

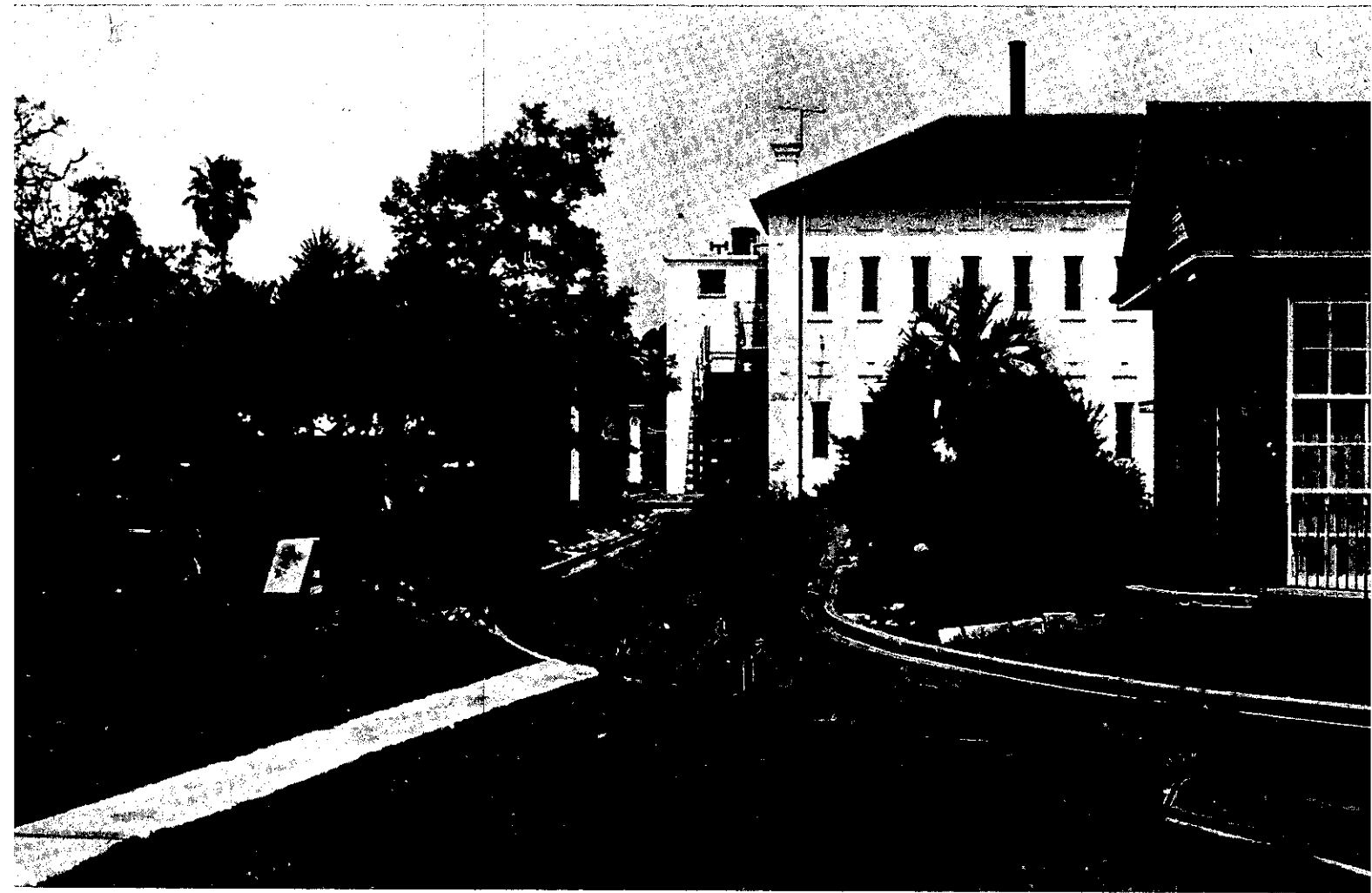
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THE FEMALE RECIDIVIST

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(i)



View of Mulawa Training & Detention
Centre for Women

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Woman hosing garden of the Centre

INTRODUCTION

It is difficult to discover reliable information relating to male recidivism in the correctional literature: it is even more difficult to unearth statistics concerning recidivism amongst female offenders. Many researchers quote estimates or opinions in their discussion of recidivism. For example, Burkhart ¹ writes: "Although I could find no nationwide statistics on women returning to prison or jail — reliable estimates on recidivism vary from 50 to 85 per cent. In Los Angeles, officials say the recidivism rate exceeds 75 per cent on the county jail level".

Some writers estimate recidivism rates by counting the prior imprisonments of offenders received into custody, and can quote a 70 — 75% rate of return. The California Task Force on Corrections found that of all admissions to the State prison for a first felony, over 73% had a history of prior misdemeanour offences, and that 75% of sentenced inmates in county jails had served at least one prior jail term. However, this definition of recidivism based on criminal history rather than subsequent convictions has only descriptive value and cannot be used for prediction purposes.

