2016 Offender Census

P.O. Box 3082, Port Vila, Vanuatu • ph: +678 23263 • fax: +678 232811 • email: corrections@vanuatu.gov.vu

Executive Summary

This report provides a 'snapshot' of the Vanuatu offender population as at 11 September 2016. Or in other words, it:

- provides a profile of the people held in Vanuatu's four Correctional Centres at that date ("Detainees") and
- a profile of the people serving community-based sentences at that time.

Key findings of 2016 census include:

- The detainee population on 11 September 2016 was 180 persons, including two female
- The community based offenders population on 11 September 2016 was 169 persons including five females
- Vanuatu's rate of Imprisonment is the third lowest in the Pacific
- The oldest detainee in the census is 74 years old and the youngest is 18. The average age is 35.8, which is higher than the last three censuses
- The oldest offender serving in the community is 74 years old and the youngest is 15 years old. The average age is 34.75 which is slightly lower than the average age of detainees
- While Tanna and Malekula were the most common home island of offenders, most offenders were resident in either Efate of Santo at the time of offending
- The average detainee sentence length was 6.45 years. The average offender sentence length was 2.81 (parole and supervision)
- Years 6 was the most common level of education for both detainees and community based offenders
- 31% of detainees were actively engaged in formal employment
- 81% of detainees are first time offenders and 83% of offenders in the community are first timers
- 18% of detainees on 11 September 2016 were on remand (awaiting trial, sentencing or awaiting to appear for plea)
- 21 – 25 years old continues to be the main age group for offenders serving in the community and detainees
- Most of the offenders serving in the community are parolees (63% in 2016 census)
- Morality remains the main offence committed in Vanuatu, 54% of detainees and 51% of offenders in the community commit the offence against Morality

Contents

Executive Summary..... 3

Contents..... 4

Foreword..... 5

Gender and Age of Offenders..... 6

Home Island and Residence at Time of Offending . 8

Rate of Imprisonment..... 11

Types of Offences..... 13

Sentence Lenghts.....16

Education 18

Employment..... 19

Religion..... 21

Marital Status and Children 22

Re-Offending 24

Detainees at Luganville Low Risk Correctional Centre undertaking training with the Department's Joinery Instructor

Foreword

I am pleased to present the 2016 Offender Census. This is the fourth Census undertaken by the Department of Correctional Services but for the second time includes data on offenders serving community sentences, as well as offenders in the Correctional Centres.

This edition of the Census thus:

- *allows us to compare trends in the detainee population from 2012 to 2016*
- *allows us to compare differences between the detainee population and offenders serving community sentences.*

Maintaining records of this type is important for strategic planning, policy development and for providing reliable information to the community about our offender population.

The data has been gathered from the Department's Offender Management System (OMS), a database of all sentences administered by the Department. Other sources, such as sentencing notes and pre-sentence reports, have also been used in some cases.

People being held in other places of detention (such as Police cells) were not part of this Census. It is also important to note that the offender population varies during the year and this report only provides a 'snapshot' on one particular day (11 September 2016).

The rate of re-offending in Vanuatu is relatively low against international standards. While a low re-offending rate is positive and reflects well on the rehabilitation and reintegration focus of the Department, the high proportion of first time offenders raises important issues around crime prevention – particularly with regard to sexual offending.

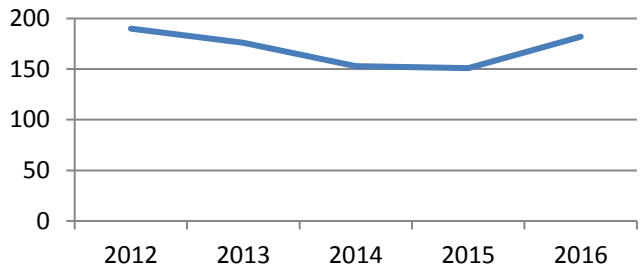
Johnny J Marango
Director, Department of Correctional Services

Gender and Age of Offenders

Gender

DETAINEES: There were two female detainees in custody at the time of the Census. The remaining 180 detainees were male. The number of detainees was steady between 2014 and 2015 however there is a slight increase in 2016 as shown below (Figure 1).

Figure 1. Number of Detainees 2012 - 2016



COMMUNITY BASED OFFENDERS: There were five female offenders serving community sentences of Community Work and Supervision at the time of Census, while 169 offenders were male.

Age

DETAINEES: Figure 2 shows the ages of detainees. The oldest detainee in the Census was 74 years old and the youngest was 18 years old. 21-25 year olds have been the main group in all four Census undertaken by the Department.

The number of detainees under 20 years old decreased from 28 in 2012 to 13 in 2014, 15 in 2015 and 7 in 2016. In 2016 only 2 detainee 20 years and under were on remand.

Figure 2: Detainee age, by year

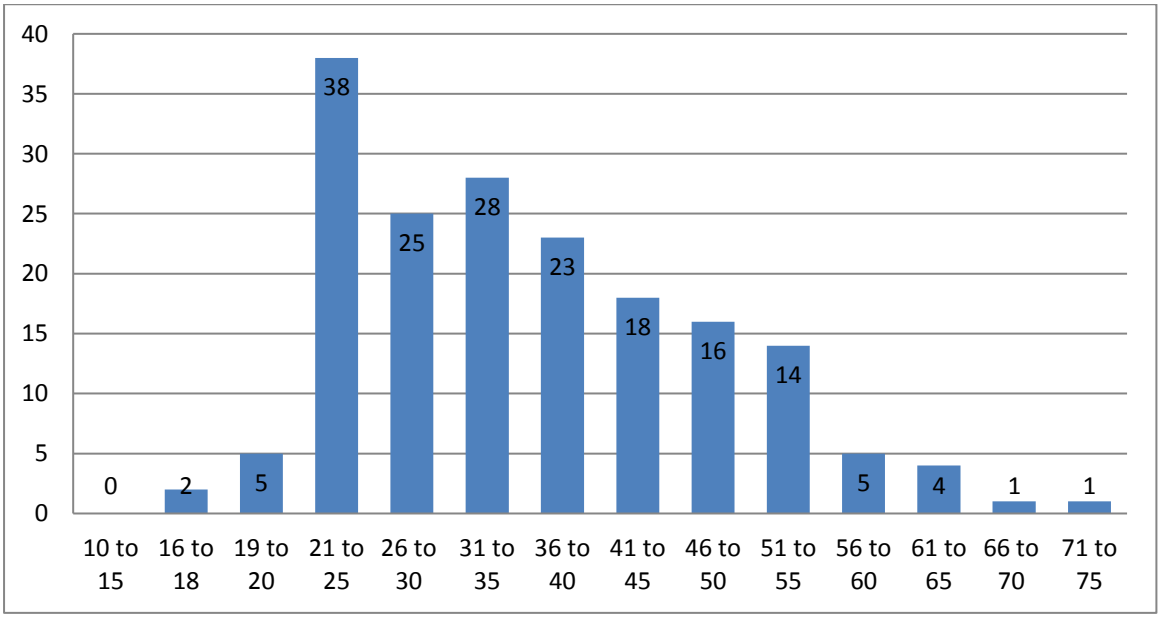
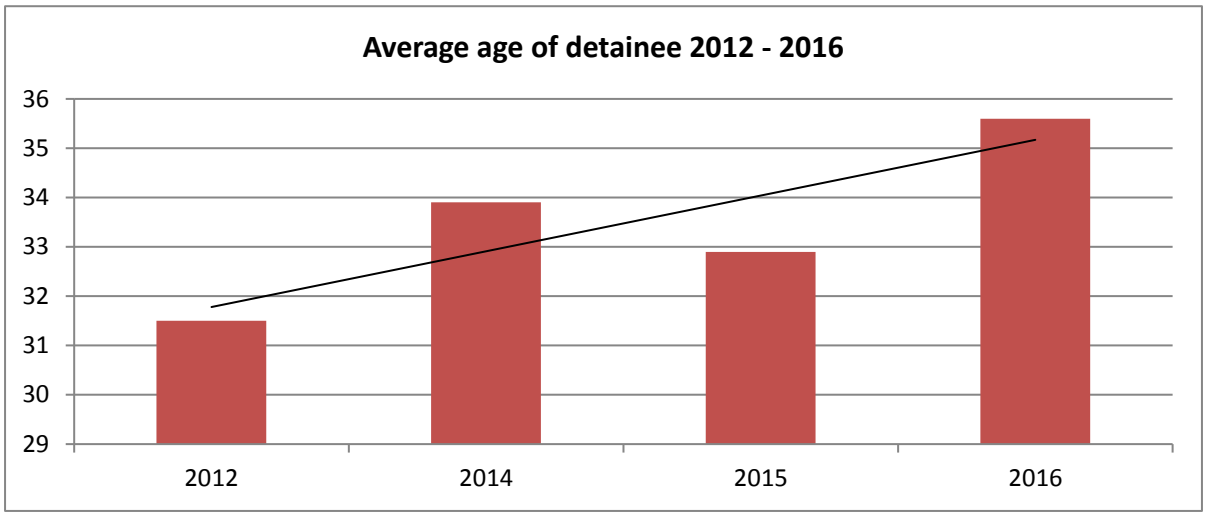
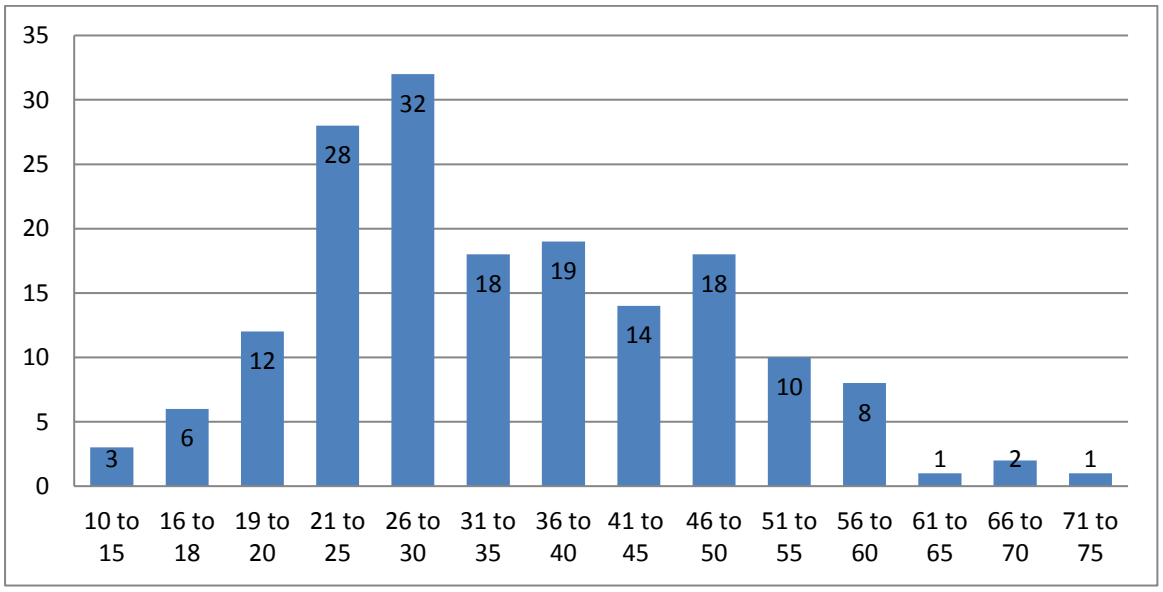


