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1974 CENSUS OF PRISONERS

ABORIGINES IN PRISON

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INTRODUCTION

This study is the first of a series of reports presenting data gathered from the 1974 census of prisoners. Censuses are valuable research tools since they allow an intensive examination of a population on a single day, yet with repeated censuses trends may be observed and analysed. This census was taken of all prisoners held in New South Wales corrective establishments on the night of 30th June, 1974.

There were 3,112 persons in custody on 30.6.74; census data was gathered for 3089 prisoners, comprising 99.3% of the total persons in custody. Thus the error rate due to complete omission of cases is less than 1%.

Aborigines were selected as a special sub-population for study because of their high rate of involvement with legal institutions in other Australian states and speculations regarding reasons for this imbalance. Eggleston¹ stated that "on the one hand over-representation in the prison population may be due to greater criminality in the Aboriginal population when compared with the white population; alternatively, it may be due to discrimination in the administration of justice".

This report on Aborigines in prison attempts to answer the following questions from the census data:

- 1) Are aborigines over-represented in the prison population compared with the New South Wales population in general?
- 2) Do aboriginal prisoners differ significantly from other prisoners in terms of their educational, occupational and past criminal histories?
- 3) Is there any evidence of discrimination in the prison experience of aborigines with respect to courses attended and completed, prison jobs, activities and contacts with professional staff?

Data from the 1974 census will also be compared with information gathered in smaller censuses of aborigines in custody in 1973 and November 1974 wherever possible and with a comprehensive census of aborigines taken in June 1976. For all of these censuses the definition of the term 'aboriginal' was subjective and the count was based on all persons regarding themselves as belonging to the aboriginal community.

METHODOLOGICAL NOTES

a) Identification as aboriginal

In the 1974 Census the question was asked: "Do you consider yourself to be an aboriginal?" with provision for respondents to tick yes or no. All prisoners in New South Wales were confronted with this as a written question on the census form. However, in the censuses of aborigines in 1973, 1974 and 1976, the question was presented verbally by custodial staff: those who indicated that they were aborigines were then given a data sheet to complete.

b) Past record data

In the 1974 census, information concerning each prisoner's past criminal record was obtained directly from the prisoner and only checked against departmental records if discrepancies in the prisoner's report were found. However, in the 1976 census of aborigines all of the information relating to past record was obtained from departmental records.

The risk of response error is present in the 1974 census tabulations, while errors due to incomplete or inaccurate departmental records are possible in the 1976 aboriginal census.

Although it was not expected that the methodological differences would seriously affect the results of the censuses, nonetheless findings should be interpreted with due regard to the possibility of response error.

A copy of the census form is reproduced below.

1974 CENSUS OF PRISONERS

The attached list of questions is part of a census carried out by the Research Division of the Department of Corrective Services.

Every few years a census is carried out to show changes in prison populations.

The information you give will be used only for departmental statistical purposes. It is classified as strictly confidential. No names will be published nor any single person identified.

Your co-operation in answering the following questions will be greatly appreciated.

To be completed by PRISONER

SURNAME:
Christian Names:
Prison Number:

If you have any difficulties in completing these questions please ask your Wing Officer for assistance.
Please turn to next page.

To be completed by WING OFFICER

If this person required assistance in completing this form was it due to:	
illiteracy (Tick if yes)	<input type="checkbox"/>
language problems	<input type="checkbox"/>
any other reason	<input type="checkbox"/>
Specify reason:	

1. Date and place of birth

Date of birth:/...../19.....

Place of birth

Which country were you born in:

If you were born
in Australia

specify which State:

Do you consider yourself to be an Aboriginal

Yes No

If you were born
overseas

are you naturalised Yes No

how many years have you been in Australia

..... years

Which country was your mother born in:

Which country was your father born in:

2. Education before coming to prison (Put a tick in the box next to the answer that applies to you).

What is the highest grade you completed at primary school (includes
correspondence)

No primary schooling Grade: 1 2 3
4 5 6

What is the highest form you completed at high school (includes
correspondence)

No high school attendance Form: 1 2 3
4 5 6

2. Education before coming to prison (Cont'd)

Did you complete:
a university course Yes No

a technical college course Yes No

any other course after high school Yes No

specify course:

Did you complete a trade apprenticeship: Yes No

What qualification did you obtain:

Intermediate Certificate Technical College Certificate

School Certificate Trade Certificate

Leaving Certificate University degree

Higher School Certificate Other diploma

No qualification obtained Specify:

3. Occupation before coming to prison:

What is your usual occupation:

.....

4. Marital status

What is your current marital status:

never married widowed divorced

married separated defacto

What is your religion:

- | | | | | | |
|-------------------|--------------------------|---------------------|--------------------------|-------------|--------------------------|
| Church of England | <input type="checkbox"/> | Salvation Army | <input type="checkbox"/> | No religion | <input type="checkbox"/> |
| Methodist | <input type="checkbox"/> | Hebrew | <input type="checkbox"/> | Not stated | <input type="checkbox"/> |
| Roman Catholic | <input type="checkbox"/> | Other Christian | | | |
| Presbyterian | <input type="checkbox"/> | Other non-Christian | <input type="checkbox"/> | | |

6. Past history before coming to prison this time

Have you ever been a patient in:

- | | | | | | |
|----------------------|--------------------------|-----|--------------------------|----|--------------------------|
| a hospital | <input type="checkbox"/> | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> |
| a psychiatric centre | <input type="checkbox"/> | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> |

Have you ever been in a children's home:

- Yes No Specify:

Have you had any convictions by a children's court:

- none one two three or more

As a juvenile were you ever given (tick more than one box if necessary).

- bond fine probation committal to institution

How many times have you been committed to a juvenile institution:

- once twice three times more than three times

How many:

6. Past history before coming to prison this time (Cont'd)

Have you had any convictions in the past as an adult:

none one two three or more

As an adult have you ever been given (tick more than one box if necessary)

bond discharge from court
fine parole
probation licence
imprisonment work release
periodic detention

How many times have you been in an adult prison:

once (this is the first time) twice three times
more than three times How many:

7. Present offence and imprisonment

What was the major offence for which you were imprisoned:

In which suburb did you commit that offence:

In which suburb were you living at the time of offence (if outside New South Wales please give State):

Did you have any legal representation in court for that offence:

Private Legal Aid No legal representation
Solicitor

How did you plead for that offence:

guilty not guilty

Are you enrolled in any educational course in prison:

Yes No

Are you studying:

- in a class in prison by correspondence
at a Technical college any other way

Specify:

Have you completed any courses:

- Yes No

Specify name of course completed:

Have you obtained any qualification (e.g. certificate) in prison:

- Yes No

Specify name of qualification obtained:

Are you enrolled for any activities in prison:

- Yes No

Which activities:

What job do you have at present in prison:

Have you ever spoken with any of the following people (tick more than one box if necessary)

- | | | | |
|-------------------|--------------------------|--------------------------|--------------------------|
| a psychologist | <input type="checkbox"/> | a prison service officer | <input type="checkbox"/> |
| a psychiatrist | <input type="checkbox"/> | an educational officer | <input type="checkbox"/> |
| a doctor or nurse | <input type="checkbox"/> | a chaplain | <input type="checkbox"/> |
| a parole officer | <input type="checkbox"/> | | |

THANK YOU FOR YOUR CO-OPERATION IN THIS PROJECT.

SUMMARY OF FINDINGS

1. Representation in the prison population

Aborigines comprise between 6% and 9% of the prison population. The rate of imprisonment of aborigines in New South Wales is at least seventeen times that of non-aborigines.