Two research studies in which a 'follow-up' approach to recidivism amongst women offenders was used provide a basis for a more rigorous discussion of female recidivism. The first, a Home Office Research Unit Report ², examined the reconviction rates of 129 girls released from Borstal and 169 girls released from a detention centre and discussed the problems experienced by girls upon release from Borstal. It was found that 42% of Borstal girls and 40% of detention centre girls were reconvicted within two years of release. The major factor associated with reconviction appeared to be prior experience of approved schools or penal institutions. Problems experienced by two-thirds of girls released from Borstal were reported to be difficulty in maintaining employment and in caring for children.

The second research study ³ was prepared by the California Department of Corrections in 1972 and examined recidivism, measured over an eight year period, among 660 women released to parole from the California Institute for Women for the first time in 1960 — 61. Recidivism was defined in terms of return to prison (as distinct from reconviction) and a recidivism rate of 40% was found. The greatest proportion of readmission (80%) resulted from parole rule violation rather than further offences. Just as prior correctional history was correlated with recidivism in the British study, so the California study found that "the extent of prior commitment was the only factor consistently and significantly associated with new commitments" ⁴.

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1. Burkhart K.W. *Women in Prison*, Doubleday, N.Y. 1973, p. 399.
 2. Davies J. & Goodman W. *Girl Offenders Aged 17 to 20 years*, London, 1972.
 3. Spencer C. & Berecochea J. *Recidivism Among Women Parolees*, California, 1972.
 4. *ibid.* p. 56.

These two studies, although widely different in terms of the population studied, criteria for recidivism and conditions of release, raise several broad questions:

- 1) Is the recidivism rate for women offenders, based on subsequent convictions or imprisonments, less than 50%?
- 2) Is past criminal history the only reliable indicator of future recidivism?
- 3) Over what period is it necessary to study the reconviction/readmission of offenders in order to obtain a relatively stable rate of recidivism?

The study of 100 women prisoners in N.S.W. reported below represents an attempt to provide tentative answers to these broad questions as applied to women offenders in this state. Since only a small number of women prisoners were studied, the results cannot be generalized too freely: however, it is hoped they will add to the growing body of knowledge about women offenders.

More specifically, the following questions will be dealt with in the discussion section of the report:

- 1) What kinds of prisoners are repeatedly convicted and imprisoned?
- 2) Has the prison system failed in changing women offenders?
- 3) To what extent does the prison system contribute to non-recidivism?

Abbreviations used in this report

Offences

A.O.A.B.H	— assault occasioning actual bodily harm
B.E.S.	— break, enter and steal
E.M.D.	— exposed to moral danger
Larceny M/V	— larceny of motor vehicle

Periods of time

d	— day
m	— month
y	— year

Other

C.W.D.	— Child Welfare Department
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METHODOLOGY

1. Aims

To measure the recidivism of women prisoners.
To develop a profile of the "female recidivist".

2. Subjects

The subjects comprised 100 women: prisoners in custody at Mulawa Training and Detention Centre for Women on 30.6.72 together with women received into custody in the following two weeks.

The methodology and results of the initial phase of the study concerning the description of women prisoners and evaluation of the social atmosphere of the women's prison have already been published in volumes 1 and 2 of this series. Procedures for this second phase are detailed below.

3. Procedure

Three years after the original study, at the end of June 1975, police records for the 100 women were searched at the Fingerprints Section of the Police Department. All convictions, juvenile and adult, were noted for the women from the commencement of their criminal activities up to 30th June, 1975. The following information was collected: date of conviction, place of conviction, offence and outcome of court appearance.

Prison records were also consulted to determine the number of imprisonments experienced by the women subsequent to their release after serving the sentence for which they were in custody in June 1972. Details collected included: date of reception, offence, sentence, date and mode of release.

Thus two criteria of recidivism were examined:

- (1) subsequent convictions, obtained from police records.
 - (2) subsequent imprisonments, obtained from prison establishment records.
- However, the incidence of further convictions was used as the major recidivism index.

Comments on methodology

It was considered essential to use police records as well as prison records in this recidivism study. Burkhart commented on the naive use of limited prison records in the U.S.A. as follows: "Some officials at state prisons for women say their rehabilitation programmes are working for felons because their recidivism rates are from 10 – 25%. But they are only counting the return to their particular institution from their institution. They don't count the county jails or other state prisons women have been in before or return to afterwards, so I don't consider the estimates valid" ⁵.

N.S.W. Police records provide information relating to convictions throughout Australia, thus ensuring that interstate convictions are considered in a recidivism analysis. Moreover they allow a wider picture of the woman's involvement with the criminal justice system by recording all sanctions imposed by the courts and not just subsequent imprisonment. The only limitation found in using police records was that for certain offences such as failure to pay road tax, no fingerprints were taken. Hence it was impossible to obtain recidivism details for one woman in the study who was serving a prison sentence for a road transport offence. In some cases there were apparent discrepancies between police and prison records for the same woman, but these can be explained in terms of the delay in executing warrants in certain situations.

