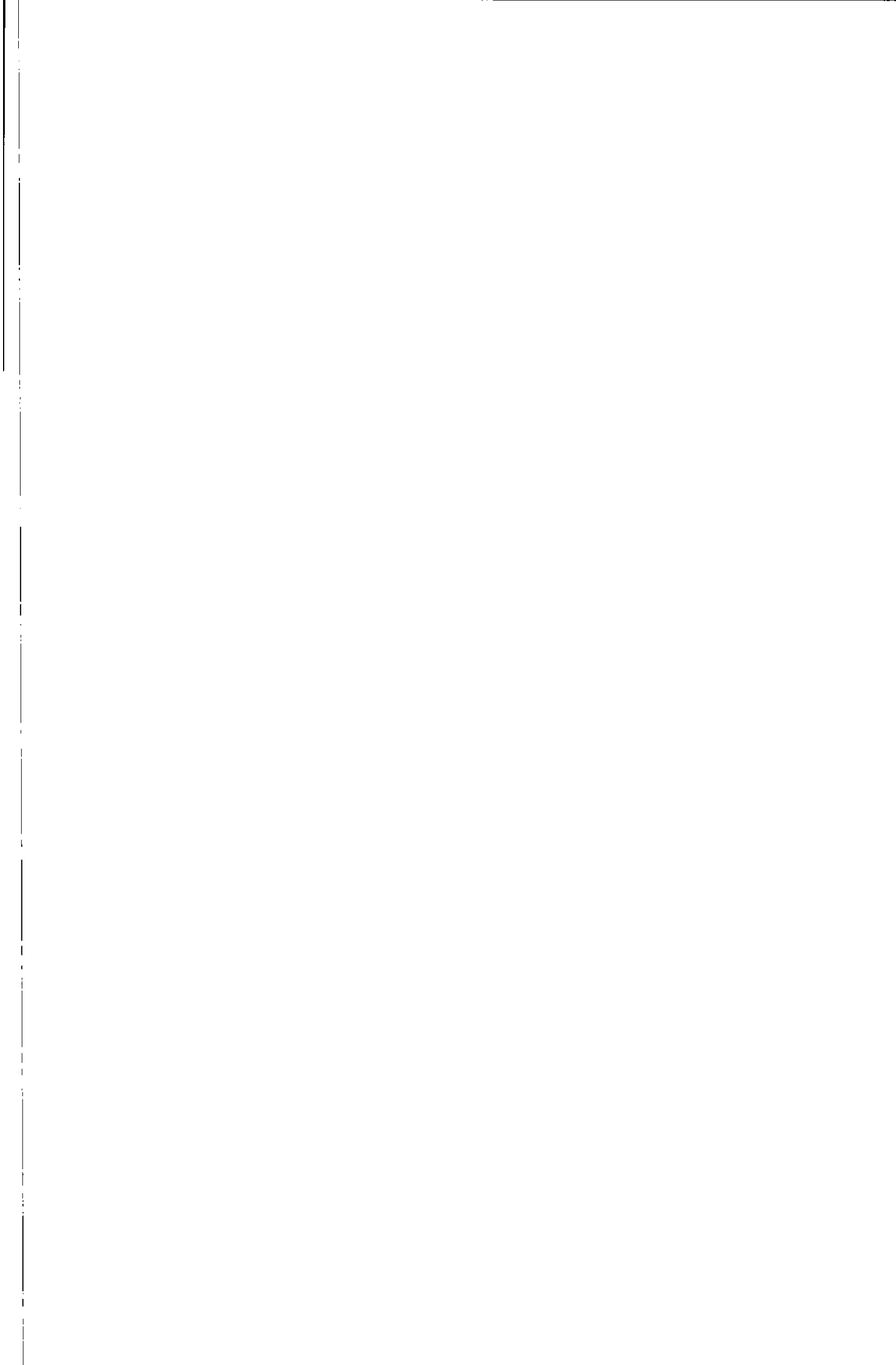




Table 8

AUSTRALIA

| Year | Total Convicted Prisoners as at 30 June | Annual % Change | Total Population | Annual % Change | Prisoners as a Percentage of Total Population |
|------|---|-----------------|------------------|-----------------|---|
| 1945 | 3735                                    |                 | 7,430,197        |                 | 0.0503  |
| 1946 | 3834                                    | + 2.65          | 7,517,981        | + 1.18          | 0.0510  |
| 1947 | 3541                                    | - 7.64          | 7,637,963        | + 1.60          | 0.0464  |
| 1948 | 3680                                    | + 3.93          | 7,792,465        | + 2.02          | 0.0472  |
| 1949 | 3982                                    | + 8.21          | 8,045,570        | + 3.25          | 0.0495  |
| 1950 | 4089                                    | + 2.69          | 8,307,481        | + 3.26          | 0.0492  |
| 1951 | 4444                                    | + 8.68          | 8,527,907        | + 2.65          | 0.0521  |
| 1952 | 4765                                    | + 7.22          | 8,739,569        | + 2.48          | 0.0545  |
| 1953 | 4831                                    | + 1.39          | 8,902,686        | + 1.87          | 0.0543  |
| 1954 | 4805                                    | - 0.54          | 9,090,557        | + 2.11          | 0.0529  |
| 1955 | 5059                                    | + 5.29          | 9,313,781        | + 2.46          | 0.0543  |
| 1956 | 6043                                    | +19.45          | 9,534,152        | + 2.37          | 0.0634  |
| 1957 | 6419                                    | + 6.22          | 9,744,087        | + 2.20          | 0.0659  |
| 1958 | 6603                                    | + 2.87          | 9,947,358        | + 2.09          | 0.0664  |
| 1959 | 6607                                    | + 0.06          | 10,160,968       | + 2.15          | 0.0650  |
| 1960 | 6763                                    | + 2.36          | 10,391,920       | + 2.27          | 0.0651  |
| 1961 | 7186                                    | + 6.26          | 10,603,931       | + 2.04          | 0.0678  |
| 1962 | 7415                                    | + 3.19          | 10,800,474       | + 1.85          | 0.0687  |
| 1963 | 7695                                    | + 3.78          | 11,055,482       | + 2.36          | 0.0696  |
| 1964 | 7729                                    | + 0.44          | 11,280,429       | + 2.04          | 0.0685  |
| 1965 | 7723                                    | - 0.08          | 11,505,408       | + 1.99          | 0.0671  |
| 1966 | 8054                                    | + 4.29          | 11,710,387       | + 1.78          | 0.0688  |
| 1967 | 8739                                    | + 8.51          | 11,904,102       | + 1.65          | 0.0734  |
| 1968 | 8830                                    | + 1.04          | 12,145,582       | + 2.03          | 0.0727  |
| 1969 | 9197                                    | + 4.16          | 12,407,217       | + 2.15          | 0.0741  |
| 1970 | 9246                                    | + 0.53          | 12,663,469       | + 2.07          | 0.0730  |
| 1971 | 9544                                    | + 3.22          | 13,070,043       | + 3.21          | 0.0730  |
| 1972 | 9822                                    | + 2.91          | 13,283,892       | + 1.64          | 0.0739  |
| 1973 | 9303                                    | - 5.28          | 13,490,553       | + 1.56          | 0.0690  |
| 1974 | 7558                                    | -18.76          | 13,709,465       | + 1.62          | 0.0551  |
| 1975 | 7822                                    | + 3.49          | 13,849,289       | + 1.02          | 0.0565  |
| 1976 | 8034                                    | + 2.71          | 13,991,194       | + 1.03          | 0.0574  |