During 1973 - 1974 aborigines were slightly over-represented in secured establishments, but since then they have been over-represented in open establishments. Aborigines are consistently under-represented in work release.

2. Social background

- a) **Age** Aboriginal prisoners are significantly younger than other New South Wales prisoners, with 60% under 25 years of age and only 9% over 35 years of age, compared with 48% and 24% respectively for all prisoners.
- b) **Birthplace** The majority of aborigines in prison were born in New South Wales (86%) and compared with other Australian born prisoners the aborigines from Western Australia and Queensland were over represented.
- c) **Marital status** Two thirds of aboriginal prisoners claimed to have never married compared with 49% of non-aboriginal prisoners.
- d) **Religion** Although proportionately more aboriginal prisoners claimed to be Anglican and fewer to have no religion than prisoners in general, these findings reflect the trends for the general aboriginal community.
- e) **Education** Compared with non-aborigines, aborigines were disadvantaged in their educational background with an average attainment of almost one grade less. Over one quarter of aborigines had received primary education only, compared with 15% for other prisoners and less than 20% had received any post-secondary training.
- f) **Occupation** Compared with non-aboriginal prisoners a higher proportion of aborigines gave their occupation as a trade, labouring work or rural work. In all other areas of employment aborigines were under-represented. Aboriginal prisoners differed also from the aboriginal community in their occupational pattern, with fewer rural or white collar workers in prison but proportionately more production workers and labourers.
- g) **Area of residence** Aboriginal prisoners were over-represented amongst those living outside metropolitan Sydney compared with non-aboriginal prisoners, but under-represented in comparison with the aboriginal community.

3. Criminal history

Aborigines in prison in 1974 appear to be more likely than non-aborigines to have a juvenile record with a greater incidence of bonds and institutional commitments. However, caution is urged in interpreting this finding because of methodological difficulties. This trend is repeated in the adult records of each group: aborigines tend to be repeated offenders who had experienced more fines and imprisonments in the past than non-aborigines.

4. Current criminal data

Aborigines differ little from non-aborigines with respect to their pattern of offences, sentences and non-parole periods, although a slightly higher proportion of aborigines were unsentenced in the 1976 census. Moreover, 72% of aborigines in 1976 and 52% of all prisoners in 1974 had been legally represented during the criminal proceedings.

5. Prison experiences

- a) **Education** Almost one quarter of aborigines and non-aborigines in prison in 1974 were enrolled in educational courses and the types of subjects studied by both groups were similar. However, fewer aborigines (6%) claimed to have completed courses in prison than non-aborigines (11%) and fewer aborigines in 1976 were either enrolled in courses or had completed courses in prison.
- b) **Activities** Approximately 30% of aborigines and non-aborigines were involved in organized recreational activities, with aborigines slightly over-represented in sporting activities.
- c) **Employment** Both in 1974 and in 1976, aborigines were over-represented amongst those employed in farm or forestry work and in cooking, cleaning and related activities compared with non-aborigines. On the other hand, aborigines were under-represented in administrative-clerical work and in trades or production work.
- d) **Contact with professional staff** The incidence of contact with professional staff is similar for both aborigines and non-aborigines, with the exception of medical personnel: aborigines claim to have had slightly more contact than non-aborigines.
- e) **Assistance from welfare organizations** One sixth of aborigines in prison had reported having received welfare assistance while in prison, the majority from organizations directed specifically towards aborigines rather than prisoners in general.

I. Overrepresentation in the prison population?

1. Numbers of aborigines in custody

The table below summarizes findings from four censuses in which the numbers and percentages of aborigines in custody were obtained.

Table 1 Numbers and percentages of aborigines in custody

Date	27.9.73	30.6.74	14.11.74	10.6.76
No. of aborigines in custody:	228	289	193	254
Total no. of prisoners in custody:	3722	3089	3228	3669
% of aborigines	6.1	9.4	6.0	6.9

From the aboriginal censuses of 1973, 1974 and 1976 the proportion of aborigines in custody remained fairly constant at 6 - 7% of the total prison population. However, in the 1974 census of prisoners 9% indicated that they were aborigines. It appears that the discrepancy is a result of methodological differences between the general and aboriginal censuses (see methodological note above for details).

However, it is difficult to assess which figure is more likely to reflect the true proportion in custody, since response bias is equally possible in both methodologies.

In order to determine whether aborigines are over-represented in the prison population it is necessary to express the numbers of aborigines in custody as a proportion of the total aboriginal community in New South Wales and to compare this with the proportion of non-aborigines in New South Wales.

Table 2 **Aborigines and non-aborigines in custody as rates per thousand of the N.S.W. general population ¹**

A. Males

	Aborigines.		Non-aborigines	
	No. in custody	Rate per 1,000 N.S.W. pop.	No. in custody	Rate per 1,000 N.S.W. pop.
27.9.73	217	41.59	3421	2.23
30.6.74	282	54.05	2752	1.80
14.11.74	187	35.84	3162	2.06
10.6.76	250	47.92	3322	2.17

1. Based on the 1971 Census of Population and Housing in which the number of male aborigines in New South Wales aged 18 years and over is given as 5217 and male non-aborigines as 1,531,413. The total population of male aborigines in New South Wales (all ages) is 11,682.

Table 2 **Aborigines and non-aborigines in custody as rates per thousand of the N.S.W. general population (Cont'd)**

B. Females ²

	Aborigines		Non-aborigines	
	No. in custody	Rate per 1,000 N.S.W. pop.	No. in custody	Rate per 1,000 N.S.W. pop.
27.9.73	11	2.14	73	0.05
30.6.74	7	1.36	48	0.03
14.11.74	6	1.17	65	0.04
10.6.76	4	0.78	93	0.06

2. Based on the 1971 Census of Population and Housing in which the number of female aborigines in New South Wales aged 18 years and over is given as 5137 and female non-aborigines as 1,555,779.

The total population of female aborigines in New South Wales (all ages) is 11,419.

These figures indicate that both male and female aborigines are over-represented in prison. The rate of imprisonment for aboriginal males is from 17 to 25 times the rate for non-aboriginals, and for aboriginal females the rate is from 13 to 45 times the rate for non-aboriginal females.

Table 3 Classification of establishment of aborigines compared with non-aborigines 1973 - 1976

Type of establishment	27.9.73		30.6.74		14.11.74		10.6.76	
	No.	%	No.	%	No.	%	No.	%
Secured ¹ — Aborigines	164	71.9	201	69.5	108	56.0	154	60.6
— Nonaborigines	2380	68.1	1808	64.6	1790	59.0	2051	60.1
Variable ² — Aborigines	35	15.4	46	15.9	30	15.5	45	17.7
— Nonaborigines	553	15.8	508	18.1	560	18.5	644	18.9
Open ³ — Aborigines	29	12.7	34	11.8	50	25.9	52	20.5
— Nonaborigines	437	12.5	328	11.7	468	15.4	442	12.9
Periodic Detention — Aborigines	—	—	—	—	1	0.5	1	0.4
— Nonaborigines	51	1.5	65	2.3	92	3.0	111	3.2
Work Release — Aborigines	—	—	8	2.8	4	2.1	2	0.8
(includes pre-work release) — Nonaborigines	73	2.1	91	3.3	125	4.1	167	4.9
TOTAL ABORIGINES	228	100.0	289	100.0	193	100.0	254	100.0
NON-ABORIGINES	3494	100.0	2800	100.0	3035	100.0	3415	100.0

Table 3. Classification of establishment of aborigines compared with non-aborigines 1973 - 1976 (Cont'd)

- 1 Secured:** Bathurst, Broken Hill, Cooma, Goulburn, Grafton, C.I.P., Katingal, M.R.P., M.R.C., Maitland, Parramatta, Mulawa.
- 2 Variable:** Berrima, Cessnock, Emu Plains, M.T.C., Narrabri, P.L.S.
- 3 Open:** Afforestation camps, Milson Island.

