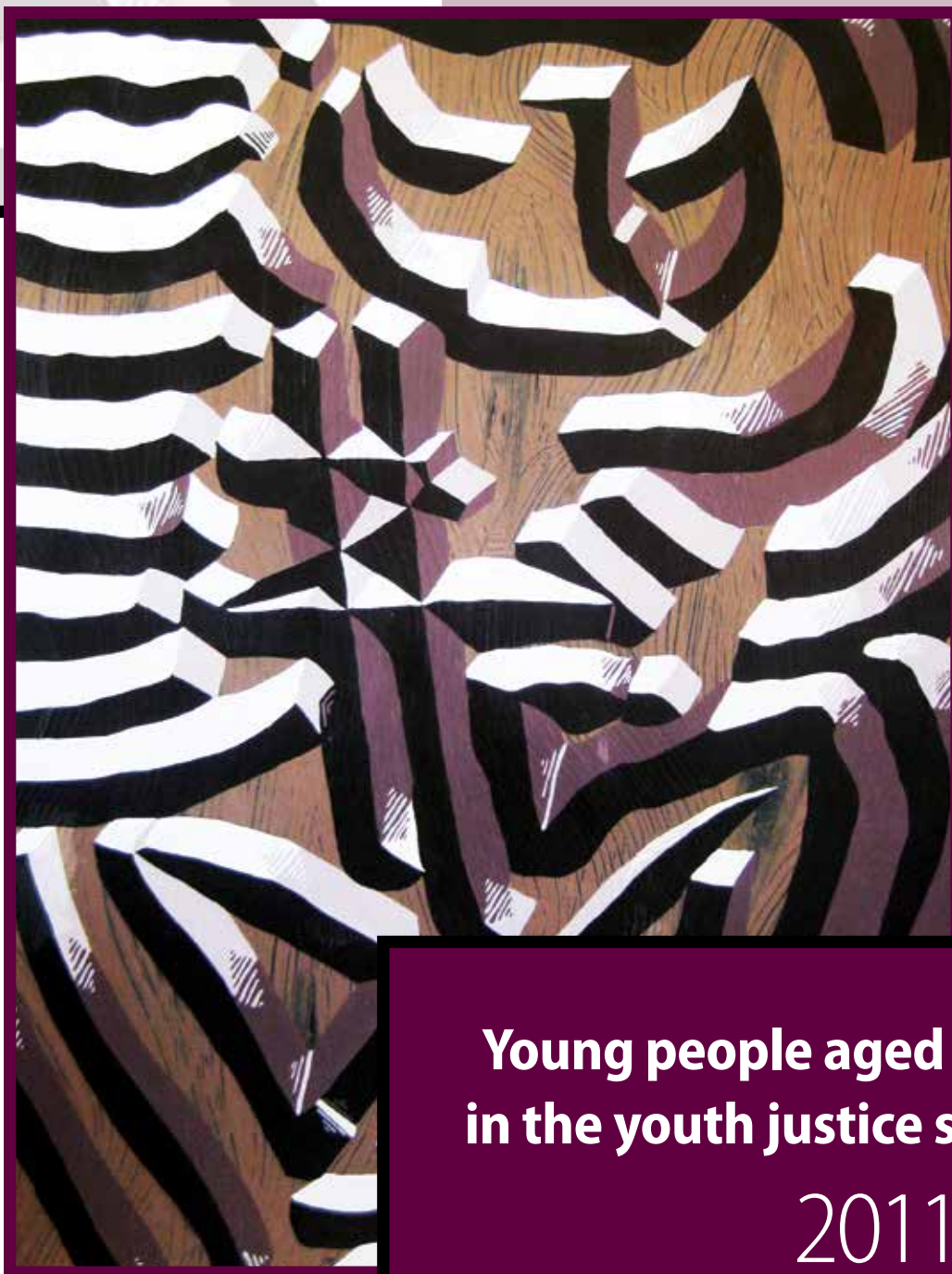




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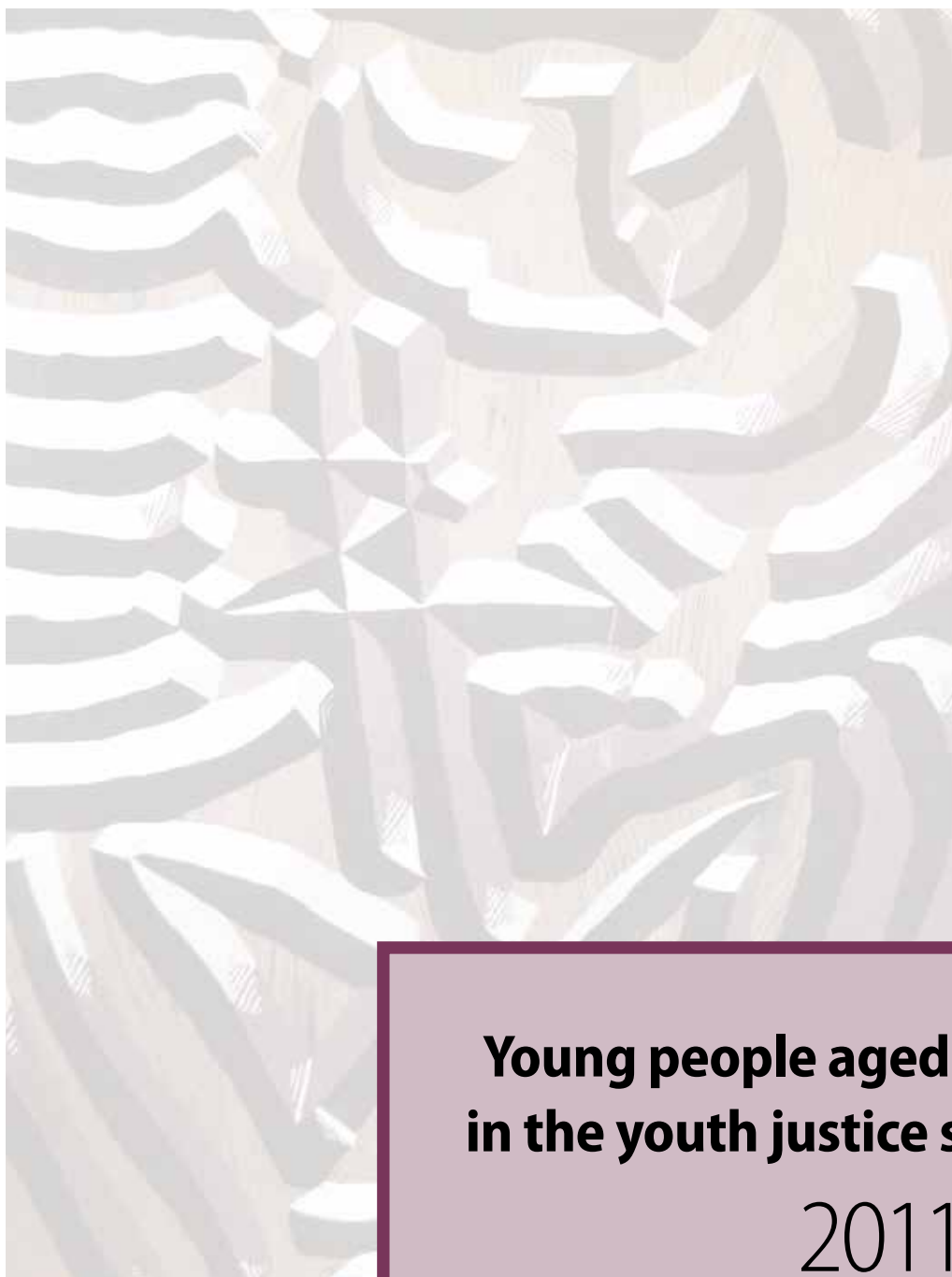


**Young people aged 10–14
in the youth justice system**
2011–12



Australian Government

**Australian Institute of
Health and Welfare**



**Young people aged 10–14
in the youth justice system**
2011–12

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- Department of Health and Human Services, Tasmania
- Community Services Directorate, Australian Capital Territory
- Department of Correctional Services, Northern Territory.

Abbreviations

ABS	Australian Bureau of Statistics
ACT	Australian Capital Territory
AIC	Australian Institute of Criminology
AIHW	Australian Institute of Health and Welfare
CHART	Changing Habits and Reaching Targets
JJ NMDS	Juvenile Justice National Minimum Data Set
NSW	New South Wales
NT	Northern Territory
Qld	Queensland
SA	South Australia
Tas	Tasmania
Vic	Victoria
VONIY	Victorian Offending Needs Indicator for Youth Assessment
WA	Western Australia
YLS-CMI	Youth Level of Service—Case Management Inventory

Summary

Young people aged 10–14 are a small but important group in youth justice

Despite being a relatively small group, research indicates that young people aged 10–14 in the youth justice system are at risk of becoming chronic, long-term offenders.

In 2010–11, young people aged 10–14 made up about 7% of the Australian population aged 10 and over, and about 5.5% of all those proceeded against by police for alleged involvement in crime. About 20,000 young people aged 10–14 (or 144 per 10,000) were proceeded against by police during the year. There were 1,940 young people aged 10–14 (or 16 per 10,000) under youth justice supervision in 2011–12 (excluding Western Australia and the Northern Territory, because data were not provided). Rates of involvement were substantially lower among young people aged 10–14 than those aged 15–17 throughout the youth justice system.

Most young people supervised at age 10–14 return to supervision at older ages

Longitudinal data show that most (85%) young people in a cohort born in 1993–94 who were supervised at age 10–14 returned to (or continued under) supervision when they were 15–17.

More serious involvement and longer supervision at older ages

Young people who were first supervised when aged 10–14 were more likely than those first supervised at older ages to experience all types of supervision when 15–17—particularly the most serious type of supervision, sentenced detention (33% compared with 8%).

They also spent more time in total under supervision at older ages. About half (51%) of those who entered supervision aged 10–14 (and later returned) spent 18 months or more in total under supervision when 15–17, compared with only 15% of those first supervised at 15–17.

Indigenous over-representation in youth justice is greatest at younger ages

Indigenous young people aged 10–14 were about 6–10 times as likely as non-Indigenous young people of the same age to be proceeded against by police during 2010–11 (in the states and territories for which data were available), compared with 3–5 times as likely among those aged 15–17. Nationally, they were 23 times as likely as non-Indigenous young people to be under community-based supervision during 2011–12 and 25 times as likely to be in detention (excluding Western Australia and the Northern Territory). Again, these were higher than the corresponding rate ratios among young people aged 15–17 (13 and 15 times the non-Indigenous rate in community-based supervision and detention).

Trends show some small increases in supervision rates

Rates of young people who experienced supervision when they were aged 10–14 increased between the 1990–91 and 1996–97 cohorts (from 39 to 43 per 10,000), despite a slight decrease in the most recent cohort. This increase was larger in detention (from 22 to 26 per 10,000) than community-based supervision (from 34 to 36 per 10,000).

A range of interventions are available to reduce reoffending

Research indicates that a range of interventions may help to reduce reoffending among young people. Young people aged 10–14 under supervision in each state and territory may receive a range of programs and services in the community, or in detention. These commonly target risk factors such as antisocial behaviour, drug and alcohol misuse, mental health issues, education and training, and relationship issues such as family violence.

1 Introduction

In all states and territories of Australia, children and young people may be charged with a criminal offence if they are aged 10 years and over. Those aged 10–14 are therefore the youngest group involved in the youth justice system.

This report explores the numbers and characteristics of young people aged 10–14 in the youth justice system, the types of supervision they experience, recent trends, and associated research findings.

This report and accompanying supplementary tables (those with a prefix of S) can be downloaded free of charge from the AIHW website at <http://www.aihw.gov.au/youth-justice-publications/>. Information about the Juvenile Justice National Minimum Data Set (JJ NMDS) and other data presented in this report is provided in 'Appendix 2: Technical notes'.

More information about young people under youth justice supervision is also available from <http://www.aihw.gov.au/youth-justice/>.

