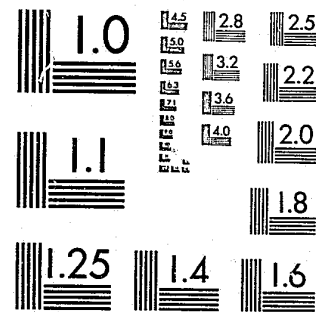


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WOMEN PRISONERS IN VICTORIA:

A Review of the Nature and Size of Facilities Needed

89162

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David Biles

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WOMEN PRISONERS IN VICTORIA: A REVIEW OF THE NATURE
AND SIZE OF FACILITIES NEEDED

by
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November 1982

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CONTENTS

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ACQUISITIONS

1.	Introduction	1
2.	Statistics and Trends	3
3.	Profile of 1982 Women Prisoners	14
4.	Discussion of the Issues	26
5.	Summary and Recommendations	34

Appendices

A	Field Notes:	
	(i) Discussion with Dame Phyllis Frost	38
	(ii) Visits to Fairlea, B Division Annex and Jika Jika	41
B	Data Collection Instruments:	
	(i) National Prison Census Data Collection Form	46
	(ii) Supplementary Data Collection Form for Women Prisoners	48

Chapter 1

INTRODUCTION

This is the second of two reports prepared at the request of the Victorian Minister for Community Welfare Services, The Honourable Pauline Toner, MLA. The first report 'Remand in Victoria: A Review of the Nature and Size of Facilities Needed' was submitted to the Minister on 7 October 1982. The proposal for these reports to be prepared was originally conveyed to the writer by the Director-General of the Department of Community Welfare Services, Mr Ben Bodna, on 26 May 1982, and the Board of Management of the Australian Institute of Criminology gave its approval for the project to proceed at its meeting of 8 June 1982. The Board suggested, however, that the reports should include data relevant to jurisdictions other than Victoria, and as far as possible this has been done.

The methods used in this investigation have included: discussions with interested persons, including Dame Phyllis Frost, the convenor of the Fairlea Women's Prison Council, staff of the Victorian Association for the Care and Re-settlement of Offenders (VACRO) and many officials of the Department of Community Welfare Services; inspection of the Fairlea Women's Prison and the sections of B Division and Jika Jika in Pentridge that are being used for women prisoners; a detailed survey of Victorian women prisoners as at 30 June 1982 in conjunction with the national prison census; inspection of plans and proposals for the redevelopment of Fairlea; and examination of all relevant statistical material.

The urgency of the need for this report has been impressed upon the writer by both the Minister and the Director-General, as planning for the redevelopment of the Fairlea Women's Prison was proceeding simultaneously and could not be concluded until this report had been received. However, during the course of this project the writer has had a number of informal discussions with Mr Mark Filan, the officer in the Department of Community Welfare Services responsible for the planning of the Fairlea redevelopment, in order to ensure that the two lines of inquiry did not drift too far apart. The writer's normal duties at the Australian Institute of Criminology, and his recent appointment as a member of the Committee of Inquiry into the Victoria Police, have prevented him from working full time on this project. Meeting the deadline for submission of this report has

therefore only been possible by some very hurried writing and by making use of the generous assistance and support of many people.

Persons who provided invaluable assistance with this project are Mr Dan Quirk of the Research and Social Policy Section of the Department of Community Welfare Services who coordinated and checked the national prison census and supplementary data collection for women prisoners, Mr John Walker of the Australian Institute of Criminology who coded and undertook the computer analysis of these data, and also assisted with the analysis of statistical trends, and the writer's secretary, Mrs Marjorie Johnson, who typed the report and prepared a number of statistical tables. Advice was also received from many persons in the Department of Community Welfare Services. This assistance and advice is thankfully acknowledged.

Chapter 2

STATISTICS AND TRENDS

The number of women prisoners in Victoria, as in all other Australian jurisdictions, is small in both absolute and relative terms. For the month of September 1982 the daily average number of women prisoners in Victoria was 52, compared with 1779 men. Women therefore comprised only 2.8 per cent of the total Victorian prison population for that month, which is lower than the national figure of 3.6 per cent. Full details of daily average numbers of male and female prisoners in all Australian jurisdictions for September 1982 are shown in Table 2.1.

Table 2.1: Australian Prisoners, September 1982

	<u>Males</u>	<u>Females</u>	<u>Total</u>	<u>Per cent Female</u>
N.S.W.	3279	143	3422	4.2
VIC.	1779	52	1831	2.8
QLD	1616	43	1659	2.6
S.A.	817	19	836	2.3
W.A.	1356	69	1425	4.8
TAS.	217	10	227	4.4
N.T.	260	11	271*	4.1
A.C.T.	42	2	44**	4.5
AUST.	9366	349	9715	3.6

* 5 prisoners in this total were serving sentences in S.A. prisons.

** 31 prisoners (including 1 female) in this total were serving sentences in N.S.W. prisons.

Even though Victoria has a relatively low proportion of female prisoners, it can be seen that the proportions are even lower in South Australia and Queensland.

The proportions of female prisoners in Table 2.1 are, of course, considerably influenced by the relative overall size of the prison

population in each jurisdiction. Thus, for example, the 2.8 per cent of female prisoners in Victoria with its relatively low imprisonment rate represents a lower use of imprisonment for women than does the 2.6 per cent of female prisoners in Queensland which has an imprisonment rate which is slightly higher than the national average. This point is most readily illustrated by reference to the female imprisonment rates (daily average number of female prisoners per 100,000 of the general population) for each jurisdiction. These data are available over the period 1977 to September 1982 and are reproduced in Table 2.2. These data have been extracted from the monthly publication of the Australian Institute of Criminology, Australian prison trends.

Table 2.2: Female Imprisonment Rates,*
November 1977 to September 1982

	N.S.W.	VIC.	QLD	S.A.	W.A.	TAS.	N.T.	A.C.T.	AUST.
<u>1977</u>									
Nov.	2.3	0.8	1.4	2.0	4.1	1.7	4.7	0.5	1.9
Dec.	2.2	0.8	1.0	1.9	4.1	1.9	7.4	0.5	1.8
<u>1978</u>									
Jan.	2.2	0.7	1.5	1.6	4.1	1.7	12.0	0.5	1.8
Feb.	2.4	0.8	1.8	1.9	4.3	1.7	8.3	0.9	2.0
Mar.	2.5	0.9	1.3	2.3	4.3	1.5	4.5	1.4	2.0
Apr.	2.6	0.9	1.3	2.0	4.3	1.2	3.6	0.9	2.0
May	2.5	0.9	1.3	1.9	4.8	1.0	6.3	0.9	2.0
June	2.4	1.0	1.5	1.6	5.1	1.0	7.1	0.9	2.0
July	2.3	1.0	1.7	1.6	5.4	0.5	6.3	1.9	2.1
Aug.	2.4	1.0	1.6	2.1	5.8	0.5	7.1	1.9	2.2
Sept.	2.6	0.9	1.6	2.1	6.1	1.0	5.3	1.4	2.2
Oct.	2.6	0.8	1.9	2.2	5.8	1.0	5.3	2.3	2.2
Nov.	2.6	0.8	1.6	2.5	5.2	1.0	8.0	2.8	2.2
Dec.	2.6	0.8	1.6	2.1	4.8	1.0	7.0	1.4	2.1
<u>1979</u>									
Jan.	2.6	0.8	1.6	1.8	4.6	0.5	7.0	1.4	2.0
Feb.	2.7	0.9	1.9	2.2	5.3	0.7	9.6	1.4	2.2
Mar.	2.5	0.9	2.2	2.2	5.7	0.7	7.0	1.8	2.3
Apr.	2.7	0.9	1.9	1.9	6.8	1.0	7.8	1.8	2.3
May	2.7	1.0	1.8	2.0	6.3	1.2	8.7	1.4	2.3
June	2.9	0.9	1.8	2.5	5.9	0.7	9.4	0.9	2.4
July	2.7	1.1	1.9	2.2	6.3	0.7	11.1	0.9	2.4
Aug.	2.6	1.5	1.9	2.4	5.8	1.2	9.4	1.3	2.4
Sept.	2.6	1.4	2.2	2.2	6.1	1.0	9.4	0.9	2.4
Oct.	2.4	1.3	2.0	2.0	6.5	1.7	11.1	0.9	2.4
Nov.	2.5	1.3	1.9	2.2	6.2	1.7	11.1	1.3	2.4
Dec.	2.4	1.1	1.9	2.1	4.9	1.4	11.0	1.3	2.2

<u>1980</u>									
Jan.	2.5	1.2	1.9	1.9	5.3	1.2	7.6	0.9	2.2
Feb.	2.7	1.2	2.4	1.9	5.7	1.0	7.6	0.9	2.4
Mar.	2.6	1.3	2.3	1.4	5.5	1.2	9.3	0.9	2.3
Apr.	2.6	1.2	2.5	1.7	4.8	1.0	8.3	0.9	2.3
May	2.5	1.2	2.3	1.5	4.4	1.4	10.0	0.4	2.2
June	2.4	1.2	2.3	1.9	4.7	1.4	9.1	0.4	2.2
July	2.4	1.3	2.4	2.2	4.7	1.7	10.7	0.4	2.3
Aug.	2.2	1.4	2.1	1.9	5.1	1.7	13.2	0.4	2.2
Sept.	2.3	1.4	1.8	2.1	5.0	1.7	10.7	0.4	2.2
Oct.	2.0	1.4	1.7	2.1	4.9	1.7	13.2	-	2.1
Nov.	2.1	1.4	1.6	2.1	4.7	1.4	14.0	-	2.1
Dec.	2.1	1.3	1.6	1.8	4.9	1.6	11.3	-	2.1
<u>1981</u>									
Jan.	2.2	1.2	1.8	1.8	4.5	1.2	14.5	-	2.1
Feb.	2.1	1.3	1.6	1.8	5.2	0.9	11.3	-	2.1
Mar.	2.4	1.5	1.7	1.8	4.5	0.9	9.6	-	2.1
Apr.	2.5	1.4	1.7	2.2	5.4	0.7	9.6	-	2.3
May	2.5	1.4	1.9	2.2	4.8	0.7	8.8	-	2.3
June	2.5	1.5	1.8	2.1	4.9	0.9	10.2	0.4	2.3
July	2.4	1.4	1.9	2.1	4.7	0.7	9.4	-	2.3
Aug.	2.7	1.4	1.9	2.4	4.2	1.2	10.2	-	2.2
Sept.	2.7	1.4	2.0	1.7	4.0	1.2	9.2	0.4	2.3
Oct.	2.7	1.5	1.9	1.8	4.3	1.4	11.5	0.4	2.3
Nov.	2.7	1.6	2.0	1.9	4.9	1.4	11.5	0.4	2.4
Dec.	2.6	1.4	1.9	1.6	4.6	1.4	9.8	0.4	2.3
<u>1982</u>									
Jan.	2.6	1.4	1.8	1.6	4.6	1.4	8.3	0.4	2.2
Feb.	2.7	1.4	2.1	1.1	5.6	0.9	8.3	0.4	2.4
Mar.	2.7	1.6	1.9	1.6	5.4	1.2	9.6	0.8	2.4
Apr.	2.5	1.2	1.8	1.4	5.4	1.6	10.4	0.8	2.2
May	2.4	1.4	1.8	1.5	5.3	1.4	8.9	0.8	2.2
June	2.5	1.4	2.0	1.2	5.0	1.4	10.0	0.4	2.2
July	2.5	1.3	1.9	1.3	4.6	0.9	9.2	0.4	2.1
Aug.	2.6	1.3	2.0	1.8	4.7	1.6	7.7	0.9	2.2
Sept.	2.7	1.3	1.8	1.4	5.2	2.3	8.0	0.8	2.3

* Female prisoners per 100,000 of the general population

From this table it can be seen that Victoria has nearly always had the lowest or second lowest female imprisonment rate over this period, and has always had a rate which is markedly lower than the national average. The low Victorian female imprisonment rate is consistent with the overall low use of imprisonment in Victoria. Even though the general Victorian imprisonment rate has marginally increased in recent years (from around 40 to around 45) this rate is still lower than the rates of all other States, and there seems to be no particular reason why this situation should be expected to change.

