

RESEARCH AND STATISTICS DIVISION

PUBLICATION No.3

Study of N.S.W. Prison Population - 1973

- A Statistical Report -

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

Senior Research Officer : M.S. Dewdney (M.A.; Dip. Soc.Stud; Dip. Crim.Melb.)

ACKNOWLEDGEMENTS

This Prison Population Study was carried out by Mrs. M. Miner, Research Officer under the direction of Mrs. M. Dewdney, Senior Research Officer.

The contribution of two student Research Assistants, Mrs. J. Taylor and Mr. J. Dent, in the compilation and analysis of many of the statistical tables is gratefully acknowledged.

The assistance of the Bureau of Crime Statistics and Research and of the Police Department in providing computer tabulations has also greatly facilitated this work.

TABLE OF CONTENTS

A. INTRODUCTION	Page	1
B. METHODOLOGY		4
C. SUMMARY OF FINDINGS		5
D. DETAILED FINDINGS		7
I Receptions into prison		7
II Discharges from prison		10
III Reception factors		12
1. The population at risk		12
2. Reports accepted by the police		13
3. Sentencing of Courts of Petty Sessions		17
4. Detailed examination of sentencing trends:		23
(i) Probation		23
(ii) Fines		25
IV Discharge factors		29
1. Length of sentence imposed		29
2. Proportion of sentence served		31
3. Non-parole periods:		36
(i) Proportion receiving non-parole periods at court		36
(ii) Lengths of non-parole periods		38
(iii) Discharges to parole		40
4. Other discharge factors:		43
(i) Escapes		43
(ii) Deportations		43
V Unsentenced prisoners		44
1. Discharge to bail		44
2. Turnover		45
E. DISCUSSION OF FINDINGS		47
F. PREDICTION OF PRISON POPULATIONS		48

A. INTRODUCTION

1. Historical

Since the beginning of this century there have been marked variations in the static prison population; that is, the number of persons in custody on any one day. From departmental records of the static population on 31st December 1900, 1910 and 1920 a steady decrease from 1899 persons in custody to 1320 and 1248 prisoners respectively can be seen. However, no consistent trends can be seen in the decades from 1930 to 1970, when prison population figures for 30th June were as follows:

1930 - 1,968
 1940 - 1,456
 1950 - 1,969
 1960 - 2,918
 1970 - 3,832

although there is a surprising increase in the last two figures from 1950 onwards.

The first and most obvious reason for changes in the number in prison at any one time is that the total population of the State is increasing. If, with a general population of 1,360,000 there are 1899 prisoners (as in 1900) one would expect the prison population to increase considerably by 1970 when the total state population has more than tripled to 4,567,000.

Raw prison figures, as cited above, may be compared with increases in the total population of New South Wales over the same period by expressing the prison population as a rate per 100,000 of the total population:

Year:	1900	1910	1920	1930	1940	1950	1960	1970
Rate of prisoners per 100,000 population:	139	81	57	78	52	62	76	84

If prison populations increased in a similar manner to total state populations then the rate would remain fairly constant. However, the prisoner rate varies markedly over the years examined above, and so the immediate explanation does not hold.

Other explanations offered by Comptroller Generals of the Department of Prisons for fluctuations in the prison population from one period to the next include social, economic, legislative and judicial changes. The following extracts are taken from Annual Reports of the Prisons Department, 1900 to 1970.

Decrease in Prison Population: 1900 to Present Time

Reasons given by Comptroller Generals in Annual Reports

Legislative changes in the early 20th Century were a significant factor in the marked decrease in prison population. The relevant acts were:

- The Crimes Act (1900)
- The Justices Act (1902)
- The Criminals Prevention Act (1903)
- The Habitual Criminals Act (1905)

These acts had the effect of keeping young first offenders out of gaol, of making fines payable by installments and therefore less debtors were sentenced to gaol and of declaring a certain class of men 'habitual criminals' which rendered them eligible for special treatment, whereby they were detained longer in prison as a rehabilitative and socially protective measure, thus decreasing their previously constant readmissions. Legislation restricting the influx of interstate and overseas criminals into N.S.W. at this time, probably also had an effect on the

decreasing prison population. The decrease also coincided with the new prison system, introduced late in the 19th Century.

The Annual Report of 1906 cites other factors which are deemed to be important in the decrease:

1906
Improved
educational
methods and
healthy morale

"The large shrinkage is attributable to a variety of causes, foremost among which are no doubt the influence of our improved educational methods, and the healthy morale pervading the social life of the community."

1910
Prosperity and
abundance of
work

In 1910, figures were at their lowest for 35 years. This was due in part to the above-mentioned factors, but also to a period of great prosperity where there was an abundance of work. The opening of the State Reformatory for women in 1909 substantially reduced the number of women in prison. The decrease continued into 1911, and in his Annual Report, the Comptroller General spelt out the reasons:

1911
Effective
legislation

"The penal legislation in force in this State has much to commend it. In its effect on the individual and community it may be restrictive, reformatory, deterrent or punitive, and the manner in which the law has been administered is undoubtedly a potent factor in the greatly reduced numbers of persons received into gaol."

1914
Active Service
and effective
penal system

The advent of war in 1914 meant a fall-off in the number of prisoners. This can be largely attributed to the numbers enlisted in active service although there was also a decrease in the number of recidivists which has been attributed to the effectiveness of the system.

1919
Improved
socio-economic
conditions and
penal methods

Again the Second World War saw a decrease although this was not so marked; it seemed that the potential social destruction which war brings took its toll more in the 1939-45 war than the earlier one.

1919 saw a continuation of war-time decrease; this has been attributed to the great improvements in social and economic conditions, as well as the improved penal methods. Some special remissions given to commemorate the peace celebrations may have also been important.

1930
Leniency in
sentencing

The 1930 decrease is interesting - one might think that in a time of Depression, economically motivated crime would be rampant. This seems to have been more marked however, in 1929-30, the 1930-1 statistics more closely resembling pre-Depression conditions. One explanation for the 1930 decrease may be that magistrates were being lenient about payment of fines because of the economically depressed situation.

1939 - 1965
Buoyant
economic
conditions and
restoration of
moral fibre

The Second World War saw a decrease. As well as enlistment, other factors may be the buoyancy of the labour market and the Child Welfare Act (1939) which decreased maintenance payments. The 1947-8 decrease reflected the restoration of moral fibre which had suffered upheaval during the war. The Coronation in 1953 meant special remissions which resulted in a slight decrease. Shorter sentences and a fall in the number of prisoners convicted on minor offences may explain the 1964-5 decline.

2. Current events

There has been a steady decline in the daily prison population since early 1973. Over the twelve months period from 4.1.73 to 27.12.73 the daily population declined by 823 from 4,078 to 3,255, a decrease of 20.2%. This represents a marked change in the number of prisoners in the custody of the Corrective Services Department, with implications for current programmes and planning for future needs.

The aims of this study were:

- (1) to investigate possible reasons for the decline in the prison population
- (2) to construct a model for predicting future population trends

In order to analyze as broadly as possible probable reasons for the decreasing prison population, 15 questions were specified for detailed study. Not all of these were expected to relate significantly to population trends, nor were they all easy to research in detail. They were intended to cover a comprehensive range of factors within the correctional system with possible relevance to prison population changes.

The questions included:

General

1. Has there been a decline in the number of potential criminals in the population (the 'at risk' group: males aged 18 years and over)?

Police

2. Has there been a decline in the number of crimes reported to the police?
3. Has there been a decline in the number of persons arrested?

Courts

4. Has there been a decline in the number of persons convicted by the courts?
5. Has there been a decline in the number of persons sentenced to prison?
6. Has there been an increase in the number of persons sentenced to non-penal measures?
7. Has there been a decline in the length of prison sentences imposed by courts?
8. Has there been a decline in the length of non-parole periods specified by the courts?
9. Has there been an increase in the number of persons released on bail?
10. Has there been an increase in the turnover of unsentenced prisoners (i.e. is court processing faster)?

Parole Board

11. Has there been an increase in the numbers of prisoners released to parole or licence?

Prison policy

12. Has there been an increase in remission opportunities?
13. Has there been a decline in punishments resulting in loss of remission?
14. Has there been an increase in the number of persons escaping from custody?

Immigration

15. Has there been an increase in the number of persons deported?

B. METHODOLOGY

Stage I

A broad analysis was made of the eight year period from July, 1966 to June 1973, and a detailed study was made of the fifteen months period from 1st July, 1972 to 30th September, 1973. Factors examined for trends related to the static prison population include:

1. Receptions into prison: of sentenced prisoners, unsentenced prisoners, males and females
2. Discharges from prison: of sentenced prisoners, unsentenced prisoners, males and females

Data for the eight year period were obtained from statistics issued by the Australian Bureau of Statistics (A.B.S.) and for the fifteen months period, from a manual analysis of departmental Entrance and Description Books. In all cases receptions from court and discharges to freedom, excluding internal transfers, were studied.

It was not possible to compare figures for 1970-71 and subsequent years with previous data since changes had been made in the recording of reception and discharge information⁽¹⁾. Thus the years 1966-70 and 1971-73 will be analyzed separately.

Stage II

Once trends in receptions and discharges were established, the enquiry moved to the reasons for these changes. Receptions into prison reflect court sentencing practices, police activity in criminal areas, and the general incidence of crime in the community. Discharges reflect length of sentences imposed by the courts, policies of the Parole Board in releasing prisoners to parole and remission rates which are both legislatively and administratively determined.

(1) For detailed explanation of the changes see "Prison Statistics" 1971-72, Bureau of Census and Statistics, Sydney. Pages 3-4.

Thus further information was sought concerning other trends:

1. The 'at risk' population

Defined as males aged 18 years and under 30 years. Since approximately two thirds of all prisoners in custody are males aged 18-30 years (Prison statistics), this group was considered to be the most 'at risk'. Changes in the size of this group in the general population over 1966-73 were examined by statistics published by the Australian Bureau of Statistics as census data or as intercensal estimates.

2. Rates of crimes reported to the police

Information was obtained from the Police Department on reports accepted during 1971 and 1972 for selected offences. It was not possible to obtain a more detailed analysis at that stage.

3. Arrest rates

It was not possible to obtain the desired information on arrest rates.

4. Court sentencing patterns - non-penal measures

Figures were obtained from the Bureau of Crime Statistics and Research relating to non-prison sentences imposed for selected offences at Courts of Petty Sessions, during the first and last quarters of 1972. It was not possible to analyze all cases brought before Courts of Petty Sessions in 1972.

5. Court sentencing patterns - prison sentences

Trends in lengths of total sentences and non-parole periods imposed by courts were analyzed using data provided by the Australian Bureau of Statistics and from departmental records covering 1966-73.

6. Rates of discharges of prisoners

From a manual analysis of departmental records, figures were obtained on the number of prisoners released to parole and licence, number of escapes and number of prisoners deported, over the period of July, 1972 - September, 1973.

7. Unsentenced prisoners

From departmental records, information was obtained on the number of unsentenced prisoners released to bail during 1972-73 and the number of unsentenced prisoners in custody at the end of each month for the nine months from June, 1973 to February 1974.

In these seven areas of study, then, information was obtained from the Australian Bureau of Statistics, the Police Department and the Bureau of Crime and Statistics and Research, as well as from departmental records. Data covering the full period of study were not always available, comprehensive and comparable; consequently the results of the Stage II investigation must be regarded as a means of establishing tentative hypotheses only.

C. SUMMARY OF FINDINGS

I Receptions - general

- 1966 - 70: Receptions under sentence decreased steadily by 14%.
Receptions not under sentence increased by 21%.
1971 - 73: Rise and then fall in sentenced and unsentenced
receptions.
15 months¹: Decline of 17% in receptions, both sentenced and
unsentenced. Decline greater for females (44%).

II Discharges - general

- 1966 - 70: Discharges declined slightly by 3% overall, with 12%
decline for females.
1971 - 73: Rise then fall in discharges.
15 months¹: Overall decline in discharges (7%) except for increase
in discharges of unsentenced women.