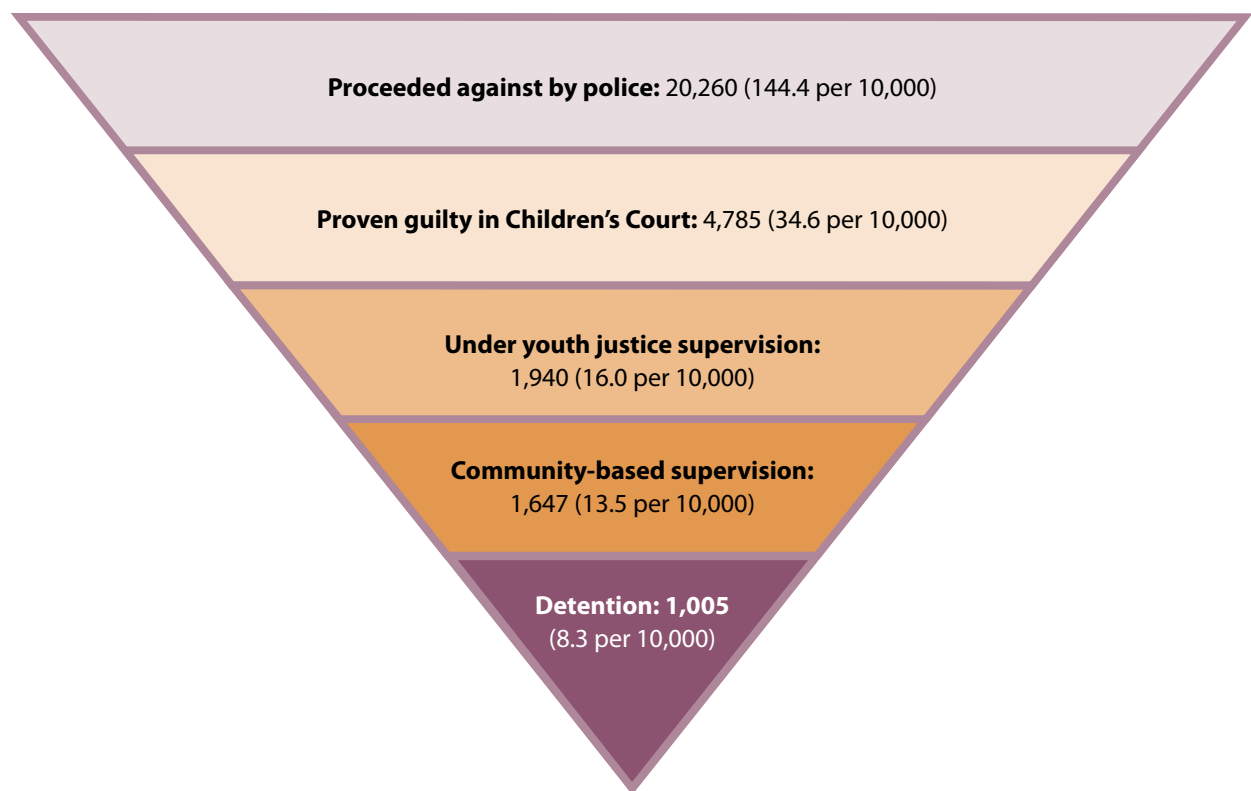
2 How many young people aged 10–14 are involved in the youth justice system?

Across Australia, children under the age of 10 cannot be charged with a criminal offence due to their immaturity. Although any person aged 10 or over can be deemed to have criminal responsibility, in practice, in all Australian jurisdictions a rebuttable presumption exists (known as *doli incapax* in common law) that young people between the ages of 10 and 14 are incapable of crime (AIC 2005; Crofts 2003; Urbas 2000).

Young people first enter the youth justice system when they are investigated by police for allegedly committing a crime. Following the investigation, a decision will be made as to whether the young person will be proceeded against by police—that is,

whether legal action will be initiated for the offence. Police proceedings include court actions (the laying of charges to be answered in court) and non-court actions, such as cautions, conferencing, counselling or infringement notices.

In 2010–11, there were 20,260 young people aged 10–14 proceeded against by police in Australia (national data for 2011–12 are not available) (Figure 2.1; ABS 2012b). This equates to 144 young people per 10,000 aged 10–14 in the population (Table S1). Young people aged 10–14 made up about 7% of the population aged 10 and over, and about 5.5% of all people proceeded against by police during the year (ABS 2012a, 2012b).



Notes

1. Data on young people proceeded against by police are for 2010–11.
2. Data on young people under youth justice supervision exclude Western Australia and the Northern Territory, because data were not available. See 'Appendix 2: Technical notes' for details.
3. Community-based supervision and detention may not sum to the total under supervision as some young people experienced both types of supervision during the year.

Source: Table S1.

Figure 2.1: Young people aged 10–14 in the youth justice system, 2011–12

If a young person is proceeded against by police using a court action, the matter is usually heard in a Children's Court (the Youth Court in South Australia and the Magistrate's Court (Youth Justice Division) in Tasmania). The Children's Court may decide to dismiss the charge, divert the young person from further involvement in the system or transfer them to other specialist programs or courts (such as drug or Indigenous courts).

In 2011–12, there were 6,261 young people aged 10–14 finalised in the Children's Courts, most of whom (4,785 or 76%) were proven guilty (ABS 2013b). There were 35 per 10,000 young people aged 10–14 proven guilty in the Children's Courts (Table S1).

The court can hand down supervised and unsupervised orders. Those who receive a supervised order are supervised by state and territory youth justice agencies, either in the community or in detention.

Young people may be supervised when they are unsentenced or sentenced. Unsentenced supervision may occur when they have been charged with an offence and are awaiting the outcome of their court matter, or when they have been found or pleaded guilty and are awaiting sentencing. They may be sentenced to a period of supervision if they are proven guilty in court.

A total of 1,940 young people aged 10–14 experienced youth justice supervision at some time during 2011–12 (excluding Western Australia and the Northern Territory, because data were not provided; see 'Appendix 2: Technical notes' for details) (Figure 2.1). This was 17% of young people under supervision during the year, and equates to 16 per 10,000 young people (tables S1 and S2).

Youth justice supervision data are presented here using a 'during the year' measure, which counts each individual once during the year (see 'Appendix 2: Technical notes' for more details). This is presented in order to be comparable with data on police proceedings and the Children's Courts. An alternative measure of supervision is the number of young people on an 'average day', which reflects the number on any typical day during the year. In 2011–12, there were 950 young people aged 10–14 under supervision on an average day (Table S2).

The idea that young people should only be placed in detention as a last resort, and for the shortest appropriate period of time, is one of the key principles upon which Australia's youth justice systems are based. It is also consistent with the United Nations Convention on the Rights of the Child (Office of the United Nations High Commissioner for Human Rights 1989). Accordingly, community-based supervision was more common than detention: in 2011–12, there were 1,647 young people aged 10–14 under community-based supervision during the year (14 per 10,000) and 1,005 in detention (8 per 10,000) (Table S1).

Overall, the numbers and rates of young people aged 10–14 in the youth justice system are substantially lower than those for young people aged 15–17. In comparison, there were 539 young people aged 15–17 per 10,000 proceeded against by police; 207 per 10,000 proven guilty in the Children's Courts; and 98 per 10,000 under supervision during the year (89 per 10,000 under community-based supervision and 39 per 10,000 in detention) (Table S1).

3 Which young people aged 10–14 are involved in crime?

3.1 What are the risk factors for involvement in crime?

Research into the factors that increase the risk of involvement in crime among young people aged 10–14 is limited, and most of the findings noted below have been gathered from studies focusing on young people from a wider age range (e.g. 10–17 years).

Risk factors can be categorised into five broad groups:

- individual factors, such as low intelligence, impulsivity and poor social skills
- family factors, such as substance abuse, family violence, abuse and neglect
- school context, such as academic failure and bullying
- life events, such as divorce and family breakup

- community and cultural factors, such as socioeconomic disadvantage (National Crime Prevention 1999).

Risk factors that appear in childhood can sometimes help to predict future offending behaviour, often years later. For example, Farrington (2001) identified a number of factors across the areas above in males at age 8–10 that increased the risk of convictions later in adolescence (e.g. experiencing neglect, having convicted parents or demonstrating impulsivity). Other risk factors displayed in childhood that are thought to predict future offending behaviour include antisocial behaviour (Patterson et al. 1998), lack of self-control and socialisation skills (DeLisi & Vaughn 2008; Piquero et al. 2007), and poor literacy and language skills (Bor et al. 2004; Snowling et al. 2000).

3.2 Which groups are more likely to be involved in crime?

In addition to the above risk factors, individuals from certain groups make up a disproportionate amount of those aged 10–14 years in the youth justice system.

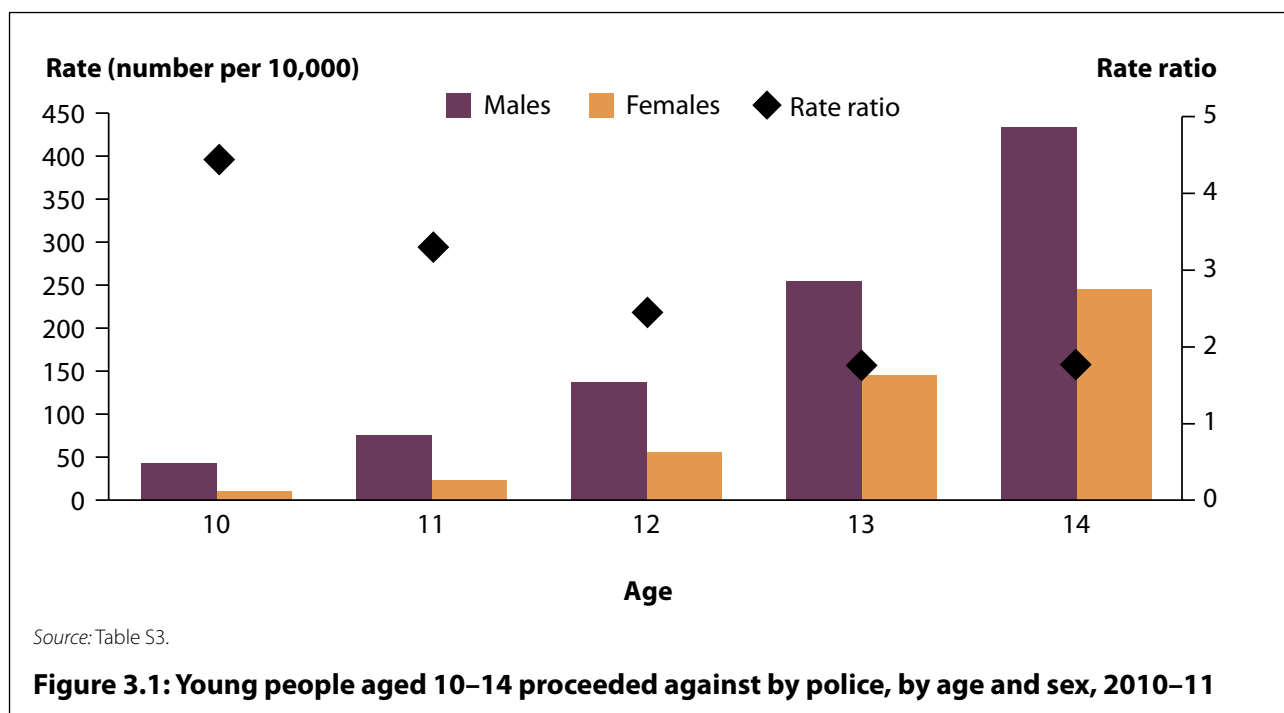
Age and sex

Consistent with research showing that involvement in crime tends to be highest in adolescence or early adulthood (Fagan & Western 2005; Farrington 1986), rates of young people proceeded against by police in 2010–11 were higher in each successive age group from age 10 (27 per 10,000) to age 14 (342 per 10,000) (Table S3). Overall, almost half (48%) of all young people aged 10–14 who were proceeded against by police were aged 14.

Just over two-thirds (67%) of young people aged 10–14 who were proceeded against by police were male. Research has consistently shown males to have higher offending rates than females at all ages (Bennett et al. 2005). In 2010–11, rates of those

proceeded against by police were higher for males than females across all age groups in the 10–14 years group (Figure 3.1).

The gender gap between males and females aged 10–17 (as measured by the rate ratio) was smallest for those aged 13 and 14 (Figure 3.1 and Table S3), which is consistent with previous research. For example, Smith and McAra (2004) found that the gender gap in offending narrowed between the ages of 12 and 14, with the gap being the lowest across the entire life-cycle at age 14. They suggested this may be because, on average, females reach puberty—and therefore experience the turbulence associated with delinquency—earlier than males.



These patterns by age and sex continue to be reflected through other aspects of the youth justice system. About three-quarters (76%) of young people aged 10–14 who were supervised at some time during 2011–12 were male, and more than half (62%) were aged 14 (Tables S2 and S4).

Aboriginal and Torres Strait Islander young people

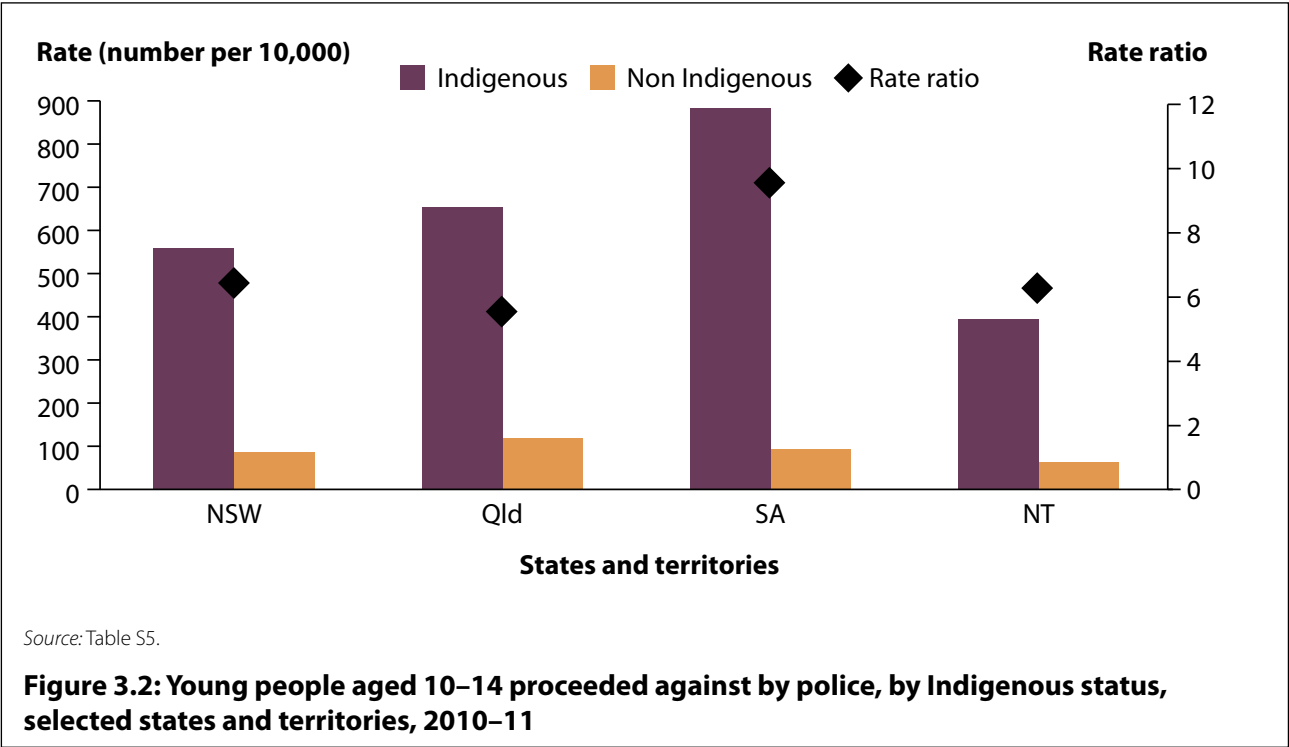
Aboriginal and Torres Strait Islander young people have a long history of over-representation in both the adult and youth justice systems in Australia (House of Representatives Standing Committee on Aboriginal and Torres Strait Islander Affairs 2011). The Royal Commission into Aboriginal Deaths in Custody (Johnston 1991) first highlighted the high rates of incarceration of Indigenous young people and adults more than 20 years ago.

