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**Australian Institute of
Health and Welfare**

Juvenile justice in Australia

2010–11

JUVENILE JUSTICE SERIES No. 10



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*Authoritative information and statistics
to promote better health and wellbeing*

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Australian Institute of Health and Welfare
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- Department for Communities and Social Inclusion, South Australia
- Department of Health and Human Services, Tasmania
- Community Services Directorate, Australian Capital Territory
- Department of Justice, Northern Territory.

Abbreviations

ABS	Australian Bureau of Statistics
ACT	Australian Capital Territory
AIHW	Australian Institute of Health and Welfare
Aust	Australia
excl	excluding
incl	including
JJ NMDS	Juvenile Justice National Minimum Data Set
NSW	New South Wales
NT	Northern Territory
Qld	Queensland
SA	South Australia
SEIFA	Socio-Economic Indexes for Areas
Tas	Tasmania
Vic	Victoria
WA	Western Australia

Symbols

–	nil or rounded to zero
0	zero
..	not applicable
n.a.	not available
n.p.	not publishable because of small numbers, confidentiality or other concerns about the quality of the data
<	less than
↑	increase
↓	decrease
↔	stable

Notes

Components of tables may not sum to the totals due to rounding.

The average daily population of young people under community-based supervision and in detention may not sum to the total average daily population under supervision because a young person may move between community-based supervision and detention on the same day.

Age is calculated at the start of the first period of relevant supervision. If the first period of relevant supervision began before the financial year, age is calculated at the start of the financial year. A young person may therefore be included in one age category for one type of supervision and in another age category for a different type of supervision (for example, 15 years old for community-based supervision and 16 years old for detention).

Appendix tables referred to in this report (tables with a prefix of A, B, C, D or E) are available for download from <http://www.aihw.gov.au/publications/>. Appendix tables relate to chapters 4–8.

Summary

This report focuses on the young people who were under juvenile justice supervision in Australia during 2010–11 due to their involvement or alleged involvement in crime, and the types of supervision they experienced.

Rates of juvenile justice involvement remain low

Few young Australians are involved in the juvenile justice system. In 2010–11, around 3% of those aged 10–17 were proceeded against by police, just over 1% had a case finalised in a Children’s Court, around 0.5% were supervised by a juvenile justice agency in the community, and less than 0.3% were detained.

On an average day in 2010–11, there were an estimated 7,265 young people under juvenile justice supervision in Australia. Most (86% or 6,250) were supervised in the community and the remainder (14% or 1,045) were in detention.

There were 2.6 young people aged 10–17 under supervision on an average day for every 1,000 in the population – 2.2 per 1,000 under community-based supervision and 0.4 per 1,000 in detention. Over the 4-year period to 2010–11, rates of young people under community-based supervision and in detention remained relatively steady.

Supervision rates vary among the states and territories

Juvenile justice is the responsibility of state and territory governments, and differences in supervision to some extent reflect differences in legislation, policy and practice. Among the states and territories, rates of young people aged 10–17 under supervision on an average day in 2010–11 ranged from 1.9 per 1,000 in Victoria to 4.7 per 1,000 in Tasmania (excluding Western Australia and the Northern Territory, as standard data were not provided). There were similar variations in the rates of community-based supervision and detention.

Aboriginal and Torres Strait Islander young people are still over-represented

Indigenous young people aged 10–17 were 15 times as likely to be under supervision on an average day as non-Indigenous young people. This level of over-representation fell slightly over the 4 years to 2010–11.

The over-representation of young people in detention decreased over the 4-year period. In 2010–11, Indigenous young people aged 10–17 were 24 times as likely as non-Indigenous young people to be in detention on an average day, down from 28 times as likely in 2007–08.

Half of those in detention have not been sentenced

Although, on an average day, most young people were supervised in the community, around 2 in 5 (41%) young people under juvenile justice supervision were in detention at some time during the year (excluding Western Australia and the Northern Territory, as data were not provided). Most (87%) of those in detention during 2010–11 experienced unsentenced detention at some time during the year.

On an average day, half (50%) of all young people in detention were unsentenced.

1 Overview

Juvenile justice is the responsibility of state and territory governments in Australia, and each jurisdiction has its own legislation, policies and practices. Separate systems exist for young people and adults. State and territory juvenile justice systems share a number of characteristics, including the general process by which young people are charged and sentenced, and the types of legal orders available (see Chapter 2).

This report focuses on young people who were supervised by the government departments responsible for juvenile justice, both in the community and in detention. More information about the data used in this report is provided in Chapter 3.

1.1 Young people under supervision

In 2010–11, there were an estimated 7,265 young people under juvenile justice supervision in Australia on an average day and 14,555 at some time during the year (including estimates for Western Australia and the Northern Territory, for which standard data were not provided) (Figure 1.1 and Table 1.1). This equates to 2.6 young people aged 10–17 under supervision for every 1,000 in the population on an average day, and 5.4 per 1,000 at any time during the year (Table 1.1).

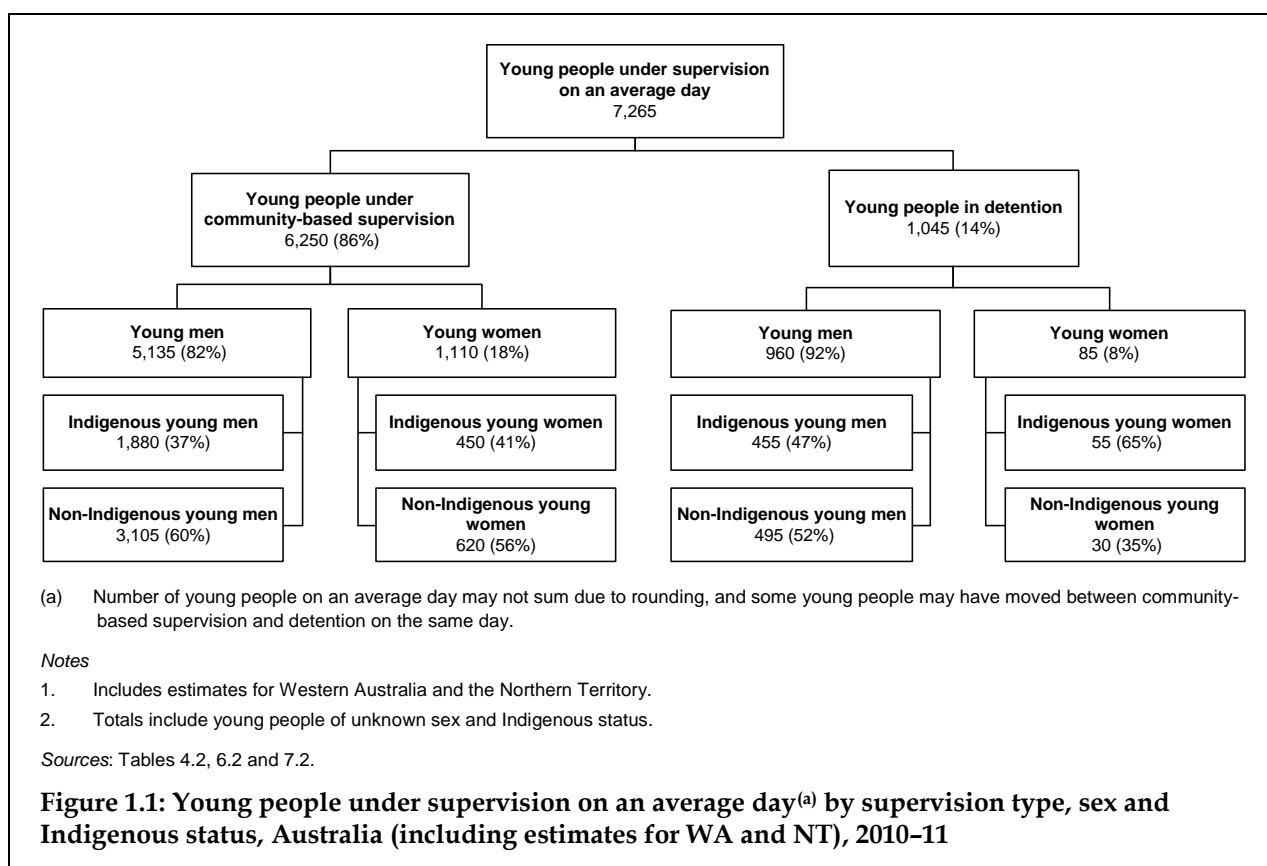


Table 1.1: Young people under supervision by supervision type, states and territories, 2010–11

	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust excl WA & NT	Aust incl WA & NT ^(a)
Number—all ages										
Average day^(b)										
Community-based supervision	1,654	1,358	1,371	n.a.	372	327	117	n.a.	5,199	6,250
Detention	400	175	136	n.a.	70	26	24	n.a.	832	1,045
All supervision	2,042	1,530	1,498	n.a.	440	353	140	n.a.	6,002	7,265
During the year										
Community-based supervision	3,399	2,974	2,518	n.a.	783	566	224	n.a.	10,464	12,620
Detention	2,537	737	815	n.a.	532	108	154	n.a.	4,883	6,120
All supervision	4,317	3,084	2,668	n.a.	1,062	580	269	n.a.	11,980	14,555
Rate—age 10–17										
Average day										
Community-based supervision	2.18	1.74	2.61	n.a.	1.87	4.20	3.17	n.a.	2.21	2.24
Detention	0.45	0.15	0.28	n.a.	0.36	0.44	0.65	n.a.	0.33	0.35
All supervision	2.63	1.91	2.87	n.a.	2.22	4.74	3.82	n.a.	2.53	2.59
During the year										
Community-based supervision	4.40	3.62	4.78	n.a.	3.96	7.09	6.00	n.a.	4.34	4.70
Detention	3.15	0.84	1.68	n.a.	2.97	1.80	4.27	n.a.	2.14	2.42
All supervision	5.40	3.72	5.09	n.a.	5.45	7.48	7.13	n.a.	4.96	5.42

(a) Totals for 2010–11 include estimates for Western Australia and the Northern Territory, where available. See Chapter 3 for details.

(b) Number of young people on an average day may not sum due to rounding.

Notes

1. Western Australia and the Northern Territory did not supply Juvenile Justice National Minimum Data Set (JJ NMDS) data for 2010–11.
2. Rates are number of young people per 1,000 relevant population.
3. Rates are not published where there were fewer than 5 young people.

On an average day, most (6,250 or 86%) young people under supervision were supervised in the community, and the remainder (1,045 or 14%) were in detention (some young people moved between community-based supervision and detention on the same day). There were 2.2 young people aged 10–17 per 1,000 under community-based supervision on an average day and just under 0.4 per 1,000 in detention. This means that young people were around 6 times as likely to be under community-based supervision as in detention on an average day.

Most of those under juvenile justice supervision were young men. On an average day in 2010–11, young men accounted for more than 8 in 10 (82%) young people supervised in the community, and more than 9 in 10 (92%) in detention (Figure 1.1). Young men aged 10–17 were 4 times as likely as young women to be under community-based supervision on an average day, and almost 9 times as likely to be in detention (tables 6.3 and 7.3).

There were relatively high proportions of Aboriginal and Torres Strait Islander young people under supervision. Although only around 5% of young Australians were Indigenous, almost 2 in 5 (39%) young people under juvenile justice supervision on an average day in 2010–11

were Indigenous (Table 4.2) (see also Section 1.5). This proportion was higher among young people in detention, where almost half (48%) were Indigenous (Table 7.2).

Most of those under supervision were in the older age groups – nearly 4 in 5 (79%) were aged 14–17, 15% were aged 18 and over, and only 6% were aged 10–13 (excluding Western Australia and the Northern Territory, for which data are not available) (Table 4.1).

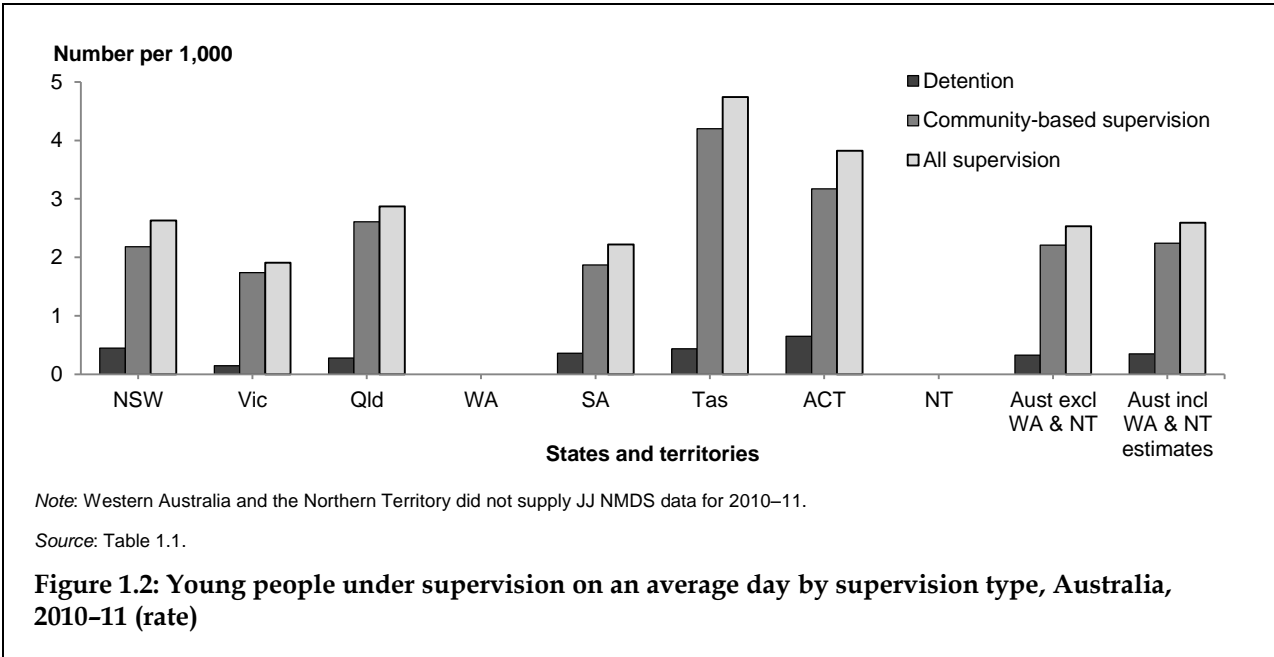
One-third (33%) of young people under supervision in 2010–11 were new entrants to supervision, and the remaining two-thirds had been supervised in a previous year (excluding Western Australia and the Northern Territory) (Table A12). Probation and similar was the first type of supervision experienced by almost half (47%) of those under supervision, followed by remand (26%) (Figure 4.13).

1.2 States and territories

There was notable variation among the states and territories in the rates of young people under juvenile justice supervision, which in part reflects differences in legislation, policy and practice (see Chapter 2). On an average day in 2010–11, the rate of young people aged 10–17 under supervision was lowest in Victoria, at 1.9 per 1,000, and highest in Tasmania, at 4.7 per 1,000 (excluding Western Australia and the Northern Territory, as comparable data were not provided) (Figure 1.2).

Similarly, rates of young people aged 10–17 under community-based supervision ranged from 1.7 per 1,000 in Victoria to 4.2 per 1,000 in Tasmania, while rates of young people in detention ranged from less than 0.2 per 1,000 in Victoria to almost 0.7 per 1,000 in the Australian Capital Territory.

Although young people in all states and territories were more likely to be under community-based supervision than in detention, the likelihood varied across jurisdictions. Young people aged 10–17 were almost 12 times as likely to be under community-based supervision as in detention on an average day in Victoria, 9–10 times as likely in Tasmania and Queensland, and around 5 times as likely in the remaining states and territories (tables 6.3 and 7.3).



There were also differences in the age profiles of young people under supervision. Most of those under supervision on an average day in each state and territory were aged 14–17, although the proportions varied (Table 4.1). The proportion of young people aged 10–13 ranged from less than 4% in Victoria and the Australian Capital Territory to 10% in Queensland, while the proportion of young people aged 18 and over ranged from 5% in the Australian Capital Territory to 32% in Victoria.

In most jurisdictions, young people aged 10–17 who commit an offence are processed in the juvenile system. However, in Victoria, some young people aged 18–20 may be sentenced to detention in a juvenile facility (under the ‘dual track’ system), which results in an older population, on average, under juvenile justice supervision. In Queensland, young people aged 17 and over at the time they allegedly commit an offence are processed in the adult criminal justice system, which results in a younger population, on average, under juvenile justice supervision (see Section 2.1).

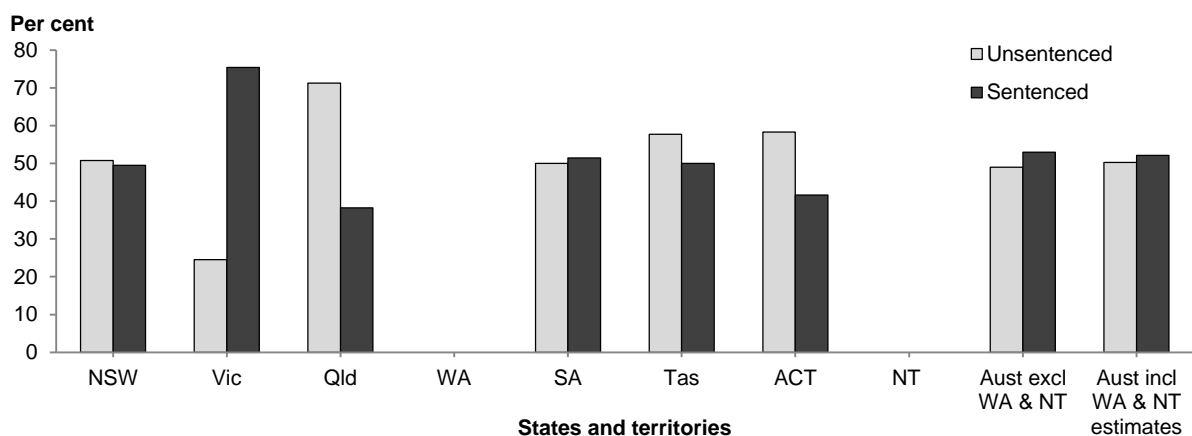
1.3 Detention

One of the principles upon which Australia’s juvenile justice system is based is that young people should be placed in detention only as a last resort. This principle can be found in juvenile justice legislation in each state and territory, and is consistent with the United Nations *Convention on the Rights of the Child* and the *Standard Minimum Rules for the Administration of Juvenile Justice* (‘The Beijing Rules’) (Office of the United Nations High Commissioner for Human Rights 1985, 1989).

Consistent with this principle, most young people under supervision were supervised in the community rather than in detention in all states and territories; on an average day, the proportion of young people under supervision who were in detention ranged from 7% in Tasmania to 20% in New South Wales (excluding Western Australia and the Northern Territory, as comparable data were not provided) (Table 1.1).

However, many young people under supervision did experience detention at some time during the year. Around 2 in 5 (41%) young people under supervision during 2010–11 were in detention at some time during the year, and most (87%) of those who were in detention had been detained while they were unsentenced – that is, while awaiting the outcome of their court matter or sentencing (excluding Western Australia and the Northern Territory) (tables 1.1 and 7.6).

On an average day, 1 in every 2 (50%) young people in detention was unsentenced, which equates to an estimated 525 young people (including estimates for Western Australia and the Northern Territory) (Figure 1.3 and Table 7.6). At least half of all young people in detention on an average day were unsentenced in all states and territories for which data were available except Victoria (25%), with the highest proportion in Queensland (71%). The lower proportion in Victoria is likely due in part to the ‘dual track’ sentencing system operating in that state: among young people aged 10–17 in detention in Victoria on an average day, around half (51%) were unsentenced (tables 7.1 and D28).



Note: Young people may be both sentenced and unsentenced on the same day.

Source: Table 7.6.

Figure 1.3: Young people in detention on an average day by legal status, states and territories, 2010-11 (per cent)

Periods of unsentenced detention were substantially shorter, on average, than periods of sentenced detention. In 2010-11, the median duration of completed periods of unsentenced detention was 3 days, while the median duration of periods of sentenced detention was 58 days, or almost 2 months (excluding Western Australia and the Northern Territory) (figures 7.29 and 7.36). There were substantial differences in the duration of detention periods among the states and territories – for example, completed sentenced detention periods were shortest, on average, in Queensland (median duration 39 days) and longest in Victoria (82 days).

When all time spent in detention during the year is considered, young people in detention during 2010-11 spent around 2 months (62 days) on average in detention (Figure 7.20).

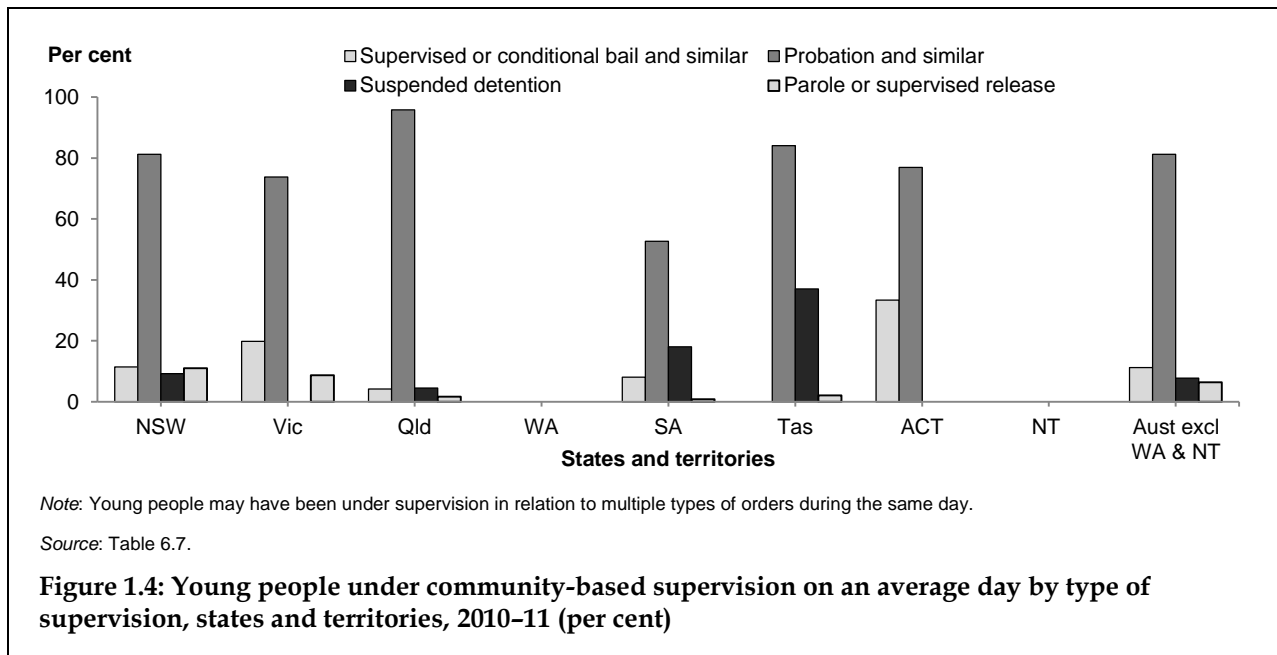
1.4 Community-based supervision

Community-based supervision is an alternative to detention and includes both unsentenced orders, such as supervised or conditional bail and home detention bail, and sentenced orders such as probation and similar orders, suspended detention, and parole or supervised release (see tables 2.1 and 2.2).

Most young people under community-based supervision were serving a sentence. On an average day in 2010-11, only around 1 in 9 (11%) young people under community-based supervision were on supervised or conditional bail or other unsentenced orders (excluding Western Australia and the Northern Territory, for which data were not provided) (Figure 1.4). Supervised or conditional bail and similar was most common in Victoria (20% of young people supervised in the community) and the Australian Capital Territory (33%).

Probation and similar was the most common type of community-based supervision in all states and territories. On an average day in 2010-11, 81% of young people under community-based supervision were on probation and similar orders; proportions were lowest in South Australia (53%) and highest in Queensland (96%). Tasmania had the highest proportion of young people under community-based supervision who were on suspended detention

(37%), and New South Wales had the highest proportion on parole or supervised release (11%).



Nationally, the median duration of periods of community-based supervision that were completed during 2010-11 was 85 days, or almost 3 months (excluding Western Australia and the Northern Territory) (Figure 6.16). Some young people experienced more than one period of community-based supervision. When all periods during the year are considered, those who were under community-based supervision during 2010-11 spent an average of 6 months in total (181 days) under community-based supervision during the year (Figure 6.17).

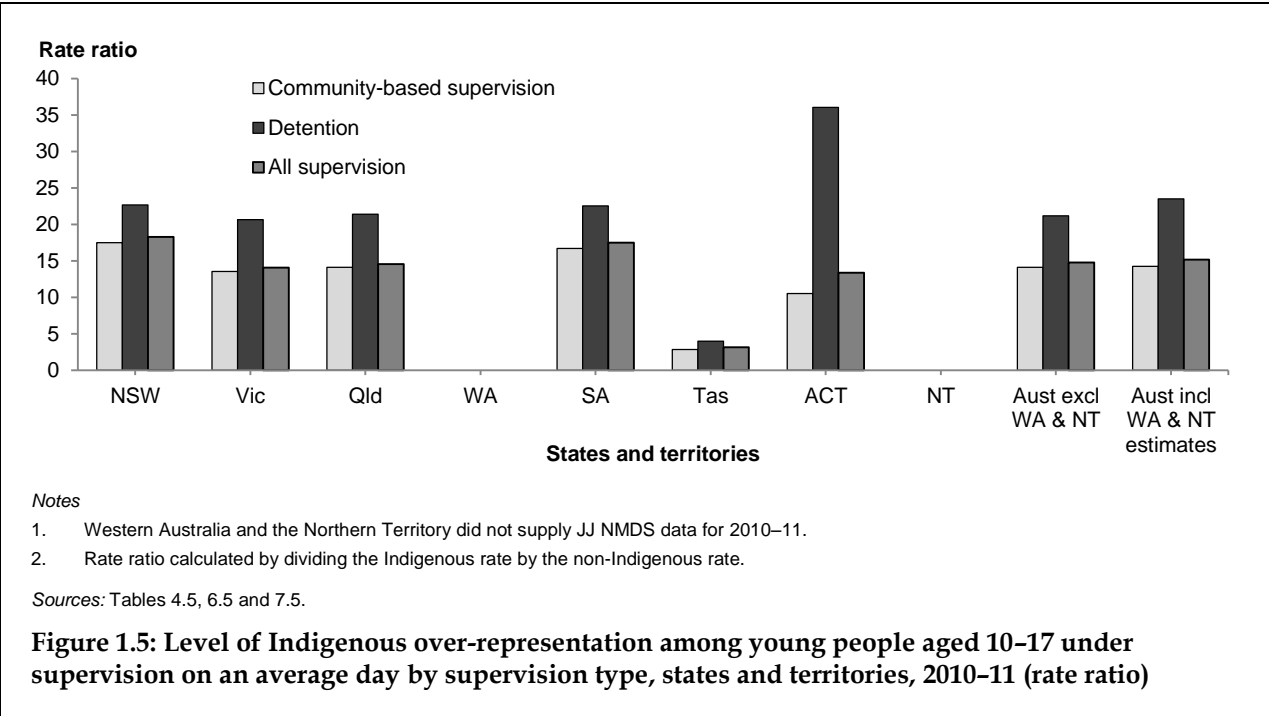
1.5 Aboriginal and Torres Strait Islander young people

Aboriginal and Torres Strait Islander young people are substantially over-represented in the juvenile justice system in Australia, and this over-representation has a long history (Johnston 1991). Contact with the juvenile justice system is often considered to be driven by the broader social and economic disadvantage experienced by many Indigenous young people in Australia, including intergenerational family issues and cultural disconnection (House of Representatives Standing Committee on Aboriginal and Torres Strait Islander Affairs 2011).

On an average day in 2010-11, 2,820 (39%) of the 7,265 young people under juvenile justice supervision in Australia were Indigenous. There were 23 Indigenous young people aged 10-17 under supervision per 1,000 on an average day in 2010-11, compared with just 1.5 non-Indigenous young people per 1,000 (including estimates for Western Australia and the Northern Territory) (Table 4.3). This means that Indigenous young people aged 10-17 were 15 times as likely as non-Indigenous young people to be under supervision on an average day (Figure 1.5). This over-representation occurred in all states and territories with available data, ranging from 3 times in Tasmania to more than 18 times in New South Wales.

Indigenous over-representation was greatest in detention: on an average day in 2010-11, Indigenous young people aged 10-17 were 14 times as likely as non-Indigenous young

people to be under community-based supervision and almost 24 times as likely to be in detention (including Western Australia and the Northern Territory). This pattern occurred in all states and territories for which data are available (excluding Western Australia and the Northern Territory), although the magnitude of the difference varied.



Indigenous young people under supervision were younger, on average, than non-Indigenous young people (data were not available for Western Australia and the Northern Territory) (Figure 4.2). Around one-quarter (24%) of Indigenous young people under supervision on an average day were aged 10–14, compared with 14% of non-Indigenous young people. In addition, an Indigenous young person was 10 times as likely to be under supervision on an average day as a non-Indigenous young person if aged 17, but 40 times as likely if aged 12 (Table 4.4).

Indigenous young people tended to first enter juvenile justice supervision at younger ages. In 2010–11, 35% of Indigenous young people had first entered supervision when they were aged 10–13, compared with just 15% of non-Indigenous young people (Figure 4.11).

Indigenous young people had longer supervision histories, on average, as they were less likely than non-Indigenous young people to be new entrants to supervision (27% compared with 35%) (Table A13). In addition, Indigenous young people under supervision were more likely to have been in detention at some time during their supervision history than non-Indigenous young people (67% compared with 54%) (Table B12).

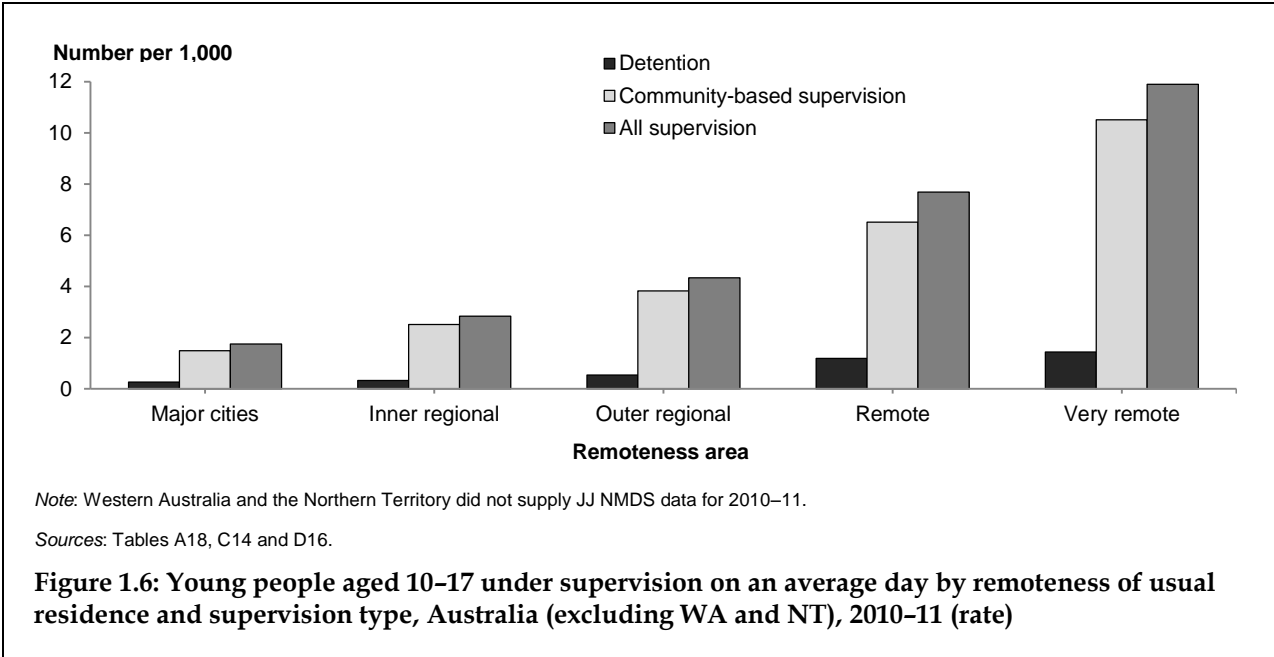
There were also differences in the amount of time Indigenous and non-Indigenous young people spent under supervision. On average, Indigenous young people completed shorter periods of community-based supervision than non-Indigenous young people during 2010–11 (median duration 72 days compared with 91 days) (Table C18). However, Indigenous young people were more likely than non-Indigenous young people to complete multiple periods of community-based supervision during the year, and spent more time in total under community-based supervision (192 days on average during the year compared with 179 days) (tables C17 and C19).

Indigenous young people tended to complete longer periods of unsentenced detention than non-Indigenous young people (median duration 6 days compared with 3 days) and spent more time in unsentenced detention during the year (41 days on average compared with 32 days) (Figure 7.29 and Table D32). However, Indigenous young people tended to complete shorter periods of sentenced detention (median duration 54 days compared with 61 days) and spent slightly less time in sentenced detention during the year (105 days on average compared with 111 days) (Figure 7.36 and Table D40).

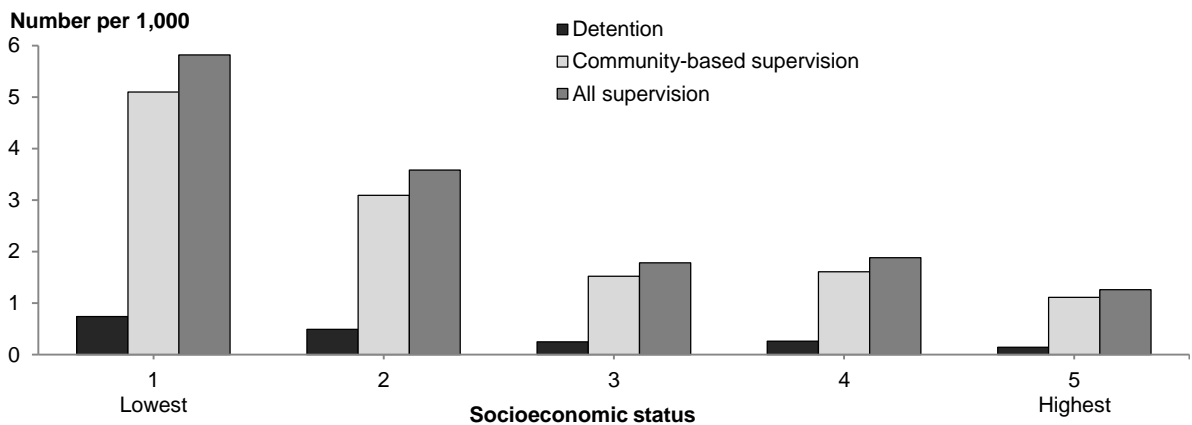
1.6 Remoteness and socioeconomic status

Most young people under supervision in Australia during 2010–11 lived in cities and regional areas before entering supervision; almost half (48%) of those under supervision on an average day were from *Major cities* and 41% were from regional areas (excluding Western Australia and the Northern Territory, where data were not available) (tables 4.1 and A17).

However, young people from geographically remote areas were the most likely to be under supervision. Young people aged 10–17 from *Remote* areas were 4 times as likely to be under supervision on an average day as those from *Major cities*, while those from *Very remote* areas were almost 7 times as likely (Figure 1.6). This pattern occurred in both community-based supervision and detention.



Nationally, young people from the areas of lowest socioeconomic status were almost 5 times as likely to be under supervision as those from areas of the highest socioeconomic status (excluding Western Australia and the Northern Territory) (Figure 1.7). On an average day in 2010–11, there were 5.8 young people aged 10–17 under supervision per 1,000 from areas of lowest socioeconomic status, compared with 1.3 per 1,000 from areas of highest socioeconomic status. Again, this pattern occurred in both community-based supervision and detention.



Note: Western Australia and the Northern Territory did not supply JJ NMDS data for 2010–11.

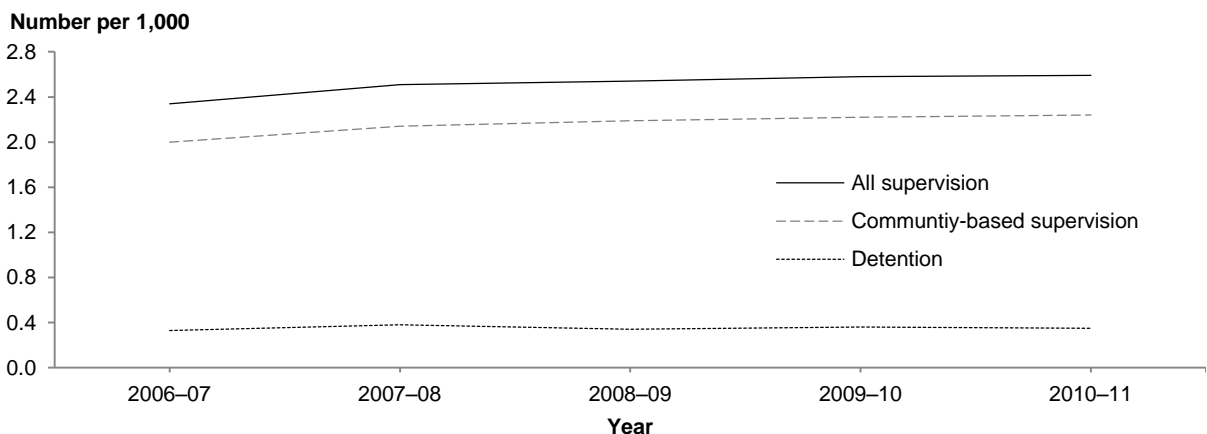
Sources: Tables A20, C16 and D18.

Figure 1.7: Young people aged 10–17 under supervision on an average day by socioeconomic status of usual residence and supervision type, Australia (excluding WA and NT), 2010–11 (rate)

1.7 Trends

Over the 5-year period from 2006–07 to 2010–11, rates of young people under supervision in Australia increased from 2.3 to 2.6 per 1,000 on an average day, and from 4.9 to 5.4 per 1,000 during the year (including estimates for Western Australia and the Northern Territory) (Figure 1.8 and Table A6).

This increase was largely driven by an increase in the rate of young people under community-based supervision. Over the 5-year period, the national rate of young people under community-based supervision on an average day increased from 2.0 to 2.2 per 1,000, while the rate in detention remained around 0.3 to 0.4 per 1,000 in each year.



Note: Includes estimates for Western Australia and the Northern Territory for 2008–09 to 2010–11.

Sources: Tables A6, C5 and D5.

Figure 1.8: Young people aged 10–17 under supervision on an average day by supervision type, Australia (including estimates for WA and NT), 2006–07 to 2010–11 (rate)

Nationally, the level of Indigenous over-representation fell slightly over the 4 years to 2010–11. In 2010–11, Indigenous young people aged 10–17 were 15 times as likely to be under supervision on an average day, down from 16 times as likely in 2007–08 (Table 4.5).

The level of Indigenous over-representation in detention decreased steadily over the period (Figure 7.6). In 2007–08, an Indigenous young person aged 10–17 was 28 times as likely to be in detention as a non-Indigenous young person on an average day, while in 2010–11 they were 24 times as likely. This was driven by a fall in the rate of Indigenous young people in detention (from 4.7 to 4.0 per 1,000), while the rate of non-Indigenous young people in detention remained steady (at just under 0.2 per 1,000 each year) (Table 7.5). There was a smaller decrease in the level of Indigenous over-representation in community-based supervision over the period.

Over the 4-year period, the rates of both young men and young women aged 10–17 under supervision rose; however, the rate of increase was slightly higher for young women (Figure 4.9). In 2007–08, young men were almost 5 times as likely as young women to be under supervision on an average day, while in 2010–11 they were only around 4 times as likely.

Data are also available for the 11-year period from 2000–01 to 2010–11 for New South Wales, Victoria, Queensland and South Australia; for the Australian Capital Territory from 2003–04 onwards; and for Tasmania from 2006–07. Data for Western Australia and the Northern Territory are available for 2000–01 to 2007–08.

Over the 11-year period from 2000–01, there were overall increases in the rates of supervision on an average day in New South Wales (from 1.9 to 2.6 per 1,000) and Victoria (from 1.5 to 1.9 per 1,000) and decreases in Queensland (from 3.9 to 2.9 per 1,000) and South Australia (from 3.2 to 2.2 per 1,000) (Figure 4.10). Trend data for South Australia should be interpreted with caution (see Section 3.3 for details).

While rates of supervision in the Australian Capital Territory fluctuated, there was an overall decrease between 2003–04 and 2010–11 (from 4.4 to 3.8 per 1,000). There was an increase in Tasmania between 2006–07 and 2010–11 (from 3.7 to 4.7 per 1,000).

Table 1.2: Young people aged 10–17 under supervision on an average day by supervision type, summary of trends (rate)

	Period	Supervision type		
		Community-based supervision	Detention	All supervision
			Rate	
Australia (including WA and NT)	2006–07 to 2010–11	↑	↔	↑
New South Wales	2000–01 to 2010–11	↑	↑	↑
Victoria	2000–01 to 2010–11	↑	↔	↑
Queensland	2000–01 to 2010–11	↓	↑	↓
Western Australia	n.a.	n.a.	n.a.	n.a.
South Australia	2000–01 to 2010–11	↓	↔	↓
Tasmania	2006–07 to 2010–11	↑	↓	↑
Australian Capital Territory	2003–04 to 2010–11	↓	↑	↓
Northern Territory	n.a.	n.a.	n.a.	n.a.
			Rate ratio	
Indigenous rate ratio	2007–08 to 2010–11	↓	↓	↓
Sex rate ratio	2007–08 to 2010–11	↓	↓	↓

Notes

1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2008–09 to 2010–11.
2. National totals for 2008–09 to 2010–11 include estimates for Western Australia and the Northern Territory, where available (see Chapter 3).
3. Rates are the number of young people per 1,000 relevant population.
3. Indigenous rate ratio calculated by dividing the Indigenous rate by the non-Indigenous rate.
4. Sex rate ratio calculated by dividing the rate for young men by the rate for young women.
5. Trend data may differ from those previously published due to data revisions.

1.8 Report structure

This report contains the following sections:

- Chapter 1 (this chapter) provides an overview of the report.
- Chapter 2 provides background information about the juvenile justice supervision system and the young people who are under juvenile justice supervision.
- Chapter 3 outlines the data and methods used in the report.
- Chapter 4 presents the characteristics of the young people under supervision.
- Chapter 5 examines the orders and types of supervision experienced by young people.
- Chapter 6 contains information on community-based supervision.
- Chapter 7 focuses on detention.
- Chapter 8 summarises key information for each state and territory.
- Appendix 1 contains further information on the juvenile justice systems in each of the states and territories.
- Appendix 2 provides detailed information about the data and methods used in the report.

Appendix tables referred to in this report (tables with a prefix of A, B, C, D or E) are available for download from <<http://www.aihw.gov.au/publications/>>. The appendix tables relate to chapters 4–8. Past reports in this series are also available for download.

2 The juvenile justice system in Australia

The juvenile justice system is the set of processes and practices for dealing with children and young people who have committed or allegedly committed an offence.

In Australia, juvenile justice is the responsibility of the state and territory governments, and each state and territory has its own juvenile justice legislation, policies and practices (see Appendix 1 for details). These systems share a number of characteristics, including the general process through which children and young people are proceeded against by police, charged and sentenced, and the types of legal orders handed down by the courts.

2.1 Background to the juvenile justice system

The juvenile justice system

In Australia, the juvenile justice system has been shaped by three key philosophies towards young people's offending behaviour: the welfare, justice and restorative justice models (Chrzanowski & Wallis 2011). The juvenile justice systems in each state and territory include elements of all three philosophies, to different degrees.

In each state and territory, there are separate justice systems for young people and adults, governed by specific legislation. Further information about the legislation relating to juvenile justice in each state and territory is provided in Appendix 1.

Across Australia, children and young people are deemed to have criminal responsibility if they are aged 10 or older. Children under the age of 10 cannot be charged with a criminal offence because of their immaturity. In addition, in all jurisdictions, young people are presumed to be incapable of crime between the ages of 10 and 14 (known as *doli incapax* in common law), but this presumption can be rebutted, or challenged, in court (AIC 2005; Crofts 2003; Urbas 2000).

The age limit for treatment as a young person is 17 years in all states and territories except Queensland, where the age limit is 16 years. This refers to the age of the young person when the offence was committed (or allegedly committed), which means that people who are aged 18 or older (17 or older in Queensland) when they (allegedly) commit an offence will be dealt with under the criminal legislation relating to adults.

It is possible for young people aged 18 or older to be under juvenile justice supervision. Reasons for this include:

- young people aged 18 or older who are under juvenile justice supervision may have been apprehended for an offence (allegedly) committed when they were aged 17 or younger
- young people who entered supervision when aged 17 or younger may continue to be supervised within the juvenile justice system once they turn 18 (or they may be transferred to the adult correctional system)
- in some states and territories, juvenile justice agencies may supervise young people aged 18 and older due to their vulnerability or immaturity

- young people in Victoria aged 18–20 may be sentenced to detention in a juvenile detention centre rather than an adult prison where the court deems this appropriate (known as the ‘dual track’ sentencing system).

Diversion is a key aspect of the juvenile justice system in Australia, and the ability to divert or steer young people away from further involvement in the system when appropriate is legislated in each state and territory. Juvenile diversion takes a number of forms, including complete diversion (such as an informal warning by police); referral to services outside the justice system, such as drug and alcohol treatment services; and diversion from continued contact with the system, either by police or the courts (such as conferencing).

Another principle upon which the Australian juvenile justice system is based is the notion that young people should be detained only as a last resort. This is consistent with the United Nations *Convention on the Rights of the Child* Article 37(b) (Office of the United Nations High Commissioner for Human Rights 1989), which states that children should be deprived of liberty only as a last resort and for the shortest appropriate period of time. It is also consistent with the United Nations *Standard Minimum Rules for the Administration of Juvenile Justice*, known as ‘The Beijing Rules’ (Office of the United Nations High Commissioner for Human Rights 1985). This principle is legislated in each state and territory.

Overall, few young Australians are involved in the juvenile justice system and fewer still end up under juvenile justice supervision. Each year, around 3% of the Australian population aged 10–17 will be proceeded against by police, just over 1% will have a case finalised in a Children’s Court, around 0.5% will be supervised by a juvenile justice agency in the community, and less than 0.3% will be detained (ABS 2012a, 2012b, 2012c) (tables 6.3 and 7.3).

Key policy directions in 2010–11

Juvenile justice policies are determined by state and territory governments and largely implemented by juvenile justice agencies. Information about the policy directions in each state and territory is provided in Appendix 1.

In 2010–11, some of the most commonly identified policy directions included:

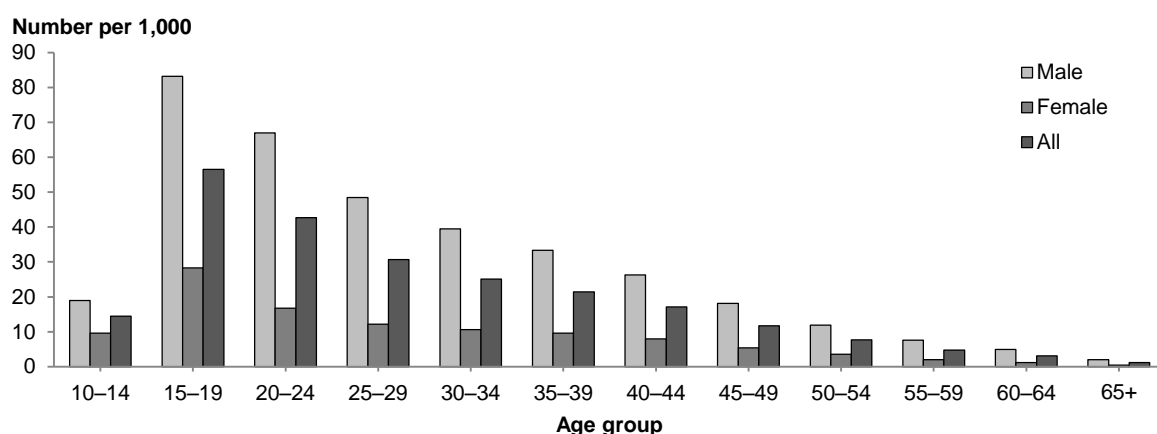
- enhancing diversion, including the use of warnings, cautions and conferencing
- improving bail assistance for young people
- providing effective assessment processes
- implementing co-ordinated case management systems and improving data collection and availability
- developing and providing a range of evidence-based programs to address the offending behaviour of young people under supervision
- improving detention facilities
- improving the pre- and post-release support provided to young people leaving custody, including accommodation support.

More broadly, young people’s involvement in the juvenile justice system is also affected by policy developments in a range of areas such as child protection, accommodation and housing assistance services, education, employment, family and community services, and health.

2.2 Young people in the juvenile justice system

Young people involved in crime

Research shows that involvement in crime tends to be highest in adolescence or early adulthood and diminishes with age (Fagan & Western 2005; Farrington 1986). In Australia, rates of offending during 2010–11, as measured by rates of people proceeded against by police, were highest among those aged 15–19 years (57 per 1,000), and decreased steadily as age increased (Figure 2.1). When each single year of age is considered, rates were highest among those aged 18 (64 per 1,000) followed by those aged 17 (60 per 1,000) (ABS 2012c). Males had substantially higher rates of offending than females in every age group.



Source: ABS 2012c.

Figure 2.1: People proceeded against by police by sex and age group, Australia, 2010–11 (rate)

Young people tend to come into contact with the juvenile justice system for particular types of offences. Overall, young people are more likely to commit property crimes than crimes against the person (Chrzanowski & Wallis 2011). In 2010–11, theft was the most common principal offence for young people aged 10–17 proceeded against by police and accounted for around one-third (32%) of cases (ABS 2012c).

In addition, the nature of young people’s offending behaviour tends to be somewhat different from that of adults: young people are often less experienced at committing crime and commonly commit offences in an opportunistic manner, in groups, in public areas and close to their home. This may mean that they are more likely to come to the attention of police (Cunneen & White 2011).

Aboriginal and Torres Strait Islander young people

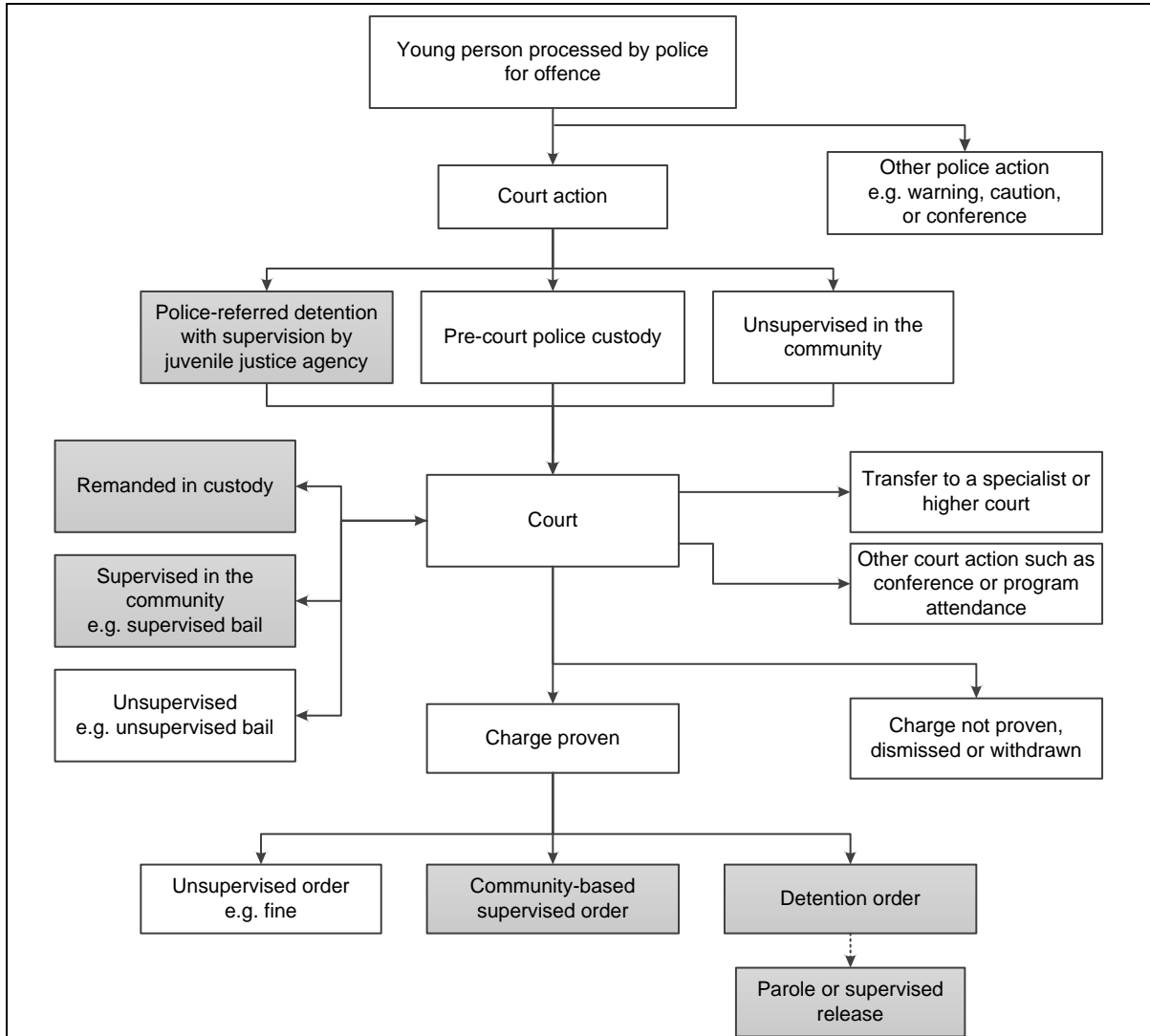
Aboriginal and Torres Strait Islander young people are substantially over-represented in the juvenile justice system in Australia. This over-representation has a long history; 20 years ago, the Royal Commission into Aboriginal Deaths in Custody (Johnston 1991) first highlighted the high rates of incarceration of Indigenous young people and adults.

Despite the reforms to policy and practice prompted by the Royal Commission, Indigenous young people remain substantially over-represented in juvenile justice, particularly in the most serious processes and outcomes. In 2010–11, Indigenous young people aged 10–14 were

around 6 times as likely as non-Indigenous young people to be proceeded against by police in New South Wales, Queensland and the Northern Territory and around 10 times as likely in South Australia. Among those aged 15–19 in those states and territories, Indigenous young people were 3–5 times as likely to be proceeded against by police as non-Indigenous young people (ABS 2012c). Nationally, Indigenous young people aged 10–17 were 14 times as likely to be under community-based supervision and 24 times as likely to be in detention as non-Indigenous young people on an average day in 2010–11 (tables 6.3 and 7.3).

2.3 Pathways through the juvenile justice system

The juvenile justice system involves a number of government departments and agencies that are involved in various stages and processes. Key stages in the process include young people's contact with police, contact with the courts, supervision by juvenile justice agencies and contact with parole boards (Figure 2.2). Information about the key services and outcomes in the juvenile justice system in Australia is provided in Table 2.1.



Notes

1. Shaded objects indicate juvenile justice agency involvement. These areas of the juvenile justice system are the focus of this report.
2. This diagram is an indicative summary and is not intended to reflect all possible pathways.

Figure 2.2: Overview of the juvenile justice system in Australia

Table 2.1: Description of key juvenile justice services and outcomes

Services and outcomes	Description
Unsupervised	
Caution or warning	Formal or informal warning by police or a respected member of the community. May involve an interview with the young person and their parent/guardian. In some jurisdictions, the young person may be required to agree to undertakings or conditions.
Conferencing	A facilitated meeting referred by police or court which may involve a convenor, young person, victim, family members and guardians, social workers and police. The aim is to discuss the offence, its impact, and to make a plan for action.
Discharge without penalty/reprimand	The magistrate or judge formally counsels and warns the young person about their behaviour. No conviction is recorded, but a note of the reprimand may be kept.
Fine	A monetary penalty.
Obligation without supervision	Other unsupervised obligation, such as an unsupervised good behaviour bond.
Unsentenced supervision	
Community-based supervision	
Supervised or conditional bail or similar	The young person is released into the community while awaiting the outcome of their court action. May include conditions such as supervision, curfew or a monetary bond.
Detention	
Police-referred detention	The young person remains in police-referred detention while awaiting their court appearance or bail hearing.
Remand	The young person is placed in a juvenile detention facility while awaiting the outcome of their court action.
Sentenced supervision	
Community-based supervision	
Good behaviour bond	Agreement requiring the young person not to commit any more offences within a period of time. If breached, the breach is considered by the court.
Probation and similar	Supervision by a juvenile justice agency for a specified length of time, in which regular reporting to the agency and involvement in treatment programs are often required.
Community service	The young person is required to provide a specified amount of unpaid work in the community.
Suspended detention	The young person remains in the community, as long they do not breach conditions of the order or re-offend within a specified time period. If the order is breached, the young person may be placed in detention.
Home detention	The young person is under conditional supervision in the community, subject to restricted movements and may be monitored electronically.
Parole or supervised release	Supervision within the community following a period of detention.
Detention	
Detention	The young person is removed from the community and placed in a juvenile justice detention facility for a specified period of time.

Source: Little & Allard 2011.

2.4 State and territory comparisons

The outcomes available for young people in the juvenile justice system in Australia are similar in each state and territory (Table 2.2). They can be categorised into those that divert the young person from further involvement with the juvenile justice system (such as cautions and conferencing), those that do not require the young person to be supervised

(such as fines), and those that require the young person to be supervised in the community or detained, either before or after sentencing.

This report focuses on the outcomes that require a juvenile justice agency to supervise the young person, either in the community or in detention. These outcomes are shaded in the table below.

Table 2.2: Juvenile justice services and outcomes, states and territories, January 2012

Services and outcomes	NSW	Vic	Qld	WA	SA	Tas	ACT	NT
Diversionsary outcomes								
Informal caution/warning	✓	✓	✓	✓	✓	✓	✓	✓
Formal caution	✓	✓	✓	✓	✓	✓	✓	✓
Conferencing	✓	✓	✓	✓	✓	✓	✓	✓
Supervision not required								
Discharge without penalty or reprimand	✓	✓	✓	✓	✓	✓	✓	✓
Fine	✓	✓	✓	✓	✓	✓	✓	✓
Obligation without supervision	✓	✓	✓	✓	✓	✓	✓	✓
Requires supervision—unsentenced								
Community-based supervision								
Supervised or conditional bail or similar	✓	✓	✓	✓	✓		✓	✓
Detention								
Police-referred detention	✓		✓	✓	✓		✓	✓
Remand	✓	✓	✓	✓	✓	✓	✓	✓
Requires supervision—sentenced								
Community-based supervision								
Good behaviour bond	✓	✓		✓		✓	✓	✓
Probation and similar	✓	✓	✓	✓	✓	✓	✓	✓
Community service	✓	✓	✓	✓	✓	✓	✓	✓
Suspended detention	✓		✓	✓	✓	✓	✓	✓
Home detention					✓			✓
Parole or supervised release from detention	✓	✓	✓	✓	✓	✓		(a) ✓
Detention								
Detention	✓	✓	✓	✓	✓	✓	✓	✓

(a) In the Northern Territory, supervised release from detention includes probation and parole.

Note: Shaded cells indicate items that are within JJ NMDS scope and for which data are collected in the JJ NMDS. Other ticked cells indicate juvenile justice outcomes and services that the states and territories offer that are outside the scope of the JJ NMDS.

2.5 Comparison with adults

Overall, adults in Australia are less likely than young people to be proceeded against by police for allegedly committing an offence. In 2010–11, there were around 30 young people aged 10–17 proceeded against by police for every 1,000 in the population, compared with around 18 per 1,000 aged 18 and over (ABS 2012b, 2012c).

In contrast, adults are more likely than young people to be supervised in the justice system. There were 3.1 adults in community-based corrections for every 1,000 in the population on an average day during the June quarter 2011, compared with 2.2 young people aged 10–17 per 1,000 under community-based juvenile justice supervision on an average day in 2010–11; similarly, there were 1.7 adults in full-time prison per 1,000 compared with almost 0.4 young people per 1,000 in detention (ABS 2011; tables 6.3 and 7.3). This means that adults were 1.4 times as likely as young people to be supervised in the community, and almost 5 times as likely to be in detention on an average day.

There were higher proportions of Indigenous young people under juvenile justice supervision than Indigenous adults under adult justice supervision. In 2010–11, almost half (48%) of young people in detention on an average day were Indigenous compared with around one-quarter (26%) of adults in full-time custody in the June quarter 2011; similarly, 37% of young people supervised in the community were Indigenous compared with 19% of adults in community corrections (ABS 2011, tables 6.2 and 7.2). Similar proportions of young people and adults under justice supervision were male: around 92% of young people in detention and 93% of adults in prison were male, along with 82% of both young people and adults supervised in the community.

Young people in detention were more likely than adults in prison to be unsentenced. On an average day in 2010–11, half (50%) of young people in detention were on remand awaiting the outcome of their legal proceedings, compared with almost one-quarter (24%) of adults in prison in the June quarter 2011 (ABS 2011 and Table 7.6).

2.6 International comparisons

Internationally, the philosophies, systems and processes for dealing with young people involved in criminal behaviour vary substantially. Many countries have a higher minimum age of criminal responsibility than Australia, which means that young people in these countries who are involved in crime and antisocial behaviour are treated very differently from young people in Australia. For example, the minimum age of criminal responsibility is 12 years in Canada; 13 in France; 14 in Germany, Italy and New Zealand (except for murder and manslaughter); and 15 in Scandinavian countries (Table 2.3) (Noetic Solutions 2010; Urbas 2000).

Countries with a similar minimum age of criminal responsibility to Australia and similar options for the supervision of young people include England and Wales, the United States (10 years), and Canada (12 years). Although there is little information available on the numbers of young people involved in the broader juvenile justice systems, some data are available on the numbers and rates of young people in detention in these countries.

Table 2.3: Minimum age of criminal responsibility, selected countries

Age	Country
10	Australia, England and Wales, United States
12	Canada, Greece, Netherlands, Scotland
13	France, Israel
14	New Zealand (except murder and manslaughter), Austria, Germany, Italy
15	Denmark, Iceland, Finland, Norway, Sweden
16	Japan, Portugal, Spain
18	Belgium, Luxembourg

Sources: Noetic Solutions 2010; Urbas 2000.

Rates of young people in detention generally reflect the principles and operation of the juvenile justice systems; high rates are commonly seen in countries that operate under a justice model, which emphasises accountability and punishment, and lower rates in countries with primarily welfare-based systems, which focus on rehabilitation and addressing the needs of the young person (Noetic Solutions 2010). Although, traditionally, English-speaking countries tend to employ a justice-based model and European and other countries employ a welfare-based model, aspects of both approaches are increasingly used in many countries.

On an average day, the rate of young people aged 10–17 in juvenile detention in England and Wales was similar to the rate in Australia (both around 0.4 per 1,000) (Table 2.4). Young people in Canada were around 2 times as likely as those in Australia to be in detention (0.7 per 1,000), while young people in the United States were around 5 times as likely (1.9 per 1,000).

Table 2.4: Young people aged 10–17 in detention on an average day, selected countries, 2010–11

	Australia ^(a)	England and Wales	Canada ^(b)	United States
Number	800	2,040 ^(c)	1,793	60,861 ^(d)
Number per 1,000	0.35	0.39	0.71	1.86

(a) Includes estimates for Western Australia and the Northern Territory.

(b) Data for Canada are for young people aged 12–17 in detention on an average day during 2009–10.

(c) Average daily number in juvenile detention between April 2010 and March 2011.

(d) Number in juvenile detention on 24 February 2010.

Sources: Tables 7.1 and 7.3; Office for National Statistics 2011; Porter & Calverley 2011; Sickmund et al. 2011; Statistics Canada 2012; U.S. Department of Health and Human Services Centers for Disease Control and Prevention and National Center for Health Statistics 2012; Youth Justice Board & Ministry of Justice 2012.

3 Data and methods

The Juvenile Justice National Minimum Data Set (JJ NMDS) contains information on all children and young people in Australia who were supervised by juvenile justice agencies in the community and in detention.

Data are extracted from the administrative systems of the state and territory departments responsible for juvenile justice in Australia, according to definitions and technical specifications agreed to by the departments and the Australian Institute of Health and Welfare (AIHW).

For more information about the data and methods used in this report, see Appendix 2.

3.1 Data on young people under supervision

The JJ NMDS contains information on all children and young people who were supervised by a juvenile justice agency in Australia because they:

- committed or allegedly committed an offence between the ages of 10 and 17, or
- committed or allegedly committed an offence when aged over 17 and are treated as a young person due to their vulnerability or immaturity.

In Queensland, the relevant juvenile justice legislation applies to children and young people aged 10–16 when the offence was (allegedly) committed. In all other states and territories, the relevant legislation applies to young people aged 10–17. Although most young people under juvenile justice supervision are aged 10–17, some are aged 18 and over (see Section 2.1 for more information).

For each young person in the JJ NMDS, data are collected on:

- sex
- date of birth
- Indigenous status
- date of first supervision.

The JJ NMDS also contains an identification code for each young person, and specific combinations of letters are collected which, in combination with other data items, can be used to create a statistical linkage key (full names are not collected). A statistical linkage key allows records to be linked across states and territories and between other collections that contain the same statistical linkage key; these linkage possibilities are not explored in this report. For further information on the feasibility of linking the records of young people under juvenile justice supervision with records in other collections, see AIHW 2008.

3.2 Data on types of supervision

The JJ NMDS contains information on all supervised legal arrangements and orders that juvenile justice agencies administer (both community-based and detention orders) and all periods of detention in juvenile justice detention centres.

- Supervised legal arrangements and orders include police-referred detention before the first court appearance, court-referred remand and supervised bail, and sentenced orders

such as community service orders, probation, suspended detention, sentenced detention and parole or supervised release (Table A2.1).

- Periods of detention include police-referred detention (before the young person's initial court appearance), remand (court-referred detention following a court appearance) and sentenced detention.

For each period of supervision, data are collected on:

- order or detention type
- start date of the order or detention period
- end date of the order or detention period
- reason the order or detention period ended, including whether the order was successfully completed or breached and whether the young person was released from detention on bail or parole
- suburb and postcode of the young person's last known home address.

3.3 Data quality and coverage

Overall, the coverage of data in the JJ NMDS is good. Less than 7% of all young people since 2000–01 have an unknown Indigenous status, and around 5% of records in each of the order and detention files have unknown or missing information for the postcode and suburb of the young person's usual residence. Information on the young person's address is used to examine the remoteness of usual residence (not available for around 8% of young people under supervision on an average day) and socioeconomic status (not available for around 7%). For all other variables in the JJ NMDS, the proportion of missing data is 0.1% or less.

There are a number of data quality and coverage issues specific to each state and territory; these are discussed below. In particular, Western Australia and the Northern Territory did not provide JJ NMDS data for 2008–09 to 2010–11, and not all states and territories were able to provide JJ NMDS data in the current format (see Appendix 2) for all years of the JJ NMDS (2000–01 to 2010–11).

Therefore, many tables in this report contain two totals:

- 'Aust excl WA & NT' – only states and territories with JJ NMDS data are included in these totals (that is, New South Wales, Victoria, Queensland, South Australia, Tasmania and the Australian Capital Territory).
- 'Aust incl WA & NT' – an approximate national total derived, where possible, from the available JJ NMDS data, non-JJ NMDS data for Western Australia and existing 2007–08 JJ NMDS data for the Northern Territory (which was rounded to the nearest 5 young people). These totals are then further rounded to the nearest 5 young people.

In addition, some analyses of trends for types of community-based supervision exclude those states and territories with incomplete data in the new format due to comparability issues.

Data quality and coverage issues specific to particular states and territories are discussed below.

New South Wales

In New South Wales, the Kariiong Juvenile Justice Centre was transferred from the NSW Department of Juvenile Justice to the NSW Department of Corrective Services on 10 November 2004 and renamed the Kariiong Juvenile Correctional Centre. As the scope of the JJ NMDS includes only young people who are supervised by juvenile justice agencies in Australia, information about young people in custody in the Kariiong Juvenile Correctional Centre after 10 November 2004 is not included in this report. There are typically 18–28 young people on an average day in the Kariiong Juvenile Correctional Centre (Richards & Lyneham 2010), and therefore they form only a small proportion (less than 5%) of young people in detention in New South Wales.

Queensland

The end reasons for orders are not available for Queensland data.

Western Australia

Western Australia did not provide JJ NMDS data for 2008–09, 2009–10 or 2010–11. For these years, it provided only limited data in a non-standard format. These data include the number under community-based supervision and in detention at the end of each month, and additional data on community-based orders and detention placements. These data contribute to the national totals where possible, but are not reliable enough for separate reporting (see Appendix 2 for details).

Data for Western Australia for 2000–01 to 2007–08 are available only in the JJ NMDS 2007 format (see Section 3.1 for details). Some trend analyses therefore exclude Western Australia. These data were extracted from separate detention and community-based supervision databases and linked using a statistical linkage key. While this linkage is sufficiently accurate for statistical purposes, it is not accurate for administrative purposes such as case management.

South Australia

Data on community-based supervision in South Australia for 2010–11 should be interpreted with caution. The Department for Communities and Social Inclusion has identified possible data system issues that may have resulted in an under-count of the number of young people under community-based supervision in 2010–11. This may also affect the number of all young people under supervision and the interpretation of trends over time. Work is underway to investigate and rectify this discrepancy for future JJ NMDS collections.

Tasmania

For Tasmania, complete data on detention periods and orders are available only for 2006–07 onwards. Because data on length of detention is used to derive the time actually spent under community-based supervision, information on periods of community-based supervision before 2006–07 may therefore be incomplete.

There are regional inconsistencies in the recording of some community supervision orders in Tasmania, particularly in relation to suspended detention orders. This results in over-counting of the number of supervised community orders and the number of young

people under community-based supervision in the JJ NMDS. Data development work is underway to improve the accuracy of these data for future collections.

Australian Capital Territory

For the Australian Capital Territory, data for 2000–01 to 2002–03 are unavailable and data for 2003–04 to 2007–08 are available only in JJ NMDS 2007 format (see Appendix 2 for details). Some trend analyses therefore exclude the Australian Capital Territory.

The end reasons for orders are not available for Australian Capital Territory data.

Northern Territory

The Northern Territory did not provide JJ NMDS data for 2008–09, 2009–10 or 2010–11. Data for 2000–01 to 2007–08 are available only in JJ NMDS 2007 format (see Appendix 2 for details). Some trend analyses therefore exclude the Northern Territory.

Data for 2007–08, which are the most recently available JJ NMDS data for the Northern Territory, are used in the national totals where possible, but are not reliable enough for separate reporting (see Appendix 2).

3.4 Appendix tables

Appendix tables (tables with a prefix of A to E) referred to in this report are available for download from <http://www.aihw.gov.au/publications/>.

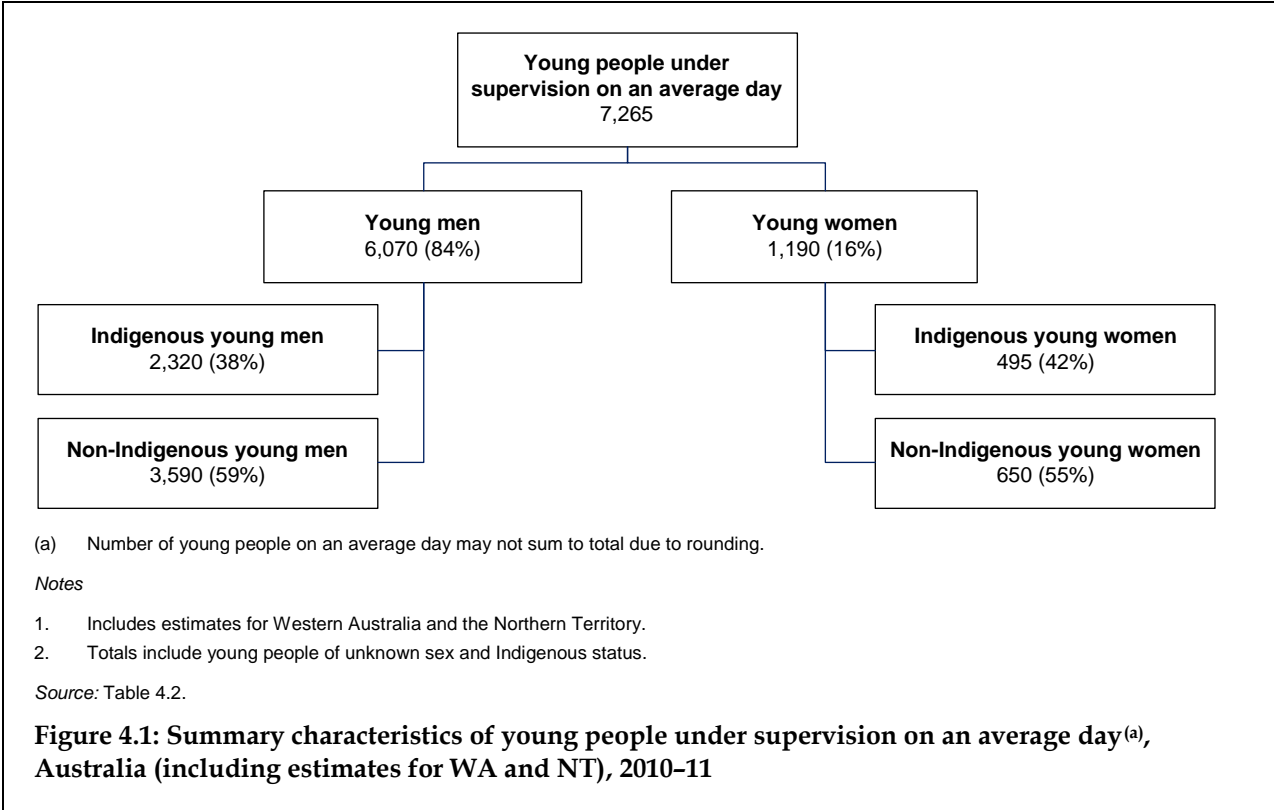
4 Characteristics of young people under supervision

This chapter focuses on the characteristics of all young people who were under juvenile justice supervision, whether they were under community-based supervision or in detention, during 2010–11.

Western Australia and the Northern Territory did not provide data in standard format for 2010–11. Approximate national totals are provided where additional data are available (see Chapter 3 ‘Data and methods’ for more details). Data for South Australia for 2010–11 should be interpreted with caution (see Section 3.3 for details).

4.1 Summary

There were an estimated 7,265 young people under juvenile justice supervision on an average day in 2010–11 and 14,555 under supervision at any time during the year (including estimates for Western Australia and the Northern Territory) (Figure 4.1 and Table 4.1). On an average day, more than 4 in 5 (84%) young people under supervision were young men, and around 2 in 5 (39%) were Indigenous (Table 4.2).



Most of those under supervision were in the older age groups – on an average day, 4 in 5 (79%) were aged 14–17, 15% were aged 18 and over, and only 6% were aged 10–13 (excluding Western Australia and the Northern Territory) (Table 4.1).

Nationally, there were 2.6 young people aged 10–17 under supervision on an average day for every 1,000 in the population, and 5.4 per 1,000 at any time during the year (including

Western Australia and the Northern Territory) (Table 4.3). Among the states and territories for which data are available, rates of young people under supervision on an average day ranged from 1.9 per 1,000 in Victoria to 4.7 per 1,000 in Tasmania. Indigenous young people were substantially over-represented in juvenile justice supervision; on an average day, Indigenous young people aged 10–17 were 15 times as likely as non-Indigenous young people to be under supervision in Australia (including Western Australia and the Northern Territory).

Over the 4-year period to 2010–11, the rate of young people under supervision increased from 2.5 to 2.6 per 1,000 on an average day, and from 5.1 to 5.4 per 1,000 during the year (including Western Australia and the Northern Territory) (tables 4.5 and A6). The rate of increase for young women was slightly higher than for young men; young men were around 4 times as likely as young women to be under supervision on an average day in 2010–11, compared with 5 times as likely in 2007–08 (Figure 4.9).

One-third (33%) of young people under supervision in 2010–11 were new entrants to supervision (excluding Western Australia and the Northern Territory) (Table A12). Although most (74%) young people had first entered supervision when they were aged 14–17, Indigenous young people first entered supervision at a younger age, on average, than non-Indigenous young people (Figure 4.11). Probation and similar was the first type of supervision for almost half (47%) of those under supervision, followed by remand (26%) (Figure 4.13).

Young people from remote and disadvantaged areas were the most likely to be under supervision. Although most young people under supervision were from cities (48%) and regional areas (41%), young people aged 10–17 from *Remote* areas were 4 times as likely to be under supervision on an average day as those from *Major cities*, while those from *Very remote* areas were almost 7 times as likely (excluding Western Australia and the Northern Territory) (figures 4.15 and 4.16). Young people aged 10–17 from the areas of lowest socioeconomic status were almost 5 times as likely to be under supervision as those from areas of the highest socioeconomic status (Figure 4.18).

