



# Youth justice in Australia 2011–12: an overview

## Summary

### *Almost 7,000 young people are under youth justice supervision on an average day*

On an average day in 2011–12, there were almost 7,000 young people aged 10 and older under youth justice supervision in Australia due to their involvement or alleged involvement in crime. Most (83%) were male and the majority (79%) were aged 14–17. Indigenous young people were over-represented—although less than 5% of young Australians are Indigenous, 39% of those under supervision were Indigenous.

Among all those aged 10–17 in Australia, this equates to a rate of 26 young people under supervision on an average day per 10,000 in the population, or 1 in every 385 young Australians.

### *Most young people are supervised in the community*

Almost 6,000 (86%) young people were supervised in the community on an average day in 2011–12, and the remaining 1,000 (14%) were in detention. However, 2 in every 5 young people (41%) under youth justice supervision in Australia were in detention at some time during the year.

### *Young people spend an average of 6 months under supervision*

The median duration of periods of youth justice supervision was about 11 weeks (78 days). Periods of community-based supervision completed during 2011–12 were typically longer (84 days, on average) than both unsentenced (4 days) and sentenced detention (55 days).

Some young people experienced more than one supervision period during the year. When all the time spent under supervision during 2011–12 is considered, young people spent an average of about 6 months (185 days) under supervision.

*Trends are stable, but vary among the states and territories*

Nationally, the rates of young people aged 10–17 under supervision on an average day remained relatively stable (about 26–27 per 10,000) over the 4 years to 2011–12. This stability occurred in both community-based supervision and detention.

However, there were differences in trends among the states and territories. Between 2008–09 and 2011–12, rates of young people under supervision on an average day increased in Victoria and the Australian Capital Territory, and decreased in New South Wales, Queensland, South Australia and Tasmania.

Information is not available for Western Australia and the Northern Territory as standard data were not provided (see Box 1).

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## Introduction

In Australia, the state and territory governments are responsible for dealing with children and young people who are involved in crime. Although each state and territory has its own legislation, policies and practices, the general processes by which young people are charged and sentenced and the types of legal orders available to the courts are similar.

In all states and territories, children and young people aged 10 and older can be charged with a criminal offence. Separate jurisdictional justice systems exist for young people and adults, each with specific legislation.

The upper age limit for treatment as a young person is 17 in all states and territories except Queensland, where the limit is 16. However, some young people aged 18 and older are involved in the youth justice system—reasons for this include the offence being committed when the young person was aged 17 or younger, the continuation of supervision once they turn 18, or their vulnerability or immaturity. Also, in Victoria, some young people aged 18–20 may be sentenced to detention in a youth facility (known as the ‘dual track’ sentencing system).

Young people first enter the youth justice system when they are investigated by police for allegedly committing a crime. Legal action taken by police may include court actions (the laying of charges to be answered in court) and non-court actions (such as cautions, conferencing, counselling or infringement notices). Courts may decide to dismiss the charge, divert a young person from further involvement in the system, or transfer them to specialist courts or programs. If the matter proceeds and the charge is proven, the court may hand down any of a number of orders, either supervised or unsupervised.

One major aspect of youth justice is therefore the supervision of young people, both in their communities and in secure detention facilities. Youth justice supervision is managed by the state and territory departments that are responsible for youth justice.

Young people may be supervised when they are unsentenced—that is, when they have been charged with an offence and are awaiting the outcome of their court matter, or when they have been found or pled guilty and are awaiting sentencing. They may also be sentenced to a period of supervision if they are proven guilty in a court. The majority of young people have been placed on supervision after the finalisation of their matter.

This bulletin presents information on the young people who were under youth justice supervision during 2011–12, both in the community and in detention. It also explores the characteristics of their supervision, and recent trends.

This bulletin and accompanying supplementary data tables (those with a prefix of S) can be downloaded free of charge from the Australian Institute of Health and Welfare (AIHW) website at <<http://www.aihw.gov.au/youth-justice-publications/>>. The supplementary tables provide detailed information about young people under supervision, including age, sex, Indigenous status, remoteness area and socioeconomic status of last known address, supervision history and the duration and type of supervision. Detailed state and territory data are available.

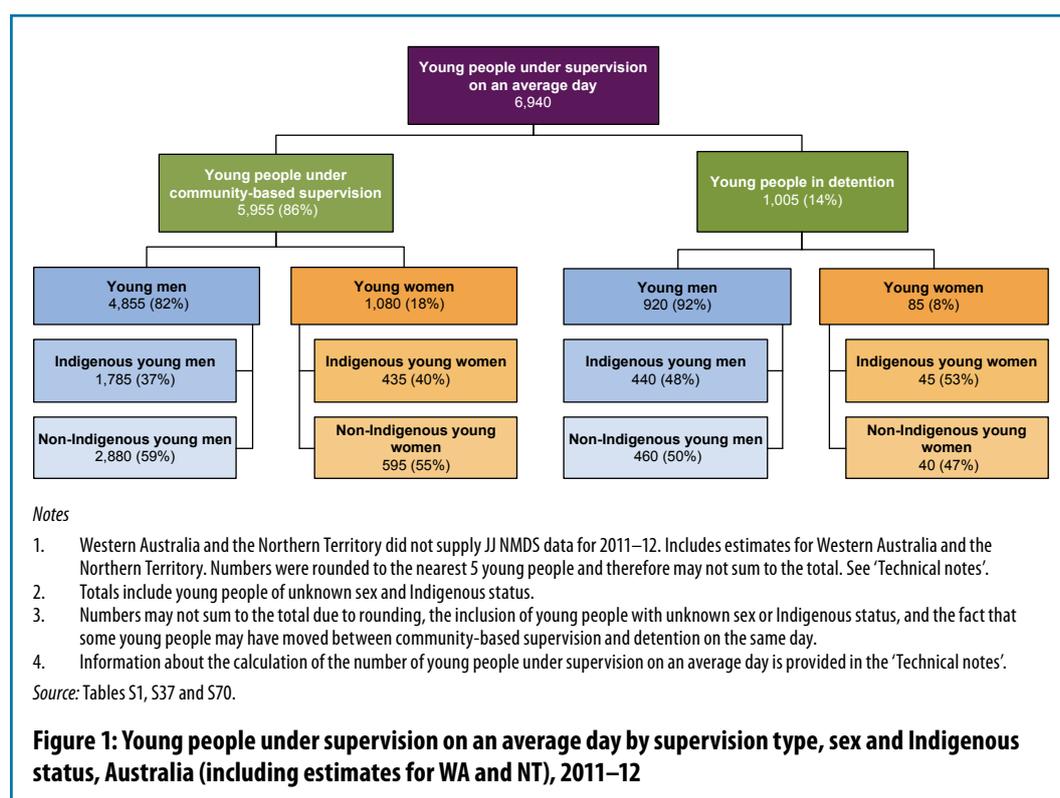
More information about young people under youth justice supervision is also available from <<http://www.aihw.gov.au/youth-justice/>>.

