

Research and Statistics Division

Publication No. 13.

CENSUS OF PRISONERS 1974

PAST CRIMINAL ASPECTS

Published by the N.S.W. Department of Corrective Services -
Research and Statistics Division

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ACKNOWLEDGEMENTS

The publication of this second census of prisoners in New South Wales has been made possible by the co-operation of the prisoners who completed the census questionnaires and the officers who assisted in the distribution, collection and forwarding of the completed forms.

We gratefully acknowledge the assistance of clerical staff and typists for their particular contribution.

The material for publication was prepared by two Research Officers, Mrs. M. Miner and Miss E. Crossing, under the direction of the Senior Research Officer, Mrs. M. Dewdney : their contribution is greatly appreciated.

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INTRODUCTION

This publication is the third in a series of reports presenting information obtained from a census of prisoners carried out on 30th June 1974. On the evening of 30th June 1974 there were 3,112 prisoners in custody and census data were gathered for 3,089 prisoners or 99.3% of the total.

Researching the criminal histories of large groups of prisoners is not easy. The most complete official records are available from police files, but locating, transcribing and analyzing thousands of records is most time consuming.

The approach taken in this prison census was to attempt to estimate past known criminal activities through information provided by the prisoner. Record data available on corrective services' files were only used to eliminate contradictions within the replies of individual respondents, but no independent checks against record information were made.

Problems inherent in this approach comprise all the forms of response error, resulting from misunderstanding the question, faulty memory, deliberate falsification of data and refusal to respond. However these problems must be recognized in all censuses.

What value is there in collecting data about prisoners' past criminal histories? Firstly, juvenile and adult crime forms part of the social background of the offender, just as age, birthplace and marital status comprise background factors which describe the social situation of the prisoner, and as such should be recorded as a vital component of social description. Secondly, past criminal activity appears to be one of the variables that influence a person's experience of any particular imprisonment and his behaviour during imprisonment and on release.

Some often-asked questions that social description can answer are:

Is it true that our prisons are filled with recidivists?

How many adult prisoners have juvenile records?

Are male prisoners more likely to have juvenile records than female prisoners?

For example Simon reviewed a large number of prediction studies concerning probationers and prisoners, suggesting that:

"If a prediction study is done by a simple empirical search of case records for predictive items, variables describing criminal record often turn out to be among the best. They are hard, objective and (depending on the accuracy of the records) reliably measured. They are also among the most stable over time ... Certainly many studies have relied heavily on various indicators of criminal history as officially recorded (number of convictions, age when first convicted, types of previous sentence, nature of previous or current offences, etc.) in building prediction instruments."¹

1. Simon F.H. Prediction Methods in Criminology, Home Office Research Unit Report 7, London, Her Majesty's Stationery Office, 1971.

SUMMARY OF FINDINGS

A. JUVENILE RECORD

Males

Half of the male prisoners stated that they had been convicted as juveniles. One third had been committed to a juvenile institution or given a bond. Over one fifth had been committed more than once to a juvenile institution.

Females

45% of the females stated that they had been convicted as juveniles. One third had been committed to a juvenile institution but less than one fifth had received bonds or probation or fines. Almost one quarter had been committed more than once to a juvenile institution.

Unsentenced Prisoners

Just over half the sentenced and unsentenced prisoners stated that they had received juvenile convictions. One third of sentenced and unsentenced prisoners claimed to have been committed to a juvenile institution but only 11% received fines (21% for sentenced prisoners). Of those who had been committed to a juvenile institution, 60% of both groups had been committed more than once.

B. ADULT RECORD

Males

Three quarters stated that they had received adult convictions in the past; 58% had been imprisoned in the past, and over one third had received fines and bonds. Almost one quarter had experienced three or more past imprisonments.

Females

Almost 60% stated that they had received adult convictions in the past. Over 40% had received imprisonments, fines or bonds in the past. 11% claimed to have experienced three or more past imprisonments.

Unsentenced
prisoners

Almost two-thirds of unsentenced prisoners and three quarters of sentenced prisoners stated that they had been convicted as adults.

Fewer unsentenced prisoners than sentenced had experienced bonds, fines or imprisonments in the past.

At least 56% of unsentenced prisoners and 61% of sentenced prisoners had served a prison sentence in the past: 12% and 25% respectively had served more than two prison sentences.

A. JUVENILE RECORD

Table 1. Past juvenile convictions

No. of past juvenile convictions	Males		Females		Total	
	No.	%	No.	%	No.	%
Nil	1358	44.8	28	50.9	1386	44.9
One	408	13.4	10	18.2	418	13.5
Two	287	9.5	2	3.6	289	9.4
Three or more	841	27.7	13	23.7	854	27.6
Not stated	140	4.6	2	3.6	142	4.6
TOTAL	3034	100.0	55	100.0	3089	100.0

A little under half the respondents (45%) claimed to have received no convictions as juveniles. A slightly higher proportion of female offenders (51%) claimed to have no record of juvenile convictions.

Of those who specified the number of juvenile convictions received, over half claimed to have been given three or more juvenile convictions. However these findings must be used with caution because they derive from unverified statements of prisoners concerning their past criminal activities.