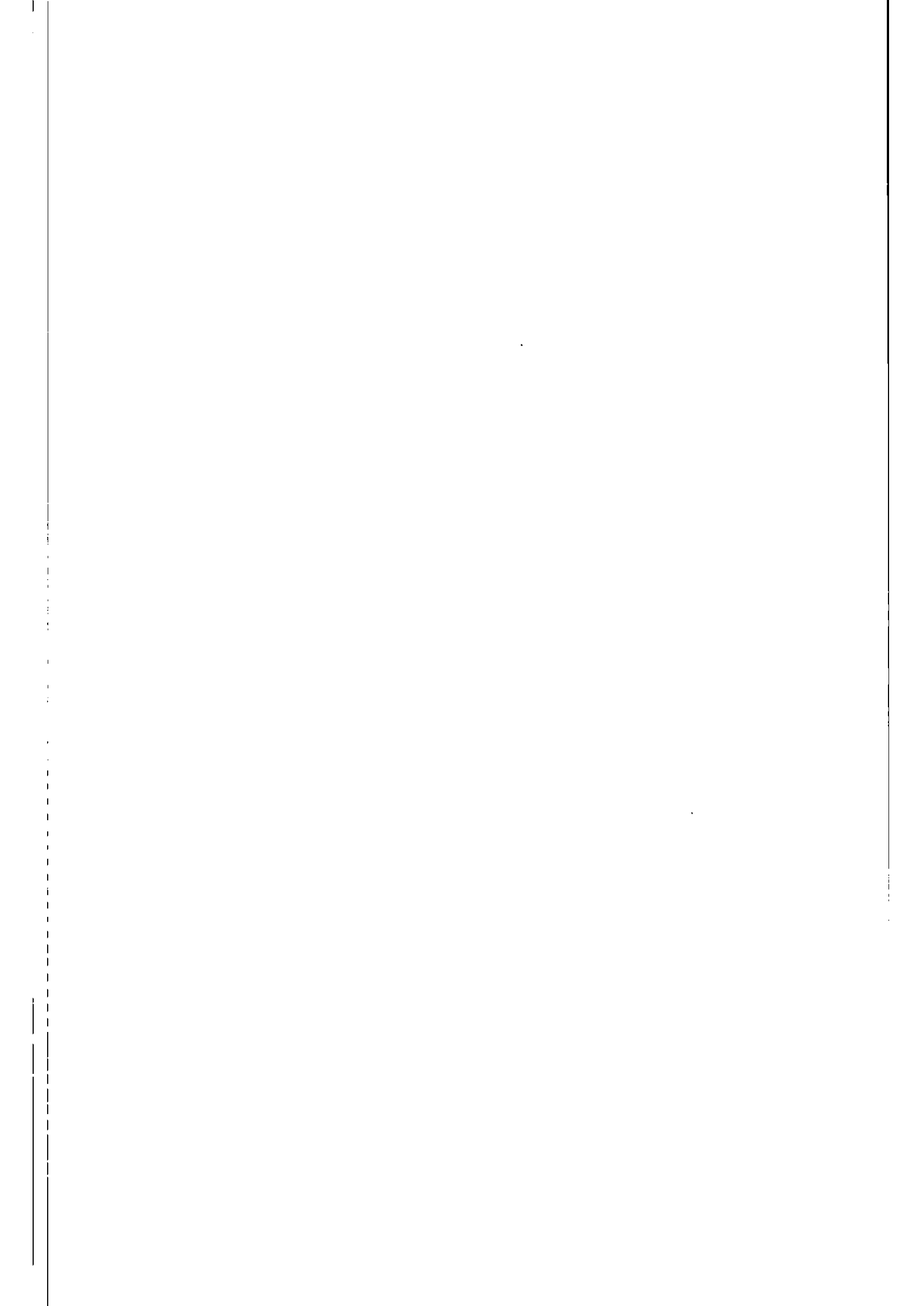


Table 9

NEW SOUTH WALES POPULATION

| Year | Total Population | Annual Percentage Change |
|------|------------------|--------------------------|
| 1945 | 2,932,998        |                          |
| 1946 | 2,962,392        | + 1.00                   |
| 1947 | 3,002,634        | + 1.36                   |
| 1948 | 3,048,306        | + 1.52                   |
| 1949 | 3,149,806        | + 3.33                   |
| 1950 | 3,241,057        | + 2.90                   |
| 1951 | 3,314,672        | + 2.27                   |
| 1952 | 3,367,986        | + 1.61                   |
| 1953 | 3,409,009        | + 1.22                   |
| 1954 | 3,462,313        | + 1.56                   |
| 1955 | 3,525,923        | + 1.84                   |
| 1956 | 3,588,344        | + 1.77                   |
| 1957 | 3,662,904        | + 2.08                   |
| 1958 | 3,728,800        | + 1.80                   |
| 1959 | 3,794,077        | + 1.75                   |
| 1960 | 3,877,261        | + 2.19                   |
| 1961 | 3,949,420        | + 1.86                   |
| 1962 | 4,019,407        | + 1.77                   |
| 1963 | 4,077,743        | + 1.45                   |
| 1964 | 4,142,121        | + 1.58                   |
| 1965 | 4,211,049        | + 1.66                   |
| 1966 | 4,273,307        | + 1.48                   |
| 1967 | 4,326,384        | + 1.24                   |
| 1968 | 4,401,212        | + 1.73                   |
| 1969 | 4,490,765        | + 2.04                   |
| 1970 | 4,573,735        | + 1.85                   |
| 1971 | 4,721,020        | + 3.22                   |
| 1972 | 4,771,916        | + 1.08                   |
| 1973 | 4,816,048        | + 0.93                   |
| 1974 | 4,878,693        | + 1.30                   |
| 1975 | 4,895,762        | + 0.35                   |
| 1976 | 4,932,958        | + 0.76                   |