The actual numbers each month, on a daily average basis, of female prisoners in Victoria and all other Australian jurisdictions over the period November 1977 to September 1982 are shown in Table 2.3.

Table 2.3: Female Prisoners, November 1977 to September 1982

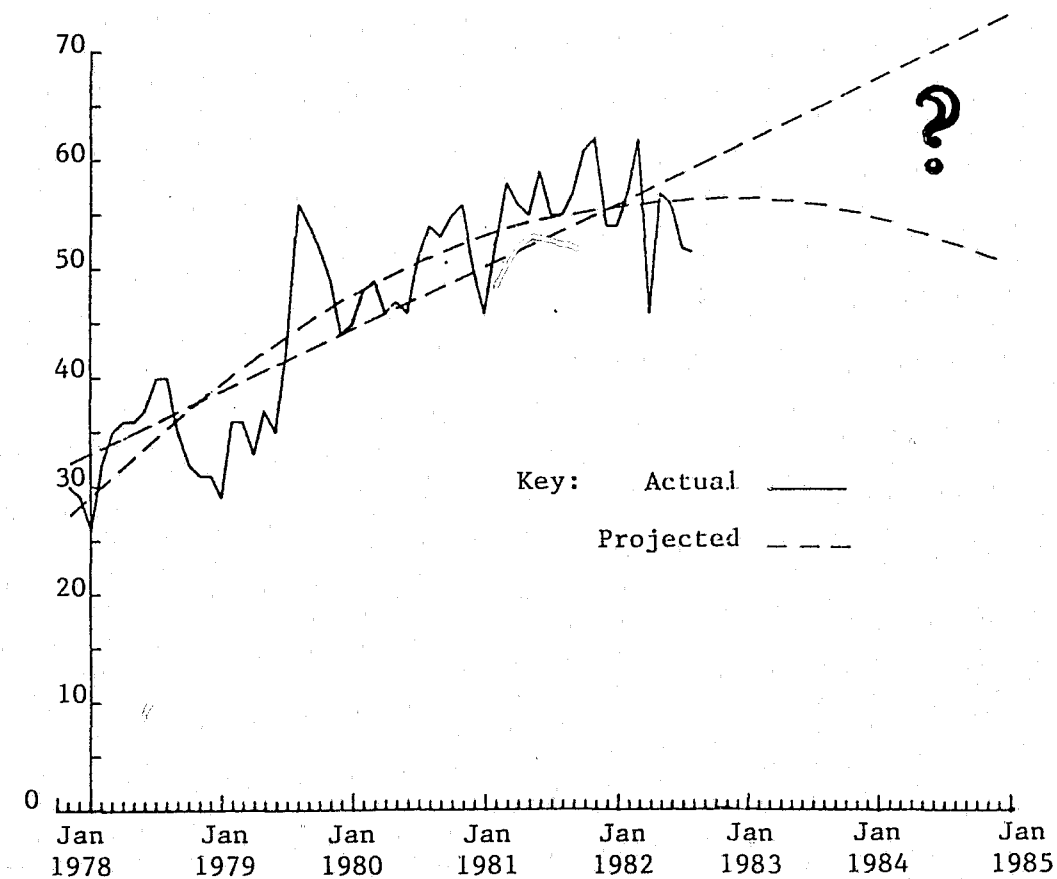
	N.S.W.	VIC.	QLD	S.A.	W.A.	TAS.	N.T.	A.C.T.	AUST.
<u>1977</u>									
Nov.	112	30	31	26	49	7	5	1	261
Dec.	111	29	21	24	50	8	8	1	252
<u>1978</u>									
Jan.	108	26	32	21	50	7	13	1	258
Feb.	118	32	38	24	52	7	9	2	282
Mar.	125	35	29	30	52	6	5	3	285
Apr.	130	36	29	26	52	5	4	2	284
May	123	36	29	24	58	4	7	2	283
June	122	37	33	21	62	4	8	2	289
July	116	40	38	21	66	2	7	4	294
Aug.	122	40	35	27	71	2	8	4	309
Sept.	129	35	35	27	75	4	6	3	314
Oct.	132	32	41	29	72	4	6	5	321
Nov.	133	31	34	32	64	4	9	6	313
Dec.	132	31	36	27	59	4	8	3	300
<u>1979</u>									
Jan.	129	29	35	24	57	2	8	3	287
Feb.	134	36	42	28	65	3	11	3	322
Mar.	129	36	47	29	71	3	8	4	327
Apr.	137	33	42	24	85	4	9	4	338
May	139	37	40	26	78	5	10	3	338
June	147	35	40	32	74	3	11	2	344
July	137	43	42	29	78	3	13	2	347
Aug.	131	56	41	31	72	5	11	3	350
Sept.	130	54	48	28	76	4	11	2	353
Oct.	124	52	43	26	81	7	13	2	348
Nov.	128	49	42	28	77	7	13	3	347
Dec.	122	44	42	27	61	6	13	3	318
<u>1980</u>									
Jan.	130	45	43	25	67	5	9	2	326
Feb.	136	48	53	24	71	4	9	2	347
Mar.	131	49	50	18	69	5	11	2	335
Apr.	134	46	55	22	60	4	10	2	333
May	127	47	51	19	56	6	12	1	319
June	125	46	52	25	59	6	11	1	325
July	123	51	54	29	60	7	13	1	338
Aug.	111	54	46	25	65	7	16	1	325
Sept.	119	53	41	27	64	7	13	1	325
Oct.	102	55	39	28	62	7	16	-	309
Nov.	109	56	36	28	60	6	17	-	312
Dec.	111	50	37	24	63	7	14	-	306

	N.S.W.	VIC.	QLD	S.A.	W.A.	TAS.	N.T.	A.C.T.	AUST.
<u>1981</u>									
Jan.	112	46	41	23	57	5	18	-	302
Feb.	110	52	37	23	66	4	14	-	306
Mar.	123	58	39	23	58	4	12	-	317
Apr.	130	56	38	29	69	3	12	-	337
May	131	55	43	29	61	3	11	-	333
June	133	59	42	28	63	4	13	1	343
July	126	55	44	27	61	3	12	-	328
Aug.	140	55	43	31	54	5	13	-	341
Sept.	141	57	47	22	52	5	12	1	337
Oct.	144	61	45	23	55	6	15	1	350
Nov.	139	62	46	25	63	6	15	1	357
Dec.	139	54	45	21	60	6	13	1	339
<u>1982</u>									
Jan.	135	54	42	21	60	6	11	1	330
Feb.	143	57	48	15	73	4	11	1	352
Mar.	142	62	44	21	71	5	13	2	360
Apr.	132	46	43	19	71	7	14	2	334
May	126	57	43	20	70	6	12	2	336
June	132	56	48	16	66	6	13	1	338
July	132	52	45	17	61	4	12	1	324
Aug.	138	51	49	24	63	7	10	2	330
Sept.	143	52	43	19	69	10	11	2	349

The Victorian data appear to show two distinct phases, when the monthly fluctuations are smoothed out. The first phase, from early 1978 to perhaps late 1980, shows an increasing trend, while the second, which covers the most recent data, shows a stable trend. An initial estimate of the required capacity of Victorian women's prisons could be based on the maximum over this period, sixty-two, which occurred in March 1982. However one should also look at any detectable trends before coming to a final decision.

Even if one is merely going to assume a continuance of 'the present trend' a decision has to be made as to whether the 1981-82 figures are just a temporary lull in the upwards trend, a distinctly new trend which is likely to continue, or a turning point prior to a downward trend. Figure 2.1 shows graphically the trend from 1978 to 1982 and 'best-fit' projections which illustrate this dilemma.

Figure 2.1: Victorian Female Prisoners, November 1977 to September 1982, with Linear and Quadratic Projections to 1985



Furthermore, it is necessary to have a rationale, or some understanding of the determinants of the size of prison populations, before a decision is taken, and to establish such a rationale is not easy. Intuitively, there appear to be at least four principal determinants of the size of the female prison population: first, the size of the overall female population (which has been monotonically increasing in Victoria throughout this century); second, the age distribution of that population (since women between 18 and 24 are far more likely to be in prison than those in other age groups); third, fluctuations in the attitudes of the judiciary towards imprisonment (in terms of the frequency of sentencing people to prison, and the lengths of those prison terms); and fourth, the capacity of the prisons themselves. An additional difficulty is presented by the fact that many of the women serving sentences at any one time were

actually sentenced several years previously, so the relationship between the prison population and the attitudes of the judiciary is itself an extremely complex one. Likewise is the possibility of interaction between the size of the prison population, the capacity of the prisons and the judicial attitudes towards imprisonment as an effective penalty.

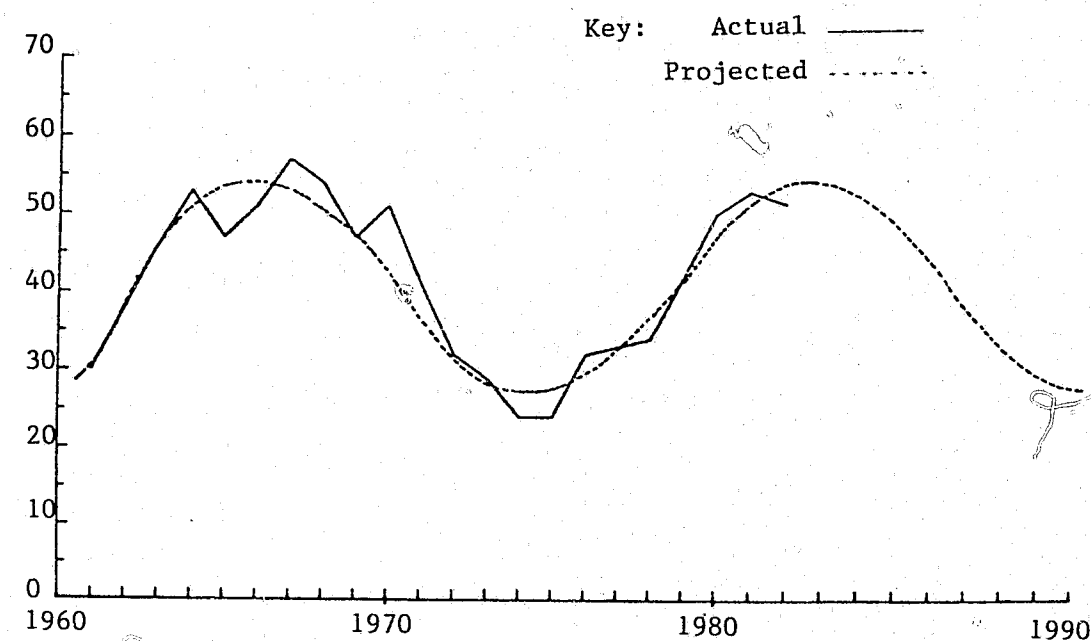
A four-and-a-half year period is clearly insufficient for testing the relevance of variables such as those listed, particularly since there have been no obvious changes in these variables in Victoria over this period. Data obtained from the 'Source Book of Australian Criminal and Social Statistics' were then used, principally to see if the demographic variables shed any light on fluctuations in prisoner numbers over a 22-year period. The full data are shown in Table 2.4 and the female prisoner statistics are graphed in Figure 2.2.

