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Carlos Carcach & Anna Grant

This paper examines changes in Australia’s rates of imprisonment over the past 17 years. In that time the number of prisoners has grown from 9,826 in 1982 to 19,906 in 1998—an increase of 102 per cent. The rate per 100,000 of imprisonable age has increased more slowly—by 55 per cent.

Queensland has the highest rate of imprisonment in the country—23 per cent above the national average, while Victoria has the lowest—43 per cent below the national average. If Queensland, with a smaller population than Victoria, had the same number of prisoners as Victoria, it would save in the order of $80 million per year. If it had the same rate of imprisonment as Victoria it would save in the order of $110 million per year.

This paper maps trends in imprisonment over two decades, points out significant differences between the States, and demonstrates the value of long data sets to map changes and trends to better inform public policy.

Adam Graycar
Director

As in many countries around the world, Australia’s rate of imprisonment is rising, partially in response to an increased fear of crime in the community. Tougher approaches toward crime are resulting in more severe punishment for offenders, which leads to increases in the size of prison populations.

An immediate consequence of a growing prison population is the unparalleled growth in the costs associated with its maintenance. In Australia, the total prison population increased by an average 4.2 per cent a year during the period 1982–98. This is two and a half times the average growth of the population of imprisonable age. Official estimates indicate that, during 1997–98, the cost of imprisonment was $52,049 per prisoner–year (Productivity Commission 1999).

The corresponding benefits derived from increased use of incarceration are difficult to quantify and many would argue that they are substantially less than perceived by the community and that imprisonment is not socially efficient. There is no evidence that greater imprisonment acts as a major deterrent to potential criminals, given the small detection rates for most crimes. It is often argued that imprisonment does not always succeed in rehabilitating criminals. It might be that protection, as much as any desire for revenge, is the reason why some sectors of society generally favour “getting tough”. In this respect, deterrence, rehabilitation and
retribution seem to be less important than incapacitation as reasons for incarceration. The appropriate rate of imprisonment to meet the social goals of crime control, deterrence and community protection continues to be a critical social policy issue (Von Hirsch 1985).

Irrespective of whether imprisonment is more expensive or less effective than alternative forms of punishment, the fact is that, in most Australian jurisdictions, it continues to grow at relatively steady rates. Understanding the factors associated with this growth and the general dynamics of prison populations is a first step towards developing sound public policy in the field—not an easy task for a country with no single criminal justice system.

The Commonwealth of Australia is comprised of six States, two Territories and a federal jurisdiction, each with its own legislative body with the powers to make its own laws and its own institutions for the administration of criminal justice. The features of the criminal justice systems in these nine jurisdictions are quite similar. Thus, the best characterisation of the Australian criminal justice system would be that of a heterogeneous, complex system with many similarities among its constituent parts. Given this heterogeneity, the comparison between jurisdictions is particularly important when analysing the institutions of criminal justice in Australia.

This paper examines trends in prison populations and imprisonment rates in Australia and its jurisdictions, during the 17 years from 1982 to 1998. The analysis aims to identify major trends in imprisonment during the period, as well as the factors underlying these trends. It is the first in a series of papers examining Australian correctional issues. The analysis in this series will rely predominantly upon data extracted from the Australian Prison Census (AIC 1982–93; ABS 1994–98).

### Australian Prison Census

The National Prison Census (NPC), later known as National Prisoner Census, provides a snapshot of the prison population at 30 June each year. It was first conducted in 1982 by the Australian Institute of Criminology and responsibility for its administration was transferred to the Australian Bureau of Statistics in 1994. Prisoner censuses are counts of the stock of prisoners on a single day, so the characteristics of this stock may differ significantly from those of the flow of prisoners through the correctional systems. Census data are biased towards prisoners serving relatively long sentences, while those serving short sentences dominate the flow of prisoners.

The NPC collects data on the prison populations of the States and Territories on variables relating to:

- demographic and social characteristics of the prisoner population;
- place of incarceration;
- most serious offence;
- history of previous imprisonment;
- legal status of prisoners;
- place of the court of sentence or more recent remand in custody;
- length and type of sentence; and
- breach of parole and/or escape and recapture.

