

statistical report 2

aborigines in prison census 1971

published by the department of the attorney general and of justice nsw bureau of crime statistics and research t vinson director april 1972



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BACKGROUND

Recently, a number of agencies have been formed with the aim of helping the Australian Aborigine derive the full benefits and protection of existing social institutions, including the Law. To be effective, these programmes must be based on a factual assessment of the problems it is intended to remedy.

The present study followed a request by a Legal Aid Service for information concerning the number of Aborigines in New South Wales prisons and the length of sentences being served. By means of a census, conducted with the cooperation of the Department of Corrective Services in December 1971, it has been possible to gain some knowledge of the Aboriginal inmate group. Yet, a simple census has inbuilt limitations and this first preliminary sketch invites further questions requiring more intensive investigation. Nevertheless, even such preliminary results could be of interest and practical relevance to a number of social agencies and individuals interested in Aboriginal welfare.

A NOTE ON METHOD

The appropriate means of identifying the study group is always a vexed question in research involving Aborigines. With the aims of Aboriginal service and development organisation in mind, it was decided to emphasise the criterion of 'self-identification' and follow as closely as possible the approach used in the national census. The following question, therefore, formed the basis for subsequent analyses in terms of age, occupation, education, type of offence and current sentence:

What is your racial origin? (If of mixed origin indicate the one to which you consider yourself to belong). Circle one answer only or give one origin only.

1. European origin
2. Aboriginal origin
3. Torres Strait Islander origin
4. Other origin (give one only).

On this basis 202 Aboriginal men and 11 Aboriginal women were identified in the special census conducted in every New South Wales prison on the 7th December, 1971. Unfortunately, at the time this report was prepared, it was not possible to compare the social characteristics (age, education etc.) of the Aboriginal prisoners with those of the general prison population. (Comparable information concerning the latter group should be available in the near future). Wherever possible, the present findings have been compared with the most recent census data available for the State's adult male Aborigines and the general adult male population.

SUPPLEMENT TO THIS REPORT

Comparisons between Aboriginal prisoners and the general prison population will be presented in a supplement to this report, to be produced when the results of a general census of the prison population become available. The latter study has been organised by the Department of Corrective Services.

OCCUPATION

Thirty per cent of men in the general workforce occupied professional, administrative, clerical or sales positions (categories 1 - 4 in the accompanying table).

Approximately 2 per cent of the State's male Aborigines and even fewer (1 per cent) of the Aboriginal prisoners were engaged in one of these four types of occupation.

Almost all the prisoners (96 per cent) had worked as labourers - either in a rural or metropolitan setting. This represented a slightly greater concentration in the unskilled categories than was true of the general Aboriginal workforce.

	Professional/Technical & related	Administrative, Executive, Managerial	Clerical	Sales	Farmers, Fishermen, Hunters, Timber getters & related	Miners, Quarrymen & related	Transport & Communication	Craftsmen, Production-process workers & Labourers	Service, Sport & Recreation	Armed Services	Inadequately described	Total
Total Male Population (1966)	7.7	7.9	8.4	5.8	9.5	1.1	7.8	44.5	4.5	1.8	1.0	100%
Aboriginal Males (1966)	0.5	0.4	0.7	0.3	31.0	1.8	3.4	50.7	1.4	0.4	9.4	100%
Aboriginal Prisoners (1971)	-	-	1.0	-	35.0	-	1.0	61.0	2.0	-	-	100%

EDUCATION

Approximately 52% of the adult male population of New South Wales had attained at least an advanced secondary education (Intermediate/School Certificate); only 8% of the State's male Aborigines had reached this level.

It was to be expected, therefore, that the education of Aboriginal prisoners would appear depressed when compared with the general population. Approximately 9% of the prisoners had reached the Intermediate/School Certificate level.

When the two groups of Aborigines were compared, a significantly larger proportion of the Aboriginal prison group (62%) than Aborigines in the community (38%) had received some secondary education.

Unfortunately, the present evidence leaves us in some doubt as to how this difference in education has arisen. However, a possible explanation is the fact that under the correctional training programme, Aborigines serving substantial sentences are eligible for educational courses.

That participation in these courses helps to explain the better education of the prisoner group is suggested by the finding that 62 per cent of the male Aborigines who had been sentenced were serving terms in excess of one year. 72 per cent of this group had reached secondary level compared with 49 per cent of Aborigines serving less than a year.

	Males N.S.W.* (1966)		Male Aborigines N.S.W.* (1966)		Male Aboriginal Prisoners (1971)	
	%	Number	%	Number	%	Number
Uni/College A.E. H.S.C./Leaving Matriculation	19.4	230,883	1.8	61	2.0	4
School Cert. or Intermediate	32.3	385,936	6.3	214	7.4	15
Attended secondary school	25.6	305,455	30.3	1027	52.5	106
Attended primary school	18.3	218,739	44.4	1509	33.6	68
Never attended school	0.6	7,537	7.7	260	4.0	8
Not stated	3.8	45,041	9.5	323	0.5	1
	100.0	1,193,591	100.0	3394	100.0	202

*Under 18 years excluded.