Figure3. The average age was 35.8, which is higher than the last four censuses undertaken by the department.



COMMUNITY SENTENCES: Figure 4 shows the age of community offenders. The oldest offender serving time in the community was 74 years old and the youngest age is 15 years old. The average age was 34.75 years old which is slightly higher than the 2015 average age of community offenders which is 34.17. The highest number of offenders is between the age of 26 and 30 unlike the 2015 census where ages 21 to 25 dominate the offender age group.

Figure 4: Community Sentence Offender age, by year



Home Island and Residence at Time of Offending

Home Island

'Home Island' refers to the island that the detainee identifies him or herself as belonging to. 'Home Island' does not mean that the person was born on a particular island or that it is a place of residence – 'Home Island' is a statement about belonging.

Figure 5 shows the home island for the detainees and Figure 6 shows the home island for offenders under community sentence.

Figure 5: Home Island, Detainees

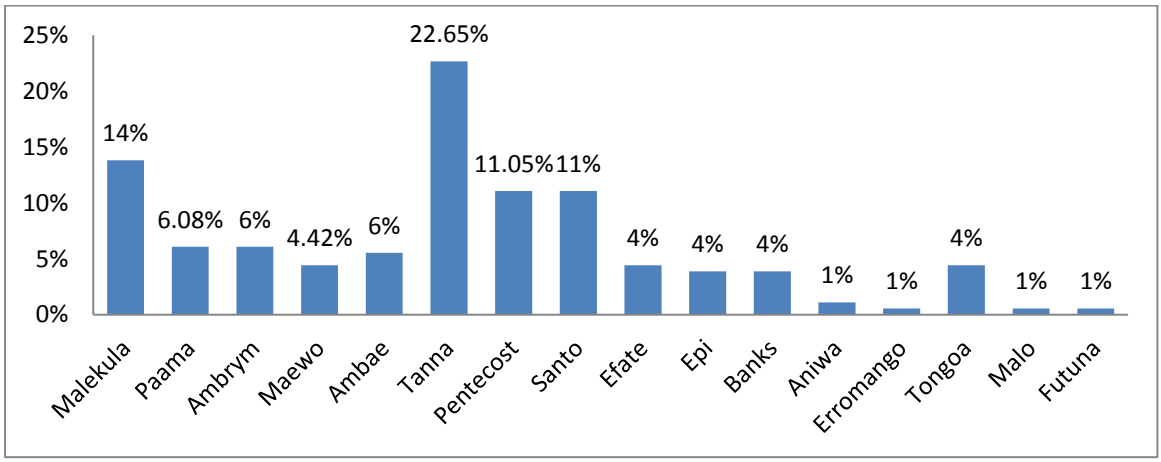
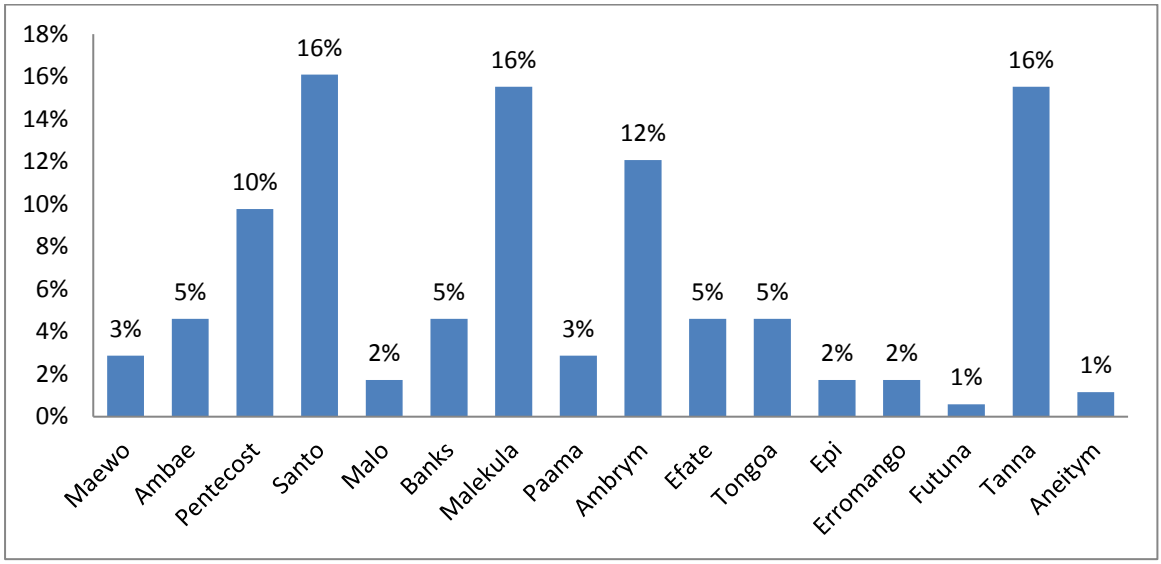


Figure 6: Home Island, Community Sentence Offenders



When interpreting this data it is important to note that some islands have higher populations than others. Thus percentage of detainees and community offenders compared to their approximate share of the population are presented below in Figures 6 and 7. Key points include:

- Malekula is very over-represented in number of offenders under community sentence and also over-represented in number of detainees. Ambrym, Tongoa, Maewo, Pentecost and Paama are also over-represented in both categories
- while Tanna is very over-represented in number of detainees, it is under-represented in number of offenders under community sentence
- Efate is under-represented for both number of offenders under community sentence and number of detainees.