Indigenous young people are more likely than non-Indigenous young people to experience many of the previously mentioned risk factors for involvement in crime, such as socioeconomic disadvantage (AIHW 2012a; NSW Ombudsman 2011; Weatherburn et al. 2008; Steering Committee for the Review of Government Service Provision 2011). Indigenous disadvantage may be further exacerbated by historical events such as dispossession, colonisation and the forced removal of Indigenous children from their communities (House of Representatives Standing Committee on Aboriginal and Torres Strait Islander Affairs 2011).

More information about Indigenous young people in the youth justice system, including information about the programs and services available to Indigenous young people under supervision in each state and territory, is available in the bulletin *Indigenous young people in the juvenile justice system: 2010–11* (AIHW 2012b).

Reflecting these findings, in 2010–11, rates of Indigenous young people aged 10–14 proceeded against by police were substantially higher than the rates of non-Indigenous young people in each of the states and territories for which data were available (Figure 3.2). Rates of young people proceeded against by police may be influenced by a range of factors, including rates of involvement in crime and police practices.

Although Indigenous young people were over-represented in police proceedings across all age groups, the level of over-representation was greatest at the younger ages. Indigenous young people aged 10–14 were about 6–10 times as likely as non-Indigenous young people to be proceeded against by police during the year, compared with 3–5 times as likely among those aged 15–17 (Table S5).



Levels of Indigenous over-representation are higher in the more serious processes of the youth justice system. Nationally, in 2011–12, Indigenous young people aged 10–14 were 23 times as likely as non-Indigenous young people to be under community-based supervision during the year, and 25 times as likely to be in detention (excluding Western Australia

and the Northern Territory because data were not available; see ‘Appendix 2: Technical notes’ for details) (Table S6). Again, these were higher than the corresponding rate ratios among young people aged 15–17 (13 and 15 times the non-Indigenous rate in community-based supervision and detention).

4 How are young people aged 10–14 involved in crime?

4.1 What types of offences do they commit?

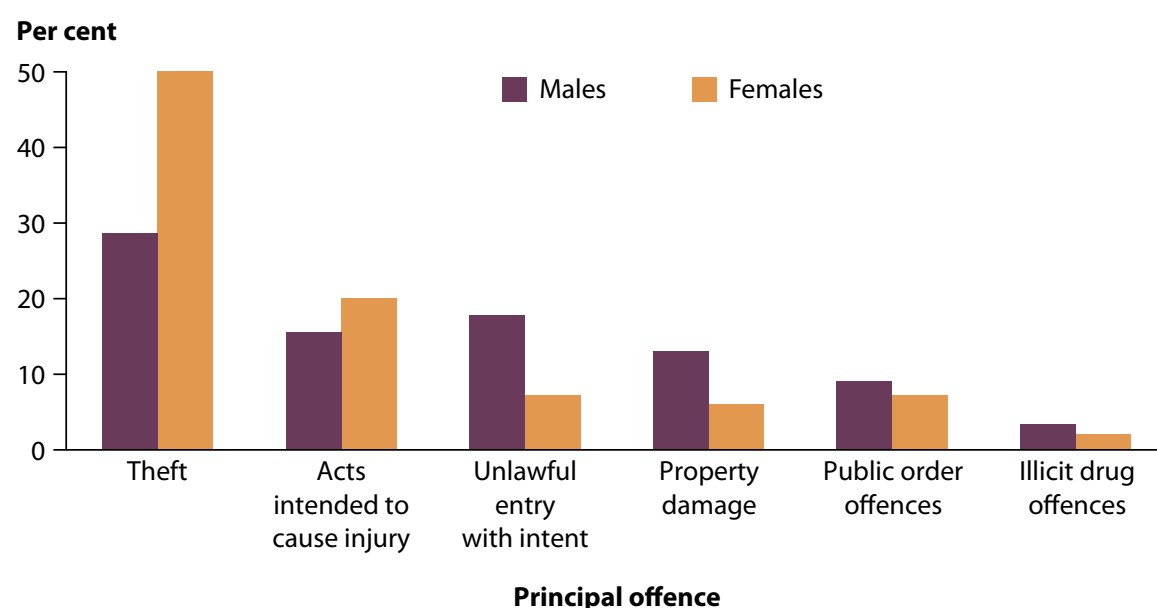
There is limited research on the types of offences committed among the 10–14 age group specifically, but much of the research on the types of offences committed by young people overall (e.g. age 10–17) is relevant to this younger age group. Compared with adults, young people are more likely to commit offences in groups, in public areas, such as shopping centres and on public transport, and in areas close to where they live. They tend to be less experienced at committing offences and commonly commit offences that are unplanned, opportunistic, attention-seeking and public (Cunneen & White 2007). Many studies have found that fun and thrill-seeking are common motives for property offences at younger ages, while practicality and efficiency gain increasing importance in adulthood (Fleming et al. 1994; Kazemian & Le Blanc 2004; Lopez 2008).

In general, young people commit less serious offences than adults, and they commit more property than person offences (Cunneen & White 2007; Richards 2011). The crimes they commit may be less serious for a number of reasons: young people use weapons less frequently; there is a greater chance that an attempted robbery or property crime will be unsuccessful; injuries to victims (when they do occur) tend to be less serious; and financial losses incurred during thefts are lower (Cunneen & White 2007). However, adults may be more likely to use threats instead of violence, in an attempt to minimise the risk of being apprehended. This may reflect greater reasoning and rationality in older offenders' decision making and motives (Kazemian & Le Blanc 2004).

Young people commit some types of offences disproportionately, such as graffiti, vandalism, shoplifting and fare evasion, and rarely commit more serious offences such as homicide and sexual offences (Richards 2011). Some research suggests that typical types of offences differ for males and females, even at younger ages. For example, in the United Kingdom, Smith and McAra (2004) found that males were more likely than females to commit more serious crimes such as carrying a weapon, robbery and cruelty to animals, while females were more likely to commit acts of writing graffiti, theft from home and truancy.

In Australia, in 2010–11, the most common principal offences among young people aged 10–14 years who were proceeded against by police were: theft (36%); acts intended to cause injury (17%); unlawful entry with intent (14%); property damage (11%); and public order offences (8%) (Table S7). Young people aged 10–14 proceeded against by police were more likely than those aged 15–17 to have principal offences of theft, unlawful entry with intent and property damage, and less likely to have principal public order and illicit drug offences.

As suggested in the literature, there were differences between males and females in the most common types of principal offences. Females aged 10–14 were more likely than males to be proceeded against for theft (50% compared with 29%), while males were more likely to be proceeded against for unlawful entry with intent (18% compared with 7%) and property damage (13% compared with 6%) (Figure 4.1). These patterns also occurred among the 15–17 age group (Table S7).

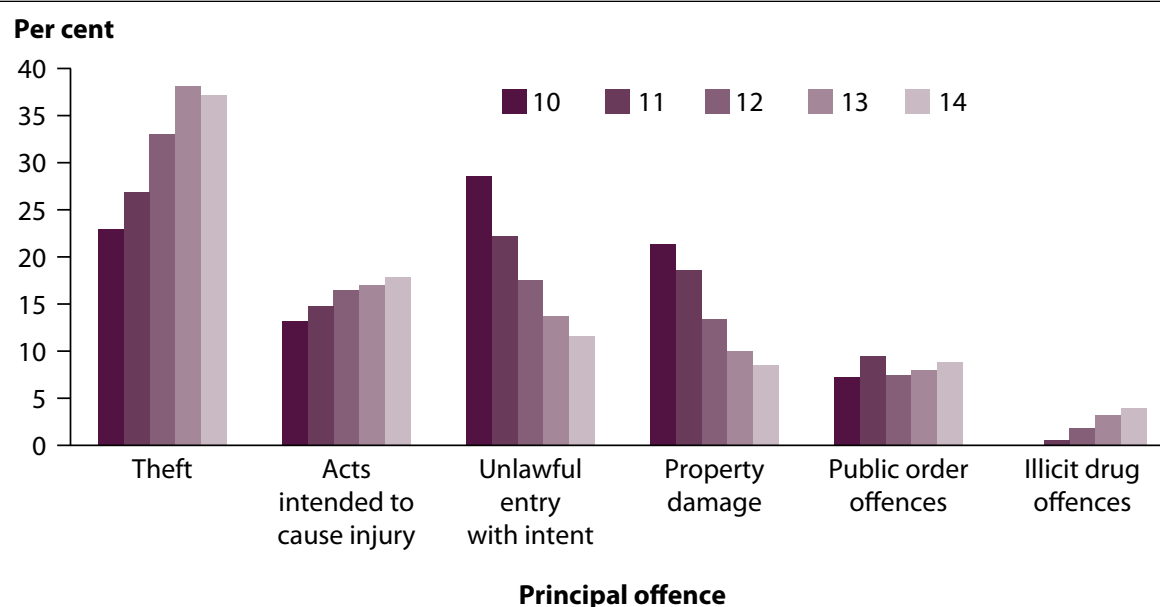


Source: Table S7.

Figure 4.1: Young people aged 10–14 proceeded against by police, by selected principal offence and sex, 2010–11

There were also differences in the most common offences for each of the individual ages within the 10–14 age group (Figure 4.2). Theft, acts intended to cause injury and illicit drug offences accounted for a larger proportion of total offending as age increased,

while unlawful entry with intent and property damage accounted for a smaller proportion. The proportion of public order offences remained relatively stable.



Source: Table S8.

Figure 4.2: Young people aged 10–14 proceeded against by police, by selected principal offence and age, 2010–11

Consistent with the increasing rate of young people proceeded against by police at each age, the rates (number of offenders per 10,000 people) for all offence types increased between the ages of 10 and 14 (Table S8). The most common principal offence

(both numbers and rates) among young people aged 10 was unlawful entry with intent, while the most common principal offence among young people aged 11–14 was theft.

4.2 Are they also victims of crime?

Young people not only have higher rates of offending than adults, but also higher rates of victimisation (Finkelhor & Hashima 2001). This is partly because they are victims of additional forms of crime that do not have direct equivalents in adulthood (e.g. neglect) (Finkelhor & Hashima 2001).

Young people who engage in delinquent behaviour have an increased chance of victimisation (Lauritsen et al. 1991; Smith & Ecob 2007). One of the main explanations offered for this is that delinquent youth place themselves in risky situations more often than others (Cuevas et al. 2007; Smith & Ecob 2007).

The opposite relationship also occurs, with young people who are victimised demonstrating an increased chance of engaging in future delinquent behaviour (Fagan et al. 1987; Smith & Ecob 2007). This is particularly the case for young people who were victims of childhood maltreatment (Topitzes et al. 2011). In 2011–12, there were about 68 young people aged 10–14 per 10,000 in the population with a substantiated child protection notification (i.e. where authorities investigated a complaint and concluded that there was reasonable cause to believe that the young person had been, was being, or was likely to be, abused, neglected or otherwise harmed) (AIHW 2013). A recent AIHW study found that young people with a history of substantiated notifications were more likely to enter youth justice supervision at a younger age than those without (AIHW 2012a).

Australian data on victimisation are limited and only available for those aged 15 and over. The Australian Bureau of Statistics (ABS) estimated that, in 2011–12, among the 1.5 million young people aged 15–19 in Australia, 85,000 (5.8%) were victims of physical assault and 89,000 (5.4%) were threatened with assault (ABS 2013a). This rate of victimisation was the highest observed across all age groups, with rates declining as age increased. Among young people aged 15–24, those in the younger age group (aged 15–19) had higher rates of victimisation for threatened assault, while those in the older group (aged 20–24) had slightly higher rates of victimisation for physical assault.

More detailed analyses on the types of crime of which young people are victims have been conducted in the United States. Finkelhor and Shattuck (2012) found that simple assaults were the most common crime against young people aged 17 and under reported to police (46%). This was followed by larceny (theft), sexual offences and aggravated assaults. Males and females experienced almost equal levels of victimisation, although females were more likely to be victims of sex offences and kidnapping, and males were more likely to be victims of robbery and larceny. About half (48%) of reported juvenile victimisations were committed by adults.