4.2 Age, sex and Indigenous status

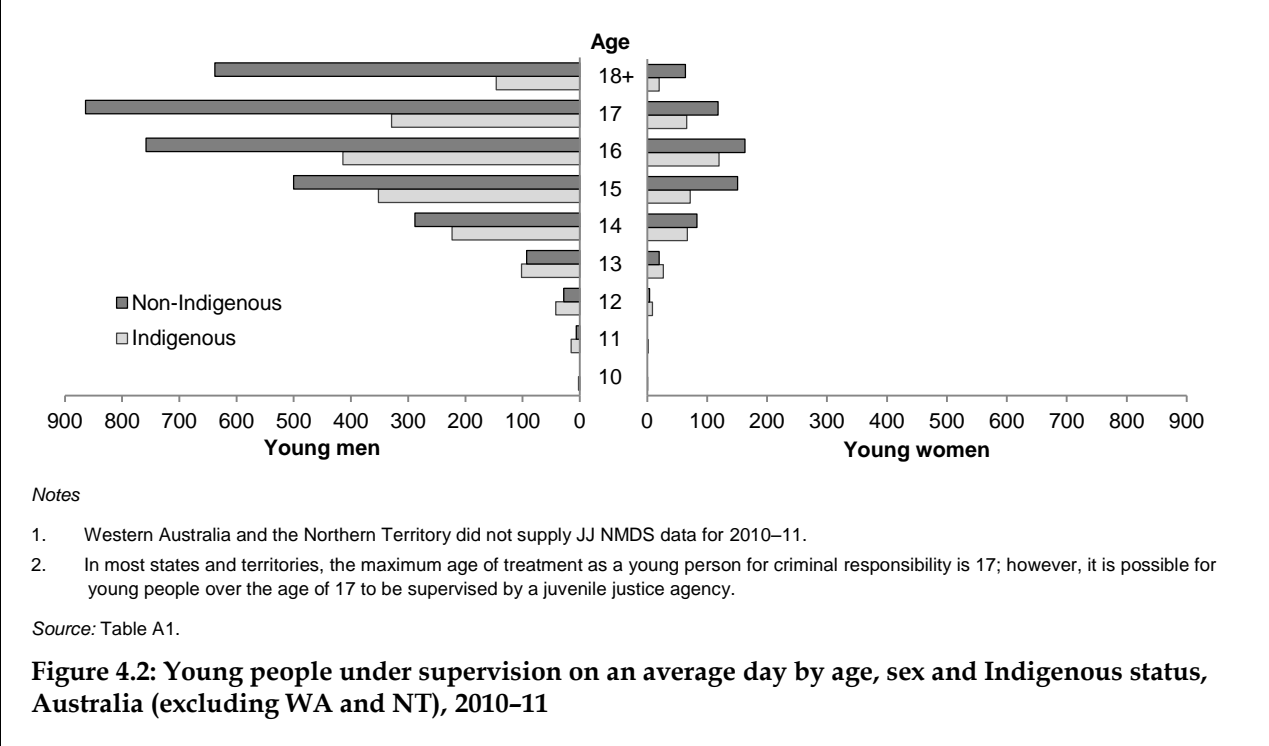
Number under supervision

In 2010–11, there were an estimated 7,265 young people under juvenile justice supervision in Australia on an average day and 14,555 under supervision at any time during the year (including estimates for Western Australia and the Northern Territory) (Table 4.1).

Nearly 4 out of every 5 (79%) young people under supervision on an average day were aged 14–17, and a further 15% were aged 18 and over (excluding Western Australia and the Northern Territory, for which data on individual age years were not available). There were few young people under supervision in the younger age groups: only 6% of those under supervision were aged 10–13.

Most (84%) young people under supervision on an average day were young men, and around 2 in 5 (39%) were Indigenous (Table 4.2). When estimates for Western Australia and the Northern Territory are excluded, a similar proportion (83%) of those under supervision on an average day were young men, and 33% were Indigenous.

Indigenous young people who were under supervision were younger, on average, than non-Indigenous young people (Figure 4.2). Around one-quarter (24%) of Indigenous young people under supervision on an average day were aged 10–14 years, compared with 14% of non-Indigenous young people, and only 8% of Indigenous young people were aged 18 and over, compared with 19% of non-Indigenous young people.



On an average day in 2010–11, around 70% of all young people under supervision were in the three states with the largest populations – New South Wales, Victoria and Queensland (28%, 21% and 21%, respectively) (including Western Australia and the Northern Territory) (Table 4.1).

There were differences between the states and territories in the age profiles of young people under supervision. Most of those under supervision on an average day in each state and territory were aged 14–17, with proportions ranging from 65% in Victoria to 91% in the Australian Capital Territory (excluding Western Australia and the Northern Territory). The proportion of young people aged 10–13 ranged from less than 4% in Victoria and the Australian Capital Territory to 10% in Queensland, while the proportion aged 18 and over ranged from 5% in the Australian Capital Territory to almost one-third (32%) in Victoria.

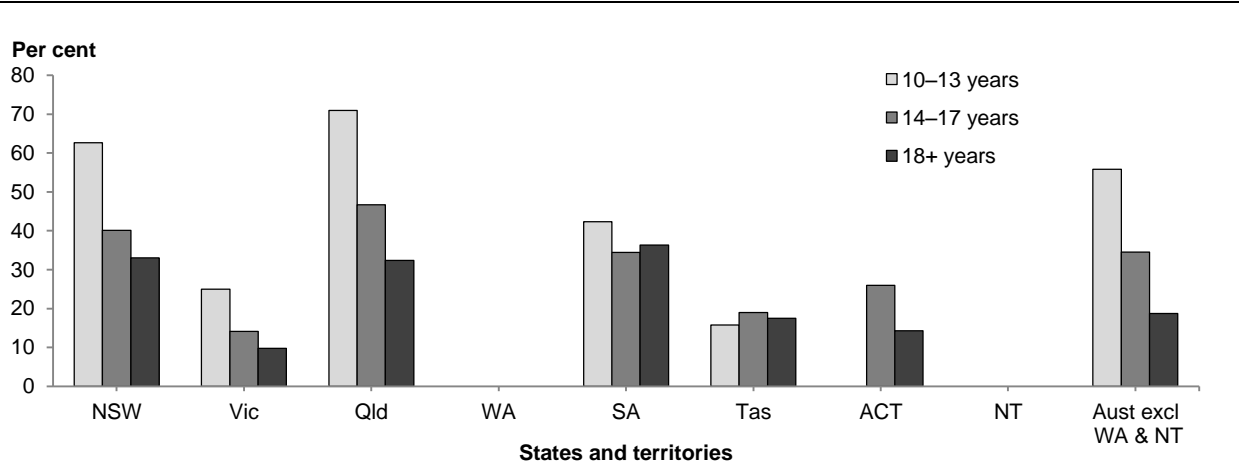
These variations are in part due to legislative differences among the states and territories. In most jurisdictions, young people aged 10–17 who commit an offence are processed in the juvenile system. However, in Victoria, some young people aged 18–20 may be sentenced to detention in a juvenile facility (known as the ‘dual track’ system), which results in an older population, on average, under juvenile justice supervision. In Queensland, young people aged 17 and over at the time they allegedly commit an offence are processed in the adult criminal justice system, which results in a younger population, on average, under juvenile justice supervision. For more information, see Chapter 2 (Section 2.1).

In all states and territories, most young people under supervision were young men. The proportion of young people under supervision on an average day in 2010–11 who were

young men ranged from 78% in South Australia to 87% in Victoria (excluding Western Australia and the Northern Territory) (Table 4.2).

The proportion of young people under supervision who were Indigenous varied substantially among the states and territories, ranging from 13% in Victoria to 48% in Queensland (excluding Western Australia and the Northern Territory).

Nationally, young people under supervision in the youngest age groups were more likely to be Indigenous than non-Indigenous (Figure 4.3). More than half (56%) of all young people aged 10–13 under supervision on an average day were Indigenous, compared with just over one-third (35%) of those aged 14–17 and 19% of those aged 18 and over. This pattern occurred in New South Wales and Queensland. The proportion of Indigenous young people in each age group was more similar across age groups in the remaining states and territories.



Notes

1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2010–11.
2. In most states and territories, the maximum age of treatment as a young person for criminal responsibility is 17; however, it is possible for young people over the age of 17 to be supervised by a juvenile justice agency.

Source: Table A2.

Figure 4.3: Indigenous young people under supervision on an average day as a proportion of all young people under supervision by age group, states and territories (excluding WA and NT), 2010–11 (per cent)

Table 4.1: Young people under supervision by age, states and territories, 2010–11

Age	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust excl WA & NT	Aust incl WA & NT ^(a)
Number of young people—average day^(b)										
10	1	0	1	n.a.	1	0	0	n.a.	3	n.a.
11	4	3	12	n.a.	3	1	0	n.a.	23	n.a.
12	23	13	34	n.a.	8	5	—	n.a.	85	n.a.
13	79	39	100	n.a.	13	13	5	n.a.	249	n.a.
14	253	109	233	n.a.	46	30	14	n.a.	684	n.a.
15	410	213	340	n.a.	75	51	32	n.a.	1,122	n.a.
16	585	311	428	n.a.	86	70	31	n.a.	1,512	n.a.
17	566	358	244	n.a.	130	86	50	n.a.	1,434	n.a.
10–17	1,921	1,047	1,393	n.a.	362	256	132	n.a.	5,111	5,925
18+	121	482	105	n.a.	77	97	7	n.a.	890	1,340
Total	2,042	1,530	1,498	n.a.	440	353	140	n.a.	6,002	7,265
Number of young people—during the year										
10	2	0	5	n.a.	6	0	0	n.a.	13	n.a.
11	11	8	22	n.a.	10	3	0	n.a.	54	n.a.
12	66	26	61	n.a.	26	8	2	n.a.	189	n.a.
13	192	78	178	n.a.	50	20	16	n.a.	534	n.a.
14	500	217	388	n.a.	111	45	29	n.a.	1,290	n.a.
15	813	401	589	n.a.	182	79	56	n.a.	2,120	n.a.
16	1,154	593	762	n.a.	218	108	59	n.a.	2,894	n.a.
17	1,211	719	463	n.a.	285	140	85	n.a.	2,903	n.a.
10–17	3,949	2,042	2,468	n.a.	888	403	247	n.a.	9,997	12,395
18+	368	1,042	200	n.a.	172	177	22	n.a.	1,981	2,145
Total	4,317	3,084	2,668	n.a.	1,062	580	269	n.a.	11,980	14,555

(a) Totals for 2010–11 include aggregate data supplied by Western Australia and 2007–08 data for the Northern Territory, where available. Numbers were rounded to the nearest 5 young people and therefore may not sum to the total.

(b) Number of young people on an average day may not sum to total due to rounding.

Notes

1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2010–11.
2. Total includes young people of unknown age.
3. Age calculated as at start of the financial year if first period of supervision in the relevant year began before the start of the financial year; otherwise, age calculated as at start of first period of supervision in the relevant year.
4. In most states and territories, the maximum age of treatment as a young person for criminal responsibility is 17; however, it is possible for young people over the age of 17 to be supervised by a juvenile justice agency.

Table 4.2: Young people under supervision by sex and Indigenous status, states and territories, 2010–11

Indigenous status	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust excl WA & NT	Aust incl WA & NT ^(a)
Number of young people—average day^(b)										
Male										
Indigenous	685	164	575	n.a.	125	50	25	n.a.	1,625	2,320
Non-Indigenous	890	1,149	631	n.a.	195	227	85	n.a.	3,176	3,590
Unknown	121	11	4	n.a.	24	1	0	n.a.	160	160
Total	1,696	1,324	1,210	n.a.	344	278	110	n.a.	4,961	6,070
Female										
Indigenous	150	37	145	n.a.	29	14	9	n.a.	384	495
Non-Indigenous	164	166	143	n.a.	51	59	21	n.a.	603	650
Unknown	31	3	1	n.a.	8	2	0	n.a.	45	45
Total	345	206	288	n.a.	88	75	30	n.a.	1,031	1,190
All young people										
Indigenous	835	201	720	n.a.	155	65	34	n.a.	2,009	2,820
Non-Indigenous	1,055	1,315	774	n.a.	247	285	105	n.a.	3,781	4,240
Unknown	152	14	4	n.a.	38	3	0	n.a.	212	210
Total	2,042	1,530	1,498	n.a.	440	353	140	n.a.	6,002	7,265
Number of young people—during the year										
Male										
Indigenous	1,239	310	938	n.a.	271	78	52	n.a.	2,888	4,140
Non-Indigenous	1,969	2,292	1,179	n.a.	478	377	156	n.a.	6,451	7,345
Unknown	308	26	7	n.a.	63	3	0	n.a.	407	415
Total	3,516	2,628	2,124	n.a.	812	458	208	n.a.	9,746	11,900
Female										
Indigenous	312	88	266	n.a.	75	18	14	n.a.	773	1,055
Non-Indigenous	395	361	274	n.a.	136	101	47	n.a.	1,314	1,445
Unknown	92	7	4	n.a.	16	3	0	n.a.	122	120
Total	799	456	544	n.a.	227	122	61	n.a.	2,209	2,620
All young people										
Indigenous	1,551	398	1,204	n.a.	347	96	66	n.a.	3,662	5,195
Non-Indigenous	2,366	2,653	1,453	n.a.	619	478	203	n.a.	7,772	8,800
Unknown	400	33	11	n.a.	96	6	0	n.a.	546	555
Total	4,317	3,084	2,668	n.a.	1,062	580	269	n.a.	11,980	14,555

(a) Totals for 2010–11 include aggregate data supplied by Western Australia and 2007–08 data for the Northern Territory, where available. Numbers were rounded to the nearest 5 young people and therefore may not sum to the total.

(b) Number of young people on an average day may not sum to total due to rounding.

Notes

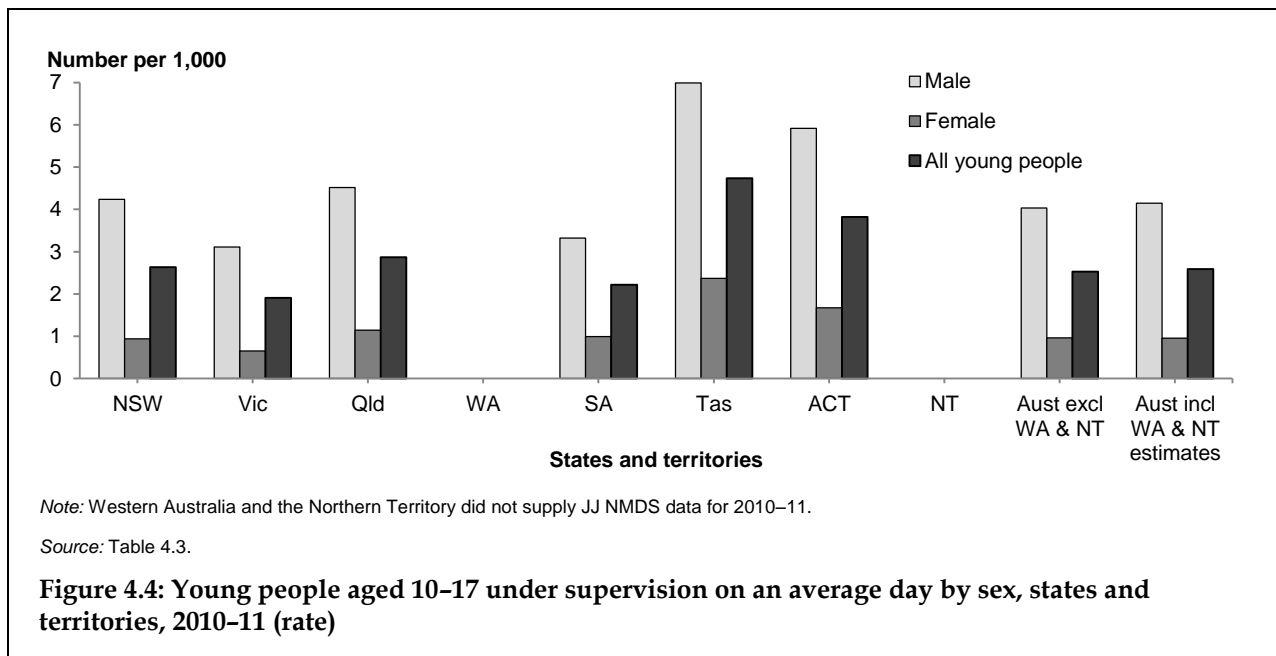
1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2010–11.
2. Total includes young people of unknown sex and Indigenous status.

Rates of supervision

There were relatively few young people under juvenile justice supervision in Australia. In 2010–11, there were 2.6 young people aged 10–17 under supervision on an average day for every 1,000 in the population, and 5.4 per 1,000 at any time during the year (including Western Australia and the Northern Territory) (Table 4.3). This equates to less than 0.3% of all young people on an average day, and around 0.5% during the year.

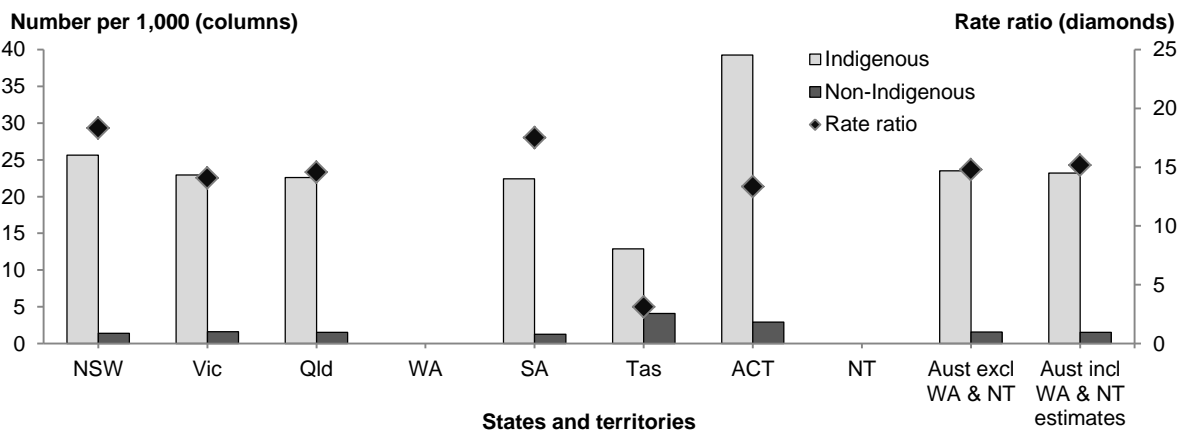
Among the states and territories for which data are available, rates of young people under supervision on an average day ranged from 1.9 per 1,000 in Victoria to 4.7 per 1,000 in Tasmania on an average day; similarly, rates during the year ranged from 3.7 per 1,000 in Victoria to 7.5 per 1,000 in Tasmania (Figure 4.4 and Table 4.3).

Nationally, young men aged 10–17 were more than 4 times as likely as young women to be supervised on an average day in 2010–11 (4.2 per 1,000 compared with 1.0 per 1,000) (including Western Australia and the Northern Territory). Young men were between 3 and 5 times as likely as young women to be under supervision in the states and territories for which data are available.



Rates of juvenile justice supervision for Indigenous young people were substantially higher than for non-Indigenous young people. Nationally, Indigenous young people aged 10–17 were 15 times as likely as non-Indigenous young people to be under supervision on an average day in 2010–11: there were 23 Indigenous young people under supervision per 1,000 compared with 1.5 non-Indigenous young people per 1,000 (including Western Australia and the Northern Territory) (Figure 4.5).

The level of Indigenous over-representation in juvenile justice supervision varied among the states and territories for which data are available. In 2010–11, Indigenous young people aged 10–17 years were 3 times as likely to be under supervision as non-Indigenous young people on an average day in Tasmania, between 13 and 15 times as likely in the Australian Capital Territory, Victoria and Queensland, and 18 times as likely in South Australia and New South Wales.



Notes

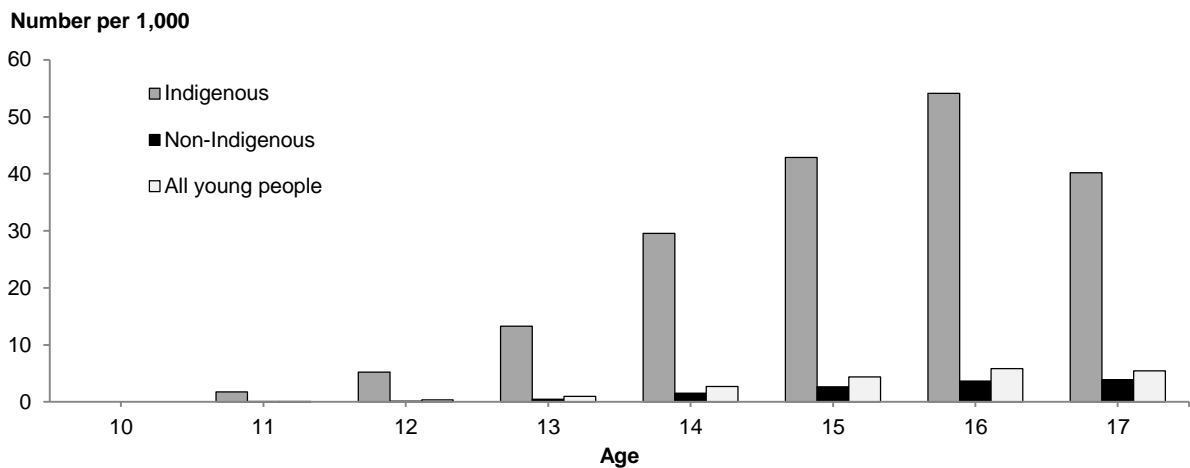
1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2010-11.
2. Rate ratio calculated by dividing the Indigenous rate by the non-Indigenous rate.

Source: Table 4.3.

Figure 4.5: Young people aged 10-17 under supervision on an average day by Indigenous status, states and territories, 2010-11 (rate)

In 2010-11, rates of young people under supervision on an average day increased in each successive age group from age 11 (0.1 per 1,000) to age 16 (5.8 per 1,000) (Figure 4.6). For Indigenous young people, rates of supervision were highest among those aged 16 (54 per 1,000), while for non-Indigenous young people, rates were highest among those aged 17 (3.9 per 1,000).

Indigenous young people were particularly over-represented at the younger ages: an Indigenous young person was 10 times as likely to be under supervision on an average day as a non-Indigenous young person if aged 17 years, but 40 times as likely if aged 12 years (Table 4.4).



Note: Western Australia and the Northern Territory did not supply JJ NMDS data for 2010-11.

Source: Table 4.4.

Figure 4.6: Young people aged 10-17 under supervision on an average day by age and Indigenous status, Australia (excluding WA and NT), 2010-11 (rate)

Table 4.3: Young people aged 10–17 under supervision by sex and Indigenous status, states and territories, 2010–11 (rate)

Indigenous status	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust excl WA & NT	Aust incl WA & NT ^(a)
Supervision rate—average day										
Male										
Indigenous	40.80	36.05	35.18	n.a.	35.72	18.21	54.68	n.a.	36.91	36.83
Non-Indigenous	2.30	2.69	2.45	n.a.	1.92	6.15	4.66	n.a.	2.56	2.47
Total	4.24	3.11	4.52	n.a.	3.32	6.99	5.92	n.a.	4.03	4.15
Female										
Indigenous	9.69	9.80	9.30	n.a.	8.73	7.49	22.19	n.a.	9.50	8.69
Non-Indigenous	0.46	0.52	0.59	n.a.	0.61	1.94	1.18	n.a.	0.57	0.54
Total	0.94	0.65	1.14	n.a.	0.99	2.37	1.67	n.a.	0.96	0.95
All young people										
Indigenous	25.63	22.95	22.58	n.a.	22.40	12.88	39.25	n.a.	23.51	23.20
Non-Indigenous	1.40	1.63	1.55	n.a.	1.28	4.11	2.94	n.a.	1.59	1.53
Rate ratio	18.31	14.08	14.57	n.a.	17.50	3.13	13.35	n.a.	14.79	15.16
Total	2.63	1.91	2.87	n.a.	2.22	4.74	3.82	n.a.	2.53	2.59
Supervision rate—during the year										
Male										
Indigenous	70.94	67.78	57.11	n.a.	80.49	26.64	110.91	n.a.	64.28	70.38
Non-Indigenous	4.94	5.12	4.55	n.a.	4.74	9.79	8.32	n.a.	5.07	5.24
Total	8.50	5.92	7.88	n.a.	8.02	10.97	10.90	n.a.	7.71	8.51
Female										
Indigenous	19.91	22.69	16.97	n.a.	22.87	9.18	32.52	n.a.	18.84	19.35
Non-Indigenous	1.10	1.11	1.16	n.a.	1.56	3.33	2.57	n.a.	1.24	1.22
Total	2.15	1.40	2.17	n.a.	2.50	3.78	3.27	n.a.	2.04	2.16
All young people										
Indigenous	46.06	45.29	37.57	n.a.	52.22	17.97	73.67	n.a.	42.07	45.54
Non-Indigenous	3.07	3.17	2.90	n.a.	3.21	6.66	5.47	n.a.	3.20	3.28
Rate ratio	15.00	14.29	12.96	n.a.	16.27	2.70	13.47	n.a.	13.15	13.88
Total	5.40	3.72	5.09	n.a.	5.45	7.48	7.13	n.a.	4.96	5.42

(a) Totals for 2010–11 include aggregate data supplied by Western Australia and 2007–08 data for the Northern Territory, where available.

Notes

1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2010–11.
2. Age calculated as at start of the financial year if first period of supervision in the relevant year began before the start of the financial year; otherwise, age calculated as at start of first period of supervision in the relevant year.
3. Total includes young people of unknown Indigenous status.
4. Rates are number of young people per 1,000 relevant population.
5. Rates are not published where there were fewer than 5 young people.

Sources: ABS 2012b; Table A3.

Table 4.4: Young people aged 10–17 under supervision by age, sex and Indigenous status, Australia (excluding WA and NT), 2010–11 (rate)

Indigenous status	10	11	12	13	14	15	16	17
Supervision rate—average day								
Male								
Indigenous	n.p.	3.02	8.49	20.57	44.82	69.28	81.77	65.16
Non-Indigenous	n.p.	0.05	0.23	0.76	2.33	3.98	5.92	6.66
Total	n.p.	0.17	0.57	1.56	4.09	6.75	9.12	9.20
Female								
Indigenous	n.p.	n.p.	1.81	5.73	13.89	14.95	24.96	13.83
Non-Indigenous	n.p.	n.p.	n.p.	0.17	0.71	1.26	1.33	0.96
Total	n.p.	n.p.	0.10	0.42	1.28	1.90	2.33	1.49
All young people								
Indigenous	n.p.	1.77	5.22	13.28	29.57	42.86	54.13	40.21
Non-Indigenous	n.p.	0.02	0.13	0.47	1.54	2.65	3.68	3.89
Total	n.p.	0.10	0.34	1.00	2.73	4.39	5.82	5.46
Supervision rate—during the year								
Male								
Indigenous	1.79	6.66	17.12	38.85	78.13	113.91	134.81	120.14
Non-Indigenous	n.p.	0.12	0.55	1.77	4.41	7.51	11.72	13.42
Total	0.09	0.38	1.25	3.28	7.56	12.30	17.12	18.34
Female								
Indigenous	n.p.	n.p.	3.58	12.09	25.25	32.43	46.92	28.92
Non-Indigenous	n.p.	n.p.	0.10	0.45	1.52	2.66	2.81	2.16
Total	n.p.	0.04	0.26	0.97	2.58	4.04	4.81	3.33
All young people								
Indigenous	1.12	3.91	10.50	25.70	52.06	74.29	92.04	75.80
Non-Indigenous	n.p.	0.06	0.33	1.12	3.00	5.15	7.38	7.94
Total	0.05	0.22	0.77	2.15	5.14	8.30	11.13	11.05

Notes

1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2010–11.
2. Age calculated as at start of the financial year if first period of supervision in the relevant year began before the start of the financial year; otherwise, age calculated as at start of first period of supervision in the relevant year.
3. Total includes young people of unknown Indigenous status.
4. Rates are number of young people per 1,000 relevant population.
5. Rates are not published where there were fewer than 5 young people.

Sources: ABS 2012b; Table A1.

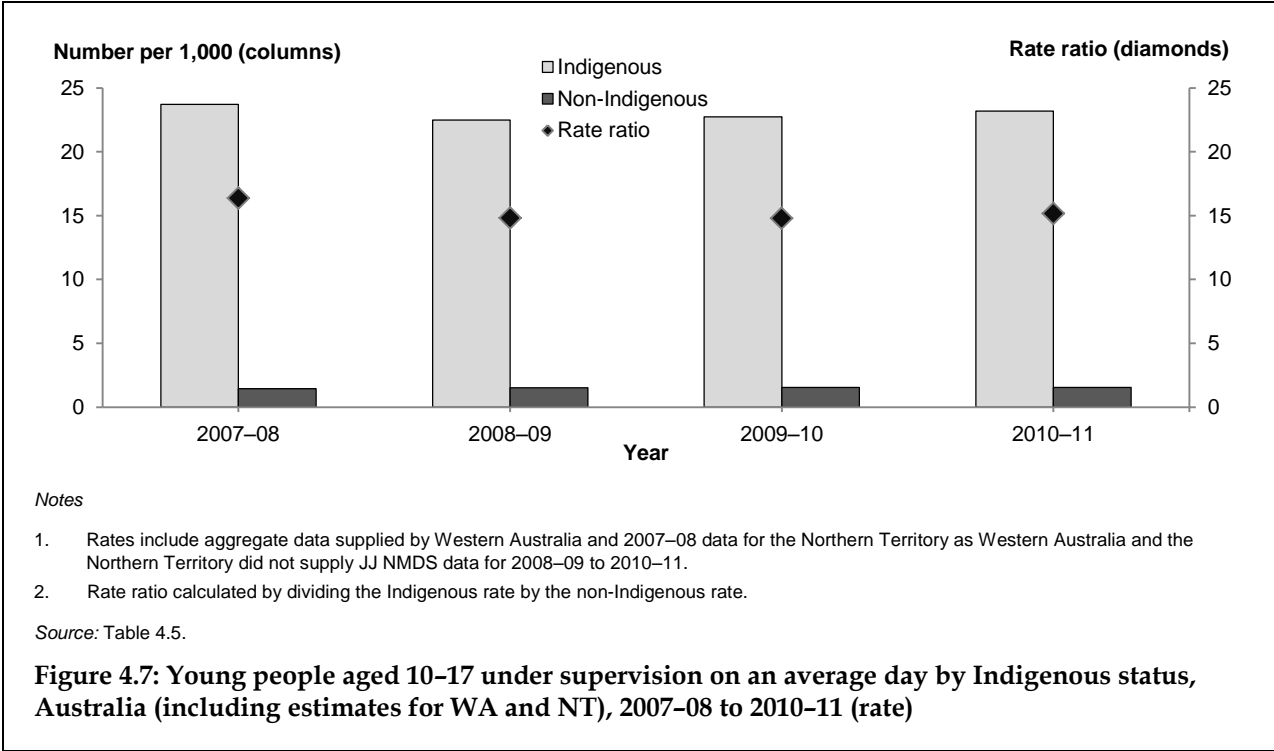
Trends

Over the 4-year period from 2007–08 to 2010–11, rates of young people under supervision increased from 2.5 to 2.6 per 1,000 on an average day, and from 5.1 to 5.4 per 1,000 during the year (including Western Australia and the Northern Territory) (tables 4.5 and A6).

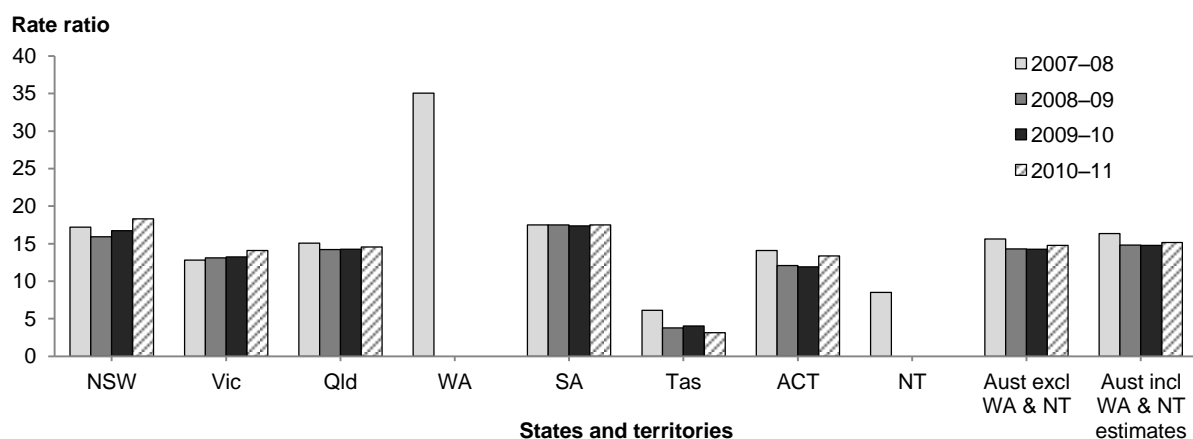
Despite the small but steady rise at a national level, there were differences among the states and territories. Rates of young people under supervision on an average day increased over

the 4-year period in New South Wales (from 2.4 to 2.6 per 1,000), Victoria (from 1.6 to 1.9 per 1,000), Tasmania (from 3.7 to 4.7 per 1,000) and the Australian Capital Territory (from 3.3 to 3.8 per 1,000), although increases did not occur in each year for all jurisdictions. There were overall decreases over the period in Queensland (from 3.1 to 2.9 per 1,000) and South Australia (from 2.8 to 2.2 per 1,000), although these decreases also did not occur each year. Trend data for South Australia should be interpreted with caution (see Section 3.3 for details).

Nationally, the rates of supervision for both Indigenous and non-Indigenous young people aged 10–17 remained relatively steady over the 4-year period (including Western Australia and the Northern Territory) (Figure 4.7). Rates for non-Indigenous young people remained around 1.5 per 1,000 on an average day, while the rates for Indigenous young people remained around 23–24 per 1,000 each year. Over the 4 years, the level of Indigenous over-representation (as measured by the rate ratio) therefore also remained relatively steady; in 2007–08, Indigenous young people aged 10–17 were 16 times as likely as non-Indigenous young people to be under supervision on an average day, while between 2008–09 and 2010–11 they were 15 times as likely.



In most states and territories for which data are available, the level of Indigenous over-representation in juvenile justice supervision remained relatively stable or fluctuated slightly over the 4 years to 2010–11 (excluding Western Australia and the Northern Territory) (Figure 4.8).



Notes

1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2008-09 to 2010-11.
2. Totals for 2008-09 to 2010-11 include aggregate data supplied by Western Australia and 2007-08 data for the Northern Territory, where available.
3. Rate ratio calculated by dividing the Indigenous rate by the non-Indigenous rate.

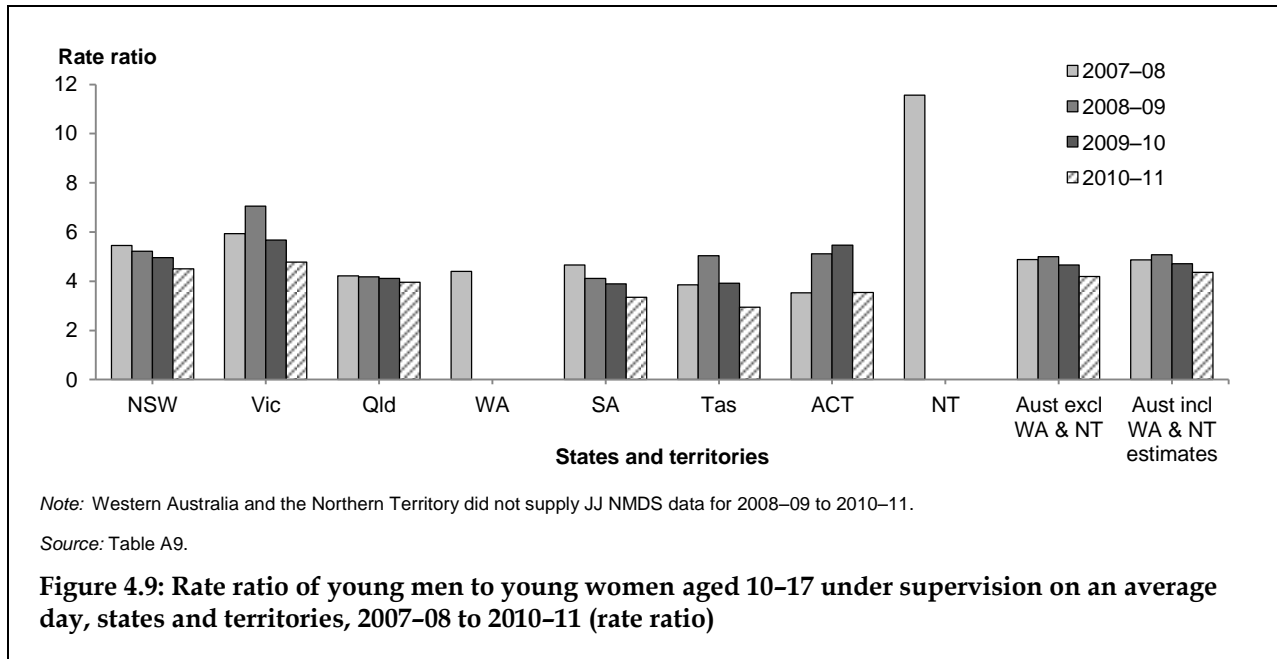
Source: Table 4.5.

Figure 4.8: Level of Indigenous over-representation among young people aged 10-17 under supervision on an average day, states and territories, 2007-08 to 2010-11 (rate ratio)

Nationally, there was little change in the pattern of supervision rates by sex and age between 2007-08 and 2010-11. Those in the older age groups were consistently the most likely to be under supervision, and rates of supervision were highest each year for young women aged 16 and young men aged 16 and 17 (Table A11). Overall, among young men, there was a small decrease in the rates of supervision between 2007-08 and 2010-11 for those aged 10-13, and an increase for those aged 14-17. However, among young women, there was an increase in all age groups.

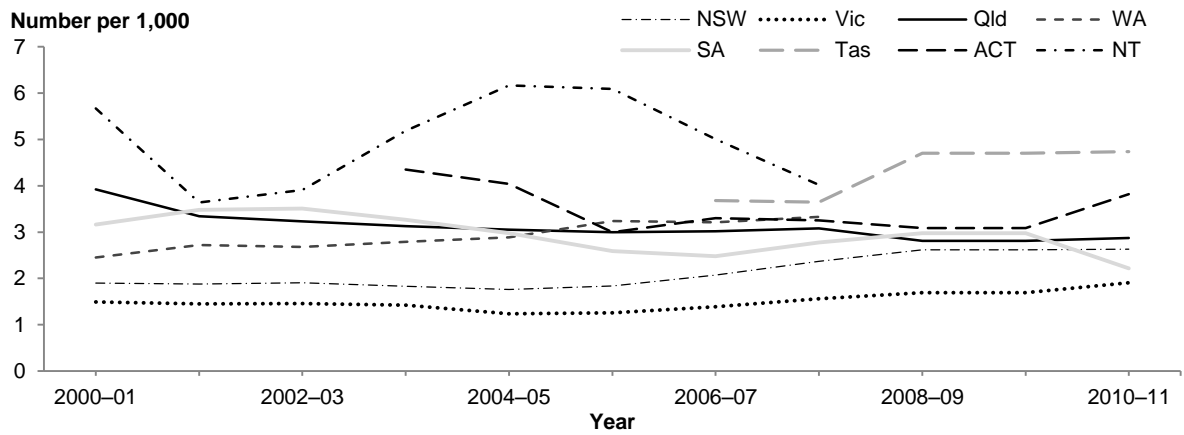
Over the 4-year period to 2010-11, the rate of young men under supervision increased slightly, from 4.1 to 4.2 per 1,000, while the rate of young women under supervision also increased, from 0.8 to 1.0 per 1,000 (including Western Australia and the Northern Territory) (Table A9). The rate of increase for young women was higher than for young men; while young men were almost 5 times as likely as young women to be under supervision in 2007-08, they were around only 4 times as likely in 2010-11 (Figure 4.9).

There were decreases in the rate ratio of young men to young women in all states and territories for which data are available over the 4-year period, although decreases did not occur every year in some jurisdictions. In most states and territories, this was due to the increase in the rate of young women under supervision being proportionally greater than the corresponding increase for young men (Table A9). However, in South Australia, the rate for young men decreased between 2007-08 and 2010-11 while the rate for young women remained relatively steady. In Queensland, the rates for both young men and young women decreased, with the fall being greater for young men.



Data on young people under juvenile justice supervision are available for the 11-year period from 2000-01 to 2010-11 for New South Wales, Victoria, Queensland and South Australia, with data also available for the Australian Capital Territory from 2003-04 and for Tasmania from 2006-07. JJ NMDS data for Western Australia and the Northern Territory are available for 2000-01 to 2007-08.

Over the 11-year period from 2000-01, there were overall increases in the rates of supervision on an average day in New South Wales (from 1.9 to 2.6 per 1,000) and Victoria (from 1.5 to 1.9 per 1,000) and decreases in Queensland (from 3.9 to 2.9 per 1,000) and South Australia (from 3.2 to 2.2 per 1,000) (Figure 4.10). Trend data for South Australia should be interpreted with caution (see Section 3.3 for details). While rates in the Australian Capital Territory fluctuated, there was an overall decrease between 2003-04 and 2010-11 (from 4.4 to 3.8 per 1,000). In Tasmania, there was an increase between 2006-07 and 2010-11 (from 3.7 to 4.7 per 1,000).



Notes

1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2008-09 to 2010-11.
2. JJ NMDS data are not available for Tasmania before 2006-07 and for the Australian Capital Territory before 2003-04.

Source: Table A6.

Figure 4.10: Young people under supervision on an average day, states and territories, 2000-01 to 2010-11 (rate)

Table 4.5: Young people aged 10–17 under supervision on an average day by Indigenous status, states and territories, 2007–08 to 2010–11 (rate)

Indigenous status	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust excl WA & NT	Aust incl WA & NT ^(a)
2007–08										
Indigenous	22.69	17.42	24.71	39.27	29.93	15.69	34.64	8.17	23.28	23.71
Non-Indigenous	1.32	1.36	1.64	1.12	1.71	2.56	2.46	0.96	1.49	1.45
Rate ratio	17.19	12.81	15.07	35.06	17.50	6.13	14.08	8.51	15.62	16.35
Total	2.37	1.56	3.08	3.33	2.78	3.65	3.25	4.02	2.40	2.51
2008–09										
Indigenous	23.87	19.30	21.88	n.a.	32.22	14.20	29.65	n.a.	22.89	22.50
Non-Indigenous	1.50	1.47	1.54	n.a.	1.84	3.77	2.45	n.a.	1.60	1.52
Rate ratio	15.91	13.13	14.21	n.a.	17.51	3.77	12.10	n.a.	14.31	14.80
Total	2.62	1.69	2.81	n.a.	2.98	4.70	3.09	n.a.	2.51	2.54
2009–10										
Indigenous	24.60	21.46	21.68	n.a.	28.16	16.02	28.60	n.a.	23.08	22.75
Non-Indigenous	1.47	1.62	1.52	n.a.	1.62	3.96	2.40	n.a.	1.62	1.54
Rate ratio	16.73	13.25	14.26	n.a.	17.38	4.05	11.92	n.a.	14.25	14.77
Total	2.64	1.87	2.78	n.a.	2.70	4.87	3.03	n.a.	2.53	2.58
2010–11										
Indigenous	25.63	22.95	22.58	n.a.	22.40	12.88	39.25	n.a.	23.51	23.20
Non-Indigenous	1.40	1.63	1.55	n.a.	1.28	4.11	2.94	n.a.	1.59	1.53
Rate ratio	18.31	14.08	14.57	n.a.	17.50	3.13	13.35	n.a.	14.79	15.16
Total	2.63	1.91	2.87	n.a.	2.22	4.74	3.82	n.a.	2.53	2.59

(a) Totals for 2008–09 to 2010–11 include aggregate data supplied by Western Australia and 2007–08 data for the Northern Territory, where available.

Notes

1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2008–09 to 2010–11.
2. Age calculated as at start of the financial year if first period of supervision in the relevant year began before the start of the financial year; otherwise, age calculated as at start of first period of supervision in the relevant year.
3. Total includes young people of unknown Indigenous status.
4. Rates are number of young people per 1,000 relevant population.
5. Rates are not published where there were fewer than 5 young people.
6. Rate ratio calculated by dividing the Indigenous rate by the non-Indigenous rate.
7. Trend data may differ from those previously published due to data revisions.

Sources: ABS 2012b; Table A4.

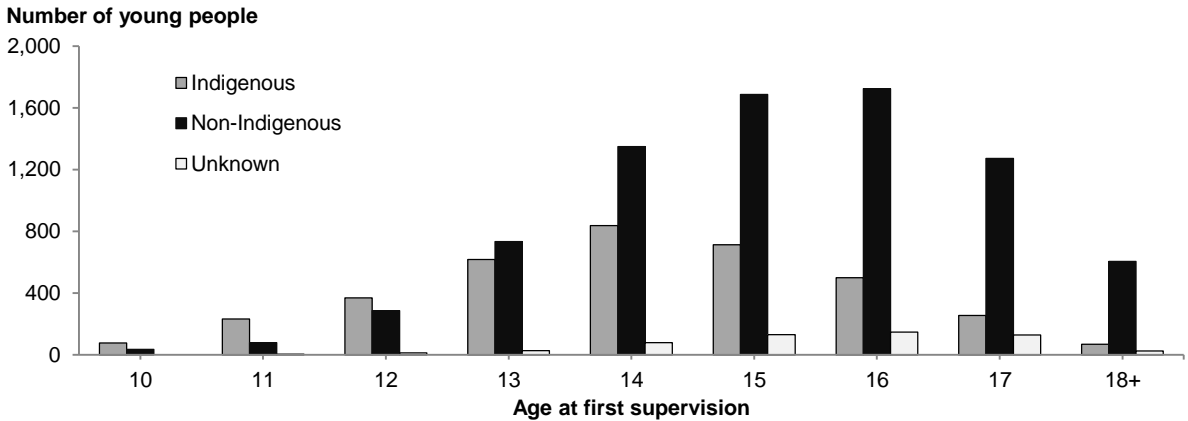
4.3 First supervision

One in 3 (33%) young people under supervision in 2010–11 were new to supervision, and the remaining 2 in 3 (67%) had been supervised in a previous year (Western Australia and the Northern Territory did not supply JJ NMDS data for 2010–11 and are not included in this section) (Table A12). Among the states and territories for which data are available, the proportion of new entrants to supervision ranged from 19% in Queensland to 39% in New South Wales.

Over the 4-year period to 2010–11, the proportion of new entrants to supervision fell slightly, from 38% to 33% nationally, and across all states and territories except Queensland, where the proportion fluctuated slightly each year.

Indigenous young people under supervision were less likely than non-Indigenous young people to be new entrants to supervision (27% compared with 35%) (Table A13). Over the 4-year period, the proportion of Indigenous young people who were new entrants to supervision remained relatively stable, while the proportion of non-Indigenous young people who were new to supervision decreased slightly (from 40% in 2007–08 to 35% in 2010–11).

One reason Indigenous young people are less likely to be new entrants is because they tend to first enter supervision at younger ages. Around three-quarters (74%) of young people under supervision during 2010–11 had first entered supervision when they were aged 14–17, and 21% when aged 10–13 (Figure 4.11). Around 37% of Indigenous young men and 28% of Indigenous young women first entered supervision when they were aged 10–13, compared with 14% and 15% of non-Indigenous young men and women, respectively.

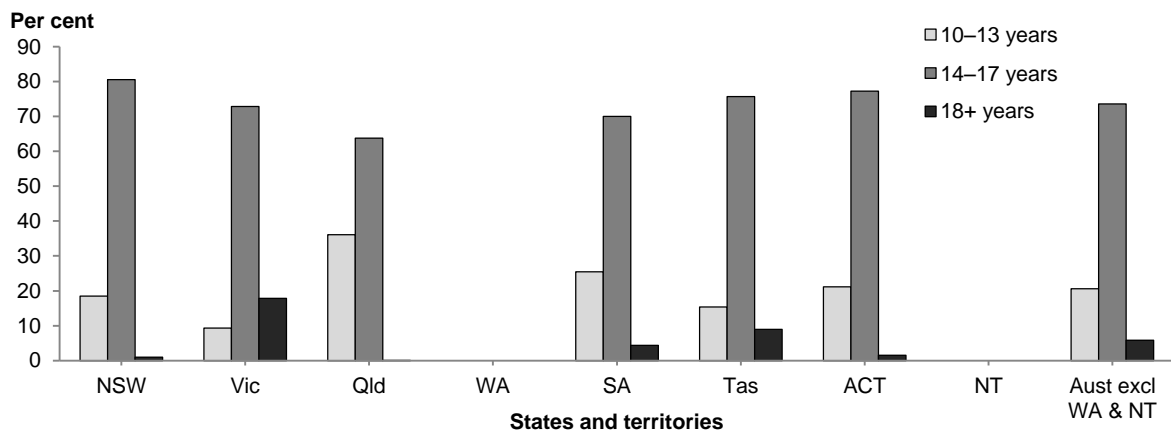


- Notes
1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2010–11.
 2. In most states and territories, the maximum age of treatment as a young person for criminal responsibility is 17; however, it is possible for young people over the age of 17 to be supervised by a juvenile justice agency.

Source: Table A14.

Figure 4.11: Young people under supervision during the year by age at first supervision and Indigenous status, Australia (excluding WA and NT), 2010–11

In all states and territories, most young people under supervision during 2010–11 had first entered supervision when they were aged 14–17 (Figure 4.12). Queensland had the largest proportion (36%) of young people who had first entered supervision aged 10–13, while Victoria had the largest proportion (18%) who had first entered supervision aged 18 and over, most likely due to legislative differences in the age of treatment as a young person in those states (see Section 2.1).



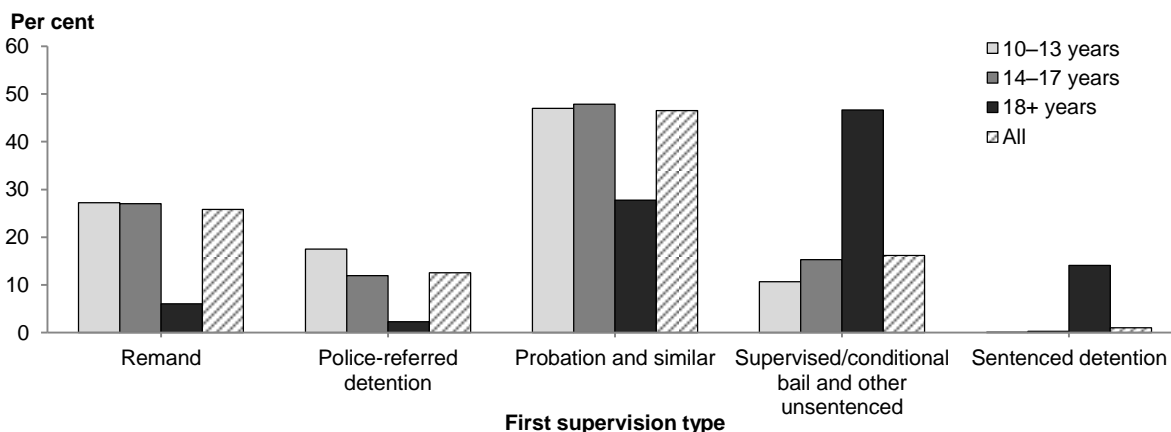
Note: Western Australia and the Northern Territory did not supply JJ NMDS data for 2010-11.

Source: Table A15.

Figure 4.12: Young people under supervision during the year by age at first supervision, states and territories, 2010-11 (per cent)

Among those under supervision during 2010-11, the most common types of first supervision were probation and similar (47%) and remand (26%), followed by supervised and conditional bail and similar (16%) and police-referred detention (13%) (young people may have had more than one first supervision type) (Figure 4.13).

Among those aged 10-13 and 14-17, the most common types of first supervision were probation and similar, and remand, while among those aged 18 and over, the most common types of first supervision were supervised and conditional bail and similar and probation and similar. Sentenced detention was relatively uncommon as the first type of supervision (1%), except among those aged 18 and over (14%). This is most likely due to the 'dual track' sentencing system in Victoria, since most (86%) of those aged 18 and older whose first supervision was sentenced detention were in Victoria.

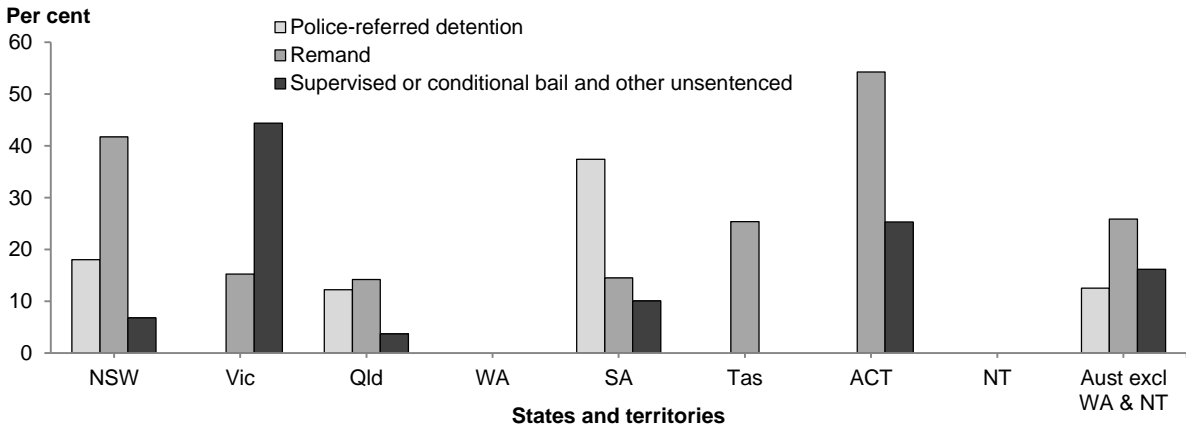


Note: Western Australia and the Northern Territory did not supply JJ NMDS data for 2010-11.

Sources: Tables A15 and A16.

Figure 4.13: Young people under supervision during the year by type of first supervision and age of first supervision, Australia (excluding WA and NT), 2010-11 (per cent)

There was substantial variation among the states and territories in the types of unsentenced supervision young people most commonly experienced as their first type of supervision (Figure 4.14). Police-referred detention was the most common type of unsentenced supervision first experienced in South Australia (37% of those under supervision during the year). Remand was the most common in the Australian Capital Territory (54%), New South Wales (42%), Tasmania (25%) and Queensland (14%), and supervised or conditional bail and similar was the most common type in Victoria (44%).



Notes

1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2010–11.
2. Not all types of unsentenced supervision are available in all states and territories. See Table 2.2 for details.
3. Other types of first supervision are available (see Table A16).

Sources: Tables A15 and A16.

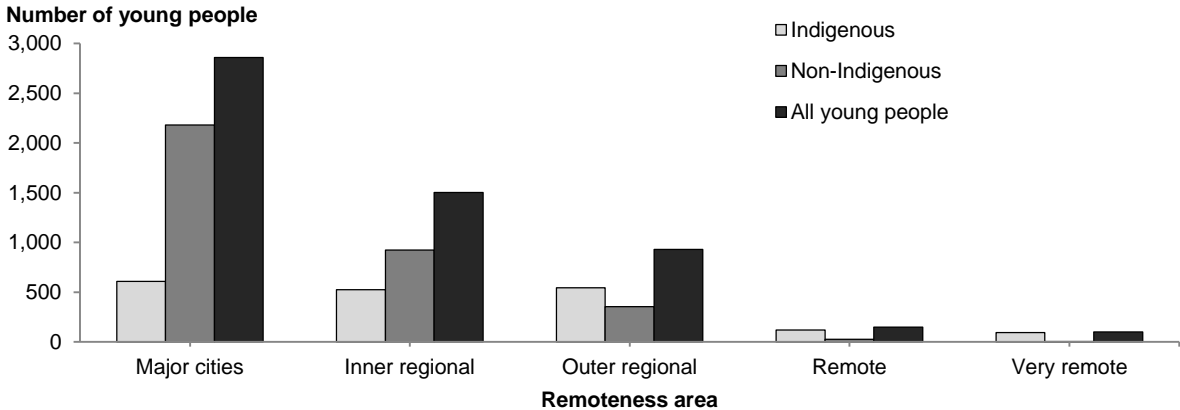
Figure 4.14: Young people under supervision during the year, by unsentenced types of first supervision, states and territories, 2010–11 (per cent)

4.4 Remoteness of usual residence

Most (88%) young people under supervision in Australia during 2010–11 lived in cities and regional areas before entering supervision; almost half (48%) of those under supervision on an average day were from *Major cities*, one-quarter (25%) were from *Inner regional* areas and a further 16% from *Outer regional* areas (Western Australia and the Northern Territory did not supply JJ NMDS data for 2010–11 and are not included in this section) (Figure 4.15 and Table 4.2). Only 4% of young people were from *Remote* or *Very remote* areas (information about remoteness of usual residence was not available for 8% of young people). Proportions were similar for all young people under supervision during the year.

Indigenous young people under supervision were more likely to be from remote areas than non-Indigenous young people. On an average day in 2010–11, 11% of Indigenous young people under supervision were from *Remote* or *Very remote* areas, compared with less than 1% of non-Indigenous young people. In addition, 27% of Indigenous young people were from *Outer regional* areas, compared with 9% of non-Indigenous young people.

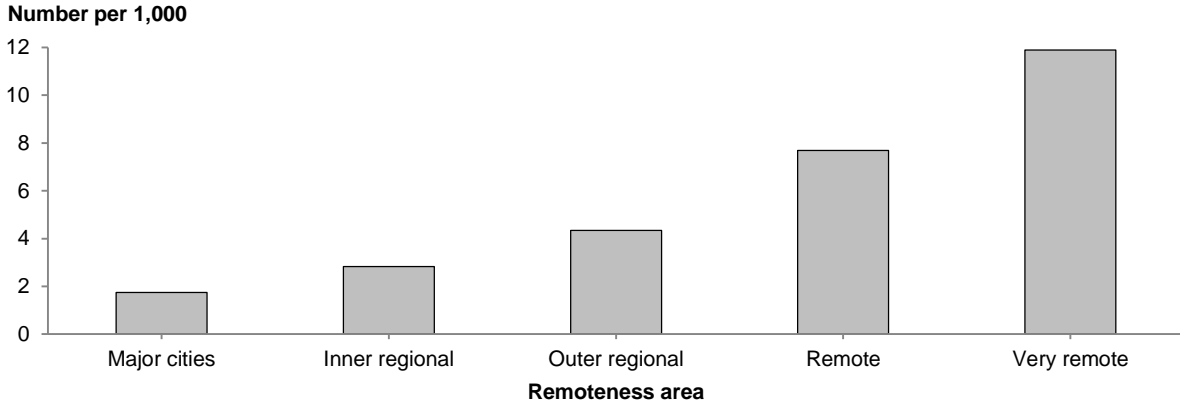
Although most young people under supervision were from cities and regional areas, those from remote areas were the most likely to be under supervision in 2010–11 (Figure 4.16). On an average day, 7.7 out of every 1,000 young people aged 10–17 from *Remote* areas and almost 12 per 1,000 from *Very remote* areas were under juvenile justice supervision, compared with 1.8 per 1,000 from *Major cities*. This means that young people from *Very remote* areas were almost 7 times as likely to be under supervision as those from *Major cities*. This pattern occurred in both community-based supervision and detention.



Note: Western Australia and the Northern Territory did not supply JJ NMDS data for 2010–11.

Source: Table A17.

Figure 4.15: Young people under supervision on an average day by Indigenous status and remoteness of usual residence, Australia (excluding WA and NT), 2010–11



Note: Western Australia and the Northern Territory did not supply JJ NMDS data for 2010–11.

Source: Table A18.

Figure 4.16: Young people aged 10–17 under supervision on an average day by remoteness of usual residence, Australia (excluding WA and NT), 2010–11 (rate)

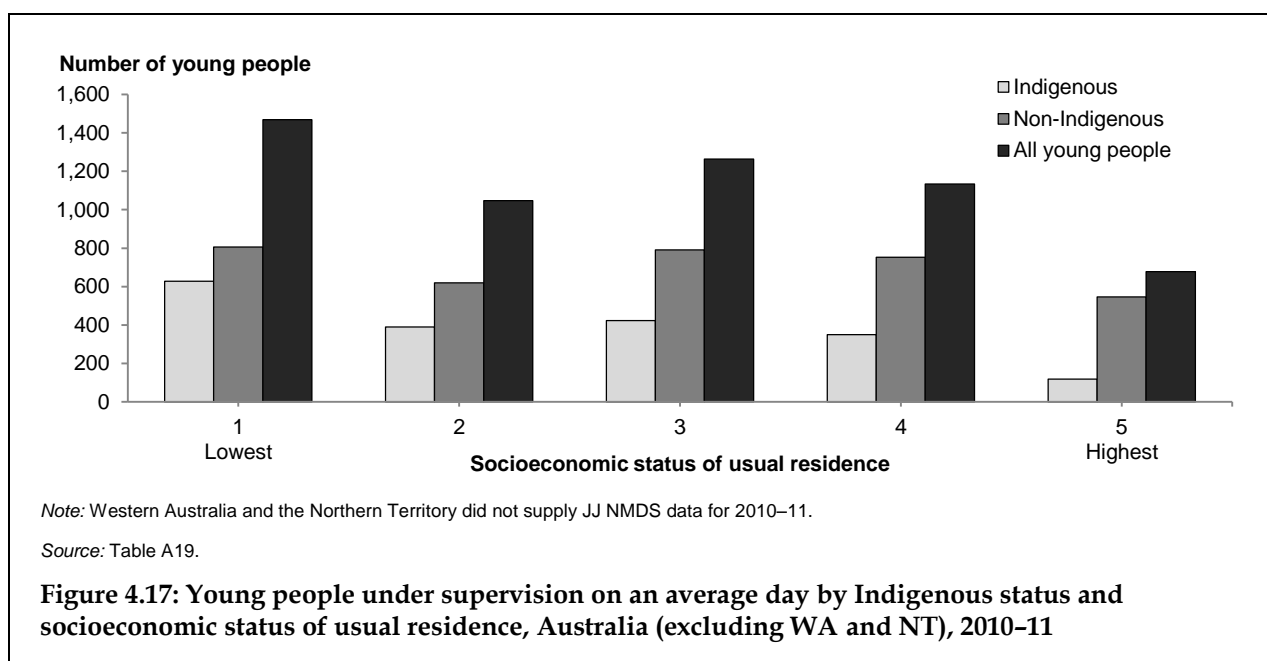
4.5 Socioeconomic status of usual residence

Young people under supervision during 2010–11 most commonly lived in the areas of relatively low socioeconomic status before entering supervision. On an average day, around 1 in every 4 (24%) young people under supervision were from one of the areas of lowest socioeconomic status, while around 1 in 10 (11%) were from one of the areas of highest socioeconomic status (Western Australia and the Northern Territory did not supply JJ NMDS data for 2010–11 and are not included in this section) (Figure 4.17). Information on the socioeconomic status of usual residence was not available for around 7% of young people. These proportions were similar for all young people under supervision during the year.

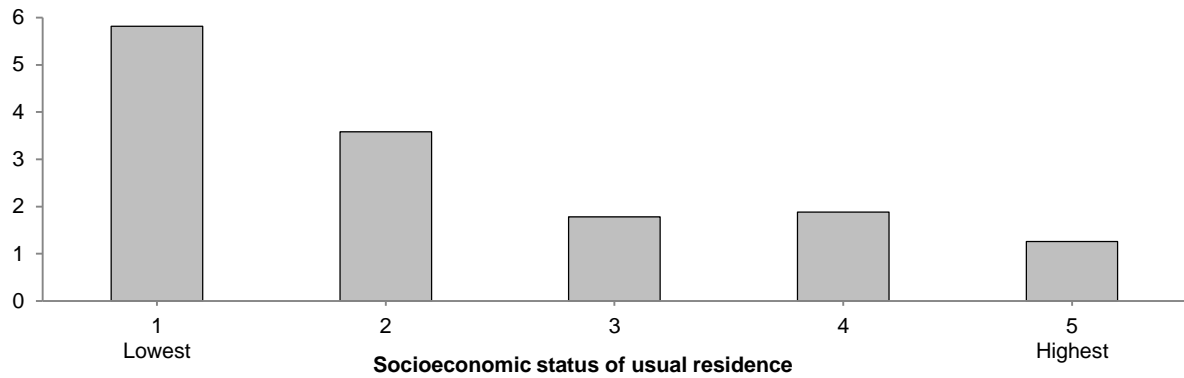
Although both Indigenous and non-Indigenous young people under supervision were more likely to come from an area of disadvantage than one of advantage, the differences were greater for Indigenous young people. On an average day, 31% of Indigenous young people under supervision came from an area of lowest socioeconomic status in Australia, compared with 21% of non-Indigenous young people. Just 6% of Indigenous young people came from an area of highest socioeconomic status, compared with 14% of non-Indigenous young people.

On an average day in 2010–11, young people from the areas of lowest socioeconomic status were almost 5 times as likely to be under supervision as those from areas of the highest socioeconomic status (Figure 4.18). There were 5.8 young people under supervision for every 1,000 in the population living in areas of lowest socioeconomic status, compared with 1.3 per 1,000 in areas of highest socioeconomic status. This pattern occurred in both community-based supervision and detention.

While the rates of supervision were highest among those from the areas of lowest socioeconomic status in each state and territory for which data are available, the rate ratios differed (Figure 4.19). Young people from areas of the lowest socioeconomic status were 3 times as likely to be under supervision on an average day as those from the areas of highest socioeconomic status in Victoria, compared with almost 5 times in New South Wales, 9 times in South Australia, and 13 times in Queensland.



Number per 1,000

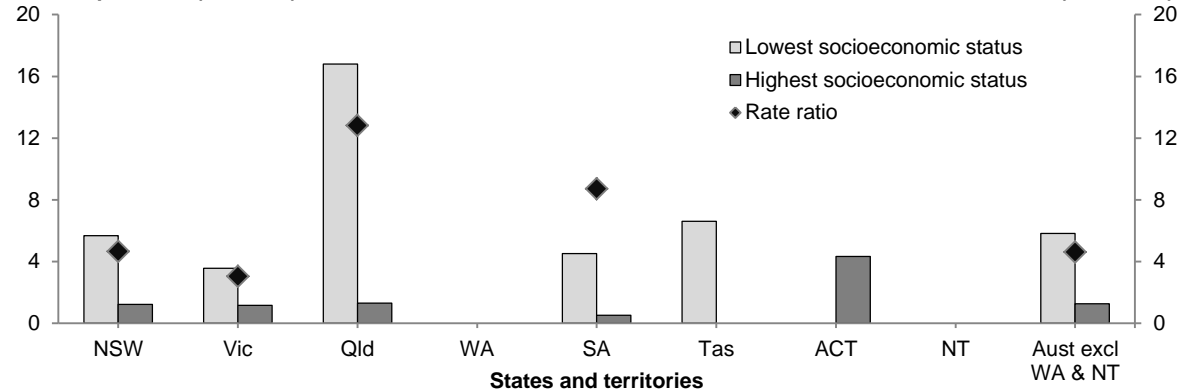


Note: Western Australia and the Northern Territory did not supply JJ NMDS data for 2010–11.

Source: Table A20.

Figure 4.18: Young people aged 10–17 under supervision on an average day by socioeconomic status of area of usual residence, Australia (excluding WA and NT), 2010–11 (rate)

Number per 1,000 (columns)



Notes

1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2010–11.
2. Rate ratios were not calculated for states and territories without young people in both the highest and the lowest areas of socioeconomic status.

Source: Table A20.

Figure 4.19: Young people aged 10–17 under supervision on an average day by socioeconomic status of area of usual residence (highest and lowest), states and territories, 2010–11 (rate)

5 Characteristics of supervision and orders

This chapter provides information on both the supervised orders administered by state and territory juvenile justice agencies and the characteristics of supervision during 2010–11.

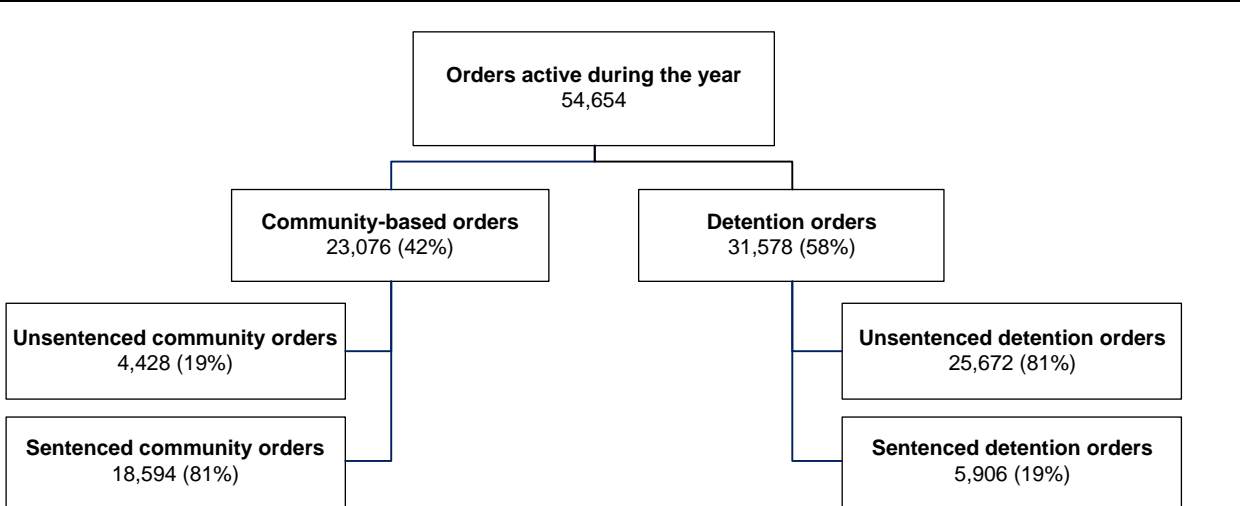
To some extent, differences between states and territories in the numbers and types of legal orders may reflect differences in legislation and legal and administrative practices. See Table 2.2 for information on the types of orders available in each state and territory.

Young people may be on any number and type of orders at any one time, but they may not serve the full duration of these orders for several reasons. Firstly, community-based orders may be interrupted by time spent in detention. Secondly, the entire period of a sentenced detention order may not be served where the young person is released on parole or supervised release. In this chapter, the total time spent under continuous supervision is referred to as a supervision period. For more information, see Chapter 3.

Western Australia and the Northern Territory did not provide JJ NMDS data for 2008–09, 2009–10 and 2010–11 and are not included in this chapter. For some analyses, the availability of data relating to trends over time is therefore limited.

5.1 Summary

In 2010–11, the 11,980 young people under juvenile justice supervision were under a total of 54,654 orders, which equates to an average of 4.6 orders per young person (Western Australia and the Northern Territory did not supply JJ NMDS data for 2010–11 and are not included in this chapter) (Table 4.1 and Figure 5.1).



Notes

1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2010–11.
2. Totals include orders with 'other' legal status.

Source: Table B1.

Figure 5.1: Supervised orders by order type and legal status, Australia (excluding WA and NT), 2010–11

Young people under supervision during 2010–11 experienced, on average, 1.3 periods of supervision, with two-thirds (67%) of young people completing at least one period during the year (tables 4.1 and B3). Most (83%) of those who completed at least one supervision period during the year completed only one (Table B4).

The average duration of completed supervision periods was around 10 weeks (68 days), although this varied among the states and territories, ranging from 3 weeks (22 days) in South Australia to 24 weeks (167 days) in Tasmania (Figure 5.4). The average length of individual supervision periods tended to be shorter in states and territories where young people completed more supervision periods, on average, during the year, and longer where they completed fewer periods during the year.

When all periods of supervision are considered, young people under supervision during 2010–11 spent an average of 6 months (26 weeks or 183 days) under juvenile justice supervision (Figure 5.5). Nationally, Indigenous young people spent almost 29 weeks (200 days) under supervision during the year compared with 25 weeks (178 days) for non-Indigenous young people, and Indigenous young people spent more time under supervision during the year in all states and territories.

Community-based supervision was more common than detention in all states and territories – on an average day in 2010–11, young people aged 10–17 were almost 7 times as likely to be under community-based supervision as in detention (Figure 5.8). Nationally, almost 3 in 5 (58%) orders were detention orders and the remainder (42%) were community-based orders; however, these proportions varied among the states and territories (Figure 5.9). New South Wales had the highest proportion of detention orders (72%) while Tasmania had the lowest (33%) (Figure 5.9).

Most (82%) young people under supervision during the year served a supervised sentence at some time during the year, even though fewer than half (45%) of all orders were sentenced (Figure 5.12 and Table B1). Most community-based orders were sentenced (81%) while most detention orders were unsentenced (81%) (Figure 4.1).

More than half (57%) of young people under supervision during 2010–11 had been in detention at some time during their supervision history (Figure 5.14). This proportion was highest in New South Wales (75%) and lowest in Victoria (36%) (tables 4.1 and B12). Relatively few (9%) young people had only ever been in detention. Indigenous young people were more likely than non-Indigenous young people to have been in detention at some time (67% compared with 54%).

5.2 Number of orders and supervision periods

Nationally, the 11,980 young people who were under juvenile justice supervision during 2010–11 were supervised under a total of 54,654 orders (including 4 young people with missing order data), which equates to an average of 4.6 orders per young person (Western Australia and the Northern Territory did not supply JJ NMDS data for 2010–11 and are not included in this chapter) (tables 4.1 and B1). New South Wales had the highest number of supervised orders during the year, while the Australian Capital Territory had the lowest. These jurisdictions also had the highest rate of supervised orders per young person under supervision, with an average of 7 and 5 orders per person, respectively (tables 4.1 and B1).

Almost 4 in 10 (38%) young people were supervised under just one order during the year, while 3 in 10 (32%) were supervised under four or more orders (tables 4.1 and B2). Indigenous young people were more likely than non-Indigenous young people to be supervised under multiple orders during the year (70% and 60%, respectively) (tables 4.2 and B2).

Almost half of young people under supervision in Victoria and Tasmania were supervised under only one order during the year (48% and 46%, respectively) (Figure 5.2). In contrast, around one-third of those under supervision in New South Wales and the Australian Capital Territory were supervised under 6 or more orders (34% and 33%, respectively).

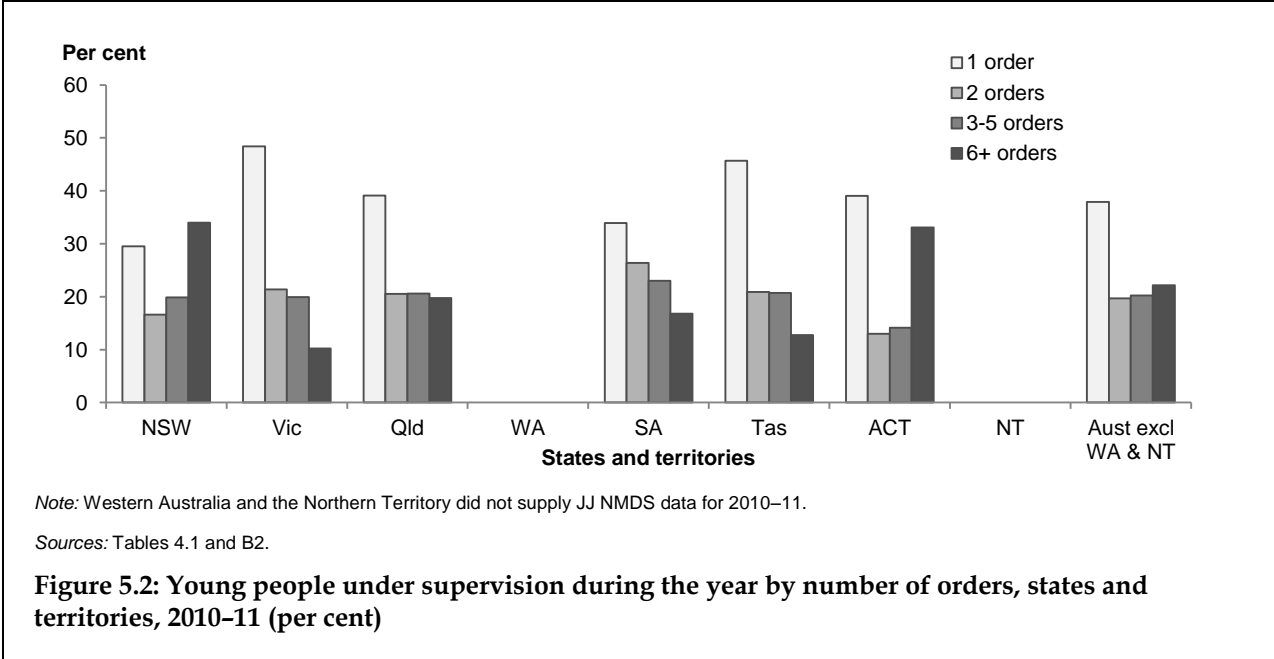


Figure 5.2: Young people under supervision during the year by number of orders, states and territories, 2010-11 (per cent)

Nationally, the number of orders supervised by juvenile justice agencies increased (up 22%) between 2007-08 and 2010-11. This increase occurred in all states and territories except South Australia, where there was a 15% decrease (Figure 5.3). Trend data for South Australia should be interpreted with caution (see Section 3.3 for details). The largest increase in the number of orders was in New South Wales (up 31%), followed by Victoria (up 24%).