For the small numbers involved in this study, the task of searching police records and recording criminal histories required approximately seven man-days. In larger studies the time required to obtain this information would increase significantly and would have to be carefully considered in planning the research.

5. Burkhart K.W. *Women in Prison*, Doubleday, N.Y. 1973, p. 399.

FINDINGS

A. Summary Statistics

TABLE 1. Number of further convictions received by 100 women prisoners

Nil		Further convictions			
Still in prison on same sentence	No further convictions after discharge	1	2	3 and over	Total
4	46	8	9	33	100
50		50			100

TABLE 2. Number of further imprisonments received by 100 women prisoners

Nil			Further imprisonments			
Still in prison on same sentence	No further convictions after discharge	Further convictions but no imprisonments	1	2	3 and over	Total
4	46	17	11	2	20	100
67			33			100

Number of recidivists

Of the one hundred women in prison on 30.6.72 half had not received further convictions three years later (this includes four women who were still in custody serving the same sentence on 30.6.75). Thus the recidivism rate in terms of reconviction is 50%⁶. The average number of reconvictions received by the fifty recidivists was almost 12.

If subsequent imprisonment is used as the measure of recidivism then only one-third of the women recidivated during the three year period. The average number of prison sentences served in this period by the thirty-three women was just over 3.

6. This definition and rate of recidivism will be used in the following tables.

B. Recidivist Details

TABLE 3. Past adult record of recidivists: major offence type, number of convictions and imprisonments

Major offence type	Frequency	Average no. of past convictions*	Average no. of past imprisonments*
No past record	5	0.0	0.0
Drug offences	1	3.0	0.0
Stealing	8	10.7	4.2
Prostitution	19	33.0	6.0
Drunkenness	6	52.0	43.3
Vagrancy	8	28.6	14.0
Language	3	10.3	2.0
TOTAL/AVERAGE	50	28.6	11.5

Past adult record

Ninety per cent of recidivists had adult convictions prior to their sentence of 30.6.72. Of those with prior convictions, four-fifths had committed predominantly social offences,** and prostitution in particular.

None of the recidivists had a past history of violent offending.

* Of 45 recidivists

** Prostitution, drunkenness, vagrancy, language offences.

TABLE 4. Original offence and subsequent convictions

Offences category – original offence resulting in imprisonment on 30.6.72	No. of recidivists	Average no. of subsequent convictions	Average no. of subsequent imprisonments
Violent offences against the person	5	2.4	0.6
Violent offences against property	6	9.5	1.3
Non-violent property offences	7	2.6	1.6
Social offences :			
Prostitution	10	23.0	3.3
Drunkenness	5	10.2	7.6
Vagrancy	8	11.9	5.0
Language offences ('unseemly words')	3	31.3	8.3
Drug offences	4	6.0	1.0
Other offences (revocation of parole, harbouring)	2	2.0	0.0
TOTAL/AVERAGE	50	11.7	3.2

Original offence and subsequent convictions

Over half of the recidivists were originally convicted of social offences, and it is this group of offenders who received the greatest number of subsequent convictions and subsequent imprisonments.

In all, the fifty recidivists received 585 further convictions and served 162 subsequent imprisonments. Ten women originally convicted for prostitution received a total of 230 subsequent convictions, and the six women convicted originally of drunkenness, vagrancy and language offences together received a total of 240 subsequent convictions. The ten prostitutes served a total of 33 subsequent prison terms, while the remaining social offenders served a total of 103 terms of imprisonment.

TABLE 5. Period from discharge from prison on original offence to first subsequent conviction and nature of first subsequent offence⁷

Offence category	Period from discharge to first offence						Total
	Less than 1 week	8 d & less than 1 m	1 m & less than 3 m	3 m & less than 6 m	6 m & less than 12 m	12 m & over	
Violent offences against the person	-	-	-	-	-	-	-
Violent offences against property	-	-	-	-	-	1	1
Non-violent property offences	1	-	2	1	3	-	7
Social offences :							
Prostitution	5	2	4	3	2	-	16
Drunkenness	2	2	-	1	-	-	5
Vagrancy	2	2	-	2	1	1	8
Language offences	3	2	-	-	1	1	7
Drug offences	-	-	-	1	-	-	1
Other offences (breach recog., P.C.A., possess firearms, revocation of parole)	-	-	2	-	1	2	5
TOTAL	13	8	8	8	8	5	50

Period from discharge to first offence

One-quarter of the recidivists were convicted of their first subsequent offence within one week of being discharged from prison, and over 40% had been reconvicted within one month. Only five women and 10% of the recidivist population had been reconvicted after twelve months from their date of discharge. The latter finding indicates that a twelve months' follow-up period from the date of discharge of each woman in the research study would have resulted in a 5% error rate in classifying women as recidivists a non-recidivists.