MALE ABORIGINES

	Serving more than a year	Serving less than a year
Attended secondary	79(71.8%).	32(47.8%).
Not attended secondary	31(28.2%).	35(52.2%).
	110(100.0%).	67(100.0%).

COMPARISON OF AGE STRUCTURES

The table opposite compares the age structures of the three relevant populations. For the male aboriginal prison population, the percentage in each age category was calculated from the total number aged 18 and over who stated their age. Out of a total of 202, there were 4 non-respondents, and one person under 18. For purposes of comparison, these were ignored.

Note that there are some unequal age intervals. The age range 18 - 24 has been broken into two categories, of three and four years, while all other categories consist of five years. Thus the figures presented should be used for comparing age structures between populations, rather than for studying the age structure within a population.

To facilitate the understanding of the table, the results have also been presented as a cumulative percentage diagram. This is easy to read, once it is understood that the factor being compared is the steepness of increase of each curve. The steeper a population curve is, over a given age range, the greater is the percentage of people from the population within that age range.

So, for example, it is clear from the diagram that the percentage of male aborigines in prison who are under the age of 25 greatly exceeds the percentage of male aborigines in the community who are under 25. Judging from the Statistics of Higher Criminal Courts (1970), a similar observation could probably be made for the white prison population.

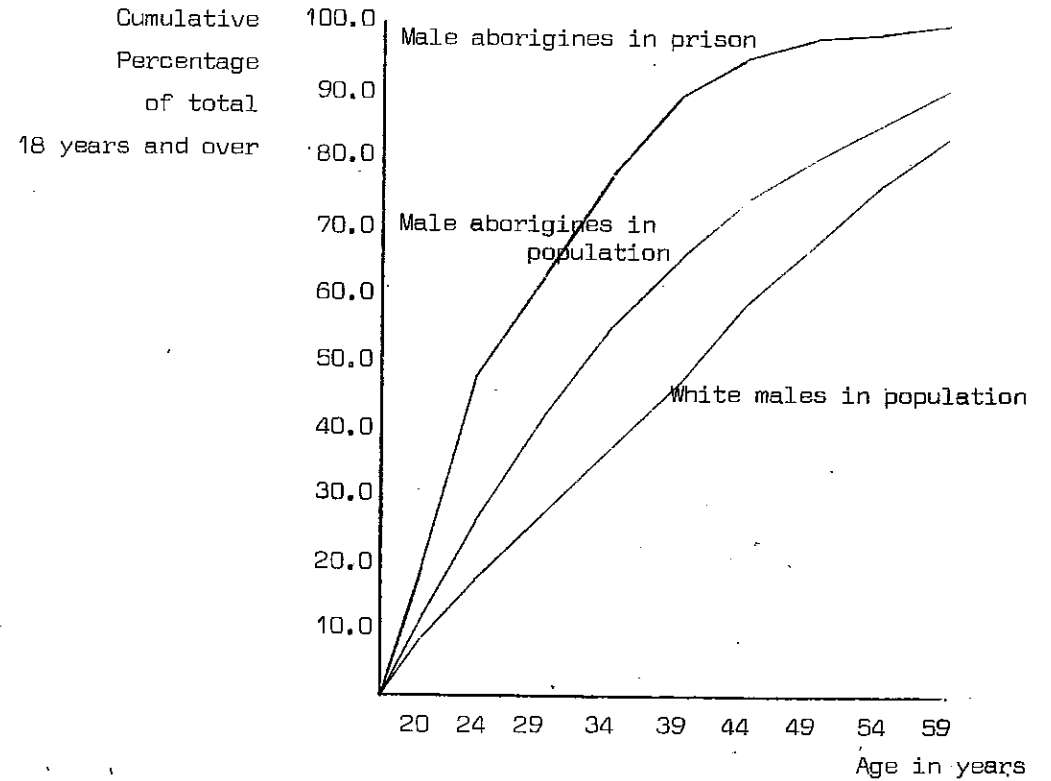
Male Aborigines in prison (1971 census) Male Aborigines in N.S.W. (1966 census) White males in N.S.W. (1966 census)

Age Range	Male Aborigines in prison (1971 census)		Male Aborigines in N.S.W. (1966 census)		White males in N.S.W. (1966 census)	
	Number	Percentage*	Number	Percentage*	Number	Percentage*
Under 18 yrs.	1					
18 - 20 years	37	18.8	392	11.6	114,421	8.2
21 - 24 years	56	28.4	491	14.6	128,218	9.2
25 - 29 years	30	15.2	509	15.1	142,848	10.2
30 - 34 years	30	15.2	455	13.5	132,878	9.5
35 - 39 years	22	11.2	359	10.7	148,178	10.6
40 - 44 years	12	6.1	284	8.4	147,939	10.6
45 - 49 years	5	2.6	210	6.2	129,423	9.2
50 - 54 years	2	1.0	188	5.6	121,365	8.7
55 - 59 years	3	1.5	162	4.8	102,843	7.3
60 years+	0	0.0	320	9.5	230,839	16.5
Total stated (18 years & Older)	197		3370		1398,952	
Not stated	4		24			

*The number in each category is expressed as a percentage of the total number of persons who stated their age as being 18 years or more.

