



Youth justice in Australia 2015–16

Summary

This bulletin examines the numbers and rates of young people who were under youth justice supervision in Australia during 2015–16 because of their involvement or alleged involvement in crime. It explores key aspects of their supervision, both in the community and in detention, as well as recent trends.

5,500 young people were under youth justice supervision on an average day

In 2015–16 there were around 5,500 young people aged 10 and older who were under youth justice supervision in Australia, on an average day. Among those aged 10–17 this equates to a rate of 21 per 10,000, or about 1 in every 476 young people. Indigenous young people made up nearly half (48%) of young people aged 10–17 under supervision on an average day and over half (59%) of young people in detention.

Of all young people under supervision on an average day 4 in 5 (82%) were male, and most (79%) were aged 14–17.

A small proportion of these were in detention

Most of the 5,500 young people under supervision on an average day were supervised in the community (84%), on either unsentenced or sentenced orders (such as supervised conditional bail, home detention bail, suspended detention, parole or supervised release). The remainder (17%) were in detention. (Note: some were supervised in both the community and detention on the same day.)

Although, on an average day, most young people were supervised in the community, 44% of young people under supervision during 2015–16 had spent time in detention. More than half of young people in detention on an average day were unsentenced (awaiting the outcome of their legal matter or sentencing).

Indigenous over-representation increasing

Over the 5-year period to 2015–16, rates of both Indigenous and non-Indigenous young people under supervision fell. This decrease was proportionally greater for non-Indigenous young people, which resulted in an increase in the level of Indigenous over-representation.

In 2011–12, Indigenous young people were 13 times as likely to be under supervision as non-Indigenous young people, increasing to 17 times as likely in 2015–16. In 2015–16, Indigenous over-representation was higher for those in detention (25 times) than for those under community-based supervision (15 times).

Variation among the states and territories

Each state and territory in Australia has its own youth justice legislation, policies and practices, which are reflected in differences in the rate of youth justice supervision. In 2015–16, the rate of young people aged 10–17 under supervision on an average day was lowest in Victoria at 14 per 10,000 and highest in the Northern Territory at 57 per 10,000.

Over the 5-year period to 2015–16, the rate of young people aged 10–17 under supervision on an average day decreased in all states and territories except Queensland and the Northern Territory. In Queensland, the rate of young people aged 10–17 under supervision fluctuated between 28 and 30 per 10,000 each year, while in the Northern Territory there was an increase in the rate between 2011–12 and 2013–14 (from 55 to 63 per 10,000) dropping to 57 per 10,000 in the most recent year.

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Introduction

The youth justice system

The set of processes and practices for managing children and young people who have committed, or allegedly committed, an offence is known as the youth justice system. Each state and territory in Australia has its own youth justice legislation, policies and practices. However, the general processes by which young people are charged and sentenced, and the types of legal orders available to the courts, are similar.

Young people can be charged with a criminal offence if they are aged 10 and older. The upper age limit for treatment as a young person is 17 in all states and territories except Queensland, where the age limit is 16. Legislation to increase Queensland's age limit to 17 was passed in November 2016 and is expected to be enacted in November 2017. Separate justice systems exist for young people and adults.

Some young people aged 18 and older are also involved in the youth justice system. This may be due to the offence being committed when the young person was aged 17 or younger, the continuation of supervision once they turn 18, or in some cases because of vulnerability or immaturity. Also, in Victoria, some young people aged 18–20 may be sentenced to detention in a youth facility under the state's 'dual track' sentencing system, which is intended to prevent young people from entering the adult prison system at an early age.

Young people generally first make contact with the youth justice system when police investigate them for allegedly committing a crime. Legal action that police undertake 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).

A court may decide to dismiss the charge, divert the young person from further involvement in the system (for example by referral to mainstream services), 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.

Youth justice supervision

A major feature of any youth justice system is therefore the supervision of young people on legal orders. They may be supervised in the community or within secure detention facilities.

The notion that young people should be placed in detention only as a last resort is one of the key principles upon which Australia's youth justice systems are based. This principle is currently 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.

Young people may be supervised while 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 have pleaded guilty and are awaiting sentencing. However, most of those under supervision are ‘sentenced’, that is, they have been proven guilty in court and sentenced. Young people may be supervised in the community, or be in detention, on both sentenced and unsentenced legal orders.

Unsentenced community-based supervision results from legal orders, such as supervised or conditional bail (which may include conditions such as curfew or a monetary bond) and home detention bail.

Young people may be in sentenced community-based supervision if they have been found guilty in a court and have received a sentenced order; this may include probation and similar (where regular reporting to the youth justice agency and participation in treatment programs may be required), suspended detention (where the young person must meet certain conditions or not re-offend within a specified time period), and parole or supervised release (supervision that follows a period of detention).

Table 1: Types of youth justice supervision

	Community-based	Detention
Unsentenced supervision	Home detention bail: supervised or conditional bail	Remanded in custody (can be police or court referred)
Sentenced supervision	Parole or supervised release, probation or similar suspended detention	Sentenced to detention

This bulletin

Information on the young people who were under youth justice supervision during 2015–16, both in the community and in detention is presented. It also explores the characteristics of their supervision and identifies recent trends.

It includes numbers of young people under supervision relate to young people of all ages (including those aged 18 and over who come under the youth justice system) unless otherwise specified. Population rates, however, are only calculated for young people aged 10–17 due to the differences in age limits among the states and territories.

The information presented is based on data from the Juvenile Justice National Minimum Data Set (JJ NMDS), along with non-standard data for the Northern Territory (see ‘Technical notes’ for more details). Unless otherwise stated, Australian national totals include the non-standard data from the Northern Territory.

This bulletin is part of the *Youth justice in Australia 2015–16* release, which includes supplementary tables (those with a prefix of S), fact sheets and web pages. These can all be downloaded free of charge from the Australian Institute of Health and Welfare (AIHW) website at <<http://www.aihw.gov.au/publications/youth-justice/>>.

Numbers and rates under supervision

National

On an average day in 2015–16 there were 5,482 young people (aged 10 and over) under youth justice supervision in Australia, with a total of 11,007 young people supervised at some time during the year (Table 2).

Most (4,598 or 84%) young people under supervision on an average day were supervised in the community, and the remainder (914 or 17%) were in detention. (Note: totals may not sum due to rounding, and because some young people may have been under community-based supervision and in detention on the same day.)

Table 2: Young people under supervision, by supervision type, states and territories, 2015–16

	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Australia
Number—all ages									
Average day ^(a)									
Community	1,202	921	1,285	594	253	132	71	139	4,598
Detention	299	168	187	138	56	9	9	49	914
All supervision	1,494	1,084	1,466	727	307	141	80	183	5,482
During the year									
Community	2,417	1,989	2,582	1,564	580	232	148	303	9,815
Detention	1,598	680	854	858	436	33	78	270	4,807
All supervision	2,967	2,088	2,647	1,740	751	235	164	415	11,007
Rate for those aged 10–17 (number per 10,000)									
Average day									
Community	16	12	24	22	14	17	19	40	18
Detention	3	2	4	5	3	1	2	18	3
All supervision	19	14	28	27	17	19	21	57	21
During the year									
Community	31	24	49	58	31	29	38	98	37
Detention	20	9	17	34	26	6	19	101	19
All supervision	37	25	50	65	41	30	42	140	41

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

Notes

1. Includes non-standard data for the Northern Territory as JJ NMDS data were not supplied for 2015–16 (see 'Technical notes' section).
2. See 'Technical notes' section for more information about 'average day' and 'during the year' measures.
3. Rates are rounded to whole numbers. See source tables for rates to 2 decimal places, used in the calculation of rate ratios.

Sources: Tables S1, S4, S36, S39, S74 and S77.