Prison data are valuable in assessing issues such as sentencing policies in the jurisdictions, at least for serious offenders. They have proved useful in analysing the extent of, and possible causes for, the recent increases in the remand population. Data can also be useful in studying issues such as recidivism and in supporting decisions regarding planning of correctional centre construction and management.

### Imprisonment in Australia

#### Prison Populations

Prison populations in the Australian States and Territories have grown at different rates over the period under study. Table 1 shows the number of prisoners and imprisonment rates per 100,000 population aged 18 years and over for all Australian jurisdictions during 1982 to 1998.

The data in Table 1 suggest differing trends in the numbers of prisoners and rates of imprisonment. Among the States, the largest relative increase in the size of the prison population was observed for Queensland, where the number of prisoners has grown by an average 6.1 per cent a year. The total number of prisoners in Queensland increased from 1638 in 1982 to 4466 in 1998. New South Wales
Table 1: AUSTRALIA, STATES & TERRITORIES, 1982–98, Numbers of Prisoners and Imprisonment Rates per 100,000 Population Aged 18 Years and Over

<table>
<thead>
<tr>
<th>Year</th>
<th>NSW</th>
<th>VIC</th>
<th>QLD</th>
<th>WA</th>
<th>SA</th>
<th>TAS</th>
<th>NT</th>
<th>ACT</th>
<th>AUS</th>
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<td>1,996</td>
<td>1,709</td>
<td>1,503</td>
<td>764</td>
<td>209</td>
<td>260</td>
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<td>1,845</td>
<td>1,881</td>
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<td>564</td>
<td>241</td>
<td>249</td>
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<td>1,879</td>
<td>1,999</td>
<td>1,495</td>
<td>783</td>
<td>228</td>
<td>334</td>
<td>74</td>
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<tr>
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<td>1,955</td>
<td>2,185</td>
<td>1,612</td>
<td>810</td>
<td>258</td>
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<td>280</td>
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<td>2,374</td>
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<td>844</td>
<td>297</td>
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<td>2,390</td>
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<td>871</td>
<td>245</td>
<td>351</td>
<td>80</td>
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<td>2,316</td>
<td>2,296</td>
<td>1,720</td>
<td>931</td>
<td>237</td>
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<td>2,094</td>
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<td>1,042</td>
<td>265</td>
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<td>2,068</td>
<td>1,726</td>
<td>1,163</td>
<td>265</td>
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<td>2,491</td>
<td>1,726</td>
<td>1,136</td>
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<td>2,467</td>
<td>2,870</td>
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<td>1,136</td>
<td>258</td>
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<td>1996</td>
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<td>3,528</td>
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<td>1,136</td>
<td>285</td>
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<td>2,245</td>
<td>1,492</td>
<td>263</td>
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<td>147</td>
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<td>1998</td>
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<td>4,466</td>
<td>2,352</td>
<td>1,385</td>
<td>314</td>
<td>635</td>
<td>199</td>
<td>19,906</td>
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<table>
<thead>
<tr>
<th>Year</th>
<th>Rate per 100,000 Population of Imprisonable Age</th>
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<tr>
<td>1982</td>
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<tr>
<td>1983</td>
<td>95.6</td>
</tr>
<tr>
<td>1984</td>
<td>83.6</td>
</tr>
<tr>
<td>1985</td>
<td>100.8</td>
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<td>1986</td>
<td>101.7</td>
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<td>1987</td>
<td>107.2</td>
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<td>1988</td>
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<td>1990</td>
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<td>1991</td>
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<td>1992</td>
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<tr>
<td>1995</td>
<td>164.8</td>
</tr>
<tr>
<td>1996</td>
<td>161.2</td>
</tr>
<tr>
<td>1997</td>
<td>163.4</td>
</tr>
<tr>
<td>1998</td>
<td>158.7</td>
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</table>

(1) Excludes prisoners sentenced by ACT courts, except for 1982 and 1983.
(2) From 1984 onwards, the ACT count includes prisoners sentenced by ACT courts but held in NSW prisons. Likewise, the NSW count excludes these prisoners.
(3) Remanded prisoners only.