## Youth justice supervision

Nationally, there were 6,940 young people under youth justice supervision on an average day in 2011–12 (Figure 1). A total of 13,830 young people were supervised at some time during the year (Table 1). Among those aged 10–17, this equates to a rate of 26 young people per 10,000 under supervision on an average day and 52 per 10,000 during the year.

Most young people were supervised in the community. In 2011–12, there were 5,955 (86%) young people under community-based supervision on an average day, or 23 young people per 10,000 aged 10–17 (Table 1).

Only 1,005 young people (14%) were in detention on an average day, which equates to almost 4 per 10,000 aged 10–17. However, about 2 in 5 (41%) young people under supervision during 2011–12 were in detention at some time during the year. The difference between the average day and during the year measures is also seen in the rates of young people aged 10–17 in detention.



### **Box 1: Important notes for the interpretation of 2011–12 JJ NMDS information**

#### *Western Australia and the Northern Territory*

Western Australia and the Northern Territory did not supply Juvenile Justice National Minimum Data Set (JJ NMDS) data for 2011–12. Where possible, national estimates are reported in this bulletin. National estimates include aggregate non-standard data supplied by Western Australia and 2007–08 JJ NMDS data for the Northern Territory, and are rounded to the nearest 5 young people. Where national estimates could not be calculated, totals excluding Western Australia and the Northern Territory are reported. Non-standard data are not published as they are not comparable with JJ NMDS data, and Western Australia and the Northern Territory are not included in state and territory comparisons.

#### *Average day versus during the year measures*

The difference between the average day and during the year measures is an important one. The ‘average day’ measure reflects the number of young people under supervision on a typical day during 2011–12, and gives an indication of the average number of young people supported by the supervision system at any one time. It is a summary measure that reflects both the number of young people supervised and the amount of time they spent under supervision. This measure is the main focus of this bulletin. In contrast, the ‘during the year’ measure is a count of the number of unique individuals who were supervised at any time during 2011–12. Both the average day and during the year counts are provided in most supplementary tables, where appropriate.

#### *Presentation of rates*

In previous AIHW youth justice publications, rates were expressed as the number per 1,000 young people aged 10–17. Rates expressed as a number per 1,000 can be converted to a number per 10,000 by multiplying by 10.

#### *Median versus average*

In this bulletin, the median is used in the reporting of the duration of completed periods of supervision rather than the average, due to the skewed distribution of the data.

See ‘Technical notes’ for a more detailed discussion of these and other technical issues.

The median duration of all periods of supervision that were completed during 2011–12 was 78 days, or about 11 weeks (Table S29). Some young people experienced more than one supervision period during the year: about 15% of those who had completed at least one period during 2011–12 completed multiple periods (Table S28).

When all the time spent under supervision during 2011–12 is considered, young people spent a total of 185 days, or about 6 months, on average, under supervision (Table S30).

Although most young people under supervision on an average day in 2011–12 had lived in cities (49%) and regional areas (40%) before entering supervision (based on postcode of last address), those from geographically remote areas were the most likely to be supervised (tables 1, S21 and S22). Young people aged 10–17 from *Remote* areas were almost 4 times as likely to be under supervision on an average day as those from *Major cities* (63 per 10,000 compared with 17 per 10,000), while those from *Very remote* areas were 6 times as likely (103 compared with 17 per 10,000).

Almost 2 in 5 (38%) young people under supervision on an average day were from the areas of the lowest socioeconomic status (based on postcode of last address) (tables 1 and S23). Young people aged 10–17 from the areas of lowest socioeconomic status were 5 times as likely to be under supervision as those from the areas of highest socioeconomic status (42 per 10,000 compared with 9 per 10,000) (Table S24).

About two-thirds (65%) of young people under supervision during 2011–12 had been supervised in a previous year; the remainder were new entrants to supervision (Table S17). Among all those supervised during 2011–12, the most common first type of supervision was Probation and similar (45%), followed by Remand (26%) (tables 1 and S20). More than half (59%) had been in detention at some time during their supervision history (tables 1 and S35).

**Table 1: Young people under supervision by supervision type, states and territories, 2011–12**

	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Aust excl WA & NT	Aust incl WA & NT <sup>(a)</sup>
<b>Number—all ages</b>										
<b>Average day<sup>(b)</sup></b>										
Community	1,595	1,316	1,335	n.a.	377	268	105	n.a.	4,997	5,955
Detention	363	172	140	n.a.	67	22	23	n.a.	786	1,005
All supervision	1,947	1,485	1,468	n.a.	441	290	127	n.a.	5,758	6,940
<b>During the year</b>										
Community	3,281	2,794	2,477	n.a.	858	518	216	n.a.	10,144	12,250
Detention	2,274	751	770	n.a.	506	103	136	n.a.	4,540	5,680
All supervision	4,030	2,934	2,574	n.a.	1,058	530	244	n.a.	11,370	13,830
<b>Rate—age 10–17 (number per 10,000)</b>										
<b>Average day<sup>(b)</sup></b>										
Community	21.4	17.1	25.3	n.a.	19.7	36.2	26.7	n.a.	21.5	22.7
Detention	4.2	1.4	2.9	n.a.	3.7	3.9	5.8	n.a.	3.1	3.6
All supervision	25.5	18.7	28.1	n.a.	23.3	40.0	32.7	n.a.	24.6	26.3
<b>During the year</b>										
Community	43.0	34.3	47.3	n.a.	43.9	68.1	53.4	n.a.	42.6	46.2
Detention	28.4	8.7	16.1	n.a.	29.0	17.7	35.7	n.a.	20.0	22.6
All supervision	51.0	35.8	49.4	n.a.	54.8	70.0	60.1	n.a.	47.4	52.1

(a) Western Australia and the Northern Territory did not supply Juvenile Justice National Minimum Data Set (JJ NMDS) data for 2011–12. Includes estimates for Western Australia and the Northern Territory. Numbers were rounded to the nearest 5 young people and therefore may not sum to the total. See 'Technical notes'.

(b) Number of young people on an average day may not sum due to rounding and some young people may have moved between community-based supervision and detention on the same day.

*Notes*

1. Rates are numbers of young people per 10,000 relevant population.
2. Rates are not published where there were fewer than 5 young people.

Source: Tables S1, S4, S36, S39, S69 and S72.