Despite few young people under supervision being in detention on an average day (17%), many had experienced detention at some time during the year. About 2 in 5 young people (44%) who were supervised during 2015–16 had experienced detention at some time during the year; this proportion ranged from 14% in Tasmania to 65% in the Northern Territory (Table 2). The difference between the number in detention on an average day, and the number that experienced detention during the year reflects the fact that young people spent substantially less time in detention, on average, than under community-based supervision (see 'Technical notes').

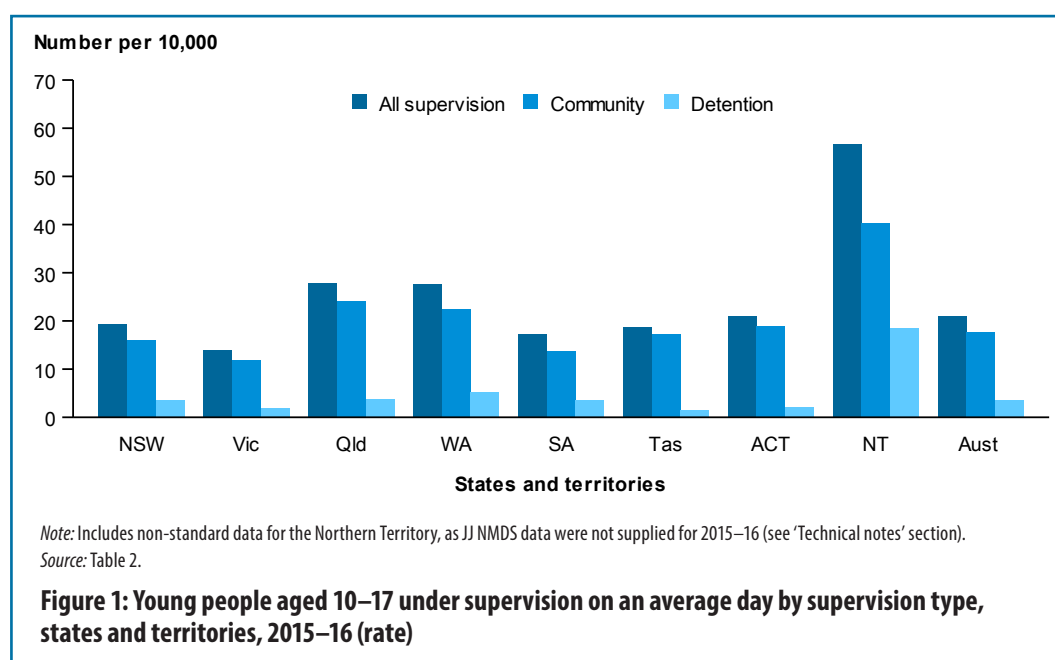
The rate of young people aged 10–17 under youth justice supervision on an average day was 21 per 10,000, which equates to about 1 in every 476 young people. There were 18 young people per 10,000 aged 10–17 under community-based supervision on an average day, and 3 per 10,000 in detention.

States and territories

Among the states and territories, New South Wales and Queensland had the largest groups of young people under supervision on an average day. Young people in those two states accounted for more than one-quarter (27%) of all those under supervision on an average day (Table S1a). This trend was also evident for community-based supervision, with Queensland (28%) and New South Wales (26%) having the most young people under supervision on an average day (Table S36a). Of all young people in detention, 33% were in New South Wales and 20% were in Queensland (Table S74a).

Rates of young people under supervision varied among the states and territories (Figure 1). These variations may reflect differences in state-based legislation, policies and practices in the various youth justice systems, including the types of supervised orders and options for diversion that are available. (Detailed information on this is available from <http://www.aihw.gov.au/youth-justice/states-territories>.) In 2015–16, the rate of young people aged 10–17 under supervision on an average day was lowest in Victoria at 14 per 10,000 and highest in the Northern Territory at 57 per 10,000.

Rates varied among the states and territories for both community-based supervision and detention. For community-based supervision, the rate of young people aged 10–17 on an average day ranged from 12 per 10,000 in Victoria to 40 per 10,000 in the Northern Territory. The rate of young people in detention ranged from 1 to 2 per 10,000 in Tasmania, Victoria and the Australian Capital Territory, to 18 per 10,000 in the Northern Territory.



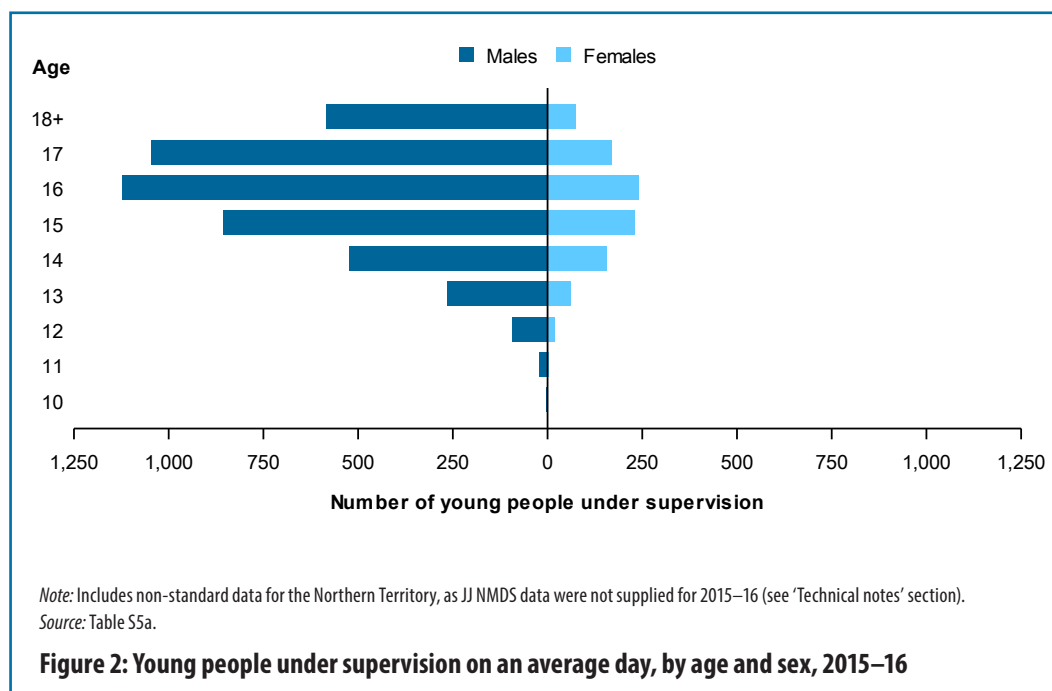
Characteristics of young people under supervision

Age and sex

The majority of young people under supervision on an average day in 2015–16 were male (82%) (Figure 2; Table S2a). This proportion was higher for those in detention (91%) than for those supervised in the community (81%) (tables S37a and S75a). Among young people aged 10–17, males were about 4 times as likely as females to be under supervision on an average day (rates of 33 and 8 per 10,000, respectively) (Table S4a).

Males under supervision substantially outnumbered females in all the states and territories, with the proportion of young males under supervision on an average day ranging from 74% of the population under supervision in the Australian Capital Territory to 87% in Tasmania (Table S2a).

Most (79%) young people under supervision on an average day were aged 14–17 (Figure 2; Table S7a). Both numbers and rates of young people under supervision were highest among those aged 16 (1,364 young people or 47 per 10,000) (tables S5a and S6a). About 1 in 8 (12%) young people under supervision were aged 18 or older and 9% were aged 10–13 (Table S7a).



There are variations among the states and territories in the age profiles of young people under supervision. In Queensland young people aged 17 or over at the time that they allegedly committed offences were processed in the adult criminal justice system. However, in late 2016 legislation was passed to increase the age limit for treatment as a young person to 17. This legislation is expected to be enacted from November 2017.

