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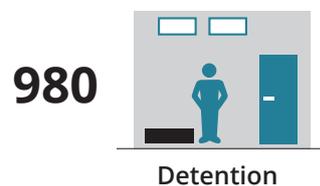
Youth detention population in Australia

2018

Summary

This bulletin looks at the numbers and rates of young people aged 10 and over who were in youth detention in Australia due to their involvement, or alleged involvement, in crime. It focuses on trends over the 4-year period from the June quarter 2014 to the June quarter 2018.

980 young people were in detention on an average night



On an average night in the June quarter 2018, 980 young people were in youth detention. The vast majority (90%) were male, and most (84%) were aged 10–17. This equates to a rate of 3.5 young people aged 10–17 per 10,000. The other detainees were aged 18 or older.



On an average night in the June quarter 2018, 3 in 5 (60%) young people in detention were unsentenced—that is, they were awaiting the outcome of their court matter or sentencing. The remainder were serving a sentence.

Detention rates have fluctuated

Over the 4-year period from the June quarter 2014 to the June quarter 2018, the number of young people in detention on an average night rose. The number was lowest in the September quarter 2016 (792 young people), and highest in the March quarter 2018 (985).

The rate of those aged 10–17 in detention fluctuated over the 4-year period, showing no clear trend, between 2.8 and 3.5 per 10,000 each quarter.

Sentenced detention fell, while unsentenced detention rose

On an average night in the June quarter 2018, 2.4 per 10,000 young people aged 10–17 were in unsentenced detention, and 1.1 per 10,000 were in sentenced detention.

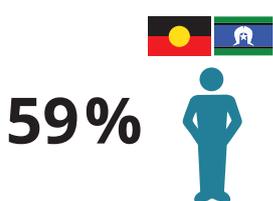
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Over the 4-year period, the rate of young people in sentenced detention fell from a high of 1.4 per 10,000 young people aged 10–17 in the June quarter 2014, to a low of 1.0 per 10,000 in the December quarter 2016, before rising slightly to 1.1 per 10,000 in the June quarter 2018.

The rate of young people aged 10–17 in unsentenced detention rose overall, ranging from 1.7 per 10,000 (September and December quarters 2014, and September quarter 2016) to 2.4 per 10,000 (March quarter 2017, and June quarters 2018).

More than half of those in detention were Aboriginal or Torres Strait Islander



On an average night in the June quarter 2018, nearly 3 in 5 (59%) young people aged 10–17 in detention were Indigenous, despite Indigenous young people making up only 5% of the general population aged 10–17.

Indigenous young people aged 10–17 were 26 times as likely as non-Indigenous young people to be in detention on an average night. Over the 4-year period, this fluctuated between 21 and 28 times the non-Indigenous rate.

Trends vary across the states and territories

Rates of young people in detention on an average night rose over the 4-year period in Victoria, Queensland, and Tasmania. In the other states and territories, rates remained relatively stable, or showed no consistent trend.

In Queensland, legislation changed to increase the youth justice age limit to 17, starting 12 February 2018. Before then, the age limit in Queensland was 16. This, in part, led to a rise in the number of young people held in youth justice detention in Queensland and nationally.

Contents

Summary	1
1 Introduction	3
2 Trends in detention	6
3 Trends in sentenced and unsentenced detention.....	8
4 Aboriginal and Torres Strait Islander young people	11
5 State and territory trends	14
Technical notes.....	19
Acknowledgments	22
Abbreviations	22
Symbols	22
References	23
Related publications.....	23



1 Introduction

This bulletin is part of an annual series that looks at trends in the numbers and rates of young people in secure detention facilities in Australia due to their involvement or alleged involvement in crime.

This bulletin and accompanying supplementary tables (those with a prefix of 'S') are available from www.aihw.gov.au/reports-statistics/health-welfare-services/youth-justice/reports.

Youth detention in Australia

In Australia, young people who are charged with, or proven guilty of, criminal offences may be supervised by state and territory youth justice agencies. Supervision may take place either in the community or in detention facilities.

Among the states and territories, variations in the numbers and rates of young people under supervision can reflect differences in youth justice legislation, policy, and practice. This includes differences in police practices, the types of legal orders available, and the options for diversion.

Principles of youth detention

Two main principles upon which the Australian youth justice system is based, and which are incorporated in state and territory legislation, are that young people should be detained only as a last resort, and for the shortest appropriate period (Chrzanowski & Wallis 2011).

This is consistent with international guidelines, such as the United Nations Convention on the Rights of the Child, and the Standard Minimum Rules for the Administration of Juvenile Justice (United Nations 1985, 1989).

Diverting young people from further involvement in the justice system is crucial to applying these principles. Forms of diversion include police warnings, referral to services such as drug and alcohol treatment, bail supervision for those at risk of remand, and youth justice conferencing.

Alternatives to detention include transfer to specialist courts or programs, and supervised or unsupervised community orders.

As a result, most young people under supervision in Australia are supervised in the community.

On an average day in 2016–17, 83% of young people under supervision were supervised in the community, and just 17% were in detention (some were supervised in both the community and detention on the same day; AIHW 2018). But almost half (46%) of those who were supervised during 2016–17 spent time in detention at some point during the year.

Age limits

In Australia, young people may be charged with a criminal offence if they are aged 10 or older. Separate justice systems operate for young people and adults, each with specific legislation. The upper age limit in the youth justice system is 17 (at the time of the offence) in all states and territories. Those aged 18 or older are dealt with under criminal legislation relating to adults.

In Queensland, legislation to increase the youth justice age limit to 17 was passed in 2016, and enacted on 12 February 2018. Before then, the age limit in Queensland was 16, and young people aged 17 and older were treated as adults.

From February 2018, young people aged 17 have been transferred from the adult justice system into the youth justice system, which has, in part, led to a rise in the number of young people held in youth justice detention in Queensland and nationally.

On an average day in 2016–17, about 12% of young people under supervision were aged 18 or older (AIHW 2018). Reasons for this include:

- young people might be apprehended for an offence that was committed or allegedly committed when they were aged 17 or younger
- young people might continue to be supervised by the youth justice system once they turn 18 (or they might be transferred to the adult correctional system)
- in some jurisdictions, some young people aged 18 or older are supervised by youth justice agencies due to their vulnerability or immaturity
- in Victoria, young people aged 18–20 who appear in courts other than the Children’s Court may be sentenced to detention in a youth facility rather than an adult prison if the young person is assessed as suitable, and the court deems this appropriate (known as the ‘dual track’ sentencing system).

In this bulletin, the term ‘young people’ is used to refer to individuals aged 10 and over who are supervised by a youth justice agency. Numbers of young people in detention relate to young people of all ages unless otherwise specified.

Population rates enable different groups to be compared, while taking into account different population sizes. In this bulletin, rates are calculated only for young people aged 10–17, as this is the key population in most states and territories. For more information about the calculation of age, see the ‘Technical notes’.

Sentenced and unsentenced detention

Young people might be in detention while they are:

- *unsentenced*—that is, while awaiting the outcome of their court matter, or while awaiting sentencing after being found or pleading guilty
- *sentenced*—when they have been proven guilty in court and have received a legal order to serve a period of detention.

Whether a young person is unsentenced or sentenced is known as their ‘legal status’.

Most young people in unsentenced detention have been remanded in custody by a court until their next court appearance.

In 2016–17, the vast majority (98%) of young people in unsentenced detention on an average day were on remand (AIHW 2018). The remainder were in police-referred detention—that is, they were detained before their first court appearance (which is possible in most states and territories).

But more than one-third (37%) of those who were in unsentenced detention during 2016–17 experienced police-referred detention at some time during the year.

In this bulletin, young people who are both sentenced and unsentenced at the same time (for example, for 2 different matters) are counted as sentenced.



