8 Corrective services

CONTENTS

**Indigenous data in the Corrective services chapter 8.3**

**Prison custody 8.3**

**Community corrections 8.5**

**Framework of performance indicators 8.7**

**Apparent unnatural deaths 8.8**

**Future directions in performance reporting 8.10**

**Definitions of key terms 8.12**

**List of attachment tables 8.13**

|  |
| --- |
| Attachment tables |
| Attachment tables are identified in references throughout this Indigenous Compendium by an ‘A’ prefix (for example, in this chapter, table 8A.1). As the data are directly sourced from the 2014 Report, the Compendium also notes where the original table, figure or text in the 2014 Report can be found. For example, where the Compendium refers to ‘2014 Report, p. 8.1’, this is page 1 of chapter 8 of the 2014 Report, and  ‘2014 Report, table 8A.1’ is table 1 of attachment 8A of the 2014 Report. A list of attachment tables referred to in the Compendium is provided at the end of this chapter, and the full attachment tables are available from the Review website at www.pc.gov.au/gsp. |
|  |
|  |

The Corrective services chapter (chapter 8) in the *Report on Government Services 2014* (2014 Report) reports on the performance of corrective services in each Australian State and Territory. Data are reported for Indigenous Australians for a subset of the performance indicators reported in that chapter — those data are compiled and presented here.

Corrective services aim to provide a safe, secure and humane custodial environment and an effective community corrections environment in which prisoners and offenders are effectively managed, commensurate with their needs and the risks they pose to the community. Additionally, corrective services aim to reduce the risk of re‑offending by providing services and program interventions that address the causes of offending, maximise the chances of successful reintegration into the community and encourage offenders to adopt a law-abiding way of life.

In this chapter, corrective services include prison custody, periodic detention, and a range of community corrections orders and programs for adult offenders (for example, parole and community work orders). Both public and privately operated correctional facilities are included; however, the scope of this chapter generally does not extend to:

1. youth justice[[1]](#footnote-1) (reported on in chapter 16, Youth justice services)
2. prisoners or alleged offenders held in forensic mental health facilities to receive psychiatric care (who are usually the responsibility of health departments)
3. prisoners held in police custody (reported on in chapter 6, Police services)

* people held in facilities such as immigration or military detention centres.

Jurisdictional data reported in this chapter provided by State and Territory governments are based on the definitions and counting rules from the National Corrections Advisory Group (unpublished) *Corrective Services Data Collection Manual 2012‑13.*

|  |
| --- |
| Box 8.1 Terms relating to corrective services |
| *Prisoners* in this chapter refers to people held in full time custody under the jurisdiction of an adult corrective services agency. This includes sentenced prisoners serving a term of imprisonment and unsentenced prisoners held on remand.  *Detainees* refers to people subject to a periodic detention order, under which they are held for two consecutive days within a one-week period in a proclaimed prison or detention centre under the responsibility of corrective services.  *Offenders* refers to people serving community corrections orders, which includes bail orders if these orders are subject to supervision by community corrections officers. |
|  |
|  |

### Indigenous data in the Corrective services chapter

The Corrective services chapter in the *Report on Government Services 2014*(2014 Report) contains the following data items on Indigenous Australians:

1. imprisonment rates, 2012-13
2. community corrections rates, 2012-13
3. prisoner death rates from apparent unnatural causes, 2012-13.

The corrective services attachment contains additional data relating to Indigenous Australians including periodic detention rates, 2012-13.

### Prison custody

On average, 30 082 people per day (excluding periodic detainees) were held in Australian prisons during 2012‑13 — an increase of 3.0 per cent over the average daily number reported in the previous year (table 8A.1). In addition, on average,   
68 people per day were serving periodic detention orders in NSW and the ACT in 2012‑13 — a decrease of 41.9 per cent from the 2011‑12 average, reflecting the continuing impact of the abolition of periodic detention as a sentencing option in NSW in 2010.

The daily average number of Indigenous prisoners was 8259 — 27.5 per cent of prisoners nationally (table 8A.1).

The rate of imprisonment represents the number of prisoners (excluding periodic detainees) per 100 000 people in the corresponding adult population. The adult population refers to people at or over the minimum age at which offenders are generally sentenced as adults in each jurisdiction (17 years in Queensland and 18 years in all other jurisdictions for the reporting period).