The current legislation in Queensland has resulted in a comparatively younger population, on average, under youth justice supervision (12% aged 10–13) (Table S7a). 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 a comparatively older population, on average (30% aged 18 and over).

A greater proportion of males than females were in the older age groups (aged 18 years or older) (Figure 2). In 2015–16, about 13% of males under supervision were aged 18 or older, compared with 8% of females (Table S5a).

Indigenous young people under supervision

Aboriginal and Torres Strait Islander young people have a long history of over-representation in both the youth and adult justice systems in Australia (House of Representatives Standing Committee on Aboriginal and Torres Strait Islander Affairs 2011; Johnston 1991).

Although less than 6% of young people aged 10–17 in Australia are Indigenous, nearly half (2,322 or 48%) of the young people aged 10–17 under supervision on an average day in 2015–16 were Indigenous (tables S3a and S144). This proportion was higher in detention, where over half (59%) of the young people aged 10–17 in detention were Indigenous (Table S75a).

In 2015–16, the rate of Indigenous young people aged 10–17 under supervision on an average day was 184 per 10,000, compared with 11 per 10,000 for non-Indigenous young people (Table 3). Indigenous young people aged 10–17 were therefore 17 times as likely as non-Indigenous young people to be under supervision on an average day.

This level of Indigenous over-representation (as measured by the rate ratio; see ‘Technical notes’ section) was higher for detention (25 times as likely) than community-based supervision (15 times as likely) (Table 3).

Indigenous young people were over-represented in youth justice supervision in every state and territory (Figure 3). The rate of Indigenous young people aged 10–17 under supervision on an average day was lowest in Tasmania (52 per 10,000) and highest in Western Australia (279 per 10,000). Similarly, the level of Indigenous over-representation (rate ratio) was lowest in Tasmania (3 times as likely) and highest in Western Australia (27 times as likely).

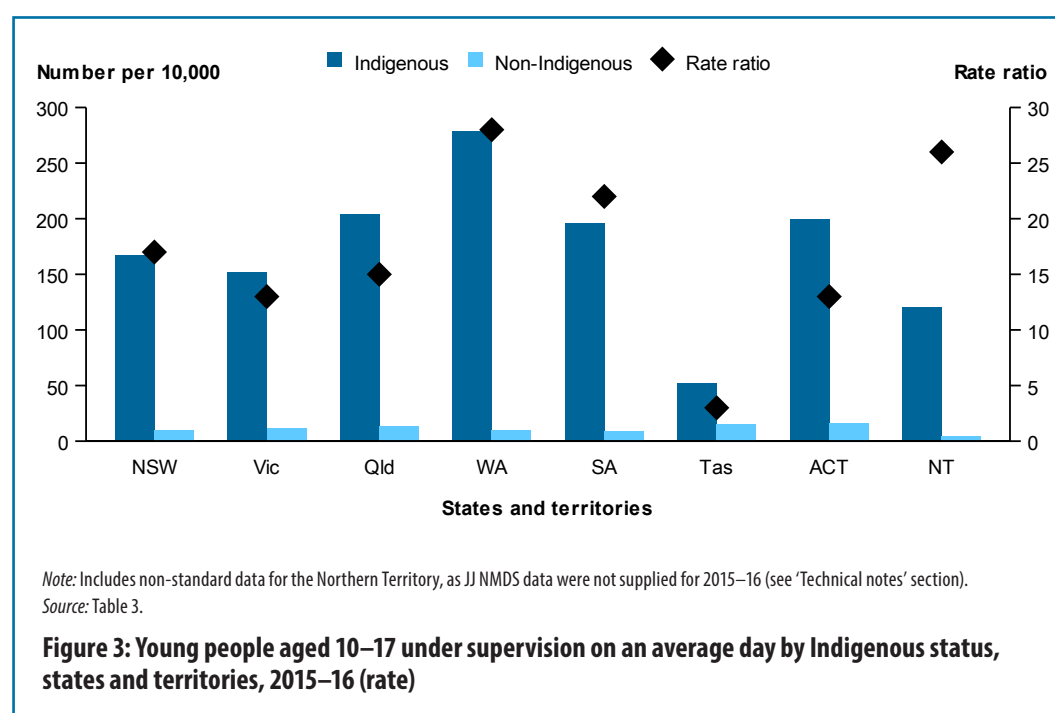
Table 3: Young people aged 10–17 under supervision on an average day by Indigenous status, states and territories, 2015–16 (rate)

	NSW	Vic	Qld	WA	SA	Tas	ACT	NT	Australia
Community-based supervision rate									
Indigenous	131	131	171	219	150	50	180	85	148
Non-Indigenous	8	10	12	9	7	14	14	n.p.	10
All young people	16	12	24	22	14	17	19	40	18
Rate ratio	16	13	14	25	20	4	13	n.p.	15
Detention rate									
Indigenous	36	19	35	61	45	n.p.	n.p.	39	37
Non-Indigenous	2	2	1	1	2	1	2	n.p.	1
All young people	3	2	4	5	3	1	2	18	3
Rate ratio	24	12	28	44	30	n.p.	n.p.	n.p.	25
All supervision rate									
Indigenous	167	152	204	279	195	52	199	120	184
Non-Indigenous	10	12	13	10	9	15	16	5	11
All young people	19	14	28	27	17	19	21	57	21
Rate ratio	17	13	15	27	22	3	13	26	17

Notes

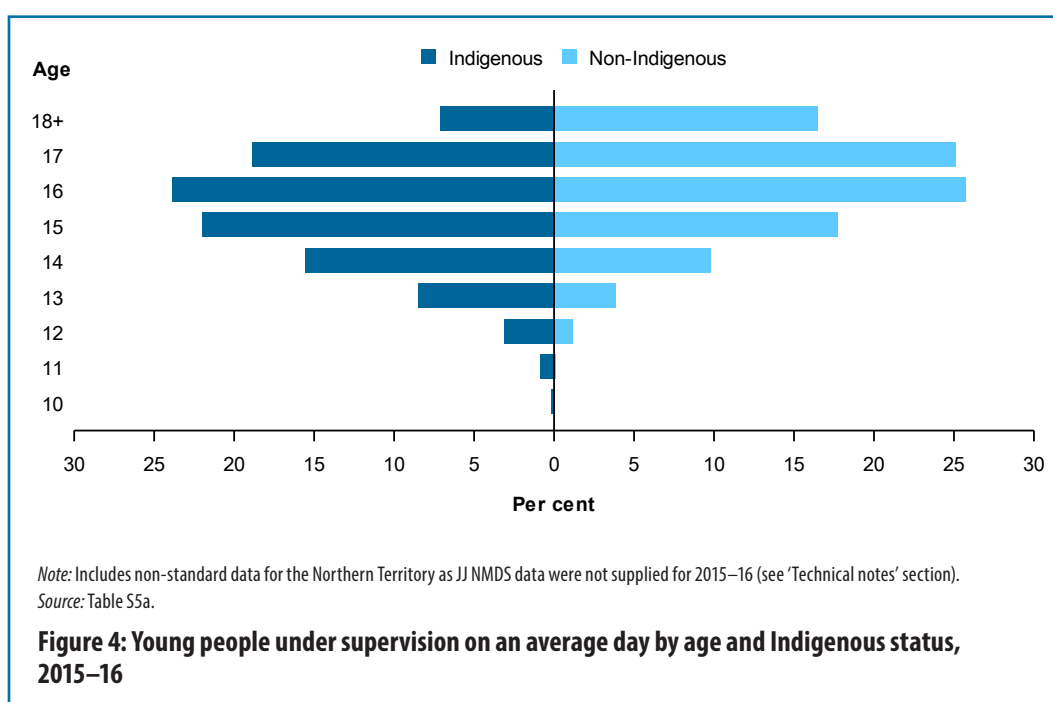
1. Includes non-standard data for the Northern Territory as JJ NMDS data were not supplied for 2015–16 (see 'Technical notes' section).
2. Rates are not published where there were fewer than 5 young people.
3. Indigenous rates for Victoria, South Australia, Tasmania and the Australian Capital Territory should be interpreted with caution, due to Indigenous population denominators that are less than 10,000.
4. The rate ratio is calculated by dividing the Indigenous rate by the non-Indigenous rate.
5. The rate ratio has been calculated using rates to 2 decimal places. See source tables.