Youth detention data

This bulletin looks at the number of young people in detention on an average night between the June quarter 2014 and the June quarter 2018. Each quarter covers 3 months of the year, and is identified with reference to the last month in the quarter (for example, the March quarter comprises January, February, and March).

The states and territories provided data on the average nightly number of young people in detention each quarter between July 2017 and June 2018. The Northern Territory provided the number of young people in detention at midnight at the end of each month for this period.

These data supplement the Juvenile Justice National Minimum Data Set (JJ NMDS) and non-standard data provided by the Northern Territory for the period from the June quarter 2014 to the June quarter 2017. For more information, see the 'Technical notes'.

Queensland's 2017–18 detention data include sentenced and unsentenced young people in detention centres and other custodial settings (young people held in police watch houses under remand and sentence).

Trends in the detention population

The number of young people in detention on an average night is relatively small, and the amount of random variation from quarter to quarter is more noticeable when numbers are small.

This might affect the appearance and interpretation of trends, which should, as a result, be interpreted with caution, particularly where they relate to small populations.

In this bulletin, comparisons are made between the June quarter in 2018 and the June quarters 1 year earlier (2017) and 4 years earlier (2014). The same quarters are compared across years to minimise the effect of seasonal variation.

Previous analyses have indicated that there appears to be some seasonal variation in the numbers of young people in sentenced and unsentenced detention each year, but this has not been fully investigated or explained.

This bulletin aims to summarise key trends over the 1-year and 4-year periods, although there might be fluctuations between quarters.

For more data, including counts of young people who enter the youth justice system throughout the year, and trends over 10 years up to 2016–17, see *Youth Justice in Australia 2016–17*, at <www.aihw.gov.au/reports/youth-justice/youth-justice-in-australia-2016-17>.

2 Trends in detention

Numbers

On an average night in the June quarter 2018, 980 young people were in youth detention in Australia due to their involvement, or alleged involvement, in crime (Figure 2.1).

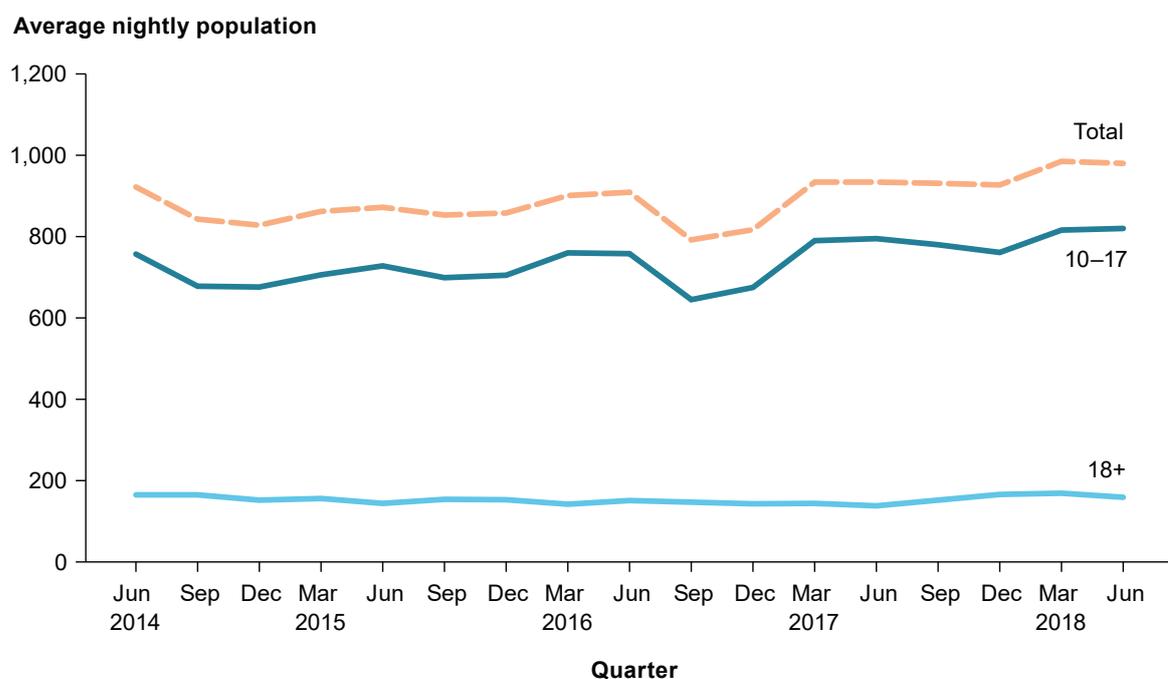
Over the 4-year period from the June quarter 2014 to the June quarter 2018, the number of young people in detention on an average night fluctuated between 792 and 985, with an overall increase.

The increase from 927 in the December quarter 2017 to 985 in the March quarter 2018 was in part caused by Queensland transferring young people aged 17 from the adult corrections system into the youth justice system. The average number of young people in Queensland rose from 188 in the December quarter 2017 to 240 in the June quarter 2018.

On an average night in the June quarter 2018, most (820 or 84%) young people in detention were aged 10–17, and the remainder (16%) were aged 18 or older (Figure 2.1; tables S7, S8, and S9). The number of young people on an average night may not sum to total due to rounding.

The number of young people aged 10–17 in detention fluctuated over the 4-year period, while the number aged 18 or older declined steadily, until 2018, when it rose slightly. The lowest number of young people aged 18 or older was in the June quarter 2017 (138 or 15%), and the highest was in the March quarter 2018 (169, 17%).

Figure 2.1: Young people in detention on an average night, by age group, Australia, June quarter 2014 to June quarter 2018 (number)



On an average night in the June quarter 2018, 9 in 10 (885 or 90%) young people in detention were male (Table S7). This was the case in all quarters throughout the 4-year period (90%–92%).

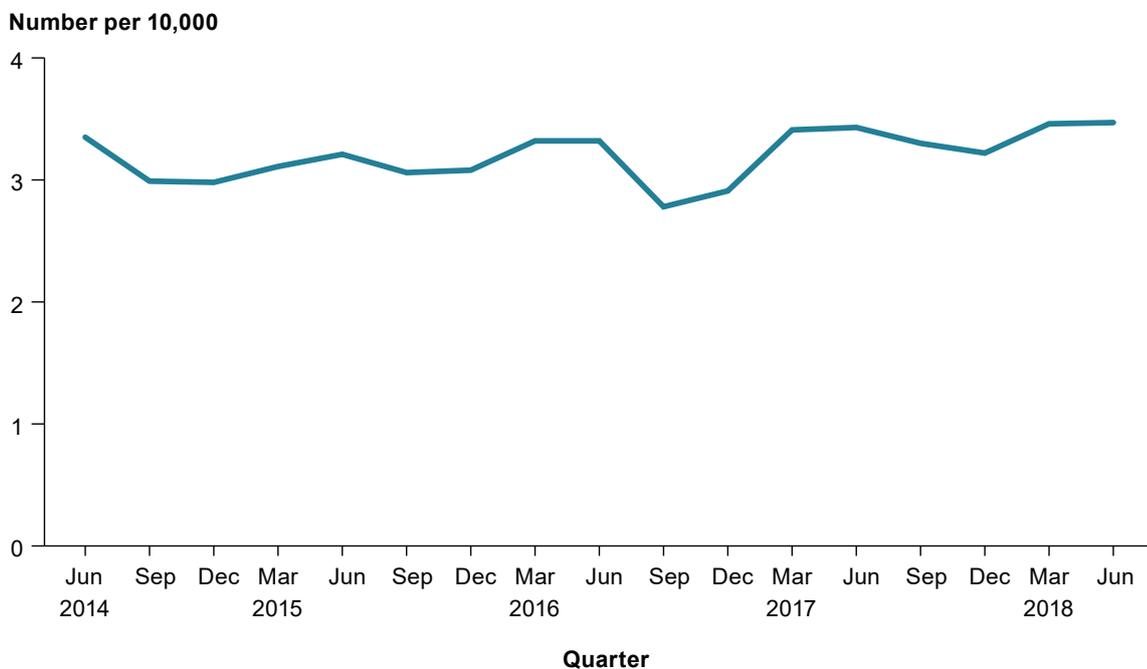


Rates

The rate of young people aged 10–17 in detention on an average night in the June quarter 2018 was 3.5 per 10,000 (Figure 2.2). This rate fluctuated between 2.8 and 3.5 per 10,000 each quarter over the 4-year period.