Figure 7: Home Island, Detainees compared to Share of Population

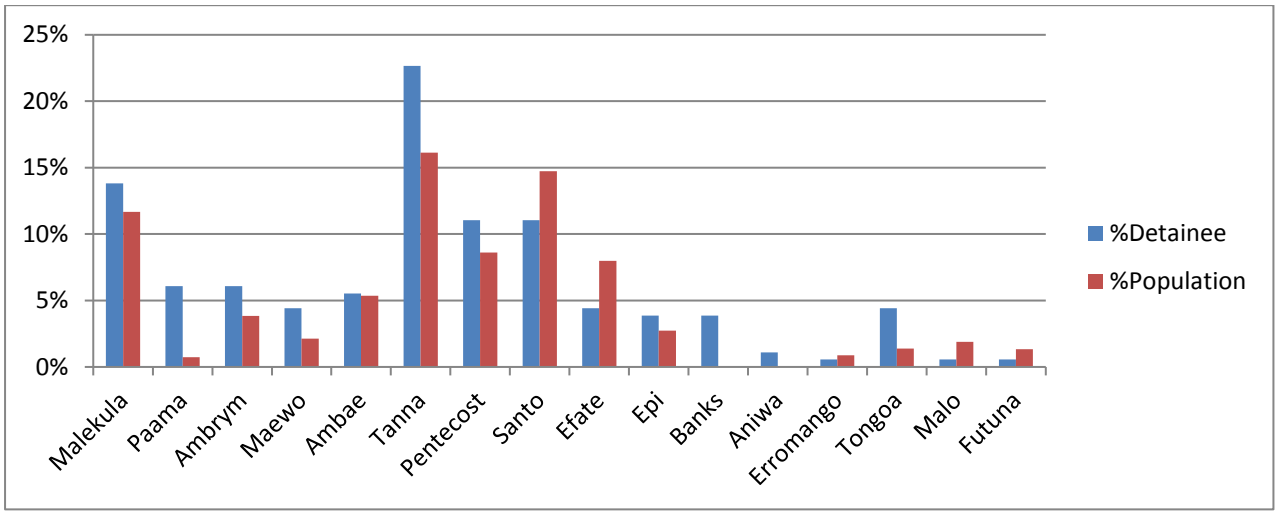
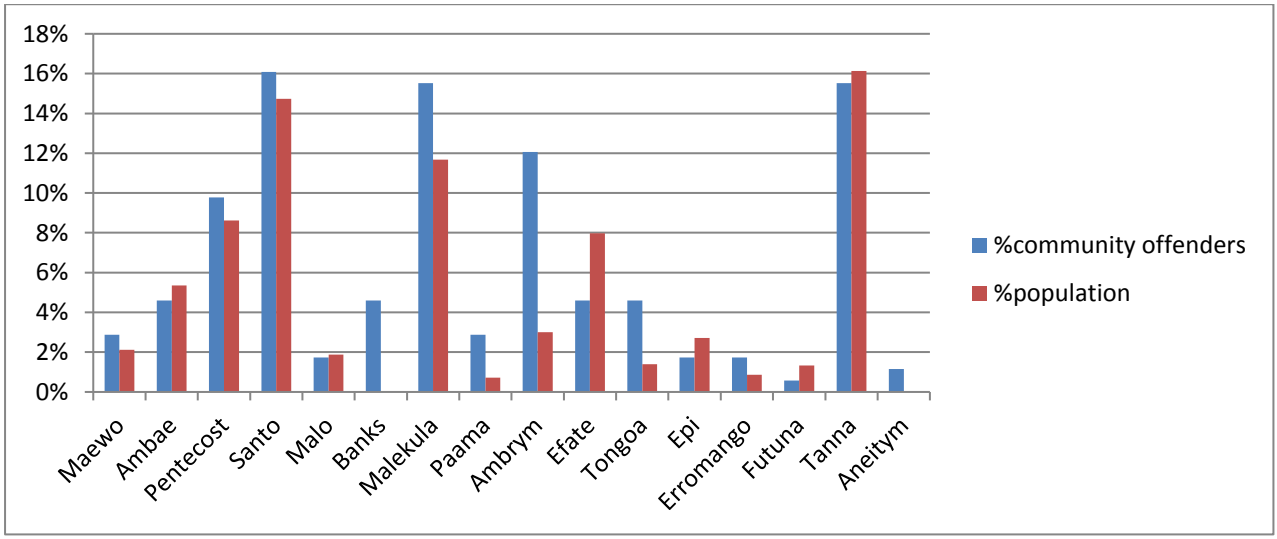


Figure 8: Home Island, Community Sentence Offenders compared to Share of Population



There can be many explanations why a particular group may appear to be overrepresented. For example, it is possible that women from some islands are more likely to report sexual offences that are committed against them. This would mean that men from those islands would appear to be overrepresented when compared to other islands where offences are less likely to be reported. Access to justice is also an important factor: if people have access to justice services (Police, Courts etc) they are more likely to use them.

Residence at time of offending

Residence at time of offending is a measure of where offenders were living when they committed the offence. As was the case in 2012, 2014 and 2015, the largest percentage of detainees were resident in Port Vila at the time when they committed their offence (Figure 9). The largest percentage of offenders under community sentences were resident in Luganville at the time of their offence (Figure 10). This may indicate that the more serious offences are being committed in Port Vila, or a different approach to sentencing between Courts in the two Centres. The data also shows that offenders under community sentences are very likely to serve their sentences on the island where they committed the offence.

Figure 9: DETAINEES Residence at time of offending

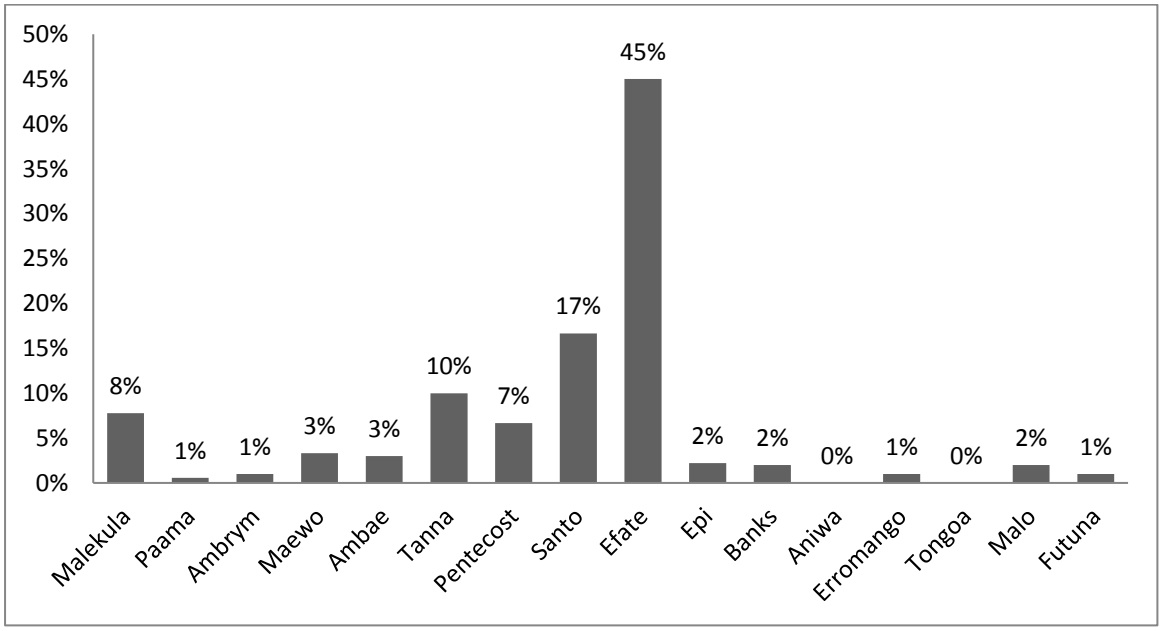
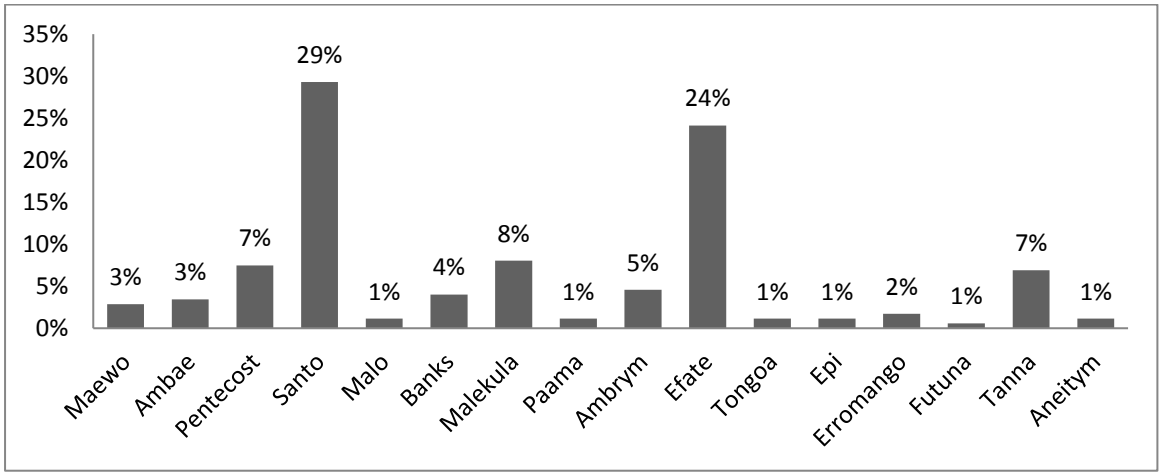


Figure 10: COMMUNITY SENTENCES Residence at time of offending



Rate of Imprisonment

The rate of imprisonment is a useful means of comparing the overall numbers of detainees between countries.[1]

To make comparisons between countries with very large and very small populations the rate is usually expressed as a ratio of the number of detainees per 100,000 head of population.

Country	Rate of imprisonment per 100,000
United States	666
Samoa	257
New Zealand	212
New Caledonia	194
Australia	169
Fiji	158
Solomon Islands	73
Vanuatu	**67**
Marshall Islands	66
Papua New Guinea	63

As can be seen from the table above, Vanuatu's rate of imprisonment is similar to some of its closest neighbours but is considerably lower than more developed countries.

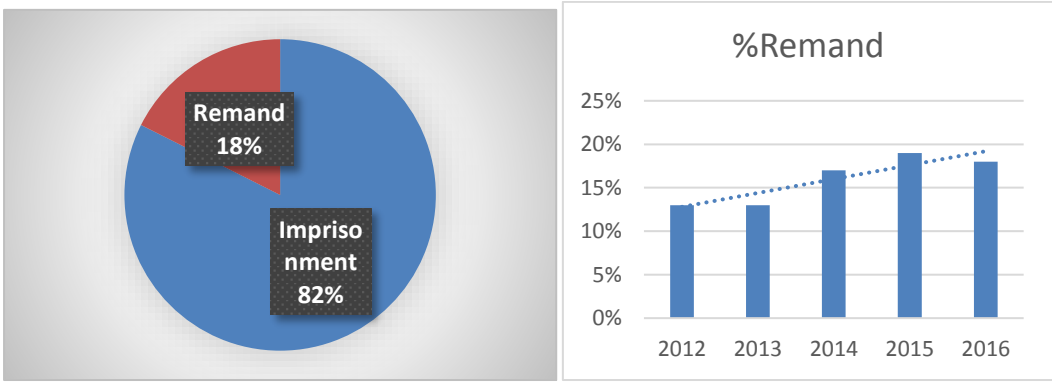
Type of Sentence

DETAINEES: Remand detainees are those who are in custody awaiting trial or awaiting sentencing after having been found guilty. Sentenced detainees are those serving a sentence of imprisonment.