Source: 1982–93, Australian Institute of Criminology, Australian Prisoners, Unit Record Files
1994–98, Australian Bureau of Statistics, Prisoners in Australia, Unit Record Files

recorded the second highest growth in prison population—
from 3719 in 1982 to 7697 in 1997
(4.4% a year). The lowest growth was observed for Tasmania, where the number of prisoners
increased from 237 in 1982 to 314 in 1997 (1.7% a year).

Both Territories have experienced a relatively high growth in prison population
during the 17-year period. The total number of prisoners in the
ACT increased from 60 in 1984 to 199 in 1998, an average of 8.3 per
cent a year (including ACT-sentenced prisoners held at New
South Wales prisons). The prison population of the Northern
Territory has increased from 312 in 1982 to 635 in 1998 (4.3% a
year).

Figure 1 shows the average annual growth in the rate of imprison-
ment for each jurisdiction and Australia for each of three
periods: the 17-year period from 1982 to 1998, the period from
1982 to 1993 and the most recent period from 1994 to 1998.

As shown by Figure 1, growth in imprisonment rates is not
uniform across jurisdictions, nor is it over time. Considering
the whole 17-year period, the
ACT has recorded the largest
growth in imprisonment rate,
followed by Queensland and
New South Wales. This is,
however, the result of differential
trends during the pre-1994 and
post-1994 periods. Note that
during the period from 1982 to
1993, New South Wales recorded
the largest growth in imprison-
ment rates (4.6% per year), but
this trend reversed during the
ten years beginning in 1994,
when the rate declined by an
average 0.9 per cent a year.

Imprisonment rates in
Queensland declined by an
average 0.6 per cent a year during the
period 1982 to 1993, but
starting from 1994 they have
grown by an average 10.5 per
cent a year. In the ACT, the rate of
imprisonment grew by an
average 2.5 per cent from 1984 to
1993. However, during the last
five years, it has increased by an
annual 13.5 per cent.

Tasmania and the Northern
Territory experienced declines in
their rates of imprisonment
during 1982–93. This trend has
reversed from 1994 to 1998, with
the rates growing by 3.8 per cent
and 4.4 per cent respectively.
Rates for Victoria show a similar
trend—after growing by 0.8 per
cent a year during 1982–93, they
grew by an annual 1.5 per cent
during 1994–98.

South Australia and Western
Australia show a trend toward a
deceleration in their imprison-
ment rates. In South Australia,
the rate increased by 1.9 per
cent a year during 1982–93, but
has declined to 0.3 per cent a year
from 1994 to 1998. In Western
Australia, the average annual
growth during the last 5 years
has been 0.2 per cent, rather than
the 1.1 per cent annual growth
observed during 1982–93.
Imprisonment is more commonly measured by expressing the number of prisoners per 100,000 population of imprisonable age. Figure 2 shows the imprisonment rates for each jurisdiction over the years from 1982 to 1998, together with the national rate. Note that the scale of the graph for the Northern Territory is different to that of the graphs for the other jurisdictions.

In general, imprisonment rates have increased over the period under study. The only exceptions to this general trend are Tasmania and Victoria, where rates of imprisonment have remained relatively stable.

New South Wales, Western Australia and the Northern Territory have had imprisonment rates consistently above the national average, whereas the rates for Victoria, South Australia, Tasmania and the ACT have always been below the national average. The ACT is the jurisdiction with highest annual growth in the imprisonment rate during the period under study (see Figure 1) and, as shown in Figure 2, its imprisonment rates are tending to approach the national average. Given current trends, it would take 15 years for the ACT prisoner population to double, compared to 38 years nationally.

The imprisonment rate for Queensland declined during the period from 1987 to 1993, when it recorded values below the national average. However, in 1994 it began to increase and in 1996 it surpassed the national average.

The Northern Territory has the highest rate of imprisonment (3.4 times the national average) and this has grown by an average 1.5 per cent a year from 1982 to 1998 (see Figure 1).