In the 1974 census of prisoners aborigines were slightly over-represented in secured establishments and under-represented in variable establishments and periodic detention centres. The higher proportion in secured locations could reflect the differences between aborigines and non aborigines in the proportions of unsentenced prisoners who are located in secured reception establishments.

* Pre-work release candidates have been selected for the work release programme but are awaiting placement on the Scheme and are carefully observed by work release staff.

However, from the aboriginal censuses of 1973, 1974 and 1976 the trend has been towards similar proportions in secured and variable establishments but with aborigines over-represented in open establishments and under represented in the community programmes of work release and periodic detention. (Note that periodic detention trends reflect sentencing policies and not administrative policies.)

In this section the backgrounds of aboriginal and non-aboriginal prisoners will be examined in terms of age, place of birth, marital status, religion, education, occupation and criminal history.

1. Age

Table 4. Stated age of aborigines in prison (1976 census) compared with other prisoners (1974 census) and the general N.S.W. population (1971 census)

Age in years	Aborigines in prison 1976		All Prisoners 1974		NSW Population: Aborigines 1971		NSW population: All persons 1971	
	No.	%	No.	%	No.	%	No.	%
18 and under *	19	7.5	150	4.9	485	4.7	77952	2.5
19	27	10.6	217	7.0	457	4.4	76559	2.5
20	26	10.3	220	7.1	466	4.5	77291	2.5
21	27	10.6	188	6.1	441	4.3	78590	2.5
22	11	4.3	213	6.9	396	3.8	77468	2.5
23	16	6.3	171	5.5	412	4.0	80015	2.6
24	15	5.9	174	5.6	393	3.8	85789	2.8
25	13	5.1	152	4.9	382	3.7	74154	2.4
26 < 30	50	19.7	500	16.3	1228	11.9	271002	8.7
30 < 35	27	10.6	356	11.5	1257	12.1	293892	9.5
36 < 40	6	2.4	229	7.4	1077	10.4	271337	8.8
40 < 45	11	4.3	170	5.5	911	8.8	290403	9.4
45 < 50	3	1.2	153	5.0	688	6.6	290420	9.4
50 < 60	2	0.8	136	4.4	934	9.0	474979	15.3
60 and over	1	0.4	47	1.5	827	8.0	577739	18.6
Not stated	—	—	13	0.4	—	—	—	—
TOTAL	254	100.0	3089	100.0	10354	100.0	3097590	100.0

* Some persons under 18 years are held in custody, largely upon the request of the Director of Youth and Community Affairs. However, the numbers of such prisoners is very small, and all comparisons will be made with the New South Wales population aged 18 years and over.

The aboriginal population in prison is significantly younger than the general prison population, with 60% of aboriginal prisoners aged 25 years or under compared with 48% of prisoners in general. The average age of aborigines in prison is 25.6 years compared with 31.4 years for prisoners in 1974. Moreover, prisoners tend to be younger than the general community. Of the aboriginal community in New South Wales one third are aged 18 - 25 years, while this age group comprises only 20% of the general population in New South Wales.

2. Place of birth

Table 5. Birth place of aborigines in prison (1976 census) compared with other prisoners (1974 census)

Birthplace	Aborigines in prison 1976		All prisoners 1974		% of the born in Aust.
	No.	%	No.	%	
N.S.W.	218	85.8	1978	64.0	82.8
A.C.T.	1	0.4	12	0.4	0.5
Victoria	13	5.1	185	6.0	7.7
Western Australia	4	1.6	31	1.0	1.3
Queensland	16	6.3	103	3.3	4.3
South Australia	1	0.4	43	1.4	1.8
Other Aust. states	—	—	37	1.2	1.6
Overseas	1*	0.4	577	18.7	—
Not stated	—	—	123	4.0	—
TOTAL	254	100.0	3089	100.0	100.0

* Born in New Zealand, claimed to be of aboriginal descent.

Compared with other prisoners a higher proportion of aboriginal prisoners were born in New South Wales, Western Australia and Queensland, but proportionately fewer in Victoria, South Australia, and other Australian States.

This follows the distribution of aborigines in Australia at the time of the 1971 census, when proportionately more aborigines were living in Queensland (23%), New South Wales (22%), Northern Territory (22%) and Western Australia (21%) than in South Australia (7%) and Victoria (5%).

Table 6. Marital status of aborigines in prison (1976 census) compared with other prisoners (1974 census) and the general N.S.W. population (1971 census)

Marital status	Aborigines in prison 1976		All prisoners 1974		NSW population – Aborigines 1971		NSW population – All persons 1971	
	No.	%	No.	%	No.	%	No.	%
Never married	170	66.9	1505	48.7	4649 *	39.2	827357 *	24.8
Married	42	16.6	479	15.5	5779	48.8	2127295	63.9
Widowed	2	0.8	69	2.2	691	5.8	249066	7.5
Divorced	1	0.4	219	7.1	126	1.1	57783	1.7
Separated	10	3.9	276	8.9	607	5.1	70578	2.1
Defacto	15	5.9	321	10.4	N/S	—	N/S	—
Not stated	14	5.5	220	7.2	—	—	—	—
TOTAL	254	100.0	3089	100.0	11852	100.0	3332079	100.0

* Aged 15 years and over.

Aborigines in prison differ markedly from the New South Wales aboriginal population in marital status. Over two-thirds of aboriginal prisoners compared with 40% of aborigines in general claim to be single and proportionately fewer aborigines in prison claim to be married, widowed, divorced or separated. The same pattern can be seen when comparing aborigines with prisoners in general except that similar proportions (16%) in both groups claim to be married. Caution should be used in interpreting this difference because of the predominance of younger aborigines in prison and the possibility of response bias in a sensitive area for prisoners.

4. Religion

Table 7. Religion of aborigines in prison (1976 census) compared with other prisoners (1974 census) and the general N.S.W. population (1971 census)

Religion	Aborigines in prison 1976		All prisoners 1974		NSW population – Aborigines 1971		NSW population – All persons 1971	
	No.	%	No.	%	No.	%	No.	%
Church of England	146	57.5	1159	37.5	10403	45.0	1639316	35.6
Roman Catholic/Catholic	78	30.7	1082	35.0	6046	26.2	1319250	28.6
Presbyterian	13	5.1	151	4.9	923	4.0	352107	7.7
Methodist	2	0.8	118	3.8	649	2.8	302856	6.6
Other Christian	9	3.5	132	8.0	2222	9.6	418923	9.1
Non-Christian	—	—	38	1.2	43	0.2	40622	0.9
No religion	2	0.8	180	5.8	1082	4.7	253631	5.5
Not stated / indefinite	4	1.6	229	7.4	1733	7.5	274475	6.0
TOTAL	254	100.0	3089	100.0	23101	100.0	4601180	100.0

Aborigines differ markedly from other prisoners in their stated religious affiliation with a predominance of Anglicans (58%), and relatively fewer adherents in all other denominations or religious groups except Presbyterian. Fewer aborigines in prison stated that they held no religion than other prisoners.

A similar pattern can be seen in the religious affiliation of the New South Wales aboriginal community, with almost half professing to be Anglicans, one quarter Catholic/Roman Catholic and the remainder claiming affiliation with other Protestant groups.