As shown in Figure 11 the percentage of remand detainees has been steady since 2014. Depriving citizens of their liberty without having been found guilty of an offence is a serious matter so keeping remand numbers low via efficient Courts is important. Remand detainees are also resource intensive as they create a higher number of visits and escorts. Thus keeping remand numbers low lowers the overall cost of Corrections services to the country.

[1] Source: World Prison Brief in www.prisonstudies.org. Vanuatu figures are calculated off figures presented in this report

Figure 11: Detainees, Percentage Remand and Sentenced and Bar graph showing Detainees, Percentage Remand, 2012 to 2016



COMMUNITY SENTENCES: Figure 12 shows the percentage of offenders under parole, supervision and community work sentences. It is evident that there are more parole offenders in the community compared to the other sentences. Only a few offenders serve both community work and supervision. It is evident from figure 13 that most of the community offenders since 2015 are parolees.

Figure 12: Community Offenders, Sentence Type, 2016

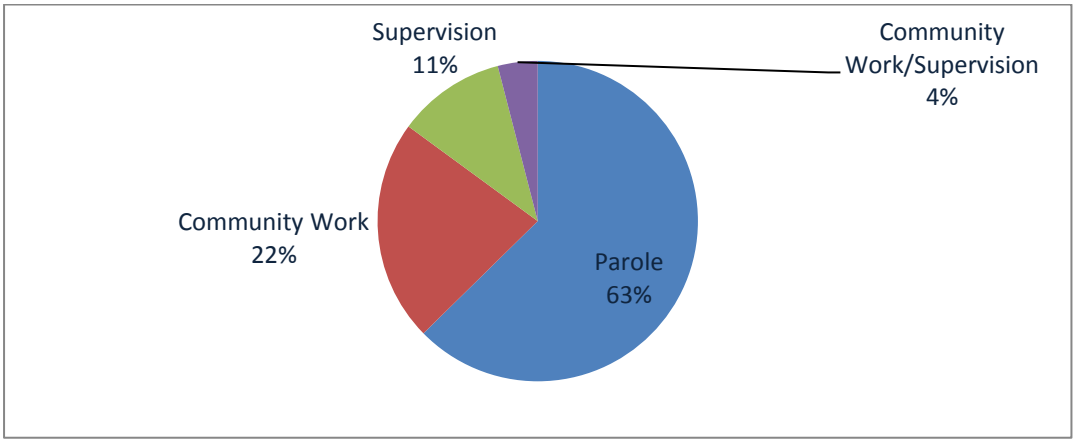
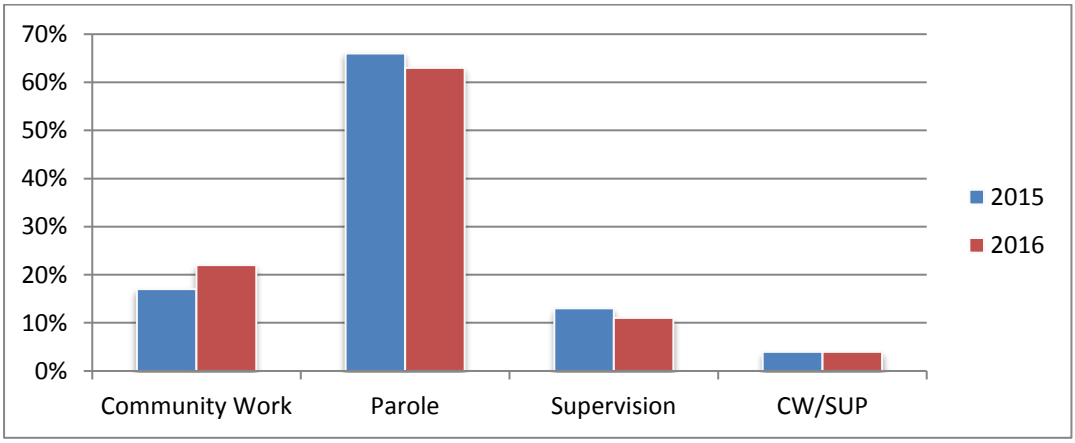


Figure 13: Community Offenders, sentence type 2015 - 2016



Types of Offences

The Penal Code divides offending into nine different types. The table below lists the types and gives examples of specific offences within the category.

Offence type	Examples of specific offences
Offences against public order	Unlawful assembly, rioting, sabotage
Misleading justice	Perjury, fabricating evidence
Escapes and rescues	Escaping, harboring or assisting a prisoner
Offences relating to religion	Insult to religion of any class
Offences against morality	Incest, unlawful sexual intercourse, indecent acts
Offences against the person	Intentional homicide, intentional assault, threatening to kill
Offences against reputation	Criminal defamation, abusive or threatening language
Offences against property	Theft, arson, robbery, obtaining money by deception
Offences against public interest	Idle and disorderly, witchcraft, possession of child pornography

When counting the offence type only the most serious offence has been counted for each detainee. For example, a detainee may have been found guilty of unlawful sexual intercourse and threatening to kill the victim – only the more serious offence of unlawful sexual intercourse has been counted.

DETAINEES: Figure 14 shows the types of offences for all of the detainees in 2016 and Figure 15 shows trends since the first Census in 2012:

- offences against morality or sexual offences continue to be the biggest single group of offences, but they have declined in percentage terms over the last 3 years
- drug offenders under custody remains low.

Figure 14: Detainee Offence type, 2016

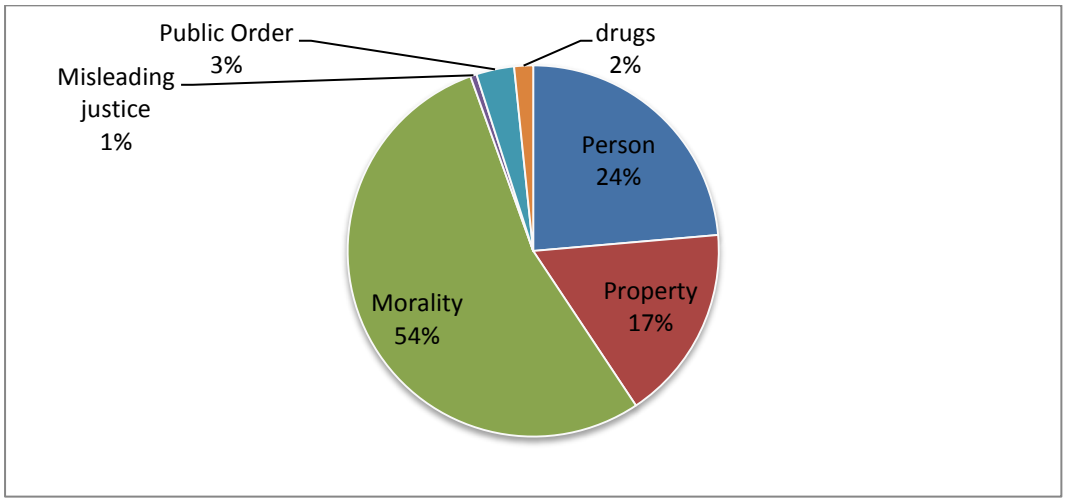
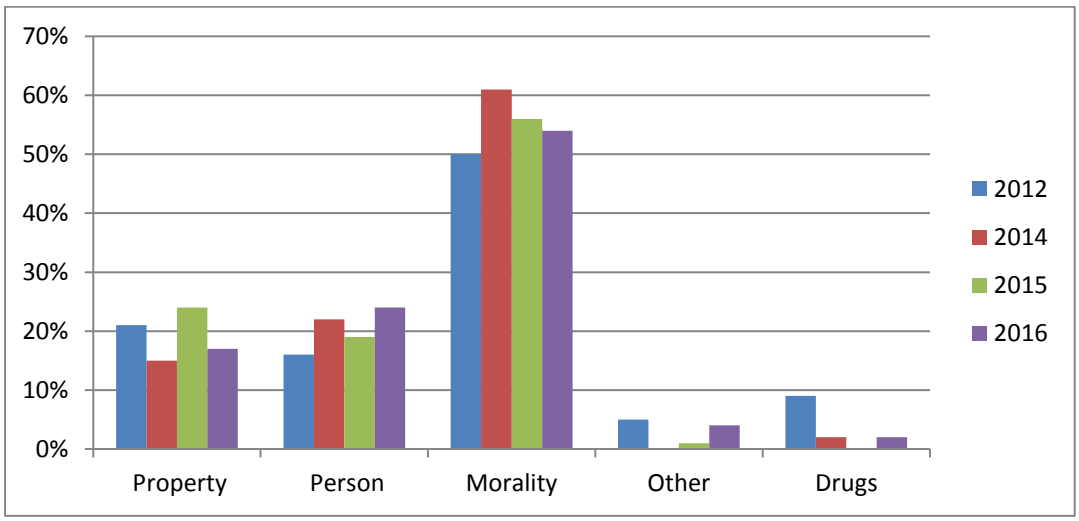


Figure 15: Detainee Offence type, 2012-2016



COMMUNITY SENTENCES: Figure 16 shows the different types of offences committed by offenders under community sentences while figure 17 shows the trend of different offence types since 2015.