7. See page 35 for explanation of abbreviations used in this report.



Woman using electric typewriter at the Centre

TABLE 6. Subsequent offences: most common offence committed by each of the fifty recidivists compared with original offence

Offence	Subsequent frequency		Original frequency	
		Sub total		Sub total
Offences against the person				
Malicious wounding	-		1	
Robbery with striking/assault and rob.	1		1	
Assault	-		2	
Accessory to murder	-	1	1	5
Offences against property with violence				
Break, enter and steal	2		5	
Malicious injury	2	4	1	6
Offences against property without violence				
Larceny	4		7	
Forge and utter	1		-	
False pretences	2	7	-	7
Social offences				
Prostitution	17		10	
Drunkenness	8		5	
Vagrancy	4		8	
Language offences	4	33	3	26
Drug offences				
Possess drugs	2		-	
Use drugs	-	2	4	4
Other				
Breach recognizance	1		-	
Possess firearms	1		-	
Revocation of parole	1		1	
Harbour and maintain	-	3	1	2
TOTAL		50		50

Subsequent offences and sentences

Two thirds of the recidivists can be labelled 'social offenders' when each recidivist is categorized in terms of the most common subsequent offence (note that 52% of recidivists were originally convicted of social offences as at 30.6.72).

Ten per cent subsequently committed violent offences, compared with one-fifth of the recidivists who had been originally convicted of violent offences.

Other proportions remained fairly constant between original and subsequent offences.

On average these offences resulted in a total of 4 months 10 days imprisonment over almost 3 years for each of the 34 women whose subsequent prison sentences are known. The range is from 1 day to 1 year 8 months spent in prison since the original study.

C. Comparisons Between Recidivists and Non-recidivists

(1) Time at risk

TABLE 7. Period at risk for recidivists and non-recidivists
(period from date of discharge from prison on original sentence to 30.6.75)

Period at risk	Recidivists	Non-recidivists
Less than 6m	-	1
6m & less than 1y	-	1
1y & less than 1y 6m	1	1
1y 6m & less than 2y	2	3
2y & less than 2y 6m	3	5
2y 6m & less than 3y	44	34
Not known	-	1*
Not applicable **	-	4
TOTAL	50	50
Average period at risk	2y 9m 25d	2y 7m 10d

* Discharged from psychiatric centre

** Still in prison

Period at risk

On average, the women who were reconvicted were discharged from prison almost two months earlier than the women released from custody who were not reconvicted, thus increasing their time 'at risk' in the community⁸. The average period of follow-up for ninety-five women released from prison was 2 years 8 months 20 days.

8. This difference is significant (t=2.003 which is significant at the 5% confidence level)

(2) Past criminal history

TABLE 8. Juvenile record of recidivists compared with non-recidivists: convictions

No. of juvenile convictions	Recidivists	Non-recidivists	Total
Nil	26	43	69
1	6	1	7
2	9	2	11
3	6	3	9
4 - 6	2	1	3
Over 6	1	-	1
TOTAL	50	50	100

TABLE 9. Juvenile offences committed by 24 recidivists compared with 7 non-recidivists

Nature of offences	Recidivists	Non-recidivists
Assault and rob	1	1
Break, enter and steal	3	-
Stealing	13	5
False pretences	1	-
Drug offence	2	1
Escape	1	1
Drunkenness	1	-
Offensive behaviour/language	1	1
Other orders (E.M.D., neglected, uncontrollable etc.)	14	5
TOTAL	37*	14*

* Multiple offences

TABLE 10. Juvenile measures experienced by 24 recidivists and 7 non-recidivists

Measure imposed by juvenile court	Recidivists	Non-recidivists
Institution	14	5
Probation	11	6
Bond	10	4
Fine	2	-
Supervision C.W.D.	1	-
Admonished and discharged	3	-
TOTAL	41*	15*

* Multiple measures for some women

Past juvenile history

Almost half the recidivists but only 14% of the non-recidivists had juvenile records. Only four women had received more than three juvenile convictions in the past.

Of the thirty-one women who had been convicted of juvenile offences, eighteen had committed thefts and nineteen had been dealt with by juvenile courts for protective purposes such as exposed to moral danger, neglected, uncontrollable (multiple offences in 17 cases). Only two women had committed violent offences against the person (assault and rob) as juveniles.

Almost two-thirds of the juvenile offenders had been committed to an institution, and half had experienced probation supervision.

TABLE 11. Number of adult convictions experienced in the past by recidivists compared with non-recidivists

No. of past adult convictions	Recidivists	Non-recidivists	Total
Nil	5	18	23
1	1	8	9
2	2	6	8
3	3	4	7
4 - 6	3	4	7
7 - 9	5	3	8
10 & over	31 ⁽¹⁾	7 ⁽²⁾	38
TOTAL	50	50	100

(1) range 10 to 238 convictions

(2) range 22 to 77 convictions

TABLE 12. Nature of major past adult offences committed by recidivists compared with non-recidivists

Offence category	Recidivists	Non-recidivists	Total
Not applicable	5	18	23
Violent offences against the person	-	-	-
Violent offences against property	-	2	2
Non-violent property offences	7	20	27
Drug offences	1	2	3
Prostitution	17	5	22
Drunkenness	6	2	8
Vagrancy	7	1	8
Language offences	3	-	3
Mixed property and social offences	4	-	4
TOTAL	50	50	100

TABLE 13. Nature of adult corrective measures experienced in the past by recidivists and non-recidivists*

Corrective measure	Recidivists	Non-recidivists	Total
Prison	38	12	50
Probation	5	5	10
Bond	26	18	44
Fine	41	23	64
Inebriate Institution	6	1	7
Rising of court	2	1	3
Nil/not applicable	5	18	23
TOTAL	123	78	201

* Multiple measures.