Table 8. Highest level of schooling of aborigines in prison (1974 census) compared with aborigines in prison (1976 census), non-aborigines in prison (1974 census) and the general New South Wales population (1971 census).

Highest schooling	Aborigines in prison 1976		Aborigines in prison 1974		Non Aborigines in prison 1974		N.S.W. population — aborigines 1971*		N.S.W. population 1971*	
	No.	%	No.	%	No.	%	No.	%	No.	%
No formal schooling	4	1.5	6	2.1	20	0.7	383	3.4	19084	0.6
Primary level										
1	2	0.8	6	2.1	14	0.5	202	1.7	13981	0.4
2	—	—	3	1.0	14	0.5	290	2.6	20821	0.7
3	7	2.8	6	2.1	26	0.9	532	4.7	44232	1.4
4	9	3.5	7	2.4	36	1.3	679	6.0	70039	2.2
5	10	3.9	7	2.4	53	1.9	2633	23.1	483714	15.1
6	27	10.6	44	15.2	247	8.8	1254	11.0	183863	5.7
Secondary Level										
7	37	14.6	35	12.1	222	7.9	2130	18.7	406706	12.7
8	68	26.8	69	23.9	637	22.8	1682	14.8	848276	26.5
9	51	20.1	62	21.5	671	24.0	445	3.9	351580	11.0
10	10	3.9	24	8.3	313	11.2	340	3.0	586126	18.3
11	5	2.0	8	2.8	141	5.0				
12	3	1.2	5	1.7	122	4.4				
Not stated	21	8.3	7	2.4	284	10.1	810	7.1	171835	5.4
TOTAL	254	100.0	289	100.0	2800	100.0	11380	100.0	3200257	100.0

* Comprising those not currently attending school but excluding children not yet attending school.

Aborigines in prison, on average, have a lower education attainment than non-aborigines in prison but claim to have completed more schooling than the average aborigine in New South Wales. Approximately one quarter of aborigines in prison in both censuses had left school before completing any secondary schooling, compared with 15% of non-aboriginal prisoners and 52% of aborigines in New South Wales.

The average level of schooling for aborigines in prison is 7.4 grades (i.e. almost half of second form school completed) compared with 8.3 grades (i.e. one third of third form high school completed) for non-aborigines and 5.9 grades (i.e. almost all of 6th class primary school completed) for all aborigines in New South Wales. However, the general aboriginal population would include women and older people who may not have had the same educational opportunities as the young aborigines in prison.

Table 9. Highest level of post-secondary education completed by aborigines in prison (1974 census) compared with aborigines in prison (1976 census) and non-aborigines in prison (1974 census).

Post-secondary studies completed	Aborigines in prison 1976		Aborigines in prison 1974		Non-aborigines in prison 1974	
	No.	%	No.	%	No.	%
Nil	207	81.5	246	85.1	1862	66.5
University	—	—	1	0.4	27	1.0
Technical College	15	5.9	11	3.8	201	7.2
Teachers' College	—	—	1	0.4	12	0.4
Other College of Advanced Education	1	0.4	2	0.7	35	1.2
Trade course	9	3.5	18	6.2	377	13.5
Other	1	0.4	—	—	—	—
Not stated	21	8.3	10	3.4	286	10.2
TOTAL	254	100.0	289	100.0	2800	100.0

Only 15 - 18% of aborigines compared with 33% of non-aborigines had completed any post-secondary education. It was most frequently claimed by both groups of prisoners that technical college and trade courses had been completed. Only one aboriginal prisoner claimed to have completed a university degree course and another a teaching course.

Yet in the 1971 census only 3.2% of Australian aboriginal males claimed to have received any post-secondary qualifications.

Table 10. Usual occupation group of aborigines in prison (1974 census) compared with aborigines in prison (1976 census), non-aborigines in prison (1974 census) and the general New South Wales population (1971 census).

Occupational group	Aborigines in prison 1976		Aborigines in prison 1974		Non-aborigines in prison 1974		N.S.W. population — aborigines 1971		N.S.W. population 1971	
	No.	%	No.	%	No.	%	No.	%	No.	%
Professional, technical etc.	4	1.6	3	1.0	83	2.9	103	2.2	195730	10.0
Administrative, executive	1	0.4	—	—	61	2.2	52	1.1	131227	6.7
Clerical	1	0.4	4	1.4	72	2.6	245	5.3	320243	16.4
Sales	—	—	5	1.7	89	3.2	132	2.9	152304	7.8
Farmers, hunters and related	22	8.6	19	6.6	100	3.6	717	15.4	119580	6.1
Miners and related	—	—	1	0.3	18	0.6	60	1.3	14605	0.7
Transport & communication workers	5	2.0	8	2.8	196	7.0	284	6.1	110175	5.6
Trades, production work & labouring	190	74.8	223	77.2	1744	62.3	2070	44.5	630037	32.3
Service, sport and recreation	4	1.6	12	4.1	165	5.9	452	9.7	144162	7.4
Other*	—	—	—	—	—	—	70	1.5	27586	1.4
Not stated	23	9.0	10	3.5	214	7.6	465	10.0	83209	4.3
Total employed in work force	250		285		2742		4650		1928358	
In work force — unemployed	4	1.6	4	1.4	58	2.1	N/S	—	25682	1.3
TOTAL	254	100.0	289	100.0	2800	100.0	4650	100.0	1954540	100.0

* For the 1971 census this comprised the category "members of armed services", but this group was not distinguished in the prison censuses.

Compared with non-aborigines in prison, aboriginal prisoners in both censuses were under-represented in white collar occupations but over-represented in rural occupations, trades, production work and labouring. Over half of the aboriginal prisoners (62% in 1976 and 55% in 1974) gave their occupation as labouring compared with less than one third of the non-aborigines (32%) in New South Wales.

Marked differences exist between aboriginal prisoners and the population of aborigines in New South Wales in terms of stated occupation. Whereas 12% of aborigines in New South Wales were engaged in white collar occupations less than 4% of aboriginal prisoners were usually so employed. Similarly 15% of New South Wales aborigines were engaged in farming, hunting and related activities compared with 7 - 9% of aborigines in prison. However, aboriginal prisoners were greatly over-represented in trades and labouring occupations (approximately 75% compared with 45% for aborigines in New South Wales.)

Table 11. Detailed listing of area of residence of aborigines in prison in 1976 at the time of the offence

Local Government Area (statistical division)		No.	Subtotal	%
Sydney North:	Manly	1		
	Warringah	1		
	Hornsby	1		
	North unspecified	1	4	1.6
Sydney East:	Waverley	1	1	0.4
Sydney South:	Leichhardt	6		
	Burwood	1		
	Marrickville	5		
	South Sydney	22		
Sydney West:	Hurstville	2		
	Botany	2	38	15.0
	Parramatta	1		
	Blacktown	11		
	Penrith	2		
	Blue Mountains	2		
	Fairfield	1		
	Liverpool	3		
	Bankstown	2		
	Strathfield	3		
	Windsor	2	27	10.6
Sydney City	6	6	2.4	
Sydney unspecified	5	5	1.9	
Subtotal metropolitan			81	31.9

Table 11. Detailed listing of area of residence of aborigines in prison² in 1976 at the time of the offence

Local Government Area (statistical division)	No.	Sub-total	%
Hunter statistical division	11	11	4.3
Murray statistical division	8	8	3.1
Far West statistical division	8	8	3.1
Central West statistical division	7	7	2.8
South Eastern statistical division	6	6	2.4
Murrumbidgee statistical division	8	8	3.1
Illawarra statistical division	5	5	2.0
North Coast statistical division	13	13	5.1
Northern statistical division	24	24	9.5
North Western statistical division	43	43	16.9
Subtotal non-metropolitan Sydney		133	52.4
Interstate/A.C.T.	13	13	5.1
Not known	27	27	10.6
TOTAL	254	254	100.0