Table 2.4: Victorian Female Population, by age group, and Female Prisoners, 1961-1982

Year	0 to 9	10 to 17	18 to 24	25 & over	Total	Female* Prisoners
1961	290569	202649	134221	828279	1455718	30
1962	296680	209790	139850	838430	1484750	38
1963	300990	217560	145950	849800	1514300	46
1964	306390	224230	153380	862850	1546850	53
1965	310680	224880	166400	874540	1576500	47
1966	314137	228475	176323	887042	1605977	51
1967	317425	233814	182938	900045	1634222	57
1968	319786	237725	190886	911575	1659972	54
1969	324313	242748	197273	926768	1691102	47
1970	328490	247772	203347	942117	1721726	51
1971	336068	255196	209702	958740	1759706	41
1972	340103	259390	208851	979642	1787986	32
1973	339894	261830	212632	999173	1813529	29
1974	340306	264158	215959	1017909	1838332	24
1975	338233	264286	219671	1038793	1860983	24
1976	331475	263432	221029	1059948	1875884	32
1977	329573	264527	223520	1077285	1894905	33
1978	326448	266170	226801	1096292	1915711	34
1979	319566	267021	229983	1115627	1932197	42
1980	313516	268625	232174	1135170	1949485	50
1981	304230	276128	237526	1170619	1988503	56
1982	n.a.	n.a.	n.a.	n.a.	n.a.	54

* daily average for the year

Figure 2.2: Victorian Female Prisoners, 1960 to 1982,
with Projection to 1990

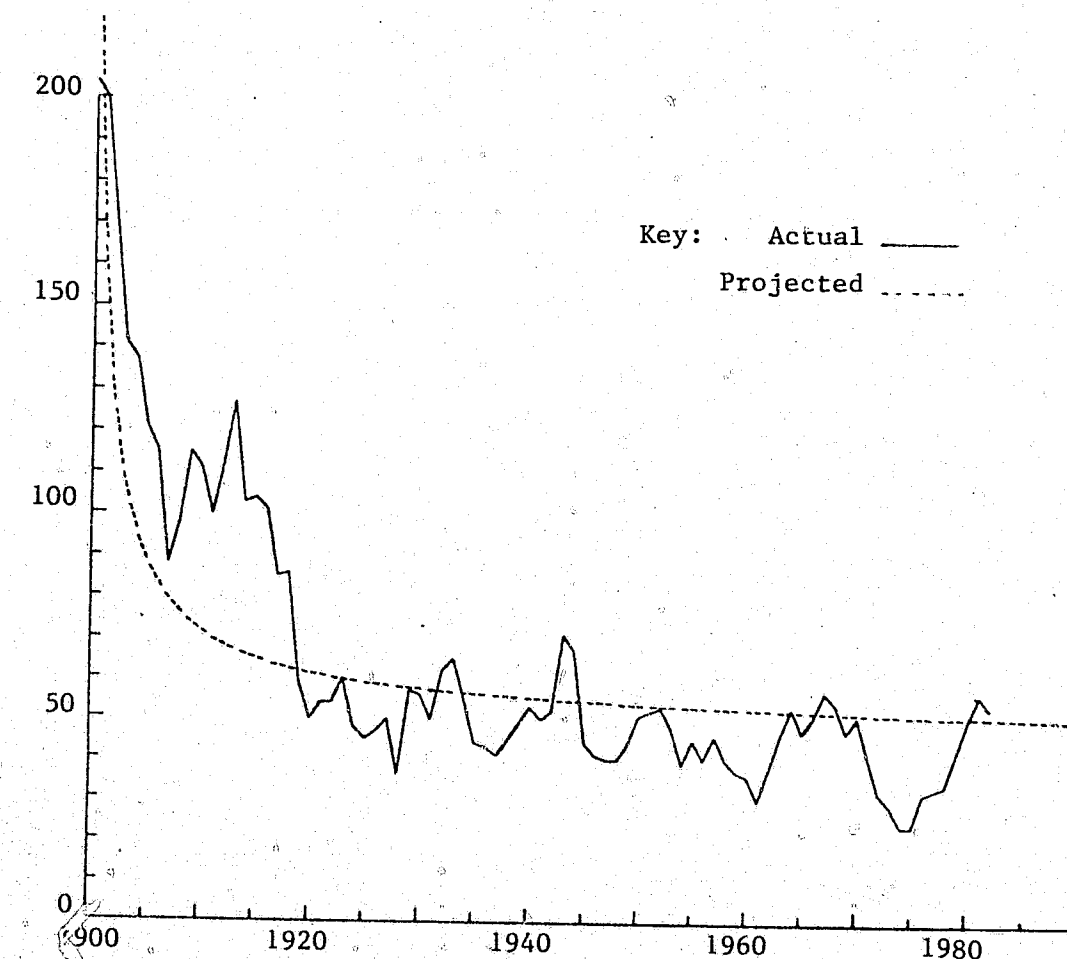


These data show that although the numbers in all adult age groups rose monotonically throughout the period the number of prisoners performed quite significant gyrations, peaking at 57 in 1967, falling to 24 in 1974 and 1975, rising again to 56 in 1981. The pattern is certainly suggestive of a cycle of around 14 years, with alternate peaks and troughs at seven-year intervals, and statistical tests confirm that this is a reasonable description of the curve. However, despite the use of several complex mathematical formulations, no sensible link between the demographic variables and the number of prisoners could be established.

A possible explanation of the fall in the numbers of prisoners, both male and female, in the early seventies was the prevalence of prison disturbances at that time which may have had the effect of making judges and magistrates even more reluctant to impose sentences of imprisonment. Also, these disturbances led to the appointment of a public inquiry which, indirectly, resulted in a more liberal remission system being available for all prisoners. These factors do not of course explain the increase in prisoner numbers towards the end of the seventies.

Remembering that annual figures for the daily average number of prisoners hide the extreme fluctuations visible in the monthly figures, it appears that annual daily average figures may peak around the 56-57 mark. This would tend to support the use of the previous figure of 62 (the maximum monthly figure reached) as an upper limit of requirements; however any estimate made on the basis of only two cyclic peaks is a risky one indeed and one is once more forced to look for a longer time series. This is done in Figure 2.3.

Figure 2.3: Victorian Female Prisoners, 1900 to 1982,
with Projection to 1990



The 83 years of data shown in Figure 2.3, again taken from the 'Source Book', confirm that no demographic variables could possibly explain fully the changes in the number of females in prison in Victoria between 1900 and 1982. The dramatic fall in the numbers of female prisoners in the early part of the century would have appeared even more marked if the figures had been expressed as rates per 100,000 of the population, but it can be seen that the cyclic movements are visible throughout the entire period, superimposed on a trend-line which fell rapidly until the early 1920s and has since drifted only slightly downward. Bearing in mind changes over the years in notions about acceptable accommodation standards for prisoners, one is forced by this graph to the conclusion that the major determinant of the number of female prisoners in Victoria over the past sixty years seems to have been the number of vacant cells.

It is clear from this graph that after the dramatic fall in numbers from 1900 to 1920 the pattern has been one of slow decline within a context of cyclic variations with peaks at 65 (in 1933), 71 (in 1943), 53 (in 1953), 57 (in 1967) and 56 (in 1981). It is, of course, the peaks rather than the troughs that are of particular importance in the determination of future accommodation needs. It is contended, then, that the major determinant of the number of female prisoners in Victoria has, over the past 60 years, been the number of vacant cells in female prisons, and that the cyclic tendency is largely due to variations in judges' and magistrates' perceptions of conditions within those prisons, leading them to prefer other forms of punishment when prisons are relatively crowded and returning to the prison option when they are less crowded. One cannot imagine that this pragmatic approach will not continue.

Some of the recent fluctuations in numbers, however, are partially explained by the evidence to be presented in Chapter 3. It seems likely, for example, that the decrease in numbers over the period 1967 to 1975 was associated with the declining use of imprisonment as a penalty for vagrancy and drunk and disorderly behaviour. This decrease was followed in the period 1976 to 1981 by an increase in numbers associated with harsher penalties being imposed on drug offenders, particularly those convicted of drug trafficking. Thus one type of prisoner has been replaced by another, with the maximum numbers remaining relatively constant. It is assumed that this process will continue in the future.

On this basis it is concluded that a total of approximately 70 places for convicted and unconvicted female prisoners should be sufficient to meet Victoria's needs in the foreseeable future, but in order to allow for a reasonable degree of day-to-day operational flexibility a figure of 80 would be more appropriate. Some degree of over-capacity is essential as it is highly unlikely that the numbers of convicted and unconvicted prisoners (who will be housed in the new remand centre) and those requiring different levels of security, will ever exactly correspond to the different types of facilities that are provided.

The actual types of facilities needed for 80 female prisoners are discussed in Chapter 4 of this report. Before that, however, in Chapter 3 the known characteristics of current female prisoners are presented in detail.

Chapter 3

PROFILE OF 1982 WOMEN PRISONERS

This chapter aims to present a detailed description of Victorian women prisoners who were in custody on 30 June 1982 using the results of the relevant portion of the national prison census conducted on that date together with the results of a supplementary questionnaire that was also completed for women prisoners on the same day. The data collection forms that were used are reproduced in Appendix B. The actual data collection was undertaken by prison officers and the coordination was arranged by Mr D. Quirk of the Research and Social Policy Section of the Department of Community Welfare Services.

There were 53 women prisoners in custody in Victoria on 30 June 1982 - 28 in 'B' Division Annex, four in Jika Jika at Pentridge and 21 at Fairlea. (A further 13 female convicted offenders were serving attendance centre orders on that date, and these will be considered separately.) Where possible the profile of these 1982 prisoners will be compared with the profiles included in the report, Prisoner and Female: The Double Negative, edited by Linda Hancock, which used data from the 1970 and 1980 departmental censuses.

A clear indication of the changing pattern of female imprisonment is shown in Table 3.1 which compares the principal offences for which women were either sentenced or were charged in 1970, 1980 and 1982.

Table 3.1: Women Prisoners, Major Offences, Victoria, 1970, 1980 and 1982

	1970	1980	1982
Offences against the person	7 (17%)	11 (23%)	10 (19%)
Robbery, extortion	2 (5%)	4 (8%)	5 (9%)
Theft	10 (25%)	15 (31%)	15* (28%)
Forgery, fraud, false pretences	4 (10%)	4 (8%)	2 (4%)
Prostitution	4 (10%)	3 (6%)	4 (8%)
Importing prohibited goods	-	1 (2%)	-
Drug offences	-	8 (17%)	13 (25%)
Motor offences	-	2 (4%)	2 (4%)
Drunk and disorderly	5 (12%)	-	-
Vagrancy	6 (15%)	-	-
Perjury	1 (2%)	-	-
Failure to pay fines	1 (2%)	-	-
Wilful damage	1 (2%)	-	-
Other	-	-	2 (4%)
Total	41 (100%)	48 (99%)	53 (101%)

* including B & E - 5

Apart from the overall increase in numbers it is clear that there has been a marked increase in the imprisonment of women for drug offences and that the use of imprisonment for public order offences such as drunk and disorderly and vagrancy has become a thing of the past. It should be noted that the 1970 and 1980 data refer to convicted women only, whereas the 1982 data comprise 41 women under sentence, 10 unconvicted women on remand, one awaiting the outcome of an appeal and one awaiting deportation.