The national (crude) imprisonment rate for all prisoners was 172.4 per 100 000 Australian adults in 2012‑13, compared to 167.4 in 2011‑12 (2014 Report,   
figure 8.2, p.8.7).

The national (crude) imprisonment rate per 100 000 Indigenous adults in 2012‑13 was 2391.7 compared with a corresponding rate of 125.7 for non‑Indigenous prisoners (figure 8.1).

Figure 8.1 Indigenous and non-Indigenous crude imprisonment rates, 2012‑13**a, b**

|  |
| --- |
| Figure 8.1 Indigenous and non-Indigenous crude imprisonment rates, 2012-13  More details can be found within the text surrounding this image. |

a Non-age standardised rates based on the daily average prisoner population numbers supplied by State and Territory governments, calculated against adult Indigenous and non-Indigenous population estimates. b Excludes prisoners whose Indigenous status was reported as unknown.

*Source*: ABS (unpublished) *Australian Demographic Statistics*, Cat. no. 3101.0; ABS (unpublished) *Experimental Estimates and Projections, Indigenous Australians* (series B), Cat. no. 3238.0; State and Territory governments (unpublished); table 8A.4; 2014 Report, figure 8.3, p. 8.8.

The Indigenous population has a younger age profile compared with the non‑Indigenous population, and that factor will contribute to higher rates when the overall (crude) imprisonment rate is compared between the Indigenous and non‑Indigenous populations. Age standardisation is a statistical method that takes into account differences in the age structures of populations, allowing a more valid comparison to be made between populations.

The national age standardised imprisonment rate per 100 000 Indigenous adults in 2012‑13 was 1861.9 compared with a corresponding rate of 155.9 for non‑Indigenous prisoners (figure 8.2). This represents a ratio of 11.9, compared with a ratio of 19.0 for the crude imprisonment rate.

Figure 8.2 Indigenous and non-Indigenous age standardised imprisonment rates, 2012‑13**a**

|  |
| --- |
| Figure 8.2  Indigenous and non-Indigenous age standardised imprisonment rates, 2012-13  More details can be found within the text surrounding this image. |

a Rates are based on the indirect standardisation method, applying age-group imprisonment rates derived from Prison Census data.

*Source*: ABS (unpublished) *Australian Demographic Statistics*, Cat. no. 3101.0; ABS (unpublished) *Experimental Estimates and Projections, Indigenous Australians* (series B), Cat. no. 3238.0; ABS (unpublished) *Prisoners in Australia,* Cat. no 4517.0; State and Territory governments (unpublished); table 8A.4; 2014 Report, figure 8.4, p. 8.8.

While imprisonment rates for Indigenous people, whether calculated on a crude or age standardised basis, are far higher than those for non‑Indigenous people, the majority of prisoners are non-Indigenous. Nationally, 71.5 per cent of all prisoners were non-Indigenous in 2012‑13 (table 8A.1).

Statistical information on the profile of prisoners additional to that provided in the *Report on Government Services* is available through Australian Bureau of Statistics publications. For example, *Prisoners in Australia* (Cat. no. 4517.0) provides data on the offence types and length of sentences served by prisoners in each jurisdiction and nationally.

### Community corrections

All jurisdictions provide community corrections services. Community corrections are responsible for a range of non-custodial sanctions and also deliver post-custodial interventions, under which prisoners released into the community continue to be subject to corrective services supervision. In some jurisdictions, community corrections responsibility includes managing offenders on supervised bail orders.

All jurisdictions have reparation and supervision orders. Restricted movement orders were available in all jurisdictions except Queensland, Tasmania and the ACT in 2012‑13 but ceased to operate in Victoria during the reporting period following the abolition of home detention in January 2012. Table 8A.24 in 2014 Report shows the range of sanctions involving corrective services that operated across jurisdictions during the reporting period.

These services vary in the extent and nature of supervision, the conditions of the order (such as a community work component or a requirement to attend an offender program) and the level of restriction placed on the offender’s freedom of movement in the community (for example, home detention). No single objective or set of characteristics is common to all jurisdictions’ community corrections services, other than that they generally provide a non-custodial sentencing alternative or a post‑custodial mechanism for reintegrating prisoners into the community under continued supervision.