Sources: Tables S4a, S39a and S77a.



On average, Indigenous young people under supervision were younger than non-Indigenous young people (Figure 4). This was the case for both males and females. In 2015–16, half (50%) of all Indigenous young people under supervision on an average day were aged 10–15, compared with one-third (33%) of non-Indigenous young people (Table S5a). More than 1 in 8 Indigenous young people under supervision were aged 13 or less compared with 1 in 20 non-Indigenous young people.

Similar proportions of Indigenous and non-Indigenous young people under supervision were male (81% and 84%, respectively) (Table S5a).



Remoteness and socioeconomic position

Most young people under supervision on an average day in 2015–16 lived in *Major cities* (49%) or *Inner and outer regional areas* (37%) before entering supervision (based on postcode of last address) (Table S21a). (The Northern Territory is excluded from this section, as data were not available.)

However, young people from geographically remote areas had the highest rates of supervision. In 2015–16, young people aged 10–17 who were from *Remote areas* were 6 times as likely to be under supervision on an average day as those from *Major cities* (89 per 10,000 compared with 14 per 10,000), while those from *Very remote areas* were 10 times as likely (139 compared with 14 per 10,000) (Table S22c).

Socioeconomic position can be determined by allocating the Socio-Economic Indexes for Areas to the population of interest, based on the postcode of the last known home address. This population-based quintile method is relative, and involves ranking postcodes according to their socio-economic index score, and assigning 20% of the general population to each category. The resulting quintile score for each postcode is then assigned to each record in the JJ NMDS.

Using this method, almost 2 in 5 young people (37%) under supervision on an average day were determined to be from the lowest socioeconomic areas (Table S23a). Young people aged 10–17 from the lowest socioeconomic areas were about 6 times as likely to be under supervision as those from the highest socioeconomic areas (38 per 10,000 compared with 6 per 10,000) (Table S24c).

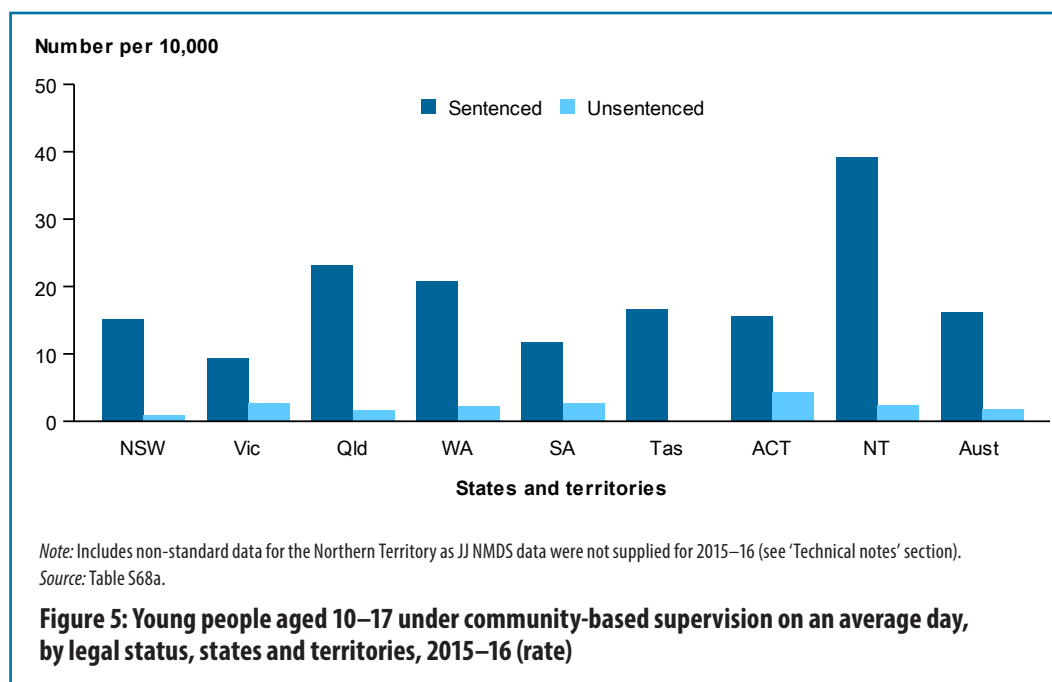
Consistent with the geographical distribution of the Indigenous population in Australia, Indigenous young people under supervision on an average day were more likely than non-Indigenous young people to have lived in *Remote* or *Very remote* areas before entering supervision (17% compared with less than 1%) (Table S21a). They were also more likely to have lived in the lowest socioeconomic areas before entering supervision (42% compared with 34%) (Table S23a).

Types of supervision

Community-based supervision

On an average day in 2015–16, most (92% or 4,220) young people who were under community-based supervision were serving a sentence (Table S66a). The rate of young people aged 10–17 who were under sentenced community-based supervision was 16 per 10,000 (Figure 5). Among the states and territories the rate was lowest in Victoria (9 per 10,000) and highest in the Northern Territory (39 per 10,000).

‘Probation and similar’ was the most common type of sentenced community-based supervision, accounting for 75% of those under sentenced community-based supervision on an average day in 2015–16 (excluding the Northern Territory for which data were not available) (tables S62 and S66a). About 8% were on suspended detention orders and 7% were on parole or supervised release.



About 11% of young people under community-based supervision on an average day were under unsentenced community-based orders (487 young people) (Table S66a). The national rate of young people aged 10–17 under unsentenced community-based supervision was 2 per 10,000 (Figure 5). Among the states and territories, rates ranged from 1 per 10,000 in New South Wales to 4 per 10,000 in the Australian Capital Territory. The rate for Tasmania could not be calculated due to the small number of unsentenced young people in community-based supervision.