Graph 1. Number of juvenile convictions : male prisoners compared with female prisoners

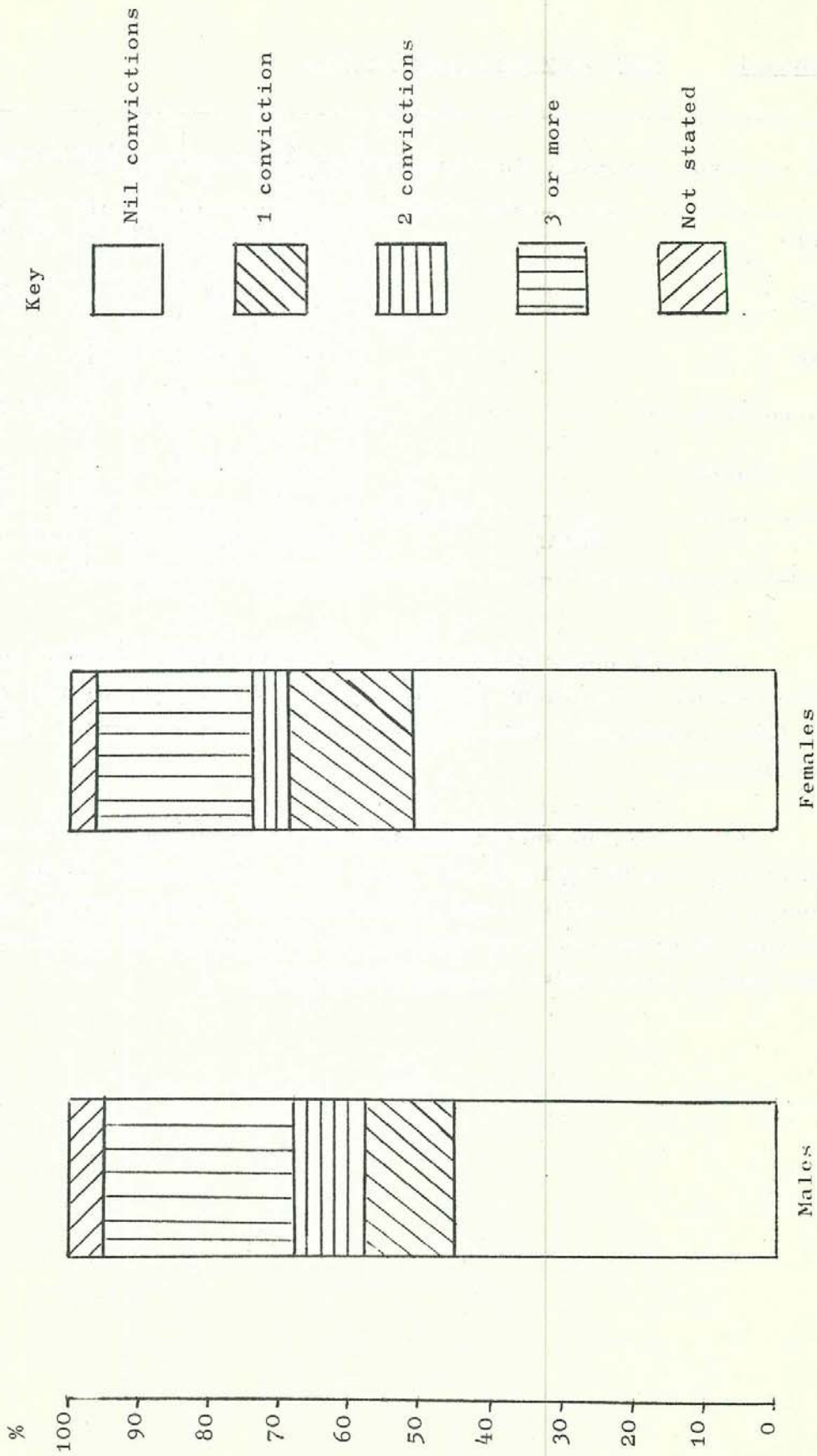


Table 2. Status by juvenile convictions

No. of juvenile convictions	Sentenced	% Sentenced	NOT UNDER SENTENCE						Total NUS	% NUS	TOTAL	%
			Appellant	Awaiting trial or sentence	Remand	Debtor	Deportee Prohibited Immigrant	Not known				
Nil	1220	45.8	21	43	85	3	13	1	166	39.4	1386	44.9
One	353	13.2	11	21	29	3	1	-	65	15.4	418	13.5
Two	249	9.3	9	8	21	2	-	-	40	9.5	289	9.3
Three or more	761	28.5	14	33	45	1	-	-	93	22.1	854	27.7
Not stated	85	3.2	4	5	25	10	-	13	57	13.6	142	4.6
TOTAL	2668	100.0	59	110	205	19	14	14	421	100.0	3089	100.0

If respondents who failed to answer the question on juvenile convictions are excluded from the analysis, then 47% of sentenced prisoners and 46% of unsentenced prisoners claimed to have had no convictions as juveniles. Whereas the proportions of juvenile offenders appear similar for both groups, unsentenced prisoners stated that they had received fewer juvenile convictions: 29% claimed to have received less than three convictions compared with 24% for sentenced prisoners.

Table 3. Juvenile corrective measures

Corrective measures experienced	Males		Females		Total	
	No.	%	No.	%	No.	%
Bond	952	31.4	10	18.2	962	31.1
Fine	588	19.4	5	9.1	593	19.2
Probation	720	23.7	9	16.4	729	23.6
Institution	1045	34.4	18	32.7	1063	34.4
TOTAL PERSONS	3034	100.0	55	100.0	3089	100.0

For male respondents, one third claimed to have experienced institutional commitments and bonds as juveniles. Less than one quarter had experienced probation and 19% claimed to have been given a fine.

Almost one third of the female respondents claimed to have been committed to a juvenile institution, but less than one fifth stated that they had received a bond or probation and only 9% acknowledged receiving a fine.

Note:

The numbers and percentages included in this table do not relate to distinct persons, as it is possible for persons to have had more than one juvenile corrective measure. For example, the number of male prisoners who have experienced bonds, fines, probation, institution does not necessarily equal the number of males in custody on 30th June, 1974 (that is, N = 3034).