- a higher percentage of offenders committing offences against the person are on community sentences rather than in custody
- drug offenders incarcerated is lower than those serving their sentences in their communities.

Figure 16: Community Offender offence type, 2016

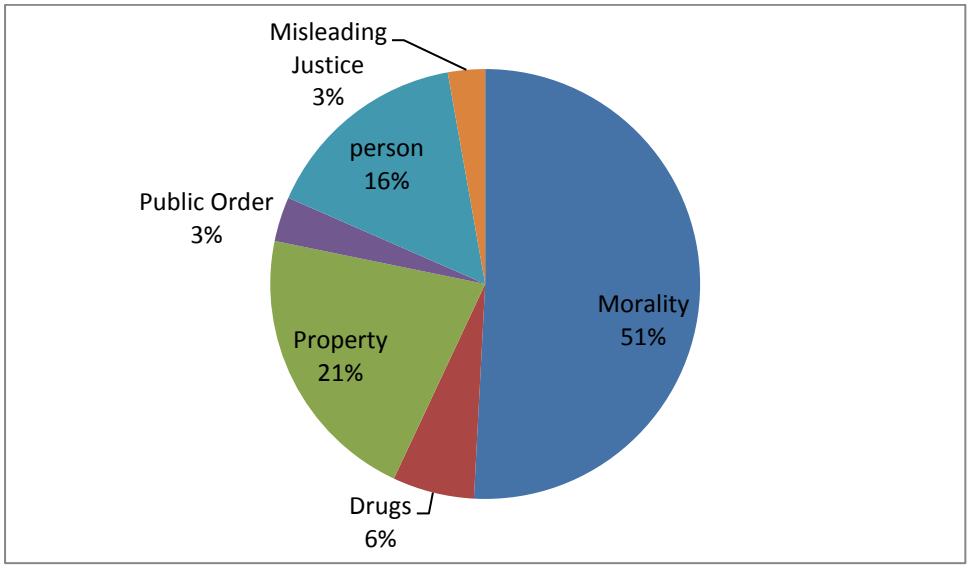
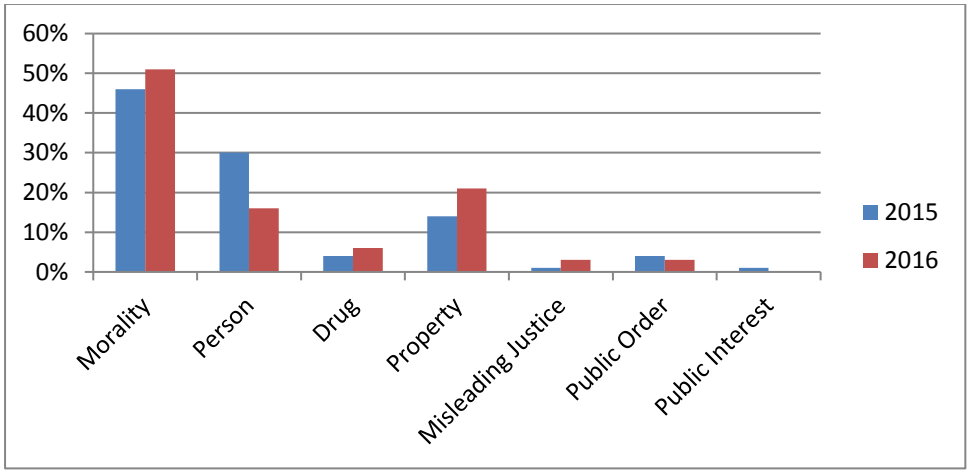


Figure 17: Community offender offence type, 2015 - 2016



Sentence Length

DETAINEES: Figure 18 shows sentence length[2] for sentenced detainees. It is a notable trend that sentence length has been getting longer across the four Census conducted, with the average sentence length rising to 7.42 years in 2015 with a small decrease to 6.45 years in 2016 (Figure 18). Longer sentences raise a number of operational issues for the Correctional Centres. Even if the number of offenders coming into the Centres stays roughly the same, if they are staying for longer, then the capacity of the Centres needs to be increased because more people are coming in than are going out.

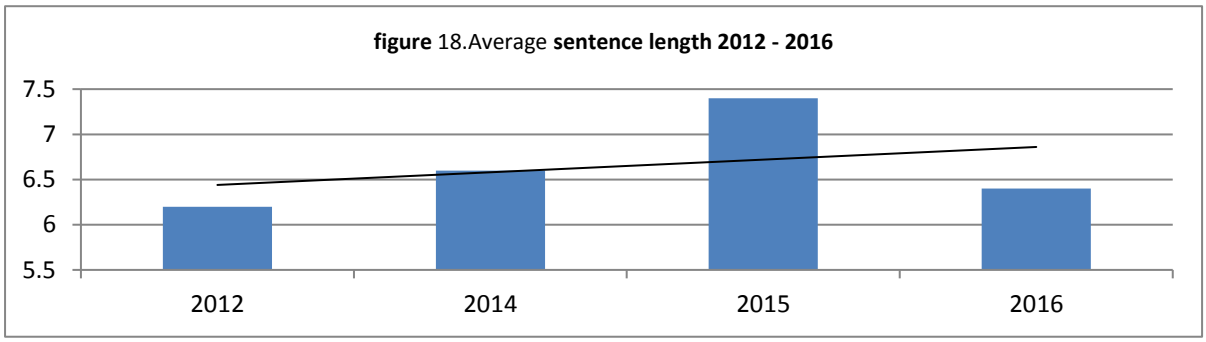
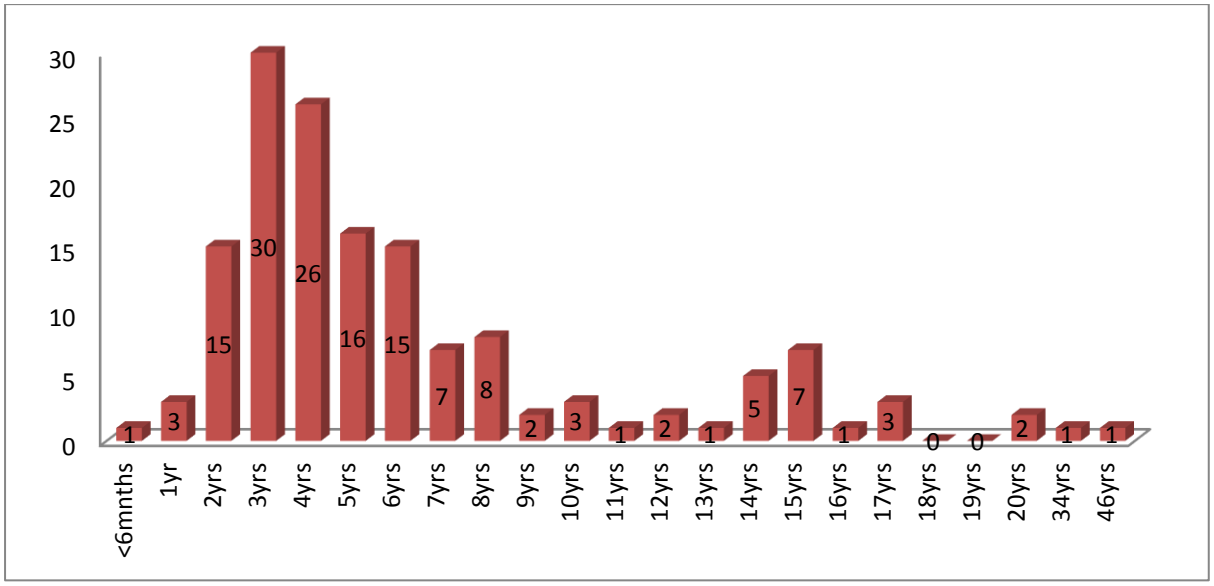


Figure 19: Detainee Sentence Length, 2016



It is also notable that custodial sentences under 12 months dropped from 6 in 2012 to 3 in 2014, 0 in 2015 and only one in 2016. The decreasing and low numbers of sentences under one year indicates that the Courts are reserving incarceration for only the most serious offending.

[2] Sentences have been rounded to the nearest year

COMMUNITY SENTENCES:

The majority (52%) of offenders on Parole or Supervision are serving short sentences of two years or less (Figure 20). The largest number of offenders on Community Work sentences are undertaking 200hrs hours of Community Work (Figure 21). The average community offender sentence length was 2.81 years (parole and supervision).