It was lowest in the September quarter 2016, and highest in the June quarter 2018. The rate remained relatively steady, at 3.2–3.5 per 10,000 during the most recent year (June quarter 2017 to June quarter 2018).

Figure 2.2: Young people aged 10–17 in detention on an average night, Australia, June quarter 2014 to June quarter 2018 (rate)



Source: Table S10.

3 Trends in sentenced and unsentenced detention

Numbers

On an average night in the June quarter 2018, 3 in 5 (591 young people or 60%) young people in detention were unsentenced, and the remainder (389 or 40%) were serving a sentence (Figure 3.1).

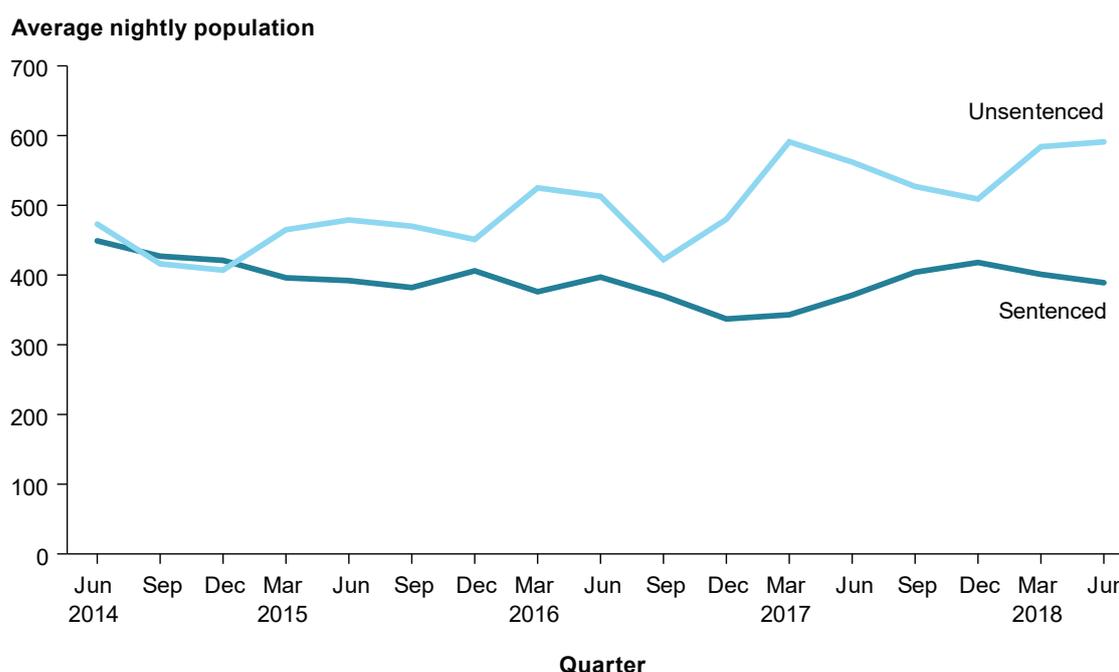
The number of young people in detention who were unsentenced rose over the 4-year period, with a low in the December quarter 2014 of 407, and a high of 591 in both the March quarter 2017 and June quarter 2018.

While the number of young people in unsentenced detention fluctuated over the 4-year period, they tended to be higher in the March and June quarters each year.

The number of young people in sentenced detention showed no clear trend, despite a slight rise in the most recent year. On an average night, the number fell from a high of 449 young people in the June quarter 2014 to a low of 337 in the December quarter 2016, rising again to 418 in the December quarter 2017.

During the most recent year from the June quarter 2017, the number in unsentenced detention was lowest in the December quarter 2017 (509 young people), and highest in the June quarter 2018 (591). For sentenced detention, the number was lowest in the June quarter 2017 (371), and highest in the December quarter 2017 (418).

Figure 3.1: Young people in detention on an average night, by legal status, Australia, June quarter 2014 to June quarter 2018 (number)





In the June quarter 2018, a higher proportion of those in unsentenced detention were aged 10–17 (94%), compared with sentenced detention (68%) (tables S17, S18, S27, and S28). This difference occurred each quarter throughout the 4-year period, with:

- 93%–95% of those in unsentenced detention being aged 10–17
- 66%–71% of those in sentenced detention being aged 10–17.

One of the reasons more young people in sentenced detention are 18 or older than in unsentenced detention is because some might continue serving a sentence in a youth facility once they turn 18.

Whether they remain in youth detention or are moved to the adult justice system depends on different policies and practices in the states and territories.

In Victoria, 56%–76% of young people in sentenced detention were aged 18 or older in each quarter over the 4-year period. This is in part due to the ‘dual track’ sentencing system operating in that state, which results in a relatively large proportion of young people aged 18 or older in sentenced detention (see Chapter 1 for more details about age limits in the youth justice system).

On an average night in the June quarter 2018, a higher proportion of females (80%) than males (58%) in detention were unsentenced (tables S7 and S17). This was the case in each quarter throughout the 4-year period, with:

- 59%–80% of females in detention being unsentenced
- 48%–62% of males in detention being unsentenced.

But due to the small number of females in detention, these results should be interpreted with caution.

Rates

On an average night, in the June quarter 2018, 2.4 per 10,000 young people aged 10–17 were in unsentenced detention, and 1.1 per 10,000 were in sentenced detention (Figure 3.2).

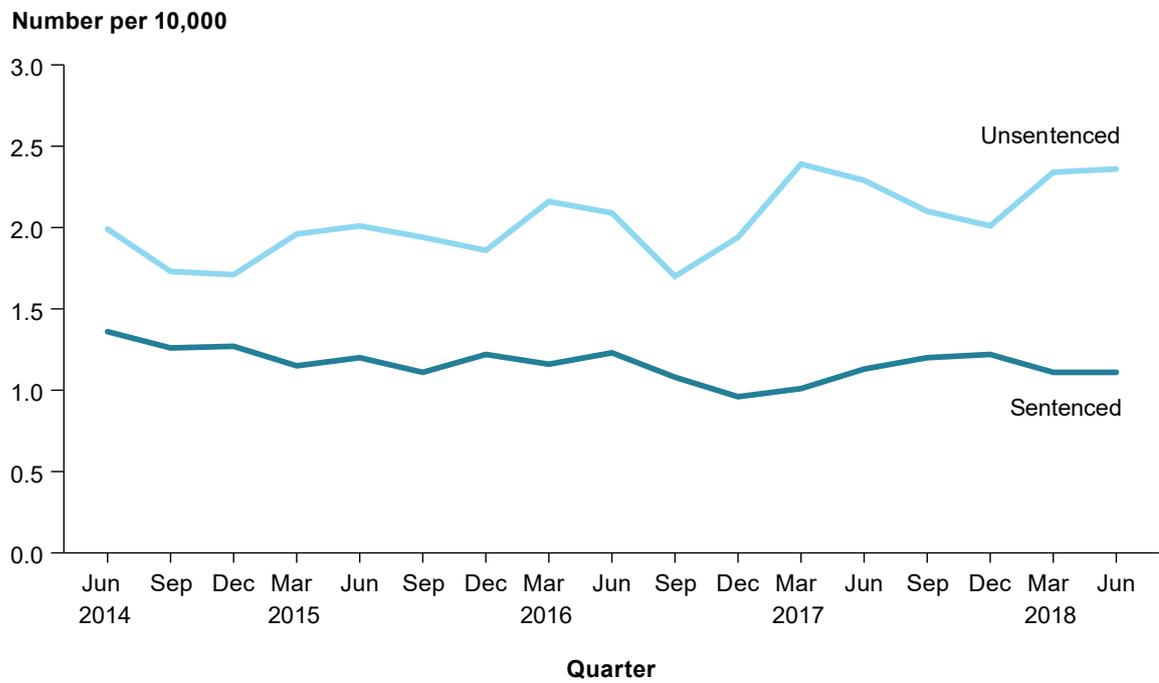
Over the 4-year period, the rate of young people aged 10–17 in unsentenced detention rose—from 1.7 per 10,000 (September and December quarters 2014, and September quarter 2016) to 2.4 per 10,000 (March quarter 2017, and June quarter 2018).