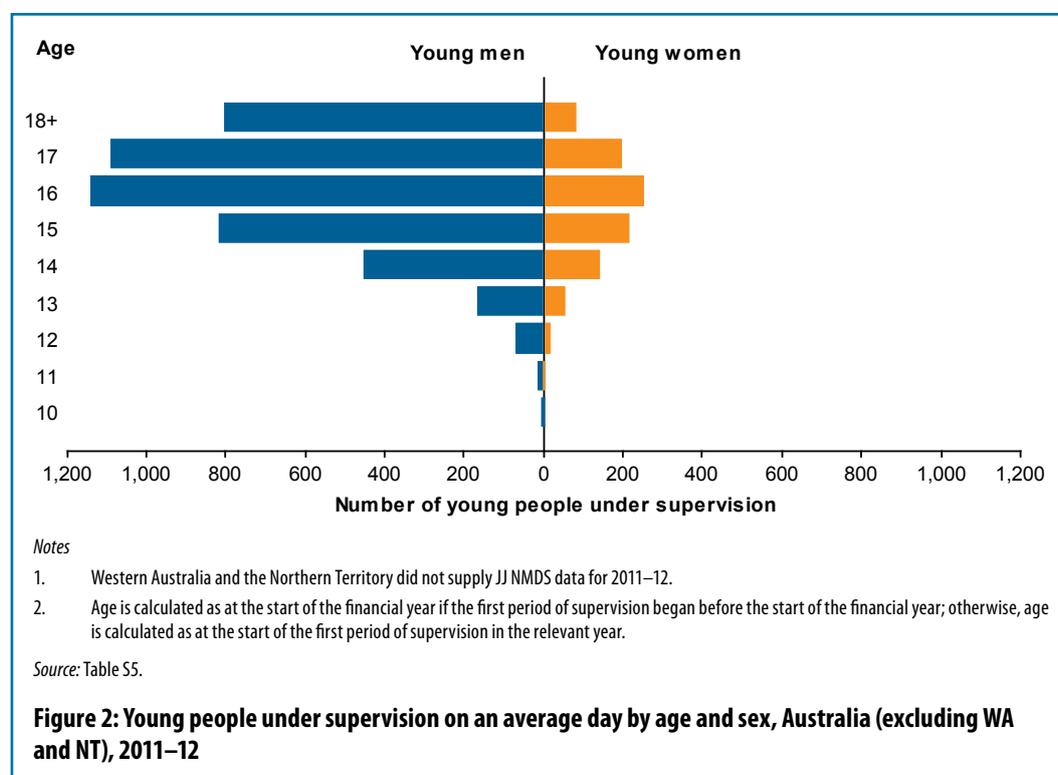
## Age and sex

On an average day in 2011–12, more than 4 in 5 (83%) young people under supervision were male (Table S2). This proportion was even higher in detention (92%) (Table S70).

This mirrors the findings of a recent analysis of the supervision history of young people who were born between 1990–91 and 1992–93. Almost 3% of males in these cohorts experienced youth justice supervision at least once when they were aged 10–17, compared with less than 1% of females (AIHW 2012a).

The majority of those under supervision were in the older age groups. On an average day in 2011–12, 79% of young people under supervision were aged 14–17, and another 15% were aged 18 and over (see ‘Technical notes’ for more information about the age range for treatment as a young person) (Table S1). There were few in the younger age groups—only 6% of those under supervision on an average day (328 young people) were aged 10–13.

Similar patterns of age distribution occurred among both male and female young people (Figure 2); however, females under supervision tended to be younger than males, on average. On an average day in 2011–12, numbers and rates of young people under supervision were highest among males aged 16 and 17, and among females aged 15 and 16 (tables S5 and S6). Females were less likely than males to be aged 17 and older (29% compared with 41%).



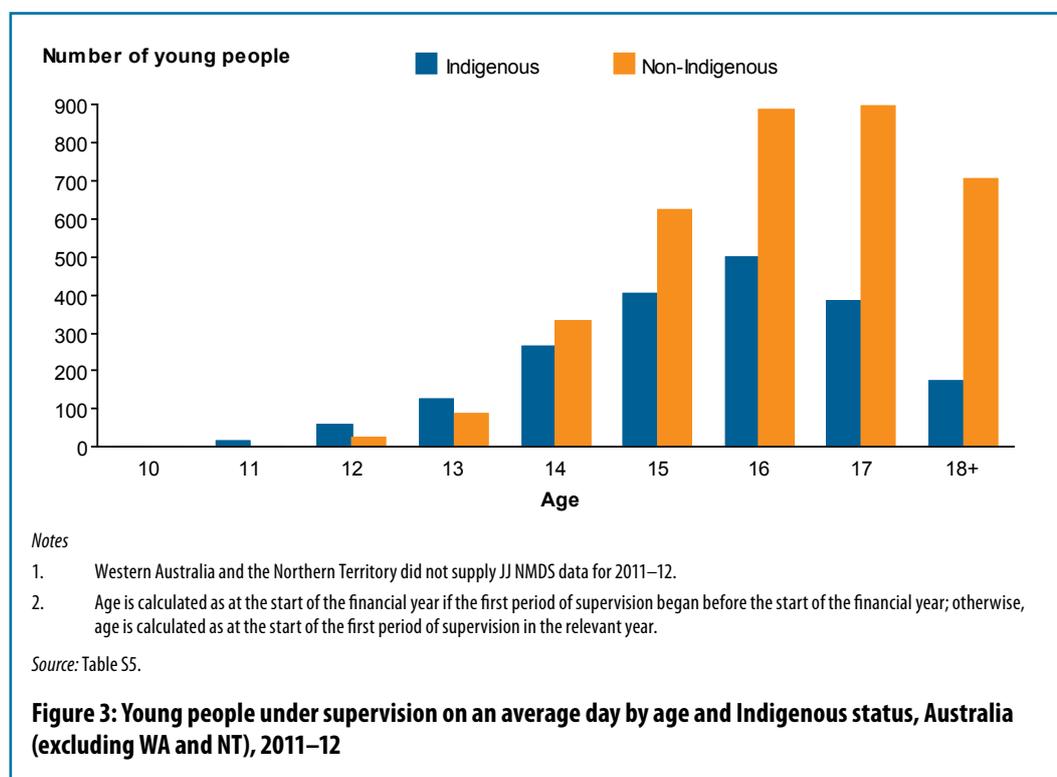
## Indigenous young people

Aboriginal and Torres Strait Islander young people have a long history of over-representation in both the youth and adult justice systems in Australia. More than 20 years ago, this issue was first highlighted by the Royal Commission into Aboriginal Deaths in Custody (Johnston 1991).

More recently, a House of Representatives Inquiry concluded that continued high rates of contact with the youth justice system were a symptom of the social and economic disadvantage experienced by many Indigenous young people (House of Representatives Standing Committee on Aboriginal and Torres Strait Islander Affairs 2011). More information is provided in the bulletin *Indigenous young people in the juvenile justice system: 2010–11* (AIHW 2012b).