TABLE 14. Interstate convictions experienced in the past by recidivists compared with non-recidivists

Location of interstate convictions	Recidivists	Non-recidivists	Total
Nil interstate convictions	29	40	69
Victoria	9	3	12
Queensland	5	4	9
South Australia	2	1	3
Queensland & Victoria	2	2	4
Queensland & Victoria & Western Australia	1	-	1
Queensland & Victoria & A.C.T.	1	-	1
A.C.T.	1	-	1
TOTAL	50	50	100

Past adult history

Almost two-thirds of non-recidivists and 90% of recidivists had experienced adult convictions in the past. Recidivists had received more convictions than non-recidivists on average⁹ : 24.7 compared with 7.5 convictions.

There is a marked difference in the types of past offences committed by recidivists compared with non-recidivists. Almost three-quarters of the recidivists had previously been convicted of social offences, and prostitution in particular, whereas less than one-fifth of non-recidivists had prior convictions for social offences. However, non-recidivists comprised three times as many property offenders as recidivists.

Three quarters of the recidivists had previously served a prison sentence compared with one-quarter of the non-recidivists. Proportions in each category receiving probation or a bond in the past were similar, but 82% of recidivists had been given fines in the past compared with 46% of non-recidivists. Although the numbers are small, it is significant to note that 6 recidivists and only 1 non-recidivist had been committed to an inebriate institution in the past.

The percentage of women with interstate convictions on both categories is quite high : 42% for recidivists and 20% for non-recidivists. These figures illustrate the need to obtain data on interstate criminal activities in order to present a valid picture of prior criminal history.

9. This measure should only be used as a broad indication of the difference because of the extreme range of convictions and skewness of the distribution. Median scores are 14.5 convictions for recidivists and 1 conviction for non-recidivists.

(3) Current prison episode

TABLE 15. Offence resulting in imprisonment on 30.6.72 for recidivists compared with non-recidivists

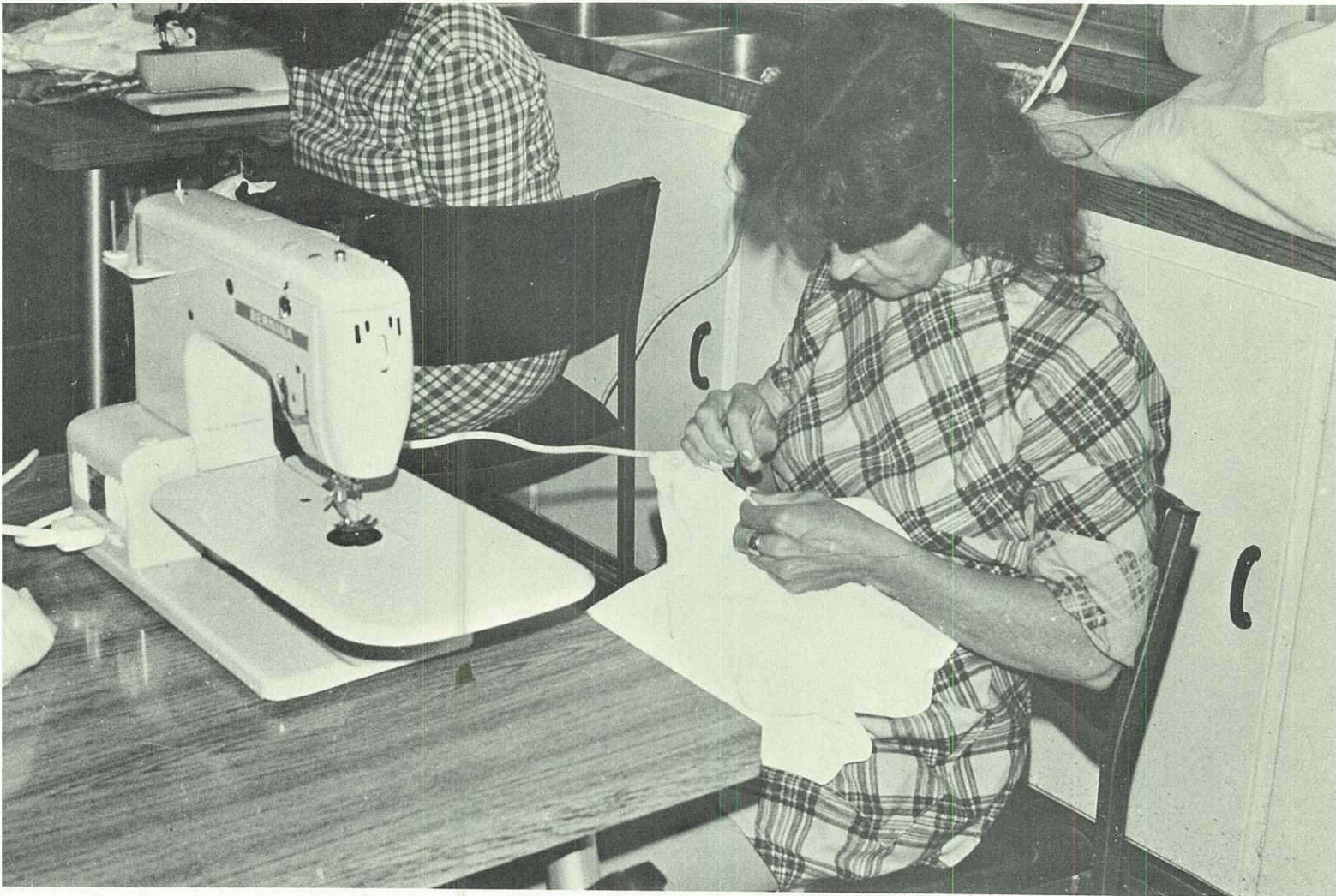
Offence category	Recidivists	Non-recidivists
Offences against the person :		
Murder/manslaughter	1	9
Abortion	-	3
Malicious wounding	1	1
Robbery (armed/assault & rob)	1	1
A.O.A.B.H.	1	-
Assault	1	1
Total	5	15
Offences against property :		
(1) Violent		
B.E.S.	5	3
Malicious injury	1	-
(2) Without violence		
Larceny/larceny in a dwelling	6	11
Larceny as a clerk	-	3
Larceny M/V	1	1
Receiving	-	1
False pretences/forgery	-	6
Total	13	25
Social offences :		
Sell/import drug	-	4
Administer drug	4	1
Prostitution	10	1
Vagrancy	8	2
Drunk	5	1
Total	27	9