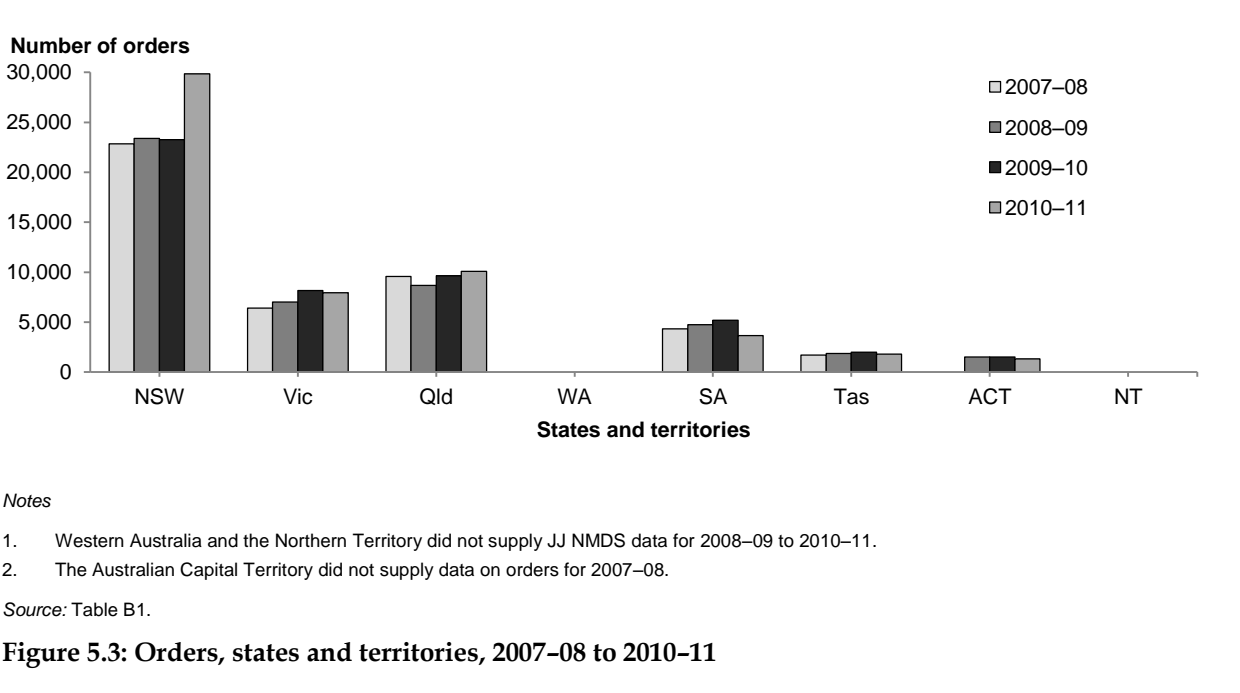
The 11,980 young people under supervision in 2010-11 experienced, on average, 1.3 periods of supervision each (tables 4.1 and B3). Some periods of supervision started before 2010-11, and some were ongoing at the end of 2010-11; however, around two-thirds (67%) of all young people under supervision completed at least one supervision period during the year (tables 4.1 and B4). The remaining one-third had not left supervision for at least 1 full day by the end of 2010-11.

The majority (83%) of those who completed a supervision period during the year completed only one period; this proportion ranged from 72% in South Australia to 96% in Tasmania (Table B4). The proportion of young people who had completed 4 or more supervision periods ranged from 0% in Tasmania to 7% in South Australia.

In most states and territories, there was little change in the proportion of young people who completed multiple supervision periods between 2007-08 and 2010-11 – except in the Australian Capital Territory, where this proportion fell from 42% to 18% over the 4-year period (Table B5).

Similar proportions of young men and young women under supervision during the year completed at least one supervision period during 2010–11 (66% and 68%, respectively), and among those who completed at least one period the same proportion of young men and young women completed only one (83%) (Table B4).

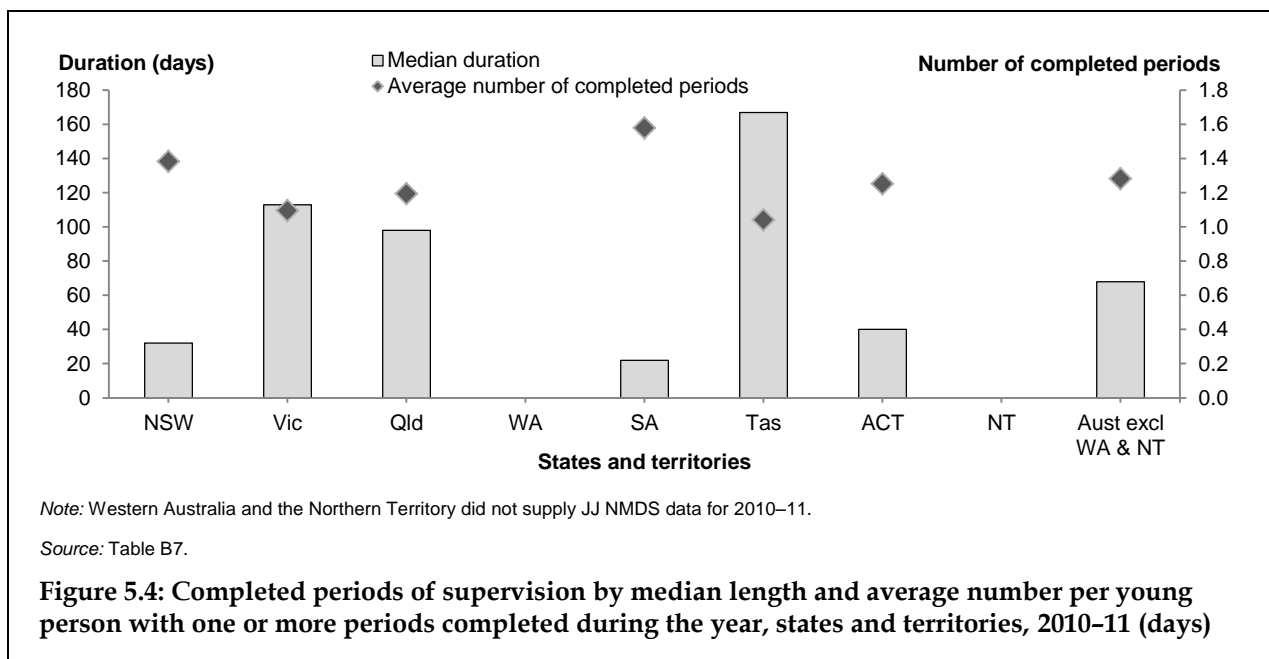
In addition, similar proportions of Indigenous and non-Indigenous young people under supervision during the year completed at least one period (66% and 67%, respectively) (tables 4.2 and B6). Indigenous young people who had completed at least one supervision period during the year were more likely than non-Indigenous young people to have completed two or more periods (22% and 15%, respectively).



5.3 Time under supervision

In 2010–11 the median length of completed supervision periods was almost 10 weeks (68 days); however, this varied widely across the states and territories, ranging from 3 weeks (22 days) in South Australia to 24 weeks (167 days) in Tasmania (Western Australia and the Northern Territory did not supply JJ NMDS data for 2010–11 and are not included in this chapter) (Figure 5.4). Nationally, young people who completed at least one supervision period during 2010–11 completed 1.3 periods on average; this ranged from 1.0 in Tasmania to 1.6 in South Australia.

There was an inverse relationship between the median length of completed supervision periods and the average number of completed periods per young person during the year. Tasmania had the longest median duration of completed supervision periods and the lowest average number of completed periods per person, while South Australia had the shortest median duration of supervision periods and the highest average number of completed periods per person.



Nationally, Indigenous young people tended to experience shorter periods of supervision than non-Indigenous young people, on average, but completed slightly more of them during the year. Indigenous young people completed an average of 1.4 supervision periods during 2010–11, compared with 1.3 periods for non-Indigenous young people (Table B7). The median duration of supervision periods completed by Indigenous young people was 62 days, compared with 68 days for non-Indigenous young people.

The average number of supervision periods completed was higher for Indigenous young people than for non-Indigenous young people in all states and territories except New South Wales. However, there was more variation in the median duration of completed periods. In New South Wales, Queensland and Tasmania, Indigenous young people completed supervision periods of longer duration than non-Indigenous young people, on average, while the reverse was true in the other states and territories.

When all periods of supervision are considered, young people under supervision during 2010–11 spent an average of 6 months (26 weeks or 183 days) in total under juvenile justice supervision (Figure 5.5). Indigenous young people spent almost 29 weeks (200 days) under supervision during the year compared with 25 weeks (178 days) for non-Indigenous young people.

Indigenous young people spent more time under supervision during the year in total in all states and territories. The greatest difference in the total time spent under supervision during the year was in New South Wales, where Indigenous young people spent 5 weeks longer than non-Indigenous young people, on average, under supervision during the year. The Australian Capital Territory and Victoria had the smallest differences in average time spent under supervision (3 and 2 days, respectively).

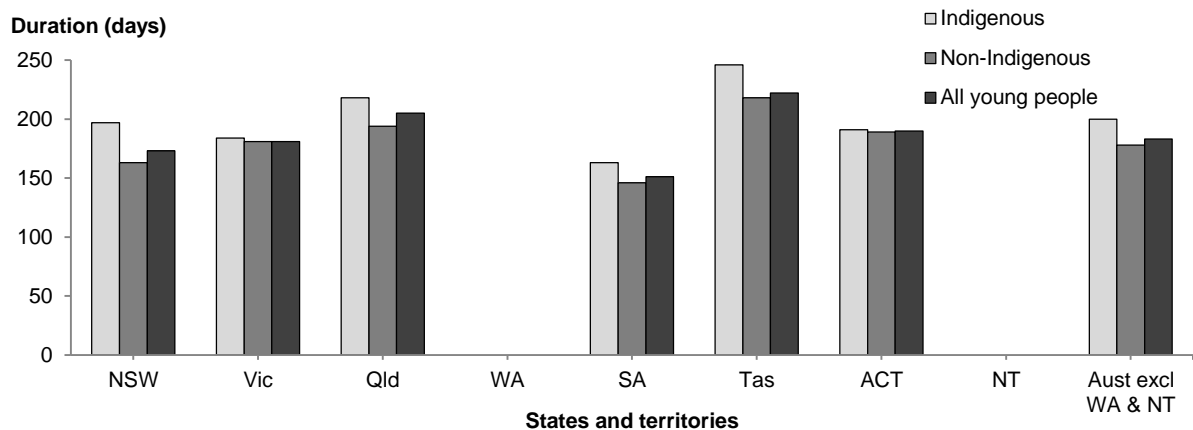


Figure 5.5: Average length of time spent under supervision during the year by Indigenous status, states and territories, 2010-11 (days)

Nationally, between 2007-08 and 2010-11, there was little overall change in the average time spent under supervision during the year; however, there were differences between states and territories (Figure 5.6). The average time spent under supervision increased in Tasmania and the Australian Capital Territory by around 4 weeks (28 and 25 days, respectively) and decreased in South Australia and Queensland by 4 weeks (29 days) and 1 week (8 days), respectively. Trend data for South Australia should be interpreted with caution (see Section 3.3).

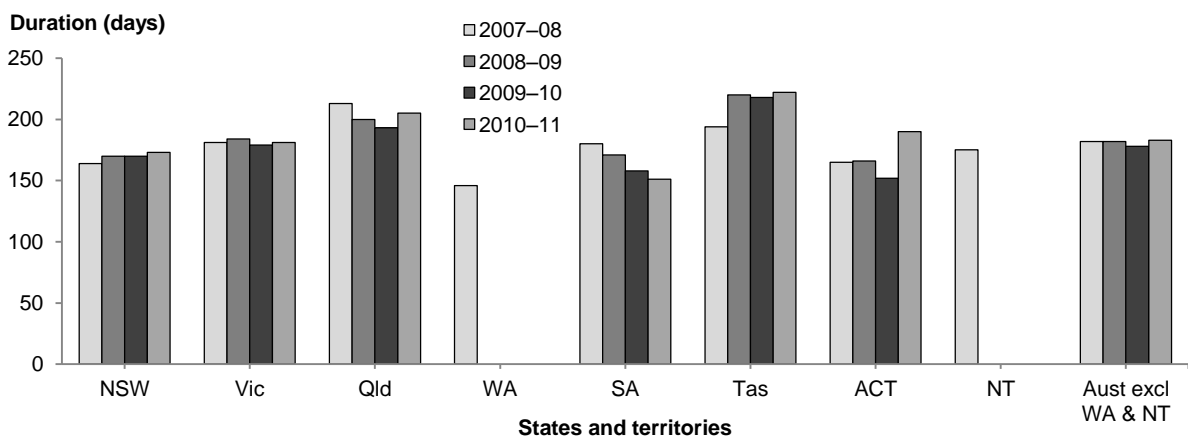
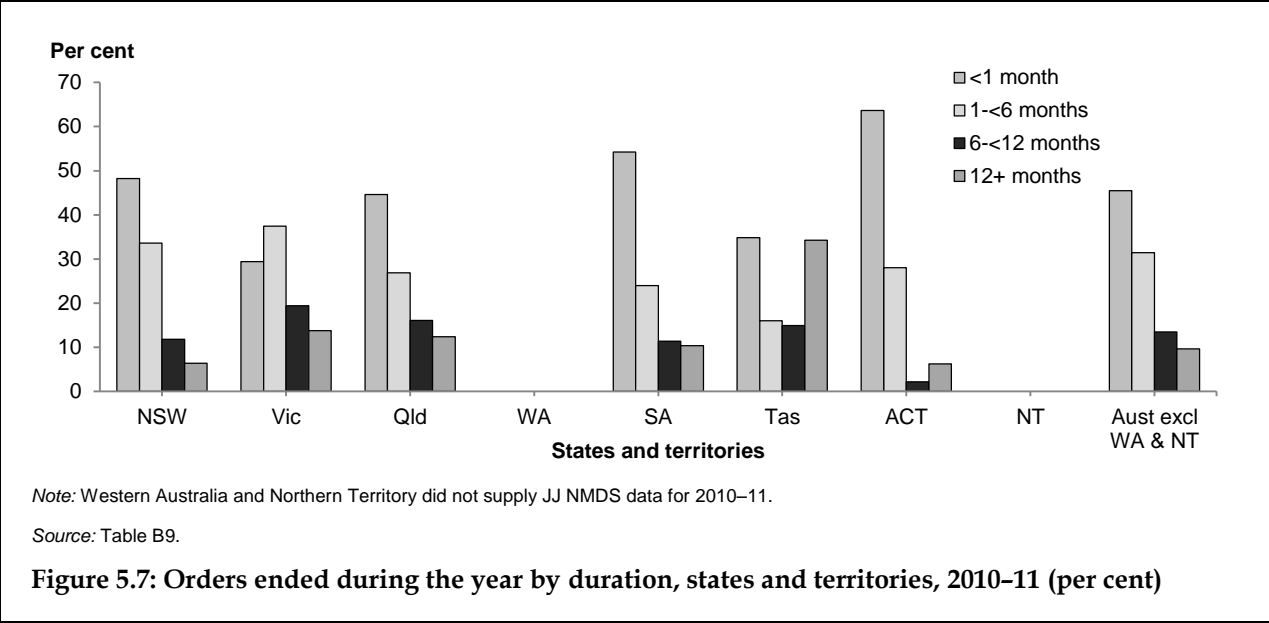


Figure 5.6: Average length of time spent under supervision during the year, states and territories, 2007-08 to 2010-11 (days)

The majority (63%) of orders that ended during 2010-11 lasted less than 3 months, while relatively few (10%) lasted 12 months or more (Figure 5.7). More than half of orders that ended during the year in the Australian Capital Territory and South Australia ended in less than one month (64% and 54%, respectively), compared with around one-third in Victoria (29%) and Tasmania (35%). Tasmania had the largest proportion of orders lasting 12 months

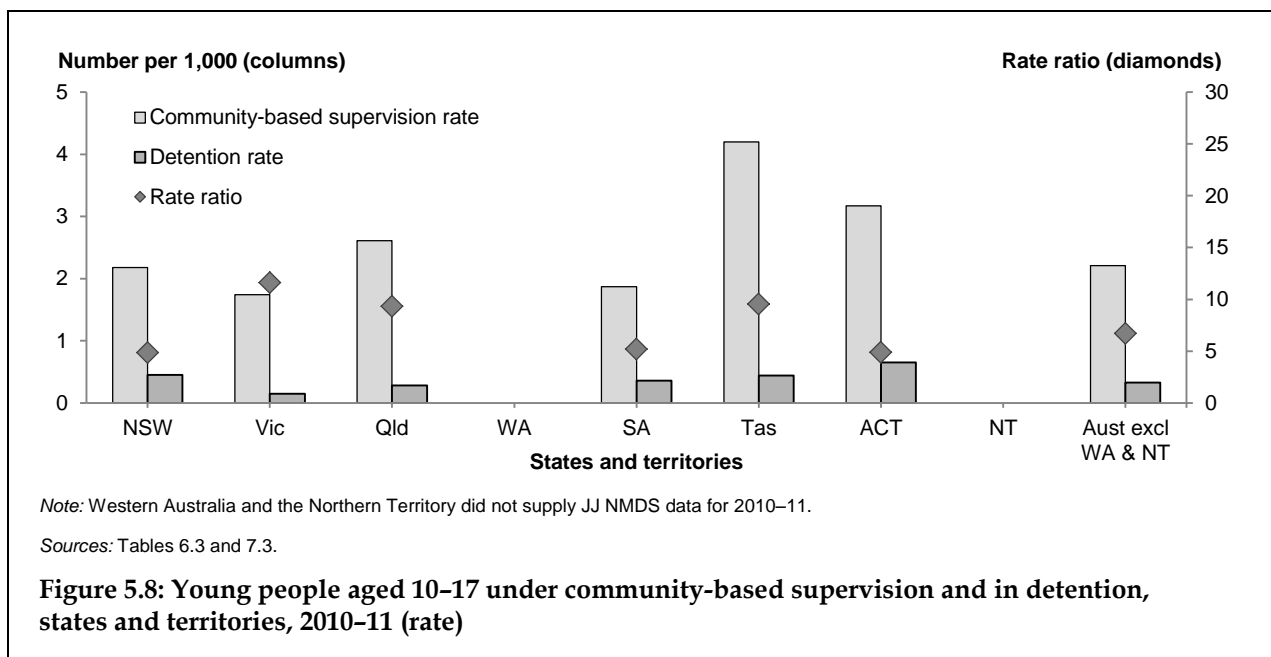
or more (34%), while New South Wales and the Australian Capital Territory had the smallest proportion (6% each).



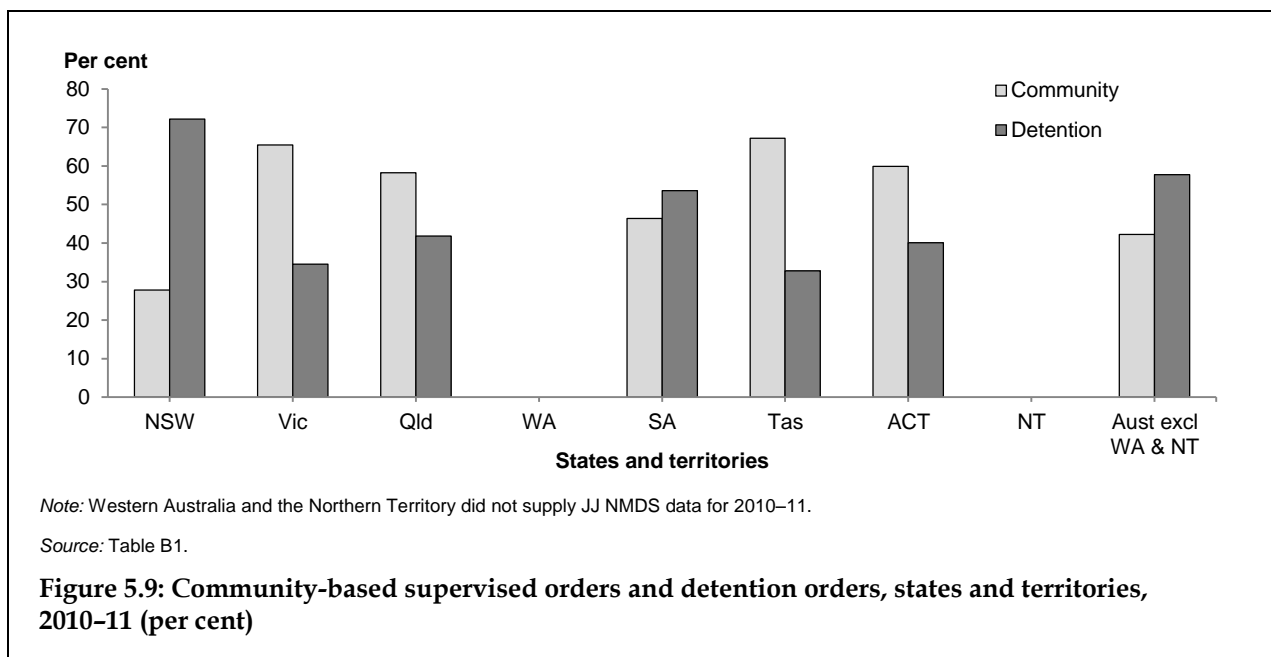
5.4 Types of supervision

Community-based supervision and detention

Community-based supervision is much more common than detention for young people – on an average day in 2010–11, young people aged 10–17 in Australia were almost 7 times as likely to be under community-based supervision as in detention (Western Australia and the Northern Territory did not supply JJ NMDS data for 2010–11 and are not included in this chapter) (Figure 5.8). However, the likelihood of being in community-based supervision rather than detention varied among the states and territories. In New South Wales, South Australia and the Australian Capital Territory, a young person under supervision on an average day was around 5 times as likely to be under community-based supervision as in detention, while in Queensland, Tasmania and Victoria, a young person was 9, 10 and 12 times as likely, respectively.

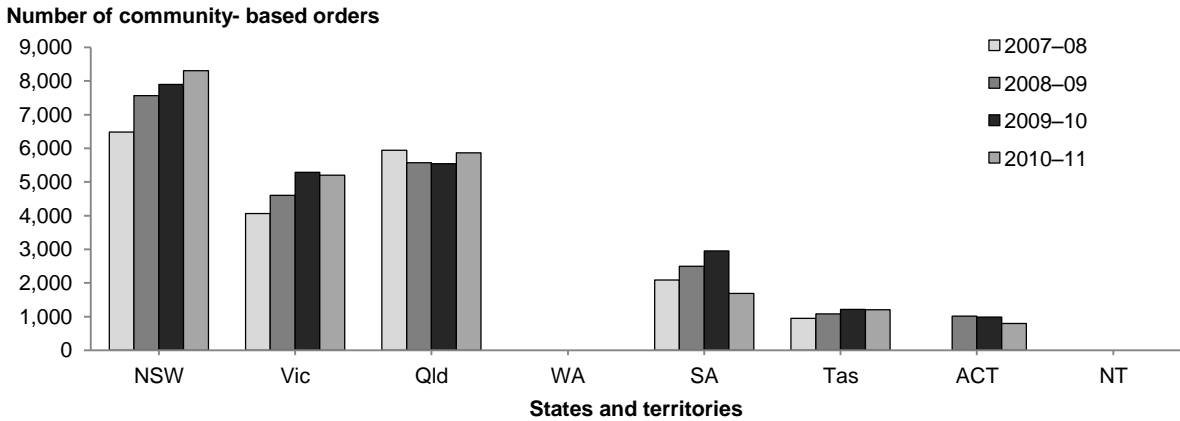


Almost 3 in 5 (58%) juvenile justice supervised orders were detention orders (Figure 5.9). However, among the states and territories, the majority of orders were detention orders only in New South Wales (72%) and South Australia (54%) (Figure 5.9). Tasmania and Victoria had the smallest proportions of all orders that were detention orders (33% and 35%, respectively).



The 10,464 young people under community-based supervision during 2010-11 were supervised under a total of 23,076 community-based orders, which equates to 2.2 orders per young person. Among the states and territories, there was less variation in the average number of community-based orders per young person than there was for detention. The Australian Capital Territory had the highest number of community-based orders per young person in detention during the year (3.6), while Victoria had the lowest (1.7) (tables 6.1 and B1).

Between 2007-08 and 2010-11, there was an overall rise in the number of supervised community-based orders (up 18%). This increase occurred in all states and territories for which complete trend data are available, except South Australia (down 19%) and Queensland (little change) (Figure 5.10). Trend data for South Australia should be interpreted with caution (see Section 3.3 for details). The proportional increase in community-based supervised orders was similar in New South Wales, Victoria and Tasmania (up 26-28%).



Notes

1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2008-09 to 2010-11.
2. Complete trend data were not available for Western Australia, the Australian Capital Territory and the Northern Territory.

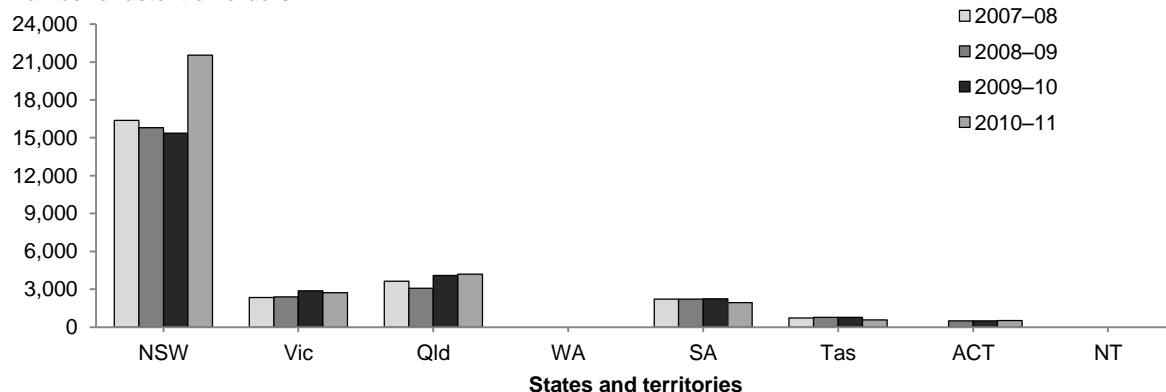
Source: Table B1.

Figure 5.10: Community-based supervised orders, states and territories, 2007-08 to 2010-11

Nationally, the 4,883 young people in detention during 2010-11 were supervised under 31,578 orders, which equates to 6.5 orders per young person, on average (tables 7.1 and B1). As well as having the highest proportion of detention orders during 2010-11, New South Wales also had the highest number of detention orders per young person in detention. A young person in detention in New South Wales had an average of 8.5 detention orders during the year; in the other states and territories, this ranged from 3.5 in the Australian Capital Territory to 5.4 in Tasmania.

Between 2007-08 and 2010-11, there was an increase in the number of supervised detention orders (up 32%) (Figure 5.11). The largest proportional increase over the period was in New South Wales (up 32%), while there were decreases in South Australia (down 12%) and Tasmania (down 21%).

Number of detention orders



Notes

1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2008-09 to 2010-11.
2. Trend data were not available for Western Australia, the Australian Capital Territory and the Northern Territory.

Source: Table B1.

Figure 5.11: Detention orders, states and territories, 2007-08 to 2010-11

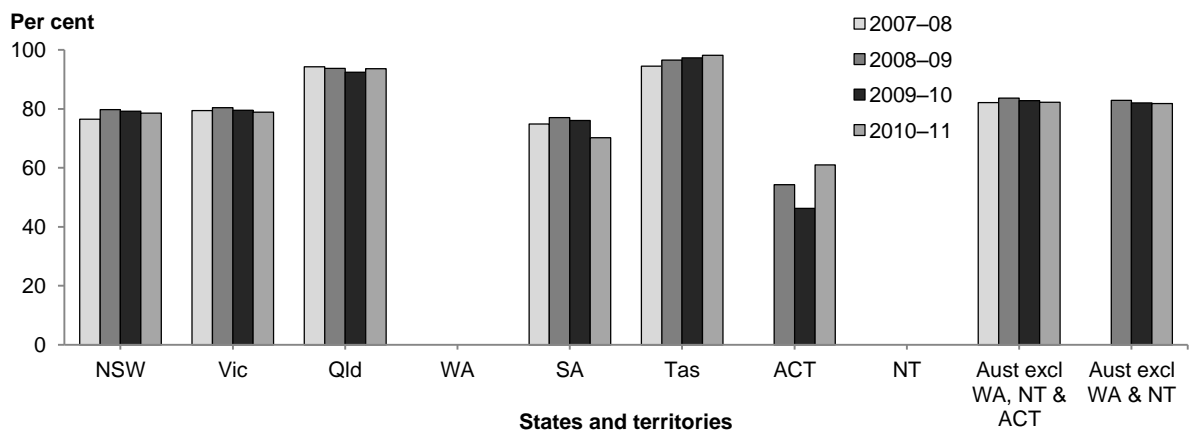
Legal status

Most (82%) young people under supervision during 2010-11 served a supervised sentence at some point during the year (Western Australia and the Northern Territory did not supply JJ NMDS data for 2010-11 and are not included in this chapter) (Figure 5.12). This was true in all states and territories, with the proportion of young people who served a sentence ranging from 61% in the Australian Capital Territory to 98% in Tasmania. Among the states and territories for which complete trend data are available, there was little change between 2007-08 and 2010-11 in the proportions of young people with a sentenced order at some time during the year.

Similar proportions of young men (82%) and young women (80%) under supervision during 2010-11 were in sentenced supervision at some point during the year (Table B10). This was the case in all states and territories except South Australia (72% of young men and 64% of young women) and the Australian Capital Territory (64% of young men and 49% of young women).

Indigenous young people who were under supervision during 2010-11 were slightly more likely to have served a supervised sentence at some time during the year than non-Indigenous young people (85% and 80%, respectively) (Table B11). Proportions were similar for Indigenous and non-Indigenous young people in all states and territories, with the largest difference in the Australian Capital Territory (65% of Indigenous and 53% of non-Indigenous young people).

Over the 4 years to 2010-11, there was little change in the proportions of Indigenous and non-Indigenous young people under supervision who were sentenced at some time during the year.



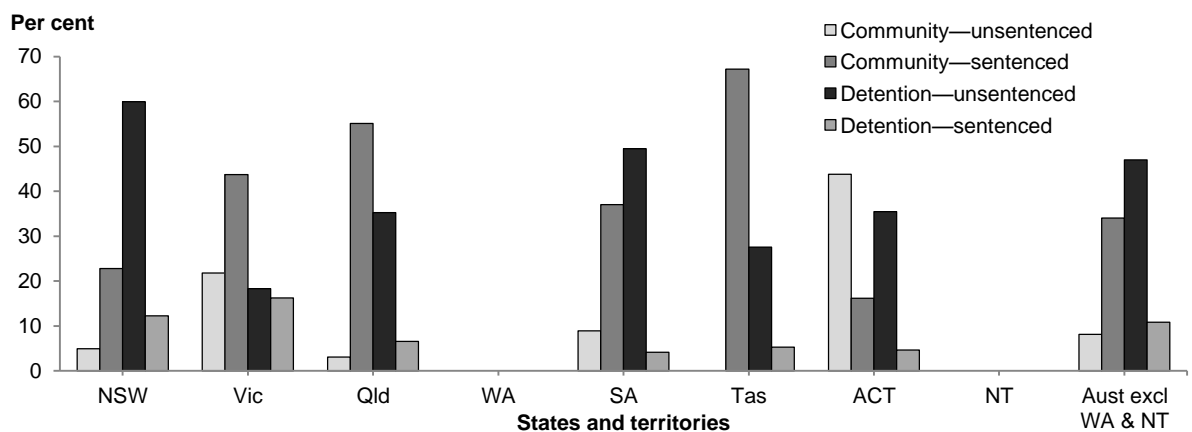
Note: Complete trend data were not available for Western Australia, the Australian Capital Territory and the Northern Territory.

Source: Table B10.

Figure 5.12: Young people under supervision during the year with a sentenced supervised order during the year, 2007-08 to 2010-11 (per cent)

In 2010-11, almost half (47%) of all juvenile justice supervised orders were unsentenced detention orders and around one-third (34%) were sentenced community orders (Figure 5.13). Eleven per cent (11%) were sentenced detention orders, and 8% were unsentenced community orders.

However, there were notable differences among the states and territories. Unsentenced detention orders were the most common types of orders in New South Wales (60% of all orders) and South Australia (49%), while sentenced community orders were the most common in Tasmania (67%), Queensland (55%) and Victoria (44%). Unsentenced community orders were the most common types of orders in the Australian Capital Territory (44%).



Notes

1. Western Australia and Northern Territory did not supply JJ NMDS data for 2010-11.
2. Unsentenced community-based supervision is not available in Tasmania.

Source: Table B1.

Figure 5.13: Community-based orders and detention orders by legal status, states and territories, 2010-11 (per cent)

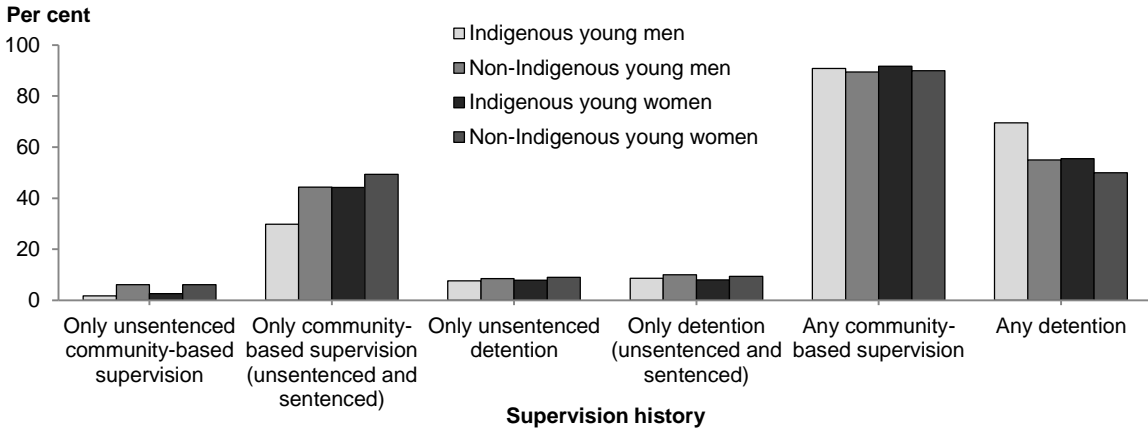
5.5 Supervision history

Although most (87%) young people under supervision on an average day in 2010–11 were supervised in the community, more than half (57%) had been in detention at some time during their supervision history (Western Australia and the Northern Territory did not supply JJ NMDS data for 2010–11 and are not included in this chapter) (tables 4.1 and 6.1 and Figure 5.14). Indigenous young people were more likely than non-Indigenous young people to have been in detention at some time during their supervision history (67% compared with 54%). Around 70% of Indigenous young men and 55% of Indigenous young women under supervision had been in detention, compared with 55% of non-Indigenous young men and 50% of non-Indigenous young women (Figure 5.14).

Almost all (90%) young people under supervision during 2010–11 had been under community-based supervision at some point in their supervision history, and less than half (43%) of all young people under supervision had never been in detention. Non-Indigenous young women were the most likely (49%) to have a supervision history comprising only community-based supervision, while Indigenous young men were least likely (30%).

Most young people under supervision during the year in New South Wales (75%), South Australia (68%) and the Australian Capital Territory (64%) had been in detention at some time in their supervision history (Figure 5.15). In contrast, the majority of young people under supervision in Victoria (64%), Tasmania (57%) and Queensland (51%) had never been in detention.

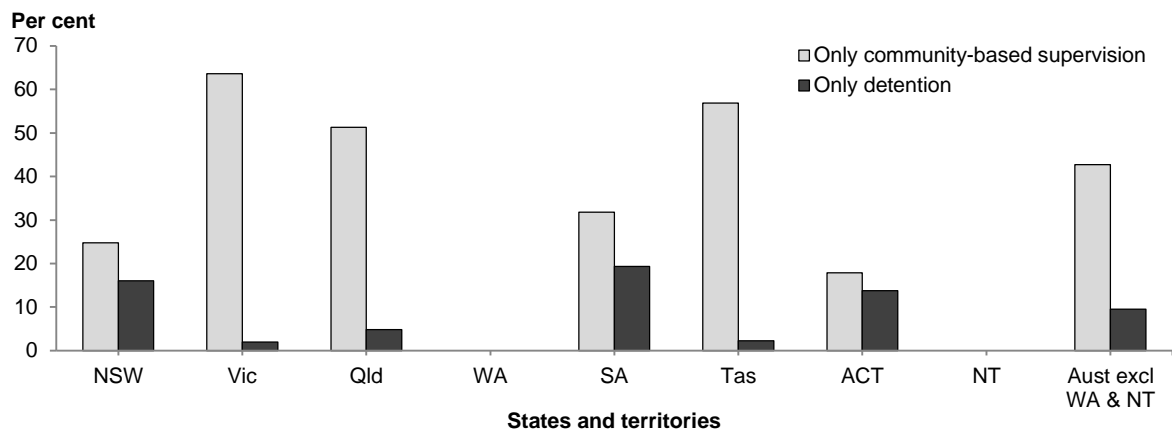
Relatively few (9%) young people under supervision in 2010–11 had been in detention only; however, proportions differed among the states and territories (Figure 5.15). South Australia (19%), New South Wales (16%) and the Australian Capital Territory (14%) had the highest proportions of young people under supervision who had never been under community-based supervision, while Tasmania and Victoria had the lowest (2% each).



Note: Western Australia and the Northern Territory did not supply JJ NMDS data for 2010–11.

Sources: Tables 4.2 and B12.

Figure 5.14: Young people under supervision during the year by supervision history, sex and Indigenous status, Australia (excluding WA and NT), 2010–11 (per cent)



Notes

1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2010–11.
2. Supervision history was not available for all young people under supervision (see Chapter 3 for more details).

Sources: Tables 4.2 and B12.

Figure 5.15: Young people under supervision during the year by supervision history, states and territories, 2010–11 (per cent)

6 Community-based supervision

This chapter provides information on both the characteristics of young people under community-based supervision and the types of orders under which they were supervised.

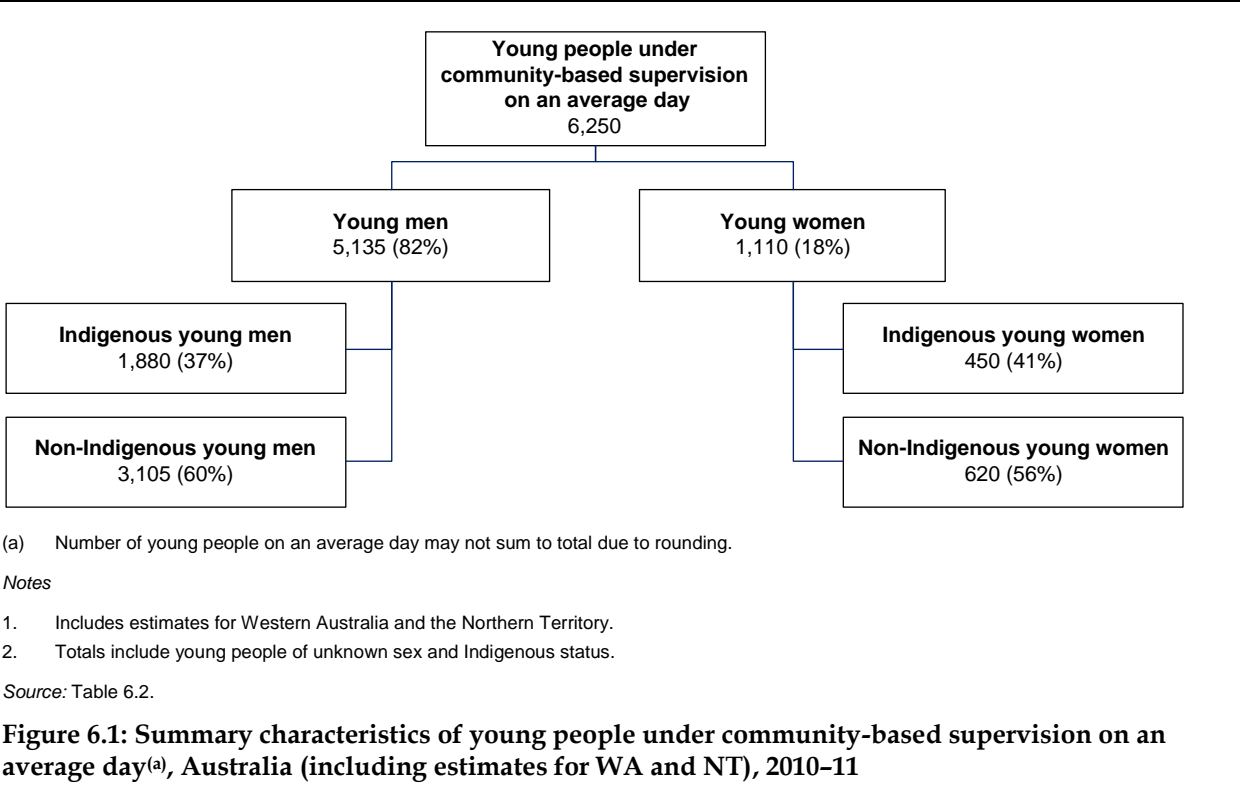
Young people may be under juvenile justice supervision in the community while unsentenced or while serving a sentence following a court case. Periods spent under community-based supervision may be interrupted by time in detention (see Appendix 2).

Types of unsentenced community-based supervision include supervised and conditional bail, while types of sentenced community-based supervision include probation, community service orders, suspended or home detention, and parole or supervised release. Not all types of community-based supervision are available in all states and territories (see Table 2.2).

Western Australia and the Northern Territory did not provide data in standard format for 2010–11. Approximate national totals are provided where additional data are available (see Chapter 3). The sections on remoteness of usual residence, socioeconomic status of usual residence and types of supervision exclude Western Australia and the Northern Territory. Data for South Australia for 2010–11 should be interpreted with caution (see Section 3.3).

6.1 Summary

In 2010–11, there were an estimated 6,250 young people under community-based juvenile justice supervision on an average day and 12,620 during the year (including estimates for Western Australia and the Northern Territory) (Figure 6.1 and Table 6.1). Most (82%) of those under community-based supervision on an average day were young men, and more than one-third (37%) were Indigenous (Table 6.2).



Four in 5 (80%) young people under community-based supervision on an average day were aged 14–17, 14% were aged 18 and over, and less than 6% were aged 10–13 (excluding Western Australia and the Northern Territory) (Table 6.1). Indigenous young people under community-based supervision were younger, on average, than non-Indigenous young people, and among those aged 10–13, Indigenous young people outnumbered non-Indigenous young people in every single year age group (Table C1).

There were 2.2 young people aged 10–17 under community-based supervision in Australia for every 1,000 in the population on an average day in 2010–11, and 4.7 per 1,000 during the year (including Western Australia and the Northern Territory) (Table 6.3). Among the states and territories for which JJ NMDS data are available, rates of young people under community-based supervision on an average day ranged from 1.7 per 1,000 in Victoria to 4.2 per 1,000 in Tasmania. Indigenous young people aged 10–17 were 14 times as likely as non-Indigenous young people to be under community-based supervision on an average day (19 per 1,000 compared with 1.4 per 1,000).

Over the 4 years to 2010–11, the rate of young people under community-based supervision remained relatively stable, with a slight increase from 2.1 to 2.2 per 1,000 on an average day and from 4.4 to 4.7 per 1,000 during the year, although there were some differences in trends among the states and territories.

Longer trend data are available for many states and territories. Between 2000–01 and 2010–11, there were overall increases in the rates of young people aged 10–17 under community-based supervision on an average day in New South Wales (from 1.6 to 2.2 per 1,000) and Victoria (from 1.4 to 1.7 per 1,000) and decreases in Queensland (from 3.7 to 2.6 per 1,000) and South Australia (from 2.8 to 1.9 per 1,000) (trend data for South Australia should be interpreted with caution; see Section 3.3 for details). In the Australian Capital Territory, rates fluctuated from year to year, with an overall decrease between 2003–04 and 2010–11 (from 3.8 to 3.2 per 1,000). In Tasmania, there was an increase between 2006–07 and 2010–11 (from 3.0 to 4.2 per 1,000) (Figure 6.7).

Most (70%) young people under community-based supervision in 2010–11 had been under supervision in a previous year (excluding Western Australia and the Northern Territory) (Table C9). Indigenous young people were more likely than non-Indigenous young people to have a history of juvenile justice supervision and tended to enter supervision at younger ages, on average (Figure 6.8 and Table C10).

Young people from geographically remote and low socioeconomic areas were the most likely to be under community-based supervision. Young people aged 10–17 from *Remote* and *Very remote* areas were 4 and 7 times as likely, respectively, to be under community-based supervision on an average day as those from *Major cities*. Similarly, young people from the areas of lowest socioeconomic status were almost 5 times as likely to be under community-based supervision as those from the areas of highest socioeconomic status.

Most (80%) young people who completed a period of community-based supervision during 2010–11 completed only one; on average, completed periods lasted almost 3 months (85 days). However, there were differences among the states and territories. When all periods are considered, young people who were under community-based supervision during 2010–11 spent an average of 6 months (181 days) in total under community-based supervision.

On an average day, most (91%) young people who were supervised in the community were serving a sentence (Table 6.6). Around 4 in 5 (81%) were on probation and similar orders;

8% were on suspended detention and 6% were on parole or supervised release. One in 9 (11%) were unsentenced (supervised or conditional bail or other orders).

6.2 Number and rate of young people under community-based supervision

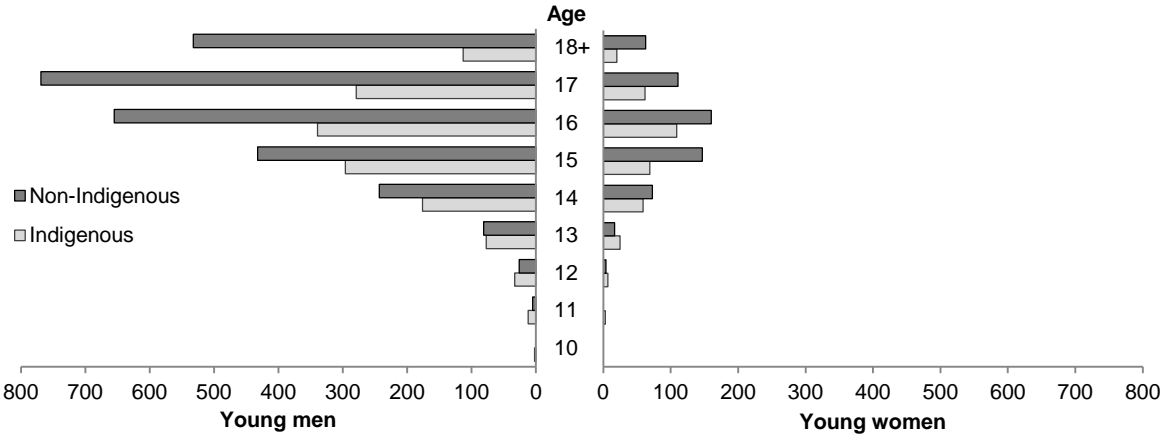
Number under community-based supervision

In 2010–11, most (86%) young people under juvenile justice supervision in Australia on an average day were supervised in the community. There were an estimated 6,250 young people under community-based juvenile justice supervision on an average day, and 12,620 at some time during the year (including Western Australia and the Northern Territory) (Table 6.1).

Most (82%) young people under community-based supervision on an average day were young men, and more than one-third (37%) were Indigenous (Table 6.2). Although the proportion that was male was similar (81%) when estimates for Western Australia and the Northern Territory are not included, the proportion that was Indigenous decreased (to 32%).

Four in 5 (80%) young people under community-based supervision on an average day were aged 14–17 years (excluding Western Australia and the Northern Territory, as data on individual age years were not available). Fourteen per cent (14%) were aged 18 and older, and less than 6% were aged 10–13. Young women under community-based supervision were slightly younger, on average, than young men: only 9% of young women were aged 18 and over, compared with 16% of young men (Table C1).

Indigenous young people under community-based supervision were younger, on average, than non-Indigenous young people, and this pattern occurred among both young men and young women (excluding Western Australia and the Northern Territory) (Figure 6.2).



Notes

1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2010–11.
2. In most states and territories, the maximum age for treatment as a young person is 17; however, it is possible for young people over the age of 17 to be under juvenile justice supervision.

Source: Table C1.

Figure 6.2: Young people under community-based supervision on an average day by age, sex and Indigenous status, Australia (excluding WA and NT), 2010–11

Almost one-quarter (23%) of Indigenous young people under community-based supervision were aged 10–14, compared with 14% of non-Indigenous young people, and only 8% of Indigenous young people were aged 18 and over, compared with 18% of non-Indigenous young people. Among those aged 10–13, Indigenous young people outnumbered non-Indigenous young people in each single year of age.

Just over one-quarter (26%) of young people under community-based supervision on an average day were in New South Wales, 22% were in Victoria and 22% were in Queensland (including Western Australia and the Northern Territory) (Table 6.1).

In all states and territories for which data are available, most of those under community-based supervision were aged 14–17. On an average day, proportions ranged from 64% in Tasmania to 91% in New South Wales and the Australian Capital Territory. Queensland had the largest proportion of young people aged 10–13 (9%), while Victoria and Tasmania had the largest proportions of young people aged 18 and over (30% and 31%, respectively). Information about the legislative differences among the states and territories that contribute to these variations is provided in Section 2.1.

In all states and territories, most young people under supervision on an average day in 2010–11 were young men; proportions ranged from 76% in South Australia to 85% in Victoria (Table 6.2). In contrast, the proportion of young people who were Indigenous varied substantially among the states and territories, ranging from 13% in Victoria to 47% in Queensland.

Table 6.1: Young people under community-based supervision by age, states and territories, 2010–11

Age	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust excl WA & NT	Aust incl WA & NT ^(a)
Number of young people—average day^(b)										
10	1	0	—	n.a.	1	0	0	n.a.	2	n.a.
11	4	3	10	n.a.	2	1	0	n.a.	20	n.a.
12	18	12	30	n.a.	7	5	—	n.a.	72	n.a.
13	62	37	83	n.a.	11	10	4	n.a.	206	n.a.
14	202	98	196	n.a.	35	28	12	n.a.	572	n.a.
15	358	194	305	n.a.	62	47	23	n.a.	988	n.a.
16	469	282	403	n.a.	76	60	28	n.a.	1,317	n.a.
17	479	331	236	n.a.	111	75	43	n.a.	1,275	n.a.
10–17	1,591	956	1,265	n.a.	305	226	110	n.a.	4,453	5,130
18+	63	401	106	n.a.	66	101	7	n.a.	745	1,120
Total	1,654	1,358	1,371	n.a.	372	327	117	n.a.	5,199	6,250
Number of young people—during the year										
10	2	0	3	n.a.	2	0	0	n.a.	7	n.a.
11	7	6	20	n.a.	7	3	0	n.a.	43	n.a.
12	48	27	60	n.a.	18	6	2	n.a.	161	n.a.
13	131	73	158	n.a.	31	19	13	n.a.	425	n.a.
14	402	216	355	n.a.	78	44	21	n.a.	1,116	n.a.
15	707	393	545	n.a.	131	77	44	n.a.	1,897	n.a.
16	942	566	711	n.a.	150	102	54	n.a.	2,525	n.a.
17	981	707	465	n.a.	228	131	74	n.a.	2,586	n.a.
10–17	3,220	1,988	2,317	n.a.	645	382	208	n.a.	8,760	10,745
18+	179	986	201	n.a.	136	184	16	n.a.	1,702	1,875
Total	3,399	2,974	2,518	n.a.	783	566	224	n.a.	10,464	12,620

(a) Totals for 2010–11 include aggregate data supplied by Western Australia and 2007–08 data for the Northern Territory, where available. Numbers were rounded to the nearest 5 young people and therefore may not sum to the total.

(b) Number of young people on an average day may not sum to total due to rounding.

Notes

1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2010–11.
2. Total includes young people of unknown age.
3. Age calculated as at start of the financial year if first period of community-based supervision began before the start of the financial year; otherwise, age calculated as at start of first period of community-based supervision.

Table 6.2: Young people under community-based supervision by sex and Indigenous status, states and territories, 2010–11

Indigenous status	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust excl WA & NT	Aust incl WA & NT ^(a)
Number of young people—average day^(b)										
Male										
Indigenous	519	138	510	n.a.	98	45	17	n.a.	1,327	1,880
Non-Indigenous	707	1,010	582	n.a.	160	208	75	n.a.	2,743	3,105
Unknown	112	11	3	n.a.	23	1	0	n.a.	150	150
Total	1,338	1,159	1,094	n.a.	281	254	92	n.a.	4,219	5,135
Female										
Indigenous	133	36	137	n.a.	27	13	7	n.a.	354	450
Non-Indigenous	152	159	139	n.a.	48	58	19	n.a.	575	620
Unknown	31	3	1	n.a.	8	2	0	n.a.	44	45
Total	316	198	277	n.a.	83	73	25	n.a.	972	1,110
All young people										
Indigenous	652	175	647	n.a.	125	58	23	n.a.	1,680	2,325
Non-Indigenous	859	1,169	720	n.a.	210	267	94	n.a.	3,318	3,720
Unknown	143	14	3	n.a.	37	3	0	n.a.	200	200
Total	1,654	1,358	1,371	n.a.	372	327	117	n.a.	5,199	6,250
Number of young people—during the year										
Male										
Indigenous	995	299	896	n.a.	191	75	40	n.a.	2,496	3,545
Non-Indigenous	1,455	2,203	1,100	n.a.	356	367	133	n.a.	5,614	6,390
Unknown	279	25	6	n.a.	54	3	0	n.a.	367	375
Total	2,729	2,527	2,002	n.a.	601	445	173	n.a.	8,477	10,315
Female										
Indigenous	276	86	256	n.a.	51	18	10	n.a.	697	910
Non-Indigenous	317	354	258	n.a.	99	100	41	n.a.	1,169	1,270
Unknown	77	7	2	n.a.	14	3	0	n.a.	103	105
Total	670	447	516	n.a.	164	121	51	n.a.	1,969	2,290
All young people										
Indigenous	1,271	385	1,152	n.a.	242	93	50	n.a.	3,193	4,460
Non-Indigenous	1,772	2,557	1,358	n.a.	456	467	174	n.a.	6,784	7,660
Unknown	356	32	8	n.a.	85	6	0	n.a.	487	495
Total	3,399	2,974	2,518	n.a.	783	566	224	n.a.	10,464	12,620

(a) Totals for 2010–11 include aggregate data supplied by Western Australia and 2007–08 data for the Northern Territory, where available. Numbers were rounded to the nearest 5 young people and therefore may not sum to the total.

(b) Number of young people on an average day may not sum to total due to rounding.

Notes

1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2010–11.
2. Total includes young people of unknown sex and Indigenous status.

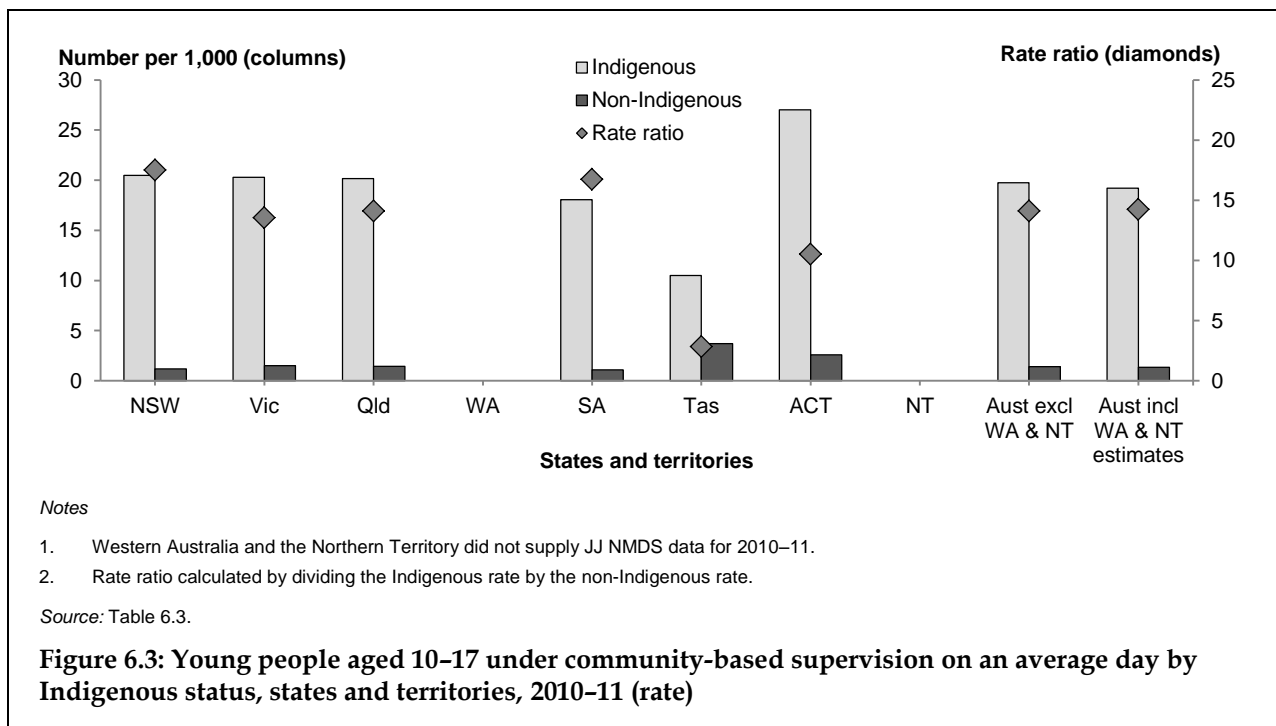
Rates of community-based supervision

In 2010–11, there were 2.2 young people aged 10–17 per 1,000 under community-based juvenile justice supervision on an average day, and 4.7 per 1,000 during the year (including estimates for Western Australia and the Northern Territory) (Table 6.3). Rates were similar when estimates for Western Australia and the Northern Territory were not included (2.2 per 1,000 on an average day and 4.3 per 1,000 during the year).

There was some variation among the states and territories in the rates of young people under community-based supervision. On an average day in 2010–11, rates ranged from 1.7 per 1,000 in Victoria to 4.2 per 1,000 in Tasmania (excluding Western Australia and the Northern Territory).

Nationally, young men were 4 times as likely as young women to be under community-based supervision on an average day (3.5 per 1,000 compared with 0.9 per 1,000). The rate ratio was similar among the states and territories for which data are available, ranging from less than 3 in Tasmania and South Australia to just over 4 in Victoria (excluding Western Australia and the Northern Territory).

Rates of community-based supervision for Indigenous young people were much higher than for non-Indigenous young people (including Western Australia and the Northern Territory) (Figure 6.3). In 2010–11, there were 19 Indigenous young people aged 10–17 under community-based supervision on an average day for every 1,000 in the population, compared with almost 1.4 non-Indigenous young people per 1,000. This means that Indigenous young people were 14 times as likely as non-Indigenous young people to be under community-based supervision on an average day.

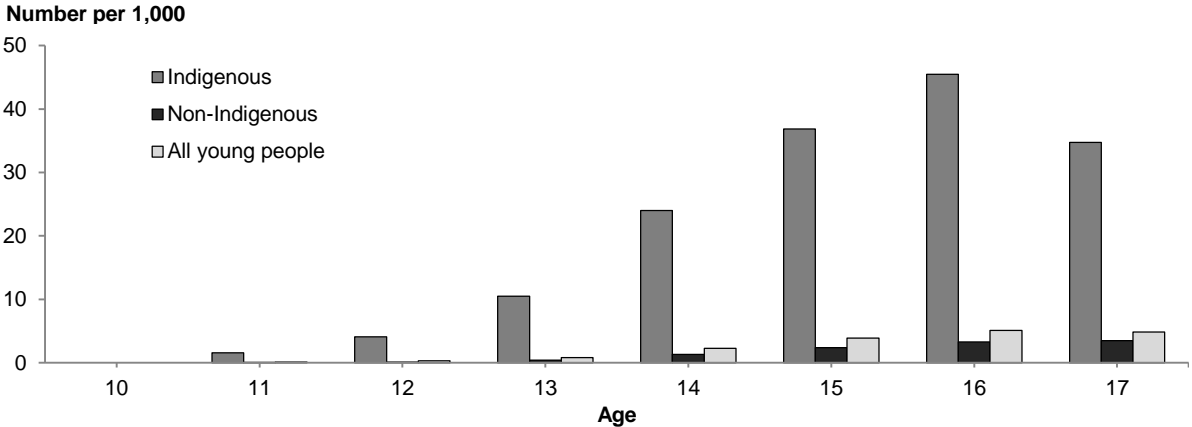


Indigenous young people were over-represented in community-based supervision in all states and territories, although the level of over-representation varied. Indigenous young people aged 10–17 were around 3 times as likely as non-Indigenous young people to be

under community-based supervision on an average day in Tasmania, 11 times as likely in the Australian Capital Territory, and between 14 and 17 times as likely in the remaining states and territories (excluding Western Australia and the Northern Territory).

Young people aged 16 were the most likely to be under community-based supervision on an average day, with a rate of 5.1 per 1,000 (excluding Western Australia and the Northern Territory) (Figure 6.4). A young person aged 16 was 2 times as likely as a young person aged 14 to be under community-based supervision on an average day, and 17 times as likely as a young person aged 12. Rates of supervision were highest for Indigenous young people aged 16 (45 per 1,000), and for non-Indigenous young people aged 17 (3.5 per 1,000).

Indigenous over-representation in community-based supervision was greatest in the younger age groups. A young person aged 17 was 10 times as likely as a non-Indigenous young person of the same age to be under community-based supervision on an average day; however, they were 18 times as likely if aged 14 and 34 times as likely if aged 12.



Note: Western Australia and the Northern Territory did not supply JJ NMDS data for 2010–11.

Source: Table 6.4.

Figure 6.4: Young people aged 10–17 under community-based supervision on an average day by age and Indigenous status, Australia (excluding WA and NT), 2010–11 (rate)

Table 6.3: Young people aged 10–17 under community-based supervision by sex and Indigenous status, states and territories, 2010–11 (rate)

Indigenous status	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust excl WA & NT	Aust incl WA & NT ^(a)
Community-based supervision rate—average day										
Male										
Indigenous	31.79	30.98	30.93	n.a.	27.99	13.98	36.67	n.a.	30.30	29.88
Non-Indigenous	1.88	2.44	2.24	n.a.	1.56	5.43	4.05	n.a.	2.23	2.15
Total	3.44	2.80	4.05	n.a.	2.70	6.03	4.87	n.a.	3.44	3.53
Female										
Indigenous	8.57	9.58	8.82	n.a.	7.87	6.94	16.38	n.a.	8.70	7.90
Non-Indigenous	0.42	0.50	0.58	n.a.	0.57	1.88	1.07	n.a.	0.54	0.51
Total	0.86	0.63	1.09	n.a.	0.92	2.27	1.43	n.a.	0.90	0.88
All young people										
Indigenous	20.47	20.30	20.16	n.a.	18.06	10.48	27.03	n.a.	19.74	19.21
Non-Indigenous	1.17	1.50	1.43	n.a.	1.08	3.71	2.57	n.a.	1.40	1.35
Rate ratio	17.50	13.53	14.10	n.a.	16.72	2.82	10.52	n.a.	14.10	14.23
Total	2.18	1.74	2.61	n.a.	1.87	4.20	3.17	n.a.	2.21	2.24
Community-based supervision rate—during the year										
Male										
Indigenous	59.92	65.10	54.35	n.a.	57.49	23.44	88.28	n.a.	56.57	60.70
Non-Indigenous	3.80	4.98	4.21	n.a.	3.44	9.29	7.09	n.a.	4.40	4.53
Total	6.88	5.75	7.38	n.a.	5.86	10.28	9.13	n.a.	6.74	7.37
Female										
Indigenous	17.73	22.10	16.30	n.a.	15.01	9.18	25.01	n.a.	17.01	16.78
Non-Indigenous	0.89	1.09	1.09	n.a.	1.11	3.25	2.27	n.a.	1.09	1.06
Total	1.81	1.38	2.05	n.a.	1.76	3.71	2.80	n.a.	1.81	1.87
All young people										
Indigenous	39.35	43.65	35.82	n.a.	36.52	16.36	58.22	n.a.	37.23	39.33
Non-Indigenous	2.38	3.09	2.69	n.a.	2.30	6.36	4.70	n.a.	2.79	2.84
Rate ratio	16.53	14.13	13.32	n.a.	15.88	2.57	12.39	n.a.	13.34	13.85
Total	4.40	3.62	4.78	n.a.	3.96	7.09	6.00	n.a.	4.34	4.70

(a) Totals for 2010–11 include aggregate data supplied by Western Australia and 2007–08 data for the Northern Territory, where available. Numbers were rounded to the nearest 5 young people and therefore may not sum to the total.

Notes

1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2010–11.
2. Age calculated as at start of the financial year if first period of community-based supervision began before the start of the financial year; otherwise, age calculated as at start of first period of community-based supervision.
3. Total includes young people of unknown Indigenous status.
4. Rates are number of young people per 1,000 relevant population.
5. Rates are not published where there were fewer than 5 young people.

Sources: ABS 2012b; Table C2.

Table 6.4: Young people aged 10–17 under community-based supervision by age, sex and Indigenous status, Australia (excluding WA and NT), 2010–11 (rate)

Indigenous status	10	11	12	13	14	15	16	17
Community-based supervision rate—average day								
Male								
Indigenous	n.p.	2.49	6.64	15.51	35.47	58.15	67.07	55.22
Non-Indigenous	n.p.	0.04	0.21	0.66	1.97	3.43	5.11	5.93
Total	n.p.	0.14	0.48	1.26	3.36	5.78	7.77	8.11
Female								
Indigenous	n.p.	n.p.	1.38	5.26	12.20	14.33	22.70	13.04
Non-Indigenous	n.p.	n.p.	n.p.	0.15	0.62	1.23	1.31	0.90
Total	n.p.	n.p.	0.09	0.37	1.13	1.84	2.22	1.41
All young people								
Indigenous	n.p.	1.55	4.07	10.47	23.99	36.85	45.48	34.72
Non-Indigenous	n.p.	0.02	0.12	0.41	1.31	2.35	3.26	3.48
Total	n.p.	0.08	0.29	0.83	2.28	3.87	5.07	4.85
Community-based supervision rate—during the year								
Male								
Indigenous	1.19	5.45	15.31	32.00	66.25	105.84	118.80	105.08
Non-Indigenous	n.p.	0.09	0.44	1.34	3.79	6.64	10.04	11.93
Total	0.05	0.31	1.07	2.59	6.45	11.08	14.85	16.27
Female								
Indigenous	n.p.	n.p.	3.37	9.79	23.80	27.86	43.17	26.83
Non-Indigenous	n.p.	n.p.	0.07	0.36	1.32	2.35	2.51	1.96
Total	n.p.	n.p.	0.22	0.78	2.32	3.55	4.29	3.03
All young people								
Indigenous	0.71	3.19	9.47	21.09	45.32	67.93	82.00	67.04
Non-Indigenous	n.p.	0.05	0.26	0.86	2.58	4.55	6.37	7.07
Total	0.03	0.17	0.65	1.71	4.45	7.42	9.71	9.84

Notes

1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2010–11.
2. Age calculated as at start of the financial year if first period of supervision began before the start of the financial year; otherwise, age calculated as at start of first period of supervision.
3. Total includes young people of unknown Indigenous status.
4. Rates are number of young people per 1,000 relevant population.
5. Rates are not published where there were fewer than 5 young people.

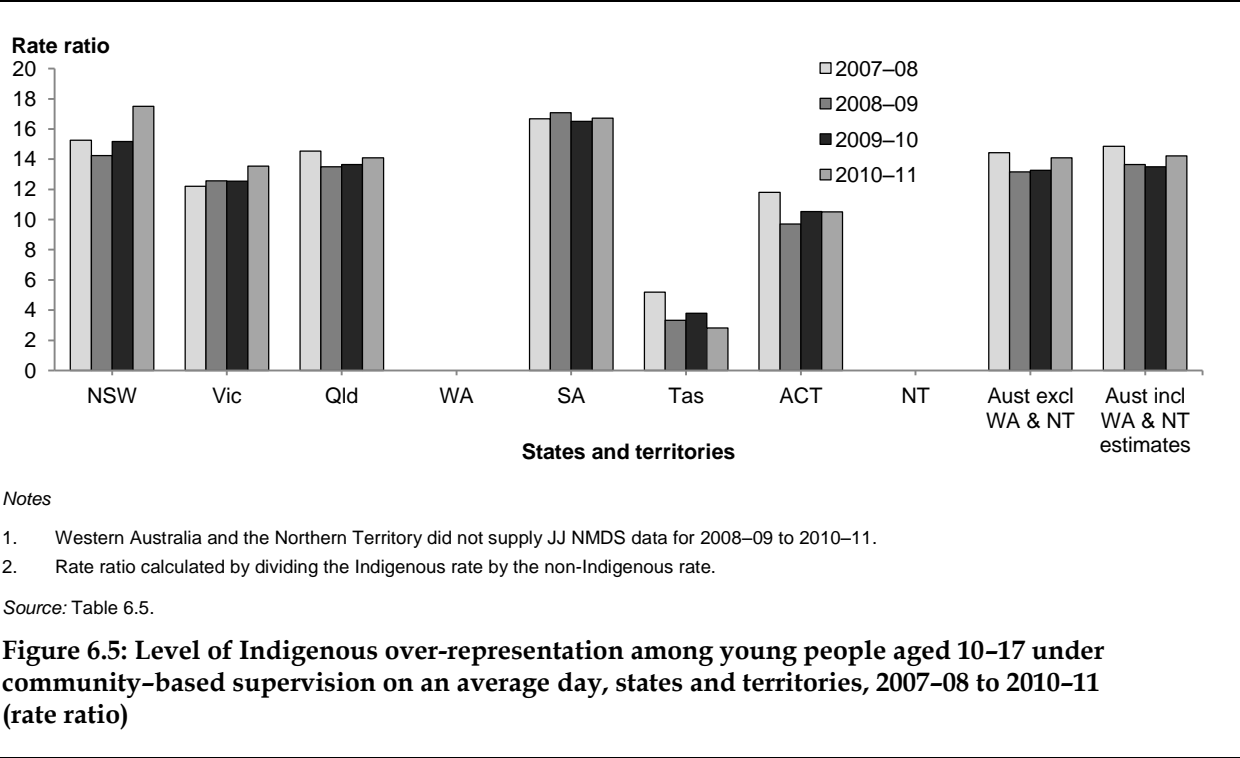
Sources: ABS 2012b; Table C1.

Trends

Over the 4 years to 2010–11, the rates of young people aged 10–17 under community-based supervision increased slightly, from 2.1 to 2.2 per 1,000 on an average day and from 4.4 to 4.7 per 1,000 during the year (including Western Australia and the Northern Territory) (tables 6.5 and C5).

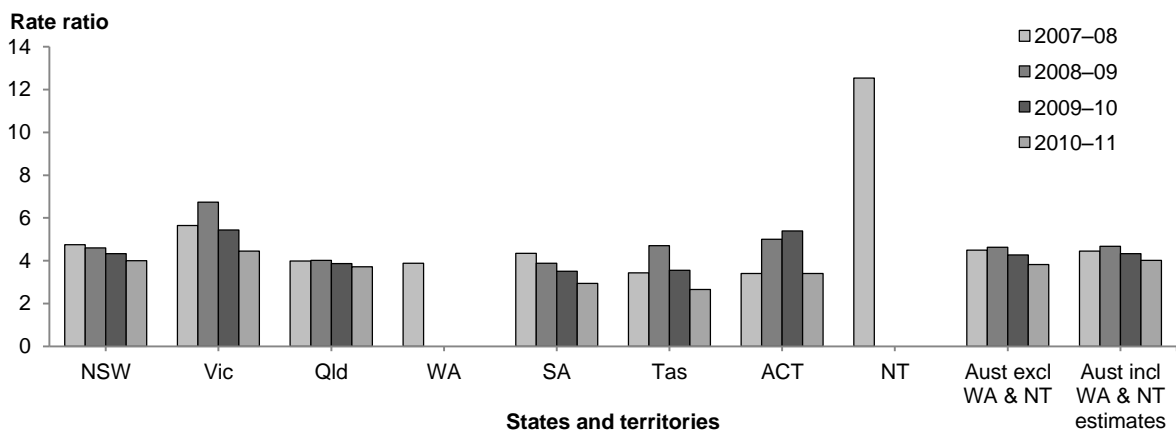
Among the states and territories for which trend data are available, rates of young people aged 10–17 under community-based supervision on an average day increased between 2007–08 and 2010–11 in New South Wales (from 1.9 to 2.2 per 1,000), Victoria (from 1.4 to 1.7 per 1,000), Tasmania (from 3.1 to 4.2 per 1,000) and the Australian Capital Territory (from 2.8 to 3.2 per 1,000). Rates decreased in Queensland (from 2.8 to 2.6 per 1,000) and South Australia (from 2.4 to 1.9 per 1,000). Trend data for South Australia should be interpreted with caution (see Section 3.3 for details).

Nationally, small fluctuations in the rates of Indigenous and non-Indigenous young people under community-based supervision on an average day between 2007–08 and 2010–11 meant that there was little overall change in the level of Indigenous over-representation over the period (Figure 6.5). There were also differences in the 4-year trends in each state and territory, with overall increases in the rate ratio in New South Wales and Victoria, decreases in Tasmania and the Australian Capital Territory, and little overall change in Queensland and South Australia (excluding Western Australia and the Northern Territory).



While the rate of young men under community-based supervision on an average day rose from 3.4 to 3.5 per 1,000 between 2007–08 and 2010–11, there was a proportionally greater rise in the corresponding rate of young women, from 0.8 to 0.9 per 1,000 (including Western Australia and the Northern Territory) (Figure 6.6). Overall, this resulted in a slight fall in the ratio of young men to young women under community-based supervision.

Over the 4-year period, the rate ratio of young men to young women under community-based supervision on an average day decreased steadily in New South Wales, Queensland and South Australia. While the rate ratio in the other states and territories fluctuated over the period, there was an overall decrease in Victoria and Tasmania and no change in the Australian Capital Territory.



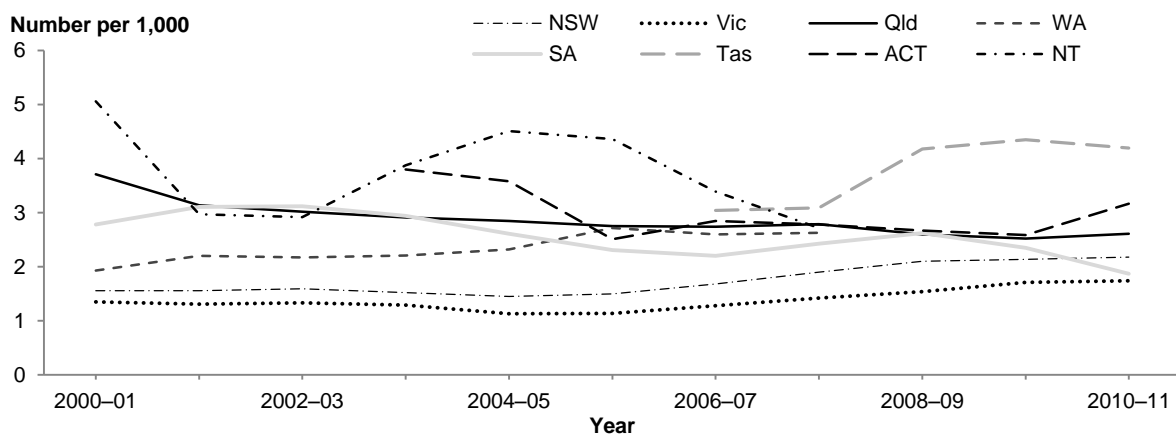
Note: Western Australia and the Northern Territory did not supply JJ NMDS data for 2008-09 to 2010-11.

Source: Table C8.

Figure 6.6: Rate ratio of young men to young women aged 10-17 under community-based supervision on an average day, states and territories, 2007-08 to 2010-11 (rate ratio)

Longer trend data are available for many states and territories. Between 2000-01 and 2010-11, there were overall increases in the rates of young people aged 10-17 under community-based supervision on an average day in New South Wales (from 1.6 to 2.2 per 1,000) and Victoria (from 1.4 to 1.7 per 1,000) and decreases in Queensland (from 3.7 to 2.6 per 1,000) and South Australia (from 2.8 to 1.9 per 1,000). Trend data for South Australia should be interpreted with caution (see Section 3.3 for details).

In the Australian Capital Territory, rates fluctuated from year to year, with an overall decrease between 2003-04 and 2010-11 (from 3.8 to 3.2 per 1,000). In Tasmania, there was an increase between 2006-07 and 2010-11 (from 3.0 to 4.2 per 1,000).



Notes

1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2008-09 to 2010-11.
2. JJ NMDS data are not available for Tasmania before 2006-07 and the Australian Capital Territory before 2003-04.

Source: Table C5.