Although less than 5% of young people in Australia are Indigenous, almost 2 in 5 (39%) young people under youth justice supervision on an average day in 2011–12 were Indigenous (ABS 2009, 2012; Table S2). This proportion was higher in detention, where almost half (48%) were Indigenous (Table S70).

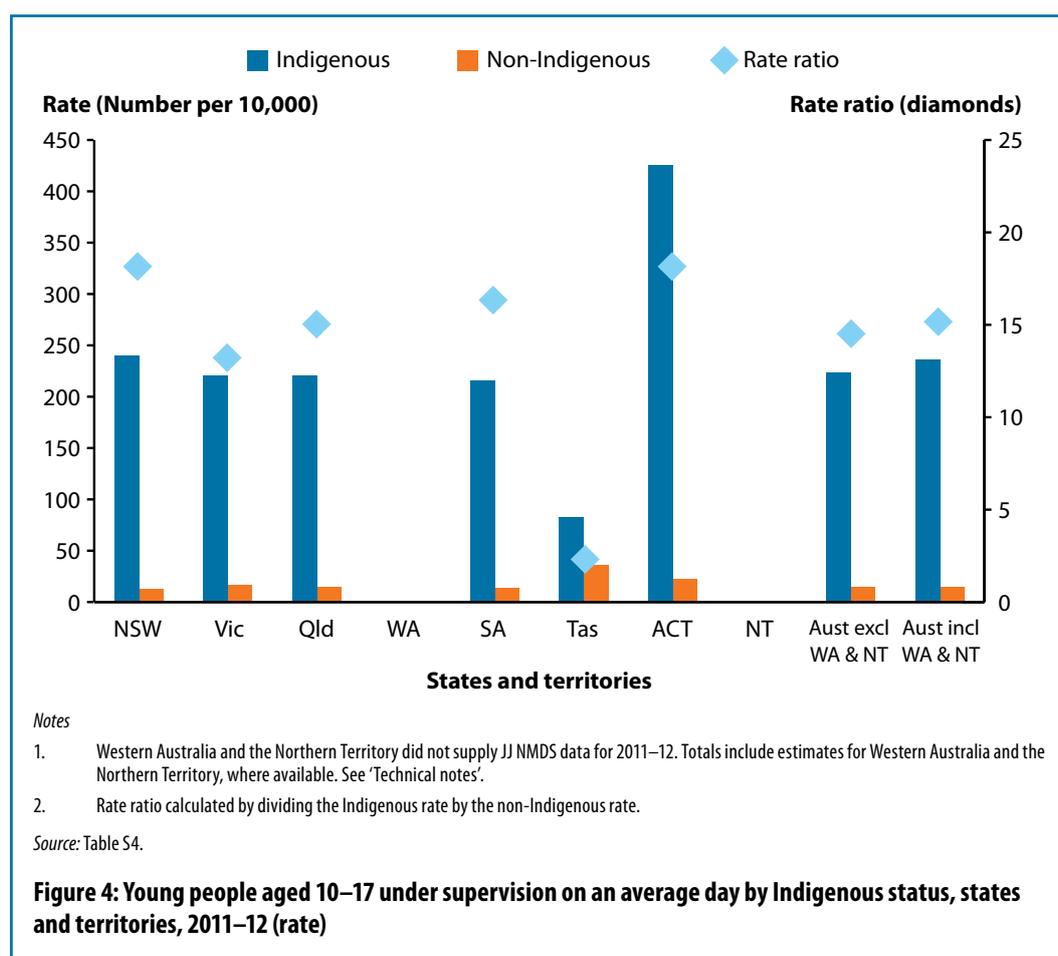
Indigenous young people under supervision were younger, on average, than non-Indigenous young people (Figure 3). About 1 in 4 (24%) Indigenous young people under supervision on an average day were aged 10–14, compared with 1 in 8 (13%) non-Indigenous young people.



Nationally, there were 236 Indigenous young people per 10,000 aged 10–17 under supervision on an average day in 2011–12, compared with just 15 non-Indigenous young people per 10,000 (Table S4). Indigenous young people aged 10–17 were therefore almost 16 times as likely to be under supervision as non-Indigenous young people.

Indigenous over-representation was greatest in detention. Indigenous young people aged 10–17 were 15 times as likely as non-Indigenous young people to be under community-based supervision (194 compared with 13 per 10,000), and almost 25 times as likely to be in detention (42 compared with 1.7 per 10,000) (tables S39 and S72).

Indigenous young people were over-represented in youth justice supervision in all states and territories (Figure 4). Among the states and territories for which data were available, Tasmania had the lowest rate of Indigenous young people aged 10–17 under supervision on an average day (82 per 10,000) and the lowest level of Indigenous over-representation (as measured by the rate ratio)—just over twice the non-Indigenous rate. Levels of Indigenous over-representation were highest in New South Wales and the Australian Capital Territory (18 and 19 times the non-Indigenous rate, respectively).



Indigenous young people under supervision on an average day were more likely than non-Indigenous young people to have lived in *Remote* or *Very remote* areas before entering supervision (10% compared with less than 1%) (tables S2 and S21). They were also more likely to have lived in the areas of lowest socioeconomic status before entering supervision (44% compared with 35%) (tables S2 and S23).

Indigenous young people who completed at least one period of supervision during 2011–12 were more likely to complete multiple periods than non-Indigenous young people (20% compared with 13%). They also spent about 2 weeks longer, in total, under supervision during the year (197 days, on average, compared with 183) (tables S28 and S30).