Local government area	Aborigines in prison 1976		All prisoners 1974		N.S.W. population – Aborigines 1971		N.S.W. population – 1971	
	No.	%	No.	%	No.	%	No.	%
Sydney North	4	1.6	197	6.4	465	2.0	659836	14.4
Sydney East	1	0.4	182	5.9	637	2.8	249368	5.4
Sydney South	38	15.0	571	18.5	2015	8.7	860031	18.7
Sydney West	27	10.6	460	14.9	2028	8.8	976123	21.2
Sydney City	6	2.4	216	7.0	271	1.2	62470	1.4
Sydney unspecified	5	1.9	89	2.9	63	0.3	—	—
Sub-Total Sydney								
Metropolitan	81	31.9	1715	55.6	5479	23.7	2807828	61.1
Outer Sydney	—	—	39	1.3	265	1.1	128109	2.8
Hunter	11	4.3	173	5.6	865	3.7	405573	8.7
Illawarra	5	2.0	84	2.7	802	3.5	247279	5.3
North Coast	13	5.1	52	1.7	2716	11.8	221808	4.7
Northern	24	9.5	44	1.4	3680	15.9	164128	3.6
North Western	43	16.9	42	1.4	5499	23.8	99754	2.2
Central West	7	2.8	66	2.1	804	3.5	150185	3.3
South Eastern	6	2.4	36	1.2	795	3.4	118284	2.6
Murrumbidgee	8	3.1	42	1.4	793	3.4	131536	2.9
Murray	8	3.1	26	0.8	672	2.9	85919	1.9
Far West	8	3.1	22	0.7	717	3.1	34595	0.8
Lord Howe Island	—	—	—	—	—	—	223	—
Sub-Total non-metropolitan Sydney	133	52.4	626	20.3	17608	76.2	1787393	38.8
Interstate - A.C.T.	13	5.1	163	5.3	—	—	—	—
Not stated migratory	27	10.6	585	18.8	14	0.1	5959	0.1
TOTAL	254	100.0	3089	100.0	23101	100.0	4601180	100.0

A little over half of the aborigines in prison were living in areas outside the Sydney metropolitan area at the time of the offence. This proportion, however, is lower than the proportion of N.S.W. aborigines living outside metropolitan Sydney (76% with 52% living in the north of N.S.W.). In comparison, only 20% of non-aboriginal prisoners were living outside Sydney (whereas 39% of the N.S.W. population in general were living outside Sydney in 1971).

Thus both aborigines and non-aborigines in prison were over-represented amongst Sydney dwellers compared with their respective populations in N.S.W., but aboriginal prisoners are still predominantly non-metropolitan dwellers.

Within the Sydney metropolitan area, aboriginal prisoners are over-represented in the southern and western areas of Sydney and in the Sydney city area compared with the aboriginal community. The only area outside Sydney in which aboriginal prisoners are over-represented is the Hunter Statistical Division from which 4.3% of aborigines in prison are drawn but only 3.7% of the aboriginal community.

a) Juvenile

Table 13. Number of juvenile convictions received by aborigines in custody compared with non-aborigines in custody.

Juvenile convictions	Aborigines June 1976		Aborigines June 1974		Non-aborigines June 1974		Total June 1974	
	No.	%	No.	%	No.	%	No.	%
Nil	146	57.5	99	34.3	1287	46.0	1386	44.9
1	23	9.0	49	16.9	369	13.2	418	13.5
2	22	8.7	33	11.4	256	9.1	289	9.4
3 or more	63	24.8	106	36.7	748	26.7	854	27.6
Not known	—	—	2	0.7	140	5.0	142	4.6
TOTAL	254	100.0	289	100.0	2800	100.0	3089	100.0

From the June 1974 census it can be seen that two-thirds of aborigines in custody had received juvenile convictions compared with just over half (54%) of non-aborigines. Over one-third of the aborigines can be classified as persistent juvenile offenders (having 3 or more convictions) compared with just over one quarter of non-aborigines.

However a different picture emerges from the 1976 aboriginal census from which it appears that less than half had received juvenile convictions.

It is not known whether the difference reflects a change in the backgrounds of aborigines received during 1976 or a variation in the recording of juvenile matters. Since there is no system of checking the presence or absence of juvenile offences for all persons received into prison, juvenile convictions are noted on prison records only if the information is forwarded from police antecedent reports. Thus the incidence of juvenile offending obtained from prison records can only be regarded as a minimum estimate.

Table 14. Juvenile corrective measures experienced by aborigines in custody compared with non-aborigines in custody.

Corrective Measure	Aborigines June 1976		Aborigines June 1974		Non-aborigines June 1974		Total June 1974	
	No.	%	No.	%	No.	%	No.	%
Bond	25	9.8	124	42.9	838	29.9	962	31.1
Fine	19	3.5	46	15.9	547	19.5	593	19.2
Probation	67	26.4	76	26.3	653	23.3	729	23.6
Institution	91	35.8	133	46.0	929	33.2	1062	34.4

1. Multiple responses.

From the 1974 census it appears that aborigines are over-represented amongst prisoners receiving bonds, probation and institutional commitments as juveniles, but under-represented amongst those receiving fines. Again it is difficult to know whether differences seen in the 1976 aboriginal population result from real changes in the composition of aborigines in prison or from recording errors (see note to table 13).

Table 15. Number of times committed to a juvenile institution: aborigines compared to non-aborigines in custody - June 1974 census only.

No. of juvenile commitments	Aborigines		Non-aborigines		Total	
	No.	%	No.	%	No.	%
Nil	148	51.2	1855	66.2	2003	64.8
1	59	20.4	378	13.5	437	14.2
2	27	9.4	218	7.8	245	7.9
3	26	9.0	182	6.5	208	6.7
4 and over	29	10.0	167	6.0	196	6.4
TOTAL	289	100.0	2800	100.0	3089	100.0

1086 persons in prison on 30.6.74 experienced one or more juvenile commitments, whereas in the previous table 1062 experienced juvenile commitments. The discrepancy can be explained by the fact that these figures were based on the reports of prisoners and not on record data (which does not contain reliable information on juvenile history for all prisoners). Hence the discrepancy must reflect responding errors. It is possible that the higher figure resulted from some prisoners including periods in institutions other than those ordered by the courts in their reply e.g. periods in an orphanage or similar children's home.

b) Adult

Table 16. No. of past adult convictions experienced by aborigines in custody compared with non-aborigines.

No. of convictions	Aborigines June 1976		Aborigines June 1974		Non-aborigines June 1974		Total June 1974	
	No.	%	No.	%	No.	%	No.	%
Nil	64	25.2	56	19.4	599	21.4	655	21.2
1	38	15.0	39	13.5	439	15.7	478	15.5
2	21	8.3	34	11.7	318	11.4	352	11.4
3 or more	131	51.5	158	54.7	1297	46.3	1455	47.1
Not known	—	—	2	0.7	147	5.2	149	4.8
TOTAL	254	100.0	289	100.0	2800	100.0	3089	100.0

Approximately one fifth of both aborigines and non-aborigines in custody in June 1974 were first offenders in that they had no previous adult convictions. Yet aborigines had received proportionately more convictions than non-aborigines: 55% had been given 3 or more past adult convictions compared with 46% of non-aborigines.