Figure 6.7: Young people under community-based supervision on an average day, states and territories, 2000-01 to 2010-11 (rate)

Table 6.5: Young people aged 10–17 under community-based supervision on an average day by Indigenous status, states and territories, 2007–08 to 2010–11 (rate)

Indigenous status	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust excl WA & NT	Aust incl WA & NT ^(a)
2007–08										
Indigenous	16.78	15.27	21.96	30.37	25.18	11.71	25.84	5.33	19.05	19.02
Non-Indigenous	1.10	1.25	1.51	0.92	1.51	2.26	2.19	0.79	1.32	1.28
Rate ratio	15.25	12.22	14.54	33.01	16.68	5.18	11.80	6.75	14.43	14.86
Total	1.90	1.42	2.79	2.63	2.43	3.09	2.78	2.72	2.07	2.14
2008–09										
Indigenous	17.65	16.96	19.70	n.a.	27.68	11.38	21.46	n.a.	18.81	18.43
Non-Indigenous	1.24	1.35	1.46	n.a.	1.62	3.42	2.21	n.a.	1.43	1.35
Rate ratio	14.23	12.56	13.49	n.a.	17.09	3.33	9.71	n.a.	13.15	13.65
Total	2.10	1.54	2.60	n.a.	2.62	4.18	2.67	n.a.	2.18	2.19
2009–10										
Indigenous	18.52	18.68	19.24	n.a.	23.44	13.61	22.14	n.a.	18.96	18.50
Non-Indigenous	1.22	1.49	1.41	n.a.	1.42	3.58	2.10	n.a.	1.43	1.37
Rate ratio	15.18	12.54	13.65	n.a.	16.51	3.80	10.54	n.a.	13.26	13.50
Total	2.14	1.71	2.52	n.a.	2.35	4.35	2.59	n.a.	2.20	2.22
2010–11										
Indigenous	20.47	20.30	20.16	n.a.	18.06	10.48	27.03	n.a.	19.74	19.21
Non-Indigenous	1.17	1.50	1.43	n.a.	1.08	3.71	2.57	n.a.	1.40	1.35
Rate ratio	17.50	13.53	14.10	n.a.	16.72	2.82	10.52	n.a.	14.10	14.23
Total	2.18	1.74	2.61	n.a.	1.87	4.20	3.17	n.a.	2.21	2.24

(a) Totals for 2008–09 to 2010–11 include aggregate data supplied by Western Australia and 2007–08 data for the Northern Territory, where available.

Notes

1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2008–09 to 2010–11.
2. Age calculated as at start of the financial year if first period of community-based supervision began before the start of the financial year; otherwise, age calculated as at start of first period of community-based supervision.
3. Total includes young people of unknown Indigenous status.
4. Rates are number of young people per 1,000 relevant population.
5. Rates are not published where there were fewer than 5 young people.
6. Rate ratio calculated by dividing the Indigenous rate by the non-Indigenous rate.
7. Trend data may differ from those previously published due to data revisions.

Sources: ABS 2012b; Table C3.

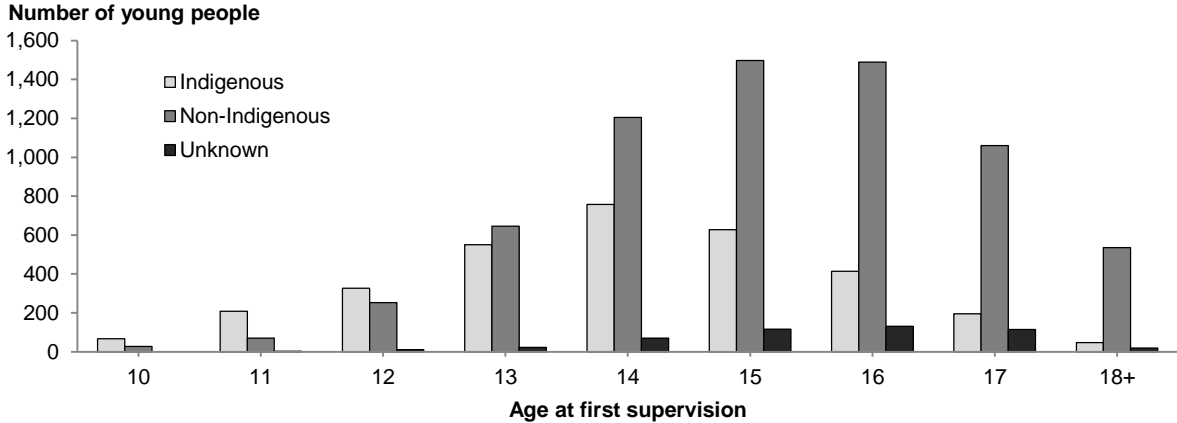
6.3 First supervision

In 2010–11, most (70%) young people under community-based supervision had been under juvenile justice supervision in a previous year (Western Australia and the Northern Territory did not supply JJ NMDS data for 2010–11 and are not included in this section) (Table C9). Queensland had the smallest proportion of new entrants to supervision (18%), while Victoria had the largest (38%).

Over the 4-year period to 2010–11, the proportion of young people under community-based supervision who were new to supervision decreased slightly, from 34% to 30% nationally. There were decreases in all states and territories for which data are available, although the decreases did not occur in all years for all states and territories.

Indigenous young people under community-based supervision in 2010–11 were more likely than non-Indigenous young people to have been supervised in a previous year (77% compared with 69%), and this was the case each year between 2007–08 and 2010–11 (Table C10).

Indigenous young people under community-based supervision also tended to enter supervision at younger ages overall (median age 14) than non-Indigenous young people (median age 15) (Figure 6.8). The majority (60%) of Indigenous young people under community-based supervision had first entered supervision when they were aged 10–14, compared with less than one-third (32%) of non-Indigenous young people.

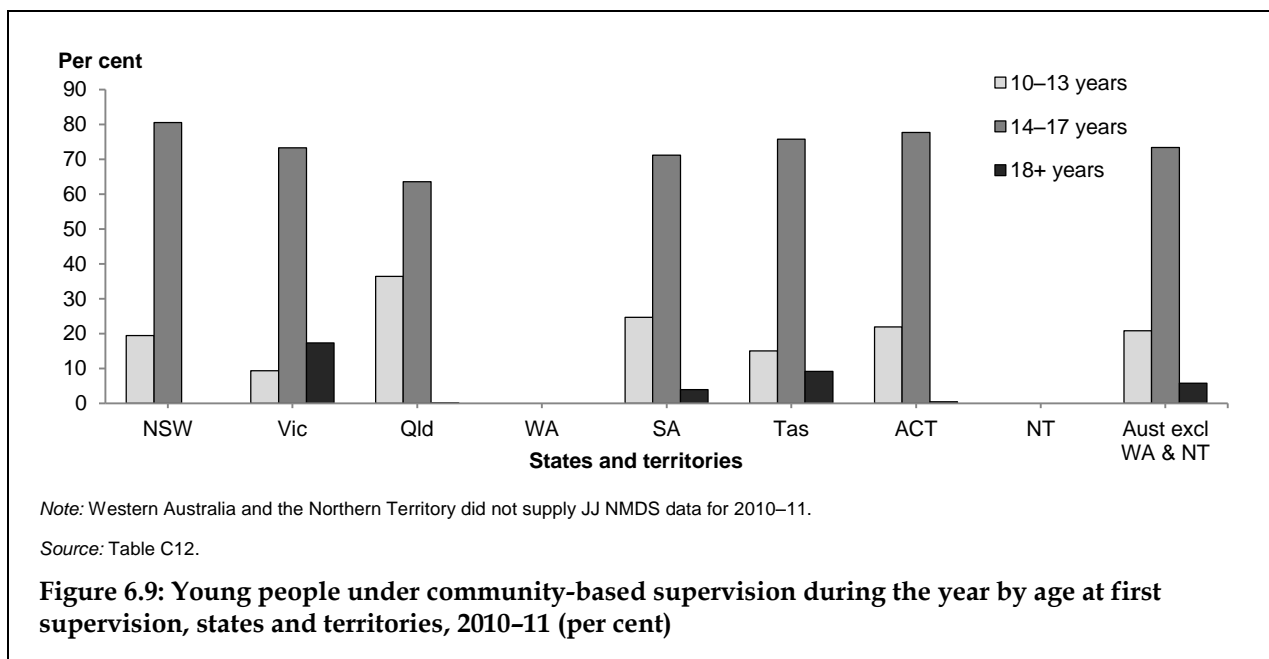


- Notes
1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2010–11.
 2. In most states and territories, the maximum age for treatment as a young person is 17; however, it is possible for young people over the age of 17 to be under juvenile justice supervision.

Source: Table C11.

Figure 6.8: Young people under community-based supervision during the year by age at first supervision and Indigenous status, Australia (excluding WA and NT), 2010–11

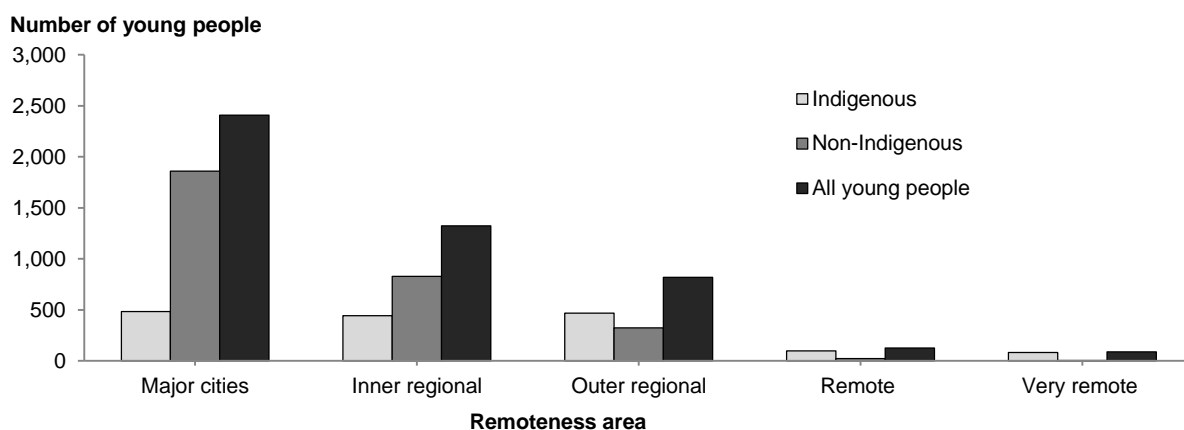
In all states and territories, most young people under community-based supervision had first entered supervision when they were aged 14–17, with proportions ranging from 64% of those in Queensland to 81% in New South Wales (Figure 6.9). Queensland had the largest proportion (36%) of young people who had first entered supervision aged 10–13, while Victoria had the largest proportion (17%) who had first entered supervision aged 18 and over.



6.4 Remoteness of usual residence

Most young people under community-based supervision on an average day in 2010-11 were from *Major cities* (46%), *Inner regional* (25%) and *Outer regional* (16%) areas (Western Australia and the Northern Territory did not supply JJ NMDS data for 2010-11 and are not included in this section) (Figure 6.10 and Table 6.2). Only 4% of young people were from *Remote* and *Very remote* areas (information on the remoteness of usual residence was not available for 8% of young people).

Indigenous young people under community-based supervision were more likely than non-Indigenous young people to be from remote areas of Australia: on an average day, around 11% of Indigenous young people under community-based supervision were from *Remote* or *Very remote* areas, compared with less than 1% of non-Indigenous young people.

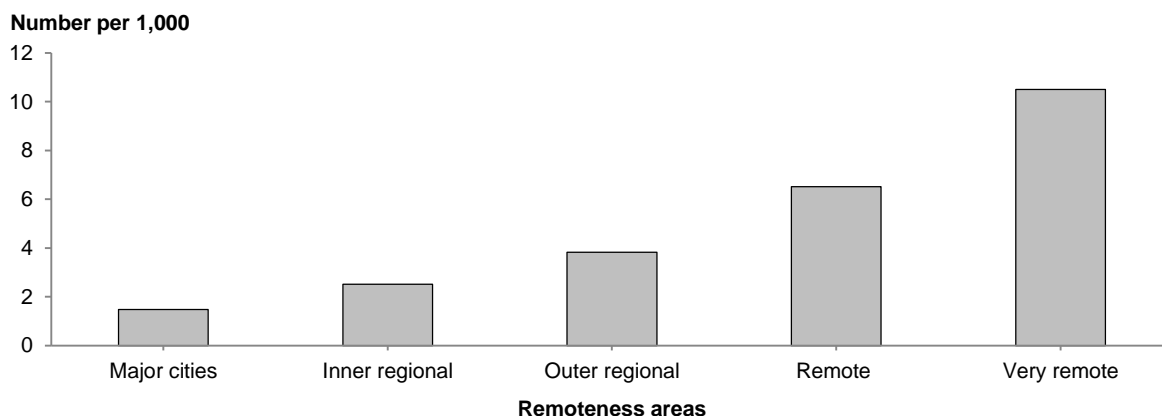


Note: Western Australia and the Northern Territory did not supply JJ NMDS data for 2010–11.

Source: Table C13.

Figure 6.10: Young people under community-based supervision on an average day by Indigenous status and remoteness of usual residence, Australia (excluding WA and NT), 2010-11

Although most young people under community-based supervision in 2010–11 lived in cities and regional areas, young people from remote areas were the most likely to be under community-based supervision (Figure 6.11). Young people aged 10–17 from *Remote* areas were 4 times as likely as those from *Major cities* to be under community-based supervision on an average day, while those from *Very remote* areas were 7 times as likely. There were 1.5 young people per 1,000 under supervision from *Major cities*, compared with 6.5 per 1,000 from *Remote* areas and 10.5 per 1,000 from *Very remote* areas.



Note: Western Australia and the Northern Territory did not supply JJ NMDS data for 2010–11.

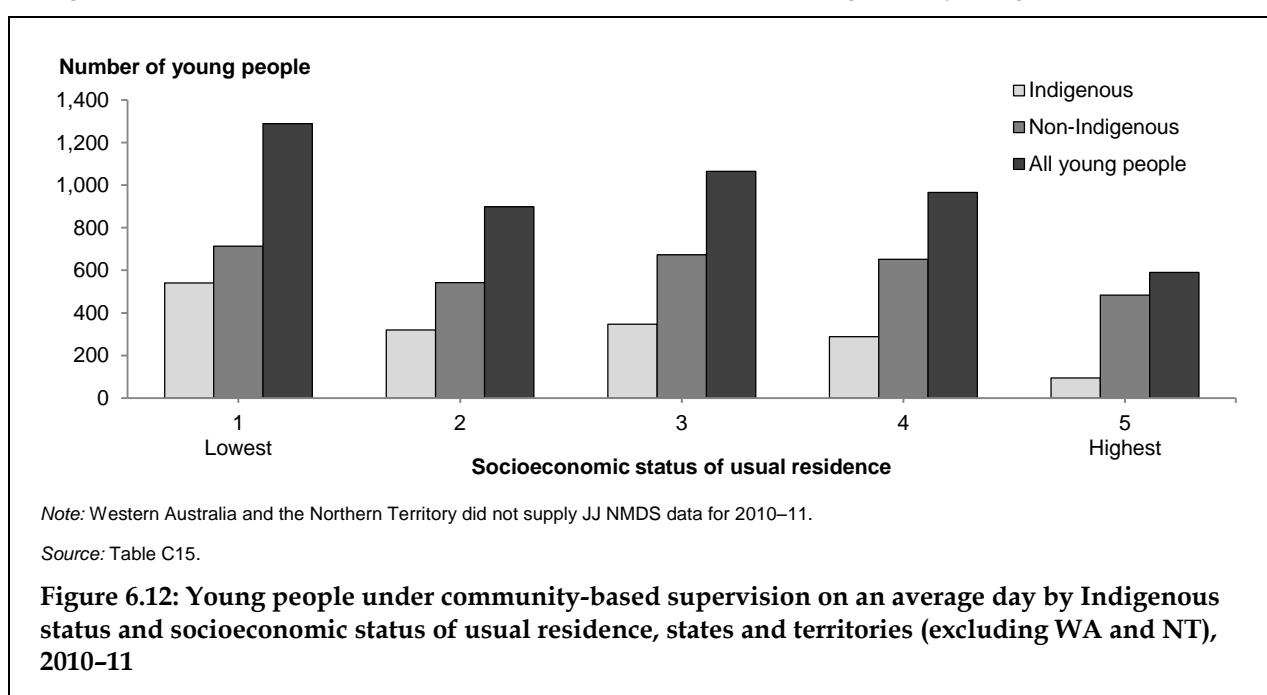
Source: Table C14.

Figure 6.11: Young people aged 10–17 under supervision on an average day by remoteness of usual residence, Australia (excluding WA and NT), 2010-11 (rate)

6.5 Socioeconomic status of usual residence

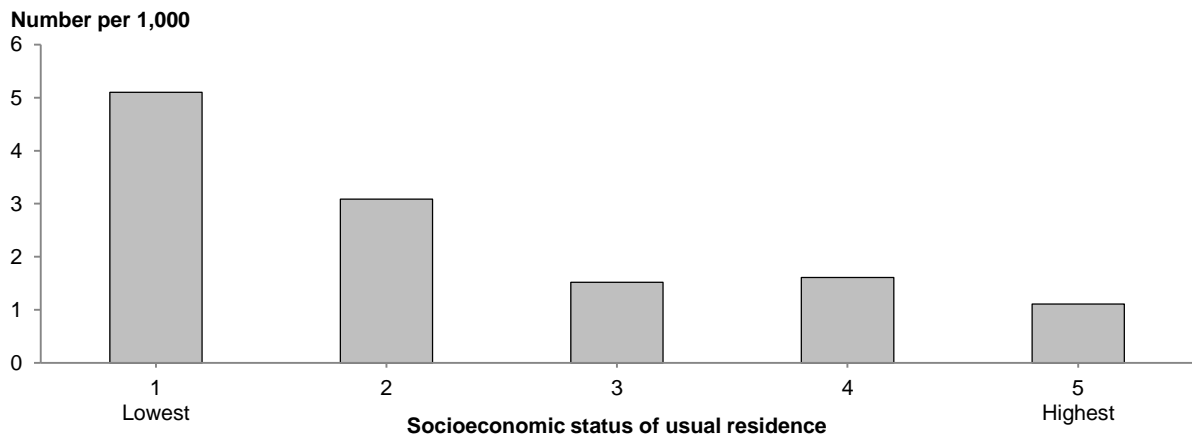
More young people, particularly Indigenous young people, under community-based supervision during 2010–11 came from areas of relatively low socioeconomic status than from areas of high socioeconomic status (Western Australia and the Northern Territory did not supply JJ NMDS data for 2010–11 and are not included in this section). On an average day, one-quarter (25%) of young people under community-based supervision were from the areas of lowest socioeconomic status, compared with 11% from the areas of highest socioeconomic status (data on socioeconomic status were not available for 7% of young people) (Figure 6.12 and Table 6.2).

Almost one-third (32%) of Indigenous young people under community-based supervision in 2010–11 were from the areas of lowest socioeconomic status, compared with 22% of non-Indigenous young people; 6% of Indigenous young people were from the areas of highest socioeconomic status, compared with 15% of non-Indigenous young people.



Overall, young people aged 10–17 from the areas of lowest socioeconomic status were almost 5 times as likely as those from the highest socioeconomic status to be under community-based supervision on an average day in 2010–11 (Figure 6.13). There were 5.1 young people aged 10–17 per 1,000 from the areas of lowest socioeconomic status under community-based supervision on an average day compared with 1.1 per 1,000 from the areas of highest socioeconomic status.

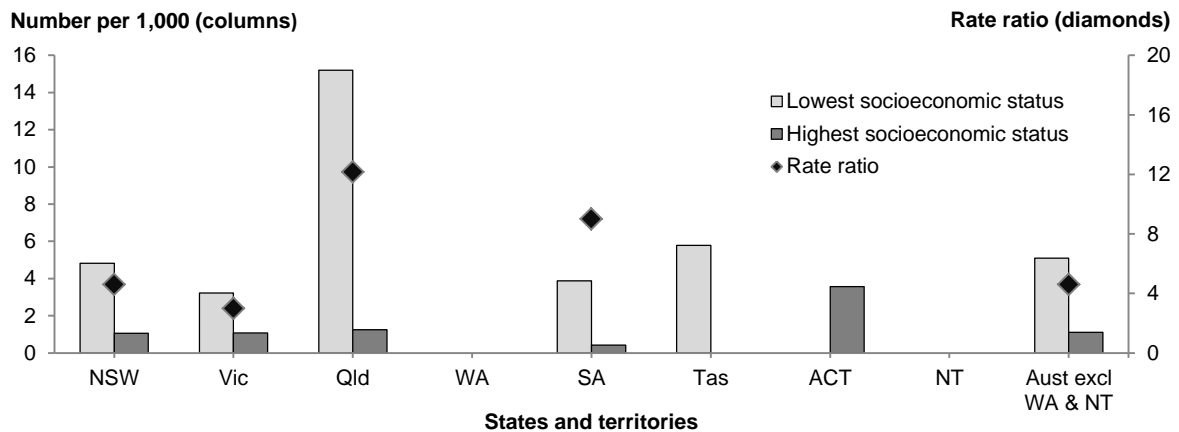
This pattern occurred in all states and territories for which data are available, although the rate ratios differed (Figure 6.14). Young people from areas of the lowest socioeconomic status were 3 times as likely as those from areas of the highest socioeconomic status to be under community-based supervision in Victoria, almost 5 times as likely in New South Wales, 9 times as likely in South Australia and 12 times as likely in Queensland.



Note: Western Australia and the Northern Territory did not supply JJ NMDS data for 2010–11.

Source: Table C16.

Figure 6.13: Young people aged 10–17 under community-based supervision on an average day by socioeconomic status of usual residence, states and territories (excluding WA and NT), 2010–11 (rate)



Notes

1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2010–11.
2. Rate ratios were not calculated for states and territories without young people in both the highest and the lowest areas of socioeconomic status.

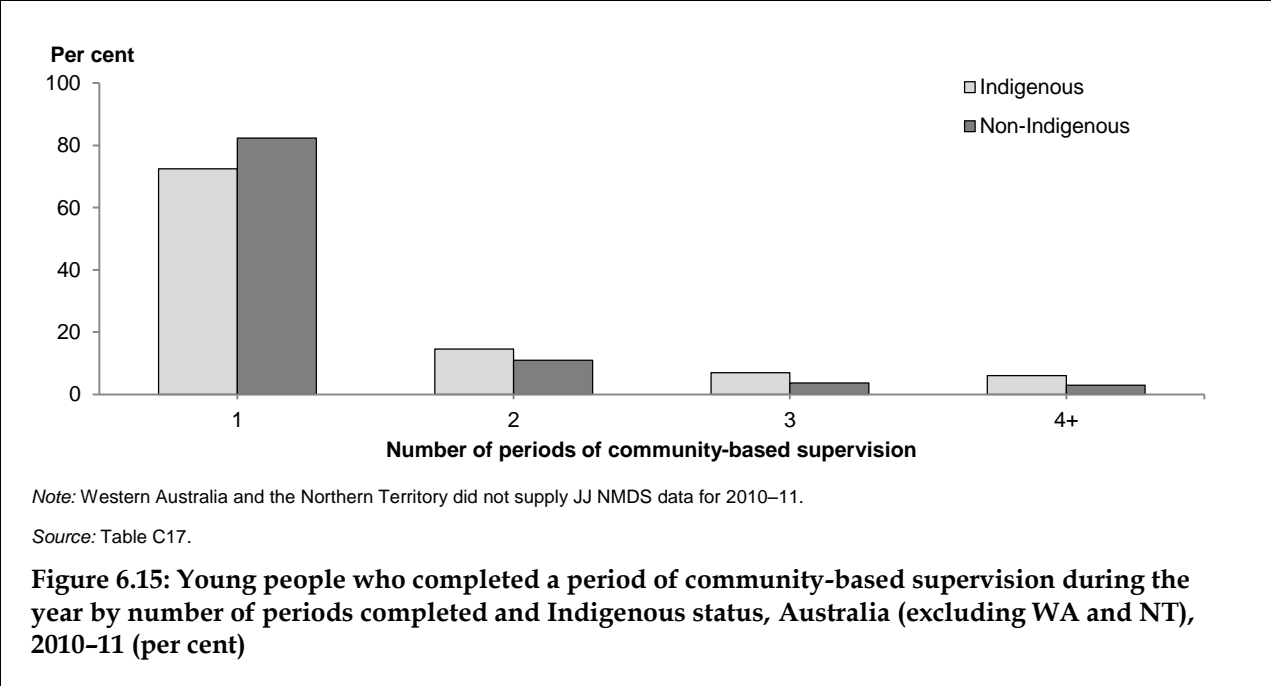
Source: Table C16.

Figure 6.14: Young people aged 10–17 under community-based supervision on an average day by socioeconomic status of usual residence, states and territories (excluding WA and NT), 2010–11 (rate)

6.6 Time under community-based supervision

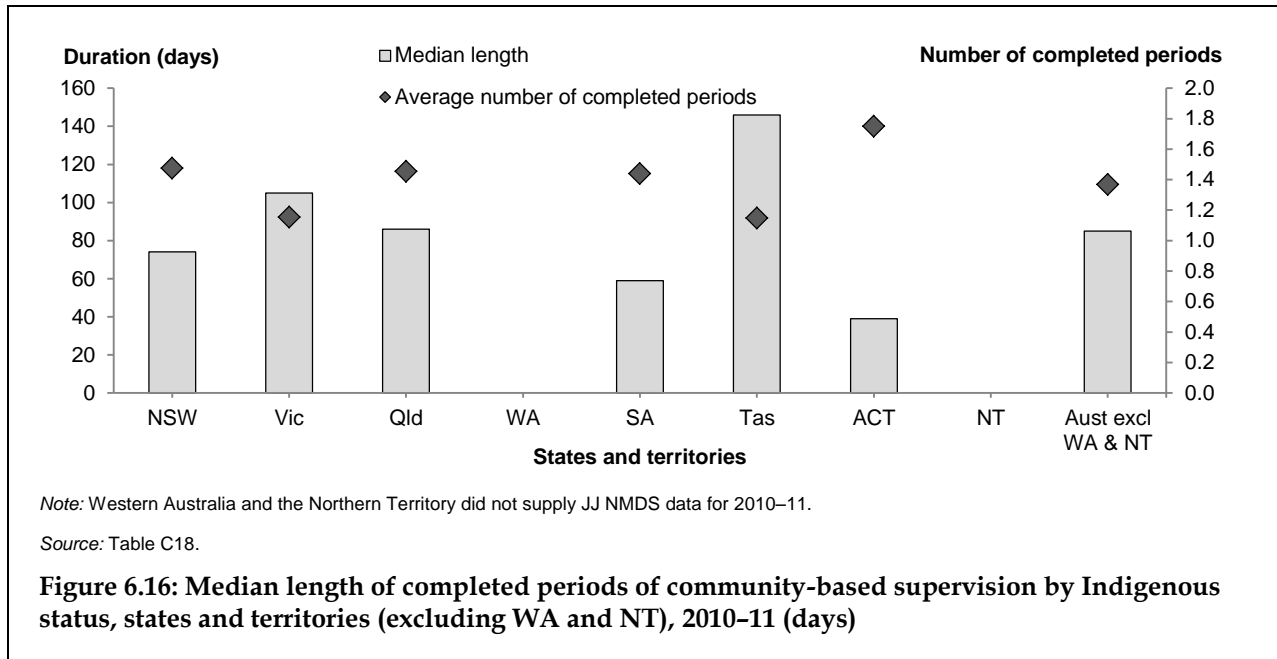
The majority (69%) of young people who were under community-based supervision during 2010–11 had completed at least one period of community-based supervision during the year, and the remainder were ongoing at the end of the period (Western Australia and the Northern Territory did not supply JJ NMDS data for 2010–11 and are not included in this section) (tables 6.2 and C17).

Most (80%) of those who completed at least one period had completed only one; 12% completed two and 8% completed three or more (Figure 6.15). Indigenous young people who completed at least one community-based supervised period during the year were more likely than non-Indigenous young people to complete two or more (28% compared with 18%).



Nationally, the median duration of periods of community-based supervision that were completed during 2010–11 was 85 days, or almost 3 months (Figure 6.16). The median duration of completed periods of community-based supervision was shorter for Indigenous young people than for non-Indigenous young people (72 days compared with 91 days) (Table C18). Overall, young people who completed at least one community-based supervision period completed 1.4 periods, on average, during the year.

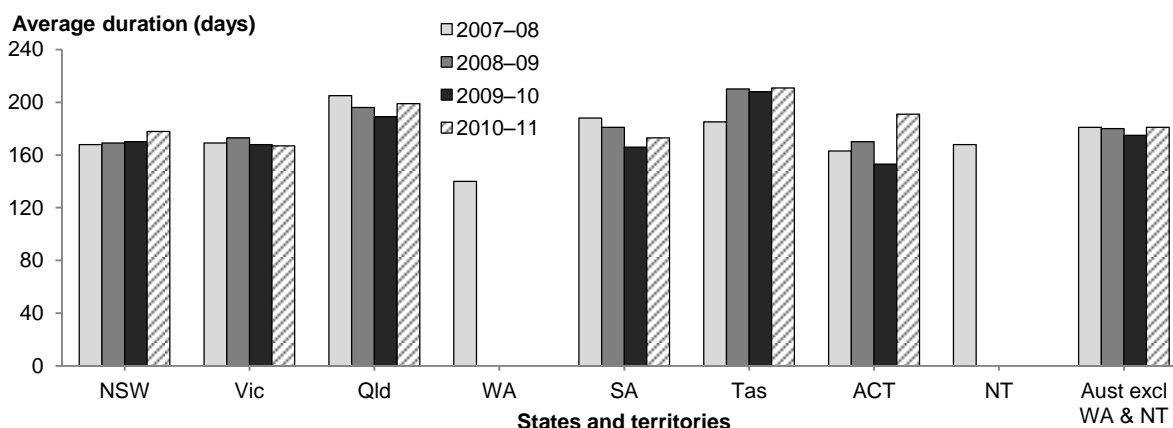
Among the states and territories where completed periods were shorter, young people tended to complete slightly more periods, on average, during the year. The Australian Capital Territory had the shortest median duration of completed community-based supervision periods (39 days) and the highest average number of completed periods (1.8 per person). Tasmania had the longest median duration of completed periods at 146 days (almost 5 months) and the lowest average number of completed periods (1.1 days).



When all periods are considered, young people under community-based supervision during 2010–11 spent 181 days in total (or around 6 months) under community-based supervision, on average (Figure 6.17). Indigenous young people spent longer than non-Indigenous young people under community-based supervision during the year (192 days compared with 179 days) (Table C19).

Among the states and territories for which data are available, the average length of time spent under community-based supervision in 2010–11 ranged from 167 days in Victoria to 211 days in Tasmania.

Nationally, there was little change in the time under community-based supervision between 2007–08 and 2010–11. Among the states and territories, there were increases in the Australian Capital Territory (up 28 days), Tasmania (26 days) and New South Wales (10 days), and decreases in Victoria (down 2 days), Queensland (6 days) and South Australia (15 days). Trend data for South Australia should be interpreted with caution (see Section 3.3 for details).



Note: Western Australia and the Northern Territory did not supply JJ NMDS data for 2008–09 to 2010–11.

Source: Table C19.

Figure 6.17: Average (mean) length of time young people spent under community-based supervision during the year, states and territories (excluding WA and NT), 2007–08 to 2010–11 (days)

6.7 Legal status

Community-based juvenile justice supervision in Australia includes both unsentenced and sentenced orders. Unsentenced orders include supervised or conditional bail and home detention bail. Sentenced orders include:

- probation and similar
- home detention
- suspended detention
- parole or supervised release.

The types of community-based orders that are available vary across the states and territories (see also Table 2.2).

On an average day in 2010–11, most (91%) young people under community-based supervision were serving a sentence (Western Australia and the Northern Territory did not supply JJ NMDS data and are not included in this section) (Table 6.6). Around 11% were unsentenced, and less than 3% were under both sentenced and unsentenced supervision (some young people may have changed legal status during the day). Proportions are similar when estimates for Western Australia and the Northern Territory are included.

There were differences among the states and territories in the legal status of young people under community-based supervision, with the proportion of young people who were unsentenced on an average day ranging from 4% in Queensland to 33% in the Australian Capital Territory. This was in part due to the range of unsentenced community-based orders available in each state and territory. Unsentenced community-based supervision was not available in Tasmania.

Nationally, there was little change in the numbers of both unsentenced (up 2%) and sentenced (up 6%) young people under community-based supervision on an average day

between 2007-08 and 2010-11 (Table C20), and little difference in the trends for Indigenous and non-Indigenous young people (Figure 6.18).

There were differences in the 4-year trends among the states and territories. The largest proportional increases in the number of young people under unsentenced community-based supervision on an average day were in New South Wales (up 15%) and Victoria (up 35%), while the largest decrease was in South Australia (down 73%) (Table C20). The largest proportional increase in the number of young people under sentenced community-based supervision was in Tasmania (up 37%), while the largest decrease was in South Australia (down 24%). However, trend data for South Australia should be interpreted with caution (see Section 3.3 for details).

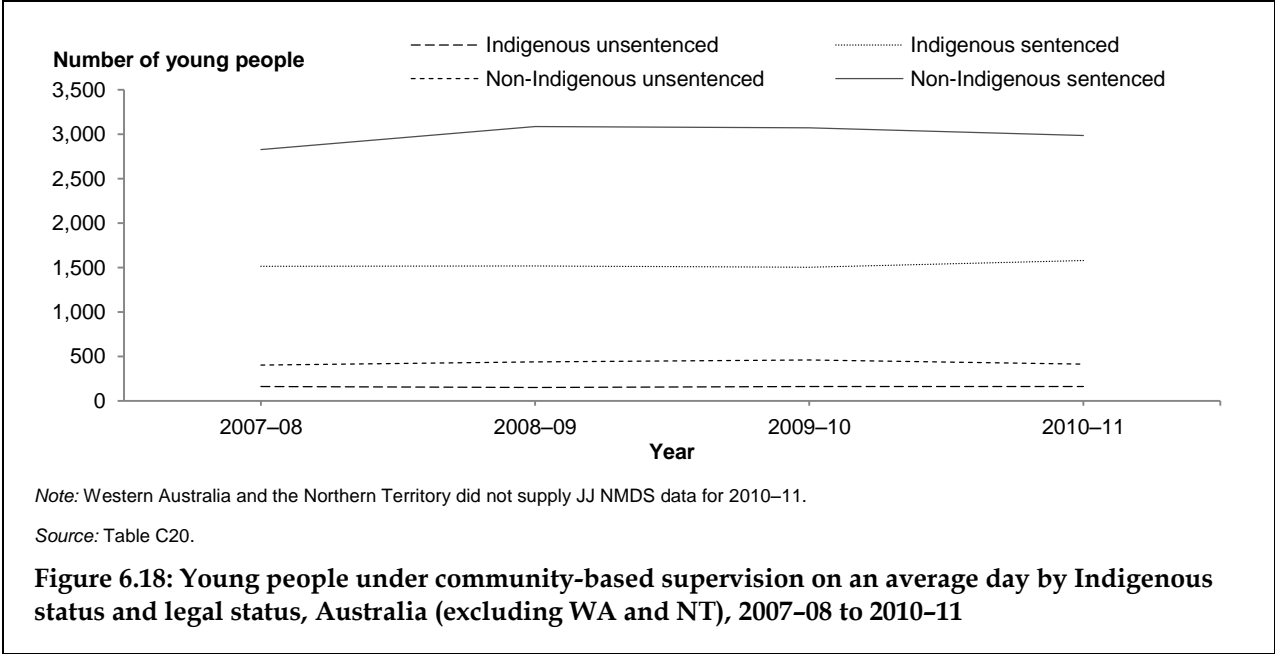


Table 6.6: Young people under community-based supervision by legal status and Indigenous status, states and territories, 2010–11

Indigenous status	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust excl WA & NT	Aust incl WA & NT ^(a)
Number of young people—average day^(b)										
Unsentenced										
Indigenous	80	36	26	n.a.	8	..	11	n.a.	161	160
Non-Indigenous	104	231	31	n.a.	19	..	28	n.a.	414	415
Unknown	5	2	0	n.a.	2	..	0	n.a.	9	10
Total	189	269	57	n.a.	30	..	39	n.a.	583	585
Sentenced										
Indigenous	605	143	638	n.a.	119	58	15	n.a.	1,578	2,225
Non-Indigenous	789	956	704	n.a.	195	267	75	n.a.	2,985	3,385
Unknown	138	12	4	n.a.	35	3	0	n.a.	192	190
Total	1,533	1,110	1,346	n.a.	350	327	90	n.a.	4,755	5,805
All young people^(c)										
Indigenous	652	175	647	n.a.	125	58	23	n.a.	1,680	2,325
Non-Indigenous	859	1,169	720	n.a.	210	267	94	n.a.	3,318	3,720
Unknown	143	14	3	n.a.	37	3	0	n.a.	200	200
Total	1,654	1,358	1,371	n.a.	372	327	117	n.a.	5,199	6,250
Number of young people—during the year										
Unsentenced										
Indigenous	380	152	131	n.a.	67	..	36	n.a.	766	n.a.
Non-Indigenous	460	1,070	126	n.a.	121	..	114	n.a.	1,891	n.a.
Unknown	29	14	0	n.a.	12	..	0	n.a.	55	n.a.
Total	869	1,236	257	n.a.	200	..	150	n.a.	2,712	n.a.
Sentenced										
Indigenous	1,168	317	1,138	n.a.	209	93	30	n.a.	2,955	n.a.
Non-Indigenous	1,635	1,986	1,331	n.a.	400	467	125	n.a.	5,944	n.a.
Unknown	344	24	8	n.a.	77	6	0	n.a.	459	n.a.
Total	3,147	2,327	2,477	n.a.	686	566	155	n.a.	9,358	n.a.
All young people^(c)										
Indigenous	1,271	385	1,152	n.a.	242	93	50	n.a.	3,193	4,460
Non-Indigenous	1,772	2,557	1,358	n.a.	456	467	174	n.a.	6,784	7,660
Unknown	356	32	8	n.a.	85	6	0	n.a.	487	495
Total	3,399	2,974	2,518	n.a.	783	566	224	n.a.	10,464	12,620

(a) Totals for 2010–11 include aggregate data supplied by Western Australia and 2007–08 data for the Northern Territory, where available. Numbers were rounded to the nearest 5 young people and therefore may not sum to the total.

(b) Number of young people on an average day may not sum to total due to rounding.

(c) 'All young people' includes young people with an order type of 'other'.

Notes

1. Number of unsentenced and sentenced young people may not sum to total number of young people as the legal status of some young people may have changed during the same day.
2. Unsentenced community-based supervision is not available in Tasmania.
3. Western Australia and the Northern Territory did not supply JJ NMDS data for 2010–11.

6.8 Types of supervision

Young people may be supervised in the community under one or more of a range of different order types, including unsentenced orders such as supervised or conditional bail, and sentenced orders such as probation and similar orders, suspended detention, and parole or supervised release. Each of these order types are discussed in turn below. Young people may be supervised under multiple orders of different types at the same time, and community-based supervised orders may be interrupted by periods spent in detention (see also Chapter 3).

Western Australia and the Northern Territory did not supply JJ NMDS data for 2010–11 and are not included in this section. Queensland and the Australian Capital Territory are excluded from analyses of completed and breached orders because information on order end reason was not available for these jurisdictions.

In 2010–11, the 10,464 young people under community-based juvenile justice supervision were supervised under 23,076 orders, which equates to 2.2 orders for each young person (excluding Western Australia and the Northern Territory) (Table 6.7). Around two-thirds (66%) of all community-based orders were probation and similar and 19% were supervised and conditional bail.

Supervised or conditional bail and other unsentenced supervised orders

Unsentenced community-based supervised orders include supervised bail (known as conditional bail in some states and territories) and other unsentenced orders. Supervised or conditional bail is the most common type of order in this category (69%); other types include home detention bail (less than 1%), which is available only in South Australia, and other court-referred arrangements such as deferral of sentence (31%) (Table B1). Unsentenced community-based orders are not available in Tasmania. Information about unsupervised bail is not available in this report.

In 2010–11, around 1 in 9 (11%) young people under community-based supervision were under unsentenced orders on an average day, and around 1 in 4 (26%) at some time during the year (Table 6.7). This difference reflects the typically short duration of these types of orders. Among the states and territories, the proportion of young people under community-based supervision who were under unsentenced community orders at some time during the year ranged from 10% in Queensland to 67% in the Australian Capital Territory.

The 2,712 young people who were under unsentenced community-based orders during 2010–11 were supervised under 4,428 orders, which equates to around 1.6 orders per person, on average. Nationally, unsentenced community-based orders formed 19% of all orders administered by juvenile justice agencies during 2010–11; among the states and territories, proportions ranged from 5% in Queensland to 73% in the Australian Capital Territory (Table 6.7).

Table 6.7: Community-based supervised orders, states and territories, 2010–11

Order type	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust excl WA & NT
Orders^(a)									
Supervised or conditional bail and other unsentenced	1,477	1,731	311	n.a.	325	..	584	n.a.	4,428
Probation and similar	5,423	3,109	4,979	n.a.	636	893	216	n.a.	15,256
Suspended detention	547	..	418	n.a.	220	280	n.a.	n.a.	1,465
Parole or supervised release	826	362	162	n.a.	4	28	..	n.a.	1,382
Home detention	..	..	..	n.a.	2	..	..	n.a.	2
Other sentenced orders ^(b)	0	0	0	n.a.	489	0	0	n.a.	489
Other orders n.e.c. ^(c)	38	0	0	n.a.	16	0	0	n.a.	54
Total	8,311	5,202	5,870	n.a.	1,692	1,201	800	n.a.	23,076
Number of young people—average day^{(d)(e)}									
Supervised or conditional bail and other unsentenced	189	269	57	n.a.	30	..	39	n.a.	583
Probation and similar	1,343	1,002	1,314	n.a.	196	275	90	n.a.	4,220
Suspended detention	153	..	62	n.a.	67	121	n.a.	n.a.	402
Parole or supervised release	182	118	23	n.a.	3	7	..	n.a.	333
Home detention	..	..	..	n.a.	—	..	..	n.a.	—
Other sentenced orders ^(b)	0	0	0	n.a.	117	0	0	n.a.	117
Other orders n.e.c. ^(c)	6	0	0	n.a.	1	0	0	n.a.	7
Total	1,654	1,358	1,371	n.a.	372	327	117	n.a.	5,199
Number of young people—during the year^(d)									
Supervised or conditional bail and other unsentenced	869	1,236	257	n.a.	200	..	150	n.a.	2,712
Probation and similar	2,827	2,077	2,422	n.a.	363	508	155	n.a.	8,352
Suspended detention	385	..	273	n.a.	128	206	n.a.	n.a.	992
Parole or supervised release	496	331	125	n.a.	4	27	..	n.a.	983
Home detention	..	..	..	n.a.	2	..	..	n.a.	2
Other sentenced orders ^(b)	0	0	0	n.a.	295	0	0	n.a.	295
Other orders n.e.c. ^(c)	17	0	0	n.a.	15	0	0	n.a.	32
Total	3,399	2,974	2,518	n.a.	783	566	224	n.a.	10,464

(a) Includes all community-based supervised orders where the order started in or before the relevant financial year and the order ended in or after the relevant financial year. Orders are included where the young person was not supervised in the community for the duration of the order (that is, where the young person was in detention).

(b) Other sentenced orders include other sentence requiring juvenile justice supervision.

(c) Other orders n.e.c. includes other types of legal arrangements not elsewhere classified.

(d) Number of young people may not sum to total as young people may have been under supervision in relation to multiple types of orders during the same day or year.

(e) Number of young people on an average day may not sum to total due to rounding.

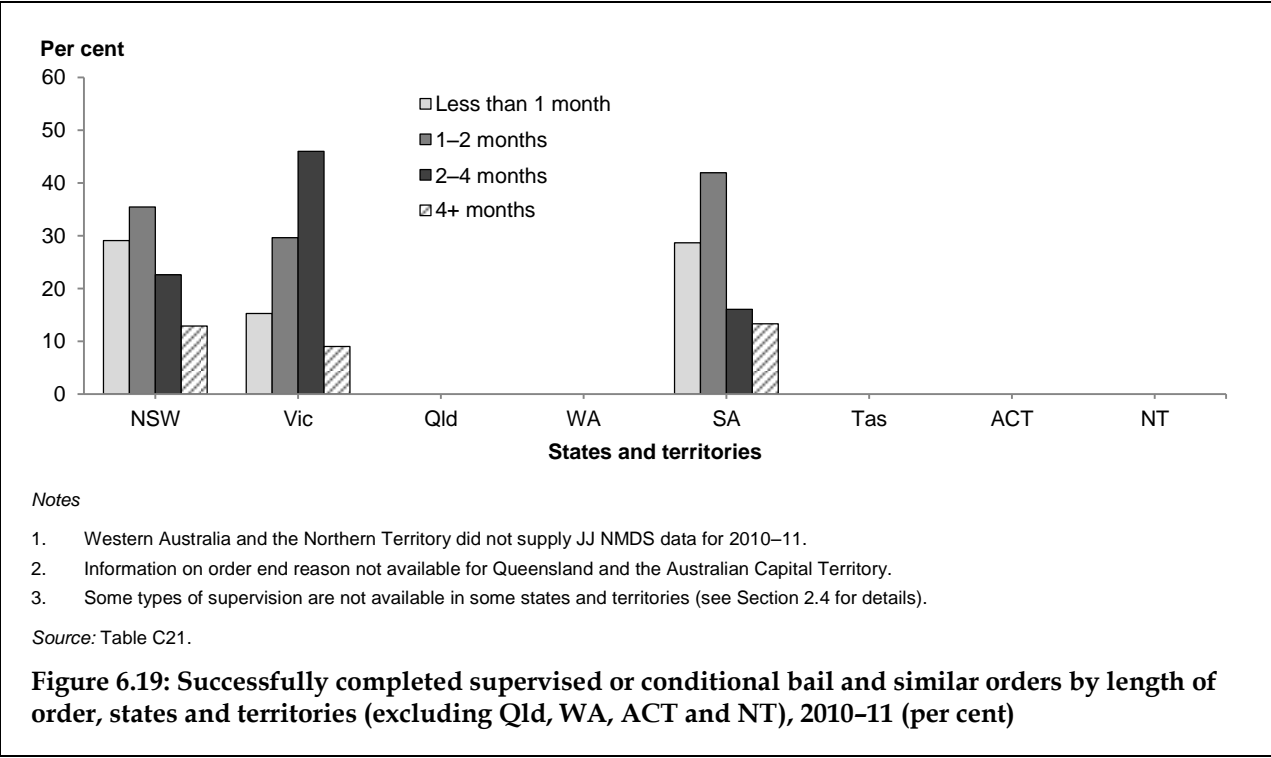
Notes

1. Unsentenced community-based supervision is not available in Tasmania.

2. Western Australia and the Northern Territory did not supply JJ NMDS data for 2010–11.

Most of the unsentenced community-based orders that ended during 2010–11 were successfully completed. Other reasons that orders may have ended include the young person breaching the conditions of the order, cancellation or variation of the order. Among the states with available data, the proportion successfully completed ranged from 89% in New South Wales to 99% in Victoria (Table C21).

Unsentenced community-based orders were typically of short duration; the proportion of successfully completed orders that lasted 2 months or less ranged from 45% in Victoria to 71% in South Australia (Figure 6.19).



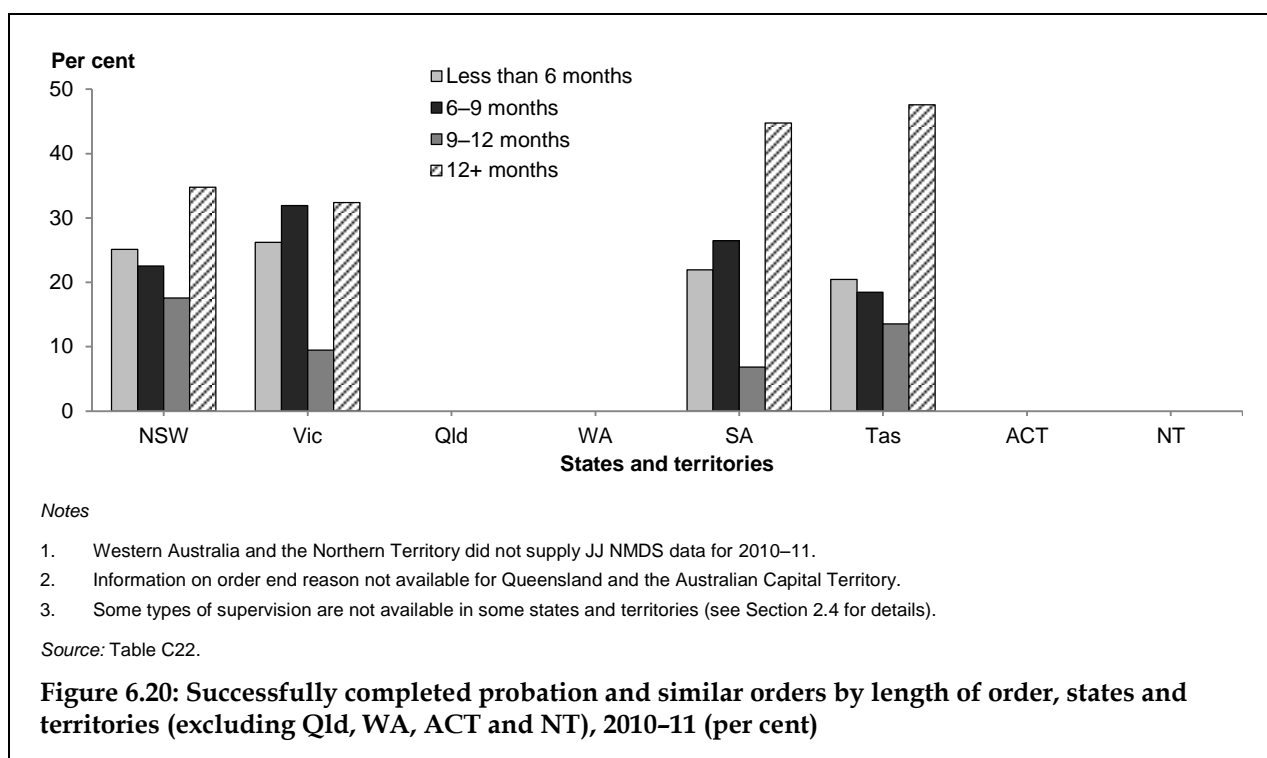
Probation and similar orders

Probation and similar was the most common type of community-based juvenile justice supervision in 2010–11. Probation and similar comprised two-thirds (66%) of all community orders supervised by juvenile justice agencies: 4 in 5 young people under community-based supervision were on probation and similar orders, both on an average day (81%) and during the year (80%) (Table 6.7). South Australia had the lowest proportion of young people under community-based supervision on an average day who were on probation and similar orders (53%), while Queensland had the highest (96%).

During the year, the 8,352 young people who were supervised under probation and similar orders were under 15,256 orders, an average of 1.8 orders per person. Among the states and territories for which data are available, the proportion of all community-based supervised orders that were probation and similar ranged from 27% of orders in the Australian Capital Territory to 85% in Queensland.

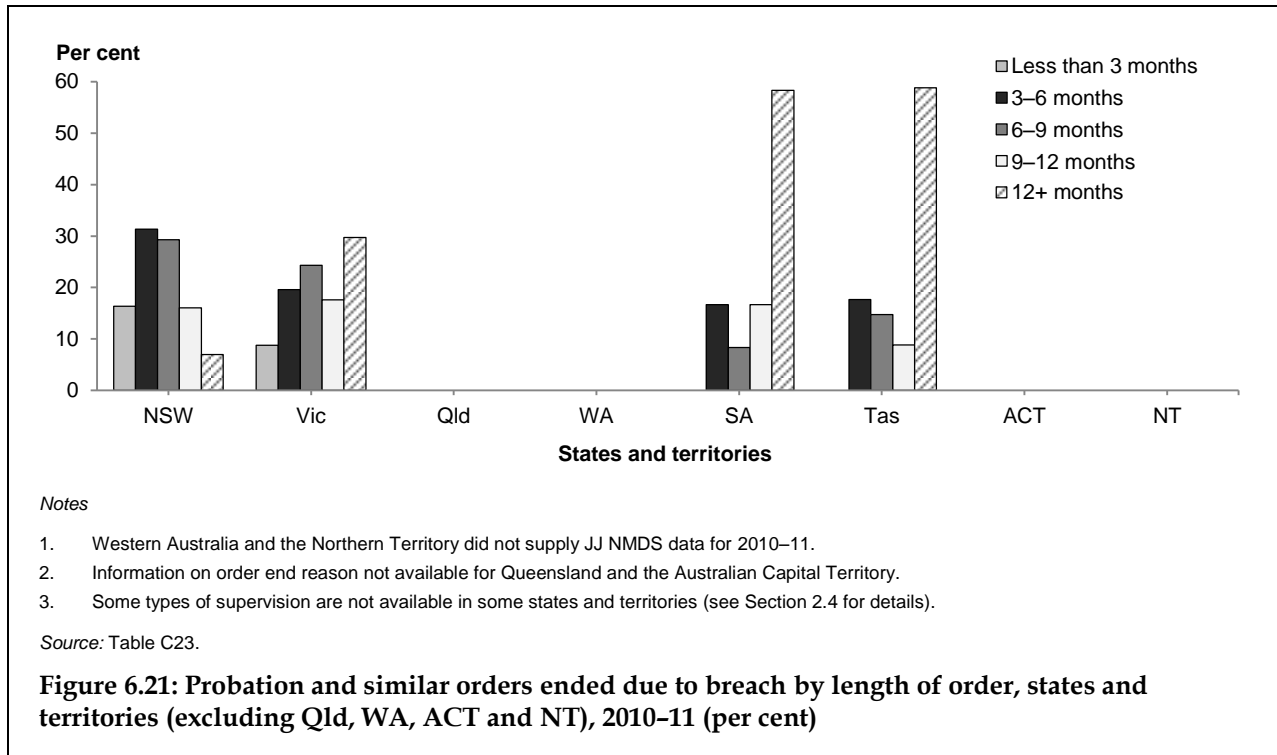
In all states for which data were available, most probation and similar orders that ended during 2010–11 were successfully completed, with proportions ranging from 75% in New South Wales to 91% in Victoria and South Australia (Table C22).

Successfully completed probation and similar orders had generally lasted for a relatively long time; the proportion of successfully completed orders that lasted for 12 months or more ranged from 32% in Victoria to 48% in Tasmania (Figure 6.20).



A small proportion of probation and similar orders ended because the order was breached: among the states and territories for which data are available, proportions were 5–8% in South Australia, Tasmania and Victoria and 21% in New South Wales (Table C23).

The typical duration of probation and similar orders that ended due to breach varied among the states and territories (Figure 6.21). The proportion of probation and similar orders breached that lasted less than 6 months ranged from 17% in South Australia to 48% in New South Wales, while the proportion that lasted 12 months or more ranged from 7% in New South Wales to 59% in Tasmania.



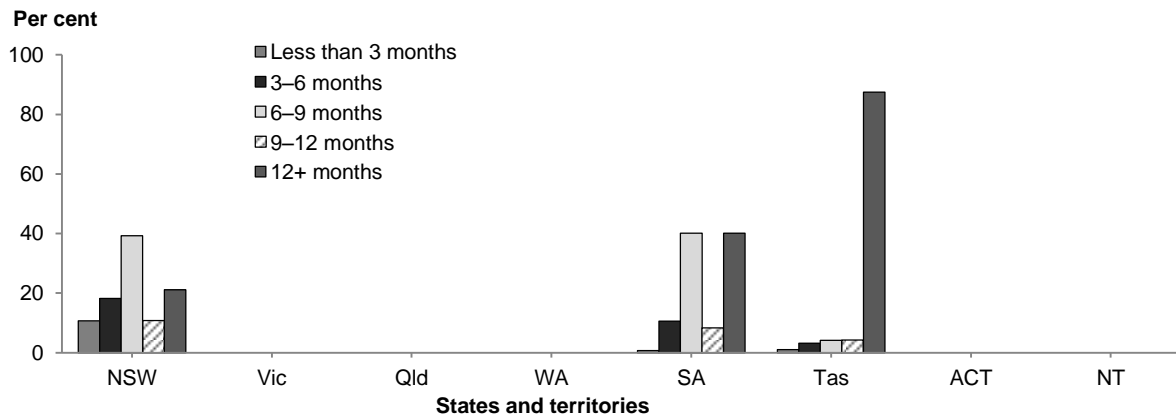
Suspended detention

In 2010–11, around 8% of young people under community-based supervision on an average day and 9% during the year were under a suspended detention order (Table 6.7). The proportion of young people under suspended detention on an average day varied among the states and territories for which data are available, ranging from 5% in Queensland to 37% in Tasmania (suspended detention was not available in Victoria and data on suspended detention were not available for the Australian Capital Territory).

The 992 young people under suspended detention during 2010–11 were supervised under 1,465 suspended detention orders, which equates to 1.5 orders per person during the year. Suspended detention orders made up around 6% of all community-based juvenile justice orders during the year, with proportions ranging from 7% in New South Wales and Queensland to 23% in Tasmania.

In all states and territories for which data are available, most suspended detention orders that ended were successfully completed; proportions ranged from 68% in Tasmania to 90% in South Australia (Table C24).

The majority (68%) of successfully completed suspended detention orders in New South Wales and half (52%) of those in South Australia lasted less than 9 months, while most (88%) of those in Tasmania lasted for more than 12 months (Figure 6.22).



Notes

1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2010–11.
2. Information on order end reason not available for Queensland and the Australian Capital Territory.
3. Some types of supervision are not available in some states and territories (see Section 2.4 for details).

Source: Table C24.

Figure 6.22: Successfully completed suspended detention orders by length of order, states and territories (excluding Qld, WA, ACT and NT), 2010–11 (per cent)

Parole or supervised release

In 2010–11, around 6% of young people on an average day and 9% during the year were on parole (known as supervised release in some states and territories) (Table 6.7). The proportion of young people under community-based supervision who were on parole on an average day was smallest in South Australia (less than 1%) and largest in New South Wales (11%) (parole or supervised release was not available in the Australian Capital Territory).

The 983 young people who were on parole or supervised release during 2010–11 were supervised under 1,382 parole orders, which equates to around 1.4 orders per person. Parole orders accounted for 6% of all community-based orders supervised by juvenile justice agencies during the year.

7 Detention

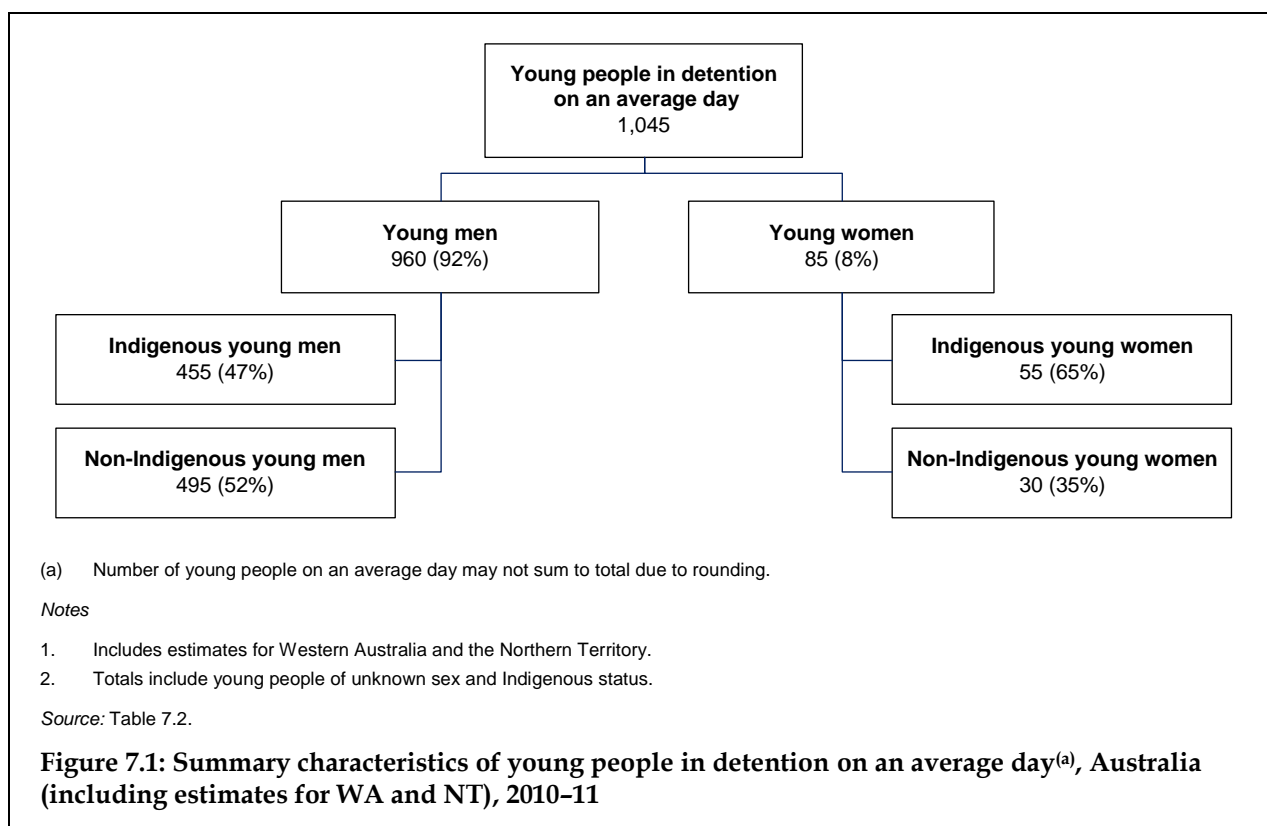
This chapter focuses on the characteristics of young people in detention in Australia and the types of detention they experienced during 2010–11.

Young people in detention may be either unsentenced or sentenced. In this chapter, ‘unsentenced’ detention refers to both police-referred detention (before an initial court appearance) and remand (after a court appearance). See sections 2.3 and 3.5 for more information about types of supervision.

Western Australia and the Northern Territory did not provide data in standard format for 2010–11. Approximate national totals are provided where additional data are available (see Chapter 3 for more details). Totals presented in the sections on first supervision, remoteness of usual residence, socioeconomic status of usual residence, legal status and length of detention do not include Western Australia and the Northern Territory.

7.1 Summary

There were an estimated 1,045 young people in detention on an average day in 2010–11, and 6,120 at some time during the year (including estimates for Western Australia and the Northern Territory) (Figure 7.1 and Table 7.1). More than 9 in 10 (92%) young people in detention on an average day were young men, and half (48%) were Indigenous (Table 7.2). A higher proportion of young women were Indigenous than young men (65% compared with 47%).



Most young people in detention were in the older age groups: three-quarters (75%) of those in detention on an average day in 2010–11 were aged 14–17, and a further 21% were aged 18

and over (excluding Western Australia and the Northern Territory) (Figure 7.2). Less than 40 young people were aged 10–13. Indigenous young people in detention were younger, on average, than non-Indigenous young people, and, on an average day, Indigenous young people outnumbered non-Indigenous young people in each individual year of age from 10 to 15.

In 2010–11, there were less than 0.4 young people aged 10–17 in detention per 1,000 on an average day, and around 2.4 per 1,000 during the year (including Western Australia and the Northern Territory) (Table 7.3). On an average day, young men aged 10–17 were 9 times as likely as young women to be in detention, and Indigenous young people were 24 times as likely as non-Indigenous young people. Among the states and territories for which data are available, young people aged 10–17 were the least likely to be detained on an average day in Victoria (0.2 per 1,000) and the most likely in the Australian Capital Territory (almost 0.7 per 1,000).

The rate of young people aged 10–17 in detention on an average day was relatively stable between 2007–08 and 2010–11 at almost 0.4 per 1,000 on an average day and around 2.3–2.5 per 1,000 during the year (tables 7.5 and D5). The level of Indigenous over-representation in detention declined over the 4-year period, from 28 to 24 times the rate of non-Indigenous young people (Figure 7.6).

More than 3 in 5 (63%) of young people in detention during 2010–11 had been under supervision in a previous year (excluding Western Australia and the Northern Territory) (Table D10). Indigenous young people in detention in 2010–11 had first entered supervision at age 14, on average, compared with age 15 for non-Indigenous young people (Table D11).

Although most young people in detention on an average day were from *Major cities* (55%) and regional areas (37%), young people from *Remote* areas were almost 5 times as likely to be in detention as those from *Major cities*, while those from *Very remote* areas were almost 6 times as likely (figures 7.13 and 7.14). Similarly, young people from the areas of lowest socioeconomic status were 5 times as likely to be in detention on an average day as those from the areas of highest socioeconomic status (Figure 7.16).

On an average day in 2010–11, around half (49%) of young people in detention were unsentenced (the proportion was similar when Western Australia and the Northern Territory are included) (Table 7.6). Although only 7% of young people under juvenile justice supervision on an average day were in unsentenced detention, more than one-third (36%) of all those under supervision during 2010–11 were unsentenced at some time during the year (excluding Western Australia and the Northern Territory) (Figure 7.24).

When all periods of detention are considered, young people in detention during 2010–11 spent a total of 2 months (62 days), on average, in detention during the year (excluding Western Australia and the Northern Territory) (Figure 7.20).

Periods of unsentenced detention were shorter than sentenced detention: in 2010–11, periods of unsentenced detention lasted 3 days, on average, compared with more than 8 weeks (58 days) for sentenced detention (tables D31 and D38). Young people in unsentenced detention during 2010–11 spent a total of 5 weeks (35 days), on average, in unsentenced detention during the year, compared with almost 4 months (109 days) for those in sentenced detention (tables D32 and D40).

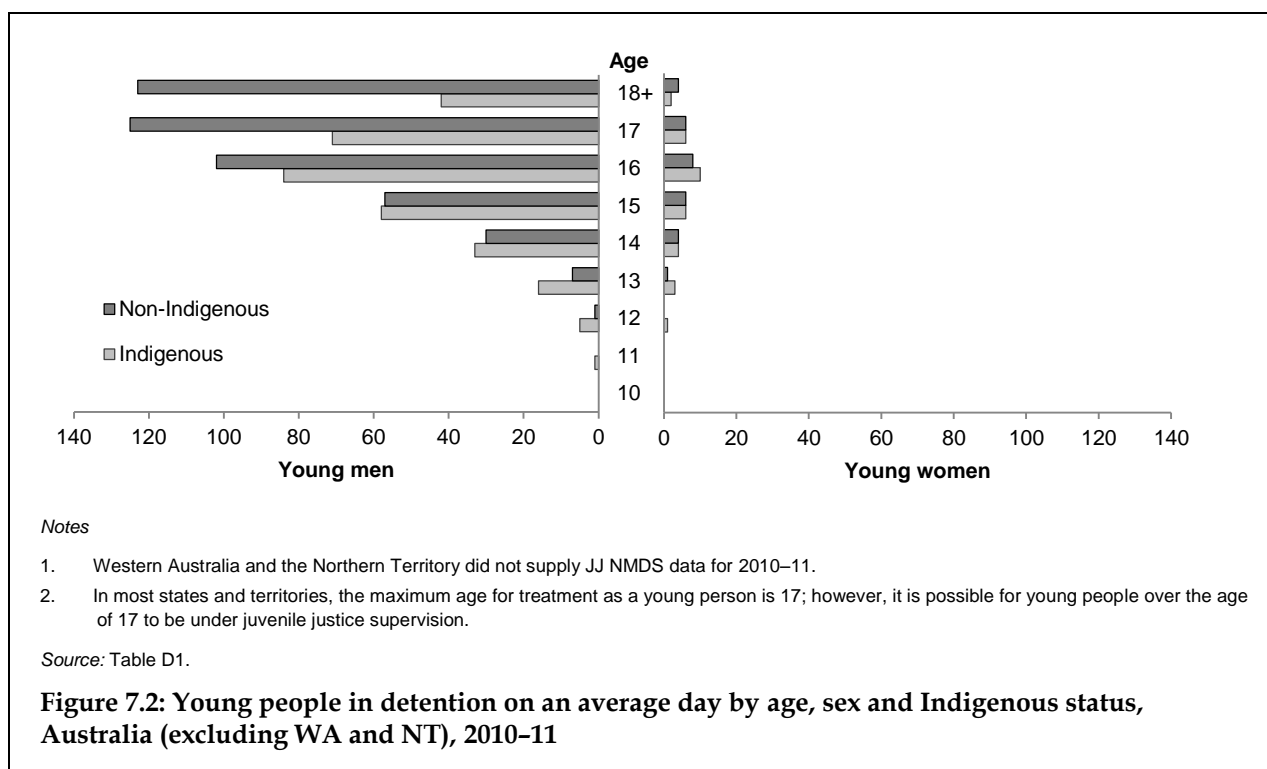
7.2 Number and rate of young people in detention

Number in detention

In 2010–11, there were an estimated 1,045 young people in detention on an average day and 6,120 young people at some time during the year (including estimates for Western Australia and the Northern Territory) (Table 7.1). Most young people in detention on an average day and during the year were young men (92% and 85%, respectively) and almost half were Indigenous (48% and 43%, respectively) (Table 7.2).

Most young people in detention in 2010–11 were in the older age groups: around three-quarters (75%) of young people in detention on an average day were aged 14–17 (excluding Western Australia and the Northern Territory, for which data on individual age years were not available), while a further 21% were aged 18 and over (Figure 7.2). There were relatively few (4%, or less than 40) young people aged 10–13 in detention on an average day.

While Indigenous over-representation occurred among young people of all ages in detention, it was greatest among the younger age groups. On an average day in 2010–11, Indigenous young people outnumbered non-Indigenous young people in each individual year of age from 10 to 15. Overall, more than half (54%) of young people in detention aged 10–15 were Indigenous, while non-Indigenous young people made up the majority of those aged 16 (53%), 17 (63%) and 18 and over (73%).



Nationally (including estimates for Western Australia and the Northern Territory), almost 2 in 5 (38%) young people in detention on an average day were in New South Wales, around 17% were in Victoria and 13% were in Queensland (Table 7.1).

Most (77%) young people in detention on an average day were aged 10–17 (including estimates for Western Australia and the Northern Territory). Among the states and

territories for which standard data are available, the proportion of young people in detention aged 10–17 ranged from around half (48%) in Victoria to all (100%) young people in Queensland. This contrast in age groups between Victoria and Queensland is likely due to legislative differences – in Queensland, young people aged 17 and older at the time of an offence are treated as adults for the purpose of criminal responsibility, while in Victoria the ‘dual track’ sentencing system allows some young people aged 18–20 to be sentenced to a juvenile justice centre. More information is provided in Chapter 2.

In 2010–11, the proportion of young people in detention on an average day who were Indigenous ranged from 15% in Victoria to 57% in Queensland (Table 7.2).

Young people in detention on an average day were more likely to be young men than young women in all states and territories for which data are available, with proportions of young men ranging from 79% in the Australian Capital Territory to 95% in Victoria. However, young women in detention were more likely than young men to be Indigenous in all states and territories except Victoria, where the proportions were similar.

Table 7.1: Young people in detention by age, states and territories, 2010–11

Age	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust excl WA & NT	Aust incl WA & NT ^(a)
Number of young people—average day^(b)										
10	—	0	—	n.a.	—	0	0	n.a.	1	n.a.
11	—	—	1	n.a.	1	0	0	n.a.	2	n.a.
12	3	—	3	n.a.	1	—	—	n.a.	7	n.a.
13	13	1	9	n.a.	2	1	—	n.a.	26	n.a.
14	30	7	21	n.a.	8	3	2	n.a.	72	n.a.
15	56	13	41	n.a.	11	3	6	n.a.	129	n.a.
16	106	28	46	n.a.	13	8	6	n.a.	207	n.a.
17	124	34	15	n.a.	22	9	8	n.a.	212	n.a.
10–17	331	84	136	n.a.	58	24	23	n.a.	656	800
18+	69	91	—	n.a.	12	2	2	n.a.	175	245
Total	400	175	136	n.a.	70	26	24	n.a.	832	1,045
Number of young people—during the year										
10	1	0	5	n.a.	5	0	0	n.a.	11	n.a.
11	6	3	6	n.a.	7	0	0	n.a.	22	n.a.
12	46	3	28	n.a.	16	3	2	n.a.	98	n.a.
13	130	23	76	n.a.	36	6	12	n.a.	283	n.a.
14	298	55	156	n.a.	69	13	21	n.a.	612	n.a.
15	465	97	237	n.a.	100	13	36	n.a.	948	n.a.
16	667	139	262	n.a.	123	31	34	n.a.	1,256	n.a.
17	688	143	45	n.a.	128	31	43	n.a.	1,078	n.a.
10–17	2,301	463	815	n.a.	484	97	148	n.a.	4,308	5,525
18+	236	274	0	n.a.	48	11	6	n.a.	575	600
Total	2,537	737	815	n.a.	532	108	154	n.a.	4,883	6,120

(a) Totals for 2010–11 include aggregate data supplied by Western Australia and 2007–08 data for the Northern Territory, where available. Numbers were rounded to the nearest 5 young people and therefore may not sum to the total.

(b) Number of young people on an average day may not sum to total due to rounding.

Notes

1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2010–11.
2. Total includes young people of unknown age.
3. Age calculated as at start of the financial year if first period of supervision began before the start of the financial year; otherwise, age calculated as at start of first period of supervision.

Table 7.2: Young people in detention by sex and Indigenous status, states and territories, 2010–11

Indigenous status	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust excl WA & NT	Aust incl WA & NT ^(a)
Number of young people—average day^(b)										
Male										
Indigenous	171	26	70	n.a.	28	6	9	n.a.	309	455
Non-Indigenous	188	141	52	n.a.	36	19	11	n.a.	446	495
Unknown	9	—	1	n.a.	1	0	0	n.a.	11	10
Total	367	167	123	n.a.	65	24	19	n.a.	766	960
Female										
Indigenous	18	1	8	n.a.	3	1	3	n.a.	33	55
Non-Indigenous	13	7	5	n.a.	3	1	2	n.a.	30	30
Unknown	1	—	—	n.a.	—	0	0	n.a.	1	—
Total	31	8	13	n.a.	5	2	5	n.a.	64	85
All young people										
Indigenous	188	27	78	n.a.	31	7	12	n.a.	342	500
Non-Indigenous	202	149	57	n.a.	39	19	13	n.a.	478	535
Unknown	10	—	1	n.a.	1	0	0	n.a.	12	10
Total	400	175	136	n.a.	70	26	24	n.a.	832	1,045
Number of young people—during the year										
Male										
Indigenous	851	87	365	n.a.	165	22	41	n.a.	1,531	2,190
Non-Indigenous	1,231	575	308	n.a.	244	75	77	n.a.	2,510	2,910
Unknown	68	1	1	n.a.	13	0	0	n.a.	83	85
Total	2,150	663	674	n.a.	422	97	118	n.a.	4,124	5,175
Female										
Indigenous	155	17	71	n.a.	43	4	10	n.a.	300	430
Non-Indigenous	207	56	68	n.a.	59	7	26	n.a.	423	475
Unknown	23	1	2	n.a.	3	0	0	n.a.	29	30
Total	385	74	141	n.a.	105	11	36	n.a.	752	930
All young people										
Indigenous	1,006	104	436	n.a.	209	26	51	n.a.	1,832	2,620
Non-Indigenous	1,440	631	376	n.a.	307	82	103	n.a.	2,939	3,385
Unknown	91	2	3	n.a.	16	0	0	n.a.	112	110
Total	2,537	737	815	n.a.	532	108	154	n.a.	4,883	6,120

(a) Totals for 2010–11 include aggregate data supplied by Western Australia and 2007–08 data for the Northern Territory, where available. Numbers were rounded to the nearest 5 young people and therefore may not sum to the total.

(b) Number of young people on an average day may not sum to total due to rounding.

Notes

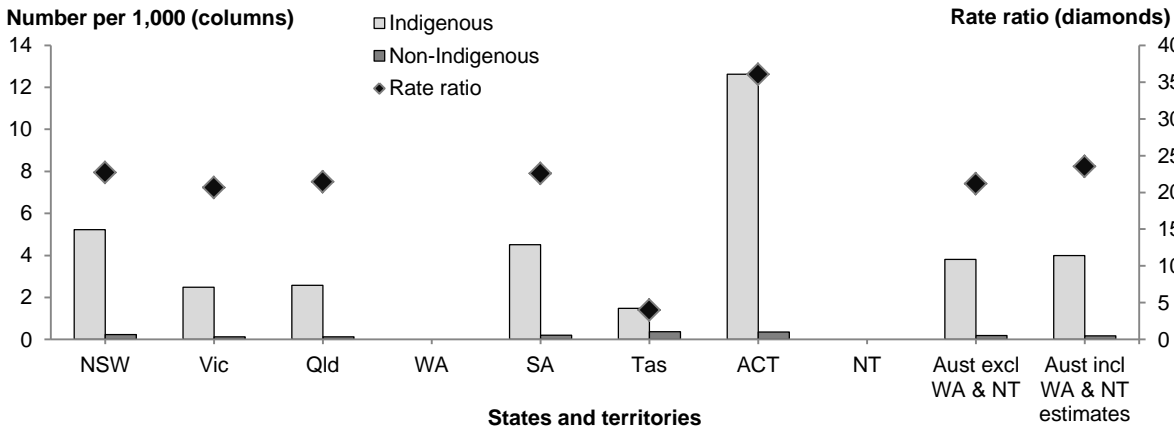
1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2010–11.
2. Total includes young people of unknown sex and Indigenous status.
3. The proportion of young people in detention in the Australian Capital Territory who were Indigenous should be interpreted with caution due to the small number of young people in detention.

Rates of detention

In Australia, few young people are in detention. In 2010–11, less than 0.4 young people aged 10–17 were detained for every 1,000 in Australia on an average day, and 2.4 per 1,000 at some time during the year (Table 7.3) (including Western Australia and the Northern Territory). This equates to less than 0.04% of the population aged 10–17 on an average day, and 0.24% during the year. Among the states and territories for which standard data are available, young people aged 10–17 were the most likely to be detained in the Australian Capital Territory (almost 0.7 per 1,000) while those in Victoria were least likely (0.2 per 1,000).

Nationally, young men in Australia aged 10–17 were 9 times as likely to be in detention on an average day as young women (including Western Australia and the Northern Territory).

Despite the overall low detention rate, the rate of young Indigenous people in detention was relatively high. Indigenous young people aged 10–17 were 24 times as likely to be in detention on an average day in 2010–11 as non-Indigenous young people, with a rate of 4 per 1,000 compared with less than 0.2 per 1,000 (including Western Australia and the Northern Territory) (Figure 7.3). Among the states and territories for which data are available, Indigenous over-representation (as shown by the rate ratio) was highest in the Australian Capital Territory, where an Indigenous young person aged 10–17 was 36 times as likely as a non-Indigenous young person to be in detention on an average day. In the remaining states and territories, the level of Indigenous over-representation ranged from 4 times in Tasmania to almost 23 times in South Australia and New South Wales.