As with the numbers, the rate of young people in unsentenced detention tended to be higher in the March and June quarters each year, and lower in the September and December quarters.

Over the same period, the rate of young people aged 10–17 in sentenced detention fell slightly. It was highest in the June quarter 2014 at 1.4 per 10,000, and lowest in the December quarter 2016 at 1.0 per 10,000.

In the most recent year from the June quarter 2017, 2.0–2.4 young people per 10,000 aged 10–17 were in unsentenced detention, and 1.1–1.2 per 10,000 in sentenced detention.

Figure 3.2: Young people aged 10–17 in detention on an average night, by legal status, Australia, June quarter 2014 to June quarter 2018 (rate)



Sources: tables S20 and S30.

4 Aboriginal and Torres Strait Islander young people

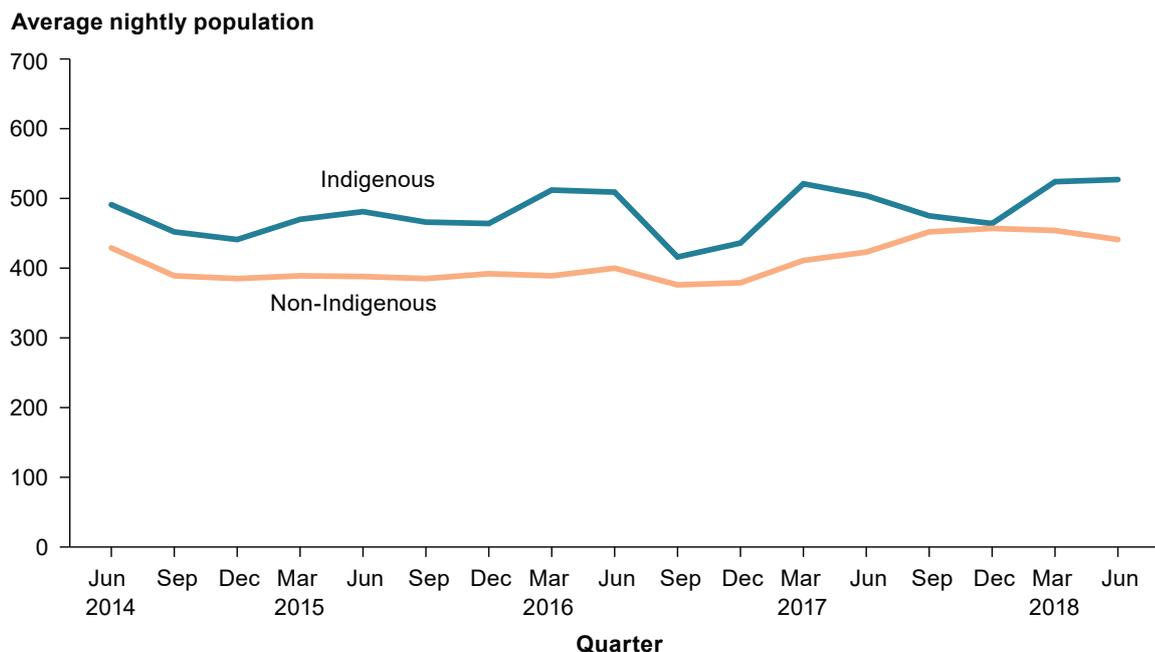
Numbers

Young Aboriginal and Torres Strait Islander people made up more than half (527 young people or 54%) of all those in detention on an average night in the June quarter 2018 (Figure 4.1; tables S1 and S4).

Indigenous young people in detention outnumbered non-Indigenous young people on an average night in every quarter throughout the 4-year period, but showed no clear trend over time.

On an average night each quarter, 416–527 Indigenous young people, and 376–457 non-Indigenous young people were in detention.

Figure 4.1: Young people in detention on an average night, by Indigenous status, Australia, June quarter 2014 to June quarter 2018 (number)



Sources: tables S1 and S4.

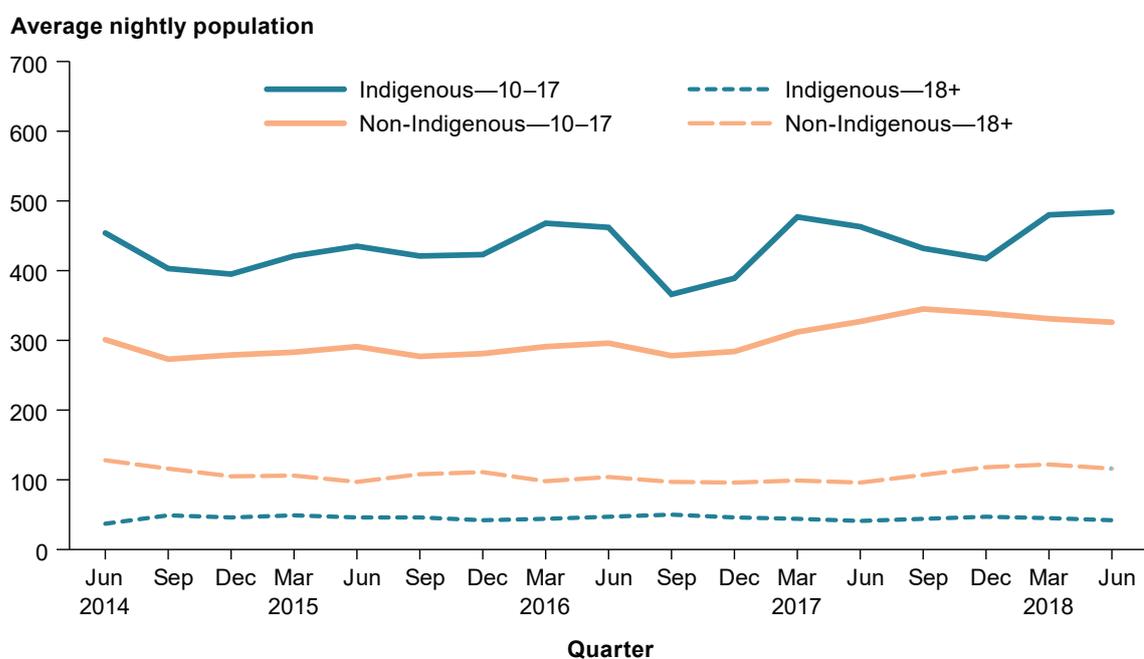
When only young people aged 10–17 are considered, about 3 in 5 (59%) of those in detention in the June quarter 2018 were Aboriginal or Torres Strait Islander, and this was fairly consistent over the 4-year period, at 55%–62%. Over the same period, Indigenous young people made up 5%–6% of the general population aged 10–17.