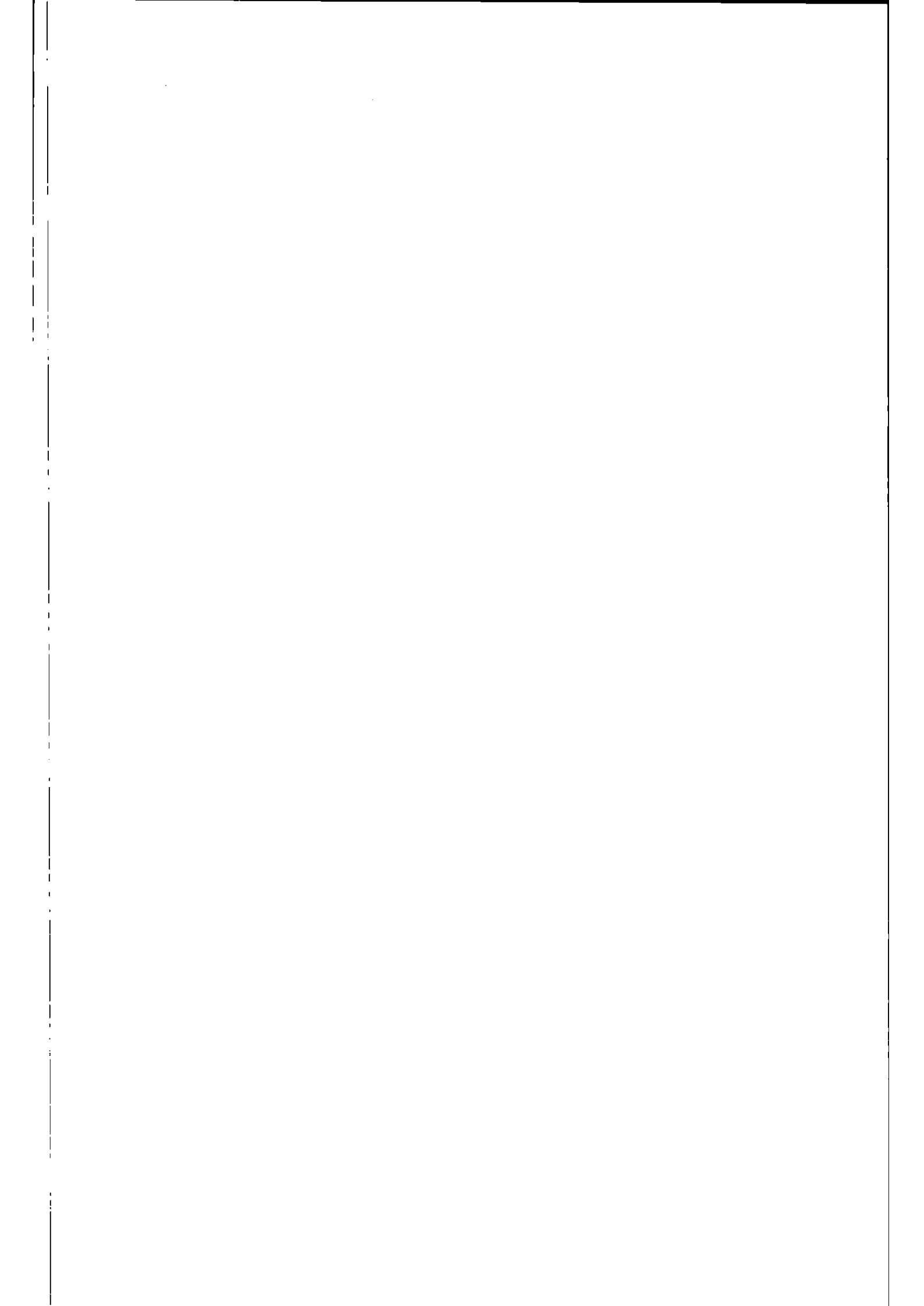


Table 10

AUSTRALIAN CAPITAL TERRITORY POPULATION

| Year | Total Population | Annual Percentage Change |
|------|------------------|--------------------------|
| 1945 | 15,432           |                          |
| 1946 | 16,386           | + 6.18                   |
| 1947 | 17,580           | + 7.29                   |
| 1948 | 19,290           | + 9.73                   |
| 1949 | 22,077           | + 14.45                  |
| 1950 | 23,579           | + 6.80                   |
| 1951 | 24,894           | + 5.58                   |
| 1952 | 27,774           | + 11.57                  |
| 1953 | 29,714           | + 6.99                   |
| 1954 | 31,306           | + 5.36                   |
| 1955 | 33,960           | + 8.48                   |
| 1956 | 36,828           | + 8.45                   |
| 1957 | 39,114           | + 6.21                   |
| 1958 | 42,953           | + 9.82                   |
| 1959 | 49,950           | + 16.29                  |
| 1960 | 55,272           | + 10.66                  |
| 1961 | 62,091           | + 12.34                  |
| 1962 | 69,544           | + 12.00                  |
| 1963 | 77,275           | + 11.12                  |
| 1964 | 84,525           | + 9.38                   |
| 1965 | 92,798           | + 9.79                   |
| 1966 | 100,049          | + 7.81                   |
| 1967 | 107,777          | + 7.72                   |
| 1968 | 116,604          | + 8.19                   |
| 1969 | 126,760          | + 8.71                   |
| 1970 | 137,562          | + 8.52                   |
| 1971 | 151,727          | + 10.30                  |
| 1972 | 163,118          | + 7.51                   |
| 1973 | 174,134          | + 6.75                   |
| 1974 | 184,705          | + 6.07                   |
| 1975 | 200,352          | + 8.47                   |
| 1976 | 206,198          | + 2.92                   |

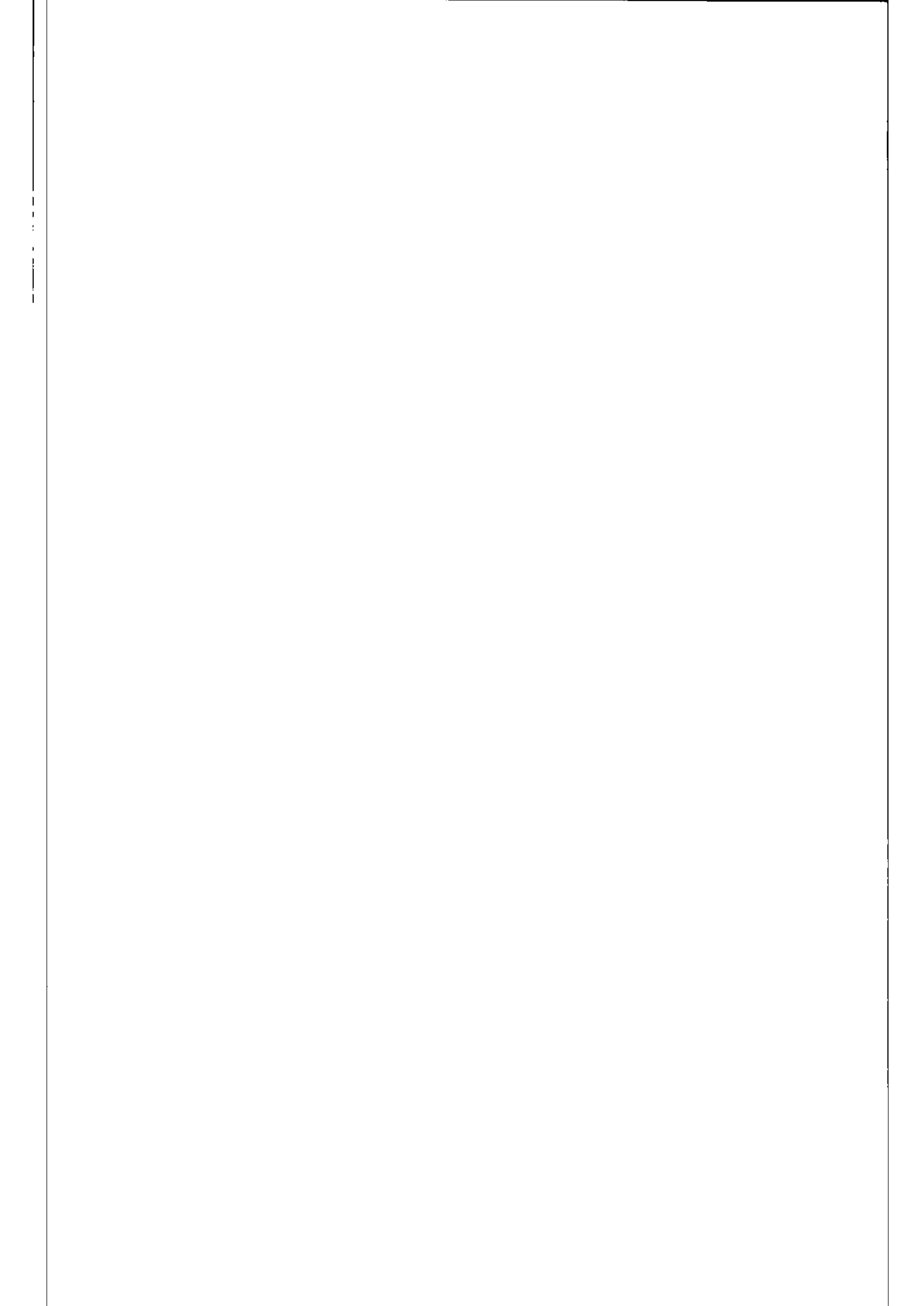


Table 11

NEW SOUTH WALES (including A.C.T.)