Notes

1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2010–11.
2. Rate ratio calculated by dividing the Indigenous rate by the non-Indigenous rate.
3. The rate of Indigenous young people in detention in the Australian Capital Territory should be interpreted with caution due to the small number of young people in detention.

Source: Table 7.3.

Figure 7.3: Young people aged 10–17 in detention on an average day by Indigenous status, states and territories, 2010–11 (rate)

The rate of young people aged 10–17 in detention on an average day in 2010–11 increased with each year of age, and peaked at ages 16 and 17 at around 0.8 per 1,000 (excluding Western Australia and the Northern Territory) (Figure 7.4). The Indigenous rate was substantially higher than the non-Indigenous rate at all ages, and rates were highest at a younger age for Indigenous young people. Among Indigenous young people, the highest

rate of detention was at age 16 (almost 10 young people per 1,000), while among non-Indigenous young people, the highest rate of detention was at age 17 (0.5 per 1,000).

Indigenous over-representation in detention was greatest at the younger ages: an Indigenous young person aged 13 was 63 times as likely as a non-Indigenous young person to be in detention on an average day, while an Indigenous young person aged 17 was 15 times as likely as a non-Indigenous young person to be in detention.

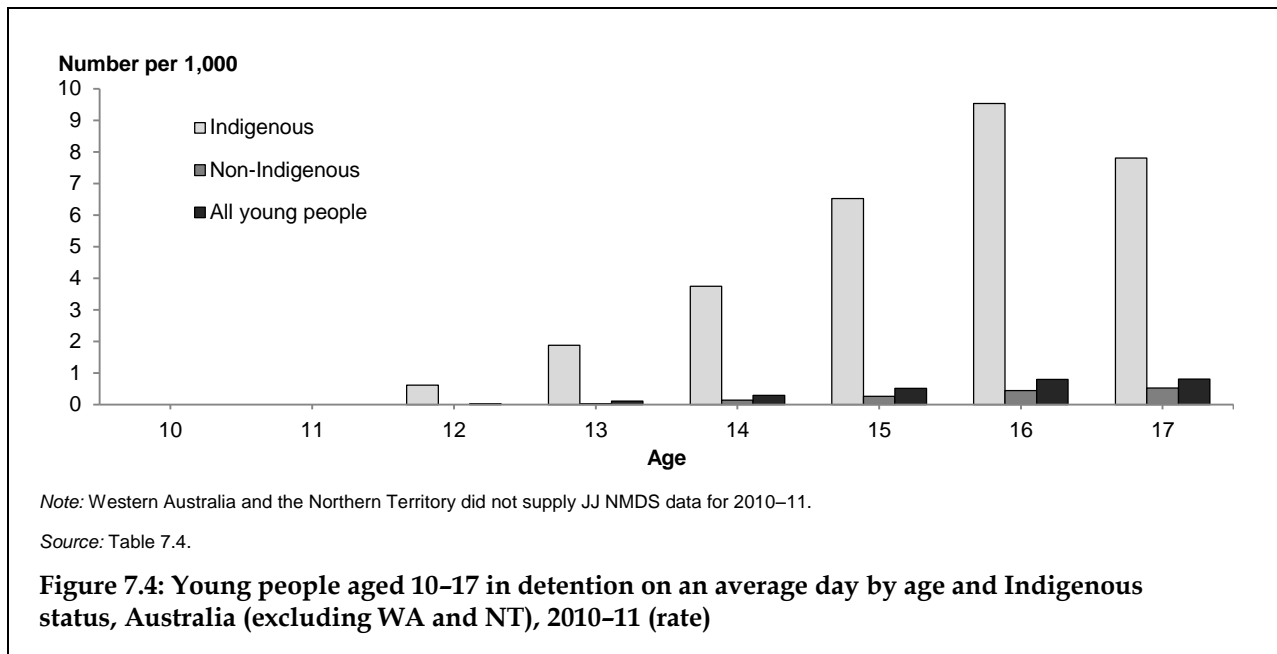


Table 7.3: Young people aged 10–17 in detention by sex and Indigenous status, states and territories, 2010–11 (rate)

Indigenous status	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust excl WA & NT	Aust incl WA & NT ^(a)
Detention rate—average day										
Male										
Indigenous	9.15	4.72	4.51	n.a.	8.01	n.p.	18.60	n.a.	6.67	6.95
Non-Indigenous	0.42	0.23	0.22	n.a.	0.36	0.69	0.58	n.a.	0.33	0.31
Total	0.81	0.28	0.49	n.a.	0.63	0.80	1.04	n.a.	0.58	0.62
Female										
Indigenous	1.09	n.p.	0.53	n.a.	n.p.	n.p.	n.p.	n.a.	0.81	0.89
Non-Indigenous	0.03	n.p.	0.02	n.a.	n.p.	n.p.	n.p.	n.a.	0.03	0.02
Total	0.08	0.02	0.05	n.a.	0.07	n.p.	n.p.	n.a.	0.06	0.07
All young people										
Indigenous	5.22	2.48	2.57	n.a.	4.51	1.48	12.62	n.a.	3.81	4.00
Non-Indigenous	0.23	0.12	0.12	n.a.	0.20	0.37	0.35	n.a.	0.18	0.17
Rate ratio	22.70	20.67	21.42	n.a.	22.55	4.00	36.06	n.a.	21.17	23.53
Total	0.45	0.15	0.28	n.a.	0.36	0.44	0.65	n.a.	0.33	0.35
Detention rate—during the year										
Male										
Indigenous	48.28	18.73	23.42	n.a.	51.92	9.06	88.28	n.a.	34.95	38.53
Non-Indigenous	3.08	1.21	1.32	n.a.	2.73	2.67	4.39	n.a.	2.13	2.23
Total	5.15	1.42	2.71	n.a.	4.58	3.10	6.51	n.a.	3.47	3.94
Female										
Indigenous	9.72	4.48	4.80	n.a.	14.65	n.p.	22.51	n.a.	7.49	8.19
Non-Indigenous	0.59	0.17	0.31	n.a.	0.70	0.29	1.49	n.a.	0.43	0.43
Total	1.04	0.23	0.60	n.a.	1.23	0.42	1.98	n.a.	0.73	0.81
All young people										
Indigenous	29.48	11.62	14.36	n.a.	33.70	5.63	57.03	n.a.	21.54	23.78
Non-Indigenous	1.87	0.71	0.83	n.a.	1.76	1.52	2.96	n.a.	1.30	1.35
Rate ratio	15.76	16.37	17.30	n.a.	19.15	3.70	19.27	n.a.	16.57	17.61
Total	3.15	0.84	1.68	n.a.	2.97	1.80	4.27	n.a.	2.14	2.42

(a) Totals for 2010–11 include aggregate data supplied by Western Australia and 2007–08 data for the Northern Territory, where available. Numbers were rounded to the nearest 5 young people and therefore may not sum to total.

Notes

1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2010–11.
2. Age calculated as at start of the financial year if first period of detention began before the start of the financial year; otherwise, age calculated as at start of first period of detention.
3. Total includes young people of unknown Indigenous status.
4. Rates are number of young people per 1,000 relevant population.
5. Rates are not published where there were fewer than 5 young people.

Sources: ABS 2012b; Table D2.

Table 7.4: Young people aged 10–17 in detention by age, sex and Indigenous status, Australia (excluding Western Australia and the Northern Territory), 2010–11 (rate)

Indigenous status	10	11	12	13	14	15	16	17
Detention rate—average day								
Male								
Indigenous	n.p.	n.p.	0.98	3.14	6.58	11.47	16.51	14.02
Non-Indigenous	n.p.	n.p.	n.p.	0.05	0.24	0.46	0.80	0.97
Total	n.p.	n.p.	0.05	0.18	0.49	0.89	1.41	1.48
Female								
Indigenous	n.p.	n.p.	n.p.	n.p.	n.p.	1.31	2.19	1.24
Non-Indigenous	n.p.	n.p.	n.p.	n.p.	n.p.	0.05	0.07	0.05
Total	n.p.	n.p.	n.p.	n.p.	0.07	0.10	0.15	0.10
All young people								
Indigenous	n.p.	n.p.	0.61	1.88	3.75	6.53	9.54	7.81
Non-Indigenous	n.p.	n.p.	n.p.	0.03	0.14	0.26	0.44	0.52
Total	n.p.	n.p.	0.03	0.11	0.29	0.51	0.80	0.81
Detention rate—during the year								
Male								
Indigenous	1.39	2.63	10.27	22.54	43.70	61.58	77.09	58.88
Non-Indigenous	n.p.	0.04	0.22	0.97	1.99	3.50	5.00	4.88
Total	0.07	0.15	0.63	1.82	3.69	5.86	7.88	7.09
Female								
Indigenous	n.p.	n.p.	2.53	5.21	10.56	14.35	17.31	9.22
Non-Indigenous	n.p.	n.p.	0.06	0.21	0.72	0.87	0.89	0.59
Total	n.p.	n.p.	0.16	0.43	1.13	1.44	1.61	0.95
All young people								
Indigenous	0.92	1.54	6.48	14.03	27.36	38.61	48.00	34.74
Non-Indigenous	n.p.	0.02	0.14	0.60	1.37	2.22	3.01	2.80
Total	0.04	0.09	0.40	1.14	2.44	3.71	4.83	4.10

Notes

1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2010–11.
2. Age calculated as at start of the financial year if first period of supervision began before the start of the financial year; otherwise, age calculated as at start of first period of supervision.
3. Total includes young people of unknown Indigenous status.
4. Rates are number of young people per 1,000 relevant population.
5. Rates are not published where there were fewer than 5 young people.

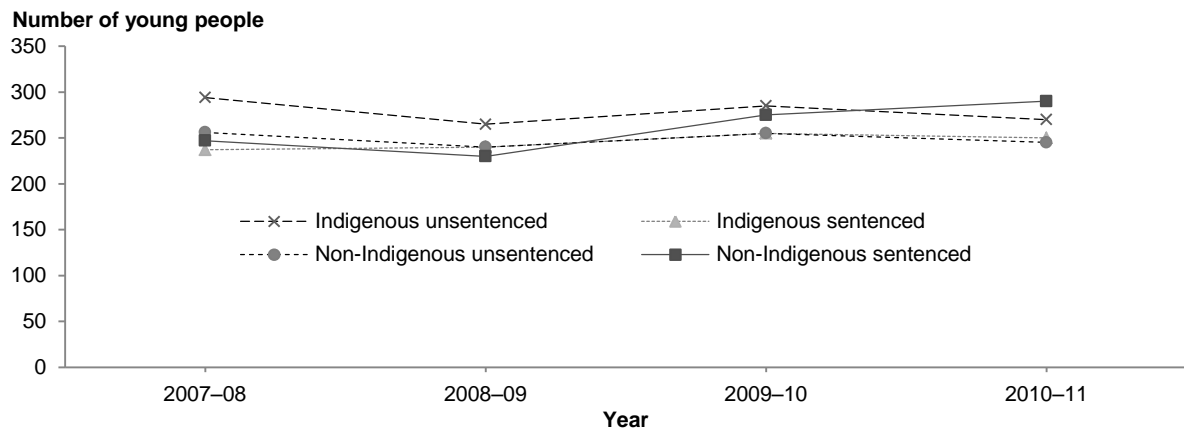
Sources: ABS 2012b; Table D1.

Trends

Over the 4-year period to 2010–11, the rate of young people aged 10–17 in detention remained relatively stable at around 0.4 per 1,000 an average day, and fluctuated around 2.3–2.5 per 1,000 during the year (including Western Australia and the Northern Territory) (tables 7.5 and D5). Among the states and territories for which data are available, there was

little change over the 4-year period, with most states and territories displaying only minor fluctuations from year to year.

Over the 4 years to 2010–11, there were small decreases in the numbers of both Indigenous and non-Indigenous young people in unsentenced detention on an average day (down 8% and 4%, respectively), while the numbers of Indigenous and non-Indigenous young people in sentenced detention increased (up 5% and 17%, respectively) (including Western Australia and the Northern Territory) (Figure 7.5). In 2010–11, non-Indigenous young people in sentenced detention were the largest group (290 young people), followed by Indigenous young people in unsentenced detention (270 young people).



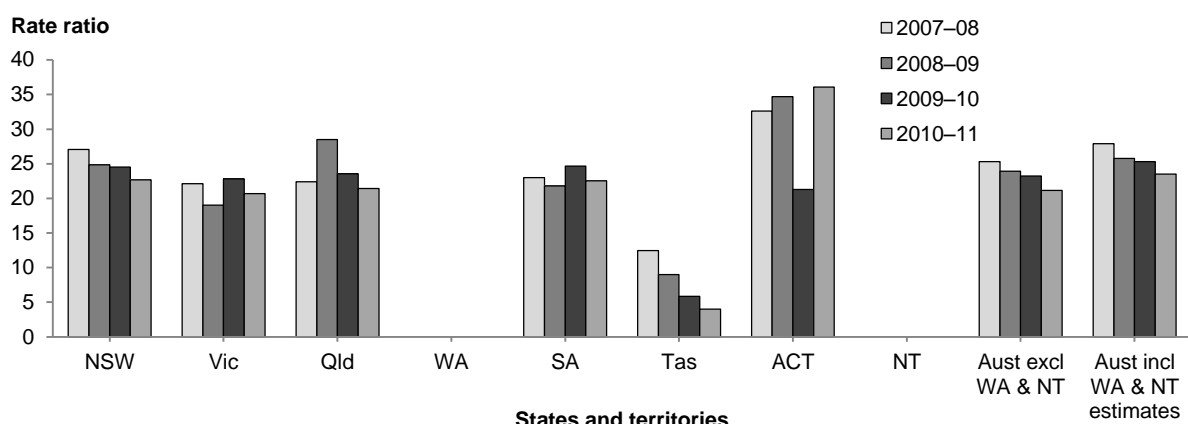
Note: Western Australia and the Northern Territory did not supply JJ NMDS data for 2008–09 to 2010–11. Totals for 2008–09 to 2010–11 include aggregate data supplied by Western Australia and 2007–08 data for the Northern Territory.

Source: Table D9.

Figure 7.5: Young people in detention on an average day by legal status and Indigenous status, Australia (including estimates for WA and NT), 2007-08 to 2010-11

Nationally, the level of Indigenous over-representation in detention fell steadily over the 4 years to 2010–11 (Figure 7.6). In 2007–08, an Indigenous young person aged 10–17 was 28 times as likely to be in detention as a non-Indigenous young person on an average day, while in 2010–11 they were 24 times as likely (including Western Australia and the Northern Territory). This change was driven by a decrease in the rate of Indigenous young people in detention over the 4-year period (from 4.7 to 4.0 per 1,000), while the rate of non-Indigenous young people in detention remained steady (just under 0.2 per 1,000 each year).

Over the 4-year period, there was an overall decrease in Indigenous over-representation in all states and territories except South Australia, where there was no change, and the Australian Capital Territory, where the rate ratio increased (excluding Western Australia and the Northern Territory). The greatest decrease in Indigenous over-representation was in Tasmania: in 2007–08, an Indigenous young person aged 10–17 in Tasmania was 12 times as likely to be in detention on an average day as a non-Indigenous young person, while in 2010–11 they were only 4 times as likely.



Notes

1. Western Australia and the Northern Territory did not supply JJ NMS data for 2008-09 to 2010-11.
2. Rate ratio calculated by dividing the Indigenous rate by the non-Indigenous rate.
3. Rates are not published where there were fewer than 5 young people.

Source: Table 7.5.

Figure 7.6: Levels of Indigenous over-representation among young people aged 10-17 in detention on an average day, states and territories, 2007-08 to 2010-11 (rate ratio)

Nationally, the rates of young men and young women aged 10-17 in detention on an average day remained relatively stable over the 4 years to 2010-11 (including Western Australia and the Northern Territory) (Table D8). Accordingly, there was little change in the rate ratio; each year, young men aged 10-17 were around 9 times as likely as young women to be in detention on an average day (Figure 7.7).

Over the 4 years to 2010-11, the level of over-representation of young men in detention remained relatively stable in New South Wales, Queensland and the Australian Capital Territory. In contrast, there were increases in the rate ratio in Victoria (from 7 to 14 times), South Australia (from 7 to 9 times) and Tasmania from 8 to 13 times).



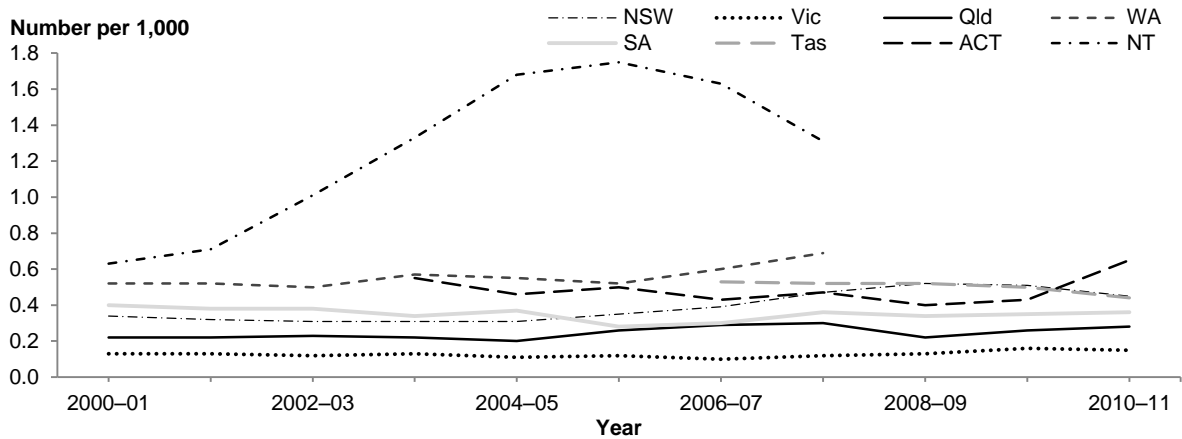
Note: Western Australia and the Northern Territory did not supply JJ NMDS data for 2008-09 to 2010-11.

Source: Table D8.

Figure 7.7: Rate ratio of young men to young women aged 10-17 in detention on an average day by age, states and territories, 2007-08 to 2010-11 (rate ratio)

Long-term trend data are also available for some states and territories. Between 2000-01 and 2010-11 there were slight increases in the rates of young people aged 10-17 in detention on an average day in New South Wales (from 0.3 to almost 0.5 per 1,000) and Queensland (0.2 to almost 0.3 per 1,000), while there was little change in Victoria (0.1 to less than 0.2 per 1,000) and South Australia (around 0.4 per 1,000) (Figure 7.8). However, rates tended to fluctuate slightly over the period in each state.

There was a small increase in the Australian Capital Territory between 2003-04 and 2010-11 (0.6 to 0.7 per 1,000), and a small decrease in Tasmania between 2006-07 and 2010-11 (0.5 to 0.4 per 1,000). Between 2000-01 and 2007-08, the rate of detention in Northern Territory more than doubled (0.6 to 1.3 per 1,000), while the rate of detention in Western Australia increased (0.5 to 0.7 per 1,000).



Notes

1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2008-09 to 2010-11.
2. JJ NMDS data are not available for Tasmania before 2006-07 and the Australian Capital Territory before 2003-04.

Source: Table D5.

Figure 7.8: Young people in detention on an average day, states and territories, 2000-01 to 2010-11 (rate)

Table 7.5: Young people aged 10–17 in detention on an average day by Indigenous status, states and territories, 2007–08 to 2010–11 (rate)

Indigenous status	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust excl WA & NT	Aust incl WA & NT ^(a)
2007–08										
Indigenous	5.95	2.21	2.91	8.88	4.83	3.61	8.81	2.86	4.30	4.74
Non-Indigenous	0.22	0.10	0.13	0.19	0.21	0.29	0.27	n.p.	0.17	0.17
Rate ratio	27.05	22.10	22.38	46.74	23.00	12.45	32.63	n.p.	25.29	27.88
Total	0.47	0.12	0.30	0.69	0.36	0.52	0.47	1.31	0.33	0.38
2008–09										
Indigenous	6.21	2.09	2.28	n.a.	4.36	2.97	7.63	n.a.	4.07	4.12
Non-Indigenous	0.25	0.11	0.08	n.a.	0.20	0.33	0.22	n.a.	0.17	0.16
Rate ratio	24.84	19.00	28.50	n.a.	21.80	9.00	34.68	n.a.	23.94	25.75
Total	0.52	0.13	0.22	n.a.	0.34	0.52	0.40	n.a.	0.33	0.34
2009–10										
Indigenous	6.13	2.74	2.59	n.a.	4.69	2.23	6.18	n.a.	4.18	4.30
Non-Indigenous	0.25	0.12	0.11	n.a.	0.19	0.38	0.29	n.a.	0.18	0.17
Rate ratio	24.52	22.83	23.55	n.a.	24.68	5.87	21.31	n.a.	23.22	25.29
Total	0.51	0.16	0.26	n.a.	0.35	0.50	0.43	n.a.	0.34	0.36
2010–11										
Indigenous	5.22	2.48	2.57	n.a.	4.51	1.48	12.62	n.a.	3.81	4.00
Non-Indigenous	0.23	0.12	0.12	n.a.	0.20	0.37	0.35	n.a.	0.18	0.17
Rate ratio	22.70	20.67	21.42	n.a.	22.55	4.00	36.06	n.a.	21.17	23.53
Total	0.45	0.15	0.28	n.a.	0.36	0.44	0.65	n.a.	0.33	0.35

(a) Totals for 2008–09 to 2010–11 include aggregate data supplied by Western Australia and 2007–08 data for the Northern Territory, where available.

Notes

1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2008–09 to 2010–11.
2. Age calculated as at start of the financial year if first period of detention began before the start of the financial year; otherwise, age calculated as at start of first period of detention.
3. Total includes young people of unknown Indigenous status.
4. Rates are number of young people per 1,000 relevant population.
5. Rates are not published where there were fewer than 5 young people.
6. Rate ratio calculated by dividing the Indigenous rate by the non-Indigenous rate.
7. Trend data may differ from those previously published due to data revisions.

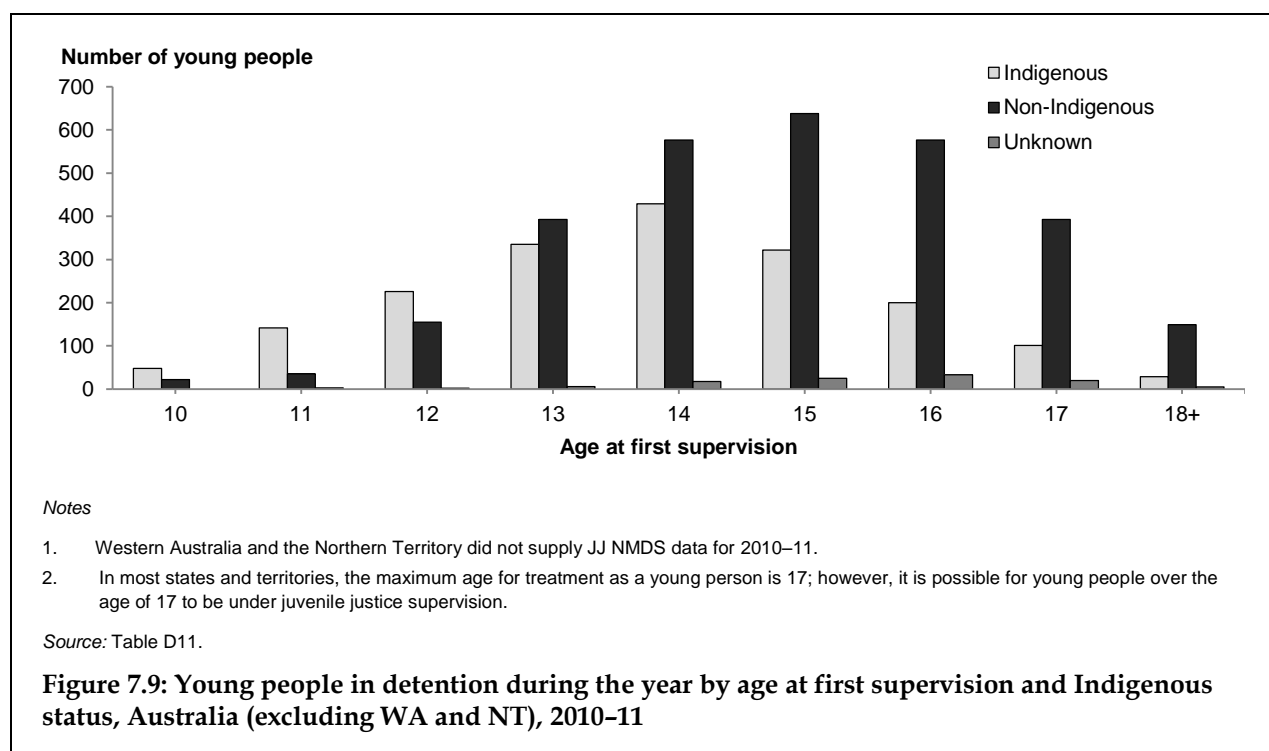
Sources: ABS 2012b; Table D3.

7.3 First supervision and first detention

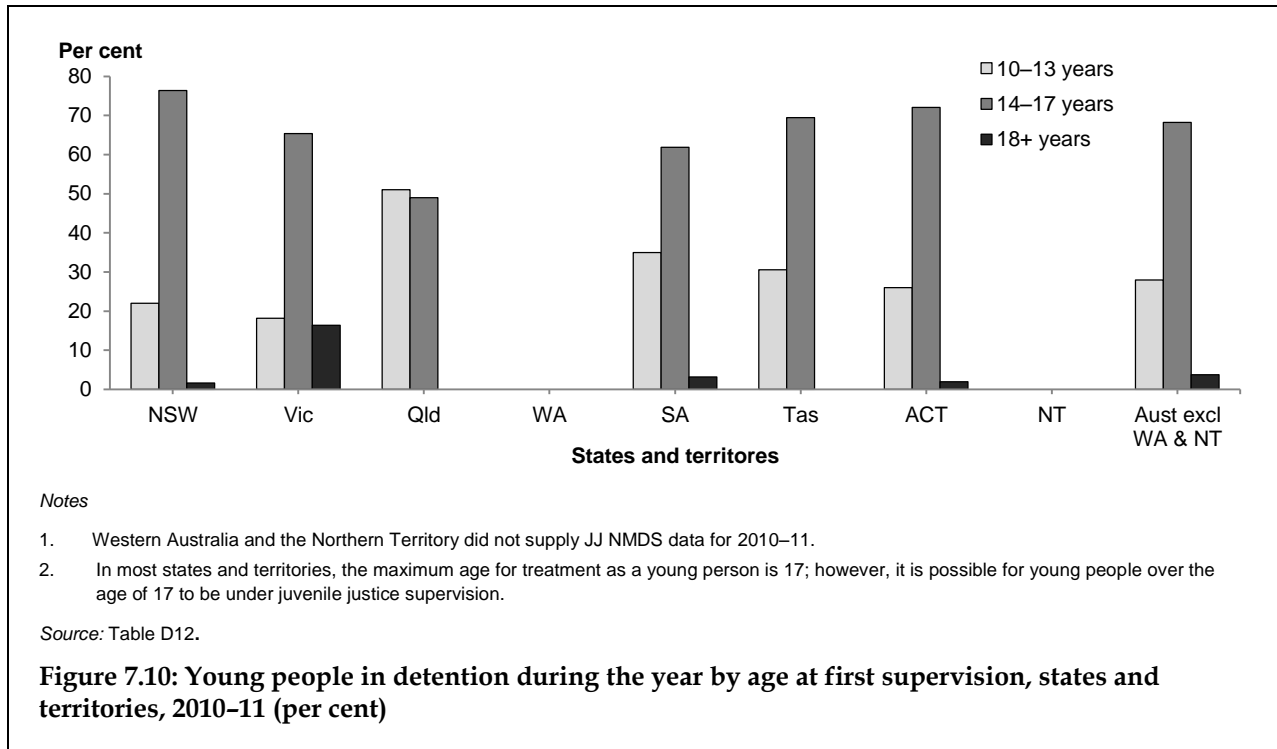
First supervision

More than 3 in 5 (63%) young people in detention during 2010–11 had been under supervision (either community-based supervision or detention) during a previous year, with the remainder (37%) being new entrants to supervision (Western Australia and the Northern Territory did not supply JJ NMDS data for 2010–11 and are not included in this section) (Table D10). Among the states and territories for which JJ NMDS data were supplied, Queensland had the smallest proportion of new entrants (22%) while the Australian Capital Territory had the largest (45%).

Around two-thirds (68%) of young people in detention during the year were first supervised when they were aged 14–17 (Figure 7.9). On average, Indigenous young people in detention tended to have entered supervision at a younger age than non-Indigenous young people, with a median entry age of 14 compared with 15 for non-Indigenous young people. Around 2 in 5 (41%) Indigenous young people in detention had been first supervised when they were aged 10–13, compared with about 1 in 5 (21%) non-Indigenous young people.



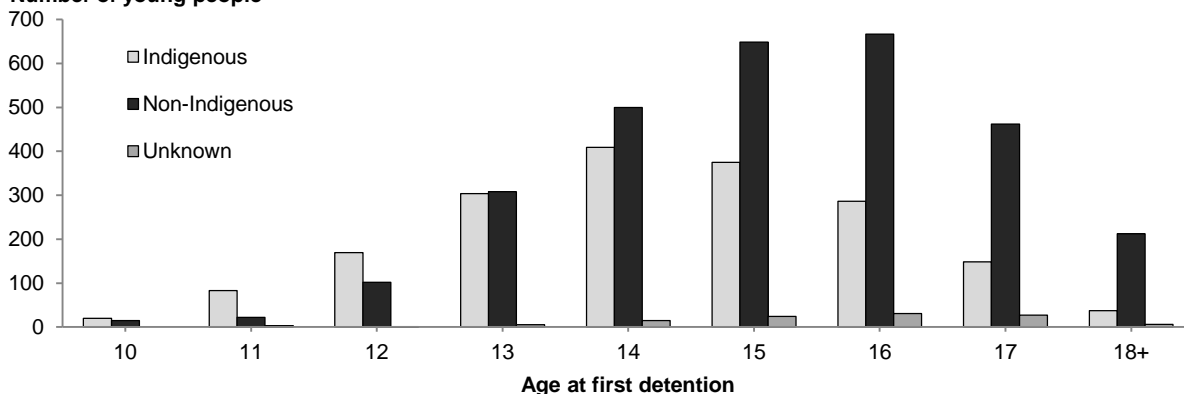
Similar patterns were found in most states and territories (Figure 7.10). Around half (51%) of young people in detention in Queensland during 2010–11 had first entered supervision aged 10–13, which in part may be due to the lower age of adult criminal responsibility in that state (age 17 and over). Victoria had the largest proportion of young people in detention who had first entered supervision aged 18 and over (16%), which is likely due to the ‘dual track’ sentencing system.



First detention

Among those under supervision in 2010-11, the age at first detention followed a similar pattern to the age at first supervision (Western Australia and the Northern Territory did not supply JJ NMDS data for 2010-11 and are not included in this section) (Figure 7.11). Indigenous young people in detention during 2010-11 had experienced their first detention at younger ages, on average, than non-Indigenous young people: the median age of a non-Indigenous young person's first detention was 15, compared with 14 for an Indigenous young person (Table D13). Almost one-third (31%) of Indigenous young people in detention during 2010-11 had first entered detention aged 10-13, compared with 15% of non-Indigenous young people.

Number of young people



Notes

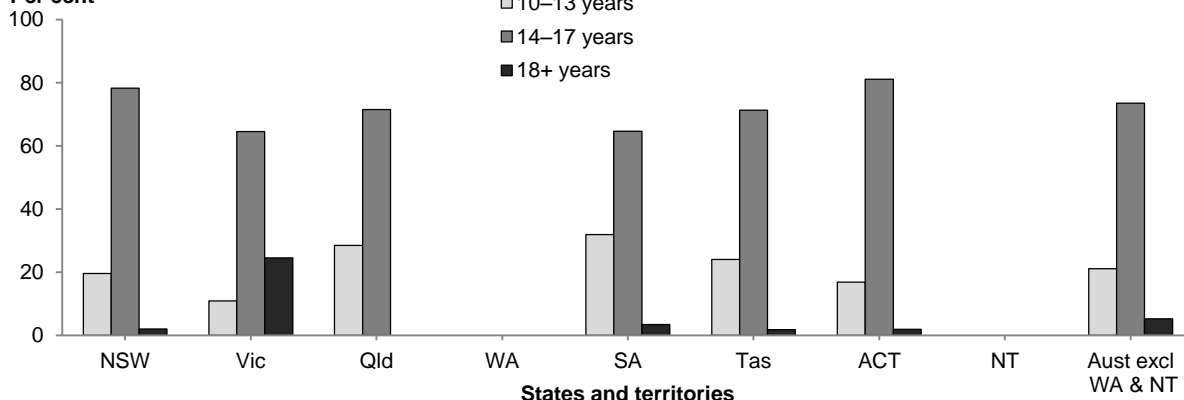
1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2010–11.
2. In most states and territories, the maximum age for treatment as a young person is 17; however, it is possible for young people over the age of 17 to be under juvenile justice supervision.

Source: Table D13.

Figure 7.11: Young people in detention during the year by age at first detention and Indigenous status, Australia (excluding WA and NT), 2010–11

Among the states and territories, the proportion of young people in detention who had first entered detention aged 10–13 ranged from 11% in Victoria to 32% in South Australia (Figure 7.12). The proportion of young people in detention who first entered detention aged 14–17 ranged from 65% in Victoria and South Australia to 81% in the Australian Capital Territory. One-quarter (25%) of young people in detention in Victoria had first entered juvenile detention when they were aged 18 years and over, compared with less than 4% in all other states and territories.

Per cent



Notes

1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2010–11.
2. In most states and territories, the maximum age for treatment as a young person is 17; however, it is possible for young people over the age of 17 to be under juvenile justice supervision.

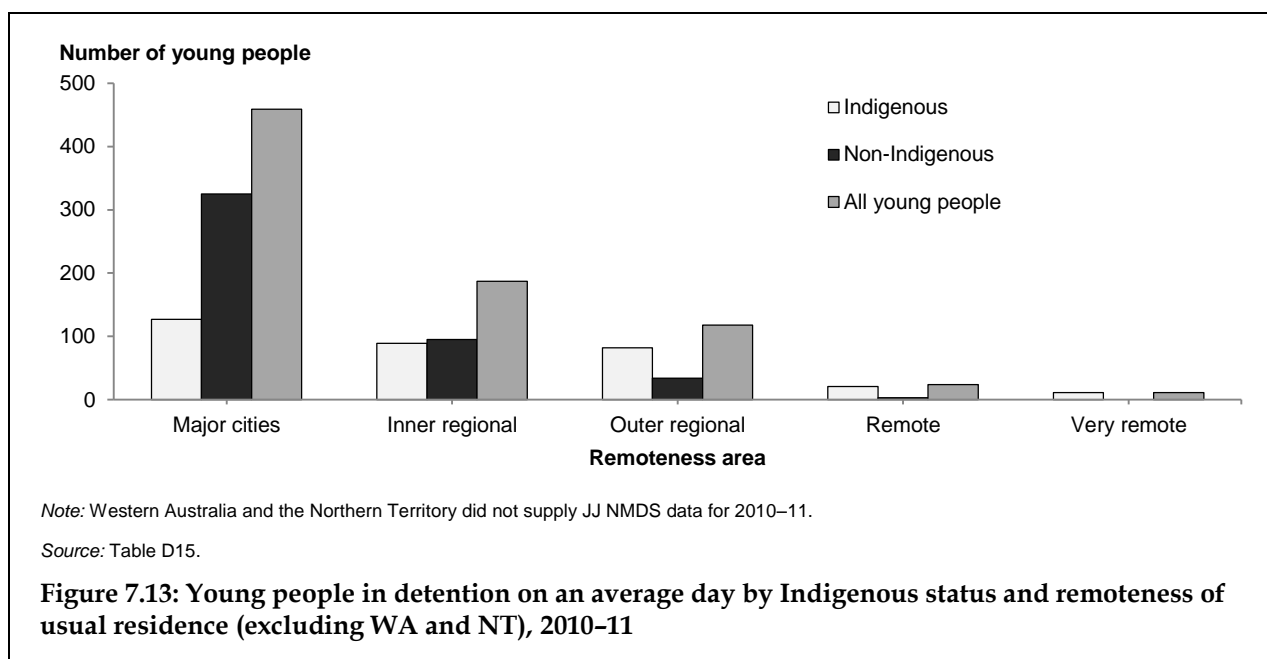
Sources: Tables 7.1 and D14.

Figure 7.12: Young people in detention during the year by age at first detention, states and territories, 2010–11 (per cent)

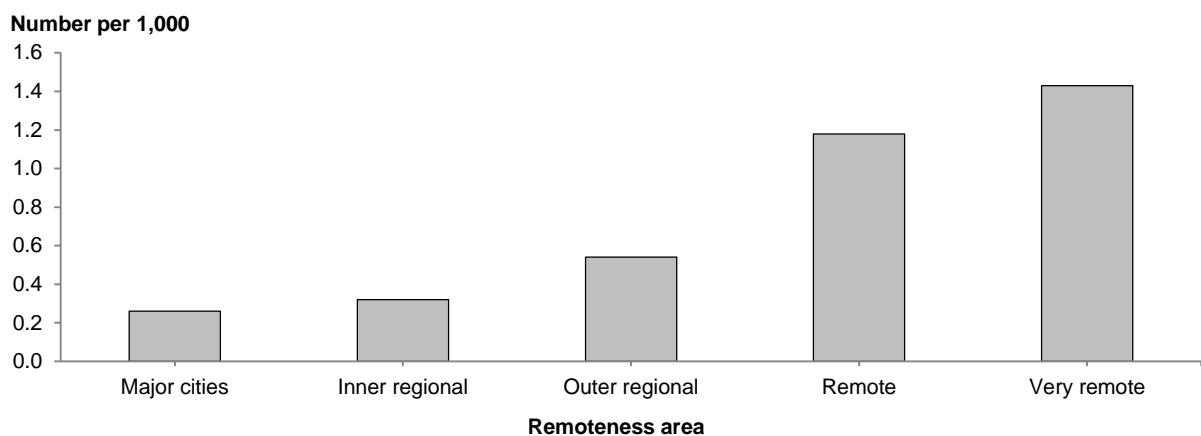
7.4 Remoteness of usual residence

Most young people in detention in 2010–11 were from cities and regional areas (Western Australia and the Northern Territory did not supply JJ NMDS data for 2010–11 and are not included in this section) (Figure 7.13). More than half (55%) of young people in detention on an average day were from *Major cities*, 22% were from *Inner regional* areas and 14% were from *Outer regional* areas. Only 4% (35 young people) of young people in detention on an average day had lived in *Remote* and *Very remote* areas before entering supervision (information about remoteness area of usual residence was not available for 4% of young people). Proportions were similar when all young people in detention during the year are considered (Table D15).

Indigenous young people in detention were more likely than non-Indigenous young people to be from *Remote* and *Very remote* areas. In 2010–11, almost 1 in 10 (9%) Indigenous young people in detention on an average day had lived in *Remote* and *Very remote* areas, compared with less than 1% of non-Indigenous young people. In addition, around one-quarter (24%) of Indigenous young people in detention had lived in *Outer Regional* areas, compared with only 7% of non-Indigenous young people.



The likelihood of young people entering detention increased with increasing remoteness (Figure 7.14). On an average day in 2010–11, young people aged 10–17 from *Remote* and *Very remote* areas were the most likely to be in detention (1.4 and 1.2 per 1,000, respectively), while those from *Major cities* were the least likely (0.3 per 1,000). This means that young people from *Very remote* areas were almost 6 times as likely as those from *Major cities* to be in detention on an average day, while young people from *Remote* areas were almost 5 times as likely.



Notes

1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2010–11.
2. Rates are number of young people per 1,000 relevant population.

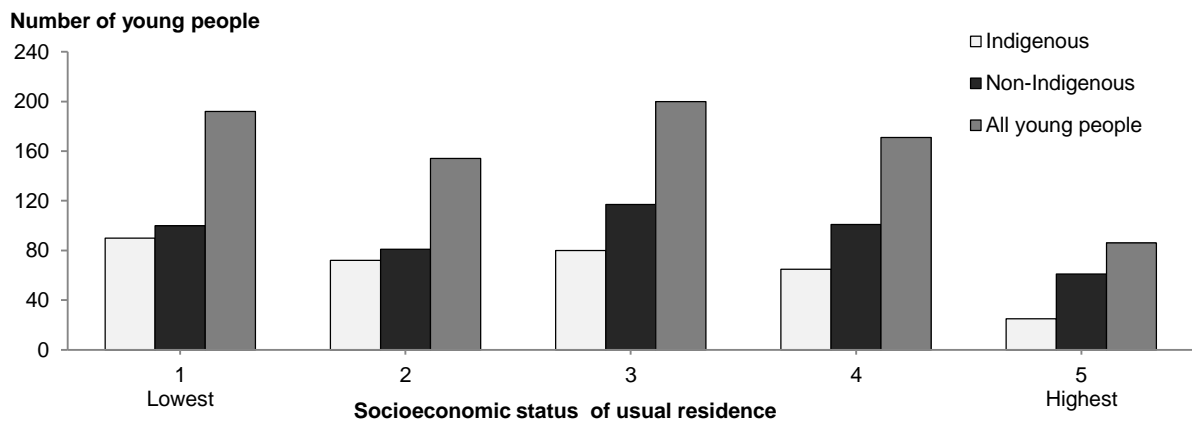
Source: Table D16.

Figure 7.14: Young people aged 10–17 in detention on an average day by remoteness of usual residence, Australia (excluding WA and NT), 2010–11 (rate)

7.5 Socioeconomic status of usual residence

Young people from areas of higher socioeconomic status were less likely than young people from lower socioeconomic areas to be in detention (Western Australia and the Northern Territory did not supply JJ NMDS data for 2010–11 and are not included in this section). On an average day in 2010–11, just 10% of young people in detention were from areas of the highest socioeconomic status, compared with 23% from the areas of the lowest socioeconomic status (Figure 7.15) (data on socioeconomic status of usual residence was not available for around 4% of young people in detention).

Indigenous young people in detention were more likely than non-Indigenous young people to be from an area of low socioeconomic status. Around one-quarter (26%) of Indigenous young people in detention on an average day were from areas of the lowest socioeconomic status compared with around one-fifth (21%) of non-Indigenous young people. Only 7% of young Indigenous people in detention on an average day were from the highest socioeconomic status compared with 13% of non-Indigenous young people.

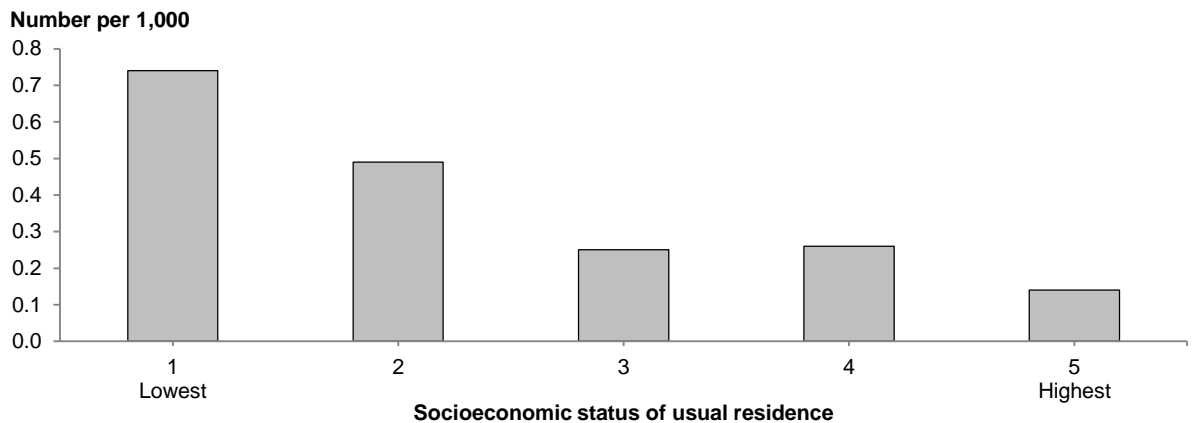


Note: Western Australia and the Northern Territory did not supply JJ NMDS data for 2010–11.

Source: Table D17.

Figure 7.15: Young people in detention on an average day by Indigenous status and socioeconomic status of usual residence, Australia (excluding WA and NT), 2010–11

There was an inverse relationship between socioeconomic status and the rate of detention, with young people from areas of lower socioeconomic status more likely to be in detention than those from areas of higher socioeconomic status (Figure 7.16). In 2010–11, there were 0.7 young people aged 10–17 per 1,000 from the areas of lowest socioeconomic status in detention on an average day compared with 0.1 young people per 1,000 from the areas of highest socioeconomic status. Young people from the lowest socioeconomic areas in Australia were therefore 5 times as likely as young people from the highest socioeconomic areas to be in detention on an average day.



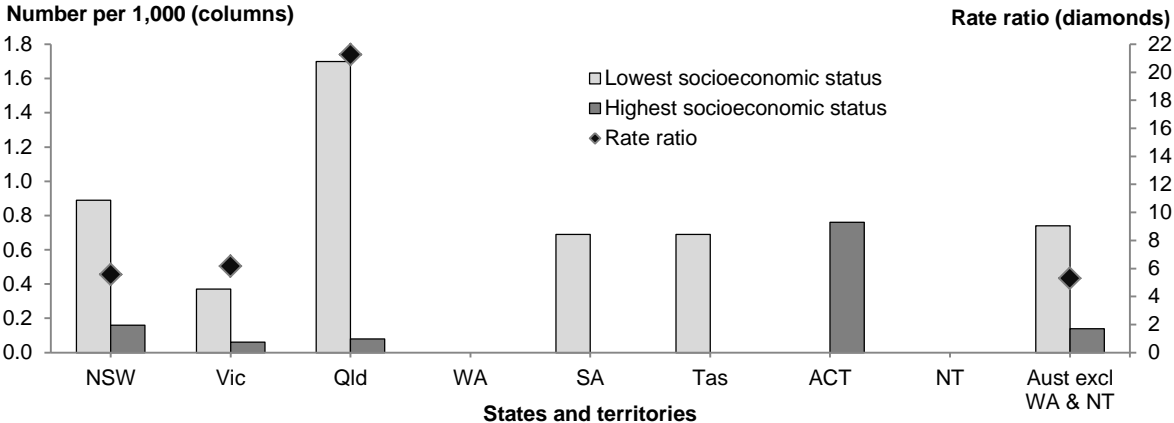
Notes

1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2010–11.
2. Rates are number of young people per 1,000 relevant population.

Source: Table D18.

Figure 7.16: Young people aged 10–17 in detention on an average day by socioeconomic status of usual residence, Australia (excluding WA and NT), 2010–11 (rate)

This pattern occurred in all states and territories for which data are available (note that not all states and territories have populations in both the highest and lowest areas of socioeconomic status). In New South Wales and Victoria, young people from the areas of lowest socioeconomic status were around 6 times as likely as those from the areas of highest socioeconomic status to be in detention on an average day (small numbers mean that data for Queensland and Victoria should be interpreted with caution) (Figure 7.17).



Notes

1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2010–11.
2. Rate ratio calculated by dividing the Indigenous rate by the non-Indigenous rate.
3. Rate ratios were not calculated for states and territories without young people in both the highest and the lowest areas of socioeconomic status.
4. Rates are not published where there were fewer than 5 young people.

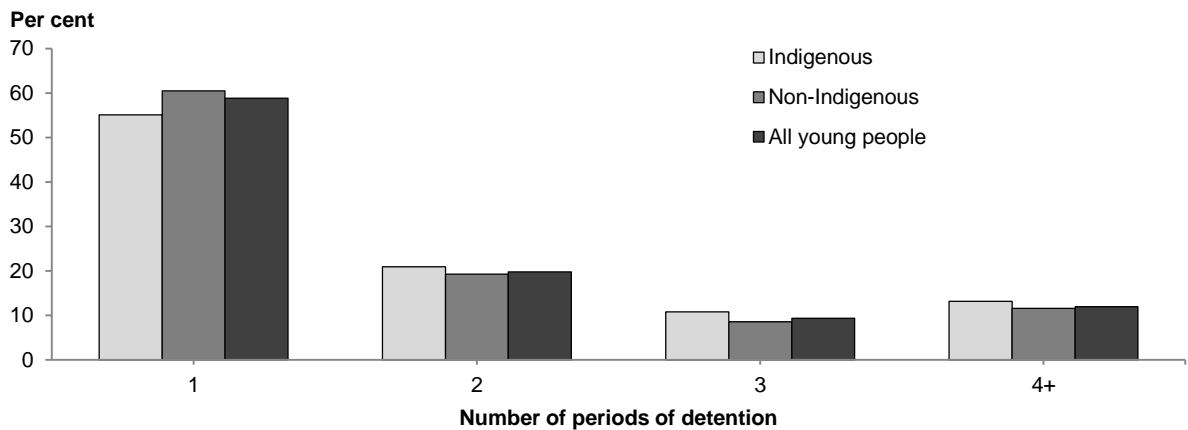
Source: Table D18.

Figure 7.17: Young people aged 10–17 in detention on an average day by socioeconomic status of usual residence, states and territories, 2010–11 (rate)

7.6 Time in detention

In 2010–11, nearly all (94%) young people who were in detention had completed at least one period of detention by the end of the year, including periods that may have started before 2010–11 (Western Australia and the Northern Territory did not supply JJ NMDS data for 2010–11 and are not included in this section) (tables 7.1 and D19).

Among those who had completed at least one period of detention during the year, 4 in 10 (41%) young people had completed more than one period of detention during the year, and around 1 in 10 (12%) had completed four or more periods. Indigenous young people who had completed at least one period of detention were more likely than non-Indigenous young people to have completed multiple periods during the year (45% compared with 39%).



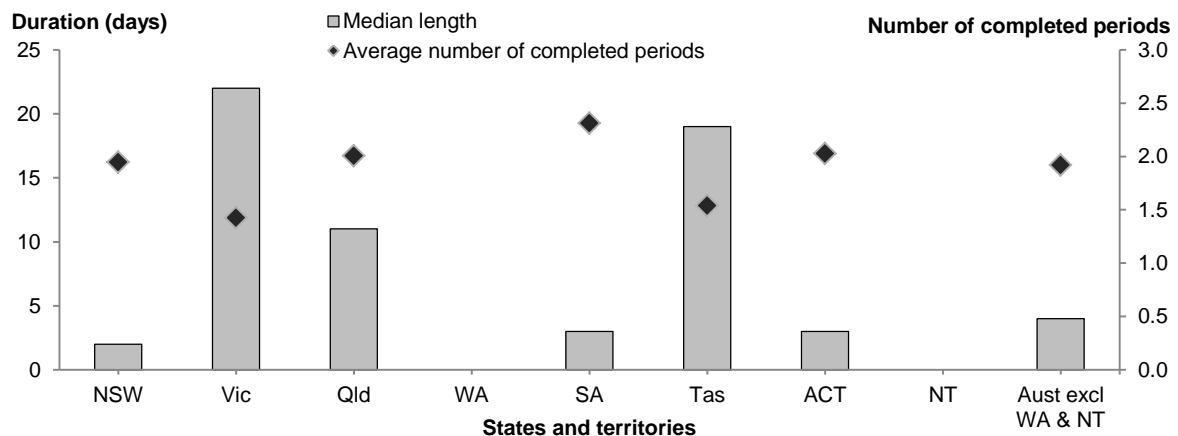
Note: Western Australia and the Northern Territory did not supply JJ NMDS data for 2010–11.

Source: Table D19.

Figure 7.18: Young people who completed a period of detention during the year by number of periods completed and Indigenous status, Australia (excluding WA and NT), 2010–11 (per cent)

In 2010–11, the median length of completed detention periods was 4 days, and an average of 1.9 periods were completed by those who completed at least one period during the year (Figure 7.19).

In general, there was an inverse relationship between the average number of completed periods and the median length of completed periods among the states and territories. Completed periods of detention were shortest in New South Wales (2 days), South Australia (3 days) and the Australian Capital Territory (3 days), while the average numbers of periods completed during the year were among the highest (1.9, 2.3 and 2.0 per young person, respectively). Completed periods of detention were longest in Victoria and Tasmania (22 and 19 days, respectively) and the average numbers of periods completed during the year were lowest (1.4 and 1.5).



Note: Western Australia and the Northern Territory did not supply JJ NMDS data for 2010–11.

Source: Table D20.

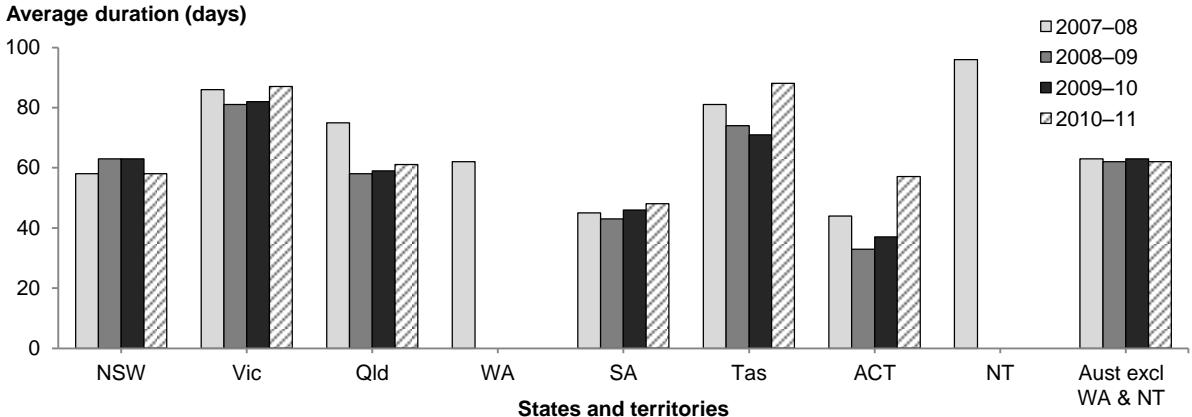
Figure 7.19: Median length and average number of completed periods of detention, states and territories, 2010–11

On average, periods of detention that were completed by Indigenous young people during 2010–11 were more than double the duration of those completed by non-Indigenous young people (median length of 7 days compared with 3 days) (Table D20). The median duration of completed periods for Indigenous young people was greater than for non-Indigenous young people in all states and territories except South Australia, where there was no difference.

Indigenous young people also completed slightly more periods of detention than non-Indigenous young people (2.0 compared with 1.9), although this was not the case in all states and territories.

When all periods of detention are considered, young people spent a total of 62 days, or 2 months, on average, in detention during the year (Figure 7.20). Over the 4 years to 2010–11, the average time young people spent in detention during the year remained stable (62–63 days each year).

Among the states and territories, the average time young people spent in detention during 2010–11 ranged from almost 7 weeks (48 days) in South Australia to almost 13 weeks (88 days) in Tasmania. Between 2007–08 and 2010–11, there was little change in the total time spent in detention among the states and territories, with increases in the Australian Capital Territory (up 13 days) and Tasmania (up 7 days). Queensland was the only state or territory with a decrease in the average total time in detention (down 14 days).



Note: Western Australia and the Northern Territory did not supply JJ NMDS data for 2008–09 to 2010–11.

Source: Table D21.

Figure 7.20: Average (mean) length of time young people spent in detention during the year, states and territories, 2007–08 to 2010–11 (days)

Nationally, Indigenous young people in detention during 2010–11 spent, on average, 9 days longer in detention during the year than non-Indigenous young people (68 days compared with 59 days) (Table D21). Indigenous young people in detention spent longer in detention during the year than non-Indigenous young people in all states and territories for which data are available, with the difference ranging from 7 days longer in Victoria to 38 days longer in the Australian Capital Territory.

Between 2007–08 and 2010–11, the difference between Indigenous and non-Indigenous young people in the average total time spent in detention decreased from 19 days in 2007–08 and 20 days in 2008–09 to 9 days in 2010–11. The difference decreased in New South Wales (from 29 to 17 days), South Australia (from 16 to 8 days), Tasmania (55 to 10 days) and the Australian Capital Territory (41 to 38 days).

7.7 Reception and release

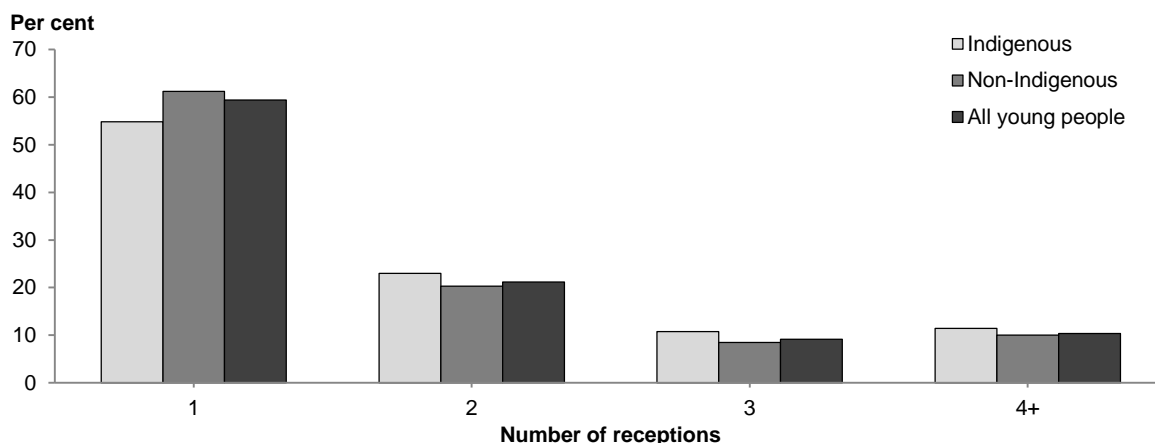
A reception occurs when a young person enters detention having not been detained immediately before, while a release occurs when a young person leaves detention and is not detained immediately after (see Appendix 2). A change in legal status, for example from unsentenced to sentenced detention, is not counted as a new reception.

Most (88%) young people in detention during 2010–11 were received into detention at some time during the year (Western Australia and the Northern Territory did not supply JJ NMDS data for 2010–11 and are not included in this section) (tables 7.1 and D22). Young people who were received into detention at least once during 2010–11 experienced 1.8 receptions during the year on average (Table D22). Most receptions (94%) were for young people entering unsentenced detention, with around 26% of all receptions for police-referred detention (before an initial court appearance), and 68% for remand (post-court appearance).

Receptions to sentenced detention comprised only 6% of all receptions during 2010–11, and although 1,484 young people were in sentenced detention at some time during the year, only 465 were received into sentenced detention (tables 7.6 and D22). This indicates that most young people in sentenced detention during the year were either received into sentenced detention in earlier years, or were detained on an unsentenced order immediately before being sentenced to detention.

Similarly, most young people (93%) who were in detention in 2010–11 experienced at least one release from detention during the year, and those who were released at least once experienced, on average, 1.7 releases (tables 7.6 and D23). As with receptions, the majority (84%) of releases were from unsentenced detention – 18% from police-referred detention and 66% from remand. A greater proportion of releases were from sentenced detention than receptions (16% compared with 6%).

Around 3 in 5 (59%) young people received into detention during 2010–11 experienced only one reception during the year, 1 in 5 (21%) experienced two receptions, and a further 1 in 5 experienced three or more (19%) (Figure 7.21). Indigenous young people were slightly more likely than non-Indigenous young people to have experienced multiple receptions into detention during the year (45% and 39%, respectively).

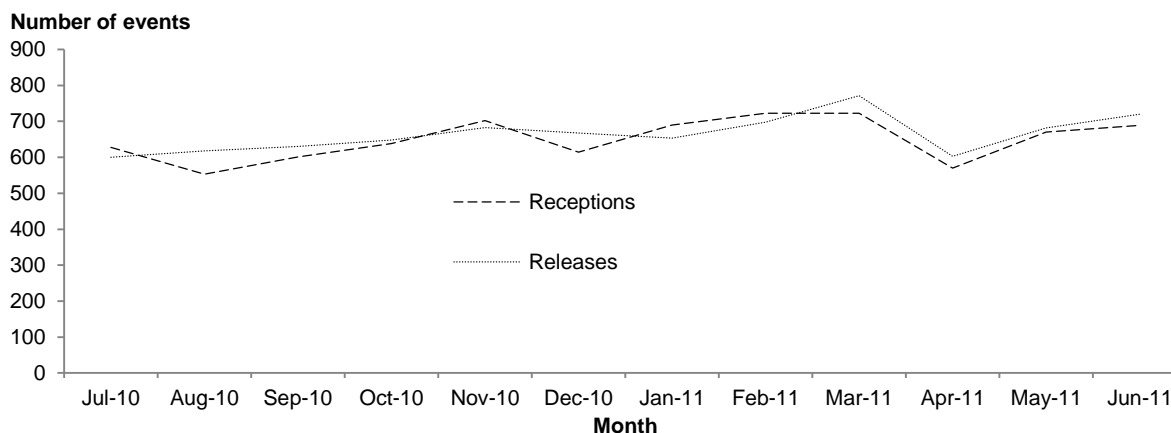


Note: Western Australia and the Northern Territory did not supply JJ NMDS data for 2010–11.

Source: Table D24.

Figure 7.21: Young people received into detention during the year, number of receptions by Indigenous status, Australia (excluding WA and NT), 2010–11 (per cent)

During 2010–11, there were very similar numbers of receptions and releases in each month (Figure 7.22). The monthly number of receptions was lowest in August 2010 (553), and highest in February and March 2011 (723), while the number of releases was lowest in July 2010 (600) and highest in March 2011 (771).



Note: Western Australia and the Northern Territory did not supply JJ NMDS data for 2010–11.

Source: Table D25.

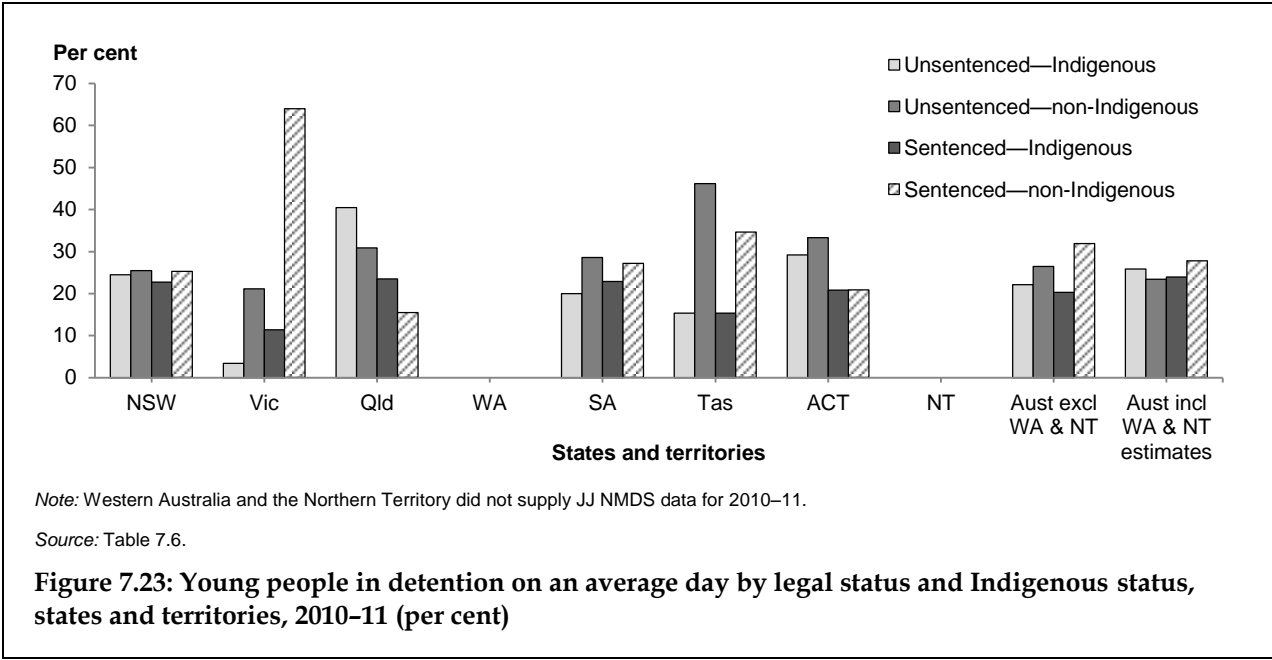
Figure 7.22: Monthly trends in detention receptions and releases, Australia (excluding WA and NT), 2010–11

7.8 Legal status

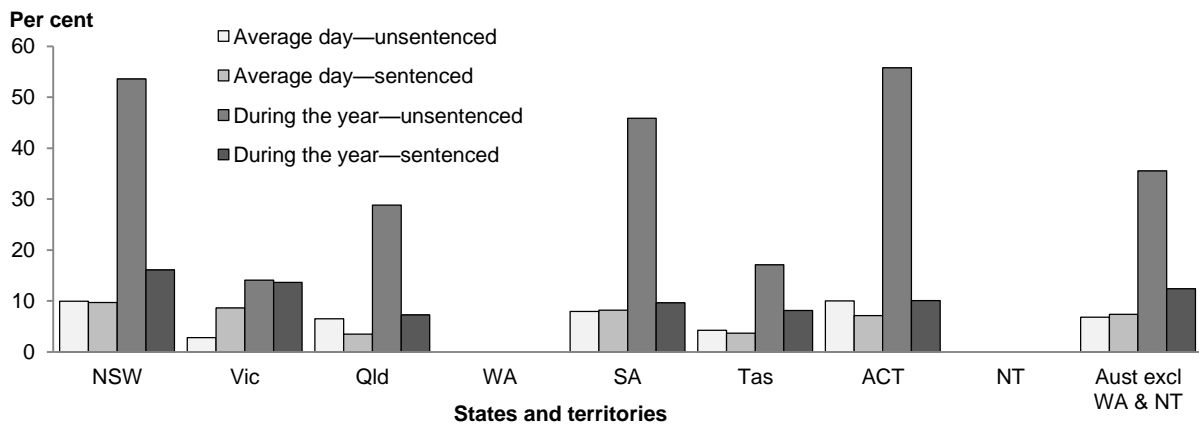
Half (50%) of all young people in detention on an average day in 2010–11 were unsentenced (including estimates for Western Australia and the Northern Territory) (Table 7.6). This proportion was similar (49%) when Western Australia and the Northern Territory are not included.

However, there were substantial variations in the proportions of young people in detention who were unsentenced among the states and territories for which JJ NMDS data are available. In New South Wales and South Australia, around half of all young people in detention on an average day were unsentenced (51% and 50%), while in Queensland, Tasmania and the Australian Capital Territory, young people were more likely to be unsentenced than sentenced (71%, 58% and 58% unsentenced, respectively). Victoria was the only jurisdiction in which young people were more likely to be sentenced than unsentenced, with only one-quarter (25%) of young people in detention unsentenced. However, this is in part due to the 'dual track' sentencing system operating for those aged 18–20; among young people aged 10–17 in detention in Victoria on an average day, around half (51%) were unsentenced (tables 7.1 and D28).

Nationally, there were similar numbers of sentenced and unsentenced, Indigenous and non-Indigenous young people in detention on an average day in 2010–11 (including estimates for Western Australia and the Northern Territory) (Figure 7.23). However, this pattern occurred only in New South Wales and South Australia (excluding Western Australia and the Northern Territory). In Victoria, almost two-thirds (64%) of young people in detention on an average day were sentenced non-Indigenous young people, while almost half (46%) of those in Tasmania were unsentenced non-Indigenous young people. Queensland had the highest proportion of unsentenced Indigenous young people in detention.



The difference between the proportions of young people in detention on an average day and during the year highlights the typically short duration of periods of detention, particularly unsentenced detention. On an average day in 2010–11, only around 7% of young people under juvenile justice supervision were in sentenced detention and 7% were in unsentenced detention (excluding Western Australia and the Northern Territory) (Figure 7.22). However, more than one-third (36%) of young people under supervision during 2010–11 were in unsentenced detention at some time during the year, while 12% were in sentenced detention.

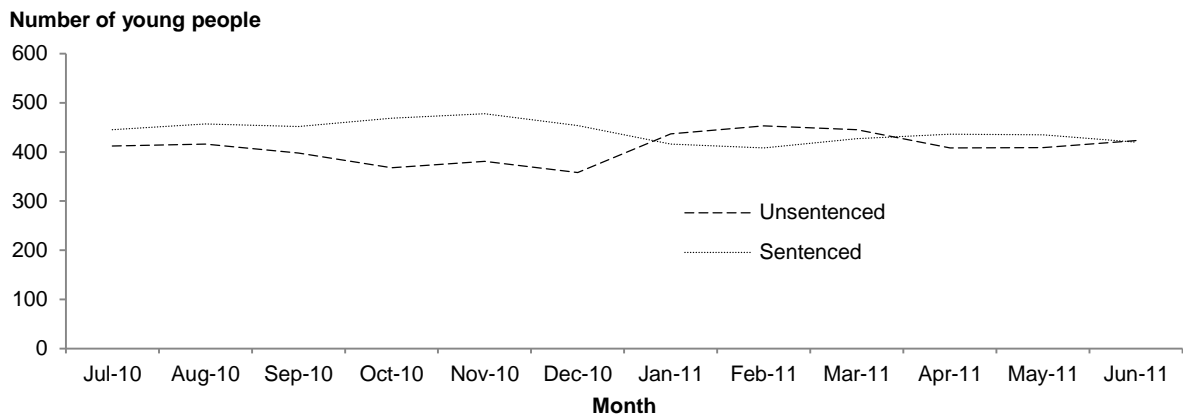


Note: Western Australia and the Northern Territory did not supply JJ NMDS data for 2010–11.

Sources: Tables 4.1 and 7.6.

Figure 7.24: Young people in unsentenced and sentenced detention as a proportion of all young people under supervision (average day and during the year), states and territories, 2010–11 (per cent)

During most months of 2010–11, the average daily number of young people in sentenced detention was higher than unsentenced detention, with the greatest difference in October 2010 (368 young people in unsentenced detention compared with 469 in sentenced detention) (excluding Western Australia and the Northern Territory) (Figure 7.25). The number of young people in sentenced detention on an average day was highest in November 2010 (478 young people), while the number in unsentenced detention was highest in February 2011 (453).



Note: Western Australia and the Northern Territory did not supply JJ NMDS data for 2010–11.

Source: Table D27.

Figure 7.25: Average daily detention population by month and legal status, Australia (excluding WA and NT), 2010–11

Table 7.6: Young people in detention by legal status, states and territories (excluding WA and NT), 2010–11

Indigenous status	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust excl WA & NT	Aust incl WA & NT ^(a)
Number of young people—average day^(b)										
Unsentenced										
Indigenous	98	6	55	n.a.	14	4	7	n.a.	184	270
Non-Indigenous	102	37	42	n.a.	20	12	8	n.a.	220	245
Total	203	43	97	n.a.	35	15	14	n.a.	408	525
Sentenced										
Indigenous	91	20	32	n.a.	16	4	5	n.a.	169	250
Non-Indigenous	101	112	21	n.a.	19	9	5	n.a.	265	290
Total	198	132	52	n.a.	36	13	10	n.a.	441	545
All young people^(c)										
Indigenous	188	27	78	n.a.	31	7	12	n.a.	342	500
Non-Indigenous	202	149	57	n.a.	39	19	13	n.a.	478	535
Total	400	175	136	n.a.	70	26	24	n.a.	832	1,045
Number of young people—during the year										
Unsentenced										
Indigenous	911	67	409	n.a.	188	23	48	n.a.	1,646	n.a.
Non-Indigenous	1,321	367	357	n.a.	284	76	102	n.a.	2,507	n.a.
Total	2,313	435	769	n.a.	487	99	150	n.a.	4,253	n.a.
Sentenced										
Indigenous	339	58	121	n.a.	46	13	12	n.a.	589	n.a.
Non-Indigenous	337	361	73	n.a.	54	34	15	n.a.	874	n.a.
Total	694	420	194	n.a.	102	47	27	n.a.	1,484	n.a.
All young people^(c)										
Indigenous	1,006	104	436	n.a.	209	26	51	n.a.	1,832	2,620
Non-Indigenous	1,440	631	376	n.a.	307	82	103	n.a.	2,939	3,385
Total	2,537	737	815	1,100	532	108	154	135	4,883	6,120

(a) Totals for 2010–11 include aggregate data supplied by Western Australia and 2007–08 data for the Northern Territory, where available. Numbers were rounded to the nearest 5 young people and therefore may not sum to the total.

(b) Number of young people on an average day may not sum to total due to rounding.

(c) 'All young people' includes young people with an order type of 'other'.

Notes

1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2010–11.
2. Total includes young people of unknown sex and Indigenous status.
3. Number of unsentenced and sentenced young people may not sum to total as some young people may have been both unsentenced and sentenced during the year.

7.9 Unsenteded detention

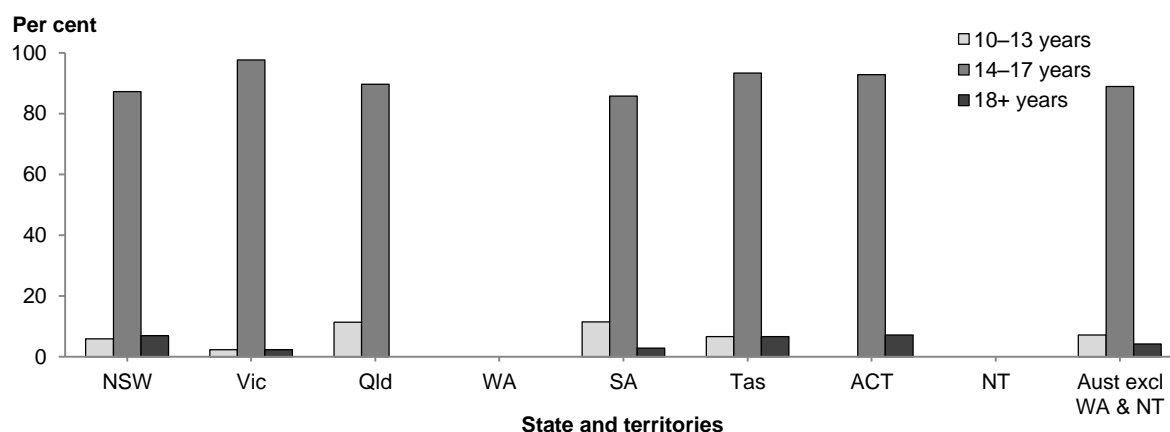
This section focuses on young people in unsenteded detention. Unsenteded detention refers to all young people in detention who have not been senteded, and includes young people who have been placed in detention following a police referral, along with those in detention following a court referral (known as remand). Police-referred detention is not available in all states and territories, and most of those in unsenteded detention on an average day are on remand.

Excluding Western Australia and the Northern Territory, there were 408 young people in unsenteded detention on an average day in 2010–11, which equates to around half (49%) of all young people in detention (Western Australia and the Northern Territory did not supply JJ NMDS data for 2010–11 and are not included in this section) (Table 7.6). Almost all (97%) young people in unsenteded detention were in remand, with the remainder in police-referred detention (Table D42).

Most (89%) young people in unsenteded detention on an average day were aged 14–17, 7% were aged 10–13 and only 4% were aged 18 and over (Figure 7.26). The proportion in unsenteded detention who were aged 14–17 was similar in all states and territories, ranging from 86% in South Australia to 98% in Victoria. Nationally, there were just 29 young people aged 10–13 in unsenteded detention on an average day, with the majority of those in New South Wales (12 young people) and Queensland (11 young people).

Nationally, Indigenous young people in unsenteded detention on an average day in 2010–11 were slightly younger, on average, than non-Indigenous young people (Table D28).

Indigenous young people were more likely than non-Indigenous young people to be aged 10–13 (11% compared with 4%) and less likely to be aged 14–17 (85% compared with 92%).



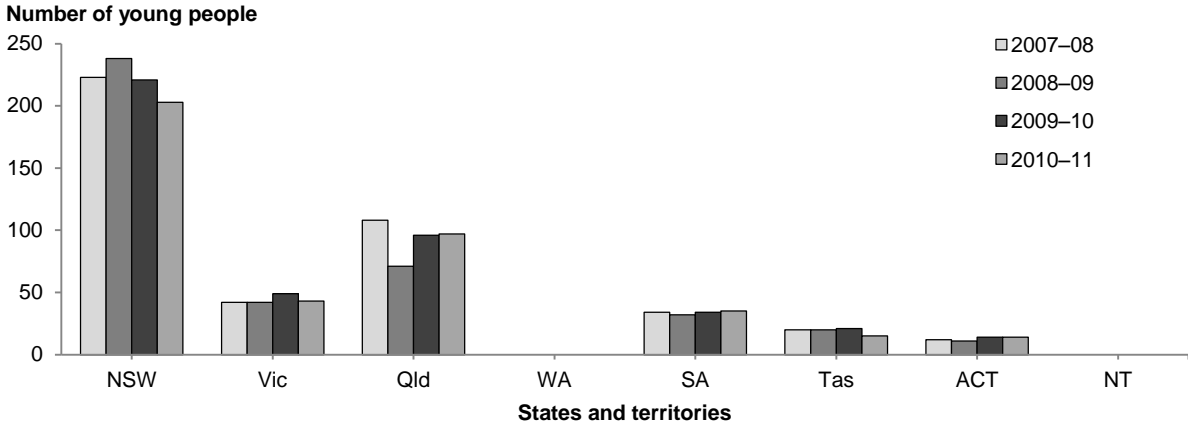
Notes

1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2010–11.
2. In most states and territories, the maximum age of treatment as a young person for criminal responsibility is 17; however, it is possible for young people over the age of 17 to be supervised by a juvenile justice agency.