III Reception factors

1. The population at risk

- 1966 - 72: There has been an increase in the 'at risk'
population: men aged 18 and under 30 years.

2. Reports accepted by police

- 1971 - 72: There has been a decline of 2% in the number of
reports accepted by the police.
8 months There has been a decline of 7% in the number of
comparison²: offences reported to the police.

1 July 1972 - September 1973

2 June - August 1972 and January - August 1973

3. Sentencing of Courts of Petty Sessions

1st quarter and 4th quarter, 1972: There has been a decline of 1% in the total number of cases coming before Courts of Petty Sessions. There has been a decline in the number imprisoned, discharged and granted recognition with or without probation. There has been an increase in the numbers found not guilty, fined and granted a 556A discharge. Of those imprisoned, there has been a decline in the length of sentence imposed.

4. Detailed examination of sentencing trends

(1) Probation

1967 - 73: Receptions (new cases) into probation have more than doubled.
 1963 - 73: Caseload as at 30th June has more than tripled.

(2) Fines

4th quarter 1972 - 73: A decline in the number of fines and prison sentences. Fines imposed on drunks and vagrants has contributed 46% to the decline in total receptions over that period. However this has had little effect on the daily prison population.

IV Discharge factors

1. Length of sentence imposed

1971 - 73: The trend is towards longer sentences. More prisoners are being received with long sentences of 5 years and over, or balance of sentence, and fewer with sentences of 7 days or less.

2. Proportion of sentence served

1971 - 73: In 1971-72 prisoners served proportionately less of the sentence imposed than in the preceding and following years.

3. Non-parole periods

(1) Proportion receiving non-parole periods (N.P.P.s)

15 months¹: Of those eligible to be given N.P.P.s 86% have N.P.P.s specified by the courts. Prisoners with N.P.P.s specified comprise 13% of all receptions under sentence.

(2) Lengths of non-parole periods

15 months¹: More prisoners are being given N.P.P.s of 6 months, and fewer are given N.P.P.s of more than 1 year. Short N.P.P.s are being specified for prisoners with a wide range of sentence imposed from 12 months to 7½ years.

¹ July, 1972 - September, 1973

(3) Granting of parole by Parole Board

15 months¹: Although proportions received with N.P.P.s have remained constant, proportionately more prisoners were discharged to parole, licence or special authority.

4. Other discharge factors(1) Escapes

15 months¹: There has been no definite trend in the number of prisoners who have escaped.

(2) Deportations

1972 - 73
15 months¹: There has been a decline in the number of prisoners deported.

V. Unsentenced prisoners1. Discharge to bail

15 months¹: There has been no definite trend in the number of prisoners released from prison to bail.

2. Turnover of unsentenced prisoners

9 months: On any one day approximately 60% of all unsentenced prisoners have been in custody for less than 1 month

D. DETAILED FINDINGSI Receptions into prisonTABLE 1(a) Receptions under sentence and not under sentence, 1966-70

	<u>Not under sentence</u>	<u>Under sentence</u>	<u>Total</u>
1966-66	5,277	11,419	16,696
1966-67	5,789	10,738	16,527
1967-68	6,660	9,855	16,515
1968-69	6,177	9,569	15,746
1969-70	6,374	9,821	16,195

Apart from the year 1968-69 when receptions declined by 5% over the previous year, total receptions have remained fairly constant over the 5 year period.

Receptions not under sentence have increased by 21% over the five year period, while receptions under sentence have decreased by 14% over the same time.

TABLE 1(b) Receptions under sentence and not under sentence, 1971-73

	<u>Not under sentence</u>	<u>Under sentence</u>	<u>Total</u>
1970-71	9,957	11,692	21,649
1971-72	11,071	12,535	23,606
1972-73	9,988	11,277	21,265

There was an increase in total receptions (9%), receptions under sentence (7%) and receptions not under sentence (11%) in 1972 over the 1971 figure. However, receptions for 1973 are very similar to 1971, with an overall decline of 2%, which may be attributed to the decline in receptions under sentence.

TABLE 2(a) Receptions of males and females, 1966-70

	<u>Males</u>	<u>Females</u>	<u>Total</u>
1965-66	15,554	1,142	16,696
1966-67	15,578	949	16,527
1967-68	15,554	961	16,515
1968-69	14,712	1,034	15,746
1969-70	15,168	1,027	16,195

Within the five year period male receptions have fluctuated by 6% and female receptions have fluctuated by 17% compared with an overall variation range of 7% for total receptions.

No consistent trends can be discerned.

TABLE 2(b) Receptions of males and females, 1971-73

	<u>Males</u>			<u>Females</u>			<u>Grand total</u>
	<u>Under sentence</u>	<u>Not under sentence</u>	<u>Total</u>	<u>Under sentence</u>	<u>Not under sentence</u>	<u>Total</u>	
1970-71	10,914	9,425	20,339	778	532	1,310	21,649
1971-72	11,730	10,598	22,328	805	473	1,278	23,606
1972-73	10,551	9,517	20,078	716	471	1,187	21,265

While receptions of males increase by 10% over 1971-72 and decrease by 10% over 1972-73, receptions of females decreased steadily by 9%: this results from the decline in the unsentenced female population since sentenced figures follow the pattern of male receptions.

TABLE 3. Quarterly receptions into prison, July 1972 - September 1973¹

	<u>Under sentence</u>			<u>Not under sentence</u>			<u>Total</u>		
	<u>M</u>	<u>F</u>	<u>T</u>	<u>M</u>	<u>F</u>	<u>T</u>	<u>M</u>	<u>F</u>	<u>T</u>
July Quarter 1972	2721	203	2924	2347	105	2452	5068	308	5376
October Quarter 1972	2753	194	2947	2442	110	2552	5195	304	5499
January Quarter 1973	2771	185	2956	2523	136	2659	5294	321	5615
April Quarter 1973	2332	135	2467	2202	98	2300	4534	233	4767
July Quarter 1973	2285	114	2399	1983	101	2084	4268	215	4483

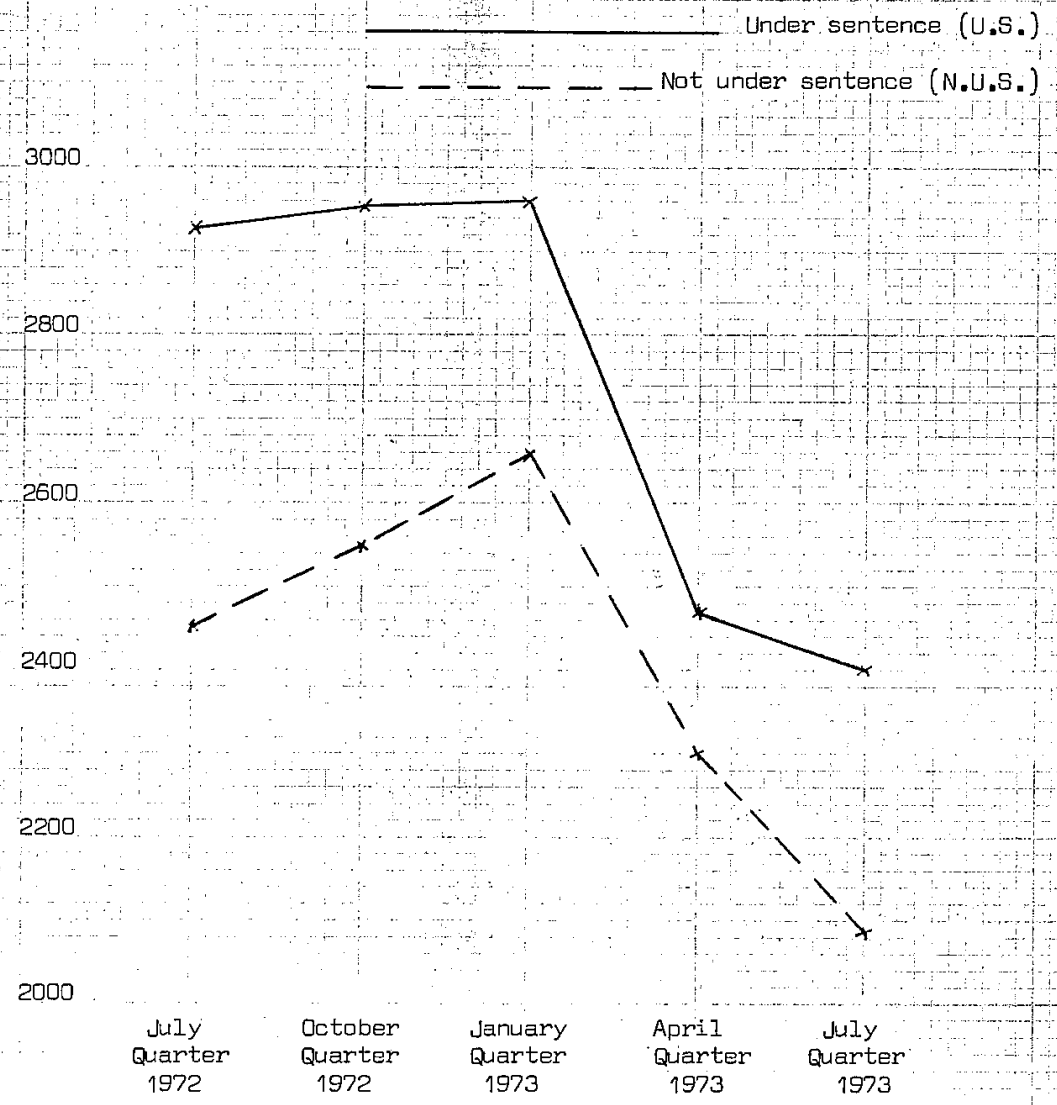
Ignoring slight seasonal variations in receptions, it is clear that sentenced and unsentenced receptions for both sexes have declined markedly since March, 1973.

Receptions under sentence during the fifteen months have declined by 18%, not under sentence by 15%, with an overall decrease in receptions of 16.6%. The decline in the sentenced population is greatest for females (43.8%) compared with males (16%). With the not under sentence prisoners, female receptions have changed little, whereas male receptions have declined by 15%.

Overall male receptions have declined by 15% and female receptions by 30%.

¹ Slight discrepancies between total for July 1972 - June 1973 and figures in Tables 1 and 2 are due to differences between the manual and computer system of analysis.

GRAPH 1. Receptions into prison by Quarters,
July 1972 - September 1973.



II Discharges from prisonTABLE 4(a) Discharges of males and females 1966-70.

	<u>Males</u>	<u>Females</u>	<u>Total</u>
1965-66	15,382	1,137	16,519
1966-67	15,274	957	16,231
1967-68	15,547	958	16,505
1968-69	14,692	1,040	15,732
1969-70	15,097	995	16,092

Over the five year period there has been a decline in the number of discharges of males (2%), females (12%) and total prisoners (3%).

TABLE 4(b) Discharges of males and females 1971-73

	<u>Males</u>			<u>Females</u>			<u>Total</u>		
	<u>Under sentence</u>	<u>Not under sentence</u>	<u>Total</u>	<u>Under sentence</u>	<u>Not under sentence</u>	<u>Total</u>	<u>Under sentence</u>	<u>Not under sentence</u>	<u>Total</u>
1970-71	10,764	9,364	20,128	784	537	1,321	11,548	9,901	21,449
1971-72	11,523	10,515	22,038	812	470	1,282	12,335	10,985	23,320
1972-73	10,709	9,630	20,339	712	471	1,183	11,421	10,101	21,522

The general pattern shows an increase in discharges over 1971-72, followed by a decrease in 1972-73 back to the 1971 level of discharges. For sentenced prisoners there is an overall decline in discharges of 1% over 1971-73, but for unsentenced prisoners there is a slight increase of 2% in discharges.

GRAPH 2. Discharges from prison by Quarters,
July 1972 - September 1973.