TABLE 15. Offence resulting in imprisonment on 30.6.72 for recidivists compared with non-recidivists *cont'd...*

Offence category	Recidivists	Non-recidivists
Other offences :		
Road transport offences	-	1
Harbour and maintain	1	-
Revocation of parole	1	-
Unseemly words	3	-
Total	5	1
TOTAL	50	50

TABLE 16. Length of sentence being served on 30.6.72 for recidivists compared with non-recidivists

Length of sentence	Recidivists	Non-recidivists
Not applicable/not under sentence	10	5
1 d & less than 8 d	8	2
8 d & less than 1 m	14	1
1 m & less than 3 m	2	5
3 m & less than 6 m	3	2
6 m & less than 12 m	2	8
1 y & less than 2 y	6	2
2 y & less than 10 y	4	16
5 y & less than 10 y	1	4
Life/Governor's Pleasure	-	5
TOTAL	50	50
Average (excluding not under sentence, life, Governor's Pleasure)	7 m 27 d	2 y 1 m



Sewing class at the Centre

Prison episode at 30.6.72

Recidivists differed significantly from non-recidivists in the nature of the offence and sentence serving at the time of the original interviews in 1972.

Four-fifths of non-recidivists were offenders against the person or property, whereas two-thirds of recidivists had committed social or other minor offences.

The difference in offences is reflected in sentencing patterns for the two groups. Excluding unsentenced prisoners, over half of the recidivists were serving sentences of less than one month compared with less than 7% of non-recidivists. However, half of the non-recidivists and only one-quarter of the sentenced recidivists were serving sentences of more than one year.

(4) Social aspects

TABLE 17. Ages of recidivists as at 30.6.72 compared with ages of non-recidivists

Age group as at 30.6.72	Recidivists Sub total		Non-recidivists Sub total	
Under 21y	9		7	
21y & under 25y	17	26	13	20
25y & under 39y	14		18	
39y & under 55y	8	22	7	25
55y & over	2	2	5	5
TOTAL		50		50

TABLE 18. Highest level of schooling completed by recidivists compared with non-recidivists

Highest level of schooling	Recidivists Sub total		Non-recidivists Sub total	
Primary	17		9	
Secondary Form 1	8	25	4	13
Form 2	16		15	
Form 3	6	22	12	27
Form 4	2		4	
Form 5	-		1	
Form 6	-		1	
University	-	2	2	8
Not known	1	1	2	2
TOTAL		50		50

Social Aspects

Age

Very few differences can be seen in the ages of recidivists and non-recidivists. Recidivists tend to be slightly younger, with an average age of 29 years 7 months compared with an average age of 32 years 1 month for non-recidivists.

Education

Recidivists had a markedly lower level of education than non-recidivists. Half of the recidivists had completed no more than one year of secondary schooling compared with one-quarter of non-recidivists.