Nationally, an average of 54 616 offenders per day were serving community corrections orders in 2012‑13 — a decrease of 0.7 per cent from the previous year (table 8A.3). This daily average comprised 44 874 males (82.2 per cent), 9708 females (17.8 per cent) and 33 offenders whose gender was not reported. The daily average comprised 11 044 Indigenous offenders (20.2 per cent of the total community correction population), 42 607 non‑Indigenous offenders (78.0 per cent) and 964 people whose Indigenous status was unknown (table 8A.3).

The community corrections rate represents the number of offenders serving community corrections orders per 100 000 people in the corresponding adult population. The adult population refers to people at or over the minimum age at which offenders are generally sentenced as adults in each jurisdiction (17 years in Queensland and 18 years in all other jurisdictions for the reporting period).

The national rate for Indigenous offenders in 2012‑13 was 3198.2 per 100 000 Indigenous adults compared with 249.1 for non‑Indigenous offenders (figure 8.3).

Comparisons need to be interpreted with care, especially for those jurisdictions with relatively small Indigenous populations, because small changes in offender numbers can cause variations in rates that do not accurately represent either real trends over time or consistent differences from other jurisdictions. Further, community corrections rates presented in figure 8.6 are not age standardised (that is, they are not adjusted to account for the different age structures of the Indigenous and non‑Indigenous populations). Data are not available for calculating age standardised community correction offender rates.

Figure 8.3 Indigenous and non-Indigenous community corrections rates, 2012‑13 **a, b**

|  |
| --- |
| Figure 8.3 Indigenous and non-Indigenous community correction rates, 2012-1  More details can be found within the text surrounding this image. |

a Non-age standardised rates based on the daily average offender population numbers supplied by State and Territory governments, calculated against adult Indigenous and non-Indigenous population estimates. b Excludes offenders whose Indigenous status was reported as unknown.

*Source*: ABS (unpublished) *Australian Demographic Statistics*, Cat. no. 3101.0; ABS (unpublished) *Experimental Estimates and Projections, Indigenous Australians* (series B), Cat. no. 3238.0; State and Territory governments (unpublished); table 8A.4; 2014 Report, figure 8.6, p. 8.12.

### Framework of performance indicators

The Corrective services performance indicator framework outlined in figure 8.4 identifies the principal corrective services activity areas considered in the   
2014 Report. Data for Indigenous Australians are reported for a subset of the performance indicators and are presented here. It is important to interpret these data in the context of the broader performance indicator framework. The framework shows which data are comparable. For data that are not considered directly comparable, the text includes relevant caveats and supporting commentary.

Indicator boxes presented throughout the chapter provide information about the reported indicators. As these are sourced directly from the 2014 Report, they may include references to data not reported for Indigenous Australians and therefore not included in this Compendium.

The Report’s chapter 2 contains statistical data that may assist in interpreting the performance indicators presented in this chapter. These data cover a range of demographic and geographic characteristics, including age profile, geographic distribution of the population, income levels, education levels, tenure of dwellings and cultural heritage (including Indigenous and ethnic status).

Figure 8.4 Corrective services performance indicator framework

|  |
| --- |
| **Figure 8.4 Corrective services performance indicator framework  More details can be found within the text surrounding this image.** |

*Source*: 2014 Report, figure 8.7, p. 8.14.

### Apparent unnatural deaths

‘Apparent unnatural deaths’ is an indicator of governments’ objective of providing a safe, secure and humane custodial environment including providing a custodial environment in which there is a low risk of death from unnatural causes (box 8.2).