|             | Daily Average Prisoners |         |       | Rate per 100,000 of<br>Total Population |
|-------------|-------------------------|---------|-------|---|
|             | Males                   | Females | Total |   |
| <u>1976</u> |                         |         |       |   |
| May         | 3503                    | 110     | 3613  | 71.8                                    |
| June        | 3458                    | 101     | 3559  | 70.7                                    |
| July        | 3408                    | 95      | 3503  | 69.6                                    |
| Aug.        | 3433                    | 102     | 3535  | 69.9                                    |
| Sept.       | 3464                    | 100     | 3564  | 70.4                                    |
| Oct.        | 3446                    | 99      | 3545  | 70.1                                    |
| Nov.        | 3449                    | 110     | 3559  | 70.3                                    |
| Dec.        | 3434                    | 102     | 3536  | 69.9                                    |
| <u>1977</u> |                         |         |       |   |
| Jan.        | 3403                    | 99      | 3502  | 68.8                                    |
| Feb.        | 3462                    | 101     | 3563  | 70.0                                    |
| Mar.        | 3446                    | 99      | 3545  | 68.9                                    |
| Apr.        | 3423                    | 97      | 3520  | 68.4                                    |
| May         | 3473                    | 117     | 3590  | 69.8                                    |
| June        | 3409                    | 105     | 3514  | 68.3                                    |
| July        | 3437                    | 100     | 3537  | 68.6                                    |
| Aug.        | 3446                    | 101     | 3547  | 68.6                                    |
| Sept.       | 3456                    | 98      | 3554  | 68.7                                    |
| Oct.        | 3508                    | 101     | 3609  | 69.8                                    |

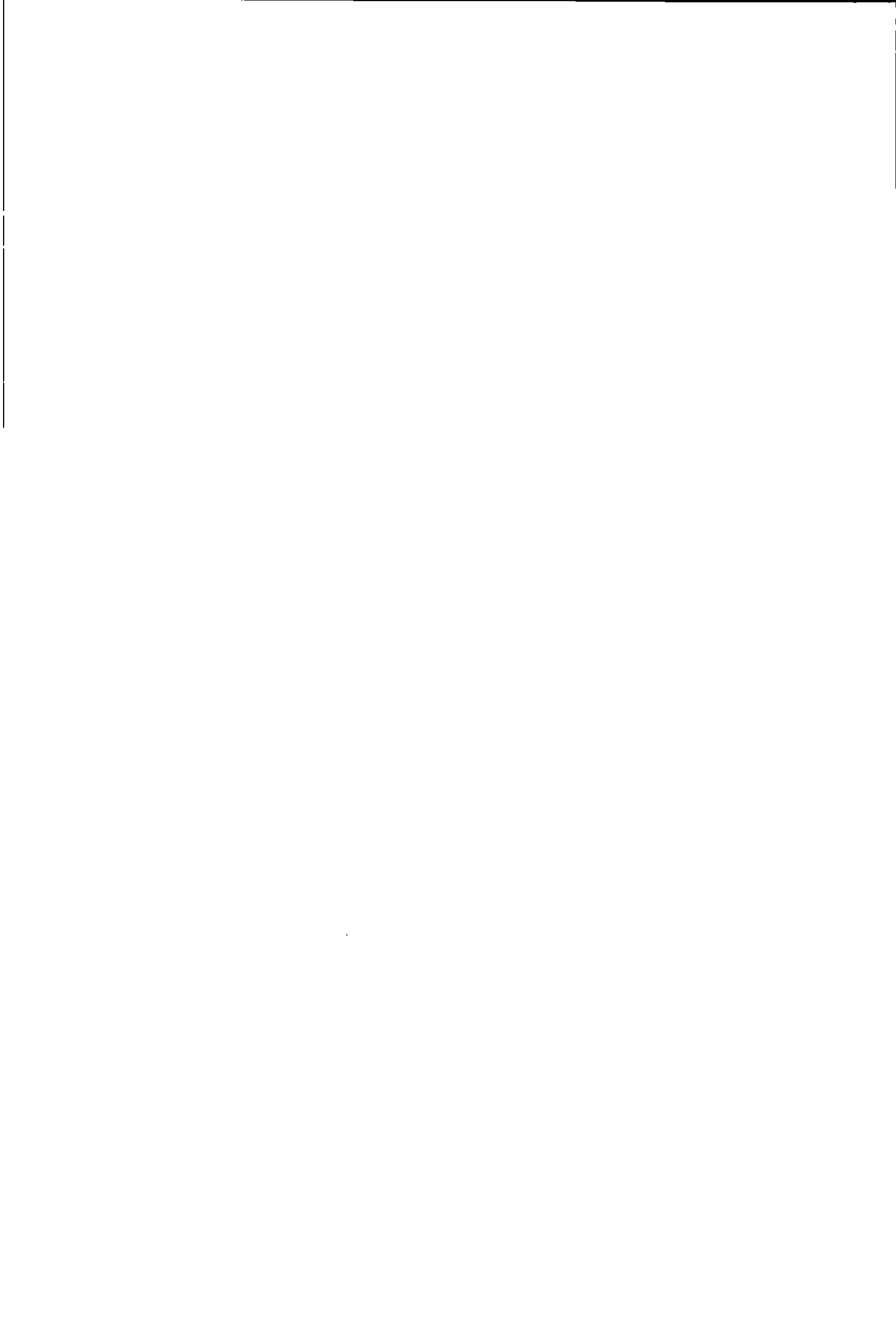




Table 12

VICTORIA

|             | Daily Average Prisoners |         |       | Rate per 100,000 of<br>Total Population |
|-------------|-------------------------|---------|-------|---|
|             | Males                   | Females | Total |   |
| <u>1976</u> |                         |         |       |   |
| May         | 1557                    | 31      | 1588  | 42.9                                    |
| June        | 1573                    | 36      | 1609  | 43.5                                    |
| July        | 1524                    | 36      | 1560  | 42.2                                    |
| Aug.        | 1495                    | 30      | 1525  | 41.0                                    |
| Sept.       | 1487                    | 33      | 1520  | 40.9                                    |
| Oct.        | 1477                    | 34      | 1511  | 40.6                                    |
| Nov.        | 1434                    | 33      | 1467  | 39.4                                    |
| Dec.        | 1395                    | 31      | 1426  | 38.3                                    |
| <u>1977</u> |                         |         |       |   |
| Jan.        | 1370                    | 29      | 1399  | 37.5                                    |
| Feb.        | 1438                    | 29      | 1467  | 39.3                                    |
| Mar.        | 1456                    | 33      | 1489  | 39.5                                    |
| Apr.        | 1435                    | 33      | 1468  | 39.0                                    |
| May         | 1436                    | 34      | 1470  | 39.0                                    |
| June        | 1475                    | 31      | 1506  | 40.0                                    |
| July        | 1492                    | 35      | 1527  | 40.4                                    |
| Aug.        | 1493                    | 37      | 1530  | 40.4                                    |
| Sept.       | 1476                    | 33      | 1509  | 39.8                                    |
| Oct.        | 1474                    | 37      | 1511  | 39.9                                    |