Figure 20 Sentence length parole and supervision, 2016

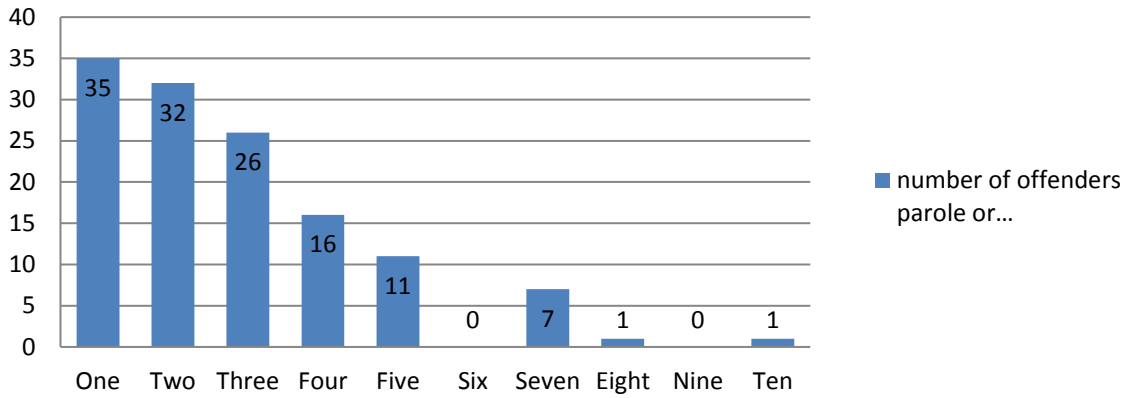
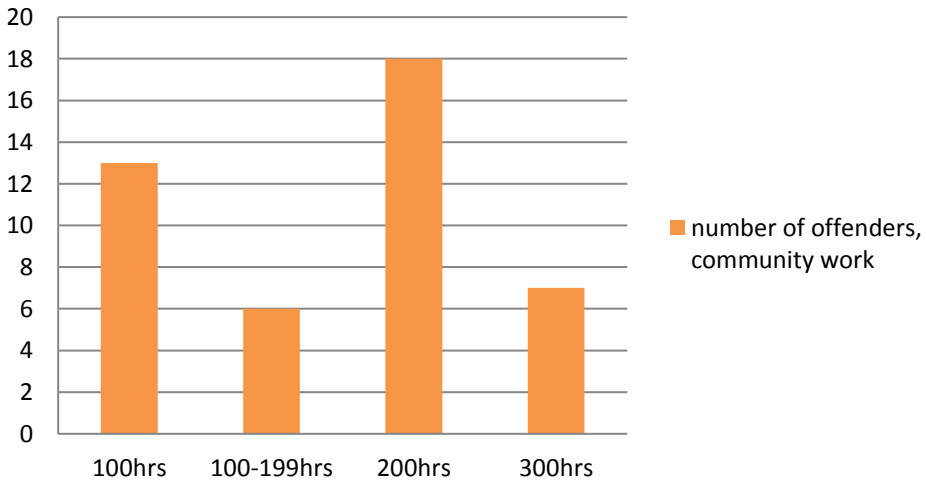


Figure 21. Length of sentence, community work, 2016



Education

Figures 22 and 23, shows the level of education for offenders. The 'tertiary' category includes a range of trade qualifications and some University level study.

The percentage of detainees with Grade 7 or higher education has varied from 40.7% in 2012 to 34.4% in 2014, 45.4% in 2015 and rising to 48.8% in 2016. The percentage of community offenders with grade 7 or higher has increased from 38% in 2015 to 48% in 2016.

Figure 22: Detainee Education, 2016

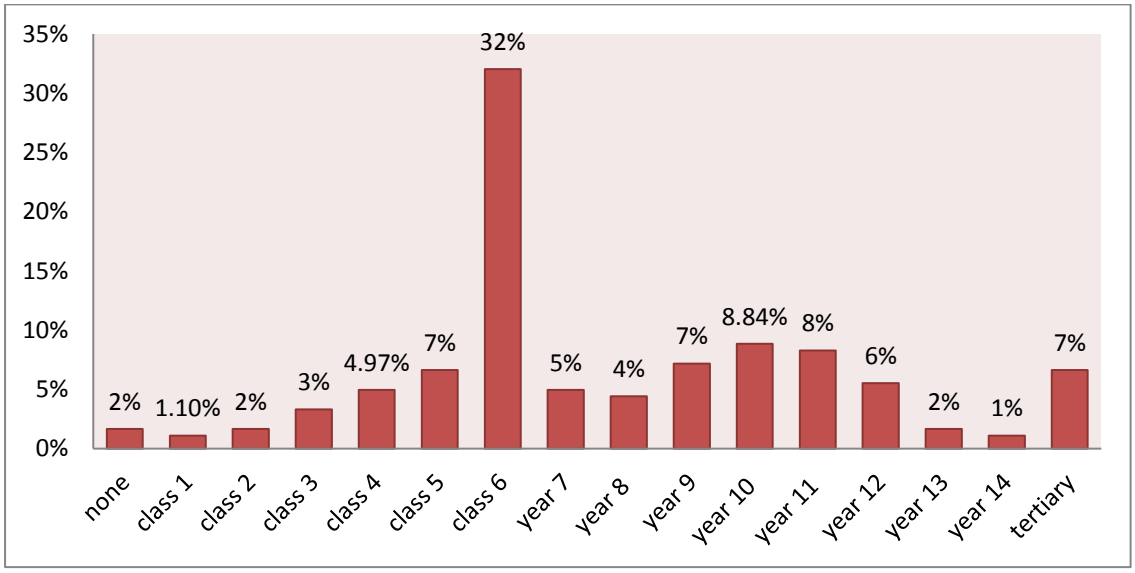
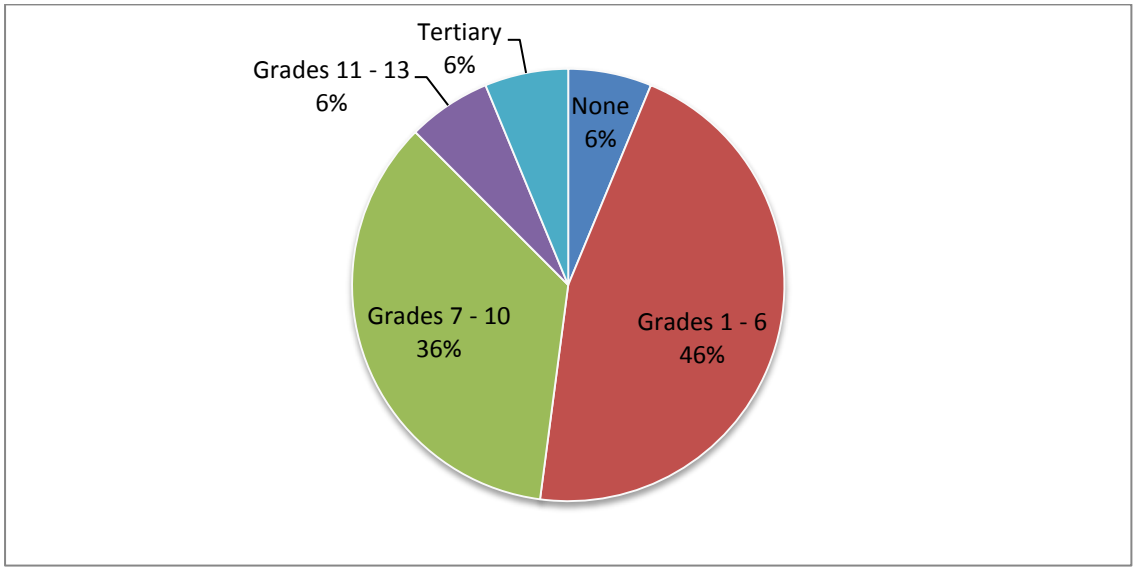


Figure 23: Community Offender Education, 2016

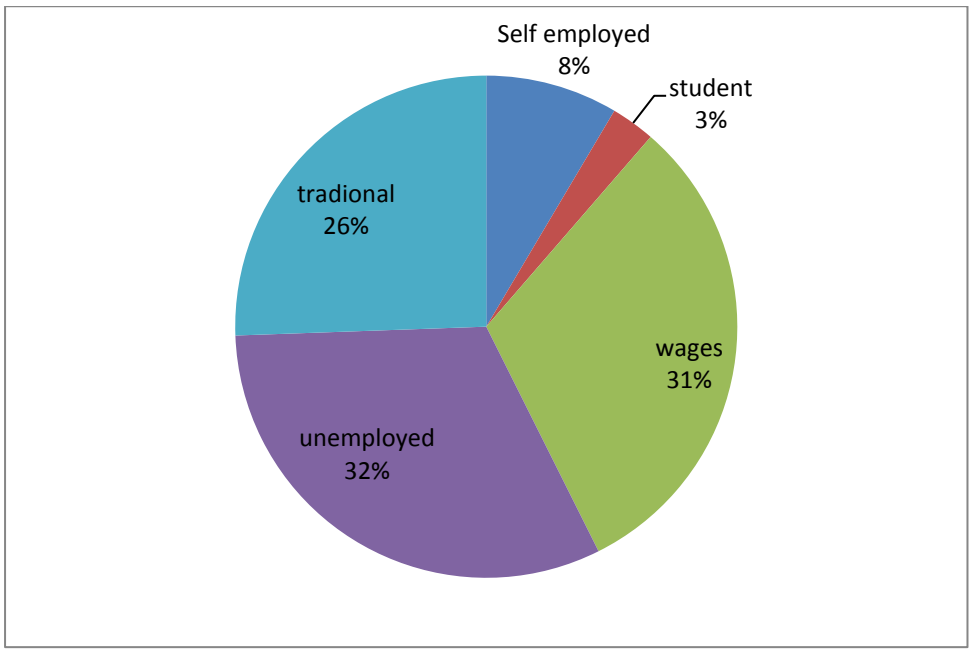


Employment

DETAINEES: Figure 24 shows the employment status at the time of offending for the detainees. Figure 25 shows the changes in employment status over the four Censuses:

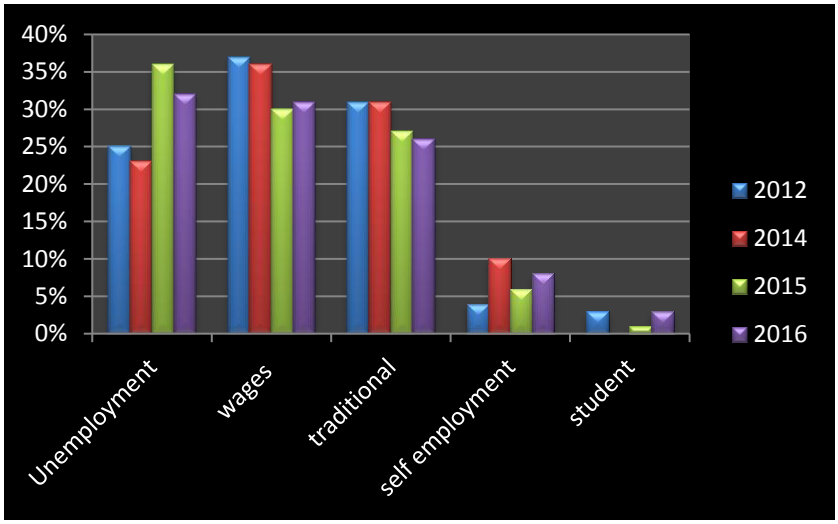
- Most notable is that there was a higher percentage of detainees who were unemployed at the time of their offending
- However as with previous Census, the significant majority of detainees were actively engaged in some form of work at the time of their offence[3]. The loss of an income earner or gardener within families and communities has the potential to create considerable hardship for families and communities when an offender is imprisoned.