|  |
| --- |
| Box 8.2 Apparent unnatural deaths |
| ‘Apparent unnatural deaths’ is defined as the number of deaths, divided by the annual average prisoner or detainee population, multiplied by 100 (to give the rate per 100 prisoners or 100 detainees), where the likely cause of death is suicide, drug overdose, accidental injury or homicide, and is reported separately for Indigenous and non‑Indigenous prisoners or detainees.  A zero, low or decreasing rate of apparent unnatural deaths indicates better performance, however rates for this indicator need to be interpreted with caution. A single incident in a jurisdiction with a relatively small prisoner or detainee population can significantly increase the rate in that jurisdiction, but would have only a minor impact in jurisdictions with larger populations. A relatively high rate in a jurisdiction with a small prisoner or detainee population can represent only a very small number of deaths.  Data reported for this measure are:   * comparable (subject to caveats) across jurisdictions and over time * complete for the current reporting period (subject to caveats). All required 2012-13 data are available for all jurisdictions.   Data quality information for this indicator is at www.pc.gov.au/gsp/reports/rogs/2014. |
|  |
|  |

Nationally, the rate of deaths from apparent unnatural causes for all prisoners was 0.05 per 100 prisoners in 2012‑13 (table 8A.15). Table 8.1 presents data on number and rates of death from apparent unnatural causes in 2012‑13, for Indigenous and non-Indigenous prisoners.

Table 8.1 Rate and number of prisoner deaths from apparent unnatural causes, by indigenous status, 2012‑13

|  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  |  | NSW | Vic | Qld | WA | SA | Tas | ACT | NT | Aust |
| Deaths/100 prisoners | |  |  |  |  |  |  |  |  |  |
|  | Indigenous | – | – | – | 0.05 | – | – | – | – | 0.01 |
|  | Non-indigenous | 0.11 | 0.06 | 0.07 | 0.03 | – | – | – | – | 0.07 |
| Number of deaths | |  |  |  |  |  |  |  |  |  |
|  | Indigenous | – | – | – | 1 | – | – | – | – | 1 |
|  | Non-indigenous | 8 | 3 | 3 | 1 | – | – | – | – | 15 |

– Nil or rounded to zero.

*Source*: State and Territory governments (unpublished); tables 8A.15, 8A.26, 8A.34, 8A.40, 8A.46, 8A.52, 8A.58, 8A.64, and 8A.72; 2014 Report, table 8.1, p. 8.17.

At 0.01 per 100 Indigenous prisoners, the national rate of deaths from apparent unnatural causes for Indigenous prisoners in 2012-13 has declined from the previous reporting period. The non-Indigenous rate of 0.07 is higher than in 2011‑12 but similar to levels of the prior three years (table 8.2).

Table 8.2 Rate of prisoner deaths from apparent unnatural causes, five year trends, by indigenous status (per 100 prisoners) a

|  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  |  | NSW | Vic | Qld | WA | SA | Tas | ACT | NT | Aust |
| Indigenous | | | | | | | | | | |
|  | 2007‑08 | 0.05 | – | – | 0.06 | – | – | – | – | 0.03 |
|  | 2008‑09 | 0.04 | – | – | 0.10 | – | – | – | 0.11 | 0.05 |
|  | 2010‑11 | 0.04 | – | – | 0.06 | 0.21 | – | – | – | 0.04 |
|  | 2011‑12 | 0.05 | – | 0.06 | – | – | – | – | – | 0.03 |
|  | 2012‑13 | – | – | – | 0.05 | – | – | – | – | 0.01 |
| Non-indigenous | | | | | | | | | | |
|  | 2007‑08 | 0.05 | 0.08 | 0.10 | – | 0.07 | – | 1.01 | – | 0.06 |
|  | 2008‑09 | 0.05 | 0.10 | 0.10 | 0.14 | – | – | – | – | 0.08 |
|  | 2010‑11 | 0.13 | 0.05 | 0.08 | – | 0.07 | – | – | 0.48 | 0.08 |
|  | 2011‑12 | 0.07 | – | 0.03 | – | 0.06 | 0.23 | – | – | 0.04 |
|  | 2012‑13 | 0.11 | 0.06 | 0.07 | 0.03 | – | – | – | – | 0.07 |

a Data for previous years may vary from rates given in previous Reports. Deaths reported as 'unknown cause', where there is insufficient evidence to assess, subject to a Coroner's finding, whether the cause of death was natural or unnatural are not included in the calculation of rates. Deaths occurring in past years where cause of death was recorded as unknown at the time of the Report but were subsequently determined to have been from unnatural causes are updated in the relevant year's figures and rates when known. – Nil or rounded to zero.