Source: Table D28.

Figure 7.26: Young people in unsenteded detention on an average day by age, states and territories, 2010–11 (per cent)

Between 2007-08 and 2010-11, the number of young people in unsentenced detention on an average day fluctuated slightly each year, with an overall decrease of 7% (from 438 to 408 young people) (Table D29). There was an overall decrease in the number of young people in unsentenced detention on an average day over the 4-year period in New South Wales (down 9%), Queensland (down 10%) and Tasmania (from 20 to 15 young people) while there was little overall change in Victoria, South Australia and the Australian Capital Territory (Figure 7.27).



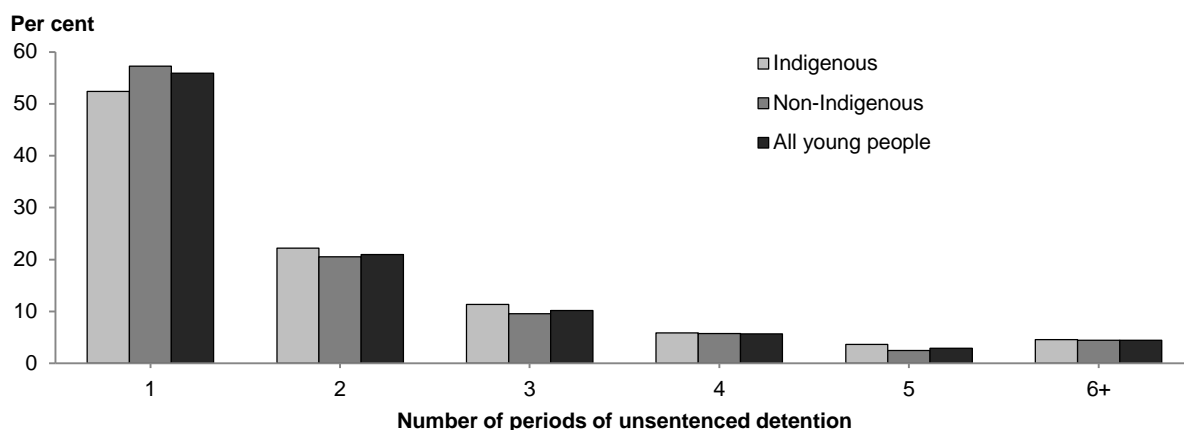
Note: Western Australia and the Northern Territory did not supply JJ NMDS data for 2008-09 to 2010-11.

Source: Table D29.

Figure 7.27: Young people in unsentenced detention on an average day, states and territories, 2007-08 to 2010-11

During 2010-11, the majority (85%) of young people who were in detention at some time during the year had completed at least one period of unsentenced detention by the end of the financial year, while almost all (97%) of those in unsentenced detention had completed at least one period by the end of the financial year (tables 7.6 and D30).

In 2010-11, the 4,143 young people who completed at least one period of unsentenced detention completed a total of 8,249 periods, which means that on average, young people completed 2.0 periods during the year (Table D31). Just under half (44%) of all young people who had completed at least one unsentenced detention period during 2010-11 had completed multiple periods, and 13% had completed four periods or more (Figure 7.28). Indigenous young people were slightly more likely than non-Indigenous young people to have completed multiple periods of unsentenced detention (48% and 43%, respectively).



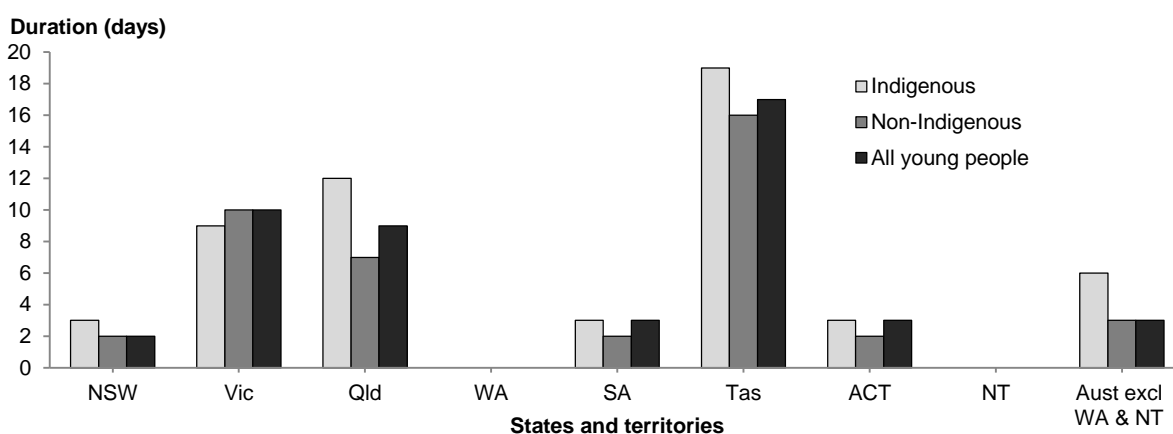
Note: Western Australia and the Northern Territory did not supply JJ NMDS data for 2010–11.

Source: Table D30.

Figure 7.28: Young people who completed a period of unsentenced detention during the year by number of periods completed and Indigenous status, Australia (excluding WA and NT), 2010–11 (per cent)

The median duration of completed periods of unsentenced detention in 2010–11 was 3 days (Table D31). The median duration of completed periods of unsentenced detention was longest in Tasmania (17 days), Victoria (10 days) and Queensland (9 days) and shortest in New South Wales (2 days), South Australia and the Australian Capital Territory (3 days each).

Nationally, periods of unsentenced detention were longer for Indigenous young people than for non-Indigenous young people (median 6 days compared with 3 days), and this was the case in all states and territories except Victoria (Figure 7.29).



Note: Western Australia and the Northern Territory did not supply JJ NMDS data for 2010–11.

Source: Table D31.

Figure 7.29: Median length of completed periods of unsentenced detention by Indigenous status, states and territories (excluding WA and NT), 2010–11 (days)

When the total time spent in unsentenced detention is considered, young people in unsentenced detention during 2010–11 spent 5 weeks (35 days), on average, in unsentenced detention during the year (Figure 7.30). Over the 4 years to 2010–11, the average length of time young people spent in unsentenced detention during the year remained relatively stable.

In 2010–11, Indigenous young people who were in unsentenced detention spent 9 more days in unsentenced detention during the year than non-Indigenous young people (Table D32). This was the case in all states and territories except Victoria, where Indigenous young people spent 2 fewer days in unsentenced detention during the year than non-Indigenous young people.

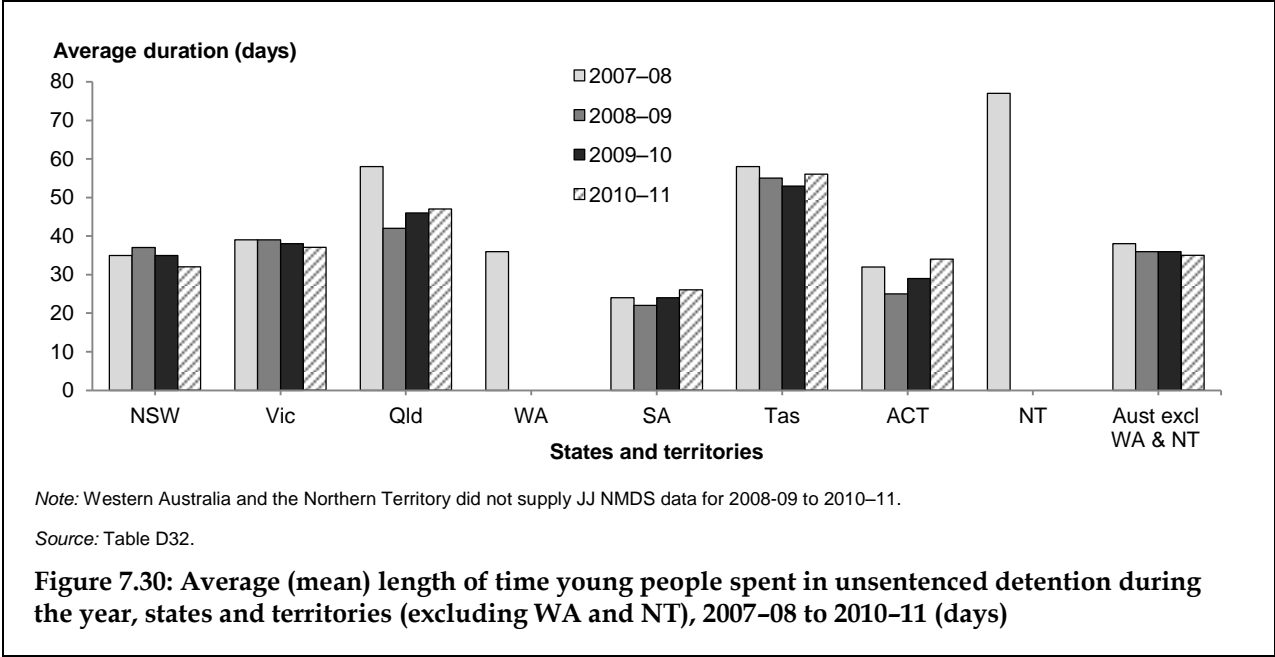
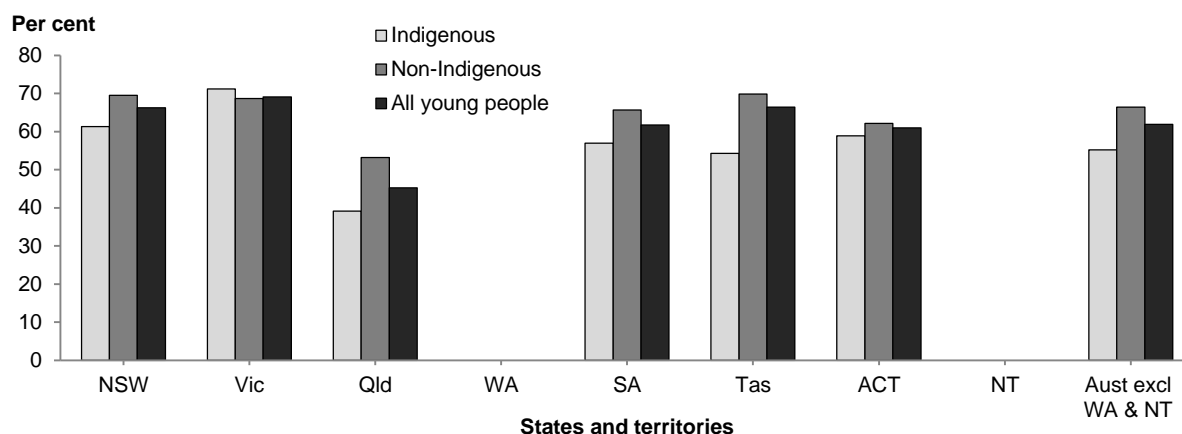


Figure 7.30: Average (mean) length of time young people spent in unsentenced detention during the year, states and territories (excluding WA and NT), 2007–08 to 2010–11 (days)

Six in 10 (62%) remand periods that ended during the year ended with the young person being released on bail, and 3 in 10 (30%) ended with the remand period being completed (Figure 7.31 and Table D33). The proportion of periods of remand that ended with release on bail was lowest in Queensland (45%) and highest in Victoria (69%).

Nationally, Indigenous young people whose remand period ended during 2010–11 were less likely than non-Indigenous young people to have been released on bail (55% compared with 66%), and more likely to have completed the period (36% compared with 25%). Indigenous young people were less likely to have been released on bail than non-Indigenous young people in all states and territories except Victoria, where the proportions were similar.



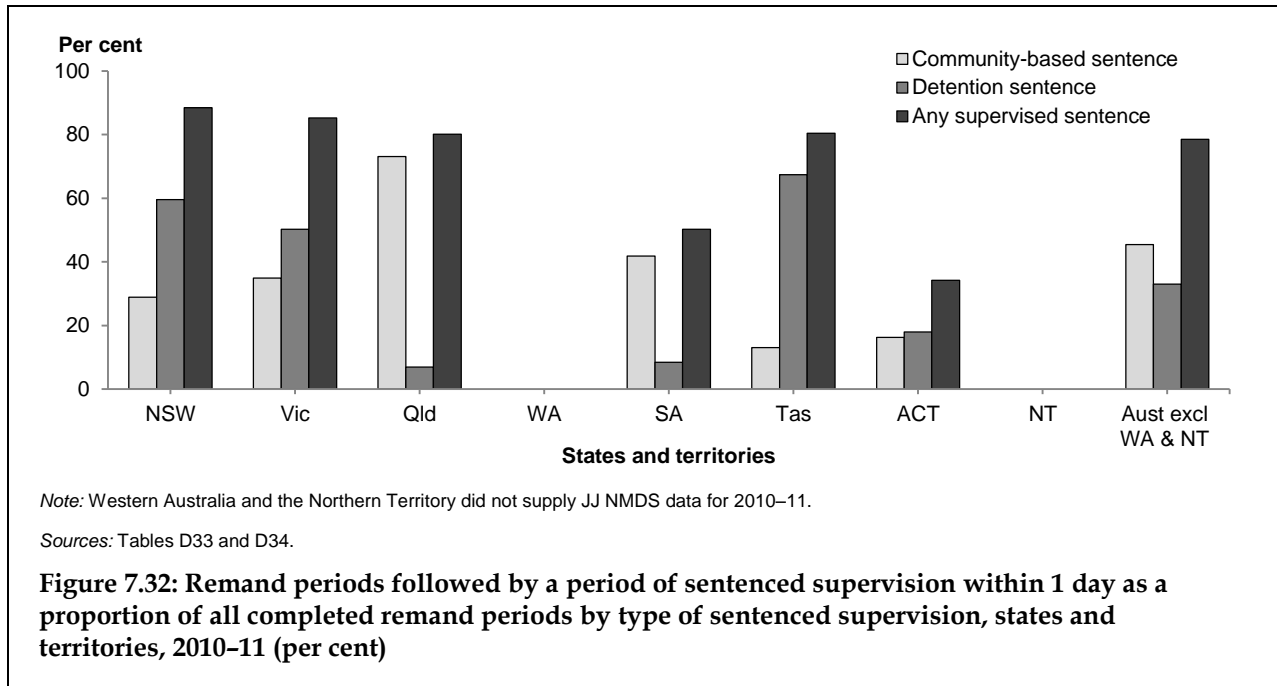
Note: Western Australia and the Northern Territory did not supply JJ NMDS data for 2010–11.

Source: Table D33.

Figure 7.31: Periods of remand ending with release on bail as a proportion of all periods of remand that ended during the year by Indigenous status, states and territories, 2010–11 (per cent)

Since the detention of young people is used as a last resort, remand is typically used when other options, such as release on bail, are not appropriate. While remand was often followed by a supervised sentence, most of these were community-based rather than detention sentences. Just over three-quarters (78%) of remand periods that were completed during 2010–11 were followed by a supervised sentence within 1 day (Figure 7.32). However, community-based sentences following periods of remand were more common than detention sentences: 45% of periods of remand that ended during 2010–11 were followed by a period of sentenced community-based supervision, while 33% were followed by a period of sentenced detention.

There were substantial differences among the states and territories for which data are available. The proportion of completed remand periods that were followed by a supervised sentence within 1 day ranged from 34% in the Australian Capital Territory to 88% in New South Wales. While community-based sentences following completed remand periods were more common than detention sentences in Queensland and South Australia, detention sentences were more common in the remaining states and territories.



7.10 Sentenced detention

Excluding Western Australia and the Northern Territory, there were 441 young people in sentenced detention in Australia on an average day in 2010-11 (53% of all young people in detention), and 1,484 at some time during the year (30%) (Western Australia and the Northern Territory did not supply JJ NMDS data for 2010-11 and are not included in this section) (Table 7.6).

On an average day in 2010-11, 3 in 5 (61%) young people in detention were aged 14-17 and just under 2 in 5 (37%) were aged 18 and older (Figure 7.33). Less than 2%, or just 8 young people, were aged 10-13. More than two-thirds (68%) of young people in sentenced detention in Victoria were aged 18 and over, which is likely due to the 'dual track' sentencing system operating in that state. In the remaining states and territories, most young people were aged 14-17, with proportions ranging from 67% in South Australia to 94% in Queensland.

Nationally, Indigenous young people in sentenced detention were more likely to be in the younger age groups: on an average day, 6 of the 8 young people aged 10-13 in sentenced detention were Indigenous. Less than one-quarter (22%) of Indigenous young people in sentenced detention on an average day were aged 18 and over, compared with almost half (46%) of non-Indigenous young people.

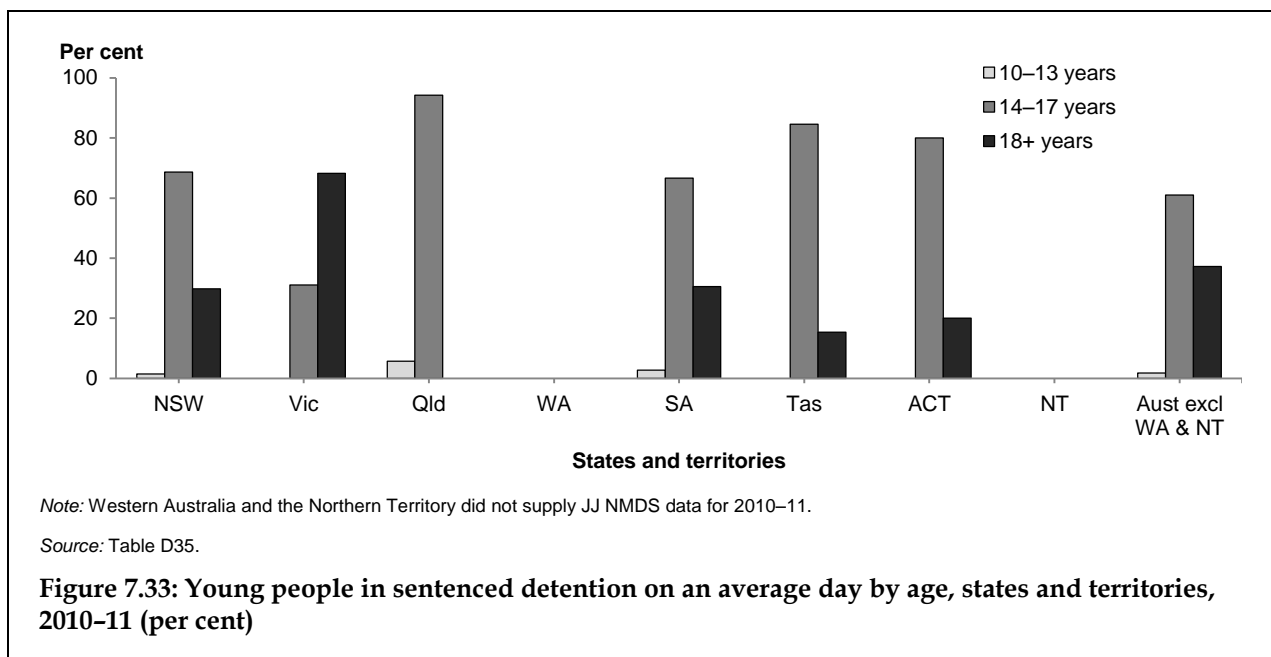


Figure 7.33: Young people in sentenced detention on an average day by age, states and territories, 2010-11 (per cent)

Between 2007-08 and 2010-11, there was an overall increase of 9% in the number of young people in sentenced detention on an average day (from 403 to 441) (Table D36). Among the states and territories, the largest proportional increase over the 4-year period was in Victoria (up 14%) (Figure 7.34).

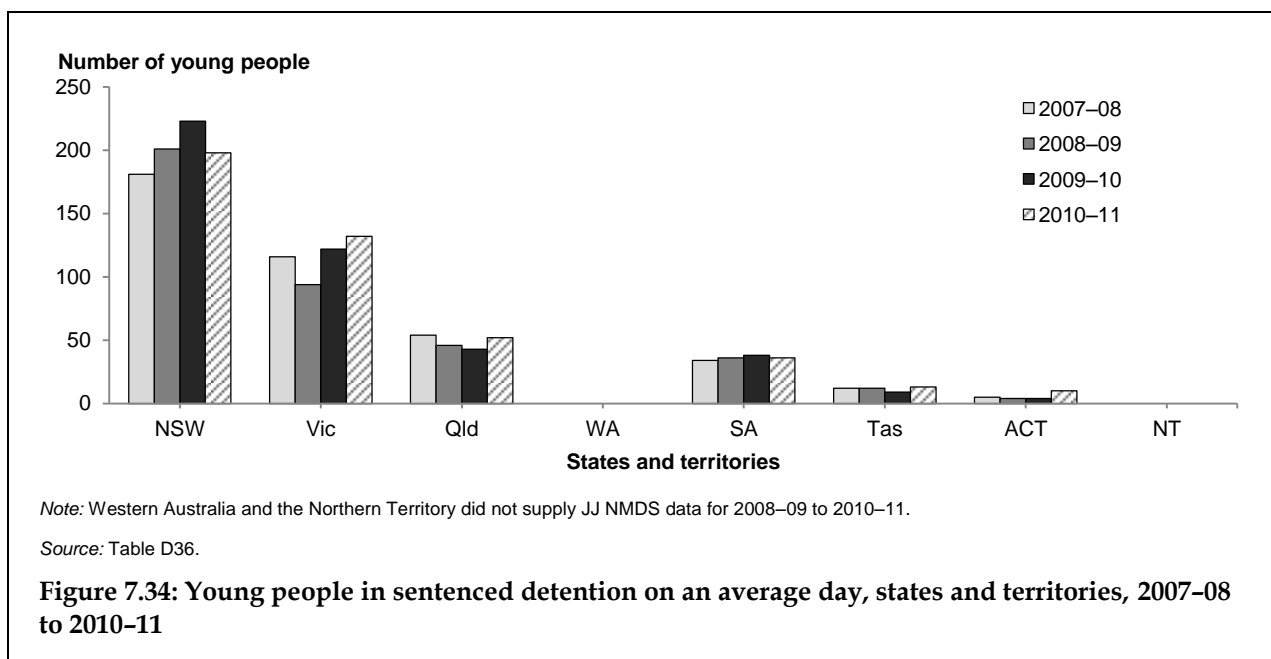
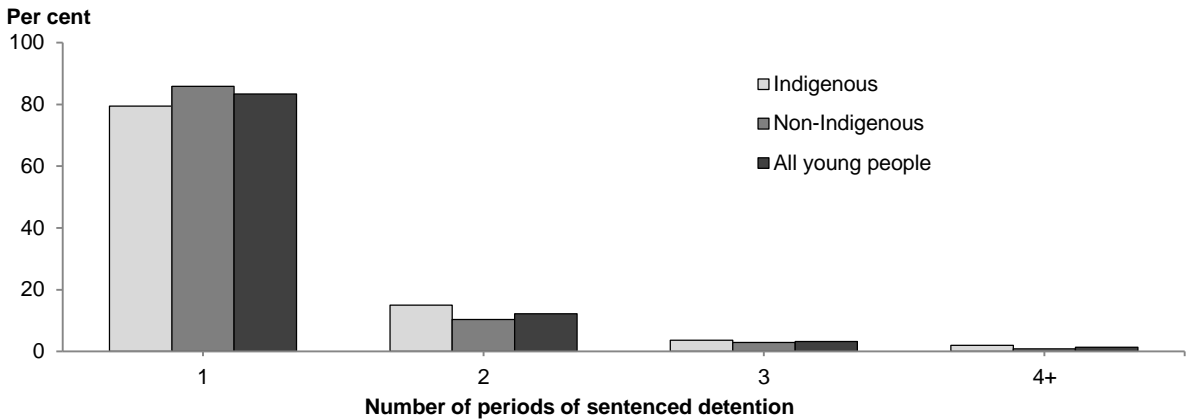


Figure 7.34: Young people in sentenced detention on an average day, states and territories, 2007-08 to 2010-11

Most (81%) young people who were in sentenced detention at some time during 2010-11 completed at least one period of sentenced detention during the year (tables 7.6 and D37). Young people who completed a period of sentenced detention during the year completed 1.2 periods, on average (Table D38). Most (83%) of the 1,200 young people who had completed at least one period of sentenced detention during the year completed only one; 12% completed two and less than 5% completed three or more (Figure 7.35).

Indigenous young people who completed a period of sentenced detention during 2010–11 were more likely than non-Indigenous young people to have completed multiple periods (21% compared with 14%).



Note: Western Australia and the Northern Territory did not supply JJ NMDS data for 2010–11.

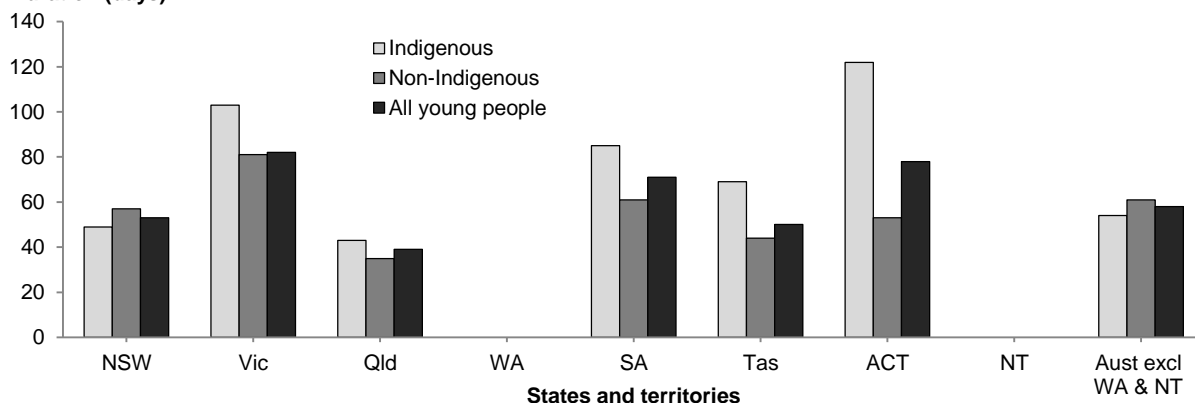
Source: Table D37.

Figure 7.35: Young people who completed a period of sentenced detention during the year, number of periods completed by Indigenous status, Australia (excluding WA and NT), 2010–11 (per cent)

Nationally, the median duration of periods of sentenced detention that were completed during 2010–11 was just over 8 weeks (58 days) (Figure 7.36). Among the states and territories, this ranged from just over 5 weeks (39 days) in Queensland to almost 12 weeks (82 days) in Victoria.

The median length of completed periods of sentenced detention was 1 week shorter for Indigenous young people than for non-Indigenous young people (54 days compared with 61 days). However, this was the case only in New South Wales; in all other states and territories, periods of sentenced detention that were completed during 2010–11 were longer, overall, for Indigenous young people.

Duration (days)



Notes

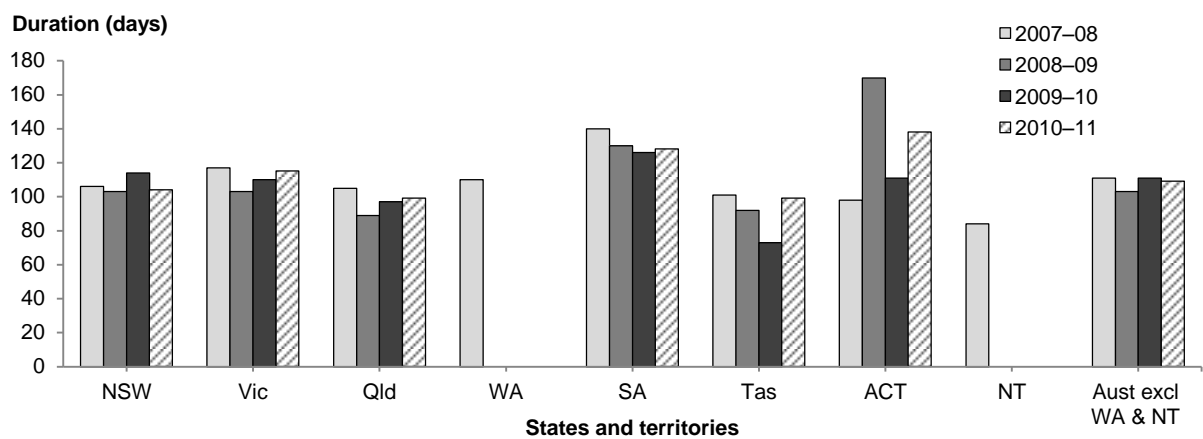
1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2010–11.
2. Median lengths were not calculated for where there were fewer than 5 periods.

Source: Table D38.

Figure 7.36: Median length of completed periods of sentenced detention by Indigenous status, states and territories, 2010–11 (days)

When all periods of sentenced detention are considered, young people in sentenced detention during 2010–11 spent almost 4 months (109 days, or more than 15 weeks), on average, in sentenced detention during the year (Figure 7.37). Young people in sentenced detention in Queensland and Tasmania spent the least amount of time in sentenced detention during the year (99 days, or 14 weeks), while those in the Australian Capital Territory spent the most (138 days, or almost 20 weeks). Indigenous young people spent fewer days, on average, in sentenced detention during the year (105 days compared with 111 days); however, this pattern occurred only in New South Wales (11 fewer days) and Queensland (7 fewer days) (Table D40).

The average total number of days young people spent in sentenced detention was relatively stable over the 4 years to 2010–11 (Figure 7.37). Despite minor fluctuations from year to year, there was little overall change in most states and territories. In the Australian Capital Territory, the average time spent in sentenced detention during the year increased by 40 days between 2007–08 and 2010–11, while in South Australia the average time decreased by 12 days.



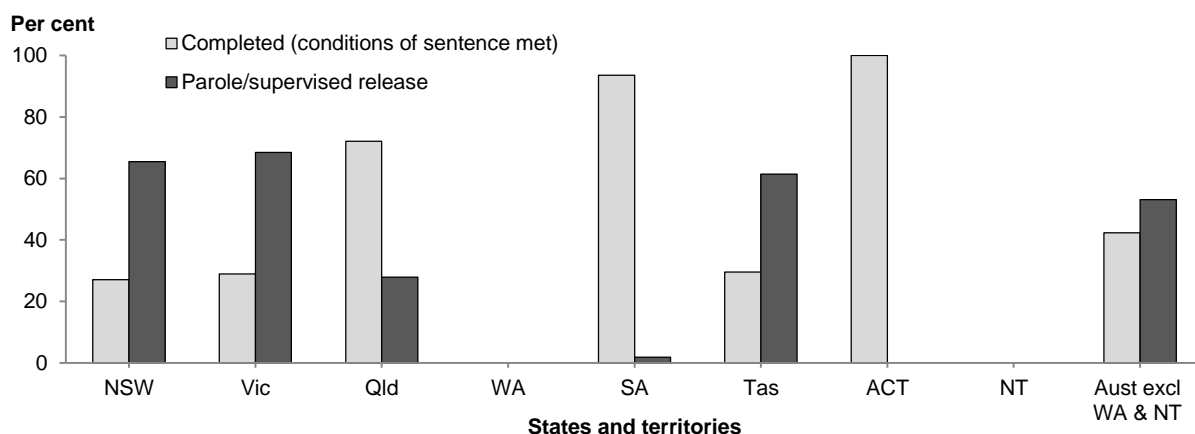
Note: Western Australia and the Northern Territory did not supply JJ NMS data for 2008-09 to 2010-11.

Source: Table D40.

Figure 7.37: Average (mean) length of time spent in sentenced detention during the year, states and territories, 2007-08 to 2010-11 (days)

Around 42% of sentenced detention periods that ended during 2010-11 ended with the sentence being completed, and 53% ended with the young person being released on parole (the remainder ended for other reasons, including transfer) (Figure 7.38). However, there were substantial differences among the states and territories. All (100%) periods of sentenced detention that ended in 2010-11 in the Australian Capital Territory ended with the sentence being completed, along with most in South Australia (94%) and Queensland (72%). In New South Wales, Victoria and Tasmania, the majority of completed periods ended with the young person being released on bail (65%, 68% and 61%, respectively).

Indigenous young people with a sentenced detention period that ended during 2010-11 were slightly less likely than non-Indigenous young people to have been released on parole (50% compared with 55%) (Table D39). However, there were minor differences among the states and territories.



Notes

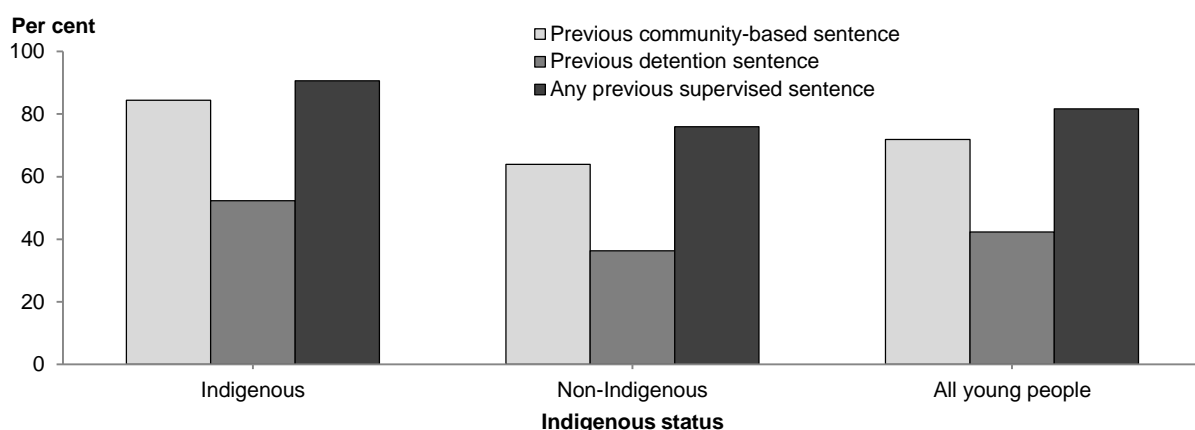
1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2010–11.
2. Some types of supervision are not available in some states and territories (see Section 2.4 for details).

Source: Table D39.

Figure 7.38: Periods of sentenced detention ending with either sentence completed or release on parole or supervised release, states and territories, 2010–11 (per cent)

Most (82%) young people who were in sentenced detention during 2010–11 had been under sentenced supervision in a previous year (Figure 7.39). Almost three-quarters (72%) of young people in sentenced detention during 2010–11 had served a community-based sentence in a previous year, while 42% had served a detention sentence (many young people had experienced both).

Indigenous young people in sentenced detention were more likely to have served a previous supervised sentence than non-Indigenous young people: around 91% of Indigenous young people and 76% of non-Indigenous young people had been under sentenced supervision in a previous year. Around half (52%) of Indigenous young people and just over one-third (36%) of non-Indigenous young people had previously served a detention sentence.



Note: Western Australia and the Northern Territory did not supply JJ NMDS data for 2010–11.

Source: Table D41.

Figure 7.39: Young people in sentenced detention by previous supervised sentence, Australia (excluding WA and NT) (per cent)

8 State and territory summaries

This chapter summarises information about young people under juvenile justice supervision in each state and territory during 2010–11. It includes the numbers and rates of young people under community-based supervision and in detention, and key trends over time.

8.1 New South Wales

Among the 2,042 people under supervision in New South Wales on an average day in 2010–11, around 4 in 5 (81%) were supervised in the community (Figure 8.1). One in 5 (20%) were in detention, which was the highest proportion of all the states and territories for which JJ NMDS data are available (excluding Western Australia and the Northern Territory).

On an average day in 2010–11, almost all young people under community-based supervision (96%) and in detention (83%) in New South Wales were aged 10–17 (Table E1). A young person aged 10–17 was almost 5 times as likely to be under community-based supervision on an average day as in detention, with rates of 2.2 young people under community-based supervision for every 1,000 in New South Wales and almost 0.5 per 1,000 in detention (Table E2).

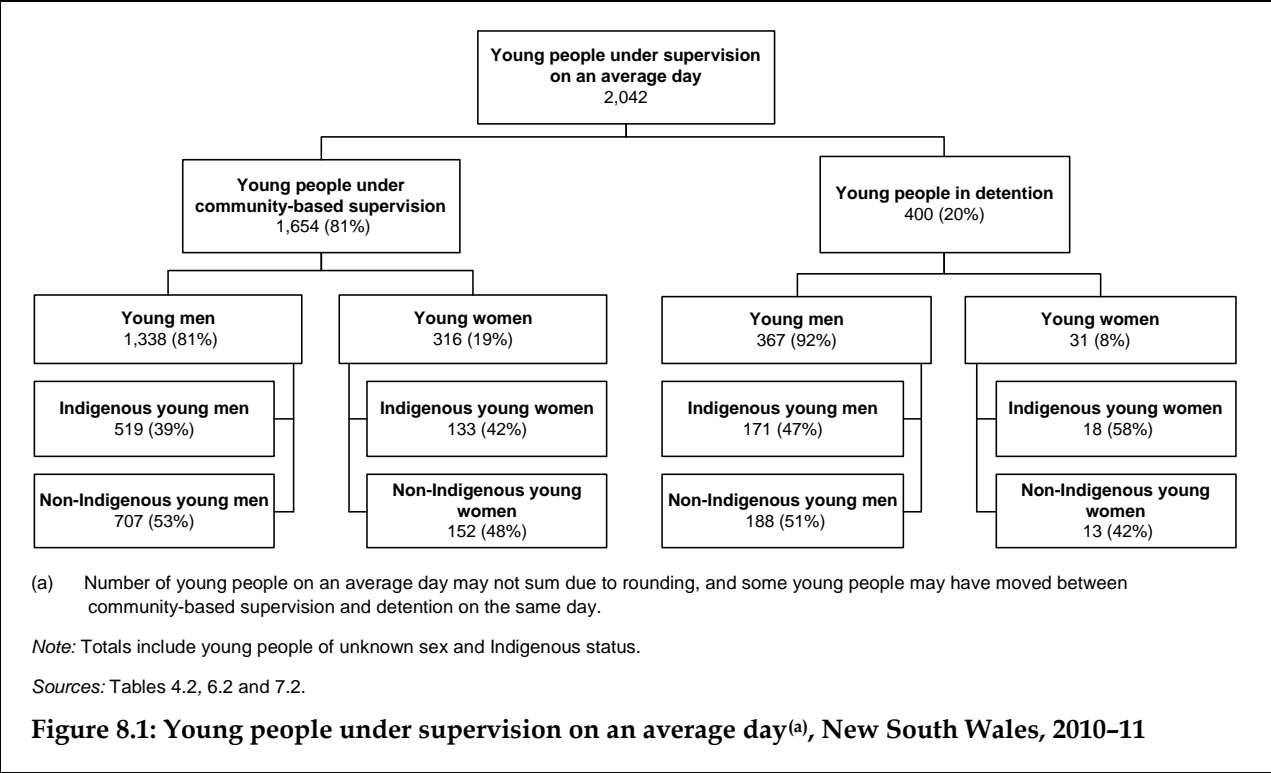
Although Indigenous young people were over-represented in both community-based supervision and detention in New South Wales, the level of over-representation was higher in detention. Around 40% of young people under community-based supervision and 47% of those in detention on an average day were Indigenous (Table E1). An Indigenous young person aged 10–17 was 17 times as likely as a non-Indigenous young person to be under community-based supervision on an average day and almost 23 times as likely to be in detention (Table E2). Indigenous young people under community-based supervision and in detention were also younger, on average, than non-Indigenous young people (figures 8.2 and 8.3).

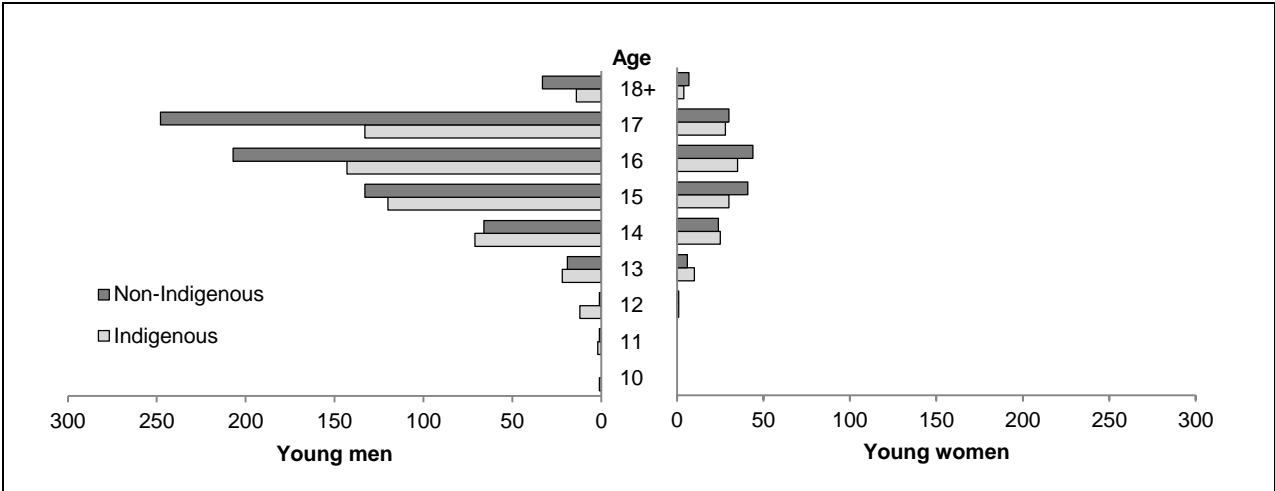
Over the 4 years to 2010–11, the number of young people under community-based supervision on an average day in New South Wales increased by 13% (from 1,462 to 1,654), while the rate of young people aged 10–17 also increased from 1.9 to 2.2 per 1,000 (figures 8.4 and 8.5). The number of young people in detention on an average day rose from 403 in 2007–08 to around 440 in 2008–09 and 2009–10, before dropping back to 400 in 2010–11. Rates of young people aged 10–17 in detention fluctuated at around 0.5 per 1,000 each year.

Similar numbers of young people were in sentenced and unsentenced detention throughout the year, although there was some variability from month to month (Figure 8.6). The number of unsentenced young people in detention on an average day was lowest in November 2010 (177 young people) and highest in March 2011 (242). The numbers of young people in sentenced detention on an average day were highest in the first half of the financial year (July to November 2010, around 220 young people) and lower (around 170–190 young people) during the remainder of the financial year.

Between 2007–08 and 2010–11, the numbers of sentenced and unsentenced Indigenous young people in detention on an average day decreased (down 12% and 5%, respectively), along with the number of unsentenced non-Indigenous young people (down 14%) (Figure 8.7). In contrast, the numbers of sentenced non-Indigenous young people in detention on an average day increased by 35% over the 4-year period.

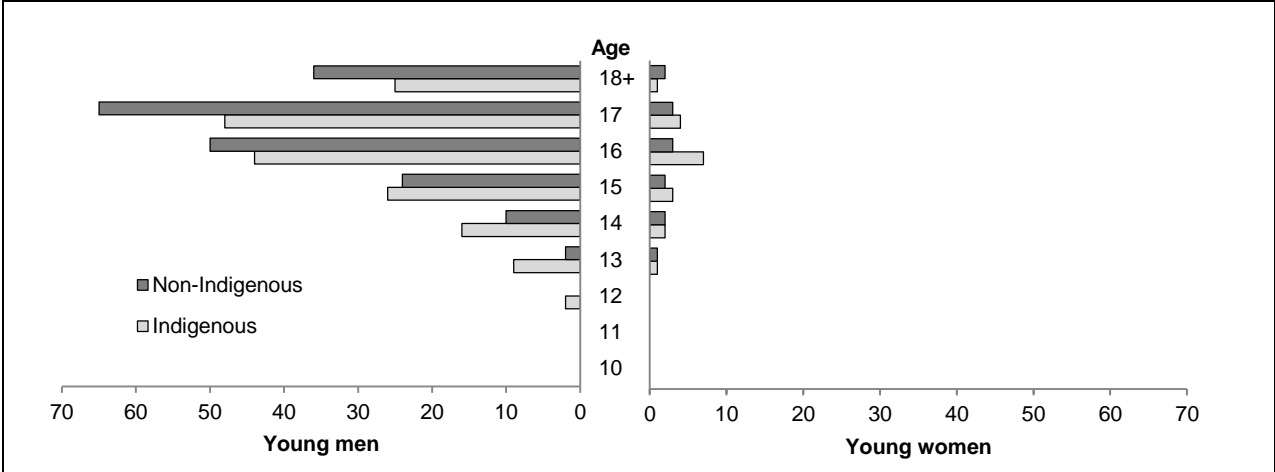
Number and rate under supervision





Source: Table E1.

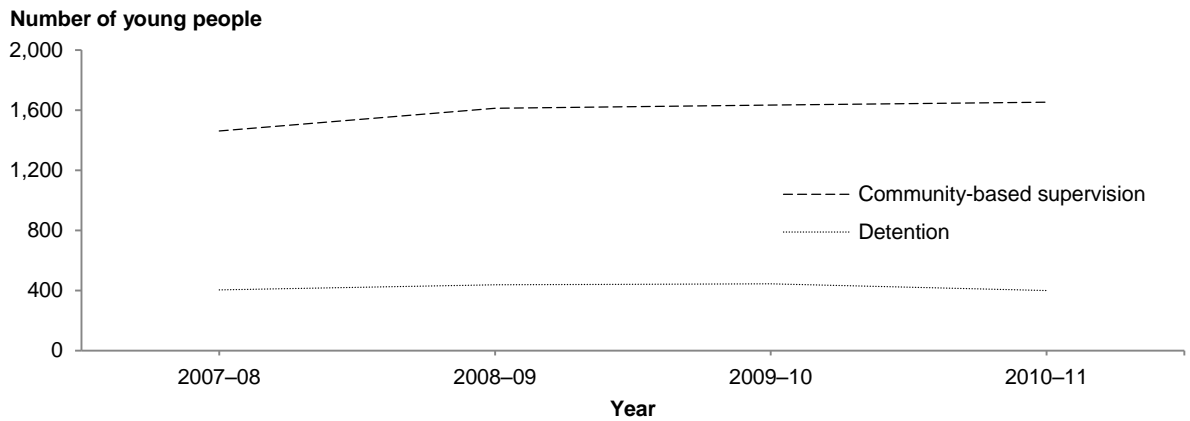
Figure 8.2: Young people under community-based supervision on an average day by age, sex and Indigenous status, New South Wales, 2010-11



Source: Table E1.

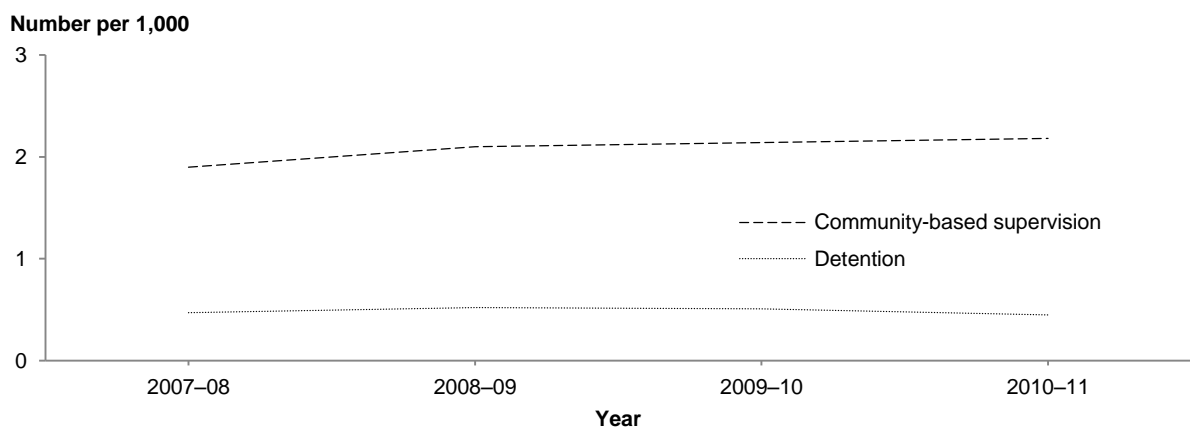
Figure 8.3: Young people in detention on an average day by age, sex and Indigenous status, New South Wales, 2010-11

Trends



Sources: Tables C4 and D4.

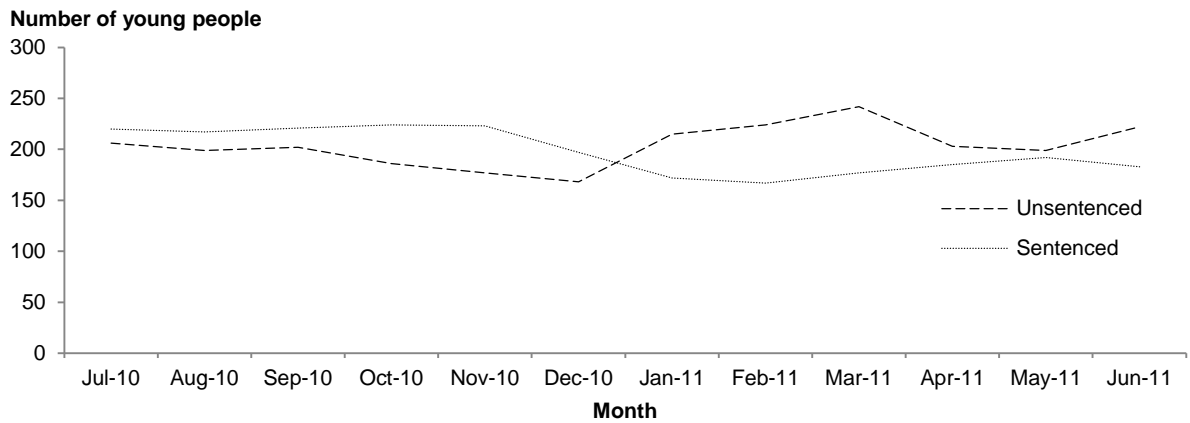
Figure 8.4: Young people under community-based supervision and in detention on an average day, New South Wales, 2007-08 to 2010-11



Sources: Tables 6.5 and 7.5.

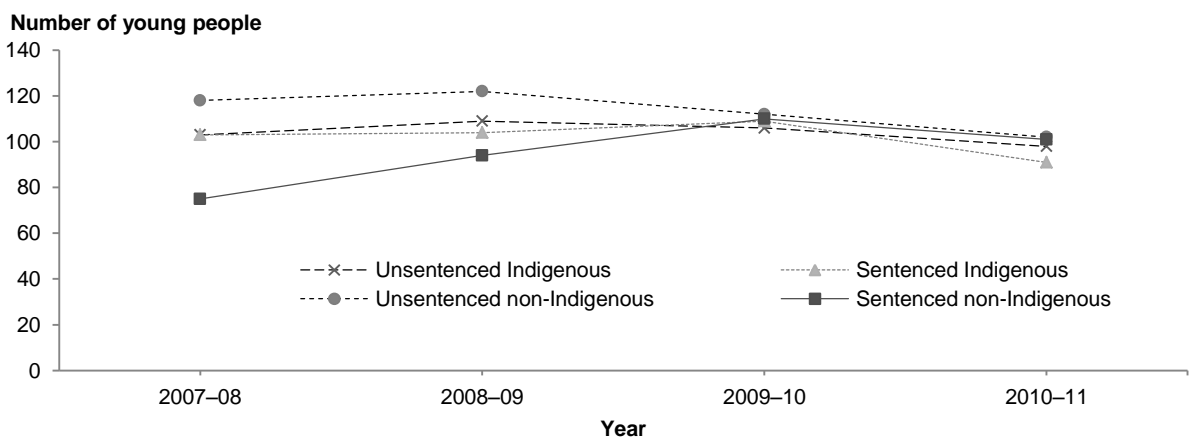
Figure 8.5: Young people aged 10-17 under community-based supervision and in detention on an average day, New South Wales, 2007-08 to 2010-11 (rate)

Detention



Source: Table E13.

Figure 8.6: Young people in detention on an average day by month and legal status, New South Wales, 2010-11



Source: Table D9.

Figure 8.7: Young people in detention on an average day by Indigenous status and legal status, New South Wales, 2007-08 to 2010-11

8.2 Victoria

In 2010–11, around 9 in 10 (89%) of the 1,530 young people under supervision in Victoria on an average day were under community-based supervision, and the majority (70%) were aged 10–17 (Figure 8.8 and Table E3). A young person aged 10–17 in Victoria was almost 12 times as likely to be under community-based supervision as in detention on an average day, with a community-based supervision rate of 1.7 young people per 1,000 and a detention rate of almost 0.2 per 1,000 (Table E4).

In Victoria, young people aged 18–20 may be sentenced to detention in a juvenile detention centre rather than in an adult prison; as a result, around half (52%) of young people in detention on an average day in 2010–11 were aged 18 and older (figures 8.9 and 8.10 and Table E3). In addition, close to one-third (30%) of those in community-based supervision were aged 18 and older.

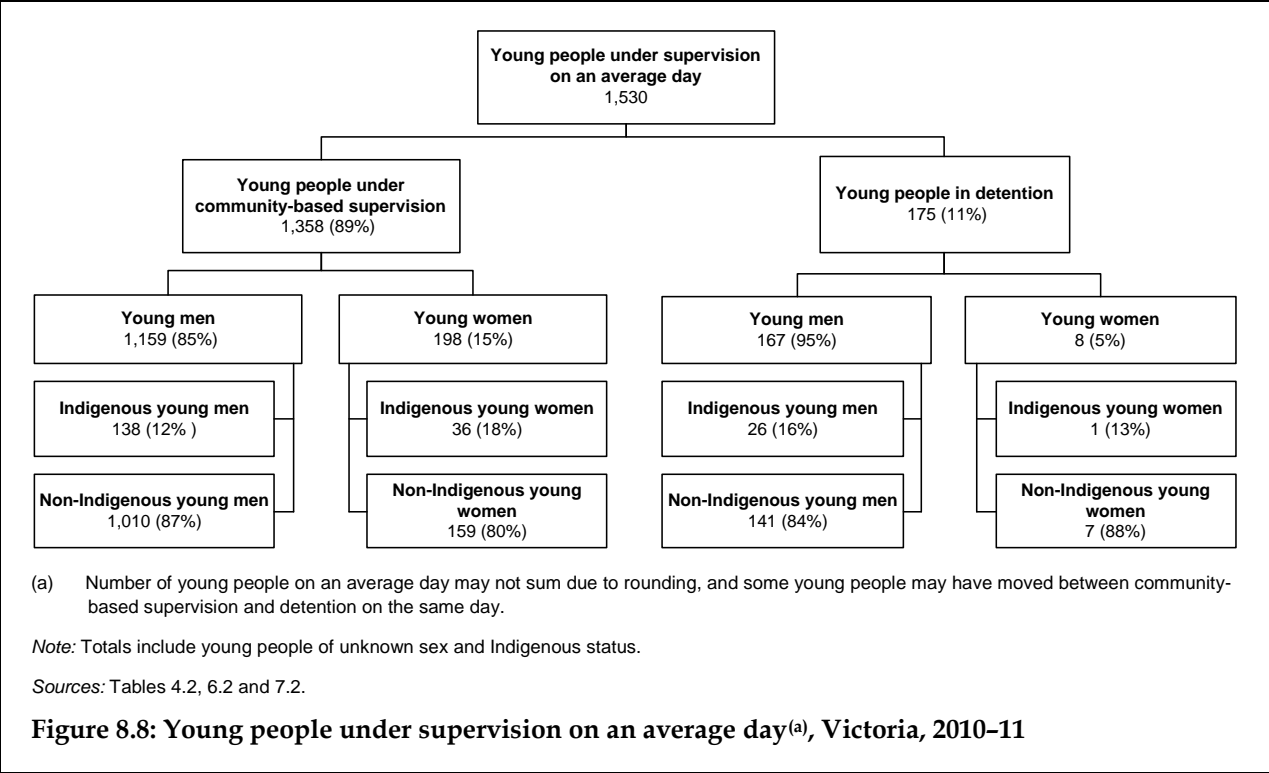
Indigenous young people were over-represented in both community-based supervision and detention: an Indigenous young person aged 10–17 in Victoria was almost 14 times as likely as a non-Indigenous young person to be under community-based supervision on an average day in 2010–11, and almost 21 times as likely to be in detention (Table E4).

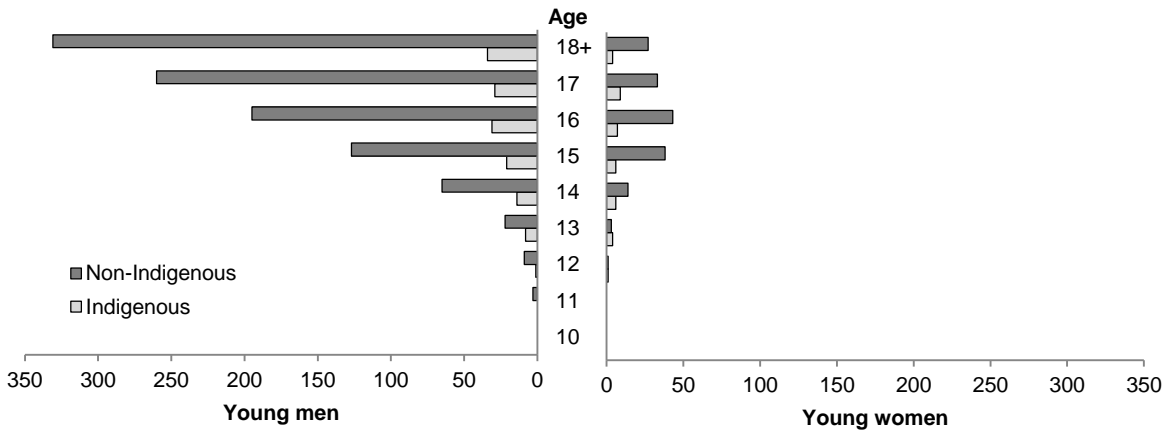
Between 2007–08 and 2010–11, the numbers and rates of young people under community-based supervision and in detention on an average day increased (figures 8.11 and 8.12). The number of young people under community-based supervision on an average day in Victoria rose from 1,116 to 1,358 (up 22%) while the rate increased from 1.4 to 1.7 young people per 1,000. There was a smaller rise in the number of young people in detention on an average day over the 4-year period (from 157 to 175, up 11%) and a slight increase in the rate (just over 0.1 young people per 1,000 each year).

Throughout the year, the number of unsentenced young people in detention on an average day remained relatively stable, with a low of 36 in October 2010 and a peak of 55 in January 2011 (Figure 8.13). There was also little change in the number of sentenced young people in detention on an average day over the year, with a small increase overall (from 130 young people in July 2010 to 146 in June 2011).

In each of the 4 years to 2010–11, the largest group in detention on an average day was sentenced non-Indigenous young people, with more than double the number of the next largest group in each year (Figure 8.14). The number of young people in each group remained relatively stable, with the largest change among sentenced non-Indigenous young people, which decreased in 2008–09 and increased in the following year.

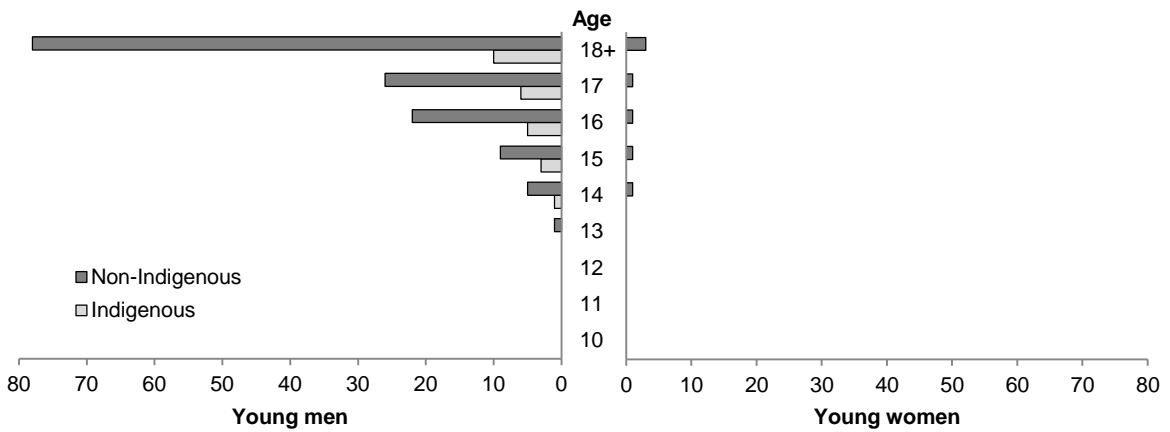
Number and rate under supervision





Source: Table E3.

Figure 8.9: Young people under community-based supervision on an average day by age, sex and Indigenous status, Victoria, 2010-11

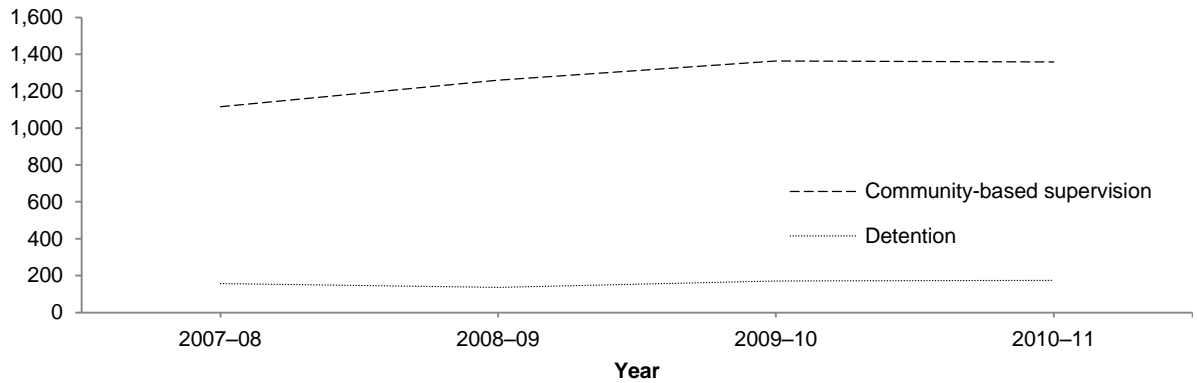


Source: Table E3.

Figure 8.10: Young people in detention on an average day by age, sex and Indigenous status, Victoria, 2010-11

Trends

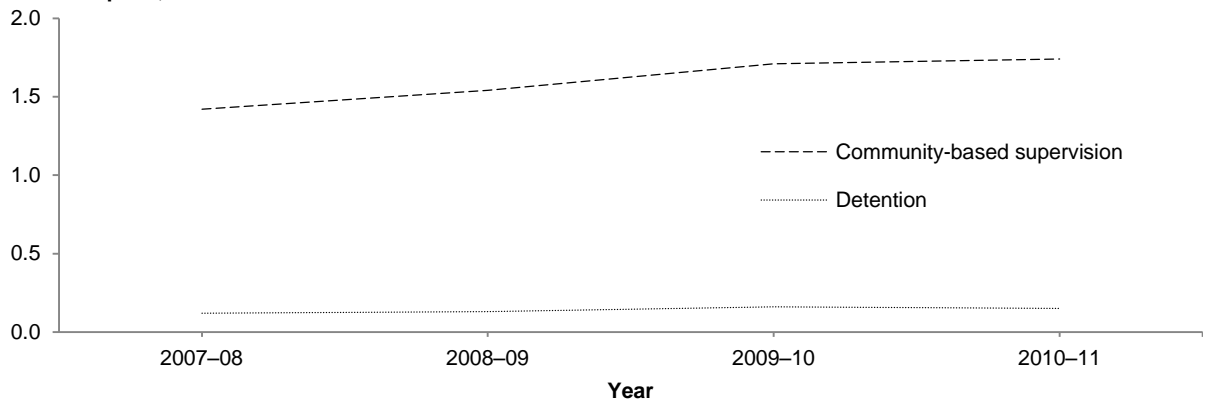
Number of young people



Sources: Tables C4 and D4.

Figure 8.11: Young people under community-based supervision and in detention on an average day, Victoria, 2007-08 to 2010-11

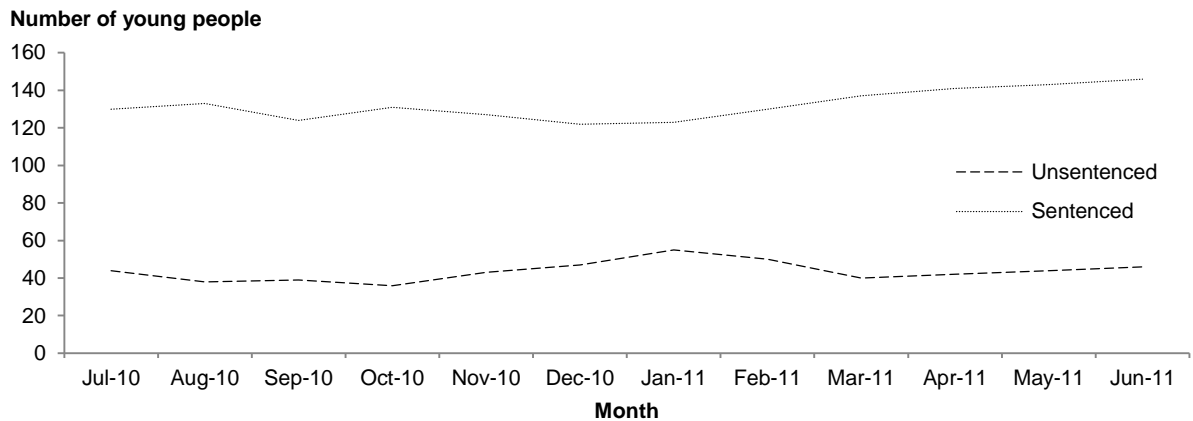
Number per 1,000



Sources: Tables 6.5 and 7.5.

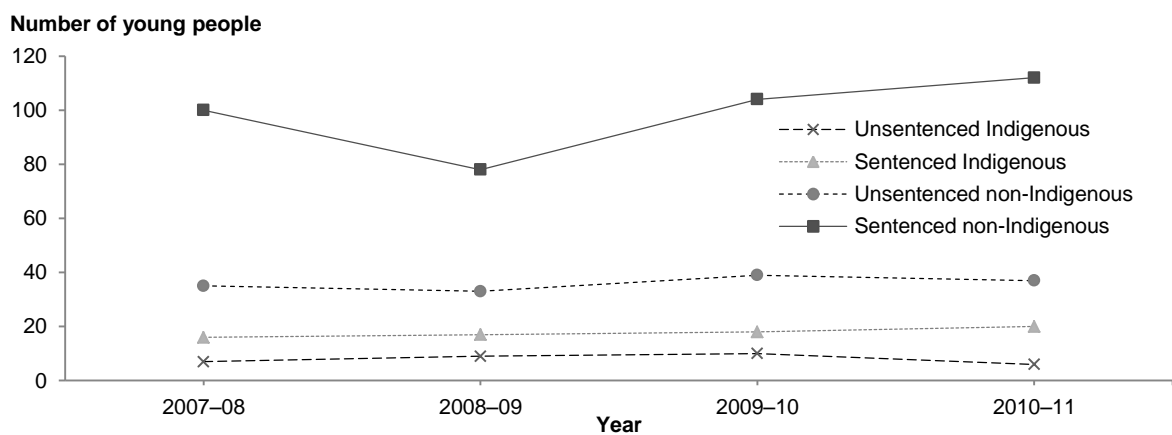
Figure 8.12: Young people aged 10-17 under community-based supervision and in detention on an average day, Victoria, 2007-08 to 2010-11 (rate)

Detention



Source: Table E13.

Figure 8.13: Young people in detention on an average day by month and legal status, Victoria, 2010-11



Source: Table D9.

Figure 8.14: Young people in detention on an average day by Indigenous status and legal status, Victoria, 2007-08 to 2010-11

8.3 Queensland

In 2010–11, there were 1,498 young people under juvenile justice supervision in Queensland on an average day (Figure 8.15). Just over 9 in 10 (92%) young people under supervision were supervised in the community, and around 1 in 10 (9%) were in detention. Most (90%) of the 136 young people in detention on an average day were young men, compared with 80% of those under community-based supervision. In 2010–11, a young person aged 10–17 in Queensland was 9 times as likely to be under community-based supervision as in detention (Table E6).

Young people under supervision in Queensland were younger, on average, than those in other states and territories, in part due to legislative differences. In Queensland, the *Youth Justice Act 1992* applies to all young people aged 10–16 years at the time of the offence; however, young people may be aged 17 years or older by the time their court matters or sentence are finalised (Table E5). Most (92%) young people under community-based supervision on an average day in 2010–11 and all young people in detention were aged 10–17 (figures 8.16 and 8.17 and Table E5).

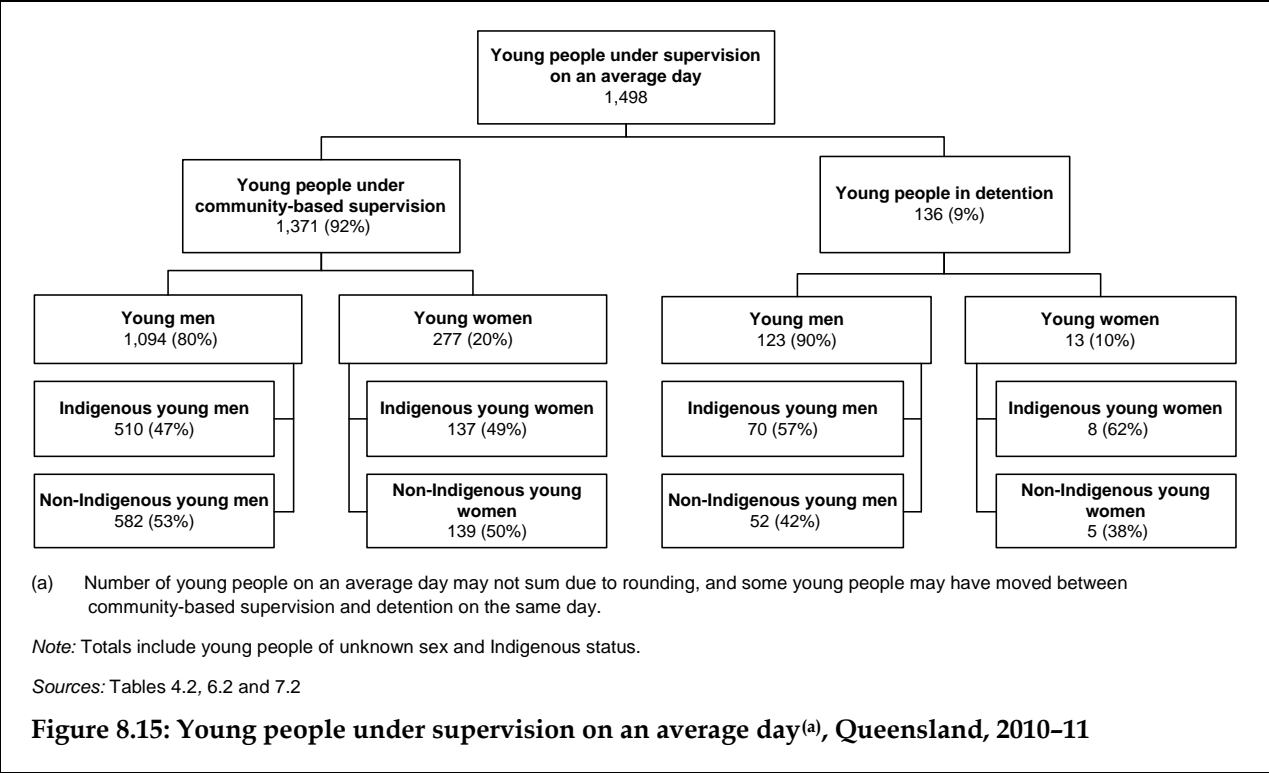
Indigenous young people were over-represented in both community-based supervision and detention; in 2010–11, an Indigenous young person aged 10–17 was 14 times as likely to be under community-based supervision as a non-Indigenous young person, and 21 times as likely to be in detention (Table E6).

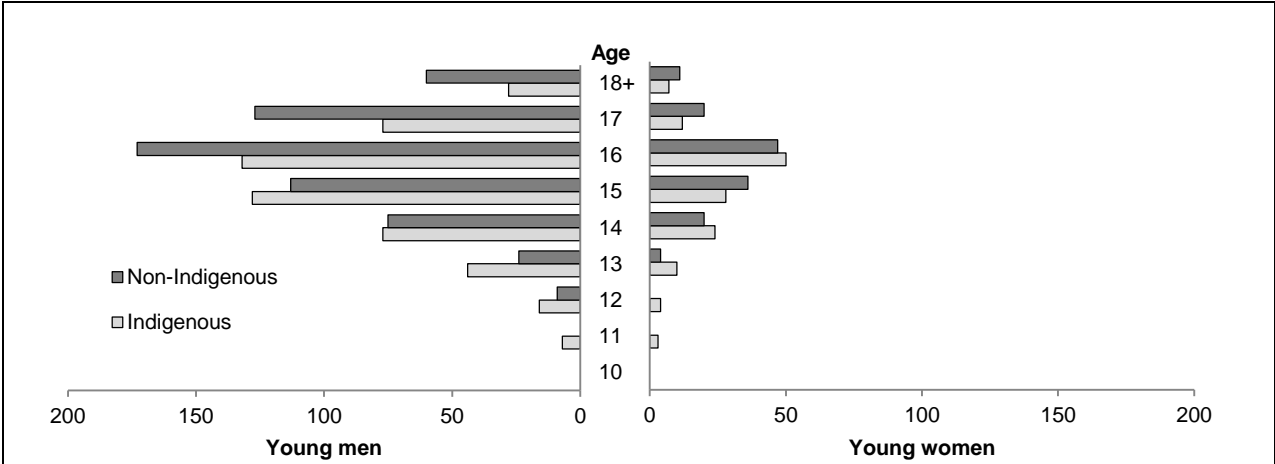
Overall, between 2007–08 and 2010–11, there were small decreases in both the numbers and rates of young people under community-based supervision (figures 8.18 and 8.19). The number of young people under community-based supervision on an average day decreased by around 6%, while the rate decreased from 2.8 to 2.6 young people aged 10–17 per 1,000. The number of young people in detention also decreased slightly (down 9%) over the period, while there was no change in the rate (around 0.3 young people per 1,000).

Throughout 2010–11, unsentenced young people in detention in Queensland outnumbered sentenced young people, with almost twice as many unsentenced as sentenced young people in detention on an average day each month (Figure 8.20). The number of sentenced young people in detention remained relatively steady, with a peak of 64 young people in December 2010. There was slightly more fluctuation in the numbers of unsentenced young people in detention on an average day; however, overall, there was no change between July 2010 and June 2011.

Between 2007–08 and 2010–11, the number of unsentenced Indigenous young people in detention on an average day decreased slightly (from 67 to 55 young people), while the number of sentenced Indigenous young people increased slightly (from 27 to 32 young people) (Figure 8.21). While in 2007–08 the sentenced Indigenous and non-Indigenous populations were similar in size on an average day (27 and 28 young people, respectively), over the 4-year period, the Indigenous population increased slightly, while the non-Indigenous population decreased slightly.

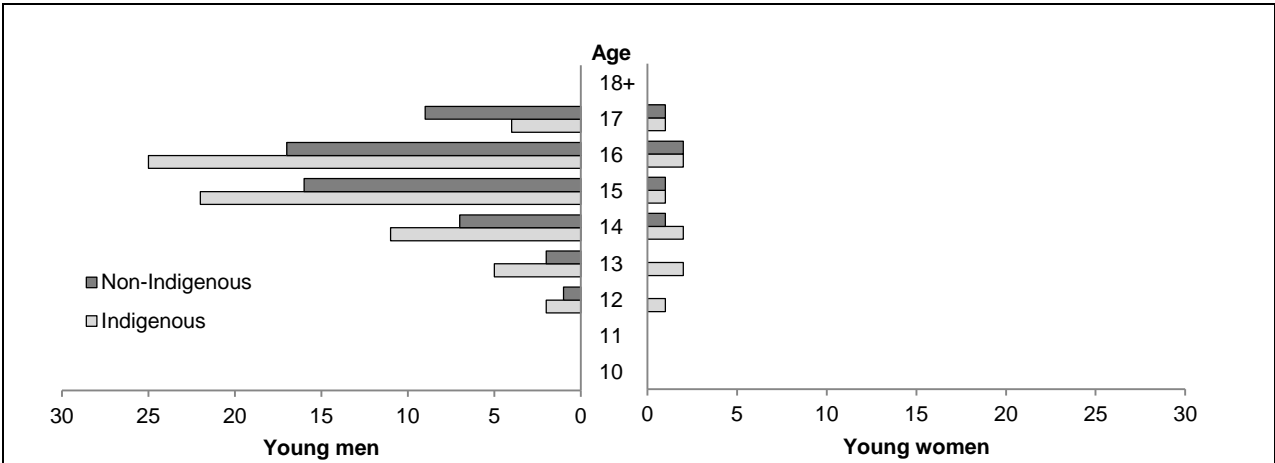
Number and rate under supervision





Source: Table E5.