However, one quarter of aboriginal prisoners in 1976 were first offenders. It is likely that this finding reflects the increased proportion of young aborigines who would have had less opportunity for adult offending than the older prisoners.

Table 17. Past adult corrective measures experienced by aborigines in custody compared with non-aborigines...

Corrective measure	Aborigines June 1976		Aborigines June 1974		Non-aborigines June 1974		Total June 1974	
	No.	%	No.	%	No.	%	No.	%
Bond	79	31.1	112	38.8	995	35.5	1107	35.8
Fine	133	52.4	146	50.5	1289	46.1	1435	46.5
Probation	18	7.1	40	13.8	411	14.7	451	14.6
Prison	160	63.0	191	66.1	1601	57.2	1792	58.0
Periodic Detention	N/S	N/S	4	1.4	31	1.1	35	1.1
Work Release	N/S	N/S	3	1.0	61	2.2	64	2.1
Parole & prison	N/S	N/S	54	18.7	458	16.4	512	16.6
Licence & prison	N/S	N/S	13	4.5	97	3.5	110	3.6

Compared with non-aborigines in June 1974, proportionately more aborigines had experienced fines and imprisonment in the past. This trend has continued for aborigines in 1976, but the proportion of aborigines in 1976 who had experienced bonds or probation had decreased.

Table 18. Number of past adult imprisonments experienced by aborigines compared with non-aborigines - June 1974.

Number of past imprisonments	Aborigines		Non-aborigines		Total	
	No.	%	No.	%	No.	%
Nil	96	33.2	1205	43.0	1301	42.1
1	50	17.3	547	19.5	597	19.3
2	49	17.0	399	14.3	448	14.5
3	22	7.6	178	6.4	200	6.5
4	20	6.9	154	5.5	174	5.6
5	17	5.9	87	3.1	104	3.4
6	11	3.8	47	1.7	58	1.9
7 and over	24	8.3	165	5.9	189	6.1
Not known	-	-	18	0.6	18	0.6

first time. Proportionately more aborigines had a record of repeated imprisonment: one third with three or more prior imprisonment compared with 23% for non-aboriginals.

9. Current criminal data

Table 19. Most serious current offence committed by aborigines compared with non-aboriginals.

Offence type	Aborigines June 1976		Aborigines June 1974		Non-aborigines June 1974		Total prisoners 1974	
	No.	%	No.	%	No.	%	No.	%
Against the person :								
general	75	29.5	95	32.9	885	31.6	980	31.8
sexual	20	7.9	28	9.7	171	6.1	199	6.4
unnatural	4	1.6	—	—	24	0.9	24	0.8
driving	—	—	1	0.3	21	0.8	22	0.7
Against property								
with violence	51	20.1	56	19.4	538	19.2	594	19.2
without violence	60	23.6	65	22.6	622	22.2	687	22.3
Drugs	—	—	3	1.0	85	3.0	88	2.8
Drunkenness	—	—	1	0.3	13	0.5	14	0.5
Vagrancy	3	1.2	3	1.0	32	1.1	35	1.1
Prostitution	—	—	—	—	3	0.1	3	0.1
Offences against good order	8	3.1	6	2.1	71	2.5	77	2.5
Traffic offences	16	6.3	14	4.8	154	5.5	168	5.4
Revocation & breach offences	17	6.7	11	3.8	117	4.2	128	4.1
Other			6	2.1	64	2.3	70	2.3
TOTAL	254	100.0	289	100.0	2800	100.0	3089	100.0

Differences between aborigines and non-aborigines in terms of offence pattern as at June 1974 are very slight. For both groups, almost 40% committed offences against the person, 41% committed offences against property and the remainder committed social offences (5%), good order offences (2%), traffic offences (5%) and breach offences (4%). This pattern is repeated with only slight variations for aborigines in the 1976 census.

Table 20. Current sentences of aborigines compared with non-aborigines.

Sentence	Aborigines June 1976		Aborigines June 1974		Non-aborigines June 1974		Total June 1974	
	No.	%	No.	%	No.	%	No.	%
Under 1 month	4	1.6	7	2.4	48	1.7	55	1.8
1m < 3m	12	4.7	5	1.7	68	2.4	73	2.4
3m < 6m	28	11.0	18	6.2	143	5.1	161	5.2
6m < 12m	38	15.0	27	9.3	259	9.3	286	9.3
1y < 2y	32	12.6	38	13.2	305	10.9	343	11.1
2y < 3y	28	11.0	34	11.8	276	9.9	310	10.0
3y < 4y	18	7.1	19	6.6	206	7.4	225	7.3
4y < 5y	12	4.7	19	6.6	182	6.5	201	6.5
5y < 10y	28	11.0	43	14.9	507	18.1	550	17.8
10y & over	—	—	24	8.3	250	8.9	274	8.8
Life	18	7.1	6	2.1	160	5.7	166	5.4
G.P.	5	2.0	1	0.3	18	0.6	19	0.6
Not known	1	0.4	1	0.3	2	0.1	3	0.1
Not applicable (NUS)	30	11.8	47	16.3	376	13.4	423	13.7
TOTAL	254	100.0	289	100.0	2800	100.0	3089	100.0

The distribution of sentences for aborigines and non-aborigines in 1974 is very similar. . .
 Approximately 10% were serving short sentences of less than 6 months,
 20% were serving medium sentences of 6m < 2y
 40% were serving long sentences of 2y < 10y
 15% were serving very long or indeterminate sentences (10y + life G.P.)

sentences (17% under 6 months and 27% medium sentences) but a higher proportion of indeterminate sentences (9% compared with 2% in 1974). In addition the proportion of unsentenced prisoners in custody had declined to 12%.

Table 21. Non-parole periods of aborigines compared with non-aborigines

Non parole period	Aborigines June 1976		Aborigines June 1974		Non aborigines June 1974		Total June 1974	
	No.	%	No.	%	No.	%	No.	%
Under 6m	—	—	3	1.0	19	0.7	22	0.7
6m < 12m	41	16.1	45	15.6	429	15.3	474	15.3
1y < 2y	33	13.0	44	15.2	391	14.0	435	14.1
2y < 3y	18	7.1	21	7.3	254	9.1	275	8.9
3y < 4y	15	5.9	15	5.2	138	4.9	153	5.0
4y < 5y	4	1.6	6	2.1	79	2.8	85	2.8
5y < 10y	10	3.9	13	4.5	153	5.5	166	5.4
10y +	—	—	1	0.3	5	0.2	6	0.2
Not specified	20	7.9	26	9.0	203	7.2	229	7.4
Not applicable	113	44.5	115	39.8	1129	40.3	1244	40.2
TOTAL	254	100.0	289	100.0	2800	100.0	3089	100.0

From the June 1974 census, the pattern of non parole period (N.P.P.) distribution is very similar for aborigines and non-aborigines.

In 40% of cases a N.P.P. was not applicable (person not under sentence or serving indeterminate sentence or serving a sentence of less than 12 months);

In 16% of cases a short N.P.P. of less than 12 months was given;

In 30% of cases a medium N.P.P. of 1 - 5 years was given;

In 6% of cases a long N.P.P. of more than 5 years was given;

In 7% of cases a N.P.P., although applicable, was not specified by the judge or magistrate.

The distribution of N.P.P.s for aborigines in 1976 is similar to the 1974 pattern, but with slightly higher proportions of cases in which a N.P.P. was not applicable or not specified.

Table 22. Legal representation of aborigines in prison (1976 census) compared with prisoners in general (1974 census).