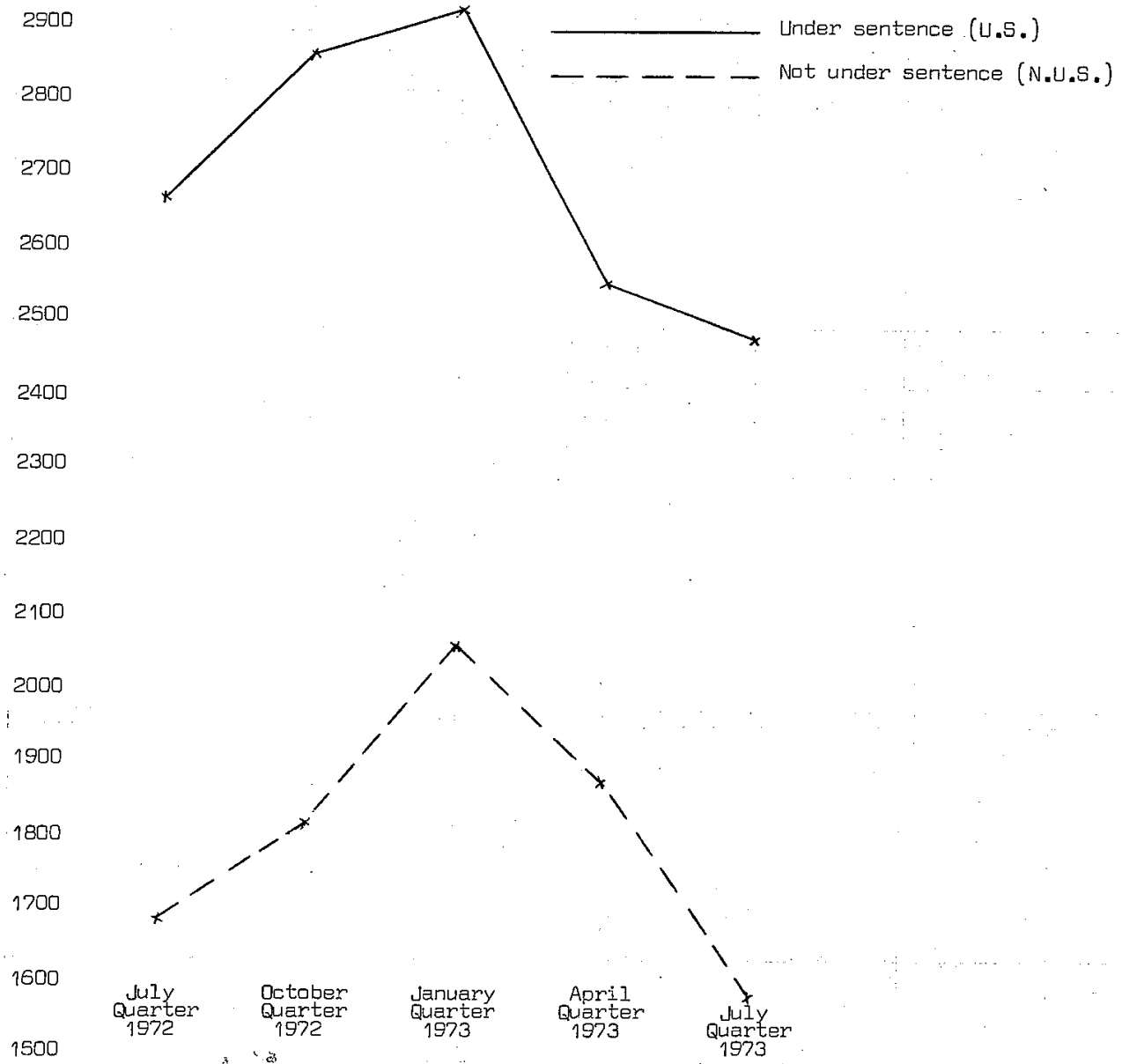


TABLE 5. Comparison of quarterly discharges from prison,
July Quarter 1972 and July Quarter 1973.

Quarter	Under sentence			Not under sentence			Total		
	M	F	T	M	F	T	M	F	T
July 1972	2519	157	2676	1619	73	1692	4138	230	4368
July 1973	2353	133	2486	1486	101	1587	3839	234	4073

There has been a decrease in discharges under sentence and not under sentence (overall 6.8% decline) for the two quarters, except for unsentenced women, in which case there was a 38% increase in discharges.

III Analysis of reception factors

1. The population at risk

TABLE 6. Males aged 18 and less than 30 years in N.S.W. population, 1966-72

Year	Males aged 18 yrs & less than 30 yrs	Total males	% Total male population
1966*	385,487	2,124,463	18.1
1967*	400,590	2,161,350	18.5
1968*	417,270	2,199,650	19.0
1969*	436,254	2,247,020	19.4
1970*	453,590	2,293,710	19.8
1971	461,472	2,307,210	20.0
1972	475,630	2,336,700	20.4
% increase 23.4%		% increase 10.0%	

The number of males aged 18 and under 30 years has increased by 23.4% in 6 years. The proportion of 18 years and over males in the total male population has also increased slightly from 18.1% to 20.4%. This means that there has been an increase in the 'at risk' population.

* Based on estimates from 1966 Census.

2. Reports accepted by the policeTABLE 7. Reports accepted and cleared by police, 1971-72¹

Offence	1971		1972	
	Accepted	% Cleared	Accepted	% Cleared
<u>Offences against the person</u>				
1. <u>General</u>				
Murder	74	97	71	93
Murder - accessory, conspire	2	50	3	100
Murder - attempts	39	95	41	90
Manslaughter - not driving	28	96	21	86
Abortion - includes attempt	33	94	11	100
Assault and rob	1,124	22	1,158	18
Armed hold-up	298	41	271	32
Assault - aggravated	727	79	839	72
Assault - non-aggravated	1,661	54	2,131	56
Abduction	34	65	35	71
Demand money with menaces	66	33	60	43
2. <u>Sexual and unnatural</u>				
Rape	162	67	120	63
Attempted rape	41	63	54	63
Homosexual offences	267	80	218	77
Heterosexual offences - lesser	1,468	84	1,516	83
Indecent assault on child	183	74	191	70
Bigamy	5	100	7	100
3. <u>Driving</u>				
Culpable driving	124	95	155	99
Manslaughter	54	98	53	98
<u>Total offences against the person</u>	6,390		6,955	

Cont. overleaf....

¹ From "Statewide summary of crimes and lesser offences recorded on computer by Crime Intelligence and Information System" provided by the Police Department.

TABLE 7. Continued

Offences	1971		1972	
	Accepted	% Cleared	Accepted	% Cleared
<u>Offences against property</u>				
Break, enter & steal - house	21,168	11	20,956	11
Break, enter & steal - other	16,603	14	16,745	13
Break, enter & steal - attempt	8,203	10	8,282	10
House-breaking implements in possession	109	100	99	100
Stealing from person - and attempt	1,123	15	1,761	11
Stealing, general - and attempts	68,546	20	63,273	22
Fraudulent acquisition of property - and attempt	11,075	75	10,783	75
Arson	210	36	241	39
Goods in custody	797	99	965	100
Malicious injury to property	4,455	19	5,252	19
Possess property stolen outside state	219	96	181	99
Receiving	951	99	1,133	99
Stealing by finding	79	44	98	54
Stock stealing	243	63	271	33
<u>Total offences against property</u>	133,781		130,040	
<u>Offences against good order</u>				
Drugs - manufacture	18	100	20	100
Drugs - obtain	681	98	789	98
Drugs - supply	176	98	220	100
Drugs - use	796	99	798	99
Drugs - other	57	96	96	98
Carry cutting implement	78	97	72	99
Carry unlicensed pistol	218	99	299	99

Cont. overleaf....

TABLE 7. Continued

Offences	1971		1972	
	Accepted	% Cleared	Accepted	% Cleared
<u>Offences against good order cont.</u>				
Offence against public decency	152	41	176	44
Conspiracy - general	17	100	20	95
Escape from lawful custody	129	79	115	74
Offensive telephone calls	98	41	85	32
Perjury	4	100	6	67
Others	412	63	435	70
<u>Total offences against good order</u>	2,836		3,130	
<u>GRAND TOTAL</u> - all offences	143,007		140,125	

There has been a decline of 2.1% in the number of reports accepted by the police in 1972 compared with 1971. This decline has been in offences against property (in particular, reports of general stealing) while reports of offences against the person and against good order have increased.

Dr. Vinson, of the N.S.W. Bureau of Crime Statistics and Research, demonstrated a 7% decrease in the number of offences reported to the police during January - August, 1973 compared with the same period in the previous year. (Unpublished Report "Crime Trends" issued 20th September, 1973).

TABLE 8. Offences reported to the police, January - August 1972 and 1973

	January - August 1972	January - August 1973	% Difference
Offences against the person	2,170	2,543	+17.2
Steal with violence	2,132	2,052	-3.8
Property breaking	25,632	23,849	-7.0
Larceny	42,387	39,452	-7.0
False pretences	6,317	5,818	-7.9
Sexual offences	1,549	1,531	-1.2
Miscellaneous	15,429	13,997	-9.3

Overall decrease 6.7%

These figures show a continuation of the 1971-72 trend, with a marked increase in reports of offences against the person and a decline in reports of property offences.

3. Sentencing of Courts of Petty SessionsTABLE 9. Selected¹ cases brought before Courts of Petty Sessions1st Quarter (January - March) 1972 and 4th Quarter (October - December) 1972.

Offence group	Cases in 1st Quarter 1972		Cases in 4th Quarter 1972		Difference
	Number	%	Number	%	%
Offences against the person	1,633	10.4	1,442	9.2	-11.7
Sexual offences	120	0.8	80	0.5	-33.3
Property offences	940	6.0	711	4.6	-24.4
Fraud and false pretences	349	2.2	283	1.8	-18.9
Larcenies	2,161	13.7	2,165	13.9	+0.2
Offences against good order	18	0.1	10	0.1	-44.4
Summary offences	5,759	36.5	5,747	36.9	-0.2
Driving offences	4,517	28.6	4,927	31.5	+9.1
Drug offences	260	1.7	228	1.5	-12.3
TOTAL - all offences	15,757	100.0	15,593	100.0	-1.0

There has been a slight decline of 1% in the number of cases coming before courts of Petty Sessions over the two quarters. The decline can be seen in offences against the person, offences against property and drug offences. There has been a slight increase in driving offences. The difference between police and court statistics in trends for offences against the person in 1972 probably reflects delays between police and court processing of these offenders.

¹ Basically, those that terminate at courts of Petty Sessions.