Indigenous young people aged 10–17 were the largest group in detention throughout the 4-year period (Figure 4.2).

A higher proportion of Indigenous young people in detention were aged 10–17 than non-Indigenous young people—in the June quarter 2018, 92% of Indigenous young people in detention were aged 10–17, compared with 74% of non-Indigenous young people (tables S1, S2, S4, and S5).

Similar proportions of Indigenous and non-Indigenous young people in detention were male (89% and 92%, respectively, in the June quarter 2018) (tables S1 and S4). These proportions were relatively stable throughout the 4-year period.

Figure 4.2: Young people in detention on an average night, by Indigenous status and age group, Australia, June quarter 2014 to June quarter 2018 (number)



Note: Trends among small populations should be interpreted with caution. Numbers tend to fluctuate from quarter to quarter due to random variation, and this might affect the appearance and interpretation of trends.

Sources: tables S2, S3, S5, and S6.

On an average night in the June quarter 2018, 58% of young people in unsentenced detention, and 48% in sentenced detention were Aboriginal or Torres Strait Islander (tables S11, S17, S21, and S27).

Over the 4-year period, Indigenous young people made up a higher proportion of those in unsentenced detention (51%–59% each quarter) than those in sentenced detention (45%–54% each quarter).

Over the 4-year period, the number of Indigenous young people in unsentenced detention rose—from 268 in the June quarter 2014 to 340 in the June quarter 2018, while the number of those in sentenced detention fell—from 222 in the June quarter 2014 to 187 in the June quarter 2018.

Rates

Indigenous over-representation in youth detention can be expressed as a rate ratio, which compares the rate of Indigenous young people to the rate of their non-Indigenous counterparts (see ‘Technical notes’ for more details).

Nationally, on an average night in the June quarter 2018, 38 per 10,000 Indigenous young people aged 10–17 were in detention, compared with 1.5 per 10,000 non-Indigenous young people (Table S10). This means that Indigenous young people aged 10–17 were 26 times as likely as their non-Indigenous counterparts to be in detention on an average night in the June quarter 2018.



The rate of Indigenous young people in detention on an average night showed no clear trend over the 4-year period, with a low of 29 per 10,000 in the September quarter 2016, and a high of 38 per 10,000 in the March and June quarters 2018 (Table S10).

Between the June quarter 2014 and the June quarter 2018 the rate of Indigenous young people in unsentenced detention rose from 21 to 26 per 10,000, while the rate for those in sentenced detention fell from 15 to 12 per 10,000 (tables S20 and S30).

Over the 4-year period, the level of Indigenous over-representation fluctuated, at 21–28 times the non-Indigenous rate.

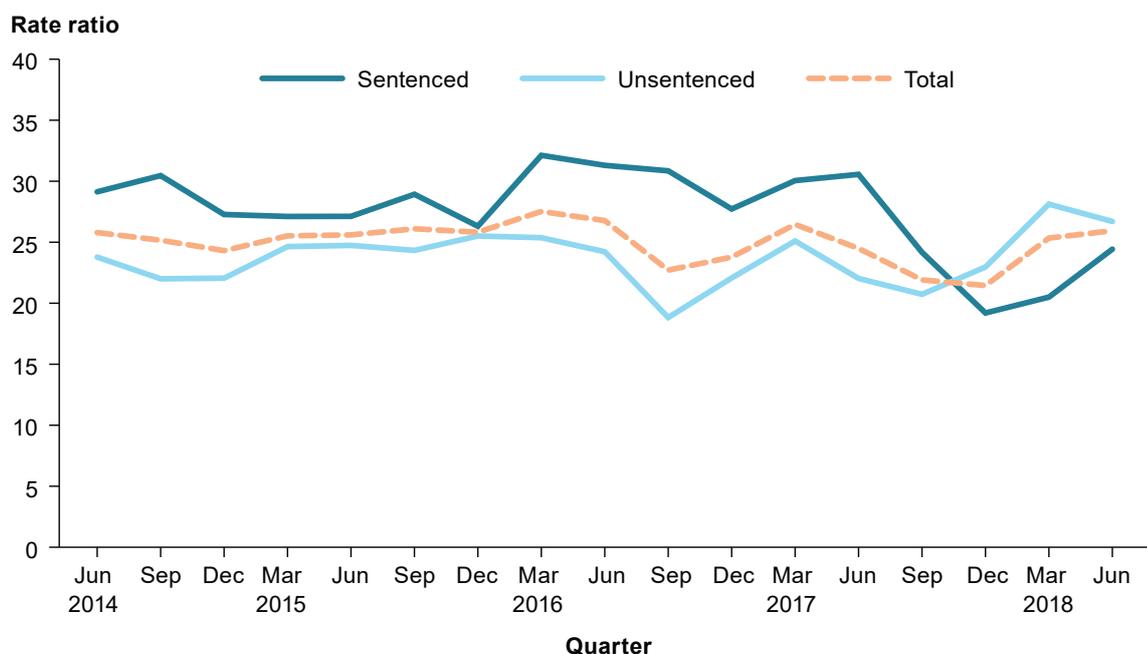
The level of Indigenous over-representation, measured by the rate ratio, was higher in sentenced detention than in unsentenced detention in almost all quarters in the 4-year period, up until the December quarter 2017 (Figure 4.3).

In sentenced detention, the rate ratio fluctuated between 19 (December quarter 2017) and 32 (March quarter 2016) times the non-Indigenous rate.

In unsentenced detention, the rate ratio ranged from 19 to 28 times the non-Indigenous rate each quarter (27 times in the June quarter 2018).

The Indigenous rate of unsentenced detention rose in the last 2 quarters (March and June quarters 2018), while the non-Indigenous rate remained relatively steady.

Figure 4.3: Indigenous over-representation among young people aged 10–17 in detention, by legal status, Australia, June quarter 2014 to June quarter 2018 (rate ratio)



Note: Rate ratio is calculated by dividing the Indigenous rate by the non-Indigenous rate.

Sources: tables S10, S20, and S30.

5 State and territory trends

Numbers

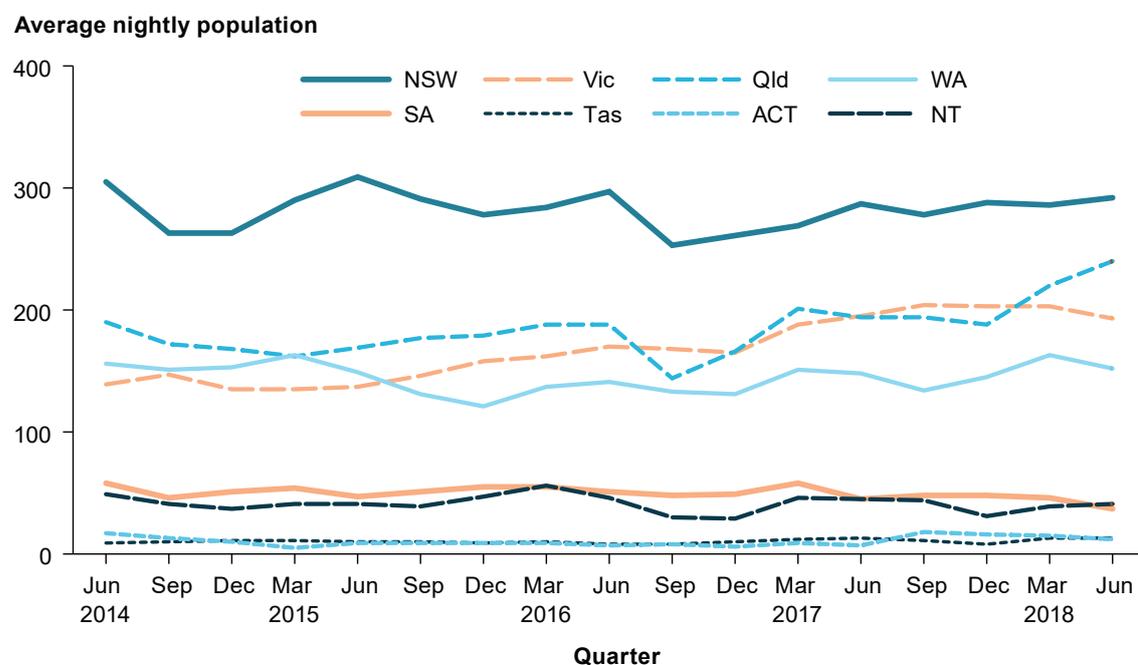
New South Wales had the largest number of young people in detention throughout the 4-year period (253–309 young people each quarter), followed by Queensland (144–240), Victoria (135–204), and Western Australia (121–163) (Figure 5.1).