5 How do young people aged 10–14 experience youth justice supervision?

A complete youth justice supervision history is available for four cohorts of young people—those born between 1990–91 and 1993–94. Young people born in these years were aged 10–17 during the period for which Juvenile Justice National Minimum Data Set (JJ NMDS) data are available (2000–01 to 2011–12). However, complete and comparable data were not available for all states and territories in all years (see ‘Appendix 2: Technical notes’ for details). The data presented here reflect only the states and territories for which complete data were available

(New South Wales, Victoria, Queensland and South Australia, and the Australian Capital Territory for some analyses).

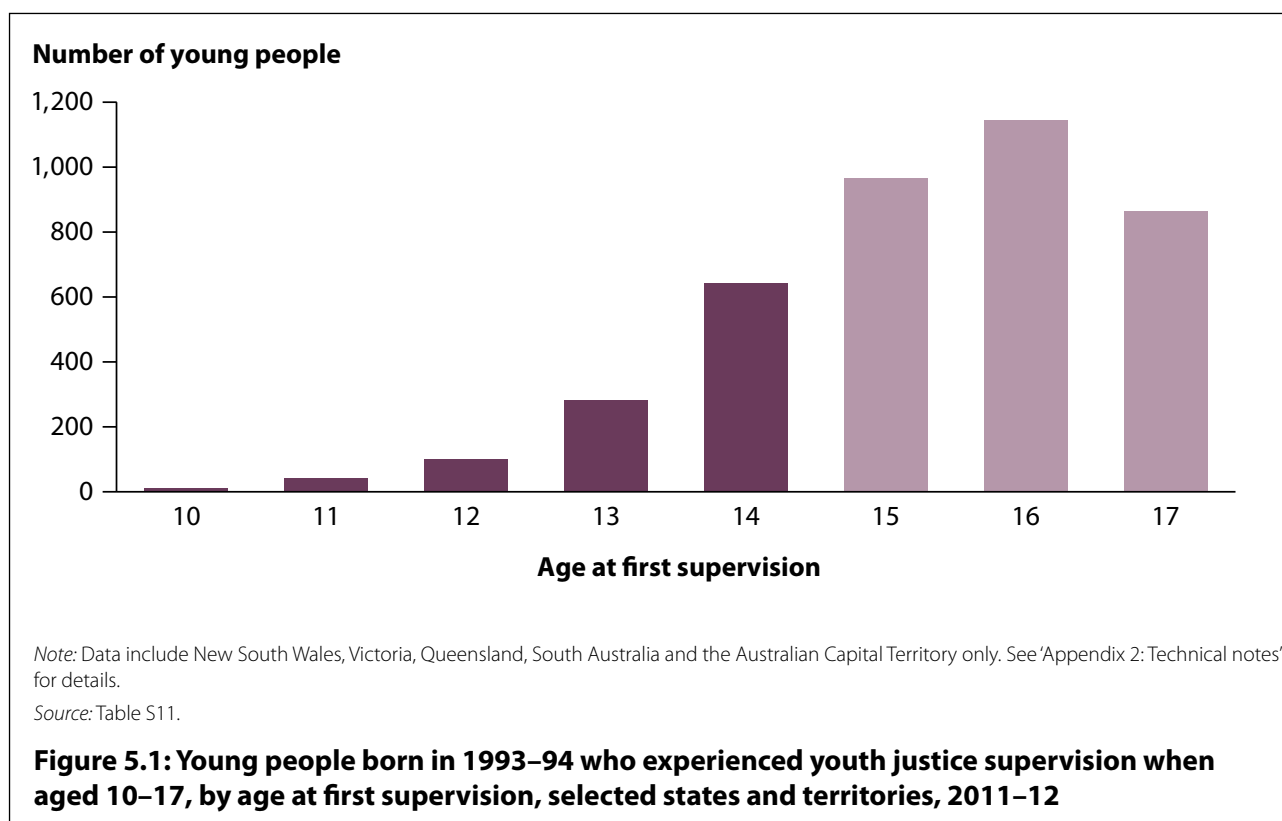
This section focuses on the supervision history of the most recently completed cohort—young people born in 1993–94. It also examines the different experiences of Indigenous and non-Indigenous young people under supervision. The patterns discussed here are similar to the other cohorts (1990–91 to 1992–93). Data for the other cohorts are available in the supplementary tables.

5.1 How do they first enter supervision?

In total, 1,080 young people born in 1993–94 first entered supervision when they were aged 10–14 (Table S9). This equates to just over one-quarter (27%) of all those in the cohort who experienced youth justice supervision when aged 10–17. Indigenous young people were more likely than non-Indigenous young people to have first entered

supervision aged 10–14 (39% compared with 23%) (Table S10).

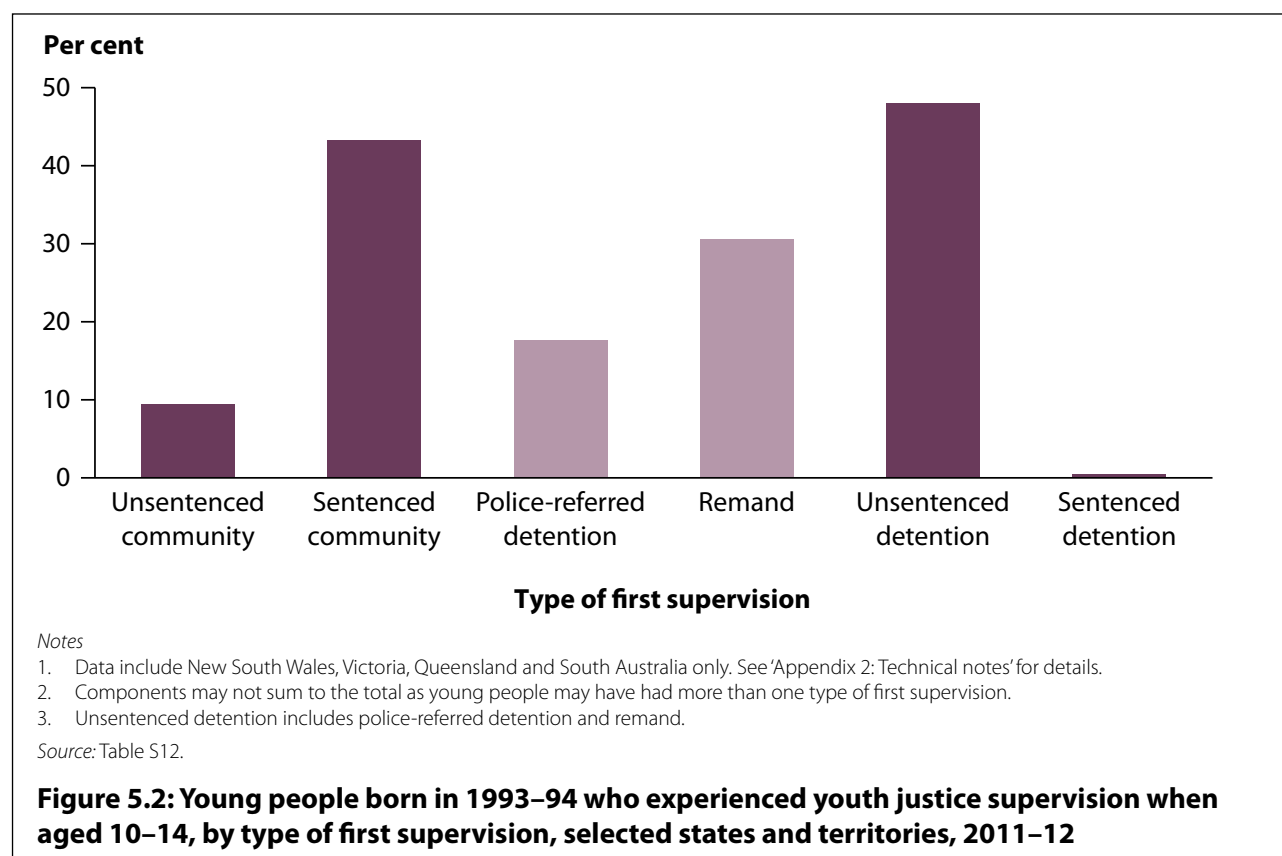
Most (60%) of those who had first entered supervision at age 10–14 were aged 14 at the time of their first entry to supervision, and 26% were aged 13 (Figure 5.1). Few were aged 10–12.



Unsentenced detention was the most common first type of supervision among young people who were first supervised aged 10–14. Almost half (48%) of those born in 1993–94 who were supervised at age 10–14 experienced unsentenced detention as their first supervision type (Figure 5.2). This included both court-ordered remand (30%) and police-referred detention (18%) (some young people had more than

one type of first supervision). Similar proportions of Indigenous and non-Indigenous young people experienced unsentenced detention as their first supervision type (Table S12).

Sentenced community supervision was the next most common first type of supervision (43%), followed by unsentenced community supervision (9%).



When compared with those who first entered supervision aged 15–17, young people born in 1993–94 who first entered aged 10–14 were more

likely to have experienced unsentenced detention as their first supervision type (48% compared with 36%) (tables S12 and S13).

5.2 What types of supervision do they experience?

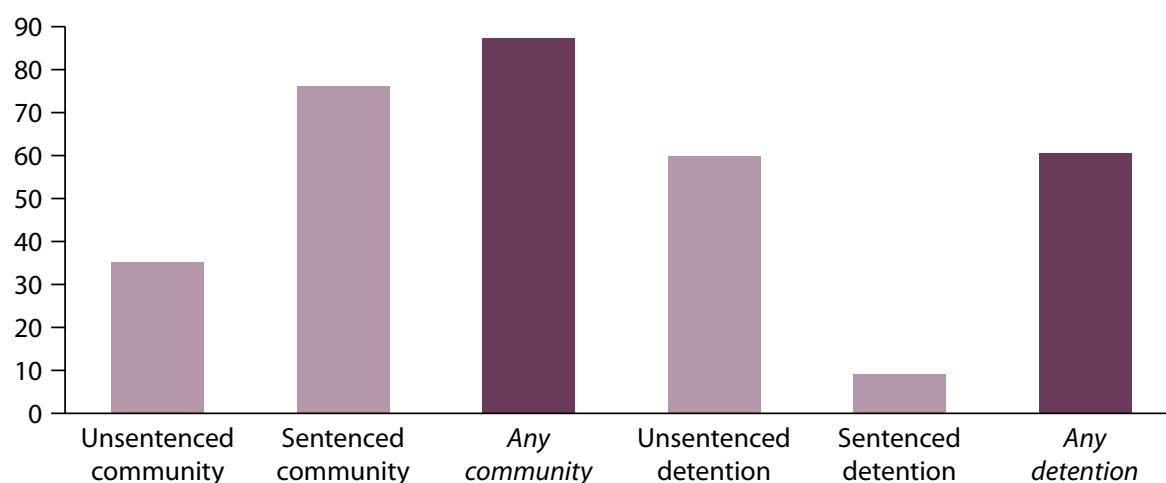
Most (87%) young people in the 1993–94 cohort who were supervised at age 10–14 experienced community-based supervision at some time when they were 10–14 (Figure 5.3). Around three-quarters (76%) were under sentenced community-based supervision at some time, and 35% were under unsentenced community-based supervision (young people may have experienced multiple types of supervision when they were 10–14).

About three in five (61%) young people were in detention at some time when they were

10–14—mainly unsentenced detention (60% of those in the cohort). Only about 9% were in sentenced detention at some time.

Indigenous young people in this cohort were more likely than non-Indigenous young people to have experienced both community-based supervision (92% compared with 84%) and detention (67% compared with 57%) when they were 10–14 (Table S14).

Per cent



Types of supervision when aged 10–14

Notes

1. Data include New South Wales, Victoria, Queensland and South Australia only. See 'Appendix 2: Technical notes' for details.
2. Components may not sum to the total as young people may have experienced more than one type of supervision.
3. 'Any community' includes unsentenced and sentenced community-based supervision. 'Any detention' includes unsentenced and sentenced detention.

Source: Table S14.

Figure 5.3: Young people born in 1993–94 who experienced youth justice supervision when aged 10–14, by types of supervision experienced when aged 10–14, selected states and territories, 2011–12

Some combinations of supervision types at age 10–14 were particularly common. Almost half (48%) of young people in the 1993–94 cohort experienced both community-based supervision and detention during the time that they were 10–14 (Table S15). About 39% experienced only community-based supervision and 13% experienced only detention.

Indigenous young people were more likely than non-Indigenous young people to have experienced both community-based supervision and detention at age 10–14 (59% compared with 41%), and were less likely to have experienced either community-based supervision only (33% compared with 43%) or detention only (8% compared with 16%).

At a more detailed level, the most common combinations of supervision types among this group at age 10–14 were sentenced community-based supervision only (33%), followed by unsentenced detention plus sentenced community-based supervision (16%), and unsentenced detention plus unsentenced and sentenced community-based supervision (16%) (Table S16).

Future analyses may consider patterns of youth justice supervision among different groups, such as differences in the supervision of young people aged 10–14 who experienced unsentenced detention as their first type of supervision, compared with those who were first supervised in the community.

5.3 How long do they spend under supervision?

Young people born in 1993–94 who were supervised at age 10–14 spent a median of almost 6 months (175 days) in total under supervision when they were 10–14 (Table S17). Three-quarters (75%) of this group spent less than 12 months under supervision: 25% spent less than 2 months, 27% spent 2–6 months, and 23% spent 6–12 months. An additional 13% spent 12–18 months under supervision and 12% spent more than 18 months. It should be noted that the possible total amount of time spent under supervision when 10–14 is limited by the age at

first supervision (age 14 for the majority of young people).