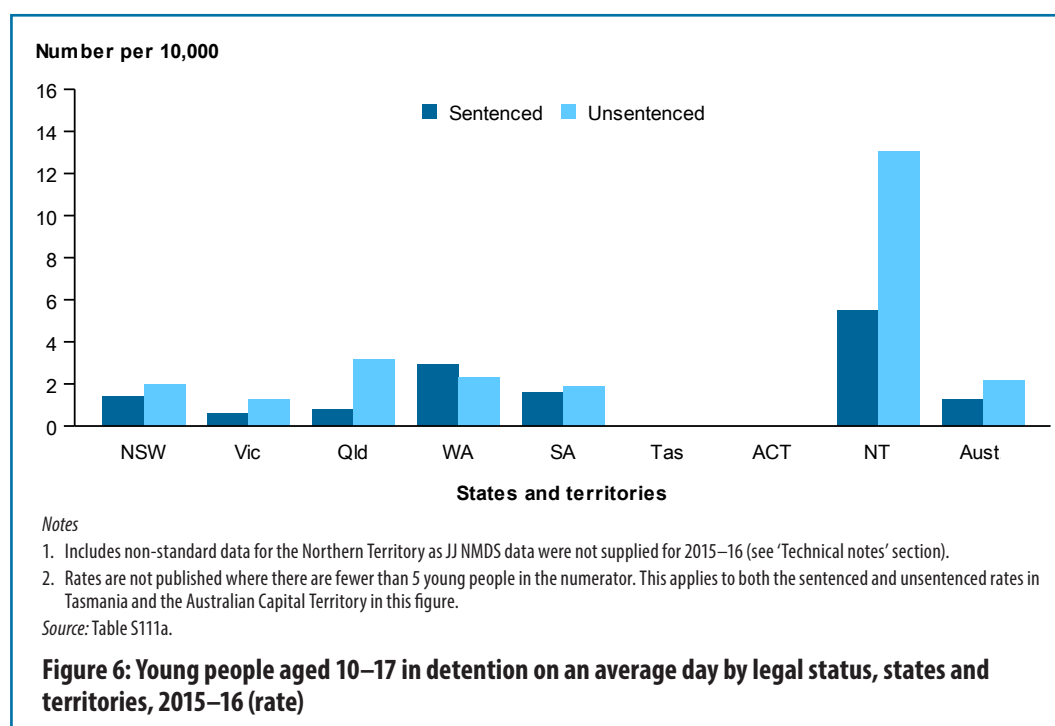
Detention

As with community-based supervision, young people may be in detention when they are unsentenced or sentenced. In 2015–16, more than half (57%) of those in detention on an average day were unsentenced (Table S109a). The proportion rises to 64% when only young people aged 10–17 are considered (Table S110a).

The rate of young people aged 10–17 in unsentenced detention on an average day in 2015–16 was 2 per 10,000, and the rate in sentenced detention was 1 per 10,000 (Figure 6).

Among the states and territories, rates of young people aged 10–17 in unsentenced detention were higher than for sentenced detention in all states and territories except Western Australia (excluding Tasmania and the Australian Capital Territory, for which some rates were not calculated due to small numbers).

Among the states and territories for which rates could be calculated, rates of young people aged 10–17 in both unsentenced and sentenced detention on an average day were lowest in Victoria (1 per 10,000 for each type of detention) and highest in the Northern Territory (13 and 6 per 10,000, respectively).



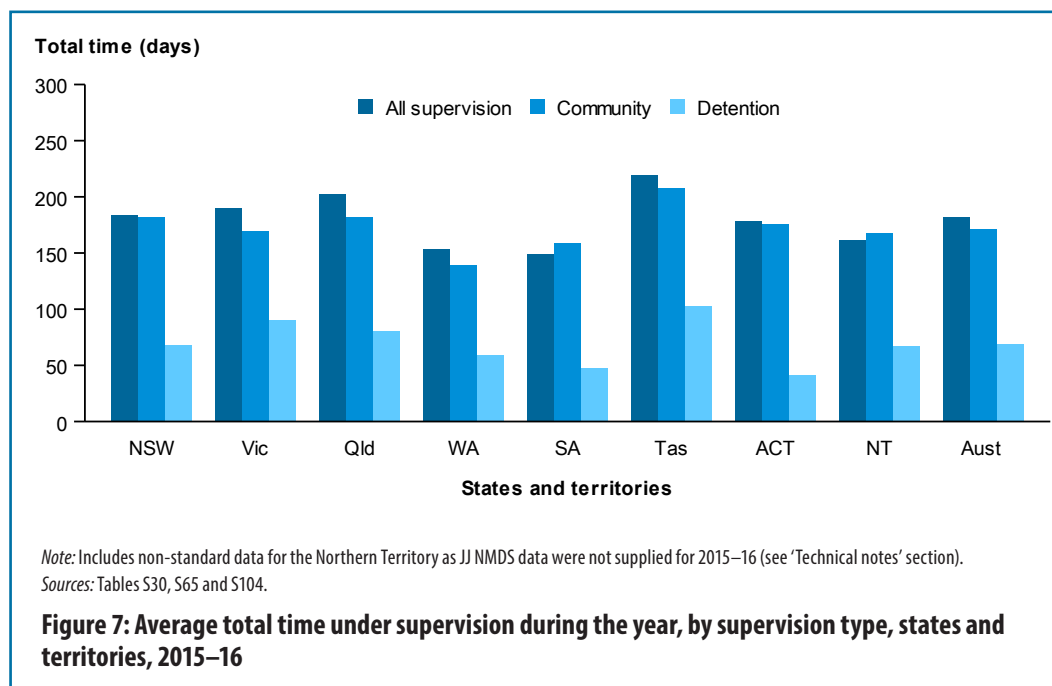
Time under supervision

Total time under supervision

When all the time spent under supervision during 2015–16 is considered (including periods that were not completed), young people who were supervised during the year spent a total of 182 days or about 6 months (26 weeks), on average, under supervision (Figure 7). This was lowest in South Australia (149 days) and highest in Tasmania (219 days).

Young people spent more time, on average, under community-based supervision during the year (171 days, or about 24 weeks) than in detention (69 days, or almost 10 weeks). Again, this varied among the states and territories. The average total amount of time spent under community-based supervision ranged from 139 days in Western Australia to 208 days in Tasmania, while the average time in detention ranged from 41 days in the Australian Capital Territory to 103 days in Tasmania.

Young people spent substantially more time in sentenced detention (103 days on average, or 15 weeks) than unsentenced detention (44 days, or 6 weeks) (tables S118 and S126). This is to be expected, as young people are typically placed in unsentenced detention for relatively short periods while awaiting the outcome of their legal matter or sentencing.



Males spent over 3 weeks longer, on average, under supervision during the year than females (187 days compared with 162) (Table S30). Males spent a similar amount of time as females under community-based supervision (172 days on average, compared with 168) (Table S65) but twice as long in detention (76 days compared with 37) (Table S104).

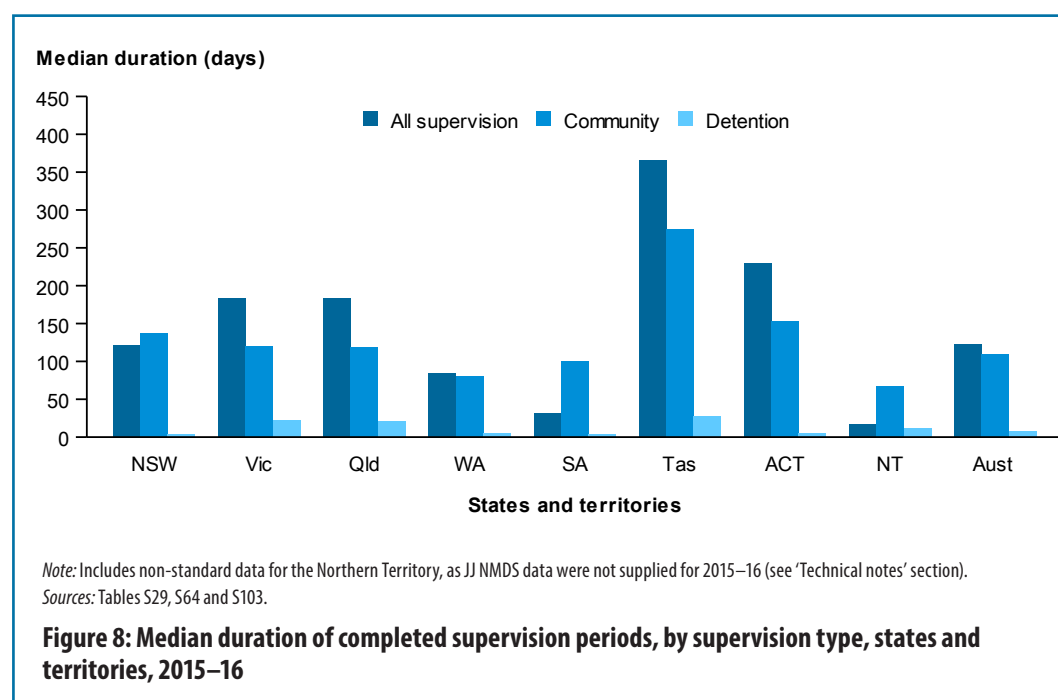
Indigenous young people spent nearly two weeks longer, in total, under supervision during the year than non-Indigenous young people (190 days on average, compared with 178) (Table S30). This difference was largely due to Indigenous young people spending two weeks longer on average in detention (77 days compared with 63) (Table S104). On average, Indigenous young people spent two weeks longer in unsentenced detention (51 days compared with 38), but 2 weeks less in sentenced detention than non-Indigenous young people (98 days compared with 110) (tables S118 and S126).