A more detailed picture of the offences of the 1982 women prisoners is given in Table 3.2 and from this it can be seen that the clear majority are being held for non-violent offences.

Table 3.2: Most Serious Offence Charged, Women Prisoners, 30 June 1982

Offence	Number	Per cent
Murder	8	15.1
Aggravated assault	2	3.8
Robbery	1	1.9
Armed robbery	4	7.5
Break & Enter	5	9.4
Fraud etc.	2	3.8
Receiving	2	3.8
Other theft	8	15.1
Prostitution	4	7.5
Consorting	1	1.9
Possession narcotics	1	1.9
Drug dealing	12	22.6
Driving under influence	1	1.9
Licence offences	1	1.9
Other offences	1	1.9
Total	53	100.0

The age and marital status of the women prisoners held at that time are shown in Table 3.3.

Table 3.3: Age and Marital Status, Women Prisoners, Victoria, 30 June 1982

Age in years	Never Married	Married	Separated	Divorced	Widowed	Total	Per cent
Under 20	7	0	0	0	0	7	13.2
20-24	8	3	1	0	0	12	22.6
25-29	7	4	1	2	0	14	26.4
30-34	2	2	0	2	1	7	13.2
35-39	0	1	0	3	0	4	7.5
40-44	0	1	0	2	3	6	11.3
45 & over	0	0	1	0	2	3	5.7
Total	24	11	3	9	6	53	99.9

From this table it can be seen that 62.2 per cent were under the age of 30 years. This is almost identical to the 60 per cent shown in the Hancock report. This table also shows that only 11, or just over 20 per cent, were married, while 18, or nearly 34 per cent, were either separated, divorced or widowed. There is also an understandable relationship between age and marital status, with the younger women being more likely to be classified as 'never married'.

The relationship between age and employment status at the time of arrest is shown in Table 3.4.

Table 3.4: Age and Employment Status, Women Prisoners, Victoria, 30 June 1982

Age in years	Employed	Unemployed	Home duties	Other	Total*	Per cent
Under 20	0	6	0	0	6	12.2
20-24	0	8	2	0	10	20.4
25-29	2	10	0	2	14	28.6
30-34	0	3	4	0	7	14.3
35-39	0	0	1	3	4	8.2
40-44	1	0	3	1	5	10.2
45 & over	0	0	1	2	3	6.1
Total	3	27	11	8	49	100.0

* Data not available in 4 cases

The most disturbing aspect of this table is the fact that 27 of those for whom information was available, or over 55 per cent, were unemployed, while only three, or just over 6 per cent, were employed at the time of arrest. This is an even bleaker picture than was portrayed in the Hancock report which showed that for 1980, 48 per cent of the women were unemployed while 35.4 per cent were either in full-time work or were self-employed.

The generally unsatisfactory employment status of the 1982 women prisoners is reflected by their education status which is shown in Table 3.5.

Table 3.5: Age and Education Status, Women Prisoners, Victoria, 30 June 1982

Age in years	Primary school only	Some secondary school	Completed secondary school	Some higher education	Total	Per cent
Under 20	0	5	0	0	5	11.1
20-24	0	7	2	0	9	20.0
25-29	1	7	3	2	13	28.9
30-34	0	5	2	0	7	15.6
35-39	0	2	2	0	4	8.9
40-44	0	1	2	1	4	8.9
45 & over	1	1	1	0	3	6.6
Total	2	28	12	3	45	100.0

* Data not available in 8 cases

From this table it can be seen that 30 of the 45 for whom information was available, or 66.7 per cent, have not completed secondary education. The data in the Hancock report on this question were not presented in a comparable manner, but the overall picture seems to be similar.

The relationship between age and most serious offence is shown in Table 3.6. This table and others to follow use a simplified categorisation of offences.

Table 3.6: Age and Most Serious Offence, Women Prisoners, Victoria, 30 June 1982

Age in years	Homicide	Assault	Robbery	B & E	Fraud etc.	Theft	Drugs	Other	Total	Per cent
Under 20	0	2	1	1	0	0	1	2	7	13.2
20-24	0	0	4	2	1	2	2	1	12	22.6
25-29	0	0	0	0	0	3	7	4	14	26.4
30-34	1	0	0	1	1	1	3	0	7	13.2
35-39	2	0	0	0	0	1	0	1	4	7.5
40-44	3	0	0	1	0	2	0	0	6	11.3
45 & over	2	0	0	0	0	1	0	0	3	5.7
Total	8	2	5	5	2	10	13	8	53	99.9

It is interesting to note that all of the homicide offenders are 30 years and over, while all of the drug offenders are 34 years and younger. The clear majority of drug offenders are in their 20s while the majority of homicide offenders are in their 40s. The Hancock report does not present data in cross tabulated form and therefore it is not possible to see if this difference existed previously.

The sentences imposed on 1982 women prisoners are shown in Table 3.7 in relation to the broad offence categories.

Table 3.7: Most Serious Offence by Total Sentence Imposed, Women Prisoners, Victoria, 30 June 1982

Sentence	Homicide	Assault	Robbery	B & E	Fraud etc.	Theft	Drugs	Other	Total	Per cent
< 1 mnth	-	-	-	-	-	1	-	1	2	4.8
1 < 3 mnths	-	-	-	-	-	1	-	2	3	7.1
3 < 6 mnths	-	-	-	-	2	2	1	1	6	14.3
6 < 9 mnths	-	-	-	-	-	1	-	1	2	4.8
9 < 12 mnths	-	-	-	-	-	1	-	2	3	7.1
12 < 18 mnths	-	2	-	-	-	2	-	-	4	9.5
1 < 2 yrs	-	-	-	-	-	1	-	-	1	2.4
2 < 3 yrs	-	-	-	2	-	1	1	-	4	9.5
3 < 4 yrs	-	-	-	-	-	-	-	-	-	-
4 < 5 yrs	-	-	1	-	-	-	1	-	2	4.8
5 < 6 yrs	-	-	2	-	-	-	-	-	2	4.8
6 < 7 yrs	-	-	-	-	-	-	1	-	1	2.4
7 < 8 yrs	-	-	1	-	-	-	2	-	3	7.1
8 < 9 yrs	-	-	-	-	-	-	-	-	-	-
9 < 10 yrs	-	-	-	-	-	-	1	-	1	2.4
10 + yrs	6	-	-	-	-	-	2	-	8	19.0
Total	6	2	4	2	2	10	9	7	42	100.00

From this table it can be seen that, apart from homicide, the longest sentences have been imposed for drug offences. Two-thirds of the drug offenders were sentenced to periods of more than six years while one-third was sentenced to over nine years. At the other end of the spectrum it is noticeable that all of the property offenders (theft, breaking and entering and fraud) were sentenced to periods of less than three years. Of the total group, 38.1 per cent had been sentenced to periods of less than 12 months and 26.2 per cent to periods of less than six months. The Hancock report found an even greater concentration of women prisoners at the lower end of the sentence range with 48 per cent being sentenced to less than 12 months and 31.2 per cent being sentenced to less than six months. These data raise the question of whether or not non-custodial penalties could have been applied to this group of offenders.

A perhaps more important datum than the sentence imposed is the length of time to serve by each prisoner before the expected date of release after remissions and parole have been taken into account. These data are particularly relevant to the consideration of the establishment of pre-release facilities, such as work release hostels. These details are shown in Table 3.8.

Table 3.8: Most Serious Offence by Time to Serve before Expected Release, Women Prisoners, Victoria, 30 June 1982

Time to serve	Homicide	Assault	Robbery	B & E	Fraud etc.	Theft	Drugs	Other	Total	Per cent
< 1 mnth	-	-	1	-	-	-	1	1	3	7.1
1 < 3 mnths	-	-	1	1	2	6	1	2	13	31.0
3 < 6 mnths	-	1	-	-	-	2	2	2	7	16.7
6 < 9 mnths	-	-	-	1	-	2	1	1	5	11.9
9 < 12 mnths	-	-	-	-	-	-	-	-	-	-
12 < 18 mnths	-	-	1	-	-	-	-	-	-	-
1 < 2 yrs	-	-	-	-	-	-	1	-	2	4.8
2 < 3 yrs	-	-	1	-	-	-	-	-	-	-
3 < 4 yrs	-	-	-	-	-	-	1	-	2	4.8
4 < 5 yrs	-	-	-	-	-	-	-	-	-	-
5 < 6 yrs	-	-	-	-	-	-	1	-	1	2.4
6 < 7 yrs	-	-	-	-	-	-	-	-	-	-
Not known	6	1	-	-	-	-	1	-	8	19.0
Total	6	2	4	2	2	10	9	7	42	100.01

This table shows that at 30 June 1982 a remarkably high 38.1 per cent of the prisoners had less than three months to serve and 44.8 per cent had less than six months to serve. It is possible that one or more of the homicide offenders sentenced to 'Life' and the other 'Not known' cases could be nearing release on parole and therefore these percentages may understate the reality of the situation. Nevertheless, it is clear that a considerable proportion of women prisoners are very close to their release dates at any one time and therefore there may be scope for facilitating transmission back to the community through the use of specific pre-release programs and facilities.

One of the background characteristics of women prisoners that is highly relevant to the siting of facilities is the location of their last address. This is shown in detail in Table 3.9 and in summary form in Table 3.10.

Table 3.9: Location of Last Address, Women Prisoners

	<u>Number</u>	<u>Per cent</u>
Altona	1	1.9
Berwick	1	1.9
Brighton	1	1.9
Brunswick	1	1.9
Camberwell	2	3.8
Collingwood	2	3.8
Diamond Valley	1	1.9
Fitzroy	1	1.9
Footscray	1	1.9
Frankston	1	1.9
Geelong	3	5.7
Hawthorn	2	3.8
Keilor	1	1.9
Kew	1	1.9
Melbourne	15	28.3
Mornington	1	1.9
Northcote	1	1.9
Port Melbourne	1	1.9
Preston	1	1.9
Ringwood	1	1.9
St. Kilda	6	11.3
Sunshine	2	3.8
Whittlesea	1	1.9
Wodonga	1	1.9
Victoria (unspecified)	1	1.9
New South Wales	1	1.9
South Australia	1	1.9
No fixed abode	1	1.9
Total	53	100.4

Table 3.10: Region of Last Address, Women Prisoners

	<u>Number</u>	<u>Per cent</u>
Melbourne City	15	28.3
Suburbs	30	56.6
Country	4	7.5
Victoria (unspecified)	1	1.9
Interstate	2	3.8
No fixed abode	1	1.9
Total	53	100.0

From these two tables it can be seen that the majority, 84.9 per cent, of women in custody on 30 June 1982, resided in the Melbourne metropolitan area. Only very small numbers came from the country or from interstate. There is therefore little justification for locating custodial facilities for female offenders elsewhere other than the Melbourne area. To establish a country prison for some women prisoners would undoubtedly create problems for most of them in maintaining contact with families and friends.