(5) Institutional programmes

TABLE 19. Educational courses attended in prison by recidivists compared with non-recidivists

Type of course	Recidivists	Non-recidivists
General primary studies	2	-
Secondary school studies	2	7
Drawing and sketching	-	1
Vocational studies (Shorthand, typing, bookkeeping, commerce certificate)	-	5
Total	4	13
No course attended	46	37
TOTAL	50	50

TABLE 20. Leisure courses attended in prison by recidivists compared with non-recidivists

Leisure course	Recidivists	Non-recidivists
- attended	13	32
- not attended	37	18
TOTAL	50	50

Institutional programmes

One-quarter of the non-recidivists, compared with less than 10% of the recidivists attended educational courses during their period in custody. Almost two-thirds of the non-recidivists, compared with one-quarter of the recidivists had attended leisure courses. This appears, on the surface, to suggest a correlation between prison courses and absence of further convictions. However, it cannot be argued from this data that educational or leisure programmes reduce recidivism since attendance at courses is also correlated with length of sentence. The non-recidivists tended to be serving longer sentences than recidivists, hence allowing more opportunity for participation in these courses. Thus it is not possible to establish a relationship between participation in programmes and recidivism because of other intervening factors such as offence and length of sentence.

D. The Unsented Prisoner

TABLE 21. Disposition of 17 unsented prisoners by period in custody prior to court directive

Period in custody	Disposition		
	Charge dismissed	Non-penal measure	Prison sentence
Under 7 d	2	5	-
7 d & under 1 m	1	2	1
1 m & under 2 m	1	1	1
2 m & under 4 m	1	-	-
4 m & over	-	1	1
TOTAL	5	9	3

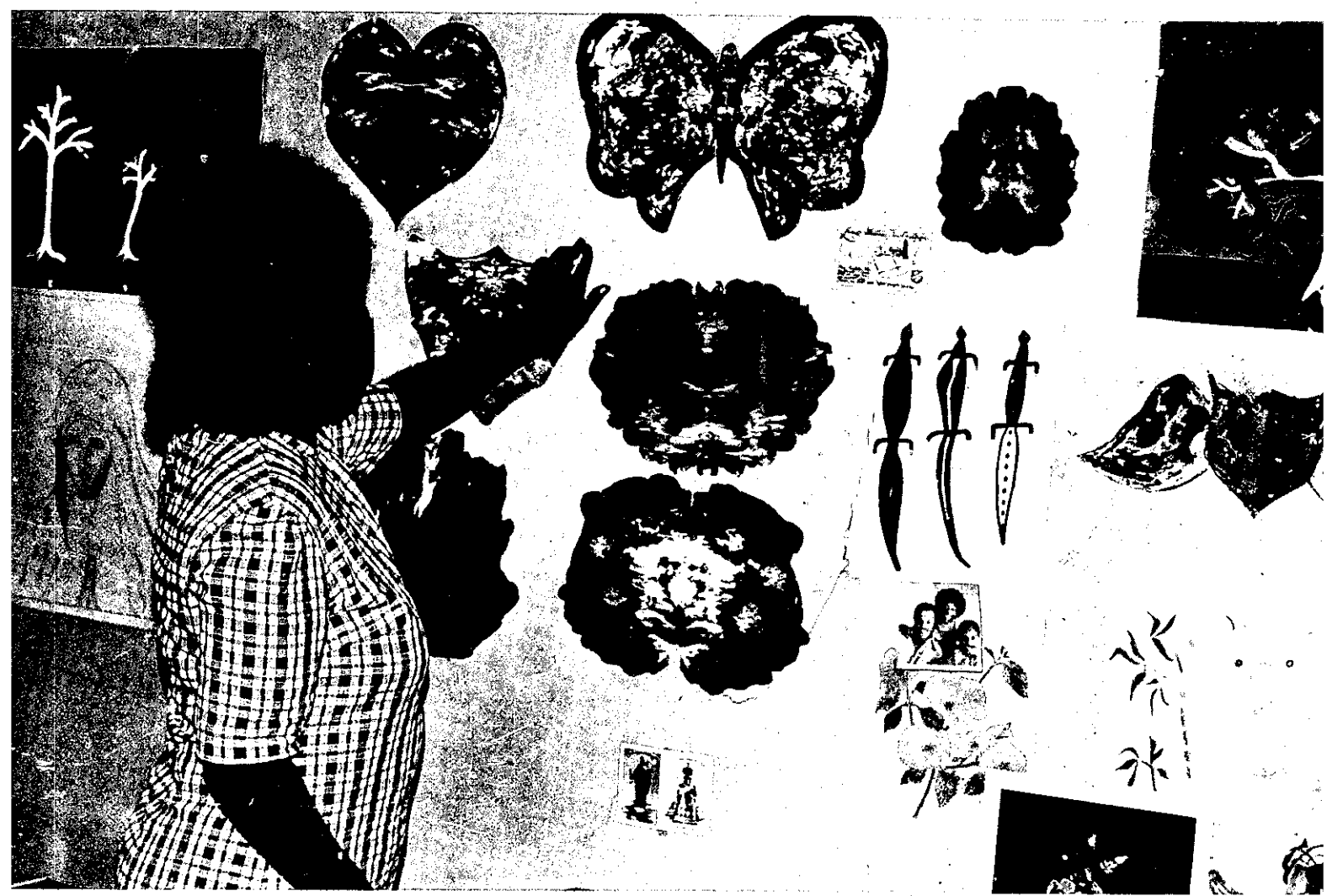
The unsented prisoner

Seventeen women were held in custody not under sentence at the time of the original study. Of these, thirteen were awaiting examination at a lower court, two were awaiting trial and two were awaiting sentence.