Indigenous young people, however, tended to spend more time under supervision in total than non-Indigenous young people (median 233 days, in total, compared with 133). Indigenous young people were less likely to have spent less than 2 months under supervision when they were 10–14 (17% compared with 31%) and more likely to have spent 18 months or more under supervision (20% compared with 7%) (Figure 5.4).



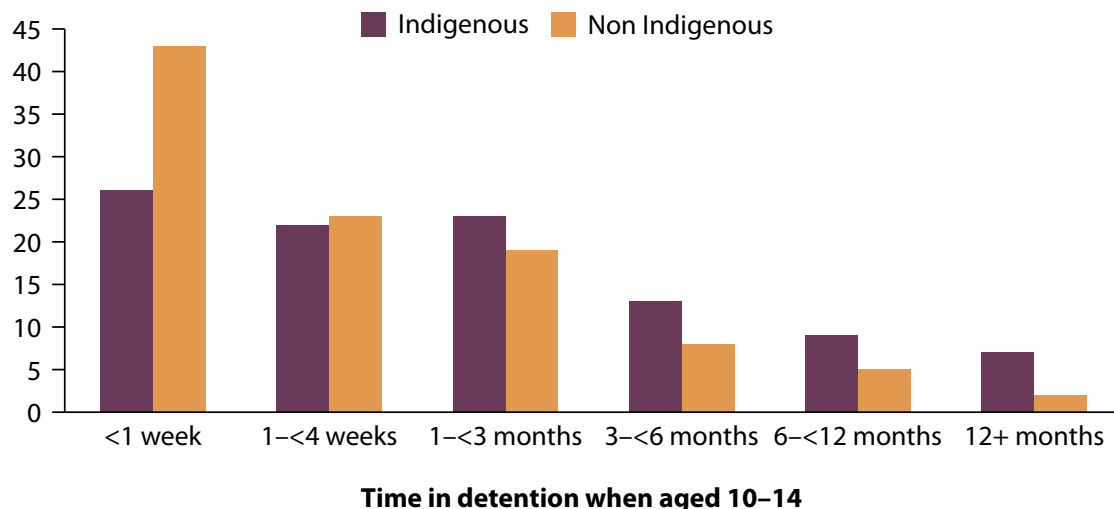
A similar pattern occurred in community-based supervision (median 183 days in total) (Table S18). About 77% of young people who experienced community-based supervision at age 10–14 spent less than 12 months in total under community-based supervision when they were 10–14.

Time spent in detention, however, was generally short. Among those born in 1993–94 who were in detention when aged 10–14, the median amount of time spent in detention at this age, in total, was just over 2 weeks (17 days) (Table S19). More than one-third (35%) of this group spent less than 1 week in detention. About 23% spent between

1 and 4 weeks, and an additional 21% spent between 1 and 3 months.

Indigenous young people aged 10–14 spent more time in detention than non-Indigenous young people (Figure 5.5). They were less likely to have spent under 1 week in total in detention (26% compared with 43%) and more likely to have spent 3 months or more (29% compared with 15%). The median amount of time spent in detention when aged 10–14 was 31 days for Indigenous young people, compared with 9 days for non-Indigenous young people (Table S19).

Per cent



Note: Data include New South Wales, Victoria, Queensland and South Australia only. See 'Appendix 2: Technical notes' for details.

Source: Table S19.

Figure 5.5: Young people born in 1993–94 who experienced detention when aged 10–14, by total time spent in detention when aged 10–14 and Indigenous status, selected states and territories, 2011–12

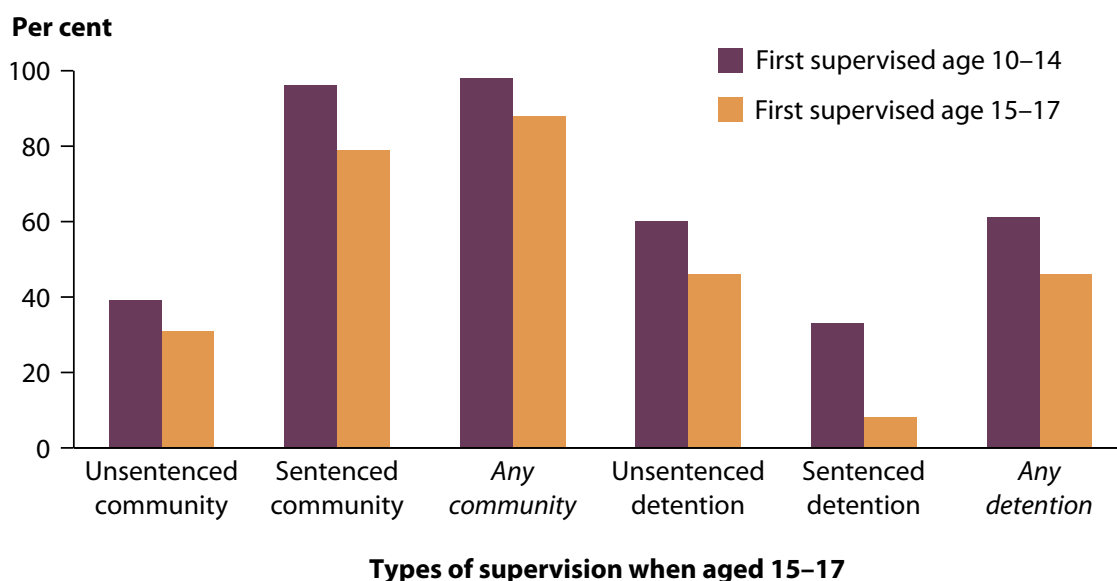
5.4 Are they likely to be supervised beyond age 14?

Most (85%) young people born in 1993–94 who were supervised at age 10–14 returned to (or continued under) supervision when they were aged 15–17 (Table S20). This proportion was higher among Indigenous than non-Indigenous young people (91% compared with 82%). Note that this includes young people who were supervised at age 14 and continued under supervision when they turned 15.

Young people who were first supervised when aged 10–14 were more likely than those who entered supervision at older ages to experience all of the different types of supervision when they were 15–17 (Figure 5.6). The greatest difference was in sentenced detention—33% of those who first entered supervision at age 10–14 (and returned at age 15–17) were in sentenced detention at some time when they were 15–17, compared with only 8% of those who first entered supervision aged 15–17.

Young people who had first entered supervision when aged 10–14 also spent more time under supervision when they were aged 15–17, compared with those who had first entered supervision at older ages. Among the 1993–94 cohort, about half (51%) of those who first entered supervision at age 10–14 (and returned at age 15–17) spent 18 months or more under supervision in total when they were aged 15–17 (Figure 5.7). This was much higher than the corresponding proportion that did not experience early supervision (15%). Among those who first entered supervision aged 10–14, the median amount of time spent under supervision at age 15–17, in total, was 80 weeks (563 days), compared with about 33 weeks (234 days) among those first supervised at age 15–17 (Table S22).

Similar differences between the two groups occurred in both community-based supervision and detention (Tables S23 and S24).

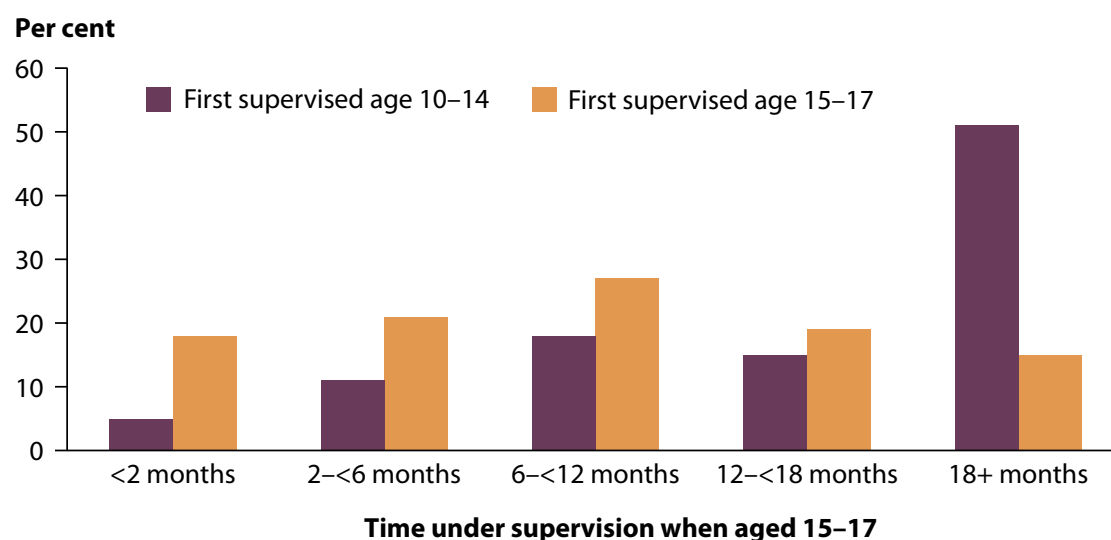


Notes

1. Data include New South Wales, Victoria, Queensland and South Australia only. See 'Appendix 2: Technical notes' for details.
2. Components may not sum to the total as young people may have experienced more than one type of supervision.
3. 'Any community' includes unsentenced and sentenced community-based supervision. 'Any detention' includes unsentenced and sentenced detention.

Source: Table S21.

Figure 5.6: Young people born in 1993–94 who experienced youth justice supervision when aged 15–17, by types of supervision experienced when aged 15–17 and age at first supervision, selected states and territories, 2011–12



Note: Data include New South Wales, Victoria, Queensland and South Australia only. See 'Appendix 2: Technical notes' for details.

Source: Table S22.

Figure 5.7: Young people born in 1993–94 who experienced youth justice supervision when aged 15–17, by total time spent under supervision when aged 15–17 and age at first supervision, selected states and territories, 2011–12

Indigenous young people who were first supervised when aged 10–14 were more likely than non-Indigenous young people to have spent 18 months

or more under supervision when aged 15–17 (60% compared with 46%) (Table S22).

6 Has involvement in crime changed over time?

6.1 Have numbers and rates changed?

Over the 3-year period from 2008–09 to 2010–11, numbers of young people aged 10–14 proceeded against by police fluctuated slightly (Table S25). There was a slight decrease between 2009–10 and 2010–11, from about 22,300 to almost 20,300 (or from 159 to 144 per 10,000 aged 10–14 in the population).

Six-year trends are available for data on the number of young people (of all ages) found guilty in the Children's Court. Numbers were relatively stable between 2006–07 and 2009–10, and decreased in the two most recent years (from about 32,000 to 26,500, down 17%) (Table S26). The proportion of those proven guilty who were sentenced to custodial orders remained relatively stable (8–11%).

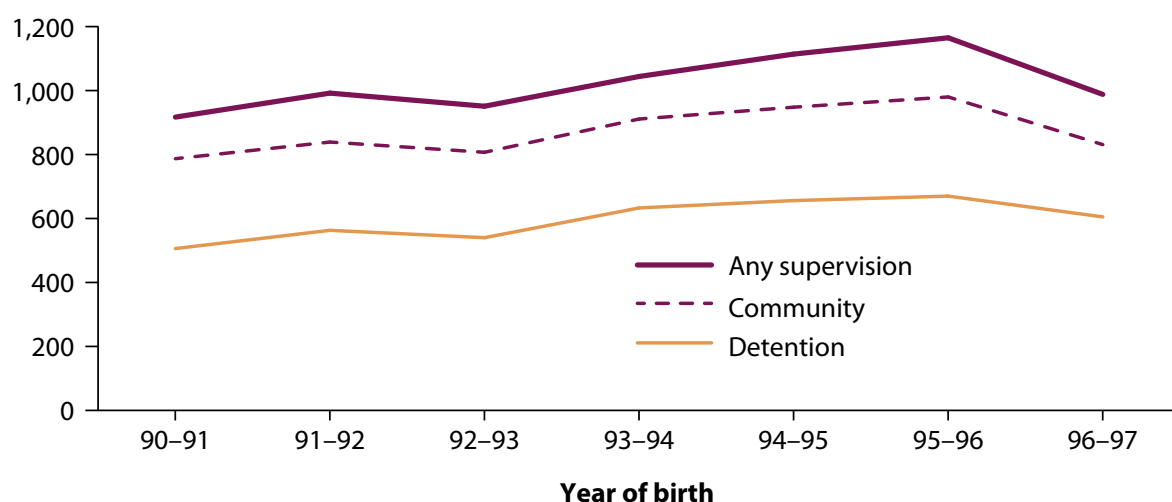
A complete youth justice supervision history at age 10–14 is available for seven cohorts of young people—those born between 1990–91 and 1996–97. When only the age range 10–14 is considered, data on a larger number of cohorts are available (compared with the complete cohorts at age 10–17). Comparable cohort data are not available for all states and territories (see 'Appendix 2: Technical notes'). The trend data presented here reflects only the states for which complete and comparable data were available (New South Wales, Victoria, Queensland and South Australia).

Overall, there was a small increase in the number of young people who experienced supervision when aged 10–14 between the 1990–91 and 1996–97 cohorts (Figure 6.1). The number of young people who experienced supervision increased by 8%, with a proportionally larger increase in the number who experienced detention (20%) compared with community-based supervision (6%). Numbers peaked among those born in 1995–96, and dropped slightly in 1996–97 cohort.

Trends in the rates of young people in these cohorts who experienced supervision when they were aged 10–14 closely mirrored trends in the numbers (tables S27, S28 and S29). Rates of young people who experienced supervision at age 10–14 increased between the 1990–91 and 1996–97 cohorts, from 39 to 43 per 10,000. Rates of young people who experienced detention increased from 22 to 26 per 10,000, while rates of those under community-based supervision increased from 34 to 36 per 10,000.