Figure 24: Detainee Employment Status, 2016



[3] The 'traditional' category included a wide range of agricultural work, most of which included subsistence agriculture combined with selling some of produce to generate cash income

Figure 25: Detainee Employment Status, 2012-2016



COMMUNITY SENTENCES: Figure 25 shows the employment status of offenders under community sentence. These community offenders are more likely to be in the traditional economy. Figure 26 shows that there is an increase in offenders who are in the traditional economy in 2016 census.

Figure 25 Employment status 2016

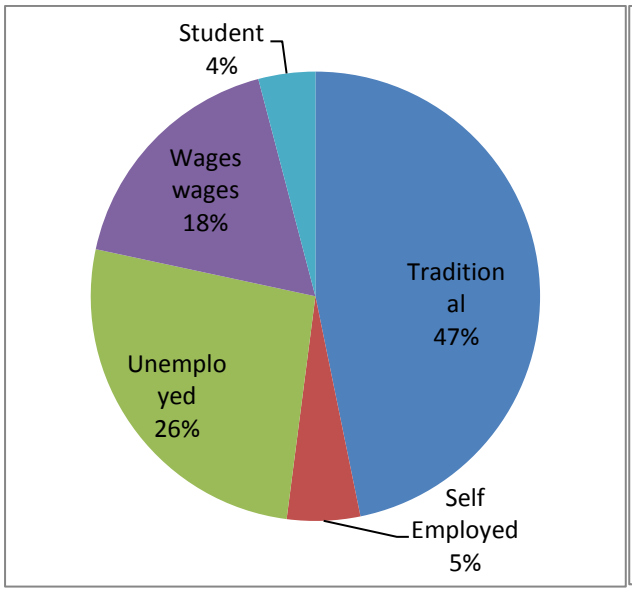
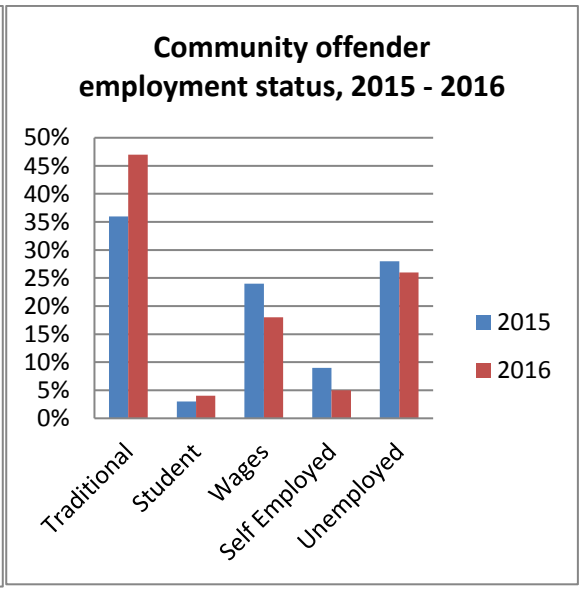


Figure 26 Employment status 2015 - 2016



Religion

Figures 27 and 28 shows the religious affiliation for offenders. Like the home island statistics, the religion statistics need to be treated with some caution. The higher numbers for Catholic, Presbyterian and Seventh Day Adventist churches is generally consistent with the numbers of people attending these churches in the general population.

Figure 27. Religious affiliation Detainees 2016

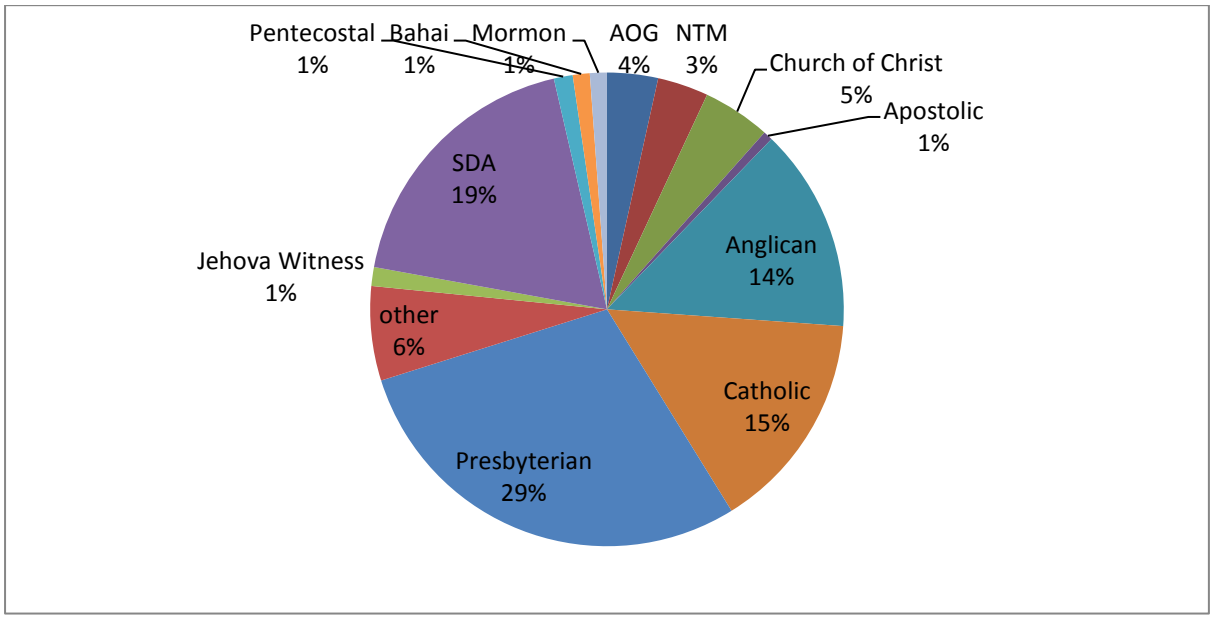
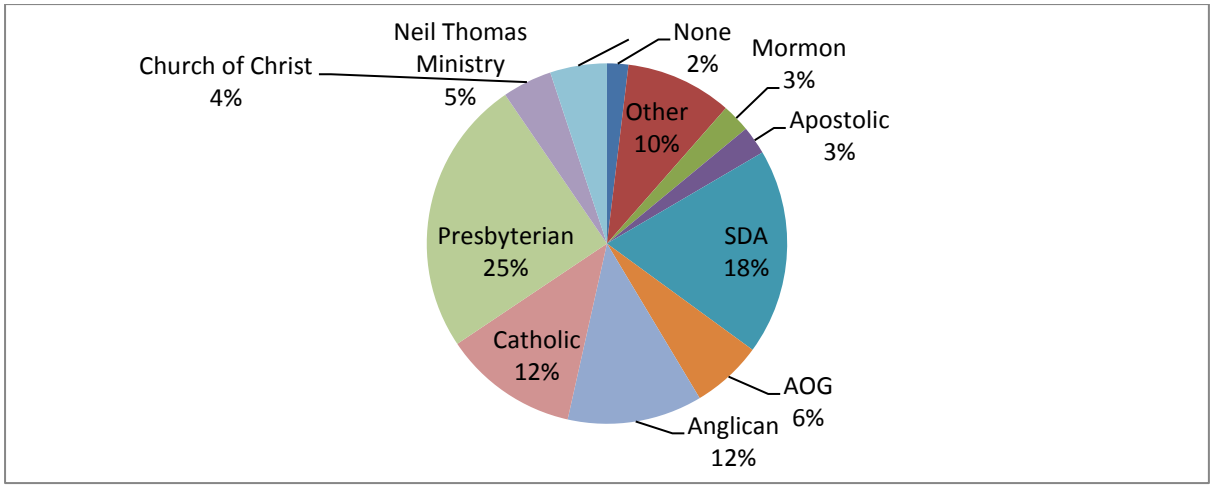


Figure 28. Religious affiliation Community offenders 2016



Marital Status and Children

DETAINEES: Figure 29 shows the marital status of the detainees and Figure 30 shows the numbers of children for detainees.