Graph 2. Juvenile corrective measures experienced by male prisoners compared with female prisoners

Key

Males

Females

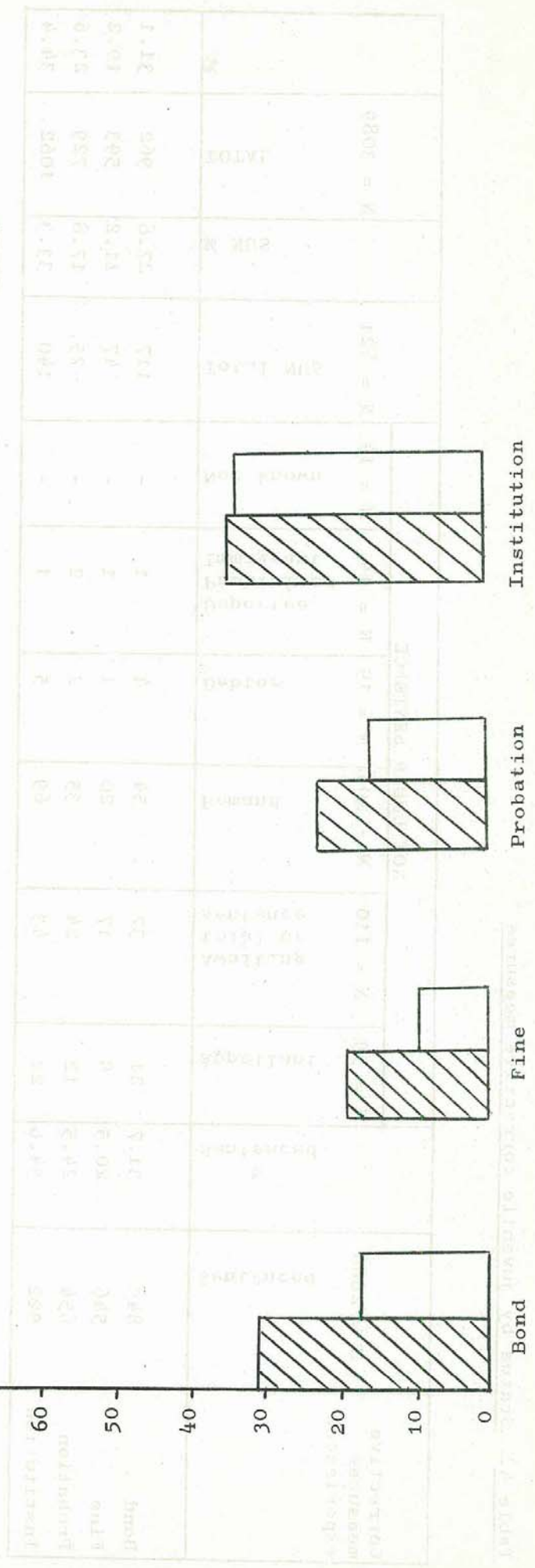


Table 4. Status by juvenile corrective measures

Corrective measures experienced	N = 2668 Sentenced	NOT UNDER SENTENCE						Total NUS N = 421	% NUS	TOTAL N = 3089	%
		N = 59 Appellant	N = 110 Awaiting trial or sentence	N = 205 Remand	N = 19 Debtor	N = 14 Deportee Prohibited Immigrant	N = 14 Not known				
Bond	845	21	37	54	4	1	-	117	27.8	962	31.1
Fine	546	8	17	20	1	1	-	47	11.2	593	19.2
Probation	654	12	24	35	2	2	-	75	17.8	729	23.6
Institution	922	22	43	69	5	1	-	140	33.3	1062	34.4

One third of both sentenced and unsentenced prisoners claimed to have been committed to a juvenile institution. However proportionately fewer unsentenced prisoners claimed to have received bonds, probation or fines than sentenced prisoners.

Note:

The numbers and percentages included in this table do not relate to distinct persons, as it is possible for persons to have had more than one juvenile corrective measure. For example, the number of sentenced prisoners who have experienced bonds, fines, probation, institution does not necessarily equal the number of distinct persons in custody under sentence on 30th June, 1974. (that is, N = 2668).

Graph 3. Juvenile corrective measures experienced by sentenced prisoners compared with unsentenced prisoners