Individual supervision periods

Individual periods of supervision that were completed during 2015–16 lasted for a median length of 123 days or about 18 weeks; (this includes time under supervision prior to 1 July 2015 if the period started before that date) (Figure 8). The median duration of completed periods varied substantially among the states and territories, ranging from 17 days in the Northern Territory to 365 days in Tasmania.

Completed periods of community-based supervision were substantially longer than completed periods of detention (median of 110 days compared with 8 days). Again, there were differences among the states and territories. In 2015–16, the median length of completed periods of community-based supervision ranged from 67 days in the Northern Territory to 275 days in Tasmania. In detention, the median length ranged from 4 days in New South Wales and South Australia to 28 days in Tasmania.

Completed periods of unsentenced detention were much shorter than periods of sentenced detention (median 7 days compared with 67 days), and this was the case in all states and territories (tables S117 and S124).



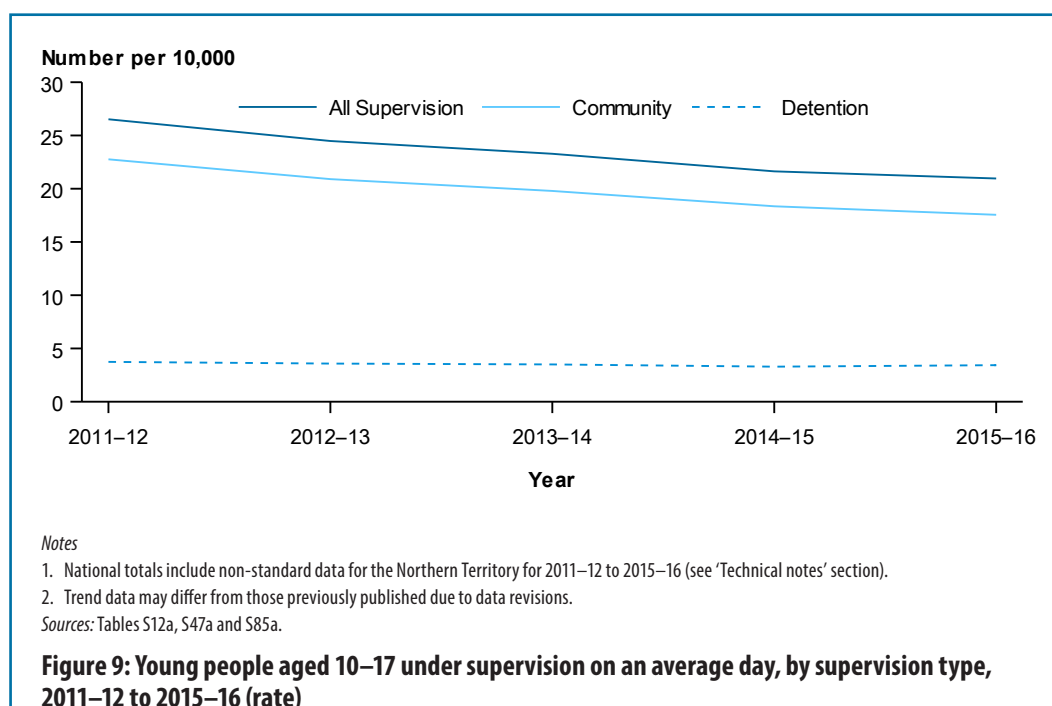
Recent trends

National

Over the 5-year period from 2011–12 to 2015–16, there was a steady decrease in the number and rate of young people under supervision on an average day (Figure 9; Table S11a). The number under supervision fell by 21% (from 6,959 to 5,482), while the rate of those aged 10–17 dropped from 27 to 21 per 10,000 young people.

A drop in the number of individual young people who were supervised each year drove this trend, while the total amount of time young people spent under supervision during the year, on average, remained stable. Between 2011–12 and 2015–16, the number of young people under supervision during the year decreased by 22%, from 14,030 to 11,007 (Table S11b). Over the 5 years to 2015–16, the total amount of time young people spent under supervision remained steady at 180–182 days each year, on average (Table S30).

The decrease in the number of young people under supervision reflects the fact that, in recent years, there have been decreases in the numbers of young people who have been the subject of legal action by police and who had charges finalised in the Children's Courts. Between 2011–12 and 2014–15, the number of young people aged 10–19 who were proceeded against by police each year dropped by 12% (ABS 2016b). The number of young people with matters finalised in the Children's Courts dropped by 17% between 2011–12 and 2014–15 (ABS 2016a).



Over the most recent year (between 2014–15 and 2015–16), the number under supervision on an average day decreased by 3% (from 5,667 to 5,482), while the rate of those aged 10–17 decreased from 22 to 21 per 10,000 (Figure 9; Table S11a).

The number of young people in community-based supervision on an average day fell by 23% (from 5,970 to 4,598) over the 5-year period, while the rate dropped from 23 to 18 per 10,000 for those aged 10–17 (Figure 9; Table S46a). In the most recent year, the number decreased by 5% and the rate remained stable at 18 per 10,000.

There were also steady decreases over the 5-year period in detention. Between 2011–12 and 2015–16, the number of young people in detention on an average day dropped by 11% (from 1,024 to 914) while the rate dropped from 4 to 3 per 10,000 aged 10–17 (Figure 9; Table S84a). In the most recent year, the number in detention increased by 4% while the rate remained steady at 3 per 10,000 for those aged 10–17.

States and territories

Between 2011–12 and 2015–16, the rate of young people aged 10–17 under supervision on an average day decreased in all states and territories except Queensland and the Northern Territory (Figure 10; Table 4). The rate declined most markedly in Tasmania, from 38 to 19 per 10,000.

In Queensland, the rate of young people aged 10–17 under supervision fluctuated between 28 to 30 per 10,000 each year, while in the Northern Territory there was an increase in the rate between 2011–12 and 2013–14 (from 55 to 63 per 10,000) before dropping back to 57 per 10,000 in the most recent year.

For community-based supervision, the rates of young people on an average day decreased overall in all states and territories. In the Northern Territory, there was an increase in the rate until 2013–14, dropping to below the 2011–12 level again in 2015–16. Tasmania had the largest decrease in the rate of young people aged 10–17 under community-based supervision (from 35 to 17 per 10,000).

For detention, rates decreased in New South Wales, Western Australia, Tasmania and the Australian Capital Territory. Rates increased in Victoria, Queensland and the Northern Territory. The Australian Capital Territory had the largest decline in the rate of young people aged 10–17 in detention on an average day (from 6 to 2 per 10,000).