Legal representation at court appearance(s) preceding imprisonment	Aborigines in Prison 1976		Total prisoners 1974	
	No.	%	No.	%
Nil	50	19.7	1035 } 1590 } 21 } 443 }	33.5 } 51.5 } 0.7 } 14.3 }
Private solicitor	11	4.3		
Legal aid	169	66.5		
Both solicitor and aid	2	0.8		
Not stated	22	8.7		
TOTAL	254	100.0	3089	100.0

Almost three quarters of the aborigines compared with just over half of the prisoners in general had legal representation during at least one of their court appearances. Two thirds of the aborigines had received representation through legal aid schemes.

One third of the 1974 prisoners, but only 20% of aboriginal prisoners in 1976 claimed to have had no legal representation for their offence.

These findings could indicate that aborigines use legal representation more than non-aborigines, but they could also reflect changes in the availability of legal representation to all prisoners over 1974-76. Without studying the incidence of legal representation amongst non-aboriginal prisoners in 1976, it is impossible to make any meaningful comparisons between aborigines and non-aborigines.

The following aspects of prison experience are examined: pursuit of educational courses, completion of educational courses, prison activities, employment in prison and contact with professional personnel.

1. Enrolment in educational courses

Table 23. Enrolments in educational courses: comparison between aborigines and non-aborigines — 1974 census.

Course	Aborigines		Non-aborigines		Total	
	No.	%	No.	%	No.	%
Classes in prison or at a technical college						
general studies (including basic and remedial teaching)	10	3.5	47	1.7	57	1.8
technical/trade courses	10	3.5	127	4.5	137	4.4
Correspondence courses						
primary studies	2	0.6	5	0.2	7	0.2
secondary studies	5	1.7	64	2.3	69	2.2
university studies	—	—	8	0.3	8	0.3
general studies	10	3.5	92	3.3	102	3.3
technical/trade courses	23	8.0	285	10.2	308	10.0
first aid	—	—	8	0.3	8	0.3
other miscellaneous	1	0.3	17	0.6	18	0.6
No courses taken	224	77.5	2140	76.4	2364	76.5
Not stated	4	1.4	7	0.2	11	0.4
TOTAL	289	100.0	2800	100.0	3089	100.0

The broad pattern of educational courses pursued by aborigines is similar to that of non-aborigines. In both cases, less than one-quarter of offenders were enrolled in educational courses, and only 6% experienced face to face teaching. Approximately 17% were enrolled in correspondence courses (10% in specific vocational studies).

Whereas 21% of aborigines in custody were taking courses in 1974, only 16% stated that they were enrolled in courses in 1976. Of these, 12% were enrolled in classes in prison or at a technical college, while only 4% were studying by correspondence. Half of the aboriginal students on both occasions were taking vocational courses.

2. Completion of educational courses

Table 24. Completion of educational courses: comparison between aborigines and non-aborigines - 1974 census

Course	Aborigines		Non-aborigines		Total	
	No.	%	No.	%	No.	%
Classes in prison or at a technical college						
general studies	--	--	6	0.2	6	0.2
technical/trade courses	3	1.0	26	0.9	29	0.9
Correspondence courses						
primary studies	--	--	4	0.2	4	0.1
secondary studies	1	0.4	54	1.9	55	1.8
general studies	2	0.7	38	1.4	40	1.3
technical/trade courses	11	3.8	149	5.3	160	5.2
first aid		--	16	0.6	16	0.5
other miscellaneous	1	0.4	6	0.2	7	0.2
No courses completed	271	93.7	2501	89.3	2772	89.8
TOTAL	289	100.0	2800	100.0	3089	100.0

Only 6% of aborigines and 11% of non-aborigines claimed that they had completed an educational course while in prison. The most frequent attainment was completion of a technical or trade course studied by correspondence (4% and 5% respectively). In the 1976 aboriginal census only 2% of respondents claimed to have completed an educational course in prison (all technical/trade courses).

Table 25. Recreational activities experienced in prison by aborigines compared with non-aborigines:

Type of activity	Aborigines		Non-aborigines		Total	
	No.	%	No.	%	No.	%
No activities experienced	173	59.8	1591	56.8	1764	57.1
Sporting activities:	42	14.5	379	13.5	421	13.6
basketball	17	—	74	—	91	—
weight training	8	—	75	—	83	—
touch football	11	—	52	—	63	—
soccer	1	—	56	—	57	—
rugby league/union	—	—	13	—	13	—
other sports	5	—	109	—	114	—
Non sporting activities	25	8.7	259	9.3	284	9.2
art	8	—	81	—	89	—
debating	2	—	27	—	29	—
music	3	—	37	—	40	—
woodwork	4	—	36	—	40	—
handcrafts	4	—	25	—	29	—
other	4	—	53	—	57	—
Multiple sports and hobbies experienced	30	10.4	193	6.9	223	7.2
Not stated	19	6.6	378	13.5	397	12.9
TOTAL	289	100.0	2800	100.0	3089	100.0

One third of the aborigines and 30% of non-aborigines claimed to be involved in organized recreational activities during their imprisonment. Aborigines were slightly over-represented in sporting activities and multiple activities (sports and hobbies). Most frequently, prisoners took part in basketball, weight training and touch football as sporting activities and art, music and woodwork as non-sporting activities.

4. Employment in prison

Table 26. Prison employment of aborigines (1976 census) compared with aborigines and non-aborigines (1974 census) including job on work release

Job in prison or on work release	Aborigines 1976		Aborigines 1974		Non-aborigines 1974	
	No.	%	No.	%	No.	%
Not employed in prison	30	11.8	49	17.0	366	13.1
Administrative clerical and related						
clerk	—	—	4	—	81	—
librarian / library assistant	4	—	1	—	32	—
other office / messengerial work (a)	—	—	1	—	13	—
Subtotal	4	1.6	6	2.1	126	4.5
Sales						
salesman	—	—	—	—	2	—
Subtotal	—	—	—	—	2	0.1
Farm and related						
farm hand	13	—	21	—	58	—
timber worker	31	—	12	—	72	—
gardener	15	—	14	—	91	—
Subtotal	59	23.2	47	16.3	221	7.9
Trades and production						
baker	4	—	3	—	45	—
boilermaker	—	—	4	—	18	—
butcher	2	—	2	—	16	—
construction and maintenance (b)	5	—	14	—	143	—
carpenter	6	—	5	—	60	—
electrician	—	—	1	—	14	—
labourer	11	—	14	—	98	—
machinist	2	—	4	—	56	—
mechanic	1	—	—	—	18	—
metal worker (c)	4	—	3	—	59	—
painter, plasterer	4	—	5	—	68	—
printing worker (d)	1	—	4	—	25	—
storeman	3	—	—	—	47	—

Job in prison or on work release	Aborigines 1976		Aborigines 1974		Non-aborigines 1974	
	No.	%	No.	%	No.	%
Cooking, cleaning and related						
cook, servery worker	7	—	18	—	184	—
laundry, drycleaning worker	12	—	5	—	94	—
orderly — hospital sweeper, polisher, garbage collector	—	—	—	—	13	—
other cleaning and related work ^(f)	54	—	49	—	368	—
Subtotal	—	—	2	—	18	—
	73	28.8	74	25.5	677	24.2
Miscellaneous employment						
unskilled light work ^(g)	—	—	2	—	28	—
community work and braille writing	1	—	—	—	29	—
driving (including fork lift)	—	—	5	—	22	—
other ^(h)	1	—	3	—	15	—
Subtotal	2	0.8	10	3.5	94	3.4
Not stated	28	11.0	23	8.0	446	15.9
TOTAL	254	100.0	289	100.0	2800	100.0

Notes

- (a) Includes: dental assistant, office worker, typist, messenger, draftsman, manager.
- (b) Includes: bricklayer, builder, concrete mixer, brick cleaner, maintenance worker, rigger, dogman.
- (c) Includes: plumber, presser, welder, fitter, tinsmith, moulder, sheet metal worker.
- (d) Includes: bookbinder, printer, proof reader.
- (e) Includes: leading hand, general workshop, tyre fitter, tiler.
- (f) Includes: reception room worker, officers' mess worker.
- (g) Includes: folding lottery tickets, cork counting, net making.
- (h) Includes: student, graphic design, technician, barber.