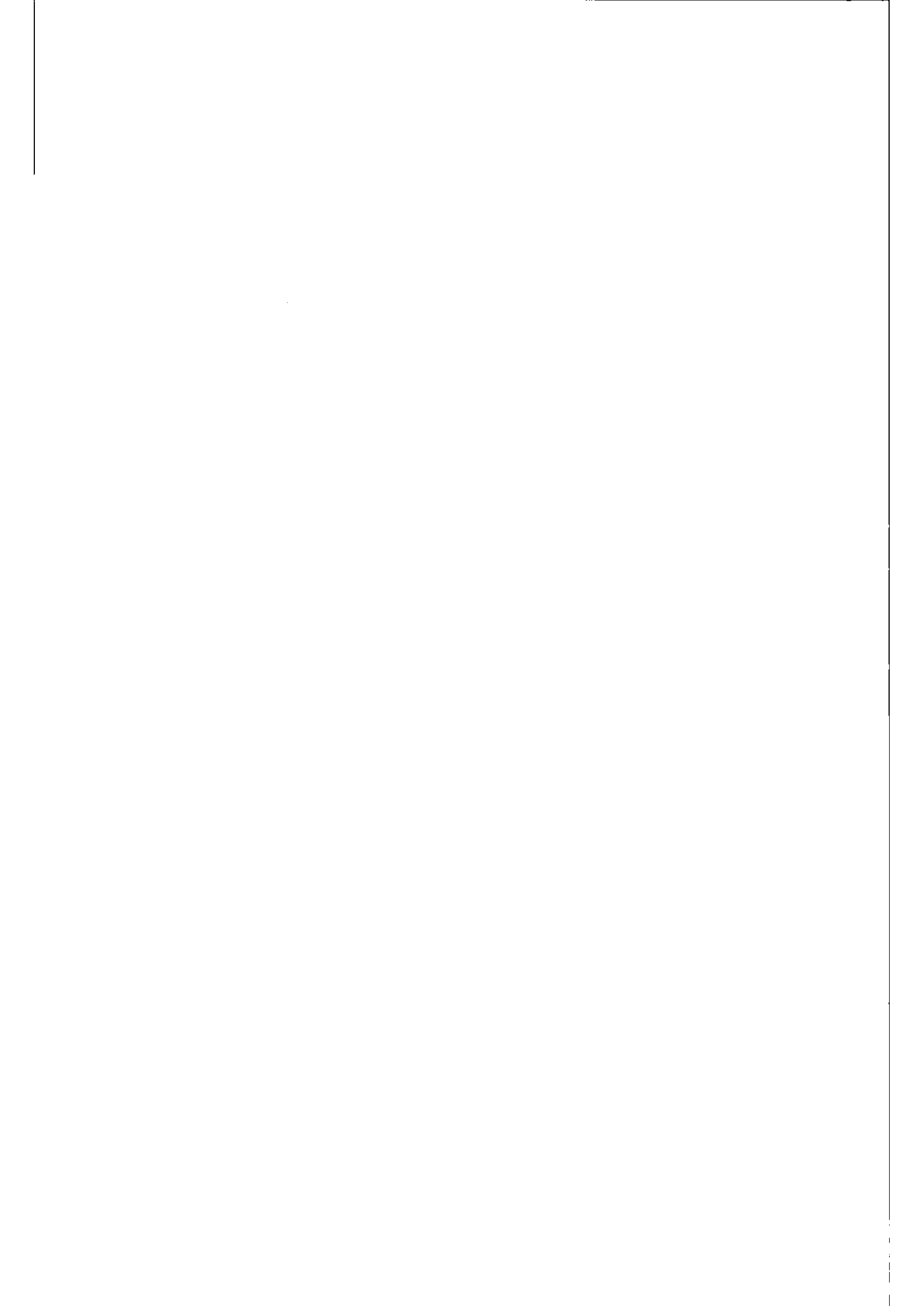


Table 13

QUEENSLAND

|             | Daily Average Prisoners |         |       | Rate per 100,000 of<br>Total Population |
|-------------|-------------------------|---------|-------|---|
|             | Males                   | Females | Total |   |
| <u>1976</u> |                         |         |       |   |
| May         | 1462                    | 27      | 1489  | 73.8                                    |
| June        | 1496                    | 34      | 1530  | 75.8                                    |
| July        | 1513                    | 31      | 1544  | 76.6                                    |
| Aug.        | 1520                    | 36      | 1556  | 76.8                                    |
| Sept.       | 1526                    | 38      | 1564  | 77.2                                    |
| Oct.        | 1525                    | 30      | 1555  | 76.7                                    |
| Nov.        | 1523                    | 29      | 1552  | 76.6                                    |
| Dec.        | 1415                    | 21      | 1436  | 70.8                                    |
| <u>1977</u> |                         |         |       |   |
| Jan.        | 1470                    | 28      | 1498  | 73.6                                    |
| Feb.        | 1496                    | 25      | 1521  | 74.7                                    |
| Mar.        | 1467                    | 28      | 1495  | 70.3                                    |
| Apr.        | 1521                    | 22      | 1543  | 72.5                                    |
| May         | 1496                    | 25      | 1521  | 71.5                                    |
| June        | 1475                    | 20      | 1495  | 70.3                                    |
| July        | 1478                    | 18      | 1496  | 70.1                                    |
| Aug.        | 1494                    | 18      | 1512  | 70.6                                    |
| Sept.       | 1503                    | 26      | 1529  | 71.4                                    |
| Oct.        | 1463                    | 30      | 1493  | 69.7                                    |



Table 14

SOUTH AUSTRALIA

|             | Daily Average Prisoners |         |       | Rate per 100,000 of<br>Total Population |
|-------------|-------------------------|---------|-------|---|
|             | Males                   | Females | Total |   |
| <u>1976</u> |                         |         |       |   |
| May         | 698                     | 16      | 714   | 57.4                                    |
| June        | 662                     | 14      | 676   | 54.3                                    |
| July        | 697                     | 16      | 713   | 57.3                                    |
| Aug.        | 677                     | 14      | 691   | 55.3                                    |
| Sept.       | 674                     | 16      | 690   | 55.2                                    |
| Oct.        | 685                     | 20      | 705   | 56.4                                    |
| Nov.        | 673                     | 19      | 692   | 55.4                                    |
| Dec.        | 646                     | 19      | 665   | 53.2                                    |
| <u>1977</u> |                         |         |       |   |
| Jan.        | 632                     | 19      | 651   | 51.9                                    |
| Feb.        | 649                     | 22      | 671   | 53.5                                    |
| Mar.        | 659                     | 19      | 678   | 53.3                                    |
| Apr.        | 691                     | 15      | 706   | 55.6                                    |
| May         | 707                     | 21      | 728   | 57.3                                    |
| June        | 709                     | 28      | 737   | 58.0                                    |
| July        | 726                     | 28      | 754   | 59.1                                    |
| Aug.        | 754                     | 29      | 783   | 61.3                                    |
| Sept.       | 754                     | 22      | 776   | 60.8                                    |
| Oct.        | 735                     | 26      | 761   | 59.6                                    |