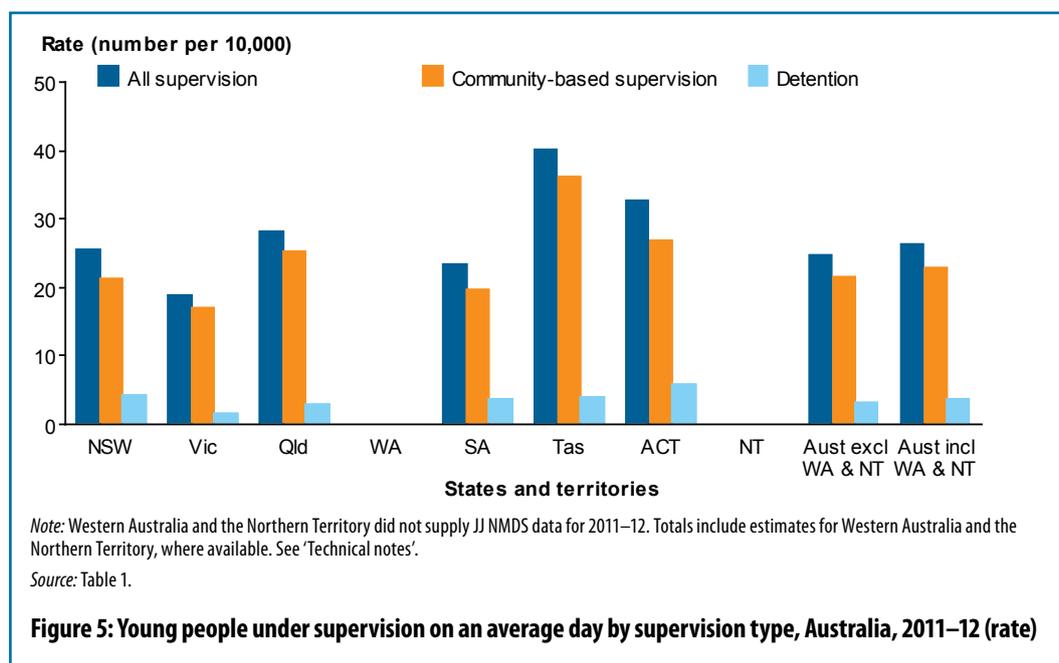
However, there were differences between detention and community-based supervision. Indigenous young people spent almost 2 weeks more in unsentenced detention during the year than non-Indigenous young people (46 days compared with 34 days, on average) and 2 weeks less in sentenced detention (93 days compared with 107) (tables S108 and S116). They spent a similar amount of time as non-Indigenous young people under community-based supervision (183 days compared with 181) (Table S62).

State and territory youth justice agencies provide a range of services and programs to young people under supervision to help reduce their risk of re-offending. Programs designed specifically for Indigenous young people are available in each state and territory, and aim to provide culturally sensitive and appropriate support to young people and their families and communities. Programs focus on topics such as alcohol and drug use, family violence, education and employment, art and cultural activities, mentoring, counselling, and family support. More information about the Indigenous-specific youth justice programs available in each state and territory is provided in the bulletin *Indigenous young people in the juvenile justice system: 2010–11* (AIHW 2012b).

## States and territories

Among the states and territories for which comparable data were available, the rate of young people aged 10–17 under supervision on an average day in 2011–12 was lowest in Victoria, at 19 per 10,000 population, and highest in Tasmania, at 40 per 10,000 (Figure 5). Variations between states and territories can reflect differences in legislation, policy and practice in the youth justice systems, including the range of supervised orders and the options for diversion that are available.

There were also differences in the rates of community-based supervision and detention. Victoria had the lowest rates of both community-based supervision (17 per 10,000 population) and detention (1.4 per 10,000) on an average day in 2011–12. Tasmania had the highest rate of community-based supervision (36 per 10,000), while the highest rate of detention was in the Australian Capital Territory (5.8 per 10,000).



There were variations in the age profiles of young people under supervision among the states and territories. In Queensland, young people aged 17 or over at the time that they allegedly commit offences are processed in the adult criminal justice system. This results in a younger population, on average, under youth justice supervision in Queensland. Conversely, in Victoria, some young people aged 18–20 may be sentenced to detention in a youth facility (known as the 'dual track' system) which results in an older population, on average.

Despite these differences, the majority of those under supervision during 2011–12 were aged 14–17 in all states and territories (64–88%) (Table S1). On an average day, the proportion of young people under supervision who were aged 10–13 ranged from 2% in the Australian Capital Territory to 8% in Queensland, while the proportion aged 18 and over ranged from 6% in New South Wales to 32% in Victoria.

There were also differences among the states and territories in the average total amount of time young people spent under supervision (185 days nationally, or 26 weeks). When all supervision periods during 2011–12 were considered, those in South Australia spent the least amount of time under supervision (152 days, or 22 weeks, on average) and those in Queensland the most (208 days, or almost 30 weeks) (Table S30).

## Types of supervision

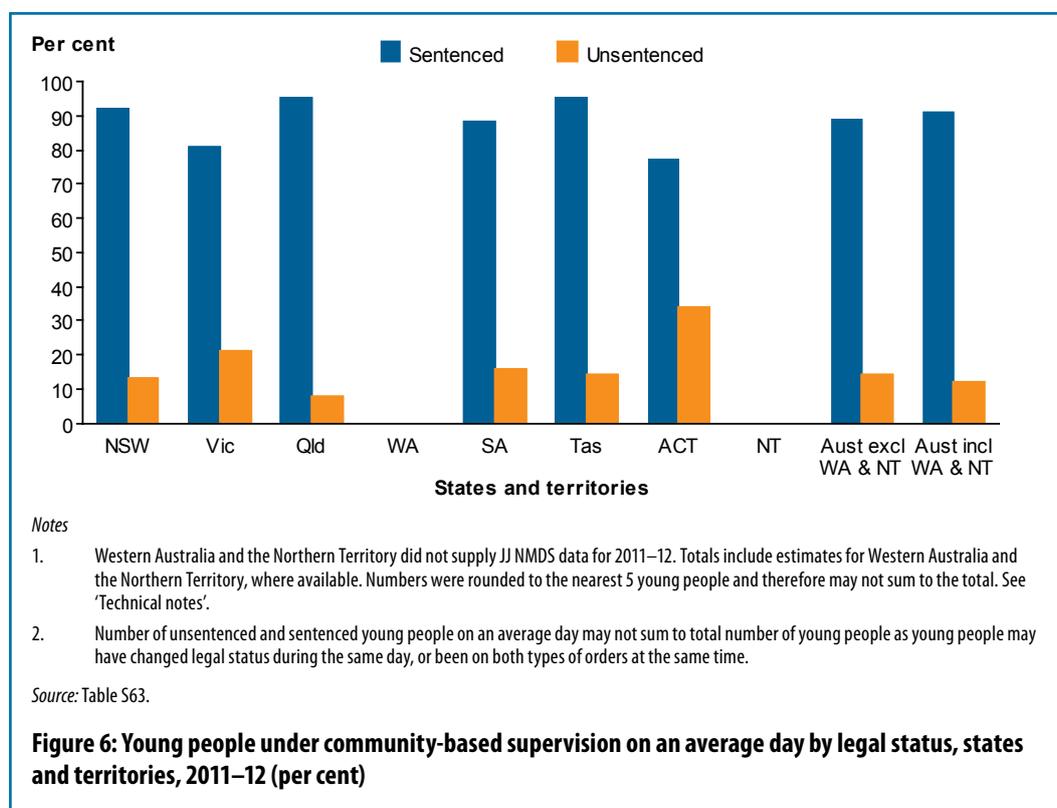
The notion that young people should only be placed in detention as a last resort is one of the key principles upon which Australia's youth justice systems are based. This principle can be found in youth justice legislation in each state and territory. It is also consistent with the *United Nations Convention on the Rights of the Child* (UN CRC) 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). The UN CRC states that children should be deprived of liberty only as a last resort and for the shortest appropriate period of time. Accordingly, most young people under youth justice supervision are supervised in the community rather than in detention.