The numbers and rates of young people in each cohort who experienced supervision increased in New South Wales (despite a notable decrease in the most recent cohort) and Victoria, and fluctuated in Queensland and South Australia (Table S27).

Number of young people



Note: Data include New South Wales, Victoria, Queensland and South Australia only. See 'Appendix 2: Technical notes' for details.

Source: Tables S27, S28 and S29.

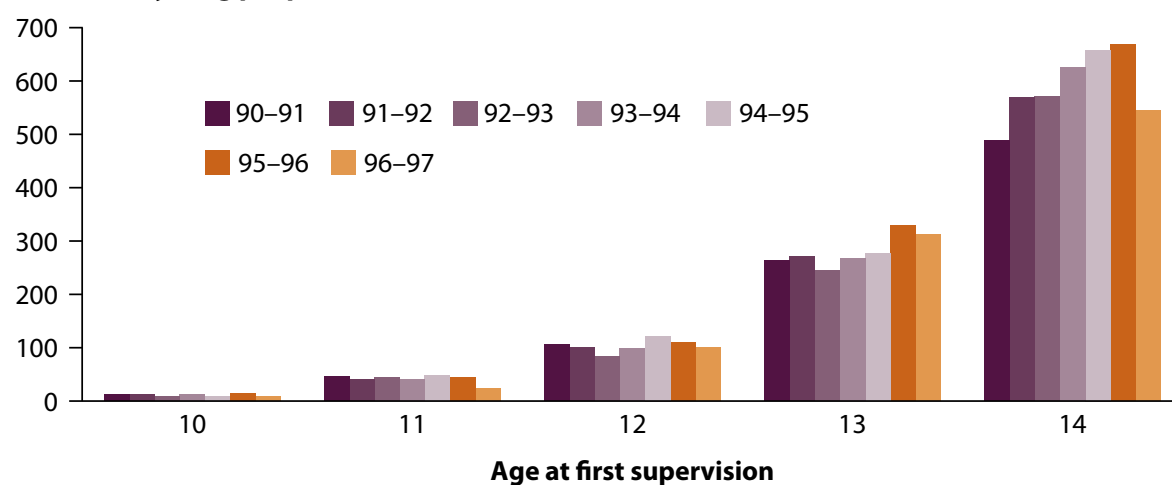
Figure 6.1: Young people who experienced youth justice supervision when aged 10–14, by year of birth and type of supervision, selected states and territories, 2011–12

In each cohort, the proportion of young people supervised at age 10–14 that was Indigenous was around 40–46%, while the proportion that was male was 74–80% (tables S30 and S31).

There were some slight differences in trends by age at first supervision (Figure 6.2). There were fewer young people first supervised at age 10–12 in the

most recent (1996–97) cohort, when compared with the 1990–91 cohort, and more young people first supervised at age 13–14, reflecting a slight increase in the age of first supervision. However, among the most recently completed cohort, there were decreases in every single year age group when compared with the previous (1995–96) cohort.

Number of young people



Note: Data include New South Wales, Victoria, Queensland and South Australia only. See 'Appendix 2: Technical notes' for details.

Source: Table S32.

Figure 6.2: Young people who experienced youth justice supervision when aged 10–14, by age at first supervision and year of birth, selected states and territories, 2011–12

6.2 Have the types of offences changed?

There is very limited information available about trends in the types of crime in which Australian young people are involved. Only two years of data on the types of offences for which young people are proceeded against by police are available, which shows little change (ABS 2013b). Data on the charges and offences of young people under supervision are currently under development in the JJ NMDS.

Some European research suggests that although total rates of youth crime have remained relatively stable, there has been an increase in violent crimes and a reduction in property crimes over the last 15–20 years (Stevens et al. 2006). Statistics from the Office of Juvenile Justice and Delinquency Prevention in the United States of America (Puzzanchera & Adams 2011) also showed an increase in the juvenile Violent Crime Index arrest rate (for young people aged 10–17) from 2004 to 2006, but this was followed by a decline through 2009 to its lowest level since 1980. Similarly, in Canada, the youth Overall Crime Severity Index (for young people aged 12–17) fell by 22% between 2001 and 2011, but the decline in youth Violent Crime Severity only fell 3% (Brennan 2012).

There is a perception among the Australian public that violent crime is increasing in Australia, including among young people (Bricknell 2008). However, statistics on violent crime reported to police since the 1990s show a mixed story, and researchers have noted that media attention on high-profile violent crimes has likely contributed to this public perception. The Australian Psychological Society (2000) highlighted that the media over-represent the level of some types of crime, including youth crime, and that they tend to use sensationalist reporting when they do so. Other research suggests that media representations of youth crime focus on violent crimes and report the worst possible examples of young offenders (Hough & Roberts 2004). There is evidence that the media exert a critical influence on the public's perception of crime in the community, (Australian Psychological Society 2000), which may contribute to the public's perception of increasing levels of violent youth crime.

It is difficult to reach a definitive conclusion as to whether there has been an increase in violent crime by young people. There are a limited number of studies with clear findings and the research on those aged 10–14 is particularly limited. The lack of convincing research is partly due to the many inherent issues surrounding crime reporting. Previous research has highlighted the difficulties in providing an accurate explanation of trends (Bricknell 2008). This is especially due to the occurrence of contradictory findings for rates of homicide compared with those of other violent crimes, and differences in trends derived from different data sources (including recorded crime data, victimisation survey data and self-report data) (Indermaur 1996).

For example, in Australia, there are two main sources of violent crime data – police data and victim survey data. These have been shown to yield contradictory results for trends in violent crime. In one comparison, police statistics on non-fatal forms of violent crime showed dramatic increases over the 20-year study period, while victim survey data showed no increase (Indermaur 1996).

The main problem with police data is that a large amount of violent crime is not reported to the police. For example, in the most recent Australian crime victimisation survey (ABS 2013a), only 31% of sexual assaults and 49% of physical assaults were reported to police. This phenomenon is not just limited to Australia, but has been identified worldwide (Indermaur 1996). Because such a large amount of violent crime goes unreported, increases in police-recorded violent crime may not always reflect actual increases. They may be related to improved effectiveness and efficiency of police crime recording, or increased reporting of particular types of violent crime, such as domestic abuse, due to increased community awareness. For these reasons, victim survey data is often thought to be a better measure. These limitations highlight the need for cautiousness in interpreting existing data and provide a possible explanation for why there are limited conclusive data in this area.

6.3 What are some emerging issues?

Mobile phone and internet technology innovations have created new opportunities for different types of crime. These developments present emerging risks for both offending behaviour and the victimisation of young people aged 10–14.

‘Sexting’ and cyber bullying are considered ‘grey’ legal areas, as developments in technology have significantly outpaced the law (Walters 2010). ‘Sexting’ refers to ‘the electronic communication of non-professional images or videos portraying one or more persons in a state of nudity or otherwise in a sexual manner’ (Svantesson 2011). One recent survey found that 18% of respondents aged 10–15 had taken a ‘sexting’ image of themselves, and 21% had received an image (Office of the Victorian Privacy Commissioner 2012).

Under Australian legislation, any individual involved in producing, sending or receiving images of a person under 18 can potentially face child pornography charges and may be placed on the sex offenders list, even if the images are of themselves or consenting parties (Fisher et al. 2012; Svantesson 2011). Many young people have been charged with child pornography offences as a result of ‘sexting’ in the United States (Sacco et al. 2010). Despite multiple researchers suggesting that it is inappropriate to charge young people with child pornography for ‘sexting’ behaviour (e.g. Levick & Moon 2010; Office of the Victorian Privacy Commissioner 2012), young people in Australia may still be charged with this offence. In recent years, there have been media reports of young people being charged over ‘sexting’ offences in Victoria and Queensland (Porter 2008; Tin 2011).

Cyber bullying occurs when a young person is ‘harassed, tormented, teased, embarrassed, or otherwise targeted by another person, usually a peer, using the Internet, cell phone, or other mobile technology’ (Cannizzaro 2008). Recent Australian research found that 7–10% of students in Years 4 to 9 (approximately age 9–14) reported being cyber bullied (Cross et al. 2009). The impact of cyber bullying can be serious, with both offenders and victims at risk of negative social and developmental outcomes (Campbell et al. 2010).

In Australia, there have been few criminal prosecutions of young people involved in bullying, and New South Wales is the only jurisdiction with legislation specifically directed at bullying in schools (Campbell et al. 2010). However, criminal offences including stalking, threats, harassment, cyber stalking and telecommunications offences may be relevant to some cyber bullying situations (Bluett-Boyd et al. 2013; Campbell et al. 2010).

This means there is the potential for young people to be involved in the justice system either as an offender or victim, as a result of cyber bullying or ‘sexting’. There is currently a lack of consistency across jurisdictions in legislative and other law enforcement approaches, which means that consequences for young people can differ substantially (Bluett-Boyd et al. 2013).

7 What is the impact of involvement in crime at age 10–14?

7.1 Is there a relationship between early involvement in crime and later offending?

Although the number of people aged 10–14 in the youth justice system is small, understanding and reducing involvement in crime within this group is important. Most criminal behaviour among young people is limited to adolescence and decreases as young people enter into adulthood (Smith & McAra 2004). However, for some this behaviour can continue for many years. Moffitt (1993) proposed that there are two common patterns of offending over the life course—adolescent-limited and life-course persistent, or chronic offending. There is consensus in the research that a small proportion of chronic offenders are responsible for a disproportionately large amount of crime (Moffitt 1993; Piquero 2000).

A widely accepted finding is that early onset of first offence is a strong predictor of chronic, long-term offending (Farrington 2003). Many studies have found that young people convicted at younger ages have a higher risk of reoffending and tend to commit large numbers of offences, at high rates and often over long periods of time (Cottle et al. 2001; Farrington 2001; Piquero 2000; Simpson et al. 2008; Smith & Jones 2008; Watt et al. 2004).

For example, a New South Wales study found that those who had their first court appearance at a younger age (10–14 compared with 17–18) had a greater average number of reappearances (5.2 compared with 2.4) within the next 8 years (Chen et al. 2005). Similarly, those aged 10–14 at their first court appearance had a much greater chance of receiving a prison sentence from an adult court than those who were older, and had a shorter average time between their first and second court appearances. A Victorian report found that recidivism rates (defined as having a second offence proven in court within 1 and 2 years of first offence) were highest for young offenders aged 11–13 (Victorian Government Department of Human Services 2001). A Queensland study found that young people who re-offended were younger at their first caution than those who did not reoffend (Stewart et al. 2005).

These findings support the results of the current study, which shows that a high proportion of young people who were first supervised at age 10–14 remain involved in the youth justice system at older ages. Those who were first supervised at age 10–14 were more likely than those first supervised at older ages to have more serious outcomes—they were more likely to experience detention when they were 15–17, and spent longer under supervision (see Section 5.4). However, it should be noted that the current study is limited to data on youth justice supervision; data on involvement in both the youth and adult justice systems would enable the identification of chronic, long-term offenders.

Work is currently underway by the AIHW to develop national data that can be used to measure recidivism, or reoffending behaviour, among young people in Australia, and future work may also consider involvement in the adult system.

There may be an underlying issue that contributes to the risk of both early onset of offending and chronic offending. Many studies have shown a link between antisocial behaviour in childhood and chronic offending (e.g. Farrington 2001; Patterson et al. 1998; Pulkkinen et al. 2009). Individual differences in tendency to commit crime often emerge early and are relatively stable across the life course (Sampson & Laub 1992). For example, Patterson and colleagues (1998) found that measures of antisocial behaviour in childhood predict both an early age of arrest and chronic adolescent offending, suggesting that a single underlying process is responsible for these three components. Similarly, Garrido and Morales (2003) suggest there is a stable underlying construct, such as criminal potential, which influences both early age of onset and chronic offending.

Early onset offending may also increase the risk of chronic offending through a young person's contact with the youth justice system. Intense and restrictive penalties have often been found to have criminogenic (crime-producing) effects on young people, especially those who were initially 'low-risk' (Latessa 2006). The effects of detention have been found to be particularly negative (DeLisi et al. 2011; Gatti et al. 2009). It is commonly recognised that imprisonment can encourage further criminal behaviour through peer contact, which may enable offenders to learn new criminal skills and create and maintain criminal networks. This effect may be amplified in young people due to their immaturity and susceptibility to peer influence (Richards 2011).

Detention may also increase the risk of reoffending by disrupting schooling and family bonds, encouraging young people to identify with delinquent peers and contributing to cognitive or mental health issues (Pennell et al. 2011).

Contact with the justice system is also thought to foster further criminal behaviour because it stigmatises offenders. People may become labelled as a particular type of individual, which affects the way they are seen by society and the way they see themselves (Kurlychek et al. 2006; Pager 2003). This may create barriers to the resources that they need to prevent them reoffending (Malott & Fromader 2010).

7.2 How can involvement in crime impact on their lives?

A young person's involvement in crime can impact on many other areas of their life. In the short term, detention may have a negative effect on a young person's mental and physical wellbeing, including an increased risk of depression, self-harm and suicide (Holman & Ziedenberg 2006). It may interfere with young people's education and some have difficulties returning to school following incarceration (Holman & Ziedenberg 2006).

In the longer term, the stigmatisation of offenders and discrimination based on a criminal history can lead to problems gaining employment (Human Rights and Equal Opportunity Commission 2004; Pager 2003). Some professions may prevent people with a criminal record from participating, such as preventing registration as a lawyer or doctor, or preventing working with children (Human Rights and Equal Opportunity Commission 2004). Even when there is no legal restriction, employers may discriminate against those with a criminal history (Metcalf et al. 2001). The ability to gain employment may also be impacted by other factors related to contact with the justice system, including poor employment characteristics (e.g. literacy, qualifications and employment record) (Metcalf et al. 2001).