*Source*: State and Territory governments (unpublished); table 8A.16; 2014 Report, table 8.2, p. 8.18.

There were no deaths from apparent unnatural causes for periodic detainees in 2012‑13 (table 8A.15).

### Future directions in performance reporting

The disaggregation of various indicators by Indigenous and non-Indigenous status is being trialled for possible incorporation in future reports as the basis for equity‑access indicator rates.

*Incidence of illicit drug use*

Upon entry, 70 per cent of the 794 prison entrants surveyed reported being engaged in illicit drug use in the previous 12 months (table 8.2). The table includes a breakdown by gender, age and Indigenous status.

Table 8.5 Prison entrants illicit drug use in previous 12 months, 2012

|  |  |  |  |
| --- | --- | --- | --- |
|  | Total | Illicit drug use in previous 12 months | |
|  | *Number* | *Number* | *Per cent* |
| **Sex** |  |  |  |
| Male | 714 | 504 | 71 |
| Female | 80 | 49 | 61 |
| **Age group (years)** |  |  |  |
| 18-24 | 228 | 167 | 73 |
| 25-34 | 276 | 198 | 72 |
| 35-44 | 195 | 145 | 74 |
| 45+ | 85 | 37 | 44 |
| **Indigenous status** |  |  |  |
| Indigenous | 273 | 183 | 67 |
| Non-indigenous | 496 | 353 | 71 |
| **Total** | **794** | **553** | **70** |

*Source*: *The health of Australia’s prisoners*, 2012 AIHW p. 75; 2014 Report, table 8.5, p. 8.39.

### Definitions of key terms

|  |  |
| --- | --- |
| **24-hour court cell** | Cells located in a court and/or police complex that are administered by corrective services. |
| **Apparent unnatural death** | The death of a person:   1. who is in corrective services custody (which includes deaths that occur within prisons and periodic detention centres, during transfer to or from prison, within a medical facility following transfer from prison, or in the custody of corrective services outside a custodial facility) 2. whose death is caused or contributed to by traumatic injuries sustained, or by lack of proper care, while in such custody 3. who dies or is fatally injured in the process of prison officers attempting to detain that person 4. who dies or is fatally injured in the process of that person escaping or attempting to escape from prison custody 5. there is sufficient evidence to suggest, subject to a Coroner’s finding, that the most likely cause of death is homicide, suicide, an accidental cause or a drug overdose.   The rate is expressed per 100 prisoners, calculated by dividing the number of deaths by the daily average prisoner population, multiplied by 100. |
| **Community corrections** | Community-based management of court-ordered sanctions, post-prison orders and administrative arrangements and fine conversions for offenders, which principally involve one or more of the following requirements: supervision; program participation; or community work. |
| **Community corrections rate** | The annual average number of offenders per 100 000 population aged 17 years or over in those jurisdictions where persons are remanded or sentenced to adult custody at 17 years of age, or 18 years or over in those jurisdictions where the age for adult custody is 18 years old. |
| **Detainee** | A person subject to a periodic detention order. |
| **Education** | The number of prisoners actively participating in education as a percentage of those who are eligible for education. Prisoners excluded as ineligible for education may include:   * prisoners in centres where education programs are not provided as a matter of policy or where education programs are not available (for example, remand centres, 24-hour court cells) * remandees for whom access to education is not available * hospital patients who are medically unable to participate * fine defaulters (who are incarcerated for only a few days at a time). |
| **Home detention** | A corrective services program requiring offenders to be subject to supervision and monitoring by an authorised corrective services officer while confined to their place of residence or a place other than a prison. |
| **Imprisonment rate** | The annual average number of prisoners per 100 000 population aged 17 years or over in those jurisdictions where persons are remanded or sentenced to adult custody at 17 years of age, or 18 years or over in those jurisdictions where the age for adult custody is 18 years old. |
| **Indigenous status** | Persons identifying themselves as either an Aboriginal or Torres Strait Islander person if they are accepted as such by an Aboriginal or Torres Strait Islander community. |
| **Offender** | An adult person subject to a current community-based corrections order (including bail supervision by corrective services). |
| **Periodic detention** | An order of confinement, imposed by a court of law, requiring that a person be held in a legally proclaimed prison or periodic detention facility for two consecutive days within a one-week period. |
| **Periodic detention rate** | The annual average number of periodic detainees per 100 000 population aged 17 years or over in those jurisdictions where persons are remanded or sentenced to adult custody at 17 years of age, or  18 years or over in those jurisdictions where the age for adult custody is 18 years old. |
| **Prison** | A legally proclaimed prison or remand centre, which holds adult prisoners, excluding police prisons or juvenile detention facilities. |
| **Prisoner** | A person held in full time custody under the jurisdiction of an adult corrective services agency. |
| **Remand** | A legal status where a person is held in custody pending outcome of a court hearing, including circumstances where the person has been convicted but has not yet been sentenced. |
| **Restricted movement order** | A subcategory of community-based corrections that refers to an order that limits the person’s liberty to their place of residence unless authorised by corrective services to be absent for a specific purpose, for example, Home Detention Orders. |
| **Supervision order** | A subcategory of community-based corrections that refers to an order that includes a range of conditions other than those categorised as restricted movement or reparation. |