The issue of maintaining contact with families raises questions about the structure and size of the families of the women themselves. From the supplementary questionnaire completed for all women prisoners on 30 June 1982 it has been possible to construct Table 3.11 below which shows the number of other persons in the individual's normal household, both under 15 years of age and 15 years of age and older. It is assumed that persons under 15 years are dependent children, while persons 15 years and over are either older children or other adults in the household.

Table 3.11: Household Structures, Women Prisoners

		No. of persons 15 years and over in household										Total
	No. of persons under 15 years in household	0	1	2	3	4	5	6	7	8	Not known	
		1	6	8	1	-	-	1	1	1		19
1		-	3	3	5	1	1	-	-	1		14
2		2	2	5	-	1	1	-	-	-		11
3		1	1	-	1	-	1	-	-	-		4
4		-	-	1	-	-	-	-	-	-		1
Not known		-	-	-	-	-	-	-	-	-	4	4
Total		4	12	17	7	2	3	1	1	2	4	53

This table, at first glance, may be a little difficult to read. The numbers in the body of the table represent women prisoners and it could be seen, for example, that only one woman has no other person in her household, while six have one other person 15 years and over but no person under 15 years. Overall this table suggests that relatively few of the women are members of traditional households (i.e. two adults with or without children) and that the women had relatively small numbers of young people in their households. Only four of the households include three people under 15 years and only one household included four young people. This picture is undoubtedly a reflection of the relative youth of the women prisoners themselves.

A considerable volume of other information was obtained from the supplementary questionnaire, but as many of the items on this questionnaire had an unacceptably high non-response rate, this information will not be presented in tabular or statistical form. It will be summarised, however, in the following paragraphs.

An indication of level of contact with the outside community was obtained by noting the frequency of visitors and of correspondence, both in and out. Of those who provided this information, 63.3 per cent had the maximum number of visits allowed and only 16.3 per cent had no visits at all. Similarly, 68.8 per cent frequently received letters while 20.8 per cent rarely received letters and 10.4 per cent never did. Almost identical figures were obtained for the frequency of letters sent out by the women. As far as physical and mental health problems are concerned, of those who provided information 77.8 per cent were classified as having no problems while 11.1 per cent suffered from either minor or severe physical problems and the same percentage suffered from either minor or severe mental health problems. Similarly, 91.7 per cent reported having no problems with alcohol, while 6.3 per cent had severe alcohol problems and 2.1 per cent had minor problems with alcohol. The situation with regard to drug problems was more serious, however, with only 70.8 per cent having no problems, 18.8 per cent having severe drug problems and 10.4 per cent having minor problems with drugs.

Exactly half of the group who provided information on the supplementary questionnaire had had at least one full-time job at some

period prior to their arrest, while 32.6 per cent had had no employment history whatsoever. At the actual time of arrest, as indicated previously, only 6.1 per cent of the women were employed, 55.1 per cent were unemployed and 22.4 per cent were engaged in home duties. This extraordinarily high unemployment figure for women prisoners at the time of arrest suggests that it is imperative that maximum efforts be made to encourage participation in education and training courses while they are in custody. There is some comfort to be taken, therefore, from the fact that 60 per cent of the women prisoners were actively engaged in courses of one type or another. This is a commendable high proportion, especially when the predominance of short sentences is taken into account.

It is interesting to note that just over half of the women prisoners, 51.9 per cent, were pure 'first-timers' in that they had never been to prison previously, either under sentence or on remand, and only 7.7 per cent could be described as hard-core recidivists in that they had had more than one sentence for serious offences earlier in their careers. These data suggest a lower level of repeated criminal behaviour than is found in the very much larger group of male prisoners. Also, the behaviour of women in prison seems to be marginally better than that of their male counterparts with only two of the 53 having ever been involved in serious breaches of discipline. It is recognised of course that firm conclusions cannot be drawn from such small numbers.

In summary it can be seen that the women prisoners in custody at 30 June 1982 were generally young and most of them not married. Their most common offences were drug dealing, homicide and theft. More than half of the women were unemployed at the time of their arrest, and only a minority had completed secondary education. Over one-third had less than three months of their sentences to serve, and yet there was very high participation in prison education and training activities.

It is of some interest to compare the 53 women prisoners described above with the 13 female offenders who were serving attendance centre orders at the same time. The latter data were supplied to the writer by Mrs Sue Wynne-Hughes, the Supervisor of Classification, and refer to women attending the centres at Barwon, Eastern Suburbs, Prahran, Thornbury and Western Suburbs. It is to be noted that these female attenders comprised

4.8 per cent of the total number of persons under attendance centre orders at that time, a proportion nearly twice as high as that found for women in prison.

Details of the background and offences of these 13 female attenders are shown in Table 3.12 below.

Table 3.12: Profiles of Female Attenders, 30 June 1982

Case	Age	Most serious current offence	Prior convictions and disposition	Educational level	Occupation employment status
1	19	Theft	2 priors/both fines	Form 5	Unemployed
2	47	Shoplifting	10 priors/1 Att. Centre Order, 2 prob. 7 fines	Form 6	Unemployed Clerk
3	58	Shoplifting	2 priors/1 fine and 1 good behav. bond	Grade 6	Housewife
4	50	Theft	15 priors/13 fines and 2 probations	Bachelor of Arts	Part-time administrator
5	39	Theft	10 priors/fines, good behav. bonds and 2 probations	Form 2	Housewife
6	27	Deception	N11	Form 4	Unemployed Clerk
7	34	Theft	N11	Form 5	Unemployed Receptionist
8	31	Deception	50 priors/1 impris. 47 fines, 2 prob.	Form 3	Pensioner
9	43	Fraud and decep.	N11	Form 4	Housewife
10	55	Theft	5 priors/3 impris. 2 fines	Form 4	Clerk
11	23	Forgery	N11	Form 5	Cler. Assist.
12		Theft by decep.	N11	Form 4	Cashier
13	36	Imposition	35 priors/24 impris. 4 fines	Form 4	Unemployed

A comparison of the female prisoners and attenders made on the basis of the information available here may be deceptive as obviously the full facts of each case are not known. However, it is clear that the attenders as a group are considerably older than the prisoners, a factor which may have been influential in the court decision to impose an attendance centre order rather than a normal sentence of imprisonment. It is also noticeable that the attenders and prisoners seem to have very similar backgrounds as far as educational level and employment status are concerned, but, understandably, fewer of the attenders had had prior experience of imprisonment. Nevertheless, eight out of the 13 attenders had had significant prior convictions, and in some cases it seems that they were fortunate in not being sentenced to prison for their current offences. It has to be noted, however, that the current offences of the attenders do not include homicide, assault, robbery and drug dealing, the offences which account for over half of the women in custody.

Notwithstanding these differences in age and offence patterns, the comparison of these two groups of offenders suggests that there may well be scope for further expansion of the attendance centre program as far as female offenders are concerned. Even if only a further six or eight female offenders (convicted of non-violent and non-drug offences) at any time are diverted from the prison system to the attendance centre program, substantial savings can be effected without unduly increasing the risks to the community. It is therefore recommended that judges and magistrates continue to be encouraged to consider the appropriateness of an attendance centre order before imposing a sentence of imprisonment on females convicted of offences that do not involve violence or drugs.

Chapter 4

DISCUSSION OF THE ISSUES

The tragic fire at Fairlea in February 1982 has obviously created a situation which provides a unique opportunity for the rational planning of facilities for female prisoners in Victoria. The temporary arrangements made since the fire, with approximately half of the female prison population being held at Pentridge, are not entirely satisfactory and must be terminated as soon as possible. Some redevelopment of the Fairlea site is clearly essential, and the actual form of that redevelopment is yet to be determined. Also, a decision has to be made on the question of whether or not one or more additional institutions for women prisoners are necessary and justified.

A number of representations have been made to the writer proposing a three-tier arrangement of women's institutions with Fairlea being regarded as suitable for medium security prisoners and smaller minimum and maximum security institutions being established elsewhere. It has been suggested specifically that the establishment of a new prison at Castlemaine should include a maximum security section for women. In addition, various suggestions have been made for the establishment of a women's prison farm at an unspecified location in the country. Regardless of the practicalities of these proposals, it has been suggested that the present temporary arrangements, which involve women prisoners being placed in three separate locations with varying degrees of security, has fortuitously created the type of grading of institutions which provides an incentive for good behaviour and thus facilitates management.

This is not to be seen as an argument for maintaining the status quo as the housing of women prisoners in Pentridge is not acceptable on a long-term basis, and furthermore, the cells currently being occupied by women are urgently needed for male prisoners. In particular the B Division Annex, while perhaps tolerable for women as a temporary measure, is unsuitable as a permanent arrangement. Jika Jika is also much more secure than would be required for all but the most disturbed and dangerous women offenders and ideally this institution should not be used as a place of short-term punishment.

An examination of the data in Chapter 3, in particular Tables 3.9 and 3.10, shows that the overwhelming majority of the women prisoners in custody at 30 June 1982 formerly resided in the Melbourne metropolitan area. Therefore, to send some of them, either the best or the worst, to country prisons would cause serious problems for visits by family and friends. Furthermore, contacts with the general community and with medical and educational experts would be more difficult in the country. For these reasons the suggestion for the establishment of either a maximum or minimum security women's prison in the country is not supported.

Nevertheless, the concept of a graded series of institutions has considerable attraction compared with the earlier arrangement of having all women prisoners of all types housed in a single institution. The separation of unconvicted and unsentenced women in the new remand centre will be a step in the right direction but there is still a need for the possibility of change of location for women undergoing their sentences.

The possibility of establishing a separate maximum security institution for a relatively small number of women prisoners who are disruptive in Fairlea would be extremely expensive, both in terms of capital and recurrent costs, and therefore it seems unavoidable that one unit of Jika Jika, for up to six prisoners, will have to be reserved for female occupancy for the foreseeable future. It is recognised that this is a misuse of Jika Jika as very few, if any, women would be regarded as long-term high security risks, but no other options seem to be available. Jika Jika for women prisoners must be used only as an extreme last resort after all other options have been considered and found to be inappropriate, and it is to be hoped that the number of women so located will seldom rise above two or three. An alternative would be to retain the old cell block at Fairlea, but this block is totally unacceptable for continued use and therefore must be demolished.

At the other end of the security scale there is a strong case to be made for the establishment of a separate low security institution in the metropolitan area for women who are near the end of their sentences. In Table 3.8 in the previous chapter it was shown that at least 38 per cent of the women under sentence were within three months of release and approximately 45 per cent were within six months of release. This

suggests that the turnover of women prisoners is very high and that there is ample opportunity for providing a graduated transition back to the community for selected women prisoners with, say, not more than three months to serve.

To provide this opportunity it is proposed that a large house or existing hostel in the metropolitan area be purchased for use as a pre-release centre for women. It should be named as a 'centre', perhaps memorialising the name of a venerable figure in the field of penal reform or social work, and should not be referred to as a prison. It will, nevertheless, be staffed by a small number of prison officers. Such a centre would also be suitable for the small number of cases where work release or study leave privileges are granted for people nearing the end of their sentences, but the centre should not be restricted to these categories. For some women the centre would simply provide a more open and trusting environment for their last few weeks of custody, and for them work would need to be provided in the centre itself. Day leave would be more freely available to women in the centre than it is to prisoners in other institutions. It is estimated that accommodation for from 10 to 12 women would be adequate for such a centre, and there would only need to be one or two staff on duty at any time.