Some caution must be exercised in interpreting this table because of the large number of non-aborigines (16%) by whom no information on prison employment was given. Two major findings emerge: the employment of aborigines in prison differs markedly from that of non-aborigines, and changes accentuating this difference can be seen from 1974 to 1976.

Aborigines are over-represented in farm and forestry work (16 - 23%) compared with non-aborigines (8%) but under-represented in clerical work (under 2% compared with almost 5% for non-aborigines). For both groups approximately one quarter are engaged in trades and production work, and another quarter in cooking, cleaning and other domestic activities.

The strongest trend since 1974 has been the increase in the proportion of aborigines employed in farming-forestry work, with a corresponding decline in the proportion engaged in trades or production work.

Table 27. Extent of contact with professional staff by aborigines compared with non-aborigines (1974 census)

Professional worker	Numbers and percentages of prisoners who had even spoken with professional staff					
	Aborigines		Non-aborigines		Total	
	No.	%	No.	%	No.	%
Psychologist	75	26.0	800	28.6	875	28.3
Psychiatrist	91	31.5	970	34.6	1061	34.3
Doctor/nurse	181	62.6	1549	55.3	1730	56.0
Parole officer	131	45.3	1204	43.0	1335	43.2
Welfare officer	97	33.6	894	30.3	946	30.6
Chaplain	91	31.5	976	34.9	1067	34.5
Education officer	112	38.8	1131	40.4	1243	40.2

A higher proportion of aborigines claimed to have spoken with medical personnel than non-aborigines (63% and 55% respectively) but for all other professional staff the incidence of contact is similar for both groups. After medical staff, parole and education officers are most frequently spoken with, followed by psychiatrists and welfare officers. Psychologists are seen least frequently by respondents, according to reports of aborigines and non-aborigines.

It is not known whether the same prisoners have contact with a number of professional staff or if most prisoners speak with at least one professional staff member during their imprisonment.

6. Assistance from Welfare Organizations

Table 28. Assistance obtained from welfare organizations by aborigines in prison (1976 census)

Welfare assistance	Aborigines in Prison 1976	
	No.	%
Assistance obtained	43	16.9
No assistance obtained	183	72.1
Not stated	28	11.0
TOTAL	154	100.0

Table 29. Source of assistance obtained from welfare organizations by aborigines in prison

Source of assistance	Aborigines in Prison 1976	
	No.	%
Aboriginal welfare	21	48.8
Aboriginal legal aid	11	25.6
Prisoners Aid	3	7.0
State welfare department*	5	11.6
St. Vincent de Paul	1	2.3
Not specified	2	4.7
TOTAL	43	100.0

* Largely unemployment benefits from Social Security for unconvicted prisoners.

Only 17% of aborigines in prison had received assistance from welfare organizations. Almost three-quarters of those who received assistance had been helped by agencies directed

The finding that the imprisonment rate for male aborigines is 22 times the rate for male non-aborigines clearly indicates that aborigines are over-represented in prison. The reasons for this imbalance cannot be inferred from such a census study as this and would require independent research in two areas: firstly the rate of known criminality amongst aboriginal persons compared with non-aboriginal persons and secondly the disposition at court of aboriginal and non-aboriginal persons accused of comparable offences. Thus discussion will largely be confined to areas of similarity or difference between aborigines and non-aborigines in prison, with implications for prison administration rather than policy planning in the general area of the administration of justice.

Areas of similarity

Aboriginal prisoners are very similar to non-aboriginal prisoners in their offences, sentences and non parole periods. That is, there is no apparent offence common to aborigines nor is there any apparent discrimination against aborigines in the lengths of determinate sentences and non-parole periods (although this conclusion would depend on whether the offence labels designate reasonably equivalent criminal behaviours).

Areas of difference — social

Aboriginal prisoners differ markedly from non-aboriginal prisoners in terms of many important social background variables: age, education, occupation and area of residence. Aboriginal prisoners are younger than other prisoners. From data on juvenile convictions it appears that aboriginal prisoners frequently commence their criminal activities at an early age and continue offending in their early adult years. They are disadvantaged educationally, with schooling terminated one year before other prisoners, on average. The majority live outside the Sydney metropolitan area and work as labourers, trades-production workers or in rural occupations. In comparison, other prisoners tend to live within Sydney and to be employed in a broad range of occupations.

Possibly as a result of their pattern of juvenile offending and of lack of stabilizing factors (skilled job, marriage etc.), aboriginal prisoners tend to be repeated adult offenders. Periods of imprisonment, in turn, contribute to social disorganization by separating the aboriginal prisoners from families (who probably live in distant rural areas) and young aboriginal women.

Of course, imprisonment would have a disorganizing effect on non-aboriginal prisoners as well, but the effects may be more severe on young aborigines who are adapting to a white urban environment. The increase in the numbers of aboriginal prisoners serving indeterminate sentences (life or governor's pleasure) over 1974 - 76 may be interpreted as a further sign of social disorganization amongst aborigines.

Areas of difference — prison experience

Some obvious differences between the prison experiences of aborigines and non-aborigines have emerged from this census: the tendency for them to be placed in prison camps rather than on the Work Release scheme, their allocation to rural or domestic jobs in prison rather than to more skilled work, their apparent difficulty in completing educational courses in prison and their slightly greater use of prison medical services.

In many ways, these different experiences reflect the different social backgrounds of aborigines in prison. Since aboriginal prisoners largely were accustomed to rural work and rural living, they were more suitable for placement on a farm or afforestation camp than in a metropolitan work release scheme where unskilled workers could be difficult to place in suitable jobs. Their educational deficiencies probably made it more difficult for aboriginal prisoners to complete correspondence courses in prison, while it is probable that more widespread health problems necessitated greater contact with prison medical staff.

However, aborigines appear to be participating in prison programmes (education, sports, hobbies etc.) to the same extent as non-aboriginal prisoners and to be having similar rates of contact with professional staff in prison.

Implications for prison administration

The first question to be faced is whether aboriginal prisoners are sufficiently different from the rest of the prison population to require completely segregated treatment. From time to time this suggestion is made, but it would be difficult to implement a policy of segregation without it being perceived as discrimination in favour of or against a particular racial group. However, in an integrated prison system it is easy for the needs of minority groups to be hidden. The most pressing needs of aboriginal prisoners appear to be in the area of educational-vocational training and particularly in the basic skills which would enable them to benefit from correspondence courses.

At present, the Programmes Division of the Department of Corrective Services is conducting special surveys of the needs of aboriginal prisoners and collaborating with the Co-ordinator of Aboriginal Courses at Sydney Technical College for the provision of special vocational courses. Courses in basic skills and technical subjects with immediate employment application are currently being implemented at Broken Hill Gaol, which has a high proportion of aboriginal inmates.

It seems that the needs of special groups of prisoners will best be met if special studies are conducted into the perceived and actual requirements of the inmates and then pilot programmes implemented and systematically reviewed.