The population figures are taken from the 1966 census results since the age breakdown of 1971 figures was not available at the time this report was prepared. However, judging from the number of white and aboriginal males aged 13 - 17 in 1966, the 1971 percentage in the range 18 - 24 is probably larger for both populations than in 1966. This would tend to make the discrepancy between the aboriginal prison population and the other two populations slightly less marked.

CUMULATIVE PERCENTAGE DIAGRAM



PRINCIPAL OFFENCE

In cases which involved multiple offences a 'principal offence' - the one for which the severest penalty was given - was selected for tabulation. (This procedure accords with established statistical practice).

One hundred and seventy seven men were actually under sentence (25 were on remand). Three categories of offence (larceny, offences against the person and offences against property) accounted for two-thirds of the total cases. There were no Aboriginal prisoners serving sentences for drug offences or fraud.

Detailed offences which accounted for a considerable number of the total, included the following:

	Number of cases
Illegally use/larceny of motor vehicle	36
Robbery	20
Break, enter and steal	19
Vagrancy	18
Larceny	16
Assault	15
Rape	11
Driving Offences	4
Use unseemly words	5
Manslaughter	4

PRINCIPAL OFFENCE

General category	Number	Percentage
Offences against the person	37	20.9
Sexual Offences	18	10.2
Offences against property	32	18.1
Fraud, false pretences etc.	-	-
Larceny	50	28.2
Summary Offences	25	14.1
Driving Offences	4	2.3
Offences involving drugs	-	-
Other	11	6.2

CURRENT SENTENCE

The full significance of the accompanying table cannot be established until information is available concerning the range of sentences being served by all prisoners throughout New South Wales. Nevertheless there is some value in knowing that approximately 15 per cent of the Aborigines were serving sentences of under three months and 37 per cent less than a year. Approximately half of the group were serving sentences of less than 2 years while 12 per cent were on remand.

The general category 'sex offence' involved the most severe penalties. All but 1 of the 18 offences resulted in a term of imprisonment of 3 or more years (There were 11 cases of rape, 2 of carnal knowledge and 5 involved homosexual offences):

	<u>Less than 3 years</u>		<u>More than 3 years</u>	
Person	15	(40.5%)	22	(59.5%)
Sex	1	(5.6%)	17	(94.4%)
Property	20	(62.5%)	12	(37.5%)
Larceny	44	(88.0%)	6	(12.0%)
Summary	25	(100.0%)	-	-
Driving	4	(100.0%)	-	-
Other	6	(54.5%)	5	(45.5%)

REMAND CASES

A little under two-thirds (15/25) of the remand cases entailed property offences; the remainder included 7 offences against the person, 2 larceny cases and 1 summary offence.

Current Sentence	Number	Percentage
14 days and under	5	2.8
Over 14 days & up to 1 month	6	3.3
1 month & up to 3 months	14	8.5
3 months & up to 6 months	23	12.2
6 months & up to 1 year	21	9.9
1 year and up to 2 years	30	14.1
2 years & up to 3 years	19	8.9
3 years & up to 5 years	23	10.8
5 years & up to 10 years	28	13.6
More than 10 years	3	1.4
Life	5	2.8
Governor's Pleasure	0	0.0
On remand	25	11.7

WOMEN ABORIGINAL PRISONERS

Principal Offence	Number
Insufficient lawful means of support	4
Use unseemly words	2
Offensive behaviour	1
Loiter for prostitution	1
Malicious damage to property	1
Manslaughter	1
Murder	1

Sentence less than 6 months

Sentence 5-10 years

Sentence Life

There were 11 aboriginal women in gaol at the time of the census. The most frequent offence was vagrancy with four convictions, followed by 'use unseemly words' with two convictions. Only two of the offenders received 'long' sentences. One received a life sentence for murder and the other received 5 - 10 years imprisonment for manslaughter. None of the other women received sentences exceeding six months.

Age	Number
18 - 20	1
21 - 24	1
30 - 34	1
35 - 39	5
40 - 44	1
55 - 59	1
Don't know	1

Only two of the women were in the age range 18 - 24 years. The most frequently occurring age range was the 35 - 39 years category, with five offenders. Both the long term prisoners were in this age range.

None of the women had any formal qualifications, trade or otherwise. Seven had attended secondary school, but none had gained the Intermediate or School Certificate. Eight stated their usual occupation as 'domestic'.

Highest level of schooling	Number
Attended secondary school	7
Attended primary school	3
Never attended school	1