Over the 4 years from the June quarter 2014 to the June quarter 2018, the size of the youth detention population rose in Victoria and Queensland. For Queensland, this is in part due to new legislation on 12 February 2018, which began the transfer of young people aged 17 from the adult justice system to youth justice detention. Before then, the number of young people in detention in Queensland fluctuated at 144–201 between the June quarter 2014 and the December quarter 2017. More recently, the average number of young people in detention in Queensland rose to 220 in the March quarter 2018 and 240 in the June quarter 2018.

The number of young people in detention fell in South Australia. The other states and territories showed no clear trend over the 4-year period.

In the most recent year, numbers in detention in all states other than Queensland fluctuated from quarter to quarter but showed no clear trends.

Figure 5.1: Young people in detention on an average night, by state and territory, June quarter 2014 to June quarter 2018 (number)



Notes

1. In Queensland, legislation to increase the age limit in the youth justice system from 16 to 17 was enacted in the March quarter 2018. This resulted in a rise in young people aged 17 under youth justice supervision.
2. Trends among small populations should be interpreted with caution. Numbers tend to fluctuate from quarter to quarter due to random variation, and this might affect the appearance and interpretation of trends.

Source: Table S7.



Rates

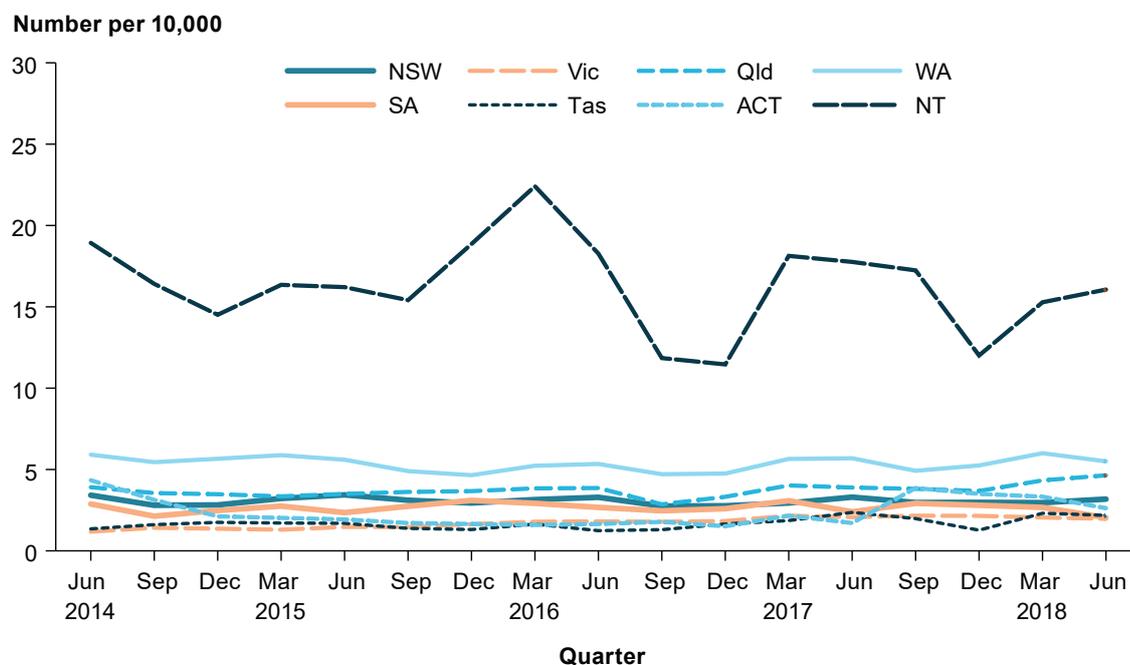
On an average night in the June quarter 2018, the rate of young people aged 10–17 in detention ranged from 2.0 per 10,000 in Victoria and South Australia to 16 per 10,000 in the Northern Territory (Figure 5.2; Table 5.1).

Over the 4-year period, the Northern Territory consistently had the highest rate of young people in detention on an average night each quarter (11–22 per 10,000 aged 10–17), while Victoria (1.2–2.2 per 10,000), South Australia (2.0–3.1 per 10,000), and Tasmania (1.2–2.4 per 10,000) consistently had the lowest (Figure 5.2; Table S10). Rates of detention fluctuated from quarter to quarter, particularly among the smaller jurisdictions, due to the small numbers in detention.

Over the 4-year period, rates of young people in detention on an average night fell in the Northern Territory, but rose in Victoria, Queensland, and Tasmania. The rise in Queensland is, in part, due to young people aged 17 being transferred from the adult justice system into the youth justice system, which began on 12 February 2018. Rates in the other states and territories remained relatively stable or showed no consistent trend.

Over the most recent year from the June quarter 2017 to the June quarter 2018, rates fluctuated in most jurisdictions, with no clear patterns or little overall change.

Figure 5.2: Young people aged 10–17 in detention on an average night, by state and territory, June quarter 2014 to June quarter 2018 (rate)



Notes

1. In Queensland, legislation to increase the age limit in the youth justice system from 16 to 17 was enacted in the March quarter 2018. This resulted in a rise in young people aged 17 under youth justice supervision.
2. Trends among small populations should be interpreted with caution. Numbers tend to fluctuate from quarter to quarter due to random variation, and this might affect the appearance and interpretation of trends.

Source: Table S10.

Table 5.1: Young people in detention on an average night, by state and territory, June quarter 2014, 2017, and 2018 (number and rate)

	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Australia
Number									
Sentenced detention									
June quarter 2014	159	96	54	83	30	6	7	15	449
June quarter 2017	113	112	33	79	18	4	1	11	371
June quarter 2018	121	119	31	78	23	5	5	7	389
Unsentenced detention									
June quarter 2014	146	43	136	73	28	3	10	34	473
June quarter 2017	174	82	161	69	27	9	6	34	562
June quarter 2018	171	73	209	75	14	8	7	34	591
Total									
June quarter 2014	305	139	190	156	58	9	17	49	922
June quarter 2017	287	195	194	148	45	13	7	45	934
June quarter 2018	292	193	240	152	37	13	12	41	980
Rate (number per 10,000)									
Sentenced detention									
June quarter 2014	1.63	0.42	1.08	2.94	1.19	n.p.	1.60	5.86	1.36
June quarter 2017	1.19	0.74	0.66	3.00	0.69	n.p.	n.p.	4.44	1.13
June quarter 2018	1.17	0.82	0.60	2.52	1.24	n.p.	n.p.	2.61	1.11
Unsentenced detention									
June quarter 2014	1.79	0.75	2.83	2.97	1.69	n.p.	2.73	13.08	1.99
June quarter 2017	2.10	1.33	3.23	2.69	1.71	1.76	1.40	13.32	2.29
June quarter 2018	2.01	1.15	4.04	2.98	0.80	1.41	1.75	13.45	2.36
Total									
June quarter 2014	3.42	1.18	3.91	5.91	2.88	1.35	4.34	18.93	3.35
June quarter 2017	3.30	2.07	3.89	5.69	2.40	2.36	1.71	17.76	3.43
June quarter 2018	3.18	1.97	4.64	5.50	2.04	2.18	2.62	16.06	3.47