GRAPH 3. Selected cases brought before courts of Petty Sessions
January Quarter 1972 and October Quarter 1972.
Percentage distribution by Offence Group

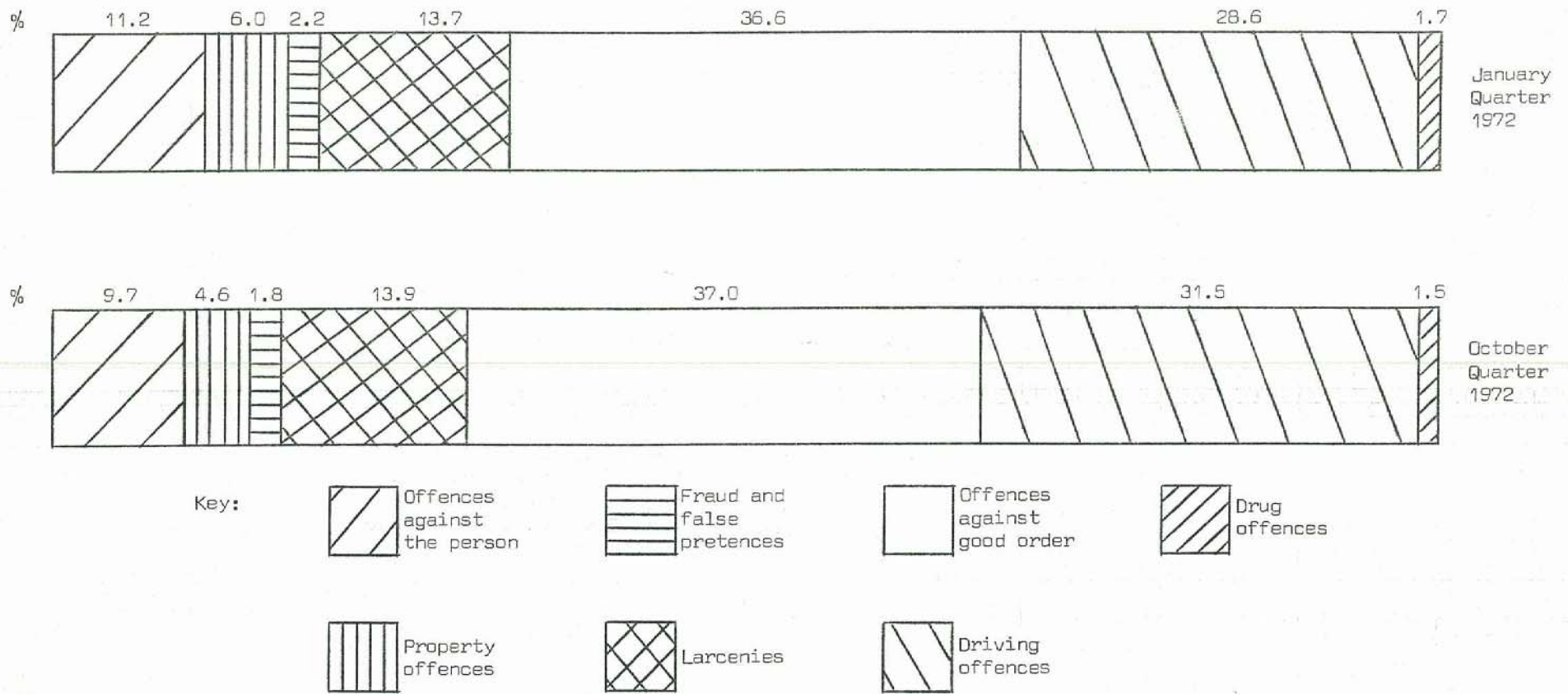


TABLE 10. Cases appearing before Courts of Petty Sessions, resulting in prison sentences, 1st and 4th quarters 1972 .

Offence group	Prison sentences 1st Quarter 1972	Prison sentences 2nd Quarter 1972	% difference
Offences against the person	86	69	-19.8
Sexual offences	-	2	
Property offences	79	53	-32.9
Fraud and false pretences	47	52	+10.6
Larcenies	273	239	-12.6
Offences against good order	-	2	
Summary offences	759	647	-14.8
Driving offences	138	154	+11.6
Drug offences	28	33	+17.9
TOTAL - all offences	1,410	1,251	-11.2

There has been a decline of 11% in the number of cases resulting in prison sentences at Courts of Petty Sessions over the first and last quarters 1972. This, however, does not indicate the total number of prison receptions as a result of Court of Petty Sessions determinations since many offenders sentenced to a fine are also received into prison in default of payment.

TABLE 11. Length of sentences imposed by Courts of Petty Sessions

Period	14 days & under		15 days & less than 1 month		1 month & less than 3 months		3 months & less than 6 months		6 months & less than 1 year		1 year		Total
	No	%	No	%	No	%	No	%	No	%	No	%	No
1st Quarter 1972	324	23	167	12	435	31	326	23	134	10	24	2	1410
4th Quarter 1972	308	25	203	16	339	27	258	21	126	10	17	1	1251

It can be seen that early in 1972 there was a tendency for magistrates to impose longer sentences than in the latter part of the year. This fact can also be seen when the average length of sentence for both periods is calculated. In the first quarter this was 89 days, but in the fourth quarter it was only 84 days. This decrease of 5 days average length represents a total decrease of over 20,000 days sentence imposed.

TABLE 12. Disposition of cases coming before Petty Sessions, 1st and 4th Quarters 1972.

	Not guilty	556A(1) discharge	Recognizance	Recognizance & Probation	Fine	Prison & death	Discharge/ withdrawn	Recognizance forfeited	Total
<u>1st Quarter</u>									
Number	401	710	1,314	203	8,947	1,420	2,099	661	15,755
%	2.6	4.5	8.3	1.3	56.8	9.0	13.3	4.2	100.0
<u>4th Quarter</u>									
Number	417	916	1,136	170	9,268	1,257	1,767	662	15,593
%	2.7	5.9	7.3	1.1	59.4	8.1	11.3	4.2	100.0

There has been a decline in the number of cases given:

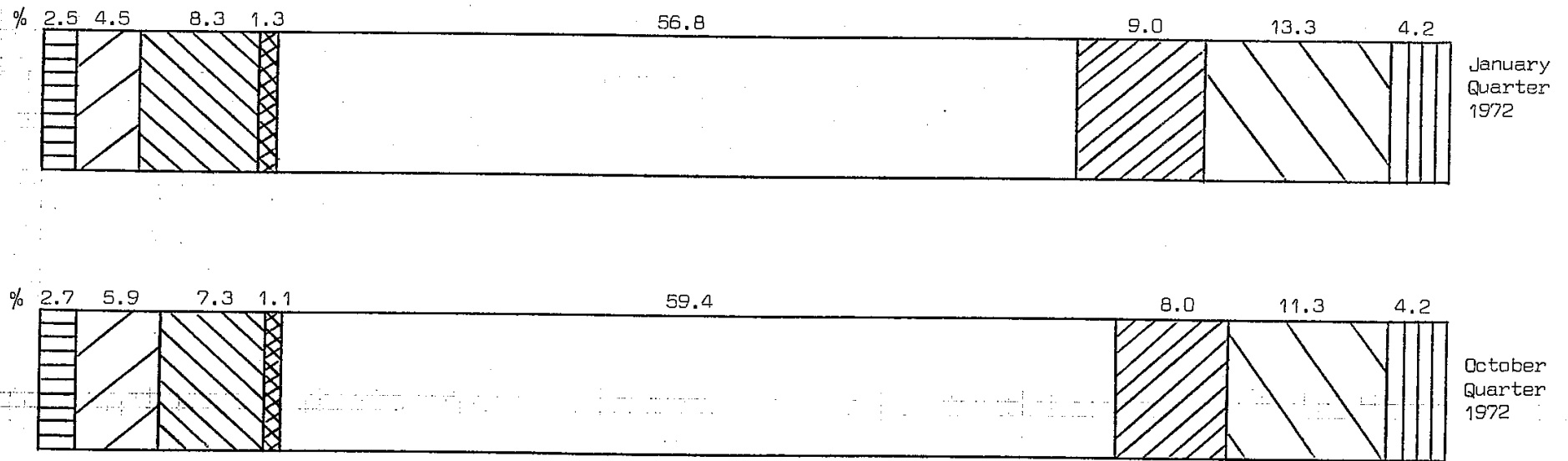
- recognizance
- recognizance with probation
- imprisonment
- discharge

There has been an increase in the number of cases:


- found not guilty
- given 556A discharge
- fined

(1) Under Section 556A of the Crimes Act 1900 the court, following a finding of guilt, may without proceeding to conviction, make an order either dismissing the charge or discharging the offender conditionally on his entering into a recognizance.


GRAPH 4. Disposition of cases before Courts of Petty Sessions
January Quarter 1972 and October Quarter 1972
Percentage distribution by Determination





Key:


 Not guilty


 Recognizance

 Fine

 Discharge withdrawal

 556A

 Recognizance & Probation

 Prison & death

 Recognizance forfeited

4. Detailed examination of sentencing trends(i) ProbationTABLE 13. New probation cases 1967-73

<u>Year</u>	<u>New cases received</u>
1967	1,137
1968	1,329
1969	1,828
1970	2,149
1971	2,119
1972	2,417
1973	2,591

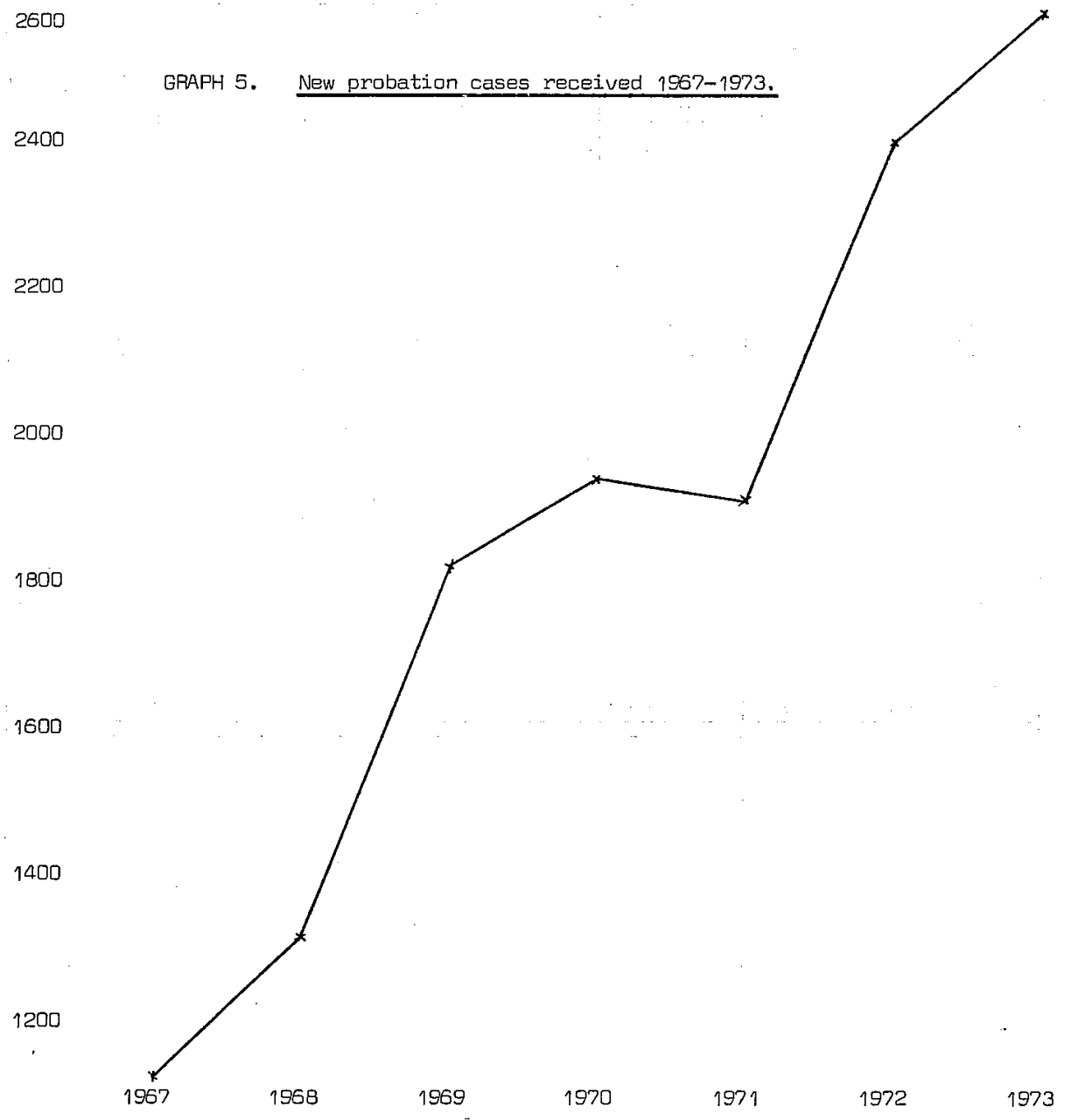
Over the seven year period, there has been an increase of 127.9% in the new cases received under probation: that is, receptions have more than doubled.

TABLE 14. Probation caseload as at 30th June 1963-73

<u>Year</u>	<u>Caseload</u>	<u>% increase</u>
1963	1,788	
1964	2,093	17.1
1965	2,236	6.8
1966	2,306	3.1
1967	2,591	12.4
1968	3,037	17.2
1969	3,762	23.9
1970	4,487	19.3
1971	4,640	3.4
1972	5,121	10.4
1973	5,702	11.4

The percentage increase over the ten year period is 218.9%: that is, the caseload since 1963 has more than tripled.