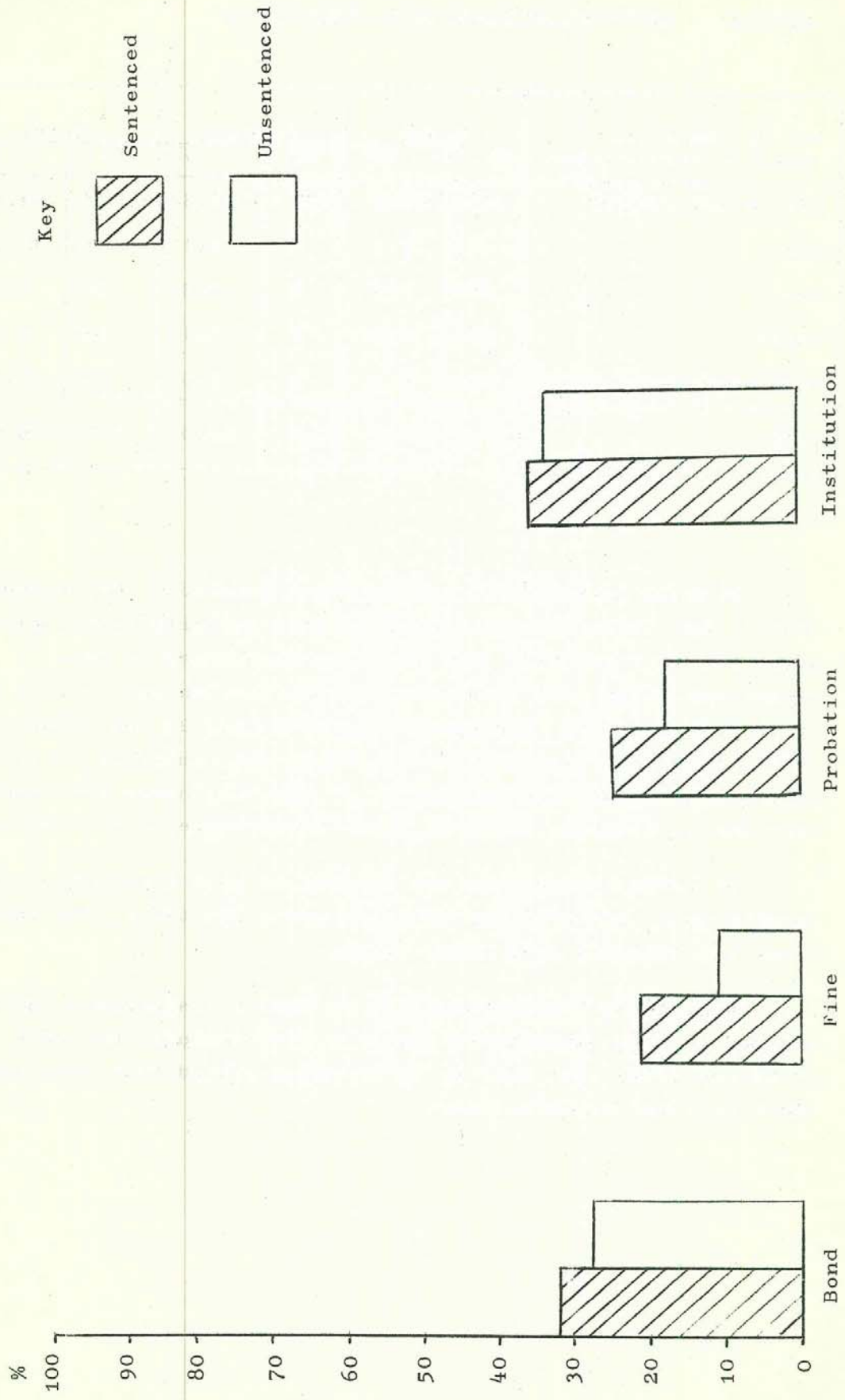


Table 5. Juvenile Institutional Experience

No. of times in juvenile institution	Males		Females		Total	
	No.	%	No.	%	No.	%
Nil or not stated	1966	64.8	37	67.3	2003	64.8
One	432	14.3	5	9.1	437	14.2
Two	241	7.9	4	7.3	245	7.9
Three	203	6.7	5	9.1	208	6.7
More than three times	192	6.3	4	7.3	196	6.4
TOTAL	3034	100.0	55	100.0	3089	100.0

Whereas in answer to the previous question, 1063 respondents stated that they had been committed to a juvenile institution, in answer to this question 1086 respondents claimed to have experienced committal to a juvenile institution one or more times. It is possible that discrepant responses from 23 individuals could result from confusion between institutional committals resulting from a court order and admissions to juvenile homes for temporary care due to illness, death or other disturbance in the family.

Of those respondents who claimed to have experienced juvenile institutions, 40% had been admitted once, 23% twice, 19% three times and 18% more than three times.

A slightly lower proportion of female respondents (33%) claimed to have experienced juvenile institutions than male prisoners (35%), but half of these women stated that they had been admitted three or more times.

Table 6. Status by juvenile institutional experience

Times in juvenile institution	Sentenced	% Sentenced	NOT UNDER SENTENCE						Total NUS	% NUS	TOTAL	%
			Appellant	Awaiting trial or sentence	Remand	Debtor	Deportee Prohibited Immigrant	Not known				
Nil	1724	64.6	37	67	134	14	13	14	279	66.3	2003	64.8
One	378	14.2	10	16	29	4	-	-	59	14.0	437	14.2
Two	212	8.0	4	10	17	1	1	-	33	7.9	245	7.9
Three	191	7.1	4	6	7	-	-	-	17	4.0	208	6.7
More than three	163	6.1	4	11	18	-	-	-	33	7.8	196	6.4
TOTAL	2668	100.0	59	110	205	19	14	14	421	100.0	3089	100.0

A little over one third of both sentenced and unsentenced prisoners claimed to have experienced juvenile commitments. Of those who had spent time in an institution, just over 40% in both groups had been admitted once, 22% twice and almost 38% three or more times.

B. ADULT RECORD

Table 7. Past adult convictions

No. of convictions	Males		Females		Total	
	No.	%	No.	%	No.	%
Nil	634	20.9	21	38.2	655	21.2
One	472	15.6	6	10.9	478	15.5
Two	347	11.4	5	9.1	352	11.4
Three or more	1434	47.3	21	38.2	1455	47.1
Not stated	147	4.8	2	3.6	149	4.8
TOTAL	3034	100.0	55	100.0	3089	100.0

Whereas half the respondents claimed to have received juvenile convictions, three quarters stated that they had received adult convictions in the past.

A higher proportion of female respondents (38%) claimed to have been given no past adult convictions than male respondents (21%). On the basis of conviction data, then, it appears that approximately one fifth of male prisoners and two fifths of female prisoners are first offenders.