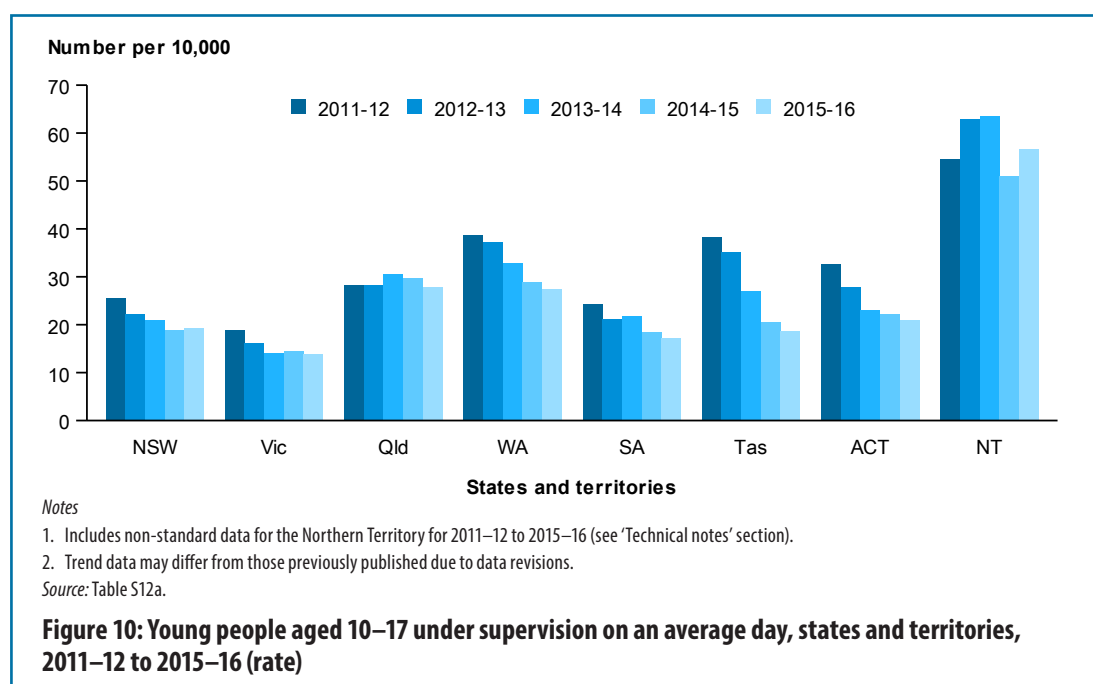


Table 4: Young people aged 10–17 under supervision on an average day by supervision type, summary of trends in rates, 2011–12 to 2015–16

	Supervision type		
	Community	Detention	All supervision
New South Wales	↓	↓	↓
Victoria	↓	↑	↓
Queensland	↔	↑	↔
Western Australia	↓	↓	↓
South Australia	↓	↔	↓
Tasmania	↓	↓	↓
Australian Capital Territory	↓	↓	↓
Northern Territory	↓	↑	↑
Australia	↓	↓	↓

↑ increase ↓ decrease ↔ stable or no clear trend

Notes

1. National totals include non-standard data for the Northern Territory for 2011–12 to 2015–16 (see 'Technical notes' section).
2. Arrows indicate an overall trend between 2011–12 and 2015–16. Trends may have fluctuated between these years, particularly for smaller jurisdictions.
3. Trend data may differ from those previously published due to data revisions.

Sources: Tables S12a, S47a and S85a.

Age and sex

Steady decreases in the rates of young people under supervision occurred among both males and females. Over the 5-year period to 2015–16, the rate of males aged 10–17 under supervision on an average day decreased from 42 to 33 per 10,000, while the rate of females decreased from 10 to 8 per 10,000 (Table S15a). Males aged 10–17 were around 4 times as likely as females to be under supervision on an average day each year.

Similarly, in community-based supervision, there were steady decreases in the rates of both males and females aged 10–17 over the 5-year period (Table S50a). Males were about 4 times as likely as females to be under community-based supervision on an average day each year. They were about 8 to 9 times as likely as females to be in detention on an average day each year (Table S88a).

The decrease in rates of young males under supervision on an average day occurred in most single-year age groups, with the largest decrease being for young males aged 17, from 95 to 69 per 10,000 over the 5-year period (excluding the Northern Territory where data were not available) (Table S9a). Among young females, the largest decrease occurred for those aged 16 (from 23 to 17 per 10,000).

Indigenous young people

Over the 5-year period, there was a drop in the rate of Indigenous young people aged 10–17 under supervision on an average day, from 203 to 184 per 10,000 (Table S12a). The rate of non-Indigenous young people under supervision also dropped over this time period, from 15 to 11 per 10,000.

The decreases in numbers and rates of non-Indigenous young people under supervision over the 5-year period were proportionally greater than the decreases for Indigenous young people.

This resulted in an increase in the level of over-representation of Indigenous young people. For example, Indigenous young people aged 10–17 were 13 times as likely as non-Indigenous young people to be under supervision on an average day in 2011–12, rising to 17 times as likely in 2015–16 (Table S12a).

Similar increases in the Indigenous rate ratio occurred in both community-based supervision (from 12 to 15 times the non-Indigenous rate on an average day), and in detention (21 to 25 times) (tables S47a and S85a). Again, this was due to the fact that decreases in the rates of supervision were proportionally greater for non-Indigenous young people.

Over the 5-year period, there were decreases in the rates of Indigenous and non-Indigenous young people under supervision in all states and territories except the Northern Territory and Queensland, where rates of Indigenous young people fluctuated from year to year, but increased overall (Table 5).

The level of Indigenous over-representation in supervision on an average day (rate ratio) increased overall between 2011–12 and 2015–16 in all states and territories except for the Australian Capital Territory, where it decreased (Table S12a). The Northern Territory had the largest increase in the most recent, with the rate ratio increasing from 16 to 26.

Table 5: Young people aged 10–17 under supervision on an average day by supervision type and Indigenous status, overall trends in rates, states and territories, 2011–12 to 2015–16

	Community		Detention		All supervision	
	Indigenous	Non-Indigenous	Indigenous	Non-Indigenous	Indigenous	Non-Indigenous
New South Wales	↓	↓	↓	↓	↓	↓
Victoria	↓	↓	↔	↔	↓	↓
Queensland	↔	↓	↑	↔	↔	↓
Western Australia	↓	↓	↓	↓	↓	↓
South Australia	↔	↓	↔	↓	↔	↓
Tasmania	↔	↓	n.p.	↓	↔	↓
Australian Capital Territory	↓	↓	n.p.	↓	↓	↓
Northern Territory	↔	↓	↔	n.p.	↔	↓
Australia	↓	↓	↔	↓	↓	↓

↑ increase ↓ decrease ↔ stable or no clear trend n.p. not publishable due to small numbers

Notes

1. National totals include non-standard data for the Northern Territory for 2011–12 to 2015–16 (see 'Technical notes' section).
2. Arrows indicate an overall trend between 2011–12 and 2015–16. Trends may have fluctuated between these years, particularly among smaller jurisdictions.
3. Trend data may differ from those previously published due to data revisions.
4. Changes in the Indigenous rates for Tasmania and the Australian Capital Territory should be interpreted with caution due to small numbers.

Sources: Tables S12a, S47a and S85a.

Time under supervision

Over the 5 years from 2011–12 to 2015–16 the total amount of time young people spent under youth justice supervision during the year remained stable (180–182 days each year, on average) (Table S30). There was some variation among the states and territories, with the largest overall decrease in the Australian Capital Territory (192 days to 178 days) and the largest overall increase in Tasmania (fluctuating between 200 and 219 days).

Over the 5-year period, the total amount of time young people spent under supervision during the year remained relatively stable in both community-based supervision (171–175 days each year, on average) and detention (64–69 days) (tables S65 and S104).

Technical notes

Age

Numbers of young people under supervision include young people of all ages (as well as those aged 18 and over), unless otherwise specified. Rates refer to young people aged 10–17 only, in order to enable meaningful comparisons (see ‘Rates’ below).

Age is calculated as at the start of the first relevant period of supervision, unless that period began before the financial year in question, 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 with respect to the type of supervision being analysed.

Average and median

Two measures are used to describe the central value for the data reported—mean (average) and median. For example, when reporting the total time spent under supervision, the mean duration of all periods is used. However, when reporting the length of completed periods, the median is used due to the skewed distribution of the data.