GRAPH 5. New probation cases received 1967-1973.



(ii) Alternative sentences for drunks and vagrants

The following data is extracted from a brief report issued by the Research and Statistics Division in 1973.

TABLE 15. (a) Receptions into Long Bay for drunkenness, vagrancy and all offences for quarters ending 30th June, 1972 and 30th June, 1973.

Receptions for quarter ending June		1972	1973	% increase or decrease
Under sentence	Vagrancy	218	140	-35.8
	Drunkenness	421	27	-93.6
	Total all offences	2,296	1,626	-29.2
Not under sentence	Vagrancy	359	181	-49.6
	Drunkenness	73	78	+ 6.8
	Total all offences	1,867	1,149	-38.5

Comparing the 1973 quarter with the same quarter in 1972:

- (1) total receptions declined by 1388
- (2) receptions for vagrancy and drunkenness declined by 645
- (3) vagrancy and drunkenness contribute 46.5% of the decline in total receptions.

(b) Conclusions drawn concerning the impact of these reception trends on the daily prison population at Long Bay Gaol.

The current policy of the lower courts not to fine drunks has had a major impact on receptions, resulting in an overall decline in total receptions.

However, the impact of this new sentencing policy on the daily prison population at Long Bay can only be termed as minimal. On 30th June, 1972 the percentage of the daily population constituted by drunks and vagrants at Long Bay, sentenced and unsentenced, was 4.4%; on 30th June, 1973 it was 3.6%.

The impact of the new sentencing policy on the short sentence daily population was also minimal.

On 30th June, 1972 there were 86 prisoners sentenced for up to 3 months; on 30th June, 1973 there were 96. On the other hand, there was a slight decline in the number of persons in prison serving periods of up to 3 months in default of fines; on 30th June, 1972 there were 46 whereas on 30th June, 1973 there were 31.

(c) GRAPH 6. Receptions with sentences of 7 days and less into Long Bay, July 1972 - September, 1973.

Over the fifteen months period, receptions with very short sentences of seven days or less decreased from 469 in July Quarter 1972 to 197 in July Quarter 1973. This comprises a decrease from 28.6% of total quarterly receptions under sentence to 15.6%.

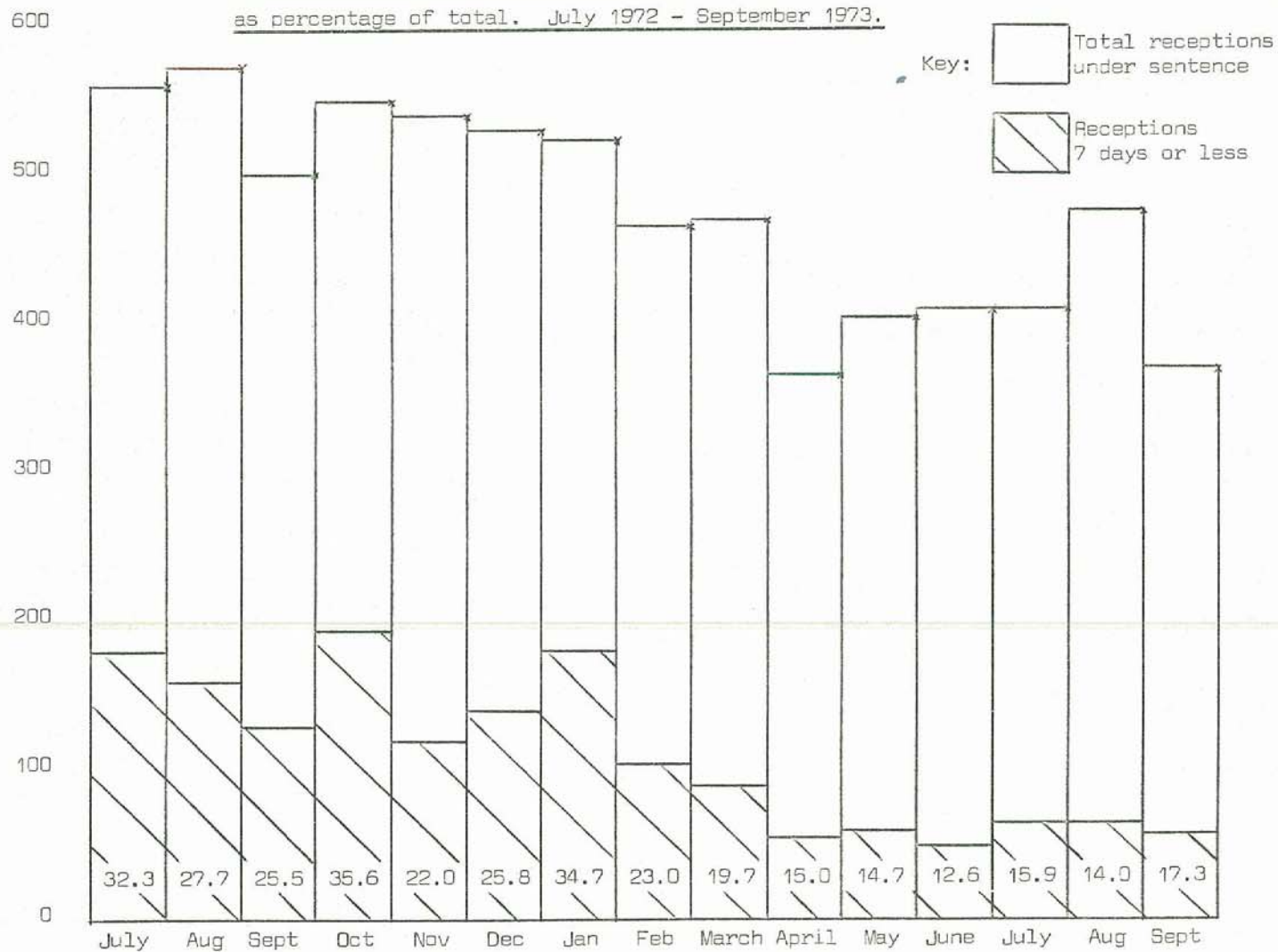
See graph overleaf

GRAPH 7. Receptions with sentences of 7 days and less into all establishments, July 1972 - September 1973.



Similarly, in all establishments combined, short sentence receptions declined from 23.1% of total receptions to 14.5%. Nonetheless, such a decline would have only a minimal effect on the numbers in prison on a particular day.

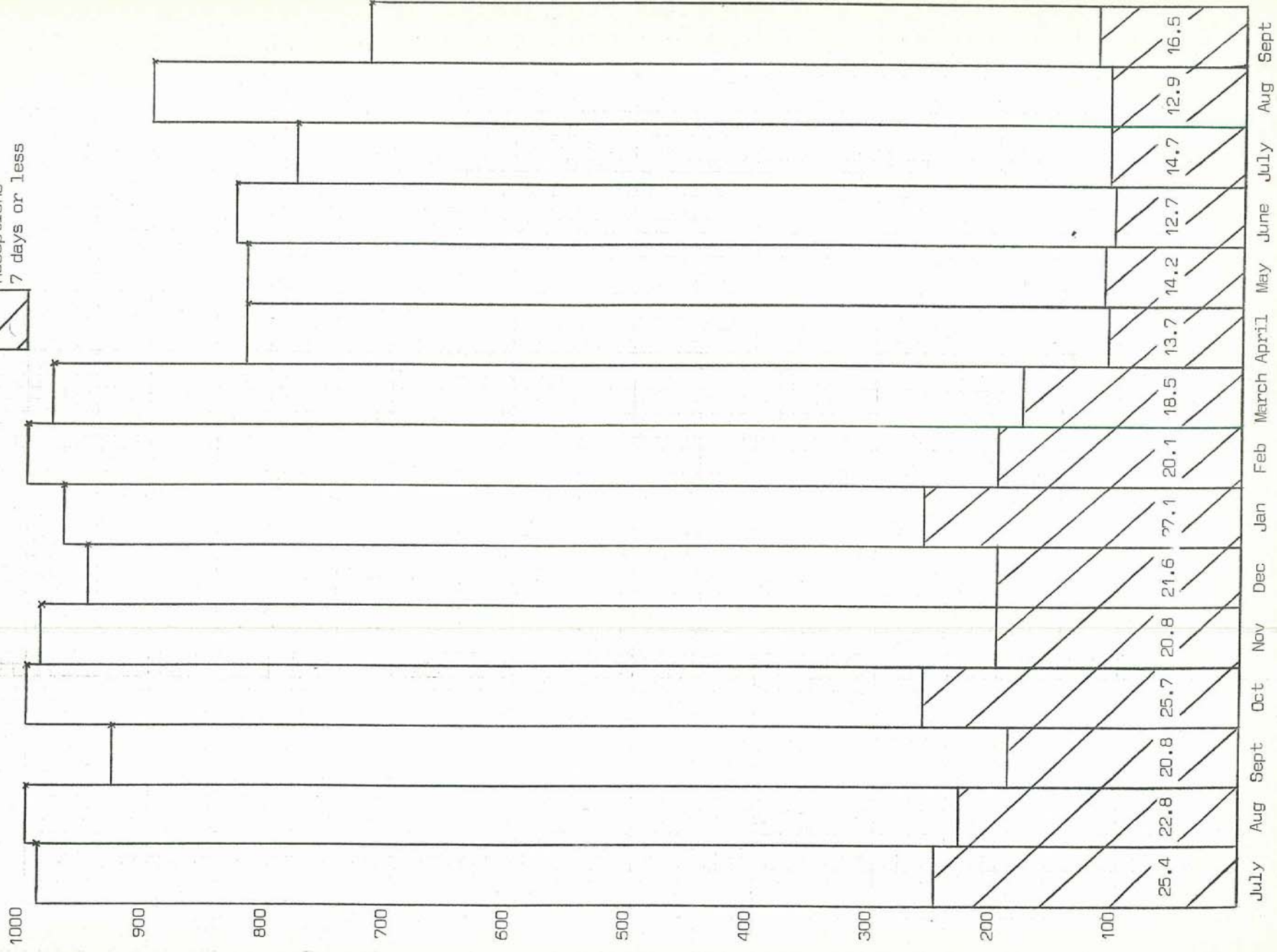
See graph overleaf

GRAPH 6. Long Bay total receptions under sentence with sentences of 7 days or less
as percentage of total. July 1972 - September 1973.



GRAPH 7. Total receptions under sentence with sentences of 7 days or less as percentage of total. July 1972 - September 1973.

Key:  Total receptions under sentence
 Receptions 7 days or less



IV Analysis of discharge factors1. Length of sentence imposedTABLE 16. Receptions under sentence 1971 - 1973: Length of sentence

Sentence	1970 - 1971		1971 - 1972		1972 - 1973	
	Number	%	Number	%	Number	%
7 days or less	3,358	28.7	3,204	25.6	2,247	19.9
8 days & less than 1 month	1,660	14.2	2,534	20.2	2,552	22.6
1 month & less than 3 months	2,135	18.3	2,120	16.9	2,049	18.2
3 months & less than 6 months	1,517	13.0	1,454	11.6	1,358	12.0
6 months & less than 1 year	978	8.4	986	7.9	992	8.8
1 year & less than 2 years	728	6.2	708	5.7	649	5.8
2 years & less than 3 years	468	4.0	495	3.9	447	4.0
3 years & less than 4 years	286	2.4	294	2.3	270	2.4
4 years & less than 5 years	130	1.1	156	1.2	122	1.1
5 years & less than 10 years	204	1.7	278	2.2	259	2.3
10 years & over	55	0.5	73	0.6	70	0.6
Life	10	0.1	21	0.2	23	0.2
Governor's Pleasure	9	0.1	8	0.1	4	0.0
Balance of sentence	132	1.1	163	1.3	183	1.6
Periodic detention	22	0.2	41	0.3	52	0.5
TOTAL	11,692	100.0	12,535	100.0	11,277	100.0

Over the period 1971 - 1973 the trend has been towards slightly longer sentences.