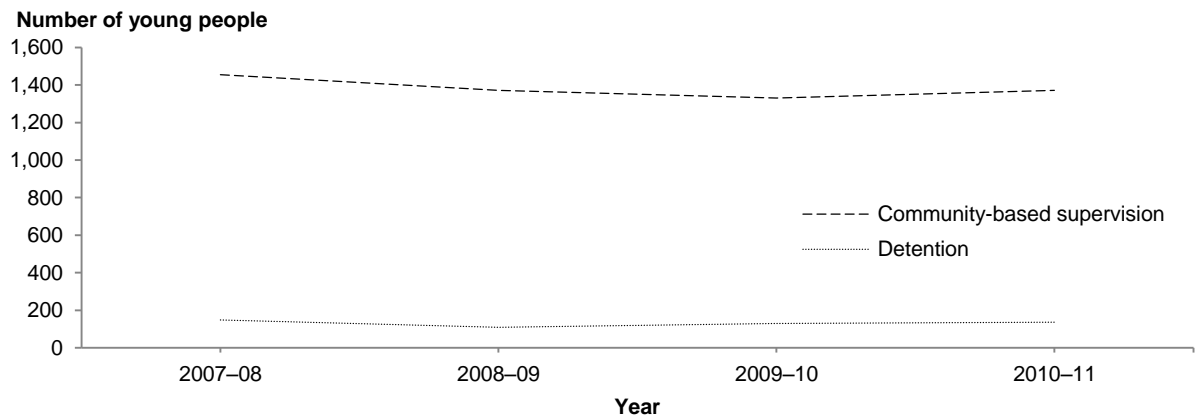
Figure 8.16: Young people under community-based supervision on an average day by age, sex and Indigenous status, Queensland, 2010-11



Source: Table E5.

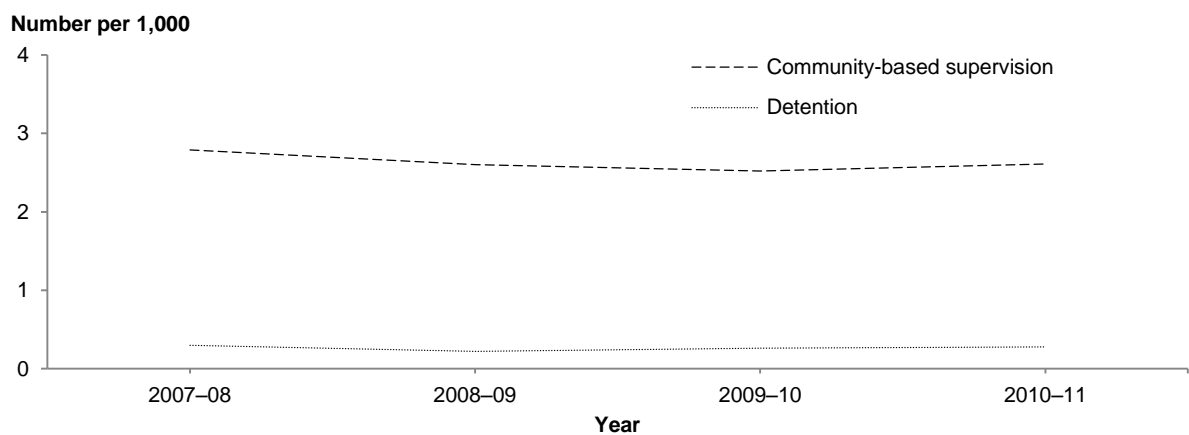
Figure 8.17: Young people in detention on an average day by age, sex and Indigenous status, Queensland, 2010-11

Trends



Sources: Tables C4 and D4.

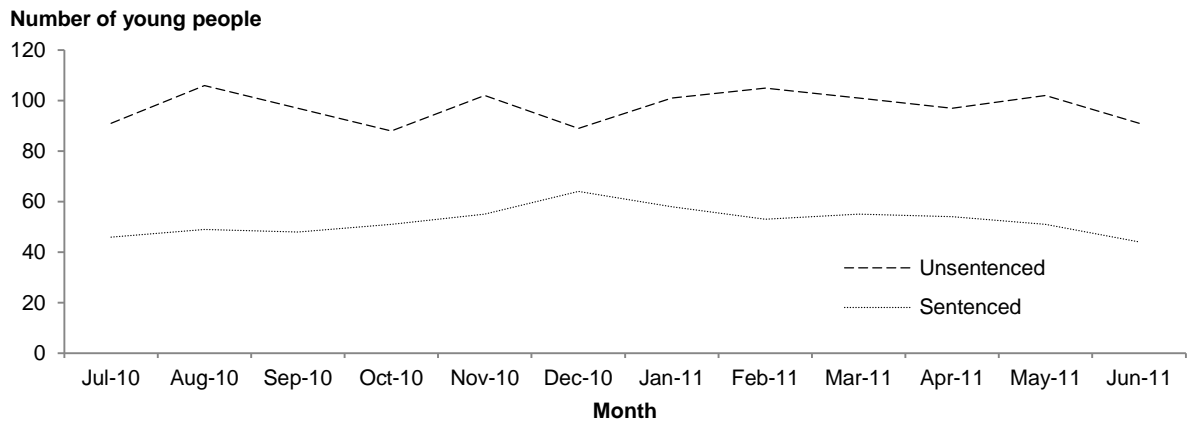
Figure 8.18: Young people under community-based supervision and in detention on an average day, Queensland, 2007-08 to 2010-11



Sources: Tables 6.5 and 7.5.

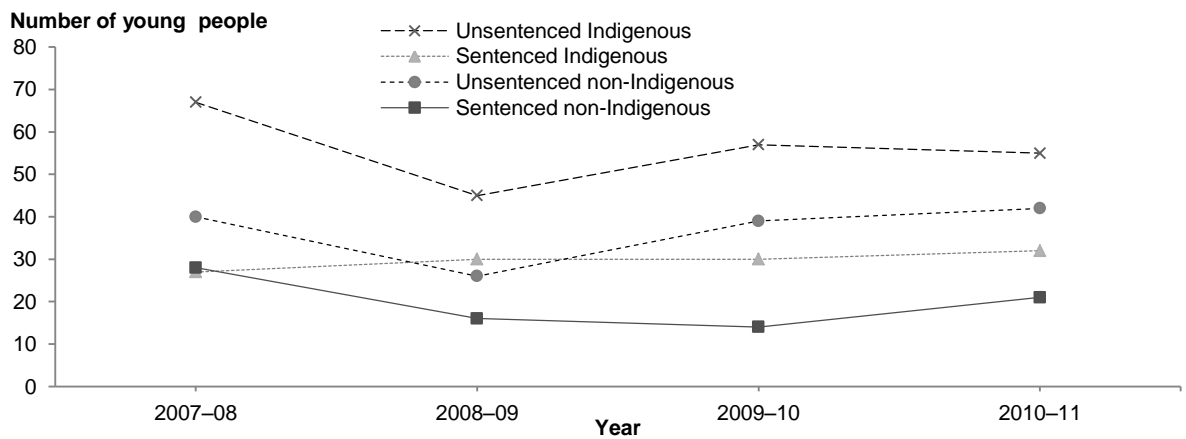
Figure 8.19: Young people aged 10-17 under community-based supervision and in detention on an average day, Queensland, 2007-08 to 2010-11 (rate)

Detention



Source: Table E13.

Figure 8.20: Young people in detention on an average day by month and legal status, Queensland, 2010-11



Source: Table D9.

Figure 8.21: Young people in detention on an average day by Indigenous status and legal status, Queensland, 2007-08 to 2010-11

8.4 Western Australia

Western Australia did not supply JJ NMDS data for 2010–11.

8.5 South Australia

On an average day in 2010–11, around 85% of the 440 young people under juvenile justice supervision in South Australia were under community-based supervision (Figure 8.22). A young person aged 10–17 in South Australia was 5 times as likely to be under community-based supervision as in detention, with 1.9 young people per 1,000 under community-based supervision and almost 0.4 per 1,000 in detention (Table E8). Data for South Australia for 2010–11 should be interpreted with caution (see Section 3.3 for details).

The majority of young people both under community-based supervision and in detention in 2010–11 were aged 10–17 (82% and 83%, respectively) (Table E7). Less than one-fifth (18%) of those under community-based supervision and detention (17%) were aged 18 and older.

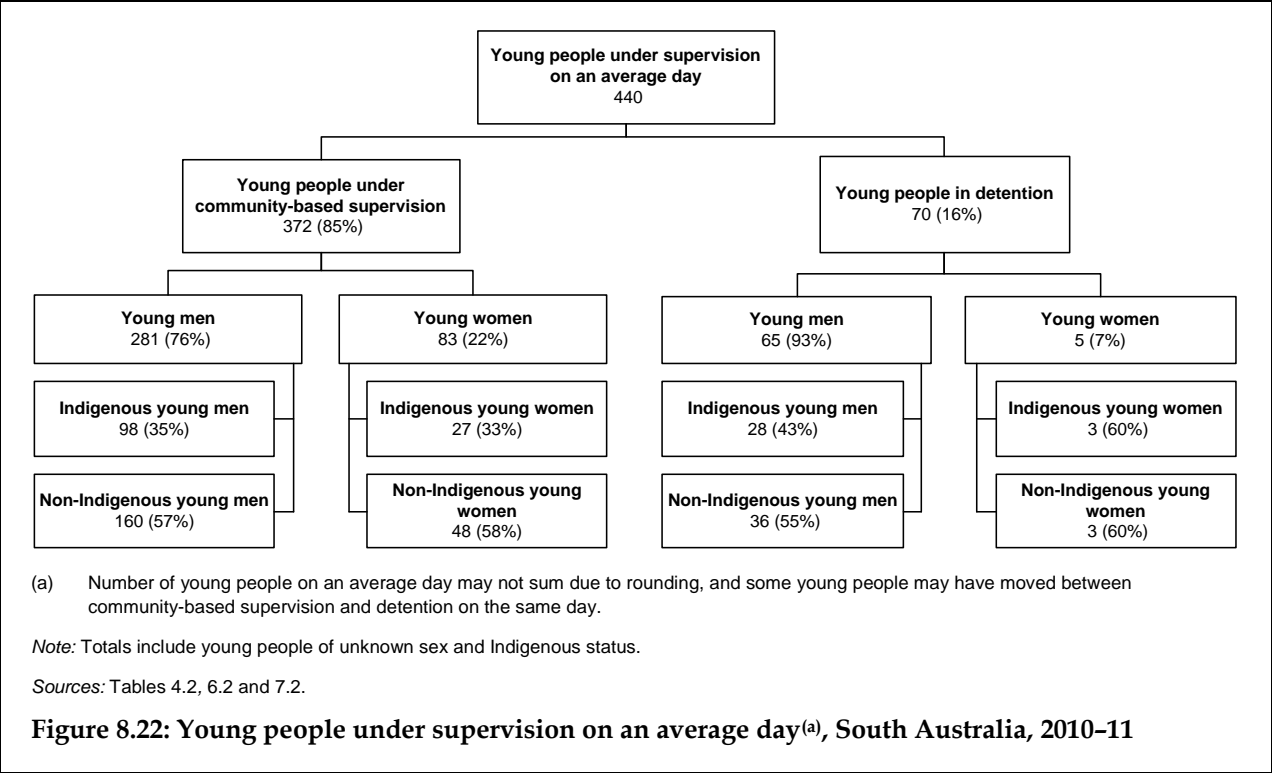
Around one-third (34%) of the 372 young people under community-based supervision on an average day in South Australia were Indigenous (Figure 8.23). In 2010–11, an Indigenous young person aged 10–17 was 17 times as likely as a non-Indigenous young person to be under community-based supervision (Table E8). A higher proportion (44%) of the young people in detention on an average day were Indigenous, and an Indigenous young person aged 10–17 was 23 times as likely as a non-Indigenous young person to be in detention (Figure 8.24 and Table E8).

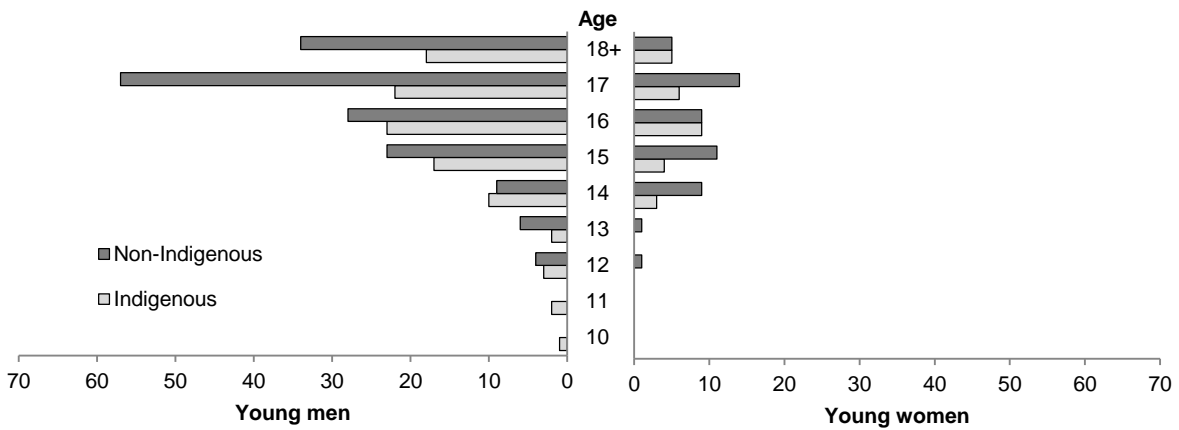
Between 2007–08 and 2010–11, the numbers and rates of young people under community-based supervision in South Australia fell (figures 8.25 and 8.26). While the number of young people under community-based supervision on an average day decreased from 526 to 372 (down 29%), the rate of young people aged 10–17 also fell from 2.4 to 1.9 young people per 1,000. Over the same period, the numbers and rates of young people in detention in South Australia on an average day remained stable at around 70 young people, a rate of just under 0.4 per 1,000.

Over the financial year, the number of young people in unsentenced detention on an average day fluctuated each month at around 30–40 young people, while the number in sentenced detention decreased in the second half of the financial year (Figure 8.27).

There was little change in the numbers of sentenced and unsentenced Indigenous and non-Indigenous young people in detention over the 4 years to 2010–11 (Figure 8.28).

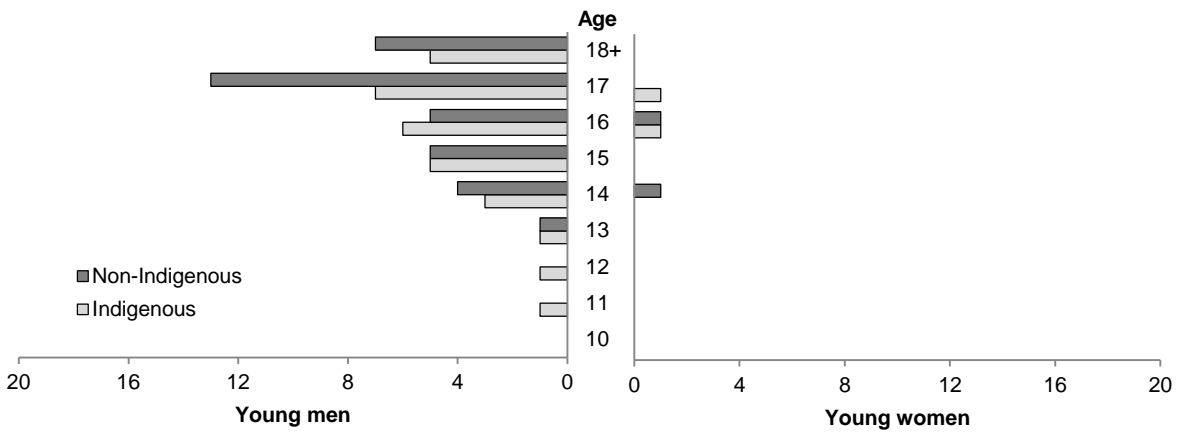
Number and rate under supervision





Source: Table E7.

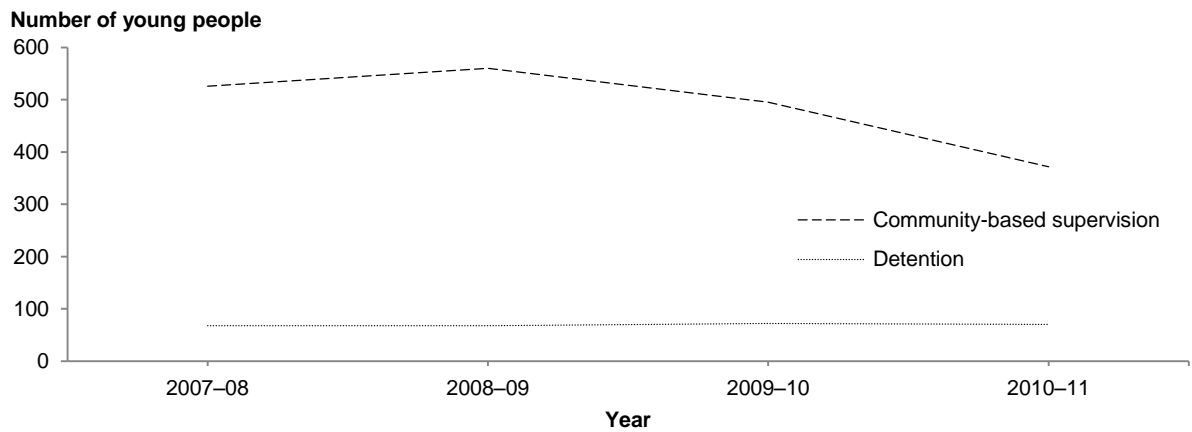
Figure 8.23: Young people under community-based supervision on an average day by age, sex and Indigenous status, South Australia, 2010-11



Source: Table E7.

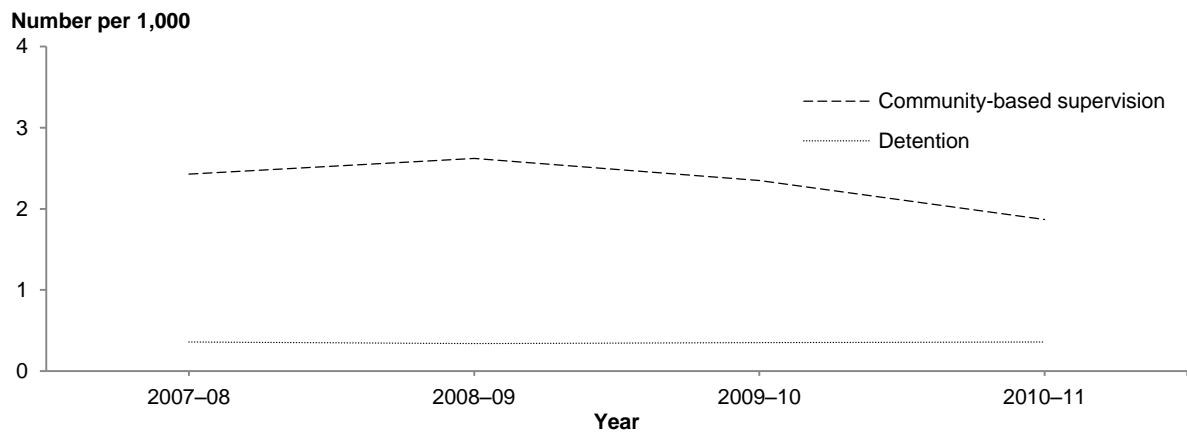
Figure 8.24: Young people in detention on an average day by age, sex and Indigenous status, South Australia, 2010-11

Trends



Sources: Tables C4 and D4.

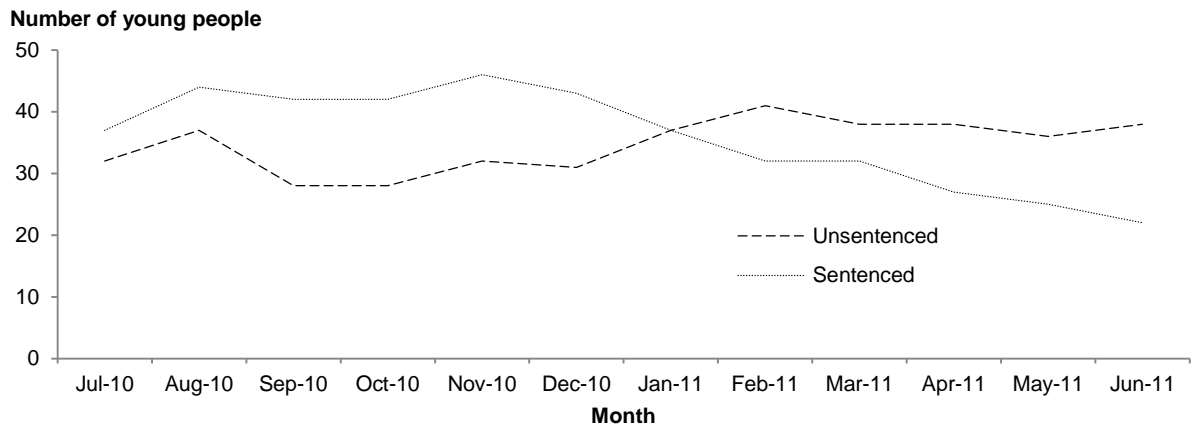
Figure 8.25: Young people under community-based supervision and detention on an average day, South Australia, 2007-08 to 2010-11



Sources: Tables 6.5 and 7.5.

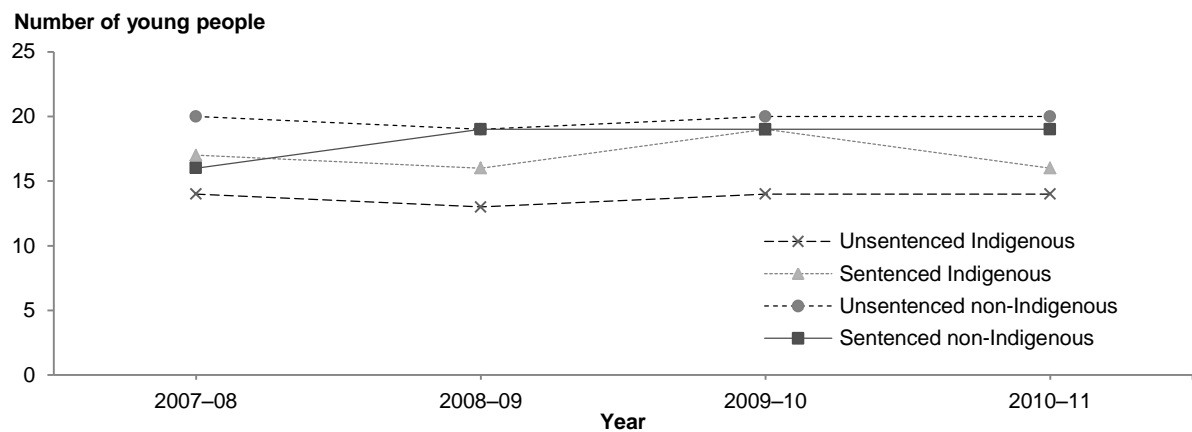
Figure 8.26: Young people aged 10-17 under community-based supervision and in detention on an average day, South Australia, 2007-08 to 2010-11 (rate)

Detention



Source: Table E13.

Figure 8.27: Young people in detention on an average day by month and legal status, South Australia, 2010-11



Source: Table D9.

Figure 8.28: Young people in detention on an average day by Indigenous status and legal status, South Australia, 2007-08 to 2010-11

8.6 Tasmania

On an average day in 2010–11, only 7% of the 353 young people under juvenile justice supervision in Tasmania were in detention; this was the smallest proportion among all the states and territories for which data are available (Figure 8.29). Young people aged 10–17 were almost 10 times as likely to be under community-based supervision as in detention on an average day (Table E10).

Most of those under supervision in Tasmania in 2010–11 were young men: around 9 in 10 (92%) young people in detention on an average day were young men along with around 8 in 10 (78%) young people under community-based supervision (Figure 8.29).

Almost one-third (31%) of those under community-based supervision on an average day were aged 18 and older, compared with only 8% of those in detention (or just 2 young people) (figures 8.30 and 8.31). Most (80%) young people under community-based supervision who were aged 18 and over were non-Indigenous.

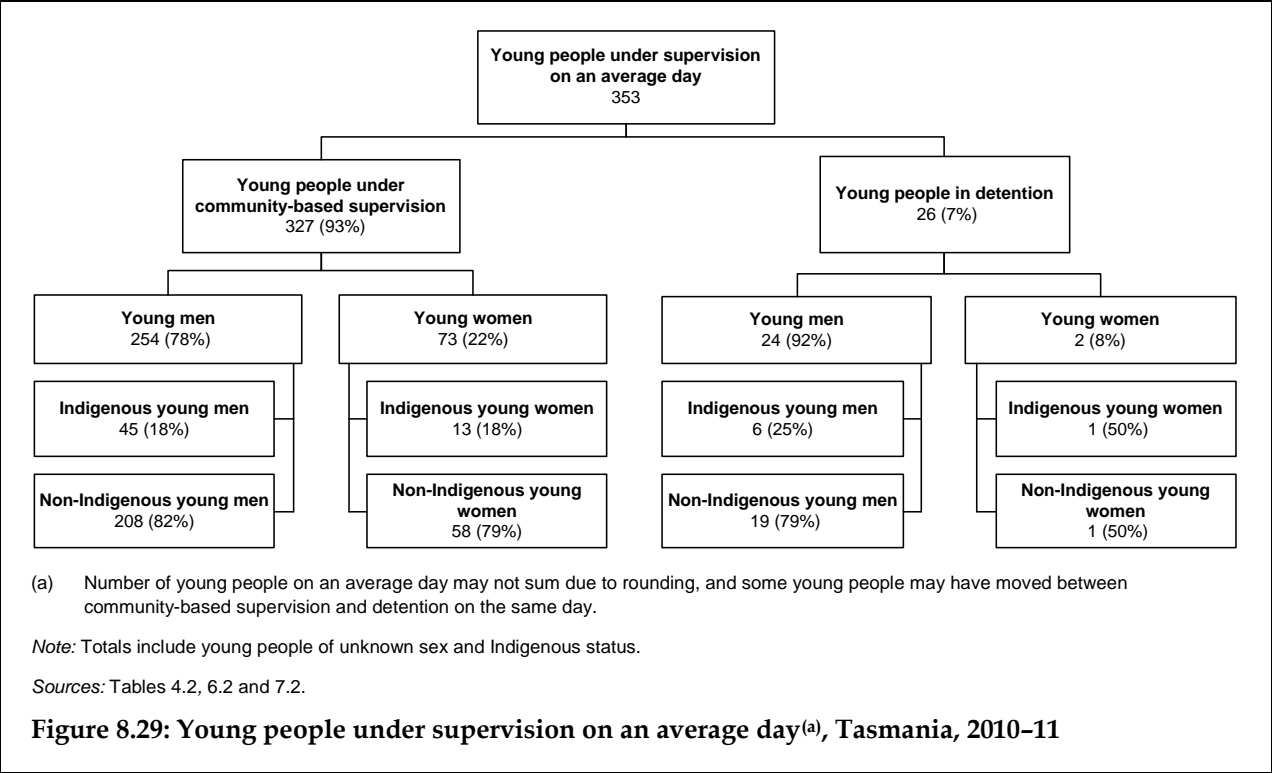
In Tasmania, the level of Indigenous over-representation was similar in both community-based supervision and detention. Indigenous young people aged 10–17 were almost 3 times as likely as non-Indigenous young people to be under community-based supervision in 2010–11, and 4 times as likely to be in detention (Table E10).

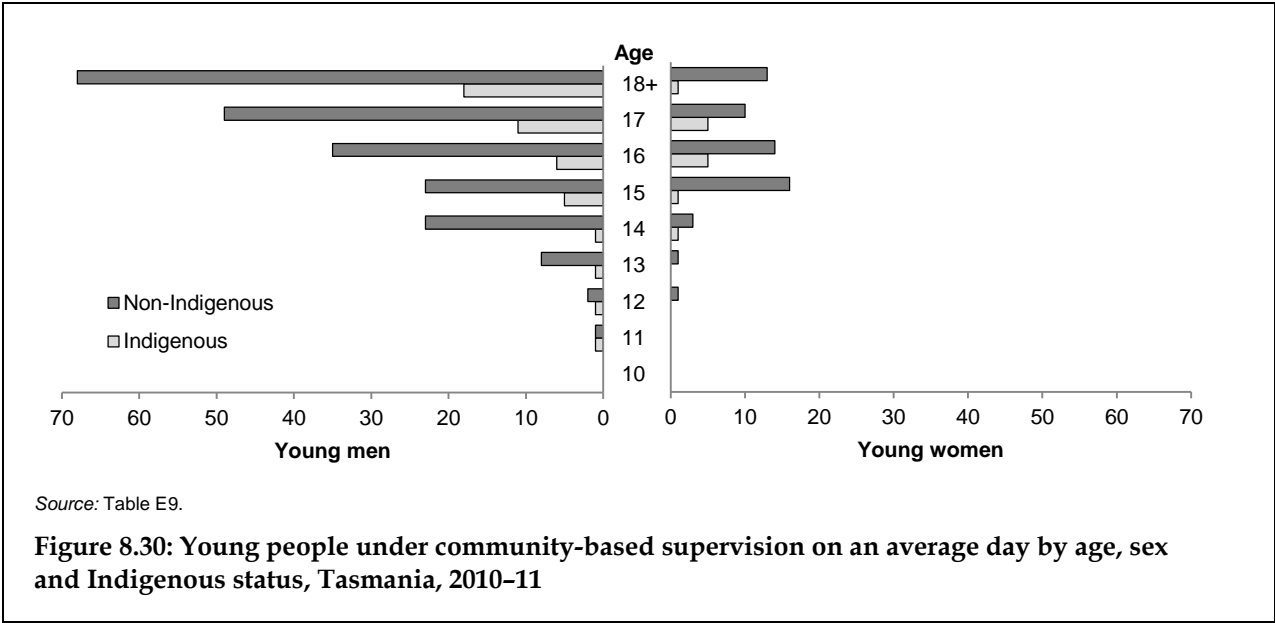
Between 2007–08 and 2010–11, the number of young people under community-based supervision on an average day increased by more than one-third (37%) in Tasmania, while the number in detention remained relatively stable (down by 3 young people) (Figure 8.32). Similarly, the rate of young people aged 10–17 under community-based supervision increased over the period from 3.1 to 4.2 per 1,000, while the rate in detention decreased slightly, from 0.5 to 0.4 per 1,000 (Figure 8.33).

During 2010–11, the number of young people in unsentenced detention on an average day was highest in July 2010 (21 young people) and lowest in January 2011 (12 young people) (Figure 8.34). The number of young people in sentenced detention increased slightly during the year, starting with a low of 6 young people in July 2010 and ending with 11 young people in June 2011.

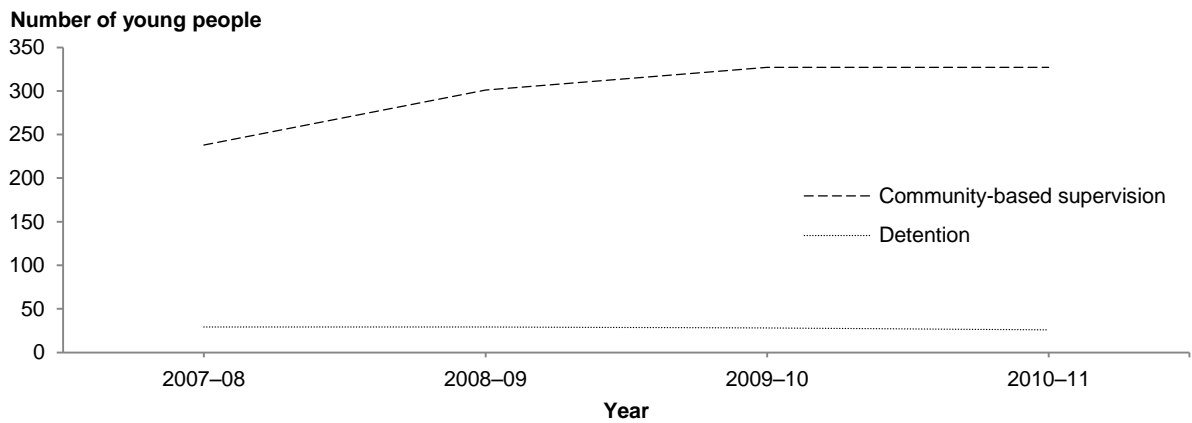
Between 2007–08 and 2010–11, there was little overall change in the numbers of sentenced and unsentenced Indigenous and non-Indigenous young people in detention (Figure 8.35).

Number and rate under supervision



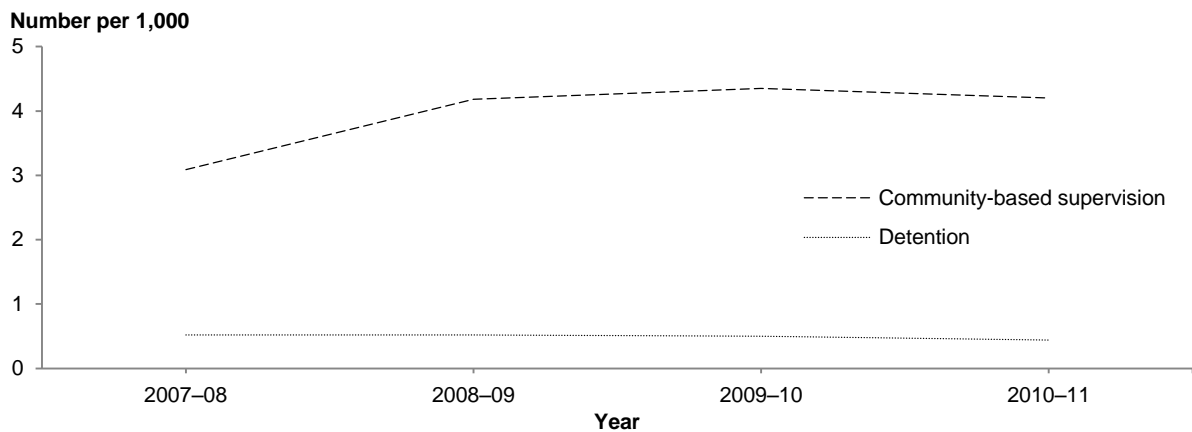


Trends



Sources: Tables C4 and D4.

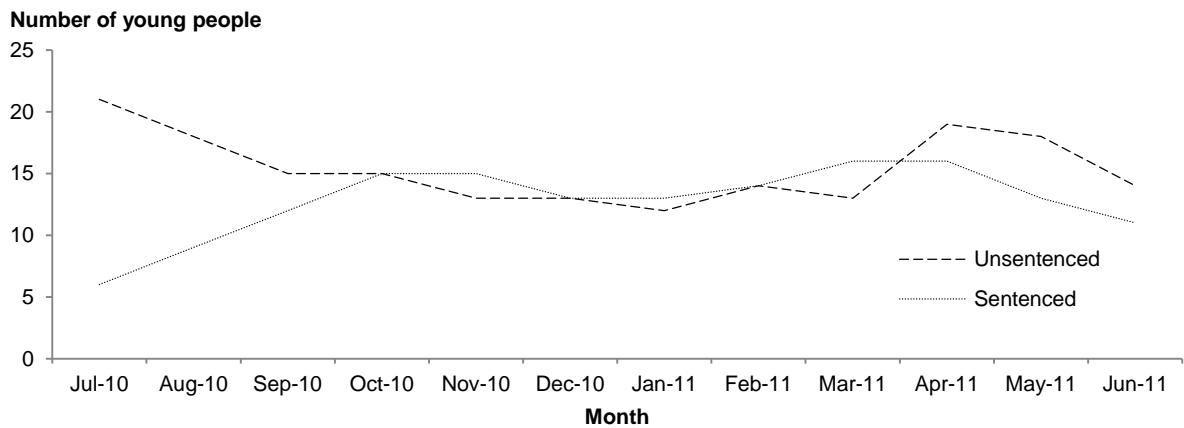
Figure 8.32: Young people under community-based supervision and detention on an average day, Tasmania, 2007-08 to 2010-11



Sources: Tables 6.5 and 7.5.

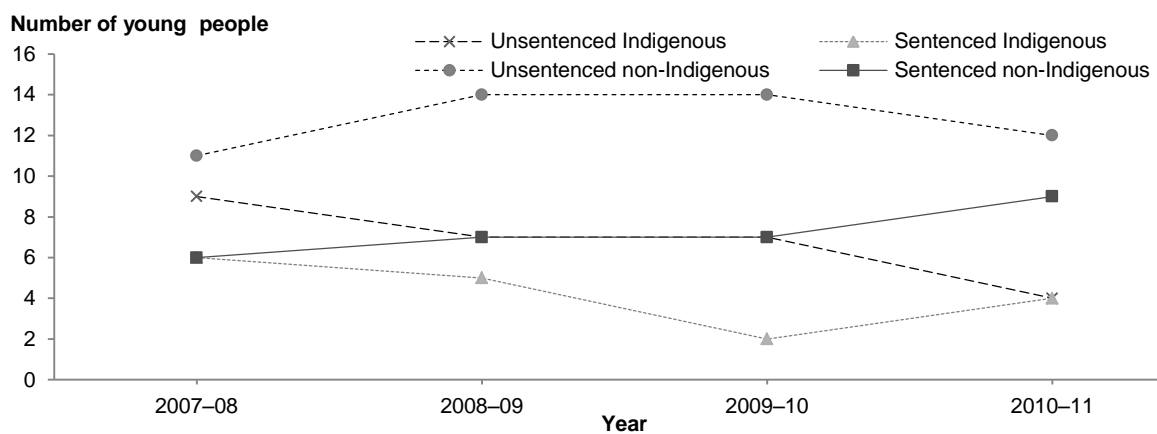
Figure 8.33: Young people aged 10-17 under community-based supervision and in detention on an average day, Tasmania, 2007-08 to 2010-11 (rate)

Detention



Source: Table E13.

Figure 8.34: Young people in detention on an average day by month and legal status, Tasmania, 2010-11



Source: Table D9.

Figure 8.35: Young people in detention on an average day by Indigenous status and legal status, Tasmania, 2007-08 to 2010-11

8.7 Australian Capital Territory

On an average day in 2010–11, 84% of the 140 young people under juvenile justice supervision in the Australian Capital Territory were under community-based supervision and 17% were in detention (young people may have changed between community-based supervision and detention on the same day) (Figure 8.36). A young person aged 10–17 in the Australian Capital Territory was almost 5 times as likely to be under community-based supervision as in detention on an average day, with rates of 3.2 and 0.7 per 1,000, respectively (Table E12).

Almost all of those under community-based supervision and in detention in the Australian Capital Territory on an average day were aged 10–17 (94% and 96%, respectively) (Table E11).

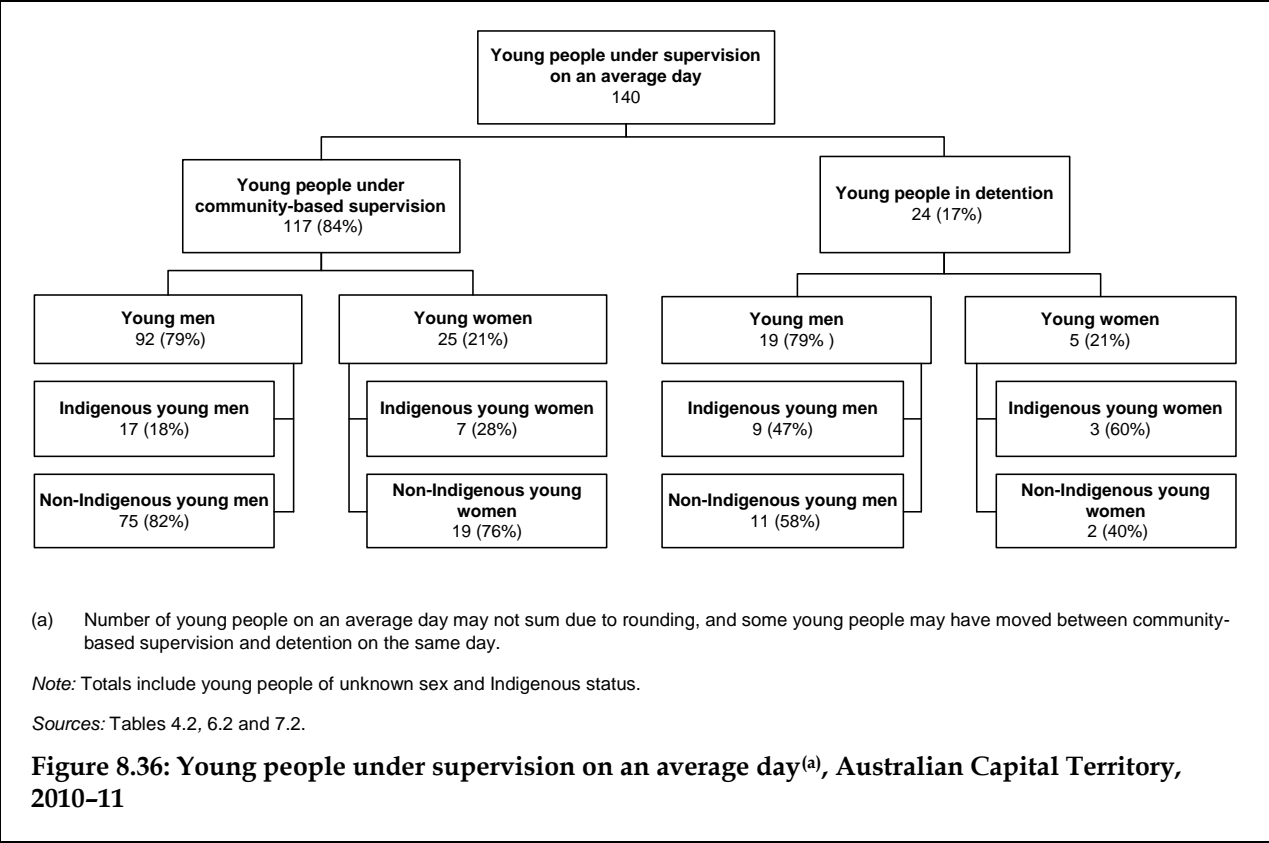
Indigenous over-representation was higher in detention than in community-based supervision. In 2010–11, around 1 in 5 (20%) young people under community-based supervision on an average day were Indigenous, compared with 1 in 2 (50%) in detention (Table E11). Indigenous young people in the Australian Capital Territory aged 10–17 were almost 11 times as likely to be under community-based supervision as non-Indigenous young people on an average day, and 36 times as likely to be in detention (Table E12).

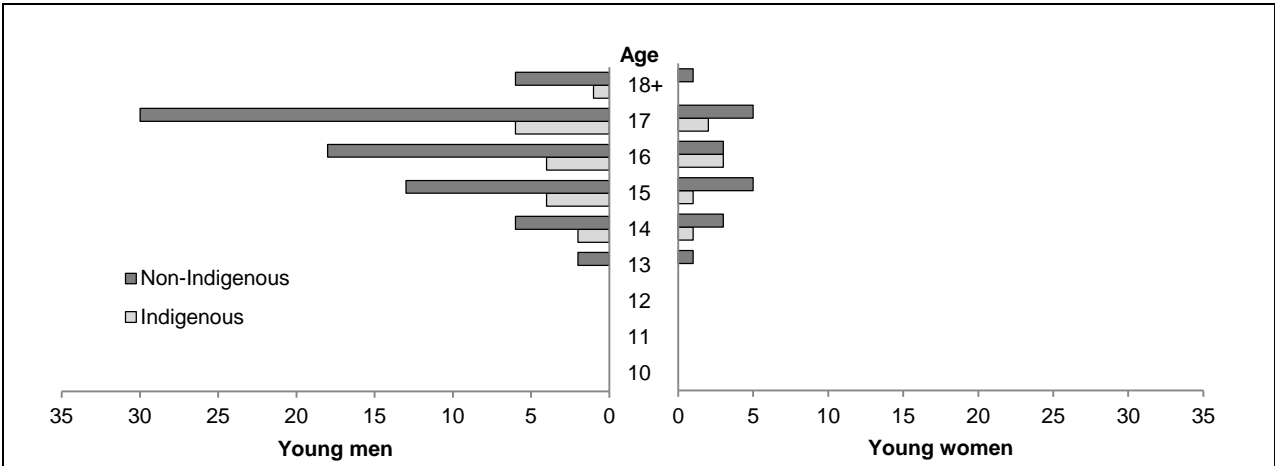
The numbers and rates of young people under community-based supervision on an average day in the Australian Capital Territory decreased slightly between 2007–08 and 2009–10, before increasing in the most recent year (figures 8.39 and 8.40). Overall, there was an increase in the rate of young people aged 10–17 under community-based supervision on an average day over the 4-year period, from 2.8 young people per 1,000 in 2007–08 to 3.2 per 1,000 in 2010–11. Similarly, there was an increase in the rate of young people aged 10–17 in detention, from 0.5 to almost 0.7 per 1,000.

Over the 2010–11 year, the number of unsentenced young people in detention on an average day during the month decreased from 17 in July 2010 to 11 in June 2011, while the number of sentenced young people increased from 5 in July 2010 to 13 in June 2011 (Figure 8.41).

Over the 4-year period to 2010–11, there was little overall change in the sentenced and unsentenced Indigenous and non-Indigenous populations (Figure 8.42).

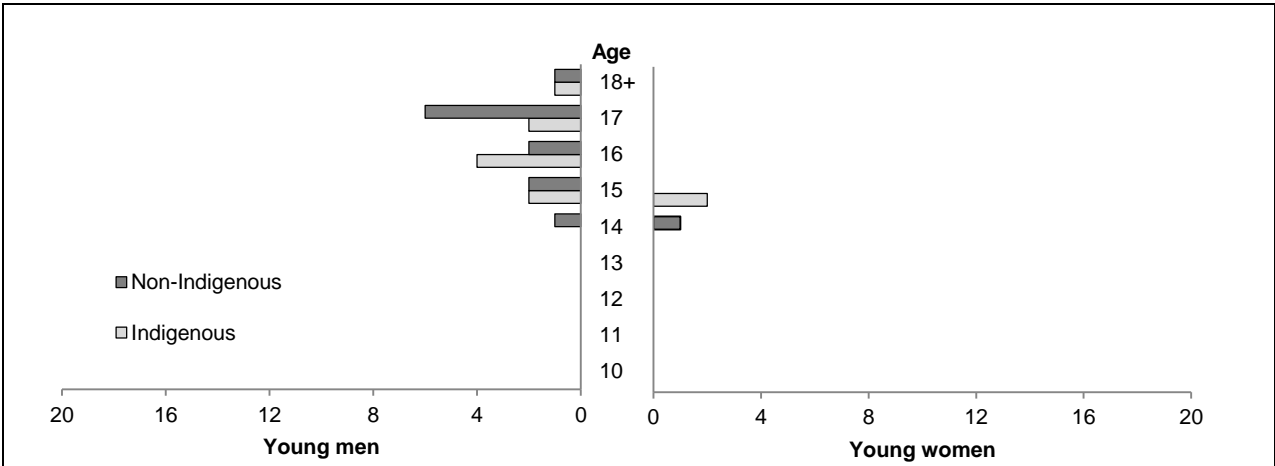
Number and rate under supervision





Source: Table E11.

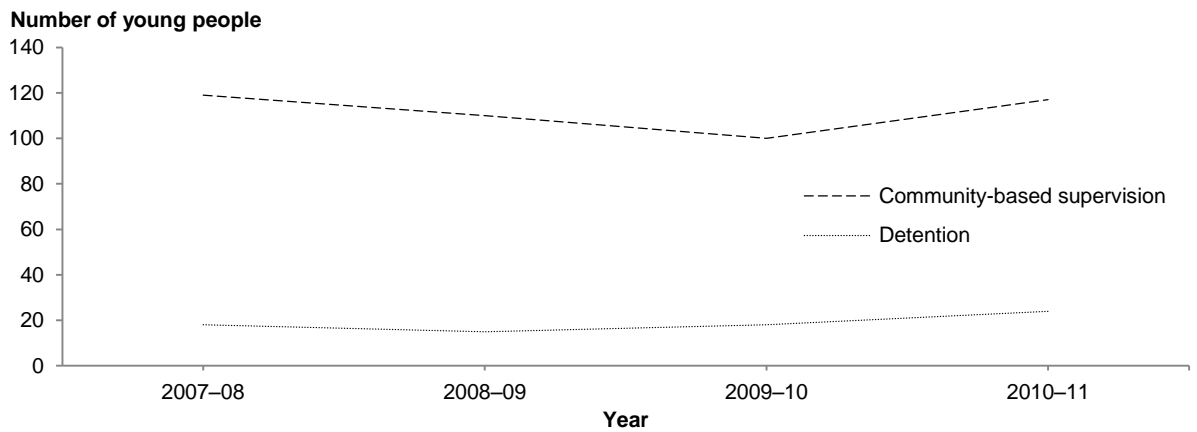
Figure 8.37: Young people under community-based supervision on an average day by age, sex and Indigenous status, Australian Capital Territory, 2010-11



Source: Table E11.

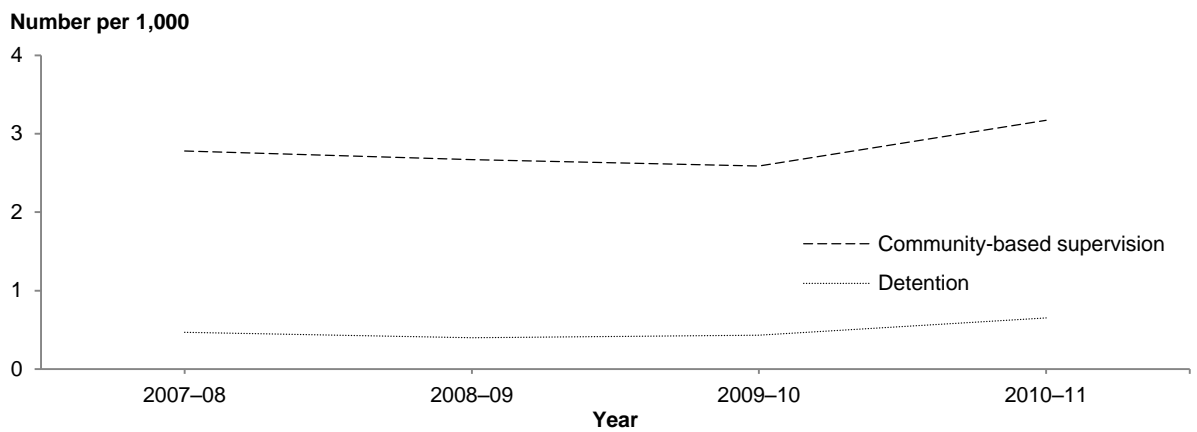
Figure 8.38: Young people in detention on an average day by age, sex and Indigenous status, Australian Capital Territory, 2010-11

Trends



Sources: Tables C4 and D4.

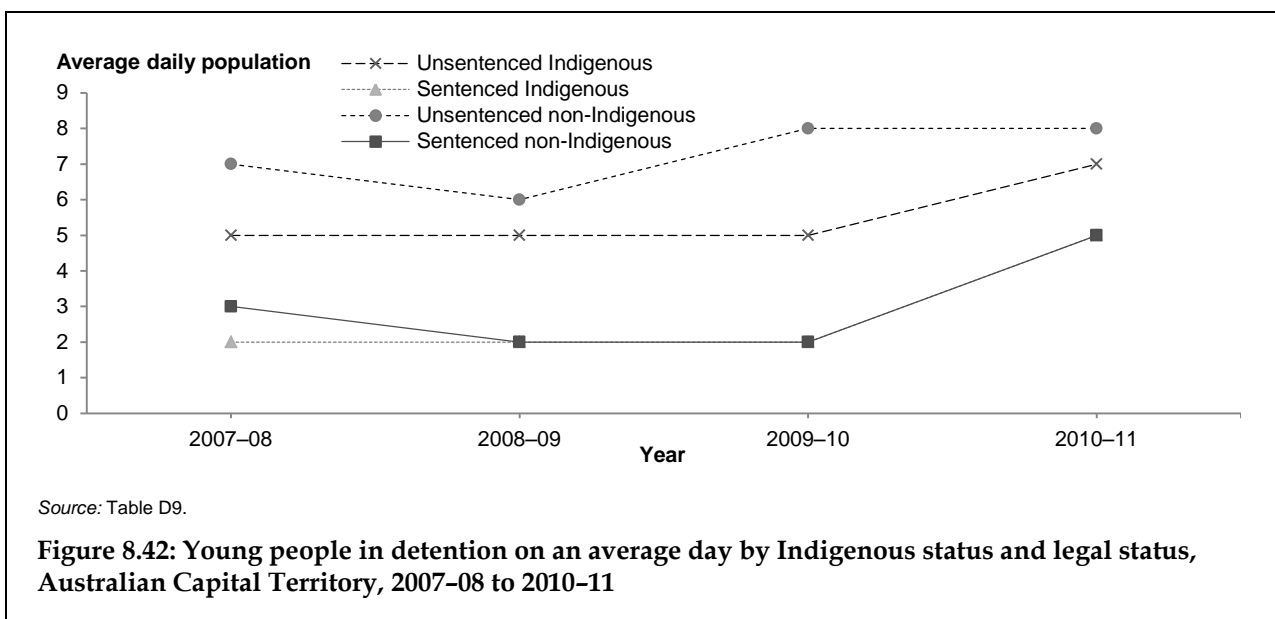
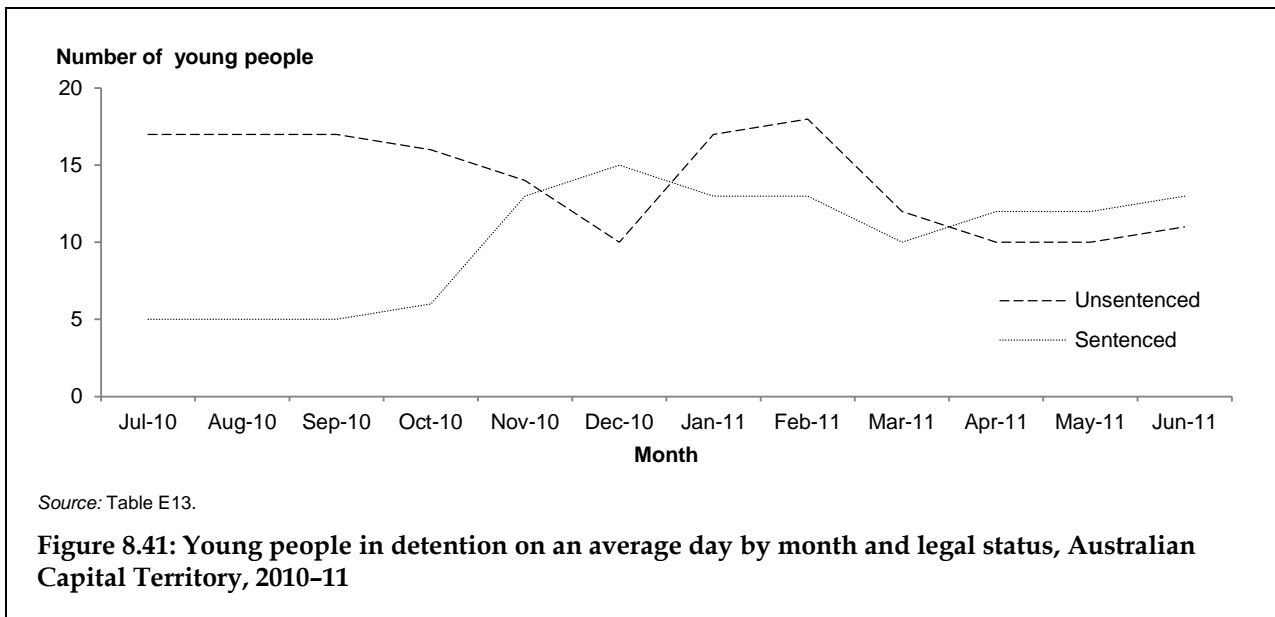
Figure 8.39: Young people under community-based supervision and detention, Australian Capital Territory, 2007-08 to 2010-11



Sources: Tables 6.5 and 7.5.

Figure 8.40: Young people aged 10-17 under community-based supervision and in detention on an average day, Australian Capital Territory, 2007-08 to 2010-11 (rate)

Detention



8.8 Northern Territory

The Northern Territory did not supply JJ NMDS data for 2010-11.

Appendix 1 State and territory juvenile justice systems, programs and services

In Australia, the state and territory governments are responsible for juvenile justice. This appendix provides information on key elements of the juvenile justice systems, programs and services in each state and territory and lists the juvenile justice legislation and juvenile justice centres in each state and territory.

The information in this Appendix was provided by the juvenile justice agencies in each state and territory.

New South Wales

In New South Wales, criminal responsibility commences at the age of 10. The maximum age for appearance in a Children's Court is 17 years.

The term 'juvenile justice' is used in New South Wales.

Key policy directions

- Providing diversion through the provisions of the *Young Offenders Act 1997*, including warnings, cautions (administered by the New South Wales Police Force) and the Youth Justice Conferencing scheme (administered by the Juvenile Justice agency).
- Developing models of family-based community intervention such as the Intensive Supervision Program (ISP) being piloted in Western Sydney and Newcastle.
- Providing bail support and the Bail Assistance Line to reduce the number of young people in detention on remand when conditional bail could be granted.
- Providing multi-agency approaches to managing complex needs.
- Expanding pre- and post-release support, including the establishment of the Pre-Release Unit at Reiby Juvenile Justice Centre.

Key agencies

Juvenile justice agency

The Department of Attorney General and Justice (DAGJ) is responsible for providing juvenile justice services in New South Wales as of April 2011. Juvenile Justice was initially amalgamated with a number of other agencies to form the Department of Human Services in June 2009.

The Juvenile Justice agency (referred to as Juvenile Justice) within the DAGJ is responsible for:

- supervising young people sentenced to community-based or custodial orders
- supporting young offenders to meet the conditions of bail
- supervising young offenders who are on conditional bail or remanded in custody pending finalisation of their court matters
- preparing reports for the courts to consider in determining sentences.

Juvenile Justice also administers the Youth Justice Conferencing scheme and operates 34 community offices and 9 juvenile justice centres.

Juvenile Justice shares responsibility for addressing the offending behaviour of young people in New South Wales with a number of other agencies including Justice Health; Ageing, Disability and Home Care; Community Services; the Department of Education and Communities; Centrelink; and the Australian Government Department of Education, Employment and Workplace Relations. Juvenile Justice also funds a number of community agencies to assist young people involved in the juvenile justice system and their families.

Police

The New South Wales Police Force is responsible for detecting and investigating crime in New South Wales. Police may choose to use alternatives to court proceedings, such as warnings, cautions or referral to youth justice conferences, as set out in the Young Offenders Act, or may commence court proceedings under the provisions of the *Children (Criminal Proceedings) Act 1987*.

Juvenile Justice works closely with police, particularly in relation to transporting young people and managing incidents within juvenile justice centres. Police also provide specialist support to young people through Police and Community Youth Clubs, and engage young people through a variety of recreational and social programs.

Courts

The commencement, conduct and outcome of court proceedings against young people who are alleged to have committed an offence and are not eligible to be dealt with under the Young Offenders Act are governed principally by the Children (Criminal Proceedings) Act. Section 6 of this Act sets out the principles that apply to all courts exercising criminal jurisdiction with respect to children, while Section 33 details the penalties that the Children's Court may impose on children found guilty of an offence.

Possible outcomes for young people appearing before the court include:

- unsupervised options – cautions, fines, recognisance
- community-based orders – recognisance, probation or community service orders
- custodial orders.

Key elements

Diversion

The Young Offenders Act provides for warnings, cautions and youth justice conferencing in New South Wales. Juvenile Justice is responsible for administering youth justice conferences under Part 5 of this Act. Not all young people are eligible for a youth justice conference. Some categories of offence, such as sexual assault, serious drug offences, breaches of apprehended violence orders, traffic offences and offences causing death, can be dealt with only by a court.

The Youth Conduct Order Pilot Scheme, which started in 2008–09, targets young people aged 14–18 who have been charged with, or convicted of, antisocial offences, and aims to reduce their antisocial behaviour. Juvenile Justice partners key justice and human services agencies in providing intensive case management to deal with the cause of the offender's

antisocial behaviour. Youth Conduct Orders (YCOs) can direct young people to perform certain tasks or activities to help reduce their risk of offending, such as participating in education or employment, or in a range of programs such as alcohol and drug counselling or anger management. YCOs also have a component where the young person can be restricted from visiting specified places, being in the company of a particular person, and engaging in behaviour that may cause harassment, alarm or distress.

Case management

Casework interventions aim to address the specific needs of young people under supervision. Community and custodial staff work closely together to provide services to ensure that a young person's period in custody is used to address their offending behaviour. Services are focused on maximising the capacity and opportunity of the young person to choose positive alternatives when they return to their community.

Offence-specific and therapeutic programs

Juvenile Justice provides a range of programs and interventions within the community and custodial environments that are designed to address the needs of young people. These include counselling and group-work programs that focus on alcohol and other drug issues, and programs for sex offenders and violent offenders. Some examples of programs offered include:

- the Community/Custodial Services Intervention Framework and Framework for Programming, which helps staff in juvenile justice centres and the community to develop and deliver programs to tackle offending behaviour such as violent and aggressive behaviour, alcohol and drug misuse
- the Targets for Effective Change program, an offending behaviour program that focuses on issues such as relationship skills, handling conflict, accommodation and employment
- the Changing Habits and Reaching Targets (CHART) program, a cognitively-based intervention designed specifically for caseworkers to engage and work with young people who require moderate to high intervention to reduce their risk of re-offending. Developed in Victoria, the program helps young people to change their thinking and decision-making processes and, ultimately, their offending behaviour. CHART was implemented in late 2009 and ongoing training to support its implementation has been delivered throughout this financial year. Since its introduction, 147 young people have started the program.

In addition to the programs and interventions delivered by agency staff, Juvenile Justice has developed a range of partnerships to assist young offenders. These include the delivery of education within juvenile justice centres, post-release support and employment skills programs, disability support, health and mental health support, and legal services.

Programs for Aboriginal and Torres Strait Islander young people

To ensure a coordinated approach to addressing the over-representation of Indigenous young people in the juvenile justice system, Juvenile Justice has developed the Aboriginal Strategic Plan 2011–2013. Included are a number of programs to address issues for Indigenous young people in the juvenile justice system, including the ISP, DthinaYuwali, and Our Journey to Respect.

The ISP is a family-focused approach that has proved successful in working with young people from all backgrounds, including Indigenous populations. Indigenous young people

are a focus of this program, which involves teams of specially trained staff, including an Aboriginal team advisor who facilitates the engagement of Indigenous families.

DthinaYuwali is a targeted drug and alcohol program focusing on Indigenous young people. The program uses culturally appropriate methods that improve the likelihood of breaking the cycle of re-offending. This program has been evaluated and is being prepared for state-wide implementation.

Our Journey to Respect is a group session program for Indigenous boys and young men that aims to reduce the incidence of family and inter-generational violence.

Supported accommodation and bail programs

Juvenile Justice provides bail support and remand interventions to help young people meet their bail conditions and to reduce the number of young people in custody on remand. Community-based staff work with young people, court officials and other service providers to ensure that, where appropriate, young people are able to remain in the community while being supervised for compliance with bail conditions.

Brokerage funds are used to buy services – such as accommodation, support services, clothing, and health care – that help young people meet their bail conditions and stay out of detention. Resources are also allocated to help young people access mental health services, and alcohol and other drug services.

Juvenile Justice has established a Bail Assistance Line in collaboration with the New South Wales Police Force. Police liaise over the phone directly with a Juvenile Justice Bail Co-ordinator. The Bail Assistance Line aims to divert young people from remand to bail. One focus of the service is to assist where difficulty securing accommodation is the primary reason for a young person's being remanded into custody.

Pre- and post-release programs

Juvenile Justice provides pre- and post-release casework in collaboration with other agencies, particularly the Department of Education and Communities, NSW Health, Community Services, and Ageing, Disability and Home Care.

In late 2010, Juvenile Justice established a pre-release unit at the Reiby Juvenile Justice Centre to prepare young people in detention for their release back into the community.

The Post Release Support Program (PRSP) supports young people released from custody by comprehensively addressing barriers to reintegration and facilitating successful reintegration into their communities. Juvenile Justice funds non-government organisations to provide post-release support in a range of areas including accommodation, employment, training and education, income, recreation, and issues around family or relationships and peer association.

Other programs

Other programs are briefly described below.

Love BiTES

Love BiTES is a domestic violence and sexual assault prevention program for young people based on best-practice standards and recommended by the Australian Domestic Violence and Family Violence Clearinghouse. The Love BiTES program has been adapted and

developed as a Juvenile Justice model in partnership with the National Association for the Prevention of Child Abuse and Neglect (NAPCAN).

In 2010–11, Juvenile Justice co-delivered training with NAPCAN to Juvenile Justice staff and community partners in five locations – Grafton, Sydney, Wagga Wagga, Central Coast and Dubbo. The program also began with young people in three juvenile justice centres – at Cobham, Emu Plains and Riverina.

In 2011–12, Juvenile Justice will continue to implement this initiative by training staff to deliver the program and ensuring that information on personal safety and protective behaviours is available to young people admitted to juvenile justice centres and to those on community-based orders.

Cognitive Self Change Program

To meet the challenge of high-risk young people who have committed violent offences, Juvenile Justice is piloting the Cognitive Self Change Program. This group-based program teaches participants to monitor their own thinking, identify what underpins their violence and crime, develop alternative thinking that allows them to feel good about themselves while avoiding crime, and to practise this new thinking for use in real-life situations.

The initial community pilot began in Fairfield in the first half of 2010 and additional pilots have started at Blacktown and Gosford. The program will be further expanded during 2011–12, with its first use in a custodial setting at Reiby Juvenile Justice Centre. The program will be evaluated by comparing re-offending rates with those of an equivalent group that did not participate in the program, and by examining change on a measure of antisocial thinking.

Alcohol and Other Drug programs

The Juvenile Justice Alcohol and Other Drug treatment pathway is composed of three evidence-based programs, all written in Australia and containing a full range of user-friendly resources. The programs are designed in stages according to a client's level of risk of re-offending.

- Stage 1 is a drug education program that aims to create an awareness of substances and of consequences related to their misuse.
- Stage 2 is 'Profile', or the Personal Review of Offences File. This program is designed to promote problem recognition and treatment readiness in participants.
- Stage 3 is 'X-Roads', or Cross Roads, a high-intensity treatment program for participants who have been assessed as being 'treatment ready', or willing to give change a chance.

This innovative program was developed by the National Drug and Research Centre (NDARC) in partnership with Juvenile Justice. Training and implementation will start in 2011–12.

Program evaluation

The development of the Program Development and Evaluation Framework has provided the foundation for designing and implementing program evaluations. Pre- and post-program assessments based on research and best practice have been developed for all offending-focused programs.

Pre-program data have been collected for almost 365 young people across different program areas. When post-program data are also collected, analyses of change will identify the benefits of the programs for young offenders, and areas for future improvement. In time,

these data will contribute to what we know about what works to reduce offending behaviour.

Legislation

Amendments to Children (Detention Centres) Regulation 2005 (effective 2 March 2007)

Children (Community Service Orders) Act 1987

Children (Criminal Proceedings) Act 1987

Children (Detention Centres) Act 1987

Children (Interstate Transfer of Offenders) Act 1988

Young Offenders Act 1997 (Part 5 and Schedule 1)

Juvenile justice remand and detention centres

Acmena Juvenile Justice Centre (Grafton)

Broken Hill Juvenile Justice Centre

Cobham Juvenile Justice Centre (St Marys)

Emu Plains Juvenile Justice Centre (Penrith)

Frank Baxter Juvenile Justice Centre (Kariiong)

Juniperina Juvenile Justice Centre (Lidcombe)

Orana Juvenile Justice Centre (Dubbo)

Reiby Juvenile Justice Centre (Airds)

Riverina Juvenile Justice Centre (Wagga Wagga)

Victoria

In Victoria, criminal responsibility commences at age 10. The maximum age at which young people may appear in a Children's Court is 17 years at the time of the offence. In addition, young people aged 18–20 may be sentenced to detention in a juvenile detention centre (rather than an adult prison) where the court deems appropriate.

The term 'youth justice' is used in Victoria. Juvenile justice remand and detention centres are referred to as youth justice centres and youth residential centres.

Key policy directions

- Continuing the diversion of young people from entering or progressing through the justice system by providing court advice, group conferencing and a central after-hours assessment and bail placement service.
- Providing effective assessment processes, targeted and evidence-based interventions and case management systems.
- Implementing the Youth Justice Client Outcomes Framework to integrate performance measurement into practice and build an evidence base for effective service provision.

- Improving rehabilitation programs for young people through the ‘What Works’ evidence base for effective programs and practice, and intervening with young people to address issues that have a causal link to offending.
- Providing ongoing support to the Youth Justice Community Support Service for the integrated provision of intensive support and services, which will complement the statutory case management that Youth Justice regional units undertake and reduce the likelihood of further offending by young people.
- Developing and expanding ways of reducing the over-representation of young Indigenous people in the justice system, including through the Children’s Koori Court and the further development of the Koori Youth Justice Program.

Key agencies

Juvenile justice agency

The Department of Human Services is responsible for providing youth justice services in Victoria. The Youth Justice service provides programs and resources to assist young people to develop the knowledge, skills and attitudes to manage their lives effectively without further offending. Through supervision, offending-related programs and linkages with appropriate support services, Youth Justice promotes opportunities for rehabilitation and helps to reduce crime in the community.

The objectives of Youth Justice are to:

- support the diversion of young people charged with an offence from the criminal justice system where appropriate
- minimise the likelihood of re-offending and progressing further into the criminal justice system through supervision that challenges offending behaviours and related attitudes and promotes pro-social behaviours
- work with other services to strengthen community-based options for young people, enabling an integrated approach to the provision of support that extends beyond the court order
- engender public support and confidence in the Youth Justice service.

The Youth Justice service is composed of:

- Youth Services and Youth Justice – responsible for policies and programs
- Youth Justice Units – a state-wide regional service responsible for supervising young people on statutory orders who are residing in the community
- Youth Justice Custodial Services – responsible for operating and managing youth justice centres.

Police

In Victoria, police may use their discretionary power to caution young people.

Courts

The sentencing principles framed in the *Children, Youth and Families Act 2005* distinguish the developmental needs of children and adolescents as separate from adults’ needs.

Section 362(1) of the Act contains the matters the court must take into account in determining a sentence.

The criminal division of the Children's Court has a range of options available to it when dealing with children and young people, and a clear sentencing hierarchy is established through the legislation.

Youth Justice provides an advisory service to both the Children's Court and the adult court system that includes assessment and advice to the courts to help in the sentencing process and to facilitate diversionary options where appropriate. There are a number of aspects to this service, including:

- a central after-hours bail assessment and placement service that has been effective in reducing numbers of young people inappropriately remanded in custodial centres
- an adult court assessment and support service for young people aged 18–20, that provides youth justice centre suitability assessments, bail support and advice, and referral services.

Key elements

Diversion

The Youth Support Service (YSS) is a new service. It aims to intervene early and divert young people away from the youth justice system by addressing the underlying causes of their offending and risk-taking behaviour. The YSS works with young people aged 10–18 at the earliest point possible, following a young person's first contact with Victoria Police, regardless of whether that contact is expected to result in a charge or court proceedings. The YSS is delivered by 35 youth workers employed in eight community service organisations. It has been operating state-wide since May 2011, across the Melbourne metropolitan area and in Ballarat, Bendigo, Geelong, Latrobe Valley, Shepparton and Mildura.

Victoria Police operational members are the major provider of referrals. Other referral sources for the YSS include self-referrals from young people meeting the eligibility criteria for the program and internal referrals from agencies providing the YSS. This initiative also incorporates the BRAVO program, a behaviour change program targeting young people with knife-related behaviour or offences.

The Youth Justice service in Victoria takes a strong diversionary approach in managing children and young people who enter the criminal justice system under the Children, Youth and Families Act. The manner in which children and young people are dealt with reflects this, from the initial point of contact with the police through to completion of any order that the court may impose.

In the Children's Court, the Intensive Bail Supervision Program provides support to young people aged 10–18 who are at immediate risk of remand. This program is limited to the North and West, and Southern metropolitan regions.

As part of the diversionary approach, Victoria has a unique sentencing option known as the 'dual track' system. The *Sentencing Act 1991* provides for the adult courts to sentence a young person aged 18–20 to a youth justice centre as a direct alternative to a sentence of imprisonment. The adult courts can also request that Youth Justice provide bail supervision and progress reports for young adults aged 18–20 where diversion from a more intensive adult justice outcome is possible.

A pre-sentence Group Conferencing Program exists across Victoria; its legislative framework is incorporated into the Children, Youth and Families Act. Based on restorative justice

principles, the program is targeted at young people aged 10–17 who have pleaded or been found guilty of an offence or offences serious enough to warrant a supervised order in the community. The conference brings together the young person and their family, the victims and the police to increase the young person’s understanding of the impact of their offending.

Case management

The Youth Justice service is responsible for managing community-based and custodial sentencing orders imposed by the Children’s Court and youth justice centre orders imposed by an adult court. Case management and interventions are informed by a comprehensive client assessment and planning process. Offending-related and offence-specific needs are addressed through individual casework, group work and referral to specialist services and programs.

The Youth Justice Community Support Service (YJCSS) provides an integrated approach to intensive support and services to complement the statutory case management undertaken by regional Youth Justice units. The development of the model recognised that young people in the youth justice system present with a range of complex and varied needs that require an individualised service response. This includes support to young people on community-based orders and post-release support services for young people leaving custody. Individualised packages of services are targeted to enhance rehabilitation, increase economic participation and improve social connectedness in the community.

Within each region, a group of community sector agencies delivers the YJCSS. Each group has a lead agency and a number of partners who provide a single intake point for a suite of flexible services – individually tailored to meet the needs of young people in their local area – and a referral pathway to the broader youth service system. The YJCSS includes the following services:

- intensive case management support – support to assist young people to lead non-offending lives and to connect with family, education, training, employment and community
- integrated access and supported referrals – access and referrals to a wide range of services both within the YJCSS and the broader service system, including drug and alcohol services, mental health and health services, housing, education, training, culturally and linguistically diverse and Indigenous-specific services
- transitional housing and support (Transitional Housing Management, Youth Justice Housing Pathways Initiative) – transitional housing properties and assistance and housing outreach support for young people who are homeless, or at risk of homelessness, to maintain stable accommodation and enhance capacity for independent living.

Offence-specific and therapeutic programs

A range of offence-specific programs are offered in Victoria and are briefly described below.

Changing Habits and Reaching Targets

CHART is a structured individualised intervention program that challenges offending behaviour. Youth Justice staff use CHART as part of their casework intervention with individuals (or small groups); it is designed to:

- be a practical tool to support casework with young adult offenders

- employ a skills-oriented, cognitive behavioural focus
- be clearly directive in its approach to intervention
- use active, participatory learning methods.

Male Adolescent Program for Positive Sexuality

The Male Adolescent Program for Positive Sexuality (MAPPS) is an intensive individual, group and family work-treatment program for adolescent males who have been found guilty of a sexual offence. Based on a cognitive-behavioural model, MAPPS incorporates attitudinal and cognitive restructuring techniques, social skills training, relapse prevention, victim awareness, and education on sex and sexuality.

BORAVO program

Better Outcomes Result in Valuable Outcomes (BORAVO) is a behaviour change program developed in consultation with the community service organisations selected to provide the Youth Support Service. BORAVO is a strength-based program consisting of six modules with the following content focus: motivational interviewing; education, young people and the law; personal development; goal setting; goal planning; revisit and review. YSS youth workers will use the program modules when they assess that a young person would benefit from that module's content and focus.

The Be Real About Violence and Relationships And Violence programs

The Be Real About Violence (BRAVE) program (for young men) and the Relationships and Violence (RAVE) program (for young women) have been developed for young people involved in youth justice who have committed violent offences or who have displayed or threatened physical violence in familial and/or community settings. The programs aim to tackle violent behaviour, increase understanding of patterns of violence, increase pro-social coping skills and assist the young person to make violence-free choices, thus preventing further offending.

Motor Vehicle Offending Program (delivered in the Southern Metropolitan Region)

This program is targeted at young people found guilty of motor vehicle offences. There are two models for the program: the first is a 2-week program, the second an 8-week program. Both look at motor vehicle offending, with the Transport Accident Commission, VicRoads and the Road Trauma Support Unit involved in their delivery.

Victoria also offers a range of programs designed to address offence-related issues and behaviours including substance abuse programs, health and mental health programs, housing programs and independent living support, education training and employment programs and a range of pre- and post-release programs.

Programs for Aboriginal and Torres Strait Islander young people

Indigenous-specific programs have been extensively developed and expanded in Victoria to address the over-representation of Indigenous young people in juvenile justice and to connect with appropriate culturally specific organisations.

The Koori Youth Justice Program employs Koori Youth Justice Workers to help Indigenous young people to access appropriate role models and culturally sensitive support, advocacy and casework. The Koori Youth Justice Program operates in three metropolitan Melbourne locations and 11 rural locations and the three Youth Justice centres. Clients include young people who are the subject of orders from the criminal division of the Children's Court,

young adults in the dual-track system and, as caseloads permit, young Indigenous people who are at risk of offending, and those who have committed minor offences and received police diversion or cautions.

Koori Youth Justice Workers develop Aboriginal cultural support plans for clients; provide practical support to clients and their families; support other youth justice workers in assessing, planning and setting goals for young Indigenous clients; and develop preventive programs such as sporting and recreational programs, including coaching and transporting young people to these events.

The Koori Early School Leavers and Youth Employment Program is designed to divert young Koori people from the youth justice system by focusing on the key risk factors for young offenders – particularly lack of engagement with school or other learning opportunities – and supporting the young person to re-engage with a learning institution. The program targets young Indigenous people who have disengaged or are at risk of disengaging from education, training or employment. Two Koori-specific programs are currently operating: one in the North and West Metropolitan Region and the other in the Loddon Mallee Region (Mildura).