Graph 4. Number of adult convictions experienced by male prisoners compared with female prisoners

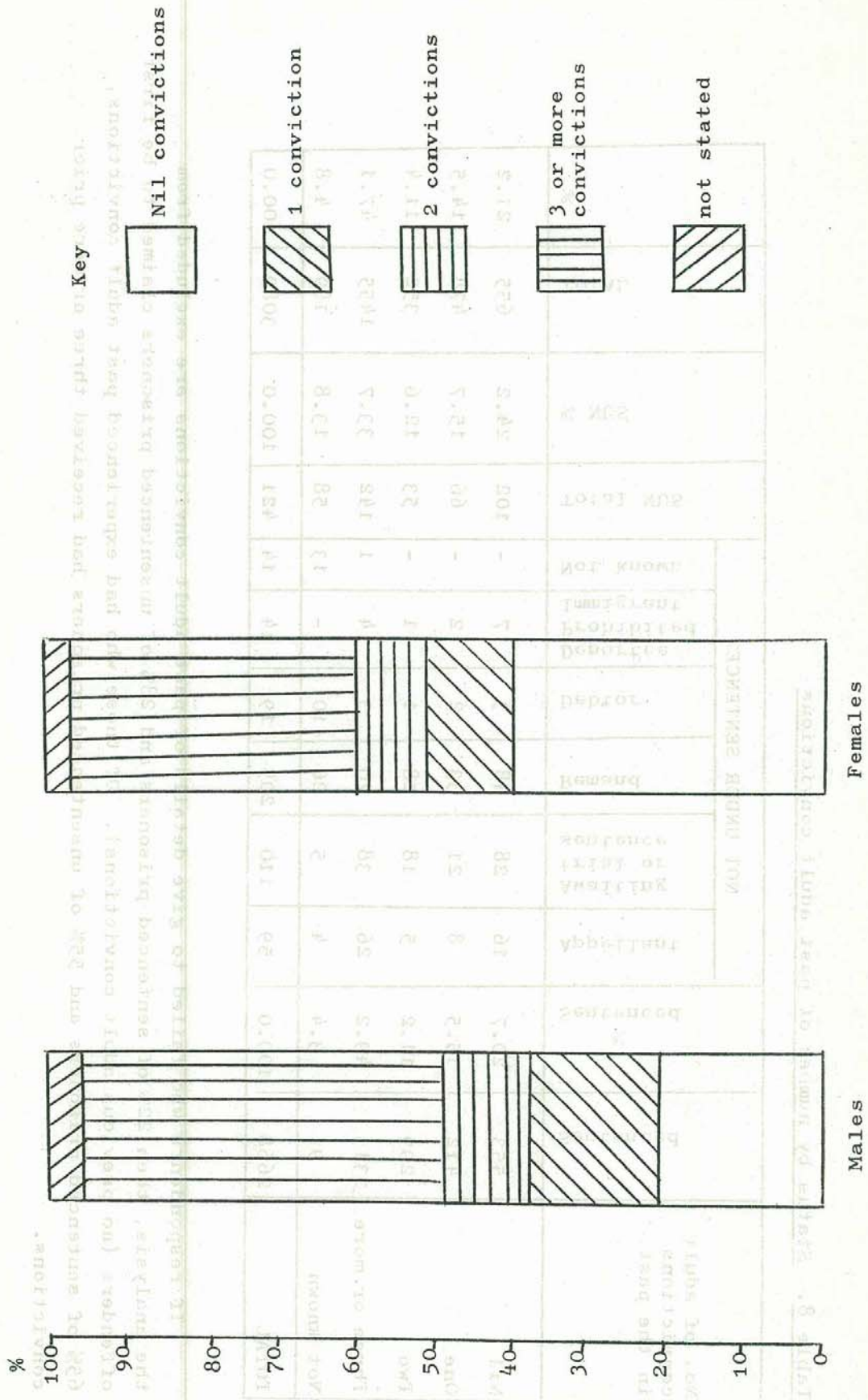


Table 8. Status by number of past adult convictions

No. of adult convictions in the past	Sentenced	Sentenced %	NOT UNDER SENTENCE						Total NUS	% NUS	TOTAL	%
			Appellant	Awaiting trial or sentence	Remand	Debtor	Deportee	Prohibited Immigrant				
Nil	553	20.7	16	28	48	3	7	-	102	24.2	655	21.2
One	412	15.5	8	21	33	2	2	-	66	15.7	478	14.5
Two	299	11.2	5	18	28	1	1	-	53	12.6	352	11.4
Three or more	1313	49.2	26	38	70	3	4	1	142	33.7	1455	47.1
Not known	91	3.4	4	5	26	10	-	13	58	13.8	149	4.8
TOTAL	2668	100.0	59	110	205	19	14	14	421	100.0	3089	100.0

If respondents who failed to give details of past adult convictions are excluded from the analysis, then 22% of sentenced prisoners and 28% of unsentenced prisoners claimed to be first offenders (no previous adult convictions). Of those who had experienced past adult convictions, 65% of sentenced prisoners and 55% of unsentenced prisoners had received three or more prior convictions.

Table 9. Past adult corrective measures

Measures Experienced	Males		Females		Total	
	No.	%	No.	%	No.	%
Bond	1084	35.7	23	41.8	1107	35.8
Fine	1411	46.5	24	43.6	1435	46.5
Probation	442	14.6	9	16.4	451	14.6
Prison	1768	58.3	24	43.6	1792	58.0
Periodic Detention	32	1.1	-	-	32	1.0
Work Release	63	2.1	-	-	63	2.0
Parole	507	16.7	5	9.1	512	16.6
License	107	3.5	3	5.5	110	3.6
TOTAL PERSONS	3034	100.0	55	100.0	3089	100.0

Corrective measures experienced in the past by a significant proportion of respondents comprise imprisonment (58%), fines (47%) and bonds (36%). Probation had been experienced by only 15% of respondents, according to their own statement. A very small proportion of prisoners (less than 4%) had experienced periodic detention, work release or release to license. Of the 1792 respondents who claimed to have been imprisoned in the past, a little under one third (29%) claimed to have been released to parole supervision.