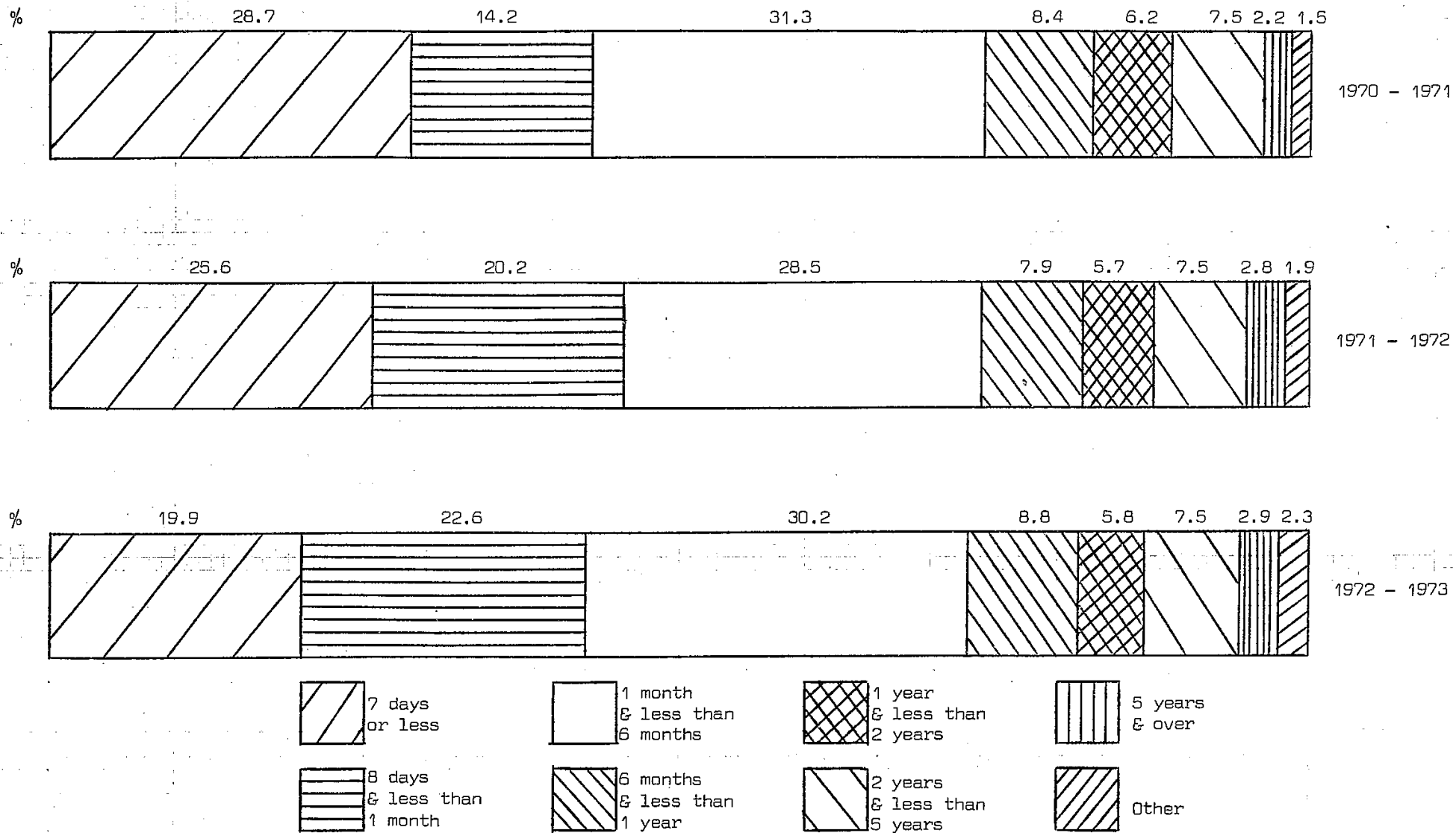
Short sentence group: Fewer prisoners are being given sentences of 7 days or less and more are being given sentences of 8 - 30 days.
(under 1 month)

Medium sentence group: Very little change has occurred in the proportions of prisoners given medium sentences.
(1 month to 5 years)

Long sentence group: More prisoners are being given long sentences.
(5 years and over)

Balance of sentence: Increasing numbers of prisoners are being received to serve the balance of sentence following revocation of parole, licence or authority.

GRAPH 8. Receptions under sentence 1971 - 1973
Percentage distribution by length of sentence imposed.



2. Proportion of sentence servedTABLE 17. Prisoners released 1970 - 1971. Sentence imposed and effective sentence served(1)

Sentence imposed	Sentence served									Total	%
	Under 1 mth	1 mth & less than 3 mths	3 mths & less than 6 mths	6 mths & less than 1 yr	1 yr & less than 2 yrs	2 yrs & less than 5 yrs	5 yrs & less than 10 yrs	10 yrs & over			
1 day & less than 7 days	3,361	-	-	-	-	-	-	-	-	3,361	29.0
8 days & less than 1 month	1,665	-	-	-	-	-	-	-	-	1,665	14.4
1 month & less than 3 months	1,343	770	-	-	-	-	-	-	-	2,113	18.3
3 months & less than 6 months	112	1,310	95	-	-	-	-	-	-	1,517	13.1
6 months & less than 1 year	65	35	721	135	-	-	-	-	-	956	8.3
1 year & less than 2 years	40	27	45	481	96	-	-	-	-	689	6.0
2 years & less than 5 years	11	9	18	175	518	154	-	-	-	885	7.7
5 years & less than 10 years	2	7	4	8	24	153	8	-	-	206	1.8
10 years & over	1	1	3	1	2	5	23	1	-	37	0.3
Life	-	-	-	-	-	2	2	9	-	13	0.1
Governor's Pleasure	-	-	4	-	1	2	3	-	-	10	0.1
Balance of: parole	-	7	14	19	20	7	-	-	-	67	0.6
licence	2	-	2	2	4	1	-	-	-	11	0.1
authority	4	4	4	6	-	-	-	-	-	18	0.2
TOTAL	6,606	2,170	910	827	665	324	36	10	11,548	100.0	
%	57.2	18.8	7.9	7.2	5.8	2.8	0.3	-			

(1) Excludes periodic detention.

TABLE 18. Prisoners released 1971 - 1972. Sentence imposed and effective sentence served(1)

Sentence imposed	Sentence served									Total	%
	Under 1 mth	1 mth & less than 3 mths	3 mths & less than 6 mths	6 mths & less than 1 yr	1 yr & less than 2 yrs	2 yrs & less than 5 yrs	5 yrs & less than 10 yrs	10 yrs & over			
1 day & less than 7 days	3,212	-	-	-	-	-	-	-	-	3,212	26.0
8 days & less than 1 month	2,510	-	-	-	-	-	-	-	-	2,510	20.4
1 month & less than 3 months	1,409	716	-	-	-	-	-	-	-	2,125	17.2
3 months & less than 6 months	113	1,319	35	-	-	-	-	-	-	1,467	11.9
6 months & less than 1 year	71	80	672	90	-	-	-	-	-	913	7.4
1 year & less than 2 years	22	28	78	553	54	-	-	-	-	735	6.0
2 years & less than 5 years	22	14	35	276	444	144	-	-	-	935	7.6
5 years & less than 10 years	24	5	3	9	44	129	10	-	-	224	1.8
10 years & over	13	1	-	-	1	15	13	-	-	43	0.3
Life	3	-	1	-	-	2	3	7	-	16	0.1
Governor's Pleasure	1	2	-	2	-	3	1	1	-	10	0.1
Balance of: parole	1	4	30	46	33	4	-	-	-	118	1.0
licence	-	1	-	3	-	1	-	-	-	5	-
authority	6	7	6	3	-	-	-	-	-	22	0.2
TOTAL	7,407	2,177	860	982	576	298	27	8	12,335	100.0	
%	60.0	17.6	7.0	8.0	4.7	2.4	0.2	0.1			

(1) Excludes periodic detention.

TABLE 19. Persons released during 1972 - 1973. Sentence imposed and effective sentence served.

Sentence imposed	Sentence served									Total	%
	Under 1 mth	1 mth & less than 3 mths	3 mths & less than 6 mths	6 mths & less than 1 yr	1 yr & less than 2 yrs	2 yrs & less than 5 yrs	5 yrs & less than 10 yrs	10 yrs & over			
1 day & less than 7 days	2,254	-	-	-	-	-	-	-	-	2,254	19.8
8 days & less than 1 month	2,551	-	-	-	-	-	-	-	-	2,551	22.3
1 month & less than 3 months	1,303	740	-	-	-	-	-	-	-	2,043	17.9
3 months & less than 6 months	108	1,187	51	-	-	-	-	-	-	1,346	11.8
6 months & less than 1 year	57	25	778	150	-	-	-	-	-	1,010	8.8
1 year & less than 2 years	24	25	29	570	76	-	-	-	-	724	6.3
2 years & less than 5 years	13	8	27	256	515	175	-	-	-	994	8.7
5 years & less than 10 years	6	5	1	16	37	164	24	-	-	253	2.2
10 years & over	2	-	2	4	4	15	25	2	-	54	0.5
Life	5	1	1	-	1	-	1	7	-	16	0.1
Governor's Pleasure	-	2	1	-	2	1	-	-	-	6	0.1
Balance of: parole	1	7	39	64	39	5	-	-	-	155	1.4
licence	-	-	1	-	1	-	-	-	-	2	-
authority	5	2	2	2	-	-	-	-	-	11	0.1
TOTAL	6,329	2,002	932	1,062	675	360	50	9	11,419	100.0	
%	55.4	17.5	8.2	9.3	5.9	3.2	0.4	0.1			

Of the releases in any one year, approximately 91% have served less than 12 months. This indicates an annual turnover rate of 91%.

TABLE 20. Summary: Comparison over 3 years of sentence imposed and effective sentence servedImposed: 1 - 2 years.

Served	Under 1 mth	%	1 mth & less than 3 mths	%	3 mths & less than 6 mths	%	6 mths & less than 1 yr	%	1 yr & less than 2 yrs	%	Total
1970 - 1971	40	5.8	27	3.9	45	6.5	481	69.9	96	13.9	689
1971 - 1972	22	3.0	28	3.8	78	10.6	553	75.3	54	7.3	735
1972 - 1973	24	3.3	25	3.5	29	4.0	570	78.7	76	10.5	724

Imposed: 2 - 5 years

Served	Under 1 mth	%	1 mth & less than 3 mths	%	3 mths & less than 6 mths	%	6 mths & less than 1 yr	%	1 yr & less than 2 yrs	%	2 yrs & less than 5 years	%	Total
1970 - 1971	11	1.2	9	1.0	18	2.0	175	19.8	518	58.6	154	17.4	885
1971 - 1972	22	2.4	14	1.5	35	3.7	276	29.5	444	47.5	144	15.4	935
1972 - 1973	13	1.3	8	0.8	27	2.7	256	25.8	515	51.8	175	17.6	994

TABLE 20. (cont'd)

Imposed: 5 years & over

	Under 1mth	%	1mth & less than 3mths	%	3mths & less than 6mths	%	6mths & less than 1yr	%	1yr & less than 2yrs	%	2yrs & less than 5yrs	%	5yrs & less than 10yrs	%	10yrs & over	%	Total
1970 - 1971	3	1.2	8	3.3	7	2.9	9	3.7	26	10.7	158	65.0	31	12.8	1	0.4	243
1971 - 1972	37	13.9	6	2.2	3	1.1	9	3.4	45	16.9	144	53.9	23	8.6	-	-	267
1972 - 1973	8	2.6	5	1.6	3	1.0	20	6.5	41	13.4	179	58.3	49	15.9	2	0.7	307

There has been a fluctuation in the proportion of length of sentences served to length of sentences imposed over the last three years. In 1971 - 1972 compared with the previous year there was a tendency for prisoners to serve proportionately less of the sentence imposed: this is particularly noticeable in the case of prisoners with imposed sentences of more than five years. However, in 1972 - 1973 the trend has been towards the serving of more of the sentence imposed.