Supported accommodation and bail programs

The Koori Intensive Bail Support Program is a diversionary program aimed at reducing the likelihood of more serious contact with the criminal justice system. This is accomplished by providing a supervised bail or deferred sentencing option for young Indigenous people who are at immediate risk of remand or who are likely to receive a custodial sentence. The program provides culturally specific support to young Indigenous people to assist the courts in determining the most appropriate sentencing option. The practitioners work with the young person, their family and other agencies to support the young person's compliance with the conditions attached to bail.

The Koori Intensive Bail Support Program employs practitioners in five of the eight regions across the state: the North and West Metropolitan Region, Southern Metropolitan Region, Gippsland Region, Hume Region and the Barwon South West Region.

An Intensive Bail Supervision Program operates in the North and West Metropolitan Region and Southern Metropolitan Region to divert young people aged 15–18 away from remand and support their compliance with bail conditions. Intensive Bail supervision workers provide supervision and support to young people on bail and facilitate critical referrals and connections with services during the bail period in an effort to divert young people from remand.

As a component of the YJCSS, the Youth Justice Housing Pathways Initiative (THM-YJHPI) provides post-release housing and accommodation support to young people involved with the Youth Justice program to help divert young people from the youth justice system and to minimise the likelihood of further offending. The program provides accommodation and intensive support in 55 properties across Victoria for up to 110 young people each year, for an average of 6 months. Housing information and referral workers from the Youth Justice Homelessness Assistance Service (YJHA) also provide outreach to the three Youth Justice Centres to assist young people who are not eligible for, or not able to access, the properties and support. The primary target group for this program is young people aged 17 and over exiting custodial centres on parole; however, other young people may also be assisted. The model provides tenancy management, accommodation, housing information and referral and support to live independently.

Pre- and post-release programs

The Koori Intensive Pre- and Post-release Program has three components: the Koori State-wide Coordinator, the Koori Intensive Pre-/Post-release practitioners, and the delivery of cultural programs in the three Youth Justice centres. The Koori State-wide Coordinator coordinates the Youth Justice Program to ensure that effective pre- and post-release services to young Koori people in custody are in place as part of pre-release planning, in reports to the Youth Parole Board, during Youth Parole Board hearings and post-release.

Koori Intensive Pre-/Post-release practitioners provide case-management support to young Koori people being released from the three Youth Justice custodial centres; this support is intensive, innovative and culturally based. The direct outreach casework provided is focused on developing family and community support as well as linkages to specialist services supporting Aboriginal communities. Youth Justice Units employ staff in five positions covering the North and West Metropolitan Region, and the Hume, Gippsland, Southern Metropolitan and Barwon South West regions.

Koori cultural programs are regularly offered in the three Youth Justice centres. The programs are tailored to meet the requirements of the demographics of each centre. Indigenous people help in providing these programs to both Indigenous custodial clients and other clients who wish to enhance their understanding of the Indigenous culture. The programs include educational, cultural identity and wellbeing components.

The YJCSS provides an integrated approach towards intensive support and services to Youth Justice clients, to complement the statutory case management that Youth Justice units undertake. Many Youth Justice clients require intensive support and assistance to access integrated service networks including employment, education and training, mental health, drug and alcohol programs, and housing options. Individualised packages of services are targeted to enhance rehabilitation, and to increase economic participation and social connectedness in the community.

The Temporary Leave Program supports the effective transition of young people from custody back into the community by promoting personal growth, skills development, behavioural and attitudinal change and the adoption of appropriate, non-offending behaviours in the community on release. 'Temporary leave' refers to a time-limited leave of absence from a Youth Justice centre for a young person who is serving a sentence. Temporary leave for young offenders balances rehabilitation goals with community expectations regarding the administration of justice. Decisions on temporary leave reflect the seriousness of the crime for which the young person has been convicted, the length of sentence, and community safety considerations as well as the goal of rehabilitation.

Examples of temporary leave may include leave to:

- seek or engage in employment
- attend an education or training institution
- visit family, relatives or friends
- participate in sport, recreation or entertainment in the community
- attend a hospital, medical, dental or psychiatric clinic to receive treatment.

The Youth Residential Board and Youth Parole Board exercise jurisdiction over all young people whom the courts sentence to a period of detention in a Youth Justice custodial centre and over young people transferred by the Adult Parole Board from imprisonment to such a centre. The boards decide within a framework that balances the needs of the young person

with community safety considerations. The boards work closely with custodial staff and community-based parole officers to help young offenders resolve their problems, make a successful transition into the community and adopt appropriate, non-offending behaviours.

Legislation

Bail Act 1977

Children, Youth and Families Act 2005 (enacted in April 2007)

Crimes Act 1958

Sentencing Act 1991

Juvenile justice remand and detention centres

Malmsbury Youth Justice Centre

Melbourne Youth Justice Centre

Parkville Youth Residential Centre

Queensland

In Queensland, criminal responsibility commences at the age of 10. Young people are dealt with as juveniles for offences committed up until their seventeenth birthday.

The term 'youth justice' is used in Queensland. Juvenile justice remand and detention centres are referred to as youth detention centres.

Key directions

Summary

- Embedding and enhancing existing programs and practice following the natural disasters in Queensland, to support young people and reduce rates of offending.
- Monitoring the implementation of amendments to the *Youth Justice Act 1992*, which came into effect in March 2010.
- Undertaking cross-agency analysis of the treatment of young people aged 17 in the Queensland justice system.
- Providing and continuously improving programs to address re-offending behaviour.
- Introducing new information management systems to support service delivery and data collection.
- Commissioning and supporting research in order to inform high-quality youth justice policy, programs and practice.

Policy

As a result of the natural disasters in Queensland during 2010–11, the Department of Communities re-prioritised its business to ensure that it could lead the community recovery phase and maintain core business. Consequently, the key focus for youth justice was to support young people and to reduce offending rates by embedding and enhancing existing programs and practice.

The Queensland Government strengthened its approach to youth crime through amendments to the Youth Justice Act, which came into effect on 29 March 2010. Key amendments included:

- increasing the minimum detention period for multiple murders from 15 to 20 years
- enhancing police powers to arrest young people who do not comply with youth justice conferencing or drug diversion requirements
- requiring the court to ensure young people can be properly supervised when imposing a curfew as a special condition of community-based orders
- expanding powers for the court to name young people who commit serious offences
- ensuring courts consider setting a date for transfer of a young person to an adult prison if they are to be detained beyond the age of 18.

The Youth Justice Act amendments were monitored between April 2010 and March 2011. During the monitoring period, the new curfew, and Youth Justice Conferencing and Community Service Order provisions were well used. There were no publication orders made, one s276 transfer to Prison order made, and one remand credit clarification. New provisions relating to non-parole periods and drug assessment sessions were not used.

One policy initiative during 2010–11 was a cross-agency analysis of the way in which young people aged 17 are treated in the Queensland (adult) criminal justice system. What would be required to treat young people aged 17 as juveniles – including enhancing the capacity of Queensland police, courts and the Youth Justice Service to deal with an increased number of young people – was considered. The Queensland Government’s consideration of this issue was postponed, however, due to changed resource priorities following the State’s natural disasters.

As a result, the Department of Communities began two pieces of work. The first, to directly support 17-year-olds, was to work with the Commission for Children Young People and Child Guardian and the Department of Community Safety – Queensland Corrective Services to enable the Commission’s Community Visitor Program to access young people aged 17 in adult correctional facilities.

The second was undertaking a Remand Reduction Project focused on addressing the high numbers of young people aged 10–16 in remand, thereby increasing the capacity to accommodate young people aged 17 in youth detention centres. Undertaken in partnership with Legal Aid Queensland, this project has a number of components, including exploring bail options for young people, embedding regional remand reduction activities, and developing training and revised policy and procedures to reflect the intent of the Department of Communities to be more actively involved in bail matters. Since the project started, the daily average number of young people being remanded in Queensland youth detention centres has reduced.

Programs

Evidence-based programs to address re-offending behaviour among young people under statutory supervision remained a priority for Queensland. Relevant activity included ongoing training and supervision to youth justice staff to deliver the Aggression Replacement Training (ART) and CHART programs. The department expects its current evaluation of these programs to be completed in 2012.

Youth justice conferencing practices continued to be a focus for improvement, including the delivery of specialist convenor training programs and enhanced procedural and practice guidelines, particularly in relation to complex and serious matters brought to a conference.

In 2010–11, representatives of Queensland's youth justice conferencing program travelled to Hong Kong to deliver training seminars and assess convenor candidates. Led by the Hong Kong Methodist Centre, 'Project Concord' is a restorative justice initiative based on the Queensland Government's restorative justice program. A collegial connection has existed between the programs since 2007.

Specialist counselling services for young people who committed sexual offences continue to be the subject of improvement. Relevant activity has included providing recurrent funding and support to non-government organisations delivering these services, and training and supporting youth justice staff in improving their skills in working with young people who have committed sexual offences.

Information systems

New information systems were implemented to better support front-line youth justice service delivery and youth detention centre operations across Queensland. The introduction of these new systems has resulted in greater accessibility of case management information, increased reliability of court information via the direct consumption of electronic court outcomes from other criminal justice agencies in Queensland, and the integration of critical client information between youth detention and youth justice information systems.

The introduction of new information systems has also resulted in improvements in systematic data collection, substantially enhancing reporting capabilities in extracting trend and research data to more accurately inform future policy and program development. In addition, the availability of structured quality data allows decision making to be improved for front-line service delivery staff.

Research

During 2010–11, the Department of Communities continued to support and commission research to inform high-quality youth justice policy, program and practice. Kevin Ronan's research 'Treatment for Children and Youth at Risk for Long-Term Antisocial Outcomes in Hard to Reach Families' is a behavioural intervention program for youth with conduct disorder and their families. The project has been operating for 2 years, with positive results to date, with families typically showing substantial gains in major outcomes.

A second research project, driven by the national and international rise in violent offending among young women over the past 3 decades, is Paul Mazerolle's 'Understanding and Responding to Female Juvenile Offending in Queensland'. This project examines recent trends in the nature and extent of female juvenile offending in Queensland. Evidence from this research identifies the need to individualise and contextualise programs and responses to the specific risks and needs of young women.

Key agencies

Juvenile justice agency

The Department of Communities was responsible for providing statutory youth justice services, youth justice conferencing and youth detention services in Queensland during

2010–11. In April 2012, youth justice became the responsibility of the Department of Justice and Attorney-General.

Police

Police are the first point of contact for young people entering the criminal justice system. In Queensland, police can opt to either divert young people by way of a warning, caution or a youth justice conference, or refer them directly to the courts.

Courts

In Queensland, young people who are alleged to have committed an offence and who are not diverted are dealt with by the Children's Courts, District Courts or the Supreme Court under the provision of the Youth Justice Act.

Key elements

Diversion

Youth justice conferencing is available as a pre-sentence option, sentence option or as an alternative to court.

There are 13 youth justice conferencing services throughout Queensland. These provide a specialist model of service delivery that aims to divert young people from further offending. The model delivers a restorative justice approach to working with victims, young people and their families.

Case management

Young people under the supervision of youth justice service centres and youth detention centres are actively case managed. A case management framework is applied to each young person in the youth justice system, to identify and implement interventions to divert the young person from re-offending and, where needed, to refer them to specialist services and programs. Case management and interventions are informed by a comprehensive client assessment and case-planning process. Young people are monitored and case plans are reviewed on a regular basis to ensure that interventions are tailored to the young people's changing rehabilitative and support needs.

Offence-specific and therapeutic programs

The ART program targets medium-to-high-risk young people who exhibit aggressive and violent behaviour, and aims to reduce their risk of committing violent offences by teaching them social skills, anger management techniques and moral reasoning. ART is an intensive 10-week program delivered in Youth Justice Service Centres and Youth Detention Centres throughout Queensland.

The CHART program is a structured individual intervention program for young people at moderate to high-level risk of re-offending to reduce their risk. It is a 12-module program, consisting of six core modules and six discretionary modules selected on the basis of the young person's assessed needs. Training of departmental caseworkers and staff from non-government agencies in these programs occurred throughout 2010–11 with the aim of lifting regional capacity to deliver offence-specific programs to young people.

The Mater Family and Youth Counselling Service is a specialist service for young people who commit offences of a sexual nature. This service provides preparatory support and therapeutic interventions for young people, families and victims who are referred to a youth justice conference by police or a court in relation to offences of a sexual nature. This service is a joint initiative between the Youth Justice Program and Mater Misericordiae Health Services.

The Griffith Youth Forensic Service (Griffith University Schools of Criminology and Criminal Justice and Applied Psychology) is funded to provide clinical intervention services for young people found guilty of sexual offences by the Queensland courts. The Service works with departmental caseworkers to provide specialised assessment and treatment programs for young sexual offenders; pre-sentence reports to facilitate court decisions; and treatment planning, consultancy and training services.

Programs for Aboriginal and Torres Strait Islander young people

Programs and services aimed at Aboriginal and Torres Strait Islander young people to reduce their over-representation in the criminal justice system remain a priority in Queensland and being continuously improved.

Indigenous Service Support Officers (ISSOs) were first introduced into youth justice service centres in 2007–08 and this initiative was expanded in 2008–09. These positions are located where there is a high proportion of Aboriginal and Torres Strait Islander young people under supervision. ISSO positions were created to provide more culturally appropriate support and intervention for Aboriginal and Torres Strait Islander young people subject to youth justice intervention, and to better support their families and caregivers. ISSOs play a key role in facilitating communication between youth justice staff and Indigenous communities to ensure that programs and services are culturally appropriate. ISSOs contribute to case planning and consult with families, elders, other key community members, community agencies and government departments to ensure Indigenous young people are effectively supported.

Indigenous Conferencing Support Officers (ICSOs) provide culturally responsive and appropriate youth justice conferencing services to Aboriginal and Torres Strait Islander young people, victims, families and communities. ICSOs also play a key role in helping to increase Indigenous participation in the youth justice conferencing process, thereby improving outcomes and adherence to conference agreements.

Supported accommodation and bail programs

A Supervised Community Accommodation service, which began as a pilot initiative in November 2010, continues to provide 24-hour, seven-days-per-week supervised accommodation in the Townsville community for up to four young people at a time (funding of \$3.035 million over 3 years was provided through the National Partnership Agreement on Homelessness). The client group is young men aged 16–18 exiting the Cleveland Youth Detention Centre and who are either homeless or at high risk of homelessness.

Young people are provided with case management support within the service to ensure that their developmental and support needs are met.

Key achievements for this service include:

- providing accommodation and case management support to eight high-needs young people who exited detention and who would otherwise have been at high risk of homelessness
- through a case management process, ensuring all young people are achieving their case plan goals including links with financial support, drug and alcohol intervention, living skills development, family support and employment placement
- developing collaborative working relationships with youth justice services, youth detention centres and other key non-government partners including the local Youth Housing and Reintegration Service (a related program funded through the NPAH)
- engaging a local university in developing and administering an action-learning process to ensure ongoing improvements in service delivery for clients
- developing regular key stakeholder meetings to support the progressive development of the service.

The Department of Communities provides two bail support programs – the Conditional Bail Program and Bail Support Services. The Conditional Bail Program provides the courts with alternatives to remanding young people in custody and targets those at risk of remand in custody by engaging them in activities for the duration of their bail period. Youth Justice Services supervises and supports young people subject to the Conditional Bail Program as part of their bail.

Bail Support Services delivered by non-government agencies provide tailored support to young people for those who have been granted bail by the courts and who require additional assistance to meet bail conditions. They also provide developmental and support services to young people subject to bail.

The strategic goals of these services are to provide courts with an option to support young people in accommodation rather than remanding young people in custody, thereby reducing the number of young people held in detention on remand.

Dedicated bail support funding is provided to non-government organisations in Brisbane, Far North Queensland, Mount Isa, Atherton Tablelands, Roma and Townsville.

Pre- and post-release programs

Youth justice service centres provide post-detention support and follow-up to any program begun in detention. This ensures that young people are connected with appropriate services and support networks to minimise the likelihood of re-offending at the time when the risk of offending is highest.

Both youth detention centres employ two transition officers to support young people exiting detention and assist with their reintegration into the community. While in detention, young people are involved in a variety of programs including therapeutic, educational, vocational, cultural and recreational programs aimed at providing them with the skills to enable rehabilitation in the community upon their release.

Other services

Young Offender Support Services

The purpose of the Young Offender Support Service (YOSS) initiative is to provide a tertiary-level response for young people who have been dealt with by the police or courts for offending, with the aim of reducing subsequent offending. The funding priority is to support

young people who have been dealt with by the police or courts for criminal offences and are at high risk of committing further criminal offences.

Five non-government organisations in Queensland are funded to deliver YOSS, to consider developmental risk factors contributing to offending and to facilitate the development of pro-social lifestyles and resilience factors. Risk factors for these young people are identified and dealt with by YOSS workers in partnership with statutory youth justice staff to reduce the likelihood of offending and further contact with the youth justice system.

By extending service delivery to family members of young offenders, the services can confront some of the key contributing factors in offending behaviour that may originate within families.

During 2011, an outcomes evaluation of a large YOSS (the Youth Opportunity Program in Cairns) was completed. The evaluation showed evidence of success with clients engaged with the service, including evidence of some positive impact on the likelihood of re-offending within a 12-month period. As a result of these findings, funding was approved for a further 2 years. A further evaluation is scheduled over this period.

Youth detention centres

In November 2008, government allocated capital funds to expand and refurbish the Cleveland Youth Detention Centre in Townsville to increase capacity by an additional 48 beds and to provide appropriate facilities for young women outside of south-east Queensland. The expansion will also provide appropriately designed educational, training and health-care facilities that are essential for the delivery of programs and services for young people in detention. The expansion is scheduled for completion in mid-2013.

Legislation

Child Protection (Offender Prohibition Order) Act 2008

Child Protection (Offender Reporting) Act 2004

Childrens Court Act 1992

Young Offenders (Interstate Transfer) Act 1987

Youth Justice Act 1992 (including Juvenile Justice Amendment Act 1996, Juvenile Justice Amendment Act 1998, Juvenile Justice Amendment Act 2002)

Youth Justice Regulation 2003

In 2010, the *Juvenile Justice Act 1992* was renamed the *Youth Justice Act 1992*; and the *Juvenile Justice Regulation 2003* was renamed the *Youth Justice Regulation 2003*.

Juvenile justice remand and detention centres

Brisbane Youth Detention Centre

Cleveland Youth Detention Centre

Western Australia

In Western Australia, criminal responsibility commences at the age of 10. The maximum age for appearance in a Children's Court is age 17.

The term 'youth justice' is used in Western Australia.

Key policy directions

- Continuing the improvement and expansion of youth justice services and procedures to ensure that the intent of the *Young Offenders Act 1994* is followed and detention is used as a last resort.
- Exploring options for reducing offending and increasing the diversion of young people from entering or progressing through the justice system.
- Investigating graduated release and through-care options for young people in custody.
- Redeveloping Banksia Hill Detention Centre to cater for all young people in custody. This redevelopment has provided an opportunity to review and develop best practice and contemporary models of service that meet the diverse needs of all young people in care, while balancing the safety, security and integrity of the centre. The redevelopment is the result of the planned conversion of Rangeview Remand Centre to a young adult prison.

Key agencies

Juvenile justice agency

Youth justice services are the responsibility of the Department of Corrective Services. This department is responsible for providing offender management services, supporting offenders to become responsible citizens and promoting crime prevention.

The Metropolitan Youth Bail Service is responsible for young people on supervised bail, which is used when no responsible adult is available for a bail undertaking. Youth Bail Coordinators and Prevention and Diversion Officers (Bail) coordinate intervention and support with young people, families and other relevant agencies.

Youth Justice is also responsible for supervising young people on community-based sentences and provides a number of services, including:

- generic case management
- psychological counselling
- referral to external statutory authorities and local service providers
- advice and support from Youth Support Officers.

Youth Custodial Services provides a safe and secure environment for young people remanded in custody or sentenced to a period of detention. The centres are staffed by a range of experienced professionals including juvenile custodial officers; education and training staff; program facilitators; psychologists; and case planning, supervised bail and medical staff. Young people in custody participate in programs including drug counselling, abuse prevention, personal development, healthy relationships, conflict resolution, life skills and health care.

Police

Young people charged with offences or arrested by police may either be given a notice by a police officer to appear in court, be arrested and released on bail, or be arrested and

transferred to Rangeview Remand Centre until they appear in court. Four types of bail are available to young people:

- surety, which requires the young person or their parents to pay a sum of money as security that the young person will appear in court
- personal bail, which is available only to those aged 17 and older who hold a full-time job and do not have a history of offending
- bail undertaking by a responsible person, where a responsible adult takes responsibility for the young person
- supervised bail.

Courts

The Children's Court of Western Australia deals with offences alleged to have been committed by young people aged 10–17. If a young person is found guilty of an offence, a number of penalties are available, including:

- fines
- good behaviour bonds – normally given to young people who have committed minor offences. A monetary bond is set, and forfeited if the young person reoffends.
- community work orders – used where a young person has not paid their fine, has forfeited a bail undertaking, or has failed to abide by a good behaviour bond. The court determines how many hours of community work the young person must do. If the young person does not obey the order, they may be detained.
- community-based sentences – these include Youth Community-based Order, Intensive Youth Supervision Order (without detention), Intensive Youth Supervision Order (detention – conditional release order)
- detention.

Young people whose offending behaviour is linked to drug use can apply to participate in the Children's Drug Court. If the young person is deemed suitable, a youth justice officer assists the young person to receive treatment and provides ongoing support.

Key elements

Diversion

Youth Justice provides a number of prevention and diversionary services.

- Killara Youth Support Service, and Youth and Family Support Services in regional areas – these provide support to the families of young people in contact with the police.
- Juvenile Justice Teams – these teams arrange meetings with the young person, their families, victims and police to determine an action plan. If the young person successfully completes the action plan, they do not receive a criminal record. Both police and the courts can refer young people to a juvenile justice team.
- Regional Community Conferencing – this operates in regional and remote Aboriginal communities for those who have offended for the first time or have committed minor offences. Youth Justice Services train local community members to hold family group conferences based on the principles of the Juvenile Justice Teams' approach.

Legislation

Bail Act 1982

Children's Court of Western Australia Act 1988

Court Security and Custodial Services Act 1999

Inspector of Custodial Services Act 2003

Sentence Administration Act 2003

Young Offenders Act 1994

Young Offenders Amendment Regulations 1995

Juvenile justice remand and detention centres

Banksia Hill Detention Centre

Rangeview Remand Centre

South Australia

In South Australia, criminal responsibility commences at the age of 10. The maximum age for appearance in a Children's Court is 17 years.

The term 'youth justice' is used in South Australia. Juvenile justice remand and detention centres are referred to as training centres.

Key policy directions

- Implementing consistent state-wide standards, policies and procedures.
- Implementing the connected client case management system.
- Implementing new program initiatives for young people under community-based orders and in detention.
- Implementing an across-government case management approach for serious and repeat offenders.
- Building a new youth training centre.
- Developing a new service model for training centres and implementing a change management process before commissioning the new training centre.
- Strengthening through-care of young people leaving custody.

Key agencies

Juvenile justice agency

The Department for Families and Communities (DFC) through the Families SA Division was responsible for providing tertiary juvenile justice services in South Australia during 2010–11. The department's main responsibilities were to support the rehabilitation of young people and to contribute to reducing their re-offending. Youth Justice Directorate became part of the Department for Communities and Social Inclusion in late October 2011.

Case management services (including intensive supervision and home detention), restitution services and court services are delivered through the Community Youth Justice Program (metro) and seven Families SA Regional offices.

Families SA provides remand management to young people who have been released on bail or remanded in custody, and sentence management to young people whose sentence involves a period of supervision. Remand management aims to ensure that the young person appears in court and complies with the conditions of the bail agreement, when on bail. Sentence management aims to ensure that the young person receives the correction, guidance and care necessary to support them to live crime free.

Police

In South Australia, the police are the first point of contact for young people entering the criminal justice system. The police have the power to issue cautions (either informal or formal) to a child or young person who has committed an offence. Informal cautions are issued 'on the spot' by police officers for minor offences, while formal cautions are issued for offences that are deemed by the police to be more serious. Police may also divert young people who plead guilty to an offence to a Family Conference. If a decision is taken to prosecute, the police may proceed by issuing a summons for the young person to attend court, or by detaining them until the next sitting of the Youth Court.

In South Australia, there are provisions that enable a young person who has committed a serious offence to have those matters heard as an adult matter. There are also provisions that enable the Youth Court to declare a young person a recidivist offender at the point of sentencing (*Statutes Amendment [Recidivist Young Offenders and Youth Parole Board] Act 2009*).

Courts

In South Australia, children and young people who are alleged to have committed an offence and who are not diverted to a Family Conference are primarily dealt with by the Youth Court under the provisions of the *Youth Court Act 1993*. The Youth Court is presided over by a judge of the District Court.

The principle of the use of custody as a means of last resort for minors remains in statute in South Australia, as does the common law principle of *doli incapax* for children aged 13 and younger.

When a young person is detained, conditional release application is through a Review Board. Young people are required to serve two-thirds of a detention order before becoming eligible for conditional release consideration.

The Statutes Amendment [Recidivist Young Offenders and Youth Parole Board] Act has created new provision for a young person who is declared a recidivist young offender to be required to serve four-fifths of a sentence before being eligible for conditional release consideration. A declared recidivist offender is subject to the Youth Parole Board.

A young person may also have their matters referred to a higher court subject to the seriousness of the offence (for trial as an adult) or if there is a pattern of serious repeat offending. The Supreme Court deals with all charges of homicide regardless of the age of the offender.

Key elements

Diversion

Children or young people who commit offences that are considered too serious for an informal or formal caution may be directed to attend a family conference. To be eligible for a family conference, the young person has to admit to carrying out the offence(s). If the charge is denied, the matter is referred to the Youth Court. Family conferences are run by the Courts Administration Authority within the Department of Justice.

Case management

Case management is a flexible, planned and individualised approach to service delivery that provides the client with choices and maximises the efficient use of formal and informal resources in service provision. Case management focuses on engagement, consistent face-to-face contact, dynamic worker–client relationships, goal setting and goal achievement. Case management in a criminal justice context promotes desistance from offending, and compliance with court-mandated conditions, and places substantial emphasis on a rehabilitative approach.

Offence-specific and therapeutic programs

A range of rehabilitation and support programs is offered to children and young people who are under the supervision of either the Community or Custodial Youth Justice Program. Examples of programs currently offered include Challenging Offending Behaviours, Victim Awareness, Anger Reduction, Moral Reasoning, Drug and Alcohol Use, and Behaviour Management. A new approach to the oversight of development and review of programs has been established and includes representation drawn from experts in the field, university sector, guardians' office, victim support services and allied government services (health, education).

Programs for Aboriginal and Torres Strait Islander young people

The DFC acknowledges the important role culture plays in the positive growth and development of Aboriginal and Torres Strait Islander young people within their family, cultural community and wider community. Indigenous young people and their families are provided with access to a range of cultural support services. Young people in training centres and the community receive specialist Aboriginal programs that focus on problem solving and creating new patterns of behaviour within the context of increasing the awareness of Indigenous children and young people of the positive aspects of their cultural identity. Focus is placed on ensuring programs transition with the young person as they move between detention and community placements.

Supported accommodation and bail programs

The Remand Intensive Neighbourhood Care Program provides supported family-based care accommodation for children and young people on remand. Marni Wodli provides supported cluster and group accommodation for Indigenous children and young people aged 16–18 who are on youth justice mandates and guardianship orders.

Children and young people who enter into a supervised bail agreement (including home detention bail) must comply with structured, regular supervision, which is provided through staff of the Community Youth Justice Program. The primary objective of supervising bail is to

ensure the child or young person returns to court and to support community safety. Bail supervision also ensures that the child or young person is adequately supported, particularly through referral to and liaison with professional staff at supported accommodation, health, education and vocational training agencies.

Pre-and post-release programs

Pre- and post-release programs for children and young people detained in training centres focus on providing a range of education, training and vocational opportunities, with a strong through-care approach with community linkages. Education programs, both in training centres and in the community, particularly emphasise literacy and numeracy as base skills, but also include a balanced curriculum offering art, life skills, health, physical education, woodwork and metalwork. Vocational courses, accredited by the South Australian Certificate of Education, are also offered in the training centres and include hospitality, dry wall construction, and music.

A large number of case-managed Innovative Community Action Networks courses and programs are also offered to children and young people released from training centres, all of which foster engagement, capacity and pathways to employment.

Other programs

In addition to rehabilitation and therapeutic programs, a range of recreational and personal development programs is offered to children and young people in training centres. These include a variety of recreation and health programs, road safety, self-awareness and mentoring programs.

Legislation

Bail Act 1985

Criminal Law (Sentencing) Act 1988

Family and Community Services Act 1972

Young Offenders Act 1993

Youth Court Act 1993

Juvenile justice remand and detention centres

Cavan Training Centre

Magill Training Centre

Tasmania

In Tasmania, criminal responsibility commences at the age of 10. The maximum age for appearance in a Children's Court is 17 years.

The term 'youth justice' is used in Tasmania. Juvenile justice remand and detention centres are referred to as youth detention centres.

Key policy directions

- A 10-year agenda that articulates a combined sector approach for improving outcomes for all Tasmanian children and young people is driving collaboration at a whole-of-government level. The agenda describes a framework for universally available support, together with targeted and individual services.
- A strengthened system of informal and formal youth cautions with the delivery of a health message to both the young person and their guardian. This may include providing contacts for counselling and support, providing information dealing with substance use and parenting issues, and making available a dedicated counsellor to deal with risk factors.
- The adoption of 'problem solving' approaches to reduce the likelihood of re-offending, increase community confidence in the justice system and reduce the number of young people detained. This initiative includes the Specialist Youth Magistrates Court trial, which incorporates a dedicated youth justice magistrate and a pilot bail assessment and support program.
- The delivery by youth justice staff of the Youth Level of Service/Case Management Inventory (YLS/CMI) evidence-based risk assessment and case management tools for young people under statutory supervision to improve criminogenic risk and need.
- The further development of collaborative case coordination models to bring together all relevant stakeholders from government and non-government organisations to better meet the needs of highly vulnerable and vulnerable children, young people and their families. This approach includes Inter-Agency Support Teams and Specialist Adolescent Teams.
- This policy agenda is supported by proposed amendments to the *Youth Justice Act 1997*. Consultation is continuing around these draft amendments. It is expected that the Bill will be tabled in Parliament during 2012.

Key agencies

Juvenile justice agency

Youth Justice Services within the Department of Health and Human Services (DHHS) is responsible for providing juvenile justice services in Tasmania. The main responsibilities of Youth Justice Services are:

- coordinating diversionary community conferencing involving the victim and significant others
- completing community-based risk assessments and providing statutory supervision of young people placed on orders by the courts
- providing support for court processes through preparation of pre-sentence reports and attending bail hearings
- providing safe and secure custodial services and pre- and post-release support
- providing integrated case management of young people on legal orders with a view to rehabilitation, reduced youth offending and promotion of pro-social pathways
- managing the community service order program to progress a restorative approach to justice and to assist young people to access relevant services.

Police

Police are the first point of contact for young people entering the criminal justice system. In Tasmania, the Department of Police and Emergency Management is responsible for clearing reported youth crime and deciding whether to divert or to prosecute matters in the courts. Police Early Intervention Units are responsible for diversionary pre-court and informal and formal cautioning services, including supervising young people performing reparation work in the community under the Community Respect Order program. Police may refer a young person to Youth Justice Services for a non-court-based community conference.

Interagency Support Teams are an initiative of the Department of Police and Emergency Management that encourages a multi-agency collaborative partnership approach at the local level for vulnerable children and young people. Community Youth Justice has worked with the department to develop and implement these teams in communities with high levels of youth crime. The teams provide an integrated, collaborative approach to identifying appropriate support pathways for individuals and their families.

Courts

In Tasmania, young people alleged to have committed an offence who are not diverted are dealt with by the Magistrate's Court (Youth Justice Division) under the provisions of the Youth Justice Act. The Supreme Court may hear offences prescribed under the Act. The court has a range of sentencing options, including dismissing the charges, releasing and adjourning the proceedings on conditions, fines, community conferencing, probation, rehabilitation orders for a family violence offence, community service orders, suspended detention with conditions, and detention.

Before using more serious sentencing options, the court must obtain a pre-sentence report from Youth Justice Services. A magistrate may order a conviction to be recorded for a probation order and a community service order, and must order a conviction if a detention order is made.

A Specialist Youth Magistrates Court has been piloted in Hobart from January 2011, enabling the court to improve timeliness to finalisation, consistency in court decisions, coordination of youth justice services to the court and collaboration between relevant agencies. The trial involves a single magistrate hearing all Youth Justice matters, with complex matters transferred to a specialist list. Young people on this list receive more intensive supervision and intervention by the court on a therapeutic jurisprudential basis, and appropriate case management by the relevant agencies.

Key elements

Diversion

In Tasmania, the juvenile justice system is based on the Youth Justice Act, which provides a comprehensive framework for restorative justice, including the restoration or reparation of harm done in the community. Under the Act, diversion from the criminal justice system is the principal outcome sought for all young people who are placed on legal supervision orders and case managed. Detention is a sentencing option of last resort.

There are two primary tiers of non-court-based diversion in Tasmania:

- Police have the power to informally or formally caution young people who have admitted to committing an offence.

- If the matter is considered more serious, police may request Youth Justice Services to conduct a community conference, which is convened by a facilitator.

A formal caution or a community conference can bring young people face to face with their victims to decide how best to rectify the harm caused by their offending. Failure to comply with undertakings entered into during a community conference can cause the original complaint to be referred back to police, who may decide to prosecute the complaint in the Magistrate's Court (Youth Justice Division).

Case management

The YLS/CMI – a standardised instrument that assists Youth Justice Workers to assess risk, need, and responsivity factors and to formulate a case plan for young offenders – was implemented in Community Youth Justice in Tasmania in 2011. The YLS/CMI informs the case management process that is central to involvement with young people. Case management identifies:

- the requirements of the court order and strategies to fulfil these
- the services and strategies required to address needs as determined during the YLS/CMI and general assessment process, inclusive of other professional assessments as required
- the relevant people and services to help identify strategies and goals
- the level of agreement among those involved – including the young person and Community and/or Custodial Youth Justice – on the goals and strategies to achieve these goals, and the associated level of commitment
- the process of assessing and monitoring progress and the point at which involvement with the young person will diminish.

The case management approach in place at the Ashley Youth Detention Centre (AYDC) takes account of the needs of the individual child or young person and any court-ordered obligations, as well as community expectations. A comprehensive assessment process undertaken upon admission informs this approach and it is continuous throughout the young person's period of detention.

Offence-specific and therapeutic programs

Targeted Youth Support Service

The Targeted Youth Support Service (TYSS) is a community-based program funded by Children and Youth Services in collaboration with Housing Tasmania to provide intensive case management and therapeutic interventions for vulnerable young people and their families. The target group for this service is young people aged 10–17 who have been identified as having substantial or multiple-risk issues and who, without intensive support, would be at risk of notification to child protection or entry into, or escalation with, the youth justice system.

Changing Habits and Reaching Targets

CHART is an offending behaviour program developed specifically to tackle the offending needs of young people on supervised orders. The program uses active, participatory learning methods and employs a skills-oriented, cognitive-behavioural approach to casework with young offenders. CHART was implemented in Community Youth Justice and at Ashley Youth Detention Centre in 2011, and is used to consider the criminogenic needs of young people assessed as having a high or very high risk of further offending by the YLS/CMI.

U-Turn: Diverting Young People from Vehicle Theft

U-Turn aims to break the cycle of motor vehicle theft by engaging participants in ‘hands on’ mechanical training while improving life skills and dealing with personal development issues. The target group for the program is young people aged 15–20 with a history of motor vehicle theft, or who are at risk of becoming involved in motor vehicle theft. The core component of U-Turn is a structured 10-week automotive training course in car maintenance and body work, delivered in a workshop environment. Other components of the program include case management and personal development, links to employment and further education, recreational activities, literacy and numeracy education, road safety education and post-course support.

Juvenile Fire Lighting Intervention Program

The Juvenile Fire Lighting Intervention Program (JFLIP) is a state-wide, confidential, behaviour change program designed for children aged 4–14 who engage in unsafe fire-setting. It is a family-based program delivered in the home by trained JFLIP firefighters. Although the program is predominately aimed at younger children, JFLIP practitioners participate in community conferences and formal cautions for young people who have committed fire-related offences.

Rehabilitative programs at the AYDC

All young people at the AYDC participate in a range of rehabilitative programs. The programs offered and techniques applied take place within a case management context, are evidence based and are understood to be effective for offender rehabilitation. The program framework is designed to provide cognitive-based therapeutic programs for persistent and serious offenders and address specific criminogenic and social needs. Basic interventions that address issues that may affect community integration, such as employment, education, accommodation and leisure, are also included.

Programs for Aboriginal and Torres Strait Islander young people

Lungtalanana

The Lungtalanana program is a residency program where Indigenous young people live on Lungtalanana (also known as Clarke Island) and participate in culturally appropriate activities. Young people who are on remand or serving a sentence of detention are eligible, and are assessed by staff at the centre and the Tasmanian Aboriginal Corporation (TAC) for suitability.

Indigenous partnerships

Youth Justice has a number of partnerships with Indigenous organisations. These include those with:

- the TAC, which has supervised a number of young people on community service orders and involved them in health and wellbeing programs, as well as tasks such as landcare
- the Circular Head Aboriginal Corporation, which provides preparation for work programs and linkages to employment for Indigenous and non-Indigenous Youth Justice clients
- the Meenah Mienne (My Dream), which is a government-assisted Tasmanian Aboriginal arts community organisation that provides art and mentoring programs.

Supported accommodation and bail programs

In Tasmania, no state-wide bail programs for young people exist. In the south of the state, a pilot program run by Save the Children has been operating since June 2012. This pilot is wholly funded by Save the Children.

Pre- and post-release programs

The Department of Education operates a school on site at the AYDC for young people of compulsory and non-compulsory school age. The educational focus for detainees at the centre reflects the curriculum used in schools and training facilities in the community.

Other services

Custodial developments

Recent improvements implemented at the AYDC include:

- enhancing psychological and psychiatric services achieved through transfer of clinical service governance to state-wide Forensic Health Services
- introducing a new staffing structure with progression linked to training against national industry standards and promotion to specified higher diploma level training
- installing high-resolution CCTV surveillance equipment in common areas of all residential units
- enhancing the existing staff induction and mentoring program
- expanding oral health assessment and treatment services available on site with the introduction of regular visits from Mobile Dental Unit
- introducing a comprehensive workplace skills, attitude and behaviour assessment process
- increasing routine general practitioner visits, providing additional nursing capacity and introducing a round-the-clock After-hours Medical Advice Service with access to remote Telehealth facility.

Other programs

Gateway Services is the single entry point to all family and disability services in each area of the state – South East, South West, North and North West. The Family Support Services system provides an integrated continuum of services. This includes information and support, early and safety net interventions and targeted tertiary services for hard-to-engage families with high needs, and the provision of safe community living options for children where living with their birth parents is not possible.

Legislation

Bail Act 1994

Children, Young Persons and Their Families Act 1997

Police Offences Act 1935

Sentencing Act 1997

Youth Justice Act 1997

Youth Justice Amendment Act 2003

Juvenile justice remand and detention centre

Ashley Youth Detention Centre

Australian Capital Territory

In the Australian Capital Territory, criminal responsibility commences at the age of 10. The maximum age for appearance in a Children's Court depends on the age at which the alleged offence was committed.

The term 'youth justice' is used in the Australian Capital Territory.

Key policy directions

Summary

- A Change Management Strategy was established in November 2010 to improve support for young people in detention, including the Integrated Management System.
- Public consultations on *Towards a diversionary framework for the ACT discussion paper* were held during early 2011, with the final report released in June 2011.
- Based on this discussion paper, diversion at all points of the juvenile justice system is to be strengthened based on a Youth Justice Blueprint. A single, system-wide case management system has begun. The blueprint will begin to consider the over-representation, of Aboriginal and Torres Strait Islander young people, and legislative reform will also be considered in relation to the *Bail Act 1992* to support youth diversion and the establishment of transitional release programs.
- Two new diversionary programs have started this financial year – the After Hours Bail Support Service and the Youth Drug and Alcohol Court – both of which are being led by Community Youth Justice.
- The YLS/CMI was implemented for young people in custody and community at the pre-sentence report stage.

Details

A Change Management Strategy was established in November 2010 to improve support for young people within the Bimberi Youth Justice Centre. A major outcome of this was the Integrated Management System (IMS) for the youth justice centre. This approach has seen the creation of a centre-specific strategic framework, a strengthening of core business processes and the implementation of a risk-based compliance system, integrated into a singular management process that aligns with international best-practice standards.

The *Towards a diversionary framework for the ACT discussion paper* was prepared in response to data indicating that the Australian Capital Territory is performing relatively poorly compared with other Australian jurisdictions across three key youth justice measures: the rate of young people on remand, the rate of young people under community-based supervision, and the rate of young people in detention. The paper was also prepared with reference to national concerns previously noted by the Australasian Juvenile Justice

Administrators of increasing numbers of young people in custody on remand and increased length of stay on remand.

The discussion paper was released for public consultation by the Minister for Children and Young People in February 2011. Noetic Solutions was engaged to undertake consultations, which took place during March and April 2011 and involved a series of individual and group meetings as well as two larger forums. The Minister for Community Services hosted a 'roundtable' to hear directly from stakeholders about their experiences and to discuss their ideas. Written submissions were also invited and 15 were received.

The Minister for Community Services publicly released the Consultation Report on 23 June 2011. The report provided feedback on the five main areas covered during the consultation: service system, models of diversion, data on diversionary activity, embedding diversionary principles and practices, and legislative reform.

Based on the initial advice from the consultation process, the ACT Government has already invested in an approach to strengthen diversion as part of the 2011–12 ACT Budget.

The Community Services Directorate will also lead the development of a Youth Justice Blueprint, including diversion at all points in the youth justice system – primary, secondary and tertiary. This framework will deliver a 'Core Service Delivery', based on a single case management plan and a system-wide model of case management. A single case management service for ACT Youth Justice, based on through-care principles, will also be developed. The blueprint will begin to address the over-representation of Aboriginal and Torres Strait Islander young people within the ACT's youth justice system. Legislative reform will be considered in relation to the *Bail Act 1992* to support youth diversion and the establishment of transitional release programs for young offenders, including a youth parole or early release scheme.

The development of a single case management service for ACT Youth Justice, based on through-care principles, started in 2011. The revised case management arrangements will represent an important change to youth justice practice to ensure continuity of relationships with young people in the justice system, regardless of whether they are in the community or in custody.

Two new diversionary programs have started this financial year – the After Hours Bail Support Service and the Youth Drug and Alcohol Court – both of which are being led by Community Youth Justice.

The YLS/CMI was implemented for young people in custody and community at the pre-sentence report stage.

Key agencies

Juvenile justice agency

The Office for Children, Youth and Family Support within the Community Services Directorate (CSD) is responsible for providing youth justice services in the Australian Capital Territory.

Community Youth Justice within the Office for Children, Youth and Family Support is responsible for the supervision of young people, subject to bail and supervised community sentencing orders handed down by the ACT Children's Court and the ACT Supreme Court.

The Restorative Justice Unit within the Justice and Community Safety Directorate is responsible for managing all restorative justice conferences in the Australian Capital Territory.

The Bimberi Youth Justice Centre is the Australian Capital Territory's secure youth justice centre for the custody of children and young people remanded in custody or subject to orders of imprisonment. It was the first youth custodial facility in Australia to be designed, built and operated under human rights legislation. Community Youth Justice and the Bimberi Youth Justice Centre provide supervision through a case management model which supports the best interests of clients, while ensuring a balance between community protection, restitution and rehabilitation. They are also responsible for providing reports upon the request of the courts.

To facilitate the effective and efficient management of detention services for young people in detention, policies and procedures are notified under the *Children and Young People Act 2008* and are available at <<http://www.legislation.act.gov.au/a/2008-19/ni.asp>>.

Police

Police are the first point of contact for young people entering the criminal justice system. In the Australian Capital Territory, the police have discretionary powers to divert young people who have committed minor offences using a warning and diversionary system. When considering diversion as an option, police will consider criteria such as the young person's offending history, maturity and mental capacity, and parental input. If a decision is made to prosecute, the police may proceed by issuing a summons for the young person to attend court, or by detaining them until the next sitting of the Children's Court.

Courts

In the Australian Capital Territory, the Children's Court deals with young people who are alleged to have committed an offence, and who are not diverted under the provisions of the *ACT Crimes (Sentencing) Act 2005* and other legislation. Children and young people convicted of indictable offences in the Children's Court may be committed to the Supreme Court for sentencing. Conversely, young people whom the Supreme Court has convicted may be remitted to the Children's Court for sentencing. A specialist court officer within the CSD attends all court matters relating to a child or young person to provide reports on current youth justice clients and advice on the custodial and community-based services available to children and young people.

Key elements

Diversion

Restorative justice conferencing is legislated under the *Crimes (Restorative Justice) Act 2004*. The Restorative Justice Unit within the Justice and Community Safety Directorate administers the Act by convening and managing the conference processes. The Restorative Justice Unit incorporates the diversionary conferencing system that ACT Policing formally delivers.

ACT Policing has discretionary powers to divert young people aged 10–17 who have committed offences by way of caution or restorative justice conferencing. Restorative justice conferencing is used for a variety of less serious offences and the key criterion for referral is that the young person accepts responsibility for the offence. Other factors taken into account

include the seriousness of the offence, prior offending behaviour, the level of remorse and the young person's maturity.

Restorative justice conferencing can also occur in conjunction with prosecution. ACT Policing; the Office of the Director of Public Prosecutions; the ACT Children's Court; the Office for Children, Youth and Family Support; and the Restorative Justice Unit can all refer young people at various stages of the criminal justice system from caution through to post-sentence; however, the young person must voluntarily agree to participate.

Two new diversionary programs have started this financial year: the After Hours Bail Support Service (AHBSS) and the Youth Drug and Alcohol Court (YDAC), both of which are being led by the CSD.

The primary purpose of the AHBSS is to provide advice and facilitate supports to enable young people who are at risk of being remanded in custody to be placed in the community where possible, pending their next court appearance. The AHBSS assesses young people's suitability for bail and provides support and advice to young people, family and other supports and to the police.

The AHBSS target group is young people in police custody in relation to fresh offences (where the watch-house sergeant is considering refusing bail) and young people already on bail, who are at risk of breaching their bail, or who have already breached their bail. The AHBSS operates between 5 pm and 2 am on weekdays and between 4 pm and 2 am on weekends and public holidays.

The YDAC is a program of the Children's Court concerned with reducing drug- and/or alcohol-related criminal activity by children and young people through judicial and therapeutic interventions that are designed to reduce or manage drug and/or alcohol use. There is a 2-year trial of the YDAC in the Australian Capital Territory. The YDAC practice model is based on the New South Wales YDAC program. Community Youth Justice is developing Joint Assessment and Review Teams on a case-by-case basis, according to the needs of each young person on the program within current case management provisions.

Case management

Community Youth Justice provides case management and service coordination for all young people supervised on a community-based order or detained at the Bimberi Youth Justice Centre as well as transition planning for all young people serving periods of detention. The case managers complete the YLS/CMI with young people at the pre-sentence stage of their involvement and deliver the CHART program to young people who have entered guilty pleas or who have been sentenced. Case managers work in close partnership with a range of stakeholders to ensure supervised young people are given the best opportunities to meet their legal obligations and make positive changes in their lives.

Offence-specific and therapeutic programs

Community and custodial facilities implemented the CHART program in 2008. With its implementation, Youth Justice provides clients with rehabilitative-focused supervision sessions and engagement based on evidence-based practice.

Programs for Aboriginal and Torres Strait Islander young people

Aboriginal and Torres Strait Islander community service organisations provide programs at the Bimberi Youth Justice Centre relating to Indigenous art, counselling and family support.

An Aboriginal and Torres Strait Islander liaison position provides services for young people detained in the centre, and works with Aboriginal and Torres Strait Islander community service providers to ensure young people transitioning from custody are supported within their community. A dedicated Aboriginal and Torres Strait Islander transition position has also been created to facilitate the transition of Aboriginal and Torres Strait Islander young people into effective training, education or employment options.

Supported accommodation and bail programs

The CSD funds a number of non-government organisations to deliver accommodation, including the Transition Support for Young People Exiting Detention (supported by Barnardos and Lowana Youth Services).

Pre- and post-release programs

The Bimberi Youth Justice Centre offers a number of programs that aim to provide young people with the skills to help them successfully transition back into the community.

The CSD funds various non-government organisations to deliver post-release programs, including case management services for young people transitioning from custody.

Legislation

Bail Act 1992

Children and Young People Act 2008

Crimes (Restorative Justice) Act 2004

Crimes (Sentence Administration) Act 2005

Crimes (Sentencing) Act 2005

Juvenile justice remand and detention centre

Bimberi Youth Justice Centre

Northern Territory

In the Northern Territory, criminal responsibility commences at the age of 10 years. The maximum age for appearance in a Children's Court is 17 years.

The term 'youth justice' is used in the Northern Territory.

Key policy directions

In 2011, a review of the Northern Territory youth justice system was chaired by Ms Jodeen Carney. The Terms of Reference of the review were:

- identification of emerging issues and trends in youth justice and offending in the Northern Territory that adversely affect the achievement of Territory 2030 and Working Future goals and outcomes
- evaluation of the impact of existing government legislation, policy and practice to develop recommendations to Government on appropriate reform to laws, policies and

programs to assist achieving the Government's commitment to reducing youth offending and re-offending, and to creating safer communities

- recommendations on strategies for dealing effectively with offending young people taking into account relevant national and international research, reviews and reports, and their application to the Northern Territory context
- recommendations to enhance the ability of government agencies and communities to assist in the continuum of services for young people in the youth justice system to achieve a reduction in offending, particularly by Indigenous offenders
- using available research and data, provide cost-benefit analysis for proposed strategies and options
- a proposed strategy on future policy, programs, practices within the youth justice system in the Northern Territory, including monitoring and evaluation of these, taking into account resource implications and with particular reference to vulnerable groups of young people including Indigenous youth, young people affected by alcohol or other drug abuse, young people with mental health issues, young women and culturally diverse groups.

The review was conducted during 2011, with the final report published in September of that year. The report provided nine recommendations for the Northern Territory Government to improve the youth justice system. Accordingly, Youth Justice policy is subject to the government's receiving the report of the review and considering the report's recommendations.

Key agencies

Juvenile justice agency

Correctional Services in the Department of Justice is responsible for young people in detention and on community-based orders. The Department of Children and Families is responsible for administering the Family Responsibility Program under the *Youth Justice Act 2006*.

If the young person is placed on bail, the court can place the young person under the supervision of Correctional Services with conditions such as residence, curfew and attendance at specific appointments (for example, alcohol and drug assessments).

All young people placed on orders undergo case management, whether they are on a community-based order or serving a term of detention. Case management goals vary substantially, depending on the young person, their family or significant other supports, and the services available in their community.

Juvenile detention numbers have increased in recent years. In July 2008, there was an average of 23 young people in custody, 25 in July 2009 and 28 in July 2010. In July 2011, the average number was 31. In July 2008, there was an average of one young woman in custody; this has risen to an average of three young women in custody in July 2011.

One of the nine recommendations of the 2011 report on the review of the Northern Territory youth justice system was the streamlining of administrative and agency arrangements for youth justice.

Alice Springs Juvenile Detention Centre

The Alice Springs Juvenile Detention Centre (ASJDC) opened on 27 March 2011. This centre allows juveniles from local regions to continue to have access to their families and traditional supports. The ASJDC currently holds 10 detainees and will continue to have a staged expansion. The centre has an operating capacity of a maximum of 16 detainees, including males and females. Female detainees are held at the ASJDC only for short times for court appearances, and longer term female detainees are transferred to the Don Dale Juvenile Detention Centre (DDC) in Darwin.

Police

Young people who are alleged to have committed an offence in the Northern Territory are dealt with in one of three ways:

- referred to the Northern Territory Police Youth Diversion Scheme
- released on bail
- remanded in custody.

The Youth Diversion Scheme may take the form of verbal and written warnings, or family and victim-offender conferencing. Conference outcomes may include informal and formal programs, and conditions (for example, an apology to the victim). Programs may include but are not limited to substance abuse, training and education, and community work programs.

Young people may be released on bail with or without supervision conditions.

If the alleged crime is serious, the accused young person may be remanded in detention before the court hearing.

Department of Children and Families

Family Support Centres manage Family Responsibility Agreements and Family Responsibility Orders within the provisions of the Youth Justice Act, with families identified as needing intensive support.

Courts

If the court finds a charge proven against a young person, the decision may be made to:

- dismiss the charge for the offence or discharge the young person without penalty
- adjourn the matter for up to 6 months and, if the young person does not commit a further offence during that period, discharge them without penalty
- adjourn the matter to a specified date within 12 months of the finding of guilt, and grant bail to the young person under the *Bail Act*, to assess the young person's capacity and prospects for rehabilitation, or allow them to demonstrate that rehabilitation has taken place, or for any other appropriate purpose
- order the young person to participate in a specified program
- order that the young person be released, as long as they give security that they will appear before the court if called on to do so, be of good behaviour for the period of the order, and observe any conditions the court imposes
- fine the young person not more than the maximum penalty that may be imposed under the relevant law for the offence

- make a community work order that the young person participate in an approved project for a specified number of hours
- order that the young person serve a term of detention or imprisonment that is suspended, or is suspended as long as the young person enters into an alternative detention order or a periodic detention order
- order that the young person serve a term of detention or imprisonment
- make any other order that another court could make if the young person were an adult convicted of that offence.

If the court orders that the young person serve a term of detention or imprisonment, the term must not exceed the lesser of the maximum period that may be imposed under the relevant law for the offence, or:

- for a young person aged 15 or over – 2 years
- for a young person aged under 15 – 12 months.

The court must not order the imprisonment of a young person who is aged under 15.

Pre-sentencing conference

The court may, when determining the appropriate sentence for a young person who has been found guilty of an offence, adjourn the proceedings and order the young person to participate in a pre-sentencing conference.

A pre-sentencing conference may include any of the victims of the offence, community representatives, members of the young person's family or any other persons who the court considers appropriate.

Non-parole period

If the court sentences a young person to a term of detention or imprisonment longer than 12 months that is not suspended, the court must fix a non-parole period unless the court considers that the nature of the offence, the past history of the young person or the circumstances of the particular case make this inappropriate.

Legislation

Youth Justice Act 2006

Youth Justice Regulations 2005

Juvenile justice remand and detention centres

Alice Springs Juvenile Detention Centre opened Sunday, 27th March 2011, whereupon the Alice Springs Juvenile Holding Centre (ASJHC) was closed

Don Dale Juvenile Detention Centre, Darwin

Appendix 2 Detailed data and methods

Versions of the JJ NMDS

The JJ NMDS was initially developed between 2002 and 2004 and the first report containing data from the JJ NMDS was published in 2006. This first version of the JJ NMDS (referred to as JJ NMDS 2007 on METeOR, the AIHW's Metadata Online Registry), contained information on only the most serious supervised legal arrangement or order for each young person under juvenile justice supervision (see AIHW 2009 for more information).

In 2009, the JJ NMDS was redeveloped to capture all supervised legal arrangements and orders for young people under juvenile justice supervision, rather than only the most serious one. This version of the JJ NMDS (known as JJ NMDS 2009) allows for a more complete analysis of the numbers and types of supervised orders that juvenile justice agencies administer. *Juvenile justice in Australia 2008-09* (AIHW 2011) was the first report to contain data from the redeveloped JJ NMDS.

For the 2010-11 collection, most participating states and territories provided data in the current (JJ NMDS 2009) format from 2000-01 to 2010-11. Exceptions are discussed in Section 3.3.

Data and methods

Age

Age is calculated as at the start of the first relevant period of supervision unless that period of supervision began before the financial year, in which case age is calculated as at the start of the financial year. A young person's age can therefore vary across tables as age is calculated in respect to the type of supervision being analysed. For example, a young person enters supervised bail aged 17 on 1 August and leaves on 30 August. They turn 18 on 15 September, enter sentenced detention on 1 December and are released on 1 January on parole, which ends on 30 January. They have no other periods of community-based supervision during the financial year.

- In the supervised bail analysis, they will appear as a 17-year-old.
- In the parole analysis, they will appear as an 18-year-old.
- In the sentenced detention analysis, they will appear as an 18-year-old.

This means that for a particular age group, the total number of young people under supervision may not be the sum of the number of young people under particular types of supervision.

Community-based supervision

The JJ NMDS contains information on the start and end of supervised orders that juvenile justice agencies administer and on the start and end of detention periods. As the start and end dates in the JJ NMDS do not include time stamps, a young person is counted as being under community-based supervision for any day that is covered by a community-based supervised order and is not covered by a detention period. In some circumstances, the young

person is considered to have moved between community-based supervision and detention on the same day and is counted as having both types of supervision:

- When a detention period starts on a particular day (and the previous detention period ended before that day) and a community-based supervision order starts on or before that day and ends on or after that day, the young person is counted as having both community-based supervision and detention on that day.
- When a detention period ends on a particular day (and the next detention period starts after that day) and a community-based supervision order starts on or before that day and ends on or after that day, the young person is counted as having both community-based supervision and detention on that day.
- When a detention period ends on a particular day and another detention period starts on the same day and a community-based supervision order starts on or before that day and ends on or after that day, the young person is counted as having only detention on that day.
- Where any detention periods either end before a particular day or start after that particular day and a community-based supervision order starts on or before that day and ends on or after that day, the young person is counted as having only community-based supervision on that day.

See also 'Supervision periods' in this section.

Duration

Duration is calculated in whole days. For example, if a young person entered supervision on 1 January and left on 5 January, this is counted as 5 days under supervision, while if a young person entered and left supervision on the same day, this is counted as 1 day under supervision.

First supervision and supervision history

The JJ NMDS contains the date on which the juvenile justice agency first supervised or case managed each young person under supervision. This date is used in analyses of age at first supervision.

In contrast to the age at first supervision, analyses of the first type of supervision and supervision history are restricted to those young people for whom information on this first supervision is available in the JJ NMDS. For all states and territories except Tasmania and the Australian Capital Territory, information on the first type of supervision is available for all young people whose first supervision was on or after 1 July 2000; for Tasmania, this is 1 January 2006 (as complete data on detention are available only from this date); for the Australian Capital Territory, this is 1 July 2008 (as data for 2003–04 to 2007–08 are available only in JJ NMDS 2007 format).

The first supervision type is determined for each young person with available data by selecting the records with the earliest start date. Because it is possible for young people to be under more than one type of supervision at the same time, young people may have multiple first supervision types.

A young person's supervision history is composed of all available information in the JJ NMDS, up to and including the current reporting year. Only young people with information from their first supervision are included in this analysis.

National totals

Western Australia and the Northern Territory did not provide JJ NMDS data for 2008–09, 2009–10 or 2010–11. Western Australia provided limited aggregate data in non-standard format for these years. Therefore, many tables in this report contain two totals:

- ‘Aust excl WA & NT’ – only states and territories with JJ NMDS data are included in these totals (that is, New South Wales, Victoria, Queensland, South Australia, Tasmania and the Australian Capital Territory).
- ‘Aust incl WA & NT’ – an approximate national total derived from the available JJ NMDS data, non-JJ NMDS data for Western Australia and existing 2007–08 JJ NMDS data for the Northern Territory (which was rounded to the nearest 5 young people). These totals are then further rounded to the nearest 5 young people.

Number under supervision

This report contains information on both the number of young people under supervision on an average day and the number of young people under supervision during the year. Comparing the two measures provides information on the average length of supervision during the year.

Average day

The number of young people under supervision on an average day is calculated by summing the number of days each young person spends under supervision during the year and dividing this total by the number of days in the financial year.

For the number on an average day, components may not sum to the total because:

- young people can experience different types of supervision on the same day
- age is calculated specific to the type of supervision being analysed
- the number on an average day is rounded to the nearest whole person.

For example, if there are 3.4 young women on an average day and 3.4 young men on an average day, the total is 6.8 young people. When these numbers are rounded, the corresponding table would show 3 young women, 3 young men and a total of 7 young people.

During the year

The number of young people under supervision during the year is calculated by counting each distinct young person under supervision during the financial year. Each young person is counted only once, even if they entered and exited supervision multiple times during the year.

For the number during the year, components may not sum to the total because:

- young people can experience different types of supervision during the year
- age is calculated specific to the type of supervision being analysed.

For example, if there were 100 young people under supervision in a particular year and each of these 100 young people had been detained and under community-based supervision at different times during the year, the relevant totals would show that there were 100 young people in detention, 100 young people under community-based supervision and a total of 100 young people under supervision. Similarly, a young person may be 15 years at the start

of their first period of detention during the year but 16 years at the start of their first period of community-based supervision. This young person would appear as a 15-year-old in detention tables but as a 16-year-old in community-based supervision tables, and as a 15-year-old in tables for the total number under supervision.

Population rates

While the number of young people under supervision varies by state and territory, so does the total number of young people who live in that state or territory. To compare the number under supervision while taking into account differences in population sizes, this report presents population rates using data from the Australian Bureau of Statistics (ABS 2009, 2012b). Population rates are calculated by dividing the number of young people under supervision by the number of young people who are eligible to be supervised. Those who are eligible must relate to those under supervision (that is, if the rate is calculated for males under supervision, then those who are eligible can only be males).

Population rates are calculated for both the number under supervision during the year and the number under supervision on an average day. Because there are differences between the states and territories in the extent to which juvenile justice agencies can supervise young people aged 18 and older, all rates are calculated for those aged 10–17. For this report, this number is then multiplied by 1,000 (although any multiplier could be used). The rate can then be expressed as the number per 1,000 young people. For example, if there were 10,000 young people aged 10–17 under supervision during the year and there were 2,000,000 young people aged 10–17 in Australia, then there were 5 young people under supervision for every 1,000 young people aged 10–17 in Australia (or 0.5% of the population aged 10–17). Similarly, if there were 5,000 Indigenous young people aged 10–17 under supervision in Australia and there were 100,000 Indigenous young people of this age in Australia, then there were 50 Indigenous young people under supervision for every 1,000 Indigenous young people aged 10–17 years in Australia (or 5% of the Indigenous population aged 10–17).

The calculation of rates for Indigenous and non-Indigenous young people excludes young people with unknown Indigenous status. Rates are not calculated where there are fewer than 5 young people due to a lack of reliability.

The number of young people on an average day is rounded to the nearest whole person. The rate for an average day is calculated using the number on an average day before rounding.

Rate ratio

Rates can be compared using a rate ratio, which is the ratio of two rates. Rate ratios should be interpreted with caution where there are small denominators, rare events and rates that converge while declining. In this report, rate ratios are mainly used to compare Indigenous and non-Indigenous rates and to provide a measure of the level of Indigenous over-representation. Crude rates are also presented to guide interpretation. Rate ratios are not calculated where one or both the rates has fewer than 5 young people in the numerator.

Receptions

A reception occurs when a detention period starts and the young person:

- was not in detention immediately before the start of the current detention period, or

- did not escape from detention or abscond from leave in the immediately preceding detention period.

To account for young people transported to court and returning to detention on remand or sentenced detention following a court hearing and for young people transferred between detention centres, the start of a detention period is considered a reception only when the detention period starts at least 2 full days after the end of the previous detention period.

Releases

A release from detention occurs where a detention period ends and the young person:

- was not detained immediately following the end of the current detention period, or
- did not escape from detention or abscond from leave in the current detention period.

To account for young people transported to court and returning to detention on remand or sentenced detention following a court hearing and for young people transferred between detention centres, the end of a detention period is considered a release only when the detention periods ends at least 2 full days before the start of the next detention period.

Remand periods followed by a period of sentenced supervision

All periods of sentenced supervision that start within one day of the end of a remand period are included except where there is a further remand period that starts on the same day as the period of sentenced supervision.

Remoteness

This report uses the Australian Standard Geographical Classification (ASGC) Remoteness Structure that the ABS has developed to analyse the remoteness of usual residence of the town or suburb of young people under supervision. This structure allows areas that share common characteristics of remoteness to be classified into broad geographical regions of Australia. These areas are:

- *Major cities*
- *Inner regional*
- *Outer regional*
- *Remote*
- *Very remote.*

In this classification, remoteness is determined based on the minimum road distance to differently sized urban centres, where the population size of the urban centre is assumed to determine the availability of goods and services (AIHW 2004).

Examples of places that are considered *Major cities* in the ASGC classification include Canberra and Newcastle. Hobart and Bendigo are *Inner regional* areas and Mackay and Darwin are *Outer regional* areas. Alice Springs and Mount Isa are *Remote* areas and Tennant Creek and Meekatharra are *Very remote.*

For this report, the remoteness of the young person's usual residence was determined using the most recent postcode of their last known address. Young people with invalid, missing or unknown postcodes of last known home address were excluded from the analysis.

The number of young people under supervision in each remoteness area was estimated based on each young person's most recent postcode. Some postcode areas were split between two or more remoteness areas. Where this was the case, the data were weighted according to the proportion of the population of the postcode area in each remoteness area. Some young people may appear in remoteness areas for which there is no population within that state or territory. This is due to young people whose last known home address is in a different state or territory to the one in which they are under supervision.

Socioeconomic status

This report uses the Socio-Economic Indexes for Areas (SEIFA) that the ABS has developed to analyse the socioeconomic status of the usual residence of young people under supervision.

The SEIFA comprises four indexes that are constructed using information from the five-yearly Census of Population and Housing (ABS 2006). These four indexes are the Index of Relative Socio-Economic Disadvantage, the Index of Relative Socio-Economic Advantage and Disadvantage, the Index of Economic Resources and the Index of Education and Occupation.

In this report, the Index of Relative Socio-Economic Advantage and Disadvantage is used to compare the average level of socioeconomic advantage and disadvantage in the areas of usual residence of those under supervision. The Index of Relative Socio-Economic Advantage and Disadvantage is derived from census variables related to both advantage and disadvantage, including low levels of income and education, as well as high levels of education and income. This index can be used to measure both disadvantage and advantage. A high score indicates a relatively high level of advantage and a relatively low level of disadvantage. An area containing some relatively disadvantaged people and some relatively advantaged people may have a low score on the Index of Relative Socio-economic Disadvantage, due to the levels of disadvantage, but a relatively high score on the Index of Relative Socio-economic Advantage and Disadvantage, due to the existence of both advantage and disadvantage. Population-based quintiles are used in this report.

The socioeconomic status of the area of the young person's usual residence was determined by allocating a SEIFA score to the most recent postcode of the last known home address. Young people with invalid, missing or unknown postcodes of last known home address were excluded from the analysis.

The number of young people under supervision in each area was estimated based on each young person's most recent postcode. Some postcode areas were split between two or more areas with different SEIFA scores. Where this was the case, the data were weighted according to the proportion of the population of the postcode area in each SEIFA area.

The SEIFA represents the average of all people living in the area, and not the socioeconomic status of a particular individual living in the area. Therefore, socioeconomic analyses in this report indicate the level of socioeconomic advantage and disadvantage in the area of usual residence of the young person, not the level of socioeconomic advantage and disadvantage of the young person or their family. Some young people may appear in socioeconomic areas for which there is no population within that state or territory. This is due to young people whose last known home address is in a different state or territory to the one in which they are under supervision.

Supervision periods

A supervision period is the period of time a young person spent under continuous juvenile justice supervision. It should be noted that:

- periods of juvenile justice supervision may be comprised of both periods under community-based supervision and periods in detention
- periods spent either under community-based supervision or in detention may consist of multiple or concurrent orders and episode types.

Young people may not serve the full duration of orders for several reasons, including:

- community orders and periods spent under community-based supervision may be interrupted by time spent in detention
- the full duration of a sentenced detention order may not be served where the young person is released on parole or supervised release.

An example of the relationship between periods, episodes and orders is shown in Figure A2.1. In this example, a young person spent 6 continuous months under supervision, with the first 2 months under community-based supervision and the remaining 4 months in detention. The young person experienced two different types of community supervision in the first 2 months (e.g. probation and bail). The young person then experienced two different types of detention (e.g. remand and sentenced detention).

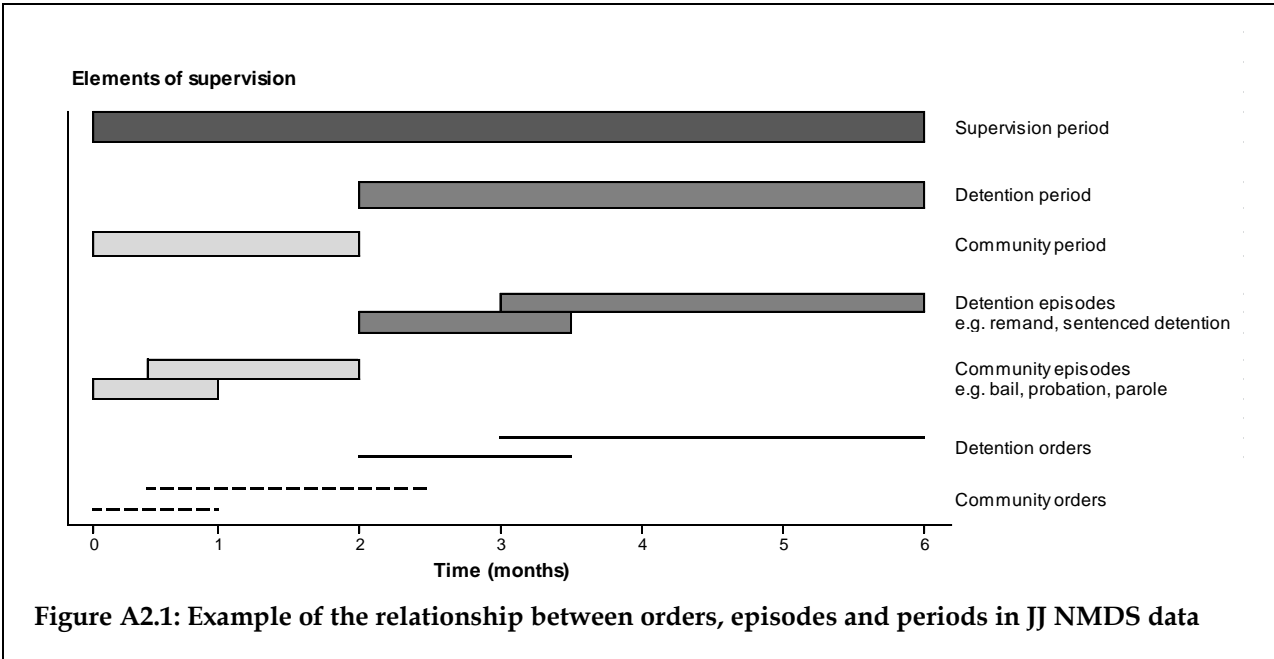


Figure A2.1: Example of the relationship between orders, episodes and periods in JJ NMDS data

Supervision types

The JJ NMDS contains information on the type of supervision using the national classification of supervised legal arrangements and orders (Table A2.1).

Table A2.1: National classification of supervised legal arrangements and orders

Legal status	Supervision type	Order type	Includes
Unsentenced	Detention	Police-referred detention	
	Community-based supervision	Police-referred—other	
	Detention	Remand (court-referred)	
	Community-based supervision	Supervised bail	Conditional bail, Griffith remand
		Home detention bail	
		Other court-referred arrangements	Deferral of sentence
Sentenced	Detention	Sentenced detention	Control order, revocation of parole, youth residential order
	Community-based supervision	Probation or similar with additional mandated requirements	Community service order, good behaviour order with supervision, good behaviour bond
		Probation or similar without additional mandated requirements	intensive supervision order, youth attendance order, youth supervision order
		Home detention	
		Suspended detention	Suspended sentence, conditional release order
	Parole	Supervised release order, fixed release order	
Other	Community-based supervision	Not elsewhere classified	Mental health order

In this report, several of these order types are routinely combined, including other orders not elsewhere classified, probation and similar orders, supervised or conditional bail and other unsentenced community-based orders, and unsentenced detention.

Other orders not elsewhere classified

In this report, other orders not elsewhere classified are classified as ‘other’ in tables disaggregated by legal status.

Probation and similar

In this report, ‘probation and similar’ is composed of these order types with additional mandated requirements and those without additional mandated requirements. Young people who are supervised under both types of order on the same day or during the same year are counted only once for this category.

Supervised or conditional bail and other unsentenced

This category includes young people on supervised or conditional bail, home detention bail and other unsentenced community-based supervised orders. Young people who are supervised under more than one of these types of orders on the same day or during the same year are counted only once for this category.

Unsentenced detention

This category includes young people in police-referred detention and on court-referred remand. Young people who are detained for both these types of detention on the same day or during the same year are counted only once for this category.

Trends

Trend data may differ from data published in previous versions of *Juvenile justice in Australia* due to data revisions.

Glossary

Breach: A breach occurs when a young person reoffends or fails to comply with the conditions of a community-based order.

Case management: The process of assessment, identification of needs, planning and review. Case management requires staff to assess the patterns and situational factors that directly relate to the young person's offending behaviour. Case planning also acknowledges the importance of the young person's cultural and developmental needs. Staff collaborate with the young person's family and community services to ensure interventions are sustainable once they have completed their court order.

Changing Habits and Reaching Targets (CHART) program: A cognitively-based intervention designed specifically for caseworkers to engage and work with young offenders who require moderate to high intervention to reduce their risk of re-offending. The Department of Human Services, Victoria, designed the CHART model.

Criminogenic: Producing or tending to produce crime or criminality.

Dual track system: The system in Victoria whereby young people aged 18–20 years can be sentenced to a juvenile detention centre.

Finalised defendant: A person or organisation for whom all charges relating to the one case have been formally completed so that the defendant ceases to be an item of work to be dealt with by the court.

Griffith remand: A sentencing option where the court grants an adjournment to assess the young person's rehabilitation prospects or progress. The young person is usually placed under strict conditions, such as completing a residential drug rehabilitation program.

Group conferencing (also known as youth justice conferences): A formal legal process based on the principles of restorative justice. Group conferences bring young people, their families and supporters face to face with victims and their support people. Together, they agree on a suitable outcome that may include an apology, reasonable reparation to victims, and steps to reconnect the young person with their community in order to help them desist from further offending.

Juvenile justice agency: The state or territory government agency or department responsible for juvenile justice supervision.

Juvenile justice centre: A place administered and operated by a juvenile justice agency where young people are detained while under the supervision of the relevant juvenile justice agency. See Appendix 1 for lists of the juvenile justice centres in each state and territory.

Parole or supervised release: A sentenced community-based supervision order that is issued or enacted following a period of sentenced detention. Release on parole or supervised release is possible in some situations when a young person has served a specified proportion of their detention sentence. A breach of the parole or supervised release order usually results in the young person's returning to detention to serve the remainder of the sentence.

Police-referred detention: Unsentenced detention by a juvenile justice agency that occurs before the young person's initial court appearance.

Probation and similar: A sentenced community-based supervision order that may be issued with additional mandated requirements such as community work or program attendance. The juvenile justice agency may or may not directly supervise any additional mandated requirements, but remains responsible for the overall supervision and case management of the young person. Includes probation, recognisance and community service orders that a juvenile justice agency supervises or case manages.

Reception: The event of entering a detention centre to begin an unsentenced or sentenced detention order. Neither a transfer to a new detention facility nor a change in legal status constitutes a reception; however, if a young person is released from detention and then re-enters at a later date, this is a new reception.

Release on bail: Following a period of remand, a court may order a young person to be released into the community pending the outcome of the trial. Bail may be either unsupervised or supervised.

Remand: The act of placing in custody a young person who is accused of an offence to await trial or the continuation of the trial.

Supervised or unconditional bail: The act of allowing a young person who is accused of an offence to await trial or the continuation of the trial in the community under the supervision of a juvenile justice agency.

Suspended detention: A sentence that usually involves a period of intensive supervision in the community with the possibility of detention if the young person breaches the community supervision. Includes immediate release orders, suspended detention orders and intensive supervision of young people with detention orders.

Young person: A person whom a juvenile justice agency supervises as a result of having committed or allegedly committed an offence.

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Related publications

This report, *Juvenile justice in Australia: 2010–11*, is part of an annual series. Other editions in this series can be downloaded free from the AIHW website <<http://www.aihw.gov.au/publications/index.cfm/series/405>>. The website also includes information on ordering printed copies.

The following AIHW publications relating to children and young people might also be of interest:

- AIHW (Australian Institute of Health and Welfare) 2012. Juvenile detention population in Australia 2011. Juvenile justice series no. 9. Cat. no. JUV 9. Canberra: AIHW.
- AIHW 2012. Child protection Australia 2010–11. Child welfare series no. 53. Cat. no. CWS 41. Canberra: AIHW.
- AIHW 2011. Headline indicators for children’s health, development and wellbeing, 2011. Cat. no. PHE 144. Canberra: AIHW.
- AIHW 2011. The health of Australia’s prisoners 2010. Cat. no. PHE 149. Canberra: AIHW.
- AIHW 2011. Young Australians: their health and wellbeing 2011. Cat. no. PHE 140. Canberra: AIHW.
- AIHW 2011. Educational outcomes of children under guardianship or custody orders: a pilot study, stage 2. Child welfare series no. 49. Cat. no. CWS 37. Canberra: AIHW.
- AIHW 2010. Health and wellbeing of young Australians: indicator framework and key national indicators. Bulletin no. 77. Cat. no. AUS 123. Canberra: AIHW.
- AIHW 2008. Linking SAAP, child protection and juvenile justice data collections: a feasibility study. Data linkage series no. 5. Cat. no. CSI 5. Canberra: AIHW.

On an average day in 2010–11, 2.6 young people aged 10–17 were under juvenile justice supervision for every 1,000 in Australia. Most young people (86%) were supervised in the community, with the remainder in detention. Indigenous young people aged 10–17 were 15 times as likely as non-Indigenous young people to be under supervision on an average day: 14 times as likely to be under community-based supervision and 24 times as likely to be in detention.