### List of attachment tables

Attachment tables for data within this chapter are contained in the attachment to the Compendium. These tables are identified in references throughout this chapter by an ‘A’ prefix (for example, table 8A.1 is table 1). Attachment tables are provided on the Review website (www.pc.gov.au/gsp).

|  |  |
| --- | --- |
| **Table 8A.1** | Average daily prisoner population |
| **Table 8A.3** | Average daily community corrections offender population |
| **Table 8A.4** | Imprisonment, periodic detention and community corrections rates, by sex and Indigenous status (per 100 000 adults) |
| **Table 8A.15** | Deaths from apparent unnatural causes, by Indigenous status, 2012-13 (per 100 prisoners/detainees) |
| **Table 8A.16** | Deaths from apparent unnatural causes, by year and Indigenous status (per 100 prisoners) |
| **Single Jurisdiction data – NSW** | |
| **Table 8A.25** | Descriptors, prisons |
| **Table 8A.26** | Effectiveness, prisons |
| **Table 8A.27** | Descriptors, periodic detention |
| **Table 8A.28** | Effectiveness, periodic detention |
| **Table 8A.30** | Descriptors, community corrections |
| **Single jurisdiction data – Vic** | |
| **Table 8A.33** | Descriptors, prisons |
| **Table 8A.34** | Effectiveness, prisons |
| **Table 8A.36** | Descriptors, community corrections |
| **Single jurisdiction data – Qld** | |
| **Table 8A.39** | Descriptors, prisons |
| **Table 8A.40** | Effectiveness, prisons |
| **Table 8A.42** | Descriptors, community corrections |
| **Single jurisdiction data – WA** | |
| **Table 8A.45** | Descriptors, prisons |
| **Table 8A.46** | Effectiveness, prisons |
| **Table 8A.48** | Descriptors, community corrections |
| **Single jurisdiction data – SA** | |
| **Table 8A.51** | Descriptors, prisons |
| **Table 8A.52** | Effectiveness, prisons |
| **Table 8A.54** | Descriptors, community corrections |
| **Single jurisdiction data – Tas** | |
| **Table 8A.57** | Descriptors, prisons |
| **Table 8A.58** | Effectiveness, prisons |
| **Table 8A.60** | Descriptors, community corrections |
| **Single jurisdiction data – ACT** | |
| **Table 8A.63** | Descriptors, prisons |
| **Table 8A.64** | Effectiveness, prisons |
| **Table 8A.65** | Descriptors, periodic detention |
| **Table 8A.66** | Effectiveness, periodic detention |
| **Table 8A.68** | Descriptors, community corrections |
| **Single jurisdiction data – NT** | |
| **Table 8A.71** | Descriptors, prisons |
| **Table 8A.72** | Effectiveness, prisons |
| **Table 8A.74** | Descriptors, community corrections |

1. From 2004-05, NSW Corrective Services continues to manage one 40-bed facility that houses males aged 16 to 18. These young offenders are included in the daily average number of prisoners and are included in the calculation of indicators. As they represent only a very small proportion of NSW prisoners (less than one-half of one per cent) they will have a negligible effect on these indicators and are not footnoted to each table and figure. [↑](#footnote-ref-1)