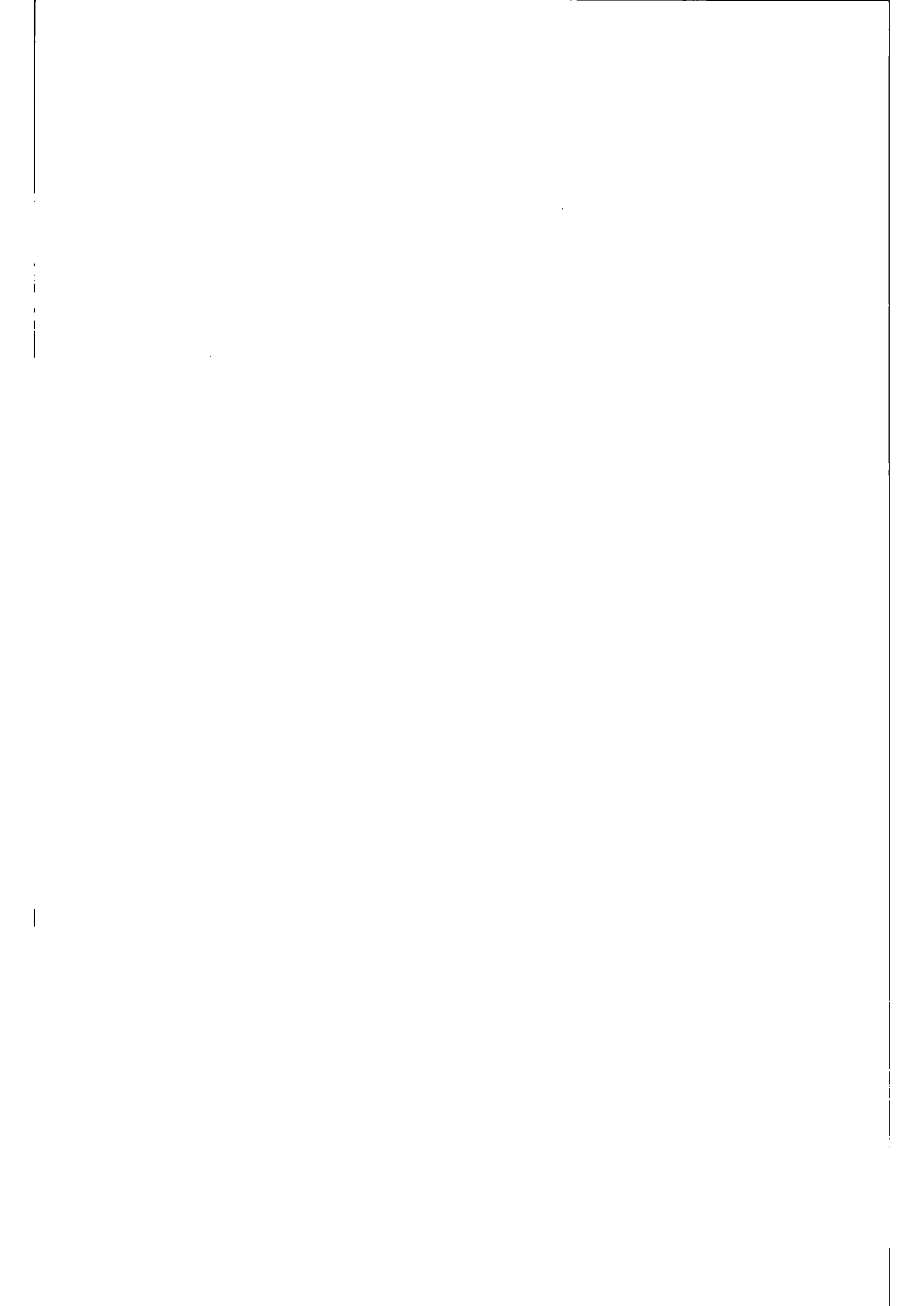


Table 15

WESTERN AUSTRALIA

|             | Daily Average Prisoners |         |       | Rate per 100,000 of<br>Total Population |
|-------------|-------------------------|---------|-------|---|
|             | Males                   | Females | Total |   |
| <u>1976</u> |                         |         |       |   |
| May         | 964                     | 44      | 1008  | 88.1                                    |
| June        | 933                     | 44      | 977   | 85.4                                    |
| July        | 929                     | 46      | 975   | 85.2                                    |
| Aug.        | 964                     | 50      | 1014  | 87.9                                    |
| Sept.       | 936                     | 49      | 985   | 85.4                                    |
| Oct.        | 953                     | 43      | 996   | 86.4                                    |
| Nov.        | 976                     | 37      | 1013  | 87.9                                    |
| Dec.        | 1014                    | 36      | 1050  | 91.1                                    |
| <u>1977</u> |                         |         |       |   |
| Jan.        | 1060                    | 45      | 1105  | 94.6                                    |
| Feb.        | 1094                    | 43      | 1137  | 97.3                                    |
| Mar.        | 1080                    | 44      | 1124  | 94.6                                    |
| Apr.        | 1035                    | 49      | 1084  | 91.3                                    |
| May         | 1010                    | 45      | 1055  | 88.8                                    |
| June        | 1022                    | 45      | 1067  | 89.8                                    |
| July        | 1066                    | 44      | 1110  | 92.8                                    |
| Aug.        | 1116                    | 50      | 1166  | 97.1                                    |
| Sept.       | 1078                    | 44      | 1122  | 93.4                                    |
| Oct.        | 1105                    | 47      | 1152  | 95.9                                    |