3. Non-parole periods(i) Proportion receiving non-parole periods at court.(a) TABLE 21. Prisoners received with sentences of 12 months and over and non-parole periods specified during period July 1972 - September 1973.

	Number received with N.P.P. specified	Number received with no N.P.P. specified (court refused to specify)	Received but N.P.P. not applicable (e.g. maintenance confinees)	Total received with determinate sentence of 1 year & over (i.e. eligible for N.P.P.)	% with N.P.P. set of total received with 12 months and over
July - September, 1972	427	72	15	514	83.1
October - December, 1972	404	48	8	460	87.8
January - March, 1973	294	37	13	344	85.5
April - June, 1973	384	39	18	441	87.1
July - September, 1973	300	37	11	348	86.2
TOTAL	1,809	233	65	2,107	85.9

The proportion of prisoners being granted a non-parole period by the courts to the total number of prisoners received with sentences of twelve months or more is very consistent over the five quarters, at 86%.

(b) TABLE 22. Prisoners received with non-parole periods specified compared with all prisoners received under sentence, July 1972 - September 1973.

	Number received with N.P.P. specified	Total receptions under sentence	% with N.P.P. specified of total received with 12mths and over
July - September, 1972	427	2,924	14.6
October - December, 1972	404	2,947	13.7
January - March, 1973	294	2,956	9.9
April - June, 1973	384	2,467	15.6
July - September, 1973	300	2,399	12.5
TOTAL	1,809	13,693	13.2

Prisoners received with non-parole periods comprise, on average, 13% of the total receptions under sentence.

(ii) Length of non-parole periods specified by the courts(a) TABLE 23. Prisoners received with non-parole periods during July 1972 - September 1973, analyzed by length of non-parole period imposed.

	Length of non-parole period received with N.P.P. set and percentage of total								Total received with N.P.P. set
	6 mths	%	7 mths to 8 mths	%	9 mths & less than 1 yr	%	1 yr & less than 15 yrs	%	
July - September, 1972	107	25.1	21	4.9	57	13.3	242	56.7	427
October - December, 1972	144	35.6	16	4.0	56	13.9	188	46.5	404
January - March, 1973	106	36.1	20	6.8	55	18.7	113	38.4	294
April - June, 1973	176	45.8	10	2.6	55	14.3	143	37.3	384
July - September, 1973	124	41.4	13	4.3	34	11.3	129	43.0	300
TOTAL	657	36.3	80	4.4	257	14.2	815	45.1	1,809

Over the fifteen months period the trend is for:

- proportionately more prisoners to be received with non-parole periods of 6 months
- proportionately fewer prisoners to be received with non-parole periods of more than 1 year
- on average, more than $\frac{1}{3}$ of all prisoners received with non-parole periods specified are given a non-parole period of 6 months.

(b) TABLE 24. Non-parole period as proportion of sentence imposed: average for prisoners received with non-parole periods specified during July 1972 - September 1973.

Length of N.P.P. specified	Range of proportions of N.P.P. to total sentence	Range of total sentences imposed	'Average' midpoint of proportion range	'Average' total sentence imposed	N.P.P. as % of 'average' total sentence
6 months	$\frac{1}{2} - \frac{1}{13}$	12m - $7\frac{1}{2}$ y	$\frac{2}{9}$	2y 3m 8d	21%
7 - 8 months	$\frac{5}{12} - \frac{5}{36}$	18m - $4\frac{1}{2}$ y	$\frac{31}{100}$	2y 4d	31%
9 - 12 months	$\frac{5}{9} - \frac{1}{9}$	18m - $7\frac{1}{2}$ y	$\frac{38}{100}$	2y 2m 10d	38%
12 months and over	$\frac{64}{100} - \frac{1}{10}$	18m - 10y	$\frac{4}{10}$	2y 6m	40%

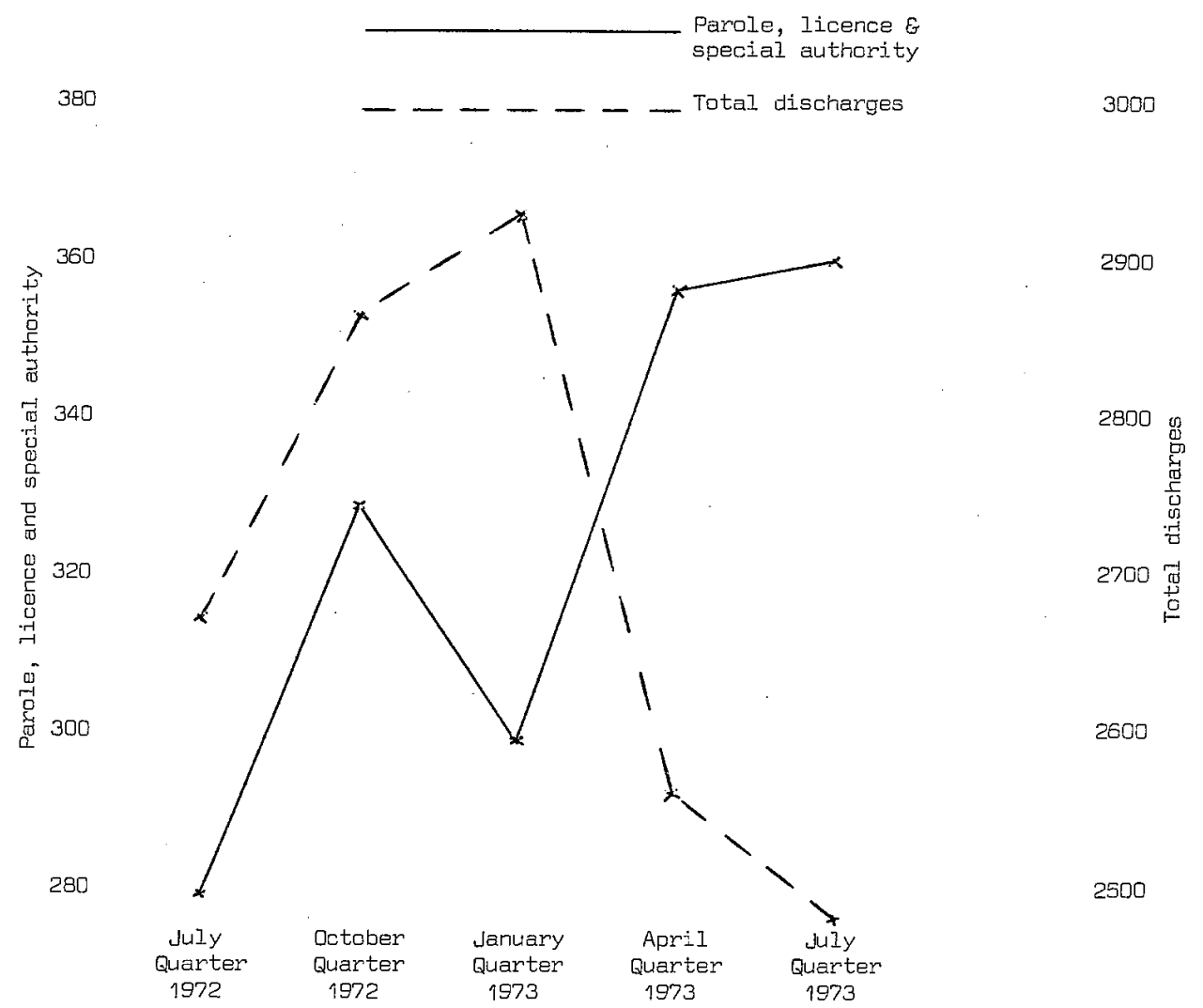
Shorter non-parole periods of 6 months to less than 12 months are being given to prisoners with a wide range of sentences from 12 months to $7\frac{1}{2}$ years, although the 'average' sentences for which these non-parole periods are being set is 2 - $2\frac{1}{2}$ years.

(iii) Granting of non-parole periods and licencesTABLE 25. Prisoners released to parole, licence and special authority as a proportion of total discharges.

	Number released to parole, licence, special authority(1)	Total sentenced prisoners released	% group(1) forms of total released
July - September, 1972	281	2,676	10.5
October - December, 1972	329	2,870	11.5
January - March, 1973	299	2,934	10.2
April - June, 1973	357	2,562	13.9
July - September, 1973	361	2,486	14.5
TOTAL	1,627	13,528	12.0

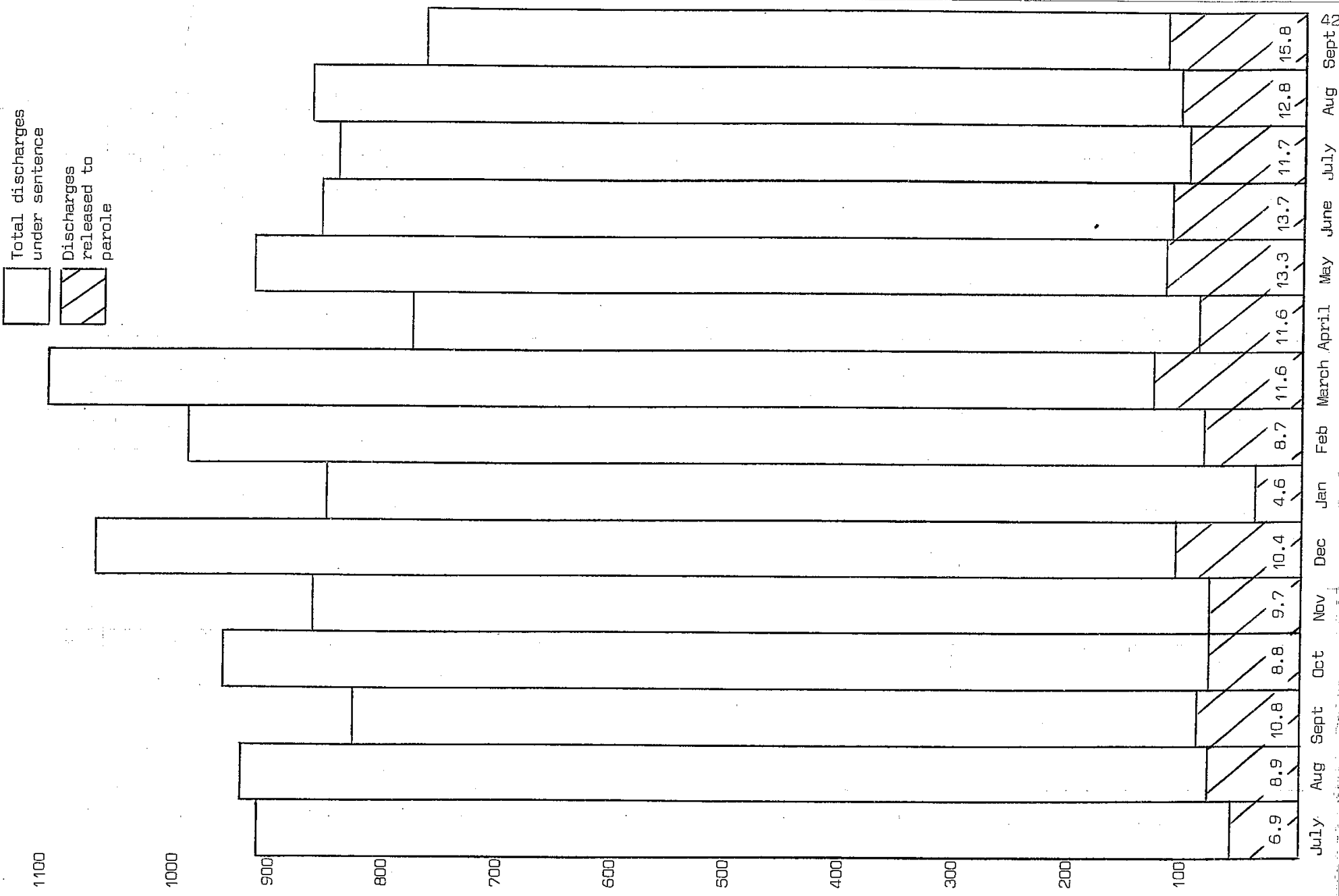
On average, prisoners released to parole, licence and special authority comprise 12% of the total number of sentenced prisoners discharged. However the proportion has risen from 10.5% in July quarter, 1972 to 14.5% in July quarter, 1973.