Overall, for Australia, the imprisoned population has increased by an average 4.2 per cent a year from 1982 to 1998. The population of imprisonable age (i.e. aged 18 years and over) has, however, only increased by an average 1.6 per cent a year during the same period. The annual growth rate of the prison population in Australia is twice that recorded in England and Wales, but it is only half that of the United States over the 1981–97 period (Home Office 1997; Maguire & Pastore 1998).

### Factors Affecting Imprisonment Rates

Trends in imprisonment rates depend, among other things, on the relationship between the growth of prison populations and the population of imprisonable age. Keeping other factors constant, a prison population growing faster than the population at risk of imprisonment will continue to yield an upward trend in the imprisonment rates; otherwise imprisonment will tend to decline. Any comparison between the Australian States and Territories could be misleading due to differences between the growth in prison populations and the population used as the basis for the rates.

The results in Table 1 indicate that the States and Territories differ in terms of the growth of their prison populations. The crude analyses presented here suggest that, besides demographic differences among the jurisdictions, other factors affect the observed levels in numbers of prisoners and imprisonment rates, such as:

- policies favouring imprisonment for offences that could otherwise be sanctioned with less severe forms of punishment. This would increase the rates at which sentenced prisoners are admitted;
- policies that impose tougher sanctions on convicted criminals, such as longer terms of imprisonment;
- prisoners spending longer portions of their sentences in prison due to reduced use by executive authorities of parole and other early release mechanisms;
- an augmented flow of individuals being processed by police due to legislative changes that create new offences or increase the seriousness of unlawful behaviours already defined as offences. This may in turn increase the proportion of prisoners on remand, causing temporary increases in the size of prison populations; or
- variations in crime rates, which may have an impact on the size of prison populations. This relationship is mediated by a number of factors, one of which is the demographic structure of the general population (Blumstein et al. 1980).

Other issues of relevance to public policy in corrections are:

#### Legal status of prisoners

Prison populations at any time are made up of two groups according to the legal status of inmates: remand prisoners and sentenced prisoners. The size of prison populations is a function of the rate at which individuals are admitted to prison and the time they spend there. The rate of admission is determined by the rate at which courts sentence people to terms of imprisonment and by practices regarding the use of remand. For sentenced prisoners, the length of time spent/served in prison has the greatest effect on prison population size.

#### Length of sentence/stay in prison population

The time spent in prison depends on the length of sentences passed by courts, provisions by courts regarding parole and early release, and executive decisions about the effective time a person has to spend in prison. All of these factors are in turn affected by political decisions in the law and order area.

#### Demographic composition of prisons

The impact of age structure in prison admissions and population has been the subject of debate. One line of research suggests that prison admissions and population grow when large cohorts reach the age of high risk of offending (Blumstein et al. 1980);
Figure 2: AUSTRALIA, STATES & TERRITORIES, 1982–98
Imprisonment Rate per 100,000 Population of Imprisonable Age
Blumstein 1988). Researchers such as Zimring and Hawkins (1994) argue that factors such as sentence length and release decisions explain changes in prison populations.

Prison census data show that the median age of the Australian prison population has increased by three years over the 1984–98 period, both due to longer sentences and because inmates enter prison at a later age (Grant 1999).

Important policy questions arise from an analysis of the demographic composition of prison populations. Is the age at which adult offenders are coming into contact with the Australian criminal justice system increasing? Is this ageing process driven by changes to the age structure of offending and/or changes in sentencing policies and practices? Is there a relationship between the use of imprisonment and the age of persons appearing in Australian courts?

The imprisonment of Indigenous Australians It has been well documented that Indigenous imprisonment rates are substantially higher than national averages and that Indigenous people continue to be over-represented in the criminal justice system (RCIADIC 1991). Indigenous adults represent less than 2 per cent of the Australian adult (imprisonable age) population but comprise approximately 19 per cent of the total Australian prison population (ABS 1998).

Conclusion

This paper has examined trends in Australian imprisonment during the 17 years from 1982 to 1997 using data from the National Prison Census. Imprisonment has increased, measured both by the number of persons held in prison and by imprisonment rates. Moreover, the data indicate that prison populations continue to grow in all the jurisdictions.

The more detailed analysis shows that growth in imprison-

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