### Community-based supervision

In 2011–12, 86% of young people under supervision on an average day were supervised in the community (Table 1). Community-based supervision includes both unsentenced orders, such as supervised or conditional bail and home detention bail, and sentenced orders, such as probation and similar, suspended detention, and parole or supervised release.

On an average day in 2011–12, most (91%) young people under community-based supervision were serving a sentence (Figure 6). *Probation and similar* was the most common type of sentenced community-based supervision; on an average day, almost 4 in 5 (79%) young people under community-based supervision were serving a *Probation and similar* order (tables 1 and S59). Tasmania had the highest proportion on *Suspended detention* (35% of those under community-based supervision) and Victoria and New South Wales had the highest proportion on *Parole and supervised release* (11% and 10%, respectively).

Only about 12% (725 young people) of those under community-based supervision were under unsentenced community-based orders (some people were on multiple types of orders on the same day) (Figure 6). This proportion was lowest in Queensland (8%) and highest in the Australian Capital Territory (34%).



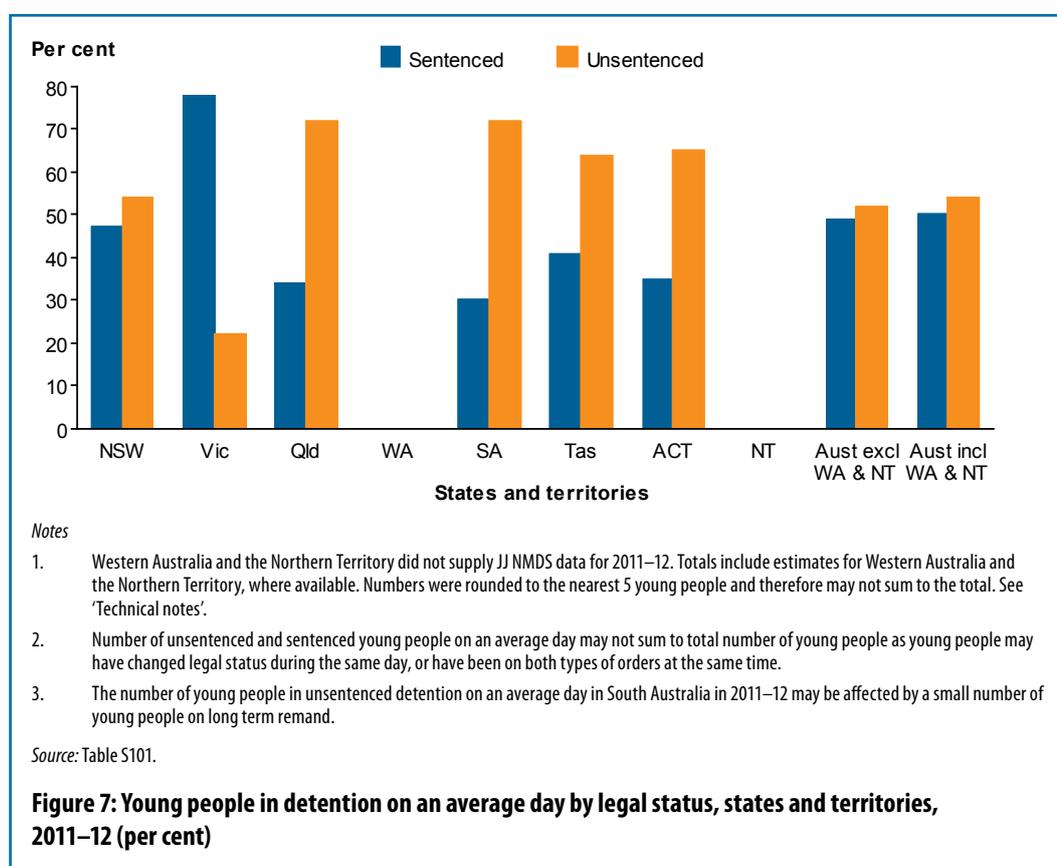
The median duration of periods of community-based supervision that were completed during 2011–12 was almost 3 months (84 days) (Table S61). When all periods during the year are considered, young people spent a total of almost 6 months (180 days), on average, under community-based supervision (Table S62).

## Detention

On an average day in 2011–12, only 14% of young people (about 1,000) under supervision were in detention; this proportion ranged from 8% in Tasmania to 19% in New South Wales (Table 1).

However, many young people experienced detention at some time during the year. About 2 in 5 (41%) young people who were supervised during 2011–12 were in detention at some time, and this proportion ranged from 19% in Tasmania to 56% in New South Wales and the Australian Capital Territory (Table 1). This difference in the proportions of young people under supervision who were in detention on an average day and during the year reflects the fact that young people spent substantially less time in detention, overall, than under community-based supervision.

Just over half (54%) of all young people in detention on an average day were unsentenced (Figure 7). More than half of those detained on an average day were unsentenced in all states and territories except Victoria (22%), with the largest proportions in Queensland and South Australia (72% each; note that unsentenced detention data in South Australia in 2011–12 may be affected by a small number of young people on long term remand). In Victoria, the dual track sentencing system for those aged 18 and over results in a larger proportion of sentenced detainees. When only young people aged 10–17 are considered, about 45% of those in detention on an average day in Victoria were unsentenced (tables S69 and S104).