GRAPH 9(a) Prisoners released to parole, licence and special authority (P,L & S.A.) compared with total discharges of sentenced prisoners (T.D.)



GRAPH 9(b)

Total discharges under sentence: Number released to parole as percentage of total. July 1972 - September 1973.



4. Other discharge factors(i) EscapesTABLE 26. Escapes and attempted escapes during period July 1972 - September 1973.

Quarter	Attempted escapes	Escapes		Total
		Re-captured	At large (30.11.73)	
July - September, 1972	7	7	1	15
October - December, 1972	3	19	2	24
January - March, 1973	-	8	-	8
April - June, 1973	5	17	1	23
July - September, 1973	-	12	10	22
TOTAL	15	63	14	92

In comparison with the total daily prison population, very few prisoners escape. Taking the last 4 periods to give a 12 months total, 77 prisoners escaped or attempted to escape and 13 of these are still at large. This number would have very little effect on prison population trends.

(ii) Deportations(a) TABLE 27. Numbers deported and extradited 1971 - 1973.

Year	Deported		Extradited	Total
	Under sentence	Not under sentence	Not under sentence	
1970 - 1971	64	260	1	325
1971 - 1972	28	123	1	152
1972 - 1973	29	133	2	164

There has been a sharp decrease in the number of prisoners deported over 1970 - 1971 to 1972 - 1973.

(b)

TABLE 28. Numbers deported during period July 1972 - September 1973.

Quarter	Deported		Total
	Under sentence	Not Under sentence	
July - September, 1972	32	13	45
October - December, 1972	43	9	52
January - March, 1973	38	1	39
April - June, 1973	22	6	28
July - September, 1973	17	7	24
TOTAL	152	36	188

There has been a decline over the 15 months in the number of prisoners deported. However, numbers are too small to have any significant effect on the prison population.

V Unsentenced Prisoners

1. Discharges to bail from prison

(a) TABLE 29. Prisoners not under sentence discharged to bail from July 1972 - September 1973.

Quarter	Number discharged to bail	Total number discharged	% discharged to bail of total
July - September, 1972	484	1,692	28.6
October - December, 1972	696	1,812	38.4
January - March, 1973	503	2,070	24.3
April - June, 1973	442	1,780	24.8
July - September, 1973	416	1,587	26.2
TOTAL	2,541	8,941	28.4

Apart from the October to December quarter when more people were discharged to bail (presumably for the Christmas season), the proportion of unsentenced prisoners discharged to bail has remained fairly constant. Of course, these figures only relate to persons whose bail is paid from prison and do not include persons whose bail is paid at court.

2. Turnover(a) TABLE 30. Unsentenced prisoners in custody at the end of each month from June 1973 - March 1974 by status.

Date	Awaiting examination at lower court		Awaiting trial		Awaiting sentence		Total
	Number	%	Number	%	Number	%	Number
30/6/73	184	46.7	128	32.5	82	20.8	394
31/7/73	192	46.3	147	35.4	75	18.3	415
31/8/73	138	37.7	125	34.2	103	28.1	366
30/9/73	148	38.3	119	30.7	120	31.0	387
31/10/73	152	41.9	125	34.4	86	23.7	363
30/11/73	153	44.3	101	29.3	91	26.4	345
31/12/73	246	61.7	93	23.3	60	15.0	399
31/1/74	251	53.6	116	24.7	102	21.7	469
28/2/74	210	48.6	106	24.5	116	26.9	432
31/3/74	188	49.7	102	27.0	88	23.3	378

There is no consistent trend in the numbers of unsentenced prisoners in custody at the end of each month, nor in the proportions of remand, trial and awaiting sentence prisoners of the monthly total.

(b) TABLE 31. Unsentenced prisoners in custody at the end of each month from June 1973 - March 1974
by length of time spent in custody as unsentenced prisoner.

Date	Period of time spent in prison										Total Number
	Under 1 mth		1 mth & less than 2 mths		2 mths & less than 3 mths		3 mths & less than 4 mths		4 mths & over		
	Number	%	Number	%	Number	%	Number	%	Number	%	
30/6/73	228	57.8	72	18.3	35	8.9	29	7.4	30	7.6	394
31/7/73	238	57.4	88	21.2	42	10.1	22	5.3	25	6.0	415
31/8/73	233	63.8	62	16.9	37	10.1	17	4.6	17	4.6	366
30/9/73	217	56.0	89	23.0	41	10.6	20	5.2	20	5.2	387
31/10/73	196	54.0	74	20.4	40	11.0	25	6.9	28	7.7	363
30/11/73	207	60.0	50	14.4	33	9.6	22	6.4	33	9.6	345
31/12/73	295	73.9	68	17.1	12	3.0	10	2.5	14	3.5	399
31/1/74	273	58.2	118	25.2	48	10.2	7	1.5	23	4.9	469
28/2/74	236	54.6	105	24.3	53	12.3	20	4.6	18	4.2	432
31/3/74	232	61.4	67	17.7	35	9.3	21	5.5	23	6.1	378

Between half and three quarters of the unsentenced prisoners have been in custody for less than one month: less than 10% have been in custody for more than four months. Within each category, there have been no consistent trends over the nine months. However, these figures point to the high turnover in the unsentenced prison population.

E. DISCUSSION OF FINDINGS

Both reception and discharge factors are involved. Receptions declined steadily (17%) over the 15 months studied¹, a very significant decline compared with the pattern for previous seven years. Discharges, too, declined as would be expected from the reception pattern, but not to the same extent (7%). It seemed that some factor was operating to increase discharges above the rate expected when receptions only were considered.

Reasons for decline in receptions

A chain of events can be seen to be operating. Fewer crimes were reported to the police over 1971 - 1973, and slightly fewer cases were brought before Courts of Petty Sessions in late 1972 compared with the first quarter.

The sentencing pattern of the courts has changed, with greater emphasis on non-penal measures. Apart from quarterly fluctuations, numbers sentenced to a bond with probation supervision has increased rapidly, and there are indications that more people are being fined or granted 556A discharges. Fewer drunks and vagrants are being given prison sentences or fines (in default of which a prison sentence is imposed).

Which of these factors has had the greatest influence on the number of receptions into prison? It is difficult to answer this, when the data available for analysis cover different periods and different offences. However, it is tentatively suggested that the reduction in crime reported to the police (2%) in 1972 compared with 1971 has not significantly affected the number of cases coming before Courts of Petty Sessions (decline of 1% over first and last quarters 1972), and that to analyse arrest rates may be a more fruitful approach.

While the pattern of prison sentences imposed by Courts of Petty Sessions obviously affects prison receptions, other factors must also be considered. For example, an increase in

the use of fines as a sentencing measure may indirectly increase prison receptions if the fine is not paid.

Reasons for slight decline in discharges

Since approximately 92% of discharges in any year represent prisoners who have served a sentence of less than twelve months, it is reasonable to expect that reception patterns would be largely reflected in discharge patterns for the same year, unless:

- (1) there is a marked increase in short sentences imposed
- (2) factors are operating to produce an increase in the discharges of long-sentence prisoners

Over the period 1971 - 1973 the trend has been towards slightly longer sentences and for prisoners to serve a large proportion of that sentence. However, since April 1973, there has been an increase in the proportion of prisoners released to parole, licence or special authority. This may reflect:

- (1) the rapid increase in the proportion of prisoners received with non-parole periods of 6 months
- (2) the changing policy of the Parole Board towards releasing more prisoners immediately upon expiry of their non-parole periods.

Other factors related to discharges that were examined have not proved significant: release to bail, escapes and deportations.

Thus it appears that the decline in the daily prison population during January - December 1973 can be explained in terms of two groups of events.

Firstly, fewer cases have come before Courts of Petty Sessions, and fewer offenders have been given sentences which result,

¹ July 1972 - September 1973

directly or indirectly, in imprisonment.

Secondly, more prisoners have recently been received with short non-parole periods and discharged to parole on the expiry of their non-parole periods.

F. ESTABLISHING A TENTATIVE MODEL FOR PREDICTING PRISON POPULATIONS

1. Unsentenced prisoners

Although unsentenced prisoners comprise almost half the total receptions into prisons each year, they comprise only about 10% of the population in gaol on any one day. Large fluctuations in the numbers of unsentenced prisoners received would have a relatively minor effect on the daily prison population: simply because of the high rate of turnover of unsentenced prisoners.

It is very difficult to predict daily populations of unsentenced prisoners. Reception rates cannot be predicted directly from police statistics, and court policies concerning the granting of bail allow for wide variations in receptions, depending on the amount set and the ability of the person to raise bail. Moreover, the length of time to be spent in custody by an unsentenced prisoner cannot be assessed at his reception: it is affected by the volume of court business, the complexity of the case and the time required by counsel to prepare evidence.

For these reasons, the exercise of preparing a prediction model for the daily unsentenced prison population was abandoned for the present.

2. Sentenced prisoners

Two types of analyses for predicting sentenced prison populations would be required. Firstly, it would be necessary to calculate reception rates for each offence category. For example, in the case of drunkenness, the total number of drunks received during the year divided by 365 would give a daily average reception rate. The assumption used here is that seasonal variations in receptions are not significant. If, by some court policy decision, the rate of receptions for drunkenness declined over a quarter, the effect of this could be extrapolated for the rest of the year by adjusting the reception rate figure and thus the daily

population figure.

In order to work from daily reception rates to daily populations it would be necessary to perform a second analysis by length of sentence. For each sentence imposed by the courts, the average length of time served would have to be calculated. For sentences less than 12 months, allowance must be made for remission, and for sentences of 12 months and over parole must be considered. Then the daily average population for that sentence group would be calculated by multiplying the average length of time served by the daily reception rate. As an equation this can be expressed:

$$D.A.P. = S. \times D.R.R.$$

where D.A.P. is daily average population
S. is sentence served in days
D.R.R. is daily reception rate.

For example, the average length of sentence served by all persons given a 6 month sentence in a twelve months period is calculated: assume the result is 4 months. Suppose the number of persons received with that sentence is 900. The daily reception rate for 6 months - sentence prisoners is $900/365$ or 2.5.

Substituting into the equation:

$$\begin{aligned} S. &= 4 \text{ months} = 122 \text{ days} \\ D.R.R. &= 2.5 \\ D.A.P. &= S. \times D.R.R. \\ &= 122 \times 2.5 \\ &= 305 \end{aligned}$$

On any one day, there will be approximately 305 prisoners serving sentences of 6 months.

For prisoners who may serve a shorter sentence before release on parole or a longer sentence with release on remission, a weighting must be made for the probability of release to parole

at the expiry of the non-parole period. This could be calculated using the percentage of cases in each offence and sentence group for which parole is granted, and the average length of non-parole period specified.

For example, if the average non-parole period specified for all prisoners (N) serving 18 months is 6 months, the rate of granting parole to prisoners serving 18 months is 70%, and the average release to remission is at 12 months, then the average length of sentence for the group should be given as:

$$\frac{(0.7N \times 6m) + (0.3N \times 12m)}{N} \quad \text{expressed in days.}$$

In order to calculate all the equations necessary for a complete prediction model, a regression analysis would have to be performed using a computer. The predicted values for daily prison population could be checked against figures provided by the Australian Bureau of Statistics for the population in custody on 30th June and equations adjusted accordingly. After this testing, the equations could then be used to predict daily prison populations, adjusting the predicted value with any significant fluctuation in the daily reception rates.

Meanwhile, broad trends can be predicted by observing reception patterns of the following groups of prisoners:

1. Long sentence prisoners with imposed sentence of more than 12 months.
2. Prisoners with non-parole periods specified.
3. Prisoners whose parole is granted at the expiry date of the non-parole period.