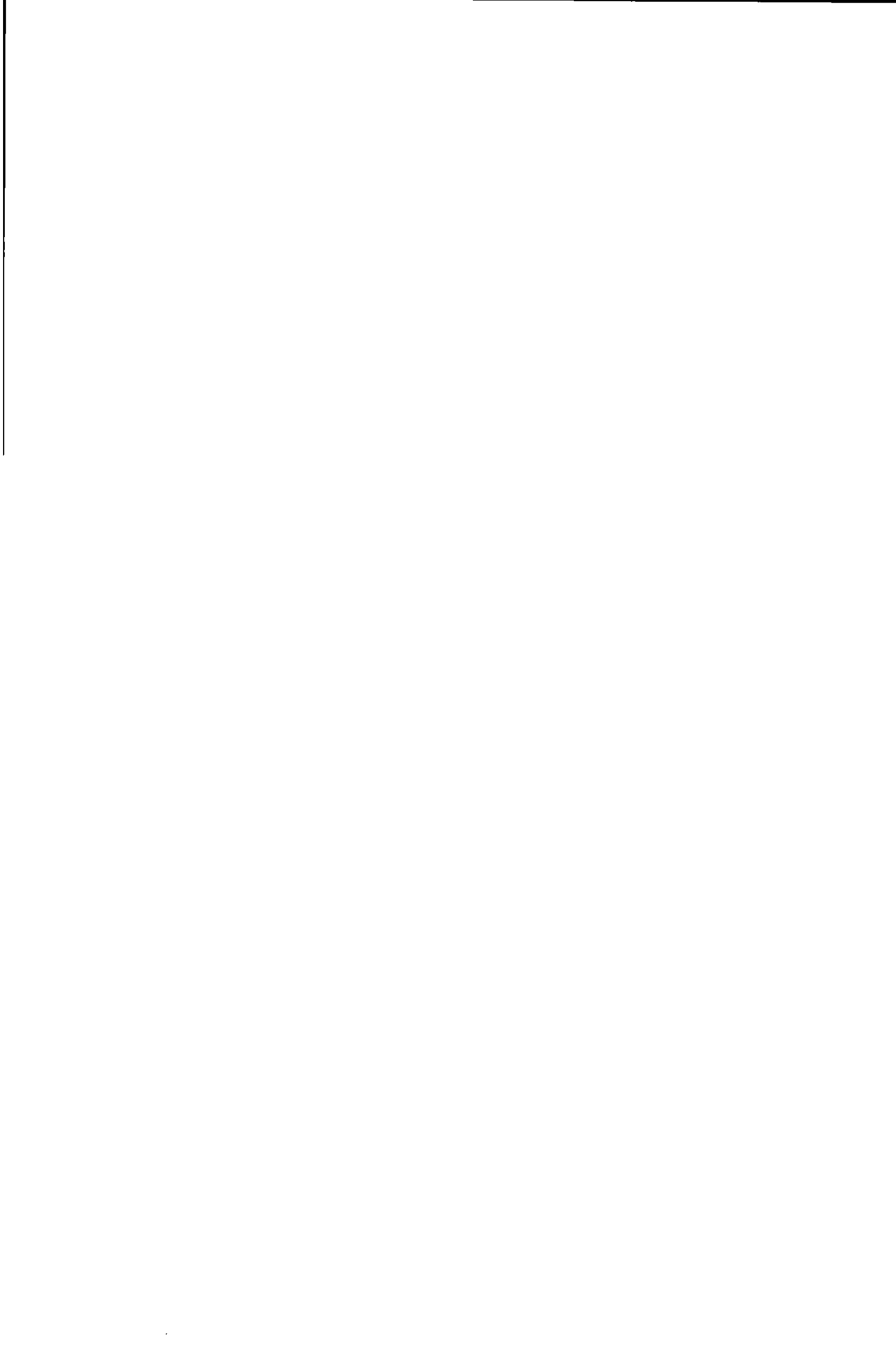




Table 16

TASMANIA

|             | Daily Average Prisoners |         |       | Rate per 100,000 of<br>Total Population |
|-------------|-------------------------|---------|-------|---|
|             | Males                   | Females | Total |   |
| <u>1976</u> |                         |         |       |   |
| May         | 285                     | 4       | 289   | 70.5                                    |
| June        | 288                     | 4       | 292   | 71.2                                    |
| July        | 278                     | 4       | 282   | 68.8                                    |
| Aug.        | 272                     | 5       | 277   | 67.2                                    |
| Sept.       | 283                     | 5       | 288   | 69.9                                    |
| Oct.        | 281                     | 5       | 286   | 69.4                                    |
| Nov.        | 285                     | 4       | 289   | 70.1                                    |
| Dec.        | 280                     | 2       | 282   | 68.4                                    |
| <u>1977</u> |                         |         |       |   |
| Jan.        | 261                     | 3       | 264   | 64.1                                    |
| Feb.        | 242                     | 3       | 245   | 59.5                                    |
| Mar.        | 225                     | 5       | 230   | 56.1                                    |
| Apr.        | 224                     | 4       | 228   | 55.6                                    |
| May         | 233                     | 2       | 235   | 57.3                                    |
| June        | 247                     | 4       | 251   | 61.2                                    |
| July        | 257                     | 2       | 259   | 62.9                                    |
| Aug.        | 257                     | 4       | 261   | 63.4                                    |
| Sept.       | 247                     | 8       | 255   | 61.9                                    |
| Oct.        | 226                     | 7       | 233   | 56.6                                    |

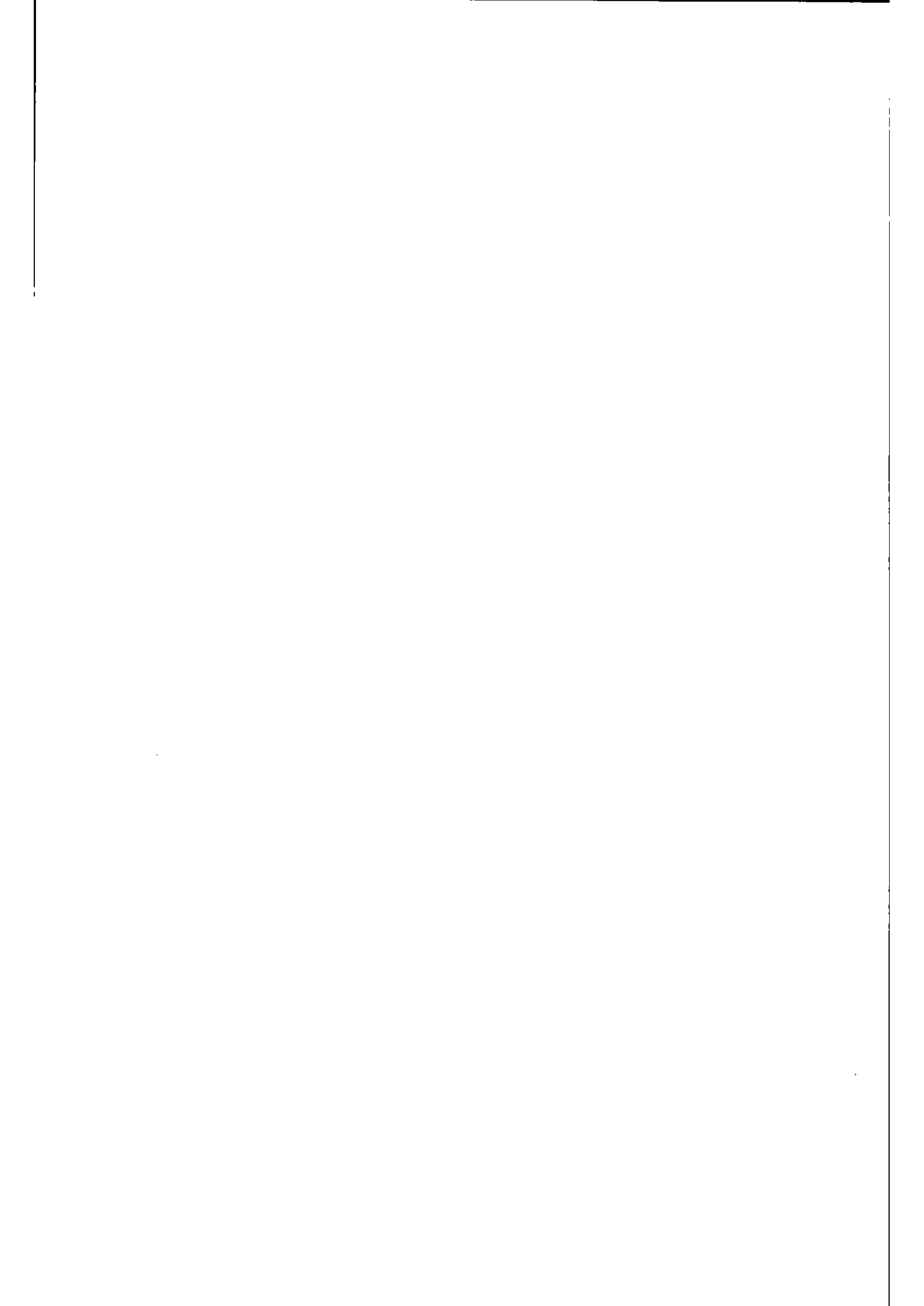


Table 17

NORTHERN TERRITORY

|             | Daily Average Prisoners |         |       | Rate per 100,000 of<br>Total Population |
|-------------|-------------------------|---------|-------|---|
|             | Males                   | Females | Total |   |
| <u>1976</u> |                         |         |       |   |
| May         | 202                     | 4       | 206   | 208.1                                   |
| June        | 194                     | 3       | 197   | 199.0                                   |
| July        | 181                     | 1       | 182   | 183.8                                   |
| Aug.        | 177                     | 2       | 179   | 179.0                                   |
| Sept.       | 182                     | 3       | 185   | 185.0                                   |
| Oct.        | 175                     | 5       | 180   | 180.0                                   |
| Nov.        | 173                     | 7       | 180   | 180.0                                   |
| Dec.        | 177                     | 6       | 183   | 183.0                                   |
| <u>1977</u> |                         |         |       |   |
| Jan.        | 186                     | 7       | 193   | 187.4                                   |
| Feb.        | 186                     | 8       | 194   | 188.3                                   |
| Mar.        | 198                     | 10      | 208   | 200.0                                   |
| Apr.        | 192                     | 9       | 201   | 193.3                                   |
| May         | 187                     | 7       | 194   | 186.5                                   |
| June        | 175                     | 6       | 181   | 174.0                                   |
| July        | 167                     | 8       | 175   | 165.1                                   |
| Aug.        | 157                     | 5       | 162   | 151.4                                   |
| Sept.       | 151                     | 5       | 156   | 145.8                                   |
| Oct.        | 139                     | 5       | 144   | 134.6                                   |