An open institution in the metropolitan area, such as that described, may seem at first glance to be a radical departure from normal prison practice, but the risks being taken would be relatively small as all of the residents would be released within a few weeks and any which abused the privilege could be returned at any time to the more secure conditions of Fairlea. It is submitted that the establishment of such a centre would be a progressive step that would be relatively inexpensive and would enable the redevelopment of Fairlea to be kept down to a minimum. It should also materially assist with the readjustment of female prisoners back to the normal community.

As far as Fairlea itself is concerned, as indicated in Field Notes 2 in Appendix A, in this writer's view the design brief prepared by the Public Works Department is too ambitious in that it provides for more prisoners than is necessary, places too much reliance on physical and electronic security and is prohibitively expensive. The preparatory work done in the design brief is most valuable, however, as the task to be faced

at the present time is to select those elements in the brief which are essential and should proceed. Without considering all of the necessary detail, it is proposed that one new complex catering for from 20 to 24 women prisoners be erected at Fairlea, preferably between the old gate and the old asylum building and extending across the old cell block in order to leave a relatively open space between the new building and the cottages. This new building should be sub-divided into three units, of six to eight prisoners each, one of which would be for protection cases. All accommodation would be in individual cells, as past experience has shown that dormitories are the cause of significant problems. If necessary the area between the new building and the external wall could be used to provide secure exercise yards.

What is envisaged is a medium security facility which would be the starting place for all, or nearly all, women prisoners entering the system. For the vast majority the more privileged environments of Yarrabrae or the Fairlea cottages would become available, and ultimately the pre-release centre described above. For women in Yarrabrae, the cottages or the pre-release centre, whose behaviour warranted disciplinary action, the first choice would be re-assignment to the medium security facility and only in the most extreme cases would transfer to Jika Jika be appropriate. This means that women ordered 'loss of privileges' as a disciplinary measure would not be transferred to Jika Jika, but would be held for the specified time in one of the three units in the proposed new medium security facility.

Before any reconstruction is undertaken at Fairlea it is essential, and a matter of some urgency, that the derelict and partially destroyed buildings be demolished. The continued presence of these buildings more than nine months after the tragic fire has a demoralising effect on both staff and prisoners. They must be removed as soon as possible. When the final details of the reconstruction have been determined, it will also be necessary for some minor modifications to be made in Yarrabrae to overcome design faults, particularly in relation to cell doors and inspection traps in the doors.

Bearing in mind the desirable planning figure of providing accommodation for a maximum of 80 women prisoners, the overall breakdown is as follows:

Remand Centre	15
Jika Jika	5
Pre-Release Centre	10
Fairlea	<u>50</u>
Total	<u>80</u>

It is recognised that this overall figure is marginally higher than projected for the immediate future, but some degree of under-utilisation of resources is essential in order to provide for flexibility of management, and of course it is never the case that the actual characteristics of the prison population at any one time will exactly 'fit' the range of facilities provided.

It would be unlikely, for example, that Fairlea would often need to accommodate more than 40 women at any time in the next few years provided the other options were also available. With this arrangement of resources it is proposed that as a matter of basic principle the internal layout of the new Fairlea Women's Prison should be as open and attractive as possible. Some degree of escorting by staff will be necessary for the movement of prisoners from the medium security unit to and from the education centre, workshops, etc., but this is preferable to an undue reliance on internal security fences and electronic surveillance. In fact, the trouble-free movement of prisoners within the institution is one of the indications to be used as a measure of suitability for transfer to less secure units within Fairlea.

In addition to the proposed new medium security accommodation unit, it is clear that some further construction and modification is essential within the Fairlea site. In the first place, it is submitted that the old Melbourne lunatic asylum building, which has been classified by the National Trust as worthy of preservation, should be restored to its former state and used as either a visiting facility or education block or both. Secondly, it is clear that improved administrative facilities will be needed as the portable buildings currently in use are not satisfactory for permanent occupancy. Similarly the education centre and workshop need to be upgraded. It is suggested that these changes should also be carried out in such a way as to maximize the open space within the prison.

The design brief referred to above has proposed the establishment of a medical centre consisting of two single rooms or cells and one four-

bed ward together with appropriate facilities for medical officers, dentists, pharmacists and nurses. This would seem to be a highly desirable facility for an institution which will house many women prisoners who have significant health problems, including problems of drug withdrawal. It may also be thought necessary for specific programs to be instituted for women with significant histories of illicit drug ingestion.

The recreational and health needs of staff must also be appropriately recognised in the redeveloped institution. Even though a reasonably comfortable staff dining-room is currently available it is suggested that a small gymnasium should also be considered, as well as appropriate locker and changing rooms.

A highly contentious and emotional subject that must be considered in relation to the facilities needed by women prisoners is the extent to which mothers should be permitted to keep with them their babies and young children. This subject has been fully discussed in a recent article by Challenger,¹ and has also been the subject of consideration by recent conferences of Australian prison administrators. In a number of cases it is clear that common humanity dictates, and the interests of the mother and her child suggest, that babies should be allowed to stay for at least some time with their mothers in prison. On the other hand, there are many cases where the interests of the baby or young child are best served by the earliest possible separation from the mother. It is also clear that in some cases women prisoners have deliberately over-emphasised the dependency of their children upon them in order for the women themselves to obtain privileges within the institution.

This is not a subject in relation to which hard and fast guidelines can be established. Every case must be considered individually on its merits taking into account the quality of the mothering being offered, the length of time the mother has to serve and the desirability or otherwise of the alternative arrangements that could be made for the child. At all events, it is necessary in the planning of any institution for women

1. Challenger, Dennis, 'Prisoner Mothers', Australian Child and Family Welfare, Winter 1982, Vol. 7, No. 2, pp.24-29

prisoners that some provision should be made for mothers and their babies. This means that a suitable nursery and creche area must be provided, perhaps in association with the cottages that are currently in use.

In total the proposals made in this report must be seen as very similar to those contained in the report, Prisoner and Female: The Double Negative, edited by Dr Linda Hancock. Even though, in this writer's view, that report tends to over-emphasise the discrimination against women prisoners, it is submitted that there is very little difference between the suggestions for action made in this report and those made by Dr Hancock and her colleagues. It is certainly true that in Australia and elsewhere it has become commonplace for most reforms and correctional innovations to be made available, at least initially, to male rather than female prisoners. The usual justification for this imbalance has generally been that the numbers of women prisoners are so small that a special program for them would either not be justified or that it would be uneconomic.

This form of discrimination cannot be found in the provision of educational opportunities for Victorian women prisoners in recent years. The education staff at Fairlea are to be commended for their dedication and skill in providing a range of activities which have attracted a very high rate of participation by the women prisoners. It could be argued that even more opportunities should be provided for the acquisition of skills which have specific employment applications, notwithstanding the high quality work being done in dressmaking and machine knitting, but, if comparisons have to be made, it would seem that women prisoners in Victoria are generally more favoured than their male counterparts as far as education is concerned. Positive discrimination of this type is justified and should continue as the emotional and personal problems of women prisoners are frequently more severe than those experienced by men in custody.

A common condition of women prisoners is severe loss of self-esteem which manifests itself in an uncaring attitude to one's appearance and is often accompanied by obesity. Sensitively conducted educational, sporting and self-awareness programs are essential in order to overcome these problems. Much can be done through the work of volunteers and part-time

instructors, and it is gratifying to note that considerable work of this type is currently being undertaken in Fairlea.

For women prisoners who suffer more serious personal and emotional problems, educational intervention is not enough and the special skills of psychiatrists and psychologists are required. The relatively small numbers of women prisoners preclude the possibility of appointing specialist full-time staff of this type to Fairlea, but it is essential that their skills are available on a part-time basis and that they can be called in whenever required. This applies to other medical specialists, such as gynaecologists and surgeons (who particularly may be needed for tattoo removal), and it is suggested that the work of such specialists needs to be supported by permanent and full-time nursing staff at Fairlea.

Of even more importance to the success or failure of any prison, however, is the day-to-day work of the male and female prison officers. Their task is to do much more than simply maintain custodial security even though that is central to their role. Prison officers can by their style of management and through their interpersonal skills run good prisons in poor facilities, and the reverse may also be found to be true. As far as this writer has been able to observe, the Victorian prison officers currently caring for women prisoners admirably display the skills necessary for sound and constructive prison management.

Chapter 5

SUMMARY AND RECOMMENDATIONS

An analysis of the current male and female prison populations in all Australian jurisdictions has shown that Victoria has a female imprisonment rate which is significantly lower than the national average, the only lower rate being that of the Australian Capital Territory. A review of the statistics over the five-year period, 1977 to 1982, showed a similar overall pattern with Victoria having a lower rate than nearly all other jurisdictions, but the actual numbers of women prisoners in Victoria have virtually doubled over that period. Most of that increase occurred in 1979, however, and the figures have been relatively stable since then, with a daily average of from 50 to 60 women in prison.

An examination of the female imprisonment data and changes in general population structure over the period 1960 to 1982 showed a cyclic pattern of prison statistics, and did not yield a clear indication of future trends. However, a longer term analysis, over the period 1900 to 1982, strikingly indicated that it is unlikely that there will be a significant increase in the number of women prisoners in Victoria in the immediately foreseeable future. Cyclic patterns will undoubtedly continue, but it was concluded that the total number of women prisoners will probably not exceed 70 in the next few years, and that, to provide for some operational flexibility, planning should be based on a figure of 80 convicted and unconvicted women in custody.

A detailed profile of Victorian women prisoners as at 30 June 1982 was constructed on the basis of data collected for the national prison census together with a supplementary data collection designed for this project. This showed that the women in custody at that time were generally young and most of them were not married. Their most common offences were drug dealing, homicide and theft. More than half of the women were unemployed at the time of their arrest, and only a minority had completed secondary education. Over one-third had had less than three months of their sentence to serve, and yet there was very high participation in prison education and training activities.

A comparison of women prisoners and female offenders serving attendance centre orders at the same date showed many similarities between the two groups. The attenders were significantly older than the prisoners, however, and none of the attenders had been convicted of homicide, assault, robbery or drug dealing, the offences which brought over half of the prisoners into custody. Nevertheless, it was proposed that there was scope for further diversion by the courts of female offenders from the prison system to the attendance centre program.

The implications of the statistical analysis and profile construction were discussed in the report in the light of information gathered from an inspection of facilities currently used for women prisoners and in the light of preliminary proposals made for the redevelopment of the Fairlea Women's Prison. In this discussion it was proposed that, as far as possible, a graded series of security options be provided for women prisoners under sentence, and that female remandees be held in the new remand centre. As the numbers would not justify a separate maximum security institution for women prisoners it was proposed, with some reluctance, that Jika Jika continue to be used to accommodate the rare cases of extremely dangerous and disruptive behaviour. This would allow Fairlea to be redeveloped as basically a medium security institution, with the essential new building being an accommodation unit for 20 to 24 prisoners divided into three groups of six to eight each. The redevelopment of some of the ancillary service buildings, such as for administration, medical centre, etc., was also seen to be necessary.