Notes

1. Numbers might not add up to the total due to rounding.
2. Rates are for young people aged 10–17. Numbers include young people aged 18 or older who are under youth justice supervision. For numbers of young people aged 10–17 only, see the supplementary tables.
3. Trends among small populations should be interpreted with caution. Numbers tend to fluctuate from quarter to quarter due to random variation, and this might affect the appearance and interpretation of trends.
4. Rates are calculated from the unrounded average nightly populations, and are not published when there are fewer than 5 young people in the numerator. There might be instances when a numerator is presented as 5 due to rounding, and the rate is not calculated (see 'Technical notes').
5. In Queensland, legislation to increase the age limit in the youth justice system from 16 to 17 was enacted in the March quarter 2018. This resulted in a rise in young people aged 17 under youth justice supervision.

Sources: tables S7, S10, S17, S20, S27, and S30.

Sentenced and unsentenced detention

On an average night in the June quarter 2018, the rate of young people aged 10–17 in unsentenced detention ranged from 0.8 per 10,000 in South Australia to 13 per 10,000 in the Northern Territory (Table 5.1).

Between the June quarter 2014 and the June quarter 2018, the rate of young people in unsentenced detention on an average night rose in New South Wales, Victoria, and Queensland, and fell in South Australia (Table 5.2). Rates fluctuated or showed no clear trend among the other states and territories.

In sentenced detention, the rate of young people aged 10–17 on an average night in the most recent quarter ranged from 0.6 per 10,000 in Queensland to 2.6 per 10,000 in the Northern Territory (Table 5.1).

Over the 4-year period, the sentenced detention rate rose in Victoria, and fell in New South Wales and Western Australia (Table 5.2). Trends could not be reliably determined in Tasmania and the Australian Capital Territory due to small numbers, and the remaining states showed no clear trend.

Table 5.2: Trends for young people aged 10–17 in detention on an average night, by legal status, June quarter 2014 to June quarter 2018 (rate)

	Unsentenced	Sentenced	Total
New South Wales	↑	↓	↔
Victoria	↑	↑	↑
Queensland	↑	↔	↑
Western Australia	↔	↓	↔
South Australia	↓	↔	↔
Tasmania	n.p.	n.p.	↑
Australian Capital Territory	n.p.	n.p.	↔
Northern Territory	↔	↔	↔
Australia	↑	↓	↔

Notes

1. ↑ increase; ↓ decrease; ↔ no clear trend or stable; n.a. not available; n.p. not publishable due to small numbers.
2. Trends among small populations should be interpreted with caution. Numbers tend to fluctuate from quarter to quarter due to random variation, and this might affect the appearance and interpretation of trends.
3. In Queensland, legislation to increase the age limit in the youth justice system from 16 to 17 was enacted in the March quarter 2018. This resulted in a rise in young people aged 17 under youth justice supervision.

Sources: tables S10, S20, and S30.

Young Aboriginal and Torres Strait Islander people

On an average night in the June quarter 2018, the rate of Indigenous young people aged 10–17 in detention ranged from 22 per 10,000 in Victoria to 65 per 10,000 in Western Australia (rates were not calculated for Tasmania and the Australian Capital Territory due to small numbers) (Table S10). The non-Indigenous rate ranged from 0.6 per 10,000 aged 10–17 in South Australia to 2.1 per 10,000 in the Australian Capital Territory.

Among the states and territories for which it could be calculated, the rate ratio ranged from 14 times the non-Indigenous rate in Victoria to 53 times in South Australia (Figure 5.3) (see ‘Technical notes’ for more information).

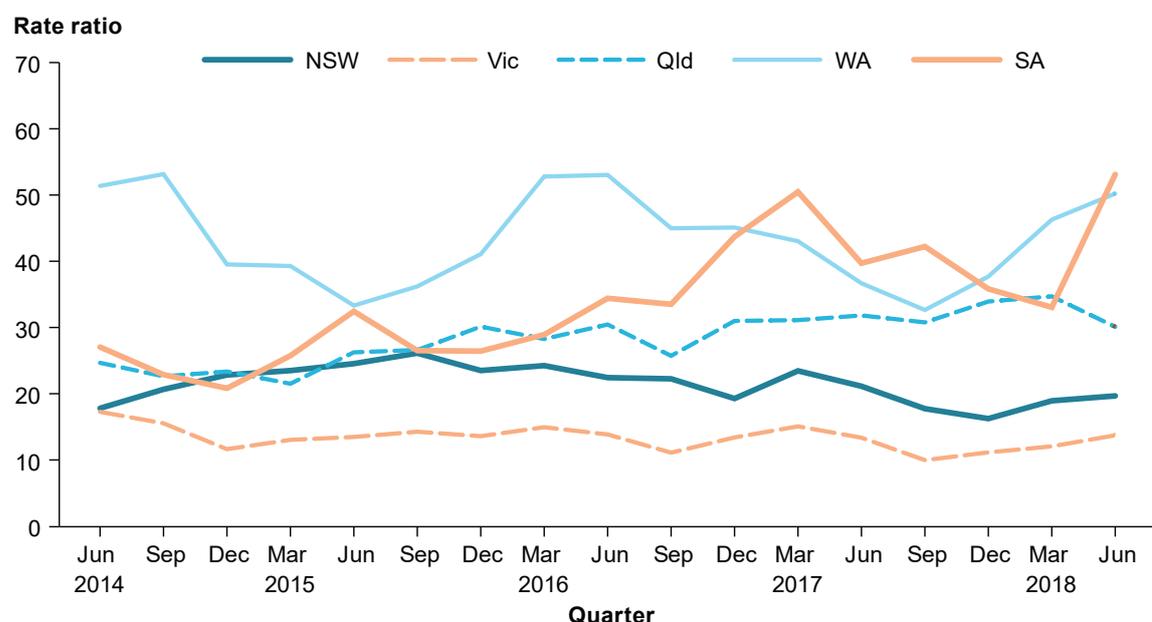
Due to the very small rates of non-Indigenous young people in detention, notably in Western Australia and South Australia, variances can cause large fluctuations in the rate ratio.

Rate ratios could not be calculated for Tasmania and the Australian Capital Territory due to small Indigenous numbers, and for the Northern Territory due to small non-Indigenous numbers.

The Northern Territory had the largest proportion of Indigenous young people aged 10–17 in the general population in Australia—about 47% compared with less than 10% in the remaining states and territories.

Over the 4-year period, the rate ratio was lowest in Victoria and highest in Western Australia in most quarters.

Figure 5.3 Indigenous over-representation among young people aged 10–17 in detention, by selected states, June quarter 2014 to June quarter 2018 (rate ratio)



Notes

1. Rate ratio is calculated by dividing the Indigenous rate by the non-Indigenous rate.
2. Rates (and the resulting rate ratios) are calculated from the unrounded average nightly population, and are not published when there were fewer than 5 young people in the numerator. There might be instances when a numerator is presented as 5, and the rate is not calculated due to rounding (see ‘Technical notes’). In this figure, rate ratios are not published for Tasmania, the Australian Capital Territory, and the Northern Territory.
3. Trends among small populations should be interpreted with caution. Numbers tend to fluctuate from quarter to quarter due to random variation, and this might affect the appearance and interpretation of trends.
4. In Queensland, legislation to increase the age limit in the youth justice system from 16 to 17 was enacted in the March quarter 2018. This resulted in a rise in young people aged 17 under youth justice supervision.