Many young people who spend time in youth detention progress to spending periods in prison in adulthood. In a survey of adult prison entrants in Australia in 2010 (AIHW 2011), 22% of all entrants had previously been in youth detention and half of those (11% of all entrants) had been there at least three times.

International research suggests that involvement in criminal behaviour may lead to poor life outcomes both when young people experience contact with the justice system and when they do not (Khron et al. 2011; Lanctot et al. 2007; Sampson & Laub 1990). For example, in the United States, Lanctot and colleagues (2007) found that both delinquent behaviour during adolescence and contact with the US youth justice system impacted independently on a range of adult life outcomes.

8 How can the offending behaviour of young people aged 10–14 be reduced?

8.1 What types of interventions are available?

Crime prevention interventions can be classified into three categories:

- Primary prevention strategies aim to prevent crime before it occurs. These seek to strengthen social institutions and reduce opportunities for crime.
- Secondary prevention includes approaches that identify those with a high risk of involvement in criminal behaviour, and aim to reduce that risk.
- Tertiary prevention deals with those already involved in crime to reduce reoffending (AIC 2012).

At the primary prevention level, young people's involvement in crime is affected by policy and practice in a broad range of areas including child protection, housing and homelessness, education, employment, family and community services, and health.

At the secondary prevention level, early intervention programs that provide support and training for parents in disadvantaged households are some of the most effective programs (Noetic Solutions 2010). In their review, Welsh and Farrington (2002) recommended wide-ranging programs that include elements such as the home visitation of pregnant women, parent education, child skills training, school and discipline management and improved street lighting, among others.

At the tertiary prevention level, the focus is on targeting young people's risk factors. Many young offenders grow out of their criminal behaviour as long as the response to their offending is appropriate (Smith & McAra 2004). Therefore, it is important to divert young offenders away from the youth justice system and provide treatment programs as an alternative where possible (AIC 2002; Noetic Solutions 2010; Stevens et al. 2006).

In Australia, the state and territory government agencies responsible for youth justice have a focus on diverting young people away from the justice system. The methods vary between jurisdictions, but young people are often given warnings, police cautions and youth justice conferences in preference to court visits (Richards 2011).

Each jurisdiction also has a number of intervention programs aimed at reducing offending behaviour. These include education and training, antisocial behaviour and emotional management, family and relationship support and offence-specific interventions. These programs may be used during the diversion process or while a young person is under a community or detention-based order. Details of the types of programs that are available to young people aged 10–14 under supervision in each state and territory are provided in 'Appendix 1'.

8.2 What makes effective interventions?

According to the Australian Institute of Criminology's *National Crime Prevention Framework*, effective tertiary prevention programs depend on the close cooperation of a number of agencies. These include agencies within the criminal justice system and external agencies including government (e.g. education, housing and health), non-government service providers, local industry and the community (AIC 2012). Crime prevention programs should take a holistic approach, incorporate evidence-based interventions, target individual risk factors for reoffending, and tackle young people's difficulties returning into the community after release (AIC 2012).

Most existing research has focused on programs that target a wider age range of young people (e.g. age 10–19), with relatively little research on programs for those aged 10–14 (Day et al. 2004). In fact, there are few programs specifically designed for this age group (Burns et al. 2003). The existing research is discussed below, recognising that many of the principles apply to the 10–14 years group.

In a recent review for the New South Wales Minister for Juvenile Justice, six key principles of effective practice in youth justice were identified (Noetic Solutions 2010). These were: evidence-based policy formulation; avoidance of incarceration

wherever possible; comprehensive and complementary programs (incorporation of primary, secondary and tertiary programs); tailored strategies for Indigenous and other culturally diverse groups; whole-of-government collaboration; and whole-of-community collaboration.

In the United States, Latessa (2006) also summarised the findings of research on the effectiveness of tertiary interventions in reducing reoffending into the 'principles of effective intervention'. These include:

- Risk: the most intensive intervention programs should be reserved for high-risk offenders.
- Need: programs should mainly target criminogenic factors (factors that are highly associated with offending behaviour such as substance abuse).
- Treatment: the most effective programs are behavioural-based. These should focus on current circumstances and risk factors and be action-oriented.
- Fidelity: relates to program integrity or quality; recommends targeting responsivity factors (e.g. lack of motivation), ensuring staff are well trained, providing close monitoring of offenders and associates, ensuring the program is delivered as intended, and providing structured follow-up.

A range of other findings on program effectiveness have been highlighted in research studies and literature reviews. These include:

- Programs should target the underlying factors that contribute to offending behaviour by reducing risk factors and strengthening protective factors (e.g. by providing positive role models) (Noetic Solutions 2010).
- Behavioural interventions should focus on present circumstances and risk factors, be action-oriented rather than talk-oriented, be well-structured, and involve modelling and behavioural-rehearsal techniques to enhance confidence, problem solving and self-control skills, and challenge cognitive distortions (Latessa 2006).
- An emphasis on family interactions is generally effective, because this provides training to those most heavily involved in supervising the young person (Greenwood 2004).

- Poor language skills should be targeted, as they appear to increase the risk of antisocial behaviour (Bor et al. 2004). More importantly, many intervention programs rely heavily on language skills (Snow & Powell 2012).

A review by the Australian Institute of Criminology (AIC) into what works in reducing young people's involvement in crime identified a number of characteristics of effective programs (AIC 2002). Effective programs were those that targeted individual needs, worked across multiple social settings (e.g. family, school, peers and the community) and dealt with multiple risk factors. It was argued that programs should: target young people with the highest risk of future offending while employing a minimal interventionist approach for first-time offenders; have clear aims and objectives; be run by well-trained and enthusiastic staff; be of adequate length and intensity; be culturally specific; be monitored and evaluated; and be run in a manner that is consistent with the program's design (AIC 2002).

There are a number of program characteristics that appear to be ineffective, or even produce negative outcomes. There appears to be little evidence to support non-behavioural interventions such as fear tactics or talk therapy (Latessa 2006). Methods such as incarceration, boot camps and 'scared straight' programs (without therapeutic components) have generally not been found to be effective (Noetic Solutions 2010, Petrosino et al. 2002, Pritikin 2008, Wilson et al. 2003). The literature suggests this is likely due to a combination of stigmatising effects, reinforcement of criminal behaviour through the concentration of offenders together and failure to tackle the underlying factors contributing to offending behaviour and provide positive role models. Imprisonment can have negative effects on reoffending and has often been shown to be less effective in preventing recidivism than community-based programs (Gendreau et al. 1999).

8.3 What is the evidence on Australian interventions?

There is a range of programs and services available to young people involved in crime in Australia. The programs that have been proven to be most successful generally include a number of the characteristics listed in Section 8.2. Behavioural programs are generally effective and include approaches such as cognitive behavioural training that targets attitudes and beliefs; family-based interventions that train family members; and structured social learning programs (Latessa 2006).

Some other specific programs shown to be effective in reducing recidivism in review studies include Multisystemic Therapy (MST) (AIC 2002; Drake et al. 2009; Noetic Solutions 2010), Functional Family Therapy (Drake et al. 2009; Greenwood 2008; Washington State Institute for Public Policy 2004), multidimensional treatment foster care (Drake et al. 2009; Greenwood 2008) and aggression replacement training (Drake et al. 2009; Greenwood 2008).

There are many other methods and programs that may be effective but have not yet been rigorously tested, or the results are inconclusive. Restorative justice conferencing (also known as youth justice conferencing or group conferencing) has been investigated by many researchers but the findings have been conflicting. A restorative justice conference is a meeting that typically involves the young person, their family, the victim (if they wish to attend), a police officer and a convenor. The aim is for the victim, the young person and their family to reach an agreement about how the young person can repair some of the harm caused. This may include the young person making a formal apology, replacing damaged property (if applicable), accepting support services to prevent reoffending, or performing volunteer or community service work. In most cases, an agreement is produced and signed by the victim, young person, police and convener (Department of Justice and Attorney-General—Queensland Government 2012).

Some studies have found restorative justice conferences to be effective in reducing reoffending, while others have found minimal or no benefits. In their meta-analysis, Drake and colleagues (2009) found an 8% reduction in crime outcomes when looking at the combined effects of 21 studies on restorative justice for low-risk offenders. Another review of 30 studies (Bonta et al. 2002) found a wide variation in results and an overall small (3%) reduction in recidivism. In their recent article, Smith and Weatherburn (2012) found that conferences held under the *NSW Young Offenders Act 1997* were no more effective in reducing the risk or seriousness of reoffending than attendance at Children's Court. This was contrary to a similar, earlier study (Luke & Lind 2002), which found a 15–20% lower risk of reoffending for conference participants compared with those who went to court.

The effect of restorative justice conferencing on reducing recidivism requires further research. However, even if restorative justice results in equivalent levels of recidivism, it may still be worthwhile. Research has shown higher levels of victim and offender satisfaction (e.g. Latimer et al. 2005; Paulin et al. 2005), and it may be cost effective (although this needs further evaluation) (Smith & Weatherburn 2012).

Appendix 1: Programs and services for young people aged 10–14 under supervision

In Australia, young people under youth justice supervision may receive a range of services and interventions from state and territory youth justice agencies. These may be provided within a community-based setting or in a detention centre. The numbers and types of programs (both in detention and community-based supervision) aimed at reducing offending behaviour vary between jurisdictions.

A summary of the types of programs that are available to young people aged 10–14 who are under supervision in each state and territory is shown in Table A1. These include programs delivered by the youth justice agencies, as well as those directly supported by the agencies (e.g. through funding or referrals). Young people access a broad range of services in both community-based supervision and detention.

In addition, some young people under community-based supervision may access programs and services that are available to all members of the community. Youth justice agencies may assist young people to engage with community services for programs and support.

In most jurisdictions, young people aged 10–14 under supervision have access to a range of programs, although these are often designed to target a wider age range (e.g. 10–17), or sometimes only part of the 10–14 group (e.g. age 12–18). There are no programs run only for young people aged 10–14. However, some programs offered to a wider age range were designed with this age group in mind. Many others can be adapted for those in younger age groups by changing the delivery method or content, or by focusing on the needs of the individual (e.g. counselling programs).

Although there is some variation between jurisdictions, Australian programs commonly target a range of issues. These include: antisocial thinking and behaviour; alcohol and other drug misuse; low levels of literacy, numeracy and educational engagement; mental health issues; and family problems such as domestic violence. Many programs are focused around rehabilitation of offenders and aim to enhance employment skills and work readiness, provide accommodation options, promote

respectful relationships, deliver sexual health education and assist young people with successful community reintegration. The engagement of parents and families is also commonly seen as an important factor in the process.

Changing Habits and Reaching Targets (CHART) is a program used in all jurisdictions except Western Australia and the Northern Territory. This cognitive-behavioural intervention focuses on the links between beliefs, attitudes and behaviour, to challenge offending behaviour. This program can be modified for those in the younger age groups by changing the delivery method and using an individualised approach. It is often used in conjunction with other programs, although in some jurisdictions there are only a small number of young people aged 10–14 who meet the criteria for use of CHART. In some jurisdictions, CHART is only offered in the community-based setting.

The majority of jurisdictions (New South Wales, Queensland, Tasmania, Australian Capital Territory and Northern Territory) use an assessment tool called the Youth Level of Service – Case Management Inventory (YLS-CMI) to assess a young person's risk of reoffending. This was designed for use with people aged 12–18 (Tasmania uses a version designed for use with young people aged 12–17). Victoria, Western Australia and South Australia primarily use the Victorian Offending Needs Indicator for Youth Assessment tool (VONIY), which uses a lower threshold to assess people aged 10–14 as 'high risk,' compared with those aged 15–18.

These tools are generally used in conjunction with professional discretion and other sources of information (e.g. prior and current offences, family situations, personality and behaviour, and substance abuse) to help identify the appropriate type and intensity of interventions for each individual.

Advice provided to the AIHW indicates that there have been no evaluations of the effectiveness of programs and services offered to young people aged 10–14, and only a limited number of evaluations has been conducted on programs for young people of all ages. Some jurisdictions collect feedback, conduct qualitative research or complete internal reviews. These are often focused on issues such as

program validity, process monitoring, and program participation and completion, rather than on outcome measures such as reoffending behaviour. A small number of programs across different jurisdictions have undergone external evaluations by organisations such as the New South Wales

Bureau of Crime Statistics and Research, the AIC or universities, but the majority of these programs are aimed at older age groups. In addition, many evaluations have been unable to obtain statistically significant results due to the small numbers of young people involved.