Data sources

Information about young people under youth justice supervision is based on data from the JJ NMDS, supplemented with non-standard youth justice data that the Northern Territory has supplied.

Juvenile Justice National Minimum Data Set

This data collection contains information about the young people who were supervised by state and territory youth justice agencies in Australia, both in the community and in detention. Data from the JJ NMDS were used for all states and territories except the Northern Territory. However, not all participating states and territories were able to provide JJ NMDS data in the current format for all years of the JJ NMDS (2000–01 to 2015–16).

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 2015–16 is also available at <<http://meteor.aihw.gov.au/content/index.phtml/itemId/666484/>>.

Non-standard data (Northern Territory)

The Northern Territory did not supply JJ NMDS data for the period 2008–09 to 2015–16. This bulletin therefore uses for that state:

- ♦ non-standard youth justice data for the period 2011–12 to 2015–16
- ♦ estimates (based on 2007–08 JJ NMDS data) for 2008–09 to 2010–11.

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/or quality.

Estimates for the Northern Territory for 2008–09 to 2010–11 are not published in tables or figures, but are included in national totals where appropriate.

Indigenous status data quality

Less than 7% of all young people included in the JJ NMDS since 2000–01 have an unknown Indigenous status. In 2015–16, only about 3% of all young people under supervision during the year had an unknown Indigenous status. Among the states and territories, this ranged from less than 1% in Victoria, Western Australia, South Australia, and the Australian Capital Territory, to 8% in New South Wales.

In *Youth justice in Australia* reports, young people with ‘not stated’ Indigenous status are excluded from analyses of Indigenous status data.

In 2011, an AIHW review of Indigenous data quality in the JJ NMDS found that there were variations among the states and territories in the use of the Australian Bureau of Statistics (ABS) standard for collecting and recording Indigenous status data. See the report *Aboriginal and Torres Strait Islander identification in community services data collections: an updated data quality report* (AIHW 2012) for more information.

National totals

JJ NMDS data were not always available for all jurisdictions for all years. Accordingly, where possible, non-standard data were used in order to calculate estimates of national totals (see ‘Data sources’ section above).

Where national estimates could not be calculated, totals excluding the Northern Territory are reported. This includes analyses such as age of first supervision, remoteness, socioeconomic position, supervision orders and supervision history.

Tables, therefore, may include 2 different kinds of national totals:

- ‘**Australia excluding the Northern Territory**’—all states and territories with JJ NMDS data.
- ‘**Australia**’—an estimated national total derived from the available JJ NMDS data, plus non-standard data supplied by the Northern Territory.

Number of young people under supervision

Two measures of the number of young people under supervision are available from the JJ NMDS: these are defined as ‘average day’ and ‘during the year’.

The ‘average day’ measure reflects the number of young people under supervision on any given 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 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. This summary measure reflects both the number of young people supervised and the amount of time they spent under supervision. ‘Average day’ is the measure mainly used.

In contrast, the ‘during the year’ measure is a count of the number of individuals who were supervised at any time during 2015–16. It is calculated by counting each distinct young person under supervision during the year only once, even if they entered and exited supervision multiple times.

Comparing the ‘average day’ and ‘during the year’ measures provides information on the average amount of time spent under supervision during the year. For example, there could be 100 young people under community-based supervision at some time during the year, but only 50 on an average day. This tells you that the average length of time those young people were supervised during the year was 6 months ($50/100 \times 12$ months). By contrast, if you have 100 people in detention during the year and 25 on an average day, the average length of time those young people spent in detention is 3 months ($25/100 \times 12$ months).

In 2015–16, only 17% of young people under supervision were in detention on an average day, but 44% 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.

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 youth justice agencies can supervise young people aged 18 and older, rates compared in this bulletin are restricted to young people aged 10–17.

The calculation of rates excludes young people for whom data on particular variables are not available, and are not calculated where there are fewer than 5 young people, due to a lack of statistical reliability.

Rates are expressed as the number per 10,000 of young people in the population.

Rate ratios

Rate ratios are used to compare Indigenous and non-Indigenous rates and to provide a measure of the level of Indigenous over-representation. They should be interpreted with caution where there are small denominators, rare events, or rates that converge while declining (or diverge while increasing).

Rate ratios are calculated using the rates rounded to 2 decimal places, as published in the supplementary tables.

Remoteness

JJ NMDS reporting 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* and *Very remote*.

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 2 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 position

JJ NMDS reporting uses the Socio-Economic Indexes for Areas (SEIFA) that the ABS has developed to analyse the socioeconomic position of the usual residence of young people under supervision. The Index of Relative Socio-Economic Advantage and Disadvantage is used.

The socioeconomic position of the area of the young person's usual residence was determined by allocating the relevant SEIFA population-based (2011 population) quintile 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 2 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 position of a particular individual living in the area. Therefore, socioeconomic analyses in JJ NMDS reporting 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 each individual 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.

Trends

Trends over the 5-year period from 2011–12 to 2015–16 are examined. When the number of young people under supervision on an average day is relatively small, the amount of random variation from year to year is more noticeable. This may affect the appearance of trends, which should therefore be interpreted with caution, particularly where they relate to small numbers. In recognition of this, percentage changes are not calculated where they relate to groups of fewer than 100 young people.

Comparisons are made between 2011–12 and 2015–16 data. The report aims to highlight the overall or net change over the 5-year period (that is, comparing the start and end of the period) while taking into account the trend within the period. Where possible, changes in the interim years are explored in the text. Full details are available in the supplementary tables.

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

Abbreviations

ABS	Australian Bureau of Statistics
AIHW	Australian Institute of Health and Welfare
Aust	Australia
JJ NMDS	Juvenile Justice National Minimum Data Set
SEIFA	Socio-Economic Indexes for Areas
UN CRC	United Nations Convention on the Rights of the Child

Symbols

- n.p. not published due to small numbers, confidentiality or other concerns about the quality of the data
- ↑ increase
- ↓ decrease
- ↔ stable or no clear trend
- nil or rounded to zero

References

- ABS (Australian Bureau of Statistics) 2016a. Criminal courts, Australia, 2014–15. ABS cat. no. 4513.0. Canberra: ABS.
- ABS 2016b. Recorded crime—offenders, 2015–16. ABS cat. no. 4519.0. Canberra: ABS.
- AIHW (Australian Institute of Health and Welfare) 2012. Aboriginal and Torres Strait Islander identification in community services data collections: an updated data quality report. Cat. no. IHW 80. 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 reports (volumes 1–5). Canberra: Australian Government Publishing 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

This bulletin and associated supplementary data tables (those with a prefix of S) are part of the *Youth justice in Australia 2015–16* release, which also includes a series of fact sheets and web pages. All components can be downloaded free of charge from <<http://www.aihw.gov.au/youth-justice-publications/>>. Previous editions are also available for download.

Table 6 provides a guide to the range and location of information available in the supplementary data tables.

Table 6: Index of supplementary tables^(a)

Characteristic	Type of supervision		
	All young people under supervision	Community-based supervision	Detention
Age, sex, Indigenous status	S1–S7	S36–S42	S74–S80
Trends	S8–S17	S43–S55	S81–S93
First supervision	S18–S20	S54–S57	S92–S97
Remoteness	S21–S22	S58–S59	S98–S99
Socioeconomic position of usual residence	S23–S24	S60–S61	S100–S101
Number of orders/supervision periods	S25–S28	S62–S64	—
Time under supervision/supervision history	S29–S35	S65, S70–S73	S102–S104
Receptions/releases	—	—	S105–S108
Legal status	—	S66–S69	S109–S113
Detention type	—	—	S114–S127

(a) See also tables S128 to S143 for detailed state and territory data and tables S144 to S152 for the population numbers used to calculate rates.

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