Compared with male prisoners, proportionately fewer women had experienced imprisonment, parole or fines in the past but more had received bonds or probation or been released to license. None of the women had experienced periodic detention or work release which have been restricted to male prisoners.

Note:

The numbers and percentages, included in this table do not relate to distinct persons, as it is possible for persons to have had more than one past adult corrective measure; see note on page 8.

Graph 5. Past adult corrective measures experienced by male prisoners compared with female prisoners

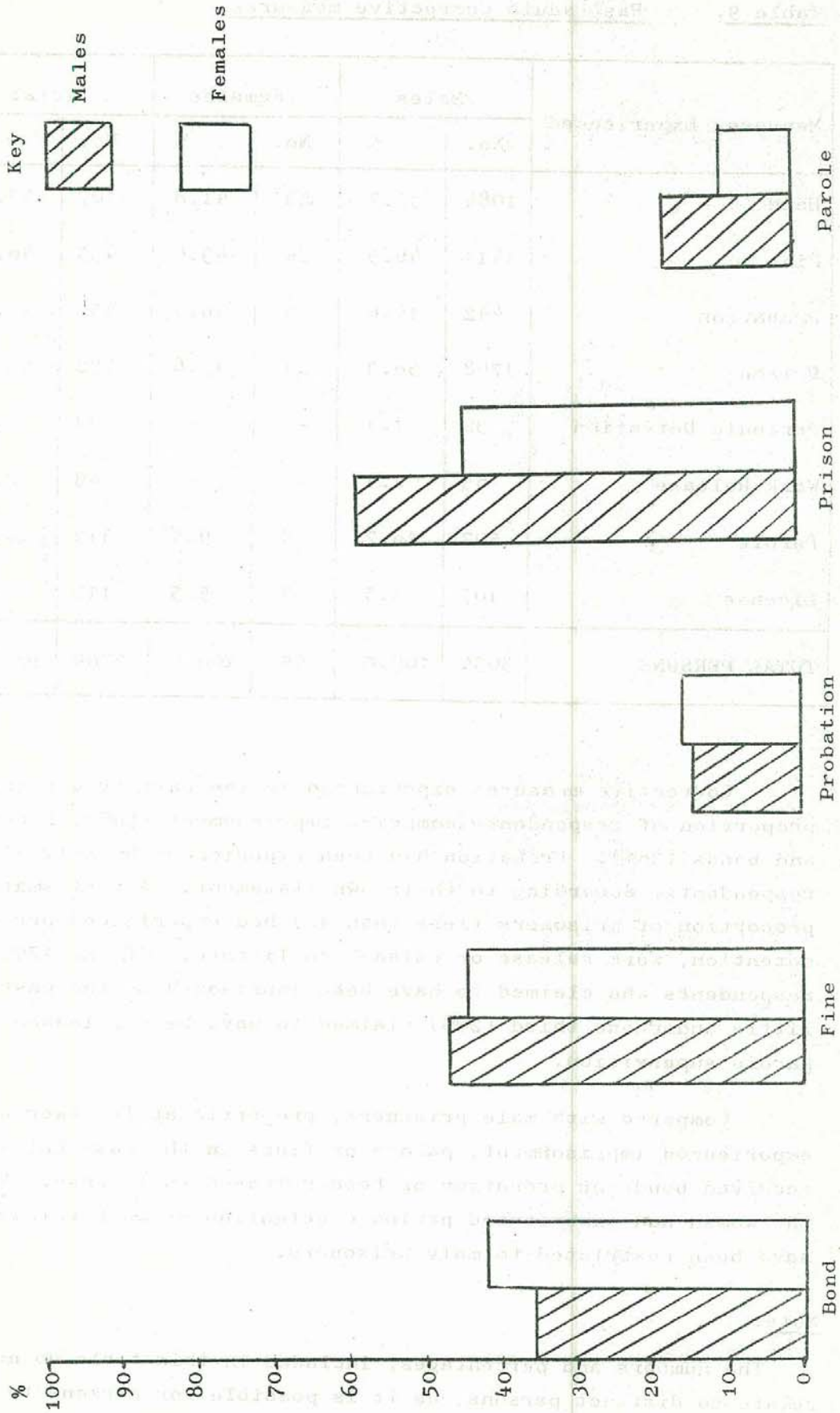


Table 10. Status by adult corrective measures

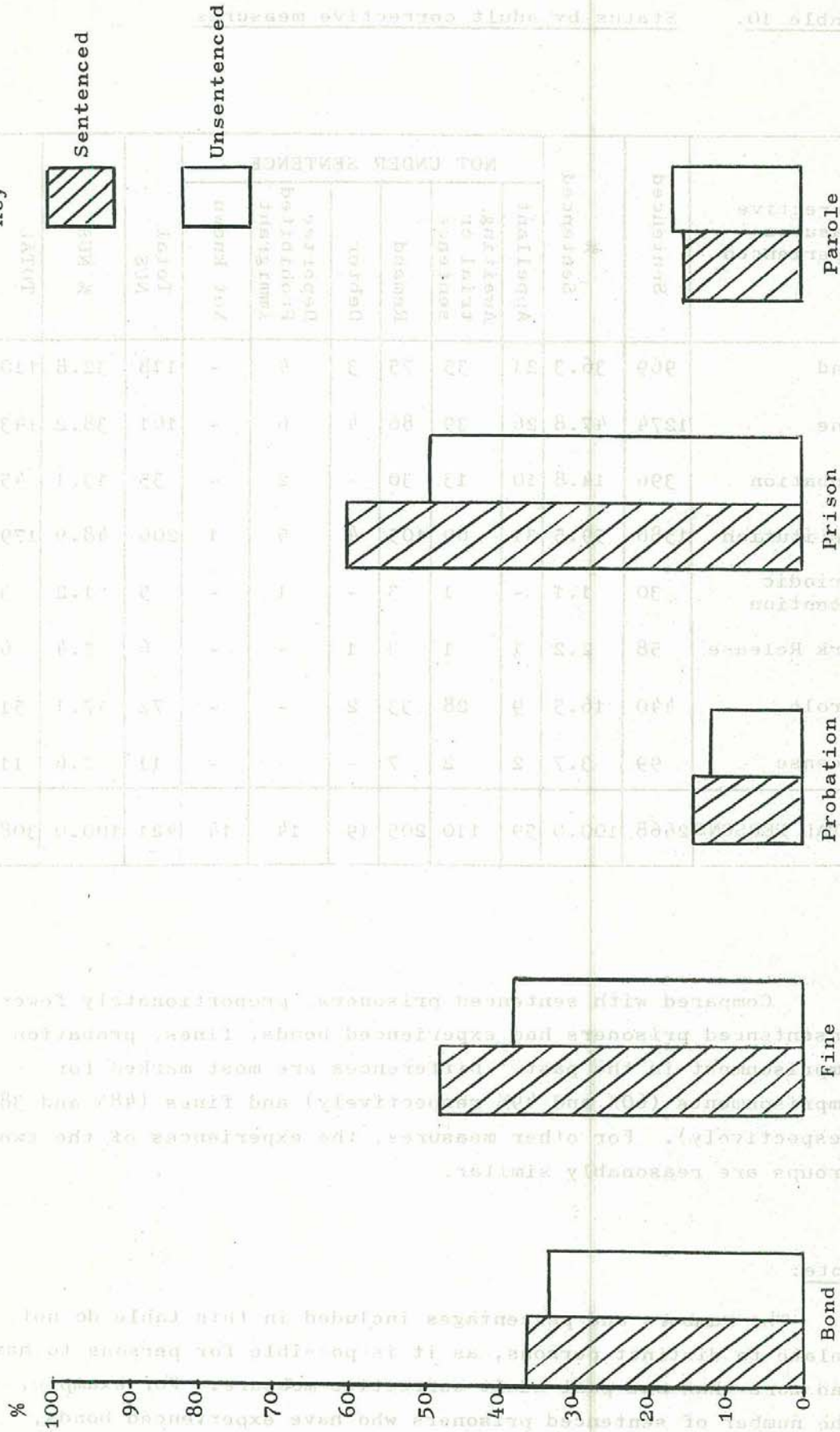
Corrective Measures experienced	Sentenced	% Sentenced	NOT UNDER SENTENCE						Total NUS	% NUS	TOTAL	%
			Appellant	Awaiting trial or sentence	Remand	Debtor	Deportee Prohibited Immigrant	Not known				
Bond	969	36.3	21	35	75	3	4	-	138	32.8	1107	35.8
Fine	1274	47.8	26	39	86	4	6	-	161	38.2	1435	46.5
Probation	396	14.8	10	13	30	-	2	-	55	13.1	451	14.6
Institution	1586	59.5	31	60	105	4	5	1	206	48.9	1792	58.0
Periodic Detention	30	1.1	-	1	3	-	1	-	5	1.2	35	1.1
Work Release	58	2.2	1	1	3	1	-	-	6	1.4	64	2.1
Parole	440	16.5	9	28	33	2	-	-	72	17.1	512	16.6
License	99	3.7	2	2	7	-	-	-	11	2.6	110	3.6
TOTAL PERSONS	2668	100.0	59	110	205	19	14	14	421	100.0	3089	100.0

Compared with sentenced prisoners, proportionately fewer unsentenced prisoners had experienced bonds, fines, probation or imprisonment in the past. Differences are most marked for imprisonments (60% and 49% respectively) and fines (48% and 38% respectively). For other measures, the experiences of the two groups are reasonably similar.

Note:

The numbers and percentages included in this table do not relate to distinct persons, as it is possible for persons to have had more than one past adult corrective measure. For example, the number of sentenced prisoners who have experienced bonds, fines, probation etc. does not necessarily equal the number of distinct persons in custody under sentence on 30th June, 1974 (that is, N = 2668).

Graph 6. Past adult corrective measures experienced by sentenced prisoners compared with unsentenced prisoners



NOT UNDER SENTENCE

Measure	Sentenced (%)	Unsentenced (%)
Bond	35	35
Fine	45	45
Probation	10	10
Prison	55	55
Parole	10	10

distinct persons in custody under sentence on 30th June, 1974. Lines, probation etc. does not necessarily equal the number of the number of sentenced prisoners who have experienced bond, fine, probation or parole. For other measures, the experiences of the two groups are reasonably similar. Compared with sentenced prisoners, proportionally fewer unsentenced prisoners have experienced bond, fine, probation or parole. The experiences are most marked for Probation (45% and 55% respectively). For other measures, the experiences of the two groups are reasonably similar.

Table 11. Number of past adult imprisonments

Times in prison in past	Males		Females		Total	
	No.	%	No.	%	No.	%
Nil	1125	37.1	30	54.6	1155	37.4
Once	588	19.4	9	16.4	597	19.3
Twice	442	14.6	6	10.9	448	14.5
Three times	198	6.5	2	3.6	200	6.5
Four times	173	5.7	1	1.8	174	5.6
Five times	104	3.4	-	-	104	3.4
Six or more times	244	8.0	3	5.4	247	8.0
Not stated	160	5.3	4	7.3	164	5.3
TOTAL	3034	100.0	55	100.0	3089	100.0

Note: Slight differences between this table and the "prison" entry in Table 9 probably result from confusion between periods in prison as a sentenced and unsentenced prisoner: in Table 9 only prison sentences were required, but periods in custody as an unsentenced prisoner may have been included.