Source: Table S10.



Technical notes

Youth detention data sources

This bulletin was compiled using 4 data sources. Data for 2017–18 were provided by each state and territory (except the Northern Territory) on the average nightly population per quarter between July 2017 and June 2018. The Northern Territory provided the number of young people in detention at midnight at the end of each month for the same period.

These data were used to supplement the 2016–17 JJ NMDS, which contains data up to and including 30 June 2017 for all jurisdictions, except the Northern Territory. The Northern Territory did not provide JJ NMDS data for 1 April 2013 to 30 June 2017. Non-standard data provided by the Northern Territory were used instead. The Northern Territory has since provided JJ NMDS 2017–18 data, which will be used in future iterations of this report.

Comparisons between JJ NMDS and non-standard data in this bulletin should be made with caution due to potential differences in data format, specifications, definitions, and quality.

A data quality statement for the JJ NMDS 2016–17 is available at <http://meteor.aihw.gov.au/content/index.phtml/itemId/696214>.

Youth detention reports

In addition to this bulletin, the AIHW also publishes the annual *Youth justice in Australia* report series, which provides comprehensive information on young people under youth justice supervision.

The presentation of data in this bulletin is slightly different from the presentation in *Youth justice in Australia*:

- This bulletin presents the average nightly population for each quarter, while *Youth justice in Australia* presents the average daily population for each year. This is due to the availability of aggregate average nightly population data.
- Young people who are concurrently unsentenced and sentenced are classified as sentenced in this bulletin, but are counted separately as both unsentenced and sentenced in *Youth justice in Australia* (although they are only counted once in the total detention population in both bulletins).

Methods and technical notes

This section provides key information about the methods used in this bulletin.

Age

In this bulletin, numbers of young people in detention include all age groups unless otherwise specified. Population rates include young people aged 10–17 only (see ‘Rates’ in this section).

Age is calculated at the start of the relevant quarter, unless the period of detention began within the quarter, in which case, age is calculated as at the start of the detention period.

Where a young person was in more than 1 type of detention (both unsentenced and sentenced), their age can vary across tables, because age is calculated from the start of each relevant detention period. This means that, for a particular age group, the total number of

young people in detention might not be the sum of the number of young people in sentenced and unsentenced detention.

For end-of-month data provided by the Northern Territory, age is calculated as at the end of the relevant month.

Average nightly population

The average nightly population is calculated by adding the duration (in nights) of each period of detention that falls within the quarter, and dividing the summed duration by the number of nights in the quarter.

Where end-of-month data have been supplied for the relevant quarter (which occurred for the September quarter 2017 to June quarter 2018 for the Northern Territory), the nightly averages were calculated by averaging end-of-month counts.

So, average nightly numbers in these instances were calculated using data from only 3 nights in a quarter. There might be differences between these data and the nightly averages based on JJ NMDS and 2017–18 data provided by each state and territory (except the Northern Territory), which are calculated based on every night in the quarter.

Indigenous status

Information on Indigenous status has been collected since the implementation of the JJ NMDS. Nationally, the proportion of young people with 'not stated' Indigenous status ranged from 0.0% to 1.2% each quarter between the June quarter 2014 and the June quarter 2018. This proportion was low (2.4% or less each quarter) in all states and territories. But information on the proportion of Indigenous young people who are correctly reported as Indigenous is not available.

Changes in the collection and recording of Indigenous status can affect rates of Indigenous identification over time. States and territories collect information about Indigenous status in different ways. Not all jurisdictions use the national standard question and standard codes for recording Indigenous status, as recommended by the Australian Bureau of Statistics. But some jurisdictions have taken steps to improve their data collection forms and information systems in recent years. See *Aboriginal and Torres Strait Islander identification in community services data collections: an updated data quality report* (AIHW 2012) for more information.

Legal status

Young people who are both sentenced and unsentenced at the same time (that is, serving multiple or concurrent supervision orders) are classified as 'sentenced' in this bulletin.

Rates

Population rates enable different groups to be compared, while taking into account different population sizes. Because there are differences between the states and territories in the extent to which young people aged 18 or older can be detained in youth justice facilities, rates are restricted to those aged 10–17. Crude rates are presented in this bulletin.

The number of young people in detention on an average night during a quarter is rounded to the nearest person. The rate is calculated using the number on an average day before rounding.



In the text of this bulletin, rates are presented to 1 decimal place for rates less than 10, and to the nearest whole number for rates greater than 10. Rates are presented to 2 decimal places in the tables. As a result, rates calculated by using the average nightly population rounded to whole numbers might differ slightly from the rates presented in this bulletin.

Due to a lack of statistical reliability, rates are not calculated where there are fewer than 5 young people in the numerator. In some instances, the number of young people might be presented as 5, but the rate might not be calculated, due to rounding (for example, if there are 4.7 young people in detention on an average night, this will appear as 5 in the table, but the rate will not be calculated). But these young people contribute to overall state/territory and national rates. The calculation of rates for Indigenous and non-Indigenous young people excludes those with unknown Indigenous status.

Population data used in the calculation of rates are provided in supplementary table S31.

Rate ratios

Rates for different groups can be compared using a rate ratio, which is the ratio of 2 rates. In this bulletin, rate ratios are used to compare Indigenous and non-Indigenous rates, and to provide a measure of the level of Indigenous over-representation. Rate ratios are calculated by dividing the Indigenous rate by the non-Indigenous rate.

Rate ratios should be interpreted with caution where there are small denominators, rare events, and rates that converge while declining.

Due to a lack of statistical reliability, rate ratios in this bulletin are not calculated where 1 or both of the rates have fewer than 5 young people in the numerator. But these young people contribute to overall state and national rate ratios.

Rounding

The average nightly population is rounded to whole numbers, so components might not sum to the totals.

Rate ratios were calculated using rates rounded to 2 decimal places. Proportions were calculated using average nightly numbers rounded to whole numbers. Numbers and rates displayed in figures are rounded, as presented in the supplementary tables.

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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
- Territory Families, Northern Territory.

Abbreviations

ACT	Australian Capital Territory
AIHW	Australian Institute of Health and Welfare
JJ NMDS	Juvenile Justice National Minimum Data Set
NSW	New South Wales
NT	Northern Territory
Qld	Queensland
SA	South Australia
Tas	Tasmania
Vic	Victoria
WA	Western Australia

Symbols

—	nil or rounded to zero
n.a.	not available
n.p.	not publishable because of small numbers, confidentiality, or other concerns about the quality of the data
↑	increase
↓	decrease
↔	no clear trend or stable



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United Nations 1989. Convention on the Rights of the Child. New York: United Nations. Viewed 19 September 2018, <www.ohchr.org/en/professionalinterest/pages/crc.aspx>.

Related publications

This report, *Youth detention population in Australia 2018*, is part of an annual series. The 7 earlier editions, and any published subsequently can be downloaded from <www.aihw.gov.au/reports-statistics/health-welfare-services/youth-justice/overview>. The website also includes information on ordering printed copies.

The following AIHW publications might also be of interest:

- AIHW 2015. Pathways through youth justice supervision: further analyses. Juvenile justice series no. 19. Cat. no. JUV 75. Canberra: AIHW.
- AIHW 2018. Young people in child protection and under youth justice supervision: 1 July 2013 to 30 June 2017. Data linkage series no. 24. Cat. no. CSI 26. Canberra: AIHW.
- AIHW 2018. Young people returning to sentenced youth justice supervision 2016–17. Juvenile justice series no. 22. Cat. no. JUV 127. Canberra: AIHW.
- AIHW 2018. Youth justice in Australia 2016–17. Cat. no. JUV 116. Canberra: AIHW.

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bulletin 145

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