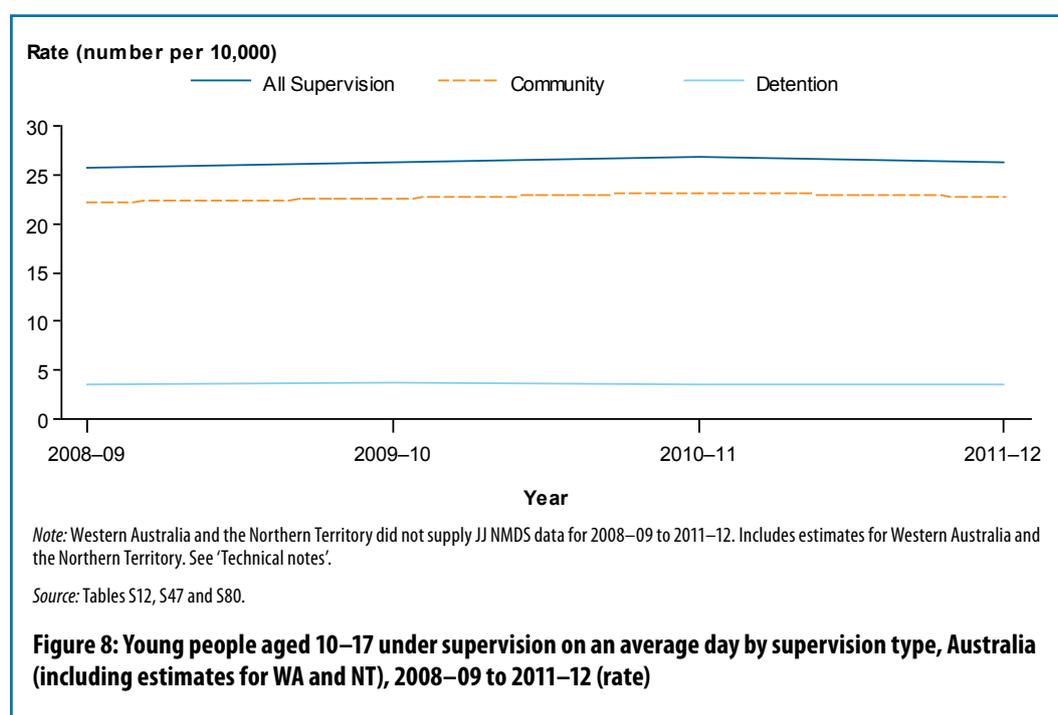


Completed periods of unsentenced detention tended to be shorter (median length 4 days) than periods of sentenced detention (55 days) (tables S107 and S114). Young people who were in unsentenced detention during 2011–12 spent a total of 38 days (or just over 5 weeks), on average, in unsentenced detention during the year (Table S108). Those in sentenced detention spent a total of 101 days (14 weeks) in sentenced detention (Table S116).

When all periods spent in detention during the year are considered, young people spent about 2 months (63 days), on average, in detention (Table S96).

## Recent trends

Nationally, the numbers and rates of young people under youth justice supervision remained relatively stable over the 4 years from 2008–09 to 2011–12 (Figure 8). The rate of young people aged 10–17 under supervision on an average day remained about 26–27 per 10,000 population each year. There was little change in the rates of young people either under community-based supervision on an average day (about 22–23 per 10,000), or in detention (3.5–3.7 per 10,000).



However, there were some changes in the supervision rates among particular groups of young people. Between 2008–09 and 2011–12, there was an increase in the rate of Indigenous young people aged 10–17 under supervision on an average day (from 226 to 236 per 10,000 population) and little change in the rate of non-Indigenous young people (about 15 per 10,000) (Table S12). Indigenous young people were 16 times as likely as non-Indigenous young people to be under supervision on an average day in 2011–12, up slightly from 15 times as likely 4 years earlier.

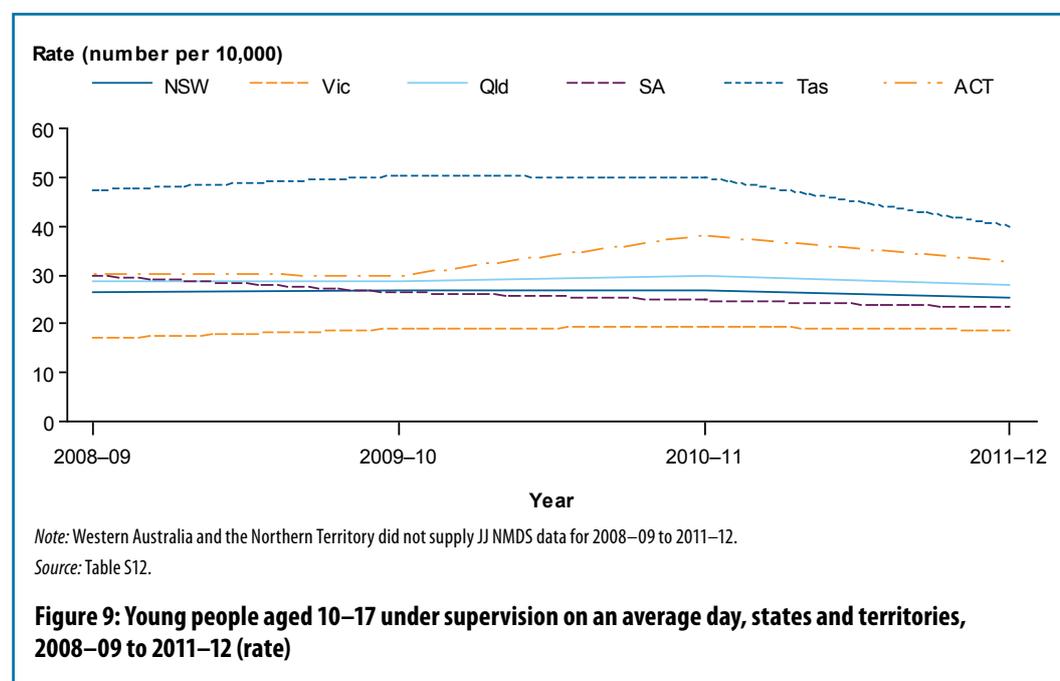
This increase in the Indigenous rate ratio on an average day occurred in community-based supervision (from 13 to 15), while in detention, the rate ratio decreased between 2008–09 and 2010–11 (from 25 to 23) before increasing again (to 25) in the most recent year (tables S47 and S80).

Over the 4 years, there was an increase in the rate of females under supervision on an average day (from 8 to 10 per 10,000 population), while the rate of males remained stable (about 42–43 per 10,000) (Table S15). Males were 4 times as likely to be under supervision as females on an average day in 2011–12, down from 5 times as likely in 2008–09. These trends are explored in more detail in the recent bulletin *Girls and young women in the juvenile justice system: 2010–11* (AIHW 2012a).

Between 2008–09 and 2011–12, there was little change in the total amount of time that young people spent under youth justice supervision during the year, on average (178–185 days in each year) (Table S30). This was the case in both community-based supervision (175–181 days) and detention (62–63 days) (tables S62 and S96).

Despite the stability of rates of supervision at the national level, there were differences in trends among the states and territories for which comparable data were available (Figure 9 and Table 2). Over the 4 years, rates of young people aged 10–17 under supervision on an average day increased in Victoria (from 17 to 19 per 10,000 population) and the Australian Capital Territory (from 30 to 33 per 10,000). Rates decreased notably in South Australia (from 30 to 23 per 10,000) and Tasmania (from 47 to 40 per 10,000), and slightly in New South Wales (from 27 to 26 per 10,000) and Queensland (from 29 to 28 per 10,000).

There were also differences in trends in the levels of Indigenous over-representation. Between 2008–09 and 2011–12, the level of Indigenous over-representation in supervision on an average day (as measured by the rate ratio) increased in all states and territories for which data were available except South Australia and Tasmania (Table S12).