The purchase of an existing building in the Melbourne metropolitan area for use as a low security pre-release centre for women nearing the end of their sentences has also been proposed. This should provide accommodation in relatively normal conditions for approximately 10 selected women prisoners who are within three months of release.

The overall needs of women prisoners in Victoria, as far as institutional accommodation is concerned, is therefore summarised in round figures as follows:

Remand Centre	15
Jika Jika	5
Pre-Release Centre	10
Fairlea	<u>50</u>
Total	<u>80</u>

The discussion concluded with a brief review of the education, training and treatment needs of women prisoners.

The specific recommendations included in this report are summarised as follows:

1. The planning for the future accommodation needs of women prisoners in Victoria should be based on a total figure of 80 cells or beds.
2. That all accommodation for women prisoners be located within the Melbourne metropolitan area.
3. That judges and magistrates continue to be encouraged to consider the appropriateness of an attendance centre order before imposing a sentence of imprisonment on females convicted of offences that do not involve violence or drugs.
4. That the demolition of derelict buildings at the Fairlea Women's Prison be completed as soon as possible and that a medium security facility for from 20 to 24 prisoners, divided into three groups each of six to eight prisoners, be planned and constructed.
5. That other necessary reconstruction at Fairlea, including an administrative block, medical unit and education centre, be planned and constructed.
6. That the old Melbourne lunatic asylum building in the grounds of Fairlea be restored and used as a visitors centre and/or as an education/recreation facility.
7. That an existing building in the Melbourne metropolitan area be purchased for use as a low security pre-release centre for approximately 10 selected women prisoners with less than three months of their sentences to serve.
8. That the old cell block at Fairlea be demolished and that in extreme cases of dangerous or disruptive behaviour women prisoners be transferred to Jika Jika.

9. That appropriate facilities for babies and young children, including a creche, be provided within the Fairlea prison.
10. That all women remandees and those not under sentence while awaiting extradition or deportation be held at the new remand centre.
11. That a full range of education, training and recreational options be made available to all women prisoners in Fairlea.
12. That appropriate medical and psychiatric care, with emphasis on drug withdrawal and treatment and gynaecological care, be made available to women in custody in all institutions.

Field Notes No. 1

On Tuesday, 19 October 1982, Dame Phyllis Frost, convenor of the Fairlea Women's Prison Council, visited the Institute in order to present me with her views about the future requirements for women prisoners in Victoria. The Victorian Correctional Services Council had earlier suggested that I should seek the views of Dame Phyllis. This suggestion had been readily accepted in view of the extensive knowledge and experience that Dame Phyllis had accumulated over the past several years.

The early part of the discussion with Dame Phyllis concentrated on the question of numbers. She argued that the recent increase in the numbers of Victorian women prisoners suggested that further increases could be expected in the immediate future. We examined the current trends in considerable detail and saw the short and long-term analyses currently being prepared by John Walker on the computer screen. Dame Phyllis, after studying these data very carefully, agreed that a massive increase in numbers in the near future was probably unlikely. She suggests that, regardless of the overall numbers, three levels of security or types of accommodation are needed.

She would like there to be a facility which is completely open and not called a prison. This could be something like an ordinary house in the suburbs and could parallel the sort of facilities that have been provided for alcoholics. At a second level she believes that Fairlea should provide medium security, and she argues that if there is a provision for a small number of female prisoners being held elsewhere in maximum security then it should be possible for Fairlea (which will still be the largest facility for women prisoners) to be run in a relatively congenial manner.

We agreed that it was proper for female remandees to be held in a remand centre rather than a prison with convicted offenders, but she expressed the view that appropriate facilities must also be available for female remandees. As a very rough approximation it was suggested that if 10 to 15 remandees were held separately and about 10 low security prisoners were held in an open centre, then Fairlea should be of ample size if it

provided accommodation for between 30 and 40 female prisoners. Dame Phyllis and I agreed that the numbers would probably never justify the construction of a separate maximum security unit for female prisoners and therefore it may be necessary for up to five places to be reserved for females in the Jika Jika prison within the Pentridge complex. She insists that if women are to be held in Jika Jika there must be appropriate staffing and programs for them.

Overall, on this question, Dame Phyllis is of the view that the three levels of security that would be provided would allow for an appropriate progression through the system for individual prisoners and would avoid the present and past problems associated with having one facility or institution endeavouring to provide the totality of services required for all Victorian female prisoners regardless of their legal status or security requirements.

Dame Phyllis and I then discussed a number of general issues relating to the imprisonment of women. She suggests that there should be three forms of visiting. These are contact visiting (where appropriate in the open air), professional visiting in appropriate office facilities, and thirdly, non-contact visiting in cubicles using telephones for conversation in order to prevent the passing of contraband.

Dame Phyllis has a number of suggestions to make about the medical services available to women prisoners. She suggests that at the present time drugs prescribed for women are not always dispensed by appropriately trained staff, especially at weekends. She argues that nursing staff should be available seven days a week, but not necessarily 24 hours a day.

On the question of education, Dame Phyllis suggests that consideration should be given to the staggering of the holidays of school teachers in order to provide a more consistent level of educational programming. She also argues for better integration of educational and custodial staff.

She also argues that the spiritual side of the needs of women prisoners should not be overlooked and that an appropriately furnished chapel for multi-denominational use should be provided within any re-building program.

Finally, Dame Phyllis suggested that in the design of new buildings there should be a variety of room sizes and design in order to minimise the institutional feeling of prison buildings. She also is strongly in favour of realistic employment opportunities being provided for women prisoners.

Even though Dame Phyllis and I discussed these matters for three or four hours there are obviously a number of other aspects of the imprisonment of women on which she has carefully considered views and I will endeavour to talk to her again before my report is finished.

21 October 1982

Field Notes No. 2

Following a visit to Melbourne on Wednesday, 10 November 1982, for work associated with the Committee of Inquiry into the Victoria Police, I devoted the whole of Thursday, 11 November, to an inspection of the current facilities in use for the custody of women prisoners. In the company of Mr Mark Filan and an architect, Mr Dennis Payne, I first visited the Fairlea Women's Prison at Fairfield and inspected the whole of the institution with particular emphasis being given to those buildings which are currently in use. The Governor, Mr Bill Kirkwood, gave me a number of his views on the necessary redevelopment of the site.

I had previously studied the project design brief prepared by the Public Works Department for the redevelopment of Fairlea and discussed the implications of this in some detail with Mr Filan and Mr Payne. I explained to them that following my analysis of the trends in the statistics of women prisoners in Victoria and my analysis of the profile of current prisoners, I took the view that the design brief catered for more prisoners than would be necessary, incorporated an undue emphasis on security and was prohibitively expensive. I suggested that the task to be addressed in the next few weeks would be the extent to which the proposed modifications and redevelopment could be reduced to correspond more closely with the real needs of the situation.

In particular, I made the point that the design brief seemed to incorporate little or no recognition of the fact that the essential management technique for women prisoners (and for all other prisoners for that matter) is the close and constant interaction of skilled staff with inmates. This interaction not only enables the control of possible escapes and other disturbances but also alerts staff to tendencies and situations which are likely to lead to trouble and enables remedial action to be taken. As this aspect of present management does not seem to have been acknowledged in the design brief there is, in my view, an over-emphasis on physical and electronic security.

In my inspection of the Fairlea facilities I was reasonably impressed with the large Yarrabrea building (even though this building

incorporates some minor design faults which clearly need modification) and I was also impressed with the two cottages (which are scheduled for demolition in the design brief) and believe that they are suitable for continued occupancy for some years. These cottages are suitable for relatively long-term prisoners who present no security risk but are not close enough to the end of their sentences to be considered for minimum security facilities. I was also impressed with the apparent high quality work being conducted in the education centre, the tailoring shop and the horticulture industry.

It is clear that the two older buildings, one of which was partially destroyed by fire, near the former entrance gate, must be demolished as soon as possible. The visible reminder of the tragic consequences of the fire must be removed as this has a demoralising effect on both staff and prisoners. The continued presence of these dilapidated buildings is also extremely untidy.

I inspected the old lunatic asylum which was previously used as a laundry and has been classified by the National Trust as worthy of preservation. Even though this building occupies a very prominent position on the site I believe that it could and should be retained and restored to its former state. It could be used as an education centre or visiting facility or both. It is surrounded by mature trees and would be very attractive once restored. The old cell block nearby is a disgrace and should be demolished.

My tentative conclusion at this stage is that the most urgent accommodation needs in Fairlea are for one medium security accommodation unit catering for from 20 to 24 prisoners who could be subdivided into three living units of six or eight persons per unit. One of these units could be for protection cases and the remainder would be essentially for women prisoners who had not yet established their suitability for transfer to the more privileged environments of Yarrabrea or the cottages. This accommodation facility would therefore be reasonably secure but, in my view, should not be described as maximum security. (When the new remand centre is available it will include provision for up to 15 female remandees and therefore no provision is to be made for them in the new Fairlea.) It would seem possible for this new residential facility to occupy space along the western side of the complex between the present Governor's office

and the old cells and thus leave a considerable open space between that and the cottages.

Apart from accommodation requirements it is clear that the new Fairlea will need a modern and efficient medical facility which will include provision for prisoners suffering from drug withdrawal and also for the gynaecological needs of the women. There are obviously many other aspects of the redevelopment that need close consideration but at this stage it seems possible that a satisfactory redevelopment could be effected at considerably less cost than that proposed in the architectural design brief.

There is one aspect of the proposed redevelopment of Fairlea which puzzles me and for which I do not have an answer. It has been proposed that a superintendent be appointed in addition to the position of governor. I am not aware of the reasons for this proposal but, at a superficial view, it seems to be misguided to have two people nominally in charge of an institution. Perhaps the new position should supervise the treatment of all female offenders, not just those in Fairlea.

Towards the end of the morning I travelled to Pentridge in the prison van and accompanied by Deputy Superintendent Mr Grant Johnson inspected the facilities for women prisoners in the B Division Annex and in Jika Jika. Even though the conditions for women in the B Division Annex are somewhat primitive, especially the exercise yard, the arrangements that have been made on a temporary basis are probably the best that can be reasonably expected under the circumstances. It would seem desirable however that the reconstruction of the dining/recreation area and the improved plumbing in the cells should be expedited as soon as possible. It was also disappointing to note that the tailoring shop was not in use, apparently because no materials were available.

I then visited Jika Jika and inspected the cells and day-room of the section currently occupied by four women prisoners. I spoke at some length with three of these women and they seemed to be moderately satisfied with their living arrangements although they would obviously prefer to be at Fairlea. Jika Jika is certainly not a desirable institution for women prisoners, but in extreme cases of disobedience and trouble-making its use

seems unavoidable. Certainly, the continued use of Jika Jika for very small numbers of disruptive women will eliminate the necessity to have a maximum security unit in the redeveloped Fairlea and that will enable a more open and less restricted institution to be established.

Before leaving Pentridge I had a discussion with Mr Alan Yorke and Mr Graham Bone who have the task of developing the detailed plans for the new remand centre. They showed me their current sketch plans (facetiously referred to as 'Mark 31') which essentially comprised a low level development for most of the Jeffcott Street site, together with a significantly reduced tower of three floors for residential accommodation. We reviewed this plan in detail and I proposed three further modifications. These are:

- (a) removal of the grilles over the exercise courtyards and a consequent modification of the surveillance wall in order to reduce the possibility of escape;
- (b) the re-arrangement of the ground floor units and courtyards so that, rather than four equal sized courtyards, two courtyards were combined to make a larger one thus providing some variety in the size of open spaces available; and
- (c) some special provision for ground floor exercise for women prisoners, perhaps in the southwest corner of the site.