Table 18

AUSTRALIA

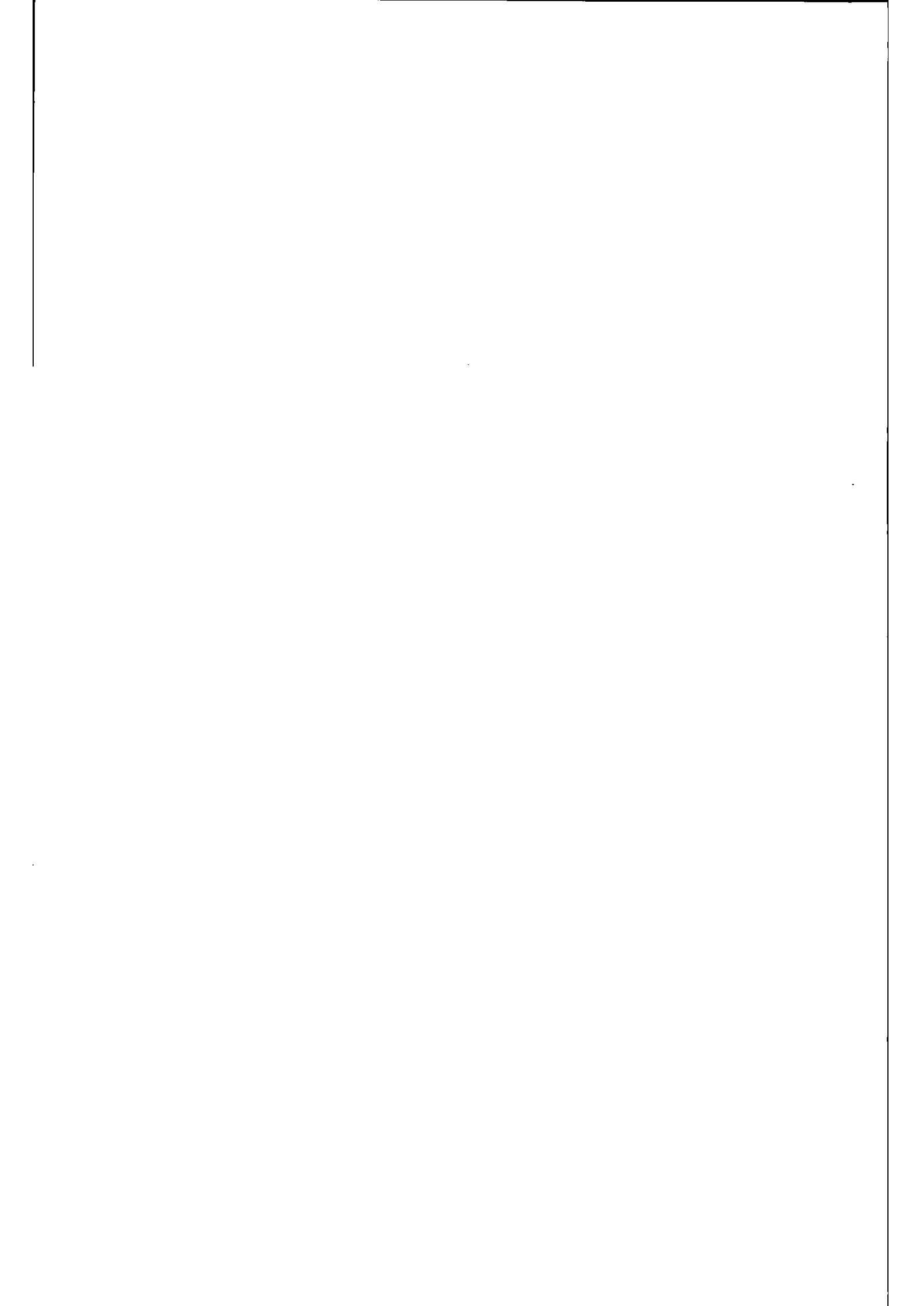
|             | Daily Average Prisoners |         |       | Rate per 100,000 of<br>Total Population |
|-------------|-------------------------|---------|-------|---|
|             | Males                   | Females | Total |   |
| <u>1976</u> |                         |         |       |   |
| May         | 8671                    | 236     | 8907  | 65.3                                    |
| June        | 8604                    | 236     | 8840  | 64.8                                    |
| July        | 8530                    | 229     | 8759  | 64.2                                    |
| Aug.        | 8538                    | 239     | 8777  | 64.0                                    |
| Sept.       | 8552                    | 244     | 8796  | 64.1                                    |
| Oct.        | 8542                    | 236     | 8778  | 64.0                                    |
| Nov.        | 8513                    | 239     | 8752  | 63.8                                    |
| Dec.        | 8361                    | 217     | 8578  | 62.5                                    |
| <u>1977</u> |                         |         |       |   |
| Jan.        | 8382                    | 230     | 8612  | 62.4                                    |
| Feb.        | 8567                    | 231     | 8798  | 63.8                                    |
| Mar.        | 8531                    | 238     | 8769  | 62.6                                    |
| Apr.        | 8521                    | 229     | 8750  | 62.4                                    |
| May         | 8542                    | 251     | 8793  | 62.7                                    |
| June        | 8512                    | 239     | 8751  | 62.4                                    |
| July        | 8623                    | 235     | 8858  | 63.0                                    |
| Aug.        | 8717                    | 244     | 8961  | 63.6                                    |
| Sept.       | 8665                    | 236     | 8901  | 63.1                                    |
| Oct.        | 8650                    | 253     | 8903  | 63.2                                    |



Table 19

Percentage of Prisoners on Remand  
as at the first day of each month, June to October 1977

|        | 1977 |      |      |       |      |
|--------|------|------|------|-------|------|
|        | June | July | Aug. | Sept. | Oct. |
| N.S.W. | 11.7 | 11.8 | 11.7 | 11.6  | 11.3 |
| VIC.   | 13.1 | 8.2  | 10.1 | 9.7   | 9.6  |
| QLD    | 4.3  | 4.6  | 4.6  | 6.2   | 5.5  |
| S.A.   | 20.2 | 18.5 | 19.1 | 17.8  | 17.0 |
| W.A.   | 11.6 | 9.3  | 9.4  | 9.1   | 9.0  |
| TAS.   | 9.2  | 8.5  | 7.1  | 9.7   | 6.0  |
| N.T.   | 7.9  | 10.1 | 14.2 | 17.3  | 16.6 |
| AUST.  | 11.2 | 10.0 | 10.5 | 10.6  | 10.1 |





COMMENTS

For the reasons given in the introduction, interpretation of data contained in Tables 1 to 8 should be undertaken with caution. Nevertheless, the following observations are made :

- (a) Striking increases in the numbers of convicted prisoners as at 30 June 1956 are apparent in New South Wales, Victoria and Western Australia.
- (b) South Australia experienced dramatic increases in prison numbers in 1952 and 1957.
- (c) In Tasmania, 1966 was a year of apparent increase in prison numbers.
- (d) Significant decreases in prison numbers are noted in 1974 for New South Wales, Victoria, Queensland, Western Australia and the Northern Territory and this is reflected in the national statistics shown in Table 8.
- (e) Over the period 1945 to 1976 the national use of imprisonment has been relatively stable, with a high period in terms of the proportion of the population in prison being seen from 1967 to 1972. Since that time, prison numbers have declined.

Tables 11 to 18 indicate daily average numbers of total prisoners calculated on a monthly basis from May 1976 to October 1977, together with numbers of prisoners per 100,000 of the total population. From these tables it can be seen that considerable differences in the use of imprisonment are apparent for the different Australian jurisdictions, with the Northern Territory having the highest rate and Victoria the lowest. These data also confirm a continuing tendency towards the decreasing use of imprisonment.

From Table 19 it can be seen that slightly more than ten per cent of all Australian prisoners are on remand, but, again, significant differences between jurisdictions may be observed.

The data shown in Table 19 does not include remand prisoners held in the Australian Capital Territory.