**Table 2: Young people aged 10–17 under supervision on an average day by supervision type, summary of trends in rates, 2008–09 to 2011–12**

	Supervision type		
	Community	Detention	All supervision
New South Wales	↔	↓	↓
Victoria	↑	↔	↑
Queensland	↓	↑	↓
Western Australia	n.a.	n.a.	n.a.
South Australia	↓	↑	↓
Tasmania	↓	↓	↓
Australian Capital Territory	↑	↑	↑
Northern Territory	n.a.	n.a.	n.a.
<b>Australia (including WA and NT estimates)</b>	↔	↔	↔

*Notes*

1. Western Australia and the Northern Territory did not supply JJ NMDS data for 2008–09 to 2010–11. National totals include estimates for Western Australia and the Northern Territory. See 'Technical notes'.
2. Trend data may differ from those previously published due to data revisions.

Source: Tables S12, S47 and S80.

## Technical notes

### *Young people under youth justice supervision*

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

More information about the JJ NMDS, including details of the data and methods used in reporting, is available from the AIHW website at <<http://www.aihw.gov.au/youth-justice/data-quality/>>. A data quality statement for the JJ NMDS 2011–12 is also available at <<http://meteor.aihw.gov.au/content/index.phtml/itemId/515023>>.

### *Age range for treatment as a young person*

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

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

### *Average and median*

Two measures of central tendency are reported in this bulletin:

- **Average (mean)**—the average, or mean, is calculated by summing all of the values and dividing by the number of observations. In this bulletin, averages are used in the reporting of ‘average day’ numbers (see below) and the total amount of time spent under supervision during the year.
- **Median**—the middle value of a set of observations, when arranged in order of value. Medians are often reported where data are not normally distributed, or include extreme values that would distort the average. In this bulletin, median is used in the reporting of the duration of completed periods of supervision, due to the skewed distribution of the data. The duration of completed periods of supervision ranges from 1 day to more than 10 years.

### *Number of young people under supervision*

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

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

The average day measure reflects the number of young people under supervision on a typical day during the year, and gives an indication of the average number of young people supported by the supervision system at any one time. It is a summary measure that reflects both the number of young people supervised and the amount of time they spent under supervision. This measure is the main focus of this bulletin. In contrast, the ‘during the year’ measure is a count of the number of unique individuals who were supervised at any time during 2011–12.

Differences between the average day and during the year measures generally reflect differences in the amount of time spent under supervision. For example, only 14% of young people were in detention on an average day in 2010–11, but 41% experienced detention at some time during the year. This difference reflects the fact that young people spent substantially less time in detention, overall, than under community-based supervision.

Both the average day and during the year counts are provided in most supplementary tables, where appropriate.

### *National totals*

Western Australia and the Northern Territory did not provide JJ NMDS data for 2008–09 to 2011–12. Estimated national totals were calculated, where possible, using non-standard data. Data from the JJ NMDS may include two national totals:

- ♦ **Australia excluding Western Australia and the Northern Territory**—all states and territories with JJ NMDS data.
- ♦ **Australia including estimates for Western Australia and the Northern Territory**—an approximate national total derived, where possible, from the available JJ NMDS data, plus aggregate non-standard data for 2011–12 supplied by Western Australia and 2007–08 JJ NMDS data for the Northern Territory (both rounded to the nearest five young people). These totals are then further rounded to the nearest five young people.

Non-standard data for Western Australia and the Northern Territory are not published in tables as the quality is not comparable with JJ NMDS data.

In addition, not all states and territories were able to provide JJ NMDS data in the current format for all years of the JJ NMDS (2000–01 to 2011–12).

### *Rates*

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

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

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

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.

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

### *Rate ratios*

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 should be interpreted with caution where there are small denominators, rare events and rates that converge while declining. Crude rates are also provided to guide interpretation.

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

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

## Abbreviations

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
Tas	Tasmania
UN CRC	United Nations Convention on the Rights of the Child
Vic	Victoria
WA	Western Australia

## Symbols

n.a.	not available
↑	increase
↓	decrease
↔	stable

## References

ABS (Australian Bureau of Statistics) 2009. Indigenous population projections by age and sex at 30 June 2009: unpublished projections for the Indigenous population based on the 2006 Census of Population and Housing data (Series B). Canberra: ABS.

ABS 2012. Population by age and sex at 31 December 2011: unpublished estimates. Canberra: ABS.

AIHW (Australian Institute of Health and Welfare) 2012a. Girls and young women in the juvenile justice system: 2010–11. Bulletin no. 107. Cat. no. AUS 162. Canberra: AIHW.

AIHW 2012b. Indigenous young people in the juvenile justice system: 2010–11. Bulletin no. 109. Cat. no. AUS 164. Canberra: AIHW.

House of Representatives Standing Committee on Aboriginal and Torres Strait Islander Affairs 2011. *Doing time—time for doing: Indigenous youth in the criminal justice system*. Canberra: Commonwealth of Australia.

Johnston E 1991. *Royal Commission into Aboriginal Deaths in Custody National Report Volumes 1–5*. Canberra: Australian Government Public Service.

Office of the United Nations High Commissioner for Human Rights 1985. *United Nations Standard Minimum Rules for the Administration of Juvenile Justice* ('The Beijing Rules'). Geneva: Office of the United Nations High Commissioner for Human Rights. Viewed 25 February 2012, <<http://www.ohchr.org/EN/ProfessionalInterest/Pages/BeijingRules.aspx>>.

Office of the United Nations High Commissioner for Human Rights 1989. *Convention on the Rights of the Child*. Geneva: Office of the United Nations High Commissioner for Human Rights. Viewed 22 January 2012, <<http://www.ohchr.org/EN/ProfessionalInterest/Pages/CRC.aspx>>.

## More information and related publications

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

This bulletin and associated supplementary data tables can be downloaded free of charge from <<http://www.aihw.gov.au/youth-justice-publications/>>. This bulletin is part of an annual series. Previous and future editions are also available for download.

The following AIHW publications may also be of interest:

- AIHW 2012. *Juvenile detention population in Australia 2012*. Juvenile justice series no. 11. Cat. no. JUV 11. Canberra: AIHW.
- AIHW 2012. *Indigenous young people in the juvenile justice system: 2010–11*. Bulletin no. 109. Cat. no. AUS 164. Canberra: AIHW.
- AIHW 2012. *Girls and young women in the juvenile justice system: 2010–11*. Bulletin no. 107. Cat. no. AUS 162. Canberra: AIHW.
- AIHW 2012. *Children and young people at risk of social exclusion: links between homelessness, child protection and juvenile justice*. Data linkage series no. 13. Cat. no. CSI 13. Canberra: AIHW.
- AIHW 2012. *Linking SAAP, child protection and juvenile justice data: technical report*. Data linkage series no. 14. Cat. no. CSI 14. Canberra: AIHW.
- AIHW 2012. *Juvenile justice in Australia: 2010–11*. Juvenile justice series no. 10. Cat. no. JUV 10. Canberra: AIHW.

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Please note that there is the potential for minor revisions of data in this report.

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