Of the 1770 prisoners (57% of total respondents) who stated that they had been in prison one or more times in the past, one third claimed to have experienced imprisonment once only and one quarter, twice only, with the remaining 41% having spent three or more periods in prison.

Female prisoners differ from this pattern, in that only 38% of respondents claimed to have experienced one or more past imprisonments. Of these recidivists, almost three quarters (72%) stated that they had been in prison once or twice before and only 28% claimed to have spent three or more periods in prison.

Table 12. Status by past adult imprisonments

No. of past adult imprisonments	Sentenced	Sentenced %	NOT UNDER SENTENCE						Total NUS	% NUS	TOTAL	%
			Appellant	Awaiting trial or sentence	Remand	Debtor	Deportee Prohibited Immigrant	Not known				
Nil	998	37.4	24	44	74	5	9	1	157	37.3	1155	37.4
One	505	18.9	14	30	44	2	2	-	92	21.9	597	19.3
Two	388	14.5	4	17	34	2	2	1	60	14.2	448	14.5
Three	184	6.9	6	4	5	-	1	-	16	3.8	200	6.5
Four	161	6.1	1	3	9	-	-	-	13	3.1	174	5.6
Five	101	3.8	1	1	1	-	-	-	3	0.7	104	3.4
Six or more	229	8.6	5	5	8	-	-	-	18	4.3	247	8.0
Not stated	102	3.8	4	6	30	10	-	-	62	14.7	164	5.3
TOTAL	2668	100.0	59	110	205	19	14	14	421	100.0	3089	100.0

When those respondents who failed to answer this question are removed from the analysis, 39% of sentenced prisoners and 44% of unsentenced prisoners claimed to have experienced no past imprisonments.

Of those unsentenced prisoners who had experienced adult imprisonments, three quarters had been in prison once or twice, 15% three or four times and 10% five or more times compared with 57%, 22% and 21% respectively for sentenced prisoners.

DISCUSSION

1. Major findings and administrative implications

The questions which were raised in the introductory section will be used as a means of focussing on the principal findings arising from this study and their implications for correctional administration.

a) Is it true that our prisons are filled with recidivists?

If recidivism is defined in terms of incidence of past adult convictions, then three-quarters of the prisoners serving sentences on 30th June 1974 could be described as recidivists. Alternatively if past imprisonments are used as an index of recidivism, then two-thirds of the sentenced prisoners could be described as recidivists. Whichever definition is used, it is clear that the majority of sentenced prisoners are recidivists and the stereotype of the typical prisoner as a repeated offender would hold in most cases.

However it is often assumed that the unsentenced prisoner is typically a "first timer" in the prison system and generally free of a past criminal record. This stereotype was not supported by the census findings. It appears that two-thirds of the unsentenced prisoners had received past adult convictions and over half had experienced prior imprisonments. Thus in terms of incidence of past adult convictions, the label of "recidivist" may be applied as a generalization to both sentenced and unsentenced prisoners in custody on 30th June 1974.

b) How many adult prisoners have juvenile records?

Almost half the prisoners in the study admitted having juvenile records, and one third stated that they had been committed to a juvenile institution. Thus for almost half of the prison population, the incidence of criminal offending began before the age of eighteen, and for one third of the prison population the disruption of enforced institutional living began with commitments to juvenile institutions.

c) Are male prisoners more likely to have juvenile records than female prisoners?

A slightly higher percentage of male prisoners in the study had received juvenile convictions than female prisoners but similar proportions from both groups had experienced juvenile institutional commitment. The differences between the two groups in terms of

juvenile convictions are very slight and are not statistically significant.*

Consequently it may be concluded that female prisoners are just as likely as male prisoners to have commenced their criminal activities as juveniles.

d) Correctional implications

With half the prison population admitting juvenile records and three quarters admitting past adult records, the significance of dealing with a prison population largely comprising recidivists must be assessed. It is possible that recidivist prisoners would be easier to manage than first offenders because they are familiar with the requirements of institutional living, but they may also act as a negative influence on those first offenders who might otherwise have avoided prisonization.

Possible solutions to this problem are firstly, a policy of separation of first offenders from recidivists in the general prison population and secondly, the development of programmes catering exclusively for first offenders. The Periodic Detention and Work Release II schemes are existing programmes that cater specifically for first offenders. However, while the distinction between the first offender and recidivist prisoner is valuable, a more rigorous typology may be required in order to cater for important differences within each of the two groups. The types of data required to formulate such a typology will be discussed in the methodological section below.

2. Methodological implications

This study has been limited by a number of methodological factors: the reliance on prisoner statements, the need (for the sake of simplicity) to confine questions on past record to matters of past convictions and corrective measures rather than expanding into offences and related areas and the use of a prison population in custody on one day. These methodological constraints have limited the accuracy, breadth and generalizability of the study findings which allow only an estimate of the past records of N.S.W. prisoners and tentative conclusions or implications based on those estimates.

$$\chi^2 = 3.6, df = 3, p < .3$$

There is an obvious need in future studies on recidivism to include samples of prisoners received into or discharged from prison. These samples should be examined in depth, using comprehensive police records as the main data source, but wherever possible including social background data from personal interviews. In this way more detailed typologies of representative samples of prisoners could be built up and applied in the evaluation of specific correctional programmes. It is anticipated that such studies will be commenced in the near future.