Figure 29: Detainee Marital status, 2016

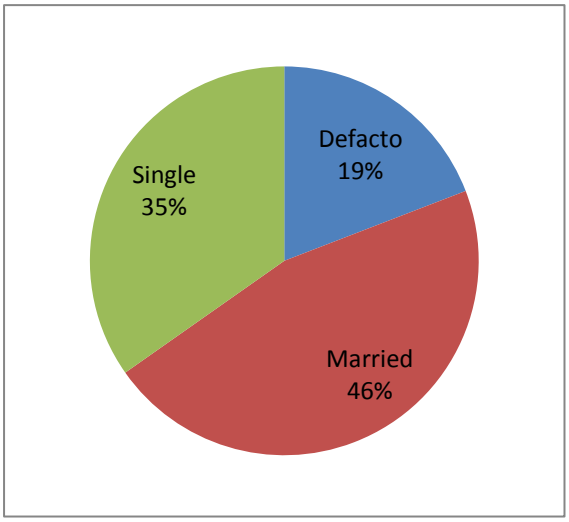
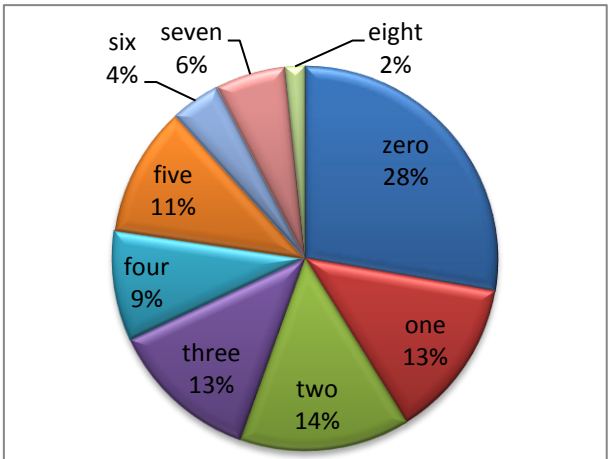


Figure 30: Detainee Number of children, 2016



Key points include:

- in 2015 (45%) there was an increased percentage in offenders without children compared to 2012 (41%) and 2014 (33%), however in 2016 only 28% of offenders are without children at the time of their offending
- Regardless of these increases, the majority of detainees had children at the time of their offending and their imprisonment impacts their families who lose a father and income earner.

COMMUNITY SENTENCES: Figure 31 shows the marital status of the community offenders and Figure 32 shows the numbers of children for community offenders. Offenders under community sentence are more likely to be single and without children than detainees.

Figure 31: Community Offender Marital status, 2016

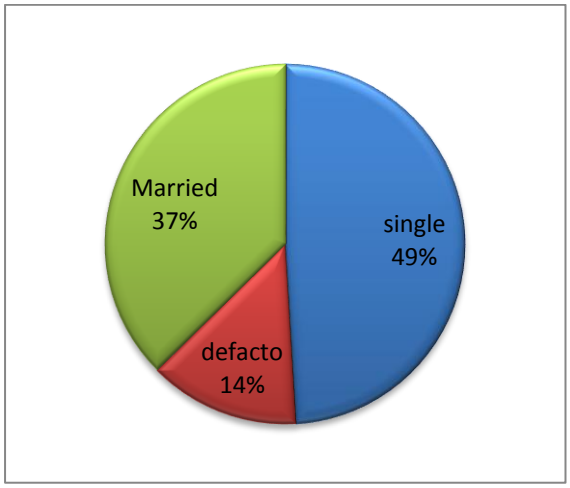


Figure 32: Community Offender Number of children, 2016

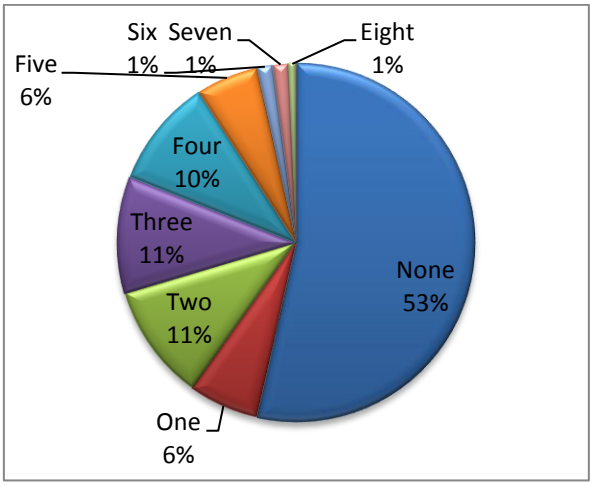


Photo showing detainees at Port Vila Medium Risk Correctional Centre undertaking a Victim Awareness Rehabilitation Module with Department trainers

Reoffending

Figure 33 shows percentage of offenders who are in custody for a first offence and those who have committed another offence in the past. The results show no significant change to 2012 (18%) and 2014 (20%) and 2015 (19%). This is a strong result as reducing reoffending is a key role of the Department.

Reoffending is also low for offenders under community sentence.

Figure 33: Detainee Re-offending 2016

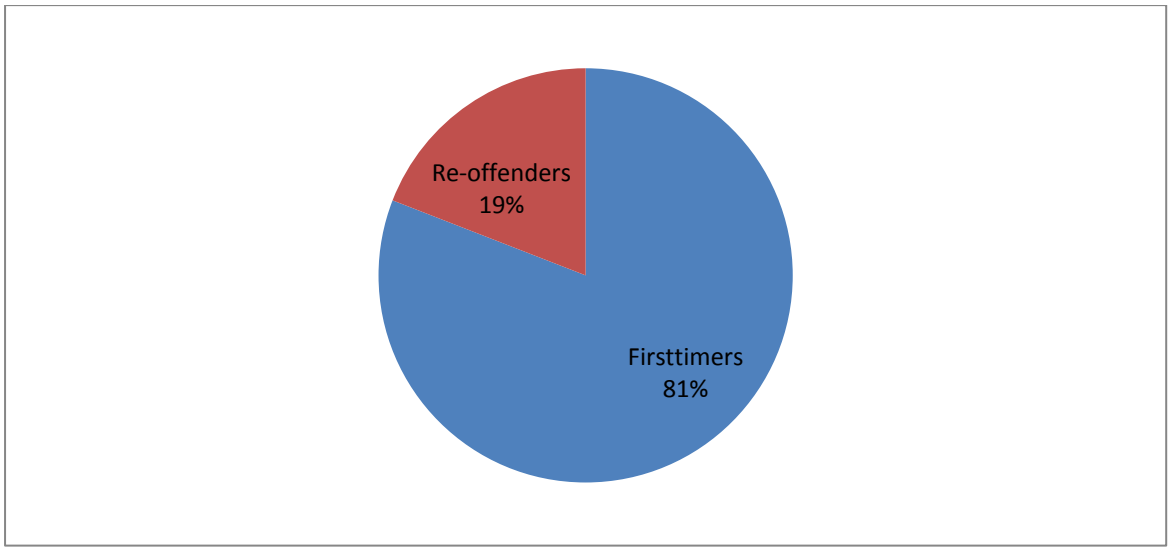
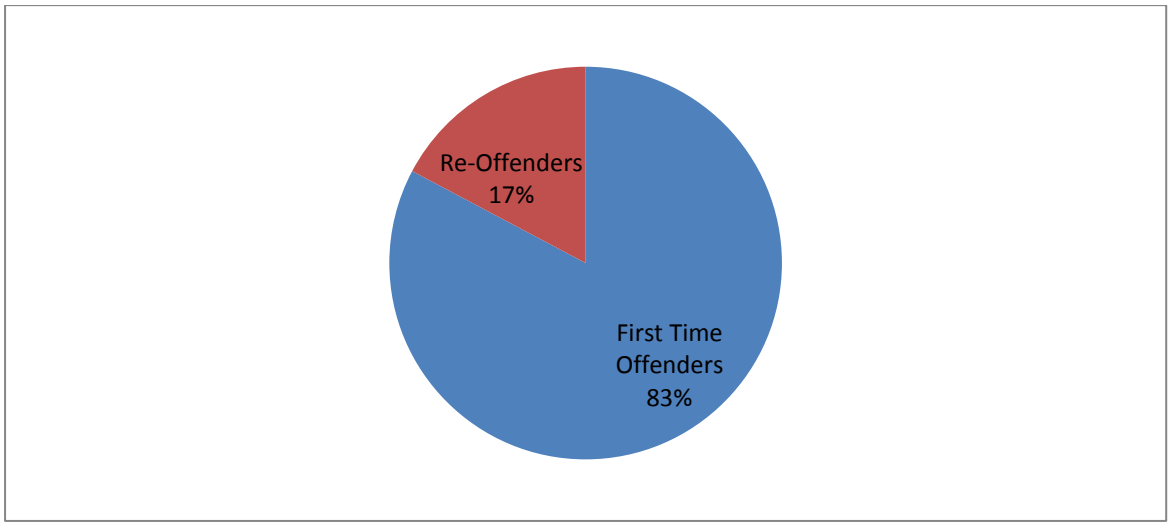


Figure 34: Community Offender Re-offending 2016



When considered internationally, a reoffending rate of 20% is quite low. Reoffending rates of 60-80% are not uncommon internationally. Reoffending rates are however very difficult to compare, as countries often calculate re-offending rates in a variety of ways and the rates are influenced by a large number of factors.

With regard to the reoffender group, further research is required to develop a better understanding of this group so that programs and interventions can be tailored to them.

Stopping people coming to prison in the first place, and reducing the risk of re-offending for those identified as being a high risk of reoffending, should continue to be priorities for the Department.

Family Violence and Anger Management Awareness Module being delivered at Luganville Low Risk Correctional Centre