Table A1: Programs available to young people aged 10–14 under youth justice supervision by type of program, states and territories, 2011–12

	NSW	Vic	Qld	WA	SA	Tas ^(a)	ACT	NT
Community-based supervision								
Antisocial behaviour and emotional management	✓		✓	✓*		✓	✓	✓
CHART	✓	✓	✓		✓	✓	✓	
Alcohol and other drugs	✓	✓	✓	✓	✓	✓	✓	✓
Violent offending	✓	✓	✓	✓				✓
Sexual offending	✓	✓	✓	✓	✓			✓
Relationships	✓	✓	✓	✓	✓		✓	✓
Psychological and developmental support	✓	✓	✓	✓	✓	✓	✓	✓
Education, training and employment assistance	✓	✓	✓	✓	✓	✓	✓	✓
Community integration and life skills (e.g. cooking)	✓	✓	✓		✓		✓	✓
Accommodation services	✓	✓	✓	✓	✓	✓	✓	✓
Bail support services	✓	✓	✓	✓	✓	✓	✓	
Cultural programs	✓	✓	✓	✓	✓	✓	✓	✓
Family interventions	✓		✓	✓	✓	✓	✓	✓
Sexual health, parenting and pregnancy	✓						✓	✓
Health and fitness	✓					✓	✓	
Detention								
Antisocial behaviour and emotional management		✓	✓	✓	✓		✓	✓
CHART		✓	✓		✓	✓	✓	
Alcohol and other drugs	✓	✓	✓	✓	✓	✓	✓	✓
Violent offending	✓	✓	✓	✓	✓			✓
Sexual offending	✓	✓	✓	✓	✓			✓
Relationships	✓	✓	✓	✓	✓		✓	✓
Psychological and developmental support	✓	✓	✓	✓	✓	✓	✓	✓
Education, training and employment assistance	✓	✓	✓	✓	✓	✓	✓	✓
Community integration and life skills (e.g. cooking)	✓	✓	✓	✓	✓	✓	✓	✓
Accommodation services	✓	✓	✓	✓	✓		✓	
Bail support services	✓	✓	✓	✓	✓			
Cultural programs	✓	✓	✓	✓	✓	✓	✓	✓
Family interventions			✓				✓	
Sexual health, parenting and pregnancy	✓		✓	✓	✓		✓	✓
Health and fitness	✓	✓	✓		✓	✓	✓	✓

✓ Programs that may be accessed by young people aged 10–14

* Envisaged future directions—not currently available

(a) Programs are not offered in all locations. Some programs have a very limited capacity and/or are pilot programs without ongoing funding.

Note: Some programs may only be offered to some young people in the 10–14 age group (e.g. 12–18 years or 14+).

Appendix 2: Technical notes

Supplementary tables

This report and accompanying supplementary tables (tables with a prefix of S) are available for download from <www.aihw.gov.au/youth-justice-publications/>.

Young people proceeded against by police and in contact with the Children's Court

Information about young people proceeded against by police is based on data from the ABS publication *Recorded crime—offenders* (ABS 2012b). At the time of writing, 2010–11 was the most recently available national data.

Information about young people in contact with the Children's Court is based on data from the ABS publication *Criminal courts, Australia* (ABS 2013b). In this collection, if a person or organisation is a defendant in more than one case dealt with by the court during the collection period then they will be counted more than once. For this reason, data on the number of defendants are likely to be an overestimate of the number of individuals.

More information about the *Recorded crime—offenders* and *Criminal courts, Australia* publications is available from the ABS website at <www.abs.gov.au>.

Rates of young people aged 10–14 proceeded against by police and in contact with the Children's Courts were calculated by the AIHW using ABS estimated resident population data (ABS 2012a).

Young people under youth justice supervision

Information about young people under youth justice supervision in this report is based on data from the JJ NMDS. This data collection contains information about all young people who were supervised by state and territory youth justice agencies in Australia, both in the community and detention.

More information about the JJ NMDS, including details of the data and methods used in reporting, is available from the AIHW website at <<http://www.aihw.gov.au/youth-justice/>>. A data quality

statement for the JJ NMDS 2011–12 is also available at <<http://meteor.aihw.gov.au/content/index.phtml/itemId/515023>>.

Age range for treatment as a young person

Across Australia, young people may be charged with a criminal offence if they are aged 10 or over. The upper age limit for treatment as a young person is 17 (at the time an offence was allegedly committed) in all states and territories except Queensland, where the age limit is 16. Young people aged 18 and over (17 and over in Queensland) at the time an offence was allegedly committed are dealt with under the criminal legislation relating to adults.

However, it is possible for young people aged 18 and over to be under youth justice supervision. Reasons for this include the offence being committed when the young person was aged 17 or younger, the continuation of supervision once they turn 18, or their vulnerability or immaturity. In addition, in Victoria, some young people aged 18–20 may be sentenced to detention in a youth facility (known as the 'dual track' system).

Completed cohorts

'Completed cohorts' are groups for which a complete youth justice supervision history is available. In 2011–12, a complete supervision history at age 10–17 is available for four cohorts—those born in the 1990–91, 1991–92, 1992–93 and 1993–94 financial years. These young people were aged 10–17 during the period of the JJ NMDS (2000–01 to 2011–12).

In addition, a complete supervision history at age 10–14 is available for seven cohorts of young people—those born between 1990–91 and 1996–97.

Complete cohort data are not available for all states and territories. This is because complete data in the latest version of the JJ NMDS (known as JJ NMDS 2009 format) are not available for all states and territories in all years from 2000–01 to 2011–12. Data from the previous version of the JJ NMDS (JJ NMDS 2007 format) are used to generate the numbers of young people under supervision in each cohort, but are not sufficiently comparable to include in all analyses (e.g. types of supervision experienced).

Therefore, cohort analyses may exclude young people in the following states and territories, when a complete supervision history was not available:

- Western Australia and the Northern Territory (data only available in JJ NMDS 2007 format from 2000–01 to 2007–08; data not provided from 2008–09 onwards)
- Tasmania (data not available before 2006–07)
- Australian Capital Territory (data not available before 2003–04; data only available in JJ NMDS 2007 format from 2003–04 to 2007–08).

Population rates for completed cohorts were calculated by dividing the number of young people who experienced supervision by the number of young people who were eligible to be supervised, and multiplying by 10,000 (to produce a number per 10,000). The number of young people eligible to be supervised was estimated using ABS estimated resident population data (ABS 2012a) for each cohort at age 10.

National totals

Western Australia and the Northern Territory did not provide JJ NMDS data for 2008–09 to 2011–12. In JJ NMDS reporting, estimated national totals are calculated for these years, where possible, using non-standard data. However, non-standard data were not available for the 10–14 age group. In this report, JJ NMDS data for 2011–12 therefore exclude Western Australia and the Northern Territory.

Number of young people under supervision

Two measures of the number of young people under supervision are generally reported from the JJ NMDS:

- average day—calculated by summing the number of days each young person spends under supervision during the year and dividing this total by the total number of days in the financial year.
- during the year—calculated by counting each distinct young person under supervision during the year once only, even if they entered and exited supervision multiples times.

The 'average day' measure reflects the number of young people under supervision on a typical day during the year, and gives an indication of the average number of young people supported by the supervision system at any one time. It is a summary measure that reflects both the number of young people supervised and the amount of time they

spent under supervision. In contrast, the 'during the year' measure is a count of the number of unique individuals who were supervised at any time during 2011–12.

The during the year measure is used in this report to compare data on young people under supervision with data on young people proceeded against by police and found guilty in the Children's Courts.

Rates

Population rates allow for the comparison of different groups while taking into account differences in population sizes. Because there are differences between the states and territories in the extent to which young people aged 18 and over can be supervised by youth justice agencies, rates are restricted to those aged 10–17. For this report, rates are expressed as the number per 10,000 young people in the population.

Note that in some previous AIHW youth justice reports, rates of young people under supervision were expressed as the number per 1,000 young people. Rates that are expressed as a number per 1,000 can be converted to a number per 10,000 by multiplying the rate by 10.

The calculation of rates for particular variables excludes young people for whom data are not available. For example, the calculation of rates for Indigenous and non-Indigenous young people excludes young people with unknown Indigenous status (although they are included in totals).

Rates are not calculated where there are fewer than five young people in the numerator due to a lack of statistical reliability.

See also 'Completed cohorts' above.

Rate ratios

In this report, rate ratios are used to compare Indigenous and non-Indigenous rates and to provide a measure of the level of Indigenous over-representation. They are also used to compare rates for males and females. Rate ratios should be interpreted with caution where there are small denominators, rare events and rates that converge while declining. Crude rates are also provided to guide interpretation.

Rate ratios are not calculated where one or both the rates have fewer than five young people in the numerator, due to a lack of statistical reliability.

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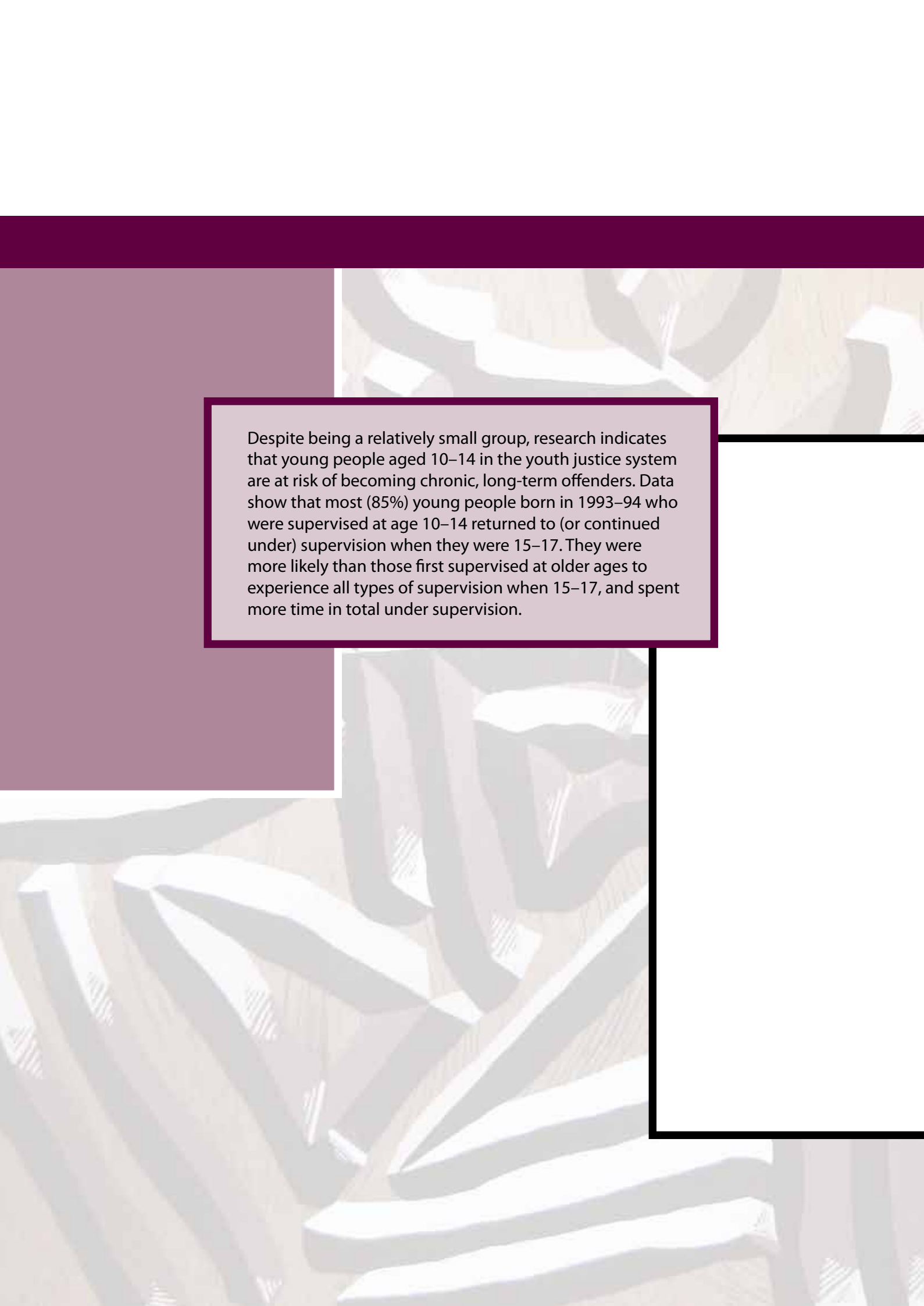
More information and related publications

More information about young people under youth justice supervision in Australia is available from the AIHW website at <<http://www.aihw.gov.au/youth-justice/>>.

This report and associated supplementary data tables can be downloaded free of charge from <<http://www.aihw.gov.au/youth-justice-publications/>>.

The following AIHW publications may also be of interest:

- AIHW 2013. Youth justice in Australia 2011–12: an overview. Bulletin no. 115. Cat. no. AUS 170. Canberra: AIHW.
- AIHW 2012. Juvenile detention population in Australia 2012. Juvenile justice series no. 11. Cat. no. JUV 11. Canberra: AIHW.
- AIHW 2012. Indigenous young people in the juvenile justice system: 2010–11. Bulletin no. 109. Cat no. AUS 164. Canberra: AIHW.
- AIHW 2012. Girls and young women in the juvenile justice system: 2010–11. Bulletin no. 107. Cat no. AUS 162. Canberra: AIHW.
- AIHW 2012. Children and young people at risk of social exclusion: links between homelessness, child protection and juvenile justice. Data linkage series no. 13. Cat. no. CSI 13. Canberra: AIHW.
- AIHW 2012. Linking SAAP, child protection and juvenile justice data: technical report. Data linkage series no. 14. Cat. no. CSI 14. Canberra: AIHW.

The background of the page features a complex, abstract design. It includes a large, solid purple rectangle on the left side. Overlaid on this and the rest of the page are various geometric shapes, primarily triangles and polygons, in shades of beige, tan, and light purple. These shapes are arranged in a way that creates a sense of depth and movement, with some appearing to be layered on top of others. The overall effect is a modern, artistic composition.

Despite being a relatively small group, research indicates that young people aged 10–14 in the youth justice system are at risk of becoming chronic, long-term offenders. Data show that most (85%) young people born in 1993–94 who were supervised at age 10–14 returned to (or continued under) supervision when they were 15–17. They were more likely than those first supervised at older ages to experience all types of supervision when 15–17, and spent more time in total under supervision.