Apart from those particular points, I believe that the current sketch plan is a sensible solution that very largely overcomes the anxieties that were felt about the earlier model. As far as the living units in the tower are concerned, it is clear that these will be more secure and that it will be necessary for some of these units to be relatively small. Tentatively we agreed that at one level there should be a 30-person unit, at another level two 15-person units and at the third level a 15, 10 and 5-person unit. The latter two would provide a higher level of security. It was also tentatively agreed that the quality of furnishings and fittings to be supplied in the 15-person unit for female remandees would be significantly more homely than the standard which would be applied throughout the facility.

Mr Bone reported that he had been asked to endeavour to modify the design to ensure that the staff requirements were no more than 50 per cent

of those that had been established in the original plan. The modification that we discussed and the proposed arrangements for living units in the tower would significantly reduce the staff requirements, but, if two shifts a day are to be the standard for the institution, it must be recognised that it is impossible to reduce the staff requirements by 50 per cent.

12 November 1982

NATIONAL PRISON CENSUS - JUNE 1982 DATA COLLECTION FORM

PART I - GENERAL INFORMATION. Please answer every question.

Sequence Number

A State/Territory

The state in which the prison establishment is located

Code: 1 - NSW 2 - VIC 3 - QLD 4 - SA 5 - WA 6 - TAS 7 - NT 8 - ACT

B Institution

See Part 1 of Coding Manual for code list.

C Unique Prisoner Identifier

A number (up to 7 digits), unique to each prisoner within the state, as employed for normal administration purposes.

D Sex of prisoner

Code: 1 - Male 2 - Female

E Date of Birth

The day, month and year of prisoner's birth

Notes: If the day or month of birth is unknown, code 99.
If the exact year is unknown use best estimate.

F Aboriginality

The racial origin group to which the person considers him/herself to belong

Code: 1 - Aboriginal and Torres Strait Islander 9 - Unknown/Not Stated
2 - Non Aboriginal or Torres Strait Islander

G State/Country of Birth

The prisoner's state or country of birth

Code: 01 - NSW	11 - New Zealand	31 - Timor	51 - USA
02 - VIC	12 - Papua New Guinea	32 - Other Asia	52 - Canada
03 - QLD	13 - Other Oceania	41 - UK and Ireland	53 - Other Americas
04 - SA	21 - Kampuchea	42 - Greece	61 - Africa (incl. Libya, Egypt)
05 - WA	22 - Vietnam	43 - Italy	62 - Middle East
06 - TAS	23 - Other Indo China	44 - Yugoslavia	
07 - NT		45 - Other Europe (incl. USSR)	
08 - ACT			
09 - Australia unspecified			99 - Unknown/Not Stated

See Part 2 of Coding Manual for full list of countries and their codes

H Location of Last Known Address

If last known address was within the reporting state then the LGA code should be used.

See Part 3 of Coding Manual for LGA code list. Otherwise code to state level only as follows:

901 - NSW	904 - SA	907 - NT	910 - No Fixed Abode
902 - VIC	905 - WA	908 - ACT	999 - Unknown/Not stated
903 - QLD	906 - TAS	909 - Overseas	

I Marital Status at Receipt

The actual (not necessarily legal) marital status of prisoners

Code: 1 - Never Married	3 - Separated (not divorced)	5 - Widowed
2 - Married (including defacto)	4 - Divorced	9 - Unknown/Not stated

J Prior Employment Status at Time of Arrest/Charge for Current Episode

Code: 1 - Employed (wage and salary earner or self-employed)	3 - Home duties	9 - Unknown/Not stated
2 - Unemployed - seeking work	4 - Student	
	5 - Other, e.g. pensioner	

K Highest Level of Education

Code: 1 - Tertiary (degree, diploma)	4 - Completed secondary (certificate level)	7 - Part primary
2 - Technical & Trade (e.g. apprenticeship)	5 - Part secondary	8 - No formal schooling
3 - Post secondary undefined	6 - Completed primary only	9 - Unknown/Not stated

L Known Prior Adult Imprisonment

Is the prisoner known to have previously been imprisoned under sentence in a gazetted prison? Prior sentence of periodic/weekend detention to be regarded as prior imprisonment.

Code: 1 - Yes 2 - No 9 - Unknown/Not stated

Questions M to W are overleaf:-

PART II - RECEPTION INFORMATION.
Please answer every question.

M Date of Receival

To be recorded for all prisoners, as day, month and year of first receival into a gazetted prison within that state, in respect of the current episode, whether or not the person was originally on remand or whether the remand period counted towards this sentence. Dates of receival into particular establishments on transfer from other prisons within that state are to be ignored.
Note: If breach of parole, code date of receival for original offence.

28	29	30	31	32	33
d	d	m	m	y	y

N Legal Status of Prisoner

The legal status of the prisoner at census date

- | | | |
|-------|--|-------------------------------------|
| Code: | 1 - Unconvicted: awaiting court hearing/trial, extradition | 5 - Awaiting deportation |
| | 2 - Convicted but awaiting sentence | 6 - Detained as unfit to plead, not |
| | 3 - Under sentence: awaiting determination of appeal (verdict or sentence) | guilty on grounds of insanity, etc. |
| | 4 - Under sentence: no appeal current | 9 - Unknown/Not stated |

34

O Level of Court of Sentence or of Most Recent Remand in Custody

Note: i. Where an episode comprises orders/sentences of various levels of court, select the level of court appropriate to the Most Serious Offence/Charge.
ii. Appeal courts should be recorded only where such courts have altered the length of sentence appropriate to the Most Serious Offence/Charge.
iii. For prisoners not under sentence record the level at which most recently remanded in custody.

- | | | |
|-------|---------------------------|--|
| Code: | 1 - Supreme Court | 5 - Federal Court of Australia |
| | 2 - District/County Court | 6 - Other (e.g. administrative decision) |
| | 3 - Magistrates Court | 9 - Unknown/Not stated |
| | 4 - Children's Court | |

35

P Most Serious Offence/Charge

See Part 4 of Coding Manual for codes and coding rules

36 37 38

PART III - SENTENCE INFORMATION.

To be completed for all prisoners with 'Legal Status' coded 3,4 or 6 ONLY.

Q Type of Sentence

- | | | | | |
|-------|--|--|--|--------------|
| Code: | Indeterminate | Indefinite | Definite | 9 - Unknown/ |
| | 1 - Life | 4 - Maximum term specified and minimum term or non-parole period set | 5 - Fixed term, no minimum term or non-parole period set | Not stated |
| | 2 - Governor's/H.M. Pleasure | | 6 - Fine default only | |
| | 3 - Subject to ministerial/administrative decision | | 7 - Periodic/Weekend detention | |

39

R Sentence Relating to Most Serious Offence

The total length of sentence imposed in respect of the most serious offence (any non-parole period specified, probable remissions etc. are to be ignored for this item). Periodic/weekend detainees should be counted as number of weekends.
Note: This relates to the most serious single count against the prisoner - not the total sentence for that type of offence.
Code 888888 88 for indeterminate sentences;
Code 999999 99 if the actual sentence is not known.

40	41	42	43	44	45	46	47
Years	Months	Days				Weekends	

S Total Number of Offences for which Currently Sentenced

The total number of offences (counts, not offence types) for which sentenced in current episode.

Code the actual number of offences, if known and less than 90.
Code 90 if actual number is 90 or more.
Code 99 if actual number is unknown.

48 49

T Aggregate Sentence

The longest period that the person may be detained under sentence in the current episode. Charges pending which are likely to extend the current episode should be ignored.
Code 888888 88 for indeterminate sentences;
Code 999999 99 if the actual sentence is not known.

50	51	52	53	54	55	56	57
Years	Months	Days				Weekends	

U Date Aggregate Sentence Commenced

Note: If breach of parole, code date of receival for original sentence.

58	59	60	61	62	63
d	d	m	m	y	y

V Earliest Date of Release

To be calculated in respect of the aggregate sentence, allowing for parole period or minimum term, and maximum expected remission. See Part 5 of Coding Manual for detailed method of calculation.
Code 888888 for indeterminate sentences.

64	65	66	67	68	69
d	d	m	m	y	y

W Breach of Parole

Relates to whether or not the person is in prison at census time for a breach of parole conditions, or conditions attached to other forms of conditional release. Breaches of probation are not to be counted.

- Code: 1 - Yes 2 - No 9 - Unknown/Not stated

70

48.

APPENDIX B.2

National Prison Census

SUPPLEMENTARY DATA COLLECTION FORM FOR WOMEN PRISONERS

W1. Family Structure - Number of other persons in individual's normal household

Age	Male	Female
Under 5 years		
5-14 years		
15-19 years		
20-59 years		
60 years & over		

W2. Frequency of visitors while in prison

- Code 1 - Maximum allowed 2 - Quite frequent
3 - Rare 4 - None

W3. Frequency of letters in and out while in prison

INWARD OUTWARD

- Code 1 - Maximum allowed 2 - Quite frequent
3 - Rare 4 - None

W4. Physical/Mental Health

- Code 1 - No problems 2 - Minor Physical Disabilities
3 - Severe Physical Disabilities 4 - Minor psychological/mental problems
5 - Severe psychological/mental problems
6 - Both physical and mental problems

W5. Alcohol-related problems

- Code 1 - Severe alcohol-related problems
2 - Minor alcohol-related problems
3 - No alcohol-related problems

W6. Drug-related problems

- Code 1 - Severe drug-related problems
2 - Minor drug-related problems
3 - No drug-related problems

.../over

W7. Occupation(s) prior to imprisonment

Occupation	_____	Length of experience	_____
Occupation	_____	Length of experience	_____
Occupation	_____	Length of experience	_____
Occupation	_____	Length of experience	_____

W8. Write in details of educational and training courses undertaken while in prison. Also include duration of each course.

1. _____

2. _____

3. _____

4. _____

W9. Prior prison experience:
 (If more than four episodes, attach separate sheet. If more convenient attach photocopy of record with name obliterated. Use code list for MS0)

	<u>Most serious offence</u>	<u>Length of detention</u>	<u>Date of commencement</u>																				
Episode 1	<table border="1"><tr><td></td><td></td><td></td><td></td></tr></table>					<table border="1"><tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr></table>									<table border="1"><tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr></table>								
Episode 2	<table border="1"><tr><td></td><td></td><td></td><td></td></tr></table>					<table border="1"><tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr></table>									<table border="1"><tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr></table>								
Episode 3	<table border="1"><tr><td></td><td></td><td></td><td></td></tr></table>					<table border="1"><tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr></table>									<table border="1"><tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr></table>								
Episode 4	<table border="1"><tr><td></td><td></td><td></td><td></td></tr></table>					<table border="1"><tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr></table>									<table border="1"><tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr></table>								
		d d m m y y	d d m m y y																				

W10. Conduct while in prison:
 Number of disciplinary actions during current term:

Minor infractions	<table border="1"><tr><td></td></tr></table>	
Serious infractions	<table border="1"><tr><td></td></tr></table>	
Escape attempts	<table border="1"><tr><td></td></tr></table>	

W11. Extradition/deportation status:

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Code 1 - under extradition order to another state or country
 2 - under deportation order
 3 - neither

END