The outcome of the court appearances for these women was examined and it was found that :

- 3 were given prison sentences
- 9 were given non-penal sentences (fine, bond, probation, institution)
- 5 were not proceeded with/charge dismissed

The average period spent in custody by these women as unsented prisoners was 31 days, with a range of 1 day to 4 months 9 days.



Art work covers the wall of this woman's room at the Centre

SUMMARY AND DISCUSSION

1. Recidivism rate

- 50% of women received further convictions
- 33% of women received further imprisonments

If this sample of 100 women can be regarded as representative of female prisoners in N.S.W. then one could predict that of any comparable group of female prisoners, half would receive further convictions and approximately one-third would return to prison. This is a much more realistic estimate than the figure obtained by counting the number of women in custody with prior criminal histories: from our sample three-quarters had prior criminal convictions.

2. Recidivism profile

A. Past history

- 50% had juvenile records, mainly for stealing and protective purposes compared with 14% of non-recidivists
- 90% had past adult convictions, mainly for social offences compared with 64% for non-recidivists
- three-quarters had served prison sentences in the past

B. Episode at time of study on 30.6. 72

- two-thirds had committed social offences compared with three-quarters of non-recidivists who had committed offences against the person or against property
- over half were serving sentences of less than 1 month, with an average sentence length of under 8 months compared with 2 years 1 month for non-recidivists
- as a result of the shorter sentences, recidivists were released from custody two months earlier on average, than non-recidivists

C. Subsequent convictions

- almost half the recidivists were reconvicted within one month of discharge
- two-thirds were convicted of social offences
- the average number of reconvictions was 12
- the average number of further imprisonments was 3

D. Social and other aspects

- recidivists were aged, on average, 29 years 7 months compared with an average age of 32 years 1 month for non-recidivists
- the level of education of recidivists was markedly lower than that of non-recidivists
- less than 10% attended educational courses in prison and one-quarter attended leisure courses in prison compared with 25% and 64% of non-recidivists respectively

From this study the female recidivist emerges as a prostitute, drunk or vagrant who exhibited deviant behaviour as a juvenile or earlier as an adult, and who had previously experienced adult imprisonment. She continues to commit offences within the same category: her offences are part of a total way of life.

Partly because social reoffending is a way of life for her, and partly because she is more visible to the police, she is reconvicted soon after being released from prison. Most offences are committed in New South Wales: in only seven cases were interstate offences committed during the follow-up period¹⁰.

Usually she is young, but with less formal schooling than other prisoners (this could partly be attributed to her deviant juvenile activities). However, she is unable to participate in educational or leisure courses in prison to any great extent because of her short sentence. Thus the pattern of social offending, conviction, brief imprisonment and minor offending again continues, with the correctional system being able to offer little more than periodic custody until, through social maturity or other circumstances, she ceases to offend or to be detected in offending.

10. Five in one other state (Qld-2, Vic-2, W.A.-1) and two in multiple states (Qld+Vic., S.A.+Qld.)

3. Implications for prison administration

Does the fact that half the female prison population commits further offences after release from custody mean that the prison system has failed? This is a difficult question to answer categorically, but the following points should be considered in formulating an answer.

The women who recidivate tend to have been the failures of previous correctional attempts. For these social offenders deviant behaviour is a way of life and it is not likely that a brief episode in custody should alter a whole pattern of living.

Although half the women can be categorized as failures of the criminal justice system, almost half of the women in our study did not recidivate. The proportion of "successes" is even more encouraging when first offenders are considered. Of the twenty-one women in the study who had no prior criminal record, sixteen (76%) did not receive further convictions: the five recidivists out of this group were drug offenders and property offenders¹¹.

Examining the fifty non-recidivists, one can suggest that imprisonment may have been beneficial for the violent offenders and property offenders. These offenders, who comprised almost 90% of the non-recidivists, tended to be either first offenders or with prior records of property offences: it appears that their crimes represented incidents related to situational factors rather than an expression of a way of life. Yet while one can say that the prison system did not fail with these women, one cannot determine the extent of its contribution to their non-recidivism.

This issue could form the basis of a further research study. Not only would the women's participation in prison programmes be documented, but other variables such as psychological profile, aspirations, values, family relationships and situation factors would have to be studied in depth. A more detailed examination of the prior criminal experiences of the women would be required, including experience of and attitude to juvenile measures, probation and custodial treatment. It is only in such an in-depth study that the interaction between penal programmes, individual and social factors could be analyzed and the accusation that "the prison system is a failure" be examined objectively.

11. Because of the small numbers of first offenders in the study it is not possible to analyze these women as a separate group and findings must be regarded as tentative. A national study of women offenders would overcome the problem of small numbers.